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HISTORY OF ENGLAND.





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THE  
HISTORY OF ENGLAND,

FROM THE  
INVASION OF JULIUS CÆSAR

TO  
THE REVOLUTION OF 1688.

*J<sup>m</sup> Hume M.A.*  
BY DAVID HUME, ESQ. *London 1847*

CONTINUED TO THE  
DEATH OF GEORGE THE SECOND,

BY T. SMOLLETT, M. D.

COMPLETE IN ONE VOLUME.

WITH THE  
LAST CORRECTIONS AND IMPROVEMENTS OF THE AUTHORS,  
PORTRAITS OF HUME AND SMOLLETT,  
AND A SHORT MEMOIR OF HUME, WRITTEN BY HIMSELF.

*1878 7/1  
25/2/24*

LONDON:  
WILLIAM BALL, PATERNOSTER ROW.

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1840

THE LIFE

OF

DAVID HUME, ESQ.

WRITTEN BY HIMSELF.



## MY OWN LIFE.

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IT is difficult for a man to speak long of himself without vanity ; therefore I shall be short. It may be thought an instance of vanity that I pretend at all to write my life ; but this narrative shall contain little more than the history of my writings ; as, indeed, almost all my life has been spent in literary pursuits and occupations. The first success of most of my writings was not such as to be an object of vanity.

I was born the 26th of April, 1711, old style, at Edinburgh. I was of a good family, both by father and mother : my father's family is a branch of the Earl of Home's, or Hume's : and my ancestors had been proprietors of the estate which my brother possesses, for several generations. My mother was daughter of Sir David Falconer, President of the College of Justice : the title of Lord Halkerton came by succession to her brother.

My family, however, was not rich, and being myself a younger brother, my patrimony, according to the mode of my country, was of course very slender. My father, who passed for a man of parts, died when I was an infant, leaving me, with an elder brother and a sister, under the care of our mother, a woman of singular merit, who, though young and handsome, devoted herself entirely to the rearing and educating of her children. I passed through the ordinary course of education with success, and was seized very early with a passion for literature, which has been the ruling passion of my life, and the great source of my enjoyments. My studious disposition, my sobriety, and my industry, gave my family a notion that the law was a proper profession for me ; but I found an unsurmountable aversion to every thing but the pursuits of philosophy and general learning : and while they fancied I was poring upon Voet and Vinnius, Cicero and Virgil were the authors which I was secretly devouring.

My very slender fortune, however, being unsuitable to this plan of life, and my health being a little broken by my ardent application, I was tempted, or rather forced, to make a very feeble trial for entering into a more active scene of life. In 1734 I went to Bristol, with some recommendations to several merchants ; but in a few months found that scene totally unsuitable to me. I went over to France with a view of prosecuting my studies in a country retreat ; and I there laid that plan of life which I have steadily and successfully pursued. I resolved to make a very rigid frugality supply my deficiency of fortune, to maintain unimpaired my independency, and to regard every object as contemptible, except the improvement of my talents in literature.

During my retreat in France, first at Rheims, but chiefly at La Fleche, in Anjou, I composed my *Treatise of Human Nature*. After passing three years very agreeably in that country, I came over to London in 1737. In the end of 1738 I published my *Treatise*, and immediately went down to my mother and my brother, who lived at his country-house, and employed himself very judiciously and successfully in the improvement of his fortune.



Never literary attempt was more unfortunate than my *Treatise of Human Nature*. It fell *dead-born from the press*, without reaching such distinction as even to excite a murmur among the zealots. But being naturally of a cheerful and sanguine temper, I very soon recovered the blow, and prosecuted with great ardour my studies in the country. In 1742 I printed at Edinburgh the first part of my *Essays*: the work was favourably received, and soon made me entirely forget my former disappointment. I continued with my mother and brother in the country, and in that time recovered the knowledge of the Greek language, which I had too much neglected in my early youth.

In 1745 I received a letter from the Marquis of Annandale, inviting me to come and live with him in England; I found also, that the friends and family of that young nobleman were desirous of putting him under my care and direction, for the state of his mind and health required it.—I lived with him a twelvemonth. My appointments during that time made a considerable accession to my small fortune. I then received an invitation from General St. Clair to attend him as a secretary to his expedition, which was at first meant against Canada, but ended in an incursion on the coast of France. Next year, to wit, 1747, I received an invitation from the General, to attend him in the same station in his military embassy to the courts of Vienna and Turin. I then wore the uniform of an officer, and was introduced at these courts as *aid-de-camp* to the General, along with Sir Harry Erskine and Captain Grant, now General Grant. These two years were almost the only interruptions which my studies have received during the course of my life: I passed them agreeably, and in good company; and my appointments, with my frugality, had made me reach a fortune, which I called independent, though most of my friends were inclined to smile when I said so: in short, I was now master of near a thousand pounds.

I had always entertained a notion, that my want of success, in publishing the *Treatise of Human Nature*, had proceeded more from the manner than the matter, and that I had been guilty of a very usual indiscretion, in going to the press too early. I therefore cast the first part of that work anew in the *Inquiry concerning Human Understanding*, which was published while I was at Turin. But this piece was at first little more successful than the *Treatise of Human Nature*. On my return from Italy, I had the mortification to find all England in a ferment, on account of Dr. Middleton's *Free Inquiry*, while my performance was entirely overlooked and neglected. A new edition which had been published in London, of my *Essays*, moral and political, met not with a much better reception.

Such is the force of natural temper, that these disappointments made little or no impression on me. I went down in 1749, and lived two years with my brother at his country-house, for my mother was now dead. I there composed the second part of my *Essay*, which I called *Political Discourses*, and also my *Inquiry concerning the Principles of Morals*, which is another part of my *Treatise* that I cast anew. Meanwhile my bookseller, A. Miller, informed me that my former publications (all but the unfortunate *Treatise*) were beginning to be the subject of conversation; and that the sale of them was gradually increasing, and that new editions were demanded. Answers by Reverends and Right Reverends came out two or three in a year; and I found, by Dr. Warburton's railing, that the books were beginning to be esteemed in good company. However, I had a fixed resolution, which I inflexibly maintained, never to reply to any body; and not being very irascible in my temper, I have easily kept myself clear of all literary squabbles. These symptoms of a rising reputation gave me encouragement, as I was ever more disposed to see the favourable than the unfavourable side of things; a turn of mind which it is more happy to possess, than to be born to an estate of ten thousand a year.

In 1751 I removed from the country to the town, the true scene for a man of letters. In 1752 were published at Edinburgh, where I then lived, my *Political Discourses*, the only work of mine that was successful on the first publication. It was well received at home and abroad. In the same year was published at London, my *Inquiry concerning the Principles*

of Morals; which, in my own opinion, (who ought not to judge on that subject,) is of all my writings, historical, philosophical, or literary, incomparably the best. It came unnoticed and unobserved into the world.

In 1752 the Faculty of Advocates chose me their Librarian, an office from which I received little or no emolument, but which gave me the command of a large library. I then formed the plan of writing the History of England; but being frightened with the notion of continuing a narrative through a period of 1700 years, I commenced with the accession of the house of Stuart, an epoch when, I thought, the misrepresentations of faction began chiefly to take place. I was, I own, sanguine in my expectations of the success of this work. I thought that I was the only historian that had at once neglected present power, interest, and authority, and the cry of popular prejudices; and as the subject was suited to every capacity, I expected proportional applause. But miserable was my disappointment: I was assailed by one cry of reproach, disapprobation, and even detestation; English, Scotch, and Irish, whig and tory, churchman and sectary, freethinker and religionist, patriot and courtier, united in their rage against the man who had presumed to shed a generous tear for the fate of Charles I. and the Earl of Strafford; and after the first ebullitions of their fury were over, what was still more mortifying, the book seemed to sink into oblivion. Mr. Miller told me, that in a twelvemonth he sold only forty-five copies of it. I scarcely, indeed, heard of one man in the three kingdoms, considerable for rank or letters, that could endure the book. I must only except the primate of England, Dr. Herring, and the primate of Ireland, Dr. Stone, which seem two odd exceptions. These dignified prelates separately sent me a message not to be discouraged.

I was, however, I confess, discouraged; and had not the war at that time been breaking out between France and England, I had certainly retired to some provincial town of the former kingdom, have changed my name, and never more have returned to my native country. But as this scheme was not now practicable, and the subsequent volume was considerably advanced, I resolved to pick up courage and to persevere.

In this interval, I published at London my Natural History of Religion, along with some other small pieces: its public entry was rather obscure, except only that Dr. Hurd wrote a pamphlet against it, with all the illiberal petulance, arrogance, and scurrility, which distinguish the Warburtonian school. This pamphlet gave me some consolation for the otherwise indifferent reception of my performance.

In 1756, two years after the fall of the first volume, was published the second volume of my History, containing the period from the death of Charles I. till the Revolution. This performance happened to give less displeasure to the whigs, and was better received. It not only rose itself, but helped to buoy up its unfortunate brother.

But though I had been taught by experience, that the whig party were in possession of bestowing all places, both in the state and in literature, I was so little inclined to yield to their senseless clamour, that in above a hundred alterations, which further study, reading, or reflection engaged me to make in the reigns of the two first Stuarts, I have made all of them invariably to the tory side. It is ridiculous to consider the English constitution before that period as a regular plan of liberty.

In 1759 I published my History of the House of Tudor. The clamour against this performance was almost equal to that against the History of the two first Stuarts. The reign of Elizabeth was particularly obnoxious. But I was now callous against the impressions of public folly, and continued very peaceably and contentedly in my retreat at Edinburgh, to finish, in two volumes, the more early part of the English History, which I gave to the public in 1761, with tolerable, and but tolerable, success.

But notwithstanding this variety of winds and seasons to which my writings had been exposed, they had still been making such advances, that the copy-money given me by the booksellers much exceeded any thing formerly known in England; I was become not only

independent, but opulent. I retired to my native country of Scotland, determined never more to set my foot out of it; and retaining the satisfaction of never having preferred a request to one great man, or even making advances of friendship to any of them. As I was now turned of fifty, I thought of passing all the rest of my life in this philosophical manner, when I received, in 1763, an invitation from the Earl of Hertford, with whom I was not in the least acquainted, to attend him on his embassy to Paris, with a near prospect of being appointed secretary to his embassy; and, in the meanwhile, of performing the functions of that office. This offer, however inviting, I at first declined, both because I was reluctant to begin connexions with the great, and because I was afraid that the civilities and gay company of Paris would prove disagreeable to a person of my age and humour: but on his lordship's repeating the invitation, I accepted of it. I have every reason, both of pleasure and interest, to think myself happy in my connexions with that nobleman, as well as afterwards with his brother General Conway.

Those who have not seen the strange effects of modes, will never imagine the reception I met with at Paris, from men and women of all ranks and stations. The more I resiled from their excessive civilities, the more I was loaded with them. There is, however, a real satisfaction in living at Paris, from the great number of sensible, knowing, and polite company with which that city abounds above all places in the universe. I thought once of settling there for life.

I was appointed secretary to the embassy; and, in summer, 1765, Lord Hertford left me, being appointed Lord-Lieutenant of Ireland. I was *Chargé d'Affaires* till the arrival of the Duke of Richmond, towards the end of the year. In the beginning of 1766, I left Paris, and next summer went to Edinburgh, with the same view as formerly, of burying myself in a philosophical retreat. I returned to that place, not richer, but with much more money, and a much larger income, by means of Lord Hertford's friendship, than I left it; and I was desirous of trying what superfluity could produce, as I had formerly made an experiment of a competency. But in 1767 I received from Mr. Conway an invitation to be under-secretary; and this invitation, both the character of the person, and my connexions with Lord Hertford, prevented me from declining. I returned to Edinburgh in 1769, very opulent, (for I possessed a revenue of £1000 a-year,) healthy, and though somewhat stricken in years, with the prospect of enjoying long my ease, and of seeing the increase of my reputation.

In spring 1775 I was struck with a disorder in my bowels, which at first gave me no alarm, but has since, as I apprehend it, become mortal and incurable. I now reckon upon a speedy dissolution. I have suffered very little pain from my disorder; and what is more strange, have, notwithstanding the great decline of my person, never suffered a moment's abatement of my spirits; insomuch, that were I to name a period of my life which I should most choose to pass over again, I might be tempted to point to this later period. I possess the same ardour as ever in study, and the same gaiety in company. I consider, besides, that a man of sixty-five, by dying, cuts off only a few years of infirmities; and though I see many symptoms of my literary reputation's breaking out at last with additional lustre, I knew that I could have but few years to enjoy it. It is difficult to be more detached from life than I am at present.

To conclude historically with my own character. I am, or rather was;—(for that is the style I must now use in speaking of myself, which emboldens me the more to speak my sentiments;) I was, I say, a man of mild disposition, of command of temper, of an open, social, and cheerful humour, capable of attachment, but little susceptible of enmity, and of great moderation in all my passions. Even my love of literary fame, my ruling passion, never soured my temper, notwithstanding my frequent disappointments. My company was not unacceptable to the young and careless, as well as to the studious and literary; and as I took a particular pleasure in the company of modest women, I had no reason to be displeased with the reception I met with from them. In a word, though most men, anywise eminent, have found reason to com-

plain of calumny, I never was touched, or even attacked, by her baleful tooth; and though I wantonly exposed myself to the rage of both civil and religious factions, they seemed to be disarmed in my behalf of their wonted fury. My friends never had occasion to vindicate any one circumstance of my character and conduct: not but that the zealots, we may well suppose, would have been glad to invent and propagate any story to my disadvantage, but they could never find any which they thought would wear the face of probability. I cannot say there is no vanity in making this funeral oration of myself; but I hope it is not a misplaced one; and this is a matter of fact which is easily cleared and ascertained.

*April 18, 1776.*

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## LETTER

FROM

ADAM SMITH, LL. D. TO WILLIAM STRAHAN, ESQ.

DEAR SIR,

*Kirkaldy Fifeshire, Nov. 9. 1776.*

IT is with a real, though a very melancholy, pleasure, that I sit down to give you some account of the behaviour of our late excellent friend, Mr. Hume, during his last illness.

Though in his own judgment his disease was mortal and incurable, yet he allowed himself to be prevailed upon, by the entreaty of his friends, to try what might be the effects of a long journey. A few days before he set out, he wrote that account of his own life, which, together with his own papers, he has left to your care. My account, therefore, shall begin where his ends.

He set out for London towards the end of April, and at Morpeth met with Mr. John Home and myself, who had both come down from London on purpose to see him, expecting to have found him at Edinburgh. Mr. Home returned with him, and attended him during the whole of his stay in England with that care and attention which might be expected from a temper so perfectly friendly and affectionate. As I had written to my mother that she might expect me in Scotland, I was under the necessity of continuing my journey. His disease seemed to yield to exercise and change of air, and when he arrived in London, he was apparently in much better health than when he left Edinburgh. He was advised to go to Bath to drink the waters, which appeared for some time to have so good an effect upon him, that even he himself began to entertain, what he was not apt to do, a better opinion of his own health. His symptoms, however, soon returned with their usual violence, and from that moment he gave up all thoughts of recovery, but submitted with the utmost cheerfulness, and the most perfect complacency and resignation. Upon his return to Edinburgh, though he found himself much weaker, yet his cheerfulness never abated, and he continued to divert himself, as usual, with correcting his own works for a new edition, with reading books of amusement, with the conversation of his friends; and sometimes in the evening with a party at his



favourite game of whist. His cheerfulness was so great, and his conversation and amusements ran so much in their usual strain, that notwithstanding all bad symptoms, many people could not believe he was dying. "I shall tell your friend, Colonel Edmonstone," said Doctor Dundas to him one day, "that I left you much better, and in a fair way of recovery." "Doctor," said he, "as I believe you would not choose to tell any thing but the truth, you had better tell him, that I am dying as fast as my enemies, if I have any, could wish, and as easily and cheerfully as my best friends could desire." Colonel Edmonstone soon afterwards came to see him, and take leave of him; and on his way home he could not forbear writing him a letter, bidding him once more an eternal adieu, and applying to him, as to a dying man, the beautiful French verses in which the Abbé Chaulieu, in expectation of his own death, laments his approaching separation from his friend the Marquis de la Fare. Mr. Hume's magnanimity and firmness were such, that his most affectionate friends knew that they hazarded nothing in talking or writing to him as to a dying man, and that, so far from being hurt by this frankness, he was rather pleased and flattered by it. I happened to come into his room while he was reading this letter, which he had just received, and which he immediately showed me. I told him, that though I was sensible how very much he was weakened, and that appearances were in many respects very bad, yet his cheerfulness was still so great, the spirit of life seemed still to be so very strong in him, that I could not help entertaining some faint hopes. He answered, "Your hopes are groundless. An habitual diarrhœa of more than a year's standing, would be a very bad disease at any age: at my age it is a mortal one. When I lie down in the evening I feel myself weaker than when I rose in the morning, and when I rise in the morning weaker than when I lay down in the evening. I am sensible, besides, that some of my vital parts are affected, so that I must soon die." "Well," said I, "if it must be so, you have at least the satisfaction of leaving all your friends, your brother's family in particular, in great prosperity." He said that he felt that satisfaction so sensibly, that when he was reading, a few days before, Lucian's Dialogues of the Dead, among all the excuses which are alleged to Charon for not entering readily into his boat, he could not find one that fitted him; he had no house to finish, he had no daughter to provide for, he had no enemies upon whom he wished to revenge himself. "I could not well imagine," said he, "what excuse I could make to Charon in order to obtain a little delay. I have done every thing of consequence which I ever meant to do, and I could at no time expect to leave my relations and friends in a better situation than that in which I am now likely to leave them: I therefore have all reason to die contented." He then diverted himself with inventing several jocular excuses which he supposed he might make to Charon, and with imagining the very surly answers which it might suit the character of Charon to return to them. "Upon further consideration," said he, "I thought I might say to him, 'Good Charon, I have been correcting my works for a new edition. Allow me a little time, that I may see how the public receives the alterations.' But Charon would answer, 'When you have seen the effect of these, you will be for making other alterations.' There will be no end of such excuses; so, honest friend, please step into the boat. But I might still urge, 'Have a little patience, good Charon, I have been endeavouring to open the eyes of the public. If I live a few years longer, I may have the satisfaction of seeing the downfall of some of the prevailing systems of superstition.' But Charon would then lose all temper and decency. 'You loitering rogue, that will not happen these many hundred years. Do you fancy I will grant you a lease for so long a term? Get into the boat this instant, you lazy loitering rogue.'"

But, though Mr. Hume always talked of his approaching dissolution with great cheerfulness, he never affected to make any parade of his magnanimity. He never mentioned the subject but when the conversation naturally led to it, and never dwelt longer upon it than the course of the conversation happened to require: it was a subject, indeed, which occurred pretty frequently, in consequence of the inquiries which his friends, who came to see him, naturally made concerning the state of his health. The conversation which I mentioned



above, and which passed on Thursday the 8th of August, was the last, except one, that I ever had with him. He had now become so very weak, that the company of his most intimate friends fatigued him; for his cheerfulness was still so great, his complaisance and social disposition were still so entire, that when any friend was with him, he could not help talking more, and with greater exertion, than suited the weakness of his body. At his own desire, therefore, I agreed to leave Edinburgh, where I was staying partly upon his account, and returned to my mother's house here, at Kirkaldy, upon condition that he would send for me whenever he wished to see me; the physician who saw him most frequently, Doctor Black, undertaking in the meantime to write me occasionally an account of the state of his health.

On the 22d of August, the Doctor wrote me the following letter:

"Since my last, Mr. Hume has passed his time pretty easily, but is much weaker. He sits up, goes down stairs once a day, and amuses himself with reading, but seldom sees any body. He finds, that the conversation of his most intimate friends fatigues and oppresses him; and it is happy that he does not need it, for he is quite free from anxiety, impatience, or low spirits, and passes his time very well with the assistance of amusing books."

I received the day after a letter from Mr. Hume himself, of which the following is an extract:

"MY DEAREST FRIEND,

*Edinburgh, Aug. 23, 1776.*

"I am obliged to make use of my nephew's hand in writing to you, as I do not rise to-day.

\* \* \* \* \*

"I go very fast to decline, and last night had a small fever, which I hoped might put a quicker period to this tedious illness; but unluckily it has in a great measure gone off. I cannot submit to your coming over here on my account, as it is possible for me to see you so small a part of the day, but Dr. Black can better inform you concerning the degree of strength which may from time to time remain with me. Adieu," &c.

Three days after, I received the following letter from Doctor Black:

"DEAR SIR,

*Edinburgh, Monday, Aug. 26, 1776.*

"Yesterday, about four o'clock afternoon, Mr. Hume expired. The near approach of his death became evident in the night between Thursday and Friday, when his disease became excessive, and soon weakened him so much, that he could no longer rise out of his bed. He continued to the last perfectly sensible, and free from much pain or feelings of distress. He never dropped the smallest expression of impatience; but when he had occasion to speak to the people about him, always did it with affection and tenderness. I thought it improper to write to bring you over, especially as I heard that he had dictated a letter to you, desiring you not to come. When he became very weak, it cost him an effort to speak, and he died in such a happy composure of mind that nothing could exceed it."

Thus died our most excellent and never to be forgotten friend; concerning whose philosophical opinions men will no doubt judge variously, every one approving or condemning them, according as they happen to coincide or disagree with his own? but concerning whose character and conduct there can scarce be a difference of opinion. His temper, indeed, seemed to be more happily balanced, if I may be allowed such an expression, than that perhaps of any other man I have ever known. Even in the lowest state of his fortune, his great and necessary frugality never hindered him from exercising, upon proper occasions, acts both

of charity and generosity. It was a frugality founded not upon avarice, but upon the love of independency. The extreme gentleness of his nature never weakened either the firmness of his mind or the steadiness of his resolutions. His constant pleasantry was the genuine effusion of good nature and good humour, tempered with delicacy and modesty, and without even the slightest tincture of malignity, so frequently the disagreeable source of what is called wit in other men. It never was the meaning of his raillery to mortify; and therefore, far from offending, it seldom failed to please and delight, even those who were the objects of it. To his friends, who were frequently the objects of it, there was not perhaps one of all his great and amiable qualities which contributed more to endear his conversation. And that gaiety of temper, so agreeable in society, but which is so often accompanied with frivolous and superficial qualities, was in him certainly attended with the most severe application, the most extensive learning, the greatest depth of thought, and a capacity in every respect the most comprehensive. Upon the whole, I have always considered him, both in his life-time and since his death, as approaching as nearly to the idea of a perfectly wise and virtuous man as perhaps the nature of human frailty will permit.

I ever am, dear Sir,

Most affectionately yours,

ADAM SMITH.

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of Namur, and defeats the allied army at Rouillon. 10. The French and Spaniards are compelled to abandon Piedmont and the Milanese. 11. Don Philip is worsted at Cadogan, and afterwards at Port Lepad. 12. The Austrians take possession of Genoa. Count Brown penetrates into Provence. 13. The Genoese expel the Austrians from their city. 14. The French and East India company. 15. French. 15. Expedition to the coast of Brittain, and attempt upon Port L'Orient. 16. Naval transactions in the West Indies. Conferences at London. 17. The French and the Dutch. 18. The Commons of England. 19. Parliament dissolved. 20. The French and allies take the field in Flanders. 21. Prince of Orange recovers Middelburg. Captain General and Admiral of the United Provinces. 22. The confederates defeated at Lathelut. 23. Siege of Bergen-op-Zoom. 24. The Austrians undertake the siege of Venlo, which, however, they abandon. 25. The Chevalier de Belleisle slain in the attack of Exilles. 26. A French squadron defeated and taken. 27. Admiral Haddock obtains another victory over the French at sea. 28. Other naval transactions. 29. Congress of Aix-la-Chapelle. 30. Session opened. 31. The new parliament. Preliminaries signed. 32. Preparations for the campaign in the Netherlands. 33. Siege of Maestricht. 34. Progress of the French in the East and West Indies. 35. Conclusion of the definitive treaty at Aix-la-Chapelle. 1074

## BOOK III.

### CHAP. I.

SECT. 1. Reflections on the peace. 2. The Prince of Wales's adherents join the opposition. 3. Character of the ministry. 4. Session opened. 5. Debate on the address. 6. Supplies granted. 7. Exorbitant demand of the empress queen opposed. 8. Violent content concerning the empress's bill. 9. Objections to many bills. 10. Bill for limiting the term of a soldier's service. 11. Measures taken with respect to the African trade. 12. Scheme for improving the British fishery. 13. Attempt to open the commerce Hudson's Bay. 14. Plan for managing the navy. 15. Fruitless motions made by the opposition. 16. Severities exercised upon the dissenters at college. 17. Duke of Newcastle chosen chancellor of the university of Cambridge. 18. Tumults in different parts of the kingdom. 19. Scheme for settling the Nova Scotia. 20. Lord Lovell, Halifax, founded. 21. French attempt to settle the island of Tobago. 22. Rejoicings for the peace of Aix-la-Chapelle. 23. Pretender's eldest son arrested at Paris. 24. Appearance of a rupture between Russia and Sweden. 25. Interposition of the King of Prussia. 26. Measures taken by the French ministry. 27. The conduct of the different ministers. 28. Insolvency of the Parity. 29. Disorders. 30. Disturbances in England. 31. Session opened. 32. Subjects of debate. 33. Scheme for reducing the interest of the national debt. 34. Act passed for that purpose. 35. New mutiny bill. 36. Bill for encouraging the importation of iron from America. 36. Erection of the new building for the House of Commons. 37. Lord Murray's election. 38. Lord Murray's election. 39. Lord Murray's election. 40. Lord Murray's election. 41. Lord Murray's election. 42. Lord Murray's election. 43. Lord Murray's election. 44. Lord Murray's election. 45. Lord Murray's election. 46. Lord Murray's election. 47. Lord Murray's election. 48. Lord Murray's election. 49. Lord Murray's election. 50. Lord Murray's election. 51. Lord Murray's election. 52. Lord Murray's election. 53. 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Brief statement of the armies and fleets of Great Britain, about the middle of the year 1760. 1355.





## HISTORY OF ENGLAND.

## CHAPTER I.

THE BRITONS—ROMANS—SAXONS—THE HEPTARCHY.—THE KINGDOM OF KENT—OF NORTHUMBERLAND  
—OF EAST ANGLIA—OF MERCA—OF ESSEX—OF SUSSEX—OF WESSEX.

## THE BRITONS.

THE curiosity entertained by all civilized nations, of inquiring into the exploits and adventures of their ancestors, commonly excites a regret that the history of remote ages should always be so much involved in obscurity, uncertainty, and contradiction. Ingenious men, possessed of leisure, are apt to push their researches beyond the period in which literary monuments are framed or preserved; without reflecting, that the history of past events is immediately lost or disfigured when intrusted to memory and oral tradition, and that the adventures of barbarous nations, even if they were recorded, could afford little or no entertainment to men born in a more cultivated age. The convulsions of a civilized state usually compose the most instructive and most interesting part of its history; but the sudden, violent, and unprepared revolutions incident to barbarians, are so much guided by caprice and terminate so often in cruelty, that they disgust us by the uniformity of their appearance; and it is rather fortunate for letters that they are buried in silence and oblivion. The only certain means by which nations can indulge their curiosity in researches concerning their remote origin, is to consider the language, manners, and customs of their ancestors, and to compare them with those of the neighbouring nations. The fables which are commonly employed to supply the place of true history, ought entirely to be disregarded; or if any exception be admitted to this general rule, it can only be in favour of the ancient Grecian fictions, which are so celebrated and so agreeable, that they will ever be the objects of the attention of mankind. Neglecting, therefore, all traditions, or rather tales, concerning the more early history of Britain, we shall only consider the state of the inhabitants as it appeared to the Romans on their invasion of this country: we shall briefly run over the events which attended the conquest made by that empire, as belonging more to Roman than British story: we shall hasten through the obscure and uninteresting period of Saxon annals: and shall reserve a more full narration for those times when the truth is both so well ascertained and so complete as to promise entertainment and instruction to the reader.

All ancient writers agree in representing the first inhabitants of Britain as a tribe of the Gauls or Celtae, who peopled that island from the neighbouring continent. Their language was the same; their manners, their government, their superstition, varied only by those small differences, which time or a communication with the bordering

nations must necessarily introduce. The inhabitants of Gaul, especially in those parts which lie contiguous to Italy, had acquired, from a commerce with their southern neighbours, some refinement in the arts, which gradually diffused themselves northwards, and spread but a very faint light over this island. The Greek and Roman navigators or merchants (for there were scarcely any other travellers in those ages) brought back the most shocking accounts of the ferocity of the people, which they magnified, as usual, in order to excite the admiration of their countrymen. The south-east parts, however, of Britain, had already, before the age of Cæsar, made the first and most requisite step towards a civil settlement; and the Britons, by tillage and agriculture, had there increased to a great multitude.<sup>a</sup> The other inhabitants of the island still maintained themselves by pasture: they were clothed with skins of beasts. They dwelt in huts, which they reared in the forests and marshes, with which the country was covered: they shifted easily their habitation, when actuated either by the hopes of plunder, or the fear of an enemy: the convenience of feeding their cattle was even a sufficient motive for removing their seats: and as they were ignorant of all the refinements of life, their wants and their possessions were equally scanty and limited.

The Britons were divided into many small nations or tribes; and being a military people, whose sole property was their arms and their cattle, it was impossible, after they had acquired a relish for liberty, for their princes or chieftains to establish any despotic authority over them. Their governments, though monarchical,<sup>b</sup> were free, as well as those of all the Celtic nations; and the common people seem even to have enjoyed more liberty among them,<sup>c</sup> than among the nations of Gaul,<sup>d</sup> from whom they were descended. Each state was divided into factions within itself: it was agitated with jealousy or animosity against the neighbouring states: and while the arts of peace were yet unknown, wars were the chief occupation, and formed the chief object of ambition, among the people.

The religion of the Britons was one of the most considerable parts of their government; and the Druids, who were their priests, possessed great authority among them. Besides ministering at the altar, and directing all religious duties, they presided over the education of youth; they enjoyed an immunity from wars and taxes; they possessed both the civil and criminal jurisdiction; they decided all controversies among states as well as among private

<sup>a</sup> Cæsar, lib. 4.

<sup>b</sup> Diod. Sic. lib. 4. Mela, lib. 3. cap. 6. Strabo, lib. 4.

B

<sup>c</sup> Dion. Cassius, lib. 75.

<sup>d</sup> Cæsar, lib. vi.

<sup>e</sup> Tacit. Agr.

persons, and whoever refused to submit to their decree was exposed to the most severe penalties. The sentence of excommunication was pronounced against him: he was forbidden access to the sacrifices or public worship: he was debarred all intercourse with his fellow-citizens, even in the common affairs of life: his company was universally shunned, as profane and dangerous: he was refused the protection of law:† and death itself became an acceptable relief from the misery and infamy to which he was exposed. Thus, the bands of government, which were naturally loose among that rude and turbulent people, were happily corroborated by the terrors of their superstition.

No species of superstition was ever more terrible than that of the Druids. Besides the severe penalties, which it was in the power of the ecclesiastics to inflict in this world, they inculcated the eternal transmigration of souls; and thereby extended their authority as far as the fears of their timorous votaries. They practised their rites in dark groves or other secret recesses;‡ and in order to throw a greater mystery over their religion, they communicated their doctrines only to the initiated, and strictly forbade the committing of them to writing; lest they should at any time be exposed to the examination of the profane vulgar. Human sacrifices were practised among them: the spoils of war were often devoted to their divinities; and they punished with the severest tortures whoever dared to secrete any part of the consecrated offering. These treasures they kept in woods and forests, secured by no other guard than the terrors of their religion;§ and this steady conquest over human avidity may be regarded as more signal than their prompting men to the most extraordinary and most violent efforts. No idolatrous worship ever attained such an ascendancy over mankind as that of the ancient Gauls and Britons; and the Romans, after their conquest, finding it impossible to reconcile those nations to the laws and institutions of their masters, while it maintained its authority, were at last obliged to abolish it by penal statutes; a violence which had never, in any other instance, been practised by those tolerating conquerors.‡

### THE ROMANS.

THE Britons had long remained in this rude but independent state, when Cæsar, having overrun all Gaul by his victories, first cast his eye on their island. He was not allured either by its riches or its renown; but being ambitious of carrying the Roman arms into a new world, then mostly unknown, he took advantage of a short interval in his Gaulic wars, and made an invasion on Britain. The natives, informed of his intention, were sensible of the unequal contest, and endeavoured to appease him by submissions, which, however, retarded not the execution of his design. After some resistance, he landed, as is supposed, at Deal; and having obtained several advantages over the Britons, and obliged them to promise hostages for their future obedience, he was constrained, by the necessity of his affairs, and the approach of winter, to withdraw his forces into Gaul. The Britons, relieved from the terror of his arms, neglected the performance of their stipulations; and that haughty conqueror resolved next summer to chastise them for this breach of treaty. He landed with a greater force; and though he found a more regular resistance from the Britons, who had united under Cassivelaunus, one of their petty princes, he discomfited them in every action. He advanced into the country, passed the Thames in the face of the enemy; took and burned the capital of Cassivelaunus; established his ally, Mandubratius, in the sovereignty of the Trinobantes; and having obliged the inhabitants to make him new submissions, he again returned with his army into Gaul, and left the authority of the Romans more nominal than real in this island.

The civil wars which ensued, and which prepared the way for the establishment of monarchy in Rome, saved the Britons from that yoke which was ready to be imposed upon them. Augustus, the successor of Cæsar, content

with the victory obtained over the liberties of his own country, was little ambitious of acquiring fame by foreign wars; and being apprehensive lest the same unlimited extent of dominion, which had subverted the republic, might also overwhelm the empire, he recommended it to his successors never to enlarge the territories of the Romans. Tiberius, jealous of the fame which might be acquired by his generals, made this advice of Augustus a pretence for his inactivity.‡ The mad sallies of Caligula, in which he menaced Britain with an invasion, served only to expose himself and the empire to ridicule: and the Britons had now, during almost a century, enjoyed their liberty unmolested; when the Romans, in the reign of Claudius, began to think seriously of reducing them under their dominion. Without seeking any more justifiable reasons of hostility than were employed by the late Europeans in subjecting the Africans and Americans, they sent over an army under the command

A. D. 43.

of Plantius, an able general, who gained some victories, and made a considerable progress in subduing the inhabitants. Claudius himself, finding matters sufficiently prepared for his reception, made a journey into Britain, and received the submission of several British states, the Cantii, Atrebatæ, Regni, and Trinobantes, who inhabited the south-east parts of the island, and whom their possessions and more cultivated manner of life rendered willing to purchase peace at the expense of their liberty. The other Britons under the command of Caratacus, still maintained an obstinate resistance, and the Romans made little progress against them, till Ostorius Scapula was sent over to command their armies. This general advanced the Roman conquests over

A. D. 50.

the Britons; pierced into the country of the Silures, a warlike nation who inhabited the banks of the Severn; defeated Caratacus in a great battle; took him prisoner, and sent him to Rome, where his magnanimous behaviour procured him better treatment than those conquerors usually bestowed on captive princes.‡

Notwithstanding these misfortunes, the Britons were not subdued; and this island was regarded by the ambitious Romans as a field in which military honour might still be acquired. Under the reign of Nero, A. D. 59. Suetonius Paulinus was invested with the command, and prepared to signalize his name by victories over those barbarians. Finding that the island of Mona, now Anglesey, was the chief seat of the Druids, he resolved to attack it, and to subject a place which was the centre of their superstition, and which afforded protection to all their baffled forces. The Britons endeavoured to obstruct his landing on this sacred island, both by the force of their arms and the terrors of their religion. The women and priests were intermingled with the soldiers upon the shore; and running about with flaming torches in their hands, and tossing their dishevelled hair, they struck greater terror into the astonished Romans by their howlings, cries, and execrations, than the real danger from the armed forces was able to inspire. But Suetonius, exhorting his troops to despise the menaces of a superstition which they despised, impelled them to the attack, drove the Britons off the field, burned the Druids in the same fires which those priests had prepared for their captive enemies, destroyed all the consecrated groves and altars; and, having thus triumphed over the religion of the Britons, he thought his future progress would be easy in reducing the people to subjection. But he was disappointed in his expectations. The Britons, taking advantage of his absence, were all in arms; and headed by Boadicea, queen of the Iceni, who had been treated in the most ignominious manner by the Roman tribunes, had already attacked with success several settlements of their insulting conquerors. Suetonius hastened to the protection of London, which was already a flourishing Roman colony; but he found on his arrival, that it would be requisite for the general safety to abandon that place to the merciless fury of the enemy. London was reduced to ashes; such of the inhabitants as remained in it were cruelly massacred; the Romans and all strangers, to the number of 70,000, were every where put to the sword without distinction; and

† Tac. Ann. lib. 6. Strabo, lib. 4.

‡ Plin. lib. 12, cap. 1.

‡ Sueton. in vitâ Claudii.

k Tacit. Agr. -

1 Tacit. Ann. lib. 12.

the Britons, by rendering the war thus bloody, seemed determined to cut off all hopes of peace or composition with the enemy. But this cruelty was revenged by Suetonius in a great and decisive battle, where 80,000 of the Britons are said to have perished; and Boadicea herself, rather than fall into the hands of the enraged victor, put an end to her own life by poison.<sup>m</sup> Nero soon after recalled Suetonius from a government, where, by suffering and inflicting so many severities, he was judged improper for composing the angry and alarmed minds of the inhabitants. After some interval, Cerealis received the command from Vespasian, and by his bravery propagated the terror of the Roman arms. Julius Frontinus succeeded Cerealis both in authority and in reputation; but the general who finally established the dominion of the Romans in this island, was Julius Agricola, who governed it in the reigns of Vespasian, Titus, and Domitian, and distinguished himself in that scene of action.

This great commander formed a regular plan for subduing Britain, and rendering the acquisition useful to the conquerors. He carried his victorious arms northwards, defeated the Britons in every encounter, pierced into the inaccessible forests and mountains of Caledonia, reduced every state to subjection in the southern part of the island, and chased before him all the men of fiercer and more intractable spirits, who deemed war and death itself intolerable than servitude under the victors. He even defeated them in a decisive action, which they fought under Galgacus, their leader; and having fixed a chain of garrisons between the friths of Clyde and Forth, he thereby cut off the ruder and more barren parts of the island, and secured the Roman province from the incursions of the barbarous inhabitants.<sup>n</sup>

During these military enterprises, he neglected not the arts of peace. He introduced laws and civility among the Britons, taught them to desire and raise all the conveniences of life, reconciled them to the Roman language and manners, instructed them in letters and science, and employed every expedient to render those chains which he had forged both easy and agreeable to them.<sup>o</sup> The inhabitants, having experienced how unequal their own force was to resist that of the Romans, acquiesced in the dominion of their masters, and were gradually incorporated as a part of that mighty empire.

This was the last durable conquest made by the Romans; and Britain, once subdued, gave no further inquietude to the victor. Caledonia alone, defended by its barren mountains, and by the contempt which the Romans entertained for it, sometimes infested the more cultivated parts of the island by the incursions of its inhabitants. The better to secure the frontiers of the empire, Adrian, who visited this island, built a rampart between the river Tyne and the frith of Solway: Lollius Urbicus, under Antoninus Pius, erected one in the place where Agricola had formerly established his garrisons: Severus, who made an expedition into Britain, and carried his arms to the most northern extremity of it, added new fortifications to the wall of Adrian: and, during the reigns of all the Roman emperors, such a profound tranquillity prevailed in Britain, that little mention is made of the affairs of that island by any historian. The only incidents which occur, are some seditions or rebellions of the Roman legions quartered there, and some usurpations of the imperial dignity by the Roman governors. The natives, disarmed,

dispirited, and submissive, had lost all desire, and even idea, of their former liberty and independence.

But the period was now come when that enormous fabric of the Roman empire, which had diffused slavery and oppression, together with peace and civility, over so considerable a part of the globe, was approaching towards its final dissolution. Italy and the centre of the empire, removed, during so many ages, from all concern in the wars, had entirely lost the military spirit, and were peopled by an enervated race, equally disposed to submit to a foreign yoke, or to the tyranny of their own rulers. The emperors found themselves obliged to recruit their legions from the frontier provinces, where the genius of war, though languishing, was not totally extinct; and these mercenary forces, careless of laws and civil institutions, established a military government, no less dangerous to the sovereign than to the people. The further progress of the same disorders introduced the bordering barbarians into the service of the Romans; and those fierce nations, having now added discipline to their native bravery, could no longer be restrained by the impotent policy of the emperors, who were accustomed to employ one in the destruction of the others. Sensible of their own force, and allured by the prospect of so rich a prize, the northern barbarians, in the reign of Arcadius and Honorius, assailed at once all the frontiers of the Roman empire; and having first satiated their avidity by plunder, began to think of fixing a settlement in the wasted provinces. The more distant barbarians, who occupied the deserted habitations of the former, advanced in their acquisitions, and pressed with their incumbent weight the Roman state, already unequal to the load which it sustained. Instead of arming the people in their own defence, the emperors recalled all the distant legions, in whom alone they could repose confidence; and collected the whole military force for the defence of the capital and centre of the empire. The necessity of self-preservation had superseded the ambition of power; and the ancient point of honour, never to contract the limits of the empire, could no longer be attended to in this desperate extremity.

Britain by its situation was removed from the fury of these barbarous incursions; and being also a remote province, not much valued by the Romans, the legions which defended it were carried over to the protection of Italy and Gaul. But that province, though secured by the sea against the inroads of the greater tribes of barbarians, found enemies on its frontiers, who took advantage of its present defenceless situation. The Picts and Scots, who dwelt in the northern parts, beyond the wall of Antoninus, made incursions upon their peaceable and effeminate neighbours; and besides the temporary depredations which they committed, these combined nations threatened the whole province with subjection, or, what the inhabitants more dreaded, with plunder and devastation. The Picts seem to have been a tribe of the native British race, who, having been chased into the northern parts by the conquests of Agricola, had there intermingled with the ancient inhabitants: the Scots were derived from the same Celtic origin, had first been established in Ireland, had migrated to the north-west coasts of this island, and had long been accustomed, as well from their old as their new seats, to infest the Roman province by piracy and rapine.<sup>p</sup> These tribes, finding their more opulent neighbours exposed to invasion, soon broke over the Roman

<sup>m</sup> *Ant. Ann.* lib. 14.

<sup>n</sup> *Tacit. Agr.*

<sup>o</sup> *Ibid.*

<sup>p</sup> This question has been disputed with as great zeal, and even animosity, between the Scotch and Irish antiquaries, as if the honour of their respective countries were the most deeply concerned in the decision. We shall not enter into any detail on so uninteresting a subject, but shall propose our opinion in a few words. It appears more than probable, from the similarity of language and manners, that Britain first was originally peopled, or was subdued, by the migration of inhabitants from Gaul, and thence from Britain, the position of the several countries is an additional argument that favours this conclusion. It appears also probable, that the migration of that colony of Gauls or Celts, who founded or subdued Ireland, was sent from the north-west part of Britain, and thus connected, it does not merit a higher name, who descended both on the Irish language, which is a very different dialect from the Welch, and from the language anciently spoken in South Britain, and on the vicinity of Londonderry, Carrickfergus, and Argyllshire, to that island. These customs, as they passed long before the age of history and records, must be known by reasoning alone, which in this case seems to be pretty satisfactory. Caesar and Tacitus, not to mention a multitude of other Greek and Roman authors, were guided by like inferences. But besides these primitive tribes, which are of a very remote antiquity, it is a matter of positive and undoubted testimony, that the Roman province of Britain, during the time of the lower empire, was much infested by bands of rob-

bers or pirates, whom the provincial Britons called Scots or Scuits; a name which was probably used as a term of reproach, and which these banditti themselves did not acknowledge or assent to. We may infer from two passages in Claudian, and from one in Orosius, and another in Isidore, that the chief seat of the Scots was in Ireland. That some part of the Irish freebooters migrated back to the north-west part of Britain, whence their ancestors had probably been driven in a more remote time, is positively asserted by Bede, and implied in Gildas. I grant that neither Bede nor Gildas are Caesars or Tacitus; but such as they are, they remain the sole testimony on the subject, and therefore must be relied on for want of better; happily, however, the question corresponds to the weakness of the authorities. Not to mention, that if any part of the traditional history of a barbarous people can be relied on, it is the genealogy of nations, and even sometimes that of families. It is in vain to argue against these facts from the supposed warlike disposition of the Highlanders, and unwelcome of the ancient Irish. Those arguments are still much weaker than the authorities. Nations change very quickly in these particulars. The Britons were unable to resist the Picts and Scots, and invited over the Saxons for their defence, who repelled these invaders; yet the same Britons valiantly resisted for 150 years, not only this victorious band of Saxons, but infinite numbers more, who poured in upon them from all quarters. Robert Bruce, in 1272, made a peace, in which England, after many defeats, was constrained to acknowledge the



wall, no longer defended by the Roman arms; and, though a contemptible enemy in themselves, met with no resistance from the unwelcome inhabitants. The Britons, accustomed to have recourse to the emperors for defence as well as government, made supplications to Rome; and one legion was sent over for their protection. This force was an overmatch for the barbarians, repelled their invasion, routed them in every engagement, and having chased them into their ancient limits, returned in triumph to the defence of the southern provinces of the empire.<sup>a</sup> Their retreat brought on a new invasion of the enemy. The Britons made again an application to Rome, and again obtained the assistance of a legion, which proved effectual for their relief: but the Romans, reduced to extremities at home, and fatigued with those distant expeditions, informed the Britons that they must no longer look to them for succour, exhorted them to arm in their own defence, and urged, that as they were now their own masters, it became them to protect by their valour that independence which their ancient lords had conferred upon them.<sup>b</sup> That they might leave the island with the better grace, the Romans assisted them in erecting anew the wall of Severus, which was built entirely of stone, and which the Britons had not at that time artificers skilful enough to repair.<sup>c</sup> And having done this last good office to the inhabitants, they bid a final adieu to Britain, about the year 448; after being masters of the more considerable part of it during the course of near four centuries.

### THE BRITONS.

THE abject Britons regarded this present of liberty as fatal to them; and were in no condition to put in practice the prudent counsel given them by the Romans, to arm in their own defence. Unaccustomed both to the perils of war and to the cares of civil government, they found themselves incapable of forming or executing any measures for resisting the incursions of the barbarians. Gratian also and Constantine, two Romans, who had a little before assumed the purple in Britain, had carried over to the continent the flower of the British youth; and having perished in their unsuccessful attempts on the imperial throne, had despoiled the island of those who, in this desperate extremity, were best able to defend it. The Picts and Scots, finding that the Romans had finally relinquished Britain, now regarded the whole as their prey, and attacked the northern wall with redoubled forces. The Britons, already subdued by their own fears, found the ramparts but a weak defence for them; and deserting their station, left the country entirely open to the inroads of the barbarous enemy. The invaders carried devastation and ruin along with them; and exerted to the utmost their native ferocity, which was not mitigated by the helpless condition and submissive behaviour of the inhabitants.<sup>d</sup> The unhappy Britons had a third time recourse to Rome, which had declared its resolution for ever to abandon them. Ætius, the patrician, sustained at that time, by his valour and magnanimity, the tottering ruins of the empire, and revived for a moment, among the degenerate Romans, the spirit, as well as discipline, of their ancestors. The British ambassadors carried to him the letter of their countrymen, which was inscribed, *the Groans of the Britons*. The tenor of the epistle was suitable to its superscription.

*The barbarians, say they, on the one hand, chase us into the sea; the sea, on the other, throw us back upon the barbarians; and we have only the hard choice left us, of perishing by the sword or by the waves.*<sup>e</sup> But Ætius, pressed by the arms of Attila, the most terrible enemy that ever assailed the empire, had no leisure to attend to the complaints of allies, whom generosity alone could induce him to assist.<sup>f</sup> The Britons, thus rejected, were reduced to despair,

deserted their habitations, abandoned tillage, and flying for protection to the forests and mountains, suffered equally from hunger and from the enemy. The barbarians themselves began to feel the pressures of famine in a country which they had ravaged; and being harassed by the dispersed Britons, who had not dared to resist them in a body, they retreated with their spoils into their own country.<sup>g</sup>

The Britons, taking advantage of this interval, returned to their usual occupations; and the favourable seasons which succeeded seconded their industry, made them soon forget their past miseries, and restored to them great plenty of all the necessities of life. No more can be imagined to have been possessed by a people so rude, who had not, without the assistance of the Romans, art of masonry sufficient to raise a stone rampart for their own defence; yet the Monkish historians,<sup>h</sup> who treat of those events, complain of the luxury of the Britons during this period, and ascribe to that vice, not to their cowardice or improvident counsels, all their subsequent calamities.

The Britons, entirely occupied in the enjoyment of the present interval of peace, made no provision for resisting the enemy, who, invited by their former timid behaviour, soon threatened them with a new invasion. We are not exactly informed what species of civil government the Romans on their departure had left among the Britons; but it appears probable, that the great men in the different districts assumed a kind of regal though precarious authority; and lived in a great measure independent of each other.<sup>i</sup> To this disunion of counsels were also added the disputes of theology; and the disciples of Pelagius, who was himself a native of Britain, having increased to a great multitude, gave alarm to the clergy, who seem to have been more intent on suppressing them, than on opposing the public enemy.<sup>j</sup> Labouring under these domestic evils, and menaced with a foreign invasion, the Britons attended only to the suggestions of their present fears; and following the counsels of Vortigern, prince of Dumnonium, who, though stained with every vice, possessed the chief authority among them,<sup>k</sup> they sent into Germany a deputation to invite over the Saxons for their protection and assistance.

### THE SAXONS.

OR all the barbarous nations, known either in ancient or modern times, the Germans seem to have been the most distinguished both by their manners and political institutions, and to have carried to the highest pitch the virtues of valour and love of liberty; the only virtues which can have place among an uncivilized people, where justice and humanity are commonly neglected. Kingly government, even when established among the Germans, (for it was not universal,) possessed a very limited authority; and though the sovereign was usually chosen from among the royal family, he was directed in every measure by the common consent of the nation over whom he presided. When any important affairs were transacted, all the warriors met in arms; the men of greatest authority employed persuasion to engage their consent; the people expressed their approbation by rattling their armour, or their dissent by murmurs; there was no necessity for a nice scrutiny of votes among a multitude, who were usually carried with a strong current to one side or the other; and the measure, thus suddenly chosen by general agreement, was executed with alacrity and prosecuted with vigour. Even in war, the princes governed more by example than by authority; but in peace the civil union was in a great measure dissolved, and the inferior leaders administered justice after an independent manner, each in his particular district. These were elected by the votes of

the name of Use or Irish, given by the low-country Scots to the language of the Scotch Highlanders, is a certain proof of the traditional opinion delivered from father to son, that the latter people came originally from Ireland.

q Gildas, Bede, lib. 1. cap. 12. Paul. Diacon. s Ibid.  
r Bede, lib. 1. cap. 12.  
t Gildas, Bede, lib. 1. Ann. Beverl. p. 45.  
u Gildas, Bede, lib. 1. cap. 13. Malmesbury, lib. 1. cap. 1. Ann. Beverl. p. 45. Chron. Sax. p. 11. edit. 1692.  
w Ann. 1. xiv. l. p. 45.  
x Gildas, Usher, Ant. Brit. p. 218. 317.  
y Gildas, Bede, lib. 1. cap. 17. Constant, in vitâ Germ.  
z Gildas, Gulm. Main. p. 8.

independence of his country: yet in no more distant period than ten years after, Scotland was totally subdued by a small handful of English, led by a few private noblemen. All history is full of such events. The Irish Scots, in the course of two or three centuries, might find time and opportunity sufficient to settle in North Britain, though we can neither assign the period nor causes of that revolution. Their barbarous manner of life rendered them much better than the Romans for subduing these mountaineers. And, in a word, it is clear from the language of the two countries, that the Highlanders and the Irish are the same people, and that the one are a colony to the other. We have positive evidence, which, though from a neutral person, is not perhaps the best that may be wished for, that the former, in the third or fourth century, sprang from the latter: we have no evidence at all that the latter sprang from the former. I shall add, that

the people in their great councils; and though regard was paid to nobility in the choice, their personal qualities, chiefly their valour, procured them from the suffrages of their fellow-citizens that honourable but dangerous distinction. The warriors of each tribe attached themselves to their leader with the most devoted affection and most unshaken constancy. They attended him as his ornament in peace, as his defence in war, as his council in the administration of justice. Their constant emulation in military renown dissolved not that inviolable friendship which they professed to their chieftain and to each other: to die for the honour of their band was their chief ambition; to survive its disgrace, or the death of their leader, was infamous. They even carried into the field their women and children, who adopted all the martial sentiments of the men; and being thus impelled by every human motive, they were invincible; where they were not opposed either by the similar manners and institutions of the neighbouring Germans, or by the superior discipline, arms, and numbers of the Romans.<sup>b</sup>

The leaders and their military companions were maintained by the labour of their slaves, or by that of the weaker and less warlike part of the community, whom they defended. The contributions which they levied went not beyond a bare subsistence; and the honours, acquired by a superior rank, were the only reward of their superior dangers and fatigues. All the refined arts of life were unknown among the Germans: tillage itself was almost wholly neglected; they even seem to have been anxious to prevent any improvements of that nature; and the leaders, by annually distributing anew all the land among the inhabitants of each village, kept them from attaching themselves to particular possessions, or making such progress in agriculture as might divert their attention from military expeditions, the chief occupation of the community.<sup>c</sup>

The Saxons had been for some time regarded as one of the most warlike tribes of this fierce people, and had become the terror of the neighbouring nations.<sup>d</sup> They had diffused themselves from the northern parts of Germany and the Cimbrian Chersonesus, and had taken possession of all the sea-coast from the mouth of the Rhine to Jutland; whence they had long infested by their piracies all the eastern and southern parts of Britain, and the northern of Gaul.<sup>e</sup> In order to oppose their inroads, the Romans had established an officer, whom they called *Count of the Saxon shore*; and as the naval arts can flourish among a civilized people alone, they seem to have been more successful in repelling the Saxons, than any of the other barbarians by whom they were invaded. The dissolution of the Roman power invited them to renew their inroads; and it was an acceptable circumstance, that the deputies of the Britons appeared among them, and prompted them to undertake an enterprise, to which they were of themselves sufficiently inclined.<sup>f</sup>

Hengist and Horsa, two brothers, possessed great credit among the Saxons, and were much celebrated both for their valour and nobility. They were reputed, as most of the Saxon princes, to be sprung from Woden, who was worshipped as a god among those nations, and they are said to be his great grandsons;<sup>g</sup> a circumstance which added much to their authority. We shall not attempt to trace any higher the origin of those princes and nations. It is evident what fruitless labour it must be to search, in those barbarous and illiterate ages, for the annals of a people, when their first leaders, known in any true history, were believed by them to be the fourth in descent from a fabulous deity, or from a man exalted by ignorance into that character. The dark industry of antiquaries, led by imaginary analogies of names, or by uncertain traditions, would in vain attempt to pierce into that deep obscurity which covers the remote history of those nations.

These two brothers, observing the other provinces of Germany to be occupied by a warlike and necessitous people, and the rich provinces of Gaul already conquered

or overrun by other German tribes, found it easy to persuade their countrymen to embrace the sole enterprise which promised a favourable opportunity of displaying their valour and gratifying their avidity. They embarked their troops in three vessels, and about the year 449 or 450,<sup>h</sup> carried over 1600 men, who landed in the isle of Thanet, and immediately marched to the defence of the Britons against the northern invaders. The Scots and Picts were unable to resist the valour of these auxiliaries; and the Britons, applauding their own wisdom in calling over the Saxons, hoped thenceforth to enjoy peace and security under the powerful protection of that warlike people.

But Hengist and Horsa perceiving, from their easy victory over the Scots and Picts, with what facility they might subdue the Britons themselves, who had not been able to resist those feeble invaders, were determined to conquer and fight for their own grandeur, not for the defence of their degenerate allies. They sent intelligence to Saxony of the fertility and riches of Britain; and represented as certain the subjection of a people so long disposed to arms, who, being now cut off from the Roman empire, of which they had been a province during so many ages, had not yet acquired any union among themselves, and were destitute of all affection to their new liberties, and of all national attachments and regards.<sup>i</sup> The vices and pusillanimity of Vortigern, the British leader, were a new ground of hope; and the Saxons in Germany, following such agreeable prospects, soon reinforced Hengist and Horsa with 5000 men, who came over in seventeen vessels. The Britons now began to entertain apprehensions of their allies, whose numbers they found continually augmenting; but thought of no remedy, except a passive submission and connivance. This weak expedient soon failed them. The Saxons sought a quarrel, by complaining that their subsidies were ill paid, and their provisions withdrawn;<sup>k</sup> and immediately taking off the mask, they formed an alliance with the Picts and Scots, and proceeded to open hostility against the Britons.

The Britons, impelled by these violent extremities, and roused to indignation against their treacherous auxiliaries, were necessitated to take arms; and having deposed Vortigern, who had become odious from his vices, and from the bad event of his rash counsels, they put themselves under the command of his son, Vortimer. They fought many battles with their enemies; and though the victories in these actions be disputed between the British and Saxon annalists, the progress still made by the Saxons proves that the advantage was commonly on their side. In one battle, however, fought at Eaglesford, now Ailsford, Horsa, the Saxon general, was slain, and left the sole command over his countrymen in the hands of Hengist. This active general, continually reinforced by fresh numbers from Germany, carried devastation into the most remote corners of Britain; and being chiefly anxious to spread the terror of his arms, he spared neither age, nor sex, nor condition, wherever he marched with his victorious forces. The private and public edifices of the Britons were reduced to ashes: the priests were slaughtered on the altars by those idolatrous ravagers: the bishops and nobility shared the fate of the vulgar: the people, flying to the mountains and deserts, were intercepted and butchered in heaps: some were glad to accept of life and servitude under their victors: others, deserting their native country, took shelter in the province of Armorica; where, being charitably received by a people of the same language and manners, they settled in great numbers, and gave the country the name of Brittany.<sup>l</sup>

The British writers assign one cause which facilitated the entrance of the Saxons into this island; the love with which Vortigern was at first seized for Rowena, the daughter of Hengist, and which that artful warrior made use of to blind the eyes of the imprudent monarch.<sup>m</sup> The same historians add, that Vortimer died: and that Vortigern, being restored to the throne, accepted of a banquet from Hengist,

<sup>b</sup> Caesar, lib. 6. Tacit. de Mor. Germ.

<sup>c</sup> Ibid.

<sup>d</sup> Anim. Marcell. lib. 28. Orosius.

<sup>e</sup> Anim. Marcell. lib. 27. cap. 7. lib. 28. cap. 7.

<sup>f</sup> Wall. Malm. p. 18.

<sup>g</sup> Bede, lib. 1. cap. 15. Saxon Chron. p. 13. Nennius, esp. 36.

<sup>h</sup> Saxon Chronicle, p. 12. God. Malm. p. 11. Huntingdon, lib. 2. p. 399. Ethelweard. Fromptm. p. 728.

<sup>i</sup> Chron. Sax. p. 12. Ann. Beverl. p. 19.

<sup>k</sup> Bede, lib. 1. cap. 15. Nennius, cap. 6. Gildas, c. 24.

<sup>l</sup> Bede, lib. 1. cap. 15. Usher, p. 426. Gildas, c. 24.

<sup>m</sup> Nennius, Galfr. lib. 6. cap. 12.

at Stonehenge, where 300 of his nobility were treacherously slaughtered, and himself detained captive.<sup>a</sup> But these stories seem to have been invented by the Welch authors, in order to palliate the weak resistance made at first by their countrymen, and to account for the rapid progress and licentious devastations of the Saxons.<sup>b</sup>

After the death of Vortimer, Ambrosius, a Briton, though of Roman descent, was invested with the command over his countrymen, and endeavoured, not without success, to unite them in their resistance against the Saxons. Those contests increased the animosity between the two nations, and roused the military spirit of the ancient inhabitants, which had before been sunk into a fatal lethargy. Hengist, however, notwithstanding their opposition, still maintained his ground in Britain; and in order to divide the forces and attention of the natives, he called over a new tribe of Saxons, under the command of his brother Octa, and of Ebbissa, the son of Octa; and he settled them in Northumberland. He himself remained in the southern parts of the island, and laid the foundation of the kingdom of Kent, comprehending the county of that name, Middlesex, Essex, and part of Surrey. He fixed his royal seat at Canterbury; where he governed about forty years, and he died in or near the year 488; leaving his new-acquired dominions to his posterity.

The success of Hengist excited the avidity of the other northern Germans; and at different times, and under different leaders, they flocked over in multitudes to the invasion of this island. These conquerors were chiefly composed of three tribes, the Saxons, Angles, and Jutes,<sup>c</sup> who all passed under the common appellation, sometimes of Saxons, sometimes of Angles; and speaking the same language, and being governed by the same institutions, they were naturally led, from these causes, as well as from their common interest, to unite themselves against the ancient inhabitants. The resistance, however, though unequal, was still maintained by the Britons; but became every day more feeble: and their calamities admitted of few intervals, till they were driven into Cornwall and Wales, and received protection from the remote situation or inaccessible mountains of those countries.

The first Saxon state, after that of Kent, which was established in Britain, was the kingdom of South Saxony. In the year 477,<sup>d</sup> Ælla, a Saxon chief, brought over an army from Germany; and landing on the southern coast, proceeded to take possession of the neighbouring territory. The Britons, now armed, did not tamely abandon their possessions; nor were they expelled, till defeated in many battles by their warlike invaders. The most memorable action, mentioned by historians, is that of Mearecres Burn;<sup>e</sup> where, though the Saxons seem to have obtained the victory, they suffered so considerable a loss, as somewhat retarded the progress of their conquests. But Ælla, reinforced by fresh numbers of his countrymen, again took the field against the Britons, and laid siege to Andred-Ceaster, which was defended by the garrison and inhabitants with desperate valour.<sup>f</sup> The Saxons, enraged by this resistance, and by the fatigues and dangers which they had sustained, redoubled their efforts against the place, and when masters of it, put all their enemies to the sword without distinction. This decisive advantage secured the conquests of Ælla, who assumed the name of king, and extended his dominion over Sussex and a great part of Surrey. He was stopped in his progress to the east by the kingdom of Kent: in that to the west by another tribe of Saxons, who had taken possession of that territory.

These Saxons, from the situation of the country in which they settled, were called the West Saxons, and landed in the year 495, under the command of Cerdic, and of his son Kenric.<sup>g</sup> The Britons were, by past experience, so much on their guard, and so well prepared to receive the enemy, that they gave battle to Cerdic the very day of his landing; and though vanquished, still defended, for some time, their liberties against the invaders. None of the other tribes of Saxons met with such vigorous resistance,

or exerted such valour and perseverance in pushing their conquests. Cerdic was even obliged to call for the assistance of his countrymen from the kingdoms of Kent and Sussex, as well as from Germany, and he was thence joined by a fresh army under the command of Porte, and of his sons Bleda and Megla.<sup>h</sup> Strengthened by these succours, he fought, in the year 508, a desperate battle with the Britons, commanded by Nazan-Leod, who was victorious in the beginning of the action, and routed the wing in which Cerdic himself commanded; but Kenric, who had prevailed in the other wing, brought timely assistance to his father, and restored the battle, which ended in a complete victory gained by the Saxons.<sup>i</sup> Nazan-Leod perished, with 5000 of his army; but left the Britons more weakened than discouraged by his death. The war still continued, though the success was commonly on the side of the Saxons, whose short swords, and close manner of fighting, gave them great advantage over the missile weapons of the Britons. Cerdic was not wanting to his good fortune; and in order to extend his conquests, he laid siege to Mount Badon or Banesdowne near Bath, whither the most obstinate of the discomfited Britons had retired. The southern Britons, in this extremity, applied for assistance to Arthur, prince of the Silures, whose heroic valour now sustained the declining fate of his country.<sup>j</sup> This is that Arthur so much celebrated in the songs of Taliessin, and the other British bards, and whose military achievements have been blended with so many fables, as even to give occasion for entertaining a doubt of his real existence. But poets, though they disfigure the most certain history by their fictions, and use strange liberties with truth where they are the sole historians, as among the Britons, have commonly some foundation for their wildest exaggerations. Certain it is, that the siege of Badon was raised by the Britons in the year 520; and the Saxons were there discomfited in a great battle.<sup>k</sup> This misfortune stopped the progress of Cerdic; but was not sufficient to wrest from him the conquests which he had already made. He and his son Kenric, who succeeded him, established the kingdom of the West Saxons, or of Wessex, over the counties of Hants, Dorset, Wilts, Berks, and the Isle of Wight, and left their new-acquired dominions to their posterity. Cerdic died in 534, Kenric in 560.

While the Saxons made this progress in the south, their countrymen were not less active in other quarters. In the year 527, a great tribe of adventurers, under several leaders, landed on the east coast of Britain; and after fighting many battles, of which history has preserved no particular account, they established three new kingdoms in this island. Uffa assumed the title of king of the East-Angles in 575; Crida that of Mercia in 585;<sup>l</sup> and Erkenwin that of East-Saxony, or Essex, nearly about the same time, but the year is uncertain. This latter kingdom was dismembered from that of Kent, and comprehended Essex, Middlesex, and part of Hertfordshire. That of the East-Angles, the counties of Cambridge, Suffolk, and Norfolk; Mercia was extended over all the middle counties, from the banks of the Severn to the frontiers of these two kingdoms.

The Saxons, soon after the landing of Hengist, had been secured in Northumberland; but, as they met with an obstinate resistance, and made but small progress in subduing the inhabitants, their affairs were in so unsettled a condition, that none of their princes for a long time assumed the appellation of king. At last, in 547,<sup>m</sup> Ida, a Saxon prince of great valour,<sup>n</sup> who claimed a descent, as did all the other princes of that nation, from Woden, brought over a reinforcement from Germany, and enabled the Northumbrians to carry on their conquests over the Britons. He entirely subdued the county now called Northumberland, the bishopric of Durham, as well as some of the south-east counties of Scotland; and he assumed the crown under the title of king of Bernicia. Nearly about the same time, Ælla, another Saxon prince,

<sup>a</sup> Nennius, cap. 47. Galtre.

<sup>b</sup> Stillingfleet's Orig. Brit. p. 324, 325.

<sup>c</sup> Bede, lib. 1. cap. 15. Ethelwerd, p. 833, edit. Camden. Chron.

<sup>d</sup> Sax. p. 12. Ann. Beverl. p. 73. The inhabitants of Kent, and the Isle of

<sup>e</sup> Wigorn, were Jutes. Essex, Middlesex, Surrey, Sussex, and all the southern

<sup>f</sup> counties to Cornwall, were peopled by Saxons: Mercia, and other parts

<sup>g</sup> of the kingdom, were inhabited by Angles.

<sup>h</sup> Chron. Sax. p. 14. Ann. Beverl. p. 81.

<sup>i</sup> Saxon Chron. A. D. 485. Flor. Wigorn.

<sup>j</sup> Hen. Hunting. lib. 2.

<sup>k</sup> Will. Malm. lib. 1. cap. 1. p. 12. Chron. Sax. p. 15.

<sup>l</sup> Chron. Sax. p. 17.

<sup>m</sup> H. Hunting. lib. 2. Ethelwerd, lib. 1. Chron. Sax. p. 17.

<sup>n</sup> Hunting. lib. 2. y Gildas, Saxon Chron. II. Hunting. lib. 2.

<sup>o</sup> Math. West. Huntington. lib. 2.

<sup>p</sup> Chron. Sax. p. 19. b Will. Malm. p. 19.



having conquered Lancashire, and the greater part of Yorkshire, received the appellation of king of Deira. These two kingdoms were united in the person of Ethilfrid, grandson of Ida, who married Acca, the daughter of Ælla; and expelling her brother Edwin, established one of the most powerful of the Saxon kingdoms, by the title of Northumberland. How far his dominions extended into the country now called Scotland, is uncertain; but it cannot be doubted, that all the lowlands, especially the east coast of that country, were peopled in a great measure from Germany; though the expeditions made by the several Saxon adventurers have escaped the records of history. The language spoken in those countries, which is purely Saxon, is a stronger proof of this event than can be opposed by the imperfect, or rather fabulous, annals, which are obtruded on us by the Scottish historians.

### THE HEPTARCHY.

Thus was established, after a violent contest of near a hundred and fifty years, the Heptarchy, or seven Saxon kingdoms in Britain; and the whole southern part of the island, except Wales and Cornwall, had totally changed its inhabitants, language, customs, and political institutions. The Britons, under the Roman dominion, had made such advances towards arts and civil manners, that they had built twenty-eight considerable cities within their province, besides a great number of villages and country seats.<sup>4</sup> But the fierce conquerors, by whom they were now subdued, threw every thing back into ancient barbarity; and those few natives who were not either massacred or expelled their habitations, were reduced to the most abject slavery. None of the other northern conquerors, the Franks, Goths, Vandals, or Burgundians, though they overran the southern provinces of the empire like a mighty torrent, made such devastations in the conquered territories, or were inflamed into so violent an animosity against the ancient inhabitants. As the Saxons came over at intervals in separate bodies, the Britons, however at first unwarily, were tempted to make resistance; and hostilities being thereby prolonged, proved more destructive to both parties, especially to the vanquished. The first invaders from Germany, instead of excluding other adventurers, who must share with them the spoils of the ancient inhabitants, were obliged to solicit fresh supplies from their own country; and a total extermination of the Britons became the sole expedient for providing a settlement and subsistence to the new planters. Hence there have been found in history few conquests more ruinous than that of the Saxons; and few revolutions more violent than that which they introduced.

So long as the contest was maintained with the natives, the several Saxon princes preserved a union of counsels and interests; but after the Britons were shut up in the barren counties of Cornwall and Wales, and gave no further disturbance to the conquerors, the band of alliance was in a great measure dissolved among the princes of the Heptarchy. Though one prince seems still to have been allowed, or to have assumed, an ascendancy over the whole, his authority, if it ought ever to be deemed regular or legal, was extremely limited; and each state acted as if it had been independent, and wholly separate from the rest. Wars, therefore, and revolutions and dissensions, were unavoidable among a turbulent and military people; and these events, however intricate or confused, ought now to become the objects of our attention. But, added to the difficulty of carrying on at once the history of seven independent kingdoms, there is great discouragement to a writer, arising from the uncertainty, at least barrenness, of the accounts transmitted to us. The monks, who were the only annalists during those ages, lived remote from public affairs, considered the civil transactions as entirely subordinate to the ecclesiastical, and, besides partaking of the ignorance and barbarity which were then universal, were strongly infected with credulity, with the love of wonder, and with a propensity to imposture; vices almost inseparable from their profession and manner of life. The history of that period abounds in names, but is extremely

laxen of events; or the events are related so much without circumstances and causes, that the most profound or most eloquent writer must despair of rendering them either instructive or entertaining to the reader. Even the great learning and vigorous imagination of Milton sunk under the weight; and this author scruples not to declare, that the skirmishes of kites or crows as much merited a particular narrative, as the confused transactions and battles of the Saxon Heptarchy.<sup>5</sup> In order, however, to connect the events in some tolerable measure, we shall give a succinct account of the succession of kings, and of the more remarkable revolutions in each particular kingdom; beginning with that of Kent, which was the first established.

### THE KINGDOM OF KENT.

Escus succeeded his father Hengist in the kingdom of Kent; but seems not to have possessed the military genius of that conqueror, who first made way for the entrance of the Saxon arms into Britain. All the Saxons, who sought either the fame of valour, or new establishments by arms, flocked to the standard of Ælla, king of Sussex, who was carrying on successful war against the Britons, and laying the foundations of a new kingdom. Escus was content to possess in tranquillity the kingdom of Kent, which he left in 512 to his son Octa, in whose time the East Saxons established their monarchy, and dismembered the provinces of Essex and Middlesex from that of Kent. His death, after a reign of twenty-two years, made room for his son Hermeric in 534, who performed nothing memorable during a reign of thirty-two years, except associating with him his son Ethelbert in the government, that he might secure the succession in his family, and prevent such revolutions as are incident to a turbulent and barbarous monarchy.

Ethelbert revived the reputation of his family, which had languished for some generations. The inactivity of his predecessors, and the situation of his country, secured from all hostility with the Britons, seem to have much enfeebled the warlike genius of the Kentish Saxons; and Ethelbert, in his first attempt to aggrandize his country, and distinguish his own name, was unsuccessful.<sup>6</sup> He was twice discomfited in battle by Ceaulin, king of Wessex; and obliged to yield the superiority in the Heptarchy to that ambitious monarch, who preserved no moderation in his victory, and by reducing the kingdom of Sussex to subjection, excited jealousy in all the other princes. An association was formed against him; and Ethelbert, intrusted with the command of the allies, gave him battle, and obtained a decisive victory.<sup>8</sup> Ceaulin died soon after; and Ethelbert succeeded as well to his ascendancy among the Saxon states, as to his other ambitious projects. He reduced all the princes, except the king of Northumberland, to a strict dependence upon him; and even established himself by force on the throne of Mercia, the most extensive of the Saxon kingdoms. Apprehensive, however, of a dangerous league against him, like that by which he himself had been enabled to overthrow Ceaulin, he had the prudence to resign the kingdom of Mercia to Webba, the rightful heir, the son of Crida, who had first founded that monarchy. But governed still by ambition more than by justice, he gave Webba possession of the crown on such conditions, as rendered him little better than a tributary prince under his artful benefactor.

But the most memorable event which distinguished the reign of this great prince, was the introduction of the Christian religion among the English Saxons. The superstition of the Germans, particularly that of the Saxons, was of the grossest and most barbarous kind; and being founded on traditional tales, received from their ancestors, not reduced to any system, nor supported by political institutions, like that of the Druids, it seems to have made little impression on its votaries, and to have easily resigned its place to the new doctrine promulgated to them. Woden, whom they deemed the ancestor of all their princes, was regarded as the god of war, and, by a natural

c Ann. Beverl. p. 78.

d Gildas. Bede, lib. 1.

e Milt. in Kennet. p. 50.

f Chron. Sax. p. 21.

g H. Hunting. lib. 2.

consequence, became their supreme deity, and the chief object of their religious worship. They believed, that, if they obtained the favour of this divinity by their valour, (for they made less account of the other virtues,) they should be admitted after their death into his hall; and, reposing on couches, should satiate themselves with ale from the skulls of their enemies whom they had slain in battle. Incited by this idea of paradise, which gratified at once the passion of revenge and that of intemperance, the ruling inclinations of barbarians, they despised the dangers of war, and increased their native ferocity against the vanquished by their religious prejudices. We know little of the other theological tenets of the Saxons: we only learn that they were polytheists; that they worshipped the sun and moon; that they adored the god of thunder under the name of Thor; that they had images in their temples; that they practised sacrifices; believed firmly in spells and enchantments; and admitted in general a system of doctrines which they held as sacred, but which, like all other superstitions, must carry the air of the wildest extravagance, if propounded to those who are not familiarized to it from their earliest infancy.

The constant hostilities which the Saxons maintained against the Britons, would naturally indispose them for receiving the Christian faith, when preached to them by such inveterate enemies; and perhaps the Britons, as is objected to them by Gildas and Bede, were not over fond of communicating to their cruel invaders the doctrine of eternal life and salvation. But as a civilized people, however subdued by arms, still maintain a sensible superiority over barbarous and ignorant nations, all the other northern conquerors of Europe had been already induced to embrace the Christian faith, which they found established in the empire; and it was impossible but the Saxons, informed of this event, must have regarded with some degree of veneration a doctrine which had acquired the ascendancy over all their brethren. However limited in their views, they could not but have perceived a degree of cultivation in the southern countries beyond what they themselves possessed; and it was natural for them to yield to that superior knowledge, as well as zeal, by which the inhabitants of the Christian kingdoms were even at that time distinguished.

But these causes might long have failed of producing any considerable effect, had not a favourable incident prepared the means of introducing Christianity into Kent. Ethelbert, in his father's lifetime, had married Bertha, the only daughter of Caribert, king of Paris;<sup>a</sup> one of the descendants of Clovis, the conqueror of Gaul; but before he was admitted to this alliance, he was obliged to stipulate, that the princess should enjoy the free exercise of her religion; a concession not difficult to be obtained from the idolatrous Saxons.<sup>b</sup> Bertha brought over a French bishop to the court of Canterbury; and being zealous for the propagation of her religion, she had been very assiduous in her devotional exercises, had supported the credit of her faith by an irreproachable conduct, and had employed every art of insinuation and address to reconcile her husband to her religious principles. Her popularity in the court, and her influence over Ethelbert, had so well paved the way for the reception of the Christian doctrine, that Gregory, surnamed the Great, then Roman pontiff, began to entertain hopes of effecting a project, which he himself, before he mounted the papal throne, had once embraced, of converting the British Saxons.

It happened, that this prelate, at that time in a private station, had observed in the market-place of Rome some Saxon youth exposed to sale, whom the Roman merchants, in their trading voyages to Britain, had bought of their mercenary parents. Struck with the beauty of their fair complexions and blooming countenances, Gregory asked to what country they belonged; and being told they were *Angles*, he replied, that they ought more properly to be denominated *angels*: it were a pity that the Prince of Darkness should enjoy so fair a prey, and that so beauti-

ful a frontispiece should cover a mind destitute of internal grace and righteousness. Inquiring further concerning the name of their province, he was informed that it was *Deiri*, a district of Northumberland: *Deiri!* replied he, *that is good! They are called to the mercy of God from his anger, De ira. But what is the name of the king of that province?* He was told it was *Ella* or *Alla*: *Alleluiah*, cried he: *we must endeavour, that the praises of God be sung in their country.* Moved by these allusions, which appeared to him so happy, he determined to undertake himself a mission into Britain; and having obtained the pope's approbation, he prepared for that perilous journey: but his popularity at home was so great, that the Romans, unwilling to expose him to such dangers, opposed his design; and he was obliged, for the present, to lay aside all further thoughts of executing that pious purpose.<sup>c</sup>

The controversy between the pagans and the Christians was not entirely cooled in that age; and no pontiff, before Gregory, had ever carried to greater excess an intemperate zeal against the former religion. He had waged war with all the precious monuments of the ancients, and even with their writings, which, as appears from the strain of his own wit, as well as from the style of his compositions, he had not taste or genius sufficient to comprehend. Ambitious to distinguish his pontificate by the conversion of the British Saxons, he pitched on Augustine, a Roman monk, and sent him with forty associates to preach the gospel in this island. These missionaries, terrified with the dangers which might attend their proposing a new doctrine to so fierce a people, of whose language they were ignorant, stopped some time in France, and sent back Augustine to lay the hazards and difficulties before the pope, and crave his permission to desist from the undertaking. But Gregory exhorted them to persevere in their purpose, advised them to choose some interpreters from among the Franks, who still spoke the same language with the Saxons;<sup>d</sup> and recommended them to the good offices of queen Brunehaut, who had at this time usurped the sovereign power in France. This princess, though stained with every vice of treachery and cruelty, either possessed or pretended great zeal for the cause; and Gregory acknowledged that to her friendly assistance was, in a great measure, owing the success of that undertaking.<sup>e</sup>

Augustine, on his arrival in Kent in the year 597,<sup>f</sup> found the danger much less than he had apprehended. Ethelbert, already well disposed towards the Christian faith, assigned him a habitation in the isle of Thanet; and soon after admitted him to a conference. Apprehensive, however, lest spells or enchantments might be employed against him by priests, who brought an unknown worship from a distant country, he had the precaution to receive them in the open air, where he believed the force of their magic would be more easily dissipated.<sup>g</sup> Here Augustine, by means of his interpreters, delivered to him the tenets of the Christian faith, and promised him eternal joys above, and a kingdom in heaven without end, if he would be persuaded to receive that salutary doctrine.<sup>h</sup> "Your words and promises," replied Ethelbert, "are fair; but because they are new and uncertain, I cannot entirely yield to them, and relinquish the principles which I and my ancestors have so long maintained. You are welcome, however, to remain here in peace; and as you have undertaken so long a journey, solely, as it appears, for what you believe to be for our advantage, I will supply you with all necessities, and permit you to deliver your doctrine to my subjects."<sup>i</sup>

Augustine, encouraged by this favourable reception, and seeing now a prospect of success, proceeded with redoubled zeal to preach the gospel to the Kentish Saxons. He attracted their attention by the austerity of his manners, by the severe penances to which he subjected himself, by the abstinence and self-denial which he practised; and having excited their wonder by a course of life which appeared so contrary to nature, he procured more easily their belief of miracles, which, it was pretended, he

<sup>a</sup> Greg. of Tours, lib. 9, cap. 26. H. Hunting. lib. 2.

<sup>b</sup> Bede, lib. 1, cap. 25. Eborac. p. 729.

<sup>c</sup> Bede, lib. 2, cap. 1. Spec. Conc. p. 291.

<sup>d</sup> Bede, lib. 1, cap. 23.

<sup>e</sup> Greg. Epist. lib. 1, cap. 26. Spec. Conc. p. 32.

<sup>f</sup> Higden, Polychron. lib. 5. Chron. Sax. p. 23.

<sup>g</sup> Bede, lib. 1, cap. 25. H. Hunting. lib. 3. Prompton. p. 729. Parker.

<sup>h</sup> Bede, lib. 1, cap. 25.

<sup>i</sup> Bede, lib. 1, cap. 25. Chron. W. Thurn. p. 1759.

<sup>j</sup> Bede, lib. 1, cap. 25. H. Hunting. lib. 3. Prompton. p. 774.

wrought for their conversion.<sup>r</sup> Influenced by these motives, and by the declared favour of the court, numbers of the Kentish men were baptized; and the king himself was persuaded to submit to that rite of Christianity. His example had great influence with his subjects; but he employed no force to bring them over to the new doctrine. Augustine thought proper, in the commencement of his mission, to assume the appearance of the greatest lenity: he told Ethelbert, that the service of Christ must be entirely voluntary, and that no violence ought ever to be used in propagating so salutary a doctrine.<sup>s</sup>

The intelligence received of these spiritual conquests afforded great joy to the Romans; who now exulted as much in those peaceful trophies, as their ancestors had ever done in their most sanguinary triumphs, and most splendid victories. Gregory wrote a letter to Ethelbert, in which, after informing him that the end of the world was approaching, he exhorted him to display his zeal in the conversion of his subjects, to exert rigour against the worship of idols, and to build up the good work of holiness by every expedient of exhortation, terror, blandishment, or correction;<sup>t</sup> a doctrine more suitable to that age, and to the usual papal maxims, than the tolerating principles which Augustine had thought it prudent to inculcate. The pontiff also answered some questions which the missionary had put concerning the government of the new church of Kent. Besides other queries, which it is not material here to relate, Augustine asked, *Whether cousin-germans might be allowed to marry?* Gregory answered, that that liberty had indeed been formerly granted by the Roman law; but that experience had shown, that no issue could ever come from such marriages; and he therefore prohibited them. Augustine asked, *Whether a woman pregnant might be baptized?* Gregory answered that he saw no objection. *How soon after the birth, the child might receive baptism?* It was answered, Immediately, if necessary. *How soon a husband might have commerce with his wife after her delivery?* Not till she had given suck to her child: a practice to which Gregory exhorts all women. *How soon a man might enter the church, or receive the sacrament, after having had commerce with his wife?* It was replied, that unless he had approached her without desire, merely for the sake of propagating his species, he was not without sin; but in all cases it was requisite for him, before he entered the church, or communicated, to purge himself by prayer and ablutio; and he ought not, even after using these precautions, to participate immediately of the sacred duties.<sup>u</sup> There are some other questions and replies still more indecent and more ridiculous.<sup>v</sup> And, on the whole, it appears that Gregory and his missionary, if sympathy of manners have any influence, were better calculated than men of more refined understandings, for making a progress with the ignorant and barbarous Saxons.

The more to facilitate the reception of Christianity, Gregory enjoined Augustine to remove the idols from the heathen altars, but not to destroy the altars themselves; because the people, he said, would be allured to frequent the Christian worship, when they found it celebrated in a place which they were accustomed to reverence. And as the pagans practised sacrifices, and feasted with the priests on their offerings, he also exhorted the missionary to persuade them, on Christian festivals, to kill their cattle in the neighbourhood of the church, and to indulge themselves in those cheerful entertainments, to which they had been habituated.<sup>w</sup> These political compliances show, that notwithstanding his ignorance and prejudices, he was not unacquainted with the arts of governing mankind. Augustine was consecrated archbishop of Canterbury, was endowed by Gregory with authority over all the British churches, and received the pall, a badge of ecclesiastical honour, from Rome.<sup>x</sup> Gregory also advised him not to be too much elated with his gift of working miracles;<sup>y</sup> and as Augustine, proud of the success of his mission, seemed to

think himself entitled to extend his authority over the bishops of Gaul, the pope informed him, that they lay entirely without the bounds of his jurisdiction.<sup>z</sup>

The marriage of Ethelbert with Bertha, and much more his embracing Christianity, begat a connexion of his subjects with the French, Italians, and other nations on the continent, and tended to reclaim them from that gross ignorance and barbarity in which all the Saxon tribes had been hitherto involved.<sup>a</sup> Ethelbert also enacted,<sup>b</sup> with the consent of the states of his kingdom, a body of laws, the first written laws promulgated by any of the northern conquerors; and his reign was in every respect glorious to himself, and beneficial to his people. He governed the kingdom of Kent fifty years; and dying in 616, left the succession to his son, Eadwald. This prince, seduced by a passion for his mother-in-law, deserted for some time the Christian faith, which permitted not these incestuous marriages: his whole people immediately returned with him to idolatry. Laurentius, the successor of Augustine, found the Christian worship wholly abandoned, and was prepared to return to France, in order to escape the mortification of preaching the gospel without fruit to the infidels. Melitus and Justus, who had been consecrated bishops of London and Rochester, had already departed the kingdom.<sup>c</sup> when Laurentius, before he should entirely abandon his dignity, made one effort to reclaim the king. He appeared before that prince; and, throwing off his vestments, showed his body all torn with bruises and stripes, which he had received. Eadwald, wondering that any man should have dared to treat in that manner a person of his rank, was told by Laurentius, that he had received this chastisement from St. Peter, the prince of the apostles, who had appeared to him in a vision, and, severely reproving him for his intention to desert his charge, had inflicted on him these visible marks of his displeasure.<sup>d</sup> Whether Eadwald was struck with the miracle, or influenced by some other motive, he divorced himself from his mother-in-law, and returned to the profession of Christianity: his whole people returned with him. Eadwald reached not the fame or authority of his father, and died in 640, after a reign of twenty-five years; leaving two sons, Erminfrid and Ercombert.

Ercombert, though the younger son, by Emma, a French princess, found means to mount the throne. He is celebrated by Bede for two exploits, for establishing the fast of Lent in his kingdom, and for utterly extirpating idolatry; which, notwithstanding the prevalence of Christianity, had hitherto been tolerated by the two preceding monarchs. He reigned twenty-four years; and left the crown to Egbert, his son, who reigned nine years. This prince is renowned for his encouragement of learning; but infamous for putting to death his two cousin-germans, sons of Erminfrid, his uncle. The ecclesiastical writers praise him for bestowing on his sister, Domnona, some lands in the isle of Thanet, where she founded a monastery.

The bloody precaution of Egbert could not fix the crown on the head of his son, Edric. Lothaire, brother of the deceased prince, took possession of the kingdom; and, in order to secure the power in his family, he associated with him Richard, his son, in the administration of the government. Edric, the dispossessed prince, had recourse to Edilwac, king of Sussex, for assistance; and being supported by that prince, fought a battle with his uncle, who was defeated and slain. Richard fled into Germany, and afterwards died in Lucca, a city of Tuscany. William of Malmesbury ascribes Lothaire's bad fortune to two crimes, his concurrence in the murder of his cousins, and his contempt for reliques.<sup>e</sup>

Lothaire reigned eleven years; Edric, his successor, only two. Upon the death of the latter, which happened in 686, Wided, his brother, obtained possession of the crown. But as the succession had been of late so much disjointed by revolutions and usurpations, faction began

<sup>r</sup> Bede, lib. 1. cap. 26.

<sup>s</sup> Ibid. cap. 26. 11 Hunting. lib. 3.

<sup>t</sup> Bede, lib. 1. cap. 32. Prompt. p. 792. Spell. Conc. p. 26.

<sup>u</sup> Bede, lib. 1. cap. 27. Spell. Conc. p. 97, 98, 99, &c.

<sup>v</sup> Augustine asks, *Si mulier non una concubine fuerit, an etiam pariter et iterum, aut sacra communione sacramenta percipere?* Gregory answers, *Necesse consensum esse, cum in eo deus datus prescriptum non debeat prodari.* Si autem et concubine magna prescriptum non prescriptum, licet et iterum. Augustine asks, *Si post illud non, quo per somnum sibi acciderit, et corpus domini quilibet accipere calcet, vel in sacerdoti sit,*

*sacra mysteria celebrare?* Gregory answers it is learned question by many learned questions.

<sup>z</sup> Bede, lib. 1. cap. 30. Spell. Conc. p. 89. Greg. Epist. lib. 9. Epist. 71.

<sup>a</sup> Chron. Sax. p. 23, 24.

<sup>b</sup> H. Hunting. lib. 3. Spell. Conc. p. 83. Bede, lib. 1. Greg. Epist.

lib. 9. Epist. 67.

<sup>c</sup> Bede, lib. 1. cap. 27.

<sup>d</sup> Bede, lib. 1. cap. 27.

<sup>e</sup> Bede, lib. 1. cap. 27.

<sup>f</sup> Bede, lib. 1. cap. 27.

<sup>g</sup> Bede, lib. 1. cap. 27.

<sup>h</sup> Bede, lib. 1. cap. 27.

<sup>i</sup> Bede, lib. 1. cap. 27.

<sup>j</sup> Bede, lib. 1. cap. 27.

<sup>k</sup> Bede, lib. 1. cap. 27.

<sup>l</sup> Bede, lib. 1. cap. 27.

<sup>m</sup> Bede, lib. 1. cap. 27.

<sup>n</sup> Bede, lib. 1. cap. 27.

<sup>o</sup> Bede, lib. 1. cap. 27.

<sup>p</sup> Bede, lib. 1. cap. 27.

<sup>q</sup> Bede, lib. 1. cap. 27.

<sup>r</sup> Bede, lib. 1. cap. 27.

<sup>s</sup> Bede, lib. 1. cap. 27.

<sup>t</sup> Bede, lib. 1. cap. 27.

<sup>u</sup> Bede, lib. 1. cap. 27.

<sup>v</sup> Bede, lib. 1. cap. 27.

<sup>w</sup> Bede, lib. 1. cap. 27.

<sup>x</sup> Bede, lib. 1. cap. 27.

<sup>y</sup> Bede, lib. 1. cap. 27.

<sup>z</sup> Bede, lib. 1. cap. 27.

<sup>a</sup> Bede, lib. 1. cap. 27.

<sup>b</sup> Bede, lib. 1. cap. 27.

<sup>c</sup> Bede, lib. 1. cap. 27.

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<sup>g</sup> Bede, lib. 1. cap. 27.

<sup>h</sup> Bede, lib. 1. cap. 27.

<sup>i</sup> Bede, lib. 1. cap. 27.

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<sup>t</sup> Bede, lib. 1. cap. 27.

<sup>u</sup> Bede, lib. 1. cap. 27.

<sup>v</sup> Bede, lib. 1. cap. 27.

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<sup>x</sup> Bede, lib. 1. cap. 27.

<sup>y</sup> Bede, lib. 1. cap. 27.

<sup>z</sup> Bede, lib. 1. cap. 27.

<sup>a</sup> Bede, lib. 1. cap. 27.

<sup>b</sup> Bede, lib. 1. cap. 27.

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<sup>h</sup> Bede, lib. 1. cap. 27.

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<sup>a</sup> Bede, lib. 1. cap. 27.

<sup>b</sup> Bede, lib. 1. cap. 27.

<sup>c</sup> Bede, lib. 1. cap. 27.

<sup>d</sup> Bede, lib. 1. cap. 27.

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<sup>f</sup> Bede, lib. 1. cap. 27.

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<sup>h</sup> Bede, lib. 1. cap. 27.

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<sup>z</sup> Bede, lib. 1. cap. 27.

<sup>a</sup> Bede, lib. 1. cap. 27.

<sup>b</sup> Bede, lib. 1. cap. 27.

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<sup>g</sup> Bede, lib. 1. cap. 27.

<sup>h</sup> Bede, lib. 1. cap. 27.

<sup>i</sup> Bede, lib. 1. cap. 27.

<sup>j</sup> Bede, lib. 1. cap. 27.

<sup>k</sup> Bede, lib. 1



to prevail among the nobility; which invited Cædwalla, king of Wessex, with his brother Mollo, to attack the kingdom. These invaders committed great devastations in Kent; but the death of Mollo, who was slain in a skirmish,<sup>b</sup> gave a short breathing time to that kingdom. Widred restored the affairs of Kent; and, after a reign of thirty-two years,<sup>c</sup> left the crown to his posterity. Eadburt, Ethelbert, and Alric, his descendants, successively mounted the throne. After the death of the last, which happened in 794, the royal family of Kent was extinguished; and every factious leader who could entertain hopes of ascending the throne, threw the state into confusion.<sup>k</sup> Egbert, who first succeeded, reigned but two years; Cuthred, brother to the king of Mercia, six years; Baldred, an illegitimate branch of the royal family, eighteen; and, after a troublesome and precarious reign, he was, in the year 827, expelled by Egbert, king of Wessex, who dissolved the Saxon Heptarchy, and united the several kingdoms under his dominion.

### THE KINGDOM OF NORTHUMBERLAND.

ADELFRID, king of Bernicia, having married Acca, the daughter of Ælla, king of Deiri, and expelled her infant brother, Edwin, had united all the counties north of Humber into one monarchy, and acquired a great ascendancy in the Heptarchy. He also spread the terror of the Saxon arms to the neighbouring people, and by his victories over the Scots and Picts, as well as Welch, extended on all sides the bounds of his dominions. Having laid siege to Chester, the Britons marched out with all their forces to engage him; and they were attended by a body of 1250 monks from the monastery of Bangor, who stood at a small distance from the field of battle, in order to encourage the combatants by their presence and exhortations. Adelfrid inquiring the purpose of this unusual appearance, was told, that these priests had come to pray against him: *Then are they as much our enemies*, said he, *as those who intend to fight against us*: and he immediately sent a detachment, who fell upon them, and did such execution, that only fifty escaped with their lives.<sup>m</sup> The Britons, astonished at this event, received a total defeat: Chester was obliged to surrender: and Adelfrid, pursuing his victory, made himself master of Bangor, and entirely demolished the monastery; a building so extensive, that there was a mile's distance from one gate of it to another, and it contained two thousand one hundred monks, who are said to have been there maintained by their own labour.<sup>n</sup>

Notwithstanding Adelfrid's success in war, he lived in inquietude on account of young Edwin, whom he had unjustly dispossessed of the crown of Deiri. This prince, now grown to man's estate, wandered from place to place in continual danger from the attempts of Adelfrid; and received at last protection in the court of Redwald, king of the East Angles; where his engaging and gallant deportment procured him general esteem and affection. Redwald, however, was strongly solicited by the king of Northumberland to kill or deliver up his guest: rich presents were promised him if he would comply; and war denounced against him in case of his refusal. After rejecting several messages of this kind, his generosity began to yield to the motives of interest; and he retained the last ambassador, till he should come to a resolution in a case of such importance. Edwin, informed of his friend's perplexity, was yet determined at all hazards to remain in East Anglia; and thought, that if the protection of that court failed him, it were better to die, than prolong a life so much exposed to the persecutions of his powerful rival. This confidence in Redwald's honour and friendship, with his other accomplishments, enaged the queen on his side; and she effectually represented to her husband the infamy of delivering up to certain destruction their royal guest, who had fled to them for protection against his cruel and jealous enemies.<sup>o</sup> Redwald, embracing more

generous resolutions, thought it safest to prevent Adelfrid, before that prince was aware of his intention, and to attack him while he was yet unprepared for defence. He marched suddenly with an army into the kingdom of Northumberland, and fought a battle with Adelfrid; in which that monarch was defeated and killed, after avenging himself by the death of Regner, son of Redwald: his own sons, Eanfrid, Oswald, and Oswy, yet infants, were carried into Scotland; and Edwin obtained possession of the crown of Northumberland.

Edwin was the greatest prince of the Heptarchy in that age, and distinguished himself, both by his influence over the other kingdoms,<sup>p</sup> and by the strict execution of justice in his own dominions. He reclaimed his subjects from the licentious life to which they had been accustomed; and it was a common saying, that during his reign a woman or child might openly carry every where a purse of gold, without any danger of violence or robbery. There is a remarkable instance, transmitted to us, of the affection borne him by his servants. Cuichelme, king of Wessex, was his enemy; but, finding himself unable to maintain open war against so gallant and powerful a prince, he determined to use treachery against him, and he employed one Eumer for that criminal purpose. The assassin, having obtained admittance by pretending to deliver a message from Cuichelme, drew his dagger, and rushed upon the king. Lilla, an officer of his army, seeing his master's danger, and having no other means of defence, interposed with his own body between the king and Eumer's dagger, which was pushed with such violence, that, after piercing Lilla, it even wounded Edwin: but before the assassin could renew his blow, he was despatched by the king's attendants.

The East Angles conspired against Redwald, their king; and having put him to death, they offered their crown to Edwin, of whose valour and capacity they had had experience, while he resided among them. But Edwin, from a sense of gratitude towards his benefactor, obliged them to submit to Earpwald, the son of Redwald; and that prince preserved his authority, though on a precarious footing, under the protection of the Northumbrian monarch.<sup>q</sup>

Edwin, after his accession to the crown, married Ethelburga, the daughter of Ethelbert, king of Kent. This princess, emulating the glory of her mother Bertha, who had been the instrument for converting her husband and his people to Christianity, carried Paulinus, a learned bishop, along with her; and besides stipulating a toleration for the exercise of her own religion, which was readily granted her, she used every reason to persuade the king to embrace it. Edwin, like a prudent prince, hesitated on the proposal; but promised to examine the foundations of that doctrine; and declared, that, if he found them satisfactory, he was willing to be converted.<sup>r</sup> Accordingly, he held several conferences with Paulinus; canvassed the arguments propounded with the wisest of his counsellors; retired frequently from company, in order to revolve alone that important question; and, after a serious and long inquiry, declared in favour of the Christian religion: "the people soon after imitated his example. Besides the authority and influence of the king, they were moved by another striking example. Coifi, the high priest, being converted after a public conference with Paulinus, led the way in destroying the images which he had so long worshipped, and was forward in making this atonement for his past idolatry."<sup>s</sup>

This able prince perished with his son, Osfrid, in a great battle which he fought against Penda, king of Mercia, and Cædwalla, king of the Britons.<sup>t</sup> That event, which happened in the forty-eighth year of Edwin's age, and seventeenth of his reign,<sup>u</sup> divided the monarchy of Northumberland, which that prince had united in his person. Eanfrid, the son of Adelfrid, returned with his brothers, Oswald and Oswy, from Scotland, and took possession of Bernicia, his paternal kingdom: Osric,

<sup>b</sup> Higden, lib. 5.

<sup>c</sup> Chron. Sax. p. 52.

<sup>k</sup> Wall. Malmes. lib. 1. cap. 1. p. 11.

<sup>l</sup> Brouncker, p. 779.

<sup>m</sup> Ibid. lib. 2. cap. 2.

<sup>n</sup> W. Malmes. lib. 1. cap. 3.

<sup>o</sup> W. Malmes. lib. 1. cap. 3.

<sup>p</sup> H. Hunting. lib. 3.

<sup>q</sup> Bede, lib. 2. cap. 12.

<sup>r</sup> Brouncker, p. 781.

<sup>q</sup> Chron. Sax. p. 27.

<sup>r</sup> H. Hunting. lib. 3.

<sup>s</sup> Ibid. W. Malmes. lib. 1. cap. 3.

<sup>t</sup> Bede, lib. 2. cap. 13.

<sup>u</sup> Ibid. West. p. 111.

<sup>v</sup> Chron. Sax. p. 29.

<sup>w</sup> W. Malmes. lib. 1. cap. 3.

<sup>x</sup> Ibid. lib. 1. cap. 3.

<sup>y</sup> Ibid. lib. 1. cap. 3.

<sup>r</sup> Wall. Malmes. lib. 1. cap. 3.

<sup>s</sup> Bede, lib. 2. cap. 9.

Edwin's cousin-german, established himself in Deiri, the inheritance of his family; but to which the sons of Edwin had a preferable title. Eanfrid, the elder surviving son, fled to Penda, by whom he was treacherously slain. The younger son, Vusfrae, with Yffi, the grandson of Edwin, by Osfrid, sought protection in Kent, and not finding themselves in safety there, retired into France to king Dagobert, where they died.<sup>a</sup>

Osric, king of Deiri, and Eanfrid, of Bernicia, returned to paganism; and the whole people seem to have returned with them; since Paullinus, who was the first archbishop of York, and who had converted them, thought proper to retire with Ethelburga, the queen Dowager, into Kent. Both these Northumbrian kings perished soon after, the first in battle against Cædwalla, the Briton; the second, by the treachery of that prince. Oswald, the brother of Eanfrid, of the race of Bernicia, united again the kingdom of Northumberland in the year 634, and restored the Christian religion in his dominions. He gained a bloody and well-disputed battle against Cædwalla; the last vigorous effort which the Britons made against the Saxons. Oswald is much celebrated for his sanctity and charity by the monkish historians; and they pretend that his reliques wrought miracles, particularly the curing of a sick horse, which had approached the place of his interment.<sup>a</sup>

He died in battle against Penda, king of Mercia, and was succeeded by his brother Oswy; who established himself in the government of the whole Northumbrian kingdom, by putting to death Oswin, the son of Osric, the last king of the race of Deiri. His son Egfrid succeeded him; who perishing in battle against the Picts, without leaving any children, because Adelthrid, his wife, refused to violate her vow of chastity, Alfred, his natural brother, acquired possession of the kingdom, which he governed for nineteen years: and he left it to Osred, his son, a boy of eight years of age. This prince, after a reign of eleven years, was murdered by Kenred his kinsman, who, after enjoying the crown only a year, perished by a like fate. Osric, and after him Celwulph the son of Kenred, next mounted the throne, which the latter relinquished in the year 738, in favour of Eadbert, his cousin-german, who, imitating his predecessor, abdicated the crown, and retired into a monastery. Oswolf, son of Eadbert, was slain in a sedition, a year after his accession to the crown; and Mollo, who was not of the royal family, seized the crown. He perished by the treachery of Ailred, a prince of the blood; and Ailred, having succeeded in his design upon the throne, was soon after expelled by his subjects. Ethelred, his successor, the son of Mollo, underwent a like fate. Celwold, the next king, the brother of Ailred, was deposed and slain by the people, and his place was filled by Osred, his nephew, who, after a short reign of a year, made way for Ethelbert, another son of Mollo, whose death was equally tragical with that of almost all his predecessors. After Ethelbert's death a universal anarchy prevailed in Northumberland; and the people having, by so many fatal revolutions, lost all attachment to their government and princes, were well prepared for subjection to a foreign yoke; which Egbert, king of Wessex, finally imposed upon them.

### THE KINGDOM OF EAST ANGLIA.

THE history of this kingdom contains nothing memorable, except the conversion of Earpwold, the fourth king, and great-grandson of Uffa, the founder of the monarchy. The authority of Edwin, king of Northumberland, on whom that prince entirely depended, engaged him to take this step: but soon after, his wife, who was an idolatress, brought him back to her religion; and he was found unable to resist those allurements which had seduced the wisest of mankind. After his death, which was violent, like that of most of the Saxon princes, that did not early retire into monasteries, Sigebert, his successor, and half-brother, who had been educated in France, restored Christianity, and introduced learning among the East Angles. Some pretend that he founded the university of

Cambridge, or rather some schools in that place. It is almost impossible, and quite needless, to be more particular in relating the transactions of the East Angles. What instruction or entertainment can it give the reader, to hear a long bead-roll of barbarous names, Egric, Annas, Ethelbert, Ethelwald, Aldulf, Elfwald, Beorne, Ethelred, Ethelbert, who successively murdered, expelled, or inherited from each other, and obscurely filled the throne of that kingdom? Ethelbert, the last of these princes, was treacherously murdered by Offa, king of Mercia, in the year 792, and his state was thenceforth united with that of Offa, as we shall relate presently.

### THE KINGDOM OF MERCIA.

MERCIA, the largest, if not the most powerful, kingdom of the Heptarchy, comprehended all the middle counties of England; and as its frontiers extended to those of all the other six kingdoms, as well as to Wales, it received its name from that circumstance. Wibba, the son of Crida, founder of the monarchy, being placed on the throne by Ethelbert, king of Kent, governed his paternal dominions by a precarious authority; and after his death, Ceorl, his kinsman, was, by the influence of the Kentish monarch, preferred to his son Penda, whose turbulent character appeared dangerous to that prince. Penda was thus fifty years of age before he mounted the throne; and his temerity and restless disposition were found nowise abated by time, experience, or reflection. He engaged in continual hostilities against all the neighbouring states, and by his injustice and violence rendered himself equally odious to his own subjects and to strangers. Sigebert, Egric, and Annas, three kings of East Anglia, perished successively in battle against him; as did also Edwin and Oswald, the two greatest princes that had reigned over Northumberland. At last, Oswy, brother to Oswald, having defeated and slain him in a decisive battle, freed the world from this sanguinary tyrant. Peada, his son, mounted the throne of Mercia in 655, and lived under the protection of Oswy, whose daughter he had espoused. This princess was educated in the Christian faith, and she employed her influence with success, in converting her husband and his subjects to that religion. Thus the fair sex have had the merit of introducing the Christian doctrine into all the most considerable kingdoms of the Saxon Heptarchy. Peada died a violent death.<sup>b</sup> His son, Wolfhere, succeeded to the government; and, after having reduced to dependence the kingdoms of Essex and East-Anglia, he left the crown to his brother Ethelred, who, though a lover of peace, showed himself not unfit for military enterprises. Besides making a successful expedition into Kent, he repulsed Egfrid, king of Northumberland, who had invaded his dominions; and he slew in battle Elfwin, the brother of that prince. Desirous, however, of composing all animosities with Egfrid, he paid him a sum of money as a compensation for the loss of his brother. After a prosperous reign of thirty years, he resigned the crown to Kenred, son of Wolfhere, and retired into the monastery of Bardney.<sup>c</sup> Kenred returned the present of the crown to Ceolred, the son of Ethelred; and making a pilgrimage to Rome, passed his life there in penance and devotion. The place of Ceolred was supplied by Ethelbald, great-grand-nephew to Penda, by Alwy, his brother; and this prince, being slain in a mutiny, was succeeded by Offa, who was a degree more remote from Penda, by Eawa, another brother.

This prince, who mounted the throne in 755,<sup>d</sup> had some great qualities, and was successful in his warlike enterprises against Lothaire, king of Kent, and Kenwulph, king of Wessex. He defeated the former in a bloody battle at Oford upon the Darent, and reduced his kingdom to a state of dependence: he gained a victory over the latter at Bensington in Oxfordshire; and conquering that county, together with that of Gloucester, annexed both to his dominions. But all these successes were stained by his treacherous murder of Ethelbert, king of the East Angles, and his violent seizing of that kingdom. This

<sup>a</sup> Bede, lib. 2, cap. 20.

<sup>b</sup> Hist. lib. 3, cap. 9.

<sup>c</sup> Hugo Candidus, p. 4, says, that he was treacherously murdered by his

queen, by whose persuasion he had embraced Christianity; but this account of the matter is found in that historian alone.

<sup>d</sup> Bede, lib. 5.

<sup>e</sup> Chron. Sax. p. 59.



young prince, who is said to have possessed great merit, had paid his addresses to Elfrida, the daughter of Offa, and was invited with all his retinue to Hereford, in order to solemnize the nuptials. Amidst the joy and festivity of these entertainments, he was seized by Offa, and secretly beheaded: and though Elfrida, who abhorred her father's treachery, had time to give warning to the East Anglian nobility, who escaped into their own country, Offa, having extinguished the royal family, succeeded in his design of subduing that kingdom.<sup>a</sup> The perfidious prince, desirous of re-establishing his character in the world, and perhaps of appeasing the remorse of his own conscience, paid great court to the clergy, and practised all the monkish devotion so much esteemed in that ignorant and superstitious age. He gave the tenth of his goods to the church;<sup>b</sup> bestowed rich donations on the cathedral of Hereford; and even made a pilgrimage to Rome, where his great power and riches could not fail of procuring him the papal absolution. The better to ingratiate himself with the sovereign pontiff, he engaged to pay him a yearly donation for the support of an English college at Rome;<sup>c</sup> and in order to raise the sum, he imposed the tax of a penny on each house possessed of thirty pence a year. This imposition being afterwards levied on all England, was commonly denominated Peter's Pence:<sup>d</sup> and though conferred at first as a gift, was afterwards claimed as a tribute by the Roman pontiff. Carrying his hypocrisy still further, Offa, feigning to be directed by a vision from heaven, discovered at Verulam the reliques of St. Alban, the martyr, and endowed a magnificent monastery in that place.<sup>e</sup> Moved by all these acts of piety, Malmesbury, one of the best of the old English historians, declares himself at a loss to determine<sup>k</sup> whether the merits or crimes of this prince preponderated. Offa died after a reign of thirty-nine years, in 794.<sup>l</sup>

This prince was become so considerable in the Heptarchy, that the Emperor Charlemagne entered into an alliance and friendship with him; a circumstance which did honour to Offa; as distant princes at that time had usually little communication with each other. That emperor being a great lover of learning and learned men, in an age very barren of that ornament, Offa, at his desire, sent him over Alcuin, a clergyman, much celebrated for his knowledge, who received great honours from Charlemagne, and even became his preceptor in the sciences. The chief reason why he had at first desired the company of Alcuin, was, that he might oppose his learning to the heresy of Felix, Bishop of Urgel in Catalonia; who maintained that Jesus Christ, considered in his human nature, could, more properly, be denominated the adoptive, than the natural, Son of God.<sup>m</sup> This heresy was condemned in the council of Francfort, held in 794, and consisting of 300 bishops. Such were the questions which were agitated in that age, and which employed the attention not only of cloistered scholars, but of the wisest and greatest princes.<sup>n</sup>

Egfrith succeeded to his father Offa, but survived him only five months;<sup>o</sup> when he made way for Kenulph, a descendant of the royal family. This prince waged war against Kent; and taking Egbert the king prisoner, he cut off his hands, and put out his eyes; leaving Cuthred, his own brother, in possession of the crown of that kingdom. Kenulph was killed in an insurrection of the East Anglians, whose crown his predecessor, Offa, had usurped. He left his son, Kenelm, a minor; who was murdered the same year by his sister, Quendrade, who had entertained the ambitious views of assuming the government.<sup>p</sup> But she was supplanted by her uncle, Ceolulf; who, two years after, was dethroned by Beornulf. The reign of this usurper, who was not of the royal family, was short and unfortunate: he was defeated by the West Saxons, and killed by his own subjects, the East Angles.<sup>q</sup> Ludican, his successor, underwent the same fate;<sup>r</sup> and Wiglaf, who mounted this unstable throne, and found every thing in the utmost confusion, could not withstand the fortune of

Egbert, who united all the Saxon kingdoms into one great monarchy.

### THE KINGDOM OF ESSEX.

This kingdom made no great figure in the Heptarchy; and the history of it is very imperfect. Sleda succeeded to his father, Erkinwin, the founder of the monarchy; and made way for his son, Sebert, who, being nephew to Ethelbert, King of Kent, was persuaded by that prince to embrace the Christian faith.<sup>a</sup> His sons and conjunct successors, Sexted and Seward, relapsed into idolatry, and were soon after slain in a battle against the West Saxons. To show the rude manner of living in that age, Bede tells us,<sup>b</sup> that these two kings expressed great desire to eat the white bread, distributed by Mellitus, the bishop, at the<sup>c</sup> communion. But on his refusing them, unless they would submit to be baptized, they expelled him their dominions. The names of the other princes who reigned successively in Essex, are Sigebert the Little, Sigebert the Good, who restored Christianity, Swithelm, Sigheri, Offa. This last prince having made a vow of chastity, notwithstanding his marriage with Keneswitha, a Mercian princess, daughter to Penda, went in pilgrimage to Rome, and shut himself up during the rest of his life in a cloister. Selred, his successor, reigned thirty-eight years: and was the last of the royal line: the failure of which threw the kingdom into great confusion, and reduced it to dependence under Mercia.<sup>d</sup> Switherd first acquired the crown, by the concession of the Mercian princes; and his death made way for Sigeric, who ended his life in a pilgrimage to Rome. His successor, Sigered, unable to defend his kingdom, submitted to the victorious arms of Egbert.

### THE KINGDOM OF SUSSEX.

The history of this kingdom, the smallest in the Heptarchy, is still more imperfect than that of Essex. Ælla, the founder of the monarchy, left the crown to his son, Cissa, who is chiefly remarkable for his long reign of seventy-six years. During his time, the South Saxons fell almost into a total dependence on the kingdom of Wessex; and we scarcely know the names of the princes who were possessed of this titular sovereignty. Adewalch, the last of them, was subdued in battle by Ceadwalla, King of Wessex, and was slain in the action, leaving two infant sons, who, falling into the hand of the conqueror, were murdered by him. The Abbot of Retford opposed the order for this execution; but could only prevail on Ceadwalla to suspend it till they should be baptized. Bercthun and Audhun, two noblemen of character, resisted some time the violence of the West Saxons; but their opposition served only to prolong the miseries of their country; and the subduing of this kingdom was the first step which the West Saxons made towards acquiring the sole monarchy of England.<sup>e</sup>

### THE KINGDOM OF WESSEX.

The kingdom of Wessex, which finally swallowed up all the other Saxon states, met with great resistance on its first establishment: and the Britons, who were now inured to arms, yielded not tamely their possessions to those invaders. Cerdic, the founder of the monarchy, and his son, Kenric, fought many successful, and some unsuccessful, battles against the natives; and the martial spirit, common to all the Saxons, was, by means of these hostilities, carried to the greatest height among this tribe. Ceaulin, who was the son and successor of Kenric, and who began his reign in 560, was still more ambitious and enterprising than his predecessors; and by waging continual war against the Britons, he added a great part of the counties of Devon and Somerset to his other dominions. Carried along by the tide of success, he invaded

ditch of a hundred miles in length, from Basinwerk in Flintshire, to the south sea near Bristol. See *Speed's Description of Wales*.

a Kenulph, p. 6.

b Bede, p. 7. Brompton, p. 776.

c Inculph, p. 7.

d Chron. Sax. p. 21.

e H. Hunting. lib. 3.

W. Malmes. lib. 1. cap. 6.

r Ann. Beverl. p. 87.

t lib. 2. cap. 5.

u lib. 2. cap. 5.

v Brompton, p. 735.

z Brompton, p. 380.

e Prompton, p. 750.

f Spell. Conc. p. 303.

g Spell. Conc. p. 310.

h Haged. lib. 7.

i Inculph, lib. 1. cap. 1.

k Lib. 1. cap. 1.

l Esping, cont. 2. cap. 1.

n Offa, in order to protect his country from Wales, drew a rampart or

Prompton, p. 776.

310.

W. Malmes. lib. 1. cap. 1.

Chron. Sax. p. 66.

the other Saxon states in his neighbourhood, and becoming terrible to all, he provoked a general confederacy against him. This alliance proved successful under the conduct of Ethelbert, King of Kent; and Ceaulin, who had lost the affections of his own subjects by his violent disposition, and had now fallen into contempt from his misfortunes, was expelled the throne,<sup>1</sup> and died in exile and misery. Cuicelme and Cuthwin, his sons, governed jointly the kingdom, till the expulsion of the latter in 591, and the death of the former in 593, made way for Cearic, to whom succeeded Ceobald in 593, by whose death, which happened in 611, Kyneigils inherited the crown. This prince embraced Christianity,<sup>2</sup> through the persuasion of Oswald, King of Northumberland, who had married his daughter, and who had attained a great ascendancy in the Heptarchy. Kenwalch next succeeded to the monarchy, and dying in 672, left the succession so much disputed, that Sexburga, his widow, a woman of spirit,<sup>3</sup> kept possession of the government till her death, which happened two years after. Escwin then peaceably acquired the crown; and, after a short reign of two years, made way for Kentwin, who governed nine years. Ceodwalla, his successor, mounted not the throne without opposition; but proved a great prince according to the ideas of those times; that is, he was enterprising, warlike, and successful. He entirely subdued the kingdom of Sussex, and annexed it to his own dominions. He made inroads into Kent; but met with resistance from Widred, the king, who proved successful against Mollo, brother to Ceodwalla, and slew him in a skirmish. Ceodwalla, at last, tired with wars and bloodshed, was seized with a fit of devotion; bestowed several endowments on the church; and made a pilgrimage to Rome, where he received baptism, and died in 689. Ina, his successor, inherited the military virtues of Ceodwalla, and added to them the more valuable ones of justice, policy, and prudence. He made war upon the Britons in Somerset; and having finally subdued that province, he treated the vanquished with a humanity hitherto unknown to the Saxon conquerors. He allowed the proprietors to retain possession of their lands, encouraged marriages and alliances between them and his ancient subjects, and gave them the privilege of being governed by the same laws. These laws he augmented and ascertained; and though he was disturbed by some insurrections at home, his long reign of thirty-seven years may be regarded as one of the most glorious and most prosperous of the Heptarchy. In the decline of his age he made a pilgrimage to Rome; and after his return, shut himself up in a cloister, where he died.

Though the kings of Wessex had always been princes of the blood, descended from Cerdic, the founder of the monarchy, the order of succession had been far from exact; and a more remote prince had often found means to mount the throne in preference to one descended from a nearer branch of the royal family. Ina, therefore, having no children of his own, and lying much under the influence of Ethelburga, his queen, left by will the succession to Adelard, her brother, who was his remote kinsman: but this destination did not take place without some difficulty. Oswald, a prince more nearly allied to the crown, took arms against Adelard; but he being suppressed, and dying soon after, the title of Adelard was not any further disputed; and in the year 741, he was succeeded by his cousin, Cudred. The reign of this prince was distinguished by a great victory, which he obtained, by means of Edelhun, his general, over Ethelbald, King of Mercia. His death made way for Siegbert, his kinsman, who governed so ill, that his people rose in an insurrection, and dethroned him, crowning Cenulph in his stead. The exiled prince found a refuge with Duke Cumbran, Governor of Hampshire; who, that he might add new obligations to Siegbert, gave him many salutary counsels for his future conduct, accompanied with some reprehensions for the past. But these were so much resented by the ungrateful prince, that he conspired against the life of his protector, and treacherously murdered him. After this infamous action, he was forsaken by all the world; and

skulking about in the wilds and forests, was at last discovered by a servant of Cumbran's, who instantly took revenge upon him for the murder of his master.<sup>4</sup>

Cenulph, who had obtained the crown on the expulsion of Siegbert, was fortunate in many expeditions against the Britons of Cornwall; but afterwards lost some reputation by his ill success against Offa, King of Mercia.<sup>5</sup> Kynehard also, brother to the deposed Siegbert, gave him disturbance; and though expelled the kingdom, he hovered on the frontiers, and watched an opportunity for attacking his rival. The king had an intrigue with a young woman who lived at Merton in Surrey, whither having secretly retired, he was on a sudden environed, in the night-time, by Kynehard and his followers, and after making a vigorous resistance, was murdered with all his attendants. The nobility and people of the neighbourhood, rising next day in arms, took revenge on Kynehard for the slaughter of their king, and put every one to the sword who had been engaged in that criminal enterprise. This event happened in 784.

Brithric next obtained possession of the government, though remotely descended from the royal family; but he enjoyed not that dignity without inquietude. Eoppa, nephew to King Ina, by his brother Ingild, who died before that prince, had begot Eta, father to Alchmond, from whom sprung Egbert,<sup>6</sup> a young man of the most promising hopes, who gave great jealousy to Brithric, the reigning prince, both because he seemed by his birth better entitled to the crown, and because he had acquired, to an eminent degree, the affections of the people. Egbert, sensible of his danger from the suspicions of Brithric, secretly withdrew into France,<sup>7</sup> where he was well received by Charlemagne. By living in the court, and serving in the armies of that prince, the most able and most generous that had appeared in Europe during several ages, he acquired those accomplishments which afterwards enabled him to make such a shining figure on the throne. And familiarizing himself to the manners of the French, who, as Malmesbury observes,<sup>8</sup> were eminent both for valour and civility above all the western nations, he learned to polish the rudeness and barbarity of the Saxon character. His early misfortunes thus proved of singular advantage to him.

It was not long ere Egbert had opportunities of displaying his natural and acquired talents. Brithric, King of Wessex, had married Eadburga, natural daughter of Offa, King of Mercia, a profligate woman, equally infamous for cruelty and for incontinence. Having great influence over her husband, she often instigated him to destroy such of the nobility as were obnoxious to her; and where this expedient failed, she scrupled not being herself active in traitorous attempts against them. She had mixed a cup of poison for a young nobleman who had acquired her husband's friendship; and had on that account become the object of her jealousy: but, unfortunately, the king drank of the fatal cup along with his favourite, and soon after expired.<sup>9</sup> This tragical incident, joined to her other crimes, rendered Eadburga so odious, that she was obliged to fly into France; whence Egbert was at the same time recalled by the nobility, in order to ascend the throne of his ancestors.<sup>10</sup> He attained that dignity in the last year of the eighth century.

In the kingdoms of the Heptarchy, an exact rule of succession was either unknown or not strictly observed; and thence the reigning prince was continually agitated with jealousy against all the princes of the blood, whom he still considered as rivals, and whose death alone could give him entire security in his possession of the throne. From this fatal cause, together with the admiration of the monastic life, and the opinion of merit attending the preservation of chastity even in a married state, the royal families had been entirely extinguished in all the kingdoms except that of Wessex; and the emulations, suspicions, and conspiracies, which had formerly been confined to the princes of the blood alone, were now diffused among all the nobility in the several Saxon states. Egbert was the sole descendant of those first conquerors who subdued Britain, and who enhanced their authority by claim-

<sup>1</sup> Chron. Sax. p. 62.

<sup>2</sup> Hadden, lib. 3. Chron. Sax. p. 15.

<sup>3</sup> A. N. Peveril, p. 94. a Fede, lib. 4. cap. 12. Chron. Sax. p. 41.

<sup>4</sup> Hadden, lib. 5. W. Malmes, lib. 1. cap. 2.

<sup>5</sup> W. Malmes, lib. 1. cap. 2. d Chron. Sax. p. 16.

<sup>6</sup> H. Hunting, lib. 4.

<sup>7</sup> Lib. 2. cap. 11.

<sup>8</sup> Hadden, lib. 5. M. West, p. 150. Asser in vita Alfrede, p. 3. ex edit. Camden.

<sup>9</sup> Chron. Sax. A. D. 800. Brompton, p. 991.

ing a pedigree from Woden, the supreme divinity of their ancestors. But that prince, though invited by this favourable circumstance to make attempts on the neighbouring Saxons, gave them for some time no disturbance, and rather chose to turn his arms against the Britons in Cornwall, whom he defeated in several battles. He was recalled from the conquest of that country by an invasion made upon his dominions by Bernulf, king of Mercia.

The Mercians, before the accession of Egbert, had very nearly attained the absolute sovereignty in the Heptarchy: they had reduced the East Angles under subjection, and established tributary princes in the kingdoms of Kent and Essex. Northumberland was involved in anarchy; and no state of any consequence remained but that of Wessex, which, much inferior in extent to Mercia, was supported solely by the great qualities of its sovereign. Egbert led his army against the invaders; and encountering them at Ellandun in Wiltshire, obtained a complete victory, and by the great slaughter which he made of them in their flight, gave a mortal blow to the power of the Mercians. Whilst he himself, in prosecution of his victory, entered their country on the side of Oxfordshire, and threatened the heart of their dominions; he sent an army into Kent, commanded by Ethelwolph, his eldest son;<sup>1</sup> and expelling Baldred, the tributary king, soon made himself master of that country. The kingdom of Essex was conquered with equal facility; and the East Angles, from their hatred to the Mercian government, which had been established over them by treachery and violence, and probably exercised with tyranny, immediately rose in arms, and craved the protection of Egbert.<sup>1</sup> Bernulf, the Mercian king, who marched against them, was defeated and slain; and two years after, Ludican, his successor, met with the same fate. These insurrections and calamities facilitated the enterprises of Egbert, who advanced into the centre of the Mercian territories, and made easy conquests over a dispirited and divided people. In order to engage them more easily to submission, he allowed Wiglaf, their countryman, to retain the title of king, while he himself exercised the real powers of sovereignty.<sup>2</sup> The anarchy which prevailed in Northumberland, tempted him to carry still further his victorious arms; and the inhabitants, unable to resist his power, and desirous of possessing some established form of government, were forward, on his first appearance, to send deputies, who submitted to his authority, and swore allegiance to him as their sovereign. Egbert, however, still allowed to Northumberland, as he had done to Mercia and East Angles, the power of electing a king, who paid him tribute, and was dependent on him.

Thus were united all the kingdoms of the Heptarchy in one great state, near four hundred years after the first arrival of the Saxons in Britain; and the fortunate arms and prudent policy of Egbert at last effected what had been so often attempted in vain by so many princes.<sup>3</sup> Kent, Northumberland, and Mercia, which had successively aspired to general dominion, were now incorporated in his empire, and the other subordinate kingdoms seemed willing to share the same fate. His territories were nearly of the same extent with what is now properly called England; and a favourable prospect was afforded to the Anglo Saxons, of establishing a civilized monarchy, possessed of tranquility within itself, and secure against foreign invasion. This great event happened in the year 827.<sup>4</sup>

The Saxons, though they had been so long settled in the island, seem not as yet to have been much improved beyond their German ancestors, either in arts, civility, knowledge, humanity, justice, or obedience to the laws. Even Christianity, though it opened the way to connexions between them and the more polished states of Europe, had not hitherto been very effectual in banishing their ignorance, or softening their barbarous manners. As they received that doctrine through the corrupted channels of Rome, it carried along with it a great mixture of

credulity and superstition, equally destructive to the understanding and to morals. The reverence towards saints and reliques seems to have almost supplanted the adoration of the Supreme Being. Monastic observances were esteemed more meritorious than the active virtues: the knowledge of natural causes was neglected from the universal belief of miraculous interpositions and judgments: bounty to the church atoned for every violence against society: and the remorse for cruelty, murder, treachery, assassination, and the more robust vices, were appeased, not by amendment of life, but by penances, servility to the monks, and an abject and illiberal devotion.<sup>5</sup> The reverence for the clergy had been carried to such a height, that, wherever a person appeared in a sacerdotal habit, though on the highway, the people flocked around him; and, showing him all marks of profound respect, received every word he uttered as the most sacred oracle.<sup>6</sup> Even the military virtues, so inherent in all the Saxon tribes, began to be neglected; and the nobility, preferring the security and sloth of the cloister to the tumults and glory of war, valued themselves chiefly on endowing monasteries, of which they assumed the government.<sup>7</sup> The several kings, too, being extremely impoverished by continual benefactions to the church, to which the states of their kingdoms had weakly assented, could bestow no rewards on valour or military services, and retained not even sufficient influence to support their government.<sup>8</sup>

Another inconvenience which attended this corrupt species of Christianity, was the superstitious attachment to Rome, and the gradual subjection of the kingdom to a foreign jurisdiction. The Britons, having never acknowledged any subordination to the Roman pontiff, had conducted all ecclesiastical government by their domestic synods and councils:<sup>9</sup> but the Saxons, receiving their religion from Roman monks, were taught at the same time a profound reverence for that see, and were naturally led to regard it as the capital of their religion. Pilgrimages to Rome were represented as the most meritorious acts of devotion. Not only noblemen and ladies of rank undertook this tedious journey;<sup>10</sup> but kings themselves, abdicating their crowns, sought for a secure passport to heaven at the feet of the Roman pontiff. New reliques perpetually sent from that endless mint of superstition, and magnified by lying miracles invented in convents, operated on the astonished minds of the multitude. And every prince has attained the eulogies of the monks, the only historians of those ages, not in proportion to his civil and military virtues, but to his devoted attachment towards their order, and his superstitious reverence for Rome.

The Sovereign pontiff, encouraged by this blindness and submissive disposition of the people, advanced every day in his encroachments on the independence of the English churches. Wilfrid, bishop of Lindisfarne, the sole prelate of the Northumbrian kingdom, increased this subjection in the eighth century, by his making an appeal to Rome against the decisions of an English synod, which had abridged his diocese by the erection of some new bishoprics.<sup>11</sup> Agatho, the pope, readily embraced this precedent of an appeal to his court; and Wilfrid, though the haughtiest and most luxurious prelate of his age,<sup>12</sup> having obtained with the people the character of sanctity, was thus able to lay the foundation of this papal pretension.

The great topic by which Wilfrid confounded the imaginations of men was, that St. Peter, to whose custody the keys of heaven were intrusted, would certainly refuse admittance to every one who should be wanting in respect to his successor. This conceit, well suited to vulgar conceptions, made great impression on the people during several ages; and has not even at present lost all influence in the Catholic countries.

Had this abject superstition produced general peace and

<sup>1</sup> Chron. Sax. p. 69.

<sup>2</sup> Ibid. lib. 3. cap. 3.

<sup>3</sup> Chron. Sax. p. 71.

<sup>4</sup> Ibid. lib. 3. cap. 3.

<sup>5</sup> Ibid. lib. 3. cap. 3.

<sup>6</sup> Ibid. lib. 3. cap. 3.

<sup>7</sup> Ibid. lib. 3. cap. 3.

<sup>8</sup> Ibid. lib. 3. cap. 3.

<sup>9</sup> Ibid. lib. 3. cap. 3.

<sup>10</sup> Ibid. lib. 3. cap. 3.

<sup>11</sup> Ibid. lib. 3. cap. 3.

<sup>12</sup> Ibid. lib. 3. cap. 3.

<sup>1</sup> Ethelwold. lib. 3. cap. 2.

<sup>2</sup> Ibid. lib. 3. cap. 2.

<sup>3</sup> Ibid. lib. 3. cap. 2.

<sup>4</sup> Ibid. lib. 3. cap. 2.

<sup>5</sup> Ibid. lib. 3. cap. 2.

<sup>6</sup> Ibid. lib. 3. cap. 2.

<sup>7</sup> Ibid. lib. 3. cap. 2.

<sup>8</sup> Ibid. lib. 3. cap. 2.

<sup>9</sup> Ibid. lib. 3. cap. 2.

<sup>10</sup> Ibid. lib. 3. cap. 2.

<sup>11</sup> Ibid. lib. 3. cap. 2.

<sup>12</sup> Ibid. lib. 3. cap. 2.

were wholly Saxons, and almost as ignorant and barbarous as the laity. They contributed, therefore, little to the improvement of society in knowledge or the arts.

<sup>1</sup> Bede, lib. 3. cap. 26.

<sup>2</sup> Ibid. lib. 5. cap. 25. Epistola Bedæ ad Egbert.

<sup>3</sup> See the Preface to Bede.

<sup>4</sup> Appendix to Bede, numb. 10, ex edit. 1722. Spalin Conc. p. 103; 9.

<sup>5</sup> Bede, lib. 5. c. 7. See Appendix to Bede, numb. 19. Hadden, lib. 2.

<sup>6</sup> Athanasius in Vitell. p. 21. 60.



tranquillity, it had made some atonement for the ills attending it; but besides the usual avidity of men for power and riches, frivolous controversies in theology were engendered by it, which were so much the more fatal, as they admitted not, like the others, of any final determination from established possession. The disputes excited in Britain were of the most ridiculous kind, and entirely worthy of those ignorant and barbarous ages. There were some intricacies, observed by all the Christian churches, in adjusting the day of keeping Easter; which depended on a complicated consideration of the course of the sun and moon: and it happened that the missionaries, who had converted the Scots and Britons, had followed a different calendar from that which was observed in Rome in the age when Augustine converted the Saxons. The priests also of all the Christian churches were accustomed to shave part of their head; but the form given to this tonsure was different in the former from what was practised in the latter. The Scots and Britons pleaded the antiquity of *their* usages: the Romans, and their disciples, the Saxons, insisted on the universality of *theirs*. That Easter must necessarily be kept by a rule, which comprehended both the day of the year and age of the moon, was agreed by all; that the tonsure of a priest could not be omitted without the utmost impiety, was a point undisputed: but the Romans and Saxons called their antagonists schismatics; because they celebrated Easter on the very day of the full moon in March, if that day fell on a Sunday, instead of waiting till the Sunday following; and because they shaved the forepart of their head from ear to ear, instead of making that tonsure on the crown of the head, and in a circular form. In order to render their antagonists odious, they affirmed that, once in seven years, they concurred with the Jews in the time of celebrating that festival.<sup>1</sup> And that they might recommend their own form of tonsure, they maintained, that it imitated symbolically the crown of thorns worn by Christ in his passion; whereas the other form was invented by Simon Magus, without any regard to that representation.<sup>2</sup> These controversies had, from the beginning, excited such animosity between the British and Romish sects, that, instead of concurring in their endeavours to convert the idolatrous Saxons, they refused all communion together, and each regarded his opponent as no better than a pagan.<sup>3</sup> The dispute lasted more than a century; and was at last finished, not by men's discovering the folly of it, which would have been too great an effort for human reason to accomplish, but by the entire prevalence of the Romish ritual over the Scotch and British.<sup>4</sup> Wilfrid, Bishop of Lindisferne, acquired great merit, both with the court of Rome and with all the southern Saxons, by expelling the quarteodeciman schism, as it was called, from the Northumbrian kingdom, into which the neighbourhood of the Scots had formerly introduced it.<sup>5</sup>

Theodore, Archbishop of Canterbury, called, in the year 680, a synod at Hatfield, consisting of all the bishops in Britain;<sup>6</sup> where was accepted and ratified the decree of the Lateran council, summoned by Martin, against the heresy of the Monothelites. The council and synod maintained, in opposition to these heretics, that, though the divine and human nature in Christ made but one person, yet had they different inclinations, wills, acts, and sentiments, and that the unity of the person implied not any unity in the consciousness.<sup>7</sup> This opinion it seems somewhat difficult to comprehend; and no one, unacquainted with the ecclesiastical history of those ages, could imagine the height of zeal and violence with which it was then inculcated. The decree of the Lateran council calls the Monothelites impious, execrable, wicked, abominable, and even diabolical; and curses and anathematizes them to all eternity.<sup>8</sup>

The Saxons, from the first introduction of Christianity among them, had admitted the use of images; and perhaps, that religion, without some of those exterior ornaments, had not made so quick a progress with these idolaters: but they had not paid any species of worship or address to images; and this abuse never prevailed among

Christians, till it received the sanction of the second council of Nice.

## CHAP. II.

Egbert—Ethelwolf—Ethelbald and Ethelbert—Ethelred—Alfred the Great—Edward the Elder—Athelstan—Edmund—Edred—Edwy—Egar—Eadgar—the Martyr.

### EGBERT.

THE kingdoms of the Heptarchy, though united by so recent a conquest, seemed A. D. 827. to be firmly cemented into one state under Egbert; and the inhabitants of the several provinces had lost all desire of revolting from that monarch, or of restoring their former independent governments. Their language was every where nearly the same, their customs, laws, institutions, civil and religious; and as the race of the ancient kings was totally extinct in all the subjected states, the people readily transferred their allegiance to a prince, who seemed to merit it, by the splendour of his victories, the vigour of his administration, and the superior nobility of his birth. A union also in government opened to them the agreeable prospect of future tranquillity; and it appeared more probable that they would thenceforth become formidable to their neighbours, than be exposed to their inroads and devastations. But these flattering views were soon overcast by the appearance of the Danes, who, during some centuries, kept the Anglo-Saxons in perpetual inquietude, committed the most barbarous ravages upon them, and at last reduced them to grievous servitude.

The Emperor Charlemagne, though naturally generous and humane, had been induced by bigotry to exercise great severities upon the pagan Saxons in Germany, whom he subdued; and besides often ravaging their country with fire and sword, he had in cool blood decimated all the inhabitants for their revolts, and had obliged them, by the most rigorous edicts, to make a seeming compliance with the Christian doctrine. That religion, which had easily made its way among the British Saxons by insinuation and address, appeared shocking to their German brethren, when imposed on them by the violence of Charlemagne; and the more generous and warlike of these pagans had fled northward into Jutland, in order to escape the fury of his persecutions. Meeting there with a people of similar manners, they were readily received among them; and they soon stimulated the natives to concur in enterprises, which both promised revenge on the haughty conqueror, and afforded subsistence to those numerous inhabitants with which the northern countries were now overburdened.<sup>1</sup> They invaded the provinces of France, which were exposed by the degeneracy and dissensions of Charlemagne's posterity; and being there known under the general name of Normans, which they received from their northern situation, they became the terror of all the maritime and even of the inland countries. They were also tempted to visit England in their frequent excursions; and being able, by sudden inroads, to make great progress over a people who were not defended by any naval force, who had relaxed their military institutions, and who were sunk into a superstition which had become odious to the Danes and ancient Saxons, they made no distinction in their hostilities between the French and English kingdoms. Their first appearance in this island was in the year 787,<sup>2</sup> when Brithric reigned in Wessex. A small body of them landed in that kingdom, with a view of learning the state of the country; and when the magistrate of the place questioned them concerning their enterprise, and summoned them to appear before the King, and account for their intentions, they killed him, and flying to their ships, escaped into their own country. The next alarm was given to Northumberland in the year 794;<sup>3</sup> when a body of these pirates pillaged a monastery:

<sup>1</sup> Bede, lib. 2. cap. 13.  
<sup>2</sup> Bede, lib. 2. cap. 21. <sup>3</sup> Bede, lib. 2. cap. 24.  
<sup>4</sup> Bede, lib. 2. cap. 24. <sup>5</sup> Bede, lib. 2. cap. 24.  
<sup>6</sup> Bede, lib. 2. cap. 16/22.

<sup>1</sup> Bede, lib. 2. cap. 25. <sup>2</sup> Bede, lib. 2. cap. 25.  
<sup>3</sup> Bede, lib. 2. cap. 25. <sup>4</sup> Bede, lib. 2. cap. 25.  
<sup>5</sup> Bede, lib. 2. cap. 25. <sup>6</sup> Bede, lib. 2. cap. 25.  
<sup>7</sup> Bede, lib. 2. cap. 25. <sup>8</sup> Bede, lib. 2. cap. 25.

but their ships being much damaged by a storm, and their leader slain in a skirmish, they were at last defeated by the inhabitants, and the remainder of them put to the sword. Five years after Egbert had established his monarchy over England, the Danes landed in the Isle of Shepey, and having pillaged it, escaped with impunity.<sup>k</sup> They were not so fortunate in their next year's enterprise, when they disembarked from thirty-five ships, and were encountered by Egbert, at Charmouth, in Dorsetshire. The battle was bloody; but though the Danes lost great numbers, they maintained the post they had taken, and thence made good their retreat to their ships.<sup>l</sup> Having learned by experience, that they must expect a vigorous resistance from this warlike prince, they entered into an alliance with the Britons of Cornwall; and landing two years after in that country, made an inroad with their confederates into the county of Devon; but were met at Hengesdown by Egbert, and totally defeated.<sup>m</sup> While England remained in this state of anxiety, and defended itself more by temporary expedients than by any regular plan of administration, Egbert, who alone was able to provide effectually against this new evil, unfortunately died; and left the government to his son Ethelwolf.

A. D. 832.

THIS prince had neither the abilities nor the vigour of his father; and was better qualified for governing a convent than a kingdom.<sup>n</sup> He began his reign with making a partition of his dominions, and delivering over to his eldest son, Athelstan, the new-conquered provinces of Essex, Kent, and Sussex. But no inconveniences seem to have arisen from this partition; as the continual terror of the Danish invasions prevented all domestic dissension. A fleet of these ravagers, consisting of thirty-three sail, appeared at Southampton; but were repulsed with loss by Wolfhere, governor of the neighbouring county.<sup>o</sup> The same year, Ethelhelm, governor of Dorsetshire, routed another band which had disembarked at Portsmouth; but he obtained the victory after a furious engagement, and he bought it with the loss of his life.<sup>p</sup> Next year the Danes made several inroads into England; and fought battles or rather skirmishes in East Anglia and Lindsey and Kent; where, though they were sometimes repulsed and defeated, they always obtained their end of committing spoil upon the country, and carrying off their booty. They avoided coming to a general engagement, which was not suited to their plan of operations. Their vessels were small, and ran easily up the creeks and rivers; where they drew them ashore, and having formed an entrenchment round them, which they guarded with part of their number, the remainder scattered themselves every where, and carrying off the inhabitants and cattle and goods, they hastened to their ships and quickly disappeared. If the military force of the county were assembled, (for there was no time for troops to march from a distance,) the Danes either were able to repulse them, and to continue their ravages with impunity, or they betook themselves to their vessels; and setting sail, suddenly invaded some distant quarter, which was not prepared for their reception. Every part of England was held in continual alarm; and the inhabitants of one county durst not give assistance to those of another, lest their own families and property should in the mean time be exposed by their absence to the fury of these barbarous ravagers.<sup>q</sup> All orders of men were involved in this calamity; and the priests and monks, who had been commonly spared in the domestic quarrels of the Heptarchy, were the chief objects on which the Danish idolaters exercised their rage and animosity. Every season of the year was dangerous; and the absence of the enemy was no reason why any man could esteem himself a moment in safety.

### ETHELWOLF.

These incursions had now become almost annual; when the Danes, encouraged by their successes against

France as well as England, (for both kingdoms were alike exposed to this dreadful calamity,) invaded the last in so numerous a body, as seemed to threaten it with universal subjection. But the English, more military than the Britons, whom a few centuries before they had treated with like violence, roused themselves with a vigour proportioned to the exigency. Ceorle, governor of Devonshire, fought a battle with one body of the Danes at Wiganburgh,<sup>r</sup> and put them to route with great slaughter. King Athelstan attacked another at sea near Sandwich, sunk nine of their ships, and put the rest to flight.<sup>s</sup> A body of them, however, ventured, for the first time, to take up winter-quarters in England; and receiving in the spring a strong reinforcement of their countrymen in 350 vessels, they advanced from the Isle of Thanet, where they had stationed themselves; burnt the cities of London and Canterbury; and having put to flight Brictric, who now governed Mercia under the title of King, they marched into the heart of Surrey, and laid every place waste around them. Ethelwolf, impelled by the urgency of the danger, marched against them at the head of the West Saxons; and carrying with him his second son, Ethelbald, gave them battle at Okely, and gained a bloody victory over them. This advantage procured but a short respite to the English. The Danes still maintained their settlement in the Isle of Thanet; and being attacked by Ealher and Huda, governors of Kent and Surrey, though defeated in the beginning of the action, they finally repulsed the assailants, and killed both the governors. They removed thence to the Isle of Shepey; where they took up their winter-quarters, that they might further extend their devastation and ravages.

A. D. 851.

A. D. 853.

This unsettled state of England hindered not Ethelwolf from making a pilgrimage to Rome; whither he carried his fourth and favourite son, Alfred, then only six years of age.<sup>t</sup> He passed there a twelvemonth in exercises of devotion; and failed not in that most essential part of devotion, liberality to the church of Rome. Besides giving presents to the more distinguished ecclesiastics, he made a perpetual grant of three hundred mancuses<sup>u</sup> a year to that see; one third to support the lamps of St. Peter's, another of those of St. Paul's, a third to the pope himself.<sup>v</sup> In his return home, he married Judith, daughter of the emperor, Charles the Bald; but on his landing in England, he met with an opposition which he little looked for.

His eldest son Athelstan, being dead, Ethelbald, his second, who had assumed the government, formed, in concert with many of the nobles, the project of excluding his father from a throne, which his weakness and superstition seemed to have rendered him so ill qualified to fill. The people were divided between the two princes; and a bloody civil war, joined to all the other calamities under which the English laboured, appeared inevitable; when Ethelwolf had the facility to yield to the greater part of his son's pretensions. He made with him a partition of the kingdom; and taking to himself the eastern part, which was always at that time esteemed the least considerable, as well as the most exposed,<sup>w</sup> he delivered over to Ethelbald the sovereignty of the western. Immediately after, he summoned the states of the whole kingdom, and with the same facility conferred a perpetual and important donation on the church.

The ecclesiastics, in those days of ignorance, made rapid advances in the acquisition of power and grandeur; and inculcating the most absurd and most interested doctrines, though they sometimes met, from the contrary interests of the laity, with an opposition, which it required time and address to overcome, they found no obstacle in their reason or understanding. Not content with the donations of land made them by the Saxon princes and nobles, and with temporary oblations from the devotion of the people, they had cast a wishful eye on a vast revenue, which they claimed as belonging to them by a sacred and indefeasible title. However little versed in the Scriptures, they

<sup>k</sup> Chron. Sax. p. 72.

<sup>l</sup> Ibid. Ethelward, lib. 3, cap. 2.

<sup>m</sup> Chron. Sax. p. 72.

<sup>n</sup> Wm. Malmes. lib. 2, cap. 2.

<sup>o</sup> Chron. Sax. p. 73.

<sup>p</sup> Ethelward, lib. 3, cap. 3.

<sup>q</sup> Chron. Sax. p. 73.

<sup>r</sup> H. Hunting. lib. 5.

<sup>s</sup> Alfred. Wests. p. 102.

<sup>t</sup> H. Hunt. lib. 5.

<sup>u</sup> Ethelward, lib. 3, cap. 3. Simeon Dunelm. p. 120.

<sup>v</sup> Chron. Sax. p. 74. Asserius, p. 2.

<sup>w</sup> Asserius, p. 2. Chron. Sax. 76. Hunt. lib. 5.

<sup>x</sup> A mancus was about the weight of our present half crown. See Spelman's Glossary, in verbo Mancus.

<sup>y</sup> W. Malmes. lib. 2, cap. 2.

<sup>z</sup> Asserius, p. 3. W. Malmes. lib. 2, cap. 2. Matth. West. p. 1. 8.



had been able to discover, that under the Jewish law, a tenth of all the produce of land was conferred on the priesthood; and forgetting, what they themselves taught, that the moral part only of that law was obligatory on Christians, they insisted, that this donation conveyed a perpetual property, inherent by divine right in those who officiated at the altar. During some centuries, the whole scope of sermons and homilies was directed to this purpose; and one would have imagined, from the general tenor of these discourses, that all the practical parts of Christianity were comprised in the exact and faithful payment of tithes to the clergy.<sup>7</sup> Encouraged by their success in inculcating these doctrines, they ventured further than they were warranted even by the Levitical law, and pretended to draw the tenth of all industry, merchandise, wages of labourers, and pay of soldiers;<sup>8</sup> nay, some canonists went so far as to affirm, that the clergy were entitled to the tithe of the profits made by courtesans in the exercise of their profession.<sup>9</sup> Though parishes had been instituted in England by Honorius, Archbishop of Canterbury, near two centuries before,<sup>10</sup> the ecclesiastics had never yet been able to get possession of the tithes: they therefore seized the present favourable opportunity of making that acquisition, when a weak, superstitious prince filled the throne, and when the people, discouraged by their losses from the Danes, and terrified with the fear of future invasions, were susceptible of any impression which bore the appearance of religion.<sup>11</sup> So meritorious was this concession deemed by the English, that, trusting entirely to supernatural assistance, they neglected the ordinary means of safety; and agreed, even in the present desperate extremity, that the revenues of the church should be exempted from all burthens, though imposed for national defence and security.<sup>12</sup>

### ETHELBALD AND ETHELBERT.

A. D. 857. **ETHELWOLF** lived only two years after making this grant; and by his will he shared England between his two eldest sons, Ethelbald and Ethelbert; the west being assigned to the former, the east to the latter. Ethelbald was a profligate prince; and marrying Judith, his mother-in-law, gave great offence to the people; but, moved by the remonstrances of Swithin, Bishop of Winchester, he was at last prevailed on to divorce her. His reign was short; and Ethelbert, his

A. D. 860. brother, succeeding to the government, behaved himself, during a reign of five years, in a manner more worthy of his birth and station. The kingdom, however, was still infested by the Danes, who made an inroad and sacked Winchester, but were there defeated. A body also of these pirates, who were quartered in the Isle of Thanet, having deceived the English by a treaty, unexpectedly broke into Kent, and committed great outrages.

### ETHERED.

A. D. 866. **ETHELBERT** was succeeded by his brother Ethered, who, though he defended himself with bravery, enjoyed, during his whole reign, no tranquillity from those Danish irruptions. His younger brother, Alfred, seconded him in all his enterprises; and generously sacrificed to the public good all resentment which he might entertain on account of his being excluded by Ethered from a large patrimony which had been left him by his father.

The first landing of the Danes in the reign of Ethered was among the East Angles, who, more anxious for their present safety than for the common interest, entered into a separate treaty with the enemy; and furnished them with horses, which enabled them to make an irruption by land into the kingdom of Northumberland. They there seized the city of York; and defended it against Osbricht and Ælla, two Northumbrian princes, who perished in

the assault. Encouraged by these successes, and by the superiority which they had acquired in arms, they now ventured, under the command of Hinguar and Hubba, to leave the sea-coast, and penetrating into Mercia, they took up their winter-quarters at Nottingham, where they threatened the kingdom with a final subjection. The Mercians, in this extremity, applied to Ethered for succour; and that prince, with his brother Alfred, conducting a great army to Nottingham, obliged the enemy to dislodge, and to retreat into Northumberland. Their restless disposition, and their avidity for plunder, allowed them not to remain long in those quarters: they broke into East Anglia, defeated and took prisoner Edmund, the king of that country, whom they afterwards murdered in cool blood; and committing the most barbarous ravages on the people, particularly on the monasteries, they gave the East Angles cause to regret the temporary relief which they had obtained by assisting the common enemy.

The next station of the Danes was at Reading; whence they infested the neighbouring country by their incursions. The Mercians, desirous of shaking off their dependence on Ethered, refused to join him with their forces; and that prince, attended by Alfred, was obliged to march against the enemy with the West Saxons alone, his hereditary subjects. The Danes, being defeated in an action, shut themselves up in their garrison; but quickly making thence an irruption, they routed the West Saxons, and obliged them to raise the siege. An action soon after ensued at Aston, in Berkshire, where the English, in the beginning of the day, were in danger of a total defeat. Alfred advancing with one division of the army, was surrounded by the enemy in disadvantageous ground; and Ethered, who was at that time hearing mass, refused to march to his assistance till prayers should be finished: but as he afterwards obtained the victory, this success, not the danger of Alfred, was ascribed by the monks to the piety of that monarch. This battle of Aston did not terminate the war: another battle was a little after fought at Basing, where the Danes were more successful; and being reinforced by a new army from their own country, they became every day more terrible to the English. Amidst these confusions, Ethered died of a wound which he had received in an action with the Danes; and left the inheritance of his cares and misfortunes, rather than of his grandeur, to his brother, Alfred, who was now twenty-two years of age.

### ALFRED.

This prince gave very early marks of those great virtues and shining talents, by which, during the most difficult times, he saved his country from utter ruin and subversion. Ethelwolf, his father, the year after his return with Alfred from Rome, had again sent the young prince thither with a numerous retinue; and a report being spread of the king's death, the pope, Leo III. gave Alfred the royal unction;<sup>1</sup> whether prognosticating his future greatness from the appearances of his pregnant genius, or willing to pretend, even in that age, to the right of conferring kingdoms. Alfred, on his return home, became every day more the object of his father's affections; but being indulged in all youthful pleasures, he was much neglected in his education; and he had already reached his twelfth year, when he was yet totally ignorant of the lowest elements of literature. His genius was first roused by the recital of Saxon poems, in which the Queen took delight; and this species of erudition, which is sometimes able to make a considerable progress even among barbarians, expanded those noble and elevated sentiments which he had received from nature.<sup>2</sup> Encouraged by the Queen, and stimulated by his own ardent inclination, he soon learned to read those compositions; and proceeded thence to acquire the knowledge of the Latin tongue, in which he met with

<sup>7</sup> Padre Paolo, *sopra beneficii ecclesiastici*, p. 51, 52. edit. Colon. 1675. <sup>8</sup> Spell. Conc. vol. 1. p. 268. <sup>9</sup> Padre Paolo, p. 132. <sup>10</sup> Parker, p. 77. <sup>11</sup> Ingulph. p. 862. Selden's Hist. of Tithes, c. 8. <sup>12</sup> Assaues, p. 2. Chron. Sax. p. 76. W. Malmes. lib. 2. cap. 2. Ethelward, lib. 3. cap. 3. M. West. p. 158. Ingulph. p. 17. Ann. Beverl. p. 95.

<sup>1</sup> Asser. p. 6. Chron. Sax. p. 79.

<sup>2</sup> Asser. p. 7. W. Malm. lib. 2. cap. 3. Simeon Dunelm. p. 125. Anglia Sacra, vol. 1. p. 205.

<sup>3</sup> Asser. p. 2. W. Malm. lib. 2. cap. 2. Ingulph. p. 869. Simeon Dunelm. p. 120, 129. <sup>4</sup> Asser. p. 5. M. West. p. 167.

authors that better prompted his heroic spirit, and directed his generous views. Absorbed in these elegant pursuits, he regarded his accession to royalty rather as an object of regret than of triumph;<sup>k</sup> but being called to the throne, in preference to his brother's children, as well by the will of his father, a circumstance which had great authority with the Anglo-Saxons,<sup>l</sup> as by the vows of the whole nation, and the urgency of public affairs, he shook off his literary indolence, and exerted himself in the defence of his people. He had scarcely buried his brother, when he was obliged to take the field, in order to oppose the Danes, who had seized Wilton, and were exercising their usual ravages on the countries around. He marched against them with the few troops which he could assemble on a sudden; and giving them battle, gained at first an advantage, but by his pursuing the victory too far, the superiority of the enemy's numbers prevailed, and recovered them the day. Their loss, however, in the action was so considerable, that, fearing Alfred would receive daily reinforcements from his subjects, they were content to stipulate for a safe retreat, and promised to depart the kingdom. For that purpose they were conducted to London, and allowed to take up winter-quarters there; but, careless of their engagements, they immediately set themselves to the committing of spoil on the neighbouring country. Burhed, King of Mercia, in whose territories London was situated, made a new stipulation with them, and engaged them, by presents of money, to remove to Lindsey, in Lincolnshire; a country which they had already reduced to ruin and desolation. Finding therefore no object in that place, either for their rapine or violence, they suddenly turned back upon Mercia, in a quarter where they expected to find it without defence; and fixing their station at Repton, in Derbyshire, they laid the whole country desolate with fire and sword. Burhed, despairing of success against an enemy whom no force could resist, and no treaties bind, abandoned his kingdom, and flying to Rome, took shelter in a cloister.<sup>m</sup> He was brother-in-law to Alfred, and the last who bore the title of King of Mercia.

The West Saxons were now the only remaining power in England; and though supported by the vigour and abilities of Alfred, they were unable to sustain the efforts of those ravagers, who from all quarters invaded them. A

A. D. 875. A new swarm of Danes came over this year under three princes, Guthrum, Oscitel, and Amund; and having first joined their countrymen at Repton, they soon found the necessity of separating, in order to provide for their subsistence. Part of them, under the command of Haldene, their chieftain,<sup>n</sup> marched into Northumberland, where they fixed their quarters; part of them took quarters at Cambridge, whence they dislodged in the ensuing summer, and seized Wereham, in the county of Dorset, the very centre of Alfred's dominions. That prince so straitened them in these quarters, that they were content to come to a treaty with him, and stipulated to depart his country. Alfred, well acquainted with their usual perfidy, obliged them to swear upon the holy reliques to the observance of the treaty;<sup>o</sup> not that he expected they would pay any veneration to the reliques; but he hoped, that, if they now violated this oath, their impiety would infallibly draw down upon them the vengeance of Heaven. But the Danes, little apprehensive of the danger, suddenly, without seeking any pretence, fell upon Alfred's army; and having put it to rout, marched westward, and took possession of Exeter. The prince collected new forces, and exerted such vigour, that he fought in one year eight battles with the enemy,<sup>p</sup> and reduced them to the utmost extremity. He hearkened however to new proposals of peace; and was satisfied to stipulate with them, that they would settle somewhere in England,<sup>q</sup> and would not permit the entrance of more ravagers into the kingdom. But while he was expecting the execution of this treaty, which it seemed the interest of the Danes themselves to fulfil, he heard that another

body had landed, and having collected all the scattered troops of their countrymen, had surprised Chippenham, then a considerable town, and were exercising their usual ravages all around them.

This last incident quite broke the spirit of the Saxons, and reduced them to despair. Finding that, after all the miserable havoc which they had undergone in their persons and in their property; after all the vigorous actions which they had exerted in their own defence; a new band, equally greedy of spoil and slaughter, had disembarked among them; they believed themselves abandoned by Heaven to destruction, and delivered over to those swarms of robbers, which the fertile north thus incessantly poured forth against them. Some left their country and retired into Wales, or fled beyond sea: others submitted to the conquerors, in hopes of appeasing their fury by a servile obedience.<sup>r</sup> And every man's attention being now engrossed in concern for his own preservation, no one would hearken to the exhortations of the king, who summoned them to make, under his conduct, one effort more in defence of their prince, their country, and their liberties. Alfred himself was obliged to relinquish the ensigns of his dignity, to dismiss his servants, and to seek shelter, in the meanest disguises, from the pursuit and fury of his enemies. He concealed himself under a peasant's habit, and lived some time in the house of a neat-herd, who had been intrusted with the care of some of his cows.<sup>s</sup> There passed here an incident, which has been recorded by all the historians, and was long preserved by popular tradition; though it contains nothing memorable in itself, except so far as every circumstance is interesting which attends so much virtue and dignity reduced to such distress. The wife of the neat-herd was ignorant of the condition of her royal guest; and observing him one day busy by the fire-side in trimming his bow and arrows, she desired him to take care of some cakes which were toasting, while she was employed elsewhere in other domestic affairs. But Alfred, whose thoughts were otherwise engaged, neglected this injunction; and the good woman, on her return, finding her cakes all burnt, rated the king very severely, and upbraided him, that he always seemed very well pleased to eat her warm cakes, though he was thus negligent in toasting them.<sup>t</sup>

By degrees, Alfred, as he found the search of the enemy become more remiss, collected some of his retainers, and retired into the centre of a bog, formed by the stagnating waters of the Thone and Parret, in Somersetshire. He here found two acres of firm ground; and building a habitation on them, rendered himself secure by its fortifications, and still more by the unknown and inaccessible roads which led to it, and by the forests and morasses with which it was every way environed. This place he called Æthelingay, or the Isle of Nobles;<sup>u</sup> and it now bears the name of Athelney. He thence made frequent and unexpected sallies upon the Danes, who often felt the vigour of his arm, but knew not from what quarter the blow came. He subsisted himself and his followers by the plunder which he acquired; he procured them consolation by revenge; and from small successes he opened their minds to hope, that, notwithstanding his present low condition, more important victories might at length attend his valour.

Alfred lay here concealed, but not unactive, during a twelvemonth, when the news of a prosperous event reached his ears, and called him to the field. Hubba, the Dane, having spread devastation, fire, and slaughter over Wales, had landed in Devonshire from twenty-three vessels, and laid siege to the castle of Kinwith, a place situated near the mouth of the small river Tau. Oddene, Earl of Devonshire, with his followers, had taken shelter there; and being ill supplied with provisions, and even with water, he determined, by some vigorous blow, to prevent the necessity of submitting to the barbarous enemy. He made a sudden sally on the Danes before sun-rising; and taking them unprepared, he put them to rout, pursued

<sup>k</sup> Asser. p. 7.

<sup>l</sup> Ibid. p. 22. Simeon Dunelm. p. 121.

<sup>m</sup> Asser. p. 8. Chron. Sax. p. 82. Ethelward, lib. 4. cap. 4.

<sup>n</sup> Chron. Sax. p. 83.

<sup>o</sup> Asser. p. 9.

<sup>p</sup> Ibid. The Saxons Chronicle, p. 82, says nine battles.

<sup>q</sup> Asser. p. 9. Alur, Beverl. p. 104.

<sup>r</sup> Chron. Sax. p. 84. Alured Beverl. p. 105.

<sup>s</sup> Asser. p. 9.

<sup>t</sup> Ibid. M. West. p. 170.

<sup>u</sup> Chron. Sax. p. 85. W. Mahn. lib. 2. cap. 4. Ethelward, lib. 4. cap.

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them with great slaughter, killed Hubba himself, and got possession of the famous *Ræfen*, or enchanted standard, in which the Danes put great confidence.<sup>w</sup> It contained the figure of a raven, which had been inwoven by the three sisters of Hingwar and Hubba, with many magical incantations, and which, by its different movements, prognosticated, as the Danes believed, the good or bad success of any enterprise.<sup>x</sup>

When Alfred observed this symptom of successful resistance in his subjects, he left his retreat; but before he would assemble them in arms, or urge them to any attempt, which, if unfortunate, might, in their present despondency, prove fatal, he resolved to inspect, himself, the situation of the enemy, and to judge of the probability of success. For this purpose he entered their camp under the disguise of a harper, and passed unsuspected through every quarter. He so entertained them with his music and facetious humours, that he met with a 'welcome reception; and was even introduced to the tent of Guthrum, their prince, where he remained some days.<sup>y</sup> He remarked the supine security of the Danes, their contempt of the English, their negligence in foraging and plundering, and their dissolute wasting of what they gained by rapine and violence. Encouraged by these favourable appearances, he secretly sent emissaries to the most considerable of his subjects, and summoned them to a rendezvous, attended by their warlike followers, at Brixton, on the borders of Selwood forest.<sup>z</sup> The English, who had hoped to put an end to their calamities by servile submission, now found the insolence and rapine of the conqueror more intolerable than all past fatigues and dangers; and, at the appointed day, they joyfully resorted to their prince. On his appearance, they received him with shouts of applause,<sup>a</sup> and could not satiate their eyes with the sight of this beloved monarch, whom they had long regarded as dead, and who now, with voice and looks expressing his confidence of success, called them to liberty and to vengeance. He instantly conducted them to Eddington, where the Danes were encamped; and taking advantage of his previous knowledge of the place, he directed his attack against the most unguarded quarter of the enemy. The Danes, surprised to see an army of English, whom they considered as totally subdued, and still more astonished to hear that Alfred was at their head, made but a faint resistance, notwithstanding their superiority of number, and were soon put to flight with great slaughter. The remainder of the routed army, with their prince, was besieged by Alfred in a fortified camp to which they fled; but being reduced to extremity by want and hunger, they had recourse to the clemency of the victor, and offered to submit on any conditions. The king, no less generous than brave, gave them their lives; and even formed a scheme for converting them, from mortal enemies, into faithful subjects and confederates. He knew that the kingdoms of East Anglia and Northumberland were totally desolated by the frequent inroads of the Danes, and he now proposed to repeople them, by settling there Guthrum and his followers. He hoped that the new planters would at last betake themselves to industry, when, by reason of his resistance, and the exhausted condition of the country, they could no longer subsist by plunder; and that they might serve him as a rampart against any future incursions of their countrymen. But before he ratified these mild conditions with the Danes, he required that they should give him one pledge of their submission, and of their inclination to incorporate with the English, by declaring their conversion to Christianity.<sup>b</sup> Guthrum, and his army, had no aversion to the proposal; and without much instruction, or argument, or conference, they were all admitted to baptism. The king answered for Guthrum at the font, gave him the name of Athelstan, and received him as his adopted son.<sup>c</sup>

The success of this expedient seemed to correspond to Alfred's hopes: the greater

part of the Danes settled peaceably in their new quarters: some smaller bodies of the same nation, which were dispersed in Mercia, were distributed into the five cities of Derby, Leicester, Stamford, Lincoln, and Nottingham, and were thence called the *Fif* or *Five-burghers*. The more turbulent and unquiet made an expedition into France, under the command of Hastings;<sup>d</sup> and, except by a short incursion of Danes, who sailed up the Thames, and landed at Fulham, but suddenly retreated to their ships on finding the country in a posture of defence, Alfred was not for some years infested by the inroads of those barbarians.<sup>e</sup>

The king employed this interval of tranquillity in restoring order to the state, which had been shaken by so many violent convulsions; in establishing civil and military institutions; in composing the minds of men to industry and justice; and in providing against the return of like calamities. He was, more properly than his grandfather Egbert, the sole monarch of the English, (for so the Saxons were now universally called,) because the kingdom of Mercia was at last incorporated in his state, and was governed by Ethelbert, his brother-in-law, who bore the title of earl; and though the Danes, who peopled East Anglia and Northumberland, were for some time ruled immediately by their own princes, they all acknowledged a subordination to Alfred, and submitted to his superior authority. As equality among subjects is the great source of concord, Alfred gave the same laws to the Danes and English, and put them entirely on a like footing in the administration both of civil and criminal justice. The fine for the murder of a Dane was the same with that for the murder of an Englishman; the great symbol of equality in those ages.

The king, after rebuilding the ruined cities, particularly London,<sup>f</sup> which had been destroyed by the Danes in the reign of Ethelwolf, established a regular militia for the defence of the kingdom. He ordained that all his people should be armed and registered; he assigned them a regular rotation of duty; he distributed part into the castles and fortresses which he built at proper places;<sup>g</sup> he required another part to take the field on any alarm, and to assemble at stated places of rendezvous; and he left a sufficient number at home, who were employed in the cultivation of the land, and who afterwards took their turn in military service.<sup>h</sup> The whole kingdom was like one great garrison; and the Danes could no sooner appear in one place, than a sufficient number was assembled to oppose them, without leaving the other quarters defenceless or disarmed.<sup>i</sup>

But Alfred, sensible that the proper method of opposing an enemy who made incursions by sea, was to meet them on their own element, took care to provide himself with a naval force,<sup>k</sup> which, though the most natural defence of an island, had hitherto been totally neglected by the English. He increased the shipping of his kingdom both in number and strength, and trained his subjects in the practice, as well of sailing as of naval action. He distributed his armed vessels in proper stations around the island, and was sure to meet the Danish ships either before or after they had landed their troops, and to pursue them in all their incursions. Though the Danes might suddenly, by surprise, disembark on the coast, which was generally become desolate by their frequent ravages, they were encountered by the English fleet in their retreat; and escaped not, as formerly, by abandoning their booty, but paid, by their total destruction, the penalty of the disorders which they had committed.

In this manner Alfred repelled several inroads of these piratical Danes, and maintained his kingdom, during some years, in safety and tranquillity. A fleet of a hundred and twenty ships of war was stationed upon the coast; and being provided with warlike engines, as well as with expert seamen, both Frisians and English, (for Alfred supplied the defects of his own subjects by engaging able foreigners in his service,) maintained a supe-

<sup>w</sup> Asser, p. 106. Chron. Sax. p. 84. Abbas Rievall, p. 335. Alured Beverl, p. 106.

<sup>y</sup> W. Malin, lib. 2. cap. 4. x Asser, p. 10.

<sup>z</sup> Chron. Sax. p. 85. z Chron. Sax. p. 85.

<sup>a</sup> Asser, p. 105. Chron. Sax. p. 85. Simeon Dunelm. p. 123. Alured Beverl, p. 105. Abbas Rievall, p. 334.

<sup>b</sup> Chron. Sax. p. 85. c Asser, p. 10. Chron. Sax. p. 93.

<sup>c</sup> W. Malines, lib. 2. c. 4. Ingulph, p. 26.

<sup>d</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>e</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>f</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>g</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>h</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>i</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>e</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>f</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>g</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>h</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>i</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>k</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>l</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>m</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>n</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>o</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>p</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>q</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm

<sup>r</sup> Asser, p. 11. Chron. Sax. p. 88. M. West, p. 171. Simeon Dunelm



riority over those smaller bands with which England had so often been infested.<sup>1</sup> But at last Hastings, the famous Danish chief, having ravaged all the provinces of France, both along the sea-coast and the Loire and Seine, and being obliged to quit that country, more by the desolation which he himself had occasioned, than by the resistance of the inhabitants, appeared off the coast of Kent with a fleet of 330 sail. The greater part of the enemy disembarked in the Rother, and seized the fort of Apuldore. Hastings himself, commanding a fleet of eighty sail, entered the Thames, and fortifying Milton, in Kent, began to spread his forces over the country, and to commit the most destructive ravages. But Alfred, on the first alarm of this descent, flew to the defence of his people, at the head of a select band of soldiers, whom he always kept about his person;<sup>2</sup> and gathering to him the armed militia from all quarters, appeared in the field with a force superior to the enemy. All straggling parties, whom necessity, or love of plunder, had drawn to a distance from their chief encampment, were cut off by the English;<sup>3</sup> and these pirates, instead of increasing their spoil, found themselves cooped up in their fortifications, and obliged to subsist by the plunder which they had brought from France. Tired of this situation, which must in the end prove ruinous to them, the Danes at Apuldore rose suddenly from their encampment, with an intention of marching towards the Thames, and passing over into Essex: but they escaped not the vigilance of Alfred, who encountered them at Farnham, put them to rout,<sup>4</sup> seized all their horses and baggage, and chased the run-aways on board their ships, which carried them up the Colne to Mersey, in Essex, where they entrenched themselves. Hastings, at the same time, and probably by concert, made a like movement; and deserting Milton, took possession of Bamflete, near the Isle of Canvey in the same county;<sup>5</sup> where he hastily threw up fortifications for his defence against the power of Alfred.

Unfortunately for the English, Guthrum, prince of the East-Anglian Danes, was now dead; as was also Guthred, whom the king had appointed governor of the Northumbrians; and those restless tribes, being no longer restrained by the authority of their princes, and being encouraged by the appearance of so great a body of their countrymen, broke into rebellion, shook off the authority of Alfred, and yielding to their inveterate habits of war and depredation,<sup>6</sup> embarked on board two hundred and forty vessels, and appeared before Exeter, in the west of England. Alfred lost not a moment in opposing this new enemy. Having left some forces at London to make head against Hastings and the other Danes, he marched suddenly to the west;<sup>7</sup> and falling on the rebels before they were aware, pursued them to their ships with great slaughter. These ravagers, sailing next to Sussex, began to plunder the country near Chichester; but the order which Alfred had every where established, sufficed here, without his presence, for the defence of the place; and the rebels, meeting with a new repulse, in which many of them were killed, and some of their ships taken,<sup>8</sup> were obliged to put again to sea, and were discouraged from attempting any other enterprise.

Meanwhile, the Danish invaders in Essex, having united their force under the command of Hastings, advanced into the inland country, and made spoil of all around them; but soon had reason to repent of their temerity. The English army left in London, assisted by a body of the citizens, attacked the enemy's intrenchments at Bamflete, overpowered the garrison, and having done great execution upon them, carried off the wife and two sons of Hastings.<sup>9</sup> Alfred generously spared these captives; and even restored them to Hastings,<sup>10</sup> on condition that he should depart the kingdom.

But though the king had thus honourably rid himself of this dangerous enemy, he had not entirely subdued or expelled the invaders. The piratical Danes willingly followed in an excursion any prosperous leader who gave them hopes of booty; but were not so easily induced to

relinquish their enterprise, or submit to return, baffled and without plunder, into their native country. Great numbers of them, after the departure of Hastings, seized and fortified Shobury, at the mouth of the Thames; and having left a garrison there, they marched along the river, till they came to Boddington, in the county of Gloucester; where, being reinforced by some Welch, they threw up entrenchments, and prepared for their defence. The king here surrounded them with the whole force of his dominions;<sup>11</sup> and as he had now a certain prospect of victory, he resolved to trust nothing to chance, but rather to master his enemies by famine than assault. They were reduced to such extremities, that, having eaten their own horses, and having many of them perished with hunger,<sup>12</sup> they made a desperate sally upon the English; and though the greater number fell in the action, a considerable body made their escape.<sup>13</sup> These roved about for some time in England, still pursued by the vigilance of Alfred; they attacked Leicester with success, defended themselves in Hartford, and then fled to Quatford, where they were finally broken and subdued. The small remains of them either dispersed themselves among their countrymen in Northumberland and East Anglia,<sup>14</sup> or had recourse again to the sea, where they exercised piracy, under the command of Sigefert, a Northumbrian. This freebooter, well acquainted with Alfred's naval preparations, had framed vessels of a new construction, higher, and longer, and swifter, than those of the English; but the king soon discovered his superior skill, by building vessels still higher, and longer, and swifter, than those of the Northumbrians; and falling upon them while they were exercising their ravages in the west, he took twenty of their ships, and having tried all the prisoners at Winchester, he hanged them as pirates, the common enemies of mankind.

The well-timed severity of this execution, together with the excellent posture of defence established every where, restored full tranquillity in England, and provided for the future security of the government. The East-Anglian and Northumbrian Danes, on the first appearance of Alfred upon their frontiers, made anew the most humble submissions to him; and he thought it prudent to take them under his immediate government, without establishing over them a viceroy of their own nation.<sup>15</sup> The Welch also acknowledged his authority; and this great prince had now, by prudence, and justice, and valour, established his sovereignty over all the southern parts of the island, from the English channel to the frontiers of Scotland. A. D. 901.

The merit of this prince, both in private and public life, may with advantage be set in opposition to that of any monarch or citizen which the annals of any age or any nation can present to us. He seems indeed to be the model of that perfect character, which, under the denomination of a sage or wise man, philosophers have been fond of delineating, rather as a fiction of their imagination, than in hopes of ever seeing it really existing; so happily were all his virtues tempered together; so justly were they blended; and so powerfully did each prevent the other from exceeding its proper boundaries! He knew how to reconcile the most enterprising spirit with the coolest moderation; the most obstinate perseverance with the easiest flexibility; the most severe justice with the gentlest lenity; the greatest vigour in commanding with the most perfect affability of deportment;<sup>16</sup> the highest capacity and inclination for science with the most shining talents for action. His civil and his military virtues are almost equally the objects of our admiration; excepting only, that the former, being more rare among princes, as well as more useful, seem chiefly to challenge our applause. Nature also, as if desirous that so bright a production of her skill should be set in the fairest light, had bestowed on him every bodily

<sup>1</sup> Asser, p. 11. Chron. Sax. p. 86, 87. M. West. p. 176.

<sup>2</sup> In Asser, p. 19. M. West. p. 177. Chron. Sax. p. 92.

<sup>3</sup> In Asser, p. 95. Flor. Wigorn. p. 595. Chron. Sax. p. 93.

<sup>4</sup> In Asser, p. 96. M. West. p. 178. Chron. Sax. p. 93.

<sup>5</sup> In Asser, p. 96. Flor. Wigorn. p. 596. M. West. p. 178.

<sup>6</sup> In Asser, p. 96. Flor. Wigorn. p. 596. M. West. p. 178.

<sup>7</sup> In Asser, p. 96. Flor. Wigorn. p. 596. M. West. p. 178.

<sup>8</sup> In Asser, p. 96. Flor. Wigorn. p. 596. M. West. p. 178.

<sup>9</sup> In Asser, p. 96. Flor. Wigorn. p. 596. M. West. p. 178.

<sup>10</sup> In Asser, p. 96. Flor. Wigorn. p. 596. M. West. p. 178.

<sup>11</sup> M. West. p. 179.

<sup>12</sup> In Asser, p. 179. Flor. Wigorn. p. 596.

<sup>13</sup> Chron. Sax. p. 95.

<sup>14</sup> In Asser, p. 96. Flor. Wigorn. p. 596.

<sup>15</sup> In Asser, p. 21. Chron. Sax. p. 93.

<sup>16</sup> Asser, p. 13.

<sup>17</sup> Chron. Sax. p. 94.

<sup>18</sup> In Asser, p. 179. Flor. Wigorn. p. 596.

<sup>19</sup> Chron. Sax. p. 95.

<sup>20</sup> In Asser, p. 96. Flor. Wigorn. p. 596.

<sup>21</sup> In Asser, p. 21. Chron. Sax. p. 93.

<sup>22</sup> Asser, p. 13.



accomplishment, vigour of limbs, dignity of shape and air, with a pleasing, engaging, and open countenance.<sup>d</sup> Fortune alone, by throwing him into that barbarous age, deprived him of historians worthy to transmit his fame to posterity; and we wish to see him delineated in more lively colours, and with more particular strokes, that we may at least perceive some of those small specks and blemishes, from which, as a man, it is impossible he could be entirely exempted.

But we should give but an imperfect idea of Alfred's merit, were we to confine our narration to his military exploits, and were not more particular in our account of his institutions for the execution of justice, and of his zeal for the encouragement of arts and sciences.

After Alfred had subdued, and had settled or expelled, the Danes, he found the kingdom in the most wretched condition; desolated by the ravages of those barbarians, and thrown into disorders which were calculated to perpetuate its misery. Though the great armies of the Danes were broken, the country was full of straggling troops of that nation, who, being accustomed to live by plunder, were become incapable of industry, and who, from the natural ferocity of their manners, indulged themselves in committing violence, even beyond what was requisite to supply their necessities. The English themselves, reduced to the most extreme indigence by these continued depredations, had shaken off all bands of government; and those who had been plundered to-day, betook themselves next day to the like disorderly life, and, from despair, joined the robbers in pillaging and ruining their fellow-citizens. These were the evils for which it was necessary that the vigilance and activity of Alfred should provide a remedy.

That he might render the execution of justice strict and regular, he divided all England into counties; these counties he subdivided into hundreds; and the hundreds into tithings. Every householder was answerable for the behaviour of his family and slaves, and even of his guests, if they lived above three days in his house. Ten neighbouring householders were formed into one corporation, who, under the name of a tithing, decennary, or tithing, were answerable for each other's conduct, and over whom one person, called a tithingman, headbourg, or borsholder, was appointed to preside. Every man was punished as an outlaw who did not register himself in some tithing. And no man could change his habitation, without a warrant or certificate from the borsholder of the tithing to which he formerly belonged.

When any person in any tithing or decennary was guilty of a crime, the borsholder was summoned to answer for him; and if he were not willing to be surety for his appearance, and his clearing himself, the criminal was committed to prison, and there detained till his trial. If he fled, either before or after finding sureties, the borsholder and decennary became liable to inquiry, and were exposed to the penalties of law. Thirty-one days were allowed them for producing the criminal; and if that time elapsed without their being able to find him, the borsholder, with two other members of the decennary, was obliged to appear, and, together with three chief members of the three neighbouring decennaries, (making twelve in all,) to swear that his decennary was free from all privacy both of the crime committed, and of the escape of the criminal. If the borsholder could not find such a number to answer for their innocence, the decennary was compelled by fine to make satisfaction to the king, according to the degree of the offence.<sup>e</sup> By this institution, every man was obliged from his own interest to keep a watchful eye over the conduct of his neighbours; and was in a manner surety for the behaviour of those who were placed under the division to which he belonged: whence these decennaries received the name of frank-pledges.

Such a regular distribution of the people, with such a strict confinement in their habitation, may not be necessary in times when men are more inured to obedience and justice; and it might perhaps be regarded as destructive

of liberty and commerce in a polished state; but it was well calculated to reduce that fierce and licentious people under the salutary restraint of law and government. But Alfred took care to temper these rigours by other institutions favourable to the freedom of the citizens; and nothing could be more popular and liberal than his plan for the administration of justice. The borsholder summoned together his whole decennary to assist him in deciding any lesser difference which occurred among the members of this small community. In affairs of greater moment, in appeals from the decennary, or in controversies arising between members of different decennaries, the cause was brought before the hundred, which consisted of ten decennaries, or a hundred families of freemen, and which was regularly assembled once in four weeks for the deciding of causes.<sup>f</sup> Their method of decision deserves to be noted, as being the origin of juries; an institution, admirable in itself, and the best calculated for the preservation of liberty and the administration of justice, that ever was devised by the wit of man. Twelve freeholders were chosen; who, having sworn, together with the hundred, or presiding magistrate of that division, to administer impartial justice,<sup>g</sup> proceeded to the examination of that cause which was submitted to their jurisdiction. And beside these monthly meetings of the hundred, there was an annual meeting, appointed for a more general inspection of the police of the district; for the inquiry into crimes, the correction of abuses in magistrates, and the obliging of every person to show the decennary in which he was registered. The people, in imitation of their ancestors, the ancient Germans, assembled there in arms; whence a hundred was sometimes called a wapentake, and its court served both for the support of military discipline, and for the administration of civil justice.<sup>h</sup>

The next superior court to that of the hundred was the county-court, which met twice a year, after Michaelmas and Easter, and consisted of the freeholders of the county, who possessed an equal vote in the decision of causes. The bishop presided in this court, together with the alderman; and the proper object of the court was the receiving of appeals from the hundreds and decennaries, and the deciding of such controversies as arose between men of different hundreds. Formerly, the alderman possessed both the civil and military authority; but Alfred, sensible that this conjunction of powers rendered the nobility dangerous and independent, appointed also a sheriff in each county, who enjoyed a co-ordinate authority with the former in the judicial function.<sup>i</sup> His office also empowered him to guard the rights of the crown in the county, and to levy the fines imposed; which in that age formed no contemptible part of the public revenue.

There lay an appeal, in default of justice, from all these courts to the king himself in council; and as the people, sensible of the equity and great talents of Alfred, placed their chief confidence in him, he was soon overwhelmed with appeals from all parts of England. He was indefatigable in the despatch of these causes;<sup>j</sup> but finding that his time must be entirely engrossed by this branch of duty, he resolved to obviate the inconvenience, by correcting the ignorance or corruption of the inferior magistrates, from which it arose.<sup>k</sup> He took care to have his nobility instructed in letters and the laws.<sup>l</sup> He chose the earls and sheriffs from among the men most celebrated for probity and knowledge. He punished severely all malversation in office.<sup>m</sup> And he removed all the earls, whom he found unequal to the trust;<sup>n</sup> allowing only some of the more elderly to serve by a deputy, till their death should make room for more worthy successors.

The better to guide the magistrates in the administration of justice, Alfred framed a body of laws; which, though now lost, served long as the basis of English jurisprudence, and is generally deemed the origin of what is denominated the COMMON LAW. He appointed regular meetings of the states of England twice a year in London;<sup>o</sup> a city which he himself had repaired and beautified, and which he thus rendered the capital of the kingdom. The

<sup>d</sup> Asser, p. 5. <sup>f</sup> Luges St. Edw. cap. 20. apud Wilkins, p. 200.

<sup>e</sup> Leg. Edw. cap. 2.

<sup>g</sup> Frémis Alfred, and Gothar, apud Wilkins, cap. 3. p. 47. Leg. Ethelstan, cap. 2. apud Wilkins, p. 58. LL. Ethelr. 4. Wilkins, p. 117.

<sup>h</sup> Spelman, in voce Wapentake.

<sup>k</sup> Ingulph, p. 870.

<sup>l</sup> Asser, p. 20.

<sup>m</sup> Ibid. p. 18. 21. Flor. Wigorn. p. 594. Abbas Rievall, p. 335.

<sup>n</sup> Flor. Wigorn. p. 594. Brompton, p. 814.

<sup>o</sup> Le Miroir de Justice, chap. 2.

<sup>p</sup> Asser, p. 20.

<sup>q</sup> Le Miroir de Justice.

similarity of these institutions to the customs of the ancient Germans, to the practice of the other northern conquerors, and to the Saxon laws during the Heptarchy, prevents us from regarding Alfred as the sole author of this plan of government; and leads us rather to think, that, like a wise man, he contented himself with reforming, extending, and executing the institutions which he found previously established. But, on the whole, such success attended his legislation, that every thing bore suddenly a new face in England: robberies and iniquities of all kinds were repressed by the punishment or reformation of the criminals;<sup>a</sup> and so exact was the general police, that Alfred, it is said, hung up, by way of bravado, golden bracelets near the highways; and no man dared to touch them.<sup>b</sup> Yet, amidst these rigours of justice, this great prince preserved the most sacred regard to the liberty of his people; and it is a memorable sentiment preserved in his will, that it was just the English should for ever remain as free as their own thoughts.<sup>c</sup>

As good morals and knowledge are almost inseparable, in every age, though not in every individual, the care of Alfred for the encouragement of learning among his subjects was another useful branch of his legislation, and tended to reclaim the English from their former dissolute and ferocious manners: but the king was guided in this pursuit, less by political views, than by his natural bent and propensity towards letters. When he came to the throne, he found the nation sunk into the grossest ignorance and barbarism, proceeding from the continued disorders in the government, and from the ravages of the Danes: the monasteries were destroyed, the monks butchered or dispersed, their libraries burnt; and thus the only seats of erudition in those ages were totally subverted. Alfred himself complains, that on his accession he knew not one person, south of the Thames, who could so much as interpret the Latin service; and very few in the northern parts, who had reached even that pitch of erudition. But this prince invited over the most celebrated scholars from all parts of Europe; he established schools every where for the instruction of his people; he founded, at least repaired, the university of Oxford, and endowed it with many privileges, revenues, and immunities; he enjoined by law all freeholders possessed of two hydes<sup>d</sup> of land or more, to send their children to school for their instruction; he gave preference both in church and state to such only as had made some proficiency in knowledge: and by all these expedients he had the satisfaction, before his death, to see a great change in the face of affairs; and in a work of his, which is still extant, he congratulates himself on the progress which learning, under his patronage, had already made in England.

But the most effectual expedient employed by Alfred, for the encouragement of learning, was his own example, and the constant assiduity with which, notwithstanding the multiplicity and urgency of his affairs, he employed himself in the pursuits of knowledge. He usually divided his time into three equal portions: one was employed in sleep, and the refection of his body by diet and exercise; another in the despatch of business; a third in study and devotion; and that he might more exactly measure the hours, he made use of burning tapers of equal length, which he fixed in lanterns;<sup>e</sup> an expedient suited to that rude age, when the geometry of dialling, and the mechanism of clocks and watches, were totally unknown. And by such a regular distribution of his time, though he often laboured under great bodily infirmities,<sup>f</sup> this martial hero, who fought in person fifty-six battles by sea and land,<sup>g</sup> was able, during a life of no extraordinary length, to acquire more knowledge, and even to compose more books, than most studious men, though blessed with the greatest leisure and application, have, in more fortunate ages, made the object of their uninterrupted industry.

Sensible that the people, at all times, especially when their understandings are obstructed by ignorance and bad education, are not much susceptible of speculative instruc-

tion, Alfred endeavoured to convey his morality by apophthegms, parables, stories, apophthegms, couched in poetry; and besides propagating among his subjects former compositions of that kind, which he found in the Saxon tongue,<sup>h</sup> he exercised his genius in inventing works of a like nature,<sup>i</sup> as well as in translating from the Greek the elegant fables of Æsop. He also gave Saxon translations of Orosius's and Bede's histories; and of Boethius concerning the consolation of philosophy.<sup>j</sup> And he deemed it nowise derogatory from his other great characters of sovereign, legislator, warrior, and politician, thus to lead the way to his people in the pursuits of literature.

Meanwhile, this prince was not negligent in encouraging the vulgar and mechanical arts, which have a more sensible, though not a closer, connexion with the interests of society. He invited, from all quarters, industrious foreigners to repopulate his country, which had been desolated by the ravages of the Danes.<sup>k</sup> He introduced and encouraged manufactures of all kinds; and no inventor or improver of any ingenious art did he suffer to go unrewarded.<sup>l</sup> He prompted men of activity to betake themselves to navigation, to push commerce into the most remote countries, and to acquire riches by propagating industry among their fellow-citizens. He set apart a seventh portion of his own revenue for maintaining a number of workmen, whom he constantly employed in rebuilding the ruined cities, castles, palaces, and monasteries.<sup>m</sup> Even the elegances of life were brought to him from the Mediterranean and the Indies;<sup>n</sup> and his subjects, by seeing those productions of the peaceful arts, were taught to respect the virtues of justice and industry, from which alone they could arise. Both living and dead, Alfred was regarded by foreigners, no less than by his own subjects, as the greatest prince after Charlemagne that had appeared in Europe during several ages, and as one of the wisest and best that had ever adorned the annals of any nation.

Alfred had, by his wife, Ethelswitha, daughter of a Mercian earl, three sons and three daughters. The eldest son, Edmund, died without issue, in his father's lifetime. The third, Ethelward, inherited his father's passion for letters, and lived a private life. The second, Edward, succeeded to his power; and passes by the appellation of Edward the Elder, being the first of that name who sat on the English throne.

### EDWARD THE ELDER.

THIS prince, who equalled his father in A. D. 901. military talents, though inferior to him in knowledge and erudition,<sup>a</sup> found, immediately on his accession, a specimen of that turbulent life to which all princes and even all individuals were exposed, in an age when men, less restrained by law or justice, and less occupied by industry, had no alibi for their iniquitude, but wars, insurrections, convulsions, rapine, and depredation. Ethelwald, his cousin-german, son of King Ethelbert, the elder brother of Alfred, insisted on his preferable title;<sup>b</sup> and arming his partisans, took possession of Winburne, where he seemed determined to defend himself to the last extremity, and to await the issue of his pretensions.<sup>c</sup> But when the king approached the town with a great army, Ethelwald, having the prospect of certain destruction, made his escape, and fled first into Normandy, thence into Northumberland; where he hoped that the people who had been recently subdued by Alfred, and who were impatient of peace, would, on the intelligence of that great prince's death, seize the first pretence or opportunity of rebellion. The event did not disappoint his expectations: the Northumbrians declared for him;<sup>d</sup> and Ethelwald having thus connected his interests with the Danish tribes, went beyond sea, and collecting a body of these freebooters, he excited the hopes of all those who had been accustomed to subsist by rapine and violence.<sup>e</sup> The East-Anglian Danes joined his party: the Five-

<sup>a</sup> Ingulph. p. 27. <sup>s</sup> W. Malmes. lib. 2. cap. 4. <sup>t</sup> Asser. p. 21. <sup>u</sup> A hye contained land sufficient to employ one plough. See H. Hunt. lib. 6. in A. D. 1048. Annal. Waverl. in A. D. 1083. Gerouse of Tilbury says, it commonly contained about 100 acres.

<sup>v</sup> Asser. p. 30. W. Malm. lib. 2. cap. 4. Ingulph. p. 470.

<sup>x</sup> Asser. p. 4. 12. 13. 17.

<sup>y</sup> W. Malm. lib. 1. cap. 4.

<sup>z</sup> Spelman. p. 124. Abbas Riscal. p. 355

<sup>z</sup> Asser. p. 13

<sup>b</sup> W. Malm. lib. 2. cap. 4. Brompton. p. 814.

<sup>c</sup> Asser. p. 13. Flor. Wacorn. p. 548.

<sup>d</sup> Asser. p. 20. W. Malmes. lib. 2. cap. 4.

<sup>e</sup> W. Malmes. lib. 2. cap. 4.

<sup>f</sup> W. Malmes. lib. 2. cap. 5. Howden. p. 421.

<sup>g</sup> Chron. Sax. p. 99. 100. <sup>h</sup> Ibid. p. 100. H. Hunting. lib. 5. p. 552.

<sup>i</sup> Chron. Sax. p. 100. H. Hunting. lib. 5. p. 552.

<sup>j</sup> Chron. Sax. p. 100. Chron. Abb. St. Petri de Bugeo. p. 24.

<sup>d</sup> Asser. p. 20.

burghers, who were seated in the heart of Mercia, began to put themselves in motion; and the English found that they were again menaced with those convulsions, from which the valour and policy of Alfred had so lately rescued them. The rebels, headed by Ethelwald, made an incursion into the counties of Gloucester, Oxford, and Wilts; and having exercised their ravages in these places, they retired with their booty, before the king, who had assembled an army, was able to approach them. Edward, however, who was determined that his preparations should not be fruitless, conducted his forces into East Anglia, and retaliated the injuries which the inhabitants had committed, by spreading the like devastation among them. Satiated with revenge, and loaded with booty, he gave orders to retire: but the authority of those ancient kings, which was feeble in peace, was not much better established in the field; and the Kentish men, greedy of more spoil, ventured, contrary to repeated orders, to stay behind him, and to take up their quarters in Bury. This disobedience proved in the issue fortunate to Edward. The Danes assaulted the Kentish men; but met with so vigorous a resistance, that, though they gained the field of battle, they bought that advantage by the loss of their bravest leaders, and among the rest, by that of Ethelwald, who perished in the action.<sup>m</sup> The king, freed from the fear of so dangerous a competitor, made peace on advantageous terms with the East Angles.<sup>n</sup>

In order to restore England to such a state of tranquillity as it was then capable of attaining, nought was wanting but the subjection of the Northumbrians, who, assisted by the scattered Danes in Mercia, continually infested the bowels of the kingdom. Edward, in order to divert the force of these enemies, prepared a fleet to attack them by sea; hoping that, when his ships appeared on their coast, they must at least remain at home, and provide for their defence. But the Northumbrians were less anxious to secure their own property, than greedy to commit spoil on their enemy; and concluding that the chief strength of the English was embarked on board the fleet, they thought the opportunity favourable, and entered Edward's territories with all their forces. The king, who was prepared against this event, attacked them on their return at Tetenhall, in the county of Stafford, put them to rout, recovered all the booty, and pursued them with great slaughter into their own country.

All the rest of Edward's reign was a scene of continued and successful action against the Northumbrians, the East Angles, the Five-burghs, and the foreign Danes who invaded him from Normandy and Brittany. Nor was he less provident in putting his kingdom in a posture of defence, than vigorous in assailing the enemy. He fortified the towns of Chester, Edisbury, Warwick, Cheshire, Buckingham, Towcester, Maldon, Huntingdon, and Colchester. He fought two signal battles at Tensford and Maldon.<sup>o</sup> He vanquished Thurketill, a great Danish chief, and obliged him to retire with his followers into France, in quest of spoil and adventures. He subdued the East-Angles, and forced them to swear allegiance to him: he expelled the two rival princes of Northumberland, Reginald and Sidroc, and acquired, for the present, the dominion of that province: several tribes of the Britons were subjected by him; and even the Scots, who, during the reign of Egbert, had, under the conduct of Kenneth, their king, increased their power by the final subjection of the Picts, were nevertheless obliged to give him marks of submission.<sup>p</sup> In all these fortunate achievements he was assisted by the activity and prudence of his sister Ethelfleda, who was widow of Ethelbert, Earl of Mercia, and who, after her husband's death, retained the government of that province. This princess, who had been reduced to extremity in child-bed, refused afterwards all commerce with her husband; not from any weak superstition, as was common in that age, but because she deemed all domestic occupations unworthy of her masculine and ambitious spirit.<sup>q</sup> She died before her brother; and Edward, during the remainder of his reign, took upon himself the immediate government of Mercia, which be-

fore had been intrusted to the authority of a governor. The Saxon Chronicle fixes the death of this prince in 925.<sup>r</sup> His kingdom devolved to Athelstan, his natural son.

### ATHELSTAN.

THE stain in this prince's birth was not, in those times, deemed so considerable as to exclude him from the throne; and Athelstan, being of an age, as well as of a capacity, fitted for government, obtained the preference to Edward's younger children, who, though legitimate, were of too tender years to rule a nation so much exposed both to foreign invasion and to domestic convulsions. Some discontents, however, prevailed on his accession; and Alfred, a nobleman of considerable power, was thence encouraged to enter into a conspiracy against him. This incident is related by historians with circumstances, which the reader, according to the degree of credit he is disposed to give them, may impute either to the invention of monks, who forged them, or to their artifice, who found means of making them real. Alfred, it is said, being seized upon strong suspicions, but without any certain proof, firmly denied the conspiracy imputed to him; and in order to justify himself, he offered to swear to his innocence before the Pope, whose person, it was supposed, contained such superior sanctity, that no one could presume to give a false oath in his presence, and yet hope to escape the immediate vengeance of heaven. The king accepted of the condition, and Alfred was conducted to Rome; where, either conscious of his innocence, or neglecting the superstition to which he appealed, he ventured to make the oath required of him before John, who then filled the papal chair. But no sooner had he pronounced the fatal words, than he fell into convulsions, of which three days after he expired. The king, as if the guilt of the conspirator were now fully ascertained, confiscated his estate, and made a present of it to the monastery of Malmesbury;<sup>s</sup> secure that no doubts would ever thenceforth be entertained concerning the justice of his proceedings.

The dominion of Athelstan was no sooner established over his English subjects, than he endeavoured to give security to the government by providing against the insurrections of the Danes, which had created so much disturbance to his predecessors. He marched into Northumberland; and finding that the inhabitants bore with impatience the English yoke, he thought it prudent to confer on Sithric, a Danish nobleman, the title of King, and to attach him to his interests, by giving him his sister, Editha, in marriage. But this policy proved by accident the source of dangerous consequences. Sithric died in a twelvemonth after; and his two sons by a former marriage, Anlaf and Godfrid, founding pretensions on their father's elevation, assumed the sovereignty without waiting for Athelstan's consent. They were soon expelled by the power of that monarch; and the former took shelter in Ireland, as the latter did in Scotland; where he received, during some time, protection from Constantine, who then enjoyed the crown of that kingdom. The Scottish prince, however, continually solicited, and even menaced, by Athelstan, at last promised to deliver up his guest; but secretly testifying this treachery, he gave Godfrid warning to make his escape;<sup>t</sup> and that fugitive, after subsisting by piracy for some years, freed the king by his death from any farther anxiety. Athelstan, resenting Constantine's behaviour, entered Scotland with an army; and ravaging the country with impunity,<sup>u</sup> he reduced the Scots to such distress, that their king was content to preserve his crown, by making submissions to the enemy. The English historians assert,<sup>v</sup> that Constantine did homage to Athelstan for his kingdom; and they add, that the latter prince, being urged by his courtiers to push the present favourable opportunity, and entirely subdue Scotland, replied, that it was more glorious to confer than conquer kingdoms.<sup>w</sup> But those annals, so uncertain and imperfect in themselves, lose all credit when national prepossessions

<sup>m</sup> Chron. Sax. p. 101. Brompton, p. 532.

<sup>n</sup> Chron. Sax. p. 102. Brompton, p. 532. Math. West. p. 161.

<sup>o</sup> Chron. Sax. p. 103. Flor. Wigorn. p. 601.

<sup>p</sup> Chron. Sax. p. 110. Hoveden, p. 421.

<sup>q</sup> Wm. Malm. lib. 2. cap. 5. M. West. p. 182. Ingulph. p. 28. Higden, p. 561.

<sup>r</sup> Chron. Sax. p. 110. Brompton, p. 531.

<sup>s</sup> Page 110.

<sup>t</sup> Wm. Malm. lib. 2. cap. 6. Spell. Conc. p. 37.

<sup>u</sup> Wm. Malm. lib. 2. cap. 6.

<sup>v</sup> Chron. Sax. p. 111. Hoveden,

p. 422. H. Hunting. lib. 5. p. 354.

<sup>w</sup> Hoveden, p. 423.

<sup>y</sup> Wm. Malm. lib. 2. cap. 6. Anglia Sacra, (c. 1.) p. 132.



and animosities have place: and on that account, the Scotch historians, who, without having any more knowledge of the matter, strenuously deny the fact, seem more worthy of belief.

Constantine, whether he owed the retaining of his crown to the moderation of Athelstan, who was unwilling to employ all his advantages against him, or to the policy of that prince, who esteemed the humiliation of an enemy a greater acquisition than the subjection of a discontented and mutinous people, thought the behaviour of the English monarch more an object of resentment than of gratitude. He entered into a confederacy with Anlaf, who had collected a great body of Danish pirates, whom he found hovering in the Irish seas; and with some Welsh princes, who were terrified at the growing power of Athelstan: and all these allies made by concert an irruption with a great army into England. Athelstan, collecting his forces, met the enemy near Brunsbury, in Northumberland, and defeated them in a general engagement. This victory was chiefly ascribed to the valour of Turketul, the English chancellor: for in those turbulent ages no one was so much occupied in civil employments, as wholly to lay aside the military character.<sup>a</sup>

There is a circumstance not unworthy of notice, which historians relate, with regard to the transactions of this war. Anlaf, on the approach of the English army, thought that he could not venture too much to ensure a fortunate event; and, employing the artifice formerly practised by Alfred against the Danes, he entered the enemy's camp in the habit of a minstrel. The stratagem was for the present attended with like success. He gave such satisfaction to the soldiers who flocked about him, that they introduced him to the king's tent; and Anlaf, having played before that prince and his nobles during their repast, was dismissed with a handsome reward. His prudence kept him from refusing the present; but his pride determined him, on his departure, to bury it, while he fancied that he was unespied by all the world. But a soldier in Athelstan's camp, who had formerly served under Anlaf, had been struck with some suspicion on the first appearance of the minstrel; and was engaged by curiosity to observe all his motions. He regarded this last action as a full proof of Anlaf's disguise; and he immediately carried the intelligence to Athelstan, who blamed him for not sooner giving him information, that he might have seized his enemy. But the soldier told him, that, as he had formerly sworn fealty to Anlaf, he could never have pardoned himself the treachery of betraying and ruining his ancient master; and that Athelstan himself, after such an instance of his criminal conduct, would have had equal reason to distrust his allegiance. Athelstan, having praised the generosity of the soldier's principles, reflected on the incident, which he foresaw might be attended with important consequences. He removed his station in the camp; and as a bishop arrived that evening with a reinforcement of troops, (for the ecclesiastics were then no less warlike than the civil magistrates,) he occupied with his train that very place which had been left vacant by the king's removal. The precaution of Athelstan was found prudent: for no sooner had darkness fallen, than Anlaf broke into the camp, and hastening directly to the place where he had left the king's tent, put the bishop to death before he had time to prepare for his defence.<sup>a</sup>

There fell several Danish and Welsh princes in the action of Brunsbury;<sup>b</sup> and Constantine and Anlaf made their escape with difficulty, leaving the greater part of their army on the field of battle. After this success, Athelstan enjoyed his crown in tranquillity; and he is regarded as one of the ablest and most active of those ancient princes. He passed a remarkable law, which was calculated for the encouragement of commerce, and which it required some liberality of mind in that age to have devised: That a merchant, who had made three long sea-voyages on his own account, should be admitted to the rank of a thane or gentleman. This prince died at Glou-

cester in the year 941,<sup>c</sup> after a reign of sixteen years, and was succeeded by Edmund his legitimate brother.

### EDMUND.

EDMUND, on his accession, met with disturbance from the restless Northumbrians, who lay in wait for every opportunity of breaking into rebellion. But marching suddenly with his forces into their country, he so overawed the rebels, that they endeavoured to appease him by the most humble submissions.<sup>d</sup> In order to give him the surer pledge of their obedience, they offered to embrace Christianity; a religion which the English Danes had frequently professed, when reduced to difficulties, but which, for that very reason, they regarded as a badge of servitude, and shook off as soon as a favourable opportunity offered. Edmund, trusting little to their sincerity in this forced submission, used the precaution of removing the Five-burgers from the towns of Mercia, in which they had been allowed to settle; because it was always found, that they took advantage of every commotion, and introduced the rebellious or foreign Danes into the heart of the kingdom. He also conquered Cumberland from the Britons; and conferred that territory on Malcolm, King of Scotland, on condition that he should do him homage for it, and protect the north from all future incursions of the Danes.

Edmund was young when he came to the crown; yet was his reign short, as his death was violent. One day, as he was solemnizing a festival in the county of Gloucester, he remarked, that Leolf, a notorious robber, whom he had sentenced to banishment, had yet the boldness to enter the hall where he himself dined, and to sit at table with his attendants. Enraged at this insolence, he ordered him to leave the room; but on his refusing to obey, the king, whose temper, naturally choleric, was inflamed by this additional insult, leaped on him himself, and seized him by the hair. But the ruffian, pushed to extremity, drew his dagger, and gave Edmund a wound, of which he immediately expired. This event happened in the year 946, and in the sixth year of the king's reign. Edmund left male issue, but so young, that they were incapable of governing the kingdom; and his brother, Edred, was promoted to the throne.

### EDRED.

THE reign of this prince, as those of his predecessors, was disturbed by the rebellions and incursions of the Northumbrian Danes, who, though frequently quelled, were never entirely subdued, nor had ever paid a sincere allegiance to the crown of England. The accession of a new king seemed to them a favourable opportunity for shaking off the yoke; but on Edred's appearance with an army, they made him their wonted submissions; and the king having wasted the country with fire and sword, as a punishment of their rebellion, obliged them to renew their oaths of allegiance; and he straight retired with his forces. The obedience of the Danes lasted no longer than the present terror. Provoked at the devastations of Edred, and even reduced by necessity to subsist on plunder, they broke into a new rebellion, and were again subdued. But the king, now instructed by experience, took greater precautions against their future revolt. He fixed English garrisons in their most considerable towns; and placed over them an English governor, who might watch all their motions, and suppress any insurrection on its first appearance. He obliged also Malcolm, King of Scotland, to renew his homage for the lands which he held in England.

Edred, though not unwarlike, nor unfit for active life, lay under the influence of the lowest superstition, and had blindly delivered over his conscience to the guidance of Dunstan, commonly called St. Dunstan, Abbot of Glasterbury, whom he advanced to the highest offices, and who covered, under the appearance of sanctity, the most

<sup>a</sup> The office of chancellor among the Anglo-Saxons resembled more that of a secretary of state, than that of our present chancellor. See Spelman, in voce *Chancery*.

a W. Malines lib. 2. cap. 6. Hiden, p. 263.

b Hutton, p. 139. Inulph, p. 29.

c Chron. Sax. p. 114.

d W. Malines lib. 2. cap. 7. Prompton, p. 157.



violent and most insolent ambition. Taking advantage of the implicit confidence reposed in him by the king, this churchman imported into England a new order of monks, who much changed the state of ecclesiastical affairs, and excited, on their first establishment, the most violent commotions.

From the introduction of Christianity among the Saxons, there had been monasteries in England; and these establishments had extremely multiplied, by the donations of the princes and nobles; whose superstition, derived from their ignorance and precarious life, and increased by remorse for the crimes into which they were so frequently betrayed, knew no other expedient for appeasing the Deity than a profuse liberality towards the ecclesiastics. But the monks had hitherto been a species of secular priests, who lived after the manner of the present canons or prebendaries, and were both intermingled, in some degree, with the world, and endeavoured to render themselves useful to it. They were employed in the education of youth:<sup>e</sup> they had the disposal of their own time and industry: they were not subjected to the rigid rules of an order: they had made no vows of implicit obedience to their superiors:<sup>f</sup> and they still retained the choice, without quitting the convent, either of a married or a single life.<sup>g</sup> But a mistaken piety had produced in Italy a new species of monks called Benedictines; who, carrying further the plausible principles of mortification, secluded themselves entirely from the world, renounced all claim to liberty, and made a merit of the most inviolable chastity. These practices and principles, which superstition at first engendered, were greedily embraced and promoted by the policy of the court of Rome. The Roman pontiff, who was making every day great advances towards an absolute sovereignty over the ecclesiastics, perceived that the celibacy of the clergy alone could break off entirely their connexion with the civil power, and depriving them of every other object of ambition, engage them to promote, with unceasing industry, the grandeur of their own order. He was sensible, that so long as the monks were indulged in marriage, and were permitted to rear families, they never could be subjected to strict discipline, or reduced to that slavery under their superiors, which was requisite to procure to the mandates, issued from Rome, a ready and zealous obedience. Celibacy, therefore, began to be extolled, as the indispensable duty of priests; and the Pope undertook to make all the clergy throughout the western world renounce at once the privilege of marriage: a fortunate policy, but at the same time an undertaking the most difficult of any, since he had the strongest propensities of human nature to encounter, and found, that the same connexions with the female sex, which generally encourage devotion, were here unfavourable to the success of his project. It is no wonder, therefore, that this master-stroke of art should have met with violent contradiction, and that the interests of the hierarchy, and the inclinations of the priests, being now placed in this singular opposition, should, notwithstanding the continued efforts of Rome, have retarded the execution of that bold scheme, during the course of near three centuries.

As the bishops and parochial clergy lived apart with their families, and were more connected with the world, the hopes of success with them were fainter; and the pretence for making them renounce marriage was much less plausible. But the pope, having cast his eye on the monks as the basis of his authority, was determined to reduce them under strict rules of obedience, to procure them the credit of sanctity by an appearance of the most rigid mortification, and to break off all their other ties which might interfere with his spiritual policy. Under pretence, therefore, of reforming abuses, which were, in some degree, unavoidable in the ancient establishments, he had already spread over the southern countries of Europe the severe laws of the monastic life, and began to form attempts towards a like innovation in England. The favourable opportunity offered itself, (and it was greedily seized,) arising from the weak superstition of Edred, and the violent impetuous character of Dunstan.

Dunstan was born of noble parents in the west of England; and being educated under his uncle Aldhelm, then Archbishop of Canterbury, had betaken himself to the ecclesiastical life, and had acquired some character in the court of Edmund. He was, however, represented to that prince as a man of licentious manners:<sup>h</sup> and finding his fortune blasted by these suspicions, his ardent ambition prompted him to repair his indiscretions by running into an opposite extreme. He secluded himself entirely from the world; he framed a cell so small, that he could neither stand erect in it, nor stretch out his limbs during his repose; and he here employed himself perpetually either in devotion or in manual labour.<sup>i</sup> It is probable, that his brain became gradually crazed by these solitary occupations, and that his head was filled with chimeras, which being believed by himself and his stupid votaries, procured him the general character of sanctity among the people. He fancied that the devil, among the frequent visits which he paid him, was one day more earnest than usual in his temptations; till Dunstan, provoked at his impotency, seized him by the nose with a pair of red-hot pincers, as he put his head into the cell; and he held him there till that malignant spirit made the whole neighbourhood resound with his howlings. This notable exploit was seriously credited and extolled by the public: it is transmitted to posterity by one who, considering the age in which he lived, may pass for a writer of some elegance;<sup>k</sup> and it insured to Dunstan a reputation which no real piety, much less virtue, could, even in the most enlightened period, have ever procured him with the people.

Supported by the character obtained in his retreat, Dunstan appeared again in the world; and gained such an ascendancy over Edred, who had succeeded to the crown, as made him not only the director of that prince's conscience, but his counsellor in the most momentous affairs of government. He was placed at the head of the treasury,<sup>l</sup> and being thus possessed both of power at court, and of credit with the populace, he was enabled to attempt with success the most arduous enterprises. Finding that his advancement had been owing to the opinion of his austerity, he professed himself a partisan of the rigid monastic rules; and after introducing that reformation into the convents of Glastenbury and Abingdon, he endeavoured to render it universal in the kingdom.

The minds of men were already well prepared for this innovation. The praises of an inviolable chastity had been carried to the highest extravagance by some of the first preachers of Christianity among the Saxons: the pleasures of love had been represented as incompatible with Christian perfection: and a total abstinence from all commerce with the sex was deemed such a meritorious penance, as was sufficient to atone for the greatest enormities. The consequence seemed natural, that those, at least, who officiated at the altar, should be clear of this pollution; and when the doctrine of transubstantiation, which was now creeping in,<sup>m</sup> was once fully established, the reverence to the real body of Christ in the eucharist bestowed on this argument an additional force and influence. The monks knew how to avail themselves of all these popular topics, and to set off their own character to the best advantage. They affected the greatest austerity of life and manners: they indulged themselves in the highest strains of devotion: they inveighed bitterly against the vices and pretended luxury of the age: they were particularly vehement against the dissolute lives of the secular clergy, their rivals: every instance of libertinism in any individual of that order was represented as a general corruption: and where other topics of defamation were wanting, their marriage became a sure subject of invective, and their wives received the name of *concubine*, or other more opprobrious appellation. The secular clergy on the other hand, who were numerous and rich, and possessed of the ecclesiastical dignities, defended themselves with vigour, and endeavoured to retaliate upon their adversaries. The people were thrown into agitation; and few instances occur of more violent dissensions, excited by the most material differences in religion, or rather by the most

<sup>e</sup> Osborne in *Anglia Sacra*, tom. 2. p. 92.

<sup>f</sup> Osborne, p. 91.

<sup>g</sup> See Wharton's notes to *Anglia Sacra*, tom. ii. p. 91. Gervase, p. 1645.

<sup>h</sup> Chron. Wint. MS. apud Sp. II. Conc. p. 431.

<sup>i</sup> Osborne, p. 95. Matth. West. p. 187.

<sup>j</sup> Osborne, p. 96.

<sup>k</sup> Ibid. p. 97.

<sup>l</sup> Ibid. p. 102. Wallingf. rd. p. 541.

<sup>m</sup> Spell. Conc. vol. i. p. 452.

frivolous: since it is a just remark, that the more affinity there is between theological parties, the greater commonly is their animosity.

The progress of the monks, which was become considerable, was somewhat retarded by the death of Edred, their partisan, who expired after a reign of nine years.<sup>n</sup> He left children; but as they were infants, his nephew, Edwy, son of Edmund, was placed on the throne.

### EDWY.

EDWY, at the time of his accession, was not above sixteen or seventeen years of age, was possessed of the most amiable figure, and was even endowed, according to authentic accounts, with the most promising virtues.<sup>o</sup> He would have been the favourite of his people, had he not unhappily, at the commencement of his reign, been engaged in a controversy with the monks, whose rage, neither the graces of the body nor virtues of the mind could mitigate, and who have pursued his memory with the same unrelenting vengeance which they exercised against his person and dignity during his short and unfortunate reign. There was a beautiful princess of the royal blood, called Elgiva, who had made impression on the tender heart of Edwy; and as he was of an age when the force of the passions first begins to be felt, he had ventured, contrary to the advice of his gravest counsellors, and the remonstrances of the more dignified ecclesiastics,<sup>p</sup> to espouse her; though she was within the degrees of affinity prohibited by the canon law.<sup>q</sup> As the austerity affected by the monks made them particularly violent on this occasion, Edwy entertained a strong prepossession against them; and seemed, on that account, determined not to second their project of expelling the seculars from all the convents, and of possessing themselves of those rich establishments. War was therefore declared between the king and the monks; and the former soon found reason to repent his provoking such dangerous enemies. On the day of his coronation, his nobility were assembled in a great hall, and were indulging themselves in that riot and disorder, which, from the example of their German ancestors, had become habitual to the English;<sup>r</sup> when Edwy, attracted by softer pleasures, retired into the queen's apartment, and in that privacy gave reins to his fondness towards his wife, which was only moderately checked by the presence of her mother. Dunstan conjectured the reason of the king's retreat; and carrying along with him Odo, Archbishop of Canterbury, over whom he had gained an absolute ascendant, he burst into the apartment, upbraided Edwy with his lasciviousness, probably bestowed on the queen the most opprobrious epithet that can be applied to her sex, and tearing him from her arms, pushed him back, in a disgraceful manner, into the banquet of the nobles.<sup>s</sup> Edwy, though young, and opposed by the prejudices of the people, found an opportunity of taking revenge for this public insult. He questioned Dunstan concerning the administration of the treasury during the reign of his predecessor;<sup>t</sup> and when that minister refused to give any account of money expended, as he affirmed,<sup>u</sup> by orders of the late king, he accused him of malversation in his office, and banished him the kingdom. But Dunstan's cabal was not unactive during his absence: they filled the public with high panegyrics on his sanctity: they exclaimed against the impiety of the king and queen: and having poisoned the minds of the people by these declamations, they proceeded to still more outrageous acts of violence

against the royal authority. Archbishop Odo sent into the palace a party of soldiers, who seized the queen; and having burned her face with a red-hot iron, in order to destroy that fatal beauty which had seduced Edwy, they carried her by force into Ireland, there to remain in perpetual exile.<sup>v</sup> Edwy, finding it in vain to resist, was obliged to consent to his divorce, which was pronounced by Odo;<sup>w</sup> and a catastrophe, still more dismal, awaited the unhappy Elgiva. That amiable princess, being cured of her wounds, and having even obliterated the scars with which Odo had hoped to deface her beauty, returned into England, and was flying to the embraces of the king, whom she still regarded as her husband; when she fell into the hands of a party, whom the primate had sent to intercept her. Nothing but her death could now give security to Odo and the monks; and the most cruel death was requisite to satiate their vengeance. She was hamstrung; and expired a few days after at Gloucester, in the most acute torments.<sup>x</sup>

The English, blinded with superstition, instead of being shocked with this inhumanity, exclaimed that the misfortunes of Edwy and his consort were a just judgment for their dissolute contempt of the ecclesiastical statutes. They even proceeded to rebellion against their sovereign; and having placed Edgar at their head, the younger brother of Edwy, a boy of thirteen years of age, they soon put him in possession of Mercia, Northumberland, East Anglia; and chased Edwy into the southern counties. That it might not be doubtful at whose instigation this revolt was undertaken, Dunstan returned into England, and took upon him the government of Edgar and his party. He was first installed in the see of Worcester, then in that of London,<sup>y</sup> and, on Odo's death, and the violent expulsion of Brithelm, his successor, in that of Canterbury;<sup>z</sup> of all which he long kept possession. Odo is transmitted to us by the monks under the character of a man of piety: Dunstan was even canonized; and is one of those numerous saints of the same stamp who disgrace the Romish calendar. Meanwhile the unhappy Edwy was excommunicated,<sup>a</sup> and pursued with unrelenting vengeance; but his death, which happened soon after, freed his enemies from all further inquietude, and gave Edgar peaceable possession of the government.<sup>b</sup>

### EDGAR.

This prince, who mounted the throne in such early youth, soon discovered an excellent capacity in the administration of affairs; and his reign is one of the most fortunate that we meet with in the ancient English history. He showed no aversion to war; he made the wisest preparations against invaders; and by this vigour and foresight he was enabled, without any danger of suffering insults, to indulge his inclination towards peace, and to employ himself in supporting and improving the internal government of his kingdom. He maintained a body of disciplined troops; which he quartered in the north, in order to keep the mutinous Northumbrians in subjection, and to repel the inroads of the Scots. He built and supported a powerful navy;<sup>c</sup> and that he might retain the seamen in the practice of their duty, and always present a formidable armament to his enemies, he stationed three squadrons off the coast, and ordered them to make, from time to time, the circuit of his dominions.<sup>d</sup> The foreign Danes dared not to approach a country which appeared in such a posture of defence: the domestic Danes saw inevitable destruction to be the consequence of their tumults and

to the monks, the monks would be sure to deny her to be his wife, and would insist that she could be nothing but his strumpet; so that, on the whole, we may esteem this representation of the matter as certain, at least, as by far the most probable. <sup>n</sup> Edwy had only kept a mistress, it is well known, that there are methods of accommodation with the church, which would have prevented the clergy from proceeding to such extremities against him; but his marriage, contrary to the canons, was an insult on their authority, and called for their highest resentment.

<sup>o</sup> Hoveden, p. 265.

<sup>p</sup> Many of the English historians make Edgar's ships amount to an extravagant number, to 3000, or 3600: see Hoveden, p. 406, Flor. Wigorn, p. 607, Abbas Rieval, p. 360. Brompton, p. 869, says, that Edgar had the state of the navy in the time of Alfred. W. L. George makes the whole number amount only to 300, which is more probable. The fleet of Edward, Edgar's son, must have been short of 1000 ships, yet the Saxon Chronicle, p. 157, says, it was the greatest navy that ever had been seen in England.

<sup>n</sup> Chron. Sax. p. 115.

<sup>p</sup> W. Malmes. lib. 2, cap. 7.

<sup>q</sup> Wallingford, p. 542.

<sup>r</sup> W. Malmes. lib. 2, cap. 7. Osborne, p. 83. 105. M. West, p. 195. 196.

<sup>s</sup> Wallingford, p. 542. Abt. Bevi. p. 112.

<sup>t</sup> Osborne, p. 84. Gervase, p. 1644.

<sup>u</sup> Osborne, p. 84. Gervase, p. 1645, 1646.

<sup>v</sup> Chron. Sax. p. 117. Flor. Wigorn. p. 605. Wallingford, p. 541.

<sup>w</sup> Hoveden, p. 405. Osborne, p. 109.

<sup>x</sup> There is a seeming contradiction in ancient historians with regard to

some circumstances in the story of Edwy and Elgiva. It is agreed that

this prince had a violent passion for his second or third cousin Elgiva,

whom he married, though within the degrees prohibited by the canons. It

is also agreed, that he was dragged from a lady on the day of his coronation,

and that the lady was afterwards treated with the singular barbarity

call her hamstrung, not his wife, as she is said to be by Malmesbury.

But this difference is easily reconciled: for if Edwy married her contrary

insurrections; the neighbouring sovereigns, the King of Scotland, the Princes of Wales, of the Isle of Man, of the Orkneys, and even of Ireland,<sup>e</sup> were reduced to pay submission to so formidable a monarch. He carried his superiority to a great height, and might have excited an universal combination against him, had not his power been so well established as to deprive his enemies of all hopes of shaking it. It is said, that residing once at Chester, and having purposed to go by water to the Abbey of St. John the Baptist, he obliged eight of his tributary princes to row him in a barge upon the Dee.<sup>f</sup> The English historians are fond of mentioning the name of Kenneth III., King of Scots, among the number. The Scottish historians either deny the fact, or assert that their king, if ever he acknowledged himself a vassal to Edgar, did him homage, not for his crown, but for the dominions which he held in England.

But the chief means by which Edgar maintained his authority, and preserved public peace, was the paying of court to Dunstan, and the monks who had at first placed him on the throne, and who, by their pretensions to superior sanctity and purity of manners, had acquired an ascendancy over the people. He favoured their scheme for dispossessing the secular canons of all the monasteries;<sup>g</sup> he bestowed preferment on none but their partisans; he allowed Dunstan to resign the see of Worcester into the hands of Oswald, one of his creatures;<sup>h</sup> and to place Ethelwold, another of them, in that of Winchester;<sup>i</sup> he consulted these prelates in the administration of all ecclesiastical, and even in that of many civil, affairs; and though the vigour of his own genius prevented him from being implicitly guided by them, the king and the bishops found such advantages in their mutual agreement, that they always acted in concert, and united their influence in preserving the peace and tranquillity of the kingdom.

In order to complete the great work of placing the new order of monks in all the convents, Edgar summoned a general council of the prelates and the heads of the religious orders. He here inveighed against the dissolute lives of the secular clergy; the smallness of their tonsure, which, it is probable, maintained no longer any resemblance to the crown of thorns; their negligence in attending the exercise of their function; their mixing with the laity in the pleasures of gaming, hunting, dancing, and singing; and their openly living with concubines, by which it is commonly supposed he meant their wives. He then turned himself to Dunstan, the primate; and in the name of King Edred, whom he supposed to look down from heaven with indignation against all those enormities, he thus addressed him; "It is you, Dunstan, by whose advice I founded monasteries, built churches, and expended my treasure in the support of religion and religious houses. You were my counsellor and assistant in all my schemes. You were the director of my conscience. To you I was obedient in all things. When did you call for supplies which I refused you? Was my assistance ever wanting to the poor? Did I deny support and establishments to the clergy and the convents? Did I not hearken to your instructions, who told me that these charities were, of all others, the most grateful to my Maker, and fixed a perpetual fund for the support of religion? And are all our pious endeavours now frustrated by the dissolute lives of the priests? Not that I throw any blame on you. You have reasoned, besought, inculcated, inveighed: but it now behoves you to use sharper and more vigorous remedies; and conjoining your spiritual authority with the civil power, to purge effectually the temple of God from thieves and intruders."<sup>k</sup> It is easy to imagine, that this harangue had the desired effect; and that when the king and prelates thus concurred with the popular prejudices, it was not long before the monks prevailed, and established their new discipline in almost all the convents.

We may remark, that the declamations against the se-

cular clergy are, both here and in all the historians, conveyed in general terms; and as that order of men are commonly restrained by the decency of their character, it is difficult to believe that the complaints against their dissolute manners could be so universally just as is pretended. It is more probable that the monks paid court to the populace by an affected austerity of life; and representing the most innocent liberties, taken by the other clergy, as great and unpardonable enormities, thereby prepared the way for the increase of their own power and influence. Edgar, however, like a true politician, concurred with the prevailing party; and he even indulged them in pretensions, which, though they might, when complied with, engage the monks to support royal authority during his own reign, proved afterwards dangerous to his successors, and gave disturbance to the whole civil power. He seconded the policy of the court of Rome, in granting to some monasteries an exemption from episcopal jurisdiction. He allowed the convents, even those of royal foundation, to usurp the election of their own abbot: and he admitted their forgeries of ancient charters, by which, from the pretended grant of former kings, they assumed many privileges and immunities.<sup>l</sup>

These merits of Edgar have procured him the highest panegyrics from the monks, and he is transmitted to us, not only under the character of a consummate statesman and an active prince, praises to which he seems to have been justly entitled, but under that of a great saint and a man of virtue. But nothing could more betray both his hypocrisy in inveighing against the licentiousness of the secular clergy, and the interested spirit of his partisans, in bestowing such eulogies on his piety, than the usual tenor of his conduct, which was licentious to the highest degree, and violated every law, human and divine. Yet those very monks who, as we are told by Ingulf, a very ancient historian, had no idea of any moral or religious merit, except chastity and obedience, not only connived at his enormities, but loaded him with the greatest praises. History, however, has preserved some instances of his amours, from which, as from a specimen, we may form a conjecture of the rest.

Edgar broke into a convent, carried off Editha, a nun, by force, and even committed violence on her person.<sup>m</sup> For this act of sacrilege he was reprimanded by Dunstan; and that he might reconcile himself to the church, he was obliged, not to separate from his mistress, but to abstain from wearing his crown during seven years, and to deprive himself so long of that vain ornament:<sup>n</sup> a punishment very unequal to that which had been inflicted on the unfortunate Edwy, who, for a marriage which, in the strictest sense, could only deserve the name of irregular, was expelled his kingdom, saw his queen treated with singular barbarity, was loaded with calumnies, and has been represented to us under the most odious colours. Such is the ascendancy which may be attained, by hypocrisy and cabal, over mankind.

There was another mistress of Edgar's, with whom he first formed a connexion by a kind of accident. Passing one day by Andover, he lodged in the house of a nobleman, whose daughter, being endowed with all the graces of person and behaviour, inflamed him at first sight with the highest desire; and he resolved by any expedient to gratify it. As he had not leisure to employ courtship or address for attaining his purpose, he went directly to her mother, declared the violence of his passion, and desired that the young lady might be allowed to pass that very night with him. The mother was a woman of virtue, and determined not to dishonour her daughter and her family by compliance; but being well acquainted with the impetuosity of the king's temper, she thought it would be easier, as well as safer, to deceive than refuse him. She feigned therefore a submission to his will; but secretly ordered a waiting-maid, of no disagreeable figure, to steal into the king's bed, after all the company should be re-

<sup>e</sup> Spell. Conc. p. 432.

<sup>f</sup> W. Malmes. lib. 2, cap. 8. Howden, p. 406. H. Hunting. lib. 5, p. 356.

<sup>g</sup> Chron. Sax. p. 177. 118. W. Malmes. lib. 2, cap. 8. Howden, p. 425.

<sup>h</sup> Osborn, p. 112.

<sup>i</sup> W. Malmes. lib. 2, cap. 8. Howden, p. 425.

<sup>j</sup> Gervase, p. 106. Howden, p. 864. Flor. Wigorn. p. 606. Chron.

Abb. St. Petri de Burgo, p. 47, 28.

<sup>k</sup> Abbas Brevial, p. 360, 361. Spell. Conc. p. 476, 477, 478.

<sup>l</sup> Chron. Sax. p. 118. W. Malmes. lib. 2, cap. 8. Seldeni Spicileg. ad

Eastm. p. 149, 157.

<sup>m</sup> W. Malmes. lib. 2, cap. 8. Osborne, p. 3. Dicrot, p. 457. Higden,

p. 265, 267, 268. Spell. Conc. p. 467.

<sup>n</sup> Osborn, p. 111.



tired to rest. In the morning, before day-break, the damsel, agreeably to the injunctions of her mistress, offered to retire; but Edgar, who had no reserve in his pleasures, and whose love to his bed-fellow was rather inflamed by enjoyment, refused his consent, and employed force and entreaties to detain her. Elfleda, (for that was the name of the maid,) trusting to her own charms, and to the love with which, she hoped, she had now inspired the king, made probably but a faint resistance; and the return of light discovered the deceit to Edgar. He had passed a night so much to his satisfaction, that he expressed no displeasure with the old lady on account of her fraud; his love was transferred to Elfleda; she became his favourite mistress; and maintained her ascendant over him till his marriage with Elfrieda.<sup>2</sup>

The circumstances of his marriage with this lady were more singular and more criminal. Elfrieda was daughter and heir of Olgar, Earl of Devonshire; and though she had been educated in the country, and had never appeared at court, she had filled all England with the reputation of her beauty. Edgar himself, who was indifferent to no accounts of this nature, found his curiosity excited by the frequent panegyrics which he heard of Elfrieda; and reflecting on her noble birth, he resolved, if he found her charms answerable to their fame, to obtain possession of her on honourable terms. He communicated his intention to Earl Athelwold, his favourite; but used the precaution, before he made any advances to her parents, to order that nobleman, on some pretence, to pay them a visit, and to bring him a certain account of the beauty of their daughter. Athelwold, when introduced to the young lady, found general report to have fallen short of the truth; and being actuated by the most vehement love, he determined to sacrifice to this new passion his fidelity to his master, and to the trust reposed in him. He returned to Edgar, and told him, that the riches alone, and high quality of Elfrieda, had been the ground of the admiration paid her, and that her charms, far from being any wise extraordinary, would have been overlooked in a woman of inferior station. When he had, by this deceit, diverted the king from his purpose, he took an opportunity, after some interval, of turning again the conversation on Elfrieda: he remarked, that though the parentage and fortune of the lady had not produced on him, as on others, any illusion with regard to her beauty, he could not forbear reflecting, that she would, on the whole, be an advantageous match for him, and might, by her birth and riches, make him sufficient compensation for the homeliness of her person. If the king, therefore, gave his approbation, he was determined to make proposals in his own behalf to the Earl of Devonshire, and doubted not to obtain his as well as the young lady's consent to the marriage. Edgar, pleased with an expedient for establishing his favourite's fortune, not only exhorted him to execute his purpose, but forwarded his success by his recommendations to the parents of Elfrieda; and Athelwold was soon made happy in the possession of his mistress. Dreading, however, the detection of the artifice, he employed every pretence for detaining Elfrieda in the country, and for keeping her at a distance from Edgar.

The violent passion of Athelwold had rendered him blind to the necessary consequences which must attend his conduct, and the advantages which the numerous enemies that always pursue a royal favourite, would, by its means, be able to make against him. Edgar was soon informed of the truth; but before he would execute vengeance on Athelwold's treachery, he resolved to satisfy himself with his own eyes of the certainty and full extent of his guilt. He told him that he intended to pay him a visit in his castle, and be introduced to the acquaintance of his new-married wife; and Athelwold, as he could not refuse the honour, only craved leave to go before him a few hours, that he might the better prepare every thing for his reception. He then discovered the whole matter to Elfrieda; and begged her, if she had any regard, either to her own honour or his life, to conceal from Edgar, by

every circumstance of dress and behaviour, that fatal beauty, which had seduced him from fidelity to his friend, and had betrayed him into so many falsehoods. Elfrieda promised compliance, though nothing was further from her intentions. She deemed herself little beholden to Athelwold for a passion which had deprived her of a crown; and knowing the force of her own charms, she did not despair even yet of reaching that dignity, of which her husband's artifice had bereaved her. She appeared before the king with all the advantages which the richest attire and the most engaging airs could bestow upon her, and she excited at once in his bosom the highest love towards herself, and the most furious desire of revenge against her husband. He knew, however, to dissemble these passions; and seducing Athelwold into a wood, on pretence of hunting, he stabbed him with his own hand, and soon after publicly espoused Elfrieda.<sup>3</sup>

Before we conclude our account of this reign, we must mention two circumstances, which are remarked by historians. The reputation of Edgar allured a great number of foreigners to visit his court; and he gave them encouragement to settle in England.<sup>4</sup> We are told that they imported all the vices of their respective countries, and contributed to corrupt the simple manners of the natives.<sup>5</sup> But as the simplicity of manners, so highly and often so injudiciously extolled, did not preserve them from barbarity and treachery, the greatest of all vices, and the most incident to a rude uncultivated people, we ought perhaps to deem their acquaintance with foreigners rather an advantage; as it tended to enlarge their views, and to cure them of those illiberal prejudices and rustic manners to which islanders are often subject.

Another remarkable incident of this reign was the extirpation of wolves from England. This advantage was attained by the industrious policy of Edgar. He took great pains in hunting and pursuing those ravenous animals; and when he found that all that escaped him had taken shelter in the mountains and forests of Wales, he changed the tribute of money imposed on the Welch princes by Athelstan, his predecessor,<sup>6</sup> into an annual tribute of three hundred heads of wolves; which produced such diligence in hunting them, that the animal has been no more seen in this island.

Edgar died after a reign of sixteen years, and in the thirty-third of his age. He was succeeded by Edward, whom he had by his first marriage with the daughter of Earl Ordmer.

#### EDWARD THE MARTYR.

THE succession of this prince, who was only fifteen years of age at his father's death, did not take place without much difficulty and opposition. Elfrieda, his step-mother, had a son, Ethelred, seven years old, whom she attempted to raise to the throne: she affirmed that Edgar's marriage with the mother of Edward was exposed to insuperable objections; and as she had possessed great credit with her husband, she had found means to acquire partisans, who seconded all her pretensions. But the title of Edward was supported by many advantages. He was appointed successor by the will of his father:<sup>7</sup> he was approaching to man's estate, and might soon be able to take into his own hands the reins of government: the principal nobility, dreading the imperious temper of Elfrieda, were averse to her son's government, which must enlarge her authority, and probably put her in possession of the regency: above all, Dunstan, whose character of sanctity had given him the highest credit with the people, had espoused the cause of Edward, over whom he had already acquired a great ascendant;<sup>8</sup> and he was determined to execute the will of Edgar in his favour. To cut off all opposite pretensions, Dunstan resolutely anointed and crowned the young prince at Kingston; and the whole kingdom, without further dispute, submitted to him.<sup>9</sup>

It was of great importance to Dunstan and the monks,

<sup>2</sup> W. Malmes. lib. 2. cap. 8. Hæden, p. 269.  
<sup>3</sup> W. Malmes. lib. 2. cap. 8. Hæden, p. 269. Brompton, p. 865, 866.  
<sup>4</sup> Flor. Wigorn. p. 666. Hæden, p. 269.  
<sup>5</sup> Chron. Sax. p. 116. H. Hunting. lib. 5. p. 356. Brompton, p. 465.

<sup>6</sup> W. Malmes. lib. 2. cap. 8.  
<sup>7</sup> W. Malmes. lib. 2. cap. 6. Brompton, p. 838.  
<sup>8</sup> Hæden, p. 457. Eadmer, p. 3. u Eadmer, ex edit. Selden, p. 3.  
<sup>9</sup> W. Malmes. lib. 2. cap. 9. Hæden, p. 457. Osborne, p. 113.



to place on the throne a king favourable to their cause: the secular clergy had still partisans in England, who wished to support them in the possession of the convents, and of the ecclesiastical authority. On the first intelligence of Edgar's death, Alfre, Duke of Mercia, expelled the new orders of monks from all the monasteries which lay within his jurisdiction;<sup>a</sup> but Elfwin, Duke of East Anglia, and Brithnot, Duke of the East Saxons, protected them within their territories, and insisted upon the execution of the late laws enacted in their favour. In order to settle this controversy, there were summoned several synods, which, according to the practice of those times, consisted partly of ecclesiastical members, partly of the lay nobility. The monks were able to prevail in these assemblies; though, as it appears, contrary to the secret wishes, if not the declared inclination, of the leading men in the nation:<sup>y</sup> they had more invention in forging miracles to support their cause; or, having been so fortunate as to obtain, by their pretended austerities, the character of piety, their miracles were more credited by the populace.

In one synod, Dunstan, finding the majority of votes against him, rose up and informed the audience, that he had that instant received an immediate revelation on behalf of the monks: the assembly was so astonished at this intelligence, or probably so overawed by the populace, that they proceeded no further in their deliberations. In another synod, a voice issued from the crucifix, and informed the members that the establishment of the monks was founded on the will of Heaven, and could not be opposed without impiety.<sup>z</sup> But the miracle performed in the third synod was still more alarming. The floor of the hall in which the assembly met sunk of a sudden, and a great number of the members were either bruised or killed by the fall. It was remarked, that Dunstan had that day prevented the king from attending the synod, and that the beam, on which his own chair stood, was the only one that did not sink under the weight of the assembly.<sup>m</sup> But these circumstances, instead of begetting any suspicion of contrivance, were regarded as the surest proof of the immediate interposition of Providence, in behalf of those favourites of Heaven.

Edward lived four years after his accession, and there passed nothing memorable during his reign. His death alone was memorable and tragical.<sup>n</sup> This young prince was endowed with the most amiable innocence of manners; and as his own intentions were always pure, he was incapable of entertaining any suspicion against others. Though his step-mother had opposed his succession, and had raised a party in favour of her own son, he always showed her marks of regard, and even expressed, on all occasions, the most tender affection towards his brother. He was hunting one day in Dorsetshire; and being led by the chase near Corfe-castle, where Elfrida resided, he took the opportunity of paying her a visit, unattended by any of his retinue, and he thereby presented her with the opportunity which she had long wished for. After he had mounted his horse, he desired some liquor to be brought him: while he was holding the cup to his head, a servant of Elfrida approached him, and gave him a stab behind. The prince, finding himself wounded, put spurs to his horse; but becoming faint by loss of blood, he fell from the saddle, his foot stuck in the stirrup, and he was dragged along by his unruly horse till he expired. Being tracked by the blood, his body was found, and was privately interred at Wareham by his servants.

The youth and innocence of this prince, with his tragical death, begat such compassion among the people, that they believed miracles to be wrought at his tomb; and they gave him the appellation of Martyr, though his murder had no connexion with any religious principle or opinion. Elfrida built monasteries, and performed many penances, in order to atone for her guilt; but could never, by all her hypocrisy or remorse, recover the good opinion of the public, though so easily deluded in those ignorant ages.

## CHAP. III.

Ethelred—Settlement of the Normans—Edmund Ironside—Canute—Harold Harefoot—Hardicanute—Edward the Confessor—Harold.

## ETHELRED.

THE freedom which England had so long enjoyed from the depredations of the Danes, A. D. 978. seems to have proceeded, partly from the establishments which that piratical nation had obtained in the north of France, and which employed all their superfluous hands to people and maintain them; partly from the vigour and warlike spirit of a long race of English princes, who preserved the kingdom in a posture of defence by sea and land, and either prevented or repelled every attempt of the invaders. But a new generation of men being now sprung up in the northern regions, who could no longer disburthen themselves on Normandy; the English had reason to dread that the Danes would again visit an island to which they were invited, both by the memory of their past successes, and by the expectation of assistance from their countrymen, who, though long established in the kingdom, were not yet thoroughly incorporated with the natives, nor had entirely forgotten their inveterate habits of war and depredation. And as the reigning prince was a minor, and even when he attained to man's estate, never discovered either courage or capacity sufficient to govern his own subjects, much less to repel a formidable enemy, the people might justly apprehend the worst calamities from so dangerous a crisis.

The Danes, before they durst attempt any important enterprise against England, made an inconsiderable descent by way of trial; and having landed from seven vessels near Southampton, they ravaged the country, enriched themselves by spoil, and departed with impunity. Six years after, they made a like attempt in the west, and met with like success. The invaders, having now found affairs in a very different situation from that in which they formerly appeared, encouraged their countrymen to assemble a greater force, and to hope for more considerable advantages. They landed in Essex, under the command of two leaders; and having defeated and slain at A. D. 991.

Maldon, Brithnot, Duke of that country, who ventured, with a small body, to attack them, they spread their devastations over all the neighbouring provinces. In this extremity, Ethelred, to whom historians give the epithet of the *Unready*, instead of rousing his people to defend with courage their honour and their property, hearkened to the advice of Siricius, Archbishop of Canterbury, which was seconded by many of the degenerate nobility; and paying the enemy the sum of ten thousand pounds, he bribed them to depart the kingdom. This shameful expedient was attended with the success which might be expected. The Danes next year appeared off the eastern coast, in hopes of subduing a people who defended themselves by their money, which invited assalants, instead of their arms, which repelled them. But the English, sensible of their folly, had, in the interval, assembled in a great council, and had determined to collect at London a fleet able to give battle to the enemy;<sup>a</sup> though that judicious measure failed of success, from the treachery of Alfric, Duke of Mercia, whose name is infamous in the annals of that age, by the calamities which his repeated perfidy brought upon his country. This nobleman had in 983 succeeded to his father Alfre, in that extensive command; but being deprived of it two years after, and banished the kingdom, he was obliged to employ all his intrigue, and all his power, which was too great for a subject, to be restored to his country, and reinstated in his authority. Having had experience of the credit and malevolence of his enemies, he thenceforth trusted for security, not to his services, or to the affections of his fellow-citizens, but to the influence which he had obtained over his

<sup>x</sup> Chron. Sax. p. 123. W. Malmes. lib. 2. cap. 9. Howden. p. 427. Bromton. p. 270. Flor. Wigorn. p. 67.

<sup>y</sup> W. Malmes. lib. 2. cap. 9.

<sup>z</sup> W. Malmes. lib. 2. cap. 9. Osborne. p. 112. Gervase. p. 167. Bromton. p. 370. Howden. p. 269.

<sup>m</sup> Chron. Sax. p. 124. W. Malmes. lib. 2. cap. 9. Howden. p. 427. H. Hunting. lib. 5. p. 337. Gervase. p. 167. Bromton. p. 270. Flor. Wigorn. p. 67. Huden. p. 269. Chron. Abb. St. Petri de Burgo. p. 52.

<sup>n</sup> Chron. Sax. p. 124.

<sup>a</sup> Ibid. p. 126.

vassals, and to the public calamities, which he thought must, in every revolution, render his assistance necessary. Having fixed this resolution, he determined to prevent all such successes as might establish the royal authority, or render his own situation dependent or precarious. As the English had formed the plan of surrounding and destroying the Danish fleet in harbour, he privately informed the enemy of their danger; and when they put to sea, in consequence of this intelligence, he deserted to them, with the squadron under his command, the night before the engagement, and thereby disappointed all the efforts of his countrymen.<sup>b</sup> Ethelred, enraged at his perfidy, seized his son Alfgar, and ordered his eyes to be put out.<sup>c</sup> But such was the power of Alfgar, that he again forced himself into authority; and though he had given this specimen of his character, and received this grievous provocation, it was found necessary to intrust him anew with the government of Mercia. This conduct of the court, which in all its circumstances is so barbarous, weak, and imprudent, both merited and prognosticated the most grievous calamities.

The northern invaders, now well acquainted with the defenceless condition of England, made a powerful descent under the command of Sweyn, King of Denmark, and Olave, King of Norway; and sailing up the Humber, spread on all sides their destructive ravages. Lindsey was laid waste: Banbury was destroyed; and all the Northumbrians, though mostly of Danish descent, were constrained either to join the invaders, or to suffer under their depredations. A powerful army was assembled to oppose the Danes, and a general action ensued; but the English were deserted in the battle, from the cowardice or treachery of their three leaders, all of them men of Danish race, Frena, Frithestig, and Godwin, who gave the example of a shameful flight to the troops under their command.

Encouraged by this success, and still more by the contempt which it inspired for their enemy, the pirates ventured to attack the centre of the kingdom; and entering the Thames in ninety-four vessels, laid siege to London, and threatened it with total destruction. But the citizens, alarmed at the danger, and firmly united among themselves, made a bolder defence than the cowardice of the nobility and gentry gave the invaders reason to apprehend; and the besiegers, after suffering the greatest hardships, were finally frustrated in their attempt. In order to revenge themselves, they laid waste Essex, Sussex, and Hampshire; and having there procured horses, they were thereby enabled to spread, through the more inland counties, the fury of their depredations. In this extremity, Ethelred and his nobles had recourse to the former expedient; and sending ambassadors to the two northern kings, they promised them subsistence and tribute, on condition they would, for the present, put an end to their ravages, and soon after depart the kingdom. Sweyn and Olave agreed to the terms, and peaceably took up their quarters at Southampton, where the sum of sixteen thousand pounds was paid to them. Olave even made a journey to Andover, where Ethelred resided, and he received the rite of confirmation from the English bishops, as well as many rich presents from the king. He here promised that he would never more infest the English territories; and he faithfully fulfilled the engagement. This prince receives the appellation of St. Olave from the church of Rome; and notwithstanding the general presumption which lies either against the understanding or morals of every one who in those ignorant ages was dignified with that title, he seems to have been a man of merit and of virtue.<sup>d</sup> Sweyn, though less scrupulous than Olave, was constrained, upon the departure of the Norwegian prince, to evacuate also the kingdom with all his followers.

This composition brought only a short interval to the miseries of the English. The Danish pirates appeared soon after in the Severn; and having committed spoil in Wales, as well as in Cornwall and Devonshire, they sailed round to the south coast, and entering the Tamar, completed the devastation of these two counties. They then returned to the Bristol Channel;

and penetrating into the country by the Avon, spread themselves over all that neighbourhood, and carried fire and sword even into Dorsetshire. They next changed the seat of war; and after ravaging the Isle of Wight, they entered the Thames and Medway, and laid siege to Rochester, where they defeated the Kentish men in a pitched battle. After this victory, the whole province of Kent was made a scene of slaughter, fire, and devastation. The extremity of these miseries forced the English into counsels for common defence both by sea and land; but the weakness of the king, the divisions among the nobility, the treachery of some, the cowardice of others, the want of concert in all, frustrated every endeavour: their fleets and armies either came too late to attack the enemy, or were repulsed with dishonour; and the people were thus equally ruined by resistance or by submission. The English therefore, destitute both of prudence and unanimity in council, of courage and conduct in the field, had recourse to the same weak expedient which by experience they had already found so ineffectual: they offered the Danes to buy peace, by paying them a large sum of money. These ravagers rose continually in their demands; and now required the payment of 24,000 pounds, to which the English were so mean and imprudent as to submit.<sup>e</sup> The departure of the Danes procured them another short interval of repose, which they enjoyed as if it were to be perpetual, without making any effectual preparations for a more vigorous resistance upon the next return of the enemy.

Besides receiving this sum, the Danes were engaged by another motive to depart a kingdom which appeared so little in a situation to resist their efforts: they were invited over by their countrymen in Normandy, who at this time were hard pressed by the arms of Robert, King of France, and who found it difficult to defend the settlement, which, with so much advantage to themselves and glory to their nation, they had made in that country. It is probable, also, that Ethelred, observing the close connexions thus maintained among all the Danes, however divided in government or situation, was desirous of forming an alliance with that formidable people: for this purpose, being now a widower, he made his addresses to Emma, sister to Richard II. Duke of Normandy, and he soon succeeded in his negotiation. The princess came over this year to England, and was married to Ethelred.<sup>f</sup>

In the end of the ninth and beginning of the tenth century, when the North, not yet exhausted by that multitude of people, or rather nations, which she had successively emitted, sent forth a new race not of conquerors, as before, but of pirates and ravagers, who infested the countries possessed by her once warlike sons; lived Rollo, a petty prince or chieftain in Denmark, whose valour and abilities soon engaged the attention of his countrymen. He was exposed in his youth to the jealousy of the king of Denmark, who attacked his small but independent principality; and who, being foiled in every assault, had recourse at last to perfidy for effecting his purpose, which he had often attempted in vain by force of arms: he lulled Rollo into security by an insidious peace; and falling suddenly upon him, murdered his brother and his bravest officers, and forced him to fly for safety into Scandinavia. Here many of his ancient subjects, induced partly by affection to their prince, partly by the oppressions of the Danish monarch, ranged themselves under his standard, and offered to follow him in every enterprise. Rollo, instead of attempting to recover his paternal dominions, where he must expect a vigorous resistance from the Danes, determined to pursue an easier but more important undertaking, and to make his fortune, in imitation of his countrymen, by pillaging the richer and more southern coasts of Europe. He collected a body of troops, which, like that of all those ravagers, was composed of Norwegians, Swedes, Frisians, Danes, and adventurers of all nations, who, being accustomed to a roving unsettled life, took delight in nothing but war and plunder. His reputation brought him associates from all

<sup>b</sup> Chron. Sax. p. 157. W. Malm. p. 62. Higden, p. 270.

<sup>c</sup> Chron. Sax. p. 126. W. Malm. p. 62.

<sup>d</sup> Hoveden, p. 429. Chron. Mailf. p. 153.

<sup>e</sup> H. Hunt, p. 350. Higden, p. 271.

<sup>f</sup> Dudo, ex edit. Duchesne, p. 70, 71. Gul Gemetmæss, lib. 2. cap. 5, 6.

quarters; and a vision, which he pretended to have appeared to him in his sleep, and which, according to his interpretation of it, prognosticated the greatest successes, proved also a powerful incentive with those ignorant and superstitious peoples.

The first attempt made by Rollo was on England, near the end of Alfred's reign; when that great monarch, having settled Guthrum and his followers in East Anglia, and others of those freebooters in Northumberland, and having restored peace to his harassed country, had established the most excellent military as well as civil institutions among the English. The prudent Dane, finding that no advantages could be gained over such a people, governed by such a prince, soon turned his enterprises against France, which he found more exposed to his inroads;<sup>1</sup> and during the reigns of Eudes, an usurper, and of Charles the Simple, a weak prince, he committed the most destructive ravages both on the inland and maritime provinces of that kingdom. The French, having no means of defence against a leader who united all the valour of his countrymen with the policy of more civilized nations, were obliged to submit to the expedient practised by Alfred, and to offer the invaders a settlement in some of those provinces which they had depopulated by their arms.<sup>2</sup>

The reason why the Danes for many years pursued measures so different from those which had been embraced by the Goths, Vandals, Franks, Burgundians, Lombards, and other northern conquerors, was the great difference in the method of attack which was practised by these several nations, and to which the nature of their respective situations necessarily confined them. The latter tribes, living in an inland country, made incursions by land upon the Roman empire; and when they entered far into the frontiers, they were obliged to carry along with them their wives and families, whom they had no hopes of soon revisiting, and who could not otherwise participate of their plunder. This circumstance quickly made them think of forcing a settlement in the provinces which they had overrun; and these barbarians, spreading themselves over the country, found an interest in protecting the property and industry of the people whom they had subdued. But the Danes and Norwegians, invited by their maritime situation, and obliged to maintain themselves in their uncultivated country by fishing, had acquired some experience of navigation; and in their military excursions pursued the method practised against the Roman empire by the more early Saxons: they made descents in small bodies from their ships, or rather boats, and ravaging the coasts, returned with their booty to their families, whom they could not conveniently carry along with them in those hazardous enterprises. But when they increased their armaments, made incursions into the inland countries, and found it safe to remain longer in the midst of the enfeebled enemy, they had been accustomed to crowd their vessels with their wives and children; and having no longer any temptation to return to their own country, they willingly embraced an opportunity of settling in the warm climates and cultivated fields of the South.

Affairs were in this situation with Rollo and his followers, when Charles proposed to relinquish to them part of the province formerly called Neustria, and to purchase peace on these hard conditions. After all the terms were fully settled, there appeared only one circumstance shocking to the haughty Dane: he was required to do homage to Charles for this province, and to put himself in that humiliating posture imposed on vassals by the rites of the feudal law. He long refused to submit to this indignity; but being unwilling to lose such important advantages for a mere ceremony, he made a sacrifice of his pride to his interest, and acknowledged himself, in form, the vassal of the French monarch.<sup>3</sup> Charles gave him his daughter, Gisla, in marriage; and, that he might bind him faster to his interests, made him a donation of a considerable territory, besides that which he was obliged to surrender to

him by his stipulations. When some of the French nobles informed him, that in return for so generous a present it was expected that he should throw himself at the king's feet, and make suitable acknowledgments for his bounty; Rollo replied, that he would rather decline the present; and it was with some difficulty they could persuade him to make that compliment by one of his captains. The Dane commissioned for this purpose, full of indignation at the order, and despising so unworthy a prince, caught Charles by the foot, and pretending to carry it to his mouth, that he might kiss it, overthrew him before all his courtiers. The French, sensible of their present weakness, found it prudent to overlook this insult.<sup>4</sup>

Rollo, who was now in the decline of life, and was tired of wars and depredations, applied himself, with mature counsels, to the settlement of his new-acquired territory, which was thenceforth called Normandy; and he parcelled it out among his captains and followers. He followed, in this partition, the customs of the feudal law, which was then universally established in the southern countries of Europe, and which suited the peculiar circumstances of that age. He treated the French subjects, who submitted to him, with mildness and justice; he reclaimed his ancient followers from their ferocious violence, he established law and order throughout his state; and after a life spent in tumults and ravages, he died peaceably in a good old age, and left his dominions to his posterity.<sup>5</sup>

William I. who succeeded him, governed the duchy twenty-five years; and, during that time, the Normans were thoroughly intermingled with the French, had acquired their language, had imitated their manners, and had made such progress towards cultivation, that on the death of William, his son Richard, though a minor,<sup>6</sup> inherited his dominions: a sure proof that the Normans were already somewhat advanced in civility, and that their government could now rest secure on its laws and civil institutions, and was not wholly sustained by the abilities of the sovereign. Richard, after a long reign of fifty-four years, was succeeded by his son of the same name in the year 996;<sup>7</sup> which was eighty-five years after the first establishment of the Normans in France. This was the duke who gave his sister Emma in marriage to Ethelred, King of England, and who thereby formed connexions with a country which his posterity was so soon after destined to subdue.

The Danes had been established during a longer period in England than in France; and though the similarity of their original language to that of the Saxons invited them to a more early coalition with the natives, they had hitherto found so little example of civilized manners among the English, that they retained all their ancient ferocity, and valued themselves only on their national character of military bravery. The recent as well as more ancient achievements of their countrymen tended to support this idea; and the English princes, particularly Athelstan and Edgar, sensible of that superiority, had been accustomed to keep in pay bodies of Danish troops, who were quartered about the country, and committed many violences upon the inhabitants. These mercenaries had attained to such a height of luxury, according to the old English writers,<sup>8</sup> that they combed their hair once a day, bathed themselves once a week, changed their clothes frequently; and by all these arts of effeminacy, as well as by their military character, had rendered themselves so agreeable to the fair sex, that they debauched the wives and daughters of the English, and dishonoured many families. But what most provoked the inhabitants was, that instead of defending them against invaders, they were ever ready to betray them to the foreign Danes, and to associate themselves with all straggling parties of that nation. The animosity between the inhabitants of English and Danish race had, from these repeated injuries, risen to a great height; when Ethelred, from a policy incident to weak princes, embraced the cruel resolution of massacring the latter, throughout all his 9 dominions. Secret orders were

A. D. 1002.

<sup>1</sup> Dudo, p. 71. Gul. Gem. in Epist. ad Gul. Cong.

<sup>2</sup> Gul. Gemet. lib. 2, cap. 6.

<sup>3</sup> Ysid. Nost. p. 37.

<sup>4</sup> Gul. Gemet. lib. 2, cap. 17.

<sup>5</sup> Gul. Gemet. lib. 2, cap. 17.

<sup>6</sup> Gul. Gemet. lib. 2, cap. 17.

<sup>7</sup> Gul. Gemet. lib. 2, cap. 17.

<sup>8</sup> Gul. Gemet. lib. 2, cap. 17.

<sup>1</sup> Almost all the ancient historians speak of this massacre of the Danes as if it had been universal, and said every individual of that nation the night of Fulford had been put to death. But the Danes were almost the sole inhabitants in the kingdoms of Northumberland and East Anglia, and were very numerous in Mercia. This representation, therefore, of the matter is absolutely impossible. Great resistance must have been made, and violent



despatched to commence the execution every where on the same day; and the festival of St. Brice, which fell on a Sunday, the day on which the Danes usually bathed themselves, was chosen for that purpose. It is needless to repeat the accounts transmitted concerning the barbarity of this massacre: the rage of the populace, excited by so many injuries, sanctioned by authority, and stimulated by example, distinguished not between innocence and guilt, spared neither sex nor age, and was not satiated without the tortures as well as death of the unhappy victims. Even Gunilda, sister to the King of Denmark, who had married Earl Paling, and had embraced Christianity, was, by the advice of Edric, Earl of Wilts, seized, and condemned to death by Ethelred, after seeing her husband and children butchered before her face. This unhappy princess foretold, in the agonies of despair, that her murder would soon be avenged by the total ruin of the English nation.

Never was prophecy better fulfilled; and never did barbarous policy prove more fatal to the authors. Sweyn and his Danes, who wanted but a pretence for invading the English, appeared off the western coast, and threatened to take full revenge for the slaughter of their countrymen. Exeter fell first into their hands, from the negligence or treachery of Earl Hugh, a Norman, who had been made governor by the interest of Queen Emma. They began to spread their devastations over the country; when the English, sensible what outrages they must now expect from their barbarous and offended enemy, assembled more early, and in greater numbers than usual, and made an appearance of vigorous resistance. But all these preparations were frustrated by the treachery of Duke Alfric, who was intrusted with the command, and who, feigning sickness, refused to lead the army against the Danes, till it was dissipated, and at last dissipated, by his fatal misconduct. Alfric soon after died; and Edric, a greater traitor than he, who had married the king's daughter, and had acquired a total ascendancy over him, succeeded Alfric in the government of Mercia, and in the command of the English armies. A great famine, proceeding partly from the bad seasons, partly from the decay of agriculture, added to all the other miseries of the inhabitants. The country, wasted by the Danes, harassed by the fruitless expeditions of its own forces, was reduced to the utmost desolation; and at last submitted to the infamy of purchasing a precarious peace from the enemy, by the payment of 30,000 pounds.

The English endeavoured to employ this interval in making preparations against the return of the Danes, which they had reason soon to expect. A law was made, ordering the proprietors of eight hides of land to provide each a horseman and a complete suit of armour; and those of 310 hides to equip a ship for the defence of the coast. When this navy was assembled, which must have consisted of near eight hundred vessels,<sup>r</sup> all hopes of its success were disappointed by the factions, animosities, and dissensions of the nobility. Edric had impelled his brother Brightic to prefer an accusation of treason against Wolfnoth, governor of Sussex, the father of the famous Earl Godwin; and that nobleman, well acquainted with the malevolence as well as power of his enemy, found no means of safety but in deserting with twenty ships to the Danes. Brightic pursued him with a fleet of eighty sail; but his ships being shattered in a tempest, and stranded on the coast, he was suddenly attacked by Wolfnoth, and all his vessels were burnt or destroyed. The impolicy of the king was little capable of repairing this misfortune: the treachery of Edric frustrated every plan for future defence; and the English navy, disconcerted, discouraged, and divided, was at last scattered into its several harbours.

It is almost impossible, or would be tedious, to relate particularly all the miseries to which the English were thenceforth exposed. We hear of nothing but the sacking and burning of towns; the devastation of the open country; the appearance of the enemy in every quarter of the king-

dom; their cruel diligence in discovering any corner which had not been ransacked by their former violence. The broken and disjointed narration of the ancient historians is here well adapted to the nature of the war, which was conducted by such sudden inroads as would have been dangerous even to a united and well-governed kingdom, but proved fatal, where nothing but a general consternation and mutual diffidence and dissension prevailed. The governors of one province refused to march to the assistance of another, and were at last terrified from assembling their forces for the defence of their own province. General councils were summoned; but either no resolution was taken, or none was carried into execution. And the only expedient in which the English agreed, was the base and imprudent one of buying a new peace from the Danes, by the payment of 48,000 pounds.

This measure did not bring them even that short interval of repose which they had expected from it. The Danes, disregarding all engagements, continued their devastations and hostilities; levied a new contribution of 8000 pounds upon the county of Kent alone; murdered the Archbishop of Canterbury, who had refused to countenance this exaction; and the English nobility found no other resource than that of submitting every where to the Danish monarch, swearing allegiance to him, and delivering him hostages for their fidelity. Ethelred, equally afraid of the violence of the enemy and the treachery of his own subjects, fled into Normandy, whither he had sent before him Queen Emma, and her two sons, Alfred and Edward. Richard received his unhappy guests with a generosity that does honour to his memory.

The king had not been above six weeks in Normandy, when he heard of the death of Sweyn, who expired at Gainsborough, before he had time to establish himself in his newly-acquired dominions. The English prelates and nobility, taking advantage of this event, sent over a deputation to Normandy, inviting Ethelred to return to them, expressing a desire of being again governed by their native prince, and intimating their hopes, that being now tutored by experience, he would avoid all those errors which had been attended with such misfortunes to himself and to his people. But the misconduct of Ethelred was incurable; and on his resuming the government, he discovered the same incapacity, indolence, cowardice, and credulity, which had so often exposed him to the insults of his enemies. His son-in-law, Edric, notwithstanding his repeated treasons, retained such influence at court, as to instil into the king jealousies of Sigefert and Morcar, two of the chief nobles of Mercia: Edric allured them into his house, where he murdered them; while Ethelred participated in the infamy of the action, by confiscating their estates, and thrusting into a convent the widow of Sigefert. She was a woman of singular beauty and merit; and in a visit which was paid her, during her confinement, by Prince Edmond, the king's eldest son, she inspired him with so violent an affection, that he released her from the convent, and soon after married her, without the consent of his father.

Meanwhile the English found in Canute, the son and successor of Sweyn, an enemy no less terrible than the prince from whom death had so lately delivered them. He ravaged the eastern coast with merciless fury, and put ashore all the English hostages at Sandwich, after having cut off their hands and noses. He was obliged, by the necessity of his affairs, to make a voyage to Denmark; but returning soon after, he continued his depredations along the southern coast: he even broke into the counties of Dorset, Wilts, and Somerset; where an army was assembled against him, under the command of Prince Edmond and Duke Edric. The latter still continued his perfidious machinations; and after endeavouring in vain to get the prince into his power, he found means to disperse the army; and he then openly deserted to Canute with forty vessels.

Notwithstanding this misfortune, Edmond was not discouraged, and only supported a military corps of that nation. It seems probable, therefore, that it was these Danes only that were put to death.

<sup>r</sup> There were 243,600 hides in England. Consequently the ships equipped must be 760. The cavalry was 35,150 men.

<sup>r</sup> was ensued; which was not the case. This account given by Wallingford, though he stands single, must be admitted as the only true one. We are told that the name *Lutane*, lord Dane, for an idle lazy fellow, who lives at other people's expense, came from the conduct of the Danes, who were put to death. But the English princes had been entirely masters for several



concerted; but, assembling all the force of England, was in a condition to give battle to the enemy. The king had had such frequent experience of perfidy among his subjects, that he had lost all confidence in them: he remained at London, pretending sickness, but really from apprehensions that they intended to buy their peace, by delivering him into the hands of his enemies. The army called aloud for their sovereign to march at their head against the Danes; and on his refusal to take the field, they were so discouraged, that those vast preparations became ineffectual for the defence of the kingdom. Edmond, deprived of all regular supplies to maintain his soldiers, was obliged to commit equal ravages with those which were practised by the Danes; and after making some fruitless expeditions into the north, which had submitted entirely to Canute's power, he retired to London, determined there to maintain, to the last extremity, the small remains of English liberty. He here found every thing in confusion by the death of the king, who expired

A. D. 1016.

after an unhappy and inglorious reign of thirty-five years. He left two sons by his first marriage, Edmond, who succeeded him, and Edwy, whom Canute afterwards murdered. His two sons by the second marriage, Alfred and Edward, were immediately upon Ethelred's death conveyed into Normandy by Queen Emma.

### EDMOND IRONSIDE.

THIS prince, who received the name of Ironside from his hardy valour, possessed courage and abilities sufficient to have prevented his country from sinking into those calamities, but not to raise it from that abyss of misery into which it had already fallen. Among the other misfortunes of the English, treachery and disaffection had crept in among the nobility and prelates; and Edmond found no better expedient for stopping the further progress of these fatal evils, than to lead his army instantly into the field, and to employ them against the common enemy. After meeting with some success at Gillingham, he prepared himself to decide, in one general engagement, the fate of his crown; and at Scoerston, in the county of Gloucester, he offered battle to the enemy, who were commanded by Canute and Edric. Fortune, in the beginning of the day, declared for him; but Edric, having cut off the head of one Osmer, whose countenance resembled that of Edmond, fixed it on a spear, carried it through the ranks in triumph, and called aloud to the English, that it was time to fly; for, behold! the head of their sovereign. And though Edmond, observing the consternation of the troops, took off his helmet and showed himself to them, the utmost he could gain by his activity and valour was to leave the victory undecided. Edric now took a surer method to ruin him, by pretending to desert to him; and as Edmond was well acquainted with his power, and probably knew no other of the chief nobility in whom he could repose more confidence, he was obliged, notwithstanding the repeated perfidy of the man, to give him a considerable command in the army. A battle soon after ensued at Assington in Essex; where Edric, flying in the beginning of the day, occasioned the total defeat of the English, followed by a great slaughter of the nobility. The indefatigable Edmond, however, had still resources: assembling a new army at Gloucester, he was again in a condition to dispute the field; when the Danish and English nobility, equally harassed with those convulsions, obliged their kings to come to a compromise, and to divide the kingdom between them by treaty. Canute reserved to himself the northern division, consisting of Mercia, East Anglia, and Northumberland, which he had entirely subdued: the southern parts were left to Edmond. This prince survived the treaty about a month. He was murdered at Oxford by two of his chamberlains, accomplices of Edric, who thereby made way for the succession of Canute the Dane to the crown of England.

### CANUTE.

A. D. 1017. THE English, who had been unable to defend their country, and maintain their in-

\* W. Malou. p. 72. In one of these sieges, Canute diverted the course of

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dependency, under so active and brave a prince as Edmond, could, after his death, expect nothing but total subjection from Canute, who, active and brave himself, and at the head of a great force, was ready to take advantage of the minority of Edwin and Edward, the two sons of Edmond. Yet this conqueror, who was commonly so little scrupulous, showed himself anxious to cover his injustice under plausible pretences: before he seized the dominions of the English princes, he summoned a general assembly of the states, in order to fix the succession of the kingdom. He here suborned some nobles to depose that, in the treaty of Gloucester, it had been verbally agreed either to name Canute, in case of Edmond's death, successor to his dominions, or tutor to his children (for historians vary in this particular): and that evidence, supported by the great power of Canute, determined the states immediately to put the Danish monarch in possession of the government. Canute, jealous of the two princes, but sensible that he should render himself extremely odious, if he ordered them to be despatched in England, sent them abroad to his ally, the King of Sweden, whom he desired, as soon as they arrived at his court, to free him by their death from all further anxiety. The Swedish monarch was too generous to comply with the request; but being afraid of drawing on himself a quarrel with Canute, by protecting the young princes, he sent them to Solomon, King of Hungary, to be educated in his court. The elder Edwin was afterwards married to the sister of the King of Hungary, but the English prince dying without issue, Solomon gave his sister-in-law, Agatha, daughter of the Emperor Henry II. in marriage to Edward, the younger brother; and she bore him Edgar Atheling, Margaret, afterwards Queen of Scotland, and Christiana, who retired into a convent.

Canute, though he had reached the great point of his ambition, in obtaining possession of the English crown, was obliged at first to make great sacrifices to it; and to gratify the chief of the nobility, by bestowing on them the most extensive governments and jurisdictions. He created Thurkill Earl or Duke of East Anglia, (for these titles were then nearly of the same import,) Yric of Northumberland, and Edric of Mercia; reserving only to himself the administration of Wessex. But seizing afterwards a favourable opportunity, he expelled Thurkill and Yric from their governments, and banished them the kingdom: he put to death many of the English nobility, on whose fidelity he could not rely, and whom he hated on account of their disloyalty to their native prince. And even the traitor, Edric, having had the assurance to reproach him with his services, was condemned to be executed, and his body to be thrown into the Thames; a suitable reward for his multiplied acts of perfidy and rebellion.

Canute also found himself obliged, in the beginning of his reign, to load the people with heavy taxes, in order to reward his Danish followers: he exacted from them at one time the sum of 72,000 pounds; besides 11,000 pounds, which he levied on London alone. He was probably willing, from political motives, to mulct severely that city, on account of the affection which it had borne to Edmond, and the resistance which it had made to the Danish power in two obstinate sieges.\* But these rigours were imputed to necessity; and Canute, like a wise prince, was determined that the English, now deprived of all their dangerous leaders, should be reconciled to the Danish yoke, by the justice and impartiality of his administration. He sent back to Denmark as many of his followers as he could safely spare: he restored the Saxon customs in a general assembly of the states: he made no distinction between Danes and English in the distribution of justice: and he took care, by a strict execution of law, to protect the lives and properties of all his people. The Danes were gradually incorporated with his new subjects; and both were glad to obtain a little respite from those multiplied calamities: from which the one, no less than the other, had, in their fierce contest for power, experienced such fatal consequences.

The removal of Edmond's children into so distant a country as Hungary, was, next to their death, regarded by Canute as the greatest security to his government: he had the Thames, and by that means brought his ships above London bridge.

no further anxiety, except with regard to Alfred and Edward, who were protected and supported by their uncle, Richard Duke of Normandy. Richard even fitted out a great armament, in order to restore the English princes to the throne of their ancestors; and though the navy was dispersed by a storm, Canute saw the danger to which he was exposed from the enmity of so warlike a people as the Normans. In order to acquire the friendship of the duke, he paid his addresses to Queen Emma, sister of that prince; and promised that he would leave the children whom he should have by that marriage, in possession of the crown of England. Richard complied with his demand, and sent over Emma to England, where she was soon after married to Canute.<sup>1</sup> The English, though they disapproved of her espousing the mortal enemy of her former husband and his family, were pleased to find at court a sovereign, to whom they were accustomed, and who had already formed connexions with them: and thus Canute, besides securing by this marriage the alliance of Normandy, gradually acquired, by the same means, the confidence of his own subjects.<sup>2</sup> The Norman prince did not long survive the marriage of Emma; and he left the inheritance of the duchy to his eldest son of the same name; who, dying a year after him without children, was succeeded by his brother Robert, a man of valour and abilities.

Canute, having settled his power in England beyond all danger of a revolution, made a voyage to Denmark, in order to resist the attacks of the king of Sweden; and he carried along with him a great body of the English, under the command of Earl Godwin. This nobleman had here an opportunity of performing a service, by which he both reconciled the king's mind to the English nation, and, gaining to himself the friendship of his sovereign, laid the foundation of that immense fortune which he acquired to his family. He was stationed next the Swedish camp, and observing a favourable opportunity, which he was obliged suddenly to seize, he attacked the enemy in the night, drove them from their trenches, threw them into disorder, pursued his advantage, and obtained a decisive victory over them. Next morning Canute, seeing the English camp entirely abandoned, imagined that those disaffected troops had deserted to the enemy: he was agreeably surprised to find that they were at that time engaged in pursuit of the discomfited Swedes. He was so pleased with this success, and with the manner of obtaining it, that he bestowed his daughter in marriage upon Godwin, and treated him ever after with entire confidence and regard.

In another voyage, which he made afterwards to Denmark, Canute attacked Norway, and expelling the just but unwelcome Olaus, kept possession of his kingdom till the death of that prince. He had now, by his conquests and valour, attained the utmost height of grandeur: having leisure from wars and intrigues, he felt the unsatisfactory nature of all human enjoyments; and, equally weary of the glories and turmoils of this life, he began to cast his view towards that future existence, which it is so natural for the human mind, whether satiated by prosperity, or disgusted with adversity, to make the object of its attention. Unfortunately the spirit which prevailed in that age gave a wrong direction to his devotion: instead of making compensation to those whom he had injured by his former acts of violence, he employed himself entirely in those exercises of piety which the monks represented as the most meritorious. He built churches, he endowed monasteries, he enriched the ecclesiastics, and he bestowed revenues for the support of chantries at Assington and other places; where he appointed prayers to be said for the souls of those who had there fallen in battle against him. He even undertook a pilgrimage to Rome, where he resided a considerable time: besides obtaining from the Pope some privileges for the English school erected there, he engaged all the princes, through whose dominions he was obliged to pass, to desist from those heavy impositions and tolls which they were accustomed to exact from the English pilgrims. By this spirit of

devotion, no less than by his equitable and politic administration, he gained, in a good measure, the affections of his subjects.

Canute, the greatest and most powerful monarch of his time, Sovereign of Denmark and Norway, as well as of England, could not fail of meeting with adulation from his courtiers; a tribute which is liberally paid even to the meanest and weakest princes. Some of his flatterers breaking out one day in admiration of his grandeur, exclaimed, that every thing was possible for him: upon which the monarch, it is said, ordered his chair to be set on the sea-shore, while the tide was rising; and as the waters approached, he commanded them to retire, and to obey the voice of him who was lord of the ocean. He feigned to sit some time in expectation of their submission; but when the sea still advanced towards him, and began to wash him with its billows, he turned to his courtiers, and remarked to them, that every creature in the universe was feeble and impotent, and that power resided with one Being alone, in whose hands were all the elements of nature, who could say to the ocean, *Thus far shalt thou go, and no farther*; and who could level with his nod the most towering piles of human pride and ambition.

The only memorable action which Canute performed after his return from Rome, was an expedition against Malcolm, King of Scotland. During the reign of Ethelred, a tax of a shilling a hide had been imposed on all the lands of England. It was commonly called *Danegelt*; because the revenue had been employed either in buying peace with the Danes, or in making preparations against the incursions of that hostile nation. That monarch had required that the same tax should be paid by Cumberland, which was held by the Scots; but Malcolm, a warlike prince, told him, that, as he was always able to repulse the Danes by his own power, he would neither submit to buy peace of his enemies, nor pay others for resisting them. Ethelred, offended at this reply, which contained a secret reproach on his own conduct, undertook an expedition against Cumberland; but though he committed ravages upon the country, he could never bring Malcolm to a temper more humble or submissive. Canute, after his accession, summoned the Scottish king to acknowledge himself a vassal for Cumberland to the crown of England; but Malcolm refused compliance, on pretence that he owed homage to those princes only who inherited that kingdom by right of blood. Canute was not of a temper to bear this insult; and the King of Scotland soon found that the sceptre was in very different hands from those of the feeble and irresolute Ethelred. Upon Canute's appearing on the frontiers with a formidable army, Malcolm agreed that his grandson and heir, Duncan, whom he put in possession of Cumberland, should make the submissions required, and that the heirs of Scotland should always acknowledge themselves vassals to England for that province.<sup>3</sup>

Canute passed four years in peace after this enterprise, and he died at Shaftesbury;<sup>4</sup> leaving three sons, Sweyn, Harold, and Hardicanute. Sweyn, whom he had by his first marriage with Alfwine, daughter of the Earl of Hampshire, was crowned in Norway: Hardicanute, whom Emma had born him, was in possession of Denmark: Harold, who was of the same marriage with Sweyn, was at that time in England.

#### HAROLD HAREFOOT.

Though Canute, in his treaty with Richard, Duke of Normandy, had stipulated that his children by Emma should succeed to the crown of England, he had either considered himself as released from that engagement by the death of Richard, or esteemed it dangerous to leave an unsettled and newly-conquered kingdom in the hands of so young a prince as Hardicanute; he therefore appointed by his will Harold successor to the crown. This prince was, besides, present to maintain his claim; he was favoured by all the Danes, and he got immediately possession of his father's treasures, which might be equally useful, whether he found it

<sup>1</sup> Chron. Sax. p. 151. W. Malmes. p. 73.  
<sup>2</sup> W. Malmes. p. 73. Higuen, p. 273.

<sup>3</sup> Chron. Sax. p. 151. W. Malmes. p. 76.

necessary to proceed by force or intrigue in insuring his succession. On the other hand, Hardicanute had the suffrages of the English, who, on account of his being born among them of Queen Emma, regarded him as their countryman; he was favoured by the articles of treaty with the Duke of Normandy; and, above all, his party was espoused by Earl Godwin, the most powerful nobleman in the kingdom, especially in the province of Wessex, the chief seat of the ancient English. Affairs were likely to terminate in a civil war, when, by the interposition of the nobility of both parties, a compromise was made; and it was agreed that Harold should enjoy, together with London, all the provinces north of the Thames, while the possession of the south should remain to Hardicanute; and till that prince should appear and take possession of his dominions, Emma fixed her residence at Winchester, and established her authority over her son's share of the partition.

Meanwhile, Robert, Duke of Normandy, died in a pilgrimage to the Holy Land, and being succeeded by a son, yet a minor, the two English princes, Alfred and Edward, who found no longer any countenance or protection in that country, gladly embraced the opportunity of paying a visit, with a numerous retinue, to their mother Emma, who seemed to be placed in a state of so much power and splendour at Winchester. But the face of affairs soon wore a melancholy aspect. Earl Godwin had been gained by the arts of Harold, who promised to espouse the daughter of that nobleman, and while the treaty was yet a secret, these two tyrants laid a plan for the destruction of the English princes. Alfred was invited to London by Harold with many professions of friendship; but when he had reached Guildford he was set upon by Godwin's vassals, about six hundred of his train were murdered in the most cruel manner, he himself was taken prisoner, his eyes were put out, and he was conducted to the monastery of Ely, where he died soon after.\* Edward and Emma, apprized of the fate which was awaiting them, fled beyond sea, the former into Normandy, the latter into Flanders, while Harold, triumphing in his bloody policy, took possession, without resistance, of all the dominions assigned to his brother.

This is the only memorable action performed, during a reign of four years, by this prince, who gave so bad a specimen of his character, and whose bodily accomplishments alone are known to us by his appellation of *Harefoot*, which he acquired from his agility in running and walking. He died on the 14th of April, 1039; little regretted or esteemed by his subjects, and left the succession open to his brother, Hardicanute.

### HARDICANUTE.

A. D. 1039. **HARDICANUTE**, or Canute the Hardy, that is, the robust, (for he too is chiefly known by his bodily accomplishments,) though, by remaining so long in Denmark, he had been deprived of his share in the partition of the kingdom, had not abandoned his pretensions; and he had determined, before Harold's death, to recover by arms what he had lost, either by his own negligence, or by the necessity of his affairs. On pretence of paying a visit to the queen dowager in Flanders, he had assembled a fleet of sixty sail, and was preparing to make a descent on England, when intelligence of his brother's death induced him to sail immediately to London, where he was received in triumph, and acknowledged king without opposition.

The first act of Hardicanute's government afforded his subjects a bad prognostic of his future conduct. He was so enraged at Harold for depriving him of his share of the kingdom, and for the cruel treatment of his brother Alfred, that, in an impotent desire of revenge against the dead, he ordered his body to be dug up, and to be thrown into the Thames: and when it was found by some fishermen, and buried in London, he ordered it again to be dug up, and to be thrown again into the river: but it was fished up a second time, and then interred with great

secrecy. Godwin, equally servile and insolent, submitted to be his instrument in this unnatural and brutal action.

That nobleman knew that he was universally believed to have been an accomplice in the barbarity exercised on Alfred, and that he was on that account obnoxious to Hardicanute; and perhaps he hoped, by displaying this rage against Harold's memory, to justify himself from having had any participation in his counsels. But Prince Edward, being invited over by the king, immediately on his appearance, preferred an accusation against Godwin for the murder of Alfred, and demanded justice for that crime. Godwin, in order to appease the king, made him a magnificent present of a galley with a gilt stern, rowed by fourscore men, who wore each of them a gold bracelet on his arm, weighing sixteen ounces, and were armed and clothed in the most sumptuous manner. Hardicanute, pleased with the splendour of this spectacle, quickly forgot his brother's murder; and on Godwin's swearing that he was innocent of the crime, he allowed him to be acquitted.

Though Hardicanute, before his accession, had been called over by the vows of the English, he soon lost the affections of the nation by his misconduct; but nothing appeared more grievous to them, than his renewing the imposition of Danegelt, and obliging the nation to pay a great sum of money to the fleet which brought him from Denmark. The discontents ran high in many places: in Worcester the populace rose, and put to death two of the collectors. The king, enraged at this opposition, swore vengeance against the city, and ordered three noblemen, Godwin, Duke of Wessex, Siward, Duke of Northumberland, and Leofric, Duke of Mercia, to execute his menaces with the utmost rigour. They were obliged to set fire to the city, and deliver it up to be plundered by their soldiers; but they saved the lives of the inhabitants, whom they confined in a small island of the Severn, called Bevery, till, by their intercession, they were able to appease the king, and obtain the pardon of the supplicants.

This violent government was of short duration. Hardicanute died in two years after his accession, at the nuptials of a Danish lord, which he had honoured with his presence. His usual habits of intemperance were so well known, that, notwithstanding his robust constitution, his sudden death gave as little surprise as it did sorrow to his subjects.

### EDWARD THE CONFESSOR.

The English, on the death of Hardicanute, saw a favourable opportunity for recovering their liberty, and for shaking off the Danish yoke, under which they had so long laboured. Sweyn, King of Norway, the eldest son of Canute, was absent; and as the two last kings had died without issue, none of that race presented himself, nor any whom the Danes could support as successor to the throne. Prince Edward was fortunately at court on his brother's demise; and though the descendants of Edmond Ironside were the true heirs of the Saxon family, yet their absence in so remote a country as Hungary, appeared a sufficient reason for their exclusion, to a people like the English, so little accustomed to observe a regular order in the succession of their monarchs. All delays might be dangerous; and the present occasion must hastily be embraced; while the Danes, without concert, without a leader, astonished at the present incident, and anxious only for their personal safety, durst not oppose the united voice of the nation.

But this concurrence of circumstances in favour of Edward, might have failed of its effect, had his succession been opposed by Godwin, whose power, alliances, and abilities gave him a great influence at all times, especially amidst those sudden opportunities which always attend a revolution of government, and which, either seized or neglected, commonly prove decisive. There were opposite reasons which divided men's hopes and fears with regard to Godwin's conduct. On the one hand, the credit of that nobleman lay chiefly in Wessex, which was almost entirely

\* H. Hunt, p. 365. Ypod. Neustr., p. 434. Hoveden, p. 438. Chron. Mair., p. 156. Higden, p. 277. Chron. St. Petri de Burgo, p. 39. Sm.

Dun., p. 179. Abbas Rivala, p. 366. 374. Prompton, p. 935. Gul. Gem. lib. 7. cap. 11. Matth. West. p. 209. Flor. Wigorn. p. 622. Alur. Beverl. p. 118.



inhabited by English; it was therefore presumed that he would second the wishes of that people, in restoring the Saxon line, and in humbling the Danes, from whom he, as well as they, had reason to dread, as they had already felt, the most grievous oppressions. - On the other hand, there subsisted a declared animosity between Edward and Godwin, on account of Alfred's murder, of which the latter had publicly been accused by the prince, and which he might believe so deep an offence, as could never, on account of any subsequent merits, be sincerely pardoned. But their common friends here interposed; and, representing the necessity of their good correspondence, obliged them to lay aside all jealousy and rancour, and concur in restoring liberty to their native country. Godwin only stipulated, that Edward, as a pledge of his sincere reconciliation, should promise to marry his daughter Editha; and having fortified himself by this alliance, he summoned a general council at Gillingham, and prepared every measure for securing the succession to Edward. The English were unanimous and zealous in their resolutions; the Danes were divided and dispirited: any small opposition which appeared in this assembly was brow-beaten and suppressed; and Edward was crowned king, with every demonstration of duty and affection.

The triumph of the English, upon this signal and decisive advantage, was at first attended with some insult and violence against the Danes; but the king, by the mildness of his character, soon reconciled the latter to his administration, and the distinction between the two nations gradually disappeared. The Danes were interspersed with the English in most of the provinces; they spoke nearly the same language; they differed little in their manners and laws; domestic dissensions in Denmark prevented, for some years, any powerful invasion from thence, which might awaken past animosities; and as the Norman conquest, which ensued soon after, reduced both nations to equal subjection, there is no further mention in history of any difference between them. The joy, however, of their present deliverance made such impression on the minds of the English, that they instituted an annual festival for celebrating that great event; and it was observed in some counties even to the time of Spellman.<sup>g</sup>

The popularity which Edward enjoyed on his accession, was not destroyed by the first act of his administration, his resuming all the grants of his immediate predecessors; an attempt which is commonly attended with the most dangerous consequences. The poverty of the crown convinced the nation that this act of violence was become absolutely necessary; and as the loss fell chiefly on the Danes, who had obtained large grants from the late kings, their countrymen, on account of their services in subduing the kingdom, the English were rather pleased to see them reduced to their primitive poverty. The king's severity also towards his mother, the queen-dowager, though exposed to some more censure, met not with very general disapprobation. He had hitherto lived on indifferent terms with that princess; he accused her of neglecting him and his brother during their adverse fortune;<sup>h</sup> he remarked, that as the superior qualities of Canute, and his better treatment of her, had made her entirely indifferent to the memory of Ethelred, she also gave the preference to her children of the second bed, and always regarded Hardicanute as her favourite. The same reasons had probably made her unpopular in England; and though her benefactions to the monks obtained her the favour of that order, the nation was not, in general, displeased to see her stripped by Edward of immense treasures which she had amassed. He confined her, during the remainder of her life, in a monastery at Winchester; but carried his rigour against her no further. The stories of his accusing her of a participation in her son Alfred's murder, and of a criminal correspondence with the Bishop of Winchester, and also of her justifying herself by treading barefoot, without receiving any hurt, over nine burning ploughshares, were the inventions of the monkish historians, and were propagated and believed from the silly wonder of posterity.<sup>a</sup>

The English flattered themselves that, by the accession of Edward, they were delivered for ever from the dominion of foreigners; but they soon found that this evil was not yet entirely removed. The king had been educated in Normandy; and had contracted many intimacies with the natives of that country, as well as an affection for their manners.<sup>b</sup> The court of England was soon filled with Normans, who, being distinguished both by the favour of Edward, and by a degree of cultivation superior to that which was attained by the English in those ages, soon rendered their language, customs, and laws, fashionable in the kingdom. The study of the French tongue became general among the people. The courtiers affected to imitate that nation in their dress, equipage, and entertainments: even the lawyers employed a foreign language in their deeds and papers.<sup>c</sup> But above all, the church felt the influence and dominion of those strangers. Ulf and William, two Normans, who had formerly been the king's chaplains, were created Bishops of Dorchester and London. Robert, a Norman also, was promoted to the see of Canterbury,<sup>d</sup> and always enjoyed the highest favour of his master, of which his abilities rendered him not unworthy. And though the king's prudence, or his want of authority, made him confer almost all the civil and military employments on the natives, the ecclesiastical preferments fell often to the share of the Normans; and as the latter possessed Edward's confidence, they had secretly a great influence on public affairs, and excited the jealousy of the English, particularly of Earl Godwin.<sup>e</sup>

This powerful nobleman, besides being Duke or Earl of Wessex, had the counties of Kent and Sussex annexed to his government. His eldest son, Sweyn, possessed the same authority in the counties of Oxford, Berks, Gloucester, and Hereford; and Harold, his second son, was Duke of East Anglia, and at the same time Governor of Essex. The great authority of this family was supported by immense possessions and powerful alliances; and the abilities, as well as ambition, of Godwin himself, contributed to render it still more dangerous. A prince of greater capacity and vigour than Edward would have found it difficult to support the dignity of the crown under such circumstances; and as the haughty temper of Godwin made him often forget the respect due to his prince, Edward's animosity against him was grounded on personal as well as political considerations, on recent as well as more ancient injuries. The king, in pursuance of his engagements, had indeed married Editha, the daughter of Godwin;<sup>f</sup> but this alliance became a fresh source of enmity between them. Edward's hatred of the father was transferred to that princess; and Editha, though possessed of many amiable accomplishments, could never acquire the confidence and affection of her husband. It is even pretended that, during the whole course of her life, he abstained from all commerce of love with her; and such was the absurd admiration paid to an inviolable chastity during those ages, that his conduct in this particular is highly celebrated by the monk-

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ish historians, and greatly contributed to his acquiring the title of Saint and Confessor.<sup>g</sup>

The most popular pretence on which Godwin could ground his disaffection to the king and his administration, was to complain of the influence of the Normans in the government; and a declared opposition had thence arisen between him and these favourites. It was not long before this animosity broke into action. Eustace, Count of Bologne, having paid a visit to the king, passed by Dover in his return: one of his train, being refused entrance to a lodging which had been assigned him, attempted to make his way by force, and in the contest he wounded the master of the house. The inhabitants revenged this insult by the death of the stranger; the count and his train took arms, and murdered the wounded townsman; a tumult ensued; near twenty persons were killed on each side; and Eustace, being overpowered by numbers, was obliged to save his life by flight from the fury of the populace. He hurried immediately to court, and complained of the usage he had met with. The king entered

<sup>g</sup> Spellman, Glossary, in verbo *Hædday*. <sup>h</sup> *Anglia Sacra*, vol. i. p. 237.

<sup>i</sup> Hageden, p. 577.

<sup>c</sup> Ibid.

<sup>b</sup> Ingulph, p. 62.

<sup>d</sup> *Chron. Sax.* p. 161.

<sup>e</sup> *W. Malin* p. 69.

<sup>f</sup> *Wm. Malm.* p. 130.

<sup>g</sup> *Chron. Sax.* p. 177.

<sup>h</sup> *Chron. Sax.* p. 177.

<sup>i</sup> *Chron. Sax.* p. 177.

<sup>j</sup> *Chron. Sax.* p. 177.

<sup>k</sup> *Chron. Sax.* p. 177.

<sup>l</sup> *Chron. Sax.* p. 177.

<sup>m</sup> *Chron. Sax.* p. 177.

<sup>n</sup> *Chiron. Sax.* p. 177.

<sup>o</sup> *Chiron. Sax.* p. 177.

<sup>p</sup> *Chiron. Sax.* p. 177.

<sup>q</sup> *Chiron. Sax.* p. 177.

<sup>r</sup> *Chiron. Sax.* p. 177.

<sup>s</sup> *Chiron. Sax.* p. 177.

<sup>t</sup> *Chiron. Sax.* p. 177.

<sup>u</sup> *Chiron. Sax.* p. 177.

<sup>v</sup> *Chiron. Sax.* p. 177.

<sup>w</sup> *Chiron. Sax.* p. 177.

<sup>x</sup> *Chiron. Sax.* p. 177.

<sup>y</sup> *Chiron. Sax.* p. 177.

<sup>z</sup> *Chiron. Sax.* p. 177.

<sup>aa</sup> *Chiron. Sax.* p. 177.

<sup>ab</sup> *Chiron. Sax.* p. 177.

<sup>ac</sup> *Chiron. Sax.* p. 177.

<sup>ad</sup> *Chiron. Sax.* p. 177.

<sup>ae</sup> *Chiron. Sax.* p. 177.

zealously into the quarrel, and was highly displeased that a stranger of such distinction, whom he had invited over to his court, should, without any just cause, as he believed, have felt so sensibly the insolence and animosity of his people. He gave orders to Godwin, in whose government Dover lay, to repair immediately to the place, and to punish the inhabitants for the crime: but Godwin, who desired rather to encourage than repress the popular discontents against foreigners, refused obedience, and endeavoured to throw the whole blame of the riot on the Count of Bologne and his retinue.<sup>1</sup> Edward, touched in so sensible a point, saw the necessity of exerting the royal authority; and he threatened Godwin, if he persisted in his disobedience, to make him feel the utmost effects of his resentment.

The earl, perceiving a rupture to be unavoidable, and pleased to embark in a cause where it was likely he should be supported by his countrymen, made preparations for his own defence, or rather for an attack on Edward. Under pretence of repressing some disorders on the Welch frontier, he secretly assembled a great army, and was approaching the king, who resided, without any military force, and without suspicion, at Gloucester.<sup>2</sup> Edward applied for protection to Siward, Duke of Northumberland, and Leofric, Duke of Mercia, two powerful noblemen, whose jealousy of Godwin's greatness, as well as their duty to the crown, engaged them to defend the king in this extremity. They hastened to him with such of their followers as they could assemble on a sudden; and finding the danger much greater than they had at first apprehended, they issued orders for mustering all the forces within their respective governments, and for marching them without delay to the defence of the king's person and authority. Edward, meanwhile, endeavoured to gain time by negotiation; while Godwin, who thought the king entirely in his power, and who was willing to save appearances, fell into the snare; and, not sensible that he ought to have no further reserve after he had proceeded so far, he lost the favourable opportunity of rendering himself master of the government.

The English, though they had no high idea of Edward's vigour and capacity, bore him great affection, on account of his humanity, justice, and piety, as well as the long race of their native kings from whom he was descended; and they hastened from all quarters to defend him from the present danger. His army was now so considerable, that he ventured to take the field; and marching to London, he summoned a great council to judge of the rebellion of Godwin and his sons. These noblemen pretended at first that they were willing to stand their trial; but having in vain endeavoured to make their adherents persist in rebellion, they offered to come to London, provided they might receive hostages for their safety: this proposal being rejected, they were obliged to disband the remains of their forces, and have recourse to flight. Baldwin, Earl of Flanders, gave protection to Godwin and his three sons, Gurth, Sweyn, and Tosti; the latter of whom had married the daughter of that prince: Harold and Leofwin, two other of his sons, took shelter in Ireland. The estates of the father and sons were confiscated: their governments were given to others: Queen Editha was confined in a monastery at Warewel: and the greatness of this family, once so formidable, seemed now to be totally supplanted and overthrown.

But Godwin had fixed his authority on too firm a basis, and he was too strongly supported by alliances, both foreign and domestic, not to occasion further disturbances, and make new efforts for his re-establishment.

A. D. 1052. The Earl of Flanders permitted him to purchase and hire ships within his harbours; and Godwin, having manned them with his followers, and with freebooters of all nations, put to sea, and attempted to make a descent at Sandwich. The king, informed of his preparations, had equipped a considerable fleet, much superior to that of the enemy; and the earl hastily, before their appearance, made his retreat into the Flemish har-

bours.<sup>3</sup> The English court, allured by the present security and destitute of all vigorous counsels, allowed the seamen to disband, and the fleet to go to decay,<sup>4</sup> while Godwin, expecting this event, kept his men in readiness for action. He put to sea immediately, and sailed to the Isle of Wight, where he was joined by Harold, with a squadron which that nobleman had collected in Ireland. He was now master of the sea; and entering every harbour in the southern coast, he seized all the ships,<sup>5</sup> and summoned his followers in those counties, which had so long been subject to his government, to assist him in procuring justice to himself, his family, and his country, against the tyranny of foreigners. Reinforced by great numbers from all quarters, he entered the Thames; and appearing before London, threw every thing into confusion. The king alone seemed resolute to defend himself to the last extremity; but the interposition of the English nobility, many of whom favoured Godwin's pretensions, made Edward hearken to terms of accommodation; and the feigned humility of the earl, who disclaimed all intentions of offering violence to his sovereign, and desired only to justify himself by a fair and open trial, paved the way for his more easy admission. It was stipulated that he should give hostages for his good behaviour, and that the primate and all the foreigners should be banished: by this treaty, the present danger of a civil war was obviated, but the authority of the crown was considerably impaired, or rather entirely annihilated. Edward, sensible that he had not power sufficient to secure Godwin's hostages in England, sent them over to his kinsman, the young Duke of Normandy.

Godwin's death, which happened soon after, while he was sitting at table with the king, prevented him from further establishing the authority which he had acquired, and from reducing Edward to still greater subjection.<sup>6</sup> He was succeeded in the government of Wessex, Sussex, Kent, and Essex, and in the office of steward of the household, a place of great power, by his son Harold, who was actuated by an ambition equal to that of his father, and was superior to him in address, in insinuation, and in virtue. By a modest and gentle demeanour, he acquired the good will of Edward; at least softened that hatred which the prince had so long borne his family;<sup>7</sup> and gaining every day new partisans by his bounty and affability, he proceeded in a more silent, and therefore a more dangerous, manner, to the increase of his authority. The king, who had not sufficient vigour directly to oppose his progress, knew of no other expedient than that hazardous one, of raising him a rival in the family of Leofric, Duke of Mercia, whose son Algar was invested with the government of East Anglia, which, before the banishment of Harold, had belonged to the latter nobleman. But this policy, of balancing opposite parties, required a more steady hand to manage it than that of Edward, and naturally produced faction, and even civic broils, among nobles of such mighty and independent authority. Algar was soon after expelled his government by the intrigues and power of Harold; but being protected by Griffith, Prince of Wales, who had married his daughter, as well as by the power of his father Leofric, he obliged Harold to submit to an accommodation, and was reinstated in the government of East Anglia. This peace was not of long duration: Harold, taking advantage of Leofric's death, which happened soon after, expelled Algar anew, and banished him the kingdom: and though that nobleman made a fresh irruption into East Anglia with an army of Norwegians, and overran the country, his death soon freed Harold from the pretensions of so dangerous a rival. Edward, the eldest son of Algar, was indeed advanced to the government of Mercia; but the balance which the king desired to establish between those potent families, was wholly lost, and the influence of Harold greatly preponderated.

The death of Siward, Duke of Northumberland, made the way still more open to the ambition of that nobleman. Siward, besides his other

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supposition, that all the English annals had been falsified by the Norman historians after the conquest. But if at this supposition is not much foundation, appears hence, that almost all these historians have given a very good character of his son Harold, whom it was much more the interest of the Norman cause to blacken.

o Brompton, p. 938.

<sup>1</sup> Chron. Sax. p. 163. W. Malm. p. 81. Higden, p. 379.

<sup>2</sup> Chron. Sax. p. 163. Will. Malm. p. 81.

<sup>3</sup> Ann. Dom. p. 190.

<sup>4</sup> Chron. Sax. p. 166. m. Ibid.

<sup>5</sup> The anonymous author of the article GODWIN, in the Biographia Britanica, has endeavoured to clear the memory of that nobleman, upon the

merits, had acquired honour to England, by his successful conduct in the only foreign enterprise undertaken during the reign of Edward. Duncan, King of Scotland, was a prince of a gentle disposition, but possessed not the genius requisite for governing a country so turbulent, and so much infested by the intrigues and animosities of the great. Macbeth, a powerful nobleman, and nearly allied to the crown, not content with curbing the king's authority, carried still further his pestilent ambition: he put his sovereign to death; chased Malcolm Kenmore, his son and heir, into England; and usurped the crown. Siward, whose daughter was married to Duncan, embraced, by Edward's orders, the protection of this distressed family: he marched an army into Scotland; and having defeated and killed Macbeth in battle, he restored Malcolm to the throne of his ancestors.<sup>p</sup> This service, added to his former connexions with the royal family of Scotland, brought a great accession to the authority of Siward in the north; but as he had lost his eldest son, Osberne, in the action with Macbeth, it proved in the issue fatal to his family. His second son, Waltheof, appeared, on his father's death, too young to be intrusted with the government of Northumberland; and Harold's influence obtained that dukedom for his own brother Tosti.

There are two circumstances related of Siward, which discover his high sense of honour, and his martial disposition. When intelligence was brought him of his son Osberne's death, he was inconsolable, till he heard that the wound was received in the breast, and that he had behaved with great gallantry in the action. When he found his own death approaching, he ordered his servants to clothe him in a complete suit of armour; and sitting erect on the couch, with a spear in his hand, declared that in that posture, the only one worthy of a warrior, he would patiently await the fatal moment.

The king, now worn out with cares and infirmities, felt himself far advanced in the decline of life; and having no issue himself, began to think of appointing a successor to the kingdom. He sent a deputation to Hungary, to invite over his nephew, Edward, son of his elder brother, and the only remaining heir of the Saxon line. That prince, whose succession to the crown would have been easy and undisputed, came to England with his children, Edgar, surnamed Atheling, Margaret, and Christina; but his death, which happened a few days after his arrival, threw the king into new difficulties. He saw, that the great power and ambition of Harold had tempted him to think of obtaining possession of the throne on the first vacancy, and that Edgar, on account of his youth and inexperience, was very unfit to oppose the pretensions of so popular and enterprising a rival. The animosity which he had long borne to Earl Godwin, made him averse to the succession of his son, and he could not, without extreme reluctance, think of an increase of grandeur to a family which had risen on the ruins of royal authority, and which, by the murder of Alfred, his brother, had contributed so much to the weakening of the Saxon line. In this uncertainty, he secretly cast his eye towards his kinsman, William, Duke of Normandy, as the only person whose power, and reputation, and capacity, could support any destination which he might make in his favour, to the exclusion of Harold and his family.<sup>q</sup>

This famous prince was natural son of Robert, Duke of Normandy, by Harlotta, daughter of a tanner in Falaise,<sup>r</sup> and was very early established in that grandeur from which his birth seemed to have set him at so great a distance. While he was but nine years of age, his father had resolved to undertake a pilgrimage to Jerusalem: a fashionable act of devotion, which had taken place of the pilgrimages to Rome, and which, as it was attended with more difficulty and danger, and carried those religious adventurers to the first sources of Christianity, appeared to them more meritorious. Before his departure he assembled the states of the duchy; and informing them of his design, he engaged them to swear allegiance to his natural son, William, whom, as he had no legitimate issue, he intend-

ed, in case he should die in the pilgrimage, to leave successor to his dominions.<sup>s</sup> As he was a prudent prince, he could not but foresee the great inconveniences which must attend this journey, and this settlement of his succession; arising from the turbulency of the great, the claims of other branches of the ducal family, and the power of the French monarch; but all these considerations were surmounted by the prevailing zeal for pilgrimages; and probably the more important they were, the more would Robert exult in sacrificing them to what he imagined to be his religious duty.

This prince, as he had apprehended, died in his pilgrimage; and the minority of his son was attended with all those disorders which were almost unavoidable in that situation. The licentious nobles, freed from the awe of sovereign authority, broke out into personal animosities against each other, and made the whole country a scene of war and devastation.<sup>t</sup> Roger, Count of Toni, and Alain, Count of Brittany, advanced claims to the dominion of the state; and Henry I., King of France, thought the opportunity favourable for reducing the power of a vassal, who had originally acquired his settlement in so violent and invidious a manner, and who had long appeared formidable to his sovereign.<sup>u</sup> The regency established by Robert encountered great difficulties in supporting the government under this complication of dangers; and the young prince, when he came to maturity, found himself reduced to a very low condition. But the great qualities which he soon displayed in the field and in the cabinet, gave encouragement to his friends, and struck a terror into his enemies. He opposed himself on all sides against his rebellious subjects, and against foreign invaders; and by his valour and conduct prevailed in every action. He obliged the French king to grant him peace on reasonable terms; he expelled all pretenders to the sovereignty; and he reduced his turbulent barons to pay submission to his authority, and to suspend their mutual animosities. The natural severity of his temper appeared in a rigorous administration of justice; and having found the happy effects of this plan of government, without which the laws in those ages became totally impotent, he regarded it as a fixed maxim, that an inflexible conduct was the first duty of a sovereign.

The tranquillity which he had established in his dominions, had given William leisure to pay a visit to the King of England during the time of Godwin's banishment; and he was received in a manner suitable to the great reputation which he had acquired, to the relation by which he was connected with Edward, and to the obligations which that prince owed to his family.<sup>x</sup> On the return of Godwin, and the expulsion of the Norman favourites, Robert, Archbishop of Canterbury, had, before his departure, persuaded Edward to think of adopting William as his successor; a counsel which was favoured by the king's aversion to Godwin, his prepossessions for the Normans, and his esteem of the duke. That prelate, therefore, received a commission to inform William of the king's intentions in his favour; and he was the first person that opened the mind of the prince to entertain those ambitious hopes.<sup>y</sup> But Edward, irresolute and feeble in his purpose, finding that the English would more easily acquiesce in the restoration of the Saxon line, had, in the mean time, invited his brother's descendants from Hungary, with a view of having them recognised heirs to the crown. The death of his nephew, and the inexperience and unpromising qualities of young Edgar, made him resume his former intentions in favour of the Duke of Normandy; though his aversion to hazardous enterprises engaged him to postpone the execution, and even to keep his purpose secret from all his ministers.

Harold, meanwhile, proceeded after a more open manner, in increasing his popularity, in establishing his power, and in preparing the way for his advancement on the first vacancy; an event which, from the age and infirmities of the king, appeared not very distant. But there was still an obstacle, which it was requisite for him previously to

<sup>p</sup> W. Malm. p. 79. Hoveden, p. 443. Chron. Mailr. p. 150. Puchanan, p. 115. edit. 1715.  
<sup>q</sup> Ingulph. p. 68.  
<sup>r</sup> W. Malm. p. 95.

<sup>r</sup> Brompton, p. 910.  
<sup>t</sup> Ypod. Neust. p. 432.

<sup>u</sup> W. Malm. p. 95. Gul. Gemet. lib. 7. cap. 1.

<sup>x</sup> W. Malm. p. 97.

<sup>y</sup> Hoveden, p. 442. Ingulph. p. 65. Chron. Mailr. p. 157. Higden, p. 579.

<sup>y</sup> Ingulph. p. 66. Gul. Gemet. lib. 7. cap. 31. Order. Vitalis, p. 492.



overcome. Earl Godwin, when restored to his power and fortune, had given hostages for his good behaviour, and among the rest, one son and one grandson, whom Edward, for greater security, as has been related, had consigned to the custody of the Duke of Normandy. Harold, though not aware of the duke's being his competitor, was uneasy that such near relations should be detained prisoners in a foreign country; and he was afraid lest William should, in favour of Edgar, retain these pledges as a check on the ambition of any other pretender. He represented, therefore, to the king, his unfeigned submission to royal authority, his steady duty to his prince, and the little necessity there was, after such a uniform trial of his obedience, to detain any longer those hostages who had been required on the first composing of civil discords. By these topics, enforced by his great power, he extorted the king's consent to release them; and in order to effect his purpose, he immediately proceeded, with a numerous retinue, on his journey to Normandy. A tempest drove him on the territory of Guy, Count of Ponthieu, who, being informed of his quality, immediately detained him prisoner, and demanded an exorbitant sum for his ransom. Harold found means to convey intelligence of his situation to the Duke of Normandy; and represented, that while he was proceeding to his court, in execution of a commission from the King of England, he had met with this harsh treatment from the mercenary disposition of the Count of Ponthieu.

William was immediately sensible of the importance of the incident. He foresaw, that if he could once gain Harold, either by favours or menaces, his way to the throne of England would be open, and Edward would meet with no further obstacle in executing the favourable intentions which he had entertained in his behalf. He sent, therefore, a messenger to Guy, in order to demand the liberty of his prisoner; and that nobleman, not daring to refuse so great a prince, put Harold into the hands of the Norman, who conducted him to Rouen. William received him with every demonstration of respect and friendship; and after showing himself disposed to comply with his desire, in delivering up the hostages, he took an opportunity of disclosing to him the great secret of his pretensions to the crown of England, and of the will which Edward intended to make in his favour. He desired the assistance of Harold in perfecting that design; he made professions of the utmost gratitude in return for so great an obligation; he promised that the present grandeur of Harold's family, which supported itself with difficulty under the jealousy and hatred of Edward, should receive new increase from a successor, who would be so greatly beholden to him for his advancement. Harold was surprised at this declaration of the duke; but being sensible that he should never recover his own liberty, much less that of his brother and nephew, if he refused the demand, he feigned a compliance with William, renounced all hopes of the crown for himself, and professed his sincere intention of supporting the will of Edward, and seconding the pretensions of the Duke of Normandy. William, to bind him faster to his interests, besides offering him one of his daughters in marriage, required him to take an oath that he would fulfil his promises; and in order to render the oath more obligatory, he employed an artifice well suited to the ignorance and superstition of the age. He secretly conveyed under the altar, on which Harold agreed to swear, the reliques of some of the most revered martyrs; and when Harold had taken the oath, he showed him the reliques, and admonished him to observe religiously an engagement which had been ratified by so tremendous a sanction.<sup>2</sup> The English nobleman was astonished; but dissembling his concern, he renewed the same professions, and was dismissed with all the marks of mutual confidence by the Duke of Normandy.

When Harold found himself at liberty, his ambition suggested casuistry sufficient to justify to him the violation of an oath, which had been extorted from him by fear, and which, if fulfilled, might be attended with the subjection of his native country to a foreign power. He continued still to practise every art of popularity; to increase

the number of his partisans; to reconcile the minds of the English to the idea of his succession; to revive their hatred of the Normans; and by an ostentation of his power and influence, to deter the timorous Edward from executing his intended destination in favour of William Fortune, about this time, threw two incidents in his way, by which he was enabled to acquire general favour, and to increase the character which he had already attained, of virtue and abilities.

The Welch, though a less formidable enemy than the Danes, had long been accustomed to infest the western borders; and after committing spoil on the low countries, they usually made a hasty retreat into their mountains, where they were sheltered from the pursuit of their enemies, and were ready to seize the first favourable opportunity of renewing their depredations. Griffith, the reigning prince, had greatly distinguished himself in those incursions; and his name had become so terrible to the English, that Harold found he could do nothing more acceptable to the public, and more honourable for himself, than the suppressing of so dangerous an enemy. He formed the plan of an expedition against Wales; and having prepared some light-armed foot to pursue the natives into their fastnesses, some cavalry to scour the open country, and a squadron of ships to attack the sea-coast, he employed at once all these forces against the Welch, prosecuted his advantages with vigour, made no intermission in his assaults, and at last reduced the enemy to such distress, that, in order to prevent their total destruction, they made a sacrifice of their prince, whose head they cut off, and sent to Harold; and they were content to receive as their sovereigns, two Welch noblemen appointed by Edward to rule over them. The other incident was no less honourable to Harold.

Tosti, brother of this nobleman, who had been created Duke of Northumberland, being of a violent and tyrannical temper, had acted with such cruelty and injustice, that the inhabitants rose in rebellion, and chased him from his government. Morcar and Edwin, two brothers, who possessed great power in those parts, and who were grandsons of the great Duke Leofric, concurred in the insurrection; and the former, being elected duke, advanced with an army to oppose Harold, who was commissioned by the king to reduce and chastise the Northumbrians. Before the armies came to action, Morcar, well acquainted with the generous disposition of the English commander, endeavoured to justify his own conduct. He represented to Harold, that Tosti had behaved in a manner unworthy of the station to which he was advanced, and no one, not even a brother, could support such tyranny without participating, in some degree, of the infamy attending it; that the Northumbrians, accustomed to a legal administration, and regarding it as their birthright, were willing to submit to the king, but required a governor who would pay regard to their rights and privileges; that they had been taught by their ancestors, that death was preferable to servitude, and had taken the field, determined to perish rather than suffer a renewal of those indignities to which they had so long been exposed; and they trusted that Harold, on reflection, would not defend in another that violent conduct, from which he himself, in his own government, had always kept at so great a distance. This vigorous remonstrance was accompanied with such a detail of facts, so well supported, that Harold found it prudent to abandon his brother's cause; and, returning to Edward, he persuaded him to pardon the Northumbrians, and to confirm Morcar in the government. He even married the sister of that nobleman;<sup>3</sup> and by his interest, procured Edwin, the younger brother, to be elected into the government of Mercia. Tosti in rage departed the kingdom, and took shelter in Flanders with Earl Baldwin, his father-in-law.

By this marriage Harold broke all measures with the Duke of Normandy; and William clearly perceived that he could no longer rely on the oaths and promises which he had extorted from him. But the English nobleman was now in such a situation, that he deemed it no longer necessary to dissemble. He had, in his conduct towards

<sup>2</sup> Ware, p. 459. 460. MS. Jones Cart. i. 351. W. Malin, p. 93. H. Hunt, p. 536. Hoveden, p. 192. Dugdale, p. 247.

<sup>3</sup> Order, Vitalis, p. 492.

the Northumbrians, given such a specimen of his moderation as had gained him the affections of his countrymen. He saw that almost all England was engaged in his interests; while he himself possessed the government of Wessex, Mercia, that of Northumberland, and Edwin that of Mercia. He now openly aspired to the succession; and insisted, that since it was necessary, by the confession of all, to set aside the royal family, on account of the imbecility of Edgar, the sole surviving heir, there was no one so capable of filling the throne as a nobleman of great power, of mature age, of long experience, of approved courage and abilities, who, being a native of the kingdom, would effectually secure it against the dominion and tyranny of foreigners. Edward, broken with age and infirmities, saw the difficulties too great for him to encounter; and though his inveterate prepossessions kept him from seconding the pretensions of Harold, he took but feeble and irresolute steps for securing the succession to the Duke of Normandy.<sup>b</sup> While he continued in this uncertainty he was surprised by sickness, which brought him to his grave, on the fifth of January 1066, in the sixty-fifth year of his age, and twenty-fifth of his reign.

This prince, to whom the monks gave the title of Saint and Confessor, was the last of the Saxon line that ruled in England. Though his reign was peaceable and fortunate, he owed his prosperity less to his own abilities than to the conjunctures of the times. The Danes, employed in other enterprises, attempted not those incursions which had been so troublesome to all his predecessors, and fatal to some of them. The facility of his disposition made him acquiesce under the government of Godwin and his son Harold; and the abilities, as well as the power, of these noblemen enabled them, while they were intrusted with authority, to preserve domestic peace and tranquillity. The most commendable circumstance of Edward's government, was his attention to the administration of justice, and his compiling, for that purpose, a body of laws, which he collected from the laws of Ethelbert, Ina, and Alfred. This compilation, though now lost, (for the laws that pass under Edward's name were composed afterwards,<sup>c</sup>) was long the object of affection to the English nation.

Edward the Confessor was the first that touched for the king's evil: the opinion of his sanctity procured belief to this cure among the people: his successors regarded it as a part of their state and grandeur to uphold the same opinion. It has been continued down to our time; and the practice was first dropped by the present royal family, who observed, That it could no longer give amazement even to the populace, and was attended with ridicule in the eyes of all men of understanding.

### HAROLD.

A. D. 1066. **HAROLD** had so well prepared matters before the death of Edward, that he immediately stepped into the vacant throne; and his accession was attended with as little opposition and disturbance, as if he had succeeded by the most undoubted hereditary title. The citizens of London were his zealous partisans: the bishops and clergy had adopted his cause; and all the powerful nobility, connected with him by alliance or friendship, willingly seconded his pretensions. The title of Edgar Atheling was scarcely mentioned; much less

the claim of the Duke of Normandy: and Harold, assembling his partisans, received the crown from their hands, without waiting for the free deliberation of the states, or regularly submitting the question to their determination.<sup>d</sup> If any were averse to this measure, they were obliged to conceal their sentiments; and the new prince, taking a general silence for consent, and founding his title on the supposed suffrages of the people, which appeared unanimous, was, on the day immediately succeeding Edward's death, crowned and anointed king, by Aldred, Archbishop of York. The whole nation seemed joyfully to acquiesce in his elevation.

The first symptoms of danger which the king discovered came from abroad, and from his own brother Tosti, who had submitted to a voluntary banishment in Flanders. Enraged at the successful ambition of Harold, to which he himself had fallen a victim, he filled the court of Baldwin with complaints of the injustice which he had suffered: he engaged the interest of that family against his brother: he endeavoured to form intrigues with some of the discontented nobles in England: he sent his emissaries to Norway, in order to rouse to arms the freebooters of that kingdom, and to excite their hopes of reaping advantage from the unsettled state of affairs on the usurpation of the new king: and that he might render the combination more formidable, he made a journey to Normandy; in expectation that the duke, who had married Matilda, another daughter of Baldwin, would, in revenge of his own wrongs, as well as those of Tosti, second, by his counsels and forces, the projected invasion of England.<sup>e</sup>

The Duke of Normandy, when he first received intelligence of Harold's intrigues and accession, had been moved to the highest pitch of indignation; but that he might give the better colour to his pretensions, he sent an embassy to England, upbraiding that prince with his breach of faith, and summoning him to resign immediately possession of the kingdom. Harold replied to the Norman ambassadors, That the oath, with which he was reproached, had been extorted by the well-grounded fear of violence, and could never, for that reason, be regarded as obligatory: that he had had no commission, either from the late king, or the states of England, who alone could dispose of the crown, to make any tender of the succession to the Duke of Normandy; and if he, a private person, had assumed so much authority, and had even voluntarily sworn to support the duke's pretensions, the oath was unlawful, and it was his duty to seize the first opportunity of breaking it: that he had obtained the crown by the unanimous suffrages of the people; and should prove himself totally unworthy of their favour, did he not strenuously maintain those national liberties, with whose protection they had intrusted him: and that the duke, if he made any attempt by force of arms, should experience the power of a united nation conducted by a prince, who, sensible of the obligations imposed on him by his royal dignity, was determined that the same moment should put a period to his life and to his government.<sup>f</sup>

This answer was no other than William expected; and he had previously fixed his resolution of making an attempt upon England. Consulting only his courage, his resentment, and his ambition, he overlooked all the difficulties inseparable from an attack on a great kingdom by such inferior force, and he saw only the circumstances which would facilitate his enterprise. He considered that

<sup>b</sup> The whole story of the transactions between Edward, Harold, and the Duke of Normandy, is told so differently by the ancient writers, that there are few important passages of the English history liable to so great uncertainty. I have followed the account which appeared to me the most consistent and probable. It does not seem likely, that Edward ever executed a will in the duke's favour, much less that he should ratify by the states of the kingdom, as is affirmed by some, The will would have been known to all, and would have been produced by the Conqueror, to whom it gave so plausible, and really so just a title; but the doubtful and ambiguous manner in which he seems always to have managed it, proves that he could only plead the known intentions of that monarch in his favour, which he was desirous to call a will. There is indeed a charter of the Conqueror preserved by Dr. Hicken, vol. i., where he calls himself *rex hereditarius*, assuming heir by will, but a prince possessed of so much power, and attended with so much success, may employ what pretence he pleases. It is sufficient to refute his pretences, to observe, that there is a great difference and variation among historians, with regard to a point which, had it been real, must have been agreed upon by all of them. <sup>c</sup> Aznam, some historians, particularly Malmesbury and Matthew of Westminster, affirm that Harold had no intention of going over to Normandy, but of taking the air in a pleasant location on the coast, he was driven over, by the great scarcity, to the territories of Guy, Count of Ponthieu. But

besides that this story is not probable in itself, and is contradicted by most of the ancient historians, it is contradicted by a very curious and authentic monument lately discovered. It is a tapestry, preserved in the ducal palace of Rouen, and supposed to have been wrought by orders of Matilda, wife to the emperor: at least it is of very great antiquity. Harold is there represented as taking his departure from King Edward in execution of some commission, and mounting his vessel with a great train. The design of redeeming his brother and nephew who were hostages, is the most likely cause that can be assigned; and is accordingly mentioned by Eadmer, Hoveden, Brompton, and Simon of Durham. For a further account of this piece of tapestry, see *Histoire de l'Académie de Littérature*, tom. ix. page 555.

<sup>d</sup> See *Specimen in verbo bellum*.  
<sup>e</sup> G. Piet, p. 196. Ypod. Neust. p. 436. Order. Vitalis, p. 492. M. West, p. 221. W. Malm. p. 93. Gulph. p. 68. Prompton, p. 257. Knvinton, p. 2349. H. Hunt, p. 240. Many of the historians say, that Harold was regularly elected by the states: some, that Edward left him his success to his will.  
<sup>f</sup> Order. Vitalis, p. 492.  
<sup>g</sup> W. Malm. p. 93. Hoveden, p. 285. Matth. West, p. 222. De Gest. Angl. in octavo auctore, p. 331.

England, ever since the accession of Canute, had enjoyed profound tranquillity, during a period of near fifty years; and it would require time for its soldiers, nurtured by long peace, to learn discipline, and its generals experience. He knew that it was entirely unprovided with fortified towns, by which it could prolong the war; but must venture its whole fortune in one decisive action against a veteran enemy, who, being once master of the field, would be in a condition to overrun the kingdom. He saw that Harold, though he had given proofs of vigour and bravery, had newly mounted a throne, which he had acquired by faction, from which he had excluded a very ancient royal family, and which was likely to totter under him by its own instability, much more if shaken by any violent external impulse. And he hoped, that the very circumstance of his crossing the sea, quitting his own country, and leaving himself no hopes of retreat; as it would astonish the enemy by the boldness of the enterprise, would inspire his soldiers by despair, and rouse them to sustain the reputation of the Norman arms.

The Normans, as they had long been distinguished by valour among all the European nations, had at this time attained to the highest pitch of military glory. Besides acquiring by arms such a noble territory in France, besides defending it against continual attempts of the French monarch and all its neighbours, besides exerting many acts of vigour under their present sovereign; they had, about this very time, revived their ancient fame, by the most hazardous exploits, and the most wonderful successes in the other extremity of Europe. A few Norman adventurers in Italy had acquired such an ascendancy, not only over the Italians and Greeks, but the Germans and Saracens, that they expelled those foreigners, procured to themselves ample establishments, and laid the foundation of the opulent kingdom of Naples and Sicily.<sup>g</sup> These enterprises of men, who were all of them vassals in Normandy, many of them banished for faction and rebellion, excited the ambition of the haughty William; who disdained, after such examples of fortune and valour, to be deterred from making an attack on a neighbouring country, where he could be supported by the whole force of his principality.

The situation also of Europe inspired William with hopes, that, besides his brave Normans, he might employ against England the flower of the military force which was dispersed in all the neighbouring states. France, Germany, and the Low Countries, by the progress of the feudal institutions, were divided and subdivided into many principalities and baronies; and the possessors, enjoying the civil jurisdiction within themselves, as well as the right of arms, acted, in many respects, as independent sovereigns, and maintained their properties and privileges, less by the authority of laws than by their own force and valour. A military spirit had universally diffused itself throughout Europe; and the several leaders, whose minds were elevated by their princely situation, greedily embraced the most hazardous enterprises; and being accustomed to nothing from their infancy but recitals of the success attending wars and battles, they were prompted by a natural ambition to imitate those adventures which they heard so much celebrated, and which were so much exaggerated by the credulity of the age. United, however loosely, by their duty to one superior lord, and by their connexions with the great body of the community to which they belonged, they desired to spread their fame each beyond his own district; and in all assemblies, whether instituted for civil deliberations, for military expeditions, or merely for show and entertainment, to outshine each other by the reputation of strength and prowess. Hence their genius for chivalry; hence their impatience of peace and tranquillity; and hence their readiness to embark in any dangerous enterprise, how little soever interested in its failure or success.

William, by his power, his courage, and his abilities, had long maintained a pre-eminence among those haughty chieftains; and every one who desired to signalize himself by his address in military exercises, or his valour in action, had been ambitious of acquiring a reputation in

the court and in the armies of Normandy. Entertained with that hospitality and courtesy which distinguished the age, they had formed attachments with the prince, and greedily attended to the prospects of the signal glory and elevation which he promised them in return for their concurrence in an expedition against England. The more grandeur there appeared in the attempt, the more it suited their romantic spirit: the fame of the intended invasion was already diffused every where; multitudes crowded to tender to the duke their service, with that of their vassals and retainers;<sup>h</sup> and William found less difficulty in completing his levies, than in choosing the most veteran forces, and in rejecting the offers of those who were impatient to acquire fame under so renowned a leader.

Besides these advantages, which William owed to his personal valour and good conduct; he was indebted to fortune for procuring him some assistance, and also for removing many obstacles which it was natural for him to expect in an undertaking, in which all his neighbours were so deeply interested. Conan, Count of Brittany, was his mortal enemy: in order to throw a damp upon the duke's enterprise, he chose this conjuncture for reviving his claim to Normandy itself; and he required that, in case of William's success against England, the possession of that duchy should devolve to him.<sup>i</sup> But Conan died suddenly after making this demand; and Hoel, his successor, instead of adopting the malignity, or, more properly speaking, the prudence of his predecessor, zealously seconded the duke's views, and sent his eldest son, Alain Fergant, to serve under him with a body of five thousand Bretons. The Counts of Anjou and of Flanders encouraged their subjects to engage in the expedition; and even the court of France, though it might justly fear the aggrandizement of so dangerous a vassal, pursued not its interests on this occasion with sufficient vigour and resolution. Philip I., the reigning monarch, was a minor; and William, having communicated his project to the council, having desired assistance, and offered to do homage, in case of his success, for the crown of England, was indeed openly ordered to lay aside all thoughts of the enterprise; but the Earl of Flanders, his father-in-law, being at the head of the regency, favoured under-hand his levies, and secretly encouraged the adventurous nobility to enlist under the standard of the Duke of Normandy.

The Emperor Henry IV., besides openly giving all his vassals permission to embark in this expedition, which so much engaged the attention of Europe, promised his protection to the duchy of Normandy during the absence of the prince, and thereby enabled him to employ his whole force in the invasion of England.<sup>k</sup> But the most important ally whom William gained by his negotiations was the Pope, who had a mighty influence over the ancient barons, no less devout in their religious principles, than valorous in their military enterprises. The Roman pontiff, after an insensible progress, during several ages of darkness and ignorance, began now to lift his head openly above all the princes of Europe; to assume the office of a mediator, or even an arbiter, in the quarrels of the greatest monarchs; to interpose in all secular affairs; and to obtrude his dictates as sovereign laws on his obsequious disciples. It was a sufficient motive to Alexander II., the reigning Pope, for embracing William's quarrel, that he alone had made an appeal to his tribunal, and rendered him umpire of the dispute between him and Harold; but there were other advantages which that pontiff foresaw must result from the conquest of England by the Norman arms. That kingdom, though at first converted by Romish missionaries, though it had afterwards advanced some further steps towards subjection to Rome, maintained still a considerable independence in its ecclesiastical administration; and forming a world within itself, entirely separated from the rest of Europe, it had hitherto proved inaccessible to those exorbitant claims which supported the grandeur of the papacy. Alexander therefore hoped, that the French and Norman barons, if successful in their enterprise, might import into that country a more devoted reverence to the holy see, and bring the English churches to a nearer conformity with those of the continent. He

<sup>g</sup> Gul. Gemet. lib. 7. cap. 30.<sup>h</sup> Gul. Pictaveins. p. 198.<sup>i</sup> Gul. Gemet. lib. 7. cap. 33.<sup>k</sup> Gul. Pict. p. 198.



declared immediately in favour of William's claim; pronounced Harold a perjured usurper; denounced excommunication against him and his adherents; and the more to encourage the Duke of Normandy in his enterprise, he sent him a consecrated banner, and a ring with one of St. Peter's hairs in it.<sup>1</sup> Thus were all the ambition and violence of that invasion covered over safely with the broad mantle of religion.

The greatest difficulty which William had to encounter in his preparations, arose from his own subjects in Normandy. The states of the duchy were assembled at Lislebonne; and supplies being demanded for the intended enterprise, which promised so much glory and advantage to their country, there appeared a reluctance in many members, both to grant sums so much beyond the common measure of taxes in that age, and to set a precedent of performing their military service at a distance from their own country. The duke, finding it dangerous to solicit them in a body, conferred separately with the richest individuals in the province; and beginning with those on whose affections he most relied, he gradually engaged all of them to advance the sums demanded. The Count of Longueville seconded him in this negotiation; as did the Count of Mortaigne, Odo, Bishop of Baieux, and especially William Fitz-Ozborne, Count of Breteuil, and constable of the duchy. Every person, when he himself was once engaged, endeavoured to bring over others; and at last the states themselves, after stipulating that this concession should be no precedent, voted that they would assist their prince to the utmost in his intended enterprise.<sup>2</sup>

William had now assembled a fleet of 3000 vessels, great and small,<sup>3</sup> and had selected an army of 60,000 men from among those numerous supplies which from every quarter solicited to be received into his service. The camp bore a splendid yet a martial appearance, from the discipline of the men, the beauty and vigour of the horses, the lustre of the arms, and the accoutrements of both; but above all, from the high names of nobility who engaged under the banners of the Duke of Normandy. The most celebrated were, Eustace, Count of Boulogne, Aimeri de Thouars, Hugh d'Estaples, William d'Erveux, Geoffrey de Rotrou, Roger de Beaumont, William de Warenne, Roger de Montgomery, Hugh de Grantmesnil, Charles Martel, and Geoffrey Giffard.<sup>4</sup> To these bold chieftains William held up the spoils of England as the prize of their valour; and pointing to the opposite shore, called to them, that *there* was the field on which they must erect trophies to their name, and fix their establishments.

While he was making these mighty preparations, the duke, that he might increase the number of Harold's enemies, excited the inveterate rancour of Tosti, and encouraged him, in concert with Harold Halfag, King of Norway, to infest the coasts of England. Tosti, having collected about sixty vessels in the ports of Flanders, put to sea; and after committing some depredations on the south and east coasts, he sailed to Northumberland, and was there joined by Halfag, who came over with a great armament of three hundred sail. The combined fleets entered the Humber, and disembarked the troops, who began to extend their depredations on all sides; when Morcar, Earl of Northumberland, and Edwin, Earl of Mercia, the king's brother-in-law, having hastily collected some forces, ventured to give them battle. The action ended in the defeat and flight of these two noblemen.

Harold, informed of this defeat, hastened with an army to the protection of his people; and expressed the utmost ardour to show himself worthy of the crown which had been conferred upon him. This prince, though he was not sensible of the full extent of his danger, from the great combination against him, had employed every art of popularity to acquire the affections of the public; and he gave so many proofs of an equitable and prudent administration, that the English found no reason to repent the choice which they had made of a sovereign. They flocked from all quarters to join his standard; and as soon as he reached the enemy at Standford, he found himself in a

condition to give them battle. The action was bloody; but the victory was decisive on Sept. 25. the side of Harold, and ended in the total rout of the Norwegians, together with the death of Tosti and Halfag. Even the Norwegian fleet fell into the hands of Harold; who had the generosity to give Prince Olave, the son of Halfag, his liberty, and allow him to depart with twenty vessels. But he had scarcely time to rejoice for this victory, when he received intelligence that the Duke of Normandy was landed with a great army in the south of England.

The Norman fleet and army had been assembled, early in the summer, at the mouth of the small river Dive, and all the troops had been instantly embarked; but the winds proved long contrary, and detained them in that harbour. The authority, however, of the duke, the good discipline maintained among the seamen and soldiers, and the great care in supplying them with provisions, had prevented any disorder; when at last the wind became favourable, and enabled them to sail along the coast, till they reached St. Valori. There were, however, several vessels lost in this short passage; and as the wind again proved contrary, the army began to imagine that Heaven had declared against them, and that, notwithstanding the Pope's benediction, they were destined to certain destruction. These bold warriors, who despised real dangers, were very subject to the dread of imaginary ones; and many of them began to mutiny, some of them even to desert their colours; when the duke, in order to support their drooping hopes, ordered a procession to be made with the reliques of St. Valori,<sup>5</sup> and prayers to be said for more favourable weather. The wind instantly changed; and as this incident happened on the eve of the feast of St. Michael, the tutelary saint of Normandy, the soldiers, fancying they saw the hand of Heaven in all these concurring circumstances, set out with the greatest alacrity: they met with no opposition on their passage; a great fleet, which Harold had assembled, and which had cruised all summer off the Isle of Wight, had been dismissed, on his receiving false intelligence that William, discouraged by contrary winds and other accidents, had laid aside his preparations. The Norman armament, proceeding in great order, arrived, without any material loss, at Pevensey, in Sussex; and the army quietly disembarked. The duke himself, as he leaped on shore, happened to stumble and fall; but had the presence of mind, it is said, to turn the omen to his advantage, by calling aloud that he had taken possession of the country. And a soldier running to a neighbouring cottage, plucked some thatch, which, as if giving him seisin of the kingdom, he presented to his general. The joy and alacrity of William and his whole army were so great, that they were nowise discouraged, even when they heard of Harold's great victory over the Norwegians: they seemed rather to wait with impatience the arrival of the enemy.

The victory of Harold, though great and honourable, had proved in the main prejudicial to his interests, and may be regarded as the immediate cause of his ruin. He lost many of his bravest officers and soldiers in the action; and he disgusted the rest by refusing to distribute the Norwegian spoils among them: a conduct which was little agreeable to his usual generosity of temper; but which his desire of sparing the people, in the war that impended over him from the Duke of Normandy, had probably occasioned. He hastened, by quick marches, to reach this new invader; but though he was reinforced at London and other places with fresh troops, he found himself also weakened by the desertion of his old soldiers, who, from fatigue and discontent, secretly withdrew from their colours. His brother Gurth, a man of bravery and conduct, began to entertain apprehensions of the event; and remonstrated with the king, that it would be better policy to prolong the war; at least, to spare his own person in the action. He urged to him, that the desperate situation of the Duke of Normandy made it requisite for that prince to bring matters to a speedy decision, and put his whole fortune on the issue of a battle; but that the

<sup>1</sup> Baker, p. 27, edit. 1684.  
<sup>2</sup> Camden, *Introduct. Britan.* p. 212; 2d edit. Gals. Verstegan, p. 173.  
<sup>3</sup> Goul. Gomet, lib. 7, cap. 34.

<sup>4</sup> Order. Vitalis, p. 501.  
<sup>5</sup> Huet, p. 265. Order. Vitalis, p. 500. Math. Paris, edit. Parisis anno 1644, p. 2.

King of England, in his own country, beloved by his subjects, provided with every supply, had more certain and less dangerous means of insuring to himself the victory: that the Norman troops, elated on the one hand with the highest hopes, and seeing, on the other, no resource in case of a discomfiture, would fight to the last extremity; and being the flower of all the warriors of the continent, must be regarded as formidable to the English: that if their first fire, which is always the most dangerous, were allowed to languish for want of action; if they were harassed with small skirmishes, straitened in provisions, and fatigued with the bad weather and deep roads during the winter season, which was approaching, they must fall an easy and a bloodless prey to their enemy: that if a general action were delayed, the English, sensible of the imminent danger to which their properties, as well as liberties, were exposed from those rapacious invaders, would hasten from all quarters to his assistance, and would render his army invincible: that at least, if he thought it necessary to hazard a battle, he ought not to expose his own person, but reserve, in case of disastrous accidents, some resource to the liberty and independence of the kingdom: and that having once been so unfortunate as to be constrained to swear, and that upon the holy reliques, to support the pretensions of the Duke of Normandy, it were better that the command of the army should be intrusted to another, who, not being bound by those sacred ties, might give the soldiers more assured hopes of a prosperous issue to the combat.

Harold was deaf to all these remonstrances: elated with his past prosperity, as well as stimulated by his native courage, he resolved to give battle in person; and for that purpose he drew near to the Normans, who had removed their camp and fleet to Hastings, where they fixed their quarters. He was so confident of success, that he sent a message to the duke, promising him a sum of money if he would depart the kingdom without effusion of blood: but his offer was rejected with disdain; and William, not to be behind with his enemy in vaunting, sent him a message by some monks, requiring him either to resign the kingdom, or to hold it of him in fealty, or to submit their cause to the arbitration of the Pope, or to fight him in single combat. Harold replied, that the God of battles would soon be the arbiter of all their differences.<sup>q</sup>

The English and Normans now prepared themselves for this important decision; but the aspect of things on the night before the battle was very different in the two camps. The English spent the time in riot, and jollity, and disorder; the Normans in silence, and in prayer, and in the other functions of their religion.<sup>r</sup> On the morning, the duke called together the most considerable of his commanders, and made them a speech suitable to the occasion. He represented to them, that the event which they and he had long wished for was approaching; the whole fortune of the war now depended on their swords, and would be decided in a single action: that never army had greater motives for exerting a vigorous courage, whether they considered the prize which would attend their victory, or the inevitable destruction which must ensue upon their discomfiture: that if their martial and veteran bands could once break those raw soldiers, who had rashly dared to approach them, they conquered a kingdom at one blow, and were justly entitled to all its possessions as the reward of their prosperous valour: that, on the contrary, if they remitted in the least their wonted prowess, an enraged enemy hung upon their rear, the sea met them in their retreat, and an ignominious death was the certain punishment of their imprudent cowardice: that by collecting so numerous and brave a host, he had insured every human means of conquest; and the commander of the enemy, by his criminal conduct, had given him just cause to hope for the favour of the Almighty, in whose hands alone lay the event of wars and battles: and that a perjured usurper, anathematized by the sovereign pontiff, and conscious of his own breach of faith, would be struck with terror on their appearance, and would prognosticate to himself that fate which

his multiplied crimes had so justly merited.<sup>s</sup> The duke next divided his army into three lines: the first, led by Montgomery, consisted of archers and light-armed infantry: the second, commanded by Martel, was composed of his bravest battalions, heavy armed, and ranged in close order: his cavalry, at whose head he placed himself, formed the third line; and were so disposed, that they stretched beyond the infantry, and flanked each wing of the army.<sup>t</sup> He ordered the signal of battle to be given; and the whole army, moving at once, and singing the hymn or song of Roland, the famous peer of Charlemagne,<sup>u</sup> advanced, in order and with alacrity, towards the enemy.

Harold had seized the advantage of a rising ground, and having likewise drawn some trenches to secure his flanks, he resolved to stand upon the defensive, and to avoid all action with the cavalry, in which he was inferior. The Kentish men were placed in the van; a post which they had always claimed as their due: the Londoners guarded the standard: and the king himself, accompanied by his two valiant brothers, Gurth and Leofwin, dismounting, placed himself at the head of his infantry, and expressed his resolution to conquer, or to perish in the action. The first attack of the Normans was desperate, but was received with equal valour by the English, and after a furious combat, which remained long undecided, the former, overcome by the difficulty of the ground, and hard pressed by the enemy, began first to relax their vigour, then to retreat; and confusion was spreading among the ranks, when William, who found himself on the brink of destruction, hastened with a select band to the relief of his dismayed forces. His presence restored the action; the English were obliged to retire with loss; and the duke, ordering his second line to advance, renewed the attack with fresh forces, and with redoubled courage. Finding that the enemy, aided by the advantage of ground, and animated by the example of their prince, still made a vigorous resistance, he tried a stratagem, which was very delicate in its management, but which seemed advisable in his desperate situation, where, if he gained not a decisive victory, he was totally undone: he commanded his troops to make a hasty retreat, and to allure the enemy from their ground by the appearance of flight. The artifice succeeded against those unexperienced soldiers, who, heated by the action, and sanguine in their hopes, precipitately followed the Normans into the plain. William gave orders, that at once the infantry should face about upon their pursuers, and the cavalry make an assault upon their wings, and both of them pursue the advantage, which the surprise and terror of the enemy must give them in that critical and decisive moment. The English were repulsed with great slaughter, and driven back to the hill; where, being rallied by the bravery of Harold, they were able, notwithstanding their loss, to maintain the post, and continue the combat. The duke tried the same stratagem a second time with the same success; but even after this double advantage, he still found a great body of the English, who, maintaining themselves in firm array, seemed determined to dispute the victory to the last extremity. He ordered his heavy-armed infantry to make an assault upon them; while his archers, placed behind, should gall the enemy, who were exposed by the situation of the ground, and who were intent on defending themselves against the swords and spears of the assailants. By this disposition he at last prevailed: Harold was slain by an arrow, while he was combating with great bravery at the head of his men: his two brothers shared the same fate: and the English, discouraged by the fall of those princes, gave ground on all sides, and were pursued with great slaughter by the victorious Normans. A few troops, however, of the vanquished, had still the courage to turn upon their pursuers; and attacking them in deep and miry ground, obtained some revenge for the slaughter and dishonour of the day. But the appearance of the duke obliged them to seek their safety by flight; and darkness saved them from any further pursuit by the enemy.

Thus was gained by William, Duke of Normandy, the great and decisive victory of Hastings, after a battle which

<sup>q</sup> Hagen, p. 226.

<sup>r</sup> W. Malm. p. 161. De Gest. Angl. p. 372.

<sup>s</sup> H. Hunt. p. 368. Erompton, p. 299. Gul. Pict. p. 201.

<sup>t</sup> Gul. Pict. p. 201. Order. Vital. p. 501.

<sup>u</sup> W. Malm. p. 161. Hagen, p. 226. Math. West. p. 223. Du Cane's

Glossary, in verbo *Cantilena Rolandi*.

was fought from morning till sunset, and which seemed worthy, by the heroic valour displayed by both armies, and by both commanders, to decide the fate of a mighty kingdom. William had three horses killed under him; and there fell near fifteen thousand men on the side of the Normans: the loss was still more considerable on that of the vanquished; besides the death of the king and his two brothers. The dead body of Harold was brought to William, and was generously restored without ransom to his mother. The Norman army left not the field of battle without giving thanks to Heaven in the most solemn manner for their victory: and the prince, having refreshed his troops, prepared to push to the utmost his advantage against the divided, dismayed, and discomfited English.

## CHAP. IV.

### WILLIAM THE CONQUEROR.

Consequences of the battle of Hastings—Submission of the English—Settlement of the government—King's return to Normandy—Discontents of the English—Their insurrections—Rigours of the Norman government—New insurrections—New rigours of the government—Introduction of the Feudal Laws—Innovation in ecclesiastical government—Insurrection of the Norman barons—Dispute about investitures—Revolt of Prince Robert—Donchey book—The New Forest—War with France—Death—and character of William the Conqueror.

A. D. 1066.  
Consequences of the battle of Hastings.

Nothing could exceed the consternation which seized the English, when they received intelligence of the unfortunate battle of Hastings, the death of their king, the slaughter of their principal nobility and of their bravest warriors, and the rout and dispersion of the remainder. But though the loss which they had sustained in that fatal action was considerable, it might have been repaired by a great nation; where the people were generally armed, and where there resided so many powerful noblemen in every province, who could have assembled their retainers, and have obliged the Duke of Normandy to divide his army, and probably to waste it in a variety of actions and encounters. It was thus that the kingdom had formerly resisted, for many years, its invaders, and had been gradually subdued, by the continued efforts of the Romans, Saxons, and Danes; and equal difficulties might have been apprehended by William in this bold and hazardous enterprise. But there were several vices in the Anglo-Saxon constitution, which rendered it difficult for the English to defend their liberties in so critical an emergency. The people had in a great measure lost all national pride and spirit, by their recent and long subjection to the Danes; and as Canute had, in the course of his administration, much abated the rigours of conquest, and had governed them equitably by their own laws, they regarded with the less terror the ignominy of a foreign yoke, and deemed the inconveniences of submission less formidable than those of bloodshed, war, and resistance. Their attachment also to the ancient royal family had been much weakened by their habits of submission to the Danish princes, and by their late election of Harold, or their acquiescence in his usurpation. And as they had long been accustomed to regard Edgar Atheling, the only heir of the Saxon line, as unfit to govern them even in times of order and tranquillity; they could entertain small hopes of his being able to repair such great losses as they had sustained, or to withstand the victorious arms of the Duke of Normandy.

That they might not, however, be altogether wanting to themselves in this extreme necessity, the English took some steps towards adjusting their disjointed government, and uniting themselves against the common enemy. The two potent Earls, Edwin and Morcar, who had fled to London with the remains of the broken army, took the lead on this occasion: in concert with Stigand, Archbishop of Canterbury, a man possessed of great authority and of ample revenues, they proclaimed Edgar, and endeavoured to put the people in a posture of defence, and encouraged

them to resist the Normans.<sup>a</sup> But the terror of the late defeat, and the near neighbourhood of the invaders, increased the confusion inseparable from great revolutions; and every resolution proposed was hasty, fluctuating, tumultuary; disconcerted by fear or faction, ill planned, and worse executed.

William, that his enemies might have no leisure to recover from their consternation, or unite their counsels, immediately put himself in motion after his victory, and resolved to prosecute an enterprise which nothing but celerity and vigour could render finally successful. His first attempt was against Romney, whose inhabitants he severely punished, on account of their cruel treatment of some Norman seamen and soldiers, who had been carried thither by stress of weather, or by a mistake in their course;<sup>b</sup> and foreseeing that his conquest of England might still be attended with many difficulties and with much opposition, he deemed it necessary, before he should advance further into the country, to make himself master of Dover, which would both secure him a retreat in case of adverse fortune, and afford him a safe landing-place for such supplies as might be requisite for pushing his advantages. The terror diffused by his victory at Hastings was so great, that the garrison of Dover, though numerous and well-provided, immediately capitulated; and as the Normans, rushing in to take possession of the town, hastily set fire to some of the houses, William, desirous to conciliate the minds of the English by an appearance of lenity and justice, made compensation to the inhabitants for their losses.<sup>c</sup>

The Norman army, being much distressed with a dysentery, was obliged to remain here eight days, but the duke, on their recovery, advanced with quick marches towards London, and by his approach increased the confusions which were already so prevalent in the English councils. The ecclesiastics in particular, whose influence was great over the people, began to declare in his favour; and as most of the bishops and dignified clergymen were even then Frenchmen or Normans, the Pope's bull, by which his enterprise was avowed and hallowed, was now openly insisted on as a reason for general submission. The superior learning of those prelates, which, during the Confessor's reign, had raised them above the ignorant Saxons, made their opinions be received with implicit faith; and a young prince, like Edgar, whose capacity was deemed so mean, was but ill qualified to resist the impression which they made on the minds of the people. A repulse which a body of Londoners received from five hundred Norman horse, renewed in the city the terror of the great defeat at Hastings; the easy submission of all the inhabitants of Kent was an additional discouragement to them; the burning of Southwark before their eyes, made them dread a like fate to their own city; and no man any longer entertained thoughts but of immediate safety and of self-preservation. Even the Earls Edwin and Morcar, in despair of making effectual resistance, retired with their troops to their own provinces; and the people thenceforth disposed themselves unanimously to yield to the victor. As soon Submission of as he passed the Thames at Wallingford, the English, and reached Berkhamstead, Stigand, the primate, made submissions to him: Before he came within sight of the city, all the chief nobility, and Edgar Atheling himself, the new-elected king, came into his camp, and declared their intention of yielding to his authority.<sup>d</sup> They requested him to mount their throne, which they now considered as vacant; and declared to him, that as they had always been ruled by regal power, they desired to follow, in this particular, the example of their ancestors, and knew of no one more worthy than himself to hold the reins of government.<sup>e</sup>

Though this was the great object to which the duke's enterprise tended, he feigned to deliberate on the offer; and being desirous at first of preserving the appearance of a legal administration, he wished to obtain a more explicit and formal consent of the English nation.<sup>f</sup> But Aimar of Aquitaine, a man equally respected for valour in the field and for prudence in council, remonstrating with him on the danger of delay in so critical a conjuncture, he laid

<sup>a</sup> Gul. Pictav. p. 205. Order. Vitalis, p. 592. Hoveden, p. 419. Evelyn, p. 2443.  
<sup>b</sup> Gul. Pictav. p. 204.

c Ibid.

d Hoveden, p. 450. Flor. Wigorn. p. 634.  
<sup>e</sup> Gul. Pict. p. 205. Ord. Vital. p. 503.  
<sup>f</sup> Gul. Pictav. p. 205.



aside all further scruples, and accepted of the crown which was tendered him. Orders were immediately issued to prepare every thing for the ceremony of his coronation; but as he was yet afraid to place entire confidence in the Londoners, who were numerous and warlike, he meanwhile commanded fortresses to be erected, in order to curb the inhabitants, and to secure his person and government.<sup>g</sup>

Stigand was not much in the duke's favour, both because he had intruded into the see on the expulsion of Robert the Norman, and because he possessed such influence and authority over the English,<sup>h</sup> as might be dangerous to a new-established monarch. William, therefore, pretending that the primate had obtained his pall in an irregular manner from Pope Benedict IX. who was himself an usurper, refused to be consecrated by him, and conferred this honour on Aldred, Archbishop of York. Westminster Abbey was the place appointed for that magnificent ceremony; the most considerable of the nobility, both English and

Dec. 26.

Norman, attended the duke on this occasion: Aldred, in a short speech, asked the former whether they agreed to accept of William as their king; the Bishop of Coutance put the same question to the latter; and both being answered with acclamations,<sup>i</sup> Aldred administered to the duke the usual coronation oath, by which he bound himself to protect the church, to administer justice, and to repress violence: he then anointed him, and put the crown upon his head.<sup>k</sup> There appeared nothing but joy in the countenance of the spectators: but in that very moment there burst forth the strongest symptoms of the jealousy and animosity which prevailed between the nations, and which continually increased during the reign of this prince. The Norman soldiers, who were placed without, in order to guard the church, hearing the shouts within, fancied that the English were offering violence to their duke; and they immediately assaulted the populace, and set fire to the neighbouring houses. The alarm was conveyed to the nobility who surrounded the prince; both English and Normans, full of apprehensions, rushed out to secure themselves from the present danger; and it was with difficulty that William himself was able to appease the tumult.<sup>l</sup>

A. D. 1067.

The king, thus possessed of the throne by Settlement of the a pretended destination of King Edward, government, and by an irregular election of the people, but still more by force of arms, retired from London to Berking, in Essex; and there received the submissions of all the nobility who had not attended his coronation. Edric, surnamed the Forester, grand-nephew to that Edric so noted for his repeated acts of perfidy during the reigns of Ethelred and Edmond; Earl Coxo, a man famous for bravery; even Edwin and Morcar, Earls of Mercia and Northumberland; with the other principal noblemen of England, came and swore fealty to him; were received into favour, and were confirmed in the possession of their estates and dignities.<sup>m</sup> Every thing bore the appearance of peace and tranquillity; and William had no other occupation than to give contentment to the foreigners who had assisted him to mount the throne, and to his new subjects, who had so readily submitted to him.

He had got possession of the treasure of Harold, which was considerable; and being also supplied with rich presents from the opulent men in all parts of England, who were solicitous to gain the favour of their new sovereign, he distributed great sums among his troops, and by this liberality gave them hopes of obtaining at length those more durable establishments which they had expected from his enterprise.<sup>n</sup> The ecclesiastics, both at home and abroad, had much forwarded his success, and he failed not, in return, to express his gratitude and devotion in the manner which was most acceptable to them: he sent Harold's standard to the pope, accompanied with many valuable presents: all the considerable monasteries and churches in France, where prayers had been put up for his success, now tasted of his bounty:<sup>o</sup> the English monks found him well disposed to favour their order: and he

built a new convent near Hastings, which he called *Battle Abbey*, and which, on pretence of supporting monks to pray for his own soul, and for that of Harold, served as a lasting memorial of his victory.<sup>p</sup>

He introduced into England that strict execution of justice for which his administration had been much celebrated in Normandy; and even during this violent revolution, every disorder or oppression met with rigorous punishment.<sup>q</sup> His army, in particular, was governed with severe discipline; and notwithstanding the insolence of victory, care was taken to give as little offence as possible to the jealousy of the vanquished. The king appeared solicitous to unite, in an amicable manner, the Normans and the English, by intermarriages and alliances; and all his new subjects who approached his person were received with affability and regard. No signs of suspicion appeared, not even towards Edgar Atheling, the heir of the ancient royal family, whom William confirmed in the honours of Earl of Oxford, conferred on him by Harold, and whom he affected to treat with the highest kindness, as nephew to the Confessor, his great friend and benefactor. Though he confiscated the estates of Harold, and of those who had fought in the battle of Hastings on the side of that prince, whom he represented as an usurper, he seemed willing to admit of every plausible excuse for past opposition to his pretensions, and he received many into favour who had carried arms against him. He confirmed the liberties and immunities of London and the other cities of England; and appeared desirous of replacing every thing on ancient establishments. In his whole administration he bore the semblance of the lawful prince, not of the Conqueror; and the English began to flatter themselves that they had changed, not the form of their government, but the succession only of their sovereigns, a matter which gave them small concern. The better to reconcile his new subjects to his authority, William made a progress through some parts of England; and besides a splendid court and majestic presence, which overawed the people, already struck with his military fame, the appearance of his clemency and justice gained the approbation of the wise, attentive to the first steps of their new sovereign.

But amidst this confidence and friendship which he expressed for the English, the king took care to place all real power in the hands of his Normans, and still to keep possession of the sword, to which he was sensible he had owed his advancement to sovereign authority. He disarmed the city of London and other places, which appeared most warlike and populous; and building citadels in that capital, as well as in Winchester, Hereford, and the cities best situated for commanding the kingdom, he quartered Norman soldiers in all of them, and left no where any power able to resist or oppose him. He bestowed the forfeited estates on the most eminent of his captains, and established funds for the payment of his soldiers. And thus, while his civil administration carried the face of a legal magistrate, his military institutions were those of a master and tyrant; at least of one who reserved to himself, whenever he pleased, the power of assuming that character.

By this mixture, however, of vigour and lenity, he had so soothed the minds of the English, that he thought he might safely revisit his native country, and enjoy the triumph and congratulation of his ancient subjects. He left the administration in the hands of his uterine brother, Odo, Bishop of Baieux, and of William Fitz-Osborne. That their authority might be exposed to less danger, he carried over with him all the most considerable nobility of England, who while they served to grace his court by their presence and magnificent retinues, were in reality hostages for the fidelity of the nation. Among these were Edgar Atheling, Stigand the primate, the Earls Edwin and Morcar, Walteof, the son of the brave Earl Siward, with others eminent for the greatness of their fortunes and families, or for their ecclesiastical and civil dignities. He

<sup>g</sup> Gul. Pietat. p. 205.<sup>h</sup> Eadmer. p. 6.<sup>i</sup> Order. Vital. p. 543.<sup>k</sup> Malmsbury, p. 271, says, that he also promised to govern the Normans and English by equal laws; and this addition to the usual oath seems not improbable, considering the circumstances of the times.<sup>l</sup> Gul. Piet. p. 206. Order. Vitalis. p. 505.<sup>m</sup> Gul. Piet. p. 206. Order. Vitalis. p. 506.<sup>n</sup> Gul. Piet. p. 206.<sup>o</sup> Ibid. p. Gul. Genet. p. 238. Chron. Sax. p. 189. M. Sax. p. 226. M. Paris, p. 9. Ducto. p. 482. This convent was freed by him from all episcopal jurisdiction. Monast. Ang. tom. 1. p. 91, 312.<sup>q</sup> Gul. Piet. p. 208. Order. Vital. p. 506.

was visited at the abbey of Fescamp, where he resided during some time, by Rodolph, uncle to the King of France, and by many powerful princes and nobles, who, having contributed to his enterprise, were desirous of participating in the joy and advantages of its success. His English courtiers, willing to ingratiate themselves with their new sovereign, outvied each other in equipages and entertainments; and made a display of riches which struck the foreigners with astonishment. William of Poitiers, a Norman historian,\* who was present, speaks with admiration of the beauty of their persons, the size and workmanship of their silver plate, the costliness of their embroideries, an art in which the English then excelled; and he expresses himself in such terms as tend much to exalt our idea of the opulence and cultivation of the people.<sup>b</sup> But though every thing bore the face of joy and festivity, and William himself treated his new courtiers with great appearance of kindness, it was impossible altogether to prevent the insolence of the Normans; and the English nobles derived little satisfaction from those entertainments, where they considered themselves as led in triumph by their ostentatious conqueror.

In England affairs took still a worse turn during the absence of the sovereign. Discontents and complaints multiplied every where; secret conspiracies were entered into against the government; hostilities were already begun in many places; and every thing seemed to menace a revolution, as rapid as that which had placed William on the throne. The historian above mentioned, who is a panegyrist of his master, throws the blame entirely on the fickle and mutinous disposition of the English, and highly celebrates the justice and lenity of Odo's and Fitz-Osborne's administration.<sup>c</sup> But other historians, with more probability, impute the cause chiefly to the Normans, who, despising a people that had so easily submitted to the yoke, envying their riches, and grudging the restraints imposed upon their own rapine, were desirous of provoking them to a rebellion, by which they expected to acquire new confiscations and forfeitures, and to gratify those unbounded hopes which they had formed in entering on this enterprise.<sup>d</sup>

It is evident that the chief reason of this alteration in the sentiments of the English, must be ascribed to the departure of William, who was alone able to curb the violence of his captains, and to overawe the mutinies of the people. Nothing indeed appears more strange than that this prince, in less than three months after the conquest of a great, warlike, and turbulent nation, should absent himself, in order to revisit his own country, which remained in profound tranquillity, and was not menaced by any of its neighbours; and should so long leave his jealous subjects at the mercy of an insolent and licentious army. Were we not assured of the solidity of his genius, and the good sense displayed in all other circumstances of his conduct, we might ascribe this measure to a vain ostentation, which rendered him impatient to display his pomp and magnificence among his ancient subjects. It is therefore more natural to believe, that in so extraordinary a step he was guided by a concealed policy; and that, though he had thought proper at first to allure the people to submission by the semblance of a legal administration, he found that he could neither satisfy his rapacious captains, nor secure his unstable government, without further exerting the rights of conquest, and seizing the possessions of the English. In order to give a pretext for this violence, he endeavoured, without discovering his intentions, to provoke and allure them into insurrections, which, he thought, could never prove dangerous, while he detained all the principal nobility in Normandy, while a great and victorious army was quartered in England, and while he himself was so near to suppress any tumult or rebellion. But as no ancient writer has ascribed this tyrannical purpose to William, it scarcely seems allowable, from conjecture alone, to throw such an imputation upon him.

But whether we are to account for that Their insurrec-  
measure from the king's vanity or from his tions.  
policy, it was the immediate cause of all the calamities which the English endured during this and the subsequent reigns, and gave rise to those mutual jealousies and animosities between them and the Normans, which were never appeased till a long tract of time had gradually united the two nations, and made them one people. The inhabitants of Kent, who had first submitted to the conqueror, were the first that attempted to throw off the yoke; and in confederacy with Eustace, Count of Bologne, who had also been disgusted by the Normans, they made an attempt, though without success, on the garrison of Dover.<sup>e</sup> Edric the Forester, whose possessions lay on the banks of the Severn, being provoked at the depredations of some Norman captains in his neighbourhood, formed an alliance with Blethyn and Rowallan, two Welch princes; and endeavoured, with their assistance, to repel force by force.<sup>f</sup> But though these open hostilities were not very considerable, the disaffection was general among the English, who had become sensible, though too late, of their defenceless condition, and began already to experience those insults and injuries which a nation must always expect, that allows itself to be reduced to that abject situation. A secret conspiracy was entered into to perpetrate in one day a general massacre of the Normans, like that which had formerly been executed upon the Danes; and the quarrel was become so general and national, that the vassals of Earl Coxo, having desired him to head them in an insurrection, and finding him resolute in maintaining his fidelity to William, put him to death as a traitor to his country.

The king, informed of these dangerous Dec. 6.  
discontents, hastened over to England; and by his presence, and the vigorous measures which he pursued, disconcerted all the schemes of the conspirators. Such of them as had been more violent in their mutiny, betrayed their guilt by flying or concealing themselves; and the confiscation of their estates, while it increased the number of malcontents, both enabled William to gratify further the rapacity of his Norman captains, and gave them the prospect of new forfeitures and attainders. The king began to regard all his English subjects as inveterate and irreclaimable enemies; and thenceforth either embraced, or was more fully confirmed in the resolution of seizing their possessions, and of reducing them to the most abject slavery. Though the natural violence and severity of his temper made him incapable of feeling any remorse in the execution of this tyrannical purpose, he had art enough to conceal his intention, and to preserve still some appearance of justice in his oppressions. He ordered all the English, who had been arbitrarily expelled by the Normans during his absence, to be restored to their estates.<sup>g</sup> But at the same time he imposed a general tax on the people, that of Danegeld, which had been abolished by the Confessor, and which had always been extremely odious to the nation.<sup>h</sup>

As the vigilance of William overawed the A. D. 1068.  
malcontents, their insurrections were more  
the result of an impatient humour in the people, than of any regular conspiracy, which could give them a rational hope of success against the established power of the Normans. The inhabitants of Exeter, instigated by Githa, mother to King Harold, refused to admit a Norman garrison, and betaking themselves to arms, were strengthened by the accession of the neighbouring inhabitants of Devonshire and Cornwall.<sup>i</sup> The king hastened with his forces to chastise this revolt; and on his approach the wiser and more considerable citizens, sensible of the unequal contest, persuaded the people to submit, and to deliver hostages for their obedience. A sudden mutiny of the populace broke this agreement; and William, appearing before the walls, ordered the eyes of one of the hostages to be put out, as an earnest of that severity which

\* P. 211, 212.

<sup>b</sup> As the historian chiefly insists on the silver plate, his panegyric on the English insensitively shows only how misrepresents a superficial view of the matter. See, as was then of ten times the value, and was more than twenty times more rare than at present, and consequently, of all species of luxury there must have been the rarest.

<sup>c</sup> P. 222.

<sup>d</sup> Order. Vital. p. 57.

<sup>e</sup> Gul. Gemet. p. 289. Order. Vital. p. 508. Anglia Sacra, vol. i. p. 245.

<sup>f</sup> Hoveden. p. 436. M. West. p. 226. Sim. Dunelm. p. 127.

<sup>g</sup> Order. Vital. p. 174. This fact is a full proof that the Normans had committed great injustice, and were the real cause of the insurrections of the English.

<sup>h</sup> Hoveden. p. 450. Sim. Dunelm. p. 127. Alor. Bevert. p. 127.

<sup>i</sup> Order. Vital. p. 510.

the rebels must expect if they persevered in their revolt.<sup>b</sup> The inhabitants were anew seized with terror, and surrendering at discretion, threw themselves at the king's feet, and supplicated his clemency and forgiveness. William was not destitute of generosity, when his temper was not hardened either by policy or passion: he was prevailed on to pardon the rebels, and he set guards on all the gates, in order to prevent the rapacity and insolence of his soldiery.<sup>c</sup> Githa escaped with her treasures to Flanders. The malcontents of Cornwall imitated the example of Exeter, and met with like treatment: and the king having built a citadel in that city, which he put under the command of Baldwin, son of Earl Gilbert, returned to Winchester, and dispersed his army into their quarters. He was here joined by his wife Matilda, who had not before visited England, and whom he now ordered to be crowned by Archbishop Aldred. Soon after she brought him an accession to his family by the birth of a fourth son, whom he named Henry. His three elder sons, Robert, Richard, and William, still resided in Normandy.

But though the king appeared thus fortunate, both in public and domestic life, the discontents of his English subjects augmented daily; and the injuries committed and suffered on both sides, rendered the quarrel between them and the Normans absolutely incurable. The insolence of victorious masters, dispersed throughout the kingdom, seemed intolerable to the natives; and wherever they found the Normans, separate or assembled in small bodies, they secretly set upon them, and gratified their vengeance by the slaughter of their enemies. But an insurrection in the north drew thither the general attention, and seemed to threaten more important consequences. Edwin and Morcar appeared at the head of this rebellion; and these potent noblemen, before they took arms, stipulated for foreign succours from their nephew Blethyn, Prince of North Wales, from Malcolm, King of Scotland, and from Sweyn, King of Denmark. Besides the general discontent which had seized the English, the two earls were incited to this revolt by private injuries. William, in order to insure them to his interests, had, on his accession, promised his daughter in marriage to Edwin; but either he had never seriously intended to perform this engagement, or, having changed his plan of administration in England from clemency to rigour, he thought it was to little purpose, if he gained one family, while he enraged the whole nation. When Edwin, therefore, renewed his applications, he gave him an absolute denial;<sup>d</sup> and this disappointment, added to so many other reasons of disgust, induced that nobleman and his brother to concur with their incensed countrymen, and to make one general effort for the recovery of their ancient liberties. William knew the importance of celerity in quelling an insurrection, supported by such powerful leaders, and so agreeable to the wishes of the people; and having his troops always in readiness, he advanced by great journeys to the north. On his march he gave orders to fortify the castle of Warwick, of which he left Henry de Beaumont governor, and that of Nottingham, which he committed to the custody of William Peverell, another Norman captain.<sup>e</sup> He reached York before the rebels were in any condition for resistance, or were joined by any of the foreign succours which they expected, except a small reinforcement from Wales;<sup>f</sup> and the two earls found no means of safety, but having recourse to the clemency of the victor. Archil, a potent nobleman in those parts, imitated their example, and delivered his son as a hostage for his fidelity;<sup>g</sup> nor were the people, thus deserted by their leaders, able to make any further resistance. But the treatment which William gave the chiefs was very different from that which fell to the share of their followers. He observed religiously the terms which he had granted to the former, and allowed them for the present to keep possession of their estates, but he extended the rigours of his confiscations over the latter, and gave away their lands to his foreign adventurers. These, planted throughout the whole country, and in possession of the military power, left Edwin and Morcar, whom he

pretended to spare, destitute of all support, and ready to fall, whenever he should think proper to command their ruin. A peace which he made with Malcolm, who did him homage for Cumberland, seemed at the same time to deprive them of all prospect of foreign assistance.<sup>h</sup>

The English were now sensible that their <sup>Rigours of the Norman govern-  
ment.</sup> final destruction was intended; and that instead of a sovereign, whom they had hoped to gain by their submission, they had tamely surrendered themselves, without resistance, to a tyrant and a conqueror. Though the early confiscation of Harold's followers might seem iniquitous; being inflicted on men who had never sworn fealty to the Duke of Normandy, who were ignorant of his pretensions, and who only fought in defence of the government which they themselves had established in their own country: yet were these rigours, however contrary to the ancient Saxon laws, excused on account of the urgent necessities of the prince; and those who were not involved in the present ruin hoped that they should thenceforth enjoy, without molestation, their possessions and their dignities. But the successive destruction of so many other families convinced them, that the king intended to rely entirely on the support and affections of foreigners; and they foresaw new forfeitures, attainders, and acts of violence, as the necessary result of this destructive plan of administration. They observed that no Englishman possessed his confidence, or was intrusted with any command or authority; and that the strangers, whom a rigorous discipline could have but ill restrained, were encouraged in their insolence and tyranny against them. The easy submission of the kingdom on its first invasion had exposed the natives to contempt; the subsequent proofs of their animosity and resentment had made them the object of hatred; and they were now deprived of every expedient by which they could hope to make themselves either regarded or beloved by their sovereign. Impressed with the sense of this dismal situation, many Englishmen fled into foreign countries, with an intention of passing their lives abroad free from oppression, or of returning on a favourable opportunity to assist their friends in the recovery of their native liberties.<sup>i</sup> Edgar Atheling himself, dreading the insidious caresses of William, was persuaded by Cospatic, a powerful Northumbrian, to escape with him into Scotland; and he carried thither his two sisters, Margaret and Christina. They were well received by Malcolm, who soon after espoused Margaret, the elder sister; and partly with a view of strengthening his kingdom by the accession of so many strangers, partly in hopes of employing them against the growing power of William, he gave great countenance to all the English exiles. Many of them settled there; and laid the foundation of families which afterwards made a figure in that country.

While the English suffered under these oppressions, even the foreigners were not much at ease; but finding themselves surrounded on all hands by enraged enemies, who took every advantage against them, and menaced them with still more bloody effects of the public resentment, they began to wish again for the tranquillity and security of their native country. Hugh de Grentmesnil, and Humphry de Telioi, though intrusted with great commands, desired to be dismissed the service; and some others imitated their example: a desertion which was highly resented by the king, and which he punished by the confiscation of all their possessions in England.<sup>k</sup> But William's bounty to his followers could not fail of alluring many new adventurers into his service; and the rage of the vanquished English served only to excite the attention of the king and those warlike chiefs, and keep them in readiness to suppress every commencement of domestic rebellion or foreign invasion.

It was not long before they found occu- <sup>1069.  
New insurrec-  
tions.</sup> pation for their prowess and military con- duct. Godwin, Edmond, and Magnus, three sons of Harold, had, immediately after the defeat at Hastings, sought a retreat in Ireland; where, having met with a kind reception from Dermot and other princes of

<sup>b</sup> Order. Vital. p. 510.<sup>d</sup> Ibid. p. 511.<sup>e</sup> Ibid.<sup>c</sup> Ibid.<sup>e</sup> Ibid. <sup>f</sup> Ibid.<sup>h</sup> Ibid.<sup>i</sup> Order. Vital. p. 508. M. West. p. 225. M. Paris. p. 4. Sim.

Dion. p. 197.

<sup>k</sup> Order. Vitalis. p. 512.



that country, they projected an invasion on England, and they hoped that all the exiles from Denmark, Scotland, and Wales, assisted by forces from these several countries, would at once commence hostilities, and rouse the indignation of the English against their haughty conquerors. They landed in Devonshire; but found Brian, son of the Count of Brittany, at the head of some foreign troops, ready to oppose them; and being defeated in several actions, they were obliged to retreat to their ships, and to return with great loss to Ireland.<sup>1</sup> The efforts of the Normans were now directed to the north, where affairs had fallen into the utmost confusion. The more impatient of the Northumbrians had attacked Robert de Comyn, who was appointed Governor of Durham; and gaining the advantage over him from his negligence, they put him to death in that city, with seven hundred of his followers.<sup>2</sup> This success animated the inhabitants of York, who, rising in arms, slew Robert Fitz-Richard, their governor;<sup>3</sup> and besieged in the castle William Mallet, on whom the command now devolved. A little after, the Danish troops landed from 300 vessels: Osborne, brother to King Sweyn, was intrusted with the command of these forces, and he was accompanied by Harold and Canute, two sons of that monarch. Edgar Atheling appeared from Scotland, and brought along with him Cospatic, Waltheof, Siward, Bearn, Merleswain, Adelin, and other leaders, who, partly from the hopes which they gave of Scottish succours, partly from their authority in those parts, easily persuaded the warlike and discontented Northumbrians to join the insurrection. Mallet, that he might better provide for the defence of the citadel of York, set fire to some houses which lay contiguous; but this expedient proved the immediate cause of his destruction. The flames, spreading into the neighbouring streets, reduced the whole city to ashes: the enraged inhabitants, aided by the Danes, took advantage of the confusion to attack the castle, which they carried by assault; and the garrison, to the number of 3000 men, was put to the sword without mercy.<sup>4</sup>

This success proved a signal to many other parts of England, and gave the people an opportunity of showing their malevolence to the Normans. Hereward, a nobleman in East Anglia, celebrated for valour, assembled his followers, and taking shelter in the Isle of Ely, made inroads on all the neighbouring country.<sup>5</sup> The English in the counties of Somerset and Dorset rose in arms, and assaulted Montacute, the Norman governor; while the inhabitants of Cornwall and Devon invested Exeter, which, from the memory of William's clemency, still remained faithful to him. Eddic the Forester, calling in the assistance of the Welch, laid siege to Shrewsbury, and made head against Earl Briant and Fitz-Osborne, who commanded in those quarters.<sup>6</sup> The English every where, repenting their former easy submission, seemed determined to make by concert one great effort for the recovery of their liberties, and for the expulsion of their oppressors.

William, undismayed amidst this scene of confusion, assembled his forces, and animating them with the prospect of new confiscations and forfeitures, he marched against the rebels in the north, whom he regarded as the most formidable, and whose defeat he knew would strike a terror into all the other malcontents. Joining policy to force, he tried before his approach to weaken the enemy, by detaching the Danes from them; and he engaged Osborne, by large presents, and by offering him the liberty of plundering the sea-coast, to retire, without committing further hostilities, into Denmark.<sup>7</sup> Cospatic also, in

despair of success, made his peace with the king, and paying a sum of money as an atonement for his insurrection, was received into favour, and even invested with the earldom of Northumberland. Waltheof, who long defended York with great courage, was allured with this appearance of clemency: and as William knew how to esteem valour even in an enemy, that nobleman had no reason to repent of this confidence.<sup>8</sup> Even Eddic, compelled by necessity, submitted to the conqueror, and received forgiveness, which was soon after followed by some degree of trust and favour. Malcolm, coming too late to support his confederates, was constrained to retire; and all the English rebels in other parts, except Hereward, who still kept in his fastnesses, dispersed themselves, and left the Normans undisputed masters of the kingdom. Edgar Atheling, with his followers, sought again a retreat in Scotland from the pursuit of his enemies.

But the seeming clemency of William <sup>1070.</sup> towards the English leaders proceeded <sup>New rigours of the government.</sup> only from artifice, or from his esteem of individuals: his heart was hardened against all compassion towards the people; and he scrupled no measure, however violent or severe, which seemed requisite to support his plan of tyrannical administration. Sensible of the restless disposition of the Northumbrians, he determined to incapacitate them ever after from giving him disturbance, and he issued orders for laying entirely waste that fertile country, which for the extent of sixty miles lies between the Humber and the Tees.<sup>9</sup> The houses were reduced to ashes by the merciless Normans; the cattle seized and driven away; the instruments of husbandry destroyed; and the inhabitants compelled either to seek for a subsistence in the southern parts of Scotland, or if they lingered in England, from a reluctance to abandon their ancient habitations, they perished miserably in the woods from cold and hunger. The lives of a hundred thousand persons are computed to have been sacrificed to this stroke of barbarous policy,<sup>10</sup> which, by seeking a remedy for a temporary evil, thus inflicted a lasting wound on the power and populousness of the nation.

But William, finding himself entirely master of a people who had given him such sensible proofs of their impotent rage and animosity, now resolved to proceed to extremities against all the natives of England, and to reduce them to a condition in which they should no longer be formidable to his government. The insurrections and conspiracies in so many parts of the kingdom, had involved the bulk of the landed proprietors, more or less, in the guilt of treason; and the king took advantage of executing against them, with the utmost rigour, the laws of forfeiture and attainder. Their lives were indeed commonly spared; but their estates were confiscated, and either annexed to the royal demesnes, or conferred with the most profuse bounty on the Normans and other foreigners.<sup>11</sup> While the king's declared intention was to depress, or rather entirely extirpate, the English gentry,<sup>12</sup> it is easy to believe that scarcely the form of justice would be observed in those violent proceedings;<sup>13</sup> and that any suspicions served as the most undoubted proofs of guilt against a people thus devoted to destruction. It was crime sufficient in an Englishman to be opulent, or noble, or powerful; and the policy of the king, concurring with the rapacity of foreign adventurers, produced almost a total revolution in the landed property of the kingdom. Ancient and honourable families were reduced to beggary; the nobles themselves were every where treated with ignominy and contempt; they had the mortification of seeing their castles and manors possessed by Normans of

<sup>1</sup> Gul. Gemet, p. 290. Order. Vital, p. 513. Anglia Sacra, vol. i. p. 246. M. Order. Vital, p. 512. Chron. de Mailr. p. 116. Hoveden, p. 430. M. Paris, p. 5. Sim. Dun. p. 198.

<sup>2</sup> Order. Vital, p. 512. Hoveden, p. 431.

<sup>3</sup> Order. Vital, p. 513. Chron. Abb. St. Petri de Burgo, p. 47.

<sup>4</sup> Order. Vital, p. 514.

<sup>5</sup> Hoveden, p. 451. Chron. Abb. St. Petri de Burgo, p. 47. Sim Dun.

<sup>6</sup> Chron. p. 104. H. Hunt, p. 369.

<sup>7</sup> Chron. Sax. p. 174. Ingulf, p. 103. Malmes, p. 103. Hoveden, p. 451.

<sup>8</sup> Chron. Abb. St. Petri de Burgo, p. 47. M. Paris, p. 5. Sim. Dun. p. 199.

<sup>9</sup> Order. Vital, p. 515. Anglia Sacra, vol. i. p. 262.

<sup>10</sup> Order. Vital, p. 515. Malmes, p. 104.

<sup>11</sup> H. Hunt, p. 370.

<sup>12</sup> There is a paper or record of the family of Sharneborne, which pretends, that that family, which was Saxon, was restored upon proving their innocence, as well as other Saxon families which were in the same situation. Though this paper was able to impose on such great antiquaries as Spelman (see Gloss. in verbo *Dreng*) and Dugdale, (see Baron, vol. i. p. 118.) it is proved by Dr. Brady (see Answ. to Petyt, p. 11, 12.) to have been a forgery; and is allowed as such by Tyrell, though a pertinacious defender of his party notions, (see his Hist. vol. ii. introd. p. 51, 73.) Ingulf, p. 70, tells us, that very early, Hereward, though absent during the time of the Conquest, was turned out of all his estate, and could not obtain redress. William even plundered the monasteries. Flor. Wigorn. p. 636. Chron. Abb. St. Petri de Burgo, p. 48. M. Paris, p. 5. Sim. Dun. p. 200. Dugdale, p. 462. Brompton, p. 167. Rymer, p. 234. Anr. Beverl. p. 180. We are told by Ingulf, that Ivo de Taillebois plundered the monastery of Croyland of a great part of its land, and no redress could be obtained.

the meanest birth and lowest stations; and they found themselves carefully excluded from every road which led either to riches or preferment.<sup>a</sup>

**Introduction of the feudal law.** As power naturally follows property, this revolution alone gave great security to the foreigners; but William, by the new institutions which he established, took also care to retain for ever the military authority in those hands which had enabled him to subdue the kingdom. He introduced into England the feudal law, which he found established in France and Normandy, and which, during that age, was the foundation both of the stability and of the disorders in most of the monarchical governments of Europe. He divided all the lands of England, with very few exceptions, beside the royal demesnes, into baronies, and he conferred these, with the reservation of stated services and payments, on the most considerable of his adventurers. These great barons, who held immediately of the crown, shared out a great part of their lands to other foreigners, who were denominated knights or vassals, and who paid their lord the same duty and submission in peace and war, which he himself owed to his sovereign. The whole kingdom contained about 700 chief tenants, and 60,215 knights-fiefs; and as none of the native English were admitted into the first rank, the few who retained their landed property were glad to be received into the second, and under the protection of some powerful Norman, to load themselves and their posterity with this grievous burden, for estates which they had received free from their ancestors.<sup>b</sup> The small mixture of English which entered into this civil or military fabric (for it partook of both species) was so restrained by subordination under the foreigners, that the Norman dominion seemed now to be fixed on the most durable basis, and to defy all the efforts of its enemies.

The better to unite the parts of the government, and to bind them into one system, which might serve both for defence against foreigners, and for the support of domestic tranquility, William reduced the ecclesiastical revenues under the same feudal law; and though he had courted the church on his invasion and accession, he now subjected it to services which the clergy regarded as a grievous slavery, and as totally unbefitting their profession. The bishops and abbots were obliged, when required, to furnish to the king, during war, a number of knights, or military tenants, proportioned to the extent of property possessed by each see or abbey; and they were liable, in case of failure, to the same penalties which were exacted from the laity.<sup>c</sup> The Pope and the ecclesiastics exclaimed against this tyranny, as they called it; but the king's authority was so well established over the army, who held every thing from his bounty, that superstition itself, even in that age, when it was most prevalent, was constrained to bend under his superior influence.

But as the great body of the clergy were still natives, the king had much reason to dread the effects of their resentment: he therefore used the precaution of expelling the English from all the considerable dignities, and of advancing foreigners in their place. The partiality of the Confessor towards the Normans had been so great, that aided by their superior learning, it had promoted them to many of the sees in England; and even before the period of the conquest, scarcely more than six or seven of the prelates were natives of the country. But among these was Stigand, Archbishop of Canterbury; a man who, by his address and vigour, by the greatness of his family and alliances, by the extent of his possessions, as well as by the dignity of his office, and his authority among the English, gave jealousy to the king.<sup>d</sup> Though William had, on his accession, affronted this prelate by employing the Archbishop of York to officiate at his consecration, he was careful on other occasions to load him with honours and

caresses, and to avoid giving him further offence till the opportunity should offer of effecting his final destruction.<sup>e</sup> The suppression of the late rebellions, and the total subjection of the English, made him hope that an attempt against Stigand, however violent, would be covered by his great successes, and be overlooked amidst the other important revolutions which affected so deeply the property and liberty of the kingdom. Yet, notwithstanding these great advantages, he did not think it safe to violate the reverence usually paid to the primate; but under cover of a new superstition, which he was the great instrument of introducing into England.

The doctrine which exalted the papacy above all human power, had gradually diffused itself from the city and court of Rome; and was, during that age, much more prevalent in the southern than in the northern kingdoms of Europe. Pope Alexander who had assisted William in his conquests, naturally expected that the French and Normans would import into England the same reverence for his sacred character with which they were impressed in their own country; and would break the spiritual as well as civil independency of the Saxons, who had hitherto conducted their ecclesiastical government, with an acknowledgment indeed of primacy in the see of Rome, but without much idea of its title to dominion or authority. As soon, therefore, as the Norman prince seemed fully established on the throne, the pope despatched Ermenfrid, Bishop of Sion, as his legate into England; and this prelate was the first that had ever appeared with that character in any part of the British islands. The king, though he was probably led by principle to pay this submission to Rome, determined, as is usual, to employ the incident as a means of serving his political purposes, and of degrading those English prelates who were become obnoxious to him. The legate submitted to become the instrument of his tyranny; and thought, that the more violent the exertion of power, the more certainly did it confirm the authority of that court from which he derived his commission. He summoned, therefore, a council of the prelates and abbots at Winchester; and being assisted by two cardinals, Peter and John, he cited before him Stigand, Archbishop of Canterbury, to answer for his conduct. The primate was accused of three crimes: the holding of the see of Winchester, together with that of Canterbury; the officiating in the pall of Robert his predecessor; and the having received his own pall from Benedict IX. who was afterwards deposed for simony, and for intrusion into the papacy.<sup>f</sup> These crimes of Stigand were mere pretences; since the first had been a practice not unusual in England, and was never any where subjected to a higher penalty than a resignation of one of the sees; the second was a pure ceremonial; and as Benedict was the only pope who then officiated, and his acts were never repealed, all the prelates of the church, especially those who lay at a distance, were excusable for making their applications to him. Stigand's ruin, however, was resolved on, and was prosecuted with great severity. The legate degraded him from his dignity: the king confiscated his estate, and cast him into prison, where he continued, in poverty and want, during the remainder of his life. Like rigour was exercised against the other English prelates; Agelric, Bishop of Selesey and Agelmare, of Elmham, were deposed by the legate, and imprisoned by the king. Many considerable abbots shared the same fate: Egelwin, Bishop of Durham, fled the kingdom: Wulstan of Worcester, a man of an inoffensive character, was the only English prelate that escaped this general proscription,<sup>g</sup> and remained in possession of his dignity. Aldred, Archbishop of York, who had set the crown on William's head, had died a little before of grief and vexation, and had left his malediction to that prince on account of the breach of his corona-

<sup>a</sup> Order. Vital, p. 521. M. West, p. 229.

<sup>b</sup> The obligation of all the inhabitants to put out their fires and lights at certain hours, upon the sounding of a bell called the curfew, is prescribed by *Præceptum Angli*, lib. 9. as a mark of the servitude of the English. But this was a law of police, which William had previously established in Normandy. See *by M. Duhamel*, Hist. de Normandie, p. 160. The same law still prevails in Scotland. *L. L. Burgess*, cap. 85.

<sup>c</sup> Order. Vital, p. 521. Secretum Abbatis, apud Selden, Titles of Honor, p. 575. *Epistolæ, Gloss in verbo Leodum*, Sir Robert Cotton. *M. West*, p. 225. M. Paris, p. 4. Eracton, lib. 1. cap. 11. num. 1. *Idem*, lib. 1. cap. 8. num. 2.

<sup>d</sup> M. Paris, p. 5. *Anglia Sacra*, xvi. 1. p. 238.

<sup>e</sup> Parker, p. 161.

<sup>f</sup> The edict, p. 153. Dureau, p. 402. *Knyghton*, p. 435. *Anglia Sacra*, vol. 1. p. 5. 6. *Apud*, Neust. p. 425.

<sup>g</sup> Eracton relates, that Wulstan was deposed by the synod, but refusing to deliver his pastoral staff and ring to any but the person whom he first received it, a violent storm lay to sea. Edward's fleet and six or eight small vessels lay to the stone, that none but himself was able to pull it out, upon which he was allowed to keep his bishopric. This incident may serve to settle money as a specimen of the monkish miracles. See also, the *Annals of Burton*, p. 224.

tion oath, and of the extreme tyranny with which he saw he was determined to treat his English subjects.<sup>1</sup>

It was a fixed maxim in this reign, as well as in some of the subsequent, that no native of the island should ever be advanced to any dignity, ecclesiastical, civil, or military.<sup>2</sup> The king, therefore, upon Stigand's deposition, promoted Lanfranc, a Milanese monk, celebrated for his learning and piety, to the vacant see. This prelate was rigid in defending the prerogatives of his station; and after a long process before the Pope, he obliged Thomas, a Norman monk, who had been appointed to the see of York, to acknowledge the primacy of the Archbishop of Canterbury. Where ambition can be so happy as to cover its enterprises, even to the person himself, under the appearance of principle, it is the most incurable and inflexible of all human passions. Hence Lanfranc's zeal in promoting the interests of the papacy, by which he himself augmented his own authority, was indefatigable; and met with proportionable success. The devoted attachment to Rome continually increased in England; and being favoured by the sentiments of the conquerors, as well as by the monastic establishments formerly introduced by Edred and by Edgar, it soon reached the same height at which it had, during some time, stood in France and Italy.<sup>3</sup> It afterwards went much further; being favoured by that very remote situation which had at first obstructed its progress; and being less checked by knowledge and a liberal education, which were still somewhat more common in the southern counties.

The prevalence of this superstitious spirit became dangerous to some of William's successors, and incommode to most of them: but the arbitrary sway of this king over the English, and his extensive authority over the foreigners, kept him from feeling any immediate inconveniences from it. He retained the church in great subjection, as well as his lay subjects; and would allow none, of whatever character, to dispute his sovereign will and pleasure. He prohibited his subjects from acknowledging any one for Pope whom he himself had not previously received: he required that all the ecclesiastical canons, voted in any synod, should first be laid before him, and be ratified by his authority: even bulls or letters from Rome, could not legally be produced, till they received the same sanction: and none of his ministers or barons, whatever offences they were guilty of, could be subjected to spiritual censures till he himself had given his consent to their excommunication.<sup>4</sup> These regulations were worthy of a sovereign, and kept united the civil and ecclesiastical powers, which the principles introduced by this prince himself had an immediate tendency to separate.

But the English had the cruel mortification to find that their king's authority, however acquired or however extended, was all employed in their oppression; and that the scheme of their subjection, attended with every circumstance of insult and indignity,<sup>5</sup> was deliberately formed by the prince, and wantonly prosecuted by his followers.<sup>6</sup> William had even entertained the difficult project of totally abolishing the English language; and, for that purpose, he ordered, that in all schools throughout the kingdom, the youth should be instructed in the French tongue; a practice which was continued from custom till after the reign of Edward III., and was never indeed totally discontinued in England. The pleadings in the supreme courts of judicature were in French:<sup>7</sup> the deeds were often drawn in the same language: the laws were composed in that idiom:<sup>8</sup> no other tongue was used at court: it became the language of all fashionable company; and the English themselves, ashamed of their own country, affected to excel in that foreign dialect. From this attention of William, and from the extensive foreign dominions long annexed to the crown of England, pro-

ceeded that mixture of French which is at present to be found in the English tongue, and which composes the greatest and best part of our language. But amidst those endeavours to depress the English nation, the king, moved by the remonstrances of some of his prelates, and by the earnest desires of the people, restored a few of the laws of King Edward:<sup>9</sup> which, though seemingly of no great importance towards the protection of general liberty, gave them extreme satisfaction, as a memorial of their ancient government, and an unusual mark of complaisance in their imperious conquerors.<sup>10</sup>

The situation of the two great earls, Morcar and Edwin, became now very disagreeable. A. D. 1071. Though they had retained their allegiance during this general insurrection of their countrymen, they had not gained the king's confidence, and they found themselves exposed to the malignity of the courtiers, who envied them on account of their opulence and greatness, and at the same time involved them in that general contempt which they entertained for the English. Sensible that they had entirely lost their dignity, and could not even hope to remain long in safety, they determined, though too late, to share the same fate with their countrymen. While Edwin retired to his estate in the north, with a view of commencing an insurrection, Morcar took shelter in the Isle of Ely with the brave Hereward, who, secured by the inaccessible situation of the place, still defended himself against the Normans. But this attempt served only to accelerate the ruin of the few English who had hitherto been able to preserve their rank or fortune during the past convulsions. William employed all his endeavours to subdue the Isle of Ely; and having surrounded it with flat-bottomed boats, and made a causeway through the morasses to the extent of two miles, he obliged the rebels to surrender at discretion. Hereward alone forced his way, sword in hand, through the enemy; and still continued his hostilities by sea against the Normans, till at last William, charmed with his bravery, received him into favour, and restored him to his estate. Earl Morcar, and Egelwin, Bishop of Durham, who had joined the malcontents, were thrown into prison, and the latter soon after died in confinement. Edwin, attempting to make his escape into Scotland, was betrayed by some of his followers, and was killed by a party of Normans, to the great affliction of the English, and even to that of William, who paid a tribute of generous tears to the memory of this gallant and beautiful youth. The King of Scotland, in hopes of profiting by these convulsions, had fallen upon the northern counties; but on the approach of William he retired; and when the king entered his country, he was glad to make peace, and to pay the usual homage to the English crown. To complete the king's prosperity, Edgar Atheling himself, despairing of success, and weary of a fugitive life, submitted to his enemy; and receiving a decent pension for his subsistence, was permitted to live in England unmolested. But these acts of generosity towards the leaders were disgraced, as usual, by William's rigour against the inferior malcontents. He ordered the hands to be lopt off, and the eyes to be put out, of many of the prisoners whom he had taken in the Isle of Ely; and he dispersed them in that miserable condition throughout the country, as monuments of his severity.

The province of Maine, in France, had, A. D. 1073. by the will of Herbert, the last count, fallen under the dominion of William some years before his conquest of England; but the inhabitants, dissatisfied with the Norman government, and instigated by Fulk, Count of Anjou, who had some pretensions to the succession, now rose in rebellion, and expelled the magistrates whom the king had placed over them. The full settlement of England afforded him leisure to punish this

every reign during a century and a half, desire so passionately to have restored, is much disputed by antiquaries, and our ignorance of them seems one of the greatest defects in the ancient English history. The collection of laws in Wilsken, which pass under the name of Edward, are plainly a postscript and an unauthorised compilation. These to be found in Inghit are genuine; but so imperfect, and contain so few clauses favourable to the subject, that we see no great reason for their contending for them so voluminously. It is probable, that the English must the common law, as it prevailed during the reign of Edward; which we may conjecture to have been more indulgent to liberty than the Norman institutions. The most material articles of it were afterwards comprehended in Magna Charta.

<sup>1</sup> Malmes. de Gest. Pont. p. 154.

<sup>2</sup> Inghit. p. 70, 71.

<sup>3</sup> M. West. p. 226. Lanfranc wrote in defence of the real presence against Berengar, and in those ages of stupidity and ignorance, he was greatly applauded for that performance.

<sup>4</sup> Eadmer. p. 6.

<sup>5</sup> Order. Vital. p. 523. H. Hunt. p. 370.

<sup>6</sup> Inghit. p. 71.

<sup>7</sup> 26 Ed. III. cap. 15. Selden Spicileg. ad Eadmer. p. 139. Fortescue de laud. leg. Angl. cap. 48.

<sup>8</sup> Chron. Rothom. A. D. 1066.

<sup>9</sup> Inghit. p. 13. Brompton. p. 982. Knighton. p. 2355. Hoveden. p. 600.

<sup>10</sup> What these laws were of Edward the Confessor, which the English,



insult on his authority; but being unwilling to remove his Norman forces from this island, he carried over a considerable army composed almost entirely of English; and joining them to some troops levied in Normandy, he entered the revolted province. The English appeared ambitious of distinguishing themselves on this occasion, and of retrieving that character of valour which had long been national among them; but which their late easy subjection under the Normans had somewhat degraded and obscured. Perhaps too they hoped that, by their zeal and activity, they might recover the confidence of their sovereign, as their ancestors had formerly, by like means, gained the affections of Canute; and might conquer his inveterate prejudices in favour of his own countrymen. The king's military conduct, seconded by these brave troops, soon overcame all opposition in Maine: the inhabitants were obliged to submit, and the Count of Anjou relinquished his pretensions.

A. D. 1074.  
Insurrection of the Norman Barons.  
But during these transactions the government of England was greatly disturbed; and that too by those very foreigners who owed every thing to the king's bounty, and who were the sole object of his friendship and regard. The Norman Barons, who had engaged with their duke in the conquest of England, were men of the most independent spirit; and though they obeyed their leader in the field, they would have regarded with disdain the richest acquisitions, had they been required in return to submit, in their civil government, to the arbitrary will of one man. But the imperious character of William, encouraged by his absolute dominion over the English, and often impelled by the necessity of his affairs, had prompted him to stretch his authority over the Normans themselves beyond what the free genius of that victorious people could easily bear. The discontents were become general among those haughty nobles; and even Roger, Earl of Hereford, son and heir of Fitz-Osborne, the king's chief favourite, was strongly infected with them. This nobleman, intending to marry his sister to Ralph de Guader, Earl of Norfolk, had thought it his duty to inform the king of his purpose, and to desire the royal consent; but meeting with a refusal, he proceeded nevertheless to complete the nuptials, and assembled all his friends, and those of Guader, to attend the solemnity. The two earls, disgusted by the denial of their request, and dreading William's resentment for their disobedience, here prepared measures for a revolt; and during the gaiety of the festival, while the company was heated with wine, they opened the design to their guests. They inveighed against the arbitrary conduct of the king; his tyranny over the English, whom they affected on this occasion to commiserate; his imperious behaviour to his barons of the noblest birth; and his apparent intention of reducing the victors and the vanquished to a like ignominious servitude. Amidst their complaints, the indignity of submitting to a bastard<sup>1</sup> was not forgotten; the certain prospect of success in a revolt, by the assistance of the Danes and the discontented English, was insisted on; and the whole company, inflamed with the same sentiments, and warmed by the jollity of the entertainment, entered, by a solemn engagement, into the design of shaking off the royal authority. Even Earl Waltheof, who was present, inconsiderately expressed his approbation of the conspiracy, and promised his concurrence towards its success.

This nobleman, the last of the English who, for some generations, possessed any power or authority, had, after his capitalization at York, been received into favour by the Conqueror; had even married Judith, niece to that prince; and had been promoted to the earldoms of Huntingdon and Northampton.<sup>2</sup> Cospatric, Earl of Northumberland, having, on some new disgust from William, retired into Scotland, where he received the earldom of Dunbar from the bounty of Malcolm; Waltheof was appointed his successor in that important command, and seemed still to possess the confidence and friendship of his sovereign.<sup>3</sup> But as he was a man of generous principles, and loved his country, it is probable that the tyranny exercised over the

English lay heavy upon his mind, and destroyed all the satisfaction which he could reap from his own grandeur and advancement. When a prospect therefore was opened of retrieving their liberty, he hastily embraced it; while the fumes of the liquor, and the ardour of the company, prevented him from reflecting on the consequences of that rash attempt. But after his cool judgment returned, he foresaw, that the conspiracy of those discontented barons was not likely to prove successful against the established power of William; or if it did, that the slavery of the English, instead of being alleviated by that event, would become more grievous, under a multitude of foreign leaders, factious and ambitious, whose union and whose discord would be equally oppressive to the people. Tormented with these reflections, he opened his mind to his wife Judith, of whose fidelity he entertained no suspicion, but who, having secretly fixed her affections on another, took this opportunity of ruining her easy and credulous husband. She conveyed intelligence of the conspiracy to the king, and aggravated every circumstance, which, she believed, would tend to incense him against Waltheof, and render him absolutely implacable.<sup>4</sup> Meanwhile the earl, still dubious with regard to the part which he should act, discovered the secret in confession to Lanfranc, on whose probity and judgment he had a great reliance. He was persuaded by the prelate, that he owed no fidelity to those rebellious barons, who had by surprise gained his consent to a crime; that his first duty was to his sovereign and benefactor; his next to himself and his family; and that, if he seized not the opportunity of making atonement for his guilt by revealing it, the temerity of the conspirators was so great, that they would give some other person the means of acquiring the merit of the discovery. Waltheof, convinced by these arguments, went over to Normandy; but though he was well received by the king, and thanked for his fidelity, the account, previously transmitted by Judith, had sunk deep into William's mind, and had destroyed all the merit of her husband's repentance.

The conspirators, hearing of Waltheof's departure, immediately concluded their design to be betrayed; and they flew to arms before their schemes were ripe for execution, and before the arrival of the Danes, in whose aid they placed their chief confidence. The Earl of Hereford was checked by Walter de Lacy, a great baron in those parts, who, supported by the Bishop of Worcester, and the Abbot of Evesham, raised some forces, and prevented the earl from passing the Severn, or advancing into the heart of the kingdom. The Earl of Norfolk was defeated at Fagadun, near Cambridge, by Odo, the regent, assisted by Richard de Bienfaite and William de Warenne, the two justiciaries. The prisoners taken in this action had their right foot cut off, as a punishment of their treason. The earl himself escaped to Norwich, thence to Denmark; where the Danish fleet, which had made an unsuccessful attempt upon the coast of England, soon after arrived, and brought him intelligence, that all his confederates were suppressed, and were either killed, banished, or taken prisoners.<sup>5</sup> Ralph retired in despair to Brittany, where he possessed a large estate and extensive jurisdictions.

The king, who hastened over to England in order to suppress the insurrection, found that nothing remained but the punishment of the criminals, which he executed with great severity. Many of the rebels were hanged; some had their eyes put out; others their hands cut off. But William, agreeably to his usual maxims, showed more lenity to their leader, the Earl of Hereford, who was only condemned to a forfeiture of his estate, and to imprisonment during pleasure. The king seemed even disposed to remit this last part of the punishment; had not Roger, by a fresh insolence, provoked him to render his confinement perpetual. But Waltheof, being an Englishman, was not treated with so much humanity; A. D. 1075. though his guilt, always much inferior to that of the other conspirators, was atoned for by an early repentance and return to his duty. William, instigated by his niece, as well as by his rapacious courtiers, who

<sup>1</sup> William was a little ashamed of his birth, that he assumed the appellation of Bastard in some of his letters and charters. Spelmin. Gloss. in verb. *Baragones*. Camden in *Richmondshire*.

<sup>2</sup> Order. Vital. p. 522. Hoveden. p. 451.

<sup>3</sup> Sam. Dun. p. 205.

<sup>4</sup> Order. Vital. p. 536.

<sup>5</sup> Chron. Sax. p. 163. M. Paris. p. 7.

<sup>6</sup> Many of the fugitive Normans are supposed to have fled into Scotland, where they were protected, as well as the fugitive English, by Malcolm. Whence come the many French and Norman families, which are found at present in that country.

longed for so rich a forfeiture, ordered him to be tried, condemned, and executed. The English, who considered this nobleman as the last resource of their nation, grievously lamented his fate, and fancied that miracles were wrought by his relics, as a testimony of his innocence and sanctity.<sup>a</sup> The infamous Judith, falling soon after under the king's displeasure, was abandoned by all the world, and passed the rest of her life in contempt, remorse, and misery.

Nothing remained to complete William's satisfaction, but the punishment of Ralph de Guader; and he hastened over to Normandy in order to gratify his vengeance on that criminal. But though the contest seemed very unequal between a private nobleman and the king of England, Ralph was so well supported both by the Earl of Brittany and the King of France, that William, after besieging him for some time in Dol, was obliged to abandon the enterprise, and make with those powerful princes a peace, in which Ralph himself was included. England, during his absence, remained in tranquillity; and nothing remarkable occurred, except two ecclesiastical synods which were summoned, one at London, another at Winchester. In the former, the precedence among the episcopal sees was settled, and the seat of some of them was removed from small villages to the most considerable town within the diocese. In the second was transacted a business of more importance.

<sup>1076.</sup> The industry and perseverance are surprising, with which the Popes had been treasuring up powers and pretensions during so many ages of ignorance; while each pontiff employed every fraud for advancing purposes of imaginary piety, and cherished all claims which might turn to the advantage of his successors, though he himself could not expect ever to reap any benefit from them. All this immense store of spiritual and civil authority was now devolved on Gregory VII. of the name of Hildebrand, the most enterprising pontiff that had ever filled that chair, and the least restrained by fear, decency, or moderation. Not content with shaking off the yoke of the emperors, who had hitherto exercised the power of appointing the Pope on every vacancy, at least of ratifying his election; he undertook the arduous task of entirely disjoining the ecclesiastical from the civil power, and of excluding profane laymen from the right which they had assumed of filling the vacancies of bishoprics, abbey, and other spiritual dignities.<sup>b</sup> The sovereigns who had long exercised this power, and who had acquired it not by encroachments on the church, but on the people, to whom it originally belonged,<sup>c</sup> made great opposition to this claim of the Court of Rome; and Henry IV. the reigning emperor, defended this prerogative of his crown with a vigour and resolution suitable to its importance. The few offices, either civil or military, which the feudal institutions left the sovereign the power of bestowing, made the prerogative of conferring the pastoral ring and staff the most valuable jewel of the royal diadem; especially as the general ignorance of the age bestowed a consequence on the ecclesiastical offices, even beyond the great extent of power and property which belonged to them. Superstition, the child of ignorance, invested the clergy with an authority almost sacred; and as they engrossed the little learning of the age, their interposition became requisite in all civil business, and a real usefulness in common life was thus superadded to the spiritual sanctity of their character.

When the usurpations, therefore, of the church, had come to such maturity as to imbolden her to attempt extorting the right of investitures from the temporal power, Europe, especially Italy and Germany, was thrown into the most violent convulsions, and the Pope and the emperor waged implacable war on each other. Gregory dared to fulminate the sentence of excommunication against Henry and his adherents, to pronounce him rightfully deposed, to free his subjects from their oaths of allegiance; and instead of shocking mankind by this gross

encroachment on the civil authority, he found the stupid people ready to second his most exorbitant pretensions. Every minister, servant, or vassal of the emperor, who received any disgust, covered his rebellion under the pretence of principle; and even the mother of this monarch, forgetting all the ties of nature, was seduced to countenance the insolence of his enemies. Princes themselves, not attentive to the pernicious consequences of those papal claims, employed them for their present purposes: and the controversy, spreading into every city of Italy, engendered the parties of Guelph and Ghibelin; the most durable and most inveterate factions that ever arose from the mixture of ambition and religious zeal. Besides numberless assassinations, tumults, and convulsions, to which they gave rise, it is computed that the quarrel occasioned no less than sixty battles in the reign of Henry IV., and eighteen in that of his successor, Henry V., when the claims of the sovereign pontiff finally prevailed.<sup>d</sup>

But the bold spirit of Gregory, not dismayed with the vigorous opposition which he met with from the emperor, extended his usurpations all over Europe; and well knowing the nature of mankind, whose blind astonishment ever inclines them to yield to the most impudent pretensions, he seemed determined to set no bounds to the spiritual, or rather temporal, monarchy, which he had undertaken to erect. He pronounced the sentence of excommunication against Nicephorus, Emperor of the East; Robert Guiscard, the adventurous Norman, who had acquired the dominion of Naples, was attacked by the same dangerous weapon: he degraded Boleslas, King of Poland, from the rank of king; and even deprived Poland of the title of a kingdom: he attempted to treat Philip King of France with the same rigour which he had employed against the emperor:<sup>e</sup> he pretended to the entire property and dominion of Spain; and he parcelled it out amongst adventurers, who undertook to conquer it from the Saracens, and to hold it in vassalage under the see of Rome:<sup>f</sup> even the Christian bishops, on whose aid he relied for subduing the temporal princes, saw that he was determined to reduce them to servitude; and by assuming the whole legislative and judicial power of the church, to centre all authority in the sovereign pontiff.<sup>g</sup>

William the Conqueror, the most potent, the most haughty, and the most vigorous prince in Europe, was not, amidst all his splendid successes, secure from the attacks of this enterprising pontiff. Gregory wrote him a letter, requiring him to fulfil his promise in doing homage for the kingdom of England to the see of Rome, and to send him over that tribute, which all his predecessors had been accustomed to pay to the Vicar of Christ. By the tribute, he meant Peter's pence; which, though at first a charitable donation of the Saxon princes, was interpreted, according to the usual practice of the Romish Court, to be a badge of subjection acknowledged by the kingdom. William replied, that the money should be remitted as usual; but that neither had he promised to do homage to Rome, nor was it in the least his purpose to impose that servitude on his state.<sup>h</sup> And the better to show Gregory his independence, he ventured, notwithstanding the frequent complaints of the Pope, to refuse to the English bishops the liberty of attending a general council which that pontiff had summoned against his enemies.

But though the king displayed this vigour in supporting the royal dignity, he was infected with the general superstition of the age, and he did not perceive the ambitious scope of those institutions, which, under colour of strictness in religion, were introduced or promoted by the Court of Rome. Gregory, while he was throwing all Europe into combustion by his violence and impostures, affected an anxious care for the purity of manners; and even the chaste pleasures of the marriage-bed were inconsistent, in his opinion, with the sanctity of the sacerdotal character. He had issued a decree prohibiting the marriage of priests, excommunicating all clergymen who retained their wives, declaring such unlawful commerce to be fornication, and rendering it criminal in the laity to

<sup>a</sup> L'Abbe Guizot, t. 1, p. 371, 372, com. 2.

<sup>b</sup> Pape Paulus, church code, t. 3, p. 1.

<sup>c</sup> Hist. Greg. VII. epist. 32, 33, lib. 2, epist. 5.

<sup>d</sup> Hist. p. 113.

<sup>e</sup> Hist. Greg. VII. lib. 1, caput 7.

<sup>f</sup> Greg. Hist. lib. 2, caput 35.

<sup>g</sup> Spalding, Selden ad Ead. v. c. 14.

attend divine worship, when such profane priests officiated at the altar.<sup>b</sup> This point was a great object in the politics of the Roman pontiffs; and it cost them infinitely more pains to establish it, than the propagation of any speculative absurdity which they had ever attempted to introduce. Many synods were summoned in different parts of Europe, before it was finally settled; and it was there constantly remarked, that the younger clergymen complied cheerfully with the Pope's decrees in this particular, and that the chief reluctance appeared in those who were more advanced in years: an event so little consonant to men's natural expectations, that it could not fail to be glossed on, even in that blind and superstitious age. William allowed the Pope's legate to assemble, in his absence, a synod at Winchester, in order to establish the celibacy of the clergy; but the church of England could not yet be carried the whole length expected. The synod was content with decreeing, that the bishops should not thenceforth ordain any priests or deacons without exacting from them a promise of celibacy; but they enacted, that none, except those who belonged to collegiate or cathedral churches, should be obliged to separate from their wives.

<sup>c</sup>Revolt of Prince Robert. The king passed some years in Normandy; but his long residence there was not entirely owing to his declared preference of that duchy; his presence was also necessary for composing those disturbances which had arisen in that favourite territory, and which had even originally proceeded from his own family. Robert, his eldest son, surnamed Gambaron or Corthose, from his short legs, was a prince who inherited all the bravery of his family and nation; but without that policy and dissimulation, by which his father was so much distinguished, and which, no less than his military valour, had contributed to his great successes. Greedy of fame, impatient of contradiction, without reserve in his friendships, declared in his enmities, this prince could endure no control even from his imperious father, and openly aspired to that independence, to which his temper, as well as some circumstances in his situation, strongly invited him.<sup>d</sup> When William first received the submissions of the province of Maine, he had promised the inhabitants that Robert should be their prince; and before he undertook the expedition against England, he had, on the application of the French court, declared him his successor in Normandy, and had obliged the barons of that duchy to do him homage as their future sovereign. By this artifice, he had endeavoured to appease the jealousy of his neighbours, as affording them a prospect of separating England from his dominions on the continent; but when Robert demanded of him the execution of those engagements, he gave him an absolute refusal, and told him, according to the homely saying, that he never intended to throw off his clothes till he went to bed.<sup>e</sup> Robert openly declared his discontent; and was suspected of secretly instigating the King of France and the Earl of Brittany to the opposition which they made to William, and which had formerly frustrated his attempts upon the town of Dol. And as the quarrel still augmented, Robert proceeded to entertain a strong jealousy of his two surviving brothers, William and Henry, for Richard was killed in hunting, by a stag, who, by greater submission and complaisance, had acquired the affections of their father. In this disposition on both sides, the greatest trifle sufficed to produce a rupture between them.

The three princes, residing with their father in the castle of l'Aigle in Normandy, were one day engaged in sport together; and after some mirth and jollity, the two younger took a fancy of throwing over some water on Robert as he passed through the court on leaving their apartment; <sup>f</sup>a frolic, which he would naturally have regarded as innocent, had it not been for the suggestions of Alberic de Grentmesnil, son of that Hugh de Grentmesnil whom William had formerly deprived of his fortunes, when that baron deserted him during his greatest difficulties in England. The young man, mindful of the injury, persuaded

the prince that this action was meant as a public affront, which it behoved him in honour to resent; and the choleric Robert, drawing his sword, ran up stairs, with an intention of taking revenge on his brothers.<sup>g</sup> The whole castle was filled with tumult, which the king himself, who hastened from his apartment, found some difficulty to appease. But he could by no means appease the resentment of his eldest son, who, complaining of his partiality, and fancying that no proper atonement had been made him for the insult, left the court that very evening, and hastened to Rouen, with an intention of seizing the citadel of that place.<sup>h</sup> But being disappointed in this view by the precaution and vigilance of Roger de Ivery, the governor, he fled to Hugh de Neufchatel, a powerful Norman baron, who gave him protection in his castles; and he openly levied war against his father.<sup>i</sup> The popular character of the prince, and a similarity of manners, engaged all the young nobility of Normandy and Maine, as well as of Anjou and Brittany, to take part with him; and it was suspected, that Matilda, his mother, whose favourite he was, supported him in his rebellion by secret remittances of money, and by the encouragement which she gave his partisans.

All the hereditary provinces of William, as well as his family, were, during several A. D. 1079. years, thrown into convulsions by this war; and he was at last obliged to have recourse to England, where that species of military government which he had established gave him greater authority than the ancient feudal institutions permitted him to exercise in Normandy. He called over an army of English under his ancient captains, who soon expelled Robert and his adherents from their retreats, and restored the authority of the sovereign in all his dominions. The young prince was obliged to take shelter in the castle of Gerberoy in the Beauvoisis, which the King of France, who secretly fomented all these dissensions, had provided for him. In this fortress he was closely besieged by his father, against whom, having a strong garrison, he made an obstinate defence. There passed under the walls of this place many encounters which resembled more the single combats of chivalry, than the military actions of armies; but one of them was remarkable for its circumstances and its event. Robert happened to engage the king, who was concealed by his helmet; and both of them being valiant, a fierce combat ensued, till at last the young prince wounded his father in the arm, and unhorsed him. On his calling out for assistance, his voice discovered him to his son, who, struck with remorse for his past guilt, and astonished with the apprehensions of one much greater, which he had so nearly incurred, instantly threw himself at his father's feet, craved pardon for his offences, and offered to purchase forgiveness by any atonement.<sup>j</sup> The resentment harboured by William was so implacable, that he did not immediately correspond to this dutiful submission of his son with like tenderness; but giving him his malediction, departed for his own camp, on Robert's horse, which that prince had assisted him to mount. He soon after raised the siege, and marched with his army to Normandy; where the interposition of the queen, and other common friends, brought about a reconciliation, which was probably not a little forwarded by the generosity of the son's behaviour in this action, and by the returning sense of his past misconduct. The king seemed so fully appeased, that he even took Robert with him into England; where he intrusted him with the command of an army, in order to repel an inroad of Malcolm, King of Scotland, and to retaliate by a like inroad into that country. The Welch, unable to resist William's power, were, about the same time, necessitated to pay a compensation for their incursions; and every thing was reduced to full tranquillity in this island.

This state of affairs gave William leisure A. D. 1081.  
Doomsday book. to begin and finish an undertaking, which proves his extensive genius, and does honour to his memory: it was a general survey of all the lands

<sup>b</sup> Hoveden, p. 155-157. Flo. Wigorn. p. 638. Spellm. Concil. fol. 13. A. D. 1076.

<sup>c</sup> Order. Vital. p. 512. Hoveden, p. 457. Il. r. Wigorn. p. 639.

<sup>d</sup> Chron. de Mailr. p. 160. <sup>e</sup> Order. Vital. p. 515.

<sup>f</sup> Ibid. <sup>g</sup> Ibid. <sup>h</sup> Ibid.

<sup>i</sup> Order. Vital. p. 515. Hoveden, p. 457. Sum. Dun. p. 210. Diceto, p. 47.

<sup>j</sup> Malmes. p. 166. Il. Hunt. p. 369. Hoveden, p. 457. Flor. Wig. p. 649. Sum. Dun. p. 210. Diceto, p. 387. Knighton, p. 2351. Alur. Feculr. p. 135.



in the kingdom, their extent in each district, their proprietors, tenures, value: the quantity of meadow, pasture, wood, and arable land, which they contained; and in some counties the number of tenants, cottagers, and slaves of all denominations, who lived upon them. He appointed commissioners for this purpose, who entered every particular in their register by the verdict of juries; and after a labour of six years (for the work was so long in finishing) brought him an exact account of all the landed property of his kingdom.<sup>a</sup> This monument, called Domesday-book, the most valuable piece of antiquity possessed by any nation, is still preserved in the Exchequer; and though only some extracts of it have hitherto been published, it serves to illustrate to us, in many particulars, the ancient state of England. The great Alfred had finished a like survey of the kingdom in his time, which was long kept at Winchester, and which probably served as a model to William in this undertaking.<sup>b</sup>

The king was naturally a great economist; and though no prince had ever been more bountiful to his officers and servants, it was merely because he had rendered himself universal proprietor of England, and had a whole kingdom to bestow. He reserved an ample revenue for the crown; and in the general distribution of land among his followers, he kept possession of no less than 1422 manors in different parts of England,<sup>c</sup> which paid him rent, either in money, or in corn, cattle, and the usual produce of the soil. An ancient historian computes, that his annual fixed income, besides escheats, fines, reliefs, and other casual profits to a great value, amounted to near 400,000 pounds a year;<sup>d</sup> a sum which, if all circumstances be attended to, will appear wholly incredible. A pound in that age, as we have already observed, contained three times the weight of silver that it does at present; and the same weight of silver, by the most probable computation, would purchase near ten times more of the necessities of life, though not in the same proportion of the finer manufactures. This revenue, therefore, of William, would be equal to at least nine or ten millions at present; and as that prince had neither fleet nor army to support, the former being only an occasional expense, and the latter being maintained without any charge to him, by his military vassals, we must thence conclude, that no emperor or prince, in any age or nation, can be compared to the Conqueror for opulence and riches. This leads us to suspect a great mistake in the computation of the historian: though, if we consider that avarice is always imputed to William, as one of his vices, and that having by the sword rendered himself master of all the lands in the kingdom, he would certainly in the partition retain a great proportion for his own share; we can scarcely be guilty of any error in asserting, that perhaps no King of England was ever more opulent, was more able to support, by his revenue, the splendour and magnificence of a court, or could bestow more on his pleasures, or in liberalities to his servants and favourites.<sup>e</sup>

The new forest. There was one pleasure, to which William, as well as all the Normans and ancient Saxons, was extremely addicted, and that was hunting: but this pleasure he indulged more at the expense of his unhappy subjects, whose interest he always disregarded, than to the loss or diminution of his own revenue. Not content with those large forests which former kings possessed in all parts of England, he resolved to make a new forest near Winchester, the usual place of his residence: and for that purpose he laid waste the country in Hampshire for an extent of thirty miles, expelled the inhabitants from their houses, seized their property, even demolished churches and convents, and made the sufferers no compensation for the injury.<sup>f</sup> At the same time, he enacted new laws, by which he prohibited all his subjects from hunting in any of his forests, and rendered the penalties more severe than ever had been inflicted for such offences. The killing of a deer or boar, or even a hare, was punished with the loss of the delinquent's eyes; and

that at a time, when the killing of a man could be atoned for by paying a moderate fine or composition.

The transactions recorded during the remainder of this reign, may be considered more as domestic occurrences which concern the prince, than as national events which regard England. Odo, Bishop of Baieux, the king's uterine brother, whom he had created Earl of Kent, and intrusted with a great share of power during his whole reign, had amassed immense riches; and agreeably to the usual progress of human wishes, he began to regard his present acquisitions but as a step to further grandeur. He had formed the chimerical project of buying the papacy; and though Gregory, the reigning Pope, was not of advanced years, the prelate had confided so much in the predictions of an astrologer, that he reckoned upon the pontiff's death, and upon attaining, by his own intrigues and money, that envied state of greatness. Resolving, therefore, to remit all his riches to Italy, he had persuaded many considerable barons, and among the rest, Hugh, Earl of Chester, to take the same course; in hopes that, when he should mount the papal throne, he would bestow on them more considerable establishments in that country. The king, from whom all these projects had been carefully concealed, at last got intelligence of the design, and ordered Odo to be arrested. His officers, from respect to the immunities which the ecclesiastics now assumed, scrupled to execute the command, till the king himself was obliged in person to seize him; and when Odo insisted that he was a prelate, and exempt from all temporal jurisdiction, William replied, that he arrested him not as Bishop of Baieux, but as Earl of Kent. He was sent prisoner to Normandy; and notwithstanding the remonstrances and menaces of Gregory, was detained in custody during the remainder of this reign.

Another domestic event gave the king much more concern: it was the death of Matilda, his consort, whom he tenderly loved, and for whom he had ever preserved the most sincere friendship. Three years afterwards he passed into Normandy, and carried with him Edgar Atheling, to whom he willingly granted permission to make a pilgrimage to the Holy Land.

He was detained on the continent by a misunderstanding, which broke out between him and the King of France, and which was occasioned by inroads made into Normandy by some French barons on the frontiers. It was little in the power of princes at that time to restrain their licentious nobility; but William suspected, that these barons durst not have provoked his indignation, had they not been assured of the countenance and protection of Philip. His displeasure was increased by the account he received of some raileries which that monarch had thrown out against him. William, who was become corpulent, had been detained in bed some time by sickness; upon which Philip expressed his surprise that his brother of England should be so long in being delivered of his big belly. The king sent him word, that, as soon as he was up, he would present so many lights at Notre-dame, as would perhaps give little pleasure to the King of France; alluding to the usual practice at that time of women after child-birth. Immediately on his recovery, he led an army into l'Isle de France, and laid every thing waste with fire and sword. He took the town of Mante, which he reduced to ashes. But the progress of these hostilities was stopped by an accident which soon after put an end to William's life. His horse starting aside of a sudden, he bruised his belly on the pommel of the saddle: and being in a bad habit of body, as well as somewhat advanced in years, he began to apprehend the consequences, and ordered himself to be carried in a litter to the monastery of St. Gervas. Finding his illness increase, and being sensible of the approach of death, he discovered at last the vanity of all human grandeur, and was struck with remorse for those horrible cruelties and acts of violence, which in the attainment and defence of it, he had committed during the course of his

A. D. 1082.

A. D. 1083.

A. D. 1087.  
War with France.

<sup>a</sup> Chron. Sax. p. 190. Ingulf, p. 79. Chron. T. Wales, p. 23. H. Hunt, p. 370. Hoveden, p. 401. M. West, p. 229. Flor. Wigorn, p. 611. Chron. Abb. St. Petri de Burgo, p. 51. M. Paris, p. 3. The more northern counties were not comprehended in this survey; I suppose because of their wild, uncultivated state.

<sup>b</sup> Ingulf, p. 8.

<sup>c</sup> West's Inquiry into the manner of creating Peers, p. 24.

<sup>d</sup> Order. Vital, p. 523. He says 1000 pounds and some odd shillings and pence a day.

<sup>e</sup> l'ortescue, de Dom. reg. et politic. cap. 111.

<sup>f</sup> Malmesb. p. 3. H. Hunt, p. 731. Anglia Sacra, vol. 1. p. 230.

reign over England. He endeavoured to make atonement by presents to churches and monasteries; and he issued orders, that Earl Morcar, Siward, Bearn, and other English prisoners, should be set at liberty. He was even prevailed on, though not without reluctance, to consent, with his dying breath, to release his brother Odo, against whom he was extremely incensed. He left Normandy and Maine to his eldest son Robert: he wrote to Lanfranc, desiring him to crown William King of England: he bequeathed to Henry nothing but the possessions of his mother Matilda; but foretold that he would one day surpass both his brothers in power and opulence.

He expired in the sixty-third year of his age, in the twenty-first year of his reign over England, and in the fifty-fourth of that over Normandy.

Few princes have been more fortunate than this great monarch, or were better entitled to grandeur and prosperity from the abilities and the vigour of mind which he displayed in all his conduct. His spirit was bold and enterprising, yet guided by prudence : his ambition, which was exorbitant, and lay little under the restraints of justice, still less under those of humanity, ever submitted to the dictates of sound policy. Born in an age when the minds of men were intractable and unacquainted with submission, he was yet able to direct them to his purposes ; and partly from the ascendant of his vehement character, partly from art and dissimulation, to establish an unlimited authority. Though not insensible to generosity, he was hardened against compassion ; and he seemed equally ostentatious and equally ambitious of show and parade in his clemency and in his severity. The maxims of his administration were austere ; but might have been useful, had they been solely employed to preserve order in an established government ; \* they were ill calculated for softening the rigours, which, under the most gentle management, are inseparable from conquest. His attempt against England was the last great enterprise of the kind, which during the course of seven hundred years, has fully succeeded in Europe ; and the force of his genius broke through those limits, which first the feudal institutions, then the refined policy of princes, have fixed to the several states of Christendom. Though he rendered himself infinitely odious to his English subjects, he transmitted his power to his posterity, and the throne is still filled by his descendants : a proof, that the foundations which he laid were firm and solid, and that, amidst all his violence, while he seemed only to gratify the present passion, he had still an eye towards futurity.

Some writers have been desirous of refusing to this prince the title of Conqueror, in the sense which that term commonly bears; and, on pretence that the word sometimes in old books applied to such as make an acquisition of territory by any means, they are willing to reject William's title, by right of war, to the crown of England. It is needless to enter into a controversy, which, by the terms of it, must necessarily degenerate into a dispute of words. It suffices to say, that the Duke of Normandy's first invasion of the island was hostile; that his subsequent administration was entirely supported by arms; that in the very frame of his laws he made a distinction between the Normans and English, to the advantage of the former; that he acted in every thing as absolute master over the natives, whose interest and affections he totally disregarded; and that if there was an interval when he assumed the appearance of a legal sovereign, the period was very short, and was nothing but a temporary sacrifice, which

he, as has been the case with most conquerors, was obliged to make, of his inclination to his present policy. Scarce any of those revolutions, which, both in history and in common language, have always been denominated conquests, appear equally violent, or were attended with so sudden an alteration both of power and property. The Roman state, which spread its dominion over Europe, left the rights of individuals in a great measure untouched; and those civilized conquerors, while they made their own country the seat of empire, found that they could draw most advantage from the subjected provinces, by securing to the natives the free enjoyment of their own laws and of their private possessions. The barbarians who subdued the Roman empire, though they settled in the conquered countries, yet being accustomed to a rude uncultivated life, found a part only of the land sufficient to supply all their wants; and they were not tempted to seize extensive possessions, which they knew neither how to cultivate nor enjoy. But the Normans and other foreigners, who followed the standard of William, while they made the vanquished kingdom the seat of government, were yet so far advanced in arts as to be acquainted with the advantages of a large property; and having totally subdued the natives, they pushed the rights of conquest (very extensive in the eyes of avarice and ambition, however narrow in those of reason) to the utmost extremity against them. Except the former conquest of England by the Saxons themselves, who were induced, by peculiar circumstances, to proceed even to the extermination of the natives, it would be difficult to find in all history a revolution more destructive, or attended with a more complete subjection of the ancient inhabitants. Customably seems even to have been wantonly added to oppression; and the natives were universally reduced to such a state of meanness and poverty, that the English name became a term of reproach; and several generations elapsed before one family of Saxon pedigree was raised to any considerable honour, or could so much as attain the rank of baron of the realm.<sup>a</sup> These facts are so apparent from the whole tenour of the English history, that none would have been tempted to deny or elude them, were they not heated by the controversies of faction; while one party was *absurdly* afraid of those *absurd* consequences, which they saw the other party inclined to draw from this event. But it is evident that the present rights and privileges of the people, who are a mixture of English and Normans, can never be affected by a transaction which passed seven hundred years ago; and as all ancient authors,<sup>b</sup> who lived nearest the time, and best knew the state of the country, unanimously speak of the Norman dominion as a conquest by war and arms, no reasonable man, from the fear of imaginary consequences, will ever be tempted to reject their concurring and undoubted testimony.

King William had issue, besides his three sons who survived him, five daughters; to wit, (1.) Cicely, a nun in the monastery of Feschamp, afterwards abbess in the Holy Trinity at Caen, where she died in 1127. (2.) Constantia, married to Alan Fergent, Earl of Brittany. She died without issue. (3.) Alice, contracted to Harold. (4.) Adela, married to Stephen, Earl of Blois, by whom she had four sons, William, Theobald, Henry, and Stephen; of whom the elder was neglected on account of the imbecility of his understanding. (5.) Agatha, who died a virgin, but was betrothed to the king of Galicia. She died on her journey thither, before she joined her bridegroom.

x M. West, p. 230. *Anglia Sacra*, vol. i, p. 258.

y Hoveden, p. 600.

2 H. Hunt p. 370. Brompton, p. 980.

as well as the right of King Stephen, the Earl of Albemarle, before the battle of the standard, addressed the officers of his army in these terms, *Procesus, Achivi clavisque, et genere Normanni*, &c. Brompton, p. 1026. See further, Abbas Kneval, p. 359, &c. All the barons and military men of England still called themselves Normans.

p. Inault, p. 70. J. Hunt, p. 370. 372. M. West, p. 223. Gul. Neub.  
p. 357. Alured, Beverl, p. 124. De Gest. Angl. p. 333. M. Paris, p. 1.  
Sim. Dun, p. 206. Brompton, p. 982, 990, 1161. Gervase, lib. lib. i. cap.  
26. Textus Rotensis apud Sel. Spicileg. ad Eadm. p. 107. Gul. Pict. p.  
366. Ordericus Vitalis, p. 521, 666, 853. Epist. St. Thom. p. 801. Gul.

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## CHAP. V.

## WILLIAM RUFUS.

Accession of William Rufus. Conspiracy against the king—Invasion of Normandy. The Crusades. Acquisition of Normandy. Quarrel with Anselm, the primate. Death and character of William Rufus.

A. D. 1087. WILLIAM, surnamed *Rufus*, or the *Red*, from the colour of his hair, had no sooner procured his father's commendatory letter to Lanfranc, the primate, than he hastened to take measures for securing to himself the government of England. Sensible that a deed so unequal, and so little prepared, which violated Robert's right of primogeniture, might meet with great opposition, he trusted entirely for success to his own celerity; and having left St. Gervas, while William was breathing his last, he arrived in England before intelligence of his father's death had reached that kingdom.<sup>a</sup> Pretending orders from the king, he secured the fortresses of Dover, Pevensey, and Hastings, whose situation rendered them of the greatest importance; and he got possession of the royal treasure at Winchester, amounting to the sum of sixty thousand pounds, by which he hoped to encourage and increase his partisans.<sup>b</sup> The primate, whose rank and reputation in the kingdom gave him great authority, had been intrusted with the care of his education, and had conferred on him the honour of knighthood;<sup>c</sup> and being connected with him by these ties, and probably deeming his pretensions just, declared that he would pay a willing obedience to the last will of the Conqueror, his friend and benefactor. Having assembled some bishops, and some of the principal nobility, he instantly proceeded to the ceremony of crowning the new king;<sup>d</sup> and by this despatch endeavoured to prevent all faction and resistance. At the same time Robert, who had been already acknowledged successor to Normandy, took peaceable possession of that duchy.

But though this partition appeared to have against the king. been made without any violence or opposition, there remained in England many causes of discontent, which seemed to menace that kingdom with a sudden revolution. The barons, who generally possessed large estates both in England and in Normandy, were uneasy at the separation of those territories; and foresaw, that as it would be impossible for them to preserve long their allegiance to two masters, they must necessarily resign either their ancient patrimony or their new acquisitions.<sup>e</sup> Robert's title to the duchy they esteemed incontestable, his claim to the kingdom plausible; and they all desired that this prince, who alone had any pretensions to unite these states, should be put in possession of both. A comparison also of the personal qualities of the two brothers led them to give the preference to the elder. The duke was brave, open, sincere, generous. Even his predominant faults, his extreme indolence and facility, were not disagreeable to those haughty barons, who affected independence, and submitted with reluctance to a vigorous administration in their sovereign. The king, though equally brave, was violent, haughty, tyrannical, and seemed disposed to govern more by the fear than by the love of his subjects. Odo, Bishop of Baieux, and Robert, Earl of Mortaigne, maternal brothers of the Conqueror, envying the great credit of Lanfranc, which was increased by his late services, enforced all these motives with their partisans, and engaged them in a formal conspiracy to dethrone the king. They communicated their design to Eustace, Count of Bologne; Roger, Earl of Shrewsbury and Arundel; Robert de Belesme, his eldest son; William, Bishop of Durham; Robert de Moubay; Roger Bigod; Hugh de Grentmesnil; and they easily procured the assent of these potent noblemen. The conspirators, retiring to their castles, hastened to put themselves in a military posture; and expecting to be soon supported by a powerful army from Normandy, they had already begun hostilities in many places.

The king, sensible of his perilous situation, endeavoured to engage the affections of the native English. As that people were now so thoroughly subdued that they no longer aspired to the recovery of their ancient liberties, and were content with the prospect of some mitigation in the tyranny of the Norman princes, they zealously embraced William's cause, upon receiving general promises of good treatment, and of enjoying the licence of hunting in the royal forests. The king was soon in a situation to take the field; and as he knew the danger of delay, he suddenly marched into Kent; where his uncles had already seized the fortresses of Pevensey and Rochester. These places he successively reduced by famine; and though he was prevailed on by the Earl of Chester, William de Warrenne, and Robert Fitz Hammon, who had embraced his cause, to spare the lives of the rebels, he confiscated all their estates, and banished them the kingdom.<sup>f</sup> This success gave authority to his negotiations with Roger Earl of Shrewsbury, whom he detached from the confederates: and as his powerful fleet, joined to the indolent conduct of Robert, prevented the arrival of the Norman succours, all the other rebels found no resource but in flight or submission. Some of them received a pardon; but the greater part were attainted; and the king bestowed their estates on the Norman barons who had remained faithful to him.

William, freed from the danger of these A. D. 1089. insurrections, took little care of fulfilling his promises to the English, who still found themselves exposed to the same oppressions which they had undergone during the reign of the Conqueror, and which were rather augmented by the violent impetuous temper of the present monarch. The death of Lanfranc, who retained great influence over him, gave soon after a full career to his tyranny; and all orders of men found reason to complain of an arbitrary and illegal administration. Even the privileges of the church, held sacred in those days, were a feeble rampart against his usurpations. He seized the temporalities of all the vacant bishoprics and abbeys; he delayed the appointment of successors to those dignities, that he might the longer enjoy the profits of their revenue; he bestowed some of the church lands in property on his captains and favourites; and he openly set to sale such sees and abbeys as he thought proper to dispose of. Though the murmurs of the ecclesiastics, which were quickly propagated to the nation, rose high against this grievance, the terror of William's authority, confirmed by the suppression of the late insurrections, retained every one in subjection, and preserved general tranquillity in England.

The king even thought himself enabled A. D. 1090. to disturb his brother in the possession of Invasion of Normandy. The loose and negligent administration of that prince had imboldened the Norman barons to affect a great independency; and their mutual quarrels and devastations had rendered that whole territory a scene of violence and outrage. Two of them, Walter and Odo, were bribed by William to deliver the fortresses of St. Valeri and Albemarle into his hands. Others soon after imitated the example of revolt; while Philip, king of France, who ought to have protected his vassal in the possession of his fief, was, after making some efforts in his favour, engaged by large presents to remain neuter. The duke had also reason to apprehend danger from the intrigues of his brother Henry. This young prince, who had inherited nothing of his father's great possessions, but some of his money, had furnished Robert, while he was making his preparations against England, with the sum of three thousand marks; and in return for so slender a supply, had been put in possession of the Cotentin, which comprehended near a third of the duchy of Normandy. Robert afterwards, upon some suspicion, threw him into prison; but finding himself exposed to invasion from the king of England, and dreading the conjunction of the two brothers against him, he now gave Henry his liberty, and even made use of his assistance in suppressing the insurrections of his rebellious subjects. Conan, a rich burgess of Rouen, had entered into a conspiracy to deliver that city

a W. Malms. p. 120. M. Paris, p. 10.  
b Chron. Sax. p. 192. Fro. p. 406. p. 483.  
c W. Malms. p. 120. M. Paris, p. 10. Thom. Rutberne p. 264.

d Howden, p. 461.  
e Order. Vital. p. 666.  
f Chron. Sax. p. 195. Order. Vital. p. 668.



to William; but Henry, on the detection of his guilt, carried the traitor up to a high tower, and with his own hands flung him from the battlements.

The king appeared in Normandy at the head of an army; and affairs seemed to have come to extremity between the brothers: when the nobility on both sides, strongly connected by interest and alliances, interposed and mediated an accommodation. The chief advantage of this treaty accrued to William, who obtained possession of the territory of Eu, the towns of Aumale, Fescamp, and other places: but in return he promised that he would assist his brother in subduing Maine, which had rebelled; and that the Norman barons, attainted in Robert's cause, should be restored to their estates in England. The two brothers also stipulated, that

A. D. 1090.

on the demise of either without issue, the survivor should inherit all his dominions; and twelve of the most powerful barons on each side swore, that they would employ their power to insure the effectual execution of the whole treaty: a strong proof of the great independence and authority of the nobles in those ages!

Prince Henry, disgusted that so little care had been taken of his interests in this accommodation, retired to St. Michael's Mount, a strong fortress on the coast of Normandy, and infested the neighbourhood with his incursions. Robert and William, with their joint forces, besieged him in this place, and had nearly reduced him by the scarcity of water; when the elder, hearing of his distress, granted him permission to supply himself, and also sent him some pipes of wine for his own table. Being reproved by William for this ill-timed generosity, he replied, *What, shall I suffer my brother to die of thirst? Where shall we find another when he is gone?* The king also, during this siege, performed an act of generosity which was less suitable to his character. Riding out one day alone, to take a survey of the fortress, he was attacked by two soldiers and dismounted. One of them drew his sword in order to despatch him; when the king exclaimed, *Hold, knave! I am the King of England.* The soldier suspended his blow; and raising the king from the ground, with expressions of respect, received a handsome reward, and was taken into his service. Prince Henry was soon after obliged to capitulate; and being despoiled of all his patrimony, wandered about for some time with very few attendants, and often in great poverty.

A. D. 1091.

The continued intestine discord among the barons was alone in that age destructive: the public wars were commonly short and feeble, produced little bloodshed, and were attended with no memorable event. To this Norman war, which was so soon concluded, there succeeded hostilities with Scotland, which were not of longer duration. Robert here commanded his brother's army, and obliged Malcolm to accept of peace, and do homage to the crown of England.

A. D. 1093.

This peace was not more durable. Malcolm, two years after, levying an army, invaded England; after ravaging Northumberland, he laid siege to Alnwick, where a party of Earl Moubray's troops falling upon him by surprise, a sharp action ensued, in which Malcolm was slain. This incident interrupted for some years the regular succession to the Scottish crown. Though Malcolm left legitimate sons, his brother Donald, on account of the youth of these princes, was advanced to the throne; but kept not long possession of it. Duncan, natural son of Malcolm, formed a conspiracy against him; and being assisted by William with a small force, made himself master of the kingdom. New broils ensued with Normandy. The frank, open, remiss temper of Robert was ill fitted to withstand the interested, rapacious character of William, who, supported by greater power, was still encroaching on his brother's possessions, and instigating his turbulent barons to rebellion against him.

A. D. 1094.

The king, having gone over to Normandy to support his partisans, ordered an army of twenty thousand men to be levied in England, and to be conducted to the sea-coast, as if they were instantly to be embarked. Here Ralph Flambard, the king's minister,

and the chief instrument of his extortions, exacted ten shillings a-piece from them, in lieu of their service, and then dismissed them into their several counties. This money was so skillfully employed by William, that it rendered him better service than he could have expected from the army. He engaged the French king by new presents to depart from the protection of Robert; and he daily bribed the Norman barons to desert his service; but was prevented from pushing his advantages by an incursion of the Welch, which obliged him to return to England. He found no difficulty in repelling the enemy; but was not able to make any considerable impression on a country guarded by its mountainous situation. A conspiracy of his own barons, which was

A. D. 1095.

detected at this time, appeared a more serious concern, and engrossed all his attention. Robert Moubray, Earl of Northumberland, was at the head of this combination; and he engaged in it the Count d'Eu, Richard de Tunbridge, Roger de Lacey, and many others. The purpose of the conspirators was to dethrone the king, and to advance in his stead Stephen, Count of Aumale, nephew to the Conqueror. William's despatch prevented the design from taking effect, and disconcerted the conspirators. Moubray made some resistance, but being taken prisoner, was attainted, and thrown into confinement, where he died about thirty years after. The Count d'Eu denied his concurrence in the plot; and to justify himself, fought in the presence of the court at Windsor, a duel with Geoffrey Baimard, who accused him. But being worsted in the combat, he was condemned to be castrated, and to have his eyes put out. William de Alder, another conspirator, was supposed to be treated with more rigour, when he was sentenced to be hanged.

A. D. 1096.

But the noise of these petty wars and commotions was quite sunk in the tumult of the Crusades, which now engrossed the attention of Europe, and have ever since engaged the curiosity of mankind, as the most signal and most durable monument of human folly that has yet appeared in any age or nation. After Mahomet had, by means of his pretended revelations, united the dispersed Arabians under one head, they issued forth from their deserts in great multitudes; and being animated with zeal for their new religion, and supported by the vigour of their new government, they made deep impression on the Eastern empire, which was far in the decline, with regard both to military discipline and to civil policy. Jerusalem, by its situation, became one of their most early conquests; and the Christians had the mortification to see the holy sepulchre, and the other places consecrated by the presence of their religious founder, fallen into the possession of infidels. But the Arabians or Saracens were so employed in military enterprises, by which they spread their empire, in a few years, from the banks of the Ganges to the Straits of Gibraltar, that they had no leisure for theological controversy: and though the Alcoran, the original monument of their faith, seems to contain some violent precepts, they were much less infected with the spirit of bigotry and persecution, than the indolent and speculative Greeks, who were continually refining on the several articles of their religious system. They gave little disturbance to those zealous pilgrims, who daily flocked to Jerusalem; and they allowed every man, after paying a moderate tribute, to visit the holy sepulchre, to perform his religious duties, and to return in peace. But the Turcomans or Turks, a tribe of Tartars, who had embraced Mahometanism, having wrested Syria from the Saracens, and having in the year 1065 made themselves masters of Jerusalem, rendered the pilgrimage much more difficult and dangerous to the Christians. The barbarity of their manners, and the confusions attending their unsettled government, exposed the pilgrims to many insults, robberies, and extortions; and these zealots, returning from their meritorious fatigues and sufferings, filled all Christendom with indignation against the infidels, who profaned the holy city by their presence, and derided the sacred mysteries in the very place of their completion. Gregory VII. among the

g Chron. Sax. p. 197. W. Malm. p. 121. Hoveden. p. 462. M. Paris, p. 11. Annal. Waverl. p. 137. W. Heming. p. 463. Sam. Dunelm. p.

216. Prompton. p. 906.

other vast ideas which he entertained, had formed the design of uniting all the Western Christians against the Mahometans; but the egregious and violent invasions of that pontiff on the civil power of princes, had created him so many enemies, and had rendered his schemes so suspicious, that he was not able to make great progress in this undertaking. The work was reserved for a meaner instrument, whose low condition in life exposed him to no jealousy, and whose folly was well calculated to coincide with the prevailing principles of the times.

Peter, commonly called the Hermit, a native of Amiens in Picardy, had made the pilgrimage to Jerusalem. Being deeply affected with the dangers to which that act of piety now exposed the pilgrims, as well as with the instances of oppression under which the Eastern Christians laboured, he entertained the bold, and in all appearance impracticable, project of leading into Asia from the furthest extremities of the West, armies sufficient to subdue those potent and warlike nations which now held the holy city in subjection.<sup>h</sup> He proposed his views to Martin II. who filled the papal chair, and who, though sensible of the advantages which the head of the Christian religion must reap from a religious war, and though he esteemed the blind zeal of Peter a proper means for effecting the purpose,<sup>i</sup> resolved not to interpose his authority, till he saw a greater probability of success. He summoned a council at Placentia, which consisted of four thousand ecclesiastics, and thirty thousand seculars; and which was so numerous that no hall could contain the multitude, and it was necessary to hold the assembly in a plain. The harangues of the Pope, and of Peter himself, representing the dismal situation of their brethren in the East, and the indignity suffered by the Christian name, in allowing the holy city to remain in the hands of infidels, here found the minds of men so well prepared, that the whole multitude suddenly and violently declared for the war, and solemnly devoted themselves to perform this service, so meritorious, as they believed it, to God and religion.

But though Italy seemed thus to have zealously embraced the enterprise, Martin knew that, in order to insure success, it was necessary to enlist the greater and more warlike nations in the same engagement; and having previously exhorted Peter to visit the chief cities and sovereigns of Christendom, he summoned another council at Clermont in Auvergne.<sup>k</sup> The fame of this great and pious design, being now universally diffused, procured the attendance of the greatest prelates, nobles, and princes, and when the Pope and the Hermit renewed their pathetic exhortations, the whole assembly, as if impelled by an immediate inspiration, not moved by their preceding impressions, exclaimed with one voice, *It is the will of God, It is the will of God!* words deemed so memorable, and so much the result of a divine influence, that they were employed as the signal of rendezvous and battle in all the future exploits of those adventurers.<sup>l</sup> Men of all ranks flew to arms with the utmost ardour; and an exterior symbol too, a circumstance of chief moment, was here chosen by the devoted combatants. The sign of the cross, which had been hitherto so much revered among Christians, and which, the more it was an object of reproach among the pagan world, was the more passionately cherished by them, became the badge of union, and was affixed to their right shoulder, by all who enlisted themselves in this sacred warfare.<sup>m</sup>

Europe was at this time sunk into profound ignorance and superstition: the ecclesiastics had acquired the greatest ascendancy over the human mind: the people, who, being little restrained by honour, and less by law, abandoned themselves to the worst crimes and disorders, knew of no other expiation than the observances imposed on them by their spiritual pastors: and it was easy to represent the holy war as an equivalent for all penances,<sup>n</sup> and an atonement for every violation of justice and humanity. But, amidst the abject superstition which now prevailed, the military spirit also had universally diffused itself;

and though not supported by art or discipline, was become the general passion of the nations governed by the feudal law. All the great lords possessed the right of peace and war: they were engaged in perpetual hostilities with each other: the open country was become a scene of outrage and disorder: the cities, still mean and poor, were neither guarded by walls nor protected by privileges, and were exposed to every insult: individuals were obliged to depend for safety on their own force, or their private alliances: and valour was the only excellence which was held in esteem, or gave one man the pre-eminence above another. When all the particular superstitions, therefore, were here united in one great object, the ardour for military enterprises took the same direction; and Europe, impelled by its two ruling passions, was loosened, as it were, from its foundations, and seemed to precipitate itself in one united body upon the East.

All orders of men, deeming the Crusades the only road to heaven, enlisted themselves under these sacred banners, and were impatient to open the way with their sword to the holy city. Nobles, artisans, peasants, even priests,<sup>o</sup> enrolled their names; and to decline this meritorious service was branded with the reproach of impiety, or what perhaps was esteemed still more disgraceful, of cowardice and pusillanimity.<sup>p</sup> The infirm and aged contributed to the expedition by presents and money; and many of them, not satisfied with the merit of this atonement, attended it in person, and were determined, if possible, to breathe their last in sight of that city where their Saviour had died for them. Women themselves, concealing their sex under the disguise of armour, attended the camp; and commonly forgot still more the duty of their sex, by prostituting themselves, without reserve, to the army.<sup>q</sup> The greatest criminals were forward in a service, which they regarded as a propitiation for all crimes; and the most enormous disorders were, during the course of those expeditions, committed by men, inured to wickedness, encouraged by example, and impelled by necessity. The multitude of the adventurers soon became so great, that their more sagacious leaders, Hugh, Count of Vermandois, brother to the French king, Raymond, Count of Toulouse, Godfrey of Bouillon, Prince of Brabant, and Stephen, Count of Blois,<sup>r</sup> became apprehensive lest the greatness itself of the armament should disappoint its purpose; and they permitted an undisciplined multitude, computed at 300,000 men, to go before them, under the command of Peter the Hermit, and Walter the Moneyless.<sup>s</sup> These men took the road towards Constantinople through Hungary and Bulgaria; and trusting that Heaven, by supernatural assistance, would supply all their necessities, they made no provision for subsistence on their march. They soon found themselves obliged to obtain by plunder, what they had vainly expected from miracles; and the enraged inhabitants of the countries through which they passed, gathering together in arms, attacked the disorderly multitude, and put them to slaughter without resistance. The more disciplined armies followed after; and passing the straits at Constantinople, they were mustered in the plains of Asia, and amounted in the whole to the number of 700,000 combatants.<sup>t</sup>

Amidst this universal frenzy, which spread itself by contagion throughout Europe, especially in France and Germany, men were not entirely forgetful of their present interests; and both those who went on this expedition, and those who stayed behind, entertained schemes of gratifying, by its means, their avarice or their ambition. The nobles who enlisted themselves were moved, from the romantic spirit of the age, to hope for opulent establishments in the East, the chief seat of arts and commerce during those ages; and in pursuit of these chimerical projects, they sold at the lowest price their ancient castles and inheritances, which had now lost all value in their eyes. The greater princes, who remained at home, besides establishing peace in their dominions by giving occupation abroad to the inquietude and martial disposition of their subjects, took the opportunity of annexing to

<sup>h</sup> Gul. Tyrinus, lib. i. cap. 11. M. Paris, p. 17.

<sup>i</sup> Gul. Tyrinus, lib. i. cap. 13.

<sup>k</sup> Concil. tom. x. Concil. Clarm. Matth. Paris, p. 16. M. West, p. 233.

<sup>l</sup> Historia Bell. Sacri, tom. i. Musæi Ital.

m Hist. Bell. Sacri, tom. i. Mus. Ital. Order. Vital, p. 721.

n Order. Vital, p. 720.

<sup>o</sup> Ibid.

<sup>p</sup> W. Malm. p. 133.

<sup>q</sup> Vertot, Hist. de Chev. de Malte, vol. i. p. 46.

<sup>r</sup> Sum. Dunelm. p. 222.

<sup>s</sup> Matth. Paris, p. 17.

<sup>t</sup> Ibid. 20, 21.

their crown many considerable fiefs, either by purchase, or by the extinction of heirs. The Pope frequently turned the zeal of the Crusaders from the infidels against his own enemies, whom he represented as equally criminal with the enemies of Christ. The convents and other religious societies held the possessions of the adventurers, and as the contributions of the faithful were commonly intrusted to their management, they often diverted to this purpose what was intended to be employed against the infidels.<sup>a</sup> But no one was a more immediate gainer by this epidemic fury than the King of England, who kept aloof from all connexions with those fanatical and romantic warriors.

**Acquisition of Normandy.** Robert, Duke of Normandy, impelled by the bravery and mistaken generosity of his spirit, had early enlisted himself in the Crusade; but being always unprovided with money, he found that it would be impracticable for him to appear in a manner suitable to his rank and station, at the head of his numerous vassals and subjects, who, transported with the general rage, were determined to follow him into Asia. He resolved, therefore, to mortgage, or rather to sell, his dominions, which he had not talents to govern; and he offered them to his brother William, for the very unequal sum of ten thousand marks.<sup>w</sup> The bargain was soon concluded: the king raised the money by violent extortions on his subjects of all ranks, even on the convents, who were obliged to melt their plate in order to furnish the quota demanded of them:<sup>x</sup> he was put in possession of Normandy and Maine, and Robert, providing himself with a magnificent train, set out for the Holy Land, in pursuit of glory, and in full confidence of securing his eternal salvation.

The smallness of this sum, with the difficulties which William found in raising it, suffices alone to refute the account which is heedlessly adopted by historians, of the enormous revenue of the Conqueror. Is it credible that Robert would consign to the rapacious hands of his brother such considerable dominions, for a sum, which, according to that account, made not a week's income of his father's English revenue alone? Or that the King of England could not on demand, without oppressing his subjects, have been able to pay him the money? The Conqueror, it is agreed, was frugal as well as rapacious; yet his treasure, at his death, exceeded not 60,000 pounds, which hardly amounted to his income for two months: another certain refutation of that exaggerated account.

The fury of the Crusades, during this age, less infected England than the neighbouring kingdoms; probably because the Norman conquerors, finding their settlement in that kingdom still somewhat precarious, durst not abandon their homes in quest of distant adventures. The selfish interested spirit also of the king, which kept him from kindling in the general flame, checked its progress among his subjects; and as he is accused of open profaneness,<sup>y</sup> and was endued with a sharp wit,<sup>z</sup> it is likely that he made the romantic chivalry of the Crusaders the object of his perpetual railery. As an instance of his irreligion, we are told, that he once accepted of sixty marks from a Jew, whose son had been converted to Christianity, and who engaged him by that present to assist him in bringing back the youth to Judaism. William employed both menaces and persuasion for that purpose; but finding the convert obstinate in his new faith, he sent for the father and told him that as he had not succeeded, it was not just that he should keep the present; but as he had done his utmost, it was but equitable that he should be paid for his pains; and he would therefore retain only thirty marks of the money.<sup>a</sup> At another time, it is said, he sent for some learned Christian theologians and some rabbies, and bade them fairly dispute the question of their religion in his presence: he was perfectly indifferent between them; had his ears open to reason and conviction; and would embrace that doctrine which upon comparison should be found supported by the most solid arguments.<sup>b</sup>

If this story be true, it is probable that he meant only to amuse himself by turning both into ridicule: but we must be cautious of admitting every thing related by the monkish historians to the disadvantage of this prince: he had the misfortune to be engaged in quarrels with the ecclesiastics, particularly with Anselm, commonly called St. Anselm, Archbishop of Canterbury; and it is no wonder his memory should be blackened by the historians of that order.

After the death of Lanfranc, the king, for several years, retained in his own hands the revenues of Canterbury, as he did those of many other vacant bishoprics; but falling into a dangerous sickness, he was seized with remorse, and the clergy represented to him, that he was in danger of eternal perdition, if before his death he did not make atonement for those multiplied impieties and sacrileges, of which he had been guilty.<sup>c</sup> He resolved therefore to supply instantly the vacancy of Canterbury; and for that purpose he sent for Anselm, a Piedmontese by birth, Abbot of Bec in Normandy, who was much celebrated for his learning and piety. The Abbot earnestly refused the dignity, fell on his knees, wept, and entreated the king to change his purpose;<sup>d</sup> and when he found the prince obstinate in forcing the pastoral staff upon him, he kept his fist so fast clenched, that it required the utmost violence of the bystanders to open it, and force him to receive that ensign of spiritual dignity.<sup>e</sup> William soon after recovered; and his passions regaining their wonted vigour, he returned to his former violence and rapine. He detained in prison several persons whom he had ordered to be freed during the time of his penitence; he still preyed upon the ecclesiastical benefices; the sale of spiritual dignities continued as open as ever; and he kept possession of a considerable part of the revenues belonging to the see of Canterbury.<sup>f</sup> But he found in Anselm that persevering opposition which he had reason to expect from the ostentatious humility which that prelate had displayed in refusing his promotion.

The opposition made by Anselm was the more dangerous on account of the character of piety which he soon acquired in England, by his great zeal against all abuses, particularly those in dress and ornament. There was a mode, which, in that age, prevailed throughout Europe, both among men and women, to give an enormous length to their shoes, to draw the toe to a sharp point, and to affix to it the figure of a bird's bill, or some such ornament, which was turned upwards, and which was often sustained by gold or silver chains tied to the knee.<sup>g</sup> The ecclesiastics took exception at this ornament, which they said was an attempt to belie the Scripture, where it is affirmed, that no man can add a cubit to his stature; and they declaimed against it with great vehemence, nay, assembled some synods, who absolutely condemned it. But, such are the strange contradictions in human nature! though the clergy, at that time, could overturn thrones, and had authority sufficient to send above a million of men on their errand to the deserts of Asia, they could never prevail against those long-pointed shoes: on the contrary, that caprice, contrary to all other modes, maintained its ground during several centuries; and if the clergy had not at last desisted from their persecution of it, it might still have been the prevailing fashion in Europe.

But Anselm was more fortunate in decrying the particular mode which was the object of his aversion, and which probably had not taken such fast hold of the affections of the people. He preached zealously against the long hair and curled locks which were then fashionable among the courtiers; he refused the ashes on Ash-Wednesday to those who were so accoutred; and his authority and eloquence had such influence, that the young men universally abandoned that ornament, and appeared in the cropt hair, which was recommended to them by the sermons of the primate. The noted historian of Anselm, who was also his companion and secretary, celebrates highly this effort of his zeal and piety.<sup>h</sup>

<sup>a</sup> Padre Paolo Hist. delle benef. ecclesiast. p. 128.

<sup>w</sup> W. Malm. p. 123. Chron. T. W. lxxv. p. 24. Annal. Waterl. p. 139. W. Henning. p. 467. Flor. Wig. p. 648. Sm. Dunelm. p. 123. Knighton. p. 2364.

<sup>x</sup> Eadmer, p. 35. W. Malm. p. 125. W. Henning. p. 467.

<sup>y</sup> G. Newbr. p. 358. W. Gernet. p. 292.

<sup>z</sup> W. Malm. p. 122.

<sup>a</sup> Eadmer, p. 47.

<sup>c</sup> Eadmer, p. 16. Chron. Sax. p. 198.

<sup>d</sup> Eadmer, p. 17. Drecto. p. 494.

<sup>e</sup> Eadmer, p. 19. 43. Chron. Sax. p. 119.

<sup>f</sup> Order. Vital. p. 602. W. Malmes. p. 123. Knighton, p. 2364.

<sup>g</sup> Eadmer, p. 25.

<sup>h</sup> W. Malm. p. 123.

<sup>i</sup> Eadmer, p. 19.



When William's profaneness therefore returned to him with his health, he was soon engaged in controversies with this austere prelate. There was at that time a schism in the church between Urban and Clement, who both pretended to the papacy;<sup>i</sup> and Anselm, who, as Abbot of Bec, had already acknowledged the former, was determined, without the king's consent, to introduce his authority into England.<sup>k</sup> William, who, imitating his father's example, had prohibited his subjects from recognizing any pope, whom he had not previously received, was enraged at this attempt; and summoned a synod at Rockingham, with an intention of deposing Anselm: but the prelate's suffragans declared, that without the papal authority, they knew of no expedient for inflicting that punishment on their primate.<sup>l</sup> The king was at last engaged by other motives to give the preference to Urban's title; Anselm received the pall from that pontiff; and matters seemed to be accommodated between the king and the primate,<sup>m</sup> when the quarrel broke out afresh from a new cause. William had undertaken an expedition against Wales, and required the archbishop to furnish his quota of soldiers for that service; but Anselm, who regarded the demand as an oppression on the church, and yet durst not refuse compliance, sent them so miserably accoutred, that the king was extremely displeased, and threatened him with a prosecution.<sup>n</sup> Anselm, on the other hand, demanded positively that all the revenues of his see should be restored to him; appealed to Rome against the king's injustice;<sup>o</sup> and affairs came to such extremities, that the primate, finding it dangerous to remain in the kingdom, desired and obtained the king's permission to retire beyond sea. All his temporalities were seized;<sup>p</sup> but he was received with great respect by Urban, who considered him as a martyr in the cause of religion, and even menaced the king, on account of his proceedings against the primate and the church, with the sentence of excommunication. Anselm assisted at the council of Bari, where, besides fixing the controversy between the Greek and Latin churches, concerning the procession of the Holy Ghost,<sup>q</sup> the right of election to church preferments was declared to belong to the clergy alone, and spiritual censures were denounced against all ecclesiastics, who did homage to laymen for their sees or benefices, and against all laymen who exacted it.<sup>r</sup> The right of homage, by the feudal customs, was, that the vassal should throw himself on his knees, should put his joined hands between those of his superior, and should in that posture swear fealty to him.<sup>s</sup> But the council declared it execrable, that pure hands, which could create God, and could offer him up as a sacrifice for the salvation of mankind, should be put, after this humiliating manner, between profane hands, which, besides being injured to rapine and bloodshed, were employed day and night in impure purposes, and obscene contacts.<sup>t</sup> Such were the reasonings prevalent in that age; reasonings which, though they cannot be passed over in silence, without omitting the most curious, and perhaps not the least instructive, part of history, can scarcely be delivered with the requisite decency and gravity.

A. D. 1097.

The cession of Normandy and Maine by Duke Robert increased the king's territories; but brought him no great increase of power, because of the unsettled state of those countries, the mutinous disposition of the barons, and the vicinity of the French king, who supported them in all their insurrections. Even Helie, Lord of La Fleche, a small town in Anjou, was able to give him inquietude; and this great monarch was obliged to make several expeditions abroad, without being able to prevail over so petty a baron, who had acquired the confidence and affections of the inhabitants of Maine. He was, however, so fortunate as at last to take him prisoner in a rencounter; but having released him, at the intercession of the French king and the Count of Anjou, he found the province of Maine still exposed to his in-

trigues and incursions. Helie, being introduced by the citizens into the town of Mans, besieged the garrison in the citadel: William, who was hunting in the new forest when he received intelligence of this hostile attempt, was so provoked, that he immediately turned his horse, and galloped to the sea-shore at Dartmouth; declaring, that he would not stop a moment till he had taken vengeance for the offence. He found the weather so cloudy and tempestuous, that the mariners thought it dangerous to put to sea: but the king hurried on board, and ordered them to set sail instantly, telling them, that they never yet heard of a king that was drowned.<sup>u</sup> By this vigour and celerity, he delivered the citadel of Mans from its present danger; and pursuing Helie into his own territories, he laid siege to Majol, a small castle in those parts: but a wound, which he received before this place, obliged him to raise the siege; and he returned to England.

The weakness of the greatest monarchs, during this age, in their military expeditions against their nearest neighbours, appears the more surprising, when we consider the prodigious numbers which even petty princes, seconding the enthusiastic rage of the people, were able to assemble, and to conduct in dangerous enterprises to the remote provinces of Asia. William, Earl of Poitiers and Duke of Guienne, inflamed with the glory, and not discouraged by the misfortunes, which had attended the former adventurers in the Crusades, had put himself at the head of an immense multitude, computed by some historians to amount to 60,000 horse, and a much greater number of foot,<sup>v</sup> and he purposed to lead them into the Holy Land against the infidels. He wanted money to forward the preparations requisite for this expedition, and he offered to mortgage all his dominions to William, without entertaining any scruple on account of that rapacious and iniquitous hand to which he resolved to consign them.<sup>x</sup> The king accepted the offer; and had prepared a fleet and an army, in order to escort the money, and take possession of the rich provinces of Guienne and Poictou; when an accident put an end to his life, and to all his ambitious projects. He was engaged in hunting, the sole amusement, and indeed the chief occupation, of princes in those rude times, when society was little cultivated, and the arts afforded few objects worthy of attention. Walter Tyrel, a French gentleman, remarkable for his address in archery, attended him in this recreation, of which the new forest was the scene; and as William had dismounted after a chase, Tyrel, impatient to show his dexterity, let fly an arrow at a stag, which suddenly started before him. The arrow, glancing from a tree, struck the<sup>y</sup>

Death

king in the breast, and instantly slew him;<sup>z</sup> while Tyrel, without informing any one of the accident, put spurs to his horse, hastened to the sea-shore, embarked for France, and joined the Crusade in an expedition to Jerusalem; a penance which he imposed on himself for this involuntary crime. The body of William was found in the forest by the country people, and was buried without any pomp or ceremony at Winchester. His courtiers were negligent in performing the last duties to a master who was so little beloved; and every one was too much occupied in the interesting object of fixing his successor, to attend the funeral of a dead sovereign.

The memory of this monarch is transmitted, and character of us with little advantage by the churchmen, William Rufus, whom he had offended; and though we may suspect, in general, that their account of his vices is somewhat exaggerated, his conduct affords little reason for contradicting the character which they have assigned him, or for attributing to him any very estimable qualities. He seems to have been a violent and tyrannical prince; a perfidious, encroaching, and dangerous neighbour; an unkind and ungenerous relation. He was equally prodigal and rapacious in the management of his treasury; and if he possessed

<sup>i</sup> W. Henning, p. 467. Flor. Wigorn. p. 649. Sim. Dunelm. p. 224. Frencip. p. 291.  
<sup>u</sup> W. Malin, p. 124. H. Hunt. p. 378. M. Paris, p. 36. Ypod. Neust. p. 41.  
<sup>v</sup> W. W. Malin, p. 119. The whole is said by Order. Vital. p. 739, to amount to 100,000 men.  
<sup>x</sup> W. Malines, p. 127.  
<sup>y</sup> W. Malines, p. 126. H. Hunt. p. 378. M. Paris, p. 37. Petr. Blos, p. 110.

<sup>k</sup> Thosden, p. 165.  
<sup>l</sup> Eadmer, p. 25. M. Paris, p. 13. Diceto, p. 494. Spelm. Conc. vol. 2. p. 16.  
<sup>m</sup> Eadmer, p. 26. o. Diceto, p. 495.  
<sup>n</sup> Eadmer, p. 37, 43. o. Ibid. p. 49.  
<sup>o</sup> M. Paris, p. 14. Parker, p. 178.  
<sup>p</sup> Eadmer, p. 49. M. Paris, p. 15. Sim. Dun. p. 224.  
<sup>q</sup> M. Paris, p. 14.  
<sup>r</sup> Spelman, Du Cange, in verb. *Hominum*.

abilities, he lay so much under the government of impetuous passions, that he made little use of them in his administration; and he indulged, without reserve, that domineering policy, which suited his temper, and which, if supported, as it was in him, with courage and vigour, proves often more successful in disorderly times, than the deepest foresight and most refined artifice.

The monuments which remain of this prince in England, are the Tower, Westminster-hall, and London-bridge, which he built. The most laudable foreign enterprise which he undertook, was the sending of Edgar Atheling, three years before his death, into Scotland with a small army, to restore Prince Edgar, the true heir of that kingdom, son of Malcolm, and of Margaret, sister of Edgar Atheling; and the enterprise proved successful. It was remarked in that age, that Richard, an elder brother of William's, perished by an accident in the new forest; Richard, his nephew, natural son of Duke Robert, lost his life in the same place, after the same manner. And all men, upon the king's fate, exclaimed, that, as the Conqueror had been guilty of extreme violence, in expelling all the inhabitants of that large district to make room for his game, the just vengeance of Heaven was signaled, in the same place, by the slaughter of his posterity. William was killed in the thirteenth year of his reign, and about the fortieth of his age. As he was never married he left no legitimate issue.

In the eleventh year of this reign, Magnus, King of Norway, made a descent on the Isle of Anglesea, but was repulsed by Hugh, Earl of Shrewsbury. This is the last attempt made by the northern nations upon England. That restless people seem about this time to have learnt the practice of tillage, which thenceforth kept them at home, and freed the other nations of Europe from the devastations spread over them by those piratical invaders. This proved one great cause of the subsequent settlement and improvement of the southern nations.

## CHAP. VI.

### HENRY I.

*The Crusades—Accession of Henry—Marriage of the king—Invasion by Duke Robert—Accommodation with Robert—Attack of Normandy—Conquest of Normandy—Continuation of the quarrel with Anselm; the promise—Compromise with him—Wars abroad—Death of Prince William—King's second marriage—Death—and character of Henry.*

A. D. 1100. AFTER the adventurers in the holy war *The Crusades.* were assembled on the banks of the Bosphorus, opposite to Constantinople, they proceeded on their enterprise; but immediately experienced those difficulties which their zeal had hitherto concealed from them, and for which, even if they had foreseen them, it would have been almost impossible to provide a remedy. The Greek emperor, Alexis Comnenus, who had applied to the Western Christians for succour against the Turks, entertained hopes, and those but feeble ones, of obtaining such a moderate supply, as, acting under his command, might enable him to repulse the enemy. But he was extremely astonished to see his dominions overwhelmed, on a sudden, by such an inundation of licentious barbarians, who, though they pretended friendship, despised his subjects as unworthy, and detested them as heretical. By all the arts of policy, in which he excelled, he endeavoured to divert the torrent; but while he employed professions, caresses, civilities, and seeming services towards the leaders of the Crusade, he secretly regarded those imperious allies as more dangerous than the open enemies by whom his empire had been formerly invaded. Having effected that difficult point of disembarking them safely in Asia, he entered into a private correspondence with Soliman, emperor of the Turks; and practised every insidious art, which his genius, his power, or his situation, enabled him to employ, for disappointing the enterprise, and discouraging the Latins from making thenceforward any such prodigious migrations. His dangerous policy was seconded by the disorders inseparable

from so vast a multitude, who were not united under one head, and were conducted by leaders of the most independent, intractable spirit, unacquainted with military discipline, and determined enemies to civil authority and submission. The scarcity of provisions, the excess of fatigue, the influence of unknown climates, joined to the want of concert in their operations, and to the sword of a warlike enemy, destroyed the adventurers by thousands, and would have abated the ardour of men impelled to war by less powerful motives. Their zeal, however, their bravery, and their irresistible force, still carried them forward, and continually advanced them to the great end of their enterprise. After an obstinate siege they took Nice, the seat of the Turkish empire; they defeated Soliman in two great battles; they made themselves masters of Antioch; and entirely broke the force of the Turks, who had so long retained those countries in subjection. The Soldan of Egypt, whose alliance they had hitherto courted, recovered, on the fall of the Turkish power, his former authority in Jerusalem; and he informed them by his ambassadors, that if they came disarmed to that city, they might now perform their religious vows, and that all Christian pilgrims, who should thenceforth visit the holy sepulchre, might expect the same good treatment which they had ever received from his predecessors. The offer was rejected, the soldan was required to yield up the city to the Christians; and on his refusal, the champions of the cross advanced to the siege of Jerusalem, which they regarded as the consummation of their labours. By the detachments which they had made, and the disasters which they had undergone, they were diminished to the number of twenty thousand foot and fifteen hundred horse; but these were still formidable, from their valour, their experience, and the obedience which, from past calamities, they had learned to pay to their leaders. After a siege of five weeks, they took Jerusalem by assault; and, impelled by a mixture of military and religious rage, they put the numerous garrison and inhabitants to the sword without distinction. Neither arms defended the valiant, nor submission the timorous: no age or sex was spared: infants on the breast were pierced by the same blow with their mothers, who implored for mercy: even a multitude, to the number of ten thousand persons, who had surrendered themselves prisoners, and were promised quarter, were butchered in cool blood by those ferocious conquerors.<sup>a</sup> The streets of Jerusalem were covered with dead bodies;<sup>b</sup> and the triumphant warriors, after every enemy was subdued and slaughtered, immediately turned themselves, with the sentiments of humiliation and contrition, towards the holy sepulchre. They threw aside their arms, still streaming with blood: they advanced with reclined bodies, and naked feet and heads, to that sacred monument: they sung anthems to their Saviour, who had there purchased their salvation by his death and agony; and their devotion, enlivened by the presence of the place where he had suffered, so overcame their fury, that they dissolved in tears, and bore the appearance of every soft and tender sentiment. So inconsistent is human nature with itself! and so easily does the most effeminate superstition ally, both with the most heroic courage and with the fiercest barbarity!

This great event happened on the fifth of July, in the last year of the eleventh century. The Christian princes and nobles, after choosing Godfrey of Bouillon King of Jerusalem, began to settle themselves in their new conquests; while some of them returned to Europe, in order to enjoy at home that glory which their valour had acquired them in this popular and meritorious enterprise. Among these was Robert, Duke of Normandy, who, as he had relinquished the greatest dominions of any prince that attended the Crusade, had all along distinguished himself by the most intrepid courage, as well as by that affable disposition and unbounded generosity which gain the hearts of soldiers, and qualify a prince to shine in a military life. In passing through Italy, he became acquainted with Sibylla, daughter of the Count of Conversana, a young lady of great beauty and merit, whom he espoused. Indulging himself in this new passion, as well as fond of enjoying ease and pleasure, after the fatigues of so many

<sup>a</sup> Vertot, vol. i. p. 57

<sup>b</sup> M. Paris, p. 31. Order. Vital. p. 756. Dierck. p. 429

rough campaigns, he lingered a twelvemonth in that delicious climate; and though his friends in the North looked every moment for his arrival, none of them knew when they could with certainty expect it. By this delay he lost the kingdom of England, which the great fame he had acquired during the Crusades, as well as his undoubted title, both by birth, and by the preceding agreement with his deceased brother, would, had he been present, have infallibly secured to him.

Prince Henry was hunting with Rufus in the new forest, when intelligence of that monarch's death was brought him; and being sensible of the advantage attending the conjuncture, he hurried to Winchester, in order to secure the royal treasure, which he knew to be a necessary implement for facilitating his designs on the crown. He had scarcely reached the place when William de Breteuil, keeper of the treasure, arrived, and opposed himself to Henry's pretensions. This nobleman, who had been engaged in the same party of hunting, had no sooner heard of his master's death, than he hastened to take care of his charge; and he told the prince that this treasure, as well as the crown, belonged to his elder brother, who was now his sovereign; and that he himself, for his part, was determined, in spite of all other pretensions, to maintain his allegiance to him. But Henry, drawing his sword, threatened him with instant death if he dared to disobey him; and as others of the late king's retinue, who came every moment to Winchester, joined the prince's party, Breteuil was obliged to withdraw his opposition, and to acquiesce in this violence.<sup>c</sup>

Henry, without losing a moment, hastened with the money to London; and having assembled some noblemen and prelates, whom his address, or abilities, or presents gained to his side, he was suddenly elected, or rather saluted, king; and immediately proceeded to the exercise of royal authority. In less than three days after his brother's death, the ceremony of his coronation was performed by Maurice, Bishop of London; who was persuaded to officiate on that occasion; and thus, by his courage and celerity, he intruded himself to the vacant throne. No one had sufficient spirit or sense of duty to appear in defence of the absent prince: all men were seduced or intimidated: present possession supplied the apparent defects in Henry's title, which was indeed founded on plain usurpation: and the barons, as well as the people, acquiesced in a claim, which, though it could neither be justified nor comprehended, could now, they found, be opposed through the perils alone of civil war and rebellion.

But as Henry foresaw that a crown, usurped against all rules of justice, would sit unsteady on his head, he resolved, by fair professions at least, to gain the affections of all his subjects. Besides taking the usual coronation oath to maintain the laws and execute justice, he passed a charter, which was calculated to remedy many of the grievous oppressions which had been complained of during the reigns of his father and brother.<sup>d</sup> He there promised, that, at the death of any bishop or abbot, he never would seize the revenues of the see or abbey during the vacancy, but would leave the whole to be reaped by the successor; and that he would never let to farm any ecclesiastical benefice, nor dispose of it for money. After this concession to the church, whose favour was of so great importance, he proceeded to enumerate the civil grievances which he purposed to redress. He promised, that, upon the death of any earl, baron, or military tenant, his heir should be admitted to the possession of his estate, on paying a just and lawful relief; without being exposed to such violent exactions as had been usual during the late reigns: he remitted the wardship of minors, and allowed guardians to be appointed, who should be answerable for the trust: he promised not to dispose of any heiress in marriage, but by the advice of all the barons; and if any baron intended to give his daughter, sister, niece, or kins-

woman in marriage, it should only be necessary for him to consult the king, who promised to take no money for his consent, nor ever to refuse permission, unless the person to whom it was purposed to marry her should happen to be his enemy: he granted his barons and military tenants the power of bequeathing, by will, their money or personal estates; and if they neglected to make a will, he promised that their heirs should succeed to them: he renounced the right of imposing money-age, and of levying taxes at pleasure on the farms which the barons retained in their own hands: <sup>e</sup> he made some general professions of moderating fines; he offered a pardon for all offences; and he remitted all debts due to the crown: he required that the vassals of the barons should enjoy the same privileges which he granted to his own barons; and he promised a general confirmation and observance of the laws of King Edward. This is the substance of the chief articles contained in that famous charter.<sup>f</sup>

To give greater authenticity to these concessions, Henry lodged a copy of his charter in some abbey of each county; as if desirous that it should be exposed to the view of all his subjects, and remain a perpetual rule for the limitation and direction of his government: yet it is certain, that, after the present purpose was served, he never once thought, during his reign, of observing one single article of it; and the whole fell so much into neglect and oblivion, that in the following century, when the barons, who had heard an obscure tradition of it, desired to make it the model of the great charter which they exacted from King John, they could with difficulty find a copy of it in the kingdom. But as to the grievances here meant to be redressed, they were still continued in their full extent; and the royal authority, in all those particulars, lay under no manner of restriction. Reliefs of heirs, so capital an article, were never effectually fixed till the time of *Magna Charta*; <sup>g</sup> and it is evident that the general promise here given, of accepting a just and lawful relief, ought to have been reduced to more precision, in order to give security to the subject. The oppression of wardship and marriage was perpetuated even till the reign of Charles II. And it appears from Glanville, the famous justiciary of Henry II. that, in his time, where any man died intestate, an accident which must have been very frequent when the art of writing was so little known, the king, or the lord of the fief, pretended to seize all the movables, and to exclude every heir, even the children of the deceased: a sure mark of a tyrannical and arbitrary government.

The Normans, indeed, who domineered in England, were, during this age, so licentious a people, that they may be pronounced incapable of any true or regular liberty; which requires such improvement in knowledge and morals as can only be the result of reflection and experience, and must grow to perfection during several ages of settled and established government. A people so insensible to the rights of their sovereign as to disjoint, without necessity, the hereditary succession, and permit a younger brother to intrude himself into the place of the elder, whom they esteemed, and who was guilty of no crime but being absent, could not expect that that prince would pay any greater regard to their privileges, or allow his engagements to fetter his power, and debar him from any considerable interest or convenience. They had, indeed, arms in their hands, which prevented the establishment of a total despotism, and left their posterity sufficient power, whenever they should attain a sufficient degree of reason, to assume true liberty; but their turbulent disposition frequently prompted them to make such use of their arms, that they were more fitted to obstruct the execution of justice, than to stop the career of violence and oppression. The prince, finding that greater opposition was often made to him when he enforced the laws than when he violated them, was apt to render his own will and pleasure the sole rule of government; and, on every emergency, to consider more the power of the per-

preserved by Inguiff, seems to have been the heriot; since reliefs, as well as the other burdens of the feudal law, were unknown in the age of the Conqueror, whose laws these originally were.

<sup>c</sup> Lib. 7, cap. 16. This practice was contrary to the laws of King Edward, ratified by the Conqueror, as we learn from Inguiff, p. 91. But laws had at that time very little influence: power and violence governed every thing.

<sup>c</sup> Order. Vital. p. 782.

<sup>d</sup> 4 Ann. Soc. p. 48. Order. Vital. p. 783.

<sup>e</sup> 4 Ann. Soc. p. 238. Sim. Dunelm. p. 235.

<sup>f</sup> See Appendix II.

<sup>g</sup> M. Paris, p. 36. Hoveden, p. 469. Brompton, p. 621. Hazlitt, p. 210.

<sup>h</sup> Polyan. lib. 2, cap. 36. What is called a relief in the Conqueror's laws,



soms whom he might offend, than the rights of those whom he might injure. The very form of this charter of Henry proves that the Norman barons (for they, rather than the people of England, were chiefly concerned in it) were totally ignorant of the nature of limited monarchy, and were ill qualified to conduct, in conjunction with their sovereign, the machine of government. It is an act of his sole power, is the result of his free grace, contains some articles which bind others as well as himself, and is therefore unfit to be the deed of any one who possesses not the whole legislative power, and who may not at pleasure revoke all his concessions.

Henry, farther to increase his popularity, degraded and committed to prison Ralph Flambard, Bishop of Durham, who had been the chief instrument of oppression under his brother :<sup>k</sup> but this act was followed by another, which was a direct violation of his own charter, and was a bad prognostic of his sincere intentions to observe it : he kept the see of Durham vacant for five years, and during that time retained possession of all its revenues. Sensible of the great authority which Anselm had acquired by his character of piety, and by the persecutions which he had undergone from William, he sent repeated messages to him at Lyons, where he resided, and invited him to return and take possession of his dignities.<sup>l</sup> On the arrival of the prelate, he proposed to him the renewal of that homage which he had done his brother, and which had never been refused by any English bishop : but Anselm had acquired other sentiments by his journey to Rome, and gave the king an absolute refusal. He objected the decrees of the council of Bari, at which he himself had assisted ; and he declared, that so far from doing homage for his spiritual dignity, he would not so much as communicate with any ecclesiastic who paid that submission, or who accepted of investitures from laymen. Henry, who expected, in his present delicate situation, to reap great advantages from the authority and popularity of Anselm, durst not insist on his demand :<sup>m</sup> he only desired that the controversy might be suspended ; and that messengers might be sent to Rome, in order to accommodate matters with the Pope, and obtain his confirmation of the laws and customs of England.

There immediately occurred an important affair, in which the king was obliged to have recourse to the authority of Anselm. Matilda, daughter of Malcolm III. King of Scotland, and niece to Edgar Atheling, had, on her father's death, and the subsequent revolutions in the Scottish government, been brought to England, and educated under her aunt Christina, in the nunnery of Rumsey. This princess Henry purposed to marry ; but as she had worn the veil, though never taken the vows, doubts might arise concerning the lawfulness of the act ; and it behoved him to be very careful not to shock, in any particular, the religious prejudices of his subjects. The affair was examined by Anselm, in a council of the prelates and nobles, which was summoned at Lambeth : Matilda there proved that she had put on the veil, not with a view of entering into a religious life, but merely in consequence of a custom familiar to the English ladies, who protected their chastity from the brutal violence of the Normans, by taking shelter under that habit,<sup>n</sup> which, amidst the horrible licentiousness of the times, was yet generally revered. The council, sensible that even a princess had otherwise no security for her honour, admitted this reason as valid : they pronounced that Matilda was still free to marry ;<sup>o</sup> and her espousals with Henry were celebrated by Anselm with great pomp and solemnity.<sup>p</sup> No act of the king's reign rendered him equally popular with his English subjects, and tended more to establish him on the throne. Though Matilda, during the life of her uncle and brothers, was not heir of the Saxon line, she was become very dear to the English on account of her connexions with it : and that people, who, before the Conquest, had fallen into a kind of indifference towards their ancient royal family, had felt so severely the tyranny of the Normans, that they reflected with extreme

regret on their former liberty, and hoped for a more equal and mild administration, when the blood of their native princes should be mingled with that of their new sovereigns.<sup>q</sup>

But the policy and prudence of Henry, which, if time had been allowed for these virtues to produce their full effect, would have secured him possession of the crown, ran great hazard of being frustrated by the sudden appearance of Robert, who returned to Normandy about a month after the death of his brother William. He took possession, without opposition, of that duchy ; and immediately made preparations for recovering England, of which, during his absence, he had, by Henry's intrigues, been so unjustly defrauded. The great fame which he had acquired in the East forwarded his pretensions ; and the Norman barons, sensible of the consequences, expressed the same discontent at the separation of the duchy and kingdom, which had appeared on the accession of William Robert de Belesme, Earl of Shrewsbury and Arundel, William de la Warrenne, Earl of Surrey, Arnulf de Montgomery, Walter Giffard, Robert de Pontefract, Robert de Millet, Yvo de Grentmesnil, and many others of the principal nobility,<sup>r</sup> invited Robert to make an attempt upon England, and promised, on his landing, to join him with all their forces. Even the seamen were affected with the general popularity of his name, and they carried over to him the greater part of a fleet which had been equipped to oppose his passage. Henry, in this extremity, began to be apprehensive for his life, as well as for his crown, and had recourse to the superstition of the people, in order to oppose their sentiment of justice. He paid diligent court to Anselm, whose sanctity and wisdom he pretended to reverence. He consulted him in all difficult emergencies ; seemed to be governed by him in every measure ; promised a strict regard to ecclesiastical privileges ; professed a great attachment to Rome, and a resolution of persevering in an implicit obedience to the decrees of councils, and to the will of the sovereign pontiff. By these caresses and declarations he entirely gained the confidence of the primate, whose influence over the people, and authority with the barons, were of the utmost service to him in his present situation. Anselm scrupled not to assure the nobles of the king's sincerity in those professions, which he made, of avoiding the tyrannical and oppressive government of his father and brother : he even rode through the ranks of the army, recommended to the soldiers the defence of their prince, represented the duty of keeping their oaths of allegiance, and prognosticated to them the greatest happiness from the government of so wise and just a sovereign. By this expedient, joined to the influence of the Earls of Warwick and Mellent, of Roger Bigod, Richard de Redvers, and Robert Fitz-Hamon, powerful barons, who still adhered to the present government, the army was retained in the king's interests, and marched, with seeming union and firmness, to oppose Robert, who had landed with his forces at Portsmouth.

The two armies lay in sight of each other for some days without coming to action ; and both princes, being apprehensive of the event, which would probably be decisive, hearkened the more willingly to the counsels of Anselm and the other great men, who mediated an accommodation between them. After employing some negotiation, it was agreed that Robert should resign his pretensions to England, and receive in lieu of them an annual pension of 3000 marks ; that, if either of the princes died without issue, the other should succeed to his dominions ; that the adherents of each should be pardoned and restored to all their possessions either in Normandy or England ; and that neither Robert nor Henry should thenceforth encourage, receive, or protect the enemies of the other.<sup>s</sup>

This treaty, though calculated so much for Henry's advantage, he was the first to violate. He restored indeed the estates of all Robert's adherents ; but was secretly determined, that noblemen so

<sup>k</sup> Chron. Sax. p. 203. W. Malm. p. 156. Math. Paris, p. 32. Alur. Beverl. p. 141.  
<sup>l</sup> Chron. Sax. p. 206. Order. Vital. p. 783. Math. Paris, p. 32. 1.  
Routbourn, p. 275.

<sup>m</sup> W. Malm. p. 225.

<sup>n</sup> Ibid.

<sup>o</sup> M. Paris, p. 40.

<sup>p</sup> Chron. Sax. p. 209. W. Malmesb. p. 156.

<sup>q</sup> Einhard, p. 7.

<sup>r</sup> Hoveden, p. 461.

<sup>s</sup> Order. Vital. p. 745.

Invasion by Duke Robert.

A. D. 1101.

A. D. 1102

powerful and so ill affected, who had both inclination and ability to disturb his government, should not long remain unmolested in their present opulence and grandeur. He began with the Earl of Shrewsbury, who was watched for some time by spies, and then indicted on a charge, consisting of forty-five articles. This turbulent nobleman, knowing his own guilt, as well as the prejudices of his judges and the power of his prosecutor, had recourse to arms for defence: but, being soon suppressed by the activity and address of Henry, he was banished the kingdom, and his great estate was confiscated. His ruin involved that of his two brothers, Arnulf de Montgomery, and Roger Earl of Lancaster. Soon after followed the prosecution and condemnation of Robert de Pontefract and Robert de Mallet, who had distinguished themselves among Robert's

A. D. 1103.

adherents. William de Warrenne was the next victim: even William Earl of Cornwall, son of the Earl of Mortaigne, the king's uncle, having given matter of suspicion against him, lost all the vast acquisitions of his family in England. Though the usual violence and tyranny of the Norman barons afforded a plausible pretence for those prosecutions, and it is probable that none of the sentences pronounced against these noblemen was wholly iniquitous; men easily saw or conjectured, that the chief part of their guilt was not the injustice or illegality of their conduct. Robert, enraged at the fate of his friends, imprudently ventured to come into England; and he remonstrated with his brother, in severe terms, against this breach of treaty: but met with so bad a reception, that he began to apprehend danger to his own liberty, and was glad to purchase an escape by resigning his pension.

The indiscretion of Robert soon exposed him to more fatal injuries. This prince, whose bravery and candour procured him respect while at a distance, had no sooner attained the possession of power and enjoyment of peace, than all the vigour of his mind relaxed; and he fell into contempt among those who approached his person, or were subjected to his authority. Alternately abandoned to dissolute pleasures and to womanish superstition, he was so remiss, both in the care of his treasure and the exercise of his government, that his servants pillaged his money with impunity, stole from him his very clothes, and proceeded thence to practise every species of extortion on his defenceless subjects. The barons,

Attack of  
Normandy. whom a severe administration alone could have restrained, gave reins to their unbounded rapine upon their vassals, and inveterate animosities against each other; and all Normandy, during the reign of this benign prince, was become a scene of violence and depredation. The Normans at last, observing the regular government which Henry, notwithstanding his usurped title, had been able to establish in England, applied to him, that he might use his authority for the suppression of these disorders, and they thereby afforded him a pretence for interposing in the affairs of Normandy. Instead of employing his mediation to render his brother's government respectable, or to redress the grievances of the Normans; he was only attentive to support his own partisans, and to increase their number by every art of bribery, intrigue, and insinuation. Having found, in a visit which he made to that duchy, that the nobility were more disposed to pay submission to him than to their legal sovereign, he collected, by arbitrary extortions on England, a great army and treasure, and returned next year to Normandy, in a situation to obtain, either by violence or corruption, the dominion of that province.

A. D. 1105.

He took Bayeux by storm after an obstinate siege: he made himself master of Caen by the voluntary submission of the inhabitants: but being repulsed at Falaise, and obliged by the winter season to raise the siege, he returned into England; after giving assurance to his adherents, that he would persevere in supporting and protecting them.

Next year he opened the campaign with the siege of Tenchebray; and it became evident, from his preparations and progress, that he intended to usurp the entire possession of Normandy. Robert was at last roused from his lethargy;

and being supported by the Earl of Mortaigne and Robert de Bellesme, the king's inveterate enemies, he raised a considerable army, and approached his brother's camp, with a view of finishing, in one decisive battle, the quarrel between them. He was now entered on that scene of action in which alone he was qualified to excel; and he so animated his troops by his example, that they threw the English into disorder, and had nearly obtained the victory: when the flight of Bellesme spread a panic among the Normans, and occasioned their total defeat. Henry, besides doing great execution on the enemy, made near ten thousand prisoners, among whom was Duke Robert himself, and all the most considerable barons who adhered to his interests.<sup>a</sup> This victory was followed by the final reduction of Normandy: Rouen immediately submitted to the conqueror: Falaise, after some negotiation, opened its gates; and by this acquisition, besides rendering himself master of an important fortress, he got into his hands Prince William, the only son of Robert: he assembled the states of Normandy; and having received the homage of all the vassals of the duchy, having settled the government, revoked his brother's donations, and dismantled the castles lately built, he returned into England, and carried along with him the duke as prisoner. That unfortunate prince was detained in custody during the remainder of his life, which was no less than twenty-eight years, and he died in the castle of Cardiff, in Glamorganshire, happy if, without losing his liberty, he could have relinquished that power which he was not qualified either to hold or exercise. Prince William was committed to the care of Helie de St. Saen, who had married Robert's natural daughter, and who, being a man of probity and honour beyond what was usual in those ages, executed the trust with great affection and fidelity. Edgar Atheling, who had followed Robert in the expedition to Jerusalem, and who had lived with him ever since in Normandy, was another illustrious prisoner, taken in the battle of Tenchebray.<sup>w</sup> Henry gave him his liberty, and settled a small pension on him, with which he retired; and he lived to a good old age in England, totally neglected and forgotten. This prince was distinguished by personal bravery: but nothing can be a stronger proof of his mean talents in every other respect, than that, notwithstanding he possessed the affections of the English, and enjoyed the only legal title to the throne, he was allowed, during the reigns of so many violent and jealous usurpers, to live unmolested, and go to his grave in peace.

A little after Henry had completed the conquest of Normandy, and settled the government of that province, he finished a controversy, which had been long depending between him and the Pope, with regard to the investitures in ecclesiastical benefices; and though he was here obliged to relinquish some of the ancient rights of the crown, he extricated himself from the difficulty on easier terms than most princes, who, in that age, were so unhappy as to be engaged in disputes with the apostolic see. The king's situation, in the beginning of his reign, obliged him to pay great court to Anselm: the advantages which he had reaped from the zealous friendship of that prelate, had made him sensible how prone the minds of his people were to superstition, and what an ascendancy the ecclesiastics had been able to assume over them. He had seen, on the accession of his brother Rufus, that, though the rights of primogeniture were then violated, and the inclinations of almost all the barons thwarted, yet the authority of Lanfranc, the primate, had prevailed over all other considerations: his own case, which was still more unfavourable, afforded an instance in which the clergy had more evidently shown their influence and authority. These recent examples, while they made him cautious not to offend that powerful body, convinced him, at the same time, that it was extremely his interest to retain the former prerogative of the crown in filling offices of such vast importance, and to check the ecclesiastics in that independence to which they visibly aspired. The choice, which his brother, in a fit of penitence, had made of Anselm, was so far unfortunate to the king's

A. D. 1107.  
Continuation of  
the quarrel with  
Anselm the primate.

<sup>a</sup> H. Hunt, p. 371. M. Paris, p. 43. Prosperin, p. 100.

<sup>w</sup> Fulbert, p. 90. Chron. Sax. p. 214. Order. Vital. p. 121.

<sup>w</sup> Chron. Sax. p. 214. Ann. Waverl. p. 114.

pretensions, that this prelate was celebrated for his piety and zeal, and austerity of manners; and though his monkish devotion and narrow principles prognosticated no great knowledge of the world or depth of policy, he was, on that very account, a more dangerous instrument in the hands of politicians, and retained a greater ascendancy over the bigoted populace. The prudence and temper of the king appeared in nothing more conspicuous than in the management of this delicate affair: where he was always sensible that it had become necessary for him to risk his whole crown, in order to preserve the most invaluable jewel of it.<sup>a</sup>

Anselm had no sooner returned from banishment, than his refusal to do homage to the king raised a dispute, which Henry evaded at that critical juncture, by promising to send a messenger, in order to compound the matter with Pascal II. who then filled the papal throne. The messenger, as was probably foreseen, returned with an absolute refusal of the king's demands;<sup>b</sup> and that, fortified by many reasons, which were well qualified to operate on the understandings of men in those ages. Pascal quoted the Scriptures to prove that Christ was the door; and he thence inferred, that all ecclesiastics must enter into the church through Christ alone, not through the civil magistrates, or any profane laymen.<sup>c</sup> "It is monstrous," added the pontiff, "that a son should pretend to beget his father, or a man to create his God: priests are called gods in Scripture, as being the vicars of God: and will you, by your abominable pretensions to grant them their investiture, assume the right of creating them?"<sup>d</sup>

But how convincing soever these arguments, they could not persuade Anselm to resign so important a prerogative; and perhaps, as he was possessed of great reflection and learning, he thought that the absurdity of a man's creating his God, even allowing priests to be gods, was not urged with the best grace by the Roman pontiff. But as he desired still to avoid, at least to delay, the coming to any dangerous extremity with the church, he persuaded Anselm, that he should be able, by further negotiation, to obtain some composition with Pascal; and for that purpose he despatched three bishops to Rome, while Anselm sent two messengers of his own, to be more fully assured of the Pope's intentions.<sup>e</sup> Pascal wrote back letters equally positive and arrogant, both to the king and primate; urging to the former, that, by assuming the right of investitures, he committed a kind of spiritual adultery with the church, who was the spouse of Christ, and who must not admit of such a commerce with any other person;<sup>f</sup> and insisting with the latter, that the pretension of kings to confer benefices was the source of all simony; a topic which had but too much foundation in those ages.<sup>g</sup>

Henry had now no other expedient than to suppress the letter addressed to himself, and to persuade the three bishops to prevaricate, and assert, upon their episcopal faith, that Pascal had assured them in private of his good intentions towards Henry, and of his resolution not to resent any future exertion of his prerogative in granting investitures; though he himself scrupled to give this assurance under his hand, lest other princes should copy the example, and assume a like privilege.<sup>h</sup> Anselm's two messengers, who were monks, affirmed to him, that it was impossible this story could have any foundation: but their word was not deemed equal to that of three bishops; and the king, as if he had finally gained his cause, proceeded to fill the sees of Hereford and Salisbury, and to invest the new bishops in the usual manner.<sup>i</sup> But Anselm, who, as he had good reason, gave no credit to the asseveration of the king's messengers, refused not only to consecrate them, but even to communicate with them, and the bishops themselves, finding how odious they were become, returned to Henry the ensigns of their dignity. The quarrel every day increased between the king

and the primate: the former, notwithstanding the prudence and moderation of his temper, threw out menaces against such as should pretend to oppose him in exerting the ancient prerogatives of his crown; and Anselm, sensible of his own dangerous situation, desired leave to make a journey to Rome, in order to lay the case before the sovereign pontiff. Henry, well pleased to rid himself, without violence, of so inflexible an antagonist, readily granted him permission. The prelate was attended to the shore by infinite multitudes, not only of monks and clergymen, but people of all ranks, who scrupled not in this manner to declare for their primate against their sovereign, and who regarded his departure as the final abolition of religion and true piety in the kingdom.<sup>j</sup> The king, however, seized all the revenues of his see; and sent William de Warelwast to negotiate with Pascal, and to find some means of accommodation in this delicate affair.

The English minister told Pascal, that his master would rather lose his crown, than part with the right of granting investitures. "And I," replied Pascal, "would rather lose my head than allow him to retain it."<sup>k</sup> Henry secretly prohibited Anselm from returning, unless he resolved to conform himself to the laws and usages of the kingdom; and the primate took up his residence at Lyons, in expectation that the king would at last be obliged to yield the point which was the present object of controversy between them. Soon after, he was permitted to return to his monastery at Bec in Normandy; and Henry, besides restoring to him the revenues of his see, treated him with the greatest respect, and held several conferences with him, in order to soften his opposition, and bend him to submission.<sup>l</sup> The people of England, who thought all differences now accommodated, were inclined to blame their primate for absenting himself so long from his charge; and he daily received letters from his partisans, representing the necessity of his speedy return. The total extinction, they told him, of religion and Christianity, was likely to ensue from the want of his fatherly care: the most shocking customs prevail in England; and the dread of his severity being now removed, sodomy, and the practice of wearing long hair, gain ground among all ranks of men, and these enormities openly appear every where without sense of shame or fear of punishment.<sup>m</sup>

The policy of the court of Rome has commonly been much admired; and men, judging by success, have bestowed the highest eulogies on that prudence by which a power, from such slender beginnings, could advance, without force of arms, to establish an universal and almost absolute monarchy in Europe. But the wisdom of so long a succession of men who filled the papal throne, and who were of such different ages, tempers, and interests, is not intelligible, and could never have place in nature. The instrument, indeed, with which they wrought, the ignorance and superstition of the people, is so gross an engine, of such universal prevalence, and so little liable to accident or disorder, that it may be successful even in the most unskilful hands; and scarce any indiscretion can frustrate its operations. While the court of Rome was openly abandoned to the most flagrant disorders, even while it was torn with schisms and factions, the power of the church daily made a sensible progress in Europe; and the temerity of Gregory and caution of Pascal were equally fortunate in promoting it. The clergy, feeling the necessity which they lay under of being protected against the violence of princes, or rigour of the laws, were well pleased to adhere to a foreign head, who, being removed from the fear of the civil authority, could freely employ the power of the whole church, in defending her ancient or usurped properties and privileges, when invaded in any particular country: the monks, desirous of an independence on their diocesan, professed a still more devoted attachment to the triple crown; and the stupid people possessed no science or reason, which they could oppose to the most exorbitant pretensions. Nonsense passed for

<sup>a</sup> Eadmer, p. 56.

<sup>b</sup> W. Malm. p. 225.

<sup>c</sup> Eadmer, p. 60. This topic is further enforced in p. 73, 74. See also W. Malm. p. 164.

<sup>d</sup> Eadmer, p. 61. I much suspect that this text of Scripture is a forger of his Holiness. For I have not been able to find it. Yet it passed current in those ages, and was often quoted by the clergy as the foundation of their power. See Epist. St. Thom. p. 162.

<sup>e</sup> Eadmer, p. 62. W. Malm. p. 225.

<sup>f</sup> Eadmer, p. 63.

<sup>g</sup> Eadmer, p. 64, 66.

<sup>h</sup> Eadmer, p. 65. W. Malm. p. 225.

<sup>i</sup> Eadmer, p. 66. W. Malm. p. 225.

<sup>j</sup> Eadmer, p. 469. Sim. Dunelm.

<sup>k</sup> Eadmer, p. 73.

<sup>l</sup> Eadmer, p. 71.

<sup>m</sup> Eadmer, p. 73. W. Malm. p. 226.

<sup>n</sup> Paris, p. 40.

<sup>o</sup> Eadmer, p. 171.

<sup>p</sup> Eadmer, p. 81.



demonstration: the most criminal means were sanctified by the pety of the end: treaties were not supposed to be binding, where the interests of God were concerned: the ancient laws and customs of states had no authority against a divine right: impudent forgeries were received as authentic monuments of antiquity: and the champions of holy church, if successful, were celebrated as heroes; if unfortunate, were worshipped as martyrs; and all events thus turned out equally to the advantage of clerical usurpations. Pascal himself, the reigning Pope, was, in the course of this very controversy concerning investitures, involved in circumstances, and necessitated to follow a conduct, which would have drawn disgrace and ruin on any temporal prince that had been so unfortunate as to fall into a like situation. His person was seized by the Emperor Henry V. and he was obliged, by a formal treaty, to resign to that monarch the right of granting investitures, for which they had so long contended.<sup>1</sup> In order to add greater solemnity to this agreement, the emperor and Pope communicated together on the same host, one half of which was given to the prince, the other taken by the pontiff. The most tremendous imprecations were publicly denounced on either of them who should violate the treaty: yet no sooner did Pascal recover his liberty, than he revoked all his concessions, and pronounced the sentence of excommunication against the emperor, who, in the end, was obliged to submit to the terms required of him, and to yield up all his pretensions, which he never could resume.<sup>2</sup>

The King of England had very nearly fallen into the same dangerous situation. Pascal had already excommunicated the Earl of Mellent, and the other ministers of Henry, who were instrumental in supporting his pretensions;<sup>3</sup> he daily menaced the king himself with a like sentence; and he suspended the blow only to give him leisure to prevent it by a timely submission. The malcontents waited impatiently for the opportunity of disturbing his government by conspiracies and insurrections:<sup>4</sup> the king's best friends were anxious at the prospect of an incident which would set their religious and civil duties at variance; and the Countess of Blois, his sister, a princess of piety, who had great influence over him, was affrightened with the danger of her brother's eternal damnation.<sup>5</sup> Henry, on the other hand, seemed determined to run all hazards, rather than resign a prerogative of such importance, which had been enjoyed by all his predecessors; and it seemed probable, from his great prudence and abilities, that he might be able to sustain his rights, and finally prevail in the contest. While Pascal and Henry thus stood mutually in awe of each other, it was the more easy to bring about an accommodation between them, and to find a medium in which they might agree.

Before bishops took possession of their dignities, they had formerly been accustomed to pass through two ceremonies: they received from the hands of the sovereign a ring and crozier, as symbols of their office, and this was called their *investiture*: they also made those submissions to the prince which were required of vassals by the rites of the feudal law, and which received the name of *homage*. And as the king might refuse both to grant the *investiture* and to receive the *homage*, though the chapter had, by some canons of the middle age, been endowed with the right of election, the sovereign had in reality the sole power of appointing prelates. Urban II. had equally deprived laymen of the rights of granting investiture and of receiving homage:<sup>6</sup> the emperors never were able, by all their wars and negotiations, to make any distinction be admitted between them: the interposition of profane laymen, in any particular, was still represented as impious and abominable: and the church openly aspired to a total independence on the state. But Henry had put England as well as Normandy in such a situation, as gave greater weight to his negotiations: and Pascal was for the present satisfied with his resigning the

right of granting investitures, by which the spiritual dignity was supposed to be conferred; and he allowed the bishops to do homage for their temporal properties and privileges.<sup>7</sup> The pontiff was well pleased to have made this acquisition, which, he hoped, would in time involve the whole; and the king, anxious to procure an escape from a very dangerous situation, was content to retain some, though a more precarious authority, in the election of prelates.

After the principal controversy was accommodated, it was not difficult to adjust the other differences. The Pope allowed Anselm to communicate with the prelates who had already received investitures from the crown; and he only required of them some submissions for their past misconduct.<sup>8</sup> He also granted Anselm a plenary power of remedying every other disorder, which, he said, might arise from the barbarousness of the country.<sup>9</sup> Such was the idea which the popes then entertained of the English; and nothing can be a stronger proof of the miserable ignorance in which that people were then plunged, than that a man who sat on the papal throne, and who subsisted by absurdities and nonsense, should think himself entitled to treat them as barbarians.

During the course of these controversies, a synod was held at Westminster, where the king, intent only on the main dispute, allowed some canons of less importance to be enacted, which tended to promote the usurpations of the clergy. The celibacy of priests was enjoined, a point which it was still found very difficult to carry into execution; and even laymen were not allowed to marry within the seventh degree of affinity.<sup>10</sup> By this contrivance the Pope augmented the profits which he reaped from granting dispensations, and likewise those from divorces. For as the art of writing was then rare, and parish registers were not regularly kept, it was not easy to ascertain the degrees of affinity even among people of rank; and any man who had money sufficient to pay for it, might obtain a divorce, on pretence that his wife was more nearly related to him than was permitted by the canons. The synod also passed a vote, prohibiting the laity from wearing long hair.<sup>11</sup> The aversion of the clergy to this mode was not confined to England. When the king went to Normandy, before he had conquered that province, the Bishop of Sees, in a formal harangue, earnestly exhorted him to redress the manifold disorders under which the government laboured, and to oblige the people to poll their hair in a decent form. Henry, though he would not resign his prerogatives to the church, willingly parted with his hair. He cut it in the form which they required of him, and obliged all the courtiers to imitate his example.<sup>12</sup>

The acquisition of Normandy was a great Wars abroad. point of Henry's ambition; being the ancient patrimony of his family, and the only territory which, while in his possession, gave him any weight or consideration on the continent. But the injustice of his usurpation was the source of great inquietude, involved him in frequent wars, and obliged him to impose on his English subjects those many heavy and arbitrary taxes, of which all the historians of that age unanimously complain.<sup>13</sup> His nephew William was but six years of age when he committed him to the care of Helie de St. Saen; and it is probable, that his reason for intrusting that important charge to a man of so unblemished a character, was to prevent all malignant suspicions, in case any accident should befall the life of the young prince. He soon repented of his choice; but when he desired A. D. 1110. to recover possession of William's person, Helie withdrew his pupil, and carried him to the court of Fulk, Count of Anjou, who gave him protection.<sup>14</sup> In proportion as the prince grew up to man's estate, he discovered virtues becoming his birth; and, wandering through different courts of Europe, he excited the friendly compassion of many princes, and raised a general indignation against his uncle, who had so unjustly bereaved him of his

<sup>1</sup> W. Malm. p. 167.  
<sup>2</sup> Pater. Paulo supra benef. eccles. p. 112. W. Malmes. p. 370. Chron. Abb. St. Petri de Borgo, p. 63. Sum. Dunelm. p. 233.  
<sup>3</sup> A. Eadmer, p. 79. o Ibid. p. 80.  
<sup>4</sup> A. Eadmer, p. 91. W. Malm. p. 165. Sum. Dunelm. p. 239.  
<sup>5</sup> Eadmer, p. 91. W. Malm. p. 164. 227. Hoveden, p. 471. M. Paris, p. 44. 1. Aub. p. 271. Brompton, p. 1000. Willelm. p. 303. Chron. Dunst. p. 21.

<sup>6</sup> A. Eadmer, p. 87.  
<sup>7</sup> Ibid. p. 91.  
<sup>8</sup> A. Eadmer, p. 67, 68. Spellm. Conc. vol. ii. p. 22.  
<sup>9</sup> W. Ledner, p. 68.  
<sup>10</sup> Order. Vital. p. 816.  
<sup>11</sup> A. Eadmer, p. 83. Chron. Sax. p. 211, 215, 219, 220, 223. H. Hist. p. 285. Hoveden, p. 470. Ann. Waverl. p. 113.  
<sup>12</sup> Order. Vital. p. 837.

inheritance. Lewis the Gross, son of Philip, was at this time King of France, a brave and generous prince, who, having been obliged, during the life-time of his father, to fly into England, in order to escape the persecutions of his step-mother, Bertrude, had been protected by Henry, and had these conceived a personal friendship for him. But these ties were soon dissolved after the accession of Lewis, who found his interests to be in so many particulars opposite to those of the English monarch, and who became sensible of the danger attending the annexation of Normandy to England. He joined, therefore, the Counts of Anjou and Flanders in giving disquiet to Henry's government; and this monarch, in order to defend his foreign dominions, found himself obliged to go over to Normandy, where he resided two years. The war which ensued among those princes, was attended with no memorable event, and produced only slight skirmishes on the frontiers, agreeably to the weak condition of the sovereigns in that age, whenever their subjects were not roused by some great and urgent occasion. Henry, by contracting his eldest son, William, to the daughter of Fulk, detached that prince from the alliance, and obliged the others to come to an accommodation with him. This peace was not of long duration. His nephew, William, retired to the court of Baldwin, Earl of Flanders, who espoused his cause; and the King of France having soon after, for other reasons, joined the party, a new war was kindled in Normandy, which produced no event more memorable than had attended the former. At

A. D. 1113. last the death of Baldwin, who was slain in an action near Eu, gave some respite to Henry, and enabled him to carry on war with more advantage against his enemies.

Lewis, finding himself unable to wrest Normandy from the king, by force of arms, had recourse to the dangerous expedient of applying to the spiritual power, and of affording the ecclesiastics a pretence to interpose in the temporal concerns of princes. He carried young William to a general council, which was assembled at Rheims by Pope Calixtus II., presented the Norman prince to them, complained of the manifest usurpation and injustice of Henry, craved the assistance of the church for reinstating the true heir in his dominions, and represented the enormity of detaining in captivity so brave a prince as Robert, one of the most eminent champions of the cross, and who, by that very quality, was placed under the immediate protection of the holy see. Henry knew how to defend the rights

of his crown with vigour, and yet with dexterity. He had sent over the English bishops to this synod; but at the same time had warned them, that if any further claims were started by the Pope or the ecclesiastics, he was determined to adhere to the laws and customs of England, and maintain the prerogatives transmitted to him by his predecessors. "Go," said he to them, "salute the Pope in my name; hear his apostolical precepts; but take care to bring none of his new inventions into my kingdom." Finding, however, that it would be easier for him to elude than oppose the efforts of Calixtus, he gave his ambassadors orders to gain the Pope and his favourites by liberal presents and promises. The complaints of the Norman prince were thenceforth heard with great coldness by the council; and Calixtus confessed, after a conference which he had the same summer with Henry, and when that prince probably renewed his presents, that, of all men whom he had ever yet been acquainted with, he was, beyond comparison, the most eloquent and persuasive.

The warlike measures of Lewis proved as ineffectual as his intrigues. He had laid a scheme for surprising Noyon; but Henry, having received intelligence of the design, marched to the relief of the place, and suddenly attacked the French at Brenneville, as they were advancing towards it. A sharp conflict ensued; where Prince William behaved with great bravery, and the king himself was in the most imminent danger. He was wounded in the head by Crispin, a gallant Norman officer, who had followed the fortunes of William;<sup>a</sup> but, being rather ani-

maled than terrified by the blow, he immediately beat his antagonist to the ground, and so encouraged his troops by the example, that they put the French to total rout, and had very nearly taken their king prisoner. The dignity of the persons engaged in this skirmish rendered it the most memorable action of the war; for, in other respects, it was not of great importance. There were nine hundred horsemen, who fought on both sides; yet were there only two persons slain. The rest were defended by that heavy armour worn by the cavalry in those times.<sup>b</sup> An accommodation soon after ensued between the Kings of France and England; and the interests of young William were entirely neglected in it.

But this public prosperity of Henry was much overbalanced by a domestic calamity which befell him. His only son, William, had now reached his eighteenth year; and the king, from the facility with which he himself had usurped the crown, dreading that a like revolution might subvert his family, had taken care to have him recognised successor by the states of the kingdom, and had carried him over to Normandy, that he might receive the homage of the barons of that duchy. The king, on his return, set sail from Barfleur, and was soon carried by a fair wind out of sight of land. The prince was detained by some accident; and his sailors, as well as their captain, Thomas Fitz-Stephens, having spent the interval in drinking, were so flustered, that, being in a hurry to follow the king, they heedlessly carried the ship on a rock, where she immediately foundered. William was put into the long boat, and had got clear of the ship, when, hearing the cries of his natural sister, the Countess of Perche, he ordered the seamen to row back in hopes of saving her: but the numbers who then crowded in, soon sunk the boat; and the prince, with all his retinue, perished. Above a hundred and forty young noblemen, of the principal families of England and Normandy, were lost on this occasion. A butcher of Rouen was the only person on board who escaped.<sup>c</sup> He clung to the mast, and was taken up next morning by fishermen. Fitz-Stephens also took hold of the mast; but being informed by the butcher that Prince William had perished, he said that he would not survive the disaster; and he threw himself headlong into the sea.<sup>d</sup> Henry entertained hopes for three days, that his son had put into some distant port of England: but when certain intelligence of the calamity was brought him, he fainted away; and it was remarked, that he never after was seen to smile, nor ever recovered his wonted cheerfulness.<sup>e</sup>

The death of William may be regarded, in one respect, as a misfortune to the English; because it was the immediate source of those civil wars, which, after the demise of the king, caused such confusion in the kingdom: but it is remarkable, that the young prince had entertained a violent aversion to the natives; and had been heard to threaten, that when he should be king, he would make them draw the plough, and would turn them into beasts of burden. These prepossessions he inherited from his father, who, though he was wont, when it might serve his purpose, to value himself on his birth, as a native of England,<sup>f</sup> showed, in the course of his government, an extreme prejudice against that people. All hopes of preferment to ecclesiastical as well as civil dignities, were denied them during this whole reign; and any foreigner, however ignorant or worthless, was sure to have the preference in every competition.<sup>g</sup> As the English had given no disturbance to the government during the course of fifty years, this inveterate antipathy in a prince of so much temper as well as penetration, forms a presumption that the English of that age were still a rude and barbarous people even compared to the Normans, and impresses us with no very favourable idea of the Anglo-Saxon manners.

Prince William left no children; and the king had not now any legitimate issue; except one daughter, Matilda, whom, in 1110, he had betrothed, though only eight years of age,<sup>h</sup> to the Emperor Henry V. and whom he had then sent over to be educated in Germany.<sup>i</sup> But as her

A. D. 1120.  
Death of Prince William.

<sup>a</sup> H. Hunt, p. 331. M. Paris, p. 47. Diceto, p. 533.  
<sup>b</sup> Order, Vital, p. 854.  
<sup>c</sup> N. Daniel, p. 242. Alured, Beverl. p. 143.  
<sup>d</sup> Order, Vital, p. 868.  
<sup>e</sup> Hoveden, p. 476. Order, Vital, p. 869.

<sup>f</sup> Gail, Neub. lib. 1. cap. 3.  
<sup>g</sup> Chron. Sax. p. 215. W. Malm. 166. Order, Vital, p. 83.  
<sup>h</sup> Henry, by the feudal customs, was entitled to levy a tax for the marriage of his eldest daughter, and he exacted three shillings a hyde on all England. H. Hunt, p. 379. Some historians (Brady, p. 270, and Tyrrel,

absence from the kingdom, and her marriage into a foreign family, might endanger the succession, Henry, who was now a widower, was induced to marry, in hopes of having

made hers; and he made his addresses to Adelais, daughter of Godfrey, Duke of Lorraine, and niece of Pope Calixtus, a young princess of an amiable person.<sup>1</sup> But Adelais brought him no children; and the prince who was most likely to dispute the succession, and even the immediate possession of the crown, recovered hopes of subverting his rival, who had successively seized all his patrimonial dominions. William, the son of duke Robert, was still protected in the French court; and as Henry's connexions with the Count of Anjou were broken off by the death of his son, Fulk joined the party of the unfortunate prince, gave him his daughter in marriage, and aided him in raising disturbances in Normandy. But Henry found the means of drawing off the Count of Anjou, by forming anew with him a nearer connexion than the former, and one more material to the interests of that Count's family.

A. D. 1127. The emperor, his son-in-law, dying without issue, he bestowed his daughter on Geoffrey, the eldest son of Fulk, and endeavoured to insure her succession by having her recognised heir to all his dominions, and obliging the barons, both of Normandy and England, to swear fealty to her. He hoped that the choice of this husband would be more agreeable to all his subjects than that of the emperor; as securing them from the danger of falling under the dominion of a great and distant potentate, who might bring them into subjection, and reduce their country to the rank of a province; but the barons were displeased that a step so material to national interests had been taken without consulting them;<sup>2</sup> and Henry had too sensibly experienced the turbulence of their disposition, not to dread the effects of their resentment. It seemed probable, that his nephew's party might gain force from the increase of the malcontents: an accession of power which that prince acquired a little after, tended to render his pretensions still more dangerous. Charles, Earl of Flanders, being assassinated during the celebration of divine service, King Lewis immediately put the young prince in possession of that county, to which he had pretensions in the right of his grandmother Matilda, wife to the Conqueror. But William survived a very little time this piece of good fortune, which seemed to open the way to still further prosperity. He was killed in a skirmish with the Landgrave of Alsace, his competitor for Flanders; and his death put an end, for the present, to the jealousy and iniquity of Henry.

The chief merit of this monarch's government consists in the profound tranquillity which he established and maintained throughout all his dominions during the greater part of his reign. The turbulent barons were retained in subjection; and his neighbours, in every attempt which they made upon him, found him so well prepared, that they were discouraged from continuing or renewing their enterprises. In order to repress the incursions of the Welch, he brought over some Flemings, in the year 1111, and settled them in Pembrokeshire, where they long maintained a different language, and customs, and manners, from their neighbours. Though his government seems to have been arbitrary in England, it was judicious and prudent; and was as little oppressive as the necessity of his affairs would permit. He wanted not attention to the redress of grievances; and historians mention in particular the levying of purveyance, which he endeavoured to moderate and restrain. The tenants in the king's demesne lands were at that time obliged to supply, *gratis*, the court with provisions, and to furnish carriages on the same hard terms, when the king made a progress, as he did frequently, into any of the counties. These exactions were so grievous, and levied in so licentious a manner, that the

farmers, when they heard of the approach of the court, often deserted their houses as if an enemy had invaded the country;<sup>3</sup> and sheltered their persons and families in the woods from the insults of the king's retinue. Henry prohibited those enormities, and punished the persons guilty of them by cutting off their hands, legs, or other members.<sup>4</sup> But the prerogative was perpetual; the remedy applied by Henry was temporary; and the violence itself of this remedy, so far from giving security to the people, was only a proof of the ferocity of the government, and threatened a quick return of like abuses.

One great and difficult object of the king's prudence was, the guarding against the encroachments of the court of Rome, and protecting the liberties of the church of England. The Pope, in the year 1101, had sent Guy, Archbishop of Vienne, as legate into Britain; and though he was the first that for many years had appeared there in that character, and his commission gave general surprise,<sup>5</sup> the king, who was then in the commencement of his reign, and was involved in many difficulties, was obliged to submit to this encroachment on his authority. But in the year 1116, Anselm, Abbot of St. Sabas, who was coming over with a like legantine commission, was prohibited from entering the kingdom;<sup>6</sup> and Pope Calixtus, who, in his turn, was then labouring under many difficulties, by reason of the pretensions of Gregory, an Anti-pope, was obliged to promise that he never would for the future, except when solicited by the king himself, send any legate into England.<sup>7</sup> Notwithstanding this engagement, the Pope, as soon as he had suppressed his antagonist, granted the Cardinal de Crema a legantine commission over that kingdom; and the king, who, by reason of his nephew's intrigues and invasions, found himself at that time in a dangerous situation, was obliged to submit to the exercise of this commission.<sup>8</sup> A synod was called by the legate at London; where, among other canons, a vote passed, enacting severe penalties on the marriages of the clergy.<sup>9</sup> The cardinal, in a public harangue, declared it to be an unpardonable enormity, that a priest should dare to consecrate and touch the body of Christ immediately after he had risen from the side of a strumpet: for that was the decent appellation which he gave to the wives of the clergy. But it happened that, the very next night, the officers of justice, breaking into a disorderly house, found the cardinal in bed with a courtesan;<sup>10</sup> an incident which threw such ridicule upon him, that he immediately stole out of the kingdom. The synod broke up; and the canons against the marriage of clergymen were worse executed than ever.<sup>11</sup>

Henry, in order to prevent this alternate revolution of concessions and encroachments, sent William, then Archbishop of Canterbury, to remonstrate with the court of Rome against those abuses, and to assert the liberties of the English church. It was a usual maxim with every Pope, when he found that he could not prevail in any pretension, to grant princes or states a power which they had always exercised, to resume, at a proper juncture, the claim which seemed to be resigned, and to pretend that the civil magistrate had possessed the authority only from a special indulgence of the Roman pontiff. After this manner, the Pope, finding that the French nation would not admit his claim of granting investitures, had passed a bull, giving the king that authority; and he now practised a like invention to elude the complaints of the King of England. He made the archbishop of Canterbury his legate, renewed his commission from time to time, and still pretended that the rights which that prelate had ever exercised as metropolitan, were entirely derived from the indulgence of the apostolic see. The English princes, and Henry in particular, who were glad to avoid any immediate contest of so dangerous a nature, commonly acquiesced by their silence in these pretensions of the court of Rome.<sup>12</sup>

vol. ii. p. 192. heedlessly make this sum amount to above 800,000 pounds of our present money, but it could not exceed 150,000. Frechoves, sometimes less, made a knight's fee, of which there were about 60,000 in King Land, consequently to a 60,000 knights. And at the rate of three shillings a knight's fee, the sum would amount to 180,000 pounds, or 150,000 of our present money. See Robertson, p. 257. In the Saxon times, there were only computed 150,000 hides in England.

<sup>1</sup> Chron. Sax. p. 228. W. Malin, p. 165.

<sup>2</sup> W. Malin, p. 178. The monks of Waverley, p. 150, say, that the king assented and obtained the consent of all the barons.

<sup>3</sup> Eadmer, p. 91. Chron. Sax. p. 212.

<sup>4</sup> Eadmer, p. 91.

<sup>5</sup> Hoveden, p. 174.

<sup>6</sup> Chron. Sax. p. 229.

<sup>7</sup> Hoveden, p. 478. M. Paris, p. 48. Matth. West. ad ann. 1105. H. Huntingdon, p. 602. It is remarkable, that the last writer, who was a clergyman as well as the others, makes an apology for using such treasonable terms with the fathers of the church; but says, that the fact was notorious, and ought not to be concealed.

<sup>8</sup> Chron. Sax. p. 231.

<sup>9</sup> See the legates, *a datari*, as they were called, were a kind of delegates who possessed the full powers of the Pope in all the provinces committed to

<sup>10</sup> Ibid. p. 28.

<sup>11</sup> Eadmer, p. 125 127, 138.

<sup>12</sup> Spelman, Conc. vol. ii. p. 34.



A. D. 1131. As every thing in England remained in tranquillity, Henry took the opportunity of paying a visit to Normandy, to which he was invited, as well by his affection for that country, as by his tenderness

A. D. 1132. for his daughter the Empress Matilda, who was always his favourite. Some time after, that princess was delivered of a son, who received the name of Henry; and the king, further to insure her succession, made all the nobility of England and Normandy renew the oath of fealty, which they had already sworn to her.\* The joy of this event, and the satisfaction which he reaped from his daughter's company, who bore successively two other sons, made his residence in Normandy very agreeable to him; and he seemed determined

A. D. 1135. to pass the remainder of his days in that country; when an incursion of the Welch obliged him to think of returning into England. He was preparing for the journey, but was seized with a sudden illness at St. Dennis le Forment, from eating too plentifully of lampreys, a food which always agreed better with his palate than his constitution.<sup>2</sup> He died in the sixty-seventh year of his age, and the thirty-fifth year of his reign; leaving by will his daughter, Matilda, heir of all his dominions, without making any mention of her husband Geoffrey, who had given him several causes of displeasure.<sup>a</sup>

and character of Henry. This prince was one of the most accomplished that has filled the English throne, and possessed all the great qualities both of body and mind, natural and acquired, which could fit him for the high station to which he attained. His person was manly, his countenance engaging, his eyes clear, serene, and penetrating. The affability of his address encouraged those who might be overawed by the sense of his dignity or of his wisdom; and though he often indulged his facetious humour, he knew how to temper it with discretion, and ever kept at a distance from all indecent familiarities with his courtiers. His superior eloquence and judgment would have given him an ascendant, even had he been born in a private station; and his personal bravery would have procured him respect, though it had been less supported by art and policy. By his great progress in literature, he acquired the name of *Beaucerlerk*, or the Scholar; but his application to those sedentary pursuits abated nothing of the activity and vigilance of his government; and though the learning of that age was better fitted to corrupt than improve the understanding, his natural good sense preserved itself untainted both from the pedantry and superstition which were then so prevalent among men of letters. His temper was susceptible of the sentiments as well of friendship as of resentment;<sup>b</sup> and his ambition, though high, might be deemed moderate and reasonable, had not his conduct towards his brother and nephew showed that he was too much disposed to sacrifice to it all the maxims of justice and equity. But the total incapacity of Robert for government afforded his younger brother a reason or pretence for seizing the sceptre both of England and Normandy; and when violence and usurpation are once begun, necessity obliges a prince to continue in the same criminal course, and engages him in measures which his better judgment and sounder principles would otherwise have induced him to reject with warmth and indignation.

King Henry was much addicted to women; and historians mention no less than seven illegitimate sons and six daughters born to him.<sup>c</sup> Hunting was also one of his favourite amusements; and he exercised great rigour against those who encroached on the royal forests, which were augmented during his reign,<sup>d</sup> though their number

and extent were already too great. To kill a stag was as criminal as to murder a man; he made all the dogs be mutilated which were kept on the borders of his forests; and he sometimes deprived his subjects of the liberty of hunting on their own lands, or even cutting their own woods. In other respects, he executed justice, and that with rigour; the best maxim which a prince in that age could follow. Stealing was first made capital in this reign:<sup>e</sup> false coining, which was then a very common crime, and by which the money had been extremely debased, was severely punished by Henry.<sup>f</sup> Near fifty criminals of this kind were at one time hanged or mutilated; and though these punishments seem to have been exercised in a manner somewhat arbitrary, they were grateful to the people, more attentive to present advantages than jealous of general laws. There is a code which passes under the name of Henry I., but the best antiquaries have agreed to think it spurious. It is however a very ancient compilation, and may be useful to instruct us in the manners and customs of the times. We learn from it, that a great distinction was then made between the English and Normans, much to the advantage of the latter.<sup>g</sup> The deadly feuds, and the liberty of private revenge, which had been avowed by the Saxon laws, were still continued, and were not yet wholly illegal.<sup>h</sup>

Among the laws granted on the king's accession, it is remarkable that the re-union of the civil and ecclesiastical courts, as in the Saxon times, was enacted.<sup>i</sup> But this law, like the articles of his charter, remained without effect, probably from the opposition of Archbishop Anselm.

Henry, on his accession, granted a charter to London, which seems to have been the first step towards rendering that city a corporation. By this charter, the city was empowered to keep the farm of Middlesex at three hundred pounds a year, to elect its own sheriff and justiciary, and to hold pleas of the crown; and it was exempted from scot, Dane-gelt, trials by combat, and lodging the king's retinue. These, with a confirmation of the privileges of their court of hustings, wardmotes, and common halls, and their liberty of hunting in Middlesex and Surrey, are the chief articles of this charter.<sup>k</sup>

It is said,<sup>l</sup> that this prince, from indulgence to his tenants, changed the rents of his demesnes, which were formerly paid in kind, into money, which was more easily remitted to the exchequer. But the great scarcity of coin would render that commutation difficult to be executed, while at the same time provisions could not be sent to a distant quarter of the kingdom. This affords a probable reason why the ancient kings of England so frequently changed their place of abode: they carried their court from one place to another, that they might consume upon the spot the revenue of their several demesnes.

## CHAP. VII.

## STEPHEN.

Accession of Stephen.—War with Scotland.—Insurrection in favour of Matilda.—Stephen taken prisoner.—Matilda released.—Stephen released.—Restored to the crown.—Continuation of the civil war.—Compromise between the king and prince Henry.—Death of the king.

In the progress and settlement of the feudal law, the male succession to fiefs had taken place some time before the female was admitted; and estates being considered as military benefices, not as property, were transmitted to such only as could serve in the armies, and perform in person the conditions upon which they were

their charge, and were very busy in extending as well as exercising it. They nominated to all vacant benefices, assembled synods, and were anxious to maintain ecclesiastical privileges, which never could be fully protected without encroachments on the civil power. If there were the least concurrence or opposition, it was always supposed that the civil power was to give way: every deed, which had the least pretence of holding of any thing spiritual, as marriages, testaments, promissory oaths, were brought into the spiritual court, and could not be expressed before a civil magistrate. These were the established laws of the church, and where a legate was sent immediately from Rome, he was sure to maintain the papal claims with the utmost rigour: but it was an advantage to the king to have the Archbishop of Canterbury appointed legate, because the concessions of that prelate to the kingdom tended to moderate his measures.

x W. Malm. p. 177. y H. Hunt. p. 315.  
z H. Hunt. p. 335. M. Paris, p. 50. a W. Malm. p. 178.  
b Order. Vital. p. 805. c Gul. Gemet. lib. 8. cap. 29.  
d W. Malm. p. 179.  
e Sm. Dunelm. p. 231. Prompton, p. 1000. Flor. Wigorn. p. 634.  
f Hoveden, p. 471.  
g Sm. Dunelm. p. 231. Prompton, p. 1000. Hoveden, p. 471. Anual. Waverl. p. 149.  
h L. Hen. i. 3. 18. 73.  
i L. Hen. 3. 2.  
j Spelm. p. 305. Blackstone, vol. iii. p. 63. Coke, 2 Inst. 70.  
k Lambard Archæologia exult. Twisden, Wilkins, p. 235.  
l Dial. de Scaccario, lib. 1. cap. 7.

originally granted. But when the continuance of rights, during some generations, in the same family, had, in a great measure, obliterated the primitive idea, the females were gradually admitted to the possession of feudal property; and the same revolution of principles which procured them the inheritance of private estates, naturally introduced their succession to government and authority. The failure, therefore, of male heirs to the kingdom of England and duchy of Normandy, seemed to leave the succession open, without a rival, to the Empress Matilda; and as Henry had made all his vassals, in both states, swear fealty to her, he presumed that they would not easily be induced to depart at once from her hereditary right, and from their own reiterated oaths and engagements. But the irregular manner in which he himself had acquired the crown, might have instructed him, that neither his Norman nor English subjects were as yet capable of adhering to a strict rule of government; and as every precedent of this kind seems to give authority to new usurpations, he had reason to dread, even from his own family, some invasion of his daughter's title, which he had taken such pains to establish.

Adela, daughter of William the Conqueror, had been married to Stephen, Count of Blois, and had brought him several sons, among whom Stephen and Henry, the two youngest, had been invited over to England by the late king, and had received great honours, riches, and preferment, from the zealous friendship which that prince bore to every one that had been so fortunate as to acquire his favour and good opinion. Henry, who had betaken himself to the ecclesiastical profession, was created Abbot of Glastenbury and Bishop of Winchester; and though these dignities were considerable, Stephen had, from his uncle's liberty, attained establishments still more solid and durable.<sup>a</sup> The king had married him to Matilda, who was daughter and heir of Eustace Count of Boulogne, and who brought him, besides that feudal sovereignty in France, an immense property in England, which, in the distribution of lands, had been conferred by the Conqueror on the family of Boulogne. Stephen also by this marriage acquired a new connexion with the royal family of England; as Mary, his wife's mother, was sister to David the reigning King of Scotland, and to Matilda, the first wife of Henry, and mother of the empress. The king, still imagining that he strengthened the interests of his family by the aggrandizement of Stephen, took pleasure in enriching him by the grant of new possessions; and he conferred on him the great estate forfeited by Robert Mallet, in England, and that forfeited by the Earl of Mortaigne, in Normandy. Stephen, in return, professed great attachment to his uncle; and appeared so zealous for the succession of Matilda, that when the barons swore fealty to that princess, he contended with Robert, Earl of Gloucester, the king's natural son, who should first be admitted to give her this testimony of devoted zeal and fidelity.<sup>b</sup> Meanwhile he continued to cultivate, by every art of popularity, the friendship of the English nation; and many virtues, with which he seemed to be endowed, favoured the success of his intentions. By his bravery, activity, and vigour, he acquired the esteem of the barons: by his generosity, and by an affable and familiar address, unusual in that age among men of his high quality, he obtained the affections of the people, particularly of the Londoners.<sup>c</sup> And though he dared not to take any steps towards his further grandeur, lest he should expose himself to the jealousy of so penetrating a prince as Henry; he still hoped that, by accumulating riches and power, and by acquiring popularity, he might, in time, be able to open his way to the throne.

No sooner had Henry breathed his last, than Stephen, insensible to all the ties of gratitude and fidelity, and blind to danger, gave full reins to his criminal ambition, and trusted that, even without any previous intrigue, the celerity of his enterprise, and the boldness of his attempt, might overcome the weak attachment which the English and Normans in that age bore to the laws and to the

rights of their sovereign. He hastened over to England; and though the citizens of Dover, and those of Canterbury, apprized of his purpose, shut their gates against him, he stopped not till he arrived at London, where some of the lower rank, instigated by his emissaries, as well as moved by his general popularity, immediately saluted him king. His next point was to acquire the good will of the clergy; and by performing the ceremony of his coronation, to put himself in possession of the throne, from which he was confident it would not be easy afterwards to expel him. His brother, the Bishop of Winchester, was useful to him in these capital articles: having gained Roger, Bishop of Salisbury, who, though he owed a great fortune and advancement to the favour of the late king, preserved no sense of gratitude to that prince's family, he applied, in conjunction with that prelate, to William, Archbishop of Canterbury, and required him, in virtue of his office, to give the royal unction to Stephen. The primate, who, as all the others, had sworn fealty to Matilda, refused to perform this ceremony; but his opposition was overcome by an expedient equally dishonourable with the other steps by which this revolution was effected. Hugh Bigod, steward of the household, made oath before the primate, that the late king, on his death-bed, had shown a dissatisfaction with his daughter Matilda, and had expressed his intention of leaving the Count of Boulogne heir to all his dominions.<sup>d</sup> William, either believing, or feigning to be- 22d Dec.  
lieve, Bigod's testimony, anointed Stephen, and put the crown upon his head; and from this religious ceremony, that prince, without any shadow either of hereditary title or consent of the nobility or people, was allowed to proceed to the exercise of sovereign authority. Very few barons attended his coronation;<sup>e</sup> but none opposed his usurpation, however unjust or flagrant. The sentiment of religion, which, if corrupted into superstition, has often little efficacy in fortifying the duties of civil society, was not affected by the multiplied oaths taken in favour of Matilda, and only rendered the people obedient to a prince who was countenanced by the clergy, and who had received from the primate the rite of royal unction and consecration.<sup>f</sup>

Stephen, that he might further secure his tottering throne, passed a charter, in which he made liberal promises to all orders of men; to the clergy, that he would speedily fill all vacant benefices, and would never levy the rents of any of them during the vacancy; to the nobility, that he would reduce the royal forests to their ancient boundaries, and correct all encroachments; and to the people, that he would remit the tax of Danegelt, and restore the laws of King Edward.<sup>g</sup> The late king had a great treasure at Winchester, amounting to a hundred thousand pounds: and Stephen, by seizing this money, immediately turned against Henry's family the precaution which that prince had employed for their grandeur and security: an event which naturally attends the policy of amassing treasures. By means of this money, the usurper insured the compliance, though not the attachment, of the principal clergy and nobility; but not trusting to this frail security, he invited over from the continent, particularly from Brittany and Flanders, great numbers of those bravos or disorderly soldiers, with whom every country in Europe, by reason of the general ill police and turbulent government, extremely abounded.<sup>h</sup> These mercenary troops guarded his throne by the terrors of the sword; and Stephen, that he might also overawe all malcontents by new and additional terrors of religion, procured a bull from Rome, which ratified his title, and which the Pope, seeing this prince in possession of the throne, and pleased with an appeal to his authority in secular controversies, very readily granted him.<sup>i</sup>

Matilda, and her husband Geoffrey, were A. D. 1136.  
as unfortunate in Normandy as they had been in England. The Norman nobility, moved by an hereditary animosity against the Angevins, first applied to Theobald, Count of Blois, Stephen's elder brother, for

<sup>a</sup> Gul. Neub. p. 360. Brompton, p. 1023.

<sup>b</sup> W. Malm. p. 127.

<sup>c</sup> Ibid. p. 179. Gest. Steph. 923.

<sup>d</sup> Matt. Paris. p. 51. Dureau. p. 505. Chron. Dunst. p. 23.

<sup>e</sup> Brompton, p. 1023.

<sup>f</sup> Such stress was formerly laid on the rite of coronation, that the monkish

writers never give any prince the title of King, till he is crowned, though he had for some time been in possession of the crown, and exercised all the powers of sovereignty.

<sup>g</sup> W. Malm. p. 179.

<sup>h</sup> Hoveden, p. 487.

<sup>i</sup> Hagiulstad. p. 529. 313.

protection and assistance; but hearing afterwards that Stephen had got possession of the English crown, and having many of them the same reasons as formerly for desiring a continuance of their union with that kingdom, they transferred their allegiance to Stephen, and put him in possession of their government. Lewis the younger, the reigning king of France, accepted the homage of Eustace, Stephen's eldest son, for the duchy; and the more to corroborate his connexions with that family, he betrothed his sister, Constantia, to the young prince. The Count of Blois resigned all his pretensions, and received, in lieu of them, an annual pension of two thousand marks; and Geoffrey himself was obliged to conclude a truce for two years with Stephen, on condition of the king's paying him, during that time, a pension of five thousand.<sup>k</sup> Stephen, who had taken a journey to Normandy, finished all these transactions in person, and soon after returned to England.

Robert, Earl of Gloucester, natural son of the late king, was a man of honour and abilities; and as he was much attached to the interests of his sister, Matilda, and zealous for the lineal succession, it was chiefly from his intrigues and resistance, that the king had reason to dread a new revolution of government. This nobleman, who was in Normandy when he received intelligence of Stephen's accession, found himself much embarrassed concerning the measures which he should pursue in that difficult emergency. To swear allegiance to the usurper appeared to him dishonourable, and a breach of his oath to Matilda: to refuse giving this pledge of his fidelity, was to banish himself from England, and be totally incapacitated from serving the royal family, or contributing to their restoration.<sup>l</sup> He offered Stephen to do him homage, and to take the oath of fealty; but with an express condition, that the king should maintain all his stipulations, and should never invade any of Robert's rights or dignities: and Stephen, though sensible that this reserve, so unusual in itself, and so unbefitting the duty of a subject, was meant only to afford Robert a pretence for a revolt on the first favourable opportunity, was obliged, by the numerous friends and retainers of that nobleman, to receive him on those terms.<sup>m</sup> The clergy, who could scarcely, at this time, be deemed subjects to the crown, imitated that dangerous example: they annexed to their oaths of allegiance this condition, that they were only bound so long as the king defended the ecclesiastical liberties, and supported the discipline of the church.<sup>n</sup> The barons, in return for their submission, exacted terms still more destructive of public peace, as well as of royal authority: many of them required the right of fortifying their castles, and of putting themselves in a posture of defence; and the king found himself totally unable to refuse his consent to this exorbitant demand.<sup>o</sup> All England was immediately filled with those fortresses, which the noblemen garrisoned either with their vassals, or with licentious soldiers, who flocked to them from all quarters. Unbounded rapine was exercised upon the people for the maintenance of these troops: and private animosities which had with difficulty been restrained by law, now breaking out without control, rendered England a scene of uninterrupted violence and devastation. Wars between the nobles were carried on with the utmost fury in every quarter; the barons even assumed the right of coining money, and of exercising, without appeal, every act of jurisdiction; and the inferior gentry, as well as the people, finding no defence from the laws during this total dissolution of sovereign authority, were obliged, for their immediate safety, to pay court to some neighbouring chieftain, and to purchase his protection, both by submitting to his exactions, and by assisting him in his rapine upon others. The erection of one castle proved the immediate cause of building many others; and even those who obtained not the king's permission, thought that they were entitled, by the great principle of self-preservation, to put themselves on an equal footing with their neighbours, who commonly were also their enemies and rivals. The aristocratical power, which is usually so oppressive in the

feudal governments, had now risen to its utmost height, during the reign of a prince, who, though endowed with vigour and abilities, had usurped the throne without the pretence of a title, and who was necessitated to tolerate in others the same violence, to which he himself had been beholden for his sovereignty.

But Stephen was not of a disposition to submit long to these usurpations, without making some effort for the recovery of royal authority. Finding that the legal prerogatives of the crown were resisted and abridged, he was also tempted to make his power the sole measure of his conduct; and to violate all those concessions which he himself had made on his accession,<sup>p</sup> as well as the ancient privileges of his subjects. The mercenary soldiers, who chiefly supported his authority, having exhausted the royal treasure, subsisted by depredations; and every place was filled with the best grounded complaints against the government. The Earl of Gloucester, having now settled with his friends the plan of an insurrection, A. D. 1137. retired beyond sea, sent the king a defiance, solemnly renounced his allegiance, and upbraided him with the breach of those conditions which had been annexed to the oath of fealty sworn by that nobleman.<sup>q</sup>

David, King of Scotland, appeared at the head of an army in defence of his niece's War with Scotland. 1138. title, and penetrating into Yorkshire, committed the most barbarous devastations on that country. The fury of his massacres and ravages enraged the northern nobility, who might otherwise have been inclined to join him; and William, Earl of Albemarle, Robert de Ferrers, William Piercy, Robert de Brus, Roger Moubrai, Ilbert Lacey, Walter l'Espee, powerful barons in those parts, assembled an army, with which they encamped at North-Allerton, and awaited the arrival of the enemy. A great battle was here fought, 22d Aug. called the battle of the *Standard*, from a high crucifix, erected by the English on a waggon, and carried along with the army as a military ensign. The King of Scots was defeated, and he himself, as well as his son Henry, narrowly escaped falling into the hands of the English. This success overawed the malcontents in England, and might have given some stability to Stephen's throne, had he not been so elated with prosperity as to engage in a controversy with the clergy, who were at that time an overmatch for any monarch.

Though the great power of the church, in ancient times, weakened the authority of the crown, and interrupted the course of the laws, it may be doubted whether, in ages of such violence and outrage, it was not rather advantageous that some limits were set to the power of the sword, both in the hands of the prince and nobles, and that men were taught to pay regard to some principles and privileges. The chief misfortune was, that the prelates A. D. 1139. on some occasions acted entirely as barons, employed military power against their sovereign or their neighbours, and thereby often increased those disorders which it was their duty to repress. The Bishop of Salisbury, in imitation of the nobility, had built two strong castles, one at Sherborne, another at Devizes, and had laid the foundations of a third at Malmesbury: his nephew, Alexander, Bishop of Lincoln, had erected a fortress at Newark; and Stephen, who was now sensible from experience of the mischiefs attending these multiplied citadels, resolved to begin with destroying those of the clergy, who, by their function, seemed less entitled than the barons to such military securities.<sup>r</sup> Making pretence of a fray which had arisen in court between the retinue of the Bishop of Salisbury and that of the Earl of Brittany, he seized both that prelate and the Bishop of Lincoln, threw them into prison, and obliged them by menaces to deliver up those places of strength which they had lately erected.<sup>s</sup>

Henry, Bishop of Winchester, the king's brother, being armed with a legantine commission, now conceived himself to be an ecclesiastical sovereign, no less powerful than

<sup>k</sup> M. Paris, p. 52. 1 Malmesb. p. 179. m Ibid. M. Paris, p. 51.  
<sup>n</sup> W. Malm. p. 179. o Ibid. p. 139.  
<sup>p</sup> Foyet, p. 19. Gul. Neub. p. 372. Chron. Henric. p. 117. Brompton, p. 1035.

<sup>q</sup> W. Malm. p. 180. M. Paris, p. 51.  
<sup>r</sup> W. Malm. p. 169.  
<sup>s</sup> Gul. Neub. p. 362.  
<sup>t</sup> Chron. Sax. p. 236. W. Malmesb. p. 181.



the civil; and forgetting the ties of blood which connected him with the king, he resolved to vindicate the clerical privileges, which, he pretended, were here openly violated.

He assembled a synod at Westminster, and there complained of the impiety of Stephen's measures, who had employed violence against the dignitaries of the church, and had not awaited the sentence of a spiritual court, by which alone, he affirmed, they could lawfully be tried and condemned, if their conduct had any wise merited censure or punishment.<sup>a</sup> The synod ventured to send a summons to the king, charging him to appear before them, and to justify his measures;<sup>b</sup> and Stephen, instead of resenting this indignity, sent Aubrey de Vere to plead his cause before that assembly. De Vere accused the two prelates of treason and sedition; but the synod refused to try the cause, or examine their conduct, till those castles, of which they had been dispossessed, were previously restored to them.<sup>c</sup> The Bishop of Salisbury declared that he would appeal to the Pope; and had not Stephen and his partisans employed menaces, and even showed a disposition of executing violence by the hands of the soldiery, affairs had instantly come to extremity between the crown and the mitre.<sup>d</sup>

While this quarrel, joined to so many other grievances, increased the discontents among the people, the empress, invited by the opportunity, and secretly encouraged by the

legate himself, landed in England, with Robert Earl of Gloucester, and a retinue of a hundred and forty knights. She fixed her residence at Arundel castle, whose gates were

opened to her by Adelais, the queen-dowager, now married to William de Albini, Earl of Sussex; and she excited, by messengers, her partisans to take arms in every county of England. Adelais, who had expected that her daughter-in-law would have invaded the kingdom with a much greater force, became apprehensive of danger; and Matilda, to ease her of her fears, removed, first to Bristol, which belonged to her brother Robert, thence to Gloucester, where she remained under the protection of Milo, a gallant nobleman from those parts, who had embraced her cause. Soon after Geoffrey Talbot, William Mohun, Ralph Lovel, William Fitz-John, William Fitz-Alan, Paganell, and many other barons, declared for her; and her party, which was generally favoured in the kingdom, seemed every day to gain ground upon that of her antagonist.

Were we to relate all the military events transmitted to us by contemporary and authentic historians, it would be easy to swell our accounts of this reign into a large volume: but those incidents, so little memorable in themselves, and so confused both in time and place, could afford neither instruction nor entertainment to the reader. It suffices to say, that the war was spread into every quarter, and that those turbulent barons, who had already shaken off in a great measure the restraint of government, having now obtained the pretence of a public cause, carried on their devastations with redoubled fury, exercised implacable vengeance on each other, and set no bounds to their oppressions over the people. The castles of the nobility were become receptacles of licensed robbers; who, sallying forth day and night, committed spoil on the open country, on the villages, and even on the cities, put the captives to torture, in order to make them reveal their treasures; sold their persons to slavery; and set fire to their houses, after they had pillaged them of every thing valuable. The fierceness of their disposition, leading them to commit wanton destruction, frustrated their rapacity of its purpose; and the property and persons even of the ecclesiastics, generally so much revered, were at last, from necessity, exposed to the same outrage which had laid waste the rest of the kingdom. The land was left untilled; the instruments of husbandry were destroyed or abandoned; and a grievous famine, the natural result of those disorders, affected equally both parties, and reduced the spoilers, as well as the defenceless people, to the most extreme want and indigence.<sup>e</sup>

After several fruitless negotiations and treaties of peace, which never interrupted

these destructive hostilities, there happened at last an event, which seemed to promise some end of the public calamities. Ralph Earl of Chester, and his half-brother, William de Roumara, partisans of Matilda, had surprised the castle of Lincoln; but the citizens, who were better affected to Stephen, having invited him to their aid, that prince laid close siege to the castle, in hopes of soon rendering himself master of the place, either by assault or by famine. The Earl of Gloucester hastened with an army to the relief of his friends; and Stephen, informed of his approach, took the field with a resolution of giving him battle. After a violent shock, the two wings of the royalists <sup>A. D. 1141.</sup> were put to flight; and Stephen himself, <sup>Feb. 2.</sup> surrounded by the enemy, was at last, after exerting great efforts of valour, borne down by numbers, and taken prisoner. He was conducted to Gloucester; <sup>Stephen taken prisoner.</sup> and though at first treated with humanity, was soon after, on some suspicion, thrown into prison, and loaded with irons.

Stephen's party was entirely broken by the captivity of their leader, and the barons came in daily from all quarters, and did homage to Matilda. The princess, however, amidst all her prosperity, knew that she was not secure of success, unless she could gain the confidence of the clergy; and as the conduct of the legate had been of late very ambiguous, and showed his intentions to have rather aimed at humbling his brother, than totally ruining him, she employed every endeavour to fix him in her interests. She held a conference with him in an open plain <sup>March 2.</sup> near Winchester, where she promised, upon oath, that if he would acknowledge her for sovereign, would recognise her title as the sole descendant of the late king, and would again submit to the allegiance, which he, as well as the rest of the kingdom, had sworn to her, he should in return be entire master of the administration, and in particular, should, at his pleasure, dispose of all vacant bishoprics and abbays. Earl Robert, her brother, Brian Fitz-Count, Milo of Gloucester, and other great men, became guarantees for her observing these engagements;<sup>a</sup> and the prelate was at last induced to promise her allegiance, but that still burdened with the express condition, that she should, on her part, fulfil her promises. He then conducted her to Winchester, led her in procession to the cathedral, and with great solemnity, in the presence of many bishops and abbots, denounced curses against all those who cursed her, poured out blessings on those who blessed her, granted absolution to such as were obedient to her, and excommunicated such as were rebellious.<sup>b</sup> Theobald, Archbishop of Canterbury, soon after came also to court, and swore allegiance to the empress.<sup>c</sup>

Matilda, that she might further insure the <sup>Matilda crowned.</sup> attachment of the clergy, was willing to receive the crown from their hands; and instead of assembling the states of the kingdom, the measure which the constitution, had it been either fixed or regarded, seemed necessarily to require, she was content that the legate should assemble an ecclesiastical synod, and that her title to the throne should there be acknowledged. The legate, addressing himself to the assembly, told them, that in the absence of the empress, Stephen his brother had been permitted to reign, and, previously to his ascending the throne, had seduced them by many fair promises, of honouring and exalting the church, of maintaining the laws, and of reforming all abuses. That it grieved him to observe how much that prince had, in every particular, been wanting to his engagements; public peace was interrupted, crimes were daily committed with impunity, bishops were thrown into prison and forced to surrender their possessions, abbays were put to sale, churches were pillaged, and the most enormous disorders prevailed in the administration. That he himself, in order to procure a redress of these grievances, had formerly summoned the king before a council of bishops; but instead of inducing him to amend his conduct, had rather offended him by that expedient. That, how much soever misguided, that prince was still his brother, and the object of his affections; but his interests, however, must be regarded as subordinate to those of

<sup>a</sup> W. Malin, p. 192.

<sup>b</sup> Ibid. M. Paris, p. 53.

<sup>c</sup> W. Malin, p. 193.

<sup>d</sup> Ibid. M. Paris, p. 54.

<sup>e</sup> Chron. Sax. p. 238. W. Malin, p. 195. G. Steph. p. 1.

<sup>a</sup> W. Malin, p. 197.

<sup>b</sup> Chron. Sax. p. 242. Contin. Flor. Wig. p. 676.

<sup>c</sup> W. Malin, p. 197.

their heavenly Father, who had now rejected him, and thrown him into the hands of his enemies : that it principally belonged to the clergy to elect and ordain kings ; he had summoned them together for that purpose, and having invoked the divine assistance, he now pronounced Matilda, the only descendant of Henry, their late sovereign, Queen of England. The whole assembly, by their acclamations or silence, gave, or seemed to give, their assent to this declaration.<sup>d</sup>

The only laymen summoned to this council, which decided the fate of the crown, were the Londoners ; and even these were required not to give their opinion, but to submit to the decrees of the synod. The deputies of London, however, were not so passive : they insisted that their king should be delivered from prison ; but were told by the legate, that it became not the Londoners, who were regarded as noblemen in England, to take part with those barons, who had basely forsaken their lord in battle, and who had treated the holy church with contumely : <sup>e</sup> it is with reason that the citizens of London assumed so much authority, if it be true, what is related by Fitz-Stephen, a contemporary author, that that city could at this time bring into the field no less than 80,000 combatants.<sup>f</sup>

London, notwithstanding its great power, and its attachment to Stephen, was at length obliged to submit to Matilda ; and her authority, by the prudent conduct of Earl Robert, seemed to be established over the whole kingdom : but affairs remained not long in this situation. That princess, besides the disadvantages of her sex, which weakened her influence over a turbulent and martial people, was of a passionate, imperious spirit, and knew not how to temper with affability the harshness of a refusal. Stephen's queen, seconded by many of the nobility, petitioned for the liberty of her husband ; and offered that, on this condition, he should renounce the crown, and retire into a convent. The legate desired that Prince Eustace, his nephew, might inherit Boulogne and the other patrimonial estates of his father : <sup>g</sup> the Londoners applied for the establishment of King Edward's laws, instead of those of King Henry, which, they said, were grievous and oppressive.<sup>h</sup> All these petitions were rejected in the most haughty and peremptory manner.

The legate, who had probably never been sincere in his compliance with Matilda's government, availed himself of the ill-humour excited by this imperious conduct, and secretly instigated the Londoners to a revolt. A conspiracy was entered into to seize the person of the empress ; and she saved herself from the danger by a precipitate retreat. She fled to Oxford : soon after she went to Winchester ; whither the legate, desirous to save appearances, and watching the opportunity to ruin her cause, had retired. But having assembled all his retainers, he openly joined his force to that of the Londoners, and to Stephen's mercenary troops, who had not yet evacuated the kingdom ; and he besieged Matilda in Winchester. The princess, being hard pressed by famine, made her escape ; but in the flight, Earl Robert, her brother, fell into the hands of the enemy. This nobleman, though a subject, was as much the life and soul of his own party, as Stephen was of the other ; and the empress, sensible of his merit and importance, consented to exchange the prisoners on equal terms. The civil war was again kindled with greater fury than ever.

Earl Robert, finding the successes on both sides nearly balanced, went over to Normandy, which, during Stephen's captivity, had submitted to the Earl of Anjou ; and he persuaded Geoffrey to allow his eldest son, Henry, a young prince of great hopes, to take a journey into England, and appear at the head of his partisans. This expedient, however, produced nothing decisive. Stephen took Oxford after a long siege : he was defeated by Earl Robert at Wilton : and the empress, though of a masculine spirit,

yet being harassed with a variety of good and bad fortune, and alarmed with continual dangers to her person and family, at last retired into Normandy, whither she had sent her son some time before. The death of her brother, which happened nearly about the same time, would have proved fatal to her interests, had not some incidents occurred, which checked the course of Stephen's prosperity. This prince, finding that the castles built by the noblemen of his own party encouraged the spirit of independence, and were little less dangerous than those which remained in the hands of the enemy, endeavoured to extort from them a surrender of those fortresses ; and he alienated the affections of many of them by this equitable demand. The artillery also of the church, which his brother had brought over to his side, had, after some interval, joined the other party. <sup>i</sup> Eugenius III. had mounted the papal throne ; the Bishop of Winchester was deprived of the legantine commission, which was conferred on Theobald, Archbishop of Canterbury, the enemy and rival of the former legate. That pontiff also, having summoned a general council at Rheims, in Champagne, instead of allowing the church of England, as had been usual, to elect its own deputies, nominated five English bishops to represent that church, and required their attendance in the council. Stephen, who, notwithstanding his present difficulties, was jealous of the rights of his crown, refused them permission to attend ;<sup>j</sup> and the pope, sensible of his advantage in contending with a prince who reigned by a disputed title, took revenge by laying all Stephen's party under an interdict.<sup>k</sup> The discontents of the royalists, at being thrown into this situation, were augmented by a comparison with Matilda's party, who enjoyed all the benefits of the sacred ordinances ; and Stephen was at last obliged, by making proper submissions to the see of Rome, to remove the reproach from his party.<sup>l</sup>

The weakness of both sides, rather than any decrease of mutual animosity, having produced a tacit cessation of arms in England, many of the nobility, Roger de Moubray, William de Warrenne, and others, finding no opportunity to exert their military ardour at home, enlisted themselves in a new Crusade, which, with surprising success, after former disappointments and misfortunes, was now preached by St. Bernard.<sup>m</sup> But an event soon after happened, which threatened a revival of hostilities in England. Prince Henry, who had reached his sixteenth year, was desirous of receiving the honour of knighthood ; a ceremony which every gentleman in that age passed through before he was admitted to the use of arms, and which was even deemed requisite for the greatest princes. He intended to receive his admission from his great-uncle, David, king of Scotland ; and for that purpose he passed through England with a great retinue, and was attended by the most considerable of his partisans. He remained some time with the King of Scotland ; made incursions into England ; and by his dexterity and vigour in all manly exercises, by his valour in war, and his prudent conduct in every occurrence, he roused the hopes of his party, and gave symptoms of those great qualities which he afterwards displayed when he mounted the throne of England. Soon after his return to Normandy, he was, by Matilda's consent, invested in that duchy ; and upon the death of his father, Geoffrey, which happened in the subsequent year, he took possession both of Anjou and Maine, and concluded a marriage, which brought him a great accession of power, and rendered him extremely formidable to his rival. Eleanor, the daughter and heir of William, Duke of Guienne, and Earl of Poitou, had been married sixteen years to Lewis VII. King of France, and had attended him in a Crusade, which that monarch conducted against the infidels ; but having there lost the affections of her husband, and even

A. D. 1146.  
Continuation of  
the civil wars.

A. D. 1147.

A. D. 1148.

A. D. 1150.

Stephen  
released.

A. D. 1142.

A. D. 1143.

<sup>d</sup> W. Malmes. p. 186. This author, a pious man, was present, and says, that he was very attentive to what passed. This speech, therefore, may be regarded as entirely genuine.

<sup>e</sup> W. Malmes. p. 128.

<sup>f</sup> P. 4. Were this account to be depended on, London must at that time have contained near 80,000 inhabitants, which is above double the number it contained at the death of Queen Elizabeth. But these loose calculations, or rather guesses, deserve very little credit. Peter of Blois, a contemporary writer, and a man of sense, says there were then only forty thousand in

habitants in London, which is much more likely. See Fast. 151. What Fitz-Stephen says of the prodigious riches, splendour, and commerce of London, proves only the great poverty of the other towns of the kingdom, and indeed of all the northern parts of Europe.

<sup>g</sup> Prompton, p. 1631.

<sup>h</sup> G. G. p. 167. W. G. p. 677. Gervase, p. 1355.

<sup>i</sup> Epist. St. Hier. p. 225.

<sup>j</sup> Epist. St. Hier. p. 226.

<sup>k</sup> Hazard, p. 575, 576.

<sup>l</sup> Chron. W. Thern p. 127

fallen under some suspicion of gallantry with a handsome Saracen, Lewis, more delicate than politic, procured a divorce from her, and restored her those rich provinces, which by her marriage she had annexed to the crown of France.

**A. D. 1152.** Young Henry, neither discouraged by the inequality of years, nor by the reports of Eleanor's gallantries, made successful courtship to that princess, and, espousing her six weeks after her divorce, got possession of all her dominions as her dowry. The lustre which he received from this acquisition, and the prospect of his rising fortune, had such an effect in England, that when Stephen, desirous to insure the crown to his son Eustace, required the Archbishop of Canterbury to anoint that prince as his successor, the primate refused compliance, and made his escape beyond sea, to avoid the violence and resentment of Stephen.

**A. D. 1153.** Henry, informed of these dispositions in the people, made an invasion on England: having gained some advantage over Stephen at Malmesbury, and having taken that place, he proceeded thence to throw succours into Wallingford, which the king had advanced with a superior army to besiege. A decisive action was every day expected; when the great men of both sides, terrified at the prospect of further bloodshed and confusion, interposed with their good offices, and set on foot a negotiation between the rival princes.

The death of Eustace, during the course of the treaty, facilitated its conclusion: an accommodation was settled, by which it was agreed, that Stephen should possess the crown during his life-time, that justice should be administered in his name, even in the provinces which had submitted to Henry, and that this latter prince should, on Stephen's demise, succeed to the kingdom, and William, Stephen's son, to Boulogne and his patrimonial estate. After all the barons had sworn to the observance of this treaty, and done homage to Henry, as to the heir of the crown, that prince evacuated the kingdom; and the death of Stephen, which happened the next year, after a short illness, prevented all those quarrels and jealousies, which were likely to have ensued in so delicate a situation.

England suffered great miseries during the reign of this prince: but his personal character, allowing for the temerity and injustice of his usurpation, appears not liable to any great exception; and he seems to have been well qualified, had he succeeded by a just title, to have promoted the happiness and prosperity of his subjects.<sup>a</sup> He was possessed of industry, activity, and courage, to a great degree; though not endowed with a sound judgment, he was not deficient in abilities; he had the talent of gaining men's affections; and notwithstanding his precarious situation, he never indulged himself in the exercise of any cruelty or revenge.<sup>b</sup> His advancement to the throne procured him neither tranquillity nor happiness; and though the situation of England prevented the neighbouring states from taking any durable advantage of her confusions, her intestine disorders were to the last degree ruinous and destructive. The court of Rome was also permitted, during those civil wars, to make further advances in her usurpations; and appeals to the Pope, which had always been strictly prohibited by the English laws, became now common in every ecclesiastical controversy.<sup>c</sup>

## CHAP. VIII.

### HENRY II.

<sup>a</sup> State of Europe.—of France.—First Acts of Henry's government.—Disputes between the civil and ecclesiastical powers.—Thomas a Becket, Archbishop of Canterbury.—Quarrel between the king and Becket.—Constitutions of Clarendon.—Banishment of Becket.—Compromise with him.—His return from banishment.—His murder.—Grief and submission of the king.

**A. D. 1154.** THE extensive confederacies, by which the State of Europe. European potentates are now at once united and set in opposition to each other, and which, though

they are apt to diffuse the least spark of dissension throughout the whole, are at least attended with this advantage, that they prevent any violent revolutions or conquests in particular states, were totally unknown in ancient ages; and the theory of foreign politics, in each kingdom, formed a speculation much less complicated and involved than at present. Commerce had not yet bound together the most distant nations in so close a chain: wars, finished in one campaign, and often in one battle, were little affected by the movements of remote states: the imperfect communication among the kingdoms, and their ignorance of each other's situation, made it impracticable for a great number of them to combine in one project or effort: and above all, the turbulent spirit and independent situation of the barons or great vassals in each state, gave so much occupation to the sovereign, that he was obliged to confine his attention chiefly to his own state and his own system of government, and was more indifferent about what passed among his neighbours. Religion alone, not politics, carried abroad the views of princes; while it either fixed their thoughts on the Holy Land, whose conquest and defence was deemed a point of common honour and interest, or engaged them in intrigues with the Roman pontiff, to whom they had yielded the direction of ecclesiastical affairs, and who was every day assuming more authority than they were willing to allow him.

Before the conquest of England by the Duke of Normandy, this island was as much separated from the rest of the world in politics as in situation; and except from the inroads of the Danish pirates, the English, happily confined at home, had neither enemies nor allies on the continent. The foreign dominions of William connected them with the king and great vassals of France; and while the opposite pretensions of the Pope and Emperor in Italy, produced a continual intercourse between Germany and that country, the two great monarchs of France and England formed, in another part of Europe, a separate system, and carried on their wars and negotiations, without meeting either with opposition or support from the others.

On the decline of the Carolingian race,<sup>d</sup> State of France. the nobles in every province of France, taking advantage of the weakness of the sovereign, and obliged to provide, each for his own defence, against the ravages of the Norman freebooters, had assumed, both in civil and military affairs, an authority almost independent, and had reduced within very narrow limits the prerogative of their princes. The accession of Hugh Capet, by annexing a great fief to the crown, had brought some addition to the royal dignity; but this fief, though considerable for a subject, appeared a narrow basis of power for a prince who was placed at the head of so great a community. The royal demesnes consisted only of Paris, Orleans, Estampes, Compeigne, and a few places scattered over the northern provinces: in the rest of the kingdom, the prince's authority was rather nominal than real: the vassals were accustomed, nay entitled, to make war, without his permission, on each other: they were even entitled, if they conceived themselves injured, to turn their arms against their sovereign: they exercised all civil jurisdiction, without appeal, over their tenants and inferior vassals: their common jealousy of the crown easily united them against any attempt on their exorbitant privileges; and as some of them had attained the power and authority of great princes, even the smallest baron was sure of immediate and effectual protection. Besides six ecclesiastical peerages, which, with the other immunities of the church, cramped extremely the general execution of justice; there were six lay peerages, Burgundy, Normandy, Guienne, Flanders, Toulouse, and Champagne, which formed very extensive and puissant sovereignties. And though the combination of all those princes and barons could, on urgent occasions, muster a mighty power; yet it was very difficult to set that great machine in movement; it was almost impossible to preserve harmony in its parts; a sense of common interest alone could, for a time, unite them under their sovereign against a common enemy; but if the king attempted to turn the force of the



community against any mutinous vassal, the same sense of common interest made the others oppose themselves to the success of his pretensions. Lewis the Gross, the last sovereign, marched at one time to his frontiers against the Germans at the head of an army of two hundred thousand men; but a petty lord of Corbeil, of Puiset, of Couci, was able, at another period, to set that prince at defiance, and to maintain open war against him.

The authority of the English monarch was much more extensive within his kingdom, and the disproportion much greater between him and the most powerful of his vassals. His demesnes and revenue were large, compared to the greatness of his state: he was accustomed to levy arbitrary exactions on his subjects: his courts of judicature extended their jurisdiction into every part of the kingdom: he could crush by his power, or by a judicial sentence, well or ill founded, any obnoxious baron: and though the feudal institutions which prevailed in his kingdom had the same tendency, as in other states, to exalt the aristocracy and depress the monarchy, it required, in England, according to its present constitution, a great combination of the vassals to oppose their sovereign lord, and there had not hitherto arisen any baron so powerful, as of himself to levy war against the prince, and to afford protection to the inferior barons.

While such were the different situations of France and England, and the latter enjoyed so many advantages above the former, the accession of Henry II. a prince of great abilities, possessed of so many rich provinces on the continent, might appear an event dangerous, if not fatal, to the French monarchy, and sufficient to break entirely the balance between the states. He was master, in the right of his father, of Anjou and Touraine; in that of his mother, of Normandy and Maine; in that of his wife, of Guienne, Poitou, Xaintogne, Auvergne, Perigord, Angoumois, the Limousin. He soon after annexed Brittany to his other states, and was already possessed of the superiority over that prince, which, on the first cession of Normandy to Rollo the Dane, had been granted by Charles the Simple in vassalage to that formidable ravager. These provinces composed above a third of the whole French monarchy, and were much superior, in extent and opulence, to those territories, which were subjected to the immediate jurisdiction and government of the king. The vassal was here more powerful than his liege lord: the situation which had enabled Hugh Capet to depose the Carolingian princes, seemed to be renewed, and that with much greater advantages on the side of the vassal: and when England was added to so many provinces, the French king had reason to apprehend, from this conjuncture, some great disaster to himself and to his family: but in reality, it was this circumstance, which appeared so formidable, that saved the Capetian race, and, by its consequences, exalted them to that pitch of grandeur which they at present enjoy.

The limited authority of the prince in the feudal constitutions, prevented the King of England from employing with advantage the force of so many states, which were subjected to his government; and these different members, disjoined in situation, and disagreeing in laws, language, and manners, were never thoroughly cemented into one monarchy. He soon became, both from his distant place of residence, and from the incompatibility of interests, a kind of foreigner to his French dominions; and his subjects on the continent considered their allegiance as more naturally due to their superior lord, who lived in their neighbourhood, and who was acknowledged to be the supreme head of their nation. He was always at hand to invade them; their immediate lord was often at too great a distance to protect them; and any disorder in any part of his dispersed dominions gave advantages against him. The other powerful vassals of the French crown were rather pleased to see the expulsion of the English, and were not affected with that jealousy, which would have arisen from the oppression of a co-vassal, who

was of the same rank with themselves. By this means, the King of France found it more easy to conquer those numerous provinces from England, than to subdue a Duke of Normandy or Guienne, a Count of Anjou, Maine, or Poitou. And after reducing such extensive territories, which immediately incorporated with the body of the monarchy, he found greater facility in uniting to the crown the other great fiefs which still remained separate and independent.

But as these important consequences could not be foreseen by human wisdom, the King of France remarked with terror the rising grandeur of the house of Anjou, or Plantagenet; and, in order to retard its progress, he had ever maintained a strict union with Stephen, and had endeavoured to support the tottering fortunes of that bold usurper. But after this prince's death, it was too late to think of opposing the succession of Henry, or preventing the performance of those stipulations which, with the unanimous consent of the nation, he had made with his predecessor. The English, harassed with civil wars, and disgusted with the bloodshed and depredations which, during the course of so many years, had attended them, were little disposed to violate their oaths, by excluding the lawful heir from the succession of their monarchy.<sup>a</sup> Many of the most considerable fortresses were in the hands of his partisans; the whole nation had had occasion to see the noble qualities with which he was endowed,<sup>b</sup> and to compare them with the mean talents of William the son of Stephen; and as they were acquainted with his great power, and were rather pleased to see the accession of so many foreign dominions to the crown of England, they never entertained the least thoughts of resisting them. Henry himself, sensible of the advantages attending his present situation, was in no hurry to arrive in England; and being engaged in the siege of a castle on the frontiers of Normandy, when he received intelligence of Stephen's death, he made it a point of honour not to depart from his enterprise, till he had brought it to an issue. He then set out on his journey, and was received in England with the acclamations of all orders of men, who swore with pleasure the oath of fealty 8th Dec.

The first act of Henry's government corresponded to the high idea entertained of his abilities, and prognosticated the re-establishment of justice and tranquillity, of which the kingdom had so long been bereaved. He immediately dismissed all those mercenary soldiers who had committed great disorders in the nation; and he sent them abroad, together with William of Ypres, their leader, the friend and confidant of Stephen.<sup>c</sup> He revoked all the grants made by his predecessor,<sup>d</sup> even those which necessity had extorted from the Empress Matilda; and that princess, who had resigned her rights in favour of Henry, made no opposition to a measure so necessary for supporting the dignity of the crown. He repaired the coin, which had been extremely debased during the reign of his predecessor; and he took proper measures against a return of a like abuse.<sup>e</sup> He was rigorous in the execution of justice, and in the suppression of robbery and violence; and that he might restore authority to the laws, he caused all the new-erected castles to be demolished, which had proved so many sanctuaries to freebooters and rebels.<sup>f</sup> The Earl of Albemarle, Hugh Mortimer, and Roger the son of Milo of Gloucester, were inclined to make some resistance to this salutary measure; but the approach of the king with his forces soon obliged them to submit.

Every thing being restored to full tranquillity in England, Henry went abroad A. D. 1156. in order to oppose the attempts of his brother Geoffrey, who, during his absence, had made an incursion into Anjou and Maine, had advanced some pretensions to those provinces, and had got possession of a considerable part of them.<sup>g</sup> On the king's appearance, the people A. D. 1157. returned to their allegiance; and Geoffrey,

A. D. 1155.  
First acts of  
Henry's govern-  
ment.

<sup>a</sup> Math. Paris, p. 65. <sup>b</sup> Gul. Neubr. p. 381.  
<sup>c</sup> Fitz-Steph. p. 13. M. Paris, p. 65. Neubr. p. 381. Chron. T. Wikes, p. 30.  
<sup>d</sup> Neubr. p. 382. <sup>e</sup> Hoveden, p. 491.  
<sup>f</sup> Hoveden, p. 491. Fitz-Steph. p. 13. M. Paris, p. 65. Neubr. p. 381.  
<sup>g</sup> Brompton, p. 1013.

<sup>g</sup> William of Newbridge, p. 383. (who is copied by later historians,) asserts, that Geoffrey had some title to the counties of Maine and Anjou. He pretends that Count Geoffrey, his father, had left him these dominions by a secret will, and had ordered that his body should not be buried, till Henry should swear to the observance of it, which he, ignorant of the contents, was induced to do. But besides that this story is not very likely in

resigning his claim for an annual pension of a thousand pounds, departed and took possession of the county of Nantz, which the inhabitants, who had expelled Count Hoel, their prince, had put into his hands. Henry returned to England the following year: the incursions of the Welch then provoked him to make an invasion upon them; where the natural fastnesses of the country occasioned him great difficulties, and even brought him into danger. His vanguard, being engaged in a narrow pass, was put to rout: Henry de Essex, the hereditary standard-bearer, seized with a panic, threw down the standard, took to flight, and exclaimed, that the king was slain: and had not the prince immediately appeared in person, and led on his troops with great gallantry, the consequences might have proved fatal to the whole army.<sup>b</sup> For this misbehaviour, Essex was afterwards accused of felony by Robert de Montfort; was vanquished in single combat; his estate was confiscated; and he himself was thrust into a convent. The submissions of the Welch procured them an accommodation with England.

A. D. 1158. The martial disposition of the princes in that age engaged them to head their own armies in every enterprise, even the most frivolous; and their feeble authority made it commonly impracticable for them to delegate, on occasion, the command to their generals. Geoffrey, the king's brother, died soon after he had acquired possession of Nantz: though he had no other title to that county than the voluntary submission or election of the inhabitants two years before, Henry laid claim to the territory as devolved to him by hereditary right, and he went over to support his pretensions by force of arms. Conan, Duke or Earl of Brittany, (for these titles are given indifferently by historians to those princes,) pretended that Nantz had been lately separated by rebellion from his principality, to which of right it belonged; and immediately on Geoffrey's death he took possession of the disputed territory. Lest Lewis, the French king, should interpose in the controversy, Henry paid him a visit; and so allured him by caresses and civilities, that an alliance was contracted between them; and they agreed that young Henry, heir to the English monarchy, should be affianced to Margaret of France; though the former was only five years of age, and the latter was still in her cradle. Henry, now secure of meeting with no interruption on this side, advanced with his army into Brittany; and Conan, in despair of being able to make resistance, delivered up the county of Nantz to him. The able conduct of the king procured him further and more important advantages from this incident. Conan, harassed with the turbulent disposition of his subjects, was desirous of procuring to himself the support of so great a monarch; and he betrothed his daughter and only child, yet an infant, to Geoffrey, the king's third son, who was of the same tender years. The Duke of Brittany died about seven years after; and Henry, being *mesne* lord, and also natural guardian to his son and daughter-in-law, put himself in possession of that principality, and annexed it for the present to his other great dominions.

A. D. 1159. The king had a prospect of making still further acquisitions; and the activity of his temper suffered no opportunity of that kind to escape him. Philippa, Duchess of Guienne, mother of Queen Eleanor, was the only issue of William IV. Count of Toulouse; and would have inherited his dominions, had not that prince, desirous of preserving the succession in the male line, conveyed the principality to his brother, Raymond de St. Gilles, by a contract of sale which was in that age regarded as fictitious and illusory. By this means the title to the county of Toulouse came to be disputed between the male and female heirs; and the one or the other, as opportunities favoured them, had obtained possession,—

Raymond, grandson of Raymond de St. Gilles, was the reigning sovereign; and on Henry's reviving his wife's claim, this prince had recourse for protection to the King of France, who was so much concerned in policy to prevent the further aggrandizement of the English monarch. Lewis himself, when married to Eleanor, had asserted the justice of her claim, and had demanded possession of Toulouse;<sup>k</sup> but his sentiments changing with his interest, he now determined to defend, by his power and authority, the title of Raymond. Henry found that it would be requisite to support his pretensions against potent antagonists; and that nothing but a formidable army could maintain a claim which he had in vain asserted by arguments and manifestos.

An army, composed of feudal vassals, was commonly very intractable and undisciplined, both because of the independent spirit of the persons who served in it, and because the commands were not given, either by the choice of the sovereign, or from the military capacity and experience of the officers. Each baron conducted his own vassals: his rank was greater or less, proportioned to the extent of his property: even the supreme command under the prince was often attached to birth: and as the military vassals were obliged to serve only forty days at their own charge; though, if the expedition were distant, they were put to great expense; the prince reaped little benefit from their attendance. Henry, sensible of these inconveniences, levied upon his vassals in Normandy, and other provinces which were remote from Toulouse, a sum of money in lieu of their service; and this commutation, by reason of the great distance, was still more advantageous to his English vassals. He imposed, therefore, a scutage of 180,000 pounds on the knights' fees, a commutation to which, though it was unusual, and the first perhaps to be met with in history, the military tenants willingly submitted; and with this money, he levied an army which was more under his command, and whose service was more durable and constant. Assisted by Berenger, Count of Barcelona, and Trincaval, Count of Nismes, whom he had gained to his party, he invaded the county of Toulouse; and, after taking Verdun, Castelnau, and other places, he besieged the capital of the province, and was likely to prevail in the enterprise; when Lewis, advancing before the arrival of his main body, threw himself into the place with a small reinforcement. Henry was urged by some of his ministers to prosecute the siege, to take Lewis prisoner, and to impose his own terms in the pacification; but he either thought it so much his interest to maintain the feudal principles, by which his foreign dominions were secured, or bore so much respect to his superior lord, that he declared he would not attack a place defended by him in person; and he immediately raised the siege.<sup>l</sup> He marched into Normandy, to protect that province against an incursion which the Count of Dreux, instigated by King Lewis, his brother, had made upon it. War was now openly carried on between the two monarchs, but produced no memorable event: it soon ended in a cessation of arms, and that followed by a peace, which was not, however, attended with any confidence or good correspondence between those rival princes. The fortress of Gisors, being part of the dowry stipulated to Margaret of France, had been consigned A. D. 1160, by agreement to the Knights Templars, on condition that it should be delivered into Henry's hands after the celebration of the nuptials. The king, that he might have a pretence for immediately demanding the place, ordered the marriage to be solemnized between the prince and princess, though both infants;<sup>m</sup> and he engaged the Grand Master of the Templars, by large presents, as was generally suspected, to put him in possession of Gisors.<sup>n</sup> Lewis, resenting this fraudulent conduct,

itself, and savours of monkish fiction, it is found in no other ancient writer, and is contradicted by some of them, particularly the monk of Almoniot, who had better opportunities than Newbridge of knowing the truth. See Vita Gaudi. Duc. Norman. p. 103.

<sup>b</sup> Neubr. p. 343. Chron. W. Heming. p. 192.

<sup>c</sup> M. Paris, p. 51. Neubr. p. 333.

<sup>d</sup> Neubr. p. 337. Chron. W. Heming. p. 194.

<sup>e</sup> Mads. p. 425. Gervase, p. 1381. The sum scarcely appears credible: as it would amount to much above half the rent of the whole land. Gervase is indeed a contemporary author; but churchmen are often guilty of strange mistakes of that nature, and are commonly but little acquainted with the public revenues. This sum would make 510,000 pounds of our

present money. The Norman Chronicle, p. 995, says that Henry raised only 10 Angevin shillings on each knight's fee in his foreign dominions: this is only a fourth of the sum which Gervase says he levied on England; an inequality nowise probable. A nation may, by degrees, be brought to bear a tax of fifteen shillings in the pound, but a sudden and precarious tax can never be imposed to that amount, without a very visible necessity, especially in an age so little accustomed to taxes. In the succeeding reign the rent of a knight's fee was computed at four pounds a year. There were 60,000 knight's fees in England.

<sup>f</sup> Fitz Stephen, p. 52. Diceto, p. 531.

<sup>g</sup> Hoveden, p. 492. Neubr. p. 400. Diceto, p. 532. Prompton, p. 1450.

<sup>h</sup> Since the first publication of this history, Lord Lyttelton has published

A. D. 1161. banished the Templars, and would have made war upon the King of England, had it not been for the mediation and authority of Pope Alexander III. who had been chased from Rome by the Anti-pope, Victor IV. and resided at that time in France. That we may form an idea of the authority possessed by the Roman pontiff during those ages, it may be proper to observe, that the two kings had, the year before, met the Pope at the castle of Tori, on the Loire; and they gave him such marks of respect, that both dismounted to receive him, and holding each of them one of the reins of his bridle, walked on foot by his side, and conducted him in that submissive manner into the castle. *A spectacle, cries Baronius in an ecstasy, to God, angels, and men; and such as had never before been exhibited to the world!*

A. D. 1162. Henry, soon after he had accommodated his differences with Lewis, by the Pope's mediation, returned to England; where he commenced an enterprise, which, though required by sound policy, and even conducted in the main with prudence, bred him great disquietude, involved him in danger, and was not concluded without some loss and dishonour.

The usurpations of the clergy, which had at first been gradual, were now become so rapid, and had mounted to such a height, that the contest between the regale and pontificale was really arrived at a crisis in England; and it became necessary to determine whether the king or the priests, particularly the Archbishop of Canterbury, should be sovereign of the kingdom.<sup>a</sup> The aspiring spirit of Henry, which gave inquietude to all his neighbours, was not likely long to pay a tame submission to the encroachments of subjects; and as nothing opens the eyes of men so readily as their interest, he was in no danger of falling, in this respect, into that abject superstition which retained his people in subjection. From the commencement of his reign, in the government of his foreign dominions, as well as of England, he had shown a fixed purpose to repress clerical usurpations, and to maintain those prerogatives which had been transmitted to him by his predecessors. During the schism of the papacy between Alexander and Victor, he had determined, for some time, to remain neutral; and when informed that the Archbishop of Roien, and the Bishop of Mans had, from their own authority, acknowledged Alexander as legitimate Pope, he was so enraged, that, though he spared the archbishop on account of his great age, he immediately issued orders for overthrowing the houses of the Bishop of Mans and Archdeacon of Roien; and it was not till he had deliberately examined the matter, by those views which usually enter into the councils of princes, that he allowed that pontiff to exercise authority over any of his dominions. In England, the mild character and advanced years of Theobald, Archbishop of Canterbury, together with his merits in refusing to put the crown on the head of Eustace, son of Stephen, prevented Henry, during the life-time of that primate, from taking any measures against the multiplied encroachments of the clergy; but after his death, the king resolved to exert himself with more activity; and that he might be secure against any opposition, he advanced to that dignity Becket, his chancellor, on whose compliance he thought he could entirely depend.

Thomas à Becket, the first man of English descent, who, since the Norman conquest, had, during the course of a whole century, risen to any considerable station, was born of reputable parents in the city of London; and being endowed both with industry and capacity, he early insinuated himself into the favour of Archbishop Theobald, and obtained from that prelate some preferments and offices. By their means he was enabled to travel for improvement to Italy, where he studied the civil and canon law at Bo-

logna; and on his return, he appeared to have made such proficiency in knowledge, that he was promoted by his patron to the archdeaconry of Canterbury, an office of considerable trust and profit. He was afterwards employed with success by Theobald, in transacting business at Rome; and on Henry's accession, he was recommended to that monarch as worthy of further preferment. Henry, who knew that Becket had been instrumental in supporting that resolution of the archbishop, which had tended so much to facilitate his own advancement to the throne, was already prepossessed in his favour; and finding, on further acquaintance, that his spirit and abilities entitled him to any trust, he soon promoted him to the dignity of chancellor, one of the first civil offices in the kingdom. The chancellor, in that age, besides the custody of the great seal, had possession of all vacant prelacies and abbacies; he was the guardian of all such minors and pupils as were the king's tenants; all baronies which escheated to the crown were under his administration; he was entitled to a place in council, even though he were not particularly summoned; and as he exercised also the office of secretary of state, and it belonged to him to countersign all commissions, writs, and letters patent, he was a kind of prime minister, and was concerned in the despatch of every business of importance.<sup>b</sup> Besides exercising this high office, Becket, by the favour of the king or archbishop, was made Provost of Beverley, Dean of Hastings, and Constable of the Tower. He was put in possession of the honours of Eye and Berkham, large baronies that had escheated to the crown; and to complete his grandeur, he was intrusted with the education of Prince Henry, the king's eldest son, and heir of the monarchy.<sup>c</sup> The pomp of his retinue, the sumptuousness of his furniture, the luxury of his table, the munificence of his presents, corresponded to these great preferments; or rather exceeded any thing that England had ever before seen in any subject. His historian and secretary, Fitz-Stephens,<sup>d</sup> mentions, among other particulars, that his apartments were every day in winter covered with clean straw or hay, and in summer with green rushes or boughs; lest the gentlemen who paid court to him, and who could not, by reason of their great number, find a place at table, should soil their fine clothes by sitting on a dirty floor.<sup>e</sup> A great number of knights were retained in his service; the greatest barons were proud of being received at his table; his house was a place of education for the sons of the chief nobility; and the king himself frequently vouchsafed to partake of his entertainments. As his way of life was splendid and opulent, his amusements and occupations were gay, and partook of the cavalier spirit, which, as he had only taken deacon's orders, he did not think unbefitting his character. He employed himself at leisure hours in hunting, hawking, gaming, and horsemanship; he exposed his person in several military actions;<sup>f</sup> he carried over, at his own charge, seven hundred knights, to attend the king in his wars at Toulouse; in the subsequent wars on the frontiers of Normandy he maintained, during forty days, twelve hundred knights, and four thousand of their train; and in an embassy to France, with which he was intrusted, he astonished that court by the number and magnificence of his retinue.

Henry, besides committing all his more important business to Becket's management, honoured him with his friendship and intimacy; and whenever he was disposed to relax himself by sports of any kind, he admitted his chancellor to the party.<sup>g</sup> An instance of their familiarity is mentioned by Fitz-Stephens, which, as it shows the manners of the age, it may not be improper to relate. One day, as the king and the chancellor were riding together in the streets of London, they observed a beggar, who was shivering with cold. Would it not be very praiseworthy, said the king, to give that poor man a warm coat in this severe season? It would, surely, replied the chancellor,

a copy of the treaty between Henry and Lewis, by which it appears, if there was no secret article, that Henry was not guilty of any fraud in this transaction.

<sup>b</sup> Livet. p. 42.

<sup>c</sup> Fitz-Steph. p. 37.

<sup>d</sup> Fitz-Stephens, p. 18. This conduct appears violent and arbitrary, but was suitable to the strain of administration in those days. His father Geoffrey, Becket represented as a mild prince, set him an example of much greater violence. When Geoffrey was master of Normandy, the chapter of St. Stephen, without his consent, to proceed to the election of a bishop, upon whom he ordered all of them, with the bishop-elect, to be castigated, and made all their vessels be brought in on a platter. Fitz-Steph. p. 44.

In the war of Toulouse, Henry had a heavy and an arbitrary tax on all the churches within his dominions. See Hist. St. Iohn, p. 232.

<sup>e</sup> Fitz-Steph. p. 15. <sup>f</sup> Ibid. p. 15. Hist. Quad. p. 9, 14. <sup>g</sup> p. 15.

<sup>h</sup> John Beldin held the manor of Ottercliffe, in Aylesbury, of the king in socage, by the service of mowing litter for the king's park, viz. in summer, grass or herbs, and two grey geese, and in winter, straw, and three rells, three in the year, if the king should come thither in the year to Aylesbury. Malou, Hist. Anglora, p. 47.

<sup>i</sup> Fitz-Steph. p. 23. Hist. Quad. p. 9.

<sup>j</sup> Fitz-Steph. p. 19, 20, 23, 25.

<sup>k</sup> Ibid. p. 10. Hist. Quad. p. 6.



and you do well, Sir, in thinking of such good actions. Then he shall have one presently, cried the king; and seizing the skirt of the chancellor's coat, which was scarlet, and lined with ermine, began to pull it violently. The chancellor defended himself for some time, and they had both of them like to have tumbled off their horses in the street, when Becket, after a vehement struggle, let go his coat, which the king bestowed on the beggar; who, being ignorant of the quality of the persons, was not a little surprised at the present.<sup>a</sup>

Becket, who, by his complaisance and good humour, had rendered himself agreeable, and by his industry and abilities useful, to his master, appeared to him the fittest person for supplying the vacancy made by the death of Theobald. As he was well acquainted with the king's intentions<sup>b</sup> of retrenching, or rather confining within the ancient bounds, all ecclesiastical privileges, and always showed a ready disposition to comply with them, Henry, who never expected any resistance from that quarter, immediately issued orders for electing him Archbishop of Canterbury. But this resolution, which was taken contrary to the opinion of Matilda, and many of the ministers,<sup>c</sup> drew after it very unhappy consequences; and never prince of so great penetration appeared, in the issue, to have so little understood the genius and character of his minister.

No sooner was Becket installed in this high dignity, which rendered him for life the second person in the kingdom, with some pretensions of aspiring to be the first, than he totally altered his demeanour and conduct, and endeavoured to acquire the character of sanctity, of which his former busy and ostentatious course of life might, in the eyes of the people, have naturally bereaved him. Without consulting the king, he immediately returned into his hands the commission of chancellor; pretending, that he must thenceforth detach himself from secular affairs, and be solely employed in the exercise of his spiritual function; but in reality, that he might break off all connexions with Henry, and apprise him, that Becket, as Primate of England, was now become entirely a new personage. He maintained, in his retinue and attendants alone, his ancient pomp and lustre, which was useful to strike the vulgar: in his own person he affected the greatest austerity and most rigid mortification, which, he was sensible, would have an equal or a greater tendency to the same end. He wore sackcloth next his skin, which, by his affected care to conceal it, was necessarily the more remarked by all the world: he changed it so seldom, that it was filled with dirt and vermin: his usual diet was bread; his drink water, which he even rendered further unpalatable by the mixture of unsavoury herbs: he tore his back with the frequent discipline which he inflicted on it: he daily on his knees washed, in imitation of Christ, the feet of thirteen beggars, whom he afterwards dismissed with presents: <sup>e</sup> he gained the affections of the monks by his frequent charities to the convents and hospitals: every one, who made profession of sanctity, was admitted to his conversation, and returned full of panegyrics on the humility as well as on the piety and mortification of the holy primate: he seemed to be perpetually employed in reciting prayers and pious lectures, or in perusing religious discourses: his aspect wore the appearance of seriousness and mental recollection, and secret devotion: and all men of penetration plainly saw that he was meditating some great design, and that the ambition and ostentation of his character had turned itself towards a new and more dangerous object.

Becket waited not till Henry should commence those projects against the ecclesiastical power, which, he knew, had been formed by that prince: he was himself the aggressor; and endeavoured to overawe the king by the intrepidity and boldness of his enterprises. He summoned the Earl of Clare to surrender the barony of Tunbridge, which, ever since the Conquest, had remained in the family of that nobleman, but which, as it had formerly belonged to the see of Canterbury, Becket pretended his predecessors

were prohibited by the canons to alienate. The Earl of Clare, besides the lustre which he derived from the greatness of his own birth, and the extent of his possessions, was allied to all the principal families in the kingdom; his sister, who was a celebrated beauty, had further extended his credit among the nobility, and was even supposed to have gained the king's affections; and Becket could not better discover, than by attacking so powerful an interest, his resolution of maintaining with vigour the rights, real or pretended, of his see.<sup>f</sup>

William de Eynsford, a military tenant of the crown, was patron of a living which belonged to a manor that held of the Archbishop of Canterbury: but Becket, without regard to William's right, presented, on a new and illegal pretext, one Laurence to that living, who was violently expelled by Eynsford. The primate, making himself, as was usual in spiritual courts, both judge and party, issued, in a summary manner, the sentence of excommunication against Eynsford, who complained to the king, that he who held in *capite* of the crown should, contrary to the practice established by the Conqueror, and maintained ever since by his successors, be subjected to that terrible sentence, without the previous consent of the sovereign.<sup>g</sup> Henry, who had now broken off all personal intercourse with Becket, sent him, by a messenger, his orders to absolve Eynsford; but received for answer, that it belonged not to the king to inform him whom he should absolve and whom excommunicate: <sup>h</sup> and it was not till after many remonstrances and menaces, that Becket, though with the worst grace imaginable, was induced to comply with the royal mandate.

Henry, though he found himself thus grievously mistaken in the character of the person whom he had promoted to the primacy, determined not to desist from his former intention of retrenching clerical usurpations. He was entirely master of his extensive dominions: the prudence and vigour of his administration, attended with perpetual success, had raised his character above that of any of his predecessors: <sup>i</sup> the papacy seemed to be weakened by a schism which divided all Europe: and he rightly judged, that, if the present favourable opportunity were neglected, the crown must, from the prevalent superstition of the people, be in danger of falling into an entire subordination under the mitre.

The union of the civil and ecclesiastical power serves extremely, in every civilized government, to the maintenance of peace and order; and prevents those mutual encroachments which, as there can be no ultimate judge between them, are often attended with the most dangerous consequences. Whether the supreme magistrate, who unites these powers, receives the appellation of prince or prelate, is not material: the superior weight which temporal interests commonly bear in the apprehensions of men above spiritual, renders the civil part of his character most prevalent; and in time prevents those gross impositions and bigoted persecutions, which, in all false religions, are the chief foundation of clerical authority. But during the progress of ecclesiastical usurpations, the state, by the resistance of the civil magistrate, is naturally thrown into convulsions; and it behoves the prince, both for his own interest, and for that of the public, to provide, in time, sufficient barriers against so dangerous and insidious a rival. This precaution had hitherto been much neglected in England, as well as in other catholic countries; and affairs at last seemed to have come to a dangerous crisis: a sovereign of the greatest abilities was now on the throne: a prelate of the most inflexible and intrepid character was possessed of the primacy: the contending powers appeared to be armed with their full force, and it was natural to expect some extraordinary event to result from their conflict.

Among their other inventions to obtain money, the clergy had inculcated the necessity of penance as an atonement for sin; and having again introduced the practice of paying them large sums as a commutation, or species of atonement, for the remission of those penances, the sins of the people, by these means, had become a revenue to

<sup>a</sup> 1163.

Quarrel between the king and Becket.

Becket waited not till Henry should commence those projects against the ecclesiastical power, which, he knew, had been formed by that prince: he was himself the aggressor; and endeavoured to overawe the king by the intrepidity and boldness of his enterprises. He summoned the Earl of Clare to surrender the barony of Tunbridge, which, ever since the Conquest, had remained in the family of that nobleman, but which, as it had formerly belonged to the see of Canterbury, Becket pretended his predecessors

<sup>a</sup> Fitz Steph. p. 16.

<sup>b</sup> Ibid. p. 98. First, St. Thom. p. 282.

<sup>c</sup> Fitz Steph. p. 25. Hist. Quad. p. 19.

<sup>d</sup> Ibid. p. 17.

<sup>e</sup> First, St. Thom. p. 167.

<sup>f</sup> Fitz Steph. p. 28. Girvase, p. 1364.

<sup>g</sup> M. Paris. p. 7. Liceto, p. 536.

<sup>h</sup> Fitz Steph. p. 28.

<sup>i</sup> Epist. St. Thom. p. 130.

the priests; and the king computed, that, by this invent on alone, they levied more money upon his subjects than flowed, by all the funds and taxes, into the royal exchequer.<sup>k</sup> That he might ease the people of so heavy and arbitrary an imposition, Henry required that a civil officer of his appointment should be present in all ecclesiastical courts, and should, for the future, give his consent to every composition which was made with sinners for their spiritual offences.

The ecclesiastics, in that age, had renounced all immediate subordination to the magistrate: they openly pretended to an exemption, in criminal accusations, from a trial before courts of justice; and were gradually introducing a like exemption in civil causes: spiritual penalties alone could be inflicted on their offences; and as the clergy had extremely multiplied in England, and many of them were consequently of very low characters, crimes of the deepest dye, murders, robberies, adulteries, rapes, were daily committed with impunity by the ecclesiastics. It had been found, for instance, on inquiry, that no less than a hundred murders had, since the king's accession, been perpetrated by men of that profession, who had never been called to account for those offences; and holy orders were become a full protection for all enormities. A clerk in Worcestershire, having debauched a gentleman's daughter, had, at this time, proceeded to murder the father; and the general indignation against this crime moved the king to attempt the remedy of an abuse which was become so palpable, and to require that the clerk should be delivered up, and receive condign punishment from the magistrate.<sup>m</sup> Becket insisted on the privileges of the church; confined the criminal in the bishop's prison, lest he should be seized by the king's officers; maintained that no greater punishment could be inflicted on him than degradation: and when the king demanded, that, immediately after he was degraded, he should be tried by the civil power, the primate asserted, that it was iniquitous to try a man twice upon the same accusation, and for the same offence.<sup>n</sup>

Henry, laying hold of so plausible a pretence, resolved to push the clergy with regard to all their privileges, which they had raised to an enormous height, and to determine at once those controversies, which daily multiplied between the civil and the ecclesiastical jurisdictions. He summoned an assembly of all the prelates of England; and he put to them this concise and decisive question, Whether or not they were willing to submit to the ancient laws and customs of the kingdom? The bishops unanimously replied, that they were willing, *saving their own order*:<sup>o</sup> a device, by which they thought to elude the present urgency of the king's demand, yet reserve to themselves, on a favourable opportunity, the power of resuming all their pretensions. The king was sensible of the artifice, and was provoked to the highest indignation. He left the assembly, with visible marks of his displeasure: he required the primate instantly to surrender the honours and castles of Eye and Berkham: the bishops were terrified, and expected still further effects of his resentment. Becket alone was inflexible; and nothing but the interposition of the Pope's legate and almoner, Philip, who dreaded a breach with so powerful a prince at so unseasonable a juncture, could have prevailed on him to retract the saving clause, and give a general and absolute promise of observing the ancient customs.<sup>p</sup>

But Henry was not content with a declaration in these general terms: he resolved, ere it was too late, to define expressly those customs, with which he required compliance, and to put a stop to clerical usurpations before they were fully consolidated, and could plead antiquity, as they already did a sacred authority in their favour. The claims of the church were open and visible. After a gradual and insensible progress during many centuries, the mask had at last been taken off, and several ecclesiastical councils, by their canons, which were pretended to be irrevocable and infallible, had positively defined those privileges and immunities, which gave such general of-

fence, and appeared so dangerous to the civil magistrate. Henry, therefore, deemed it necessary to define with the same precision the limits of the civil power; to oppose his legal customs to their divine ordinances; to determine the exact boundaries of the rival jurisdictions; and for this purpose he summoned a general council of the nobility and prelates at Clarendon, to whom he submitted this great and important question.

The barons were all gained to the king's party, either by the reasons which he urged, or by his superior authority: the bishops were overawed by the general combination against them: and the following laws, commonly called the *Constitutions of Clarendon*, were voted without opposition by this assembly.<sup>q</sup> It was enacted, that all suits concerning the advowson and presentation of churches should be determined in the civil courts: that the churches, belonging to the king's see, should not be granted in perpetuity without his consent: that clerks, accused of any crime, should be tried in the courts: that no person, particularly no clergyman of any rank, should depart the kingdom without the king's licence: that excommunicated persons should not be bound to give security for continuing in their present place of abode: that laics should not be accused in spiritual courts, except by legal and reputable promoters and witnesses: that no chief tenant of the crown should be excommunicated, nor his lands be put under an interdict, except with the king's consent: that all appeals in spiritual causes should be carried from the archdeacon to the bishop, from the bishop to the primate, from him to the king; and should be carried no further without the king's consent: that if any law-suit arose between a layman and a clergyman concerning a tenant, and it be disputed whether the land be a lay or an ecclesiastical fee, it should first be determined by the verdict of twelve lawful men to what class it belonged; and if it be found to be a lay-fee, the cause should finally be determined in the civil courts: that no inhabitant in demesne should be excommunicated for non-appearance in a spiritual court, till the chief officer of the place where he resides be consulted, that he may compel him by the civil authority to give satisfaction to the church: that the archbishops, bishops, and other spiritual dignitaries, should be regarded as barons of the realm; should possess the privileges and be subjected to the burdens belonging to that rank; and should be bound to attend the king in his great councils, and assist at all trials, till the sentence, either of death or loss of members, be given against the criminal: that the revenue of vacant sees should belong to the king; the chapter, or such of them as he pleases to summon, should sit in the king's chapel till they made the new election with his consent, and that the bishop-elect should do homage to the crown: that if any baron or tenant in *capite* should refuse to submit to the spiritual courts, the king should employ his authority in obliging him to make such submissions; if any of them throw off his allegiance to the king, the prelates should assist the king with their censures in reducing him: that goods forfeited to the king should not be protected in churches or churchyards: that the clergy should no longer pretend to the right of enforcing payment of debts contracted by oath or promise; but should leave these law-suits, equally with others, to the determination of the civil courts: and that the sons of villains should not be ordained clerks, without the consent of their lord.<sup>r</sup>

These articles, to the number of sixteen, were calculated to prevent the chief abuses which had prevailed in ecclesiastical affairs, and to put an effectual stop to the usurpations of the church, which, gradually stealing on, had threatened the total destruction of the civil power. Henry, therefore, by reducing those ancient customs of the realm to writing, and by collecting them in a body, endeavoured to prevent all future dispute with regard to them; and by passing so many ecclesiastical ordinances in a national and civil assembly, he fully established the superiority of the legislature above all papal decrees or spiritual canons, and gained a signal victory over the ecclesiastics. But as

A. D. 1164.  
15th Jan.

Constitutions of  
Clarendon.

<sup>k</sup> Fitz-Steph. p. 32.  
<sup>l</sup> Fitz-Steph. p. 31. Hist. Quad. p. 32.  
<sup>m</sup> Fitz-Steph. p. 29. Hist. Quad. p. 31. 35. Hoveden. p. 492. M. Paris. p. 72. Duchesne. p. 530. 537. Euvimpton. p. 123. Gervase. p. 134. Epist. St. Thom. p. 336. 39.

<sup>n</sup> Neubr. p. 394.

<sup>o</sup> Fitz-Steph. p. 21. Hist. Quad. p. 34. Hoveden. p. 492.  
<sup>p</sup> Hist. Quad. p. 37. Hoveden. p. 493. Gervase. p. 135.  
<sup>q</sup> Fitz-Steph. p. 35.  
<sup>r</sup> Hist. Quad. p. 163. M. Paris. p. 70. 71. Spelman. Conc. vol. ii. p. 63. Gervase. p. 126. 137. Wilkins. p. 721.





him.<sup>a</sup> The primate submitted to the decree; and all the prelates, except Folbot, Bishop of London, who paid court to the king by this singularity, became sureties for him.<sup>b</sup> It is remarkable, that several Norman barons voted in this council; and we may conclude, with some probability, that a like practice had prevailed in many of the great councils summoned since the Conquest. For the contemporary historian, who has given us a full account of these transactions, does not mention this circumstance as any wise singular;<sup>c</sup> and Becket, in all his subsequent remonstrances with regard to the severe treatment which he had met with, never founds any objection on an irregularity which to us appears very palpable and flagrant. So little precision was there at that time in the government and constitution!

The king was not content with this sentence, however violent and oppressive. Next day, he demanded of Becket the sum of three hundred pounds, which the primate had levied upon the honours of Eye and Berkham, while in his possession. Becket, after premising that he was not obliged to answer to this suit, because it was not contained in his summons; after remarking, that he had expended more than that sum in the repairs of those castles, and of the royal palace at London; expressed however his resolution, that money should not be any ground of quarrel between him and his sovereign: he agreed to pay the sum; and immediately gave sureties for it.<sup>d</sup> In the subsequent meeting, the king demanded five hundred marks, which, he affirmed, he had lent Becket during the war at Toulouse;<sup>e</sup> and another sum to the same amount for which that prince had been surety for him to a Jew. Immediately after these two claims he preferred a third of still greater importance: he required him to give in the accounts of his administration while chancellor, and to pay the balance due from the revenues of all the prelaties, abbeys, and baronies, which had, during that time, been subjected to his management.<sup>f</sup> Becket observed, that, as this demand was totally unexpected, he had not come prepared to answer it; but he required a delay, and promised in that case to give satisfaction. The king insisted upon sureties; and Becket desired leave to consult his suffragans in a case of such importance.<sup>g</sup>

It is apparent, from the known character of Henry, and from the usual vigilance of his government, that, when he promoted Becket to the see of Canterbury, he was, on good grounds, well pleased with his administration in the former high office with which he had intrusted him; and that, even if that prelate had dissipated money beyond the income of his place, the king was satisfied that his expenses were not blamable, and had in the main been calculated for his service.<sup>h</sup> Two years had since elapsed; no demand had, during that time, been made upon him; it was not till the quarrel arose concerning ecclesiastical privileges, that the claim was started, and the primate was, of a sudden, required to produce accounts of such intricacy and extent before a tribunal had shown a determined resolution to ruin and oppress him. To find sureties that he should answer so boundless and uncertain a claim, which, in the king's estimation, amounted to 44,000 marks,<sup>i</sup> was impracticable; and Becket's suffragans were extremely at a loss what counsel to give him in such a critical emergency. By the advice of the Bishop of Winchester, he offered two thousand marks as a general satisfaction for all demands; but this offer was rejected by the king.<sup>j</sup> Some prelates exhorted him to resign his see, on condition of receiving an acquittal: others were of opinion that he ought to submit himself entirely to the king's mercy;<sup>k</sup> but the primate, thus pushed to the utmost, had too much courage to sink under oppression: he determined to brave all his enemies, to trust to the sacredness of his character for protection, to involve his cause with that of God and religion, and to stand the utmost efforts of royal indignation.

After a few days spent in deliberation, Becket went to

church and said mass, where he had previously ordered, that the introit to the communion service should begin with these words, *Princes sit, and speak against me*; the passage appointed for the Introit of St. Stephen, whom the primate thereby tacitly pretended to resemble, in his sufferings for the sake of righteousness. He went thence to court, arrayed in his sacred vestments: as soon as he arrived within the palace gate, he took the cross into his own hands, bore it aloft as his protection, and marched in that posture into the royal apartments.<sup>l</sup> The king, who was in an inner room, was astonished at this parade, by which the primate seemed to menace him and his court with the sentence of excommunication; and he sent some of the prelates to remonstrate with him on account of such audacious behaviour. These prelates complained to Becket, that, by subscribing himself to the Constitutions of Clarendon, he had seduced them to imitate his example; and that now, when it was too late, he pretended to shake off all subordination to the civil power, and appeared desirous of involving them in the guilt which must attend any violation of those laws, established by their consent, and ratified by their subscriptions.<sup>m</sup> Becket replied, that he had indeed subscribed the Constitutions of Clarendon, legally, with good faith, and without fraud or reserve; but in these words was virtually implied, a salvo for the rights of their order, which, being connected with the cause of God and his church, could never be relinquished by their oaths and engagements: that if he and they had erred in resigning the ecclesiastical privileges, the best atonement they could now make was to retract their consent, which, in such a case, could never be obligatory, and to follow the Pope's authority, who had solemnly annulled the Constitutions of Clarendon, and had absolved them from all oaths which they had taken to observe them: that a determined resolution was evidently embraced to oppress the church; the storm had first broken upon him; for a slight offence, and which too was falsely imputed to him, he had been tyrannically condemned to a grievous penalty: a new and unheard-of claim was since started, in which he could expect no justice; and he plainly saw, that he was the destined victim, who, by his ruin, must prepare the way for the abrogation of all spiritual immunities: that he strictly inhibited them who were his suffragans from assisting at any such trial, or giving their sanction to any sentence against him; he put himself and his see under the protection of the supreme pontiff; and appealed to him against any penalty which his iniquitous judges might think proper to inflict upon him: and that, however terrible the indignation of so great a monarch as Henry, his sword could only kill the body: while that of the church, intrusted into the hands of the primate, could kill the soul, and throw the disobedient into infinite and eternal perdition.<sup>n</sup>

Appeals to the Pope, even in ecclesiastical causes, had been abolished by the Constitutions of Clarendon, and were become criminal by law; but an appeal in a civil cause, such as the king's demand upon Becket, was a practice altogether new and unprecedented; it tended directly to the subversion of the government, and could receive no colour of excuse, except from the determined resolution, which was but too apparent, in Henry and the great council, to efface, without justice, but under colour of law, the total ruin of the inflexible primate. The king, having now obtained a pretext so much more plausible for his violence, would probably have pushed the affair to the utmost extremity against him; but Becket gave him no leisure to conduct the prosecution. He refused so much as to hear the sentence, which the barons, sitting apart from the bishops, and joined to some sheriffs and barons of the second rank,<sup>o</sup> had given upon the king's claim; he departed from the palace; asked Banishment of Henry's immediate permission to leave Becket. Northampton; and upon meeting with a refusal, he withdrew secretly; wandered about in disguise for some

<sup>a</sup> Fitz Steph. p. 374. <sup>e</sup> Ibid. <sup>f</sup> Ibid. p. 36.  
<sup>b</sup> Ibid. p. 38. <sup>g</sup> Hist. Quad. p. 47.  
<sup>c</sup> Hoveden. p. 494. Diceto. p. 537. <sup>h</sup> Fitz Steph. p. 38.  
<sup>d</sup> Hoveden. p. 393. <sup>i</sup> Ibid. p. 315.  
<sup>e</sup> Fitz Steph. p. 393.  
<sup>f</sup> Ibid. p. 34. Gervase. p. 1500.  
<sup>g</sup> Fitz Steph. p. 40. Hist. Quad. p. 53. Hoveden. p. 491. Neale. p. 391. Epist. St. Thom. p. 43.

<sup>q</sup> Fitz Steph. p. 35.  
<sup>r</sup> Ibid. p. 42. 44. 45. 46. Hist. Quad. p. 57. Hoveden. p. 495. M. Paris. p. 121. Epist. St. Thom. p. 43. 192.  
<sup>s</sup> Fitz Steph. p. 40. This historian is supposed to mean the more conspicuous associates of the chief barons: these had no title to sit in the great council, and the giving them a voice there was a palpable irregularity, which, if Henry had insisted on in any of Becket's remonstrances, a proper and just title fixed the constitution as at that time.

time; and at last took shipping, and arrived safely at Gravelines.

The violent and unjust prosecution of Becket had a natural tendency to turn the public favour on his side, and to make men overlook his former ingratitude towards the king, and his departure from all oaths and engagements, as well as the enormity of those ecclesiastical privileges, of which he affected to be the champion. There were many other reasons which procured him countenance and protection in foreign countries. Philip, Earl of Flanders,<sup>1</sup> and Lewis, King of France,<sup>2</sup> jealous of the rising greatness of Henry, were well pleased to give him disturbance in his government; and forgetting that this was the common cause of princes, they affected to pity extremely the condition of the exiled prelate; and the latter even honoured him with a visit at Soissons, in which city he had invited him to fix his residence.<sup>3</sup> The Pope, whose interests were more immediately concerned in supporting him, gave a cold reception to a magnificent embassy which Henry sent to accuse him; while Becket himself, who had come to Sens in order to justify his cause before the sovereign pontiff, was received with the greatest marks of distinction. The king, in revenge, sequestered the revenues of Canterbury; and by a conduct which might be esteemed arbitrary, had there been at that time any regular check on royal authority, he banished all the primate's relations and domestics, to the number of four hundred, whom he obliged to swear, before their departure, that they would instantly join their patron. But this policy, by which Henry endeavoured to reduce Becket sooner to necessity, lost its effect. The Pope, when they arrived beyond sea, absolved them from their oath, and distributed them among the convents in France and Flanders. A residence was assigned to Becket himself in the convent of Pontigny, where he lived for some years in great magnificence, partly from a pension granted him on the revenues of that

A. D. 1165. abbey, partly from remittances made him by the French monarch.

The more to ingratiate himself with the Pope, Becket resigned into his hands the see of Canterbury, to which, he affirmed, he had been uncanonically elected by the authority of the royal mandate; and Alexander, in his turn, besides investing him anew with that dignity, pretended to abrogate, by a bull, the sentence which the great council of England had passed against him. Henry, after attempting in vain to procure a conference with the Pope, who departed soon after for Rome, whither the prosperous state of his affairs now invited him, made provisions against the consequences of that breach which impended between his kingdom and the apostolic see. He issued orders to his justiciaries, inhibiting, under severe penalties, all appeals to the Pope or archbishop; forbidding any one to receive any mandates from them, or apply in any case to their authority; declaring it treasonable to bring from either of them an interdict upon the kingdom, and punishable in secular clergymen by the loss of their eyes and by castration, in regulars by amputation of their feet, and in laics with death; and menacing with sequestration and banishment the persons themselves, as well as their kindred, who should pay obedience to any such interdict. And he further obliged all his subjects to swear to the observance of those orders.<sup>4</sup> These were edicts of the utmost importance, affected the lives and properties of all the subjects, and even changed for the time the national religion, by breaking off all communication with Rome; yet were they enacted by the sole authority of the king, and were derived entirely from his will and pleasure.

The spiritual powers, which, in the primitive church, were in a great measure dependent on the civil, had, by a gradual progress, reached an equality and independence; and though the limits of the two jurisdictions were difficult to ascertain or define, it was not impossible, but, by moderation on both sides, government might still have been conducted in that imperfect and irregular manner which attends all human institutions. But as the ignorance of

the age encouraged the ecclesiastics daily to extend their privileges, and even to advance maxims totally incompatible with civil government, Henry had thought it high time to put an end to their pretensions, and formally, in a public council, to fix those powers which belonged to the magistrate, and which he was for the future determined to maintain. In this attempt, he was led to re-establish customs, which, though ancient, were beginning to be abolished by a contrary practice, and which were still more strongly opposed by the prevailing opinions and sentiments of the age. Principle therefore stood on the one side, power on the other; and if the English had been actuated by conscience more than by present interest, the controversy must soon, by the general defection of Henry's subjects, have been decided against him. Becket, in order to forward this event, filled all places with exclamations against the violence which he had suffered. He compared himself to Christ, who had been condemned by a lay tribunal,<sup>5</sup> and who was crucified anew in the present oppressions under which his church laboured. He took it for granted, as a point incontestable, that his cause was the cause of God;<sup>6</sup> he assumed the character of champion for the patrimony of the divinity: he pretended to be the spiritual father of the king and all the people of England;<sup>7</sup> he even told Henry, that kings reigned solely by the authority of the church;<sup>8</sup> and though he had thus torn off the veil more openly on the one side, than that prince had on the other, he seemed still, from the general favour borne him by the ecclesiastics, to have all the advantage in the argument. The king, that he might employ the weapons of temporal power remaining in his hands, suspended the payment of Peter's pence; he made advances towards an alliance with the emperor, Frederic Barbarossa, who was at that time engaged in violent wars with Pope Alexander; he discovered some intentions of acknowledging Pascal III. the present Anti-pope, who was protected by that emperor; and by these expedients he endeavoured to terrify the enterprising though prudent pontiff, from proceeding to extremities against him.

But the violence of Becket, still more than A. D. 1166. the nature of the controversy, kept affairs from remaining long in suspense between the parties. That prelate, instigated by revenge, and animated by the present glory attending his situation, pushed matters to a decision, and issued a censure, excommunicating the king's chief ministers by name, and comprehending in general all those who favoured or obeyed the Constitutions of Clarendon. These Constitutions he abrogated and annulled; he absolved all men from the oaths which they had taken to observe them; and he suspended the spiritual thunder over Henry himself, only that the prince might avoid the blow by a timely repentance.<sup>9</sup>

The situation of Henry was so unhappy, that he could employ no expedient for saving his ministers from this terrible censure, but by appealing to the Pope himself, and having recourse to a tribunal whose authority he had himself attempted to abridge in this very article of appeals, and which he knew was so deeply engaged on the side of his adversary. But even this expedient was not likely to be long effectual. Becket had obtained from the Pope a legantine commission over England; and in virtue of that authority, which admitted of no appeal, he summoned the Bishops of London, Salisbury, and others, to attend him, and ordered, under pain of excommunication, the ecclesiastics, sequestered on his account, to be restored in two months to all their benefices. But John of Oxford, the king's agent with the Pope, had the address to procure orders for suspending this sentence; and he gave the pontiff such hopes of a speedy reconciliation between the king and Becket, that two legates, William of Pavia and Otho, were sent to Normandy, where the king then resided, and they endeavoured to find expedients for that purpose. But the pretensions of the parties were as yet too opposite to admit of an accommodation. The king required, that all the Constitutions of Clarendon should be ratified;

<sup>1</sup> Epist. St. Thom. p. 36.

<sup>2</sup> Ibid. p. 36, 37.

<sup>3</sup> Hist. Quad. p. 76.

<sup>4</sup> Ibid. p. 88, 107. Hoveden, p. 406. M. Paris, p. 73.

<sup>5</sup> *Quis dubitet*, says Becket to the king, *sacerdotes Christi regum et prin-*  
*cipum omninoque fidelium patres et magistros censeri.* Epist. St. Thom. p. 77, 136.

<sup>6</sup> Epist. St. Thom. p. 63, 105, 194.

<sup>7</sup> Ibid. p. 69, 30, 31, 226.

<sup>8</sup> Fitz Steph. p. 46. Epist. St. Thom. p. 56, 148.

<sup>9</sup> Brad's Append. No. 56. Epist. St. Thom. p. 94, 95, 97, 99, 197.

Hoveden, p. 407.

<sup>10</sup> Fitz Steph. p. 56. Hist. Quad. p. 93. M. Paris, p. 74. Beaulieu, Vie de St. Thom. p. 213. Epist. St. Thom. p. 149, 229. Hoveden, p. 409.

Becket, that previously to any agreement, he and his adherents should be restored to their possessions; and as the legates had no power to pronounce a definitive sentence on either side, the negotiation soon after came to nothing. The Cardinal of Pavia also, being much attached to Henry, took care to protract the negotiation; to mitigate the Pope, by the accounts which he sent of that prince's conduct; and to procure him every possible indulgence from the see of Rome. About this time, the king had also the address to obtain a dispensation for the marriage of his third son, Geoffrey, with the heiress of Brittany; a concession which, considering Henry's demerits towards the church, gave great scandal both to Becket, and to his zealous patron, the King of France.

A. D. 1167. The intricacies of the feudal law had, in that age, rendered the boundaries of power between the prince and his vassals, and between one prince and another, as uncertain as those between the crown and the mitre; and all wars took their origin from disputes, which, had there been any tribunal possessed of power to enforce their decrees, ought to have been decided only before a court of judicature. Henry, in prosecution of some controversies, in which he was involved with the Count of Auvergne, a vassal of the duchy of Guienne, had invaded the territories of that nobleman; who had recourse to the King of France, his superior lord, for protection, and thereby kindled a war between the two monarchs. But this war was, as usual, no less feeble in its operations, than it was frivolous in its cause and object; and after occasioning some mutual depredations,<sup>a</sup> and some insurrections among the barons of Poitou and Guienne, was terminated by a peace. The terms of this peace were rather disadvantageous to Henry, and prove that that prince had, by reason of his contest with the church, lost the superiority which he had hitherto maintained over the crown of France: an additional motive to him for accommodating these differences.

The Pope and the king began at last to perceive, that, in the present situation of affairs, neither of them could expect a final and decisive victory over the other, and that they had more to fear than to hope from the duration of the controversy. Though the vigour of Henry's government had confirmed his authority in all his dominions, his throne might be shaken by a sentence of excommunication; and if England itself could, by its situation, be more easily guarded against the contagion of superstitious prejudices, his French provinces at least, whose communication was open with the neighbouring states, would be much exposed, on that account, to some great revolution or convulsion.<sup>1</sup> He could not, therefore, reasonably imagine that the Pope, while he retained such a check upon him, would formally recognise the Constitutions of Clarendon, which both put an end to papal pretensions in England, and would give an example to other states of asserting a like independency.<sup>2</sup> Pope Alexander on the other hand, being still engaged in dangerous wars with the Emperor Frederic, might justly apprehend, that Henry, rather than relinquish claims of such importance, would join the party of his enemy; and as the trials hitherto made of the spiritual weapons by Becket had not succeeded to his expectation, and every thing had remained quiet in all the king's dominions, nothing seemed impossible to the capacity and vigilance of so great a monarch. The disposition of minds on both sides, resulting from these circumstances, produced frequent attempts towards an accommodation; but as both parties knew that the essential articles of the dispute could not then be terminated, they entertained a perpetual jealousy of each other, and were anxious not to lose the least advantage in the negotiation. The nuncios, Gratian and Vivian, having received a commission to endeavour a reconciliation, met with the king in Normandy; and after all differences seemed to be adjusted, Henry offered to sign the treaty, with a salvo to his royal dignity; which gave such umbrage to Becket, that the negotiation, in the end, became fruitless, and the excommunications

were renewed against the king's ministers. Another negotiation was conducted at Montmirail, in presence of the King of France, and the French prelates; where Becket also offered to make his submissions, with a salvo to the honour of God, and the liberties of the church; which, for the like reason, was extremely offensive to the king, and rendered the treaty abortive. A third conference, under the same mediation, A. D. 1169. was broken off, by Becket's insisting on a like reserve in his submissions; and even in a fourth treaty, when all the terms were adjusted, and when the primate expected to be introduced to the king, and to receive the kiss of peace, which it was usual for princes to grant in those times, and which was regarded as a sure pledge of forgiveness, Henry refused him that honour; under pretence, that, during his anger, he had made a rash vow to that purpose. This formality served, among such jealous spirits, to prevent the conclusion of the treaty; and though the difficulty was attempted to be overcome by a dispensation which the Pope granted to Henry from his vow, that prince could not be prevailed on to depart from the resolution which he had taken.

In one of these conferences, at which the French king was present, Henry said to that monarch: "There have been many Kings of England, some of greater, some of less authority than myself; there have also been many Archbishops of Canterbury, holy and good men, and entitled to every kind of respect: let Becket but act towards me with the same submission which the greatest of his predecessors have paid to the least of mine, and there shall be no controversy between us." Lewis was so struck with this state of the case, and with an offer which Henry made to submit his cause to the French clergy, that he could not forbear condemning the primate, and withdrawing his friendship from him during some time: but the bigotry of that prince, and their common animosity against Henry, soon produced a renewal of their former good correspondence.

All difficulties were at last adjusted between the parties; and the king allowed Becket to return, on conditions which may be esteemed both honourable and advantageous to that prelate. He was not required to give up any rights of the church, or resign any of those pretensions which had been the original ground of the controversy. It was agreed that all these questions should be buried in oblivion; but that Becket and his adherents should, without making further submission, be restored to all their livings, and that even the possessors of such benefices as depended on the see of Canterbury, and had been filled during the primate's absence, should be expelled, and Becket have liberty to supply the vacancies.<sup>3</sup> In return for concessions which entrenched so deeply on the honour and dignity of the crown, Henry reaped only the advantage of seeing his ministers absolved from the sentence of excommunication pronounced against them, and of preventing the interdict, which, if these hard conditions had not been complied with, was ready to be laid on all his dominions.<sup>4</sup> It was easy to see how much he dreaded that event, when a prince of so high a spirit could submit to terms so dishonourable in order to prevent it. So anxious was Henry to accommodate all differences, and to reconcile himself fully with Becket, that he took the most extraordinary steps to flatter his vanity, and even, on one occasion, humiliated himself so far as to hold the stirrup of that haughty prelate while he mounted.<sup>5</sup>

But the king attained not even that temporary tranquillity which he had hoped to reap from these expedients. During the heat of his quarrel with Becket, while he was every day expecting an interdict to be laid on his kingdom, and a sentence of excommunication to be fulminated against his person, he had thought it prudent to have his son, Prince Henry, associated with him in the royalty, and to make him be crowned king by the hands of Roger, Archbishop of York. By this precaution he both insured the succession of that prince, which, considering the many

<sup>a</sup> Hoveden, p. 517. M. Paris, p. 75. Diceto, p. 547. Gervase, p. 140. 1403. Robert de Monte.  
<sup>1</sup> Epist. St. Thom. p. 230.  
<sup>2</sup> Ibid. p. 276.

<sup>3</sup> Fitz Steph. p. 68, 69. Hoveden, p. 500.  
<sup>4</sup> Hist. Quad. p. 104. Bromton, p. 1062. Gervase, p. 1408. Epist. St. Thom. p. 704, 705, 706, 707, 792, 793, 794. Benedict. Abbas, p. 70.  
<sup>5</sup> 1. Hist. 45. lib. 5.



past irregularities in that point, could not but be esteemed somewhat precarious; and he preserved at least his family on the throne, if the sentence of excommunication should have the effect which he dreaded, and should make his subjects renounce their allegiance to him. Though this design was conducted with expedition and secrecy, Becket, before it was carried into execution, had got intelligence of it: and being desirous of obstructing all Henry's measures, as well as anxious to prevent this affront to himself, who pretended to the sole right, as Archbishop of Canterbury, to officiate in the coronation, he had inhibited all the prelates of England from assisting at this ceremony, had procured from the Pope a mandate to the same purpose,<sup>1</sup> and had incited the King of France to protest against the coronation of young Henry, unless the princess, daughter of that monarch, should at the same time receive the royal unction. There prevailed in that age an opinion, which was akin to its other superstitions, that the royal unction was essential to the exercise of royal power:<sup>2</sup> it was therefore natural both for the King of France, careful of his daughter's establishment, and for Becket, jealous of his own dignity, to demand, in the treaty with Henry, some satisfaction in this essential point. Henry, after apologizing to Lewis for the omission with regard to Margaret, and excusing it on account of the secrecy and despatch requisite for conducting that measure, promised that the ceremony should be renewed in the persons both of the prince and princess: and he assured Becket, that besides receiving the acknowledgments of Roger and the other bishops for the seeming affront put on the see of Canterbury, the primate should, as a further satisfaction, recover his rights by officiating in this coronation. But the violent spirit of Becket, elated by the power of the church, and by the victory which he had already obtained over his sovereign, was not content with this voluntary compensation, but resolved to make the injury, which he pretended to have suffered, a handle for taking revenge on all his enemies. On his arrival in England, he met the Archbishop of York, and the Bishops of London and Salisbury, who were on their journey to the King in Normandy: he notified to the archbishop the sentence of suspension, and to the two bishops that of excommunication, which, at his solicitation, the Pope had pronounced against them. Reginald de Becket's return from banishment. Warrenne, and Gervase de Cornhill, two of the king's ministers who were employed on their duty in Kent, asked him, on hearing of this bold attempt, whether he meant to bring fire and sword into the kingdom? But the primate, heedless of the reproof, proceeded, in the most ostentatious manner, to take possession of his diocese. In Rochester, and all the towns through which he passed, he was received with the shouts and acclamations of the populace. As he approached Southwark, the clergy, the laity, men of all ranks and ages, came forth to meet him, and celebrated with hymns of joy his triumphant entrance. And though he was obliged, by order of the young prince, who resided at Woodstock, to return to his diocese, he found that he was not mistaken, when he reckoned upon the highest veneration of the public towards his person and his dignity. He proceeded, therefore, with the more courage, to dart his spiritual thunders: he issued the sentence of excommunication against Robert de Broc, and Nigel de Sackville, with many others, who either had assisted at the coronation of the prince, or been active in the late persecution of the exiled clergy. This violent measure, by which he in effect denounced war against the king himself, is commonly ascribed to the vindictive disposition and imperious character of Becket; but as this prelate was also a man of acknowledged abilities, we are not, in his passions alone, to look for the cause of his conduct, when he proceeded to these extremities against his enemies. His sagacity had led him to discover all Henry's intentions; and he proposed, by this bold and unexpected assault, to prevent the execution of them.

The king, from his experience of the dispositions of his

people, was become sensible that his enterprise had been too bold in establishing the Constitutions of Clarendon, in defining all the branches of royal power, and in endeavouring to extort from the church of England, as well as from the Pope, an express avowal of these disputed prerogatives. Conscious also of his own violence in attempting to break or subdue the inflexible primate, he was not displeased to undo that measure which had given his enemies such advantage against him; and he was contented that the controversy should terminate in that ambiguous manner, which was the utmost that princes, in those ages, could hope to attain in their disputes with the see of Rome. Though he dropped, for the present, the prosecution of Becket, he still reserved to himself the right of maintaining, that the Constitutions of Clarendon, the original ground of the quarrel, were both the ancient customs and the present law of the realm: and though he knew that the papal clergy asserted them to be impious in themselves, as well as abrogated by the sentence of the sovereign pontiff, he intended, in spite of their clamours, steadily to put those laws in execution,<sup>3</sup> and to trust to his own abilities, and to the course of events, for success in that perilous enterprise. He hoped that Becket's experience of a six years' exile would, after his pride was fully gratified by his restoration, be sufficient to teach him more reserve in his opposition; or if any controversy arose, he expected thenceforth to engage in a more favourable cause, and to maintain with advantage, while the primate was now in his power,<sup>4</sup> the ancient and undoubted customs of the kingdom against the usurpations of the clergy. But Becket determined not to betray the ecclesiastical privileges by his connivance,<sup>5</sup> and apprehensive lest a prince of such profound policy, if allowed to proceed in his own way, might probably in the end prevail, resolved to take all the advantage which his present victory gave him, and to disconcert the cautious measures of the king, by the vehemence and vigour of his own conduct.<sup>6</sup> Assured of support from Rome, he was little intimidated by dangers, which his courage taught him to despise, and which, even if attended with the most fatal consequences, would serve only to gratify his ambition and thirst of glory.<sup>7</sup>

When the suspended and excommunicated prelates arrived at Baieux, where the king then resided, and complained to him of the violent proceedings of Becket, he instantly perceived the consequences; was sensible that his whole plan of operations was overthrown; foresaw that the dangerous contest between the civil and spiritual powers, a contest which he himself had first roused, but which he had endeavoured, by all his late negotiations and concessions, to appease, must come to an immediate and decisive issue; and he was thence thrown into the most violent commotion. The Archbishop of York remarked to him, that, so long as Becket lived, he could never expect to enjoy peace or tranquillity: the king himself being vehemently agitated, burst forth into an exclamation against his servants, whose want of zeal, he said, had so long left him exposed to the enterprises of that ungrateful and imperious prelate.<sup>8</sup> Four gentlemen of his household, Reginald Fitz-Urse, William de Traci, Hugh de Moreville, and Richard Brito, taking these passionate expressions to be a hint for Becket's death, immediately communicated their thoughts to each other; and swearing to avenge their prince's quarrel, secretly withdrew from court.<sup>9</sup> Some menacing expressions which they had dropped, gave a suspicion of their design; and the king despatched a messenger after them, charging them to attempt nothing against the person of the primate:<sup>10</sup> but these orders arrived too late to prevent their fatal purpose. The four assassins, though they took different roads to England, arrived nearly about the same time at Saltwoode near Canterbury; and being there joined by some assistants, they proceeded in great haste to the archiepiscopal palace. They found the primate, who trusted entirely to the sacredness of his character, very slenderly attended; and though they threw out many

<sup>1</sup> Hist. Quad. p. 403. Epist. St. Thom. p. 692. Gervase, p. 1412.

<sup>2</sup> Epist. St. Thom. p. 700. n. Hist. p. 687. 689.

<sup>3</sup> Hist. Quad. p. 415. Epist. St. Thom. p. 415.

<sup>4</sup> Hist. Quad. p. 413.

<sup>5</sup> Epist. St. Thom. p. 618. 616.

<sup>6</sup> Gervase, p. 1414. Parker, p. 507.

<sup>7</sup> M. Paris, p. 100. Brompton, p. 1005. Penneket. Address, p. 10.

<sup>8</sup> Hist. Quad. p. 414. Tricet, p. 55.

menaces and reproaches against him, he was so meagre of fear, that, without using any precautions against their violence, he immediately went to St. Benedict's church to hear vespers. They followed him thither, attacked him before the altar, and having cloven his head with many blows, retired without meeting any opposition. This was

the tragical end of Thomas à Becket, a prelate of the most lofty, intrepid, and inflexible spirit, who was able to cover, to the world, and probably to himself, the enterprises of pride and ambition, under the disguise of sanctity and of zeal for the interests of religion: an extraordinary personage, surely, had he been allowed to remain in his first station, and had directed the vehemence of his character to the support of law and justice; instead of being engaged by the prejudices of the times, to sacrifice all private duties and public connexions to ties which he imagined, or represented, as superior to every civil and political consideration. But no man, who enters into the genius of that age, can reasonably doubt of this prelate's sincerity. The spirit of superstition was so prevalent, that it infallibly caught every careless reasoner, much more every one whose interest, and honour, and ambition, were engaged to support it. All the wretched literature of the times was enlisted on that side: some faint glimmerings of common sense might sometimes pierce through the thick cloud of ignorance, or, what was worse, the illusions of perverted science, which had blotted out the sun, and enveloped the face of nature: but those who preserved themselves untainted by the general contagion, proceeded on no principles which they could pretend to justify; they were more indebted to their total want of instruction, than to their knowledge, if they still retained some share of understanding: folly was possessed of all the schools as well as all the churches; and her votaries assumed the garb of philosophers, together with the ensigns of spiritual dignities. Throughout that large collection of letters, which bears the name of St. Thomas, we find, in all the retainers of that aspiring prelate, no less than in himself, a most entire and absolute conviction of the reason and piety of their own party, and a disdain of their antagonists: nor is there less cant and grimace in their style, when they address each other, than when they compose manifestos for the perusal of the public. The spirit of revenge, violence, and ambition, which accompanied their conduct, instead of forming a presumption of hypocrisy, are the surest pledges of their sincere attachment to a cause, which so much flattered these domineering passions.

Henry, on the first report of Becket's violent measures, had purposed to have him arrested, and had already taken some steps towards the execution of that design: but the intelligence of his murder threw the prince into great consternation; and he was immediately sensible of the dangerous consequences which he had reason to apprehend from so unexpected an event. An archbishop of reputed sanctity, assassinated before the altar, in the exercise of his functions, and on account of his zeal in maintaining ecclesiastical privileges, must attain the highest honours of martyrdom; while his murderer would be ranked among the most bloody tyrants that ever were exposed to the hatred and detestation of mankind. Interdicts and excommunications, weapons in themselves so terrible, would, he foresaw, be armed with double force, when employed in a cause so much calculated to work on the human passions, and so peculiarly adapted to the eloquence of popular preachers and declaimers. In vain would he plead his own innocence, and even his total ignorance of the fact: he was sufficiently guilty, if the church thought proper to esteem him such: and his concurrence in Becket's martyrdom, becoming a religious opinion, would be received with all the implicit credit which belonged to the most established articles of faith. These considerations gave the king the most unaffected concern; and as it was extremely his interest to clear himself from all suspicion, he took no care to conceal the depth of his affliction.<sup>w</sup> He shut himself up from the light of day, and from all commerce with his servants: he even refused,

during three days, all food and sustenance: the courtiers, apprehending dangerous effects from his despair, were at last obliged to break in upon his solitude; and they employed every topic of consolation, induced him to accept of nourishment, and occupied his leisure in taking precautions against the consequences which he so justly apprehended from the murder of the primate.

The point of chief importance to Henry was to convince the Pope of his innocence; and 1171. or rather, to persuade him that he would and submission of the king. reap greater advantages from the submissions of England, than from proceeding to extremities against that kingdom. The Archbishop of Rouen, the Bishops of Worcester and Evreux, with five persons of inferior quality, were immediately despatched to Rome,<sup>y</sup> and orders were given them to perform their journey with the utmost expedition. Though the name and authority of the court of Rome were so terrible in the remote countries of Europe, which were sunk in profound ignorance, and were entirely unacquainted with its character and conduct; the Pope was so little revered at home, that his inveterate enemies surrounded the gates of Rome itself, and even controlled his government in that city; and the ambassadors, who, from a distant extremity of Europe, carried to him the humble or rather abject submissions of the greatest potentate of the age, found the utmost difficulty to make their way to him, and to throw themselves at his feet. It was at length agreed, that Richard Barre, one of their number, should leave the rest behind, and run all the hazards of the passage,<sup>z</sup> in order to prevent the fatal consequences which might ensue from any delay in giving satisfaction to His Holiness. He found, on his arrival, that Alexander was already wrought up to the greatest rage against the king, that Becket's partisans were daily stimulating him to revenge; that the King of France had exhorted him to fulminate the most dreadful sentence against England; and that the very mention of Henry's name before the sacred college was received with every expression of horror and execration. The Thursday before Easter was now approaching, when it is customary for the Pope to denounce annual curses against all his enemies; and it was expected, that Henry should, with all the preparations peculiar to the discharge of that sacred artillery, be solemnly comprehended in the number. But Barre found means to appease the pontiff, and to deter him from a measure which, if it failed of success, could not afterwards be easily recalled: the anathemas were only levelled in general against all the actors, accomplices, and abettors of Becket's murder. The Abbot of Valasse, and the Archdeacons of Salisbury and Lisieux, with others of Henry's ministers, who soon after arrived, besides asserting their prince's innocence, made oath before the whole consistory, that he would stand to the Pope's judgment in the affair, and make every submission that should be required of him. The terrible blow was thus artfully eluded; the Cardinals Albert and Theodin were appointed legates to examine the cause, and were ordered to proceed to Normandy for that purpose; and though Henry's foreign dominions were already laid under an interdict by the Archbishop of Sens, Becket's great partisan, and the Pope's legate in France, the general expectation, that the monarch would easily exculpate himself from any concurrence in the guilt, kept every one in suspense, and prevented all the bad consequences which might be dreaded from that sentence.

The clergy, meanwhile, though their rage was happily diverted from falling on the king, were not idle in magnifying the sanctity of Becket; in extolling the merits of his martyrdom; and in exalting him above all that devoted tribe, who in several ages had, by their blood, cemented the fabric of the temple. Other saints had only borne testimony by their sufferings to the general doctrines of Christianity; but Becket had sacrificed his life to the power and privileges of the clergy; and this peculiar merit challenged, and not in vain, a suitable acknowledgment to his memory. Endless were the panegyrics on his virtues; and the miracles wrought by his reliques were more numerous, more nonsensical, and more impudently attested, than those which ever filled the legend of any

<sup>w</sup> Ypod. Neust. p. 447. M. Paris, p. 17. Dierce, p. 506. Geivase, p. 1499.

<sup>x</sup> Hist. Quad. p. 143.

<sup>y</sup> Hoveden, p. 526. M. Paris, p. 17.

<sup>z</sup> Hoveden, p. 536. Epist. St. 1090. l. 106.

confessor or martyr. Two years after his death he was canonized by Pope Alexander; a solemn jubilee was established for celebrating his merits; his body was removed to a magnificent shrine, enriched with presents from all parts of Christendom; pilgrimages were performed to obtain his intercession with heaven; and it was computed, that in one year above a hundred thousand pilgrims arrived in Canterbury, and paid their devotions at his tomb. It is indeed a mortifying reflection to those who are actuated by the love of fame, so justly denominated the last infirmity of noble minds, that the wisest legislator, and most exalted genius that ever reformed or enlightened the world, can never expect such tributes of praise as are lavished on the memory of pretended saints, whose whole conduct was probably, to the last degree, odious or contemptible, and whose industry was entirely directed to the pursuit of objects pernicious to mankind. It is only a conqueror, a personage no less entitled to our hatred, who can pretend to the attainment of equal renown and glory.

It may not be amiss to remark, before we conclude the subject of Thomas à Becket, that the king, during his controversy with that prelate, was on every occasion more anxious than usual to express his zeal for religion, and to avoid all appearance of a profane negligence on that head. He gave his consent to the imposing of a tax on all his dominions for the delivery of the Holy Land, now threatened by the famous Saladine: this tax amounted to two pence a pound for one year, and a penny a pound for the four subsequent.<sup>a</sup> Almost all the princes of Europe laid a like imposition on their subjects, which received the name of Saladine's tax. During this period, there came over from Germany about thirty heretics of both sexes, under the direction of one Gerard; simple ignorant people, who could give no account of their faith, but declared themselves ready to suffer for the tenets of their master. They made only one convert in England, a woman as ignorant as themselves; yet they gave such umbrage to the clergy, that they were delivered over to the secular arm, and were punished by being burned on the forehead, and then whipped through the streets. They seemed to exult in their sufferings, and as they went along, sung the beatitude, *Blessed are ye, when men hate you and persecute you.*<sup>b</sup> After they were whipped, they were thrust out almost naked in the midst of winter, and perished through cold and hunger; no one daring, or being willing, to give them the least relief. We are ignorant of the particular tenets of these people: for it would be imprudent to rely on the representations left of them by the clergy, who affirm that they denied the efficacy of the sacraments, and the unity of the church. It is probable that their departure from the standard of orthodoxy was still more subtle and minute. They seem to have been the first that ever suffered for heresy in England.

As soon as Henry found that he was in no immediate danger from the thunders of the Vatican, he undertook an expedition against Ireland; a design which he had long projected, and by which he hoped to recover his credit, somewhat impaired by his late transactions with the hierarchy

antiquity that lies far beyond the records of any history or tradition. The Irish, from the beginning of time, had been buried in the most profound barbarism and ignorance; and as they were never conquered, or even invaded, by the Romans, from whom all the western world derived its civility, they continued still in the most rude state of society, and were distinguished by those vices alone, to which human nature, not tamed by education, or restrained by laws, is for ever subject. The small principalities, into which they were divided, exercised perpetual rapine and violence against each other; the uncertain succession of their princes was a continual source of domestic convulsions; the usual title of each petty sovereign was the murder of his predecessor; courage and force, though exercised in the commission of crimes, were more honoured than any pacific virtues; and the most simple arts of life, even tillage and agriculture, were almost wholly unknown among them. They had felt the invasions of the Danes and the other northern tribes; but these inroads, which had spread barbarism in other parts of Europe, tended rather to improve the Irish; and the only towns which were to be found in the island, had been planted along the coast by the freebooters of Norway and Denmark. The other inhabitants exercised pasturage in the open country; sought protection from any danger in their forests and morasses; and being divided by the fiercest animosities against each other, were still more intent on the means of mutual injury, than on the expedients for common or even for private interest.

Besides many small tribes, there were in the age of Henry II. five principal sovereignties in the island, Munster, Leinster, Meath, Ulster, and Connaught; and as it had been usual for the one or the other of these to take the lead in their wars, there was commonly some prince, who seemed, for the time, to act as monarch of Ireland. Roderic O'Connor, King of Connaught, was then advanced to this dignity;<sup>c</sup> but his government, ill obeyed even within his own territory, could not unite the people in any measures either for the establishment of order, or for defence against foreigners. The ambition of Henry had, very early in his reign, been moved, by the prospect of these advantages, to attempt the subjecting of Ireland; and a pretence was only wanting to invade a people who, being always confined to their own island, had never given any reason of complaint to any of their neighbours. For this purpose, he had recourse to Rome, which assumed a right to dispose of kingdoms and empires; and, not foreseeing the dangerous disputes, which he was one day to maintain with that see, he helped, for present, or rather for an imaginary, convenience, to give sanction to claims which were now become dangerous to all sovereigns. Adrian III. who then filled the papal chair, was by birth an Englishman; and being, on that account, the more disposed to oblige Henry, he was easily persuaded to act as master of the world, and to make, without any hazard or expense, the acquisition of a great island to his spiritual jurisdiction. The Irish had, by precedent missions from the Britons, been imperfectly converted to Christianity; and, what the Pope regarded as the surest mark of their imperfect conversion, they followed the doctrines of their first teachers, and had never acknowledged any subjection to the see of Rome. Adrian, therefore, in the year 1156 issued a bull in favour of Henry; in which, after premising that this prince had ever shown an anxious care to enlarge the church of God on earth, and to increase the number of his saints and elect in heaven; he represents his design of subduing Ireland as derived from the same pious motives: he considers his care of previously applying for the apostolic sanction as a sure earnest of success and victory; and having established it as a point incontestable, that all christian kingdoms belong to the patrimony of St. Peter, he acknowledges it to be his own duty to sow among them the seeds of the gospel, which might in the last day fructify to their eternal salvation: he exhorts the king to invade Ireland, in order to extirpate the vice and wickedness of the natives, and oblige them to pay yearly, from every house, a penny to the see of Rome: he gives him entire right and authority

## CHAP. IX.

### HENRY II.

*State of Ireland—Conquest of that island—The king's accommodation with the court of Rome—Revolt of young Henry and his brothers—Wars and insurrections—War with Scotland—Penance of Henry for Becket's murder—William, King of Scotland, defeated and taken prisoner—The king's accommodation with his sons—The king's equitable administration—Crusades—Revolt of Prince Richard—Death and character of Henry—Miscellaneous transactions of his reign.*

A. D. 1170. As Britain was first peopled from Gaul, State of Ireland, so was Ireland probably from Britain; and the inhabitants of all these countries seem to have been so many tribes of the Celts, who derive their origin from an

<sup>a</sup> Chron. Gervase, p. 1309. M. Paris, p. 71.

<sup>b</sup> Nennius, p. 321. M. Paris, p. 71. Heiming, p. 494.

<sup>c</sup> Hoveden, p. 527.



over the island, commands all the inhabitants to obey him as their sovereign, and invests with full power all such godly instruments as he should think proper to employ in an enterprise thus calculated for the glory of God and the salvation of the souls of men.<sup>b</sup> Henry, though armed with this authority, did not immediately put his design in execution; but being detained by more interesting business on the continent, waited for a favourable opportunity of invading Ireland.

Dermot Macmorrough, King of Leinster, had, by his licentious tyranny, rendered himself odious to his subjects, who seized with alacrity the first occasion that offered, of throwing off the yoke, which was become grievous and oppressive to them. This prince had formed a design on Dovergilda, wife of Orior, Prince of Breffny; and taking advantage of her husband's absence, who, being obliged to visit a distant part of his territory, had left his wife secure, as he thought, in an island surrounded by a bog, he suddenly invaded the place and carried off the princess.<sup>c</sup> This exploit, though usual among the Irish, and rather deemed a proof of gallantry and spirit,<sup>d</sup> provoked the resentment of the husband; who, having collected forces, and being strengthened by the alliance of Roderic, King of Connaught, invaded the dominions of Dermot, and expelled him his kingdom. The exiled prince had recourse to Henry, who was at this time in Guienne, craved his assistance in restoring him to his sovereignty, and offered, on that event, to hold his kingdom in vassalage under the crown of England. Henry, whose views were already turned towards making acquisitions in Ireland, readily accepted the offer; but being at that time embarrassed by the rebellions of his French subjects, as well as by his disputes with the see of Rome, he declined for the present embarking in the enterprise, and gave Dermot no further assistance than letters patent, by which he empowered all his subjects to aid the Irish prince in the recovery of his dominions.<sup>e</sup> Dermot, supported by this authority, came to Bristol; and after endeavouring, though for some time in vain, to engage adventurers in the enterprise, he at last formed a treaty with Richard, surnamed Strongbow, Earl of Strigul. This nobleman, who was of the illustrious house of Clare, had impaired his fortune by expensive pleasure; and being ready for any desperate undertaking, he promised assistance to Dermot, on condition that he should espouse Eva, daughter of that prince, and be declared heir to all his dominions.<sup>f</sup> While Richard was assembling his succours, Dermot went into Wales; and meeting with Robert Fitz-Stephens, constable of Abertivi, and Maurice Fitz-Gerald, he also engaged them in his service, and obtained their promise of invading Ireland. Being now assured of succour, he returned privately to his own state; and lurking in the monastery of Fernes, which he had founded, (for this ruffian was also a founder of monasteries,) he prepared every thing for the reception of his English allies.<sup>g</sup>

The troops of Fitz-Stephens were first ready. That gentleman landed in Ireland with thirty knights, sixty esquires, and three hundred archers; but this small body, being brave men, not unacquainted with discipline, and completely armed, a thing almost unknown in Ireland, struck a great terror into the barbarous inhabitants, and seemed to menace them with some signal revolution. The conjunction of Maurice de Pendergast, who, about the same time, brought over ten knights and sixty archers, enabled Fitz-Stephens to attempt the siege of Wexford, a town inhabited by the Danes; and after gaining an advantage, he made himself master of the place.<sup>h</sup> Soon after, Fitz-Gerald arrived with ten knights, thirty esquires, and a hundred archers; and being joined by the former adventurers, composed a force which nothing in Ireland was able to withstand. Roderic, the chief monarch of the island, was foiled in different actions; the Prince of Ossory was obliged to submit, and give hostages for his peaceable behaviour; and Dermot, not content with being restored to his kingdom of Leinster, projected the dethroning of Roderic, and aspired to the sole dominion over the Irish.

In prosecution of these views, he sent over a messenger to the Earl of Strigul, challenging the performance of his promise, and displaying the mighty advantages which might now be reaped by a reinforcement of warlike troops from England. Richard, not satisfied with the general allowance given by Henry to all his subjects, went to that prince, then in Normandy; and having obtained a cold or ambiguous permission, prepared himself for the execution of his designs. He first sent over Raymond, one of his retinue, with ten knights and seventy archers, who, landing near Waterford, defeated a body of three thousand Irish that had ventured to attack him;<sup>i</sup> and as Richard himself, who brought over two hundred horse, and a body of archers, joined, a few days after, the victorious English, they made themselves masters of Waterford, and proceeded to Dublin, which was taken by assault. Roderic, in revenge, cut off the head of Dermot's natural son, who had been left as a hostage in his hands; and Richard, marrying Eva, became soon after, by the death of Dermot, master of the kingdom of Leinster, and prepared to extend his authority over all Ireland. Roderic, and the other Irish princes, were alarmed at the danger; and combining together, besieged Dublin with an army of thirty thousand men: but Earl Richard, making a sudden sally at the head of ninety knights, with their followers, put this numerous army to rout, chased them off the field, and pursued them with great slaughter. None in Ireland now dared to oppose themselves to the English.<sup>j</sup>

Henry, jealous of the progress made by his own subjects, sent orders to recall all the English, and he made preparations to attack Ireland in person:<sup>k</sup> but Richard, and the other adventurers, found means to appease him, by making him the most humble submissions, and offering to hold all their acquisitions in vassalage to his crown.<sup>l</sup> The monarch landed in Ireland at the head of five hundred knights, besides other soldiers: he found the Irish so dispirited by their late misfortunes, that, in a progress which he made through the island, he had no other occupation than to receive the homage of his new subjects. He left most of the Irish chieftains or princes in possession of their ancient territories: bestowed some lands on the English adventurers; gave Earl Richard the commission of Seneschal of Ireland; and after a stay of a few months, returned in triumph to England. By these trivial exploits, scarcely worth relating, except for the importance of the consequences, was Ireland subdued, and annexed to the English crown.

The low state of commerce and industry, during those ages, made it impracticable for princes to support regular armies, which might retain a conquered country in subjection; and the extreme barbarism and poverty of Ireland could still less afford means of bearing the expense. The only expedient, by which a durable conquest could then be made or maintained, was by pouring in a multitude of new inhabitants, dividing among them the lands of the vanquished, establishing them in all offices of trust and authority, and thereby transforming the ancient inhabitants into a new people. By this policy, the northern invaders of old, and of late the Duke of Normandy, had been able to fix their dominions, and to erect kingdoms, which remained stable on their foundations, and were transmitted to the posterity of the first conquerors. But the state of Ireland rendered that island so little inviting to the English, that only a few of desperate fortunes could be persuaded, from time to time, to transport themselves thither;<sup>m</sup> and instead of reclaiming the natives from their uncultivated manners, they were gradually assimilated to the ancient inhabitants, and degenerated from the customs of their own nation. It was also found requisite to bestow great military and arbitrary powers on the leaders, who commanded a handful of men amidst such hostile multitudes; and law and equity in a little time became as much unknown in the English settlements, as they had ever been among the Irish tribes. Palatinates were erected in favour of the new adventurers; independent authority conferred; the natives, never fully subdued, still retained their animosity against the conquerors; their hatred was retaliated

<sup>b</sup> M. Paris, p. 67. <sup>c</sup> Guald. Camb. Spelm. Concil. vol. ii. p. 51. <sup>d</sup> Rymer, vol. i. p. 15. <sup>e</sup> Guald. Camb. p. 760. <sup>f</sup> Ibid. p. 761.

<sup>g</sup> Guald. Camb. p. 761.

<sup>h</sup> Ibid. p. 767.

<sup>i</sup> Ibid. p. 775.

<sup>j</sup> Ibid. p. 761, 762.

<sup>k</sup> Ibid. p. 777.

<sup>l</sup> Ibid. p. 777. <sup>m</sup> Ibid. p. 770.

<sup>n</sup> Ibid. p. 775. <sup>o</sup> Ibid. p. 775. <sup>p</sup> Ibid. p. 775. <sup>q</sup> Ibid. p. 775.

by like injuries; and from these causes, the Irish, during the course of four centuries, remained still savage and untractable. It was not till the latter end of Elizabeth's reign, that the island was fully subdued; nor till that of her successor, that it gave hopes of becoming a useful conquest to the English nation.

Besides that the easy and peaceable submission of the Irish left Henry no further occupation in that island, he was recalled from it by another incident, which was of the last importance to his interest and safety. The two legates, Albert and Theodin, to whom was committed the trial of his conduct in the murder of Archbishop Becket, were arrived in Normandy; and being impatient of delay, sent him frequent letters, full of menaces, if he protracted any longer making his appearance before them.<sup>p</sup> He hastened therefore to Normandy, and had a conference with them at Savigny, where their demands were so exorbitant, that he broke off the negotiation, threatened to return to Ireland, and bade them do their worst against him. They perceived that the season was now past for taking advantage of that tragical incident; which, had it been hotly pursued by interdicts and excommunications, was capable of throwing the whole kingdom into combustion. But the time which Henry had happily gained had contributed to appease the minds of men. The event could not now have the same influence as when it was recent; and as the clergy every day looked for an accommodation with the king, they had not opposed the pretensions of his partisans, who had been very industrious in representing to the people his entire innocence in the murder of the primate, and his ignorance of the designs formed by the assassins. The legates therefore found themselves obliged to lower their terms; and Henry was so fortunate as to conclude an accommodation with them. He declared upon oath, before the reliques of the saints, that, so far from commanding or desiring the death of the archbishop, he was extremely grieved when he received intelligence of it. But as the passion, which he had expressed on account of that prelate's conduct, had probably been the occasion of his murder, he stipulated the following conditions, as an atonement for the offence. He promised, that he should pardon all such as had been banished for adhering to Becket, and should restore them to their livings; that the see of Canterbury should be reinstated in all its ancient possessions; that he should pay the Templars a sum of money sufficient for the subsistence of two hundred knights during a year in the Holy Land; that he should himself take the cross at the Christmas following, and, if the Pope required it, serve three years against the infidels either in Spain or Palestine; that he should not insist on the observance of such customs, derogatory to ecclesiastical privileges, as had been introduced in his own time; and that he should not obstruct appeals to the Pope in ecclesiastical causes, but should content himself with exacting sufficient security from such clergymen as left his dominions to prosecute an appeal, that they should attempt nothing against the rights of his crown.<sup>q</sup> Upon signing these concessions, Henry received absolution from the legates, and was confirmed in the grant of Ireland made by Pope Adrian;<sup>r</sup> and nothing proves more strongly the great abilities of this monarch, than his extricating himself, on such easy terms, from so difficult a situation. He had always insisted, that the laws established at Clarendon contained not any new claims, but the ancient customs of the kingdom; and he was still at liberty, notwithstanding the articles of this agreement, to maintain his pretensions. Appeals to the Pope were indeed permitted by that treaty; but as the king was also permitted to exact reasonable securities from the parties, and might stretch his demands on this head as far as he pleased, he had it virtually in his power to prevent the Pope from reaping any advantage by this seeming concession. And, on the whole, the Constitutions of Clarendon remained still the law of the realm; though the Pope

and his legates seem so little to have conceived the king's power to lie under any legal limitations, that they were satisfied with his departing, by treaty, from one of the most momentous articles of these Constitutions, without requiring any repeal by the states of the kingdom.

Henry, freed from this dangerous controversy with the ecclesiastics and with the see of Rome, seemed now to have reached the pinnacle of human grandeur and felicity, and to be equally happy in his domestic situation and in his political government. A numerous progeny of sons and daughters gave both lustre and authority to his crown, prevented the danger of a disputed succession, and repressed all pretensions of the ambitious barons. The king's precaution also, in establishing the several branches of his family, seemed well calculated to prevent all jealousy among the brothers, and to perpetuate the greatness of his family. He had appointed Henry, his eldest son, to be his successor in the kingdom of England, the duchy of Normandy, and the counties of Anjou, Maine, and Touraine; territories which lay contiguous, and which, by that means, might easily lend to each other mutual assistance, both against intestine commotions and foreign invasions. Richard, his second son, was invested in the duchy of Guienne, and county of Poitou; Geoffrey, his third son, inherited, in right of his wife, the duchy of Brittany; and the new conquest of Ireland was destined for the appanage of John, his fourth son. He had also negotiated, in favour of this last prince, a marriage with Adelaïs, the only daughter of Humbert, Count of Savoy and Maurienne; and was to receive, as her dowry, considerable demesnes in Piedmont, Savoy, Bresse, and Dauphiny.<sup>s</sup> But this exaltation of his family excited the jealousy of all his neighbours, who made those very sons, whose fortunes he had so anxiously established, the means of imbittering his future life, and disturbing his government.

Young Henry, who was rising to man's estate, began to display his character, and aspire to independence. Brave, ambitious, liberal, munificent, affable; he discovered qualities which give great lustre to youth; prognosticate a shining fortune; but, unless tempered in mature age with discretion, are the forerunners of the greatest calamities.<sup>t</sup> It is said, that at the time when this prince received the royal unction, his father, in order to give greater dignity to the ceremony, officiated at table as one of the retinue; and observed to his son, that never king was more royally served. *It is nothing extraordinary*, said young Henry to one of his courtiers, *if the son of a count should serve the son of a king*. This saying, which might pass only for an innocent pleasantry, or even for an oblique compliment to his father, was however regarded as a symptom of his aspiring temper; and his conduct soon after justified the conjecture.

Henry, agreeably to the promise which he had given both to the Pope and French king, permitted his son to be crowned anew by the hands of the Archbishop of Rouën, and associated the Princess Margaret, spouse to young Henry, in the ceremony.<sup>u</sup> He after- A. D. 1173.

wards allowed him to pay a visit to his father-in-law at Paris, who took the opportunity of instilling into the young prince those ambitious sentiments, to which he was naturally but too much inclined.<sup>v</sup> Though it had been the constant practice of France, ever since the accession of the Capetian line, to crown the son during the lifetime of the father, without conferring on him any present participation of royalty; Lewis persuaded his son-in-law, that, by this ceremony, which in those ages was deemed so important, he had acquired a title to sovereignty, and that the king could not, without injustice, exclude him from immediate possession of the whole, or at least a part, of his dominions. In consequence of these extravagant ideas, young Henry, on his return, desired the king to resign to him either the crown of England, or the duchy of Normandy; discovered great discontent on the refusal; spoke in the most un-

<sup>p</sup> The king's accommodation with the court of Rome.

<sup>q</sup> He should pardon all such as had been banished for adhering to Becket, and should restore them to their livings; that the see of Canterbury should be reinstated in all its ancient possessions; that he should pay the Templars a sum of money sufficient for the subsistence of two hundred knights during a year in the Holy Land; that he should himself take the cross at the Christmas following, and, if the Pope required it, serve three years against the infidels either in Spain or Palestine; that he should not insist on the observance of such customs, derogatory to ecclesiastical privileges, as had been introduced in his own time; and that he should not obstruct appeals to the Pope in ecclesiastical causes, but should content himself with exacting sufficient security from such clergymen as left his dominions to prosecute an appeal, that they should attempt nothing against the rights of his crown.<sup>q</sup> Upon signing these concessions, Henry received absolution from the legates, and was confirmed in the grant of Ireland made by Pope Adrian;<sup>r</sup> and nothing proves more strongly the great abilities of this monarch, than his extricating himself, on such easy terms, from so difficult a situation. He had always insisted, that the laws established at Clarendon contained not any new claims, but the ancient customs of the kingdom; and he was still at liberty, notwithstanding the articles of this agreement, to maintain his pretensions. Appeals to the Pope were indeed permitted by that treaty; but as the king was also permitted to exact reasonable securities from the parties, and might stretch his demands on this head as far as he pleased, he had it virtually in his power to prevent the Pope from reaping any advantage by this seeming concession. And, on the whole, the Constitutions of Clarendon remained still the law of the realm; though the Pope

<sup>p</sup> Girald. Camb. p. 778.  
<sup>q</sup> M. Paris, p. 88. Benedict. Abb. p. 34. Hoveden, p. 529. Ducto, p. 569. Chron. Gerv. p. 1122.  
<sup>r</sup> Prompton, p. 1671. Liber. Sig. Scac. p. 47.  
<sup>s</sup> Ypod. Nevill, p. 446. Benedict. Abb. p. 38. Hoveden, p. 532. Ducto, p. 562. Prompton, p. 1681. Rymey, vol. i. p. 33.  
<sup>t</sup> Chron. Gerv. p. 1165.

<sup>u</sup> Hoveden, p. 529. Ducto, p. 559. Prompton, p. 1680. Chron. Gerv. p. 1121. Trivet, p. 26. It appears, from Madox's History of the Exchequer, that all payments were then known in England, and that the coronation of the young king, and queen cost eighty seven pounds ten shillings, and that the marriage of Adelaïs cost 1000 marks.

<sup>v</sup> Girald. Camb. p. 780.

dutiful terms of his father; and soon after, in concert with Lewis, made his escape to Paris, where he was protected and supported by that monarch.

While Henry was alarmed at this incident, and had the prospect of dangerous intrigues, or even of a war, which, whether successful or not, must be extremely calamitous and disagreeable to him, he received intelligence of new misfortunes, which must have affected him in the most sensible manner. Queen Eleanor, who had disgusted her first husband by her gallantries, was no less offensive to her second by her jealousy; and after this manner carried to extremity, in the different periods of her life, every circumstance of female weakness. She communicated her discontents against Henry to her two younger sons, Geoffrey and Richard; persuaded them that they were also entitled to present possession of the territories assigned to them; engaged them to fly secretly to the court of France; and was meditating, herself, an escape to the same court, and had even put on man's apparel for that purpose, when she was seized by orders from her husband, and thrown into confinement. Thus, Europe saw with astonishment the best and most indulgent of parents at war with his whole family; three boys, scarcely arrived at the age of puberty, require a great monarch, in the full vigour of his age and height of his reputation, to dethrone himself in their favour; and several princes not ashamed to support them in these unnatural and absurd pretensions.

Henry, reduced to this perilous and disagreeable situation, had recourse to the court of Rome: though sensible of the danger attending the interposition of ecclesiastical authority in temporal disputes, he applied to the Pope, as his superior lord, to excommunicate his enemies, and by these censures to reduce to obedience his undutiful children, whom he found such reluctance to punish by the sword of the magistrate.<sup>1</sup> Alexander, well pleased to exert his power in so justifiable a cause, issued the bulls required of him: but it was soon found, that these spiritual weapons had not the same force as when employed in a spiritual controversy; and that the clergy were very negligent in supporting a sentence which was nowise calculated to promote the immediate interests of their order. The king, after taking in vain this humiliating step, was obliged to have recourse to arms, and to enlist such auxiliaries, as are the usual resource of tyrants, and have seldom been employed by so wise and just a monarch.

The loose government which prevailed in all the states of Europe, the many private wars carried on among the neighbouring nobles, and the impossibility of enforcing any general execution of the laws, had encouraged a tribe of banditti to disturb every where the public peace, to infest the highways, to pillage the open country, and to brave all the efforts of the civil magistrate, and even the excommunications of the church, which were fulminated against them.<sup>2</sup> Troops of them were sometimes enlisted in the service of one prince or baron, sometimes in that of another: they often acted in an independent manner, under leaders of their own: the peaceable and industrious inhabitants, reduced to poverty by their ravages, were frequently obliged, for subsistence, to betake themselves to a like disorderly course of life: and a continual intestine war, pernicious to industry, as well as to the execution of justice, was thus carried on in the bowels of every kingdom.<sup>3</sup> Those desperate ruffians received the name sometimes of Brabançons, sometimes of Routiers or Cotte-reaux; but for what reason is not agreed by historians: and they formed a kind of society or government among themselves, which set at defiance the rest of mankind. The greatest monarchs were not ashamed, on occasion, to have recourse to their assistance: and as their habits of war and depredation had given them experience, hardness, and courage, they generally composed the most formidable part of those armies, which decided the political quarrels of princes. Several of them were enlisted among the forces levied by Henry's enemies;<sup>4</sup> but the great treasures amassed by that prince enabled him to engage more numerous troops of them in his service; and the situation of his affairs rendered even such banditti the only forces

on whose fidelity he could repose any confidence. His licentious barons, disgusted with a vigilant government, were more desirous of being ruled by young princes, ignorant of public affairs, remiss in their conduct, and profuse in their grants;<sup>5</sup> and as the king had insured to his sons the succession to every particular province of his dominions, the nobles dreaded no danger in adhering to those who, they knew, must some time become their sovereigns. Prompted by these motives, many of the Norman nobility had deserted to his son Henry; the Breton and Gascon barons seemed equally disposed to embrace the quarrel of Geoffrey and Richard. Disaffection had crept in among the English; and the Earls of Leicester and Chester in particular had openly declared against the king. Twenty thousand Brabançons, therefore, joined to some troops which he brought over from Ireland, and a few barons of approved fidelity, formed the sole force with which he intended to resist his enemies.

Lewis, in order to bind the confederates in a closer union, summoned at Paris an assembly of the chief vassals of the crown, received their approbation of his measures, and engaged them by oath to adhere to the cause of young Henry. This prince, in return, bound himself by a like tie never to desert his French allies; and having made a new great seal, he lavishly distributed among them many considerable parts of those territories which he purposed to conquer from his father. The Counts of Flanders, Boulogne, Blois, and Eu, partly moved by the general jealousy arising from Henry's power and ambition, partly allured by the prospect of reaping advantage from the inconsiderate temper and the necessities of the young prince, declared openly in favour of the latter. William, King of Scotland, had also entered into this great confederacy; and a plan was concerted for a general invasion on different parts of the king's extensive and factious dominions.

Hostilities were first commenced by the Counts of Flanders and Boulogne, on the frontiers of Normandy. Those princes laid siege to Aumale, which was delivered into their hands by the treachery of the count of that name: this nobleman surrendered himself prisoner; and on pretence of thereby paying his ransom, opened the gates of all his other fortresses. The two counts next besieged and made themselves masters of Drincourt; but the Count of Boulogne was here mortally wounded in the assault; and this incident put some stop to the progress of the Flemish arms.

In another quarter, the King of France, Wars and insurrections. being strongly assisted by his vassals, assembled a great army of seven thousand knights and their followers on horseback, and a proportionable number of infantry: carrying young Henry along with him, he laid siege to Verneuil, which was vigorously defended by Hugh de Lacy and Hugh de Beauchamp, the governor. After he had lain a month before the place, the garrison, being straitened for provisions, were obliged to capitulate; and they engaged, if not relieved within three days, to surrender the town, and to retire into the citadel. On the last of these days, Henry appeared with his army upon the heights above Verneuil. Lewis, dreading an attack, sent the Archbishop of Sens and the Count of Blois to the English camp, and desired that next day should be appointed for a conference, in order to establish a general peace, and terminate the difference between Henry and his sons. The king, who passionately desired this accommodation and suspected no fraud, gave his consent; but Lewis, that morning, obliging the garrison to surrender, according to the capitulation, set fire to the place, and began to retire with his army. Henry, provoked at this artifice, attacked the rear with vigour, put them to rout, did some execution, and took several prisoners. The French army, as their time of service was now expired, immediately dispersed themselves into their several provinces; and left Henry free to prosecute his advantages against his other enemies.

The nobles of Brittany, instigated by the Earl of Chester and Ralph de Fougères, were all in arms; but their

<sup>1</sup> Epist. Petri Bles. epist. 136 in Biblioth. Patr. tom. xxv. p. 101P. His words are, *Ecce periculis et tremoribus, et quatuor ne tremantibus pueris, illigentibus, et his duntaxat obnoxio tenentur.* The

same strange phrase is in Rymer vol. i. p. 35. and Trivet, vol. i. p. 102. <sup>2</sup> Neubrig, p. 413. <sup>3</sup> Chron. Gerv. p. 1161. <sup>4</sup> Petr. Bles. epist. 47. <sup>5</sup> Duglos, p. 350.



progress was checked by a body of Brabançons, which the king, after Lewis's retreat, had sent against them. The two armies came to an action near Dol; where the rebels were defeated, fifteen hundred killed on the spot, and the leaders, the Earls of Chester and Fougères, obliged to take shelter in the town of Dol. Henry hastened to form the siege of that place, and carried on the attack with such ardour, that he obliged the governor and garrison to surrender themselves prisoners. By these vigorous measures and happy successes, the insurrections were entirely quelled in Brittany; and the king, thus fortunate in all quarters, willingly agreed to a conference with Lewis, in hopes that his enemies, finding all their mighty efforts entirely frustrated, would terminate hostilities on some moderate and reasonable conditions.

The two monarchs met between Trie and Gisors; and Henry had here the mortification to see his three sons in the retinue of his mortal enemy. As Lewis had no other pretence for war, than supporting the claims of the young princes, the king made them such offers as children might be ashamed to insist on, and could be extorted from him by nothing but his paternal affection, or by the present necessity of his affairs.<sup>c</sup> He insisted only on retaining the sovereign authority in all his dominions; but offered young Henry half the revenues of England, with some places of surety in that kingdom; or, if he rather chose to reside in Normandy, half the revenues of that duchy, with all those of Anjou. He made a like offer to Richard in Guienne: he promised to resign Brittany to Geoffrey; and if these concessions were not deemed sufficient, he agreed to add to them whatever the Pope's legates, who were present, should require of him.<sup>d</sup> The Earl of Leicester was also present at the negotiation; and either from the impetuosity of his temper, or from a view of abruptly breaking off a conference which must cover the allies with confusion, he gave vent to the most violent reproaches against Henry, and he even put his hand to his sword, as if he meant to attempt some violence against him. This furious action threw the whole company into confusion, and put an end to the treaty.<sup>e</sup>

The chief hopes of Henry's enemies seemed now to depend on the state of affairs in England, where his authority was exposed to the most imminent danger. One article of Prince Henry's agreement with his foreign confederates was, that he should resign Kent, with Dover, and all its other fortresses, into the hands of the Earl of Flanders: <sup>f</sup> yet so little national or public spirit prevailed among the independent English nobility, so wholly bent were they on the aggrandizement each of himself and his own family, that notwithstanding this pernicious concession, which must have produced the ruin of the kingdom, the greater part of them had conspired to make an insurrection, and to support the prince's pretensions. The king's principal resource lay in the church and the bishops, with whom he was now in perfect agreement; whether that the decency of their character made them ashamed of supporting so unnatural a rebellion, or that they were entirely satisfied with Henry's atonement for the murder of Becket, and for his former invasion of ecclesiastical immunities. That prince, however, had resigned none of the essential rights of his crown in the accommodation; he maintained still the same prudent jealousy of the court of Rome; admitted no legate into England, without his swearing to attempt nothing against the royal prerogatives; and he had even obliged the monks of Canterbury, who pretended to a free election on the vacancy made by the death of Becket, to choose Roger, prior of Dover, in the place of that turbulent prelate.<sup>g</sup>

War with Scot-land. The King of Scotland made an irruption into Northumberland, and committed great devastations; but being opposed by Richard de Lucy, whom Henry had left guardian of the realm, he retreated into his own country, and agreed to a cessation of arms. This truce enabled the guardian to march southward with his army, in order to oppose an invasion, which the Earl of Leicester, at the head of a great body of Flemings, had made upon Suffolk. The Flemings had been joined by Hugh Bigod, who made them masters of his castle of

Framlingham; and marching into the heart of the kingdom, where they hoped to be supported by Leicester's vassals, they were met by Lucy, who, assisted by Humphrey Bohun, the Constable, and the Earls of Arundel, Gloucester, and Cornwall, had advanced to Farnham, with a less numerous but a braver army to oppose them. The Flemings, who were mostly weavers and artificers, (for manufactures were now beginning to be established in Flanders,) were broken in an instant, ten thousand of them were put to the sword, the Earl of Leicester was taken prisoner, and the remains of the invaders were glad to compound for a safe retreat into their own country.

This great defeat did not dishearten the malcontents; who, being supported by the alliance of so many foreign princes, and encouraged by the king's own sons, determined to persevere in their enterprise. The Earl of Ferrars, Roger de Mowbray, Archetel de Mallory, Richard de Morreville, Hamo de Mascie, together with many friends of the Earls of Leicester and Chester, rose in arms: the fidelity of the Earls of Clare and Gloucester was suspected; and the guardian, though vigorously supported by Geoffrey, Bishop of Lincoln, the king's natural son by the fair Rosamond, found it difficult to defend himself on all quarters, from so many open and concealed enemies. The more to augment the confusion, the King of Scotland, on the expiration of the truce, broke into the northern provinces with a great army <sup>h</sup> of 80,000 men; which, though undisciplined and disorderly, and better fitted for committing devastation, than for executing any military enterprise, was become dangerous from the present factious and turbulent spirit of the kingdom. Henry, who had baffled all his enemies in France, and had put his frontiers in a posture of defence, now found England the seat of danger; and he determined by his presence to overawe the malcontents, or by his conduct and courage to subdue them. He landed at Southampton; and knowing the influence of <sup>8th July.</sup> <sup>Penance of</sup> superstition over the minds of the people, <sup>Henry for</sup> he hastened to Canterbury, in order to make <sup>Becket's murder.</sup> atonement to the ashes of Thomas à Becket, and tender his submissions to a dead enemy. As soon as he came within sight of the church of Canterbury, he dismounted, walked barefoot towards it, prostrated himself before the shrine of the saint, remained in fasting and prayer during a whole day, and watched all night the holy reliques. Not content with this hypocritical devotion towards a man, whose violence and ingratitude had so long disquieted his government, and had been the object of his most inveterate animosity, he submitted to a penance still more singular and humiliating. He assembled a chapter of the monks, disrobed himself before them, put a scourge of discipline into the hands of each, and presented his bare shoulders to the lashes which these ecclesiastics successively inflicted upon him. Next day he received absolution; and departing for London, got soon after the agreeable intelligence of a great victory which his generals had obtained over the Scots, and which being gained, as was reported, on the very day of his absolution, was regarded as the earnest of his final reconciliation with Heaven and with Thomas à Becket.

William King of Scots, though repulsed before the castle of Prudhow, and other fortified places, had committed the most horrible depredations upon the northern provinces: but on the approach of Ralph de Glanville, the famous justiciary, seconded by Bernard de Baliol, Robert de Stuteville, Odonel de Umfreville, William de Vesci, and other northern barons, together with the gallant Bishop of Lincoln, he thought proper to retreat nearer his own country, and he fixed his camp at Alnwick. He had here weakened his army extremely, by sending out numerous detachments in order to extend his ravages; and he lay absolutely safe, as he imagined, from any attack of the enemy. But Glanville, informed of his situation, made a hasty and fatiguing march to Newcastle; and, allowing his soldiers only a small interval for refreshment, he immediately set out towards evening for Alnwick. He marched that night above thirty miles; arrived in the morning, under <sup>13th July.</sup>

<sup>c</sup> Hoeveden, p. 540.  
<sup>e</sup> Hoeveden, p. 530.

<sup>d</sup> Ibid. p. 536. Brompton, p. 1328.

<sup>f</sup> Hoeveden, p. 533. Brompton, p. 1064. Neubr. p. 500.  
<sup>g</sup> Hoeveden, p. 537.

<sup>h</sup> Fleming, p. 501.

cover of a mist, near the Scottish camp; and, regardless of the great numbers of the enemy, he began the attack with his small but determined body of cavalry. William was living in such supine security, that he took the English, at first, for a body of his own ravagers, who were returning to the camp: but the sight of their banners convincing him of his mistake, he entered on the action with no greater body than a hundred horse, in confidence that the numerous army which surrounded him would soon hasten to its relief. He was dismounted

William King of Scotland defeated and taken prisoner.

on the first shock, and taken prisoner; while his troops, hearing of this disaster, fled on all sides with the utmost precipitation. The dispersed ravagers made the best of their way to their own country; and discord arising among them, they proceeded even to mutual hostilities, and suffered more from each other's sword than from that of the enemy.

This great and important victory proved at last decisive in favour of Henry, and entirely broke the spirit of the English rebels. The Bishop of Durham, who was preparing to revolt, made his submissions; Hugh Bigod, though he had received a strong reinforcement of Flemings, was obliged to surrender all his castles, and throw himself on the king's mercy; no better resource was left to the Earl of Ferrars and Roger de Mowbray; the inferior rebels imitating the example, all England was restored to tranquillity in a few weeks; and—as the king appeared to lie under the immediate protection of Heaven, it was deemed impious any longer to resist him. The clergy exalted anew the merits and powerful intercession of Becket; and Henry, instead of opposing this superstition, plumed himself on the new friendship of the saint, and propagated an opinion which was so favourable to his interests.<sup>1</sup>

Prince Henry, who was ready to embark at Gravelines, with the Earl of Flanders and a great army, hearing that his partisans in England were suppressed, abandoned all thoughts of the enterprise, and joined the camp of Lewis, who, during the absence of the king, had made an irruption into Normandy, and had laid siege to Roüen.<sup>2</sup> The place was defended with great vigour by the inhabitants;<sup>3</sup> and Lewis, despairing of success by open force, tried to gain the town by a stratagem, which, in that superstitious age, was deemed not very honourable. He proclaimed in his own camp a cessation of arms, on pretence of celebrating the festival of St. Laurence; and when the citizens, supposing themselves in safety, were so imprudent as to remit their guard, he purposed to take advantage of their security. Happily, some priests had, from mere curiosity, mounted a steeple, where the alarm-bell hung; and, observing the French camp in motion, they immediately rang the bell, and gave warning to the inhabitants, who ran to their several stations. The French, who, on hearing the alarm, hurried to the assault, had already mounted the walls in several places; but being repulsed by the enraged citizens, were obliged to retreat with considerable loss.<sup>4</sup> Next day, Henry, who had hastened to the defence of his Norman dominions, passed over the bridge in triumph; and entered Roüen in sight of the French army. The city was now in absolute safety; and the king, in order to brave the French monarch, commanded the gates, which had been walled up, to be opened; and he prepared to push his advantages against the enemy. Lewis saved himself from this perilous situation by a new piece of deceit, not so justifiable. He proposed a conference for adjusting the terms of a general peace, which he knew would be greedily embraced by Henry; and while the King of England trusted to the execution of his promise, he made a retreat with his army into France.

There was, however, a necessity on both sides for an accommodation. Henry could no longer bear to see his three sons in the hands of his enemy; and Lewis dreaded, lest this great monarch, victorious in all quarters, crowned

with glory, and absolute master of his dominions, might take revenge for the many dangers and disquietudes which the arms, and still more the intrigues, of France, had, in his disputes both with Becket and his sons, found means to raise him. After making a cessation of arms, a conference was agreed on near Tours; where Henry granted his sons much less advantageous terms than he had formerly offered, and he received their submissions. The most material of his concessions were <sup>The king's accommodation with his sons.</sup> some pensions which he stipulated to pay them, and some castles which he granted them for the place of their residence; together with an indemnity for all their adherents, who were restored to their estates and honours.<sup>5</sup>

Of all those who had embraced the cause of the young princes, William, King of Scotland was the only considerable loser by that invidious and unjust enterprise. Henry delivered from confinement, without exacting any ransom, about nine hundred knights whom he had taken prisoners; but it cost William the ancient independency of his crown as the price of his liberty. He stipulated to do homage to Henry for Scotland and all his other possessions; he engaged that all the barons and nobility of his kingdom should also do homage; that the bishops should take an oath of fealty; that both should swear to adhere to the King of England against their native prince, if the latter should break his engagements; and that the fortresses of Edinburgh, Stirling, Berwick, Roxborough, and Jedborough, should be delivered into Henry's hands, till the performance of articles.<sup>6</sup> This severe and humiliating treaty was executed in its full rigour. William, being released, brought up all his barons, prelates, and abbots; and they did homage to Henry in the cathedral of York, and acknowledged him and his successors for their superior lord.<sup>7</sup> The English monarch stretched still further the rigour of the conditions which he exacted. He engaged the king and states of Scotland to make a perpetual cession of the fortresses of Berwick and Roxborough, and to allow the castle of Edinburgh to remain in his hands for a limited time. This was the first great ascendancy which England obtained over Scotland; and indeed the first important transaction which had passed between the kingdoms. Few princes have been so fortunate as to gain considerable advantages over their weaker neighbours with less violence and injustice than was practised by Henry against the King of Scots, whom he had taken prisoner in battle, and who had wantonly engaged in a war, in which all the neighbours of that prince, and even his own family, were, without provocation, combined against him.<sup>8</sup>

Henry having thus, contrary to expectation, King's equitable situation in which his throne was exposed to great danger, was employed for several years in the administration of justice, in the execution of the laws, and in guarding against those inconveniences, which either the past convulsions of his state, or the political institutions of that age, unavoidably occasioned. The provisions which he made show such largeness of thought as qualified him for being a legislator; and they were commonly calculated as well for the future as the present happiness of his kingdom.

He enacted severe penalties against robbery, murder, false coining, arson; and A. D. 1176. ordained that these crimes should be punished by the amputation of the right hand and right foot.<sup>9</sup> The pecuniary commutation for crimes, which has a false appearance of lenity, had been gradually disused; and seems to have been entirely abolished by the rigour of these statutes. The superstitious trial by water ordeal, though condemned by the church,<sup>10</sup> still subsisted; but Henry ordained, that any man accused of murder, or any heinous felony, by the oath of the legal knights of the county, should,

<sup>1</sup> Hoveden, p. 539. <sup>2</sup> Brompton, p. 1096. <sup>3</sup> Diceto, p. 578. <sup>4</sup> Brompton, p. 1096. <sup>5</sup> Heming, p. 503. <sup>6</sup> Rymer, vol. i. p. 33. <sup>7</sup> Becket, Abb. p. 86. <sup>8</sup> Hoveden, p. 540. <sup>9</sup> Diceto, p. 584. <sup>10</sup> Brompton, p. 1098. <sup>11</sup> Heming, p. 505. <sup>12</sup> Chron. Dunst. p. 36. <sup>13</sup> M. Paris, p. 91. <sup>14</sup> Chron. Dunst. p. 36. <sup>15</sup> Hoveden, p. 545. <sup>16</sup> M. West. p. 251. <sup>17</sup> Becket, Abb. p. 84. <sup>18</sup> Brompton, p. 1104. <sup>19</sup> Rymer, vol. i. p. 33. <sup>20</sup> Liber Nige. Sacrorum, p. 36. <sup>21</sup> Becket, Abb. p. 113.

<sup>22</sup> Some Scotch historians pretend that William paid, besides, 100,000 pounds of ransom, which is quite incredible. The ransom of Richard I. who, besides England, possessed so many rich territories in France, was only 150,000 marks, and yet was levied with great difficulty. Indeed, two thirds of it only could be paid before his deliverance.

<sup>23</sup> Becket, Abb. p. 132. <sup>24</sup> Hoveden, p. 549.

<sup>25</sup> Seld. Synod. ad Eadon, p. 201.



even though acquitted by the ordeal, be obliged to abjure the realm.<sup>1</sup>

All advances towards reason and good sense are slow and gradual. Henry, though sensible of the great absurdity attending the trial by duel or battle, did not venture to abolish it: he only admitted either of the parties to challenge a trial by an assize or jury of twelve freeholders.<sup>2</sup> This latter method of trial seems to have been very ancient in England, and was fixed by the laws of King Alfred: but the barbarous and violent genius of the age had of late given more credit to the trial by battle, which had become the general method of deciding all important controversies. It was never abolished by law in England; and there is an instance of it so late as the reign of Elizabeth: but the institution revived by this king, being found more reasonable and more suitable to a civilized people, gradually prevailed over it.

The partition of England into four divisions, and the appointment of itinerant justices to go the circuit in each division, and to decide the causes in the counties, was another important ordinance of this prince, which had a direct tendency to curb the oppressive barons, and to protect the inferior gentry and common people in their property.<sup>3</sup> Those justices were either prelates or considerable noblemen; who, besides carrying the authority of the king's commission, were able, by the dignity of their own character, to give weight and credit to the laws.

That there might be fewer obstacles to the execution of justice, the king was vigilant in demolishing all the new-castled castles of the nobility, in England as well as in his foreign dominions: and he permitted no fortress to remain in the custody of those whom he found reason to suspect.<sup>4</sup>

But lest the kingdom should be weakened by this demolition of the fortresses, the king fixed an assize of arms, by which all his subjects were obliged to put themselves in a situation for defending themselves and the realm. Every man, possessed of a knight's fee, was ordained to have for each fee a coat of mail, a helmet, a shield, and a lance; every free layman, possessed of goods to the value of sixteen marks, was to be armed in like manner; every one that possessed ten marks was obliged to have an iron gorget, a cap of iron, and a lance; all burgesses were to have a cap of iron, a lance, and a wambais; that is, a coat quilted with wool, tow, or such like materials.<sup>5</sup> It appears that archery, for which the English were afterwards so renowned, had not, at this time, become very common among them. The spear was the chief weapon employed in battle.

The clergy and the laity were, during that age, in a strange situation with regard to each other, and such as may seem totally incompatible with a civilized, and indeed, with any species of government. If a clergyman were guilty of murder, he could be punished by degradation only: if he were murdered, the murderer was exposed to nothing but excommunication and ecclesiastical censures; and the crime was atoned for by penances and submission.<sup>6</sup> Hence the assassins of Thomas à Becket himself, though guilty of the most atrocious wickedness, and the most repugnant to the sentiments of that age, lived securely in their own houses, without being called to account by Henry himself, who was so much concerned, both in honour and interest, to punish that crime, and who professed, or affected on all occasions, the most extreme abhorrence of it. It was not till they found their presence shunned by every one as excommunicated persons, that they were induced to take a journey to Rome, to throw themselves at the feet of the pontiff, and to submit to the penances imposed upon them: after which they continued to possess, without molestation, their honours and fortunes, and seemed even to have recovered the countenance and good opinion of the public. But as the king, by the Constitutions of Clarendon, which he endeavoured still to maintain,<sup>7</sup> had subjected the clergy to a trial by the civil magistrate, it seemed but just to

give them the protection of that power to which they owed obedience: it was enacted, that the murderers of clergymen should be tried before the justiciary, in the presence of the bishop or his official; and besides the usual punishment for murder, should be subjected to a forfeiture of their estates; and a confiscation of their goods and chattels.<sup>8</sup>

The king passed an equitable law, that the goods of a vassal should not be seized for the debt of his lord, unless the vassal be surety for the debt; and that the rents of vassals should be paid to the creditors of the lord, not to the lord himself. It is remarkable that this law was enacted by the king in a council which he held at Verneuil, and which consisted of some prelates and barons of England, as well as some of Normandy, Poitou, Anjou, Maine, Touraine, and Brittany; and the statute took place in all these last-mentioned territories,<sup>9</sup> though totally unconnected with each other:<sup>10</sup> a certain proof how irregular the ancient feudal government was, and how near the sovereigns, in some instances, approached to despotism, though in others they seemed scarcely to possess any authority. If a prince, much dreaded and revered, like Henry, obtained but the appearance of general consent to an ordinance which was equitable and just, it became immediately an established law, and all his subjects acquiesced in it. If the prince was hated or despised; if the nobles who supported him had small influence; if the humours of the times disposed the people to question the justice of his ordinance; the fullest and most authentic assembly had no authority. Thus all was confusion and disorder; no regular idea of a constitution; force and violence decided every thing.

The success which had attended Henry in his wars did not much encourage his neighbours to form any attempt against him; and his transactions with them, during several years, contain little memorable. Scotland remained in that state of feudal subjection to which he had reduced it, and gave him no further inquietude. He sent over his fourth son, John, into Ireland, with a view of making a more complete conquest of the island; but the petulance and incapacity of this prince, by which he enraged the Irish chieftains, obliged the king soon after to recall him.<sup>11</sup> The King of France had fallen into an abject superstition; and was induced, by a devotion more sincere than that of Henry, to make a pilgrimage to the tomb of Becket, in order to obtain his intercession for the cure of Philip, his eldest son. He probably thought himself well entitled to the favour of that saint, on account of their ancient intimacy; and hoped that Becket, whom he had protected while on earth, would not now, when he was so highly exalted in heaven, forget his old friend and benefactor. The monks, sensible that their saint's honour was concerned in the case, failed not to publish that Lewis's prayers were answered, and that the young prince was restored to health by Becket's intercession. That king himself was soon after struck with an apoplexy, which deprived him of his understanding: Philip, though a youth of fifteen, took on him the administration, till his father's death, which happened soon after, opened his way to the throne; and he proved the ablest and greatest monarch that had governed that kingdom since the age of Charlemagne. The superior years, however,

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and experience of Henry, while they moderated his ambition, gave him such an ascendancy over this prince, that no dangerous rivalry, for a long time, arose between them. The English monarch, instead of taking advantage of his own situation, rather employed his good offices in composing the quarrels which arose in the royal family of France; and he was successful in mediating a reconciliation between Philip and his mother and uncles. These services were but ill requited by Philip, who, when he came to man's estate, fomented all the domestic discords in the royal family of England, and encouraged Henry's sons in their ungrateful and undutiful behaviour towards him.

Prince Henry, equally impatient of obtaining power, and

conquest of Ireland, to summon barons and members of that country to the English parliament. Matthew's Case of Ireland, p. 64, 65, 66.

<sup>10</sup> No man even doubts whether the law were not also extended to England. If it were not, it could only be, as Henry did not choose it, for his authority was greater in that kingdom than in his transmarine dominions.

<sup>11</sup> Henry, lib. p. 77, 88.

<sup>1</sup> Peter, lib. p. 132. <sup>2</sup> Glanv. lib. ii. cap. 7.

<sup>3</sup> Henry, lib. p. 200. <sup>4</sup> Benedict, Abbas, p. 262. Dugdale, p. 283.

<sup>5</sup> Henry, lib. p. 203. Annual, Waverl. p. 161.

<sup>6</sup> Peter Blesensis, epist. 73 apud Bed. Patr. tom. xxix. p. 652.

<sup>7</sup> Chron. Gervase, p. 143. <sup>8</sup> Dugdale, p. 372. Chron. Gervase, p. 155.

<sup>9</sup> Benedict, Abbas, p. 248. It was a law of the kings of England, after the



incapable of using it, renewed to the king the demand of his resigning Normandy; and on meeting with a refusal, he fled with his consort to the court of France; but not finding Philip at that time disposed to enter into war for his sake, he accepted of his father's offers of reconciliation, and made him submissions. It was a cruel circumstance in the king's fortune, that he could hope for no tranquillity from the criminal enterprises of his sons but by their mutual discord and animosities, which disturbed his family, and threw his state into convulsions. Richard, whom he had made master of Guienne, and who had displayed his valour and military genius, by suppressing the revolts of his mutinous barons, refused to obey Henry's orders, in doing homage to his elder brother for that duchy, and he defended himself against young Henry and Geoffrey, who, uniting their arms, carried war into his territories.<sup>1</sup> The king, with some difficulty, composed this difference; but immediately found his eldest son engaged in conspiracies, and ready to take arms against himself. While the young prince was

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conducting these criminal intrigues, he was seized with a fever at Martel, a castle near Turenne, to which he had retired in discontent; and seeing the approaches of death, he was at last struck with remorse for his undutiful behaviour towards his father. He sent a message to the king, who was not far distant; expressed his contrition for his faults; and entreated the favour of a visit, that he might at least die with the satisfaction of having obtained his forgiveness. Henry, who had so often experienced the prince's ingratitude and violence, apprehended that his sickness was entirely feigned, and he durst not intrust himself into his son's hands. But

June 11. when he soon after received intelligence of young Henry's death, and the proofs of his sincere repentance, this good prince was affected with the deepest sorrow; he thrice fainted away; he accused his own hard-heartedness in refusing the dying request of his son; and he lamented that he had deprived that prince of the last opportunity of making atonement for his offences, and of pouring out his soul in the bosom of his reconciled father.<sup>2</sup> This prince died in the twenty-eighth year of his age.

The behaviour of his surviving children did not tend to give the king any consolation for the loss. As Prince Henry had left no posterity, Richard was become heir to all his dominions; and the king intended that John, his third surviving son and favourite, should inherit Guienne as his appanage. But Richard refused his consent, fled into that duchy, and even made preparations for carrying on war, as well against his father as against his brother Geoffrey, who was now put into possession of Brittany. Henry sent for Eleanor his Queen, the heiress of Guienne, and required Richard to deliver up to her the dominion of these territories; which that prince, either dreading an insurrection of the Gascons in her favour, or retaining some sense of duty towards her, readily performed; and he peaceably returned to his father's court. No sooner was this quarrel accommodated, than Geoffrey, the most vicious perhaps of all Henry's unhappy family, broke out into violence; demanded Anjou to be annexed to his dominions

A. D. 1185.

of Brittany; and on meeting with a refusal, fled to the court of France, and levied forces against his father.<sup>3</sup> Henry was freed from this danger by his son's death, who was killed in a tournament at Paris.<sup>4</sup> The widow of Geoffrey, soon after his decease, was delivered of a son, who received the name of Arthur, and was invested in the duchy of Brittany, under the guardianship of his grandfather, who, as Duke of Normandy, was also superior lord of that territory. Philip, as lord paramount, disputed some time his title to this wardship; but was obliged to yield to the inclinations of the Bretons, who preferred the government of Henry.

Crusades.

But the rivalryship between these potent princes, and all their inferior interests, seemed now to have given place to the general passion for the relief of the Holy Land, and the expulsion of the Saracens. Those infidels, though obliged to yield to the immense inundation of Christians in the first Crusade, had recover-

ed courage after the torrent was past; and attacking on all quarters the settlements of the Europeans, had reduced these adventurers to great difficulties, and obliged them to apply again for succours from the West. A second Crusade, under the Emperor Conrad and Lewis VII. King of France, in which there perished above 200,000 men, brought them but a temporary relief; and those princes, after losing such immense armies, and seeing the flower of their nobility fall by their side, returned with little honour into Europe. But these repeated misfortunes, which drained the western world of its people and treasure, were not yet sufficient to cure men of their passion for those spiritual adventures; and a new incident rekindled with fresh fury the zeal of the ecclesiastics and military adventurers among the Latin Christians. Saladin, a prince of great generosity, bravery, and conduct, having fixed himself on the throne of Egypt, began to extend his conquests over the East; and finding the settlement of the Christians in Palestine an invincible obstacle to the progress of his arms, he bent the whole force of his policy and valour to subdue that small and barren, but important territory. Taking advantage of dissensions which prevailed among the champions of the cross, and having secretly gained the Count of Tripoli, who commanded their armies, he invaded the frontiers with a mighty power, and, aided by the treachery of that Count, gained over them at Tiberiade a complete victory, which utterly annihilated the force of the already languishing kingdom of Jerusalem. A. D. 1187.

The holy city itself fell into his hands, after a feeble resistance; the kingdom of Antioch was almost entirely subdued; and except some maritime towns, nothing considerable remained of those boasted conquests, which, near a century before, it had cost the efforts of all Europe to acquire.<sup>5</sup>

The western Christians were astonished on receiving this dismal intelligence. Pope Urban III. it is pretended, died of grief, and his successor, Gregory VIII. employed the whole time of this short pontificate in rousing to arms all the Christians who acknowledged his authority. The general cry was, that they were unworthy of enjoying any inheritance in heaven, who did not vindicate from the dominion of the infidels, the inheritance of God on earth, and deliver from slavery that country which had been consecrated by the footsteps of their Redeemer. A. D. 1188.

William, Archbishop of Tyre, having procured a conference between Henry and Philip near Gisors, enforced all these topics, gave a pathetic description of the miserable state of the eastern Christians, and employed every argument to excite the ruling passions of the age, superstition, and jealousy of military honour! The two monarchs immediately took the cross; many of their most considerable vassals imitated the example;<sup>6</sup> and as the Emperor Frederick I. entered into the same confederacy, some well-grounded hopes of success were entertained; and men flattered themselves that an enterprise which had failed under the conduct of many independent leaders, or of imprudent princes, might at last, by the efforts of such potent and able monarchs, be brought to a happy issue.

The kings of France and England imposed a tax amounting to the tenth of all movable goods, on such as remained at home;<sup>7</sup> but as they exempted from this burden most of the regular clergy, the secular aspired to the same immunity; pretended that their duty obliged them to assist the Crusade with their prayers alone; and it was with some difficulty they were constrained to desist from an opposition, which in them, who had been the chief promoters of those pious enterprises, appeared with the worst grace imaginable.<sup>8</sup> This backwardness of the clergy is perhaps a symptom, that the enthusiastic ardour which had at first seized the people for Crusades, was now by time and ill success considerably abated; and that the phrensy was chiefly supported by the military genius and love of glory in the monarchs.

But before this great machine could be put in motion, there were still many obstacles to surmount. Philip, jealous of Henry's power, entered into a private confederacy with young Richard; and, working on his am-

<sup>1</sup> Vpud. Neust. p. 351. <sup>2</sup> Pined. Abb. p. 82. <sup>3</sup> Diction. p. 617. <sup>4</sup> Pined. Abb. p. 203. <sup>5</sup> Hoveden. p. 41. <sup>6</sup> Error. c. 1. p. 91. <sup>7</sup> Hoveden. p. 422. <sup>8</sup> Pined. Abb. p. 451. <sup>9</sup> Chron. France. p. 1480.

<sup>1</sup> M. Paris. p. 100. <sup>2</sup> Besset. Abb. 371. <sup>3</sup> M. Nodding. p. 443. <sup>4</sup> Heming. p. 512. <sup>5</sup> M. Besset. Abb. p. 496. <sup>6</sup> Petri Plessen. c. 1. 112.

bitious and impatient temper, persuaded him, instead of supporting and aggrandizing that monarchy which he was one day to inherit, to seek present power and independence by disturbing and dismembering it. In

1182.  
Revolution of Prince Richard.  
order to give a pretence for hostilities between the two kings, Richard broke into the territories of Raymond, Count of Toulouse, who immediately carried complaints of this violence before the King of France as his superior lord. Philip remonstrated with Henry; but received for answer, that Richard had confessed to the Archbishop of Dublin, that his enterprise against Raymond had been undertaken by the approbation of Philip himself, and was conducted by his authority. The King of France, who might have been covered with shame and confusion by this detection, still prosecuted his design, and invaded the provinces of Berri and Auvergne, under colour of revenging the quarrel of the Count of Toulouse.<sup>p</sup> Henry retaliated by making inroads upon the frontiers of France, and burning Dreux. As this war, which destroyed all hopes of success in the projected Crusade, gave great scandal, the two kings held a conference at the accustomed place between Gisors and Trie, in order to find means of accommodating their differences: they separated on worse terms than before; and Philip, to show his disgust, ordered a great elm, under which the conferences had been usually held, to be cut down;<sup>q</sup> as if he had renounced all desire of accommodation, and was determined to carry the war to extremities against the King of England. But his own vassals refused to serve under him in so invidious a cause;<sup>r</sup> and he was obliged to come anew to a conference with Henry, and to offer terms of peace. These terms were such as entirely opened the eyes of the King of England, and fully convinced him of the perfidy of his son, and his secret alliance with Philip, of which he had before only entertained some suspicion. The King of France required that Richard should be crowned King of England in the lifetime of his father, should be invested in all his transmarine dominions, and should immediately espouse Alice, Philip's sister, to whom he had been formerly affianced, and who had already been conducted into England.<sup>s</sup> Henry had experienced such fatal effects, both from the crowning of his eldest son, and from that prince's alliance with the royal family of France, that he rejected these terms; and Richard, in consequence of his secret agreement with Philip, immediately revolted from him,<sup>t</sup> did homage to the King of France for all the dominions which Henry held of that crown, and received the investitures as if he had already been the lawful possessor. Several historians assert, that Henry himself had become enamoured of young Alice, and mention this as an additional reason for his refusing these conditions: but he had so many other just and equitable motives for his conduct, that it is superfluous to assign a cause, which the great prudence and advanced age of that monarch rendered somewhat improbable.

Cardinal Albano, the Pope's legate, displeased with these increasing obstacles to the Crusade, excommunicated Richard, as the chief spring of discord: but the sentence of excommunication, which, when it was properly prepared, and was zealously supported by the clergy, had often great influence in that age, proved entirely ineffectual in the present case. The chief barons of Poitou, Guienne, Normandy, and Anjou, being attached to the young prince, and finding that he had now received the investiture from their superior lord, declared for him, and made inroads into the territories of such as still adhered to the king. Henry, disquieted by the daily revolts of his mutinous subjects, and dreading still worse effects from their turbulent disposition, had again recourse to papal authority; and engaged the Cardinal Anagni, who had succeeded Albano in the legateship, to threaten Philip with laying an interdict on all his dominions. But Philip, who was a prince of great vigour and capacity, despised the menace, and told Anagni, that it belonged not to the Pope to interpose in the temporal disputes of princes, much less

in those between him and his rebellious vassal. He even proceeded so far as to reproach him with partiality, and with receiving bribes from the King of England;<sup>u</sup> while Richard, still more outrageous, offered to draw his sword against the legate, and was hindered, by the interposition alone of the company, from committing violence upon him.<sup>v</sup>

The King of England was now obliged to defend his dominions by arms, and to engage in a war with France, and with his eldest son, a prince of great valour, on such disadvantageous terms. Ferté-Barnard fell first into the hands of the enemy: Mans was next taken by assault; and Henry, who had thrown himself into that place, escaped with some difficulty:<sup>w</sup> Amboise, Chaumont, and Chateau de Loire, opened their gates on the appearance of Philip and Richard: Tours was menaced; and the king, who had retired to Saumur, and had daily instances of the cowardice or infidelity of his governors, expected the most dismal issue to all his enterprises. While he was in this state of despondency, the Duke of Burgundy, the Earl of Flanders, and the Archbishop of Rheims, interposed with their good offices; and the intelligence which he received of the taking of Tours, and which made him fully sensible of the desperate situation of his affairs, so subdued his spirit that he submitted to all the rigorous terms which were imposed upon him. He agreed that Richard should marry the princess Alice; that that prince should receive the homage and oath of fealty of all his subjects both in England and his transmarine dominions; that he himself should pay twenty thousand marks to the King of France as a compensation for the charges of the war; that his own barons should engage to make him observe this treaty by force, and in case of his violating it, should promise to join Philip and Richard against him; and that all his vassals who had entered into confederacy with Richard, should receive an indemnity for the offence.<sup>x</sup>

But the mortification which Henry, who had been accustomed to give the law in most treaties, received from these disadvantageous terms, was the least that he met with on this occasion. When he demanded a list of those barons, to whom he was bound to grant a pardon for their connexions with Richard, he was astonished to find at the head of them the name of his second son John;<sup>y</sup> who had always been his favourite, whose interests he had ever anxiously at heart, and who had even, on account of his ascendant over him, often excited the jealousy of Richard.<sup>z</sup> The unhappy father, already overladen with cares and sorrows, finding this last disappointment in his domestic tenderness, broke out into expressions of the utmost despair, cursed the day in which he received his miserable being, and bestowed on his ungrateful and undutiful children a malediction which he never could be prevailed on to retract.<sup>aa</sup> The more his heart was disposed to friendship and affection, the more he resented the barbarous return which his four sons had successively made to his parental care; and this finishing blow, by depriving him of every comfort in life, quite broke his spirit and threw him into a lingering fever, of which he ex-  
6th July,  
Death,

His natural son Geoffrey, who alone had behaved dutifully towards him, attended his corpse to the nunnery of Fontevault; where it lay in state in the abbey church. Next day Richard, who came to visit the dead body of his father, and who, notwithstanding his criminal conduct, was not wholly destitute of generosity, was struck with horror and remorse at the sight; and as the attendants observed, that, at that very instant, blood gushed from the mouth and nostrils of the corpse,<sup>bb</sup> he exclaimed, agreeably to a vulgar superstition, that he was his father's murderer; and he expressed a deep sense, though too late, of that undutiful behaviour which had brought his parent to an untimely grave.

Thus died, in the fifty-eighth year of his and character age, and thirty-fifth of his reign, the greatest of Henry. prince of his time, for wisdom, virtue, and abilities, and the most powerful in extent of dominion of all those that had ever filled the throne of England. His character, in

<sup>p</sup> Bened. Abb. p. 381.

<sup>q</sup> Ibid. p. 517, 532.

<sup>r</sup> Ibid. p. 319.

<sup>s</sup> Ibid. p. 511. Hoveden, p. 602.

<sup>t</sup> Froissart, p. 1119. Xeburze, p. 437.

<sup>u</sup> M. Paris, p. 104. Bened. Abb. p. 342. Hoveden, p. 652.

<sup>v</sup> M. Paris, p. 104.

<sup>x</sup> M. Paris, p. 705. Bened. Abb. p. 343. Hoveden, p. 633.

<sup>y</sup> M. Paris, p. 106. Bened. Abb. p. 345. Hoveden, p. 653.

<sup>z</sup> Hoveden, p. 654.

<sup>aa</sup> Hoveden, p. 654.

<sup>bb</sup> Bened. Abb. p. 517. Brompton, p. 1151.

private as well as in public life, is almost without a blemish; and he seems to have possessed every accomplishment, both of body and mind, which makes a man either estimable or amiable. He was of a middle stature, strong, and well proportioned; his countenance was lively and engaging; his conversation affable and entertaining; his elocution easy, persuasive, and ever at command.<sup>d</sup> He loved peace, but possessed both bravery and conduct in war; was provident without timidity; severe in the execution of justice without rigour; and temperate without austerity. He preserved health, and kept himself from corpulency, to which he was somewhat inclined, by an abstemious diet, and by frequent exercise, particularly hunting. When he could enjoy leisure, he recreated himself either in learned conversation or in reading; and he cultivated his natural talents by study, above any prince of his time. His affections, as well as his enmities, were warm and durable; and his long experience of the ingratitude and infidelity of men never destroyed the natural sensibility of his temper, which disposed him to friendship and society. His character has been transmitted to us by several writers who were his contemporaries;<sup>e</sup> and it extremely resembles, in its most remarkable features, that of his maternal grandfather Henry I.: excepting only, that ambition, which was a ruling passion in both, found not in the first Henry such unexceptionable means of exerting itself, and pushed that prince into measures, which were both criminal in themselves, and were the cause of further crimes, from which his grandson's conduct was happily exempted.

This prince, like most of his predecessors of the Norman line, except Stephen, passed more of his time on the continent than in this island: he was surrounded with the English gentry and nobility, when abroad; the French gentry and nobility attended him when he resided in England; both nations acted in the government as if they were the same people; and, on many occasions, the legislatures seem not to have been distinguished. As the king and all the English barons were of French extraction, the manners of that people acquired the ascendancy, and were regarded as the models of imitation. All foreign improvements, therefore, such as they were, in literature and politeness, in laws and arts, seem now to have been, in a good measure, transplanted into England; and that kingdom was become little inferior, in all the fashionable accomplishments, to any of its neighbours on the continent. The more homely but more sensible manners and principles of the Saxons were exchanged for the affectations of chivalry, and the subtleties of school philosophy: the feudal ideas of civil government, the Romish sentiments in religion, had taken entire possession of the people: by the former, the sense of submission towards princes was somewhat diminished in the barons; by the latter, the devoted attachment to papal authority was much augmented among the clergy. The Norman and other foreign families established in England, had now struck deep root; and being entirely incorporated with the people, whom at first they oppressed and despised, they no longer thought that they needed the protection of the crown for the enjoyment of their possessions, or considered their tenure as precarious. They aspired to the same liberty and independence which they saw enjoyed by their brethren on the continent, and desired to restrain those exorbitant prerogatives and arbitrary practices, which the necessities of war and the violence of conquest had at first obliged them to indulge in their monarch. That memory also of a more equal government under the Saxon princes, which remained with the English, diffused still further the spirit of liberty, and made the barons both desirous of more independence to themselves, and willing to indulge it to the people. And it was not long ere this secret revolution in the sentiments of men produced, first violent convulsions in the state, then an evident alteration in the maxims of government.

The history of all the preceding kings of England since

the Conquest, gives evident proofs of the disorders attending the feudal institutions; the licentiousness of the barons, their spirit of rebellion against the prince and laws, and of animosity against each other: the conduct of the barons in the transmarine dominions of those monarchs, afforded perhaps still more flagrant instances of these convulsions; and the history of France, during several ages, consists almost entirely of narrations of this nature. The cities, during the continuance of this violent government, could neither be very numerous nor populous; and there occur instances which seem to evince, that, though these are always the first seat of law and liberty, their police was in general loose and irregular, and exposed to the same disorders with those by which the country was generally infested. It was a custom in London for great numbers, to the amount of a hundred or more, the sons and relations of considerable citizens, to form themselves into a licentious confederacy, to break into rich houses and plunder them, to rob and murder the passengers, and to commit with impunity all sorts of disorder. By these crimes, it had become so dangerous to walk the streets by night, that the citizens durst no more venture abroad after sun-set than if they had been exposed to the incursions of a public enemy. The brother of the Earl of Ferrars had been murdered by some of those nocturnal rioters; and the death of so eminent a person, which was much more regarded than that of many thousands of an inferior station, so provoked the king, that he swore vengeance against the criminals, and became thenceforth more rigorous in the execution of the laws.<sup>f</sup>

There is another instance given by historians, which proves to what a height such riots had proceeded, and how open these criminals were in committing their robberies. A band of them had attacked the house of a rich citizen, with an intention of plundering it; had broken through a stone wall with hammers and wedges; and had already entered the house sword in hand; when the citizen, armed cap-à-pée, and supported by his faithful servants, appeared in the passage to oppose them: he cut off the right hand of the first robber that entered; and made such stout resistance, that his neighbours had leisure to assemble, and come to his relief. The man who lost his hand was taken; and was tempted by the promise of pardon to reveal his confederates; among whom was one John Senex, esteemed among the richest and best-born citizens in London. He was convicted by the ordeal; and though he offered five hundred marks for his life, the king refused the money, and ordered him to be hanged.<sup>g</sup> It appears from a statute of Edward I. that these disorders were not remedied even in that reign. It was then made penal to go out at night after the hour of the curfew, to carry a weapon, or to walk without a light or lantern.<sup>h</sup> It is said in the preamble to this law, that, both by night and by day, there were continual frays in the streets of London.

Henry's care in administering justice had gained him so great a reputation, that even foreign and distant princes made him arbiter, and submitted their differences to his judgment. Sanchez, King of Navarre, having some controversies with Alphonso, King of Castile, was contended, though Alphonso had married the daughter of Henry, to choose this prince for a referee; and they agreed, each of them to consign three castles into neutral hands, as a pledge of their not departing from his award. Henry made the cause be examined before his great council, and gave a sentence, which was submitted to by both parties. These two Spanish kings sent each a stout champion to the court of England, in order to defend his cause by arms, in case the way of duel had been chosen by Henry.<sup>i</sup>

Henry so far abolished the barbarous and absurd practice of confiscating ships which had been wrecked on the coast, that he ordained, if one man or animal were alive in the ship, that the vessel and goods should be restored to the owners.<sup>k</sup>

The reign of Henry was remarkable also for an innovation which was afterwards carried further by his successors,

<sup>d</sup> M. Paris, p. 107.  
<sup>e</sup> Petri Bles. epit. 46, 47. in Bibliotheca Patrum, vol. xxiv. p. 985, 986.  
<sup>f</sup> Girald. Camb. p. 783, &c.  
<sup>g</sup> Beued. Abb. p. 196.

<sup>h</sup> Observations on the ancient Statutes, p. 216.  
<sup>i</sup> Rymer, vol. iv. p. 43. Bened. Abb. p. 172. Diceto, p. 597. Biomp-ton, p. 1120.  
<sup>k</sup> Rymer, vol. i. p. 36.



and was attended with the most important consequences. This prince was disgusted with the species of military force which was established by the feudal institutions, and which, though it was extremely burdensome to the subject, yet rendered very little service to the sovereign. The barons, or military tenants, came late into the field; they were obliged to serve only forty days; they were unskilful and disorderly in all their operations; and they were apt to carry into the camp the same refractory and independent spirit, to which they were accustomed in their civil government. Henry, therefore, introduced the practice of making a commutation of their military service for money; and he levied scutages from his baronies and knights' fees, instead of requiring the personal attendance of his vassals. There is mention made, in the History of the Exchequer, of these scutages in his second, fifth, and eighteenth year;<sup>1</sup> and other writers give us an account of three more of them.<sup>2</sup> When the prince had thus obtained money, he made a contract with some of those adventurers in which Europe at that time abounded. They found him soldiers of the same character with themselves, who were bound to serve for a stipulated time: the armies were less numerous, but more useful, than when composed of all the military vassals of the crown: the feudal institutions began to relax: the kings became rapacious for money, on which all their power depended: the barons, seeing no end of exactions, sought to defend their property: and as the same causes had nearly the same effects in the different countries of Europe, the several crowns either lost or acquired authority, according to their different success in the contest.

This prince was also the first that levied a tax on the movables or personal estates of his subjects, nobles as well as commons. Their zeal for the holy wars made them submit to this innovation; and a precedent being once obtained, this taxation became, in following reigns, the usual method of supplying the necessities of the crown. The tax of Danegelt, so generally odious to the nation, was remitted in this reign.

It was a usual practice of the kings of England, to repeat the ceremony of their coronation thrice every year, on assembling the states at the three great festivals. Henry, after the first years of his reign, never renewed this ceremony, which was found to be very expensive and very useless. None of his successors revived it. It is considered as a great act of grace in this prince, that he mitigated the rigour of the forest laws, and punished any transgressions of them, not capitally, but by fines, imprisonments, and other more moderate penalties.

Since we are here collecting some detached incidents, which show the genius of the age, and which could not so well enter into the body of our history, it may not be improper to mention the quarrel between Roger, Archbishop of York, and Richard, Archbishop of Canterbury. We may judge of the violence of military men and laymen, when ecclesiastics could proceed to such extremities. Cardinal Hagueuzen being sent, in 1176, as legate into Britain, summoned an assembly of the clergy at London; and as both the archbishops pretended to sit on his right hand, this question of precedence begat a controversy between them. The monks and retainers of Archbishop Richard fell upon Roger, in the presence of the cardinal and of the synod, threw him to the ground, trampled him under foot, and so bruised him with blows, that he was taken up half dead, and his life was, with difficulty, saved from their violence. The Archbishop of Canterbury was obliged to pay a large sum of money to the legate, in order to suppress all complaints with regard to this enormity.<sup>3</sup>

We are told by Gyraldus Cambrensis, that the monks and prior of St. Swithun threw themselves one day prostrate on the ground and in the mire before Henry, complaining, with many tears and much doleful lamentation, that the Bishop of Winchester, who was also their abbot, had cut off three dishes from their table. How many has he left you? said the king. Ten only, replied the discon-

solate monks. I myself, exclaimed the king, never have more than three; and I enjoin your bishop to reduce you to the same number.<sup>4</sup>

This king left only two legitimate sons, Richard who succeeded him, and John who inherited no territory, though his father had often intended to leave him a part of his extensive dominions. He was thence commonly denominated *Lackland*. Henry left three legitimate daughters; Maud, born in 1156, and married to Henry, Duke of Saxony; Eleanor, born in 1162, and married to Alphonso, King of Castile; Joan, born in 1165, and married to William, King of Sicily.<sup>5</sup>

Henry is said by ancient historians to have been of a very amorous disposition. They mention two of his natural sons by Rosamond, daughter of Lord Clifford; namely, Richard Longespée, or Longsword, (so called from the sword he usually wore,) who was afterwards married to Ela, the daughter and heir of the Earl of Salisbury; and Geoffrey, first Bishop of Lincoln, then Archbishop of York. All the other circumstances of the story, commonly told of that lady, seem to be fabulous.

## CHAP. X.

### RICHARD I.

The king's preparations for the Crusade—Sets out on the Crusade—Transactions in Sicily—King's arrival in Palestine—State of Palestine—Disorders in England—The king's heroic actions in Palestine—His return from Palestine—Captivity in Germany—War with France—The king's delivery—Return to England—War with France—Death—and character of the king—Miscellaneous transactions of this reign.

THE compunction of Richard for his undutiful behaviour towards his father was durable, and influenced him in the choice of his ministers and servants after his accession. Those who had seconded and favoured his rebellion, instead of meeting with that trust and honour which they expected, were surprised to find that they lay under disgrace with the new king, and were on all occasions hated and despised by him. The faithful ministers of Henry, who had vigorously opposed all the enterprises of his sons, were received with open arms, and were continued in those offices which they had honourably discharged to their former master.<sup>6</sup> This prudent conduct might be the result of reflection; but in a prince, like Richard, so much guided by passion, and so little by policy, it was commonly ascribed to a principle still more virtuous and more honourable.

Richard, that he might make atonement to one parent for his breach of duty to the other, immediately sent orders for releasing the queen dowager from the confinement in which she had long been detained; and he intrusted her with the government of England till his arrival in that kingdom. His bounty to his brother John was rather profuse and imprudent. Besides bestowing on him the county of Mortagne, in Normandy, granting him a pension of four thousand marks a year, and marrying him to Avisa, the daughter of the Earl of Gloucester, by whom he inherited all the possessions of that opulent family, he increased his appanage, which the late king had destined him, by other extensive grants and concessions. He conferred on him the whole estate of William Peverell, which had escheated to the crown: he put him in possession of eight castles, with all the forests and honours annexed to them: he delivered over to him no less than six earldoms, Cornwall, Devon, Somerset, Nottingham, Dorset, Lancaster, and Derby. And endeavouring, by favours, to fix that vicious prince in his duty, he put it too much in his power, whenever he pleased, to depart from it.

The king, impelled more by the love of military glory than by superstition, acted, from the beginning of his reign, as if the sole purpose of his government had been the relief of the Holy Land, and the recovery of Jerusalem from the Sara-

<sup>1</sup> Madox, p. 477, 486, 487, 488.

<sup>2</sup> P. 489, 524, 536, 566, from the records.

<sup>3</sup> P. 489, 490, p. 487, 489. P. 489, p. 489, p. 489, p. 489, p. 489, p. 489.

<sup>4</sup> Nodding, p. 14.

<sup>5</sup> G. Camb. cap. 5. in Angliæ Sacra, vol. II.

<sup>6</sup> P. 489, p. 489.

<sup>7</sup> A. Hoveden, p. 685. Beauf. Abb. p. 547. M. Paris, p. 107.

The king's preparation for the Crusade.

cens. This zeal against infidels, being communicated to his subjects, broke out in London on the day of his coronation, and made them find a Crusade less dangerous, and attended with more immediate profit. The prejudices of the age had made the lending of money on interest pass by the invidious name of usury; yet the necessity of the practice had still continued it, and the greater part of that kind of dealing fell every where into the hands of the Jews; who, being already infamous on account of their religion, had no honour to lose, and were apt to exercise a profession, odious in itself, by every kind of rigour, and even sometimes by rapine and extortion. The industry and frugality of this people had put them in possession of all the ready money, which the idleness and profusion, common to the English with other European nations, enabled them to lend at exorbitant and unequal interest. The monkish writers represent it as a great stain on the wise and equitable government of Henry, that he had carefully protected this infidel race from all injuries and insults; but the zeal of Richard afforded the populace a pretence for venting their animosity against them. The king had issued an edict prohibiting their appearance at his coronation; but some of them, bringing him large presents from their nation, presumed, in confidence of that merit, to approach the hall in which he dined: being discovered, they were exposed to the insults of the bystanders; they took to flight; the people pursued them; the rumour was spread, that the king had issued orders to massacre all the Jews; a command so agreeable was executed in an instant on such as fell into the hands of the populace; those who had kept at home were exposed to equal danger; the people, moved by rapacity and zeal, broke into their houses, which they plundered, after having murdered the owners; where the Jews barricaded their doors, and defended themselves with vigour, the rabble set fire to the houses, and made way through the flames to exercise their pillage and violence; the usual licentiousness of London, which the sovereign power with difficulty restrained, broke out with fury, and continued these outrages; the houses of the richest citizens, though Christians, were next attacked and plundered; and weariness and satiety at last put an end to the disorder: yet, when the king empowered Glanville, the justiciary, to inquire into the authors of these crimes, the guilt was found to involve so many of the most considerable citizens, that it was deemed more prudent to drop the prosecution; and very few suffered the punishment due to this enormity. But the disorder stopped not at London. The inhabitants of the other cities of England, hearing of this slaughter of the Jews, imitated the example: in York, five hundred of that nation, who had retired into the castle for safety, and found themselves unable to defend the place, murdered their own wives and children, threw the dead bodies over the walls upon the populace, and then setting fire to the houses, perished in the flames. The gentry of the neighbourhood, who were all indebted to the Jews, ran to the cathedral, where their bonds were kept, and made a solemn bonfire of the papers before the altar. The compiler of the *Annals of Waverley*, in relating these events, blesses the Almighty for thus delivering over this impious race to destruction.<sup>b</sup>

The ancient situation of England, when the people possessed little riches and the public no credit, made it impossible for sovereigns to bear the expense of a steady or durable war, even on their frontiers; much less could they find regular means for the support of distant expeditions like those into Palestine, which were more the result of popular frenzy, than of sober reason or deliberate policy. Richard, therefore, knew that he must carry with him all the treasure necessary for his enterprise, and that both the remoteness of his own country and its poverty, made it unable to furnish him with those continued supplies, which the exigencies of so perilous a war must necessarily require. His father had left him a treasure of above a hundred thousand marks; and the king, negligent of every consideration but his present object, endeavoured

to augment this sum by all expedients, how pernicious soever to the public, or dangerous to royal authority. He put to sale the revenues and manors of the crown; the offices of greatest trust and power, even those of forester and sheriff, which anciently were so important, became venal; the dignity of chief justiciary, in whose hands was lodged the whole execution of the laws, was sold to Hugh de Puzas, Bishop of Durham, for a thousand marks; the same prelate bought the earldom of Northumberland for life;<sup>d</sup> many of the champions of the cross, who had repented of their vow, purchased the liberty of violating it; and Richard, who stood less in need of men than of money, dispensed, on these conditions, with their attendance. Elated with the hopes of fame, which, in that age, attended no wars but those against the infidels, he was blind to every other consideration; and when some of his wiser ministers objected to this dissipation of the revenue and power of the crown, he replied, that he would sell London itself, could he find a purchaser.<sup>e</sup> Nothing, indeed, could be a stronger proof how negligent he was of all future interests in comparison of the Crusade, than his selling, for so small a sum as 10,000 marks, the vassalage of Scotland, together with the fortresses of Roxburgh and Berwick, the greatest acquisition that had been made by his father during the course of his victorious reign; and his accepting the homage of William in the usual terms, merely for the territories which that prince held in England.<sup>f</sup> The English of all ranks and stations were oppressed by numerous exactions; menaces were employed, both against the innocent and the guilty, in order to extort money from them: and where a pretence was wanting against the rich, the king obliged them, by the fear of his displeasure, to lend sums which, he knew, it would never be in his power to repay.

But Richard, though he sacrificed every interest and consideration to the success of this pious enterprise, carried so little the appearance of sanctity in his conduct, that Fulk, curate of Neuilly, a zealous preacher of the Crusade, who, from that merit, had acquired the privilege of speaking the boldest truths, advised him to rid himself of his notorious vices, particularly his pride, avarice, and voluptuousness, which he called the king's three favourite daughters. *You counsel well*, replied Richard, *and I hereby dispose of the first to the Templars, of the second to the Benedictines, and of the third to my prelates.*

Richard, jealous of attempts which might be made on England during his absence, laid Prince John, as well as his natural brother, Geoffrey, Archbishop of York, under engagements, confirmed by their oaths, that neither of them should enter the kingdom till his return; though he thought proper, before his departure, to withdraw this prohibition. The administration was left in the hands of Hugh, Bishop of Durham, and of Longchamp, Bishop of Ely, whom he appointed justiciaries and guardians of the realm. The latter was a Frenchman, of mean birth, and of a violent character; who, by art and address, had insinuated himself into favour, whom Richard had created chancellor, and whom he had engaged the Pope also to invest with the legantine authority, that, by centring every kind of power in his person, he might the better insure the public tranquillity. All the military and turbulent spirits flocked about the person of the king, and were impatient to distinguish themselves against the infidels in Asia; whither his inclinations, his engagements, led him, and whither he was impelled by messages from the King of France, ready to embark in this enterprise.

The Emperor Frederic, a prince of great spirit and conduct, had already taken the road to Palestine, at the head of 150,000 men, collected from Germany and all the northern states. Having surmounted every obstacle thrown in his way by the artifices of the Greeks and the power of the infidels, he had penetrated to the borders of Syria; when, bathing in the cold river Cydnus, during the greatest heat of the summer season, he was seized with a mortal distemper, which put an end to his life and his rash enterprise.<sup>g</sup> His army, under the command of

<sup>b</sup> Gale's Collect. vol. iii. p. 165.

<sup>c</sup> The sheriff had anciently both the administration of justice and the management of the king's revenue committed to him in the county. See *Hale, of Sheriff's Accounts*.

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<sup>d</sup> M. Paris, p. 169.

<sup>e</sup> W. Heming, p. 519. Knyghton, p. 2402.

<sup>f</sup> Hoveden, p. 662. Rymer, vol. i. p. 64. M. West, p. 237.

<sup>g</sup> Bénédict. Abb. p. 556.

his son, Conrade, reached Palestine; but was so diminished by fatigue, famine, maladies, and the sword, that it scarcely amounted to eight thousand men; and was unable to make any progress against the great power, valour, and conduct of Saladin. These reiterated calamities attending the Crusades, had taught the Kings of France and England the necessity of trying another road to the Holy Land; and they determined to conduct their armies thither by sea, to carry provisions along with them, and, by means of their naval power, to maintain an open communication with their own states, and with the western parts of Europe. The place of rendezvous was appointed in the plains of Vezelay, on the borders of Burgundy:<sup>b</sup>

Philip and Richard, on their arrival there, found their combined army amount to 100,000 men;<sup>c</sup> a mighty force, animated with glory and religion, conducted by two warlike monarchs, provided with every thing which their several dominions could supply, and not to be overcome but by their own misconduct, or by the unsurmountable obstacles of nature.

The French prince and the English here reiterated their promises of cordial friendship, pledged their faith not to invade each other's dominions during the Crusade, mutually exchanged the oaths of all their barons and prelates to the same effect, and subjected themselves to the penalty of interdicts and excommunications, if they should ever violate this public and solemn engagement. They then separated; Philip took the road to Genoa, Richard that to Marseilles, with a view of meeting their fleets, which were severally appointed to rendezvous in these harbours.

They put to sea; and, nearly about the same time, were obliged, by stress of weather, to take shelter in Messina, where they were detained during the whole winter. This incident laid the foundation of animosities which proved fatal to their enterprise.

Richard and Philip were, by the situation and extent of their dominions, rivals in power; by their age and inclinations, competitors for glory; and these causes of emulation, which, had the princes been employed in the field against the common enemy, might have stimulated them to martial enterprises, soon excited, during the present leisure and repose, quarrels between monarchs of such a fiery character. Equally haughty, ambitious, inbred, and inflexible, they were irritated with the least appearance of injury, and were incapable, by mutual concessions, to efface those causes of complaint, which unavoidably arose between them. Richard, candid, sincere, undesigning, impolitic, violent, laid himself open, on every occasion, to the designs of his antagonist; who, provident, interested, intriguing, failed not to take all advantages against him: and thus, both the circumstances of their disposition in which they were similar, and those in which they differed, rendered it impossible for them to persevere in that harmony which was so necessary to the success of their undertaking.

The last King of Sicily and Naples was William II. who had married Joan, sister to Richard, and who, dying without issue, had bequeathed his dominions to his paternal aunt, Constantia, the only legitimate descendant surviving of Roger, the first sovereign of those states who had been honoured with the royal title. This princess had, in expectation of that rich inheritance, been married to Henry VI. the reigning emperor;<sup>k</sup> but Tancred, her natural brother, had fixed such an interest among the barons, that, taking advantage of Henry's absence, he had acquired possession of the throne, and maintained his claim, by force of arms, against all the efforts of the Germans.<sup>l</sup> The approach of the crusaders naturally gave him apprehensions for his unstable government; and he was uncertain whether he had most reason to dread the presence of the French or of the English monarch. Philip was engaged in strict alliance with the emperor his competitor; Richard was disgusted by his rigours towards the queen dowager, whom the Sicilian prince had confined in Palermo, because she had opposed with all her interest his succession to the crown.

Tancred, therefore, sensible of the present necessity, resolved to pay court to both these formidable princes; and he was not unsuccessful in his endeavours. He persuaded Philip that it was highly improper for him to interrupt his enterprise against the infidels, by any attempt against a Christian state: he restored Queen Joan to her liberty; and even found means to make an alliance with Richard, who stipulated by treaty to marry his nephew, Arthur, the young Duke of Brittany, to one of the daughters of Tancred.<sup>m</sup> But before these terms of friendship were settled, Richard, jealous both of Tancred and of the inhabitants of Messina, had taken up his quarters in the suburbs, and had possessed himself of a small fort, which commanded the harbour; and he kept himself extremely on his guard against their enterprises. The citizens took

Mutual insults and attacks passed between them and the English: Philip, who had quartered his troops in the town, endeavoured to accommodate the quarrel, and held a conference with Richard for that purpose. While the two kings, meeting in the open fields, were engaged in discourse on this subject, a body of those Sicilians seemed to be drawing towards them; and Richard pushed forwards, in order to inquire into the reason of this extraordinary movement.<sup>n</sup> The English, insolent from their power, and inflamed with former animosities, wanted but a pretence for attacking the Messinese: they soon chased them off the field, drove them into the town, and entered with them at the gates. The king employed his authority to restrain them from pillaging and massacring the defenceless inhabitants; but he gave orders, in token of his victory, that the standard of England should be erected on the walls. Philip, who considered that place as his quarters, exclaimed against the insult, and ordered some of his troops to pull down the standard: but Richard informed him by a messenger, that, though he himself would willingly remove that ground of offence, he would not permit it to be done by others; and if the French king attempted such an insult upon him, he should not succeed but by the utmost effusion of blood. Philip, content with this species of haughty submission, recalled his orders: the difference was seemingly accommodated; but still left the remains of rancour and jealousy in the breasts of the two monarchs.

Tancred, who, for his own security, desired to inflame their mutual hatred, employed an artifice which might have been attended with consequences still more fatal. He showed Richard a letter, signed by the French king, and delivered to him, as he pretended, by the Duke of Burgundy; in which that monarch desired Tancred to fall upon the quarters of the English, and promised to assist him in putting them to the sword, as common enemies. The unwary Richard gave credit to the information; but was too candid not to betray his discontent to Philip, who absolutely denied the letter, and charged the Sicilian prince with forgery and falsehood. Richard either was, or pretended to be, entirely satisfied.<sup>p</sup>

Let these jealousies and complaints should multiply between them, it was proposed, that they should, by a solemn treaty, obviate all future differences, and adjust every point that could possibly hereafter become a controversy between them. But this expedient started a new dispute, which might have proved more dangerous than any of the foregoing, and which deeply concerned the honour of Philip's family. When Richard, in every treaty with the late king, insisted so strenuously on being allowed to marry Alice of France, he had only sought a pretence for quarrelling; and never meant to take to his bed a princess suspected of a criminal amour with his own father. After he became master, he no longer spake of that alliance: he even took measures for espousing Berengaria, daughter of Sanchez, King of Navarre, with whom he had become enamoured during his abode in Guienne;<sup>q</sup> Queen Eleanor was daily expected with that princess at Messina:<sup>r</sup> and when Philip renewed to him his application for espousing his sister Alice, Richard

<sup>b</sup> Hoevelen, p. 660.

<sup>c</sup> Hoevelen, p. 668.

<sup>d</sup> Bened. Abb. p. 608.

<sup>i</sup> Vinsauf, p. 305.

<sup>j</sup> Ibid. p. 676.

<sup>k</sup> Bened. Abb. p. 615.

<sup>l</sup> Bened. Abb. p. 615.

<sup>m</sup> Ibid. p. 677.

<sup>n</sup> Hoevelen, p. 671.

<sup>p</sup> Ibid. p. 688. Bened. Abb. p. 642, 643. Brompton, p. 1195.

<sup>q</sup> Vinsauf, p. 310.

<sup>r</sup> M. Paris, p. 112. Trivet, p. 102. W. Heming, p. 519.



was obliged to give him an absolute refusal. It is pretended by Hoveden and other historians; that he was able to produce such convincing proofs of Alice's infidelity, and even of her having born a child to Henry, that her brother desisted from his applications, and chose to wrap up the dishonour of his family in silence and oblivion. It is certain, from the treaty itself, which remains, that whatever were his motives, he permitted Richard to give his hand to Berengaria; and having settled all other controversies with that prince, he immediately set sail for the Holy Land. Richard awaited some time the arrival of his mother and bride; and when they joined him, he separated his fleet into two squadrons, and set forward on his enterprise. Queen Eleanor returned to England, but Berengaria, and the queen dowager of Sicily, his sister, attended him on the expedition.<sup>a</sup>

The English fleet, on leaving the port of Messina, met with a furious tempest, and the squadron on which the

12th April. two princesses were embarked, was driven on the coast of Cyprus, and some of the vessels were wrecked near Limisso in that island. Isaac, Prince of Cyprus, who assumed the magnificent title of Emperor, pillaged the ships that were stranded, threw the seamen and passengers into prison, and even refused to the princesses liberty, in their dangerous situation, of entering the harbour of Limisso. But Richard, who arrived soon after, took ample vengeance on him for the injury. He disembarked his troops; defeated the tyrant, who opposed his landing; entered Limisso by storm; gained next day a second victory; obliged Isaac to surrender at discretion; and established governors over the island. The Greek prince, being thrown into prison and loaded with irons, complained of the little regard with which he was treated: upon which, Richard ordered silver fetters to be made for him; and this emperor, pleased with the distinction, expressed a sense of the generosity of his conqueror.<sup>w</sup> The

12th May. king here espoused Berengaria, who, immediately embarking, carried along with her to Palestine, the daughter of the Cypriot prince; a dangerous rival, who was believed to have seduced the affections of her husband. Such were the libertine character and conduct of the heroes engaged in this pious enterprise!

The king's arrival in Palestine. The English army arrived in time to par- take in the glory of the siege of Acre or Ptolemais, which had been attacked for above two years by the united force of all the christians in Palestine, and had been defended by the utmost efforts of Saladin and the Saracens. The remains of the German army, conducted by the Emperor Frederick, and the separate bodies of adventurers who continually poured in from the West, had enabled the King of Jerusalem to form this important enterprise:<sup>x</sup> but Saladin, having thrown a strong garrison into the place under the command of Caracoz, his own master in the art of war, and molesting the besiegers with continual attacks and sallies, had protracted the success of the enterprise, and wasted the force of his enemies. The arrival of Philip and Richard inspired new life into the Christians; and these princes, acting by concert, and sharing the honour and danger of every action, gave hopes of a final victory over the infidels. They agreed on this plan of operations: when the French monarch attacked the town, the English guarded the trenches: next day, when the English prince conducted the assault, the French succeeded him in providing for the safety of the assailants. The emulation between those rival kings and rival nations produced extraordinary acts of valour: Richard in particular, animated with a more precipitate courage than Philip, and more agreeable to the romantic spirit of that age, drew to himself the general attention, and acquired a great and splendid reputation. But this harmony was of short duration; and occasions of discord soon arose between these jealous and haughty princes.

State of Palestine. The family of Bouillon, which had first been placed on the throne of Jerusalem, end-

ing in a female, Fulk, Count of Anjou, grandfather to Henry II. of England, married the heiress of that kingdom, and transmuted his title to the younger branches of his family. The Anjevin race ending also in a female, Guy de Lusignan, by espousing Sibylla, the heiress, had succeeded to the title; and though he lost his kingdom by the invasion of Saladin, he was still acknowledged by all the Christians for King of Jerusalem.<sup>y</sup> But as Sibylla died without issue, during the siege of Acre, Isabella, her younger sister, put in her claim to that titular kingdom, and required Lusignan to resign his pretensions to her husband, Conrad, Marquis of Montferrat. Lusignan, maintaining that the royal title was unalienable and indefeasible, had recourse to the protection of Richard, attended on him before he left Cyprus, and engaged him to embrace his cause.<sup>z</sup> There needed no other reason for throwing Philip into the party of Conrad; and the opposite views of these great monarchs brought faction and dissension into the Christian army, and retarded all its operations. The Templars, the Genoese, and the Germans, declared for Philip and Conrad; the Flemings, the Pisans, the Knights of the Hospital of St. John, adhered to Richard and Lusignan. But notwithstanding these disputes, as the length of the siege had reduced the Saracen garrison to the last extremity, they surren- 14th July, ded themselves prisoners; stipulated, in re- turn for their lives, other advantages to the Christians, such as the restoring of the Christian prisoners, and the delivery of the wood of the true cross;<sup>a</sup> and this great enterprise, which had long engaged the attention of all Europe and Asia, was at last, after the loss of 300,000 men, brought to a happy period.

But Philip, instead of pursuing the hopes of further conquest, and of redeeming the holy city from slavery, being disgusted with the ascendant assumed and acquired by Richard, and having views of many advantages, which he might reap by his presence in Europe, declared his resolution of returning to France; and he pleaded his bad state of health as an excuse for his desertion of the common cause. He left, however, to Richard ten thousand of his troops, under the command of the Duke of Burgundy; and he renewed his oath never to commence hostilities against that prince's dominions during his absence. But he had no sooner reached Italy than he applied, it is pretended, to Pope Celestine III. for a dispensation from his vow; and when denied that request, he still proceeded, though after a covert manner, in a project, which the present situation of England rendered inviting, and which gratified, in an eminent degree, both his resentment and his ambition.

Immediately after Richard had left Eng- Disorders in land, and begun his march to the Holy Land, England. the two prelates, whom he had appointed guardians of the realm, broke out into animosities against each other, and threw the kingdom into combustion. Longchamp, presumptuous in his nature, elated by the favour which he enjoyed with his master, and armed with the legantine commission, could not submit to an equality with the Bishop of Durham: he even went so far as to arrest his colleague, and to extort from him a resignation of the earldom of Northumberland, and of his other dignities, as the price of his liberty.<sup>b</sup> The king, informed of these dissensions, ordered, by letters from Marseilles, that the bishop should be reinstated in his offices; but Longchamp had still the boldness to refuse compliance, on pretence that he himself was better acquainted with the king's secret intentions.<sup>c</sup> He proceeded to govern the kingdom by his sole authority; to treat all the nobility with arrogance; and to display his power and riches with an invidious ostentation. He never travelled without a strong guard of fifteen hundred foreign soldiers, collected from that licentious tribe with which the age was generally infested: nobles and knights were proud of being admitted into his train: his retinue wore the aspect of royal magnificence: and when, in his progress through the kingdom,

<sup>s</sup> Hoveden, p. 608. <sup>t</sup> Rymer, vol. i. p. 69. Chron. de Dunst. p. 44. u. <sup>u</sup> *ibid.* Abb. p. 614. w. <sup>w</sup> *ibid.* p. 650. Ann. Waverl. p. 164. Vinisaufr. p. 328. W. Heming. p. 523. x. <sup>x</sup> Vinisaufr. p. 269, 271, 279. y. <sup>y</sup> *ibid.* p. 281. z. <sup>z</sup> *ibid.* p. 101. Vinisaufr. p. 342. W. Heming. p. 524. H 2

<sup>a</sup> This true cross was lost in the battle of Tiberiade, to which it had been carried by the crusaders for their protection. Riccord, an author of that age, says, that after this dismal event, all the churches who were burnt throughout all Christendom, had only twenty or twenty-two teeth instead of thirty or thirty-two, which was their former complement, p. 11. b. <sup>b</sup> Hoveden, p. 665. Knyghton, p. 2403. c. <sup>c</sup> W. Heming, p. 526.

he lodged in any monastery, his attendants, it is said, were sufficient to devour, in one night, the revenue of several years.<sup>d</sup> The king, who was detained in Europe longer than the haughty prelate expected, hearing of this ostentation, which exceeded even what the habits of that age indulged in ecclesiastics; being also informed of the insolent, tyrannical conduct of his minister; thought proper to restrain his power: he sent new orders, appointing Walter Archbishop of Rouen, William Marshal Earl of Strigul, Geoffrey Fitz-Peter, William Briwere, and Hugh Bardolf, counsellors to Longchamp, and commanding him to take no measure of importance without their concurrence and approbation. But such general terror had this man impressed by his violent conduct, that even the Archbishop of Rouen and the Earl of Strigul durst not produce this mandate of the king's; and Longchamp still maintained an uncontrolled authority over the nation. But when he proceeded so far as to throw into prison Geoffrey, Archbishop of York, who had opposed his measures, this breach of ecclesiastical privileges excited such a universal ferment, that Prince John, disgusted with the small share he possessed in the government, and personally disobliged by Longchamp, ventured to summon, at Reading, a general council of the nobility and prelates, and cite him to appear before them. Longchamp thought it dangerous to intrust his person in their hands, and he shut himself up in the Tower of London; but being soon obliged to surrender that fortress, he fled beyond sea, concealed under a female habit, and was deprived of his offices of chancellor and chief justiciary; the last of which was conferred on the Archbishop of Rouen, a prelate of prudence and moderation. The commission of legate, however, which had been renewed to Longchamp by Pope Celestine, still gave him, notwithstanding his absence, great authority in the kingdom, enabled him to disturb the government, and forwarded the views of Philip, who watched every opportunity of annoying Richard's dominions. That monarch first attempted to

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carry open war into Normandy; but as the French nobility refused to follow him in an invasion of a state which they had sworn to protect, and as the Pope, who was the general guardian of all princes that had taken the cross, threatened him with ecclesiastical censures, he desisted from his enterprise, and employed against England the expedient of secret policy and intrigue. He debauched Prince John from his allegiance; promised him his sister Alice in marriage; offered to give him possession of all Richard's transmarine dominions; and had not the authority of Queen Eleanor, and the menaces of the English council, prevailed over the inclinations of that turbulent prince, he was ready to have crossed the seas, and to have put in execution his criminal enterprises.

The jealousy of Philip was every moment excited by the glory which the great actions of Richard were gaining him in the East, and which, being compared to his own desertion of that popular cause, threw a double lustre on his rival. His envy, therefore, prompted him to obscure that fame which he had not equalled; and he embraced every pretence of throwing the most violent and most improbable calumnies on the King of England. There was a petty prince in Asia, commonly called *The Old Man of the Mountain*, who had acquired such an ascendancy over his fanatical subjects, that they paid the most implicit deference to his commands; esteemed assassination meritorious, when sanctified by his mandate; courted danger, and even certain death, in the execution of his orders; and fancied, that when they sacrificed their lives for his sake, the highest joys of paradise were the infallible reward of their devoted obedience.<sup>e</sup> It was the custom of this prince, when he imagined himself injured, to despatch secretly some of his subjects against the aggressor, to charge them with the execution of his revenge, to instruct them in every art of disguising their purpose; and no precaution was sufficient to guard any man, however powerful, against the attempts of these subtle and determined ruffians. The greatest

monarchs stood in awe of this Prince of the Assassins, (for that was the name of his people; whence the word has passed into most European languages,) and it was the highest indiscretion in Conrad, Marquis of Montferrat, to offend and affront him. The inhabitants of Tyre, who were governed by that nobleman, had put to death some of this dangerous people: the prince demanded satisfaction; for, as he piqued himself on never beginning any offence,<sup>f</sup> he had his regular and established formalities in requiring atonement: Conrad treated his messengers with disdain: the prince issued the fatal orders: two of his subjects, who had insinuated themselves in disguise among Conrad's guards, openly, in the streets of Sidon, wounded him mortally; and when they were seized and put to the most cruel tortures, they triumphed amidst their agonies, and rejoiced that they had been destined by Heaven to suffer in so just and meritorious a cause.

Every one in Palestine knew from what hand the blow came. Richard was entirely free from suspicion. Though that monarch had formerly maintained the cause of Lusignan against Conrad, he had become sensible of the bad effects attending those dissensions, and had voluntarily conferred on the former the kingdom of Cyprus, on condition that he should resign to his rival all pretensions to the crown of Jerusalem.<sup>g</sup> Conrad himself, with his dying breath, had recommended his widow to the protection of Richard:<sup>h</sup> the Prince of the Assassins avowed the action in a formal narrative which he sent to Europe;<sup>i</sup> yet, on this foundation, the King of France thought fit to build the most egregious calumnies, and to impute to Richard the murder of the Marquis of Montferrat, whose elevation he had once openly opposed. He filled all Europe with exclamations against the crime; appointed a guard for his own person, in order to defend himself against a like attempt;<sup>k</sup> and endeavoured, by these shallow artifices, to cover the infamy of attacking the dominions of a prince, whom he himself had deserted, and who was engaged with so much glory in a war, universally acknowledged to be the common cause of Christendom.

But Richard's heroic actions in Palestine were the best apology for his conduct. The Christian adventurers under his command determined, on opening the campaign, to attempt the siege of Ascalon, in order to prepare the way for that of Jerusalem; and they marched along the sea-coast with that intention. Saladin purposed to intercept their passage; and he placed himself on the road with an army, amounting to 300,000 combatants. On this occasion was fought one of the greatest battles of that age; and the most celebrated, for the military genius of the commanders, for the number and valour of the troops, and for the great variety of events which attended it. Both the right wing of the Christians, commanded by d'Avesnes, and the left, conducted by the Duke of Burgundy, were, in the beginning of the day, broken and defeated; when Richard, who led on the main body, restored the battle; attacked the enemy with intrepidity and presence of mind; performed the part both of a consummate general and gallant soldier; and not only gave his two wings leisure to recover from their confusion, but obtained a complete victory over the Saracens, of whom forty thousand are said to have perished in the field.<sup>l</sup> Ascalon soon after fell into the hands of the Christians: other sieges were carried on with equal success: Richard was even able to advance within sight of Jerusalem, the object of his enterprise; when he had the mortification to find, that he must abandon all hopes of immediate success, and must put a stop to his career of victory. The Crusaders, animated with an enthusiastic ardour for the holy wars, broke at first through all regards to safety or interest in the prosecution of their purpose; and trusting to the immediate assistance of Heaven, set nothing before their eyes but fame and victory in this world, and a crown of glory in the next. But long absence from home, fatigue, disease, want, and the variety of incidents which naturally attend war, had gradually abated that fury, which nothing was able directly to withstand; and every one, except the

<sup>d</sup> Hoveden, p. 660. Bened. Abb. p. 626 700. Brompton, p. 1193.

<sup>e</sup> W. Heming, p. 532. Brompton, p. 1243.

<sup>f</sup> Rymer, vol. i. p. 71.

<sup>g</sup> Vinsauf, p. 321.

<sup>h</sup> Brompton, p. 1243.

<sup>i</sup> Rymer, vol. i. p. 71. Trivet, p. 124. W. Heming, p. 544. Diceto, p. 680.

<sup>k</sup> W. Heming, p. 532. Brompton, p. 1245.

<sup>l</sup> Hoveden, p. 698. Bened. Abb. p. 677. Diceto, p. 662. Brompton, p. 1244.

King of England, expressed a desire of speedily returning into Europe. The Germans and the Italians declared their resolution of desisting from the enterprise: the French were still more obstinate in this purpose: the Duke of Burgundy, in order to pay court to Philip, took all opportunities of mortifying and opposing Richard;<sup>m</sup> and there appeared an absolute necessity of abandoning for the present all hopes of further conquest, and of securing the acquisitions of the Christians by an accommodation with Saladin. Richard, therefore, concluded a truce with that monarch; and stipulated that Acre, Joppa, and other sea-port towns of Palestine, should remain in the hands of the Christians, and that every one of that religion should have liberty to perform his pilgrimage to Jerusalem unmolested. This truce was concluded for three years, three months, three weeks, three days, and three hours; a magical number, which had probably been devised by the Europeans, and which was suggested by a superstition well suited to the object of the war.

The liberty, in which Saladin indulged the Christians, to perform their pilgrimages to Jerusalem, was an easy sacrifice on his part; and the furious wars which he waged in defence of the barren territory of Judea were not with him, as with the European adventurers, the result of superstition, but of policy. The advantage indeed of science, moderation, humanity, was at that time entirely on the side of the Saracens; and this gallant emperor, in particular, displayed, during the course of the war, a spirit and generosity, which even his bigoted enemies were obliged to acknowledge and admire. Richard, equally martial and brave, carried with him more of the barbarian character; and was guilty of acts of ferocity, which threw a stain on his celebrated victories. When Saladin refused to ratify the capitulation of Acre, the King of England ordered all his prisoners, to the number of five thousand, to be butchered; and the Saracens found themselves obliged to retaliate upon the Christians by a like cruelty.<sup>n</sup> Saladin died at Damascus soon after concluding this truce with the princes of the Crusade: it is memorable, that, before he expired, he ordered his winding-sheet to be carried as a standard through every street of the city; while a crier went before, and proclaimed with a loud voice, *This is all that remains to the mighty Saladin, the conqueror of the East*. By his last will he ordered charities to be distributed to the poor, without distinction of Jew, Christian, or Mahometan.

<sup>The king's return from Palestine.</sup> There remained, after the truce, no business of importance to detain Richard in Palestine; and the intelligence which he received, concerning the intrigues of his brother John, and those of the King of France, made him sensible that his presence was necessary in Europe. As he dared not to pass through France, he sailed to the Adriatic; and being shipwrecked near Aquileia, he put on the disguise of a pilgrim, with a purpose of taking his journey secretly through Germany. Pursued by the Governor of Istria, he was forced out of the direct road to England, and was obliged to pass by Vienna; where his expenses and liberalities betrayed the monarch in the habit of the pilgrim; and he was arrested by orders of Leopold, Duke of Austria. This prince had served under Richard at the siege of Acre; but being disgusted by some insult of that haughty monarch, he was so ungenerous as to seize the present opportunity of gratifying at once his avarice and revenge; and he threw the king into prison.

<sup>20th December.</sup> A. D. 1193. The emperor, Henry VI., who also considered Richard as an enemy, on account of the alliance contracted by him with Tancred King of Sicily, despatched messengers to the Duke of Austria, required the royal captive to be delivered to him, and stipulated a large sum of money as a reward for this service. Thus, the

<sup>Captivity in Germany.</sup> King of England, who had filled the whole world with his renown, found himself, during the most critical state of his affairs, confined in a dungeon, and loaded with irons, in the heart of Germany,<sup>o</sup> and entirely at the mercy of his enemies, the basest and most sordid of mankind.

The English council was astonished on receiving this fatal intelligence; and foresaw all the dangerous consequences which might naturally arise from that event. The queen dowager wrote reiterated letters to Pope Celestine, exclaiming against the injury which her son had sustained; representing the impiety of detaining in prison the most illustrious prince that had yet carried the banners of Christ into the Holy Land; claiming the protection of the apostolic see, which was due even to the meanest of those adventurers; and upbraiding the Pope, that in a cause where justice, religion, and the dignity of the church were so much concerned, a cause which it might well befit his Holiness himself to support, by taking in person a journey to Germany, the spiritual thunders should so long be suspended over those sacrilegious offenders.<sup>p</sup> The zeal of Celestine corresponded not to the impatience of the queen-mother; and the regency of England were, for a long time, left to struggle alone with all their domestic and foreign enemies.

The King of France, quickly informed of Richard's confinement by a message from <sup>War with France.</sup> the emperor,<sup>q</sup> prepared himself to take advantage of the incident; and he employed every means of force and intrigue, of war and negotiation, against the dominions and the person of his unfortunate rival. He revived the calumny of Richard's assassinating the Marquis of Montferrat; and by that absurd pretence he induced his barons to violate their oaths, by which they had engaged, that, during the Crusade, they never would, on any account, attack the dominions of the King of England. He made the emperor the largest offers, if he would deliver into his hands the royal prisoner, or at least detain him in perpetual captivity: he even formed an alliance by marriage with the King of Denmark, desired that the ancient Danish claim to the crown of England should be transferred to him, and solicited a supply of shipping to maintain it. But the most successful of Philip's negotiations was with prince John, who, forgetting every tie to his brother, his sovereign, and his benefactor, thought of nothing but how to make his own advantage of the public calamities. That traitor, on the first invitation from the court of France, suddenly went abroad, had a conference with Philip, and made a treaty, of which the object was the perpetual ruin of his unhappy brother. He stipulated to deliver into Philip's hands a great part of Normandy;<sup>r</sup> he received, in return, the investiture of all Richard's transmarine dominions; and it is reported by several historians, that he even did homage to the French king for the crown of England.

In consequence of this treaty, Philip invaded Normandy; and by the treachery of John's emissaries, made himself master, without opposition, of many fortresses, Neuf-châtel, Neaufle, Gisors, Pacey, Ivree. He subdued the counties of Eu and Aumale; and advancing to form the siege of Rouen, he threatened to put all the inhabitants to the sword if they dared to make resistance. Happily, Robert Earl of Leicester appeared in that critical moment; a gallant nobleman, who had acquired great honour during the Crusade, and who, being more fortunate than his master in finding his passage homewards, took on him the command in Rouen, and exerted himself, by his exhortations and example, to infuse courage into the dismayed Normans. Philip was repulsed in every attack; the time of service from his vassals expired; and he consented to a truce with the English regency, received in return the promise of 20,000 marks, and had four castles put into his hands, as a security for the payment.<sup>s</sup>

Prince John, who, with a view of increasing the general confusion, went over to England, was still less successful in his enterprises. He was only able to make himself master of the castles of Windsor and Wallingford; but when he arrived in London, and claimed the kingdom as heir to his brother, of whose death he pretended to have received certain intelligence, he was rejected by all the barons, and measures were taken to oppose and subdue him.<sup>t</sup> The justiciaries, supported by the general affection of the people, provided so well for the defence of the king-

<sup>m</sup> Vinisau, p. 380. <sup>n</sup> Hoveden, p. 697. <sup>o</sup> Bened. Abb. p. 673. <sup>p</sup> M. Paris, p. 115. <sup>q</sup> Vinisau, p. 316. <sup>r</sup> W. Heming, p. 531.

<sup>o</sup> Chron. T. Wykes, p. 35. <sup>p</sup> Rymer, vol. i. p. 72, 73, 74, &c. <sup>q</sup> Ibid. p. 70. <sup>r</sup> Ibid. p. 85. <sup>s</sup> Hoveden, p. 730, 731. <sup>t</sup> Rymer, vol. i. p. 91. <sup>u</sup> Hoveden, p. 724.



dom, that John was obliged, after some fruitless efforts, to conclude a truce with them; and before its expiration, he thought it prudent to return into France, where he openly avowed his alliance with Philip.<sup>2</sup>

Meanwhile the high spirit of Richard suffered in Germany every kind of insult and indignity. The French ambassadors, in their master's name, renounced him as a vassal to the crown of France, and declared all his fiefs to be forfeited to his liege-lord. The emperor, that he might render him more impatient for the recovery of his liberty, and make him submit to the payment of a larger ransom, treated him with the greatest severity, and reduced him to a condition worse than that of the meanest malefactor. He was even produced before the diet of the empire at Worms, and accused by Henry of many crimes and misdemeanors; of making an alliance with Tancred, the usurper of Sicily; of turning the arms of the Crusade against a Christian prince, and subduing Cyprus; of affronting the Duke of Austria before Acre; of obstructing the progress of the Christian arms by his quarrels with the King of France; of assassinating Conrad, Marquis of Montferrat; and of concluding a truce with Saladin, and leaving Jerusalem in the hands of the Saracen emperor.<sup>3</sup> Richard, whose spirit was not broken by his misfortunes, and whose genius was rather roused by these frivolous or scandalous imputations; after premising, that his dignity exempted him from answering before any jurisdiction, except that of Heaven; yet condescended, for the sake of his reputation, to justify his conduct before that great assembly. He observed, that he had no hand in Tancred's elevation, and only concluded a treaty with a prince whom he found in possession of the throne; that the king, or rather tyrant of Cyprus, had provoked his indignation by the most ungenerous and unjust proceedings; and though he chastised this aggressor, he had not retarded a moment the progress of his chief enterprise. That if he had at any time been wanting in civility to the Duke of Austria, he had already been sufficiently punished for that sally of passion; and it better became men, embarked together in so holy a cause, to forgive each other's infirmities, than to pursue a slight offence with such unrelenting vengeance. That it had sufficiently appeared by the event, whether the King of France or he were most zealous for the conquest of the Holy Land, and were most likely to sacrifice private passions and animosities to that great object. That if the whole tenor of his life had not shown him incapable of a base assassination, and justified him from that imputation in the eyes of his very enemies, it was in vain for him, at present, to make his apology, or plead the many irrefragable arguments which he could produce in his own favour. And that, however he might regret the necessity, he was so far from being ashamed of his truce with Saladin, that he rather gloried in that event; and thought it extremely honourable, that, though abandoned by all the world, supported only by his own courage, and by the small remains of his national troops, he could yet obtain such conditions from the most powerful and most warlike emperor that the East had ever yet produced. Richard, after thus deigning to apologize for his conduct, burst out into indignation at the cruel treatment which he had met with; that he, the champion of the Cross, still wearing that honourable badge, should, after expending the blood and treasure of his subjects in the common cause of Christendom, be intercepted by Christian princes in his return to his own country, be thrown into a dungeon, be loaded with irons, be obliged to plead his cause, as if he were a subject and a malefactor; and what he still more regretted, be thereby prevented from making preparations for a new Crusade, which he had projected, after the expiration of the truce, and from redeeming the sepulchre of Christ, which had so long been profaned by the dominion of infidels. The spirit and eloquence of Richard made such impression on the German princes, that they exclaimed loudly against the conduct of the emperor; the Pope threatened him with excommunication; and Henry, who had hearkened to the proposals of the King of France and Prince John, found that it would be impracticable for him to execute his and their base purposes, or to detain the King of England any

longer in captivity. He therefore concluded <sup>The king's delivery.</sup> with him a treaty for his ransom, and agreed to restore him to his freedom for the sum of 150,000 marks, about 300,000 pounds of our present money; of which 100,000 marks were to be paid before he received his liberty, and sixty-seven hostages delivered for the remainder.<sup>4</sup> The emperor, as if to gloss over the infamy of this transaction, made at the same time a present to Richard of the kingdom of Arles, comprehending Provence, Dauphiny, Narbonne, and other states, over which the empire had some antiquated claims; a present which the king very wisely neglected.

The captivity of the superior lord was one of the cases provided for by the feudal tenures; and all the vassals were in that event obliged to give an aid for his ransom. Twenty shillings were therefore levied on each knight's fee in England; but as this money came in slowly, and was not sufficient for the intended purpose, the voluntary zeal of the people readily supplied the deficiency. The churches and monasteries melted down their plate, to the amount of 30,000 marks; the bishops, abbots, and nobles paid a fourth of their yearly rent; the parochial clergy contributed a tenth of their tithes; and the requisite sum being thus collected, Queen Eleanor, and Walter, Archbishop of Rouen, set out with it for Germany; paid the <sup>A. D. 1194. Feb. 4.</sup> money to the emperor and the Duke of Austria at Mentz; delivered them hostages for the remainder; and freed Richard from captivity. His escape was very critical. Henry had been detected in the assassination of the Bishop of Liege, and in an attempt of a like nature on the Duke of Louvaine; and finding himself extremely obnoxious to the German princes on account of these odious practices, he had determined to seek support from an alliance with the King of France; to detain Richard, the enemy of that prince, in perpetual captivity; to keep in his hands the money which he had already received for his ransom; and to extort fresh sums from Philip and Prince John, who were very liberal in their offers to him. He therefore gave orders that Richard should be pursued and arrested; but the king, making all imaginable haste, had already embarked at the mouth of the Schelde, and was out of sight of land, when the messengers of the emperor reached Antwerp.

The joy of the English was extreme on the appearance of their monarch, who had <sup>King's return to England, 20th March.</sup> suffered so many calamities, who had acquired so much glory, and who had spread the reputation of their name into the furthest East, whither their fame had never before been able to extend. He gave them, soon after his arrival, an opportunity of publicly displaying their exultation, by ordering himself to be crowned anew at Winchester; as if he intended, by that ceremony, to reinstate himself in his throne, and to wipe off the ignominy of his captivity. Their satisfaction was not damped, even when he declared his purpose of resuming all those exorbitant grants, which he had been necessitated to make before his departure for the Holy Land. The barons, also, in a great council, confiscated, on account of his treason, all Prince John's possessions in England; and they assisted the king in reducing the fortresses which still remained in the hands of his brother's adherents.<sup>5</sup> Richard, having settled every thing in England, passed over with an army into Normandy; being impatient to make war on Philip, and to revenge himself for the many injuries which he had received from that monarch.<sup>6</sup> As soon as Philip heard of the king's deliverance from captivity, he wrote to his confederate John, in these terms: *'Take care of yourself: the devil is broken loose.'*<sup>7</sup>

When we consider such powerful <sup>War with France.</sup> martial monarchs, inflamed with personal animosity against each other, enraged by mutual injuries, excited by rivalry, impelled by opposite interests, and instigated by the pride and violence of their own temper; our curiosity is naturally raised, and we expect an obstinate and furious war, distinguished by the greatest events, and concluded by some remarkable catastrophe. Yet are the incidents, which attended those hostilities, so frivolous, that scarce any historian can entertain such a passion for military descriptions as to venture on a detail of them:

<sup>2</sup> W. Heming, p. 536.  
<sup>3</sup> Ruymer, vol. I. p. 81.

<sup>4</sup> M. Paris, p. 121. W. Heming, p. 536.

<sup>5</sup> Hoveden, p. 737. Ann. Wavell, p. 165. W. Heming, p. 540.

<sup>6</sup> Ibid. p. 739.

a certain proof of the extreme weakness of princes in those ages, and of the little authority they possessed over their refractory vassals! The whole amount of the exploits on both sides is, the taking of a castle, the surprise of a stragglng party, a rencounter of horse, which resembles more a rout than a battle. Richard obliged Philip to raise the siege of Verneuil; he took Loches, a small town in Anjou; he made himself master of Beaumont, and some other places of little consequence; and after these trivial exploits, the two kings began already to hold conferences for an accommodation. Philip insisted, that, if a general peace were concluded, the barons on each side should, for the future, be prohibited from carrying on private wars against each other: but Richard replied, that this was a right claimed by his vassals, and he could not debar them from it. After this fruitless negotiation, there ensued an action between the French and English cavalry at Fretetval, in which the former were routed, and the King of France's cartulary and records, which commonly at that time attended his person, were taken. But this victory leading to no important advantages, a truce for a year was at last, from mutual weakness, concluded between the two monarchs.

During this war, Prince John deserted from Philip, threw himself at his brother's feet, craved pardon for his offences, and by the intercession of Queen Eleanor was received into favour. *I forgive him, said the king, and hope I shall as easily forget his injuries, as he will my pardon.* John was incapable even of returning to his duty, without committing a baseness. Before he left Philip's party, he invited to dinner all the officers of the garrison, which that prince had placed in the citadel of Evreux: he massacred them during the entertainment; fell, with the assistance of the townsmen, on the garrison, whom he put to the sword; and then delivered up the place to his brother.

The King of France was the great object of Richard's resentment and animosity: the conduct of John, as well as that of the emperor and Duke of Austria, had been so base, and was exposed to such general odium and reproach, that the king deemed himself sufficiently revenged for their injuries; and he seems never to have entertained any project of vengeance against any of them. The Duke of Austria, about this time, having crushed his leg by the fall of his horse at a tournament, was thrown into a fever; and being struck, on the approaches of death, with remorse for his injustice to Richard, he ordered by will all the English hostages in his hands to be set at liberty, and the remainder of the debt due to him to be remitted: his son, who seemed inclined to disobey these orders, was constrained by his ecclesiastics to execute them.<sup>b</sup> The

A. D. 1195. emperor also made advances for Richard's friendship, and offered to give him a discharge of all the debt not yet paid to him, provided he would enter into an offensive alliance against the King of France; a proposal which was very acceptable to Richard, and was greedily embraced by him. The treaty with the emperor took no effect; but it served to rekindle the war between France and England before the expiration of the truce. This war was not distinguished by any more remarkable incidents than the foregoing. After mutually ravaging the open country, and taking a few insignificant castles, the two kings concluded a peace at Louviers, and made an exchange of some territories with

A. D. 1196. each other.<sup>c</sup> Their inability to wage war occasioned the peace: their mutual antipathy engaged them again in war before two months expired. Richard imagined, that he had now found an opportunity of gaining great advantages over his rival, by forming an alliance with the Counts of Flanders, Toulouse, Boulogne, Champagne, and other considerable vassals of the crown of France.<sup>d</sup> But he soon experienced the insincerity of those princes; and was not able to make any impression on that kingdom, while governed by a monarch of so much vigour and activity as Philip. The most remarkable incident of this war, was the taking prisoner in battle the Bishop of Beauvais, a martial prelate, who was of the

family of Dreux, and a near relation of the French king's. Richard, who hated that Bishop, threw him into prison, and loaded him with irons; and when the Pope demanded his liberty, and claimed him as his son, the king sent to his Holiness the coat of mail which the prelate had worn in battle, and which was all besmeared with blood; and he replied to him, in the terms employed by Jacob's son to that patriarch, *This have we found: know now whether it be thy son's coat or no.*<sup>e</sup> This new war between England and France, though carried on with such animosity that both kings frequently put out the eyes of their prisoners, was soon finished by a truce of five years; and immediately after signing this treaty, the kings were ready, on some new offence, to break out again into hostilities; when the mediation of the Cardinal of St Mary, the Pope's legate, accommodated the difference.<sup>f</sup> This prelate even engaged the princes to commence a treaty for a more durable peace; but the death of Richard put an end to the negotiation.

Vidomar, Viscount of Limoges, a vassal of A. D. 1199.

the king's, had found a treasure, of which he sent part to that prince as a present. Richard, as superior lord, claimed the whole; and, at the head of some Brabançons, besieged the viscount in the castle of Chalus, near Limoges, in order to make him comply with his demand.<sup>g</sup> The garrison offered to surrender; but the king replied, that since he had taken the pains to come thither and besiege the place in person, he would take it by force, and would hang every one of them. The same day, Richard, accompanied by Marcadée, leader of his Brabançons, approached the castle in order to survey it; when one Bertrand de Gourdon, an archer, took aim at him, and pierced his shoulder with an arrow. The king, however, gave orders for the assault, took the place, and 28th March. hanged all the garrison, except Gourdon, who had wounded him, and whom he reserved for a more deliberate and more cruel execution.<sup>h</sup>

The wound was not in itself dangerous; but the unskilfulness of the surgeon made it mortal: he so rankled Richard's shoulder in pulling out the arrow, that a gangrene ensued; and that prince was now sensible that his life was drawing towards a period. He sent for Gourdon, and asked him, *Wretch, what have I ever done to you, to oblige you to seek my life?*—*What have you done to me?* replied coolly the prisoner; *You killed with your own hands my father and my two brothers; and you intended to have hanged myself: I am now in your power, and you may take revenge, by inflicting on me the most severe torments; but I shall endure them all with pleasure, provided I can think that I have been so happy as to rid the world of such a nuisance.*<sup>i</sup> Richard, struck with the reasonableness of this reply, and humbled by the near approach of death, ordered Gourdon to be set at liberty, and a sum of money to be given him: but Marcadée, unknown to him, seized the unhappy man, flayed him alive, and then hanged him. Richard died in the tenth year of his reign, and the forty-second of his age; and he left April 6. Death,

No issue behind him. The most shining parts of this prince's and character character are his military talents. No man, of the kind, even in that romantic age, carried personal courage and intrepidity to a greater height; and this quality gained him the appellation of the lion-hearted, *cœur de lion*. He passionately loved glory, chiefly military glory; and as his conduct in the field was not inferior to his valour, he seems to have possessed every talent necessary for acquiring it. His resentments also were high; his pride unconquerable; and his subjects, as well as his neighbours, had therefore reason to apprehend, from the continuance of his reign, a perpetual scene of blood and violence. Of an impetuous and vehement spirit, he was distinguished by all the good as well as the bad qualities, incident to that character: he was open, frank, generous, sincere, and brave; he was revengeful, domineering, ambitious, haughty, and cruel; and was thus better calculated to dazzle men by the splendour of his enterprises, than either to promote their happiness or his own grandeur, by

<sup>b</sup> Rymer, vol. i. p. 88, 102.

<sup>c</sup> Ibid. p. 91.

<sup>d</sup> N. Heming, p. 549. Brompton, p. 173. Rymer, vol. i. p. 94.

<sup>e</sup> Genesis, chap. xxxvii. 32. M. Paris, p. 128. Brompton, p. 173.

<sup>f</sup> Rymer, vol. i. p. 109, 110.

<sup>g</sup> Hoveden, p. 791. Knyghton, p. 243.

<sup>h</sup> Ibid.

<sup>i</sup> Hoveden, p. 791. Brompton, p. 177. Knyghton, p. 244.

sound and well-regulated policy. As military talents make great impression on the people, he seems to have been much beloved by his English subjects; and he is remarked to have been the first prince of the Norman line that bore any sincere regard to them. He passed however only four months of his reign in that kingdom: the Crusade employed him near three years; he was detained about fourteen months in captivity; the rest of his reign was spent either in war, or preparations for war, against France; and he was so pleased with the fame which he had acquired in the East, that he determined, notwithstanding his past misfortunes, to have further exhausted his kingdom, and to have exposed himself to new hazards, by conducting another expedition against the infidels.

Though the English pleased themselves with the glory which the king's martial genius procured them, his reign was very oppressive and somewhat arbitrary, by the high taxes which he levied on them, and often without consent of the states or great council. In the ninth year of his reign, he levied five shillings on each hyde of land; and because the clergy refused to contribute their share, he put them out of the protection of law, and ordered the civil courts to give them no sentence for any debts which they might claim.<sup>k</sup> Twice in his reign he ordered all his charters to be sealed anew, and the parties to pay fees for the renewal.<sup>l</sup> It is said that Hubert, his justiciary, sent him over to France, in the space of two years, no less a sum than 1,100,000 marks, besides bearing all the charges of the government in England. But this account is quite incredible, unless we suppose that Richard made a thorough dilapidation of the demesnes of the crown, which it is not likely he could do with any advantage after his former resumption of all grants. A king, who possessed such a revenue, could never have endured fourteen months' captivity, for not paying 150,000 marks to the emperor, and be obliged at last to leave hostages for a third of the sum. The prices of commodities in this reign are also a certain proof that no such enormous sum could be levied on the people. A hyde of land, or about a hundred and twenty acres, was commonly let at twenty shillings a year, money of that time. As there were 243,600 hydres in England, it is easy to compute the amount of all the landed rents of the kingdom. The general and stated price of an ox was four shillings; of a labouring horse, the same; of a sow, one shilling; of a sheep with fine wool, ten pence; with coarse wool, sixpence.<sup>m</sup> These commodities seem not to have advanced in their prices since the conquest,<sup>n</sup> and to have still been ten times cheaper than at present.

Richard renewed the severe laws against transgressors in his forests, whom he punished by castration and putting out their eyes, as in the reign of his great-grandfather. He established by law one weight and measure throughout his kingdom:<sup>o</sup> a useful institution, which the mercenary disposition and necessities of his successor engaged him to dispense with for money.

The disorders in London, derived from its bad police, had risen to a great height during this reign; and in the year 1196, there seemed to be formed so regular a conspiracy among the numerous malefactors, as threatened the city with destruction. There was one William Fitz-Osbert, commonly called *Longbeard*, a lawyer, who had rendered himself extremely popular among the lower rank of citizens; and, by defending them on all occasions, had acquired the appellation of the advocate or saviour of the poor. He exerted his authority, by injuring and insulting the more substantial citizens, with whom he lived in a state of hostility, and who were every moment exposed to the most outrageous violences from him and his licentious emissaries. Murders were daily committed in the streets; houses were broken open and pillaged in day-light; and it is pretended, that no less than fifty-two thousand persons had entered into an association, by which they

bound themselves to obey all the orders of this dangerous ruffian. Archbishop Hubert, who was then chief justiciary, summoned him before the council to answer for his conduct; but he came so well attended, that no one durst accuse him, or give evidence against him; and the primate, finding the impotence of law, contented himself with exacting from the citizens hostages for their good behaviour. He kept, however, a watchful eye on Fitz-Osbert; and seizing a favourable opportunity, attempted to commit him to custody; but the criminal, murdering one of the public officers, escaped with his concubine to the church of St. Mary le Bow, where he defended himself by force of arms. He was at last forced from his retreat, condemned, and executed, amidst the regrets of the populace, who were so devoted to his memory, that they stole his gibbet, paid the same veneration to it as to the cross, and were equally zealous in propagating and attesting reports of the miracles wrought by it.<sup>p</sup> But though the sectaries of this superstition were punished by the justiciary,<sup>q</sup> it received so little encouragement from the established clergy, whose property was endangered by such seditious practices, that it suddenly sunk and vanished.

It was during the Crusades, that the custom of using coats of arms was first introduced into Europe. The knights, cased up in armour, had no way to make themselves be known and distinguished in battle, but by the devices on their shields; and these were gradually adopted by their posterity and families, who were proud of the pious and military enterprises of their ancestors.

King Richard was a passionate lover of poetry: there even remain some poetical works of his composition: and he bears a rank among the Provençal poets or *Trobadores*, who were the first of the modern Europeans that distinguished themselves by attempts of that nature.

## CHAP. XI.

### JOHN.

Accession of the king—His marriage—War with France—Murder of Arthur, Duke of Brittany—The king expelled the French provinces—The king's quarrel with the court of Rome—Cardinal Langton appointed Archbishop of Canterbury—Interdict of the kingdom—Excommunication of the king—The king's submission to the Pope—Discontents of the barons—Insurrection of the barons—Magna Charta—Renewal of the civil wars—Prince Lewis called over—Death and character of the king.

THE noble and free genius of the ancients, A. D. 1199. which made the government of a single person be always regarded as a species of tyranny and usurpation, and kept them from forming any conception of a legal and regular monarchy, had rendered them entirely ignorant both of the rights of *primogeniture* and a *representation* in succession; inventions so necessary for preserving order in the lines of princes, for obviating the evils of civil discord and of usurpation, and for begetting moderation in that species of government, by giving security to the ruling sovereign. These innovations arose from the feudal law; which, first introducing the right of *primogeniture*, made such a distinction between the families of the elder and younger brothers, that the son of the former was thought entitled to succeed to his grandfather, preferably to his uncles, though nearer allied to the deceased monarch. But though this progress of ideas was natural, it was gradual. In the age of which we treat, the practice of representation was indeed introduced, but not thoroughly established; and the minds of men fluctuated between opposite principles. Richard, when he entered on the Holy War, declared his nephew, Arthur, Duke of Brittany, his successor; and by a formal deed, he set aside, in his

<sup>k</sup> Hoveden, p. 713. Tyrrel, vol. ii. p. 563.

<sup>l</sup> Prynne's *Cicero*, Vindic. tom. i. p. 1133.

<sup>m</sup> Hoveden, p. 715.

<sup>n</sup> Madox, in his *Hæmorrhægia*, cap. 14, tells us, that in the 30th of Henry II. thirty three cows and two bulls cost but eight pounds seven shillings, money of that age, 500 sheep, twenty two pounds ten shillings, without treading or three farthings per sheep, sixty six oxen, eighteen pounds three shillings, fifteen breeding mares, two pounds twelve shillings, six pence, and twenty two dogs, one pound two shillings. Com-

modities seem then to have been about ten times cheaper than at present; all except the sheep, probably on account of the value of the fleece. The same author, in his *Formulare Anglicanum*, p. 17, says, That in the 10th year of Richard I. meadow is made of ten pence, paid for money; but the lewes frequently exacted much higher interest.

<sup>o</sup> M. Paris, p. 109, 134. Trivet, p. 127. Ann. Waverl. p. 165. Hoveden, p. 774.

<sup>p</sup> Hoveden, p. 765. Diceto, p. 691. Newbig, p. 492, 493.

<sup>q</sup> Girase, p. 151.



favour, the title of his brother John, who was younger than Geoffrey, the father of that prince.<sup>a</sup> But John so little acquiesced in that destination, that, when he gained the ascendancy in the English ministry, by expelling Longchamp, the chancellor and great justiciary, he engaged all the English barons to swear, that they would maintain his right of succession; and Richard, on his return, took no steps towards restoring or securing the order which he had at first established. He was even careful, by his last will, to declare his brother John heir to all his dominions;<sup>b</sup> whether, that he now thought Arthur, who was only twelve years of age, incapable of asserting his claim against John's faction, or was influenced by Eleanor, the queen-mother, who hated Constantia, mother of the young duke, and who dreaded the credit which that princess would naturally acquire if her son should mount the throne. The authority of a testament was great in that age, even where the succession of a kingdom was concerned; and John had reason to hope, that this title, joined to his plausible right in other respects, would insure him the succession. But the idea of representation seems to have made, at this time, greater progress in France than in England: the barons of the transmarine provinces, Anjou, Maine, and Touraine, immediately declared in favour of Arthur's title, and applied for assistance to the French monarch as their superior lord. Philip, who desired only an occasion to embarrass John, and dismember his dominions, embraced the cause of the young Duke of Brittany, took him under his protection, and sent him to Paris to be educated, along with his own son Lewis.<sup>c</sup> In this emergency, John hastened to establish his authority in the chief members of the monarchy; and after sending Eleanor into Poitou and Guienne, where her right was incontestable, and was readily acknowledged, he hurried to Rouen, and having secured the duchy of Normandy, he passed over, without loss of time, to England. Hubert, Archbishop of Canterbury, William Marshal, Earl of Strigul, who also passes by the name of Earl of Pembroke, and Geoffrey Fitz-Peter, the justiciary, the three most favoured ministers of the late king, were already engaged on his side;<sup>d</sup> and the submission or acquiescence of all the other barons put him, without opposition, in possession of the throne.

The king soon returned to France, in order to conduct the war against Philip, and to recover the revolted provinces from his nephew, Arthur. The alliances which Richard had formed with the Earl of Flanders,<sup>e</sup> and other potent French princes, though they had not been very effectual, still subsisted, and enabled John to defend himself against all the efforts of his enemy. In an action between the French and Flemings, the elect Bishop of Cambray was taken prisoner by the former; and when the Cardinal of Capua claimed his liberty, Philip, instead of complying, reproached him with the weak efforts which he had employed in favour of the Bishop of Beauvais, who was in a like condition. The legate, to show his impartiality, laid, at the same time, the kingdom of France and the duchy of Normandy under an interdict; and the two kings found themselves obliged to make an exchange of these military prelates.

Nothing enabled the king to bring this war to a happy issue so much as the selfish intriguing character of Philip, who acted, in the provinces that had declared for Arthur, without any regard to the interests of that prince. Constantia, seized with a violent jealousy that he intended to usurp the entire dominion of them, found means to carry off her son secretly from Paris: she put him into the hands of his uncle; restored the provinces which had adhered to the young prince; and made him do homage for the duchy of Brittany, which was regarded as a fief of Normandy. From this incident, Philip saw that he could not hope to make any progress against John; and being threatened with an interdict on account of his irregular divorce from Ingeburga, the Danish princess, whom he had espoused, he became desirous of concluding a peace with England.

After some fruitless conferences, the terms were at last adjusted; and the two monarchs seemed in this treaty to have an intention, besides ending the present quarrel, of preventing all future causes of discord, and of obviating every controversy which could hereafter arise between them. They adjusted the limits of all their territories, mutually secured the interests of their vassals; and, to render the union more durable, John gave his niece, Blanche of Castile, in marriage to Prince Lewis, Philip's eldest son, and with her the baronies of Issoudun and Graçai, and other fiefs in Berri. Nine barons of the King of England, and as many of the King of France, were guarantees of this treaty; and all of them swore, that if their sovereign violated any article of it, they would declare themselves against him, and embrace the cause of the injured monarch.<sup>f</sup>

John, now secure, as he imagined, on the side of France, indulged his passion for Isabella, the daughter and heir of Aymer Taillefer, Count of Angouleme, a lady with whom he had become much enamoured. His queen, the heiress of the family of Gloucester, was still alive: Isabella was married to the Count de la Marche, and was already consigned to the care of that nobleman; though, by reason of her tender years, the marriage had not been consummated. The passion of John made him overlook all these obstacles: he persuaded the Count of Angouleme to carry off his daughter from her husband; and having, on some pretence or other, procured a divorce from his own wife, he espoused Isabella; The king's marriage. regardless both of the menaces of the Pope, who exclaimed against these irregular proceedings, and of the resentment of the injured count, who soon found means of punishing his powerful and insolent rival.

John had not the art of attaching his 1204. barons either by affection or by fear. The Count de la Marche, and his brother, the Count d'Eu, taking advantage of the general discontent against him, excited commotions in Poitou and Normandy, and obliged the king to have recourse to arms, in order to suppress the insurrection of his vassals. He summoned together the barons of England, and required them to pass the sea under his standard, and to quell the rebels: he found that he possessed as little authority in that kingdom as in his transmarine provinces. The English barons unanimously replied, that they would not attend him on this expedition, unless he would promise to restore and preserve their privileges;<sup>g</sup> the first symptom of a regular association and plan of liberty among those noblemen! But affairs were not yet fully ripe for the revolution projected. John, by menacing the barons, broke the concert; and both engaged many of them to follow him into Normandy, and obliged the rest, who staid behind, to pay him a scutage of two marks on each knight's fee, as the price of their exemption from the service.

The force which John carried abroad with him, and that which joined him in Normandy, rendered him much superior to his malcontent barons; and so much the more as Philip did not publicly give them any countenance, and seemed as yet determined to persevere steadily in the alliance which he had contracted with England. But the king, elated with his superiority, advanced claims which gave a universal alarm to his vassals, and diffused still wider the general discontent. As the jurisprudence of those times required that the causes in the lord's court should chiefly be decided by duel, he carried along with him certain braves, whom he retained as champions, and whom he destined to fight with his barons, in order to determine any controversy which he might raise against them.<sup>h</sup> The Count de la Marche, and other noblemen, regarded this proceeding as an affront, as well as an injury; and declared, that they would never draw their swords against men of such inferior quality. The king menaced them with vengeance; but he had not vigour to employ against them the force in his hands, or to prosecute the injustice, by crushing entirely the nobles who opposed it.

<sup>a</sup> Hoveden, p. 677. M. Paris, p. 119. Chron. de Dunst. p. 43. Rymer, vol. i. p. 66. 68. Repert. Abo, p. 619.  
<sup>b</sup> Hoveden, p. 791. Trivet, p. 138.  
<sup>c</sup> Hoveden, p. 792. M. Paris, p. 137. M. West, p. 263. Knizhton, p. 514.  
<sup>d</sup> Hoveden, p. 793. M. Paris, p. 137.

<sup>e</sup> Rymer, vol. i. p. 114. Hoveden, p. 794. M. Paris, p. 138.  
<sup>f</sup> Hoveden, p. 795.  
<sup>g</sup> Norman Duchesne, p. 1035. Rymer, vol. i. p. 117, 118, 119. Hoveden, p. 814. Chron. Dunst. vol. i. p. 47.  
<sup>h</sup> Arnold, Burton, p. 262. 1 Ibid.

War with France. This government, equally feeble and violent, gave the injured barons courage, as well as inclination, to carry further their opposition: they appealed to the King of France; complained of the denial of justice in John's court; demanded redress from him as their superior lord; and entreated him to employ his authority, and prevent their final ruin and oppression.

A. D. 1202. Philip perceived his advantage, opened his mind to great projects, interposed in behalf of the French barons, and began to talk in a high and menacing style to the King of England. John, who could not disavow Philip's authority, replied, that it belonged to himself first to grant them a trial by their peers in his own court; it was not till he failed in this duty, that he was answerable to his peers in the supreme court of the French king;<sup>k</sup> and he promised, by a fair and equitable judicature, to give satisfaction to his barons. When the nobles, in consequence of this engagement, demanded a safe conduct, that they might attend his court, he at first refused it: upon the renewal of Philip's menaces, he promised to grant their demand; he violated this promise; fresh menaces extorted from him a promise to surrender to Philip the fortresses of Tillieres and Boutavant, as a security for performance; he again violated this engagement; his enemies, sensible both of his weakness and want of faith, combined still closer in the resolution of pushing him to extremities; and a new and powerfully soon appeared to encourage them in their invasion of this odious and despicable government.

A. D. 1203. The young Duke of Brittany, who was now rising to man's estate, sensible of the dangerous character of his uncle, determined to seek both his security and elevation by an union with Philip and the malcontent barons. He joined the French army, which had begun hostilities against the King of England: he was received with great marks of distinction by Philip; was knighted by him; espoused his daughter Mary; and was invested not only in the duchy of Brittany, but in the counties of Anjou and Maine, which he had formerly resigned to his uncle.<sup>l</sup> Every attempt succeeded with the allies. Tillieres and Boutavant were taken by Philip, after making a feeble defence: Mortimar and Lyons fell into his hands almost without resistance. That prince next invested Gournai; and opening the sluices of a lake which lay in the neighbourhood, poured such a torrent of water into the place, that the garrison deserted it, and the French monarch, without striking a blow, made himself master of that important fortress. The progress of the French arms was rapid, and promised more considerable success than usually in that age attended military enterprises. In answer to every advance which the king made towards peace, Philip still insisted, that he should resign all his transmarine dominions to his nephew, and rest contented with the kingdom of England; when an event happened, which seemed to turn the scales in favour of John, and to give him a decisive superiority over his enemies.

Young Arthur, fond of military renown, had broken into Poitou at the head of a small army; and passing near Mirebeau, he heard that his grandmother, Queen Eleanor, who had always opposed his interests, was lodged in that place, and was protected by a weak garrison and ruinous fortifications.<sup>m</sup> He immediately determined to lay siege to the fortress, and make himself master of her person: but John, roused from his indolence by so pressing an occasion, collected an army of English and Brabançons, and advanced from Normandy with hasty marches to the relief of the queen-mother. He fell on Arthur's camp before that prince was aware of the danger; dispersed his army; took him prisoner, together with the Count de la Marche, Geoffrey de Lusignan, and the most considerable of the revolted barons; and returned in triumph to Normandy.<sup>n</sup> Philip, who was lying before Arques in that duchy, raised the siege and retired, upon his approach.<sup>o</sup>

1st Aug. The greater part of the prisoners were sent over to England; but Arthur was shut up in the castle of Falaise.

The king had here a conference with his nephew; represented to him the folly of his pretensions; and required him to renounce the French alliance, which had encouraged him to live in a state of enmity with all his family: but the brave though imprudent youth, rendered more haughty from misfortunes, maintained the justice of his cause; asserted his claim, not only to the French provinces, but to the crown of England; and, in his turn, required the king to restore the son of his elder brother to the possession of his inheritance.<sup>p</sup> John, sensible, from these symptoms of spirit, that the young prince, though now a prisoner, might hereafter prove a dangerous enemy, determined to prevent all future peril by despatching his nephew; and Arthur was never more heard of. The circumstances which attended this deed of

darkness were, no doubt, carefully concealed by the actors, and are variously related by historians; but the most probable account is as follows: The king, it is said, first proposed to William de la Bray, one of his servants, to despatch Arthur; but William replied, that he was a gentleman, not a hangman; and he positively refused compliance. Another instrument of murder was found, and was despatched with proper orders to Falaise; but Hubert de Bourg, chamberlain to the king, and constable of the castle, feigning that he himself would execute the king's mandate, sent back the assassin, spread the report that the young prince was dead, and publicly performed all the ceremonies of his interment: but finding that the Bretons vowed revenge for the murder, and that all the revolted barons persevered more obstinately in their rebellion, he thought it prudent to reveal the secret, and to inform the world that the Duke of Brittany was still alive, and in his custody. This discovery proved fatal to the young prince: John first removed him to the castle of Rouen; and coming in a boat, during the night-time, to that place, commanded Arthur to be brought forth to him. The young prince, aware of his danger, and now more subdued by the continuance of his misfortunes, and by the approach of death, threw himself on his knees before his uncle, and begged for mercy: but the barbarous tyrant, making no reply, stabbed him with his own hands; and fastening a stone to the dead body, threw it into the Seine.

All men were struck with horror at this inhuman deed; and from that moment the king, detested by his subjects, retained a very precarious authority over both the people and the barons in his dominions. The Bretons, enraged at this disappointment in their fond hopes, waged implacable war against him; and fixing the succession of their government, put themselves in a posture to revenge the murder of their sovereign. John had got into his power his niece, Eleanor, sister to Arthur, commonly called *the damsel of Brittany*; and carrying her over to England, detained her ever after in captivity;<sup>q</sup> but the Bretons, in despair of recovering this princess, chose Alice for their sovereign; a younger daughter of Constantia, by her second marriage with Guy de Thouars; and they intrusted the government of the duchy to that nobleman. The states of Brittany, meanwhile, carried their complaints before Philip as their liege lord, and demanded justice for the violence committed by John on the person of Arthur, so near a relation, who, notwithstanding the homage which he did to Normandy, was always regarded as one of the chief vassals of the crown. Philip received their application with pleasure; summoned John to stand a trial before him; and, on his non-appearance, passed sentence, with the concurrence of the peers, upon that prince; declared him guilty of felony and parricide; and adjudged him to forfeit to his superior lord all his seignories and fiefs in France.<sup>r</sup>

The King of France, whose ambitious and active spirit had been hitherto confined, either by the sound policy of Henry, or the martial genius of Richard, seeing now the opportunity favourable against this base and odious prince, embraced the project of expelling the English, or rather the English king, from France, and of annexing to the crown

Murder of Arthur Duke of Brittany.

The king expelled from the French provinces.

<sup>k</sup> Philipp. lib. vi. <sup>l</sup> Trivet, p. 142.  
<sup>m</sup> Ann. N. et R. p. 167. M. West, p. 264.  
<sup>n</sup> Ann. Mag. p. 213. M. West, p. 261.

<sup>o</sup> M. West, p. 264. <sup>p</sup> Ibid.  
<sup>q</sup> Trivet, p. 145. F. Wakes, p. 36. Ypod. Neuv. p. 459.  
<sup>r</sup> W. Henning, p. 455. M. West, p. 261. Kuytson, p. 250.

so many considerable ties, which, during several ages, had been dismembered from it. Many of the other great vassals, whose jealousy might have interposed, and have obstructed the execution of this project, were not at present in a situation to oppose it; and the rest either looked on with indifference, or gave their assistance to this dangerous aggrandizement of their superior lord. The Earls of Flanders and Blois were engaged in the holy war; and the Count of Champagne was an infant, and under the guardianship of Philip; the duchy of Brittany, enraged at the murder of their prince, vigorously promoted all his measures; and the general defection of John's vassals made every enterprise easy and successful against him. Philip, after taking several castles and fortresses beyond the Loire, which he either garrisoned or dismantled, received the submissions of the Count of Alençon, who deserted John, and delivered up all the places under his command to the French: upon which Philip broke up his camp, in order to give the troops some repose after the fatigues of the campaign. John, suddenly collecting some forces, laid siege to Alençon; and Philip, whose dispersed army could not be brought together in time to succour it, saw himself exposed to the disgrace of suffering the oppression of his friend and confederate. But his active and fertile genius found an expedient against this evil. There was held at that very time, a tournament at Moret, in the Gâtinois; whither all the chief nobility of France and the neighbouring countries had resorted, in order to signalize their prowess and address. Philip presented himself before them; craved their assistance in his distress; and pointed out the plains of Alençon as the most honourable field in which they could display their generosity and martial spirit. Those valorous knights vowed, that they would take vengeance on the base paricide, the stain of arms and of chivalry; and putting themselves, with all their retinue, under the command of Philip, instantly marched to raise the siege of Alençon. John, hearing of their approach, fled from before the place; and, in the hurry, abandoned all his tents, machines, and baggage, to the enemy.

This feeble effort was the last exploit of that slothful and cowardly prince for the defence of his dominions. He thenceforth remained in total inactivity at Roüen; passing all his time, with his young wife, in pastimes and amusements, as if his state had been in the most profound tranquillity, or his affairs in the most prosperous condition. If he ever mentioned war, it was only to give himself vaunting airs, which, in the eyes of all men, rendered him still more despicable and ridiculous. *Let the French go on, said he; I will retake in a day what it has cost them years to acquire.*<sup>a</sup> His stupidity and indolence appeared so extraordinary, that the people endeavoured to account for the infatuation by sorcery, and believed that he was thrown into this lethargy by some magic or witchcraft. The English barons, finding that their time was wasted to no purpose, and that they must suffer the disgrace of seeing, without resistance, the progress of the French arms, withdrew from their colours, and secretly returned to their own country.<sup>b</sup> No one thought of defending a man, who seemed to have deserted himself; and his subjects regarded his fate with the same indifference, to which, in this pressing exigency, they saw him totally abandoned.

John, while he neglected all domestic resources, had the meanness to betake himself to a foreign power, whose protection he claimed. He applied to the Pope, Innocent III. and entreated him to interpose his authority between him and the French monarch. Innocent, pleased with any occasion of exerting his superiority, sent Philip orders to stop the progress of his arms, and to make peace with the King of England. But the French barons received the message with indignation; disclaimed the temporal authority assumed by the pontiff; and vowed, that they would, to the uttermost, assist their prince against all his enemies; Philip, seconding their ardour, proceeded, instead of obeying the Pope's envoys, to lay siege to Chateau Gaillard, the most considerable fortress which remained to guard the frontiers of Normandy.

A. D. 1204. Chateau Gaillard was situated partly on an island in the river Seine, partly on a rock

opposite to it; and was secured by every advantage which either art or nature could bestow upon it. The late king, having cast his eye on this favourable situation, had spared no labour or expense in fortifying it; and it was defended by Roger de Laci, constable of Chester, a determined officer, at the head of a numerous garrison. Philip, who despaired of taking the place by force, purposed to reduce it by famine; and that he might cut off its communication with the neighbouring country, he threw a bridge across the Seine, while he himself, with his army, blockaded it by land. The Earl of Pembroke, the man of greatest vigour and capacity in the English court, formed a plan for breaking through the French intrenchments, and throwing relief into the place. He carried with him an army of 4000 infantry and 3000 cavalry, and suddenly attacked, with great success, Philip's camp in the night-time, having left orders, that a fleet of seventy flat-bottomed vessels should sail up the Seine, and fall at the same instant on the bridge. But the wind and the current of the river, by retarding the vessels, disconcerted this plan of operations; and it was morning before the fleet appeared; when Pembroke, though successful in the beginning of the action, was already repulsed with considerable loss, and the King of France had leisure to defend himself against these new assailants, who also met with a repulse. After this misfortune, John made no further efforts for the relief of Chateau Gaillard; and Philip had all the leisure requisite for conducting and finishing the siege. Roger de Laci defended himself for a twelvemonth with great obstinacy; and having bravely repelled every attack, and patiently borne all the hardships of famine, he was at last overpowered by a sudden assault in the night-time, and made prisoner of war, with his garrison.<sup>c</sup> Philip, who knew how to respect valour even in an enemy, treated him with civility, and gave him the whole city of Paris for the place of his confinement.

When this bulwark of Normandy was once subdued, all the province lay open to the inroads of Philip; and the King of England despaired of being any longer able to defend it. He secretly prepared vessels for a scandalous flight, and that the Normans might no longer doubt of his resolution to abandon them, he ordered the fortifications of Pont de l'Arche, Molineaux, and Monfort l'Amauri, to be demolished. Not daring to repose confidence in any of his barons, whom he believed to be universally engaged in a conspiracy against him, he intrusted the government of the province to Archas Martin and Lupicaire, two mercenary Brabançons, whom he had retained in his service. Philip, now secure of his prey, pushed his conquests with vigour and success against the dismayed Normans. Falaise was first besieged; and Lupicaire, who commanded in this impregnable fortress, after surrendering the place, enlisted himself with his troops in the service of Philip, and carried on hostilities against his ancient master. Caen, Coutance, Sees, Evreux, Baieux, soon fell into the hands of the French monarch, and all the lower Normandy was reduced under his dominion. To forward his enterprises on the other division of the province, Gui de Thouars, at the head of the Bretons, broke into the territory, and took Mount St. Michael, Avranches, and all the other fortresses in that neighbourhood. The Normans, who abhorred the French yoke, and who would have defended themselves to the last extremity, if their prince had appeared to conduct them, found no resource but in submission; and every city opened its gates as soon as Philip appeared before it. Roüen alone, Arques, and Verneuil, determined to maintain their liberties; and

A. D. 1205. formed a confederacy for mutual defence.

Philip began with the siege of Roüen: the inhabitants were so inflamed with hatred to France, that on the appearance of his army, they fell on all the natives of that country, whom they found within their walls, and put them to death. But after the French king had begun his operations with success, and had taken some of their outworks, the citizens, seeing no resource, offered to capitulate; and demanded only thirty days to advertise their prince of their danger, and to require succours against the enemy. Upon the expira-

1st June.

<sup>a</sup> M. Paris, p. 146. M. West, p. 266.  
<sup>b</sup> M. Paris, p. 146. M. West, p. 264.

<sup>c</sup> u Trivet, p. 144. Gul. Britto. lib. 7. Ann. Waserl. p. 168.



tion of the term, as no supply had arrived, they opened their gates to Philip,\* and the whole province soon after imitated the example, and submitted to the victor. Thus was this important territory re-united to the crown of France, about three centuries after the cession of it by Charles the Simple to Rollo, the first duke: and the Normans, sensible that this conquest was probably final, demanded the privilege of being governed by French laws; which Philip, making a few alterations on the ancient Norman customs, readily granted them. But the French monarch had too much ambition and genius to stop in his present career of success. He carried his victorious army into the western provinces; soon reduced Anjou, Maine, Touraine, and part of Poitou;† and in this manner, the French crown, during the reign of one able and active prince, received such an accession of power and grandeur, as, in the ordinary course of things, it would have required several ages to attain.

John, on his arrival in England, that he might cover the disgrace of his own conduct, exclaimed loudly against his barons, who, he pretended, had deserted his standard in Normandy; and he arbitrarily extorted from them a seventh of all their movables, as a punishment for the offence.‡ Soon after he forced them to grant him a scutage of two marks and a half on each knight's fee for an expedition into Normandy; but he did not attempt to execute the service for which he pretended to exact it. Next year he summoned all the barons of his realm to attend him on this foreign expedition, and collected ships from all the sea-ports; but meeting with opposition from some of his ministers, and abandoning his design, he dismissed both fleet and army, and then renewed his exclamations against the barons for deserting him. He next put to sea with a small army, and his subjects believed, that he was resolved to expose himself to the utmost hazard for the defence and recovery of his dominions: but they were surprised, after a few days, to see him return again into harbour, without attempting any thing. In the subsequent

A. D. 1206. season, he had the courage to carry his hostile measures a step further. Gui de Thouars, who governed Brittany, jealous of the rapid progress made by his ally, the French King, promised to join the King of England with all his forces; and John ventured abroad with a considerable army, and landed at Rochelle. He marched to Angers; which he took and reduced to ashes. But the approach of Philip with an army threw him into a panic; and he immediately made proposals for peace, and fixed a place of interview with his enemy: but instead of keeping this engagement, he stole off with his army, embarked at Rochelle, and returned, loaded with new shame and disgrace, into England. The mediation of the Pope procured him at last a truce for two years with the French monarch;§ almost all the transmarine provinces were ravished from him; and his English barons, though harassed with arbitrary taxes and fruitless expeditions, saw themselves and their country baffled and affronted in every enterprise.

In an age when personal valour was regarded as the chief accomplishment, such conduct as that of John, always disgraceful, must be exposed to peculiar contempt; and he must thenceforth have expected to rule his turbulent vassals with a very doubtful authority. But the government exercised by the Norman princes had wound up the royal power to so high a pitch, and so much beyond the usual tenour of the feudal constitutions, that it still behoved him to be debased by new affronts and disgraces, ere his barons could entertain the view of conspiring against him, in order to retrench his prerogatives. The church, which, at that time, declined not a contest with the most powerful and most vigorous monarchs; took first advantage of John's imbecility; and, with the most aggravating circumstances of insolence and scorn, fixed her yoke upon him.

A. D. 1207. The papal chair was then filled by Innocent III. who, having attained that dignity at the age of thirty-seven years, and being endowed with a lofty and enterprising genius, gave full scope to his

ambition, and attempted, perhaps more <sup>The king's quarrel with the court of Rome.</sup> openly than any of his predecessors, to convert that superiority which was yielded him by all the European princes, into a real dominion over them. The hierarchy, protected by the Roman pontiff, had already carried to an enormous height its usurpations upon the civil power; but in order to extend them further, and render them useful to the court of Rome, it was necessary to reduce the ecclesiastics themselves under an absolute monarchy, and to make them entirely dependent on their spiritual leader. For this purpose, Innocent first attempted to impose taxes at pleasure upon the clergy; and in the first year of this century, taking advantage of the popular frenzy for Crusades, he sent collectors over all Europe, who levied, by his authority, the fortieth of all ecclesiastical revenues for the relief of the Holy Land, and received the voluntary contributions of the laity to a like amount.¶ The same year Hubert, Archbishop of Canterbury, attempted another innovation, favourable to ecclesiastical and papal power: in the king's absence, he summoned, by his legantine authority, a synod of all the English clergy, contrary to the inhibition of Geoffrey Fitz-Peter, the chief justiciary; and no proper censure was ever passed on this encroachment, the first of the kind, upon the royal power. But a favourable incident soon after happened, which enabled so aspiring a pontiff as Innocent to extend still further his usurpations on so contemptible a prince as John.

Hubert, the primate, died in 1205; and as the monks or canons of Christ-church, Canterbury, possessed a right of voting in the election of their archbishop, some of the juniors of the order, who lay in wait for that event, met clandestinely the very night of Hubert's death; and without any congé d'élire from the king, chose Reginald, their sub-prior, for the successor; installed him in the archiepiscopal throne before midnight; and, having enjoined him the strictest secrecy, sent him immediately to Rome, in order to solicit the confirmation of his election.¶ The vanity of Reginald prevailed over his prudence; and he no sooner arrived in Flanders, than he revealed to every one the purpose of his journey, which was immediately known in England.¶ The king was enraged at the novelty and temerity of the attempt, in filling so important an office without his knowledge or consent: the suffragan bishops of Canterbury, who were accustomed to concur in the choice of their primate, were no less displeased at the exclusion given them in this election: the senior monks of Christ-church were injured by the irregular proceedings of their juniors: the juniors themselves, ashamed of their conduct, and disgusted with the levity of Reginald, who had broken his engagements with them, were willing to set aside his election-¶ and all men concurred in the design of remedying the false measures which had been taken. But as John knew that this affair would be canvassed before a superior tribunal, where the interposition of royal authority in bestowing ecclesiastical benefices was very invidious; where even the cause of suffragan bishops was not so favourable as that of monks; he determined to make the new election entirely unexceptionable: he submitted the affair wholly to the canons of Christ-church, and departing from the right claimed by his predecessors, ventured no further than to inform them privately, that they would do him an acceptable service, if they chose John de Gray, Bishop of Norwich, for their primate.¶ The election of that prelate was accordingly made without a contradictory vote; and the king, to obviate all contests, endeavoured to persuade the suffragan bishops not to insist on their claim of concurring in the election: but those prelates, persevering in their pretensions, sent an agent to maintain their cause before Innocent; while the king, and the convent of Christ-church, despatched twelve monks of that order to support, before the same tribunal, the election of the Bishop of Norwich.

Thus there lay three different claims before the Pope, whom all parties allowed to be the supreme arbiter in the contest. The claim of the suffragans, being so opposite to the usual maxims of the Papal court, was soon set

w Trivet, p. 147. Ypod. Neust. p. 459.

y M. Paris, p. 146. M. West, p. 265.

z Rymer, vol. i. p. 141.

x Trivet, p. 149.

a Ibid, p. 119.

b M. Paris, p. 148. M. West, p. 266.

c M. West, p. 266.

e M. Paris, p. 149. M. West, p. 266.

c Ibid.

aside: the election of Reginald was so obviously fraudulent and irregular, that there was no possibility of defending it: but Innocent maintained, that, though this election was null and invalid, it ought previously to have been declared such by the sovereign pontiff, before the monks could proceed to a new election; and that the choice of the Bishop of Norwich was of course as uncanonical as that of his competitor.<sup>f</sup> Advantage was, therefore, taken of this subtilty for introducing a precedent, by which the see of Canterbury, the most important dignity in the church after the papal throne, should ever after be at the disposal of the court of Rome.

While the Pope maintained so many fierce contests, in order to wrest from princes the right of granting investitures, and to exclude laymen from all authority in conferring ecclesiastical benefices, he was supported by the united influence of the clergy, who, aspiring to independence, fought, with all the ardour of ambition, and all the zeal of superstition, under his sacred banners. But no sooner was this point, after a great effusion of blood, and the convulsions of many states, established in some tolerable degree, than the victorious leader, as is usual, turned his arms against his own community, and aspired to centre all power in his person. By the invention of reserves, provisions, commendams, and other devices, the Pope gradually assumed the right of filling vacant benefices; and the plenitude of his apostolic power, which was not subject to any limitations, supplied all defects of title in the person on whom he bestowed preferment. The canons which regulated elections were purposely rendered intricate and involved; frequent disputes arose among candidates: appeals were every day carried to Rome: the apostolic see, besides reaping pecuniary advantages from these contests, often exercised the power of setting aside both the litigants, and on pretence of appeasing faction, nominated a third person, who might be more acceptable to the contending parties.

The present controversy about the election to the see of Canterbury afforded Innocent an opportunity of claiming this right; and he failed not to perceive and avail himself of the advantage. He sent for the twelve monks deputed by the convent to maintain the cause of the Bishop of Norwich; and commanded them, under the penalty of excommunication, to choose for their primate, Cardinal Langton, an Englishman by birth, but educated in France, and connected, by his interest and attachments, with the see of Rome.<sup>g</sup> In vain did the monks represent, that they had received from their convent no authority for this purpose; that an election, without a previous writ from the king, would be deemed highly irregular; and that they were merely agents for another person, whose right they had no power or pretence to abandon. None of them had the courage to persevere in this opposition, except one, Elias de Brantfield: all the rest, overcome by the menaces and authority of the Pope, complied with his orders, and made the election required of them.

Innocent, sensible that this flagrant usurpation would be highly resented by the court of England, wrote John a mollifying letter; sent him four golden rings set with precious stones; and endeavoured to enhance the value of the present, by informing him of the many mysteries implied in it. He begged him to consider seriously the form of the rings, their number, their matter, and their colour. Their form, he said, being round, shadowed out eternity, which had neither beginning nor end; and he ought thence to learn his duty of aspiring from earthly objects to heavenly, from things temporal to things eternal. The number four, being a square, denoted steadiness of mind, not to be subverted either by adversity or prosperity, fixed for ever on the firm basis of the four cardinal virtues. Gold, which is the matter, being the most precious of metals, signified wisdom, which is the most valuable of all accomplishments, and justly preferred by Solomon to riches, power, and all exterior attainments. The blue colour of the sapphire represented Faith; the verdure of

the emerald, Hope; the redness of the ruby, Charity; and the splendour of the topaz, Good Works.<sup>h</sup> By these conceits, Innocent endeavoured to repay John for one of the most important prerogatives of his crown, which he had ravished from him; conceits probably admired by Innocent himself; for it is easily possible for a man, especially in a barbarous age, to unite strong talents for business with an absurd taste for literature and the arts.

John was inflamed with the utmost rage, when he heard of this attempt of the court of Rome;<sup>i</sup> and he immediately vented his passion on the monks of Christ-church, whom he found inclined to support the election made by their fellows at Rome. He sent Fulke de Cantelupe, and Henry de Cornhulle, two knights of his retinue, men of violent tempers and rude manners, to expel them the convent, and take possession of their revenues. These knights entered the monastery with drawn swords, commanded the prior and the monks to depart the kingdom, and menaced them, that in case of disobedience, they would instantly burn them with the convent.<sup>k</sup> Innocent prognosticating, from the violence and imprudence of these measures, that John would finally sink in the contest, persevered the more vigorously in his pretensions, and exhorted the king not to oppose God and the church any longer, nor to persecute that cause for which the holy martyr, St. Thomas, had sacrificed his life, and which had exalted him equal to the highest saints in heaven: <sup>l</sup> a clear hint to John to profit by the example of his father, and to remember the prejudices and established principles of his subjects, who bore a profound veneration to that martyr, and regarded his merits as the subject of their chief glory and exultation.

Innocent, finding that John was not sufficiently tamed to submission, sent three prelates, the bishops of London, Ely, and Worcester, to intimate, that if he persevered in his disobedience, the sovereign pontiff would be obliged to lay the kingdom under an interdict.<sup>m</sup> All the other prelates threw themselves on their knees before him, and entreated him, with tears in their eyes, to prevent the scandal of this sentence, by making a speedy submission to his spiritual father, by receiving from his hands the new-elected primate, and by restoring the monks of Christ-church to all their rights and possessions. He burst out into the most indecent invectives against the prelates; swore by God's teeth, (his usual oath), that if the Pope presumed to lay his kingdom under an interdict, he would send to him all the bishops and clergy in England, and would confiscate all their estates; and threatened, that, if thenceforth he caught any Romans in his dominions, he would put out their eyes and cut off their noses, in order to set a mark upon which might distinguish them from all other nations.<sup>n</sup> Amidst all this idle violence, John stood on such bad terms with his nobility, that he never dared to assemble the states of the kingdom, who, in so just a cause, would probably have adhered to any other monarch, and have defended with vigour the liberties of the nation against these palpable usurpations of the court of Rome. Innocent, therefore, perceiving the king's weakness, <sup>Interdict of the kingdom.</sup> <sup>o</sup> Intertid of the kingdom. last the sentence of interdict, which he had for some time held suspended over him.<sup>o</sup>

The sentence of interdict was at that time the great instrument of vengeance and policy employed by the court of Rome; was denounced against sovereigns for the lightest offences; and made the guilt of one person involve the ruin of millions, even in their spiritual and eternal welfare. The execution of it was calculated to strike the senses in the highest degree, and to operate with irresistible force on the superstitious minds of the people. The nation was of a sudden deprived of all exterior exercise of its religion: the altars were despoiled of their ornaments: the crosses, the reliques, the images, the statues of the saints, were laid on the ground; and, as if the air itself were profaned, and might pollute them by its contact, the priests carefully covered them up, even from their own approach and veneration. The use of bells entirely

<sup>f</sup> M. Paris, p. 155. Chron. de Mailr. p. 162.  
<sup>g</sup> M. Paris, p. 155. Ann. Waverl. p. 169. W. Hemmings, p. 553. Knighton, p. 445.  
<sup>h</sup> Rymer, vol. i. p. 130. M. Paris, p. 155. i Rymer, vol. i. p. 145.

<sup>k</sup> M. Paris, p. 156. Trivet, p. 151. Ann. Waverl. p. 169.  
<sup>l</sup> M. Paris, p. 157.  
<sup>m</sup> Ibid. n Ibid.  
<sup>o</sup> Ibid. Trivet, p. 152. Ann. Waverl. p. 170. M. West, p. 260.

ceased in all the churches: the bells themselves were removed from the steeples, and laid on the ground with the other sacred utensils. Mass was celebrated with shut doors, and none but the priests were admitted to that holy institution. The laity partook of no religious rite, except baptism to new-born infants, and the communion to the dying: the dead were not interred in consecrated ground: they were thrown into ditches, or buried in common fields; and their obsequies were not attended with prayers or any hallowed ceremony. Marriage was celebrated in the church-yards;<sup>p</sup> and that every action in life might bear the marks of this dreadful situation, the people were prohibited the use of meat, as in Lent, or times of the highest penance; were debarred from all pleasures and entertainments; and were forbidden even to salute each other, or so much as to shave their beards, and give any decent attention to their person and apparel. Every circumstance carried symptoms of the deepest distress, and of the most immediate apprehension of divine vengeance and indignation.

The king, that he might oppose his temporal to their spiritual terrors, immediately, from his own authority, confiscated the estates of all the clergy who obeyed the interdict;<sup>q</sup> banished the prelates, confined the monks in their convent; and gave them only such a small allowance from their own estates as would suffice to provide them with food and raiment. He treated with the utmost rigour all Langton's adherents, and every one that showed any disposition to obey the commands of Rome: and in order to distress the clergy in the tenderest point, and at the same time expose them to reproach and ridicule, he threw into prison all their concubines, and required high fines as the price of their liberty.<sup>r</sup>

After the canons which established the celibacy of the clergy were, by the zealous endeavours of Archbishop Anselm, more rigorously executed in England, the ecclesiastics gave, almost universally and avowedly, in to the use of concubinage; and the court of Rome, which had no interest in prohibiting this practice, made very slight opposition to it. The custom was become so prevalent, that, in some cantons of Switzerland, before the Reformation, the laws not only permitted, but, to avoid scandal, enjoined, the use of concubines to the younger clergy;<sup>s</sup> and it was usual every where for priests to apply to the ordinary, and obtain from him a formal liberty for this indulgence. The bishop commonly took care to prevent the practice from degenerating into licentiousness: he confined the priest to the use of one woman, required him to be constant to her bed, obliged him to provide for her subsistence and that of her children; and though the offspring was, in the eye of the law, deemed illegitimate, this commerce was really a kind of inferior marriage, such as is still practised in Germany among the nobles; and may be regarded by the candid as an appeal from the tyranny of civil and ecclesiastical institutions, to the more virtuous and more unerring laws of nature.

The quarrel between the king and the see of Rome continued for some years; and though many of the clergy, from the fear of punishment, obeyed the orders of John, and celebrated divine service, they complied with the utmost reluctance, and were regarded, both by themselves and the people, as men who betrayed their principles, and sacrificed their conscience to temporal regards and interests. During this violent situation, the king, in order to give a lustre to his government, attempted military expeditions against Scotland, against Ireland, against the Welch;<sup>t</sup> and he commonly prevailed, more from the weakness of his enemies, than from his own vigour or abilities. Meanwhile, the danger to which his government stood continually exposed from the discontents of the ecclesiastics, increased his natural propensity to tyranny; and he seems to have even wantonly disgusted all orders of men, especially his nobles, from whom alone he could reasonably expect support and assistance. He dishonoured their families by his licentious amours; he published edicts, prohibiting them from hunting feathered game, and thereby restrained them from their favourite

occupation and amusement;<sup>u</sup> he ordered all the hedges and fences near his forests to be levelled, that his deer might have more ready access into the fields for pasture; and he continually loaded the nation with arbitrary impositions. Conscious of the general hatred which he had incurred, he required his nobility to give him hostages for security of their allegiance; and they were obliged to put into his hands their sons, nephews, or near relations. When his messengers came with like orders to the castle of William de Braouse, a baron of great note, the lady of that nobleman replied, That she would never intrust her son into the hands of one who had murdered his own nephew while in his custody. Her husband reproved her for the severity of this speech; but, sensible of his danger, he immediately fled with his wife and son into Ireland, where he endeavoured to conceal himself. The king discovered the unhappy family in their retreat; seized the wife and son, whom he starved to death in prison; and the baron himself narrowly escaped, by flying into France.

The court of Rome had artfully contrived a gradation of sentences, by which it kept offenders in awe; still affording them an opportunity of preventing the next anathema by submission; and, in case of their obstinacy, was able to refresh the horror of the people against them, by new denunciations of the wrath and vengeance of Heaven. As the sentence of interdict had not produced the desired effect on John, and as his people, though extremely discontented, had hitherto been restrained from rising in open rebellion against him, he was soon to look for the sentence of excommunication: and he had reason to apprehend, that, notwithstanding all his precautions, the most dangerous consequences might ensue from it. He was witness of the other scenes which, at that very time, were acting in Europe, and which displayed the unbounded and uncontrolled power of the papacy. Innocent, far from being dismayed at his contests with the King of England, had excommunicated the Emperor Otho, John's nephew;<sup>v</sup> and soon brought that powerful and haughty prince to submit to his authority. He published a Crusade against the Albigenes, a species of enthusiasts in the south of France, whom he denominated heretics; because, like other enthusiasts, they neglected the rights of the church, and opposed the power and influence of the clergy: the people from all parts of Europe, moved by their superstition and their passion for wars and adventures, flocked to his standard: Simon de Montfort, the general of the Crusade, acquired to himself a sovereignty in these provinces: the Count of Toulouse, who protected, or perhaps only tolerated the Albigenes, was stripped of his dominions: and these sectaries themselves, though the most innocent and inoffensive of mankind, were exterminated with all the circumstances of extreme violence and barbarity. Here were therefore both an army and a general, dangerous from their zeal and valour, who might be directed to act against John; and Innocent, after keeping the thunder long suspended, gave at last authority to the Bishops of London, Ely, and Worcester, to fulminate the sentence of excommunication against him.<sup>w</sup> These prelates obeyed; though their brethren were deterred from publishing, as the Pope required of them, the sentence in the several churches of their dioceses.

No sooner was the excommunication known, than the effects of it appeared. Geoffrey, Archdeacon of Norwich, who was intrusted with a considerable office in the court of exchequer, being informed of it while sitting on the bench, observed to his colleagues the danger of serving under an excommunicated king; and he immediately left his chair, and departed the court. John gave orders to seize him, to throw him into prison, to cover his head with a great leaden cope; and, by this and other severe usage, he soon put an end to his life: nor was there any thing wanting to Geoffrey, except the dignity and rank of Becket, to exalt him to an equal station in heaven with that great and celebrated martyr. Hugh de Wells, the

<sup>p</sup> Chron. Dunst. vol. i. p. 51. <sup>q</sup> Ann. Waverl. p. 170.  
<sup>r</sup> M. Paris, p. 156. Ann. Waverl. p. 170.  
<sup>s</sup> Padre Pailly, Hist. Conc. Trid. lib. 1.

<sup>t</sup> W. Heming, p. 556. Ypod. Neust. p. 460. Knyghton, p. 2420.  
<sup>u</sup> M. Paris, p. 156. M. Paris, p. 160. Trivet, p. 154. M. West, p. 269.  
<sup>v</sup> M. Paris, p. 159. M. West, p. 270. <sup>y</sup> M. Paris, p. 159.



chancellor, being elected by the king's appointment. Bishop of Lincoln, upon a vacancy in that see, desired leave to go abroad, in order to receive consecration from the Archbishop of Rouën; but he no sooner reached France than he hastened to Pontigny, where Langton then resided, and paid submissions to him as his primate. The bishops, finding themselves exposed either to the jealousy of the king or hatred of the people, gradually stole out of the kingdom; and, at last, there remained only three prelates to perform the functions of the episcopal office.<sup>2</sup> Many of the nobility, terrified by John's tyranny, and obnoxious to him on different accounts, imitated the example of the bishops; and most of the others who remained, were, with reason, suspected of having secretly entered into a confederacy against him.<sup>3</sup> John was alarmed at his dangerous situation; a situation which prudence, vigour, and popularity, might formerly have prevented, but which no virtues or abilities were now sufficient to retrieve. He desired a conference with Langton at Dover; offered to acknowledge him as primate, to submit to the Pope, to restore the exiled clergy, even to pay them a limited sum as a compensation for the rents of their confiscated estates. But Langton, perceiving his advantage, was not satisfied with these concessions: he demanded that full restitution and reparation should be made to all the clergy; a condition so exorbitant, that the king, who probably had not the power of fulfilling it, and who foresaw that this estimation of damages might amount to an immense sum, finally broke off the conference.<sup>4</sup>

A. D. 1212. The next gradation of papal sentences was to absolve John's subjects from their oaths of fidelity and allegiance, and to declare every one excommunicated who had any commerce with him in public or in private; at his table, in his council, or even in private conversation:<sup>5</sup> and this sentence was accordingly, with all imaginable solemnity, pronounced against him. But as John still persevered in his contumacy, there remained nothing but the sentence of deposition; which, though intimately connected with the former, had been distinguished from it by the artifice of the court of Rome; and Innocent determined to dart this last thunderbolt against the refractory monarch. But as a sentence of this kind required an armed force to execute it, the pontiff, casting his eyes around, fixed at last on Philip, King of France, as the person into whose powerful hand he could most properly intrust that weapon, the ultimate resource of his ghostly authority. And he offered the monarch, besides the remission of all his sins and endless spiritual benefits, the property and possession of the kingdom of England, as the reward of his labour.<sup>6</sup>

A. D. 1213. It was the common concern of all princes to oppose these exorbitant pretensions of the Roman pontiff, by which they themselves were rendered vassals, and vassals totally dependent of the papal crown: yet even Philip, the most able monarch of the age, was seduced by present interest, and by the prospect of so tempting a prize, to accept this liberal offer of the pontiff, and thereby to ratify that authority which, if he ever opposed its boundless usurpations, might, next day, tumble him from the throne. He levied a great army; summoned all the vassals of the crown to attend him at Rouën; collected a fleet of 1700 vessels, great and small, in the sea-ports of Normandy and Picardy; and partly from the zealous spirit of the age, partly from the personal regard universally paid him, prepared a force, which seemed equal to the greatness of his enterprise. The king, on the other hand, issued out writs, requiring the attendance of all his military tenants at Dover, and even of all able-bodied men, to defend the kingdom in this dangerous extremity. A great number appeared; and he selected an army of 60,000 men; a power invincible, had they been united in affection to their prince, and animated with a becoming zeal for the defence of their native country.<sup>7</sup> But the people were swayed by superstition, and regarded their king with horror, as anathematized by papal censures: the barons, besides, lying under the same preju-

dices, were all disgusted by his tyranny, and were, many of them, suspected of holding a secret correspondence with the enemy: and the incapacity and cowardice of the king himself, ill fitted to contend with those mighty difficulties, made men prognosticate the most fatal effects from the French invasion.

Pandolf, whom the Pope had chosen for his legate, and appointed to head this important expedition, had, before he left Rome, applied for a secret conference with his master, and had asked him, whether, if the King of England, in this desperate situation, were willing to submit to the apostolic see, the church should, without the consent of Philip, grant him any terms of accommodation?<sup>8</sup> Innocent, expecting from his agreement with a prince so abject both in character and fortune, more advantages than from his alliance with a great and victorious monarch, who, after such mighty acquisitions, might become too haughty to be bound by spiritual chains, explained to Pandolf the conditions on which he was willing to be reconciled to the King of England. The legate, therefore, as soon as he arrived in the north of France, sent over two knights templars to desire an interview with John at Dover, which was readily granted: he there represented to him, in such strong, and probably in such true colours, his lost condition, the disaffection of his subjects, the secret combination of his vassals against him, the mighty armament of France, that John yielded at discretion,<sup>9</sup> and subscribed to all the conditions which Pandolf was pleased to impose upon him. He promised, among other articles, that he would submit himself entirely to the judgment of the Pope; that he would acknowledge Langton for primate; that he would restore all the exiled clergy and laity, who had been banished on account of the contest; that he would make them full restitution of their goods, and compensation for all damages, and instantly consign eight thousand pounds in part of payment; and that every one outlawed or imprisoned for his adherence to the Pope, should immediately be received into grace and favour.<sup>10</sup> Four barons swore, along with the king, to the observance of this ignominious treaty.<sup>11</sup>

But the ignominy of the king was not yet carried to its full height. Pandolf required him, as the first trial of obedience, to resign his kingdom to the church; and he persuaded him, that he could nowise so effectually disappoint the French invasion, as by thus putting himself under the immediate protection of the apostolic see. John, lying under the agonies of present terror, made no scruple of submitting to this condition. He passed a charter, in which he said, that, not constrained by fear, but of his own free will, and by the common advice and consent of his barons, he had, for remission of his own sins, and those of his family, resigned England and Ireland to God, to St. Peter and St. Paul, and to Pope Innocent and his successors in the apostolic chair: he agreed to hold these dominions as feudatory of the church of Rome, by the annual payment of a thousand marks; seven hundred for England, three hundred for Ireland: and he stipulated, that if he or his successors should ever presume to revoke or infringe this charter, they should instantly, except upon admonition they repented of their offence, forfeit all right to their dominions.<sup>12</sup>

In consequence of this agreement, John did homage to Pandolf as the Pope's legate, with all the submissive rights which the feudal law required of vassals before their liege-lord and superior. He came disarmed into the legate's presence, who was seated on a throne; he flung himself on his knees before him; he lifted up his joined hands, and put them within those of Pandolf; he swore fealty to the Pope; and he paid part of the tribute which he owed for his kingdom as the patrimony of St. Peter. The legate, elated by this supreme triumph of sacerdotal power, could not forbear discovering extravagant symptoms of joy and exultation: he trampled on the money, which was laid at his feet, as an earnest of the subjection of the kingdom; an insolence,

13th May.  
The king's submission to the Pope.

15th May.

<sup>2</sup> Ann. Waverl. p. 170. Ann. Mag. p. 14.

<sup>3</sup> M. Paris, p. 162. M. West. p. 370, 271.

<sup>4</sup> Ann. Waverl. p. 171.

<sup>5</sup> M. Paris, p. 161. M. West. p. 371.

<sup>6</sup> M. Paris, p. 162. M. West. p. 371.

<sup>7</sup> M. Paris, p. 163. M. West. p. 271.

<sup>8</sup> M. Paris, p. 162.

<sup>9</sup> Rymer, vol. i. p. 166. M. Paris, p. 163. Annal. Burt. p. 268.

<sup>10</sup> Rymer, vol. i. p. 170. M. Paris, p. 163.

<sup>11</sup> Rymer, vol. i. p. 170. M. Paris, p. 163.

<sup>12</sup> M. West. p. 371.

of which, however offensive to all the English, no one present, except the Archbishop of Dublin, dared to take any notice. But though Pandolf had brought the king to submit to these base conditions, he still refused to free him from the excommunication and interdict, till an estimation should be taken of the losses of the ecclesiastics, and full compensation and restitution should be made them.

John, reduced to this abject situation under a foreign power, still showed the same disposition to tyrannize over his subjects, which had been the chief cause of all his misfortunes. One Peter of Pomfret, a hermit, had foretold that the king, this very year, should lose his crown; and for that rash prophecy he had been thrown into prison in Corfe-castle. John now determined to bring him to punishment as an impostor; and though the man pleaded, that his prophecy was fulfilled, and that the king had lost the royal and independent crown which he formerly wore, the defence was supposed to aggravate his guilt: he was dragged at horses' tails to the town of Warham, and there hanged on a gibbet with his son.<sup>1</sup>

When Pandolf, after receiving the homage of John, returned to France, he congratulated Philip on the success of his pious enterprise; and informed him, that John, moved by the terror of the French arms, had now come to a just sense of his guilt; had returned to obedience under the apostolic see, and even consented to do homage to the Pope for his dominions; and having thus made his kingdom a part of St. Peter's patrimony, had rendered it impossible for any Christian prince, without the most manifest and most flagrant impiety, to attack him.<sup>2</sup> Philip was enraged on receiving this intelligence: he exclaimed, that having, at the Pope's instigations, undertaken an expedition, which had cost him above 60,000 pounds sterling, he was frustrated of his purpose, at the time when its success was become infallible: he complained, that all the expense had fallen upon him; all the advantages had accrued to Innocent: he threatened to be no longer the dupe of these hypocritical pretences: and, assembling his vassals, he laid before them the ill treatment which he had received, exposed the interested and fraudulent conduct of the Pope, and required their assistance to execute his enterprise against England, in which he told them, that, notwithstanding the inhibitions and menaces of the legate, he was determined to persevere. The French barons were, in that age, little less ignorant and superstitious than the English: yet, so much does the influence of those religious principles depend on the present dispositions of men, they all vowed to follow their prince on his intended expedition, and were resolute not to be disappointed of that glory and those riches which they had long expected from this enterprise. The Earl of Flanders alone, who had previously formed a secret treaty with John, declaring against the injustice and impiety of the undertaking, retired with his forces;<sup>3</sup> and Philip, that he might not leave so dangerous an enemy behind him, first turned his arms against the dominions of that prince. Meanwhile, the English fleet was assembled under the Earl of Salisbury, the king's natural brother; and, though inferior in number, received orders to attack the French in their harbours. Salisbury performed this service with so much success, that he took three hundred ships; destroyed a hundred more;<sup>4</sup> and Philip, finding it impossible to prevent the rest from falling into the hands of the enemy, set fire to them himself, and thereby rendered it impossible for him to proceed any further in his enterprise.

John, exulting in his present security, insensible to his past disgrace, was so elated with this success, that he thought of no less than invading France in his turn, and recovering all those provinces which the prosperous arms of Philip had formerly ravished from him. He proposed this expedition to the barons, who were already assembled for the defence of the kingdom. But the English nobles both hated and despised their prince: they prognosticated no success to any enterprise conducted by such a leader: And pretending that their time of service was elapsed, and all their provisions exhausted, they refused to second his undertaking.<sup>5</sup> The king, however, resolute in his

purpose, embarked with a few followers, and sailed to Jersey, in the foolish expectation that the barons would at last be ashamed to stay behind.<sup>6</sup> But finding himself disappointed, he returned to England; and raising some troops, threatened to take vengeance on all his nobles for their desertion and disobedience. The Archbishop of Canterbury, who was in a confederacy with the barons, here interposed; strictly inhibited the king from thinking of such an attempt; and threatened him with a renewal of the sentence of excommunication, if he pretended to levy war upon any of his subjects, before the kingdom were freed from the sentence of interdict.<sup>7</sup>

The church had recalled the several anathemas pronounced against John, by the same gradual progress with which she had at first issued them. By receiving his homage, and admitting him to the rank of a vassal, his deposition had been virtually annulled, and his subjects were again bound by their oaths of allegiance. The exiled prelates had then returned in great triumph, with Langton at their head; and the king, hearing of their approach, went forth to meet them, and throwing himself on the ground before them, he entreated them, with tears, to have compassion on him and the kingdom of England.<sup>8</sup> The primate, seeing these marks of sincere penitence, led him to the chapter-house of Winchester,

20th July.

and there administered an oath to him, by which he again swore fealty and obedience to Pope Innocent and his successors; promised to love, maintain, and defend holy church and the clergy; engaged that he would re-establish the good laws of his predecessors, particularly those of St. Edward, and would abolish the wicked ones; and expressed his resolution of maintaining justice and right in all his dominions.<sup>9</sup> The primate next gave him absolution in the requisite forms, and admitted him to dine with him, to the great joy of all the people. The sentence of interdict, however, was still upheld against the kingdom. A new legate, Nicholas, Bishop of Frescati, came into England in the room of Pandolf; and he declared it to be the Pope's intentions never to loosen that sentence till full restitution were made to the clergy of every thing taken from them, and ample reparation for all damages which they had sustained. He only permitted mass to be said with a low voice in the churches, till those losses and damages could be estimated to the satisfaction of the parties. Certain barons were appointed to take an account of the claims; and John was astonished at the greatness of the sums to which the clergy made their losses to amount. No less than twenty thousand marks were demanded by the monks of Canterbury alone; twenty-three thousand for the see of Lincoln; and the king, finding these pretensions to be exorbitant and endless, offered the clergy the sum of a hundred thousand marks for a final acquittal. The clergy rejected the offer with disdain; but the Pope, willing to favour his new vassal, whom he found zealous in his declarations of fealty, and regular in paying the stipulated tribute to Rome, directed his legate to accept of forty thousand. The issue of the whole was, that the bishops and considerable abbots got reparation beyond what they had any title to demand: the inferior clergy were obliged to sit down contented with their losses; and the king, after the interdict was taken off, renewed, in the most solemn manner, and by a new charter, sealed with gold, his professions of homage and obedience to the see of Rome.

When this vexatious affair was at last A. D. 1214. brought to a conclusion, the king, as if he had nothing further to attend to but triumphs and victories, went over to Poictou, which still acknowledged his authority;<sup>10</sup> and he carried war into Philip's dominions. He besieged a castle near Angiers; but the approach of Prince Lewis, Philip's son, obliged him to raise the siege with such precipitation, that he left his tents, machines, and baggage behind him; and he returned to England with disgrace. About the same time, he heard of the great and decisive victory gained by the King of France at Bovines over the Emperor Otho, who had entered France at the head of 150,000 Germans; a victory which established

<sup>1</sup> M. Paris, p. 165. Chron. Dunst. vol. i. p. 36.

<sup>2</sup> In Trivet, p. 166.

<sup>3</sup> Ibid. p. 166. Chron. Dunst. vol. i. p. 39. Trivet, p. 137.

<sup>4</sup> M. Paris, p. 166.

<sup>5</sup> M. Paris, p. 166.

<sup>6</sup> Ann. Waverl. p. 178.

<sup>7</sup> Queen Eleanor died in 1203 or 1204.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid. p. 167.

<sup>10</sup> M. Paris, p. 166.

for ever the glory of Philip, and gave full security to all his dominions. John could therefore think henceforth of nothing further, than of ruling peaceably his own kingdom; and his close connexions with the Pope, which he was determined at any price to maintain, insured him, as he imagined, the certain attainment of that object. But the last and most grievous scene of this prince's misfortunes still awaited him; and he was destined to pass through a series of more humiliating circumstances than had ever yet fallen to the lot of any other monarch.

Discontents of the barons. The introduction of the feudal law into England by William the Conqueror had much infringed the liberties, however imperfect, enjoyed by the Anglo-Saxons in their ancient government, and had reduced the whole people to a state of vassalage under the king or barons, and even the greater part of them to a state of real slavery. The necessity also of intrusting great power in the hands of a prince, who was to maintain military dominion over a vanquished nation, had engaged the Norman barons to submit to a more severe and absolute prerogative, than that to which men of their rank, in other feudal governments, were commonly subjected. The power of the crown, once raised to a high pitch, was not easily reduced; and the nation, during the course of a hundred and fifty years, was governed by an authority unknown, in the same degree, to all the kingdoms founded by the northern conquerors. Henry I. that he might allure the people to give an exclusion to his elder brother Robert, had granted them a charter, favourable in many particulars to their liberties; Stephen had renewed the grant; Henry II. had confirmed it: but the concessions of all these princes had still remained without effect; and the same unlimited, at least irregular, authority continued to be exercised both by them and their successors. The only happiness was, that arms were never yet ravished from the hands of the barons and people. The nation, by a great confederacy, might still vindicate its liberties; and nothing was more likely, than the character, conduct, and fortunes of the reigning prince, to produce such a general combination against him. Equally odious and contemptible, both in public and private life, he affronted the barons by his insolence, dishonoured their families by his gallantries, enraged them by his tyranny, and gave discontent to all ranks of men by his endless exactions and impositions.<sup>a</sup> The effect of these lawless practices had already appeared in the general demand made by the barons of a restoration of their privileges; and after he had reconciled himself to the Pope, by abandoning the independence of the kingdom, he appeared to all his subjects in so mean a light, that they universally thought they might with safety and honour insist upon their pretensions.

But nothing forwarded this confederacy so much as the concurrence of Langton, Archbishop of Canterbury; a man whose memory, though he was obtruded on the nation by a palpable encroachment of the see of Rome, ought always to be respected by the English. This prelate, whether he was moved by the generosity of his nature and his affection to public good; or had entertained an animosity against John on account of the long opposition made by that prince to his election; or thought that an acquisition of liberty to the people would serve to increase and secure the privileges of the church; had formed the plan of reforming the government, and had prepared the way for that great innovation, by inserting those singular clauses above mentioned in the oath which he administered to the king, before he would absolve him from the sentence of excommunication. Soon after, in a private meeting of some principal barons at London, he showed them a copy of Henry I.'s charter, which he said he had happily found in a monastery; and he exhorted them to insist on the renewal and observance of it. The barons swore, that they would sooner lose their lives than depart from so reasonable a demand.<sup>b</sup> The confederacy began now to spread wider, and to comprehend almost all the barons in England; and a new and more numerous meeting was summoned by Langton at St. Edmundsbury, under colour of devotion. He again pro-

duced to the assembly the old charter of Henry; renewed his exhortations of unanimity and vigour in the prosecution of their purpose; and represented in the strongest colours the tyranny to which they had so long been subjected, and from which it now behoved them to free themselves and their posterity.<sup>c</sup> The barons, inflamed by his eloquence, incited by the sense of their own wrongs, and encouraged by the appearance of their power and numbers, solemnly took an oath, before the high altar, to adhere to each other, to insist on their demands, and to make endless war on the king, till he should submit to grant them.<sup>d</sup> They agreed, that after the festival of Christmas, they would prefer in a body their common petition; and, in the mean time, they separated, after mutually engaging, that they would put themselves in a posture of defence, would enlist men and purchase arms, and would supply their castles with the necessary provisions.

The barons appeared in London on the 6th of Jan. 1215. A. D. 1215. day appointed; and demanded of the king, that, in consequence of his own oath before the prime, as well as in deference to their just rights, he should grant them a renewal of Henry's charter, and a confirmation of the laws of St. Edward. The king, alarmed with their zeal and unanimity, as well as with their power, required a delay; promised that, at the festival of Easter, he would give them a positive answer to their petition; and offered them the Archbishop of Canterbury, the Bishop of Ely, and the Earl of Pembroke, the mareshal, as sureties for his fulfilling this engagement.<sup>e</sup> The barons accepted of the terms, and peaceably returned to their castles.

During this interval, John, in order to break or subdue the league of his barons, endeavoured to avail himself of the ecclesiastical power, of whose influence he had, from his own recent misfortunes, had such fatal experience. He granted to the clergy a charter, relinquishing for ever that important prerogative, for which his father and all his ancestors had zealously contended; yielding to them the free election on all vacancies; reserving only the power to issue a *congé d'elire*, and to subjoin a confirmation of the election; and declaring that, if either of these were withheld, the choice should nevertheless be deemed just and valid.<sup>f</sup> He made a vow to lead an army into Palestine against the infidels, and he took on him the cross, in hopes that he should receive from the church that protection which she tendered to every one that had entered into this sacred and meritorious engagement.<sup>g</sup> And he sent to Rome his agent, William de Mauclerc, in order to appeal to the Pope against the violence of his barons, and procure him a favourable sentence from that powerful tribunal.<sup>h</sup> The barons also were not negligent on their part in endeavouring to engage the Pope in their interests. They despatched Eustace de Vesie to Rome; laid their case before Innocent as their feudal lord; and petitioned him to interpose his authority with the king, and oblige him to restore and confirm all their just and undoubted privileges.<sup>i</sup>

Innocent beheld with regret the disturbances which had arisen in England, and was much inclined to favour John in his pretensions. He had no hopes of retaining and extending his newly acquired superiority over that kingdom, but by supporting so base and degenerate a prince, who was willing to sacrifice every consideration to his present safety. And he foresaw, that if the administration should fall into the hands of those gallant and high-spirited barons, they would vindicate the honour, liberty, and independence of the nation, with the same ardour which they now exerted in defence of their own. He wrote letters therefore to the prelates, to the nobility, and to the king himself. He exhorted the first to employ their good offices in conciliating peace between the contending parties, and putting an end to civil discord: to the second, he expressed his disapprobation of their conduct in employing force to extort concessions from their reluctant sovereign: the last he advised to treat his nobles with grace and indulgence, and to grant them such of their demands as should appear just and reasonable.<sup>j</sup>

The barons easily saw, from the tenor of these letters, that they must reckon on having the Pope, as well as the

Nov. 1.

<sup>a</sup> Chron. Mair. p. 188. T. Wykes, p. 36. Ann. Waverl. p. 161. W. Heming, p. 557. W. M. Paris, p. 107.

<sup>x</sup> Ibid. p. 175.

<sup>y</sup> Ibid. p. 176.

<sup>z</sup> M. Paris, p. 176. M. West, p. 273.

<sup>a</sup> Rymer, vol. 1. p. 197.

<sup>b</sup> Rymer, vol. 1. p. 197.

<sup>c</sup> Rymer, vol. 1. p. 194.

<sup>d</sup> Ibid. p. 196.

<sup>e</sup> Ibid. p. 196.

<sup>f</sup> Ibid. p. 196.

<sup>g</sup> Ibid. p. 196.

<sup>h</sup> Ibid. p. 196.

<sup>i</sup> Ibid. p. 196.

<sup>j</sup> Ibid. p. 196.



king, for their adversary; but they had already advanced too far to recede from their pretensions, and their passions were so deeply engaged, that it exceeded even the power of superstition itself any longer to control them. They also foresaw, that the thunders of Rome, when not seconded by the efforts of the English ecclesiastics, would be of small avail against them; and they perceived, that the most considerable of the prelates, as well as all the inferior clergy, professed the highest approbation of their cause. Besides that these men were seized with the national passion for laws and liberty; blessings, of which they themselves expected to partake; there concurred very powerful causes to loosen their devoted attachment to the apostolic see. It appeared, from the late usurpations of the Roman pontiff, that he pretended to reap alone all the advantages accruing from that victory, which, under his banners, though at their own peril, they had every where obtained over the civil magistrate. The Pope assumed a despotic power over all the churches: their particular customs, privileges, and immunities, were treated with disdain: even the canons of general councils were set aside by his dispensing power: the whole administration of the church was centred in the court of Rome: all preferences ran of course in the same channel: and the provincial clergy saw, at least felt, that there was a necessity for limiting these pretensions. The legate, Nicholas, in filling those numerous vacancies which had fallen in England during an interdict of six years, had proceeded in the most arbitrary manner; and had paid no regard, in conferring dignities, to personal merit, to rank, to the inclination of the electors, or to the customs of the country. The English church was universally disgusted; and Langton himself, though he owed his elevation to an encroachment of the Roman see, was no sooner established in his high office, than he became jealous of the privileges annexed to it, and formed attachments with the country subjected to his jurisdiction.\* These causes, though they opened slowly the eyes of men, failed not to produce their effect: they set bounds to the usurpations of the papacy: the tide first stopped, and then turned against the sovereign pontiff: and it is otherwise inconceivable how that age, so prone to superstition, and so sunk in ignorance, or rather so devoted to a spurious erudition, could have escaped falling into an absolute and total slavery under the court of Rome.

Insurrection of the barons. About the time that the Pope's letters arrived in England, the malcontent barons on the approach of the festival of Easter, when they were to expect the king's answer to their petition, met by agreement at Stamford; and they assembled a force, consisting of above 2000 knights, besides their retainers and inferior persons without number. Elated with their power, they advanced in a body to Brackley, within fifteen miles of Oxford, the place where the court then resided; and they there received a message from the king, by the Archbishop of Canterbury and the Earl of Pembroke, desiring to know what those liberties were which they so zealously challenged from their sovereign. They delivered to these messengers a schedule containing the chief articles of their demands; which was no sooner shown to the king, than he burst into a furious passion, and asked, why the barons did not also demand of him his kingdom? swearing that he would never grant them such liberties as must reduce himself to slavery.<sup>1</sup>

No sooner were the confederated nobles informed of John's reply, than they chose Robert Fitz-Walter their general, whom they called the *Mareschal of the army of God and of Holy Church*; and they proceeded without further ceremony to levy war upon the king. They besieged the castle of Northampton during fifteen days, though without success: the gates of Bedford castle were willingly opened to them by William Beauchamp, its owner: they advanced to Ware in their way to London, where they held a correspondence with the principal citizens: they were received without opposition into that capital: and finding now the great superiority of their force, they issued proclamations, requiring the other barons to join them; and menacing

them, in case of refusal or delay, with committing devastation on their houses and estates.<sup>h</sup> In order to show what might be expected from their prosperous arms, they made incursions from London, and laid waste the king's parks and palaces; and all the barons, who had hitherto carried the semblance of supporting the royal party, were glad of this pretence for openly joining a cause which they always had secretly favoured. The king was left at Odiham in Hampshire, with a poor retinue of only seven knights, and after trying several expedients to elude the blow, after offering to refer all differences to the Pope alone, or to eight barons, four to be chosen by himself, and four by the confederates,<sup>i</sup> he found himself at last obliged to submit at discretion.

A conference between the king and the barons was appointed at Runnemede, between Windsor and Staines; a place which has ever since been extremely celebrated, on account of this great event. The two parties encamped apart, like open enemies; and after a debate of a few days, the king, with a facility somewhat suspicious, signed and sealed the charter which was required of him. This famous deed, commonly called the *GREAT CHARTER*, either granted or secured very important liberties and privileges to every order of men in the kingdom; to the clergy, to the barons, and to the people.

The freedom of elections was secured to the clergy: the former charter of the king was confirmed, by which the necessity of a royal *congé-d'elire* and confirmation was superseded: all check upon appeals to Rome was removed, by the allowance granted every man to depart the kingdom at pleasure: and the fines to be imposed on the clergy for any offence, were ordained to be proportional to their lay estates, not to their ecclesiastical benefices.

The privileges granted to the barons were either abate-ments in the rigour of the feudal law, or determinations in points which had been left by that law, or had become, by practice, arbitrary and ambiguous. The reliefs of heirs succeeding to a military fee were ascertained; an earl's and baron's at a hundred marks, a knight's at a hundred shillings. It was ordained by the charter, that, if the heir be a minor, he shall, immediately upon his majority, enter upon his estate, without paying any relief: the king shall not sell his wardship: he shall levy only reasonable profits upon the estate, without committing waste, or hurting the property: he shall uphold the castles, houses, mills, parks, and ponds: and if he commit the guardianship of the estate to the sheriff or any other, he shall previously oblige them to find surety to the same purpose. During the minority of a baron, while his lands are in wardship, and are not in his own possession, no debt which he owes to the Jews shall bear any interest. Heirs shall be married without disparagement; and before the marriage be contracted, the nearest relations of the person shall be informed of it. A widow, without paying any relief, shall enter upon her dower, the third part of her husband's rents: she shall not be compelled to marry, so long as she chooses to continue single; she shall only give security never to marry without her lord's consent. The king shall not claim the wardship of any minor who holds lands by military tenure of a baron, on pretence that he also holds lands of the crown, by socage or any other tenure. Scutages shall be estimated at the same rate as in the time of Henry I.; and no scutage or aid, except in the three general feudal cases, the king's captivity, the knighting of his eldest son, and the marrying of his eldest daughter, shall be imposed but by the great council of the kingdom; the prelates, earls, and great barons, shall be called to this great council, each by a particular writ: the lesser barons by a general summons of the sheriff. The king shall not seize any baron's land for a debt to the crown, if the baron possesses as many goods and chattels as are sufficient to discharge the debt. No man shall be obliged to perform more service for his fee than he is bound to by his tenure. No governor or constable of a castle shall oblige any knight to give money for castle-guard, if the knight be willing to perform the service in person, or by another able-bodied man; and if the knight be in the field him-

Magna Charta.  
12th June.

19th June.

f M. Paris, p. 176.

g Ibid. p. 177. Chron. Dunst. vol. i. p. 71.

h M. Paris, p. 177.

i Rymer, vol. i. p. 200.

self, by the king's command, he shall be exempted from all other service of this nature. No vassal shall be allowed to sell so much of his land as to incapacitate himself from performing his service to his lord.

These were the principal articles, calculated for the interest of the barons; and had the charter contained nothing further, national happiness and liberty had been very little promoted by it, as it would only have tended to increase the power and independence of an order of men who were already too powerful, and whose yoke might have become more heavy on the people than even that of an absolute monarch. But the barons, who alone drew and imposed on the prince this memorable charter, were necessitated to insert in it other clauses of a more extensive and more beneficent nature: they could not expect the concurrence of the people, without comprehending, together with their own, the interests of inferior ranks of men; and all provisions which the barons, for their own sake, were obliged to make, in order to insure the free and equitable administration of justice, tended directly to the benefit of the whole community. The following were the principal clauses of this nature.

It was ordained, that all the privileges and immunities above mentioned, granted to the barons against the king, should be extended by the barons to their inferior vassals. The king bound himself not to grant any writ, empowering a baron to levy aids from his vassals, except in the three feudal cases. One weight and one measure shall be established throughout the kingdom. Merchants shall be allowed to transact all business, without being exposed to any arbitrary tolls and impositions: they and all freemen shall be allowed to go out of the kingdom and return to it at pleasure: London, and all cities and burghs, shall preserve their ancient liberties, immunities, and free customs: aids shall not be required of them but by the consent of the great council: no towns or individuals shall be obliged to make or support bridges but by ancient custom: the goods of every freeman shall be disposed of according to his will: if he die intestate, his heirs shall succeed to them. No officer of the crown shall take any horses, carts, or wood, without the consent of the owner. The king's courts of justice shall be stationary, and shall no longer follow his person: they shall be open to every one; and justice shall no longer be sold, refused, or delayed by them. Circuits shall be regularly held every year: the inferior tribunals of justice, the county court, sheriff's turn, and court-leet, shall meet at their appointed time and place: the sheriffs shall be incapacitated to hold pleas of the crown; and shall not put any person upon his trial, from rumour or suspicion alone, but upon the evidence of lawful witnesses. No freeman shall be taken or imprisoned, or dispossessed of his free tenement and liberties, or outlawed, or banished, or otherwise hurt or injured, unless by the legal judgment of his peers, or by the law of the land; and all who suffered otherwise, in this or the two former reigns, shall be restored to their rights and possessions. Every freeman shall be fined in proportion to his fault; and no fine shall be levied on him to his utter ruin: even a villain or rustic shall not, by any fine, be bereaved of his carts, ploughs, and implements of husbandry. This was the only article calculated for the interests of this body of men, probably at that time the most numerous in the kingdom.

It must be confessed, that the former articles of the Great Charter contain such mitigations and explanations of the feudal law as are reasonable and equitable; and that the latter involve all the chief outlines of a legal government, and provide for the equal distribution of justice and free enjoyment of property; the great objects for which political society was at first founded by men, which the people have a perpetual and unalienable right to recall, and which no time, nor precedent, nor statute, nor positive institution, ought to deter them from keeping ever uppermost in their thoughts and attention. Though the provisions made by this charter might, conformably to the genius of the age, be esteemed too concise, and

too bare of circumstances, to maintain the execution of its articles, in opposition to the chicanery of lawyers, supported by the violence of power; time gradually ascertained the sense of all the ambiguous expressions; and those generous barons, who first extorted this concession, still held their swords in their hands, and could turn them against those who dared, on any pretence, to depart from the original spirit and meaning of the grant. We may now, from the tenor of this charter, conjecture what those laws were of King Edward, which the English nation, during so many generations, still desired, with such an obstinate perseverance, to have recalled and established. They were chiefly these latter articles of *Magna Charta*; and the barons who, at the beginning of these commotions, demanded the revival of the Saxon laws, undoubtedly thought that they had sufficiently satisfied the people, by procuring them this concession, which comprehended the principal objects to which they had so long aspired. But what we are most to admire is, the prudence and moderation of those haughty nobles themselves, who were enraged by injuries, inflamed by opposition, and elated by a total victory over their sovereign. They were content, even in this plenitude of power, to depart from some articles of Henry I.'s charter, which they made the foundation of their demands, particularly from the abolition of wardships, a matter of the greatest importance; and they seem to have been sufficiently careful not to diminish too far the power and revenue of the crown. If they appear, therefore, to have carried other demands to too great a height, it can be ascribed only to the faithless and tyrannical character of the king himself, of which they had long had experience, and which, they foresaw, would, if they provided no further security, lead him soon to infringe their new liberties, and revoke his own concessions. This alone gave birth to those other articles, seemingly exorbitant, which were added as a rampart for the safeguard of the Great Charter.

The barons obliged the king to agree that London should remain in their hands, and the Tower be consigned to the custody of the primate, till the 15th of August ensuing, or till the execution of the several articles of the Great Charter.<sup>k</sup> The better to insure the same end, he allowed them to choose five and twenty members from their own body, as conservators of the public liberties; and no bounds were set to the authority of these men either in extent or duration. If any complaint were made of a violation of the charter, whether attempted by the king, justiciaries, sheriffs, or foresters, any four of these barons might admonish the king to redress the grievance: if satisfaction were not obtained, they could assemble the whole council of twenty-five; who, in conjunction with the great council, were empowered to compel him to observe the charter, and, in case of resistance, might levy war against him, attack his castles, and employ every kind of violence, except against his royal person, and that of his queen and children. All men throughout the kingdom were bound, under the penalty of confiscation, to swear obedience to the twenty-five barons; and the freeholders of each county were to choose twelve knights, who were to make report of such evil customs as required redress, conformably to the tenor of the Great Charter.<sup>l</sup> The names of those conservators were, the Earls of Clare, Albemarle, Gloucester, Winchester, Hereford, Roger Bigod, Earl of Norfolk, Robert de Vere, Earl of Oxford, William Mareschal the younger, Robert Fitz-Walter, Gilbert de Clare, Eustace de Vessey, Gilbert Delaval, William de Mowbray, Geoffrey de Say, Roger de Mombezon, William de Huntingfield, Robert de Ros, the Constable of Chester, William de Aubeney, Richard de Percy, William Malet, John Fitz-Robert, William de Lanvalay, Hugh de Bigod, and Roger de Montfitchet.<sup>m</sup> These men were, by this convention, really invested with the sovereignty of the kingdom: they were rendered co-ordinate with the king, or rather superior to him, in the exercise of the executive power: and as there was no circumstance of government which, either directly or indirectly, might not bear a rela-

<sup>k</sup> Rymer, vol. i. p. 201. Clifton, Dunst. vol. i. p. 73.

<sup>l</sup> This seems a very strong proof that the House of Commons was not then in being, otherwise the knights and burgesses from the several coun-

ties could have given in to the Lords a list of grievances, without so unusual an election.  
<sup>m</sup> M. Paris, p. 181.

tion to the security or observance of the Great Charter, there could scarcely occur any incident, in which they might not lawfully interpose their authority.

John seemed to submit passively to all these regulations, however injurious to majesty: he sent writs to all the sheriffs, ordering them to constrain every one to swear obedience to the twenty-five barons:<sup>a</sup> he dismissed all his foreign forces: he pretended that his government was thenceforth to run in a new tenor, and be more indulgent to the liberty and independence of his people. But he only dissembled, till he should find a favourable opportunity for annulling all his concessions. The injuries and indignities which he had formerly suffered from the Pope and the King of France, as they came from equals or superiors, seemed to make but small impression on him: but the sense of this perpetual and total subjection under his own rebellious vassals, sunk deep in his mind, and he was determined, at all hazards, to throw off so ignominious a slavery.<sup>b</sup> He grew sullen, silent, and reserved: he shunned the society of his courtiers and nobles: he retired into the Isle of Wight, as if desirous of hiding his shame and confusion; but in this retreat he meditated the most fatal vengeance against all his enemies.<sup>c</sup> He secretly sent abroad his emissaries to enlist foreign soldiers, and to invite the rapacious Brabançons into his service, by the prospect of sharing the spoils of England, and reaping the forfeitures of so many opulent barons, who had incurred the guilt of rebellion by rising in arms against him:<sup>d</sup> and he despatched a messenger to Rome, in order to lay before the Pope the Great Charter, which he had been compelled to sign, and to complain, before that tribunal, of the violence which had been imposed upon him.<sup>e</sup>

Innocent, considering himself as feudal lord of the kingdom, was incensed at the temerity of the barons, who, though they pretended to appeal to his authority, had dared, without waiting for his consent, to impose such terms on a prince, who, by resigning to the Roman pontiff his crown and independence, had placed himself immediately under the papal protection. He issued, therefore, a bull, in which, from the plenitude of his apostolic power, and from the authority which God had committed to him, to build and destroy kingdoms, to plant and overthrow, he annulled and abrogated the whole charter, as unjust in itself, as obtained by compulsion, and as derogatory to the dignity of the apostolic see. He prohibited the barons from exacting the observance of it: he even prohibited the king himself from paying any regard to it: he absolved him and his subjects from all oaths which they had been constrained to take to that purpose: and he pronounced a general sentence of excommunication against every one who should persevere in maintaining such treasonable and iniquitous pretensions.<sup>f</sup>

The king, as his foreign forces arrived along with this bull, now ventured to take off the mask; and, under sanction of the Pope's decree, recalled all the liberties which he had granted to his subjects, and which he had solemnly sworn to observe. But the spiritual weapon was found, upon trial, to carry less force with it than he had reason from his own experience to apprehend. The primate refused to obey the Pope in publishing the sentence of excommunication against the barons; and though he was cited to Rome, that he might attend a general council there assembled, and was suspended, on account of his disobedience to the Pope, and his secret correspondence with the king's enemies:<sup>g</sup> though a new and particular sentence of excommunication was pronounced by name against the principal barons;<sup>h</sup> John still found, that his nobility and people, and even his clergy, adhered to the defence of their liberties, and to their combination against him: the sword of his foreign mercenaries was all he had to trust to for restoring his authority.

The barons, after obtaining the Great Charter, seem to have been lulled into a fatal security, and to have taken no rational measures, in case of the introduction of a foreign force, for re-assembling their armies. The king was, from the first, master of the field; and immediately

laid siege to the castle of Rochester, which was obstinately defended by William de Albiney, at the head of a hundred and forty knights with their retainers, but was at last reduced by famine. John, irritated with the resistance, intended to have hanged the governor and all the garrison; but, on the representation of William de Mauleon, who suggested to him the danger of reprisals, he was content to sacrifice, in this barbarous manner, the inferior prisoners only.<sup>i</sup> The captivity of William de Albiney, the best officer among the confederated barons, was an irreparable loss to their cause; and no regular opposition was thenceforth made to the progress of the royal arms. The ravenous and barbarous mercenaries, incited by a cruel and enraged prince, were let loose against the estates, tenants, manors, houses, parks of the barons, and spread devastation over the face of the kingdom. Nothing was to be seen but the flames of villages and castles reduced to ashes, the consternation and misery of the inhabitants, tortures exercised by the soldiery to make them reveal their concealed treasures, and reprisals no less barbarous committed by the barons and their partisans on the royal demesnes, and on the estates of such as still adhered to the crown. The king, marching through the whole extent of England, from Dover to Berwick, laid the provinces waste on each side of him; and considered every state, which was not his immediate property, as entirely hostile, and the object of military execution. The nobility of the North, in particular, who had shown greatest violence in the recovery of their liberties, and who, acting in a separate body, had expressed their discontent even at the concessions made by the Great Charter, as they could expect no mercy, fled before him with their wives and families, and purchased the friendship of Alexander the young King of Scots, by doing homage to him.

The barons, reduced to this desperate extremity, and menaced with the total loss of their liberties, their properties, and their lives, employed a remedy no less desperate; and making applications to the court of France, they offered to acknowledge Lewis, the eldest son of Philip, for their sovereign, on condition that he would afford them protection from the violence of their enraged prince. Though the sense of the common rights of mankind, the only rights that are entirely indefeasible, might have justified them in the deposition of their king; they declined insisting, before Philip, on a pretension, which is commonly so disagreeable to sovereigns, and which sounds harshly in their royal ears. They affirmed, that John was incapable of succeeding to the crown, by reason of the attainder passed upon him during his brother's reign; though that attainder had been reversed, and Richard had even, by his last will, declared him his successor. They pretended, that he was already legally deposed by sentence of the peers of France, on account of the murder of his nephew; though that sentence could not possibly regard any thing but his transmarine dominions, which alone he held in vassalage to that crown. On more plausible grounds they affirmed, that he had already deposed himself by doing homage to the Pope, changing the nature of his sovereignty, and resigning an independent crown for a fee under a foreign power. And as Blanche of Castile, the wife of Lewis, was descended by her mother from Henry II. they maintained, though many other princes stood before her in the order of succession, that they had not shaken off the royal family, in choosing her husband for their sovereign.

Philip was strongly tempted to lay hold on the rich prize which was offered to him. The legate menaced him with interdicts and excommunications, if he invaded the patrimony of St. Peter, or attacked a prince, who was under the immediate protection of the holy see:<sup>j</sup> but as Philip was assured of the obedience of his own vassals, his principles were changed with the times, and he now undervalued as much all papal censures, as he formerly pretended to pay respect to them. His chief scruple was with regard to the fidelity which he might expect from the

30th Nov.

Prince Lewis called over.

A. D. 1216.

<sup>a</sup> M. Paris, p. 162. <sup>b</sup> Ibid. p. 163. <sup>c</sup> Ibid. p. 163. <sup>d</sup> Ibid. p. 163. <sup>e</sup> Ibid. Chron. Dunst. vol. i. p. 72. Chron. Mail. p. 163. <sup>f</sup> M. Paris, p. 163. Chron. Dunst. vol. i. p. 73.

<sup>g</sup> Rymer, vol. i. p. 203, 204, 205, 206. M. Paris, p. 164, 165, 167. <sup>h</sup> M. Paris, p. 164. <sup>i</sup> Rymer, vol. i. p. 211. M. Paris, p. 162. <sup>j</sup> M. Paris, p. 167. A. D. 1216. M. West, p. 275.



English barons in their new engagements, and the danger of intrusting his son and heir into the hands of men, who might, on any caprice or necessity, make peace with their native sovereign, by sacrificing a pledge of so much value. He therefore exacted from the barons twenty-five hostages of the most noble birth in the kingdom; and having obtained this security, he sent over first a small army to the relief of the confederates; then more numerous forces, which arrived with Lewis himself at their head.

The first effect of the young prince's appearance in England was the desertion of John's foreign troops, who, being mostly levied in Flanders, and other provinces of France, refused to serve against the heir of their monarchy.<sup>1</sup> The Gascons and Poitevins alone, who were still John's subjects, adhered to his cause; but they were too weak to maintain that superiority in the field which they had hitherto supported against the confederated barons. Many considerable noblemen deserted John's party, the earls of Salisbury, Arundel, Warrene, Oxford, Albemarle, and William Mareschal the younger: his castles fell daily into the hands of the enemy; Dover was the only place which, from the valour and fidelity of Hubert de Burgh, the governor, made resistance to the progress of Lewis;<sup>2</sup> and the barons had the melancholy prospect of finally succeeding in their purpose, and of escaping the tyranny of their own king, by imposing on themselves and the nation a foreign yoke. But this union was of short duration between the French and English nobles: and the imprudence of Lewis, who, on every occasion, showed too visible a preference to the former, increased that jealousy which it was so natural for the latter to entertain in their present situation.<sup>3</sup> The viscount of Melun, too, it is said, one of his courtiers, fell sick at London, and finding the approaches of death, he sent for some of his friends among the English barons, and warning them of their danger, revealed Lewis's secret intentions of exterminating them and their families as traitors to their prince, and of bestowing their estates and dignities on his native subjects, in whose fidelity he could more reasonably place confidence: this story, whether true or false, was universally reported and believed; and concurring with other circumstances which rendered it credible, did great prejudice to the cause of Lewis. The earl of Salisbury, and other noblemen, deserted again to John's party;<sup>4</sup> and as men easily change sides in a civil war, especially where their power is founded on an hereditary and independent authority, and is not derived from the opinion and favour of the people, the French prince had reason to dread a sudden reverse of fortune. The king was assembling a considerable army, with a view of fighting one great battle for his crown; but passing from Lynne to Lincolnshire, his road lay along the sea-shore, which was overflowed at high water; and not choosing the proper time for his journey, he lost in the inundation all his carriages, treasure, baggage, and regalia. The affliction for this disaster, and vexation from the distracted state of his affairs, increased the sickness under which he then laboured; and though he reached the castle of Newark, he was obliged to halt there, and his distemper soon after put an end to his life, in the forty-ninth year of his age, and eighteenth of his reign; and freed the nation from the dangers, to which it was equally exposed by his success or by his misfortunes.

<sup>1</sup> *Death.* The character of this prince is nothing but a complication of vices, equally mean and odious; ruinous to himself, and destructive to his people. Cowardice, inactivity, folly, levity, licentiousness, ingratitude, treachery, tyranny, and cruelty; all these qualities appear too evidently in the several incidents of his life, to give us room to suspect that the disagreeable picture has been anywise overcharged by the prejudices of the ancient historians. It is hard to say whether his conduct to his father, his brother, his nephew, or his subjects, was most culpable; or whether his crimes, in these respects, were not even exceeded by the baseness which appeared in his transactions with the King of France, the Pope, and the barons. His European dominions, when they devolved

to him by the death of his brother, were more extensive than have ever, since his time, been ruled by an English monarch: but he first lost, by his misconduct, the flourishing provinces in France, the ancient patrimony of his family: he subjected his kingdom to a shameful vassalage under the see of Rome: he saw the prerogatives of his crown diminished by law, and still more reduced by faction: and he died at last, when in danger of being totally expelled by a foreign power, and of either ending his life miserably in prison, or seeking shelter, as a fugitive, from the pursuit of his enemies.

The prejudices against this prince were so violent, that he was believed to have sent an embassy to the Miramoulin, or Emperor of Morocco, and to have offered to change his religion and become Mahometan, in order to purchase the protection of that monarch. But, though this story is told us, on plausible authority, by Matthew Paris,<sup>5</sup> it is in itself utterly improbable; except that there is nothing so incredible but may be believed to proceed from the folly and wickedness of John.

The monks throw great reproaches on this prince for his impiety and even infidelity; and as an instance of it, they tell us, that, having one day caught a very fat stag, he exclaimed, *How plump and well fed is this animal! and yet, I dare swear, he never heard mass!* This sally of wit upon the usual corpulency of the priests, more than all his enormous crimes and iniquities, made him pass with them for an atheist.

John left two legitimate sons behind him, Henry, born on the first of October, 1207, and now nine years of age; and Richard, born on the sixth of January, 1209; and three daughters, Jane, afterwards married to Alexander King of Scots; Eleanor, married first to William Mareschal the younger, earl of Pembroke, and then to Simon Mountfort, earl of Leicester; and Isabella, married to the emperor Frederic II. All these children were born to him by Isabella of Angoulesme, his second wife. His illegitimate children were numerous; but none of them were anywise distinguished.

It was this king who, in the ninth year of his reign, first gave by charter, to the city of London, the right of electing, annually, a mayor out of its own body, an office which was till now held for life. He gave the city also power to elect and remove its sheriffs at pleasure, and its common-councilmen annually. London-bridge was finished in this reign. The former bridge was of wood. Maud, the empress, was the first that built a stone bridge in England.

## CHAP. XII.

## HENRY III.

Settlement of the government—General pacification—Death of the Protector—Some contentions—Hubert de Burgh displaced—the bishop of Winchester minister—King's partiality to foreigners—Grievances—Ecclesiastical privileges—Earl of Cornwall elected King of the Romans—Contentment of the barons—Simon de Mountfort, earl of Leicester—Provisions of Oxford—Usurpation of the barons—Prince Edward—Civil wars of the Barons—Relinquence to the King of France—Renewal of the civil wars—Battle of Lewes—House of Commons—Battle of Evesham and death of Leicester—Settlement of the government—Death—and character of the King—Miscellaneous transactions of this reign.

Most sciences, in proportion as they increase and improve, invent methods by which they facilitate their reasonings: and, employing general theorems, are enabled to comprehend, in a few propositions, a great number of inferences and conclusions. History also, being a collection of facts which are multiplying without end, is obliged to adopt such arts of abridgment, to retain the more material events, and to drop all the minute circumstances, which are only interesting during the time, or to the persons engaged in the transactions. This truth is no where more evident than with regard to the reign upon which we are going to enter. What mortal could have the patience to write or read a

A. D. 1216.

<sup>1</sup> M. Paris, p. 193. Chron. Dunst. vol. i. p. 74.

<sup>2</sup> M. Paris, p. 193.

<sup>3</sup> Ibid. p. 193. Chron. Dunst. vol. i. p. 75, 76.

<sup>4</sup> W. Heming, p. 59.

<sup>5</sup> M. Paris, p. 194. M. West, p. 277.

<sup>6</sup> Chron. Dunst. vol. i. p. 75.

<sup>7</sup> p. 169.

<sup>8</sup> M. Paris, p. 170.

long detail of such frivolous events as those with which it is filled, or attend to a tedious narrative which would follow, through a series of fifty-six years, the caprices and weaknesses of so mean a prince as Henry? The chief reason why protestant writers have been so anxious to spread out the incidents of this reign is, in order to expose the rapacity, ambition, and artifices of the court of Rome; and to prove that the great dignitaries of the catholic church, while they pretended to have nothing in view but the salvation of souls, had bent all their attention to the acquisition of riches, and were restrained by no sense of justice or of honour in the pursuit of that great object.\* But this conclusion would readily be allowed them, though it were not illustrated by such a detail of uninteresting incidents; and follows, indeed, by an evident necessity, from the very situation in which that church was placed with regard to the rest of Europe. For, besides the ecclesiastical power, as it can always cover its operations under a cloak of sanctity, and attacks men on the side where they dare not employ their reason, lies less under control than civil government; besides this general cause, I say, the Pope and his courtiers were foreigners to most of the churches which they governed; they could not possibly have any other object than to pillage the provinces for present gain; and as they lived at a distance, they would be little awed by shame or remorse, in employing every lucrative expedient which was suggested to them. England being one of the most remote provinces attached to the Romish hierarchy, as well as the most prone to superstition, felt severely, during this reign, while its patience was not yet fully exhausted, the influence of these causes; and we shall often have occasion to touch cursorily upon such incidents. But we shall not attempt to comprehend every transaction transmitted to us; and, till the end of the reign, when the events become more memorable, we shall not always observe an exact chronological order in our narration.

The Earl of Pembroke, who, at the time of John's death, was Mareschal of England, was, by his office, at the head of the armies, and consequently, during a state of civil wars and convulsions, at the head of the government; and it happened fortunately for the young monarch and for the nation, that the power could not have been intrusted into more able and more faithful hands. This nobleman, who had maintained his loyalty unshaken to John, during the lowest fortune of that monarch, determined to support the authority of the infant prince; nor was he dismayed at the number and violence of his enemies. Sensible that Henry, agreeably to the prejudices of the times, would not be deemed a sovereign, till crowned and anointed by a churchman, he

immediately carried the young prince to Gloucester, where the ceremony of coronation was performed, in the presence of Gualo, the legate, and of a few noblemen, by the Bishops of Winchester and Bath.<sup>b</sup> As the concurrence of the papal authority was requisite to support the tottering throne, Henry was obliged to swear fealty to the Pope, and renew that homage to which his father had already subjected the kingdom: and in order to enlarge the authority of Pembroke, and to give him a more regular and legal title to it, a general council of the barons was soon after summoned at Bristol, where that nobleman was chosen protector of the realm.

Pembroke, that he might reconcile all men to the government of his pupil, made him grant a new charter of liberties, which, though mostly copied from the former concessions extorted from John, contains some alterations, which may be deemed remarkable.<sup>c</sup> The full privilege of elections in the clergy, granted by the late king, was not confirmed, nor the liberty of going out of the kingdom, without the royal consent: whence we may conclude, that Pembroke and the barons, jealous of the ecclesiastical power, both were desirous of removing the king's claim to issue a *congéd d'élire* to the monks and chapters, and thought it requisite to put some check to the frequent appeals to Rome. But what may chiefly surprise us, is, that the obligation to which John had subjected himself,

of obtaining the consent of the great council before he levied any aids or scutages upon the nation, was omitted; and this article was even declared hard and severe, and was expressly left to future deliberation. But we must consider, that, though this limitation may perhaps appear to us the most momentous in the whole charter of John, it was not regarded in that light by the ancient barons, who were more jealous in guarding against particular acts of violence in the crown, than against such general impositions, which, unless they were evidently reasonable and necessary, could scarcely, without general consent, be levied upon men who had arms in their hands, and who could repel any act of oppression, by which they were all immediately affected. We accordingly find, that Henry, in the course of his reign, while he gave frequent occasions for complaint, with regard to his violations of the Great Charter, never attempted, by his mere will, to levy any aids or scutages; though he was often reduced to great necessities, and was refused supply by his people. So much easier was it for him to transgress the law, when individuals alone were affected, than even to exert his acknowledged prerogatives, where the interest of the whole body was concerned.

This charter was again confirmed by the king in the ensuing year, with the addition of some articles, to prevent the oppressions by sheriffs: and also with an additional charter of forests, a circumstance of great moment in those ages, when hunting was so much the occupation of the nobility, and when the king comprehended so considerable a part of the kingdom within his forests, which he governed by peculiar and arbitrary laws. All the forests, which had been enclosed since the reign of Henry II. were disafforested; and new perambulations were appointed for that purpose: offences in the forests were declared to be no longer capital; but punishable by fine, imprisonment, and more gentle penalties: and all the proprietors of land recovered the power of cutting and using their own wood at their pleasure.

Thus, these famous charters were brought nearly to the shape in which they have ever since stood; and they were, during many generations, the peculiar favourites of the English nation, and esteemed the most sacred rampart to national liberty and independence. As they secured the rights of all orders of men, they were anxiously defended by all, and became the basis, in a manner, of the English monarchy, and a kind of original contract, which both limited the authority of the king, and insured the conditional allegiance of his subjects. Though often violated, they were still claimed by the nobility and people; and as no precedents were supposed valid that infringed them, they rather acquired than lost authority from the frequent attempts made against them, in several ages, by regal and arbitrary power.

While Pembroke, by renewing and confirming the Great Charter, gave so much satisfaction and security to the nation in general, he also applied himself successfully to individuals: he wrote letters, in the king's name, to all the malcontent barons; in which he represented to them, that, whatever jealousy and animosity they might have entertained against the late king, a young prince, the lineal heir of their ancient monarchs, had now succeeded to the throne, without succeeding either to the resentments or principles of his predecessor: that the desperate expedient, which they had employed, of calling in a foreign potentate, had, happily for them, as well as for the nation, failed of entire success; and it was still in their power, by a speedy return to their duty, to restore the independence of the kingdom, and to secure that liberty, for which they so zealously contended: that as all past offences of the barons were now buried in oblivion, they ought, on their part, to forget their complaints against their late sovereign, who, if he had been anywise blamable in his conduct, had left to his son the salutary warning, to avoid the paths which had led to such fatal extremities: and that having now obtained a charter for their liberties, it was their interest to show, by their conduct, that this acquisition was not incompatible with their allegiance, and that the rights of king and people, so far from being hostile

a M. Paris, p. 623. b Ibid. p. 590. Hist. Croyl. Cont. p. 471. W. Hicmip, p. 562. Trivet, p. 168.

c M. Paris, p. 600. d Rymer, vol. 1. p. 215.

and opposite, might mutually support and sustain each other.<sup>d</sup>

These considerations, enforced by the character of honour and constancy, which Pembroke had ever maintained, had a mighty influence on the barons; and most of them began secretly to negotiate with him, and many of them openly returned to their duty. The diffidence which Lewis discovered of their fidelity, forwarded this general propension towards the king; and when the French prince refused the government of the castle of Hertford to Robert Fitz-Walter, who had been so active against the late king, and who claimed that fortress as his property, they plainly saw that the English were excluded from every trust, and that foreigners had engrossed all the confidence and affection of their new sovereign.<sup>e</sup> The excommunication, too, denounced by the legate against all the adherents of Lewis, failed not, in the turn which men's dispositions had taken, to produce a mighty effect upon them; and they were easily persuaded to consider a cause as impious, for which they had already entertained an unsurmountable aversion.<sup>f</sup> Though Lewis made a journey to France, and brought over succours from that kingdom,<sup>g</sup> he found, on his return, that his party was still more weakened by the desertion of his English confederates, and that the death of John had, contrary to his expectations, given an incurable wound to his cause. The Earls of Salisbury, Arundel, and Warrenne, together with William Mareschal, eldest son of the protector, had embraced Henry's party, and every English nobleman was plainly watching for an opportunity of returning to his allegiance. Pembroke was so much strengthened by these accessions, that he ventured to invest Mount-sorel; though, upon the approach of the Count of Perche with the French army, he desisted from his enterprise, and raised the siege.<sup>h</sup> The count, elated with this success, marched to Lincoln; and, being admitted into the town, he began to attack the castle, which he soon reduced to extremity. The protector summoned all his forces from every quarter, in order to relieve a place of such importance; and he appeared so much superior to the French, that they shut themselves up within the city, and resolved to act upon the defensive.<sup>i</sup> But the garrison of the castle, having received a strong reinforcement, made a vigorous sally upon the besiegers; while the English army, by concert, assaulted them in the same instant from without, mounted the walls by scalade, and bearing down all resistance, entered the city sword in hand. Lincoln was delivered over to be pillaged; the French army was totally routed; the Count de Perche, with only two persons more, was killed; but many of the chief commanders, and about 400 knights, were made prisoners by the English.<sup>k</sup> So little blood was shed in this important action, which decided the fate of one of the most powerful kingdoms in Europe; and such wretched soldiers were those ancient barons, who yet were unacquainted with every thing but arms!

Prince Lewis was informed of this fatal event while employed in the siege of Dover, which was still valiantly defended against him by Hubert de Burgh. He immediately retreated to London, the centre and life of his party; and he there received intelligence of a new disaster, which put an end to all his hopes. A French fleet, bringing over a strong reinforcement, had appeared on the coast of Kent, where they were attacked by the English under the command of Philip d'Albiny, and were routed with considerable loss. D'Albiny employed a stratagem against them, which is said to have contributed to the victory: having gained the wind of the French, he came down upon them with violence; and throwing in their faces a great quantity of quick lime, which he purposely carried on board, he so blinded them, that they were disabled from defending themselves.<sup>l</sup>

After this second misfortune of the French, the English barons hastened every where to make peace with the

protector, and, by an early submission, to prevent those attainders to which they were exposed on account of their rebellion. Lewis, whose cause was now totally desperate, began to be anxious for the safety of his person, and was glad, on any honourable conditions, to make his escape from a country, where he found every thing was now become hostile to him. He concluded a peace with Pembroke, promised to evacuate the kingdom, and only stipulated, in return, an indemnity to his adherents, and a restitution of their honours and fortunes, together with the free and equal enjoyment of those liberties which had been granted to the rest of the nation.<sup>m</sup> Thus General pacification, was happily ended a civil war, which seemed to be founded on the most incurable hatred and jealousy, and had threatened the kingdom with the most fatal consequences.

The precautions which the King of France used in the conduct of this whole affair are remarkable. He pretended that his son had accepted of the offer from the English barons, without his advice, and contrary to his inclination: the armies sent to England were levied in Lewis's name: when that prince came over to France for aid, his father publicly refused to grant him any assistance, and would not so much as admit him to his presence: even after Henry's party acquired the ascendancy, and Lewis was in danger of falling into the hands of his enemies, it was Blanche of Castile, his wife, not the king, his father, who raised armies and equipped fleets for his succour.<sup>n</sup> All these artifices were employed, not to satisfy the Pope; for he had too much penetration to be so easily imposed on: nor yet to deceive the people; for they were too gross even for that purpose: they only served for a colouring to Philip's cause; and, in public affairs, men are often better pleased, that the truth, though known to every body, should be wrapped up under a decent cover, than if it were exposed, in open day-light, to the eyes of all the world.

After the expulsion of the French, the prudence and equity of the protector's subsequent conduct contributed to cure entirely those wounds, which had been made by intestine discord. He received the rebellious barons into favour; observed strictly the terms of peace which he had granted them; restored them to their possessions; and endeavoured, by an equal behaviour, to bury all past animosities in perpetual oblivion. The clergy alone, who had adhered to Lewis, were sufferers in this revolution. As they had rebelled against their spiritual sovereign, by disregarding the interdict and excommunication, it was not in Pembroke's power to make any stipulations in their favour; and Gualo, the legate, prepared to take vengeance on them for their disobedience.<sup>o</sup> Many of them were deposed; many suspended; some banished; and all who escaped punishment, made atonement for their offence by paying large sums to the legate, who amassed an immense treasure by this expedient.

The Earl of Pembroke did not long survive the pacification, which had been chiefly owing to his wisdom and valour.<sup>p</sup> and he was succeeded in the government by Peter des Roches, Bishop of Winchester, and Hubert de Burgh, the justiciary. The councils of the latter were chiefly followed; and had he possessed equal authority in the kingdom with Pembroke, he seemed to be every way worthy of filling the place of that virtuous nobleman. But the licentious and powerful barons, who had once broken the reins of subjection to their prince, and had obtained, by violence, an enlargement of their liberties and independence, could ill be restrained by laws under a minority; and the people, no less than the king, suffered from their outrages and disorders. They retained by force the royal castles, which they had seized during the past convulsions, or which had been committed to their custody by the protector:<sup>q</sup> they usurped the king's demesnes:<sup>r</sup> they oppressed their vassals: they infested their weaker neighbours: they invited all disorderly people to enter in

<sup>d</sup> Rymer, vol. i. p. 215. Brady's App. No. 143.  
<sup>e</sup> M. Paris, p. 200, 202. <sup>f</sup> Ibid. p. 200. M. West. p. 277.  
<sup>g</sup> Chron. Dunst. vol. i. p. 79. M. West. p. 277.  
<sup>h</sup> M. Paris, p. 208. <sup>i</sup> Chron. Dunst. vol. i. p. 81.  
<sup>k</sup> M. Paris, p. 204, 205. Chron. de Mail. p. 195.  
<sup>l</sup> M. Paris, p. 206. Ann. Waverl. p. 183. W. Heming, p. 563. Trivet, p. 109. M. West. p. 277. Knighton, p. 242B.

<sup>m</sup> Rymer, vol. i. p. 221. M. Paris, p. 207. Chron. Dunst. vol. i. p. 83. M. West. p. 278. Knighton, p. 242B.  
<sup>n</sup> M. Paris, p. 256. Chron. Dunst. vol. i. p. 82.  
<sup>o</sup> Brady's App. No. 144. Chron. Dunst. vol. i. p. 83.  
<sup>p</sup> M. Paris, p. 210. <sup>q</sup> Trivet, p. 174.  
<sup>r</sup> Rymer, vol. i. p. 276.



their retinue, and to live upon their lands : and they gave them protection in all their robberies and extortions.

No one was more infamous for these violent and illegal practices than the Earl of Albemarle; who, though he had early returned to his duty, and had been serviceable in expelling the French, augmented to the utmost the general disorder, and committed outrages in all the counties of the North. In order to reduce him to obedience, Hubert seized an opportunity of getting possession of Rockingham castle, which Albemarle had garrisoned with his licentious retinue. But this nobleman, instead of submitting, entered into a secret confederacy with Fawkes de Breaute, Peter de Mauleon, and other barons, and both fortified the castle of Biham for his defence, and made himself master, by surprise, of that of Fotheringay. Pandolf, who was restored to his legateship, was active in suppressing this rebellion; and with the concurrence of eleven bishops, he pronounced the sentence of excommunication against Albemarle and his adherents;<sup>a</sup> an army was levied; a scutage of ten shillings a knight's fee was imposed on all the military tenants; Albemarle's associates gradually deserted him; and he himself was obliged at last to sue for mercy. He received a pardon, and was restored to his whole estate.

This impolitic lenity, too frequent in those times, was probably the result of a secret combination among the barons, who never could endure to see the total ruin of one of their own order; but it encouraged Fawkes de Breaute, a man whom King John had raised from a low origin, to persevere in the course of violence, to which he had owed his fortune, and to set at nought all law and justice. When thirty-five verdicts were at one time found against him, on account of his violent expulsion of so many freeholders from their possessions, he came to the court of justice with an armed force, seized the judge who had pronounced the verdicts, and imprisoned him in Bedford castle. He then levied open war against the king; but being subdued and taken prisoner, his life was granted him; but his estate was confiscated, and he was banished the kingdom.<sup>b</sup>

A. D. 1222. Justice was executed with greater severity against disorders less premeditated, which broke out in London. A frivolous emulation in a match of wrestling, between the Londoners on the one hand, and the inhabitants of Westminster and those of the neighbouring villages on the other, occasioned this commotion. The former rose in a body, and pulled down some houses belonging to the abbot of Westminster. But this riot, which, considering the tumultuous disposition familiar to that capital, would have been little regarded, seemed to become more serious, by the symptoms which then appeared, of the former attachment of the citizens to the French interest. The populace, in the tumult, made use of the cry of war commonly employed by the French troops: *Mountjoy, Mountjoy, God help us and our Lord Lewis*. The justiciary made inquiry into the disorder; and finding one Constantine Fitz-Arnulf to have been the ringleader, an insolent man, who justified his crime in Hubert's presence, he proceeded against him by martial law, and ordered him immediately to be hanged, without trial or form of process. He also cut off the feet of some of Constantine's accomplices.<sup>c</sup>

This act of power was complained of as an infringement of the Great Charter. Yet the justiciary, in a parliament summoned at Oxford, (for the great councils about this time began to receive that appellation,) made no scruple to grant in the king's name a renewal and confirmation of that charter. When the assembly made application to the crown for this favour, as a law in those times seemed to lose its validity if not frequently renewed, William de Briwere, one of the council of regency, was so bold as to say openly, that those liberties were extorted by force, and ought not to be observed; but he was reprimanded by the Archbishop of Canterbury, and was not countenanced by the king or his chief ministers.<sup>d</sup> A new confirmation was demanded and granted two years after; and

an aid, amounting to a fifteenth of all movables, was given by the parliament, in return for this indulgence. The king issued writs anew to the sheriffs, enjoining the observance of the charter; but he inserted a remarkable clause in the writs, that those, who paid not the fifteenth, should not for the future be entitled to the benefit of those liberties.<sup>e</sup>

The low state, into which the crown was fallen, made it requisite for a good minister to be attentive to the preservation of the royal prerogatives, as well as to the security of public liberty. Hubert applied to the Pope, who had always great authority in the kingdom, and was now considered as its superior lord, and desired him to issue a bull, declaring the king to be of full age, and entitled to exercise in person all the acts of royalty.<sup>f</sup> In consequence of this declaration, the justiciary resigned into Henry's hands the two important fortresses of the Tower and Dover castle, which had been intrusted to his custody; and he required the other barons to imitate his example. They refused compliance. The Earls of Chester and Albemarle, John Constable of Chester, John de Lacy, Brian de l'Isle, and William de Cantel, with some others, even formed a conspiracy to surprise London, and met in arms at Waltham with that intention. But finding the king prepared for defence, they desisted from their enterprise. When summoned to court, in order to answer for their conduct, they scrupled not to appear, and to confess the design. But they told the king, that they had no bad intentions against his person, but only against Hubert de Burgh, whom they were determined to remove from his office.<sup>g</sup> They appeared too formidable to be chastised; and they were so little discouraged by the failure of their first enterprise, that they again met in arms at Leicester, in order to seize the king, who then resided at Northampton. But Henry, informed of their purpose, took care to be so well armed and attended, that the barons found it dangerous to make the attempt; and they sat down and kept Christmas in his neighbourhood.<sup>h</sup> The archbishop and the prelates, finding every thing tending towards a civil war, interposed with their authority, and threatened the barons with the sentence of excommunication, if they persisted in detaining the king's castles. This menace at last prevailed; most of the fortresses were surrendered; though the barons complained, that Hubert's castles were soon after restored to him, while the king still kept theirs in his own custody. There are said to have been 1115 castles at that time in England.<sup>i</sup>

It must be acknowledged, that the influence of the prelates and the clergy was often of great service to the public. Though the religion of that age can merit no better name than that of superstition, it served to unite together a body of men who had great sway over the people, and who kept the community from falling to pieces, by the factions and independent power of the nobles. And what was of great importance, it threw a mighty authority into the hands of men who, by their profession, were averse to arms and violence; who tempered by their mediation the general disposition towards military enterprises; and who still maintained, even amidst the shock of arms, those secret links, without which it is impossible for human society to subsist.

Notwithstanding these intestine commotions in England, and the precarious authority of the crown, Henry was obliged to carry on war in France; and he employed to that purpose the fifteenth which had been granted him by parliament. Lewis VIII. who had succeeded to his father Philip, instead of complying with Henry's claim, who demanded the restitution of Normandy, and the other provinces wrested from England, made an irruption into Poitou, took Rochelle,<sup>j</sup> after a long siege, and seemed determined to expel the English from the few provinces which still remained to them. Henry sent over his uncle, the Earl of Salisbury, together with his brother, Prince Richard, to whom he had granted the earldom of Cornwall, which had escheated to the crown. Salisbury stopped the progress of Lewis's arms, and retained the Poitevin and Gascon vassals in their allegiance. But no military

<sup>a</sup> Chron. Dunst. vol. i. p. 162.

<sup>b</sup> Rymer, vol. i. p. 168. M. Paris, p. 221. 224. Ann. Waverl. p. 168.

Chron. Dunst. vol. i. p. 141. 146. M. West. p. 343.

<sup>c</sup> M. Paris, p. 217. 218. 222. Ann. Waverl. p. 187. Chron. Dunst. vol.

i. p. 159.

w M. West. p. 382.

x Clause 9. H. 3. m. 9. and m. 6. d.

y M. Paris, p. 330.

z Chron. Dunst. vol. i. p. 137.

a M. Paris, p. 231. Chron. Dunst. vol. i. p. 181.

b Coke's Comment. on Magna Charta, chap. 17.

c Rymer, vol. i. p. 269. 117et. p. 179.

action of any moment was performed on either side. The Earl of Cornwall, after two years' stay in Guienne, returned to England.

A. D. 1227. This prince was nowise turbulent or factious in his disposition: his ruling passion was to amass money, in which he succeeded so well as to become the richest subject in Christendom: yet his attention to gain threw him sometimes into acts of violence, and gave disturbance to the government. There was a manor, which had formerly belonged to the earldom of Cornwall, but had been granted to Waleran de Ties, before Richard had been invested with that dignity, and while the earldom remained in the crown. Richard claimed this manor, and expelled the proprietor by force: Waleran complained: the king ordered his brother to do justice to the man, and restore him to his rights: the earl said, that he would not submit to these orders, till the cause should be decided against him by the judgment of his peers: Henry replied, that it was first necessary to reinstate Waleran in possession, before the cause could be tried; and he reiterated his orders to the earl.<sup>4</sup> We may judge of the state of the government, when this affair had nearly produced a civil war. The Earl of Cornwall, finding Henry peremptory in his commands, associated himself with the young Earl of Pembroke, who had married his sister, and who was displeased on account of the king's requiring him to deliver up some royal castles which were in his custody. These two malcontents took into the confederacy the Earls of Chester, Warrene, Gloucester, Hereford, Warwick, and Ferrers, who were all disgusted on a like account.<sup>5</sup> They assembled an army, which the king had not the power or courage to resist; and he was obliged to give his brother satisfaction, by grants of much greater importance than the manor which had been the first ground of the quarrel.<sup>6</sup>

The character of the king, as he grew to man's estate, became every day better known; and he was found in every respect unqualified for maintaining a proper sway among those turbulent barons, whom the feudal constitution subjected to his authority. Gentle, humane, and merciful even to a fault, he seems to have been steady in no other circumstance of his character; but to have received every impression from those who surrounded him, and whom he loved, for the time, with the most imprudent and most unreserved affection. Without activity or vigour, he was unfit to conduct war: without policy or art, he was ill fitted to maintain peace: his resentments, though hasty and violent, were not dreaded, while he was found to drop them with such facility; his friendships were little valued, because they were neither derived from choice, nor maintained with constancy. A proper pageant of state in a regular monarchy, where his ministers could have conducted all affairs in his name and by his authority; but too feeble in those disorderly times to sway a sceptre, whose weight depended entirely on the firmness and dexterity of the hand which held it.

Hubert de Burgh displaced. The ablest and most virtuous minister that Henry ever possessed, was Hubert de Burgh; a man who had been steady to the crown in the most difficult and dangerous times, and who yet showed no disposition, in the height of his power, to enslave or oppress the people. The only exceptionable part of his conduct is that which is mentioned by Matthew Paris,<sup>7</sup> if the fact be really true; and proceeded from Hubert's advice, namely, the recalling publicly and the annulling of the charter of forests, a concession so reasonable in itself, and so passionately claimed both by the nobility and people: but it must be confessed, that this measure is so unlikely, both from the circumstances of the times and character of the minister, that there is reason to doubt of its reality, especially as it is mentioned by no other historian. Hubert, while he enjoyed his authority, had an entire ascendancy over Henry, and was loaded with honours and favours beyond any other subject. Besides acquiring the property of many castles and manors, he married the eldest sister of the King of Scots, was created

Earl of Kent, and, by an unusual concession, was made chief justiciary of England for life: yet A. D. 1231. Henry, in a sudden caprice, threw off this

faithful minister, and exposed him to the violent persecutions of his enemies. Among other frivolous crimes objected to him, he was accused of gaining the king's affections by enchantment, and of purloining, from the royal treasury, a gem, which had the virtue to render the wearer invulnerable, and of sending this valuable curiosity to the Prince of Wales.<sup>8</sup> The nobility, who hated Hubert on account of his zeal in resuming the rights and possessions of the crown, no sooner saw the opportunity favourable, than they inflamed the king's animosity against him, and pushed him to seek the total ruin of his minister. Hubert took sanctuary in a church: the king ordered him to be dragged from thence: he recalled those orders: he afterwards renewed them: he was obliged by the clergy to restore him to the sanctuary: he constrained him soon after to surrender himself prisoner, and he confined him in the castle of Devizes. Hubert made his escape, was expelled the kingdom, was again received into favour, recovered a great share of the king's confidence, but never showed any inclination to reinstate himself in power and authority.<sup>9</sup>

The man who succeeded him in the government of the king and kingdom, was Peter, Bishop of Winchester, a Poitevin by birth, who had been raised by the late king, and who was no less distinguished by his arbitrary principles and violent conduct, than by his courage and abilities. This prelate had been left by King John justiciary and regent of the kingdom during an expedition which that prince made into France; and his illegal administration was one chief cause of that great combination among the barons, which finally extorted from the crown the charter of liberties, and laid the foundations of the English constitution. Henry, though incapable, from his character, of pursuing the same violent maxims which had governed his father, had imbibed the same arbitrary principles; and in prosecution of Peter's advice, he invited over a great number of Poitevins, and other foreigners, who, he believed, could more safely be trusted than the English, and who seemed useful to counterbalance the great and independent power of the nobility.<sup>1</sup> Every office and command was bestowed on these strangers; they exhausted the revenues of the crown, already too much impoverished;<sup>2</sup> they invaded the rights of the people; and their insolence, still more provoking than their power, drew on them the hatred and envy of all orders of men in the kingdom.<sup>3</sup>

The barons formed a combination against A. D. 1233. this odious ministry, and withdrew from parliament, on pretence of the danger to which they were exposed from the machinations of the Poitevins. When again summoned to attend, they gave for answer, that the king should dismiss his foreigners, otherwise they would drive both him and them out of the kingdom, and put the crown on another head more worthy to wear it:<sup>4</sup> such was the style they used to their sovereign! They at last came to parliament, but so well attended, that they seemed in a condition to prescribe laws to the king and ministry. Peter des Roches, however, had in the interval found means of sowing dissension among them, and of bringing over to his party the Earl of Cornwall, as well as the Earls of Lincoln and Chester. The confederates were disconcerted in their measures: Richard, Earl Mareschal, who had succeeded to that dignity on the death of his brother William, was chased into Wales; he thence withdrew into Ireland, where he was treacherously murdered by the contrivance of the Bishop of Winchester.<sup>5</sup> The estates of the more obnoxious barons were confiscated, without legal sentence or trial by their peers,<sup>6</sup> and were bestowed with a profuse liberality on the Poitevins. Peter even carried his insolence so far as to declare publicly, that the barons of England must not pretend to put themselves on the same footing with those of

d M. Paris, p. 233. e Ibid. f Ibid. g Vpod. Neustriæ, p. 161. h P. 232. M. West. p. 216, ascribes this counsel to Peter, Bishop of Winchester. i M. Paris, p. 259.

k M. Paris, p. 259, 260, 261, 266. Chron. T. Wykes, p. 41, 42. Chron. Dunst. vol. 1. p. 219, 221. M. West. p. 291, 301. l M. Paris, p. 263. m Chron. Dunst. vol. 1. p. 151. n M. Paris, p. 236. o Ibid. p. 265. p Chron. Dunst. vol. 1. p. 119. q M. Paris, p. 265.

France, or assume the same liberties and privileges : the monarch in the former country had a more absolute power than in the latter. It had been more justifiable for him to have said, that men, so unwilling to submit to the authority of laws, could with worse grace claim any shelter or protection from them.

When the king at any time was checked in his illegal practices, and when the authority of the Great Charter was objected to him, he was wont to reply ; " Why should I observe this charter, which is neglected by all my *grandses*, both prelates and nobility ? " It was very reasonably said to him ; " You ought, Sir, to set them the example."\*

So violent a ministry as that of the Bishop of Winchester could not be of long duration ; but its full proceeded at last from the influence of the church, not from the efforts of the nobles. Edmond, the primate, came to court, attended by many of the other prelates, and represented to the king the pernicious measures embraced by Peter des Roches, the discontents of his people, the ruin of his affairs ; and, after requiring the dismissal of the minister and his associates, threatened him with excommunication in case of his refusal. Henry, who knew that an excommunication so agreeable to the sense of the people, could not fail of producing the most dangerous effects, was obliged to submit : foreigners were banished : the natives were restored to their place in council ;<sup>2</sup> the primate, who was a man of prudence, and who took care to execute the laws, and observe the charter of liberties, bore the chief sway in the government.

But the English in vain flattered themselves that they should be long free from the dominion of foreigners. The king, having married Eleanor, daughter of the count of Provence,<sup>1</sup> was sur-King's partiality rounded by a great number of strangers to foreigners. from that country, whom he caressed with the fondest affection, and enriched by an imprudent generosity." The Bishop of Valence, a prelate of the house of Savoy, and maternal uncle to the queen, was his chief minister, and employed every art to amass wealth for himself and his relations. Peter of Savoy, a brother of the same family, was invested in the honour of Richmond, and received the rich wardship of Earl Warrenne : Boniface of Savoy was promoted to the see of Canterbury. Many young ladies were invited over from Provence, and married to the chief noblemen in England, who were the king's wards.<sup>3</sup> And as the source of Henry's bounty began to fail, his Savoyard ministry applied to Rome, and obtained a bull, permitting him to resume all past grants ; absolving him from the oath which he had taken to maintain them ; even enjoining him to make such a resumption, and representing those grants as invalid, on account of the prejudice which ensued from them to the Roman pontiff, in whom the superiority of the kingdom was vested.<sup>4</sup> The opposition made to the intended resumption prevented it from taking place ; but the nation saw the indignities to which the king was willing to submit, in order to gratify the avidity of his foreign favourites. About the same time he published in England the sentence of excommunication pronounced against the Emperor Frederic, his brother-in-law ;<sup>5</sup> and said in excuse, that, being the Pope's vassal, he was obliged by his allegiance to obey all the commands of His Holiness. In this weak reign, when any neighbouring potentate insulted the king's dominions, instead of taking revenge for the injury, he complained to the Pope as his superior lord, and begged him to give protection to his vassal.<sup>6</sup>

**Grievances.** The resentment of the English barons rose high at the preference given to foreigners ; but no remonstrance or complaint could ever prevail on the king to abandon them, or even to moderate his attachment towards them. After the Provençals and Savoyards might have been supposed pretty well satiated with the dignities and riches which they had acquired, a new set of hungry foreigners were invited over, and shared

among them those favours, which the king ought in policy to have conferred on the English nobility, by whom his government could have been supported and defended. His mother, Isabella, who had been unjustly taken by the late king from the Count de la Marche, to whom she was betrothed, was no sooner mistress of herself by the death of her husband, than she married that nobleman.<sup>a</sup> A. D. 1247. and she had borne him four sons, Guy, William, Geoffrey, and Aymer, whom she sent over to England in order to pay a visit to their brother. The good-natured and affectionate disposition of Henry was moved at the sight of such near relations ; and he considered neither his own circumstances, nor the inclinations of his people, in the honours and riches which he conferred upon them.<sup>b</sup> Complaints rose as high against the credit of the Gascon, as ever they had done against that of the Poitevin and of the Savoyard favourites ; and to a nation prejudiced against them, all their measures appeared exceptionable and criminal. Violations of the Great Charter were frequently mentioned ; and it is indeed more than probable, that foreigners, ignorant of the laws, and relying on the boundless affections of a weak prince, would, in an age when a regular administration was not any where known, pay more attention to their present interest than to the liberties of the people. It is reported, that the Poitevins and other strangers, when the laws were at any time appealed to, in opposition to their oppressions, scrupled not to reply, *What did the English laws signify to them ? They minded them not.* And as words are often more offensive than actions, this open contempt of the English tended much to aggravate the general discontent, and made every act of violence committed by the foreigners, appear not only an injury, but an affront to them.<sup>c</sup>

I reckon not among the violations of the Great Charter, some arbitrary exertions of prerogative, to which Henry's necessities pushed him, and which, without producing any discontent, were uniformly continued by all his successors, till the last century. As the parliament often refused him supplies, and that in a manner somewhat rude and indecent,<sup>d</sup> he obliged his opulent subjects, particularly the citizens of London, to grant him loans of money ; and it is natural to imagine, that the same want of economy which reduced him to the necessity of borrowing, would prevent him from being very punctual in the repayment.<sup>e</sup> He demanded benevolences, or pretended voluntary contributions, from his nobility and prelates.<sup>f</sup> He was the first King of England since the Conquest, that could fairly be said to lie under the restraint of law ; and he was also the first that practised the dispensing power, and employed the clause of *non obstante* in his grants and patents. When objections were made to this novelty, he replied, that the Pope exercised that authority ; and why might not he imitate the example ? But the abuse, which the Pope made of his dispensing power, in violating the canons of general councils, in invading the privileges and customs of all particular churches, and in usurping on the rights of patrons, was more likely to excite the jealousy of the people, than to reconcile them to a similar practice in their civil government. Roger de Thurkesby, one of the king's justices, was so displeased with the precedent, that he exclaimed, *Alas ! what times are we fallen into ! Behold, the civil court is corrupted in imitation of the ecclesiastical, and the river is poisoned from that fountain.*

The king's partiality and profuse bounty to his foreign relations, and to their friends and favourites, would have appeared more tolerable to the English, had any thing been done meanwhile for the honour of the nation ; or had Henry's enterprises in foreign countries been attended with any success or glory to himself or to the public : at least, such military talents in the king would have served to keep his barons in awe, and have given weight and authority to his government. But though he declared war against Lewis IX. in 1242, and made an expedition into Guienne, upon the invitation of his father-in-law, the Count de la Marche, who promised to join him with

<sup>1</sup> M. Paris, p. 609.

<sup>2</sup> Ibid. p. 271, 272.

<sup>3</sup> Rymer, vol. i. p. 448. M. Paris, p. 296.

<sup>4</sup> M. Paris, p. 301, 303, 316, 341. M. West, p. 292, 304.

<sup>5</sup> M. Paris, p. 431. M. West, p. 338. x M. Paris, p. 295, 301.

<sup>6</sup> Rymer, vol. i. p. 383.

<sup>7</sup> Chron. Dust. vol. i. p. 150.

<sup>a</sup> Trivet, p. 174.

<sup>b</sup> M. Paris, p. 491. M. West, p. 338. Knyghton, p. 2436.

<sup>c</sup> M. Paris, p. 366, 666. Ann Waverl. p. 214. Chron. Dust. vol. i. p. 345.

<sup>d</sup> M. Paris, p. 301.

<sup>e</sup> Ibid. p. 608.

<sup>f</sup> Ibid. p. 507.



all his forces; he was unsuccessful in his attempts against that great monarch, was worsted at Taillebourg, was deserted by his allies, lost what remained to him of Poitou, and was obliged to return, with loss of honour, into England.<sup>g</sup> The Gascon nobility were attached to the English government; because the distance of their sovereign allowed them to remain in a state of almost total independence: and they claimed, some time

after, Henry's protection against an invasion, which the King of Castile made upon that territory. Henry returned into Guienne, and was more successful in this expedition; but he thereby involved himself and his nobility in an enormous debt, which both increased their discontents, and exposed him to greater danger from their enterprises.<sup>h</sup>

Want of economy, and an ill-judged liberality, were Henry's great defects; and his debts, even before this expedition, had become so troublesome, that he sold all his plate and jewels in order to discharge them. When this expedient was first proposed to him, he asked, where he should find purchasers? It was replied, the citizens of London. On my word, said he, if the treasury of Augustus were brought to sale, the citizens are able to be the purchasers; these clowns, who assume to themselves the name of barons, abound in every thing, while we are reduced to necessities.<sup>i</sup> And he was thenceforth observed to be more forward and greedy in his exactions upon the citizens.<sup>k</sup>

Ecclesiastical grievances. But the grievances, which the English during this reign had reason to complain of in the civil government, seem to have been still less burdensome than those which they suffered from the usurpations and exactions of the court of Rome. On the death of Langton in 1228, the monks of Christ-church elected Walter de Hemesham, one of their own body, for his successor: but as Henry refused to confirm the election, the Pope, at his desire, annulled it; and immediately appointed Richard, Chancellor of Lincoln, for Archbishop, without waiting for a new election. On the death of Richard in 1231, the monks elected Ralph de Neville, Bishop of Chichester; and though Henry was much pleased with the election, the Pope, who thought that prelate too much attached to the crown, assumed the power of annulling his election.<sup>l</sup> He rejected two clergymen more, whom the monks had successively chosen; and he at last told them, that, if they would elect Edmond, treasurer of the church of Salisbury, he would confirm their choice; and his nomination was complied with. The Pope had the prudence to appoint both times very worthy primates; but men could not forbear observing his intention of thus drawing gradually to himself the right of bestowing that important dignity.

The avarice, however, more than the ambition, of the see of Rome, seems to have been in this age the ground of general complaint. The papal ministers finding a vast stock of power amassed by their predecessors, were desirous of turning it to immediate profit, which they enjoyed at home, rather than of enlarging their authority in distant countries, where they never intended to reside. Every thing was become venal in the Romish tribunals; simony was openly practised; no favours, and even no justice, could be obtained without a bribe, the highest bidder was sure to have the preference, without regard either to the merits of the person or of the cause; and besides the usual perversions of right in the decision of controversies, the Pope openly assumed an absolute and uncontrolled authority of setting aside, by the plenitude of his apostolic power, all particular rules, and all privileges of patrons, churches, and convents. On pretence of remedying these abuses, Pope Honorius, in 1226, complaining of the poverty of his see as the source of all grievances, demanded from every cathedral two of the best prebends, and from every convent two monks' portions, to be set apart as a perpetual and settled revenue of the papal crown: but all men being sensible that the revenue

would continue for ever, the abuses immediately return, his demand was unanimously rejected. About three years after, the Pope demanded and obtained the tenth of all ecclesiastical revenues, which he levied in a very oppressive manner; requiring payment before the clergy had drawn their rents or tithes, and sending about usurers, who advanced them the money at exorbitant interest. In the year 1240, Otho, the legate, having in vain attempted the clergy in a body, obtained separately, by intrigues and menaces, large sums from the prelates and convents, and on his departure is said to have carried more money out of the kingdom than he left in it. This experiment was renewed four years after with success by Martin the nuncio, who brought from Rome powers of suspending and excommunicating all clergymen that refused to comply with his demands. The king, who relied on the Pope for the support of his tottering authority, never failed to countenance those exactions.

Meanwhile, all the chief benefices of the kingdom were conferred on Italians; great numbers of that nation were sent over at one time to be provided for; non-residence and pluralities were carried to an enormous height; Mansel, the king's chaplain, is computed to have held at once seven hundred ecclesiastical livings; and the abuses became so evident as to be palpable to the blindness of superstition itself. The people, entering into associations, rose against the Italian clergy; pillaged their barns; wasted their lands; insulted the persons of such of them as they found in the kingdom;<sup>m</sup> and when the justices made inquiry into the authors of this disorder, the guilt was found to involve so many, and those of such high rank, that it passed unpunished. At last, when Innocent IV. in 1245, called a general council at Lyons, in order to excommunicate the Emperor Frederic, the king and nobility sent over agents to complain before the council of the rapacity of the Romish church. They represented, among many other grievances, that the benefices of the Italian clergy in England had been estimated, and were found to amount to 60,000 marks<sup>n</sup> a year, a sum which exceeded the annual revenue of the crown itself.<sup>o</sup> They obtained only an evasive answer from the Pope; but as mention had been made before the council, of the feudal subjection of England to the see of Rome, the English agents, at whose head was Roger Bigod Earl of Norfolk, exclaimed against the pretension, and insisted, that King John had no right, without the consent of his barons, to subject the kingdom to so ignominious a servitude.<sup>p</sup> The Pope, indeed, afraid of carrying matters too far against England, seem thenceforth to have little insisted on that pretension.

This check, received at the council of Lyons, was not able to stop the court of Rome in its rapacity; Innocent exacted the revenues of all vacant benefices, the twentieth of all ecclesiastical revenues without exception; the third of such as exceeded a hundred marks a year, and the half of such as were possessed by non-residents.<sup>q</sup> He claimed the goods of all intestate clergymen;<sup>r</sup> he pretended a title to inherit all money gotten by usury; he levied benevolences upon the people; and when the king, contrary to his usual practice, prohibited these exactions, he threatened to pronounce against him the same censures, which he had emitted against the Emperor Frederic.<sup>s</sup>

But the most oppressive expedient employed by the Pope, was the embarking of Henry in a project for the conquest of Naples, or Sicily on this side the Fare, as it was called: an enterprise, which threw much dishonour on the king, and involved him, during some years, in great trouble and expense. The Romish church, taking advantage of favourable incidents, had reduced the kingdom of Sicily to the same state of feudal vassalage which she pretended to extend over England, and which, by reason of the distance, as well as high spirit of this latter kingdom, she was not able to maintain. After the death of the Emperor, Frederic II.

<sup>g</sup> M. Paris, p. 392. 394. 398. 399. 405. W. Heming, p. 574. Chron. Dugdale, vol. i. p. 153.

<sup>h</sup> M. Paris, p. 614. i Ibid, p. 501.

<sup>k</sup> M. Paris, p. 501. 507. 518. 578. 606. 625. 648.

<sup>l</sup> M. Paris, p. 534. i Ibid, p. 524.

<sup>m</sup> Rymer, vol. i. p. 323. M. Paris, p. 255. 277.

<sup>n</sup> Innocent's bull in Rymer, vol. i. p. 471, says only 50,000 marks a year.

<sup>o</sup> M. Paris, p. 451. The customs were part of Henry's revenue, and amounted to 6000 pounds a year: they were at first small sums paid by the merchants for the use of the king's warehouses, measures, weights, &c. See Gilbert's History of the Exch. p. 214.

<sup>q</sup> M. Paris, p. 460.

<sup>r</sup> M. Paris, p. 380. Ann. Burt. p. 305. 373.

<sup>s</sup> M. Paris, p. 374.

t Ibid, p. 476.

the succession of Sicily devolved to Conradine, grandson of that monarch; and Mainfroy, his natural son, under pretence of governing the kingdom during the minority of the prince, had formed a scheme of establishing his own authority. Pope Innocent who had carried on violent war against the Emperor Frederic, and had endeavoured to dispossess him of his Italian dominions, still continued hostilities against his grandson; but being disappointed in all his schemes by the activity and artifices of Mainfroy, he found that his own force alone was not sufficient to bring to a happy issue so great an enterprise. He pretended to dispose of the Sicilian crown, both as superior lord of that particular kingdom, and as vicar of Christ, to whom all kingdoms of the earth were subjected; and he made a tender of it to Richard, Earl of Cornwall, whose immense riches, he flattered himself, would be able to support the military operations against Mainfroy. As Richard had the prudence to refuse the present,<sup>a</sup> he applied to the king, whose levity and thoughtless disposition gave Innocent more hopes of success; and he offered him the crown of Sicily for his second son, Edmund.<sup>b</sup> Henry, allured by so magnificent a present, without reflecting on the consequences, without consulting either with his brother or the parliament, accepted of the insidious proposal; and gave the Pope unlimited credit to expend whatever sums he thought necessary for completing the conquest of Sicily. Innocent, who was engaged by his own interests to wage war with Mainfroy, was glad to carry on his enterprises at the expense of his ally: Alexander IV. who succeeded him in the papal throne, continued the same policy: and Henry was surprised to find himself on a sudden involved in an immense debt, which he had never been consulted in contracting. The sum already amounted to 135,541 marks, beside interest;<sup>c</sup> and he had the prospect, if he answered this demand, of being soon loaded with more exorbitant expenses; if he refused it, of both incurring the Pope's displeasure, and losing the crown of Sicily which he hoped soon to have the glory of fixing on the head of his son.

He applied to the parliament for supplies; and that he might be sure not to meet with opposition, he sent no writs to the more refractory barons: but even those who were summoned, sensible of the ridiculous cheat imposed by the Pope, determined not to lavish their money on such chimerical projects; and making a pretext of the absence of their brethren, they refused to take the king's demands into consideration.<sup>d</sup> In this extremity the clergy were his only resource; and as both their temporal and spiritual sovereign concurred in loading them, they were ill able to defend themselves against this united authority.

The Pope published a Crusade for the conquest of Sicily; and required every one, who had taken the cross against the infidels, or had vowed to advance money for that service, to support the war against Mainfroy, a more terrible enemy, as he pretended, to the Christian faith than any Saracen.<sup>e</sup> He levied a tenth on all ecclesiastical benefices in England for three years; and gave orders to excommunicate all bishops, who made not punctual payment. He granted to the king the goods of intestate clergymen; the revenues of vacant benefices; the revenues of all non-residents.<sup>f</sup> But these taxations, being levied by some rule, were deemed less grievous than another imposition, which arose from the suggestion of the Bishop of Hereford, and which might have opened the door to endless and intolerable abuses.

This prelate, who resided at the court of Rome by a deputation from the English church, drew bills of different value, but amounting on the whole to 150,540 marks, on all the bishops and abbots of the kingdom; and granted these bills to Italian merchants, who, it was pretended, had advanced money for the service of the war against

Mainfroy.<sup>g</sup> As there was no likelihood of the English prelates submitting, without compulsion, to such an extraordinary demand, Rustand, the legate, was charged with the commission of employing authority to that purpose; and he summoned an assembly of the bishops and abbots, whom he acquainted with the pleasure of the Pope and of the king. Great were the surprise and indignation of the assembly: the Bishop of Worcester exclaimed, that he would lose his life rather than comply: the Bishop of London said, that the Pope and king were more powerful than he: but if his mitre were taken off his head, he would clap on a helmet in its place.<sup>h</sup> The legate was no less violent on the other hand; and he told the assembly, in plain terms, that all ecclesiastical benefices were the property of the Pope, and he might dispose of them, either in whole or in part, as he saw proper.<sup>i</sup> In the end, the bishops and abbots, being threatened with excommunication, which made all their revenues fall into the king's hands, were obliged to submit to the exaction: and the only mitigation which the legate allowed them was, that the tenths, already granted, should be accepted as a partial payment of the bills. But the money was still insufficient for the Pope's purpose: the conquest of Sicily was as remote as ever: the demands which came from Rome were endless: Pope Alexander became so urgent a creditor, that he sent over a legate to England; threatening the kingdom with an interdict, and the king with excommunication, if the arrears, which he pretended to be due to him, were not instantly remitted.<sup>k</sup> And at last, Henry, sensible of the cheat, began to think of breaking off the agreement, and of resigning into the Pope's hands that crown, which it was not intended by Alexander that he or his family should ever enjoy.<sup>l</sup>

The Earl of Cornwall had now reason to value himself on his foresight, in refusing elected King of the Romans.<sup>m</sup> He had avoided the fraudulent bargain with Rome, and in preferring the solid honours of an opulent and powerful prince of the blood of England, to the empty and precarious glory of a foreign dignity. But he had not always firmness sufficient to adhere to this resolution: his vanity and ambition prevailed at last over his prudence and his avarice; and he was engaged in an enterprise no less expensive and vexatious than that of his brother, and not attended with much greater probability of success. The immense opulence of Richard having made the German princes cast their eye on him as a candidate for the empire, he was tempted to expend vast sums of money on his election; and he succeeded so far as to be chosen King of the Romans, which seemed to render his succession infallible to the imperial throne. He went over to Germany, and carried out of the kingdom no less a sum than seven hundred thousand marks, if we may credit the account given by some ancient authors,<sup>n</sup> which is probably much exaggerated.<sup>o</sup> His money, while it lasted, procured him friends and partisans: but it was soon drained from him by the avidity of the German princes; and, having no personal or family connexions in that country, and no solid foundation of power, he found at last, that he had lavished away the frugality of a whole life, in order to procure a splendid title, and that his absence from England, joined to the weakness of his brother's government, gave reins to the factious and turbulent dispositions of the English barons, and involved his own country and family in great calamities.

The successful revolt of the nobility from King John, and their imposing on him and his successors limitations of their royal power, had made them feel their own weight and importance, had set a dangerous precedent of resistance, and being followed by a long minority, had impoverished as well as weakened that crown, which they were at last induced, from the fear of worse consequences, to replace on the head of young

<sup>a</sup> M. Paris, p. 650.

<sup>b</sup> E. Hunt, vol. i. p. 502, 512, 530. M. Paris, p. 509, 613.

<sup>c</sup> Rastell, vol. i. p. 367. Chron. Dist. vol. i. p. 319.

<sup>d</sup> M. Paris, p. 611.

<sup>e</sup> Rymer, vol. i. p. 517, 518, &c. b Rymer, vol. i. p. 597, 598.

<sup>f</sup> M. Paris, p. 612, 636. Chron. T. Wykes, p. 54.

<sup>g</sup> M. Paris, p. 611.

<sup>h</sup> Rymer, vol. i. p. 621. M. Paris, p. 648.

<sup>i</sup> Rymer, vol. i. p. 630.

<sup>k</sup> M. Paris, p. 631. The same author, a few pages before, makes Richard's treasures amount to little more than half the sum, p. 644. The

king's dissipation and expenses, throughout his whole reign, according to the same author, had amounted only to about 940,000 marks, p. 638.

<sup>l</sup> The sums mentioned by ancient authors, who were almost all monks, are often improbable, and never consistent. But we know, from an infallible authority, the public remembrance to the council of Lyons, that the king's revenues were below 60,000 marks a year: his brother, therefore, could never have been master of 700,000 marks, especially as he did not sell his estates in England, as we learn from the same author; and we hear afterwards of his ordering all his woods to be cut, in order to satisfy the rapacity of the German princes. His son succeeded to the earldom of Cornwall and his other revenues.

Henry. In the king's situation, either great abilities and vigour were requisite to overawe the barons, or great caution and reserve to give them no pretence for complaints; and it must be confessed, that this prince was possessed of neither of these talents. He had not prudence to choose right measures; he wanted even that constancy, which sometimes gives weight to wrong ones; he was entirely devoted to his favourites, who were always foreigners; he lavished on them without discretion his diminished revenue; and finding that his barons indulged their disposition towards tyranny, and observed not to their own vassals the same rules, which they had imposed on the crown, he was apt, in his administration, to neglect all the salutary articles of the Great Charter; which he remarked to be so little regarded by his nobility. This conduct had extremely lessened his authority in the kingdom; had multiplied complaints against him; and had frequently exposed him to affronts, and even to dangerous attempts upon his prerogative. In the year 1244, when he desired a supply from parliament, the barons, complaining of the frequent breaches of the Great Charter, and of the many fruitless applications which they had formerly made for the redress of this and other grievances, demanded, in return, that he should give them the nomination of the great justiciary and of the chancellor, to whose hands chiefly the administration of justice was committed: and, if we may credit the historian,<sup>k</sup> they had formed the plan of other limitations, as well as of associations to maintain them, which would have reduced the king to be an absolute cypher, and have held the crown in perpetual pupillage and dependence. The king, to satisfy them, would agree to nothing but a renewal of the charter, and a general permission to excommunicate all the violators of it: and he received no supply, except a scutage of twenty shillings on each knight's fee for the marriage of his eldest daughter to the King of Scotland; a burden which was expressly annexed to their feudal tenures.

Four years after, in a full parliament, when Henry demanded a new supply, he was openly reproached with a breach of his word, and the frequent violations of the charter. He was asked, whether he did not blush to desire any aid from his people, whom he professedly hated and despised, to whom on all occasions he preferred aliens and foreigners, and who groaned under the oppressions which he either permitted or exercised over them. He was told that, besides disparaging his nobility by forcing them to contract unequal and mean marriages with strangers, no rank of men was so low as to escape vexations from him or his ministers; that even the victuals consumed in his household, the clothes which himself and his servants wore, still more the wine which they used, were all taken by violence from the lawful owners, and no compensation was ever made them for the injury; that foreign merchants, to the great prejudice and infamy of the kingdom, shunned the English harbours, as if they were possessed by pirates, and the commerce with all nations was thus cut off by these acts of violence; that loss was added to loss, and injury to injury, while the merchants, who had been despoiled of their goods, were also obliged to carry them at their own charge to whatever place the king was pleased to appoint them; that even the poor fishermen on the coast could not escape his oppressions and those of his courtiers; and finding that they had not full liberty to dispose of their commodities in the English market, were frequently constrained to carry them to foreign ports, and to hazard all the perils of the ocean, rather than those which awaited them from his oppressive emissaries; and that his very religion was a ground of complaint to his subjects, while they observed, that the waxen tapers and splendid silks, employed in so many useless processions, were the spoils which he had forcibly ravished from the true owners.<sup>l</sup> Throughout this remonstrance, in which the complaints, derived from an abuse of the ancient right of purveyance, may be supposed to be somewhat exaggerated, there appears a strange mixture of regal tyranny in the practices which gave rise to it, and of aristocratical liberty,

or rather licentiousness, in the expressions employed by the parliament. But a mixture of this kind is observable in all the ancient feudal governments; and both of them proved equally hurtful to the people.

As the king, in answer to their remonstrance, gave the parliament only good words and fair promises, attended with the most humble submissions, which they had often found deceitful, he obtained at that time no supply; and therefore, in the year 1253, when he found himself again under the necessity of applying to parliament, he had provided a new pretence, which he deemed infallible, and taking the vow of a Crusade, he demanded their assistance in that pious enterprise.<sup>m</sup> The parliament, however, for some time hesitated to comply; and the ecclesiastical order sent a deputation, consisting of four prelates, the primate, and the bishops of Winchester, Salisbury, and Carlisle, in order to remonstrate with him on his frequent violations of their privileges, the oppressions with which he had loaded them and all his subjects,<sup>n</sup> and the uncanonical and forced elections which were made to vacant dignities. "It is true," replied the king, "I have been somewhat faulty in this particular: I intruded you, my lord of Canterbury, upon your see: I was obliged to employ both entreaties and menaces, my lord of Winchester, to have you elected: my proceedings, I confess, were very irregular, my lords of Salisbury and Carlisle, when I raised you from the lowest stations to your present dignities: I am determined henceforth to correct these abuses; and it will also become you, in order to make a thorough reformation, to resign your present benefices; and try to enter again in a more regular and canonical manner."<sup>o</sup> The bishops, surprised at these unexpected sarcasms, replied, that the question was not at present how to correct past errors, but to avoid them for the future. The king promised redress both of ecclesiastical and civil grievances; and the parliament in return agreed to grant him a supply, a tenth of the ecclesiastical benefices, and a scutage of three marks on each knight's fee: but as they had experienced his frequent breach of promise, they required, that he should ratify the Great Charter in a manner still more authentic and more solemn than any which he had hitherto employed. All the prelates and abbots were assembled: they held burning tapers in their hands: the Great Charter was read before them: they denounced the sentence of excommunication against every one who should thenceforth violate that fundamental law: they threw their tapers on the ground, and exclaimed, *May the soul of every one, who incurs this sentence, so stink and corrupt in hell!* The king bore a part in this ceremony; and subjoined, "So help me God, I will keep all these articles inviolate, as I am a man, as I am a Christian, as I am a Knight, and as I am a King crowned and anointed."<sup>p</sup> Yet was the tremendous ceremony no sooner finished, than his favourites, abusing his weakness, made him return to the same arbitrary and irregular administration; and the reasonable expectations of his people were thus perpetually eluded and disappointed.<sup>q</sup>

All these imprudent and illegal measures afforded a pretence to Simon de Mountfort, Earl of Leicester, to attempt an innovation in the government, and to wrest the sceptre

1256.  
Simon de  
Mountfort, Earl  
of Leicester.

from the feeble and irresolute hand which held it. This nobleman was a younger son of that Simon de Mountfort, who had conducted, with such valour and renown, the crusade against the Albigenses, and who, though he tarnished his famous exploits by cruelty and ambition, had left a name very precious to all the bigots of that age, particularly to the ecclesiastics. A large inheritance in England fell by succession to this family; but as the elder brother enjoyed still more opulent possessions in France, and could not perform fealty to two masters, he transferred his right to Simon, his younger brother, who came over to England, did homage for his lands, and was raised to the dignity of Earl of Leicester. In the year 1238, he espoused Eleanor, dowager of William Earl of Pembroke, and sister to the king; but the marriage of this princess with a

k M. Paris, p. 432.

l Hist. c. 496. See further, p. 378. M. West, p. 348.

m M. Paris, p. 518. 538. 566. Chron. Doust. vol. 1. p. 291.

n M. Paris, p. 568.

o Ibid. p. 579.

p M. Paris, p. 580. Ann. Furt. p. 323. Ann. Waverl. p. 210. W. Henric, p. 371. M. West, p. 333.

q M. Paris, p. 597. 638.

r Ibid. p. 314.



subject and a foreigner, though contracted with Henry's consent, was loudly complained of by the Earl of Cornwall and all the barons of England; and Leicester was supported against their violence, by the king's favour and authority alone.\* But he had no sooner established himself in his possessions and dignities, than he acquired, by insinuation and address, a strong interest with the nation, and gained equally the affections of all orders of men. He lost, however, the friendship of Henry from the usual levity and fickleness of that prince; he was banished the court; he was recalled; he was intrusted with the command of Guienne; where he did good service and acquired honour; he was again disgraced by the king, and his banishment from court seemed now final and irrevocable. Henry called him traitor to his face; Leicester gave him the lie, and told him, that, if he were not his sovereign, he would soon make him repent of that insult. Yet was this quarrel accommodated, either from the good nature or timidity of the king; and Leicester was again admitted into some degree of favour and authority. But as this nobleman was become too great to preserve an entire complaisance to Henry's humours, and to act in subserviency to his other minions; he found more advantage in cultivating his interest with the public, and in inflaming the general discontents which prevailed against the administration. He filled every place with complaints against the infringement of the Great Charter, the acts of violence committed on the people, the combination between the Pope and the king in their tyranny and extortions, Henry's neglect of his native subjects and barons; and though himself a foreigner, he was more loud than any in representing the indignity of submitting to the dominion of foreigners. By his hypocritical pretensions to devotion, he gained the favour of the zealots and clergy: by his seeming concern for public good, he acquired the affections of the public; and besides the private friendships which he had cultivated with the barons, his animosity against the favourites created a union of interests between him and that powerful order.

A recent quarrel, which broke out between Leicester and William de Valence, Henry's half brother, and chief favourite, brought matters to extremity,<sup>†</sup> and determined the former to give full scope to his bold and unbounded ambition, which the laws and the king's authority had hitherto with difficulty restrained. He secretly called a meeting of the most considerable barons, particularly Humphrey de Bohun, High Constable, Roger Bigod, Earl Mareschal, and the Earls of Warwick and Gloucester; men who by their family and possessions stood in the first rank of the English nobility. He represented to this company the necessity of reforming the state, and of putting the execution of the laws into other hands than those which had hitherto appeared, from repeated experience, so unfit for the charge with which they were intrusted. He exaggerated the oppressions exercised against the lower orders of the state, the violations of the barons' privileges, the continued depredations made on the clergy; and in order to aggravate the enormity of this conduct, he appealed to the Great Charter, which Henry had so often ratified, and which was calculated to prevent for ever the return of those intolerable grievances. He magnified the generosity of their ancestors, who, at a great expense of blood, had extorted that famous concession from the crown; but lamented their own degeneracy, who allowed so important an advantage, once obtained, to be wrested from them by a weak prince and by insolent strangers. And he insisted, that the king's word, after so many submissions and fruitless promises on his part, could no longer be relied on; and that nothing but his absolute inability to violate national privileges could henceforth insure the regular observance of them.

These topics, which were founded in truth, and suited so well the sentiments of the company, had the desired effect; and the barons embraced a resolution of redressing the public grievances, by taking into their own hands the administration of government. Henry having summoned

a parliament, in expectation of receiving supplies for his Sicilian project, the barons appeared in the hall, clad in complete armour, and with their swords by their side: the king on his entry, struck with the unusual appearance, asked them what was their purpose, and whether they pretended to make him their prisoner;<sup>‡</sup> Roger Bigod replied in the name of the rest, that he was not their prisoner, but their sovereign; that they even intended to grant him large supplies, in order to fix his son on the throne of Sicily; that they only expected some return for this expense and service; and that, as he had frequently made submissions to the parliament, had acknowledged his past errors, and had still allowed himself to be carried into the same path, which gave them such just reason of complaint, he must now yield to more strict regulations, and confer authority on those who were able and willing to redress the national grievances. Henry, partly allured by the hopes of supply, partly intimidated by the union and martial appearance of the barons, agreed to their demand; and promised to summon another parliament at Oxford, in order to digest the new plan of government, and to elect the persons who were to be intrusted with the chief authority.

This parliament, which the royalists, and even the nation, from experience of the confusions that attended its measures, afterwards denominated the *mad parliament*, met on the day appointed; and as all the barons brought along with them their military vassals, and appeared with an armed force, the king, who had taken no precautions against them, was in reality a prisoner in their hands, and was obliged to submit to all the terms which they were pleased to impose upon him. Twelve barons were selected from among the king's ministers; twelve more were chosen by parliament: to these twenty-four, unlimited authority was granted to reform the state; and the king himself took an oath, that he would maintain whatever ordinances they should think proper to enact for that purpose.<sup>§</sup> Leicester was at the head of this supreme council, to which the legislative power was thus in reality transferred; and all their measures were taken by his secret influence and direction. Their first step bore a specious appearance and seemed well calculated for the end which they professed to be the object of all these innovations; they ordered that four knights should be chosen by each county; that they should make inquiry into the grievances of which their neighbourhood had reason to complain, and should attend the ensuing parliament, in order to give information to that assembly of the state of their particular counties: a nearer approach to our present constitution than had been made by the barons in the reign of King John, when the knights were only appointed to meet in their several counties, and there to draw up a detail of their grievances. Meanwhile the twenty-four barons proceeded to enact some regulations, as a redress of such grievances as were supposed to be sufficiently notorious. They ordered, that three sessions of parliament should be regularly held every year, in the months of February, June, and October; that a new sheriff should be annually elected by the votes of the freeholders in each county; that the sheriffs should have no power of fining the barons who did not attend their courts, or the circuits of the justices; that no heirs should be committed to the wardship of foreigners, and no castles intrusted to their custody; and that no new warrens or forests should be created, nor the revenues of any counties or hundreds be let to farm. Such were the regulations which the twenty-four barons established at Oxford, for the redress of public grievances.

But the Earl of Leicester and his associates, having advanced so far to satisfy the nation, instead of continuing in this popular course, or granting the king that supply which they had promised him, immediately provided for the extension and continuance of their own authority. They roused anew the popular clamour, which had long prevailed against foreigners; and they fell with the utmost violence on the king's half-brothers, who were supposed

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Provision of  
Oxford.

\* M. Paris, p. 515.

† M. Paris, p. 649.

‡ Rymer, vol. i. p. 655. Chron. Dunst. vol. i. p. 333. Knighton, p. 245.

† Rymer, vol. i. p. 450, 513.

‡ Annal. Therkensbury.

§ M. Paris, p. 677. Addit. p. 140. Ann. Eurt. p. 412.

‡ Chron. Dunst. vol. i. p. 336.

to be the authors of all national grievances, and whom Henry had no longer any power to protect. The four brothers, sensible of their danger, took to flight, with an intention of making their escape out of the kingdom; they were eagerly pursued by the barons; Aymer, one of the brothers, who had been elected to the see of Winchester, took shelter in his episcopal palace, and carried the others along with him; they were surrounded in that place, and threatened to be dragged out by force, and to be punished for their crimes and misdemeanors; and the king, pleading the sacredness of an ecclesiastical sanctuary, was glad to extricate them from this danger by banishing them the kingdom. In this act of violence, as well as in the former usurpations of the barons, the queen and her uncles were thought to have secretly concurred; being jealous of the credit acquired by the brothers, which, they found, had eclipsed and annihilated their own.

But the subsequent proceedings of the usurpations of the barons. twenty-four barons were sufficient to open the eyes of the nation, and to prove their intention of reducing, for ever, both the king and the people under the arbitrary power of a very narrow aristocracy, which must at last have terminated either in anarchy, or in a violent usurpation and tyranny. They pretended that they had not yet digested all the regulations necessary for the reformation of the state and for the redress of grievances; and they must still retain their power, till that great purpose were thoroughly effected; in other words, that they must be perpetual governors, and must continue to reform, till they were pleased to abdicate their authority. They formed an association among themselves, and swore that they would stand by each other with their lives and fortunes; they displaced all the chief officers of the crown, the justiciary, the chancellor, the treasurer; and advanced either themselves or their own creatures in their place. Even the offices of the king's household were disposed of at their pleasure; the government of all the castles was put into hands in whom they found reason to confide; and the whole power of the state being thus transferred to them, they ventured to impose an oath, by which all the subjects were obliged to swear, under the penalty of being declared public enemies, that they would obey and execute all the regulations, both known and unknown, of the twenty-four barons: and all this, for the greater glory of God, the honour of the church, the service of the king, and the advantage of the kingdom.<sup>a</sup> No one dared to withstand this tyrannical authority. Prince Edward himself, the king's eldest son, a youth of eighteen, who began to give indications of that great and manly spirit, which appeared throughout the whole course of his life, was, after making some opposition, constrained to take that oath, which really deposed his father and his family from sovereign authority.<sup>b</sup> Earl Warrenne was the last person in the kingdom that could be brought to give the confederated barons this mark of submission.

But the twenty-four barons, not content with the usurpation of the royal power, introduced an innovation in the constitution of parliament, which was of the utmost importance. They ordained, that this assembly should choose a committee of twelve persons, who should, in the intervals of the session, possess the authority of the whole parliament, and should attend, on a summons, the person of the king, in all his motions. But so powerful were these barons, that this regulation was also submitted to; the whole government was overthrown, or fixed on new foundations; and the monarchy was totally subverted, without its being possible for the king to strike a single stroke in defence of the constitution against the newly-erected oligarchy.

The report that the King of the Romans intended to pay a visit to England, gave alarm to the ruling barons, who dreaded lest the extensive influence and established authority of that prince would be employed to restore the prerogatives of his family, and overturn their plan of government.<sup>c</sup> They sent over the Bishop of Worcester, who met him at St. Omars; asked him, in the name of the barons, the reason of his journey, and how

long he intended to stay in England; and insisted, that, before he entered the kingdom, he should swear to observe the regulations established at Oxford. On Richard's refusal to take this oath, they prepared to resist him as a public enemy; they fitted out a fleet, assembled an army, and exciting the inveterate prejudices of the people against foreigners, from whom they had suffered so many oppressions, spread the report, that Richard, attended by a number of strangers, meant to restore by force the authority of his exiled brothers, and to violate all the securities provided for public liberty. The King of the Romans was at last obliged to submit to the terms required of him.<sup>d</sup>

But the barons, in proportion to their continuance in power, began gradually to lose that popularity which had assisted them in obtaining it; and men repined, that regulations, which were occasionally established for the reformation of the state, were likely to become perpetual, and to subvert entirely the ancient constitution. They were apprehensive lest the power of the nobles, always oppressive, should now exert itself without control, by removing the counterpoise of the crown; and their fears were increased by some new edicts of the barons, which were plainly calculated to procure to themselves an impunity in all their violences. They appointed that the circuits of the itinerant justices, the sole check on their arbitrary conduct, should be held only once in seven years; and men easily saw that a remedy, which returned after such long intervals, against an oppressive power, which was perpetual, would prove totally insignificant and useless.<sup>e</sup> The cry became loud in the nation, that the barons should finish their intended regulations. The knights of the shires, who seem now to have been pretty regularly assembled, and sometimes in a separate House, made remonstrances against the slowness of their proceedings. They represented that, though the king had performed all the conditions required of him, the barons had hitherto done nothing for the public good, and had only been careful to promote their own private advantage, and to make inroads on royal authority; and they even appealed to Prince Edward, and claimed his interposition for the interests of the nation and the reformation of the government.<sup>f</sup> The prince replied, that though it was from constraint, and contrary to his private sentiments, he had sworn to maintain the provisions of Oxford, he was determined to observe his oath. But he sent a message to the barons, requiring them to bring their undertaking to a speedy conclusion, and fulfil their engagements to the public: otherwise he menaced them, that at the expense of his life he would oblige them to do their duty, and would shed the last drop of his blood in promoting the interests, and satisfying the just wishes, of the nation.<sup>g</sup>

The barons, urged by so pressing a necessity, published at last a new code of ordinances for the reformation of the state;<sup>h</sup> but the expectations of the people were extremely disappointed, when they found that these consisted only of some trivial alterations in the municipal law, and still more, when the barons pretended that the task was not yet finished, and that they must further prolong their authority, in order to bring the work of reformation to the desired period. The current of popularity was now much turned to the side of the crown; and the barons had little to rely on for their support, besides the private influence and power of their families, which, though exorbitant, was likely to prove inferior to the combination of king and people. Even this basis of power was daily weakened by their intestine jealousies and animosities; their ancient and inveterate quarrels broke out when they came to share the spoils of the crown; and the rivalry between the Earls of Leicester and Gloucester, the chief leaders among them, began to disjoint the whole confederacy. The latter, more moderate in his pretensions, was desirous of stopping or retarding the career of the barons' usurpations; but the former, enraged at the opposition which he met with in his own party, pretended to throw up all concern in English affairs, and he retired into France.<sup>i</sup>

The kingdom of France, the only state with which England had any considerable intercourse, was at this time

<sup>a</sup> Chron. T. Wykes, p. 50.

<sup>b</sup> Ann. Burt. p. 411.

<sup>c</sup> M. Paris, p. 691.

<sup>d</sup> Ibid. p. 661, 662. Chron. I. Wykes, p. 30.

<sup>e</sup> M. Paris, p. 667. Trivet, p. 209.

<sup>f</sup> Annal. Burt. p. 427.

<sup>g</sup> Ibid. p. 428, 429.

<sup>h</sup> Ibid. p. 427.

<sup>i</sup> Chron. Dunst. vol. i. p. 318.

governed by Lewis IX. a prince of the most singular character that is to be met with in all the records of history. This monarch united to the mean and abject superstition of a monk, all the courage and magnanimity of the greatest hero; and, what may be deemed more extraordinary, the justice and integrity of a disinterested patriot, the mildness and humanity of an accomplished philosopher. So far from taking advantage of the divisions among the English, or attempting to expel those dangerous rivals from the provinces which they still possessed in France, he had entertained many scruples with regard to the sentence of attainder pronounced against the king's father, had even expressed some intention of restoring the other provinces, and was only prevented from taking that imprudent resolution by the united remonstrances of his own barons, who represented the extreme danger of such a measure,<sup>1</sup> and, what had a greater influence on Lewis, the justice of punishing, by a legal sentence, the barbarity and felony of John. Whenever this prince interposed in English affairs, it was always with an intention of composing the differences between the king and his nobility; he recommended to both parties every peaceable and reconciling measure; and he used all his authority with the Earl of Leicester, his native subject, to bend him to compliance with Henry.

He made a treaty with England, at a time <sup>20th May.</sup> when the distractions of that kingdom were at the greatest height, and when the king's authority was totally annihilated; and the terms which he granted might, even in a more prosperous state of their affairs, be deemed reasonable and advantageous to the English. He yielded up some territories which had been conquered from Poitou and Guienne; he insured the peaceable possession of the latter province to Henry: he agreed to pay that prince a large sum of money; and he only required that the king should, in return, make a final cession of Normandy, and the other provinces, which he could never entertain any hopes of recovering by force of arms.<sup>1</sup> This cession was ratified by Henry, by his two sons and two daughters, and by the King of the Romans and his three sons: Leicester alone, either moved by a vain arrogance, or desirous to ingratiate himself with the English populace, protested against the deed, and insisted on the right, however distant, which might accrue to his consort.<sup>2</sup> Lewis saw, in his obstinacy, the unbounded ambition of the man; and as the barons insisted that the money due by treaty should be at their disposal, not at Henry's; he also saw, and probably with regret, the low condition to which this monarch, who had more erred from weakness than from any bad intentions, was reduced by the turbulence of his own subjects.

But the situation of Henry soon after wore <sup>A. D. 1261.</sup> a more favourable aspect. The twenty-four barons had now enjoyed the sovereign power near three years; and had visibly employed it, not for the reformation of the state, which was their first pretence, but for the aggrandizement of themselves and of their families. The breach of trust was apparent to all the world: every order of men felt it, and murmured against it: the dissensions among the barons themselves, which increased the evil, made also the remedy more obvious and easy: and the secret desertion, in particular, of the Earl of Gloucester to the crown, seemed to promise Henry certain success in any attempt to resume his authority. Yet durst he not take that step, so reconcilable both to justice and policy, without making a previous application to Rome, and desiring an absolution from his oaths and engagements.<sup>3</sup>

The Pope was at this time much dissatisfied with the conduct of the barons; who, in order to gain the favour of the people and clergy of England, had expelled all the Italian ecclesiastics, had confiscated their benefices, and seemed determined to maintain the liberties and privileges of the English church, in which the rights of patronage, belonging to their own families, were included. The extreme animosity of the English clergy against the Italians, was also a source of his disgust to this order; and an attempt, which had been made by them for further liberty

and greater independence on the civil power, was therefore less acceptable to the court of Rome.<sup>4</sup> About the same time that the barons at Oxford had annihilated the prerogatives of the monarchy, the clergy met in a synod at Merton, and passed several ordinances, which were no less calculated to promote their own grandeur at the expense of the crown. They decreed, that it was unlawful to try ecclesiastics by secular judges; that the clergy were not to regard any prohibitions from civil courts; that lay patrons had no right to confer spiritual benefices; that the magistrate was obliged, without further inquiry, to imprison all excommunicated persons; and that ancient usage, without any particular grant or charter, was a sufficient authority for any clerical possessions or privileges.<sup>5</sup> About a century before, these claims would have been supported by the court of Rome beyond the most fundamental articles of faith: they were the chief points maintained by the great martyr, Becket; and his resolution in defending them had exalted him to the high station which he held in the catalogue of Romish saints. But principles were changed with the times: the Pope was become somewhat jealous of the great independence of the English clergy, which made them stand less in need of his protection, and even imbodened them to resist his authority, and to complain of the preference given to the Italian courtiers, whose interests, it is natural to imagine, were the chief object of his concern. He was ready, therefore, on the king's application, to annul these new constitutions of the church of England.<sup>6</sup> And, at the same time, he absolved the king, and all his subjects, from the oath which they had taken to observe the provisions of Oxford.<sup>7</sup>

Prince Edward, whose liberal mind, though <sup>Prince Edward.</sup> in such early youth, had taught him the great prejudice which his father had incurred, by his levity, inconstancy, and frequent breach of promise, refused for a long time to take advantage of this absolution; and declared, that the provisions of Oxford, how unreasonable soever in themselves, and how much soever abused by the barons, ought still to be adhered to by those who had sworn to observe them:<sup>8</sup> he himself had been constrained by violence to take that oath; yet was he determined to keep it. By this scrupulous fidelity, the prince acquired the confidence of all parties, and was afterwards enabled to recover fully the royal authority, and to perform such great actions, both during his own reign and that of his father.

The situation of England, during this period, as well as that of most European kingdoms, was somewhat peculiar. There was no regular military force maintained in the nation: the sword, however, was not, properly speaking, in the hands of the people: the barons were alone intrusted with the defence of the community; and after any effort which they made, either against their own prince or against foreigners, as the military retainers departed home, the armies were disbanded, and could not speedily be re-assembled at pleasure. It was easy, therefore, for a few barons, by a combination, to get the start of the other party, to collect suddenly their troops, and to appear unexpectedly in the field with an army, which their antagonists, though equal, or even superior in power and interest, would not dare to encounter. Hence the sudden revolutions, which often took place in those governments: hence the frequent victories obtained, without a blow, by one faction over the other: and hence it happened, that the seeming prevalence of a party was seldom a prognostic of its long continuance in power and authority.

The king, as soon as he received the <sup>A. D. 1262.</sup> Pope's absolution from his oath, accompanied with menaces of excommunication against all opponents, trusting to the countenance of the church, to the support promised him by many considerable barons, and to the returning favour of the people, immediately took off the mask. After justifying his conduct by a proclamation, in which he set forth the private ambition, and the breach of trust, conspicuous in Leicester and his associates, he declared, that he had resumed the government,

<sup>1</sup> M. Paris, p. 601.  
<sup>2</sup> Rymer, vol. 1, p. 675. M. Paris, p. 566. Chron. T. Wykes, p. 53.  
<sup>3</sup> Tivet, p. 207. M. West, p. 371.  
<sup>4</sup> M. Paris, p. 59.  
<sup>5</sup> Ann. Burt, p. 209.

<sup>6</sup> Rymer, vol. 1, p. 755.  
<sup>7</sup> Rymer, vol. 1, p. 753.  
<sup>8</sup> Ibid. p. 728. M. Paris, p. 606. W. Heming, p. 200. Ypsil Neust.  
<sup>9</sup> Rymer, vol. 1, p. 746.  
<sup>10</sup> M. Paris, p. 577.



and was determined thenceforth to exert the royal authority for the protection of his subjects. He removed Hugh le Despenser and Nicholas de Ely, the judiciary and chancellor appointed by the barons; and put Philip Basset and Walter de Merton in their place. He substituted new sheriffs in all the counties, men

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of character and honour: he placed new governors in most of the castles: he changed all the officers of his household: he summoned a parliament, in which the resumption of his authority was ratified, with only five dissenting voices: and the barons, after making one fruitless effort to take the king by surprise at Winchester, were obliged to acquiesce in those new regulations.<sup>1</sup>

The king, in order to cut off every objection to his conduct, offered to refer all the differences between him and the Earl of Leicester, to Margaret, Queen of France.<sup>2</sup> The celebrated integrity of Lewis gave a mighty influence to any decision which issued from his court; and Henry probably hoped, that the gallantry, on which all barons, as true knights, valued themselves, would make them ashamed not to submit to the award of that princess. Lewis merited the confidence reposed in him. By an admirable conduct, probably as political as just, he continually interposed his good offices to allay the civil discords of the English: he forwarded all healing measures, which might give security to both parties: and he still endeavoured, though in vain, to soothe, by persuasion, the fierce ambition of the Earl of Leicester, and to convince him how much it was his duty to submit peaceably to the authority of his sovereign.

A. D. 1263. That bold and artful conspirator was now wisely discouraged by the bad success of his past enterprises. The death of Richard, Earl of Gloucester, who was his chief rival in power, and who, before his decease, had joined the royal party, seemed to open a new field to his violence, and to expose the throne to fresh insults and injuries. It was in vain that the king professed his intentions of observing strictly the Great Charter, even of maintaining all the regulations made by the reforming barons at Oxford or afterwards, except those which entirely annihilated the royal authority: these powerful chieftains, now obnoxious to the court, could not peaceably resign the hopes of entire independence and uncontrolled power, with which they had flattered themselves, and which they had so long enjoyed. Many of

Civil wars of the barons. among the rest, Gilbert, the young Earl of Gloucester, who brought him a mighty accession of power, from the extensive authority possessed by that opulent family. Even Henry, son of the King of the Romans, commonly called Henry d'Almaine, though a prince of the blood, joined the party of the barons against the king, the head of his own family. Leicester himself, who still resided in France, secretly formed the links of this great conspiracy, and planned the whole scheme of operations.

The princes of Wales, notwithstanding the great power of the monarchs, both of the Saxon and Norman line, still preserved authority in their own country. Though they had often been constrained to pay tribute to the crown of England, they were with difficulty retained in subordination, or even in peace: and almost through every reign since the Conquest, they had infested the English frontiers with such petty incursions and sudden inroads, as seldom merit to have place in a general history. The English, still content with repelling their invasions, and chasing them back into their mountains, had never pursued the advantages obtained over them, nor been able, even under their greatest and most active princes, to fix a total, or so much as a feudal, subjection on the country. This advantage was reserved to the present king, the weakest and most indolent. In the year 1237, Lewellyn, Prince of Wales, declining in years and broken with infirmities, but still more harassed with the rebellion and undutiful behaviour of his youngest son, Griffin, had recourse to the protection of Henry; and consenting to subject his principality, which had so long maintained, or soon recovered, its independence, to vassalage under the

crown of England, had purchased security and tranquillity on these dishonourable terms. His eldest son and heir, David, renewed the homage to England; and having taken his brother prisoner, delivered him into Henry's hands, who committed him to custody in the Tower. That prince, endeavouring to make his escape, lost his life in the attempt; and the Prince of Wales, freed from the apprehensions of so dangerous a rival, paid thenceforth less regard to the English monarch, and even renewed those incursions, by which the Welch, during so many ages, had been accustomed to infest the English borders. Lewellyn, however, the son of Griffin, who succeeded to his uncle, had been obliged to renew the homage, which was now claimed by England as an established right; but he was well pleased to inflame those civil discords, on which he rested his present security, and founded his hopes of future independence. He entered into a confederacy with the Earl of Leicester, and collecting all the force of his principality, invaded England with an army of 30,000 men. He ravaged the lands of Roger de Mortimer, and of all the barons who adhered to the crown;<sup>3</sup> he marched into Cheshire, and committed like depredations on Prince Edward's territories; every place, where his disorderly troops appeared, was laid waste with fire and sword; and though Mortimer, a gallant and expert soldier, made stout resistance, it was found necessary that the prince himself should head the army against this invader. Edward repulsed Prince Lewellyn, and obliged him to take shelter in the mountains of North Wales: but he was prevented from making further progress against the enemy, by the disorders which soon after broke out in England.

The Welch invasion was the appointed signal for the malcontent barons to rise in arms, and Leicester, coming over secretly from France, collected all the forces of his party, and commenced an open rebellion. He seized the person of the Bishop of Hereford; a prelate obnoxious to all the inferior clergy, on account of his devoted attachment to the court of Rome.<sup>4</sup> Simon, Bishop of Norwich, and John Mansel, because they had published the Pope's bull, absolving the king and kingdom from their oaths to observe the provisions of Oxford, were made prisoners, and exposed to the rage of the party. The king's demesnes were ravaged with unbounded fury;<sup>5</sup> and as it was Leicester's interest to allure to his side, by the hopes of plunder, all the disorderly ruffians in England, he gave them a general licence to pillage the barons of the opposite party, and even all neutral persons. But one of the principal resources of his faction was the populace of the cities, particularly of London; and as he had, by his hypocritical pretensions to sanctity, and his zeal against Rome, engaged the monks and lower ecclesiastics in his party, his dominion over the inferior ranks of men became uncontrollable. Thomas Fitz-Richard, Mayor of London, a furious and licentious man, gave the countenance of authority to these disorders in the capital; and having declared war against the substantial citizens, he loosened all the bands of government, by which that turbulent city was commonly but ill restrained. On the approach of Easter, the zeal of superstition, the appetite for plunder, or what is often as prevalent with the populace, as either of these motives, the pleasure of committing havoc and destruction, prompted them to attack the unhappy Jews, who were first pillaged without resistance, then massacred to the number of five hundred persons.<sup>6</sup> The Lombard bankers were next exposed to the rage of the people; and though, by taking sanctuary in the churches, they escaped with their lives, all their money and goods became a prey to the licentious multitude. Even the houses of the rich citizens, though English, were attacked by night; and way was made by sword and by fire to the pillage of their goods, and often to the destruction of their persons. The queen, who, though defended by the Tower, was terrified by the neighbourhood of such dangerous commotions, resolved to go by water to the castle of Windsor; but as she approached the bridge, the populace assembled against her: the cry ran, *drown the witch*; and besides abusing her with the most opprobrious language, and pelting her with rotten eggs and dirt, they had prepared large stones

<sup>1</sup> M. Paris, p. 668. Chron. T. Wykes, p. 65.

<sup>2</sup> R. Mer, vol. i. p. 721. <sup>3</sup> A. Chron. Dunst. vol. i. p. 251.

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<sup>4</sup> Y. Triest, p. 211. M. West, p. 302, 303.

<sup>5</sup> A. Chron. T. Wykes, p. 251.

<sup>6</sup> R. Mer.

to sink her barge, when she should attempt to shoot the bridge; and she was so frightened, that she returned to the Tower.<sup>b</sup>

The violence and fury of Leicester's faction had risen to such a height in all parts of England, that the king, unable to resist their power, was obliged to set on foot a treaty of peace; and to make an accommodation with the barons on the most disadvantageous terms.<sup>c</sup>

18th July.

He agreed to confirm anew the provisions of Oxford, even those which entirely annihilated the royal authority; and the barons were again re-instated in the sovereignty of the kingdom. They restored Hugh le Despenser to the office of chief justiciary; they appointed their own creatures sheriffs in every county of England; they took possession of all the royal castles and fortresses; they even named all the officers of the king's household; and they summoned a parliament to meet at Westminster, in order to settle more fully their plan of government. They here produced a new list of twenty-four barons, to whom they proposed that the administration should be entirely committed; and they insisted that the authority of this junta should continue, not only during the reign of the king, but also during that of Prince Edward.

14th Oct.

This prince, the life and soul of the royal party, had unhappily, before the king's accommodation with the barons, been taken prisoner by Leicester in a parley at Windsor;<sup>d</sup> and that misfortune, more than any other incident, had determined Henry to submit to the ignominious conditions imposed upon him. But Edward, having recovered his liberty by the treaty, employed his activity in defending the prerogatives of his family; and he gained a great party even among those who had at first adhered to the cause of the barons. His cousin Henry d'Almaine, Roger Bigod, Earl Marshal, Earl Warrenne, Humphrey Bohun, Earl of Hereford, John Lord Basset, Ralph Basset, Hammond l'Estrange, Roger Mortimer, Henry de Piercy, Robert de Brus, Roger de Leybourne, with almost all the Lords Marchers, as they were called, on the borders of Wales and of Scotland, the most warlike parts of the kingdom, declared in favour of the royal cause; and hostilities, which were scarcely well composed, were again renewed in every part of England. But the near balance of the parties, joined to the universal clamour of the people, obliged the king and barons to open anew the negotiations for peace; and it was agreed, by both sides, to submit their differences to the arbitration of the King of France.<sup>e</sup>

This virtuous prince, the only man who, in like circumstances, could safely have been intrusted with such an authority by a neighbouring nation, had never ceased to interpose his good offices between the English factions; and had even, during the short interval of peace, invited over to Paris both the king and the Earl of Leicester, in order to accommodate the differences between them; but found, that the fears and animosities on both sides, as well as the ambition of Leicester, were so violent, as to render all his endeavours ineffectual. But when this solemn appeal, ratified by the oaths and subscriptions of the leaders in both factions, was made to his judgment, he was not discouraged from pursuing his honourable purpose: he summoned the states of France at Amiens; and there, in the presence of that assembly, as well as in that of the King of England, and Peter de Montfort, Leicester's son, he brought this great cause to a trial and examination. It appeared to him, that the provisions of Oxford, even had they not been extorted by force, had they not been so exorbitant in their nature, and subversive of the ancient constitution, were expressly established as a temporary expedient, and could not without breach of trust, be rendered perpetual by the barons.

Reference to the King of France.

A. D. 1264.

He therefore annulled these provisions; restored to the king the possession of his castles, and the power of nomination to the great offices; allowed him to retain what foreigners he pleased in his kingdom, and even to confer on them places of trust and dignity; and in a word, re-established the royal power in the same condition on which it stood before the meeting of the parliament at Oxford. But while he thus suppressed dangerous innovations, and preserved unimpaired the prerogatives of the English crown, he was not negligent of the rights of the people; and besides ordering that a general amnesty should be granted for all past offences, he declared that his award was not any wise meant to derogate from the privileges and liberties which the nation enjoyed by any former concessions or charters of the crown.<sup>f</sup>

This equitable sentence was no sooner known in England, than Leicester and his confederates determined to reject it, and to have recourse to arms, in order to procure to themselves more safe and advantageous conditions.<sup>g</sup> Without regard to his oaths and subscriptions, that enterprising conspirator directed his two sons, Richard and Peter de Montfort, in conjunction with Robert de Ferrars, Earl of Derby, to attack the city of Worcester; while Henry and Simon de Montfort, two others of his sons, assisted by the Prince of Wales, were ordered to lay waste the estate of Roger de Mortimer. He himself resided at London; and employing as his instrument Fitz-Richard the seditious mayor, who had violently and illegally prolonged his authority, he wrought up that city to the highest ferment and agitation. The populace formed themselves into bands and companies; chose leaders; practised all military exercises; committed violence on the royalists: and to give them greater countenance in their disorders, an association was entered into between the city and eighteen great barons, never to make peace with the king but by common consent and approbation. At the head of those who swore to maintain this association, were the Earls of Leicester, Gloucester, and Derby, with le Despenser, the chief justiciary; men who had all previously sworn to submit to the award of the French monarch. Their only pretence for this breach of faith was, that the latter part of Lewis's sentence was, as they affirmed, a contradiction to the former: he ratified the charter of liberties, yet annulled the provisions of Oxford; which were only calculated, as they maintained, to preserve that charter; and without which, in their estimation, they had no security for its observance.

The king and prince, finding a civil war inevitable, prepared themselves for defence; and summoning the military vassals from all quarters, and being reinforced by Baliol, lord of Galloway, Brus, Lord of Annandale, Henry Piercy, John Comyn,<sup>h</sup> and other barons of the north, they composed an army, formidable as well from its numbers as its military prowess and experience. The first enterprise of the royalists was the attack of Northampton, which was defended by Simon de Montfort, with many of the principal barons of that party: and a breach being made in the walls by Philip Basset, the place was carried by assault, and both the governor and the garrison were made prisoners. The royalists marched thence to Leicester and Nottingham; both which

5th April.

places having opened their gates to them, Prince Edward proceeded with a detachment into the county of Derby, in order to ravage with fire and sword the lands of the earl of that name, and take revenge on him for his disloyalty. Like maxims of war prevailed with both parties throughout England; and the kingdom was thus exposed in a moment to greater devastation, from the animosities of the rival barons, than it would have suffered from many years of foreign or even domestic hostilities, conducted by more humane and more generous principles.

The Earl of Leicester, master of London, and of the counties in the south-east of England, formed the siege of Rochester, which alone declared for the king in those parts, and which, besides Earl Warrenne, the governor, was garrisoned by many noble and powerful barons of the royal party. The king and prince hastened from Nottingham, where they were then quartered, to the relief of the place; and on their approach, Leicester raised the siege, and retreated to London, which being the centre of his power, he was afraid might, in his absence, fall into the king's hands, either by force, or by a correspondence with

<sup>b</sup> Chron. T. Wykes, p. 57.

<sup>c</sup> Chron. Dunst. vol. i. p. 356. Trivet, p. 211.

<sup>d</sup> M. Paris, p. 669. Trivet, p. 213.

<sup>e</sup> M. Paris, p. 668. Chron. T. Wykes, p. 50. W. Hemmings, p. 560. Chron. Dunst. vol. i. p. 365.

<sup>f</sup> Chron. T. Wykes, p. 57.

<sup>g</sup> Chron. Dunst. vol. i. p. 365.

<sup>h</sup> Rymer, vol. i. p. 774. M. West, p. 363. Ypod. Neust. p. 469.

<sup>f</sup> Rymer, vol. i. p. 776, 777, &c. Chron. T. Wykes, p. 58. Knighton, p. 236.

<sup>g</sup> Chron. Dunst. vol. i. p. 365.

<sup>h</sup> Rymer, vol. i. p. 774. M. West, p. 363. Ypod. Neust. p. 469.

the principal citizens, who were all secretly inclined to the royal cause. Reinforced by a great body of Londoners, and having summoned his partisans from all quarters, he thought himself strong enough to hazard a general battle with the royalists, and to determine the fate of the nation in one great engagement; which, if it proved successful, must be decisive against the king, who had no retreat for his broken troops in those parts; while Leicester himself, in case of any sinister accident, could easily take shelter in the city. To give the better colouring to his cause, he previously sent a message with conditions of peace to Henry, submissive in the language, but exorbitant in the demands; and when the messenger returned with the lie and defiance from the king, the prince, and the King of the Romans, he sent a new message, renouncing, in the name of himself and of the associated barons, all fealty and allegiance to Henry. He then marched out of the city, with his army, divided into four bodies: the first commanded by his two sons, Henry and Guy de Montfort, together with Humphrey de Bohun, Earl of Hereford, who had deserted to the barons; the second led by the Earl of Gloucester, with William de Montchesney and John Fitz-John; the third, composed of Londoners, under the command of Nicholas de Segrave; the fourth headed by himself in person. The Bishop of Chichester gave a general absolution to the army, accompanied with assurances, that if any of them fell in the ensuing action, they would infallibly be received into heaven, as the reward of their suffering in so meritorious a cause.

**Battle of Lewes.** Leicester, who possessed great talents for war, conducted his march with such skill and secrecy, that he had well nigh surprised the royalists in their quarters at Lewes in Sussex: but the vigilance and activity of Prince Edward soon repaired this negligence; and he led out the king's army to the field in three bodies. He himself conducted the van, attended by Earl Warrenne and William de Valence: the main body was commanded by the King of the Romans and his son Henry: the king himself was placed in the rear at the head of his principal nobility. Prince Edward rushed upon the Londoners, who had demanded the post of honour in leading the rebel army, but who, from their ignorance of discipline and want of experience, were ill fitted to resist the gentry and military men, of whom the prince's body was composed. They were broken in an instant; were chased off the field; and Edward, transported by his martial ardour, and eager to revenge the insolence of the Londoners against his mother,<sup>k</sup> put them to the sword for the length of four miles, without giving them any quarter, and without reflecting on the fate which in the mean time attended the rest of the army. The Earl of Leicester, seeing the royalists thrown into confusion by their eagerness in the pursuit, led on his remaining troops against the bodies commanded by the two royal brothers: he defeated, with great slaughter, the forces headed by the King of the Romans; and that prince was obliged to yield himself prisoner to the Earl of Gloucester: he penetrated to the body where the king himself was placed, threw it into disorder, pursued his advantage, chased it into the town of Lewes, and obliged Henry to surrender himself prisoner.<sup>l</sup>

Prince Edward, returning to the field of battle from his precipitate pursuit of the Londoners, was astonished to find it covered with the dead bodies of his friends, and still more to hear, that his father and uncle were defeated and taken prisoners, and that Arundel, Comyn, Brus, Hamond L'Estrange, Roger Leybourne, and many considerable barons of his party, were in the hands of the victorious enemy. Earl Warrenne, Hugh Bigod, and William de Valence, struck with despair at this event, immediately took to flight, hurried to Pevensey, and made their escape beyond sea: but the prince, intrepid amidst the greatest disasters, exhorted his troops to revenge the death of their friends; to relieve the royal captives, and to snatch an easy conquest from an enemy disordered by their own victory.<sup>m</sup> He found his followers intimidated by their situation; while Leicester, afraid of a sudden and

violent blow from the prince, amused him by a feigned negotiation, till he was able to recall his troops from the pursuit, and to bring them into order.<sup>n</sup> There now appeared no further resource to the royal party; surrounded by the armies and garrisons of the enemy, destitute of forage and provisions, and deprived of their sovereign, as well as of their principal leaders, who could alone inspire them to an obstinate resistance. The prince, therefore, was obliged to submit to Leicester's terms, which were short and severe, agreeably to the suddenness and necessity of the situation: he stipulated, that he and Henry d'Almaine should surrender themselves prisoners as pledges in lieu of the two kings; that all other prisoners on both sides should be released; and that, in order to settle fully the terms of agreement, application should be made to the King of France, that he should name six Frenchmen, three prelates, and three noblemen: these six to choose two others of their own country; and these two to choose one Englishman, who, in conjunction with themselves, were to be invested by both parties with full powers to make what regulations they thought proper for the settlement of the kingdom. The prince and young Henry accordingly delivered themselves into Leicester's hands, who sent them under a guard to Dover castle. Such are the terms of agreement commonly called the *Mise of Lewes*, from an obsolete French term of that meaning: for it appears, that all the gentry and nobility of England, who valued themselves on their Norman extraction, and who disdained the language of their native country, made familiar use of the French tongue, till this period, and for some time after.

Leicester had no sooner obtained this great advantage, and gotten the whole royal family in his power, than he openly violated every article of the treaty, and acted as sole master, and even tyrant, of the kingdom. He still detained the king in effect a prisoner, and made use of that prince's authority to purposes the most prejudicial to his interests, and the most oppressive of his people.<sup>o</sup> He every where disarmed the royalists, and kept all his own partisans in a military posture: he observed the same partial conduct in the deliverance of the captives, and even threw many of the royalists into prison, besides those who were taken in the battle of Lewes: he carried the king from place to place, and obliged all the royal castles, on pretence of Henry's commands, to receive a governor and garrison of his own appointment: all the officers of the crown and of the household were named by him; and the whole authority, as well as arms of the state, was lodged in his hands: he instituted in the counties a new kind of magistracy, endowed with new and arbitrary powers, that of conservators of the peace:<sup>p</sup> his avarice appeared barefaced, and might induce us to question the greatness of his ambition, at least the largeness of his mind, if we had not reason to think, that he intended to employ his acquisitions as the instruments for attaining further power and grandeur. He seized the estates of no less than eighteen barons, as his share of the spoil gained in the battle of Lewes: he engrossed to himself the ransom of all the prisoners; and told his barons, with a wanton insolence, that it was sufficient for them, that he had saved them, by that victory, from the forfeitures and attainders which hung over them: he even treated the Earl of Gloucester in the same injurious manner, and applied to his own use the ransom of the King of the Romans, who, in the field of battle, had yielded himself prisoner to that nobleman. Henry, his eldest son, made a monopoly of all the wool in the kingdom, the only valuable commodity for foreign markets which it at that time produced.<sup>q</sup> The inhabitants of the cinque-ports, during the present dissolution of government, betook themselves to the most licentious piracy, preyed on the ships of all nations, threw the mariners into the sea, and, by these practices, soon banished all merchants from the English coasts and harbours. Every foreign commodity rose to an exorbitant price; and woollen cloth, which the English had not then the art of dying, was worn by them white, and without receiving the last hand of the manufacturer.

<sup>k</sup> M. Paris, p. 603. W. Heming, p. 583.

<sup>l</sup> M. Paris, p. 670. Chron. I. Wykes, p. 62. W. Heming, p. 583. M. West, p. 37. Ypsol. Neust. p. 360. H. Knyghton, p. 2450.

<sup>m</sup> M. Paris, p. 670. M. West, p. 387. in Chron. T. Wykes, p. 63.

<sup>n</sup> W. Heming, p. 584.

<sup>o</sup> M. Paris, p. 671. Knyghton, p. 2451.

<sup>p</sup> Rymer, vol. i. p. 720, 791, 800.

<sup>q</sup> Ibid. p. 795. Brady's Appeals. No. 211, 212. Chron. T. Wykes, p. 63.

<sup>r</sup> Rymer, vol. i. p. 792.

<sup>s</sup> Chron. T. Wykes, p. 63.

<sup>t</sup> Knyghton, p. 2451.



In answer to the complaints which arose on this occasion, Leicester replied, that the kingdom could well enough subsist within itself, and needed no intercourse with foreigners. And it was found that he even combined with the pirates of the cinque-ports, and received as his share the third of their prizes.<sup>w</sup>

No further mention was made of the reference to the King of France, so essential an article in the agreement of Lewes; and Leicester summoned a parliament, composed altogether of his own partisans, in order to rivet, by their authority, that power which he had acquired by so much violence, and which he used with so much tyranny and injustice. An ordinance was there passed, to which the king's consent had been previously extorted, that every act of royal power should be exercised by a council of nine persons, who were to be chosen and removed by the majority of three, Leicester himself, the Earl of Gloucester, and the Bishop of Chichester.<sup>x</sup> By this intricate plan of government, the sceptre was really put into Leicester's hands; as he had the entire direction of the Bishop of Chichester, and thereby commanded all the resolutions of the council of three, who could appoint or discard at pleasure every member of the supreme council.

But it was impossible that things could long remain in this strange situation. It behoved Leicester either to descend with some peril into the rank of a subject, or to mount up with no less into that of a sovereign; and his ambition, unrestrained either by fear or by principle, gave too much reason to suspect him of the latter intention. Meanwhile, he was exposed to anxiety from every quarter; and felt that the smallest incident was capable of overturning that immense and ill-cemented fabric which he had reared. The queen, whom her husband had left abroad, had collected in foreign parts an army of desperate adventurers, and had assembled a great number of ships, with a view of invading the kingdom, and of bringing relief to her unfortunate family. Lewis, detesting Leicester's usurpations and perjuries, and disgusted at the English barons, who had refused to submit to his award, secretly favoured all her enterprises, and was generally believed to be making preparations for the same purpose. An English army, by the pretended authority of the captive king, was assembled on the sea-coast, to oppose this projected invasion;<sup>y</sup> but Leicester owed his safety more to cross winds, which long detained and at last dispersed and ruined the queen's fleet, than to any resistance which, in their present situation, could have been expected from the English.

Leicester found himself better able to resist the spiritual thunders which were levelled against him. The Pope, still adhering to the king's cause against the barons, despatched cardinal Guido as his legate into England, with orders to excommunicate, by name, the three earls, Leicester, Gloucester, and Norfolk, and all others in general, who concurred in the oppression and captivity of their sovereign.<sup>z</sup> Leicester menaced the legate with death, if he set foot within the kingdom; but Guido, meeting in France the Bishops of Winchester, London, and Worcester, who had been sent thither on a negotiation, commanded them, under the penalty of ecclesiastical censures, to carry his bull into England, and to publish it against the barons. When the prelates arrived off the coast, they were boarded by the piratical mariners of the cinque-ports, to whom probably they gave a hint of the cargo which they brought along with them; the bull was torn and thrown into the sea, which furnished the artful prelates with a plausible excuse for not obeying the orders of the legate. Leicester appealed from Guido to the Pope in person; but before the ambassadors appointed to defend his cause could reach Rome, the Pope was dead; and they found the legate himself, from whom they had appealed, seated on the papal throne, by the name of Urban IV. That daring leader was nowise dismayed with this incident; and as he found that a great part of his popularity in England was founded on his opposition to the court of Rome, which was now become odious, he persisted with the more obstinacy in the prosecution of his measures.

That he might both increase and turn to A. D. 1265.  
advantage his popularity, Leicester summoned a new parliament in London, where he knew his power was uncontrollable; and he fixed this assembly on a more democratical basis, than any which had ever been summoned since the foundation of the monarchy. Besides the barons of his own party, and several ecclesiastics, who were not immediate tenants of the crown, he ordered returns to be made of two knights House of Commons.  
from each shire, and what is more remarkable, of deputies from the boroughs, an order of men, which, in former ages, had always been regarded as too mean to enjoy a place in the national councils.<sup>a</sup> This period is commonly esteemed the epoch of the House of Commons in England; and it is certainly the first time that historians speak of any representatives sent to parliament by the boroughs. In all the general accounts given in preceding times of those assemblies, the prelates and barons only are mentioned as the constituent members; and even in the most particular narratives delivered of parliamentary transactions, as in the trial of Thomas à Becket, where the events of each day, and almost of each hour, are carefully recorded by contemporary authors,<sup>b</sup> there is not, throughout the whole, the least appearance of a House of Commons. But though that House derived its existence from so precarious, and even so invidious, an origin as Leicester's usurpation, it soon proved, when summoned by the legal princes, one of the most useful, and, in process of time, one of the most powerful, members of the national constitution; and gradually rescued the kingdom from aristocratical as well as from regal tyranny. But Leicester's policy, if we must ascribe to him so great a blessing, only forwarded by some years an institution, for which the general state of things had already prepared the nation; and it is otherwise inconceivable, that a plant set by so inauspicious a hand, could have attained to so vigorous a growth, and have flourished in the midst of such tempests and convulsions. The feudal system, with which the liberty, much more the power, of the Commons was totally incompatible, began gradually to decline; and both the king and the commonalty, who felt its inconveniences, contributed to favour this new power, which was more submissive than the barons to the regular authority of the crown, and at the same time afforded protection to the inferior orders of the state.

Leicester, having thus assembled a parliament of his own model, and trusting to the attachment of the populace of London, seized the opportunity of crushing his rivals among the powerful barons. Robert de Ferrars, Earl of Derby, was accused in the king's name, seized and committed to custody, without being brought to any legal trial.<sup>c</sup> John Gifford, menaced with the same fate, fled from London, and took shelter in the borders of Wales. Even the Earl of Gloucester, whose power and influence had so much contributed to the success of the barons, but who of late was extremely disgusted with Leicester's arbitrary conduct, found himself in danger from the prevailing authority of his ancient confederate; and he retired from parliament.<sup>d</sup> This known dissension gave courage to all Leicester's enemies and to the king's friends, who were now sure of protection from so potent a leader. Though Roger Mortimer, Hamond L'Estrange, and other powerful marchers of Wales, had been obliged to leave the kingdom, their authority still remained over the territories subjected to their jurisdiction; and there were many others who were disposed to give disturbance to the new government. The animosities, inseparable from the feudal aristocracy, broke out with fresh violence, and threatened the kingdom with new convulsions and disorders.

The Earl of Leicester, surrounded with these difficulties, embraced a measure, from which he hoped to reap some present advantages, but which proved in the end the source of all his future calamities. The active and intrepid Prince Edward had languished in prison ever since the fatal battle of Lewes; and as he was extremely popular in the kingdom, there arose a general desire of seeing him again restored to liberty.<sup>e</sup> Leicester, finding that he could with

<sup>w</sup> Chron. T. Wykes, p. 65.

<sup>x</sup> Rymer, vol. i. p. 791. Brady's App. No. 413.

<sup>y</sup> Brady's App. No. 216, 217. Chron. Dunst. vol. i. p. 373. M. West.

p. 325.

<sup>z</sup> Rymer, vol. i. p. 790. Chron. Dunst. vol. i. p. 373.

<sup>a</sup> Rymer, vol. i. p. 392.

<sup>b</sup> Ed. Stephen, Hist. Quadrip. Henric, &c.

<sup>c</sup> Chron. T. Wykes, p. 66. Ann. Waverl. p. 216.

<sup>d</sup> M. Paris, p. 671. Ann. Waverl. p. 217.

<sup>e</sup> Knyghton, p. 243.

difficulty oppose the concurring wishes of the nation, stipulated with the prince, that, in return, he should order his adherents to deliver up to the barons all their castles, particularly those on the borders of Wales; and should swear neither to depart the kingdom during three years, nor introduce into it any foreign forces.<sup>f</sup> The king took an oath to the same effect, and he also passed a charter, in which he confirmed the agreement or *Mise of Lewes*; and even permitted his subjects to rise in arms against him, if he should ever attempt to infringe it.<sup>g</sup> So little care did Leicester take, though he constantly made use of the authority of this captive prince, to preserve to him any appearance of royalty or kingly prerogatives.

21th March.

In consequence of this treaty, Prince Edward was brought into Westminster-hall, and was declared free by the barons; but instead of really recovering his liberty, as he had vainly expected, he found that the whole transaction was a fraud on the part of Leicester; that he himself still continued a prisoner at large, and was guarded by the emissaries of that nobleman; and that, while the faction reaped all the benefit from the performance of his part of the treaty, care was taken that he should enjoy no advantage by it. As Gloucester, on his rupture with the barons, had retired for safety to his estates on the borders of Wales, Leicester followed him with an army to Hereford,<sup>h</sup> continued still to menace and negotiate; and that he might add authority to his cause, he carried both the king and prince along with him. The Earl of Gloucester here concerted with young Edward the manner of that prince's escape. He found means to convey to him a horse of extraordinary swiftness; and appointed Roger Mortimer, who had returned into the kingdom, to be ready at hand with a small party to receive the prince, and to guard him to a place

28th May.

of safety. Edward pretended to take the air with some of Leicester's retinue, who were his guards; and making matches between their horses, after he thought he had tired and blown them sufficiently, he suddenly mounted Gloucester's horse, and called to his attendants, that he had long enough enjoyed the pleasure of their company, and now bid them adieu. They followed him for some time, without being able to overtake him; and the appearance of Mortimer with his company put an end to their pursuit.

The royalists, secretly prepared for this event, immediately flew to arms; and the joy of this gallant prince's deliverance, the oppressions under which the nation laboured, the expectation of a new scene of affairs, and the countenance of the Earl of Gloucester, procured Edward an army which Leicester was utterly unable to withstand. This nobleman found himself in a remote quarter of the kingdom; surrounded by his enemies; barred from all communication with his friends by the Severn, whose bridges Edward had broken down; and obliged to fight the cause of his party under these multiplied disadvantages. In this extremity he wrote to his son, Simon de Montfort, to hasten from London with an army for his relief; and Simon had advanced to Kenilworth with that view, where, fancying that all Edward's force and attention were directed against his father, he lay secure and unguarded. But the prince, making a sudden and forced march, surprised him in his camp, dispersed his army, and took the Earl of Oxford and many other noblemen prisoners, almost without resistance. Leicester, ignorant of his son's fate, passed the Severn in boats during Edward's absence, and lay at Evesham, in expectation of being every hour joined by his friends from London: when the prince, who availed himself of every favourable moment, appeared in the field before him.

Edward made a body of his troops advance from the road which led to Kenilworth, and ordered them to carry the banners taken from Simon's army; while he himself, making a circuit with the rest of his forces, purposed to attack the enemy on the other quarter. Leicester was long deceived by this stratagem, and took one division of Edward's army for his friends; but at last, perceiving his mistake, and ob-

serving the great superiority and excellent disposition of the royalists, he exclaimed that they had learned from him the art of war; adding, "The Lord have mercy on our souls, for I see our bodies are the prince's!" The battle immediately began, though on very unequal terms. Leicester's army, by living on the mountains of Wales without bread, which was not then much used among the inhabitants, had been extremely weakened by sickness and desertion, and was soon broken by the victorious royalists; while his Welch allies, accustomed only to a desultory kind of war, immediately took to flight, and were pursued with great slaughter. Leicester himself, asking for quarter, was slain in the heat of the action, with his eldest son Henry, Hugh le Despenser, and about one hundred and sixty knights, and many other gentlemen of his party. The old king had been purposely placed by the rebels in the front of the battle; and being clad in armour, and thereby not known by his friends, he received a wound, and was in danger of his life: but crying out, *I am Henry of Winchester, your king*, he was saved, and put in a place of safety by his son, who flew to his rescue.

The violence, ingratitude, tyranny, rapacity, and treachery of the Earl of Leicester, give a very bad idea of his moral character, and make us regard his death as the most fortunate event, which, in this conjuncture, could have happened to the English nation: yet must we allow the man to have possessed great abilities, and the appearance of great virtues, who, though a stranger, could, at a time when strangers were the most odious, and the most universally decried, have acquired so extensive an interest in the kingdom, and have so nearly paved his way to the throne itself. His military capacity, and his political craft, were equally eminent: he possessed the talents both of governing men and conducting business: and though his ambition was boundless, it seems neither to have exceeded his courage nor his genius; and he had the happiness of making the low populace, as well as the haughty barons, co-operate towards the success of his selfish and dangerous purposes. A prince of greater abilities and vigour than Henry might have directed the talents of this nobleman either to the exaltation of his throne, or to the good of his people: but the advantages given to Leicester, by the weak and variable administration of the king, brought on the ruin of royal authority, and produced great confusions in the kingdom, which however, in the end, preserved and extremely improved national liberty, and the constitution. His popularity, even after his death, continued so great, that, though he was excommunicated by Rome, the people believed him to be a saint; and many miracles were said to be wrought upon his tomb.<sup>i</sup>

The victory of Evesham, with the death of Leicester, proved decisive in favour of the settlement of the government. The royalists, and made an equal, though an opposite, impression on friends and enemies in every part of England. The King of the Romans recovered his liberty: the other prisoners of the royal party were not only freed, but courted by their keepers: Fitz-Richard, the seditious mayor of London, who had marked out forty of the most wealthy citizens for slaughter, immediately stopped his hand on receiving intelligence of this great event: and almost all the castles, garrisoned by the barons, hastened to make their submissions, and to open their gates to the king. The isle of Axholme alone, and that of Ely, trusting to the strength of their situation, ventured to make resistance; but were at last reduced, as well as the castle of Dover, by the valour and activity of Prince Edward.<sup>k</sup> Adam de Gourdon, a courageous baron, maintained himself during some time in the forests of Hampshire, committed depredations in the neighbourhood, and obliged the prince to lead a body of troops into that country against him. Edward attacked the camp of the rebels; and being transported by the ardour of battle, leaped over the trench with a few followers, and encountered Gourdon in single combat. The victory was long disputed between these valiant combatants; but ended at

<sup>f</sup> Ann. Waverl. p. 216.<sup>g</sup> Blackstone's Mag. Charta. Chron. Dunst. vol. i. p. 378.<sup>h</sup> Chron. T. Wakes. p. 67. Ann. Waverl. p. 218. W. Heming. p. 385. Chron. Dunst. vol. i. p. 383.<sup>i</sup> Chron. de Mash. p. 232. <sup>k</sup> M. Paris. p. 67. W. Heming. p. 382.

last in the prince's favour, who wounded his antagonist, threw him from his horse, and took him prisoner. He not only gave him his life, but introduced him that very night to the queen at Guildford, procured him his pardon, restored him to his estate, received him into favour, and was ever after faithfully served by him.<sup>1</sup>

A total victory of the sovereign over so extensive a rebellion commonly produces a revolution of government, and strengthens, as well as enlarges, for some time, the prerogatives of the crown; yet no sacrifices of national liberty were made on this occasion; the Great Charter remained still inviolate; and the king, sensible that his own barons, by whose assistance alone he had prevailed, were no less jealous of their independence than the other party, seems thenceforth to have more carefully abstained from all those exertions of power which had afforded so plausible a pretence to the rebels. The clemency of this victory is also remarkable: no blood was shed on the scaffold: no attainders, except of the Montfort family, were carried into execution: and though a parliament, assembled at Winchester, attainted all those who had borne arms against the king, easy compositions were made with them for their lands;<sup>2</sup> and the highest sum levied on the most obnoxious offenders exceeded not five years' rent of their estate. Even the Earl of Derby, who again rebelled, after having been pardoned and restored to his fortune, was obliged to pay only seven years' rent, and was a second time restored. The mild disposition of the king, and the prudence of the prince, tempered the insolence of victory, and gradually restored order to the several members of the state, disjoined by so long a continuance of civil wars and commotions.

The city of London, which had carried furthest the rage and animosity against the king, and which seemed determined to stand upon its defence after almost all the kingdom had submitted, was, after some interval, restored to most of its liberties and privileges; and Fitz-Richard the mayor, who had been guilty of so much illegal violence, was only punished by fine and imprisonment. The Countess of Leicester, the king's sister, who had been extremely forward in all attacks on the royal family, was dismissed the kingdom, with her two sons, Simon and Guy, who proved very ungrateful for this lenity. Five years afterwards, they assassinated, at Viterbo in Italy, their cousin Henry d'Almaine, who, at that very time, was endeavouring to make their peace with the king; and by taking sanctuary in the church of the Franciscans, they escaped the punishment due to so great an enormity.<sup>3</sup>

A. D. 1267. The merits of the Earl of Gloucester, after he returned to his allegiance, had been so great in restoring the prince to his liberty, and assisting him in his victories against the rebellious barons, that it was almost impossible to content him in his demands; and his youth and temerity, as well as his great power, tempted him, on some new disgust, to raise again the flames of rebellion in the kingdom. The mutinous populace of London, at his instigation, took to arms; and the prince was obliged to levy an army of 30,000 men, in order to suppress them. Even this second rebellion did not provoke the king to any act of cruelty; and the Earl of Gloucester himself escaped with total impunity. He was only obliged to enter into a bond of 20,000 marks, that he should never again be guilty of rebellion: a strange method of enforcing the laws, and a proof of the dangerous independence of the barons in those ages! These potent nobles were, from the danger of the precedent, averse to the execution of the laws of forfeiture and felony against any of their fellows; though they could not, with a good grace, refuse to concur in obliging them to fulfil any voluntary contract and engagement into which they had entered.

A. D. 1270. The prince finding the state of the kingdom tolerably composed, was seduced, by his avidity for glory, and by the prejudices of the age, as well as by the earnest solicitations of the King of France, to undertake an expedition against the infidels in the Holy

Land;<sup>4</sup> and he endeavoured previously to settle the state in such a manner as to dread no bad effects from his absence. As the formidable power and turbulent disposition of the Earl of Gloucester gave him apprehensions, he insisted on carrying him along with him, in consequence of a vow, which that nobleman had made, to undertake the same voyage: in the mean time, he obliged him to resign some of his castles, and to enter into a new bond not to disturb the peace of the kingdom.<sup>5</sup> He sailed from England with an army, and arrived in Lewis's camp before Tunis in Africa, where he found that monarch already dead, from the intemperance of the climate and the fatigues of his enterprise. The great, if not only, weakness of this prince in his government, was the imprudent passion for Crusades; but it was this zeal chiefly that procured him from the clergy the title of St. Lewis, by which he is known in the French history; and if that appellation had not been so extremely prostituted, as to become rather a term of reproach, he seems by his uniform probity and goodness, as well as his piety, to have fully merited the title. He was succeeded by his son, Philip, denominated the Hardy; a prince of some merit, though much inferior to that of his father.

Prince Edward, not discouraged by this A. D. 1271. event, continued his voyage to the Holy Land, where he signalized himself by acts of valour: revived the glory of the English name in those parts; and struck such terror into the Saracens, that they employed an assassin to murder him, who wounded him in the arm, but perished in the attempt.<sup>6</sup> Meanwhile, his absence from England was attended with many of those pernicious consequences which had been dreaded from it. The laws were not executed: the barons oppressed the common people with impunity;<sup>7</sup> they gave shelter on their estates to bands of robbers, whom they employed in committing ravages on the estates of their enemies: the populace of London returned to their usual licentiousness; and the old king, unequal to the burden of public affairs, called aloud for his gallant son to return,<sup>8</sup> and to assist him in swaying that sceptre which was ready to drop from his feeble and irresolute hands. At last, overcome by the cares of government and the infirmities of age, he visibly declined, and he expired at St. Edmundsbury, A. D. 1272. in the 64th year of his age, and 56th of his reign; the longest reign that is to be met 16th Nov. Death, with in the English annals. His brother, the King of the Romans, (for he never attained the title of emperor,) died about seven months before him.

The most obvious circumstance of Henry's and character of character is his incapacity for government, the king, which rendered him as much a prisoner in the hands of his own ministers and favourites, and as little at his own disposal, as when detained a captive in the hands of his enemies. From this source, rather than from insincerity or treachery, arose his negligence in observing his promises; and he was too easily induced, for the sake of present convenience, to sacrifice the lasting advantages arising from the trust and confidence of his people. Hence too were derived his profusion to favourites, his attachment to strangers, the variability of his conduct, his hasty resentments, and his sudden forgiveness and return of affection. Instead of reducing the dangerous power of his nobles, by obliging them to observe the laws towards their inferiors, and setting them the salutary example in his own government; he was seduced to imitate their conduct, and to make his arbitrary will, or rather that of his ministers, the rule of his actions. Instead of accommodating himself, by a strict frugality, to the embarrassed situation in which his revenue had been left, by the military expeditions of his uncle, the dissipations of his father, and the usurpations of the barons; he was tempted to levy money by irregular exactions; which, without enriching himself, impoverished, at least disgusted, his people. Of all men, nature seemed least to have fitted him for being a tyrant; yet there are instances of oppression in his reign, which, though derived from the precedents

<sup>1</sup> M. Paris, p. 675.

<sup>2</sup> Ibid.

<sup>3</sup> Rym. vol. i. p. 479, vol. ii. p. 1, 5. Chron. F. Wykes, p. 94. W. Heming, p. 569. Trivet, p. 240.

<sup>4</sup> M. Paris, p. 677.

<sup>5</sup> Chron. T. Wykes, p. 90.

<sup>6</sup> M. Paris, p. 676, 679. W. Heming, p. 520.

<sup>7</sup> Chron. Dunst. vol. i. p. 404.

<sup>8</sup> Rym. vol. i. p. 469. M. Paris, p. 678.



left him by his predecessors, had been carefully guarded against by the Great Charter, and are inconsistent with all rules of good government. And on the whole we may say, that greater abilities, with his good dispositions, would have prevented him from falling into his faults; or, with worse dispositions, would have enabled him to maintain and defend them.

This prince was noted for his piety and devotion, and his regular attendance on public worship; and a saying of his on that head is much celebrated by ancient writers. He was engaged in a dispute with Lewis IX. of France, concerning the preference between sermons and masses: he maintained the superiority of the latter, and affirmed that he would rather have one hour's conversation with a friend, than hear twenty the most elaborate discourses pronounced in his praise.<sup>a</sup>

Henry left two sons, Edward his successor, and Edmund, Earl of Lancaster; and two daughters, Margaret, Queen of Scotland, and Beatrix, Duchess of Brittany. He had five other children, who died in their infancy.

The following are the most remarkable laws enacted during this reign. There had been great disputes between the civil and ecclesiastical courts concerning bastardy. The common law had deemed all those to be bastards who were born before wedlock: by the canon law they were legitimate: and when any dispute of inheritance arose, it had formerly been usual for the civil courts to issue writs to the spiritual, directing them to inquire into the legitimacy of the person. The bishop always returned an answer agreeable to the canon law, though contrary to the municipal law of the kingdom. For this reason the civil courts had changed the terms of their writ; and instead of requiring the spiritual courts to make inquisition concerning the legitimacy of the person, they only proposed the simple question of fact, whether he were born before or after wedlock? The prelates complained of this practice to the parliament assembled at Merton in the twentieth of this king, and desired that the municipal law might be rendered conformable to the canon: but received from all the nobility the memorable reply, *Nolumus leges Angliæ mutare*, We will not change the laws of England.<sup>b</sup>

After the civil wars, the parliament, summoned at Marlebridge, gave their approbation to most of the ordinances which had been established by the reforming barons, and which, though advantageous to the security of the people, had not received the sanction of a legal authority. Among other laws, it was there enacted, that all appeals from the courts of inferior lords should be carried directly to the king's courts, without passing through the courts of the lords immediately superior.<sup>c</sup> It was ordained that money should bear no interest during the minority of the debtor.<sup>d</sup> This law was reasonable, as the estates of minors were always in the hands of their lords, and the debtors could not pay interest where they had no revenue. The charter of King John had granted this indulgence: it was omitted in that of Henry III. for what reason is not known; but it was renewed by the statute of Marlebridge. Most of the other articles of this statute are calculated to restrain the oppressions of sheriffs, and the violence and iniquities committed in distraining cattle and other goods. Cattle and the instruments of husbandry formed at that time the chief riches of the people.

In the 35th year of this king an assize was fixed of bread, the price of which was settled, according to the different prices of corn, from one shilling a quarter to seven shillings and sixpence,<sup>e</sup> money of that age. These great variations are alone a proof of bad tillage: <sup>f</sup> yet did the prices often rise much higher than any taken notice of by the statute. The Chronicle of Dunstable tells us, that in this reign, wheat was once sold for a mark, nay, for a pound, a quarter; that is, three pounds of our present money.<sup>g</sup> The same law affords us a proof of the little communication between the parts of the kingdom, from the very different prices which the same commodity bore

at the same time. A brewer, says the statute, may sell two gallons of ale for a penny in cities, and three or four gallons for the same price in the country. At present, such commodities, by the great consumption of the people, and the great stocks of the brewers, are rather cheapest in cities. The Chronicle above mentioned observes, that wheat one year was sold in many places for eight shillings a quarter, but never rose in Dunstable above a crown.

Though commerce was still very low, it seems rather to have increased since the Conquest; at least if we may judge of the increase of money by the price of corn. The medium between the highest and lowest prices of wheat, assigned by the statute, is four shillings and three-pence a quarter, that is, twelve shillings and nine-pence of our present money. This is near half of the middling price in our time. Yet the middling price of cattle, so late as the reign of King Richard, we find to be above eight, near ten times lower than the present. Is not this the true inference, from comparing these facts, that, in all uncivilized nations, cattle, which propagate of themselves, bear always a lower price than corn, which requires more art and stock to render it plentiful than those nations are possessed of? It is to be remarked that Henry's assize of corn was copied from a preceding assize established by King John; consequently, the prices which we have here compared of corn and cattle may be looked on as contemporary; and they were drawn, not from one particular year, but from an estimation of the middling prices for a series of years. It is true, the prices assigned by the assize of Richard were meant as a standard for the accounts of sheriffs and escheators; and as considerable profits were allowed to these ministers, we may naturally suppose, that the common value of cattle was somewhat higher: yet still, so great a difference between the prices of corn and cattle as that of four to one, compared to the present rates, affords important reflections concerning the very different state of industry and tillage in the two periods.

Interest had in that age amounted to an enormous height, as might be expected from the barbarism of the times and men's ignorance of commerce. Instances occur of fifty per cent. paid for money.<sup>h</sup> There is an edict of Philip Augustus near this period, limiting the Jews in France to 48 per cent.<sup>i</sup> Such profits tempted the Jews to remain in the kingdom, notwithstanding the grievous oppressions to which, from the prevalent bigotry and rapine of the age, they were continually exposed. It is easy to imagine how precarious their state must have been under an indigent prince, somewhat restrained in his tyranny over his native subjects, but who possessed an unlimited authority over the Jews, the sole proprietors of money in the kingdom, and hated, on account of their riches, their religion, and their usury: yet will our ideas scarcely come up to the extortions which, in fact, we find to have been practised upon them. In the year 1241, 20,000 marks were exacted from them: <sup>j</sup> two years after, money was again extorted; and one Jew alone, Aaron of York, was obliged to pay above 4000 marks.<sup>k</sup> In 1250, Henry renewed his oppressions; and the same Aaron was condemned to pay him 30,000 marks upon an accusation of forgery: <sup>l</sup> the high penalty imposed upon him, and which, it seems, he was thought able to pay, is rather a presumption of his innocence than of his guilt. In 1255, the king demanded 8000 marks from the Jews, and threatened to hang them if they refused compliance. They now lost all patience, and desired leave to retire with their effects out of the kingdom. But the king replied: "How can I remedy the oppressions you complain of? I am myself a beggar. I am spoiled, I am stripped of all my revenues: I owe above 200,000 marks: and if I had said 300,000, I should not exceed the truth: I am obliged to pay my son, Prince Edward, 15,000 marks a year: I have not a farthing; and I must have money, from any hand, from any quarter, or by any means." He then delivered over the Jews to the Earl of

<sup>a</sup> Walsing. Ed. I. p. 43.

<sup>u</sup> Statute of Merton, chap. 9.

<sup>u</sup> Statute of Marlebr. cap. 20.

<sup>x</sup> Ibid. chap. 16.

<sup>8</sup> Statute of Lantz. 6. 6.

<sup>z</sup> We learn from Cicero's Orations against Verres, lib. iii. cap. 84. 92. that the price of corn in Sicily was, during the praetorship of Sacerdos, five Denarii a Modius; during that of Verres, which immediately succeeded.

only two Sesterces: that is, ten times lower: a presumption, or rather a proof, of the fact state of tillage in ancient times

<sup>a</sup> See also Kirchmann, p. 244.

<sup>b</sup> M. Paris p. 369.

<sup>c</sup> Præstel, Traité des Juifs, vol. i. p. 576.

<sup>d</sup> M. Paris, p. 572.

<sup>e</sup> Ibid. p. 410.

<sup>f</sup> Ibid. p. 523.

Cornwall, that those whom the one brother had flayed, the other might unbowel, to make use of the words of the historian.<sup>a</sup> King John, his father, once demanded 10,000 marks from a Jew of Bristol; and on his refusal, ordered one of his teeth to be drawn every day till he should comply. The Jew lost seven teeth; and then paid the sum required of him.<sup>b</sup> One tallage laid upon the Jews in 1243 amounted to 60,000 marks;<sup>c</sup> a sum equal to the whole yearly revenue of the crown.

To give a better pretence for extortions, the improbable and absurd accusation, which has been at different times advanced against that nation, was revived in England, that they had crucified a child in derision of the sufferings of Christ. Eighteen of them were hanged at once for this crime;<sup>d</sup> though it is nowise credible, that even the antipathy borne them by the Christians, and the oppressions under which they laboured, would ever have pushed them to be guilty of that dangerous enormity. But it is natural to imagine, that a race, exposed to such insults and indignities, both from king and people, and who had so uncertain an enjoyment of their riches, would carry usury to the utmost extremity, and by their great profits make themselves some compensation for their continual perils.

Though these acts of violence against the Jews proceeded much from bigotry, they were still more derived from avarice and rapine. So far from desiring in that age to convert them, it was enacted by law in France, that if any Jew embraced Christianity, he forfeited all his goods, without exception, to the king, or his superior lord. These plunderers were careful, lest the profits, accruing from their dominion over that unhappy race, should be diminished by their conversion.<sup>e</sup>

Commerce must be in a wretched condition, where interest was so high, and where the sole proprietors of money employed it in usury only, and were exposed to such extortion and injustice. But the bad police of the country was another obstacle to improvements; and rendered all communication dangerous, and all property precarious. The Chronicle of Dunstable says,<sup>f</sup> that men were never secure in their houses, and that whole villages were often plundered by bands of robbers, though no civil wars at that time prevailed in the kingdom. In 1249, some years before the insurrection of the barons, two merchants of Brabant came to the king at Winchester, and told him that they had been spoiled of all their goods by certain robbers, whom they knew, because they saw their faces every day in his court; that like practices prevailed all over England, and travellers were continually exposed to the danger of being robbed, bound, wounded, and murdered; that these crimes escaped with impunity, because the ministers of justice themselves were in a confederacy with the robbers; and that they, for their part, instead of bringing matters to a fruitless trial by law, were willing, though merchants, to decide their cause with the robbers by arms and a duel. The king, provoked at these abuses, ordered a jury to be enclosed, and to try the robbers: the jury, though consisting of twelve men of property in Hampshire, were found to be also in a confederacy with the felons, and acquitted them. Henry, in a rage, committed the jury to prison, threatened them with severe punishment, and ordered a new jury to be enclosed, who, dreading the fate of their fellows, at last found a verdict against the criminals. Many of the king's own household were discovered to have participated in the guilt; and they said for their excuse, that they received no wages from him, and were obliged to rob for a maintenance.<sup>g</sup> *Knights and Esquires*, says the Dictum of Kenilworth, *who were robbers, if they have no land, shall pay the half of their goods, and find sufficient security to keep henceforth the peace of the kingdom.* Such were the manners of the times!

One can the less repine, during the prevalence of such manners, at the frauds and forgeries of the clergy; as it

gives less disturbance to society, to take men's money from them with their own consent, though by deceits and lies, than to ravish it by open force and violence. During this reign the papal power was at its summit, and was even beginning insensibly to decline, by reason of the immeasurable avarice and extortions of the court of Rome, which disgusted the clergy as well as laity, in every kingdom of Europe. England itself, though sunk in the deepest abyss of ignorance and superstition, had seriously entertained thoughts of shaking off the papal yoke;<sup>h</sup> and the Roman pontiff was obliged to think of new expedients for rivetting it faster upon the Christian world. For this purpose, Gregory IX. published his decretals,<sup>i</sup> which are a collection of forgeries, favourable to the court of Rome, and consist of the supposed decrees of popes in the first centuries. But these forgeries are so gross, and confound so palpably all language, history, chronology, and antiquities; matters more stubborn than any speculative truths whatsoever; that even that church, which is not startled at the most monstrous contradictions and absurdities, has been obliged to abandon them to the critics. But in the dark period of the thirteenth century they passed for undisputed and authentic; and men, entangled in the mazes of this false literature, joined to the philosophy, equally false, of the times, had nothing wherewithal to defend themselves, but some small remains of common sense, which passed for profaneness and impiety, and the indelible regard to self-interest, which, as it was the sole motive in the priests for framing these impostures, served also, in some degree, to protect the laity against them.

Another expedient, devised by the church of Rome, in this period, for securing her power, was the institution of new religious orders, chiefly the Dominicans and Franciscans, who proceeded with all the zeal and success that attend novelties; were better qualified to gain the populace than the old orders, now become rich and indolent; maintained a perpetual rivalry with each other in promoting their gainful superstitions; and acquired a great dominion over the minds, and consequently over the purses, of men, by pretending a desire of poverty and a contempt for riches. The quarrels which arose between these orders, lying still under the control of the sovereign pontiff, never disturbed the peace of the church, and served only as a spur to their industry in promoting the common cause; and though the Dominicans lost some popularity by their denial of the immaculate conception, a point in which they unwarily engaged too far to be able to recede with honour, they counterbalanced this disadvantage, by acquiring more solid establishments, by gaining the confidence of kings and princes, and by exercising the jurisdiction assigned them, of ultimate judges and punishers of heresy. Thus, the several orders of monks became a kind of regular troops or garrisons of the Romish church; and though the temporal interests of society, still more the cause of true piety, were hurt, by their various devices to captivate the populace, they proved the chief supports of that mighty fabric of superstition, and, till the revival of true learning, secured it from any dangerous invasion.

The trial by ordeal was abolished in this reign by order of council: a faint mark of improvement in the age.<sup>j</sup>

Henry granted a charter to the town of Newcastle, in which he gave the inhabitants a licence to dig coal. This is the first mention of coal in England.

We learn from Madox,<sup>k</sup> that this king gave, at one time, 100 shillings to master Henry, his poet: also the same year he orders this poet ten pounds.

It appears from Selden, that in the 47th of this reign, a hundred and fifty temporal and fifty spiritual barons were summoned to perform the service due by their tenures.<sup>l</sup> In the 35th of the subsequent reign, eighty-six temporal barons, twenty bishops, and forty-eight abbots, were summoned to a parliament convened at Carlisle.<sup>m</sup>

<sup>a</sup> M. Paris, p. 166.  
<sup>k</sup> M. Paris, i. p. 67.

<sup>b</sup> Hist. p. 160.  
<sup>l</sup> Bruns. vol. i. c. 22.

<sup>c</sup> Madox, p. 156.  
<sup>m</sup> M. Paris, p. 591.

<sup>d</sup> Du Cange, *verbo* Judæi.

<sup>e</sup> Ibid. p. 121.

<sup>f</sup> Trivet, p. 191.  
<sup>g</sup> Page 238.

<sup>h</sup> Rymer, vol. i. p. 228. Spellman, p. 326.  
<sup>i</sup> Titles of Honour, part 2. chap. 3.

<sup>j</sup> Parliamentary Hist. vol. i. p. 151.

## CHAP. XIII.

## EDWARD I.

Civil administration of the king—Conquest of Wales—Affairs of Scotland—Competitors for the crown of Scotland—Reference to Edward—Honours of Scotland—Award of Edward in favour of Balol—War with France—Disgrace on concerning the constitution of Parliament—War with Scotland—Scotland subdued—War with France—Disensions with the clergy—Arbitrary resources—Peace with France—Revolt of Scotland—That kingdom again subdued—again revolts—is again subdued—Robert Bruce—third revolt of Scotland—Death and character of the king—Miscellaneous transactions of this reign.

A. D. 1272.

The English were as yet so little inured to obedience under a regular government, that the death of almost every king, since the Conquest, had been attended with disorders; and the council, reflecting on the recent civil wars, and on the animosities which naturally remain after these great convulsions, had reason to apprehend dangerous consequences from the absence of the son and successor of Henry. They therefore hastened to proclaim Prince Edward, to swear allegiance to him, and to summon the states of the kingdom, in order to provide for the public peace in this important conjuncture.<sup>a</sup> Walter Giffard, Archbishop of York, the Earl of Cornwall, son of Richard, King of the Romans, and the Earl of Gloucester, were appointed guardians of the realm, and proceeded peaceably to the exercise of their authority, without either meeting with opposition from any of the people, or being disturbed with emulation and faction among themselves. The high character acquired by Edward during the late commotions, his military genius, his success in subduing the rebels, his moderation in settling the kingdom, had procured him great esteem, mixed with affection, among all orders of men; and no one could reasonably entertain hopes of making any advantage of his absence, or of raising disturbance in the nation. The Earl of Gloucester himself, whose great power and turbulent spirit had excited most jealousy, was forward to give proofs of his allegiance; and the other malcontents, being destitute of a leader, were obliged to remain in submission to the government.

Prince Edward had reached Sicily in his return from the Holy Land, when he received intelligence of the death of his father; and he discovered a deep concern on the occasion. At the same time, he learned the death of an infant son, John, whom his princess, Eleanor of Castile, had borne him at Acre, in Palestine; and as he appeared much less affected with that misfortune, the King of Sicily expressed a surprise at this difference of sentiment: but was told by Edward, that the death of a son was a loss which he might hope to repair; the death of a father was a loss irreparable.<sup>b</sup>

Edward proceeded homeward; but as he soon learned the quiet settlement of the kingdom, he was in no hurry to take possession of the throne, but spent near a year in France, before he made his appearance in England. In his passage by Chalons in Burgundy, he was challenged

A. D. 1273.

by the prince of the country to a tournament which he was preparing; and as Edward excelled in those martial and dangerous exercises, the true image of war, he declined not the opportunity of acquiring honour in that great assembly of the neighbouring nobles. But the image of war was here, unfortunately, turned into the thing itself. Edward, and his retinue, were so successful in the jousts, that the French knights, provoked at their superiority, made a serious attack upon them, which was repulsed, and much blood was idly shed in the quarrel.<sup>c</sup> This encounter received the name of the petty battle of Chalons.

Edward went from Chalons to Paris, and did homage to Philip for the dominions which he held in France.<sup>d</sup>

A. D. 1274.

He thence returned to Guienne, and settled that province, which was in some confusion. He made his journey to London through France; in his

passage, he accommodated, at Montreuil, a difference with Margaret, Countess of Flanders, heiress of that territory; <sup>e</sup> he was received with joyful acclamations by his people, and was solemnly crowned at Westminster, by Robert, Archbishop of Canterbury.

Aug. 19.

The king immediately applied himself to the re-establishment of his kingdom, and to the correcting of those disorders, which the civil commotions and the loose administration of his father had introduced into every part of government. The plan of his policy was equally generous and prudent. He considered the great barons both as the immediate rivals of the crown, and oppressors of the people; and he purposed, by an exact distribution of justice, and a rigid execution of the laws, to give at once protection to the inferior orders of the state, and to diminish the arbitrary power of the great, on which their dangerous authority was chiefly founded. Making it a rule in his own conduct to observe, except on extraordinary occasions, the privileges secured to them by the Great Charter, he acquired a right to insist upon their observance of the same charter towards their vassals and inferiors; and he made the crown be regarded by all the gentry and commonalty of the kingdom, as the fountain of justice, and the general asylum against oppression. Besides enacting <sup>A. D. 1275.</sup> several useful statutes, in a parliament <sup>16th Feb.</sup>

which he summoned at Westminster, he took care to inspect the conduct of all his magistrates and judges, to displace such as were either negligent or corrupt, to provide them with sufficient force for the execution of justice, to extirpate all bands and confederacies of robbers, and to repress those more silent robberies which were committed either by the power of the nobles, or under the countenance of public authority. By this rigid administration, the face of the kingdom was soon changed, and order and justice took place of violence and oppression: but amidst the excellent institutions and public-spirited plans of Edward, there still appears somewhat both of the severity of his personal character, and of the prejudices of the times.

As the various kinds of malefactors, the murderers, robbers, incendiaries, ravishers, and plunderers, had become so numerous and powerful, that the ordinary ministers of justice, especially in the western counties, were afraid to execute the laws against them, the king found it necessary to provide an extraordinary remedy for the evil; and he erected a new tribunal, which, however useful, would have been deemed, in times of more regular liberty, a great stretch of illegal and arbitrary power. It consisted of commissioners, who were empowered to inquire into disorders and crimes of all kinds, and to inflict the proper punishments upon them. The officers, charged with this unusual commission, made their circuits throughout the counties of England most infested with this evil, and carried terror into all those parts of the kingdom. In their zeal to punish crimes, they did not sufficiently distinguish between the innocent and guilty; the smallest suspicion became a ground of accusation and trial; the slightest evidence was received against criminals; prisons were crowded with malefactors, real or pretended; severe fines were levied for small offences; and the king, though his exhausted exchequer was supplied by this expedient, found it necessary to stop the course of so great rigour; and after terrifying and dissipating, by this tribunal, the gangs of disorderly people in England, he prudently annulled the commission, and never afterwards renewed it.

Among the various disorders to which the kingdom was subject, no one was more universally complained of than the adulteration of the coin; and as this crime required more art than the English of that age, who chiefly employed force and violence in their iniquities, were possessed of, the imputation fell upon the Jews.<sup>f</sup> Edward also seems to have indulged a strong prepossession against that nation; and this ill-judged zeal for Christianity being naturally augmented by an expedition to the Holy Land, he let loose the whole rigour of his justice against that

Civil administration of the king.

<sup>a</sup> Rymer, vol. ii. p. 1. Walsing. p. 13. Trivet, p. 230.<sup>b</sup> Walsing. p. 44. Trivet, p. 240.<sup>c</sup> Walsing. p. 44. Trivet, p. 241. M. West, p. 402.<sup>d</sup> Walsing. p. 45.<sup>e</sup> Rymer, vol. ii. p. 32, 33.<sup>f</sup> Spellman's Gloss, in verbo *Traitbatton*. But Spellman was either mistaken in placing this commission in the fifth year of the king, or it was renewed in 1305. See Rymer, vol. i. p. 960. Trivet, p. 338. M. West, p. 450.<sup>g</sup> Walsing. p. 48. Heming, vol. i. p. 6.



unhappy people. Two hundred and eighty of them were hanged at once for this crime in London alone, besides those who suffered in other parts of the kingdom.<sup>b</sup> The houses and lands, (for the Jews had of late ventured to make purchases of that kind,) as well as the goods of great multitudes, were sold and confiscated: and the king, lest it should be suspected that the riches of the sufferers were the chief part of their guilt, ordered a moiety of the money raised by these confiscations to be set apart and bestowed upon such as were willing to be converted to Christianity. But resentment was more prevalent with them than any temptation from their poverty; and very few of them could be induced, by interest, to embrace the religion of their persecutors. The miseries of this people did not here terminate. Though the arbitrary talliages and exactions, levied upon them, had yielded a constant and considerable revenue to the crown, Edward, prompted by his zeal and his rapacity, resolved some time after<sup>c</sup> to purge the kingdom entirely of that hated race, and to seize to himself at once their whole property as the reward of his labour.<sup>d</sup> He left them only money sufficient to bear their charges into foreign countries, where new persecutions and extortions awaited them: but the inhabitants of the cinque-ports, imitating the bigotry and avidity of their sovereign, despoiled most of them of this small pittance, and even threw many of them into the sea: a crime, for which the king, who was determined to be the sole plunderer in his dominions, inflicted a capital punishment upon them. No less than fifteen thousand Jews were at this time robbed of their effects, and banished the kingdom. Very few of that nation have since lived in England. And as it is impossible for a nation to subsist without lenders of money, and none will lend without a compensation, the practice of usury, as it was then called, was thenceforth exercised by the English themselves upon their fellow-citizens, or by Lombards and other foreigners. It is very much to be questioned, whether the dealings of these new usurers were equally open and unexceptionable with those of the old. By a law of Richard it was enacted, that three copies should be made of every bond given to a Jew; one to be put into the hands of a public magistrate, another into those of a man of credit, and a third to remain with the Jew himself.<sup>e</sup> But as the canon law, seconded by the municipal, permitted no Christian to take interest, all transactions of this kind must, after the banishment of the Jews, have become more secret and clandestine; and the lender, of consequence, be paid both for the use of his money, and for the infamy and danger which he incurred by lending it.

The great poverty of the crown, though no excuse, was probably the cause, of this egregious tyranny exercised against the Jews; but Edward also practised other more honourable means of remedying that evil. He employed a strict frugality in the management and distribution of his revenue: he engaged the parliament to vote him a fifteenth of all movables; the Pope to grant him the tenth of all ecclesiastical revenues for three years; and the merchants to consent to a perpetual imposition of half a mark on every sack of wool exported, and a mark on three hundred skins. He also issued commissions to inquire into all encroachments on the royal demesne; into the value of escheats, forfeitures, and wardships; and into the means of repairing or improving every branch of the revenue.<sup>f</sup> The commissioners, in the execution of their office, began to carry matters too far against the nobility, and to question titles to estates which had been transmitted from father to son for several generations. Earl Warrenne, who had done such eminent service in the late reign, being required to show his titles, drew his sword; and subjoined, that William, the Bastard, had not conquered the kingdom for himself alone: his ancestor was a joint adventurer in the enterprise; and he himself was determined to maintain what had from that period remained unquestioned in his family. The king, sensible of the danger, desisted from making further inquiries of this nature.

But the active spirit of Edward could not long remain without employment. He soon after undertook an enterprise more prudent for himself, and more advantageous to his people. Lewellyn, Prince of Wales, had been deeply engaged with the Montfort faction; had entered into all their conspiracies against the crown; had frequently fought on their side; and till the battle of Evesham, so fatal to that party, had employed every expedient to depress the royal cause, and to promote the success of the barons. In the general accommodation made with the vanquished, Lewellyn had also obtained his pardon; but as he was the most powerful, and therefore the most obnoxious, vassal of the crown, he had reason to entertain anxiety about his situation, and to dread the future effects of resentment and jealousy in the English monarch. For this reason, he determined to provide for his security, by maintaining a secret correspondence with his former associates; and he even made his addresses to a daughter of the Earl of Leicester, who was sent to him from beyond sea, but being intercepted in her passage near the isles of Scilly, was detained in the court of England.<sup>g</sup> This incident increasing the mutual jealousy between Edward and Lewellyn, the latter, when required to come to England, and do homage to the new king, scrupled to put himself in the hands of an enemy, desired a safe conduct from Edward, insisted upon having the king's son and other noblemen delivered to him as hostages, and demanded that his consort should previously be set at liberty.<sup>h</sup> The king, having now brought the state to a full settlement, was not displeased with this occasion of exercising his authority, and subduing entirely the principality of Wales. He refused all Lewellyn's demands, except that of a safe conduct; sent him repeated summons to perform the duty of a vassal; levied an army to reduce him to obedience; obtained a new aid of a fifteenth from parliament; and marched out with certain assurance of success against the enemy. Be-

A. D. 1276.  
Conquest  
of Wales.

A. D. 1277.

besides the great disproportion of force between the kingdom and the principality, the circumstances of the two states were entirely reversed; and the same intestine dissensions which had formerly weakened England, now prevailed in Wales, and had even taken place in the reigning family. David and Roderic, brothers to Lewellyn, dispossessed of their inheritance by that prince, had been obliged to have recourse to the protection of Edward, and they seconded with all their interest, which was extensive, his attempts to enslave their native country. The Welch Prince had no resource but in the inaccessible situation of his mountains, which had hitherto, through many ages, defended his forefathers against all attempts of the Saxon and Norman conquerors; and he retired among the hills of Snowdon, resolute to defend himself to the last extremity. But Edward, equally vigorous and cautious, entering by the north with a formidable army, pierced into the heart of the country; and having carefully explored every road before him, and secured every pass behind him, approached the Welch army in its last retreat. He here avoided the putting to trial the valour of a nation, proud of its ancient independence, and inflamed with animosity against its hereditary enemies; and he trusted to the slow but sure effects of famine, for reducing that people to subjection. The rude and simple manners of the natives, as well as the mountainous situation of their country, had made them entirely neglect tillage, and trust to pasturage alone for their subsistence: a method of life which had hitherto secured them against the irregular attempts of the English, but exposed them to certain ruin, when the conquest of the country was steadily pursued, and prudently planned by Edward. Destitute of magazines, cooped up in a narrow corner, they, as well as their cattle, suffered all the rigours of famine; and Lewellyn, without being able to strike a stroke for his independence, was at last obliged to submit at discretion, and receive the terms imposed upon him by the victor.<sup>i</sup> He bound himself to pay to Edward 50,000 pounds, as a reparation of damages; to do homage to the crown of England; to

19th Nov.

<sup>b</sup> T. Wakes, p. 107.

<sup>c</sup> In the year 1290.

<sup>d</sup> Walsing. p. 54. Henning, vol. i. p. 50. Trivet, p. 266.

<sup>e</sup> Trivet, p. 120.

<sup>f</sup> Ann. Waverl. p. 235.

<sup>g</sup> Walsing. p. 46, 47. Henning, vol. i. p. 5. Trivet, p. 246.

<sup>h</sup> Rymer, vol. ii. p. 68. Walsing. p. 46. Trivet, p. 207.

<sup>i</sup> T. Wykes, p. 105.

permit all the other barons of Wales, except four near Snowdon, to swear fealty to the same crown; to relinquish the country between Cheshire and the river Conway; to settle on his brother Rhodric a thousand marks a year, and on David five hundred; and to deliver ten hostages as security for his future submission.<sup>1</sup>

Edward, on the performance of the other articles, remitted to the Prince of Wales the payment of the 50,000 pounds,<sup>2</sup> which were stipulated by treaty, and which it is probable the poverty of the country made it absolutely impossible for him to levy. But notwithstanding this indulgence, complaints of iniquities soon arose on the side of the vanquished: the English, insolent on their easy and bloodless victory, oppressed the inhabitants of the districts which were yielded to them: the Lords Marchers committed with impunity all kinds of violence on their Welch neighbours: new and more severe terms were imposed on Lewellyn himself; and Edward, when the prince attended him at Worcester, exacted a promise that he would retain no person in his principality who should be obnoxious to the English monarch.<sup>3</sup> There were other personal insults which raised the indignation of the Welch, and made them determine rather to encounter a force, which they had already experienced to be so much superior, than to bear oppression from the haughty victors. Prince David, seized with the national spirit, made peace with his brother, and promised to concur in the defence of public liberty. The Welch flew to arms; and Edward, not displeased with the occasion of making his conquest final and absolute, assembled all his military tenants, and advanced into Wales with an army which the inhabitants could not reasonably hope to resist. The situation of the country gave the Welch at first some advantage over Luke de Tany, one of Edward's captains, who had passed the Menau with a detachment:<sup>4</sup> but Lewellyn, being surprised by Mortimer, was defeated and slain in an action, and 2000 of his followers were put to the sword.<sup>5</sup> David, who succeeded him in the principality, could never collect an army sufficient to face the English; and being chased from hill to hill, and hunted from one retreat to another, was obliged to conceal himself under various disguises, and was at last betrayed in his lurking place to the enemy. Edward sent him in chains to Shrewsbury; and bringing him to a formal trial before all the peers of England, ordered this sovereign prince to be hanged, drawn, and quartered, as a traitor, for defending by arms the liberties of his native country, together with his own hereditary authority.<sup>6</sup> All the Welch nobility submitted to the conqueror; the laws of England, with the sheriffs, and other ministers of justice, were established in that principality; and though it was long before national antipathies were extinguished, and a thorough union attained between the people; yet this important conquest, which it had required eight hundred years fully to effect, was at last, through the abilities of Edward, completed by the English.

The king, sensible that nothing kept alive the ideas of military valour and of ancient glory so much as the traditional poetry of the people, which, assisted by the power of music and the jollity of festivals, made deep impression on the minds of the youth, gathered together all the Welch bards, and, from a barbarous though not absurd policy, ordered them to be put to death.<sup>7</sup>

There prevails a vulgar story, which, as it well suits the capacity of the monkish writers, is carefully recorded by them: that Edward, assembling the Welch, promised to give them a prince of unexceptionable manners, a Welchman by birth, and one who could speak no other language. On their acclamations of joy, and promise of obedience, he invested in the principality his second son Edward, then an infant, who had been born at Carnarvon. The death of his eldest son, Alphonso, soon after, made young Edward heir of the monarchy: the principality of Wales was fully annexed to the crown; and henceforth gives a title to the eldest son of the kings of England.

The settlement of Wales appeared so complete to Edward, that in less than two years A. D. 1286. after he went abroad, in order to make peace between Alphonso, King of Arragon, and Philip the Fair, who had lately succeeded his father Philip the Hardy on the throne of France.<sup>8</sup> The difference between these two princes had arisen about the kingdom of Sicily, which the Pope, after his hopes from England failed him, had bestowed on Charles, brother to St. Lewis, and which was claimed, upon other titles, by Peter King of Arragon, father to Alphonso. Edward had powers from both princes to settle the terms of peace, and he succeeded in his endeavours; but as the controversy nowise regards England, we shall not enter into a detail of it. He staid abroad above three years; and on his return found many disorders to have prevailed, both from open violence, and from the corruption of justice.

Thomas Chamberlain, a gentleman of some note, had assembled several of his associates at Boston, in Lincolnshire, under pretence of holding a tournament, an exercise practised by the gentry only; but in reality with a view of plundering the rich fair of Boston, and robbing the merchants. To facilitate his purpose, he privately set fire to the town; and while the inhabitants were employed in quenching the flames, the conspirators broke into the booths, and carried off the goods. Chamberlain himself was detected and hanged; but maintained so steadily the point of honour to his accomplices, that he could not be prevailed on, by offers or promises, to discover any of them. Many other instances of robbery and violence broke out in all parts of England; though the singular circumstances attending this conspiracy have made it alone be particularly recorded by historians.<sup>9</sup>

But the corruption of the judges, by which the fountains of justice were poisoned, A. D. 1289. seemed of still more dangerous consequence. Edward, in order to remedy this prevailing abuse, summoned a parliament, and brought the judges to a trial; where all of them, except two, who were clergymen, were convicted of this flagrant iniquity, were fined and deposed. The amount of the fines levied upon them is alone a sufficient proof of their guilt; being above one hundred thousand marks, an immense sum in those days, and sufficient to defray the charges of an expensive war between two great kingdoms. The king afterwards made all the new judges swear that they would take no bribes; but his expedient, of deposing and fining the old ones, was the more effectual remedy.

We now come to give an account of the state of affairs in Scotland, which gave rise to the most interesting transactions of this reign, and of some of the subsequent; though the intercourse of that kingdom with England, either in peace or war, had hitherto produced so few events of moment, that, to avoid tediousness, we have omitted many of them, and have been very concise in relating the rest. If the Scots had, before this period, any real history worthy of the name, except what they glean from scattered passages in the English historians, those events, however minute, yet being the only foreign transactions of the nation, might deserve a place in it.

Though the government of Scotland had been continually exposed to those factions Affairs of Scotland. and convulsions, which are incident to all barbarous and to many civilized nations; and though the successions of their kings, the only part of their history which deserves any credit, had often been disordered by irregularities and usurpations; the true heir of the royal family had still in the end prevailed, and Alexander III. who had espoused the sister of Edward, probably inherited, after a period of about eight hundred years, and through a succession of males, the sceptre of all the Scottish princes who had governed the nation since its first establishment in the island. This prince died in 1286, by a fall from his horse at Kinghorn,<sup>10</sup> without leaving any male issue, and without any descendant, except Margaret, born of Eric, King of Norway, and of Margaret, daughter of the

<sup>1</sup> Rymer, vol. ii. p. 83. Walsing. p. 47. Trivet, p. 251. T. Wykes, p. 106.

<sup>2</sup> Rymer, p. 92.

<sup>3</sup> Dr. Powel's Hist. of Wales, p. 514, 343.

<sup>4</sup> Walsing. p. 50. Heming, vol. i. p. 9. Trivet, p. 258. T. Wykes, p. 110.

<sup>5</sup> Heming, vol. i. p. 11. Trivet, p. 257. Ann. Waverl. p. 235.

<sup>6</sup> Heming, vol. i. p. 12. Trivet, p. 259. Ann. Waverl. p. 236. T. Wykes, p. 111. M. West, p. 411.

<sup>7</sup> Sir I. Wyne, p. 15.

<sup>8</sup> Heming, vol. i. p. 16, 17.

<sup>9</sup> Heming, vol. i. p. 29. Trivet, p. 267.

<sup>10</sup> Rymer, vol. ii. p. 149, 150, 174.

Scottish monarch. This princess, commonly called the Maid of Norway, though a female, and an infant, and a foreigner, yet being the lawful heir of the kingdom, had, through her grandfather's care, been recognised successor by the states of Scotland;<sup>b</sup> and on Alexander's death, the dispositions which had been previously made against that event, appeared so just and prudent, that no disorders, as might naturally be apprehended, ensued in the kingdom. Margaret was acknowledged Queen of Scotland; five guardians, the bishops of St. Andrews and Glasgow, the earls of Fife and Buchan, and James, Steward of Scotland, entered peaceably upon the administration; and the infant princess, under the protection of Edward, her great uncle, and Eric, her father, who exerted themselves on this occasion, seemed firmly seated on the throne of Scotland. The English monarch was naturally led to build mighty projects on this incident; and having lately, by force of arms, brought Wales under subjection, he attempted, by the marriage of Margaret with his eldest son Edward, to unite the whole island into one monarch, and thereby to give it security both against domestic convulsions and foreign invasions.

The amity which had of late prevailed between the two nations, and which, even in former times, had never been interrupted by any violent wars or injuries, facilitated extremely the execution of this project, so favourable to the happiness and grandeur of both kingdoms; and the states of Scotland readily gave their assent to the English proposals, and even agreed that their young sovereign should be educated in the court of Edward. Anxious, however, for the liberty and independence of their country, they took care to stipulate very equitable conditions, ere they intrusted themselves into the hands of so great and so ambitious a monarch. It was agreed, that they should enjoy all their ancient laws, liberties, and customs; that in case young Edward and Margaret should die without issue, the crown of Scotland should revert to the next heir, and should be inherited by him free and independent; that the military tenants of the crown should never be obliged to go out of Scotland, in order to do homage to the sovereign of the united kingdoms, nor the chapters of cathedral, collegiate, or conventual churches, in order to make elections; that the parliaments summoned for Scottish affairs should always be held within the bounds of that kingdom; and that Edward should bind himself under the penalty of 100,000 marks, payable to the Pope for the use of the Holy Wars, to observe all these articles.<sup>c</sup> It is not easy to conceive that two nations could have treated more on a footing of equality than Scotland and England maintained during the whole course of this transaction: and though Edward gave his assent to the article concerning the future independency of the Scottish crown, with a *saving of his former rights*; this reserve gave no alarm to the nobility of Scotland, both because these rights, having hitherto been little heard of, had occasioned no disturbance, and because the Scots had so near a prospect of seeing them entirely absorbed in the rights of their sovereignty.

But this project, so happily formed and so amicably conducted, failed of success, by the sudden death of the Norwegian princess, who expired on her passage to Scotland,<sup>d</sup> and left a very dismal prospect to the kingdom. Though disorders were for the present obviated by the authority of the regency formerly established, the succession itself of the crown was now become an object of dispute; and the regents could not expect that a controversy, which is not usually decided by reason and argument alone, would be peaceably settled by them, or even by the states of the kingdom, amidst so many powerful pretenders. The posterity of William, King of Scotland, the prince taken prisoner by Henry II. being all extinct by the death of Margaret of Norway; the right of the crown devolved on the issue of David, Earl of Huntingdon, brother to William, whose male line being also extinct, left the succession open to the posterity of his daughters. The Earl of Huntingdon had

three daughters; Margaret, married to Alan Lord of Galloway, Isabella, wife of Robert Brus or Bruce, Lord of Annandale, and Adama, who espoused Henry Lord Hastings. Margaret, the eldest of the sisters, left one daughter, Devergilda, married to John Baliol, by whom she had a son of the same name, one of the present competitors for the crown: Isabella, the second, bore a son, Robert Bruce, who was now alive, and who also insisted on his claim: Adama, the third, left a son, John Hastings, who pretended that the kingdom of Scotland, like many other inheritances, was divisible among the three daughters of the Earl of Huntingdon, and that he, in right of his mother, had a title to a third of it. Baliol and Bruce united against Hastings, in maintaining that the kingdom was indivisible; but each of them, supported by plausible reasons, asserted the preference of his own title. Baliol was sprung from the elder branch: Bruce was one degree nearer the common stock: if the principle of representation was regarded, the former had the better claim: if propinquity was considered, the latter was entitled to the preference: the sentiments of men were divided: all the nobility had taken part on one side or the other: the people followed implicitly their leaders: the two claimants themselves had great power and numerous retainers in Scotland: and it is no wonder that, among a rude people, more accustomed to arms than inured to laws, a controversy of this nature, which could not be decided by any former precedent among them, and which is capable of exciting commotions in the most legal and best established governments, should threaten the state with the most fatal convulsions.

Each century has its peculiar mode in conducting business; and men, guided more by custom than by reason, follow, without inquiry, the manners which are prevalent in their own time. The practice of that age, in controversies between states and princes, seems to have been to choose a foreign prince, as an equal arbiter, by whom the question was decided, and whose sentence prevented those dismal confusions and disorders, inseparable at all times from war, but which were multiplied a hundred fold, and dispersed into every corner, by the nature of the feudal governments. It was thus that the English king and barons, in the preceding reign, had endeavoured to compose their dissensions by a reference to the King of France; and the celebrated integrity of that monarch had prevented all the bad effects which might naturally have been dreaded from so perilous an expedient. It was thus that the kings of France and Arragon, and afterwards other princes, had submitted their controversies to Edward's judgment; and the remoteness of their states, the great power of the princes, and the little interest which he had on either side, had induced him to acquit himself with honour in his decisions. The parliament of Scotland, therefore, threatened with a furious civil war, and allured by the great reputation of the English monarch, as well as by the present amicable correspondence between the kingdoms, agreed in making a reference to Edward; and Fraser, Bishop of St. Andrews, with other

Reference to Edward.

deputies, was sent to notify to him their resolution, and to claim his good offices in the present dangers to which they were exposed.<sup>f</sup> His inclination, they flattered themselves, led him to prevent their dissensions, and to interpose with a power which none of the competitors would dare to withstand: when this expedient was proposed by one party, the other deemed it dangerous to object to it; indifferent persons thought that the imminent perils of a civil war would thereby be prevented; and no one reflected on the ambitious character of Edward, and the almost certain ruin which must attend a small state, divided by faction, when it thus implicitly submits itself to the will of so powerful and encroaching a neighbour.

The temptation was too strong for the virtue of the English monarch to resist. He purposed to lay hold of the present favourable opportunity, and if not to create, at least to revive, his claim of a feudal superiority over Scotland; a claim which had

Homage of Scotland.

<sup>b</sup> Rymer, vol. ii. p. 566.

<sup>c</sup> Ibid. p. 482.

<sup>d</sup> Henning, vol. i. p. 30. Trivet, p. 208.

<sup>e</sup> Henning, vol. i. p. 36.

<sup>f</sup> Ibid. p. 31.



hitherto lain in the deepest obscurity, and which, if ever it had been an object of attention, or had been so much as suspected, would have effectually prevented the Scottish barons from choosing him for an umpire. He well knew, that if this pretension were once submitted to, as it seemed difficult, in the present situation of Scotland, to oppose it, the absolute sovereignty of that kingdom (which had been the case with Wales) would soon follow; and that one great vassal, cooped up in an island with his liege lord, without resource from foreign powers, without aid from any fellow vassals, could not long maintain his dominions against the efforts of a mighty kingdom, assisted by all the cavils which the feudal law afforded his superior against him. In pursuit of this great object, very advantageous to England, perhaps in the end no less beneficial to Scotland, but extremely unjust and iniquitous in itself, Edward busied himself in searching for proofs of his pretended superiority; and instead of looking into his own archives, which, if his claim had been real, must have afforded him numerous records of the homages done by the Scottish princes, and could alone yield him any authentic testimony, he made all the monasteries be ransacked for old chronicles and histories written by Englishmen, and he collected all the passages which seemed anywise to favour his pretensions.<sup>g</sup> Yet even in this method of proceeding, which must have discovered to himself the injustice of his claim, he was far from being fortunate. He began his proofs from the time of Edward the Elder, and continued them through all the subsequent Saxon and Norman times; but produced nothing to his purpose.<sup>h</sup> The whole amount of his authorities during the Saxon period, when stripped of the bombast and inaccurate style of the monkish historians, is, that the Scots had sometimes been defeated by the English, had received peace on disadvantageous terms, had made submissions to the English monarch, and had even perhaps fallen into some dependence on a power which was so much superior, and which they had not at that time sufficient force to resist. His authorities from the Norman period were, if possible, still less conclusive. The historians indeed make frequent mention of homage done by the northern potentate; but no one of them says that it was done for his kingdom, and several of them declare, in express terms, that it was relative only to the fiefs

which he enjoyed south of the Tweed;<sup>i</sup> in the same manner as the King of England himself swore fealty to the French monarch, for the fiefs which he inherited in France. And to such scandalous shifts was Edward reduced, that he quotes a passage from Hoveden,<sup>k</sup> where it is asserted, that a Scottish king had done homage to England; but he purposely omits the latter part of the sentence, which expresses that this prince did homage for the lauds which he held in England.

When William, King of Scotland, was taken prisoner in the battle of Alnwick, he was obliged, for the recovery of his liberty, to swear fealty to the victor for his crown itself. The deed was performed according to all the rights of the feudal law; the record was preserved in the English archives, and is mentioned by all the historians; but as it is the only one of the kind, and as historians speak of this superiority as a great acquisition gained by the fortunate arms of Henry II.,<sup>l</sup> there can remain no doubt that the kingdom of Scotland was, in all former periods, entirely free and independent. Its subjection continued a very few years: King Richard, desirous, before his departure for the Holy Land, to conciliate the friendship of William, renounced that homage, which, he says in express terms, had been extorted by his father; and he only retained the usual homage which had been done by the Scottish princes for the lands which they held in England.

But though this transaction rendered the independence of Scotland still more unquestionable, than if no fealty had ever been sworn to the English crown; the Scottish kings, apprized of the point aimed at by their powerful neighbours, seem for a long time to have retained some jealousy on that head, and in doing homage, to have anxiously obviated all such pretensions. When William in 1200 did homage to John at Lincoln, he was careful to insert a salvo for his royal dignity.<sup>m</sup> When Alexander III. sent assistance to his father-in-law Henry III. during the wars of the barons, he previously procured an acknowledgment, that this aid was granted only from friendship, not from any right claimed by the English monarch;<sup>n</sup> and when the same prince was invited to assist at the coronation of this very Edward, he declined attendance, till he received a like acknowledgment.<sup>o</sup>

But as all these reasons (and stronger could not be pro-

<sup>g</sup> Walsing. p. 55.

<sup>h</sup> Rymer, vol. ii. p. 539.

<sup>i</sup> Hoveden, p. 492. 662. M. Paris, p. 100. M. West, p. 256.

<sup>k</sup> P. 662. <sup>l</sup> Neubr. lib. ii. cap. 4. Knyghton, p. 2302.

<sup>m</sup> In Hoveden, p. 811.

<sup>n</sup> Rymer, vol. ii. p. 814.

<sup>o</sup> Rymer, vol. ii. p. 216. 845. There cannot be a doubt, that the homage usually paid by the kings of Scotland was not for their crown, but for some other territory. The only question remains, what that territory was. It was not always for the earldom of Huntingdon, nor the honour of Peverly; because we find it sometimes done at a time when these divisions were in the hands of the kings of Scotland. It is probable that the homage was performed in general terms, without any particular specification of the king about the territory and some opposite claims; and this inaccuracy had proceeded either from some dispute between the king and the territory, or from the king's right, which were compromised by the general homage, or from the simplicity of the age, which employed few words in every transaction. To prove this we need but look into the letter of King Richard, where he resigns the homage of Scotland, reserving the usual homage. His words are, *Sepedimus hic Regis littera homo noster decenat de omnibus terris de quibus antecessores sui antecessorum nostrorum littera homines fuerunt, et ubas antea hagedibus nostris felicitatem paravimus.* Rymer, vol. i. p. 65. These general terms were probably copied from the usual form of the homage itself.

It is no proof that the kings of Scotland possessed no lands or baronies in England, because we cannot find them in the imperfect histories and records of that age. An instance, if clearly appears, from another passage, in this very letter of Richard, that the Scottish king held lands both in the county of Huntingdon and elsewhere in England; though the earldom of Huntingdon was then in the person of his brother David; and we know at present of no other baronies which William held. It cannot be expected that we should now be able to specify all his fiefs which he either possessed or claimed in England, when it is probable that the two monarchs themselves, and their ministers, would at that very time have differed in the list of the Scottish king might possess this or that man at right was disputed; he might claim others which he did not possess; and neither of the two kings was willing to resign his pretensions by a particular acknowledgment.

A late author of great industry and learning, but full of prejudices, and of no penetration, Mr. Carte, has taken advantage of the undefined terms of the Scotch homage, and has pretended that it was done for Lothian and lying south of the Clyde and Forth; but he relates this so without any right, we need only consider, that if these territories were held in fee of the English kings, there would, by the nature of the feudal law as established in England, have been continual appeals from them to the courts of the lord paramount; contrary to all the histories and records of that age. We find, that as soon as Edward really established his superiority, appeals immediately commenced from all parts of Scotland; and that king, in his writ to the king's bench, considers them as a necessary consequence of the feudal tenure. Such large territories also would have supplied a considerable part of the English armies, which never could have escaped all the historians. Not to mention that there is not any instance of a Scotch prisoner of war being tried as a rebel, till the frequent costly expeditions into the north, where the Scottish armies were chiefly filled from the southern counties.

Mr. Carte's notion with regard to Galloway, which comprehends, in the language of that age, or rather in that of the preceding, most of the south-

west counties of Scotland; his notion, I say, rests on so slight a foundation, that it scarcely merits being refuted. He will have it (and merily because he will have it) that the Cumberland yielded by King Edmund to Malcolm I. meant not only the county in England of that name, but all the territory which lay to the Clyde. But the case of Lothian deserves some more consideration.

It is certain, that in very ancient language, Scotland means only the country north of the firths of Clyde and Forth. I shall not make a parade of literature to prove it, because I do not think the point is disputed by the Scots themselves. The southern country was divided into Galloway and Lothian; and the latter comprehended all the south-east counties. This territory was certainly a part of the ancient kingdom of Northumberland, and was ceded by Saxons, who after having received a mixture of Danes among them. It appears from all the English histories, that the whole kingdom of Northumberland paid very little obedience to the Anglo-Saxon monarchs, who governed after the dissolution of the heptarchy; and the northern and remote parts of it seem to have fallen into a kind of anarchy, sometimes pillaged by the Danes, sometimes joining them in their ravages upon other parts of England. The kings of Scotland, lying nearer them, took at last possession of one country, which had scarcely any government; and we are told by Matthew of Westminster, p. 193, that King Edgar made a grant of the territory to Kenneth III., that is, he resigned claims which he could not make effectual, without bestowing on them more trouble and expense than they were worth; for these were the grants of provinces made by kings; and so anxious and active a prince as Edgar, would never have made presents of any other kind. Though Matthew of Westminster's authority may appear small with regard to so remote a transaction, yet we may have recourse to another authority, Vitis, a good authority, tells us, p. 701, that Malcolm acknowledged to William Rufus that the Conqueror had confirmed to him the former grant of Lothian. But it follows not, because Edgar made this species of grant to Kenneth, that he exacted homage for that territory. Homage, and all the rites of the feudal law, were very little known among the Saxons; and we may also suppose that the claim of Edgar was so antiquated and weak, that, in resigning it, he made no very valuable conquest. Kenneth, we well refuse to tell us so precarious a tenure, a territory which he at present held by the sword. In short, no author says he did homage for it.

The only colour, indeed, of authority for Mr. Carte's notion is, that Matthew of Westminster wrote in the reign of Henry III. before Edward's claim of superiority was heard of, says that Alexander III. did homage to Henry III. *pro Landano et aliis terris.* See p. 555. This word seems naturally to be interpreted Lothian. But, in this point, we should have Peter's testimony, though considerable, will not outweigh that of all the other historians, who say that the Scotch homage was always done to lands in England. Secondly, if the Scotch homage was done in general terms, (as we have already proved), it is no wonder that historians should have been so far from being so particular. Thirdly, there is reason to think that *Landanum*, in Matthew Paris, does not mean the Lothians now in Scotland. There appears to have been a territory which anciently bore that name, or a similar name in the north of England. For (1) The Saxon Chronicle, p. 197, says, that Malcolm Kenneth met William Rufus in Lodene in England. (2) It is agreed by all historians, that Henry II. only reconquered from Scotland the northern counties of Northumberland, Cumberland,

duced) were but a feeble rampart against the power of the sword, Edward, carrying with him a great army, which was to enforce his proofs, advanced to the frontiers, and invited the Scottish parliament, and all the competitors, to attend him in the castle of Norham, a place situated on the southern banks of the Tweed, in order to determine that cause which had been referred to his arbitration. But though this deference seemed due to so great a monarch, and was no more than what his father and the English barons had, in similar circumstances, paid to Lewis IX., the king, careful not to give umbrage, and determined never to produce his claim, till it should be too late to think of opposition, sent the Scottish barons an acknowledgment, that, though at that time they passed the frontiers, this step should never be drawn into precedent, or afford the English kings a pretence for exacting a like submission in any future transaction.<sup>1</sup> When the

whole Scottish nation had thus unwarily put themselves in his power, Edward opened the conferences at Norham: he informed the parliament, by the mouth of Roger le Brabançon, his chief justiciary, that he was come thither to determine the right among the competitors to their crown; that he was determined to do strict justice to all parties; and that he was entitled to this authority, not in virtue of the reference made to him, but in quality of superior and liege lord of the kingdom.<sup>2</sup> He then produced his proofs of this superiority, which he pretended to be unquestionable, and he required of them an acknowledgment of it; a demand which was superfluous if the fact was already known and avowed, and which plainly betrays Edward's consciousness of his lame and defective title. The Scottish parliament was astonished at so new a pretension, and answered only by their silence. But the king, in order to maintain the appearance of free and regular proceedings, desired them to remove into their own country, to deliberate upon his claim, to examine his proofs, to propose all their objections, and to inform him of their resolution: and he appointed a plain at Upsettleton, on the northern banks of the Tweed, for that purpose.

When the Scottish barons assembled in this place, though moved with indignation at the injustice of this unexpected claim, and at the fraud with which it had been conducted, they found themselves betrayed into a situation, in which it was impossible for them to make any defence for the ancient liberty and independence of their country. The King of England, a martial and politic prince, at the head of a powerful army, lay at a very small distance, and was only separated from them by a river fordable in many places. Though by a sudden flight some of them might themselves be able to make their escape, what hopes could they entertain of securing the kingdom against his future enterprises? Without a head, without union among themselves, attached all of them to different competitors, whose title they had rashly submitted to the decision of this foreign usurper, and who were thereby reduced to an absolute dependence upon him; they could only expect, by resistance, to entail on themselves and their posterity a more grievous and more destructive servitude. Yet, even in this desperate state of their affairs, the Scottish barons, as we learn from Walsingham,<sup>3</sup> one of the best historians of that period, had the courage to reply, that, till they had a king, they could take no resolution on so momentous a point: the journal of king Edward says, that they made no answer at all;<sup>4</sup> that is, perhaps, no particular answer or objection to Edward's claim: and by this solution it is possible to reconcile the journal with the historian. The king, therefore, interpreting their silence as consent, addressed himself to the several competitors, and previously

to his pronouncing sentence, required their acknowledgment of his superiority.

It is evident from the genealogy of the royal family of Scotland, that there could only be two questions about the succession, that between Baliol and Bruce on the one hand, and Lord Hastings on the other, concerning the partition of the crown; and that between Baliol and Bruce themselves, concerning the preference of their respective titles, supposing the kingdom indivisible: yet there appeared on this occasion no less than nine claimants besides; John Comyn or Cummin Lord of Badenoch, Florence Earl of Holland, Patrick Dunbar Earl of March, William de Vescey, Robert de Pynkeni, Nicholas de Soules, Patrick Gallythly, Roger de Mandeville, Robert de Ross; not to mention the King of Norway, who claimed as heir to his daughter Margaret.<sup>5</sup> Some of these competitors were descended from more remote branches of the royal family; others were even sprung from illegitimate children; and as none of them had the least pretence of right, it is natural to conjecture, that Edward had secretly encouraged them to appear in the list of claimants, that he might sow the more division among the Scottish nobility, make the cause appear the more intricate, and be able to choose among a great number the most obsequious candidate.

But he found them all equally obsequious on this occasion.<sup>6</sup> Robert Bruce was the first that acknowledged Edward's right of superiority over Scotland, and he had so far foreseen the king's pretensions, that even in his petition, where he set forth his claim to the crown, he had previously applied to him as liege lord of the kingdom; a step which was not taken by any of the other competitors.<sup>7</sup> They all, however, with seeming willingness, made a like acknowledgment when required; though Baliol, lest he should give offence to the Scottish nation, had taken care to be absent during the first days; and he was the last that recognised the king's title.<sup>8</sup> Edward next deliberated concerning the method of proceeding in the discussion of this great controversy. He gave orders, that Baliol, and such of the competitors as adhered to him, should choose forty commissioners: Bruce and his adherents forty more: to these the king added twenty-four Englishmen: he ordered these hundred and four commissioners to examine the cause deliberately among themselves, and make their report to him; and he promised in the ensuing year to give his determination. Meanwhile he pretended that it was requisite to have all the fortresses of Scotland delivered into his hands, in order to enable him, without opposition, to put the true heir in possession of the crown; and this exorbitant demand was complied with, both by the states and by the claimants.<sup>9</sup> The governors also of all the castles immediately resigned their command; except Umfréville Earl of Angus, who refused, without a formal and particular acquittal from the parliament and the several claimants, to surrender his fortresses to so domineering an arbiter, who had given to Scotland so many just reasons of suspicion.<sup>10</sup> Before this assembly broke up, which had fixed such a mark of dishonour on the nation, all the prelates and barons there present swore fealty to Edward; and that prince appointed commissioners to receive a like oath from all the other barons and persons of distinction in Scotland.<sup>11</sup>

The king, having finally made, as he imagined, this important acquisition, left the commissioners to sit at Berwick, and examine the titles of the several competitors who claimed the precarious crown, which Edward was willing for some time to allow the lawful heir to enjoy. He went southwards, both in order to assist at the funeral of his mother, Queen Eleanor, who died about this time, and to

and Westmoreland. See Newbriggs, p. 383. Wykes, p. 30. Hemingford, p. 402. Yet the same country is called by other historians *Lodis*, *comitatus Lothomensis*, or some such name. See M. Paris, p. 68. M. West, p. 217. Arnold, Waverley, p. 129 and Picot, p. 531. (3) This last-mentioned author, when he speaks of Lothian in Scotland, calls it Lothensie, p. 574, though he had called the English territories *Lodis*.

(4) I thought this long note necessary, in order to correct Mr. Coxe's mistake, an author whose diligence and industry have given light to many passages of the more ancient English history.

(5) Rymer, vol. ii. p. 539, 815. Walsingham, p. 56.  
(6) Rymer, vol. ii. p. 543. It is remarkable that the English Chancellor spoke to the Scotch parliament in the French tongue. This was also the language commonly made use of by all parties on that occasion. *Ibid.* *passim*. Some of the most considerable among the Scotch as well as almost all the English barons, were of French origin; they valued themselves upon it, and pretended to despise the language and manners of the island.

It is difficult to account for the settlement of so many French families in Scotland, the Bruces, Baliols, St. Clairs, Montgomeries, Somervilles, Gordons, Frasers, Cummins, Colvilles, Umfréviles, Mowbrays, Hays, Maules, who were not supported there, as in England, by the power of the sword. But the superiority of the smallest vitality and knowledge over total ignorance and barbarism is prodigious.

(7) Page 56. M. West, p. 436. It is said by Hemingford, vol. i. p. 33, that the king menaced violently the Scotch barons, and forced them to compliance, at least to silence.

(8) Rymer, vol. ii. p. 548. t Walsingham, p. 58.  
(9) Rymer, vol. ii. p. 539, 545. Walsingham, p. 56. Hemingford, vol. i. p. 33, 34. Rymer, p. 260. M. West, p. 415.

(10) Rymer, vol. ii. p. 577, 578, 579. x *Ibid.* p. 546.  
(11) *Ibid.* p. 535, 536. z *Ibid.* p. 529. Walsingham, p. 57, 58.  
(12) Rymer, vol. ii. p. 531.  
(13) *Ibid.* p. 573.

compose some differences which had arisen among his principal nobility. Gilbert, Earl of Gloucester, the greatest baron of the kingdom, had espoused the king's daughter, and being elated by that alliance, and still more by his own power, which he thought set him above the laws, he permitted his bailiffs and vassals to commit violence on the lands of Humphrey Bohun, Earl of Hereford, who retaliated the injury by like violence. But this was not a reign in which such illegal proceedings could pass with impunity. Edward procured a sentence against the two earls, committed them both to prison, and would not restore them to their liberty till he had exacted a fine of 1000 marks from Hereford, and one of 10,000 from his son-in-law.

During this interval, the titles of John Baliol and of Robert Bruce, whose claims appeared to be the best founded among the competitors for the crown of Scotland, were the subject of general discussion, as well as of debate among the commissioners. Edward, in order to give greater authority to his intended decision, proposed this general question both to the commissioners and to all the celebrated lawyers in Europe: whether a person descended from the eldest sister, but further removed by one degree, were preferable, in the succession of kingdoms, fiefs, and other indivisible inheritances, to one descended from the younger sister, but one degree nearer to the common stock? This was the true state of the case; and the principle of representation had now gained such ground every where, that a uniform answer was returned to the king in the affirmative. He therefore pronounced sentence in favour of Baliol; and when Bruce, upon this disappointment, joined afterwards Lord Hastings, and claimed a third of the kingdom, which he now pretended to be divisible, Edward, though his interest seemed more to require the partition of Scotland, again pronounced sentence in favour of Baliol. That competitor, upon renewing his oath of fealty to England, was put in possession of the kingdom;<sup>c</sup> all his fortresses were restored to him;<sup>d</sup> and the conduct of Edward, both in the deliberate solemnity of the proceedings, and in the justice of the award, was so far unexceptionable.

Award of Edward in favour of Baliol.

A. D. 1293. Had the king entertained no other view than that of establishing his superiority over Scotland, though the iniquity of that claim was apparent, and was aggravated by the most egregious breach of trust, he might have fixed his pretensions, and have left that important acquisition to his posterity. But he immediately proceeded in such a manner, as made it evident, that, not content with this usurpation, he aimed also at the absolute sovereignty and dominion of the kingdom. Instead of gradually inuring the Scots to the yoke, and exerting his rights of superiority with moderation, he encouraged all appeals to England; required King John himself, by six different summons on trivial occasions, to come to London;<sup>e</sup> refused him the privilege of defending his cause by a procurator; and obliged him to appear at the bar of his parliament as a private person.<sup>f</sup> These humiliating demands were hitherto quite unknown to a king of Scotland: they are however the necessary consequence of vassalage by the feudal law; and as there was no preceding instance of such treatment submitted to by a prince of that country, Edward must, from that circumstance alone, had there remained any doubt, have been himself convinced that his claim was altogether a usurpation.<sup>g</sup> But his intention plainly was, to enrage Baliol by these indignities, to engage him in rebellion, and to assume the dominion of the state, as the punishment of his treason and felony. Accordingly Baliol, though a prince of a soft and gentle spirit, returned into Scotland highly provoked at this usage, and determined at all hazards to vindicate his liberty; and the war, which soon after broke out between France and England, gave him a favourable opportunity of executing his purpose.

The violence, robberies, and disorders, to which that age was so subject, were not confined to the licentious barons and their retainers at land: the sea was equally infested with piracy; the feeble execution of the laws had given licence to all orders of men; and a general appetite for rapine and revenge, supported by a false point of honour, had also infected the merchants and mariners; and it pushed them, on any provocation, to seek redress by immediate retaliation upon the aggressors. A Norman and an English vessel met off the coast near Bayonne; and both of them having occasion for water, they sent their boats to land, and the several crews

War with France.

came at the same time to the same spring; there ensued a quarrel for the preference; a Norman, drawing his dagger, attempted to stab an Englishman; who, grappling with him, threw his adversary on the ground; and the Norman, as was pretended, falling on his own dagger, was slain.<sup>h</sup> This scuffle between two seamen about water, soon kindled a bloody war between the two nations, and involved a great part of Europe in the quarrel. The mariners of the Norman ship carried their complaints to the French king; Philip, without inquiring into the fact, without demanding redress, bade them take revenge, and trouble him no more about the matter.<sup>i</sup> The Normans, who had been more regular than usual in applying to the crown, needed but this hint to proceed to immediate violence. They seized an English ship in the channel; and hanging, along with some dogs, several of the crew on the yard arm, in presence of their companions, dismissed the vessel,<sup>k</sup> and bade the mariners inform their countrymen, that vengeance was now taken for the blood of the Norman killed at Bayonne. This injury, accompanied with so general and deliberate an insult, was resented by the mariners of the cinque-ports, who, without carrying any complaint to the king, or waiting for redress, retaliated, by committing like barbarities on all French vessels without distinction. The French, provoked by their losses, preyed on the ships of all Edward's subjects, whether English or Gascon: the sea became a scene of piracy between the nations: the sovereigns, without either seconding or repressing the violence of their subjects, seemed to remain indifferent spectators: the English made private associations with the Irish and Dutch seamen; the French with the Flemish and Genoese.<sup>l</sup> And the animosities of the people on both sides became every day more violent and barbarous. A fleet of two hundred Norman vessels set sail to the south for wine and other commodities; and, in their passage, seized all the English ships which they met with, hanged the seamen, and seized the goods. The inhabitants of the English sea-ports, informed of this incident, fitted out a fleet of sixty sail, stronger and better manned than the others, and awaited the enemy on their return. After an obstinate battle, they put them to rout, and sunk, destroyed, or took the greater part of them.<sup>m</sup> No quarter was given; and it is pretended that the loss of the French amounted to fifteen thousand men: which is accounted for by this circumstance, that the Norman fleet was employed in transporting a considerable body of soldiers from the south.

The affair was now become too important to be any longer overlooked by the sovereigns. On Philip's sending an envoy to demand reparation and restitution, the king despatched the Bishop of London to the French court, in order to accommodate the quarrel. He first said, that the English courts of justice were open to all men; and if any Frenchman were injured, he might seek reparation by course of law.<sup>n</sup> He next offered to adjust the matter by private arbiters, or by a personal interview with the King of France, or by a reference either to the Pope or the college of cardinals, or any particular cardinals agreed on by both parties.<sup>o</sup> The French, probably the more disgusted, as they were hitherto losers in the quarrel, refused all these expedients: the vessels and the goods of merchants

<sup>c</sup> Rymer, vol. ii. p. 590, 591, 593, 600.

<sup>d</sup> Ibid. p. 590.

<sup>e</sup> Ibid. p. 603, 605, 606, 608, 615, 616.

<sup>f</sup> It is in the Plant. Parl. p. 152, 153.

<sup>g</sup> See Rymer, vol. ii. p. 585, where Edward writes to the king's bench to receive appeals from Scotland. He knew the practice to be new and unusual, yet he establishes it as an infallible consequence of his superiority. We learn also from the same collection, p. 601, that immediately upon receiving the homage, he changed the style of his address to the Scotch king, whom he now calls *dilecto et fidei*, instead of *fratri dilecto et fidei*, the ap-

pellation which he had always before used to him; see p. 109, 121, 160, 230, 1064. This is a certain proof that he himself was not deceived, as was scarcely indeed possible, but that he was conscious of his usurpation. Yet he solemnly swore afterwards to the justice of his pretensions, when he defended them before Pope Boniface.

<sup>h</sup> Walsing. p. 58. Heming, vol. i. p. 39.

<sup>k</sup> Heming, vol. i. p. 40. M. West, p. 419.

<sup>l</sup> Walsing. p. 60. Trivet, p. 274. Chron. Dunst. vol. ii. p. 609.

<sup>m</sup> Trivet, p. 275.

<sup>n</sup> Ibid.

<sup>o</sup> Ibid.

<sup>i</sup> Walsing. p. 58.

<sup>j</sup> Heming, vol. i. p. 40.

<sup>k</sup> Chron. Dunst. vol. ii. p. 609.

<sup>l</sup> Ibid.

<sup>m</sup> Ibid.

<sup>n</sup> Ibid.



were confiscated on both sides: depredations were continued by the Gascons on the western coast of France, as well as by the English in the channel: Philip cited the king, as Duke of Guienne, to appear in his court at Paris, and answer for these offences: and Edward, apprehensive of danger to that province, sent John St. John, an experienced soldier, to Bourdeaux, and gave him directions to put Guienne in a posture of defence.<sup>p</sup>

A. D. 1294. That he might, however, prevent a final rupture between the nations, the king dispatched his brother, Edmond, Earl of Lancaster, to Paris; and as this prince had espoused the Queen of Navarre, mother to Jane, Queen of France, he seemed, on account of that alliance, the most proper person for finding expedients to accommodate the difference. Jane pretended to interpose with her good offices: Mary, the queen dowager, feigned the same amicable disposition: and these two princesses told Edmond, that the circumstance the most difficult to adjust, was the point of honour with Philip, who thought himself affronted by the injuries committed against him by his sub-vassals in Guienne: but if Edward would once consent to give him seizin and possession of that province, he would think his honour fully repaired, would engage to restore Guienne immediately, and would accept of a very easy satisfaction for all the other injuries. The king was consulted on the occasion; and as he then found himself in immediate danger of war with the Scots, which he regarded as the more important concern, this politic prince, blinded by his favourite passion for subduing that nation, allowed himself to be deceived by so gross an artifice.<sup>q</sup> He sent his brother orders to sign and execute the treaty with the two queens; Philip solemnly promised to execute his part of it; and the king's citation to appear in the court of France was accordingly recalled: but the French monarch was no sooner put in possession of Guienne, than the citation was renewed; Edward was condemned for non-appearance; and Guienne, by a formal sentence, was declared to be forfeited and annexed to the crown.<sup>r</sup>

Edward, fallen into a like snare with that which he himself had spread for the Scots, was enraged; and the more so, as he was justly ashamed of his own conduct, in being so egregiously over-reached by the court of France. Sensible of the extreme difficulties which he should encounter in the recovery of Gascony, where he had not retained a single place in his hands, he endeavoured to compensate that loss, by forming alliances with several princes, who, he projected, should attack France on all quarters, and make a diversion of her forces. Adolphus de Nassau, King of the Romans, entered into a treaty with him for that purpose;<sup>s</sup> as did also Amadaus, Count of Savoy, the Archbishop of Cologne, the Counts of Gueldre and Luxembourg, the Duke of Brabant and Count of Barre, who had married his two daughters, Margaret and Eleanor: but these alliances were extremely burdensome to his narrow revenues, and proved in the issue entirely ineffectual. More impression was made on Guienne by an English army, which he completed by emptying the jails of many thousand thieves and robbers, who had been confined there for their crimes. So low had the profession of arms fallen, and so much had it degenerated from the estimation in which it stood during the vigour of the feudal system!

A. D. 1295. The king himself was detained in England, first by contrary winds,<sup>t</sup> then by his apprehensions of a Scottish invasion, and by a rebellion of the Welch, whom he repressed and brought again under subjection.<sup>u</sup> The army which he sent to Guienne, was commanded by his nephew, John de Bretagne, Earl of Richmond, and under him by St. John, Tibetot, de Vere, and other officers of reputation;<sup>v</sup> who made themselves masters of the town of Bayonne, as well as of Bourq, Blaye, Reole, St. Sever, and other places, which straitened Bourdeaux, and cut off its communication both by sea and land. The favour which the Gascon nobility

bore to the English government facilitated these conquests, and seemed to promise still greater successes; but this advantage was soon lost by the misconduct of some of the officers. Philip's brother, Charles de Valois, who commanded the French armies, having laid siege to Podensac, a small fortress near Reole, obliged Giffard, the governor, to capitulate; and the articles, though favourable to the English, left all the Gascons prisoners at discretion, of whom above fifty were hanged by Charles as rebels: a policy, by which he both intimidated that people, and produced an irreparable breach between them and the English.<sup>x</sup> That prince immediately attacked Reole, where the Earl of Richmond himself commanded; and as the place seemed not tenable, the English general drew his troops to the water-side, with an intention of embarking with the greater part of the army. The enraged Gascons fell upon his rear, and at the same time opened their gates to the French, who, besides making themselves masters of the place, took many prisoners of distinction. St. Sever was more vigorously defended by Hugh de Vere, son of the Earl of Oxford; but was at last obliged to capitulate. The French king, not content with these successes in Gascony, threatened England with an invasion; and, by a sudden attempt, his troops took and burnt Dover,<sup>y</sup> but were obliged soon after to retire. And in order to make a greater diversion of the English force, and engage Edward in dangerous and important wars, he formed a secret alliance with John Baliol, King of Scotland; the commencement of that strict union, which, during so many centuries, was maintained, by mutual interests and necessities, between the French and Scottish nations. John confirmed this alliance, by stipulating a marriage between his eldest son and the daughter of Charles de Valois.<sup>z</sup>

The expenses attending these multiplied wars of Edward, and his preparations for war, joined to alterations which had insensibly taken place in the general state of affairs, obliged him to have frequent recourse to parliamentary supplies, introduced the lower orders of the state into the public councils, and laid the foundations of great and important changes in the government.

Though nothing could be worse calculated for cultivating the arts of peace, or maintaining peace itself, than the long subordination of vassalage from the king to the meanest gentleman, and the consequent slavery of the lower people; evils inseparable from the feudal system; that system was never able to fix the state in a proper warlike posture, or give it the full exertion of its power for defence, and still less for offence against a public enemy. The military tenants, unacquainted with obedience, unexperienced in war, held a rank in the troops by their birth, not by their merits or services; composed a disorderly, and consequently a feeble army; and during the few days which they were obliged by their tenures to remain in the field, were often more formidable to their own prince, than to foreign powers against whom they were assembled. The sovereigns came gradually to disuse this cumbersome and dangerous machine, so apt to recoil upon the hand which held it; and exchanging the military service for pecuniary supplies, enlisted forces by means of a contract with particular officers, (such as those the Italians denominate *Condottieri*), whom they dismissed at the end of the war.<sup>a</sup> The barons and knights themselves often entered into these engagements with the prince; and were enabled to fill their bands, both by the authority which they possessed over their vassals and tenants, and from the great numbers of loose, disorderly people, whom they found on their estates, and who willingly embraced an opportunity of gratifying their appetite for war and rapine.

Meanwhile, the old Gothic fabric, being neglected, went gradually to decay. Though the Conqueror had divided all the lands of England into sixty thousand knights' fees, the number of these was insensibly diminished by various artifices; and the king at last found, that, by putting the

Diression concerning the constitution of parliament.

p. Trivet, p. 276.

q. Rymer, vol. ii. p. 619, 620. Walsing. p. 61. Heming, vol. i. p. 42.

r. Trivet, p. 277.

s. Rymer, vol. ii. p. 620, 622. Walsing. p. 61. Trivet, p. 278.

t. Heming, vol. i. p. 51.

u Chron. Dunst. vol. ii. p. 622.

v Walsing. p. 62. Heming, vol. i. p. 53. Trivet, p. 282. Chron. Dunst. vol. ii. p. 622.

w Trivet, p. 279.

x Heming, vol. i.

y Trivet, p. 284.

z Rymer, vol. ii. p. 630, 631, 635, 637.

a Heming, vol. i. p. 76. Trivet, p. 283.

a Cotton's Abr. p. 11.

law in execution, he could assemble a small part only of the ancient force of the kingdom. It was a usual expedient for men who held of the king or great barons by military tenure, to transfer their land to the church, and receive it back by another tenure, called *frankalmoigne*, by which they were not bound to perform any service.<sup>b</sup> A law was made against this practice; but the abuse had probably gone far before it was attended to, and probably was not entirely corrected by the new statute, which, like most laws of that age, we may conjecture to have been but feebly executed by the magistrate against the perpetual interest of so many individuals. The constable and mareschal, when they mustered the armies, often in a hurry, and for want of better information, received the service of a baron for fewer knights' fees than were due by him; and one precedent of this kind was held good against the king, and became ever after a reason for diminishing the service.<sup>c</sup> The rolls of knights' fees were inaccurately kept; no care was taken to correct them before the armies were summoned into the field;<sup>d</sup> it was then too late to think of examining records and charters; and the service was accepted on the footing which the vassal himself was pleased to acknowledge, after all the various subdivisions and conjunctions of property had thrown an obscurity on the nature and extent of his tenure.<sup>e</sup> It is easy to judge of the intricacies which would attend disputes of this kind with individuals; when even the number of military fees belonging to the church, whose property was fixed and unalienable, became the subject of controversy; and we find in particular, that, when the Bishop of Durham was charged with seventy knights' fees for the aid levied on occasion of the marriage of Henry II.'s daughter to the Duke of Saxony, the prelate acknowledged ten, and disowned the other sixty.<sup>f</sup> It is not known in what manner this difference was terminated; but had the question been concerning an armament to defend the kingdom, the bishop's service would probably have been received without opposition for ten fees; and this rate must also have fixed all his future payments. Pecuniary scutages, therefore, diminished as much as military services;<sup>g</sup> other methods of filling the exchequer, as well as the armies, must be devised: new situations produced new laws and institutions; and the great alterations in the finances and military power of the crown, as well as in private property, were the source of equal innovations in every part of the legislature or civil government.

The exorbitant estates conferred by the Norman on his barons and chieftains, remained not long entire and unimpaired. The landed property was gradually shared out into more hands; and those immense baronies were divided, either by provisions to younger children, by partitions among co-heirs, by sale, or by escheating to the king, who gratified a great number of his courtiers, by dealing them out among them in smaller portions. Such moderate estates, as they required economy, and confined the proprietors to live at home, were better calculated for duration; and the order of knights and small barons grew daily more numerous, and began to form a very respectable rank of order in the state. As they were all immediate vassals of the crown by military tenure, they were, by the principles of the feudal law, equally entitled with the greatest barons to a seat in the national or general councils; and this right, though regarded as a privilege, which the owners would not entirely relinquish, was also considered as a burden, which they desired to be subjected to on extraordinary occasions only. Hence it was provided in the charter of King John, that while the great barons were summoned to the national council by a particular writ, the small barons, under which appellation the knights were also comprehended, should only be called by a general summons of the sheriff. The distinction between great and small barons, like that between rich and poor,

was not exactly defined; but agreeably to the inaccurate genius of that age, and to the simplicity of ancient government, was left very much to be determined by the discretion of the king and his ministers. It was usual for the prince to require, by a particular summons, the attendance of a baron in one parliament, and to neglect him in future parliaments;<sup>h</sup> nor was this uncertainty ever complained of as an injury. He attended when required: he was better pleased, on other occasions, to be exempted from the burden; and as he was acknowledged to be of the same order with the greatest barons, it gave them no surprise to see him take his seat in the great council, whether he appeared of his own accord, or by a particular summons from the king. The barons by writ, therefore, began gradually to intermix themselves with the barons by tenure; and as Camden tells us,<sup>i</sup> from an ancient manuscript, now lost, that, after the battle of Evesham, a positive law was enacted, prohibiting every baron from appearing in parliament who was not invited thither by a particular summons, the whole baronage of England held thenceforward their seat by writ, and this important privilege of their tenures was in effect abolished. Only where writs had been regularly continued for some time in one great family, the omission of them would have been regarded as an affront and even as an injury.

A like alteration gradually took place in the order of earls, who were the highest rank of barons. The dignity of an earl, like that of a baron, was anciently territorial and official:<sup>k</sup> he exercised jurisdiction within his county: he levied the third of the fines to his own profit: he was at once a civil and a military magistrate: and though his authority, from the time of the Norman Conquest, was hereditary in England, the title was so much connected with the office, that where the king intended to create a new earl, he had no other expedient than to erect a certain territory into a county or earldom, and to bestow it upon the person and his family.<sup>l</sup> But as the sheriffs, who were the viceregents of the earls, were named by the king, and removable at pleasure, he found them more dependent upon him; and endeavoured to throw the whole authority and jurisdiction of the office into their hands. This magistrate was at the head of the finances, and levied all the king's rents within the county: he assessed at pleasure the talliages of the inhabitants in royal demesne: he had usually committed to him the management of wards, and often of escheats; he presided in the lower courts of judicature: and thus, though inferior to the earl in dignity, he was soon considered, by this union of the judicial and fiscal powers, and by the confidence reposed in him by the king, as much superior to him in authority, and undermined his influence within his own jurisdiction.<sup>m</sup> It became usual, in creating an earl, to give him a fixed salary, commonly about twenty pounds a year, in lieu of his third of the fines: the diminution of his power kept pace with the retrenchment of his profit: and the dignity of earl, instead of being territorial and official, dwindled into personal and titular. Such were the mighty alterations which already had fully taken place, or were gradually advancing, in the House of Peers; that is, in the parliament: for there seems anciently to have been no other House.

But though the introduction of barons by writ, and of titular earls, had given some increase to royal authority, there were other causes which counterbalanced those innovations, and tended in a higher degree to diminish the power of the sovereign. The disuse into which the feudal militia had in a great measure fallen, made the barons almost entirely forget their dependence on the crown: by the diminution of the number of knights' fees, the king had no reasonable compensation when he levied scutages, and exchanged their service for money: the alienations of the crown lands had reduced him to poverty: and above all, the concession of the Great Charter had set bounds to

<sup>b</sup> Madox's *Baronia Anglica*, p. 114.

<sup>c</sup> *Ibid.* p. 115.

<sup>d</sup> We hear only of one king, Henry II., who took this pains; and the record, called *Liber niger* Scaccarii, was the result of it.

<sup>e</sup> Madox, *Bar. Ang.* p. 116.

<sup>f</sup> *Ibid.* p. 122. Hist. of Exch. p. 404.

<sup>g</sup> It is curious to pay the sum of 100,000 marks, as King Richard's ransom, twenty shillings were imposed on each knight's fee. Had the fees remained on the original footing as settled by the Conqueror, this scutage would have amounted to 90,000 marks, which was nearly the sum required. But we find that other previous taxes were imposed to complete it.

<sup>h</sup>

certain proof that many frauds and abuses had prevailed in the roll of knights' fees.

<sup>i</sup> Chancelier West's Enquiry into the manner of creating Peers, p. 43.

<sup>j</sup> 46, 47, 53.

<sup>k</sup> In Britton, p. 120.

<sup>l</sup> Gloss. in voce *Comes*.

<sup>m</sup> Essays on British Antiquities. This practice, however, seems to have been more familiar in Scotland and the kingdoms on the continent, than in England.

<sup>n</sup> There are instances of princes of the blood who accepted of the office of Sheriff. See *Bartholinus* in voce *Procurator*.

royal power, and had rendered it more difficult and dangerous for the prince to exert any extraordinary act of arbitrary authority. In this situation, it was natural for the king to court the friendship of the lesser barons and knights, whose influence was no ways dangerous to him, and who, being exposed to oppression from their powerful neighbours, sought a legal protection under the shadow of the throne. He desired, therefore, to have their presence in parliament, where they served to control the turbulent resolutions of the great. To exact a regular attendance of the whole body would have produced confusion, and would have imposed too heavy a burden upon them. To summon only a few by writ, though it was practised, and had a good effect, served not entirely the king's purpose; because these members had no further authority than attended their personal character, and were eclipsed by the appearance of the more powerful nobility. He therefore dispensed with the attendance of most of the lesser barons in parliament; and in return for this indulgence (for such it was then esteemed) required them to choose in each county a certain number of their own body, whose charges they bore, and who, having gained the confidence, carried with them, of course, the authority of the whole order. This expedient had been practised at different times in the reign of Henry III.<sup>a</sup> and regularly during that of the present king. The numbers sent up by each county varied at the will of the prince: <sup>b</sup> they took their seat among the other peers; because by their tenure they belonged to that order: <sup>c</sup> the introducing of them into that house scarcely appeared an innovation: and though it was easily in the king's power, by varying their number, to command the resolutions of the whole parliament, this circumstance was little attended to in an age when force was more prevalent than laws, and when a resolution, though taken by the majority of a legal assembly, could not be executed, if it opposed the will of the more powerful minority.

But there were other important consequences which followed the diminution and consequent disuse of the ancient feudal militia. The king's expense in levying and maintaining a military force for every enterprise was increased beyond what his narrow revenues were able to bear: as the scutages of his military tenants, which were accepted in lieu of their personal service, had fallen to nothing, there were no means of supply but from voluntary aids granted him by the parliament and clergy; or from the tallages which he might levy upon the towns and inhabitants in royal demesne. In the preceding year, Edward had been obliged to exact no less than the sixth of all movables from the laity, and a moiety of all ecclesiastical benefices,<sup>d</sup> for his expedition into Poitou, and the suppression of the Welch: and this distressful situation, which was likely often to return upon him and his successors, made him think of a new device, and summoned the representatives of all the boroughs to parliament. This period, which is the twenty-third of his reign, seems to be the real and the true epoch of the House of Commons, and the faint dawn of popular government in England. For the representatives of the counties were only deputies from the smaller barons and lesser nobility: and the former precedent of representatives from the boroughs, who were summoned by the Earl of Leicester, was regarded as the act of a violent usurpation, had been discontinued in all the subsequent parliaments, and if such a measure had not become necessary on other accounts, that precedent was more like to blast than give credit to it.

During the course of several years, the kings of England, in imitation of other European princes, had embraced the salutary policy of encouraging and protecting the lower and more industrious orders of the state; whom

they found well disposed to obey the laws and civil magistrature, and whose ingenuity and labour furnished commodities requisite for the ornament of peace and support of war. Though the inhabitants of the country were still left at the disposal of their imperious lords; many attempts were made to give more security and liberty to citizens, and make them enjoy unmolested the fruits of their industry. Boroughs were erected by royal patent within the demesne lands: liberty of trade was conferred upon them: the inhabitants were allowed to farm, at a fixed rent, their own tolls and customs: <sup>e</sup> they were permitted to elect their own magistrates: justice was administered to them by these magistrates, without obliging them to attend the sheriff or county-court: and some shadow of independence, by means of these equitable privileges, was gradually acquired by the people.<sup>f</sup> The king, however, retained still the power of levying tallages or taxes upon them, at pleasure: <sup>g</sup> and though their poverty, and the customs of the age, made these demands neither frequent nor exorbitant, such unlimited authority in the sovereign was a sensible check upon commerce, and was utterly incompatible with all the principles of a free government. But when the multiplied necessities of the crown produced a greater avidity for supply, the king, whose prerogative entitled him to exact it, found that he had not power sufficient to enforce his edicts, and that it was necessary, before he imposed taxes, to smooth the way for his demand, and to obtain the previous consent of the boroughs, by solicitations, remonstrances, and authority. The inconvenience of transacting this business with every particular borough was soon felt; and Edward became sensible, that the most expeditious way of obtaining supply was, to assemble the deputies of all the boroughs, to lay before them the necessities of the state, to discuss the matter in their presence, and to require their consent to the demands of their sovereign. For this reason, he issued writs to the sheriffs, enjoining them to send to parliament, along with two knights of the shire, two deputies from each borough within their county,<sup>h</sup> and these provided with sufficient powers from their community to consent, in their name, to what he and his council should require of them. *As it is a most equitable rule, says he, in his preamble to this writ, that what concerns all, should be approved of by all: and common dangers be repelled by united efforts:* <sup>i</sup> a noble principle, which may seem to indicate a liberal mind in the king, and which laid the foundation of a free and equitable government.

After the election of these deputies by the aldermen and common council, they gave surties for their attendance before the king and parliament: their charges were respectively borne by the borough which sent them; and they had so little idea of appearing as legislators, a character extremely wide of their low rank and condition,<sup>k</sup> that no intelligence could be more disagreeable to any borough, than to find, that they must elect, or to any individual, than that he was elected, to a trust from which no profit or honour could possibly be derived.<sup>l</sup> They composed not, properly speaking, any essential part of the parliament: they sat apart both from the barons and knights,<sup>m</sup> who disdained to mix with such mean personages: after they had given their consent to the taxes required of them, their business being then finished, they separated, even though the parliament still continued to sit, and to canvass the national business: <sup>n</sup> and as they all consisted of men who were real burgesses of the place from which they were sent, the sheriff, when he found no person of abilities or wealth sufficient for the office, often used the freedom of omitting particular boroughs in his returns; and as he received the thanks of the people for this indulgence, he gave no displeasure to the court, who levied on

<sup>a</sup> Rot. Claus. 83. Hen. III. m. 7. and 12. &c. also Rot. Claus. 42. Hen. III. m. 1. 4. Prynne's Pref. to Cotton's Abridg. ant.

<sup>b</sup> Brady's Answer to Petyt, from the records, p. 151.

<sup>c</sup> Brady's Treatise of Boroughs, App. No. 13.

<sup>d</sup> Ibid. p. 31. from the records. Henning, vol. i. p. 52. M. West, p. 462. Ryder, p. 462.

<sup>e</sup> Malou's Letra Burgi, p. 21.

<sup>f</sup> Brady's Boroughs, App. No. 1, 2, 3.

<sup>g</sup> The king had not only the power of tallaging the inhabitants within his own demesne, but that of granting to particular barons the power of tallaging the inhabitants within theirs. See Brady's Answer to Petyt, p. 118. Malou's Hist. of the Exchequer, p. 518.

<sup>h</sup> Writs were issued to about 120 cities and boroughs

<sup>i</sup> w. Brady of Boroughs, p. 25, 33, from the records. The writs of the parliament immediately preceding reason, and the return of knights is there required, but not a word of the boroughs: a demonstration that this was the very year in which they commenced. In the year immediately preceding, the taxes were levied by a seeming free consent of each particular borough, beginning with London. Ibid. p. 31, 32, 33. from the records. Also his Answer to Petyt, p. 40, 41.

<sup>k</sup> Reliquia Spella, p. 64. Prynne's Preface to Cotton's Abridgment and the Abridg. passim. y. Brady of Boroughs, p. 59, 60.

<sup>l</sup> Ibid. p. 37, 38. from the records and Appendix, p. 19. Also his Appendix to his Answer to Petyt, Record. And his Gloss. in Verb. Communata Hen. p. 13.

<sup>m</sup> a Ryder's Placit. Parl. p. 211, 212. &c. Cotton's Abridgment, p. 14.



all the boroughs, without distinction, the tax agreed to by the majority of deputies.<sup>b</sup>

The union, however, of the representatives from the boroughs gave gradually more weight to the whole order; and it became customary for them, in return for the supplies which they granted, to prefer petitions to the crown for the redress of any particular grievance of which they found reason to complain. The more the king's demands multiplied, the faster these petitions increased both in number and authority; and the prince found it difficult to refuse men whose grants had supported his throne, and to whose assistance he might so soon be again obliged to have recourse. The Commons, however, were still much below the rank of legislators.<sup>c</sup> Their petitions, though they received a verbal assent from the throne, were only the rudiments of laws; the judges were afterwards intrusted with the power of putting them into form: and the king, by adding to them the sanction of his authority, and that sometimes without the assent of the nobles, bestowed validity upon them. The age did not refine so much as to perceive the danger of these irregularities. No man was displeased that the sovereign, at the desire of any class of men, should issue an order which appeared only to concern that class; and his predecessors were so near possessing the whole legislative power, that he gave no disgust by assuming it in this seemingly inoffensive manner. But time and further experience gradually opened men's eyes, and corrected these abuses. It was found that no laws could be fixed for one order of men, without affecting the whole; and that the force and efficacy of laws depended entirely on the terms employed in wording them. The House of Peers, therefore, the most powerful order in the state, with reason expected that their assent should be expressly granted to all public ordinances<sup>d</sup> and in the reign of Henry V. the Commons required that no laws should be framed merely upon their petitions, unless the statutes were worded by themselves, and had passed their House in the form of a bill.<sup>e</sup>

But as the same causes which had produced a partition

<sup>b</sup> Brady of Boroughs, p. 52, from the records. There is even an instance in the reign of Edward II. when the king taxed all the deputies. *Id.* Answer to Petry, p. 161. In his day the merchants of the most considerable and profitable little cities seem to have taken their business more to heart than to check the king, but to reason with him, and consent to his demands. It was not till the reign of Richard II. that the sheriffs were deprived of the power of omitting boroughs at pleasure. See stat. at Large, 35 Rich. II. cap. 4.

<sup>c</sup> Throughout the reign of Edw. I. the assent of the Commons is not once expressed in any of the enacting clauses, nor in the reigns ensuing, till the reign of Henry VI. In his day the Commons are said to have been as low as Henry VI. from the beginning till the end of his reign, the assent of the Commons is not once expressed in any enacting clause. See preface to Ruffhead's edit. of the Statutes, p. 7. If it should be asserted, that the Commons had reason to be dissatisfied with the state in which they are not expressly mentioned, this very omission, proceeding if you will, from carelessness, is a proof how little they were respected. The Commons were so little accustomed to transact public business, that they could not enter into any measure of improvement, till the reign of Henry VI. Cotton's Abridg. not till the first of Rich. II. in the reign of most antiquaries. The Commons were very unwilling to meddle in any state affairs, and commonly either referred themselves to the lords, or desired a select committee of that House to assist them, as appears from Cotton, 5 F. III. n. 3; 15 F. III. n. 17; 21 F. III. n. 3; 47 E. III. n. 5; 50 E. III. n. 10; 51 E. III. n. 18; 1 R. II. n. 12; 2 R. II. n. 12; 5 R. II. n. 14; 2, par. 6 R. II. n. 14; par. 6 R. II. n. 8, &c.

<sup>d</sup> The Commons were so little accustomed to transact public business, that they could not enter into any measure of improvement, till the reign of Henry VI. Cotton's Abridg. not till the first of Rich. II. in the reign of most antiquaries. The Commons were very unwilling to meddle in any state affairs, and commonly either referred themselves to the lords, or desired a select committee of that House to assist them, as appears from Cotton, 5 F. III. n. 3; 15 F. III. n. 17; 21 F. III. n. 3; 47 E. III. n. 5; 50 E. III. n. 10; 51 E. III. n. 18; 1 R. II. n. 12; 2 R. II. n. 12; 5 R. II. n. 14; 2, par. 6 R. II. n. 14; par. 6 R. II. n. 8, &c.

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<sup>f</sup> Cotton's Abridg. not till the first of Rich. II. in the reign of most antiquaries. The Commons were very unwilling to meddle in any state affairs, and commonly either referred themselves to the lords, or desired a select committee of that House to assist them, as appears from Cotton, 5 F. III. n. 3; 15 F. III. n. 17; 21 F. III. n. 3; 47 E. III. n. 5; 50 E. III. n. 10; 51 E. III. n. 18; 1 R. II. n. 12; 2 R. II. n. 12; 5 R. II. n. 14; 2, par. 6 R. II. n. 14; par. 6 R. II. n. 8, &c.

<sup>g</sup> It was very agreeable to the maxims of all the feudal governments, that every order of the state should give their consent to the acts which more immediately concerned them; and as the notion of a political system was not then so well understood, the charters of the state were often not considered on these occasions. In this reign, even the merchants, though no public body, granted the king impositions on merchandise, because the first payments came out of their pockets. They did the same in the reign of Edward II. but the Commons had then observed that the people paid these duties, though the merchants advanced them; and they therefore remonstrated against this practice. Cotton's Abridg. p. 39. The force, implied by the knights in this union was not even then, till the removal of Alton. Pierce from the king's person, it was may great violence. See p. 189. There is an instance of a like kind in the reign of Richard II. Cotton, p. 191. The different taxes voted by the two branches of the Lower House naturally kept them separate, but as their petitions had nearly

of property continued still to operate, the number of knights and lesser barons, or what the English call the gentry, perpetually increased, and they sunk into a rank still more inferior to the great nobility. The equality of tenure was lost in the great inferiority of power and property; and the House of representatives from the counties was gradually separated from that of the peers, and formed a distinct order in the state.<sup>f</sup> The growth of commerce meanwhile augmented the private wealth and consideration of the burgesses; the frequent demands of the crown increased their public importance; and as they resembled the knights of shires in one material circumstance, that of representing particular bodies of men; it no longer appeared unsuitable to unite them together in the same House, and to confound their rights and privileges.<sup>g</sup> Thus the third estate, that of the Commons, reached at last its present form; and as the country gentlemen made thenceforwards no scruple of appearing as deputies from the boroughs, the distinction between the members was entirely lost, and the Lower House acquired thence a great accession of weight and importance in the kingdom. Still, however, the office of this estate was very different from that which it has since exercised with so much advantage to the public. Instead of checking and controlling the authority of the king, they were naturally induced to adhere to him as the great fountain of law and justice, and to support him against the power of the aristocracy, which at once was the source of oppression to themselves, and disturbed him in the execution of the laws. The king, in his turn, gave countenance to an order of men, so useful and so little dangerous: the Peers also were obliged to pay them some consideration: and by this means, the third estate, formerly so abject in England, as well as in all other European nations, rose, by slow degrees, to their present importance; and, in their progress, made arts and commerce, the necessary attendants of liberty and equality, flourish in the kingdom.<sup>h</sup>

What sufficiently proves that the commencement of the House of burgesses, who are the true Commons, was not

the same object, namely, the redress of grievances, and the support of law and justice, both against the crown and the barons, this case as naturally united them, and was the reason why they at last joined in one House for the despatch of business. The barons had few petitions. Their privileges were of more ancient date, and privileges seldom affected them. They were themselves the chief oppressors.

In 1232, the knights for themselves concurred with the bishops and barons in advising the king to stop his journey into Ireland. Here was a petition which regarded a matter of state, and was supposed to be above the capacity of the burgesses. The knights, therefore, acted apart in this petition. See Hist. of the Plantagenets, vol. 1. ch. 1. The knights, therefore, acted apart in this petition. See Hist. of the Plantagenets, vol. 1. ch. 1. The knights, therefore, acted apart in this petition. See Hist. of the Plantagenets, vol. 1. ch. 1.

The chief argument from ancient authority, for the opinion that the representatives of boroughs preceded the forty-ninth of Henry III. is the famous petition of the borough of St. Albans, first taken notice of by Selden, and then by Petry, Brady, Tyrrle, and others. In this petition, Cotton's Abridg. in parliament in the reign of Edward II. the town of St. Albans asserts, that though they held in *capite* of the crown, and owed only, for all other service, their attendance in parliament, yet the sheriff had omitted them in his writs; whereas both in the reign of the king's father, and all his predecessors, they had always sent members. Now, say the defenders of this opinion, if the commencement of the House of Commons were in Henry III.'s reign, this expression could not have been used.

But Madox, in his History of the Exchequer, p. 222, has endeavoured to show, with great reason, to destroy the force of the petition in the purpose alleged. He asserts, first, that there was no such tenure in England as that of holding by attendance in parliament, instead of all other service. Secondly, that the borough of St. Albans never held of the crown at all, but was always a demesne land of the abbot. It is no wonder, therefore, that a petition which advances two falsehoods, should contain one historical mistake, which indeed amounts only to an inaccurate and exaggerated expression; no strange matter, in ignorance of the nature of the tenure, to continue still to belong to the abbot. It never held of the crown till after the dissolution of the monasteries. But the assurance of these petitioners is remarkable. They wanted to shake off the authority of their abbot, and to hold of the king; but were unwilling to pay any services even to the crown: upon which they framed this idle petition, which later writers have made the foundation of so many inferences and conclusions. From the tenor of the petition it appears, that there was a close connexion between holding of the crown, and being represented in parliament: the latter had scarcely ever place without the former; yet we learn from Tyrrle's *Appendix*, vol. iv. that there were some instances to the contrary. It is not improbable that Edward followed the roll of the Earl of Leicester, who had considerable wealth in the parliament, all the considerable boroughs of the kingdom; among which there might be some few that did not hold of the crown. Edward also found it necessary to impose taxes on all the boroughs in the kingdom without distinction. This was a good expedient for augmenting his revenue. We are not to imagine, however, that the House of Commons have since become of great importance. At the first summoning of them would form any remarkable and striking epoch, and be generally known to the people even so early as the reign of Henry III. It is not probable that the number of men in that age, that country-burgesses would readily imagine an innovation, seemingly so little material, to have existed from time immemorial, because it was beyond their own memory, and perhaps that of their fathers. Even the parliament in the reign of Henry VI. say, that Ireland had, from the beginning of time, been subject to the crown of England. (See Brady.) And surely if any thing interests the people above all others, it is war and conquests, with their dates and circumstances.

an affair of chance, but arose from the necessities of the present situation, is, that Edward, at the very same time, summoned deputies from the inferior clergy, the first that ever met in England; and he required them to impose taxes on their constituents for the public service. Formerly the ecclesiastical benefices bore no part of the burdens of the state: the Pope indeed, of late, had often levied impositions upon them: he had sometimes granted this power to the sovereign; the king himself had in the preceding year exacted, by menaces and violence, a very grievous tax of half the revenues of the clergy: but as this precedent was dangerous, and could not easily be repeated in a government which required the consent of the subject to any extraordinary resolution, Edward found it more prudent to assemble a Lower House of convocation, to lay before them his necessities, and to ask some supply. But on this occasion he met with difficulties. Whether that the clergy thought themselves the most independent body in the kingdom, or were disgusted by the former exorbitant impositions, they absolutely refused their assent to the king's demand of a fifth of their movables; and it was not till a second meeting, that, on their persisting in this refusal, he was willing to accept of a tenth. The barons and knights granted him, without hesitation, an eleventh; the burgesses, a seventh. But the clergy still scrupled to meet on the king's writ, lest by such an instance of obedience they should seem to acknowledge the authority of the temporal power: and this compromise was at last fallen upon, that the king should issue his writ to the archbishop; and that the archbishop should, in consequence of it, summon the clergy, who, as they then appeared to obey their spiritual superior, no longer hesitated to meet in convocation. This expedient, however, was the cause why the ecclesiastics were separated into two Houses of convocation under their several archbishops, and formed not one estate, as in other countries of Europe; which was at first the king's intention.<sup>1</sup> We now return to the course of our narration.

Edward, conscious of the reasons of disgust which he had given to the King of Scots, informed of the dispositions of that people, and expecting the most violent effects of their resentment, which he knew he had so well merited; employed the supplies granted him by his people in making preparations against the hostilities of his northern neighbour. When in this situation, he received intelligence of the treaty secretly concluded between John and Philip; and though uneasy at this concurrence of a French and Scottish war, he resolved not to encourage his enemies by a pusillanimous behaviour, or by

yielding to their united efforts. He summoned John to perform the duty of a vassal, and to send him a supply of forces against an invasion from France, with which he was then threatened: he next required that the fortresses of Berwick, Jedburgh, and Roxburgh, should be put into his hands as a security during the war:<sup>2</sup> he cited John to appear in an English parliament, to be held at Newcastle: and when none of these successive demands were complied with, he marched northward with numerous forces, 30,000 foot, and 4000 horse, to chastise his rebellious vassal. The Scottish nation, who had little reliance on the vigour and abilities of their prince, assigned him a council of twelve noblemen, in whose hands the sovereignty was really lodged,<sup>3</sup> and who put the country in the best posture of which the present distractions would admit. A great army, composed of 40,000 infantry, though supported only by 500 cavalry, advanced to the frontiers; and after a fruitless attempt upon Carlisle, marched eastwards to defend those provinces which Edward was preparing to attack. But some of the most considerable of the Scottish nobles, Robert Bruce the father and son, the Earls of March and Angus, prognosticating the ruin of their country, from the concurrence of intestine divisions and a foreign invasion, endeavoured here to ingratiate them-

selves with Edward, by an early submission; and the king, encouraged by this favourable incident, led his army into the enemy's country, and crossed the Tweed without opposition at Coldstream. He then received a message from John, by which<sup>4</sup> 28th March. that prince, having now procured for himself and his nation Pope Celestine's dispensation from former oaths, renounced the homage which had been done to England, and set Edward at defiance.<sup>5</sup> This bravado was but ill supported by the military operations of the Scots. Berwick was already taken by assault: Sir William Douglas, the governor, was made prisoner: above 7000 of the garrison were put to the sword: and Edward, elated by this great advantage, despatched Earl Warrene with 12,000 men to lay siege to Dunbar, which was defended by the flower of the Scottish nobility.

The Scots, sensible of the importance of this place, which, if taken, laid their whole country open to the enemy, advanced with their main army, under the command of the Earls of Buchan, Lenox, and Mar, in order to relieve it. Warrene, not dismayed at the great superiority of their number, marched out to give them battle. He attacked them with great vigour; and as undisciplined troops, when numerous, 27th April. are but the more exposed to a panic upon any alarm, he soon threw them into confusion, and chased them off the field with great slaughter. The loss of the Scots is said to have amounted to 20,000 men: the castle of Dunbar, with all its garrison, surrendered next day to Edward, who, after the battle, had brought up the main body of the English, and who now proceeded with an assured confidence of success. The castle of Roxburgh was yielded by James, Steward of Scotland; and that nobleman, from whom is descended the royal family of Stuart, was again obliged to swear fealty to Edward. After a feeble resistance, the castles of Edinburgh and Stirling opened their gates to the enemy. All the southern parts were instantly subdued by the English; and, to enable them the better to reduce the northern, whose inaccessible situation seemed to give them some more security, Edward sent for a strong reinforcement of Welch and Irish, who, being accustomed to a desultory kind of war, were the best fitted to pursue the fugitive Scots into the recesses of their lakes and mountains. But the spirit of the nation was already broken by their misfortunes; and the feeble and timid Baliol, discontented with his own subjects, and overawed by the English, abandoned all those resources which his people might yet have possessed in this extremity. He hastened to make his submissions to Edward; he expressed the deepest penitence for his disloyalty to his liege lord; and he made a solemn and irrevocable resignation of his crown into the hands of that monarch.<sup>6</sup> Edward marched northwards to Aberdeen and Elgin, without meeting an enemy: no Scotchman approached him but to pay him submission and do him homage: even the turbulent Highlanders, ever refractory to their own princes, and averse to the restraint of laws, endeavoured to prevent the devastation of their country, by giving him early proofs of obedience: and Edward, having brought the whole kingdom to a seeming state of tranquillity, returned to the south with his army. There was a stone to which the popular superstition of the Scots paid the highest veneration: all their kings were seated on it when they received the rite of inauguration: an ancient tradition assured them, that, wherever this stone was placed, their nation should always govern: and it was carefully preserved at Scone, as the true palladium of their monarchy, and their ultimate resource amidst all their misfortunes. Edward got possession of it; and carried it with him to England.<sup>7</sup> He gave orders to destroy the records, and all those monuments of antiquity, which might preserve the memory of the independence of the kingdom, and refute the English claims of superiority. The Scots pretend, that he also destroyed all the annals preserved in

<sup>1</sup> Archbishop Wake's State of the Church of England, p. 275. Brady's Boroughs, p. 31. Gilbert's Hist. of the Exch. p. 46.  
<sup>2</sup> Ann. Waverl. p. 227, 228. I. Wykes, p. 99, 130.  
<sup>3</sup> Gilbert's Hist. of Exch. p. 31, 34.  
<sup>4</sup> Bruce, vol. ii. p. 692. Walsing. p. 61. Hemming, vol. i. p. 14.  
<sup>5</sup> I. i. p. 26.

<sup>6</sup> Hemming, vol. i. p. 75.  
<sup>7</sup> Rymer, vol. ii. p. 167. Walsing. p. 66. Hemming, vol. i. p. 97.  
<sup>8</sup> Rymer, vol. ii. p. 138. Walsing. p. 67. Hemming, vol. i. p. 99.  
<sup>9</sup> Trivet, p. 292.  
<sup>10</sup> Walsing. p. 69. Trivet, p. 292.

their convents : but it is not probable that a nation, so rude and unpolished, should be possessed of any history which deserves much to be regretted. The great seal of Bahol was broken; and that prince himself was carried prisoner to London, and committed to custody in the Tower. Two years after, he was restored to liberty, and submitted to a voluntary banishment in France; where, without making any further attempts for the recovery of his royalty, he died in a private station. Earl Warenne was left governor of Scotland: Englishmen were intrusted with the chief offices: and Edward, flattering himself that he had attained the end of all his wishes, and that the numerous acts of fraud and violence, which he had practised against Scotland, had terminated in the final reduction of that kingdom, returned with his victorious army into England.

War with France. An attempt which he made about the same time, for the recovery of Guienne, was not equally successful. He sent thither an army of 7000 men, under the command of his brother, the Earl of Lancaster. That prince gained at first some advantages over the French at Bourdeaux; but he was soon after seized with a distemper, of which he died at Bayonne. The command devolved on the Earl of Lincoln, who was not able to perform any thing considerable during the rest of the campaign.<sup>3</sup>

But the active and ambitious spirit of Edward, while his conquests brought such considerable accessions to the English monarchy, could not be satisfied, so long as Guienne, the ancient patrimony of his family, was wrested from him by the dishonest artifices of the French monarch. Finding that the distance of that province rendered all his efforts against it feeble and uncertain, he proposed to attack France in a quarter where she appeared more vulnerable; and with this view he married his daughter, Elizabeth, to John, Earl of Holland, and at the same time contracted an alliance with Guy, Earl of Flanders, stipulated to pay him the sum of 75,000 pounds, and projected an invasion, with their united forces, upon Philip, their common enemy.<sup>4</sup> He hoped that, when he himself, at the head of the English, Flemish, and Dutch armies, reinforced by his German allies, to whom he had promised or remitted considerable sums, should enter the frontiers of France, and threaten the capital itself, Philip would at last be obliged to relinquish his acquisitions, and purchase peace by the restitution of Guienne. But, in order to set this great machine in movement, considerable supplies were requisite from the parliament; and Edward, without much difficulty, obtained from the barons and knights a new grant of a twelfth of all their movables, and from the boroughs, that of an eighth. The great and almost unlimited power of the king over the latter, enabled him to throw the heavier part of the burden on them; and the prejudices which he seems always to have entertained against the church, on account of the former zeal of the clergy for the Montfort faction, made him resolve to load them with still more considerable impositions; and he required of them a fifth of their movables. But he here met with an opposition, which for some time disconcerted all his measures, and engaged him in enterprises, that were somewhat dangerous to him; and would have proved fatal to any of his predecessors.

Disensions with the clergy. Boniface VIII. who had succeeded Celestine in the papal throne, was a man of the most lofty and enterprising spirit; and, though not endowed with that severity of manners which commonly accompanies ambition in men of his order, he was determined to carry the authority of the tiara, and his dominion over the temporal power, to as great a height as it had ever attained in any former period. Sensible that his immediate predecessors, by oppressing the church in every province of Christendom, had extremely alienated the affections of the clergy, and had afforded the civil magistrates a pretence for laying like impositions on ecclesiastical revenues, he attempted to resume the former station of the sovereign pontiff, and to establish himself as the

common protector of the spiritual order against all invaders. For this purpose, he issued very early in his pontificate a general bull, prohibiting all princes from levying, without his consent, any taxes upon the clergy, and all clergymen from submitting to such impositions; and he threatened both of them with the penalties of excommunication in case of disobedience.<sup>5</sup> This important edict is said to have been procured by the solicitation of Robert de Winchelsey, Archbishop of Canterbury, who intended to employ it as a rampart against the violent extortions which the church had felt from Edward, and the still greater, which that prince's multiplied necessities gave them reason to apprehend. When a demand, therefore, was made on the clergy of a fifth of their movables, a tax which was probably much more grievous than a fifth of their revenue, as their lands were mostly stocked with their cattle, and cultivated by their villains; the clergy took shelter under the bull of Pope Boniface, and pleaded conscience in refusing compliance.<sup>6</sup> The king came not immediately to extremities on this repulse; but, after locking up all their granaries and barns, and prohibiting all rent to be paid them, he appointed a new synod, to confer with him upon his demand. The primate, not dismayed by these proofs of Edward's resolution, here plainly told him that the clergy owed obedience to two sovereigns, their spiritual and their temporal; but their duty bound them to a much stricter attachment to the former than to the latter: they could not comply with his commands, (for such, in some measure, the requests of the crown were then deemed,) in contradiction to the express prohibition of the sovereign pontiff.<sup>7</sup>

The clergy had seen, in many instances, A. D. 1297. that Edward paid little regard to those numerous privileges, on which they set so high a value. He had formerly seized, in an arbitrary manner, all the money and plate belonging to the churches and convents, and had applied them to the public service; and they could not but expect more violent treatment on this sharp refusal, grounded on such dangerous principles. Instead of applying to the Pope for a relaxation of his bull, he resolved immediately to employ the power in his hands; and he told the ecclesiastics, that, since they refused to support the civil government, they were unworthy to receive any benefit from it; and he would accordingly put them out of the protection of the laws. This vigorous measure was immediately carried into execution.<sup>8</sup> Orders were issued to the judges to receive no cause brought before them by the clergy; to hear and decide all causes in which they were defendants: to do every man justice against them; to do them justice against nobody.<sup>9</sup> The ecclesiastics soon found themselves in the most miserable situation imaginable. They could not remain in their own houses or convents for want of subsistence; if they went abroad in quest of maintenance, they were dismounted, robbed of their horses and clothes, abused by every ruffian, and no redress could be obtained by them for the most violent injury. The primate himself was attacked on the highway, was stripped of his equipage and furniture, and was at last reduced to board himself, with a single servant, in the house of a country clergyman.<sup>10</sup> The king, meanwhile, remained an indifferent spectator of all these violences; and without employing his officers in committing any immediate injury on the priests, which might have appeared invidious and oppressive, he took ample vengeance on them for their obstinate refusal of his demands. Though the archbishop issued a general sentence of excommunication against all who attacked the persons or property of ecclesiastics, it was not regarded; while Edward enjoyed the satisfaction of seeing the people become the voluntary instruments of his justice against them, and inure themselves to throw off that respect for the sacred order, by which they had so long been over-awed and governed.

The spirits of the clergy were at last broken by this harsh treatment. Besides that the whole province of York, which lay nearest the danger that still hung over them:

<sup>3</sup> Rymer, vol. ii. p. 726. Trivet, p. 295.

<sup>4</sup> Henning, vol. i. p. 72, 73, 74.

<sup>5</sup> Rymer, vol. ii. p. 760. Walsing. p. 68.

<sup>6</sup> Rymer, vol. ii. p. 766. Henning, vol. i. p. 101.

<sup>7</sup> Henning, vol. i. p. 107. Trivet, p. 296. Chron. Dunst. vol. ii. p. 652.

<sup>8</sup> Henning, vol. i. p. 107.

<sup>9</sup> Walsing. p. 69. Henning, vol. i. p. 107.

<sup>10</sup> M. V. C. p. 429.

<sup>11</sup> Henning, vol. i. p. 109.



from the Scots, voluntarily, from the first, voted a fifth of their movables; the Bishops of Salisbury, Ely, and some others, made a composition for the secular clergy within their dioceses; and they agreed not to pay the fifth, which would have been an act of disobedience to Boniface's bull, but to deposit a sum equivalent in some church appointed them; whence it was taken by the king's officers.<sup>e</sup> Many particular convents and clergymen made payment of a like sum, and received the king's protection.<sup>f</sup> Those who had not ready money, entered into recognizances for the payment. And there was scarcely found one ecclesiastic in the kingdom, who seemed willing to suffer, for the sake of religious privileges, this new species of martyrdom, the most tedious and languishing of any, the most mortifying to spiritual pride, and not rewarded by that crown of glory, which the church holds up, with such ostentation, to her devoted adherents.

But as the money granted by parliament, though considerable, was not sufficient to supply the king's necessities, and that levied by compositions with the clergy came in slowly, Edward was obliged, for the obtaining of further supply, to exert his arbitrary power, and to lay an oppressive hand on all orders of men in the kingdom. He limited the merchants in the quantity of wool allowed to be exported; and at the same time forced them to pay him a duty of forty shillings a sack, which was computed to be above the third of the value.<sup>g</sup> He seized all the rest of the wool, as well as all the leather of the kingdom, into his hands, and disposed of these commodities for his own benefit: <sup>h</sup> he required the sheriffs of each county to supply him with 2000 quarters of wheat, and as many of oats, which he permitted them to seize wherever they could find them: the cattle and other commodities necessary for supplying his army were laid hold of without the consent of the owners;<sup>i</sup> and though he promised to pay afterwards the equivalent of all these goods, men saw but little probability that a prince, who submitted so little to the limitations of law, could ever, amidst his multiplied necessities, be reduced to a strict observance of his engagements. He showed, at the same time, an equal disregard to the principles of the feudal law, by which all the lands of his kingdom were held: in order to increase his army, and enable him to support that great effort which he intended to make against France, he required the attendance of every proprietor of land possessed of twenty pounds a year, even though he held not of the crown, and was not obliged by his tenure to perform any such service.<sup>j</sup>

These acts of violence and of arbitrary power, notwithstanding the great personal regard generally borne to the king, bred murmurs in every order of men; and it was not long ere some of the great nobility, jealous of their own privileges as well as of national liberty, gave countenance and authority to these complaints. Edward assembled on the sea-coast an army, which he purposed to send over to Gascony, while he himself should in person make an impression on the side of Flanders; and he intended to put these forces under the command of Humphrey Bohun, Earl of Hereford, the Constable, and Roger Bigod, Earl of Norfolk, the Mareschal of England. But these two powerful earls refused to execute his commands, and affirmed, that they were only obliged by their office to attend his person in the wars. A violent altercation ensued; and the king, in the height of his passion, addressing himself to the constable, exclaimed, *Sir Earl, by God, you shall either go or hang.* By God, Sir King, replied Hereford, *I will neither go nor hang.*<sup>k</sup> And he immediately departed, with the mareschal, and above thirty other considerable barons.

Upon this opposition, the king laid aside the project of an expedition against Guienne; and assembled the forces which he himself purposed to transport into Flanders. But the two earls, irritated in the contest and elated by impunity, pretending that none of their ancestors had ever served in that country, refused to perform the duty of their

office in mustering the army.<sup>l</sup> The king, now finding it advisable to proceed with moderation, instead of attainting the earls, who possessed their dignities by hereditary right, appointed Thomas de Berkeley, and Geoffrey de Geyneville, to act, in that emergence, as constable and mareschal.<sup>m</sup> He endeavoured to reconcile himself with the church; took the primate again into favour;<sup>n</sup> made him, in conjunction with Reginald de Grey, tutor to the prince, whom he intended to appoint guardian of the kingdom during his absence; and he even assembled a great number of the nobility in Westminster-hall, to whom he deigned to make an apology for his past conduct. He pleaded the urgent necessities of the crown; his extreme want of money; his engagements from honour as well as interest to support his foreign allies; and he promised, if ever he returned in safety, to redress all their grievances, to restore the execution of the laws, and to make all his subjects compensation for the losses which they had sustained. Meanwhile, he begged them to suspend their animosities; to judge of him by his future conduct, of which, he hoped, he should be more master; to remain faithful to his government, or, if he perished in the present war, to preserve their allegiance to his son and successor.<sup>o</sup>

There were certainly, from the concurrence of discontents among the great, and grievances of the people, materials sufficient, in any other period, to have kindled a civil war in England: but the vigour and abilities of Edward kept every one in awe; and his dexterity, in stopping on the brink of danger, and retracting the measures to which he had been pushed by his violent temper and arbitrary principles, saved the nation from so great a calamity. The two great ears dared not to break out into open violence: they proceeded no further than framing a remonstrance, which was delivered to the king at Winchelsea, when he was ready to embark for Flanders. They there complained of the violations of the Great Charter and that of forests; the violent seizures of corn, leather, cattle, and above all, of wool, a commodity which they affirmed to be equal in value to half the lands of the kingdom; the arbitrary imposition of forty shillings a sack on the small quantity of wool allowed to be exported by the merchants; and they claimed an immediate redress of all these grievances.<sup>p</sup> The king told them, that the greater part of his council were now at a distance, and without their advice he could not deliberate on measures of so great importance.<sup>q</sup>

But the constable and mareschal, with the Dissensions with barons of their party, resolved to take advantage of Edward's absence, and to obtain an explicit assent to their demands. When summoned to attend the parliament at London, they came with a great body of cavalry and infantry; and before they would enter the city, required that the gates should be put into their custody.<sup>r</sup> The primate, who secretly favoured all their pretensions, advised the council to comply; and thus they became masters both of the young prince and of the resolutions of parliament. Their demands, however, were moderate; and such as sufficiently justify the purity of their intentions in all their past measures: they only required, that the two charters should receive a solemn confirmation; that a clause should be added to secure the nation for ever against all impositions and taxes without consent of parliament; and that they themselves and their adherents, who had refused to attend the king into Flanders, should be pardoned for the offence, and should be again received into favour.<sup>s</sup> The Prince of Wales and his council assented to these terms; and the charters were sent over to the king in Flanders, to be there confirmed by him. Edward felt the utmost reluctance to this measure, which, he apprehended, would for the future impose fetters on his conduct, and set limits to his lawless authority. On various pretences, he delayed three days giving any answer to the deputies; and when the pernicious consequences of his refusal were represented to him, he was at last obliged, after many internal struggles, to affix his seal to the charters, as also to the clause that bereaved him of the

<sup>e</sup> Heming, vol. i. p. 103, 109. Chron. Dent. p. 628.

<sup>f</sup> Chron. Dent. vol. ii. p. 634.

<sup>g</sup> W. de Grey, p. 109. Trivet, p. 246.

<sup>h</sup> Ibid. p. 111.

<sup>i</sup> Heming, vol. i. p. 110.

<sup>j</sup> Remy, vol. i. p. 785. Walsing. p. 70.

<sup>k</sup> Heming, vol. i. p. 52, 110.

<sup>l</sup> Walsing. p. 69.

<sup>m</sup> West, p. 130.

<sup>n</sup> Heming, vol. i. p. 114.

<sup>o</sup> Walsing. p. 72.

<sup>p</sup> Walsing. p. 73.

<sup>q</sup> Heming, vol. i. p. 138.

<sup>r</sup> Walsing. p. 75.

<sup>s</sup> Heming, vol. i. p. 113.

<sup>t</sup> Walsing. p. 73.

<sup>u</sup> Walsing. p. 73.

<sup>v</sup> Walsing. p. 73.

<sup>w</sup> Walsing. p. 73.

<sup>x</sup> Walsing. p. 73.

power which he had hitherto assumed, of imposing arbitrary taxes upon the people.<sup>a</sup>

That we may finish at once this interesting transaction concerning the settlement of the charters, we shall briefly mention the subsequent events which relate to it. The constable and marshal, informed of the king's complaisance, were satisfied; and not only ceased from disturbing the government, but assisted the regency with their power against the Scots, who had risen in arms, and had thrown off the yoke of England.<sup>b</sup> But being sensible that the smallest pretence would suffice to make Edward retract these detested laws, which, though they had often received the sanction both of king and parliament, and had been acknowledged during three reigns, were never yet deemed to have sufficient validity; they insisted that he should again confirm them on his return to England, and should thereby renounce all plea which he might derive from his residing in a foreign country, when he formerly affixed his seal to them.<sup>c</sup> It appeared that they judged aright of Edward's character and intentions: he delayed this confirmation as long as possible; and when the fear of worse consequences obliged him again to comply, he expressly added a salvo for his royal dignity or prerogative, which in effect enervated the whole force of the charters.<sup>d</sup> The two earls and their adherents left the parliament in disgust; and the king was constrained, on a future occasion, to grant to the people, without any subterfuge, a pure and absolute confirmation of those laws,<sup>e</sup> which were so much the object of their passionate affection. Even further securities were then provided for the establishment of national privileges. Three knights were appointed to be chosen in each county, and were invested with the power of punishing, by fine and imprisonment, every transgression or violation of the charters: a precaution, which, though it was soon disused, as encroaching too much on royal prerogative, proves the attachment which the English in that age bore to liberty, and their well-grounded jealousy of the arbitrary disposition of Edward.

The work, however, was not yet entirely finished and complete. In order to execute the lesser charter, it was requisite, by new perambulations, to set bounds to the royal forests, and to disafforest all land which former encroachments had comprehended within their limits. Edward discovered the same reluctance to comply with this equitable demand; and it was not till after many delays on his part, and many solicitations and requests, and even menaces of war and violence,<sup>f</sup> on the part of the barons, that the perambulations were made, and exact boundaries fixed, by a jury in each county, to the extent of his forests.<sup>g</sup> Had not his ambitious and active temper raised him so many foreign enemies, and obliged him to have recourse so often to the assistance of his subjects, it is not likely that those concessions could ever have been extorted from him.

But while the people, after so many successful struggles, deemed themselves happy in the secure possession of their privileges, they were surprised in 1305 to find that Edward had secretly applied to Rome, and had procured from that mercenary court an absolution from all the oaths and engagements, which he had so often reiterated, to observe both the charters. There are some historians<sup>h</sup> so credulous as to imagine, that this perilous step was taken by him for no other purpose than to acquire the merit of granting a new confirmation of the charters, as he did soon after; and a confirmation so much the more unquestionable, as it could never after be invalidated by his successors, on pretence of any force or violence which had been imposed upon him. But besides that this might have been done with a better grace, if he had never applied for any such absolution, the whole tenor of his conduct proves him to be little susceptible of such refinements in patriotism; and this very deed itself, in which he anew confirmed the charters, carries on the face

of it a very opposite presumption. Though he ratified the charters in general, he still took advantage of the papal bull so far as to invalidate the late perambulations of the forests, which had been made with such care and attention, and to reserve to himself the power, in case of favourable incidents, to extend as much as formerly those arbitrary jurisdictions. If the power was not in fact made use of, we can only conclude, that the favourable incidents did not offer.

Thus, after the contests of near a whole century, and these ever accompanied with violent jealousies, often with public convulsions, the Great Charter was finally established; and the English nation have the honour of extorting, by their perseverance, this concession from the ablest, the most warlike, and the most ambitious of all their princes.<sup>i</sup> It is computed, that above thirty confirmations of the charter were at different times required of several kings, and granted by them, in full parliament; a precaution which, while it discovers some ignorance of the true nature of law and government, proves a laudable jealousy of national privileges in the people, and an extreme anxiety lest contrary precedents should ever be pleaded as an authority for infringing them. Accordingly we find, that though arbitrary practices often prevailed, and were even able to establish themselves into settled customs, the validity of the Great Charter was never afterwards formally disputed; and that grant was still regarded as the basis of English government, and the sure rule by which the authority of every custom was to be tried and canvassed. The jurisdiction of the Star-chamber, martial law, imprisonment by warrants from the privy-council, and other practices of a like nature, though established for several centuries, were scarcely ever allowed by the English to be parts of their constitution: the affection of the nation for liberty still prevailed over all precedent, and even all political reasoning: the exercise of these powers, after being long the source of secret murmurs among the people, was, in fullness of time, so leniently abolished as illegal, at least as oppressive, by the whole legislative authority.

To return to the period from which this account of the charters has led us: though the king's impatience to appear at the head of his armies in Flanders made him overlook all considerations, either of domestic discontents or of commotions among the Scots; his embarkation had been so long retarded by the various obstructions thrown in his way, that he lost the proper season for action, and after his arrival made no progress against the enemy. The King of France, taking advantage of his absence, had broken into the Low Countries; had defeated the Flemings in the battle of Furnes; had made himself master of Lisle, St. Omer, Courtrai, and Ypres; and seemed in a situation to take full vengeance on the Earl of Flanders, his rebellious vassal. But Edward, seconded by an English army of 50,000 men, (for this is the number assigned by historians,<sup>j</sup>) was able to stop the career of his victories; and Philip, finding all the weak resources of his kingdom already exhausted, began to dread a reverse of fortune, and to apprehend an invasion on France itself. The King of England on the other hand, disappointed of assistance from Adolph, King of the Romans, which he had purchased at a very high price, and finding many urgent calls for his presence in England, was desirous of ending, on any honourable terms, a war which served only to divert his force from the execution of more important projects. This disposition in both monarchs soon produced a cessation of hostilities for two years; and engaged them to submit their differences to the arbitration of Pope Boniface.

Boniface was among the last of the sovereign pontiffs that exercised an authority over the temporal jurisdiction of princes; and these exorbitant pretensions, which he had been tempted to assume from the successful example of his predecessors, but of

<sup>a</sup> Walsing. p. 74. Heming, vol. i. p. 143. <sup>t</sup> Heming, vol. i. p. 145.  
<sup>b</sup> Ibid. p. 139. <sup>w</sup> Ibid. p. 167, 148. <sup>x</sup> Ibid. p. 168. <sup>y</sup> Ibid. p. 170.  
<sup>c</sup> Walsing. p. 80. We are told by Tritel, vol. ii. p. 115, from the chronicle of St. Albans, that the barons, not content with the execution of the charter of forests, demanded of Edward as high terms as had been imposed on his father by the Earl of Leicester: but no other historian mentions this particular.

<sup>a</sup> Heming, vol. i. p. 171. <sup>M</sup> West, p. 431, 433.  
<sup>b</sup> Hardy, vol. ii. p. 84. <sup>C</sup>arte, vol. ii. p. 282.  
<sup>c</sup> It must, however, be remarked, that the king never enforced the chief terms in this transaction, and he found means afterwards to oblige both the constable and marshal to resign their offices into his hands. The former received a new grant of it, but the office of marshal had been given to Hugh de Bohun (son, the king's executioner).  
<sup>d</sup> Heming, vol. i. p. 146.

which the season was now past, involved him in so many calamities, and were attended with so unfortunate catastrophes, that they have been secretly abandoned, though never openly relinquished, by his successors in the apostolic chair. Edward and Philip, equally jealous of papal claims, took care to insert in their reference, that Boniface was made judge of the difference by their consent, as a private person, not by any right of his pontificate; and the Pope, without seeming to be offended at this mortifying clause, proceeded to give a sentence between them, in which they both acquiesced.<sup>a</sup> He brought them to agree, that their union should be cemented by a double marriage; that of Edward himself, who was now a widower, with Margaret, Philip's sister, and that of the Prince of Wales, with Isabella, daughter of that monarch.<sup>b</sup> Philip was likewise willing to restore Guienne to the English, which he had, indeed, no good pretence to detain; but he insisted that the Scots, and their king, John Baliol, should, as his allies, be comprehended in the treaty, and should be

Peace with restored to their liberty. The difference, France. after several disputes, was compromised, by their making mutual sacrifices to each other. Edward agreed to abandon his ally, the Earl of Flanders, on condition that Philip should treat in like manner his ally, the King of Scots. The prospect of conquering these two countries, whose situation made them so commodious an acquisition to the respective kingdoms, prevailed over all other considerations; and though they were both finally disappointed in their hopes, their conduct was very reconcilable to the principles of an interested policy. This was the first specimen which the Scots had of the French alliance, and which was exactly conformable to what a smaller power must always expect, when it blindly attaches itself to the will and fortunes of a greater. That unhappy people, now engaged in a brave though unequal contest for their liberties, were totally abandoned, by the ally in whom they reposed their final confidence, to the will of an imperious conqueror.

Revolt of Scotland. Though England, as well as other European countries, was, in its ancient state, very ill qualified for making, and still worse for maintaining, conquests, Scotland was so much inferior in its internal force, and was so ill situated for receiving foreign succours, that it is no wonder Edward, an ambitious monarch, should have cast his eye on so tempting an acquisition, which brought both security and greatness to his native country. But the instruments whom he employed to maintain his dominion over the northern kingdom, were not happily chosen; and acted not with the requisite prudence and moderation, in reconciling the Scottish nation to a yoke, which they bore with such extreme reluctance. Warrenne, retiring into England, on account of his bad state of health, left the administration entirely in the hands of Ormesby, who was appointed justiciary of Scotland, and Cressingham, who bore the office of treasurer; and a small military force remained, to secure the precarious authority of those ministers. The latter had no other object than the amassing of money by rapine and injustice: the former distinguished himself by the rigour and severity of his temper: and both of them, treating the Scots as a conquered people, made them sensible, too early, of the grievous servitude into which they had fallen. As Edward required that all the proprietors of land should swear fealty to him, every one who refused or delayed giving this testimony of submission, was outlawed and imprisoned, and punished without mercy; and the bravest and most generous spirits of the nation were thus exasperated, to the highest degree, against the English government.<sup>c</sup>

There was one William Wallace, of a small fortune, but descended of an ancient family in the west of Scotland, whose courage prompted him to undertake, and enabled him finally to accomplish, the desperate attempt of delivering his native country from the dominion of foreigners. This man, whose valorous exploits are the object of just admiration, but have been much exaggerated by the traditions of his countrymen, had been provoked by the insolence of an English officer to put him to death; and

finding himself obnoxious, on that account, to the severity of the administration, he fled into the woods, and offered himself as a leader to all those whom their crimes, or bad fortune, or avowed hatred of the English, had reduced to a like necessity. He was endowed with gigantic force of body, with heroic courage of mind, with disinterested magnanimity, with incredible patience, and ability to bear hunger, fatigue, and all the severities of the seasons; and he soon acquired, among those desperate fugitives, that authority to which his virtues so justly entitled him. Beginning with small attempts, in which he was always successful, he gradually proceeded to more momentous enterprises; and he discovered equal caution in securing his followers, and valour in annoying the enemy. By his knowledge of the country, he was enabled, when pursued, to insure a retreat among the morasses, or forests, or mountains; and again collecting his dispersed associates, he unexpectedly appeared in another quarter, and surprised, and routed, and put to the sword, the unwary English. Every day brought accounts of his great actions, which were received with no less favour by his countrymen than terror by the enemy: all those who thirsted after military fame were desirous to partake of his renown: his successful valour seemed to vindicate the nation from the ignominy into which it had fallen, by its tame submission to the English: and though no nobleman of note ventured as yet to join his party, he had gained a general confidence and attachment, which birth and fortune are not alone able to confer.

Wallace having, by many fortunate enterprises, brought the valour of his followers to correspond to his own, resolved to strike a decisive blow against the English government; and he concerted the plan of attacking Ormesby at Scone, and of taking vengeance on him for all the violence and tyranny of which he had been guilty. The justiciary, apprized of his intentions, fled hastily into England: all the other officers of that nation imitated his example: their terror added alacrity and courage to the Scots, who betook themselves to arms in every quarter. Many of the principal barons, and among the rest Sir William Douglas,<sup>d</sup> openly countenanced Wallace's party: Robert Bruce secretly favoured and promoted the same cause: and the Scots, shaking off their fetters, prepared themselves to defend, by an united effort, that liberty which they had so unexpectedly recovered from the hands of their oppressors.

But Warrenne, collecting an army of 40,000 men in the north of England, determined to re-establish his authority; and he endeavoured, by the celerity of his armament and of his march, to compensate for his past negligence, which had enabled the Scots to throw off the English government. He suddenly entered Annandale, and came up with the enemy at Irvine, before their forces were fully collected, and before they had put themselves in a posture of defence. Many of the Scottish nobles, alarmed with their dangerous situation, here submitted to the English, renewed their oaths of fealty, promised to deliver hostages for their good behaviour, and received a pardon for past offences.<sup>e</sup> Others who had not yet declared themselves, such as the Steward of Scotland and the Earl of Lenox, joined, though with reluctance, the English army; and waited a favourable opportunity for embracing the cause of their distressed countrymen. But Wallace, whose authority over his retainers was more fully confirmed by the absence of the great nobles, persevered obstinately in his purpose; and finding himself unable to give battle to the enemy, he marched northwards, with an intention of prolonging the war, and of turning to his advantage the situation of that mountainous and barren country. When Warrenne advanced to Stirling, he found Wallace encamped at Cambuskenneth, on the opposite banks of the Forth; and being continually urged by the impatient Cressingham, who was actuated both by personal and national animosities against the Scots,<sup>f</sup> he prepared to attack them in that position, which Wallace, no less prudent than courageous, had chosen for his army.<sup>g</sup> In spite of the remonstrances of Sir Richard Lundy, a Scotchman of birth and family,

<sup>a</sup> Remyng. vol. i. p. 317. Hemmiz. vol. i. p. 149. Trivet, p. 310.

<sup>b</sup> Remyng. vol. i. p. 323.

<sup>c</sup> Wallace. p. 29. Hemmiz. vol. i. p. 148. Trivet, p. 310.

<sup>d</sup> Wallace. p. 70. Hemmiz. vol. i. p. 118.

<sup>e</sup> Hemmiz. vol. i. p. 121, 122.

<sup>f</sup> Wallace. p. 127.

<sup>g</sup> On the 11th of September, 1277.



who sincerely adhered to the English, he ordered his army to pass a bridge which lay over the Forth; but he was soon convinced, by fatal experience, of the error of his conduct. Wallace, allowing such numbers of the English to pass as he thought proper, attacked them before they were fully formed, put them to rout, pushed part of them into the river, destroyed the rest by the edge of the sword, and gained a complete victory over them.<sup>m</sup> Among the slain was Cressingham himself, whose memory was so extremely odious to the Scots, that they flayed his dead body, and made saddles and girths of his skin.<sup>n</sup> Warrenne, finding the remainder of his army much dismayed by this misfortune, was obliged again to evacuate the kingdom, and retire into England. The castles of Roxborough and Berwick, ill fortified and feebly defended, fell soon after into the hands of the Scots.

Wallace, universally revered as the deliverer of his country, now received, from the hands of his followers, the dignity of regent or guardian under the captive Baliol; and finding that the disorders of war, as well as the unfavourable seasons, had produced a famine in Scotland, he urged his army to march into England, to subsist at the expense of the enemy, and to revenge all past injuries by retaliating on that hostile nation. The Scots, who deemed every thing possible under such a leader, joyfully attended his call. Wallace, breaking into the northern counties during the winter season, laid every place waste with fire and sword; and after extending on all sides, without opposition, the fury of his ravages as far as the bishopric of Durham, he returned, loaded with spoils, and crowned with glory, into his own country.<sup>o</sup> The disorders which at that time prevailed in England, from the refractory behaviour of the constable and marshal, made it impossible to collect an army sufficient to resist the enemy, and exposed the nation to this loss and dishonour.

But Edward, who received in Flanders intelligence of these events, and had already concluded a truce with France, now hastened over to England, in certain hopes, by his activity and valour, not only of wiping off this disgrace, but of recovering the important conquest of Scotland, which he always regarded as the chief glory and advantage of his reign. He appeased the murmurs of his people by concessions and promises; he restored to the citizens of London the election of their own magistrates, of which they had been bereaved in the latter part of his father's reign; he ordered strict inquiry to be made concerning the corn and other goods which had been violently seized before his departure, as if he intended to pay the value to the owners; and making public professions of confirming and observing the charters, he regained the confidence of the discontented nobles. Having, by all these popular arts, rendered himself entirely master of his people, he collected the whole military force of England, Wales, and Ireland, and marched with an army of near a hundred thousand combatants to the northern frontiers.

Nothing could have enabled the Scots to resist, but for one season, so mighty a power, except an entire union among themselves; but as they were deprived of their king, whose personal qualities, even when he was present, appeared so contemptible, and had left among his subjects no principle of attachment to him or his family; factions, jealousies, and animosities unavoidably arose among the great, and distracted all their councils. The elevation of Wallace, though purchased by so great merit, and such eminent services, was the object of envy to the nobility, who repined to see a private gentleman raised above them by his rank, and still more by his glory and reputation. Wallace himself, sensible of their jealousy, and dreading the ruin of his country from those intestine discords, voluntarily resigned his authority, and retained only the command over that body of his followers, who, being accustomed to victory under his standard, refused to follow into the field any other leader. The chief power devolved on the Steward of Scotland, and Cummin of Badenoch; men of eminent birth, under whom the great chieftains were more willing to serve in defence of their country. The two Scottish commanders, collecting their several forces

from every quarter, fixed their station at Falkirk, and purposed there to abide the assault of the English. Wallace was at the head of a third body, which acted under his command. The Scottish army placed their pikemen along their front; lined the intervals between the three bodies with archers; and dreading the great superiority of the English in cavalry, endeavoured to secure their front by palisades, tied together by ropes.<sup>q</sup> In this disposition they expected the approach of the enemy.

The king, when he arrived in sight of the Scots, was pleased with the prospect of being able, by one decisive stroke, to determine the fortune of the war; and dividing his army also into three bodies, he led them to the attack. The English archers, who began about this time to surpass those of other nations, first chased the Scottish bowmen off the field; then pouring in their arrows among the pikemen, who were cooped up within their intrenchments, threw them into disorder, and rendered the assault of the English pikemen and cavalry more easy and successful. The whole Scottish army was broken, and chased off the field with great slaughter; which the historians, attending more to the exaggerated relations of the populace, than to the probability of things, make amount to fifty or sixty thousand men.<sup>r</sup> It is only certain, that the Scots never suffered a greater loss in any action, nor one which seemed to threaten more inevitable ruin to their country.

In this general rout of the army, Wallace's military skill and presence of mind enabled him to keep his troops entire; and retiring behind the Carron, he marched leisurely along the banks of that small river, which protected him from the enemy. Young Bruce, who had already given many proofs of his aspiring genius, but who served hitherto in the English army, appeared on the opposite banks; and distinguishing the Scottish chief, as well by his majestic port as by the intrepid activity of his behaviour, called out to him, and desired a short conference. He here represented to Wallace the fruitless and ruinous enterprise in which he was engaged; and endeavoured to bend his inflexible spirit to submission under superior power and superior fortune. He insisted on the unequal contest between a weak state, deprived of its head and agitation by intestine discord, and a mighty nation, conducted by the ablest and most martial monarch of the age, and possessed of every resource either for protracting the war, or for pushing it with vigour and activity. If the love of his country were his motive for perseverance, his obstinacy tended only to prolong her misery; if he carried his views to private grandeur and ambition, he might reflect, that, even if Edward should withdraw his armies, it appeared from past experience, that so many haughty nobles, proud of the pre-eminence of their families, would never submit to personal merit, whose superiority they were less inclined to regard as an object of admiration, than as a reproach and injury to themselves. To these exhortations Wallace replied, that, if he had hitherto acted alone as the champion of his country, it was solely because no second or competitor, or what he rather wished, no leader, had yet appeared to place himself in that honourable station: that the blame lay entirely on the nobility, and chiefly on Bruce himself, who uniting personal merit to dignity of family, had deserted the post which both nature and fortune, by such powerful calls, invited him to assume: that the Scots, possessed of such a head, would, by their unanimity and concord, have surmounted the chief difficulty under which they now laboured, and might hope, notwithstanding their present losses, to oppose successfully all the power and abilities of Edward: that Heaven itself could not set a more glorious prize before the eyes either of virtue or ambition, than to join, in one object, the acquisition of royalty with the defence of national independence: and that as the interests of his country, more than those of a brave man, could never be sincerely cultivated by a sacrifice of liberty, he himself was determined, as far as possible, to prolong, not her misery, but her freedom, and was desirous that his own life, as well as the existence of the nation, might terminate, when they could no otherwise be pre-

22nd July.  
Battle of  
Falkirk.

<sup>m</sup> Walsing. p. 73. Heming vol. i. p. 127, 128, 129. Trivet, p. 307.  
<sup>n</sup> Heming, vol. i. p. 129. o Ibid, p. 131, 132, 133.  
<sup>p</sup> Rymer, vol. ii. p. 813.

<sup>q</sup> Walsing. p. 75. Heming, vol. i. p. 163.  
<sup>r</sup> Walsing. p. 76. 1. 1. West, p. 137. Heming, vol. i. p. 163, 164, 165. Trivet, p. 313, says only 20,000. 31. West, p. 431, says 40,000.

served than by receiving the chains of a haughty victor. The gallantry of these sentiments, though delivered by an armed enemy, struck the generous mind of Bruce; the flame was conveyed from the breast of one hero to that of another; he repented of his engagements with Edward; and opening his eyes to the honourable path pointed out to him by Wallace, secretly determined to seize the first opportunity of embracing the cause, however desperate, of his oppressed country.\*

A. D. 1299. The subjection of Scotland, notwithstanding this great victory of Edward, was not yet entirely completed. The English army, after reducing the southern provinces, was obliged to retire for want of provisions; and left the northern counties in the hands of the natives. The Scots, no less enraged at their present defeat, than elated by their past victories, still maintained the contest for liberty; but being fully sensible of the great inferiority of their force, they endeavoured, by applications to foreign courts, to procure to themselves some assistance. The supplications of the Scottish ministers were rejected by Philip; but were more successful with the court of Rome. Boniface, pleased with an occasion of exerting his authority, wrote a letter to Edward, exhorting him to put a stop to his oppressions on Scotland, and displaying all the proofs, such as they had probably been furnished him by the Scots themselves, for the ancient independence of that kingdom.† Among other arguments,

1300. Scotland again subdued. hinted at above, he mentioned the treaty conducted and finished by Edward himself, for the marriage of his son with the heiress of Scotland; a treaty which would have been absurd, had he been superior lord of the kingdom, and had possessed, by the feudal law, the right of disposing of his ward in marriage. He mentioned several other striking facts, which fell within the compass of Edward's own knowledge, particularly, that Alexander, when he did homage to the king, openly and expressly declared in his presence, that he swore fealty, not for his crown, but for the lands which he held in England; and the Pope's letter might have passed for a reasonable one, had he not subjoined his own claim to be liege lord of Scotland; a claim which had not once been heard of, but which, with a singular confidence, he asserted to be full, entire, and derived from the most remote antiquity. The affirmative style, which had been so successful with him and his predecessors in spiritual contests, was never before abused after a more egregious manner in any civil controversy.

A. D. 1301. The reply, which Edward made to Boniface's letter, contains particulars no less singular and remarkable.‡ He there proves the superiority of England by historical facts, deduced from the period of Brutus, the Trojan, who, he said, founded the British monarchy in the age of Eli and Samuel: he supports his position by all the events which passed in the island before the arrival of the Romans: and after laying great stress on the extensive dominions and heroic victories of King Arthur, he vows, as at last to descend to the time of Edward the elder, with which, in his speech to the states of Scotland, he had chosen to begin his claim of superiority. He asserts it to be a fact, *notorious and confirmed by the records of antiquity*, that the English monarchs had often conferred the kingdom of Scotland on their own subjects; had dethroned these vassal kings when unfaithful to them; and had substituted others in their stead. He displays, with great pomp, the full and complete homage which William had done to Henry II. without mentioning the formal abolition of that *ertorted* deed by King Richard, and the renunciation of all future claims of the same nature. Yet this paper he begins with a solemn appeal to the Almighty, the Searcher of hearts, for his own firm persuasion of the justice of his claim; and no less than a hundred and four barons assembled in parliament at Lincoln, concur in maintaining before the Pope, under their seals, the validity of these pretensions.¶ At the same time, however, they take care to inform Boniface, that though they had justified their cause

before him, they did not acknowledge him for their judge: the crown of England was free and sovereign: they had sworn to maintain all its royal prerogatives, and would never permit the king himself, were he willing, to relinquish its independency.

That neglect, almost total, of truth and justice, which sovereign states discover in A. D. 1302. their transactions with each other, is an evil universal and inveterate; is one great source of the misery to which the human race is continually exposed; and it may be doubted whether, in many instances, it be found in the end to contribute to the interests of those princes themselves, who thus sacrifice their integrity to their politics. As few monarchs have lain under stronger temptations to violate the principles of equity, than Edward in his transactions with Scotland, so never were they violated with less scruple and reserve: yet his advantages were hitherto precarious and uncertain; and the Scots, once roused to arms and inured to war, began to appear a formidable enemy, even to this military and ambitious monarch. Scotland again revolts. They chose John Cummin for their regent; and not content with maintaining their independence in the northern parts, they made incursions into the southern counties, which Edward imagined he had totally subdued. John de Segrave, whom he had left guardian of Scotland, led an army to oppose them; and lying at Roslin, near Edinburgh, sent out his forces in three 1303. divisions, to provide themselves with forage 24th Feb.

and subsistence from the neighbourhood. One party was suddenly attacked by the Regent and Sir Simon Fraser; and being unprepared, was immediately routed and pursued with great slaughter. The few that escaped, flying to the second division, gave warning of the approach of the enemy: the soldiers ran to their arms; and were immediately led on to take revenge for the death of their countrymen. The Scots, elated with the advantage already obtained, made a vigorous impression upon them: the English, animated with a thirst of vengeance, maintained a stout resistance: the victory was long undecided between them; but at last declared itself entirely in favour of the former, who broke the English and chased them to the third division, now advancing with a hasty march to support their distressed companions. Many of the Scots had fallen in the two first actions; most of them were wounded; and all of them extremely fatigued by the long continuance of the combat: yet were they so transported with success and military rage, that, having suddenly recovered their order, and arming the followers of their camp with the spoils of the slaughtered enemy, they drove with fury upon the ranks of the dismayed English. The favourable moment decided the battle; which the Scots, had they met with a steady resistance, were not long able to maintain: the English were chased off the field: three victories were thus gained in one day: \* and the renown of these great exploits, seconded by the favourable dispositions of the people, soon made the regent master of all the fortresses in the south; and it became necessary for Edward to begin anew the conquest of the kingdom.

The king prepared himself for this enterprise with his usual vigour and abilities. He assembled both a great fleet and a great army; and entering the frontiers of Scotland, appeared with a force which the enemy could not think of resisting in the open field; the English navy, which sailed along the coast, secured the army from any danger of famine: Edward's vigilance preserved it from surprises: and by this prudent disposition they marched victorious from one extremity of the kingdom to the other, ravaging the open country, reducing all the castles, and receiving the submissions of all the nobility, even those of Cummin the Regent. The most obstinate resistance was made by the castle of Brechin, defended by Sir Thomas Maule; and the place opened not its gates, till the death of the governor, by discouraging the garri- Is again subdued. son, obliged them to submit to the fate which had overwhelmed the rest of the kingdom. Wallace, though he attended the English army in their march,

\* This story is told by all the Scotch writers: though it must be owned that Trivet and Hemmingford, authors of good credit, both agree that Bruce was not of that time in Edward's army.

† Trivet, vol. ii. p. 441.

‡ Ibid. p. 465.

W Rymer, vol. ii. p. 273. Walsing. p. 65. Hemm. vol. i. p. 466.

Trivet, p. 520. M. West. p. 443.

x Hemm. vol. i. p. 17.

y Ibid. p. 205.

found but few opportunities of signaling that valour which had formerly made him so terrible to his enemies.

A. D. 1304. Edward, having completed his conquest, which employed him during the space of near two years, now undertook the more difficult work of settling the country, of establishing a new form of government, and of making his acquisition durable to the crown of England. He seems to have carried matters to extremity against the natives: he abrogated all the Scottish laws and customs: he endeavoured to substitute the English in their place: he entirely rased or destroyed all the monuments of antiquity: such records or histories as had escaped his former search were now burnt or dispersed: and he hastened, by too precipitate steps, to abolish entirely the Scottish name, and to sink it finally in the English.

A. D. 1305. Edward, however, still deemed his favourite conquest exposed to some danger, so long as Wallace was alive: and being prompted both by revenge and policy, he employed every art to discover his retreat, and become master of his person. At last, that hardy warrior, who was determined, amidst the universal slavery of his countrymen, still to maintain his independency, was betrayed into Edward's hands by Sir John Monteith, his friend, whom he had made acquainted with the place of his concealment. The king, whose natural bravery and magnanimity should have induced him to respect like qualities in an enemy, enraged at some acts of violence committed by Wallace during the fury of war, resolved to overawe the Scots by an example of severity: he ordered Wallace to be carried in chains to London; to be tried as a rebel and traitor, though he had never made submissions, or sworn fealty to England, and to be executed on Tower-hill. This was the unworthy fate of a hero, who, through a course of many years, had, with signal conduct, intrepidity, and perseverance, defended, against a public and oppressive enemy, the liberties of his native country.

But the barbarous policy of Edward failed of the purpose to which it was directed. The Scots, already disgusted at the great innovations introduced by the sword of a conqueror into their laws and government, were further enraged at the injustice and cruelty exercised upon Wallace; and all the envy, which, during his life-time, had attended that gallant chief, being now buried in his grave, he was universally regarded as the champion of Scotland, and the patron of her expiring independency. The people, inflamed with resentment, were every where disposed to rise against the English government; and it was not long ere a new and more fortunate leader presented himself, who conducted them to liberty, to victory, and to vengeance.

A. D. 1306. Robert Bruce, grandson of that Robert Bruce, who had been one of the competitors for the crown, had succeeded, by his grandfather's and father's death, to all their rights; and the demise of John Baliol, together with the captivity of Edward, eldest son of that prince, seemed to open a full career to the genius and ambition of this young nobleman. He saw that the Scots, when the title to their crown had expired in the males of their ancient royal family, had been divided into parties nearly equal between the houses of Bruce and Baliol; and that every incident, which had since happened, had tended to weaken them from any attachment to the latter. The slender capacity of John had proved unable to defend them against their enemies: he had meanly resigned his crown into the hands of the conqueror: he had, before his deliverance from captivity, reiterated that resignation in a manner seemingly voluntary; and had in that deed thrown out many reflections extremely dishonourable to his ancient subjects, whom he publicly called traitors, ruffians, and rebels, and with whom he declared he was determined to maintain no further correspondence:<sup>a</sup> he had, during the time of his exile, adhered strictly to that resolution; and his son, being a prisoner, seemed ill qualified to revive the rights, now fully abandoned, of his family. Bruce therefore hoped that the Scots, so long exposed, from the want of a leader, to the oppressions of

their enemies, would unanimously fly to his standard, and would seat him on the vacant throne, to which he brought such plausible pretensions. His aspiring spirit, inflamed by the fervour of youth, and buoyed up by his natural courage, saw the glory alone of the enterprise, or regarded the prodigious difficulties which attended it as the source only of further glory. The miseries and oppressions which he had beheld his countrymen suffer in this unequal contest; the repeated defeats and misfortunes which they had undergone; proved to him so many incentives to bring them relief, and conduct them to vengeance against the haughty victor. The circumstances which attended Bruce's first declaration are variously related; but we shall rather follow the account given by the Scottish historians; not that their authority is in general anywise comparable to that of the English, but because they may be supposed sometimes better informed concerning facts which so nearly interested their own nation.

Bruce, who had long harboured in his breast the design of freeing his enslaved country, ventured at last to open his mind to John Cummin, a powerful nobleman, with whom he lived in strict intimacy. He found his friend, as he imagined, fully possessed with the same sentiments; and he needed to employ no arts of persuasion, to make him embrace the resolution of throwing off, on the first favourable opportunity, the usurped dominion of the English. But on the departure of Bruce, who attended Edward to London, Cummin, who either had all along dissembled with him, or began to reflect more coolly in his absence on the desperate nature of the undertaking, resolved to atone for his crime in assenting to this rebellion, by the merit of revealing the secret to the King of England. Edward did not immediately commit Bruce to custody; because he intended, at the same time, to seize his three brothers, who resided in Scotland; and he contented himself with secretly setting spies upon him, and ordering all his motions to be strictly watched. A nobleman of Edward's court, Bruce's intimate friend, was apprized of his danger; but not daring, amidst so many jealous eyes, to hold any conversation with him, he fell on an expedient to give him warning, that it was full time he should make his escape. He sent him, by his servant, a pair of gilt spurs, and a purse of gold, which he pretended to have borrowed from him; and left it to the sagacity of his friend to discover the meaning of the present. Bruce immediately contrived the means of his escape; and as the ground was at that time covered with snow, he had the precaution, it is said, to order his horses to be shod with their shoes inverted, that he might deceive those who should track his path over the open fields or cross roads, through which he purposed to travel. He arrived in a few days at Dumfries in Annandale, the chief seat of his family interest; and he happily found a great number of the Scottish nobility there assembled, and among the rest, John Cummin, his former associate.

The noblemen were astonished at the appearance of Bruce among them; and still more when he discovered to them the object of his journey. He told them that he was come to live or die with them in defence of the liberties of his country, and hoped, with their assistance, to redeem the Scottish name from all the indignities which it had so long suffered from the tyranny of their imperious masters: that the sacrifice of the rights of his family was the first injury which had prepared the way for their ensuing slavery; and by resuming them, which was his firm purpose, he opened to them the joyful prospect of recovering from the fraudulent usurper their ancient and hereditary independence: that all past misfortunes had proceeded from their disunion; and they would soon appear no less formidable than of old to their enemies, if they now deigned to follow into the field their rightful prince, who knew no medium between death and victory: that their mountains, and their valour, which had, during so many ages, protected their liberty from all the efforts of the Roman empire, would still be sufficient, were they worthy of their generous ancestors, to defend them against the utmost violence of the English tyrant: that it was unbecoming



men, born to the most ancient independence known in Europe, to submit to the will of any masters; but fatal to receive those who, being irritated by such persevering resistance, and inflamed with the highest animosity, would never deem themselves secure in their usurped dominion, but by exterminating all the ancient nobility, and even all the ancient inhabitants; and that, being reduced to this desperate extremity, it were better for them at once to perish like brave men, with swords in their hands, than to dread long, and at last undergo, the fate of the unfortunate Wallace, whose merits, in the brave and obstinate defence of his country, were finally rewarded by the hands of an English executioner.

The spirit with which this discourse was delivered, the bold sentiments which it conveyed, the novelty of Bruce's declaration, assisted by the graces of his youth and manly deportment, made deep impression on the minds of his audience, and roused all those principles of indignation and revenge with which they had so long been secretly actuated. The Scottish nobles declared their unanimous resolution to use the utmost efforts in delivering their country from bondage, and to second the courage of Bruce, in asserting his and their undoubted rights against their common oppressors. Cummin alone, who had secretly taken his measures with the king, opposed this general determination; and by representing the great power of England, governed by a prince of such uncommon vigour and abilities, he endeavoured to set before them the certain destruction which they must expect, if they again violated their oaths of fealty, and shook off their allegiance to the victorious Edward.<sup>b</sup> Bruce, already apprized of his treachery, and foreseeing the certain failure of all his own schemes of ambition and glory from the opposition of so potent a leader, took immediately his resolution; and moved partly by resentment, partly by policy, followed Cummin on the dissolution of the assembly, attacked him in the cloisters of the Grey Friars, through which he passed, and running him through the body, left him for dead. Sir Thomas Kirkpatrick, one of Bruce's friends, asking him soon after if the traitor were slain; *I believe so*, replied Bruce. *And is that a matter, cried Kirkpatrick, to be left to conjecture? I will secure him.* Upon which he drew his dagger, ran to Cummin, and stabbed him to the heart. This deed of Bruce and his associates, which contains circumstances justly condemned by our present manners, was regarded in that age as an effort of manly vigour and just policy. The family of Kirkpatrick took for the crest of their arms, which they still wear, a hand with a bloody dagger; and chose for their motto these words, *I will secure him*; the expression employed by their ancestor when he executed that violent action.

The murder of Cummin affixed the seal to the conspiracy of the Scottish nobles: they had now no resource left but to shake off the yoke of England, or to perish in the attempt: the genius of the nation roused itself from its present dejection: and Bruce, flying to different quarters, excited his partisans to arms, attacked with success the dispersed bodies of the English, got possession of many of the castles, and having made his authority be acknowledged in most parts of the kingdom, was solemnly crowned and inaugurated in the abbey of Scone, by the Bishop of St. Andrews, who had zealously embraced his cause. The English were again chased out of the kingdom, except such as took shelter in the fortresses that still remained in their hands; and Edward found that the Scots, twice conquered in his reign, and often defeated, must yet be anew subdued. Not discouraged with these unexpected difficulties, he sent Aymer de Valence with a considerable force into Scotland, to check the progress of the malcontents; and that nobleman falling unexpectedly upon Bruce at Methven in Perthshire, threw his army into such disorder as ended in a total defeat.<sup>c</sup> Bruce fought with the most heroic courage, was thrice dismounted in the action, and as often recovered himself, but was at last obliged to

yield to superior fortune, and take shelter, with a few followers, in the western isles. The Earl of Athol, Sir Simon Fraser, and Sir Christopher Seton, who had been taken prisoners, were ordered by Edward to be executed as rebels and traitors.<sup>d</sup> Many other acts of rigour were exercised by him; and that prince, vowing revenge against the whole Scottish nation, whom he deemed incorrigible in their aversion to his government, assembled a great army, and was preparing to enter the frontiers, secure of success, and determined to make the defenceless Scots the victims of his severity; when he unexpectedly sickened and died near Carlisle; enjoining with his last breath his son and successor to prosecute the enterprise, and never to desist till he had finally subdued the kingdom of Scotland. He expired in the sixty-ninth year of his age, and thirty-fifth of his reign, hated by his neighbours, but extremely respected and revered by his own subjects.

The enterprises finished by this prince, and character of the projects which he formed, and the king, brought near to a conclusion, were more prudent, more regularly conducted, and more advantageous to the solid interests of his kingdom, than those which were undertaken in any reign, either of his ancestors or his successors. He restored authority to the government, disordered by the weakness of his father; he maintained the laws against all the efforts of his turbulent barons; he fully annexed to his crown the principality of Wales; he took many wise and vigorous measures for reducing Scotland to a like condition, and though the equity of this latter enterprise may reasonably be questioned, the circumstances of the two kingdoms promised such certain success, and the advantage was so visible in uniting the whole island under one head, that those who give great indulgence to reasons of state in the measures of princes, will not be apt to regard this part of his conduct with much severity. But Edward, however exceptionable his character may appear on the head of justice, is the model of a politic and warlike king: he possessed industry, penetration, courage, vigilance, and enterprise: he was frugal in all expenses that were not necessary; he knew how to open the public treasures on a proper occasion; he punished criminals with severity; he was gracious and affable to his servants and courtiers; and being of a majestic figure, expert in all military exercises, and in the man well proportioned in his limbs, notwithstanding the great length and the smallness of his legs, he was as well qualified to captivate the populace by his exterior appearance, as to gain the approbation of men of sense by his more solid virtues.

But the chief advantage which the people of England reaped, and still continue to reap, from the reign of this great prince, was the correction, extension, amendment, and establishment of the laws, which Edward maintained in great vigour, and left much improved to posterity: for the acts of a wise legislator commonly remain; while the acquisitions of a conqueror often perish with him. This merit has justly gained to Edward the appellation of the English Justinian. Not only the numerous statutes passed in his reign touch the chief points of jurisprudence, and, according to Sir Edward Coke,<sup>e</sup> truly deserve the name of establishments, because they were more constant, standing, and durable laws than any made since; but the regular order maintained in his administration gave an opportunity to the common law to refine itself, and brought the judges to a certainty in their determinations, and the lawyers to a precision in their pleadings. Sir Matthew Hale has remarked the sudden improvement of English law during this reign; and ventures to assert, that till his own time it had never received any considerable increase.<sup>f</sup> Edward settled the jurisdiction of the several courts; first established the office of justice of peace; abstained from the practice too common before him, of interrupting justice by mandates from the privy council;<sup>g</sup>

<sup>b</sup> M. West, p. 453.

<sup>c</sup> Watson, p. 91. Heming, vol. i. p. 222, 223. Trivet, p. 344.

<sup>d</sup> Heming, vol. i. p. 223. M. West, p. 456.

<sup>e</sup> Institute, p. 156.

<sup>f</sup> History of the English Law, p. 130, 165.

<sup>g</sup> Articuli super Cart. cap. 6. Edward enacted a law to this purpose; but it is doubtful whether he ever observed it. We are sure that scarcely any of his successors did. The multitude of these letters of protection were the ground of a complaint by the commons in 3 Edward II. See Ryley.

repressed robberies and disorders;<sup>a</sup> encouraged trade, by giving merchants an easy method of recovering their debts; and in short, introduced a new face of things by the vigour and wisdom of his administration. As law began now to be well established, the abuse of that blessing began also to be remarked. Instead of their former associations for robbery and violence, men entered into formal combinations to support each other in law-suits; and it was found requisite to check this iniquity by act of parliament.<sup>k</sup>

There happened in this reign a considerable alteration in the execution of the laws: the king abolished the office of chief justiciary, which he thought possessed too much power, and was dangerous to the crown:<sup>l</sup> he completed the division of the court of exchequer into four distinct courts, which managed, each, its several branch, without dependence on any one magistrate; and as the lawyers afterwards invented a method, by means of their fictions, of carrying business from one court to another, the several courts became rivals and checks to each other; a circumstance which tended much to improve the practice of the law in England.

But though Edward appeared thus, throughout his whole reign, a friend to law and justice, it cannot be said that he was an enemy to arbitrary power; and in a government more regular and legal than was that of England in his age, such practices, as those which may be remarked in his administration, would have given sufficient ground of complaint, and sometimes were, even in his age, the object of general displeasure. The violent plunder and banishment of the Jews; the putting of the whole clergy at once, and by an arbitrary edict, out of the protection of the law; the seizing of all the wool and leather of the kingdom; the heightening of the impositions on the former valuable commodity; the new and illegal commission of Trailbaston; the taking of all the money and plate of monasteries and churches, even before he had any quarrel with the clergy; the subjecting of every man possessed of twenty pounds a year to military service, though not bound to it by his tenure; his visible reluctance to confirm the Great Charter, as if that concession had no validity from the deeds of his predecessors; the capitious clause which he at last annexed to his confirmation; his procuring of the Pope's dispensation from the oaths which he had taken to observe that charter; and his levying of talliages at discretion even after the statute, or rather charter, by which he had renounced that prerogative; these are so many demonstrations of his arbitrary disposition, and prove with what exception and reserve we ought to celebrate his love of justice. He took care that his subjects should do justice to each other; but he desired always to have his own hands free in all his transactions, both with them and with his neighbours.

The chief obstacle to the execution of justice in those times was the power of the great barons; and Edward was perfectly qualified, by his character and abilities, for keeping these tyrants in awe, and restraining their illegal practices. This salutary purpose was accordingly the great object of his attention; yet he was imprudently led into a measure which tended to increase and confirm their dangerous authority. He passed a statute which, by allowing them to entail their estates, made it impracticable to diminish the property of the great families, and left them every means of increase and acquisition.<sup>m</sup>

Edward observed a contrary policy with regard to the church: he seems to have been the first Christian prince that passed a statute of mortmain; and prevented by law the clergy from making new acquisitions of lands, which, by the ecclesiastical canons, they were for ever prohibited from alienating. The opposition between his maxims with regard to the nobility and to the ecclesiastics, leads us to conjecture that it was only by chance he passed the beneficial statute of mortmain, and that his sole object was to maintain the number of knights' fees, and to prevent the superiors from being defrauded of the profits of wardship,

marriage, livery, and other emoluments arising from the feudal tenures. This is indeed the reason assigned in the statute itself, and appears to have been his real object in enacting it. The author of the *Annals of Waverley* ascribes this act chiefly to the king's anxiety for maintaining the military force of the kingdom; but adds, that he was mistaken in his purpose; for that the Amalekites were overcome more by the prayers of Moses than by the sword of the Israelites.<sup>n</sup> The statute of mortmain was often evaded afterwards by the invention of *uses*.

Edward was active in restraining the usurpations of the church; and excepting his ardour for Crusades, which adhered to him during his whole life, seems in other respects to have been little infected with superstition, the vice chiefly of weak minds. But the passion for Crusades was really in that age the passion for glory. As the Pope now felt himself somewhat more restrained in his former practice of pillaging the several churches in Europe, by laying impositions upon them, he permitted the generals of particular orders, who resided at Rome, to levy taxes on the convents subjected to their jurisdiction; and Edward was obliged to enact a law against this new abuse. It was also become a practice of the court of Rome to provide successors to benefices before they became vacant: Edward found it likewise necessary to prevent by law this species of injustice.

The tribute of 1000 marks a year, to which King John, in doing homage to the Pope, had subjected the kingdom, had been pretty regularly paid since his time, though the vassalage was constantly denied, and, indeed, for fear of giving offence, had been but little insisted on. The payment was called by a new name of *census*, not by that of tribute. King Edward seems always to have paid this money with great reluctance, and he suffered the arrears at one time to run on for six years,<sup>o</sup> at another for eleven;<sup>p</sup> but as princes in that age stood continually in need of the Pope's good offices, for dispensations of marriage and for other concessions, the court of Rome always found means, sooner or later, to catch the money. The levying of first fruits was also a new device, begun in this reign, by which his holiness thrust his fingers very frequently into the purses of the faithful; and the king seems to have unwarily given way to it.

In the former reign, the taxes had been partly scutages, partly such a proportional part of the movables as was granted by parliament: in this, scutages were entirely dropped; and the assessment on movables was the chief method of taxation. Edward in his fourth year had a fifteenth granted him; in his fifth year a twelfth; in his eleventh year a thirtieth from the laity, a twentieth from the clergy; in his eighteenth year a fifteenth; in his twenty-second year a tenth from the laity, a sixth from London and other corporate towns, half of their benefices from the clergy; in his twenty-third year an eleventh from the barons and others, a tenth from the clergy, a seventh from the burgesses; in his twenty-fourth year a twelfth from the barons and others, an eighth from the burgesses, from the clergy, nothing, because of the pope's inhibition; in his twenty-fifth year an eighth from the laity, a tenth from the clergy of Canterbury, a fifth from those of York; in his twenty-ninth year, a fifteenth from the laity, on account of his confirming the perambulations of the forests; the clergy granted nothing; in his thirty-third year, first a thirtieth from the barons and others, and a twentieth from the burgesses, then a fifteenth from all his subjects; in his thirty-fourth year a thirtieth from all his subjects for knighting his eldest son.

These taxes were moderate; but the king had also duties upon exportation and importation granted him from time to time: the heaviest were commonly upon wool, Poundage, or a shilling a pound, was not regularly granted the kings for life till the reign of Henry V.

In 1296 the famous mercantile society, called the *Merchant Adventurers*, had its first origin: it was instituted for the improvement of the woollen manufacture, and the vend-

<sup>a</sup> 265. This practice was declared illegal by the statute of Northampton, passed in the second of Edward III, but it still continued, like many other abuses. There are instances of it so late as the reign of Queen Elizabeth.

<sup>b</sup> Statute of Winton.

<sup>c</sup> Statute of Acton Burnel.

<sup>k</sup> Statute of Conspirators.

<sup>l</sup> *Syllabus Gloss. in verbo Justiciarii*. Gilbert's History of the Exchequer, p. 8.

<sup>m</sup> *Tracts of Peronals*, p. 65, from the Records.

<sup>n</sup> P. 231. See also *W. & A.* p. 399.

<sup>o</sup> *Extens.* vol. ii. p. 77. 107.

<sup>p</sup> *Id.* p. 106.

ing of the cloth abroad, particularly at Antwerp. For the English at this time scarcely thought of any more distant commerce.

This king granted a charter of declaration of protection and privileges to foreign merchants, and also ascertained the customs or duties which those merchants were in return to pay on merchandise imported and exported. He promised them security; allowed them a jury on trials, consisting half of natives, half of foreigners; and appointed them a judiciary in London for their protection. But notwithstanding this seeming attention to foreign merchants, Edward did not free them from the cruel hardship of making one answerable for the debts, and even for the crimes, of another that came from the same country.<sup>7</sup> We read of such practices among the present barbarous nations. The king also imposed on them a duty of two shillings on each tun of wine imported, over and above the old duty; and forty pence on each sack of wool exported, besides half a mark, the former duty.<sup>8</sup>

In the year 1303, the Exchequer was robbed, and of no less a sum than 100,000 pounds, as is pretended.<sup>9</sup> The abbot and monks of Westminster were indicted for this robbery, but acquitted. It does not appear that the king ever discovered the criminals with certainty; though his indignation fell on the society of Lombard merchants, particularly the Frescobaldi, very opulent Florentines.

The Pope having in 1307 collected much money in England, the king enjoined the nuncio to not export it in specie, but in bills of exchange.<sup>10</sup> A proof that commerce was but ill understood at that time.

Edward had by his first wife, Eleanor of Castile, four sons; but Edward his heir and successor was the only one that survived him. She also bore him eleven daughters, most of whom died in their infancy: of the surviving, Joan was married, first to the Earl of Gloucester, and after his death to Ralph de Monthermer: Margaret espoused John, Duke of Brabant: Elizabeth espoused, first John, Earl of Holland, and afterwards the Earl of Hereford: Mary was a nun at Ambresbury. He had by his second wife, Margaret of France, two sons and a daughter; Thomas created Earl of Norfolk, and Mareschal of England; and Edmond, who was created Earl of Kent by his brother when king. The princess died in her infancy.

## CHAP. XIV.

### EDWARD II.

Weakness of the king.—His passion for favourites.—Piers Gavaston.—Discontent of the barons. Murder of Gavaston.—War with Scotland.—Battle of Bannockburn.—Hugh le Despenser.—Civil commotions.—Execution of the Earl of Lancaster.—Conspiracy against the king.—Insurrection: The king dethroned.—Murdered. His character.—Miscellaneous transactions in this reign.

A. D. 1307.

THE prepossessions entertained in favour of young Edward, kept the English from being fully sensible of the extreme loss which they had sustained by the death of the great monarch who filled the throne; and all men hastened with alacrity to take the oath of allegiance to his son and successor. This prince was in the twenty-third year of his age, was of an agreeable figure, of a mild and gentle disposition, and having never discovered a propensity to any dangerous vice, it was natural to prognosticate tranquillity and happiness from his government. But the first act of his reign blasted all these hopes, and showed him to be totally unqualified for that perilous situation, in which every English monarch, during those ages, had, from the unstable form of the constitution, and the turbulent dispositions of the people derived from it, the misfortune to be placed. The indefatigable Robert Bruce, though his army had been dispersed, and he himself had been obliged to take shelter in the western isles, remained not long inactive; but, before the death of the late king,

had sallied from his retreat, and again collected his followers, had appeared in the field, and had obtained by surprise an important advantage over Aymer de Valence, who commanded the English forces.<sup>a</sup> He was now become so considerable as to have afforded the King of England sufficient glory in subduing him, without incurring any danger of seeing all those mighty preparations, made by his father, fail in the enterprise. But Edward, instead of pursuing his advantages, marched but a little way into Scotland; and having an utter incapacity and equal aversion for all application or serious business, he immediately returned upon his footsteps and disbanded his army. His grandees perceived from this conduct, that the authority of the crown, fallen into such feeble hands, was no longer to be dreaded, and that every insolence might be practised by them with impunity.

The next measure taken by Edward gave them an inclination to attack those prerogatives which no longer kept them in awe. There was one Piers Gavaston, son of a Gascon knight, of some distinction, who had honourably served the late king, and who, in reward of his merits, had obtained an establishment for his son in the family of the prince of Wales. This young man soon insinuated himself into the affections of his master, by his agreeable behaviour, and by supplying him with all those innocent though frivolous amusements, which suited his capacity and his inclinations. He was endowed with the utmost elegance of shape and person, was noted for a fine mien and easy carriage, distinguished himself in all warlike and genteel exercises, and was celebrated for those quick sallies of wit, in which his countrymen usually excel. By all these accomplishments he gained so entire an ascendancy over young Edward, whose heart was strongly disposed to friendship and confidence, that the late king, apprehensive of the consequences, had banished him the kingdom, and had, before he died, made his son promise never to recall him. But no sooner did he find himself master, as he vainly imagined, than he sent for Gavaston; and even before his arrival at court, endowed him with the whole earldom of Cornwall, which had escheated to the crown by the death of Edmond, son of Richard, King of the Romans.<sup>b</sup> Not content with conferring on him those possessions which had sufficed as an appanage for a prince of the blood, he daily loaded him with new honours and riches; married him to his own niece, sister of the Earl of Gloucester; and seemed to enjoy no pleasure in his royal dignity, but as it enabled him to exalt to the highest splendour this object of his fond affections.

The haughty barons, offended at the superiority of a minion, whose birth, though respectable, they despised as much inferior to their own, concealed not their discontent; and soon found reasons to justify their animosity in the character and conduct of the man they hated. Instead of disarming envy by the moderation and modesty of his behaviour, Gavaston displayed his power and influence with the utmost ostentation; and deemed no circumstance of his good fortune so agreeable, as its enabling him to eclipse and mortify all his rivals. He was vainglorious, profuse, rapacious; fond of exterior pomp and appearance, giddy with prosperity; and as he imagined that his fortune was now as strongly rooted in the kingdom, as his ascendancy was uncontrolled over the weak monarch, he was negligent in engaging partisans, who might support his sudden and ill-established grandeur. At all tournaments he took delight in foiling the English nobility by his superior address: in every conversation, he made them the object of his wit and railery; every day his enemies multiplied upon him; and nought was wanting but a little time to cement their union, and render it fatal both to him and to his master.<sup>c</sup>

It behoved the king to take a journey to France, both in order to do homage for the duchy of Guienne, and to espouse the Princess Isabella, to whom he had long been affianced, though unexpected accidents had hitherto retarded the completion of the marriage.<sup>d</sup> Edward left

His passion for  
favourites.  
Piers Gavaston.

Discontent  
of the  
barons.

<sup>a</sup> Anderson's History of Commerce, vol. i. p. 137.

<sup>b</sup> Ibid. p. 146.

<sup>c</sup> Rymer, vol. iv. p. 361. It is the charter of Edward I. which is there continued by Edward II.

<sup>t</sup> Rymer, vol. ii. p. 930. <sup>u</sup> Ibid. p. 1099. <sup>v</sup> Trivet, p. 316.

<sup>b</sup> Rymer, vol. iii. p. 1. Heming, vol. i. p. 243. Walsing. p. 96.

<sup>c</sup> T. de la More, p. 593. Walsing. p. 97. <sup>d</sup> T. de la More, p. 593. Trivet, cont. p. 3.



Gavaston guardian of the realm,<sup>a</sup> with more ample powers than had usually been conferred;<sup>b</sup> and, on his return with his young queen, renewed all the proofs of that fond attachment to the favourite, of which every one so loudly complained. This princess was of an imperious and intriguing spirit; and finding that her husband's capacity required, as his temper inclined, him to be governed, she thought herself best entitled, on every account, to perform the office; and she contracted a mortal hatred against the person who had disappointed her in these expectations. She was well pleased therefore to see a combination of the nobility forming against Gavaston, who, sensible of her hatred, had wantonly provoked her by new insults and injuries.

Thomas, Earl of Lancaster, cousin-german to the king, and first prince of the blood, was by far the most opulent and powerful subject in England, and possessed in his own right, and soon after in that of his wife, heiress of the family of Lincoln, no less than six earldoms, with a proportionable estate in land, attended with all the jurisdictions and power, which commonly in that age were annexed to landed property. He was turbulent and factious in his disposition; mortally hated the favourite, whose influence over the king exceeded his own; and he soon became the head of that party among the barons, who desired the depression of this insolent stranger. The confederated nobles bound themselves by oath to expel Gavaston; both sides began already to put themselves in a warlike posture; the licentiousness of the age broke out in robberies and other disorders, the usual prelude of civil war; and the royal authority, despised in the king's own hands, and hated in those of Gavaston, was insufficient for the execution of the laws, and the maintenance of peace in the kingdom. A parliament being summoned at Westminster, Lancaster and his party came thither with an armed retinue; and were there enabled to impose their own terms on the sovereign. They required the banishment of Gavaston, imposed an oath on him never to return, and engaged the bishops, who never failed to interpose in all civil concerns, to pronounce him excommunicated if he remained any longer in the kingdom.<sup>c</sup> Edward was obliged to submit;<sup>d</sup> but even in his compliance gave proofs of his fond attachment to his favourite. Instead of removing all umbrage by sending him to his own country, as was expected, he appointed him Lord Lieutenant of Ireland,<sup>e</sup> attended him to Bristol, on his journey thither, and before his departure conferred on him new lands and riches both in Gascony and England.<sup>f</sup> Gavaston, who did not want bravery, and possessed talents for war,<sup>g</sup> acted during his government with vigour against some Irish rebels, whom he subdued.

Meanwhile the king, less shocked by the illegal violence which had been imposed upon him, than unhappy in the absence of his minion, employed every expedient to soften the opposition of the barons to his return; as if success in that point were the chief object of his government. The high office of bereretary steward was conferred on Lancaster; his father-in-law, the Earl of Lincoln, was bought off by other concessions; Earl Warrenne was also mollified by civilities, grants, or promises; the insolence of Gavaston being no longer before men's eyes, was less the object of general indignation; and Edward, deeming matters sufficiently prepared for his purpose, applied to the court of Rome, and obtained for Gavaston a dispensation from that oath which the barons had compelled him to take, that he would for ever abjure the realm.<sup>h</sup> He went down to Chester to receive him on his first landing from Ireland; flew into his arms with transports of joy; and having obtained the formal consent of the barons in parliament to his re-establishment, set no longer any bounds to his extravagant fondness and affection. Gavaston himself, forgetting his past misfortunes, and blind to their causes, resumed the same ostentation and insolence; and became, more than ever, the object of general detestation among the nobility.

The barons first discovered their animosity by absent-

ing themselves from parliament; and finding that this expedient had not been successful, they began to think of employing sharper and more effectual remedies. Though there had scarcely been any national ground of complaint, except some dissipation of the public treasure: though all the acts of mal-administration, objected to the king and his favourite, seemed of a nature more proper to excite heart-burnings in a ball or assembly, than commotions in a great kingdom: yet such was the situation of the times, that the barons were determined, and were able, to make them the reasons of a total alteration in the constitution and civil government. Having come

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to parliament, in defiance of the laws and the king's prohibition, with a numerous retinue of armed followers, they found themselves entirely masters; and they presented a petition, which was equivalent to a command, requiring Edward to devolve, on a chosen junto, the whole authority, both of the crown and of the parliament. The king was obliged to sign a commission, empowering the prelates and barons

16th March.

to elect twelve persons, who should, till the term of Michaelmas in the year following, have authority to enact ordinances for the government of the kingdom, and regulation of the king's household; consenting that these ordinances should thenceforth, and for ever, have the force of laws; allowing the ordainers to form associations among themselves and their friends, for their strict and regular observance; and all this for the greater glory of God, the security of the church, and the honour and advantage of the king and kingdom.<sup>a</sup> The barons, in return, signed a declaration, in which they acknowledged that they owed these concessions merely to the king's free grace; promised, that this commission should never be drawn into precedent; and engaged, that the power of the ordainers should expire at the time appointed.<sup>b</sup>

The chosen junto accordingly framed their A. D. 1311. ordinances, and presented them to the king and parliament for their confirmation in the ensuing year. Some of these ordinances were laudable, and tended to the regular execution of justice: such as those, requiring sheriffs to be men of property, abolishing the practice of issuing privy seals for the suspension of justice, restraining the practice of purveyance, prohibiting the adulteration and alteration of the coin, excluding foreigners from the farms of the revenue, ordering all payments to be regularly made into the exchequer, revoking all late grants of the crown, and giving the parties damages in the case of vexatious prosecutions. But what chiefly grieved the king, was the ordinance for the removal of evil counsellors, by which a great number of persons were by name excluded from every office of power and profit; and Piers Gavaston himself was for ever banished the king's dominions, under the penalty, in case of disobedience, of being declared a public enemy. Other persons, more agreeable to the barons, were substituted in all the offices. And it was ordained, that, for the future, all the considerable dignities in the household, as well as in the law, revenue, and military governments, should be appointed by the *baronage* in parliament; and the power of making war, or assembling his military tenants, should no longer be vested solely in the king, nor be exercised without the consent of the nobility.

Edward, from the same weakness both in his temper and situation, which had engaged him to grant this unlimited commission to the barons, was led to give a parliamentary sanction to their ordinances: but as a consequence of the same character, he *secretly* made a protest against them, and declared, that, since the commission was granted only for the making of ordinances to the advantage of king and kingdom, such articles as should be found prejudicial to both, were to be held as not ratified and confirmed.<sup>c</sup> It is no wonder, indeed, that he retained a firm purpose to revoke ordinances which had been imposed on him by violence, which entirely annihilated the royal authority, and above all, which deprived him of the company and society of a person, whom, by an un-

<sup>a</sup> Rymer, vol. iii. p. 47. Ypod. Neust. p. 399.

<sup>b</sup> Brady's App. No. 49.

<sup>c</sup> Rymer, vol. iii. p. 130.

<sup>d</sup> Ibid. p. 92. Murimuth, p. 39.

<sup>e</sup> Rymer, vol. iii. p. 87.

<sup>f</sup> Trivet, cont. p. 5.

<sup>1</sup> Henning, vol. i. p. 218. T. de la More, p. 593.

<sup>2</sup> Rymer, vol. iii. p. 167.

<sup>3</sup> Brady's App. No. 50. Henning, vol. i. p. 217. Walsing. p. 97. Ry-

ley, p. 536.

<sup>4</sup> Brady's App. No. 51.

<sup>5</sup> Ryley's Placit. Parl. p. 530, 541.

usual infatuation, he valued above all the world, and above every consideration of interest or tranquillity.

As soon, therefore, as Edward, removing to York, had freed himself from the immediate terror of the barons' power, he invited back Gavaston from Flanders, which that favourite had made the place of his retreat, and declaring his banishment to be illegal, and contrary to the laws and customs of the kingdom,<sup>q</sup> openly reinstated him

in his former credit and authority. The barons, highly provoked at this disappointment, and apprehensive of danger to themselves, from the declared animosity of so powerful a minion, saw that either his or their ruin was now inevitable; and they renewed, with redoubled zeal, their former confederacies against him. The Earl of Lancaster was a dangerous head of this alliance: Guy, Earl of Warwick, entered into it with a furious and precipitate passion: Humphrey Bohun, Earl of Hereford, the constable, and Aymer de Valence, Earl of Pembroke, brought to it a great accession of power and interest: even Earl Warrenne deserted the royal cause, which he had hitherto supported, and was induced to embrace the side of the confederates.<sup>r</sup> And as Robert de Winchelsey, Archbishop of Canterbury, professed himself of the same party, he determined the body of the clergy, and consequently the people, to declare against the king and his minion. So predominant, at that time, was the power of the great nobility, that the combination of a few of them was always able to shake the throne; and such an universal concurrence became irresistible. The Earl of Lancaster suddenly raised an army, and marched to York, where he found the king already removed to Newcastle: he flew thither in pursuit of him; and Edward had just time to escape to Tinnmouth, where he embarked, and sailed with Gavaston to Scarborough. He left his favourite in that fortress, which had it been properly supplied with provisions, was deemed impregnable; and he marched forward to York, in hopes of raising an army, which might be able to support him against his enemies. Pembroke was sent by the confederates to besiege the castle of Scarborough; and Gavaston, sensible of the bad condition of his garrison, was obliged to capitulate, and to surrender himself prisoner.<sup>s</sup> He stipulated that he should remain in Pembroke's hands

19th May. for two months; that endeavours should, during that time, be mutually used for a general accommodation; that if the terms proposed by the barons were not accepted, the castle should be restored to him in the same condition as when he surrendered it; and that the Earl of Pembroke and Henry Piercy should, by contract, pledge all their lands for the fulfilling of these conditions.<sup>t</sup> Pembroke, now master of the person of this public enemy, conducted him to the castle of Dedington, near Banbury; where, on pretence of other business, he left him, protected by a feeble guard.<sup>u</sup> Warwick, probably in concert with Pembroke, attacked the castle: the garrison refused to make any resistance: Gavaston was yielded up to him, and conducted to Warwick castle: the Earls of Lancaster, Hereford, and Arundel, immediately repaired thither: and without any regard either to the laws or the military capitulation, they ordered the head of the obnoxious favourite to be struck off by the hands of the executioner.<sup>v</sup>

The king had retired northward to Berwick when he heard of Gavaston's murder; and his resentment was proportionate to the affection which he had ever borne him while living. He threatened vengeance on all the nobility who had been active in that bloody scene; and he made preparations for war in all parts of England. But he became less constant in his enmities than in his friendships, he soon after hearkened to terms of accommodation; granted the barons a pardon of all offences; and as they stipulated to ask him publicly pardon on their knees,<sup>w</sup> he was so pleased with these vain appearances of submission, that he seemed to have sincerely forgiven them all past injuries. But as they still pretended, notwithstanding their lawless conduct, a great anxiety for the maintenance of law, and required the establishment of their former ordinances as a

necessary security for that purpose, Edward told them, that he was willing to grant them a free and legal confirmation of such of those ordinances as were not entirely derogatory to the prerogative of the crown. This answer was received, for the present, as satisfactory. The king's person, after the death of Gavaston, was now become less obnoxious to the public; and as the ordinances insisted on appeared to be nearly the same with those which had formerly been extorted from Henry III. by Montfort, and which had been attended with so many fatal consequences, they were, on that account, demanded with less vehemence by the nobility and people. The minds of all men seemed to be much appeased: the animosities of faction no longer prevailed: and England, now united under its head, would henceforth be able, it was hoped, to take vengeance on all its enemies; particularly on the Scots, whose progress was the object of general resentment and indignation.

Immediately after Edward's retreat from Scotland, Robert Bruce left his fastnesses, in which he intended to have sheltered his feeble army; and supplying his defect of strength by superior vigour and abilities, he made deep impression on all his enemies, foreign and domestic. He chased Lord Argyll, and the chieftains of the Macdowals, from their hills, and made himself entirely master of the high country: he thence invaded, with success, the Cummins in the low countries of the north: he took the castles of Inverness, Forfar, and Brechin. He daily gained some new accession of territory; and what was a more important acquisition, he daily reconciled the minds of the nobility to his dominion, and enlisted under his standard every bold leader, whom he enriched by the spoils of his enemies. Sir James Douglas, in whom commenced the greatness and renown of that warlike family, seconded him in all his enterprises: Edward Bruce, Robert's own brother, distinguished himself by acts of valour: and the terror of the English power being now abated by the feeble conduct of the king, even the least sanguine of the Scots began to entertain hopes of recovering their independence; and the whole kingdom, except a few fortresses, which he had not the means to attack, had acknowledged the authority of Robert.

In this situation, Edward had found it necessary to grant a truce to Scotland; and Robert successfully employed the interval in consolidating his power, and introducing order into his civil government, disjoined by a long continuance of wars and factions. The interval was very short: the truce, ill-observed on both sides, was at last openly violated; and war recommenced with greater fury than ever. Robert, not content with defending himself, had made successful inroads into England, subsisted his needy followers by the plunder of that country, and taught them to despise the military genius of a people who had long been the object of their terror. Edward, at last, roused from his lethargy, had marched an army into Scotland; and Robert, determined not to risk too much against an enemy so much superior, retired again into the mountains. The king advanced beyond Edinburgh, but being destitute of provisions, and being ill supported by the English nobility, who were then employed in framing their ordinances, he was soon obliged to retreat without gaining any advantage over the enemy. But the appearing union of all the parties in England, after the death of Gavaston, seemed to restore that kingdom to its native force, opened again the prospect of reducing Scotland, and promised a happy conclusion to a war in which both the interests and passions of the nation were so deeply engaged.

Edward assembled forces from all quarters, with a view of finishing, at one blow, this important enterprise. He summoned the most warlike of his vassals from Gascony: he enlisted troops from Flanders and other foreign countries: he invited over great numbers of the disorderly Irish as to a certain prey: he joined to them a body of the Welch, who were actuated by like motives: and assembling the whole military force of England, he

<sup>q</sup> Frodo's App. No. 53. Walsing. p. 98.

<sup>r</sup> Trivet, cont. p. 1.

<sup>t</sup> Ibid.

<sup>s</sup> Walsing. p. 101.

<sup>u</sup> Rymer, vol. ii. p. 324.

<sup>w</sup> T. de la More, p. 593.

<sup>x</sup> Doug. Paton, vol. ii. p. 14.

<sup>y</sup> Walsing. p. 101. T. de la More, p. 293. Trivet, cont. p. 9.

<sup>z</sup> Rymer, vol. iii. p. 367.

marched to the frontiers with an army which, according to the Scotch writers, amounted to an hundred thousand men.

The army collected by Robert exceeded not thirty thousand combatants; but being composed of men who had distinguished themselves by many acts of valour, who were rendered desperate by their situation, and who were inured to all the varieties of fortune, they might justly, under such a leader, be deemed formidable to the most numerous and best appointed armies. The castle of Stirling, which, with Berwick, was the only fortress in Scotland that remained in the hands of the English, had long been besieged by Edward Bruce: Philip de Mowbray, the governor, after an obstinate defence, was at last obliged to capitulate, and to promise, that if, before a certain day, which was now approaching, he were not relieved, he should open his gates to the enemy.<sup>a</sup> Robert therefore, sensible that here was the ground on which he must expect the English, chose the field of battle with all the skill and prudence imaginable, and made the necessary preparations for their reception. He posted himself at Bannockburn, about two miles from Stirling; where he had a hill on his right flank, and a morass on his left: and not content with having taken these precautions to prevent his being surrounded by the more numerous army of the English, he foresaw the superior strength of the enemy in cavalry, and made provision against it. Having a rivulet in front, he commanded deep pits to be dug along its banks, and sharp stakes to be planted in them; and he ordered the whole to be carefully covered over with turf.<sup>b</sup> The English arrived in sight on the evening, and a bloody conflict immediately ensued between two bodies of cavalry; where Robert, who was at the head of the Scots, engaged in single combat with Henry de Bohun, a gentleman of the family of Hereford, and at one stroke cleft his adversary to the chin with a battle-axe, in sight of the two armies. The English horse fled with precipitation to their main body.

The Scots, encouraged by this favourable event, and glorying in the valour of their prince, prognosticated a happy issue to the combat on the ensuing day: the English, confident in their numbers, and elated with former successes, longed for an opportunity of revenge: and the night, though extremely short in that season and in that climate, appeared tedious to the impatience of the several combatants. Early in the morning, Edward

drew out his army, and advanced towards the Scots. The Earl of Gloucester, his nephew, who commanded the left wing of the cavalry, impelled by the ardour of youth, rushed on to the attack without precaution, and fell among the covered pits which had been prepared by Bruce for the reception of the enemy.<sup>c</sup> This body of horse was disordered: Gloucester himself was overthrown and slain: Sir James Douglas, who commanded the Scottish cavalry, gave the enemy no leisure to rally, but pushed them off the field with considerable loss, and pursued them in sight of their whole line of infantry. While the English army were alarmed with this unfortunate beginning of the action, which commonly proves decisive, they observed an army on the heights towards the left, which seemed to be marching leisurely in order to surround them; and they were distracted by their multiplied fears. This was a number of waggoners and sumpter-boys, whom Robert had collected; and having supplied them with military standards, gave them the appearance, at a distance, of a formidable body. The stratagem took effect: a panic seized the English: they threw down their arms and fled: they were pursued with great slaughter, for the space of ninety miles, till they reached Berwick: and the Scots, besides an inestimable booty, took many persons of quality prisoners, and above 400 gentlemen, whom Robert treated with great humanity,<sup>d</sup> and whose ransom was a new accession of wealth to the victorious army. The king himself narrowly escaped, by taking shelter in Dunbar, whose gates were opened to him by the Earl of March; and he thence passed by sea to Berwick.

Such was the great and decisive battle of Bannockburn, which secured the independence of Scotland, fixed Bruce

on the throne of that kingdom, and may be deemed the greatest overthrow that the English nation, since the conquest, has ever received. The number of slain on those occasions is always uncertain, and is commonly much magnified by the victors: but this defeat made a deep impression on the minds of the English; and it was remarked, that, for some years, no superiority of numbers could encourage them to keep the field against the Scots. Robert, in order to avail himself of his present success, entered England, and ravaged all the northern counties without opposition: he besieged Carlisle; but that place was saved by the valour of Sir Andrew Harcla, the governor: he was more successful against Berwick, which he took by assault: and this prince, elated by his continued prosperity, now entertained hopes of making the most important conquests on the English. He sent over his brother Edward, with an army of 6000 men, into Ireland; and that nobleman assumed the title of king of that island. He himself followed soon after with more numerous forces. The horrible and absurd oppressions which the Irish suffered under the English government, made them at first fly to the standard of the Scots, whom they regarded as their deliverers; but a grievous famine, which at that time desolated both Ireland and Britain, reduced the Scottish army to the greatest extremities; and Robert was obliged to return, with his forces much diminished, into his own country. His brother, after having experienced a variety of fortune, was defeated and slain near Dundalk by the English, commanded by Lord Bermingham; and these projects, too extensive for the force of the Scottish nation, thus vanished into smoke.

Edward, besides suffering those disasters from the invasion of the Scots, and the insurrection of the Irish, was also infested with a rebellion in Wales; and above all by the factions of his own nobility, who took advantage of the public calamities, insulted his fallen fortunes, and endeavoured to establish their own independence on the ruins of the throne. Lancaster, and the barons of his party, who had declined attending him on his Scottish expedition, no sooner saw him return with disgrace, than they insisted on the renewal of their ordinances, which, they still pretended, had validity; and the king's unhappy situation obliged him to submit to their demands. The ministry was remodelled by the direction of Lancaster;<sup>e</sup> that prince was placed at the head of the council; it was declared, that all the offices should be filled, from time to time, by the votes of parliament, or rather by the will of the great barons;<sup>f</sup> and the nation, under this new model of government, endeavoured to put itself in a better posture of defence against the Scots. But the factious nobles were far from being terrified with the progress of these public enemies: on the contrary, they founded the hopes of their own future grandeur on the weakness and distresses of the crown: Lancaster himself was suspected, with great appearance of reason, of holding a secret correspondence with the King of Scots; and though he was intrusted with the command of the English armies, he took care that every enterprise should be disappointed, and every plan of operations prove unsuccessful.

All the European kingdoms, especially that of England, were at this time unacquainted with the office of a prime minister, so well understood at present in all regular monarchies; and the people could form no conception of a man, who, though still in the rank of a subject, possessed all the power of a sovereign, eased the prince of the burden of affairs, supplied his want of experience or capacity, and maintained all the rights of the crown, without degrading the greatest nobles by their submission to his temporary authority. Edward was plainly, by nature, unfit to hold himself the reins of government: he had no vices, but was unhappy in a total incapacity for serious business: he was sensible of his own defects, and necessarily sought to be governed: yet every favourite whom he successively chose was regarded as a fellow-subject exalted above his rank and station: he was the object of envy to the great nobility: his character and conduct were derided with the people: his authority over the king and

<sup>a</sup> Rymer, vol. iii. p. 481.

<sup>c</sup> *Ibid.*

<sup>b</sup> *I*. de la More, p. 594.

<sup>d</sup> *Ypod. Neust.* p. 501.

<sup>e</sup> *Ryley*, p. 560. *Rymer*, vol. iii. p. 722.

<sup>f</sup> *Prady*, vol. ii. p. 122. from the records, App. No. 61. *Ryley*, p. 560.



kingdom was considered as an usurpation: and unless the prince had embraced the dangerous expedient of devolving his power on the Earl of Lancaster or some mighty baron, whose family interest was so extensive as to be able alone to maintain his influence, he could expect no peace or tranquillity upon the throne.

The king's chief favourite, after the death of Gavaston, was Hugh le Despenser, or Spenser, a young man of English birth, of high rank, and of a noble family.<sup>a</sup> He possessed all the exterior accomplishments of person and address, which were fitted to engage the weak mind of Edward; but was destitute of that moderation and prudence which might have qualified him to mitigate the envy of the great, and conduct him through all the perils of that dangerous station to which he was advanced. His father, who was of the same name, and who, by means of his son, had also attained great influence over the king, was a nobleman venerable from his years, respected through all his past life for wisdom, valour, and integrity, and well fitted, by his talents and experience, could affairs have admitted of any temperance, to have supplied the defects both of the king and of his minion.<sup>b</sup> But no sooner was Edward's attachment declared for young Spenser, than the turbulent Lancaster, and most of the great barons, regarded him as their rival, made him the object of their animosity, and formed violent plans for his ruin.<sup>c</sup> They first declared their discontent by withdrawing from parliament; and it was not long ere they found a pretence for proceeding to greater extremities against him.

The king, who set no limits to his bounty towards his minions, had married the younger Spenser to his niece, one of the coheirs of the Earl of Gloucester, slain at Bannockburn. The favourite, by his succession to that opulent family, had inherited great possessions in the marches of Wales; and being desirous of extending still further his influence in those quarters, he is accused of having committed injustice on the barons of Audley and Ammori, who had also married two sisters of the same family. There was likewise a baron in that neighbourhood, called William de Braouse, Lord of Gower, who had made a settlement of his estate on John de Mowbray, his son-in-law; and, in case of failure of that nobleman and his issue, had substituted the Earl of Hereford in the succession to the barony of Gower. Mowbray, on the decease of his father-in-law, entered immediately in possession of the estate, without the formality of taking livery and seizin from the crown: but Spenser, who coveted that barony, persuaded the king to put in execution the rigour of the feudal law, to seize Gower as escheated to the crown, and to confer it upon him.<sup>d</sup> This transaction, which was the proper subject of a law-suit, immediately excited a civil war in the kingdom. The Earls of Lancaster and Hereford flew to arms: Audley and Ammori joined them with all their forces: the two Rogers de Mortimer, and Roger de Clifford, with many other, disgusted, for private reasons, at the Spensers, brought a considerable accession to the party: and their army being now formidable, they sent a message to the king, requiring him immediately to dismiss or confine the younger Spenser; and menacing him, in case of refusal, with renouncing their allegiance to him, and taking revenge on that minister by their own authority. They scarcely waited for an answer; but immediately fell upon the lands of young Spenser, which they pillaged and destroyed; murdered his servants, drove off his cattle, and burned his houses: they thence proceeded to commit like devastations on the estates of Spenser the father, whose character they had hitherto seemed to respect: and having drawn and signed a formal association among themselves,<sup>e</sup> they marched to London with all their forces, stationed themselves in the neighbourhood of that city, and demanded of the king the banishment of both the Spensers. These noblemen were then absent;

the father abroad, the son at sea; and both of them employed in different commissions: the king therefore replied, that his coronation oath, by which he was bound to observe the laws, restrained him from giving his assent to so illegal a demand, or condemning noblemen who were accused of no crime, nor had any opportunity afforded them of making answer.<sup>f</sup> Equity and reason were but a feeble opposition to men who had arms in their hands, and who, being already involved in guilt, saw no safety but in success and victory. They entered London with their troops; and giving in to the parliament, which was then sitting, a charge against the Spensers, of which they attempted not to prove one article, they procured, by menaces and violence, a sentence of attainder and perpetual exile against these ministers.<sup>g</sup> This sentence was voted by the lay barons alone: for the commons, though now an estate in parliament, were yet of so little consideration, that their assent was not demanded; and even the votes of the prelates were neglected amidst the present disorders. The only symptom which these turbulent barons gave of their regard to law, was their requiring from the king an indemnity for their illegal proceedings; after which they disbanded their army, and separated, in security, as they imagined, to their several castles.

This act of violence, in which the king was obliged to acquiesce, rendered his person and his authority so contemptible, that every one thought himself entitled to treat him with neglect. The queen, having occasion soon after to pass by the castle of Leeds in Kent, which belonged to the Lord Badlesmere, desired a night's lodging, but was refused admittance; and some of her attendants, who presented themselves at the gate, were killed.<sup>h</sup> The insult upon this princess, who had always endeavoured to live on good terms with the barons, and who joined them heartily in their hatred of the young Spenser, was an action which nobody pretended to justify; and the king thought that he might, without giving general umbrage, assemble an army, and take vengeance on the offender. No one came to the assistance of Badlesmere; and Edward prevailed.<sup>i</sup> But having now some forces on foot, and having concerted measures with his friends throughout England, he ventured to take off the mask, to attack all his enemies, and to recall the two Spensers, whose sentence he declared illegal, unjust, contrary to the tenor of the Great Charter, passed without the assent of the prelates, and extorted by violence from him and the estate of barons.<sup>j</sup> Still the commons were not mentioned by either party.

The king had now got the start of the barons; an advantage which, in those times, was commonly decisive: and he hastened with his army to the marches of Wales, the chief seat of the power of his enemies, whom he found totally unprepared for resistance. Many of the barons in those parts endeavoured to appease him by submission: their castles were seized, and their persons committed to custody. But Lancaster, in order to prevent the total ruin of his party, summoned together his vassals and retainers; declared his alliance with Scotland, which had long been suspected; received the promise of a reinforcement from that country, under the command of Randolph Earl of Murray, and Sir James Douglas; and being joined by the Earl of Hereford, advanced with all his forces against the king, who had collected an army of 30,000 men, and was superior to his enemies. Lancaster posted himself at Burton upon Trent, and endeavoured to defend the passages of the river: but being disappointed in that plan of operations, this prince, who had no military genius, and whose personal courage was even suspected, fled with his army to the north, in expectation of being there joined by his Scottish allies: he was pursued by the king; and his army diminished daily, till he came to Boroughbridge, where he found Sir Andrew Harcla posted with some forces on the opposite side of the river, and ready to dispute the passage with him. He

<sup>a</sup> Dugd. Baron. vol. i. p. 389. <sup>b</sup> T. de la More, p. 544.  
<sup>c</sup> Walsing. p. 113. T. de la More, p. 595. Murmuth, p. 55.  
<sup>d</sup> Lott's Collect. p. 25. <sup>e</sup> Monach. Malines.  
<sup>f</sup> Murmuth, p. 55.  
<sup>g</sup> Dugd. vol. ii. p. 230, from the register of C. C. Canterbury.  
<sup>h</sup> Walsing. p. 114.  
<sup>i</sup> Lott's Collect. part. 2. p. 50. Walsing. p. 114.

<sup>j</sup> Lott's Collect. part. 2. p. 54. Rymer, vol. iii. p. 691.  
<sup>k</sup> Rymer, vol. iii. p. 89. Walsing. p. 114, 115. T. de la More, p. 595.  
<sup>l</sup> Murmuth, p. 56. <sup>m</sup> Monach. Malines.  
<sup>n</sup> Walsing. p. 115.  
<sup>o</sup> Rymer, vol. iii. p. 907. T. de la More, p. 595.  
<sup>p</sup> Walsing. p. 115. Murmuth, p. 57.  
<sup>q</sup> Rymer, vol. iii. p. 956. <sup>r</sup> Walsing. 115. <sup>s</sup> Ypod. Neust. p. 569.

was repulsed in an attempt which he made to force his way; the Earl of Hereford was killed; the whole army of the rebels was disconcerted: Lancaster

16th March. himself was become incapable of taking any measures either for flight or defence; and he was seized, without resistance, by Harcla, and conducted to the king.<sup>a</sup> In those violent times, the laws were so much neglected on both sides, that, even where they might, without any sensible inconvenience, have been observed, the conquerors deemed it unnecessary to pay any regard to them. Lancaster, who was guilty of open rebellion, and was taken in arms against his sovereign, instead of being tried by the laws of his country, which pronounced the sentence of death against him, was condemned by a court martial,<sup>b</sup> and led to execution. Edward, however

24th March. Execution of the Earl of Lancaster. little vindictive in his natural temper, here indulged his revenge, and employed against the prisoner the same indignities which had been exercised, by his orders, against Gavaston. He was clothed in a mean attire, placed on a lean jade without a bridle, a hood was put on his head, and in this posture, attended by the acclamations of the people, this prince was conducted to an eminence near Pomfret, one of his own castles, and there beheaded.<sup>c</sup>

This perished Thomas Earl of Lancaster, prince of the blood, and one of the most potent barons that had ever been in England. His public conduct sufficiently discovers the violence and turbulence of his character: his private deportment appears not to have been more innocent; and his hypocritical devotion, by which he gained the favour of the monks and populace, will rather be regarded as an aggravation than an alleviation of his guilt. Badlesmere, Giffard, Barret, Cheney, Fleming, and about eighteen of the most notorious offenders, were afterwards condemned by a legal trial, and were executed. Many were thrown into prison: others made their escape beyond sea: some of the king's servants were rewarded from their forfeitures: Harcla received for his services the earldom of Carlisle, and a large estate, which he soon after forfeited with his life, for a treasonable correspondence with the King of Scotland. But the greater part of those vast escheats was seized by young Spenser, whose rapacity was insatiable. Many of the barons of the king's party were disgusted with this partial division of the spoils: the envy against Spenser arose higher than ever: the usual insolence of his temper, inflamed by success, impelled him to commit many acts of violence: the people, who always hated him, made him still more the object of aversion: all the relations of the attainted barons and gentlemen secretly vowed revenge: and though tranquillity was, in appearance, restored to the kingdom, the general contempt of the king, and odium against Spenser, bred dangerous humours, the source of future revolutions and convulsions.

In this situation, no success could be expected from foreign wars; and Edward, after making one more fruitless attempt against Scotland, whence he retreated with dishonour, found it necessary to terminate hostilities with that kingdom by a truce of thirteen years.<sup>d</sup> Robert, though his title to the crown was not acknowledged in the treaty, was satisfied with insuring his possession of it during so long a time. He had repelled with gallantry all the attacks of England: he had carried war both into that kingdom and into Ireland: he had rejected with disdain the Pope's authority, who pretended to impose his commands upon him, and oblige him to make peace with his enemies: his throne was firmly established, as well in the affections of his subjects as by force of arms: yet there naturally remained some inquietude in his mind, while at war with a state, which, however at present disordered by faction, was of itself so much an over-match for him, both in riches and in numbers of people. And this truce was, at the same time, the more seasonable for England, because the nation was at that juncture threatened with hostilities from France.

A. D. 1324. Philip the Fair, King of France, who died in 1315, had left the crown to his son Lewis

Hutin, who, after a short reign, dying without male issue, was succeeded by Philip the Long, his brother, whose death soon after made way for Charles the Fair, the youngest brother of that family. This monarch had some grounds of complaint against the king's ministers in Guienne; and as there was no common or equitable judge in that strange species of sovereignty established by the feudal law, he seemed desirous to take advantage of Edward's weakness, and, under that pretence, to confiscate all his foreign dominions.<sup>e</sup> After an embassy by the Earl of Kent, the king's brother, had been tried in vain, Queen Isabella obtained permission to go over to Paris, and endeavour to adjust, in an amicable manner, the difference with her brother: but while she was making some progress in this negotiation, Charles started a new pretension, the justice of which could not be disputed, that Edward himself should appear in his court, and do homage for the fees which he held in France. But there occurred many difficulties in complying with this demand. Young Spenser, by whom the king was implicitly governed, had unavoidably been engaged in many quarrels with the queen, who aspired to the same influence; and though that artful princess, on her leaving England, had dissembled her animosity, Spenser, well acquainted with her secret sentiments, was unwilling to attend his master to Paris, and appear in a court, where her credit might expose him to insults, if not to danger. He hesitated no less on allowing the king to make the journey alone; both fearing, lest that easy prince should in his absence fall under other influence, and foreseeing the perils to which he himself should be exposed, if, without the protection of royal authority, he remained in England, where he was so generally hated. While these doubts occasioned delays and difficulties, Isabella

A. D. 1325.

proposed, that Edward should resign the dominion of Guienne to his son, now thirteen years of age; and that the prince should come to Paris, and do the homage which every vassal owed to his superior lord. This expedient, which seemed so happily to remove all difficulties, was immediately embraced: Spenser was charmed with the contrivance: young Edward was sent to Paris: and the ruin covered under this fatal snare, was never perceived or suspected by any of the English council.

The queen, on her arrival in France, had there found a great number of English fugitives, the remains of the Lancastrian faction; and their common hatred of Spenser soon begat a secret friendship and correspondence between them and that princess. Among the rest was young Roger Mortimer, a potent baron in the Welch marches, who had been obliged, with others, to make his submissions to the king; and had been condemned for high treason; but having received a pardon for his life, was afterwards detained in the Tower, with an intention of rendering his confinement perpetual. He was so fortunate as to make his escape into France;<sup>f</sup> and being one of the most considerable persons now remaining of the party, as well as distinguished by his violent animosity against Spenser, he was easily admitted to pay his court to Queen Isabella. The graces of his person and address advanced him quickly in her affections: he became her confidant and counsellor in all her measures; and gaining ground daily upon her heart, he engaged her to sacrifice at last to her passion, all the sentiments of honour and of fidelity to her husband.<sup>g</sup>

Hating now the man whom she had injured, and whom she never valued, she entered ardently into all Mortimer's conspiracies; and having artfully gotten into her hands the young prince, and heir of the monarchy, she resolved on the utter ruin of the king, as well as of his favourite. She engaged her brother to take part in the same criminal purpose: her court was daily filled with the exiled barons: Mortimer lived in the most declared intimacy with her: a correspondence was secretly carried on with the discontent party in England: and when Edward, informed of those alarming circumstances, required her speedily to return with the prince, she publicly replied, that she would never

Conspiracy against the king.

<sup>a</sup> T. de la More, p. 506. Walsley, p. 116.

<sup>b</sup> Lottel, vol. ii. p. 521. from the records.

<sup>c</sup> Lottel's Coll. vol. i. p. 608. c. Rous, vol. iii. p. 1022. Murimuth, p. 60.

<sup>d</sup> Rous, vol. iv. p. 74. 99.

<sup>e</sup> Rous, vol. iv. p. 74. 80. T. de la More, p. 506. Walsley, p. 117.

<sup>f</sup> Lottel, vol. i. p. 608.

<sup>g</sup> Lottel, vol. i. p. 608. Murimuth, p. 60.

set foot in the kingdom till Spenser was for ever removed from his presence and councils: a declaration which procured her great popularity in England, and threw a decent veil over all her treasonable enterprises.

Edward endeavoured to put himself in a posture of defence; <sup>f</sup> but besides the difficulties arising from his own indolence and slender abilities, and the want of authority which of consequence attended all his resolutions, it was not easy for him, in the present state of the kingdom and revenue, to maintain a constant force ready to repel an invasion, which he knew not at what time or place he had reason to expect. All his efforts were unequal to the traitorous and hostile conspiracies, which, both at home and abroad, were forming against his authority, and which were daily penetrating further even into his own family. His brother, the Earl of Kent, a virtuous but weak prince, who was then at Paris, was engaged by his sister-in-law, and by the King of France, who was also his cousin-german, to give countenance to the invasion, whose sole object, he believed, was the expulsion of the Spensers: he prevailed on his elder brother, the Earl of Norfolk, to enter secretly into the same design: the Earl of Leicester, brother and heir of the Earl of Lancaster, had too many reasons for his hatred of these ministers, to refuse his concurrence. Walter de Reynel, Archbishop of Canterbury, and many of the prelates, expressed their approbation of the queen's measures: several of the most potent barons, envying the authority of the favourite, were ready to fly to arms: the minds of the people, by means of some truths and many calumnies, were strongly disposed to the same party: and there needed but the appearance of the queen and prince, with such a body of foreign troops as might protect her against immediate violence, to turn all this tempest, so artfully prepared, against the unhappy Edward.

<sup>g</sup> Insurrections. assistance to the faction, was ashamed openly to support the queen and prince against the authority of a husband and father; and Isabella was obliged to court the alliance of some other foreign potentate, from whose dominions she might set out on her intended enterprise. For this purpose, she affianced young Edward, whose tender age made him incapable to judge of the consequences, with Philippa, daughter of the Count of Holland and Hainault; <sup>h</sup> and having, by the open assistance of this prince, and the secret protection of her brother, enlisted in her service near 3,000 men, she set sail from the harbour of Dort, and landed safely, and without opposition, on the coast of Suffolk. The Earl of Kent was in her company: two other princes of the blood, the Earl of Norfolk and the Earl of Leicester, joined her soon after her landing, with all their followers: three prelates, the Bishops of Ely, Lincoln, and Hereford, brought her both the force of their vassals and the authority of their character: <sup>i</sup> even Robert de Watteville, who had been sent by the king to oppose her progress in Suffolk, deserted to her with all his forces. To render her cause more favourable, she renewed her declaration, that the sole purpose of her enterprise was to free the king and kingdom from the tyranny of the Spensers, and of Chancellor Baldoc, their creature. <sup>k</sup> The populace were allured by her specious pretences: the barons thought themselves secure against forfeitures by the appearance of the prince in her army: and a weak irresolute king, supported by ministers generally odious, was unable to stem this torrent, which bore with such irresistible violence against him.

Edward, after trying in vain to rouse the citizens of London to some sense of duty, <sup>l</sup> departed for the west, where he hoped to meet with a better reception; and he had no sooner discovered his weakness by leaving the city, than the rage of the populace broke out without control against him and his ministers. They first plundered then murdered all those who were obnoxious to them: they seized the Bishop of Exeter, a virtuous and loyal prelate,

as he was passing through the streets; and having beheaded him, they threw his body into the river. <sup>m</sup> They made themselves masters of the Tower by surprise: then entered into a formal association to put to death, without mercy, every one who should dare to oppose the enterprise of Queen Isabella, and of the prince. <sup>n</sup> A like spirit was soon communicated to all other parts of England, and threw the few servants of the king, who still entertained thoughts of performing their duty, into terror and astonishment.

Edward was hotly pursued to Bristol by the Earl of Kent, seconded by the foreign forces under John de Hainault. He found himself disappointed in his expectations with regard to the loyalty of those parts; and he passed over to Wales, where, he flattered himself, his name was more popular, and which he hoped to find uninfected with the contagion of general rage, which had seized the English. <sup>o</sup> The elder Spenser, created Earl of Winchester, was left governor of the castle of Bristol; but the garrison mutinied against him, and he was delivered into the hands of his enemies. This venerable noble, who had nearly reached his ninetieth year, was instantly, without trial, or witness, or accusation, or answer, condemned to death by the rebellious barons: he was hanged on a gibbet; his body was cut in pieces, and thrown to the dogs; <sup>p</sup> and his head was sent to Winchester, the place whose title he bore, and was there set on a pole, and exposed to the insults of the populace.

The king, disappointed anew in his expectations of succour from the Welch, took shipping for Ireland; but being driven back by contrary winds, he endeavoured to conceal himself in the mountains of Wales: he was soon discovered, was put under the custody of the Earl of Leicester, and was confined in the castle of Kenilworth. The younger Spenser, his favourite, who also fell into the hands of his enemies, was executed, like his father, without any appearance of a legal trial: <sup>q</sup> the Earl of Arundel, almost the only man of his rank in England who had maintained his loyalty, was, without any trial, put to death at the instigation of Mortimer: Baldoc, the chancellor, being a priest, could not with safety be so suddenly despatched; but being sent to the Bishop of Hereford's palace in London, he was there, as his enemies probably foresaw, seized by the populace, was thrown into Newgate, and soon after expired, from the cruel usage which he had received. <sup>r</sup> Even the usual reverence paid to the sacerdotal character gave way, with every other consideration, to the present rage of the people.

The queen, to avail herself of the prevailing delusion, summoned, in the king's name, <sup>s</sup> a parliament at Westminster; where, together with the power of her army, and the authority of her partisans among the barons, who were concerned to secure their past treasons by committing new acts of violence against their sovereign, she expected to be seconded by the fury of the populace, the most dangerous of all instruments, and the least answerable for their excesses. <sup>t</sup> A charge was drawn up against the king, in 1327. which, even though it was framed by his inveterate enemies, nothing but his narrow genius, or his misfortunes, were objected to him: for the greatest malice found no particular crime with which it could reproach this unhappy prince. He was accused of incapacity for government, of wasting his time in idle amusements, of neglecting public business, of being swayed by evil counsellors, of having lost, by his misconduct, the kingdom of Scotland, and part of Guienne; and to swell the charge, even the death of some barons, and the imprisonment of some prelates, convicted of treason, were laid to his account. <sup>u</sup> It was in vain, amidst the violence of arms and tumult of the people, to appeal either to law or to reason: the deposition of the king, without any appearing opposition, was voted by parliament: the prince, already declared regent by his party, <sup>v</sup> was placed on the throne: and a deputation was sent to Edward at Kenilworth, to require

<sup>g</sup> Rymer, vol. iv. p. 181, 183, 295. <sup>h</sup> T. de la More, p. 599. <sup>i</sup> Walsing. p. 126. <sup>j</sup> Ibid. Neust. p. 507. <sup>k</sup> T. de la More, p. 596. <sup>l</sup> Mar. 1327. p. 106. <sup>m</sup> A. D. 1327. p. 58. <sup>n</sup> Walsing. p. 127. <sup>o</sup> Ibid. p. 124. <sup>p</sup> T. de la More, p. 599. <sup>q</sup> Mar. 1327. p. 61. <sup>r</sup> Walsing. p. 124. <sup>s</sup> Ibid. p. 124. <sup>t</sup> Ibid. p. 124. <sup>u</sup> Ibid. p. 124. <sup>v</sup> Ibid. p. 124.

<sup>p</sup> Teland's Coll. vol. i. p. 673. <sup>q</sup> T. de la More, p. 599. <sup>r</sup> Walsing. p. 125. <sup>s</sup> M. Trossart, liv. 1. chap. 10. <sup>t</sup> Walsing. p. 125. <sup>u</sup> Ibid. p. 124. <sup>v</sup> Walsing. p. 126. <sup>w</sup> Ibid. p. 126. <sup>x</sup> Ibid. p. 126. <sup>y</sup> Ibid. p. 126. <sup>z</sup> Ibid. p. 126. <sup>aa</sup> Ibid. p. 126. <sup>ab</sup> Ibid. p. 126. <sup>ac</sup> Ibid. p. 126. <sup>ad</sup> Ibid. p. 126. <sup>ae</sup> Ibid. p. 126. <sup>af</sup> Ibid. p. 126. <sup>ag</sup> Ibid. p. 126. <sup>ah</sup> Ibid. p. 126. <sup>ai</sup> Ibid. p. 126. <sup>aj</sup> Ibid. p. 126. <sup>ak</sup> Ibid. p. 126. <sup>al</sup> Ibid. p. 126. <sup>am</sup> Ibid. p. 126. <sup>an</sup> Ibid. p. 126. <sup>ao</sup> Ibid. p. 126. <sup>ap</sup> Ibid. p. 126. <sup>aq</sup> Ibid. p. 126. <sup>ar</sup> Ibid. p. 126. <sup>as</sup> Ibid. p. 126. <sup>at</sup> Ibid. p. 126. <sup>au</sup> Ibid. p. 126. <sup>av</sup> Ibid. p. 126. <sup>aw</sup> Ibid. p. 126. <sup>ax</sup> Ibid. p. 126. <sup>ay</sup> Ibid. p. 126. <sup>az</sup> Ibid. p. 126. <sup>ba</sup> Ibid. p. 126. <sup>bb</sup> Ibid. p. 126. <sup>bc</sup> Ibid. p. 126. <sup>bd</sup> Ibid. p. 126. <sup>be</sup> Ibid. p. 126. <sup>bf</sup> Ibid. p. 126. <sup>bg</sup> Ibid. p. 126. <sup>bh</sup> Ibid. p. 126. <sup>bi</sup> Ibid. p. 126. <sup>bj</sup> Ibid. p. 126. <sup>bk</sup> Ibid. p. 126. <sup>bl</sup> Ibid. p. 126. <sup>bm</sup> Ibid. p. 126. <sup>bn</sup> Ibid. p. 126. <sup>bo</sup> Ibid. p. 126. <sup>bp</sup> Ibid. p. 126. <sup>bq</sup> Ibid. p. 126. <sup>br</sup> Ibid. p. 126. <sup>bs</sup> Ibid. p. 126. <sup>bt</sup> Ibid. p. 126. <sup>bu</sup> Ibid. p. 126. <sup>bv</sup> Ibid. p. 126. <sup>bw</sup> Ibid. p. 126. <sup>bx</sup> Ibid. p. 126. <sup>by</sup> Ibid. p. 126. <sup>bz</sup> Ibid. p. 126. <sup>ca</sup> Ibid. p. 126. <sup>cb</sup> Ibid. p. 126. <sup>cc</sup> Ibid. p. 126. <sup>cd</sup> Ibid. p. 126. <sup>ce</sup> Ibid. p. 126. <sup>cf</sup> Ibid. p. 126. <sup>cg</sup> Ibid. p. 126. <sup>ch</sup> Ibid. p. 126. <sup>ci</sup> Ibid. p. 126. <sup>cj</sup> Ibid. p. 126. <sup>ck</sup> Ibid. p. 126. <sup>cl</sup> Ibid. p. 126. <sup>cm</sup> Ibid. p. 126. <sup>cn</sup> Ibid. p. 126. <sup>co</sup> Ibid. p. 126. <sup>cp</sup> Ibid. p. 126. <sup>cq</sup> Ibid. p. 126. <sup>cr</sup> Ibid. p. 126. <sup>cs</sup> Ibid. p. 126. <sup>ct</sup> Ibid. p. 126. <sup>cu</sup> Ibid. p. 126. <sup>cv</sup> Ibid. p. 126. <sup>cw</sup> Ibid. p. 126. <sup>cx</sup> Ibid. p. 126. <sup>cy</sup> Ibid. p. 126. <sup>cz</sup> Ibid. p. 126. <sup>da</sup> Ibid. p. 126. <sup>db</sup> Ibid. p. 126. <sup>dc</sup> Ibid. p. 126. <sup>dd</sup> Ibid. p. 126. <sup>de</sup> Ibid. p. 126. <sup>df</sup> Ibid. p. 126. <sup>dg</sup> Ibid. p. 126. <sup>dh</sup> Ibid. p. 126. <sup>di</sup> Ibid. p. 126. <sup>dj</sup> Ibid. p. 126. <sup>dk</sup> Ibid. p. 126. <sup>dl</sup> Ibid. p. 126. <sup>dm</sup> Ibid. p. 126. <sup>dn</sup> Ibid. p. 126. <sup>do</sup> Ibid. p. 126. <sup>dp</sup> Ibid. p. 126. <sup>dq</sup> Ibid. p. 126. <sup>dr</sup> Ibid. p. 126. <sup>ds</sup> Ibid. p. 126. <sup>dt</sup> Ibid. p. 126. <sup>du</sup> Ibid. p. 126. <sup>dv</sup> Ibid. p. 126. <sup>dw</sup> Ibid. p. 126. <sup>dx</sup> Ibid. p. 126. <sup>dy</sup> Ibid. p. 126. <sup>dz</sup> Ibid. p. 126. <sup>ea</sup> Ibid. p. 126. <sup>eb</sup> Ibid. p. 126. <sup>ec</sup> Ibid. p. 126. <sup>ed</sup> Ibid. p. 126. <sup>ee</sup> Ibid. p. 126. <sup>ef</sup> Ibid. p. 126. <sup>eg</sup> Ibid. p. 126. <sup>eh</sup> Ibid. p. 126. <sup>ei</sup> Ibid. p. 126. <sup>ej</sup> Ibid. p. 126. <sup>ek</sup> Ibid. p. 126. <sup>el</sup> Ibid. p. 126. <sup>em</sup> Ibid. p. 126. <sup>en</sup> Ibid. p. 126. <sup>eo</sup> Ibid. p. 126. <sup>ep</sup> Ibid. p. 126. <sup>eq</sup> Ibid. p. 126. <sup>er</sup> Ibid. p. 126. <sup>es</sup> Ibid. p. 126. <sup>et</sup> Ibid. p. 126. <sup>eu</sup> Ibid. p. 126. <sup>ev</sup> Ibid. p. 126. <sup>ew</sup> Ibid. p. 126. <sup>ex</sup> Ibid. p. 126. <sup>ey</sup> Ibid. p. 126. <sup>ez</sup> Ibid. p. 126. <sup>fa</sup> Ibid. p. 126. <sup>fb</sup> Ibid. p. 126. <sup>fc</sup> Ibid. p. 126. <sup>fd</sup> Ibid. p. 126. <sup>fe</sup> Ibid. p. 126. <sup>ff</sup> Ibid. p. 126. <sup>fg</sup> Ibid. p. 126. <sup>fh</sup> Ibid. p. 126. <sup>fi</sup> Ibid. p. 126. <sup>fj</sup> Ibid. p. 126. <sup>fk</sup> Ibid. p. 126. <sup>fl</sup> Ibid. p. 126. <sup>fm</sup> Ibid. p. 126. <sup>fn</sup> Ibid. p. 126. <sup>fo</sup> Ibid. p. 126. <sup>fp</sup> Ibid. p. 126. <sup>fq</sup> Ibid. p. 126. <sup>fr</sup> Ibid. p. 126. <sup>fs</sup> Ibid. p. 126. <sup>ft</sup> Ibid. p. 126. <sup>fu</sup> Ibid. p. 126. <sup>fv</sup> Ibid. p. 126. <sup>fw</sup> Ibid. p. 126. <sup>fx</sup> Ibid. p. 126. <sup>fy</sup> Ibid. p. 126. <sup>fz</sup> Ibid. p. 126. <sup>ga</sup> Ibid. p. 126. <sup>gb</sup> Ibid. p. 126. <sup>gc</sup> Ibid. p. 126. <sup>gd</sup> Ibid. p. 126. <sup>ge</sup> Ibid. p. 126. <sup>gf</sup> Ibid. p. 126. <sup>gg</sup> Ibid. p. 126. <sup>gh</sup> Ibid. p. 126. <sup>gi</sup> Ibid. p. 126. <sup>gj</sup> Ibid. p. 126. <sup>gk</sup> Ibid. p. 126. <sup>gl</sup> Ibid. p. 126. <sup>gm</sup> Ibid. p. 126. <sup>gn</sup> Ibid. p. 126. <sup>go</sup> Ibid. p. 126. <sup>gp</sup> Ibid. p. 126. <sup>gq</sup> Ibid. p. 126. <sup>gr</sup> Ibid. p. 126. <sup>gs</sup> Ibid. p. 126. <sup>gt</sup> Ibid. p. 126. <sup>gu</sup> Ibid. p. 126. <sup>gv</sup> Ibid. p. 126. <sup>gw</sup> Ibid. p. 126. <sup>gx</sup> Ibid. p. 126. <sup>gy</sup> Ibid. p. 126. <sup>gz</sup> Ibid. p. 126. <sup>ha</sup> Ibid. p. 126. <sup>hb</sup> Ibid. p. 126. <sup>hc</sup> Ibid. p. 126. <sup>hd</sup> Ibid. p. 126. <sup>he</sup> Ibid. p. 126. <sup>hf</sup> Ibid. p. 126. <sup>hg</sup> Ibid. p. 126. <sup>hh</sup> Ibid. p. 126. <sup>hi</sup> Ibid. p. 126. <sup>hj</sup> Ibid. p. 126. <sup>hk</sup> Ibid. p. 126. <sup>hl</sup> Ibid. p. 126. <sup>hm</sup> Ibid. p. 126. <sup>hn</sup> Ibid. p. 126. <sup>ho</sup> Ibid. p. 126. <sup>hp</sup> Ibid. p. 126. <sup>hq</sup> Ibid. p. 126. <sup>hr</sup> Ibid. p. 126. <sup>hs</sup> Ibid. p. 126. <sup>ht</sup> Ibid. p. 126. <sup>hu</sup> Ibid. p. 126. <sup>hv</sup> Ibid. p. 126. <sup>hw</sup> Ibid. p. 126. <sup>hx</sup> Ibid. p. 126. <sup>hy</sup> Ibid. p. 126. <sup>hz</sup> Ibid. p. 126. <sup>ia</sup> Ibid. p. 126. <sup>ib</sup> Ibid. p. 126. <sup>ic</sup> Ibid. p. 126. <sup>id</sup> Ibid. p. 126. <sup>ie</sup> Ibid. p. 126. <sup>if</sup> Ibid. p. 126. <sup>ig</sup> Ibid. p. 126. <sup>ih</sup> Ibid. p. 126. <sup>ii</sup> Ibid. p. 126. <sup>ij</sup> Ibid. p. 126. <sup>ik</sup> Ibid. p. 126. <sup>il</sup> Ibid. p. 126. <sup>im</sup> Ibid. p. 126. <sup>in</sup> Ibid. p. 126. <sup>io</sup> Ibid. p. 126. <sup>ip</sup> Ibid. p. 126. <sup>iq</sup> Ibid. p. 126. <sup>ir</sup> Ibid. p. 126. <sup>is</sup> Ibid. p. 126. <sup>it</sup> Ibid. p. 126. <sup>iu</sup> Ibid. p. 126. <sup>iv</sup> Ibid. p. 126. <sup>iw</sup> Ibid. p. 126. <sup>ix</sup> Ibid. p. 126. <sup>iy</sup> Ibid. p. 126. <sup>iz</sup> Ibid. p. 126. <sup>ja</sup> Ibid. p. 126. <sup>jb</sup> Ibid. p. 126. <sup>jc</sup> Ibid. p. 126. <sup>jd</sup> Ibid. p. 126. <sup>je</sup> Ibid. p. 126. <sup>jf</sup> Ibid. p. 126. <sup>jj</sup> Ibid. 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<sup>ku</sup> Ibid. p. 126. <sup>kv</sup> Ibid. p. 126. <sup>kx</sup> Ibid. p. 126. <sup>ky</sup> Ibid. p. 126. <sup>kz</sup> Ibid. p. 126. <sup>la</sup> Ibid. p. 126. <sup>lb</sup> Ibid. p. 126. <sup>lc</sup> Ibid. p. 126. <sup>ld</sup> Ibid. p. 126. <sup>le</sup> Ibid. p. 126. <sup>lf</sup> Ibid. p. 126. <sup>lg</sup> Ibid. p. 126. <sup>lh</sup> Ibid. p. 126. <sup>li</sup> Ibid. p. 126. <sup>lj</sup> Ibid. p. 126. <sup>lk</sup> Ibid. p. 126. <sup>ll</sup> Ibid. p. 126. <sup>lm</sup> Ibid. p. 126. <sup>ln</sup> Ibid. p. 126. <sup>lo</sup> Ibid. p. 126. <sup>lp</sup> Ibid. p. 126. <sup>lq</sup> Ibid. p. 126. <sup>lr</sup> Ibid. p. 126. <sup>ls</sup> Ibid. p. 126. <sup>lt</sup> Ibid. p. 126. <sup>lu</sup> Ibid. p. 126. <sup>lv</sup> Ibid. p. 126. <sup>lw</sup> Ibid. p. 126. <sup>lx</sup> Ibid. p. 126. <sup>ly</sup> Ibid. p. 126. <sup>lz</sup> Ibid. p. 126. <sup>ma</sup> Ibid. p. 126. <sup>mb</sup> Ibid. p. 126. <sup>mc</sup> Ibid. p. 126. <sup>md</sup> Ibid. p. 126. <sup>me</sup> Ibid. p. 126. <sup>mf</sup> Ibid. p. 126. <sup>mg</sup> Ibid. p. 126. <sup>mh</sup> Ibid. p. 126. <sup>mi</sup> Ibid. p. 126. <sup>mj</sup> Ibid. p. 126. <sup>mk</sup> Ibid. p. 126. <sup>ml</sup> Ibid. p. 126. <sup>mn</sup> Ibid. p. 126. <sup>mo</sup> Ibid. p. 126. <sup>mp</sup> Ibid. p. 126. <sup>mq</sup> Ibid. p. 126. <sup>mr</sup> Ibid. p. 126. <sup>ms</sup> Ibid. p. 126. <sup>mt</sup> Ibid. p. 126. <sup>mu</sup> Ibid. p. 126. <sup>mv</sup> Ibid. p. 126. <sup>mw</sup> Ibid. p. 126. <sup>mx</sup> Ibid. p. 126. <sup>my</sup> Ibid. p. 126. <sup>mz</sup> Ibid. p. 126. <sup>na</sup> Ibid. p. 126. <sup>nb</sup> Ibid. p. 126. <sup>nc</sup> Ibid. p. 126. <sup>nd</sup> Ibid. p. 126. <sup>ne</sup> Ibid. p. 126. <sup>nf</sup> Ibid. p. 126. <sup>ng</sup> Ibid. p. 126. <sup>nh</sup> Ibid. p. 126. <sup>ni</sup> Ibid. p. 126. <sup>nj</sup> Ibid. p. 126. <sup>nk</sup> Ibid. p. 126. <sup>nl</sup> Ibid. p. 126. <sup>nm</sup> Ibid. p. 126. <sup>nn</sup> Ibid. p. 126. <sup>no</sup> Ibid. p. 126. <sup>np</sup> Ibid. p. 126. <sup>nq</sup> Ibid. p. 126. <sup>nr</sup> Ibid. p. 126. <sup>ns</sup> Ibid. p. 126. <sup>nt</sup> Ibid. p. 126. <sup>nu</sup> Ibid. p. 126. <sup>nv</sup> Ibid. p. 126. <sup>nw</sup> Ibid. p. 126. <sup>nx</sup> Ibid. p. 126. <sup>ny</sup> Ibid. p. 126. <sup>nz</sup> Ibid. p. 126. <sup>oa</sup> Ibid. p. 126. <sup>ob</sup> Ibid. p. 126. <sup>oc</sup> Ibid. p. 126. <sup>od</sup> Ibid. p. 126. <sup>oe</sup> Ibid. p. 126. <sup>of</sup> Ibid. p. 126. <sup>og</sup> Ibid. p. 126. <sup>oh</sup> Ibid. p. 126. <sup>oi</sup> Ibid. p. 126. <sup>oj</sup> Ibid. p. 126. <sup>ok</sup> Ibid. p. 126. <sup>ol</sup> Ibid. p. 126. <sup>om</sup> Ibid. p. 126. <sup>on</sup> Ibid. p. 126. <sup>oo</sup> Ibid. p. 126. <sup>op</sup> Ibid. p. 126. <sup>oq</sup> Ibid. p. 126. <sup>or</sup> Ibid. p. 126. <sup>os</sup> Ibid. p. 126. <sup>ot</sup> Ibid. p. 126. <sup>ou</sup> Ibid. p. 126. <sup>ov</sup> Ibid. p. 126. <sup>ow</sup> Ibid. p. 126. <sup>ox</sup> Ibid. p. 126. <sup>oy</sup> Ibid. p. 126. <sup>oz</sup> Ibid. p. 126. <sup>pa</sup> Ibid. p. 126. <sup>pb</sup> Ibid. p. 126. <sup>pc</sup> Ibid. p. 126. <sup>pd</sup> Ibid. p. 126. <sup>pe</sup> Ibid. p. 126. <sup>pf</sup> Ibid. p. 126. <sup>pg</sup> Ibid. p. 126. <sup>ph</sup> Ibid. p. 126. <sup>pi</sup> Ibid. p. 126. <sup>pj</sup> Ibid. p. 126. <sup>pk</sup> Ibid. p. 126. <sup>pl</sup> Ibid. p. 126. <sup>pm</sup> Ibid. p. 126. <sup>pn</sup> Ibid. p. 126. <sup>po</sup> Ibid. p. 126. <sup>pp</sup> Ibid. p. 126. <sup>pq</sup> Ibid. p. 126. <sup>pr</sup> Ibid. p. 126. <sup>ps</sup> Ibid. p. 126. <sup>pt</sup> Ibid. p. 126. <sup>pu</sup> Ibid. p. 126. <sup>pv</sup> Ibid. p. 126. <sup>pw</sup> Ibid. p. 126. <sup>px</sup> Ibid. p. 126. <sup>py</sup> Ibid. p. 126. <sup>pz</sup> Ibid. p. 126. <sup>qa</sup> Ibid. p. 126. <sup>qb</sup> Ibid. p. 126. <sup>qc</sup> Ibid. p. 126. <sup>qd</sup> Ibid. p. 126. <sup>qe</sup> Ibid. p. 126. <sup>qf</sup> Ibid. p. 126. <sup>qg</sup> Ibid. p. 126. <sup>qh</sup> Ibid. p. 126. <sup>qi</sup> Ibid. p. 126. <sup>qj</sup> Ibid. p. 126. <sup>qk</sup> Ibid. p. 126. <sup>ql</sup> Ibid. p. 126. <sup>qm</sup> Ibid. p. 126. <sup>qn</sup> Ibid. p. 126. <sup>qo</sup> Ibid. p. 126. <sup>qp</sup> Ibid. p. 126. <sup>qq</sup> Ibid. p. 126. <sup>qr</sup> Ibid. p. 126. <sup>qs</sup> Ibid. p. 126. <sup>qt</sup> Ibid. p. 126. <sup>qu</sup> Ibid. p. 126. <sup>qv</sup> Ibid. p. 126. <sup>qw</sup> Ibid. p. 126. <sup>qx</sup> Ibid. p. 126. <sup>qy</sup> Ibid. p. 126. <sup>qz</sup> Ibid. p. 126. <sup>ra</sup> Ibid. p. 126. <sup>rb</sup> Ibid. p. 126. <sup>rc</sup> Ibid. p. 126. <sup>rd</sup> Ibid. p. 126. <sup>re</sup> Ibid. p. 126. <sup>rf</sup> Ibid. p. 126. <sup>rg</sup> Ibid. p. 126. <sup>rh</sup> Ibid. p. 126. <sup>ri</sup> Ibid. p. 126. <sup>rj</sup> Ibid. p. 126. <sup>rk</sup> Ibid. p. 126. <sup>rl</sup> Ibid. p. 126. <sup>rm</sup> Ibid. p. 126. <sup>rn</sup> Ibid. p. 126. <sup>ro</sup> Ibid. p. 126. <sup>rp</sup> Ibid. p. 126. <sup>rq</sup> Ibid. p. 126. <sup>rr</sup> Ibid. p. 126. <sup>rs</sup> Ibid. p. 126. <sup>rt</sup> Ibid. p. 126. <sup>ru</sup> Ibid. p. 126. <sup>rv</sup> Ibid. p. 126. <sup>rw</sup> Ibid. p. 126. <sup>rx</sup> Ibid. p. 126. <sup>ry</sup> Ibid. p. 126. <sup>rz</sup> Ibid. p. 126. <sup>sa</sup> Ibid. p. 126. <sup>sb</sup> Ibid. p. 126. <sup>sc</sup> Ibid. p. 126. <sup>sd</sup> Ibid. p. 126. <sup>se</sup> Ibid. p. 126. <sup>sf</sup> Ibid. p. 126. <sup>sg</sup> Ibid. p. 126. <sup>sh</sup> Ibid. p. 126. <sup>si</sup> Ibid. p. 126. <sup>sj</sup> Ibid. p. 126. <sup>sk</sup> Ibid. p. 126. <sup>sl</sup> Ibid. p. 126. <sup>sm</sup> Ibid. p. 126. <sup>sn</sup> Ibid. p. 126. <sup>so</sup> Ibid. p. 126. <sup>sp</sup> Ibid. p. 126. <sup>sq</sup> Ibid. p. 126. <sup>sr</sup> Ibid. p. 126. <sup>ss</sup> Ibid. p. 126. <sup>st</sup> Ibid. p. 126. <sup>su</sup> Ibid. p. 126. <sup>sv</sup> Ibid. p. 126. <sup>sw</sup> Ibid. p. 126. <sup>sx</sup> Ibid. p. 126. <sup>sy</sup> Ibid. p. 126. <sup>sz</sup> Ibid. p. 126. <sup>ta</sup> Ibid. p. 126. <sup>tb</sup> Ibid. p. 126. <sup>tc</sup> Ibid. p. 126. <sup>td</sup> Ibid. p. 126. <sup>te</sup> Ibid. p. 126. <sup>tf</sup> Ibid. p. 126. <sup>tg</sup> Ibid. p. 126. <sup>th</sup> Ibid. p. 126. <sup>ti</sup> Ibid. p. 126. <sup>tj</sup> Ibid. p. 126. <sup>tk</sup> Ibid. p. 126. <sup>tl</sup> Ibid. p. 126. <sup>tm</sup> Ibid. p. 126. <sup>tn</sup> Ibid. p. 126. <sup>to</sup> Ibid. p. 126. <sup>tp</sup> Ibid. p. 126. <sup>tq</sup> Ibid. p. 126. <sup>tr</sup> Ibid. p. 126. <sup>ts</sup> Ibid. p. 126. <sup>tt</sup> Ibid. p. 126. <sup>tu</sup> Ibid. p. 126. <sup>tv</sup> Ibid. p. 126. <sup>tw</sup> Ibid. p. 126. <sup>tx</sup> Ibid. p. 126. <sup>ty</sup> Ibid. p. 126. <sup>tz</sup> Ibid. p. 126. <sup>ua</sup> Ibid. p. 126. <sup>ub</sup> Ibid. p. 126. <sup>uc</sup> Ibid. p. 126. <sup>ud</sup> Ibid. p. 126. <sup>ue</sup> Ibid. p. 126. <sup>uf</sup> Ibid. p. 126. <sup>ug</sup> Ibid. p. 126. <sup>uh</sup> Ibid. p. 126. <sup>ui</sup> Ibid. p. 126. <sup>uj</sup> Ibid. p. 126. <sup>uk</sup> Ibid. p. 126. <sup>ul</sup> Ibid. p. 126. <sup>um</sup> Ibid. p. 126. <sup>un</sup> Ibid. p. 126. <sup>uo</sup> Ibid. p. 126. <sup>up</sup> Ibid. p. 126. <sup>uq</sup> Ibid. p. 126. <sup>ur</sup> Ibid. p. 126. <sup>us</sup> Ibid. p. 126. <sup>ut</sup> Ibid. p. 126. <sup>uu</sup> Ibid. p. 126. <sup>uv</sup> Ibid. p. 126. <sup>uw</sup> Ibid. p. 126. <sup>ux</sup> Ibid. p. 126. <sup>uy</sup> Ibid. p. 126. <sup>uz</sup> Ibid. p. 126. <sup>va</sup> Ibid. p. 126. <sup>vb</sup> Ibid. p. 126. <sup>vc</sup> Ibid. p. 126. <sup>vd</sup> Ibid. p. 126. <sup>ve</sup> Ibid. p. 126. <sup>vf</sup> Ibid. p. 126. <sup>vg</sup> Ibid. p. 126. <sup>vh</sup> Ibid. p. 126. <sup>vi</sup> Ibid. p. 126. <sup>vj</sup> Ibid. p. 126. <sup>vk</sup> Ibid. p. 126. <sup>vl</sup> Ibid. p. 126. <sup>vm</sup> Ibid. p. 126. <sup>vn</sup> Ibid. p. 126. <sup>vo</sup> Ibid. p. 126. <sup>vp</sup> Ibid. p. 126. <sup>vq</sup> Ibid. p. 126. <sup>vr</sup> Ibid. p. 126. <sup>vs</sup> Ibid. p. 126. <sup>vt</sup> Ibid. p. 126. <sup>vu</sup> Ibid. p. 126. <sup>vv</sup> Ibid. p. 126. <sup>vw</sup> Ibid. p. 126. <sup>vx</sup> Ibid. p. 126. <sup>vy</sup> Ibid. p. 126. <sup>vz</sup> Ibid. p. 126. <sup>wa</sup> Ibid. p. 126. <sup>wb</sup> Ibid. p. 126. <sup>wc</sup> Ibid. p. 126. <sup>wd</sup> Ibid. p. 126. <sup>we</sup> Ibid. p. 126. <sup>wf</sup> Ibid. p. 126. <sup>wg</sup> Ibid. p. 126. <sup>wh</sup> Ibid. p. 126. <sup>wi</sup> Ibid. p. 126. <sup>wj</sup> Ibid. p. 126. <sup>wk</sup> Ibid. p. 126. <sup>wl</sup> Ibid. p. 126. <sup>wm</sup> Ibid. p. 126. <sup>wn</sup> Ibid. p. 126. <sup>wo</sup> Ibid. p. 126. <sup>wp</sup> Ibid. p. 126. <sup>wq</sup> Ibid. p. 126. <sup>wr</sup> Ibid. p. 126. <sup>ws</sup> Ibid. p. 126. <sup>wt</sup> Ibid. p. 126. <sup>wu</sup> Ibid. p. 126. <sup>wv</sup> Ibid. p. 126. <sup>ww</sup> Ibid. p. 126. <sup>wx</sup> Ibid. p. 126. <sup>wy</sup> Ibid. p. 126. <sup>wz</sup> Ibid. p. 126. <sup>xa</sup> Ibid. p. 126. <sup>xb</sup> Ibid. p. 126. <sup>xc</sup> Ibid. p. 126. <sup>xd</sup> Ibid. p. 126. <sup>xe</sup> Ibid. p. 126. <sup>xf</sup> Ibid. p. 126. <sup>xg</sup> Ibid. p. 126. <sup>xh</</sup>



his resignation, which menaces and terror soon extorted from him.

But it was impossible that the people, however corrupted by the barbarity of the times, still further inflamed by faction, could for ever remain insensible to the voice of nature. Here, a wife had first deserted, next invaded, and then dethroned her husband; had made her minor son an instrument in this unnatural treatment of his father; had, by lying pretences, seduced the nation into a rebellion against their sovereign; had pushed them into violence and cruelties that had dishonoured them: all those circumstances were so odious in themselves, and formed such a complicated scene of guilt, that the least reflection sufficed to open men's eyes, and make them detest this flagrant infringement of every public and private duty. The suspicions which soon arose of Isabella's criminal commerce with Mortimer, the proofs which daily broke out of this part of her guilt, increased the general abhorrence against her; and her hypocrisy, in publicly bewailing with tears the king's unhappy fate,<sup>a</sup> was not able to deceive even the most stupid and most prejudiced of her adherents. In proportion as the queen became the object of public hatred, the dethroned monarch, who had been the victim of her crimes and her ambition, was regarded with pity, with friendship, with veneration: and men became sensible, that all his misconduct, which faction had so much exaggerated, had been owing to the unavoidable weakness, not to any voluntary depravity, of his character. The Earl of Leicester, now Earl of Lancaster, to whose custody he had been committed, was soon touched with those generous sentiments; and besides using his prisoner with gentleness and humanity, he was suspected to have entertained still more honourable intentions in his favour. The king, therefore, was taken from his hands, and delivered over to Lord Berkeley, and Mautravers, and Gournay, who were intrusted alternately, each for a month, with the charge of guarding him. While he was in the custody of Berkeley, he was still treated with the gentleness due to his rank and his misfortunes; but when the turn of Mautravers and Gournay came, every species of indignity was practised against him, as if their intention had been to break entirely the prince's spirit, and to employ his sorrows and afflictions, instead of more violent and more dangerous expedients, for the instruments of his murder.\* It is reported, that one day, when Edward was to be shaved, they ordered cold and dirty water to be brought from the ditch for that purpose; and when he desired it to be changed, and was still denied his request, he burst into tears, which bedewed his cheeks; and he exclaimed, that, in spite of their insolence, he should be shaved with clean and warm water.<sup>x</sup> But as this method of laying Edward in his grave appeared still too slow to the impatient Mortimer, he secretly sent orders to the two keepers, who were at his devotion, instantly to despatch him; and these ruffians contrived to make the manner of his death as cruel and barbarous as possible. Taking advantage of Berkeley's sickness, in whose custody he then was, and who was thereby incapacitated from attending his charge;<sup>y</sup> they came to Berkeley castle, and put themselves in possession of the king's person.

They threw him on a bed; held him down violently with a table, which they flung over him; thrust into his fundament a red hot iron, which they inserted through a horn; and though the outward marks of violence upon his person were prevented by this expedient, the horrid deed was discovered to all the guards and attendants by the screams with which the agonizing king filled the castle, while his bowels were consuming.

Gournay and Mautravers were held in general detestation; and when the ensuing revolution in England threw their protectors from power, they found it necessary to provide for their safety by flying the kingdom. Gournay was afterwards seized at Marseilles, delivered over to the Seneschal of Guienne, put on board a ship with a view of carrying him to England; but he was beheaded at sea, by secret orders, as was supposed, from some nobles and prelates in England, anxious to prevent any discovery

which he might make of his accomplices. Mautravers concealed himself for several years in Germany; but having found means of rendering some service to Edward III. he ventured to approach his person, threw himself on his knees before him, submitted to mercy, and received a pardon.<sup>z</sup>

It is not easy to imagine a man more innocent and inoffensive than the unhappy king whose tragical death we have related; nor a prince less fitted for governing that fierce and turbulent people subjected to his authority. He was obliged to devolve on others the weight of government, which he had neither ability nor inclination to bear: the same indolence and want of penetration led him to make choice of ministers and favourites who were not always the best qualified for the trust committed to them: the seditious grantees, pleased with his weakness, yet complaining of it, under pretence of attacking his ministers, insulted his person and invaded his authority: and the impatient populace, mistaking the source of their grievances, threw all the blame upon the king, and increased the public disorders by their faction and violence. It was in vain to look for protection from the laws, whose voice, always feeble in those times, was not heard amidst the din of arms: what could not defend the king was less able to give shelter to any of the people: the whole machine of government was torn in pieces with fury and violence: and men, instead of regretting the manners of their age, and the form of their constitution, which required the most steady and most skilful hand to conduct them, imputed all errors to the person who had the misfortune to be intrusted with the reins of empire.

But though such mistakes are natural and almost unavoidable, while the events are recent, it is a shameful delusion in modern historians, to imagine that all the ancient princes who were unfortunate in their government, were also tyrannical in their conduct, and that the seditions of the people always proceeded from some invasion of their privileges by the monarch. Even a great and a good king was not, in that age, secure against faction and rebellion, as appears in the case of Henry II.; but a great king had the best chance, as we learn from the history of the same period, for quelling and subduing them. Compare the reigns and characters of Edward I. and II. The father made several violent attempts against the liberties of the people: his barons opposed him: he was obliged, at least found it prudent, to submit: but as they dreaded his valour and abilities, they were content with reasonable satisfaction, and pushed no further their advantages against him. The facility and weakness of the son, not his violence, threw every thing into confusion: the laws and government were overturned: an attempt to reinstate them, was an unpardonable crime: and no atonement, but the deposition and tragical death of the king himself, could give those barons contentment. It is easy to see that a constitution which depended so much on the personal character of the prince, must necessarily, in many of its parts, be a government of will, not of laws. But always to throw, without distinction, the blame of all disorders upon the sovereign, would introduce a fatal error in politics, and serve as a perpetual apology for treason and rebellion: as if the turbulence of the great, and madness of the people, were not, equally with the tyranny of princes, evils incident to human society, and no less carefully to be guarded against in every well-regulated constitution.

While these abominable scenes passed in England, the theatre of France was stained with a wickedness equally barbarous, and still more public and deliberate. The order of knights templars had arisen during the first fervour of the Crusades; and uniting the two qualities, the most popular in that age, devotion and valour, and exercising both in the most popular of all enterprises, the defence of the Holy Land, they had made rapid advances in credit and authority, and had acquired, from the piety of the faithful, ample possessions in every country of Europe, especially in France. Their great riches, joined to the course of time, had, by degrees, relaxed the severity of

His character.

Miscellaneous transactions during this reign.

<sup>a</sup> Walsing. p. 126.

<sup>x</sup> T. de la More, p. 602.

<sup>y</sup> Anonymi His. p. 238.

<sup>y</sup> Cotton's Abridge. p. 8.

<sup>z</sup> Cotton's Abridge. p. 66. 81. Rymer, vol. v. p. 600.

these virtues; and the templars had, in a great measure, lost that popularity which first raised them to honour and distinction. Acquainted, from experience, with the fatigues and dangers of those fruitless expeditions to the East, they rather chose to enjoy in ease their opulent revenues in Europe: and being all men of birth, educated, according to the custom of that age, without any tincture of letters, they scorned the ignoble occupations of a monastic life, and passed their time wholly in the fashionable amusements of hunting, gallantry, and the pleasures of the table. Their rival order, that of St. John of Jerusalem, whose poverty had as yet preserved them from like corruptions, still distinguished themselves by their enterprises against the infidels, and succeeded to all the popularity, which was lost by the indolence and luxury of the templars. But though these reasons had weakened the foundations of this order, once so celebrated and revered, the immediate cause of their destruction proceeded from the cruel and vindictive spirit of Philip the Fair, who, having entertained a private disgust against some eminent templars, determined to gratify at once his avidity and revenge, by involving the whole order in an undistinguished ruin. On no better information than that of two knights, condemned by their superiors to perpetual imprisonment for their vices and profligacy, he ordered on one day all the templars in France to be committed to prison, and imputed to them such enormous and absurd crimes, as are sufficient of themselves to destroy all the credit of the accusation. Besides their being universally charged with murder, robbery, and vices the most shocking to nature; every one, it was pretended, whom they received into their order, was obliged to renounce his Saviour, to spit upon the cross,<sup>a</sup> and to join to this impiety, the superstition of worshipping a gilded head, which was secretly kept in one of their houses at Marseilles. They also initiated, it was said, every candidate by such infamous rites, as could serve to no other purpose, than to degrade the order in his eyes, and destroy for ever the authority of all his superiors over him.<sup>b</sup> Above a hundred of these unhappy gentlemen were put to the question, in order to extort from them a confession of their guilt: the more obstinate perished in the hands of their tormentors: several, to procure immediate ease, in the violence of their agonies, acknowledged whatever was required of them: forged confessions were imputed to others: and Philip, as if their guilt were now certain, proceeded to a confiscation of all their treasures. But no sooner were the templars relieved from their tortures, than, preferring the most cruel execution to a life with infamy, they disavowed their confessions, exclaimed against the forgeries, justified the innocence of their order, and appealed to all the gallant actions performed by them in ancient or later times, as a full apology for their conduct. The tyrant, enraged at this disappointment, and thinking himself now engaged in honour to proceed to extremities, ordered fifty-four of them, whom he branded as relapsed heretics, to perish by the punishment of fire in his capital: great numbers expired, after a like manner, in other parts of the kingdom: and when he found that the perseverance of these unhappy victims in justifying to the last their innocence, had made deep impression on the spectators, he endeavoured to overcome the constancy of the templars by new inhumanities. The grand master of the order, John de Molay, and another great officer, brother to the sovereign of Dauphiny, were conducted to a scaffold, erected before the church of Notre-dame, at Paris; a full pardon was offered them on the one hand; the fire, destined for their execution, was shown them on the other: these gallant nobles still persisted in the protestations of their own innocence, and that of their order; and were instantly hurried into the flames by the executioner.<sup>c</sup>

In all this barbarous injustice, Clement V. who was the creature of Philip, and then resided in France, fully concurred; and without examining a witness, or making any inquiry into the truth of facts, he, summarily, by the plenitude of his apostolic power, abolished the whole order. The templars, all over Europe, were thrown into

prison; their conduct underwent a strict scrutiny; the power of their enemies still pursued and oppressed them; but no where, except in France, were the smallest traces of their guilt pretended to be found. England sent an ample testimony of their piety and morals; but as the order was now annihilated, the knights were distributed into several convents, and their possessions were, by command of the Pope, transferred to the order of St. John.<sup>d</sup> We now proceed to relate some other detached transactions of the present period.

The kingdom of England was afflicted with a grievous famine during several years of this reign. Perpetual rains and cold weather not only destroyed the harvest, but bred a mortality among the cattle, and raised every kind of food to an enormous price.<sup>e</sup> The parliament, in 1315, endeavoured to fix more moderate rates to commodities; not sensible that such an attempt was impracticable, and that, were it possible to reduce the price of provisions by any other expedient than by introducing plenty, nothing could be more pernicious and destructive to the public. Where the produce of a year, for instance, falls so far short, as to afford full subsistence only for nine months, the only expedient for making it last all the twelve, is to raise the prices, to put the people by that means on short allowance, and oblige them to save their food till a more plentiful season. But, in reality, the increase of prices is a necessary consequence of scarcity; and laws, instead of preventing it, only aggravate the evil by cramping and restraining commerce. The parliament accordingly, in the ensuing year, repealed their ordinance, which they had found useless and burdensome.<sup>f</sup>

The prices affixed by the parliament are somewhat remarkable: three pounds twelve shillings of our present money for the best stalled ox; for other oxen, two pounds eight shillings: a fat hog of two years old, ten shillings: a fat wether unshorn, a crown; if shorn, three shillings and six-pence: a fat goose, seven-pence halfpenny: a fat capon, six-pence: a fat hen, three-pence: two chickens, three-pence: four pigeons, three-pence: two dozen of eggs, three-pence.<sup>g</sup> If we consider these prices, we shall find that butcher's meat, in this time of great scarcity, must still have been sold, by the parliamentary ordinance, three times cheaper than our middling prices at present: poultry somewhat lower; because, being now considered as a delicacy, it has risen beyond its proportion. In the country places of Ireland and Scotland, where delicacies bear no price, poultry is at present as cheap, if not cheaper, than butcher's meat. But the inference I would draw from the comparison of prices is still more considerable: I suppose that the rates, affixed by parliament, were inferior to the usual market prices in those years of famine and mortality of cattle; and that these commodities, instead of a third, had really risen to half of the present value. But the famine at that time was so consuming, that wheat was sometimes sold for above four pounds ten shillings a quarter,<sup>h</sup> usually for three pounds;<sup>i</sup> that is, twice our middling prices: a certain proof of the wretched state of tillage in those ages. We formerly found, that the middling price of corn in that period was half of the present price; while the middling price of cattle was only an eighth part: we here find the same immense disproportion in years of scarcity. It may thence be inferred with certainty, that the raising of corn was a species of manufacture, which few in that age could practise with advantage: and there is reason to think, that other manufactures more refined were sold, even beyond their present prices: at least there is a demonstration for it in the reign of Henry VII. from the rates affixed to scarlet and other broad cloth by act of parliament. During all those times, it was usual for the princes and great nobility to make settlements of their velvet beds and silken robes, in the same manner as of their estates and manors.<sup>k</sup> In the list of jewels and plate which had belonged to the ostentatious Gavaston, and which the king recovered from the Earl of Lancaster, after the murder of that favourite, we find some embroidered girdles, flowered shirts, and silk waistcoats.<sup>l</sup>

<sup>a</sup> Rymer, vol. iii. p. 31. 101.

<sup>b</sup> It was pretended that he kissed the knights who received him on the mouth, nose, and breast. Dupuy, p. 15. 16. Wals. p. 99.

<sup>c</sup> Vertot, vol. ii. p. 112.

<sup>d</sup> Rymer, vol. iii. p. 323. 956, vol. iv. p. 47. Ypod. Neust. p. 506.

<sup>e</sup> Rymer, vol. p. 17. 18.

<sup>f</sup> Walsingham, p. 107.

<sup>g</sup> Rot. Parl. 7 Edw. II. n. 35. 36. Ypod. Neust. p. 502.

<sup>h</sup> Morimuth, p. 18. Walsingham, p. 108, says it rose to six pounds.

<sup>i</sup> Ypod. Neust. p. 502. Trivet, cont. p. 18.

<sup>k</sup> Dugdale, passim.

<sup>l</sup> Rymer, vol. iii. p. 308.

It was afterwards one article of accusation against that potent and opulent earl, when he was put to death, that he had purloined some of that finery of Gavaston's. The ignorance of those ages in manufactures, and still more, their unskilful husbandry, seem a clear proof, that the country was then far from being populous.

All trade and manufactures indeed were then at a very low ebb. The only country in the northern parts of Europe, where they seem to have risen to any tolerable degree of improvement, was Flanders. When Robert, Earl of that country, was applied to by the king, and was desired to break off commerce with the Scots, whom Edward called his rebels, and represented as excommunicated on that account by the church, the earl replied, that Flanders was always considered as common, and free and open to all nations.<sup>a</sup>

The petition of the elder Spenser to parliament, complaining of the devastation committed on his lands by the barons, contains several particulars which are curious, and discover the manners of the age.<sup>b</sup> He affirms, that they had ravaged sixty-three manors belonging to him, and he makes his losses amount to 46,000 pounds; that is, to 138,000 of our present money. Among other particulars, he enumerates 28,000 sheep, 1000 oxen and heifers, 1200 cows with their breed for two years, 560 cart horses, 2000 hogs; together with 600 bacon, 80 carcasses of beef, and 600 muttons in the larder; ten tuns of cider, arms for 200 men, and other warlike engines and provisions. The plain inference is, that the greater part of Spenser's vast estate, as well as the estates of the other nobility, was farmed by the landlord himself, managed by his stewards or bailiffs, and cultivated by his villains. Little or none of it was let on lease to husbandmen: its produce was consumed in rustic hospitality by the baron or his officers: a great number of idle retainers, ready for any disorder or mischief, were maintained by him: all who lived upon his estate were absolutely at his disposal: instead of applying to courts of justice, he usually sought redress by open force and violence: the great nobility were a kind of independent potentates, who, if they submitted to any regulations at all, were less governed by the municipal law, than by a rude species of the law of nations. The method in which we find they treated the king's favourites and ministers, is a proof of their usual way of dealing with each other. A party which complains of the arbitrary conduct of ministers, ought naturally to affect a great regard for the laws and constitution, and maintain, at least, the appearance of justice in their proceedings: yet those barons, when discontented, came to parliament with an armed force, constrained the king to assent to their measures, and without any trial, or witness, or conviction, passed, on the pretended notoriety of facts, an act of banishment or attainder against the minister, which, on the first revolution of fortune, was reversed by like expedients. The parliament, during factious times, was nothing but the organ of present power. Though the persons, of whom it was chiefly composed, seemed to enjoy great independence, they really possessed no true liberty; and the security of each individual among them, was not so much derived from the general protection of law, as from his own private power and that of his confederates. The authority of the monarch, though far from absolute, was irregular, and might often reach him: the current of a faction might overwhelm him: a hundred considerations, of benefits and injuries, friendships and animosities, hopes and fears, were able to influence his conduct; and amidst these motives, a regard to equity and law and justice was commonly, in those rude ages, of little moment. Nor did any man entertain thoughts of opposing present power, who did not deem himself strong enough to dispute the field with it by force, and was not prepared to give battle to the sovereign or the ruling party.

Before I conclude this reign, I cannot forbear making another remark, drawn from the detail of losses given in by the elder Spenser; particularly, the great quantity of salted meat which he had in his larder, 600 bacon, 80 carcasses of beef, 600 muttons. We may observe that

the outrage of which he complained began after the third of May, or the eleventh, new style, as we learn from the same paper. It is easy therefore to conjecture, what a vast store of the same kind he must have laid up at the beginning of winter; and we may draw a new conclusion with regard to the wretched state of ancient husbandry, which could not provide subsistence for the cattle during winter, even in such a temperate climate as the south of England: for Spenser had but one manor so far north as Yorkshire. There being few or no enclosures, except perhaps for deer, no sown grass, little hay, and no other resource for feeding cattle; the barons, as well as the people, were obliged to kill and salt their oxen and sheep in the beginning of winter, before they became lean upon the common pasture; a precaution still practised with regard to oxen in the least cultivated parts of this island. The salting of mutton is a miserable expedient, which has every where been long disused. From this circumstance, however trivial in appearance, may be drawn important inferences with regard to the domestic economy and manner of life in those ages.

The disorders of the times, from foreign wars and intestine dissensions, but above all, the cruel famine, which obliged the nobility to dismiss many of their retainers, increased the number of robbers in the kingdom; and no place was secure from their incursions.<sup>c</sup> They met in troops like armies, and overran the country. Two cardinals themselves, the Pope's legates, notwithstanding the numerous train which attended them, were robbed, and despoiled of their goods and equipage, when they travelled on the highway.<sup>d</sup>

Among the other wild fancies of the age, it was imagined, that the persons affected with leprosy, a disease at that time very common, probably from bad diet, had conspired with the Saracens to poison all the springs and fountains; and men being glad of any pretence to get rid of those who were a burden to them, many of those unhappy people were burnt alive on this chimerical imputation. Several Jews also were punished in their persons, and their goods were confiscated, on the same account.<sup>e</sup>

Stowe, in his survey of London, gives us a curious instance of the hospitality of the ancient nobility in this period: it is taken from the accounts of the cofferer or steward of Thomas, Earl of Lancaster, and contains the expenses of that earl during the year 1313, which was not a year of famine. For the pantry, buttery, and kitchen, 3405 pounds. For 369 pipes of red wine, and two of white, 104 pounds, &c. The whole 7309 pounds; that is, near 22,000 pounds of our present money; and making allowance for the cheapness of commodities, near a hundred thousand pounds.

I have seen a French manuscript, containing accounts of some private disbursements of this king. There is an article, among others, of a crown paid to one for making the king laugh. To judge by the events of the reign, this ought not to have been an easy undertaking.

This king left four children, two sons and two daughters: Edward, his eldest son and successor; John, created afterwards Earl of Cornwall, who died young at Perth; Jane, afterwards married to David Bruce, King of Scotland; and Eleanor, married to Reginald, Count of Gueldres.

## CHAP. XV.

### EDWARD III.

War with Scotland—Execution of the Earl of Kent—Execution of Mortimer, Earl of March—State of Scotland—War with that kingdom—King's claim to the crown of France—Preparations for war with France—War—Naval victory—Domestic disturbances—Affairs of Brittany—Renewal of the war with France—Invasion of France—Battle of Crécy—War with Scotland—Captivity of the King of Scots—Calais taken.

THE violent party, which had taken arms A. D. 1327. against Edward II. and finally deposed that 20th Jan. unfortunate monarch, deemed it requisite for their future

<sup>a</sup> Rymer, vol. ii. p. 270.

<sup>b</sup> Brady's Hist. vol. ii. p. 143. from Claus 15 Edw. II. M. 14 Dors. in rotula.

<sup>c</sup> Ypod. Neust. p. 502. Wals. p. 107.

<sup>d</sup> Ypod. Neust. p. 503. 1. de la More. p. 594. Trivet, cont. p. 22.

Murimuth, p. 51.

<sup>e</sup> Ypod. Neust. p. 54.



security to pay so far an exterior obedience to the law, as to desire a parliamentary indemnity for all their illegal proceedings; on account of the necessity, which it was pretended they lay under, of employing force against the Spensers and other evil counsellors, enemies of the kingdom. All the attendants also, which had passed against the Earl of Lancaster and his adherents, when the chance of war turned against them, were easily reversed during the triumph of their party;<sup>a</sup> and the Spensers, whose former attainer had been reversed by parliament, were now again, in this change of fortune, condemned by the votes of their enemies. A council of regency was likewise appointed by parliament, consisting of twelve persons; five prelates, the Archbishops of Canterbury and York, the Bishops of Winchester, Worcester, and Hereford; and seven lay peers, the Earls of Norfolk, Kent, and Surrey, and the Lords Wake, Ingham, Piercy, and Ross. The Earl of Lancaster was appointed guardian and protector of the king's person. But though it was reasonable to expect, that, as the weakness of the former king had given reins to the licentiousness of the barons, great domestic tranquillity would not prevail during the present minority, the first disturbance arose from an invasion by foreign enemies.

War with Scotland. The King of Scots, declining in years and health, but retaining still that martial spirit which had raised his nation from the lowest ebb of fortune, deemed the present opportunity favourable for infesting England. He first made an attempt on the castle of Norham, in which he was disappointed; he then collected an army of 25,000 men on the frontiers, and having given the command to the Earl of Murray, and Lord Douglas, threatened an incursion into the northern counties. The English regency, after trying in vain every expedient to restore peace with Scotland, made vigorous preparations for war; and besides assembling an English army of near sixty thousand men, they invited back John of Hainault, and some foreign cavalry, whom they had dismissed, and whose discipline and arms had appeared superior to those of their own country. Young Edward himself, burning with a passion for military fame, appeared at the head of these numerous forces, and marched from Durham, the appointed place of rendezvous, in quest of the enemy, who had already broken into the frontiers, and were laying every thing waste around them.

Murray and Douglas were the two most celebrated warriors, bred in the long hostilities between the Scots and English; and their forces, trained in the same school, and inured to hardships, fatigues, and dangers, were perfectly qualified, by their habits and manner of life, for that desultory and destructive war which they carried into England. Except a body of about 4000 cavalry, well armed, and fit to make a steady impression in battle, the rest of the army were light-armed troops, mounted on small horses, which found subsistence every where, and carried them with rapid and unexpected marches, whether they meant to commit depredations on the peaceable inhabitants, or to attack an armed enemy, or to retreat into their own country. Their whole equipage consisted of a bag of oatmeal, which, as a supply in case of necessity, each soldier carried behind him; together with a light plate of iron, on which he instantly baked the meal into a cake in the open fields. But his chief subsistence was the cattle which he seized; and his cookery was as expeditious as all his other operations. After flaying the animal, he placed the skin, loose and hanging in the form of a bag, upon some stakes; he poured water into it, kindled a fire below, and thus made it serve as a caldron for the boiling of his victuals.<sup>b</sup>

The chief difficulty which Edward met with, after composing some dangerous frays, which broke out between his foreign forces and the English,<sup>c</sup> was to come up with an army so rapid in its marches, and so little encumbered in its motions. Though the flame and smoke of burning villages directed him sufficiently to the place of their encampment, he found, upon hurrying thither, that they had

already dislodged; and he soon discovered, by new marks of devastation, that they had removed to some distant quarter. After harassing his army during some time in this fruitless chase, he advanced northwards, and crossed the Tyne, with a resolution of awaiting them on their return homewards, and taking vengeance for all their depredations.<sup>d</sup> But that whole country was already so much wasted by their frequent incursions, that it could not afford subsistence to his army; and he was obliged again to return southwards, and change his plan of operations. He had now lost all track of the enemy; and though he promised the reward of a hundred pounds a year to any one who should bring an account of their motions, he remained unactive some days, before he received any intelligence of them.<sup>e</sup> He found at last that they had fixed their camp on the southern banks of the Ware, as if they intended to await a battle; but their prudent leaders had chosen the ground with such judgment, that the English, on their approach, saw it impracticable, without temerity, to cross the river in their front, and attack them in their present situation. Edward, impatient for revenge and glory, here sent them a defiance, and challenged them, if they dared, to meet him in an equal field, and try the fortune of arms. The bold spirit of Douglas could ill brook this bravado, and he advised the acceptance of the challenge; but he was overruled by Murray, who replied to Edward, that he never took the counsel of an enemy in any of his operations. The king therefore kept still his position opposite to the Scots, and daily expected, that necessity would oblige them to change their quarters, and give him an opportunity of overwhelming them with superior forces. After a few days, they suddenly decamped, and marched further up the river; but still posted themselves in such a manner as to preserve the advantage of the ground, if the enemy should venture to attack them.<sup>f</sup> Edward insisted, that all hazards should be run, rather than allow these ravagers to escape with impunity; but Mortimer's authority prevented the attack, and opposed itself to the valour of the young monarch. While the armies lay in this position, an incident happened which had well nigh proved fatal to the English. Douglas having gotten the word, and surveyed exactly the situation of the English camp, entered it secretly in the night-time, with a body of two hundred determined soldiers, and advanced to the royal tent, with a view of killing or carrying off the king, in the midst of his army. But some of Edward's attendants, awaking in that critical moment, made resistance; his chaplain and chamberlain sacrificed their lives for his safety; the king himself, after making a valorous defence, escaped in the dark; and Douglas, having lost the greater part of his followers, was glad to make a hasty retreat with the remainder.<sup>g</sup> Soon after, the Scottish army decamped without noise in the dead of night; and having thus gotten the start of the English, arrived without further loss in their own country. Edward on entering the place of the Scottish encampment, found only six Englishmen, whom the enemy, after breaking their legs, had tied to trees, in order to prevent their carrying any intelligence to their countrymen.<sup>h</sup>

The king was highly incensed at the disappointment which he had met with in his first enterprise, and at the head of so gallant an army. The symptoms which he had discovered of bravery and spirit gave extreme satisfaction, and were regarded as sure prognostics of an illustrious reign: but the general displeasure fell violently on Mortimer, who was already the object of public odium; and every measure which he pursued tended to aggravate, beyond all bounds, the hatred of the nation both against him and Queen Isabella.

When the council of regency was formed, Mortimer, though in the plenitude of his power, had taken no care to insure a place in it; but this semblance of moderation was only a cover to the most iniquitous and most ambitious projects. He rendered that council entirely useless, by usurping to himself the whole sovereign authority; he settled on the queen-dowager the greater part of the royal

<sup>a</sup> Rymer, vol. iv. p. 245, 257, 258. &c.

<sup>b</sup> Froissart, liv. iv. chap. 13.

<sup>c</sup> Ibid. liv. iv. chap. 19.

<sup>d</sup> Ibid. liv. iv. chap. 19.

<sup>e</sup> Rymer, vol. iv. p. 312. Froissart, liv. iv. chap. 19.

<sup>f</sup> Ibid. liv. iv. chap. 17.

<sup>g</sup> Froissart, liv. iv. chap. 19.

<sup>h</sup> Ibid. Hemmington, p. 268. Ypsil. Neust. p. 509. Knyghton, p. 2532.

<sup>i</sup> Froissart, liv. iv. chap. 19.

revenues; he never consulted either the princes of the blood, or the nobility, in any public measure; the king himself was so besieged by his creatures, that no access could be procured to him; and all the envy which had attended Gavaston and Spenser fell much more deservedly on the new favourite.

A. D. 1328. Mortimer, sensible of the growing hatred of the people, thought it requisite, on any terms, to secure peace abroad; and he entered into a negotiation with Robert Bruce for that purpose. As the claim of superiority in England, more than any other cause, had tended to inflame the animosities between the two nations, Mortimer, besides stipulating a marriage between Jane, sister of Edward, and David, the son and heir of Robert, consented to resign absolutely this claim, to give up all the homages done by the Scottish parliament and nobility, and to acknowledge Robert as independent sovereign of Scotland.<sup>1</sup> In return for these advantages, Robert stipulated the payment of 30,000 marks to England. This treaty was ratified by parliament;<sup>2</sup> but was nevertheless the source of great discontent among the people, who, having entered zealously into the pretensions of Edward I. and deeming themselves disgraced by the successful resistance made by so inferior a nation, were disappointed, by this treaty, in all future hopes both of conquest and of vengeance.

The princes of the blood, Kent, Norfolk, and Lancaster, were much united in their councils; and Mortimer entertained great suspicions of their designs against him. In summoning them to parliament, he strictly prohibited them, in the king's name, from coming attended by an armed force, an illegal but usual practice in that age. The three earls, as they approached to Salisbury, the place appointed for the meeting of parliament, found, that though they themselves, in obedience to the king's command, had brought only their usual retinue with them, Mortimer and his party were attended by all their followers in arms, and they began with some reason to apprehend a dangerous design against their persons. They retreated, assembled their retainers, and were returning with an army to take vengeance on Mortimer, when the weakness of Kent and Norfolk, who deserted the common cause, obliged Lancaster also to make his submissions.<sup>3</sup> The quarrel, by the interposition of the prelates, seemed for the present to be appeased.

A. D. 1329. But Mortimer, in order to intimidate the princes, determined to have a victim; and the simplicity, with the good intentions, of the Earl of Kent, afforded him soon after an opportunity of practising upon him. By himself and his emissaries, he endeavoured to persuade that prince, that his brother, King Edward, was still alive, and detained in some secret prison in England. The earl, whose remorses for the part which he had acted against the late king, probably inclined him to give credit to this intelligence, entered into a design of restoring him to liberty, of re-instating him on the throne, and of making thereby some atonement for the injuries which he himself had unwarily done him.<sup>4</sup> After this harmless contrivance had been allowed to proceed a certain length, the earl was seized by Mortimer, was accused before the parliament, and condemned by those slavish, though turbulent barons, to lose his life and fortune. The queen and Mortimer, apprehensive of young Edward's lenity towards his uncle, hurried on the execution, and the prisoner was beheaded next day: but so general was the affection borne him, and such pity prevailed for his unhappy fate, that though peers had been easily found to condemn him, it was evening before his enemies could find an executioner to perform the office.<sup>5</sup>

A. D. 1330. The Earl of Lancaster, on pretence of his having assented to this conspiracy, was soon after thrown into prison: many of the prelates and nobility were prosecuted: Mortimer employed this engine to crush all his enemies, and to enrich himself and his family by the for-

feitures. The estate of the Earl of Kent was seized for his younger son, Geoffrey: the immense fortunes of the Spencers and their adherents were mostly converted to his own use: he affected a state and dignity equal or superior to the royal: his power became formidable to every one: his illegal practices were daily complained of: and all parties, forgetting past animosities, conspired in their hatred of Mortimer.

It was impossible that these abuses could long escape the observation of a prince, endowed with so much spirit and judgment as young Edward, who, being now in his eighteenth year, and feeling himself capable of governing, repined at being held in fetters by this insolent minister. But so much was he surrounded by the emissaries of Mortimer, that it behoved him to conduct the project for subverting him with the same secrecy and precaution as if he had been forming a conspiracy against his sovereign. He communicated his intentions to Lord Montague, who engaged the Lords Molins and Clifford, Sir John Nevil of Hornby, Sir Edward Bohun, Ufford, and others, to enter into their views; and the castle of Nottingham was chosen for the scene of the enterprise. The queen-dowager and Mortimer lodged in that fortress: the king also was admitted, though with a few only of his attendants; and as the castle was strictly guarded, the gates locked every evening, and the keys carried to the queen, it became necessary to communicate the design to Sir William Eland, the governor, who zealously took part in it. By his direction the king's associates were admitted through a subterraneous passage, which had formerly been contrived for a secret outlet from the castle, but was now buried in rubbish; and Mortimer, without having it in his power to make resistance, was suddenly seized in an apartment adjoining to the queen's.<sup>6</sup> A parliament was immediately summoned for his condemnation. He was accused before that assembly of having usurped regal power from the council of regency appointed by parliament; of having procured the death of the late king; of having deceived the Earl of Kent into a conspiracy to restore that prince; of having solicited and obtained exorbitant grants of the royal demesnes; of having dissipated the public treasure; of secreting 20,000 marks of the money paid by the King of Scotland, and of other crimes and misdemeanours.<sup>7</sup> The parliament condemned him, from the supposed notoriety of the facts, without trial, or hearing his answer, or examining a witness; and he was hanged on a gibbet at the Elmes, in the neighbourhood of London. It is remarkable that this sentence was, near twenty years after, reversed by parliament in favour of Mortimer's son; and the reason assigned was the illegal manner of proceeding.<sup>8</sup> The principles of law and justice were established in England, not in such a degree as to prevent any iniquitous sentence against a person obnoxious to the ruling party; but sufficient, on the return of his credit, or that of his friends, to serve as a reason or pretence for its reversal.

Justice was also executed, by a sentence A. D. 1331. of the House of Peers, on some of the inferior criminals, particularly on Simon de Bereford: but the barons in that act of jurisdiction entered a protest, that though they had tried Bereford, who was none of their peers, they should not for the future be obliged to receive any such indictment. The queen was confined to her own house at Risings, near London: her revenue was reduced to 4000 pounds a year:<sup>9</sup> and though the king, during the remainder of her life, paid her a decent visit once or twice a year, she never was able to reinstate herself in any credit or authority.

Edward having now taken the reins of government into his own hands, applied himself, with industry and judgment, to redress all those grievances which had proceeded either from want of authority in the crown, or from the late abuses of it. He issued writs to the judges, enjoining them to administer justice, without paying any regard to arbitrary orders from the ministers: and as the

Execution of  
Mortimer,  
29th Nov.

9th March.  
Execution of  
the Earl of  
Kent.

<sup>1</sup> Rymer, p. 337. Heming, p. 270. Anon. Hist. p. 392.

<sup>2</sup> *Ypod. Neust.* p. 510. <sup>3</sup> Knighton, p. 2554.

<sup>4</sup> *M. Avesbury*, p. 8. Anon. Hist. p. 395.

<sup>5</sup> *n* Heming, p. 271. *Ypod. Neust.* p. 510. Knighton, p. 2555.

<sup>6</sup> *M. Avesbury*, p. 9.

<sup>7</sup> *P. Rymer's APP.* No. 83. Anon. Hist. p. 397, 398. Knighton, p. 2556.

<sup>8</sup> *Cotton's Abridg.* p. 65, 66.

<sup>9</sup> *Ibid.* p. 10.

robbers, thieves, murderers, and criminals of all kinds, had, during the course of public convulsions, multiplied to an enormous degree, and were openly protected by the great barons, who made use of them against their enemies, the king, after exacting from the peers a solemn promise in parliament that they would break off all connexions with such malefactors,\* set himself in earnest to remedy the evil. Many of these gangs had become so numerous as to require his own presence to disperse them; and he exerted both courage and industry in executing this salutary office. The ministers of justice, from his example, employed the utmost diligence in discovering, pursuing, and punishing the criminals; and this disorder was by degrees corrected, at least palliated; the utmost that could be expected with regard to a disease hitherto inherent in the constitution.

In proportion as the government acquired authority at home, it became formidable to the neighbouring nations; and the ambitious spirit of Edward sought, and soon found, an opportunity of exerting itself. The wise State of Scotland, and valiant Robert Bruce, who had recovered by arms the independence of his country, and had fixed it by the last treaty of peace with England, soon after died, and left David, his son, a minor, under the guardianship of Randolph, Earl of Murray, the companion of all his victories. It had been stipulated in this treaty, that both the Scottish nobility, who, before the commencement of the wars, enjoyed lands in England, and the English who inherited estates in Scotland, should be restored to their respective possessions:† but though this article had been executed pretty regularly on the part of Edward, Robert, who observed that the estates claimed by Englishmen were much more numerous and valuable than the others, either thought it dangerous to admit so many secret enemies into the kingdom, or found it difficult to wrest from his own followers the possessions bestowed on them as the reward of former services; and he had protracted the performance of his part of the stipulation. The English nobles, disappointed in their expectations, began to think of a remedy; and as their influence was great in the north, their enmity alone, even though unsupported by the King of England, became dangerous to the minor prince, who succeeded to the Scottish throne.

A. D. 1332. Edward Baliol, the son of that John who was crowned King of Scotland, had been detained some time a prisoner in England after his father was released; but having also obtained his liberty, he went over to France, and resided in Normandy, on his patrimonial estate in that country, without any thoughts of reviving the claims of his family to the crown of Scotland. His pretensions, however plausible, had been so strenuously abjured by the Scots, and rejected by the English, that he was universally regarded as a private person; and he had been thrown into prison, on account of some private offence of which he was accused. Lord Beaumont, a great English baron, who, in the right of his wife, claimed the earldom of Buchan in Scotland,‡ found him in this situation, and deeming him a proper instrument for his purpose, made such interest with the King of France, who was not aware of the consequences, that he recovered him his liberty, and brought him over with him to England.

The injured nobles, possessed of such a head, began to think of vindicating their rights by force of arms, and they applied to Edward for his concurrence and assistance. But there were several reasons which deterred the king from openly avowing their enterprise. In his treaty with Scotland, he had entered into a bond of 20,000 pounds, payable to the Pope, if within four years he violated the peace; and as the term was not yet elapsed, he dreaded the exacting of that penalty by the sovereign pontiff, who possessed so many means of forcing princes to make payment. He was also afraid that violence and injustice would every where be imputed to him, if he attacked with superior force a minor king, and a brother-in-law, whose independent title had so lately been acknowledged by a solemn treaty. And as the Regent of Scotland, on every demand which had been made of

restitution to the English barons, had always confessed the justice of their claim, and had only given an evasive answer, grounded on plausible pretences, Edward resolved not to proceed by open violence, but to employ like artifices against him. He secretly encouraged Baliol in his enterprise; connived at his assembling forces in the north, and gave countenance to the nobles who were disposed to join in the attempt. A force of near 2500 men was enlisted under Baliol, by Umfrerville Earl of Angus, the Lords Beaumont, Ferrars, Fitz-warin, Wake, Stafford, Talbot, and Mowbray. As these adventurers apprehended that the frontiers would be strongly armed and guarded, they resolved to make their attack by sea; and having embarked at Ravenspur, they reached in a few days the coast of Fife.

Scotland was at that time in a very different situation from that in which it had appeared under the victorious Robert. Besides the loss of that great monarch, whose genius and authority preserved entire the whole political fabric, and maintained a union among the unruly barons, Lord Douglas, impatient of rest, had gone over to Spain in a crusade against the Moors, and had there perished in battle:§ the Earl of Murray, who had long been declining through age and infirmities, had lately died, and had been succeeded in the regency by Donald Earl of Marre, a man of much inferior talents: the military spirit of the Scots, though still unbroken, was left without a proper guidance and direction: and a minor king seemed ill qualified to defend an inheritance, which it had required all the consummate valour and abilities of his father to acquire and maintain. But as the Scots were apprised of the intended invasion, great numbers, on the appearance of the English fleet, immediately ran to the shore, in order to prevent the landing of the enemy. Baliol had valour and activity, and he drove back the Scots with considerable loss.¶ He marched westward into the heart of the country, flattering himself that the ancient partisans of his family would declare for him. But the fierce animosities which had been kindled between the two nations, inspiring the Scots with a strong prejudice against a prince supported by the English, he was regarded as a common enemy; and the regent found no difficulty in assembling a great army to oppose him. It is pretended that Marre had no less than 40,000 men under his banners; but the same hurry and impatience that made him collect a force, which from its greatness was so disproportioned to the occasion, rendered all his motions unskilful and imprudent. The river Earne ran between the two armies; and the Scots, confiding in that security, as well as in their great superiority of numbers, kept no order in their encampment. Baliol passed the river in the night-time; 11th Aug. attacked the unguarded and undisciplined Scots; threw them into confusion, which was increased by the darkness, and by their very numbers to which they trusted; and he beat them off the field with great slaughter.‡ But in the morning, when the Scots were at some distance, they were ashamed of having yielded the victory to so weak a foe, and they hurried back to recover the honour of the day. Their eager passions urged them precipitately to battle, without regard to some broken ground which lay between them and the enemy, and which disordered and confounded their ranks. Baliol seized the favourable opportunity, advanced his troops upon them, prevented them from rallying, and anew chased them off the field with redoubled slaughter. There fell above 12,000 Scots in this action; and among these the flower of the nobility; the regent himself, the Earl of Carric, a natural son of their late king, the Earls of Athole and Monteith, Lord Hay of Erol, Constable, and the Lords Keith and Lindsey. The loss of the English scarcely exceeded thirty men; a strong proof, among many others, of the miserable state of military discipline in those ages.‡

Baliol soon after made himself master of Perth; but still was not able to bring over any of the Scots to his party. Patric Dunbar, Earl of March, and Sir Archibald Douglas, brother to the lord of that name, appeared at the

s Cotton's Abrégé.

u Hist. p. 251.

W Trousart, liv. i. chap. 21.

† Rymer, vol. iv. p. 381.

x Heming, p. 272. Walsing. p. 131. Knyghton, p. 250.

y Knyghton, p. 2561.

z Heming, p. 273. Walsing. p. 131. Knyghton, p. 2561.



head of the Scottish armies, which amounted still to near 40,000 men; and they purposed to reduce Balaol and the English by famine. They blockaded Perth by land; they collected some vessels with which they invested it by water; but Balaol's ships, attacking the Scottish fleet, gained a complete victory; and opened the communication between Perth and the sea.<sup>a</sup> The Scottish armies were then obliged to disband for want of pay and subsistence: the nation was, in effect, subdued by a handful of men: each nobleman who found himself most exposed to danger, successively submitted to Balaol: that prince was crowned at Scone: David, his competitor, was sent over to France with his betrothed wife, Jane, sister to Edward: and the heads of his party sued to Balaol for a truce, which he granted them, in order to assemble a parliament in tranquillity, and have his title recognised by the whole Scottish nation.

A. D. 1333. But Balaol's imprudence, or his necessities, making him dismiss the greater part of his English followers, he was, notwithstanding the truce, attacked on a sudden near Annan, by Sir Archibald Douglas, and other chieftains of that party; he was routed; his brother John Balaol was slain; he himself was chased into England in a miserable condition; and thus lost his kingdom by a revolution as sudden as that by which he had acquired it.

While Balaol enjoyed his short-lived and precarious royalty, he had been sensible, that, without the protection of England, it would be impossible for him to maintain possession of the throne; and he had secretly sent a message to Edward, offering to acknowledge his superiority, to renew the homage for his crown, and to espouse the Princess Jane, if the Pope's consent could be obtained for dissolving her former marriage, which was not yet consummated.

Edward, ambitious of recovering Scotland, that important concession, made by Mortimer during his minority, threw off all scruples, and willingly accepted the offer; but as the dethroning of Balaol had rendered this stipulation of no effect, the king prepared to reinstate him in possession of the crown; an enterprise which appeared from late experience so easy and so little hazardous. As he possessed many popular arts, he consulted his parliament on the occasion; but that assembly, finding the resolution already taken, declined giving any opinion, and only granted him, in order to support the enterprise, an aid of a fifteenth, from the personal estates of the nobility and gentry, and a tenth of the movables of boroughs. And they added a petition, that the king would thenceforth live on his own revenue, without grieving his subjects by illegal taxes, or by the outrageous seizure of their goods in the shape of purveyance.<sup>b</sup>

As the Scots expected that the chief brunt of the war would fall upon Berwick, Douglas, the Regent, threw a strong garrison into that place, under the command of Sir William Keith, and he himself assembled a great army on the frontiers, ready to penetrate into England, as soon as Edward should have invested that place. The English army was less numerous, but better supplied with arms and provisions, and retained in stricter discipline; and the king, notwithstanding the valiant defence made by Keith, had, in two months, reduced the garrison to extremities, and had obliged them to capitulate: they engaged to surrender, if they were not relieved within a few days by their countrymen.<sup>c</sup> This intelligence being conveyed to the Scottish army, which was preparing to invade Northumberland, changed their plan of operations, and engaged them to advance towards Berwick, and attempt the relief of that important fortress. Douglas, who had ever purposed to decline a pitched battle, in which he was sensible of the enemy's superiority, and who intended to have drawn out the war by small skirmishes, and by mutually ravishing each other's country, was forced, by the impatience of his troops, to put the fate of the kingdom upon the event of one day. He attacked the English at Halidown-hill, a little north of Berwick; and though his heavy-armed cavalry dismounted, in order to render the action more steady and

desperate, they were received with such valour by Edward, and were so galled by the English archers, that they were soon thrown into disorder, and, on the fall of Douglas, their general, were totally routed. The whole army fled in confusion, and the English, but much more the Irish, gave little quarter in the pursuit: all the nobles of chief distinction were either slain or taken prisoners: near thirty thousand of the Scots fell in the action: while the loss of the English amounted only to one knight, one esquire, and thirteen private soldiers: an inequality almost incredible.<sup>d</sup>

After this fatal blow, the Scottish nobles had no other resource than instant submission; and Edward, leaving a considerable body with Balaol to complete the conquest of the kingdom, returned with the remainder of his army to England. Balaol was acknowledged king by a parliament assembled at Edinburgh; the superiority of England was again recognised; many of the Scottish nobility swore fealty to Edward; and to complete the misfortunes of that nation, Balaol ceded Berwick, Dunbar, Roxborough, Edinburgh, and all the south-east counties of Scotland, which were declared to be for ever annexed to the English monarchy.<sup>e</sup>

If Balaol, on his first appearance, was dreaded by the Scots, as an instrument employed by England for the subjection of the kingdom, this deed confirmed all their suspicions, and rendered him the object of universal hatred. Whatever submissions they might be obliged to make, they considered him, not as their prince, but as the delegate and confederate of their determined enemy: and neither the manners of the age, nor the state of Edward's revenue, permitting him to maintain a standing army in Scotland, the English forces were no sooner withdrawn, than the Scots revolted from Balaol, and returned to their former allegiance under Bruce. Sir Andrew Murray, appointed Regent by the party of this latter prince, employed with success his valour and activity in many small but decisive actions against Balaol; and in a short time had almost wholly expelled him the kingdom. Edward was obliged again to assemble an army, and to march into Scotland: the Scots, taught by experience, withdrew into their hills and fastnesses: he destroyed the houses and ravaged the estates of those whom he called rebels: but this confirmed them still further in their obstinate antipathy to England and to Balaol; and being now rendered desperate, they were ready to take advantage, on the first opportunity, of the retreat of their enemy, and they soon re-conquered their country from the English. Edward made anew his appearance in Scotland with like success: he found every thing hostile in the kingdom, except the spot on which he was encamped: and though he marched uncontrolled over the low countries, the nation itself was further than ever from being broken and subdued. Besides being supported by their pride and anger, passions difficult to tame, they were encouraged, amidst all their calamities, by daily promises of relief from France; and as a war was now likely to break out between that kingdom and England, they had reason to expect, from this incident, a great diversion of that force which had so long oppressed and overwhelmed them.

We now come to a transaction, on which depended the most memorable events, not only of this long and active reign, but of the whole English and French history, during more than a century; and it will therefore be necessary to give a particular account of the springs and causes of it.

It had long been a prevailing opinion, that the crown of France could never descend to a female; and, in order to give more authority to this maxim, and assign it a determinate origin, it had been usual to derive it from a clause in the Salian Code, the law of an ancient tribe among the Franks; though that clause, when strictly examined, carries only the appearance of favouring this principle, and does not really, by the confession of the best antiquaries, bear the sense commonly imposed upon

<sup>a</sup> Hemans, p. 273. Knighton, p. 236.  
<sup>c</sup> Rymer, vol. iv, p. 364, 365, 366.

<sup>b</sup> Cotton's Abbrégé.

<sup>d</sup> Hemans, p. 273, 276, 277. Knighton, p. 239. Otterbourne, p. 115.  
<sup>e</sup> Rymer, vol. iv, p. 368. <sup>f</sup> Ibid. p. 614.

A. D. 1337.  
King's claim to the crown of France.

it. But though positive law seems wanting among the French for the exclusion of females, the practice had taken place; and the rule was established beyond controversy on some ancient as well as some modern precedents. During the first race of the monarchy, the Franks were so rude and barbarous a people, that they were incapable of submitting to a female reign; and in that period of their history there were frequent instances of kings advanced to royalty in prejudice of females, who were related to the crown by nearer degrees of consanguinity. These precedents, joined to like causes, had also established the male succession in the second race; and though the instances were neither so frequent nor so certain during that period, the principle of excluding the female line seems still to have prevailed, and to have directed the conduct of the nation. During the third race, the crown had descended from father to son for eleven generations, from Hugh Capet to Lewis Hutin; and thus, in fact, during the course of nine hundred years, the French monarchy had always been governed by males, and no female, and none who founded his title on a female, had ever mounted the throne. Philip the Fair, father of Lewis Hutin, left three sons, this Lewis, Philip the Long, and Charles the Fair, and one daughter, Isabella, Queen of England. Lewis Hutin, the eldest, left at his death one daughter, by Margaret, sister to Eudes, Duke of Burgundy; and as his queen was then pregnant, Philip, his younger brother, was appointed regent till it should appear whether the child proved a son or a daughter. The queen bore a male, who lived only a few days. Philip was proclaimed king; and as the Duke of Burgundy made some opposition, and asserted the rights of his niece, the states of the kingdom, by a solemn and deliberate decree, gave her an exclusion, and declared all females for ever incapable of succeeding to the crown of France. Philip died after a short reign, leaving three daughters; and his brother Charles, without dispute, or controversy, then succeeded to the crown. The reign of Charles was also short: he left one daughter; but as his queen was pregnant, the next male heir was appointed regent, with a declared right of succession, if the issue should prove female. This prince was Philip de Valois, cousin-german to the deceased king; being the son of Charles de Valois, brother of Philip the Fair. The Queen of France was delivered of a daughter: the regency ended; and Philip de Valois was unanimously placed on the throne of France.

The King of England, who was at that time a youth of fifteen years of age, embraced a notion that he was entitled, in right of his mother, to the succession of the kingdom, and that the claim of the nephew was preferable to that of the cousin-german. There could not well be imagined a notion weaker or worse grounded. The principle of excluding females was of old an established opinion in France, and had acquired equal authority with the most express and positive law: it was supported by ancient precedents: it was confirmed by recent instances, solemnly and deliberately decided: and what placed it still further beyond controversy, if Edward was disposed to question its validity, he thereby cut off his own pretensions; since the three last kings had all left daughters, who were still alive, and who stood before him in the order of succession. He was therefore reduced to assert, that, though his mother Isabella was, on account of her sex, incapable of succeeding, he himself, who inherited through her, was liable to no such objection, and might claim by the right of propinquity. But, besides that this pretension was more favourable to Charles, King of Navarre, descended from the daughter of Lewis Hutin, it was so contrary to the established principles of succession in every country of Europe,<sup>a</sup> was so repugnant to the practice, both in private and public inheritances, that nobody in France thought of Edward's claim: Philip's title was universally recognised:<sup>b</sup> and he never imagined that he had a competitor; much less so formidable a one as the King of England.

But though the youthful and ambitious mind of Edward had rashly entertained this notion, he did not think

proper to insist on his pretensions, which must have immediately involved him, on very unequal terms, in a dangerous and implacable war with so powerful a monarch. Philip was a prince of mature years, of great experience, and, at that time, of an established character both for prudence and valour; and by these circumstances, as well as by the internal union of his people, and their acquiescence in his undoubted right, he possessed every advantage above a raw youth, newly raised, by injustice and violence, to the government of the most intractable and most turbulent subjects in Europe. But there immediately occurred an incident which required that Edward should either openly declare his pretensions, or for ever renounce and abjure them. He was summoned to do homage for Guienne: Philip was preparing to compel him by force of arms: that country was in a very bad state of defence: and the forfeiture of so rich an inheritance was, by the feudal law, the immediate consequence of his refusing or declining to perform the duty of a vassal. Edward therefore thought it prudent to submit to present necessity: he went over to Amiens: did homage to Philip: and as there had arisen some controversy concerning the terms of this submission, he afterwards sent over a formal deed, in which he acknowledged that he owed liege homage to France; which was in effect ratifying, and that in the strongest terms, Philip's title to the crown of that kingdom. His own claim indeed was so unreasonable, and so thoroughly disavowed by the whole French nation, that to insist on it was no better than pretending to the violent conquest of the kingdom; and it is probable that he would never have further thought of it, had it not been for some incidents which excited an animosity between the monarchs.

Robert of Artois was descended from the blood royal of France, was a man of great character and authority, had espoused Philip's sister, and, by his birth, talents, and credit, was entitled to make the highest figure, and fill the most important offices, in the monarchy. This prince had lost the county of Artois, which he claimed as his birth-right, by a sentence, commonly deemed iniquitous, of Philip the Fair; and he was seduced to attempt recovering possession by an action so unworthy of his rank and character as a forgery.<sup>c</sup> The detection of this crime covered him with shame and confusion: his brother-in-law not only abandoned him, but prosecuted him with violence: Robert, incapable of bearing disgrace, left the kingdom, and hid himself in the Low Countries: chased from that retreat by the authority of Philip, he came over to England; in spite of the French king's menaces and remonstrances, he was favourably received by Edward;<sup>d</sup> and was soon admitted into the councils, and shared the confidence, of that monarch. Abandoning himself to all the movements of rage and despair, he endeavoured to revive the prepossession entertained by Edward in favour of his title to the crown of France, and even flattered him, that it was not impossible for a prince of his valour and abilities to render his claim effectual. The king was the more disposed to hearken to suggestions of this nature, because he had, in several particulars, found reason to complain of Philip's conduct with regard to Guienne, and because that prince had both given protection to the exiled David Bruce, and supported, at least encouraged, the Scots, in their struggles for independence. Thus resentment gradually filled the breasts of both monarchs, and made them incapable of hearkening to any terms of accommodation proposed by the Pope, who never ceased interposing his good offices between them. Philip thought that he should be wanting to the first principles of policy if he abandoned Scotland: Edward affirmed, that he must relinquish all pretensions to generosity, if he withdrew his protection from Robert. The former, informed of some preparations for hostilities which had been made by his rival, issued a sentence of felony and attainder against Robert, and declared, that every vassal of the crown, whether *within* or *without* the kingdom, who gave countenance to that traitor, would be involved in the same sentence: a menace easy to be understood: the latter, resolute not to yield, endeavoured to form alliances in the

<sup>a</sup> Froussart, liv. i. chap. 41.

<sup>b</sup> Ib. liv. i. chap. 22.

<sup>c</sup> Froussart, vol. iv. p. 377. 381. Froussart, liv. i. chap. 53. Anon. Hist. p. 391. Walsing. p. 130. Murimuth, p. 73.

<sup>d</sup> Froussart, liv. i. chap. 29.

<sup>e</sup> Rymer, vol. iv. p. 747. Froussart, liv. i. chap. 27.

Low Countries and on the frontiers of Germany, the only places from which he either could make an effectual attack upon France, or produce such a diversion as might save the province of Guenne, which lay so much exposed to the power of Philip.

The king began with opening his intentions to the Count of Hainault, his father-in-law; and having engaged him in his interests, he employed the good offices and councils of that prince in drawing into his alliance the other sovereigns of that neighbourhood. The Duke of Brabant was induced, by his mediation, and by large remittances of money from England, to promise his concurrence;<sup>m</sup> the Archbishop of Cologne, the Duke of Gueldres, the Marquis of Juliers, the Count of Namur, the Lords of Fauquemont and Baquen, were engaged by like motives to embrace the English alliance.<sup>n</sup> These sovereign princes could supply, either from their own states or from the bordering countries, great numbers of warlike troops; and nought was wanting to make the force on that quarter very formidable but the accession of Flanders; which Edward procured by means somewhat extraordinary and unusual.

As the Flemings were the first people in the northern parts of Europe that cultivated arts and manufactures, the lower ranks of men among them had risen to a degree of opulence unknown elsewhere to those of their station in that barbarous age; had acquired privileges and independence; and began to emerge from that state of vassalage, or rather of slavery, into which the common people had been universally thrown by the feudal institutions. It was probably difficult for them to bring their sovereign and their nobility to conform themselves to the principles of law and civil government, so much neglected in every other country: it was impossible for them to confine themselves within the proper bounds in their opposition and resentment against any instance of tyranny: they had risen in tumults: had insulted the nobles: had chased their earl into France: and delivering themselves over to the guidance of a seditious leader, had been guilty of all that insolence and disorder, to which the thoughtless and enraged populace are so much inclined, wherever they are unfortunate enough to be their own masters.<sup>o</sup>

Their present leader was James d'Arteville, a brewer in Ghent, who governed them with a more absolute sway than had ever been assumed by any of their lawful sovereigns: he placed and displaced the magistrates at pleasure: he was accompanied by a guard, who, on the least signal from him, instantly assassinated any man that happened to fall under his displeasure: all the cities of Flanders were full of his spies; and it was immediate death to give him the smallest umbrage: the few nobles who remained in the country, lived in continual terror from his violence: he seized the estates of all those whom he had either banished or murdered; and bestowing a part on their wives and children, converted the remainder to his own use.<sup>p</sup> Such were the first effects that Europe saw of popular violence; after having groaned, during so many ages, under monarchical and aristocratical tyranny.

James d'Arteville was the man to whom Edward addressed himself for bringing over the Flemings to his interests; and that prince, the most haughty and most aspiring of the age, never courted any ally with so much assiduity and so many submissions, as he employed towards this seditious and criminal tradesman. D'Arteville, proud of these advances from the King of England, and sensible that the Flemings were naturally inclined to maintain connexions with the English, who furnished them the materials of their woollen manufactures, the chief source of their opulence, readily embraced the interests of Edward, and invited him over into the Low Countries. Edward, before he entered on this great enterprise, affected to consult his parliament, asked their advice, and obtained their consent.<sup>q</sup> And the more to strengthen his hands, he procured from them a grant of 20,000 sacks of wool; which might give to about a

hundred thousand pounds: this commodity was a good instrument to employ with the Flemings; and the price of it with his German allies. He completed the other necessary sums by loans, by pawing the crown jewels, by confiscating, or rather robbing, at once all the Lombards, who now exercised the invidious trade formerly monopolized by the Jews, of lending on interest;<sup>r</sup> and being attended by a body of English forces, and by several of his nobility, he sailed over to Flanders.

The German princes, in order to justify their unprovoked hostilities against France, A. D. 1338. had required the sanction of some legal authority; and Edward, that he might give them satisfaction on this head, had applied to Lewis of Bavaria, then emperor, and had been created by him *vicar of the empire*; an empty title, but which seemed to give him a right of commanding the service of the Princes of Germany.<sup>s</sup> The Flemings, who were vassals of France, pretending like scruples with regard to the invasion of their liege lord; Edward, by the advice of D'Arteville, assumed, in his commissions, the title of King of France; and, in virtue of this right, claimed their assistance for dethroning Philip de Valois, the usurper of his kingdom.<sup>t</sup> This step, which he feared would destroy all future amity between the kingdoms, and beget endless and implacable jealousies in France, was not taken by him without much reluctance and hesitation: and not being in itself very justifiable, it has in the issue been attended with many miseries to both kingdoms. From this period we may date the commencement of that great animosity which the English nation have ever since borne to the French, which has so visible an influence on all future transactions, and which has been, and continues to be, the spring of many rash and precipitate resolutions among them. In all the preceding reigns since the Conquest, the hostilities between the two crowns had been only casual and temporary; and as they had never been attended with any bloody or dangerous event, the traces of them were easily obliterated by the first treaty of pacification. The English nobility and gentry valued themselves on their French or Norman extraction: they affected to employ the language of that country in all public transactions, and even in familiar conversation: and both the English court and camp being always full of nobles, who came from different provinces of France, the two people were, during some centuries, more intermingled together than any two distinct nations whom we meet with in history. But the fatal pretensions of Edward III. dissolved all these connexions, and left the seeds of great animosity in both countries, especially among the English. For it is remarkable, that this latter nation, though they were commonly the aggressors, and by their success and situation were enabled to commit the most cruel injuries on the other, have always retained a stronger tincture of national antipathy; nor is their hatred retaliated on them to an equal degree by the French. That country lies in the middle of Europe, has been successively engaged in hostilities with all its neighbours, the popular prejudices have been diverted into many channels, and, among a people of softer manners, they never rose to a great height against any particular nation.

Philip made great preparations against the attack from the English, and such as seemed more than sufficient to secure him from the danger. Besides the concurrence of all the nobility in his own populous and warlike kingdom, his foreign alliances were both more cordial and more powerful than those which were formed by his antagonist. The Pope, who at this time lived at Avignon, was dependent on France, and being disgusted at the connexions between Edward and Lewis of Bavaria, whom he had excommunicated, he embraced with zeal and sincerity the cause of the French monarch. The King of Navarre, the Duke of Brittany, the Count of Bar, were in the same interests; and on the side of Germany, the King of Bohemia, the Palatine, the Dukes of Lorraine and Austria, the Bishop of Liege, the Counts of Deuxpont, Vaudemon, and Geneva. The allies of Edward were in themselves weaker; and having no object but his money, which began

<sup>m</sup> Rymer, vol. ii. p. 777. <sup>n</sup> Froissart, liv. iv. chap. 29. 33. 36.

<sup>o</sup> Ibid. liv. i. chap. 30. Meyerus.

<sup>p</sup> Froissart, liv. i. chap. 30.

<sup>q</sup> Cotton's Abridg.

<sup>r</sup> Dugd. Patron, vol. ii. p. 146.

<sup>s</sup> Froissart, liv. i. chap. 35.

<sup>t</sup> Fleming, p. 303. Walsingham, p. 143.



to be exhausted, they were slow in their motions, and irresolute in their measures. The Duke of

A. D. 1339. Brabant, the most powerful among them, seemed even inclined to withdraw himself wholly from the alliance; and the king was necessitated, both to give the Brabanters new privileges in trade, and to contract his son Edward with the daughter of that prince, ere he could bring him to fulfil his engagements. The summer was wasted in conferences and negotiations before Edward could take the field; and he was obliged, in order to allure his German allies into his measures, to pretend that the first attack should be made upon Cambray, a city of the empire which had been garrisoned by Philip.<sup>a</sup> But finding, upon trial, the difficulty of the enterprise, he conducted them towards the frontiers of France; and he there saw, by a sensible proof, the vanity of his expectations: the Count of Namur, and even the Count of Hainault, his brother-in-law, (for the old count was dead,) refused to commence hostilities against their liege lord, and retired with their troops.<sup>b</sup> So little account did they make of Edward's pretensions to the crown of France!

War with France. The king, however, entered the enemy's country, and encamped on the fields of Vironfosse, near Capelle, with an army of near 50,000 men, composed almost entirely of foreigners: Philip approached him with an army of near double the force, composed chiefly of native subjects; and it was daily expected that a battle would ensue. But the English monarch was averse to engage against so great a superiority: the French thought it sufficient if he eluded the attacks of his enemy, without running any unnecessary hazard. The two armies faced each other for some days: mutual defiances were sent: and Edward at last retired into Flanders, and disbanded his army.<sup>c</sup>

Such was the fruitless and almost ridiculous conclusion of Edward's mighty preparations; and, as his measures were the most prudent that could be embraced in his situation, he might learn from experience in what a hopeless enterprise he was engaged. His expenses, though they had led to no end, had been consuming and destructive: he had contracted near 300,000 pounds of debt; he had anticipated all his revenue; he had pawned every thing of value which belonged either to himself or his queen; he was obliged, in some measure, even to pawn himself to his creditors, by not sailing to England till he obtained their permission, and by promising on his word of honour to return in person, if he did not remit their money.

But he was a prince of too much spirit to be discouraged by the first difficulties of an undertaking; and he was anxious to retrieve his honour by more successful and more gallant enterprises. For this purpose he had, during the course of the campaign, sent orders to summon a parliament by his son Edward, whom he had left with the title of guardian, and to demand some supply in his urgent necessities. The barons seemed inclined to grant his request; but the knights, who often at this time acted as a separate body from the burgesses, made some scruple of taxing their constituents without their consent; and they desired the guardian to summon a new parliament, which might be properly empowered for that purpose. The situation of the king and parliament was for the time nearly similar to that which they constantly fell into about the beginning of the last century; and similar consequences began visibly to appear. The king, sensible of the frequent demands which he should be obliged to make on his people, had been anxious to insure to his friends a seat in the House of Commons, and at his instigation, the sheriffs and other placemen had made interest to be elected into that assembly; an abuse which the knights desired the king to correct by the tenor of his writ of summons, and which was accordingly remedied. On the other hand, the knights had professedly annexed conditions to their intended grant, and required a considerable retrenchment of the royal prerogatives, particularly with regard to purveyance, and the levying of the ancient feudal aids for knightng the king's eldest son, and

marrying his eldest daughter. The new parliament, called by the guardian, retained the same free spirit; and though they offered a large supply of 30,000 sacks of wool, no business was concluded, because the conditions which they annexed appeared too high to be compensated by a temporary concession. But when Edward himself came over to England he summoned another parliament, and he had the interest to procure a supply on more moderate terms. A confirmation of the two charters, and of the privileges of boroughs, a pardon for old debts and trespasses, and a remedy for some abuses in the execution of common law, were the chief conditions insisted on; and the king, in return for his concessions on these heads, obtained from the barons and knights an unusual grant for two years of the ninth sheaf, lamb, and fleece on their estates; and from the burgesses a ninth of their movables at their true value. The whole parliament also granted a duty of forty shillings on each sack of wool exported, on each three hundred woollfells, and on each last of leather for the same term of years; but dreading the arbitrary spirit of the crown, they expressly declared that this grant was to continue no longer, and was not to be drawn into precedent. Being soon after sensible that this supply, though considerable, and very unusual in that age, would come in slowly, and would not answer the king's urgent necessities, proceeding both from his debts and his preparations for war; they agreed, that 20,000 sacks of wool should immediately be granted him, and their value be deducted from the ninth which were afterwards to be levied.

But there appeared at this time another jealousy in the parliament which was very reasonable, and was founded on a sentiment that ought to have engaged them rather to check than support the king in all those ambitious projects, so little likely to prove successful, and so dangerous to the nation if they did. Edward, who before the commencement of the former campaign, had in several commissions assumed the title of King of France, now more openly in all public deeds gave himself that appellation, and always quartered the arms of France with those of England in his seals and ensigns. The parliament thought proper to obviate the consequences of this measure, and to declare that they owed him no obedience as King of France, and that the two kingdoms must for ever remain distinct and independent.<sup>d</sup> They undoubtedly foresaw that France, if subdued, would in the end prove the seat of government; and they deemed this previous protestation necessary, in order to prevent their becoming a province to that monarchy. A frail security, if the event had really taken place!

As Philip was apprized, from the preparations which were making both in England A. D. 1340. and the Low Countries, that he must expect another invasion from Edward, he fitted out a great fleet of 400 vessels, manned with 40,000 men; and he stationed them off Sluise, with a view of intercepting the king in his passage. The English navy was much inferior in number, consisting only of 240 sail; but whether it were by the superior abilities of Edward, or the greater dexterity of his seamen, they gained the wind of the enemy, and had the sun in their backs; and with these advantages began the action. The battle was fierce and bloody: the English archers, whose force and address were now much celebrated, galled the French on their approach: and when the ships grappled together, and the contest became more steady and furious, the example of the king, and of so many gallant nobles who accompanied him, animated to such a degree the seamen and soldiery, that they maintained every where a superiority over the enemy. The French also had been guilty of some imprudence in taking their station so near the coast of Flanders, and choosing that place for the scene of action. The Flemings, desecrating the battle, hurried out of their harbours, and brought a reinforcement to the English; which, coming unexpectedly, had a greater effect than in proportion to its power and numbers. Two hundred and thirty French ships were taken: thirty thousand Frenchmen were killed, with two of their

<sup>a</sup> Froissart, liv. i. chap. 39. Hemming, p. 305.  
<sup>b</sup> Froissart, liv. i. chap. 39.

<sup>c</sup> Froissart, liv. i. chap. 41, 42, 43. Hemming, p. 307. Walden, p. 143.  
<sup>d</sup> Cotton's Abridg. p. 17. z 14 Edward III.

admirals: the loss of the English was inconsiderable, compared to the greatness and importance of the victory.<sup>a</sup> None of Philip's courtiers, it is said, dared to inform him of the event; till his fool or jester gave him a hint, by which he discovered the loss that he had sustained.<sup>b</sup>

The lustre of this great success increased the king's authority among his allies, who assembled their forces with expedition, and joined the English army. Edward marched to the frontiers of France at the head of above 100,000 men, consisting chiefly of foreigners, a more numerous army than either before or since has ever been commanded by any King of England.<sup>c</sup> At the same time the Flemings, to the number of 50,000 men, marched out under the command of Robert of Artois, and laid siege to St. Omer; but this tumultuary army, composed entirely of tradesmen inexperienced in war, was routed by a sally of the garrison, and notwithstanding the abilities of their leader, was thrown into such a panic, that they were instantly dispersed, and never more appeared in the field. The enterprises of Edward, though not attended with so inglorious an issue, proved equally vain and fruitless. The King of France had assembled an army more numerous than the English; was accompanied by all the chief nobility of his kingdom; was attended by many foreign princes, and even by three monarchs, the Kings of Bohemia, Scotland, and Navarre:<sup>d</sup> yet he still adhered to the prudent resolution of putting nothing to hazard, and after throwing strong garrisons into all the frontier towns, he retired backwards, persuaded that the enemy, having wasted their force in some tedious and unsuccessful enterprise, would afford him an easy victory.

Tournay was at that time one of the most considerable cities of Flanders, containing above 60,000 inhabitants of all ages, who were affectionate to the French government; and as the secret of Edward's design had not been strictly kept, Philip learned that the English, in order to gratify their Flemish allies, had intended to open the campaign with the siege of this place: he took care, therefore, to supply it with a garrison of 14,000 men, commanded by the bravest nobility of France; and he reasonably expected that these forces, joined to the inhabitants, would be able to defend the city against all the efforts of the enemy. Accordingly Edward, when he commenced the siege, about the end of July, found every where an obstinate resistance: the valour of one side was encountered with equal valour by the other: every assault was repulsed, and proved unsuccessful: and the king was at last obliged to turn the siege into a blockade, in hopes that the great numbers of the garrison and citizens, which had enabled them to defend themselves against his attacks, would but expose them to be the more easily reduced by famine.<sup>e</sup> The Count of Eu, who commanded in Tournay, as soon as he perceived that the English had formed this plan of operations, endeavoured to save his provisions, by expelling all the useless mouths; and the Duke of Brabant, who wished no success to Edward's enterprises, gave every one a free passage through his quarters.

After the siege had continued ten weeks, the city was reduced to distress; and Philip, recalling all his scattered garrisons, advanced towards the English camp, at the head of a mighty army, with an intention of still avoiding any decisive action, but of seeking some opportunity for throwing relief into the place. Here Edward, irritated with the small progress he had hitherto made, and with the disagreeable prospect that lay before him, sent Philip a defiance by a herald; and challenged him to decide their claims for the crown of France, either by single combat, or by an action of a hundred against a hundred, or by a general engagement. But Philip replied, that Edward, having done homage to him for the duchy of Guienne, and having solemnly acknowledged him for his superior, it by no means became him to send a defiance to his liege lord and sovereign: that he was confident, notwithstanding all Edward's preparations, and his conjunction with the rebellious Flemings, he himself should soon be able to

chase him from the frontiers of France: that as the hostilities from England had prevented him from executing his purposed crusade against the infidels, he trusted in the assistance of the Almighty, who would reward his pious intentions, and punish the aggressor, whose ill-grounded claims had rendered them abortive: that Edward proposed a duel on very unequal terms, and offered to hazard only his own person against both the kingdom of France, and the person of the king: but that if he would increase the stake, and put also the kingdom of England on the issue of the duel, he would, notwithstanding that the terms would still be unequal, very willingly accept of the challenge.<sup>f</sup> It was easy to see that these mutual bravadoes were intended only to dazzle the populace, and that the two kings were too wise to think of executing their pretended purpose.

While the French and English armies lay in this situation, and a general action was every day expected, Jane, Countess dowager of Hainault, interposed with her good offices, and endeavoured to conciliate peace between the contending monarchs, and to prevent any further effusion of blood. This princess was mother-in-law to Edward, and sister to Philip; and though she had taken the vows in a convent, and had renounced the world, she left her retreat on this occasion, and employed all her pious efforts to allay those animosities which had taken place between persons so nearly related to her and to each other. As Philip had no material claims on his antagonist, she found that he hearkened willingly to the proposals; and even the haughty and ambitious Edward, convinced of his fruitless attempt, was not averse to her negotiation. He was sensible, from experience, that he had engaged in an enterprise which far exceeded his force; and that the power of England was never likely to prevail over that of a superior kingdom, firmly united under an able and prudent monarch. He discovered that all the allies whom he could gain by negotiation were at bottom averse to his enterprise; and though they might second it to a certain length, would immediately detach themselves, and oppose its final accomplishment, if ever they could be brought to think that there was seriously any danger of it. He even saw that their chief purpose was to obtain money from him; and as his supplies from England came in very slowly, and had much disappointed his expectations, he perceived their growing indifference in his cause, and their desire of embracing all plausible terms of accommodation. Convinced at last that an undertaking must be imprudent which could only be supported by means so unequal to the end, he concluded a truce, which left

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both parties in possession of their present acquisitions, and stopped all further hostilities on the side of the Low Countries, Guienne, and Scotland, till midsummer next.<sup>g</sup> A negotiation was soon after opened at Arras under the mediation of the Pope's legates; and the truce was attempted to be converted into a solid peace. Edward here required that Philip should free Guienne from all claims of superiority, and entirely withdraw his protection from Scotland: but as he seemed not anywise entitled to make such high demands, either from his past successes, or future prospects, they were totally rejected by Philip, who agreed only to a prolongation of the truce.

The King of France soon after detached the Emperor Lewis from the alliance of England, and engaged him to revoke the title of Imperial Vicar, which he had conferred on Edward.<sup>h</sup> The king's other allies on the frontiers of France, disappointed in their hopes, gradually withdrew from the confederacy. And Edward himself, harassed by his numerous and importunate creditors, was obliged to make his escape by stealth into England.

The unusual tax of a ninth sheaf, lamb, and fleece, imposed by parliament, together with the great want of money, and still more of credit, in England, had rendered the remittances to Flanders extremely backward; nor could it be expected that any expeditious method of collecting an imposition, which was so new in itself, and which yielded only a gradual pro-

<sup>a</sup> Trossart, liv. i. chap. 51. Avesbury, p. 56. Heming, p. 321.

<sup>b</sup> Walsing. p. 148.

<sup>c</sup> Rymer, vol. v. p. 197.

<sup>d</sup> Trossart, liv. i. chap. 57.

<sup>e</sup> Ibid. chap. 54.

<sup>f</sup> Du Tillet, Recueil de Traitez, &c. Heming. p. 325, 326. Walsing. p. 149.

<sup>g</sup> Trossart, liv. i. chap. 64. Avesbury, p. 65.

<sup>h</sup> Heming, p. 352. Ypod. Neust. p. 514. Nuytgen, p. 2560.

duce, could possibly be contrived by the king or his ministers. And though the parliament, foreseeing the inconvenience, had granted, as a present resource, 20,000 sacks of wool, the only English goods that bore a sure price in foreign markets, and were the next to ready money; it was impossible but the getting possession of such a bulky commodity, the gathering of it from different parts of the kingdom, and the disposing of it abroad, must take up more time than the urgency of the king's affairs would permit, and must occasion all the disappointments complained of during the course of the campaign. But though nothing had happened, which Edward might not reasonably have foreseen, he was so irritated with the unfortunate issue of his military operations, and so much vexed and affronted by his foreign creditors, that he was determined to throw the blame somewhere off himself, and he came in very bad humour into England. He discovered his peevish disposition by the first act which he performed after his arrival: as he landed unexpectedly, he found the Tower negligently guarded; and he immediately committed to prison the constable, and all others who had the charge of that fortress, and treated them with unusual rigour.<sup>1</sup> His vengeance fell next on the officers of the revenue, the sheriffs, the collectors of the taxes, the undertakers of all kinds; and besides dismissing all of them from their employments, he appointed commissioners to inquire into their conduct; and these men, in order to gratify the king's humour, were sure not to find any person innocent who came before them.<sup>2</sup> Sir John St. Paul, keeper of the privy seal, Sir John Stonore, chief justice, Andrew Aubrey, Mayor of London, were displaced and imprisoned; as were also the Bishop of Chichester, chancellor, and the Bishop of Lichfield, treasurer. Stratford, Archbishop of Canterbury, to whom the charge of collecting the new taxes had been chiefly intrusted, fell likewise under the king's displeasure; but being absent at the time of Edward's arrival, he escaped feeling the immediate effects of it.

There were strong reasons which might discourage the kings of England, in those ages, from bestowing the chief offices of the crown on prelates and other ecclesiastical persons. These men had so intrenched themselves in privileges and immunities, and so openly challenged an exemption from all secular jurisdiction, that no civil penalty could be inflicted on them for any malversation in office; and as even treason itself was declared to be no canonical offence, nor was allowed to be a sufficient reason for deprivation or other spiritual censures, that order of men had insured to themselves an almost total impunity, and were not bound by any political law or statute. But, on the other hand, there were many peculiar causes which favoured their promotion. Besides that they possessed almost all the learning of the age, and were best qualified for civil employments; the prelates enjoyed equal dignity with the greatest barons, and gave weight, by their personal authority, to the powers intrusted with them: while at the same time they did not endanger the crown, by accumulating wealth or influence in their families, and were restrained, by the decency of their character, from that open rapine and violence so often practised by the nobles. These motives had induced Edward, as well as many of his predecessors, to intrust the chief departments of government in the hands of ecclesiastics, at the hazard of seeing them disown his authority as soon as it was turned against them.

A. D. 1341. This was the case with Archbishop Stratford. That prelate, informed of Edward's indignation against him, prepared himself for the storm; and not content with standing upon the defensive, he resolved, by beginning the attack, to show the king that he knew the privileges of his character, and had courage to maintain them. He issued a general sentence of excommunication against all who, on any pretext, exercised violence on the person or goods of clergymen; who infringed those privileges secured by the Great Charter, and by ecclesiastical canons; or who accused a prelate of treason, or any other crime, in order to bring him under the king's displeasure.<sup>3</sup> Even Edward had reason to think himself

struck at by this sentence; both on account of the imprisonment of the two bishops, and that of other clergymen concerned in levying the taxes, and on account of his seizing their lands and movables, that he might make them answerable for any balance which remained in their hands. The clergy, with the primate at their head, were now formed into a regular combination against the king; and many calumnies were spread against him, in order to deprive him of the confidence and affections of his people. It was pretended that he meant to recall the general pardon, and the remission which he had granted of old debts, and to impose new and arbitrary taxes without consent of parliament. The archbishop went so far, in a letter to the king himself, as to tell him, that there were two powers by which the world was governed, the holy pontifical apostolic dignity, and the royal subordinate authority: that of these two powers, the clerical was evidently the supreme; since the priests were to answer at the tribunal of the divine judgment for the conduct of kings themselves: that the clergy were the spiritual fathers of all the faithful, and amongst others, of kings and princes; and were entitled, by a heavenly charter, to direct their wills and actions, and to censure their transgressions; and that prelates had heretofore cited emperors before their tribunal, had sitten in judgment on their life and behaviour, and had anathematized them for their obstinate offences.<sup>4</sup> These topics were not well calculated to appease Edward's indignation; and when he called a parliament, he sent not to the primate, as to the other peers, a summons to attend it. Stratford was not discouraged at this mark of neglect or anger: he appeared before the gates, arrayed in his pontifical robes, holding the crosier in his hand, and accompanied by a pompous train of priests and prelates; and he required admittance as the first and highest peer in the realm. During two days the king rejected his application: but sensible, either that this affair might be attended with dangerous consequences, or that in his impatience he had groundlessly accused the primate of malversation in his office, which seems really to have been the case, he at last permitted him to take his seat, and was reconciled to him.<sup>5</sup>

Edward now found himself in a bad situation both with his own people and with foreign states; and it required all his genius and capacity to extricate himself from such multiplied difficulties and embarrassments. His unjust and exorbitant claims on France and Scotland had engaged him in an implacable war with these two kingdoms, his nearest neighbours: he had lost almost all his foreign alliances by his irregular payments: he was deeply involved in debts, for which he owed a consuming interest: his military operations had vanished into smoke; and except his naval victory, none of them had been attended even with glory or renown, either to himself or to the nation: the animosity between him and the clergy was open and declared: the people were discontented on account of many arbitrary measures in which he had been engaged: and what was more dangerous, the nobility, taking advantage of his present necessities, were determined to retrench his power, and by encroaching on the ancient prerogatives of the crown, to acquire to themselves independence and authority. But the aspiring genius of Edward, which had so far transported him beyond the bounds of discretion, proved at last sufficient to reinstate him in his former authority, and finally, to render his reign the most triumphant that is to be met with in English story: though for the present he was obliged, with some loss of honour, to yield to the current which bore so strongly against him.

The parliament framed an act, which was likely to produce considerable innovations in the government. They premised, that, whereas the great charter had, to the manifest peril and slander of the king, and damage of his people, been violated in many points, particularly by the imprisonment of free men, and the seizure of their goods, without suit, indictment, or trial, it was necessary to confirm it anew, and to oblige all the chief officers of the law, together with the steward and chamberlain of the household, the keeper of the privy seal, the comptroller and

<sup>1</sup> Ford. Neust p. 513.

<sup>2</sup> Avesbury, p. 70. Heming, p. 326. Walsingham, p. 150.

<sup>3</sup> Heming, p. 339. Anc. Sacra, vol. i. p. 21, 22. Walsingham, p. 153.

<sup>4</sup> In Analia Sacra, vol. i. p. 47.

<sup>5</sup> Ibid. p. 38, 39, 40, 41.



treasurer of the wardrobe, and those who were intrusted with the education of the young prince, to swear to the regular observance of it. They also remarked, that the peers of the realm had formerly been arrested and imprisoned, and dispossessed of their temporalities and lands, and even some of them put to death, without judgment or trial; and they therefore enacted that such violences should henceforth cease, and no peer be punished but by the award of his peers in parliament. They required, that whenever any of the great offices above mentioned became vacant, the king should fill it by the advice of his council, and the consent of such barons as should at that time be found to reside in the neighbourhood of the court. And they enacted, that on the third day of every session, the king should resume into his own hand all these offices, except those of justices of the two benches, and the barons of exchequer; that the ministers should for the time be reduced to private persons; that they should in that condition answer before parliament to any accusation brought against them; and that, if they were found anyway guilty, they should finally be dispossessed of their offices, and more able persons be substituted in their place.<sup>o</sup> By these last regulations the barons approached as near as they durst to those restrictions which had formerly been imposed on Henry III. and Edward II., and which, from the dangerous consequences attending them, had become so generally odious, that they did not expect to have either the concurrence of the people in demanding them, or the assent of the present king in granting them.

In return for these important concessions, the parliament offered the king a grant of 20,000 sacks of wool; and his wants were so urgent, from the clamours of his creditors, and the demands of his foreign allies, that he was obliged to accept of the supply on these hard conditions. He ratified this statute in full parliament; but he secretly entered a protest of such a nature as were sufficient, one should imagine, to destroy all future trust and confidence with his people: he declared, that as soon as his convenience permitted, he would, from his own authority, revoke what had been extorted from him.<sup>p</sup> Accordingly, he was no sooner possessed of the parliamentary supply, than he issued an edict, which contains many extraordinary positions and pretensions. He first asserts, that that statute had been enacted contrary to law; as if a free legislative body could ever do any thing illegal. He next affirms, that as it was hurtful to the prerogatives of the crown, which he had sworn to defend, he had only dissembled when he seemed to ratify it, but that he had never in his own breast given his assent to it. He does not pretend that either he or the parliament lay under force; but only that some inconvenience would have ensued, had he not seemingly affixed his sanction to that pretended statute. He therefore, with the advice of his council, and of some earls and barons, abrogates and annuls it; and though he professes himself willing and determined to observe such articles of it as were formerly law, he declares it to have thenceforth no force or authority.<sup>q</sup> The parliaments that were afterwards assembled took no notice of this arbitrary exertion of royal power, which, by a parity of reason, left all their laws at the mercy of the king; and, during the course of two years, Edward had so far re-established his influence, and freed himself from his present necessities, that he then obtained from his parliament a legal repeal of the obnoxious statute.<sup>r</sup> This transaction certainly contains remarkable circumstances, which discover the manners and sentiments of the age; and may prove what inaccurate work might be expected from such rude hands, when employed in legislation, and in rearing the delicate fabric of laws and a constitution.

But though Edward had happily recovered his authority at home, which had been impaired by the events of the French war, he had undergone so many mortifications from that attempt, and saw so little prospect of success, that he would probably have dropped his claim, had not a revolution in Brittany opened to him more promising

views, and given his enterprising genius a full opportunity of displaying itself.

John III. Duke of Brittany had, during some years, found himself declining through age and infirmities; and having no issue, he was solicitous to prevent those disorders to which, on the event of his demise, a disputed succession might expose his subjects. His younger brother, the Count of Penthievre, had left only one daughter, whom the duke deemed his heir; and as his family had inherited the duchy by a female succession, he thought her title preferable to that of the Count of Mountfort, who, being his brother by a second marriage, was the male heir of that principality.<sup>s</sup> He accordingly purposed to bestow his niece in marriage on some person who might be able to defend her rights; and he cast his eye on Charles of Blois, nephew of the King of France, by his mother, Margaret, of Valois, sister to that monarch. But as he both loved his subjects, and was beloved by them, he determined not to take this important step without their approbation; and having assembled the states of Brittany, he represented to them the advantages of that alliance, and the prospect which it gave of an entire settlement of the succession. The Bretons willingly concurred in his choice: the marriage was concluded; all his vassals, and among the rest the Count of Mountfort, swore fealty to Charles and to his consort as to their future sovereigns; and every danger of civil commotions seemed to be obviated, as far as human prudence could provide a remedy against them.

But on the death of this good prince, the ambition of the Count of Mountfort broke through all these regulations, and kindled a war, not only dangerous to Brittany, but to a great part of Europe. While Charles of Blois was soliciting at the court of France the investiture of the duchy, Mountfort was active in acquiring immediate possession of it; and by force or intrigue he made himself master of Rennes, Nantz, Brest, Hennebonne, and all the most important fortresses, and engaged many considerable barons to acknowledge his authority.<sup>t</sup> Sensible that he could expect no favour from Philip, he made a voyage to England, on pretence of soliciting his claim to the earldom of Richmond, which had devolved to him by his brother's death; and there, offering to do homage to Edward as King of France, for the duchy of Brittany, he proposed a strict alliance for the support of their mutual pretensions. Edward saw immediately the advantages attending this treaty: Mountfort, an active and valiant prince, closely united to him by interest, opened at once an entrance into the heart of France, and afforded him much more flattering views than his allies on the side of Germany and the Low Countries, who had no sincere attachment to his cause, and whose progress was also obstructed by those numerous fortifications which had been raised on that frontier. Robert of Artois was zealous in enforcing these considerations: the ambitious spirit of Edward was little disposed to sit down under those repulses which he had received, and which, he thought, had so much impaired his reputation: and it required a very short negotiation to conclude a treaty of alliance between two men, who, though their pleas with regard to the preference of male or female succession were directly opposite, were intimately connected by their immediate interests.<sup>u</sup>

As this treaty was still a secret, Mountfort, on his return, ventured to appear at Paris, in order to defend his cause before the court of peers; but observing Philip and his judges to be prepossessed against his title, and dreading their intentions of arresting him, till he should restore what he had seized by violence, he suddenly made his escape; and war immediately commenced between him and Charles of Blois.<sup>v</sup> Philip sent his eldest son, the Duke of Normandy, with a powerful army, to the assistance of the latter; and Mountfort, unable to keep the field against his rival, remained in the city of Nantz, where he was besieged. The city was taken by the treachery of the inhabitants; Mountfort fell into the

Affairs of  
Brittany.

Renewal of the  
war with  
France.

<sup>o</sup> 15 Edward III.

<sup>p</sup> Statutes at Large, 15 Edw. III. That this protest of the king's was secret, appears evidently, since otherwise it would have been ridiculous in the parliament to have accepted of his assent: besides, the king owns

that he *dissembled*, which would not have been the case had his protest been public.

<sup>r</sup> Cotton's Abridg. p. 39, 79.

<sup>q</sup> Statutes at Large, 15 Edw. III.

<sup>t</sup> Ibid. 65, 66, 67, 68.

<sup>u</sup> Ibid. 69.

<sup>v</sup> Froissart, liv. i. chap. 61.

<sup>w</sup> Ibid. 70, 71.

hands of his enemies; was conducted as a prisoner to Paris; and was shut up in the tower of the Louvre.<sup>x</sup>

A. D. 1342. This event seemed to put an end to the pretensions of the Count of Mountfort; but his affairs were immediately retrieved by an unexpected incident, which inspired new life and vigour into his party. Jane of Flanders, Countess of Mountfort, the most extraordinary woman of the age, was roused, by the captivity of her husband, from those domestic cares to which she had hitherto limited her genius; and she courageously undertook to support the falling fortunes of her family. No sooner did she receive the fatal intelligence, than she assembled the inhabitants of Rennes, where she then resided; and carrying her infant son in her arms, deputed to them the calamity of their sovereign. She recommended to their care the illustrious orphan, the sole male remaining of their ancient princes, who had governed them with such indulgence and lenity, and to whom they had ever professed the most zealous attachment. She declared herself willing to run all hazards with them in so just a cause; discovered the resources which still remained in the alliance of England; and entreated them to make one effort against a usurper, who, being imposed on them by the arms of France, would in return make a sacrifice to his protector of the ancient liberties of Brittany. The audience, moved by the affecting appearance, and inspired by the noble conduct, of the princess, vowed to live and die with her in defending the rights of her family: all the other fortresses of Brittany embraced the same resolution: the countess went from place to place, encouraging the garrisons, providing them with every thing necessary for subsistence, and concerting the proper plans of defence; and after she had put the whole province in a good posture, she shut herself up in Hennebonne, where she waited with impatience the arrivals of those succours which Edward had promised her. Meanwhile she sent over her son to England, that she might both put him in a place of safety, and engage the king more strongly, by such a pledge, to embrace with zeal the interests of her family.

Charles of Blois, anxious to make himself master of so important a fortress as Hennebonne, and still more to take the countess prisoner, from whose vigour and capacity all the difficulties to his succession in Brittany now proceeded, sat down before the place with a great army, composed of French, Spaniards, Genoese, and some Bretons; and he conducted the attack with indefatigable industry.<sup>y</sup> The defence was no less vigorous: the besiegers were repulsed in every assault: frequent sallies were made with success by the garrison: and the countess herself being the most forward in all military operations, every one was ashamed not to exert himself to the utmost in this desperate situation. One day she perceived that the besiegers, entirely occupied in an attack, had neglected a distant quarter of their camp; and she immediately sallied forth at the head of a body of 200 cavalry, threw them into confusion, did great execution upon them, and set fire to their tents, baggage, and magazines; but when she was preparing to return, she found that she was intercepted, and that a considerable body of the enemy had thrown themselves between her and the gates. She instantly took her resolution: she ordered her men to disband, and to make the best of their way by flight to Brest: she met them at the appointed place of rendezvous, collected another body of 500 horse, returned to Hennebonne, broke unexpectedly through the enemy's camp, and was received with shouts and acclamations by the garrison, who, encouraged by this reinforcement, and by so rare an example of female valour, determined to defend themselves to the last extremity.

The reiterated attacks, however, of the besiegers had at length made several breaches in the walls; and it was apprehended that a general assault, which was every hour expected, would overpower the garrison, diminished in numbers, and extremely weakened with watching and fatigue. It became necessary to treat of a capitulation: and the Bishop of Leon was already engaged, for that purpose, in a conference with Charles of Blois; when the countess, who had mounted to a high tower, and was

looking towards the sea with great impatience, descried some sails at a distance. She immediately exclaimed: *Behold the succours! the English succours! no capitulation!*<sup>z</sup> This fleet had on board a body of heavy-armed cavalry, and six thousand archers, whom Edward had prepared for the relief of Hennebonne, but who had been long detained by contrary winds. They entered the harbour under the command of Sir Walter Manny, one of the bravest captains of England; and having inspired fresh courage into the garrison, immediately sallied forth, beat the besiegers from all their posts, and obliged them to decamp.

But notwithstanding this success, the Countess of Mountfort found that her party, overpowered by numbers, was declining in every quarter; and she went over to solicit more effectual succours from the King of England. Edward granted her a considerable reinforcement under Robert of Artois; who embarked on board a fleet of forty-five ships, and sailed to Brittany. He was met in his passage by the enemy; an action ensued, where the countess behaved with her wonted valour, and charged the enemy sword in hand; but the hostile fleets, after a sharp action, were separated by a storm, and the English arrived safely in Brittany. The first exploit of Robert was the taking of Vannes, which he mastered by conduct and address:<sup>a</sup> but he survived a very little time this prosperity. The Breton noblemen of the party of Charles assembled secretly in arms, attacked Vannes of a sudden, and carried the place; chiefly by reason of a wound received by Robert, of which he soon after died at sea, on his return to England.<sup>b</sup>

After the death of this unfortunate prince, the chief author of all the calamities with which his country was overwhelmed for more than a century, Edward undertook, in person, the defence of the Countess of Mountfort; and as the last truce with France was now expired, the war, which the English and French had hitherto carried on as allies to the competitors for Brittany, was thenceforth conducted in the name and under the standard of the two monarchs. The king landed at Morbion, near Vannes, with an army of 12,000 men; and, being master of the field, he endeavoured to give a lustre to his arms, by commencing at once three important sieges, that of Vannes, of Rennes, and of Nantz. But by undertaking too much, he failed of success in all his enterprises. Even the siege of Vannes, which Edward, in person, conducted with vigour, advanced but slowly;<sup>c</sup> and the French had all the leisure requisite for making preparations against him. The Duke of Normandy, eldest son of Philip, appeared in Brittany, at the head of an army of 30,000 infantry and 4000 cavalry; and Edward was now obliged to draw together all his forces, and to intrench himself strongly before Vannes, where the Duke of Normandy soon after arrived, and in a manner invested the besiegers. The garrison and the French camp were plentifully supplied with provisions; while the English, who durst not make any attempt upon the place in the presence of a superior army, drew all their subsistence from England, exposed to the hazards of the sea, and sometimes to those which arose from the fleet of the enemy. In this A. D. 1343. dangerous situation, Edward willingly

hearkened to the mediation of the Pope's legates, the Cardinals of Palestine and Frescati, who endeavoured to negotiate, if not a peace, at least a truce, between the two kingdoms. A treaty was concluded for a cessation of arms during three years;<sup>d</sup> and Edward had the abilities, notwithstanding his present dangerous situation, to procure to himself very equal and honourable terms. It was agreed that Vannes should be sequestered, during the truce, in the hands of the legates, to be disposed of afterwards as they pleased; and though Edward knew the partiality of the court of Rome towards his antagonists, he saved himself, by this device, from the dishonour of having undertaken a fruitless enterprise. It was also stipulated, that all prisoners should be released, that the places in Brittany should remain in the hands of the present possessors, and that the allies on both sides should be comprehended in the truce.<sup>e</sup> Edward, soon after concluding this treaty, embarked with his army for England.

<sup>x</sup> Froissart, liv. i. chap. 73.

<sup>a</sup> Ibid. chap. 93.

<sup>y</sup> Ibid. chap. 81.

<sup>b</sup> Ibid. chap. 94.

<sup>z</sup> Ibid.

<sup>c</sup> Froissart, liv. i. chap. 95.

<sup>d</sup> Ibid. chap. 99. Avesbury, p. 102.

<sup>e</sup> Heming, p. 359.

The truce, though calculated for a long time, was of very short duration; and each monarch endeavoured to throw on the other the blame of its infraction. Of course, the historians of the two countries differ in their account of the matter. It seems probable, however, as is affirmed by the French writers, that Edward, in consenting to the truce, had no other view than to extricate himself from a perilous situation into which he had fallen, and was afterwards very careless in observing it. In all the memorials which remain on this subject, he complains chiefly of the punishment inflicted on Oliver de Clisson, John de Montauban, and other Breton noblemen, who, he says, were partisans of the family of Mountfort, and consequently under the protection of England.<sup>f</sup> But it appears, that, at the conclusion of the truce, those noblemen had openly, by their declarations and actions, embraced the cause of Charles of Blois; and if they had entered into any secret correspondence and engagements with Edward, they were traitors to their party, and were justly punishable by Philip and Charles for their breach of faith; nor had Edward any ground of complaint against France for such severities. But when he laid these

A. D. 1344. pretended injuries before the parliament, whom he affected to consult on all occasions, that assembly entered into the quarrel, advised the king not to be amused by a fraudulent truce, and granted him supplies for the renewal of the war: the counties were charged with a fifteenth for two years, and the boroughs with a tenth. The clergy consented to give a tenth for three years.

These supplies enabled the king to complete his military preparations; and he sent his cousin Henry, Earl of Derby, son of the Earl of Lancaster, into Guienne, for the defence of that province.<sup>g</sup> This prince, the most accomplished in the English court, possessed, to a high degree, the virtues of justice and humanity, as well as those of valour and conduct,<sup>h</sup> and not content with protecting and cherishing the province committed to his care, he made a successful invasion on the enemy. He attacked the Count of Lisle, the French general, at Bergerac, beat him from his entrenchments, and took the place. He reduced a great part of Perigord, and continually advanced in his conquests, till the Count of Lisle, having collected an army of ten or twelve thousand men, sat down before

A. D. 1345. Auberoche, in hopes of recovering that place, which had fallen into the hands of the English. The Earl of Derby came upon him by surprise, with only a thousand cavalry, threw the French into disorder, pushed his advantage, and obtained a complete victory. Lisle himself, with many considerable nobles, was taken prisoner.<sup>i</sup> After this important success, Derby made a rapid progress in subduing the French provinces. He took Monseigneur, Monpesat, Villefranche, Miremont, and Tonnins, with the fortress of Damassen. Aiguillon, a fortress deemed impregnable, fell into his hands from the cowardice of the governor. Angouleme was surrendered after a short siege. The only place where he met with considerable resistance was Reole, which, however, was at last reduced, after a siege of above nine weeks.<sup>j</sup> He made an attempt on Blaye, but thought it more prudent to raise the siege, than waste his time before a place of small importance.<sup>k</sup>

A. D. 1346. The reason why Derby was permitted to make, without opposition, such progress on the side of Guienne, was the difficulties under which the French finances then laboured, and which had obliged Philip to lay on new impositions, particularly the duty on salt, to the great discontent, and almost mutiny, of his subjects. But after the court of France was supplied with money, great preparations were made; and the Duke of Normandy, attended by the Duke of Burgundy, and other great nobility, led towards Guienne a powerful army, which the English could not think of resisting in the open field. The Earl of Derby stood on the defensive, and allowed the French to carry on, at leisure, the

siege of Angouleme, which was their first enterprise. John, Lord Norwich, the governor, after a brave and vigorous defence, found himself reduced to such extremities, as obliged him to employ a stratagem in order to save his garrison, and to prevent his being reduced to surrender at discretion. He appeared on the walls, and desired a parley with the Duke of Normandy. The prince there told Norwich, that he supposed he intended to capitulate. "Not at all," replied the governor: "but as to-morrow is the feast of the Virgin, to whom I know that you, Sir, as well as myself, bear a great devotion, I desire a cessation of arms for that day." The proposal was agreed to; and Norwich, having ordered his forces to prepare all their baggage, marched out next day, and advanced towards the French camp. The besiegers imagining they were to be attacked, ran to their arms; but Norwich sent a messenger to the duke, reminding him of his engagement. The duke, who piqued himself on faithfully keeping his word, exclaimed, *I see the governor has outwitted me: but let us be content with gaining the place:* and the English were allowed to pass through the camp unmolested.<sup>l</sup> After some other successes, the Duke of Normandy laid siege to Aiguillon; and as the natural strength of the fortress, together with a brave garrison under the command of the Earl of Pembroke, and Sir Walter Manny, rendered it impossible to take the place by assault, he purposed, after making several fruitless attacks,<sup>m</sup> to reduce it by famine: but, before he could finish this enterprise, he was called to another quarter of the kingdom, by one of the greatest disasters that ever befell the French monarchy.<sup>n</sup>

Edward, informed by the Earl of Derby of the great danger to which Guienne was exposed, had prepared a force with which he intended, in person, to bring it relief. He embarked at Southampton, on board a fleet of near a thousand sail of all dimensions, and carried with him, besides all the chief nobility of England, his eldest son, the Prince of Wales, now fifteen years of age. The winds proved long contrary;<sup>o</sup> and the king, in despair of arriving in time at Guienne, was at last persuaded by Geoffrey d'Harcourt, to change the destination of his enterprise. This nobleman was a Norman by birth, had long made a considerable figure in the court of France, and was generally esteemed for his personal merit and his valour; but being disoblged and persecuted by Philip, he had fled into England; had recommended himself to Edward, who was an excellent judge of men; and had succeeded to Robert of Artois in the invidious office of exciting and assisting the king in every enterprise against his native country. He had long insisted that an expedition to Normandy promised, in the present circumstances, more favourable success than one to Guienne; that Edward would find the northern provinces almost destitute of military force, which had been drawn to the south; that they were full of flourishing cities, whose plunder would enrich the English; that their cultivated fields, as yet unspoiled by war, would supply them with plenty of provisions; and that the neighbourhood of the capital rendered every event of importance to those quarters.<sup>p</sup> These reasons, which had not before been duly weighed by Edward, began to make more impression, after the disappointments which he met with in his voyage to Guienne: he ordered his fleet to sail to

12th July.

Normandy, and safely disembarked his army at La Hague.

This army, which, during the course of the ensuing campaign, was crowned with the most splendid success, consisted of four thousand men at arms, ten thousand archers, ten thousand Welch infantry, and six thousand Irish. The Welch and the Irish were light, disorderly troops, fitter for doing execution in a pursuit, or scouring the country, than for any stable action. The bow was always esteemed a frivolous weapon, where true military discipline was known, and regular bodies of well-armed foot maintained. The only solid force in this army were the men at arms; and even these, being cavalry,

Invasion of France.

<sup>f</sup> Rymer, vol. v. p. 453, 454, 459, 466, 136. Heming p. 376.

<sup>g</sup> Froissart, liv. i. chap. 96, p. 100. <sup>h</sup> Ibid. chap. 103. Avesbury, p. 121.

<sup>i</sup> It is reported of this prince, that having once before the attack of a town promised the soldiers the plunder, one private man happened to fall upon a great chest full of money, which he immediately brought to the earl, as thinking it too great for himself to keep possession of it.

But Derby told him, that his promise did not depend on the greatness or smallness of the sum; and ordered him to keep it all for his own use.

<sup>k</sup> Froissart, liv. i. chap. 103.

<sup>l</sup> Ibid. chap. 110.

<sup>m</sup> Ibid. chap. 112.

<sup>n</sup> Ibid. chap. 121.

<sup>o</sup> Avesbury, p. 123.

<sup>p</sup> Ibid. chap. 120.

<sup>q</sup> Froissart, liv. i. chap. 121.



were, on that account, much inferior, in the shock of battle, to good infantry : and as the whole were new levied troops, we are led to entertain a very mean idea of the military force of those ages, which, being ignorant of every other art, had not properly cultivated the art of war itself, the sole object of general attention.

\* The king created the Earl of Arundel, constable of his army, and the Earls of Warwick and Harcourt, marshals; he bestowed the honour of knighthood on the Prince of Wales and several of the young nobility, immediately upon his landing. After destroying all the ships in La Hogue, Barfleur, and Cherbourg, he spread his army over the whole country, and gave them an unbounded licence of burning, spoiling, and plundering every place, of which they became masters. The loose discipline then prevalent could not be much hurt by these disorderly practices; and Edward took care to prevent any surprise, by giving orders to his troops, however they might disperse themselves in the day-time, always to quarter themselves at night near the main body. In this manner, Montebourgh, Carentan, St. Lo, Valognes, and other places in the Cotentin, were pillaged without resistance; and a universal consternation was spread over the province.<sup>s</sup>

The intelligence of this unexpected invasion soon reached Paris; and threw Philip into great perplexity. He issued orders, however, for levying forces in all quarters; and despatched the Count of Eu, Constable of France, and the Count of Tancarville, with a body of troops, to the defence of Caën, a populous and commercial but open city, which lay in the neighbourhood of the English army. The temptation of so rich a prize, soon allured Edward to approach it; and the inhabitants, encouraged by their numbers, and the reinforcements which they daily received from the country, ventured to meet him in the field. But their courage failed them on the first shock: they fled with precipitation: the Counts of Eu and Tancarville were taken prisoners: the victors entered the city along with the vanquished, and a furious massacre commenced, without distinction of age, sex, or condition. The citizens, in despair, barricaded their houses, and assaulted the English with stones, bricks, and every missile weapon: the English made way by fire to the destruction of the citizens: till Edward, anxious to save both his spoil and his soldiers, stopped the massacre; and having obliged the inhabitants to lay down their arms, gave his troops licence to begin a more regular and less hazardous plunder of the city. The pillage continued for three days: the king reserved for his own share the jewels, plate, silks, fine cloth, and fine linen; and he bestowed all the remainder of the spoil on his army. The whole was embarked on board the ships, and sent over to England, together with three hundred of the richest citizens of Caën, whose ransom was an additional profit, which he expected afterwards to levy.<sup>t</sup> This dismal scene passed in the presence of two cardinal legates, who had come to negotiate a peace between the kingdoms.

The king moved next to Rouën, in hopes of treating that city in the same manner; but found that the bridge over the Seine was already broken down, and that the King of France himself was arrived there with his army. He marched along the banks of that river towards Paris, destroying the whole country, and every town and village which he met with on his road.<sup>u</sup> Some of his light troops carried their ravages even to the gates of Paris; and the royal palace of St. Germans, together with Nanterre, Ruelle, and other villages, was reduced to ashes within sight of the capital. The English intended to pass the river at Poissy, but found the French army encamped on the opposite banks, and the bridge at that place as well as all others over the Seine, broken down by orders from Philip. Edward now saw that the French meant to enclose him in their country, in hopes of attacking him with advantage on all sides: but he saved himself by a stratagem from this perilous situation. He gave his army orders to dislodge, and to advance further up the Seine; but immediately returning by the same road, he arrived at Poissy, which the enemy had already quitted in order to attend his motions. He repaired the bridge with incredi-

ble celerity, passed over his army, and having thus disengaged himself from the enemy, advanced by quick marches towards Flanders. His vanguard, commanded by Harcourt, met with the townsmen of Amiens, who were hastening to reinforce their king, and defeated them with great slaughter:<sup>w</sup> he passed by Beauvais, and burned the suburbs of that city: but as he approached the Somme, he found himself in the same difficulty as before: all the bridges on that river were either broken down or strongly guarded: an army, under the command of Godemar de Faye, was stationed on the opposite banks: Philip was advancing on him from the other quarter, with an army of a hundred thousand men: and he was thus exposed to danger of being enclosed, and of starving in an enemy's country. In this extremity he published a reward to any one that should bring him intelligence of a passage over the Somme. A peasant, called Gobin Agace, whose name has been preserved by the share which he had in these important transactions, was tempted, on this occasion, to betray the interests of his country; and he informed Edward of a ford below Abbeville which had a sound bottom, and might be passed without difficulty at low water.<sup>x</sup> The king hastened thither, but found Godemar de Faye on the opposite banks. Being urged by necessity, he deliberated not a moment; but threw himself into the river, sword in hand, at the head of his troops; drove the enemy from their station; and pursued them to a distance on the plain.<sup>y</sup> The French army under Philip arrived at the ford, when the rear-guard of the English were passing. So narrow was the escape which Edward, by his prudence and celerity, made from this danger! The rising of the tide prevented the French king from following him over the ford, and obliged that prince to take his route over the bridge at Abbeville; by which some time was lost.

It is natural to think that Philip, at the head of so vast an army, was impatient to take revenge on the English, and to prevent the disgrace to which he must be exposed, if an inferior enemy should be allowed, after ravaging so great a part of his kingdom, to escape with impunity. Edward also was sensible that such must be the object of the French monarch; and as he had advanced but a little way before his enemy, he saw the danger of precipitating his march over the plains of Picardy, and of exposing his rear to the insults of the numerous cavalry, in which the French camp abounded. He took, therefore, a prudent resolution: he chose his ground with advantage. Battle of Crécy. 25th Aug. He disposed his army in excellent order; he determined to await in tranquillity the arrival of the enemy; and he hoped that their eagerness to engage, and to prevent his retreat, after all their past disappointments, would hurry them on to some rash and ill concerted action. He drew up his army on a gentle ascent, and divided them into three lines: the first was commanded by the Prince of Wales, and under him, by the Earls of Warwick and Oxford, by Harcourt, and by the Lords Chandos, Holland, and other noblemen: the Earls of Arundel and Northampton, with the Lords Willoughby, Basset, Roos, and Sir Lewis Tufot, were at the head of the second line: he took to himself the command of the third division, by which he purposed either to bring succour to the two first lines, or to secure a retreat in case of any misfortune, or to push his advantages against the enemy. He had likewise the precaution to throw up trenches on his flanks, in order to secure himself from the numerous bodies of the French, who might assail him from that quarter; and he placed all his baggage behind him in a wood, which he also secured by an intrenchment.<sup>z</sup>

The skill and order of this disposition, with the tranquillity in which it was made, served extremely to compose the minds of the soldiers; and the king, that he might further inspirit them, rode through the ranks with such an air of cheerfulness and alacrity, as conveyed the highest confidence into every beholder. He pointed out to them the necessity to which they were reduced, and the certain and inevitable destruction which awaited them, if, in their present situation, enclosed on all hands in an enemy's country, they trusted to any thing but their

<sup>s</sup> Froissart, liv. i. chap. 122.  
<sup>u</sup> Ibid. chap. 125.

<sup>t</sup> Ibid. chap. 124.

<sup>w</sup> Froissart, liv. i. chap. 125.  
<sup>y</sup> Ibid. chap. 127.

<sup>x</sup> Ibid. chap. 126, 127.  
<sup>z</sup> Ibid. chap. 128.

own valour, or gave that enemy an opportunity of taking revenge for the many insults and indignities which they had of late put upon him. He reminded them of the visible ascendancy which they had hitherto maintained over all the bodies of French troops that had fallen in their way; and assured them, that the superior numbers of the army which at present hovered over them, gave them not greater force, but was an advantage easily compensated by the order in which he had placed his own army, and the resolution which he expected from them. He demanded nothing, he said, but that they would imitate his own example, and that of the Prince of Wales; and as the honour, the lives, the liberties of all were now exposed to the same danger, he was confident that they would make one common effort to extricate themselves from the present difficulties, and that their united courage would give them the victory over all their enemies.

It is related by some historians,<sup>a</sup> that Edward, besides the resources which he found in his own genius and presence of mind, employed also a new invention against the enemy, and placed in his front some pieces of artillery, the first that had yet been made use of on any remarkable occasion in Europe. This is the epoch of one of the most singular discoveries that has been made among men; a discovery which changed by degrees the whole art of war, and by consequence many circumstances in the political government of Europe. But the ignorance of that age in the mechanical arts rendered the progress of this new invention very slow. The artillery first framed were so clumsy, and of such difficult management, that men were not immediately sensible of their use and efficacy: and even to the present times, improvements have been continually making on this furious engine, which, though it seemed contrived for the destruction of mankind, and the overthrow of empires, has in the issue rendered battles less bloody, and has given greater stability to civil societies. Nations by its means have been brought more to a level: conquests have become less frequent and rapid: success in war has been reduced nearly to be a matter of calculation: and any nation over-matched by its enemies, either yields to their demands, or secures itself by alliances against their violence and invasion.

The invention of artillery was at this time known in France as well as in England;<sup>b</sup> but Philip in his hurry to overtake the enemy, had probably left his cannon behind him, which he regarded as a useless encumbrance. All his other movements discovered the same imprudence and precipitation. Impelled by anger, a dangerous counsellor, and trusting to the great superiority of his numbers, he thought that all depended on forcing an engagement with the English; and that, if he could once reach the enemy in their retreat, the victory on his side was certain and inevitable. He made a hasty march, in some confusion, from Abbeville; but after he had advanced above two leagues, some gentlemen, whom he had sent before to take a view of the enemy, returned to him, and brought him intelligence, that they had seen the English drawn up in great order, and awaiting his arrival. They therefore advised him to defer the combat till the ensuing day, when his army would have recovered from their fatigue, and might be disposed into better order than their present hurry had permitted them to observe. Philip assented to this counsel; but the former precipitation of his march, and the impatience of the French nobility, made it impracticable for him to put it in execution. One division pressed upon another: orders to stop were not seasonably conveyed to all of them: this immense body was not governed by sufficient discipline to be manageable: and the French army, imperfectly formed into three lines, arrived, already fatigued and disordered, in presence of the enemy. The first line, consisting of 15,000 Genoese cross-bow men, was commanded by Anthony Doria and Charles Grimaldi: the second was led by the Count of Alençon, brother to the king: the king himself was at the head of the third. Besides the French monarch, there were no less than three crowned heads in this engagement: the King of

Bohemia, the King of the Romans, his son; and the King of Majorca; with all the nobility and great vassals of the crown of France. The army now consisted of above 120,000 men, more than three times the number of the enemy. But the prudence of one man was superior to the advantage of all this force and splendour.

The English, on the approach of the enemy, kept their ranks firm and immovable; and the Genoese first began the attack. There had happened, a little before the engagement, a thunder shower, which had moistened and relaxed the strings of the Genoese cross-bows; their arrows, for this reason, fell short of the enemy. The English archers, taking their bows out of their cases, poured in a shower of arrows upon this multitude who were opposed to them, and soon threw them into disorder. The Genoese fell back upon the heavy-armed cavalry of the Count of Alençon;<sup>c</sup> who, enraged at their cowardice, ordered his troops to put them to the sword. The artillery fired amidst the crowd; the English archers continued to send in their arrows among them; and nothing was to be seen in that vast body but hurry and confusion, terror and dismay. The young Prince of Wales had the presence of mind to take advantage of this situation, and to lead on his line to the charge. The French cavalry, however, recovering somewhat their order, and encouraged by the example of their leader, made a stout resistance; and having at last cleared themselves of the Genoese runaways, advanced upon their enemies, and by their superior numbers began to hem them round. The Earls of Arundel and Northampton now advanced their line to sustain the prince, who, ardent in his first feats of arms, set an example of valour which was imitated by all his followers. The battle became, for some time, hot and dangerous; and the Earl of Warwick, apprehensive of the event from the superior numbers of the French, despatched a messenger to the king, and entreated him to send succours to the relief of the prince. Edward had chosen his station on the top of the hill; and he surveyed in tranquillity the scene of action. When the messenger accosted him, his first question was, whether the prince were slain or wounded? On receiving an answer in the negative, *Return*, said he, *to my son, and tell him that I reserve the honour of the day to him: I am confident that he will show himself worthy of the honour of knight-hood which I so lately conferred upon him: he will be able, without my assistance, to repel the enemy.*<sup>d</sup> This speech being reported to the prince and his attendants inspired them with fresh courage: they made an attack with redoubled vigour on the French, in which the Count of Alençon was slain: that whole line of cavalry was thrown into disorder: the riders were killed or dismounted: the Welch infantry rushed into the throng, and with their long knives cut the throats of all who had fallen; nor was any quarter given that day by the victors.<sup>e</sup>

The King of France advanced in vain with the rear to sustain the line commanded by his brother: he found them already discomfited; and the example of their rout increased the confusion which was before but too prevalent in his own body. He had himself a horse killed under him: he was remounted; and though left almost alone, he seemed still determined to maintain the combat; when John of Hainault seized the reins of his bridle, turned about his horse, and carried him off the field of battle. The whole French army took to flight, and was followed and put to the sword, without mercy, by the enemy; till the darkness of the night put an end to the pursuit. The king, on his return to the camp, flew into the arms of the Prince of Wales, and exclaimed, *My brave son! Persevere in your honourable course: You are my son; for valiantly have you acquitted yourself to-day: You have shown yourself worthy of empire!*<sup>f</sup>

This battle, which is known by the name of the battle of Crecy, began after three o'clock in the afternoon, and continued till evening. The next morning was foggy; and as the English observed that many of the enemy had lost their way in the night and in the mist, they employed a stratagem to bring them into their power: they erected on the eminences some French standards which they had

<sup>a</sup> Jean Villani, lib. xii, cap. 66<sup>b</sup> Du Cance Gloss. in verb. *Bombarda*.<sup>c</sup> Froissart, liv. i, chap. 130.<sup>d</sup> *Ibid.*<sup>e</sup> *Ibid.*<sup>f</sup> *Ibid.* chap. 131.

taken in the battle; and all who were allured by this false signal were put to the sword, and no quarter given them. In excuse for this inhumanity, it was alleged that the French king had given like orders to his troops; but the real reason probably was, that the English, in their present situation, did not choose to be encumbered with prisoners. On the day of battle and on the ensuing, there fell, by a moderate computation, 1200 French knights, 1400 gentlemen, 4000 men at arms, besides about 30,000 of inferior rank: many of the principal nobility of France, the Dukes of Lorraine and Bourbon, the Earls of Flanders, Blois, Vaudemont, Aumale, were left on the field of battle. The kings also of Bohemia and Majorca were slain: the fate of the former was remarkable: he was blind from age; but being resolved to hazard his person, and set an example to others, he ordered the reins of his bridle to be tied on each side to the horses of two gentlemen of his train; and his dead body, and those of his attendants, were afterwards found among the slain, with their horses standing by them in that situation.<sup>1</sup> His crest was three ostrich feathers; and his motto these German words, *Ich dien, I serve*: which the Prince of Wales and his successors adopted in memorial of this great victory. The action may seem no less remarkable for the small loss sustained by the English, than for the great slaughter of the French: there were killed in it only one esquire and three knights,<sup>2</sup> and very few of inferior rank; a demonstration, that the prudent disposition planned by Edward, and the disorderly attack made by the French, had rendered the whole rather a rout than a battle; which was indeed the common case with engagements in those times.

The great prudence of Edward appeared not only in obtaining this memorable victory, but in the measures which he pursued after it. Not elated by his present prosperity, so far as to expect the total conquest of France, or even that of any considerable provinces; he purposed only to secure such an easy entrance into that kingdom, as might afterwards open the way to more moderate advantages. He knew the extreme distance of Guienne: he had experienced the difficulty and uncertainty of penetrating on the side of the Low Countries, and had already lost much of his authority over Flanders by the death of D'Arteville, who had been murdered by the populace themselves, his former partisans, on his attempting to transfer the sovereignty of that province to the Prince of Wales.<sup>3</sup> The king, therefore, limited his ambition to the conquest of Calais; and after the interval of a few days, which he employed in interring the slain, he marched with his victorious army, and presented himself before the place.

John of Vienne, a valiant knight of Burgundy, was governor of Calais, and being supplied with every thing necessary for defence, he encouraged the townsmen to perform to the utmost their duty to their king and country. Edward, therefore, sensible from the beginning that it was in vain to attempt the place by force, purposed only to reduce it by famine: he chose a secure station for his camp; drew intrenchments around the whole city; raised huts for his soldiers, which he covered with straw or broom; and provided his army with all the conveniences necessary to make them endure the winter season which was approaching. As the governor soon perceived his intention, he expelled all the useless mouths; and the king had the generosity to allow these unhappy people to pass through his camp, and he even supplied them with money for their journey.<sup>4</sup>

While Edward was engaged in this siege, which employed him near a twelvemonth, there passed in different places many other events; and all to the honour of the English arms.

The retreat of the Duke of Normandy from Guienne left the Earl of Derby master of the field; and he was not negligent in making his advantage of the superiority. He took Mirabeau by assault: he made himself master of Lusignan in the same manner: Taillebourg and St. Jean d'Angeli fell into his hands: Poitiers opened its

gates to him; and Derby, having thus broken into the frontiers on that quarter, carried his incursions to the banks of the Loire, and filled all the southern provinces of France with horror and devastation.<sup>5</sup>

The flames of war were at the same time kindled in Brittany. Charles of Blois invaded that province with a considerable army, and invested the fortress of Roche de Rien; but the Countess of Mountfort, reinforced by some English troops under Sir Thomas Dagworth, attacked him during the night in his intrenchments, dispersed his army, and took Charles himself prisoner.<sup>6</sup> His wife, by whom he enjoyed his pretensions to Brittany, compelled by the present necessity, took on her the government of the party, and proved herself a rival in every shape, and an antagonist to the Countess of Mountfort, both in the field and in the cabinet. And while these heroic dames presented this extraordinary scene to the world, another princess in England, of still higher rank, showed herself no less capable of exerting every manly virtue.

The Scottish nation, after long defending, War with Scotland. with incredible perseverance, their liberties against the superior force of the English, recalled their king, David Bruce, in 1342. Though that prince, neither by his age nor capacity, could bring them great assistance, he gave them the countenance of sovereign authority; and as Edward's wars on the continent proved a great diversion to the force of England, they rendered the balance more equal between the kingdoms. In every truce which Edward concluded with Philip, the King of Scotland was comprehended; and when Edward made his last invasion upon France, David was strongly solicited by his ally to begin also hostilities, and to invade the northern counties of England. The nobility of his nation being always forward in such incursions, David soon mustered a great army, entered Northumberland at the head of above 50,000 men, and carried his ravages and devastations to the gates of Durham.<sup>7</sup> But Queen Philippa, assembling a body of little more than 12,000 men,<sup>8</sup> which she intrusted to the command of Lord Piercy, ventured to approach him at Neville's Cross near that city; and riding through the ranks of her army, exhorted every man to do his duty, and to take revenge on these barbarous ravagers.<sup>9</sup> Nor could she be persuaded to leave the 17th Oct. field, till the armies were on the point of engaging.

The Scots have often been unfortunate in the great pitched battles which they fought with the English; even though they commonly declined such engagements where the superiority of numbers was not on their side: but never did they receive a more fatal blow than the present. They were broken and chased off the field: fifteen thousand of them, some historians say twenty thousand, were slain; among whom were Edward Keith, Earl Mareschal, and Sir Thomas Charteris, Chancellor: and the king himself was taken prisoner, with Captivity of the king of Scots. the Earls of Sutherland, Fife, Monteith, Carric, Lord Douglas, and many other noblemen.<sup>10</sup>

Philippa, having secured her royal prisoner in the tower,<sup>11</sup> crossed the sea at Dover; and was received in the English camp before Calais, with all the triumph due to her rank, her merit, and her success. This age was the reign of chivalry and gallantry: Edward's court excelled in these accomplishments as much as in policy and arms: and if any thing could justify the obsequious devotion then professed to the fair sex, it must be the appearance of such extraordinary women as shone forth during that period.

The town of Calais had been defended 1347. with remarkable vigilance, constancy, and Calais taken. bravery by the townsmen, during a siege of unusual length: but Philip, informed of their distressed condition, determined at last to attempt their relief; and he approached the English with an immense army, which the writers of that age make amount to 200,000 men. But he found Edward so surrounded with morasses, and secured by intrenchments, that, without running on inevitable destruction, he concluded it impossible to make an attempt

<sup>1</sup> Froissart, liv. i. chap. 131. Knvghton, p. 239.

<sup>2</sup> Froissart, liv. i. chap. 130. Walsingham, p. 166.

<sup>3</sup> Knvghton, p. 239.

<sup>4</sup> Ibid. chap. 133.

<sup>5</sup> Ibid. chap. 133.

<sup>6</sup> Ibid. chap. 133.

<sup>7</sup> Ibid. chap. 133.

<sup>8</sup> Ibid. chap. 133.

<sup>9</sup> Ibid. chap. 133.

<sup>10</sup> Ibid. chap. 133.

<sup>11</sup> Froissart, liv. i. chap. 148. Walsingham, p. 168. Ypod. Neust. p. 517, 518.

<sup>12</sup> Froissart, liv. i. chap. 137.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.



on the English camp. He had no other resource than to send his rival a vain challenge to meet him in the open field; which being refused, he was obliged to decamp with his army, and disperse them into their several provinces.<sup>1</sup>

John of Vienne, governor of Calais, now saw the necessity of surrendering his fortress, which was reduced to the last extremity by famine and the fatigue of the inhabitants. He appeared on the walls, and made a signal to the English centinels that he desired a parley. Sir Walter Manny was sent to him by Edward. "Brave Knight," cried the governor, "I have been intrusted by my sovereign with the command of this town: it is almost a year since you besieged me; and I have endeavoured, as well as those under me, to do our duty. But you are acquainted with our present condition: we have no hopes of relief; we are perishing with hunger; I am willing therefore to surrender, and desire, as the sole condition, to insure the lives and liberties of these brave men, who have so long shared with me every danger and fatigue."<sup>2</sup>

Manny replied, that he was well acquainted with the intentions of the King of England; that that prince was incensed against the townsmen of Calais, for their pertinacious resistance, and for the evils which they had made him and his subjects suffer; that he was determined to take exemplary vengeance on them; and would not receive the town on any condition which should confine him in the punishment of these offenders. "Consider," replied Vienne, "that this is not the treatment to which brave men are entitled: if any English knight had been in my situation, your king would have expected the same conduct from him. The inhabitants of Calais have done for their sovereign what merits the esteem of every prince; much more of so gallant a prince as Edward. But I inform you, that if we must perish, we shall not perish unrevenged; and that we are not yet so reduced, but we can sell our lives at a high price to the victors. It is the interest of both sides to prevent these desperate extremities; and I expect that you yourself, brave knight, will interpose your good offices with your prince in our behalf."

Manny was struck with the justness of these sentiments, and represented to the king the danger of reprisals, if he should give such treatment to the inhabitants of Calais. Edward was at last persuaded to mitigate the rigour of the conditions demanded: he only insisted that six of the most considerable citizens should be sent to him, to be disposed of as he thought proper; that they should come to his camp carrying the keys of the city in their hands, bareheaded and barefooted, with ropes about their necks; and, on these conditions, he promised to spare the lives of all the remainder.<sup>3</sup>

When this intelligence was conveyed to Calais, it struck the inhabitants with new consternation. To sacrifice six of their fellow-citizens to certain destruction for signaling their valour in a common cause, appeared to them even more severe than that general punishment with which they were before threatened; and they found themselves incapable of coming to any resolution in so cruel and distressful a situation. At last one of the principal inhabitants, called Eustace de St. Pierre, whose name deserves to be recorded, stepped forth, and declared himself willing to encounter death for the safety of his friends and companions: another animated by his example, made a like generous offer: a third, and a fourth, presented themselves to the same fate; and the whole number was soon completed. These six heroic burgesses appeared before Edward in the guise of malefactors, laid at his feet the keys of their city, and were ordered to be led to execution. It is surprising that so generous a prince should ever have entertained such a barbarous purpose against such men; and still more that he should seriously persist in the resolution of executing it.<sup>4</sup> But the entreaties of his queen saved his memory from that infamy: she threw herself on her knees before him, and, with tears in her eyes, begged the lives

of these citizens. Having obtained her request, she carried them into her tent, ordered a repast to be set before them, and, after making them a present of money and clothes, dismissed them in safety.<sup>5</sup>

The king took possession of Calais, and immediately executed an act of rigour, more 4th Aug. justifiable, because more necessary, than that which he had before resolved on. He knew that, notwithstanding his pretended title to the crown of France, every Frenchman regarded him as a mortal enemy: he therefore ordered all the inhabitants of Calais to evacuate the town, and he peopled it anew with English; a policy which probably preserved so long to his successors the dominion of that important fortress. He made it the staple of wool, leather, tin, and lead; the four chief, if not the sole, commodities of the kingdom for which there was any considerable demand in foreign markets. All the English were obliged to bring thither these goods: foreign merchants came to the same place in order to purchase them: and at a period when posts were not established, and when the communication between states was so imperfect, this institution, though it hurt the navigation of England, was probably of advantage to the kingdom.

Through the mediation of the Pope's le- A. D. 1340. gates, Edward concluded a truce with France; but, even during this cessation of arms, he had very nearly lost Calais, the sole fruit of all his boasted victories. The king had intrusted that place to Aimery de Pavie, an Italian, who had discovered bravery and conduct in the wars, but was utterly destitute of every principle of honour and fidelity. This man agreed to deliver up Calais for the sum of twenty thousand crowns; and Geoffrey de Charni, who commanded the French forces in those quarters, and who knew, that if he succeeded in this service, he should not be disavowed, ventured, without consulting his master, to conclude the bargain with him. Edward, informed of this treachery by means of Aimery's secretary, summoned the governor to London on other pretences; and having charged him with the guilt, promised him his life, but on condition that he would turn the contrivance to the destruction of the enemy. The Italian easily agreed to this double treachery. A day was appointed for the admission of the French; and Edward, having prepared a force of about a thousand men, under Sir Walter Manny, secretly departed from London, carrying with him the Prince of Wales; and, without being suspected, arrived the evening before at Calais. He made a proper disposition for the reception of the enemy, and kept all his forces and the garrison under arms. On the appearance of Charni, a chosen band of French soldiers was admitted at the postern; and Aimery, receiving the stipulated sum, promised that with their assistance, he would immediately open the great gate to the troops, who were waiting with impatience for the fulfilling of his engagement. All the French who entered 1349. were immediately slain, or taken prisoners: 1st Jan.

the great gate opened: Edward rushed forth with cries of battle and of victory: the French, though astonished at the event, behaved with valour: a fierce and bloody engagement ensued. As the morning broke, the king, who was not distinguished by his arms, and who fought as a private man under the standard of Sir Walter Manny, remarked a French gentleman, called Eustace de Ribautmont, who exerted himself with singular vigour and bravery; and he was seized with a desire of trying a single combat with him. He stepped forth from his troop, and challenging Ribautmont by name, (for he was known to him,) began a sharp and dangerous encounter. He was twice beaten to the ground by the valour of the Frenchman: he twice recovered himself: blows were redoubled with equal force on both sides; the victory was long undecided; till Ribautmont, perceiving himself to be left almost alone, called out to his antagonist, *Sir knight, I yield my-*

<sup>1</sup> Froissart, liv. i. chap. 144, 145. Avesbury, p. 161, 162.

<sup>2</sup> Froissart, liv. i. chap. 146.

<sup>3</sup> Ibid.

<sup>4</sup> The story of these heroic burgesses of Calais, like all other extraordinary stories, is somewhat to be suspected; and so much the more, as Avesbury, p. 167, who is particular in his narration of the surrender of Calais, says nothing of it; and on the contrary, extols in general the king's generosity and lenity to the inhabitants. The numberless mistakes of Froissart, proceeding either from negligence, credulity, or love of the marvellous, invalidate very much his testimony, even though he was a contemporary,

and though his history was dedicated to Queen Philippa herself. It is a mistake to imagine, that the patrons of dedications read the books, much less censure for all the contents of them. It is not a slight testimony that should make us give credit to a story so dishonourable to Edward, especially after that proof of his humanity, in allowing a free passage to all the women, children, and infirm people, at the beginning of the siege; at least, it is scarcely to be believed, that if the story has any foundation, he seriously meant to execute his menaces against the six townsmen of Calais.

<sup>5</sup> Froissart, liv. i. chap. 146.

self your prisoner; and at the same time delivered his sword to the king. Most of the French being overpowered by numbers, and intercepted in their retreat, lost either their lives or their liberty.<sup>2</sup>

The French officers who had fallen into the hands of the English were conducted into Calais; where Edward discovered to them the antagonist with whom they had had the honour to be engaged, and treated them with great regard and courtesy. They were admitted to sup with the Prince of Wales and the English nobility; and after supper, the king himself came into the apartment, and went about, conversing familiarly with one or other of his prisoners. He even addressed himself to Charni, and avoided reproaching him, in too severe terms, with the treacherous attempt which he had made upon Calais during the truce: but he openly bestowed the highest encomiums on Ribamont; called him the most valorous knight that he had ever been acquainted with; and confessed that he himself had at no time been in so great danger as when engaged in combat with him. He then took a string of pearls, which he wore about his own head, and throwing it over the head of Ribamont, he said to him, "Sir Eustace, I bestow this present upon you as a testimony of my esteem for your bravery: and I desire you to wear it a year for my sake: I know you to be gay and amorous, and to take delight in the company of ladies and damsels: let them all know from what hand you had the present: you are no longer a prisoner; I acquit you of your ransom; and you are at liberty to-morrow to dispose of yourself as you think proper."

Nothing proves more evidently the vast superiority assumed by the nobility and gentry above all the other orders of men during those ages, than the extreme difference which Edward made in his treatment of these French knights, and that of the six citizens of Calais, who had exerted more signal bravery in a cause more justifiable and more honourable.

## CHAP. XVI.

### EDWARD III.

Institution of the Garter—State of France—Battle of Poitiers—Captivity of the King of France—State of that kingdom—Invasion of France—Peace of Breteuil—State of France—Expedition into Castile—Rupture with France—Ill success of the English—Death of the Prince of Wales—Death—and character of the king—Miscellaneous transactions of this reign.

A. D. 1349. THE prudent conduct and great success of Edward, in his foreign wars, had excited a strong emulation and a military genius among the English nobility; and these turbulent barons, overawed by the crown, gave now a more useful direction to their ambition, and attached themselves to a prince who led them to the acquisition of riches and of glory. That he might further promote the spirit of emulation and obedience, the king instituted the order of the Garter, in imitation of some orders of a like nature, religious as well as military, which had been established in different parts of Europe. The number received into this order consisted of twenty-five persons, besides the sovereign; and as it has never been enlarged, this badge of distinction continues as honourable as at its first institution, and is still a valuable, though a cheap present, which the prince can confer on his greatest subjects. A vulgar story prevails, but is not supported by any ancient authority, that, at a court-ball, Edward's mistress, commonly supposed to be the Countess of Salisbury, dropped her garter; and the king taking it up, observed some of the courtiers to smile, as if they thought

that he had not obtained this favour merely by accident: upon which he called out, *Honi soit qui mal y pense*, Evil to him that evil thinks; and as every incident of gallantry among those ancient warriors was magnified into a matter of great importance,<sup>3</sup> he instituted the order of the Garter in memorial of this event, and gave these words as the motto of the order. This origin, though frivolous, is not unsuitable to the manners of the times; and it is, indeed, difficult by any other means to account, either for the seemingly unmeaning terms of the motto, or for the peculiar badge of the Garter, which seems to have no reference to any purpose, either of military use or ornament.

But a sudden damp was thrown over this festivity and triumph of the court of England, by a destructive pestilence which invaded that kingdom, as well as the rest of Europe; and is computed to have swept away near a third of the inhabitants in every country which it attacked. It was probably more fatal in great cities than in the country; and above fifty thousand souls are said to have perished by it in London alone.<sup>4</sup> This malady first discovered itself in the north of Asia, was spread over all that country, made its progress from one end of Europe to the other, and sensibly depopulated every state through which it passed. So grievous a calamity, more than the pacific disposition of the princes, served to maintain and prolong the truce between France and England.

During this truce, Philip de Valois died, A. D. 1350. without being able to re-establish the affairs of France, which his bad success against England had thrown into extreme disorder. This monarch, during the first years of his reign, had obtained the appellation of *Fortunate*, and acquired the character of prudent; but he ill maintained either the one or the other; less from his own fault, than because he was overmatched by the superior fortune and superior genius of Edward. But the incidents in the reign of his son John gave the French nation cause to regret even the calamitous times of his predecessor. John was distinguished by many virtues, particularly a scrupulous honour and fidelity: he was not deficient in personal courage: but as he wanted that masterly prudence and foresight, which his difficult situation required, his kingdom was at the same time disturbed by intestine commotions and oppressed with foreign wars. The chief source of its calamities was Charles A. D. 1341. King of Navarre, who received the epithet *State of France.* of the *bad or wicked*, and whose conduct fully entitled him to that appellation. This prince was descended from males of the blood royal of France; his mother was daughter of Lewis Hutin; had himself espoused a daughter of King John: but all these ties, which ought to have connected him with the throne, gave him only greater power to shake and overthrow it. With regard to his personal qualities, he was courteous, affable, engaging, eloquent; full of insinuation and address; inexhaustible in his resources; active and enterprising. But these splendid accomplishments were attended with such defects as rendered them pernicious to his country, and even ruinous to himself: he was volatile, inconstant, faithless, revengeful, malicious: restrained by no principle or duty: insatiable in his pretensions; and whether successful or unfortunate in one enterprise, he immediately undertook another, in which he was never deterred from employing the most criminal and most dishonourable expedients.

The Constable of Eu, who had been taken prisoner by Edward at Caën, recovered his liberty, on the promise of delivering as his ransom the town of Guisnes, near Calais, of which he was superior lord: but as John was offended at this stipulation, which, if fulfilled, opened still further that frontier to the enemy; and as he suspected the constable of more dangerous connexions with the King of England, he ordered him to be seized, and without any legal or formal trial put him to death in prison. Charles

<sup>2</sup> Froissart, liv. i. chap. 140, 141, 142.

<sup>3</sup> There was a singular instance about this time of the prevalence of chivalry and gallantry in the nations of Europe. A solemn trial of thirty knights against thirty, was fought between Bembrough, an Englishman, and Beaumour, a Breton, of the party of Charles of Blois. The knights of the two nations came into the field; and before the combat began, Beaumour called out, that it would be seen that day who had the fairest mistresses. After a bloody combat the Bretons prevailed; and gained for their prize full liberty to boast of their mistresses' beauty. It is remarkable, that two such famous generals as Sir Robert Knolles and Sir Hugh Calver-

ley drew their swords in this ridiculous contest. See *Père Daniel*, vol. ii. p. 556, 557, &c. The women not only instigated the champions to those rough but not bloody frays of tournament; but also frequented the tournaments during all the reign of Edward, whose spirit of gallantry encouraged this practice. See *Knighton*, p. 257.

<sup>4</sup> Stowe's Survey, p. 478. There were buried 50,000 bodies in one church-yard, which Sir Walter Manny had bought for the use of the poor. The same author says, that there died above 50,000 persons of the plague in Norwich, which is quite incredible.

de la Corda was appointed constable in his place; and had a like fatal end: the King of Navarre ordered him to be assassinated; and such was the weakness of the crown, that this prince, instead of dreading punishment, would not even agree to ask pardon for his offence, but on condition that he should receive an accession of territory: and he had also John's second son put into his hands as a security for his person, when he came to court, and performed this act of mock penitence and humiliation before his sovereign.<sup>c</sup>

The two French princes seemed entirely reconciled; but this dissimulation, to which John submitted from necessity, and Charles from habit, did not long continue; and the King of Navarre knew that he had reason to apprehend the most severe vengeance for the many crimes and treasons which he had already committed, and the still greater which he was meditating. To insure himself of protection, he entered into a secret correspondence with England, by means of Henry Earl of Derby, now Earl of Lancaster, who at that time was employed in fruitless negotiations for peace at Avignon, under the mediation of the Pope. John detected this correspondence; and to prevent the dangerous effects of it, he sent forces into Normandy, the chief seat of the King of Navarre's power, and attacked his castles and fortresses. But hearing that Edward had prepared an army to support his ally, he had the weakness to propose an accommodation with Charles, and even to give this traitorous subject the sum of a hundred thousand crowns, as the purchase of a feigned reconciliation, which rendered him still more dangerous. The King of Navarre, insolent from past impunity, and desperate from the dangers which he apprehended, continued his intrigues; and associating himself with Geoffrey d'Harcourt, who had received his pardon from Philip de Valois, but persevered still in his factious disposition, he increased the number of his partisans in every part of the kingdom. He even seduced, by his address, Charles, the King of France's eldest son, a youth of seventeen years of age, who was the first that bore the appellation of Dauphin, by the re-union of the province of Dauphiny to the crown. But this prince, being made sensible of the danger and folly of these connexions, promised to make atonement for the offence by the sacrifice of his associates; and, in concert with his father, he invited the King of Navarre, and other noblemen of the party, to a feast at Rouen, where they were betrayed into the hands of John. Some of the most obnoxious were immediately led to execution; the King of Navarre was thrown into prison: and this stroke of severity in the king, and of treachery in the dauphin, was far from proving decisive in maintaining the royal authority. Philip of Navarre, brother to Charles, and Geoffrey d'Harcourt, put all the towns and castles belonging to that prince in a posture of defence; and had immediate recourse to the protection of England in this desperate extremity.

The truce between the two kingdoms, which had always been ill observed on both sides, was now expired; and Edward was entirely free to support the French malcontents. Well pleased that the factions in France had at length gained him some partisans in that kingdom, which his pretensions to the crown had never been able to accomplish, he purposed to attack his enemy both on the side of Guienne, under the command of the Prince of Wales, and on that of Calais, in his own person.

Young Edward arrived in the Garonne with his army, on board a fleet of three hundred sail, attended by the Earls of Warwick, Salisbury, Oxford, Suffolk, and other English noblemen. Being joined by the vassals of Gascony, he took the field; and as the present disorders in France prevented every proper plan of defence, he carried on with impunity his ravages and devastations, according to the mode of war in that age. He reduced all the villages and several towns of Languedoc to ashes: he presented himself before Toulouse; passed the Garonne, and burned the suburbs of Carcassonne; advanced even to Narbonne, laying every place waste around him: and after an incursion of six weeks, returned with a vast booty

and many prisoners to Guienne, where he took up his winter-quarters.<sup>e</sup> The Constable of Bourbon, who commanded in those provinces, received orders, though at the head of a superior army, on no account to run the hazard of a battle.

The King of England's incursion from Calais was of the same nature, and attended with the same issue. He broke into France at the head of a numerous army; to which he gave a full licence of plundering and ravaging the open country. He advanced to St. Omer, where the King of France was posted; and on the retreat of that prince followed him to Hesdin.<sup>f</sup> John still kept at a distance, and declined an engagement: but, in order to save his reputation, he sent Edward a challenge to fight a pitched battle with him; an unusual bravado in that age, derived from the practice of single combat, and ridiculous in the art of war. The king, finding no sincerity in this defiance, retired to Calais, and thence went over to England, in order to defend that kingdom against a threatened invasion of the Scots.

The Scots, taking advantage of the king's absence, and that of the military power of England, had surprised Berwick; and had collected an army with a view of committing ravages upon the northern provinces: but on the approach of Edward, they abandoned that place, which was not tenable while the castle was in the hands of the English; and retiring to their mountains, gave the enemy full liberty of burning and destroying the whole country from Berwick to Edinburgh.<sup>g</sup> Baliol attended Edward on this expedition; but finding that his constant adherence to the English had given his countrymen an unconquerable aversion to his title, and that he himself was declining through age and infirmities, he finally resigned into the king's hands his pretensions to the crown of Scotland,<sup>h</sup> and received in lieu of them an annual pension of 2000 pounds, with which he passed the remainder of his life in privacy and retirement.

During these military operations, Edward received information of the increasing disorders in France, arising from the imprisonment of the King of Navarre; and he sent Lancaster, at the head of a small army, to support the partisans of that prince in Normandy. The war was conducted with various success; but chiefly to the disadvantage of the French malcontents; till an important event happened in the other quarter of the kingdom, which had well nigh proved fatal to the monarchy of France, and threw every thing into the utmost confusion.

The Prince of Wales, encouraged by the success of the preceding campaign, took the field with an army, which no historian makes amount to above 12,000 men, and of which not a third were English; and with this small body he ventured to penetrate into the heart of France. After ravaging the Agenois, Quercy, and the Limousin, he entered the province of Berry; and made some attacks, though without success, on the towns of Bourges and Issoudun. It appeared that his intentions were to march into Normandy, and to join his forces with those of the Earl of Lancaster and the partisans of the King of Navarre; but finding all the bridges on the Loire broken down, and every pass carefully guarded, he was obliged to think of making his retreat into Guienne.<sup>i</sup> He found this resolution the more necessary, from the intelligence which he received of the King of France's motions. That monarch, provoked at the insult offered him by this incursion, and entertaining hopes of success from the young prince's temerity, collected a great army of above 60,000 men, and advanced, by hasty marches, to intercept his enemy. The prince, not aware of John's near approach, lost some days, on his retreat, before the castle of Remorantin;<sup>k</sup> and thereby gave the French an opportunity of overtaking him. They came within sight at Maupertuis near Poitiers, and Edward, sensible that his retreat was now become impracticable, prepared for battle with all the courage of a young hero, and with all the prudence of the oldest and most experienced commander.

But the utmost prudence and courage would have

<sup>c</sup> Froissart, liv. i. chap. 144.

<sup>d</sup> Ibid. chap. 146. Avesbury, p. 213.

<sup>e</sup> Froissart, liv. i. chap. 144. 146.

<sup>f</sup> Froissart, liv. i. chap. 144. Avesbury, p. 206. Walsing. p. 171.

<sup>g</sup> Walsing. p. 171.

<sup>h</sup> Rymer, vol. v. p. 823. Ypod. Neust. p. 521.

<sup>i</sup> Walsing. p. 171. <sup>k</sup> Froissart, liv. i. chap. 158. Walsing. p. 171.



proved insufficient to save him in this extremity, had the king of France known how to make use of his present advantages. His great superiority in numbers enabled him to surround the enemy; and, by intercepting all provisions, which were already become scarce in the English camp, to reduce this small army, without a blow, to the necessity of surrendering at discretion. But such was the impatient ardour of the French nobility, and so much had their thoughts been bent on overtaking the English as their sole object, that this idea never struck any of the commanders; and they immediately took measures for the assault, as for a certain victory. While the French army was drawn up in order of battle, they were stopped by the appearance of the Cardinal of Perigord; who, having learned the approach of the two armies to each other, had hastened, by interposing his good offices, to prevent any further effusion of Christian blood. By John's permission, he carried proposals to the Prince of Wales; and found him so sensible of the bad posture of his affairs, that an accommodation seemed not impracticable. Edward told him that he would agree to any terms consistent with his own honour and that of England; and he offered to purchase a retreat, by ceding all the conquests which he had made during this and the former campaign, and by stipulating not to serve against France during the course of seven years. But John, imagining that he had now got into his hands a sufficient pledge for the restitution of Calais, required that Edward should surrender himself prisoner with a hundred of his attendants; and offered, on these terms, a safe retreat to the English army. The prince rejected the proposal with disdain; and declared that whatever fortune might attend him, England should never be obliged to pay the price of his ransom. This resolute answer cut off all hopes of an accommodation; but as the day was already spent in negotiating, the battle was delayed till the next morning.<sup>1</sup>

The Cardinal of Perigord, as did all the prelates of the court of Rome, bore a great attachment to the French interest; but the most determined enemy could not, by any expedient, have done a greater prejudice to John's affairs than he did them by this delay. The

19th Sept.

Prince of Wales had leisure during the night to strengthen, by new intrenchments, the post which he had before so judiciously chosen; and he contrived an ambush of 300 men at arms, and as many archers, whom he put under the command of the Captal de Buche, and ordered to make a circuit, that they might fall on the flank or rear of the French army during the engagement. The van of his army was commanded by the Earl of Warwick, the rear by the Earls of Salisbury and Suffolk, the main body by the prince himself. The Lords Chandos, Audley, and many other brave and experienced commanders, were at the head of different corps of his army.

John also arranged his forces in three divisions, nearly equal: the first was commanded by the Duke of Orleans, the king's brother; the second by the dauphin, attended by his two younger brothers; the third by the king himself, who had by his side Philip, his fourth son and favourite, then about fourteen years of age. There was no reaching the English army but through a narrow lane, covered on each side by hedges; and in order to open this passage, the mareschals Andrehn and Clermont were ordered to advance with a separate detachment of men at arms. While they marched along the lane, a body of English archers who lined the hedges, plied them on each side with their arrows; and being very near them, yet placed in perfect safety, they coolly took their aim against the enemy, and slaughtered them with impunity. The French detachment, much discouraged by the unequal combat, and diminished in their number, arrived at the end of the lane, where they met on the open ground the Prince of Wales himself, at the head of a chosen body, ready for their reception. They were discomfited and overthrown: one of the mareschals was slain; the other taken prisoner: and the remainder of the detachment, who were still in the lane, and exposed to the shot of the enemy, without being able to make resistance, recoiled upon their own army, and put every thing into disorder.<sup>2</sup>

In that critical moment, the Captal de Buche unexpectedly appeared and attacked in flank the dauphin's line, which fell into some confusion. Landas, Bodenai, and St. Venant, to whom the care of that young prince and his brothers had been committed, too anxious for their charge or for their own safety, carried them off the field, and set the example of flight, which was followed by that whole division. The Duke of Orleans, seized with a like panic, and imagining all was lost, thought no longer of fighting, but carried off his division by a retreat, which soon turned into a flight. Lord Chandos called out to the prince, that the day was won; and encouraged him to attack the division under King John, which, though more numerous than the whole English army, were somewhat dismayed with the precipitate flight of their companions. John here made the utmost efforts to retrieve by his valour what his imprudence had betrayed; and the only resistance made that day was by his line of battle. The Prince of Wales fell with impetuosity on some German cavalry placed in the front, and commanded by the Counts of Sallebruche, Nydo, and Nosto: a fierce battle ensued: one side were encouraged by the near prospect of so great a victory: the other were stimulated by the shame of quitting the field to an enemy so much inferior: but the three German generals, together with the Duke of Athens, Constable of France, falling in battle, that body of cavalry gave way, and left the king himself exposed to the whole fury of the enemy. The ranks were every moment thinned around him: the nobles fell by his side one after another; his son, scarce fourteen years of age, received a wound, while he was fighting valiantly in defence of his father: the king himself, spent with fatigue, and overwhelmed by numbers, might easily have been slain; but every English gentleman, ambitious of taking alive the royal prisoner, spared him in the action, exhorted him to surrender, and offered him quarter: several who attempted to seize him suffered for their temerity. He still cried out, *Where is my cousin, the Prince of Wales?* and seemed unwilling to become prisoner to any person of inferior rank. But being told that the prince was at a distance on the field, <sup>Captivity of the King of France.</sup> he threw down his gauntlet, and yielded himself to Dennis de Morbec, a knight of Arras, who had been obliged to fly his country for murder. His son was taken with him.<sup>3</sup>

The Prince of Wales, who had been carried away in pursuit of the flying enemy, finding the field entirely clear, had ordered a tent to be pitched, and was reposing himself after the toils of the battle; inquiring still, with great anxiety, concerning the fate of the French monarch. He despatched the Earl of Warwick to bring him intelligence; and that nobleman came happily in time to save the life of the captive prince, which was exposed to greater danger than it had been during the heat of the action. The English had taken him by violence from Morbec: the Gascons claimed the honour of detaining the royal prisoner: and some brutal soldiers, rather than yield the prize to their rivals, had threatened to put him to death.<sup>4</sup> Warwick overawed both parties, and approaching the king with great demonstrations of respect, offered to conduct him to the prince's tent.

Here commences the real and truly admirable heroism of Edward: for victories are vulgar things in comparison of that moderation and humanity displayed by a young prince of twenty-seven years of age, not yet cooled from the fury of battle, and elated by as extraordinary and as unexpected success as had ever crowned the arms of any commander. He came forth to meet the captive king with all the marks of regard and sympathy; administered comfort to him amidst his misfortunes; paid him the tribute of praise due to his valour; and ascribed his own victory merely to the blind chance of war, or to a superior providence, which controls all the efforts of human force and prudence.<sup>5</sup> The behaviour of John showed him not unworthy of this courteous treatment: his present abject fortune never made him forget a moment that he was a king: more touched by Edward's generosity than by his own calamities, he confessed, that, notwithstanding his defeat and captivity, his honour was still unimpaired; and

<sup>1</sup> Froissart, liv. i. chap. 161.  
<sup>2</sup> Ibid. chap. 162.

<sup>3</sup> Rymer, vol. vi. p. 72. 154. Froissart, liv. i. chap. 164.  
<sup>4</sup> Froissart, liv. i. chap. 164. <sup>5</sup> Poul. Cemb. p. 197.

that if he yielded the victory, it was at least gained by a prince of such consummate valour and humanity.

Edward ordered a repast to be prepared in his tent for the prisoner; and he himself served at the royal captive's table, as if he had been one of his retinue: he stood at the king's back during the meal; constantly refused to take a place at table; and declared, that, being a subject, he was too well acquainted with the distance between his own rank and that of royal majesty, to assume such freedom. All his father's pretensions to the crown of France were now buried in oblivion: John, in captivity, received

the honours of a king, which were refused him when seated on the throne: his misfortunes, not his title, were respected; and the French prisoners, conquered by this elevation of mind, more than by their late discomfiture, burst into tears of admiration; which were only checked by the reflection, that such genuine and unaltered heroism in an enemy must certainly in the issue prove but the more dangerous to their native country.<sup>a</sup>

All the English and Gascon knights imitated the generous example set them by their prince. The captives were every where treated with humanity, and were soon after dismissed, on paying moderate ransoms to the persons into whose hands they had fallen. The extent of their fortunes was considered; and an attention was given, that they should still have sufficient means left to perform their military service in a manner suitable to their rank and quality. Yet so numerous were the noble prisoners, that these ransoms, added to the spoils gained in the field, were sufficient to enrich the prince's army; and as they had suffered very little in the action, their joy and exultation were complete.

The Prince of Wales conducted his prisoner to Bourdeaux; and not being provided with forces so numerous as might enable him to push his present advantages, he concluded a two years' truce with France,<sup>b</sup> which was also become requisite, that he might conduct the captive king with safety into England. He landed at Southwark, and was met by a great concourse of people of all ranks and

stations. The prisoner was clad in royal apparel, and mounted on a white steed, distinguished by its size and beauty, and by the richness of its furniture. The conqueror rode by his side in a meaner attire, and carried by a black palfrey. In this situation, more glorious than all the insolent parade of a Roman triumph, he passed through the streets of London, and presented the King of France to his father, who advanced to meet him, and received him with the same courtesy as if he had been a neighbouring potentate that had voluntarily come to pay him a friendly visit.<sup>c</sup> It is impossible, in reflecting on this noble conduct, not to perceive the advantages which resulted from the otherwise whimsical principles of chivalry, and which gave men, in those rude times, some superiority even over people of a more cultivated age and nation.

The King of France, besides the generous treatment which he met with in England, had the melancholy consolation of the wretched, to see companions in affliction. The King of Scots had been eleven years a captive in Edward's hands; and the good fortune of this latter monarch had reduced at once the two neighbouring potentates, with whom he was engaged in war, to be prisoners in his capital. But Edward, finding that the conquest of Scotland was nowise advanced by the captivity of its sovereign, and that the government, conducted by Robert Stuart, his nephew and heir, was still able to defend itself, consented to restore David Bruce to his liberty, for the ransom of 100,000 marks sterling; and that prince delivered the sons of all his principal nobility as hostages for the payment.<sup>d</sup>

Meanwhile, the captivity of John, joined to the preceding disorders of the French government, had produced in that country a dissolution, almost total, of civil authority, and had occasioned confusions, the most horrible and destructive that had ever been experienced in any age or in any nation. The dauphin,

now about eighteen years of age, naturally assumed the royal power during his father's captivity; but though endowed with an excellent capacity, even in such early years, he possessed neither experience nor authority sufficient to defend a state, assailed at once by foreign power and shaken by intestine faction. In order to obtain supply, he assembled the states of the kingdom: that assembly, instead of supporting his administration, were themselves seized with the spirit of confusion; and laid hold of the present opportunity to demand limitations of the prince's power, the punishment of past malversations, and the liberty of the King of Navarre. Marcel, provost of the merchants, and first magistrate of Paris, put himself at the head of the unruly populace; and from the violence and temerity of his character, pushed them to commit the most criminal outrages against the royal authority. They detained the dauphin in a sort of captivity; they murdered in his presence Robert de Clermont and John de Conflans, marshals, the one of Normandy, the other of Burgundy; they threatened all the other ministers with a like fate; and when Charles, who was obliged to temporize and dissemble, made his escape from their hands, they levied war against him, and openly erected the standard of rebellion. The other cities of the kingdom, in imitation of the capital, shook off the dauphin's authority; took the government into their own hands; and spread the disorder into every province. The nobles, whose inclinations led them to adhere to the crown, and were naturally disposed to check these tumults, had lost all their influence; and being reproached with cowardice, on account of the base desertion of their sovereign in the battle of Poitiers, were treated with universal contempt by the inferior orders. The troops, who, from the deficiency of pay, were no longer retained in discipline, threw off all regard to their officers, sought the means of subsistence by plunder and robbery, and associating to them all the disorderly people, with whom that age abounded, formed numerous bands which infested all parts of the kingdom. They desolated the open country: burned and plundered the villages; and by cutting off all means of communication or subsistence, reduced even the inhabitants of the walled towns to the most extreme necessity. The peasants, formerly oppressed and now left unprotected by their masters, became desperate from their present misery; and rising every where in arms, carried to the last extremity those disorders which were derived from the sedition of the citizens and disbanded soldiers.<sup>e</sup> The gentry, hated for their tyranny, were every where exposed to the violence of popular rage; and instead of meeting with the regard due to their past dignity, became only, on that account, the object of more wanton insult to the mutinous peasants. They were hunted like wild beasts, and put to the sword without mercy: their castles were consumed with fire, and levelled to the ground. Their wives and daughters were first ravished, then murdered: the savages proceeded so far as to impale some gentlemen, and roast them alive before a slow fire: a body of nine thousand of them broke into Meaux, where the wife of the dauphin, with above 300 ladies, had taken shelter: the most brutal treatment and most atrocious cruelty were justly dreaded by this helpless company: but the Capital de Buche, though in the service of Edward, yet moved by generosity and by the gallantry of a true knight, flew to their rescue, and beat off the peasants with great slaughter. In other civil wars, the opposite factions, falling under the government of their several leaders, commonly preserve still the vestige of some rule and order: but here the wild state of nature seemed to be renewed: every man was thrown loose and independent of his fellows: and the populousness of the country, derived from the preceding police of civil society, served only to increase the horror and confusion of the scene.

Amidst these disorders, the King of Navarre made his escape from prison, and presented a dangerous leader to the furious malcontents.<sup>f</sup> But the splendid talents of this prince qualified him only to do mischief, and to

<sup>a</sup> Froissart, liv. i. chap. 168.

<sup>b</sup> Rymer, vol. vi. p. 3.

<sup>c</sup> Froissart, liv. i. chap. 173.

<sup>d</sup> Rymer, vol. vi. p. 45, 46, 52, 56. Froissart, liv. i. chap. 171. Wal  
singham, p. 173.

<sup>e</sup> Froissart, liv. i. chap. 182, 183, 184.

<sup>f</sup> Ibid. chap. 181.

increase the public distractions. He wanted the steadiness and prudence requisite for making his intrigues subservient to his ambition, and forming his numerous partisans into a regular faction. He revived his pretensions, somewhat obsolete, to the crown of France: but while he advanced this claim, he relied entirely on his alliance with the English, who were concerned in interest to disappoint his pretensions; and who, being public and inveterate enemies to the state, served only, by the friendship which they seemingly bore him, to render his cause the more odious. And in all his operations he acted more like a leader of banditti, than one who aspired to be the head of a regular government, and who was engaged, by his station, to endeavour the re-establishment of order in the community.

The eyes therefore of all the French, who wished to restore peace to their miserable and desolated country, were turned towards the dauphin; and that young prince, though not remarkable for his military talents, possessed so much prudence and spirit, that he daily gained the ascendancy over all his enemies. Marcel, the seditious provost of Paris, was slain while he was attempting to deliver the city to the King of Navarre and the English; and the capital immediately returned to its duty.<sup>2</sup> The most considerable bodies of the mutinous peasants were dispersed and put to the sword: some bands of military robbers underwent the same fate; and though many grievous disorders still remained, France began gradually to assume the face of a regular civil government, and to form some plan for its defence and security.

During the confusion in the dauphin's affairs, Edward seemed to have a favourable opportunity for pushing his conquests: but besides that his hands were tied by the truce, and he could only assist underhand the faction of Navarre; the state of the English finances and military power, during those ages, rendered the kingdom incapable of making any regular or steady effort, and obliged it to exert its force at very distant intervals, by which all the projected ends were commonly disappointed. Edward employed himself, during a conjuncture so inviting, chiefly in negotiations with his prisoner; and John had the weakness to sign terms of peace, which, had they taken effect, must have totally ruined and dismembered his kingdom. He agreed to restore all the provinces which had been possessed by Henry II. and his two sons, and to annex them for ever to England, without any obligation of homage or fealty on the part of the English monarch. But the dauphin and the states of France rejected this treaty, so dishonourable and pernicious to the kingdom;<sup>7</sup> and Edward, on the expiration of the truce, having now, by subsidies and frugality, collected some treasure, prepared himself for a new invasion of France.

The great authority and renown of the king and the Prince of Wales, the splendid success of their former enterprises, and the certain prospect of plunder from the defenceless provinces of France, soon brought together the whole military power of England; and the same motives invited to Edward's standard all the hardy adventurers of the different countries of Europe.<sup>2</sup> He passed over to Calais, where he assembled an army of near a hundred thousand men; a force which the dauphin could not pretend to withstand in the open field: that prince, therefore, prepared himself to elude a blow which it was impossible for him to resist. He put all the considerable towns in a posture of defence; ordered them to be supplied with magazines and provisions; distributed proper garrisons in all places; secured every thing valuable in the fortified cities; and chose his own station at Paris, with a view of allowing the enemy to vent their fury on the open country.

The king, aware of this plan of defence, 1359.  
4th Nov. was obliged to carry along with him six thousand waggons, loaded with the provisions necessary for the subsistence of his army. After ravaging the province of Picardy, he advanced into Champagne; and having a strong desire of being crowned King of France at Rheims, the usual place in which this ceremony is performed, he laid siege to that

city, and carried on his attacks, though without success for the space of seven weeks.<sup>2</sup> The place was bravely defended by the inhabitants, encouraged by the exhortations of the archbishop, John de Craon; till the advanced season (for this expedition was entered upon in the beginning of winter) obliged the king to raise

the siege. The province of Champagne, A. D. 1360.  
meanwhile, was desolated by his incursions, and he thence conducted his army, with a like intent, into Burgundy. He took and pillaged Tonnerre, Gaillon, Avalon, and other small places; but the Duke of Burgundy, that he might preserve his country from further ravages, consented to pay him the sum of 100,000 nobles.<sup>5</sup> Edward then bent his march towards the Nivernois, which saved itself by a like composition: he laid waste Brie, and the Gâtinois; and after a long march, very destructive to France, and somewhat ruinous to his own troops, he appeared before the gates of Paris, and taking up his quarters at Bourg-la-Reine, extended his army to Long-jumeau, Mont-rouge, and Vaugirard. He tried to provoke the dauphin to hazard a battle, by sending him a defiance; but could not make that prudent prince change his plan of operations. Paris was safe from the danger of an assault by its numerous garrison; from that of a blockade, by its well-supplied magazines; and as Edward himself could not subsist his army in a country wasted by foreign and domestic enemies, and left also empty by the precaution of the dauphin, he was obliged to remove his quarters; and he spread his troops into the provinces of Maine, Beausse, and the Chartraine, which were abandoned to the fury of their devastations.<sup>6</sup> The only repose which France experienced, was during the festival of Easter, when the king stopped the course of his ravages. For superstition can sometimes restrain the rage of men, which neither justice nor humanity is able to control.

While the war was carried on in this ruinous manner, the negotiations for peace were never interrupted: but as the king still insisted on the full execution of the treaty, which he had made with his prisoner at London, and which was strenuously rejected by the dauphin, there appeared no likelihood of an accommodation. The Earl, now Duke, of Lancaster (for this title was introduced into England during the present reign) endeavoured to soften the rigour of these terms, and to finish the war on more equal and reasonable conditions. He insisted with Edward, that notwithstanding his great and surprising successes, the object of the war, if such were to be esteemed the acquisition of the crown of France, was not become any nearer than at the commencement of it; or rather was set at a greater distance by those very victories and advantages which seemed to lead to it. That his claim of succession had not from the first procured him one partisan in the kingdom; and the continuance of these destructive hostilities had united every Frenchman in the most implacable animosity against him. That though intestine faction had crept into the government of France, it was abating every moment; and no party, even during the greatest heat of the contest, when subjection under a foreign enemy usually appears preferable to the dominion of fellow-citizens, had ever adopted the pretensions of the King of England. That the King of Navarre himself, who alone was allied with the English, instead of being a cordial friend, was Edward's most dangerous rival, and, in the opinion of his partisans, possessed a much preferable title to the crown of France. That the prolongation of the war, however it might enrich the English soldiers, was ruinous to the king himself, who bore all the charges of the armament, without reaping any solid or durable advantage from it. That if the present disorders of France continued, that kingdom would soon be reduced to such a state of desolation, that it would afford no spoils to its ravagers; if it could establish a more steady government, it might turn the chance of war in its favour, and, by its superior force and advantages, be able to repel the present victors. That the dauphin, even during his greatest distresses, had yet conducted himself with so much prudence, as to prevent the English from acquiring one foot of land in the kingdom; and it

<sup>2</sup> Froissart, liv. I. chap. 167.

<sup>3</sup> Ibid. chap. 205.

<sup>4</sup> Ibid. chap. 201.

<sup>5</sup> Ibid. chap. 206. Walsing. p. 174.

<sup>6</sup> Rymer, vol. vi. p. 161. Walsing. p. 174.

<sup>7</sup> Walsing. p. 175.



were better for the king to accept by a peace what he had vainly attempted to acquire by hostilities, which, however hitherto successful, had been extremely expensive, and might prove very dangerous: and that Edward having acquired so much glory by his arms, the praise of moderation was the only honour to which he could now aspire; an honour so much the greater, as it was durable, was united with that of prudence, and might be attended with the most real advantages.<sup>d</sup>

Peace of These reasons induced Edward to accept of more moderate terms of peace; and it is probable that, in order to palliate this change of resolution, he ascribed it to a vow made during a dreadful tempest, which attacked his army on their march, and which ancient historians represent as the cause of this sudden accommodation.<sup>e</sup> The conferences between the English and French commissioners were carried on during a few days at Bretigni in the Chartraine, and the peace was at last concluded on the following conditions.<sup>f</sup> It was stipulated that King John should be restored to his liberty, and should pay as his ransom three millions of crowns of gold, about 1,500,000 pounds of our present money; <sup>g</sup> which was to be discharged at different payments: that Edward should for ever renounce all claim to the crown of France, and to the provinces of Normandy, Maine, Touraine, and Anjou, possessed by his ancestors; and should receive in exchange the provinces of Poitou, Saintonge, l'Agenois, Perigot, the Limousin, Quercy, Rouergue, l'Angoumois, and other districts in that quarter, together with Calais, Guisnes, Montreuil, and the county of Ponthieu, on the other side of France: that the full sovereignty of all these provinces, as well as that of Guienne, should be invested in the crown of England, and that France should renounce all title to feudal jurisdiction, homage, or appeal from them: that the King of Navarre should be restored to all his honours and possessions: that Edward should renounce his confederacy with the Flemings, John his connexions with the Scots: that the disputes concerning the succession of Brittany between the families of Blois and Mountfort, should be decided by arbiters appointed by the two kings; and if the competitors refused to submit to the award, the dispute should no longer be a ground of war between the kingdoms: and that forty hostages, such as should be agreed on, should be sent to England as a security for the execution of all these conditions.<sup>h</sup>

8th May. In consequence of this treaty, the King of France was brought over to Calais; whither Edward also soon after repaired: and there both princes solemnly ratified the treaty. John was sent to Boulogne; the king accompanied him a mile on his journey; and the two monarchs parted with many professions, probably cordial and sincere, of mutual amity.<sup>i</sup> The good disposition of John made him fully sensible of the generous treatment which he had received in England, and obliterated all memory of the ascendancy gained over him by his rival. There seldom has been a treaty of so great importance so faithfully executed by both parties. Edward had scarcely from the beginning entertained any hopes of acquiring the crown of France: by restoring John to his liberty, and making peace at a juncture so favourable to his arms, he had now plainly renounced all pretensions of this nature: he had sold at a very high price that chimerical claim: and had at present no other interest than to retain those acquisitions which he had made with such singular prudence and good fortune. John, on the other hand, though the terms were severe, possessed such fidelity and honour, that he was determined at all hazards to execute them, and to use every expedient for satisfying a monarch who had indeed been his greatest political

enemy, but had treated him personally with singular humanity and regard. But, notwithstanding his endeavours, there occurred many difficulties in fulfilling his purpose; chiefly from the extreme reluctance which many towns and vassals in the neighbourhood of Guienne expressed against submitting to the English dominion;<sup>k</sup> and John, in order to adjust these differences, took a resolution of coming over himself to England. His council endeavoured to dissuade him from this rash design; and probably would have been pleased to see him employ more chicanes for eluding the execution of so disadvantageous a treaty: but John replied to them, that though good faith were banished from the rest of the earth, she ought still to retain her habitation in the breasts of princes. Some historians would detract from the merit of this honourable conduct, by representing John as enamoured of an English lady, to whom he was glad, on this pretence, to pay a visit: but besides that this surmise is not founded on any good authority, it appears somewhat unlikely on account of the advanced age of that prince, who was now in his fifty-sixth year. He was lodged in the Savoy; the palace where he had resided during his captivity, and where he soon after sickened and died.

Nothing can be a stronger proof of the great dominion of fortune over men, than the calamities which pursued a monarch of such eminent valour, goodness, and honour, and which he incurred merely by reason of some slight imprudences, which in other situations would have been of no importance. But though both his reign and that of his father proved extremely unfortunate to their kingdom, the French crown acquired, during their time, very considerable accessions, those of Dauphny and Burgundy. This latter province, however, John had the imprudence again to dismember by bestowing it on Philip his fourth son, the object of his most tender affections; <sup>l</sup> a deed which was afterwards the source of many calamities to the kingdom.

John was succeeded in the throne by Charles the dauphin, a prince, educated in the school of adversity, and well qualified, by his consummate prudence and experience, to repair all the losses which the kingdom had sustained from the errors of his two predecessors. Contrary to the practice of all the great princes of those times, which held nothing in estimation but military courage, he seems to have fixed it as a maxim never to appear at the head of his armies; and he was the first king in Europe that showed the advantage of policy, foresight, and judgment, above a rash and precipitate valour. The events of his reign, compared with those of the preceding, are a proof, how little reason kingdoms have to value themselves on their victories, or to be humbled by their defeats; which in reality ought to be ascribed chiefly to the good or bad conduct of their rulers, and are of little moment towards determining national characters and manners.

Before Charles could think of counterbalancing so great a power as England, it was necessary for him to remedy the many disorders to which his own kingdom was exposed. He turned his arms against the King of Navarre, the great disturber of France during that age: he defeated this prince by the conduct of Bertrand du Guesclin, a gentleman of Brittany, one of the most accomplished characters of the age, whom he had the discernment to choose as the instrument of all his victories;<sup>m</sup> and he obliged his enemy to accept of moderate terms of peace. Du Guesclin was less fortunate in the wars of Brittany, which still continued, notwithstanding the mediation of France and England: he was defeated and taken prisoner at Auray, by Chandos; Charles of Blois was there slain, and the young Count of

<sup>d</sup> Froissart, liv. i. chap. 211.

<sup>e</sup> Ibid

<sup>f</sup> Rymer, vol. vi. p. 178. Froissart, liv. i. chap. 212.

<sup>g</sup> This is a prodigious sum, and probably near the half of what the king received from the parliament during the whole course of his reign. It might be remarked, that a tenth and fifteenth (which was always thought a high grant) were, in the eighth year of his reign, fixed at about 250,000 pounds: these were said to be near 30,000 sacks of wool exported every year. A sack of wool was, at a medium, sold for five pounds. Upon these suppositions it would be easy to compute all the parliamentary grants, taking the lists as they stand in Rymer, vol. vi. p. 718. Though somewhat must still be left to conjecture. This king levied more money on his subjects than any of his predecessors; and the parliament frequently complain of the poverty of the people, and the oppressions under which they laboured. But it is to be remarked, that a third of the French king's ransom was yet

unpaid when war broke out anew between the two crowns: his son chose rather to employ his money in combating the English, than in enriching them. See Rymer, vol. viii. p. 315.

<sup>h</sup> The hostages were the two sons of the French king, John and Lewis; his brother Philip, Duke of Orleans, the Duke of Bourbon, James de Bourbon, Count de Ponthieu, the Counts d'Eu, de Longueville, de St. Pol, de Harcourt, de Vendome, de Couci, de Craon, de Montmorency, and many of the chief nobility of France. The princes were mostly released, on the fulfilling of certain articles; others of the hostages, and the Duke of Berry among the rest, were permitted to return upon their parole, which they did not keep. Rymer, vol. vi. p. 276. 287.

<sup>i</sup> Froissart, liv. i. chap. 213.

<sup>j</sup> Rymer, vol. vi. p. 421.

<sup>k</sup> Froissart, liv. i. chap. 119, 120.

<sup>l</sup> Ibid. chap. 214.

Mountfort soon after got entire possession of that duchy.<sup>n</sup> But the prudence of Charles broke the force of this blow: he submitted to the decision of fortune: he acknowledged the title of Mountfort, though a zealous partisan of England; and received the proffered homage for his dominions. But the chief obstacle which the French king met with in the settlement of the state, proceeded from obscure enemies, whom their crimes alone rendered eminent, and their number dangerous.

On the conclusion of the treaty of Bretigni, the many military adventurers who had followed the standard of Edward, being dispersed into the several provinces, and possessed of strong holds, refused to lay down their arms, or relinquish a course of life to which they were now accustomed, and by which alone they could gain a subsistence.<sup>o</sup> They associated themselves with the banditti, who were already inured to the habits of rapine and violence; and under the names of the *companies* and *companions*, became a terror to all the peaceable inhabitants. Some English and Gascon gentlemen of character, particularly Sir Matthew Gournay, Sir Hugh Calverly, the Chevalier Verte, and others, were not ashamed to take the command of these ruffians, whose numbers amounted, on the whole, to near 40,000, and who bore the appearance of regular armies, rather than bands of robbers. These leaders fought pitched battles with the troops of France, and gained victories; in one of which, Jacques de Bourbon, a prince of the blood, was slain: and they proceeded to such a height, that they wanted little but regular establishments to become princes, and thereby sanctify, by the maxims of the world, their infamous profession. The greater spoil they committed on the country, the more easy they found it to recruit their number: all those who were reduced to misery and despair, flocked to their standard: the evil was every day increasing: and though the Pope declared them excommunicated, these military plunderers, however deeply affected with the sentence, to which they paid a much greater regard than to any principles of morality, could not be induced by it to betake themselves to peaceable or lawful professions.

As Charles was not able by power to redress so enormous a grievance, he was led by necessity, and by the turn of his character, to correct it by policy; and to contrive some method of discharging into foreign countries this dangerous and intestine evil.

Peter, King of Castile, stigmatized by his contemporaries, and by posterity, with the epithet of *Cruel*, had filled with blood and murder his kingdom and his own family; and having incurred the universal hatred of his subjects, he kept, from present terror alone, an anxious and precarious possession of the throne. His nobles fell every day the victims of his severity: he put to death several of his natural brothers from groundless jealousy: each murder, by multiplying his enemies, became the occasion of fresh barbarities: and as he was not destitute of talents, his neighbours, no less than his own subjects, were alarmed at the progress of his violence and injustice. The ferocity of his temper, instead of being softened by his strong propensity to love, was rather inflamed by that passion, and took thence new occasion to exert itself. Instigated by Mary de Padilla, who had acquired the ascendant over him, he threw into prison Blanche de Bourbon, his wife, sister to the queen of France; and soon after made way, by poison, for the espousing of his mistress.

Henry, Count of Transtamare, his natural brother, seeing the fate of every one who had become obnoxious to this tyrant, took arms against him; but being foiled in the attempt, he sought for refuge in France, where he found the minds of men extremely inflamed against Peter, on account of his murder of the French princess. He asked permission of Charles to enlist the *companies* in his service, and to lead them into Castile; where, from the concurrence of his own friends, and the enemies of his brother, he had the prospect of certain and immediate success. The French King, charmed with the project, employed du Guesclin in negotiating with the leaders of these banditti.

The treaty was soon concluded. The high character of honour which that general possessed made every one trust to his promises: though the intended expedition was kept a secret, the companies implicitly enlisted under his standard: and they required no other condition before their engagement, than an assurance that they were not to be led against the Prince of Wales in Guienne. But that prince was so little averse to the enterprise, that he allowed some gentlemen of his retinue to enter into the service under du Guesclin.

Du Guesclin, having completed his levies, led the army first to Avignon, where the Pope then resided, and demanded, sword in hand, an absolution for his soldiers, and the sum of 200,000 livres. The first was readily promised him; some more difficulty was made with regard to the second. "I believe that my fellows," replied du Guesclin, "may make a shift to do without your absolution; but the money is absolutely necessary." The Pope then extorted from the inhabitants in the city and neighbourhood, the sum of an hundred thousand livres, and offered it to du Guesclin. "It is not my purpose," cried that generous warrior, "to oppress the innocent people. The Pope and his cardinals themselves can well spare me that sum from their own coffers. This money, I insist, must be restored to the owners: and should they be defrauded of it, I shall myself return from the other side of the Pyrenees, and oblige you to make them restitution." The Pope found the necessity of submitting, and paid him from his treasury the sum demanded.<sup>a</sup> The army, hallowed by the blessings, and enriched by the spoils, of the church, proceeded on their expedition.

These experienced and hardy soldiers, conducted by so able a general, easily prevailed over the King of Castile, whose subjects, instead of supporting their oppressor, were ready to join the enemy against him.<sup>b</sup> Peter fled from his dominions, took shelter in Guienne, and craved the protection of the Prince of Wales, whom his father had invested with the sovereignty of these conquered provinces, by the title of the principality of Aquitaine.<sup>c</sup> The prince seemed now to have entirely changed his sentiments with regard to the Spanish transactions: whether that he was moved by the generosity of supporting a distressed prince, and thought, as is but too usual among sovereigns, that the rights of the people were a matter of much less consideration; or dreaded the acquisition of so powerful a confederate to France, as the new King of Castile; or what is most probable, was impatient of rest and ease, and sought only an opportunity for exerting his military talents, by which he had already acquired so much renown. He promised his assistance to the dethroned monarch; and having obtained the consent of his father, he levied a great army, and set out upon his enterprise. He was accompanied by his younger brother, John of Gaunt, created Duke of Lancaster, in the room of the good prince of that name, who had died without any male issue, and whose daughter he had espoused. Chandos also, who bore among the English the same character which du Guesclin had acquired among the French, commanded under him in this expedition.

The first blow which the Prince of Wales gave to Henry of Transtamare, was the recalling of all the *companies* from his service; and so much reverence did they bear to the name of Edward, that great numbers of them immediately withdrew from Spain, and enlisted under his banners. Henry, however, beloved by his new subjects, and supported by the King of Arragon, and others of his neighbours, was able to meet the enemy with an army of 100,000 men; forces three times more numerous than those which were commanded by Edward. Du Guesclin, and all his experienced officers, advised him to delay any decisive action, to cut off the Prince of Wales's provisions, and to avoid every engagement with a general, whose enterprises had hitherto been always conducted with prudence, and crowned with success. Henry trusted too much to his numbers; and ventured to encounter the English prince at Najara.<sup>d</sup> 3d April.

<sup>n</sup> Froissart, liv. i. chap. 227, 228, &c. Walsing. p. 180.

<sup>o</sup> Froissart, liv. i. chap. 214.

<sup>p</sup> Ibid. chap. 214, 215.

<sup>a</sup> Hist. du Guesclin. <sup>r</sup> Froissart, liv. i. chap. 230.

<sup>b</sup> Rymer, vol. vi. p. 384. Froissart, liv. i. chap. 231.

<sup>c</sup> Froissart, liv. i. chap. 231.

Historians of that age are commonly very copious in describing the shock of armies in battle, the valour of the combatants, the slaughter and various successes of the day: but though small encounters in those times were often well disputed, military discipline was always too imperfect to preserve order in great armies; and such actions deserve more the name of routs than of battles. Henry was chased off the field, with the loss of above 20,000 men: there perished only four knights and forty private men on the side of the English.

Peter, who so well merited the infamous epithet which he bore, purposed to murder all his prisoners in cold blood; but was restrained from this barbarity by the remonstrances of the Prince of Wales. All Castile now submitted to the victor: Peter was restored to the throne; and Edward finished this perilous enterprise with his usual glory. But he had soon reason to repent his connections with a man like Peter, abandoned to all sense of virtue and honour. The ungrateful tyrant refused the stipulated pay to the English forces; and Edward, finding his soldiers daily perish by sickness, and even his own health impaired by the climate, was obliged, without receiving any satisfaction on this head, to return into Guienne.<sup>a</sup>

The barbarities exercised by Peter over his helpless subjects, whom he now regarded as vanquished rebels, revived all the animosity of the Castilians against him; and on the return of Henry of Transtamare, together with du Guesclin, and some forces levied anew in France, the tyrant was again dethroned and was taken prisoner. His brother, in resentment of his cruelties, murdered him with his own hand; and was placed on the throne of Castile, which he transmitted to his posterity. The Duke of Lancaster, who espoused in second marriage the eldest daughter of Peter, inherited only the empty title of that sovereignty, and, by claiming the succession, increased the animosity of the new King of Castile against England.

But the prejudice which the affairs of A. D. 1368. Prince Edward received from this splendid, Ruapture with France, though imprudent expedition, ended not with it. He had involved himself so much in debt, by his preparations and the pay of his troops, that he found it necessary, on his return, to impose on his principality a new tax, to which some of the nobility consented with extreme reluctance, and to which others absolutely refused to submit.<sup>b</sup> This incident revived the animosity which the inhabitants bore to the English, and which all the amiable qualities of the Prince of Wales were not able to mitigate or assuage. They complained that they were considered as a conquered people, that their privileges were disregarded, that all trust was given to the English alone, that every office of honour and profit was conferred on these foreigners, and that the extreme reluctance which most of them had expressed to receive the new yoke, was likely to be long remembered against them. They cast, therefore, their eyes towards their ancient sovereign, whose prudence, they found, had now brought the affairs of his kingdom into excellent order; and the Counts of Armagnac, Comminge, and Perigord, the Lord d'Albert, and other nobles, went to Paris, and were encouraged to carry their complaints to Charles, as to their lord paramount, against these oppressions of the English government.<sup>c</sup>

In the treaty of Bretigni, it had been stipulated, that the two kings should make renunciations, Edward, of his claim to the crown of France, and to the provinces of Normandy, Maine, and Anjou; John, of the homage and fealty due for Guienne, and the other provinces ceded to the English. But when that treaty was confirmed and renewed at Calais, it was found necessary, as Edward was not yet in possession of all the territories, that the mutual renunciations should for some time be deferred;

and it was agreed, that the parties meanwhile should make no use of their respective claims against each other.<sup>d</sup> Though the failure in exchanging these renunciations had still proceeded from France,<sup>e</sup> Edward appears to have taken no umbrage at it; both because this clause seemed to give him entire security, and because some reasonable apology had probably been made to him for each delay. It was, however, on this pretence, though directly contrary to treaty, that Charles resolved to ground his claim, of still considering himself as superior lord of those provinces, and of receiving the appeals of his sub-vassals.<sup>f</sup>

But as views of policy, more than those of justice, enter into the deliberations of A. D. 1370. princes; and as the mortal injuries received from the English, the pride of their triumphs, the severe terms imposed by the treaty of peace, seemed to render every prudent means of revenge honourable against them; Charles was determined to take this measure, less by the reasonings of his civilians and lawyers, than by the present situation of the two monarchies. He considered the declining years of Edward, the languishing state of the Prince of Wales's health, the affection which the inhabitants of all these provinces bore to their ancient master, their distance from England, their vicinity to France, the extreme animosity expressed by his own subjects against these invaders, and their ardent thirst of vengeance; and having silently made all the necessary preparations, he sent to the Prince of Wales a summons to appear in his court at Paris, and there to justify his conduct towards his vassals. The prince replied, that he would come to Paris; but it should be at the head of sixty thousand men.<sup>g</sup> The unwelcome character of Charles kept Prince Edward, even yet, from thinking that that monarch was in earnest in this bold and hazardous attempt.

It soon appeared what a poor return the king had received by his distant conquests A. D. 1370. for all the blood and treasure expended in the quarrel, and how impossible it was to retain acquisitions, in an age when no regular force could be maintained sufficient to defend them against the revolt of the inhabitants, especially if that danger was joined with the invasion of a foreign enemy. Charles first fell upon Pont-thieu, which gave the English an inlet into the heart of France: the citizens of Abbeville opened their gates to him; those of St. Valori, Rue, and Crotoy, imitated the example, and the whole country was, in a little time, reduced to submission. The Dukes of Berri and Anjou, brothers to Charles, being assisted by du Guesclin, who was recalled from Spain, invaded the southern provinces; and by means of their good conduct, the favourable dispositions of the people, and the ardour of the French nobility, they made every day considerable progress against the English. The state of the Prince of Wales's health did not permit him to mount on horseback, or exert his usual activity; Chandos, the Constable of Guienne, was slain in one action: <sup>h</sup> the Captal de Buche, who succeeded him in that office, was taken prisoner in another: <sup>i</sup> and when young Edward himself was obliged by his increasing infirmities to throw up the command, and return to his native country, the affairs of the English in the south of France seemed to be menaced with total ruin.

The king, incensed at these injuries, threatened to put to death all the French hostages who remained in his hands; but, on reflection, abstained from that ungenerous revenge. After resuming, by advice of parliament, the vain title of King of France,<sup>j</sup> he endeavoured to send succours into Gascony; but all his attempts, both by sea and land, proved unsuccessful. The Earl of Pembroke was intercepted at sea, and taken prisoner with his whole army near Rochelle, by a fleet which the King of Castile had fitted out for that purpose.<sup>k</sup> Edward himself em-

<sup>a</sup> Froissart, liv. i. chap. 242, 243. Walsingham, p. 182.

<sup>b</sup> This tax was a livre upon a hearth, and it was imagined that the imposition would have yielded 1,000,000 livres a year, which supposes so many hearths in the provinces possessed by the English. But such loose conjectures have commonly no manner of authority, much less in such important times. There is a strong instance of it in the present reign. The House of Commons granted the king a tax of twenty two shillings on each parish, supposing that the amount of the whole would be 500,000 pounds. But they were found to be in a mistake of near five to one. Cotton, p. 3. And the Council assumed the power of augmenting the tax upon each parish.

<sup>x</sup> Froissart, liv. i. chap. 244.

<sup>y</sup> Rymer, vol. vi. p. 230, 230, 231, 237, 243.

<sup>z</sup> Rot. Franc. 35 Ed. 117. m. 3. from Tyrell, vol. iii. p. 643.

<sup>a</sup> Froissart, liv. i. chap. 245.

<sup>b</sup> Ibid. chap. 247, 248.

<sup>c</sup> Walsingham, p. 183.

<sup>d</sup> Froissart, liv. i. chap. 277. Walsingham, p. 185.

<sup>e</sup> Froissart, liv. i. chap. 310.

<sup>f</sup> Rymer, vol. vi. p. 621. Cotton's Abridg. p. 108.

<sup>g</sup> Froissart, liv. i. chap. 302, 303, 304. Walsingham, p. 186.



barked for Bourdeaux with another army, but was so long detained by contrary winds, that he was obliged to lay aside the enterprise.<sup>b</sup> Sir Robert Knolles, at the head of 30,000 men, marched out of Calais, and continued his ravages to the gates of Paris, without being able to provoke the enemy to an engagement: he proceeded in his march to the provinces of Maine and Anjou, which he laid waste; but part of his army being there defeated by the conduct of du Guesclin, who was now created Constable of France, and who seems to have been the first consummate general that had yet appeared in Europe, the rest were scattered and dispersed, and the small remains of the English forces, instead of reaching Guienne, took shelter in Brittany, whose sovereign had embraced the alliance of England.<sup>c</sup> The Duke of Lancaster, some time after, made a like attempt with an army of 25,000 men; and marched the whole length of France from Calais to Bourdeaux; but was so much harassed by the flying parties which attended him, that he brought not the half of his army to the place of their destination. Edward, from the necessity of his affairs, was at last obliged to conclude a truce with the enemy;<sup>d</sup> after almost all his ancient possessions in France had been ravished from him, except Bourdeaux and Bayonne, and all his conquests, except Calais.

The decline of the king's life was exposed to many mortifications, and corresponded not to the splendid and noisy scenes which had filled the beginning and the middle of it. Besides seeing the loss of his foreign dominions, and being baffled in every attempt to defend them, he felt the decay of his authority at home, and experienced, from the sharpness of some parliamentary remonstrances, the great inconstancy of the people, and the influence of present fortune over all their judgments.<sup>e</sup> This prince, who during the vigour of his age had been chiefly occupied in the pursuits of war and ambition, began, at an unseasonable period, to indulge himself in pleasure; and being now a widower, he attached himself to a lady of sense and spirit, one Alice Pierce, who acquired a great ascendancy over him, and, by her influence, gave such general disgust, that, in order to satisfy the parliament, he was obliged to remove her from court.<sup>f</sup> The indolence, also, naturally attending old age and infirmities, had made him, in a great measure, resign the administration into the hands of his son, the Duke of Lancaster, who, as he was far from being popular, weakened extremely the affection which the English bore to the person and government of the king. Men carried their jealousies very far against the duke; and as they saw, with much regret, the death of the Prince of Wales every day approaching, they apprehended lest the succession of his son Richard, now a minor, should be defeated by the intrigues of Lancaster, and by the weak indulgence of the old king. But Edward, in order to satisfy both the people and the prince on this head, declared, in parliament, his grandson heir and successor to the crown; and thereby cut off all the hopes of the Duke of Lancaster, if he ever had the temerity to entertain any.

A. D. 1376.  
8th June.  
Death of the  
Prince of Wales.

The Prince of Wales, after a lingering illness, died in the forty-sixth year of his age; and left a character illustrious for every eminent virtue, and from his earliest youth, till the hour he expired, unstained by any blemish. His valour and military talents formed the smallest part of his merit: his generosity, humanity, affability, moderation, gained him the affections of all men; and he was qualified to throw a lustre, not only on that rude age in which he lived, and which nowise infected him with its vices, but on the most shining period of ancient or modern history. The king survived about a year this melancholy incident: England was deprived at once of both these princes, its chief ornament and support. He expired in the sixty-fifth year of his age, and the fifty-first of his reign; and the people were then sensible, though too late, of the irreparable loss which they had sustained.

A. D. 1377.  
21st June.  
Death.

and character  
of the king. The English are apt to consider, with peculiar fondness, the history of Edward

III. and to esteem his reign, as it was one of the longest, the most glorious also, that occurs in the annals of their nation. The ascendant which they then began to acquire over France, their rival and supposed national enemy, makes them cast their eyes on this period with great complacency, and sanctifies every measure which Edward embraced for that end. But the domestic government of this prince is really more admirable than his foreign victories; and England enjoyed, by the prudence and vigour of his administration, a longer interval of domestic peace and tranquillity than she had been blest with in any former period, or than she experienced for many ages after. He gained the affections of the great, yet curbed their licentiousness: he made them feel his power, without their daring, or even being inclined, to murmur at it: his affable and obliging behaviour, his munificence and generosity, made them submit with pleasure to his dominion; his valour and conduct made them successful in most of their enterprises; and their unquiet spirits, directed against a public enemy, had no leisure to breed those disturbances to which they were naturally so much inclined, and which the frame of the government seemed so much to authorize. This was the chief benefit which resulted from Edward's victories and conquests. His foreign wars were, in other respects, neither founded in justice, nor directed to any salutary purpose. His attempt against the King of Scotland, a minor and a brother-in-law, and the revival of his grandfather's claim of superiority over that kingdom, were both unreasonable and ungenerous; and he allowed himself to be too easily seduced, by the glaring prospect of French conquests, from the acquisition of a point which was practicable, and which, if attained, might really have been of lasting utility to his country and his successors. The success which he met with in France, though chiefly owing to his eminent talents, was unexpected; and yet, from the very nature of things, not from any unforeseen accidents, was found, even during his lifetime, to have procured him no solid advantages. But the glory of a conqueror is so dazzling to the vulgar, the animosity of nations is so violent, that the fruitless desolation of so fine a part of Europe as France, is totally disregarded by us, and is never considered as a blemish in the character or conduct of this prince. And indeed, from the unfortunate state of human nature, it will commonly happen, that a sovereign of genius, such as Edward, who usually finds every thing easy in his domestic government, will turn himself towards military enterprises, where alone he meets with opposition, and where he has full exercise for his industry and capacity.

Edward had a numerous posterity by his Queen, Philippa of Hainault. His eldest son was the heroic Edward, usually denominated the Black Prince, from the colour of his armour. This prince espoused his cousin Joan, commonly called the *Fair Maid of Kent*, daughter and heir of his uncle, the Earl of Kent, who was beheaded in the beginning of this reign. She was first married to Sir Thomas Holland, by whom she had children. By the Prince of Wales she had a son, Richard, who alone survived his father.

The second son of King Edward (for we pass over such as died in their childhood) was Lionel, Duke of Clarence, who was first married to Elizabeth de Burgh, daughter and heir of the Earl of Ulster, by whom he left only one daughter, married to Edmund Mortimer, Earl of March. Lionel espoused in second marriage Violante, the daughter of the Duke of Milan,<sup>g</sup> and died in Italy soon after the consummation of his nuptials, without leaving any posterity by that princess. Of all the family, he resembled most his father and elder brother in his noble qualities.

Edward's third son was John of Gaunt, so called from the place of his birth: he was created Duke of Lancaster; and from him sprang that branch which afterwards possessed the crown. The fourth son of this royal family was Edmund, created Earl of Cambridge by his father, and Duke of York by his nephew. The fifth son was Thomas, who received the title of Earl of Buckingham from his father, and that of Duke of Gloucester from his ne-

<sup>b</sup> Trossart, liv. i. chap. 311. Walsingham, p. 137.

<sup>c</sup> Trossart, liv. i. chap. 291. Walsingham, p. 135.

<sup>d</sup> Trossart, liv. i. chap. 311. Walsingham, p. 137.

<sup>e</sup> Walsingham, p. 139. Ypod. Neust. p. 530.

<sup>f</sup> Walsingham, p. 139.

<sup>g</sup> Rymer, vol. vi. p. 561.

phew. In order to prevent confusion, we shall always distinguish these two princes by the titles of York and Gloucester, even before they were advanced to them.

There were also several princesses born to Edward by Philippa; to wit, Isabella, Joan, Mary, and Margaret, who espoused, in the order of their names, Ingelram de Courcy, Earl of Bedford, Alfonso, King of Castile, John of Mountfort, Duke of Brittany, and John Hastings, Earl of Pembroke. The Princess Joan died at Bourdeaux before the consummation of her marriage.

It is remarked by an elegant historian,<sup>a</sup> that conquerors, though usually the bane of human kind, proved often, in those feudal times, the most indulgent of sovereigns. They stood most in need of supplies from their people; and not being able to compel them by force to submit to the necessary impositions, they were obliged to make them some compensation by equitable laws and popular concessions. This remark is, in some measure, though imperfectly, justified by the conduct of Edward III. He took no steps of moment without consulting his parliament, and obtaining their approbation, which he afterwards pleaded as a reason for their supporting his measures.<sup>b</sup> The parliament, therefore, rose into greater consideration during his reign, and acquired more regular authority, than in any former time; and even the House of Commons, which, during turbulent and factious periods, was naturally depressed by the greater power of the crown and barons, began to appear of some weight in the constitution. In the later years of Edward, the king's ministers were impeached in parliament, particularly Lord Latimer, who fell a sacrifice to the authority of the Commons;<sup>c</sup> and they even obliged the king to banish his mistress by their remonstrances. Some attention was also paid to the election of their members; and lawyers, in particular, who were at that time men of character somewhat inferior, were totally excluded the House during several parliaments.<sup>d</sup>

One of the most popular laws enacted by any prince, was the statute which passed in the twenty-fifth of this reign,<sup>e</sup> and which limited the cases of high treason, before vague and uncertain, to three principal heads, conspiring the death of the king, levying war against him, and adhering to his enemies; and the judges were prohibited, if any other cases should occur, from inflicting the penalty of treason without an application to parliament. The bounds of treason were indeed so much limited by this statute, which still remains in force without any alteration, that the lawyers were obliged to enlarge them, and to explain a conspiracy for levying war against the king, to be equivalent to a conspiracy against his life; and this interpretation, seemingly forced, has, from the necessity of the case, been tacitly acquiesced in. It was also ordained, that a parliament should be held once a year, or oftener, if need be: a law, which, like many others, was never observed, and lost its authority by disuse.<sup>f</sup>

Edward granted above twenty parliamentary confirmations of the Great Charter; and these concessions are commonly appealed to as proofs of his great indulgence to the people, and his tender regard for their liberties. But the contrary presumption is more natural. If the maxims of Edward's reign had not been in general somewhat arbitrary, and if the Great Charter had not been frequently violated, the parliament would never have applied for these frequent confirmations, which could add no force to a deed regularly observed, and which could serve to no other purpose than to prevent the contrary precedents from turning into a rule, and acquiring authority. It was indeed the effect of the irregular government during those ages, that a statute which had been enacted some years, instead of acquiring, was imagined to lose force by time, and needed to be often renewed by recent statutes of the same sense and tenor. Hence, likewise, that

general clause so frequent in old acts of parliament, that the statutes enacted by the king's progenitors should be observed;<sup>g</sup> a precaution which, if we do not consider the circumstances of the times, might appear absurd and ridiculous. The frequent confirmations, in general terms, of the privileges of the church, proceeded from the same cause.

It is a clause in one of Edward's statutes, *that no man, of what estate or condition soever, shall be put out of land or teneament, nor taken nor imprisoned, nor disherited, nor put to death, without being brought in answer by due process of the law.*<sup>h</sup> This privilege was sufficiently secured by a clause of the Great Charter, which had received a general confirmation in the first chapter of the same statute. Why then is the clause so anxiously, and as we may think, so superfluously repeated? Plainly, because there had been some late infringements of it, which gave umbrage to the Commons.<sup>i</sup>

But there is no article in which the laws are more frequently repeated during this reign, almost in the same terms, than that of purveyance, which the parliament always calls an *outrageous and intolerable grievance*, and the source of *infinite damage to the people.*<sup>j</sup> The parliament tried to abolish this prerogative altogether, by prohibiting any one from taking goods without the consent of the owners,<sup>k</sup> and by changing the *heinous name of purveyors*, as they term it, into that of *buyers*:<sup>l</sup> but the arbitrary conduct of Edward still brought back the grievance upon them; though contrary both to the Great Charter and to many statutes. This disorder was in a great measure derived from the state of the public finances and of the kingdom; and could therefore the less admit of remedy. The prince frequently wanted ready money; yet his family must be subsisted: he was therefore obliged to employ force and violence for that purpose, and to give tallies, at what rate he pleased, to the owners of the goods which he laid hold of. The kingdom also abounded so little in commodities, and the interior communication was so imperfect, that, had the owners been strictly protected by law, they could easily have exacted any price from the king; especially in his frequent progresses when he came to distant and poor places, where the court did not usually reside, and where a regular plan for supplying it could not be easily established. Not only the king, but several great lords, insisted upon this right of purveyance.<sup>m</sup>

The magnificent castle of Windsor was built by Edward III.; and his method of conducting the work may serve as a specimen of the condition of the people in that age. Instead of engaging workmen by contracts and wages, he assessed every county in England to send him a certain number of masons, tilers, and carpenters, as if he had been levying an army.<sup>n</sup>

They mistake, indeed, very much the genius of this reign, who imagine that it was not extremely arbitrary. All the high prerogatives of the crown were to the full exerted in it; but what gave some consolation, and promised in time some relief to the people, they were always complained of by the Commons: such as the dispensing power;<sup>o</sup> the extension of the forests;<sup>p</sup> erecting monopolies;<sup>q</sup> exacting loans;<sup>r</sup> stopping justice by particular warrants;<sup>s</sup> the renewal of the commission of *trailbaston*;<sup>t</sup> pressing men and ships into the public service;<sup>u</sup> levying arbitrary and exorbitant fines;<sup>v</sup> extending the authority of the privy council or star-chamber to the decision of private causes;<sup>w</sup> enlarging the power of the mareshal's and other arbitrary courts;<sup>x</sup> imprisoning members for freedom of speech in parliament;<sup>y</sup> obliging people, without any rule, to send recruits of men at arms, archers, and hoblers to the army.<sup>z</sup>

But there was no act of arbitrary power more frequently repeated in this reign, than that of imposing taxes without consent of parliament. Though that assembly granted

<sup>a</sup> Dr. Robertson's History of Scotland, book i.

<sup>b</sup> Cotton's Abridg. p. 108, 120.

<sup>c</sup> Ibid. p. 10.

<sup>d</sup> Ibid. p. 11.

<sup>e</sup> 28 Edw. III. cap. 3.

<sup>f</sup> They assert, in the 15th of this reign, that there had been such in-

<sup>g</sup> Cotton's Abridg. p. 31. They repeat the same in the 21st year.

<sup>h</sup> See p. 52.

<sup>i</sup> 36 Edw. III. &c.

<sup>j</sup> 14 Edw. III. cap. 19.

<sup>k</sup> Ibid. p. 122.

<sup>l</sup> 4 Edw. III. cap. 14.

<sup>m</sup> 37 Edw. III. cap. 1, &c.

<sup>n</sup> 36 Edw. III. cap. 3.

<sup>o</sup> 36 Edw. III. cap. 3.

<sup>p</sup> 36 Edw. III. cap. 3.

<sup>q</sup> 36 Edw. III. cap. 3.

<sup>r</sup> 36 Edw. III. cap. 3.

<sup>s</sup> 36 Edw. III. cap. 3.

<sup>b</sup> 7 Rich. II. cap. 8.

<sup>c</sup> Cotton's Abridg. p. 148.

<sup>d</sup> Cotton's Abridg. p. 55, 61, 129.

<sup>e</sup> Rymer, vol. v. p. 491, 574.

<sup>f</sup> Cotton's Abridg. p. 56.

<sup>g</sup> Cotton, p. 114.

<sup>h</sup> Cotton's Abridg. p. 47, 79, 113.

<sup>i</sup> Ibid. p. 74.

<sup>j</sup> Ibid. p. 74.

<sup>k</sup> Lyncel's Hist. vol. 8. p. 554, from the Records.

<sup>a</sup> Ashmole's Hist. of the Garter, p. 129.

<sup>b</sup> Cotton, p. 71.

<sup>c</sup> Ibid. p. 71.

<sup>d</sup> Ibid. p. 71.

<sup>e</sup> Ibid. p. 71.

<sup>f</sup> Ibid. p. 71.

<sup>g</sup> Ibid. p. 71.

<sup>h</sup> Ibid. p. 71.

<sup>i</sup> Ibid. p. 71.

<sup>j</sup> Ibid. p. 71.

the king greater supplies than had ever been obtained by any of his predecessors, his great undertakings, and the necessity of his affairs, obliged him to levy still more; and after his splendid success against France had added weight to his authority, these arbitrary impositions became almost annual and perpetual. Cotton's Abridgement of the Records affords numerous instances of this kind in the first year of his reign, in the thirteenth year,<sup>5</sup> in the fourteenth,<sup>6</sup> in the twentieth,<sup>7</sup> in the twenty-first,<sup>8</sup> in the twenty-second,<sup>9</sup> in the twenty-fifth,<sup>7</sup> in the thirty-eighth,<sup>5</sup> in the fiftieth,<sup>8</sup> and in the fifty-first.<sup>6</sup>

The king openly avowed and maintained this power of levying taxes at pleasure. At one time he replied to the remonstrance made by the Commons against it, that the impositions had been exacted from great necessity, and had been assented to by the prelates, earls, barons, and some of the Commons;<sup>10</sup> at another, that he would advise with his council.<sup>11</sup> When the parliament desired that a law might be enacted for the punishment of such as levied these arbitrary impositions, he refused compliance.<sup>12</sup> In the subsequent year they desired that the king might renounce this pretended prerogative; but his answer was, that he would levy no taxes without necessity, for the defence of the realm, and where he reasonably might use that authority.<sup>13</sup> This incident passed a few days before his death; and these were, in a manner, his last words to his people. It would seem that the famous charter or statute of Edward I. *de tallagio non concedendo*, though never repealed, was supposed to have already lost, by age, all its authority.

These facts can only show the *practice* of the times; for as to the *right*, the continual remonstrances of the Commons may seem to prove that it rather lay on their side: at least these remonstrances served to prevent the arbitrary practices of the court from becoming an established part of the constitution. In so much better condition were the privileges of the people, even during the arbitrary reign of Edward III. than during some subsequent ones, particularly those of the Tudors, where no tyranny or abuse of power ever met with any check or opposition, or so much as a remonstrance, from parliament.

In this reign we find, according to the sentiments of an ingenious and learned author, the first strongly marked, and probably contested, distinction between a proclamation by the king and his privy council, and a law which had received the assent of the Lords and Commons.<sup>14</sup>

It is easy to imagine that a prince of so much sense and spirit as Edward, would be no slave to the court of Rome. Though the old tribute was paid during some years of his minority,<sup>15</sup> he afterwards withheld it; and when the Pope, in 1367, threatened to cite him to the court of Rome for default of payment, he laid the matter before his parliament. That assembly unanimously declared, that King John could not, without a national consent, subject his kingdom to a foreign power: and that they were therefore determined to support their sovereign against this unjust pretension.<sup>16</sup>

During this reign, the statute of provisors was enacted, rendering it penal to procure any presentations to benefices from the court of Rome, and securing the rights of all patrons and electors, which had been extremely encroached on by the Pope.<sup>17</sup> By a subsequent statute, every person was outlawed who carried any cause by appeal to the court of Rome.<sup>18</sup>

The laity, at this time, seem to have been extremely prejudiced against the papal power, and even somewhat against their own clergy, because of their connexions with the Roman pontiff. The parliament pretended that the usurpations of the Pope were the cause of all the plagues, injuries, famine, and poverty of the realm; were more destructive to it than all the wars; and were the reason why it contained not a third of the inhabitants and commodities which it formerly possessed: that the taxes levied by him exceeded five times those which were paid to the

king: that every thing was venal in that sinful city of Rome; and that even the patrons in England had thence learned to practise simony without shame or remorse.<sup>19</sup> At another time they petition the king to employ no churchman in any office of state;<sup>20</sup> and they even speak in plain terms of expelling by force the papal authority, and thereby providing a remedy against oppressions, which they neither could nor would any longer endure.<sup>21</sup> Men who talked in this strain were not far from the reformation: but Edward did not think proper to second all this zeal: though he passed the statute of provisors, he took little care of its execution; and the parliament made frequent complaints of his negligence on this head.<sup>22</sup> He was content with having reduced such of the Romish ecclesiastics as possessed revenues in England, to depend entirely upon him by means of that statute.

As to the police of the kingdom during this period, it was certainly better than during times of faction, civil war, and disorder, to which England was so often exposed: yet were there several vices in the constitution, the bad consequences of which, all the power and vigilance of the king could not prevent. The barons, by their confederacies with those of their own order, and by supporting and defending their retainers in every iniquity, were the chief abettors of robbers, murderers, and ruffians of all kinds; and no law could be executed against those criminals. The nobility were brought to give their promise in parliament, that they would not avow, retain, or support any felon or breaker of the law;<sup>23</sup> yet this engagement, which we may wonder to see exacted from men of their rank, was never regarded by them. The Commons make continual complaints of the multitude of robberies, murders, rapes, and other disorders, which, they say, were become numberless in every part of the kingdom, and which they always ascribe to the protection that the criminals received from the great.<sup>24</sup> The King of Cyprus, who paid a visit to England in this reign, was robbed and stripped on the highway, with his whole retinue.<sup>25</sup> Edward himself contributed to this dissolution of law, by his facility in granting pardons to felons from the solicitation of the courtiers. Laws were made to retrench this prerogative,<sup>26</sup> and remonstrances of the Commons were presented against the abuse of it:<sup>27</sup> but to no purpose. The gratifying of a powerful nobleman continued still to be of more importance than the protection of the people. The king also granted many franchises, which interrupted the course of justice and the execution of the laws.<sup>28</sup>

Commerce and industry were certainly at a very low ebb during this period. The bad police of the country alone affords a sufficient reason. The only exports were wool, skins, hides, leather, butter, tin, lead, and such unmanufactured goods, of which wool was by far the most considerable. Knighton has asserted, that 100,000 sacks of wool were annually exported, and sold at twenty pounds a sack, money of that age. But he is widely mistaken, both in the quantity exported, and in the value. In 1349, the parliament remonstrated that the king by an illegal imposition of forty shillings on each sack exported, had levied 60,000 pounds a year;<sup>29</sup> which reduces the annual exports to 30,000 sacks. A sack contained twenty-six stone, and each stone fourteen pounds;<sup>30</sup> and at a medium was not valued at above five pounds a sack,<sup>31</sup> that is, fourteen or fifteen pounds of our present money. Knighton's computation raises it to sixty pounds, which is near four times the present price of wool in England. According to this reduced computation, the export of wool brought into the kingdom about 450,000 pounds of our present money, instead of six millions, which is an extravagant sum. Even the former sum is so high as to afford a suspicion of some mistake in the computation of the parliament with regard to the number of sacks exported. Such mistakes were very usual in those ages.

Edward endeavoured to introduce and promote the woollen manufacture, by giving protection and encourage-

q Rymer, vol. iv. p. 363. r P. 17, 18. s Rymer, vol. iv. p. 39.  
t P. 47. u P. 52, 53, 57, 58. x P. 60. y P. 76.  
z P. 101. a P. 128. b P. 162.  
c Cotton, p. 53. He repeats the same answer in p. 60. *Some of the Com-*  
*mons* were such as he should be pleased to consult with.  
d Cotton, p. 57. e Ibid. p. 138. f Ibid. p. 132.  
g Observations on the statutes, p. 193. h Rymer, vol. iv. p. 431.  
i Cotton's Abridg. p. 110. k 25 Edw. III. 47 Edw. III.

l 27 Edw. III. 38 Edw. III. m Cotton, p. 74, 128, 109.  
n Ibid. p. 112. o Ibid. p. 41.  
p Ibid. p. 119, 128, 129, 130, 148.  
q 11 Edw. III. cap. 14. 4 Edw. III. cap. 2. 15 Edw. III. cap. 4.  
r Cotton, p. 10. s Ibid. p. 51, 62. 64, 70, 100. t Walsing. p. 170.  
u 10 Edw. III. cap. 2. 27 Edw. III. cap. 2.  
w Cotton, p. 75. x Ibid. p. 51. y Ibid. p. 48, 69.  
z 31 Edw. III. cap. 5. a Cotton, p. 29.



ment to foreign weavers,<sup>b</sup> and by enacting a law which prohibited every one from wearing any cloth but of English fabric.<sup>c</sup> The parliament prohibited the exportation of woollen goods, which was not so well judged, especially while the exportation of unwrought wool was so much allowed and encouraged. A like injudicious law was made against the exportation of manufactured iron.<sup>d</sup>

It appears from a record in the Exchequer, that in 1354, the exports of England amounted to 294,184 pounds seventeen shillings and twopence: the imports to 38,970 pounds three shillings and sixpence, money of that time. This is a great balance, considering that it arose wholly from the exportation of raw wool and other rough materials. The import was chiefly linen and fine cloth, and some wine. England seems to have been extremely drained at this time by Edward's foreign expeditions and foreign subsidies, which probably was the reason why the exports so much exceed the imports.

The first toll we read of in England for mending the highways, was imposed in this reign: it was that for repairing the road between St. Giles's and Temple-bar.<sup>e</sup>

In the first of Richard II. the parliament complain extremely of the decay of shipping during the preceding reign, and assert that one sea-port formerly contained more vessels than were then to be found in the whole kingdom. This calamity they ascribe to the arbitrary seizure of ships by Edward for the service of his frequent expeditions.<sup>f</sup> The parliament in the fifth of Richard renew the same complaint;<sup>g</sup> and we likewise find it made in the forty-sixth of Edward III. So false is the common opinion, that this reign was favourable to commerce.

There is an order of this king directed to the mayor and sheriffs of London, to take up all ships of forty ton and upwards, to be converted into ships of war.<sup>h</sup>

The parliament attempted the impracticable scheme of reducing the price of labour after the pestilence, and also that of poultry.<sup>i</sup> A reaper, in the first week of August, was not allowed above two-pence a day, or near sixpence of our present money; in the second week a third more. A master carpenter was limited through the whole year to three-pence a day, a common carpenter to two-pence, money of that age.<sup>k</sup> It is remarkable, that in the same reign, the pay of a common soldier, an archer, was six-pence a day; which by the change both in denomination and value, would be equivalent to near five shillings of our present money.<sup>l</sup> Soldiers were then enlisted only for a very short time: they lived all the rest of the year, and commonly all the rest of their lives: one successful campaign, by pay and plunder, and the ransom of prisoners, was supposed to be a small fortune to a man, which was a great allurements to enter into the service.<sup>m</sup>

The staple of wool, wool-fells, leather, and lead, was fixed by act of parliament in particular towns of England.<sup>n</sup> Afterwards it was removed by law to Calais: but Edward, who commonly deemed his prerogative above law, paid little regard to these statutes; and when the parliament remonstrated with him on account of those acts of power, he plainly told them, that he would proceed in that matter as he thought proper.<sup>o</sup> It is not easy to assign the reason of this great anxiety for fixing a staple: unless perhaps it invited foreigners to a market, when they knew beforehand that they should there meet with great choice of any particular species of commodity. This policy of inviting foreigners to Calais was carried so far, that all English merchants were prohibited by law from exporting any English goods from the staple; which was in a manner the total abandoning of all foreign navigation, except that to Calais:<sup>p</sup> a contrivance seemingly extraordinary.

It was not till the middle of this century that the English began to extend their navigation even to the Baltic;<sup>q</sup>

nor till the middle of the subsequent, that they sailed to the Mediterranean.<sup>r</sup>

Luxury was complained of in that age, as well as in others of more refinement; and attempts were made by parliament to restrain it, particularly on the head of apparel, where surely it is the most obviously innocent and inoffensive.<sup>s</sup> No man under a hundred a year was allowed to wear gold, silver, or silk in his clothes: servants also were prohibited from eating flesh-meat or fish above once a day.<sup>t</sup> By another law it was ordained, that no one should be allowed, either for dinner or supper, above three dishes in each course, and not above two courses: and it is likewise expressly declared, that *soused* meat is to count as one of these dishes.<sup>u</sup> It was easy to foresee that such ridiculous laws must prove ineffectual, and could never be executed.

The use of the French language in pleadings and public deeds was abolished.<sup>v</sup> It may appear strange that the nation should so long have worn this badge of Conquest: but the king and nobility seem never to have become thoroughly English, or to have forgotten their French extraction, till Edward's wars with France gave them an antipathy to that nation. Yet still it was long before the use of the English tongue came into fashion. The first English paper which we meet with in Rymer is in the year 1386, during the reign of Richard II.<sup>w</sup> There are Spanish papers in that collection of more ancient date;<sup>x</sup> and the use of the Latin and French still continued.

We may judge of the ignorance of this age in geography, from a story told by Robert of Aylesbury. Pope Clement VI. having, in 1344, created Lewis of Spain Prince of the *Fortunate islands*, meaning the Canaries, then newly discovered; the English ambassador at Rome, and his retinue, were seized with an alarm that Lewis had been created King of England; and they immediately hurried home, in order to convey this important intelligence. Yet such was the ardour for study at this time, that Speed, in his Chronicle, informs us there were then 30,000 students in the university of Oxford alone. What was the occupation of all these young men? To learn very bad Latin, and still worse logic.

In 1364 the Commons petitioned, that in consideration of the preceding pestilence, such persons as possessed manors holding of the king in chief, and had let different leases without obtaining licences, might continue to exercise the same power, till the country were become more populous.<sup>y</sup> The Commons were sensible that this security of possession was a good means for rendering the kingdom prosperous and flourishing; yet durst not apply all at once for a greater relaxation of their chains.

There is not a reign among those of the ancient English monarchs which deserves more to be studied than that of Edward III., nor one where the domestic transactions will better discover the true genius of that kind of mixed government which was then established in England. The struggles with regard to the validity and authority of the Great Charter were now over: the king was acknowledged to lie under some limitations: Edward himself was a prince of great capacity, not governed by favourites, not led astray by any unruly passion, sensible that nothing could be more essential to his interests than to keep on good terms with his people: yet, on the whole, it appears that the government at best was only a barbarous monarchy, not regulated by any fixed maxims or bounded by any certain undisputed rights, which in practice were regularly observed. The king conducted himself by one set of principles; the barons by another; the Commons by a third; the clergy by a fourth. All these systems of government were opposite and incompatible: each of them prevailed in its turn, as incidents were favourable to it: a great prince rendered the monarchical power pre-

<sup>b</sup> 11 Edw. III. cap. 5. Rymer, vol. iv. p. 728. Murmott, p. 88.

<sup>c</sup> 11 Edw. III. cap. 2.

<sup>d</sup> Rymer, vol. iv. p. 520.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

<sup>l</sup> 11 Edw. III. cap. 3.

<sup>m</sup> 11 Edw. III. cap. 3.

<sup>n</sup> 11 Edw. III. cap. 3.

<sup>o</sup> 11 Edw. III. cap. 3.

<sup>p</sup> 11 Edw. III. cap. 3.

<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Edw. III. cap. 3.

<sup>c</sup> 11 Edw. III. cap. 3.

<sup>d</sup> 11 Edw. III. cap. 3.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>j</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

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<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Edw. III. cap. 3.

<sup>c</sup> 11 Edw. III. cap. 3.

<sup>d</sup> 11 Edw. III. cap. 3.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>j</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

<sup>l</sup> 11 Edw. III. cap. 3.

<sup>m</sup> 11 Edw. III. cap. 3.

<sup>n</sup> 11 Edw. III. cap. 3.

<sup>o</sup> 11 Edw. III. cap. 3.

<sup>p</sup> 11 Edw. III. cap. 3.

<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Edw. III. cap. 3.

<sup>c</sup> 11 Edw. III. cap. 3.

<sup>d</sup> 11 Edw. III. cap. 3.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>j</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

<sup>l</sup> 11 Edw. III. cap. 3.

<sup>m</sup> 11 Edw. III. cap. 3.

<sup>n</sup> 11 Edw. III. cap. 3.

<sup>o</sup> 11 Edw. III. cap. 3.

<sup>p</sup> 11 Edw. III. cap. 3.

<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Edw. III. cap. 3.

<sup>c</sup> 11 Edw. III. cap. 3.

<sup>d</sup> 11 Edw. III. cap. 3.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>j</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

<sup>l</sup> 11 Edw. III. cap. 3.

<sup>m</sup> 11 Edw. III. cap. 3.

<sup>n</sup> 11 Edw. III. cap. 3.

<sup>o</sup> 11 Edw. III. cap. 3.

<sup>p</sup> 11 Edw. III. cap. 3.

<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Edw. III. cap. 3.

<sup>c</sup> 11 Edw. III. cap. 3.

<sup>d</sup> 11 Edw. III. cap. 3.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>j</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

<sup>l</sup> 11 Edw. III. cap. 3.

<sup>m</sup> 11 Edw. III. cap. 3.

<sup>n</sup> 11 Edw. III. cap. 3.

<sup>o</sup> 11 Edw. III. cap. 3.

<sup>p</sup> 11 Edw. III. cap. 3.

<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Edw. III. cap. 3.

<sup>c</sup> 11 Edw. III. cap. 3.

<sup>d</sup> 11 Edw. III. cap. 3.

<sup>e</sup> 11 Edw. III. cap. 3.

<sup>f</sup> 11 Edw. III. cap. 3.

<sup>g</sup> 11 Edw. III. cap. 3.

<sup>h</sup> 11 Edw. III. cap. 3.

<sup>i</sup> 11 Edw. III. cap. 3.

<sup>j</sup> 11 Edw. III. cap. 3.

<sup>k</sup> 11 Edw. III. cap. 3.

<sup>l</sup> 11 Edw. III. cap. 3.

<sup>m</sup> 11 Edw. III. cap. 3.

<sup>n</sup> 11 Edw. III. cap. 3.

<sup>o</sup> 11 Edw. III. cap. 3.

<sup>p</sup> 11 Edw. III. cap. 3.

<sup>q</sup> 11 Edw. III. cap. 3.

<sup>r</sup> 11 Edw. III. cap. 3.

<sup>s</sup> 11 Edw. III. cap. 3.

<sup>t</sup> 11 Edw. III. cap. 3.

<sup>u</sup> 11 Edw. III. cap. 3.

<sup>v</sup> 11 Edw. III. cap. 3.

<sup>w</sup> 11 Edw. III. cap. 3.

<sup>x</sup> 11 Edw. III. cap. 3.

<sup>y</sup> 11 Edw. III. cap. 3.

<sup>z</sup> 11 Edw. III. cap. 3.

<sup>a</sup> 11 Edw. III. cap. 3.

<sup>b</sup> 11 Ed

dominant: the weakness of a king gave reins to the aristocracy: a superstitious age saw the clergy triumphant: the people, for whom chiefly government was instituted, and who chiefly deserve consideration, were the weakest of the whole. But the Commons, little obnoxious to any other order, though they sunk under the violence of tempests, silently reared their head in more peaceable times; and while the storm was brewing, were courted by all sides, and thus received still some accession to their privileges, or at worst some confirmation of them.

It has been an established opinion, that gold coin was not struck till this reign: but there has lately been found proof that it is as ancient as Henry III.<sup>a</sup>

## CHAP. XVII.

### RICHARD II.

Government during the minority: Insurrection of the common people—Discontents of the barons: Civil commotions—Expulsion or execution of the king's ministers: Cabals of the Duke of Gloucester—Murder of the Duke of Gloucester—Banishment of Henry Duke of Hereford—Return of Henry—General Insurrection—Deposition of the king—His murder—His character—Miscellaneous transactions during this reign.

A. D. 1377.  
Government  
during the  
minority.

THE parliament which was summoned soon after the king's accession, was both elected and assembled in tranquillity; and the great change, from a sovereign of consummate wisdom and experience to a boy of eleven years of age, was not immediately felt by the people. The habits of order and obedience which the barons had been taught during the long reign of Edward, still influenced them; and the authority of the king's three uncles, the Dukes of Lancaster, York, and Gloucester, sufficed to repress, for a time, the turbulent spirit to which that order, in a weak reign, was so often subject. The dangerous ambition too of these princes themselves was checked by the plain and undeniable title of Richard, by the declaration of it made in parliament, and by the affectionate regard which the people bore to the memory of his father, and which was naturally transferred to the young sovereign upon the throne. The different characters also of these three princes rendered them a counterpoise to each other; and it was natural to expect, that any dangerous designs which might be formed by one brother, would meet with opposition from the others. Lancaster, whose age and experience, and authority under the late king, gave him the ascendancy among them, though his integrity seemed not proof against great temptations, was neither of an enterprising spirit, nor of a popular and engaging temper. York was indolent, inactive, and of slender capacity. Gloucester was turbulent, bold, and popular; but being the youngest of the family, was restrained by the power and authority of his elder brothers. There appeared, therefore, no circumstance in the domestic situation of England which might endanger the public peace, or give any immediate apprehensions to the lovers of their country.

But as Edward, though he had fixed the succession to the crown, had taken no care to establish a plan of government during the minority of his grandson, it behoved the parliament to supply this defect: and the House of Commons distinguished themselves by taking the lead on the occasion. This house, which had been rising to consideration during the whole course of the late reign, naturally received an accession of power during the minority; and as it was now becoming a scene of business, the members chose, for the first time, a speaker, who might preserve order in their debates, and maintain those forms which are requisite in all numerous assemblies. Peter de la Mare was the man pitched on; the same person that

had been imprisoned, and detained in custody by the late king, for his freedom of speech in attacking the mistress and the ministers of that prince. But though this election discovered a spirit of liberty in the Commons, and was followed by further attacks both on these ministers and on Alice Pierce,<sup>b</sup> they were still too sensible of their great inferiority, to assume at first any immediate share in the administration of government, or the care of the king's person. They were content to apply by petition to the Lords for that purpose, and desire them both to appoint a council of nine, who might direct the public business, and to choose men of virtuous life and conversation, who might inspect the conduct and education of the young prince. The Lords complied with the first part of this request, and elected the Bishops of London, Carlisle, and Salisbury, the Earls of March and Stafford, Sir Richard de Stafford, Sir Henry le Scrope, Sir John Devereux, and Sir Hugh Segrave, to whom they gave authority, for a year, to conduct the ordinary course of business.<sup>c</sup> But as to the regulation of the king's household, they declined interposing in an office which, they said, both was invidious in itself, and might prove disagreeable to his majesty.

The Commons, as they acquired more courage, ventured to proceed a step further in their applications. They presented a petition, in which they prayed the king to check the prevailing custom among the barons, of forming illegal confederacies, and supporting each other, as well as men of inferior rank, in the violations of law and justice. They received from the throne a general and an obliging answer to this petition: but another part of their application, that all the great officers should, during the king's minority, be appointed by Parliament, which seemed to require the concurrence of the Commons, as well as that of the Upper House, in the nomination, was not complied with: the Lords alone assumed the power of appointing these officers: the Commons tacitly acquiesced in the choice; and thought that, for the present, they themselves had proceeded a sufficient length, if they but advanced their pretensions, though rejected, of interposing in these more important matters of state.

On this footing then the government stood. The administration was conducted entirely in the king's name: no regency was expressly appointed: the nine counsellors and the great officers, named by the peers, did their duty, each in his respective department: and the whole system was for some years kept together by the secret authority of the king's uncles, especially of the Duke of Lancaster, who was in reality the regent.

The parliament was dissolved, after the Commons had represented the necessity of their being re-assembled once every year, as appointed by law; and after having elected two citizens as their treasurers, to receive and disburse the produce of two fifteenths and tenths, which they had voted to the crown. In the other parliaments called during the minority, the Commons still discover a strong spirit of freedom, and a sense of their own authority, which, without breeding any disturbance, tended to secure their independence and that of the people.<sup>d</sup>

Edward had left his grandson involved in many dangerous wars. The pretensions of the Duke of Lancaster to the crown of Castile made that kingdom still persevere in hostilities against England. Scotland, whose throne was now filled by Robert Stuart, nephew to David Bruce, and the first prince of that family, maintained such close connexions with France, that war with one crown almost inevitably produced hostilities with the other. The French monarch, whose prudent conduct acquired him the surname of *Wise*, as he had already baffled all the experience and valour of the two Edwards, was likely to prove a dangerous enemy to a minor king: but his genius, which was not naturally enterprising, led him not, at present, to give any disturbance to his neighbours: and he laboured,

<sup>a</sup> See Observations on the more ancient Statutes, p. 375, 3d edit.

<sup>b</sup> Walsley, p. 150.

<sup>c</sup> Rymer, vol. vii. p. 161.

<sup>d</sup> In the fifth year of the king the Commons complained of the government about the king's person, his revenue, the excessive number of his servants, of the abuses in the Chancery, King's Bench, Common Pleas, Exchequer, and of various oppressions in the country, by the great contrivance of maintainers of murders, then linked in confederacies together, who believed themselves the kings in the county, and there was very little law or right, and of other things which they said were the cause of the late commotions and wars. Hist. Brit. Parl. Hist. vol. i. p. 365. This irregular government, which no king and no House of Commons had been able to reform, was the source of the

incontinence of the great, and turbulence of the people, as well as tyranny of the princes. It subjects would enjoy liberty, and kings security, the law must be executed.

In the fourth year of the reign the Commons also discovered an accuracy and jealousy of liberty which we should little expect in those rude times. "It was agreed by Parliament," says Cotton, p. 392, "that the subsidy of wools, wool-fells, and skins, granted to the king until the time of Midsummer then ensuing, should cease from the same time unto the feast of St. Peter and Paul, for that thereby the king should be interrupted for granting such grant as due." See also Cotton, p. 128.

besides, under many difficulties at home, which it was necessary for him to surmount before he could think of making conquests in a foreign country. England was master of Calais, Bourdeaux, and Bayonne; and lately acquired possession of Cherbourg from the cession of the King of Navarre, and of Brest from that of the Duke of Brittany<sup>d</sup> and having thus an easy entrance into France from every quarter, was able, even in its present situation, to give disturbance to his government. Before Charles could remove the English from these important posts, he died in the flower of his age, and left his kingdom to a minor son, who bore the name of Charles VI.

Meanwhile the war with France was carried on in a manner somewhat languid, and produced no enterprise of great lustre and renown. Sir Hugh Calverley, governor of Calais, making an inroad into Picardy with a detachment of the garrison, set fire to Boulogne.<sup>e</sup> The Duke of Lancaster conducted an army into Brittany, but returned without being able to perform any thing memorable. In a subsequent year the Duke of Gloucester marched out of Calais with a body of 2000 cavalry, and 8000 infantry; and scrupled not, with his small army, to enter into the heart of France, and to continue his ravages through Picardy, Champagne, the Bre, the Beausse, the Gatinos, the Orleansois, till he reached his allies in the province of Brittany.<sup>f</sup> The Duke of Burgundy, at the head of a more considerable army, came within sight of him; but the French were so overawed by the former successes of the English, that no superiority of numbers could tempt them to venture a pitched battle with the troops of that nation. As the Duke of Brittany, soon after the arrival of these succours, formed an accommodation with the court of France, this enterprise also proved in the issue unsuccessful, and made no durable impression upon the enemy.

The expenses of these armaments, and the usual want of economy attending a minority, much exhausted the English treasury, and obliged the parliament, besides making some alterations in the councils, to impose a new and unusual tax of three groats on every person, male and female, above fifteen years of age; and they ordained that, in levying that tax, the opulent should relieve the poor by an equitable compensation. This imposition produced a mutiny, which was singular in its circumstances. All history abounds with examples where the great tyrannize over the meaner sort: but here the lowest populace rose against their rulers, committed the most cruel ravages upon them, and took vengeance for all former oppressions.

The faint dawn of the arts and of good government in that age had excited the minds of the populace in different states of Europe, to wish for a better condition, and to murmur against those chains, which the laws, enacted by the haughty nobility and gentry, had so long imposed upon them. The commotions of the people in Flanders, the mutiny of the peasants in France, were the natural effects of this growing spirit of independence; and the report of these events being brought into England, where personal slavery, as we learn from Froissart,<sup>g</sup> was more general than in any other country in Europe, had prepared the minds of the multitude for an insurrection. One John Ball also, a seditious preacher, who affected low popularity, went about the country, and inculcated on his audience the principles of the first origin of mankind from one common stock, their equal right to liberty and to all the goods of nature, the tyranny of artificial distinctions, and the abuses which had arisen from the degradation of the more considerable part of the species, and the aggrandizement of a few insolent rulers.<sup>h</sup> These doctrines, so agreeable to the populace, and so conformable to the ideas of primitive equality which are engraven in the hearts of all men, were greedily received by the multitude; and scattered the sparks of that sedition, which the present tax raised into a conflagration.<sup>i</sup>

The imposition of three groats a head had been farmed out to tax-gatherers in each county, who levied the money on the people with rigour; and the clause of making the rich ease their poorer neighbours of some share of the burden, being so vague and indeterminate, had, doubtless, occasioned many partialities, and made the people more sensible of the unequal lot which fortune had assigned them in the distribution of her favours. The first disorder was raised by a blacksmith in a village of Essex. The tax-gatherers came to this man's shop while he was at work, and they demanded payment for his daughter, whom he asserted to be below the age assigned by the statute. One of these fellows offered to produce a very indecent proof to the contrary, and at the same time laid hold of the maid: which the father resenting, immediately knocked out the ruffian's brains with his hammer. The bystanders applauded the action, and exclaimed, that it was full time for the people to take vengeance on their tyrants, and to vindicate their native liberty. They immediately flew to arms: the whole neighbourhood joined in the sedition: the flame spread in an instant over the county: it soon propagated itself into that of Kent, of Hertford, Surrey, Sussex, Suffolk, Norfolk, Cambridge, and Lincoln. Before the government had the least warning of the danger, the disorder had grown beyond control or opposition: the populace had shaken off all regard to their former masters: and being headed by the most audacious and criminal of their associates, who assumed the feigned names of Wat Tyler, Jack Straw, Hob Carter, and Tom Miller, by which they were fond of denoting their mean origin, they committed every where the most outrageous violence on such of the gentry or nobility as had the misfortune to fall into their hands.

The mutinous populace, amounting to a hundred thousand men, assembled on 12th June. Blackheath, under their leaders Tyler and Straw; and as the Princess of Wales, the king's mother, returning from a pilgrimage to Canterbury, passed through the midst of them, they insulted her attendants; and some of the most insolent among them, to show their purpose of levelling all mankind, forced kisses from her; but they allowed her to continue her journey, without attempting any further injury.<sup>k</sup> They sent a message to the king, who had taken shelter in the Tower; and they desired a conference with him. Richard sailed down the river in a barge for that purpose; but on his approaching the shore, he saw such symptoms of tumult and insolence, that he put back, and returned to that fortress.<sup>l</sup> The seditious peasants, meanwhile, favoured by the populace of London, had broken into the city; had burned the Duke of Lancaster's palace of the Savoy; cut off the heads of all the gentlemen whom they laid hold of; expressed a particular animosity against the lawyers and attorneys; and pillaged the warehouses of the rich merchants.<sup>m</sup> A great body of them quartered themselves at Mile-end; and the king, finding no defence in the Tower, which was weakly garrisoned, and ill supplied with provisions, was obliged to go out to them, and ask their demands. They required a general pardon, the abolition of slavery, freedom of commerce in market towns without toll or impost, and a fixed rent on lands, instead of the services due by villinage. These requests, which, though extremely reasonable in themselves, the nation was not sufficiently prepared to receive, and which it was dangerous to have extorted by violence, were however complied with; charters to that purpose were granted them; and this body immediately dispersed, and returned to their several homes.<sup>n</sup>

During this transaction, another body of the rebels had broken into the Tower; had murdered Simon Sudbury, the primate and chancellor, with Sir Robert Hales, the treasurer, and some other persons of distinction; and continued their ravages in the city.<sup>o</sup> The king, passing

Insurrections of the common people.

<sup>d</sup> Rymer, vol. vii. p. 190.

<sup>e</sup> Walsing. p. 209.

<sup>f</sup> Froissart, liv. ii. chap. 50, 51. Walsing. p. 239.

<sup>g</sup> Liv. ii. chap. 74.

<sup>h</sup> Froissart, liv. ii. chap. 74. Walsingham, p. 275.

<sup>i</sup> There were two verses at that time in the mouths of all the common people, wherein, in spite of prejudice, one cannot but regard with some degree of approbation

When Adam delved and Eve span,  
Where was then the gentleman?

<sup>k</sup> Froissart, liv. ii. chap. 74.

<sup>l</sup> Ibid. chap. 75.

<sup>m</sup> Ibid. chap. 76. Walsingham, l. 283, 299.

<sup>n</sup> Froissart, liv. ii. chap. 76.

<sup>o</sup> Walsingham, l. 299, 301.



along Smithfield, very slenderly guarded, met with Wat Tyler, at the head of these rioters, and entered into a conference with him. Tyler, having ordered his companions to retire till he should give them a signal, after which they were to murder all the company except the king himself, whom they were to detain prisoner, feared not to come into the midst of the royal retinue. He there behaved himself in such a manner, that Walworth, the Mayor of London, not able to bear his insolence, drew his sword, and struck him so violent a blow as brought him to the ground, where he was instantly despatched by others of the king's attendants. The mutineers, seeing their leader fall, prepared themselves for revenge; and this whole company, with the king himself, had undoubtedly perished on the spot, had it not been for an extraordinary presence of mind which Richard discovered on the occasion. He ordered his company to stop; he advanced alone towards the enraged multitude; and accosting them with an affable and intrepid countenance, he asked them, "What is the meaning of this disorder, my good people? Are ye angry that ye have lost your leader? I am your king: I will be your leader." The populace, overawed by his presence, implicitly followed him: he led them into the fields, to prevent any disorder which might have arisen by their continuing in the city: being there joined by Sir Robert Knolles, and a body of well-armed veteran soldiers, who had been secretly drawn together, he strictly prohibited that officer from falling on the rioters, and committing an undistinguished slaughter upon them; and he peaceably dismissed them with the same charters which had been granted to their fellows.<sup>p</sup> Soon after, the nobility and gentry, hearing of the king's danger, in which they were all involved, flocked to London with their adherents and retainers: and Richard took the field at the head of an army 40,000 strong.<sup>q</sup> It then behoved all the rebels to submit: the charters of enfranchisement and pardon were revoked by parliament; the low people were reduced to the same slavish condition as before; and several of the ringleaders were severely punished for the late disorders. Some were even executed without process or form of law.<sup>r</sup> It was pretended that the intentions of the mutineers had been to seize the king's person, to carry him through England at their head, to murder all the nobility, gentry, and lawyers, and even all the bishops and priests, except the mendicant friars; to despatch afterwards the king himself; and having thus reduced all to a level, to order the kingdom at their pleasure.<sup>s</sup> It is not impossible, but many of them, in the delirium of their first success, might have formed such projects: but of all the evils incident to human society, the insurrections of the populace, when not raised and supported by persons of higher quality, are the least to be dreaded: the mischiefs consequent to an abolition of all rank and distinction, become so great that they are immediately felt, and soon bring affairs back to their former order and arrangement.

A youth of sixteen, (which was at this time the king's age,) who had discovered so much courage, presence of mind, and address, and had so dexterously eluded the violence of this tumult, raised great expectations in the nation; and it was natural to hope, that he would, in the course of his life, equal the glories which had so uniformly attended his father and his grandfather in all their undertakings.

But in proportion as Richard advanced in years, these hopes vanished; and his want of capacity, at least of solid judgment, appeared in every enterprise which he attempted. The Scots, sensible of their own deficiency in cavalry, had applied to the regency of Charles VI.; and John de Vienne, Admiral of France, had been sent over with a body of 1500 men at arms, to support them in their incursions against the English. The danger was now deemed by the king's uncles somewhat serious; and a numerous army of 60,000 men was levied; and they marched into Scotland, with Richard himself at their head. The Scots did not pretend to make resistance against so great a force: they abandoned without scruple their country to be pillaged and destroyed by the enemy:

and when de Vienne expressed his surprise at this plan of operations, they told him, that all their cattle was driven into the forests and fastnesses; that their houses and other goods were of small value; and that they well knew how to compensate any losses which they might sustain in that respect, by making an incursion into England. Accordingly, when Richard entered Scotland by Berwick and the east coast, the Scots, to the number of 30,000 men, attended by the French, entered the borders of England by the west, and carrying their ravages through Cumberland, Westmoreland, and Lancashire, collected a rich booty, and then returned in tranquillity to their own country. Richard meanwhile advanced towards Edinburgh, and destroyed in his way all the towns and villages on each side of him: he reduced that city to ashes: he treated in the same manner, Perth, Dundee, and other places in the low countries; but when he was advised to march towards the west coast, to await the return of the enemy, and to take revenge on them for their devastations, his impatience to return to England, and enjoy his usual pleasures and amusements, outweighed every consideration; and he led back his army without effecting any thing by all these mighty preparations. The Scots, soon after, finding the heavy bodies of French cavalry very useless in that desultory kind of war to which they confined themselves, treated their allies so ill, that the French returned home, much disgusted with the country, and with the manners of its inhabitants.<sup>t</sup> And the English, though they regretted the indolence and levity of their king, saw themselves for the future secured against any dangerous invasion from that quarter.

But it was so material an interest of the French court to wrest the sea-port towns from the hands of the enemy, that they resolved to attempt it by some other expedient, and found no means so likely as an invasion of England itself. They collected a great fleet and army at Sluise; for the Flemings were now in alliance with them: all the nobility of France were engaged in this enterprise: the English were kept in alarm: great preparations were made for the reception of the invaders: and though the dispersion of the French ships by a storm, and the taking of many of them by the English, before the embarkation of the troops, freed the kingdom from the present danger, the king and council were fully sensible that this perilous situation might every moment return upon them.<sup>u</sup>

There were two circumstances, chiefly, which engaged the French at this time to think of such attempts. The one was the absence of the Duke of Lancaster, who had carried into Spain the flower of the English military force, in prosecution of his vain claim to the crown of Castile; an enterprise in which, after some promising success, he was finally disappointed: the other was, the violent dissensions and disorders which had taken place in the English government.

The subjection in which Richard was held by his uncles, particularly by the Duke of Gloucester, a prince of ambition and genius, though it was not unsuitable to his years and slender capacity, was extremely disagreeable to his violent temper; and he soon attempted to shake off the yoke imposed upon him. Robert de Vere, Earl of Oxford, a young man of a noble family, of an agreeable figure, but of dissolute manners, had acquired an entire ascendancy over him, and governed him with an absolute authority. The king set so little bounds to his affection, that he first created his favourite Marquis of Dublin, a title before unknown in England, then Duke of Ireland; and transferred to him by patent, which was confirmed in parliament, the entire sovereignty for life of that island.<sup>v</sup> He gave him in marriage his cousin-german, the daughter of Ingelram de Cousi, Earl of Bedford; but soon after he permitted him to repudiate that lady, though of an unexceptionable character, and to marry a foreigner, a Bohemian, with whom he had become enamoured.<sup>w</sup> These public declarations of attachment turned the attention of the whole court towards the minion: all favours passed

<sup>p</sup> Froissart, vol. ii. chap. 77. Walsingham, p. 352. Knyghton, p. 267.

<sup>q</sup> Walsingham, p. 367.

<sup>r</sup> Rieu, li. 1. cap. ult. as quoted in the Observations on ancient Statutes, p. 262.

<sup>s</sup> Walsingham, p. 365.

<sup>t</sup> Froissart, liv. ii. chap. 149. 150. &c. liv. iii. chap. 52. Walsingham, p. 371.

<sup>u</sup> Froissart, liv. iii. chap. 41, 53. Walsingham, p. 322, 323.

<sup>v</sup> Cotton, p. 310, 311. Cox's Hist. of Ireland, p. 129. Walsingham, p. 334.

<sup>w</sup> Walsingham, p. 338.

through his hands: access to the king could only be obtained by his mediation: and Richard seemed to take no pleasure in royal authority, but so far as it enabled him to load with favours and titles and dignities this object of his affections.

The jealousy of power immediately produced an animosity between the minion and his creatures on the one hand, and the princes of the blood and chief nobility on the other; and the usual complaints against the insolence of favourites were loudly echoed, and greedily received, in every part of the kingdom. Mowbray Earl of Nottingham, the Maréchal, Fitz-Alan Earl of Arundel, Piercy Earl of Northumberland, Montacute Earl of Salisbury, Beauchamp Earl of Warwick, were all connected with each other, and with the princes, by friendship or alliance, and still more by their common antipathy to those who had eclipsed them in the king's favour and confidence. No longer kept in awe by the personal character of the prince, they scorned to submit to his ministers: and the method which they took to redress the grievance complained of, well suited the violence of the age, and proves the desperate extremities to which every opposition was sure to be instantly carried.

Michael de la Pole, the present chancellor, and lately created Earl of Suffolk, was the son of an eminent merchant; but had risen by his abilities and valour during the wars of Edward III., had acquired the friendship of that monarch, and was esteemed the person of greatest experience and capacity among those who were attached to the Duke of Ireland and the king's secret council. The Duke of Gloucester, who had the House of Commons at his devotion, impelled them to exercise that power, which they seem first to have assumed against Lord Latimer, during the declining years of the late king; and an impeachment against the chancellor was carried up by them to the House of Peers, which was no less at his devotion. The king foresaw the tempest preparing against him and his ministers. After attempting in vain to rouse the Londoners to his defence, he withdrew from parliament, and retired with his court to Eltham. The parliament sent a deputation, inviting him to return, and threatening that, if he persisted in absenting himself, they would immediately dissolve, and leave the nation, though at that time in imminent danger of a French invasion, without any support or supply for its defence. At the same time, a member was encouraged to call for the record containing the parliamentary deposition of Edward II.; a plain intimation of the fate which Richard, if he continued refractory, had reason to expect from them. The king, finding himself unable to resist, was content to stipulate that, except finishing the present impeachment against Suffolk, no attack should be made upon any other of his ministers; and on that condition he returned to the parliament.<sup>y</sup>

Nothing can prove more fully the innocence of Suffolk, than the frivolousness of the crimes which his enemies, in the present plenitude of their power, thought proper to object against him.<sup>z</sup> It was alleged that being chancellor, and obliged by his oath to consult the king's profit, he had purchased lands of the crown below their true value; that he had exchanged with the king a perpetual annuity of 400 marks a year, which he inherited from his father, and which was assigned upon the customs of the port of Hull, for lands of an equal income; that having obtained for his son the priory of St. Anthony, which was formerly possessed by a Frenchman, an enemy, and a schismatic, and a new prior being at the same time named by the Pope, he had refused to admit this person, whose title was not legal, till he made a composition with his son,

and agreed to pay him a hundred pounds a year from the income of the benefice; that he had purchased from one Tydeman, of Limborch, an old and forfeited annuity of fifty pounds a year upon the crown, and had engaged the king to admit that had debt; and that, when created Earl of Suffolk, he had obtained a grant of five hundred pounds a year, to support the dignity of that title.<sup>a</sup> Even the proof of these articles, frivolous as they are, was found very deficient upon the trial: it appeared that Suffolk had made no purchase from the crown while he was chancellor, and that all his bargains of that kind were made before he was advanced to that dignity.<sup>b</sup> It is almost needless to add, that he was condemned notwithstanding his defence; and that he was deprived of his office.

Gloucester and his associates observed their stipulation with the king, and attacked no more of his ministers: but they immediately attacked himself and his royal dignity, and framed a commission after the model of those which had been attempted almost in every reign since that of Richard I. and which had always been attended with extreme confusion.<sup>c</sup> By this commission, which was ratified by parliament, a council of fourteen persons was appointed, all of Gloucester's faction, except Nevil, Archbishop of York: the sovereign power was transferred to these men for a twelvemonth: the king, who had now reached the twenty-first year of his age, was in reality dethroned: the aristocracy was rendered supreme; and though the term of the commission was limited, it was easy to foresee that the intentions of the party were to render it perpetual, and that power would with great difficulty be wrested from those grasping hands to which it was once committed. Richard, however, was obliged to submit: he signed the commission which violence had extorted from him; he took an oath never to infringe it; and though at the end of the session he publicly entered a protest, that the prerogatives of the crown, notwithstanding his late concession, should still be deemed entire and unimpaired,<sup>d</sup> the new commissioners, without regarding this declaration, proceeded to the exercise of their authority.

The king, thus dispossessed of royal power, was soon sensible of the contempt into which A. D. 1387.  
Civil commo-  
tions. he was fallen. His favourites and ministers, who were as yet allowed to remain about his person, failed not to aggravate the injury, which, without any demerit on his part, had been offered to him. And his eager temper was of itself sufficiently inclined to seek the means, both of recovering his authority, and of revenging himself on those who had invaded it. As the House of Commons appeared now of weight in the constitution, he secretly tried some expedients for procuring a favourable election: he sounded some of the sheriffs, who being at that time both the returning officers, and magistrates of great power in the counties, had naturally considerable influence in elections.<sup>e</sup> But as most of them had been appointed by his uncles, either during his minority, or during the course of the present commission, he found them, in general, averse to his enterprise. The sentiments and inclinations of the judges were more favourable to him. He met at Nottingham Sir Robert Tresilian, chief justice of the King's Bench, Sir Robert Belknappe, chief justice of the Common Pleas, Sir John Carey, chief baron of the Exchequer, Holt, Fulthorpe, and Bourg, inferior justices, and Lockton, serjeant-at-law; and he proposed to them some queries, which these lawyers, either from the influence of his authority, or of reason, made no scruple of answering in the way he desired. They declared that the late commission was derogatory to the royalty and prerogative of the king; that those who pro-

<sup>y</sup> Knyghton, p. 2715, &c. The same author, p. 2689, tells us, that the king, in return to the message, said, that he would not, by their desire, remove the meaneast stool from his kitchen. This author also tells us, that the king said to the commissioners, when they harangued him, that he saw his spirit was rebellious, and his best way would be to call in the king of France to his aid. But it is plain that all these speeches were either invented by Knyghton merely as an ornament to his history, or are false.

For, (1) When the five lords accuse the king's ministers in the next parliament, and impute to them every rash act of the king, they speak nothing of these replies which are so obnoxious, were so recent, and are pretended to have been so patient. (2) The king, without having any reasons of that kind to offer, was threatened with a dangerous invasion of his rights, and threatened to lose his crown by the taking from the repugnance afterwards thrown out against him, and to have been transferred by the historians to this time, to which they cannot be applied.

<sup>z</sup> Cotton, p. 315. Knyghton, p. 2683.

<sup>a</sup> It is possible that the Earl of Suffolk was not rich, nor able to support the dignity without the bounty of the crown: for his father, Michael de la Pole, though a great merchant, had been ruined by lending money to the late king. See Cotton, p. 124. We may remark, that the Duke of Gloucester and York, though vastly rich, received at the same time each of them a thousand pounds a year, to support their dignity. Rymer, vol. vii. p. 381. Cotton, p. 310.

<sup>b</sup> Cotton, p. 315.

<sup>c</sup> Knyghton, p. 2686. Statutes at large, to Rich. II. cap. 1.

<sup>d</sup> Cotton, p. 318.

<sup>e</sup> In the preamble to 5 Henry IV. cap. vi. it is implied, that the sheriffs in a manner appointed the members of the House of Commons, not only in this parliament, but in many others.

condemned, or advised the king to consent to it, were punishable with death; that those who necessitated and compelled him were guilty of treason; that those were equally criminal who should persevere in maintaining it; that the king has the right of dissolving parliaments at pleasure; that the parliament, while it sits, must first proceed upon the king's business; and that this assembly cannot, without his consent, impeach any of his ministers and judges.<sup>f</sup> Even according to our present strict maxims with regard to law and the royal prerogative, all these determinations, except the two last, appear justifiable: and as the great privileges of the Commons, particularly that of impeachment, were hitherto new, and supported by few precedents, there want not plausible reasons to justify these opinions of the judges.<sup>g</sup> They signed therefore their answer to the king's queries before the Archbishops of York and Dublin, the Bishops of Durham, Chichester, and Bangor, the Duke of Ireland, the Earl of Suffolk, and two other counsellors of inferior quality.

The Duke of Gloucester and his adherents soon got intelligence of this secret consultation, and were naturally very much alarmed at it. They saw the king's intentions; and they determined to prevent the execution of them. As soon as he came to London, which they knew was well disposed to their party, they secretly assembled their forces, and appeared in arms at Haringay park, near Highgate, with a power which Richard and his ministers were not able to resist. They sent him a message by the Archbishop of Canterbury, and the Lords Lovel, Cobham, and Devereux, and demanded that the persons who had seduced him by their pernicious counsel, and were traitors both to him and to the kingdom, should be delivered up to them. A few days after they appeared in his presence, armed and attended with armed followers; and they accused, by name, the Archbishop of York, the Duke of Ireland, the Earl of Suffolk, Sir Robert Tresilian, and Sir Nicholas Brembre, as public and dangerous enemies to the state. They threw down their gauntlets before the king, and fiercely offered to maintain the truth of their charge by duel. The persons accused, and all the other obnoxious ministers, had withdrawn or had concealed themselves.

The Duke of Ireland fled to Cheshire, and levied some forces, with which he advanced to relieve the king from the violence of the nobles. Gloucester encountered him in Oxfordshire with much superior forces; routed him, dispersed his followers, and obliged him to fly into the Low Countries, where he died in exile a few years after.

A. D. 1388. The lords then appeared at London with an army of forty thousand men; and having obliged the king to summon a parliament, which was entirely at their devotion, they had full power, by observing a few legal forms, to take vengeance on all their enemies.

Five great peers, men whose combined power was able at any time to shake the throne, the Duke of Gloucester, the king's uncle; the Earl of Derby, son of the Duke of Lancaster; the Earl of Arundel; the Earl of Warwick; and the Earl of Nottingham, Mareschal of England, entered before the parliament an accusation or appeal, as it was called, against the five counsellors whom they had already accused before the king. The parliament, who ought to have been judges, were not ashamed to impose an oath on all their members, by which they bound themselves to live and die with the lords appellants, and to defend them against all opposition with their lives and fortunes.<sup>h</sup>

<sup>f</sup> Knyghton, p. 5094. Ypod. Neust. p. 541.

<sup>g</sup> The parliament, in 1341, exacted of Edward III., that on the third day of every session the king should receive all the great officers, and that the ministers should then answer to any accusation that should be brought against them: which plainly implies, that those ministers, they could not be accused or impeached in parliament. Henry IV. told the Commons, that the usage of parliament required them to go first through the king's business in granting supplies, which order the king intended not to alter. Part. Hist. vol. ii. p. 65. Upon the whole it must allowed, that according to ancient practice and precedents, there are at least, plausible grounds for all these queries of the judges. It must be remarked, that the affirmation of Henry IV. was given deliberately, after consulting the House of Peers, who were much better acquainted with the usage of parliament than the greatest commons. And it has the greater authority, because Henry IV. had made this usage principle a considerable article of charge against his predecessor, and that sixty years before. So all grounds were lost of the imputations thrown on the unhappy Richard.

<sup>h</sup> Knyghton, p. 522.

<sup>i</sup> Knyghton, p. 2715. Tyrrel, vol. iii. part 2. p. 919. from the records, Part. Hist. vol. i. p. 414.

The other proceedings were well suited to the violence and iniquity of the times. A charge consisting of thirty-nine articles, was delivered in by the appellants; and, as none of the accused counsellors, except Sir Nicholas Brembre, was in custody, the rest were cited to appear; and upon their absenting themselves, the House of Peers, after a very short interval, without hearing a witness, without examining a fact, or deliberating on one point of law, declared them guilty of high treason. Sir Nicholas Brembre, who was produced in court, had the appearance, and but the appearance, of a trial: the Peers, though they were not by law his proper judges, pronounced, in a very summary manner, sentence of death upon him, and he was executed, together with Sir Robert Tresilian, who had been discovered and taken in the interval.

It would be tedious to recite the whole charge delivered in against the five counsellors; which is to be met with in several collections.<sup>i</sup> It is sufficient to observe, in general, that if we reason upon the supposition, which is the true one, that the royal prerogative was invaded by the commission extorted by the Duke of Gloucester and his associates, and that the king's person was afterwards detained in custody by rebels, many of the articles will appear, not only to imply no crime in the Duke of Ireland and the ministers, but to ascribe to them actions which were laudable, and which they were bound by their allegiance to perform. The few articles impeaching the conduct of these ministers before that commission, which subverted the constitution, and annihilated all justice and legal authority, are vague and general; such as their engrossing the king's favour, keeping his barons at a distance from him, obtaining unreasonable grants for themselves or their creatures, and dissipating the public treasure by useless expenses. No violence is objected to them; no particular illegal act;<sup>k</sup> no breach of any statute; and their administration may therefore be concluded to have been so far innocent and inoffensive. All the disorders indeed seem to have proceeded, not from any violation of the laws, or any ministerial tyranny, but merely from a rivalry of power, which the Duke of Gloucester and the great nobility, agreeably to the genius of the times, carried to the utmost extremity against their opponents, without any regard to reason, justice, or humanity.

But these were not the only deeds of violence committed during the triumph of the party. All the other judges, who had signed the extrajudicial opinions at Nottingham, were condemned to death, and were, as a grace or favour, banished to Ireland; though they pleaded the fear of their lives and the menaces of the king's ministers as their excuse. Lord Beauchamp of Holt, Sir James Berners, and John Salisbury, were also tried and condemned for high treason; merely because they had attempted to defeat the late commission: but the life of the latter was spared. The fate of Sir Simon Burley was more severe: this gentleman was much beloved for his personal merit, had distinguished himself by many honourable actions, was created Knight of the Garter, and had been appointed governor to Richard, by the late king and of the Black Prince: he had attended his master from the earliest infancy of that prince, and had ever remained extremely attached to him: yet all these considerations could not save him from falling a victim to Gloucester's vengeance. This execution, more than all the others, made a deep impression on the mind of Richard: his queen too, (for he was already married to the sister of the Emperor Wenceslaus, King of Bohemia,)

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interested herself in behalf of Berley: she remained three hours on her knees before the Duke of Gloucester, pleading for that gentleman's life; but though she was become extremely popular by her amiable qualities, which had acquired her the appellation of *the good Queen Anne*, her petition was sternly rejected by the inexorable tyrant.

The parliament concluded this violent scene, by a declaration that none of the articles, decided on these trials to be treason, should ever afterwards be drawn into precedent by the judges, who were still to consider the statute of the twenty-fifth of Edward as the rule of their decisions. The House of Lords seem not, at that time, to have known or acknowledged the principle, that they themselves were bound, in their judicial capacity, to follow the rules which they, in conjunction with the king and Commons, had established in their legislative.<sup>m</sup> It was also enacted, that every one should swear to the perpetual maintenance and support of the forfeitures and attainders, and of all the other acts passed during this parliament. The Archbishop of Canterbury added the penalty of excommunication, as a further security to these violent transactions.

A. D. 1399. It might naturally be expected, that the king, being reduced to such slavery by the combination of the princes and chief nobility, and having appeared so unable to defend his servants from the cruel effects of their resentment, would long remain in subjection to them; and never would recover the royal power, without the most violent struggles and convulsions: but the event proved contrary. In less than a twelvemonth, Richard, who was in his twenty-third year, declared in council, that, as he had now attained the full age which entitled him to govern by his own authority his kingdom and household, he resolved to exercise his right of sovereignty; and when no one ventured to contradict so reasonable an intention, he deprived Fitz-Alan, Archbishop of Canterbury, of the dignity of chancellor, and bestowed that high office on William of Wickham, Bishop of Winchester; the Bishop of Hereford was displaced from the office of treasurer, the Earl of Arundel from that of admiral; even the Duke of Gloucester and the Earl of Warwick were removed for a time from the council; and no opposition was made to these great changes. The history of this reign is imperfect, and little to be depended on; except where it is supported by public records: and it is not easy for us to assign the reason of this unexpected event. Perhaps some secret animosities, naturally to be expected in that situation, had crept in among the great men, and had enabled the king to recover his authority. Perhaps the violence of their former proceedings had lost them the affections of the people, who soon repent of any cruel extremities to which they are carried by their leaders. However this may be, Richard exercised with moderation the authority which he had resumed. He seemed to be entirely reconciled to his uncles<sup>n</sup> and the other great men, of whom he had so much reason to complain: he never attempted to recall from banishment the Duke of Ireland, whom he found so obnoxious to them: he confirmed, by proclamation, the general pardon which the parliament had passed for all offences: and he courted the affections of the people, by voluntarily remitting some subsidies which had been granted him; a remarkable and almost singular instance of such generosity.

After this composure of domestic differences, and this restoration of the government to its natural state, there passes an interval of eight years, which affords not many remarkable events. The Duke of Lancaster returned from Spain; having resigned to his rival all pretensions to the crown of Castile, upon payment of a large sum of money,<sup>o</sup>

and having married his daughter, Philippa, to the King of Portugal. The authority of this prince served to counterbalance that of the Duke of Gloucester, and secured the power of Richard, who paid great court to his eldest uncle, by whom he had never been offended, and whom he found more moderate in his temper than the younger. He made a cession to him for life of the duchy of Guienne,<sup>p</sup> which the inclinations and changeable humour of the Gascons had restored to the English government; but as they remonstrated loudly against this deed, it was finally, with the Duke's consent, revoked by Richard.<sup>q</sup> There happened an incident, which produced a dissension between Lancaster and his two brothers. After the death of the Spanish princess, he espoused Catherine Swineford, daughter of a private knight of Hainault, by whose alliance York and Gloucester thought the dignity of their family much injured: but the king gratified his uncle, by passing in parliament a charter of legitimation to the children whom that lady had born him before marriage, and by creating the eldest Earl of Somerset.<sup>r</sup>

The wars, meanwhile, which Richard had inherited with his crown, still continued; though interrupted by frequent truces, according to the practice of that age, and conducted with little vigour, by reason of the weakness of all parties. The French war was scarcely heard of; the tranquillity of the northern borders was only interrupted by one inroad of the Scots, which proceeded more from a rivalry between the two martial families of Piercy and Douglas, than from any national quarrel: a fierce battle or skirmish was fought at Otterborne,<sup>s</sup> in which young Piercy, surnamed *Hotspur*, from his impetuous valour, was taken prisoner, and Douglas slain; and the victory remained undecided.<sup>t</sup> Some insurrections of the Irish obliged the king to make an expedition into that country, which he reduced to obedience; and he recovered, in some degree, by this enterprise, his character of courage, which had suffered a little by the inactivity of his reign.

A. D. 1396. At last, the English and French courts began to think in earnest of a lasting peace; but found it so difficult to adjust their opposite pretensions, that they were content to establish a truce of twenty-five years.<sup>u</sup> Brest and Cherbourg were restored, the former to the Duke of Brittany, the latter to the King of Navarre: both parties were left in possession of all the other places which they held at the time of concluding the truce: and to render the amity between the two crowns more durable, Richard, who was now a widower, was affianced to Isabella, the daughter of Charles.<sup>v</sup> This princess was only seven years of age; but the king agreed to so unequal a match, chiefly that he might fortify himself by this alliance against the enterprises of his uncles, and the incurable turbulence as well as inconstancy of his barons.

The administration of the king, though it was not, in this interval, sullied by any unpopular act, except the seizing of the charter of London,<sup>w</sup> which was soon after restored, tended not much to corroborate his authority; and his personal character brought him into contempt, even while his public government appeared, in a good measure, unexceptionable. Indolent, profuse, addicted to low pleasures; he spent his whole time in feasting and jollity, and dissipated, in idle show, or in bounties to favourites of no reputation, that revenue which the people expected to see him employ in enterprises directed to public honour and advantage. He forgot his rank by admitting all men to his familiarity; and he was not sensible that their acquaintance with the qualities of his mind was not able to impress them with the respect which he neglected to preserve from his birth and station. The Earls of Kent and Huntingdon, his half-brothers, were

<sup>m</sup> In general, the parliament in those days never paid a proper regard to Edward's statute of treason, though one of the most advantageous laws for the public which has ever been enacted. In the 17th of the king, the Duke of Lancaster and Gloucester complained to Richard that Sir Thomas Fitzwalter, with whom of his adherents, conspired the death of the king, and that some of his adherents, at the same time, conspired and were known, and saying that the parliament was judge of the fault. Whereupon the king and the lords in the parliament made the same law to be observed both to the king and hereupon they award two writs, the one to the sheriff of York, and the other to the sheriff of Derby, to take the body of the said Sir Thomas Fitzwalter, and the king's Bench in the month of Easter then ensuing, and the open proclamation was made in Westminster-hall, that upon the said return, and at the next coming in of the said Sir Thomas, the said Thomas should be convicted of treason, and incur the loss and pains of the same; and all such as should receive him after the proclamation, should incur the same loss

and pain. Cotten, p. 334. It is to be observed, that this extraordinary judgment was passed in a time of tranquillity. Though the statute itself of Edward III. reserves a power to the prince of Wales, and his heirs, to give of treason, it is not to be supposed that this power was exercised to the House of Lords alone, or that men were to be brought by a law of parliament. At least, it is to be observed, that the law was affirmed that men were at that time very ignorant of the first principles of law and justice.

<sup>n</sup> Dugdale, vol. ii. p. 170.  
<sup>o</sup> Dugdale, p. 267. Walsingham, p. 342.  
<sup>p</sup> Dugdale, vol. vii. p. 63.  
<sup>q</sup> Ibid. p. 66.  
<sup>r</sup> Cotten, p. 365. Walsingham, p. 352.  
<sup>s</sup> Ibid. 1530, 1538.  
<sup>t</sup> Dugdale, vol. ii. chap. 124, 125, 126. Walsingham, p. 335.  
<sup>u</sup> Ibid. p. 335.  
<sup>v</sup> Ibid. p. 335.  
<sup>w</sup> Ibid. p. 335.  
<sup>x</sup> Ibid. p. 335. Walsingham, p. 347.

his chief confidants and favourites; and though he never devoted himself to them with so profuse an affection as that with which he had formerly been attached to the Duke of Ireland, it was easy for men to see, that every grace passed through their hands, and that the king had rendered himself a mere cypher in the government. The small regard which the public bore to his person, disposed them to murmur against his administration, and to receive, with greedy ears, every complaint which the discontented or ambitious grandees suggested to them.

A. D. 1396.  
Cabal of the Duke of Gloucester.  
Gloucester soon perceived the advantages which this dissolute conduct gave him; and finding that both resentment and jealousy on the part of his nephew still prevented him from acquiring any ascendancy over that prince, he determined to cultivate his popularity with the nation, and to revenge himself on those who eclipsed him in favour and authority. He seldom appeared at court or in council: he never declared his opinion but in order to disapprove of the measures embraced by the king and his favourites; and he courted the friendship of every man whom disappointment or private resentment had rendered an enemy to the administration. The long truce with France was unpopular with the English, who breathed nothing but war against that hostile nation; and Gloucester took care to encourage all the vulgar prejudices which prevailed on this subject. Forgetting the misfortunes which attended the English arms during the later years of Edward, he made an invidious comparison between the glories of that reign and the inactivity of the present, and he lamented that Richard should have degenerated so much from the heroic virtues by which his father and his grandfather were distinguished. The military men were inflamed with a desire of war, when they heard him talk of the signal victories formerly obtained, and of the easy prey which might be made of French riches by the superior valour of the English: the populace readily embraced the same sentiments: and all men exclaimed that this prince, whose counsels were so much neglected, was the true support of English honour, and alone able to raise the nation to its former power and splendour. His great abilities, his popular manners, his princely extraction, his immense riches, his high office of constable;<sup>1</sup> all these advantages, not a little assisted by his want of court-favour, gave him a mighty authority in the kingdom, and rendered him formidable to Richard and his ministers.

Froissart, a contemporary writer, and very impartial, but whose credit is somewhat impaired by his want of exactness in material facts, ascribes to the Duke of Gloucester more desperate views, and such as were totally incompatible with the government and domestic tranquillity of the nation. According to that historian, he proposed to his nephew, Roger Mortimer, Earl of March, whom Richard had declared his successor, to give him immediate possession of the throne, by the deposition of a prince so unworthy of power and authority: and when Mortimer declined the project, he resolved to make a partition of the kingdom between himself, his two brothers, and the Earl of Arundel; and entirely to dispossess Richard of the crown. The king, it is said, being informed of these designs, saw that either his own ruin, or that of Gloucester, was inevitable; and he resolved, by a hasty blow, to prevent the execution of such destructive projects. This is certain, that Gloucester, by his own confession, had often affected to speak contemptuously of the king's person and government; had deliberated concerning the lawfulness of throwing off allegiance to him; and had even borne part in a secret conference, where his deposition was pro-

posed, and talked of, and determined: <sup>a</sup> but it is reasonable to think, that his schemes were not so far advanced as to make him resolve on putting them immediately in execution. The danger, probably, was still too distant to render a desperate remedy entirely necessary for the security of government.

But whatever opinion we may form of the danger arising from Gloucester's conspiracies, his aversion to the French truce and alliance was public and avowed; and that court, which had now a great influence over the king, pushed him to provide for his own safety, by punishing the traitorous designs of his uncle. The resentment against his former acts of violence revived; the sense of his refractory and uncompliant behaviour was still recent; and a man, whose ambition had once usurped royal authority, and who had murdered all the faithful servants of the king, was thought capable, on a favourable opportunity, of renewing the same criminal enterprises. The king's precipitate temper admitted of no deliberation: he ordered Gloucester to be unexpectedly arrested; and to be hurried on board a ship which was lying in the river; and to be carried over to Calais, where alone, by reason of his numerous partisans, he could safely be detained in custody.<sup>b</sup> The Earls of Arundel and Warwick were seized at the same time: the malcontents, so suddenly deprived of their leaders, were astonished and overawed: and the concurrence of the Dukes of Lancaster and York in those measures, together with the Earls of Derby and Rutland, the eldest sons of these princes,<sup>c</sup> bereaved them of all possibility of resistance.

A parliament was immediately summoned 17th Sept. at Westminster; and the king doubted not to find the Peers, and still more the Commons, very compliant with his will. This House had, in a former parliament, given him very sensible proofs of their attachment; <sup>d</sup> and the present suppression of Gloucester's party made him still more assured of a favourable election. As a further expedient for that purpose, he is also said to have employed the influence of the sheriffs; <sup>e</sup> a practice which, though not unusual, gave umbrage, but which the established authority of that assembly rendered afterwards still more familiar to the nation. Accordingly the parliament passed whatever acts the king was pleased to dictate to them: <sup>f</sup> they annulled for ever the commission which usurped upon the royal authority, and they declared it reasonable to attempt, in any future period, the revival of any similar commission: <sup>g</sup> they abrogated all the acts which attainted the king's ministers, and which that parliament who passed them, and the whole nation, had sworn inviolably to maintain; and they declared the general pardon then granted to be invalid, as extorted by force, and never ratified by the free consent of the king. Though Richard, after he resumed the government, and lay no longer under constraint, had voluntarily, by proclamation, confirmed that general indemnity; this circumstance seemed not, in their eyes, to merit any consideration. Even a particular pardon, granted six years after to the Earl of Arundel, was annulled by parliament, on pretence that it had been procured by surprise, and that the king was not then fully apprized of the degree of guilt incurred by that nobleman.

The Commons then preferred an impeachment against Fitz-Alan, Archbishop of Canterbury, and brother to Arundel, and accused him for his concurrence in procuring the illegal commission, and in attainting the king's ministers. The primate pleaded guilty; but as he was protected by the ecclesiastical privileges, the king was satisfied with a sentence, which banished him the kingdom, and sequestered his temporalities.<sup>h</sup> An appeal or accusation was presented against the Duke of Gloucester, and the Earls

<sup>y</sup> Rymer, vol. vii. p. 162.

<sup>z</sup> Liv. iv. chap. 46.

<sup>a</sup> Cotton, p. 376. <sup>b</sup> Rymer, in part 2, p. 372, from the records. <sup>c</sup> Parliamentary History, vol. i. p. 473. That this confession was genuine, and obtained without violence, may be entirely depended on. Judge Broom, who brought it over from Calais, was tried on that account, and acquitted in the first parliament of Henry IV., when Gloucester's party was proscribed. His conduct, notwithstanding his own error, may even appear meritorious, considering the times. See Cotton, p. 393.

<sup>d</sup> Froissart, liv. vi. chap. 60. Walsing. p. 334.

<sup>e</sup> Rymer, vol. viii. D. 7.

<sup>f</sup> In the preceding address of the Commons had shown a disposition very compliant to the king; yet there happened an incident in their proceedings, which was curious, and shows us the state of the House during that period. The members were either country gentlemen or merchants, who were assembled but for a few days, and were entirely unacquainted with business: so that it was easy to lead them astray, and draw them into votes and resolutions very different from their intentions. Some petitions concerning

the state of the nation were voted, in which, among other things, the House recommended fidelity to the king; and for that purpose desired that the court should not be so much frequented as formerly by *lawyers and judges*. The king was displeased with this freedom. The Commons very humbly craved pardon: he was not satisfied unless they would name the mover of the petition. It happened to be one Haxey, whom the parliament, in order to make atonement, condemned for this offence to die the death of a traitor. But the king, at the desire of the Archbishop of Canterbury and the prelates, pardoned him. When a parliament in those times, not agitated by any faction, and bent at entire freedom, could be guilty of such monstrous extravagances, it is easy to judge what might be expected from them in more trying situations. See Cotton's Abridg. p. 304, 302.

<sup>g</sup> The nobles brought numerous retainers with them to give them security, as we are told by Walsing. p. 351. The king had only a few chosen men for his guard.

<sup>h</sup> Statutes at Large, 21 Richard II.

<sup>i</sup> Cotton, p. 346.

of Arundel and Warwick, by the Earls of Rutland, Kent, Huntingdon, Somerset, Salisbury, and Nottingham, together with the Lords Spencer and Scrope, and they were accused of the same crimes which had been imputed to the archbishop, as well as of their appearance against the king, in a hostile manner, at Harimgay park. The Earl of Arundel, who was brought to the bar, wisely confined all his defence to the pleading of both the general and particular pardon of the king: but his plea being overruled, he was condemned and executed.<sup>b</sup> The Earl of Warwick, who was also convicted of high treason, was, on account of his submissive behaviour, pardoned as to his life, but doomed to perpetual banishment in the Isle of Man. No new acts of treason were imputed to either of these noblemen. The only crimes, for which they were condemned, were the old attempts against the crown, which seemed to be obliterated, both by the distance of time and by repeated pardons.<sup>c</sup> The reasons of this method of proceeding it is difficult to conjecture. The recent conspiracies of Gloucester seem certain from his own confession: but, perhaps, the king and his ministry had not at that time in their hands any satisfactory proof of their reality; perhaps, it was difficult to convict Arundel and Warwick of any participation in them; perhaps, an inquiry into these conspiracies would have involved in the guilt some of those great noblemen who now concurred with the crown, and whom it was necessary to cover from all imputation; or, perhaps, the king, according to the genius of the age, was indifferent about maintaining even the appearance of law and equity, and was only solicitous by any means to insure success in these prosecutions. This point, like many others in ancient history, we are obliged to leave altogether undetermined.

A warrant was issued to the Earl Marshal, governor of Calais, to bring over the Duke of Gloucester, in order to his trial; but the governor returned for answer, that the duke had died suddenly of an apoplexy, in that fortress. Nothing could be more suspicious, from the time, than the circumstances of that prince's death: it became immediately the general opinion, that he was murdered by orders from his nephew: in the subsequent reign, undoubted proofs were produced in parliament, that he had been suffocated with pillows by his keepers.<sup>k</sup> And it appeared that the king, apprehensive lest the public trial and execution of so popular a prince, and so near a relation, might prove both dangerous and invidious, had taken this base method of gratifying, and, as he fancied, concealing, his revenge upon him. Both parties, in their successive triumphs, seem to have had no further concern than that of retaliating upon their adversaries; and neither of them were aware, that by imitating, they indirectly justified, as far as it lay in their power, all the illegal violence of the opposite party.

This session concluded with the creation or advancement of several peers: the Earl of Derby was made Duke of Hereford; the Earl of Rutland, Duke of Albemarle; the Earl of Kent, Duke of Surrey; the Earl of Huntingdon, Duke of Exeter; the Earl of Nottingham, Duke of Norfolk; the Earl of Somerset, Marquis of Dorset; Lord Spenser, Earl of Gloucester; Ralph Nevill, Earl of Westmoreland; Thomas Piercy, Earl of Worcester; William Scrope, Earl of Wiltshire. The parliament, after a session of twelve days, was adjourned to Shrewsbury. The king, before the departure of the members, exacted from them an oath for the perpetual maintenance and establishment of all their acts; an oath similar to that which had formerly been required by the Duke of Gloucester and his party, and which had already proved so vain and fruitless.

A. D. 1398. Both king and parliament met in the same 29th Jan. dispositions at Shrewsbury. So anxious was Richard for the security of these acts, that he obliged the Lords and Commons to swear anew to them on the cross of Canterbury; <sup>m</sup> and he soon after procured a bill

from the Pope, by which they were, as he imagined, perpetually secured and established.<sup>n</sup> The parliament, on the other hand, conferred on him *for life* the duties on wool, wool-fells, and leather, and granted him, besides, a subsidy of one-tenth and a half, and one-fiftieth and a half. They also reversed the attainder of Tresilian and the other judges, and, with the approbation of the present judges, declared the answers, for which these magistrates had been impeached, to be just and legal: <sup>o</sup> and they carried so far their retrospect, as to reverse, on the petition of Lord Spenser, Earl of Gloucester, the attainder pronounced against the two Spensers in the reign of Edward II.<sup>p</sup> The ancient history of England is nothing but a catalogue of reversals: every thing is in fluctuation and movement: one faction is continually undoing what was established by another: and the multiplied oaths, which each party exacted for the security of the present acts, betray a perpetual consciousness of their instability.

The parliament, before they were dissolved, elected a committee of twelve lords and six commoners,<sup>q</sup> whom they invested with the whole power both of Lords and Commons, and endowed with full authority to finish all business which had been laid before the Houses, and which they had not had leisure to bring to a conclusion.<sup>r</sup> This was an unusual concession; and, though it was limited in the object, might, either immediately, or as a precedent, have proved dangerous to the constitution: but the cause of that extraordinary measure was an event singular and unexpected, which engaged the attention of the parliament.

After the destruction of the Duke of Gloucester and the heads of that party, a misunderstanding broke out among those noblemen who had joined in the prosecution; and the king wanted either authority sufficient to appease it, or foresight to prevent it. The Duke of Hereford appeared in parliament, and accused the Duke of Norfolk of having spoken to him, in private, many slanderous words of the king, and of having imputed to that prince an intention of subverting and destroying many of his principal nobility.<sup>s</sup> Norfolk denied the charge, gave Hereford the lie, and offered to prove his own innocence by duel. The challenge was accepted: the time and place of combat were appointed: and as the event of this important trial by arms might require the interposition of legislative authority, the parliament thought it more suitable to delegate their power to a committee, than to prolong the session beyond the usual time which custom and general convenience had prescribed to it.<sup>t</sup>

The Duke of Hereford was certainly very little delicate in the point of honour, when he revealed a private conversation to the ruin of the person who had trusted him; and we may thence be more inclined to believe the Duke of Norfolk's denial, than the other's asseveration. But Norfolk had in these transactions betrayed an equal neglect of honour, which brings him entirely on a level with his antagonist. Though he had publicly joined with the Duke of Gloucester and his party in all the former acts of violence against the king; and his name stands among the appellants who accused the Duke of Ireland and the other ministers: yet was he not ashamed publicly to impeach his former associates for the very crimes which he had concurred with them in committing; and his name increases the list of those appellants who brought them to a trial. Such were the principles and practices of those ancient knights and barons during the prevalence of the aristocratical government, and the reign of chivalry.

The lists for this decision of truth and right were appointed at Coventry before the king: all the nobility of England banded into parties, and adhered either to the one duke or the other: the whole nation was held in suspense with regard to the event: but when the two champions appeared in the field, accoutred for the combat, the king interposed, to prevent both the present effusion of such noble blood, and the future consequences of the

wicke, and John Golofre. It is to be remarked, that the Duke of Lancaster always concurred with the rest in all their proceedings, even in the banishment of his son, which was afterwards so much complained of.

<sup>r</sup> Cotton, p. 372. Walsine, p. 355.

<sup>s</sup> Cotton, p. 372. Parliamentary History, vol. i. p. 490.

<sup>t</sup> In the first year of Henry VI. when the authority of parliament was great, and when that assembly could least be suspected of lying under violence, a like concession was made to the privy council from like motives of convenience. See Cotton, p. 564.

<sup>h</sup> Cotton, p. 377. Froissart, liv. iv. chap. 90. Walsing. p. 354.

<sup>i</sup> Tytel, vol. iii. part 2. p. 968. from the records.

<sup>k</sup> Cotton, p. 399. 400. Dugdale, vol. ii. p. 171.

<sup>l</sup> Cotton, p. 370, 371. m Ibid, p. 371. n Walsing. p. 355.

<sup>o</sup> Statutes at large, 21 Rich. II. p Cotton, p. 372.

<sup>q</sup> The names of the commissioners were, the Dukes of Lancaster, York, Albemarle, Surrey, and Exeter; the Marquis of Dorset; the Earls of March, Salisbury, Northumberland, Gloucester, Winchester, and Wiltshire; John Bussey, John Green, John Russel, Robert Teyne, Henry Chelmes



quarrel. By the advice and authority of the parliamentary commissioners he stopped the duel; and to show his impartiality, he ordered, by the same authority, both the combatants to leave the kingdom: "assigning one country for the place of Norfolk's exile, which he declared perpetual; another for that of Hereford, which he limited to ten years."

Hereford was a man of great prudence and command of temper; and he behaved himself with so much submission in these delicate circumstances, that the king, before his departure, promised to shorten the term of his exile four years; and he also granted him letters patent, by which he was empowered, in case any inheritance should in the interval accrue to him, to enter immediately in possession, and to postpone the doing of homage till his return.

The weakness and fluctuation of Richard's <sup>Punishment of</sup> Henry Duke of <sup>counsels appear no where more evident</sup> Hereford, than in the conduct of this affair. No sooner had Hereford left the kingdom, than the king's jealousy of the power and riches of that prince's family revived; and he was sensible that by Gloucester's death, he had only removed a counterpoise to the Lancastrian interest, which was now become formidable to his crown and kingdom. Being informed that Hereford had entered into a treaty of marriage with the daughter of the Duke of Berry, uncle to the French King, he determined to prevent the finishing of an alliance which would so much extend the interest of

A. D. 1399. his cousin in foreign countries; and he sent <sup>3d Feb.</sup> over the Earl of Salisbury to Paris with a commission for that purpose. The death of the Duke of Lancaster, which happened soon after, called upon him to take new resolutions with regard to that opulent succession. The present duke, in consequence of the king's patent, desired to be put in possession of the estate and jurisdictions of his father: but Richard, afraid of strengthening the hands of a man whom he had already so much offended, applied to the parliamentary commissioners, and persuaded them, that this affair was but an appendage to that business which the parliament had delegated to them. By their authority he revoked his letters patent, and retained possession of the estate of Lancaster: and by the same authority he seized and tried the Duke's attorney, who had procured and insisted on the letters, and he had him condemned as a traitor, for faithfully executing that trust to his master.\* An extravagant act of power! even though the king changed, in favour of the attorney, the penalty of death into that of banishment.

Henry, the new Duke of Lancaster, had acquired, by his conduct and abilities, the esteem of the public; and having served with distinction against the infidels in Lithuania, he had joined to his other praises those of piety and valour, virtues which have at all times a great influence over mankind, and were, during those ages, the qualities chiefly held in estimation.† He was connected with the most of the principal nobility by blood, alliance, or friendship; and as the injury done him by the king might in its consequences affect all of them, he easily brought them, by a sense of common interest, to take part in his resentment. The people, who must have an object of affection, who found nothing in the king's person which they could love or revere, and who were even disgusted with many parts of his conduct,‡ easily transferred to Henry that attachment, which the death of the Duke of Gloucester had left without any fixed direction. His misfortunes were lamented; the injustice which he had suffered was complained of; and all men turned their eyes towards him, as the only person that could retrieve the lost honour of the nation, or redress the supposed abuses in the government.

While such were the dispositions of the <sup>Return of</sup> Henry, people, Richard had the imprudence to embark for Ireland, in order to revenge the death of his cousin, Roger, Earl of March, the presumptive heir of the crown, who had lately been slain in a skirmish by the natives; and he thereby left the kingdom of England open

to the attempts of his provoked and ambitious enemy. Henry, embarking at Nantz <sup>4th July.</sup> with a retinue of sixty persons, among whom were the Archbishop of Canterbury, and the young Earl of Arundel, nephew to that prelate, landed at Ravenspur in Yorkshire; and was immediately joined by the Earls of Northumberland and Westmoreland, two of the most potent barons in England. Here he took a solemn oath, that he had no other purpose in this invasion, than to recover the duchy of Lancaster, unjustly detained from him; and he invited all his friends in England, and all lovers of their country, to second him in this reasonable and moderate pretension. Every place was in commotion: the malcontents in all quarters flew to arms: London discovered the strongest symptoms of its disposition to mutiny and rebellion: and Henry's army, increasing on every day's march, soon amounted to the number of 60,000 combatants.

The Duke of York was left guardian of <sup>General insur-</sup> the realm; a place to which his birth entitled <sup>rection.</sup> him, but which both his slender abilities, and his natural connexions with the Duke of Lancaster, rendered him utterly incapable of filling in such a dangerous emergency. Such of the chief nobility as were attached to the crown, and could either have seconded the guardian's good intentions, or have overawed his infidelity, had attended the king into Ireland; and the efforts of Richard's friends were every where more feeble than those of his enemies. The Duke of York, however, appointed the rendezvous of his forces at St. Albans, and soon assembled an army of 40,000 men; but found them entirely destitute of zeal and attachment to the royal cause, and more inclined to join the party of the rebels. He hearkened therefore very readily to a message from Henry, who entreated him not to oppose a loyal and humble supplicant in the recovery of his legal patrimony; and the guardian even declared publicly that he would second his nephew in so reasonable a request. His army embraced with acclamations the same measures; and the Duke of Lancaster, reinforced by them, was now entirely master of the kingdom. He hastened to Bristol, in which some of the king's ministers had thrown themselves; and soon obliging that place to surrender, he yielded to the popular wishes, and without giving them a trial, ordered the Earl of Wiltshire, Sir John Bussey, and Sir Henry Green, whom he there took prisoners, to be led to immediate execution.

The king, receiving intelligence of this invasion and insurrection, hastened over from Ireland, and landed in Milford Haven with a body of 20,000 men: but even this army, so much inferior to the enemy, was either overawed by the general combination of the kingdom, or seized with the same spirit of disaffection; and they gradually deserted him, till he found that he had not above 6000 men who followed his standard. It appeared, therefore, necessary to retire secretly from this small body, which served only to expose him to danger: and he fled to the isle of Anglesea, where he purposed to embark either for Ireland or France, and there await the favourable opportunities which the return of his subjects to a sense of duty, or their future discontents against the Duke of Lancaster, would probably afford him. Henry, sensible of the danger, sent to him the Earl of Northumberland with the strongest professions of loyalty and submission; and that nobleman, by treachery and false oaths, made himself master of the king's person, and carried him to his enemy at Flint Castle. Richard was conducted to <sup>1st Sept.</sup> London by the Duke of Lancaster, who was there received with the acclamations of the mutinous populace. It is pretended that the Recorder met him on the road, and in the name of the city, entreated him, for the public safety, to put Richard to death, with all his adherents who were prisoners;‡ but the duke prudently determined to make many others participate in his guilt, before he would proceed to those extremities. For this purpose, he issued writs of election in the king's name, and appointed the immediate meeting of a parliament at Westminster.

n Cotton, p. 320. Walsingham, p. 356.

m Ford, vol. ii. part. ii. p. 591, from the records.

x Walsingham, p. 344.

y Bede and Saxon upon those who had ten years before joined the Duke of Gloucester and his party: they were obliged to pay him money, before he would allow them to enjoy the benefit of the indemnity; and in the

articles of charge against him, it is asserted, that the payment of one fine did not suffice. It is indeed likely, that his ministers would abuse the power put into their hands; and this grievance extended to very many people. *Hydruntis, ætore in representis* this practice as a great oppression. See Ottebourn, p. 199.

z Walsingham.

Such of the peers as were most devoted to the king, were either fled or imprisoned; and no opponents, even among the barons, dared to appear against Henry, amidst that scene of outrage and violence, which commonly attends revolutions, especially in England during those turbulent ages. It is also easy to imagine, that a House of Commons, elected during this universal ferment, and this triumph of the Lancastrian party, would be extremely attached to that cause, and ready to second every suggestion of their leaders. That order, being as yet of too little weight to stem the torrent, was always carried along with it, and served only to increase the violence, which the public interest required it should endeavour to control. The

Deposition of  
the king.

Duke of Lancaster, therefore, sensible that he should be entirely master, began to carry his views to the crown itself; and he deliberated with his partisans concerning the most proper means of effecting his daring purpose. He first extorted a resignation from Richard;\* but as he knew that this deed would plainly appear the result of force and fear, he also purposed, notwithstanding the danger of the precedent to himself and his posterity, to have him solemnly deposed in parliament, for his preposterous tyranny and misconduct. A charge, consisting of thirty-three articles, was accordingly drawn up against him, and presented to that assembly.<sup>b</sup>

If we examine these articles, which are expressed with extreme acrimony against Richard, we shall find that, except some rash speeches which are imputed to him,<sup>c</sup> and of whose reality, as they are said to have passed in private conversation, we may reasonably entertain some doubt; the chief amount of the charge is contained in his violent conduct during the two last years of his reign, and naturally divides itself into two principal heads. The first and most considerable is the revenge which he took on the princes and great barons, who had formerly usurped, and still persevered in controlling and threatening his authority; the second is the violation of the laws and general privileges of his people. But the former, however irregular in many of its circumstances, was fully supported by authority of parliament, and was but a copy of the violence which the princes and barons themselves, during their former triumph, had exercised against him and his party. The detention of Lancaster's estate was, properly speaking, a revocation, by parliamentary authority, of a grace which the king himself had formerly granted him. The murder of Gloucester (for the secret execution, however merited, of that prince certainly deserves this appellation) was a private deed, formed not any precedent, and implied not any usurped or arbitrary power of the crown, which could justly give umbrage to the people. It really proceeded from a defect of power in the king, rather than from his ambition; and proves, that instead of being dangerous to the constitution, he possessed not even the authority necessary for the execution of the laws.

Concerning the second head of accusation, as it mostly consists of general facts, was framed by Richard's inveterate enemies, and was never allowed to be answered by him or his friends, it is more difficult to form a judgment. The greater part of these grievances, imputed to Richard, seems to be the exertion of arbitrary prerogatives; such as the dispensing power,<sup>d</sup> levying purveyance,<sup>e</sup> employing the marshal's court,<sup>f</sup> extorting loans,<sup>g</sup> granting protections from law-suits;<sup>h</sup> prerogatives which, though often complained of, had often been exercised by his predecessors, and still continued to be so by his successors. But whether his irregular acts of this kind were more frequent,

and injudicious, and violent, than usual, or were only laid hold of and exaggerated by the factions to which the weakness of his reign had given birth, we are not able, at this distance, to determine with certainty. There is, however, one circumstance in which his conduct is visibly different from that of his grandfather: he is not accused of having imposed one arbitrary tax, without consent of parliament, during his whole reign;<sup>i</sup> scarcely a year passed during the reign of Edward, which was free from complaints with regard to this dangerous exertion of authority. But perhaps the ascendancy which Edward had acquired over the people, together with his great prudence, enabled him to make a use very advantageous to his subjects of this and other arbitrary prerogatives, and rendered them a smaller grievance in his hands, than a less absolute authority in those of his grandson. This is a point which it would be rash for us to decide positively on either side; but it is certain, that a charge, drawn up by the Duke of Lancaster, and assented to by a parliament situated in those circumstances, forms no manner of presumption with regard to the unusual irregularity or violence of the king's conduct in this particular.<sup>k</sup>

When the charge against Richard was presented to the parliament, though it was liable almost in every article to objections, it was not canvassed, nor examined, nor disputed in either House, and seemed to be received with universal approbation. One man alone, the Bishop of Carlisle, had the courage, amidst this general disloyalty and violence, to appear in defence of his unhappy master, and to plead his cause against all the power of the prevailing party. Though some topics employed by that virtuous prelate may seem to favour too much the doctrine of passive obedience, and to make too large a sacrifice of the rights of mankind, he was naturally pushed into that extreme by his abhorrence of the present licentious factions; and such intrepidity, as well as disinterestedness of behaviour, proves, that whatever his speculative principles were, his heart was elevated far above the meanness and abject submission of a slave. He represented to the parliament, that all the abuses of government which could justly be imputed to Richard, instead of amounting to tyranny, were merely the result of error, youth, or misguided counsel, and admitted of a remedy, more easy and salutary than a total subversion of the constitution. That even had they been much more violent and dangerous than they really were, they had chiefly proceeded from former examples of resistance, which, making the prince sensible of his precarious situation, had obliged him to establish his throne by irregular and arbitrary expedients. That a rebellious disposition in subjects was the principal cause of tyranny in kings: laws could never secure the subject, which did not give security to the sovereign; and if the maxim of inviolable loyalty, which formed the basis of the English government, were once rejected, the privileges belonging to the several orders of the state, instead of being fortified by that licentiousness, would thereby lose the surest foundation of their force and stability. That the parliamentary deposition of Edward II. far from making a precedent which could control this maxim, was only an example of successful violence; and it was sufficiently to be lamented, that crimes were so often committed in the world, without establishing principles which might justify and authorize them. That even that precedent, false and dangerous as it was, could never warrant the present excesses, which were so much greater, and which would entail distraction and misery on the nation to the latest posterity. That the succession, at least, of the crown, was then preserved inviolate: the lineal heir was placed

a Knighton, p. 2744. Otterbourne, p. 210.

b Fyvel, vol. ii. part. 2. p. 1008. from the records. Knighton, p. 2746. Otterbourne, p. 214.

c Art. 16. 26. d Art. 15, 17, 18.

e Art. 27. f Art. 14. g Art. 10.

h We learn from Cotton, p. 362, that the king, by his chancellor, told the Commons, *that they were bound to him, and bound to forbearing to charge them with crimes and offences, which he meant to move to charge them in his accusation.* These words no more allude to the practice of his predecessors, but had not himself imposed any arbitrary taxes: even the parliament in the articles of his deposition, if such they complain of heavy taxes, affirm that they were imposed illegally or by arbitrary will.

k To show how little credit is to be given to this charge against Richard, we must observe, that a law, in the 13 Edw. III. had been enacted against the continuance of sheriffs for more than one year. But the inconvenience of changes having afterwards appeared from experience, the Commons, in

the twentieth of this king, applied by petition that the sheriffs might be continued; thought that petition had not been enacted into a statute, by reason of other dissuasive circumstances which attended it. See Cotton, p. 361. It was certainly a very moderate exercise of the dispensing power in the king to continue the sheriffs after he found that that practice would be acceptable to his subjects, and had been applied for by one House of parliament: yet is this to add an article of charge against him by the present parliament. See art. 16. Walsingham, speaking of a period early in Richard's minority, says, *But what do acts of parliament signify, when after they are made they take no effect; since the king, by the advice of the privy council, takes upon him to affect, or to boldly yet boldly, do all those things which by general consent had been ordained in parliament?* If Richard therefore exercised the dispensing power, he was warranted by the examples of his uncles and grandfather, and indeed of all his predecessors from the time of Henry III. inclusive.

on the throne; and the people had an opportunity, by their legal obedience to him, of making atonement for the violence which they had committed against his predecessor. That a descendant of Lionel Duke of Clarence, the elder brother of the late Duke of Lancaster, had been declared in parliament successor to the crown: he had left posterity; and their title, however it might be overpowered by present force and faction, could never be obliterated from the minds of the people. That if the turbulent disposition alone of the nation had overturned the well-established throne of so good a prince as Richard; what bloody commotions must ensue, when the same cause was united to the motive of restoring the legal and undoubted heir to his authority? That the new government, intended to be established, would stand on no principle; and would scarcely retain any pretence by which it could challenge the obedience of men of sense and virtue. That the claim of lineal descent was so gross as scarcely to deceive the most ignorant of the populace: conquest could never be pleaded by a rebel against his sovereign: the consent of the people had no authority in a monarchy not derived from consent, but established by hereditary right; and however the nation might be justified in deposing the misguided Richard, it could never have any reason for setting aside his lawful heir and successor, who was plainly innocent. And that the Duke of Lancaster would give them but a bad specimen of the legal moderation which might be expected from his future government, if he added to the crime of his past rebellion, the guilt of excluding the family, which, both by right of blood, and by declaration of parliament, would, in case of Richard's demise, or voluntary resignation, have been received as the undoubted heirs of the monarchy.<sup>1</sup>

All the circumstances of this event, compared to those which attended the late revolution in 1688, show the difference between a great and civilized nation, deliberately vindicating its established privileges, and a turbulent and barbarous aristocracy, plunging headlong from the extremes of one faction into those of another. This noble freedom of the Bishop of Carlisle, instead of being applauded, was not so much as tolerated: he was immediately arrested by order of the Duke of Lancaster, and sent a prisoner to the abbey of St. Albans. No further debate was attempted: thirty-three long articles of charge were, in one meeting, voted against Richard; and voted unanimously by the same peers and prelates who, a little before, had voluntarily and unanimously authorized those very acts of violence of which they now complained. That prince was deposed by the suffrages of both Houses; and the throne being now vacant, the Duke of Lancaster stepped forth, and having crossed himself on the forehead and on the breast, and called upon the name of Christ,<sup>m</sup> he pronounced these words, which we shall give in the original language, because of their singularity:

*In the name of Father, Son, and Holy Ghost, I Henry of Lancaster challenge this realm of Ynglande, and the crown, with all the membres, and the appurtenances; als I that am descended by right line of the blode, coming fro the gode King Henry therde, and thence that right that God of his grace hath sent me, with helpe of kyn, and of my frendes to recover it; the which reume was in point to be undone by default of governance, and undoying of the gode lawes.<sup>n</sup>*

In order to understand this speech, it must be observed, that there was a silly story, received among some of the lowest vulgar, that Edmond, Earl of Lancaster, son of Henry III. was really the elder brother of Edward I.; but that by reason of some deformity in his person, he had been postponed in the succession, and his younger brother imposed on the nation in his stead. As the present Duke of Lancaster inherited from Edmond by his mother, this genealogy made him the true heir of the monarchy; and it is therefore insinuated in Henry's speech: but the absurdity was too gross to be openly avowed either by him or by the parliament. The case is the same with regard to his right of conquest: he was a

subject who rebelled against his sovereign: he entered the kingdom with a retinue of no more than sixty persons: he could not therefore be the conqueror of England; and this right is accordingly insinuated, not avowed. Still there is a third claim derived from his merits in saving the nation from tyranny and oppression; and this claim is also insinuated: but as it seemed, by its nature, better calculated as a reason for his being elected king by a free choice, than for giving him an immediate right of possession, he durst not speak openly even on this head; and to obviate any notion of election, he challenges the crown as his due, either by acquisition or inheritance. The whole forms such a piece of jargon and nonsense, as is almost without example: no objection, however, was made to it in parliament: the unanimous voice of Lords and Commons placed Henry on the throne: he became king, nobody could tell how or wherefore: the title of the house of March, formerly recognized by parliament, was neither invalidated nor repealed; but passed over in total silence: and as a concern for the liberties of the people seems to have had no hand in this revolution, their right to dispose of the government, as well as all their other privileges, was left precisely on the same footing as before. But Henry having, when he claimed the crown, dropped some obscure hint concerning conquest, which, it was thought, might endanger these privileges, he soon after made a public declaration, that he did not thereby intend to deprive any one of his franchises or liberties;<sup>o</sup> which was the only circumstance, where we shall find meaning or common sense, in all these transactions.

The subsequent events discover the same headlong violence of conduct, and the same rude notions of civil government. The deposition of Richard dissolved the parliament: it was necessary to summon a new one: and Henry, in six days after, called together, without any new election, the same members; and this assembly he denominated a new parliament. They were employed in the usual task of reversing every deed of the opposite party. All the acts of the last parliament of Richard, which had been confirmed by their oaths, and by a papal bull, were abrogated: all the acts which had passed in the parliament where Gloucester prevailed, which had also been confirmed by their oaths, but which had been abrogated by Richard, were anew established: the answers of Tresilian, and the other judges, which a parliament had annulled, but which a new parliament and new judges had approved, here received a second condemnation. The peers, who had accused Gloucester, Arundel, and Warwick, and who had received higher titles for that piece of service, were all of them degraded from their new dignities: even the practice of prosecuting appeals in parliament, which bore the air of a violent confederacy against an individual, rather than of a legal indictment, was wholly abolished; and trials were restored to the course of common law.<sup>p</sup> The natural effect of this conduct was to render the people giddy with such rapid and perpetual changes, and to make them lose all notions of right and wrong in the measures of government.

The Earl of Northumberland made a motion, in the House of Peers, with regard to the unhappy prince whom they had deposed. He asked them, what advice they would give the king for the future treatment of him; since Henry was resolved to spare his life. They unanimously replied, that he should be imprisoned under a secure guard, in some secret place, and should be deprived of all commerce with any of his friends or partisans. It was easy to foresee, that he would not long remain alive in the hands of such barbarous and sanguinary enemies. Historians differ with regard to the manner in which he was murdered. It was long the prevailing opinion, that Sir Piers Exton, and others of his guards, fell upon him in the castle of Pomfret, where he was confined, and despatched him with their halberts. But it is more probable, that he was starved to death in prison; and after all sustenance was denied him, he prolonged his unhappy life, it is said, for a fortnight, before he reached the end of his miseries. This account is more consistent with the story, that his

<sup>1</sup> See Tom. Heyward, p. 101.  
<sup>2</sup> See Cotton, p. 369.

<sup>m</sup> See Knighton, p. 2757.

<sup>n</sup> See Knighton, p. 2759. Otterbourne, p. 239.  
<sup>o</sup> See Cotton, p. 369. <sup>p</sup> Henry IV. cap. 14.





cited him before his tribunal; but the reformer had now acquired powerful protectors, who screened him from the ecclesiastical jurisdiction. The Duke of Lancaster, who then governed the kingdom, encouraged the principles of Wickliffe; and he made no scruple, as well as Lord Percy, the Mareschal, to appear openly in court with him, in order to give him countenance upon his trial: he even insisted that Wickliffe should sit in the bishop's presence, while his principles were examined: Courteney exclaimed against the insult: the Londoners, thinking their prelate affronted, attacked the duke and mareschal, who escaped from their hands with some difficulty.<sup>2</sup> And the populace, soon after, broke into the houses of both these noblemen, threatened their persons, and plundered their goods. The Bishop of London had the merit of appeasing their fury and resentment.

The Duke of Lancaster, however, still continued his protection to Wickliffe during the minority of Richard; and the principles of that reformer had so far propagated themselves, that, when the Pope sent to Oxford a new bull against these doctrines, the university deliberated for some time, whether they should receive the bull; and they never took any vigorous measures in consequence of the papal orders.<sup>3</sup> Even the populace of London were at length brought to entertain favourable sentiments of this reformer: when he was cited before a synod at Lambeth, they broke into the assembly, and so overawed the prelates, who found both the people and the court against them, that they dismissed him without any further censure.

The clergy, we may well believe, were more wanting in power than in inclination to punish this new heresy, which struck at all their credit, possessions, and authority. But there was hitherto no law in England by which the secular arm was authorized to support orthodoxy; and the ecclesiastics endeavoured to supply the defect by an extraordinary and unwarrantable artifice. In the year 1381, there was an act passed, requiring sheriffs to apprehend the preachers of heresy and their abettors; but this statute had been surreptitiously obtained by the clergy, and had the formality of an enrolment without the consent of the Commons. In the subsequent session, the lower House complained of the fraud; affirmed that they had no intention to bind themselves to the prelates further than their ancestors had done before them; and required that the pretended statute should be repealed; which was done accordingly.<sup>4</sup> But it is remarkable, that, notwithstanding this vigilance of the Commons, the clergy had so much art and influence, that the repeal was suppressed; and the act, which never had any legal authority, remains to this day upon the statute book:<sup>5</sup> though the clergy still thought proper to keep it in reserve, and not proceed to the immediate execution of it.

But, besides this defect of power in the church, which saved Wickliffe, that reformer himself, notwithstanding his enthusiasm, seems not to have been actuated by the spirit of martyrdom; and, in all subsequent trials before the prelates, he so explained away his doctrine by tortured meanings, as to render it quite innocent and inoffensive.<sup>6</sup> Most of his followers imitated his cautious disposition, and saved themselves either by recantations or explanations. He died of a palsy, in the year 1385, at his rectory at Lutterworth, in the county of Leicester; and the clergy, mortified that he should have escaped their vengeance, took care, besides assuring the people of his eternal damnation, to represent his last distemper as a visible judgment of heaven upon him for his multiplied heresies and impieties.<sup>7</sup>

The proselytes, however, of Wickliffe's opinion still increased in England:<sup>8</sup> some monkish writers represent one-half of the kingdom as infected by those principles; they were carried over to Bohemia by some youth of that nation, who studied at Oxford: but though the age seemed strongly disposed to receive them, affairs were not yet fully ripe for this great revolution; and the finishing blow to ecclesiastical power was reserved to a period of more curiosity, literature, and inclination for novelties.

Meanwhile the English parliament continued to check the clergy and the court of Rome by more sober and more legal expedients. They enacted anew the statute of *provisors*, and affixed higher penalties to the transgression of it, which in some instances was even made capital.<sup>9</sup> The court of Rome had fallen upon a new device, which increased their authority over the prelates: the Pope, who found that the expedient of arbitrarily depriving them was violent and liable to opposition, attained the same end, by transferring such of them as were obnoxious to poorer sees, and even to nominal sees, in *partibus infidelium*. It was thus that the Archbishop of York, and the Bishops of Durham and Chichester, the king's ministers, had been treated after the prevalence of Gloucester's faction: the Bishop of Carlisle met with the same fate after the accession of Henry IV. For the Pope always joined with the prevailing powers when they did not thwart his pretensions. The parliament, in the reign of Richard, enacted a law against this abuse: and the king made a general remonstrance to the court of Rome, against all those usurpations which he calls *horrible excesses* of that court.<sup>10</sup>

It was usual for the church that they might elude the mortmain act, to make their votaries leave lands in trust to certain persons, under whose name the clergy enjoyed the benefit of the bequest: the parliament also stopped the progress of this abuse.<sup>11</sup> In the 17th of the king, the Commons prayed, that *remedy might be had against such religious persons as cause their villains to marry free women inheritable, whereby the estate comes to those religious lands by collusion*.<sup>12</sup> This was a new device of the clergy.

The papacy was, at this time, somewhat weakened by a schism, which lasted during forty years, and gave great scandal to the devoted partisans of the holy see. After the Pope had resided many years at Avignon, Gregory XI. was persuaded to return to Rome; and upon his death, which happened in 1380, the Romans, resolute to fix, for the future, the seat of the papacy in Italy, besieged the cardinals in the conclave, and compelled them, though they were mostly Frenchmen, to elect Urban VI. an Italian, into that high dignity. The French cardinals, as soon as they recovered their liberty, fled from Rome, and protesting against the forced election, chose Robert, son of the Count of Geneva, who took the name of Clement VII. and resided at Avignon. All the kingdoms of Christendom, according to their several interests and inclinations, were divided between these two pontiffs. The court of France adhered to Clement, and was followed by its allies, the King of Castile, and the King of Scotland: England, of course, was thrown into the other party, and declared for Urban. Thus the appellation of *Clementines* and *Urbanists* distracted Europe for several years; and each party damned the other as schismatics, and as rebels to the true vicar of Christ. But this circumstance, though it weakened the papal authority, had not so great an effect as might naturally be imagined. Though any king could easily at first make his kingdom embrace the party of one Pope or the other, or even keep it some time in suspense between them, he could not so easily transfer his obedience at pleasure: the people attached themselves to their own party, as to a religious opinion; and conceived an extreme abhorrence to the opposite party, whom they regarded as little better than Saracens or infidels. Crusades were even undertaken in this quarrel; and the zealous Bishop of Norwich, in particular, led over, in 1382, near 60,000 bigots into Flanders against the Clementines; but after losing a great part of his followers, he returned with disgrace into England.<sup>13</sup> Each Pope, sensible, from this prevailing spirit among the people, that the kingdom which once embraced his cause would always adhere to him, boldly maintained all the pretensions of his see, and stood not much more in awe of the temporal sovereigns, than if his authority had not been endangered by a rival.

We meet with this preamble to a law enacted at the very beginning of this reign: "Whereas divers persons of small garrison of land or other possessions, do make great retinue of people, as well of esquires as of others, in many

<sup>1</sup> *Wickliffe*, in Hist. West. p. 683.

<sup>2</sup> *Wickliffe*, in Hist. West. p. 683. *Arch. Cant.* p. 101. *Arch. Cant.* p. 101.

<sup>3</sup> *Commons' Remonstrance*, p. 261. *Arch. Cant.* p. 101. *Arch. Cant.* p. 101.

<sup>4</sup> *Commons' Remonstrance*, p. 261. *Arch. Cant.* p. 101. *Arch. Cant.* p. 101.

<sup>5</sup> *Wickliffe*, in Hist. West. p. 683. *Arch. Cant.* p. 101. *Arch. Cant.* p. 101.

<sup>6</sup> *Wickliffe*, in Hist. West. p. 683.

<sup>7</sup> *Wickliffe*, in Hist. West. p. 683.

<sup>8</sup> *Wickliffe*, in Hist. West. p. 683.

<sup>9</sup> *Wickliffe*, in Hist. West. p. 683.

<sup>10</sup> *Wickliffe*, in Hist. West. p. 683.

<sup>11</sup> *Rich.* II. cap. 3. *Rich.* II. cap. 3.

<sup>12</sup> *Rich.* II. cap. 3. *Rich.* II. cap. 3.

<sup>13</sup> *Rich.* II. cap. 3. *Rich.* II. cap. 3.

parts of the realm, giving to them hats and other livery of one suit by year, taking again towards them the value of the same livery, or percase the double value, by such covenant and assurance that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people, &c.<sup>k</sup> This preamble contains a true picture of the state of the kingdom. The laws had been so feebly executed, even during the long, active, and vigilant reign of Edward III. that no subject could trust to their protection. Men openly associated themselves, under the patronage of some great baron, for their mutual defence. They wore public badges, by which their confederacy was distinguished. They supported each other in all quarrels, iniquities, extortions, murders, robberies, and other crimes. Their chief was more their sovereign than the king himself; and their own land was more connected with them than their country. Hence the perpetual turbulence, disorders, factions, and civil wars of those times: hence the small regard paid to a character or the opinion of the public: hence the large discretionary prerogatives of the crown, and the danger which might have ensued from the too great limitation of them. If the king had possessed no arbitrary powers, while all the nobles assumed and exercised them, there must have ensued an absolute anarchy in the state.

One great mischief attending these confederacies, was the extorting from the king pardons for the most enormous crimes. The parliament often endeavoured, in the last reign, to deprive the prince of this prerogative; but in the present, they were content with an abridgment of it. They enacted, that no pardon for rapes or for murder from malice prepnese should be valid, unless the crime were particularly specified in it.<sup>l</sup> There were also some other circumstances required for passing any pardon of this kind; an excellent law, but ill observed, like most laws that thwart the manners of the people, and the prevailing customs of the times.

It is easy to observe, from these voluntary associations among the people, that the whole force of the feudal system was in a manner dissolved, and that the English had nearly returned, in that particular, to the same situation in which they stood before the Norman conquest. It was, indeed, impossible that that system could long subsist under the perpetual revolutions to which landed property is every where subject. When the great feudal baronies were first erected, the lord lived in opulence in the midst of his vassals: he was in a situation to protect and cherish and defend them: the quality of patron naturally united itself to that of superior: and these two principles of authority mutually supported each other. But when, by the various divisions and mixtures of property, a man's superior came to live at a distance from him, and could no longer give him shelter or countenance; the tie gradually became more fictitious than real; new connexions from vicinity or other causes were formed; protection was sought by voluntary services and attachment; the appearance of valour, spirit, abilities, in any great man, extended his interest very far; and if the sovereign were deficient in these qualities, he was no less, if not more, exposed to the usurpations of the aristocracy, than even during the vigour of the feudal system.

The greatest novelty introduced into the civil government during this reign was the creation of peers by patent. Lord Beauchamp of Holt was the first peer that was advanced to the House of Lords in this manner. The practice of levying benevolences is also first mentioned in the present reign.

This prince lived in a more magnificent manner than perhaps any of his predecessors or successors. His household consisted of 10,000 persons: he had 300 in his kitchen; and all the other offices were furnished in proportion.<sup>m</sup> It must be remarked, that this enormous train had tables supplied them at the king's expense, according to the mode of that age. Such prodigality was probably the source of many exactions by purveyors, and was one chief reason of the public discontents.

## CHAP. XVIII.

## HENRY IV.

Title of the king - An insurrection - An insurrection in Wales - The Earl of Northumberland rebels - Battle of Shrewsbury - State of Scotland - Parliamentary transactions - Death, and character of the king.

THE English had so long been familiarized to the hereditary succession of their monarchs, the instances of departure from it had always borne such strong symptoms of injustice and violence, and so little of a national choice or election, and the returns to the true line had ever been deemed such fortunate incidents in their history, that Henry was afraid, lest, in resting his title on the consent of the people, he should build on a foundation to which the people themselves were not accustomed, and whose solidity they would with difficulty be brought to recognise. The idea too of choice seemed always to imply that of conditions, and a right of recalling the consent upon any supposed violation of them; an idea which was not naturally agreeable to a sovereign, and might, in England, be dangerous to the subjects, who, lying so much under the influence of turbulent nobles, had ever paid but an imperfect obedience even to their hereditary princes. For these reasons, Henry was determined never to have recourse to this claim; the only one on which his authority could consistently stand: he rather chose to patch up his title in the best manner he could from other pretensions; and in the end, he left himself, in the eyes of men of sense, no ground of right but his present possession; a very precarious foundation, which, by its very nature, was liable to be overthrown by every faction of the great, or prejudice of the people. He had indeed a present advantage over his competitor. The heir of the house of Mortimer, who had been declared in parliament heir to the crown, was a boy of seven years of age: his friends consulted his safety, by keeping silence with regard to his title: Henry detained him and his younger brother in an honourable custody at Windsor castle: but he had reason to dread, that, in proportion as that nobleman grew to man's estate, he would draw to him the attachment of the people, and make them reflect on the fraud, violence, and injustice, by which he had been excluded from the throne. Many favourable topics would occur in his behalf: he was a native of England; possessed an extensive interest from the greatness and alliances of his family; however criminal the deposed monarch, this youth was entirely innocent; he was of the same religion, and educated in the same manners, with the people, and could not be governed by any separate interest: these views would all concur to favour his claim; and though the abilities of the present prince might ward off any dangerous revolution, it was justly to be apprehended that his authority could with difficulty be brought to equal that of his predecessors.

Henry, in his very first parliament, had reason to see the danger attending that station which he had assumed, and the obstacles which he would meet with in governing an unruly aristocracy, always divided by faction, and at present inflamed with the resentments consequent on such recent convulsions. The peers, on their assembling, broke out into violent animosities against each other; forty gauntlets, the pledges of furious battle, were thrown on the floor of the House by noblemen who gave mutual challenges; and *liar* and *traitor* resounded from all quarters. The king had so much authority with these doughty champions, as to prevent all the combats which they threatened; but he was not able to bring them to a proper composure, or to an amicable disposition towards each other.

It was not long before these passions broke into action. The Earls of Rutland, Kent, an insurrection. and Huntingdon, and Lord Spencer, who were now degraded from the respective titles of Albemarle, Surrey, Exeter, and Gloucester, conferred on them by Richard, entered into a conspiracy, together with the Earl of Salis-

<sup>k</sup> 1 Rich. II. cap. 7.  
<sup>l</sup> 13 Rich. II. cap. 1.

<sup>m</sup> Harding. This poet says, that he speaks from the authority of a clerk of the green cloth. *a Dugdale, vol. i. p. 131.*



bury and Lord Lumley, for raising an insurrection, and for seizing the king's person at Windsor;<sup>a</sup> but the treachery of Rutland gave him warning of the danger. He suddenly withdrew to London; and the conspirators, who came to Windsor with a body of 500 horse, found that they had missed this blow, on which all the success of their enterprise depended. Henry appeared next day at Kingston-upon-Thames, at the head of 20,000 men, mostly drawn from the city; and his enemies, unable to resist his power, dispersed themselves, with a view of raising their followers in the several counties which were the seat of their interest. But the adherents of the king were hot in the pursuit, and every where opposed themselves to their progress. The Earls of Kent and Salisbury were seized at Cirencester by the citizens, and were next day beheaded without further ceremony, according to the custom of the times.<sup>c</sup> The citizens of Bristol treated Spencer and Lumley in the same manner. The Earl of Huntingdon, Sir Thomas Blount, and Sir Benedict Sely, who were also taken prisoners, suffered death with many others of the conspirators, by orders from Henry. And when the quarters of these unhappy men were brought to London, no less than eighteen bishops and thirty-two mitred abbots joined the populace, and met them with the most indecent marks of joy and exultation.

But the spectacle the most shocking to every one who retained any sentiment either of honour or humanity, still remained. The Earl of Rutland appeared, carrying on a pole the head of Lord Spencer, his brother-in-law, which he presented in triumph to Henry, as a testimony of his loyalty. This infamous man, who was soon after Duke of York by the death of his father, and first prince of the blood, had been instrumental in the murder of his uncle, the Duke of Gloucester;<sup>d</sup> had then deserted Richard, by whom he was trusted; had conspired against the life of Henry, to whom he had sworn allegiance; had betrayed his associates, whom he had seduced into this enterprise; and now displayed, in the face of the world, these badges of his multiplied dishonour.

A. D. 1401. Henry was sensible, that though the execution of these conspirators might seem to give security to his throne, the animosities which remain after such bloody scenes, are always dangerous to royal authority; and he therefore determined not to increase, by any hazardous enterprise, those numerous enemies with whom he was every where environed. While a subject, he was believed to have strongly imbibed all the principles of his father, the Duke of Lancaster, and to have adopted the prejudices which the Lollards inspired against the abuses of the established church; but, finding himself possessed of the throne by so precarious a title, he thought superstition a necessary implement of public authority; and he resolved, by every expedient, to pay court to the clergy. There were hitherto no penal laws enacted against heresy; an indulgence which had proceeded, not from a spirit of toleration in the Romish church, but from the ignorance and simplicity of the people, which had rendered them unfit either for starting or receiving any new or curious doctrines, and which needed not to be restrained by rigorous penalties. But when the learning and genius of Wickliffe had once broken, in some measure, the fetters of prejudice, the ecclesiastics called aloud for the punishment of his disciples; and the king, who was very little scrupulous in his conduct, was easily induced to sacrifice his principles to his interest, and to acquire the favour of the church by that most effectual method, the gratifying of their vengeance against opponents. He engaged the parliament to pass a law for that purpose: it was enacted, that when any heretic, who relapsed, or refused to abjure his opinions, was delivered over to the secular arm by the bishop or his commissaries, he should be committed to the flames by the civil magistrate before the whole people.<sup>e</sup> This weapon did not long remain unemployed in the hands of the clergy; William Sautré, rector of St. Osithes in London, had been condemned by the convocation of Canterbury, his sentence was ratified by the House

of Peers; the king issued his writ for the execution;<sup>f</sup> and the unhappy man atoned for his erroneous opinions by the penalty of fire. This is the first instance of that kind in England; and thus one horror more was added to those dismal scenes which at that time were already but too familiar to the people.

But the utmost precaution and prudence of Henry could not shield him from those numerous inquietudes which assailed him from every quarter. The connexions of Richard with the royal family of France made that court exert its activity to recover his authority, or revenge his death;<sup>g</sup> but though the confusions in England tempted the French to engage in some enterprise by which they might distress their ancient enemy, the greater confusions which they experienced at home obliged them quickly to accommodate matters; and Charles, content with recovering his daughter from Henry's hands, laid aside his preparations, and renewed the truce between the kingdoms.<sup>h</sup> The attack of Gujenne was also an inviting attempt, which the present factions that prevailed among the French obliged them to neglect. The Gascons, affectionate to the memory of Richard, who was born among them, refused to swear allegiance to a prince that had dethroned and murdered him; and the appearance of a French army on their frontiers would probably have tempted them to change masters.<sup>i</sup> But the Earl of Worcester, arriving with some English troops, gave countenance to the partisans of Henry, and overawed their opponents. Religion too was here found a cement to their union with England. The Gascons had been engaged, by Richard's authority, to acknowledge the Pope of Rome; and they were sensible that, if they submitted to France, it would be necessary for them to pay obedience to the Pope of Avignon, whom they had been taught to detest as a schismatic. Their principles on this head were too fast rooted to admit of any sudden or violent alteration.

The revolution in England proved like—Insurrection in Wales.  
wise the occasion of an insurrection in Wales. Owen Glendour, or Glendourduy, descended from the ancient princes of that country, had become obnoxious on account of his attachment to Richard; and Reginald Lord Gray of Ruthyn, who was closely connected with the new king, and who enjoyed a great fortune in the marches of Wales, thought the opportunity favourable for oppressing his neighbour, and taking possession of his estate.<sup>k</sup> Glendour, provoked at the injustice, and still more at the indignity, recovered possession by the sword.<sup>l</sup> Henry sent assistance to Gray;<sup>m</sup> the Welch took part with Glendour: a troublesome and tedious war was kindled, which Glendour long sustained by his valour and activity, aided by the natural strength of the country, and the untamed spirit of its inhabitants.

As Glendour committed devastations promiscuously on all the English, he infested the estate of the Earl of March; and Sir Edmund Mortimer, uncle to that nobleman, led out the retainers of the family, and gave battle to the Welch chieftain: his troops were routed, and he was taken prisoner.<sup>n</sup> at the same time, the earl himself, who had been allowed to retire to his castle of Wigmore, and who though a mere boy took the field with his followers, fell also into Glendour's hands, and was carried by him into Wales.<sup>o</sup> As Henry dreaded and hated all the family of March, he allowed the earl to remain in captivity; and though that young nobleman was nearly allied to the Percies, to whose assistance he himself had owed his crown, he refused to the Earl of Northumberland permission to treat of his ransom with Glendour.

The uncertainty in which Henry's affairs stood during a long time with France, as well as the confusions incident to all great changes in government, tempted the Scots to make incursions into England, and Henry, desirous of taking revenge upon them, but afraid of rendering his new government unpopular by requiring great supplies from his subjects, summoned at Westminster a council of the Peers, without the Commons, and laid before them the state of his affairs.<sup>p</sup> The military part of the feudal cou-

<sup>a</sup> Westminster, p. 302. *Overturns*, p. 224.

<sup>c</sup> Westminster, p. 303. *Apud Neust.* p. 556.

<sup>d</sup> *Walsingham*, vol. i. p. 173.

<sup>e</sup> *Walsingham*, vol. i. p. 173.

<sup>f</sup> Henry IV. cap. viii.

<sup>g</sup> *Ibid.* p. 173.

<sup>h</sup> *Rymer*, vol. viii. p. 142, 152, 219.

<sup>i</sup> *Vita Ric.* Sec. p. 171, 172.

<sup>k</sup> *Vita Ric.* Sec. p. 172, 173.

<sup>l</sup> *Ibid.* vol. i. p. 151.

<sup>m</sup> *Ibid.* p. 140, 141.

<sup>n</sup> *Walsingham*, vol. i. p. 150.

<sup>o</sup> *Ibid.* vol. i. p. 150.

<sup>p</sup> *Ibid.* vol. viii. p. 155, 156.

stitution was now much decayed: there remained only so much of that fabric as affected the civil rights and properties of men: and the peers here undertook, but voluntarily, to attend the king in an expedition against Scotland, each of them at the head of a certain number of his retainers.<sup>a</sup> Henry conducted this army to Edinburgh, of which he easily made himself master; and he there summoned Robert III. to do homage to him for his crown.<sup>b</sup> But finding that the Scots would neither submit nor give him battle, he returned in three weeks, after making this useless bravado; and he disbanded his army.

In the subsequent season, Archibald, Earl of Douglas, at the head of 12,000 men, and attended by many of the principal nobility of Scotland, made an irruption into England, and committed devastations on the northern counties. On his return home, he was overtaken by the Piercys at Homeldon, on the borders of England, and a fierce battle ensued, where the Scots were totally routed. Douglas himself was taken prisoner; as was Mordac, Earl of Fife, son of the Duke of Albany, and nephew of the Scottish king, with the Earls of Angus, Murray, and Orkney, and many others of the gentry and nobility.<sup>c</sup> When Henry received intelligence of this victory, he sent the Earl of Northumberland orders not to ransom his prisoners, which that nobleman regarded as his right by the laws of war received in that age. The king intended to detain them, that he might be able, by their means, to make an advantageous peace with Scotland; but by this policy he gave a fresh disgust to the family of Percy.

The obligations which Henry had owed to Northumberland were of a kind the most likely to produce ingratitude on the one side, and discontent on the other. The sovereign naturally became jealous of that power which had advanced him to the throne: and the subject was not easily satisfied in the returns which he thought so great a

A. D. 1403.  
The Earl of  
Northumberland rebels.

favour had merited. Though Henry, on his accession, had bestowed the office of constable on Northumberland for life,<sup>d</sup> and conferred other gifts on that family, these favours were regarded as their due; the refusal of any other request was deemed an injury. The impatient spirit of Harry Percy, and the factious disposition of the Earl of Worcester, younger brother of Northumberland, inflamed the discontents of that nobleman: and the precarious title of Henry tempted him to seek revenge, by overturning that throne which he had at first established. He entered into a correspondence with Glendour. He gave liberty to the Earl of Douglas, and made an alliance with that martial chief: he roused up all his partisans to arms; and such unlimited authority at that time belonged to the great families, that the same men, whom a few years before he had conducted against Richard, now followed his standard in opposition to Henry. When war was ready to break out, Northumberland was seized with a sudden illness at Berwick; and young Percy, taking the command of the troops, marched towards Shrewsbury, in order to join his forces with those of Glendour. The king had happily a small army on foot, with which he had intended to act against the Scots; and, knowing the importance of celerity in all civil wars, he instantly hurried down that he might give battle to the rebels. He approached Percy near Shrewsbury, before that nobleman was joined by Glendour; and the policy of one leader, and impatience of the other, made them hasten to a general engagement.

The evening before the battle, Percy sent a manifesto to Henry, in which he renounced his allegiance, set that prince at defiance, and, in the name of his father and uncle, as well as his own, enumerated all the grievances of which he pretended the nation had reason to complain. He upbraided him with the perjury of which he had been guilty, when on landing at Ravenspur he had sworn upon the Gospels, before the Earl of Northumberland, that he had no other intention than to recover the duchy of Lancaster, and that he would ever remain a faithful subject to King Richard. He aggravated his guilt in first dethron-

ing, then murdering that prince, and in usurping on the title of the house of Mortimer, to whom, both by lineal succession, and by declarations of parliament, the throne, when vacant by Richard's demise, did of right belong. He complained of his cruel policy in allowing the young Earl of March, whom he ought to regard as his sovereign, to remain a captive in the hands of his enemies, and in even refusing to all his friends permission to treat of his ransom. He charged him again with perjury in loading the nation with heavy taxes, after having sworn that, without the utmost necessity, he would never levy any impositions upon them. And he reproached him with the arts employed in procuring favourable elections into parliament; arts which he himself had before imputed as a crime to Richard, and which he had made one chief reason of that prince's arraignment and deposition.<sup>e</sup> This manifesto was well calculated to inflame the quarrel between the parties: the bravery of the two leaders promised an obstinate engagement: and the equality of the armies, being each about 12,000 men, a number which was not unmanageable by the commanders, gave reason to expect a great effusion of blood on both sides, and a very doubtful issue to the combat.

We shall scarcely find any battle in those ages where the shock was more terrible and more constant. Henry exposed his person in the thickest of the fight: his gallant son, whose military achievements were afterwards so renowned, and who here performed his noviciate in arms, signalized himself on his father's footsteps, and even a wound, which he received in the face with an arrow, could not oblige him to quit the field.<sup>f</sup> Percy supported that fame which he had acquired in many a bloody combat: and Douglas, his ancient enemy, and now his friend, still appeared his rival, amidst the horror and confusion of the day. This nobleman performed feats of valour which are almost incredible: he seemed determined that the King of England should that day fall by his arm: he sought him all over the field of battle: and as Henry, either to elude the attacks of the enemy upon his person, or to encourage his own men by the belief of his presence every where, had accoutred several captains in the royal garb, the sword of Douglas rendered this honour fatal to many.<sup>g</sup> But while the armies were contending in this furious manner, the death of Percy, by an unknown hand, decided the victory, and the royalists prevailed. There are said to have fallen that day, on both sides, near two thousand three hundred gentlemen; but the persons of greatest distinction were on the king's; the Earl of Stafford, Sir Hugh Shirley, Sir Nicholas Gausel, Sir Hugh Mortimer, Sir John Massey, Sir John Caverly. About six thousand private men perished, of whom two-thirds were of Percy's army.<sup>h</sup> The Earls of Worcester and Douglas were taken prisoners. The former was beheaded at Shrewsbury; the latter was treated with the courtesy due to his rank and merit.

The Earl of Northumberland, having recovered from his sickness, had levied a fresh army, and was on his march to join his son; but being opposed by the Earl of Westmoreland, and hearing of the defeat at Shrewsbury, he dismissed his forces, and came with a small retinue to the king at York.<sup>i</sup> He pretended that his sole intention in arming was to mediate between the parties: Henry thought proper to accept of the apology, and even granted him a pardon for his offence: all the other rebels were treated with equal lenity; and, except the Earl of Worcester and Sir Richard Vernon, who were regarded as the chief authors of the insurrection, no person engaged in this dangerous enterprise seems to have perished by the hands of the executioners.<sup>j</sup>

But Northumberland, though he had been pardoned, knew that he never should be trusted, and that he was too powerful to be cordially forgiven by a prince, whose situation gave him such reasonable grounds of jealousy. It was the effect either of Henry's vigilance or good fortune, or of the narrow genius of his enemies, that no proper concert was ever formed among

21st July.  
Battle of  
Shrewsbury.

A. D. 1405.

<sup>a</sup> Rymer, vol. viii. p. 125.

<sup>b</sup> Walsingham, p. 356. Vita. Rec. Sec. p. 180. Chron. Otterbourne, p. 237.

<sup>c</sup> Rymer, vol. viii. p. 89.

<sup>d</sup> Ibid. p. 155, 156, &c.

<sup>e</sup> Ibid. fol. 21, 22, &c.

<sup>f</sup> T. Livin, p. 3.

<sup>g</sup> Chron. Otterbourne, p. 221. Apud. Neust. p. 369.

<sup>h</sup> Chron. Otterbourne, p. 233.

<sup>i</sup> Rymer, vol. viii. p. 333.

<sup>j</sup> Walsingham, p. 366, 367. Hall, fol. 102.

tion: they rose in rebellion one after another; and thereby afforded him an opportunity of suppressing singly those insurrections, which, had they been united, might have proved fatal to his authority. The Earl of Nottingham, son of the Duke of Norfolk, and the Archbishop of York, brother to the Earl of Wiltshire, whom Henry, then Duke of Lancaster, had beheaded at Bristol, though they had remained quiet while Percy was in the field, still harboured in their breast a violent hatred against the enemy of their families; and they determined, in conjunction with the Earl of Northumberland, to seek revenge against him. They betook themselves to arms before that powerful nobleman was prepared to join them; and publishing a manifesto, in which they reproached Henry with his usurpation of the crown, and the murder of the late king, they required that the right line should be restored, and all public grievances be redressed. The Earl of Westmoreland, whose power lay in the neighbourhood, approached them with an inferior force at Shipton, near York; and, being afraid to hazard an action, he attempted to subdue them by a stratagem, which nothing but the greatest folly and simplicity on their part could have rendered successful. He desired a conference with the archbishop and earl between the armies: he heard their grievances with great patience: he begged them to propose the remedies: he approved of every expedient which they suggested: he granted them all their demands: he also engaged that Henry should give them entire satisfaction; and when he saw them pleased with the facility of his concessions, he observed to them, that since amity was now, in effect, restored between them, it were better on both sides to dismiss their forces, which otherwise would prove an insupportable burden to the country. The archbishop and the Earl of Nottingham immediately gave directions to that purpose: their troops disbanded upon the field: but Westmoreland, who had secretly issued contrary orders to his army, seized the two rebels without resistance, and carried them to the king, who was advancing with hasty marches to suppress the insurrection.<sup>b</sup> The trial and punishment of an archbishop might have proved a troublesome and dangerous undertaking, had Henry proceeded regularly, and allowed time for an opposition to form itself against that unusual measure: the celerity of the execution alone could here render it safe and prudent. Finding that Sir William Gascoigne, the chief justice, made some scruple of acting on this occasion, he appointed Sir William Fulthorpe for judge; who, without any indictment, trial, or defence, pronounced sentence of death upon the prelate, which was presently executed. This was the first instance in England of a capital punishment inflicted on a bishop; whence the clergy of that rank might learn that their crimes, more than those of laics, were not to pass with impunity. The Earl of Nottingham was condemned and executed in the same summary manner: but though many other persons of condition, such as Lord Falconberg, Sir Ralph Hastings, Sir John Colville, were engaged in this rebellion, no others seem to have fallen victims to Henry's severity.

The Earl of Northumberland, on receiving this intelligence, fled into Scotland, together with Lord Bardolf; and the king, without opposition, reduced all the castles and fortresses belonging to these noblemen. He thence turned his arms against Glendour, over whom his son, the Prince of Wales, had obtained some advantages: but that enemy, more troublesome than dangerous, still found means of defending himself in his fastnesses, and of eluding, though not resisting, all the force of England.

In a subsequent season, the Earl of Northumberland and Lord Bardolf, impatient of their exile, entered the north in hopes of raising the people to arms; but found the country in such a posture as rendered all their attempts unsuccessful. Sir Thomas Rokesby, sheriff of Yorkshire, levied some forces, attacked the invaders at Bramham, and gained a victory in which both Northumberland and Bardolf were slain.<sup>d</sup> This prosperous event, joined to the death of Glendour, which happened soon after, freed Henry from all his domestic

enemies; and this prince, who had mounted the throne by such unjustifiable means, and held it by such an exceptionable title, had yet by his valour, prudence, and address, accustomed the people to the yoke, and had obtained a greater ascendancy over his haughty barons than the law alone, not supported by these active qualities, was ever able to confer.

About the same time, fortune gave Henry an advantage over that neighbour, who, by his situation, was most enabled to disturb his government. Robert III. King of Scots, was a prince, though of slender capacity, extremely innocent and inoffensive in his conduct: but Scotland, at that time, was still less fitted than England for cherishing, or even enduring, sovereigns of that character. The Duke of Albany, Robert's brother, a prince of more abilities, at least of a more boisterous and violent disposition, had assumed the government of the state; and, not satisfied with present authority, he entertained the criminal purpose of extirpating his brother's children, and of acquiring the crown to his own family. He threw into prison David, his eldest nephew, who there perished by hunger: James alone, the younger brother of David, stood between that tyrant and the throne; and King Robert, sensible of his son's danger, embarked him on board a ship, with a view of sending him to France, and intrusting him to the protection of that friendly power. Unfortunately, the vessel was taken by the English; Prince James, a boy about nine years of age, was carried to London; and though there subsisted at that time a truce between the kingdoms, Henry refused to restore the young prince to his liberty. Robert, worn out with cares and infirmities, was unable to bear the shock of this last misfortune; and he soon after died, leaving the government in the hands of the Duke of Albany.<sup>e</sup> Henry was now more sensible than ever of the importance of the acquisition which he had made: while he retained such a pledge, he was sure of keeping the Duke of Albany in dependence: or, if offended, he could easily, by restoring the true heir, take ample revenge upon the usurper. But though the king, by detaining James in the English court, had shown himself somewhat deficient in generosity, he made ample amends by giving that prince an excellent education, which afterwards qualified him, when he mounted the throne, to reform, in some measure, the rude and barbarous manners of his native country.

The hostile dispositions which of late had prevailed between France and England were restrained, during the greater part of this reign, from appearing in action. The jealousies and civil commotions with which both nations were disturbed, kept each of them from taking advantage of the unhappy situation of its neighbour. But as the abilities and good fortune of Henry had sooner been able to compose the English factions, this prince began, in the latter part of his reign, to look abroad, and to foment the animosities between the families of Burgundy and Orleans, by which the government of France was, during that period, so much distracted. He knew that one great source of the national discontent against his predecessor was the inactivity of his reign; and he hoped, by giving a new direction to the restless and unquiet spirits of his people, to prevent their breaking out in domestic wars and disorders. That he might unite policy with force, he first entered into treaty with the Duke of Burgundy, and sent that prince a small body of troops, which supported him against his enemies.<sup>f</sup> Soon after, he hearkened to more advantageous proposals made him by the Duke of Orleans, and despatched a greater body to support that party.<sup>g</sup> But the leaders of the opposite factions having made a temporary accommodation, the interests of the English were sacrificed; and this effort of Henry proved, in the issue, entirely vain and fruitless. The declining state of his health, and the shortness of his reign, prevented him from renewing the attempt, which his more fortunate son carried to so great a length against the French monarchy.

Such were the military and foreign transactions of this reign: the civil and parlia-

mentary transactions.

<sup>a</sup> Buchanan, p. 773. Othobonensis, p. 175.  
<sup>b</sup> Buchanan, p. 774. Othobonensis, p. 177. Chron. Othobon. p. 36.

<sup>c</sup> Buchanan, lib. 10.  
<sup>d</sup> Rymer, 8<sup>to</sup> C. viii. p. 745. 746.

<sup>e</sup> Walsingham, p. 390.



mentary are somewhat more memorable, and more worthy of our attention. During the two last reigns the elections of the Commons had appeared a circumstance of government not to be neglected; and Richard was even accused of using unwarrantable methods for procuring to his party a seat in that House. These practices formed one considerable article of charge against him in his deposition; yet Henry scrupled not to tread in his footsteps, and to encourage the same abuses in elections. Laws were enacted against such undue influence, and even a sheriff was punished for an iniquitous return which he had made;<sup>1</sup> but laws were commonly, at that time, very ill executed; and the liberties of the people, such as they were, stood on a surer basis than on laws and parliamentary elections. Though the House of Commons was little able to withstand the violent currents which perpetually ran between the monarchy and the aristocracy, and though that House might easily be brought, at a particular time, to make the most unwarrantable concessions to either; the general institutions of the state still remained inviolable; the interests of the several members continued on the same footing; the sword was in the hands of the subject; and the government, though thrown into temporary disorder, soon settled itself on its ancient foundations.

During the greater part of this reign, the king was obliged to court popularity; and the House of Commons, sensible of their own importance, began to assume powers, which had not usually been exercised by their predecessors. In the first year of Henry, they procured a law, that no judge, in concurring with any iniquitous measure, should be excused by pleading the orders of the king, or even the danger of his own life from the menaces of the sovereign.<sup>2</sup> In the second year, they insisted on maintaining the practice of not granting any supply before they received an answer to their petitions; which was a tacit manner of bargaining with the prince.<sup>3</sup> In the fifth year, they desired the king to remove from his household four persons who had displeased them, among whom was his own confessor; and Henry, though he told them that he knew of no offence which these men had committed, yet in order to gratify them, complied with their request.<sup>4</sup> In the sixth year they voted the king supplies, but appointed treasurers of their own, to see the money disbursed for the purposes intended, and required them to deliver in their accounts to the House.<sup>5</sup> In the eighth year they proposed, for the regulation of the government and household, thirty important articles, which were all agreed to; and they even obliged all the members of council, all the judges, and all the officers of the household, to swear to the observance of them.<sup>6</sup> The abridger of the records remarks the unusual liberties taken by the speaker and the House during this period.<sup>7</sup> But the great authority of the Commons was but a temporary advantage, arising from the present situation. In a subsequent parliament, when the speaker made his customary application to the throne for liberty of speech, the king, having now overcome all his domestic difficulties, plainly told him, that he would have no novelties introduced, and would enjoy his prerogatives. But on the whole, the limitations of the government seem to have been more sensibly felt, and more carefully maintained, by Henry, than by any of his predecessors.

During this reign, when the House of Commons were, at any time, brought to make unwary concessions to the crown, they also showed their freedom by a speedy retraction of them. Henry, though he entertained a perpetual and well-grounded jealousy of the family of Mortimer, allowed not their name to be once mentioned in parliament; and as none of the rebels had ventured to declare the Earl of March king, he never attempted to procure, what would not have been refused him, an express declaration against the claim of that nobleman; because he knew that such a declaration, in the present circumstances, would have no authority, and would only serve to revive the memory of Mortimer's title in the minds of the people. He proceeded in his purpose after a more artful and covert manner. He procured a settlement of the crown on

himself and his heirs made; then by tacitly excluding the females, and transferring the Salic law into the law of government. He thought, that though the house of Plantagenet had at first derived their title from a female, this was a remote event, unknown to the generality of the people; and if he could once accustom them to the practice of excluding women, the title of the Earl of March would gradually be forgotten and neglected by them. But he was very unfortunate in this attempt. During the long contests with France, the injustice of the Salic law had been so much exclaimed against by the nation, that a contrary principle had taken deep root in the minds of men; and it was now become impossible to eradicate it. The same House of Commons, therefore, in a subsequent session, apprehensive that they had overturned the foundations of the English government, and that they had opened the door to more civil wars than might ensue even from the irregular elevation of the house of Lancaster, applied with such earnestness for a new settlement of the crown, that Henry yielded to their request, and agreed to the succession of the princesses of his family.<sup>8</sup> A certain proof, that nobody was in his heart satisfied with the king's title to the crown, or knew on what principle to rest it.

But though the Commons, during this reign, showed a laudable zeal for liberty in their transactions with the crown; their efforts against the church were still more extraordinary, and seemed to anticipate very much the spirit which became so general in a little more than a century afterwards. I know that the credit of these passages rests entirely on one ancient historian;<sup>9</sup> but that historian was contemporary, was a clergyman, and it was contrary to the interests of his order to preserve the memory of such transactions, much more to forge precedents, which posterity might, some time, be tempted to imitate. This is a truth so evident, that the most likely way of accounting for the silence of the records on this head, is by supposing, that the authority of some churchmen was so great as to procure a rasure, with regard to these circumstances, which the indiscretion of one of that order has happily preserved to us.

In the sixth of Henry, the Commons, who had been required to grant supplies, proposed in plain terms to the king, that he should seize all the temporalities of the church, and employ them as a perpetual fund to serve the exigencies of the state. They insisted that the clergy possessed a third of the lands of the kingdom; that they contributed nothing to the public burdens; and that their riches tended only to disqualify them from performing their ministerial functions with proper zeal and attention. When this address was presented, the Archbishop of Canterbury, who then attended the king, objected that the clergy, though they went not in person to the wars, sent their vassals and tenants in all cases of necessity; while, at the same time, they themselves, who staid at home, were employed night and day in offering up their prayers for the happiness and prosperity of the state. The speaker smiled, and answered, without reserve, that he thought the prayers of the church but a very slender supply. The archbishop, however, prevailed in the dispute: the king discouraged the application of the Commons; and the Lords rejected the bill which the Lower House had framed for stripping the church of her revenues.<sup>10</sup>

The Commons were not discouraged by this repulse: in the eleventh of the king they returned to the charge with more zeal than before: they made a calculation of all the ecclesiastical revenues, which, by their account, amounted to 485,000 marks a year, and contained 18,400 ploughs of land. They proposed to divide this property among fifteen new earls, 1500 knights, 6000 esquires, and a hundred hospitals; besides 20,000 pounds a year, which the king might take for his own use: and they insisted, that the clerical functions would be better performed than at present, by 15,000 parish priests, paid at the rate of seven marks a piece of yearly stipend.<sup>11</sup> This application was accompanied with an address for mitigating the statutes enacted against the Lollards, which shows from what source the address came. The king gave the Com-

<sup>1</sup> G. D. p. 429.  
<sup>2</sup> Ibid. p. 430.  
<sup>3</sup> Ibid. p. 432.

<sup>4</sup> Ibid. p. 431.  
<sup>5</sup> Ibid. p. 438.

<sup>6</sup> Ibid. p. 436.  
<sup>7</sup> Ibid. p. 436, 437.  
<sup>8</sup> Ibid. p. 434.

<sup>9</sup> Rousset, vol. viii. p. 462.  
<sup>10</sup> Ibid. p. 471. Y. B. 6. N. 28. d. p. 263.  
<sup>11</sup> Waldington, p. 670. 1st. Lib. 15.

<sup>12</sup> Waldington.

mons a severe reply : and farther to satisfy the church, and to prove that he was quite in earnest, he ordered a Lollard to be burned before the dissolution of the parliament."

We have now related almost all the memorable transactions of this reign, which was busy and active; but produced few events that deserve to be transmitted to posterity.

A. D. 1413. The king was so much employed in defending his crown, which he had obtained by unwarrantable means, and possessed by a bad title, that he had little leisure to look abroad, or perform any action which might redound to the honour and advantage of the nation. His health declined some months before his death : he was subject to fits, which bereaved him, for the time, of his senses : and though he was yet in the flower of his age, his end was visibly approaching. He expired at Westminster, in the forty-sixth year of his age, and the thirteenth of his reign.

30th Mar. Death, and character of the king.

The great popularity which Henry enjoyed before he attained the crown, and which had so much aided him in the acquisition of it, was entirely lost many years before the end of his reign; and he governed his people more by terror than by affection, more by his own policy than by their sense of duty or allegiance. When men came to reflect, in cool blood, on the crimes which had led him to the throne; the rebellion against his prince; the deposition of a lawful king, guilty sometimes, perhaps, of oppression, but more frequently of indiscretion; the exclusion of the true heir; the murder of his sovereign and near relation; these were such enormities as drew on him the hatred of his subjects, sanctified all the rebellions against him, and made the executions, though not remarkably severe, which he found necessary for the maintenance of his authority, appear cruel as well as iniquitous to the people. Yet, without pretending to apologize for these crimes, which must ever be held in detestation, it may be remarked, that he was insensibly led into this blamable conduct by a train of incidents, which few men possess virtue enough to withstand. The injustice with which his predecessor had treated him, in first condemning him to banishment, then despoiling him of his patrimony, made him naturally think of revenge, and of recovering his lost rights; the headlong zeal of the people hurried him into the throne; the care of his own security, as well as his ambition, made him an usurper; and the steps have always been so few between the prisons of princes and their graves, that we need not wonder that Richard's fate was no exception to the general rule. All these considerations make Henry's situation, if he retained any sense of virtue, much to be lamented; and the inquietude with which he possessed his envied greatness, and the remorse by which, it is said, he was continually haunted, render him an object of our pity, even when seated upon the throne. But it must be owned, that his prudence and vigilance and foresight, in maintaining his power, were admirable : his command of temper remarkable; his courage, both military and political, without blemish; and he possessed many qualities which fitted him for his high station, and which rendered his usurpation of it, though pernicious in after-times, rather salutary during his own reign, to the English nation.

Henry was twice married; by his first wife, Mary de Bohun, daughter and co-heir of the Earl of Hereford, he had four sons; Henry, his successor in the throne, Thomas, Duke of Clarence, John, Duke of Bedford, and Humphrey, Duke of Gloucester; and two daughters, Blanche and Philippa, the former married to the Duke of Bavaria, the latter to the King of Denmark. His second wife, Jane, whom he married after he was king, and who was daughter of the King of Navarre, and widow of the Duke of Brittany, brought him no issue.

By an act of the fifth of this reign, it is made felony to cut out any person's tongue, or put out his eyes; crimes which, the act says, were very frequent. This savage spirit of revenge denotes a barbarous people; though, perhaps, it was increased by the prevailing factions and civil commotions.

Commerce was very little understood in this reign, as in

all the preceding. In particular, a great jealousy prevailed against *merchant strangers*; and many restraints were, by law, imposed upon them; namely, that they should lay out in English manufactures or commodities all the money acquired by the sale of their goods; that they should not buy or sell with one another, and that all their goods should be disposed of three months after importation." This last clause was found so inconvenient, that it was soon after repealed by parliament.

It appears that the expense of this king's household amounted to the yearly sum of 19,500*l.* money of that age.\*

Guicciardini tells us, that the Flemings, in this century, learned from Italy all the refinements in arts, which they taught the rest of Europe. The progress, however, of the arts was still very slow and backward in England.

## CHAP. XIX.

### HENRY V.

The king's former disorders.—His reformation.—The Lollards.—Punishment of Lord Cobham. State of France.—Invasion of that kingdom.—Battle of Azincourt.—State of France.—New Invasion of France.—Assassination of the Duke of Burgundy.—Treaty of Troyes.—Marriage of the king. His death.—and character.—Miscellaneous transactions during this reign.

THE many jealousies to which Henry IV.'s situation naturally exposed him, had so infected his temper, that he had entertained unreasonable suspicions with regard to the fidelity of his eldest son; and, during the latter years of his life, he had excluded that prince from all share in public business, and was even displeased to see him at the head of armies, where his martial talents, though useful to the support of government, acquired him a renown, which, he thought, might prove dangerous to his own authority. The active spirit of young Henry, restrained from its proper exercise, broke out into extravagances of every kind; and the riot of pleasure, the frolic of debauchery, the outrage of wine, filled the vacancies of a mind, better adapted to the pursuits of ambition and the cares of government. This course of life threw him among companions, whose disorders, if accompanied with spirit and humour, he indulged and seconded; and he was detected in many sallies, which, to severer eyes, appeared to tally unworthy of his rank and station. There even remains a tradition, that, when heated with liquor and jollity, he scrupled not to accompany his riotous associates in attacking the passengers on the streets and highways, and despoiling them of their goods; and he found an amusement in the incidents which the terror and regret of these defenceless people produced on such occasions. This extreme of dissoluteness proved equally disagreeable to his father, as that eager application to business which had at first given him occasion of jealousy; and he saw, in his son's behaviour, the same neglect of decency, the same attachment to low company, which had degraded the personal character of Richard, and which, more than all his errors in government, had tended to overturn his throne. But the nation, in general, considered the young prince with more indulgence; and observed so many gleams of generosity, spirit, and magnanimity, breaking continually through the cloud which a wild conduct threw over his character, that they never ceased hoping for his amendment; and they ascribed all the weeds, which shot up in that rich soil, to the want of proper culture and attention in the king and his ministers. There happened an incident which encouraged these agreeable views, and gave much occasion for favourable reflections to all men of sense and candour. A riotous companion of the prince's had been indicted before Gascoigne, the chief justice, for some disorders; and Henry was not ashamed to appear at the bar with the criminal, in order to give him countenance and protection. Finding that his presence had not overawed the chief justice, he proceeded to insult the magistrate on his tribunal; but

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The king's former disorders.

\* Pomeroy, vol. vi. p. 27. Otterbourne, p. 267.  
W. H. Evans, IV. cap. 15, and 5 Henry IV. cap. 69.

\* Rymer, tom. viii. p. 610.

Gascogne, mindful of the character which he then bore, and the majesty of the sovereign and of the laws, which he sustained, ordered the prince to be carried to prison for his rude behaviour.<sup>a</sup> The spectators were agreeably disappointed when they saw the heir of the crown submit peaceably to the sentence, make reparation for his error by acknowledging it, and check his impetuous nature in the midst of its extravagant career.

The memory of this incident, and of many others of a like nature, rendered the prospect of the future reign nowise disagreeable to the nation, and increased the joy which the death of so unpopular a prince as the late king naturally occasioned. The first steps taken by the young prince confirmed all those prepossessions entertained in his favour.<sup>b</sup> He called together his former companions, acquainted them with his intended reformation, exhorted them to imitate his example, but strictly inhibited them, till they had given proofs of their sincerity in this particular, from appearing any more in his presence; and he thus dismissed them with liberal presents.<sup>c</sup> The wise ministers of his father, who had checked his riots, found that they had unknowingly been paying the highest court to him; and were received with all the marks of favour and confidence. The chief justice himself, who trembled to approach the royal presence, met with praises instead of reproaches for his past conduct, and was exhorted to persevere in the same rigorous and impartial execution of the laws. The surprise of those who expected an opposite behaviour, augmented their satisfaction; and the character of the young king appeared brighter than if it had never been shaded by any errors.

But Henry was anxious not only to repair his own misconduct, but also to make amends for those iniquities into which policy or the necessity of affairs had betrayed his father. He expressed the deepest sorrow for the fate of the unhappy Richard, did justice to the memory of that unfortunate prince, even performed his funeral obsequies with pomp and solemnity, and cherished all those who had distinguished themselves by their loyalty and attachment towards him.<sup>d</sup> Instead of continuing the restraints which the jealousy of his father had imposed on the Earl of March, he received that young nobleman with singular courtesy and favour; and by this magnanimity so gained on the gentle and unambitious nature of his competitor, that he remained ever after sincerely attached to him, and gave him no disturbance in his future government. The family of Piercy was restored to its fortune and honours.<sup>e</sup> The king seemed ambitious to bury all party distinctions in oblivion: the instruments of the preceding reign, who had been advanced from their blind zeal for the Lancastrian interests, more than from their merits, gave place every where to men of more honourable characters: virtue seemed now to have an open career, in which it might exert itself: the exhortations, as well as example, of the prince gave it encouragement: all men were unanimous in their attachment to Henry; and the defects of his title were forgotten amidst the personal regard which was universally paid to him.

There remained among the people only one party distinction, which was derived from religious differences, and which, as it is of a peculiar, and commonly a very obstinate nature, the popularity of Henry was not able to overcome. The Lollards were every day increasing in the kingdom, and were become a formed party, which appeared extremely dangerous to the church, and even formidable to the civil authority.<sup>f</sup> The enthusiasm by which these sectaries were generally actuated, the great alterations which they pretended to introduce, the hatred which they expressed against the established hierarchy, gave an alarm to Henry; who, either from a sincere attachment to the ancient religion, or from a dread of the unknown consequences which attend all important changes, was determined to execute the laws against such bold innovators. The head of this sect was Sir John Oldcastle, (Lord Cobham,) a nobleman

who had distinguished himself by his valour and his military talents, and had, on many occasions, acquired the esteem both of the late and of the present king.<sup>g</sup> His high character and his zeal for the new sect pointed him out to Arundel, Archbishop of Canterbury, as the proper victim of ecclesiastical severity; whose punishment would strike a terror into the whole party, and teach them that they must expect no mercy under the present administration. He applied to Henry for a permission to indict Lord Cobham;<sup>h</sup> but the generous nature of the prince was averse to such sanguinary methods of conversion. He represented to the primate, that reason and conviction were the best expedients for supporting truth; that all gentle means ought first to be tried in order to reclaim men from error; and that he himself would endeavour, by a conversation with Cobham, to reconcile him to the catholic faith. But he found that nobleman obstinate in his opinions, and determined not to sacrifice truths of such infinite moment to his complaisance for sovereigns.<sup>i</sup> Henry's principles of toleration, or rather his love of the practice, could carry him no further; and he then gave full reins to ecclesiastical severity against the inflexible heresiarch. The primate indicted Cobham; and, with the assistance of his three suffragans, the Bishops of London, Winchester, and St. David's, condemned him to the flames for his erroneous opinions. Cobham, who was confined in the Tower, made his escape before the day appointed for his execution. The bold spirit of the man, provoked by persecution and stimulated by zeal, was urged to attempt the most criminal enterprises; and his unlimited authority over the new sect, proved that he well merited the attention of the civil magistrate. He formed in his retreat very violent designs against his enemies; and despatching his emissaries to all quarters, appointed a general rendezvous of the party, in order to seize the person of the king at Eltham, and put their persecutors to the sword.<sup>k</sup> Henry, apprized of

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their intention, removed to Westminster: Cobham was not discouraged by this disappointment; but changed the place of rendezvous to the field near St. Giles's: the king, having shut the gates of the city, to prevent any reinforcement to the Lollards from that quarter, came into the field in the night time, seized such of the conspirators as appeared, and afterwards laid hold of the several parties who were hastening to the place appointed. It appeared that a few only were in the secret of the conspiracy: the rest implicitly followed their leaders: but upon the trial of the prisoners, the reasonable designs of the sect were rendered certain, both from evidence, and from the confession of the criminals themselves.<sup>l</sup> Some were executed; the greater number pardoned.<sup>m</sup> Cobham himself, who punishment of made his escape by flight, was not brought Lord Cobham, to justice till four years after, when he was hanged as a traitor; and his body was burnt on the gibbet, in execution of the sentence pronounced against him as a heretic.<sup>n</sup> This criminal design, which was perhaps somewhat aggravated by the clergy, brought discredit upon the party, and checked the progress of that sect, which had embraced the speculative doctrines of Wickliffe, and at the same time aspired to a reformation of ecclesiastical abuses.

These two points were the great objects of the Lollards; but the bulk of the nation was not affected in the same degree by both of them. Common sense and obvious reflection had discovered to the people the advantages of a reformation in discipline; but the age was not yet so far advanced as to be seized with the spirit of controversy, or to enter into those abstruse doctrines, which the Lollards endeavoured to propagate throughout the kingdom. The very notion of heresy alarmed the generality of the people; innovation in fundamental principles was suspicious; curiosity was not as yet a sufficient counterpoise to authority; and even many, who were the greatest friends to the reformation of abuses, were anxious to express their detestation of the speculative tenets of the

<sup>a</sup> Hall, fol. 33.

<sup>b</sup> Walsingham, p. 382.

<sup>c</sup> Hall, fol. 34. Holmsted, p. 543. Godwin's Life of Henry V. p. 1.

<sup>d</sup> Hist. Croiland cont. Hall, fol. 34. Holmsted, p. 544.

<sup>e</sup> Holmsted, p. 545.

<sup>f</sup> Ibid.

<sup>g</sup> Walsingham, p. 385.

<sup>h</sup> Fox's Acts and Monuments, p. 513.

<sup>i</sup> Rymer, vol. ix. p. 61. Walsingham, p. 383.

<sup>k</sup> Walsingham, p. 385.

<sup>l</sup> Cotton, p. 554. Hall, fol. 35. Holmsted, p. 544.

<sup>m</sup> Rymer, vol. ix. p. 117. 121. 125.

<sup>n</sup> Walsingham, p. 408. Otterbourne, p. 380. Holmsted, p. 561.



Wickliffites, which they feared threw disgrace on so good a cause. This turn of thought appears evidently in the proceedings of the parliament which was summoned immediately after the detection of Cobham's conspiracy. That assembly passed severe laws against the new heretics. They enacted, that whoever was convicted of Lollardy before the ordinary, besides suffering capital punishment, according to the laws formerly established, should also forfeit his lands and goods to the king; and that the chancellor, treasurer, justices of the two benches, sheriffs, justices of the peace, and all the chief magistrates in every city and borough, should take an oath to use their utmost endeavours for the extirpation of heresy.<sup>a</sup> Yet this very parliament, when the king demanded supply, renewed the offer formerly pressed upon his father, and entreated him to seize all the ecclesiastical revenues, and convert them to the use of the crown.<sup>b</sup> The clergy were alarmed: they could offer the king no bribe which was equivalent: they only agreed to confer on him all the priories alien, which depended on capital abbeys in Normandy, and had been bequeathed to these abbeys, when that province remained united to England: and Chicheley, now Archbishop of Canterbury, endeavoured to divert the blow, by giving occupation to the king, and by persuading him to undertake a war against France, in order to recover his lost rights to that kingdom.<sup>c</sup>

It was the dying injunction of the late king to his son, not to allow the English to remain long in peace, which was apt to breed intestine commotions; but to employ them in foreign expeditions, by which the prince might acquire honour; the nobility, in sharing his dangers, might attach themselves to his person; and all the restless spirits find occupation for their inquietude. The natural disposition of Henry sufficiently inclined him to follow this advice, and the civil disorders of France, which had been prolonged beyond those of England, opened a full career to his ambition.

A. D. 1415. The death of Charles V. which followed State of France. soon after that of Edward III., and the youth of his son, Charles VI., put the two kingdoms for some time in a similar situation; and it was not to be apprehended, that either of them, during a minority, would be able to make much advantage of the weakness of the other. The jealousies also between Charles's three uncles, the Dukes of Anjou, Berry, and Burgundy, had distracted the affairs of France rather more than those between the Dukes of Lancaster, York, and Gloucester, Richard's three uncles, disordered those of England; and had carried off the attention of the French nation from any vigorous enterprise against foreign states. But in proportion as Charles advanced in years, the factions were composed; his two uncles, the Dukes of Anjou and Burgundy, died; and the king himself, assuming the reins of government, discovered symptoms of genius and spirit, which revived the drooping hopes of his country. This promising state of affairs was not of long duration: the unhappy prince fell suddenly into a fit of frenzy, which rendered him incapable of exercising his authority; and though he recovered from this disorder, he was so subject to relapses, that his judgment was gradually but sensibly impaired, and no steady plan of government could be pursued by him. The administration of affairs was disputed between his brother, Lewis, Duke of Orleans, and his cousin-german, John, Duke of Burgundy: the propinquity to the crown pleaded in favour of the former: the latter, who, in right of his mother, had inherited the county of Flanders, which he annexed to his father's extensive dominions, derived a lustre from his superior power: the people were divided between these contending princes: and the king, now resuming, now dropping his authority, kept the victory undecided, and prevented any regular settlement of the state by the final prevalence of either party.

At length, the Dukes of Orleans and Burgundy, seeming to be moved by the cries of the nation, and by the interposition of common friends, agreed to bury all past quarrels in oblivion, and to enter into strict amity: they swore before the altar the sincerity of their friendship; the priest administered the sacrament to both of them;

they gave to each other every pledge which could be deemed sacred among men: but all this solemn preparation was only a cover for the basest treachery, which was deliberately premeditated by the Duke of Burgundy. He procured his rival to be assassinated in the streets of Paris: he endeavoured for some time to conceal the part which he took in the crime; but being detected, he embraced a resolution still more criminal and more dangerous to society, by openly avowing and justifying it.<sup>d</sup> The parliament itself of Paris, the tribunal of justice, heard the harangues of the duke's advocate in defence of assassination, which he termed tyrannicide; and that assembly, partly influenced by faction, partly overawed by power, pronounced no sentence of condemnation against this detestable doctrine.<sup>e</sup> The same question was afterwards agitated before the council of Constance; and it was with difficulty that a feeble decision, in favour of the contrary opinion, was procured from these fathers of the church, the ministers of peace and of religion. But the mischievous effects of that tenet, had they been before anywise doubtful, appeared sufficiently from the present incidents. The commission of this crime, which destroyed all trust and security, rendered the war implacable between the French parties, and cut off every means of peace and accommodation. The princes of the blood combining with the young Duke of Orleans and his brothers, made violent war on the Duke of Burgundy; and the unhappy king, seized sometimes by one party, sometimes by the other, transferred alternately to each of them the appearance of legal authority. The provinces were laid waste by mutual depredations: assassinations were every where committed from the animosity of the several leaders; or what was equally terrible, executions were ordered, without any legal or free trial, by pretended courts of judicature. The whole kingdom was distinguished into two parties, the Burgundians and the Armagnacs; so the adherents of the young Duke of Orleans were called, from the Count of Armagnac, father-in-law to that prince. The city of Paris, distracted between them, but inclining more to the Burgundians, was a perpetual scene of blood and violence; the king and royal family were often detained captives in the hands of the populace; their faithful ministers were butchered or imprisoned before their face; and it was dangerous for any man, amidst these enraged factions, to be distinguished by a strict adherence to the principles of probity and honour.

During this scene of general violence, there rose into some consideration a body of men, which usually makes no figure in public transactions, even during the most peaceful times; and that was the university of Paris, whose opinion was sometimes demanded, and more frequently offered, in the multiplied disputes between the parties. The schism, by which the church was at that time divided, and which occasioned frequent controversies in the university, had raised the professors to an unusual degree of importance; and this connexion between literature and superstition had bestowed on the former a weight, to which reason and knowledge are not, of themselves, anywise entitled among men. But there was another society whose sentiments were much more decisive at Paris, the fraternity of butchers, who, under the direction of their ringleaders, had declared for the Duke of Burgundy, and committed the most violent outrages against the opposite party. To counterbalance their power, the Armagnacs made interest with the fraternity of carpenters; the populace ranged themselves on one side or the other; and the fate of the capital depended on the prevalence of either party.

The advantage which might be made of these confusions, was easily perceived in England; and, according to the maxims which usually prevail among nations, it was determined to lay hold of the favourable opportunity. The late king, who was courted by both the French parties, fomented the quarrel, by alternately sending assistance to each; but the present sovereign, impelled by the vigour of youth, and the ardour of ambition, determined to push his advantages to a greater length, and to carry violent war into that distracted kingdom. But while he was

<sup>a</sup> See Hist. 2. c. 7.  
<sup>b</sup> Hist. 2. c. 7.

<sup>c</sup> Hist. 2. c. 35.

<sup>d</sup> Le Laboureur, iv. xxviii. chap. 23. 24.

<sup>e</sup> Hist. iv. xxviii. chap. 27. Monstrelet, chap. 34.

making preparations for this end, he tried to effect his purpose by negotiation; and he sent over ambassadors to Paris, offering a perpetual peace and alliance; but demanding Catharine, the French king's daughter in marriage, two millions of crowns as her portion, one million six hundred thousand as the arrears of King John's ransom, and the immediate possession and full sovereignty of Normandy, and of all the other provinces which had been ravished from England by the arms of Philip Augustus; together with the superiority of Brittany and Flanders.<sup>1</sup> Such exorbitant demands show that he was sensible of the present miserable condition of France; and the terms offered by the French court, though much inferior, discover their consciousness of the same melancholy truth. They were willing to give him the princess in marriage, to pay him eight hundred thousand crowns, to resign the entire sovereignty of Guienne, and to annex to that province the country of Perigord, Rouergue, Xaintonge, the Angoumois, and other territories.<sup>2</sup> As Henry rejected these conditions, and scarcely hoped that his own demands would be complied with, he never intermitted a moment his preparations for war; and having assembled a great fleet and army at Southampton, having invited all the nobility and military men of the kingdom to attend him by the hopes of glory and of conquest, he came to the sea-side, with a purpose of embarking on his expedition.

But while Henry was meditating conquests upon his neighbours, he unexpectedly found himself in danger from a conspiracy at home, which was happily detected in its infancy. The Earl of Cambridge, second son of the late Duke of York, having espoused the sister of the Earl of March, had zealously embraced the interests of that family; and had held some conferences with Lord Scrope of Masham, and Sir Thomas Grey of Heton, about the means of recovering to that nobleman his right to the crown of England. The conspirators, as soon as detected, acknowledged their guilt to the king;<sup>3</sup> and Henry proceeded without delay to their trial and condemnation. The utmost that could be expected of the best king in those ages, was, that he would so far observe the essentials of justice, as not to make an innocent person a victim to his severity: but as to the formalities of law, which are often as material as the essentials themselves, they were sacrificed without scruple to the least interest or convenience. A jury of commoners was summoned: the three conspirators were indicted before them: the constable of Southampton castle swore that they had separately confessed their guilt to him: without other evidence, Sir Thomas Grey was condemned and executed: but as the Earl of Cambridge and Lord Scrope pleaded the privilege of their peerage, Henry thought proper to summon a court of eighteen barons, in which the Duke of Clarence presided: the evidence given before the jury was read to them: the prisoners, though one of them was a prince of the blood, were not examined, nor produced in court, nor heard in their own defence; but received sentence of death upon this proof, which was every way irregular and unsatisfactory; and the sentence was soon after executed. The Earl of March was accused of having given his approbation to the conspiracy, and received a general pardon from the king.<sup>4</sup> He was probably either innocent of the crime imputed to him, or had made reparation by his early repentance and discovery.<sup>5</sup>

The successes which the arms of England have, in different ages, obtained over those of France, have been much owing to the favourable situation of the former kingdom. The English, happily seated in an island, could take advantage of every misfortune which attended their neighbours, and were little exposed to the danger of reprisals. They never left their own country but when they were conducted by a king of extraordinary genius, or found their enemy divided by intestine factions, or were supported by a powerful alliance on the continent; and as all these circumstances concurred at present to favour their enterprise, they had reason to

expect from it proportionable success. The Duke of Burgundy, expelled France by a combination of the princes, had been secretly soliciting the alliance of England;<sup>6</sup> and Henry knew that this prince, though he scrupled at first to join the inveterate enemy of his country, would willingly, if he saw any probability of success, both assist him with his Flemish subjects, and draw over to the same side all his numerous partisans in France. Trusting therefore to this circumstance, but without establishing any concert with the duke, he put to sea, and landed near Harfleur, at the head of an 14th Aug. army of 6000 men at arms, and 24,000 foot, mostly archers. He immediately began the siege of that place, which was valiantly defended by d'Estouteville, and under him by de Guitri, de Gaucourt, and others of the French nobility: but as the garrison was weak, and the fortifications in bad repair, the governor was at last obliged to capitulate; and he promised to surrender the place if he received no succour before the eighteenth of September. The day came, and there was no appearance of a French army to relieve him. Henry, taking possession of the town, placed a garrison in it, and expelled all the French inhabitants, with an intention of peopling it anew with English.

The fatigues of this siege, and the unusual heat of the season, had so wasted the English army, that Henry could enter on no further enterprise; and was obliged to think of returning into England. He had dismissed his transports, which could not anchor in an open road upon the enemy's coasts; and he lay under a necessity of marching by land to Calais, before he could reach a place of safety. A numerous French army of 14,000 men at arms, and 40,000 foot, was by this time assembled in Normandy under the Constable d'Albret; a force which, if prudently conducted, was sufficient either to trample down the English in the open field, or to harass and reduce to nothing their small army, before they could finish so long and difficult a march. Henry, therefore, cautiously offered to sacrifice his conquest of Harfleur for a safe passage to Calais; but this proposal being rejected, he determined to make his way by valour and conduct through all the opposition of the enemy.<sup>7</sup> That he might not discourage his army by the appearance of flight, or expose them to those hazards which naturally attend precipitate marches, he made slow and deliberate journeys,<sup>8</sup> till he reached the Somme, which he purposed to pass at the ford of Blanquetague, the same place where Edward, in a like situation, had before escaped from Philip de Valois. But he found the ford rendered impassable by the precaution of the French general, and guarded by a strong body on the opposite bank;<sup>9</sup> and he was obliged to march higher up the river, in order to seek for a safe passage. He was continually harassed on his march by flying parties of the enemy; saw bodies of troops on the other side ready to oppose every attempt; his provisions were cut off; his soldiers languished with sickness and fatigue; and his affairs seemed to be reduced to a desperate situation: when he was so dexterous or so fortunate as to seize by surprise a passage near St. Quintin, which had not been sufficiently guarded; and he safely carried over his army.<sup>10</sup>

Henry then bent his march northwards Battle of Azincour. to Calais; but he was still exposed to great and imminent danger from the enemy, who had also passed the Somme, and threw themselves full in his way, with a purpose of intercepting his retreat. After 25th Oct. he had passed the small river of Ternois, at Blangi, he was surprised to observe from the heights the whole French army drawn up in the plains of Azincour, and so posted, that it was impossible for him to proceed on his march without coming to an engagement. Nothing in appearance could be more unequal than the battle, upon which his safety and all his fortunes now depended. The English army was little more than half the number which had disembarked at Harfleur; and they laboured under every discouragement and necessity. The enemy

<sup>1</sup> Rymer, vol. ix. p. 208.  
<sup>2</sup> Ibid. p. 211. It is reported by some historians, (See Hist. Croyl. cont. p. 500.) that the dauphin, in derision of Henry's claims and dissolute character, sent him a box of tennis-balls, intimating that these implements of play were better adapted to him than the instruments of war. But this story is by no means credible: the great offers made by the court of

France, show that they had already entertained a just idea of Henry's character, as well as of his own situation.  
<sup>3</sup> Rymer, vol. ix. p. 300. 1. LAM. p. 8. x Rymer, vol. ix. p. 208.  
<sup>4</sup> St. Remi, chap. iv. Goodwin, p. 65. z Rymer, vol. ix. p. 157, 158.  
<sup>5</sup> Le Laboureur, iv. 55, chap. 6. b 1. LAM. p. 12.  
<sup>6</sup> St. Remi, chap. 58. d T. LAM. p. 13.

was four times more numerous; was headed by the dauphin and all the princes of the blood; and was plentifully supplied with provisions of every kind. Henry's situation was exactly similar to that of Edward at Crécy, and that of the Black Prince at Poitiers, and the memory of these great events, inspiring the English with courage, made them hope for a like deliverance from their present difficulties. The king likewise observed the same prudent conduct which had been followed by these great commanders: he drew up his army on a narrow ground between two woods, which guarded each flank, and he patiently expected in that posture the attack of the enemy.<sup>c</sup>

Had the French constable been able, either to reason justly upon the present circumstances of the two armies, or to profit by past experience, he had declined a combat, and had waited till necessity, obliging the English to advance, had made them relinquish the advantages of their situation. But the impetuous valour of the nobility, and a vain confidence in superior numbers, brought on this fatal action, which proved the source of infinite calamities to their country. The French archers on horseback and their men at arms, crowded in their ranks, advanced upon the English archers, who had fixed palisades in their front to break the impression of the enemy, and who safely plied them, from behind that defence, with a shower of arrows which nothing could resist.<sup>d</sup> The clay soil, moistened by some rain which had lately fallen, proved another obstacle to the force of the French cavalry: the wounded men and horses discomposed their ranks: the narrow compass in which they were pent, hindered them from recovering any order: the whole army was a scene of confusion, terror, and dismay: and Henry, perceiving his advantage, ordered the English archers, who were light and unencumbered, to advance upon the enemy, and seize the moment of victory. They fell with their battle-axes upon the French, who, in their present posture, were incapable either of flying or of making defence: they hewed them in pieces without resistance: <sup>e</sup> and being seconded by the men at arms, who also pushed on against the enemy, they covered the field with the killed, wounded, dismounted, and overthrown. After all appearance of opposition was over, the English had leisure to make prisoners: and having advanced with uninterrupted success to the open plain, they there saw the remains of the French rear guard, which still maintained the appearance of a line of battle. At the same time, they heard an alarm from behind: some gentlemen of Picardy, having collected about 600 peasants, had fallen upon the English baggage, and were doing execution on the unarmed followers of the camp, who fled before them. Henry, seeing the enemy on all sides of him, began to entertain apprehensions from his prisoners; and he thought it necessary to issue general orders for putting them to death: but on discovering the truth, he stopped the slaughter, and was still able to save a great number.

No battle was ever more fatal to France, by the number of princes and nobility slain or taken prisoners. Among the former were the constable himself, the Count of Nevers, and the Duke of Brabant, brothers to the Duke of Burgundy, the Count of Vendôme, brother to the Duke of Lorraine, the Duke of Alençon, the Duke of Barre, the Count of Marle. The most eminent prisoners were the Dukes of Orleans and Bourbon, the Counts d'Eu, Vendôme, and Richemont, and the Mareschal of Boucicaut. An Archbishop of Sens also was slain in this battle. The killed are computed, on the whole, to have amounted to ten thousand men; and as the slaughter fell chiefly upon the cavalry, it is pretended that of these, eight thousand were gentlemen. Henry was master of 14,000 prisoners. The person of chief note, who fell among the English, was the Duke of York, who perished fighting by the king's side, and had an end more honourable than his life. He was succeeded in his honours and fortune by his nephew, son of the Earl of Cambridge, executed in the beginning of the year. All the English who were slain exceeded not forty; though some writers, with greater probability, make the number more considerable.

The three great battles of Crécy, Poitiers, and Azincour, bear a singular resemblance to each other in their most considerable circumstances. In all of them, there appears the same temerity in the English princes, who, without any object of moment, merely for the sake of plunder, had ventured so far into the enemy's country as to leave themselves no retreat; and unless saved by the utmost imprudence in the French commanders, were, from their very situation, exposed to inevitable destruction. But allowance being made for this temerity, which, according to the irregular plans of war followed in those ages, seems to have been, in some measure, unavoidable; there appears in the day of action the same presence of mind, dexterity, courage, firmness, and precaution, on the part of the English: the same precipitation, confusion, and vain confidence, on the part of the French: and the events were such as might have been expected from such opposite conduct. The immediate consequences, too, of these three great victories were similar: instead of pushing the French with vigour, and taking advantage of their consternation, the English princes, after their victory, seem rather to have relaxed their efforts, and to have allowed the enemy leisure to recover from his losses. Henry interrupted not his march a moment after the battle of Azincour; he carried his prisoners to Calais, thence to England; he even concluded a truce with the enemy; and it was not till after an interval of two years that any body of English troops appeared in France.

The poverty of all the European princes, and the small resources of their kingdoms, were the cause of these continual interruptions in their hostilities; and though the maxims of war were in general destructive, their military operations were mere incursions, which, without any settled plan, they carried on against each other. The lustre, however, attending the victory of Azincour, procured some supplies from the English parliament, though still unequal to the expenses of a campaign. They granted Henry an entire fifteenth of movables; and they conferred on him, *for life*, the duties of tonnage and poundage, and the subsidies on the exportation of wool and leather. This concession is more considerable than that which had been granted to Richard II. by his last parliament, and which was afterwards, on his deposition, made so great an article of charge against him.

But during this interruption of hostilities State of France. from England, France was exposed to all the furies of civil war; and the several parties became every day more enraged against each other. The Duke of Burgundy, confident that the French ministers and generals were entirely discredited by the misfortune at Azincour, advanced with a great army to Paris, and attempted to reinstate himself in possession of the government, as well as of the person of the king. But his partisans in that city were overawed by the court, and kept in subjection: the duke despaired of success; and he retired with his forces, which he immediately disbanded in the Low Countries.<sup>h</sup> He was soon after invited A. D. 1417.

to make a new attempt, by some violent quarrels which broke out in the royal family. The queen, Isabella, daughter of the Duke of Bavaria, who had been hitherto an inveterate enemy to the Burgundian faction, had received a great injury from the other party, which the implacable spirit of that princess was never able to forgive. The public necessities obliged the Count of Armagnac (created constable of France, in the place of d'Albret) to seize the great treasures which Isabella had amassed: and when she expressed her displeasure at this injury, he inspired into the weak mind of the king some jealousies concerning her conduct, and pushed him to seize and put to the torture, and afterwards throw into the Seine, Blois-bourdon, her favourite, whom he accused of a commerce of gallantry with that princess. The queen herself was sent to Tours, and confined under a guard;<sup>i</sup> and, after suffering these multiplied insults, she no longer scrupled to enter into a correspondence with the Duke of Burgundy. As her son, the Dauphin Charles, a youth of sixteen, was entirely governed by the faction of Armagnac,

<sup>c</sup> St. Irem, chap. 62.

<sup>d</sup> Walsingham, p. 392. T. Livy, p. 19. Le Laboureur, liv. 35, chap. 7.

<sup>e</sup> Monstrelet, chap. 147.

<sup>g</sup> Walsingham, p. 393. Ypsol. Neust. p. 304.

<sup>h</sup> Le Laboureur, liv. 35, chap. 10.

<sup>i</sup> St. Irem, chap. 74. Monstrelet, chap. 167.



she extended her animosity to him, and sought his destruction with the most unrelenting hatred. She had soon an opportunity of rendering her unnatural purpose effectual. The Duke of Burgundy, in concert with her, entered France at the head of a great army: he made himself master of Amiens, Abbeville, Doullens, Montreuil, and other towns in Picardy; Sens, Rhems, Chalons, Troyes, and Auxerre, declared themselves of his party.<sup>8</sup> He got possession of Beaumont, Pontoise, Vernon, Meulan, Mouchy, towns in the neighbourhood of Paris; and carrying further his progress towards the west, he seized Etampes, Chartres, and other fortresses; and was at last able to deliver the queen, who fled to Troyes, and openly declared against those ministers who, she said, detained her husband in captivity.<sup>1</sup>

Meanwhile the partisans of Burgundy raised a commotion in Paris, which always inclined to that faction. Lile-Adam, one of the duke's captains, was received into the city in the night-time, and headed the insurrection of the people, which in a moment became so impetuous that nothing could oppose it. The person of the king was seized: the dauphin made his escape with difficulty: great numbers of the faction of Armagnac were immediately butchered: the count himself, and many persons of note, were thrown into prison: murders were daily committed from private animosity, under pretence of faction: and the populace not satiated with their fury, and deeming the course of public justice too dilatory, broke into the prisons, and put to death the Count of Armagnac, and all the other nobility who were there confined.<sup>2</sup>

While France was in such furious combustion, and was so ill prepared to resist a foreign enemy, Henry, having collected some treasure, and levied an army, landed in Normandy at the head of twenty-five thousand men; and met with no considerable opposition from any quarter. He made himself master of Falaise; Evreux and Caen submitted to him; Pont de l'Arche opened its gates; and Henry, having subdued all the lower Normandy, and having received a reinforcement of fifteen thousand men from England,<sup>3</sup> formed the siege of Rouen, which was defended by a garrison of four thousand men, seconded by the inhabitants, to the number of fifteen thousand.<sup>4</sup>

The Cardinal des Ursins here attempted to incline him towards peace, and to moderate his pretensions. But the king replied to him in such terms, as showed that he was fully sensible of all his present advantages: "Do you not see," said he, "that God has led me hither as by the hand? France has no sovereign: I have just pretensions to that kingdom: every thing is here in the utmost confusion: no one thinks of resisting me. Can I have a more sensible proof, that the Being who disposes of empires, has determined to put the crown of France upon my head?"<sup>5</sup>

But though Henry had opened his mind to this scheme of ambition, he still continued to negotiate with his enemies, and endeavoured to obtain more secure, though less considerable, advantages. He made, at the same time, offers of peace to both parties; to the queen and Duke of Burgundy on the one hand, who, having possession of the king's person, carried the appearance of legal authority;<sup>6</sup> and to the dauphin on the other, who, being the undoubted heir of the monarchy, was adhered to by every one that paid any regard to the true interests of their country.<sup>7</sup> These two parties also carried on a continual negotiation with each other. The terms proposed on all sides were perpetually varying: the events of the war, and the intrigues of the cabinet, intermingled with each other: and the fate of France remained long in this uncertainty. After many negotiations, Henry offered the queen and the Duke of Burgundy to make peace with them, to espouse the Princess Catharine, and to accept all the provinces ceded to Edward III. by the treaty of Bretigny, with the addition of Normandy, which he was to receive in full and entire sovereignty.<sup>8</sup> These terms were submitted to: there remained only some circumstances to adjust, in order to the entire completion of

the treaty: but in this interval the Duke of Burgundy secretly finished his treaty with the dauphin; and these two princes agreed to share the royal authority during King Charles's lifetime, and to unite their arms in order to expel foreign enemies.<sup>9</sup>

This alliance, which seemed to cut off from Henry all hopes of further success, proved, in the issue, the most favourable event that could have happened for his pretensions. Whether the dauphin and the Duke of Burgundy were ever sincere in their mutual engagements, is uncertain; but very fatal effects resulted from their momentary and seeming union. The two princes agreed to an interview, in order to concert the means of rendering effectual their common attack on the English; but how both or either of them could with safety venture upon this conference, it seemed somewhat difficult to contrive. The assassination perpetrated by the Duke of Burgundy, and still more his open avowal of the deed, and defence of the doctrine, tended to dissolve all the bands of civil society; and even men of honour, who detested the example, might deem it just, on a favourable opportunity, to retaliate upon the author. The duke, therefore, who neither dared to give, nor could pretend to expect, any trust, agreed to all the contrivances for mutual security which were proposed by the ministers of the dauphin. The two princes came to Montereau: the duke lodged in the castle: the dauphin in the town, which was divided from the castle by the river Yonne: the bridge between them was chosen for the place of interview: two high rails were drawn across the bridge: the gates on each side were guarded, one by the officers of the dauphin, the other by those of the duke: the princes were to enter into the intermediate space by the opposite gates, accompanied each by ten persons; and, with all these marks of diffidence, to conciliate their mutual friendship. But it appeared that no precautions are sufficient where laws have no place, and where all principles of honour are utterly abandoned. Tannequi de Chatel, and others of the dauphin's retainers, had been zealous partisans of the late Duke of Orleans; and they determined to seize the opportunity of revenging on the assassin the murder of that prince: they no sooner entered the rails, than they drew their swords and attacked the Duke of Burgundy: his friends were astonished, and thought not of making any defence; and all of them either shared his fate, or were taken prisoners by the retinue of the dauphin.<sup>10</sup>

The extreme youth of this prince made it doubtful whether he had been admitted into the secret of the conspiracy: but as the deed was committed under his eye, by his most intimate friends, who still retained their connexions with him, the blame of the action, which was certainly more imprudent than criminal, fell entirely upon him. The whole state of affairs was every where changed by this unexpected incident. The city of Paris, passionately devoted to the family of Burgundy, broke out into the highest fury against the dauphin. The court of King Charles entered from interest in the same views; and as all the ministers of that monarch had owed their preferment to the late duke, and foresaw their downfall if the dauphin should recover possession of his father's person, they were concerned to prevent, by any means, the success of his enterprise. The queen, persevering in her unnatural animosity against her son, increased the general flame, and inspired into the king, as far as he was susceptible of any sentiment, the same prejudices by which she herself had long been actuated. But above all, Philip Count of Charolois, now Duke of Burgundy, thought himself bound, by every tie of honour and of duty, to revenge the murder of his father, and to prosecute the assassin to the utmost extremity. And in this general transport of rage, every consideration of national and family interest was buried in oblivion by all parties: the subjection to a foreign enemy, the expulsion of the lawful heir, the slavery of the kingdom, appeared but small evils if they led to the gratification of the present passion.

The King of England had, before the death of the Duke

<sup>1</sup> k St. Remi, chap. 79.

<sup>2</sup> l Ibid. chap. 81. Monstrelet, chap. 178, 179.

<sup>3</sup> m St. Remi, chap. 85, 86. Monstrelet, chap. 118.

<sup>4</sup> n Walsingham, p. 400.

<sup>5</sup> o St. Remi, chap. 91.

<sup>6</sup> p Universal des Ursins.

<sup>7</sup> q Ibid. p. 6, 7, 8.

<sup>8</sup> l Ibid. p. 776. St. Remi, chap. 95.

<sup>9</sup> u St. Remi, chap. 97. Monstrelet, chap. 214.

<sup>10</sup> q Rymer, vol. ix. p. 717, 742.

<sup>11</sup> s Ibid. p. 762.

of Burgundy, profited extremely by the distractions of France, and was daily making a considerable progress in Normandy. He had taken Rouen after an obstinate siege; he had made himself master of Pontoise and Gisors; he even threatened Paris, and by the terror of his arms, had obliged the court to remove to Troye; and in the midst of his successes, he was agreeably surprised to find his enemies, instead of combining against him for their mutual defence, disposed to rush into his arms, and to make him the instrument of their vengeance upon each other. A league was immediately concluded at Arras between him and the Duke of Burgundy. This prince, without stipulating any thing for himself except the prosecution of his father's murder, and the marriage of the Duke of Bedford with his sister, was willing to sacrifice the kingdom to Henry's ambition; and he agreed to every demand made by that monarch. In order to finish this astonishing treaty, which was to transfer the

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crown of France to a stranger, Henry went to Troye, accompanied by his brothers, the Dukes of Clarence and Gloucester; and was there met by the Duke of Burgundy. The imbecility into which Charles had fallen, made him incapable of seeing any thing but through the eyes of those who attended him; as they, on their part, saw every thing through the medium of their passions. The treaty, being already concerted among the parties, was immediately drawn, and signed, and ratified: Henry's will seemed to be a law throughout the whole negotiation: nothing was attended to but his advantages.

The principal articles of the treaty were, that King Charles, during his life-time, should enjoy the title and dignity of King of France: that Henry should be declared and acknowledged heir of the monarchy, and be intrusted with the present administration of the government: that that kingdom should pass to his heirs general; that France and England should for ever be united under one king; but should still retain their several usages, customs, and privileges: that all the princes, peers, vassals, and communities of France should swear, that they would both adhere to the future succession of Henry, and pay him present obedience as regent: that this prince should unite his arms to those of King Charles and the Duke of Burgundy, in order to subdue the adherents of Charles the pretended dauphin: and that these three princes should make no peace or truce with him but by common consent and agreement.<sup>a</sup>

Such was the tenor of this famous treaty; a treaty which, as nothing but the most violent animosity could dictate it, so nothing but the power of the sword could carry into execution. It is hard to say whether its consequences, had it taken effect, would have proved more pernicious to England or to France. It must have reduced the former kingdom to the rank of a province: it would have entirely disjointed the succession of the latter, and have brought on the destruction of every descendant of the royal family; as the houses of Orleans, Anjou, Alençon, Brittany, Bourbon, and of Burgundy itself, whose titles were preferable to that of the English princes, would, on that account, have been exposed to perpetual jealousy and persecution from the sovereign. There was even a palpable deficiency in Henry's claim which no art could palliate. For besides the insuperable objections to which Edward III's pretensions were exposed, he was not heir to that monarch: if female succession were admitted, the right had devolved on the house of Mortimer: allowing that Richard II. was a tyrant, and that Henry IV's merits in deposing him were so great towards the English as to justify that nation in placing him on the throne; Richard had nowise offended France, and his rival had merited nothing of that kingdom: it could not possibly be pretended that the crown of France was become an appendage to that of England; and that a prince who by any means got possession of the latter, was, without further question, entitled to the former. So that, on the whole, it must be allowed that Henry's claim to France was, if possible, still more unintelligible than the title by which his father had mounted the throne of England.

But though all these considerations were overlooked, amidst the hurry of passion by which the courts of France and Burgundy were actuated, they would necessarily revive during times of more tranquility; and it behoved Henry to push his present advantages, and allow men no leisure for reason or reflection. In a few days after, the marriage of he espoused the Princess Catharine: he carried his father-in-law to Paris, and put himself in possession of that capital: he obtained from the parliament and the three estates a ratification of the treaty of Troye: he supported the Duke of Burgundy in procuring a sentence against the murderers of his father: and he immediately turned his arms, with success, against the adherents of the dauphin, who, as soon as he heard of the treaty of Troye, took on him the style and authority of regent, and appealed to God and his sword for the maintenance of his title.

The first place that Henry subdued was Sens, which opened its gates after a slight resistance. With the same facility he made himself master of Montreau. The defence of Melun was more obstinate; Barbasan, the governor, held out for the space of four months against the besiegers; and it was famine alone which obliged him to capitulate. Henry stipulated to spare the lives of all the garrison, except such as were accomplices in the murder of the Duke of Burgundy; and as Barbasan himself was suspected to be of the number, his punishment was demanded by Philip: but the king had the generosity to intercede for him, and to prevent his execution.<sup>b</sup>

The necessity of providing supplies, both of men and money, obliged Henry to go over to England; and he left the Duke of Exeter, his uncle, governor of Paris during his absence. The authority which naturally attends success procured from the English parliament a subsidy of a fifteenth; but if we may judge by the scantiness of the supply, the nation was nowise sanguine on their king's victories; and in proportion as the prospect of their union with France became nearer, they began to open their eyes, and to see the dangerous consequences with which that event must necessarily be attended. It was fortunate for Henry, that he had other resources besides pecuniary supplies from his native subjects. The provinces which he had already conquered maintained his troops; and the hopes of further advantages allured to his standard all men of ambitious spirits in England, who desired to signalize themselves by arms. He levied a new army of twenty-four thousand archers and four thousand horsemen,<sup>c</sup> and marched them to Dover, the place of rendezvous. Every thing had remained in tranquillity at Paris under the Duke of Exeter; but there had happened, in another quarter of the kingdom, a misfortune which hastened the king's embarkation.

The detention of the young King of Scots in England had hitherto proved advantageous to Henry; and, by keeping the regent in awe, had preserved, during the whole course of the French war, the northern frontier in tranquillity. But when intelligence arrived in Scotland of the progress made by Henry, and the near prospect of his succession to the crown of France, the nation was alarmed, and foresaw their own inevitable ruin, if the subjection of their ally left them to combat alone a victorious enemy, who was already so much superior in power and riches. The regent entered into the same views; and though he declined an open rupture with England, he permitted a body of seven thousand Scotch, under the command of the Earl of Buchan, his second son, to be transported into France for the service of the dauphin. To render this aid ineffectual, Henry had, in his former expedition, carried over the King of Scots, whom he obliged to send orders to his countrymen to leave the French service; but the Scottish general replied, that he would obey no commands which came from a king in captivity, and that a prince, while in the hands of his enemy, was nowise entitled to authority. These troops, therefore, continued still to act under the Earl of Buchan; and were employed by the dauphin to oppose the progress of the Duke of Clarence in Anjou. The two armies

<sup>a</sup> 1. *Tracy, p. 60. Monstrelet, chap. 201.*<sup>b</sup> *Flower, vol. ix. p. 195. St. Remy, chap. 131. Monstrelet, chap. 221.*<sup>c</sup> *Holingshead, p. 577.*<sup>d</sup> *Monstrelet, chap. 212.*

encountered at Baugy: the English were defeated: the duke himself was slain by Sir Allan Swinton, a Scotch knight, who commanded a company of men-at-arms: and the Barls of Somerset,<sup>a</sup> Dorset, and Huntingdon, were taken prisoners.<sup>b</sup> This was the first action that turned the tide of success against the English: and the dauphin, that he might both attach the Scotch to his service, and reward the valour and conduct of the Earl of Buchan, honoured that nobleman with the office of constable.

But the arrival of the King of England with so considerable an army, was more than sufficient to repair this loss. Henry was received at Paris with great expressions of joy, so obstinate were the prejudices of the people; and he immediately conducted his army to Chartres, which had long been besieged by the dauphin. That prince raised the siege on the approach of the English; and being resolved to decline a battle, he retired with his army.<sup>c</sup> Henry made himself master of Dreux without a blow: he laid siege to Meaux at the solicitation of the Parisians, who were much incommoded by the garrison of that place. This enterprise employed the English arms during the space of eight months: the bastard of Vaurus, governor of Meaux, distinguished himself by an obstinate defence; but was at last obliged to surrender at discretion. The cruelty of this officer was equal to his bravery: he was accustomed to hang, without distinction, all the English and Burgundians who fell into his hands: and Henry, in revenge of his barbarity, ordered him immediately to be hanged on the same tree which he had made the instrument of his inhuman executions.<sup>d</sup>

This success was followed by the surrender of many other places in the neighbourhood of Paris, which held for the dauphin: that prince was chased beyond the Loire, and he almost totally abandoned all the northern provinces: he was even pursued into the south by the united arms of the English and Burgundians, and threatened with total destruction. Notwithstanding the bravery and fidelity of his captains, he saw himself unequal to his enemies in the field; and found it necessary to temporize, and to avoid all hazardous actions with a rival, who had gained so much the ascendancy over him. And to crown all the other prosperities of Henry, his queen was delivered of a son, who was called by his father's name, and whose birth was celebrated by rejoicings no less pompous, and no less sincere, at Paris, than at London. The infant prince seemed to be universally regarded as the future heir of both monarchies.

A. D. 1422. But the glory of Henry, when it had nearly reached the summit, was stopped short by the hand of nature, and all his mighty projects vanished into smoke. He was seized with a fistula, a malady which the surgeons at that time had not skill enough to cure; and he was at last sensible that his distemper was mortal, and that his end was approaching. He sent for his brother the Duke of Bedford, the Earl of Warwick, and a few noblemen more, whom he had honoured with his friendship, and he delivered to them, in great tranquillity, his last will with regard to the government of his kingdom and family. He entreated them to continue, towards his infant son, the same fidelity and attachment which they had always professed to himself during his life-time, and which had been cemented by so many mutual good offices. He expressed his indifference on the approach of death; and, though he regretted that he must leave unfinished a work so happily begun, he declared himself confident, that the final acquisition of France would be the effect of their prudence and valour. He left the regency of that kingdom to his elder brother the Duke of Bedford; that of England to his younger, the Duke of Gloucester; and the care of his son's person to the Earl of Warwick. He recommended to all of them a great attention to maintain the friendship of the Duke of Burgundy; and advised them never to give liberty to the French princes taken at Azincour, till his son were of age, and could himself hold the reins of government. And he conjured them, if the success of their arms should not enable them to place

young Henry on the throne of France, never, at least, to make peace with that kingdom, unless the enemy, by the cession of Normandy, and its annexation to the crown of England, made compensation for all the hazard and expense of his enterprise.<sup>e</sup>

He next applied himself to his devotions, and ordered his chaplain to recite the seven penitential psalms. When that passage of the fifty-first psalm was read, *Build thou the walls of Jerusalem*, he interrupted the chaplain, and declared his serious intention, after he should have fully subdued France, to conduct a crusade against the infidels, and recover possession of the Holy Land.<sup>f</sup> So ingenious are men in deceiving themselves, that Henry forgot, in those moments, all the blood spilt by his ambition; and received comfort from this late and feeble resolve, which, as the mode of these enterprises was now past, he certainly would never have carried into execution. 31st Aug. He expired in the thirty-fourth year of his age, and the tenth of his reign.

This prince possessed many eminent and character of the king virtues: and if we give indulgence to ambition in a monarch, or rank it, as the vulgar are inclined to do, among his virtues, they were unstained by any considerable blemish. His abilities appeared equally in the cabinet and in the field: the boldness of his enterprises was no less remarkable than his personal valour in conducting them. He had the talent of attaching his friends by affability, and of gaining his enemies by address and clemency. The English, dazzled by the lustre of his character still more than by that of his victories, were reconciled to the defects in his title: the French almost forgot that he was an enemy: and his care in maintaining justice in his civil administration, and preserving discipline in his armies, made some amends to both nations for the calamities inseparable from those wars in which his short reign was almost entirely occupied. That he could forgive the Earl of March, who had a better title to the crown than himself, is a sure indication of his magnanimity; and that the earl relied so entirely on his friendship, is no less a proof of his established character for candour and sincerity. There remain in history few instances of such mutual trust; and still fewer where neither party found reason to repent it.

The exterior figure of this great prince, as well as his deportment, was engaging. His stature was somewhat above the middle size; his countenance beautiful; his limbs genteel and slender, but full of vigour; and he excelled in all warlike and manly exercises.<sup>g</sup> He left, by his queen, Catharine of France, only one son, not full nine months old; whose misfortunes, in the course of his life, surpassed all the glories and successes of his father.

In less than two months after Henry's death, Charles VI. of France, his father-in-law, terminated his unhappy life. He had, for several years, possessed only the appearance of royal authority: yet was this mere appearance of considerable advantage to the English; and divided the duty and affections of the French between them and the dauphin. This prince was proclaimed and crowned King of France at Poitiers, by the name of Charles VII. Rheims, the place where this ceremony is usually performed, was at that time in the hands of his enemies.

Catharine of France, Henry's widow, married soon after his death a Welch gentleman, Sir Owen Tudor, said to be descended from the ancient princes of that country: she bore him two sons, Edmund and Jasper, of whom the eldest was created Earl of Richmond; the second Earl of Pembroke. The family of Tudor, first raised to distinction by this alliance, mounted afterwards the throne of England.

The long schism, which had divided the Miscellaneous Latin church for near forty years, was finally transactions terminated in this reign by the council of Constance; which deposed the Pope, John XXIII., for his crimes, and elected Martin V. in his place, who was acknowledged by almost all the kingdoms of Europe. This great and unusual act of authority in the council gave the Roman pon-

<sup>a</sup> His name was John, and he was afterwards created Duke of Somerset. He was a younger son of John of Gout, Duke of Lancaster. The Earl of Dorset was grandson to Somerset, and succeeded him in that title. <sup>b</sup> See p. 110, note 135. <sup>c</sup> Montrelet, chap. 19. Hall, b. 1. 76. <sup>d</sup> See p. 110, note 135. <sup>e</sup> Montrelet, chap. 19. Hall, b. 1. 76. <sup>f</sup> See p. 110, note 135. <sup>g</sup> Montrelet, chap. 19. Hall, b. 1. 76.

<sup>a</sup> Baymer, vol. x. p. 212. T. Livy, p. 92. 93. St. Remi, chap. 116. <sup>b</sup> Montrelet, chap. 26. <sup>c</sup> Montrelet, chap. 26. <sup>d</sup> Hall, b. 1. 76. <sup>e</sup> St. Remi, chap. 116. Montrelet, chap. 26. <sup>f</sup> T. Livy, p. 4.



tills ever after a mortal antipathy to those assemblies. The same jealousy which had long prevailed in most European countries, between the civil aristocracy and monarchy, now also took place between these powers in the ecclesiastical body. But the great separation of the bishops in the several states, and the difficulty of assembling them, gave the Pope a mighty advantage, and made it more easy for him to centre all the powers of the hierarchy in his own person. The cruelty and treachery which attended the punishment of John Huss and Jerome of Prague, the unhappy disciples of Wickliffe, who, in violation of a safe conduct, were burned alive for their errors by the council of Constance, prove this melancholy truth, that toleration is none of the virtues of priests in any form of ecclesiastical government. But as the English nation had little or no concern in these great transactions, we are here the more concise in relating them.

The first commission of array which we meet with, was issued in this reign.<sup>a</sup> The military part of the feudal system, which was the most essential circumstance of it, was entirely dissolved; and could no longer serve for the defence of the kingdom. Henry, therefore, when he went to France in 1415, empowered certain commissioners to take, in each county, a review of all the free-men able to bear arms, to divide them into companies, and to keep them in readiness for resisting an enemy. This was the æra when the feudal militia in England gave place to one, which was, perhaps, still less orderly and regular.

We have an authentic and exact account of the ordinary revenue of the crown during this reign; and it amounts only to 55,714 pounds 10 shillings and 10 pence a year.<sup>b</sup> This is nearly the same with the revenue of Henry III. and the kings of England had neither become much richer nor poorer in the course of so many years. The ordinary expense of the government amounted to 42,507 pounds 16 shillings and 10 pence: so that the king had a surplus only of 13,206 pounds 14 shillings for the support of his household; for his wardrobe; for the expense of embassies; and other articles. This sum was nowise sufficient: he was therefore obliged to have frequent recourse to parliamentary supplies, and was thus, even in time of peace, not altogether independent of his people. But wars were attended with a great expense, which neither the prince's ordinary revenue, nor the extraordinary supplies, were able to bear; and the sovereign was always reduced to many miserable shifts, in order to make any tolerable figure in them. He commonly borrowed money from all quarters; he pawned his jewels, and sometimes the crown itself;<sup>c</sup> he ran in arrears to his army; and he was often obliged, notwithstanding all these expedients, to stop in the midst of his career of victory, and to grant truces to the enemy. The high pay which was given to soldiers agreed very ill with this low income. All the extraordinary supplies granted by parliament to Henry during the course of his reign, were only seventieths and fiftieths, about 203,000 pounds.<sup>d</sup> It is easy to compute how soon this money must be exhausted by armies of 24,000 archers, and 6000 horse; when each archer had six-pence a day,<sup>e</sup> and each horseman two shillings. The most splendid successes proved commonly fruitless, when supported by so poor a revenue; and the debts and difficulties which the king thereby incurred, made him pay dear for his victories. The civil administration likewise, even in time of peace, could never be very regular, where the government was so ill enabled to support itself. Henry, till within a year of his death, owed debts which he had contracted when Prince of Wales.<sup>f</sup> It was in vain that the parliament pretended to restrain him from arbitrary practices, when he was reduced to such necessities. Though the right of levying purveyance, for instance, had been expressly guarded against by the Great Charter itself, and was frequently complained of by the Commons, it was found absolutely impracticable to abolish it; and the parliament at length, submitting to it as a legal prerogative, contented themselves with enact-

ing laws to limit and confine it. The Duke of Gloucester, in the reign of Richard II., possessed a revenue of 60,000 crowns, (about 30,000 pounds a year of our present money,) as we learn from Froissart,<sup>g</sup> and was, consequently, richer than the king himself, if all circumstances be duly considered.

It is remarkable that the city of Calais alone was an annual expense to the crown of 19,119 pounds;<sup>h</sup> that is, above a third of the common charge of the government in time of peace. This fortress was of no use to the defence of England, and only gave that kingdom an inlet to annoy France. Ireland cost two thousand pounds a year, over and above its own revenue; which was certainly very low. Every thing conspires to give us a very mean idea of the state of Europe in those ages.

From the most early times, till the reign of Edward III. the denomination of money had never been altered: a pound sterling was still a pound Troy; that is, about three pounds of our present money. That conqueror was the first that innovated in this important article. In the twentieth of his reign he coined twenty-two shillings from a pound Troy; in his twenty-seventh year he coined twenty-five shillings. But Henry V. who was also a conqueror, raised still further the denomination, and coined thirty shillings from a pound Troy:<sup>i</sup> his revenue, therefore, must have been about 110,000 pounds of our present money; and by the cheapness of provisions, was equivalent to above 330,000 pounds.

None of the princes of the house of Lancaster ventured to impose taxes without consent of parliament: their doubtful or bad title became so far of advantage to the constitution. The rule was then fixed, and could not safely be broken afterwards, even by more absolute princes.

## CHAP. XX.

### HENRY VI.

Government during the minority.—State of France.—Military operations.—Battle of Vermeuil.—Siege of Orleans.—The Maid of Orleans.—The siege of Orleans raised.—The King of France crowned at Rheims.—Prudence of the Duke of Bedford.—Execution of the Maid of Orleans.—Defection of the Duke of Burgundy.—Death of the Duke of Bedford.—Decline of the English in France.—Treaty with France.—Marriage of the king with Margaret of Anjou.—Murder of the Duke of Gloucester.—State of France.—Renewal of the war with France.—The English expelled France.

DURING the reigns of the Lancastrian princes, the authority of parliament seems to have been more confirmed, and the privileges of the people more regarded, than during any former period; and the two preceding kings, though men of great spirit and abilities, abstained from such exertions of prerogative, as even weak princes, whose title was undisputed, were tempted to think they might venture upon with impunity. The long minority, of which there was now the prospect, encouraged still further the Lords and Commons to extend their influence, and without paying much regard to the verbal destination of Henry V. they assumed the power of giving a new arrangement to the whole administration. They declined altogether the name of *Regent* with regard to England: they appointed the Duke of Bedford *Protector* or *Guardian* of that kingdom, a title which they supposed to imply less authority: they invested the Duke of Gloucester with the same dignity during the absence of his elder brother;<sup>a</sup> and, in order to limit the power of both these princes, they appointed a council, without whose advice and approbation no measure of importance could be determined.<sup>b</sup> The person and education of the infant prince was committed to Henry Beaufort, Bishop of Winchester, his great uncle, and the legitimated son of John of Gaunt, Duke of Lancaster; a prelate, who, as his family could never have any pretensions to the crown,

A. D. 1422.  
Government during the minority.

<sup>a</sup> Rymer, vol. x. p. 254, 255.

<sup>b</sup> 1401, vol. x. p. 113.

<sup>c</sup> 1401, p. 149.

<sup>d</sup> Parliamentary History, vol. x. p. 168.

<sup>e</sup> Drappans from many passages of Rymer, particularly, vol. ix. p. 253, first shilling paid at man's a year for an archer, which is a good deal above six-pence a day. The price had risen, as is natural, by raising the denomination of money.

<sup>f</sup> Rymer, vol. x. p. 114.

<sup>g</sup> Froissart, chap. 126.

<sup>h</sup> Rymer, vol. x. p. 113.

<sup>i</sup> Froissart's Chronicon Preciosum, p. 52.

<sup>j</sup> Rymer, vol. x. p. 261. Cotton, p. 567.

<sup>k</sup> Cotton, p. 567.

might safely, they thought, be intrusted with that important charge. The two princes, the Dukes of Bedford and Gloucester, who seemed injured by this plan of government, yet, being persons of great integrity and honour, acquiesced in any appointment which tended to give security to the public; and as the wars in France appeared to be the object of greatest moment, they avoided every dispute which might throw an obstacle in the way of foreign conquests.

When the state of affairs between the State of France. English and French kings was considered with a superficial eye, every advantage seemed to be on the side of the former; and the total expulsion of Charles appeared to be an event which might naturally be expected from the superior power of his competitor. Though Henry was yet in his infancy, the administration was devolved on the Duke of Bedford, the most accomplished prince of his age; whose experience, prudence, valour, and generosity, qualified him for his high office, and enabled him both to maintain union among his friends, and to gain the confidence of his enemies. The whole power of England was at his command: he was at the head of armies inured to victory: he was seconded by the most renowned generals of the age, the Earls of Somerset, Warwick, Salisbury, Suffolk, and Arundel, Sir John Talbot, and Sir John Fastolf; and besides Guienne, the ancient inheritance of England, he was master of the capital, and of almost all the northern provinces, which were well enabled to furnish him with supplies both of men and money, and to assist and support his English forces.

But Charles, notwithstanding the present inferiority of his power, possessed some advantages, derived partly from his situation, partly from his personal character, which promised him success, and served, first to control, then to overbalance, the superior force and opulence of his enemies. He was the true and undoubted heir of the monarchy: all Frenchmen, who knew the interests or desired the independence of their country, turned their eyes towards him as its sole resource: the exclusion given him by the imbecility of his father, and the forced or precipitate consent of the states, had plainly no validity: that spirit of faction, which had blinded the people, could not long hold them in so gross a delusion: their national and inveterate hatred against the English, the authors of all their calamities, must soon revive, and inspire them with indignation at bending their necks under the yoke of that hostile people: great nobles and princes, accustomed to maintain an independence against their native sovereigns, would never endure a subjection to strangers: and though most of the princes of the blood were, since the fatal battle of Azincour, detained prisoners in England, the inhabitants of their demesnes, their friends, their vassals, all declared a zealous attachment to the king, and exerted themselves in resisting the violence of foreign invaders.

Charles himself, though only in his twentieth year, was of a character well calculated to become the object of these benevolent sentiments; and, perhaps, from the favour which naturally attends youth, was the more likely, on account of his tender age, to acquire the good-will of his native subjects. He was a prince of the most friendly and benign disposition, of easy and familiar manners, and of a just and sound, though not a very vigorous, understanding. Sincere, generous, affable, he engaged, from affection, the services of his followers, even while his low fortunes might make it their interest to desert him; and the lenity of his temper could pardon in them those sallies of discontent to which princes in his situation are so frequently exposed. The love of pleasure often seduced him into indolence; but, amidst all his irregularities, the goodness of his heart still shone forth; and, by exerting at intervals his courage and activity, he proved, that his general remissness proceeded not from the want either of a just spirit of ambition, or of personal valour.

Though the virtues of this amiable prince lay some time in obscurity, the Duke of Bedford knew that his title alone made him formidable, and that every foreign

assistance would be requisite, ere an English regent could hope to complete the conquest of France; an enterprise which, however it might seem to be much advanced, was still exposed to many and great difficulties. The chief circumstance which had procured to the English all their present advantages, was the resentment of the Duke of Burgundy against Charles, and as that prince seemed intent rather on gratifying his passion than consulting his interests, it was the more easy for the regent, by demonstrations of respect and confidence, to retain him in the alliance of England. He bent therefore all his endeavours to that purpose: he gave the duke every proof of friendship and regard: he even offered him the regency of France, which Philip declined: and that he might corroborate national connexions by private ties, he concluded his own marriage with the Princess of Burgundy, which had been stipulated by the treaty of Arras.

Being sensible, that next to the alliance of Burgundy, the friendship of the Duke of A. D. 1423. Brittany was of the greatest importance towards forwarding the English conquests; and that, as the provinces of France, already subdued, lay between the dominions of these two princes, he could never hope for any security, without preserving his connexions with them; he was very intent on strengthening himself also from that quarter. The Duke of Brittany, having received many just reasons of displeasure from the ministers of Charles, had already acceded to the treaty of Troye, and had, with other vassals of the crown, done homage to Henry V. in quality of heir to the kingdom: but as the regent knew that the duke was much governed by his brother, the Count of Richemont, he endeavoured to fix his friendship, by paying court, and doing services to this haughty and ambitious prince.

Arthur, Count of Richemont, had been taken prisoner at the battle of Azincour, had been treated with great indulgence by the late king, and had even been permitted on his parole to take a journey into Brittany, where the state of affairs required his presence. The death of that victorious monarch happened before Richemont's return; and this prince pretended, that, as his word was given personally to Henry V. he was not bound to fulfil it towards his son and successor: a chicane which the regent, as he could not force him to compliance, deemed it prudent to overlook. An interview was settled at Amiens between the Dukes of Bedford, Burgundy, and Brittany, at which the Count of Richemont was also present.<sup>d</sup> The alliance was renewed between these princes: and the regent persuaded Philip to give in marriage to Richemont his eldest sister, widow of the deceased dauphin, Lewis, the elder brother of Charles. Thus Arthur was connected both with the regent and the Duke of Burgundy, and seemed engaged by interest to prosecute the same object, in forwarding the success of the English arms.

While the vigilance of the Duke of Bedford was employed in gaining or confirming these allies, whose vicinity rendered them so important, he did not overlook the state of more remote countries. The Duke of Albany, Regent of Scotland, had died; and his power had devolved on Murdac, his son, a prince of a weak understanding and indolent disposition; who, far from possessing the talents requisite for the government of that fierce people, was not even able to maintain authority in his own family, or restrain the petulance and insolence of his sons. The ardour of the Scots to serve in France, where Charles treated them with great honour and distinction, and where the regent's brother enjoyed the dignity of constable, broke out afresh under this feeble administration: new succours daily came over, and filled the armies of the French king: the Earl of Douglas conducted a reinforcement of 5000 men to his assistance: and it was justly to be dreaded that the Scots, by commencing open hostilities in the North, would occasion a diversion still more considerable of the English power, and would ease Charles, in part, of that load by which he was at present so grievously oppressed. The Duke of Bedford, therefore, persuaded the English council to form an alliance with James their

c Hall, fol. 83. Monstrelet, vol. ii. p. 27

d Hall, fol. 84. Monstrelet, vol. i. p. 4. Stowe, p. 361.

prisoner; to free that prince from his long captivity; and to connect him with England by marrying him to a daughter of the Earl of Somerset and cousin of the young king.<sup>a</sup> As the Scottish regent, tired of his present dignity, which he was not able to support, was now become entirely sincere in his applications for James's liberty, the treaty was soon concluded; a ransom of forty thousand pounds was stipulated; and the King of Scots was restored to the throne of his ancestors, and proved, in his short reign, one of the most illustrious princes that had ever governed that kingdom. He was murdered, in 1437, by his traitorous kinsman the Earl of Athole. His affections inclined to the side of France; but the English had never reason, during his life-time, to complain of any breach of the neutrality by Scotland.

But the regent was not so much employed in these political negotiations as to neglect the operations of war, from which alone he could hope to succeed in expelling the French monarch. Though the chief seat of Charles's power lay in the southern provinces, beyond the Loire, his partisans were possessed of some fortresses in the northern, and even in the neighbourhood of Paris; and it behoved the Duke of Bedford first to clear these countries from the enemy, before he could think of attempting more distant conquests. The castle of Dorsey was taken, after a siege of six weeks: that of Noyelle and the town of Rüe, in Picardy, underwent the same fate: Pont sur Seine, Vertus, Montaigny, were subjected by the English arms: and a more considerable advantage was soon after gained by the united forces of England and Burgundy. John Stuart, Constable of Scotland, and the Lord of Estissac, had formed the siege of Crevant in Burgundy: the Earls of Salisbury and Suffolk, with the Count of Toulougeon, were sent to its relief: a fierce and well-disputed action ensued: the Scots and French were defeated: the Constable of Scotland, and the Count of Ventadour, were taken prisoners: and above a thousand men, among whom was Sir William Hamilton, were left on the field of battle.<sup>b</sup> The taking of Gaillon upon the Seine, and of La Charité upon the Loire, was the fruit of this victory: and as this latter place opened an entrance into the southern provinces, the acquisition of it appeared on that account of the greater importance to the Duke of Bedford, and seemed to promise a successful issue to the war.

The more Charles was threatened with an invasion in those provinces which adhered to him, the more necessary it became that he should retain possession of every fortress which he still held within the quarters of the enemy. The Duke of Bedford had besieged in person, during the space of three months, the town of Yvri in Normandy; and the brave governor, unable to make any longer defence, was obliged to capitulate; and he agreed to surrender the town, if, before a certain term, no relief arrived. Charles, informed of these conditions, determined to make an attempt for saving the place. He collected, with some difficulty, an army of 14,000 men, of whom one half were Scots; and he sent them thither under the command of the Earl of Buchan, Constable of France; who was attended by the Earl of Douglas his countryman, the Duke of Alençon, the Mareschal de la Fayette, the Count of Aumale, and the Viscount of Narbonne. When the constable arrived within a few leagues of Yvri, he found that he was come too late, and that the place was already surrendered. He immediately turned to the left, and sat down before Verneuil, which the inhabitants, in spite of the garrison, delivered up to him.<sup>c</sup> Buchan might now have returned in safety, and with the glory of making an acquisition no less important than the place which he was sent to relieve: but hearing of Bedford's approach, he called a council of war, in order to deliberate concerning the conduct which he should hold in this emergency. The wiser part of the council declared for a retreat; and represented, that all the past misfortunes of the French had proceeded from their rashness in giving battle when no necessity obliged

them; that this army was the last resource of the king, and the only defence of the few provinces which remained to him; and that every reason invited him to embrace cautious measures, which might leave time for his subjects to return to a sense of their duty, and give leisure for discord to arise among his enemies, who, being united by no common band of interest or motive of alliance, could not long persevere in their animosity against him. All these prudent considerations were overborne by a vain point of honour, not to turn their backs to the enemy; and they resolved to await the arrival of the Duke of Bedford.

The numbers were nearly equal in this action: and as the long continuance of war had introduced discipline, which, however imperfect, sufficed to maintain some appearance of order in such small armies, the battle was fierce, and well disputed, and attended with bloodshed on both sides. The constable drew up his forces under the walls of Verneuil, and resolved to abide the attack of the enemy: but the impatience of the Viscount of Narbonne, who advanced precipitately, and obliged the whole line to follow him in some hurry and confusion, was the cause of the misfortune which ensued. The English archers, fixing their palisades before them, according to their usual custom, sent a volley of arrows amidst the thickest of the French army; and though beaten from their ground, and obliged to take shelter among the baggage, they soon rallied, and continued to do great execution upon the enemy. The Duke of Bedford, meanwhile, at the head of the men at arms, made an impression on the French, broke their ranks, chased them off the field, and rendered the victory entirely complete and decisive.<sup>d</sup> The constable himself perished in battle, as well as the Earl of Douglas and his son, the Counts of Aumale, Tonnerre, and Ventadour, with many other considerable nobility. The Duke of Alençon, the Mareschal de la Fayette, the Lords of Gaucour and Mortemar, were taken prisoners. There fell about four thousand of the French, and sixteen hundred of the English; a loss esteemed, at that time, so unusual on the side of the victors, that the Duke of Bedford forbade all rejoicings for his success. Verneuil was surrendered next day by capitulation.<sup>e</sup>

The condition of the King of France now appeared very terrible, and almost desperate. He had lost the flower of his army and the bravest of his nobles in this fatal action: he had no resource either for recruiting or subsisting his troops: he wanted money even for his personal subsistence; and though all parade of a court was banished, it was with difficulty he could keep a table supplied with the plainest necessities, for himself and his few followers: every day brought him intelligence of some loss or misfortune: towns which were bravely defended were obliged, at last, to surrender for want of relief or supply: he saw his partisans entirely chased from all the provinces which lay north of the Loire: and he expected soon to lose, by the united efforts of his enemies, all the territories of which he had hitherto continued master; when an incident happened which saved him on the brink of ruin, and lost the English such an opportunity for completing their conquests as they never afterwards were able to recall.

Jaqueline, Countess of Hainault and Holland, and heir of these provinces, had espoused John, Duke of Brabant, cousin-german to the Duke of Burgundy; but having made this choice from the usual motives of princes, she soon found reason to repent of the unequal alliance. She was a princess of a masculine spirit and uncommon understanding; the Duke of Brabant was of a sickly complexion and weak mind: she was in the vigour of her age; he had only reached his fifteenth year. These causes had inspired her with such contempt for her husband, which soon proceeded to antipathy, that she determined to dissolve a marriage, where, it is probable, nothing but the ceremony had as yet intervened. The court of Rome was commonly very open to applications of this nature, when seconded by power and money; but as the princess foresaw great opposition from her husband's relations, and was impatient to effect her purpose, she made her escape into

<sup>a</sup> Hist. de Fr. Sec. 22, p. 94. Gratian, p. 581.

<sup>b</sup> Hist. de Fr. Sec. 22, p. 96.

<sup>c</sup> Hist. de Fr. Sec. 22, p. 96. Hume's Hist. p. 586. Gratian, p. 581.

<sup>d</sup> Hist. de Fr. Sec. 22, p. 96.

<sup>e</sup> Monstrelet, vol. ii. p. 11. Gratian, p. 584.

<sup>f</sup> Hist. de Fr. Sec. 22, p. 96. Monstrelet, vol. ii. p. 15. Stowe, p. 365.

Hume's Hist. p. 586.

<sup>g</sup> Monstrelet, vol. ii. p. 15.



England, and threw herself under the protection of the Duke of Gloucester. That prince, with many noble qualities, had the defect of being governed by an impetuous temper and vehement passions; and he was rashly induced, as well by the charms of the countess herself, as by the prospect of possessing her rich inheritance, to offer himself to her as a husband. Without waiting for a papal dispensation; without endeavouring to reconcile the Duke of Burgundy to the measure, he entered into a contract of marriage with Jaqueline, and immediately attempted to put himself in possession of her dominions. Philip was disgusted with so precipitate a conduct: he resented the injury done to the Duke of Brabant, his near relation: he dreaded to have the English established on all sides of him: and he foresaw the consequences which must attend the extensive and uncontrolled dominion of that nation, if, before the full settlement of their power, they insulted and injured an ally, to whom they had already been so much indebted, and who was still so necessary for supporting them in their further progress. He encouraged, therefore, the Duke of Brabant to make resistance: he engaged many of Jaqueline's subjects to adhere to that prince: he himself marched troops to his support: and as the Duke of Gloucester still persevered in his purpose, a sharp war was suddenly kindled in the Low Countries. The quarrel soon became personal as well as political. The English prince wrote to the Duke of Burgundy, complaining of the opposition made to his pretensions; and though in the main he employed amicable terms in his letter, he took notice of some falsehoods into which he said Philip had been betrayed during the course of these transactions. This unguarded expression was highly resented: the Duke of Burgundy insisted that he should retract it: and mutual challenges and defiance passed between them on this occasion.<sup>1</sup>

The Duke of Bedford could easily foresee the bad effects of so ill-timed and imprudent a quarrel. All the succours which he expected from England, and which were so necessary in this critical emergency, were intercepted by his brother, and employed in Holland and Hainault: the forces of the Duke of Burgundy, which he also depended on, were diverted by the same wars: and besides this double loss, he was in imminent danger of alienating for ever that confederate, whose friendship was of the utmost importance, and whom the late king had enjoined him, with his dying breath, to gratify by every mark of regard and attachment. He represented all these topics to the Duke of Gloucester: he endeavoured to mitigate the resentment of the Duke of Burgundy: he interposed with his good offices between these princes: but was not successful in any of his endeavours; and he found, that the impetuosity of his brother's temper was still the chief obstacle to all accommodation.<sup>2</sup> For this reason, instead of pushing the victory gained at Verneuil, he found himself obliged to take a journey into England, and to try, by his counsels and authority, to moderate the measures of the Duke of Gloucester.

There had likewise broken out some differences among the English ministry, which had proceeded to great extremities, and which required the regent's presence to compose them.<sup>3</sup> The Bishop of Winchester, to whom the care of the king's person and education had been intrusted, was a prelate of great capacity and experience, but of an intriguing and dangerous character; and as he aspired to the government of affairs, he had continual disputes with his nephew, the protector; and he gained frequent advantages over the vehement and impolitic temper of that prince. The Duke of Bedford employed the authority of parliament to reconcile them; and these rivals were obliged to promise, before that assembly, that they would bury all quarrels in oblivion.<sup>4</sup> Time also seemed to open expedients for composing the difference with the Duke of Burgundy. The credit of that prince had procured a bull from the Pope; by which not only Jaqueline's contract with the Duke of Gloucester was annulled; but it was also declared, that

even in case of the Duke of Brabant's death, it should never be lawful for her to espouse the English prince. Humphrey, despairing of success, married another lady of inferior rank, who had lived some time with him as his mistress. The Duke of Brabant died; and his widow, before she could recover possession of her dominions, was obliged to declare the Duke of Burgundy her heir, in case she should die without issue, and to promise never to marry without his consent. But though the affair was thus terminated to the satisfaction of Philip, it left a disagreeable impression on his mind: it excited an extreme jealousy of the English, and opened his eyes to his true interests: and as nothing but his animosity against Charles had engaged him in alliance with them, it counterbalanced that passion by another of the same kind, which in the end became prevalent, and brought him back, by degrees, to his natural connexions with his family and his native country.

About the same time the Duke of Brittany began to withdraw himself from the English alliance. His brother, the Count of Richemont, though connected by marriage with the Dukes of Burgundy and Bedford, was extremely attached by inclination to the French interest; and he willingly hearkened to all the advances which Charles made him for obtaining his friendship. The staff of constable, vacant by the Earl of Buchan's death, was offered him; and as his martial and ambitious temper aspired to the command of armies, which he had in vain attempted to obtain from the Duke of Bedford, he not only accepted that office, but brought over his brother to an alliance with the French monarch. The new constable, having made this one change in his measures, firmly adhered, ever after, to his engagements with France. Though his pride and violence, which would admit of no rival in his master's confidence, and even prompted him to assassinate his other favourites, had so much disgusted Charles, that he once banished him the court, and refused to admit him to his presence, he still acted with vigour for the service of that monarch, and obtained at last, by his perseverance, the pardon of all past offences.

In this situation, the Duke of Bedford, on A. D. 1426. his return, found the affairs of France, after passing eight months in England. The Duke of Burgundy was much disgusted. The Duke of Brittany had entered into engagements with Charles, and had done homage to that prince for his duchy. The French had been allowed to recover from the astonishment into which their frequent disasters had thrown them. An incident too had happened, which served extremely to raise their courage. The Earl of Warwick had besieged Montargis with a small army of three thousand men, and the place was reduced to extremity, when the bastard of Orleans undertook to throw relief into it. This general, who was natural son to the prince assassinated by the Duke of Burgundy, and who was afterwards created Count of Dunois, conducted a body of sixteen hundred men to Montargis; and made an attack on the enemy's trenches with so much valour, prudence, and good fortune, that he not only penetrated into the place, but gave a severe blow to the English, and obliged Warwick to raise the siege.<sup>5</sup> This was the first signal action that raised the fame of Dunois, and opened him the road to those great honours which he afterwards attained.

But the regent, soon after his arrival, revived the reputation of the English arms, by an important enterprise which he happily achieved. He secretly brought together in separate detachments, a considerable army to the frontiers of Brittany; and fell so unexpectedly upon that province, that the duke, unable to make resistance, yielded to all the terms required of him: he renounced the French alliance; he engaged to maintain the treaty of Troye; he acknowledged the Duke of Bedford for Regent of France; and promised to do homage for his duchy to King Henry.<sup>6</sup> And the English prince, having thus freed himself from a dangerous enemy who lay behind him, resolved on an undertaking which, if successful, would, he hoped, cast

<sup>1</sup> Monstrelet, vol. ii. p. 19, 20, 21.

<sup>2</sup> Ibid. p. 18.

<sup>3</sup> Hall, fol. 38, 99. Holingshead, p. 595, 594. Polydore Virgil, p. 466.

<sup>4</sup> Gracian, p. 542, 519.

<sup>5</sup> Stowe, p. 367.

<sup>6</sup> Monstrelet, vol. ii. p. 32, 33. Holingshead, p. 576.

<sup>7</sup> Monstrelet, vol. ii. p. 35, 36.

the balance between the two nations, and prepare the way for the final conquest of France.

The city of Orleans was situated between the provinces commanded by Henry, and those possessed by Charles, that it opened an easy entrance to either, and as the Duke of Bedford intended to make a great effort for penetrating into the south of France, it behoved him to begin with this place, which, in the present circumstances, was become the most important in the kingdom. He committed the conduct of the enterprise to the Earl of Salisbury, who had newly brought him a reinforcement of six thousand men from England, and who had much distinguished himself, by his abilities, during the course of the present war. Salisbury, passing the Loire, made himself master of several small places, which surrounded Orleans on that side; and as his intentions were thereby known, the French king used every expedient to supply the city with a garrison and provisions, and enable it to maintain a long and obstinate siege. The Lord of Gaucour, a brave and experienced captain, was appointed governor: many officers of distinction threw themselves into the place: the troops which they conducted were inured to war, and were determined to make the most obstinate resistance; and even the inhabitants, disciplined by the long continuance of hostilities, were well qualified, in their own defence, to second the efforts of the most veteran forces. The eyes of all Europe were turned towards this scene; where, it was reasonably supposed, the French were to make their last stand for maintaining the independence of their monarchy and the rights of their sovereign.

The Earl of Salisbury at last approached the place with an army, which consisted only of ten thousand men; and not being able, with so small a force, to invest so great a city, that commanded a bridge over the Loire, he stationed himself on the southern side towards Sologne, leaving the other, towards the Beauce, still open to the enemy. He there attacked the fortifications which guarded the entrance to the bridge; and, after an obstinate resistance, he carried several of them: but was himself killed by a cannon ball as he was taking a view of the enemy.<sup>1</sup> The Earl of Suffolk succeeded to the command; and being reinforced with great numbers of English and Burgundians, he passed the river with the main body of his army, and invested Orleans on the other side. As it was now the depth of winter, Suffolk, who found it difficult, in that season, to throw up intrenchments all around, contented himself, for the present, with erecting redoubts at different distances, where his men were lodged in safety, and were ready to intercept the supplies which the enemy might attempt to throw into the place. Though he had several pieces of artillery in his camp, (and this is among the first sieges in Europe where cannon were found to be of importance,) the art of engineering was hitherto so imperfect, that Suffolk trusted more to famine than to force for subduing the city; and he purposed in the spring to render the circumvallation more complete, by drawing intrenchments from one redoubt to another. Numberless feats of valour were performed both by the besiegers and besieged during the winter: bold sallies were made, and repulsed with equal boldness: convoys were sometimes introduced and often intercepted: the supplies were still unequal to the consumption of the place; and the English seemed daily, though slowly, to be advancing towards the completion of their enterprise.

But while Suffolk lay in this situation, the A. D. 1429. French parties ravaged all the country around; and the besiegers, who were obliged to draw their provisions from a distance, were themselves exposed to the danger of want and famine. Sir John Fastolf was bringing up a large convoy of every kind of stores, which he escorted with a detachment of two thousand five hundred men; when he was attacked by a body of four thousand French, under the command of the Counts of Clermont and Dunois. Fastolf drew up his troops behind the waggon; but the French generals, afraid of

attacking him in that posture, planted a battery of cannon against him, which threw every thing into confusion, and would have insured them the victory, had not the impatience of some Scottish troops, who broke the line of battle, brought on an engagement, in which Fastolf was victorious. The Count of Dunois was wounded; and about five hundred French were left on the field of battle. This action, which was of great importance in the present conjuncture, was commonly called the battle of *Herrings*; because the convoy brought a great quantity of that kind of provisions, for the use of the English army during the Lent season.<sup>2</sup>

Charles seemed now to have but one expedient for saving this city, which had been so long invested. The Duke of Orleans, who was still prisoner in England, prevailed on the protector and the council to consent that all his demesnes should be allowed to preserve a neutrality during the war, and should be sequestered, for greater security, into the hands of the Duke of Burgundy. This prince, who was much less cordial in the English interests than formerly, went to Paris, and made the proposal to the Duke of Bedford; but the regent coldly replied, that he was not of a humour to beat the bushes while others ran away with the game: an answer which so disgusted the Duke, that he recalled all the troops of Burgundy that acted in the siege.<sup>3</sup> The place, however, was every day more and more closely invested by the English: great scarcity began already to be felt by the garrison and inhabitants: Charles, in despair of collecting an army which should dare to approach the enemy's intrenchments, not only gave the city for lost, but began to entertain a very dismal prospect with regard to the general state of his affairs. He saw that the country, in which he had hitherto, with great difficulty, subsisted, would be laid entirely open to the invasion of a powerful and victorious enemy; and he already entertained thoughts of retiring with the remains of his forces into Languedoc and Dauphiny, and defending himself as long as possible in those remote provinces. But it was fortunate for this good prince, that, as he lay under the dominion of the fair, the women, whom he consulted, had the spirit to support his sinking resolution in this desperate extremity. Mary of Anjou, his Queen, a princess of great merit and prudence, vehemently opposed this measure, which, she foresaw, would discourage all his partisans, and serve as a general signal for deserting a prince who seemed himself to despair of success. His mistress too, the fair Agnes Sorel, who lived in entire amity with the queen, seconded all her remonstrances, and threatened that, if he thus pusillanimously threw away the sceptre of France, she would seek in the court of England a fortune more correspondent to her wishes. Love was able to rouse in the breast of Charles that courage which ambition had failed to excite: he resolved to dispute every inch of ground with an imperious enemy; and rather to perish with honour in the midst of his friends, than yield ingloriously to his bad fortune: when relief was unexpectedly brought him by another female of a very different character, who gave rise to one of the most singular revolutions that is to be met with in history.

In the village of Domremi, near Vaucou- The Maid of Orleans, leurs, on the borders of Lorraine, there lived a country girl of twenty-seven years of age, called Joan d'Arc, who was servant in a small inn, and who in that station had been accustomed to tend the horses of the guests, to ride them without a saddle to the watering place, and to perform other offices, which, in well-frequented inns, commonly fall to the share of the men-servants.<sup>4</sup> This girl was of an irreproachable life, and had not hitherto been remarked for any singularity; whether that she had met with no occasion to excite her genius, or that the unskillful eyes of those who conversed with her had not been able to discern her uncommon merit. It is easy to imagine, that the present situation of France was an interesting object even to persons of the lowest rank, and would become the frequent subject of conversa-

<sup>1</sup> Monstrelet, vol. ii. p. 32, 34. Polyd. Virg. p. 406.  
<sup>2</sup> Hist. vol. 166. Monstrelet, vol. ii. p. 39. Stowe, p. 569. Holmshed, p. 377. Gratton, p. 531.

<sup>3</sup> Hist. vol. 166. Monstrelet, vol. ii. p. 41, 42. Stowe, p. 569. Holmshed, p. 600. Polyd. Virg. p. 409. Gratton, p. 542.  
<sup>4</sup> Hist. vol. 166. Monstrelet, vol. ii. p. 41. Stowe, p. 569. Gratton, p. 555. Hist. vol. 147. Monstrelet, vol. i. p. 42. Gratton, p. 554.

tion, a young prince expelled his throne by the rebellion of native subjects, and by the arms of strangers, could not but have the compassion of all his people; whose hearts were untroubled by faction; and the pious character of Charles, so strongly natural to Frenchmen, and the tender passions, naturally rendered him the father of that sex whose generous minds know no bounds in their affections. The siege of Orleans, the progress of the English before that place, the great distress of the garrison, and attendants, the importance of saving this city and its brave defenders, had turned rather the prince's eye; and Joan, influenced by the general sentiment, was seized with a wild desire of bringing relief to her sovereign in his present distresses. Her unexperienced mind, working day and night on this favourite object, mistook the impulses of passion for heavenly inspirations; and she fancied that she saw visions, and heard voices, exhorting her to re-establish the throne of France, and to expel the foreign invaders. An uncommon intrepidity of temper made her overlook all the dangers which might attend her in such a path; and thinking herself destined by Heaven to this office, she threw aside all that bashfulness and timidity so natural to her sex, her years, and her low station. She went to Vaucouleurs; procured admission to Baudricourt the governor; informed him of her inspirations and intentions; and conjured him not to neglect the voice of God, who spoke through her, but to second those heavenly revelations which impelled her to this glorious enterprise. Baudricourt treated her at first with some neglect; but on her frequent returns to him, and importunate solicitations, he began to remark something extraordinary in the maid, and was inclined, at all hazards, to make so easy an experiment. It is uncertain whether this gentleman had discernment enough to perceive that great use might be made with the vulgar of so uncommon an engine; or, what is more likely, in that credulous age, was himself a convert to this visionary: but he adopted at last the schemes of Joan; and he gave her some attendants, who conducted her to the French court, which at that time resided at Chinon.

It is the business of history to distinguish between the *miraculous* and the *marvellous*; to reject the first in all narrations merely profane and human; to doubt the second; and when obliged by unquestionable testimony, as in the present case, to admit of something extraordinary, to receive as little of it as is consistent with the known facts and circumstances. It is pretended, that Joan, immediately on her admission, knew the king, though she had never seen his face before, and though he purposely kept himself in the crowd of courtiers, and had laid aside every thing in his dress and apparel which might distinguish him: that she offered him, in the name of the supreme Creator, to raise the siege of Orleans, and conduct him to Rheims to be there crowned and anointed; and on his expressing doubts of her mission, revealed to him, before some sworn confidants, a secret, which was unknown to all the world beside himself, and which nothing but a heavenly inspiration could have discovered to her: and that she demanded, as the instrument of her future victories, a particular sword, which was kept in the church of St. Catherine of Fierbois, and which, though she had never seen it, she described by all its marks, and by the place in which it had long lain neglected. This is certain, that all these miraculous stories were spread abroad in order to captivate the vulgar. The more the king and his ministers were determined to give in to the illusion, the more scruples they pretended. An assembly of grave doctors and theologians cautiously examined Joan's mission, and pronounced it undoubted and supernatural. She was sent to the parliament, then residing at Poitiers; and was interrogated before that assembly: the presidents, the counsellors, who came persuaded of her imposture, went away convinced of her inspiration. A ray of hope began to break through that despair in which the minds of all men were before enveloped. Heaven had now declared itself in favour of France, and had laid bare its outstretched arm to take vengeance on her invaders. Few could distinguish between the impulse of inclination

and the force of conviction; and none would be exempt to the trouble of so disagreeable a scrutiny.

After these artificial precautions and preparations had been for some time supplied, and all things being now complied with: she was armed cap-à-pee, mounted on horseback, and shown in that martial habit before the whole people. Her dexterity in managing her steed, though acquired in her former occupation, was regarded as a fresh proof of her mission; and she was received with the loudest acclamations by the spectators. Her former occupation was even denied: she was no longer the servant of an inn: she was converted into a shepherdess, an employment much more agreeable to the imagination. To render her still more interesting, near ten years were subtracted from her age; and all the sentiments of love and of chivalry were thus united to those of enthusiasm, in order to inflame the fond fancy of the people with prepossessions in her favour.

When the engine was thus dressed up in full splendour, it was determined to essay its force against the enemy. Joan was sent to Blois, where a large convoy was prepared for the supply of Orleans, and an army of ten thousand men, under the command of St. Sever, assembled to escort it. She ordered all the soldiers to confess themselves before they set out on the enterprise: she banished from the camp all women of bad fame: she displayed in her hands a consecrated banner; where the Supreme Being was represented grasping the globe of earth, and surrounded with flower-de-luces: and she insisted, in right of her prophetic mission, that the convoy should enter Orleans by the direct road from the side of Beause: but the Count of Dunois, unwilling to submit the rules of the military art to her inspirations, ordered it to approach by the other side of the river, where, he knew, the weakest part of the English army was stationed.

Previous to this attempt, the maid had written to the regent, and to the English generals before Orleans, commanding them, in the name of the Omnipotent Creator, by whom she was commissioned, immediately to raise the siege, and to evacuate France: and menacing them with divine vengeance in case of their disobedience. All the English affected to speak with derision of the maid, and of her heavenly commission; and said, that the French king was now indeed reduced to a sorry pass when he had recourse to such ridiculous expedients; but they felt their imagination secretly struck with the vehement persuasion which prevailed in all around them; and they waited with an anxious expectation, not unmingled with horror, for the issue of these extraordinary preparations.

As the convoy approached the river, a sally was made by the garrison on the side of Beause to prevent the English general from sending any detachment to the other side: the provisions were peace-<sup>29th April</sup> ably embarked in boats, which the inhabitants of Orleans had sent to receive them: the maid covered with her troops the embarkation: Suffolk did not venture to attack her: and the French general carried back the army in safety to Blois; an alteration of affairs which was already visible to all the world, and which had a proportional effect on the minds of both parties.

The maid entered the city of Orleans arrayed in her military garb, and displaying her consecrated standard; and was received as a celestial deliverer by all the inhabitants. They now believed themselves invincible under her influence; and Dunois himself, perceiving such a mighty alteration both in friends and foes, consented that the next convoy, which was expected in a few days, should enter by the side of Beause. The convoy ap-<sup>4th May</sup> proached: no sign of resistance appeared in the besiegers: the waggon and troops passed without interruption between the redoubts of the English: a dead silence and astonishment reigned among those troops, formerly so elated with victory, and so fierce for the combat.

The Earl of Suffolk was in a situation very unusual and extraordinary, and which might well confound the man of the greatest capacity and firmest temper. He saw his troops overawed, and strongly impressed with the idea of a divine influence accompanying the maid. Instead of



banshing these vain terrors by hurry, and action, and war, he waited till the soldiers should recover from the panic; and he thereby gave leisure for those prepossessions to sink still deeper into their minds. The military maxims which are prudent in common cases, deceived him in these unaccountable events. The English felt their courage daunted and overwhelmed; and thence inferred a divine vengeance hanging over them. The French drew the same inference from an inactivity so new and unexpected. Every circumstance was now reversed in the opinions of men, on which all depends: the spirit resulting from a long course of uninterrupted success was on a sudden transferred from the victors to the vanquished.

The maid called aloud, that the garrison should remain no longer on the defensive; and she promised her followers the assistance of Heaven in attacking those redoubts of the enemy which had so long kept them in awe, and which they had never hitherto dared to insult. The generals seconded her ardour: an attack was made on one redoubt, and it proved successful: all the English who defended the intrenchments were put to the sword, or taken prisoners: and Sir John Talbot himself, who had drawn together, from the other redoubts, some troops to bring them relief, durst not appear in the open field against so formidable an enemy.

Nothing, after this success, seemed impossible to the maid and her enthusiastic votaries. She urged the generals to attack the main body of the English in their intrenchments; but Dunois, still unwilling to hazard the fate of France by too great temerity, and sensible that the least reverse of fortune would make all the present visions evaporate, and restore every thing to its former condition, checked her vehemence, and proposed to her first to expel the enemy from their forts on the other side of the river, and thus lay the communication with the country entirely open, before she attempted any more hazardous enterprise. Joan was persuaded, and these forts were vigorously assailed. In one attack the French was repulsed; the maid was left almost alone; she was obliged to retreat, and join the runaways; but displaying her sacred standard, and animating them with her countenance, her gestures, her exhortations, she led them back to the charge, and overpowered the English in their intrenchments. In the attack of another fort, she was wounded in the neck with an arrow; she retreated a moment behind the assailants; she pulled out the arrow with her own hands; she had the wound quickly dressed; and she hastened back to head the troops, and to plant her victorious banner on the ramparts of the enemy.

By all these successes the English were entirely chased from their fortifications on that side: they had lost above six thousand men in these different actions; and, what was still more important, their wonted courage and confidence was wholly gone, and had given place to amazement and despair. The maid returned triumphant over the bridge, and was again received as the guardian angel of the city. After performing such miracles, she convinced the most obdurate incredulity of her divine mission: men felt themselves animated as by a superior energy, and thought nothing impossible to that divine hand which so visibly conducted them. It was in vain even for the English generals to oppose with their soldiers the prevailing opinion of supernatural influence: they themselves were probably moved by the same belief: the utmost they dared to advance was, that Joan was not an instrument of God; she was only the implement of the devil: but as the English had felt, to their sad experience, that the devil might be allowed sometimes to prevail, they derived not much consolation from the enforcing of this opinion.

It might prove extremely dangerous for Suffolk, with such intimidated troops, to remain any longer in the presence of so courageous and victorious an enemy; he therefore raised the siege, and retreated with all the precaution imaginable. The French resolved to push their conquests, and to allow the English no leisure to recover from their consternation. <sup>The siege of Orleans raised, 6th May.</sup> They formed a body of six thousand men, and sent

them to attack Jargeau, whither Suffolk had retired with a detachment of his army. The siege lasted ten days; and the place was obstinately defended. Joan displayed her wonted intrepidity on the occasion. She descended into the fossé in leading the attack, and she there received a blow on the head with a stone, by which she was confounded and beaten to the ground: but she soon recovered herself; and in the end rendered the assault successful: Suffolk was obliged to yield himself prisoner to a Frenchman called Renaud; but before he submitted, he asked his adversary, whether he were a gentleman? On receiving a satisfactory answer, he demanded, whether he were a knight? Renaud replied, that he had not yet attained that honour. *Then I make you one*, replied Suffolk: upon which he gave him the blow with his sword, which dubbed him into that fraternity; and he immediately surrendered himself his prisoner.

The remainder of the English army was commanded by Fastolf, Scales, and Talbot, who thought of nothing but of making their retreat, as soon as possible, into a place of safety; while the French esteemed the overtaking them equivalent to a victory. So much had the events which passed before Orleans altered every thing between the two nations! The vanguard of the French, under Richemont and Xantrailles, attacked the rear of the enemy at the village of Patay. The battle lasted not a moment: the English were discomfited and fled: the brave Fastolf himself showed the example of fight to his troops; and the order of the garter was taken from him, as a punishment for this instance of cowardice.<sup>b</sup> Two thousand men were killed in this action, and both Talbot and Scales taken prisoners.

In the account of all these successes, the French writers, to magnify the wonder, represent the maid (who was now known by the appellation of the *maid of Orleans*) as not only active in combat, but as performing the office of general; directing the troops, conducting the military operations, and swaying the deliberations in all councils of war. It is certain, that the policy of the French court endeavoured to maintain this appearance with the public: but it is much more probable, that Dunois and the wiser commanders prompted her in all her measures, than that a country girl, without experience or education, could, on a sudden, become expert in a profession which requires more genius and capacity than any other active scene of life. It is sufficient praise, that she could distinguish the persons on whose judgment she might rely; that she could seize their hints and suggestions, and on a sudden, deliver their opinions as her own; and that she could curb, on occasion, that visionary and enthusiastic spirit with which she was actuated, and could temper it with prudence and discretion.

The raising of the siege of Orleans was one part of the maid's promise to Charles: the crowning of him at Rheims was the other: and she now vehemently insisted that he should forthwith set out on that enterprise. A few weeks before, such a proposal would have appeared the most extravagant in the world. Rheims lay in a distant quarter of the kingdom; was then in the hands of a victorious enemy; the whole road which led to it was occupied by their garrisons; and no man could be so sanguine as to imagine, that such an attempt could so soon come within the bounds of possibility. But as it was extremely the interest of Charles to maintain the belief of something extraordinary and divine in these events, and to avail himself of the present consternation of the English, he resolved to follow the exhortations of his warlike prophetess, and to lead his army upon this promising adventure. Hitherto he had kept remote from the scene of war: as the safety of the state depended upon his person, he had been persuaded to restrain his military ardour: but observing this prosperous turn of affairs, he now determined to appear at the head of his armies, and to set the example of valour to all his soldiers. And the French nobility saw at once their young sovereign assuming a new and more brilliant character, seconded by fortune, and conducted by the hand of Heaven; and they caught fresh zeal to exert themselves in replacing him on the throne of his ancestors.

Charles set out for Rheims at the head of twelve thousand men: he passed by Troyes, which opened its gates to him: Chalons imitated the example: Rheims sent him a deputation with its keys, before his approach to it: and he scarcely perceived, as he passed along, that he was marching through an enemy's country. The ceremony of his coronation was here performed<sup>a</sup> with the

holy oil, which a pigeon had brought to King Clovis from heaven on the first establishment of the French monarchy: the Maid of Orleans stood by his side in complete armour, and displayed her sacred banner, which had so often dissipated and confounded his fiercest enemies: and the people shouted with the most unfeigned joy on viewing such a complication of wonders. After the completion of the ceremony, the maid threw herself at the king's feet, embraced his knees, and, with a flood of tears, which pleasure and tenderness extorted from her, she congratulated him on this singular and marvellous event.

Charles, thus crowned and anointed, became more respectable in the eyes of all his subjects, and seemed, in a manner, to receive anew, from a heavenly commission, his title to their allegiance. The inclinations of men swaying their belief, no one doubted of the inspirations and prophetic spirit of the maid: so many incidents, which passed all human comprehension, left little room to question a superior influence: and the real and undoubted facts brought credit to every exaggeration, which could scarcely be rendered more wonderful. Laon, Soissons, Chateau-Thierry, Provins, and many other towns and fortresses in that neighbourhood, immediately after Charles's coronation, submitted to him on the first summons; and the whole nation was disposed to give him the most zealous testimonies of their duty and affection.

Nothing can impress us with a higher idea of the wisdom, address, and resolution of the Duke of Bedford, than his being able to maintain him in so perilous a situation, and to preserve some footing in France, after the defection of so many places, and amidst the universal inclination of the rest to imitate that contagious example. This prince seemed present every where by his vigilance and foresight: he employed every resource which fortune had yet left him: he put all the English garrisons in a posture of defence: he kept a watchful eye over every attempt among the French towards an insurrection: he retained the Parisians in obedience, by alternately employing caresses and severity: and knowing that the Duke of Burgundy was already wavering in his fidelity, he acted with so much skill and prudence, as to renew, in this dangerous crisis, his alliance with that prince; an alliance of the utmost importance to the credit and support of the English government.

The small supplies which he received from England set the talents of this great man in a still stronger light. The ardour of the English for foreign conquests was now extremely abated by time and reflection: the parliament seems even to have become sensible of the danger which might attend their further progress: no supply of money could be obtained by the regent during his greatest distresses: and men enlisted slowly under his standard, or soon deserted, by reason of the wonderful accounts which had reached England, of the magic, and sorcery, and diabolical power of the Maid of Orleans.<sup>b</sup> It happened fortunately, in this emergency, that the Bishop of Winchester, now created a cardinal, landed at Calais with a body of five thousand men, which he was conducting into Bohemia, on a crusade against the Hussites. He was persuaded to lend these troops to his nephew during the present difficulties;<sup>c</sup> and the regent was thereby enabled to take the field, and to oppose the French king, who was advancing with his army to the gates of Paris.

The extraordinary capacity of the Duke of Bedford appeared also in his military operations. He attempted to restore the courage of his troops by boldly advancing to the face of the enemy; but he chose his posts with so much caution, as always to decline a combat, and to render it impossible for Charles to attack him. He still attended

that prince in all his movements; covered his own towns and garrisons; and kept himself in a posture to reap advantage from every imprudence or false step of the enemy. The French army, which consisted mostly of volunteers, who served at their own expense, soon after retired and was disbanded: Charles went to Bourges, A. D. 1430. the ordinary place of his residence, but not till he made himself master of Compeigne, Beauvais, Senlis, Sens, Laval, Lagni, St. Denis, and of many places in the neighbourhood of Paris, which the affections of the people had put into his hands.

The regent endeavoured to revive the declining state of his affairs by bringing over the young King of England, and having him crowned and anointed at Paris.<sup>d</sup> All the vassals of the crown who lived within the provinces possessed by the English, swore new allegiance, and did homage to him. But this ceremony was cold and insipid, compared with the lustre which had attended the coronation of Charles at Rheims; and the Duke of Bedford expected more effect from an accident, which put into his hands the person that had been the author of all his calamities.

The Maid of Orleans, after the coronation of Charles, declared to the Count of Dunois, that her wishes were now fully gratified, and that she had no further desire than to return to her former condition, and to the occupation and course of life which became her sex: but that nobleman, sensible of the great advantages which might still be reaped from her presence in the army, exhorted her to persevere, till, by the final expulsion of the English, she had brought all her prophecies to their full completion. In pursuance of this advice, she threw herself into the town of Compeigne, which was at that time besieged by the Duke of Burgundy, assisted by the Earls of Arundel and Suffolk; and the garrison, on her appearance, believed themselves thenceforth invincible. But their joy was of short duration. The maid, next day, 24th May, after her arrival, headed a sally upon the

quarters of John of Luxembourg: she twice drove the enemy from their intrenchments; finding their numbers to increase every moment, she ordered a retreat; when hard pressed by the pursuers, she turned upon them, and made them again recoil; but being here deserted by her friends, and surrounded by the enemy, she was at last, after exerting the utmost valour, taken prisoner by the Burgundians.<sup>e</sup> The common opinion was, that the French officers, finding the merit of every victory ascribed to her, had in envy to her renown, by which they themselves were so much eclipsed, willingly exposed her to this fatal accident.

The envy of her friends, on this occasion, was not a greater proof of her merit than the triumph of her enemies. A complete victory would not have given more joy to the English and their partisans. The service of *Té Deum*, which has so often been profaned by princes, was publicly celebrated, on this fortunate event, at Paris. The Duke of Bedford fancied, that, by the captivity of that extraordinary woman, who had blasted all his successes, he should again recover his former ascendancy over France; and to push further the present advantage, he purchased the captive from John of Luxembourg, and formed a prosecution against her, which, whether it proceeded from vengeance or policy, was equally barbarous and dishonourable.

There was no possible reason why Joan A. D. 1431. should not be regarded as a prisoner of war, and be entitled to all the courtesy and good usage which civilized nations practise towards enemies on these occasions. She had never, in her military capacity, forfeited, by any act of treachery or cruelty, her claim to that treatment: she was unstained by any civil crime: even the virtues and the very decorums of her sex had ever been rigidly observed by her: and though her appearing in war, and leading armies to battle, may seem an exception, she had thereby performed such signal service to her prince, that she had abundantly compensated for this irregularity: and was, on that very account, the more an object of praise and admiration. It was necessary, therefore, for

<sup>a</sup> Mousmetet, vol. ii. p. 48.<sup>b</sup> Rymer, vol. x. p. 459. 472.<sup>c</sup> Rymer, vol. x. p. 421.<sup>d</sup> Ibid. vol. x. p. 432.<sup>e</sup> Stowe, p. 371.

the Duke of Bedford to interest religion some way in the presentation; and to recover, under that cloak, his violation of justice and humanity.

The Bishop of Beauvais, a man wholly devoted to the English interests, presented a petition against Joan, on pretence that she was taken within the bounds of his diocese; and he desired to have her tried by an ecclesiastical court for sorcery, impiety, idolatry, and magic: the university of Paris was so mean as to join in the same request: several prelates, among whom the Cardinal of Winchester was the only Englishman, were appointed her judges: they held their court in Roüen, where the young King of England then resided: and the maid clothed in her former military apparel, but loaded with nouns, was produced before this tribunal.

She first desired to be eased of her chains: her judges answered, that she had once already attempted an escape, by throwing herself from a tower: she confessed the fact, maintained the justice of her intention, and owned that, if she could, she would still execute that purpose. All her other speeches showed the same firmness and intrepidity: though harassed with interrogatories during the course of near four months, she never betrayed any weakness or wretched submission: and no advantage was gained over her. The point which her judges pushed most vehemently, was her visions and revelations, and intercourse with departed saints; and they asked her, whether she would submit to the church the truth of these inspirations! She replied, that she would submit them to God, the fountain of truth. They then exclaimed, that she was a heretic, and denied the authority of the church. She appealed to the Pope: they rejected her appeal.

They asked her, why she put trust in her standard, which had been consecrated by magical incantations? She replied, that she put trust in the Supreme Being alone, whose image was impressed upon it. They demanded, why she carried in her hand that standard at the assault and coronation of Charles at Rheims? She answered, that the person who had shared the danger was entitled to share the glory. When accused of going to war, contrary to the decorum of her sex, and of assuming government and command over men; she scrupled not to reply, that her sole purpose was to defeat the English, and to expel them from the kingdom. In the issue, she was condemned for all the crimes of which she had been accused, aggravated by heresy; her revelations were declared to be inventions of the devil to delude the people; and she was sentenced to be delivered over to the secular arm.

Joan, so long surrounded by inveterate enemies, who treated her with every mark of contumely; brow-beaten and overawed by men of superior rank, and invested with the ensigns of a sacred character, which she had been accustomed to revere, felt her spirit at last subdued; and those visionary dreams of inspiration, in which she had been buoyed up by the triumphs of success and the applauses of her own party, gave way to the terrors of that punishment to which she was sentenced. She publicly declared herself willing to recant; she acknowledged the illusion of those revelations which the church had rejected; and she promised never more to maintain them. Her sentence was then mitigated: she was condemned to perpetual imprisonment, and to be fed during life on bread and water.

Enough was now done to fulfil all political views, and to convince both the French and the English, that the opinion of divine influence, which had so much encouraged the one and daunted the other, was entirely without foundation. But the barbarous vengeance of Joan's enemies was not satisfied with this victory. Suspecting that the female dress which she had now consented to wear, was disagreeable to her, they purposely placed in her apartment a suit of men's apparel; and watched for the effects of that temptation upon her. On the sight of a dress, in which she had acquired so much renown, and which, she once believed, she wore by the particular appointment of Heaven, all her former ideas and passions revived; and

she ventured in her solitude to clothe herself again in the forbidden garment. Her insidious enemies caught her in that situation: her fault was interpreted to be no less than a relapse into heresy: no recantation would now suffice, and no pardon could be granted her. She was condemned to be burned in the marketplace of Roüen; and the infamous sentence was accordingly executed. This admirable heroine, to whom the more generous superstition of the ancients would have erected altars, was, on pretence of heresy and magic, delivered over alive to the flames, and expiated, by that dreadful punishment, the signal services which she had rendered to her prince, and to her native country.

Execution of  
the Maid of  
Orléans.  
14th June.

The affairs of the English, far from being advanced by this execution, went every day more and more to decay: the great abilities of the regent were unable to resist the strong inclination, which had seized the French, to return under the obedience of their rightful sovereign, and which that act of cruelty was ill fitted to remove. Chartres was surprised by a stratagem of the Count of Dunois: a body of the English, under Lord Willoughby, was defeated at St. Celerin, upon the Sarte: the fair in the suburbs of Caën, seated in the midst of the English territories, was pillaged by de Lore, a French officer: the Duke of Bedford himself was obliged by Dunois to raise the siege of Lagni, with some loss of reputation: and all these misfortunes, though light, yet being continued and uninterrupted, brought discredit on the English, and menaced them with an approaching revolution. But the chief detriment which the regent sustained, was by the death of his duchess, who had hitherto preserved some appearance of friendship between him and her brother the Duke of Burgundy:<sup>1</sup> and his marriage soon afterwards, with Jacqueline of Luxembourg, was the beginning of a breach between them.<sup>2</sup> Philip complained, that the regent had never had the civility to inform him of his intentions, and that so sudden a marriage was a slight on his sister's memory. The Cardinal of Winchester mediated a reconciliation between these princes, and brought both of them to St. Omer's for that purpose. The Duke of Bedford here expected the first visit, both as he was son, brother, and uncle to a king, and because he had already made such advances as to come into the Duke of Burgundy's territories, in order to have an interview with him: but Philip, proud of his great power and independent dominions, refused to pay this compliment to the regent: and the two princes, unable to adjust the ceremonial, parted without seeing each other.<sup>3</sup> A bad prognostic of their cordial intentions to renew past amity!

Nothing could be more repugnant to the interests of the house of Burgundy, than to unite the crowns of France and England on the same head; an event which, had it taken place, would have reduced the duke to the rank of a petty prince, and have rendered his situation entirely dependent and precarious. The title also to the crown of France, which, after the failure of the elder branches, might accrue to the duke or his posterity, had been sacrificed by the treaty of Troye; and strangers and enemies were thereby irrevocably fixed upon the throne. Revenge alone had carried Philip into these impolitic measures; and a point of honour had hitherto induced him to maintain them. But as it is the nature of passion gradually to decay, while the sense of interest maintains a permanent influence and authority; the duke had, for some years, appeared sensibly to relent in his animosity against Charles, and to hearken willingly to the apologies made by that prince for the murder of the late Duke of Burgundy. His extreme youth was pleaded in his favour; his incapacity to judge for himself; the ascendant gained over him by his ministers; and his inability to resent a deed, which, without his knowledge, had been perpetrated by those under whose guidance he was then placed. The more to flatter the pride of Philip, the King of France had banished from his court and presence Tanegui de Chatel, and all those who were concerned in that assassination; and had

Defection of  
the Duke of  
Burgundy.

<sup>1</sup> Monstrelet, vol. ii. p. 120.  
<sup>2</sup> Monstrelet, p. 127. Girardin, p. 564.

<sup>3</sup> Ibid. p. 127.

<sup>1</sup> Monstrelet, vol. ii. p. 120. Girardin, p. 564.



offered to make every other atonement which could be required of him. The distress which Charles had already suffered, had tended to gratify the duke's revenge; the amusements to which France had been so long exposed, had begun to move his compassion; and the cries of all Europe admonished him, that his resistance, which might hitherto be deemed pious, would, if carried further, be universally condemned as barbarous and unrelenting. While the duke was in this disposition, every disgust which he received from England, made a deeper impression upon him; the intrigues of the Court of Reims, and the Duke of Bourbon, who had married his two sisters, had weight; and he finally determined to unite himself to the royal family of France, from which his own was descended. For this purpose, a congress was appointed at Arras under the mediation of deputies from the Pope and the council of Basle: the Duke of Burgundy came thither in person; the Duke of Bourbon, the Count of Richemont, and other persons of high rank, appeared as ambassadors from France; and the English having also been invited to attend, the Cardinal of Winchester, the Bishops of Norwich and St. David's, the Earls of Huntingdon and Suffolk, with others, received from the protector and council a commission for that purpose.<sup>a</sup>

The conferences were held in the abbey of St. Vaast; and began with discussing the proposals of the two crowns, which were so wide of each other as to admit of no hopes of accommodation. France offered to cede Normandy with Guienne, but both of them loaded with the usual homage and vassalage to the crown. As the claims of England upon France were universally unpopular in Europe, the mediators declared the offers of Charles very reasonable; and the Cardinal of Winchester, with the other English ambassadors, without giving a particular detail of their demands, immediately left the congress. There remained nothing but to discuss the mutual pretensions of Charles and Philip. These were easily adjusted: the vassal was in a situation to give law to his superior; and he exacted conditions, which, had it not been for the present necessity, would have been deemed, to the last degree, dishonourable and disadvantageous to the crown of France. Besides making repeated atonements and acknowledgments for the murder of the Duke of Burgundy, Charles was obliged to cede all the towns of Picardy which lay between the Somme and the Low Countries; he yielded several other territories; he agreed, that these and all the other dominions of Philip should be held by him, during his life, without doing any homage, or swearing fealty to the present king; and he freed his subjects from all obligations to allegiance, if ever he infringed this treaty.<sup>a</sup> Such were the conditions upon which France purchased the friendship of the Duke of Burgundy.

The duke sent a herald to England with a letter, in which he notified the conclusion of the treaty of Arras, and apologized for his departure from that of Troye. The council received the herald with great coldness: they even assigned him his lodgings in a shoemaker's house, by way of insult; and the populace were so incensed, that if the Duke of Gloucester had not given him guards, his life had been exposed to danger, when he appeared in the streets. The Flemings, and other subjects of Philip, were insulted, and some of them murdered by the Londoners; and every thing seemed to tend towards a rupture between the two nations.<sup>a</sup> These violences were not disagreeable to the Duke of Burgundy; as they afforded him a pretence for the further measures which he intended to take against the English, whom he now regarded as implacable and dangerous enemies.

A few days after the Duke of Bedford received intelligence of this treaty, so fatal to the interests of England, he died at Rouen; a prince of great abilities, and of many virtues; and whose memory, except from the barbarous execution of the Maid of Orleans, was unsullied by any consider-

able blemish. Isabella, Queen of France, died a little before him, despised by the English, detested by the French, and reduced in her later years to regard, with an unnatural horror, the progress and success of her own son, in recovering possession of his kingdom. This period was also signalized by the death of the Earl of Arundel, a great English general, who, though he commanded three thousand men, was foiled by Xaintrailles at the head of six hundred, and soon after expired of the wounds which he received in the action.

The violent factions which prevailed between the Duke of Gloucester and the Cardinal of Winchester prevented the English from taking the proper measures for repairing these multiplied losses, and threw all their affairs into confusion. The popularity of the duke, and his near relation to the crown, gave him advantages in the contest which he often lost by his open and ungoverned temper, unfit to struggle with the politic and interested spirit of his rival. The balance, meanwhile, of these parties, kept every thing in suspense: foreign affairs were much neglected; and though the Duke of York, son to that Earl of Cambridge who was executed in the beginning of the last reign, was appointed successor to the Duke of Bedford, it was seven months before his commission passed the seals; and the English remained so long in an enemy's country without a proper head or governor.

The new governor, on his arrival, found the capital already lost. The Parisians had always been more attached to the Burgundian than to the English interest; and after the conclusion of the treaty of Arras, their affections, without any further control, universally led them to return to their allegiance under their native sovereign. The constable, together with Lile-Adam, the same person who had before put Paris into the hands of the Duke of Burgundy, was introduced in the night-time by intelligence with the citizens: Lord Willoughby, who commanded only a small garrison of 1500 men, was expelled: this nobleman possessed valour and presence of mind on the occasion; but unable to guard so large a place against such multitudes, he retired into the Bastille, and being there invested, he delivered up that fortress, and was contented to stipulate for the safe retreat of his troops into Normandy.<sup>a</sup>

In the same season the Duke of Burgundy openly took part against England, and commenced hostilities by the siege of Calais, the only place which now gave the English any sure hold of France, and still rendered them dangerous. As he was beloved among his own subjects, and had acquired the epithet of *Good*, from his popular qualities, he was able to interest all the inhabitants of the Low Countries in the success of this enterprise; and he invested that place with an army, formidable for its numbers, but without experience, discipline, or military spirit.<sup>a</sup> On the first alarm of this siege, the Duke of Gloucester assembled some forces, sent a defiance to Philip, and challenged him to wait the event of a battle, which he promised to give, as soon as the wind would permit him to reach Calais. The warlike genius of the English had at that time rendered them terrible to all the northern parts of Europe; especially to the Flemings, who were more expert in manufactures than in arms; and the Duke of Burgundy, being already foiled in some attempts before Calais, and observing the discontent and terror of his own army, thought proper to raise the siege, and to retreat before the arrival of the English.<sup>a</sup>

The English were still masters of many fine provinces in France; but retained possession, more by the extreme weakness of Charles, than by the strength of their own garrisons, or the force of their armies. Nothing indeed can be more surprising than the feeble efforts made, during the course of several years, by these two potent nations against each other; while the one struggled for independence, and the other aspired to a total conquest of its rival. The general want of industry, commerce, and police, in

Decline of the English in France.

26th June.

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<sup>a</sup> M. de Montmorency, in 1435, was killed at the battle of St. Albans.

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The general want of industry, commerce, and police, in

that age, had rendered all the European nations, and France and England no less than the others, unfit for bearing the burdens of war, when it was prolonged beyond one season; and the continuance of hostilities had, long ere this time, exhausted the force and patience of both kingdoms. Scarcely could the appearance of an army be brought into the field on either side; and all the operations consisted in the surprisal of places, in the encounter of detached parties, and in incursions upon the open country; which were performed by small bodies, assembled on a sudden from the neighbouring garrisons. In this method of conducting the war, the French king had much the advantage: the affections of the people were entirely on his side: intelligence was early brought him of the state and motions of the enemy: the inhabitants were ready to join in any attempts against the garrisons: and thus ground was continually, though slowly, gained upon the English. The Duke of York, who was a prince of abilities, struggled against these difficulties during the course of five years; and being assisted by the valour of Lord Talbot, soon after created Earl of Shrewsbury, he performed actions which acquired him honour, but merit not the attention of posterity. It would have been well, had this feeble war, in sparing the blood of the people, prevented likewise all other oppressions; and had the fury of men, which reason and justice cannot restrain, thus happily received a check from their impotence and inability. But the French and English, though they exerted such small force, were, however, stretching beyond their resources, which were still smaller; and the troops, destitute of pay, were obliged to subsist by plundering and oppressing the country, both of friends and enemies. The

A. D. 1440.

A. D. 1440. fields in all the north of France, which was the seat of war, were laid waste and left uncultivated. The cities were gradually depopulated, not by the blood spilt in battle, but by the more destructive pillage of the garrisons<sup>14</sup> and both parties, weary of hostilities which decided nothing, seemed at last desirous of peace, and they set on foot negotiations for that purpose. But the proposals of France, and the demands of England, were still so wide of each other, that all hope of accommodation immediately vanished. The English ambassadors demanded restitution of all the provinces which had once been annexed to England, together with the final cession of Calais and its district; and required the possession of these extensive territories without the burden of any fealty or homage on the part of their prince: the French offered only part of Guienne, part of Normandy, and Calais, loaded with the usual burdens. It appeared in vain to continue the negotiation, while there was so little prospect of agreement. The English were still too haughty to stoop from the vast hopes which they had formerly entertained, and to accept of terms more suitable to the present condition of the two kingdoms.

The Duke of York soon after resigned his government to the Earl of Warwick, a nobleman of reputation, whom death prevented from long enjoying this dignity. The duke, upon the demise of that nobleman, returned to his charge, and during his administration, a truce was concluded between the King of England and the Duke of Burgundy, which had become necessary for the commercial interests of their subjects.<sup>7</sup> The war with France continued in the same languid and feeble state as before.

The captivity of five princes of the blood, taken prisoners in the battle of Azincourt, was a considerable advantage which England long enjoyed over its enemy; but this superiority was now entirely lost. Some of these princes had died; some had been ransomed; and the Duke of Orleans, the most powerful among them, was the last that remained in the hands of the English. He offered the sum of 54,000 nobles\* for his liberty; and when this proposal was laid before the council of England, as every question was there an object of faction, the party of the Duke of Gloucester, and that of the Cardinal of Winches-

ter, were divided in their sentiments with regard to it. The duke reminded the council of the dying advice of the late king, that none of these prisoners should on any account be released, till his son should be of sufficient age to hold himself the reins of government. The cardinal insisted on the greatness of the sum offered, which in reality was nearly equal to two-thirds of all the extraordinary supplies that the parliament, during the course of seven years, granted for the support of the war. And he added, that the release of this prince was more likely to be advantageous than prejudicial to the English interests, by filling the court of France with faction, and giving a head to those numerous malcontents whom Charles was at present able, with great difficulty, to restrain. The cardinal's party, as usual, prevailed: the Duke of Orleans was released, after a melancholy captivity of twenty-five years; and the Duke of Burgundy, as a pledge of his entire reconciliation with the family of Orleans, facilitated to that prince the payment of his ransom. It must be confessed, that the princes and nobility, in those ages, went to war on very disadvantageous terms. If they were taken prisoners, they either remained in captivity during life, or purchased their liberty at the price which the victors were pleased to impose, and which often reduced their families to want and beggary.

The sentiments of the cardinal, some time after, prevailed, in another point of still greater moment. That prelate had always encouraged every proposal of accommodation with France; and had represented the utter impossibility, in the present circumstances, of pushing further the conquests in that kingdom, and the great difficulty of even maintaining those that were already made. He insisted on the extreme reluctance of the parliament to grant supplies; the disorders in which the English affairs in Normandy were involved; the daily progress made by the French king; and the advantage of stopping his hand by a temporary accommodation, which might leave room for time and accidents to operate in favour of the English. The Duke of Gloucester, high spirited and haughty, and educated in the lofty pretensions which the first successes of his two brothers had rendered familiar to him, could not yet be induced to relinquish all hopes of prevailing over France; much less could he see, with patience, his own opinion thwarted and rejected by the influence of his rival in the English council. But notwithstanding his opposition, the Earl of Suffolk, a nobleman who adhered to the cardinal's party, was despatched to Tours, in order to negotiate with the French ministers.

It was found impossible to adjust the terms of a lasting peace; but a truce for twenty-two months was concluded, which left every thing on the present footing between the parties. The numerous disorders under which the French government laboured, and which time alone could remedy, induced Charles to assent to this truce; and the same motives engaged him afterwards to prolong it.<sup>2</sup> But Suffolk, not content with executing this object of his commission, proceeded also to finish another business; which seems rather to have been implied than expressed in the powers that had been granted him.<sup>3</sup>

In proportion as Henry advanced in years, his character became fully known in the court, and was no longer ambiguous to either faction. Of the most harmless, inoffensive, simple manners, but of the most slender capacity, he was fitted, both by the softness of his temper, and the weakness of his understanding, to be perpetually governed by those who surrounded him; and it was easy to foresee that his reign would prove a perpetual minority. As he had now reached the twenty-third year of his age, it was natural to think of choosing him a queen; and each party was ambitious of having him receive one from their hand; as it was probable that this circumstance would decide, for ever, the victory between them. The Duke of Gloucester proposed a daughter of the Count of Armagnac;

As a result, the population of the island, after this period visited France in the form of Prince Hoang, someone that symbolized an almost a conservation of the French presence in the island. The *Le Livre de L'Empire d'Annam*, though, was made possible by the participation of Barthélemy, there, and later, with some assistance from the government, an exact distribution was made, and the library moved to the island, and for the difference remained by the author.

<sup>8</sup> Rayner, vol. 8, p. 764, 776, 792, 795, 796. This sum was equal to 76,000 pounds sterling of our present money. A subsidy of a tenth and thirtieth was levied by Edward III. at 29,000 pounds, which, in the reign of Henry VI. made only 58,000 pounds of our present money. The parliament granted only one subsidy during the course of seven years, from 1447 to 1454.

See *Constitution*, p. 542.

<sup>2</sup> Russell, vol. 2, 1, 101, 102, 206, 214.

a. *Ibid.*, p. 53.

but had not credit to effect his purpose. The cardinal and his friends had cast their eye on Margaret of Anjou, daughter of Regnier, titular King of Sicily, Naples, and Jerusalem, descended from the Count of Anjou, brother of Charles V., who had left these magnificent titles, but without any real power or possessions, to his posterity. This princess herself was the most accomplished of her age both in body and mind; and seemed to possess those qualities which would equally qualify her to acquire the ascendant over Henry, and to supply all his defects and weaknesses. Of a masculine, courageous spirit, of an enterprising temper, endowed with solidity as well as vivacity of understanding, she had not been able to conceal these great talents even in the privacy of her father's family; and it was reasonable to expect, that when she should mount the throne, they would break out with still superior lustre. The Earl of Suffolk, therefore, in concert with his associates of the English council, made proposals of marriage to Margaret, which were accepted. But this nobleman, besides pre-occupying the princess's favour, by being the chief means of her advancement, endeavoured to ingratiate himself with her and her family, by very extraordinary concessions: though Margaret brought no dowry with her, he ventured of himself, without any direct authority from the council, but probably with the approbation of the cardinal and the ruling members, to engage, by a secret article, that the province of Maine, which was at that time in the hands of the English, should be ceded to Charles of Anjou, her uncle,<sup>b</sup> who was prime minister and favourite of the French king, and who had already received from his master the grant of that province as his appanage.

<sup>a</sup> Marriage of the king with Margaret of Anjou.

The treaty of marriage was ratified in England: Suffolk obtained first the title of marquis, then that of duke; and even received the thanks of parliament for his services in concluding it.<sup>c</sup> The princess felt immediately into close connexions with the cardinal and his party, the Dukes of Somerset, Suffolk, and Buckingham;<sup>d</sup> who, fortified by her powerful patronage, resolved on the final ruin of the Duke of Gloucester.

This generous prince, worsted in all court intrigues, for which his temper was not suited; but possessing, in a high degree, the favour of the public, had already received from his rivals a cruel mortification, which he had hitherto borne without violating public peace, but which it was impossible that a person of his spirit and humanity could ever forgive. His duchess, the daughter of Reginald, Lord Cobham, had been accused of the crime of witchcraft, and it was pretended that there was found in her possession a waxen figure of the king, which she and her associates, Sir Roger Bolingbroke, a priest, and one Margery Jordan of Eye, melted in a magical manner before a slow fire, with an intention of making Henry's force and vigour waste away by like insensible degrees. The accusation was well calculated to affect the weak and credulous mind of the king, and to gain belief in an ignorant age; and the duchess was brought to trial with her confederates. The nature of this crime, so opposite to all common sense, seems always to exempt the accusers from observing the rules of common sense in their evidence: the prisoners were pronounced guilty; the duchess was condemned to do public penance, and to suffer perpetual imprisonment; the others were executed.<sup>e</sup> But, as these violent proceedings were ascribed solely to the malice of the duke's enemies, the people, contrary to their usual practice in such marvellous trials, acquitted the unhappy sufferers; and increased their esteem and affection towards a prince, who was thus exposed, without protection, to those mortal injuries.

These sentiments of the public made the Cardinal of Winchester and his party sensible that it was necessary to destroy a man whose popularity might become dangerous, and whose resentment they had so much cause to apprehend. In order to effect their purpose, a parliament was summoned to meet, not at London, which was supposed to be too well affected to the duke, but at St. Edmundsbury, where they expected that he would lie entirely at

their mercy. As soon as he appeared, he was accused of treason, and thrown into prison. He was soon after found dead in his bed;<sup>f</sup> and though it was pretended that his death was natural, and though his body, which was exposed to public view, bore no marks of outward violence, no one doubted but he had fallen a victim to the vengeance of his enemies. An artifice, formerly practised in the case of Edward II., Richard II., and Thomas of Woodstock, Duke of Gloucester, could deceive nobody. The reason of this assassination of the duke seems, not that the ruling party apprehended his acquittal in parliament on account of his innocence, which, in such times, was seldom much regarded; but that they imagined his public trial and execution would have been more invidious than his private murder, which they pretended to deny. Some gentlemen of his retinue were afterwards tried as accomplices in his treasons, and were condemned to be hanged, drawn, and quartered. They were hanged and cut down; but just as the executioner was proceeding to quarter them, their pardon was produced, and they were recovered to life.<sup>g</sup> The most barbarous kind of mercy that can possibly be imagined!

This prince is said to have received a better education than was usual in his age, to have founded one of the first public libraries in England, and to have been a great patron of learned men. Among other advantages, which he reaped from this turn of mind, it tended much to cure him of credulity; of which the following instance is given by Sir Thomas More. There was a man, who pretended, that, though he was born blind, he had recovered his sight by touching the shrine of St. Albans. The duke, happening soon after to pass that way, questioned the man, and, seeming to doubt of his sight, asked him the colours of several cloaks, worn by persons of his retinue. The man told them very readily. *You are a knave*, cried the prince; *had you been born blind, you could not so soon have learned to distinguish colours*: and immediately ordered him to be set in the stocks as an impostor.<sup>h</sup>

The Cardinal of Winchester died six weeks after his nephew, whose murder was universally ascribed to him as well as to the Duke of Suffolk, and which, it is said, gave him more remorse in his last moments, than could naturally be expected from a man hardened, during the course of a long life, in falsehood and in politics. What share the queen had in this guilt, is uncertain; her usual activity and spirit made the public conclude, with some reason, that the duke's enemies durst not have ventured on such a deed without her privacy. But there happened, soon after, an event, of which she and her favourite, the Duke of Suffolk, bore incontestably the whole odium.

That article of the marriage treaty, by which the province of Maine was to be ceded to Charles of Anjou, the queen's uncle, had probably been hitherto kept secret; and, during the lifetime of the Duke of Gloucester, it might have been dangerous to venture on the execution of it. But, as the court of France strenuously insisted on performance, orders were now despatched, under Henry's hand, to Sir Francis Surienne, governor of Mans, commanding him to surrender that place to Charles of Anjou. Surienne, either questioning the authenticity of the order, or regarding his government as his sole fortune, refused compliance; and it became necessary for a French army, under the Count of Dunois, to lay siege to the city. The governor made as good a defence as his situation could permit; but, receiving no relief from Edmund, Duke of Somerset, who was at that time governor of Normandy, he was at last obliged to capitulate, and to surrender not only Mans, but all the other fortresses of that province, which was thus entirely alienated from the crown of England.

The bad effects of this measure stopped A. D. 1448. not here. Surienne, at the head of all his garrisons, amounting to two thousand five hundred men, retired into Normandy, in expectation of being taken into pay, and of being quartered in some towns of that province. But Somerset, who had no means of subsisting such a multitude, and who was probably incensed at

<sup>a</sup> Sir F. More.  
Mortimer of the  
Duke of Glou-  
cester.

<sup>b</sup> Gratton, p. 590.

<sup>c</sup> H. unsley, p. 626.

<sup>d</sup> Store, p. 24. H. Inghesed, p. 622. Gratton, p. 597.

<sup>e</sup> Cotton, p. 630.

<sup>f</sup> Gratton, p. 597.

<sup>g</sup> Alban Chron. anno 1447.

<sup>h</sup> Gratton, p. 597.



Surienne's disobedience, refused to admit him: and this adventurer, not daring to commit depredations on the territories either of the king of France or of England, marched into Brittany, seized the town of Fougères, repaired the fortifications of Pontorson and St. James de Beuvron, and subsisted his troops by the ravages which he exercised on that whole province.<sup>1</sup> The Duke of Brittany complained of this violence to the King of France, his liege lord: Charles remonstrated with the Duke of Somerset: that nobleman replied, that the injury was done without his privity, and that he had no authority over Surienne and his companions.<sup>2</sup> Though this answer ought to have appeared satisfactory to Charles, who had often felt severely the licentious, independent spirit of such mercenary soldiers, he never would admit of the apology. He still insisted that these plunderers should be recalled, and that reparation should be made to the Duke of Brittany for all the damages which he had sustained: and, in order to render an accommodation absolutely impracticable, he made the estimation of damages amount to no less a sum than 1,600,000 crowns. He was sensible of the superiority which the present state of his affairs gave him over England; and he determined to take advantage of it.

No sooner was the truce concluded between the two kingdoms, than Charles employed himself, with great industry and judgment, in repairing those numberless ills to which France, from the continuance of wars, both foreign and domestic, had so long been exposed. He restored the course of public justice; he introduced order into the finances; he established discipline in his troops; he repressed faction in his court; he revived the languid state of agriculture and the arts; and, in the course of a few years, he rendered his kingdom flourishing within itself, and formidable to its neighbours. Meanwhile, affairs in England had taken a very different turn. The court was divided into parties, which were engaged against each other: the people were discontented with the government: conquests in France, which were an object more of glory than of interest, were overlooked amidst domestic incidents, which engrossed the attention of all men: the governor of Normandy, ill supplied with money, was obliged to dismiss the greater part of his troops, and to allow the fortifications of the towns and castles to become ruinous: and the nobility and people of that province had, during the late open communication with France, enjoyed frequent opportunities of renewing connexions with their ancient master, and of concerting the means for expelling the English. The occasion, therefore, seemed favourable to Charles for breaking the truce. Normandy was at once invaded by four powerful armies; one commanded by the king himself; a second by the Duke of Brittany; a third by the Duke of Alençon; and

A. D. 1449.  
Renewal  
of the war with  
France.

a fourth by the Count of Dunois. The places opened their gates almost as soon as the French appeared before them: Verneuil, Nogent, Chateau Gaillard, Ponteau de Mer, Gisors, Mante, Vernon, Argentan, Lisieux, Fecamp, Coutances, Belesme, Pont de l'Arche, fell in an instant into the hands of the enemy. The Duke of Somerset, so far from having an army which could take the field, and relieve these places, was not able to supply them with the necessary garrisons and provisions. He retired with the few troops of which he was master into Rouen; and thought it sufficient, if, till the arrival of succours from England, he could save that capital from the general fate of the province. The King of France, at the head of a formidable army, fifty thousand strong, presented himself before the gates: the dangerous example of revolt had infected the inhabitants; and they called aloud for a capitulation. Somerset, unable to resist at once both the enemies within and from without, retired with his garrison into the palace and castle, which being places not tenable, he was obliged to surrender: he purchased a retreat

to Harfleur by the payment of 56,000 crowns, by engaging to surrender Arques, Tancarville, Caudebec, Honfleur, and other places in the higher Normandy, and by delivering hostages for the performance of articles.<sup>3</sup> The governor of Harfleur refused to obey his orders; upon

which the Earl of Shrewsbury, who was one of the hostages, was detained prisoner; and the English were thus deprived of the only general capable of recovering them from their present distressed situation. Harfleur made a better defence under Sir Thomas Curson the governor; but was finally obliged to open its gates to Dunois. Succours at last appeared from England under A. D. 1450. Sir Thomas Kyriel, and landed at Cherbourg: but these came very late, amounted only to 4000 men, and were soon after put to rout at Fourmigny, by the Count of Clermont.<sup>4</sup> This battle, or rather skirmish, was the only action fought by the English for the defence of their dominions in France, which they had purchased at such an expense of blood and treasure. Somerset shut up in Caën without any prospect of relief, found it necessary to capitulate: Fallaise opened its gates, on condition that the Earl of Shrewsbury should be restored to liberty: and Cherbourg, the last place of Normandy, which remained in the hands of the English, being delivered up, the conquest of that important province was finished in a twelvemonth by Charles, to the great joy of the inhabitants and of his whole kingdom.<sup>5</sup>

A like rapid success attended the French arms in Guienne; though the inhabitants of that province were, from long custom, better inclined to the English government. Dunois was despatched thither, and met with no resistance in the field, and very little from the towns. Great improvements had been made, during this age, in the structure and management of artillery, and none in fortification; and the art of defence was by that means more unequal, than either before or since, to the art of attack. After all the small places about Bourdeaux were reduced, the city agreed to submit, if not relieved by a certain time; and as no one in England thought seriously of these distant concerns, no relief appeared; the place surrendered; and Bayonne being taken soon after, this whole province, which had remained united to England since the accession of Henry II. was, after a period of three centuries, finally swallowed up in the French monarchy.

Though no peace or truce was concluded between France and England, the war was, in a manner, at an end. The English, torn in pieces by the civil dissensions which ensued, made but one feeble effort more for the recovery of Guienne: and Charles, occupied at home in regulating the government, and fencing against the intrigues of his factious son, Lewis the dauphin, scarcely ever attempted to invade them in their island, or to retaliate upon them, by availing himself of their intestine confusions.

## CHAP. XXI.

### HENRY VI.

Claim of the Duke of York to the crown. The Earl of Warwick—Imprecation of the Duke of Suffolk. His banishment—and death. Popular insurrection. The parties of York and Lancaster. First armament of the Duke of York. First battle of St. Albans. Battle of Tewkesbury. Death of the Duke of York. Battle of Mortimer's Cross. Second battle of St. Albans. Edward IV. assumes the crown. Miscellaneous transactions of this reign.

A WEAK prince, seated on the throne of England, had never failed, how gentle soever A. D. 1450. and innocent, to be infested with faction, discontent, rebellion, and civil commotions; and as the incapacity of Henry appeared every day in a fuller light, these dangerous consequences began, from past experience, to be universally and justly apprehended. Men also of unquiet spirits, no longer employed in foreign wars, whence they were now excluded by the situation of the neighbouring states, were the more likely to excite intestine disorders, and, by their emulation, rivalry, and animosities, to tear the bowels of their native country. But though these

<sup>1</sup> M. Guizot, vol. ii. p. 21. Guizot, p. 615.  
<sup>2</sup> M. Guizot, p. 131.

<sup>3</sup> Guizot, p. 616.

<sup>4</sup> M. Guizot, p. 131.

<sup>5</sup> M. Guizot, p. 131.

causes alone were sufficient to breed confusion, there occurred another circumstance of the most dangerous nature: a pretender to the crown appeared: the title itself of the young prince, who enjoyed the name of sovereignty, was respected: and the English were now to pay the severe, though late, penalty of their turbulence under Richard II. and of their levity in violating, without any necessity or just reason, the legal succession of their monarchs.

All the males of the house of Mortimer had, of York, were extinct; but Anne, the sister of the last Earl of March, having espoused the Earl of Cambridge, beheaded in the reign of Henry V. had transmitted her latent, but not yet forgotten, claim to her son, Richard, Duke of York. This prince, thus descended, by his mother, from Philippa, only daughter of the Duke of Clarence, second son of Edward III. stood plainly in the order of succession before the king, who derived his descent from the Duke of Lancaster, third son of that monarch; and that claim could not, in many respects, have fallen into more dangerous hands than those of the Duke of York. Richard was a man of valour and abilities, of a prudent conduct and mild disposition: he had enjoyed an opportunity of displaying these virtues in his government of France: and though recalled from that command by the intrigues and superior interest of the Duke of Somerset, he had been sent to suppress a rebellion in Ireland; and succeeded much better in that enterprise than his rival in the defence of Normandy, and had even been able to attach to his person and family the whole Irish nation, whom he was sent to subdue.<sup>a</sup> In the right of his father, he bore the rank of first prince of the blood; and by this station he gave a lustre to his title, derived from the family of Mortimer, which, though of great nobility, was equalled by other families in the kingdom, and had been eclipsed by the royal descent of the house of Lancaster. He possessed an immense fortune from the union of so many successions, those of Cambridge and York on the one hand, with those of Mortimer on the other: which last inheritance had before been augmented by an union of the estates of Clarence and Ulster, with the patrimonial possessions of the family of March. The alliances too of Richard, by his marrying the daughter of Ralph Nevil, Earl of Westmoreland, had widely extended his interest among the nobility, and had procured him many connexions in that formidable order.

The family of Nevil was, perhaps, at this time the most potent, both from their opulent possessions, and from the characters of the men, that has ever appeared in England. For, besides the Earl of Westmoreland, and the Lords Latimer, Fauconberg, and Abergavenny; the Earls of Salisbury and Warwick were of that family, and were of themselves, on many accounts, the greatest noblemen in the kingdom. The Earl of Salisbury, brother-in-law to the Duke of York, was the eldest son by a second marriage of the Earl of Westmoreland; and inherited by his wife, daughter and heir of Montacute, Earl of Salisbury, killed before Orleans, the possessions and title of that great family. His eldest son, Richard, had married Anne, the daughter and heir of Beauchamp, Earl of Warwick, who died governor of France; and by this alliance he enjoyed the possessions, and had acquired the title, of that other family, one of the most opulent, most ancient,

The Earl of Warwick, and most illustrious in England. The personal qualities also of these two earls, especially of Warwick, enhanced the splendour of their nobility, and increased their influence over the people. This latter nobleman, commonly known, from the subsequent events, by the appellation of the *King-maker*, had distinguished himself by his gallantry in the field, by the hospitality of his table, by the magnificence, and still more by the generosity, of his expense, and by the spirited and bold manner which attended him in all his actions. The undesigning frankness and openness of his character rendered his conquest over men's affections the more certain and infallible: his presents were regarded as sure testimonies of esteem and friendship; and his professions as the overflowings of his genuine sentiments. No less

than 30,000 persons are said to have daily lived at his board in the different manors and castles which he possessed in England: the military men, allured by his munificence and hospitality, as well as by his bravery, were zealously attached to his interests. The people in general bore him an unlimited affection: his numerous retainers were more devoted to his will, than to the prince or to the laws: and he was the greatest, as well as the last, of those mighty barons, who formerly overawed the crown, and rendered the people incapable of any regular system of civil government.

But the Duke of York, besides the family of Nevil, had many other partisans among the great nobility. Courtney, Earl of Devonshire, descended from a very noble family of that name in France, was attached to his interests: Mowbray, Duke of Norfolk, had, from his hereditary hatred to the family of Lancaster, embraced the same party: and the discontents, which universally prevailed among the people, rendered every combination of the great the more dangerous to the established government.

Though the people were never willing to grant the supplies necessary for keeping possession of the conquered provinces in France, they repined extremely at the loss of these boasted acquisitions; and fancied, because a sudden irruption could make conquests, that without steady counsels, and a uniform expense, it was possible to maintain them. The voluntary cession of Maine to the queen's uncle had made them suspect treachery in the loss of Normandy and Guienne. They still considered Margaret as a French woman and a latent enemy of the kingdom. And when they saw her father and all her relations active in promoting the success of the French, they could not be persuaded that she, who was all-powerful in the English council, would very zealously oppose them in their enterprises.

But the most fatal blow given to the popularity of the crown, and to the interests of the house of Lancaster, was by the assassination of the virtuous Duke of Gloucester, whose character, had he been alive, would have intimidated the partisans of York; but whose memory, being extremely cherished by the people, served to throw an odium on all his murderers. By this crime the reigning family suffered a double prejudice: it was deprived of its firmest support; and it was loaded with all the infamy of that imprudent and barbarous assassination.

As the Duke of Suffolk was known to have had an active hand in the crime, he partook deeply of the hatred attending it; and the clamours, which necessarily rose against him, as prime minister, and declared favourite of the queen, were thereby augmented to a tenfold pitch, and became absolutely uncontrollable. The great nobility could ill brook to see a subject exalted above them; much more one who was only great grandson to a merchant, and who was of a birth so much inferior to theirs. The people complained of his arbitrary measures; which were, in some degree, a necessary consequence of the irregular power then possessed by the prince, but which the least dissatisfaction easily magnified into tyranny. The great acquisitions which he daily made, were the object of envy; and as they were gained at the expense of the crown, which was itself reduced to poverty, they appeared, on that account, to all indifferent persons, the more exceptionable and invidious.

The revenues of the crown, which had long been disproportioned to its power and dignity, had been extremely dilapidated during the minority of Henry,<sup>b</sup> both by the rapacity of the courtiers, which the king's uncles could not control, and by the necessary expenses of the French war, which had always been very ill supplied by the grants of parliament. The royal demesnes were dissipated; and at the same time the king was loaded with a debt of 372,000 pounds, a sum so great, that the parliament could never think of discharging it. This unhappy situation forced the ministers upon many arbitrary measures: the household itself could not be supported without stretching to the utmost the right of purveyance, and rendering it a kind of universal robbery upon the people: the public clamour rose high upon this occasion, and no one had the

equity to make allowance for the necessity of the king's situation. Suffolk, once become odious, bore the blame of the whole; and every grievance, in every part of the administration, was universally imputed to his tyranny and injustice.

*Impeachment of the Duke of Suffolk.*

This nobleman, sensible of the public hatred under which he laboured, and foreseeing an attack from the Commons, endeavoured to overawe his enemies by boldly presenting himself to the charge, and by insisting upon his own innocence, and even upon his merits, and those of his family, in the public service. He rose in the House of Peers; took notice of the clamours propagated against him; and complained, that after serving the crown in thirty-four campaigns; after living abroad seventeen years without once returning to his native country; after losing a father and three brothers in the wars with France; after being himself a prisoner, and purchasing his liberty by a great ransom; it should yet be suspected, that he had been debauched from his allegiance by that enemy whom he had ever opposed with such zeal and fortitude, and that he had betrayed his prince, who had rewarded his services by the highest honours and greatest offices that it was in his power to confer.<sup>c</sup> This speech did not answer the purpose intended. The Commons, rather provoked at his challenge, opened their charge against him, and sent up to the Peers an accusation of high treason, divided into several articles. They insisted, that he had persuaded the French king to invade England with an armed force, in order to depose the king, and to place on the throne his own son, John de la Pole, whom he intended to marry to Margaret, the only daughter of the late John, Duke of Somerset, and to whom, he imagined, he would by that means acquire a title to the crown: that he had contributed to the release of the Duke of Orleans, in hopes that that prince would assist King Charles in expelling the English from France, and recovering full possession of his kingdom: that he had afterwards encouraged that monarch to make open war on Normandy and Guienne, and had promoted his conquests by betraying the secrets of England, and obstructing the succours intended to be sent to those provinces: and that he had, without any powers or commission, promised by treaty to cede the province of Maine to Charles of Anjou, and had accordingly ceded it; which proved, in the issue, the chief cause of the loss of Normandy.<sup>d</sup>

It is evident, from a review of these articles, that the Commons adopted, without inquiry, all the popular clamours against the Duke of Suffolk, and charged him with crimes, of which none but the vulgar could seriously believe him guilty. Nothing can be more incredible, than that a nobleman, so little eminent by his birth and character, could think of acquiring the crown to his family, and of deposing Henry by foreign force, and, together with him, Margaret, his patron, a princess of so much spirit and penetration. Suffolk appealed to many noblemen in the house, who knew that he had intended to marry his son to one of the co-heirs of the Earl of Warwick, and was disappointed in his views only by the death of that lady: and, he observed, that Margaret of Somerset could bring to her husband no title to the crown; because she herself was not so much as comprehended in the entail settled by act of parliament. It is easy to account for the loss of Normandy and Guienne, from the situation of affairs in the two kingdoms, without supposing any treachery in the English ministers; and it may safely be affirmed, that greater vigour was requisite to defend these provinces from the arms of Charles VII. than to conquer them at first from his predecessor. It could never be the interest of any English minister to betray and abandon such acquisitions; much less of one who was so well established in his master's favour, who enjoyed such high honours and ample possessions in his own country, who had nothing to dread but the effects of popular hatred, and who could never think, without the most extreme reluctance, of becoming a fugitive and exile in a foreign land. The only article which carries any

face of probability, is his engagement for the delivery of Maine to the queen's uncle: but Suffolk maintained, with great appearance of truth, that this measure was approved of by several at the council table;<sup>e</sup> and it seems hard to ascribe to it, as is done by the Commons, the subsequent loss of Normandy, and expulsion of the English. Normandy lay open on every side to the invasion of the French: Maine, an inland province, must soon after have fallen without any attack: and as the English possessed in other parts more fortresses than they could garrison or provide for, it seemed no bad policy to contract their force, and to render the defence practicable, by reducing it within a narrower compass.

The Commons were probably sensible, that this charge of treason against Suffolk would not bear a strict scrutiny; and they therefore, soon after, sent up against him a new charge of misdemeanors, which they also divided into several articles. They affirmed, among other imputations, that he had procured exorbitant grants from the crown, had embezzled the public money, had conferred offices on improper persons, had perverted justice by maintaining iniquitous causes, and had procured pardons for notorious offenders.<sup>f</sup> The articles are mostly general; but are not improbable: and as Suffolk seems to have been a bad man, and a bad minister, it will not be rash in us to think that he was guilty, and that many of these articles could have been proved against him. The court was alarmed at the prosecution of a favourite minister, who lay under such a load of popular prejudices; and an expedient was fallen upon to save him from present ruin. The king summoned all the lords, spiritual and temporal, to his apartment: the prisoner was produced before them, and asked what he could say in his own defence? He denied the charge; but submitted to the king's mercy: Henry expressed himself not satisfied with regard to the first impeachment for treason; but in consideration of the second, for misdemeanors, he declared that, by virtue of Suffolk's own submission, not by any judicial authority, he banished him the kingdom during five years. The lords remained silent: but as <sup>His banishment,</sup> soon as they returned to their own house, they entered a protest, that this sentence should nowise infringe their privileges; and that if Suffolk had insisted upon his right, and had not voluntarily submitted to the king's commands, he was entitled to a trial by his peers in parliament.

It was easy to see, that these irregular proceedings were meant to favour Suffolk, and that, as he still possessed the queen's confidence, he would, on the first favourable opportunity, be restored to his country, and be reinstated in his former power and credit. A captain of a vessel was therefore employed by his enemies to intercept him in his passage to France: he was seized near Dover; his head struck off <sup>and death.</sup> on the side of a long-boat; and his body thrown into the sea.<sup>g</sup> No inquiry was made after the actors and accomplices in this atrocious deed of violence.

The Duke of Somerset succeeded to Suffolk's power in the ministry, and credit with the queen; and as he was the person under whose government the French provinces had been lost, the public, who always judge by the event, soon made him equally the object of their animosity and hatred. The Duke of York was absent in Ireland during all these transactions; and however it might be suspected that his partisans had excited and supported the prosecution against Suffolk, no immediate ground of complaint could, on that account, lie against him. But there happened, soon after, an incident which roused the jealousy of the court, and discovered to them the extreme danger to which they were exposed from the pretensions of that popular prince.

The humours of the people, set afloat by the parliamentary impeachment, and by the fall of so great a favourite as Suffolk, broke out in various commotions, which were soon suppressed; but there arose one in <sup>Popular insurrections.</sup> Kent, which was attended with more dangerous consequences. A man of low condition, one John

<sup>c</sup> Hall, fol. 156. Hist. Croyland, contin. p. 525. Stowe, p. 226. Gratian, p. 610.

<sup>d</sup> Hall, fol. 157. Holinshed, p. 641. Gratian, p. 607. Camden, p. 643.

<sup>e</sup> Ibid.



Cade, a native of Ireland, who had been obliged to fly into France for crimes, observed, on his return to England, the discontents of the people; and he laid on them the foundation of projects which were at first crowned with surprising success. He took the name of John Mortimer; intending, as is supposed, to pass himself for a son of that Sir John Mortimer who had been sentenced to death by parliament, and executed in the beginning of this reign, without any trial or evidence, merely upon an indictment of high treason given in against him.<sup>1</sup> On the first mention of that popular name, the common people of Kent, to the number of 20,000, flocked to Cade's standard, and he excited their zeal by publishing complaints against the numerous abuses in government, and demanding a redress of grievances. The court, not yet fully sensible of the danger, sent a small force against the rioters, under the command of Sir Humphrey Stafford, who was defeated and slain in an action near Sevenoake;<sup>2</sup> and Cade, advancing with his followers towards London, encamped on Blackheath. Though elated by his victory, he still maintained the appearance of moderation; and sending to the court a plausible list of grievances,<sup>3</sup> he promised that when these should be redressed, and when Lord Say the treasurer, and Cromer, Sheriff of Kent, should be punished for their malversations, he would immediately lay down his arms. The council, who observed that nobody was willing to fight against men so reasonable in their pretensions, carried the king, for present safety, to Kenilworth; and the city immediately opened its gates to Cade, who maintained, during some time, great order and discipline among his followers. He always led them into the fields during the night-time; and published severe edicts against plunder and violence of every kind; but being obliged, in order to gratify their malevolence against Say and Cromer, to put these men to death without a legal trial,<sup>4</sup> he found that, after the commission of this crime, he was no longer master of their riotous disposition, and that all his orders were neglected.<sup>5</sup> They broke into a rich house, which they plundered; and the citizens, alarmed at this act of violence, shut their gates against them; and being seconded by a detachment of soldiers sent them by Lord Scales, governor of the Tower, they repulsed the rebels with great slaughter.<sup>6</sup> The Kentish men were so discouraged by the blow, that, upon receiving a general pardon from the primate, then chancellor, they retreated towards Rochester, and there dispersed. The pardon was soon after annulled, as extorted by violence: a price was set on Cade's head,<sup>7</sup> who was killed by one Iden, a gentleman of Sussex; and many of his followers were capitally punished for their rebellion.

It was imagined by the court, that the Duke of York had secretly instigated Cade to this attempt, in order to try, by that experiment, the dispositions of the people towards his title and family;<sup>8</sup> and as the event had so far succeeded to his wish, the ruling party had greater reason than ever to apprehend the future consequences of his pretensions. At the same time they heard that he intended to return from Ireland; and fearing that he meant to bring an armed force along with him, they issued orders, in the king's name, for opposing him, and for debarring him entrance into England.<sup>9</sup> But the duke refuted his enemies by coming attended with no more than his ordinary retinue: the precautions of the ministers served only to show him their jealousy and malignity against him: he was sensible that his title, by being dangerous to the king, was also become dangerous to himself: he now saw the impossibility of remaining in his present situation, and the necessity of proceeding forward in support of his claim. His partisans, therefore, were instructed to maintain, in all companies, his right by succession, and by the established laws and constitution of the kingdom: these questions became every day more and more the subject of conversation: the minds of men were insensibly sharpened against each other by disputes, before they came to more

dangerous extremities; and various topics were pleaded in support of the pretensions of each party.

The partisans of the house of Lancaster maintained, that though the elevation of <sup>the parties of Lancaster and York.</sup> Henry IV. might at first be deemed somewhat irregular, and could not be justified by any of those principles on which that prince chose to rest his title, it was yet founded on general consent, was a national act, and was derived from the voluntary approbation of a free people, who, being loosened from their allegiance by the tyranny of the preceding government, were moved by gratitude, as well as by a sense of public interest, to intrust the sceptre into the hands of their deliverer: that, even if that establishment were allowed to be at first invalid, it had acquired solidity by time; the only principle which ultimately gives authority to government, and removes those scruples which the irregular steps attending almost all revolutions naturally excite in the minds of the people: that the right of succession was a rule admitted only for general good, and for the maintenance of public order; and could never be pleaded to the overthrow of national tranquillity, and the subversion of regular establishments: that the principles of liberty, no less than the maxims of internal peace, were injured by these pretensions of the house of York; and if so many reiterated acts of the legislature, by which the crown was entailed on the present family, were now invalidated, the English must be considered, not as a free people, who could dispose of their own government, but as a troop of slaves, who were implicitly transmitted by succession from one master to another: that the nation was bound to allegiance under the house of Lancaster by moral, no less than by political, duty; and were they to infringe those numerous oaths of fealty which they had sworn to Henry and his predecessors, they would thenceforth be thrown loose from all principles, and it would be found difficult ever after to fix and restrain them: that the Duke of York himself had frequently done homage to the king as his lawful sovereign, and had thereby, in the most solemn manner, made an indirect renunciation of those claims with which he now dared to disturb the tranquillity of the public: that, even though the violation of the rights of blood, made on the deposition of Richard, was perhaps rash and imprudent, it was too late to remedy the mischief; the danger of a disputed succession could no longer be obviated; the people, accustomed to a government, which, in the hands of the late king, had been so glorious, and in that of his predecessor so prudent and salutary, would still ascribe a right to it; by causing multiplied disorders, and by shedding an inundation of blood, the advantage would only be obtained of exchanging one pretender for another; and the house of York itself, if established on the throne, would, on the first opportunity, be exposed to those revolutions which the giddy spirit excited in the people gave so much reason to apprehend: and that though the present king enjoyed not the shining talents which had appeared in his father and grandfather, he might still have a son who should be endowed with them; he is himself eminent for the most harmless and inoffensive manners; and if active princes were dethroned on pretence of tyranny, and indolent ones on the plea of incapacity, there would thenceforth remain, in the constitution, no established rule of obedience to any sovereign.

These strong topics, in favour of the house of Lancaster, were opposed by arguments no less convincing on the side of the house of York. The partisans of this latter family asserted, that the maintenance of order in the succession of princes, far from doing injury to the people, or invalidating their fundamental title to good government, was established only for the purposes of government, and served to prevent those numberless confusions which must ensue, if no rule were followed but the uncertain and disputed views of present convenience and advantage: that the same maxims which insured public peace, were also

<sup>1</sup> h Stowe, p. 364. Cotton, p. 564. This author admires, that such a piece of injustice should have been committed in peaceable times. he might have added, and by such virtuous princes as Bedford and Gloucester. But it is to be presumed that Mortimer was guilty; though his condemnation is to be highly irregular and illegal. The people had, at this time, a very feeble sense of law and a constitution; and power was very imperfectly

restrained by these limits. When the proceedings of a parliament were so irregular, it is easy to imagine that those of a king would be more so.

<sup>2</sup> Hall, fol. 139. Holmshed, p. 634.

<sup>3</sup> Stowe, p. 363, 369. Holmshed, p. 637.

<sup>4</sup> Grafton, p. 612.

<sup>5</sup> Hist. A. Croiland, contin. p. 256.

<sup>6</sup> Cotton, p. 601. Stowe, p. 361.

<sup>7</sup> Hall, fol. 160.

<sup>8</sup> Rymor, vol. vi. p. 275.

<sup>9</sup> Stowe, p. 364.

salutary to national liberty; the privileges of the people could only be maintained by the observance of laws; and if no account were made of the rights of the sovereign, it could less be expected that any regard would be paid to the property and freedom of the subject: that it was never too late to correct any pernicious precedent; an unjust establishment, the longer it stood, acquired the greater sanction and validity; it could, with more appearance of reason, be pleaded as an authority for a like injustice; and the maintenance of it, instead of favouring public tranquillity, tended to disjoin every principle by which human society was supported: that usurpers would be happy, if their present possession of power, or their continuance for a few years, could convert them into legal princes; but nothing would be more miserable than the people, if all restraints on violence and ambition were thus removed, and a full scope given to the attempts of every turbulent innovator: that time, indeed, might bestow solidity on a government whose first foundations were the most infirm; but it required both a long course of time to produce this effect, and the total extinction of those claimants, whose title was built on the original principles of the constitution: that the deposition of Richard II., and the advancement of Henry IV., were not deliberate national acts, but the result of the levity and violence of the people, and proceeded from those very defects in human nature, which the establishment of political society, and of an order in succession, was calculated to prevent: that the subsequent entails of the crown were a continuance of the same violence and usurpation; they were not ratified by the legislature, since the consent of the rightful king was still wanting; and the acquiescence, first of the family of Mortimer, then of the family of York, proceeded from present necessity, and implied no renunciation of their pretensions: that the restoration of the true order of succession could not be considered as a change which familiarized the people to revolutions; but as the correction of a former abuse, which had itself encouraged the giddy spirit of innovation, rebellion, and disobedience: and that, as the original title of Lancaster stood only in the person of Henry IV. on present convenience, even this principle, unjustifiable as it was, when not supported by laws, and warranted by the constitution, had now entirely gone over to the other side; nor was there any comparison between a prince utterly unable to sway the sceptre, and blindly governed by corrupt ministers, or by an imperious queen, engaged in foreign and hostile interests; and a prince of mature years, of approved wisdom and experience, a native of England, the lineal heir of the crown, who, by his restoration, would replace every thing on ancient foundations.

So many plausible arguments could be urged on both sides of this interesting question, that the people were extremely divided in their sentiments; and though the noblemen of greatest power and influence seem to have espoused the party of York, the opposite cause had the advantage of being supported by the present laws, and by the immediate possession of royal authority. There were also many great noblemen in the Lancastrian party, who balanced the power of their antagonists, and kept the nation in suspense between them. The Earl of Northumberland adhered to the present government: the Earl of Westmoreland, in spite of his connexions with the Duke of York, and with the family of Nevil, of which he was the head, was brought over to the same party; and the whole north of England, the most warlike part of the kingdom, was, by means of these two potent noblemen, warmly engaged in the interests of Lancaster. Edmund Beaufort, Duke of Somerset, and his brother Henry, were great supports of that cause; as were also Henry Holland, Duke of Exeter, Stafford, Duke of Buckingham, the Earl of Shrewsbury, the Lords Clifford, Dudley, Seales, Audley, and other noblemen.

While the kingdom was in this situation, it might naturally be expected that so many turbulent barons, possessed of so much independent authority, would immediately have flown to arms, and have decided the quarrel, after their usual manner, by war and battle, under the

standards of the contending princes. But there still were many causes which retarded these desperate extremities, and made a long train of faction, intrigue, and cabal, precede the military operations. By the gradual progress of arts in England, as well as in other parts of Europe, the people were now become of some importance; laws were beginning to be respected by them; and it was requisite, by various pretences, previously to reconcile their minds to the overthrow of such an ancient establishment as that of the house of Lancaster, ere their concurrence could reasonably be expected. The Duke of York himself, the new claimant, was of a moderate and cautious character, an enemy to violence, and disposed to trust rather to time and policy, than to sanguinary measures, for the success of his pretensions. The very imbecility itself of Henry tended to keep the factions in suspense, and make them stand long in awe of each other: it rendered the Lancastrian party unable to strike any violent blow against their enemies; it encouraged the Yorkists to hope, that, after banishing the king's ministers, and getting possession of his person, they might gradually undermine his authority, and be able, without the perilous experiment of a civil war, to change the succession by parliamentary and legal authority.

The dispositions which appeared in a parliament assembled soon after the arrival of the Duke of York from Ireland, favoured these expectations of his partisans, and both discovered an unusual boldness in the Commons, and were a proof of the general discontents which prevailed against the administration. The lower House, without any previous inquiry or examination, without alleging any other ground of complaint than common fame, ventured to present a petition against the Duke of Somerset, the Duchess of Suffolk, the Bishop of Chester, Sir John Sutton, Lord Dudley, and several others of inferior rank; and they prayed the king to remove them for ever from his person and councils, and to prohibit them from approaching within twelve miles of the court.\* This was a violent attack, somewhat arbitrary, and supported but by few precedents, against the ministry; yet the king durst not openly oppose it: he replied that, except the lords, he would banish all the others from court during a year, unless he should have occasion for their service in suppressing any rebellion. At the same time, he rejected a bill which had passed both Houses, for attainting the late Duke of Suffolk, and which, in several of its clauses, discovered a very general prejudice against the measures of the court.

The Duke of York, trusting to these symptoms, raised an army of 10,000 men, with which he marched towards London; demanding a reformation of the government, and the removal of the Duke of Somerset from all power and authority.† He unexpectedly found the gates of the city shut against him, and on his retreating into Kent, he was followed by the king at the head of a superior army; in which several of Richard's friends, particularly Salisbury and Warwick, appeared; probably with a view of mediating between the parties, and of seconding, on occasion, the Duke of York's pretensions. A parley ensued: Richard still insisted upon the removal of Somerset, and his submitting to a trial in parliament: the court pretended to comply with his demand; and that nobleman was put in arrest: the Duke of York was then persuaded to pay his respects to the king in his tent; and, on repeating his charge against the Duke of Somerset, he was surprised to see that minister step from behind the curtain, and offer to maintain his innocence. Richard now found that he had been betrayed; that he was in the hands of his enemies; and that it was become necessary, for his own safety, to lower his pretensions. No violence, however, was attempted against him: the nation was not in a disposition to bear the destruction of so popular a prince: he had many friends in Henry's camp; and his son, who was now in the power of the court, might still be able to revenge his death on all his enemies: he was therefore dismissed; and he retired to his seat of Wigmore, on the borders of Wales.

While the Duke of York lived in this retreat, there hap-

A. D. 1451.

6th Nov.

A. D. 1452.

The first attainment of the Duke of York.

opened an incident, which, by increasing the public discontent, proved favourable to his pretensions. Several Gascon lords, affectionate to the English government, and disgusted at the new dominion of the French, came to London, and offered to return to their allegiance under Henry.<sup>1</sup> The Earl of Shrewsbury, with a body of 2000

A. D. 1452. Henry was sent over to support them. Bourdeaux bravely opened its gates to him; he made himself master of Fonsac, Castillon, and some other places. Affairs began to wear a favourable aspect; but, as Charles hastened to resist this dangerous invasion, the fortunes of the English were soon reversed: Shrewsbury, a venerable warrior, above fourscore years of age, fell in battle; his conquests were lost; Bourdeaux was again obliged to submit to the French king; and all hopes of recovering the province of Gascony were for ever extinguished.

Though the English might deem themselves happy to be fairly rid of distant dominions which were of no use to them, and which they never could defend against the growing power of France, they expressed great discontent on the occasion; and they threw all the blame on the ministry, who had not been able to effect impossibilities.

13th Oct. While they were in this disposition, the queen's delivery of a son, who received the name of Edward, was deemed no joyful incident; and as it removed all hopes of the peaceable succession of the

A. D. 1453. Duke of York, who was otherwise, in the right of his father, and by the laws enacted since the accession of the house of Lancaster, next heir to the crown, it had rather a tendency to inflame the quarrel between the parties. But the duke was incapable of violent counsels; and even when no visible object lay between him and the throne, he was prevented by his own scruples from mounting it. Henry, always unfit to exercise the government, fell at this time into a distemper, which so far increased his natural imbecility, that it rendered him incapable of maintaining even the appearance of royalty. The queen and the council, destitute of this support, found themselves unable to resist the York party; and they were obliged to yield to the torrent. They sent Somerset to the Tower, and appointed Richard lieutenant of the kingdom, with powers to open and hold a session of parliament.<sup>2</sup> That assembly, also, taking into consideration the state of the kingdom, created him protector during pleasure. Men who thus intrusted sovereign authority to one that had such evident and strong pretensions to the crown, were not surely averse to his taking immediate and full possession of it: yet the duke, instead of pushing them to make further concessions, appeared somewhat timid and irresolute, even in receiving the power which was tendered to him. He desired that it might be recorded in parliament, that this authority was conferred on him from their own free motion, without any application on his part: he expressed his hopes that they would assist him in the exercise of it: he made it a condition of his acceptance, that the other lords, who were appointed to be of his council, should also accept of the trust, and should exercise it: and he required that all the powers of his office should be specified and defined by act of parliament. This moderation of Richard was certainly very unusual and very amiable: yet was it attended with bad consequences in the present juncture, and, by giving time to the animosities of faction to rise and ferment, it proved the source of all those furious wars and commotions which ensued.

The enemies of the Duke of York soon found it in their power to make advantage of his excessive caution. Henry being so far recovered from his distemper as to carry the appearance of exercising the royal power, they moved him to resume his authority, to annul the protectorship of the

A. D. 1455. duke, to release Somerset from the Tower, and to commit the administration into the hands of that nobleman. Richard, sensible of the dangers which might attend his former acceptance of the parliamentary commission, should he submit to the annulling of it, levied an army; but still without advancing any pretensions to the crown. He complained only of the

king's ministers, and demanded a reformation of the government. A battle was fought at St. Albans, in which the Yorkists were superior, and without suffering any material loss, slew about 5000 of their enemies; among whom were the Duke of Somerset, the Earl of Northumberland, the Earl of Stafford, eldest son of the Duke of Buckingham, Lord Clifford, and many other persons of distinction.<sup>3</sup> The king himself fell into the hands of the Duke of York, who treated him with great respect and tenderness; he was only obliged (which he regarded as no hardship) to commit the whole authority of the crown into the hands of his rival.

This was the first blood spilt in that fatal quarrel, which was not finished in less than a course of thirty years, which was signalized by twelve pitched battles, which opened a scene of extraordinary fierceness and cruelty, is computed to have cost the lives of eighty princes of the blood, and almost entirely annihilated the ancient nobility of England. The strong attachments which at that time men of the same kindred bore to each other, and the vindictive spirit, which was considered as a point of honour, rendered the great families implacable in their resentments, and every moment widened the breach between the parties. Yet affairs did not immediately proceed to the last extremities: the nation was kept some time in suspense: the vigour and spirit of Queen Margaret, supporting her small power, still proved a balance to the great authority of Richard, which was checked by his irresolute temper. A parliament, which was soon after assembled, plainly discovered, by the contrariety of their proceedings, the contrariety of the motives by which they were actuated. They granted the Yorkists a general indemnity; and they restored the protectorship to the duke, who, in accepting it, still persevered in all his former precautions: but at the same time they renewed their oaths of fealty to Henry, and fixed the continuance of the protectorship to the majority of his son Edward, who was vested with the usual dignities of Prince of Wales, Duke of Cornwall, and Earl of Chester. The only decisive act passed in this parliament, was a full resumption of all the grants which had been made since the death of Henry V. and which had reduced the crown to great poverty.

It was not found difficult to wrest power from hands so little tenacious as those of the Duke of York. Margaret, availing herself of that prince's absence, produced her husband before the House of Lords; and, as his state of health permitted him, at that time, to act his part with some tolerable decency, he declared his intentions of resuming the government, and of putting an end to Richard's authority. This measure, being unexpected, was not opposed by the contrary party: the House of Lords, who were, many of them, disgusted with the late act of resumption, assented to Henry's proposal: and the king was declared to be re-instated in sovereign authority. Even the Duke of York acquiesced in this irregular act of the peers; and no disturbance ensued. But that prince's claim to the crown was too well known, and the steps which he had taken to promote it were too evident, ever to allow sincere trust and confidence to have place between the parties. The court retired to Coventry, and invited the Duke of York and the Earls of Salisbury and Warwick to attend the king's person. When they were on the road they received intelligence that designs were formed against their liberties and lives. They immediately separated themselves: Richard withdrew to his castle of Wigmore: Salisbury to Middleham in Yorkshire; and Warwick to his government of Calais, which had been committed to him after the battle of St. Albans, and which, as it gave him the command of the only regular military force maintained by England, was of the utmost importance in the present juncture. Still, men of peaceable dispositions, and among the rest, Bouchier, Archbishop of Canterbury, thought it not too late to interpose with their good offices, in order to prevent that effusion of blood with which the kingdom was threatened; and the awe in which each party stood of the other rendered the mediation for some

<sup>1</sup> H. Hasted, p. 640. <sup>2</sup> Polid. Var. p. 501. Gratten, p. 628.

<sup>3</sup> Rymer, vol. iii. p. 344.

<sup>4</sup> Rymer, vol. vi. p. 344. Holmsted, p. 602. Gratten, p. 626. Rymer, vol. vi. p. 344.



time successful. It was agreed that all the great leaders on both sides should meet in London, and be solemnly reconciled. The Duke of York and his partisans came thither with numerous retinues, and took up their quarters near each other for mutual security. The leaders of the Lancastrian party used the same precaution. The mayor, at the head of 5000 men, kept a strict watch night and day; and was extremely vigilant in maintaining peace between them.<sup>a</sup> Terms were adjusted, which removed not the ground of difference. An outward reconciliation only was procured; and in order to notify this accord to the whole people, a solemn procession to St. Paul's was appointed, where the Duke of York led Queen Margaret, and a leader of one party marched hand in hand with a leader of the opposite. The less real cordiality prevailed, the more were the exterior demonstrations of amity redoubled. But it was evident, that a contest for a crown could not thus be peaceably accommodated; that each party watched only for an opportunity of subverting the other; and that much blood must yet be spilt, ere the nation could be restored to perfect tranquillity, or enjoy a settled and established government.

A. D. 1459. Even the smallest accident, without any formed design, was sufficient, in the present disposition of men's minds, to dissolve the seeming harmony between the parties; and had the intentions of the leaders been ever so amicable, they would have found it difficult to restrain the animosity of their followers. One of the king's retinue insulted one of the Earl of Warwick's: their companions on both sides took part in the quarrel: a fierce combat ensued: the earl apprehended his life to be aimed at: he fled to his government of Calais; and both parties, in every county of England, openly made preparations for deciding the contest by war and arms.

The Earl of Salisbury, marching to join the Duke of York, was overtaken at Blore-heath, on the borders of Staffordshire, by Lord Audley, who commanded much superior forces; and a small rivulet with steep banks ran between the armies. Salisbury here supplied his defect in numbers by stratagem; a refinement of which there occur few instances in the English civil wars, where a headlong courage, more than military conduct, is commonly to be remarked. He feigned a retreat, and allured Audley to follow him with precipitation: but when the van of the royal army had passed the brook, Salisbury suddenly turned upon them; and partly by the surprise, partly by the division, of the enemies' forces, put this body to rout: the example of flight was followed by the rest of the army; and Salisbury, obtaining a complete victory, reached the general rendezvous of the Yorkists at Ludlow.<sup>b</sup>

The Earl of Warwick brought over to this rendezvous a choice body of veterans from Calais, on whom it was thought the fortune of the war would much depend; but this reinforcement occasioned, in the issue, the immediate ruin of the Duke of York's party. When the royal army approached, and a general action was every hour expected, Sir Andrew Trollop, who commanded the veterans, deserted to the king in the night-time; and the Yorkists were so dismayed at this instance of treachery, which made every man suspicious of his fellow, that they separated next day without striking a stroke: the duke fled to Ireland: the Earl of Warwick, attended by many of the other leaders, escaped to Calais: where his great popularity among all orders of men, particularly among the military, soon drew to him partisans, and rendered his power very formidable. The friends of the house of York, in England, kept themselves every where in readiness to rise on the first summons from their leaders.

A. D. 1460. After meeting with some successes at sea, Warwick landed in Kent, with the Earl of Salisbury, and the Earl of March, eldest son of the Duke of York; and being met by the primate, by Lord Cobham, and other persons of distinction, he marched, amidst the acclamations of the people, to London. The city imme-

diately opened its gates to him; and his troops increasing on every day's march, he soon found himself in a condition to face the royal army, which hastened from Coventry to attack him. The battle was fought at Northampton; and was soon decided against the royalists by the infidelity of Lord Grey of Ruthin, who, commanding Henry's van, deserted to the enemy during the heat of action, and spread a consternation through the troops. The Duke of Buckingham, the Earl of Shrewsbury, the Lords Beaumont and Egremont, and Sir William Lucie, were killed in the action or pursuit: the slaughter fell chiefly on the gentry and nobility; the common people were spared by orders of the Earls of Warwick and March.<sup>c</sup> Henry himself, that empty shadow of a king, was again taken prisoner; and as the innocence and simplicity of his manners, which bore the appearance of sanctity, had procured him the tender regard of the people, the Earl of Warwick and the other leaders took care to distinguish themselves by their respectful demeanour towards him.

A parliament was summoned in the king's name, and met at Westminster, where the duke soon after appeared from Ireland. This prince had never hitherto advanced openly any claim to the crown: he had only complained of ill ministers, and demanded a redress of grievances: and even, in the present crisis, when the parliament was surrounded by his victorious army, he showed such a regard to law and liberty, as is unusual during the prevalence of a party in any civil dissensions; and was still less to be expected in those violent and licentious times. He advanced towards the throne; and being met by the Archbishop of Canterbury, who asked him, whether he had yet paid his respects to the king? he replied, that he knew of none to whom he owed that title. He then stood near the throne, and addressing himself to the House of Peers, he gave them a deduction of his title by descent, mentioned the cruelties by which the house of Lancaster had paved their way to sovereign power, insisted on the calamities which had attended the government of Henry, exhorted them to return into the right path, by doing justice to the lineal successor, and thus pleaded his cause before them, as his natural and legal judges.<sup>d</sup> This cool and moderate manner of demanding a crown, intimidated his friends, and encouraged his enemies: the lords remained in suspense;<sup>e</sup> and no one ventured to utter a word on the occasion. Richard, who had probably expected that the peers would have invited him to place himself on the throne, was much disappointed at their silence; but desiring them to reflect on what he had proposed to them, he departed the House. The peers took the matter into consideration, with as much tranquillity as if it had been a common subject of debate: they desired the assistance of some considerable members among the commons in their deliberations: they heard, in several successive days, the reasons alleged for the Duke of York: they even ventured to propose objections to his claim, founded on former entails of the crown, and on the oaths of fealty sworn to the house of Lancaster:<sup>f</sup> they also observed, that, as Richard had all along borne the arms of York, not those of Clarence, he could not claim as successor to the latter family: and after receiving answers to these objections, derived from the violence and power by which the house of Lancaster supported their present possession of the crown, they proceeded to give a decision. Their sentence was calculated, as far as possible, to please both parties: they declared the title of the Duke of York to be certain and indefeasible; but in consideration that Henry had enjoyed the crown, without dispute or controversy, during the course of thirty-eight years, they determined, that he should continue to possess the title and dignity during the remainder of his life; that the administration of the government, meanwhile, should remain with Richard; that he should be acknowledged the true and lawful heir of the monarchy; that every one should swear to maintain his succession, and it should be treason to attempt his life; and that all former settlements of the

Battle of Northampton.  
10th July.

A parliament.  
7th Oct.

Battle of Blore-heath.  
23rd Sept.

<sup>a</sup> Fabian's Chron. anno 1459. The author says, that some lords brought 6000 men, some 1000, and some 500. See also Gratton, p. 633.

<sup>b</sup> Holinshed, p. 639. Græton, p. 632.

<sup>c</sup> Holinshed, p. 651. Græton, p. 637.

<sup>d</sup> Stowe, p. 409.

<sup>e</sup> Hall, vol. 109. Græton, p. 195.

<sup>f</sup> Græton, p. 656. Græton, p. 643.

<sup>g</sup> Holinshed, p. 657. Græton, p. 645.

<sup>h</sup> Græton, p. 656.

<sup>i</sup> Holinshed, p. 655.

crown, in this and the two last reigns, should be abrogated and rescinded. The duke, acquainted in this decision: Henry himself, being a prisoner, could not oppose it; even if he had enjoyed his liberty, he would not possibly have felt any violent reluctance against it; and the act thus passed with the unanimous consent of the whole legislative body. Though the mildness of this compromise is chiefly to be ascribed to the moderation of the Duke of York, it is impossible not to observe in those transactions visible marks of a higher regard to law, and of a more fixed authority, enjoyed by parliament, than has appeared in any former period of English history.

It is probable that the duke, without employing either menaces or violence, could have obtained from the commons a settlement more consistent and uniform; but as many, if not all the members of the upper House had received grants, concessions, or dignities, during the last sixty years, when the house of Lancaster was possessed of the government; they were afraid of invalidating their own titles by too sudden and violent an overthrow of that family; and in thus temporizing between the parties, they fixed the throne on a basis upon which it could not possibly stand. The duke, apprehending his chief danger to arise from the genius and spirit of Queen Margaret, sought a pretence for banishing her the kingdom: he sent her, in the king's name, a summons to come immediately to London; intending, in case of her disobedience, to proceed to extremities against her. But the queen needed not this menace to excite her activity in defending the rights of her family. After the defeat at Northampton, she had fled with her infant son to Durham, thence to Scotland; but soon returning, she applied to the northern barons, and employed every motive to procure their assistance. Her affability, insinuation, and address, qualities in which she excelled; her caresses, her promises, wrought a powerful effect on every one who approached her: the admiration of her great qualities was succeeded by compassion towards her helpless condition: the nobility of that quarter, who regarded themselves as the most warlike in the kingdom, were moved by indignation to find the southern barons pretend to dispose of the crown and settle the government: and that they might allure the people to their standard, they promised them the spoils of all the provinces on the other side of the Trent. By these means, the queen had collected an army twenty thousand strong, with a celerity which was neither expected by her friends, nor apprehended by her enemies.

The Duke of York, informed of her appearance in the north, hastened thither with a body of 5000 men, to suppress, as he imagined, the beginnings of an insurrection; when, on his arrival at Wakefield, he found himself so much out-numbered by the enemy. He threw himself into Sandal castle, which was situated in the neighbourhood; and he was advised by the Earl of Salisbury, and other prudent counsellors, to remain in that fortress, till his son, the Earl of March, who was levying forces in the borders of Wales, could advance to his assistance.<sup>1</sup> But the duke, though deficient in political courage, possessed personal bravery in an eminent degree; and, notwithstanding his wisdom and experience, he thought that he should be for ever disgraced, if, by taking shelter behind walls, he should for a moment resign the victory to a

woman. He descended into the plain, and offered battle to the enemy, which was instantly accepted. The great inequality of numbers was sufficient alone to decide the victory; but the queen, by sending a detachment, who fell on the back of the duke's army, rendered her advantage still more certain and undisputed. The duke himself was killed in the action: and as his body was found among the slain, the head was cut off by Margaret's orders, and fixed on the gates of York, with a paper crown upon it in derision of his pretended title. His son, the Earl of Rutland, a youth of seventeen, was brought to Lord Clifford; and that barbarian, in revenge of his father's death, who had perished in the battle of St. Albans, murdered, in cool blood, and with his own hands, this innocent prince, whose exterior figure, as well as other

accomplishments, are represented by historians as extremely amiable. The Earl of Salisbury was wounded and taken prisoner, and immediately beheaded, with several other persons of distinction, by martial law, at Pomfret.<sup>2</sup> There fell near three thousand Yorkists in this battle: the duke himself was greatly and justly lamented by his own party: a prince who merited a better fate, and whose errors in conduct proceeded entirely from such qualities as render him the more an object of esteem and affection. He perished in the fiftieth year of his age, and left three sons, Edward, George, and Richard, with three daughters, Anne, Elizabeth, and Margaret.

The queen, after this important victory, A.D. 1461. divided her army. She sent the smaller division, under Jasper Tudor, Earl of Pembroke, half-brother to the king, against Edward, the new Duke of York. She herself marched with the larger division towards London, where the Earl of Warwick had been left with the command of the Yorkists. Pembroke was defeated by Edward at Mortimer's Cross. His army was dispersed; he himself escaped by flight; but his father, Sir Owen Tudor, was taken prisoner, and immediately beheaded by Edward's orders. This barbarous practice, being once begun, was continued by both parties, from a spirit of revenge, which covered itself under the pretence of retaliation.<sup>3</sup>

Margaret compensated this defeat by a <sup>Second battle of St. Albans.</sup> victory, which she obtained over the Earl of Warwick. That nobleman, on the approach of the Lancastrians, led out his army, reinforced by a strong body of the Londoners, who were affectionate to his cause; and he gave battle to the queen at St. Albans. While the armies were warmly engaged, Lovelace, who commanded a considerable body of the Yorkists, withdrew from the combat; and this treacherous conduct, of which there are many instances in those civil wars, decided the victory in favour of the queen. About 2300 of the vanquished perished in the battle and pursuit; and the person of the king fell again into the hands of his own party. This weak prince was sure to be almost equally a prisoner which ever faction had the keeping of him; and scarcely any more decorum was observed by one than by the other, in their method of treating him. Lord Bonville, to whose care he had been intrusted by the Yorkists, remained with him after the defeat, on assurances of pardon given him by Henry; but Margaret, regardless of her husband's promise, immediately ordered the head of that nobleman to be struck off by the executioner.<sup>4</sup> Sir Thomas Kiriell, a brave warrior, who had signalized himself in the French wars, was treated in the same manner.

The queen made no great advantage of this victory: young Edward advanced upon her from the other side; and collecting the remains of Warwick's army, was soon in a condition of giving her battle with superior forces. She was sensible of her danger, while she lay between the enemy and the city of London; and she found it necessary to retreat with her army to the north.<sup>5</sup> Edward entered the capital amidst the acclamations of the citizens, and immediately opened a new scene to his party. This prince, in the bloom of youth, remarkable for the beauty of his person, for his bravery, his activity, his affability, and every popular quality, found himself so much possessed of public favour, that, elated with the spirit natural to his age, he resolved no longer to confine himself within those narrow limits which his father had prescribed to himself, and which had been found, by experience, so prejudicial to his cause. He determined to assume the name and dignity of king; to insist openly on his claim; and thenceforth to treat the opposite party as traitors and rebels to his lawful authority. But as a national consent, or the appearance of it, still seemed, notwithstanding his plausible title, requisite to precede this bold measure, and as the assembling of a parliament might occasion too many delays, and be attended with other inconveniences, he ventured to proceed in a less regular manner, and to put it out of the power of his enemies to throw obstacles in the way of his elevation. His army was ordered to assemble

<sup>1</sup> Cotton, p. 666. Grutten, p. 647.  
<sup>2</sup> Stowe, p. 415.

<sup>3</sup> Polyd. Virg. p. 510.

<sup>4</sup> Holinshed, p. 666. Grutten, p. 652.  
<sup>5</sup> Holinshed, p. 666.

<sup>6</sup> Grutten, p. 652.

in St. John's Fields; great numbers of people surrounded them; an hataque was pronounced to this mixed multitude, sitting forth the title of Edward, and inveighing against the tyranny and usurpation of the rival family; and the people were then asked, whether they would have Henry of Lancaster for king? They unanimously exclaimed against the proposal. It was then demanded, whether they would accept of Edward, eldest son of the late Duke

of York? they expressed their assent by loud acclamations.<sup>a</sup> A great number of bishops, lords, magistrates, and other persons of distinction, were next assembled at Baynard's castle, who ratified the popular election; and the new king was, on the subsequent day, proclaimed in London, by the title of Edward IV.<sup>b</sup>

In this manner ended the reign of Henry VI. a monarch who, while in his cradle, had been proclaimed king both of France and England, and who began his life with the most splendid prospects that any prince in Europe had ever enjoyed. The revolution was unhappy for his people, as it was the source of civil wars; but was almost entirely indifferent to Henry himself, who was utterly incapable of exercising his authority, and who, provided he personally met with good usage, was equally easy, as he was equally enslaved, in the hands of his enemies and of his friends. His weakness and his disputed title were the chief causes of the public calamities: but whether his queen and his ministers were not also guilty of some great abuses of power, it is not easy for us, at this distance of time, to determine: there remain no proofs on record of any considerable violation of the laws, except in the assassination of the Duke of Gloucester, which was a private crime, formed no precedent, and was but too much of a piece with the usual ferocity and cruelty of the times.

The most remarkable law, which passed in this reign, was that for the due election of members of parliament in counties. After the fall of the feudal system, the distinction of tenures was in some measure lost; and every freeholder, as well those who held of mesne lords, as the immediate tenants of the crown, were by degrees admitted to give their votes at elections. This innovation (for such it may probably be esteemed) was indirectly confirmed by a law of Henry IV.,<sup>c</sup> which gave right to such a multitude of electors as was the occasion of great disorder. In the eighth and tenth of this king, therefore, laws were enacted, limiting the electors to such as possessed forty shillings a year in land, free from all burdens, within the county.<sup>d</sup> This sum was equivalent to near twenty pounds a year of our present money; and it were to be wished, that the spirit as well as letter of this law, had been maintained.

The preamble of the statute is remarkable: "Whereas the elections of knights have of late, in many counties of England, been made by outrageous and excessive numbers of people, many of them of small substance and value, yet pretending to a right equal to the best knights and esquires; whereby manslaughter, riots, batteries, and divisions among the gentlemen, and other people of the same counties, shall very likely rise and be, unless due remedy be provided in this behalf," &c. We may learn from these expressions, what an important matter the election of a member of parliament was now become in England: that assembly was beginning in this period to assume great authority: the Commons had it much in their power to enforce the execution of the laws; and if they failed of success in this particular, it proceeded less from any exorbitant power of the crown, than from the licentious spirit of the aristocracy, and perhaps from the rude education of the age, and their own ignorance of the advantages resulting from a regular administration of justice.

When the Duke of York, the Earls of Salisbury and Warwick, fled the kingdom upon the desertion of their troops, a parliament was summoned at Coventry in 1460, by which they were all attainted. This parliament seems to have been very irregularly constituted, and scarcely deserves the name: inasmuch, that an act passed in it,

"that all such knights of any county as were returned by virtue of the king's letters, without any other election, should be valid, and that no sheriff should, for returning them, incur the penalty of the statute of Henry IV."<sup>e</sup> All the acts of that parliament were afterwards reversed; "because it was unlawfully summoned, and the knights and barons not duly chosen."<sup>f</sup>

The parliaments in this reign, instead of relaxing their vigilance against the usurpations of the court of Rome, endeavoured to enforce the former statutes enacted for that purpose. The Commons petitioned that no foreigner should be capable of any church preferment, and that the patron might be allowed to present anew upon the non-residence of any incumbent.<sup>g</sup> But the king eluded these petitions. Pope Martin wrote him a severe letter against the statute of provisors; which he calls an abominable law, that would infallibly damn every one who observed it.<sup>h</sup> The Cardinal of Winchester was legate; and as he was also a kind of prime minister, and immensely rich from the profits of his clerical dignities, the parliament became jealous lest he should extend the papal power; and they protested that the cardinal should absent himself in all affairs and councils of the king, whenever the Pope or see of Rome was touched upon.<sup>i</sup>

Permission was given by parliament to export corn when it was at low prices; wheat at six shillings and eight pence a quarter, money of that age; barley at three shillings and four pence.<sup>j</sup> It appears from these prices, that corn still remained at near half its present value; though other commodities were much cheaper. The inland commerce of corn was also opened in the eighteenth of the king by allowing any collector of the customs to grant a licence for carrying it from one country to another.<sup>k</sup> The same year a kind of navigation act was proposed with regard to all places within the Streights; but the king rejected it.<sup>l</sup>

The first instance of debt contracted upon parliamentary security, occurs in this reign.<sup>m</sup> The commencement of this pernicious practice deserves to be noted; a practice the more likely to become pernicious the more a nation advances in opulence and credit. The ruinous effects of it are now become apparent, and threaten the very existence of the nation.

## CHAP. XXII.

### EDWARD IV.

Battle of Tewkesbury—Henry escapes into Scotland—A parliament—Battle of Hexham—Henry taken prisoner, and confined in the Tower—King's marriage with the Lady Elizabeth Gray—Warwick disgusted—Alliance with Burgundy—Insurrection in Yorkshire—Battle of Barnbury—Warwick and Clarence banished—Warwick and Clarence return—Edward IV. expelled—Henry VI. restored—Edward IV. returns—Battle of Barnet and death of Warwick—Battle of Tewkesbury, and murder of Prince Edward—Death of Henry VI.—Invasion of France—Peace of Picquigny—Trial and execution of the Duke of Clarence—Death and character of Edward IV.

YOUNG Edward, now in his twentieth year, was of a temper well fitted to make his way through such a scene of war, havoc, and devastation, as must conduct him to the full possession of that crown, which he claimed from hereditary right, but which he had assumed from the tumultuary election alone of his own party. He was bold, active, enterprising; and his hardness of heart and severity of character rendered him impenetrable to all those movements of compassion which might relax his vigour in the prosecution of the most bloody revenges upon his enemies. The very commencement of his reign gave symptoms of his sanguinary disposition. A tradesman of London, who kept shop at the sign of the Crown, having said that he would make his son heir to the Crown; this harmless pleasantry was interpreted to be spoken in derision of Edward's assumed title; and he was condemned and executed for the offence.<sup>n</sup> Such an act of tyranny was a proper prelude to the events which

<sup>a</sup> Ström, p. 445. The register, p. 660.

<sup>b</sup> Camden, p. 685.

<sup>c</sup> Statutes at Large, 7 Henry VI. cap. 15.

<sup>d</sup> 11 Hen. VI. cap. 7. 10 Henry VI. cap. 6.

<sup>e</sup> 14 Hen. VI. cap. 1.

<sup>f</sup> Statutes at Large, 39 Henry VI. cap. 1.

<sup>g</sup> 14 Hen. VI. cap. 1.

<sup>h</sup> Camden's Collection of the reign, p. 99.

<sup>i</sup> Cotton, p. 593.

<sup>j</sup> Statutes at Large, 15 Henry VI. cap. 2. 23 Henry VI. cap. 6.

<sup>k</sup> Cotton, p. 625.

<sup>l</sup> Ibid. p. 625.

<sup>m</sup> Ibid. p. 594, 614, 638.

<sup>n</sup> Haddington's Decree, p. 431. Grafton, p. 791.



ceased. The scaffold, as well as the fight, incessantly streamed with the noblest blood of England, spilt in the quarrel between the two contending families, whose animosity was now become implacable. The people, divided in their affections, took different symbols of party: the partisans of the house of Lancaster chose the red rose as their mark of distinction; those of York were denominated from the white; and the civil wars were thus known, over Europe, by the name of the quarrel between the two roses.

The licence, in which Queen Margaret had been obliged to indulge her troops, infused great terror and aversion into the city of London, and all the southern parts of the kingdom; and as she there expected an obstinate resistance, she had prudently retired northwards among her own partisans. The same licence, joined to the zeal of faction, soon brought great multitudes to her standard; and she was able, in a few days, to assemble an army, sixty thousand strong, in Yorkshire. The king and the Earl of Warwick hastened, with an army of forty thousand men, to check her progress; and when they reached Pomfret, they despatched a body of troops, under the command of Lord Fitzwalter, to secure the passage of Ferrybridge over the river Ayre, which lay between them and the enemy. Fitzwalter took possession of the post assigned him; but was not able to maintain it against Lord Clifford, who attacked him with superior numbers. The Yorkists were chased back with great slaughter; and Lord Fitzwalter himself was slain in the action.<sup>b</sup> The Earl of Warwick, dreading the consequences of this disaster, at a time when a decisive action was every hour expected, immediately ordered his horse to be brought him, which he stabbed before the whole army; and, kissing the hilt of his sword, swore that he was determined to share the fate of the meanest soldier.<sup>c</sup> And, to show the greater security, a proclamation was at the same time issued, giving to every one full liberty to retire; but menacing the severest punishment to those who should discover any symptoms of cowardice in the ensuing battle.<sup>d</sup> Lord Falconberg was sent to recover the post which had been lost: he passed the river some miles above Ferrybridge, and falling unexpectedly on Lord Clifford, revenged the former disaster by the defeat of the party and the death of their leader.<sup>e</sup>

<sup>f</sup> Battle of Tooton, 29th of March. The hostile armies met at Tooton; and a fierce and bloody battle ensued. While the Yorkists were advancing to the charge, there happened a great fall of snow, which, driving full in the faces of their enemies, blinded them; and this advantage was improved by a stratagem of Lord Falconberg's. That nobleman ordered some infantry to advance before the line, and, after having sent a volley of flight arrows, as they were called, amidst the enemy, immediately to retire. The Lancastrians, imagining that they were gotten within reach of the opposite army, discharged all their arrows, which thus fell short of the Yorkists.<sup>f</sup> After the quivers of the enemy were emptied, Edward advanced his line, and did execution with impunity, on the dismayed Lancastrians: the bow, however, was soon laid aside, and the sword decided the combat, which ended in a total victory on the side of the Yorkists. Edward issued orders to give no quarter.<sup>g</sup> The routed army was pursued to Tadcaster with great bloodshed and confusion; and above thirty-six thousand men are computed to have fallen in the battle and pursuit.<sup>h</sup> Among these were the Earl of Westmoreland, and his brother Sir John Nevil, the Earl of Northumberland, the Lords Dacres and Welles, and Sir Andrew Trollop.<sup>i</sup> The Earl of Devonshire, who was now engaged in Henry's party, was brought a prisoner to Edward; and was, soon after, beheaded by martial law at York. His head was fixed on a pole, erected over a gate of that city; and the head of Duke Richard, and that of the Earl of Salisbury, were taken down, and buried with their bodies. Henry and Margaret had remained at York, during the action; but learning the defeat of their army, and being sensible that no place in England could

now afford them shelter, they fled with great precipitation into Scotland. They were accompanied by the Duke of Exeter, who, though he had married Edward's sister, had taken part with the Lancastrians, and by Henry, Duke of Somerset, who had commanded in the unfortunate battle of Tooton, and who was the son of that nobleman killed in the first battle of St. Albans.

Notwithstanding the great animosity which Henry escaped revealed between the kingdoms, Scotland into Scotland, had never exerted itself with vigour to take advantage, either of the wars which England carried on with France, or of the civil commotions which arose between the contending families. James I., more laudably employed in civilizing his subjects, and taming them to the salutary yoke of law and justice, avoided all hostilities with foreign nations; and though he seemed interested to maintain a balance between France and England, he gave no further assistance to the former kingdom, in its greatest distresses, than permitting, and, perhaps, encouraging, his subjects to enlist in the French service. After the murder of that excellent prince, the minority of his son and successor, James II., and the distractions incident to it, retained the Scots in the same state of neutrality; and the superiority, visibly acquired by France, rendered it then unnecessary for her ally to interpose in her defence. But when the quarrel commenced between the houses of York and Lancaster, and became absolutely incurable, but by the total extinction of one party, James, who had now risen to man's estate, was tempted to seize the opportunity, and he endeavoured to recover those places which the English had formerly conquered from his ancestors. He laid siege to the castle of Roxborough in 1460, and had provided himself with a small train of artillery for that enterprise: but his cannon were so ill framed, that one of them burst as he was firing it, and put an end to his life in the flower of his age. His son and successor James III. was also a minor on his accession: the usual distractions ensued in the government: the Queen-dowager, Anne of Gueldres, aspired to the regency: the family of Douglas opposed her pretensions; and Queen Margaret, when she fled into Scotland, found there a people little less divided by faction than those by whom she had been expelled. Though she pleaded the connexions between the royal family of Scotland and the house of Lancaster, by the young king's grandmother, a daughter of the Earl of Somerset; she could engage the Scottish council to go no further than to express their good wishes in her favour: but, on her offer to deliver to them immediately the important fortress of Berwick, and to contract her son in marriage with a sister of King James, she found a better reception; and the Scots promised the assistance of their arms to reinstate her family upon the throne.<sup>k</sup> But as the danger from that quarter seemed not very urgent to Edward, he did not pursue the fugitive king and queen into their retreat; but returned to London, where a parliament was summoned for settling the government.

On the meeting of this assembly, Edward 4th Nov. found the good effects of his vigorous mea- A parliament. sure in assuming the crown, as well as of his victory at Tooton, by which he had secured it: the parliament no longer hesitated between the two families, or proposed any of those ambiguous decisions which could only serve to perpetuate and inflame the animosities of party. They recognised the title of Edward, by hereditary descent through the family of Mortimer; and declared that he was king by right, from the death of his father, who had also the same lawful title; and that he was in possession of the crown from the day that he assumed the government, tendered to him by the acclamations of the people.<sup>l</sup> They expressed their abhorrence of the usurpation and intrusion of the house of Lancaster, particularly that of the Earl of Derby, otherwise called Henry IV., which, they said, had been attended with every kind of disorder, the murder of the sovereign, and the oppression of the subject. They annulled every grant which had passed in those reigns; they reinstated the king in all the possessions which had

b W. W. Worcester, p. 469. Hall, fol. 126. Holingshead, p. 664.  
c Holington, p. 432. d Holingshead, p. 664.  
e Hist. Croyl. contm. p. 532. f Hall, fol. 126.  
g Holington, p. 132.

h Holingshead, p. 665. Grafton, p. 656. Hist. Croyl. cont. p. 533.  
i Hall, fol. 127. Holington, p. 433.  
k Hall, fol. 127. Holington, p. 434.  
l Cotton, p. 670.



The imprisonment of Henry, the expulsion of Margaret, the execution and consubration of all the most eminent Lancastrians, seemed to give full security to Edward's government; whose title by blood being now recognised by parliament, and universally submitted to by the people, was no longer in danger of being impeached by any antagonist. In this prosperous situation, the king delivered himself up without control, to those pleasures which his youth, his high fortune, and his natural temper invited him to enjoy; and the cares of royalty were less attended to, than the dissipation of amusement or the allurements of passion. The cruel and unrelenting spirit of Edward, though inured to the ferocity of civil wars, was, at the same time, extremely devoted to the softer passions, which, without mitigating his severe temper, maintained a great influence over him, and shared his attachment with the pursuits of ambition and the thirst of military glory. During the present interval of peace, he lived in the most familiar and sociable manner with his subjects, particularly with the Londoners; and the beauty of his person, as well as the gallantry of his address, which, even unassisted by his royal dignity, would have rendered him acceptable to the fair, facilitated all his applications for their favour. This easy and pleasurable course of life augmented every day his popularity among all ranks of men: he was the peculiar favourite of the young and gay of both sexes. The disposition of the English, little addicted to jealousy, kept them from taking umbrage at these liberties: and his indulgence in amusements, while it gratified his inclination, was thus become, without design, a means of supporting and securing his government. But as it is difficult to confine the ruling passion within strict rules of prudence, the amorous temper of Edward led him into a snare, which proved fatal to his repose and to the stability of his throne.

Jaqueline of Luxemburg, Duchess of King's marriage Bedford, had, after her husband's death, so with the lady Elizabeth Gray, far sacrificed her ambition to love, that she espoused, in second marriage, Sir Richard Woodville, a private gentleman, to whom she bore several children; and among the rest Elizabeth, who was remarkable for the grace and beauty of her person, as well as for other amiable accomplishments. This young lady had married Sir John Gray of Groby, by whom she had children; and her husband being slain in the second battle of St. Albans, fighting on the side of Lancaster, and his estate being for that reason confiscated, his widow retired to live with her father, at his seat of Grafton in Northamptonshire. The king came accidentally to the house after a hunting party, in order to pay a visit to the Duchess of Bedford; and as the occasion seemed favourable for obtaining some grace from this gallant monarch, the young widow flung herself at his feet, and, with many tears, entreated him to take pity on her impoverished and distressed children. The sight of so much beauty in affliction strongly affected the amorous Edward; love stole insensibly into his heart under the guise of compassion; and her sorrow, so becoming a virtuous matron, made his esteem and regard quickly correspond to his affection. He raised her from the ground with assurances of favour; he found his passion increase every moment by the conversation of the amiable object; and he was soon reduced, in his turn, to the posture and style of a supplicant at the feet of Elizabeth. But the lady, either averse to dishonourable love, from a sense of duty, or perceiving that the impression which she had made was so deep as to give her hopes of obtaining the highest elevation, obstinately refused to gratify his passion; and all the endearments, caresses, and importunities of the young and amiable Edward, proved fruitless against her rigid and inflexible virtue. His passion, irritated by opposition, and increased by his veneration for such honourable sentiments, carried him, at last, beyond all bounds of reason; and he offered to share his throne, as well as his heart, with the woman, whose beauty of person and dignity of character seemed so well to entitle her to both. The marriage was pri-

vately celebrated at Grafton.\* The secret was carefully kept for some time: no one suspected, that so libertine a prince could sacrifice so much to a romantic passion: and there were, in particular, strong reasons, which at that time rendered this step, to the highest degree, dangerous and imprudent.

The king, desirous to secure his throne, as well by the prospect of issue, as by foreign alliances, had, a little before, determined to make application to some neighbouring princess; and he had cast his eye on Bona of Savoy, sister to the Queen of France, who, he hoped, would, by her marriage, insure him the friendship of that power, which was alone both able and inclined to give support and assistance to his rival. To render the negotiation more successful, the Earl of Warwick had been despatched to Paris, where the princess then resided; he had demanded Bona in marriage for the king; his proposals had been accepted; the treaty was fully concluded; and nothing remained but the ratification of the terms agreed on, and the bringing over the princess to England.<sup>1</sup> But when the secret of Edward's marriage broke out, the haughty Earl, deeming himself affronted, both by being employed in this fruitless negotiation, and by being kept a stranger to the king's intentions, who had owed every thing to his friendship, immediately returned to England, inflamed with rage and indignation. The influence of passion, over so young a man as Edward, might have served as an excuse for his imprudent conduct, had he deigned to acknowledge his error, or had pleaded his weakness as an apology: but his Warwickish shame or pride prevented him from <sup>gustad.</sup> so much as mentioning the matter to Warwick: and that nobleman was allowed to depart the court, full of the same ill-humour and discontent which he brought to it.

Every incident now tended to widen the breach between the king and this powerful subject. The queen, who lost not her influence by marriage, was equally solicitous to draw every grace and favour to her own friends and kindred, and to exclude those of the earl, whom she regarded as her mortal enemy. Her father was created Earl of Rivers: he was made treasurer in the room of Lord Mountjoy;<sup>2</sup> he was invested in the office of constable for life; and his son received the survivance of that high dignity.<sup>3</sup> The same young nobleman was married to the only daughter of Lord Scales, enjoyed the great estate of that family, and had the title of Scales conferred upon him. Catherine, the queen's sister, was married to the young Duke of Buckingham, who was a ward of the crown:<sup>4</sup> Mary, another of her sisters, espoused William Herbert, created Earl of Huntingdon: Anne, a third sister, was given in marriage to the son and heir of Grey, Lord Ruthyn, created Earl of Kent.<sup>5</sup> The daughter and heir of the Duke of Exeter, who was also the king's niece, was contracted to Sir Thomas Gray, one of the queen's sons by her former husband; and as Lord Montague was treating of a marriage between his son and this lady, the preference given to young Gray was deemed an injury and affront to the whole family of Nevil.

The Earl of Warwick could not suffer with patience the least diminution of that credit which he had long enjoyed, and which, he thought, he had merited by such important services. Though he had received so many grants from the crown, that the revenue arising from them amounted, besides his patrimonial estate, to 80,000 crowns a year, according to the computation of Philip de Comines;<sup>6</sup> his ambitious spirit was still dissatisfied, so long as he saw others surpass him in authority and influence with the king.<sup>7</sup> Edward, also, jealous of that power which had supported him, and which he himself had contributed still higher to exalt, was well pleased to raise up rivals in credit to the Earl of Warwick; and he justified, by this political view, his extreme partiality to the queen's kindred. But the nobility of England, envying the sudden growth of the Woodvilles,<sup>8</sup> were more inclined to take part with Warwick's discontent, to whose grandeur they were already accustomed, and who had

<sup>1</sup> Polid. Angl. p. 513. Parnell. u. Halliwell. 193. Parnell. u. 239.  
<sup>2</sup> Polid. u. 143. Halliwell. p. 137. Halliwell. p. 197. Comines.  
<sup>3</sup> Polid. Angl. p. 514.

<sup>4</sup> W. W. p. 508.

<sup>5</sup> W. W. p. 508.

<sup>6</sup> W. W. p. 508.

<sup>7</sup> Polid. Angl. p. 514.

<sup>8</sup> Polid. Angl. p. 514.

<sup>9</sup> Polid. Angl. p. 514.



associated them to his superiority by his gracious and popular manners. And as Edward obtained from parliament a general resumption of all grants which he had made since his accession, and which had extremely impoverished the crown; \* this act, though it passed with some exceptions, particularly one in favour of the Earl of Warwick, gave a general alarm to the nobility, and disgusted many, even zealous partisans of the family of York.

But the most considerable associate that Warwick acquired to his party, was George, Duke of Clarence, the king's second brother. This prince deemed himself no less injured than the other grandees, by the uncontrolled influence of the queen and her relations; and as his fortunes were still left on a precarious footing, while theirs were fully established, this neglect, joined to his unquiet and restless spirit, inclined him to give countenance to all the malcontents.<sup>†</sup> The favourable opportunity of gaining him was espied by the Earl of Warwick, who offered him in marriage his eldest daughter, and coheir of his immense fortunes; a settlement which, as it was superior to any that the king himself could confer upon him, immediately attached him to the party of the earl.<sup>‡</sup> Thus an extensive and dangerous combination was insensibly formed against Edward and his ministry. Though the immediate object of the malcontents was not to overturn the throne, it was difficult to foresee the extremities to which they might be carried: and as opposition to government was usually, in those ages, prosecuted by force of arms, civil convulsions and disorders were likely to be soon the result of these intrigues and confederacies.

While this cloud was gathering at home, Edward carried his views abroad, and endeavoured to secure himself against his factious nobility by entering into foreign alliances. The dark and dangerous ambition of Lewis XI. the more it was known, the greater alarm it excited among his neighbours and vassals; and as it was supported by great abilities, and unrestrained by any principle of faith or humanity, they found no security to themselves but by a jealous combination against him. Philip, Duke of Burgundy, was now dead: his rich and extensive dominions were devolved to Charles, his only son, whose martial disposition acquired him the surname of *Bold*, and whose ambition, more outrageous than that of Lewis, but seconded by less power and policy, was regarded with a more favourable eye by the other potentates of Europe. The opposition of interests, and still more a natural antipathy of character, produced a declared animosity between these bad princes; and Edward was thus secure of the sincere attachment of either of them, for whom he should choose to declare himself. The Duke of Burgundy being descended by his mother, a daughter of Portugal, from John of Gaunt, was naturally inclined to favour the house of Lancaster: § but this consideration was easily overbalanced by political motives; and Charles, perceiving the interests of that house to be extremely decayed in England, sent over his natural brother, commonly called the Bastard of Burgundy, to carry in his name proposals of marriage to Margaret, the king's sister. The alliance of Burgundy was more popular among the English than that of France; the commercial interests of the two nations invited the princes to a close union; their common jealousy of Lewis was a natural cement between them; and Edward, pleased

with strengthening himself by so potent a confederate, soon concluded the alliance, and bestowed his sister upon Charles.<sup>¶</sup> A league which Edward at the same time concluded with the Duke of Brittany, seemed both to increase his security, and to open to him the prospect of ravalling his predecessors in those

foreign conquests, which, however short-lived and unprofitable, had rendered their reigns so popular and illustrious.<sup>‡</sup>

But whatever ambitious schemes the king might have built on these alliances, they were soon frustrated by intestine commotions, which engrossed all his attention. These disorders probably arose not immediately from the intrigues of the Earl of Warwick, but from accident aided by the turbulent spirit of the age, by the general humour of discontent which that popular nobleman had instilled into the nation, and perhaps by some remains of attachment to the house of Lancaster. The hospital of St. Leonard's near <sup>Insurrection in</sup> York had received, from an ancient grant of <sup>Yorkshire.</sup> King Athelstane, a right of levying a thrave of corn upon every plough-land in the county; and as these charitable establishments are liable to abuse, the country people complained that the revenue of the hospital was no longer expended for the relief of the poor, but was secreted by the managers, and employed to their private purposes. After long repining at the contribution, they refused payment. Ecclesiastical and civil censures were issued against them; their goods were distrained, and their persons thrown into jail: till, as their ill-humour daily increased, they rose in arms; fell upon the officers of the hospital, whom they put to the sword; and proceeded in a body, fifteen thousand strong, to the gates of York. Lord Montague, who commanded in those parts, opposed himself to their progress; and having been so fortunate in a skirmish as to seize Robert Hulderne their leader, he ordered him immediately to be led to execution, according to the practice of the times. The rebels, however, still continued in arms; and being soon headed by men of greater distinction, Sir Henry Nevil, son of Lord Latimer, and Sir John Coniers, they advanced southwards, and began to appear formidable to government. Herbert, Earl of Pembroke, who had received that title on the forfeiture of Jasper Tudor, was ordered by Edward to march against them at the head of a body of Welchmen; and he was joined by five thousand archers under the command of Stafford, Earl of Devonshire, who had succeeded in that title to the family of Courtney, which had also been attained. But a trivial difference about quarters having begotten an animosity between these two noblemen, the Earl of Devonshire retired with his archers, and left Pembroke alone to encounter the rebels. The Battle of Ban-

bury. <sup>26th July.</sup> Two armies approached each other near Banbury; and Pembroke, having prevailed in a skirmish, and having taken Sir Henry Nevil prisoner, ordered him immediately to be put to death, without any form of process. This execution enraged without terrifying the rebels: they attacked the Welch army, routed them, put them to the sword without mercy; and having seized Pembroke, they took immediate revenge upon him for the death of their leader. The king, imputing this misfortune to the Earl of Devonshire, who had deserted Pembroke, ordered him to be executed in a like summary manner. But these speedy executions, or rather open murders, did not stop there: the northern rebels, sending a party to Grafton, seized the Earl of Rivers and his son John; men who had become obnoxious by their near relation to the king, and his partiality towards them: and they were immediately executed by orders from Sir John Coniers.<sup>¶</sup>

There is no part of English history since the Conquest so obscure, so uncertain, so little authentic or consistent, as that of the wars between the two Roses: historians differ about many material circumstances: some events of the utmost consequence, in which they almost all agree, are incredible and contradicted by records;<sup>‡</sup> a commission of arrais to Clarence, whom he then imagined a good subject, and on the 24th of the same month we find him issuing an order for apprehending him. Besides, in the king's manifesto against the duke and son, it stands in Edward IV. in 7. R. where he enumerates all the crimes he is charged with; but he does not so much as accuse them of a crime young Welch rebels, who only says that they excited him to continue in his rebellion. We may judge how slender the materials represented by historians, who can in the most material transactions mislead so grossly. There may even some doubt arise with regard to the proposed marriage made to Isabella of Savoy, though almost all the historians report it, and the fact is very likely in itself; for there are no traditions of any such marriage. \* Warwick's to Isabella. † Herbert's challenge in this and the preceding reign arose either from public records, or from the notice taken of certain passages by the French historians. On the contrary, for some centuries after the conquest, the French history is not con-

\* W. W. R. p. 262.

† Grafton, p. 673.

‡ W. W. R. p. 261. Hall, vol. 200. Halstead, p. 119. Holingshead, p. 100. P. 101. V. 102.

¶ G. C. p. 101. Hall, vol. 102, 107.

‡ W. W. R. p. 261. Parliament, Hist. vol. 1, p. 324.

¶ Hall, p. 247.

§ The king's commission, about all the historians, even Comines, and S. de Comines, of the actions of Edward, assert that Edward was deposed from his throne by Clarence, and was restored to the throne by the Archbishop of York, brother to the king. For instance, in the first of his reign, he made his escape at the battle of Tewkesbury, and fled to France. But that all the historians, excepting those of France, who say that the king, being taken, was sent continually to the authority, and never was interdicted to the government. On the 7th of March, 1470, he was

and it is remarkable, that this profound darkness falls upon us just on the eve of the restoration of letters, and when the art of printing was already known in Europe. All we can distinguish with certainty through the deep cloud which covers that period, is a scene of horror and bloodshed, savage manners, arbitrary executions, and treacherous, dishonourable conduct in all parties. There is no possibility, for instance, of accounting for the views and intentions of the Earl of Warwick at this time. It is agreed that he resided, together with his son-in-law the Duke of Clarence, in his government of Calais, during the commencement of this rebellion; and that his brother Montague acted with vigour against the northern rebels. We may then presume, that the insurrection had not proceeded from the secret counsels and instigation of Warwick; though the murder committed by the rebels on the Earl of Rivers, his capital enemy, forms, on the other hand, a violent presumption against him. He and Clarence came over to England, offered their service to Edward, were received without any suspicion, were intrusted by him in the highest commands,<sup>a</sup> and still persevered in their fidelity. Soon after, we find the rebels quieted and dispersed by a general pardon granted by Edward from the advice of the Earl of Warwick: but why so courageous a prince, if secure of Warwick's fidelity, should have granted a general pardon to men who had been guilty of such violent and personal outrages against him, is not intelligible; nor why that nobleman, if unfaithful, should have endeavoured to appease a rebellion, of which he was able to make such advantages. But it appears that, after this insurrection, there was an interval of peace, during which the king loaded the family of Nevil with honours and favours of the highest nature: he made Lord Montague a marquis by the same name: he created his son George, Duke of Bedford: he publicly declared his intention of marrying that young nobleman to his eldest daughter, Elizabeth, who, as he had yet no sons, was presumptive heir of the crown: yet we find that soon after, being invited to a feast by the Archbishop of York, a younger brother of Warwick and Montague, he entertained a sudden suspicion that they intended to seize his person or to murder him: and he abruptly left the entertainment.<sup>b</sup>

A. D. 1470. Soon after, there broke out another rebellion, which is as unaccountable as all the preceding events; chiefly because no sufficient reason is assigned for it, and because, so far as it appears, the family of Nevil had no hand in exciting and fomenting it. It arose in Lincolnshire, and was headed by Sir Robert Welles, son to the lord of that name. The army of the rebels amounted to 30,000 men; but Lord Welles himself, far from giving countenance to them, fled into a sanctuary, in order to secure his person against the king's anger or suspicions. He was allured from this retreat by a promise of safety; and was soon after, notwithstanding this assurance, beheaded along with Sir Thomas Dymock, by orders from Edward.<sup>4</sup> The king fought a battle with the rebels, defeated them, took Sir Robert Welles and Sir Thomas Launde prisoners, and ordered them immediately to be beheaded.

Edward, during these transactions, had entertained so little jealousy of the Earl of Warwick or Duke of Clarence, that he sent them with commissions of array to levy forces against the rebels: but these malcontents, as soon as they left the court, raised troops in their own name, issued declarations against the government, and complained of grievances, oppressions, and bad ministers. The unexpected defeat of Welles disconcerted all their measures; and they retired northwards into Lancashire, where they expected to be joined by Lord Stanley, who had married the Earl of Warwick's sister. But as that nobleman refused all concurrence with them, and as Lord Montague also remained quiet in Yorkshire: they were obliged to disband

then away, and to fly into Devonshire, where they embarked and made sail towards Cornwall.

The deputy-governor, whom Warwick had left at Calais, was one Vaucleur, a Gascon, who, seeing the Earl return in this miserable condition, refused him admittance; and would not so much as permit the Duchess of Clarence to land; though a few days before she had been delivered on ship-board of a son, and was at that time extremely disordered by sickness. With difficulty he would allow a few flagons of wine to be carried to the ship for the use of the ladies: but as he was a man of sagacity, and well acquainted with the revolutions to which England was subject, he secretly apologized to Warwick for this appearance of infidelity, and represented it as proceeding entirely from zeal for his service. He said, that the fortress was ill supplied with provisions, so that he could not depend on the attachment of the garrison; that the inhabitants, who lived by the English commerce, would certainly declare for the established government; that the place was at present unable to resist the power of England on the one hand, and that of the Duke of Burgundy on the other; and that, by seeming to declare for Edward, he would acquire the confidence of that prince, and still keep it in his power, when it should become safe and prudent, to restore Calais to its ancient master! It is uncertain whether Warwick was satisfied with this apology, or suspected a double infidelity in Vaucleur; but he feigned to be entirely convinced by him; and having seized some Flemish vessels which he found lying off Calais, he immediately made sail towards France.

The King of France, uneasy at the close conjunction between Edward and the Duke of Burgundy, received with the greatest demonstrations of regard the unfortunate Warwick,\* with whom he had formerly maintained a secret correspondence, and whom he hoped still to make his instrument in overturning the government of England, and re-establishing the house of Lancaster. No animosity was ever greater than that which had long prevailed between that house and the Earl of Warwick. His father had been executed by orders from Margaret: he himself had twice reduced Henry to captivity, had banished the queen, had put to death all their most zealous partisans either in the field or on the scaffold, and had occasioned innumerable ills to that unhappy family. For this reason, believing that such inveterate rancour could never admit of any cordial reconciliation, he had not mentioned Henry's name, when he took arms against Edward; and he rather endeavoured to prevail by means of his own adherents, than revive a party which he sincerely hated. But his present distresses and the entreaties of Lewis made him hearken to terms of accommodation; and Margaret being sent for from Angers, where she then resided, an agreement was from common interest soon concluded between them. It was stipulated, that Warwick should espouse the cause of Henry, and endeavour to restore him to liberty, and to re-establish him on the throne; that the administration of the government during the minority of young Edward, Henry's son, should be intrusted conjointly to the Earl of Warwick and the Duke of Clarence; that Prince Edward should marry the Lady Anne, second daughter of that nobleman; and that the crown, in case of the failure of male issue in that prince, should descend to the Duke of Clarence, to the entire exclusion of King Edward and his posterity. Never was confederacy, on all sides, less natural, or more evidently the work of necessity: but Warwick hoped, that all former passions of the Lancastrians might be lost in present political views; and that at worst, the independent power of his family, and the affections of the people, would suffice to give him security, and enable him to exact the full performance of all the conditions agreed on. The marriage of Prince Edward with the Lady Anne was immediately celebrated in France.

Edward foresaw that it would be easy to dissolve an alliance composed of such discordant parts. For this

plete without the assistance of English authors. We may conjecture, that the reason of the scarcity of histories during this period was the destruction of the chronicles which dated so soon after the conquest of the more recent histories, and being yet sufficiently distinguished, these histories have perished.

q Hdl, fol. 34. Fabian, fol. 218. Hattington, p. 442. Helmsley, p.

r. *Evangel.*, vol. 51, p. 652.

8. I have long offered to purchase a remnant of 100 pounds, or less, some a year or more to any of it would serve me. Whence we may learn that he was not that time sold for about ten years purchase. See *Kyrie*, vol. 1, p. 100.

Pol. by A. V. 1904, p. 510.

U. P. 1801, 1817, 1821, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 250

purpose, he sent over a lady of great sagacity and address, who belonged to the train of the Duchess of Clarence, and who, under colour of attending her mistress, was empowered to negotiate with the duke, and to renew the connexions of that prince with his own family.<sup>10</sup> She represented to Clarence, that he had unwarily, to his own ruin, become the instrument of Warwick's vengeance, and had thrown himself entirely in the power of his most inveterate enemies; that the mortal injuries which the one royal family had suffered from the other, were now past all forgiveness, and no imaginary union of interests could ever suffice to obliterate them; that even if the leaders were willing to forget past offences, the animosity of their adherents would prevent a sincere coalition of parties, and would, in spite of all temporary and verbal agreements, preserve an eternal opposition of measures between them; and that a prince who deserted his own kindred, and joined the murderers of his father, left himself single, without friends, without protection, and would not, when misfortunes inevitably fell upon him, be so much as entitled to any pity or regard from the rest of mankind. Clarence was only one-and-twenty years of age, and seems to have possessed but a slender capacity; yet could he easily see the force of these reasons; and upon the promise of forgiveness from his brother, he secretly engaged, on a favourable opportunity, to desert the Earl of Warwick, and abandon the Lancastrian party.

During this negotiation, Warwick was secretly carrying on a correspondence of the same nature with his brother the Marquis of Montague, who was entirely trusted by Edward; and like motives produced a like resolution in that nobleman. The marquis also, that he might render the projected blow the more deadly and incurable, resolved, on his side, to watch a favourable opportunity for committing his perfidy, and still to maintain the appearance of being a zealous adherent to the house of York.

After these mutual snares were thus carefully laid, the decision of the quarrel advanced apace. Lewis prepared a fleet to escort the Earl of Warwick, and granted him a supply of men and money.<sup>11</sup> The Duke of Burgundy, on the other hand, enraged at that nobleman for his seizure of the Flemish vessels before Calais, and anxious to support the reigning family in England, with whom his own interests were now connected, fitted out a large fleet, with which he guarded the Channel; and he incessantly warned his brother-in-law of the imminent perils to which he was exposed. But Edward, though always brave, and often active, had little foresight or penetration. He was not sensible of his danger: he made no suitable preparations against the Earl of Warwick: he even said, that the Duke might spare himself the trouble of guarding the seas, and that he wished for nothing more than to see Warwick set foot on English ground.<sup>12</sup> A vain confidence in his own prowess, joined to the immoderate love of pleasure, had made him incapable of all sound reason and reflection.

The event soon happened, of which Edward's wish seemed so desirous. A storm dispersed the Flemish navy, and left the sea open to Warwick.<sup>13</sup> That nobleman seized the opportunity, and setting sail, quickly landed at Dartmouth, with the Duke of Clarence, the Earls of Oxford and Pembroke, and a small body of troops; while the king was in the north, engaged in suppressing an insurrection which had been raised by Lord Fitz-Hugh, brother-in-law to Warwick. The scene which ensues resembles more the fiction of a poem or romance than an event in true history. The prodigious popularity of Warwick,<sup>14</sup> the zeal of the Lancastrian party, the spirit of discontent with which many were infected, and the general instability of the English nation, occasioned by the late frequent revolutions, drew such multitudes to his standard, that in a very few days his army amounted to sixty thousand men, and was continually increasing. Edward hastened southwards to encounter him; and the two armies approached each other near Nottingham, where a decisive action was every hour expected. The rapidity of Warwick's progress had incapacitated the Duke of Cla-

rence from executing his plan of treachery; and the Marquis of Montague had here the opportunity of striking the first blow. He communicated the design to his adherents, who promised him their concurrence: they took to arms in the night-time, and hastened with loud acclamations to Edward's quarters: the king was alarmed at the noise, and starting from bed, heard the cry of war usually employed by the Lancastrian party. Lord Hastings, his chamberlain, informed him of the danger, and urged him to make his escape by speedy flight from an army where he had so many concealed enemies, and where few seemed zealously attached to his service. He had just time to get on horseback, and to hurry with a small retinue to Lynn in Norfolk, where he luckily found some ships ready, on board of which he instantly embarked.<sup>15</sup> And Edward IV. expelled.

After this manner, the Earl of Warwick, in no longer space than eleven days after his first landing, was left entire master of the kingdom. But Edward's danger did not end with his embarkation. The Easterlings, or Hanse-Towns, were then at war both with France and England; and some ships of these people, hovering on the English coast, espied the king's vessels, and gave chase to them; nor was it without extreme difficulty that he made his escape into the port of Alcaer in Holland. He had fled from England with such precipitation, that he had carried nothing of value along with him, and the only reward which he could bestow on the captain of the vessel that brought him over, was a robe lined with sables; promising him an ample recompence if fortune should ever become more propitious to him.<sup>16</sup>

It is not likely that Edward could be very fond of presenting himself in this lamentable plight before the Duke of Burgundy; and that having so suddenly, after his mighty vaunts, lost all footing in his own kingdom, he could be insensible to the ridicule which must attend him in the eyes of that prince. The duke, on his part, was no less embarrassed how he should receive the dethroned monarch. As he had ever borne a greater affection to the house of Lancaster than to that of York, nothing but political views had engaged him to contract an alliance with the latter; and he foresaw, that probably the revolution in England would now turn this alliance against him, and render the reigning family his implacable and jealous enemy. For this reason, when the first rumour of that event reached him, attended with the circumstance of Edward's death, he seemed rather pleased with the catastrophe; and it was no agreeable disappointment to find, that he must either undergo the burden of supporting an exiled prince, or the dishonour of abandoning so near a relation. He began already to say that his connexions were with the kingdom of England, not with the king; and it was indifferent to him whether the name of Edward, or that of Henry, were employed in the articles of treaty. These sentiments were continually strengthened by the subsequent events. Vaucor, the deputy-governor of Calais, though he had been confirmed in his command by Edward, and had even received a pension from the Duke of Burgundy, on account of his fidelity to the crown, no sooner saw his old master Warwick re-instated in authority, than he declared for him, and with great demonstrations of zeal and attachment, put the whole garrison in his livery. And the intelligence which the duke received every day from England, seemed to promise an entire and full settlement in the family of Lancaster.

Immediately after Edward's flight had left the kingdom at Warwick's disposal, that nobleman hastened to London; and taking Henry from his confinement in the Tower, into which he himself had been the chief cause of throwing him, he proclaimed him king with great solemnity. A parliament was summoned, in the name of that prince, to meet at Westminster; and as this assembly could pretend to no liberty, while surrounded by such enraged and insolent victors, governed by such an impetuous spirit as Warwick, their votes were entirely dictated by the ruling faction. The treaty with Margaret was here fully executed: Henry was recognised as lawful king; but his incapacity for government being

See before, p. 247.  
Warwick's return  
Clarence re-  
turns.

Warwick's return  
Clarence re-  
turns.

Henry VI.  
restored.

<sup>10</sup> See before, p. 247, chap. 5, Hall, vol. 2, p. 27. H. Hall, vol. 2, p. 27.  
<sup>11</sup> See before, p. 247, chap. 5, Hall, vol. 2, p. 27. H. Hall, vol. 2, p. 27.

<sup>12</sup> See before, p. 247, chap. 5, Hall, vol. 2, p. 27. H. Hall, vol. 2, p. 27.

<sup>13</sup> Hall, vol. 2, p. 27.

<sup>14</sup> See before, p. 247, chap. 5, Hall, vol. 2, p. 27. H. Hall, vol. 2, p. 27.



avowed, the regency was intrusted to Warwick and Clarence till the majority of Prince Edward; and in default of that prince's issue, Clarence was declared successor to the crown. The usual business also of reversals went on without opposition: every statute made during the reign of Edward was repealed; that prince was declared to be a usurper; he and his adherents were attainted; and in particular Richard, Duke of Gloucester, his younger brother—the all-attenders of the Lancastrians, the Dukes of Somerset and Exeter, the Earls of Richmond, Pembroke, Oxford, and Ormond, were reversed; and every one was restored who had lost either honours or fortunes by his former adherence to the cause of Henry.

The ruling party were more sparing in their executions than was usual after any revolution during those violent times. The only victim of distinction was John Tiptot, Earl of Worcester. This accomplished person, born in an age and nation where the nobility valued themselves on ignorance as their privilege, and left learning to monks and school-masters, for whom, indeed, the spurious erudition that pretended was best fitted, had been struck with the first rays of true science, which began to penetrate from the south, and had been zealous, by his exhortation and example, to propagate the love of letters among his unpolished countrymen. It is pretended, that knowledge had not produced on this nobleman the effect which naturally attends it, of humanizing the temper and softening the heart; and that he had enraged the Lancastrians against him, by the severities which he exercised upon them during the prevalence of his own party. He endeavoured to conceal himself after the flight of Edward; but was caught on the top of a tree in the forest of Weybridge, was conducted to London, tried before the Earl of Oxford, condemned and executed. All the other considerable Yorkists either fled beyond sea, or took shelter in sanctuaries, where the ecclesiastical privileges afforded them protection. In London, alone, it is computed that no less than 2000 persons saved themselves in this manner; and among the rest Edward's queen, who was there delivered of a son, called by his father's name.<sup>a</sup>

Queen Margaret, the other rival queen, had not yet appeared in England; but on receiving intelligence of Warwick's success, was preparing with Prince Edward for her journey. All the banished Lancastrians flocked to her; and among the rest, the Duke of Somerset, son of the duke beheaded after the battle of Hexham. This nobleman, who had long been regarded as the head of the party, had fled into the Low Countries on the discomfiture of his friends; and as he concealed his name and quality, he had there languished in extreme indigence. Philip de Comines tells us,<sup>b</sup> that he himself saw him, as well as the Duke of Exeter, in a condition no better than that of a common beggar; till, being discovered by Philip, Duke of Burgundy, they had small pensions allotted them, and were living in silence and obscurity, when the success of their party called them from their retreat. But both Somerset and Margaret were detained by contrary winds from reaching England,<sup>c</sup> till a new revolution in that kingdom, no less sudden and surprising than the former, threw them into greater misery than that from which they had just emerged.

Though the Duke of Burgundy, by neglecting Edward, and paying court to the established government, had endeavoured to conciliate the friendship of the Lancastrians, he found that he had not succeeded to his wish; and the connexions between the King of France and the Earl of Warwick still held him in great anxiety.<sup>d</sup> This nobleman too hastily regarding Charles as a determined enemy, had sent over to Calais a body of 4000 men, who made inroads into the Low Countries;<sup>e</sup> and the Duke of Burgundy saw himself in danger of being overwhelmed by the united arms of England and of France. He resolved, therefore, to grant some assistance to his brother-in-law; but in such a covert manner as should give the least offence possible to the English government. He equipped four large vessels, in the name of some private merchants, at Terveer in Zealand; and causing fourteen

ships to be secretly hired from the Easterlings, he delivered this small squadron to Edward, who, receiving also a sum of money from the duke, immediately set sail for England. No sooner was Charles informed of his departure, than he issued a proclamation, inhibiting all his subjects from giving him countenance or assistance;<sup>f</sup> an artifice which could not deceive the Earl of Warwick, but which might serve as a decent pretence, if that nobleman were so disposed, for maintaining friendship with the Duke of Burgundy.

Edward, impatient to take revenge on his enemies, and to recover his lost authority, made an attempt to land with his forces, which exceeded not 2000 men, on the coast of Norfolk; but being there repulsed, he sailed northwards, and disembarked at Ravenspur, in Yorkshire. Finding that the new magistrates, who had been appointed by the Earl of Warwick, kept the <sup>25th Mar.</sup> Edward IV. returns. people every where from joining him, he pretended, and even made oath, that he came not to challenge the crown, but only the inheritance of the house of York, which of right belonged to him; and that he did not intend to disturb the peace of the kingdom. His partisans every moment flocked to his standard: he was admitted into the city of York: and he was soon in such a situation as gave him hopes of succeeding in all his claims and pretensions. The Marquis of Montague commanded in the northern counties; but from some mysterious reasons, which, as well as many other important transactions in that age, no historian has cleared up, he totally neglected the beginnings of an insurrection, which he ought to have esteemed so formidable. Warwick assembled an army at Leicester, with an intention of meeting and of giving battle to the enemy; but Edward, by taking another road, passed him unmolested, and presented himself before the gates of London. Had he here been refused admittance, he was totally undone: but there were many reasons which inclined the citizens to favour him. His numerous friends, issuing from their sanctuaries, were active in his cause; many rich merchants, who had formerly lent him money, saw no other chance for their payment, but his restoration; the city dames, who had been liberal of their favours to him, and who still retained an affection for this young and gallant prince, swayed their husbands and friends in his favour;<sup>g</sup> and above all, the Archbishop of York, Warwick's brother, to whom the care of the city was committed, had secretly, from unknown reasons, entered into a correspondence with him; and he facilitated Edward's admission into London. The most likely <sup>11th April.</sup> cause which can be assigned for these multiplied infidelities, even in the family of Nevil itself, is the spirit of faction, which, when it becomes inveterate, it is very difficult for any man entirely to shake off. These persons, who had long distinguished themselves in the York party, were unable to act with zeal and cordiality for the support of the Lancastrians; and they were inclined, by any prospect of favour or accommodation offered them by Edward, to return to their ancient connexions. However this may be, Edward's entrance into London made him master not only of that rich and powerful city, but also of the person of Henry, who, destined to be the perpetual sport of fortune, thus fell again into the hands of his enemies.<sup>h</sup>

It appears not that Warwick, during his short administration, which had continued only six months, had been guilty of any unpopular act, or had anywise deserved to lose that general favour with which he had so lately overwhelmed Edward. But this prince, who was formerly on the defensive, was now the aggressor; and having overcome the difficulties which always attend the beginnings of an insurrection, possessed many advantages above his enemy: his partisans were actuated by that zeal and courage which the notion of an attack inspires; his opponents were intimidated for a like reason; every one who had been disappointed in the hopes which he had entertained from Warwick's elevation, either became a cool friend or an open enemy to that nobleman; and each malcontent, from whatever cause, proved an accession to

A. D. 1471.

<sup>a</sup> Ibid. vol. 210. Stowe, p. 482.<sup>b</sup> Ibid. vol. 210. Stowe, p. 425.<sup>c</sup> Ibid. vol. 210. Stowe, p. 425.<sup>d</sup> Ibid. vol. 210. Stowe, p. 425.<sup>e</sup> Ibid. vol. 210. Stowe, p. 425.<sup>f</sup> Ibid. vol. 210. Stowe, p. 425.<sup>g</sup> Ibid. vol. 210. Stowe, p. 425.<sup>h</sup> Ibid. vol. 210. Stowe, p. 425.<sup>i</sup> Comines, liv. iii. chap. 7.<sup>j</sup> Comines, liv. iii. chap. 7.<sup>k</sup> Comines, liv. iii. chap. 7.<sup>l</sup> Comines, liv. iii. chap. 7.<sup>m</sup> Comines, liv. iii. chap. 7.<sup>n</sup> Comines, liv. iii. chap. 7.<sup>o</sup> Comines, liv. iii. chap. 7.<sup>p</sup> Comines, liv. iii. chap. 7.<sup>q</sup> Hall, vol. 205.<sup>r</sup> Hall, vol. 205.<sup>s</sup> Hall, vol. 205.<sup>t</sup> Hall, vol. 205.<sup>u</sup> Hall, vol. 205.<sup>v</sup> Hall, vol. 205.<sup>w</sup> Hall, vol. 205.<sup>x</sup> Hall, vol. 205.<sup>y</sup> Comines, liv. iii. chap. 6.<sup>z</sup> Comines, liv. iii. chap. 6.<sup>aa</sup> Comines, liv. iii. chap. 6.<sup>ab</sup> Comines, liv. iii. chap. 6.<sup>ac</sup> Comines, liv. iii. chap. 6.<sup>ad</sup> Comines, liv. iii. chap. 6.<sup>ae</sup> Comines, liv. iii. chap. 6.<sup>af</sup> Comines, liv. iii. chap. 6.

Edward's army. The king, therefore, found himself in a condition to face the Earl of Warwick: who, being reinforced by his son-in-law, the Duke of Clarence, and his brother the Marquis of Montague, took post at Barnet, in the neighbourhood of London. The arrival of Queen Margaret was every day expected, who would have drawn together all the genuine Lancastrians, and have brought a great accession to Warwick's forces: but this very consideration proved a motive to the earl rather to hurry on a decisive action, than to share the victory with rivals and ancient enemies, who he foresaw would, in case of success, claim the chief merit in the enterprise.<sup>1</sup> But while his jealousy was all directed towards that side, he overlooked the dangerous infidelity of friends, who lay the nearest to his bosom. His brother Montague, who had lately temporized, seems now to have remained sincerely attached to the interests of his family: but his son-in-law, though bound to him by every tie of honour and gratitude, though he shared the power of the regency, though he had been invested by Warwick in all the honours and patrimony of the house of York, resolved to fulfil the secret engagements which he had formerly taken with his brother, and to support the interests of his own family: he deserted to the king in the night-time, and carried over a body of 12,000 men along with him.<sup>2</sup> Warwick was now too far advanced to retreat; and as he rejected with disdain all terms of peace offered him by Edward and Clarence, he was obliged to hazard a general engagement.

The battle was fought with obstinacy on both sides: the two armies, in imitation of their leaders, displayed uncommon valour; and the victory remained long undecided between them. But an accident threw the balance to the side of the Yorkists. Edward's cognizance was a sun; that of Warwick a star with rays; and the mistiness of the morning rendering it difficult to distinguish them, the Earl of Oxford, who fought on the side of the Lancastrians, was by mistake attacked by his friends, and chased off the field of battle.<sup>3</sup> Warwick, contrary to his more usual practice, engaged that day on foot, resolving to show his army that he meant to share every fortune with them; and he was slain in the thickest of the engagement.<sup>4</sup> His brother underwent the same fate: and as Edward had issued orders not to give any quarter, a great and undistinguished slaughter was made in the pursuit.<sup>5</sup> There fell about 1500 on the side of the victors.

The same day on which this decisive battle was fought,<sup>6</sup> Queen Margaret and her son, now about eighteen years of age, and a young prince of great hopes, landed at Weymouth, supported by a small body of French forces. When this princess received intelligence of her husband's captivity, and of the defeat and death of the Earl of Warwick, her courage, which had supported her under so many disastrous events, here quite left her; and she immediately foresaw all the dismal consequences of this calamity. At first she took sanctuary in the abbey of Beaulieu;<sup>7</sup> but being encouraged by the appearance of Tudor, Earl of Pembroke, and Courtney, Earl of Devonshire, of the Lords Wenloc and St. John, with other men of rank, who exhorted her still to hope for success, she resumed her former spirit, and determined to defend to the utmost the ruins of her fallen fortunes. She advanced through the counties of Devon, Somerset, and Gloucester, increasing her army on each day's march; but was at last overtaken by the rapid and expeditious Edward at Tewkesbury, on the banks of the Severn. The Lancastrians were here totally defeated: the Earl of Devonshire and Lord Wenloc were killed in the field: the Duke of Somerset, and about twenty other persons of distinction, having taken shelter in a church, were surrounded, dragged out, and immediately beheaded: about 3000 of their side fell in battle: and the army was entirely dispersed.

Queen Margaret and her son were taken prisoners, and

brought to the king, who asked the prince, after an insulting manner, how he dared to invade his dominions? The young prince, more mindful of his high birth than of his present fortune, replied, that he came thither to claim his just inheritance. The ungenerous Edward, <sup>Murder of prince Edward, 21st May.</sup> insensible to pity, struck him on the face with his gauntlet; and the Dukes of Clarence and Gloucester, Lord Hastings, and Sir Thomas Gray, taking the blow as a signal for further violence, hurried the prince into the next apartment, and there despatched him with their daggers.<sup>8</sup> Margaret was thrown into the Tower: king Henry expired in that confinement a few days after the battle of Tewkesbury; but whether he died a natural or violent death is uncertain. It is pretended, and was generally believed, that the Duke of Gloucester killed him with his own hands.<sup>9</sup> <sup>Death of Henry VI.</sup> but the universal odium which that prince has incurred, inclined perhaps the nation to aggravate his crimes without any sufficient authority. It is certain, however, that Henry's death was sudden; and, though he laboured under an ill state of health, this circumstance, joined to the general manners of the age, gave a natural ground of suspicion; which was rather increased than diminished by the exposing of his body to public view. That precaution served only to recall many similar instances in the English history, and to suggest the comparison.

All the hopes of the house of Lancaster seemed now to be utterly extinguished. Every legitimate prince of that family was dead: almost every great leader of the party had perished in battle or on the scaffold; the Earl of Pembroke, who was levying forces in Wales, disbanded his army when he received intelligence of the battle of Tewkesbury; and he fled into Brittany with his nephew, the young Earl of Richmond.<sup>10</sup> The bastard of Falconberg, who had levied some forces, and had advanced to London during Edward's absence, was repulsed; his men deserted him; he was taken prisoner, and immediately executed.<sup>11</sup> and peace being now fully restored to the nation, a parliament was summoned, which ratified, as usual, all the acts of the victor, and recognised his legal authority. <sup>6th Oct.</sup>

But this prince, who had been so firm, and active, and intrepid, during the course of adversity, was still unable to resist the allurements of a prosperous fortune; and he wholly devoted himself, as before, to pleasure and amusement, after he became entirely master of his kingdom, and had no longer any enemy <sup>A. D. 1470.</sup> who could give him anxiety or alarm. He recovered, however, by this gay and inoffensive course of life, and by his easy, familiar manners, that popularity which it is natural to imagine he had lost by the repeated cruelties exercised upon his enemies; and the example also of his jovial festivity served to abate the former acrimony of faction among his subjects, and to restore the social disposition which had been so long interrupted between the opposite parties. All men seemed to be fully satisfied with the present government; and the memory of past calamities served only to impress the people more strongly with a sense of their allegiance, and with the resolution of never incurring any more the hazard of renewing such direful scenes.

But while the king was thus indulging himself in pleasure, he was roused from his lethargy by a prospect of foreign conquests, which it is probable his desire of popularity, more than the spirit of ambition, had made him covet. Though he deemed himself little beholden to the Duke of Burgundy for the reception which that prince had given him during his exile,<sup>12</sup> the political interests of their states maintained still a close connexion between them; and they agreed to unite their arms in making a powerful invasion on France. A league was formed, in which Edward stipulated to pass the seas with an army exceeding 10,000 men, and to invade the French territories: Charles promised to join him with all

<sup>1</sup> *Comines*, liv. iii. chap. 7.  
<sup>2</sup> *Grutten*, p. 700. *Comines*, liv. iii. chap. 7. *Island's Collect.* vol. ii. p. 530.  
<sup>3</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>4</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>5</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>6</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>7</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>8</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>9</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>10</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>11</sup> *Island's Collect.* vol. ii. p. 530.  
<sup>12</sup> *Island's Collect.* vol. ii. p. 530.

<sup>1</sup> *Hall*, fol. 221. *Habington*, p. 453. *Helmstedt*, p. 668. *Polyd. Virg.* p. 530.  
<sup>2</sup> *Comines*, *Hall* fol. 221. *Grutten*, p. 700.  
<sup>3</sup> *Habington*, p. 453. *Polyd. Virg.* p. 530.  
<sup>4</sup> *Hall*, fol. 221. *Habington*, p. 453. *Helmstedt*, p. 668. *Polyd. Virg.* p. 530.  
<sup>5</sup> *Comines*, *Hall*, fol. 221. *Grutten*, p. 700.

his forces; the king was to challenge the crown of France, and to obtain at least the provinces of Normandy and Guienne; the duke was to acquire Champagne and some other territories; and to free all his dominions from the burden of homage to the crown of France; and neither party was to make peace without the consent of the other.<sup>e</sup> They were the more encouraged to hope for success from this league, as the Count of St. Pol, constable of France, who was master of St. Quentin, and other towns on the Somme, had secretly promised to join them; and there were also hopes of engaging the Duke of Brittany to enter into the confederacy.

The prospect of a French war was always a sure means of making the parliament open their purses, as far as the habits of that age would permit. They voted the king a tenth of rents, or two shillings in the pound; which must have been very inaccurately levied, since it produced only 31,460 pounds; and they added to this supply a whole new tenth, and three quarters of another;<sup>f</sup> but as the king deemed these sums still unequal to the undertaking, he attempted to levy money by way of *benevolence*; a kind of exaction which, except during the reigns of Henry III. and Richard II. had not been much practised in former times, and which, though the consent of the parties was pretended to be gained, could not be deemed entirely voluntary.<sup>g</sup> The clauses annexed to the parliamentary grant show sufficiently the spirit of the nation in this respect. The money levied by the fifteenth was not to be put into the king's hands, but to be kept in religious houses; and if the expedition into France should not take place, it was immediately to be refunded to the people. After these grants the parliament was dissolved, which had sitten near two years and a half, and had undergone several prorogations; a practice not very usual at that time in England.

The king passed over to Calais with an army of 1500 men at arms, and 15,000 archers; attended by all the chief nobility of England, who, prognosticating future successes from the past, were eager to appear on this great theatre of glory:<sup>h</sup> but all their sanguine hopes were damped when they found, on entering the French territories, that neither did the constable open his gates to them, nor the Duke of Burgundy bring them the smallest assistance. That prince, transported by his ardent temper, had carried all his armies to a great distance, and had employed them in wars on the frontiers of Germany, and against the Duke of Lorraine: and though he came in person to Edward, and endeavoured to apologize for this breach of treaty, there was no prospect that they would be able this campaign to make a conjunction with the English. This circumstance gave great disgust to the king, and inclined him to hearken to those advances which Lewis continually made him for an accommodation.

That monarch, more swayed by political views than by the point of honour, deemed no submissions too mean, which might free him from enemies who had proved so formidable to his predecessors, and who, united to so many other enemies, might still shake the well established government of France. It appears from Comines, that discipline was at this time very imperfect among the English; and that their civil wars, though long continued, yet, being always decided by hasty battles, had still left them ignorant of the improvements which the military art was beginning to receive upon the continent.<sup>i</sup> But as Lewis was sensible that the warlike genius of the people would soon render them excellent soldiers, he was far from despising them for their present want of experience; and he employed all his art to detach them from the alliance of Burgundy. When Edward sent him a herald to claim the crown of France, and to carry him a defiance in case of refusal, so far from answering to this bravado in like haughty terms, he replied with great temper, and even made the herald a considerable present:<sup>j</sup> he took afterwards an opportunity of sending a herald to the Eng-

lish camp; and having given him directions to apply to the Lords Stanley and Howard, who he heard were friends to peace, he desired the good offices of these noblemen in promoting an accommodation with their master.<sup>k</sup> As Edward was now fallen into like dispositions, a truce was soon concluded on terms.

more advantageous than honourable to Lewis. He stipulated to pay Edward immediately 75,000 crowns, on condition that he should withdraw his army from France, and promised to pay him 50,000 crowns a year during their joint lives: it was added, that the dau- Peace of Pecquigni, when of age, should marry Edward's eldest daughter.<sup>l</sup> In order to ratify this treaty, the two monarchs agreed to have a personal interview; and for that purpose, suitable preparations were made at Pecquigni, near Amiens. A close rail was drawn across a bridge in that place, with no larger intervals than would allow the arm to pass; a precaution against a similar accident to that which befell the Duke of Burgundy in his conference with the dauphin at Monerau. Edward and Lewis came to the opposite sides; conferred privately together; and having confirmed their friendship, and interchanged many mutual civilities, they soon after parted.<sup>m</sup>

Lewis was anxious not only to gain the king's friendship, but also that of the nation, and of all the considerable persons in the English court. He bestowed pensions, to the amount of 16,000 crowns a year, on several of the king's favourites; on Lord Hastings two thousand crowns; on Lord Howard and others in proportion; and these great ministers were not ashamed thus to receive wages from a foreign prince.<sup>n</sup> As the two armies, after the conclusion of the truce, remained some time in the neighbourhood of each other, the English were not only admitted freely into Amiens, where Lewis resided, but had also their charges defrayed, and had wine and victuals furnished them in every inn, without any payment being demanded. They flocked thither in such multitudes, that once above nine thousand of them were in the town, and they might have made themselves master of the king's person; but Lewis concluding, from their jovial and dissolute manner of living, that they had no bad intentions, was careful not to betray the least sign of fear or jealousy. And when Edward, informed of this disorder, desired him to shut the gates against them, he replied, that he would never agree to exclude the English from the place where he resided; but that Edward, if he pleased might recall them, and place his own officers at the gates of Amiens to prevent their returning.<sup>o</sup>

Lewis's desire of confirming a mutual amity with England, engaged him even to make imprudent advances, which it cost him afterwards some pains to evade. In the conference at Pecquigni, he had said to Edward, that he wished to have a visit from him at Paris; that he would there endeavour to amuse him with the ladies; and that, in case any offences were then committed, he would assign him the Cardinal of Bourbon for confessor, who, from fellow-feeling, would not be over and above severe in the penances which he would enjoin. This hint made deeper impression than Lewis intended. Lord Howard, who accompanied him back to Amiens, told him, in confidence, that if he were so disposed, it would not be impossible to persuade Edward to take a journey with him to Paris, where they might make merry together. Lewis pretended at first not to hear the offer; but, on Howard's repeating it, he expressed his concern that his wars with the Duke of Burgundy would not permit him to attend his royal guest, and do him the honours he intended. "Edward," said he, privately to Comines, "is a very handsome and a very amorous prince; some lady at Paris may like him as well as he shall do her; and may invite him to return in another manner. It is better that the sea be between us."<sup>p</sup>

This treaty did very little honour to either of these monarchs: it discovered the imprudence of Edward, who

<sup>e</sup> Seeower, vol. xi. p. 836, 837, 838; &c.

<sup>f</sup> Comin. p. 226, 227. Hist. cont. cont. p. 536.

<sup>g</sup> Hume, vol. 226. Habington, p. 461. Gratten, p. 719. Fabian, fol.

<sup>h</sup> Comin. l. iv. chap. 5. This author says, (chap. 11.) that the king actually brought over some of the richest of his subjects, who he knew

would be soon tired of the war, and would promote all proposals of peace, which he foresaw would be soon necessary.

<sup>i</sup> Comin. l. iv. chap. 5. h Ibid. Hall, fol. 227.

<sup>j</sup> Comin. l. iv. ch. 7. k Ibid. vol. xi. p. 17. l Comin. l. v. ch. 9.

m Hall, fol. 235. n Comin. l. iv. chap. 9. Hall, fol. 233.

o Comin. l. iv. ch. 13. Habington, p. 462.



had taken his measures so ill with his allies, as to be obliged, after such an expensive armament, to return without making any acquisitions adequate to it: it showed the want of dignity in Lewis, who, rather than run the hazard of a battle, agreed to subject his kingdom to a tribute, and thus acknowledge the superiority of a neighbouring prince, possessed of less power and territory than himself. But, as Lewis made interest the sole test of honour, he thought that all the advantages of the treaty were on his side, and that he had overreached Edward, by sending him out of France on such easy terms. For this reason, he was very solicitous to conceal his triumph; and he strictly enjoined his courtiers never to show the English the least sign of mockery or derision. But he did not himself very carefully observe so prudent a rule: he could not forbear, one day, in the joy of his heart, throwing out some railery on the easy simplicity of Edward and his council; when he perceived that he was overheard by a Gascon who had settled in England. He was immediately sensible of his indiscretion; sent a message to the gentleman; and offered him such advantages in his own country, as engaged him to remain in France. *It is but just, said he, that I pay the penalty of my talkativeness.*<sup>1</sup>

The most honourable part of Lewis's treaty with Edward was the stipulation for the liberty of Queen Margaret, who, though after the death of her husband and son she could no longer be formidable to government, was still detained in custody by Edward. Lewis paid fifty thousand crowns for her ransom; and that princess, who had been so active on the stage of the world, and who had experienced such a variety of fortune, passed the remainder of her days in tranquillity and privacy, till the year 1482, when she died: an admirable princess, but more illustrious by her undaunted spirit in adversity, than by her moderation in prosperity. She seems neither to have enjoyed the virtues, nor been subject to the weaknesses, of her sex; and was as much tainted with the ferocity as endowed with the courage of that barbarous age in which she lived.

Though Edward had so little reason to be satisfied with the conduct of the Duke of Burgundy, he reserved to that prince a power of acceding to the treaty of Pecquigni: but Charles, when the offer was made him, haughtily replied, that he was able to support himself without the assistance of England, and that he would make no peace with Lewis till three months after Edward's return into his own country. This prince possessed all the ambition and courage of a conqueror; but being defective in policy and prudence, qualities no less essential, he was unfortunately in all his enterprises, and perished at last in battle against the Swiss;<sup>2</sup> a people whom he despised, and who, though brave and free, had hitherto been in a manner overlooked in the general system of Europe. This event, which happened in the year 1477, produced a great alteration in the views of all the princes, and was attended with consequences which were felt for many generations. Charles left only one daughter, Mary, by his first wife; and this princess, being heir of his opulent and extensive dominions, was courted by all the potentates of Christendom, who contended for the possession of so rich a prize. Lewis, the head of her family, might, by a proper application, have obtained this match for the dauphin, and have thereby united to the crown of France all the provinces of the Low Countries, together with Burgundy, Artois, and Picardy; which would at once have rendered his kingdom an overmatch for all its neighbours. But a man wholly interested in as rare as one entirely endowed with the opposite quality; and Lewis, though impregnable to all the sentiments of generosity and friendship, was, on this occasion, carried from the road of true policy by the passions of animosity and revenge. He had imbibed so deep a hatred to the house of Burgundy, that he rather chose to subdue the princess by arms, than unite her to his family by marriage: he conquered the duchy of Burgundy, and that part of Picardy, which had been ceded to Philip the Good by the treaty of Arras; but he thereby forced the States

of the Netherlands to bestow their sovereign in marriage on Maximilian of Austria, son of the Emperor Frederic, from whom they looked for protection in their present distresses: and by these means, France lost the opportunity, which she never could recall, of making that important acquisition of power and territory.

During this interesting crisis, Edward was no less defective in policy, and was no less actuated by private passions, unworthy of a sovereign and a statesman. Jealousy of his brother Clarence had caused him to neglect the advances which were made of marrying that prince, now a widower, to the heiress of Burgundy; and he sent her proposals of espousing Anthony, Earl of Rivers, brother to his queen, who still retained an entire ascendancy over him. But the match was rejected with disdain; and Edward, resenting this treatment of his brother-in-law, permitted France to proceed without interruption in her conquests over his defenceless ally. Any pretence sufficed him for abandoning himself entirely to indolence and pleasure, which were now become his ruling passions. The only object which divided his attention, was the improving of the public revenue, which had been dilapidated by the necessities or negligence of his predecessors; and some of his expedients for that purpose, though unknown to us, were deemed, during the time, oppressive to the people.<sup>3</sup> The detail of private wrongs naturally escapes the notice of history; but an act of tyranny, of which Edward was guilty in his own family, has been taken notice of by all writers, and has met with general and deserved censure.

The Duke of Clarence, by all his services in deserting Warwick, had never been able to regain the king's friendship, which he had forfeited by his former confederacy with that nobleman. He was still regarded at court as a man of a dangerous and a fickle character; and the imprudent openness and violence of his temper, though it rendered him much less dangerous, tended extremely to multiply his enemies, and to incense them against him. Among others, he had had the misfortune to give displeasure to the queen herself, as well as to his brother the Duke of Gloucester, a prince of the deepest policy, of the most unrelenting ambition, and the least scrupulous in the means which he employed for the attainment of his ends. A combination between these potent adversaries being secretly formed against Clarence, it was determined to begin by attacking his friends; in hopes, that if he patiently endured this injury, his pusillanimity would dishonour him in the eyes of the public; if he made resistance, and expressed resentment, his passion would betray him into measures which might give them advantages against him. The king, hunting one day in the park of Thomas Burdet, of Arrow, in Warwickshire, had killed a white buck, which was a great favourite of the owner; and Burdet, vexed at the loss, broke into a passion, and wished the horns of the deer in the belly of the person who had advised the king to commit that insult upon him. This natural expression of resentment, which would have been overlooked or forgotten had it fallen from any other person, was rendered criminal and capital in that gentleman, by the friendship in which he had the misfortune to live with the Duke of Clarence: he was tried for his life; the judges and jury were found servile enough to condemn him; and he was publicly beheaded at Tyburn for this pretended offence.<sup>4</sup> About the same time, one John Stacey, an ecclesiastic, much connected with the duke, as well as with Burdet, was exposed to a like iniquitous and barbarous prosecution. This clergyman, being more learned in mathematics and astronomy than was usual in that age, lay under the imputation of necromancy with the ignorant vulgar; and the court had hold of this popular rumour to effect his destruction. He was brought to his trial for that imaginary crime; many of the greatest peers countenanced the prosecution by their presence; he was condemned, put to the torture, and executed.<sup>5</sup>

The Duke of Clarence was alarmed when he found these acts of tyranny exercised on all around him: he

<sup>1</sup> Commes, &c. in chap. 10. <sup>2</sup> Hist. Eng. chap. 3. <sup>3</sup> Burdet, Vere, Hall, fol. 549. Holmstedt, p. 703. Thompson, p. 471. <sup>4</sup> Commes, p. 742.

<sup>5</sup> Hist. fol. 240. <sup>1</sup> Hist. Eng. cont. p. 569. <sup>2</sup> Holmstedt, p. 703. <sup>3</sup> Hist. Eng. cont. p. 401.

reflected on the fate of the good Duke of Gloucester in the last reign, who, after seeing the most infamous pretences employed for the destruction of his nearest connexions, at last fell himself a victim to the vengeance of his enemies. But Clarence, instead of securing his own life against the present danger by silence and reserve, was open and loud in justifying the innocence of his friends, and in exclaiming against the iniquity of their prosecutors. The king, highly offended with his freedom, or using

A. D. 1478. that pretence against him, committed him to the Tower; summoned a parliament, and tried him for his life before the House of Peers, the supreme tribunal of the nation.

The duke was accused of arraigning public justice, by maintaining the innocence of men who had been condemned in courts of judicature; and of inveighing against the iniquity of the king, who had given orders for their prosecution.<sup>a</sup> Many rash expressions were imputed to him, and some, too, reflecting on Edward's legitimacy; but he was not accused of any overt act of treason; and even the truth of these speeches may be doubted of, since the liberty of judgment was taken from the court, by the king's appearing personally as his brother's accuser,<sup>b</sup> and pleading the cause against him. But a sentence of condemnation, even when this extraordinary circumstance had not place, was a necessary consequence, in those times, of any prosecution by the court or the prevailing party; and the Duke of Clarence was pronounced guilty by the Peers. The House of Commons were no less slavish and unjust: they both petitioned for the execution of the duke, and afterwards passed a bill of attainder against him.<sup>c</sup> The measures of the parliament during that age, furnish us with examples of a strange contrast of freedom and servility: they scruple to grant, and sometimes refuse, to the king the smallest supplies, the most necessary for the support of government, even the most necessary for the maintenance of wars, for which the nation, as well as the parliament itself, expressed great fondness: but they never scruple to concur in the most flagrant act of injustice or tyranny, which falls on any individual, however distinguished by birth or merit. These maxims, so ungenerous, so opposite to all principles of good government, so contrary to the practice of present parliaments, are very remarkable in all the transactions of the English history, for more than a century after the period in which we are now engaged.

The only favour which the king granted 18th Feb. his brother, after his condemnation, was to leave him the choice of his death; and he was privately drowned in a butt of malmsey in the Tower: a whimsical choice, which implies that he had an extraordinary passion for that liquor. The duke left two children by the elder daughter of the Earl of Warwick; a son, created an earl by his grandfather's title, and a daughter, afterwards Countess of Salisbury. Both this prince and princess were also unfortunate in their end, and died a violent death; a fate which for many years attended almost all the descendants of the royal blood in England. There prevails a report, that a chief source of the violent prosecution of the Duke of Clarence, whose name was George, was a current prophecy, that the king's son should be murdered by one, the initial letter of whose name was G.<sup>c</sup> It is not impossible but, in those ignorant times, such a silly reason might have some influence: but it is more probable, that the whole story is the invention of a subsequent period, and founded on the murder of these children by the Duke of Gloucester. Comes remarks, that, at that time, the English never were without some superstitious prophecy or other, by which they accounted for every event.

All the glories of Edward's reign terminated with the civil wars; where his laurels too were extremely sullied with blood, violence, and cruelty. His spirit seems afterwards to have been sunk in indolence and pleasure, or his measures were frustrated by imprudence and the want of foresight. There was no object on which he was more intent than to have all his daughters settled by splendid marriages, though most of these princesses were yet in their

infancy, and though the completion of his views, it was obvious, must depend on numberless accidents which were impossible to be foreseen or prevented. His eldest daughter, Elizabeth, was contracted to the dauphin; his second, Cicely, to the eldest son of James III., King of Scotland; his third, Anne, to Philip, only son of Maximilian and the Duchess of Burgundy; his fourth, Catharine, to John, son and heir to Ferdinand, King of Arragon, and Isabella, Queen of Castile.<sup>d</sup> None of these projected marriages took place; and the king himself saw, in his life-time, the rupture of the first, that with the dauphin, for which he had always discovered a peculiar fondness. Lewis, who paid no regard to treaties or engagements, found his advantage in contracting the dauphin to the Princess Margaret, daughter of Maximilian; and the king, notwithstanding his indolence, prepared to revenge the indignity. The French monarch, eminent for prudence as well as perfidy, endeavoured to guard against the blow; and by a proper distribution of presents in the court of Scotland, he incited James to make war upon England. This prince, who lived on bad terms with his own nobility, and whose force was very unequal to the enterprise, levied an army; but when he was ready to enter England, the barons, conspiring against his favourites, put them to death without trial; and the army presently disbanded. The Duke of Gloucester, attended by the Duke of Albany, James's brother, who had been banished his country, entered Scotland at the head of an army, took Berwick, and obliged the Scots to accept of a peace, by which they resigned that fortress to Edward. This success emboldened the king to think more seriously of a French war; but while he was making preparations for that enterprise, he was seized with a distemper, of which he expired in the forty-

second year of his age, and twenty-third of his reign: a prince more splendid and showy, than either prudent or virtuous; brave, though cruel; addicted to pleasure, though capable of activity in great emergencies; and less fitted to prevent ills by wise precautions, than to remedy them after they took place, by his vigour and enterprise. Besides five daughters, this king left two sons; Edward Prince of Wales, his successor, then in his thirteenth year, and Richard Duke of York, in his ninth.

A. D. 1482.  
9th April.  
Death and character of Edward IV.

## CHAP. XXIII.

### EDWARD V. AND RICHARD III.

Edward V.—State of the court.—The Earl of Rivers arrested.—Duke of Gloucester protector.—Execution of Lord Hastings.—The golden age at the crown. Assumes the crown. Murder of Edward V. and the Duke of York.—Richard III. Duke of Buckingham discontented.—The Earl of Richmond.—Buckingham executed.—Invasion by the Earl of Richmond.—Battle of Bosworth.—Death and character of Richard III.

### EDWARD V.

DURING the late years of Edward IV. the nation having, in a great measure, forgotten the bloody feuds between the two roses, and peaceably acquiescing in the established government, was agitated only by some court-intrigues, which, being restrained by the authority of the king, seemed no-wise to endanger the public tranquillity. These intrigues arose from the perpetual rivalry between two parties; one consisting of the queen and her relations, particularly the Earl of Rivers, her brother, and the Marquis of Dorset, her son; the other composed of the ancient nobility, who envied the sudden growth and unlimited credit of that aspiring family.<sup>a</sup> At the head of this latter party was the Duke of Buckingham, a man of very noble birth, of ample possessions, of great alliances, of shining parts; who, though he had married the queen's sister, was too haughty to act in subserviency to her inclinations, and

A. D. 1483.  
State of the court.

<sup>a</sup> Hist. Croyl. cont. p. 562.

<sup>b</sup> Hist. Croyl. cont. p. 562.

<sup>c</sup> Stowe, p. 430. Hist. Croyl. cont. p. 562.

<sup>d</sup> Stowe, p. 430.

<sup>e</sup> Hall, fol. 239. Holinshed, p. 708. Gratten, p. 741. Polyd. Varr. p. 57. Sir Thomas More in Kennet, p. 497.

<sup>f</sup> Rymer, vol. vi. p. 110.

<sup>g</sup> Sir Thomas More, p. 104.

famed father at maintaining an independent influence and authority. Lord Hastings, the chamberlain, was another leader of the same party; and as this nobleman had, by his bravery and activity, as well as by his approved fidelity, acquired the confidence and favour of his master, he had been able, though with some difficulty, to support himself against the credit of the queen. The Lords Howard and Stanley maintained a connexion with these two noblemen, and brought a considerable accession of influence and reputation to their party. All the other barons, who had no particular dependence on the queen, adhered to the same interest; and the people in general, from their natural envy against the prevailing power, bore great favour to the cause of these noblemen.

But Edward knew, that though he himself had been able to overawe those rival factions, many disorders might arise from their contests during the minority of his son; and he therefore took care, in his last illness, to summon together several of the leaders on both sides, and, by composing their ancient quarrels, to provide, as far as possible, for the future tranquillity of the government. After expressing his intentions that his brother, the Duke of Gloucester, then absent in the north, should be intrusted with the regency, he recommended to them peace and unanimity during the tender years of his son; represented to them the dangers which must attend the continuance of their animosities; and engaged them to embrace each other with all the appearance of the most cordial reconciliation. But this temporary or feigned agreement lasted no longer than the king's life: he had no sooner expired, than the jealousies of the parties broke out afresh: and each of them applied, by separate messages, to the Duke of Gloucester, and endeavoured to acquire his favour and friendship.

This prince, during his brother's reign, had endeavoured to live on good terms with both parties; and his high birth, his extensive abilities, and his great services, had enabled him to support himself without falling into a dependence on either. But the new situation of affairs, when the supreme power was devolved upon him, immediately changed his measures; and he secretly determined to preserve no longer that neutrality which he had hitherto maintained. His exorbitant ambition, unrestrained by any principle either of justice or humanity, made him carry his views to the possession of the crown itself; and as this object could not be attained without the ruin of the queen and her family, he fell without hesitation into concert with the opposite party. But being sensible, that the most profound dissimulation was requisite for effecting his criminal purposes, he redoubled his professions of zeal and attachment to that princess; and he gained such credit with her, as to influence her conduct in a point, which, as it was of the utmost importance, was violently disputed between the opposite factions.

The young king, at the time of his father's death, resided in the castle of Ludlow, on the borders of Wales; whither he had been sent, that the influence of his presence might overawe the Welch, and restore the tranquillity of that country, which had been disturbed by some late commotions. His person was committed to the care of his uncle, the Earl of Rivers, the most accomplished nobleman in England, who, having united an uncommon taste for literature<sup>a</sup> to great abilities in business, and valour in the field, was entitled, by his talents, still more than by nearness of blood, to direct the education of the young monarch. The queen, anxious to preserve that ascendancy over her son, which she had long maintained over her husband, wrote to the Earl of Rivers, that he should levy a body of forces, in order to escort the king to London, to protect him during his coronation, and to keep him from falling into the hands of their enemies. The opposite faction, sensible that Edward was now of an age when great advantages could be made of his name and countenance, and was approaching to the age when he would be legally entitled to exert in person his authority, foresaw, that the tendency of this measure was to perpetuate their subjection under their rivals; and they vehemently op-

posed a resolution which they represented as the signal for renewing a civil war in the kingdom. Lord Hastings threatened to depart instantly to his government of Calais: the other nobles seemed resolute to oppose force by force: and as the Duke of Gloucester, on pretence of pacifying the quarrel, had declared against all appearance of an armed power, which might be dangerous, and was nowise necessary, the queen, trusting to the sincerity of his friendship, and overawed by so violent an opposition, recalled her orders to her brother, and desired him to bring up no greater retinue than should be necessary to support the state and dignity of the young sovereign.<sup>d</sup>

The Duke of Gloucester, meanwhile, set out from York, attended by a numerous train of the northern gentry. When he reached Northampton, he was joined by the Duke of Buckingham, who was also attended by a splendid retinue; and as he heard that the king was hourly expected on that road, he resolved to await his arrival, under colour of conducting him thence in person to London. The Earl of Rivers, apprehensive that the place would be too narrow to contain so many attendants, sent his pupil forward by another road to Stony-Stratford; and came himself to Northampton, in order to apologize for this measure, and to pay his respects to the Duke of Gloucester. He was received with the greatest appearance of cordiality: he passed the evening in an amicable manner with Gloucester and Buckingham: he proceeded on the road with them next day to join the king: but as he was entering Stony-Stratford, he was arrested.

The Earl of Rivers arrested, 1st May.  
by orders from the Duke of Gloucester: Sir Richard Gray, one of the queen's sons, was at the same time put under a guard, together with Sir Thomas Vaughan, who possessed a considerable office in the king's household; and all the prisoners were instantly conducted to Pomfret. Gloucester approached the young prince with the greatest demonstrations of respect; and endeavoured to satisfy him with regard to the violence committed on his uncle and brother: but Edward, much attached to these near relations, by whom he had been tenderly educated, was not such a master of dissimulation as to conceal his displeasure.<sup>e</sup>

The people however were extremely rejoiced at this revolution; and the duke was 4th May. received in London with the loudest acclamations: but the queen no sooner received intelligence of her brother's imprisonment, than she foresaw that Gloucester's violence would not stop there, and that her own ruin, if not that of all her children, was finally determined. She therefore fled into the sanctuary of Westminster, attended by the Marquis of Dorset; and she carried thither the five princesses, together with the Duke of York.<sup>f</sup> She trusted, that the ecclesiastical privileges which had formerly, during the total ruin of her husband and family, given her protection against the fury of the Lancastrian faction, would not now be violated by her brother-in-law, while her son was on the throne; and she resolved to await there the return of better fortune. But Gloucester, anxious to have the Duke of York in his power, proposed to take him by force from the sanctuary; and he represented to the privy-council, both the indignity put upon the government by the queen's ill-grounded apprehensions, and the necessity of the young prince's appearance at the ensuing coronation of his brother. It was further urged, that ecclesiastical privileges were originally intended only to give protection to unhappy men persecuted for their debts or crimes; and were entirely useless to a person who, by reason of his tender age, could lie under the burden of neither, and who, for the same reason, was utterly incapable of claiming security from any sanctuary. But the two archbishops, Cardinal Bourchier, the primate, and Rotherham, Archbishop of York, protesting against the sacrilege of this measure, it was agreed that they should first endeavour to bring the queen to compliance by persuasion, before any violence should be employed against her. These prelates were persons of known integrity and honour; and being themselves entirely persuaded of the duke's good intentions, they employed every

<sup>a</sup> In the manuscript, there is a curious account of printing into England, the first time, the names of the first five parts of the history of Edward IV. See Catalogue of the Bodleian Library.

<sup>c</sup> Hist. Council, cont. p. 564, 565.

<sup>e</sup> Hist. Council, cont. p. 564, 565.

<sup>f</sup> Hist. Council, cont. p. 565.

<sup>d</sup> Sir J. More, p. 413.

<sup>e</sup> Sir J. More, p. 413.



argument, accompanied with earnest entreaties, exhortations, and assurances, to bring her over to the same opinion. She long continued obstinate, and insisted, that the Duke of York, by living in the sanctuary, was not only secure himself, but gave security to the king, whose life no one would dare to attempt, while his successor and avenger remained in safety. But finding that none supported her in these sentiments, and that force, in case of refusal, was threatened by the council, she at last complied, and produced her son to the two prelates. She was here on a sudden struck with a kind of presage of his future fate: she tenderly embraced him: she bedewed him with her tears; and bidding him an eternal adieu, delivered him, with many expressions of regret and reluctance, into their custody.<sup>b</sup>

The Duke of Gloucester, being the nearest male of the royal family capable of exercising the government, seemed entitled, by the customs of the realm, to the office of protector;

and the council, not waiting for the consent of parliament, made no scruple of investing him with that high dignity.<sup>c</sup> The

general prejudice entertained by the nobility against the queen and her kindred, occasioned this precipitation and irregularity; and no one foresaw any danger to the succession, much less to the lives of the young princes, from a measure so obvious and so natural. Besides that the duke had hitherto been able to cover, by the most profound dissimulation, his fierce and savage nature; the numerous issue of Edward, together with the two children of Clarence, seemed to be an eternal obstacle to his ambition; and it appeared equally impracticable for him to destroy so many persons possessed of a preferable title, and imprudent to exclude them. But a man who had abandoned all principles of honour and humanity, was soon carried by his predominant passion beyond the reach of fear or precaution; and Gloucester, having so far succeeded in his views, no longer hesitated in removing the other obstructions which lay between him and the throne. The death of Earl Rivers, and of the other prisoners detained in Pomfret, was first determined; and he easily obtained the consent of the Duke of Buckingham, as well as of Lord Hastings, to this violent and sanguinary measure. However easy it was, in those times, to procure a sentence against the most innocent person, it appeared still more easy to despatch an enemy, without any trial or form of process; and orders were accordingly issued to Sir Richard Ratcliffe, a proper instrument in the hands of this tyrant, to cut off the heads of the prisoners. The protector then assailed the fidelity of Buckingham by all the arguments capable of swaying a vicious mind, which knew no motive of action but interest and ambition. He represented, that the execution of persons so nearly related to the king, whom that prince so openly professed to love, and whose fate he so much resented, would never pass unpunished; and all the actors in that scene were bound in prudence to prevent the effects of his future vengeance: that it would be impossible to keep the queen for ever at a distance from her son, and equally impossible to prevent her from instilling into his tender mind the thoughts of retaliation, by like executions, the sanguinary insults committed on her family: that the only method of obviating these mischiefs, was to put the sceptre in the hands of a man of whose friendship the duke might be assured, and whose years and experience taught him to pay respect to merit, and to the rights of ancient nobility: and that the same necessity which had carried them so far in resisting the usurpation of these intruders, must justify them in attempting further innovations, and in making, by national consent, a new settlement of the succession. To these reasons, he added the offers of great private advantages to the Duke of Buckingham; and he easily obtained from him a promise of supporting him in all his enterprises.

The Duke of Gloucester, knowing the importance of gaining Lord Hastings, sounded at a distance his senti-

ments, by means of Catesby, a lawyer, who lived in great intimacy with that nobleman; but found him impenetrable in his allegiance and fidelity to the children of Edward, who had ever honoured him with his friendship.<sup>d</sup> He saw, therefore, that there were no longer any measures to be kept with him; and he determined to ruin utterly the man whom he despaired of engaging to concur in his usurpation. On the very day when Rivers, 13th June. Gray, and Vaughan were executed, or rather

murdered, at Pomfret, by the advice of Hastings, the protector summoned a council in the Tower; whither that nobleman, suspecting no design against him, repaired without hesitation. The Duke of Gloucester was capable of committing the most bloody and treacherous murders with the utmost coolness and indifference. On taking his place at the council-table, he appeared in the easiest and most jovial humour imaginable. He seemed to indulge himself in familiar conversation with the counsellors, before they should enter on business; and having paid some compliments to Morton, Bishop of Ely, on the good and early strawberries which he raised in his garden at Holborn, he begged the favour of having a dish of them, which that prelate immediately despatched a servant to bring to him. The protector then left the council, as if called away by some other business; but soon after returning with an angry and inflamed countenance, he asked them what punishment those deserved that had plotted against his life, who was so nearly related to the king, and was intrusted with the administration of government?

Hastings replied, that they merited the punishment of traitors. *These traitors*, cried the protector, *are the sorceress, my brother's wife, and Jane Shore, his mistress, with others, their associates: so to what a condition they have reduced me by their incantations and witchcraft: upon which he laid bare his arm, all shrivelled and decayed.* But the counsellors, who knew that this infirmity had attended him from his birth, looked on each other with amazement; and above all, Lord Hastings, who, as he had since Edward's death engaged in an intrigue with Jane Shore,<sup>e</sup> was naturally anxious concerning the issue of these extraordinary proceedings. *Certainly, my lord*, said he, *if they be guilty of these crimes, they deserve the severest punishment.—And do you reply to me*, exclaimed the protector, *with your ifs and your ands! You are the chief abettor of that witch Shore: you are yourself a traitor: and I swear by St. Paul, that I will not dine before your head be brought me.* He struck the table with his hand: armed men rushed in at the signal: the counsellors were thrown into the utmost consternation: and one of the guards, as if by accident or mistake, aimed a blow with a poll-axe at Lord Stanley, who, aware of the danger, slunk under the table; and though he saved his life, received a severe wound in the head in the protector's presence.

Hastings was seized, was hurried away, and Execution of instantly beheaded on a timber log which Lord Hastings lay in the court of the Tower.<sup>f</sup> Two hours after, a proclamation, well penned and fairly written, was read to the citizens of London, enumerating his offences, and apologizing to them, from the suddenness of the discovery, for the sudden execution of that nobleman, who was very popular among them: but the saying of a merchant was much talked of on the occasion, who remarked, that the proclamation was certainly drawn by the spirit of prophecy.<sup>g</sup>

Lord Stanley, the Archbishop of York, the Bishop of Ely, and other counsellors, were committed prisoners in different chambers of the Tower: and the protector, in order to carry on the force of his accusations, ordered the goods of Jane Shore to be seized; and he summoned her to answer before the council for sorcery and witchcraft. But as no proofs which could be received, even in that ignorant age, were produced against her, he directed her to be tried in the spiritual court, for her adulteries and lewdness; and she did penance in a white sheet in St.

<sup>b</sup> Sir T. More, p. 491.

<sup>c</sup> Sir T. More, p. 493.

<sup>d</sup> Sir Thomas More, who has been followed, or rather transcribed, by all the historians of this short reign, says, that Jane Shore had fallen into the company with Lord Hastings, and that it is accounted against her with a close course of the events, but is a proclamation of Richard's, to be found in Rivers, Vol. vi. p. 204, the Marquis of Dorset is represented with these sentiments.

<sup>e</sup> Hist. Croyl. cont. p. 506.

This reproach, however, might have been invented by Richard, or founded only on popular rumour, and is not sufficient to counterbalance the authority of Sir Thomas More. The just complaint is, that the Duke had been guilty of adultery with a woman, and others with their adulteries and intrigues as the most treacherous traitors.

<sup>f</sup> Hist. Croyl. cont. p. 506.

See Sir T. More, p. 496.

Paul's, before the whole people. This lady was born of reputable parents, in London, was well educated, and married to a substantial citizen; but unhappily, views of interest, more than the maid's inclinations, had been consulted in the match, and her mind, though framed for virtue, had proved unable to resist the allurements of Edward, who solicited her favours. But while seduced from her duty by this gay and amorous monarch, she still made herself respectable by her other virtues; and the ascendancy which her charms and vivacity long maintained over him, was all employed in acts of beneficence and humanity. She was still forward to oppose calumny, to protect the oppressed, to relieve the indigent; and her good offices, the genuine dictates of her heart, never waited the solicitation of presents, or the hopes of reciprocal services. But she lived not only to feel the bitterness of shame, imposed on her by this tyrant, but to experience, in old age and poverty, the ingratitude of those courtiers who had long solicited her friendship, and been protected by her credit. No one, among the great multitudes whom she had obliged, had the humanity to bring her consolation or relief: she languished out her life in solitude and indigence: and amidst a court inured to the most atrocious crimes, the frailties of this woman justified all violations of friendship towards her, and all neglect of former obligations.

These acts of violence, exercised against all the nearest connexions of the late king, prognosticated the severest fate to his defenceless children; and after the murder of Hastings, the protector no longer made a secret of his intentions to usurp the crown. The licentious life of Edward, who was not restrained in his pleasures either by honour or prudence, afforded a pretence for declaring his marriage with the queen invalid and all his posterity illegitimate. It was asserted, that before espousing the Lady Elizabeth Gray, he had paid court to the Lady Eleanor Talbot, daughter of the Earl of Shrewsbury; and being repulsed by the virtue of that lady, he was obliged, ere he could gratify his desires, to consent to a private marriage, without any witnesses, by Stillington, Bishop of Bath, who afterwards divulged the secret.<sup>a</sup> It was also maintained, that the act of attainder passed against the Duke of Clarence had virtually incapacitated his children from succeeding to the crown; and these two families being set aside, the protector remained the only true and legitimate heir of the house of York. But as it would be difficult, if not impossible, to prove the preceding marriage of the late king; and as the rule which excludes the heirs of an attainted blood from private successions, was never extended to the crown; the protector resolved to make use of another plea still more shameful and scandalous. His partisans were taught to maintain, that both Edward IV. and the Duke of Clarence were illegitimate; that the Duchess of York had received different lovers into her bed, who were the fathers of these children; that their resemblance to those gallants was a sufficient proof of their spurious birth; and that the Duke of Gloucester alone, of all her sons, appeared, by his features and countenance, to be the true offspring of the Duke of York. Nothing can be imagined more impudent than this assertion, which threw so foul an imputation on his own mother, a princess of irreproachable virtue, and then alive; yet the place chosen for first promulgating it was the pulpit, before a large congregation, and in the protector's presence. Dr.

Shaw was appointed to preach in St. Paul's; and having chosen this passage for his text, *Bastard slips shall not thrive*; he enlarged on all the topics which could discredit the birth of Edward IV. the Duke of Clarence, and of all their children. He then broke out in a panegyric on the Duke of Gloucester; and exclaimed, "Behold this excellent prince, the express image of his noble father, the genuine descendant of the house of York; bearing, no less in the virtues of his mind, than in the features of his countenance, the character of the gallant Richard, once your hero and favourite: he alone is entitled to your allegiance: he must deliver you from the dominion of all intruders: he alone can restore the

lost glory and honour of the nation." It was previously concerted, that as the doctor should pronounce these words, the Duke of Gloucester should enter the church; and it was expected that the audience would cry out, *God save King Richard!* which would immediately have been laid hold of as a popular consent, and interpreted to be the voice of the nation: but by a ridiculous mistake, worthy of the whole scene, the duke did not appear till after this exclamation was already recited by the preacher. The doctor was therefore obliged to repeat his rhetorical figure out of its proper place: the audience, less from the absurd conduct of the discourse, than from their detestation of these proceedings, kept a profound silence; and the protector and his preacher were equally abashed at the ill success of their stratagem.

But the duke was too far advanced to recede from his criminal and ambitious purpose. A new expedient was tried to work on the people. The mayor, who was brother to Dr. Shaw, and entirely in the protector's interests, called an assembly of the citizens; where the Duke of Buckingham, who possessed some talents for eloquence, harangued them on the protector's title to the crown, and displayed those numerous virtues of which, he pretended, that prince was possessed. He next asked them, whether they would have the duke for king? and then stopped, in expectation of hearing the cry, *God save King Richard!* He was surprised to observe them silent; and turning about to the mayor, asked him the reason. The mayor replied, that perhaps they did not understand him. Buckingham then repeated his discourse with some variation; enforced the same topics, asked the same question, and was received with the same silence. "I now see the cause" said the mayor; "the citizens are not accustomed to be harangued by any but their recorder; and know not how to answer a person of your grace's quality." The recorder, Fitz-Williams, was then commanded to repeat the substance of the duke's speech; but the man, who was averse to the office, took care, throughout his whole discourse, to have it understood that he spoke nothing of himself, and that he only conveyed to them the sense of the Duke of Buckingham. Still the audience kept a profound silence: "This is wonderful obstinacy," cried the duke: "express your meaning, my friends, one way or other: when we apply to you on this occasion, it is merely from the regard which we bear to you. The Lords and Commons have sufficient authority, without your consent, to appoint a king: but I require you here to declare in plain terms, whether or not you will have the Duke of Gloucester for your sovereign." After all these efforts, some of the meanest apprentices, incited by the protector's and Buckingham's servants, raised a feeble cry, *God save King Richard!*<sup>b</sup> The sentiments of the nation were now sufficiently declared: the voice of the people was the voice of God: and Buckingham, with the mayor, hastened to Baynard's castle, where the protector then resided, that they might make him a tender of the crown.

When Richard was told that a great multitude was in the court, he refused to appear to them, and pretended to be apprehensive for his personal safety: a circumstance taken notice of by Buckingham, who observed to the citizens that the prince was ignorant of the whole design. At last he was persuaded to step forth, but he still kept at some distance; and he asked the meaning of their intrusion and importunity. Buckingham told him that the nation was resolved to have him for king. The protector declared his purpose of maintaining his loyalty to the present sovereign, and exhorted them to adhere to the same resolution. He was told that the people had determined to have another prince; and if he rejected their unanimous voice, they must look out for one who would be more compliant. This argument was too powerful to be resisted: he was prevailed on to accept of the crown: and he thenceforth acted as legitimate and rightful sovereign.

This ridiculous farce was soon after followed by a scene truly tragical: the murder of the two young princes. Richard gave

The protector assumes the throne.

Murder of Edw. V. and of the Duke of York.

<sup>a</sup> Hist. Const. cont. p. 297. — Commes. sup. 4. More, p. 167.

<sup>b</sup> sup. F. More, p. 166.

orders to Sir Robert Brakenbury, constable of the Tower, to put his nephews to death; but this gentleman, who had sentiments of honour, refused to have any hand in the infamous office. The tyrant then sent for Sir James Tyrell, who promised obedience; and he ordered Brakenbury to sign to this gentleman the keys and government of the Tower for one night. Tyrell, choosing three associates, Slater, Dighton, and Forest, came in the night-time to the door of the chamber where the princes were lodged; and sending in the assassins, he bade them execute their commission, while he himself staid without. They found the young princes in bed, and fallen into a profound sleep. After suffocating them with the bolster and pillows, they showed their naked bodies to Tyrell, who ordered them to be buried at the foot of the stairs, deep in the ground, under a heap of stones.<sup>9</sup> These circumstances were all confessed by the actors in the following reign; and they were never punished for the crime: probably, because Henry, whose maxims of government were extremely arbitrary, desired to establish it as a principle, that the commands of the reigning sovereign ought to justify every enormity in those who paid obedience to them. But there is one circumstance not so easy to be accounted for: it is pretended, that Richard, displeased with the indecent manner of burying his nephews, whom he had murdered, gave his chaplain orders to dig up the bodies, and to inter them in consecrated ground; and as the man died soon after, the place of their burial remained unknown, and the bodies could never be found by any search which Henry could make for them. Yet in the reign of Charles II. when there was occasion to remove some stones, and to dig in the very spot which was mentioned as the place of their first interment, the bones of two persons were there found, which, by their size, exactly corresponded to the age of Edward and his brother: they were concluded with certainty to be the remains of those princes, and were interred under a marble monument, by orders of King Charles.<sup>r</sup> Perhaps Richard's chaplain had died before he found an opportunity of executing his master's commands; and the bodies being supposed to be already removed, a diligent search was not made for them by Henry in the place where they had been buried.

### RICHARD III.

THE first acts of Richard's administration were to bestow rewards on those who had assisted him in usurping the crown, and to gain, by favours, those who he thought were best able to support his future government. Thomas, Lord Howard, was created Duke of Norfolk; Sir Thomas Howard, his son, Earl of Surrey; Lord Lovel, a Viscount, by the same name; even Lord Stanley was set at liberty, and made steward of the household. This nobleman had become obnoxious by his first opposition to Richard's views, and also by his marrying the Countess dowager of Richmond, heir of the Somerset family; but sensible of the necessity of submitting to the present government, he feigned such zeal for Richard's service, that he was received into favour, and even found means to be intrusted with the most important commands by that politic and jealous tyrant.

But the person who, both from the greatness of his services, and the power and splendour of his family, was best entitled to favours under the new government, was the Duke of Buckingham; and Richard seemed determined to spare no pains or bounty in securing him to his interests. Buckingham was descended from a daughter of Thomas of Woodstock, Duke of Gloucester, uncle to Richard II. and by this pedigree he not only was allied to the royal family, but had claims for dignities as well as estates of a very extensive nature. The Duke of Gloucester, and Henry, Earl of Derby, afterwards Henry IV. had married the two daughters and co-heirs of Bohun, Earl of Hereford, one of the greatest of the ancient barons, whose immense property came thus to be divided into two shares. One was inherited by the family of Buckingham; the other was united to the crown by the house of

Leicester, and, after the attainment of that royal line, was seized, as legally devolved to them, by the sovereignty of the house of York. The Duke of Buckingham laid hold of the present opportunity, and claimed the restitution of that portion of the Hereford estate which had escheated to the crown, as well as of the great office of constable, which had long continued by inheritance in his ancestors of that family. Richard readily complied with these demands, which were probably the price stipulated to Buckingham for his assistance in promoting the usurpation. That nobleman was invested with the office of constable; he received a grant of the estate of Hereford;<sup>s</sup> many other dignities and honours were conferred upon him; and the king thought himself sure of preserving the fidelity of a man whose interests seemed so closely connected with those of the present government.

But it was impossible that friendship could long remain inviolate between two men of such corrupt minds as Richard and the Duke of Buckingham. Historians ascribe their first rupture to the king's refusal of making restitution of the Hereford estate; but it is certain, from records, that he passed a grant for that purpose, and that the full demands of Buckingham were satisfied in this particular. Perhaps Richard was soon sensible of the danger which might ensue from conferring such an immense property on a man of so turbulent a disposition, and afterwards raised difficulties about the execution of his own grant: perhaps he refused some other demands of Buckingham, whom he found it impossible to gratify for his past services; perhaps he resolved, according to the usual maxims of politicians, to seize the first opportunity of ruining this powerful subject, who had been the principal instrument of his own elevation; and the discovery of this intention begat the first discontent in the Duke of Buckingham. However this may be, it is certain that the duke, soon after Richard's accession, began to form a conspiracy against the government, and attempted to overthrow that usurpation which he himself had so zealously contributed to establish.

Never was there in any country an usurpation more flagrant than that of Richard, or more repugnant to every principle of justice and public interest. His claim was entirely founded on impudent allegations, never attempted to be proved, some of them incapable of proof, and all of them implying scandalous reflections on his own family, and on the persons with whom he was the most nearly connected. His title was never acknowledged by any national assembly, scarcely even by the lowest populace to whom he appealed; and it had become prevalent, merely for want of some person of distinction who might stand forth against him, and give a voice to those sentiments of general detestation which arose in every bosom. Were men disposed to pardon these violations of public right, the sense of private and domestic duty, which is not to be effaced in the most barbarous times, must have begotten an abhorrence against him; and have represented the murder of the young and innocent princes, his nephews, with whose protection he had been intrusted, in the most odious colours imaginable. To endure such a bloody usurper seemed to draw disgrace upon the nation, and to be attended with immediate danger to every individual who was distinguished by birth, merit, or services. Such was become the general voice of the people; all parties were united in the same sentiments; and the Lancastrians, so long oppressed, and of late so much discredited, felt their blasted hopes again revive, and anxiously expected the consequences of these extraordinary events.—The Duke of Buckingham, whose family had been devoted to that interest, and who, by his mother, a daughter of Edmund, Duke of Somerset, was allied to the house of Lancaster, was easily induced to espouse the cause of this party, and to endeavour the restoring of it to its ancient superiority. Morton, Bishop of Ely, a zealous Lancastrian, whom the king had imprisoned, and had afterwards committed to the custody of Buckingham, encouraged these sentiments; and by his exhortations the duke cast his eye towards the young Earl of Richmond, as the only

Duke of Buck-  
ingham discon-  
tented.

<sup>9</sup> Sir T. More, p. 504.

<sup>r</sup> Kennet, p. 501.

<sup>s</sup> Dugdale's Baron, vol. i. p. 168, 169.



person who could free the nation from the tyranny of the present usurper.<sup>1</sup>

<sup>The factor</sup> Henry, Earl of Richmond, was at this <sup>Richmond</sup> time detained in a kind of honourable custody by the Duke of Brittany; and his descent, which seemed to give him some pretensions to the crown, had been a great object of jealousy both in the late and in the present reign. John, the first Duke of Somerset, who was grandson of John of Gaunt, by a spurious branch, but legitimated by act of parliament, had left only one daughter, Margaret, and his youngest son, Edmund, had succeeded him in his titles, and near considerable part of his fortune. Margaret had espoused Edmund, Earl of Richmond, half-brother of Henry VI., and son of Sir Owen Tudor and Catherine of France, widow of Henry V., and she bore him only one son, who received the name of Henry, and who, after his father's death, inherited the honours and fortune of Richmond. His mother, being a widow, had espoused in second marriage Sir Henry Stafford, uncle to Richard III., and after the death of that gentleman had married Lord Stanley; but had no children by either of these husbands; and her son Henry was thus, in the event of her death, the sole heir of all her fortunes. But this was not the most considerable advantage which he had reason to expect from her succession; he would represent the elder branch of the house of Somerset; he would inherit all the title of that family to the crown; and though its claim, while any legitimate branch subsisted of the house of Lancaster, had always been much disregarded, the zeal of faction, after the death of Henry VI., and the murder of Prince Edward, immediately conferred a weight and consideration upon it.

Edward IV. finding that all the Lancastrians had turned their attention towards the young Earl of Richmond as the object of their hopes, thought him also worthy of his attention, and pursued him into his retreat at Brittany, whither his uncle, the Earl of Pembroke, had carried him after the battle of Tewkesbury, so fatal to his party. He applied to Francis II., Duke of Brittany, who was his ally, a weak but a good prince; and urged him to deliver up this fugitive, who might be the source of future disturbances in England; but the duke, averse to so dishonourable a proposal, would only consent that, for the security of Edward, the young nobleman should be detained in custody; and he received an annual pension from England for the safe keeping or the subsistence of his prisoner. But towards the end of Edward's reign, when the kingdom was incensed with a war both from France and Scotland, the anxieties of the English court with regard to Henry were much increased; and Edward made a new proposal to the duke, which covered, under the fairest appearances, the most bloody and treacherous intentions. He pretended that he was desirous of gaining his enemy, and of uniting him to his own family by a marriage with his daughter Elizabeth; and he solicited to have him sent over to England, in order to execute a scheme which would redound so much to his advantage. These pretences, seconded, as is supposed, by bribes to Peter Landais, a corrupt minister, by whom the duke was entirely governed, gained credit with the court of Brittany: Henry was delivered into the hands of the English agents; he was ready to embark; when a suspicion of Edward's real design was suggested to the duke, who recalled his orders, and thus saved the unhappy youth from the imminent danger which hung over him.

These symptoms of continued jealousy in the reigning family of England, both seemed to give some authority to Henry's pretensions, and made him the object of general hatred and compassion, on account of the dangers and persecutions to which he was exposed. The universal detestation of Richard's conduct turned still more the attention of the nation towards Henry; and as all the descendants of the house of York were either women or minors, he seemed to be the only person from whom the nation could expect the expulsion of the odious and bloody usurper. But notwithstanding these circumstances, which were so favourable to him, Buckingham and the Bishop of

his way to the throne; and that though the nation had been much divided between Henry VI. and the Duke of York, while present possession and hereditary right stood in opposition to each other; yet as soon as these titles were united in Edward IV. the bulk of the people had come over to the reigning family; and the Lancastrians had extremely decayed, both in numbers and in authority. It was therefore suggested by Morton, and readily assented to by the duke, that the only means of overturning the present usurpation was to unite the opposite factions, by contracting a marriage between the Earl of Richmond and the Princess Elizabeth, eldest daughter of King Edward, and thereby blending together the opposite pretensions of their families, which had so long been the source of public disorders and convulsions. They were sensible that the people were extremely desirous of repose, after so many bloody and destructive commotions; that both Yorkists and Lancastrians, who now lay equally under oppression, would embrace this scheme with ardour; and that the prospect of reconciling the two parties, which was in itself so desirable an end, would, when added to the general hatred against the present government, render their cause absolutely invincible. In consequence of these views, the prelate, by means of Reginald Bray, steward to the Countess of Richmond, first opened the project of such an union to that lady; and the plan appeared so advantageous for her son, and at the same time so likely to succeed, that it admitted not of the least hesitation. Dr. Lewis, a Welch physician, who had access to the Queen-dowager in her sanctuary, carried the proposals to her; and found that revenge for the murder of her brother and of her three sons, apprehensions for her surviving family, and indignation against her confinement, easily overcame all her prejudices against the house of Lancaster, and procured her approbation of a marriage, to which the age and birth, as well as the present situation, of the parties, seemed so naturally to invite them. She secretly borrowed a sum of money in the city, sent it over to the Earl of Richmond, required his oath to celebrate the marriage as soon as he should arrive in England, advised him to levy as many foreign forces as possible, and promised to join him on his first appearance, with all the friends and partisans of her family.

The plan being thus laid upon the solid foundations of good sense and sound policy, it was secretly communicated to the principal persons of both parties in all the counties of England: and a wonderful alacrity appeared in every order of men to forward its success and completion. But it was impossible that so extensive a conspiracy could be conducted in so secret a manner as entirely to escape the jealous and vigilant eye of Richard; and he soon received intelligence that his enemies, headed by the Duke of Buckingham, were forming some design against his authority. He immediately put himself in a posture of defence, by levying troops in the North; and he summoned the duke to appear at court, in such terms as seemed to promise him a renewal of their former amity. But that nobleman, well acquainted with the barbarity and treachery of Richard, replied only by taking arms in Wales, and giving the signal to his accomplices for a general insurrection in all parts of England. But at that very time there happened to fall such heavy rains, so

October.

incessant and continued, as exceeded any known in the memory of man; and the Severn, with the other rivers in that neighbourhood, swelled to a height which rendered them impassable, and prevented Buckingham from marching into the heart of England to join his associates. The Welchmen, partly moved by superstition at this extraordinary event, partly distressed by famine in their camp, fell off from him; and Buckingham, finding himself deserted by his followers, put on a disguise, and took shelter in the house of Banister, an old servant of his family. But being detected <sup>Buckingham executed.</sup> in his retreat, he was brought to the king at Salisbury; and was instantly executed, according to the summary method practised in that age.<sup>2</sup> The other conspirators, who took arms in four different places, at Exeter, at Salisbury, at Newbury, and at Maidstone, hearing of

the Duke of Buckingham's misfortunes, despaired of success, and immediately dispersed themselves.

The Marquis of Dorset, and the Bishop of Ely, made their escape beyond sea: many others were equally fortunate; several fell into Richard's hands, of whom he made some examples. His executions seem not to have been remarkably severe; though we are told of one gentleman, William Clough, uncle, who suffered under colour of this rebellion, but in reality for a distich of quibbling verses, which he had composed against Richard and his ministers.<sup>w</sup> The Earl of Richmond, in concert with his friends, had set sail from St. Malo's, carrying on board a body of 5000 men levied in foreign parts; but his fleet being at first driven back by a storm, he appeared not on the coast of England till after the dispersion of all his friends; and he found himself obliged to return to the court of Brittany.

<sup>A. D. 1485.</sup> The king, every where triumphant, and fortified by this unsuccessful attempt to dethrone him, ventured at last to summon a parliament; a measure which his crimes and flagrant usurpation had induced him hitherto to decline. Though it was natural that the parliament, in a contest of national parties, should always adhere to the victor, he seems to have apprehended, lest his title, founded on no principle and supported by no party, might be rejected by that assembly. But his enemies being now at his feet, the parliament had no choice left but to recognise his authority, and acknowledge his right to the crown. His only son, Edward, then a youth of twelve years of age, was created Prince of Wales: the duties of tonnage and poundage were granted to the king for life: and Richard, in order to reconcile the nation to his government, passed some popular laws, particularly one against the late practice of extorting money on pretence of benevolence.

All the other measures of the king tended to the same object. Sensible, that the only circumstance which could give him security was to gain the confidence of the Yorkists, he paid court to the queen-dowager with such art and address, made such earnest protestations of his sincere good-will and friendship, that this princess, tired of confinement, and despairing of any success from her former projects, ventured to leave her sanctuary, and to put herself and her daughters into the hands of the tyrant. But he soon carried further his views for the establishment of his throne. He had married Anne, the second daughter of the Earl of Warwick, and widow of Edward, Prince of Wales, whom Richard himself had murdered; but this princess having born him but one son, who died about this time, he considered her as an invincible obstacle to the settlement of his fortune, and he was believed to have carried her off by poison; a crime for which the public could not be supposed to have any solid proof, but which the usual tenour of his conduct made it reasonable to suspect. He now thought it in his power to remove the chief perils which threatened his government. The Earl of Richmond, he knew, could never be formidable but from his projected marriage with the Princess Elizabeth, the true heir of the crown; and he therefore intended, by means of a papal dispensation, to espouse himself this princess, and thus to unite, in his own family, their contending titles. The queen-dowager, eager to recover her lost authority, neither scrupled this alliance, which was very unusual in England, and was regarded as incestuous, nor felt any horror at marrying her daughter to the murderer of her three sons, and of her brother: she even joined so far her interests with those of the usurper, that she wrote to all her partisans, and among the rest, to her son, the Marquis of Dorset, desiring them to withdraw from the Earl of Richmond; an injury which the earl could never afterwards forgive: the court of Rome was applied to for a dispensation; Richard thought that he could easily defend himself, during the interval, till it arrived; and he had afterwards the agreeable prospect of a full and secure settlement. He flattered himself that the English nation, seeing all danger removed of a disputed succession, would then acquiesce under the dominion of a prince,

who was of mature years, of great abilities, and of a general qualified for government; and that they would forgive him all the crimes which he had committed, in paving his way to the throne.

But the crimes of Richard were so horrid and so shocking to humanity, that the natural sentiments of men, without any political or public views, were sufficient to render his government unstable; and every person of probity and honour was earnest to prevent the sceptre from being any longer polluted by that bloody and faithless hand which held it. All the exiles flocked to the Earl of Richmond in Brittany, and exhorted him to hasten his attempt for a new invasion, and to prevent the marriage with the Princess Elizabeth, which must prove fatal to all his hopes. The earl, sensible of the urgent necessity, but dreading the treachery of Peter Landais, who had entered into a negotiation with Richard for betraying him, was obliged to attend only to his present safety; and he made his escape to the court of France. The ministers of Charles VIII. who had now succeeded to the throne after the death of his father Lewis, gave him countenance and protection; and being desirous of raising disturbance to Richard, they secretly encouraged the earl in the levies which he made for the support of his enterprise upon England. The Earl of Oxford, whom Richard's suspicions had thrown into confinement, having made his escape, here joined Henry; and inflamed his ardour for the attempt, by the favourable accounts which he brought of the dispositions of the English nation, and their universal hatred of Richard's crimes and usurpation.

The Earl of Richmond set sail from Harfleur in Normandy, with a small army of about 2000 men; and after a navigation of six days, he arrived at Milford-haven, in Wales, where he landed without opposition. He directed his course to that part of the kingdom, in hopes that the Welch, who regarded him as their countryman, and who had been already prepossessed in favour of his cause by means of the Duke of Buckingham, would join his standard, and enable him to make head against the established government. Richard, who knew not in what quarter he might expect the invader, had taken post at Nottingham, in the centre of the kingdom; and having given commissions to different persons in the several counties, whom he empowered to oppose his enemy, he purposed, in person, to fly on the first alarm to the place exposed to danger. Sir Riceap-Thomas and Sir Walter Herbert were intrusted with his authority in Wales; but the former immediately deserted to Henry; the second made but feeble opposition to him: and the earl, advancing towards Shrewsbury, received every day some reinforcement from his partisans. Sir Gilbert Talbot joined him with all the vassals and retainers of the family of Shrewsbury: Sir Thomas Bourchier and Sir Walter Hungerford brought their friends to share his fortunes; and the appearance of men of distinction in his camp made already his cause wear a favourable aspect.

But the danger to which Richard was chiefly exposed, proceeded not so much from the zeal of his open enemies, as from the infidelity of his pretended friends. Scarce any nobleman of distinction was sincerely attached to his cause, except the Duke of Norfolk; and all those who feigned the most loyalty were only watching for an opportunity to betray and desert him. But the persons of whom he entertained the greatest suspicion, were Lord Stanley, and his brother Sir William; whose connexions with the family of Richmond, notwithstanding their professions of attachment to his person, were never entirely forgotten or overlooked by him. When he empowered Lord Stanley to levy forces, he still retained his eldest son, Lord Strange, as a pledge for his fidelity; and that nobleman was, on this account, obliged to employ great caution and reserve in his proceedings. He raised a powerful body of his friends and retainers in Cheshire and Lancashire, but without openly declaring himself: and though Henry had received secret assurances of his friendly intentions, the armies on both sides knew not what to infer from his

<sup>w</sup> The lines were: *The Part, the Cure, and Love, the Dye, / Personal Unkindness, the Tie.*

According to the names of *Levesaube* and *Cautey*; and to Richard's name, which were about.

Small Army  
Battle of Bosworth

equivocal behaviour. The two rivals at last approached each other at Bosworth near Leicester: Henry at the head of six thousand men, Richard with an army of above double the number; and a decisive action was every hour expected between them. Stanley, who commanded above seven thousand men, took care to post himself at Atherstone, not far from the hostile camps; and he made such a disposition as enabled him on occasion to join either party. Richard had too much sagacity not to discover his intentions from these movements; but he kept the secret from his own men for fear of discouraging them: he took not immediate revenge on Stanley's son, as some of his courtiers advised him, because he hoped that so valuable a pledge would induce the father to prolong still further his ambiguous conduct; and he hastened to decide by arms the quarrel with his competitor; being certain, that a victory over the Earl of Richmond would enable him to take ample revenge on all his enemies, open and concealed.

The van of Richmond's army, consisting of archers, was commanded by the Earl of Oxford: Sir Gilbert Talbot led the right wing; Sir John Savage the left: the earl himself, accompanied by his uncle, the Earl of Pembroke, placed himself in the main body. Richard also took post in his main body, and intrusted the command of his van to the Duke of Norfolk: as his wings were never engaged, we have not learned the names of the several commanders. Soon after the battle began, Lord Stanley, whose conduct in this whole affair discovers great precaution and abilities, appeared in the field, and declared for the Earl of Richmond. This measure, which was unexpected to the men, though not to their leaders, had a proportional effect on both armies: it inspired unusual courage into Henry's soldiers: it threw Richard's into dismay and confusion. The intrepid tyrant, sensible of his desperate situation, cast his eyes around the field, and desecrating his rival at no great distance, he drove against him with fury, in hopes that either Henry's death, or his own, would decide the victory between them. He killed with his own hands Sir William Brandon, standard-bearer to the earl: he dismounted Sir John Cheyne: he was now within reach of Richmond himself, who declined not the combat; when Sir William Stanley, breaking in with his troops, surrounded Richard, who, fighting bravely to the last moment,

was overwhelmed by numbers, and perished by a fate too mild and honourable for his multiplied and detestable enormities. His men every where sought for safety by flight.

There fell in this battle about four thousand of the vanquished; and among these the Duke of Norfolk, Lord Ferrars of Chartley, Sir Richard Ratcliffe, Sir Robert Percy, and Sir Robert Brakenbury. The loss was inconsiderable on the side of the victors. Sir William Catesby, a great instrument of Richard's crimes, was taken, and soon after beheaded, with some others, at Leicester. The body of Richard was found in the field covered with dead enemies, and all besmeared with blood: it was thrown carelessly across a horse; was carried to Leicester amidst the shouts of the insulting spectators; and was interred in the Gray-Friars' church of that place.

The historians who favour Richard (for even this tyrant has met with partisans among the later writers) maintain, that he was well qualified for government, had he legally obtained it; and that he committed no crimes but such as were necessary to procure him possession of the crown: but this is a poor apology, when it is confessed, that he was ready to commit the most horrid crimes which appeared necessary for that purpose; and it is certain, that all his courage and capacity, qualities in which he really seems not to have been deficient, would never have made compensation to the people for the danger of the precedent, and for the contagious example of vice and murder, exalted upon the throne. This prince was of a small stature, hump-backed, and had a harsh dis-

agreeable countenance; so that his body was in every particular no less deformed than his mind.

Thus have we pursued the history of England through a series of many barbarous ages, till we have at last reached the dawn of civility and science, and have the prospect both of greater certainty in our historical narrations, and of being able to present to the reader a spectacle more worthy of his attention. The want of certainty, however, and of circumstances, is not alike to be complained of throughout every period of this long narration.—This island possesses many ancient historians of good credit, as well as many historical monuments; and it is rare, that the annals of so uncultivated a people, as were the English as well as the other European nations, after the decline of Roman learning, have been transmitted to posterity so complete, and with so little mixture of falsehood and of fable. This advantage we owe entirely to the clergy of the church of Rome; who, founding their authority on their superior knowledge, preserved the precious literature of antiquity from a total extinction;\* and under shelter of their numerous privileges and immunities, acquired a security by means of the superstition, which they would in vain have claimed from the justice and humanity, of those turbulent and licentious ages. Nor is the spectacle altogether unentertaining and uninteresting which the history of those times presents to us. The view of human manners in all their variety of appearances, is both profitable and agreeable; and if the aspect in some periods seem horrid and deformed, we may thence learn to cherish with the greater anxiety that science and civility which has so close a connexion with virtue and humanity, and which, as it is a sovereign antidote against superstition, is also the most effectual remedy against vice and disorders of every kind.

The rise, progress, perfection, and decline of art and science, are curious objects of contemplation, and intimately connected with a narration of civil transactions. The events of no particular period can be fully accounted for, but by considering the degrees of advancement which men have reached in those particulars.

Those who cast their eye on the general revolutions of society will find, that, as almost all improvements of the human mind had reached nearly to their state of perfection about the age of Augustus, there was a sensible decline from that point or period; and men thenceforth relapsed gradually into ignorance and barbarism. The unlimited extent of the Roman empire, and the consequent despotism of its monarchs, extinguished all emulation, debased the generous spirits of men, and depressed that noble flame by which all the refined arts must be cherished and enlivened. The military government which soon succeeded, rendered even the lives and properties of men insecure and precarious; and proved destructive to those vulgar and more necessary arts of agriculture, manufactures, and commerce; and in the end, to the military art and genius itself, by which alone the immense fabric of the empire could be supported. The irruption of the barbarous nations which soon followed, overwhelmed all human knowledge, which was already far in its decline; and men sunk every age deeper into ignorance, stupidity, and superstition; till the light of ancient science and history had very nearly suffered a total extinction in all the European nations.

But there is a point of depression, as well as of exaltation, from which human affairs naturally return in a contrary direction, and beyond which they seldom pass either in their advancement or decline. The period in which the people of Christendom were the lowest sunk in ignorance, and consequently in disorders of every kind, may justly be fixed at the eleventh century, about the age of William the Conqueror; and from that æra, the sun of science be-

\* There are those that have persuaded the ancient monarch writers known, that Providence bestows their own style, lines, and feel of a testimony to the Latin language, especially the poets. These persons, who in these middle ages, to have committed more ancient books that are now lost. Madoxfield, who flourished in the reign of Henry I. and Henry II. wrote Henry's 'de scriptum' of Caesar's language, and the 'Rudiments' of Henry II. who lived in the reign of Henry II., alludes to a passage in the 'deper' history of Sal-

lust. In the collection of letters, which passes under the name of Thomas a Becket, we see how familiar all the ancient history and ancient books were to the more ingenious and more purified churchmen of that time, and consequently how much that age of them must have surpassed all the other times of the same age. That prelate and his friends could not other philosophy in all the course of their correspondence, and consider the rest of the world almost in total darkness and barbarism.



gaining to re-ascend, threw out many glories of light, which preceded the full morning, when letters were revived in the fifteenth century. The Danes, and other northern people, who had so long infested all the coasts, and even the inland parts, of Europe, by their depredations, having now learned the arts of tillage and agriculture, found a certain subsistence at home, and were no longer tempted to desert their industry in order to seek a precarious livelihood by rapine and by the plunder of their neighbours. The feudal governments also, among the more southern nations, were reduced to a kind of system; and though that strange species of civil polity was ill fitted to insure either liberty or tranquillity, it was preferable to the universal licence and disorder which had every where preceded it. But perhaps there was no event which tended further to the improvement of the age, than one which has not been much remarked, the accidental finding of a copy of Justinian's Pandects, about the year 1130, in the town of Amalfi in Italy.

The ecclesiastics, who had leisure, and some inclination to study, immediately adopted with zeal this excellent system of jurisprudence, and spread the knowledge of it throughout every part of Europe. Besides the intrinsic merit of the performance, it was recommended to them by its original connexion with the imperial city of Rome, which, being the seat of their religion, seemed to acquire a new lustre and authority by the diffusion of its laws over the western world. In less than ten years after the discovery of the Pandects, Vacarius, under the protection of Theobald, Archbishop of Canterbury, read public lectures of civil law in the university of Oxford; and the clergy, every where, by their example as well as exhortation, were the means of diffusing the highest esteem for this new science. That order of men, having large possessions to defend, was in a manner necessitated to turn their studies towards the law; and their properties being often endangered by the violence of the princes and barons, it became their interest to enforce the observance of general and equitable rules, from which alone they could receive protection. As they possessed all the knowledge of the age, and were alone acquainted with the habit of thinking, the practice as well as science of the law fell mostly into their hands: and though the close connexion which, without any necessity, they formed between the canon and civil law, begat a jealousy in the laity of England, and prevented the Roman jurisprudence from becoming the municipal law of the country, as was the case in many states of Europe, a great part of it was secretly transferred into the practice of the courts of justice, and the imitation of their neighbours made the English gradually endeavour to raise their own law from its original state of rudeness and imperfection.

It is easy to see what advantages Europe must have reaped by its inheriting at once from the ancients so complete an art, which was also so necessary for giving security to all other arts, and which, by refining, and still more by bestowing solidity on the judgment, served as a model to further improvements. The sensible utility of the Roman law, both to public and private interest, recommended the study of it, at a time when the more exalted and speculative sciences carried no charms with them; and thus the last branch of ancient literature which remained uncorrupted, was happily the first transmitted to the modern world: for it is remarkable, that in the decline of Roman learning, when the philosophers were universally infected with superstition and sophistry, and the poets and historians with barbarism, the lawyers, who in other countries are seldom models of science or politeness, were yet able, by the constant study and close imitation of their predecessors, to maintain the same good sense in their decisions and reasonings, and the same purity in their language and expression.

What bestowed an additional merit on the civil law, was the extreme imperfection of that jurisprudence which preceded it among all the European nations, especially among

the Saxons of ancient English. The barbarities which prevailed at that time in the administration of justice, may be conceived from the authentic monuments, which remained of the ancient Saxon laws, where a pecuniary commutation was received for every crime, where stated prices were fixed for men's lives and members, where private revenges were authorized for all injuries, where the use of the ordeal, corsnet, and afterwards of the duel, was the received method of proof, and where the judges were rustic freeholders, assembled of a sudden, and deciding a cause from one debate or altercation of the parties. Such a state of society was very little advanced beyond the rude state of nature: violence universally prevailed, instead of general and equitable maxims; the pretended liberty of the times was only an incapacity of submitting to government: and men, not protected by law in their lives and properties, sought shelter by their personal servitude and attachments under some powerful chieftain, or by voluntary combinations.

The gradual progress of improvement raised the Europeans somewhat above this uncultivated state; and affairs in this island particularly, took early a turn which was more favourable to justice and to liberty. Civil employments and occupations soon became honourable among the English: the situation of that people rendered not the perpetual attention to wars so necessary as among their neighbours, and all regard was not confined to the military profession: the gentry, and even the nobility, began to deem an acquaintance with the law a necessary part of education: they were less diverted than afterwards from studies of this kind by other sciences; and in the age of Henry VI., as we are told by Fortescue, there were in the inns of court about two thousand students, most of them men of honourable birth, who gave application to this branch of civil knowledge: a circumstance which proves that a considerable progress was already made in the science of government, and which prognosticated a still greater.

One chief advantage which resulted from the introduction and progress of the arts, was the introduction and progress of freedom; and this consequence affected men both in their *personal* and *civil* capacities.

If we consider the ancient state of Europe, we shall find that the far greater part of the society were every where bereaved of their *personal* liberty, and lived entirely at the will of their masters. Every one that was not noble was a slave: the peasants were sold along with the land: the few inhabitants of cities were not in a better condition: even the gentry themselves were subjected to a long train of subordination under the greater barons or chief vassals of the crown; who, though seemingly placed in a high state of splendour, yet, having but a slender protection from law, were exposed to every tempest of the state, and by the precarious condition in which they lived, paid dearly for the power of oppressing and tyrannizing over their inferiors. The first incident which broke in upon this violent system of government, was the practice, begun in Italy, and imitated in France, of erecting communities and corporations, endowed with privileges and a separate municipal government, which gave them protection against the tyranny of the barons, and which the prince himself deemed it prudent to respect. The relaxation of the feudal tenures, and an execution somewhat stricter of the public law, bestowed an independence on vassals which was unknown to their forefathers. And even the peasants themselves, though later than other orders of the state, made their escape from those bonds of villanage or slavery in which they had formerly been retained.

It may appear strange, that the progress of the arts, which seems, among the Greeks and Romans, to have daily increased the number of slaves, should in later times have proved so general a source of liberty; but this difference in the events proceeded from a great difference in the circumstances which attended those institutions. The ancient barons, obliged to maintain themselves continually in a military posture, and little emulous of elegance or

x These appeared early symptoms of the jealousy entertained by the barons against the progress of the arts as destructive of their hereditary power. A law was enacted, 7 Henry IV. chap. 17, prohibiting any one, who did not possess twenty shillings a year in real, free-holding, from any apprentices to any trade. They found already that the aristocratical spirit on the country of the labourers and husbandmen, and did not foresee how

much the increase of commerce would increase the value of their estates. See *fourth of Octob. c. 17*. The laws to encourage the boroughs, dropped this same prohibition, but only so far as to admit a freeman only in any corporation, and a burgess of the borough, to be the sole freholder in a town.

splendour, employed not their villains as domestic servants, much less as manufacturers; but composed their retinue of freemen, whose military spirit rendered the chieftain formidable to his neighbours, and who were ready to attest him in every warlike enterprise. The villains were entirely occupied in the cultivation of their master's land, and paid their rents, either in corn and cattle, and other produce of the farm, or in servile offices, which they performed about the baron's family, and upon the farms which he retained in his own possession. In proportion as agriculture improved, and money increased, it was found that these services, though extremely burdensome to the villain, were of little advantage to the master; and that the produce of a large estate could be much more conveniently disposed of by the peasants themselves who raised it, than by the landlord or his bailiff, who were formerly accustomed to receive it. A commutation was, therefore, made of rents for services, and of money-rents for those in kind; and as men in a subsequent age discovered that farms were better cultivated, where the farmer enjoyed a security in his possession, the practice of granting leases to the peasant began to prevail, which entirely broke the bonds of servitude, already much relaxed from the former practices. After this manner villanage went gradually into disuse throughout the more civilized parts of Europe: the interest of the master, as well as that of the slave, concurred in this alteration. The latest laws which we find in England, for enforcing or regulating this species of servitude, were enacted in the reign of Henry VII. And, though the ancient statutes on this subject remain still unrepealed by parliament, it appears that, before the end of Elizabeth, the distinction of villain and freeman was totally, though insensibly, abolished, and that no person remained in the state to whom the former laws could be applied.

Thus *personal* freedom became almost general in Europe; an advantage which paved the way for the increase of *political* or *civil* liberty, and which, even where it was not attended with this salutary effect, served to give the members of the community some of the most considerable advantages of it.

The constitution of the English government, ever since the invasion of this island by the Saxons, may boast of this pre-eminence, that in no age the will of the monarch was ever entirely absolute and uncontrolled: but in other respects the balance of power has extremely shifted among the several orders of the state; and this fabric has experienced the same mutability that has attended all human institutions.

The ancient Saxons, like the other German nations, where each individual was inured to arms, and where the independence of men was secured by a great equality of possessions, seem to have admitted a considerable mixture of democracy into their form of government, and to have been one of the freest nations, of which there remains any account in the records of history. After this tribe was settled in England, especially after the dissolution of the Heptarchy, the great extent of the kingdom produced a great inequality in property; and the balance seems to have inclined to the side of aristocracy. The Norman conquest threw more authority into the hands of the sovereign, which, however, admitted of great control; though derived less from the general forms of the constitution, which were inaccurate and irregular, than from the independent power enjoyed by each baron in his particular district or province. The establishment of the great charter exalted still higher the aristocracy, imposed regular limits on royal power, and gradually introduced some mixture of democracy into the constitution. But even during this period, from the accession of Edward I. to the death of Richard III., the condition of the commons was nowise eligible; a kind of Polish aristocracy prevailed; and though the kings were limited, the people were as yet far from being free. It required the authority almost absolute of the sovereigns, which took place in the subsequent period, to pull down those disorderly and licentious tyrants, who were equally averse from peace and from freedom, and to establish that regular execution of the laws, which, in a following age, enabled the people to erect a regular and equitable plan of liberty.

In each of these successive alterations, the only rule of government which is intelligible, or carries any authority with it, is the established practice of the age, and the maxims of administration, which are at that time prevalent and universally assented to. Those who, from a pretended respect to antiquity, appeal at every turn to an original plan of the constitution, only cover their turbulent spirit and their private ambition, under the appearance of venerable forms; and whatever period they pitch on for their model, they may still be carried back to a more ancient period, where they will find the measures of power entirely different, and where every circumstance, by reason of the greater barbarity of the times, will appear still less worthy of imitation. Above all, a civilized nation, like the English, who have happily established the most perfect and most accurate system of liberty that ever was found compatible with government, ought to be cautious in appealing to the practice of their ancestors, or regarding the maxims of uncultivated ages, as certain rules for their present conduct. An acquaintance with the ancient periods of their government is chiefly *useful*, by instructing them to cherish their present constitution, from a comparison or contrast with the condition of those distant times. As it is also *curious*, by showing them the remote, and commonly faint and disfigured, originals of the most finished and most noble institutions, and by instructing them in the great mixture of accident, which commonly concurs with a small ingredient of wisdom and foresight, in erecting the complicated fabric of the most perfect government.

## CHAP. XXIV.

### HENRY VII.

Accession of Henry VII. — His title to the crown — King's prejudice against the house of York — His joyful reception in London — His coronation — Sweating sickness — A parliament — End of the crown — King's marriage — An insurrection — Discontents of the people — Lambert Simnel — Revolt of Ireland — Intrigues of the Duchess of Burgundy — Lambert Simnel invades England — Battle of Stoke.

THE victory which the Earl of Richmond A. D. 1485. 22nd Aug. gained at Bosworth was entirely decisive; being attended as well with the total rout and dispersion of the royal army, as with the death of the king himself. Joy for this great success suddenly prompted the soldiers, in the field of battle, to bestow on their victorious general the appellation of king, which he had not hitherto assumed; and the acclamations of *Long live Henry the Seventh!* by a natural and unpremeditated movement, resounded from all quarters. To bestow some appearance of formality on this species of military election, Sir William Stanley brought a crown of ornament which Richard wore in battle, and which had been found among the spoils; and he put it on the head of the victor. Henry himself remained not in suspense; but immediately without hesitation accepted of the magnificent present which was tendered him. He was come to the crisis of his fortune: and being obliged suddenly to determine himself, amidst great difficulties, which he must have frequently revolved in his mind, he chose that part which his ambition suggested to him, and to which he seemed to be invited by his present success.

There were many titles on which Henry His title to the crown. could found his right to the crown; but no one of them free from great objections, if considered with respect either to justice or to policy.

During some years, Henry had been regarded as heir to the house of Lancaster by the party attached to that family; but the title of the house of Lancaster itself was generally thought to be very ill founded. Henry IV., who had first raised it to royal dignity, had never clearly defined the foundation of his claim; and while he plainly invaded the order of succession, he had not acknowledged the election of the people. The parliament, it is true, had often recognised the title of the Lancastrian princes; but these votes had little authority, being considered as instances of complaisance towards a family in possession

of present power, and they had accordingly been often reviled during the late prevalence of the house of York. Prudent men also, who had been willing, for the sake of peace, to submit to any established authority, desired not to see the claims of that family revived; claims which must produce many convulsions at present, and which disquieted for the future the whole system of hereditary right. Besides, allowing the title of the house of Lancaster to be legal, Henry himself was not the true heir of that family; and nothing but the obstinacy natural to faction, which never without reluctance will submit to an antagonist, could have engaged the Lancastrians to adopt the Earl of Richmond as their head. His mother, indeed, Margaret, Countess of Richmond, was sole daughter and heir of the Duke of Somerset, sprung from John of Gaunt, Duke of Lancaster; but the descent of the Somerset line was itself illegitimate, and even adulterous. And though the Duke of Lancaster had obtained the legitimation of his natural children by a patent from Richard II., confirmed in parliament, it might justly be doubted whether this deed could bestow any title to the crown; since, in the patent itself, all the privileges conferred by it are fully enumerated, and the succession to the kingdom is expressly excluded.<sup>a</sup> In all settlements of the crown made during the reigns of the Lancastrian princes, the line of Somerset had been entirely overlooked; and it was not till the failure of the legitimate branch, that men had paid any attention to their claim. And, to add to the general dissatisfaction against Henry's title, his mother, from whom he derived all his right, was still alive; and evidently preceded him in the order of succession.

The title of the house of York, both from the plain reason of the case, and from the late popular government of Edward IV., had universally obtained the preference in the sentiments of the people; and Henry might ingraft his claim on the rights of that family, by his intended marriage with the Princess Elizabeth, the heir of it; a marriage which he had solemnly promised to celebrate, and to the expectation of which he had chiefly owed all his past successes. But many reasons dissuaded Henry from adopting this expedient. Were he to receive the crown only in the right of his consort, his power, he knew, would be very limited; and he must expect rather to enjoy the bare title of king by a sort of courtesy, than possess the real authority which belongs to it. Should the princess die before him, without issue, he must descend from the throne, and give place to the next in succession: and even if his bed should be blest with offspring, it seemed dangerous to expect that filial piety in his children would prevail over the ambition of obtaining present possession of regal power. An act of parliament, indeed, might easily be procured to settle the crown on him during life; but Henry knew how much superior the claim of succession by blood was to the authority of an assembly,<sup>b</sup> which had always been overborne by violence in the shock of contending titles, and which had ever been more governed by the conjunctures of the times, than by any consideration derived from reason or public interest.

There was yet a third foundation on which Henry might rest his claim, the right of conquest, by his victory over Richard, the present possessor of the crown. But besides that Richard himself was deemed no better than an usurper, the army which fought against him consisted chiefly of Englishmen; and a right of conquest over England could never be established by such a victory. Nothing also would give greater umbrage to the nation than a claim of this nature; which might be construed as an abolition of all their rights and privileges, and the establishment of absolute authority in the sovereign.<sup>c</sup> William himself, the Norman, though at the head of a powerful and victorious army of foreigners, had at first declined the invidious title of conqueror; and it was not till the full establishment of his authority, that he had ventured to advance so violent and destructive a pretension.

But Henry was sensible that there remained another foundation of power somewhat resembling the right of conquest, namely, present possession; and that this title, guarded by vigour and abilities, would be sufficient to

secure perpetual possession of the throne. He had before him the example of Henry IV., who, supported by no better pretension, had subdued many insurrections, and had been able to transmit the crown peaceably to his posterity. He could perceive that this claim, which had been perpetuated through three generations of the family of Lancaster, might still have subsisted, notwithstanding the preferable title of the house of York; had not the sceptre devolved into the hands of Henry VI., which were too feeble to sustain it. Instructed by this recent experience, Henry was determined to put himself in possession of regal authority; and to show all opponents that nothing but force of arms, and a successful war, should be able to expel him. His claim as heir to the house of Lancaster he was resolved to advance, and never allowed to be discussed: and he hoped that this right, favoured by the partisans of that family, and seconded by present power, would secure him a perpetual and an independent authority.

These views of Henry are not exposed to much blame; because founded on good policy, and even on a species of necessity: but there entered into all his measures and counsels another motive, which admits not of the same apology. The violent contentions which, during so long a period, had been maintained between the rival families, and the many sanguinary revenges which they had alternately taken on each other, had inflamed the opposite factions to a high pitch of animosity. Henry himself, who had seen most of his near friends and relations perish in battle, or by the executioner, and who had been exposed, in his own person, to many hardships and dangers, had imbibed a violent antipathy to the York party, which no time or experience were ever able to efface. Instead of embracing the present happy opportunity of abolishing these fatal distinctions, of uniting his title with that of his consort, and of bestowing favour indiscriminately on the friends of both families; he carried to the throne all the partialities which belong to the head of a faction, and even the passions, which are carefully guarded against by every true politician in that situation. To exalt the Lancastrian party, to depress the adherents of the house of York, were still the favourite objects of his pursuit; and, through the whole course of his reign, he never forgot these early prepossessions. Incapable, from his natural temper, of a more enlarged and more benevolent system of policy, he exposed himself to many present inconveniences, by too anxiously guarding against that future possible event, which might disjoin his title from that of the princess whom he espoused. And, while he treated the Yorkists as enemies, he soon rendered them such, and taught them to discuss that right to the crown, which he so carefully kept separate; and to perceive its weakness and invalidity.

To these passions of Henry, as well as to his suspicious politics, we are to ascribe the measures which he embraced two days after the battle of Bosworth. Edward Plantagenet, Earl of Warwick, son of the Duke of Clarence, was detained in a kind of confinement at Sheriff-Hutton, in Yorkshire, by the jealousy of his uncle Richard; whose title to the throne was inferior to that of the young prince.

Warwick had now reason to expect better treatment, as he was no obstacle to the succession either of Henry or Elizabeth; and from a youth of such tender years no danger could reasonably be apprehended. But Sir Robert Willoughby was despatched by Henry, with orders to take him from Sheriff-Hutton, to convey him to the Tower, and to detain him in close custody.<sup>d</sup> The same messenger carried directions that the Princess Elizabeth, who had been confined to the same place, should be conducted to London, in order to meet Henry, and there celebrate her nuptials.

Henry himself set out for the capital, and advanced by slow journeys. Not to rouse the jealousy of the people, he took care to avoid all appearance of military triumph; and so to restrain the insolence of victory, that every thing about him bore the appearance of an established monarch, making a peaceable progress through his dominions, rather than of a prince who had opened his way

<sup>a</sup> Bacon, p. 579. <sup>b</sup> Coke's Inst. 4. Inst. part. 1. p. 57.

<sup>c</sup> Bacon, p. 579. <sup>d</sup> Ibid. Polydore Virgil, p. 565.

King's prejudice against the house of York.



to the throne by force of arms. The acclamations of the people were every where loud, and no less sincere and hearty. Besides, that a young and victorious prince, on his accession, was naturally the object of popularity; the nation promised themselves great felicity from the new scene which opened before them. During the course of near a whole century, the kingdom had been laid waste by domestic wars and convulsions; and if at any time the arms had ceased, the sound of faction and discontent still threatened new disorders. Henry, by his marriage with Elizabeth, seemed to insure a union of the contending titles of the two families; and having prevailed over a hated tyrant, who had anew disjoined the succession, even of the house of York, and had filled his own family with blood and murder, he was every where attended with the unfeigned favour of the people. Numerous and splendid troops of gentry and nobility accompanied his progress. The mayor and companies of London received him as he approached the city: the crowds of people and citizens were zealous in their expressions of satisfaction. But Henry, amidst this general effusion of joy, discovered still the stateliness and reserve of his temper, which made him scorn to court popularity: he entered London in a close chariot, and would not gratify the people with a sight of their new sovereign.

But the king did not so much neglect the favour of the people, as to delay giving them assurances of his marriage with the Princess Elizabeth, which he knew to be so passionately desired by the nation. On his leaving Brittany, he had artfully dropped some hints, that if he should succeed in his enterprise, and obtain the crown of England, he would espouse Anne, the heir of that duchy; and the report of this engagement had already reached England, and had begotten anxiety in the people, and even in Elizabeth herself. Henry took care to dissipate these apprehensions, by solemnly renewing, before the council and principal nobility, the promise which he had already given to celebrate his nuptials with the English princess. But, though bound by honour, as well as by interest, to complete this alliance, he was resolved to postpone it till the ceremony of his own coronation should be finished, and till his title should be recognised by parliament. Still anxious to support his personal and hereditary right to the throne, he dreaded lest a preceding marriage with the princess should imply a participation of sovereignty in her, and raise doubts of his own title by the house of Lancaster.

There raged, at that time, in London, and other parts of the kingdom, a species of malady, unknown to any other age or nation, the sweating sickness, which occasioned the sudden death of great multitudes, though it seemed not to be propagated by any contagious infection, but arose from the general disposition of the air and of the human body. In less than twenty-four hours the patient commonly died or recovered; but when the pestilence had exerted its fury for a few weeks, it was observed, either from alterations in the air, or from a more proper regimen which had been discovered, to be considerably abated.<sup>a</sup> Preparations were then made for the ceremony of Henry's coronation. In order to heighten the splendour of that spectacle, he bestowed the rank of knight banneret on twelve persons; and he conferred peerages on three. Jasper, Earl of Pembroke, his uncle, was created Duke of Bedford; Thomas, Lord Stanley, his father-in-law, Earl of Derby; and Edward Courteney, Earl of Devonshire.

At the coronation, likewise, there appeared a new institution, which the king had established for security as well as pomp, a band of fifty archers, who were termed yeomen of the guard. But lest the people should take umbrage at this unusual symptom of jealousy in the prince, as if it implied a personal diffidence of his subjects, he declared the institution to be perpetual. The ceremony of coronation was performed by Cardinal Bourchier, Archbishop of Canterbury.

The parliament being assembled at Westminster, the majority immediately appeared

to be devoted partisans of Henry; all persons of another disposition either declining to stand in those dangerous times, or being obliged to dissemble their principles and inclinations. The Lancastrian party had every where been successful in the elections; and even many had been returned, who during the prevalence of the house of York had been exposed to the rigour of the law, and had been condemned by sentence of attainder and outlawry. The right to take seats in the House being questioned, the case was referred to all the judges, who assembled in the exchequer chamber, in order to deliberate on so delicate a subject. The opinion delivered was prudent, and contained a just temperament between law and expediency.<sup>b</sup> The judges determined, that the members attainted should forbear taking their seats till an act were passed for the reversal of their attainder. There was no difficulty in obtaining this act; and in it were comprehended a hundred and seven persons of the king's party.<sup>c</sup>

But a scruple was started of a nature still more important. The king himself had been attainted; and his right of succession to the crown might thence be exposed to some doubt. The judges extricated themselves from this dangerous question, by asserting it as a maxim; "That the crown takes away all defects and stops in blood; and that from the time the king assumed royal authority, the fountain was cleared, and all attainders and corruption of blood discharged."<sup>d</sup> Besides that the case, from its urgent necessity, admitted of no deliberation; the judges probably thought, that no sentence of a court of judicature had authority sufficient to bar the right of succession; that the heir of the crown was commonly exposed to such jealousy, as might often occasion stretches of law and justice against him; and that a prince might even be engaged in unjustifiable measures during his predecessor's reign, without meriting on that account to be excluded from the throne, which was his birth-right.

With a parliament so obsequious, the king could not fail of obtaining whatever act of settlement he was pleased to require. He seems only to have entertained some doubt within himself on what claim he should found his pretensions. In his speech to the parliament, he mentioned his just title by hereditary right: but lest that title should not be esteemed sufficient, he subjoined his claim by the judgment of God, who had given him victory over his enemies. And again, lest this pretension should be interpreted as assuming a right of conquest, he insured to his subjects the full enjoyment of their former properties and possessions.

The entail of the crown was drawn according to the sense of the king, and probably in words dictated by him. He made no mention in it of the Princess Elizabeth, nor of any branch of her family; but in other respects the act was compiled with sufficient reserve and moderation. He did not insist that it should contain a declaration or recognition of his preceding right; as on the other hand he avoided the appearance of a new law or ordinance. He chose a middle course, which, as it is generally unavoidable in such cases, was not entirely free from uncertainty and obscurity. It was voted, "That the inheritance of the crown should rest, remain, and abide in the king;"<sup>e</sup> but whether as rightful heir, or only as present possessor, was not determined. In like manner, Henry was contented that the succession should be secured to the heirs of his body; but he pretended not, in case of their failure, to exclude the house of York, or to give the preference to that of Lancaster: he left that great point ambiguous for the present, and trusted that, if it should ever become requisite to determine it, future incidents would open the way for the decision.

But even after all these precautions, the king was so little satisfied with his own title, that in the following year he applied to papal authority for a confirmation of it; and as the court of Rome gladly laid hold of all opportunities which the imprudence, weakness, or necessities of princes afforded it to extend its influence, Innocent VIII., the reigning Pope, readily granted a bull in whatever terms the king was pleased to desire. All Henry's titles, by suc-

<sup>a</sup> *Præfatio Vagari*, p. 567.

<sup>b</sup> *Ibidem*, p. 541.

<sup>c</sup> *Ibid.* Part I. *Historia*, VII. c. 2, 3, 4. 15, 17, 25, 26.

<sup>d</sup> *Ibidem*, p. 541.

<sup>e</sup> *Ibidem*

cession, marriage, parliamentary choice, even conquest, are there enumerated; and to the whole the sanction of religion is added; excommunication is denounced against every one who should either disturb him in the present possession, or the heirs of his body in the future succession of the crown; and from this penalty no criminal, except in the article of death, could be absolved but by the Pope himself, or his special commissioners. It is difficult to imagine that the security derived from this bull could be a compensation for the defect which it betrayed in Henry's title, and for the danger of thus inviting the Pope to interfere in these concerns.

It was natural and even laudable in Henry to reverse the attainders which had passed against the partisans of the house of Lancaster: but the revenges which he exercised against the adherents of the York family, to which he was so soon to be allied, cannot be considered in the same light. Yet the parliament, at his instigation, passed an act of attainder against the late king himself, against the Duke of Norfolk, the Earl of Surrey, Viscount Lovel, the Lords Zouche, and Ferrars of Chartley, Sir Walter and Sir James Harrington, Sir William Berkeley, Sir Humphrey Stafford, Catesby, and about twenty other gentlemen, who had fought on Richard's side in the battle of Bosworth. How men could be guilty of treason by supporting the king in possession against the Earl of Richmond, who assumed not the title of king, it is not easy to conceive; and nothing but a servile complaisance in the parliament could have engaged them to make this stretch of justice. Nor was it a small mortification to the people in general, to find that the king, prompted either by avarice or resentment, could, in the very beginning of his reign, so far violate the cordial union which had previously been concerted between the parties, and to the expectation of which he had plainly owed his succession to the throne.

The king, having gained so many points of consequence from the parliament, thought it not expedient to demand any supply from them, which the profound peace enjoyed by the nation, and the late forfeiture of Richard's adherents, seemed to render somewhat superfluous. The parliament,

however, conferred on him during life the duty of tonnage and poundage, which had been enjoyed in the same manner by some of his immediate predecessors; and they added, before they broke up, other money bills of no great moment. The king, on his part, made returns of grace and favour to his people. He published his royal proclamation, offering pardon to all such as had taken arms, or formed any attempts against him; provided they submitted themselves to mercy by a certain day, and took the usual oath of fealty and allegiance. Upon this proclamation many came out of their sanctuaries; and the minds of men were every where much quieted. Henry chose to take wholly to himself the merit of an act of grace, so agreeable to the nation; rather than communicate it with the parliament, (as was his first intention,) by passing a bill to that purpose. The Earl of Surrey, however, though he had submitted, and delivered himself into the king's hands, was sent prisoner to the Tower.

During this parliament, the king also bestowed favours and honours on some particular persons who were attached to him. Edward Stafford, eldest son of the Duke of Buckingham, attainted in the late reign, was restored to the honours of his family as well as to his fortune, which was very ample. This generosity, so unusual in Henry, was the effect of his gratitude to the memory of Buckingham, who had first concerted the plan of his elevation, and who by his own ruin had made way for that great event. Chandos of Brittany was created Earl of Bath; Sir Giles Daubeney, Lord Daubeney; and Sir Robert Willoughby, Lord Broke. These were all the titles of nobility conferred by the king during this session of parliament.<sup>1</sup>

But the ministers whom Henry most trusted and favoured were not chosen from among the nobility, or even from among the laity. John Morton and Richard Fox, two clergymen, persons of industry, vigilance, and capacity, were the men to whom he chiefly confided his

affairs and secret counsels. They had shared with him all his former dangers and distresses; and he now took care to make them participate in his good fortune. They were both called to the privy council; Morton was restored to the bishopric of Ely, Fox was created Bishop of Exeter. The former, soon after, upon the death of Bourchier, was raised to the see of Canterbury. The latter was made privy seal; and successively Bishop of Bath and Wells, Durham, and Winchester. For Henry, as Lord Bacon observes, loved to employ and advance prelates; because, having rich bishoprics to bestow, it was easy for him to reward their services: and it was his maxim to raise them by slow steps, and make them first pass through the inferior sees.<sup>2</sup> He probably expected, that as they were naturally more dependent on him than the nobility, who during that age enjoyed possessions and jurisdictions dangerous to royal authority; so the prospect of further elevation would render them still more active in his service, and more obsequious to his commands.

In presenting the bill of tonnage and poundage, the parliament, anxious to pre-  
A. D. 1486.  
18th Jan.  
serve the legal and undisputed succession to the crown, had petitioned Henry, with demonstrations of the greatest zeal, to espouse the Princess Elizabeth; but they covered their true reason under the dutiful pretence of their desire to have heirs of his body. He now thought in earnest of satisfying the minds of his people in that particular. His marriage was celebrated at London, and that with greater appearance of universal joy, than either his first entry or his coronation. Henry remarked, with much displeasure, this general favour borne to the house of York. The suspicions which arose from it not only disturbed his tranquillity during his whole reign; but bred disgust towards his consort herself, and poisoned all his domestic enjoyments. Though virtuous, amiable, and obsequious to the last degree, she never met with a proper return of affection, or even of complaisance from her husband; and the malignant ideas of faction still, in his sullen mind, prevailed over all the sentiments of conjugal tenderness.

The king had been carried along with such a tide of success ever since his arrival in England, that he thought nothing could withstand the fortune and authority which attended him. He now resolved to make a progress into the North, where the friends of the house of York, and even the partisans of Richard, were numerous; in hopes of curing, by his presence and conversation, the prejudices of the malcontents. When he arrived at Nottingham, he heard that Viscount Lovel, with Sir Humphrey Stafford, and Thomas his brother, had secretly withdrawn themselves from their sanctuary at Colchester: but this news appeared not to him of such importance as to stop his journey; and he proceeded forward to York. He there heard, that the Staffords had levied an army, and  
An insurrection.  
were marching to besiege the city of Worcester: and that Lovel, at the head of three or four thousand men, was approaching to attack him in York. Henry was not dismayed with this intelligence. His active courage, full of resources, immediately prompted him to find the proper remedy. Though surrounded with enemies in these disaffected counties, he assembled a small body of troops in whom he could confide; and he put them under the command of the Duke of Bedford. He joined to them all his own attendants; but he found that this hasty armament was more formidable by their spirit and their zealous attachment to him, than by the arms or military stores with which they were provided. He therefore gave Bedford orders not to approach the enemy; but previously to try every proper expedient to disperse them. Bedford published a general promise of pardon to the rebels; which had a greater effect on their leader than on his followers. Lovel, who had undertaken an enterprise that exceeded his courage and capacity, was so terrified with the fear of desertion among his troops, that he suddenly withdrew himself; and after lurking some time in Lancashire, he made his escape into Flanders, where he was protected by the Duchess of Burgundy. His army submitted to the king's clemency; and the other rebels, hearing of this

<sup>1</sup> Pelsd. Argel. p. 566.

<sup>2</sup> Bacon. p. 82.

success, raised the siege of Worcester, and dispersed themselves. The Stirlings took sanctuary in the church of Culham, a village near Abingdon; but as it was found, that this church had not the privilege of giving protection to rebels, they were taken thence: the elder was executed at Tyburn; the younger, pleading that he had been misled by his brother, obtained a pardon.

9th Sept. Henry's joy for this success was followed, some time after, by the birth of a prince, to whom he gave the name of Arthur, in memory of the famous British king of that name, from whom it was pretended the family of Tudor derived its descent.

Though Henry had been able to defeat the people, this hasty rebellion, raised by the relics of Richard's partisans, his government was become in general unpopular: the source of public discontent arose chiefly from his prejudices against the house of York, which was generally beloved by the nation, and which for that very reason became every day more the object of his hatred and jealousy. Not only a preference on all occasions, it was observed, was given to the Lancastrians, but many of the opposite party had been exposed to great severity, and had been bereaved of their fortunes by acts of attainer. A general resumption likewise had passed of all grants made by the princes of the house of York; and though this rigour had been covered under the pretence that the revenue was become insufficient to support the dignity of the crown, and though the grants, during the latter years of Henry VI., were resumed by the same law, yet the York party, as they were the principal sufferers by the resumption, thought it chiefly levelled against them. The severity exercised against the Earl of Warwick, begat compassion for youth and innocence exposed to such oppression; and his confinement in the Tower, the very place where Edward's children had been murdered by their uncle, made the public expect a like catastrophe for him, and led them to make a comparison between Henry and that detested tyrant. And when it was remarked, that the queen herself met with harsh treatment, and even after the birth of a son was not admitted to the honour of a public coronation, Henry's prepossessions were then concluded to be inveterate, and men became equally obstinate in their disgust to his government. Nor was the manner and address of the king calculated to cure these prejudices contracted against his administration; but had in every thing a tendency to promote fear, or at best reverence, rather than good-will and affection.<sup>a</sup> While the high idea entertained of his policy and vigour, retained the nobility and men of character in obedience, the effects of his unpopular government soon appeared, by incidents of an extraordinary nature.

There lived in Oxford one Richard Simon, a priest, who possessed some subtlety, and still more enterprise and temerity. This man had entertained the design of disturbing Henry's government, by raising a pretender to his crown; and for that purpose he cast his eyes

on Lambert Simnel, a youth of fifteen years of age, who was son of a baker, and who, being endowed with understanding above his years, and address above his condition, seemed well fitted to personate a prince of royal extraction. A report had been spread among the people, and received with great avidity, that Richard, Duke of York, second son of Edward IV., had, by a secret escape, saved himself from the cruelty of his uncle, and lay somewhere concealed in England. Simon, taking advantage of this rumour, had at first instructed his pupil to assume that name, which he found to be so fondly cherished by the public; but hearing afterwards a new report, that Warwick had made his escape from the Tower, and observing that this news was attended with no less general satisfaction, he changed the plan of his imposture, and made Simnel personate that unfortunate prince.<sup>b</sup> Though the youth was qualified by nature for the part which he was instructed to act, yet as it was remarked, that he was better informed in circumstances relating to the royal family, particularly in the adventures of the Earl of Warwick, than he could be supposed to have learned from one of Simon's condition: and it was thence conjectured, that

persons of higher rank, partisans of the house of York, had laid the plan of this conspiracy, and had conveyed proper instructions to the actors. The queen-dowager herself was exposed to suspicion; and it was indeed the general opinion, however unlikely it might seem, that she had secretly given her consent to the imposture. The woman was of a very restless disposition. Finding that, instead of receiving the reward of her services in contributing to Henry's elevation, she herself was fallen into absolute insignificance, her daughter treated with severity, and all her friends brought under subjection, she had conceived the most violent animosity against him, and had resolved to make him feel the effects of her resentment. She knew, that the impostor, however successful, might easily at last be set aside; and if a way could be found at his risk to subvert the government, she hoped that a scene might be opened which, though difficult at present exactly to foresee, would gratify her revenge, and be on the whole less irksome to her than that slavery and contempt to which she was now reduced.<sup>c</sup>

But whatever care Simon might take to convey instruction to his pupil Simnel, he was sensible that the imposture would not bear a close inspection; and he was therefore determined to open the first public scene of it in Ireland. That island, which was zealously attached to the house of York, and bore an affectionate regard to the memory of Clarence, Warwick's father, who had been their lieutenant, was impropriately allowed by Henry to remain in the same condition in which he found it; and all the counsellors and officers, who had been appointed by his predecessors, still retained their authority. No sooner did Simnel present himself to Thomas Fitzgerald, Earl of Kildare, the deputy, and claim his protection as the unfortunate Warwick, than that credulous nobleman, not suspecting so bold an imposture, gave attention to him, and began to consult some persons of rank with regard to this extraordinary incident. These he found even more sanguine in their zeal and belief than himself: and in proportion as the story diffused itself among those of lower condition, it became the object of still greater passion and credulity, till the people in Dublin, with one consent, tendered their allegiance to Simnel as to the true Plantagenet. Fond of a novelty, which flattered their natural propensity, they overlooked the daughters of Edward IV., who stood before Warwick in the order of succession; they paid the pretended prince attendance as their sovereign, lodged him in the castle <sup>Revolt of Ireland.</sup> of Dublin, crowned him with a diadem taken from a statue of the Virgin, and publicly proclaimed him king, by the appellation of Edward VI. The whole island followed the example of the capital; and not a sword was any where drawn in Henry's quarrel.

When this intelligence was conveyed to the king, it reduced him to some perplexity. Determined always to face his enemies in person, he yet scrupled at present to leave England, where he suspected the conspiracy was first framed, and where he knew many persons of condition, and the people in general, were much disposed to give it countenance. In order to discover the secret source of the contrivance, and take measures against this open revolt, he held frequent consultations with his ministers and counsellors, and laid plans for a vigorous defence of his authority, and the suppression of his enemies.

The first event which followed these deliberations gave surprise to the public: it was the seizure of the queen-dowager, the forfeiture of all her lands and revenue, and the close confinement of her person in the nunnery of Bermondsey. This act of authority was covered with a very thin pretence. It was alleged that, notwithstanding the secret agreement to marry her daughter to Henry, she had yet yielded to the solicitations and menaces of Richard, and had delivered that princess and her sisters into the hands of the tyrant. This crime, which was now become obsolete, and might admit of alleviations, was therefore suspected not to be the real cause of the severity with which she was treated; and men believed, that the king, unwilling to accuse so near a relation of a conspiracy against him, had cloaked his vengeance or precaution un-

<sup>a</sup> *Procureur Vierge*, p. 569.

<sup>b</sup> *Procureur*, p. 573.

<sup>c</sup> *Procureur Vierge*, p. 569, 570.

<sup>d</sup> *Ibid.*, p. 579.



der colour of an officer known to the whole world. They were afterwards more confirmed in this suspicion, when they found that the unfortunate queen, though she survived this disgrace several years, was never treated with any more lenity, but was allowed to end her life in poverty, solitude, and confinement.

The next measure of the king's was of a less exceptionable nature. He ordered that Warwick should be taken from the Tower, be led in procession through the streets of London, be conducted to St. Paul's, and there exposed to the view of the whole people. He even gave directions that some men of rank, attached to the house of York, and best acquainted with the person of this prince, should approach him and converse with him; and he trusted that these, being convinced of the absurd imposture of Simnel, would put a stop to the credulity of the populace. The expedient had its effect in England; but in Ireland the people still persisted in their revolt, and zealously retorted on the king the reproach of propagating an imposture, and of having shown a counterfeit Warwick to the public.

Henry had soon reason to apprehend, that the design against him was not laid on such slight foundations as the absurdity of the contrivance seemed to indicate. John, Earl of Lincoln, son of John de la Pole, Duke of Suffolk, and of Elizabeth, eldest sister to Edward IV., was engaged to take part in the conspiracy. This nobleman, who possessed capacity and courage, had entertained very aspiring views; and his ambition was encouraged by the known intentions of his uncle Richard, who had formed a design, in case he himself should die without issue, of declaring Lincoln successor to the crown. The king's jealousy against all eminent persons of the York party, and his rigour towards Warwick, had further struck Lincoln with apprehensions, and made him resolve to seek for safety in the most dangerous counsels. Having fixed a secret correspondence with Sir Thomas Broughton, a man of great interest in Lancashire, he retired to Flanders, where Lovel had arrived a little before him; and he lived during some time in the court of his aunt the Duchess of Burgundy, by whom he had been invited over.

Margaret, widow of Charles the Bold, Duke of Burgundy, not having any children of her own, attached herself with an entire friendship to her daughter-in-law, married to Maximilian, Archduke of Austria; and after the death of that princess, she persevered in her affection to Philip and Margaret, her children, and occupied herself in the care of their education and of their persons. By her virtuous conduct and demeanour she had acquired great authority among the Flemings; and lived with much dignity, as well as economy, upon that ample dowry which she inherited from her husband. The resentments of this princess were no less warm than her friendships; and that spirit of faction, which it is so difficult for a social and sanguine temper to guard against, had taken strong possession of her heart, and intrenched somewhat on the probity which shone forth in the other parts of her character. Hearing of the malignant jealousy entertained by Henry against her family, and his oppression of all its partisans, she was moved with the highest indignation, and she determined to make him repent of that enmity to which so many of her friends, without any reason or necessity, had fallen victims. After consulting

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with Lincoln and Lovel, she hired a body of two thousand veteran Germans, under the command of Martin Swart, a brave and experienced officer; and sent them over, together with these two noblemen, to join Simnel in Ireland. The countenance given by persons of such high rank, and the accession of this military force, much raised the courage of the Irish, and made them entertain the resolution of invading England, where they believed the spirit of disaffection as prevalent as it appeared to be in Ireland. The poverty also under which they laboured, made it impossible for them to support any longer their new court and army, and inspired them with a strong desire of enriching themselves by plunder and preferment in England.

Henry was not ignorant of these intentions of his enemies; and he prepared himself for defence. He ordered troops to be levied in different parts of the kingdom, and put them under the command of the Duke of Bedford and Earl of Oxford. He confined the Marquis of Dorset, who he suspected would resent the injuries suffered by his mother, the queen-dowager; and to gratify the people by an appearance of devotion, he made a pilgrimage to our lady of Walsingham, famous for miracles; and there offered up prayers for success, and for deliverance from his enemies.

Being informed that Simnel was landed at Foudrey in Lancashire, he drew together his forces, and advanced towards the enemy as far as Coventry. The rebels had entertained hopes that the disaffected counties in the north would rise in their favour; but the people in general, averse to join Irish and German invaders, convinced of Lambert's imposture, and kept in awe by the king's reputation for success and conduct, either remained in tranquillity, or gave assistance to the royal army. The Earl of Lincoln, therefore, who commanded the rebels, finding no hopes but in victory, was determined to bring the matter to a speedy decision; and the king, supported by the native courage of his temper, and imboldened by a great accession of volunteers, who had joined him under the Earl of Shrewsbury and Lord Strange, declined not the combat. The hostile armies met at Stoke in <sup>6th June.</sup> <sup>Battle of Stoke.</sup> the county of Nottingham, and fought a battle, which was bloody, and more obstinately disputed than could have been expected from the inequality of their force. All the leaders of the rebels were resolved to conquer or to perish; and they inspired their troops with like resolution. The Germans also, being veteran and experienced soldiers, kept the event long doubtful; and even the Irish, though ill-armed and almost defenceless, showed themselves not defective in spirit and bravery. The king's victory was purchased with loss, but was entirely decisive. Lincoln, Broughton, and Swart perished in the field of battle, with four thousand of their followers. As Lovel was never more heard of, he was believed to have undergone the same fate. Simnel, with his tutor Simon, was taken prisoner. Simon, being a priest, was not tried at law, and was only committed to close custody: Simnel was too contemptible to be an object either of apprehension or resentment to Henry. He was pardoned and made a scullion in the king's kitchen; whence he was afterwards advanced to the rank of a falconer.

Henry had now leisure to revenge himself on his enemies. He made a progress into the northern parts, where he gave many proofs of his rigorous disposition. A strict inquiry was made after those who had assisted or favoured the rebels. The punishments were not all sanguinary: the king made his revenge subservient to his avarice. Heavy fines were levied upon the delinquents. The proceedings of the courts, and even the courts themselves, were arbitrary. Either the criminals were tried by commissioners appointed for the purpose, or they suffered punishment by sentence of a court-martial. And, as a rumour had prevailed before the battle of Stoke, that the rebels had gained the victory, that the royal army was cut in pieces, and that the king himself had escaped by flight, Henry was resolved to interpret the belief or propagation of this report as a mark of disaffection; and he punished many for that pretended crime. But such in this age was the situation of the English government, that the royal prerogative, which was but imperfectly restrained during the most peaceable periods, was sure, in tumultuous or even suspicious times, which frequently recurred, to break all bounds of law, and to violate public liberty.

After the king had gratified his rigour by the punishment of his enemies, he determined to give contentment to the people in a point which, though a mere ceremony, was passionately desired by them. The queen had been married near two years, but had not yet been crowned; and this affectation of delay had given great discontent to the public, and had been one principal source of the disaffection which prevailed. The king, instructed <sup>25th Nov.</sup> by experience, now finished the ceremony of



The barons of Brittany, who saw all favour engrossed by the Duke of Orleans and his train, renewed a stricter correspondence with France, and even invited the French king to make an invasion on their country. Desirous, however, of preserving its independency, they had regulated the number of succours which France was to send them, and had stipulated, that no fortified place in Brittany should remain in the possession of that monarchy: a vain precaution where revolted subjects treat with a power so much superior! The French invasion of Brittany, vaded Brittany with forces three times more numerous than those which they had promised to the barons; and advancing into the heart of the country, laid siege to Ploermel. To oppose them, the duke raised a numerous but ill-disciplined army, which he put under the command of the Duke of Orleans, the Count of Dunois, and others of the French nobility. The army, discontented with this choice, and jealous of their confederates, soon disbanded, and left their prince with too small a force to keep the field against his invaders. He retired to Vannes; but being hotly pursued by the French, who had now made themselves masters of Ploermel, he escaped to Nantz; and the enemy, having previously taken and garrisoned Vannes, Dinant, and other places, laid close siege to that city. The barons of Brittany, finding their country menaced with total subjection, began gradually to withdraw from the French army, and make peace with their sovereign.

This desertion, however, of the Bretons discouraged not the court of France from pursuing her favourite project of reducing Brittany to subjection. The situation of Europe appeared favourable to the execution of this design. Maximilian was indeed engaged in close alliance with the Duke of Brittany, and had even opened a treaty for marrying his daughter; but he was on all occasions so indigent, and at that time so disquieted by the mutinies of the Flemings, that little effectual assistance could be expected from him. Ferdinand was entirely occupied in the conquest of Grenada; and it was also known, that if France would resign to him Roussillon and Cerdagne, to which he had pretensions, she could at any time engage him to abandon the interests of Brittany. England alone was both enabled by her power, and engaged by her interests, to support the independency of that duchy; and the most dangerous opposition was therefore, by Anne of Beaujeu, expected from that quarter. In order to cover her real designs, no sooner was she informed of Henry's success against Sintel and his partisans, than she despatched ambassadors to the court of London, and made professions of the greatest trust and confidence in that monarch.

French embassy to England. The ambassadors, after congratulating Henry on his late victory, and communicating to him, in the most cordial manner, as to an intimate friend, some successes of their master against Maximilian, came, in the progress of their discourse, to mention the late transactions in Brittany. They told him, that the duke having given protection to French fugitives and rebels, the king had been necessitated, contrary to his intention and inclination, to carry war into that duchy: that the honour of the crown was interested not to suffer a vassal so far to forget his duty to his liege lord; nor was the security of the government less concerned to prevent the consequences of this dangerous temerity: that the fugitives were no mean or obscure persons; but, among others, the Duke of Orleans, first prince of the blood, who, finding himself obnoxious to justice for treasonable practices in France, had fled into Brittany; where he still persevered in laying schemes of rebellion against his sovereign: that the war being thus, on the part of the French monarch, entirely defensive, it would immediately cease, when the Duke of Brittany, by returning to his duty, should remove the causes of it: that their master was sensible of the obligations which the duke, in very critical times, had conferred on Henry; but it was known also, that in times still more critical, he or his mercenary counsellors had deserted him, and put his life in the utmost hazard: that his sole refuge in these desperate extremities had been the court of France, which

not only protected his person, but supplied him with men and money, with which, aided by his own valour and conduct, he had been enabled to mount the throne of England: that France in this transaction had, from friendship to Henry, acted contrary to what, in a narrow view, might be esteemed her own interest; since, instead of an odious tyrant, she had contributed to establish on a rival throne a prince endowed with such virtue and abilities: and that as both the justice of the cause, and the obligations conferred on Henry, thus preponderated on the side of France, she reasonably expected that, if the situation of his affairs did not permit him to give her assistance, he would at least preserve a neutrality between the contending parties.<sup>b</sup>

This discourse of the French ambassadors was plausible; and to give it greater weight, they communicated to Henry, as in confidence, their master's intention, after he should have settled the differences with Brittany, to lead an army into Italy, and make good his pretensions to the kingdom of Naples: a project which they knew would give no umbrage to the court of England. But all these artifices were in vain employed against the penetration of the king. He clearly saw that France had entertained the view of subduing Brittany; but he also perceived, that she would meet with great, and, as he thought, insuperable difficulties in the execution of her project. The native force of that duchy, he knew, had always been considerable, and had often, without any foreign assistance, resisted the power of France; the natural temper of the French nation, he imagined, would make them easily abandon any enterprise which required perseverance; and as the heir of the crown was confederated with the Duke of Brittany, the ministers would be still more remiss in prosecuting a scheme which must draw on them resentment and displeasure. Should even these internal obstructions be removed, Maximilian, whose enmity to France was well known, and who now paid his addresses to the heiress of Brittany, would be able to make a diversion on the side of Flanders; nor could it be expected that France, if she prosecuted such ambitious projects, would be allowed to remain in tranquillity by Ferdinand and Isabella. Above all, he thought the French court could never expect that England, so deeply interested to preserve the independency of Brittany, so able by her power and situation to give effectual and prompt assistance, would permit such an accession of force to her rival. He imagined therefore, that the ministers of France, convinced of the impracticability of their scheme, would at last embrace pacific views, and would abandon an enterprise so obnoxious to all the potentates of Europe.

This reasoning of Henry was solid, and might justly engage him in dilatory and cautious measures: but there entered into his conduct another motive, which was apt to draw him beyond the just bounds, because founded on a ruling passion. His frugality, which by degrees degenerated into avarice, made him averse to all warlike enterprises and distant expeditions, and engaged him previously to try the expedient of negotiation. He despatched Urswic his almoner, a man of address and abilities, to make offer of his mediation to the contending parties: an offer which he thought, if accepted by France, would soon lead to a composure of all differences; if refused or eluded, would at least discover the perseverance of that court in her ambitious projects. Urswic found the Lady of Beaujeu, now Duchess of Bourbon, engaged in the siege of Nantz, and had the satisfaction to find that his master's offer of mediation was readily embraced, and with many expressions of confidence and moderation. That able princess concluded, that the Duke of Orleans, who governed the court of Brit- the French court. tany, foreseeing that every accommodation must be made at his expense, would use all his interest to have Henry's proposal rejected; and would by that means make an apology for the French measures, and draw on the Bretons the reproach of obstinacy and injustice. The event justified her prudence. When the English ambassador made the same offer to the Duke of Brittany, he received for answer, in the name of that prince, that having so long



acted the part of protector and guardian to Henry during his youth and adverse fortune, he had expected from a monarch of such virtue, more effectual assistance in his present distresses, than a barren offer of mediation, which suspended not the progress of the French arms: that if Henry's gratitude were not sufficient to engage him in such a measure, his prudence, as King of England, should discover to him the pernicious consequences attending the conquest of Brittany, and its annexation to the crown of France: that that kingdom, already too powerful, would be enabled, by so great an accession of force, to display, to the ruin of England, that hostile disposition which had always subsisted between those rival nations: that Brittany, so useful an ally, which, by its situation, gave the English an entrance into the heart of France, being annexed to that kingdom, would be equally enabled, from its situation, to disturb, either by piracies or naval armaments, the commerce and peace of England; and that if the duke rejected Henry's mediation, it proceeded neither from an inclination to a war which he experienced to be ruinous to him, nor from a confidence in his own force, which he knew to be much inferior to that of the enemy; but, on the contrary, from a sense of his present necessities, which must engage the king to act the part of his confederate, not that of a mediator.

When this answer was reported to the king, he abandoned not the plan which he had formed: he only concluded, that some more time was requisite to quell the obstinacy of the Bretons, and make them submit to reason. And when he learned that the people of Brittany, anxious for their duke's safety, had formed a tumultuary army of 60,000 men, and had obliged the French to raise the siege of Nantz, he fortified himself the more in his opinion that the court of France would at last be reduced, by multiplied obstacles and difficulties, to abandon the project of reducing Brittany to subjection. He continued, therefore, his scheme of negotiation, and thereby exposed himself to be deceived by the artifices of the French ministry: who, still pretending pacific intentions, sent Lord Bernard Daubigny, a Scotchman of quality, to London, and pressed Henry not to be discouraged in offering his mediation to the court of Brittany. The king, on his part, despatched another embassy, consisting of Urswic, the Abbot of Abingdon, and Sir Richard Tonsal, who carried new proposals for an amicable treaty. No effectual succours, meanwhile, were provided for the distressed Bretons. Lord Woodville, brother to the queen-dowager, having asked leave to raise underhand a body of volunteers, and to transport them into Brittany, met with a refusal from the king, who was desirous of preserving the appearance of a strict neutrality. That nobleman, however, still persisted in his purpose. He went over to the Isle of Wight, of which he was governor; levied a body of 400 men; and having at last obtained, as is supposed, the secret permission of Henry, sailed with them to Brittany. This enterprise proved fatal to the leader, and brought small relief to the unhappy duke. The Bretons

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rashly engaged in a general action with the French at St. Aubin, and were discomfited. Woodville and all the English were put to the sword; together with a body of Bretons, who had been accoutred in the garb of Englishmen, in order to strike a greater terror into the French, to whom the martial prowess of that nation was always formidable.<sup>6</sup> The Duke of Orleans, the Prince of Orange, and many other persons of rank, were taken prisoners: and the military force of Brittany was totally broken. The death of the duke, which followed soon after, threw affairs into still greater confusion, and seemed to threaten the state with a final subjection.

Though the king did not prepare against these events, so hurtful to the interests of England, with sufficient vigour and precaution, he had not altogether overlooked them. Determined to maintain a pacific conduct, so far as the situation of affairs would permit, he yet knew the warlike temper of his subjects, and observed that their ancient and inveterate animosity to France was now revived by the prospect of this great

accession to her power and grandeur. He resolved, therefore, to make advantage of this disposition, and draw some supplies from the people, on pretence of giving assistance to the Duke of Brittany. He had summoned a parliament at Westminster;<sup>7</sup> and he soon persuaded them to grant him a considerable subsidy.<sup>8</sup> But this supply, though voted by parliament, involved the king in unexpected difficulties. The counties of Durham and York, always discontented with Henry's government, and further provoked by the late oppressions under which they had laboured, after the suppression of Simnel's rebellion, resisted the commissioners who <sup>An insurrection in the North,</sup> were appointed to levy the tax. The commissioners, terrified with this appearance of sedition, made application to the Earl of Northumberland, and desired of him advice and assistance in the execution of their office. That nobleman thought the matter of importance enough to consult the king; who, unwilling to yield to the humour of a discontented populace, and foreseeing the pernicious consequence of such a precedent, renewed his orders for strictly levying the imposition. Northumberland summoned together the justices and chief freeholders, and delivered the king's commands in the most imperious terms, which, he thought, would enforce obedience, but which tended only to provoke the people, and make them believe him the adviser of those orders which he delivered to them.<sup>1</sup> They flew to arms, attacked Northumberland in his house, and put him to death. Having incurred such deep guilt, their mutinous humour prompted them to declare against the king himself; and being instigated by John Achamer, a seditious fellow of low birth, they chose Sir John Egremond their leader, and prepared themselves for a vigorous resistance. Henry was not dismayed with an insurrection so precipitate and ill-supported. He immediately levied a force, which he put under the command of the Earl of Surrey, whom he had freed from confinement and received into favour. His intention was to send down these troops, in order to check the progress of the rebels; while he himself should follow with a greater body, which would absolutely insure success. But Surrey thought himself strong enough to encounter alone a raw and unarmed multitude; and he succeeded in the attempt. The rebels <sup>suppressed.</sup> were dissipated; John Achamer was taken prisoner, and afterwards executed with some of his accomplices; Sir John Egremond fled to the Duchess of Burgundy, who gave him protection; the greater number of the rebels received a pardon.

Henry had probably expected, when he obtained this grant from parliament, that he should be able to terminate the affair of Brittany by negotiation, and that he might thereby fill his coffers with the money levied by the imposition. But as the distresses of the Bretons still multiplied, and became every day more urgent; he found himself under the necessity of taking more vigorous measures, in order to support them. On the death of the duke, the French had revived some antiquated claims to the dominion of the duchy; and as the Duke of Orleans was now captive in France, their former <sup>A. D. 1469.</sup> pretence for hostilities could no longer serve as a cover to their ambition. The king resolved, therefore, to engage as auxiliary to Brittany; and to consult the interests as well as desires of his people, by opposing himself to the progress of the French power. Besides entering into a league with Maximilian, and another with Ferdinand, which were distant resources, he levied a body of troops to the number of 6000 men, with an intention of transporting them into Brittany. Still anxious, however, for the repayment of his expenses, he concluded a treaty with the young duchess, by which she engaged to deliver into his hands two sea-port towns, there to remain till she should entirely refund the charges of the armament.<sup>2</sup> Though he engaged for the service of these troops during the space of ten months only, yet was the duchess obliged, by the necessity of her affairs, to submit to such rigid conditions, imposed by an ally so much concerned in interest to protect her. The forces arrived under

<sup>6</sup> *Annals of France*, l. vi. c. 10. Nov. 1487.  
<sup>7</sup> *Ibid.* c. 11. p. 7. says, that the commons were aspersed by the Bretons, that they had levied a tax of 100,000 marks.

<sup>1</sup> *Ibid.* p. 165.  
<sup>2</sup> *Annals of France*, l. vi. c. 11. p. 7.

the command of Lord Willoughby of Broke; and made the Bretons, during some time, masters of the field. The French retired into their garrisons; and expected, by dilatory measures, to waste the fire of the English, and disgust them with the enterprise. The scheme was well laid, and met with success. Lord Broke found such discord and confusion in the counsels of Brittany, that no measures could be concerted for any undertaking; no supply obtained; no provisions, carriages, artillery, or military stores procured. The whole court was rent into factions: no one minister had acquired the ascendant: and whatever project was formed by one was sure to be traversed by another. The English, disconcerted in every enterprise by these animosities and uncertain counsels, returned home as soon as the time of their service was elapsed; leaving only a small garrison in those towns which had been consigned into their hands. During their stay in Brittany, they had only contributed still further to waste the country; and by their departure, they left it entirely at the mercy of the enemy. So feeble was the succour which Henry, in this important conjuncture, afforded his ally, when the invasion of a foreign enemy, concurring with domestic dissensions, had reduced to the utmost distress.

The great object of the domestic dissensions in Brittany, was the disposal of the young duchess in marriage. The Mareschal Rieux, favoured by Henry, seconded the suit of the Lord d'Albret, who led some forces to her assistance. The Chancellor Montauban, observing the aversion of the duchess to this suitor, insisted that a petty prince, such as d'Albret, was unable to support Anne in her present extremities; and he recommended some more powerful alliance, particularly that of Maximilian, King of the Romans. This party at last prevailed; the

marriage with Maximilian was celebrated by proxy; and the duchess thenceforth assumed the title of Queen of the Romans. But this magnificent appellation was all she gained by her marriage. Maximilian, destitute of troops and money, and embarrassed with the continual revolts of the Flemings, could send no succour to his distressed consort; while d'Albret, enraged at the preference given to his rival, deserted her cause, and received the French into Nantz, the most important place in the duchy, both for strength and riches.

The French court now began to change their scheme with regard to the subjection of Brittany. Charles had formerly been affianced to Margaret, daughter of Maximilian; who, though too young for the consummation of her marriage, had been sent to Paris to be educated, and at this time bore the title of Queen of France. Besides the rich dowry which she brought the king, she was, after her brother Philip, then in early youth, heir to all the dominions of the house of Burgundy; and seemed, in many respects, the most proper match that could be chosen for the young monarch. These circumstances had so blinded both Maximilian and Henry, that they never suspected any other intentions in the French court; nor were they able to discover, that engagements, seemingly so advantageous, and so solemnly entered into, could be infringed and set aside. But Charles began to perceive that the conquest of Brittany, in opposition to the natives, and to all the great powers of Christendom, would prove a difficult enterprise; and that, even if he should overrun the country, and make himself master of the fortresses, it would be impossible for him long to retain possession of them. The marriage alone of the duchess could fully re-annex that fief to the crown; and the present and certain enjoyment of so considerable a territory seemed preferable to the prospect of inheriting the dominions of the house of Burgundy; a prospect which became every day more distant and precarious. Above all, the marriage of Maximilian and Anne appeared destructive to the grandeur, and even security, of the French monarchy; while that prince, possessing Flanders on the one hand, and Brittany on the other, might thus, from both quarters, make inroads into the heart of the country. The only remedy for these evils was therefore concluded to be the dissolution of the two marriages, which had been celebrated, but not consummated; and the espousal of the Duchess of Brittany by the King of France.

It was necessary that this expedient, which had not been foreseen by any court in Europe, and which they were all so much interested to oppose, should be kept a profound secret, and should be discovered to the world only by the full execution of it. The measures of the French ministry, in the conduct of this delicate enterprise, were wise and political. While they pressed Brittany with all the rigours of war, they secretly gained the Count of Dunois, who possessed great authority with the Bretons; and having also engaged in their interest the Prince of Orange, cousin-german to the duchess, they gave him his liberty, and sent him into Brittany. These partisans, supported by other emissaries of France, prepared the minds of men for the great revolution projected, and displayed, though still with many precautions, all the advantages of a union with the French monarchy. They represented to the barons of Brittany, that their country, harassed during so many years with perpetual war, had need of some repose, and of a solid and lasting peace with the only power that was formidable to them: that their alliance with Maximilian was not able to afford them even present protection; and by closely uniting them to a power, which was rival to the greatness of France, fixed them in perpetual enmity with that potent monarchy: that their vicinity exposed them first to the inroads of the enemy; and the happiest event which, in such a situation, could befall them, would be to attain a peace, though by a final subjection to France, and by the loss of that liberty transmitted to them from their ancestors: and that any other expedient, compatible with the honour of the state, and their duty to their sovereign, was preferable to a scene of such disorder and devastation.

These suggestions had influence with the Bretons: but the chief difficulty lay in surmounting the prejudices of the young duchess herself. That princess had imbibed a strong prepossession against the French nation, particularly against Charles, the author of all the calamities which, from her earliest infancy, had befallen her family. She had also fixed her affections on Maximilian; and, as she now deemed him her husband, she could not, she thought, without incurring the greatest guilt, and violating the most solemn engagements, contract a marriage with any other person. In order to overcome her obstinacy, Charles gave the Duke of Orleans his liberty, who, though formerly a suitor to the duchess, was

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now contented to ingratiate himself with the king, by employing in his favour all the interest which he still possessed in Brittany. Mareschal Rieux and Chancellor Montauban were reconciled by his mediation; and these rival ministers now concurred with the Prince of Orange and the Count of Dunois, in pressing the conclusion of a marriage with Charles. By their suggestion, Charles advanced with a powerful army, and invested Rennes, at that time the residence of the duchess; who, assailed on all hands, and finding none to support her in her inflexibility, at last opened the gates of the city, and agreed to espouse the King of France. She was married at Langey, in Touraine; conducted to St. Dennis, where she was crowned; thence made her entry into Paris, amidst the joyful acclamations of the people, who regarded this marriage as the most prosperous event that could have befallen the monarchy.

Annexation of Brittany to France.

The triumph and success of Charles was the most sensible mortification to the King of the Romans. He had lost a considerable territory, which he thought he had acquired, and an accomplished princess, whom he had espoused; he was affronted in the person of his daughter Margaret, who was sent back to him after she had been treated, during some years, as Queen of France; he had reason to reproach himself with his own supine security, in neglecting the consummation of his marriage, which was easily practicable for him, and which would have rendered the tie indissoluble: these considerations threw him into the most violent rage, which he vented in every indecent expressions; and he threatened France with an invasion from the united arms of Austria, Spain, and England.

The King of England had also just reason to reproach himself with misconduct in this important transaction; and, though the affair had terminated in a manner which

he could not precisely foresee, his negligence in leaving his most usefully so long exposed to the invasion of superior power, could not but appear, on reflection, the result of timid caution and narrow politics. As he valued himself on his extensive foresight and profound judgment, the ascendant acquired over him by a raw youth, such as Charles, could not but give him the highest displeasure, and prompt him to seek vengeance, after all remedy for his miscarriage was become absolutely impracticable. But he was further actuated by avarice, a motive still more predominant with him than either pride or revenge; and he sought, even from his present disappointments, the gratification of this ruling passion. On pre-

sence of a French war, he issued a commission for levying a *Benivolence* on his people;<sup>1</sup> a species of taxation which had been abolished by a recent law of Richard III. This violence (for such it really was) fell chiefly on the commercial part of the nation, who were possessed of the ready money. London alone contributed to the amount of near 10,000 pounds. Archbishop Morton, the chancellor, instructed the commissioners to employ a dilemma, in which every one might be comprehended: if the persons applied to lived frugally, they were told that their parsimony must necessarily have enriched them; if their method of living were splendid and hospitable, they were concluded to be opulent on account of their expenses. This device was, by some, called Chancellor Morton's fork, by others his crutch.

So little apprehensive was the king of a parliament, on account of his levying this arbitrary imposition, that he soon after summoned that assembly to meet at Westminster; and he even expected to enrich himself further by working on their passions and prejudices. He knew the displeasure which the English had conceived against France, on account of the acquisition of Brittany; and he took care to insist on that topic, in the speech which he himself pronounced to the parliament. He told them that France, elated

with her late successes, had even proceeded to a contempt of England, and had refused to pay the tribute which Lewis XI. had stipulated to Edward IV. That it became so warlike a nation as the English to be roused by this indignity, and not to limit their pretensions merely to repelling the present injury: that, for his part, he was determined to lay claim to the crown itself of France, and to maintain, by force of arms, so just a title, transmitted to him by his gallant ancestors. That Crecy, Poitiers, and Azincourt, were sufficient to instruct them in their superiority over the enemy; nor did he despair of adding new names to the glorious catalogue: that a King of France had been prisoner in London, and a King of England had been crowned at Paris; events which should animate them to an emulation of like glory with that which had been enjoyed by their forefathers: that the domestic dissensions of England had been the sole cause of her losing these foreign dominions; and her present internal union would be the effectual means of recovering them: that, where such lasting honour was in view, and such an important acquisition, it became not brave men to repine at the advance of a little treasure: and that, for his part, he was determined to make the war maintain itself; and hoped, by the invasion of so opulent a kingdom as France, to increase, rather than diminish, the riches of the nation.

Notwithstanding these magnificent vaunts of the king, all men of penetration concluded, from the personal character of the man, and still more from the situation of affairs, that he had no serious intention of pushing the war to such extremities as he pretended. France was not now in the same condition as when such successful inroads had been made upon her by former kings of England. The great fiefs were united to the crown; the princes of the blood were desirous of tranquillity; the nation abounded with able captains and veteran soldiers; and the general aspect of her affairs seemed rather to threaten her neighbours, than to promise them any considerable advantages against her. The levity and vain-glory of Maximilian were supported by his pompous titles; but were ill-seconded by military power, and still less by any revenue

proportioned to them. The politic Ferdinand, while he made a show of war, was actually negotiating for peace; and, rather than expose himself to any hazard, would accept of very moderate concessions from France. Even England was not free from domestic discontents; and in Scotland, the death of Henry's friend and ally, James III., who had been murdered by his rebellious subjects, had made way for the succession of his son, James IV., who was devoted to the French interest, and would surely be alarmed at any important progress of the English arms. But all these obvious considerations had no influence on the parliament. Inflamed by the ideas of subduing France, and of enriching themselves by the spoils of that kingdom, they gave in to the snare prepared for them, and voted the supply which the king demanded. Two fifteenths were granted him; and the better to enable his vassals and nobility to attend him, an act was passed, empowering them to sell their estates, without paying any fines for alienation.

The nobility were universally seized with a desire of military glory; and having credulously swallowed all the boasts of the king, they dreamed of no less than carrying their triumphant banners to the gates of Paris, and putting the crown of France on the head of their sovereign. Many of them borrowed large sums, or sold off manors, that they might appear in the field with greater splendour, and lead out their followers in more complete order. The king crossed the sea, and arrived at Calais on the sixth of October, with an army of twenty-five thousand foot, and sixteen hundred horse, which he put under the command of the Duke of Bedford and the Earl of Oxford: but as some inferred, from his opening the campaign in so late a season, that peace would soon be concluded between the crowns, he was desirous of suggesting a contrary inference. "He had come over," he said, "to make entire conquest of France, which was not the work of one summer. It was therefore of no consequence at what season he began the invasion; especially as he had Calais ready for winter quarters." As if he had seriously intended this enterprise, he instantly marched into the enemy's country, and laid siege to Bulloigne; but notwithstanding this appearance of hostility, there had been secret advances made towards peace above three months before; and commissioners had been appointed to treat of the terms. The better to reconcile the minds of men to this unexpected measure, the king's ambassadors arrived in the camp from the Low Countries and informed him that Maximilian was in no readiness to join him; nor was any assistance to be expected from that quarter. Soon after, messengers came from Spain, and brought news of a peace concluded between that kingdom and France, in which Charles had made a cession of the counties of Roussillon and Cerdagne to Ferdinand. Though these articles of intelligence were carefully dispersed throughout the army, the king was still apprehensive lest a sudden peace, after such magnificent promises and high expectations, might expose him to reproach. In order the more effectually to cover the intended measures, he secretly engaged the Marquis of Dorset, together with twenty-three persons of distinction, to present him a petition for agreeing to a treaty with France. The pretence was founded on the late season of the year, the difficulty of supplying the army at Calais during winter, the obstacles which arose in the siege of Bulloigne, the desertion of those allies whose assistance had been most relied on: events which might, all of them, have been foreseen before the embarkation of the forces.

In consequence of these preparatory steps, the Bishop of Exeter and Lord Daubeney were sent to confer at Estaples with the Mareschal de Cordes, and to put the last hand to the treaty. A few days sufficed for that purpose: the demands of Henry were wholly pecuniary; and the King of France, who deemed the peaceable possession of Brittany an equivalent for any sum, and who was all on fire for his projected expedition into Italy, readily agreed to the proposals made him. He engaged to pay Henry 745,000 crowns, near

A. D. 1492.

27th Oct.

A parliament.

<sup>1</sup> R. Rec. vol. i. p. 116. Paris says, that the Benivolence was levied with consent of parliament, War. &c. 1491.

<sup>2</sup> Paris. p. 601.

<sup>3</sup> 6th Nov.  
Peace with  
France.



400,000 pounds sterling of our present money; partly as a reimbursement of the sums advanced to Brittany, partly as arrears of the pension due to Edward IV. And he stipulated a yearly pension to Henry and his heirs of 25,000 crowns. Thus the king, as remarked by his historian, made profit upon his subjects for the war; and upon his enemies for the peace.<sup>k</sup> And the people agreed that he had fulfilled his promise, when he said to the parliament that he would make the war maintain itself. Maximilian was, if he pleased, comprehended in Henry's treaty; but he declined to be in any respect beholden to an ally of whom he thought he had reason to complain: he made a separate peace with France, and obtained restitution of Artois, Franche Compté, and Charolois, which had been ceded as the dowry of his daughter when she was affianced to the king of France.

The peace concluded between England and France was the more likely to continue, because Charles, full of ambition and youthful hopes, bent all his attention to the side of Italy, and soon after undertook the conquest of Naples; an enterprise which Henry regarded with the greater indifference, as Naples lay remote from him, and France had never in any age been successful in that quarter. The king's authority was fully established at home; and every rebellion which had been attempted against him had hitherto tended only to confound his enemies, and consolidate his power and influence. His reputation for policy and conduct was daily augmenting; his treasures had increased even from the most unfavourable events; the hopes of all pretenders to his throne were cut off, as well by his marriage, as by the issue which it had brought him. In this prosperous situation, the king had reason to flatter himself with the prospect of durable peace and tranquillity: but his inveterate and indefatigable enemies, whom he had wantonly provoked, raised him an adversary, who long kept him in inquietude, and sometimes even brought him into danger.

The Duchess of Burgundy, full of resentment for the depression of her family and its partisans, rather irritated than discouraged by the ill success of her past enterprises, was determined at least to disturb that government which she found it so difficult to subvert. By means of her emissaries she propagated a report that her nephew, Richard Plantagenet, Duke of York, had escaped from the Tower when his elder brother was murdered, and that he still lay somewhere concealed: and finding this rumour, however improbable, to be greedily received by the people, she had been looking out for some young man proper to personate that unfortunate prince.

There was one Osbec, or Warbec, a renegade Jew of Tournay, who had been carried by some business to London in the reign of Edward IV. and had there a son born to him. Having had opportunities of being known to the king, and obtaining his favour, he prevailed with that prince, whose manners were very affable, to stand godfather to his son, to whom he gave the name of Peter, corrupted, after the Flemish manner, into Peterkin, or Perkin. It was by some believed, that Edward, among his amorous adventures, had a secret commerce with Warbec's wife; and people thence accounted for that resemblance which was afterwards remarked between young Perkin and that monarch.<sup>l</sup> Some years after the birth of this child, Warbec returned to Tournay; where Perkin, his son, did not long remain, but by different accidents was carried from place to place, and his birth and fortunes became thereby unknown, and difficult to be traced by the most diligent inquiry. The variety of his adventures had happily favoured the natural versatility and sagacity of his genius; and he seemed to be a youth perfectly fitted to act any part, or assume any character. In this light he had been represented to the Duchess of Burgundy, who, struck with the concurrence of so many circumstances suited to her purpose, desired to be made acquainted with the man on whom she already

began to ground her hopes of success. She found him to exceed her most sanguine expectation; so comely did he appear in his person, so graceful in his air, so courtly in his address, so full of

docility and good sense in his behaviour and conversation. The lessons necessary to be taught him, in order to his personating the Duke of York, were soon learned by a youth of such quick apprehension; but as the season seemed not then favourable for his enterprise, Margaret, in order the better to conceal him, sent him, under the care of Lady Brampton, into Portugal, where he remained a year, unknown to all the world.

The war, which was then ready to break out between France and England, seemed to afford a proper opportunity for the discovery of this new phenomenon; and Ireland, which still retained its attachments to the house of York, was chosen as the proper place for his first appearance.<sup>m</sup> He landed at Cork; and immediately assuming the name of Richard Plantagenet, drew to him partisans among that credulous people. He wrote letters to the Earls of Desmond and Kildare, inviting them to join his party: he dispersed every where the strange intelligence of his escape from the cruelty of his uncle Richard: and men, fond of every thing new and wonderful, began to make him the general subject of their discourse, and even the object of their favour.

The news soon reached France; and Charles, prompted by the secret solicitations of the Duchess of Burgundy, and the intrigues of one Frion, a secretary of Henry's who had deserted his service, sent Perkin an invitation to repair to him at Paris. He received him with all the marks of regard due to the Duke of York; settled on him a handsome pension, assigned him magnificent lodgings, and in order to provide at once for his dignity and security, gave him a guard for his person, of which Lord Congresal accepted the office of captain. The French courtiers readily embraced a fiction which their sovereign thought it his interest to adopt: Perkin, both by his deportment and personal qualities, supported the prepossession which was spread abroad of his royal pedigree: and the whole kingdom was full of the accomplishments, as well as the singular adventures and misfortunes, of the young Plantagenet. Wonders of this nature are commonly augmented at a distance. From France, the admiration and credulity diffused themselves into England: Sir George Nevil, Sir John Taylor, and above a hundred gentlemen more, came to Paris, in order to offer their services to the supposed Duke of York, and to share his fortunes: and the impostor had now the appearance of a court attending him, and began to entertain hopes of final success in his undertakings.

When peace was concluded between France and England at Estaples, Henry applied to have Perkin put into his hands; but Charles, resolute not to betray a young man, of whatever birth, whom he had invited into his kingdom, would agree only to dismiss him. The pretended Richard retired to the Duchess of Burgundy, and, craving her protection and assistance, offered to lay before her all the proofs of that birth to which he laid claim. The princess affected ignorance of his pretensions; even put on the appearance of distrust; and having, as she said, been already deceived by Simnel, she was determined never again to be seduced by any impostor. She desired before all the world to be instructed in his reasons for assuming the name which he bore; seemed to examine every circumstance with the most scrupulous nicety; put many particular questions to him; affected astonishment at his answers; and at last, after long and severe scrutiny, burst out into joy and admiration at his wonderful deliverance, embraced him as her nephew, the true image of Edward, the sole heir of the Plantagenets, and the legitimate successor to the English throne. She immediately assigned him an equipage suited to his pretended birth; appointed him a guard of thirty halberdiers; engaged every one to pay court to him; and on all occasions honoured him with the appellation of the *White Rose of England*. The Flemings, moved by the authority which Margaret, both from her rank and personal character, enjoyed among them, readily adopted the fiction of Perkin's royal descent: no surmise of his true birth was as yet heard of: little contradiction was made to the

He is avowed by the Duchess of Burgundy.

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<sup>k</sup> Parn. p. 645. Pol. An. v. p. 368.

<sup>l</sup>

<sup>m</sup> Parn. p. 660.

<sup>n</sup> Pol. An. v. p. 369.

prevailing opinion: and the English, from their great communication with the Low Countries, were every day more and more prepossessed in favour of the impostor.

It was not the populace alone of England that gave credit to Perkin's pretensions. Men of the highest birth and quality, disgusted at Henry's government, by which they found the nobility depressed, began to turn their eyes towards the new claimant: and some of them even entered into a correspondence with him. Lord Fitzwater,

and by many of the English nobility. Sir Simon Mountfort, Sir Thomas Thwaites, betrayed their inclination towards him: Sir

William Stanley himself, Lord Chamberlain, who had been so active in raising Henry to the throne, moved either by blind credulity or a restless ambition, entertained the project of a revolt in favour of his enemy.<sup>a</sup> Sir Robert Clifford and William Barley were still more open in their measures: they went over to Flanders, were introduced by the Duchess of Burgundy to the acquaintance of Perkin, and made him a tender of their services. Clifford wrote back to England, that he knew perfectly the person of Richard, Duke of York, that this young man was undoubtedly that prince himself, and that no circumstance of his story was exposed to the least difficulty. Such positive intelligence, conveyed by a person of rank and character, was sufficient, with many, to put the matter beyond question, and excited the attention and wonder even of the most indifferent. The whole nation was held in suspense; a regular conspiracy was formed against the king's authority; and a correspondence settled between the malcontents in Flanders and those in England.

The king was informed of all these particulars; but agreeably to his character, which was both cautious and resolute, he proceeded deliberately, though steadily, in counter-working the projects of his enemies. His first object was to ascertain the death of the real Duke of York, and to confirm the opinion that had always prevailed with regard to that event. Five persons had been employed by Richard in the murder of his nephews, or could give evidence with regard to it; Sir James Tyrrel, to whom he had committed the government of the Tower for that purpose, and who had seen the dead princes; Forest, Dighton, and Slater, who perpetrated the crime; and the priest who buried the bodies. Tyrrel and Dighton alone were alive, and they agreed in the same story; but as the priest was dead, and as the bodies were supposed to have been removed by Richard's orders from the place where they were first interred, and could not now be found, it was not in Henry's power to put the fact, so much as he wished, beyond all doubt and controversy.

He met at first with more difficulty, but was in the end more successful, in detecting who this wonderful person was that thus boldly advanced pretensions to his crown. He dispersed his spies all over Flanders and England; he engaged many to pretend that they had embraced Perkin's party; he directed them to insinuate themselves into the confidence of the young man's friends; in proportion as they conveyed intelligence of any conspirator, he bribed his retainers, his domestic servants, nay, sometimes his confessor, and by these means traced up some other confederate; Clifford himself he engaged, by the hope of rewards and pardon, to betray the secrets committed to him; the more trust he gave to any of his spies, the higher resentment did he feign against them; some of them he even caused to be publicly anathematized, in order the better to procure them the confidence of his enemies: and in the issue, the whole plan of the conspiracy was clearly laid before him; and the pedigree, adventures, life, and conversation of the pretended Duke of York. This latter part of the story was immediately published for the satisfaction of the nation: the conspirators he reserved for a slower and surer vengeance.

Meanwhile he remonstrated with the Archduke Philip, on account of the countenance and protection which was afforded in his dominions to so infamous an impostor; contrary to treaties subsisting between the sovereigns, and to the mutual amity which had so long been maintained by the subjects of

both states. Margaret had interest enough to get his application rejected; on pretence that Philip had no authority over the demesnes of the duchess-dowager. And the king, in resentment of this injury, cut off all commerce with the Low Countries, banished the Flemings, and recalled his own subjects from these provinces. Philip retaliated by like edicts; but Henry knew, that so mutinous a people as the Flemings would not long bear, in compliance with the humours of their prince, to be deprived of the beneficial branch of commerce which they carried on with England.

He had it in his power to inflict more effectual punishment on his domestic enemies; and when his projects were sufficiently matured, he failed not to make them feel the effects of his resentment. Almost in the same instant, he arrested Fitzwater, Mountfort, and Thwaites, together with William Daubeney, Robert Ratcliffe, Thomas Cressenor, and Thomas Astwood. All these were arraigned, convicted, and condemned for high treason, in adhering and promising aid to Perkin. Mountfort, Ratcliffe, and Daubeney, were immediately executed; Fitzwater was sent over to Calais, and detained in custody; but being detected in practising on his keeper for an escape, he soon after underwent the same fate. The rest were pardoned, together with William Worsley Dean of St. Paul's, and some others, who had been accused and examined, but not brought to public trial.<sup>b</sup>

Greater and more solemn preparations were deemed requisite for the trial of Stanley, Lord Chamberlain, whose authority in the nation, whose domestic connexions with the king, as well as his former services, seemed to secure him against any accusation or punishment. Clifford was directed to come over privately to England, and to throw himself at the king's feet while he sat in council; craving pardon for past offences, and offering to atone for them by any services which should be required of him. Henry then told him, that the best proof he could give of penitence, and the only service he could now render him, was the full confession of his guilt, and the discovery of all his accomplices, however distinguished by rank or character. Encouraged by this exhortation, Clifford accused Stanley, then present, as his chief abettor; and offered to lay before the council the full proof of his guilt. Stanley himself could not discover more surprise than was affected by Henry on the occasion. He received the intelligence as absolutely false and incredible; that a man to whom he was in a great measure beholden for his crown, and even for his life; a man to whom, by every honour and favour, he had endeavoured to express his gratitude; whose brother, the Earl of Derby, was his own father-in-law; to whom he had even committed the trust of his person, by creating him Lord Chamberlain: that this man, enjoying his full confidence and affection, not actuated by any motive of discontent or apprehension, should engage in a conspiracy against him. Clifford was, therefore, exhorted to weigh well the consequences of his accusation; but as he persisted in the same positive asseverations, Stanley was committed to custody, and was soon after examined before the council.<sup>c</sup> He denied not the guilt imputed to him by Clifford; he did not even endeavour much to extenuate it; whether he thought that a frank and open confession would serve as an atonement, or trusted to his present connexions and his former services for pardon and security. But princes Trial and execution of Stanley.

ground of jealousy, especially if accompanied with a craving and restless disposition in the person who has performed them. The general discontent also, and mutinous humour of the people, seemed to require some great example of severity. And as Stanley was one of the most opulent subjects in the kingdom, being possessed of above three thousand pounds a year in land, and forty thousand marks in plate and money, besides other property of great value, the prospect of so rich a forfeiture was deemed no small motive for Henry's proceeding to extremities against him. After A. D. 1493, six weeks' delay, which was interposed in 15th Feb. order to show that the king was restrained by doubts and

seruples; the prisoner was brought to his trial, condemned, and presently after beheaded. Historians are not agreed with regard to the crime which was proved against him. The general report is, that he should have said in confidence to Clifford, that if he were sure the young man, who appeared in Flanders, was really son to King Edward, he never would bear arms against him. The sentiment might disgust Henry, as implying a preference of the house of York to that of Lancaster; but could scarcely be the ground, even in those arbitrary times, of a sentence of high treason against Stanley. It is more probable, therefore, as is asserted by some historians, that he had expressly engaged to assist Perkin, and had actually sent him some supply of money.

The fate of Stanley made great impression on the kingdom, and struck all the partisans of Perkin with the deepest dismay. From Clifford's desertion they found that all their secrets were betrayed; and as it appeared that Stanley, while he seemed to live in the greatest confidence with the king, had been continually surrounded by spies, who reported and registered every action in which he was engaged, nay, every word which fell from him, a general distrust took place, and all mutual confidence was destroyed, even among intimate friends and acquaintance. The jealous and severe temper of the king, together with his great reputation for sagacity and penetration, kept men in awe, and quelled not only the movements of sedition, but the very murmurs of faction. Libels, however, crept out against Henry's person and administration; and being greedily propagated by every secret art, showed that there still remained among the people a considerable root of discontent, which wanted only a proper opportunity to discover itself.

But Henry continued more intent on increasing the terrors of his people, than on gaining their affections. Trusting to the great success which attended him in all his enterprises, he gave every day, more and more, a loose to his rapacious temper, and employed the arts of perverting law and justice, in order to exact fines and compositions from his people. Sir William Capel, alderman of London, was condemned on some penal statutes to pay the sum of 2743 pounds, and was obliged to compound for sixteen hundred and fifteen. This was the first noted case of the kind; but it became a precedent, which prepared the way for many others. The management, indeed, of these arts of chicanery, was the great secret of the king's administration. While he depressed the nobility, he exalted and honoured and caressed the lawyers; and by that means both bestowed authority on the laws, and was enabled, whenever he pleased, to pervert them to his own advantage. His government was oppressive: but it was so much the less burdensome, as, by his extending royal authority, and curbing the nobles, he became in reality the sole oppressor in his kingdom.

As Perkin found that the king's authority daily gained ground among the people, and that his own pretensions were becoming obsolete, he resolved to attempt something which might revive the hopes and expectations of his partisans. Having collected a band of outlaws, pirates, robbers, and necessitous persons of all nations to the number of 600 men, he put to sea, with a resolution of making a descent in England, and of exciting the common people to arms, since all his correspondence with the nobility was cut off by Henry's vigilance and severity. Information being brought him that the king had made a progress to the North, he cast anchor on the coast of Kent, and sent some of his retainers ashore, who invited the country to join him. The gentlemen of Kent assembled some troops to oppose him; but they purposed to do more essential service than by repelling the invasion: they carried the semblance of friendship to Perkin, and invited him to come himself ashore, in order to take the command over them. But the wary youth, observing that they had more order and regularity in their movements than could be supposed in new levied forces who had taken arms against established authority, refused to intrust himself in their hands; and the Kentish troops, despairing of success in their stratagem, fell upon such of his retainers as were al-

ready landed; and besides some whom they slew, they took a hundred and fifty prisoners. These were tried and condemned; and all of them executed by orders from the king, who was resolved to use no lenity towards men of such desperate fortunes.

This year a parliament was summoned in England, and another in Ireland; and some remarkable laws were passed in both countries. The English parliament enacted, that no person who should by arms or otherwise assist the king for the time being, should ever afterwards, either by course of law or act of parliament, be attainted for such an instance of obedience. This statute might be exposed to some censure, as favourable to usurpers; were there any precise rule which always, even during the most factious times, could determine the true successor, and render every one inexcusable who did not submit to him. But as the titles of princes are then the great subject of dispute, and each party pleads topics in its own favour, it seems but equitable to secure those who act in support of public tranquillity, an object at all times of undoubted benefit and importance. Henry, conscious of his disputed title, promoted this law, in order to secure his partisans against all events; but as he had himself observed a contrary practice with regard to Richard's adherents, he had reason to apprehend, that during the violence which usually ensues on public convulsions, his example, rather than his law, would, in case of a new revolution, be followed by his enemies. And the attempt to bind the legislature itself, by prescribing rules to future parliaments, was contradictory to the plainest principles of political government.

This parliament also passed an act empowering the king to levy, by course of law, all the sums which any person had agreed to pay, by way of benevolence: a statute by which that arbitrary method of taxation was indirectly authorized and justified.

The king's authority appeared equally prevalent and uncontrolled in Ireland. Sir Edward Poynings had been sent over to that country, with an intention of quelling the partisans of the house of York, and of reducing the natives to subjection. He was not supported by forces sufficient for that enterprise: the Irish, by flying into their woods, morasses, and mountains, for some time eluded his efforts: but Poynings summoned a parliament at Dublin, where he was more successful. He passed that memorable statute, which still bears his name, and which establishes the authority of the English government in Ireland. By this statute, all the former laws of England were made to be of force in Ireland; and no bill can be introduced into the Irish parliament unless it previously receive the sanction of the council of England. This latter clause seems calculated for insuring the dominion of the English: but was really granted at the desire of the Irish Commons, who intended by that means to secure themselves from the tyranny of their lords, particularly of such lieutenants or deputies as were of Irish birth.

While Henry's authority was thus established throughout his dominions, and general tranquillity prevailed, the whole continent was thrown into combustion by the French invasion of Italy, and by the rapid success which attended Charles in that rash and ill-concerted enterprise. The Italians, who had entirely lost the use of arms, and who, in the midst of continual wars, had become every day more unwarlike, were astonished to meet an enemy, that made the field of battle, not a pompous tournament, but a scene of blood, and sought, at the hazard of their own lives, the death of their enemy. Their effeminate troops were dispersed every where on the approach of the French army: their best fortified cities opened their gates: kingdoms and states were in an instant overturned: and through the whole length of Italy, which the French penetrated without resistance, they seemed rather to be taking quarters in their own country, than making conquests over an enemy. The maxims which the Italians, during that age, followed in negotiations, were as ill calculated to support their states, as the habits to which they were addicted in war: a treacherous, deceitful, and inconsistent system of politics prevailed; and even those small remains of



fidelity and honour, which were preserved in the councils of the other European princes, were ridiculed in Italy as proofs of ignorance and rusticity. Ludovico, Duke of Milan, who invited the French to invade Naples, had never desired or expected their success; and was the first that felt terror from the prosperous issue of those projects which he himself had concerted. By his intrigues a league was formed among several potentates to oppose the progress of Charles's conquests, and secure their own independency. This league was composed of Ludovico himself, the Pope, Maximilian, King of the Romans, Ferdinand of Spain, and the republic of Venice. Henry too entered into the confederacy; but was not put to any expense or trouble in consequence of his engagements. The King of France, terrified by so powerful a combination, retired from Naples with the greater part of his army, and returned to France. The forces which he left in his new conquest were, partly by the revolt of the inhabitants, partly by the invasion of the Spaniards, soon after subdued; and the whole kingdom of Naples suddenly returned to its allegiance under Ferdinand, son to Alphonso, who had been suddenly expelled by the irruption of the French. Ferdinand died soon after; and left his uncle, Frederic, in full possession of the throne.

## CHAP. XXVI.

Perkin retires to Scotland.—Insurrection in the West.—Battle of Blackheath.—Treaty with Scotland.—Perkin's return to England.—The Earl of Warwick executed.—Marriage of Prince Arthur with Catherine of Aragon.—His death.—Marriage of the Princess Margaret with the King of Scotland.—Oppositions of the people.—A parliament.—Arrest of the bishops.—Castles fortified.—The Earl of Suffolk.—Success of the King.—His Death.—and Character.—His Laws.

A. D. 1495. AFTER Perkin was repulsed from the coast of Kent, he retired into Flanders; but as he found it impossible to procure subsistence for himself and his followers while he remained in tranquillity, he soon after made an attempt upon Ireland, which had always appeared forward to join every invader of Henry's authority. But Poynings had now put the affairs of that island into so good a posture, that Perkin met with little success; and being tired of the savage life which he was obliged to lead while skulking among the wild Irish, he bent his course towards Scotland, and presented himself to James IV., who then governed that kingdom. He had been previously recommended to this prince by the King of France, who was disgusted at Henry for entering into the general league against him; and this recommendation was even seconded by Maximilian, who, though one of the confederates, was also displeased with the king on account of his prohibiting in England all commerce with the Low Countries. The countenance given to Perkin by these princes, procured him a favourable reception with the King of Scotland, who assured him, that, whatever he were, he never should repent putting himself in his hands: <sup>a</sup> the insinuating address and plausible behaviour of the youth himself seem to have gained him credit and authority. James, whom years had not yet taught distrust or caution, was seduced to believe the story of Perkin's birth and adventures; and he carried his confidence so far, as to give him in marriage the Lady Catherine Gordon, daughter of the Earl of Huntley, and related to himself; a young lady, too, eminent for virtue as well as beauty.

A. D. 1496. There subsisted at that time a great jealousy between the courts of England and Scotland; and James was probably the more forward, on that account, to adopt any fiction which he thought might reduce his enemy to distress or difficulty. He suddenly resolved to make an inroad into England, attended by some of the borderers; and he carried Perkin along with him, in hopes that the appearance of the pretended prince might raise an insurrection in the northern counties. Perkin himself dispersed a manifesto, in which he set forth

his own story, and craved the assistance of all his subjects in expelling the usurper, whose tyranny and maladministration, whose depression of the nobility by the elevation of mean persons, whose oppression of the people by multiplied impositions and vexations, had justly, he said, rendered him odious to all men. But Perkin's pretensions, attended with repeated disappointments, were now become stale in the eyes even of the populace; and the hostile dispositions which subsisted between the kingdoms rendered a prince, supported by the Scots, but an unwelcome present to the English nation. The ravages also committed by the borderers, accustomed to licence and disorder, struck a terror into all men; and made the people prepare rather for repelling the invaders than for joining them. Perkin, that he might support his pretensions to royal birth, feigned great compassion for the misery of his plundered subjects; and publicly remonstrated with his ally against the depredations exercised by the Scottish army: <sup>b</sup> but James told him, that he doubted his concern was employed only in behalf of an enemy, and that he was anxious to preserve what never should belong to him. That prince now began to perceive that his attempt would be fruitless; and hearing of an army which was on its march to attack him, he thought proper to retreat into his own country.

The king discovered little anxiety to procure either reparation or vengeance for this insult committed on him by the Scottish nation: his chief concern was to draw advantage from it, by the pretence which it might afford him to levy impositions on his own subjects. He summoned a parliament, to whom he made bitter complaints against the irruption of the Scots, the absurd imposture countenanced by that nation, the cruel devastations committed in the northern counties, and the multiplied insults thus offered both to the king and the kingdom of England. The parliament made the expected return to this discourse, by granting a subsidy to the amount of 120,000 pounds, together with two fifteenths. After making this grant, they were dismissed.

The vote of parliament for imposing the A. D. 1497. tax was without much difficulty procured by the authority of Henry; but he found it not so easy to levy the money upon his subjects. The people, who were acquainted with the immense treasures which he had amassed, could ill brook the new impositions raised on every slight occasion; and it is probable that the flaw, which was universally known to be in his title, made his reign the more subject to insurrections and rebellions. When the subsidy began to be levied in Insurrection in Cornwall, the inhabitants, numerous and the West. poor, robust and courageous, murmured against a tax occasioned by a sudden inroad of the Scots, from which they esteemed themselves entirely secure, and which had usually been repelled by the force of the northern counties. Their ill humour was further excited by one Michael Joseph, a farrier of Bodmin, a notable prating fellow, who, by thrusting himself forward on every occasion, and being loudest in every complaint against the government, had acquired an authority among those rude people. Thomas Flammar, too, a lawyer, who had become the oracle of the neighbourhood, encouraged the sedition, by informing them that the tax, though imposed by parliament, was entirely illegal; that the northern nobility were bound, by their tenures, to defend the nation against the Scots; and that if these new impositions were tamely submitted to, the avarice of Henry and of his ministers would soon render the burden intolerable to the nation. The Cornish, he said, must deliver to the king a petition, seconded by such a force as would give it authority; and, in order to procure the concurrence of the rest of the kingdom, care must be taken, by their orderly deportment, to show that they had nothing in view but the public good, and the redress of all those grievances under which the people had so long laboured.

Encouraged by these speeches, the multitude flocked together, and armed themselves with axes, bills, bows, and such weapons as country people are usually possessed of. Flammar and Joseph were chosen their leaders.

They soon conducted the Cornish through the county of Devon, and reached that of Somerset. At Taunton, the rebels killed, in their fury, an officious and eager commissioner of the subsidy, whom they called the Provost of Penn. When they reached Wells, they were joined by Lord Audley, a nobleman of an ancient family, popular in his department, but vain, ambitious, and restless in his temper. He had from the beginning maintained a secret correspondence with the first movers of the insurrection; and was now joyfully received by them as their leader. Proud of the countenance given them by so considerable a nobleman, they continued their march; breathing destruction to the king's ministers and favourites, particularly to Morton, now a cardinal, and Sir Reginald Bray, who were deemed the most active instruments in all his oppressions. Notwithstanding their rage against the administration, they carefully followed the directions given them by their leaders; and as they met with no resistance, they committed, during their march, no violence or disorder.

The rebels had been told by Flammoc, that the inhabitants of Kent, as they had ever, during all ages, remained unsubdued, and had even maintained their independence during the Norman conquest, would surely embrace their party, and declare themselves for a cause which was no other than that of public good and general liberty.—But the Kentish people had very lately distinguished themselves by repelling Perkin's invasion; and as they had received from the king many gracious acknowledgments for this service, their affections were, by that means, much conciliated to his government. It was easy, therefore, for the Earl of Kent, Lord Abergavenny, and Lord Cobham, who possessed great authority in those parts, to retain the people in obedience; and the Cornish rebels, though they pitched their camp near Eltham, at the very gates of London, and invited all the people to join them, got reinforcement from no quarter. There wanted no discontents every where, but no one would take part in so rash and ill-concerted an enterprise; and besides, the situation in which the king's affairs then stood, discouraged even the boldest and most daring.

Henry, in order to oppose the Scots, had already levied an army, which he put under the command of Lord Daubeney, the chamberlain; and as soon as he heard of the Cornish insurrection, he ordered it to march southwards, and suppress the rebels. Not to leave the northern frontier defenceless, he despatched thither the Earl of Surrey, who assembled the forces on the borders, and made head against the enemy. Henry found here the concurrence of the three most fatal incidents than can befall a monarchy; a foreign enemy, a domestic rebellion, and a pretender to his crown; but he enjoyed great resources in his army and treasure; and still more, in the intrepidity and courage of his own temper. He did not, however, immediately give full scope to his military spirit. On other occasions, he had always hastened to a decision; and it was a usual saying with him, that *he desired but to see his rebels*: but as the Cornish mutineers behaved in an inoffensive manner, and committed no spoil on the country; as they received no accession of force on their march or in their encampment; and as such hasty and popular tumults might be expected to diminish every moment by delay; he took post in London, and assiduously prepared the means of insuring victory.

After all his forces were collected, he divided them into three bodies, and marched out to assail the enemy. The first body, commanded by the Earl of Oxford, and under him by the Earls of Essex and Suffolk, were appointed to place themselves behind the hill on which the rebels were encamped: the second, and most considerable, Henry put under the command of Lord Daubeney, and ordered him to attack the enemy in front, and bring on the action. The third, he kept as a body of reserve about his own person, and took post in St. George's fields; where he secured the city, and could easily, as occasion served, either restore the fight or finish the victory. To put the enemy off their guard, he had spread a report that he was

not to attack them till some days after; and the better to confirm them in this opinion, he began not the action till near the evening. Daubeney beat a detachment of the rebels from Deptford bridge; and before the main body could be in order to receive him, he had gained the ascent of the hill, and placed himself in array before them. They were formidable from their numbers, being sixteen thousand strong, and were not defective in valour; but being tumultuary troops, ill armed, and not provided with cavalry or artillery, they were but an unequal match for the king's forces. Daubeney began the attack with courage, and even with a contempt for the enemy, which had almost proved fatal to him. He rushed into the midst of them, and was taken prisoner; but soon after was released by his own troops. After some resistance, the rebels were broken, and put to flight. Lord Audley, Flammoc, and Joseph, their leaders, were taken, and all three executed. The latter seemed even to exult in his end, and boasted, with a preposterous ambition, that he should make a figure in history. The rebels, being surrounded on every side by the king's troops, were almost all made prisoners, and immediately dismissed without further punishment: whether, that Henry was satisfied with the victims who had fallen in the field, and who amounted to nearly two thousand, or that he pitied the ignorance and simplicity of the multitude, or favoured them on account of their inoffensive behaviour, or was pleased that they had never, during their insurrection, disputed his title, and had shown no attachment to the house of York, the highest crime, of which, in his eyes, they could have been guilty.

The Scottish King was not idle during these commotions in England. He levied a considerable army, and sat down before the castle of Norham, in Northumberland; but found that place, by the precaution of Fox, Bishop of Durham, so well provided, both with men and ammunition, that he made little or no progress in the siege. Hearing that the Earl of Surrey had collected some forces, and was advancing upon him, he retreated into his own country, and left the frontiers exposed to the inroads of the English general, who besieged and took Aiton, a small castle lying a few miles beyond Berwick. These unsuccessful or frivolous attempts on both sides, prognosticated a speedy end to the war; and Henry, notwithstanding his superior force, was no less desirous than James of terminating the differences between the nations. Not to depart, however, from his dignity, by making the first advances, he employed in this friendly office Peter Hialas, a man of address and learning, who had come to him as ambassador from Ferdinand and Isabella, and who was charged with a commission of negotiating the marriage of the Infanta Catherine, their daughter, with Arthur, Prince of Wales.<sup>d</sup>

Hialas took a journey northwards, and offered his mediation between James and Henry, as minister of a prince who was in alliance with both potentates. Commissioners were soon appointed to meet, and confer on terms of accommodation. The first demand of the English was, that Perkin should be put into their hands: James replied, that he himself was no judge of the young man's pretensions, but having received him as a supplicant, and promised him protection, he was determined not to betray a man who had trusted to his good faith and his generosity. The next demand of the English met with no better reception: they required reparation for the ravages committed by the late inroads into England: the Scottish commissioners replied, that the spoils were like water spilt upon the ground, which could never be recovered, and that Henry's subjects were better able to bear the loss, than their master to repair it. Henry's commissioners next proposed, that the two kings should have an interview at Newcastle, in order to adjust all differences; but James said, that he meant to treat of a peace, not to go a begging for it. Lest the conferences should break off altogether without effect, a truce was concluded for <sup>True with</sup> some months; and James, perceiving that, <sup>Scotland.</sup> while Perkin remained in Scotland, he himself never should enjoy a solid peace with Henry, privately desired him to depart the kingdom.

<sup>c</sup>End June.

Access was now barred Perkin into the Low Countries, his usual retreat in all his disappointments. The Flemish merchants, who severely felt the loss resulting from the interruption of commerce with England, had made such interest in the archduke's council, that commissioners were sent to London in order to treat of an accommodation. The Flemish count agreed, that all English rebels should be excluded the Low Countries; and, in this prohibition, the demesnes of the duchess-dowager were expressly comprehended. When this principal article was agreed to, all the other terms were easily adjusted. A treaty of commerce was finished, which was favourable to the Flemings, and to which they long gave the appellation of *Intercursus magnus*, the great treaty. And when the English merchants returned to their usual abode at Antwerp, they were publicly received, as in procession, with joy and festivity.

Perkin was a Fleming by descent, though born in England; and it might, therefore, be doubted, whether he were included in the treaty between the two nations: but as he must dismiss all his English retainers, if he took shelter in the Low Countries, and as he was sure of a cold reception, if not bad usage, among people who were determined to keep on terms of friendship with the court of England; he thought fit rather to hide himself, during some time, in the wilds and fastnesses of Ireland. Impatient, however, of retreat, which was both disagreeable and dangerous, he held consultations with his followers, Herne, Skelton, and Astley, three broken tradesmen; by their advice, he resolved to try the affections of the Cornish, whose mutinous disposition, notwithstanding the king's lenity, still subsisted after the suppression of their rebellion. No sooner did he appear at Bodmin in Cornwall, than the populace, to the number of three thousand, flocked to his standard; and Perkin, elated with this appearance of success, took on him, for the first time, the appellation of Richard IV., King of England. Not to suffer the expectations of his followers to languish, he presented himself before Exeter; and, by many fair promises, invited that city to join him. Finding that the inhabitants shut their gates against him, he laid siege to the place; but being unprovided with artillery, ammunition, and every thing requisite for the attempt, he made no progress in his undertaking. Messengers were sent to the king, informing him of this insurrection: the citizens of Exeter, meanwhile, were determined to hold out to the last extremity, in expectation of receiving succour from the well known vigilance of that monarch.

When Henry was informed that Perkin was landed in England, he expressed great joy, and prepared himself with alacrity to attack him, in hopes of being able, at length, to put a period to pretensions which had so long given him vexation and inquietude. All the courtiers, sensible that their activity on this occasion would be the most acceptable service which they could render the king, displayed their zeal for the enterprise, and forwarded his preparations. The Lords Daubeney and Broke, with Sir Rice ap-Thomas, hastened forward with a small body of troops to the relief of Exeter. The Earl of Devonshire, and the most considerable gentlemen in the county of that name, took arms of their own accord, and marched to join the king's generals. The Duke of Buckingham put himself at the head of a troop, consisting of young noblemen and gentry, who served as volunteers, and who longed for an opportunity of displaying their courage and their loyalty. The king himself prepared to follow with a considerable army; and thus all England seemed united against a pretender, who had at first engaged their attention, and divided their affections.

Perkin, informed of these great preparations, immediately raised the siege of Exeter, and retired to Taunton. Though his followers now amounted to the number of near seven thousand, and seemed still resolute to maintain his cause, he himself despaired of success, and secretly withdrew to the sanctuary of Beaulieu, in the New Forest. The Cornish rebels submitted to the king's mercy, and found that it was not yet exhausted in their behalf. Ex-

cept a few persons of desperate fortunes, who were executed, and some others who were severely fined, all the rest were dismissed with impunity. Lady Catherine Gordon, wife to Perkin, fell into the hands of the victor, and was treated with a generosity which does him honour. He soothed her mind with many marks of regard, placed her in a respectable station about the queen, and assigned her a pension, which she enjoyed even under his successor.

Henry deliberated what course to take A. D. 1498. with Perkin himself. Some counselled him to make the privileges of the church yield to reasons of state, to take him by violence from the sanctuary, to inflict on him the punishment due to his temerity, and thus at once put an end to an imposture, which had long disturbed the government, and which the credulity of the people, and the artifices of malcontents, were still capable of reviving. But the king deemed not the matter of such importance as to merit so violent a remedy. He employed some persons to deal with Perkin, and persuade him, under promise of pardon, to deliver himself into the king's hands. The King conducted him, in a Perkin taken species of mock triumph, to London. As prisoner, Perkin passed along the road, and through the streets of the city, men of all ranks flocked about him, and the populace treated with the highest derision his fallen fortunes. They seemed desirous of revenging themselves, by their insults, for the shame which their former belief of his impostures had thrown upon them. Though the eyes of the nation were generally opened, with regard to Perkin's real parentage, Henry required of him a confession of his life and adventures; and he ordered the account of the whole to be dispersed, soon after, for the satisfaction of the public. But, as his regard to decency made him entirely suppress the share which the Duchess of Burgundy had had in contriving and conducting the imposture, the people, who knew that she had been the chief instrument in the whole affair, were inclined, on account of the silence on that head, to pay the less credit to the authenticity of the narrative.

But Perkin, though his life was granted him, was still detained in custody; and keepers were appointed to guard him. Impatient of confinement, he broke A. D. 1499. from his keepers, and flying to the sanctuary of Shyne, put himself into the hands of the prior of that monastery. The prior had obtained great credit by his character of sanctity; and he prevailed on the king again to grant a pardon to Perkin. But, in order to reduce him to still greater contempt, he was set in the stocks at Westminster and Cheapside, and obliged, in both places, to read aloud to the people the confession which had formerly been published in his name. He was then confined to the Tower, where his habits of restless intrigue and enterprise followed him. He insinuated himself into the intimacy of four servants of Sir John Digby, lieutenant of the Tower; and by their means opened a correspondence with the Earl of Warwick, who was confined in the same prison. This unfortunate prince, who had, from his earliest youth, been shut up from the commerce of men, and who was ignorant even of the most common affairs of life, had fallen into a simplicity, which made him susceptible of any impression. The continued dread also of the more violent effects of Henry's tyranny, joined to the natural love of liberty, engaged him to embrace a project for his escape, by the murder of the lieutenant; and Perkin offered to conduct the whole enterprise. The conspiracy escaped not the king's vigilance: it was even very generally believed, that the scheme had been laid by himself, in order to draw Warwick and Perkin into the snare; but the subsequent execution of two of Digby's servants for the contrivance, seems to clear the king of that imputation, which was indeed founded more on the general idea entertained of his character, than on any positive evidence.

Perkin, by this new attempt, after so many enormities, had rendered himself totally unworthy of mercy; and he was accordingly arraigned, condemned, Perkin executed, and soon after hanged at Tyburn, persisting still in the confession of his imposture.† It happened

† *Pilgrimage Virgin*, p. 66.

† *Masson*, *Bar*, *Speed*, *Burnet*, *Holin*, *and*, *Parson*. Some late writers, particularly Mr. Carte, have doubted whether Perkin were an impostor.

and have even asserted him to be the true Plantagenet. But to relate this opinion, we must only reflect on the following particulars. (1.) Though the circumstances of the wars between the two roses be, in general, well evi-



about that very time, that one Wilford, a cordwainer's son, encouraged by the surprising credit given to other impostures, had undertaken to personate the Earl of Warwick; and a priest had even ventured from the pulpit to recommend his cause to the people, who seemed still to retain a propensity to adopt it. This incident served Henry as a pretence for his severity towards that prince. He was brought to trial, and accused, not of contriving his escape, (for as he was commuted for no crime, the desire of liberty must have been regarded as natural and innocent,) but of forming designs to disturb the government, and cause an insurrection among the people. Warwick confessed the inebriety, was condemned, and the sentence was executed upon him.

This violent act of tyranny, the great blemish of Henry's reign, by which he destroyed the last remaining male of the line of Plantagenet, begat great discontent among the people, who saw an unhappy prince, that had long been denied all the privileges of his high birth, even been cut off from the common benefits of nature, now at last de-

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proved of life itself, merely for attempting to shake off that oppression under which he laboured. To earn did Henry endeavour to alleviate the odium of this guilt, by sharing it with his ally, Ferdinand of Aragon, who, he said, had scrupled to give his daughter Catherine in marriage to Arthur, while any male descendant of the house of York remained. Men, on the contrary, felt lighter indignation at seeing a young prince sacrificed, not to law and justice, but to the jealous politics of two subtle and crafty tyrants.

But though these discontents festered in the minds of men, they were so checked by Henry's watchful policy and steady severity, that they seemed not to weaken his government; and foreign princes, desiring his throne now entirely secure, paid him rather the greater deference and attention. The Archduke Philip, in particular, desired an interview with him; and Henry, who had passed over to Calais, agreed to meet him in St. Peter's church, near that city. The archduke, on his approaching the king, made haste to alight, and offered to hold Henry's stirrup; a mark of condescension which that prince would not

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admit of. He called the king, *father, patron, protector*; and, by his whole behaviour, expressed a strong desire of conciliating the friendship of England. The Duke of Orleans had succeeded to the crown of France, by the appellation of Lewis XII. and having carried his arms into Italy, and subdued the duchy of Milan, his progress begat jealousy in Maximilian, Philip's father, as well as in Ferdinand, his father-in-law. By the counsel, therefore, of these monarchs, the young prince endeavoured by every art to acquire the amity of Henry, whom they regarded as the chief counterpoise to the greatness of France. No particular plan, however, of alliance seems to have been concerted between these two princes in their interview: all passed in general professions of affection and regard; at least in remote projects of a closer union, by the future intermarriages of their children, who were then in a state of infancy.

A. D. 1499. The Pope, too, Alexander VI. neglected not the friendship of a monarch, whose reputation was spread over Europe. He sent a nuncio into England, who exhorted the king to take part in the great alliance, projected for the recovery of the Holy Land, and to lead in person his forces against the infidels. The general frenzy for crusades was now entirely exhausted in Europe; but it was still thought a necessary piece of decency to pretend zeal for those pious enterprises. Henry regretted to the nuncio the distance of his situation, which rendered it inconvenient for him to expose his person in defence of the Christian cause. He promised, however, his utmost assistance by aids and contributions; and rather than the Pope should go alone to the holy wars, unaccompanied by any monarch, he even promised to overlook all other considerations, and to attend him in person. He only required, as a necessary condition, that all differences should previously be adjusted among Christian princes, and that some sea-port towns in Italy should be consigned to him for his retreat and security. It was easy to conclude, that Henry had determined not to intermeddle in any war against the Turk: but as a great name, without any real assistance, is sometimes of service, the Knights of Rhodes, who were at that time esteemed the bulwark of Christendom, chose the king protector of their order.

But the prince, whose alliance Henry valued the most, was Ferdinand of Arragon, whose vigorous and steady policy, always attended with success, had rendered him in many respects the most considerable monarch in Europe. There was also a remarkable similarity of character between these two princes: both were full of craft, intrigue, and design; and though a resemblance of this nature be a slender foundation for confidence and amity, where the interests of the parties in the least interfere, such was the situation of Henry and Ferdinand, that no jealousy ever on any occasion arose between them. The

A. D. 1501.  
Marriage of  
Prince Arthur  
with Catherine  
of Arragon.  
12th Nov. king had now the satisfaction of completing a marriage, which had been projected and negotiated during the course of seven years, between Arthur, Prince of Wales, and the Infanta, Catherine, fourth daughter of Ferdinand and Isabella; he near sixteen years of age, she eighteen. But this marriage proved in the issue unprosperous.

A. D. 1502.  
2d April.  
His death. The young prince a few months after sickened and died, much regretted by the nation. Henry, desirous to continue his alliance with Spain, and also unwilling to restore Catherine's dowry, which was two hundred thousand ducats, obliged his second son Henry, whom he created Prince of Wales, to be contracted to the infanta. The prince made all the opposition of which a youth of twelve years of age was capable; but as the king persisted in his resolution, the espousals were at length, by means of the Pope's dispensation, contracted between the parties: an event which was afterwards attended with the most important consequences.

Marriage of the  
Princess Margaret  
with the  
King of Scotland. The same year another marriage was celebrated, which was also, in the next age, productive of great events: the marriage of Margaret the king's elder daughter, with James King of Scotland. This alliance had been negotiated during three years, though interrupted by several

broils; and Henry hoped, from the completion of it, to remove all source of discord with that neighbouring kingdom, by whose animosity England had so often been infested. When this marriage was deliberated on in the English council, some objected that England might, by means of that alliance, fall under the dominion of Scotland. "No," replied Henry, "Scotland in that event will only become an accession to England." Amidst these prosperous incidents the king met with a domestic calamity which made not such impression on him as it merited: his queen died in child-bed; and the infant did not long survive her. This princess was deservedly a favourite of the nation; and the general affection for her increased, on account of the harsh treatment which it was thought she met with from her consort.

The situation of the king's affairs, both at home and abroad, was now in every respect very fortunate. All the efforts of the European princes, both in war and negotiation, were turned to the side of Italy; and the various events which there arose made Henry's alliance be courted by every party, yet interested him so little as never to touch him with concern or anxiety. His close connexions with Spain and Scotland insured his tranquillity; and his continued successes over domestic enemies, owing to the prudence and vigour of his conduct, had reduced the people to entire submission and obedience. Uncontrolled, therefore, by apprehension or opposition of any kind, he gave full scope to his natural propensity; and avarice, which had ever been his ruling passion, being increased by age and encouraged by absolute authority, broke all restraints of shame or justice. He had found two ministers, Empson and Dudley, perfectly qualified to second his rapacious and tyrannical inclinations, and to prey upon his defenceless people. These instruments of oppression were both lawyers; the first of mean birth, of brutal manners, of an unrelenting temper; the second better born, better educated, and better bred, but equally unjust, severe, and inflexible. By their knowledge in law these men were qualified to pervert the forms of justice, to the oppression of the innocent; and the formidable authority of the king supported them in all their iniquities.

It was their usual practice at first to observe so far the appearance of law as to give indictments to those whom they intended to oppress: upon which the persons were committed to prison, but never brought to trial, and were at length obliged, in order to recover their liberty, to pay heavy fines and ransoms, which were called mitigations and compositions. By degrees the very appearance of law was neglected: the two ministers sent forth their precepts to attach men, and summon them before themselves and some others, at their private houses, in a court of commission, where, in a summary manner, without trial or jury, arbitrary decrees were issued, both in pleas of the crown, and controversies between private parties. Juries themselves, when summoned, proved but small security to the subject; being brow-beaten by these oppressors; nay fined, imprisoned, and punished, if they gave sentence against the inclination of the ministers. The whole system of the feudal law, which still prevailed, was turned into a scheme of oppression. Even the king's wards, after they came of age, were not suffered to enter into possession of their lands without paying exorbitant fines. Men were also harassed with informations of intrusion upon scarce colourable titles. When an outlawry in a personal action was issued against any man, he was not allowed to purchase his charter of pardon, except on the payment of a great sum; and if he refused the composition required of him, the strict law, which, in such cases, allows forfeiture of goods, was rigorously insisted on. Nay, without any colour of law, the half of men's lands and rents were seized, during two years, as a penalty, in case of outlawry. But the chief means of oppression employed by these ministers were the penal statutes, which, without consideration of rank, quality, or services, were rigidly put in execution against all men: spies, informers, and inquisitors, were rewarded and encouraged in every quarter of the kingdom: and no difference was made whether the statute were beneficial or hurtful, recent or obsolete, pos-

Oppressions of  
the people.

sible or impossible to be executed. The sole end of the king and his ministers was to amass money, and bring every one under the lash of their authority.<sup>a</sup>

Through the prevalence of such an arbitrary and iniquitous administration, the English, it may safely be affirmed, were considerable losers by their ancient privileges, which secured them from all taxations, except such as were imposed by their own consent in parliament. Had the king been empowered to levy general taxes at pleasure, he would naturally have abstained from these oppressive expedients, which destroyed all security in private property, and begat an universal diffidence throughout the nation. In vain did the people look for protection from the parliament, which was pretty frequently summoned during this reign. That assembly was so over-awed, that at this very time, during the great

<sup>a</sup> B. 1504.  
1505 Jan. A parliament.  
rest rage of Henry's oppressions, the Commons chose Dudley their Speaker, the very man who was the chief instrument of his iniquities. And though the king was known to be immensely opulent, and had no pretence of wars or expensive enterprises of any kind, they granted him the subsidy which he demanded.

But so insatiable was his avarice, that next year he levied a new benevolence, and renewed that arbitrary and oppressive method of taxation. By all these arts of accumulation, joined to a rigid frugality in his expense, he so filled his coffers, that he is said to have possessed in ready money the sum of 1,800,000 pounds: a treasure almost incredible, if we consider the scarcity of money in those times.<sup>b</sup>

But while Henry was enriching himself by the spoils of his oppressed people, there happened an event abroad which engaged his attention, and was even the object of his anxiety and concern. Isabella, Queen of Castile, died about this time; and it was foreseen, that by this incident the fortunes of Ferdinand, her husband, would be much affected.—The king was not only attentive to the fate of his ally, and watchful lest the general system of Europe should be affected by so important an event: he also considered the similarity of his own situation with that of Ferdinand, and regarded the issue of these transactions as a precedent for himself. Joan, the daughter of Ferdinand, by Isabella, was married to the Archduke Philip, and being, in right of her mother, heir of Castile, seemed entitled to dispute with Ferdinand the present possession of that kingdom. Henry knew, that, notwithstanding his own pretensions by the house of Lancaster, the greater part of the nation was convinced of the superiority of his wife's title; and he dreaded lest the Prince of Wales, who was daily advancing towards manhood, might be tempted by ambition to lay immediate claim to the crown. By his perpetual attention to depress the partisans of the York family, he had more closely united them into one party, and increased their desire of shaking off that yoke under which they had so long laboured, and of taking every advantage which his oppressive government should give his enemies against him. And as he possessed no independent force, like Ferdinand, and governed a kingdom more turbulent and unruly, which he himself, by his narrow politics, had confirmed in factious prejudices; he apprehended that his situation would prove in the issue still more precarious.

Nothing at first could turn out more contrary to the king's wishes than the transactions in Spain. Ferdinand, as well as Henry, had become very unpopular, and from a like cause, his former exactions and impositions; and the states of Castile discovered an evident resolution of preferring the title of Philip and Joan.

<sup>a</sup> A. D. 1506.  
In order to take advantage of these favourable dispositions, the archduke, now King of Castile, attended by his consort, embarked for Spain during the winter season; but meeting with a violent tempest in the channel, was obliged to take shelter in the harbour of Weymouth.

Arrival of the Sir John Treachard, a gentleman of authority in Castile, in the county of Dorset, hearing of a fleet upon the coast, had assembled some forces, and being

joined by Sir John Cary, who was also at the head of an armed body, he came to that town. Finding that Philip, in order to relieve his sickness and fatigue, was already come ashore, he invited him to his house; and immediately despatched a messenger to inform the court of this important incident. The king sent in all haste the Earl of Arundel to compliment Philip on his arrival in England, and to inform him, that he intended to pay him a visit in person, and to give him a suitable reception in his dominions. Philip knew that he could not now depart without the king's consent; and therefore, for the sake of despatch, he resolved to anticipate his visit, and to have an interview with him at Windsor. Henry received him with all the magnificence possible, and with all seeming cordiality; but he resolved, notwithstanding, to draw some advantage from this involuntary visit paid him by his royal guest.

Edmond de la Pole, Earl of Suffolk, <sup>intimates of the Earl of Suffolk.</sup> nephew to Edward IV. and brother to the Earl of Lincoln, slain in the battle of Stoke, had some years before killed a man in a sudden fit of passion, and had been obliged to apply to the king for a remission of the crime. The king had granted his request; but being little indulgent to all persons connected with the house of York, he obliged him to appear openly in court and plead his pardon. Suffolk, more resenting the affront than grateful for the favour, had fled into Flanders, and taken shelter with his aunt, the Duchess of Burgundy: but being promised forgiveness by the king, he returned to England, and obtained a new pardon. Actuated, however, by the natural inquietude of his temper, and uneasy from debts which he had contracted by his great expense at Prince Arthur's wedding, he again made an elopement into Flanders. The king, well acquainted with the general discontent which prevailed against his administration, neglected not this incident, which might become of importance; and he employed his usual artifices to elude the efforts of his enemies. He directed Sir Robert Curson, governor of the castle of Hammes, to desert his charge, and to insinuate himself into the confidence of Suffolk, by making him a tender of his services. Upon information secretly conveyed by Curson, the king seized William Courtney, eldest son to the Earl of Devonshire, and married to the Lady Catherine, sister of the queen; William de la Pole, brother to the Earl of Suffolk; Sir James Tyrrel, and Sir James Windham, with some persons of inferior quality; and he committed them to custody. Lord Abergavenny and Sir Thomas Green were also apprehended; but were soon after released from their confinement. William de la Pole was long detained in prison; Courtney was attainted, and though not executed, he recovered not his liberty during the king's life-time. But Henry's chief severity fell upon Sir James Windham and Sir James Tyrrel, who were brought to their trial, condemned, and executed: the fate of the latter gave general satisfaction, on account of his participation in the murder of the young princes, sons of Edward IV. Notwithstanding these discoveries and executions, Curson was still able to maintain his credit with the Earl of Suffolk: Henry, in order to remove all suspicion, had ordered him to be excommunicated, together with Suffolk himself, for his pretended rebellion. But after that traitor had performed all the services expected from him, he suddenly deserted the earl, and came over to England, where the king received him with unusual marks of favour and confidence. Suffolk, astonished at this instance of perfidy, finding that even the Duchess of Burgundy, tired with so many fruitless attempts, had become indifferent to his cause, fled secretly into France, thence into Germany, and returned at last into the Low Countries; where he was protected, though not countenanced, by Philip, then in close alliance with the king.

Henry neglected not the present opportunity of complaining to his guest of the reception which Suffolk had met with in his dominions. "I really thought," replied the King of Castile, "that your greatness and felicity had

<sup>a</sup> Bacon, p. 269 680. Holmshed, p. 504. Polyd. Virg. p. 613 615.  
<sup>b</sup> See the note, relating thereto, at the end of this volume, which shows Henry's treasure not to have amounted to the present sum. Besides, many commodities have become also of far less account, by the increase of gold

and silver in Europe. And what is the consequence of still greater weight, all other states were then very poor in comparison of what they are at present. These circumstances make Henry's treasure appear very great; and may lead us to conceive the oppressions of his government.



set you far above apprehensions from any person of so little consequence; but, to give you satisfaction, I shall banish him my state." "I expect that you will carry your complaisance further," said the king; "I desire to have Suffolk put into my hands, where alone I can depend upon his submission and obedience." "That measure," said Philip, "will reflect dishonour upon you as well as myself. You will be thought to have treated me as a prisoner." "Then the matter is at an end," replied the king, "for I will take that dishonour upon me; and so your honour is saved." The King of Castile found himself under a necessity of complying; but he first exacted Henry's promise that he would spare Suffolk's life. That nobleman was invited over to England by Philip; as if the king would grant him a pardon, on the intercession of his friend and ally. Upon his appearance he was committed to the Tower; and the King of Castile, having fully satisfied Henry, as well by this concession, as by signing a treaty of commerce between England and Castile, which was advantageous to the former kingdom,\* was at last allowed to depart, after a stay of three months. He landed in Spain, was joyfully received by the Castilians, and put in possession of the throne. He died soon after; and Joan, his widow, falling into deep melancholy, Ferdinand was again enabled to reinstate himself in authority, and to govern till the day of his death the whole Spanish monarchy.

A. D. 1507.

The king survived these transactions two years; but nothing memorable occurs in the remaining part of his reign except his affiancing his second daughter, Mary, to the young Archduke, Charles, son of Philip of Castile. He entertained also some intentions of marriage for himself, first with the Queen-dowager of Naples, relict of Ferdinand; afterwards with the Duchess-dowager of Savoy, daughter of Maximilian, and sister of Philip. But the decline of his health put an end to all such thoughts; and he began to cast his eye towards that reign existence, which the iniquities and severities of his reign rendered a very dismal prospect to him. To allay the terrors under which he laboured, he endeavoured, by distributing alms and founding religious houses, to make atonement for his crimes, and to purchase, by the sacrifice of part of his ill-gotten treasures, a reconciliation with his offended Maker. Remorse even seized him, at intervals, for the abuse of his authority by Empson and Dudley; but not sufficient to make him stop the rapacious hand of those oppressors. Sir William Capel was again fined two thousand pounds, under some frivolous pretence, and was committed to the Tower for daring to murmur against the iniquity. Harris, an alderman of London, was indicted, and died of vexation before his trial came to an issue. Sir Laurence Ailmer, who had been mayor, and his two sheriffs, were condemned in heavy fines, and sent to prison till they made payment. The king gave countenance to all these oppressions; till death, by its nearer approaches, impressed new terrors upon him; and he then ordered, by a general clause in his will, that restitution should be made to all those whom he had injured. He died of a consumption, at his favourite palace of Richmond, after a reign of twenty-three years and eight months, and in the fifty-second year of his age.<sup>†</sup>

A. D. 1508.

The reign of Henry VII. was, in the main, fortunate for his people at home, and honourable abroad. He put an end to the civil wars with which the nation had long been harassed, he maintained peace and order in the state, he depressed the former exorbitant power of the nobility, and, together with the friendship of some foreign princes, he acquired the consideration and regard of all. He loved peace without fearing war; though agitated with continual suspicions of his servants and ministers, he discovered no timidity, either in the conduct of his affairs, or in the day of battle;

A. D. 1509.

and though often severe in his punishments, he was commonly less actuated by revenge than by maxims of policy. The services which he rendered the people were derived from his views of private advantage, rather than the motives of public spirit; and where he deviated from interested regards, it was unknown to himself, and ever from the malignant prejudices of faction, or the mean projects of avarice; not from the sallies of passion, or allurements of pleasure; still less from the benign motives of friendship and generosity. His capacity was excellent, but somewhat contracted by the narrowness of his heart; he possessed insinuation and address, but never employed these talents except where some great point of interest was to be gained; and while he neglected to conciliate the affections of his people, he often felt the danger of resting his authority on their fear and reverence alone. He was always extremely attentive to his affairs; but possessed not the faculty of seeing far into futurity, and was more expert at providing a remedy for his mistakes, than judicious in avoiding them. Avarice was, on the whole, his ruling passion;<sup>‡</sup> and he remains an instance, almost singular, of a man placed in a high station, and possessed of talents for great affairs, in whom that passion predominated above ambition. Even among private persons, avarice is commonly nothing but a species of ambition, and is chiefly incited by the prospect of that regard, distinction, and consideration, which attend on riches.

A. D. 1510.

The power of the kings of England had always been somewhat irregular or discretionary; but was scarcely ever so absolute during any former reign, at least after the establishment of the great charter, as during that of Henry. Besides the advantages derived from the personal character of the man, full of vigour, industry, and severity, deliberate in all projects, steady in every purpose, and attended with caution as well as good fortune in every enterprise; he came to the throne after long and bloody civil wars, which had destroyed all the great nobility, who alone could resist the encroachments of his authority: the people were tired with discord and intestine convulsions, and willing to submit to usurpations, and even to injuries, rather than plunge themselves anew into like miseries: the fruitless efforts made against him served always, as is usual, to confirm his authority: as he ruled by a faction, and the lesser faction, all those on whom he conferred offices, sensible that they owed every thing to his protection, were willing to support his power, though at the expense of justice and national privileges. These seem the chief causes, which at this time bestowed on the crown so considerable an addition of prerogative, and rendered the present reign a kind of epoch in the English constitution.

A. D. 1511.

This prince, though he exalted his prerogative above law, is celebrated by his historian for many good laws, which he made be enacted for the government of his subjects. Several considerable regulations, indeed, are found among the statutes of this reign, both with regard to the police of the kingdom, and its commerce: but the former are generally contrived with much better judgment than the latter. The more simple ideas of order and equity are sufficient to guide a legislator in every thing that regards the internal administration of justice: but the principles of commerce are much more complicated, and require long experience and deep reflection to be well understood in any state. The real consequence of a law or practice, is there often contrary to first appearances. No wonder that during the reign of Henry VII. these matters were frequently mistaken; and it may safely be affirmed, that even in the age of Lord Bacon, very imperfect and erroneous ideas were formed on that subject.

A. D. 1512.

Early in Henry's reign, the authority of the Star-chamber, which was before founded on common law and ancient practice, was, in some cases, confirmed by act of parliament:<sup>§</sup> Lord Bacon extols the utility of this court; but

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† Bacon, p. 634.

‡ Rymer, vol. xiii. p. 142.

§ Eng. Statute, II. p. 27.

† As a proof of Henry's attention to the simplest truths, Bacon tells us, "This man sent a hawk to, accounts kept by Empson and subtorned in a cell, and sent him by the king's own hand." Among other articles was the following: "Item, Received of such-and-such a man for a pardon, which that man had paid, the money to be repayed, or the party otherwise satisfied."

Opposite to the memorandum the king had writ with his own hand, "otherwise satisfied." Bacon, p. 634.

† Rot. Parl. 3 Hen. VII. n. 17. The preamble is remarkable, and shows the state of the nation at that time. "The king, our sovereign lord, remembreth how by his unlawful maintainance, giving of licences, signs and tokens, by indentures, promises, odes, statutes, and other embairances of his subjects, untrue demeanings of sheriffs in making







It was during this reign, on the second of August 1492, a little before sunset, that Christopher Columbus, a Genoese, set out from Spain on his memorable voyage for the discovery of the western world; and a few years after, Vasquez de Gama, a Portuguese, passed the Cape of Good Hope, and opened a new passage to the East Indies. These great events were attended with important consequences to all the nations of Europe, even to such as were not immediately concerned in those naval enterprises. The enlargement of commerce and navigation increased industry and the arts every where: the nobles dissipated their fortunes in expensive pleasures: men of an inferior rank both acquired a share in the landed property, and created to themselves a considerable property of a new kind, in stock, commodities, art, credit, and correspondence. In some nations, the privileges of the commons increased by this increase of property: in most nations, the kings, finding arms to be dropped by the barons, who could no longer endure their former rude manner of life, established standing armies, and subdued the liberties of their kingdoms: but in all places, the condition of the people, from the depression of the petty tyrants by whom they had formerly been oppressed rather than governed, received great improvement; and they acquired, if not entire liberty, at least the most considerable advantages of it. And as the general course of events thus tended to depress the nobles and exalt the people, Henry VII., who also embraced that system of policy, has acquired more praise than his institutions, strictly speaking, seem of themselves to deserve, on account of any profound wisdom attending them.

It was by accident only, that the king had not a considerable share in those great naval discoveries by which the present age was so much distinguished. Columbus, after meeting with many repulses from the courts of Portugal and Spain, sent his brother, Bartholomew, to London, in order to explain his projects to Henry, and crave his protection for the execution of them. The king invited him over to England; but his brother, being taken by pirates, was detained in his voyage; and Columbus meanwhile, having obtained the countenance of Isabella, was supplied with a small fleet, and happily executed his enterprise. Henry was not discouraged by this disappointment: he fitted out Sebastian Cabot, a Venetian, settled in Bristol; and sent him westwards, in 1498, in search of new countries. Cabot discovered the main land of America towards the sixtieth degree of northern latitude: he sailed southwards along the coast, and discovered Newfoundland, and other countries; but returned to England without making any conquest or settlement. Eliot, and other merchants in Bristol, made a like attempt in 1502.<sup>3</sup> The king expended fourteen thousand pounds in building one ship, called the *Great Harry*.<sup>4</sup> She was, properly speaking, the first ship in the English navy. Before this period, when the prince wanted a fleet, he had no other expedient than hiring or pressing ships from the merchants.

But though this improvement of navigation, and the discovery of both the Indies, was the most memorable incident that happened during this or any other period, it was not the only great event by which the age was distinguished. In 1453, Constantinople was taken by the Turks; and the Greeks, among whom some remains of learning were still preserved, being scattered by those barbarians, took shelter in Italy, and imported, together with their admirable language, a tincture of their science and of their refined taste in poetry and eloquence. About the same time, the purity of the Latin tongue was revived, the study of antiquity became fashionable, and the esteem for literature gradually propagated itself throughout every nation in Europe. The art of printing, invented about that time, extremely facilitated the progress of all these improvements: the invention of gunpowder changed the whole art of war: mighty innovations were soon after made in religion, such as not only affected those states that embraced them, but even those that adhered to the ancient faith and worship: and thus a general revolution was made in human affairs throughout this part of the

world; and men gradually attained that situation with regard to commerce, arts, science, government, police, and cultivation, in which they have ever since persevered. Here, therefore, commences the useful as well as the more agreeable part of modern annals; certainly has place in all the considerable, and even most of the minute parts of historical narration; a great variety of events, preserved by printing, give the author the power of selecting, as well as adorning, the facts which he relates; and as each incident has a reference to our present manners and situation, instructive lessons occur every moment during the course of the narration. Whoever carries his anxious researches into preceding periods is moved by a curiosity, liberal indeed and commendable; not by any necessity for acquiring knowledge of public affairs, or the arts of civil government.

## CHAP. XXVII.

## HENRY VIII.

Popularity of the new king—His ministers—Punishment of Laysan and  
Dingley—King's marriage—Foreign affairs—Louis II. League of  
Cordubay—War with France—Expulsion of Plantagenet—Peace of  
Paris—Return of the English—Lee's N. A. parliament—War with  
Scotland—Walsley minister—His character—Invasion of France—Bat-  
tle of Gurnatey—Battle of Housen—Peace with France.

THE death of Henry VII. had been attended with as open and visible a joy among the people as decency would permit; and the accession and coronation of his son, Henry VIII., spread universally a declared and unfeigned satisfaction. Instead of a monarch, jealous, severe, and avaricious, who, in proportion as he advanced in years, was sinking still deeper in those unpopular vices, a young prince of eighteen had succeeded to the throne, who, even in the eyes of men of sense, gave promising hopes of his future conduct, much more in those of the people, always enchanted with novelty, youth, and royal dignity. The beauty and vigour of his person, accompanied with dexterity in every manly exercise, was further adorned with a blooming and ruddy countenance, with a lively air, with the appearance of spirit and activity in all his demeanour.<sup>a</sup> His father, in order to remove him from the knowledge of public business, had hitherto occupied him entirely in the pursuits of literature; and the proficiency which he made, gave no bad prognostic of his parts and capacity.<sup>b</sup> Even the vices of vehemence, ardour, and impatience, to which he was subject, and which afterwards degenerated into tyranny, were considered only as faults, incident to unguarded youth, which would be corrected when time had brought him to greater moderation and maturity. And as the contending titles of York and Lancaster were now at last fully united in his person, men justly expected from a prince, obnoxious to no party, that impartiality of administration which had long been unknown in England.

These favourable prepossessions of the public were encouraged by the measures which Henry embraced in the commencement of his reign. His grandmother, the Countess of Richmond and Derby, was still alive; and as she was a woman much celebrated for prudence and virtue, he wisely showed great deference to her opinion in the establishment of his new council. The members *His ministers.* were Warham, Archbishop of Canterbury and Chancellor; the Earl of Shrewsbury, steward; Lord Herbert, chamberlain; Sir Thomas Lovel, master of the wards, and constable of the Tower; Sir Edward Poyning, comptroller; Sir Henry Marney, afterwards Lord Marney; Sir Thomas Darcy, afterwards Lord Darcy; Thomas Ruthal, doctor of laws; and Sir Henry Wyat.<sup>c</sup> These men had long been accustomed to business under the late king, and were the least unpopular of all the ministers employed by that monarch.

But the chief competitors for favour and authority under the new king, were the Earl of Surrey, treasurer, and Fox,

a Rymer, vol. xiii, p. 37.  
a 1 Mon. Lucubr., p. 162.

y Stowe, p. 484.

c Herbert, Stowe, p. 486. Holingshead, p. 799.



enemies. Ferdinand gave secret orders to his general, Gonzalvo, whom the Spaniards honour with the appellation of the *Great Captain*, to attack the armies of France, and make himself master of all the dominions of Naples. Gonzalvo provided in every enterprise, defeated the French in two pitched battles, and insured to his prince the entire possession of that kingdom. Lewis, unable to procure redress by force of arms, was obliged to enter into a fruitless negotiation with Ferdinand for the recovery of his share of the partition; and all Italy, during some time, was held in suspense between these two powerful monarchs.

There has scarcely been any period when the balance of power was better secured in Europe, and seemed more able to maintain itself without any anxious concern or attention of the princes. Several great monarchies were established; and no one so far surpassed the rest as to give any foundation, or even pretence, for jealousy. England was united in domestic peace, and by its situation happily secured from the invasion of foreigners. The coalition of the several kingdoms of Spain had formed one powerful monarchy, which Ferdinand administered with arts, fraudulent lewdness and deceitful, but full of vigour and ability. Lewis XII. a gallant and generous prince, had, by espousing Anne of Brittany, widow to his predecessor, preserved the union with that principality, on which the safety of his kingdom so much depended. Maximilian, the emperor, besides the hereditary dominions of the Austrian family, maintained authority in the empire, and, notwithstanding the levity of his character, was able to unite the German princes in any great plan of interest, at least of defence. Charles, Prince of Castile, grandson to Maximilian and Ferdinand, had already succeeded to the rich dominions of the house of Burgundy; and, being as yet in early youth, the government was entrusted to Margaret of Savoy, his aunt, a princess endowed with signal prudence and virtue. The internal force of these several powerful states, by balancing each other, might long have maintained great tranquillity, had not the active and enterprising genius of Julius II., an ambitious pontiff, first excited the flame of discord among them. By his intrigues, a league had been formed at Cambray, between himself, Maximilian, Lewis, and Ferdinand; and the object of this confederacy was to overwhelm, by their united arms, the commonwealth of Venice. Henry, without any motive from interest or passion, allowed his name to be inserted in the confederacy. This oppressive and iniquitous league was but too successful against the republic.

The great force and secure situation of the considerable monarchies prevented any one from aspiring to any conquest of moment; and though this consideration could not maintain general peace, or remedy the natural inquietude of men, it rendered the princes of this age more disposed to desert engagements, and change their alliances, in which they were retained by humour and caprice, rather than by

any natural or durable interest. Julius had no sooner humbled the Venetian republic, than he was inspired with a nobler ambition, that of expelling all foreigners from Italy, or, to speak in the style affected by the Italians of that age, the freeing of that country entirely from the dominion of barbarians.<sup>k</sup> He was determined to make the tempest fall first upon Lewis; and in order to pave the way for this great enterprise, he at once sought for a ground of quarrel with that monarch, and courted the alliance of other princes. He declared war against the Duke of Ferrara, the confederate of Lewis. He solicited the favour of England, by sending Henry a sacred rose, perfumed with musk, and anointed with chrism.<sup>l</sup> He engaged in his interests Bambridge, Archbishop of York, and Henry's ambassador at Rome, whom he soon after created a cardinal. He drew over Ferdinand to his party, though that monarch at first made no declaration of his intentions. And what he chiefly valued, he formed a treaty with the Swiss cantons, who, enraged by some neglects put upon them by Lewis, accompanied with contumelious expressions, had quitted the alliance of

France, and waited for an opportunity of revenging themselves on that nation.

While the French monarch repelled the attacks of his enemies, he thought it also necessary to make an attempt on the Pope himself, and to despoil him, as much as possible, of that sacred character which chiefly rendered him formidable. He engaged some cardinals, disgusted with the violence of Julius, to desert him; and by their authority, he was determined, in conjunction with Maximilian, who still adhered to his alliance, to call a general council, which might reform the church, and check the exorbitances of the Roman pontiff. A council was summoned at Pisa, which from the beginning bore a very inauspicious aspect, and promised little success to its adherents. Except a few French bishops, who unwillingly obeyed the king's commands in attending the council, all the other prelates kept aloof from an assembly which they regarded as the offspring of faction, intrigue, and worldly politics. Even Pisa, the place of their residence, showed them signs of contempt; which engaged them to transfer their session to Milan, a city under the dominion of the French monarch. Notwithstanding this advantage, they did not experience much more respectful treatment from the inhabitants of Milan; and found it necessary to make another remove to Lyons.<sup>m</sup> Lewis himself fortified these violent prejudices in favour of papal authority, by the symptoms which he discovered, of regard, deference, and submission to Julius, whom he always spared, even when fortune had thrown into his hands the most inviting opportunities of humbling him. And as it was known that his consort, who had great influence over him, was extremely disquieted in mind on account of his dissensions with the holy father, all men prognosticated to Julius final success in this unequal contest.

The enterprising pontiff knew his advantages, and availed himself of them with the utmost temerity and insolence. So much had he neglected his sacerdotal character, that he acted in person at the siege of Mirandola, visited the trenches, saw some of his attendants killed by his side, and, like a young soldier, cheerfully bore all the rigours of winter and a severe season, in pursuit of military glory;<sup>n</sup> yet was he still able to throw, even on his most moderate opponents, the charge of impiety and profaneness. He summoned a council at the Lateran: he put Pisa under an interdict, and all the places which gave shelter to the schismatical council: he excommunicated the cardinals and prelates who attended it: he even pointed his spiritual thunder against the princes who adhered to it: he freed their subjects from all oaths of allegiance, and gave their dominions to every one who could take possession of them.

Ferdinand of Aragon, who had acquired the surname of catholic, regarded the cause of the Pope and of religion only as a cover to his ambition and selfish politics: Henry, naturally sincere and sanguine in his temper, and the more so on account of his youth and inexperience, was moved with a hearty desire of protecting the Pope from the oppression to which he believed him exposed from the ambitious enterprises of Lewis. Hopes had been given him by Julius, that the title of *Most Christian King*, which had hitherto been annexed to the crown of France, and which was regarded as its most precious ornament, should, in reward of his services, be transferred to that of England.<sup>o</sup> Impatient also of acquiring that distinction in Europe, to which his power and opulence entitled him, he could not long remain neuter amidst the noise of arms; and the natural enmity of the English against France, as well as their ancient claims upon that kingdom, led Henry to join that alliance, which the Pope, Spain, and Venice, had formed against the French monarch. A herald was sent to Paris, to exhort Lewis not to wage impious war against the sovereign pontiff; and when he returned without success, another was sent to demand the ancient patrimonial provinces, Anjou, Maine, Guienne, and Normandy. This message war with France, was understood to be a declaration of war; and a parliament being summoned, readily granted supplies for a purpose so much favoured by the English nation.<sup>p</sup>

<sup>k</sup> In 1500.  
<sup>l</sup> Spelman, *Concil.* vol. ii. p. 755.  
<sup>m</sup> Guiccardini, lib. 10.

<sup>k</sup> Guiccardini, lib. xiii.  
<sup>n</sup> Ibid. lib. 9.

<sup>o</sup> Guiccardini lib. 11. P. Daniel, vol. ii. p. 1693. Herbert. Holingshead, p. 131.  
<sup>p</sup> Herbert. Holingshead, p. 131.



Buonavisio, an agent of the Pope's at London, had been corrupted by the court of France, and had previously revealed to Lewis all the measures which Henry was concerting against him. But this infidelity did the king inconsiderable prejudice, in comparison of the treachery which he experienced from the selfish purposes of the ally on whom he chiefly relied for assistance. Ferdinand, his father-in-law, had so long persevered in a course of crooked politics, that he began even to value himself on his dexterity in fraud and artifice; and he made a boast of these shameful successes. Being told one day, that Lewis, a prince of a very different character, had complained of his having once cheated him: "he lies, the drunkard!" said he, "I have cheated him above twenty times." This prince considered his close connexions with Henry only as the means which enabled him the better to take advantage of his want of experience. He advised him not to invade France by the way of Calais, where he himself should not have it

in his power to assist him; he exhorted him rather to send forces to Fontarabia, whence he could easily make a conquest of Guienne, a province in which, it was imagined, the English had still some adherents. He promised to assist this conquest by the junction of a Spanish army. And so forward did he seem to promote the interests of his son-in-law, that he even sent vessels to England in order to transport over the forces which Henry had levied for that purpose. The Marquis of Dorset commanded this armament, which consisted of ten thousand men, mostly infantry; Lord Howard, son of the Earl of Surrey, Lord Broke, Lord Ferrars, and many others of the young gentry and nobility, accompanied him in this service. All were on fire to distinguish themselves by military achievements, and to make a conquest of importance for their master. The secret purpose of Ferdinand, in this unexampled generosity, was suspected by nobody.

The small kingdom of Navarre lies on the frontiers between France and Spain; and as John d'Albret the sovereign was connected by friendship and alliance with Lewis, the opportunity seemed favourable to Ferdinand, while the English forces were conjoined with his own, and while all adherents to the council of Pisa lay under the sentence of excommunication, to put himself in possession of these dominions. No sooner, therefore, was Dorset landed in Guipiscoa, than the Spanish monarch declared his readiness to join him with his forces, to make with united arms an invasion of France, and to form the siege of Bayonne, which opened the way into Guienne; and he remarked to the English general, how dangerous it might prove to leave behind them the kingdom of Navarre, which, being in close alliance with France, could easily give admittance to the enemy, and cut off all communication between Spain and the combined armies. To provide against so dangerous an event, he required that John should stipulate a neutrality in the present war; and when that prince expressed his willingness to enter into any engagement for that purpose, he also required, that security should be given for the strict observance of it. John having likewise agreed to this condition, Ferdinand demanded, that he should deliver into his hands six of the most considerable places of his dominions, together with his eldest son as a hostage. These were not terms to be proposed to a sovereign; and as the Spanish monarch expected a refusal, he gave immediate orders to the Duke of Alva, his general, to make an invasion on Navarre, and to reduce that kingdom. Alva soon made himself master of all the smaller towns; and being ready to form the siege of Pampeluna, the capital, he summoned the Marquis of Dorset to join him with the English army, and concert together all their operations.

Dorset began to suspect that the interests of his master were very little regarded in all these transactions; and having no orders to invade the kingdom of Navarre, or make war any where but in France, he refused to take any part in the enterprise. He remained, therefore, in his quarters at Fontarabia; but so subtle was the contrivance of Ferdinand, that, even

while the English army lay in that situation, it was almost equally serviceable to his purpose, as if it had acted in conjunction with his own. It kept the French army in awe, and prevented it from advancing to succour the kingdom of Navarre; so that Alva, having full leisure to conduct the siege, made himself master of Pampeluna, and obliged John to seek for shelter in France. The Spanish general applied again to Dorset, and proposed to conduct with united counsels the operations of the *holy league*, so it was called, against Lewis; but as he still declined forming the siege of Bayonne, and rather insisted on the invasion of the principality of Bearne, a part of the King of Navarre's dominions, which lies on the French side of the Pyrenees, Dorset, justly suspicious of his sinister intentions, represented that, without new orders from his master, he could not concur in such an undertaking. In order to procure these orders, Ferdinand despatched Martin de Ampios to London; and persuaded Henry, that by the refractory and scrupulous humour of the English general, the most favourable opportunities were lost, and that it was necessary he should, on all occasions, act in concert with the Spanish commander, who was best acquainted with the situation of the country and the reasons of every operation. But before orders to this purpose reached Spain, Dorset had become extremely impatient; and observing that his further stay served not to promote the main undertaking, and that his army was daily perishing by want and sickness, he demanded shipping from Ferdinand to transport them back into England. Ferdinand, who was bound by treaty to furnish him with this supply, whenever demanded, was at length, after many delays, obliged to yield to his importunity; and Dorset, embarking his troops, prepared himself for the voyage. Meanwhile, the messenger arrived with orders from Henry, that the troops should remain in Spain; but the soldiers were so discontented with the treatment-<sup>Return of the English.</sup> which they had met with, that they mutinied, and obliged their commanders to set sail for England. Henry was much displeased with the ill success of this enterprise; and it was with difficulty that Dorset, by explaining the fraudulent conduct of Ferdinand, was at last able to appease him.

There happened this summer an action at sea, which brought not any more decisive advantage to the English. Sir Thomas Knevet, master of horse, was sent to the coast of Brittany, with a fleet of forty-five sail; and he carried with him Sir Charles Brandon, Sir John Carew, and many other young courtiers, who longed for an opportunity of displaying their valour. After they had committed some depredations, a French fleet of thirty-nine sail issued from Brest, under the command of Primauguet, and began an engagement with the English. Fire seized the ship of Primauguet, who, finding his destruction inevitable, bore down upon the vessel of the English admiral, and, grappling with her, resolved to make her share his fate. Both fleets stood some time in suspense, as spectators of this dreadful engagement, and all men saw with horror the flames which consumed both vessels, and heard the cries of fury and despair, which came from the miserable combatants. At last, the French ship blew up; and at the same time destroyed the English.<sup>1</sup> The rest of the French fleet made their escape into different harbours.

The war which England waged against France, though it brought no advantage to the former kingdom, was of great prejudice to the latter; and by obliging Lewis to withdraw his forces, for the defence of his own dominions, lost him that superiority, which his arms, in the beginning of the campaign, had attained in Italy. Gaston de Foix, his nephew, a young hero, had been intrusted with the command of the French forces; and in a few months performed such feats of military art and prowess, as were sufficient to render illustrious the life of the oldest captain.<sup>2</sup> His career finished with the great battle of Ravenna, which, after the most obstinate conflict, he gained over the Spanish and papal armies. He perished the very moment his victory was complete; and with him perished the fortune of the French arms in Italy. The Swiss, who

<sup>1</sup> Holboell, Holmstedh, p. 215.  
<sup>2</sup> Poyet, Virgil, lib. 27. Stowe, p. 490. Lauquet's Epitome of  
Chronicles, vol. 573.

<sup>1</sup> Guicardard lib 10

had rendered themselves extremely formidable by their bands of disciplined infantry, invaded the Milanese with a numerous army, and raised up that inconstant people to a revolt against the dominion of France. Genoa followed the example of the duchy; and thus Lewis, in a few weeks, entirely lost his Italian conquests, except some garrisons; and Maximilian Storza, the son of Ludovic, was re-estimated in possession of Milan.

Julius discovered extreme joy on the discomfiture of the French; and the more so, as he had been beholden for it to the Swiss, a people whose councils, he hoped, he should always be able to influence and govern. The Pontiff survived this success a very little time; and in his place was chosen John de Medicis, who took the appellation of Leo X., and proved one of the most illustrious princes that ever sat on the papal throne. Humane, beneficent, generous, affable, the patron of every art, and friend of every virtue;<sup>1</sup> he had a soul no less capable of forming great designs than his predecessor, but was more gentle, pliant, and artful in employing means for the execution of them. The sole defect, indeed, of his character, was too great finesse and artifice; a fault which, both as a priest and an Italian, it was difficult for him to avoid. By the negotiations of Leo, the Emperor Maximilian was detached from the French interest; and Henry, notwithstanding his disappointments in the former campaign, was still encouraged to prosecute his warlike measures against Lewis.

Henry had summoned a new session of a parliament,<sup>2</sup> and obtained a supply for his enterprise. It was a poll-tax, and imposed different sums, according to the station and riches of the person. A duke paid ten marks, an earl five pounds, a baron four pounds, a knight four marks; every man valued at eight hundred pounds in goods, four marks. An imposition was also granted of two-fifteenths and four-tenths.<sup>3</sup> By these supplies, joined to the treasure which had been left by his father, and which was not yet entirely dissipated, he was enabled to levy a great army, and render himself formidable to his enemy. The English are said to have been much encouraged in this enterprise, by the arrival of a vessel in the Thames under the papal banner. It carried presents of wine and hams to the king, and the more eminent courtiers; and such fond devotion was at that time entertained towards the court of Rome, that these trivial presents were every where received with the greatest triumph and exultation.

In order to prevent all disturbances from Scotland, while Henry's arms should be employed on the continent, Dr. West, Dean of Windsor, was despatched on an embassy to James, the king's brother-in-law, and instructions were given him to accommodate all differences between the kingdoms, as well as to discover the intentions of the court of Scotland.<sup>4</sup> Some complaints had already been made on both sides. One Barton, a Scotchman, having suffered injuries from the Portuguese, for which he could obtain no redress, had procured letters of marque against that nation; but he had no sooner put to sea, than he was guilty of the grossest abuses, committed depredations upon the English, and much infested the narrow seas.<sup>5</sup> Lord Howard and Sir Edward Howard, admirals, and sons of the Earl of Surrey, sailing out against him, fought him in a desperate action, where the pirate was killed; and they brought his ships into the Thames. As Henry refused all satisfaction for this act of justice, some of the borderers, who wanted but a pretence for depredations, entered England under the command of Lord Hume, warden of the marches, and committed great ravages on that kingdom. Notwithstanding these mutual grounds of dissatisfaction, matters might easily have been accommodated, had it not been for Henry's intended invasion of France, which roused the jealousy of the Scottish nation.<sup>6</sup> The ancient league, which subsisted between France and Scotland, was conceived to be the strongest band of connexion; and the Scots universally believed, that were it not for the countenance

which they received from this foreign alliance, they had never been able so long to maintain their independence against a people so much superior. James was further incited to take part in the quarrel by the invitations of Anne, Queen of France, whose knight he had ever in all tournaments professed himself, and who summoned him, according to the ideas of romantic gallantry prevalent in that age, to take the field in her defence, and prove himself her true and valorous champion. The remonstrances of his consort and of his wisest counsellors were in vain opposed to the martial ardour of this prince. He first sent a squadron of ships to the assistance of France; the only fleet which Scotland seems ever to have possessed. And though he still made professions of maintaining a neutrality, the English ambassador easily foresaw, that a war would in the end prove inevitable; and he gave warning of the danger to his master, who sent the Earl of Surrey to put the borders in a posture of defence, and to resist the expected invasion of the enemy.

Henry, all on fire for military fame, was little discouraged by this appearance of a diversion from the north; and so much the less, as he flattered himself with the assistance of all the considerable potentates of Europe in his invasion of France. The Pope still continued to thunder out his excommunications against Lewis, and all the adherents of the schismatical council: the Swiss Cantons made professions of violent animosity against France: the ambassadors of Ferdinand and Maximilian had signed with those of Henry a treaty of alliance against that power, and had stipulated the time and place of their intended invasion: and though Ferdinand disavowed his ambassador, and even signed a truce for a twelvemonth with the common enemy, Henry was not yet fully convinced of his selfish and sinister intentions, and still hoped for his concurrence after the expiration of that term. He had now got a minister who complied with all his inclinations, and flattered him in every scheme to which his sanguine and impetuous temper was inclined.

Thomas Wolsey, Dean of Lincoln, and Wolsey, almoner to the king, surpassed in favour all his ministers, and was fast advancing towards that unrivalled grandeur which he afterwards attained. This man was son of a butcher at Ipswich; but having got a learned education, and being endowed with an excellent capacity, he was admitted into the Marquis of Dorset's family, as tutor to that nobleman's children, and soon gained the friendship and countenance of his patron.<sup>7</sup> He was recommended to be chaplain to Henry VII., and being employed by that monarch in a secret negotiation, which regarded his intended marriage with Margaret of Savoy, Maximilian's daughter, he acquitted himself to the king's satisfaction, and obtained the praise both of diligence and dexterity in his conduct.<sup>8</sup> That prince, having given him a commission to Maximilian, who at that time resided in Brussels, was surprised in less than three days after, to see Wolsey present himself before him; and supposing that he had protracted his departure, he began to reprove him for the dilatory execution of his orders. Wolsey informed him, that he had just returned from Brussels, and had successfully fulfilled all His Majesty's commands. "But on second thoughts," said the king, "I found that somewhat was omitted in your orders; and have sent a messenger after you with fuller instructions." "I met the messenger," replied Wolsey, "on my return. But as I had reflected on that omission, I ventured of myself to execute what I knew must be Your Majesty's intentions." The death of Henry soon after this incident retarded the advancement of Wolsey, and prevented his reaping any advantage from the good opinion which that monarch had entertained of him: but thenceforward he was looked on at court as a rising man; and Fox, Bishop of Winchester, cast his eye upon him as one who might be serviceable to him in his present situation.<sup>9</sup> This prelate, observing that the Earl of Surrey had totally eclipsed him in favour, resolved to introduce Wolsey to the young prince's familiarity, and hoped that he might rival Surrey in his insinuating arts, and yet be content to act in the

<sup>1</sup> Father Paul, lib. i.

<sup>2</sup> Stowe.

<sup>3</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>4</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>5</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>6</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>7</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>8</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>9</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>1</sup> 14th November, 1512.

<sup>2</sup> Polyd. Virgil, lib. 27.

<sup>3</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>4</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>5</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>6</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>7</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>8</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>9</sup> Stowe, p. 439. Holmsted, p. 311.

<sup>1</sup> Buchanan, lib. 13. Drummond in the life of James IV.

<sup>2</sup> Stowe, p. 997. <sup>3</sup> Cavendish, Tudor's Life of Wolsey. Stowe

<sup>4</sup> Antiqu. Part. Eborac. p. 39. Polydore Virgil, lib. 27.

<sup>5</sup> Antiqu. Part. Eborac. p. 39. Polydore Virgil, lib. 27.

<sup>6</sup> Antiqu. Part. Eborac. p. 39. Polydore Virgil, lib. 27.

<sup>7</sup> Antiqu. Part. Eborac. p. 39. Polydore Virgil, lib. 27.

<sup>8</sup> Antiqu. Part. Eborac. p. 39. Polydore Virgil, lib. 27.

<sup>9</sup> Antiqu. Part. Eborac. p. 39. Polydore Virgil, lib. 27.

cabinet a part subordinate to Fox himself, who had promoted him. In a little time Wolsey gained so much on the king, that he supplanted both Surrey in his favour, and Fox in his trust and confidence. Being admitted to Henry's parties of pleasure, he took the lead in every jovial conversation, and promoted all that frolic and entertainment which he found suitable to the age and inclination of the young monarch. Neither his own years, which were near forty, nor his character of a clergyman, were any restraint upon him, or engaged him to check, by any useless severity, the gaiety, in which Henry, who had small propension to debauchery, passed his careless hours. During the intervals of amusement he introduced business, and insinuated those maxims of conduct which he was desirous his master should adopt. He observed to him, that while he trusted his affairs into the hands of his father's counsellors, he had the advantage indeed of employing men of wisdom and experience, but men who owed not their promotion to his favour, and who scarcely thought themselves accountable to him for the exercise of their authority: that by the factions, and cabals, and jealousies, which had long prevailed among them, they more obstructed the advancement of his affairs, than they promoted it by the knowledge which age and practice had conferred upon them: that while he thought proper to pass his time in those pleasures, to which his age and royal fortune invited him, and in those studies which would in time enable him to sway the sceptre with absolute authority, his best system of government would be to intrust his authority into the hands of some one person, who was the creature of his will, and who could entertain no view but that of promoting his service: and that if this minister had also the same relish for pleasure with himself, and the same taste for science, he could more easily at intervals account to him for his whole conduct, and introduce his master gradually into the knowledge of public business; and thus, without tedious constraint or application, initiate him in the science of government.<sup>d</sup>

Henry entered into all the views of Wolsey; and finding no one so capable of executing this plan of administration as the person who proposed it, he soon advanced his favourite, from being the companion of his pleasures, to be a member of his council; and from being a member of his council, to be his sole and absolute minister. By this rapid advancement and uncontrolled authority, the character and genius of Wolsey had full opportunity to

display itself. Insatiable in his acquisitions, <sup>His character.</sup> but still more magnificent in his expense; of extensive capacity, but still more unbounded enterprise; ambitious of power, but still more desirous of glory: insinuating, engaging, persuasive; and, by turns, lofty, elevated, commanding: haughty to his equals, but affable to his dependents; oppressive to the people, but liberal to his friends; more generous than grateful; less moved by injuries than by contempt; he was framed to take the ascendant in every intercourse with others, but exerted this superiority of *nature* with such ostentation as exposed him to envy, and made every one willing to recall the original inferiority, or rather meanness of his *fortune*.

The branch of administration in which Henry most exerted himself, while he gave his entire confidence to Wolsey, was the military, which, as it suited the natural gallantry and bravery of his temper, as well as the ardour of his youth, was the principal object of his attention. Finding that Lewis had made great preparations both by sea and land to resist him, he was no less careful to levy a formidable army, and equip a considerable fleet for the invasion of France. The command of the fleet was intrusted to Sir Edward Howard; who, after scouring the Channel for some time, presented himself before Brest, where the French navy then lay; and he challenged them to a combat. The French admiral, who expected from the Mediterranean a reinforcement of some galleys under the command of Prejeant de Bidoux, kept within the harbour, and saw with patience the English burn and destroy the country in the neighbourhood. At last Prejeant ar-

rived with six galleys, and put into Conquet, a place within a few leagues of Brest; where he secured himself behind some batteries, which he had planted on rocks that lay on each side of him. Howard was, notwith- <sup>25th April.</sup> standing, determined to make an attack upon him; and as he had but two galleys, he took himself the command of one, and gave the other to Lord Ferrars. He was followed by some row barges, and some crayers under the command of Sir Thomas Cheyne, Sir William Sidney, and other officers of distinction. He immediately fastened on Prejeant's ship, and leaped on board of her, attended by one Carroz, a Spanish cavalier, and seventeen Englishmen. The cable, meanwhile, which fastened his ship to that of the enemy, being cut, the admiral was thus left in the hands of the French; and as he still continued the combat with great gallantry, he was pushed overboard by their pikes.<sup>e</sup> Lord Ferrars, seeing the admiral's galley fall off, followed with the other small vessels: and the whole fleet was so discouraged by the loss of their commander that they retired from before Brest.<sup>f</sup> The French navy came out of harbour; and even ventured to invade the coast of Sussex. They were repulsed, and Prejeant, their commander, lost an eye by the shot of an arrow. Lord Howard, brother to the deceased admiral, succeeded to the command of the English fleet; and little memorable passed at sea during this summer.

Great preparations had been making at land, during the whole winter, for an invasion on France by the way of Calais; but the summer was well advanced before every thing was in sufficient readiness for the intended enterprise. The long peace which the kingdom had enjoyed, had somewhat unfitted the English for military expeditions; and the great change which had lately been introduced in the art of war, had rendered it still more difficult to inure them to the use of the weapons now employed in action. The Swiss, and after them the Spaniards, had shown the advantage of a stable infantry, who fought with pike and sword, and were able to repulse even the heavy-armed cavalry, in which the great force of the armies formerly consisted. The practice of fire-arms was become common; though the caliver, which was the weapon now in use, was so inconvenient, and attended with so many disadvantages, that it had not entirely discredited the bow, a weapon in which the English excelled all European nations. A considerable part of the forces, which Henry levied for the invasion of France, consisted of archers; and as soon as affairs were in readiness, the vanguard of the army, amounting to 8000 men, under the command of the Earl of Shrewsbury, sailed over to Calais. Shrewsbury was accompanied by the Earl of Derby, the Lords Fitzwater, Hastings, Cobham, and Sir Rice ap Thomas, captain of the light horse. Another body of 6000 men soon after followed under the command of Lord Herbert, the chamberlain, attended by the Earls of Northumberland and Kent, the Lords Audley and Delawar, together with Carew, Curson, and other gentlemen.

The king himself prepared to follow with the main body and rear of the army; and he appointed the queen regent of the kingdom during his absence. That he might secure her administration from all disturbance, he ordered Edmond de la Pole, Earl of Suffolk, to be beheaded in the Tower, the nobleman who had been attainted and imprisoned during the late reign. Henry was led to commit this act of violence by the dying commands, as is imagined, of his father, who told him, that he never would be free from danger, while a man of so turbulent a disposition as Suffolk was alive. And as Richard de la Pole, brother of Suffolk, had accepted of a command in the French service, and foolishly attempted to revive the York faction, and to instigate them against the present government, he probably, by that means, drew more suddenly the king's vengeance on this unhappy nobleman.

At last, Henry, attended by the Duke of <sup>June 30.</sup> Buckingham and many others of the nobility, arrived at Calais, and entered upon his French expedition, from which he fondly expected so much success and

<sup>d</sup> Coarney, p. 12. Stowe, p. 499.

<sup>e</sup> It was a misfortune of Howard's, that no admiral was good for any thing, that was not drawn upon to a degree of mortification. As the sea service requires more cool plan, and contrivance and capacity than the land, the

maxims has great plausibility and appearance of truth. Though the fate of Howard himself may serve as a proof that even there courage ought to be tempered with discretion.

<sup>f</sup> Stowe, p. 491. Herbert, Holingshead, p. 416.



glory.<sup>g</sup> Of all those allies on whose assistance he relied, the Swiss alone fully performed their engagements. Henry put in motion by a sum of money sent them by Henry, <sup>by action of</sup> and meted by their victories obtained in France, Italy, and by their animosity against France, they were preparing to enter that kingdom with an army of twenty-five thousand men; and no equal force could be opposed to their incursion. Maximilian had received an advance of 120,000 crowns from Henry, and had promised to reinforce the Swiss with 8000 men; but failed in his engagements. That he might make atonement to the king, he himself appeared in the Low Countries, and joined the English army with some German and Flemish soldiers, who were useful in giving an example of discipline to Henry's new levied forces. Observing the disposition of the English monarch to be more bent on glory than on interest, he enlisted himself in his service, wore the cross of St. George, and received pay, a hundred crowns a day, as one of his subjects and captains. But while he exhibited this extraordinary spectacle, of an Emperor of Germany serving under a King of England, he was treated with the highest respect by Henry, and really directed all the operations of the English army.

Before the arrival of Henry and Maximilian in the camp, the Earl of Shrewsbury and Lord Herbert had formed the siege of Terouane, a town situated on the frontiers of Picardy; and they began to attack the place with vigour. Teligny and Cregui commanded in the town, and had a garrison not exceeding three thousand men; yet made such stout resistance as protracted the siege a month; and they at last found themselves more in danger from want of provisions and ammunition than from the assaults of the besiegers. Having conveyed intelligence of their situation to Lewis, who had advanced to Amiens with his army, that Prince gave orders to throw relief into the place. Fontailles appeared at the head

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of 800 horsemen, each of whom carried a sack of gunpowder behind him, and two quarters of bacon. With this small force he made a sudden and unexpected eruption into the English camp, and surmounting all resistance, advanced to the fosse of the town, where each horseman threw down his burden. They immediately returned at the gallop, and were so fortunate as again to break through the English, and to suffer little or no loss in this dangerous attempt.<sup>h</sup>

<sup>Battle of Guine-</sup> But the English had, soon after, full revenge for the insult. Henry had received intelligence of the approach of the French horse, who had advanced to protect another incursion of Fontailles; and he ordered some troops to pass the Lis, in order to oppose them. The cavalry of France, though they consisted chiefly of gentlemen who had behaved with great gallantry in many desperate actions in Italy, were, on sight of the enemy, seized with so unaccountable a panic, that they immediately took to flight, and were pursued by the English. The Duke of Longueville, who commanded the French, Bussi d'Amboise, Clermont, Imbercourt, the Chevalier Bayard, and many other officers of distinction, were made prisoners.<sup>i</sup> The action, or rather rout, is sometimes called the battle of Guinegate, from the place where it was fought; but more commonly the *Battle of Spurs*, because the French, that day, made more use of their spurs than of their swords or military weapons.

After so considerable an advantage, the king, who was at the head of a complete army of above 50,000 men, might have made incursions to the gates of Paris, and spread confusion and desolation every where. It gave Lewis great joy, when he heard that the English, instead of pushing their victory, and attacking the dismayed troops of France, returned to the siege of so inconsiderable a place as Terouane. The governors were obliged, soon after, to capitulate; and Henry found his acquisition of so little moment, though gained at the expense of some blood, and what, in his present circumstances, was more important, of much valuable time, that he immediately demolished the fortifications. The anxieties of the French

were again revived with regard to the motions of the English. The Swiss, at the same time, had entered Burgundy, with a formidable army, and laid siege to Dijon, which was in no condition to resist them. Ferdinand himself, though he had made a truce with Lewis, seemed disposed to lay hold of every advantage which fortune should present to him. Scarcely ever was the French monarchy in greater danger, or less in a condition to defend itself against those powerful armies, which on every side assailed or threatened it. Even many of the inhabitants of Paris, who believed themselves exposed to the rapacity and violence of the enemy, began to dislodge, without knowing what place could afford them greater security.

But Lewis was extricated from his present difficulties by the manifold blunders of his enemies. The Swiss allowed themselves to be seduced into a negotiation by Tremoille, governor of Burgundy; and without making inquiry whether that nobleman had any powers to treat, they accepted of the conditions which he offered them. Tremoille, who knew that he should be disavowed by his master, stipulated whatever they were pleased to demand, and thought himself happy, at the expense of some payments and very large promises, to get rid of so formidable an enemy.<sup>k</sup>

The measures of Henry showed equal ignorance in the art of war with that of the Swiss in negotiation. Tournay was a great and rich city, which, though it lay within the frontiers of Flanders, belonged to France, and afforded the troops of that kingdom a passage into the heart of the Netherlands. Maximilian, who was desirous of freeing his grandson from so troublesome a neighbour, advised Henry to lay siege to the place; and the English monarch, not considering that such an acquisition would advance his conquests in France, was so imprudent as to follow this interested counsel. The city of Tournay, by its ancient charters, being exempted from the burthen of a garrison, the burghers, against the remonstrance of their sovereign, strenuously insisted on maintaining this dangerous privilege; and they engaged, by themselves, to make a vigorous defence against the enemy.<sup>l</sup> Their courage failed them when matters came to trial; and after a few days' siege, the place was surrendered to the English. The Bishop of Tournay was lately dead; and, as a new bishop was already elected by the chapter, but not installed in

24th Sept.

his office, the king bestowed the administration of the see on his favourite, Wolsey, and put him in immediate possession of the revenues, which were considerable.<sup>m</sup> Hearing of the retreat of the Swiss, and observing the season to be far advanced, he thought proper to return to England; and he carried the greater part of his army with him. Success had attended him in every enterprise; and his youthful mind was much elated with this seeming prosperity; but all men of judgment, comparing the advantages of his situation with his progress, his expense with his acquisitions, were convinced that this campaign, so much vaunted, was, in reality, both ruinous and inglorious to him.<sup>n</sup>

The success which, during this summer, had attended Henry's arms in the north, was much more decisive. The King of Scotland had assembled the whole force of his kingdom; and having passed the Tweed with a brave though a tumultuary army of above 50,000 men, he ravaged those parts of Northumberland which lay nearest that river, and he employed himself in taking the castles of Norham, Etal, Werke, Ford, and other places of small importance. Lady Ford, being taken prisoner in her castle, was presented to James, and so gained on the affections of that prince, that he wasted in pleasure the critical time which, during the absence of his enemy, he should have employed in pushing his conquests. His troops, lying in a barren country, where they soon consumed all the provisions, began to be pinched with hunger; and, as the authority of the prince was feeble, and military discipline, during that age, extremely relaxed, many of them had stolen from the camp, and retired homewards. Meanwhile the Earl of Surrey, having collected a force of

<sup>g</sup> Polyd. Virg. lib. 37. Bellarius, lib. 14.  
<sup>h</sup> Hist. de Chev. Bayard, chap. 57. Mémoires de Bellai.  
<sup>i</sup> Mémoires de Bellai, liv. 1. Polydore Virg. lib. 27. Holingshed, p. 622. Herbert.

<sup>k</sup> Mémoires du Maréchal de Fleuranges. Bellarius, lib. 11.  
<sup>l</sup> Mémoires de Fleuranges.  
<sup>m</sup> Strype's Memorials, vol. 1. p. 5. 6.  
<sup>n</sup> Guicciardini.

26,000 men, of which 5000 had been sent over from the king's army in France, marched to the defence of the country, and approached the Scots, who lay on some high ground near the hills of Crevinot. The river Till ran between the armies, and prevented an engagement: Surrey, therefore, sent a Herald to the Scottish camp, challenging the enemy to descend into the plain of Milfield, which lay towards the south; and there, appointing a day for the combat, to try their valour on equal ground. As he received no satisfactory answer, he made a feint of marching towards Berwick; as if he intended to enter Scotland, to lay waste the borders, and cut off the provisions of the enemy. The Scottish army, in order to prevent his purpose, put themselves in motion; and having set fire to the huts in which they had quartered, they descended from the hills. Surrey, taking advantage of the smoke which was blown towards him, and which concealed his movements, passed the Till with his artillery and vanguard at the bridge of Twisel, and sent the rest of his army to seek a ford higher up the river.

An engagement was now become inevitable, and both sides prepared for it with tranquillity and order.<sup>o</sup> The English divided their army into two lines: Lord Howard led the main body of the first line, Sir Edmond Howard the right wing, Sir Marmaduke Constable the left. The Earl of Surrey, himself, commanded the main body of the second line, Lord Dacres the right wing, Sir Edward Stanley the left. The front of the Scots presented three divisions to the enemy:

The middle was led by the king himself: the right by the Earl of Huntley, assisted by Lord Hume: the left by the Earls of Lenox and Argyle. A fourth division, under the Earl of Bothwell, made a body of reserve. Huntley began the battle; and after a sharp conflict, put to flight the left wing of the English, and chased them off the field: but, on returning from the pursuit, he found the whole Scottish army in great disorder. The division under Lenox and Argyle, elated with the success of the other wing, had broken their ranks, and, notwithstanding the remonstrances and entreaties of La Motte, the French ambassador, had rushed headlong upon the enemy. Not only Sir Edmond Howard, at the head of his division, received them with great valour; but Dacres, who commanded in the second line, wheeling about during the action, fell upon their rear, and put them to the sword without resistance. The division under James, and that under Bothwell, animated by the valour of their leaders, still made head against the English, and throwing themselves into a circle, protracted the action, till night separated the combatants. The victory seemed yet undecided, and the numbers that fell on each side were nearly equal, amounting to above 5000 men: but the morning discovered where the advantage lay. The English had lost only persons of small note; but the flower of the Scottish nobility had fallen in battle, and their king himself, after the most diligent inquiry, could no where be found. In searching the field, the English met with a dead body which resembled him, and was arrayed in a similar habit; and they put it in a leaden coffin and sent it to London. During some time it was kept unburied; because James died under sentence of excommunication, on account of his confederacy with France, and his opposition to the holy see: but upon Henry's application, who pretended that this prince had, in the instant before his death, discovered signs of repentance, absolution was given him, and his body was interred. The Scots, however, still asserted that it was not James's body which was found on the field of battle, but that of one Elphinstone, who had been arrayed in arms resembling their king's, in order to divide the attention of the English, and share the danger with his master. It was believed that James had been seen crossing the Tweed at Kelso; and some imagined that he had been killed by the vassals of Lord Hume, whom that nobleman had instigated to commit so enormous a crime. But the populace entertained the opinion that he was still alive, and, having secretly gone in pilgrimage to the Holy Land, would soon return

and take possession of the throne. This fond conceit was long entertained among the Scots.

The King of Scotland and most of his chief nobles being slain in the field of Flouden, so this battle was called, an inviting opportunity was offered to Henry of gaining advantages over that kingdom, perhaps of reducing it to subjection. But he discovered, on this occasion, a mind truly great and generous. When the Queen of Scotland, Margaret, who was created regent during the infancy of her son, applied for peace, he readily granted it; and took compassion of the helpless condition of his sister and nephew. The Earl of Surrey, who had gained him so great a victory, was restored to the title of Duke of Norfolk, which had been

A. D. 1514.

forfeited by his father for engaging on the side of Richard III. Lord Howard was honoured with the title of Earl of Surrey. Sir Charles Brandon, the king's favourite, whom he had before created Viscount Lisle, was now raised to the dignity of Duke of Suffolk. Wolsey, who was both his favourite and his minister, was created Bishop of Lincoln. Lord Herbert obtained the title of Earl of Worcester. Sir Edward Stanley that of Lord Monteagle.

Though peace with Scotland gave Henry security on that side, and enabled him to prosecute, in tranquillity, his enterprise against France, some other incidents had happened, which more than counterbalanced this fortunate event, and served to open his eyes with regard to the rashness of an undertaking into which his youth and high fortune had betrayed him.

Lewis, fully sensible of the dangerous situation to which his kingdom had been reduced during the former campaign, was resolved, by every expedient, to prevent the return of like perils, and to break the confederacy of his enemies. The Pope was nowise disposed to push the French to extremity; and, provided they did not return to take possession of Milan, his interest rather led him to preserve the balance among the contending parties. He accepted, therefore, of Lewis's offer to renounce the council of Lyons; and he took off the excommunication which his predecessor and himself had fulminated against that king and his kingdom. Ferdinand was now fast declining in years; and as he entertained no further ambition than that of keeping possession of Navarre, which he had subdued by his arms and policy, he readily hearkened to the proposals of Lewis for prolonging the truce another year; and he even showed an inclination of forming a more intimate connexion with that monarch. Lewis had dropt hints of his intention to marry his second daughter, Renée, either to Charles, Prince of Spain, or his brother Ferdinand, both of them grandsons of the Spanish monarch; and he declared his resolution of bestowing on her, as her portion, his claim to the duchy of Milan. Ferdinand not only embraced these proposals with joy; but also enaughed the Emperor, Maximilian, in the same views, and procured his accession to a treaty, which opened so inviting a prospect of aggrandizing their common grandchildren.

When Henry was informed of Ferdinand's renewal of the truce with Lewis, he fell into a violent rage, and loudly complained that his father-in-law had first, by high promises and professions, engaged him in enmity with France, and afterwards, without giving him the least warning, had now again sacrificed his interests to his own selfish purposes, and had left him exposed alone to all the danger and expense of the war. In proportion to his easy credulity, and his unsuspecting reliance on Ferdinand, was the vehemence with which he exclaimed against the treatment which he met with; and he threatened revenge for this egregious treachery and breach of faith.<sup>a</sup> But he lost all patience when informed of the other negotiation, by which Maximilian was also seduced from his alliance, and in which proposals had been agreed to, for the marriage of the Prince of Spain with the daughter of France. Charles, during the lifetime of the late king, had been affianced to Mary, Henry's younger sister; and, as the prince now approached the age of puberty, the king had expected the immediate completion of the marriage, and

<sup>o</sup> Camden, lib. 13. Duguesne Herbert. P. orders Virgil, lib. 27.

<sup>a</sup> Buchanan, lib. 13. Herbert.  
<sup>b</sup> Buchanan, lib. 13. Herbert.

the honourable settlement of a sister, for whom he had entertained a tender affection. Such a complication, therefore, of injuries gave him the highest displeasure, and inspired him with a desire of expressing his disdain towards those who had imposed on his youth and inexperience, and had abused his too great facility.

The Duke of Longueville, who had been made prisoner at the battle of Guinegate, and who was still detained in England, was ready to take advantage of all these dispositions of Henry, in order to procure a peace and even an alliance, which he knew to be passionately desired by his master. He represented to the king that Anne, Queen of France, being lately dead, a door was opened thereby for an affinity which might tend to the advantage of both kingdoms, and which would serve to terminate honourably all the differences between them : that she had left Lewis no male children ; and, as he had ever entertained a strong desire of having heirs to the crown, no marriage seemed more suitable to him than that with the Princess of England, whose youth and beauty afforded the most flattering hopes in that particular : that, though the marriage of a princess of sixteen with a king of fifty-three might seem unsuitable, yet the other advantages attending the alliance were more than sufficient compensation for this inequality : and that Henry, in loosening his connexions with Spain, from which he had never reaped any advantage, would contract a close affinity with Lewis, a prince, who, through his whole life, had invariably maintained the character of probity and honour.

As Henry seemed to hearken to this discourse with willing ears, Longueville informed his master of the probability, which he discovered, of bringing the matter to a happy conclusion ; and he received full powers for negotiating the treaty. The articles were easily adjusted be-

between the monarchs. Lewis agreed that Tournay should remain in the hands of the English ; that Richard de la Pole should be banished to Mentz, there to live on a pension assigned him by Lewis ; that Henry should receive payment of a million of crowns, being the arrears due by treaty to his father and himself ; and that the princess Mary should bring four hundred thousand crowns as her portion, and enjoy as large a jointure as any Queen of France, even the former, who was heiress of Brittany. The two princes also agreed on the succours with which they should mutually supply each other, in case either of them were attacked by an enemy.<sup>1</sup>

In consequence of this treaty, Mary was sent over to France with a splendid retinue, and Lewis met her at Abbeville, where the espousals were celebrated. He was enchanted with the beauty, grace, and numerous accomplishments of the young princess ; and, being naturally of an amorous disposition, which his advanced age had not entirely cooled, he was seduced into such a course of gaiety and pleasure, as proved very unsuitable to his declining state of health.<sup>2</sup>

He died in less than three months after the marriage, to the extreme regret of the French nation, who, sensible of his tender concern for their welfare, gave him, with one voice, the honourable appellation of *father of his people*.

Francis, Duke of Angoulême, a youth of one-and-twenty, who had married Lewis's eldest daughter, succeeded him on the throne ; and, by his activity, valour, generosity, and other virtues, gave prognostics of a happy and glorious reign. This young monarch had been extremely struck with the charms of the English princess ; and, even during his predecessor's life-time, had paid her such assiduous court, as made some of his friends apprehend that he had entertained views of gallantry towards her. But, being warned that, by indulging this passion, he might probably exclude himself from the throne, he forbore all further addresses ; and even watched the young dowager with a very careful eye, during the first months of her widowhood. Charles Brandon, Duke of Suffolk, was, at that time, in the court of France, the most comely personage of his time, and the most accomplished in all the exercises which were then thought to befit a courtier

and a soldier. He was Henry's chief favourite ; and that monarch had even once entertained thoughts of marrying him to his sister, and had given indulgence to the mutual passion which took place between them. The queen asked Suffolk whether he had now the courage, without further reflection, to espouse her ? and she told him, that her brother would more easily forgive him for not asking his consent, than for acting contrary to his orders. Suffolk declined not so inviting an offer ; and their nuptials were secretly celebrated at Paris. Francis, who was pleased with this marriage, as it prevented Henry from forming any powerful alliance by means of his sister's, interposed his good offices in appeasing him : and even Wolsey, having entertained no jealousy of Suffolk, who was content to participate in the king's pleasures, and had no ambition to engage in public business, was active in reconciling the king to his sister and brother-in-law ; and he obtained them permission to return to England.

## CHAP. XXVIII.

Wolsey's administration - Scotch affairs - Progress of Francis I. Jealousy of Henry - Tournay delivered to France - Wolsey appointed legate. His manner of exercising that office - Death of the Emperor Maximilian - Charles, king of Spain, chosen emperor - Interview between Henry and Francis near Calais - The Emperor Charles arrives in England - Abdication of Henry - Trial and condemnation of the Duke of Buckingham.

The numerous enemies whom Wolsey's sudden elevation, his aspiring character, A. D. 1515. and his haughty deportment had raised him, Wolsey's administration.

served only to rivet him faster in Henry's confidence ; who valued himself on supporting the choice which he had made, and who was incapable of yielding either to the murmurs of the people, or the discontents of the great. That artful prelate, likewise, well acquainted with the king's imperious temper, concealed from him the absolute ascendancy which he had acquired ; and while he secretly directed all public councils, he ever pretended a blind submission to the will and authority of his master. By entering into the king's pleasures, he preserved his affection ; by conducting his business, he gratified his indolence ; and by his unlimited complaisance in both capacities, he prevented all that jealousy to which his exorbitant acquisitions, and his splendid ostentatious train of life, should naturally have given birth. The archbishopric of York falling vacant by the death of Bambridge, Wolsey was promoted to that see, and resigned the bishopric of Lincoln. Besides enjoying the administration of Tournay, he got possession, on easy leases, of the revenues of Bath, Worcester, and Hereford, bishoprics filled by Italians, who were allowed to reside abroad, and who were glad to compound for this indulgence, by yielding a considerable share of their income. He held in commendam the abbey of St. Alban's, and many other church preferments. He was even allowed to unite with the see of York, first that of Durham, next that of Winchester ; and there seemed to be no end of his acquisitions. His further advancement in ecclesiastical dignity served him as a pretence for engrossing still more revenues : the Pope, observing his great influence over the king, was desirous of engaging him in his interests, and created him a cardinal. No churchman, under colour of exacting respect to religion, ever carried to a greater height the state and dignity of that character. His train consisted of eight hundred servants, of whom many were knights and gentlemen : some even of the nobility put their children into his family as a place of education ; and in order to gain them favour with their patron, allowed them to bear offices as his servants. Whoever was distinguished by any art or science paid court to the cardinal ; and none paid court in vain. Literature, which was then in its infancy, found in him a generous patron ; and both by his public institutions and private bounty, he gave encouragement to every branch of erudition.<sup>3</sup> Not content with this munificence, which gained him the approbation of the wise, he strove to dazzle the eyes of the populace, by the splendour of his equipage and

<sup>1</sup> Du Tillot.

<sup>2</sup> Brantome Eloge de Louis XII.

<sup>3</sup> Petrus de Angleria, l. i. c. 344.

a. Grasm. Hist. lib. 2. c. 1. lib. 16. c. 1.



furniture, the costly embroidery of his liveries, the lustre of his apparel. He was the first clergyman in England that wore silk and gold, not only on his habit, but also on his saddles and the trappings of his horses. He caused his cardinal's hat to be borne about by a person of rank; and when he came to the king's chapel, would permit it to be laid on no place but the altar. A priest, the tallest and most comely he could find, carried before him a pillar of silver, on whose top was placed a cross; but not satisfied with this parade, to which he thought himself entitled as cardinal, he provided another priest of equal stature and beauty, who marched along, bearing the cross of York, even in the diocese of Canterbury; contrary to the ancient rule, and the agreement between the prelates of these rival sees.<sup>c</sup> The people made merry with the cardinal's ostentation; and said they were now sensible, that one crucifix alone was not sufficient for the expiation of his sins and offences.

Warham, Chancellor and Archbishop of Canterbury, a man of a moderate temper, averse to all disputes, chose rather to retire from public employment, than maintain an unequal contest with the haughty cardinal. He resigned his office of chancellor; and the great seal was immediately delivered to Wolsey. If this new accumulation of dignity increased his enemies, it also served to exalt his personal character, and prove the extent of his capacity. A strict administration of justice took place during his enjoyment of this high office; and no chancellor ever discovered greater impartiality in his decisions, deeper penetration of judgment, or more enlarged knowledge of law and equity.<sup>d</sup>

The Duke of Norfolk, finding the king's money almost entirely exhausted by projects and pleasures, while his inclination for expense still continued, was glad to resign his office of treasurer, and retire from court. His rival, Fox, Bishop of Winchester, reaped no advantage from his absence; but partly overcome by years and infirmities, partly disgusted at the ascendancy acquired by Wolsey, withdrew himself wholly to the care of his diocese. The Duke of Suffolk had also taken offence that the king, by the cardinal's persuasion, had refused to pay a debt which he had contracted during his residence in France; and he thenceforth affected to live in privacy. These incidents left Wolsey to enjoy, without a rival, the whole power and favour of the king; and they put into his hands every kind of authority. In vain did Fox, before his retirement, warn the king, "not to suffer the servant to be greater than his master." Henry replied, "that he well knew how to retain all his subjects in obedience;" but he continued still an unlimited deference in every thing to the directions and counsels of the cardinal.

The public tranquillity was so well established in England, the obedience of the people so entire, the general administration of justice by the cardinal's means<sup>e</sup> so exact, that no domestic occurrence happened considerable enough to disturb the repose of the king and his minister: they might even have dispensed with giving any strict attention to foreign affairs, were it possible for men to enjoy any situation in absolute tranquillity, or abstain from projects and enterprises, however fruitless and unnecessary.

<sup>f</sup> Scotch affairs. The will of the late King of Scotland, who left his widow regent of the kingdom, and the vote of the convention of states, which confirmed that destination, had expressly limited her authority to the condition of her remaining unmarried;<sup>g</sup> but notwithstanding this limitation, a few months after her husband's death, she espoused the Earl of Angus, of the name of Douglas, a young nobleman of great family and promising hopes. Some of the nobility now proposed the electing of Angus to the regency, and recommended this choice as the most likely means of preserving peace with England: but the jealousy of the great families, and the fear of exalting the Douglasses, begat opposition to this measure. Lord Hume, in particular, the most powerful chieftain in the kingdom, insisted on recalling the Duke of Albany, son to a brother of James III. who had been banished

into France, and who, having there married, had left posterity that were the next heirs to the crown, and the nearest relations to their young sovereign. Albany, though first prince of the blood, had never been in Scotland, was totally unacquainted with the manners of the people, ignorant of their situation, unpractised in their language; yet such was the favour attending the French alliance, and so great the authority of Hume, that this prince was invited to accept the reins of government. Francis, careful not to give offence to the King of England, detained Albany some time in France; but at length, sensible how important it was to keep Scotland in his interests, he permitted him to go over and take possession of the regency; he even renewed the ancient league with that kingdom, though it implied such a close connexion as might be thought somewhat to trench on his alliance with England.

When the regent arrived in Scotland, he made inquiries concerning the state of the country, and character of the people; and he discovered a scene with which he was hitherto but little acquainted. That turbulent kingdom, he found, was rather to be considered as a confederacy, and that not a close one, of petty princes, than a regular system of civil polity; and even the king, much more a regent, possessed an authority very uncertain and precarious. Arms more than laws prevailed; and courage, preferably to equity or justice, was the virtue most valued and respected. The nobility, in whom the whole power resided, were so connected by hereditary alliances, or so divided by inveterate enmities, that it was impossible, without employing an armed force, either to punish the most flagrant guilt, or give security to the most entire innocence. Rapine and violence, when exercised on a hostile tribe, instead of making a person odious among his own clan, rather recommended him to their esteem and approbation; and by rendering him useful to the chieftain, entitled him to a preference above his fellows. And though the necessity of mutual support served as a close cement of amity among those of the same kindred, the spirit of revenge against enemies, and the desire of prosecuting the deadly feuds, (so they were called,) still appeared to be passions the most predominant among that uncultivated people.

The persons to whom Albany on his arrival first applied for information with regard to the state of the country, happened to be inveterate enemies of Hume;<sup>h</sup> and they represented that powerful nobleman as the chief source of public disorders, and the great obstacle to the execution of the laws and the administration of justice. Before the authority of the magistrate could be established, it was necessary, they said, to make an example of this great offender; and by the terror of his punishment, teach all lesser criminals to pay respect to the power of their sovereign. Albany, moved by these reasons, was induced to forget Hume's past services, to which he had in a great measure been indebted for the regency; and he no longer bore towards him that favourable countenance with which he was wont to receive him. Hume perceived the alteration, and was incited, both by regard to his own safety, and from motives of revenge, to take measures in opposition to the regent. He applied himself to Angus and the queen-dowager, and represented to them the danger to which the infant prince was exposed from the ambition of Albany, next heir to the crown, to whom the states had imprudently intrusted the whole authority of government. By his persuasion Margaret formed the design of carrying off the young king, and putting him under the protection of her brother; and when that conspiracy was detected, she herself, attended by Hume and Angus, withdrew into England, where she was soon after delivered of a daughter.

Henry, in order to check the authority of Albany and the French party, gave encouragement to these malcontents, and assured them of his support. Matters being afterwards in appearance accommodated between Hume and the regent, that nobleman returned into his own country; but mutual suspicions and jealousies still prevailed. He was committed to custody, under the care of

<sup>b</sup> P. *Pennock*, lib. 27. *Stowe*, p. 591. *Holingshead*, p. 847.

<sup>c</sup> *Pennock*, lib. 27. *Stowe*, p. 591.

<sup>d</sup> *St. Thomas More*. *Stowe*, p. 594.

<sup>e</sup> *Erasm.* lib. 2. *epist.* 1. *Cavendish*, Hall.

<sup>f</sup> *Buchanan*, lib. 14. *Drummond*, *Herbert*.

<sup>g</sup> *Buchanan*, lib. 11. *Drummond*.

the Earl of Arrian, his brother-in-law; and was for some time detained prisoner in his castle. But having persuaded Arrian to enter into the conspiracy with him, he was allowed to make his escape; and he openly levied war upon the regent. A new accommodation ensued, not more sincere than the foregoing, and Lume was so imprudent as to intrust himself, together with his brother, into the hands of that prince. They were immediately seized, committed to custody, brought to trial, condemned, and executed. No legal crime was proved against these brothers: it was only alleged, that at the battle of Flouden they had not done their duty in supporting the king; and as this backwardness could not, from the course of their past life, be ascribed to cowardice, it was commonly imputed to a more criminal motive. The evidence, however, of guilt produced against them was far from being valid or convincing; and the people, who hated them while living, were much dissatisfied with their execution.

Such violent remedies often produce, for some time, a deceitful tranquillity; but as they destroy mutual confidence, and beget the most inveterate animosities, their consequences are commonly fatal, both to the public and to those who have recourse to them. The regent, however, took advantage of the present calm which prevailed; and being invited over by the French king, who was at that time willing to gratify Henry, he went into France; and was engaged to remain there for some years. During the absence of the regent such confusions prevailed in Scotland, and such mutual enmity, rapine, and violence among the great families, that that kingdom was for a long time utterly disabled, both from offending its enemies and assisting its friends. We have carried on the Scottish history some years beyond the present period; that, as that country had little connexion with the general system of Europe, we might be the less interrupted in the narration of those more memorable events which were transacted in the other kingdoms.

It was foreseen, that a young active prince like Francis, and of so martial a disposition, would soon employ the great preparations which his predecessor before his death had made for the conquest of Milan. He had been observed even to weep at the recital of the military exploits of Gaston de Foix; and these tears of emulation were held to be sure presages of his future valour. He renewed the treaty which Lewis had made with Henry; and having left every thing secure behind him, he marched his enemies towards the south of France; pretending that his sole purpose was to defend his kingdom against the incursions of the Swiss. This formidable people still retained their animosity against France; and having taken Maximilian, Duke of Milan, under their protection, and in reality reduced him to absolute dependance, they were determined, from views both of honour and of interest, to defend him against the invader.<sup>a</sup> They fortified themselves in all those valleys of the Alps through which they thought the French must necessarily pass; and when

Francis, with great secrecy, industry, and perseverance, made his entrance into Piedmont by another passage, they were not dismayed, but descended into the plain, though unprovided with cavalry, and opposed themselves to the progress of the French army. At Mangian, near Milan, they fought with Francis one of the most furious and best contested battles that is to be met with in the history of these later ages; and it required all the heroic valour of this prince to inspire his troops with courage sufficient to resist the desperate assault of those mountaineers. After a bloody action in the evening, night and darkness parted the combatants; but next morning the Swiss renewed the attack with unabated ardour; and it was not till they had lost all their bravest troops that they could be prevailed on to retire. The field was strewn with twenty thousand slain on both sides; and the Marschal Trivulzio, who had been present at eighteen pitched battles, declared that every engagement which he had yet seen was only the play of children; the action of Mangian was a combat of heroes.<sup>b</sup> After this great victory, the conquest of the Milanese was easy and open to Francis.

The success and glory of the French monarch began to excite jealousy in Henry; and his rapid progress, though in so distant a country, was not regarded without apprehensions by the English ministry. Italy was, during that age, the seat of religion, of literature, and of commerce; and as it possessed alone that lustre which has since been shared out among other nations, it attracted the attention of all Europe, and every acquisition which was made there appeared more important than its weight in the balance of power was, strictly speaking, entitled to. Henry also thought that he had reason to complain of Francis for sending the Duke of Albany into Scotland, and undermining the power and credit of his sister the queen-dowager.<sup>c</sup> The repairing of the fortifications of Terouenne, was likewise regarded as a breach of treaty. But above all, what tended to alienate the court of England, was the disgust which Wolsey had entertained against the French monarch.

Henry, on the conquest of Tournay, had refused to admit Lewis Gaillard, the bishop elect, to the possession of the temporalities, because that prelate declined taking the oath of allegiance to his new sovereign; and Wolsey was appointed, as above related, administrator of the bishopric. As the cardinal wished to obtain the free and undisturbed enjoyment of this revenue, he applied to Francis, and desired him to bestow on Gaillard some see of equal value in France, and to obtain his resignation of Tournay. Francis, who still hoped to recover possession of that city, and who feared that the full establishment of Wolsey in the bishopric would prove an obstacle to his purpose, had hitherto neglected to gratify the haughty prelate; and the Bishop of Tournay, by applying to the court of Rome, had obtained a bull for his settlement in the see. Wolsey, who expected to be indulged in every request, and who exacted respect from the greatest princes, resented the slight put upon him by Francis; and he pushed his master to seek an occasion of quarrel with that monarch.<sup>d</sup>

Maximilian, the emperor, was ready to embrace every overture for a new enterprise; especially if attended with an offer of money, of which he was very greedy, very prodigal, and very indigent. Richard Pace, formerly secretary to Cardinal Bambridge, and now secretary of state, was despatched to the court of Vienna, and had a commission to propose some considerable payments to Maximilian; he thence made a journey into Switzerland, and by like motives engaged some of the cantons to furnish troops to the emperor. That prince invaded Italy with a considerable army; but being repulsed from before Milan, he retreated with his army into Germany, made peace with France and Venice, ceded Verona to that republic for a sum of money, and thus excluded himself in some measure from all future access into Italy. And Henry found, that after expending five or six hundred thousand ducats in order to gratify his own and the cardinal's humour, he had only weakened his alliance with Francis, without diminishing the power of that prince.

There were many reasons which engaged the king not to proceed further at present in his enmity against France: he could hope for assistance from no power in Europe. Ferdinand, his father-in-law, who had often deceived him, was declining through age and infirmities; and a speedy period was looked for to the long and prosperous reign of that great monarch. Charles, Prince of Spain, sovereign of the Low Countries, desired nothing but peace with Francis, who had it so much in his power, if provoked, to obstruct his peaceable accession to that rich inheritance which was awaiting him. The Pope was overawed by the power of France, and Venice was engaged in a close alliance with that monarchy.<sup>e</sup> Henry, therefore, was constrained to remain in tranquillity during some time; and seemed to give himself no concern with regard to the affairs of the continent. In vain did Maximilian endeavour to allure him into some expense, by offering to make a resignation of the imperial crown in his favour. The artifice was too gross to succeed, even with a prince so little politic as Henry; and Pace, his envoy, who was perfectly well acquainted with the emperor's motives and character, gave him warning that the sole view of that prince,

<sup>a</sup> Mémoires du Bellai, lib. i. Guicciardini, lib. 12.  
<sup>b</sup> Histoire de la Ligue de Cambray.

<sup>c</sup> Pere Daniel, vol. iii. p. 31.  
<sup>d</sup> Petrus de Anglesia, epist. 566.

<sup>e</sup> Polydore Virgil, lib. 47.  
<sup>f</sup> Guicciardini, lib. 12.

in making him so liberal an offer, was to draw money from him.

A. D. 1516. While an universal peace prevailed in Europe, that event happened which had been so long looked for, and from which such important consequences were expected, the death of Ferdinand the Catholic, and the succession of his grandson Charles to his extensive dominions. The more Charles advanced in power and authority, the more was Francis sensible of the necessity he himself lay under of gaining the confidence and friendship of Henry; and he took at last the only method by which he could obtain success, the paying of court by presents and flattery to the haughty cardinal.

A. D. 1518. Bonniwet, Admiral of France, was despatched to London, and he was directed to employ all his insinuation and address, qualities in which he excelled, to procure himself a place in Wolsey's good graces. After the ambassador had succeeded in his purpose, he took an opportunity of expressing his master's regret, that by mistakes and misapprehensions he had been so unfortunate as to lose a friendship which he so much valued as that of His Eminence. Wolsey was not deaf to these honourable advances from so great a monarch; and he was thenceforth observed to express himself on all occasions in favour of the French alliance. The more to engage him in his interests, Francis entered into such confidence with him, that he asked his advice even in his most secret affairs; and had recourse to him in all difficult emergencies, as to an oracle of wisdom and profound policy. The cardinal made no secret to the king of this private correspondence; and Henry was so prepossessed in favour of the great capacity of his minister, that he said he verily believed he would govern Francis as well as himself.<sup>6</sup>

When matters seemed sufficiently prepared, Bonniwet opened to the cardinal his master's desire of recovering Tournay; and Wolsey immediately, without hesitation, engaged to effect his purpose. He took an opportunity of representing to the king and council, that Tournay lay so remote from Calais, that it would be very difficult, if not impossible, in case of war, to keep the communication open between these two places; that as it was situated on the frontiers both of France and the Netherlands, it was exposed to attacks from both these countries, and must necessarily, either by force or famine, fall into the hands of the first assailant: that even in time of peace it could not be preserved without a large garrison, to restrain the numerous and mutinous inhabitants, ever discontented with the English government; and that the possession of Tournay, as it was thus precarious and expensive, so was it entirely useless, and afforded little or no means of annoying, on occasion, the dominions either of Charles or of Francis.

Tournay ceded to France. These reasons were of themselves convincing, and were sure of meeting with no opposition when they came from the mouth of the cardinal. A treaty, therefore, was entered into for the ceding of Tournay; and in order to give to that measure a more graceful appearance, it was agreed that the dauphin and the Princess Mary, both of them infants, should be betrothed, and that this city should be considered as the dowry of the princess. Such kinds of agreement were then common among sovereigns, though it was very rare that the interests and views of the parties continued so steady as to render the intended marriages effectual. But as Henry had been at considerable expense in building a citadel at Tournay, Francis agreed to pay him 600,000 crowns at twelve annual payments, and to put into his hands eight hostages, all of them men of quality, for the performance of the article; and, lest the cardinal should think himself neglected in these stipulations, Francis promised him a yearly pension of twelve thousand livres, as an equivalent for his administration of the bishopric of Tournay.

The French monarch, having succeeded so well in this negotiation, began to enlarge his views, and to hope for more considerable advantages, by practising on the vanity and self-conceit of the favourite. He redoubled his flat-

teries to the cardinal, consulted him more frequently in every doubt or difficulty, called him in each letter, *father, tutor, governor*, and professed the most unbounded deference to his advice and opinion. All these caresses were preparatives to a negotiation for the delivery of Calais, in consideration of a sum of money to be paid for it; and if we may credit Polydore Virgil, who bears a particular ill-will to Wolsey, on account of his being dispossessed of his employment and thrown into prison by that minister, so extraordinary a proposal met with a favourable reception from the cardinal. He ventured not, however, to lay the matter before the council: he was content to sound privately the opinion of the other ministers, by dropping hints in conversation, as if he thought Calais a useless burthen to the kingdom; but when he found that all men were strongly riveted in a contrary persuasion, he thought it dangerous to proceed any further in his purpose; and as he fell soon after into new connexions with the King of Spain, the great friendship between Francis and him began gradually to decline.

The pride of Wolsey was now further increased, by a great accession of power and <sup>Wolsey appointed legate.</sup> dignity. Cardinal Campegio had been sent as legate into England, in order to procure a tithe from the clergy, for enabling the Pope to oppose the progress of the Turks; a danger which was become real, and was formidable to all Christendom, but on which the politics of the court of Rome had built so many interested projects, that it had lost all influence on the minds of men. The clergy refused to comply with Leo's demands: Campegio was recalled: and the king desired of the Pope that Wolsey, who had been joined in this commission, might alone be invested with the legatine power, together with the right of visiting all the clergy and monasteries, and even with suspending all the laws of the church during a twelvemonth. Wolsey having obtained this new dignity, made a new display of that state and parade to which he was so much addicted. On solemn feast-days, he was not content without saying mass after the manner of the Pope himself: not only had he bishops and abbots to serve him; he even engaged the first nobility to give him water and the towel. He affected a rank superior to what had ever been claimed by any churchman in England. Warham, the Primate, having written him a letter, in which he subscribed himself, *your loving brother*, Wolsey complained of his presumption, in thus challenging an equality with him. When Warham was told what offence he had given, he made light of the matter:—"Know ye not," said he, "that this man is drunk with too much prosperity?"

But Wolsey carried the matter much further than vain pomp and ostentation. He <sup>His manner of exercising that office.</sup> erected an office, which he called the legatine court; and as he was now, by means of the Pope's commission and the king's favour, invested with all power, both ecclesiastical and civil, no man knew what bounds were to be set to the authority of his new tribunal. He conferred on it a kind of inquisitorial and censorial powers, even over the laity, and directed it to inquire into all matters of conscience; into all conduct which had given scandal; into all actions which, though they escaped the law, might appear contrary to good morals. Offence was taken at this commission, which was really unbounded; and the people were the more disgusted, when they saw a man, who indulged himself in pomp and pleasure, so severe in repressing the least appearance of licentiousness in others. But to render his court more obnoxious, Wolsey made one John Allen judge in it, a person of scandalous life, whom he himself, as chancellor, had, it is said, condemned for perjury: and as it is pretended, that this man either extorted fines from every one whom he was pleased to find guilty, or took bribes to drop prosecutions, men concluded, and with some appearance of reason, that he shared with the cardinal those wages of iniquity. The clergy, and in particular the monks, were exposed to this tyranny; and as the libertinism of their lives often gave a just handle against them, they were obliged to purchase an indemnity, by paying large sums of money to the legate or his judge. Not content with this authority,

<sup>6</sup> Polydore Virgil, lib. 27.

<sup>p</sup> Memorie du Bellay, lib. 1.

<sup>q</sup> Polydore Virgil, lib. 27.

<sup>r</sup> Strype's Memorials, vol. i. p. 136.



Wolsey pretended, by virtue of his commission, to assume the jurisdiction of all the bishops' courts; particularly that of judging of wills and testaments; and his decisions in those important points were deemed not a little arbitrary. As if he himself were Pope, and as if the Pope could absolutely dispose of every ecclesiastical preferment, he presented to whatever priories or benefices he pleased, without regard to the right of election in the monks, or of patronage in the nobility and gentry.<sup>2</sup>

No one durst carry to the king any complaint against these usurpations of Wolsey, till Warham ventured to inform him of the discontents of his people. Henry professed his ignorance of the whole matter. "A man," said he, "is not so blind any where as in his own house: but do you, father," added he to the primate, "go to Wolsey, and tell him, if any thing be amiss, that he amend it." A reproof of this kind was not likely to be effectual: it only served to augment Wolsey's enmity to Warham: but one London having prosecuted Allen, the legate's judge, in a court of law, and having convicted him of malversation and iniquity, the clamour at last reached the king's ears; and he expressed such displeasure to the cardinal, as made him ever after more cautious in exerting his authority.

A. D. 1519. While Henry, indulging himself in pleasure and amusement, intrusted the government of his kingdom to this imperious minister, an incident happened abroad, which excited his attention. Maximilian the emperor died;

12th Jan. Death of the Emperor Maximilian.

a man, who, of himself, was indeed of little consequence; but as his death left vacant the first station among Christian princes, it set the passions of men in agitation, and proved a kind of era in the general system of Europe. The kings of France and Spain immediately declared themselves candidates for the imperial crown; and employed every expedient of money or intrigue, which promised them success in so great a point of ambition. Henry also was encouraged to advance his pretensions; but his minister, Pace, who was despatched to the electors, found that he began to solicit too late, and that the votes of all these princes were already pre-engaged either on one side or the other.

Francis and Charles made profession from the beginning of carrying on this rivalry with emulation, but without enmity; and Francis in particular declared, that his brother Charles and he were, fairly and openly, suitors to the same mistress: the more fortunate, added he, will carry her; the other must rest contented.<sup>3</sup> But all men apprehended, that this extreme moderation, however reasonable, would not be of long duration; and that incidents would certainly occur to sharpen the minds of the

Francis King of Spain chosen Emperor.

candidates against each other. It was Charles who at length prevailed, to the great disgust of the French monarch, who still continued to the last in the belief that the majority of the electoral college was engaged in his favour. And as he was some years superior in age to his rival, and, after his victory at Marignan, and conquest of the Milanese, much superior in renown, he could not suppress his indignation at being thus, in the face of the world, after long and anxious expectation, disappointed in so important a pretension. From this competition, as much as from opposition of interests, arose that emulation between those two great monarchs, which, while it kept their whole age in movement, sets them in so remarkable a contrast to each other: both of them princes endowed with talents and abilities; brave, aspiring, active, warlike; beloved by their servants and subjects, dreaded by their enemies, and respected by all the world: Francis, open, frank, liberal, magnificent, carrying these virtues to an excess which prejudiced his affairs: Charles, political, close, artful, frugal; better qualified to obtain success in wars and in negotiations, especially the latter. The one the more amiable man; the other the greater monarch. The king, from his oversights and indiscretions, naturally exposed to misfortunes; but qualified, by his spirit and magnanimity, to extricate

himself from them with honour: the emperor, by his designing interested character, fitted, in his greatest successes, to excite jealousy and opposition even among his allies, and to rouse up a multitude of enemies in the place of one whom he had subdued. And as the personal qualities of these princes thus counterpoised each other, so did the advantages and disadvantages of their dominions. Fortune alone, without the concurrence of prudence or valour, never reared up of a sudden so great a power as that which centred in the Emperor Charles. He reaped the succession of Castile, of Arragon, of Austria, of the Netherlands: he inherited the conquest of Naples, of Grenada: election entitled him to the empire: even the bounds of the globe seemed to be enlarged a little before his time, that he might possess the whole treasure, as yet entire and unrifled, of the new world. But though the concurrence of all these advantages formed an empire, greater and more extensive than any known in Europe since that of the Romans, the kingdom of France alone, being close, compact, united, rich, populous, and being interposed between the provinces of the emperor's dominions, was able to make a vigorous opposition to his progress, and maintain the contest against him.

Henry possessed the felicity of being able, both by the native force of his kingdom and its situation, to hold the balance between those two powers; and had he known to improve, by policy and prudence, this singular and inestimable advantage, he was really, by means of it, a greater potentate than either of those mighty monarchs, who seemed to strive for the dominion of Europe. But this prince was, in his character, heedless, inconsiderate, capricious, impolitic; guided by his passions or his favourite; vain, imperious, haughty; sometimes actuated by friendship for foreign powers, oftener by resentment, seldom by his true interest. And thus, though he exulted in that superiority which his situation in Europe gave him, he never employed it to his own essential and durable advantage, or to that of his kingdom.

Francis was well acquainted with Henry's character, and endeavoured to accommodate his conduct to it. He solicited an interview near Calais; in expectation of being able,

by familiar conversation, to gain upon his friendship and confidence. Wolsey earnestly seconded this proposal; and hoped, in the presence of both courts, to make parade of his riches, his splendour, and his influence over both monarchs.<sup>4</sup> And as Henry himself loved show and magnificence, and had entertained a curiosity of being personally acquainted with the French king, he cheerfully adjusted all the preliminaries of this interview. The nobility of both nations vied with each other in pomp and expense: many of them involved themselves in great debts, and were not able, by the penury of their whole lives, to repair the vain splendour of a few days. The Duke of Buckingham, who though very rich, was somewhat addicted to frugality, finding his preparations for this festival amount to immense sums, threw out some expressions of displeasure against the cardinal, whom he believed the author of that measure: "an imprudence which was not forgotten by this minister."

While Henry was preparing to depart for Calais, he heard that the emperor was arrived at Dover; and he immediately hastened thither with the queen, in order to give a

suitable reception to his royal guest. That great prince, politic though young, being informed of the intended interview between Francis and Henry, was apprehensive of the consequences, and was resolved to take the opportunity, in his passage from Spain to the Low Countries, to make the king still a higher compliment by paying him a visit in his own dominions. Besides the marks of regard and attachment which he gave to Henry, he strove by every testimony of friendship, by flattery, protestations, promises, and presents, to gain on the vanity, the avarice, and the ambition of the cardinal. He here instilled into this aspiring prelate the hope of attaining the papacy; and as

<sup>2</sup> Polidore Virgil, lib. 27. This whole narrative has been copied by all the historians from the author here cited: there are many curious errors, however, very suspicious, both because of the obvious proximity of the historians, and because the passages, which they afterwards quoted, thus

Wolsey's conduct, could find no proof of any material offence he had ever committed.

<sup>3</sup> De Bellerme, lib. 10. Guicciardini, lib. 13.

<sup>4</sup> Ibid. Herbert. Holingshead, p. 455.

<sup>5</sup> Polid. Virg. lib. 27.

The Emperor Charles arrives in England. 25th May.

that was the sole point of elevation beyond his present greatness, it was sure to attract his wishes with the same ardour as if fortune had never yet favoured him with any of her presents. In confidence of reaching this dignity by the emperor's assistance, he secretly devoted himself to that monarch's interests; and Charles was perhaps the more liberal of his promises, because Leo was a very young man; and it was not likely that, for many years, he should be called upon to fulfil his engagements. Henry easily observed this courtship paid to his minister; but instead of taking umbrage at it, he only made it a subject of vanity; and believed that, as his favour was Wolsey's sole support, the obedience of such mighty monarchs to his servant, was in reality a more conspicuous homage to his own grandeur.

30th May. The day of Charles's departure, Henry went over to Calais with the queen and his whole court; and thence proceeded to Guisnes, a small town near the frontiers. Francis, attended in like manner, came to Ardres, a few miles distant; and the two monarchs met, for the first time, in the fields, at a place situated between these two towns, but still within the English pale: for Francis agreed to pay this compliment to Henry, in consideration of that prince's passing the sea that he might be present at the interview. Wolsey, to whom both kings had intrusted the regulation of the ceremonial, contrived this circumstance, in order to do honour to his master. The nobility both of France and England here displayed their magnificence with such emulation and profuse expense, as procured to the place of interview the name of *the field of the cloth of gold*.

The two monarchs, after saluting each other in the most cordial manner, retired into a tent which had been erected on purpose, and they held a secret conference together. Henry here proposed to make some amendments on the articles of their former alliance; and he began to read the treaty, *I, Henry, King*: these were the first words; and he stopped a moment. He subjoined only the words of *England*, without adding *France*, the usual style of the English monarchs.\* Francis remarked this delicacy, and expressed by a smile his approbation of it.

He took an opportunity soon after of paying a compliment to Henry, of a more flattering nature. That generous prince, full of honour himself and incapable of distrusting others, was shocked at all the precautions which were observed, whenever he had an interview with the English monarch: the number of their guards and attendants was carefully reckoned on both sides: every step was scrupulously measured and adjusted: and if the two kings intended to pay a visit to the queens, they departed from their respective quarters at the same instant, which was marked by the firing of a culverin; they passed each other in the middle point between the places; and the moment that Henry entered Ardres, Francis put himself into the hands of the English at Guisnes. In order to break off this tedious ceremonial, which contained so many dishonourable implications, Francis, one day, took with him two gentlemen and a page, and rode directly into Guisnes. The guards were surprised at the presence of the monarch, who called aloud to them, *You are all my prisoners: carry me to your master*. Henry was equally astonished at the appearance of Francis; and taking him in his arms, "My brother," said he, "you have here played me the most agreeable trick in the world, and have showed me the full confidence I may place in you: I surrender myself your prisoner from this moment." He took from his neck a collar of pearls worth 15,000 angels;† and putting it about Francis's, begged him to wear it for the sake of his prisoner. Francis agreed, but on condition that Henry should wear a bracelet, of which he made him a present, and which was double in value to the collar.‡ The king went next day to Ardres, without guards or attendants; and confidence being now fully established between the monarchs, they employed the rest of the time entirely in tournaments and festivals.

A defiance had been sent by the two kings to each other's court, and through all the chief cities in Europe,

importing that Henry and Francis, with fourteen aids, would be ready, in the plains of Picardy, to answer all comers that were gentlemen, at tilt, tournament, and barriers. The monarchs, in order to fulfil this challenge, advanced into the field on horseback, Francis surrounded with Henry's guards, and Henry with those of Francis. They were gorgeously appressed; and were both of them the most comely personages of their age, as well as the most expert in every military exercise. They carried away the prize at all trials in those rough and dangerous pastimes; and several horses and riders were overthrown by their vigour and dexterity. The ladies were the judges in these feats of chivalry, and put an end to the rencounter, whenever they judged it expedient. Henry erected a spacious house of wood and canvass, which had been framed in London; and he there feasted the French monarch. He had placed a motto on this fabric, under the figure of an English archer embrodered on it, *Cui adhaere præst; He prevails whom I favour*:\* expressing his own situation, as holding in his hands the balance of power among the potentates of Europe. In these entertainments, more than in any serious business, did the two kings pass their time, till their departure.

Henry paid then a visit to the emperor 24th June. and Margaret of Savoy, at Gravelines, and engaged them to go along with him to Calais, and pass some days in that fortress. The artful and politic Charles here completed the impression, which he had begun to make on Henry and his favourite, and effaced all the friendship to which the frank and generous nature of Francis had given birth. As the house of Austria began sensibly to take the ascendant over the French monarchy, the interests of England required, that some support should be given to the latter, and, above all, that any important wars should be prevented, which might bestow on either of them a decisive superiority over the other. But the jealousy of the English against France has usually prevented a cordial union between these nations: and Charles, sensible of this hereditary animosity, and desirous further to flatter Henry's vanity, had made him an offer, (an offer in which Francis was afterwards obliged to concur,) that he should be entirely arbiter in any dispute or difference that might arise between the monarchs. But the masterpiece of Charles's politics was the securing of Wolsey in his interests, by very important services, and still higher promises. He renewed assurances of assisting him in obtaining the papacy; and he put him in present possession of the revenues belonging to the sees of Badajoz and Valencia in Castile. The acquisitions of Wolsey were now become so exorbitant, that, joined to the pensions from foreign powers, which Henry allowed him to possess, his revenues were computed nearly to equal those which belonged to the crown itself; and he spent them with a magnificence, or rather an ostentation, which gave general offence to the people, and even lessened his master in the eyes of all foreign nations.‡

The violent personal emulation and political jealousy which had taken place between the emperor and the French king, soon broke out in hostilities. But while these ambitious and warlike princes were acting against each other in almost every part of Europe, they still made professions of the strongest desire of peace; and both of them incessantly carried their complaints to Henry, as to the umpire between them. The king, who pretended to be neutral, engaged them to send their ambassadors to Calais, there to negotiate a peace, under the mediation of Wolsey and the Pope's nuncio. The emperor was well apprised of the partiality of these mediators; and his demands in the conference were so unreasonable, as plainly proved him conscious of the advantage. He required the restitution of Burgundy, a province which many years before had been ceded to France by treaty, and which, if in his possession, would have given him entrance into the heart of that kingdom: and he demanded to be freed from the homage which his ancestors had always done for Flanders and Artois, and

War between Charles and Francis. A. D. 1521.

Mediation of Henry.

\* Mémoires de Fleuranges.

† An angel was then estimated at seven shillings, or near twelve of our present money.

‡ Mémoires de Fleuranges.

§ Mazarin.

|| Polydore Virgil. Ital.

which he himself had, by the treaty of Noyon, engaged to renew. On Francis's rejecting these terms, the congress of Calais broke up, and Wolsey, soon after, took a journey to Bruges, where he met with the emperor.

3th Nov. He was received with the same state, magnificence, and respect, as if he had been the King of England himself; and he concluded, in his master's name, an offensive alliance with the Pope and the emperor against France. He stipulated, that England should next summer invade that kingdom, with forty thousand men; and he betrothed to Charles the princess Mary, the king's only child, who had now some prospect of inheriting the crown. This extravagant alliance, which was prejudicial to the interests, and might have proved fatal to the liberty and independence of the kingdom, was the result of the humours and prejudices of the king, and the private views and expectations of the cardinal.

The people saw, every day, new instances of the uncontrolled authority of this minister. The Duke of Buckingham, constable of England, the first nobleman, both for family and fortune, in the kingdom, had imprudently given disgust to the cardinal; and it was not long before

he found reason to repent of his indiscretion. Trial and condemnation of the Duke of Buckingham. He seems to have been a man full of levity and rash projects; and being infatuated with judicial astrology, he entertained a commerce with one Hopkins, a Carthusian friar, who encouraged him in the notion of his mounting, one day, the throne of England. He was descended, by a female, from the Duke of Gloucester, youngest son of Edward III.; and though his claim to the crown was thereby very remote, he had been so unguarded as to let fall some expressions, as if he thought himself best entitled, in case the king should die without issue, to possess the royal dignity. He had not even abstained from threats against the king's life, and had provided himself with arms, which he intended to employ in case a favourable opportunity should offer. He was brought to a trial; and the Duke of Norfolk, whose son, the Earl of Surrey, had married Buckingham's daughter, was created Lord Steward, in order to preside at this solemn procedure. The jury consisted of a duke, a marquiss, seven earls, and twelve barons; and they gave their verdict against Buckingham, which was soon after carried into execution. There is no reason to think the sentence unjust; but as Buckingham's crimes seemed to proceed more from indiscretion than deliberate malice, the people, who loved him, expected that the king would grant him a pardon, and imputed their disappointment to the animosity and revenge of the cardinal. The king's own jealousy, however, of all persons allied to the crown, was, notwithstanding his undoubted title, very remarkable during the whole course of his reign; and was alone sufficient to render him implacable against Buckingham. The office of constable, which this nobleman inherited from the Bohuns, Earls of Hereford, was forfeited, and was never after revived in England.

## CHAP. XXIX.

Digression concerning the ecclesiastical state.—Origin of the Reformation.—Martin Luther.—Henry receives the title of Defender of the Faith.—Causes of the progress of the Reformation.—War with France.—Invasion of France.—War with Scotland.—A parliament.—Invasion of France.—Italian wars.—The King of France invades Italy.—Battle of Pavía and captivity of Francis.—Francis recovers his liberty.—Sack of Rome.—League with France.

A. D. 1521. DURING some years, many parts of Europe had been agitated with those religious controversies which produced the Reformation, one of the greatest events in history; but as it was not till this time that the King of England publicly took part in the quarrel, we had no occasion to give any account of its rise and progress. It will now be necessary to explain these theological disputes; or, what is more material, to trace from their origin those abuses which so generally diffused the opinion, that a reformation of the church, or ecclesiastical order, was become highly expedient, if not absolutely

necessary. We shall be better enabled to comprehend the subject, if we take the matter a little higher, and reflect a moment on the reasons why there must be an ecclesiastical order and a public establishment of religion in every civilized community. The importance of the present occasion will, I hope, excuse this short digression.

Digression concerning the ecclesiastical state. Most of the arts and professions in a state are of such a nature, that, while they promote the interests of the society, they are also useful or agreeable to some individuals; and in that case, the constant rule of the magistrate, except, perhaps, on the first introduction of any art, is to leave the profession to itself, and trust its encouragement to those who reap the benefit of it. The artisans, finding their profits to rise by the favour of their customers, increase, as much as possible, their skill and industry; and as matters are not disturbed by any injudicious tampering, the commodity is always sure to be at all times nearly proportioned to the demand.

But there are also some callings, which, though useful, and even necessary in a state, bring no particular advantage or pleasure to any individual; and the supreme power is obliged to alter its conduct with regard to the retainers of those professions. It must give them public encouragement, in order to their subsistence; and it must provide against that negligence, to which they will naturally be subject, either by annexing peculiar honours to the profession, by establishing a long subordination of ranks and a strict dependence, or by some other expedient. The persons employed in the finances, armies, fleets, and magistracy, are instances of this order of men.

It may naturally be thought, at first sight, that the ecclesiastics belong to the first class, and that their encouragement, as well as that of lawyers and physicians, may safely be intrusted to the liberality of individuals, who are attached to their doctrines, and who find benefit or consolation from their spiritual ministry and assistance. Their industry and vigilance will, no doubt, be whetted by such an additional motive; and their skill in their profession, as well as their address in governing the minds of the people, must receive daily increase, from their increasing practice, study, and attention.

But if we consider the matter more closely, we shall find, that this interested diligence of the clergy is what every wise legislator will study to prevent; because, in every religion, except the true, it is highly pernicious, and it has even a natural tendency to pervert the true, by infusing into it a strong mixture of superstition, folly, and delusion. Each ghostly practitioner, in order to render himself more precious and sacred in the eyes of his retainers, will inspire them with the most violent abhorrence of all other sects, and continually endeavour, by some novelty, to excite the languid devotion of his audience. No regard will be paid to truth, morals, or decency, in the doctrines inculcated. Every tenet will be adopted that best suits the disorderly affections of the human frame. Customers will be drawn to each conventicle by new industry and address, in practising on the passions and credulity of the populace. And in the end, the civil magistrate will find, that he has dearly paid for his pretended frugality, in saving a fixed establishment for the priests; and that, in reality, the most decent and advantageous composition, which he can make with the spiritual guides, is to bribe their indolence, by assigning stated salaries to their profession, and rendering it superfluous for them to be further active, than merely to prevent their flock from straying in quest of new pastures. And in this manner ecclesiastical establishments, though commonly they arose at first from religious views, prove in the end advantageous to the political interests of society.

But we may observe, that few ecclesiastical establishments have been fixed upon a worse foundation than that of the church of Rome, or have been attended with circumstances more hurtful to the peace and happiness of mankind.

The large revenues, privileges, immunities, and powers of the clergy, rendered them formidable to the civil magistrate, and armed with too extensive authority an order of





lute authority conferred upon him: he even undertook to combat them with weapons not usually employed by monarchs, especially those in the flower of their age and force of their passions. He wrote a book in Latin against the principles of Luther: a performance which, if allowance be made for the subject and the age, does no discredit to his capacity. He sent a copy of it to Leo, who received so magnificent a present with great testimony of regard; and conferred on him the title of *Defender of the Faith*: an appellation still retained by the kings of England. Luther, who was in the heat of controversy, soon published an

answer to Henry; and, without regard to the dignity of his antagonist, treated him with all the acrimony of style, to which, in the course of his polemics, he had so long been accustomed. The king by this ill usage was still more prejudiced against the new doctrines; but the public, who naturally favour the weaker party, were inclined to attribute to Luther the victory in the dispute. And as the controversy became more illustrious by Henry's entering the lists, he drew still more the attention of mankind; and the Lutheran doctrine daily acquired new converts in every part of Europe.

The quick and surprising progress of this bold sect, may justly in part be ascribed to the late invention of printing, and revival of learning. Not that reason bore any considerable share in opening men's eyes with regard to the impostures of the Romish church: for of all branches of literature, philosophy had, as yet, and till long afterwards, made the most inconsiderable progress; neither is there any instance that argument has ever been able to free the people from that enormous load of absurdity, with which superstition has every where overwhelmed them: not to mention, that the rapid advance of the Lutheran doctrine, and the violence with which it was embraced, prove sufficiently that it owed not its success to reason and reflection. The art of printing and the revival of learning forwarded its progress in another manner. By means of that art, the books of Luther and his sectaries, full of vehemence, declamation, and a rude eloquence, were propagated more quickly, and in greater numbers. The minds of men, somewhat awakened from a profound sleep of so many centuries, were prepared for every novelty, and scrupled less to tread in any unusual path which was opened to them. And as copies of the Scriptures and other ancient monuments of the Christian faith became more common, men perceived the innovations which were introduced after the first centuries; and though argument and reasoning could not give conviction, an historical fact, well supported, was able to make impression on their understandings. Many of the powers, indeed, assumed by the church of Rome, were very ancient, and were prior to almost every political government established in Europe: but as the ecclesiastics would not agree to possess their privileges as matters of civil right, which time might render valid, but appealed still to a divine origin, men were tempted to look into their primitive charter; and they could, without much difficulty, perceive its defects in truth and authenticity.

In order to bestow on this topic the greater influence, Luther and his followers, not satisfied with opposing the pretended divinity of the Romish church, and displaying the temporal inconveniences of that establishment, carried matters much further, and treated the religion of their ancestors as abominable, detestable, damnable; foretold by sacred writ itself, as the source of all wickedness and pollution. They denominated the Pope Antichrist, called his communion the Scarlet Whore, and gave to Rome the appellation of Babylon: expressions which, however applied, were to be found in Scripture, and which were better calculated to operate on the multitude than the most solid arguments. Excited by contest and persecution on the one hand, by success and applause on the other, many of the reformers carried to the greatest extremity their opposition to the church of Rome; and in contradiction to the multiplied superstitions with which that communion was loaded, they adopted an enthusiastic strain of devotion, which admitted of no observances, rites, or ceremonies,

but placed all merit in a mysterious species of faith, in inward vision, rapture, and ecstacy. The new doctrines, seized with this spirit, were indefatigable in the propagation of their doctrine, and set at defiance all the anathemas and punishments with which the Roman pontiff endeavoured to overwhelm them.

That the civil power, however, might afford them protection against the ecclesiastical jurisdiction, the Lutherans advanced doctrines favourable in some respect to the temporal authority of sovereigns. They inveighed against the abuses of the court of Rome, with which men were at that time generally discontented; and they exhorted princes to reinstate themselves in those powers of which the encroaching spirit of the ecclesiastics, especially of the sovereign pontiff, had so long bereaved them. They condemned celibacy and monastic vows, and thereby opened the doors of the convents to those who were either tired of the obedience and chastity, or disgusted with the licence, in which they had hitherto lived. They blamed the excessive riches, the idleness, the libertinism of the clergy; and pointed out their treasures and revenues as lawful spoil to the first invader. And as the ecclesiastics had hitherto conducted a willing and a stupid audience, and were totally unacquainted with controversy, much more with every species of true literature, they were unable to defend themselves against men armed with authorities, quotations, and popular topics, and qualified to triumph in every altercation or debate. Such were the advantages with which the reformers began their attack on the Romish hierarchy; and such were the causes of their rapid and astonishing success.

Leo X., whose oversights and too supine trust in the profound ignorance of the people had given rise to this sect, but whose sound judgment, moderation, and temper, were well qualified to retard its progress, died in the flower of his age, a little after he received the king's book against Luther; and he was succeeded in the papal chair by Adrian, a Fleming, who had been tutor to the Emperor Charles. This man was fitted to gain on the reformers, by the integrity, candour, and simplicity of manners, which distinguished his character; but, so violent were their prejudices against the church, he rather hurt the cause by his imprudent exercise of those virtues. He frankly confessed, that many abominable and detestable practices prevailed in the court of Rome; and by this sincere avowal he gave occasion of much triumph to the Lutherans. This pontiff, also, whose penetration was not equal to his good intentions, was seduced to concur in that league which Charles and Henry had formed against France; and he thereby augmented the scandal occasioned by the practice of so many preceding Popes, who still made their spiritual arms subservient to political purposes.

The emperor, who knew that Wolsey had received a disappointment in his ambitious hopes, by the election of Adrian, and who dreaded the resentment of that haughty minister, was solicitous to repair the breach made in their friendship by this incident. He paid another visit to England; and, besides flattering the vanity of the king and the cardinal, he renewed to Wolsey all the promises which he had made him, of seconding his pretensions to the papal throne. Wolsey, sensible that Adrian's great age and infirmities promised a speedy vacancy, dissembled his resentment, and was willing to hope for a more prosperous issue to the next election. The emperor renewed the treaty made at Bruges, to which some articles were added; and he agreed to indemnify both the king and Wolsey, for the revenue which they should lose by a breach with France. The more to ingratiate himself with Henry and the English nation, he gave to Surrey, Admiral of England, commission for being admiral of his dominions; and he himself was installed Knight of the Garter at London. After a stay of six weeks in England, he embarked at Southampton, and in ten days arrived in Spain, where he soon pacified the tumults which had arisen in his absence.<sup>k</sup>

The king declared war against France; and this measure was founded on so little reason, that he could allege nothing as a ground of quarrel,

Causes of the progress of the Reformation.

1st Dec.

A. D. 1522.

26th May.

War with France.

<sup>k</sup> Latimer Paul, lib. 1.

<sup>l</sup> Guicciardin, lib. 11.

<sup>m</sup> Petrus de Angulo, Hist. 763.

but Francis's refusal to submit to his arbitration, and his sending Albany into Scotland. This last step had not been taken by the French king, till he was quite assured of Henry's resolution to attack him. Surrey landed some troops at Cherbourg in Normandy; and after laying waste the country, he sailed to Morlaix, a rich town in Brittany, which he took and plundered. The English merchants had great property in that place, which was no more spared by the soldiers than the goods of the French. Surrey then left the charge of the fleet to the vices-admiral; and sailed to Calais, where he took the command of the English army destined for the invasion of France. This army, when joined by forces from the Low Countries, under the command of the Count de Buren, amounted in the whole to 18,000 men.

The French had made it a maxim in almost all their wars with the English since the reign of Charles V., never, without great necessity, to hazard a general engagement; and the Duke of Vendome, who commanded the French army, now embraced this wise policy. He supplied the towns most exposed, especially Boulogne, Montreuil, Terouëne, Hedin, with strong garrisons and plenty of provisions: he himself took post at Abbeville, with some Swiss and French infantry, and a body of cavalry: the Count of Guise encamped under Montreuil with six thousand men. These two bodies were in a situation to join upon occasion; to throw supply into any town that was threatened; and to harass the English in every movement. Surrey, who was not provided with magazines, first divided his troops for the convenience of subsisting them; but finding that his quarters were every moment beaten up by the activity of the French generals, he drew together his forces, and laid siege to Hedin. But neither did he succeed in this enterprise. The garrison made vigorous sallies upon his army: the French forces assaulted him from without: great rains fell: fatigue and bad weather threw the soldiers into dysenteries: and Surrey was obliged to raise the siege and put his troops into winter-quarters about the end of October. His rear-guard was attacked at Pas, in Artois, and five or six hundred men were cut off; nor could all his efforts make him master of one place within the French frontier.

The allies were more successful in Italy. Lautrec, who commanded the French, lost a great battle at Bicocca, near Milan; and was obliged to retire with the remains of his army. This misfortune, which proceeded from Francis's negligence in not supplying Lautrec with money,<sup>1</sup> was followed by the loss of Genoa. The castle of Cremona was the sole fortress in Italy which remained in the hands of the French.

Europe was now in such a situation, and so connected by different alliances and interests, that it was almost impossible for war to be kindled in one part and not diffuse itself throughout the whole: but of all the leagues among kingdoms, the closest was that which had so long subsisted between France and Scotland; and the English, while at war with the former nation, could not hope to remain

long unmolested on the northern frontier. War with Scotland. No sooner had Albany arrived in Scotland, than he took measures for kindling a war with England; and he summoned the whole force of the kingdom to meet in the fields of Rosline.<sup>2</sup> He thence conducted the army southwards into Annandale; and prepared to pass the borders at Solway-Frith. But many of the nobility were disgusted with the regent's administration; and observing that his connexions with Scotland were feeble in comparison of those which he maintained with France, they murmured that, for the sake of foreign interests, their peace should so often be disturbed, and war, during their king's minority, be wantonly entered into with a neighbouring nation, so much superior in force and riches. The Gordons, in particular, refused to advance any further; and Albany, observing a general discontent to prevail, was obliged to conclude a truce with Lord Dacres, warden of the English west marches. Soon after he departed for France; and lest the opposite faction should gather force in his absence, he sent thither before him the Earl of Angus, husband to the queen-dowager.

Next year, Henry, that he might take advantage of the regent's absence, marched an army into Scotland, under the command of Surrey, who ravaged the Merse and Teviotdale without opposition, and burned the town of Jedburgh. The Scots had neither king nor regent to conduct them: the two Humes had been put to death: Angus was in a manner banished: no nobleman of vigour or authority remained, who was qualified to assume the government: and the English monarch, who knew the distressed situation of the country, determined to push them to extremity, in hopes of engaging them, by the sense of their present weakness, to make a solemn renunciation of the French alliance, and to embrace that of England.<sup>3</sup> He even gave them hopes of contracting a marriage between the Lady Mary, heiress of England, and their young monarch; an expedient which would for ever unite the two kingdoms.<sup>4</sup> And the queen-dowager, with her whole party, recommended every where the advantages of this alliance, and of a confederacy with Henry. They said that the interests of Scotland had too long been sacrificed to those of the French nation, who, whenever they found themselves reduced to difficulties, called for the assistance of their allies; but were ready to abandon them as soon as they found their advantage in making peace with England: that where a small state entered into so close a confederacy with a greater, it must always expect this treatment, as a consequence of the unequal alliance; but there were peculiar circumstances in the situation of the kingdoms which, in the present case, rendered it inevitable: that France was so distant and so divided from them by sea, that she scarcely could by any means, and never could in time, send succours to the Scots, sufficient to protect them against ravages from the neighbouring kingdom: that nature had in a manner formed an alliance between the two British nations; having enclosed them in the same island; given them the same manners, language, laws, and form of government; and prepared every thing for an intimate union between them: and that if national antipathies were abolished, which would soon be the effect of peace, these two kingdoms, secured by the ocean and by their domestic force, could set at defiance all foreign enemies, and remain for ever safe and unmolested.

The partisans of the French alliance, on the other hand, said, that the very reasons which were urged in favour of a league with England, the vicinity of the kingdom and its superior force, were the real causes why a sincere and durable confederacy could never be formed with that hostile nation: that among neighbouring states occasions of quarrel were frequent; and the more powerful would be sure to seize every frivolous pretence for oppressing the weaker, and reducing it to subjection: that as the near neighbourhood of France and England had kindled a war almost perpetual between them, it was the interest of the Scots, if they wished to maintain their independence, to preserve their league with the former kingdom, which balanced the force of the latter: that if they deserted that old and salutary alliance on which their importance in Europe chiefly depended, their ancient enemies, stimulated both by interest and by passion, would soon invade them with superior force, and bereave them of all their liberties; or if they delayed the attack, the insidious peace, by making the Scots forget the use of arms, would only prepare the way for a slavery more certain and more irrevocable.<sup>5</sup>

The arguments employed by the French party, being seconded by the natural prejudices of the people, seemed most prevalent: and when the regent himself, who had been long detained beyond his appointed time by the danger from the English fleet, at last appeared among them, he was able to throw the balance entirely on that side. By authority of the convention of states he assembled an army, with a view of avenging the ravages committed by the English in the beginning of the campaign; and he led them southwards towards the borders. But when they were passing the Tweed at the bridge of Melross, the English party raised again such opposition, that Albany thought proper to make a retreat. He marched

<sup>1</sup> Guicciardini, lib. 14.

<sup>2</sup> Buchanan, lib. 11. Drummond, Pitseaite

<sup>3</sup> Buchanan, lib. 14. Herbert.

<sup>4</sup> Buchanan, lib. 14.

<sup>5</sup> Le Grand, vol. iii. p. 39.



downwards along the banks of the Tweed, keeping that river on his right; and fixed his camp opposite to Workcastle, which Surrey had lately repaired. He sent over some troops to besiege this fortress, who made a breach in it, and stormed some of the outworks: but the regent, hearing of the approach of an English army, and discouraged by the advanced season, thought proper to disband his forces, and retire to Edinburgh. Soon after he went over to France, and never again returned to Scotland. The Scottish nation, agitated by their domestic factions, were not during several years in a condition to give any more disturbance to England; and Henry had full leisure to prosecute his designs on the continent.

The reason why the war against France proceeded so slowly on the part of England, was the want of money. All the treasures of Henry VII. were long ago dissipated; the king's habits of expense still remained, and his revenues were unequal even to the ordinary charge of government, much more to his military enterprises. He had last year caused a general survey to be made of the kingdom; the numbers of men, their years, profession, stock, revenue; and expressed great satisfaction on finding the nation so opulent. He then issued privy seals to the most wealthy, demanding loans of particular sums: this act of power, though somewhat irregular and tyrannical, had been formerly practised by kings of England; and the people were now familiarized to it. But Henry this year carried his authority much further. He published an edict for a general tax upon his subjects, which he still called a loan; and he levied five shillings in the pound upon the clergy, two shillings upon the laity. This pretended loan, as being more regular, was really more dangerous to the liberties of the people; and was a precedent for the king's imposing taxes without consent of parliament.

Henry soon after summoned a parliament, 15th April. together with a convocation; and found neither of them in a disposition to complain of the infringement of their privileges. It was only doubted how far they would carry their liberality to the king. Wolsey, who had undertaken the management of the affair, began with the convocation, in hopes that their example would influence the parliament to grant a large supply. He demanded a moiety of the ecclesiastical revenues to be levied in five years, or two shillings in the pound during that time; and though he met with opposition, he reprimanded the refractory members in such severe terms, that his request was at last complied with. The cardinal afterwards, attended by several of the nobility and prelates, came to the House of Commons; and, in a long and elaborate speech, laid before them the public necessities, the danger of an invasion from Scotland, the affronts received from France, the league in which the king was engaged with the Pope and the emperor; and he demanded a grant of 800,000 pounds, divided into four yearly payments; a sum computed from the late survey or valuation, to be equal to four shillings in the pound of one year's revenue, or one shilling in the pound yearly, according to the division proposed.<sup>a</sup> So large a grant was unusual from the Commons; and though the cardinal's demand was seconded by Sir Thomas More, the Speaker, and several other members attached to the court, the House could not be prevailed with to comply.<sup>b</sup> They only voted two shillings in the pound on all who enjoyed twenty pounds a year and upwards; one shilling on all who possessed between twenty pounds and forty shillings a year; and on the other subjects, above sixteen years of age, a groat a head. This last sum was divided into two yearly payments; the former into four; and was not, therefore, at the utmost, above sixpence in the pound. The grant of the Commons was but the moiety of the sum demanded; and the cardinal, therefore, much mortified with the disappointment,

came again to the House, and desired to reason with such as refused to comply with the king's request. He was told, that it was a rule of the House, never to reason but among themselves; and his desire was rejected. The Commons, however, enlarged a little their former grant, and voted an imposition of three shillings in the pound on all possessed of fifty pounds a year and upwards.<sup>c</sup> The proceedings of this House of Commons evidently discover the humour of the times: they were extremely tenacious of their money, and refused a demand of the crown, which was far from being unreasonable; but they allowed an encroachment on national privileges to pass uncensured, though its direct tendency was to subvert entirely the liberties of the people. The king was so dissatisfied with this saving disposition of the Commons, that, as he had not called a parliament during seven years before, he allowed seven more to elapse before he summoned another: and, on pretence of necessity, he levied in one year, from all who were worth forty pounds, what the parliament had granted him payable in four years;<sup>d</sup> a new invasion of national privileges. These irregularities were commonly ascribed to the cardinal's counsels, who, trusting to the protection afforded him by his ecclesiastical character, was the less scrupulous in his encroachments on the civil rights of the nation.

That ambitious prelate received this year a new disappointment in his aspiring views. The Pope, Adrian VI. died; and Clement VII., of the family of Medicis, was elected in his place, by the concurrence of the imperial party. Wolsey could now perceive the insincerity of the emperor, and he concluded that that prince would never second his pretensions to the papal chair. As he highly resented this injury, he began thenceforth to estrange himself from the imperial court, and to pave the way for an union between his master and the French king. Meanwhile he concealed his disgust; and after congratulating the new Pope on his promotion, applied for a continuation of the legatine powers which the two former Popes had conferred upon him. Clement, knowing the importance of gaining his friendship, granted him a commission for life; and, by this unusual concession, he in a manner transferred to him the whole papal authority in England. In some particulars Wolsey made a good use of this extensive power. He erected two colleges, one at Oxford, another at Ipswich, the place of his nativity: he sought, all over Europe, for learned men to supply the chairs of these colleges: and, in order to bestow endowments on them, he suppressed some smaller monasteries, and distributed the monks into other convents. The execution of this project became the less difficult for him, because the Romish church began to perceive that she overabounded in monks, and that she wanted some supply of learning in order to oppose the inquisitive, or rather disputative, humour of the reformers.

The confederacy against France seemed more formidable than ever on the opening of the campaign.<sup>e</sup> Adrian, before his death, had renewed the league with Charles and Henry. The Venetians had been induced to desert the French alliance, and to form engagements for securing Francis Sforza, brother to Maximilian, in possession of the Milanese. The Florentines, the Dukes of Ferrara and Mantua, and all the powers of Italy, combined in the same measure. The emperor, in person, menaced France with a powerful invasion on the side of Guienne: the forces of England and the Netherlands hovered over Picardy: a numerous body of Germans were preparing to ravage Burgundy: but all these perils from foreign enemies were less threatening than a domestic conspiracy, which had been formed, and which was now come to full maturity, against the French monarch.

Charles, Duke of Bourbon, Constable of France, was a prince of the most shining merit; and, besides distin-

<sup>a</sup> Herbert. Stowe, p. 514.  
<sup>b</sup> This survey or valuation is liable to much suspicion, as fixing the rents at a certain low rate, unless the survey comprehend the revenues of all kinds, impropriety as well as land and tithes.

<sup>c</sup> Herbert. Stowe, p. 516. Parliamentary Hist. Stowe, vol. i. p. 50.

<sup>d</sup> It is said that when Henry heard that the Commons made a great difficulty of granting the required supply, he was so provoked, that he sent for Thomas Montague, one of the members, who had conspicuous influence in the House, and, being introduced to his majesty, laid the importunity of four hundred men before him—*He! man! will they not suffer my bill to*

*pass?* and, laying his hand on Montague's head, who was then on his knees before him, *Get my bill passed by tomorrow, or the tomorrow the heads of yowre shall be off.* This cowardly manner of Henry succeeded, for next day the bill passed. *Clement's Ecclesiastical History, (transl.) Life of Wolsey.* We are told by Hall, fol. 30, that Cardinal Wolsey endeavoured to terrify the citizens of London into the general loan exacted in 1525, and told them, *handly, that it were better that some should suffer indigence, than that the King of France should lack—and revelling, feasting, and rioting was so sufficient to increase, for it may fortune to cost more people their heads.* Such was the style employed by this augur and his ministers.  
<sup>e</sup> Speed. Hall. Herbert. <sup>f</sup> Guiccardini, lib. 14.

gushing himself in many military enterprises, he was adorned with every accomplishment which became a person of his high station. His virtues, embellished with the graces of youth, had made such impression on Louise of Savoy, Francis's mother, that, without regard to the inequality of their years, she made him proposals of marriage; and, meeting with a repulse, she formed schemes of unending vengeance against him. She was a woman, false, deceitful, vindictive, malicious; but unhappy for France, had, by her capacity, which was considerable, acquired an absolute ascendancy over her son. By her instigation, Francis put many affronts on the constable, which it was difficult for a gallant spirit to endure; and, at last, he permitted Louise to prosecute a law-suit against him, by which, on the most frivolous pretences, he was deprived of his ample possessions; and inevitable ruin was brought upon him.

Bourbon, provoked at all these indignities, and thinking that, if any injuries could justify a man in rebellion against his prince and country, he must stand acquitted, had entered into a secret correspondence with the emperor and the King of England.<sup>1</sup> Francis, pertinacious in his purpose of recovering the Milanese, had intended to lead his army in person into Italy; and Bourbon, who feigned sickness, in order to have a pretence for staying behind, purposed as soon as the king should have passed the Alps, to raise an insurrection among his numerous vassals, by whom he was extremely beloved, and to introduce foreign enemies into the heart of the kingdom. Francis got intimation of his design; but as he was not expeditious enough in securing so dangerous a foe, the constable made his escape; and, entering into the emperor's service, employed all the force of his enterprising spirit, and his great talents for war, to the prejudice of his native country.

The King of England, desirous that Francis should undertake his Italian expedition, did not openly threaten Picardy this year with an invasion; and it was late before the Duke of Suffolk, who commanded the English forces,

8th Aug. passed over to Calais. He was attended by the Lords Montacute, Herbert, Ferrars, Morrey, Sandys, Berkeley, Powis, and many other noblemen and gentlemen.<sup>2</sup> The English army, reinforced by some troops drawn from the garrison of Calais, amounted to about 12,000 men; and having joined an equal number of Flemings under the Count de Buren, they prepared for an invasion of France. The siege of Boulogne was first proposed; but that enterprise appearing difficult, it was thought more advisable to leave this town behind them. The frontier of Picardy was very ill provided with troops; and the only defence of that province was the activity of the French officers, who infested the allied army in their march, and threw garrisons, with great expedition, into every town which was threatened by them. After coasting the Somme, and passing Hedin, Montreuil, Doullens, the English and Flemings presented themselves before Bray, a place of small force, which commanded a bridge over that river. Here they were resolved to pass, and, if possible, to take up winter-quarters in France; but Cregui threw himself into the town, and seemed resolute to defend it. The allies attacked him with vigour and success; and when he retreated over the bridge, they pursued him so hotly, that they allowed him not time to break it down, but passed it along with him, and totally routed his army. They next advanced to Montdidier, which they besieged, and took by capitulation. Meeting with no opposition, they proceeded to the river Oise, within eleven leagues of Paris, and threw that city into great consternation; till the Duke of Vendome hastened with some forces to its relief. The confederates, afraid of being surrounded, and of being reduced to extremities during so advanced a season, thought proper to retreat. Montdidier was abandoned; and the English and Flemings, without effecting any thing, retired into their respective countries.

France defended herself from the other invasions with equal facility, and equal good fortune. Twelve thousand Lansquenets broke into Burgundy under the command of the Count of Furstenberg. The Count of Guise, who

defended that frontier, had nothing to oppose to them but some militia and about nine hundred heavy-armed cavalry. He threw the militia into the garrison-towns; and with his cavalry he kept the field, and so harassed the Germans, that they were glad to make their retreat into Lorraine. Guise attacked them as they passed the Meuse, put them into disorder, and cut off the greater part of their rear.

The emperor made great preparations on the side of Navarre; and though that frontier was well guarded by nature, it seemed now exposed to danger from the powerful invasion which threatened it. Charles besieged Fontarabia, which a few years before had fallen into Francis's hands; and when he had drawn thither Lautrec, the French general, he of a sudden raised the siege, and sat down before Bayonne. Lautrec, aware of that stratagem, made a sudden march and threw himself into Bayonne, which he defended with such vigour and courage, that the Spaniards were constrained to raise the siege. The emperor would have been totally unfortunate on this side, had he not turned back upon Fontarabia, and, contrary to the advice of all his generals, sitten down, in the winter season, before that city, well fortified and strongly garrisoned. The cowardice or misconduct of the governor saved him from the shame of a new disappointment. The place was surrendered in a few days; and the emperor, having finished this enterprise, put his troops into winter-quarters.

So obstinate was Francis in prosecuting his Italian expedition, that, notwithstanding these numerous invasions with which his kingdom was menaced on every side, he had determined to lead in person a powerful army to the conquest of Milan. The intelligence of Bourbon's conspiracy and escape stopped him at Lyons; and, tearing some insurrection in the kingdom, from the intrigues of a man so powerful and so much beloved, he thought it prudent to remain in France, and to send forward his army under the command of Admiral Bonnivet. The duchy of Milan had been purposely left in a condition somewhat defenceless, with a view of alluring Francis to attack it, and thereby facilitating the enterprises of Bourbon; and no sooner had Bonnivet passed the Tesin, than the army of the league, and even Prosper Colonna, who commanded it, a prudent general, were in the utmost confusion. It is agreed, that if Bonnivet had immediately advanced to Milan, that great city, on which the whole duchy depends, would have opened its gates without resistance. But as he wasted his time in frivolous enterprises, Colonna had opportunity to reinforce the garrison, and to put the place in a posture of defence. Bonnivet was now obliged to attempt reducing the city by blockade and famine; and he took possession of all the posts which commanded the passages to it. But the army of the league, meanwhile, was not inactive; and they so straitened and harassed the quarters of the French, that it seemed more likely the latter should themselves perish by famine, than reduce the city to that extremity. Sickness, and fatigue, and want, A. D. 1524.

had wasted them to such a degree, that they were ready to raise the blockade; and their only hopes consisted in a great body of Swiss, which was levied for the service of the French king, and whose arrival was every day expected. But these mountaineers no sooner came within sight of the French camp, than they stopped from a sudden caprice and resentment; and, instead of joining Bonnivet, they sent orders to a great body of their countrymen, who then served under him, immediately to begin their march, and to return home in their company.<sup>3</sup> After this desertion of the Swiss, Bonnivet had no other choice but that of making his retreat as fast as possible into France.

The French being thus expelled Italy, the Pope, the Venetians, the Florentines, were satisfied with the advantage obtained over them, and were resolved to prosecute their victory no further. All these powers, especially Clement, had entertained a violent jealousy of the emperor's ambition; and their suspicions were extremely augmented when they saw him refuse the investiture of Milan, a fief of the empire, to Francis Sforza, whose title he had acknowledged, and whose defence he had embraced.<sup>4</sup>

<sup>1</sup> Memorabilia Bellay, liv. 2.  
<sup>2</sup> Holmst.

<sup>3</sup> Biearnus, lib. 17.

<sup>4</sup> Concordat, lib. 15. Memorabilia Bellay, liv. 2.

<sup>5</sup> Concordat, lib. 15.

They all concluded that he had intended to put himself in possession of that important duchy, and reduce Italy to subjection: Clement, in particular, actuated by this jealousy, proceeded so far in opposition to the emperor, that he sent orders to his nuncios at London, to mesh to a reconciliation between France and England. But affairs were not yet fully ripe for this change. Wolsey, disgusted with the emperor, but still more actuated by vain glory, was determined that he himself should have the renown of bringing about that great alteration; and he engaged the king to reject the pope's mediation. A new treaty was even concluded between Henry and Charles for the invasion of France. Charles stipulated to supply the Duke of Bourbon with a powerful army, in order to conquer Provence and Dauphiny: Henry agreed to pay him a hundred thousand crowns for the first month; after which, he might either choose to continue the same monthly payments, or invade Picardy with a powerful army. Bourbon was to possess these provinces with the title of king; but to hold them in fee of Henry as King of France. The duchy of Burgundy was to be given to Charles: the rest of the kingdom to Henry.

This chimerical partition immediately failed of execution in the article which was most easily performed: Bourbon refused to acknowledge Henry as King of France. His enterprise, however, against Provence still took place. A numerous army of Imperialists invaded that country, under his command and that of the Marquis Pescara. They laid siege to Marseilles, which, being weakly garrisoned, they expected to reduce in a little time: but the citizens defended themselves with such valour and obstinacy, that Bourbon and Pescara, who heard of the French king's approach with a numerous army, found themselves under a necessity of raising the siege; and they led their forces, weakened, baffled, and disheartened, into Italy.

Francis might now have enjoyed, in safety, the glory of repulsing all his enemies, in every attempt which they had hitherto made for invading his kingdom: but, as he received intelligence that the King of England, discouraged by his former fruitless enterprises, and disgusted with the emperor, was making no preparations for any attempt on Picardy, his ancient ardour seized him for the conquest of Milan; and, notwithstanding the advanced season, he was immediately determined, contrary to the advice of his wisest counsellors, to lead his army into Italy.

He passed the Alps at mount Cenis, and no sooner appeared in Piedmont, than he threw the whole Milanese into consternation. The forces of the emperor and Sforza retired to Lodi; and had Francis been so fortunate as to pursue them, they had abandoned that place, and had been totally dispersed: but his ill fate led him to besiege Pavia, a town of considerable strength, well garrisoned, and defended by Leyva, one of the bravest officers in the Spanish service. Every attempt which the French king made to gain this important place proved fruitless. He battered the walls, and made breaches: but, by the vigilance of Leyva, new intrenchments were instantly thrown up behind the breaches: he attempted to divert the course of the Tesin, which ran by one side of the city, and defended it; but an inundation of the river destroyed, in one night, all the mounds which the soldiers, during a long time, and with infinite labour, had been erecting. Fatigue, and the bad season, (for it was the depth of winter,) had wasted the French army. The Imperial generals,

A. D. 1525.

meanwhile, were not unactive. Pescara and Lannoy, Viceroy of Naples, assembled forces from all quarters. Bourbon, having pawned his jewels, went into Germany, and with the money, aided by his personal interests, levied a body of twelve thousand Landsknechts, with which he joined the Imperialists. This whole army advanced to raise the siege of Pavia; and the danger to the French became every day more imminent.

The state of Europe was such, during that age, that, partly from want of commerce and industry every where, except in Italy and the Low Countries, partly from the extensive privileges still possessed by the people in all the great monarchies, and their frugal maxims in granting

money, the revenues of the princes were extremely narrow, and even the small armies which they kept on foot could not be regularly paid by them. The Imperial forces, commanded by Bourbon, Pescara, and Lannoy, consisted not twenty thousand men; they were the only body of troops maintained by the emperor (for he had not been able to levy any army for the invasion of France, either on the side of Spain or Flanders). Yet, so poor was that mighty monarch, that he could transmit no money for the payment of this army; and it was chiefly the hopes of sharing the plunder of the French camp which had made them advance, and kept them to their standards. Had Francis raised the siege before their approach, and retired to Milan, they must immediately have disbanded; and he had obtained a complete victory without danger or bloodshed. But it was the character of this monarch to become obstinate in proportion to the difficulties which he encountered; and having once said, that he would take Pavia or perish before it, he was resolved rather to endure the utmost extremities than depart from this resolution.

The Imperial generals, after cannonading the French camp for several days, at last made a general assault, and broke into the intrenchments. Leyva sallied from the town, and increased the confusion among the besiegers. The Swiss infantry, contrary to their usual practice, behaved in a dastardly manner, and deserted their post. Francis's forces were put to the rout; and he himself, surrounded by his enemies, after fighting with heroic valour, and killing seven men with his own hand, was at last obliged to surrender himself prisoner. Almost the whole army, full of nobility and brave officers, either perished by the sword, or were drowned in the river. The few who escaped with their lives fell into the hands of the enemy.

The emperor received this news by Pannalosa, who passed through France by means of a safe-conduct granted him by the captive king. The moderation which he displayed on this occasion, had it been sincere, would have done him honour. Instead of rejoicing, he expressed sympathy with Francis's ill fortune, and discovered his sense of those calamities to which the greatest monarchs are exposed.<sup>a</sup> He refused the city of Madrid permission to make any public expressions of triumph; and said that he reserved all his exultation till he should be able to obtain some victory over the infidels. He sent orders to his frontier garrisons to commit no hostilities upon France. He spoke of concluding, immediately, a peace on reasonable terms. But all this seeming moderation was only hypocrisy, so much the more dangerous as it was profound. And he was wholly occupied in forming schemes how, from this great incident, he might draw the utmost advantage, and gratify that exorbitant ambition by which, in all his actions, he was ever governed.

The same Pannalosa, in passing through France, carried also a letter from Francis to his mother, whom he had left regent, and who then resided at Lyons. It contained only these few words, *Madam, all is lost, except our honour*. The princess was struck with the greatness of the calamity. She saw the kingdom without a sovereign, without an army, without generals, without money; surrounded on every side by implacable and victorious enemies; and her chief resource, in her present distresses, were the hopes she entertained of peace, and even of assistance from the King of England.

Had the king entered into the war against France from any concerted political views, it is evident that the victory of Pavia, and the captivity of Francis, were the most fortunate incidents that could have befallen him, and the only ones that could render his schemes effectual. While the war was carried on in the former feeble manner, without any decisive advantage, he might have been able to possess himself of some frontier town, or perhaps of a small territory, of which he could not have kept possession without expending much more than its value. By some signal calamity alone, which annihilated the power of France, could he hope to acquire the dominion of considerable provinces, or dismember that great monarchy, so affectionate to its own government and its own sovereigns.



But as it is probable that Henry had never before carried his reflections so far, he was startled at this important event, and became sensible of his own danger, as well as that of all Europe, from the loss of a proper counterpoise to the power of Charles. Instead of taking advantage, therefore, of the distressed condition of Francis, he was determined to lend him assistance in his present calamities; and, as the glory of generosity, in raising a fallen enemy, concurred with his political interest, he hesitated the less in embracing these new measures.

Some disgusts also had previously taken place between Charles and Henry, and still more between Charles and Wolsey; and that powerful minister waited only for a favourable opportunity of revenging the disappointments which he had met with. The behaviour of Charles, immediately after the victory of Pavia, gave him occasion to revive the king's jealousy and suspicions. The emperor so ill supported the appearance of moderation, which he at first assumed, that he had already changed his usual style to Henry; and, instead of writing to him with his own hand, and subscribing himself *your affectionate son and cousin*, he dictated his letters to a secretary, and simply subscribed himself *Charles*.<sup>a</sup> Wolsey also perceived a diminution in the caresses and professions with which the emperor's letters to him were formerly loaded; and this last imprudence, proceeding from the intoxication of success, was probably more dangerous to Charles's interests than the other.

Henry, though immediately determined to embrace new measures, was careful to save appearances in the change; and he caused rejoicings to be every where made on account of the victory of Pavia and the captivity of Francis. He publicly dismissed a French envoy, whom he had formerly allowed, notwithstanding the war, to reside at London;<sup>b</sup> but, upon the Regent of France's submissive applications to him, he again opened a correspondence with her; and, besides assuring her of his friendship and protection, he exacted a promise that she never would consent to the dismembering of any province from the monarchy for her son's ransom. With the emperor, however, he put on the appearance of vigour and enterprise; and in order to have a pretence for breaking with him, he despatched Tonsal, Bishop of London, to Madrid, with proposals for a powerful invasion of France. He required that Charles should immediately enter Guienne at the head of a great army, in order to put him in possession of that province; and he demanded the payment of large sums of money which that prince had borrowed from him in his last visit at London. He knew that the emperor was in no condition of fulfilling either of these demands; and that he had as little inclination to make him master of such considerable territories upon the frontiers of Spain.

Tonsal, likewise, after his arrival at Madrid, informed his master that Charles, on his part, urged several complaints against England; and, in particular, was displeased with Henry, because last year he had neither continued his monthly payments to Bourbon, nor invaded Picardy, according to his stipulations. Tonsal added, that instead of expressing an intention to espouse Mary when she should be of age, the emperor had hearkened to proposals for marrying his niece Isabella, Princess of Portugal; and that he had entered into a separate treaty with Francis, and seemed determined to reap alone all the advantages of the success with which fortune had crowned his arms.

The king, influenced by all these motives, concluded at Moore his alliance with the Regent of France, and engaged to procure her son his liberty on reasonable conditions:<sup>c</sup> the regent also, in another treaty, acknowledged the kingdom Henry's debtor, for one million eight hundred thousand crowns, to be discharged in half-yearly payments of fifty thousand crowns: after which, Henry was to receive, during life, a yearly pension of a hundred thousand. A large present of a hundred thousand crowns was also made to Wolsey for his good offices, but covered under the pretence of arrears

due on the pension granted him for relinquishing the administration of Tournay.

Meanwhile Henry, foreseeing that this treaty with France might involve him in a war with the emperor, was also determined to fill his treasury by impositions upon his own subjects; and, as the parliament had discovered some reluctance in complying with his demands, he followed, as is believed, the counsel of Wolsey, and resolved to make use of his prerogative alone for that purpose. He issued commissions to all the counties of the kingdom of England, for levying four shillings in the

pound upon the clergy, three shillings and fourpence upon the laity; and so uncontrollable did he deem his authority, that he took no care to cover, as formerly, this arbitrary exaction, even under the slender pretence of a loan. But he soon found that he had presumed too far on the passive submission of his subjects. The people, displeased with an exaction beyond what was usually levied in those days, and further disgusted with the illegal method of imposing it, broke out in murmurs, complaints, opposition to the commissioners; and their refractory disposition threatened a general insurrection. Henry had the prudence to stop short in that dangerous path into which he had entered. He sent letters to all the counties, declaring that he meant no force by this last imposition, and that he would take nothing from his subjects but by way of *benevolence*. He flattered himself that his condescension in employing that disguise would satisfy the people, and that no one would dare to render himself obnoxious to royal authority, by refusing any payment required of him in this manner. But the spirit of opposition, once roused, could not so easily be quieted at pleasure. A lawyer, in the city, objecting the statute of Richard III., by which benevolences were for ever abolished, it was replied by the court, that Richard being a usurper, and his parliament a factious assembly, his statutes could not bind a lawful and *absolute* monarch, who held his crown by hereditary right, and needed not to court the favour of a licentious populace.<sup>d</sup> The judges even went so far as to affirm positively, that the king might exact, by commission, any sum he pleased; and the privy council gave a ready assent to this decree, which annihilated the most valuable privilege of the people, and rendered all their other privileges precarious. Armed with such formidable authority, of royal prerogative and a pretence of law, Wolsey sent for the mayor of London, and desired to know what he was willing to give for the supply of his majesty's necessities. The mayor seemed desirous, before he should declare himself, to consult the common council: but the cardinal required that he and all the aldermen should separately confer with himself about the benevolence; and he eluded by that means the danger of a formed opposition. Matters, however, went on not so smoothly in the country. An insurrection was begun in some places; but as the people were not headed by any considerable person, it was easy for the Duke of Suffolk, and the Earl of Surrey, now Duke of Norfolk, by employing persuasion and authority, to induce the ringleaders to lay down their arms and surrender themselves prisoners. The king, finding it dangerous to punish criminals engaged in so popular a cause, was determined, notwithstanding his violent imperious temper, to grant them a general pardon; and he prudently imputed their guilt, not to their want of loyalty or affection, but to their poverty. The offenders were carried before the star-chamber, where, after a severe charge brought against them by the king's council, the cardinal said, "That, notwithstanding their grievous offence, the king, in consideration of their necessities, had granted them his gracious pardon, upon condition that they would find sureties for their future good behaviour." But they replying they had no sureties, the cardinal first, and after him the Duke of Norfolk, said, that they would be bound for them. Upon which they were dismissed.<sup>e</sup>

These arbitrary impositions being imputed, though on what grounds is unknown, to the councils of the cardinal, increased the general odium under which he laboured; and the clemency of the pardon being ascribed to the king,

<sup>a</sup> Guicciardini, lib. 10.

<sup>b</sup> Guicciardini, lib. 10. Stowe, p. 551. Fober, p. 173.

<sup>c</sup> The First Report of Traverses Legend, June 2. Herbert.

<sup>d</sup> Herbert, Hall.

<sup>e</sup> Herbert, Hall. Stowe, p. 555. Holmshed, p. 591.

was considered as an atonement on his part for the illegality of the measure. But Wolsey, supported both by royal and papal authority, proceeded, without scruple, to violate all ecclesiastical privileges, which, during that age, were much more sacred than civil; and having once prevailed in that unusual attempt of suppressing some monasteries, he kept all the rest in awe, and exercised over them an arbitrary jurisdiction. By his commission as legate, he was empowered to visit them, and reform them, and chastise their irregularities; and he employed his usual agent, Allen, in the exercise of this authority. The religious houses were obliged to compound for their guilt, real or pretended, by paying large sums to the cardinal or his deputy; and this oppression was carried so far, that it reached at last the king's ears, which were not commonly open to complaints against his favourite. Wolsey had built a splendid palace at Hampton-court, which he probably intended, as well as that of York-place in Westminster, for his own residence; but fearing the increase of envy on account of this magnificence, and desirous to appease the king, he made him a present of the building, and told him that, from the first, he had erected it for his use.

The absolute authority possessed by the king, rendered his domestic government, both over his people and his ministers, easy and expeditious: the conduct of foreign affairs alone required effort and application; and they were now brought to such a situation, that it was no longer safe for England to remain entirely neutral. The feigned moderation of the emperor was of short duration; and it was soon obvious to all the world, that his great dominions, far from gratifying his ambition, were only regarded as the means of acquiring an empire more extensive. The terms which he demanded of his prisoner were such as must for ever have annihilated the power of France, and destroyed the balance of Europe. These terms were proposed to Francis soon after the battle of Pavia, while he was detained in Pizzichitone; and as he had hitherto trusted somewhat to the emperor's generosity, the disappointment excited in his breast the most lively indignation. He said, that he would rather live and die a prisoner, than agree to dismember his kingdom; and that, even were he so base as to submit to such conditions, his subjects would never permit him to carry them into execution.

Francis was encouraged to persist in demanding more moderate terms, by the favourable accounts which he heard of Henry's disposition towards him, and of the alarm which had seized all the chief powers in Italy, upon his defeat and captivity. He was uneasy, however, to be so far distant from the emperor, with whom he must treat; and he expressed his desire (which was complied with) to be removed to Madrid, in hopes that a personal interview would operate in his favour, and that Charles, if not influenced by his ministers, might be found possessed of the same frankness of disposition by which he himself was distinguished. He was soon convinced of his mistake. Partly from want of exercise, partly from reflections on his present melancholy situation, he fell into a languishing illness; which begat apprehensions in Charles, lest the death of his captive should deprive him of all those advantages which he purposed to extort from him. He then paid him a visit in the castle of Madrid; and as he approached the bed in which Francis lay, the sick monarch called to him, "You come, sir, to visit your prisoner." "No," replied the emperor, "I come to visit my brother, and my friend, who shall soon obtain his liberty." He soothed his afflictions with many speeches of a like nature, which had so good an effect, that the king daily recovered;<sup>k</sup> and thenceforth employed himself in concerting with the ministers of the emperor the terms of his treaty.

A. D. 1526.  
14th Jan. At last the emperor, dreading a general combination against him, was willing to abate somewhat of his rigour; and the treaty of Madrid was signed, by which it was hoped an end would be finally put to the differences between these great monarchs. The principal condition was the restoring of Francis's liberty, and the delivery of his two eldest sons as hostages to the emperor for the cession of Burgundy. If any difficulty

should afterwards occur in the execution of this last article, from the opposition of the states, either of France or of that province, Francis stipulated, that in six weeks' time he should return to his prison, and remain there till the full performance of the treaty. There were many other articles in this famous convention, all of them extremely severe upon the captive monarch; and Charles discovered evidently his intention of reducing Italy, as well as France, to subjection and dependence.

Many of Charles's ministers foresaw that Francis, how solemn soever the oaths, promises, and protestations exacted of him, never would execute a treaty so disadvantageous, or rather ruinous and destructive, to himself, his posterity, and his country. By putting Burgundy, they thought, into the emperor's hands, he gave his powerful enemy an entrance into the heart of the kingdom: by sacrificing his allies in Italy, he deprived himself of foreign assistance; and arming his oppressor with the whole force and wealth of that opulent country, rendered him absolutely irresistible. To these great views of interest, were added the motives, no less cogent, of passion and resentment; while Francis, a prince who piqued himself on generosity, reflected on the rigour with which he had been treated during his captivity, and the severe terms which had been exacted of him for the recovery of his liberty. It was also foreseen, that the emulation and rivalry which had so long subsisted between these two monarchs, would make him feel the strongest reluctance on yielding the superiority to an antagonist, who, by the whole tenour of his conduct, he would be apt to think, had shown himself so little worthy of that advantage which fortune, and fortune alone, had put into his hands. His ministers, his friends, his subjects, his allies, would be sure, with one voice, to inculcate on him, that the first object of a prince was the preservation of his people; and that the laws of honour, which with a private man ought to be absolutely supreme, and superior to all interests, were, with a sovereign, subordinate to the great duty of insuring the safety of his country. Nor could it be imagined, that Francis would be so romantic in his principles, as not to hearken to a casuistry which was so plausible in itself, and which so much flattered all the passions, by which, either as a prince or a man, he was strongly actuated.

Francis, on entering his own dominions, delivered his two eldest sons as hostages into the hands of the Spaniards. He mounted a Turkish horse, and immediately putting him to the gallop, he waved his hand, and cried aloud several times, *I am yet a king*. He soon reached Bayonne, where he was joyfully received by the regent and his whole court. He immediately wrote to Henry, acknowledging that to his good offices alone he owed his liberty, and protesting that he should be entirely governed by his counsels in all transactions with the emperor. When the Spanish envoy demanded his ratification of the treaty of Madrid, now that he had fully recovered his liberty, he declined the proposal, under colour that it was previously necessary to assemble the states both of France and of Burgundy, and to obtain their consent. The states of Burgundy soon met; and declaring against the clause which contained an engagement for alienating their province, they expressed their resolution of opposing, even by force of arms, the execution of so ruinous and unjust an article. The imperial minister then required that Francis, in conformity to the treaty of Madrid, should now return to his prison; but the French monarch, instead of complying, made public the treaty which a little before he had secret-<sup>22d May.</sup>ly concluded at Cognac, against the ambitious schemes and usurpations of the emperor.<sup>l</sup>

The Pope, the Venetians, and other Italian states, who were deeply interested in these events, had been held in the most anxious suspense with regard to the resolutions which Francis should take after the recovery of his liberty; and Clement, in particular, who suspected that this prince would never execute a treaty so hurtful to his interests, and even destructive of his independency, had very frankly offered him a dispensation from all his oaths and engagements. Francis remained not in suspense, but entered

<sup>k</sup> Herbert, De Vera. Saneand.

<sup>l</sup> Guicciardini, lib. 17.

March 18.  
Francis recovers his liberty.

immediately into the confederacy proposed to him. It was stipulated by that king, the Pope, the Venetians, the Swiss, the Florentines, and the Duke of Milan, among other articles, that they would oblige the emperor to deliver up the two young princes of France, on receiving a reasonable sum of money; and to restore Milan to Sforza, without further condition or encumbrance. The King of England was invited to accede, not only as a contracting party, but as protector of the *holy league*, so it was called: and it Naples should be conquered from the emperor, in prosecution of this confederacy, it was agreed that Henry should enjoy a principality in that kingdom, of the yearly revenue of 30,000 ducats: and that Cardinal Wolsey, in consideration of the services which he had rendered to Christendom, should also, in such an event, be put in possession of a revenue of 10,000 ducats.

Francis was desirous that the appearance of this great confederacy should engage the emperor to relax somewhat in the extreme rigour of the treaty of Madrid; and while he entertained these hopes, he was the more remiss in his warlike preparations; nor did he send in due time reinforcements to his allies in Italy. The Duke

A. D. 1547.

of Bourbon had got possession of the whole Milanese, of which the emperor intended to grant him the investiture; and having levied a considerable army in Germany, he became formidable to all the Italian potentates; and not the less so, because Charles, destitute as usual of money, had not been able to remit any pay to the forces. The general was extremely beloved by his troops; and in order to prevent those mutinies which were ready to break out every moment, and which their affection alone for him had hitherto restrained, he led them to Rome, and promised to enrich them by the plunder of that opulent city. He was himself

15th May.

killed, as he was planting a scaling-ladder against the walls; but his soldiers, rather enraged than discouraged by his death, mounted to the assault with the utmost valour, and entering the city sword

in hand, exercised all those brutalities which may be expected from ferocity excited by resistance, and from insouciance which takes place when that resistance is no more. This renowned city, exposed by her renown alone to so many calamities, never endured, in any age, even from the barbarians, by whom she was often subdued, such indignities as she was now compelled to suffer. The unrestrained massacre and pillage, which continued for several days, were the least ills to which the unhappy Romans were exposed.\* Whatever was respectable in modesty, or sacred in religion, seemed but the more to provoke the insults of the soldiery. Virgins suffered violation in the arms of their parents, and upon those very altars to which they had fled for protection. Aged prelates, after enduring every indignity, and even every torture, were thrown into dungeons, and menaced with the most cruel death, in order to make them reveal their secret treasures, or purchase liberty by exorbitant ransoms. Clement himself, who had trusted for protection to the sacredness of his character, and neglected to make his escape in time, was taken captive; and found that his dignity, which procured him no regard from the Spanish soldiers, did but draw on him the insolent mockery of the German, who, being generally attached to the Lutheran principles, were pleased to gratify their animosity by the abasement of the sovereign pontiff.

When intelligence of this great event was conveyed to the emperor, that young prince, habituated to hypocrisy, expressed the most profound sorrow for the success of his arms: he put himself and all his court in mourning: he stopped the rejoicings for the birth of his son Philip: and knowing that every artifice, however gross, is able, when seconded by authority, to impose upon the people, he ordered prayers, during several months, to be put up in the churches for the Pope's liberty; which, all men knew, a letter under his hand could in a moment have procured.

The concern expressed by Henry and Francis for the calamity of their ally was more sincere. These two monarchs, a few days before the sack of Rome, had concluded a treaty† at Westminster, in which, besides re-

newing former alliances, they agreed to send ambassadors to Charles, requiring him to accept of two millions of crowns as the ransom of the French princes, and to repay the money borrowed from Henry; and in case of refusal, the ambassadors, attended by heralds, were ordered to denounce war against him. This war it was agreed to prosecute in the Low Countries, with an army of thirty thousand infantry, and fifteen hundred men at arms, two-thirds to be supplied by Francis, the rest by Henry. And, in order to strengthen the alliance between the princes, it was stipulated that either Francis or his son, the Duke of Orleans, as should afterwards be agreed on, should espouse the Princess Mary, Henry's daughter. No sooner did the monarchs receive intelligence of Bourbon's enterprise, than they changed, by a new

29th May.

treaty, the scene of the projected war from the Netherlands to Italy; and, hearing of the Pope's captivity, they were further stimulated to undertake the war with vigour for restoring him to liberty. Wol-

11th July.

sey himself crossed the sea, in order to have an interview with Francis, and to concert measures for that purpose; and he displayed all that grandeur and magnificence with which he was so much intoxicated. He was attended by a train of a thousand horse. The Cardinal of Lorraine, and the Chancellor Alençon, met him at Boulogne; Francis himself, besides granting to that haughty prelate the power of giving, in every place where he came, liberty to all prisoners, made a journey as far as Amiens to meet him, and even advanced some miles from the town, the more to honour his reception. It was here stipulated, that the Duke of Orleans should espouse the Princess Mary; and as the emperor seemed to be taking some steps towards assembling a general council, the two monarchs agreed not to acknowledge it; but during the interval of the Pope's captivity, to govern the churches in their respective dominions, by their own authority. Wolsey made some attempts to get his legatine power extended over France, and even over Germany; but finding his efforts fruitless, he was obliged, though with great reluctance, to desist from these ambitious enterprises.‡

The more to cement the union between these princes, a new treaty was, some time after, concluded at London; in which Henry agreed finally to renounce all claims to the crown of France; claims, which might now indeed be deemed chimerical, but which often served as a pretence for exciting the unwary English to wage war upon the French nation. As a return for this concession, Francis bound himself and his successors to pay for ever fifty thousand crowns a year to Henry and his successors; and that greater solemnity might be given to this treaty, it was agreed that the parliaments and great nobility of both kingdoms should give their assent to it. The Mareschal Montmorency, accompanied by many persons of distinction, and attended by a pompous equipage, was sent over to ratify the treaty; and was received at London with all the parade which suited the solemnity of the occasion. The terror of the emperor's greatness had extinguished the ancient animosity between the nations; and Spain, during more than a century, became, though a more distant power, the chief object of jealousy to the English.

This cordial union between France and England, though it added influence to the joint embassy which they sent to the emperor, was not able to bend that monarch to submit entirely to the conditions insisted on by the allies. He departed, indeed, from his demand of Burgundy, as the ransom of the French princes; but he required, previously to their liberty, that Francis should evacuate Genoa, and all the fortresses held by him in Italy; and he declared his intention of bringing Sforza to a trial, and confiscating the duchy of Milan, on account of his pretended treason. The English and French heralds, therefore, according to agreement, declared war against him, and set him at defiance. Charles answered the English herald with moderation; but to the French, he reproached his master with breach of faith, reminded him of the pri-



vate conversation which had passed between them at Madrid before their separation, and offered to prove, by single combat, that he had acted dishonourably. Francis retorted this challenge, by giving Charles the lie; and after demanding security of the field, he offered to maintain his cause by single combat. Many messages passed to and fro between them; but though both princes were undoubtedly brave, the intended duel never took place. The French and Spaniards during that age zealously disputed which of the monarchs incurred the blame of this failure; but all men of moderation every where lamented the power of fortune, that the prince, the more candid, generous, and sincere, should, by unhappy incidents, have been reduced to so cruel a situation, that nothing but his violation of treaty could preserve his people, and that he must ever after, without being able to make a proper reply, bear to be reproached with breach of promise by a rival, inferior to him both in honour and virtue.

But though this famous challenge between Charles and Francis had no immediate consequence with regard to these monarchs themselves, it produced a considerable alteration on the manners of the age. The practice of challenges and duels, which had been part of the ancient barbarous jurisprudence, which was still preserved on very solemn occasions, and which was sometimes countenanced by the civil magistrate, began thenceforth to prevail in the most trivial incidents; and men, on any affront or injury, thought themselves entitled, or even required in honour, to take revenge on their enemies, by openly vindicating their right in single combat. These absurd, though generous maxims, shed much of the best blood in Christendom during more than two centuries; and notwithstanding the severity of law and authority of reason, such is the prevailing force of custom, they are far from being as yet entirely exploded.

## CHAP. XXX.

Scruples concerning the king's marriage.—The king enters into these scruples. Anne Poleham Henry, applies to the Pope for a dispensation. The Pope's answer.—The emperor's resistance. The Pope's sanguinary conduct.—The cause ended to Rome. Wolsey's fall. Common-sense of the Reformation in England. Foreign affairs. Wolsey's death.—A parliament.—Progress of the Reformation.—A parliament.—King's final breach with Rome.—A parliament.

A.D. 1527.  
Scruples con-  
cerning the  
king's marriage.

NOTWITHSTANDING the submissive deference paid to papal authority before the Reformation, the marriage of Henry with Catherine of Aragon, his brother's widow, had not passed without much scruple and difficulty. The prejudices of the people were in general bent against a conjugal union between such near relations; and the late king, though he had betrothed his son when that prince was but twelve years of age, gave evident proofs of his intention to take afterwards a proper opportunity of annulling the contract.<sup>a</sup> He ordered the young prince, as soon as he came of age, to enter a protestation against the marriage;<sup>b</sup> and on his death-bed he charged him, as his last injunction, not to finish an alliance so unusual, and exposed to such insuperable objections. After the king's accession, some members of the privy council, particularly Warham, the primate, openly declared against the resolution of completing the marriage; and though Henry's youth and dissipation kept him during some time from entertaining any scruples with regard to the measure which he had embraced, there happened incidents sufficient to rouse his attention, and to inform him of the sentiments generally entertained on that subject. The states of Castile had opposed the Emperor Charles's espousals with Mary, Henry's daughter; and, among other objections, had insisted on the illegitimate birth of the young princess.<sup>c</sup> And when the negotiations were afterwards opened with France, and mention was made of betrothing her to Francis or the Duke of Orleans, the Bishop of Tarbe, the French ambassador, revived the

same objections! But though these events naturally raised some doubts in Henry's mind, there concurred other causes, which tended much to increase his remorse, and render his conscience more scrupulous.

The queen was older than the king by no less than six years; and the decay of her beauty, together with particular infirmities and diseases, had contributed, notwithstanding her blameless character and deportment, to render her person unacceptable to him. Though she had borne him several children, they all died in early infancy except one daughter; and he was the more struck with this misfortune, because the curse of being childless is the very threatening contained in the Mosaic law against those who espouse their brother's widow. The succession too of the crown was a consideration that occurred to every one, whenever the lawfulness of Henry's marriage was called in question; and it was apprehended, that if doubts of Mary's legitimacy concurred with the weakness of her sex, the King of Scots, the next heir, would advance his pretensions, and might throw the kingdom into confusion. The evils, as yet recent, of civil wars and convulsions arising from a disputed title, made great impression on the minds of men, and rendered the people universally desirous of any event which might obviate so irreparable a calamity. And the king was thus impelled, both by his private passions, and by motives of public interest, to seek the dissolution of his inauspicious, and, as was esteemed, unlawful, marriage with Catherine.

Henry afterwards affirmed that his scruples arose entirely from private reflection; and that, on consulting his confessor the Bishop of Lincoln, he found the prelate possessed with the same doubts and difficulties. The king himself, being so great a casuist and divine, next proceeded to examine the question more carefully by his own learning and study; and having had recourse to Thomas of Aquino, he observed that this celebrated doctor, whose authority was great in the church, and absolute with him, had treated of that very case, and had expressly declared against the lawfulness of such marriages.<sup>d</sup> The prohibitions, said Thomas, contained in Leviticus, and among the rest, that of marrying a brother's widow, are moral, eternal, and founded on a divine sanction; and though the Pope may dispense with the rules of the church, the laws of God cannot be set aside by any authority less than that which enacted them. The archbishop of Canterbury was then applied to; and he was required to consult his brethren: all the prelates of England, except Fisher, Bishop of Rochester, unanimously declared, under their hand and seal, that they deemed the king's marriage unlawful.<sup>e</sup> Wolsey also fortified the king's scruples; partly with a view of promoting a total breach with the emperor, Catherine's nephew; partly desirous of connecting the king more closely with Francis, by marrying him to the Duchess of Alençon, sister to that monarch; and perhaps, too, somewhat disgusted with the queen herself, who had reproved him for certain freedoms unbefitting his character and station.<sup>f</sup> But Henry was carried forward, though perhaps not at first excited, by a motive more forcible than even the suggestions of that powerful favourite.

Anne Boleyn, who lately appeared at Anne Poleham court, had been appointed maid of honour to the queen; and having had frequent opportunities of being seen by Henry, and of conversing with him, she had acquired an entire ascendancy over his affections. This young lady, whose grandeur and misfortunes have rendered her so celebrated, was daughter of Sir Thomas Boleyn, who had been employed by the king in several embassies, and who was allied to all the principal nobility in the kingdom. His wife, mother to Anne, was daughter of the Duke of Norfolk; his own mother was daughter of the Earl of Ormond; his grandfather Sir Geoffrey Boleyn, who had been mayor of London, had espoused one of the daughters and co-heirs of Lord Hastings.<sup>g</sup> Anne herself, though then in very early youth, had been carried over to

<sup>a</sup> Mercurius Aponemus, p. 13.

<sup>b</sup> Morison, p. 13. Heylin's *Seven Marys*, p. 2.

<sup>c</sup> Lord Herbert. *Tridies's Life of Wolsey*.

<sup>d</sup> Rymer, vol. xiv. p. 192, 204. Heylin, p. 3.

<sup>e</sup> *Parlet. Tridies*.

<sup>f</sup> *Parlet. vol. i. p. 30. Stowe, p. 584.*

<sup>g</sup> *Le Grand, vol. i. p. 46, 166. Sommers: Heylin, p. 4.*

<sup>h</sup> *Parlet, vol. i. p. 38. Strype, vol. i. p. 88.*

<sup>i</sup> *Canalic's preface to the Life of Elizabeth. Burnet, vol. i. p. 44.*

Paris by the king's sister, when the princess espoused Lewis XII. of France; and upon the demise of that monarch, and the return of his dowager into England, this dancer, whose accomplishments, even in her tender years, were always much admired, was retained in the service of Claude, Queen of France, spouse to Francis; and after the death of that princess she passed into the family of the Duchess of Alençon, a woman of singular merit. The exact time when she returned to England is not certainly known; but it was after the king had entertained doubts with regard to the lawfulness of his marriage with Catherine; if the account is to be credited which he himself afterwards gave of that transaction. Henry's scruples had made him break off all conjugal commerce with the queen; but as he still supported an intercourse of civility and friendship with her, he had occasion, in the frequent visits which he paid her, to observe the beauty, the youth, the charms of Anne Boleyn. Finding the accomplishments of her mind no less inferior to her exterior graces, he even entertained the design of raising her to the throne; and was the more confirmed in this resolution, when he found that her virtue and modesty prevented all hopes of gratifying his passion in any other manner. As every motive, therefore, of inclination and policy seemed thus to concur in making the king desirous of a divorce from Catherine, and as his prospect of success was inviting, he resolved to make applications to Clement, and he sent Knight, his secretary, to Rome for that purpose.

That he might not shock the haughty claims of the pontiff, he resolved not to found the application on any general doubts concerning the papal power to permit marriage in the nearer degrees of consanguinity; but only to insist on particular grounds of nullity in the bull which Julius had granted for the marriage of Henry and Catherine. It was a maxim in the court of Rome, that if the Pope be surprised into any concession, or grant any indulgence upon false suggestions, the bull may afterwards be annulled; and this pretence had usually been employed wherever one Pope had recalled any deed executed by any of his predecessors. But Julius's bull, when examined, afforded abundant matter of this kind, and any tribunal, favourable to Henry, needed not want a specious colour for gratifying him in his applications for a divorce. It was said in the preamble, that the bull had been granted upon his solicitation; though it was known, that at the time he was under twelve years of age: it was also affirmed, as another motive for the bull, that the marriage was requisite in order to preserve peace between the two crowns; though it is certain that there was not then any ground or appearance of quarrel between them. These false premises in Julius's bull seemed to afford Clement a sufficient reason or pretence for annulling it, and granting Henry a dispensation for a second marriage.<sup>a</sup>

But though the pretext for this indulgence had been less plausible, the Pope was in such a situation that he had the strongest motives to embrace every opportunity of gratifying the English monarch. He was then a prisoner in the hands of the emperor, and had no hopes of recovering his liberty on any reasonable terms, except by the efforts of the league which Henry had formed with Francis and the Italian powers, in order to oppose the ambition of Charles. When the English secretary, therefore, solicited him in private, he received a very favourable answer; and a dispensation was forthwith promised to be granted to his master.<sup>b</sup> Soon after, the march of a French army into Italy, under the command of Lautrec, obliged the Imperialists to restore Clement to his liberty; and he retired to Orvieto, where the secretary, with Sir Gregory Cassali, the king's resident at Rome, renewed their applications to him. They still found him full of high professions of friendship, gratitude, and attachment to the king; but not so prompt in granting his request as they expected. The emperor, who had got intelligence of Henry's application to Rome, had exacted a promise from the Pope, to take no steps in the affair before he communicated them to the Imperial ministers;

and Clement, embarrassed by this promise, and still more overawed by the emperor's forces in Italy, seemed willing to postpone those concessions desired of him by Henry. Importuned, however, by the English ministers, he at last put into their hands a *commission* to Wolsey, as legate, in conjunction with the Archbishop of Canterbury, or any other English prelate, to examine the validity of the king's marriage, and of Julius's<sup>c</sup> dispensation. He also granted them a *provisional dispensation* for the king's marriage with any other person; and promised to issue a *decretal bull*, annulling the marriage with Catherine. But he represented to them the dangerous consequences which must ensue to him, if these concessions should come to the emperor's knowledge; and he conjured them not to publish those papers, or make any further use of them, till his affairs were in such a situation as to secure his liberty and independence. And his secret advice was, whenever they should find the proper time for opening the scene, that they should prevent all opposition, by proceeding immediately to a conclusion, by declaring the marriage with Catherine invalid, and by Henry's instantly espousing some other person. Nor would it be so difficult, he said, for himself to confirm these proceedings after they were passed, as previously to render them valid by his consent and authority.<sup>d</sup>

When Henry received the commission and dispensation from his ambassadors, and was informed of the Pope's advice, he laid the whole before his ministers, and asked their opinion in so delicate a situation. The English counsellors considered the danger A. D. 1528. of proceeding in the manner pointed out to them. Should the Pope refuse to ratify a deed, which he might justly call precipitate and irregular, and should he disavow the advice which he gave in so clandestine a manner, the king would find his second marriage totally invalidated; the children, which it might bring him, declared illegitimate; and his marriage with Catherine more firmly riveted than<sup>e</sup> ever. And Henry's apprehensions of the possibility, or even probability, of such an event, were much confirmed, when he reflected on the character and situation of the sovereign pontiff.

Clement was a prince of excellent judgment, whenever his timidity, to which he was extremely subject, allowed him to make full use of those talents and that penetration with which he was<sup>f</sup> endowed. The captivity and other misfortunes which he had undergone, by entering into a league against Charles, had so affected his imagination, that he never afterwards exerted himself with vigour in any public measure; especially if the interest or inclinations of that potentate stood in opposition to him. The Imperial forces were at that time powerful in Italy, and might return to the attack of Rome, which was still defenceless and exposed to the same calamities with which it had already been overwhelmed. And besides these dangers, Clement fancied himself exposed to perils, which threatened still more immediately his person and his dignity.

Charles, apprised of the timid disposition The emperor threatens him. of the holy father, threw out perpetual menaces of summoning a general council; which he represented as necessary to reform the church, and correct those enormous abuses which the ambition and avarice of the court of Rome had introduced into every branch of ecclesiastical administration. The power of the sovereign pontiff himself, he said, required limitation; his conduct called aloud for amendment; and even his title to the throne which he filled, might justly be called in question. That Pope had always passed for the natural son of Julian of Medici, who was of the sovereign family of Florence; and though Leo X. his kinsman, had declared him legitimate, upon a pretended promise of marriage between his father and mother, few believed that declaration to be founded on any just reason or authority.<sup>g</sup> The canon law, indeed, had been entirely silent with regard to the promotion of bastards to the papal throne; but what was still dangerous, the people had entertained a violent prepossession that this stain in the birth of any person was in-

<sup>a</sup> Guicciardini, Hist. vol. ii. p. 55. From the Cott. Lib. Vatic. p. 9.  
<sup>b</sup> Ibid. vol. ii. p. 47.  
<sup>c</sup> Guicciardini, Hist. vol. ii. p. 47.

<sup>d</sup> Guicciardini, Hist. vol. ii. p. 47.

<sup>e</sup> Guicciardini, Hist. vol. ii. p. 51.

<sup>f</sup> Guicciardini, Hist. vol. ii. p. 47.

<sup>g</sup> Guicciardini, Hist. vol. ii. p. 47.

compatible with so holy an office. And in another point, the canon law was express and positive, that no man guilty of simony could attain that dignity. A severe bull of Julius II. had added new sanctions to this law, by declaring, that a simoniacal election could not be rendered valid, even by a posterior consent of the cardinals. But, unfortunately, Clement had given to Cardinal Colonna a bull, containing promises of advancing that cardinal, in case he himself should attain the papal dignity by his concurrence: and this bull Colonna, who was in entire dependence on the emperor, threatened every moment to expose to public view.<sup>1</sup>

While Charles terrified the Pope with these menaces, he also allured him by hopes which were no less prevalent over his affections. At the time when the emperor's forces sacked Rome, and reduced Clement to captivity, the Florentines, passionate for their ancient liberty, had taken advantage of his distresses, and, revolting against the family of Medicis, had entirely abolished their authority in Florence, and re-established the democracy. The better to protect themselves in their freedom, they had entered into the alliance with France, England, and Venice, against the emperor; and Clement found, that, by this interest, the hands of his confederates were tied from assisting him in the restoration of his family; the event which, of all others, he most passionately desired. The emperor alone, he knew, was able to effect his purpose; and therefore, whatever professions he made of fidelity to his allies, he was always, on the least glimpse of hope, ready to embrace every proposal of a cordial reconciliation with that monarch.<sup>2</sup>

These views and interests of the Pope were well known in England; and as the opposition of the emperor to Henry's divorce was foreseen, both on account of the honour and interests of Catherine his aunt, and the obvious motive of distressing an enemy, it was esteemed dangerous to take any measure of consequence, in expectation of the subsequent concurrence of a man of Clement's character, whose behaviour always contained so much duplicity, and who was at present so little at his own disposal. The safest measure seemed to consist in previously engaging him so far, that he could not afterwards recede, and in making use of his present ambiguity and uncertainty, to extort the most important concessions from him. For this purpose, Stephen Gardiner, the cardinal's secretary, and Edward Fox, the king's almoner,

were despatched to Rome, and were ordered to solicit a commission from the Pope, of such a nature as would oblige him to confirm the sentence of the commissioners, whatever it should be, and disable him on any account to recall the commission, or evoke the cause to Rome.<sup>3</sup>

But the same reasons which made the king so desirous of obtaining this concession, confirmed the Pope in the resolution of refusing it: he was still determined to keep the door open for an agreement with the emperor; and he made no scruple of sacrificing all other considerations to a point which he deemed the most essential and important to his own security, and to the greatness of his family. He granted, therefore, a new commission, in which Cardinal Campegio was joined to Wolsey, for the trial of the king's marriage; but he could not be prevailed on to insert the clause desired of him. And though he put into Gardiner's hand a letter promising not to recall the present commission, this promise was found, on examination, to be couched in such ambiguous terms, as left him still the power, whenever he pleased, of departing from it.<sup>4</sup>

Campeggio lay under some obligations to the king; but his dependence on the Pope was so much greater, that he conformed himself entirely to the views of the latter; and though he received his commission in April, he delayed his departure under so many pretences, that it was October before he arrived in England. The first step which he took was to exhort the king to desist from the prosecution of his divorce; and finding that this counsel gave

offence, he said, that his intention was, due to collect the queen to take the vows in a convent, and that he thought it his duty previously to attempt an amicable composition of all differences.\* The more to pacify the king, he showed to him, as also to the cardinal, the decretal bull, annulling the former marriage with Catherine; but no entreaties could prevail on him to make any other of the king's counsel privy to the secret.<sup>5</sup> In order to atone in some degree for this obstinacy, he expressed to the king and the cardinal, the Pope's great desire of satisfying them in every reasonable demand; and in particular, he showed, that their request for suppressing some more monasteries, and converting them into cathedrals and episcopal sees, had obtained the consent of his holiness.<sup>6</sup>

These ambiguous circumstances in the behaviour of the Pope and the legate, kept the court of England in suspense, and determined the king to wait with patience the issue of such uncertain councils. Fortune, A. D. 1529. meanwhile, seemed to promise him a more sure and expeditious way of extricating himself from his present difficulties. Clement was seized with a dangerous illness; and the intrigues for electing his successor began already to take place among the cardinals. Wolsey, in particular, supported by the interest of England and of France, entertained hopes of mounting the throne of St. Peter;<sup>7</sup> and it appears, that if a vacancy had then happened, there was a probability of his reaching that summit of his ambition. But the Pope recovered, though after several relapses; and he returned to the same train of false and deceitful politics, by which he had hitherto amused the court of England. He still flattered Henry with professions of the most cordial attachment, and promised him a sudden and favourable issue to his process: he still continued his secret negotiations with Charles, and persevered in the resolution of sacrificing all his promises, and all the interests of the Romish religion, to the elevation of his family. Campegio, who was perfectly acquainted with his views and intentions, protracted the decision by the most artful delays; and gave Clement full leisure to adjust all the terms of his treaty with the emperor.

The emperor, acquainted with the king's extreme earnestness in this affair, was determined that he should obtain success by no other means than by an application to him, and by deserting his alliance with Francis, which had hitherto supported, against the superior force of Spain, the tottering state of the French monarchy. He willingly hearkened, therefore, to the applications of Catherine, his aunt; and promising her his utmost protection, exhorted her never to yield to the malice and persecutions of her enemies. The queen herself was naturally of a firm and resolute temper; and was engaged by every motive to persevere in protesting against the injustice to which she thought herself exposed. The imputation of incest, which was thrown upon her marriage with Henry, struck her with the highest indignation: the illegitimacy of her daughter, which seemed a necessary consequence, gave her the most just concern: the reluctance of yielding to a rival, who, she believed, had supplanted her in the king's affections, was a very natural motive. Actuated by all these considerations, she never ceased soliciting her nephew's assistance, and earnestly entreating an evocation of the cause to Rome, where alone she thought she could expect justice. And the emperor, in all his negotiations with the Pope, made the recall of the commission which Campegio and Wolsey exercised in England a fundamental article.<sup>8</sup>

The two legates, meanwhile, opened their court at London, and cited the king and the queen to appear before it. They both presented themselves; and the king answered to his name when called: but the queen, instead of answering to her's, rose from her seat, and throwing herself at the king's feet, made a very pathetic harangue, which her virtue, her dignity, and her misfortunes, rendered the more affecting. She told him that she was a stranger in his dominions, without protection, without counsel, without assistance;

<sup>1</sup> Father Paul, lib. 1.

<sup>2</sup> Ibid.

<sup>3</sup> Lord Herbert. Burnet, vol. i. p. 23, in the collect. Le Grand, vol. i. p. 31. Stuype, vol. i. p. 95, with App. No. 23, 24, &c.

<sup>4</sup> Lord Herbert, p. 221. Burnet, p. 39.

<sup>5</sup> Herbert, p. 225.

<sup>6</sup> Burnet, p. 39.

<sup>7</sup> Rymer, vol. xiv. p. 476. Stuype, vol. i. p. 110, 111. App. No. 25.

<sup>8</sup> Burnet, vol. i. p. 68.

<sup>9</sup> Herbert, p. 225. Burnet, vol. i. p. 69.



exposed to all the injustice which her enemies were pleased to impose upon her: that she had quitted her native country without other resource than her connexions with him and his family, and had expected that, instead of suffering thence any violence or iniquity, she was assured in them of a stedfast against every misfortune: that she had been his wife during twenty years, and would here appeal to himself, whether her affectionate submission to his will had not merited better treatment, than to be thus, after so long a time, thrown from him with so much indignity: that she was conscious—he himself was assured—that her virgin honour was yet unstained, when he received her into his bed, and that her connexions with his brother had been carried no further than the ceremony of marriage: that their parents, the kings of England and Spain, were esteemed the wisest princes of their time, and had undoubtedly acted by the best advice, when they formed the agreement for that marriage, which was now represented as so criminal and unnatural: and that she acquiesced in their judgment, and would not submit her cause to be tried by a court, whose dependence on her enemies was too visible, ever to allow her any hopes of obtaining from them an equitable or impartial decision.<sup>b</sup> Having spoken these words, she rose, and making the king a low reverence, she departed from the court, and never would again appear in it.

After her departure, the king did her the justice to acknowledge, that she had ever been a dutiful and affectionate wife, and that the whole tenour of her behaviour had been conformable to the strictest rules of probity and honour. He only insisted on his own scruples with regard to the lawfulness of their marriage; and he explained the origin, the progress, and the foundation of those doubts, by which he had been so long and so violently agitated. He acquitted Cardinal Wolsey from having any hand in encouraging his scruples; and he craved a sentence of the court agreeable to the justice of his cause.

The legates, after citing the queen anew, declared her contumacious, notwithstanding her appeal to Rome; and then proceeded to the examination of the cause. The first point which came before them was the proof of Prince Arthur's consummation of his marriage with Catherine; and it must be confessed, that no stronger arguments could reasonably be expected of such a fact after so long an interval. The age of the prince, who had passed his fifteenth year, the good state of his health, the long time that he had cohabited with his consort, many of his expressions to that very purpose; all these circumstances form a violent presumption in favour of the king's assertion.<sup>c</sup> Henry himself, after his brother's death, was not allowed for some time to bear the title of Prince of Wales, in expectation of her pregnancy: the Spanish ambassador, in order the better to insure possession of her jointure, had sent over to Spain proofs of the consummation of her marriage:<sup>d</sup> Julius's bull itself was founded on the supposition that Arthur had perhaps had knowledge of the princess: in the very treaty fixing Henry's marriage, the consummation of the former marriage with Prince Arthur is acknowledged on both sides.<sup>e</sup> These particulars were all laid before the court; accompanied with many reasonings concerning the extent of the Pope's authority, and against his power of granting a dispensation to marry within the prohibited degrees. Campeggio heard these doctrines with great impatience; and, notwithstanding his resolution to protract the cause, he was often tempted to interrupt and silence the king's counsel, when they insisted on such disagreeable topics. The trial was spun out till the 23d of July; and Campeggio chiefly took on him the part of conducting it. Wolsey, though the elder cardinal, permitted him to act as president of the court; because it was thought that a trial managed by an Italian cardinal would carry the appearance of greater candour and impartiality, than if the king's own minister and favourite had presided in it. The business now seemed to be drawing near to a period; and the king was every day in expectation of a sentence in his favour; when to his great surprise, Campeggio, on a sudden, without any warning, and upon very frivolous pre-

tences, prorogued the court till the first of October. The evocation which came a few days after from Rome, put an end to all the hopes of success which the king had so long and so anxiously cherished.<sup>f</sup>

During the time that the trial was carried on before the legates at London, the emperor had, by his ministers, earnestly solicited Clement to evoke the cause; and had employed every topic of hope or terror which could operate either on the ambition or timidity of the pontiff. The English ambassadors, on the other hand, in conjunction with the French, had been no less earnest in their applications, that the legates should be allowed to finish the trial; but though they employed the same engines of promises and menaces, the motives which they could set before the Pope were not so urgent or immediate as those which were held up to him by the emperor.<sup>g</sup> The dread of losing England, and of fortifying the Lutherans by so considerable an accession, made small impression on Clement's mind, in comparison of the anxiety for his personal safety, and the fond desire of restoring the Medicis to their dominion in Florence. As soon, therefore, as he had adjusted all terms with the emperor, he laid hold of the pretence of justice, which required him, as he asserted, to pay regard to the queen's appeal; and suspending the commission of the legates, he adjourned the cause to his own personal judgment at Rome. Campeggio had, before-hand, received private orders, delivered by Campana, to burn the decretal bull with which he was intrusted.

Wolsey had long foreseen this measure as the sure forerunner of his ruin. Though he had at first desired that the king should rather marry a French princess than Anne Boleyn, he had employed himself with the utmost assiduity and earnestness to bring the affair to a happy issue: he was not, therefore, to be blamed for the unprosperous event which Clement's partiality had produced. But he had sufficient experience of the extreme ardour and impatience of Henry's temper, who could bear no contradiction, and who was wont, without examination or distinction, to make his ministers answerable for the success of those transactions with which they were intrusted. Anne Boleyn also, who was prepossessed against him, had imputed to him the failure of her hopes; and as she was newly returned to court, whence she had been removed from a regard to decency during the trial before the legates, she had naturally acquired an additional influence on Henry, and she served much to fortify his prejudices against the cardinal.<sup>h</sup> Even the queen and her partisans, judging of Wolsey by the part which he had openly acted, had expressed great animosity against him; and the most opposite factions seemed now to combine in the ruin of this haughty minister. The high opinion itself, which Henry had entertained of the cardinal's capacity, tended to hasten his downfall; while he imputed the bad success of that minister's undertakings, not to ill fortune, or to mistake, but to the malignity or infidelity of his intentions. The blow, however, fell not instantly on his head. The king, who probably could not justify by any good reason his alienation from his ancient favourite, seems to have remained some time in suspense; and he received him, if not with all his former kindness, at least with the appearance of trust and regard.

But constant experience evinces how rarely a high confidence and affection receives the least diminution, without sinking into absolute indifference, or even running into the opposite extreme. The king now determined to bring on the ruin of the cardinal with a motion almost as precipitate as he had formerly employed in his elevation. The Dukes of Norfolk and Suffolk were sent to require the great seal from him; and on his scrupling to deliver it without a more express warrant, Henry wrote him a letter, upon which it was surrendered, and it was delivered by the king to Sir Thomas More, a man who, besides the ornaments of an elegant literature, possessed the highest virtue, integrity, and capacity.

Wolsey was ordered to depart from York-Place, a pa-

<sup>b</sup> Burnet, vol. i. p. 73. Hall, Stowe, p. 343.

<sup>c</sup> Heywood.

<sup>d</sup> Burnet, vol. i. p. 45.

<sup>e</sup> Burnet, vol. i. p. 41.

<sup>f</sup> Burnet, vol. i. p. 76, 77.

<sup>g</sup> Burnet, p. 291.

<sup>h</sup> Collier, vol. ii. p. 45.

<sup>i</sup> Burnet, vol. i. p. 53.

<sup>j</sup> Calaneo, p. 10.

<sup>k</sup> Burnet, vol. i. p. 76.

<sup>l</sup> Ibid. p. 41.

lure which he had built in London, and which, though it really belonged to the see of York, was seized by Henry, and became afterwards the residence of the kings of England, by the title of Whitehall. All his furniture and plate were also seized: their riches and splendour befitting rather a royal than a private fortune. The walls of his palace were covered with cloth of gold, or cloth of silver: he had a cupboard of plate of massy gold: there were found a thousand pieces of fine holland belonging to him. The rest of his riches and furniture was in proportion; and his opulence was, probably, no small inducement to this violent persecution against him.

The cardinal was ordered to retire to Asher, a country seat which he possessed near Hampton Court. The world, that had paid him such obsequious court during his prosperity, now entirely deserted him in this fatal reverse of all his fortunes. He himself was much dejected with the change, and from the same turn of mind which had made him be so vainly elated with his grandeur, he felt the stroke of adversity with double rigour.<sup>36</sup> The smallest appearance of his return to favour, threw him into transports of joy unbefitting a man. The king had seemed willing, during some time, to intermit the blows which overwhelmed him. He granted him his protection, and left him in possession of the sees of York and Winchester. He even sent him a gracious message accompanied with a ring, as a testimony of his affection. Wolsey, who was on horseback when the messenger met him, immediately alighted; and throwing himself on his knees in the mire, received, in that humble attitude, these marks of his majesty's gracious disposition towards him.<sup>37</sup>

But his enemies, who dreaded his return to court, never ceased plying the king with accounts of his several offences; and Anne Boleyn, in particular, contributed her endeavours, in conjunction with her uncle the Duke of Norfolk, to exclude him from all hopes of ever being reinstated in his former authority. He dismissed, therefore, his numerous retinue; and as he was a kind and beneficent master, the separation passed not without a plentiful effusion of tears on both sides.<sup>38</sup> The king's heart, notwithstanding some gleams of kindness, seemed now totally hardened against his old favourite. He ordered him to be indicted in the Star-chamber, where a sentence was passed against him. And not content with this severity, he abandoned him to all the rigour of the parliament, which now, after a long interval, was again assembled. The House of Lords voted a long

November.

charge against Wolsey, consisting of forty-four articles; and accompanied it with an application to the king for his punishment, and his removal from all authority. Little opposition was made to this charge in the upper House: no evidence of any part of it was so much as called for; and as it chiefly consists of general accusations, it was scarcely susceptible of any.<sup>39</sup> The articles were sent down to the House of Commons; where Thomas Cromwell, formerly a servant of the cardinal's, and who had been raised by him from a very low station, defended his unfortunate patron with such spirit, generosity, and courage, as acquired him great honour, and laid the foundation of that favour which he afterwards enjoyed with the king.

Wolsey's enemies, finding that either his innocence or his caution prevented them from having any just ground of accusing him, had recourse to a very extraordinary expedient. An indictment was laid against him, that, contrary to a statute of Richard II., commonly called the statute of provisors, he had procured bulls from Rome, particularly one investing him with the legatine power,

which he had exercised with very extensive authority. He confessed the indictment, pleaded ignorance of the statute, and threw himself on the king's mercy. He was, perhaps, within reach of the law, but besides that this statute had fallen into disuse, nothing could be more rigorous and severe than to impute to him as a crime what he had openly, during the course of so many years, practised with the consent and approbation of the king, and the acquiescence of the parliament and kingdom: not to mention what he always asserted, and what we can scarcely doubt of, that he had obtained the royal licence in the most formal manner, which, had he not been apprehensive of the dangers attending any opposition to Henry's lawless will, he might have pleaded in his own defence before the judges. Sentence, however, was pronounced against him, "That he was out of the king's protection; his lands and goods forfeited; and that his person might be committed to custody." But this prosecution of Wolsey was carried no further. Henry even granted him a pardon for all offences; restored him part of his plate and furniture; and still continued from time to time to drop expressions of favour and compassion towards him.

The complaints against the usurpations of Commencement the ecclesiastics had been very ancient in the Reformation in England, as well as in most other European kingdoms; and as this topic was now become popular every where, it had paved the way for the Lutheran tenets, and reconciled the people in some measure to the frightful idea of heresy and innovation. The Commons, finding the occasion favourable, passed several bills restraining the impositions of the clergy; one for the regulating of mortuaries; another against the exactions of the probates of wills;<sup>40</sup> a third against non-residence and pluralities, and against churchmen being farmers of land. But what appeared chiefly dangerous to the ecclesiastical order, were the severe invectives thrown out almost without opposition in the House against the dissolute lives of the priests, their ambition, their avarice, and their endless encroachments on the laity. Lord Herbert's has even preserved the speech of a gentleman of Gray's-Inn, which is of a singular nature, and contains such topics as we should little expect to meet with during that period. The member insists upon the vast variety of theological opinions which prevailed in different nations and ages; the endless inextinguishable controversies maintained by the several sects; the impossibility that any man, much less the people, could ever know, much less examine, the tenets and principles of every sect; the necessity of ignorance, and a suspense of judgment with regard to all those objects of dispute; and upon the whole he infers, that the only religion obligatory on mankind is the belief of one supreme Being, the Author of nature; and the necessity of good morals, in order to obtain his favour and protection. Such sentiments would be deemed latitudinarian, even in our time; and would not be advanced without some precaution in a public assembly. But though the first broaching of a religious controversy might encourage the sceptical turn in a few persons of a studious disposition; the zeal with which men soon after attached themselves to their several parties, served effectually to banish for a long time all such obnoxious liberties.

The bills for regulating the clergy met with some opposition in the House of Lords. Bishop Fisher, in particular, imputed these measures of the Commons to their want of faith; and to a formed design, derived from heretical and Lutheran principles, of robbing the church of her patrimony, and overturning the national religion.

m Strype, vol. i. p. 114, 115. App. No. 31, &c.

n Strype, p. 547. o Cavendish, Strowe, p. 549.

p The first article of the charge against the cardinal is his procuring the legatine power, which, however, as it was certainly done with the king's consent and permission, could be nowise criminal. Many of the other articles also treated the mere exercise of that power. Some articles imputed to him as crimes, particular actions, which were natural or unavoidable to an ambassador, such as prime minister with so unlimited an authority, such as receiving first all letters from the king's ministers abroad, receiving first all letters from foreign ministers, despatching that all applications should be made through him. He was also accused of having conspired with the king, as if he had been his fellow, the king and I. It is reported, that sometimes he even put his own name before the king's, and *my* and *mine*, sometimes his person is implied by the Latin pronoun. It is remarkable that his whispering in the king's ear, knowing himself to be affected with venereal distempers, is an article against him. Many of the charges

are general, and incapable of proof. Lord Herbert goes so far as to affirm that no man ever felt him so high a station as he had so low real virtues objected to him. His opinion is perhaps a little too favourable to the cardinal. Yet the regulation of the articles by Cromwell, and their being repealed by a House of Commons, even in this abortive reign, is almost a demonstration of Wolsey's innocence. Henry was, to truth, entirely bent on his destruction, when, on his failure by a parliamentary impeachment, he attacked in an open the statute of provisors, which afforded cause little just before that minister. "In that this is a subject" was subsequent to the efforts in parliament against him by Cavendish's *Life of Wolsey*, &c. Strowe, p. 551, and more certainly by the very articles of impeachment themselves. Parliamentary History, vol. vi. p. 42, article 7. Coles hist. pt. 4. fol. 169, 414, 415, 416, 417.

r These excursions were quite arbitrary, and had risen to a great height. A member said in the House, that a thousand marks had been exacted from him at that account. Hall, fol. 183; Strype, vol. i. p. 73. s P. 423.

The Duke of Norfolk reproved the prelate in severe and even somewhat indecent terms. He told him that the greatest clerks were not always the wisest men. But Fisher replied, that he did not remember any fools in his time who had proved great clerks. The exceptions taken at the Bishop of Rochester's speech stopped not there. The Commons, by the mouth of Sir Thomas Audley, their Speaker, made complaints to the king of the reflections thrown upon them; and the bishop was obliged to put a more favourable construction on his words.<sup>1</sup>

Henry was not displeased that the court of Rome and the clergy should be sensible that they were entirely dependent on him, and that his parliament, if he were willing to second their inclinations, was sufficiently disposed to reduce the power and privileges of the ecclesiastics. The Commons gratified the king in another particular of moment: they granted him a discharge of all those debts which he had contracted since the beginning of his reign; and they grounded this bill, which occasioned many complaints, on a pretence of the king's great care of the nation, and of his regularly employing all the money, which he had borrowed, in the public service. Most of the king's creditors consisted of friends to the cardinal, who had been engaged by their patron to contribute to the supply of Henry's necessities; and the present courtiers were well pleased to take the opportunity of mulcting them.<sup>2</sup> Several also approved of an expedient which they hoped would ever after discredit a method of supply so irregular and so unparliamentary.

The domestic transactions of England Foreign affairs. were at present so interesting to the king, that they chiefly engaged his attention; and he regarded foreign affairs only in subordination to them. He had declared war against the emperor; but the mutual advantages reaped by the commerce between England and the Netherlands, had engaged him to stipulate a neutrality with those provinces; and except by money contributed to the Italian wars, he had in effect exercised no hostility against any of the imperial dominions. A general peace was this summer established in Europe. Margaret of Austria and Louisa of Savoy met at Cambray, and settled the terms of pacification between the French king and the emperor. Charles accepted of two millions of crowns in lieu of Burgundy; and he delivered up the two princes of France, whom he had retained as hostages. Henry was on this occasion so generous to his friend and ally, Francis, that he sent him an acquittal of near 600,000 crowns which that prince owed him. Francis's Italian confederates were not so well satisfied as the king with the peace of Cambray: they were almost wholly abandoned to the will of the emperor; and seemed to have no means of security left but his equity and moderation. Florence, after a brave resistance, was subdued by the imperial arms, and finally delivered over to the dominion of the family of Medicis. The Venetians were better treated; they were only obliged to relinquish some acquisitions which they had made on the coast of Naples. Even Francis Sforza obtained the investiture of Milan, and was pardoned for all past offences. The emperor in person passed into Italy with a magnificent train, and received the imperial crown from the hands of the Pope at Bologna. He was but twenty-nine years of age; and having already, by his vigour and capacity, succeeded in every enterprise, and reduced to captivity the two greatest potentates in Europe, the one spiritual, the other temporal, he attracted the eyes of all men; and many prognostications were formed of his growing empire.

But though Charles seemed to be prosperous on every side, and though the conquest of Mexico and Peru now began to prevent that scarcity of money under which he had hitherto laboured, he found himself threatened with difficulties in Germany; and his desire of surmounting them was the chief cause of his granting such moderate conditions to the Italian powers. Sultan Solymán, the greatest and most accomplished prince that ever sat on the Ottoman throne, had almost entirely subdued Hungary, had besieged Vienna, and though repulsed, still menaced the hereditary dominions of the house of Austria

with conquest and subjection. The Lutheran princes of the empire, finding that liberty of conscience was denied them, had combined in a league for their own defence at Smalcalde; and because they protested against the votes passed in the imperial diet, they thenceforth received the appellation of *protestants*. Charles had undertaken to reduce them to obedience; and on pretence of securing the purity of religion, he had laid a scheme for aggrandizing his own family, by extending its dominion over all Germany.

The friendship of Henry was one material circumstance yet wanting to Charles, in order to insure success in his ambitious enterprises; and the king was sufficiently apprized, that the concurrence of that prince would at once remove all the difficulties which lay in the way of his divorce; that point which had been long the object of his most earnest wishes. But besides that the interests of his kingdom seemed to require an alliance with France, his haughty spirit could not submit to a friendship imposed on him by constraint; and as he had ever been accustomed to receive courtship, deference, and solicitation from the greatest potentates, he could ill brook that dependence to which this unhappy affair seemed to have reduced him. Amidst the anxieties with which he was agitated, he was often tempted to break off all connexions with the court of Rome; and though he had been educated in a superstitious reverence to papal authority, it is likely that his personal experience of the duplicity and selfish politics of Clement had served much to open his eyes in that particular. He found his prerogative firmly established at home: he observed, that his people were in general much disgusted with clerical usurpations, and disposed to reduce the powers and privileges of the ecclesiastical order: he knew that they had cordially taken part with him in his prosecution of the divorce, and highly resented the unworthy treatment which, after so many services and such devoted attachment, he had received from the court of Rome. Anne Boleyn also could not fail to use all her efforts, and employ every insinuation, in order to make him proceed to extremities against the Pope; both as it was the readiest way to her attaining royal dignity, and as her education in the court of the Duchess of Alençon, a princess inclined to the reformers, had already disposed her to a belief of the new doctrines. But notwithstanding these inducements, Henry had strong motives still to desire a good agreement with the sovereign pontiff. He apprehended the danger of such great innovations: he dreaded the reproach of heresy: he abhorred all connexions with the Lutherans, the chief opponents of the papal power; and having once exerted himself with such applause, as he imagined, in defence of the Romish communion, he was ashamed to retract his former opinions, and betray from passion such a palpable inconsistency. While he was agitated by these contrary motives, an expedient was proposed, which, as it promised a solution of all difficulties, was embraced by him with the greatest joy and satisfaction.

Dr. Thomas Cranmer, fellow of Jesus College in Cambridge, was a man remarkable in that university for his learning, and still more for the candour and disinterestedness of his temper. He fell one evening by accident into company with Gardiner, now secretary of state, and Fox, the king's almoner; and as the business of the divorce became the subject of conversation, he observed that the readiest way, either to quiet Henry's conscience, or extort the Pope's consent, would be to consult all the universities of Europe with regard to this controverted point: if they agreed to approve of the king's marriage with Catherine, his remorses would naturally cease; if they condemned it, the Pope would find it difficult to resist the solicitations of so great a monarch, seconded by the opinion of all the learned men in Christendom.<sup>3</sup> When the king was informed of the proposal, he was delighted with it; and swore, with more alacrity than delicacy, that Cranmer had got the right sow by the ear: he sent for that divine; entered into conversation with him; conceived a high opinion of his virtue and understanding; engaged

<sup>1</sup> 1. *Memorials of Henry*, vol. iii. p. 59. *Barnet*, vol. ii. p. 325.  
<sup>2</sup> *Idem*, vol. ii. p. 325.

<sup>3</sup> *Idem*, p. 156; 2d edit. *Barnet*, vol. i. p. 79. *Speed*, p. 762. *Heylin*, p. 3.



him to write in defence of the divorce; and immediately, in prosecution of the scheme proposed, employed his agents to collect the judgments of all the universities in Europe.

Had the question of Henry's marriage with Catherine been examined by the principles of sound philosophy, exempt from superstition, it seemed not liable to much difficulty. The natural reason why marriage in certain degrees is prohibited by the civil laws, and condemned by the moral sentiments of all nations, is derived from men's care to preserve purity of manners; while they reflect, that if connected by love were authorized between near relations, the frequent opportunities of intimate conversation, especially during early youth, would introduce an universal dissoluteness and corruption. But as the customs of countries vary considerably, and open an intercourse more or less restrained between different families, or between the several members of the same family, we find that the moral precept, varying with its cause, is susceptible, without any inconvenience, of very different latitude in the several ages and nations of the world. The extreme delicacy of the Greeks permitted no communication between persons of different sexes, except where they lived under the same roof; and even the apartments of a step-mother and her daughters were almost as much shut up against visits from the husband's sons, as against those from any stranger, or more distant relation: hence, in that nation it was lawful for a man to marry not only his niece, but his half-sister by the father: a liberty unknown to the Romans, and other nations, where a more open intercourse was authorized between the sexes. Reasoning from this principle, it would appear, that the ordinary commerce of life among great princes is so obstructed by ceremony and numerous attendants, that no ill consequence would result among them from marrying a brother's widow; especially if the dispensation of the supreme priest be previously required, in order to justify what may in common cases be condemned, and to hinder the precedent from becoming too common and familiar. And as strong motives of public interest and tranquillity may frequently require such alliances between the foreign families, there is the less reason for extending towards them the full rigour of the rule which has place among individuals.\*

But, in opposition to these reasons, and many more which might be collected, Henry had custom and precedent on his side; the principle by which men are almost wholly governed in their actions and opinions. The marrying of a brother's widow was so unusual, that no other instance of it could be found in any history or record of any christian nation; and though the Popes were accustomed to dispense with more essential precepts of morality, and even permitted marriages within other prohibited degrees, such as those of uncle and niece, the imaginations of men were not yet reconciled to this particular exercise of his authority. Several universities of Europe, therefore, without hesitation, as well as without interest or reward,

A. D. 1530. gave verdict in the king's favour, not only those of France, Paris, Orleans, Bourges, Toulouse, Angiers, which might be supposed to lie under the influence of their prince, ally to Henry; but also those of Italy, Venice, Ferrara, Padua; even Bologna itself, though under the immediate jurisdiction of Clement. Oxford alone,<sup>2</sup> and Cambridge,<sup>3</sup> made some difficulty; because these universities, alarmed at the progress of Lutheranism, and dreading a defection from the holy see, scrupled to give their sanction to measures whose consequences they feared would prove fatal to the ancient religion. Their opinion, however, conformable to that of the other universities of Europe, was at last obtained; and the king, in order to give more weight to all these authorities.

engaged his nobility to write a letter to the Pope, recommending his cause to the holy father, and threatening him with the most dangerous consequences in case of a denial of justice.<sup>5</sup> The convocations too, both of Canterbury and York, pronounced the king's marriage invalid, irregular, and contrary to the law of God, with which no human power had authority to dispense.<sup>6</sup> But Clement, lying still under the influence of the emperor, continued to summon the king to appear, either by himself or proxy, before his tribunal at Rome; and the king, who knew that he could expect no fair trial there, refused to submit to such a condition, and would not even admit of any citation, which he regarded as a high insult, and a violation of his royal prerogative. The father of Anne Boleyn, created Earl of Wiltshire, carried to the Pope the king's reasons for not appearing by proxy; and, as the first instance of disrespect from England, refused to kiss his holiness's foot, which he very graciously held out to him for that purpose.

The extremities to which Henry was pushed, both against the Pope and the ecclesiastical order, were naturally disagreeable to Cardinal Wolsey ; and as Henry foresaw his opposition, it is the most probable reason that can be assigned for his renewing the prosecution against his ancient favourite. After Wolsey had remained some time at Asher, he was allowed to remove to Richmond, a palace which he had received as a present from Henry, in return for Hampton-Court : but the courtiers, dreading still his vicinity to the king, procured an order for him to remove to his see of York. The cardinal knew it was in vain to resist : he took up his residence at Cawood, in Yorkshire, where he rendered himself extremely popular in the neighbourhood by his affability and hospitality ; but he was not allowed to remain long unmolested in this retreat. The Earl of Northumberland received orders, without regard to Wolsey's ecclesiastical character, to arrest him for high treason, and to conduct him to London, in order to his trial. The cardinal, partly from the fatigues of his journey, partly from the agitation of his anxious mind, was seized with a disorder which turned into a dysentery ; and he was able, with some difficulty, to reach Leicester-Abbey. When the abbot and the monks advanced to receive him with much respect and reverence, he told them, that he was come to lay his bones among them ; and he immediately took to his bed, whence he never rose more. A little before he expired, he addressed himself in the following words to Sir William Kingston, constable of the Tower, who had him in custody : " I pray you have me heartily recommended unto his royal majesty, and beseech him on my behalf to call to his remembrance all matters that have passed between us from the beginning, especially with regard to his business with the queen ; and then will he know in his conscience whether I have offended him.

"He is a prince of a most royal carriage, and hath a princely heart; and rather than he will miss or want any part of his will, he will endanger the one-half of his kingdom.

“I do assure you, that I have often kneeled before him, sometimes three hours together, to persuade him from his will and appetite; but could not prevail: had I but served God as diligently as I have served the king, he would not have given me over in my grey hairs. But this is the just reward that I must receive for my indulgent pains and study, not regarding my service to God, but only to my prince. Therefore, let me advise you, if you be one of the privy-council, as by your wisdom you are fit, take care what you put into the king's head: for you can never put it out again.” f

Thus died this famous cardinal, whose character seems to have contained as singular Wolsey's death.

[illegible]

the patriarchy, and the marriage of a brother's widow was, in certain cases, not only permitted, but even enjoined as a positive precept by the Mosaic law. It is in vain to say that this precept was an exception to the rule, and an exception confined merely to the Jewish nation. The inference is still left, that such a marriage can contain no natural or moral turpitude, otherwise God, who is the author of all purity, would never in any case have enjoined it.

y Herbert. Furnet. z Wood, Hist. and Ant. Ox. lib. i. p. 225.  
 a Furnet, vol. i. p. c.  
 b Rymer, vol. xiv. p. 405. Burnet, vol. i. p. 95.  
 c Rymer, vol. xiv. p. 454. 472. d Furnet, vol. i. p. 95  
 e Calais. St. we. p. 351. f Camden.

e (Ca: english), Showe, p. 104. f (Ca: english),

a variety as the fortune to which he was exposed. The obstinacy and violence of the king's temper may alleviate much of the blame which some of his favourite's measures have undergone; and when we consider, that the subsequent part of Henry's reign was much more criminal than that which had been directed by Wolsey's counsels, we shall be inclined to suspect those historians of partiality, who have endeavoured to load the memory of this minister with such violent reproaches. If, in foreign politics, he sometimes employed his influence over the king for his private purposes rather than his master's service, which he boasted he had solely at heart; we must remember that he had in view the papal throne; a dignity which, had he attained it, would have enabled him to make Henry a suitable return for all his favours. The Cardinal of Amboise, whose memory is respected in France, always made this apology for his own conduct, which was, in some respect, similar to Wolsey's; and we have reason to think that Henry was well acquainted with the views by which his minister was influenced, and took a pride in promoting them. He much regretted his death, when informed of it; and always spoke favourably of his memory: a proof that humour more than reason, or any discovery of treachery, had occasioned the last persecutions against him.

A. D. 1531.  
16th Jan.  
A parliament.  
A new session of parliament was held, together with a convocation; and the king here gave strong proofs of his extensive authority, as well as of his intention to turn it to the depression of the clergy. As an ancient statute, now almost obsolete, had been employed to ruin Wolsey, and render his exercise of the legatine power criminal, notwithstanding the king's permission; the same law was now turned against the ecclesiastics. It was pretended, that every one who had submitted to the legatine court, that is, the whole church, had violated the statute of provisors, and the attorney-general accordingly brought an indictment against them.<sup>a</sup> The convocation knew that it would be in vain to oppose reason or equity to the king's arbitrary will, or plead that their ruin would have been the certain consequence of not submitting to Wolsey's commission, which was procured by Henry's consent, and supported by his authority. They chose, therefore, to throw themselves on the mercy of their sovereign; and they agreed to pay 118,840 pounds for a pardon.<sup>b</sup> A confession was likewise extorted from them, that *the king was the protector and the supreme head of the church and clergy of England*; though some of them had the dexterity to get a clause inserted which invalidated the whole submission, and which ran in these terms, *in so far as is permitted by the law of Christ*.

The Commons, finding that a pardon was granted the clergy, began to be apprehensive for themselves, lest either they should afterwards be brought into trouble on account of their submission to the legatine court, or a supply, in like manner, be extorted from them in return for their pardon. They therefore petitioned the king to grant a remission to his lay subjects; but they met with a repulse. He told them, that if he ever chose to forgive their offence, it would be from his own goodness, not from their application, lest he should seem to be compelled to it. Some time after, when they despaired of obtaining this concession, he was pleased to issue a pardon to the laity; and the Commons expressed great gratitude for that act of clemency.<sup>c</sup>

A. D. 1532.  
15th Jan.  
An act was passed against levying the annates or first fruits;<sup>d</sup> being a year's rent of all the bishoprics that fell vacant: a tax which was imposed by the court of Rome for granting Reformation. tithes to the new prelates, and which was found to amount to considerable sums. Since the second

of Henry VII. no less than one hundred and sixty thousand pounds had been transmitted to Rome on account of this claim; which the parliament, therefore, reduced to five per cent. on all the episcopal benefices. The better to keep the Pope in awe, the king was intrusted with a power of regulating these payments, and of confirming or infringing this act at his pleasure: and it was voted, that any censures which should be passed by the court of Rome, on account of that law, should be entirely disregarded; and that mass should be said, and the sacraments administered, as if no such censures had been issued.

This session, the Commons preferred to the king a long complaint against the abuses and oppressions of the ecclesiastical courts; and they were proceeding to enact laws for remedying them, when a difference arose, which put an end to the session before the parliament had finished all their business. It was become a custom for men to make such settlements or trust-deeds of their lands by will, that they defrauded, not only the king, but all other lords, of their wards, marriages, and reliefs; and by the same artifice, the king was deprived of his premier seisin, and the profits of the livery, which were no inconsiderable branches of his revenue. Henry made a bill be drawn to moderate, not remedy altogether, this abuse: he was contented that every man should have the liberty of disposing in this manner of the half of his land; and he told the parliament in plain terms, "If they would not take a reasonable thing when it was offered, he would search out the extremity of the law, and then would not offer them so much again." The Lords came willingly into their terms; but the Commons rejected the bill: a singular instance, where Henry might see that his power and authority, though extensive, had yet some boundaries. The Commons, however, found reason to repent of their victory. The king made good his threats; he called together the judges and ablest lawyers, who argued the question in chancery; and it was decided, that a man could not, by law, bequeath any part of his lands in prejudice of heirs.<sup>e</sup>

The parliament being again assembled 10th Apr.  
after a short prorogation, the king caused the two oaths to be read to them, that which the bishops took to the Pope, and that to the king, on their installation; and as a contradiction might be suspected between them, while the prelates seemed to swear allegiance to two sovereigns;<sup>f</sup> the parliament showed their intention of abolishing the oath to the Pope, when their proceedings were suddenly stopped by the breaking out of the plague at Westminster, which occasioned a prorogation. It is remarkable, that one Temse ventured this session to move, that the House should address the king to take back the queen, and stop the prosecution of his divorce. This motion made the king send for Audley, the Speaker; and explain to him the scruples with which his conscience had long been burdened; scruples, he said, which had proceeded from no wanton appetite, which had arisen after the fervours of youth were past, and which were confirmed by the concurring sentiments of all the learned societies in Europe. Except in Spain and Portugal, he added, it was never heard of that any man had espoused two sisters; but he himself had the misfortune, he believed, to be the first Christian man that had ever married his brother's widow.<sup>g</sup>

After the prorogation, Sir Thomas More, the chancellor, foreseeing that all the measures of the king and parliament led to a breach with the church of Rome, and to an alteration of religion, with which his principles would not permit him to concur, desired leave to resign the great seal; and he descended from his high station with more joy and alacrity than he had mounted up to it. The austerity of this man's virtue, and the sanctity of his manners, had nowise encroached on the gentleness of his temper, or even diminished that frolic and gaiety to which he was naturally inclined. He sported with all the varieties of fortune into which he was thrown; and neither the pride, naturally attending a high station, nor the melancholy incident to poverty and retreat, could ever lay hold of his serene and equal spirit. While his family discover-

<sup>a</sup> A. D. 1531. 16th Jan. A. D. 1531. 16th Jan. A. D. 1531. 16th Jan.

<sup>b</sup> A. D. 1531. 16th Jan. A. D. 1531. 16th Jan. A. D. 1531. 16th Jan.

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<sup>e</sup> A. D. 1531. 16th Jan. A. D. 1531. 16th Jan. A. D. 1531. 16th Jan.

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<sup>d</sup> A. D. 1531. 16th Jan. A. D. 1531. 16th Jan. A. D. 1531. 16th Jan.

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ed symptoms of sorrow on laying down the grandeur and magnificence to which they had been accustomed, he drew a subject of mirth from their distresses; and made them ashamed of losing even a moment's cheerfulness on account of such trivial misfortunes. The king, who had entertained a high opinion of his virtue, received his resignation with some difficulty; and he delivered the great seal soon after to Sir Thomas Audley.

During these transactions in England, and these invasions of the papal and ecclesiastical authority, the court of Rome was not without solicitude; and she entertained just apprehensions of losing entirely her authority in England: the kingdom, which of all others, had long been the most devoted to the holy see, and which had yielded it the most ample revenue. While the Imperial cardinals pushed a demand to proceed to extremities against the king, his more moderate and impartial counsellors represented to him the indignity of his proceedings; that a great monarch, who had signalized himself, both by his pen and his sword, in the cause of the Pope, should be denied a favour which he demanded on such just grounds, and which had scarcely ever before been refused to any person of his rank and station. Notwithstanding these remonstrances, the queen's appeal was received at Rome; the king was cited to appear; and several consistories were held to examine the validity of their marriage. Henry was determined not to send any proxy to plead his cause before this court: he only despatched Sir Edward Carne, and Dr. Bonner, in quality of excusators, so they were called, to carry his apology for not paying that deference to the papal authority. The prerogatives of his crown, he said, must be sacrificed, if he allowed appeals from his own kingdom; and as the question regarded conscience, not power or interest, no proxy could supply his place, or convey that satisfaction which the dictates of his own mind alone could confer. In order to support himself in this measure, and add greater security to his intended de-

fection from Rome, he procured an interview with Francis at Boulogne and Calais, where he renewed his personal friendship as well as public alliance with that monarch, and concerted all measures for their mutual defence. He even employed arguments, by which he believed he had persuaded Francis to imitate his example, in withdrawing his obedience from the Bishop of Rome, and administering ecclesiastical affairs, without having further recourse to that see. And being now fully determined in his own mind, as well as resolute to stand

all consequences, he privately celebrated his marriage with Ann Boleyn, whom he had previously created Marchioness of Pembroke. Rouland Lee, soon after raised to the bishopric of Coventry, officiated at the marriage. The Duke of Norfolk, uncle to the new queen, her father, mother, and brother, together with Dr. Cranmer, were present at the ceremony.<sup>o</sup> Anne became pregnant soon after her marriage; and this event both gave great satisfaction to the king, and was regarded by the people as a strong proof of the queen's former modesty and virtue.

The parliament was again assembled; and Henry, in conjunction with the great council of the nation, proceeded still in those gradual and secure steps by which they loosened their connexions with the see of Rome, and repressed the usurpations of the Roman pontiff. An act was made against all appeals to Rome in causes of matrimony, divorces, wills, and other suits cognizable in ecclesiastical courts; appeals esteemed dishonourable to the kingdom, by subjecting it to a foreign jurisdiction; and found to be very vexatious, by the expense and the delay of justice

which necessarily attended them.<sup>p</sup> The more to show his disregard to the Pope, Henry,

finding the new queen's pregnancy to advance, publicly owned his marriage; and in order to remove all doubts with regard to its lawfulness, he prepared measures for declaring, by a formal sentence, the invalidity of his marriage with Catherine: a sentence which ought naturally to have preceded his espousing of Anne.<sup>q</sup>

The king, even amidst his scruples and remorses, on account of his first marriage, had always treated Catherine with respect and distinction; and he endeavoured, by every soft and persuasive art, to engage her to depart from her appeal to Rome, and her opposition to his divorce. Finding her obstinate in maintaining the justice of her cause, he had totally forborne all visits and intercourse with her; and had desired her to make choice of any one of his palaces in which she should please to reside. She had fixed her abode for some time at Amptill, near Dunstable; and it was in this latter town that Cranmer, now created Archbishop of Canterbury, on the death of Warham,<sup>r</sup> was appointed to open his court for examining the validity of her marriage. 16th May.

The near neighbourhood of the place was chosen, in order to deprive her of all plea of ignorance; and as she made no answer to the citation, either by herself or proxy, she was declared *contumacious*; and the primate proceeded to the examination of the cause. The evidences of Arthur's consummation of his marriage were anew produced; the opinions of the universities were read, together with the judgments pronounced two years before by the convocations both of Canterbury and York; and after these preliminary steps, Cranmer proceeded to a sentence, and annulled the king's marriage with Catherine as unlawful and invalid. By a subsequent sentence he ratified the marriage with Anne Boleyn, who soon after was publicly crowned queen, with all the pomp and dignity suited to that ceremony.<sup>s</sup> To complete the king's satisfaction on the conclusion of this intricate and vexatious affair, she was safely delivered of a daughter, who re-

ceived the name of Elizabeth, and who 7th Sept. afterwards swayed the sceptre with such renown and felicity. Henry was so much delighted with the birth of this child, that soon after he conferred on her the title of Princess of Wales;<sup>t</sup> a step somewhat irregular, as she could only be presumptive, not apparent heir of the crown. But he had, during his former marriage, thought proper to honour his daughter Mary with that title; and he was determined to bestow on the offspring of his present marriage the same mark of distinction, as well as to exclude the elder princess from all hopes of the succession. His regard for the new queen seemed rather to increase than diminish by his marriage; and all men expected to see the entire ascendant of one who had mounted a throne, from which her birth had set her at so great a distance, and who, by a proper mixture of severity and indulgence, had long managed so intractable a spirit as that of Henry. In order to efface as much as possible all marks of his first marriage, Lord Mountjoy was sent to the unfortunate and divorced queen, to inform her that she was thenceforth to be treated only as Princess-dowager of Wales; and all means were employed to make her acquiesce in that determination. But she continued obstinate in maintaining the validity of her marriage; and she would admit no person to her presence who did not approach her with the accustomed ceremonial. Henry, forgetting his wonted generosity towards her, employed menaces against such of her servants as complied with her commands in this particular; but was never able to make her relinquish her title and pretensions.<sup>u</sup>

When intelligence was conveyed to Rome of the transactions, so injurious to the authority and reputation of the holy see, the conclave was in a rage, and all the cardinals of the imperial faction urged the Pope to proceed to

<sup>o</sup> Herbert, p. 340, 341. <sup>p</sup> 23 Hen. VIII. c. 12. <sup>q</sup> Collier, vol. ii. p. 11. and Records, No. 8. <sup>r</sup> Before Henry had given an account of the number of bulls requiring Cranmer's installation. By one bull, directed to the king, he is, upon the royal nomination, made Archbishop of Canterbury. By a second, directed to himself, he is also made archbishop. By a third, he is absolved from all excommunications. A fourth is directed to the suffragans, requiring them to receive and acknowledge him as archbishop. A fifth to the dean and chapter, to the same purpose. A sixth to the clergy of Canterbury. A seventh to all the laity in his see. An eighth to all that had lands of it. It is a ninth, he is ordered to be consecrated, taking the oath that was in the pastoral. P. a tenth, the oath was sent him. By an eleventh, the

Archbishop of York and the Bishop of London were required to put it on him. These were so many devices to draw tens to follow, which the Popes had erected and disposed of for money. It may be worth observing, that Cranmer, before he took the oath to the Pope, made a protestation, that he did not intend thereby to restrain himself from any thing that he was bound to, either by his duty to God, the king, or the country, and that he renounced every thing in it that was contrary to any of these. This was the avowal of some casuists, and not very compatible with that strict sincerity, and that scrupulous conscience, of which Cranmer made profession. Collier, vol. ii. in Coll. No. 25. Burnet, vol. i. p. 138, 139. <sup>s</sup> Hen. III. p. 6. <sup>t</sup> Burnet, vol. i. p. 134. <sup>u</sup> Herbert, p. 326. Burnet, vol. i. p. 132.



a definitive sentence, and to dart his spiritual thunders against Henry. But Clement proceeded no further than to declare the nullity of Cranmer's sentence, as well as that of Henry's second marriage; threatening him with excommunication, if, before the first of November ensuing, he did not replace every thing in the condition in which it formerly stood.\* An event had happened, from which the pontiff expected a more amicable conclusion of the difference, and which hindered him from carrying matters to extremity against the king.

The Pope had claims upon the duchy of Ferrara, for the sovereignty of Reggio and Modena;† and, having submitted his pretensions to the arbitration of the emperor, he was surprised to find a sentence pronounced against him. Enraged at this disappointment, he hearkened to proposals of amity from Francis; and when that monarch made overtures of marrying the Duke of Orleans, his second son, to Catherine of Medicis, niece of the Pope, Clement gladly embraced an alliance, by which his family was so much honoured. An interview was even appointed between the Pope and French king at Marseilles; and Francis as a common friend there employed his good offices in mediating an accommodation between his new ally and the King of England.

Had this connexion of France with the court of Rome taken place a few years sooner, there had been little difficulty in adjusting the quarrel with Henry. The king's request was an ordinary one; and the same plenary power of the Pope, which had granted a dispensation for his espousing of Catherine, could easily have annulled the marriage. But, in the progress of the quarrel, the state of affairs was much changed on both sides. Henry had shaken off much of that reverence which he had early imbibed for the apostolic see; and finding that his subjects of all ranks had taken part with him, and willingly complied with his measures for breaking off foreign dependence, he had begun to relish his spiritual authority, and would scarcely, it was apprehended, be induced to renew his submissions to the Roman pontiff. The Pope, on the other hand, now ran a manifest risk of infringing his authority by a compliance with the king; and as a sentence of divorce could no longer be rested on nullities in Julius's bull, but would be construed as an acknowledgment of papal usurpations, it was foreseen that the Lutherans would thence take occasion of triumph, and would persevere more obstinately in their present principles. But notwithstanding these obstacles, Francis did not despair of mediating an agreement. He observed that the king had still some remains of prejudice in favour of the catholic church, and was apprehensive of the consequences which might ensue from too violent innovations. He saw the interest that Clement had in preserving the obedience of England, which was one of the richest jewels in the papal crown. And he hoped that these motives on both sides would facilitate a mutual agreement, and would forward the effects of his good offices.

A. D. 1531. Francis first prevailed on the Pope to promise, that if the king would send a proxy to Rome, and thereby submit his cause to the holy see, he should appoint commissioners to meet at Cambrai, and form the process; and he should immediately afterwards pronounce the sentence of divorce required of him. Bellay, Bishop of Paris, was next despatched to London, and obtained a promise from the king, that he would submit his cause to the Roman consistory, provided the cardinals of the imperial faction were excluded from it.

The prelate carried this verbal promise to Rome; and the Pope agreed, that if the king would sign a written agreement to the same purpose, his demands should be fully complied with. A day was appointed for the return of the messengers; and all Europe regarded this affair, which had threatened a violent rupture between England and the Romish church, as drawing towards an amicable conclusion.‡ But the greatest affairs often depend on the most frivolous incidents. The courier who carried the king's written promise was detained beyond the day appointed: news was brought to Rome that a libel had

been published in England against the court of Rome, and a farce acted before the king in derision of the Pope and cardinals.‡ The Pope and cardinals entered into the consistory inflamed with anger; and by a precipitate sentence, the marriage of Henry and Catherine was pronounced valid, and Henry declared to be excommunicated if he refused to adhere to it. Two days after, the courier arrived; and Clement, who had been hurried from his usual prudence, found, that though he heartily repented of this hasty measure, it would be difficult for him to retract it, or replace affairs on the same footing as before.

It is not probable that the Pope, had he conducted himself with ever so great moderation and temper, could hope, during the lifetime of Henry, to have regained much authority or influence in England. That monarch was of a temper both impetuous and obstinate; and having proceeded so far in throwing off the papal yoke, he never could again have been brought tamely to bend his neck to it. Even at the time when he was negotiating a reconciliation with Rome, he either entertained so little hopes of success, or was so indifferent about the event, that he had assembled a parliament, and continued to enact laws totally destructive of the papal authority. The people had been prepared by degrees for this great innovation. Each preceding session had retrenched somewhat from the power and profits of the pontiff. Care had been taken, during some years, to teach the nation that a general council was much superior to a Pope. But now a bishop preached every Sunday at Paul's cross, in order to inculcate the doctrine, that the Pope was entitled to no authority at all beyond the bounds of his own diocese.§ The proceedings of the parliament showed that they had entirely adopted this opinion; and there is reason to believe that the king, after having procured a favourable sentence from Rome, which would have removed all doubts with regard to his second marriage and the succession, might indeed have lived on terms of civility with the Roman pontiff, but never would have surrendered to him any considerable share of his assumed prerogative. The importance of the laws passed this session, even before intelligence arrived of the violent resolutions taken at Rome, is sufficient to justify this opinion.

All payments made to the apostolic chamber, all provisions, bulls, dispensations, were abolished: monasteries were subjected to the visitation and government of the king alone: the law for punishing heretics was moderated; the ordinary was prohibited from imprisoning or trying any person upon suspicion alone, without presentment by two lawful witnesses; and it was declared, that to speak against the Pope's authority was no heresy: bishops were to be appointed by a *congé d'élire* from the crown, or in case of the dean and chapter's refusal, by letters patent; and no recourse was to be had to Rome for pallis, bulls, or provisions: Campeggio and Ghinucci, two Italians, were deprived of the bishoprics of Salisbury and Worcester, which they had hitherto enjoyed:¶ the law which had been formerly made against paying annates or first fruits, but which had been left in the king's power to suspend or enforce, was finally established: and a submission which was exacted two years before from the clergy, and which had been obtained with great difficulty, received this session the sanction of Parliament.‡ In this submission the clergy acknowledged that convocations ought to be assembled by the king's authority only; they promise to enact no new canons without his consent; and they agree that he should appoint thirty-two commissioners, in order to examine the old canons, and abrogate such as should be found prejudicial to his royal prerogative.¶ An appeal was also allowed from the bishop's court to the king in chancery.

But the most important law passed this session, was that which regulated the succession to the crown: the marriage of the king with Catherine was declared unlawful, void, and of no effect: the primate's sentence annulling it was ratified: and the marriage with Queen Anne was established and confirmed. The crown was

\* In 1527, vol. ii. p. 266. A. D. 1531, vol. iii. p. 143. Guiccardini's History, vol. ii. p. 104.

† In 1527, vol. ii. p. 143. c. 25. 11. cap. 16.

‡ In 1533, vol. iii. p. 49, 50.

appointed to descend to the issue of this marriage, and failing them to the king's heirs for ever. An oath likewise was enjoined to be taken in favour of this order of succession, under the penalty of imprisonment during the king's pleasure, and forfeiture of goods and chattels. And all slander against the king, queen, or their issue, was subjected to the penalty of misprision of treason. After these compliances, the parliament was prorogued; and those acts, so contemptuous towards the Pope, and so destructive of his authority, were passed at the very time that Clement pronounced his hasty sentence against the king. Henry's resentment against Queen Catherine, on account of her obstinacy, was the reason why he excluded her daughter from all hopes of succeeding to the crown; contrary to his first intentions when he began the process of divorce, and of dispensation for a second marriage.

The king found his ecclesiastical subjects as compliant as the laity. The convocation ordered that the act against appeals to Rome, together with the king's appeal from the Pope to a general council, should be affixed to the doors of all the churches in the kingdom: and they voted that the Bishop of Rome had, by the law of God, no more jurisdiction in England than any other foreign bishop; and that the authority which he and his predecessors had there exercised was only by usurpation, and by the sufferance of English princes. Four persons alone opposed this vote in the lower House, and one doubted. It passed unanimously in the upper. The bishops went so far in their complaisance, that they took out new commissions from the crown, in which all their spiritual and episcopal authority was expressly affirmed to be derived ultimately from the civil magistrate, and to be entirely dependent on his good pleasure.\*

The oath regarding the succession was generally taken throughout the kingdom. Fisher, Bishop of Rochester, and Sir Thomas More, were the only persons of note that entertained scruples with regard to its legality. Fisher was obnoxious on account of some practices into which his credulity, rather than any bad intentions, seems to have betrayed him. But More was the person of greatest reputation in the kingdom for virtue and integrity; and as it was believed that his authority would have influence on the sentiments of others, great pains were taken to convince him of the lawfulness of the oath. He declared that he had no scruple with regard to the succession, and thought that the parliament had full power to settle it: he offered to draw an oath himself, which would insure his allegiance to the heir appointed; but he refused the oath prescribed by law; because the preamble of that oath asserted the legality of the king's marriage with Anne, and therefore implied that his former marriage with Catherine was unlawful and invalid. Crommer, the primate, and Cromwell, now secretary of state, who highly loved and esteemed More, entreated him to lay aside his scruples; and their friendly importunity seemed to weigh more with him than the penalties attending his refusal.† He persisted, however, in a mild though firm manner, to maintain his resolution; and the king, irritated against him as well as Fisher, ordered both to be indicted upon the statute, and committed prisoners to the Tower.

The parliament being again assembled, conferred on the king the title of the only supreme head on earth of the church of England; as they had already invested him with all the real power belonging to it. In this memorable act, the parliament granted him power, or rather acknowledged his inherent power, "to visit, and repress, redress, reform, order, correct, restrain, or amend all errors, heresies, abuses, offences, contempt, and enormities, which fell under any spiritual authority, or jurisdiction."‡ They also declared it treason to attempt, imagine, or speak evil against the king, queen, or his heirs, or to endeavour depriving them of their dignities or titles. They gave him a right to all the annates and tithes of benefices, which had formerly been paid to the court of Rome. They granted him a subsidy and a fifteenth. They attainted More and Fisher for misprision of treason. And they completed the union of England

and Wales, by giving to that principality all the benefit of the English laws.

Thus the authority of the Popes, like all exorbitant power, was ruined by the excess of its acquisitions, and by stretching its pretensions beyond what it was possible for any human principles or prepossessions to sustain. Indulgences had in former ages tended extremely to enrich the holy see; but being openly abused, they served to excite the first commotions and opposition in Germany. The prerogative of granting dispensations had also contributed much to attach all the sovereign princes and great families in Europe to the papal authority; but meeting with an unlucky concurrence of circumstances, was now the cause why England separated herself from the Romish communion. The acknowledgment of the king's supremacy introduced there a greater simplicity in the government, by uniting the spiritual with the civil power, and preventing disputes about limits, which never could be exactly determined, between the contending jurisdictions. A way was also prepared for checking the exorbitancies of superstition, and breaking those shackles by which all human reason, policy, and industry, had so long been encumbered. The prince, it may be supposed, being head of the religion, as well as of the temporal jurisdiction, of the kingdom, though he might sometimes employ the former as an engine of government, had no interest, like the Roman pontiff, in nourishing its excessive growth; and, except when blinded by his own ignorance or bigotry, would be sure to retain it within tolerable limits, and prevent its abuses. And, on the whole, there followed from this revolution many beneficial consequences; though perhaps neither foreseen nor intended by the persons who had the chief hand in conducting it.

While Henry proceeded with so much order and tranquillity in changing the national religion, and while his authority seemed entirely secure in England, he was held in some inquietude by the state of affairs in Ireland and in Scotland.

The Earl of Kildare was deputy of Ireland, under the Duke of Richmond, the king's natural son, who bore the title of lieutenant; and as Kildare was accused of some violences against the family of Ossory, his hereditary enemies, he was summoned to answer for his conduct. He left his authority in the hands of his son, who, hearing that his father was thrown into prison, and was in danger of his life, immediately took up arms, and joining himself to O'neale, O'carroll, and other Irish nobility, committed many ravages, murdered Allen, Archbishop of Dublin, and laid siege to that city. Kildare meanwhile died in prison, and his son, persevering in his revolt, made applications to the emperor, who promised him assistance. The king was obliged to send over some forces to Ireland, which so harassed the rebels, that this young nobleman, finding the emperor backward in fulfilling his promises, was reduced to the necessity of surrendering himself prisoner to Lord Leonard Gray, the new deputy, brother to the Marquis of Dorset. He was carried over to England, together with his five uncles; and after trial and conviction they were all brought to public justice; though two of the uncles, in order to save their family, had pretended to join the king's party.

The Earl of Angus had acquired the entire ascendancy in Scotland; and having gotten possession of the king's person, then in early youth, he was able, by means of that advantage, and by employing the power of his own family, to retain the reins of government. The queen-dowager, however, his consort, bred him great disturbance. For having separated herself from him, on account of some jealousies and disgusts, and having procured a divorce, she had married another man of quality, of the name of Stuart; and she joined all the discontented nobility who opposed Angus's authority. James himself was dissatisfied with the slavery to which he was reduced; and by secret correspondence he incited first Walter Scot, then the Earl of Lennox, to attempt by force of arms the freeing him from the hands of Angus. Both enterprises failed of success; but James, impatient of restraint, found means at last of escaping to Stirling, where his mother then resided;

and having summoned all the nobility to attend him, he overturned the authority of the Douglasses, and obliged Angus and his brother to fly into England, where they were protected by Henry. The King of Scotland, being now arrived at years of majority, took the government into his own hands ; and employed himself with great spirit and valour in repressing those feuds, ravages, and disorders, which, though they disturbed the course of public justice, served to support the martial spirit of the Scots, and contributed by that means to maintain national independency. He was desirous of renewing the ancient league with the French nation ; but finding Francis in close union with England, and on that account somewhat cold in hearkening to his proposals, he received the more favourably the advances of the emperor, who hoped, by means of such an ally, to breed disturbance to England. He offered the Scottish King the choice of three princesses, his own near relations, and all of the name of Mary ; his sister, the Dowager of Hungary, his niece, a daughter of Portugal, or his cousin, the daughter of Henry, whom he pretended to dispose of unknown to her father. James was more inclined to the latter proposal, had it not upon reflection been found impracticable ; and his natural propensity to France at last prevailed over all other considerations. The alliance with Francis necessarily engaged James to maintain peace with England. But though invited by his uncle, Henry, to confer with him at Newcastle, and concert common measures for repressing the ecclesiastics in both kingdoms, and shaking off the yoke of Rome, he could not be prevailed on, by entering England, to put himself in the king's power. In order to have a pretext for refusing the conference, he applied to the Pope, and obtained a brief, forbidding him to engage in any personal negotiations with an enemy of the holy see. From these measures Henry easily concluded, that he could very little depend on the friendship of his nephew. But those events took not place till some time after our present period.

## CHAP. XXXI.

Heligious persecution of the people—of the king—of the ministers—Further progress of the Reformation—Sir Thomas More—The Maid of Kent—Trial and execution of Fisher, Bishop of Rochester—of Sir Thomas More—King excommunicated—Death of Queen Catherine—Suppression of the lesser monasteries—A parliament—A civication—Translation of the Bible—Betrothal of Queen Anne—Her trial and execution—A parliament—A civil war—The plague—The death of the people—The trial of Earl of Prince Edward, and death of Queen Jane—Suppression of the greater monasteries—Cardinal Pole.

A. D. 1534.  
Religious principles of the people :—

THE ancient and almost uninterrupted opposition of interests between the laity and clergy in England, and between the English clergy and the court of Rome, had sufficiently prepared the nation for a breach with the sovereign pontiff; and men had penetration enough to discover abuses, which were plainly calculated for the temporal advantages of the hierarchy, and which they found destructive of their own. These subjects seemed proportioned to human understanding; and even the people, who felt the power of interest in their own breasts, could perceive the purpose of those numerous inventions, which the interested spirit of the Roman pontiff had introduced into religion. But when the reformers proceeded thence to dispute concerning the nature of the sacraments, the operations of grace, the terms of acceptance with the Deity, men were thrown into amazement, and were during some time at a loss how to choose their party. The profound ignorance in which both the clergy and laity formerly lived, and their freedom from theological altercations, had produced a sincere but indolent acquiescence in received opinions; and the multitude were neither attached to them by topics of reasoning, nor by those prejudices and antipathies against opponents, which have ever a more natural and

powerful influence over them. As soon, therefore, as a new opinion was advanced, supported by such an authority as to call up their attention, they felt their capacity totally unfitted for such disquisitions; and they perpetually fluctuated between the contending parties. Hence the quick and violent movements by which the people were agitated, even in the most opposite directions: hence their seeming prostitution, in sacrificing to present power the most sacred principles: and hence the rapid progress during some time, and the sudden as well as entire check soon after, of the new doctrines. When men were once settled in their particular sects, and had fortified themselves in an habitual detestation of those who were denominated heretics, they adhered with more obstinacy to the principles of their education; and the limits of the two religions thenceforth remained fixed and unchangeable.

Nothing more forwarded the first progress of the reformers, than the offer which they made, of submitting all religious doctrines to private judgment, and the summons given every one to examine the principles formerly imposed upon him. Though the multitude were totally unqualified for this undertaking, they yet were highly pleased with it. They fancied that they were exercising their judgment, while they opposed to the prejudices of ancient authority, more powerful prejudices of another kind. The novelty itself of the doctrines ; the pleasure of an imaginary triumph in dispute : the fervent zeal of the reformed preachers ; their patience and even alacrity in suffering persecution, death, and torments ; a disgust at the restraints of the old religion ; an indignation against the tyranny and interested spirit of the ecclesiastics ; these motives were prevalent with the people, and by such considerations were men so generally induced, during that age, to throw off the religion of their ancestors.

But in proportion as the practice of submitting religion to private judgment was acceptable to the people, it appeared in some respects dangerous to the rights of sovereigns, and seemed to destroy that implicit obedience of which the authority of the civil magistrate is chiefly founded. The very precedent, of shaking so ancient and deep-founded an establishment as that of the Romish hierarchy, might, it was apprehended, prepare the way for other innovations. The republican spirit which naturally took place among the reformers increased this jealousy. The furious insurrections of the populace, excited by Muncer, and other anabaptists in Germany,<sup>a</sup> furnished a new pretence for decrying the Reformation. Nor ought we to conclude, because protestants in our time prove as dutiful subjects as those of any other communion, that therefore such apprehensions were altogether without any shadow of plausibility. Though the liberty of private judgment be tendered to the disciples of the Reformation, it is not in reality accepted of; and men are generally contented to acquiesce implicitly in those establishments, however new, into which their early education has thrown them.

No prince in Europe was possessed of such absolute authority as Henry, not even the Pope himself, in his own capital, where he united both the civil and ecclesiastical powers ;<sup>b</sup> and there was small likelihood that any doctrine which lay under the imputation of encouraging sedition could ever pretend to his favour and countenance. But besides this political jealousy, of the king ; there was another reason, which inspired this imperious monarch with an aversion to the reformers. He had early declared his sentiments against Luther ; and having entered the lists in those scholastic quarrels, he had received from his courtiers and theologians infinite applause for his performance. Elated by his imaginary success, and blinded by a natural arrogance and obstinacy of temper, he had entertained the most lofty opinion of his own erudition ; and he received with impatience, mixed with contempt, any contradiction to his sentiments. Luther also had been so imprudent as to treat in a very indecent manner his royal antagonist ; and though he afterwards made the most humble submissions to Henry, and apologized

<sup>a</sup> Simulations 10, 4 and 5.

† These are the terms in which the king's minister expressed himself to the Pope: *Annon, inquam, scietis vestra plenitudo habet quibuscumq; armatis, alijsq; crederetur, pabel et non minus celatum esse, quam si nunc tantum postulare contingeretur, quod nullo magis seruosissimo Archiepiscopo esse debet, cui singula in suo regno sunt subiecti, neque etiam vltimi.*

possunt Regi non esse fidelissimi. Vix namque illis, si vel parvo momento ab illius voluntate recederent. Le Grand, *tom. m. p. 113*. The king once said publicly before the council, that if any one spoke of him or his actions in terms which became them not, he would let them know that he was master. Et qu'il n'y auroit si belle loi qu'il ne fit voler. *Ib. p. 210*.



for the vehemence of his former expressions, he never could efface the hatred which the king had conceived against him and his doctrines. The idea of heresy still appeared detestable as well as formidable to that prince; and whilst his resentments against the see of Rome had corrected one considerable part of his early prejudices, he had made it a point of honour never to relinquish the remainder. Separate as he stood from the catholic church, and from the Roman pontiff, the head of it, he still valued himself on maintaining the catholic doctrine, and on guarding, by fire and sword, the imagined purity of his speculative principles.

Henry's ministers and courtiers were of as motley a character as his conduct; and seemed to waver, during his whole reign, between the ancient and the new religion. The queen, engaged by interest as well as inclination, favoured the cause of the reformers: Cromwell, who was created secretary of state, and who was daily advancing in the king's confidence, had embraced the same views; and as he was a man of prudence and abilities, he was able very effectually, though in a covert manner, to promote the late innovations: Crammer, Archbishop of Canterbury, had secretly adopted the protestant tenets; and he had gained Henry's friendship by his candour and sincerity; virtues which he possessed in as eminent a degree as those times, equally distracted with faction and oppressed by tyranny, could easily permit. On the other hand, the Duke of Norfolk adhered to the ancient faith; and by his high rank, as well as by his talents, both for peace and war, he had great authority in the king's council: Gardiner, lately created Bishop of Winchester, had enlisted himself in the same party; and the suppleness of his character, and dexterity of his conduct, had rendered him extremely useful to it.

All these ministers, while they stood in the most irreconcilable opposition of principles to each other, were obliged to disguise their particular opinions, and to pretend an entire agreement with the sentiments of their master. Cromwell and Crammer still carried the appearance of a conformity to the ancient speculative tenets; but they artfully made use of Henry's resentment to widen the breach with the see of Rome. Norfolk and Gardiner feigned an assent to the king's supremacy, and to his renunciation of the sovereign pontiff; but they encouraged his passion for the catholic faith; and instigated him to punish those daring heretics who had presumed to reject his theological principles. Both sides hoped, by their unlimited compliance, to bring him over to their party. The king, meanwhile, who held the balance between the factions, was enabled, by the courtship paid him both by protestants and catholics, to assume an unbounded authority: and though in all his measures he was really driven by his un-governed humour, he casually steered a course which led more certainly to arbitrary power, than any which the most profound politics could have traced out to him. Artifice, refinement, and hypocrisy, in his situation, would have put both parties on their guard against him, and would have taught them reserve in complying with a monarch whom they could never hope thoroughly to have gained; but while the frankness, sincerity, and openness of Henry's temper were generally known, as well as the dominion of his furious passions, each side dreaded to lose him by the smallest opposition, and flattered themselves that a blind compliance with his will would throw him cordially and fully into their interests.

The ambiguity of the king's conduct, though it kept the courtiers in awe, served in the main to encourage the protestant doctrine among his subjects, and promoted that spirit of innovation with which the age was generally seized, and which nothing but an entire uniformity, as well as a steady severity in the administration, could be able to repress. There were some Englishmen, Tindal, Joye, Constantine, and others, who, dreading the exertion of the king's authority, had fled to Antwerp,<sup>5</sup> where the great privileges possessed by the Low Country provinces served, during some time, to give them protection. These

men employed themselves in writing English books against the corruptions of the church of Rome; against images, reliques, pilgrimages; and they excited the curiosity of men with regard to that question, the most important in theology, the terms of acceptance with the Supreme Being. In conformity to the Lutherans, and other protestants, they asserted that salvation was obtained by faith alone; and that the most infallible road to perdition<sup>6</sup> was a reliance on *good works*; by which terms they understood as well the moral duties as the ceremonial and monastic observances. The defenders of the ancient religion, on the other hand, maintained the efficacy of *good works*; but though they did not exclude from this appellation the social virtues, it was still the superstitions gainful to the church which they chiefly extolled and recommended. The books, composed by these fugitives, having stolen over to England, began to make converts every where; but it was a translation of the Scriptures by Tindal that was esteemed the most dangerous to the established faith. The first edition of this work, composed with little accuracy, was found liable to considerable objections; and Tindal, who was poor, and could not afford to lose a great part of the impression, was long for an opportunity of correcting his errors, of which he had been made sensible. Tostal, then Bishop of London, soon after of Durham, a man of great moderation, being desirous to discourage, in the gentlest manner, these innovations, gave private orders for buying up all the copies that could be found at Antwerp; and he burned them publicly in Cheapside. By this measure he supplied Tindal with money, enabled him to print a new and correct edition of his work, and gave great scandal to the people in thus committing to the flames the word of God.<sup>7</sup>

The disciples of the Reformation met with little severity during the ministry of Wolsey, who, though himself a clergyman, bore too small a regard to the ecclesiastical order to serve as an instrument of their tyranny: it was even an article of impeachment against him,<sup>8</sup> that, by his connivance, he had encouraged the growth of heresy, and that he had protected and acquitted some notorious offenders.

Sir Thomas More, who succeeded Wolsey as chancellor, is at once an object deserving our compassion, and an instance of the usual progress of men's sentiments during that age. This man, whose elegant genius and familiar acquaintance with the noble spirit of antiquity had given him very enlarged sentiments, and who had, in his early years, advanced principles which even at present would be deemed somewhat too free, had, in the course of events, been so irritated by polemics, and thrown into such a superstitious attachment to the ancient faith, that few inquirers have been guilty of greater violence in their prosecution of heresy. Though adorned with the gentlest manners, as well as the purest integrity, he carried to the utmost height his aversion to heterodoxy; and James Bainham, in particular, a gentleman of the Temple, experienced from him the greatest severity. Bainham, accused of favouring the new opinions, was carried to More's house; and having refused to discover his accomplices, the chancellor ordered him to be whipped in his presence, and afterwards sent him to the Tower, where he himself saw him put to the torture. The unhappy gentleman, overcome by all these severities, abjured his opinions; but feeling afterwards the deepest compunction for his apostasy, he openly returned to his former tenets, and even courted the crown of martyrdom. He was condemned as an obstinate and relapsed heretic, and was burned in Smithfield.<sup>9</sup>

Many were brought into the bishops' courts for offences which appear trivial, but which were regarded as symbols of the party: some for teaching their children the Lord's prayer in English; others for reading the New Testament in that language, or for speaking against pilgrimages. To harbour the persecuted preachers, to neglect the fasts of the church, to declaim against the vices of the clergy, were capital offences. One Thomas Bilney, a priest, who had embraced the new doctrine, had been terrified into an

<sup>5</sup> Burnet, vol. i. p. 159.  
<sup>6</sup> *Sæculum est et impietas velle placere. Deo per opera et non per  
solum fidem. Luther adversus dicem. De viciis quæ an aures sit hominibus  
Christians sive baptizatus, qui etiam volens ita potest perire salutem*

*sum, quousqueque precat. Nulla enim potest esse salutem cum damna  
nisi in conditis. Id de Captivitate Balthasar.*  
<sup>7</sup> Hall, lib. 126. Fox, vol. i. p. 187. Burnet, vol. i. p. 159.  
<sup>8</sup> Articles of impeachment in Herbert. Burnet.  
<sup>9</sup> Fox. Burnet, vol. i. p. 165.

agitation; but was so haunted by remorse, that his friends dreaded some fatal effects of his despair. At last his mind seemed to be more relieved; but this appearing calm proceeded only from the resolution, which he had taken, of expiating his past offence by an open confession of the truth, and by dying a martyr to it. He went through Norfolk, teaching the people to beware of idolatry, and of trusting for their salvation either to pilgrimages, or to the cowl of St. Francis, to the prayers of the saints, or to images. He was soon seized, tried in the bishop's court, and condemned as a relapsed heretic; and the writ was sent down to burn him. When brought to the stake, he discovered such patience, fortitude, and devotion, that the spectators were much affected with the horrors of his punishment; and some mendicant friars who were present, fearing that his martyrdom would be imputed to them, and make them lose those alms which they received from the charity of the people, desired him publicly to acquit them<sup>1</sup> of having any hand in his death. He willingly complied; and by this meekness gained the more on the sympathy of the people. Another person, still more heroic, being brought to the stake for denying the real presence, seemed almost in a transport of joy; and he tenderly embraced the faggots which were to be the instruments of his punishment, as the means of procuring him eternal rest. In short, the tide turning towards the new doctrine, those severe executions, which, in another disposition of men's minds, would have sufficed to suppress it, now served only to diffuse it the more among the people, and to inspire them with horror against the unrelenting persecutors.

But though Henry neglected not to punish the protestant doctrine, which he deemed heresy, his most formidable enemies, he knew, were the zealous adherents to the ancient religion, chiefly the monks, who, having their immediate dependence on the Roman pontiff, apprehended their own ruin to be the certain consequence of abolishing his authority in England. Peyto, a friar, preaching before the king, had the assurance to tell him, "That many lying prophets had deceived him; but he, as a true Micajah, warned him, that the dogs would lick his blood, as they had done Ahab's."<sup>2</sup> The king took no notice of the insult, but allowed the preacher to depart in peace. Next Sunday he employed Dr. Corren to preach before him; who justified the king's proceedings, and gave Peyto the appellations of a rebel, a slanderer, a dog, and a traitor. Elston, another friar of the same house, interrupted the preacher, and told him that he was one of the lying prophets, who sought to establish by adultery the succession of the crown; but that he himself would justify all that Peyto had said. Henry silenced the petulant friar; but showed no other mark of resentment than ordering Peyto and him to be summoned before the council, and to be rebuked for their offence.<sup>3</sup> He even here bore patiently some new instances of their obstinacy and arrogance: when the Earl of Essex, a privy counsellor, told them, that they deserved for their offence to be thrown into the Thames; Elston replied, that the road to heaven lay as near by water as by land.<sup>4</sup>

But several monks were detected in a conspiracy, which, as it might have proved more dangerous to the king, was on its discovery attended with more fatal consequences to the Maid of themselves. Elizabeth Barton, of Aldington in Kent, commonly called the *holy Maid of Kent*, had been subject to hysterical fits, which threw her body into unusual convulsions; and having produced an equal disorder in her mind, made her utter strange sayings, which, as she was scarcely conscious of them during the time, had soon after entirely escaped her memory. The silly people in the neighbourhood were struck with these appearances, which they imagined to be supernatural; and Richard Masters, vicar of the parish, a designing fellow, founded on them a project, from which he hoped to acquire both profit and consideration. He went to Warham, Archbishop of Canterbury, then alive; and having given him an account of Elizabeth's revelations, he so far wrought on that prudent but superstitious prelate, as

to receive orders from him to watch her in her trances, and carefully to note down all her future sayings. The regard paid her by a person of so high a rank soon rendered her still more the object of attention to the neighbourhood; and it was easy for Masters to persuade them, as well as the maid herself, that her ravings were inspirations of the Holy Ghost. Knavery, as is usual, soon after succeeding to delusion, she learned to counterfeit trances; and she then uttered, in an extraordinary tone, such speeches as were dictated to her by her spiritual director. Masters associated with him Dr. Bocking, a canon of Canterbury; and their design was to raise the credit of an image of the Virgin, which stood in a chapel belonging to Masters, and to draw to it such pilgrimages as usually frequented the more famous images and relics. In prosecution of this design, Elizabeth pretended revelations, which directed her to have recourse to that image for a cure; and being brought before it, in the presence of a great multitude, she fell anew into convulsions; and after distorting her limbs and countenance during a competent time, she affected to have obtained a perfect recovery by the intercession of the Virgin.<sup>5</sup> This miracle was soon bruited abroad; and the two priests, finding the imposture to succeed beyond their own expectations, began to extend their views, and to lay the foundation of more important enterprises. They taught their penitent to declaim against the new doctrines, which she denominated heresy; against innovations in ecclesiastical government; and against the king's intended divorce from Catherine. She went so far as to assert, that if he prosecuted that design, and married another, he should not be king a month longer, and should not an hour longer enjoy the favour of the Almighty, but should die the death of a villain. Many monks throughout England, either from folly or roguery, or from faction, which is often a complication of both, entered into the delusion; and one Deering, a friar, wrote a book of the revelations and prophecies of Elizabeth.<sup>6</sup> Miracles were daily added to increase the wonder; and the pulpit every where resounded with accounts of the sanctity and inspirations of the new prophetess. Messages were carried from her to Queen Catherine, by which that princess was exhorted to persist in her opposition to the divorce; the Pope's ambassadors gave encouragement to the popular credulity; and even Fisher, Bishop of Rochester, though a man of sense and learning, was carried away by an opinion so favourable to the party which he had espoused.<sup>7</sup> The king at last began to think the matter worthy of his attention; and having ordered Elizabeth and her accomplices to be arrested, he brought them before the Star Chamber, where they freely, without being put to the torture, made confession of their guilt. The parliament, in the session held the beginning of this year, passed an act of attainder against some who were engaged in this treasonable imposture;<sup>8</sup> and Elizabeth herself, Masters, Bocking, Deering, Rich, Risby, Gold, suffered for their crime. The Bishop of Rochester, Abel, Addison, Lawrence, and others, were condemned for misprision of treason; because they had not discovered some criminal speeches which they heard from Elizabeth;<sup>9</sup> and they were thrown into prison. The better to undeceive the multitude, the forgery of many of the prophetess's miracles was detected; and even the scandalous prostitution of her manners was laid open to the public. Those passions, which so naturally insinuate themselves amidst the warm intimacies maintained by the devotees of different sexes, had taken place between Elizabeth and her confederates; and it was found, that a door to her dormitory, which was said to have been miraculously opened in order to give her access to the chapel, for the sake of frequent converse with heaven, had been contrived by Bocking and Masters for less refined purposes.

The detection of this imposture, attended with so many odious circumstances, both hurt the credit of the ecclesiastics, particularly the monks, and instigated the king to take vengeance on them. He suppressed three monasteries of the Observantine friars;

<sup>1</sup> Burnet, vol. i. p. 164. <sup>2</sup> Strype, vol. i. p. 147.

<sup>3</sup> Collier, vol. ii. p. 96. Burnet, vol. i. p. 151.

<sup>4</sup> Strype, p. 152.

<sup>5</sup> Strype, p. 159. Elizabeth's *Passion of Chronicles*.

<sup>6</sup> Strype, vol. i. p. 181.

<sup>7</sup> Collier, vol. ii. p. 37.

<sup>8</sup> 25 Hen. VIII. c. 12. Burnet, vol. i. p. 149. Hall, fol. 520.

<sup>9</sup> *Continuation of Annals*, p. 53.

and finding that little clamour was excited by this act of power, he was the more encouraged to lay his rapacious hands on the remainder. Meanwhile, he exercised punishment on individuals who were obnoxious to him. The parliament had made it treason to endeavour depriving the king of his dignity or titles: they had lately added to his other titles that of supreme head of the church: it was inferred, that to deny his supremacy was treason: and many priors and ecclesiastics lost their lives for this new species of guilt. It was certainly a high instance of tyranny the mere delivery of a political opinion, especially one that nowise affected the king's temporal right, as a capital offence, though attended with no overt act; and the parliament, in passing this law, had overlooked all the principles by which a civilized, much more a free people, should be governed: but the violence of changing so suddenly the whole system of government, and making it treason to deny what, during many ages, it had been heresy to assert, is an event which may appear somewhat extraordinary. Even the stern unrelenting mind of Henry was at first shocked with these sanguinary measures: and he went so far as to change his garb and dress; pretending sorrow for the necessity by which he was pushed to such extremities. Still impelled, however, by his violent temper, and desirous of striking a terror into the whole nation, he proceeded, by making examples of Fisher and More, to consummate his lawless tyranny.

John Fisher, Bishop of Rochester, was a prelate, eminent for learning and morals, still more than for his ecclesiastical dignities, and for the high favour which he had long enjoyed with the king. When he was thrown into prison on account of his refusing the oath which regarded the succession, and his concealment of Elizabeth Barton's treasonable speeches, he had not only been deprived of all his revenues, but stripped of his very clothes, and without consideration of his extreme age, he was allowed nothing but rags, which scarcely sufficed to cover his nakedness.<sup>1</sup> In this condition he lay in prison above a twelvemonth; when the Pope, willing to recompense the sufferings of so faithful an adherent, created him a cardinal; though Fisher was so indifferent about that dignity, that even if the purple were lying at his feet, he declared that he would not stoop to take it. This promotion of a man, merely for his opposition to royal authority, roused the indignation of the king; and he resolved to make the innocent person feel the effects of his resentment.

2d June. Fisher was indicted for denying the king's supremacy, was tried, condemned, and beheaded.

The execution of this prelate was intended as a warning to More, whose compliance, on account of his great authority both abroad and at home, and his high reputation for learning and virtue, was anxiously desired by the king. That prince also bore as great personal affection and regard to More, as his imperious mind, the sport of passions, was susceptible of towards a man, who, in any particular, opposed his violent inclinations. But More could never be prevailed on to acknowledge any opinion so contrary to his principles as that of the king's supremacy; and though Henry exacted that compliance from the whole nation, there was as yet no law obliging any one to take an oath to that purpose. Rich, the solicitor-general, was sent to confer with More, then a prisoner, who kept a cautious silence with regard to the supremacy: he was only inveigled to say, that any question with regard to the law which established that prerogative, was a two-edged sword: if a person answer one way, it will confound his soul; if another, it will destroy his body. No more was wanted to found an indictment of high treason against the prisoner. His silence was called malicious, and made a part of his crime; and these words, which had casually dropped from him, were interpreted as a denial of the supremacy.<sup>2</sup> Trials were mere formalities during this reign: the jury gave sentence against More, who had long expected this fate, and who needed no preparation to fortify him against the terrors of death. Not only his constancy, but even his cheerfulness, nay, his usual facetiousness, never for-

sook him; and he made a sacrifice of his life to his integrity, with the same indifference that he manifested in any ordinary occurrence. When he was mounting the scaffold, he said to one, "Friend, help me up, and when I come down again, let me shift for myself." The executioner asked him forgiveness: he granted the request, but told him, "You will never get credit by beholding me, my neck is so short." Then laying his head on the block, he bade the executioner stay till he put aside his beard: "For," said he, "it never committed treason." Nothing was wanting to the glory of this end, except a better cause, more free from weakness and superstition. But as the man followed his principles and sense of duty, however misguided, his constancy and integrity are not the less objects of our admiration. He was beheaded 6th July, in the fifty-third year of his age.

When the execution of Fisher and More was reported at Rome, especially that of the former, who was invested with the dignity of cardinal, every one discovered the most violent rage against the king; and numerous libels were published by the wits and orators of Italy, comparing him to Caligula, Nero, Domitian, and all the most unrelenting tyrants of antiquity. Clement VII. had died about six months after he pronounced sentence against the king; and Paul III. of the name of Farnese, had succeeded to the papal throne. This pontiff, who, while cardinal, had always favoured Henry's cause, had hoped that, personal animosities being buried with his predecessor, it might not be impossible to form an agreement with England: and the king himself was so desirous of accommodating matters, that in a negotiation which he entered into with Francis a little before this time, he required that that monarch should conciliate a friendship between him and the court of Rome. But Henry was accustomed to prescribe, not to receive terms; and even while he was negotiating for peace, his usual violence often carried him to commit offences which rendered the quarrel totally incurable. The execution of Fisher was regarded by Paul as so capital an injury, that he immediately passed censures against the king, 30th Aug. King excommunicated.

in Rome within ninety days, in order to answer for their crimes: if they failed, he excommunicated them; deprived the king of his crown; laid the kingdom under an interdict; declared his issue by Anne Boleyn illegitimate; dissolved all leagues which any catholic princes had made with him; gave his kingdom to any invader; commanded the nobility to take arms against him; freed his subjects from all oaths of allegiance; cut off their commerce with foreign states; and declared it lawful for any one to seize them, to make slaves of their persons, and to convert their effects to his own use.<sup>3</sup> But though these censures were passed, they were not at that time openly denounced: the Pope delayed their publication till he should find an agreement with England entirely desperate; and till the emperor, who was at that time hard pressed by the Turks and the protestant princes in Germany, should be in a condition to carry the sentence into execution.

The king knew that he might expect any injury which it should be in Charles's power to inflict; and he therefore made it the chief object of his policy to incapacitate that monarch from wreaking his resentment upon him.<sup>4</sup> He renewed his friendship with France, and opened negotiations for marrying his infant daughter, Elizabeth, with the Duke of Angoulême, third son of Francis. These two monarchs also made advances to the princes of the protestant league in Germany, ever jealous of the emperor's ambition: and Henry, besides remitting them some money, sent Fox, Bishop of Hereford, as Francis did Bellay, Lord of Langley, to treat with them. But during the first fervours of the Reformation, an agreement in theological tenets was held, as well as a union of interests, to be essential to a good correspondence among states; and though both Francis and Henry flattered the German princes with hopes of their embracing the confession of Augsburg, it was looked upon as a bad symptom of their sincerity, that they exercised such extreme rigour against

<sup>1</sup> Fisher's Church Hist. book v. p. 295.

<sup>2</sup> Memoirs of Sir Thomas More. Herbert, p. 743.

<sup>3</sup> A 2

<sup>4</sup> Same's i. 145.

<sup>5</sup> Henricus. 30. 80.



all preachers of the Reformation in their respective dominions.\* Henry earned the name so far, that, while he thought himself the first theologian in the world, he yet invited over Melancthon, Bucer, Sturmuss, Draco, and other German divines, that they might confer with him, and instruct him in the foundation of their tenets. These theologians were now of great importance in the world; and no poet or philosopher, even in ancient Greece, where they were treated with most respect, had ever reached equal applause and admiration with those wretched composers of metaphysical polemics. The German princes told the king that they could not spare their divines; and as Henry had no hopes of agreement with such zealous disputants, and knew that in Germany the followers of Luther would not associate with the disciples of Zuingsius, because, though they agreed in every thing else,\* they differed in some minute particulars with regard to the eucharist, he was the more indifferent on account of this refusal. He could also foresee, that even while the league of Smalcalde did not act in concert with him, they would always be carried by their interests to oppose the emperor; and the hatred between Francis and that monarch was so inveterate, that he deemed himself sure of a sincere ally in one or other of these potentates.

During these negotiations, an incident happened in England which promised a more amicable conclusion of those disputes, and seemed even to open the way for a reconciliation between Henry and Charles. Queen Catherine was seized with a lingering illness, which at last brought her to her grave: she died at Kimbolton, in the county of Huntingdon, in the fiftieth year of her age. A little before she expired, she wrote a very tender letter to the king, in which she gave him the appellation of *her most dear lord, king, and husband*. She told him, that as the hour of her death was now approaching, she laid hold of this last opportunity to inculcate on him the importance of his religious duty, and the comparative emptiness of all human grandeur and enjoyment: that though his fondness towards these perishable advantages had thrown her into many calamities, as well as created to himself much trouble, she yet forgave him all past injuries, and hoped that his pardon would be ratified in heaven: and that she had no other request to make, than to recommend to him his daughter, the sole pledge of their loves; and to crave his protection for her maids and servants. She concluded with these words, *I make this vow, that mine eyes desire you above all things.*† The king was touched, even to the shedding of tears, by this last tender proof of Catherine's affection; but Queen Anne is said to have expressed her joy for the death of a rival beyond what decency or humanity could permit.‡

The emperor thought that, as the demise of his aunt had removed all foundation of personal animosity between him and Henry, it might not now be impossible to detach him from the alliance of France, and to renew his own confederacy with England, from which he had formerly reaped so much advantage. He sent Henry proposals for a return to ancient amity, upon these conditions:‡ that he should be reconciled to the see of Rome, that he should assist him in his war with the Turk, and that he should take part with him against Francis, who now threatened the duchy of Milan. The king replied, that he was willing to be on good terms with the emperor, provided that prince would acknowledge that the former breach of friendship came entirely from himself: as to the conditions proposed, the proceedings against the Bishop of Rome were so just, and so fully ratified by the parliament of England, that they could not now be revoked; when Christian princes should have settled peace among themselves, he would not fail to exert that vigour which became him, against the enemies of the faith; and after amity with the emperor was once fully restored, he should then be in a situation, as a common friend both to him and Francis, either to mediate an agreement between them, or to assist the injured party.

What rendered Henry more indifferent to the advances made by the emperor was, both his experience of the usual

duplicity and insincerity of that monarch, and the intelligence which he received of the present transactions in Europe. Francis Sforza, Duke of Milan, had died without issue; and the emperor maintained that the duchy, being a fief of the empire, was devolved to him, as head of the Germanic body: not to give umbrage, however, to the states of Italy, he professed his intention of bestowing that principality on some prince who should be obnoxious to no party, and he even made offer of it to the Duke of Angoulême, third son of Francis. The French monarch, who pretended that his own right to Milan was now revived upon Sforza's death, was content to substitute his second son, the Duke of Orleans, in his place; and the emperor pretended to close with this proposal. But his sole intention in that liberal concession, was to gain time, till he should put himself in a warlike posture, and be able to carry an invasion into Francis's dominions. The ancient enmity between these princes broke out anew in bravadoes, and in personal insults on each other, ill becoming persons of their rank, and still less suitable to men of such unquestioned bravery. Charles soon after invaded Provence in person, with an army of fifty thousand men; but met with no success. His army perished with sickness, fatigue, famine, and other disasters; and he was obliged to raise the siege of Marseilles, and retire into Italy with the broken remains of his forces. An army of Imperialists, near 30,000 strong, which invaded France on the side of the Netherlands, and laid siege to Peronne, made no greater progress, but retired upon the approach of a French army. And Henry had thus the satisfaction to find, both that his ally Francis was likely to support himself without foreign assistance, and that his own tranquillity was fully insured by these violent wars and animosities on the Continent.

If any inquietude remained with the English court, it was solely occasioned by the state of affairs in Scotland. James, hearing of the dangerous situation of his ally Francis, generously levied some forces; and embarking them on board vessels which he had hired for that purpose, landed them safely in France. He even went over in person; and making haste to join the camp of the French king, which then lay in Provence, and to partake of his danger, he met that prince at Lyons, who, having repulsed the emperor, was now returning to his capital. Recommended by so agreeable and seasonable an instance of friendship, the King of Scots paid his addresses to Magdalen, daughter of the French monarch; and this prince had no other objection to the match, than what arose from the infirm state of his daughter's health, which seemed to threaten her with an approaching end. But James having gained the affections of the princess, and obtained her consent, the father would no longer oppose the united desires of his daughter and his friend: they were accordingly married, and soon after set sail for Scotland, where the young queen, as was foreseen, died in a little time after her arrival. Francis, however, was afraid lest his ally, Henry, whom he likewise looked on as his friend, and who lived with him on a more cordial footing than is usual among great princes, should be displeased that this close confederacy between France and Scotland was concluded without his participation. He therefore despatched Pommeraye to London, in order to apologize for this measure; but Henry, with his usual openness and freedom, expressed such displeasure, that he refused even to confer with the ambassador; and Francis was apprehensive of a rupture with a prince who regulated his measures more by humour and passion, than by the rules of political prudence. But the king was so fettered by the opposition in which he was engaged against the Pope and the emperor, that he pursued no further this disgust against Francis; and in the end, every thing remained in tranquillity, both on the side of France and of Scotland.

The domestic peace of England seemed to be exposed to more hazard by the violent innovations in religion; and it may be affirmed, that in this dangerous conjuncture, nothing insured public tranquillity so much as the decisive authority acquired by the king, and his great ascendancy over all his subjects. Not only the devotion paid to

\* See above, ch. 10.    † Herbert, p. 405.    ‡ Foxe's Hist. of England, p. 192.

† Du BELLAY, by x. Herbert. Burnet, vol. iii. in Coll. No. 50.

the crown was professed during that age: the personal respect inspired by Henry was considerable, and even the terrors with which he overawed every one, were not attended with any considerable degree of hatred. His frankness, his sincerity, his magnificence, his generosity, were virtues which counterbalanced his violence, cruelty, and impetuosity. And the important rank which his vigour, more than his address, acquired him in all foreign negotiations, flattered the vanity of Englishmen, and made them the more willingly endure those domestic hardships to which they were exposed. The king, conscious of his advantages, was now proceeding to the most dangerous exercise of his authority; and after paving the way for that measure by several preparatory expedients, he was at last determined to suppress the monasteries, and to put himself in possession of their ample revenues.

The great increase of monasteries, if matters be considered merely in a political light, will appear the radical inconvenience of the catholic religion; and every other disadvantage attending that communion, seems to have an inseparable connexion with these religious institutions. Papal usurpations, the tyranny of the inquisition, the multiplicity of holidays; all these fetters on liberty and industry, were ultimately derived from the authority and insinuation of monks, whose habitations, being established every where, proved so many seminaries of superstition and of folly. This order of men was extremely enraged against Henry, and regarded the abolition of the papal authority in England as the removal of the sole protection which they enjoyed against the rapacity of the crown and of the courtiers. They were now subjected to the king's visitation; the supposed sacredness of their bulls from Rome was rejected; the progress of the Reformation abroad, which had every where been attended with the abolition of the monastic orders, gave them reason to apprehend like consequences in England; and though the king still maintained the doctrine of purgatory, to which most of the convents owed their origin and support, it was foreseen, that in the progress of the contest, he would every day be led to depart wider from ancient institutions, and be drawn nearer the tenets of the reformers, with whom his political interests naturally induced him to unite. Moved by these considerations, the friars employed all their influence to inflame the people against the king's government; and Henry, finding their safety irreconcilable with his own, was determined to seize the present opportunity, and utterly destroy his declared enemies.

Cromwell, secretary of state, had been appointed vicar-general, or vicegerent; a new office, by which the king's supremacy, or the absolute uncontrollable power assumed over the church, was delegated to him. He employed Layton, London, Price, Gage, Petre, Bellasis, and others, as commissioners, who carried on, every where, a rigorous inquiry with regard to the conduct and deportment of all the friars. During times of faction, especially of the religious kind, no equity is to be expected from adversaries; and as it was known that the king's intention in this visitation was to find a pretence for abolishing monasteries, we may naturally conclude, that the reports of the commissioners are very little to be relied on. Friars were encouraged to bring in informations against their brethren; the slightest evidence was credited: and even the calumnies spread abroad by the friends of the Reformation, were regarded as grounds of proof. Monstrous disorders are therefore said to have been found in many of the religious houses: whole convents of women abandoned to lewdness: signs of abortions procured, of infants murdered, of unnatural lusts between persons of the same sex. It is indeed probable, that the blind submission of the people, during those ages, would render the friars and nuns more unguarded and more dissolute than they are in any Roman catholic country at present: but still the reproaches which it is safest to credit, are such as point at vices naturally connected with the very institution of convents, and with the monastic life. The cruel and inveterate factions

and quarrels, therefore, which the commissioners mentioned, are very credible among men, who, being confined together within the same walls, never can forget their mutual animosities, and who, being cut off from all the most endearing connexions of nature, are commonly cursed with hearts more selfish, and tempers more unrelenting, than fall to the share of other men. The pious frauds practised to increase the devotion and liberality of the people, may be regarded as certain, in an order founded on illusion, lies, and superstition. The supine idleness also, and its attendant, profound ignorance, with which the convents were reproached, admit of no question; and though monks were the true preservers, as well as inventors, of the dreaming and captious philosophy of the schools, no manly or elegant knowledge could be expected among men, whose lives, condemned to a tedious uniformity, and deprived of all emulation, afforded nothing to raise the mind or cultivate the genius.

Some few monasteries, terrified with this rigorous inquisition, carried on by Cromwell and his commissioners, surrendered their revenues into the king's hands; and the monks received small pensions as the reward of their obsequiousness. Orders were given to dismiss such nuns and friars as were below four-and-twenty, whose vows were, on that account, supposed not to be binding. The doors of the convents were opened, even to such as were above that age; and every one recovered his liberty who desired it. But as all these expedients did not fully answer the king's purpose, he had recourse to his usual instrument of power, the parliament; and in order to prepare men for the innovations projected, the report of the visitors was published, and a general horror was endeavoured to be excited in the nation against institutions, which, to their ancestors, had been the objects of the most profound veneration.

The king, though determined utterly to abolish the monastic orders, resolved to proceed gradually in this great work; and he gave directions to the parliament to go no further at present, than to suppress the lesser monasteries, which possessed revenues below two hundred pounds a-year.<sup>a</sup> These were found to be the most corrupted, as lying less under the restraint of shame, and being exposed to less scrutiny;<sup>b</sup> and it was deemed safest to begin with them, and thereby prepare the way for the greater innovations projected. By this act, three hundred and seventy-six monasteries were suppressed, and their revenues, amounting to thirty-two thousand pounds a-year, were granted to the king; besides their goods, chattels, and plate, computed at a hundred thousand pounds more.<sup>c</sup> It does not appear that any opposition was made to this important law: so absolute was Henry's authority! A court, called the court of augmentation of the king's revenue, was erected for the management of these funds. The people naturally concluded, from this circumstance, that Henry intended to proceed in despoiling the church of her patrimony.<sup>d</sup>

The act formerly passed, empowering the king to name thirty-two commissioners for framing a body of canon-law, was renewed; but the project was never carried into execution. Henry thought that the present perplexity of that law increased his authority, and kept the clergy in still greater dependence.

Further progress was made in completing the union of Wales with England: the separate jurisdiction of several great lords or marchers, as they were called, which obstructed the course of justice in Wales, and encouraged robbery and pillaging, were abolished; and the authority of the king's courts was extended every where. Some jurisdictions of a like nature in England, were also abolished this session.<sup>e</sup>

The Commons, sensible that they had gained nothing by opposing the king's will when he formerly endeavoured to secure the profits of wardships and liveries, were now contented to frame a law, such as he dictated to them. It

<sup>a</sup> 7 Henry VIII. c. 38.

<sup>b</sup> *Ibid.* vol. i. p. 193.

<sup>c</sup> It is pretended, *see* Holmshed. p. 683, that ten thousand monks were seized out on the dissolution of the lesser monasteries. If so, most of them must have been mendicants: for the revenue could not have sup-

ported near that number. The mendicants, no doubt, still continued their former profession.

<sup>d</sup> 27 Henry VIII. c. 17.

<sup>e</sup> *Ibid.* c. 4.

was enacted, That the possession of land shall be adjudged to be in those who have the use of it, not in those to whom it is transferred in trust.<sup>f</sup>

After all these laws were passed, the king dissolved the parliament: a parliament, memorable not only for the great and important innovations which it introduced, but also for the long time it had sitten, and the frequent prorogations which it had undergone. Henry had found it so obsequious to his will, that he did not choose, during those religious ferments, to hazard a new election; and he continued the same parliament above six years: a practice at that time unusual in England.

The convocation, which sat during this session, was engaged in a very important work, the deliberating of the new translation which was projected of the Scriptures. The translation given by Tindal, though corrected by himself in a new edition, was still complained of by the clergy as inaccurate and unfaithful; and it was now proposed to them, that they should themselves publish a translation, which would not be liable to those objections.

The friends of the Reformation asserted, that nothing could be more absurd than to conceal, in an unknown tongue, the word of God itself, and thus to counteract the will of Heaven, which, for the purpose of universal salvation, had published that salutary doctrine to all nations: that if this practice were not very absurd, the artifice at least was very gross, and proved a consciousness that the glosses and traditions of the clergy stood in direct opposition to the original text dictated by Supreme Intelligence: that it was now necessary for the people, so long abused by interested pretensions, to see with their own eyes, and to examine whether the claims of the ecclesiastics were founded on that charter which was on all hands acknowledged to be derived from heaven: and that as a spirit of research and curiosity was happily revived, and men were now obliged to make a choice among the contending doctrines of different sects, the proper materials for decision, and above all, the Holy Scriptures, should be set before them; and the revealed will of God, which the change of language had somewhat obscured, be again, by their means, revealed to mankind.

The favourers of the ancient religion maintained, on the other hand, that the pretence of making the people see with their own eyes, was a mere cheat, and was itself a very gross artifice, by which the new preachers hoped to obtain the guidance of them, and to seduce them from those pastors, whom the laws, whom ancient establishments, whom heaven itself, had appointed for their spiritual direction: that the people were, by their ignorance, their stupidity, their necessary avocations, totally unqualified to choose their own principles; and it was a mockery to set materials before them, of which they could not possibly make any proper use: that even in the affairs of common life, and in their temporal concerns, which lay more within the compass of human reason, the laws had, in a great measure, deprived them of the right of private judgment, and had, happily for their own and the public interest, regulated their conduct and behaviour: that theological questions were placed far beyond the sphere of vulgar comprehension; and ecclesiastics themselves, though assisted by all the advantages of education, erudition, and an assiduous study of the science, could not be fully assured of a just decision; except by the promise made them in Scripture, that God would be ever present with his church, and that the gates of hell should not prevail against her: that the great errors adopted by the wisest heathens, proved how unfit men were to grope their own way through this profound darkness; nor would the Scriptures, if trusted to every man's judgment, be able to remedy, on the contrary, they would much augment, those fatal illusions: that sacred writ itself was involved in so much obscurity, gave rise to so many difficulties, contained so many appearing contradictions, that it was the most dangerous weapon that could be intrusted into the hands of the ignorant and giddy multitude: that the poetical style in which a great part of it was composed, at the same

time that it occasioned uncertainty in the sense, by its multiplied tropes and figures, was sufficient to kindle the zeal of fanaticism, and thereby throw civil society into the most furious combustion: that a thousand sects must arise, which would pretend, each of them, to derive its tenets from the Scripture; and would be able, by specious arguments, or even without specious arguments, to seduce silly women and ignorant mechanics into a belief of the most monstrous principles: and that, if ever this disorder, dangerous to the magistrate himself, received a remedy, it must be from the tacit acquiescence of the people in some new authority; and it was evidently better, without further contest or inquiry, to adhere peaceably to ancient, and therefore the most secure, establishments.

These latter arguments, being more agreeable to ecclesiastical governments, would probably have prevailed in the convocation, had it not been for the authority of Cranmer, Latimer, and some other bishops, who were supposed to speak the king's sense of the matter. A vote was passed for publishing a new translation of the Scriptures; and in three years' time the work was finished and printed at Paris. This was deemed a great point gained by the reformers, and a considerable advancement of their cause. Further progress was soon expected, after such important successes.

But while the retainers to the new religion were exulting in their prosperity, they met with a mortification, which seemed to blast all their hopes. Their patroness, Anne Boleyn, possessed no longer the king's <sup>Disgrace of</sup> favour; and soon after lost her life by the <sup>Queen Anne.</sup> rage of that furious monarch. Henry had persevered in his love to this lady during six years that his prosecution of the divorce lasted; and the more obstacles he met with to the gratification of his passion, the more determined zeal did he exert in pursuing his purpose. But the affection which had subsisted, and still increased, under difficulties, had not long attained secure possession of its object, when it languished from satiety; and the king's heart was apparently estranged from his consort. Anne's enemies soon perceived the fatal change; and they were forward to widen the breach, when they found that they incurred no danger by interposing in those delicate concerns. She had been delivered of a dead son; and Henry's extreme fondness for male issue being thus, for the present, disappointed, his temper, equally violent and superstitious, was disposed to make the innocent mother answerable for the misfortune.<sup>g</sup> But the chief means which Anne's enemies employed to inflame the king against her, was his jealousy.

Anne, though she appears to have been entirely innocent, and even virtuous, in her conduct, had a certain gaiety, if not levity, of character, which threw her off her guard, and made her less circumspect than her situation required. Her education in France rendered her the more prone to those freedoms; and it was with difficulty she conformed herself to that strict ceremonial practised in the court of England. More vain than haughty, she was pleased to see the influence of her beauty on all around her, and she indulged herself in an easy familiarity with persons who were formerly her equals, and who might then have pretended to her friendship and good graces. Henry's dignity was offended with these popular manners; and though the lover had been entirely blind, the husband possessed but too quick discernment and penetration. Ill instruments interposed, and put a malignant interpretation on the harmless liberties of the queen: the Viscountess of Rocheford, in particular, who was married to the queen's brother, but who lived on bad terms with her sister-in-law, insinuated the most cruel suspicions in the king's mind; and as she was a woman of profligate character, she paid no regard either to truth or humanity in those calumnies which she suggested. She pretended that her own husband was engaged in a criminal correspondence with his sister; and not content with this imputation, she poisoned every action of the queen's, and represented each instance of favour which she conferred on any one as a token of affection. Henry Norris, groom of the stole, Weston and Brereton, gentlemen of the king's chamber, together with Mark Smeton, groom of the



chamber, were observed to possess much of the queen's friendship; and they served her with a zeal and attachment which, though chiefly derived from gratitude, might not improbably be seasoned with some mixture of tenderness for so amiable a princess. The king's jealousy laid hold of the slightest circumstance, and finding no particular object on which it could fasten, it vented itself equally on every one that came within the verge of its fury.

Had Henry's jealousy been derived from love, though it might on a sudden have proceeded to the most violent extremities, it would have been subject to many remorses and contraries; and might at last have served only to augment that affection on which it was founded. But it was a more stern jealousy fostered only by pride: his love was transferred to another object. Jane, daughter of Sir John Seymour, and maid of honour to the queen, a young lady of singular beauty and merit, had obtained an entire ascendancy over him; and he was determined to sacrifice every thing to the gratification of this new appetite. Unlike to most monarchs, who judge lightly of the crime of gallantry, and who deem the young damsels of their court rather honoured than disgraced by their passion, he seldom thought of any other attachment than that of marriage; and in order to attain this end, he underwent more difficulties, and committed greater crimes, than those which he sought to avoid by forming that legal connexion. And having thus entertained the design of raising his new mistress to his bed and throne, he more willingly hearkened to every suggestion which threw any imputation of guilt on the unfortunate Anne Boleyn.

The king's jealousy first appeared openly in a tilting at Greenwich, where the queen happened to drop her handkerchief; an incident probably casual, but interpreted by him as an instance of gallantry to some of her paramours.<sup>a</sup> He immediately retired from the place; sent orders to confine her to her chamber; arrested Norris, Brereton, Weston, and Smeton, together with her brother, Rocheford; and threw them into prison. The queen, astonished at these instances of his fury, thought that he meant only to try her; but finding him in earnest, she reflected on his obstinate unrelenting spirit, and she prepared herself for that melancholy doom which was awaiting her. Next day she was sent to the Tower; and on her way thither she was informed of her supposed offences, of which she had hitherto been ignorant: she made earnest protestations of her innocence; and when she entered the prison she fell on her knees, and prayed God so to help her, as she was not guilty of the crime imputed to her. Her surprise and confusion threw her into hysterical disorders; and in that situation she thought that the best proof of her innocence, was to make an entire confession, and she revealed some indiscretions and levities which her simplicity had equally betrayed her to commit and avow. She owned that she had once rallied Norris on his delaying his marriage, and had told him that he probably expected her when she should be a widow: she had reproved Weston, she said, for his affection to a kinswoman of hers, and his indifference towards his wife:

but he told her that she had mistaken the object of his affection, for it was herself: upon which she declared him—she affirmed that Smeton had never been in her chamber but twice, when she played on the harpsichord: but she acknowledged that he had once had the boldness to tell her, that a look sufficed him. The king, instead of being satisfied with the candour and sincerity of her confession, regarded these indiscretions only as preludes to greater and more criminal intimacies.

Of all those multitudes whom the beneficence of the queen's temper had obliged during her prosperous fortune, no one durst interpose between her and the king's fury; and the person whose advancement every breath had favoured, and every countenance had smiled upon, was now left neglected and abandoned. Even her uncle, the Duke of Norfolk, preferring the connexions of party to the ties of blood, was become her most dangerous enemy; and all the retainers to the catholic religion hoped that her death would terminate the king's quarrel with Rome, and leave him again to his natural and early bent, which had inclined him to maintain the most intimate union with the apostolic see. Crammer alone, of all the queen's adherents, still retained his friendship for her; and, as far as the king's impetuosity permitted him, he endeavoured to moderate the violent prejudices entertained against her.

The queen herself wrote Henry a letter from the Tower, full of the most tender expostulations, and of the warmest protestations of innocence.<sup>b</sup> This letter had no influence on the unrelenting mind of Henry, who was determined to pave the way for his new marriage by the death of Anne Boleyn. Norris, Weston, Brereton, and Smeton, were tried; but no legal evidence was produced against them. The chief proof of their guilt consisted in a hearsay from one Lady Wingfield, who was dead. Smeton was prevailed on, by the vain hopes of life, to confess a criminal correspondence with the queen;<sup>c</sup> but even her enemies expected little advantage from this confession: for they never dared to confront him with her; and he was immediately executed; as were also Brereton and Weston. Norris had been much in the king's favour; and an offer of life was made him, if he would confess his crime, and accuse the queen: but he generously rejected the proposal; and said, that in his conscience he believed her entirely guiltless: but, for his part, he could accuse her of nothing, and he would rather die a thousand deaths than calumniate an innocent person.

The queen and her brother were tried by a jury of peers, consisting of the Duke of Suffolk, the Marquis of Exeter, the earl of Arundel, and twenty-three more: their uncle, the Duke of Norfolk, presided as high steward. Upon what proof or pretence the crime of incest was imputed to them is unknown: the chief evidence, it is said, amounted to no more than that Rocheford had been seen to lean on her bed before some company. Part of the charge against her was, that she had affirmed to her minions, that the king never had her heart; and had said to each of them apart, that she loved him better than any person whatsoever: *Which was*

<sup>a</sup> Burnet, vol. i. p. 168.

<sup>b</sup> Strype, vol. i. p. 281.

<sup>c</sup> The latter could so much nature, and even elegance, as to deserve to be attributed to posterity, without any alteration in the expression. It is as follows:—

Sir, Your Grace's displeasure and my imprisonment are things so strange unto me, as that I write, or what to excuse, I am altogether ignorant. Whereas you send unto me (calling me) to confess a truth, and so often your favour by such an one whom you know to be mine ancient and proved enemy. I no sooner received this message by him than I rightily conceived your meaning; and it, as you say, confessing a truth indeed may secure my safety, I shall with all willingness and duty perform your command.

But let your Grace ever imagine that your poor wife will ever be brought to acknowledge a fault, where not so much as a thought thereof preceded. And, to speak a truth, never prince had wife more loyal in all duty, and in all true affection, than you have ever found in Anne Boleyn: God and your Grace's pleasure had been so pleased. Neither did I at any time so far forget myself in my exaltation or received friendship, but that I always looked for such an alteration as I now find. For the ground of my first being, in no sorer foundation than Your Grace's fancy, the least alteration I knew was fit and sufficient to draw that fancy to some other object. I have chosen me from a low estate to be your queen and companion, far beyond my desert or desire. If then you found me worthy of such honour, good Your Grace, let not my light fancy, or bad counsel of mine enemies, withdraw your princely favour from me; neither let that stain, that unworthy stain, of a disloyal heart towards Your good Grace, ever cast so foul a blot on your most dutiful wife, and the infant princess your daughter. Try me, good king, but let me have a lawful trial, and let not my sworn enemies sit as my accusers and judges; yea, let me receive an open trial, for my truth shall fear no open shame: then shall you see

either mine innocence cleared, your suspicion and conscience satisfied, the unguilty and slander of the world stopped, or my guilt clearly declared. So that whatsoever God or you may determine of me, Your Grace may be freed from all censure, and mine offence be so lawfully proved, your grace is at liberty both before God and men to do what you think worthy punishment on me as an unlawful wife, but to follow your affection already settled on that party for whose sake I am now, as I am, whose name I could some good while since have pointed unto. Your Grace not being ignorant of my suspicion therein.

But if you have already determined of me, and that not only my death, but an infamous slander, must bring you the enjoying of your desired happiness, then I desire of God that I will possess your treatment therein, and likewise mine enemies, the instruments of my death, will not call you to a strict account for your unreasonably and cruel usage of me, at his general judgment-seat, where both you and myself must shortly appear: and in whose judgment I doubt not whatsoever the world may think of me; mine innocence shall be openly known and sufficiently cleared.

My last and only request shall be, that myself may only bear the burden of Your Grace's displeasure, and that it may not touch the innocent souls of those poor gentlemen, who as I have shewed, are so bound in strict imprisonment for my sake. If ever I have truly deserved in your sight, if ever the name of Anne Boleyn had been pleasing in your ears, then let me obtain this request, and I will so leave to trouble Your Grace any further, with mine earnest prayers to be truly to grace Your Grace in his good keeping, and to direct you in all your actions. From my detestable prison in the Tower, this sixth of May.

Your most loyal and ever faithful wife,

ANNE BOLEYN.

I Burnet, vol. i. p. 202.



to confer on any one, by his will or letters patent, any castles, honours, liberties, or franchises; words which might have been extended to the dismembering of the kingdom, by the erection of principalities and independent jurisdictions. It was also, by another act, made treason to marry, without the king's consent, any princess related in the first degree to the crown. This act was occasioned by the discovery of a design formed by Thomas Howard, brother of the Duke of Norfolk, to espouse the Lady Margaret Douglas, niece to the king, by his sister the Queen of Scots and the Earl of Angus. Howard, as well as the young lady, was committed to the Tower. She recovered her liberty soon after; but he died in confinement. An act of attainder passed against him this session of parliament.

Another accession was likewise gained to the authority of the crown: the king, or any of his successors, was empowered to repeal or annul, by letters patent, whatever act of parliament had been passed before he was four-and-twenty years of age. Whoever maintained the authority of the bishop of Rome, by word or writ, or endeavoured in any manner to restore it in England, was subjected to the penalty of a premunire; that is, his goods were forfeited, and he was put out of the protection of law. And any person who possessed any office, ecclesiastical or civil, or received any grant or charter from the crown, and yet refused to renounce the Pope by oath, was declared to be guilty of treason. The renunciation prescribed runs in the style of *No help me God, all saints, and the holy evangelists: The Pope, hearing of Anne Boleyn's disgrace and death, had hoped that the door was opened to a reconciliation, and had been making some advances to Henry: but this was the reception he met with. Henry was now become indifferent with regard to papal censures; and finding a great increase of authority, as well as of revenue, to accrue from his quarrel with Rome, he was determined to persevere in his present measures. This parliament also, even more than any foregoing, convinced him how much he commanded the respect of his subjects, and what confidence he might repose in them. Though the elections had been made on a sudden, without any preparation or intrigue, the members discovered an unlimited attachment to his person and government.*

The extreme complaisance of the convocation, which sat at the same time with the parliament, encouraged him in his resolution of breaking entirely with the court of Rome. There was secretly a great division of sentiments in the minds of this assembly; and as the zeal of the reformers had been augmented by some late successes, the resentment of the catholics was no less excited by their fears and losses: but the authority of the king kept every one submissive and silent; and the new assumed prerogative, the supremacy, with whose limits no one was fully acquainted, restrained even the most furious movements of theological rancour. Cromwell presided as vicar-general; and though the catholic party expected that, on the fall of Queen Anne, his authority would receive a great shock, they were surprised to find him still maintain the same credit as before. With the vicar-general concurred Cramer the primate, Latimer Bishop of Worcester, Shaxton of Salisbury, Hilsey of Rochester, Fox of Hereford, Barlow of St. David's. The opposite faction was headed by Lee Archbishop of York, Stokesley Bishop of London, Tonsal of Durham, Gardiner of Winchester, Longland of Lincoln, Sherbone of Chichester, Nix of Norwich, and Kite of Carlisle. The former party, by their opposition to the Pope, seconded the king's ambition and love of power: the latter party, by maintaining the ancient theological tenets, were more conformable to his speculative principles: and both of them had alternately the advantage of gaining on his humour, by which he was more governed than by either of these motives.

The church in general was averse to the Reformation; and the lower House of convocation framed a list of opinions, in the whole sixty-seven, which they pronounced erroneous, and which was a collection of principles, some held by the ancient Lollards, others by the modern protestants,

or gospellers, as they were sometimes called. These opinions they sent to the upper House to be considered, but in the preamble of their representation, they discovered the servile spirit by which they were governed. They said, "that they intended not to do or speak any thing which might be unpleasant to the king, whom they acknowledge their supreme head, and whose commands they were resolved to obey; renouncing the Pope's usurped authority, with all his laws and inventions, now extinguished and abolished; and addicting themselves to Almighty God and his laws, and unto the king and the laws made within this kingdom."

The convocation came at last, after some debate, to decide articles of faith; and their tenets were of as motley a kind as the assembly itself, or rather as the king's system of theology, by which they were resolved entirely to square their principles. They determined the standard of faith to consist in the Scriptures and the three creeds, the Apostolic, Nicene, and Athanasian; and this article was a signal victory to the reformers: auricular confession and penance were admitted, a doctrine agreeable to the catholics: no mention was made of marriage, extreme unction, confirmation, or holy orders, as sacraments; and in this omission the influence of the protestants appeared: the real presence was asserted, conformably to the ancient doctrine: the terms of acceptance were established to be the merits of Christ, and the mercy and good pleasure of God, suitably to the new principles.

So far the two sects seem to have made a fair partition, by alternately sharring the several clauses. In framing the subsequent articles, each of them seems to have thrown in its ingredient. The catholics prevailed in asserting, that the use of images was warranted by Scripture; the protestants, in warning the people against idolatry, and the abuse of these sensible representations. The ancient faith was adopted in maintaining the expedience of praying to saints; the late innovations, in rejecting the peculiar patronage of saints to any trade, profession, or course of action. The former rites of worship, the use of holy water, and the ceremonies practised on Ash-Wednesday, Palm-Sunday, Good-Friday, and other festivals, were still maintained; but the new refinements, which made light of these institutions, were also adopted, by the convocation's denying that they had any immediate power of remitting sin, and by its asserting, that their sole merit consisted in promoting pious and devout dispositions in the mind.

But the article with regard to purgatory, contains the most curious jargon, ambiguity, and hesitation, arising from the mixture of opposite tenets. It was to this purpose: "Since according to due order of charity, and the book of Maccabees, and divers ancient authors, it is a very good and charitable deed to pray for souls departed; and since such a practice has been maintained in the church from the beginning; all bishops and teachers should instruct the people not to be grieved for the continuance of the same. But since the place where departed souls are retained, before they reach paradise, as well as the nature of their pains, is left uncertain by Scripture; all such questions are to be submitted to God, to whose mercy it is meet and convenient to commend the deceased, trusting that he accepteth our prayers for them."

These articles, when framed by the convocation, and corrected by the king, were subscribed by every member of that assembly; while, perhaps, neither there, nor throughout the whole kingdom, could one man be found, except Henry himself, who had adopted precisely these very doctrines and opinions. For, though there be not any contradiction in the tenets above mentioned, it had happened in England, as in all countries where factious divisions have place; a certain creed was embraced by each party; few neutrals were to be found; and these consisted only of speculative or whimsical people of whom two persons could scarcely be brought to an agreement in the same dogmas. The protestants, all of them, carried their opposition to Rome further than those articles: none of the catholics went so far: and the king, by



being able to retain the nation in such a delicate medium, displayed the utmost power of an imperious despotism of which any history furnishes an example. To change the religion of a country, even when seconded by a party, is one of the most perilous enterprises which any sovereign can attempt, and often proves the most destructive to royal authority. But Henry was able to set the political machine in that furious movement, and yet regulate and even stop its career: he could say to it, Thus far shalt thou go, and no further; and he made every vote of his parliament and convocation subservient, not only to his interests and passions, but even to his greatest caprices; nay, to his most refined and most scholastic subtleties.

The concurrence of these two national assemblies served, no doubt, to increase the king's power over the people, and raised him to an authority more absolute than any prince in a simple monarchy, even by means of military force, is ever able to attain. But there are certain bounds, beyond which the most slavish submission cannot be extended. All the late innovations, particularly the dissolution of the smaller monasteries, and the imminent danger to which the rest were exposed,<sup>a</sup> had bred discontent among the people, and had disposed them to revolt. The expelled monks, wandering about the country, excited both the pity and compassion of men; and as the ancient religion took hold of the populace by powerful motives, suited to vulgar capacity, it was able, now that it was brought into apparent hazard, to raise the strongest zeal in its favour.

Discontents had even reached some of the nobility and gentry, whose ancestors had founded the monasteries, and who placed a vanity in those institutions, as well as reaped some benefit from them, by the provisions which they afforded them for their younger children. The more superstitious were interested for the souls of their forefathers, which, they believed, must now lie during many ages in the torments of purgatory, for want of masses to relieve them. It seemed unjust to abolish pious institutions, for the faults, real or pretended, of individuals. Even the most moderate and reasonable deemed it somewhat iniquitous, that men who had been invited into a course of life, by all the laws, human and divine, which prevailed in their country, should be turned out of their possessions, and so little care be taken of their future subsistence. And when it was observed, that the rapacity and bribery of the commissioners and others employed in visiting the monasteries, intercepted much of the profits resulting from these confiscations, it tended much to increase the general discontent.<sup>a</sup>

But the people did not break into open sedition till the complaints of the secular clergy concurred with those of the regular. As Cromwell's person was little acceptable to the ecclesiastics; the authority which he exercised being so new, so absolute, so unlimited, inspired them with disgust and terror. He published, in the king's name, without the consent either of parliament or convocation, an ordinance by which he retrenched many of the ancient holidays; prohibited several superstitions gainful to the clergy, such as pilgrimages, images, relics; and even ordered the incumbents in the parishes to set apart a considerable portion of their revenue for repairs, and for the support of exhibitioners and the poor of their parish. The secular priests, finding themselves thus reduced to a grievous servitude, instilled into the people those discontents which they had long harboured in their own bosoms.

The first rising was in Lincolnshire. It was headed by Dr. Mackrel, prior of Barlings, who was disguised like a mean mechanic, and who bore the name of Captain Cobler. This tumultuary army amounted to above 20,000 men;<sup>a</sup> but notwithstanding their number they showed little disposition of proceeding to extremities against the king, and seemed still overawed by his authority. They acknowledged him to be supreme

head of the church of England; but they complained of suppressing the monasteries, of evil counsellors, of persons meanly born raised to dignity, of the danger to which the jewels and plate of their parochial churches were exposed; and they prayed the king to consult the nobility of the realm concerning the redress of these grievances.<sup>b</sup> Henry was little disposed to entertain apprehensions of danger, especially from a low multitude, whom he despised.

He sent forces against the rebels, under the command of the Duke of Suffolk; and he returned them a very sharp answer to their petition. There were some gentry, whom the populace had constrained to take part with them, and who kept a secret correspondence with Suffolk. They informed him, that resentment against the king's reply was the chief cause which retained the malcontents in arms, and that a milder answer would probably suppress the rebellion. Henry had levied a great force at London, with which he was preparing to march against the rebels; and being so well supported by power, he thought that, without losing his dignity, he might now show them some greater condescension. He sent a new proclamation, requiring them to return to their obedience, with secret assurances of pardon. The expedient had its effect: the populace was dispersed; Mackrel and some of their leaders fell into the king's hands, and were executed; the greater part of the multitude retired peaceably to their usual occupations: a few of the more obstinate fled to the north, where they joined the insurrection that was raised in those parts.

The northern rebels, as they were more numerous, were also on other accounts more formidable than those of Lincolnshire; because the people were there more accustomed to arms, and because of their vicinity to the Scots, who might make advantage of these disorders. One Aske, a gentleman, had taken the command of them, and he possessed the art of governing the populace. Their enterprise they called the *Pilgrimage of Grace*: some priests marched before in the habits of their order, carrying crosses in their hands: in their banners was woven a crucifix, with the representation of a chalice, and of the five wounds of Christ: they wore on their sleeve an emblem of the five wounds, with the name of Jesus wrought in the middle: they all took an oath, that they had entered into the pilgrimage of grace from no other motive than their love to God, their care of the king's person and issue, their desire of purifying the nobility, of driving base-born persons from about the king, of restoring the church, and of suppressing heresy. Allured by these fair pretences, about 40,000 men from the counties of York, Durham, Lancaster, and those northern provinces, flocked to their standard, and their zeal, no less than their numbers, inspired the court with apprehensions.

The Earl of Shrewsbury, moved by his regard for the king's service, raised forces, though at first without any commission, in order to oppose the rebels. The Earl of Cumberland repulsed them from his castle of Skipton: Sir Ralph Evers defended Scarborough-castle against them:<sup>c</sup> Courtney, Marquis of Exeter, the king's cousin-german, obeyed orders from court, and levied troops. The Earls of Huntingdon, Derby, and Rutland, imitated his example. The rebels, however, prevailed in taking both Hull and York: they had laid siege to Pomfret-castle, into which the Archbishop of York and Lord Darcy had thrown themselves. It was soon surrendered to them; and the prelate and nobleman, who secretly wished success to the insurrection, seemed to yield to the force imposed on them, and joined the rebels.

The Duke of Norfolk was appointed general of the king's forces against the northern rebels; and as he headed the party at court which supported the ancient religion, he was also suspected of bearing some favour to the cause which he was sent to oppose. His prudent conduct,

<sup>a</sup> A proposal had formerly been made in the convocation for the abolition of the lesser monasteries, and had been much opposed by Bishop Tunstall, who was then alive. He told his brethren that this was his last year, and that he was now in the right hand of the greater monasteries. "An old man," said he, "who is wanted, a handle, came now a time into the world, making themselves to the great trust that he would a handle to work withal, and that that cause he was committed to, he would make it his request to those that they should be pleased to give him one of their small speckles, which he would make him a handle." Life, notwithstanding in public, attended him, and of this smaller tree to make him a handle. Put now,

becoming a complete ax, he fell to work within the same wood, that, in process of time, there was neither great nor small trees to be found in the place where the wood stood. And so, my Lords, if you grant the king these smaller monasteries, you do but make him a handle, whereby, at his own pleasure, he may cut down all the cedars within your realms." In *Baillie's Life of Bishop Fisher*, p. 106.  
<sup>y</sup> Strype, vol. i. p. 249.  
<sup>z</sup> Burnet, vol. i. p. 229.  
<sup>a</sup> Hall, p. 257. Herbert.  
<sup>b</sup> Fox, vol. ii. p. 997.  
<sup>c</sup> Stowe, p. 371. Baker, p. 229.

however, seems to acquit him of this imputation. He encamped near Doncaster, together with the Earl of Shrovesbury; and as his army was small, scarcely exceeding five thousand men, he made choice of a post where he had a river in front, the ford of which he purposed to defend against the rebels. They had intended to attack him in the morning; but during the night there fell such violent rains as rendered the river utterly impassable; and Norfolk wisely had hold of the opportunity to enter into treaty with them. In order to open the door for negotiation, he sent them a herald; whom Aske, their leader, received with great ceremony: he himself sitting in a chair of state, with the Archbishop of York on one hand, and Lord Darcy on the other. It was agreed that two gentlemen should be despatched to the king with proposals from the rebels; and Henry purposely delayed giving an answer, and allured them with hopes of entire satisfaction, in expectation that necessity would soon oblige them to disperse themselves. Being informed that his artifice had in a great measure succeeded, he required them instantly to lay down their arms, and submit to mercy; promising a pardon to all, except six whom he named, and four whom he reserved to himself the power of naming. But though the greater part of the rebels had gone home for want of subsistence, they had entered into the most solemn engagements to return to their standards, in case the king's answer should not prove satisfactory. Norfolk, therefore, soon found himself in the same difficulty as before; and he opened again a negotiation with the leaders of the multitude. He engaged them to send three hundred persons to Doncaster, with proposals for an accommodation; and he hoped by intrigue and separate interests, to throw dissension among so great a number. Aske himself had intended to be one of the deputies, and he required a hostage for his security: but the king, when consulted, replied, that he knew no gentleman, or other, whom he esteemed so little as to put him in pledge for such a villain. The demands of the rebels were so exorbitant, that Norfolk rejected them: and they prepared again to decide the contest by arms. They were as formidable as ever, both by their numbers and spirit; and notwithstanding the small river which lay between them and the royal army, Norfolk had great reason to dread the effects of their fury. But while they were preparing to pass the ford, rain fell a second time in such abundance, as made it impracticable for them to execute their design; and the populace, partly reduced to necessity by want of provisions, partly struck with superstition at being thus again disappointed by the same accident, suddenly dispersed themselves. The Duke of Norfolk, who had received powers for that end, forwarded the dispersion by the promise of a general amnesty; and the king ratified this act of clemency. He published, how-

9th Dec.

ever, a manifesto against the rebels, and an answer to their complaints; in which he employed a very lofty style, suited to so haughty a monarch. He told them, that they ought no more to pretend giving a judgment with regard to government, than a blind man with regard to colours: "and we," he added, "with our whole council, think it right strange, that ye, who be but brutes and inept folk, do take upon you to appoint us, who be meet or not for our council."

As this pacification was not likely to be of long continuance, Norfolk was ordered to keep his army together, and to march into the northern parts, in order to exact a general submission. Lord Darcy, as well as Aske, was sent for to court; and the former, upon his refusal or delay to appear, was thrown into prison. Every place was full of jealousy and complaints. A new insurrection broke out, headed by Musgrave and Tilby, and the rebels besieged Carlisle with 8000 men. Being

A. D. 1537.

repulsed by that city, they were encountered in their retreat by Norfolk, who put them to flight; and having made prisoners of all their officers, except Musgrave, who escaped, he instantly put them to death by martial law, to the number of seventy persons. An attempt, made by Sir Francis Bigot and Halam, to surprise Hull, met with no better success; and several other

risings were suppressed by the vigilance of Norfolk. The king, enraged by these multiplied revolts, was determined not to adhere to the general pardon which he had granted; and from a movement of his usual violence, he made the innocent suffer for the guilty. Norfolk, by command from his master, spread the royal banner, and, wherever he thought proper, executed martial law in the punishment of offenders. Besides Aske, leader of the first insurrection, Sir Robert Constable, Sir John Bulmer, Sir Thomas Piercy, Sir Stephen Hamilton, Nicholas Tempest, William Lumley, and many others, were thrown into prison; and most of them were condemned and executed. Lord Hussey was found guilty as an accomplice in the insurrection of Lincolnshire, and was executed at Lincoln. Lord Darcy, though he pleaded compulsion, and appealed for his justification to a long life spent in the service of the crown, was beheaded on Tower-Hill. Before his execution, he accused Norfolk of having secretly encouraged the rebels; but Henry, either sensible of that nobleman's services, and convinced of his fidelity, or afraid to offend one of such extensive power and great capacity, rejected the information. Being now satiated with punishing the rebels, he published anew a general pardon, to which he faithfully adhered, and he erected by patent a court of justice at York, for deciding law-suits in the northern counties: a demand which had been made by the rebels.

Soon after this prosperous success, an event happened which crowned Henry's joy, the birth of a son, who was baptized by the name of Edward. Yet was not his happiness without alloy: the queen died two days after.<sup>f</sup> But a son had so long been ardently wished for by Henry, and was now become so necessary, in order to prevent disputes with regard to the succession, after the acts declaring the two princesses illegitimate, that the king's affliction was drowned in his joy, and he expressed great satisfaction on the occasion. The prince, not six days old, was created Prince of Wales, Duke of Cornwall, and Earl of Chester. Sir Edward Seymour, the queen's brother, formerly made Lord Beauchamp, was raised to the dignity of Earl of Hertford. Sir William Fitz-Williams, high admiral, was created Earl of Southampton; Sir William Paulet, Lord St. John; Sir John Russel, Lord Russel.

Oct. 10.  
Birth of Prince  
Edward,  
and  
death of Queen  
Jane.

The suppression of the rebellion, and the birth of a son, as they confirmed Henry's

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authority at home, increased his consideration among foreign princes, and made his alliance be courted by all parties. He maintained, however, a neutrality in the wars, which were carried on with various success, and without any decisive event, between Charles and Francis; and though inclined more to favour the latter, he determined not to incur, without necessity, either hazard or expense on his account. A truce concluded, about this time, between these potentates, and afterwards prolonged for ten years, freed him from all anxiety on account of his ally, and re-established the tranquillity of Europe.

Henry continued desirous of cementing a union with the German protestants; and for that purpose he sent Christopher Mount to a congress which they held at Brunswick; but that minister made no great progress in his negotiation. The princes wished to know what were the articles in their confession which Henry disliked; and they sent new ambassadors to him, who had orders both to negotiate and to dispute. They endeavoured to convince the king that he was guilty of a mistake in administering the eucharist in one kind only, in allowing private masses, and in requiring the celibacy of the clergy. Henry would by no means acknowledge any error in these particulars; and was displeased that they should pretend to prescribe rules to so great a monarch and theologian. He found arguments and syllogisms enow to defend his cause; and he dismissed the ambassadors without coming to any conclusion. Jealous also lest his own subjects should become such theologians as to question his tenets, he used great precaution in publishing that translation of the Scripture which was finished this year. He would only allow a copy of it to be deposited in some parish churches, where it was fixed by a chain; and he took care



to inform the people by proclamation, "That this indulgence was not the effect of his duty, but of his goodness and his liberality to them; who therefore should use it moderately, for the increase of virtue, not of strife; and he ordered that no man should read the Bible aloud, so as to disturb the priest while he sang mass, nor presume to expound doubtful places without advice from the learned." In this measure, as in the rest, he still halted half way between the Catholics and the protestants.

There was only one particular in which Henry was quite decisive; because he was there impelled by his avarice, or, more properly speaking, his rapacity, the consequence of his profusion. This measure was, the entire destruction of the monasteries; the present opportunity seemed favourable for that great enterprise, while the suppression of the late rebellion fortified and increased the royal authority; and as some of the abbots were suspected of having encouraged the insurrection, and of corresponding with the rebels, the king's resentment was further incited by that motive. A new visitation was appointed of all the monasteries in England; and a pretence only being wanted for their suppression, it was easy for a prince, possessed of such unlimited power, and seconding the present humour of a great part of the nation, to find or feign one. The abbots and monks knew the danger to which they were exposed; and having learned, by the example of the lesser monasteries, that nothing could withstand the king's will, they were most of them induced, in expectation of better treatment, to make a voluntary resignation of their houses. Where promises failed of effect, menaces, and even extreme violence, were employed; and as several of the abbots, since the breach with Rome, had been named by the court with a view to this event, the king's intentions were the more easily effected. Some also, having secretly embraced the doctrine of the Reformation, were glad to be freed from their vows; and on the whole, the design was conducted with such success, that in less than two years the king had got possession of all the monastic revenues.

In several places, particularly in the county of Oxford, great interest was made to preserve some convents of women, who, as they lived in the most irreproachable manner, justly merited, it was thought, that their houses should be saved from the general destruction.<sup>b</sup> There appeared also great difference between the case of nuns and that of friars; and the one institution might be laudable, while the other was exposed to much blame. The males of all ranks, if endowed with industry, might be of service to the public; and none of them could want employment suited to his station and capacity. But a woman of family, who failed of a settlement in the marriage state, an accident to which such persons were more liable than women of lower station, had really no rank which she properly filled; and a convent was a retreat both honourable and agreeable, from the intuity, and often want, which attended her situation. But the king was determined to abolish monasteries of every denomination; and probably thought that these ancient establishments would be the sooner forgotten, if no remains of them of any kind were allowed to subsist in the kingdom.

The better to reconcile the people to this great innovation, stories were propagated of the detestable lives of the friars in many of the convents; and great care was taken to defame those whom the court had determined to ruin. The relics also, and other superstitions, which had so long been the object of the people's veneration, were exposed to their ridicule; and the religious spirit, now less bent on exterior observances and sensible objects, was encouraged in this new direction. It is needless to be prolix in an enumeration of particulars: protestant historians mention on this occasion, with great triumph, the sacred repositories of convents: the parings of St. Edmund's toes; some of the coals that roasted St. Laurence; the girdle of the Virgin shown in eleven several places; two or three heads of St. Ursula; the felt of St. Thomas of Lancaster, an infallible cure for the head-ache; part of St. Thomas of Canterbury's shirt, much revered by bug-bellied women; some relics, an excellent preventive

against rain; others, a remedy to weeds in corn. But such fooleries, as they are to be found in all ages and nations, and even took place during the most refined periods of antiquity, form no particular or violent reproach to the catholic religion.

There were also discovered, or said to be discovered, in the monasteries, some impostures of a more artificial nature. At Hales, in the county of Gloucester, there had been shown, during several ages, the blood of Christ brought from Jerusalem; and it is easy to imagine the veneration with which such a relic was regarded. A miraculous circumstance also attended this miraculous relic; the sacred blood was not visible to any one in mortal sin, even when set before him; and till he had performed good works sufficient for his absolution, it would not deign to discover itself to him. At the dissolution of the monastery the whole contrivance was detected. Two of the monks, who were let into the secret, had taken the blood of a duck, which they renewed every week: they put it into a phial, one side of which consisted of thin and transparent crystal, the other of thick and opaque. When any rich pilgrim arrived, they were sure to show him the dark side of the phial, till masses and offerings had expiated his offences; and then finding his money, or patience, or faith, nearly exhausted, they made him happy by turning the phial!

A miraculous crucifix had been kept at Boxley, in Kent, and bore the appellation of the *Rood of Grace*. The lips, and eyes, and head of the image moved on the approach of its votaries. Hilsey, Bishop of Rochester, broke the crucifix at St. Paul's cross, and showed to the whole people the springs and wheels by which it had been secretly moved. A great wooden idol revered in Wales, called Darvel Gathern, was brought to London, and cut in pieces: and by a cruel refinement in vengeance, it was employed as fuel to burn Friar Forest,<sup>c</sup> who was punished for denying the supremacy, and for some pretended heresies. A finger of St. Andrew, covered with a thin plate of silver, had been pawned by a convent for a debt of forty pounds; but as the king's commissioners refused to pay the debt, people made themselves merry with the poor creditor on account of the pledge.

But of all the instruments of ancient superstition, no one was so zealously destroyed as the shrine of Thomas à Becket, commonly called St. Thomas of Canterbury. This saint owed his canonization to the zealous defence which he had made for clerical privileges; and on that account also the monks had extremely encouraged the devotion of pilgrimages towards his tomb; and numberless were the miracles which they pretended his relics wrought in favour of his devout votaries. They raised his body once a year; and the day on which this ceremony was performed, which was called the day of his translation, was a general holiday: every fiftieth year there was celebrated a jubilee to his honour, which lasted fifteen days; plenary indulgences were then granted to all that visited his tomb; and a hundred thousand pilgrims have been registered at a time in Canterbury. The devotion towards him had quite effaced, in that place, the adoration of the Deity; nay, even that of the Virgin. At God's altar, for instance, there were offered, in one year, three pounds two shillings and sixpence; at the Virgin's, sixty-three pounds five shillings and sixpence; at St. Thomas's, eight hundred and thirty-two pounds twelve shillings and three-pence. But next year the disproportion was still greater: there was not a penny offered at God's altar; the Virgin's gained only four pounds one shilling and eight-pence; but St. Thomas had got, for his share, nine hundred and fifty-four pounds six shillings and three-pence.<sup>d</sup> Lewis VII. of France had made a pilgrimage to this miraculous tomb, and had bestowed on the shrine a jewel, esteemed the richest in Christendom. It is evident how obnoxious to Henry a saint of this character must appear, and how contrary to all his projects for degrading the authority of the court of Rome. He not only pillaged the rich shrine dedicated to St. Thomas: he made the saint himself be traitor to appear in court, and be tried and condemned as a traitor: he ordered his name to be struck out of the

<sup>a</sup> See the *Chron.* p. 136.

<sup>b</sup> Herbert, *vol.* 1. lib. 13. Stowe, p. 575.

<sup>c</sup> Goodwin's *Annals*. Stowe, p. 575. Herbert, *Poker*, p. 296.

<sup>d</sup> *Forrest*, *vol.* 1. p. 214.





well as by religious zeal, to forget in some respect the duty which he owed to Henry, his benefactor and his sovereign. He replied, by writing a treatise of the *Unity of the Church*, in which he inveighed against the king's supremacy, his divorce, his second marriage; and he even exhorted the emperor to revenge on him the injury done to the imperial family, and to the catholic cause. Henry, though provoked beyond measure at this outrage, dissembled his resentment; and he sent a message to Pole, desiring him to return to England, in order to explain certain passages in his book, which he found somewhat obscure and difficult. Pole was on his guard against this insidious invitation; and was determined to remain in Italy, where he was universally beloved.

The Pope and emperor thought themselves obliged to provide for a man of Pole's sacrifice and dignity, who, in support of their cause, had sacrificed all his pretensions to fortune in his own country. He was created a cardinal; and though he took not higher orders than those of a deacon, he was sent legate into Flanders about the year 1536.<sup>1</sup> Henry was sensible that Pole's chief intention, in choosing that employment, was to foment the mutinous disposition of the English catholics; and he therefore remonstrated in so vigorous a manner with the Queen of Hungary, Regent of the Low Countries, that she dismissed the legate without allowing him to exercise his functions. The enmity which he bore to Pole was now as open as it was violent; and the cardinal on his part kept no further measures in his intrigues against Henry. He is even suspected of having aspired to the crown, by means of a marriage with the Lady Mary; and the king was every day more alarmed by informations which he received of the correspondence maintained in England by that fugitive. Courtney, Marquis of Exeter, had entered into a conspiracy with him; Sir Edward Nevil, brother to the Lord Abergavenny; Sir Nicholas Carew, master of horse, and knight of the garter; Henry de la Pole, Lord Montacute; and Sir Geoffrey de la Pole, brothers to the cardinal. These persons were indicted, and tried, and convicted, before Lord Audley, who presided in the trial as high steward: they were all executed, except Sir Geoffrey de la Pole, who was pardoned; and he owed this grace to his having first carried to the king secret intelligence of the conspiracy. We know little concerning the justice or iniquity of the sentence pronounced against these men: we only know, that the condemnation of a man who was at that time prosecuted by the court, forms no presumption of his guilt; though, as no historian of credit mentions, in the present case, any complaint occasioned by these trials, we may presume that sufficient evidence was produced against the Marquis of Exeter and his associates.<sup>2</sup>

## CHAP. XXXII.

Disputation with Lambert. A parliament.—Law of the six Articles.—Pecuniations made equal to laws.—Settlement of the succession.—King's second marriage.—His marriage Anne of Cleves.—He dislikes her.—A parliament.—Earl of Crowland.—His execution.—King's divorce from Anne of Cleves.—His marriage with Catherine Howard.—State of affairs in Scotland.—Discovery of the queen's dissolute life.—A parliament.—Ecclesiastical affairs.

A. D. 1538. THE rough hand of Henry seemed well adapted for rending asunder those bands by which the ancient superstition had fastened itself on the kingdom; and though, after renouncing the Pope's supremacy, and suppressing monasteries, most of the political ends of reformation were already attained, few people expected that he would stop at those innovations. The spirit of opposition, it was thought, would carry him to the utmost extremities against the church of Rome, and lead him to declare war against the whole doctrine and worship, as well as discipline, of that mighty hierarchy. He had formerly appealed from the Pope to a general council; but now, when a general council was summoned to meet at Mantua, he previously renounced all submis-

sion to it, as summoned by the Pope, and lying entirely under subjection to that spiritual usurper. He engaged his clergy to make a declaration to the like purpose; and he had prescribed to them many other deviations from ancient tenets and practices. Crammer took advantage of every opportunity to carry him on in this course; and while Queen Jane lived, who favoured the reformers, he had, by means of her insinuation and address, been successful in his endeavours. After her death, Gardiner, who was returned from his embassy to France, kept the king more in suspense; and, by feigning an unlimited submission to his will, was frequently able to guide him to his own purposes. Fox, Bishop of Hereford, had supported Crammer in his schemes for a more thorough reformation; but his death had made way for the promotion of Bonner, who, though he had hitherto seemed a furious enemy to the court of Rome, was determined to sacrifice every thing to present interest, and had joined the confederacy of Gardiner, and the partisans of the old religion. Gardiner himself, it was believed, had secretly entered into measures with the Pope, and even with the emperor; and in concert with these powers he endeavoured to preserve, as much as possible, the ancient faith and worship.

Henry was so much governed by passion, that nothing could have retarded his animosity and opposition against Rome, but some other passion which stopped his career, and raised him new objects of animosity. Though he had gradually, since the commencement of his scruples with regard to his first marriage, been changing the tenets of that theological system in which he had been educated, he was no less positive and dogmatical in the few articles which remained to him, than if the whole fabric had continued entire and unshaken. And though he stood alone in his opinion, the flattery of courtiers had so inflamed his tyrannical arrogance, that he thought himself entitled to regulate, by his own particular standard, the religious faith of the whole nation. The point on which he chiefly rested his orthodoxy happened to be the real presence; that very doctrine in which, among the numberless victories of superstition over common sense, her triumph is the most signal and egregious. All departure from this principle he held to be heretical and detestable; and nothing, he thought, would be more honourable for him, than, while he broke off all connexions with the Roman pontiff, to maintain, in this essential article, the purity of the catholic faith.

There was one Lambert,<sup>3</sup> a schoolmaster Disputation with Lambert. confined for unsound opinions by Archbishop Warham; but upon the death of that prelate, and the change of counsels at court, he had been released. Not terrified with the danger which he had incurred, he still continued to promulgate his tenets; and having heard Dr. Taylor, afterwards Bishop of Lincoln, defend, in a sermon, the corporal presence, he could not forbear expressing to Taylor his dissent from that doctrine; and he drew up his objections under ten several heads. Taylor communicated the paper to Dr. Barnes, who happened to be a Lutheran, and who maintained, that though the substance of bread and wine remained in the sacrament, yet the real body and blood of Christ were there also, and were, in a certain mysterious manner, incorporated with the material elements. By the present laws and practice, Barnes was no less exposed to the stake than Lambert; yet such was the persecuting rage which prevailed, that he determined to bring this man to condign punishment, because, in their common departure from the ancient faith, he had dared to go one step further than himself. He engaged Taylor to accuse Lambert before Crammer and Latimer, who, whatever their private opinions might be on these points, were obliged to conform themselves to the standard of orthodoxy established by Henry. When Lambert was cited before these prelates, they endeavoured to bend him to a recantation; and they were surprised, when, instead of complying, he ventured to appeal to the king.

The king, not displeased with an opportunity where he could at once exert his supremacy, and display his learn-

<sup>1</sup> Herbert.

<sup>2</sup> History of Henry, p. 216.

<sup>3</sup> Fox, vol. ii. p. 396.

ing, accepted the appeal; and resolved to mix, in a very unbecoming manner, the magistrate with the disputant. Public notice was given that he intended to enter the lists with the schoolmaster: scaffolds were erected in Westminster-hall for the accommodation of the audience: Henry appeared on his throne, accompanied with all the ensigns of majesty: the prelates were placed on his right hand; the temporal peers on his left: the judges and most eminent lawyers had a place assigned them behind the bishops; the courtiers of greatest distinction behind the peers; and in the midst of this splendid assembly was produced the unhappy Lambert, who was required to defend his opinions against his royal antagonist.<sup>b</sup>

The Bishop of Chichester opened the conference, by saying, that Lambert, being charged with heretical pravity, had appealed from his bishop to the king; as if he expected more favour from this application, and as if the king could ever be induced to protect a heretic: that though his majesty had thrown off the usurpations of the see of Rome; had disincorporated some idle monks, who lived like drones in a bee-hive; had abolished the idolatrous worship of images; had published the Bible in English, for the instruction of all his subjects; and had made some lesser alterations, which every one must approve of; yet was he determined to maintain the purity of the catholic faith, and to punish with the utmost severity all departure from it: and that he had taken the present opportunity, before so learned and grave an audience, of convincing Lambert of his errors; but if he still continued obstinate in them, he must expect the most condign punishment.<sup>c</sup>

After this preamble, which was not very encouraging, the king asked Lambert, with a stern countenance, what his opinion was of Christ's corporal presence in the sacrament of the altar; and when Lambert began his reply with some compliment to his majesty, he rejected the praise with disdain and indignation. He afterwards pressed Lambert with arguments drawn from Scripture and the schoolmen. The audience applauded the force of his reasoning, and the extent of his erudition: Cranmer seconded his proofs by some new topics: Gardiner entered the lists as a support to Cranmer: Tonstal took up the argument after Gardiner: Stokesley brought fresh aid to Tonstal: six bishops more appeared successively in the field after Stokesley: and the disputation, if it deserves the name, was prolonged for five hours; till Lambert, fatigued, confounded, browbeaten, and abashed, was at last reduced to silence. The king, then returning to the charge, asked him whether he were convinced; and he proposed, as a concluding argument, this interesting question, whether he were resolved to live or to die? Lambert, who possessed that courage which consists in obstinacy, replied, that he cast himself wholly on his majesty's clemency: the king told him, that he would be no protector of heretics; and therefore, if that were his final answer, he must expect to be committed to the flames. Cromwell, as vicegerent, pronounced the sentence against him.<sup>d</sup>

Lambert, whose vanity had probably incited him the more to persevere on account of the greatness of this public appearance, was not daunted by the terrors of the punishment to which he was condemned. His executioners took care to make the sufferings of a man who had personally opposed the king, as cruel as possible: he was burned at a slow fire; his legs and thighs were consumed to the stumps; and when there appeared no end of his torments, some of the guards, more merciful than the rest, lifted him on their halberts, and threw him into the flames, where he was consumed. While they were employed in this friendly office, he cried aloud several times, *None but Christ, none but Christ*; and these words were in his mouth when he expired.<sup>e</sup>

<sup>b</sup> Fox, vol. ii. p. 426.

<sup>c</sup> Gough's *Annals*.

<sup>d</sup> Collier, in his *Ecclesiastical History*, vol. ii. p. 152, has preserved an account which Cromwell gave of this conference, in a letter to Sir Thomas Noy, at the king's ambassador in Germany. "The King's Majesty," says Cromwell, "for the reverence of the holy sacrament of the altar, did sit evenly in his hall, and there presided at the disputation, process, and judgment of a miserable heretic sacramentary, who was burned the 20th of November. It was a wonder to see how patiently, with how excellent gravity and inestimable majesty, his highness exercised there the very office of supreme head of the Church of England. How bravely his grace

Some few days before this execution, four Dutch Anabaptists, three men and a woman, had figures tied to their backs at Paul's Cross, and were burned in that manner. And a man and a woman of the same sort and country were burned in Smithfield.<sup>f</sup>

It was the unhappy fate of the English during this age, that, when they laboured under any grievance, they had not the satisfaction of expecting redress from parliament: on the contrary, they had reason to dread each meeting of that assembly, and were then sure of having tyranny converted into law, and aggravated, perhaps, with some circumstance, which the arbitrary prince and his ministers had not hitherto devised, or did not think proper of themselves to carry into execution. This abject servility never appeared more conspicuously than in a new parliament, which the king now assembled, and which, if he had been so pleased, might have been the last that ever sat in England. But he found them too useful instruments of dominion ever to entertain thoughts of giving them a total exclusion.

The chancellor opened the parliament by informing the House of Lords, that it was his majesty's earnest desire to extirpate from his kingdom all diversity of opinion in matters of religion; and as this undertaking was, he owned, important and arduous, he desired them to choose a committee from among themselves, who might draw up certain articles of faith, and communicate them afterwards to the parliament. The Lords named the Vicar-general, Cromwell, now created a peer, the Archbishops of Canterbury and York, the Bishops of Durham, Carlisle, Worcester, Bath and Wells, Bangor, and Ely. The House might have seen what a hopeful task they had undertaken: this small committee itself was agitated with such diversity of opinion, that it could come to no conclusion. The Duke of Norfolk then moved in the House, that, since there were no hopes of having a report from the committee, the articles of faith, intended to be established, should be reduced to six; and a new committee be appointed, to draw an act with regard to them. As this peer was understood to speak the sense of the king, his motion was immediately complied with; and after a short prorogation, the bill of the *Six Articles*, or the bloody bill, as the protestants justly termed it, was introduced, and having passed the two Houses, received the royal assent.

In this law the doctrine of the real presence was established, the communion in one kind, the perpetual obligation of vows of chastity, the utility of private masses, the celibacy of the clergy, and the necessity of auricular confession. The denial of the first article, with regard to the real presence, subjected the person to death by fire, and to the same forfeiture as in cases of treason; and admitted not the privilege of abjuring: an unheard-of severity, and unknown to the inquisition itself. The denial of any of the other five articles, even though recanted, was punishable by the forfeiture of goods and chattels, and imprisonment during the king's pleasure: an obstinate adherence to error, or a relapse, was adjudged to be felony, and punishable with death. The marriage of priests was subjected to the same punishment. Their commerce with women was, on the first offence, forfeiture and imprisonment; on the second, death. The abstaining from confession, and from receiving the eucharist at the accustomed times, subjected the person to fine, and to imprisonment during the king's pleasure; and if the criminal persevered after conviction, he was punishable by death and forfeiture, as in cases of felony.<sup>g</sup> Commissioners were to be appointed by the King, for inquiring into these heresies and irregular practices; and the criminals were to be tried by a jury.

The king, in framing this law, laid his oppressive hand on both parties; and even the catholics had reason to

sayed to convert the miserable man. How strong a Unitarianist reasons his business alleged against him. I wish the princes and potentates of Christendom to have had a meet place to have seen it. Undoubtedly they should have much marvelled at his majesty's most high wisdom and judgment, and reputed him no otherwise after the same, than in a manner to merit and light of all other kings and princes in Christendom." It was by such flatteries that Henry was engaged to use his subjects the standard to all mankind; and was determined to enforce, by the severest penalties, strong and manifest reasons for transubstantiation.

<sup>e</sup> Fox's Acts and Monuments, p. 127. Burnet.

<sup>f</sup> Stowe, p. 256.

<sup>g</sup> 31 Hen. VIII. c. 11. Heisteria Kennet, p. 219.



complain, that the friars and nuns, though dismissed their convent, should be capriciously restrained to the practice of celibacy;<sup>2</sup> but as the protestants were chiefly exposed to the severity of the statute, the misery of adversaries, according to the usual maxims of party, was regarded by the adherents to the ancient religion as their own prosperity and triumph. Crammer had the courage to oppose this bill in the House; and though the king desired him to absent himself, he could not be prevailed on to give this proof of compliance.<sup>3</sup> Henry was accustomed to Crammer's freedom and sincerity; and being convinced of the general rectitude of his intentions, gave him an unusual indulgence in this particular, and never allowed even a whisper against him. That prelate, however, was now obliged, in obedience to the statute, to dismiss his wife, the niece of Oslander, a famous divine of Nuremberg;<sup>4</sup> and Henry, satisfied with this proof of submission, showed him his former countenance and favour. Latimer and Shaxton threw up their bishoprics, on account of the law, and were committed to prison.

The parliament, having thus resigned all their religious liberties, proceeded to an entire surrender of their civil; and, without scruple or deliberation, they made by one act a total subversion of the English constitution. They gave to the king's proclamation the same force as to a statute enacted by parliament; and to render the matter worse, if possible, they framed this law as if it were only declaratory, and were intended to explain the natural extent of royal authority. The preamble contains, that the king had formerly set forth several proclamations, which froward persons had wilfully contemned, not considering what a king by his royal power may do; that this licence might encourage offenders not only to disobey the laws of Almighty God, but also to dishonour the king's most royal majesty, *who may full ill bear it*; that sudden emergencies often occur, which require speedy remedies, and cannot await the slow assembling and deliberations of parliament; and that though the king was empowered by his authority derived from God, to consult the public good on these occasions, yet the opposition of refractory subjects might push him to extremity and violence: for these reasons the parliament, that they might remove all occasion of doubt, ascertained by a statute this prerogative of the crown, and enabled His Majesty, with the advice of his council, to set forth proclamations enjoining obedience under whatever pains and penalties he should think proper: and these proclamations were to have the force of perpetual laws.<sup>1</sup>

What proves either a stupid or a wilful blindness in the parliament is, that they pretended, even after this statute, to maintain some limitations in the government; and they enacted, that no proclamation should deprive any person of his lawful possessions, liberties, inheritances, privileges, franchises; nor yet infringe any common law or laudable custom of the realm. They did not consider, that no penalty could be inflicted upon the disobeying of proclamations, without invading some liberty or property of the subject; and that the power of enacting new laws, joined to the dispensing power then exercised by the crown, amounted to a full legislative authority. It is true, the kings of England had always been accustomed, from their own authority, to issue proclamations, and to exact obedience to them; and this prerogative was, no doubt, a strong symptom of absolute government: but still there was a difference between a power which was exercised on a particular emergency, and which must be justified by the present expedience or necessity; and an authority conferred by a positive statute, which could no longer admit of control or limitation.

Could any act be more opposite to the spirit of liberty than this law, it would have been another of the same parliament. They passed an act of attainder, not only against the Marquis of Exeter, the Lords Montacute, Darcy, Hussey, and others, who had been legally tried and condemned; but also against some persons of the

highest quality, who had never been accused, or examined, or convicted. The violent hatred which Henry bore to Cardinal Pole, had extended itself to all his friends and relations; and his mother in particular, the Countess of Salisbury, had on that account become extremely obnoxious to him. She was also accused of having employed her authority with her tenants, to hinder them from reading the new translation of the Bible; of having procured bulls from Rome, which, it is said, had been seen at Coudray, her country seat; and of having kept a correspondence with her son, the cardinal: but Henry found, either that these offences could not be proved, or that they would not by law be subjected to such severe punishments as he desired to inflict upon her. He resolved, therefore, to proceed in a more summary and more tyrannical manner; and for that purpose he sent Cromwell, who was but too obsequious to his will, to ask the judges, whether the parliament could attain a person who was forthcoming, without giving him any trial, or citing him to appear before them?<sup>2m</sup> The judges replied, that it was a dangerous question, and that the high court of parliament ought to give the example to inferior courts, of proceeding according to justice: no inferior court could act in that arbitrary manner, and they thought that the parliament never would. Being pressed to give a more explicit answer, they replied, that if a person were attainted in that manner, the attainer could never afterwards be brought in question, but must remain good in law. Henry learned by this decision, that such a method of proceeding, though directly contrary to all the principles of equity, was yet practicable; and this being all he was anxious to know, he resolved to employ it against the Countess of Salisbury. Cromwell showed to the House of Peers a banner, on which were embroidered the five wounds of Christ, the symbol chosen by the northern rebels; and this banner, he affirmed, was found in the countess's house.<sup>3</sup> No other proof seems to have been produced in order to ascertain her guilt: the parliament, without further inquiry, passed a bill of attainder against her; and they involved in the same bill, without any better proof, as far as appears, Gertrude, Marchioness of Exeter, Sir Adrian Fortescue, and Sir Thomas Dingley. These two gentlemen were executed: the marchioness was pardoned, and survived the king; the countess received a reprieve.

The only beneficial act passed this session, was that by which the parliament confirmed the surrender of the monasteries; yet even this act contains much falsehood, much tyranny, and were it not that all private rights must submit to public interest, much injustice and iniquity. The scheme of engaging the abbots to surrender their monasteries had been conducted, as may easily be imagined, with many invidious circumstances: arts of all kinds had been employed; every motive that could work on the frailty of human nature had been set before them; and it was with great difficulty that these dignified conventuals were brought to make a concession which most of them regarded as destructive of their interests, as well as sacrilegious and criminal in itself.<sup>4</sup> Three abbots had shown more constancy than the rest, the abbots of Colchester, Reading, and Glasterbury; and in order to punish them for their opposition, and make them an example to others, means had been found to convict them of treason; they had perished by the hands of the executioner, and the revenue of the convents had been forfeited.<sup>5</sup> Besides, though none of these violences had taken place, the king knew that a surrender made by men who were only tenants for life, would not bear examination; and he was therefore resolved to make all sure by his usual expedient, an act of parliament. In the preamble to this act, the parliament asserts that all the surrenders made by the abbots had been, "without constraint, of their own accord, and according to due course of common law." And in consequence, the two Houses confirm the surrenders, and secure the property of the abbey lands to the king and his successors for ever.<sup>6</sup> It is remarkable, that all the mitred

<sup>1</sup> There is a story, that the Duke of Norfolk, meeting soon after this act some persons, one of which plainly, who were suspected of favouring the innovation, said to him, "Now, Sir, what thing would the law to hinder people from having wives?" "Yes, my lord," replied the chaplain, "you may be sure that, but I will answer for it, you cannot hinder others wives from having priests."

<sup>2</sup> Parrot, vol. i. p. 249, 250. Fox, vol. ii. p. 1037.

<sup>3</sup> Herbert in Bayne, p. 22.

<sup>4</sup> 13 Hen. VIII. c. 13.

<sup>5</sup> 13 Hen. VIII. c. 13, p. 37, 38.

<sup>6</sup> 13 Hen. VIII. c. 13, p. 136, & seq.

<sup>7</sup> 13 Hen. VIII. c. 10.

<sup>8</sup> Rymer, vol. xiv. p. 657.

<sup>9</sup> 13 Hen. c. 17.

abbots still sat in the House of Peers, and that none of them made any protests against this iniquitous statute.

In this session the rank of all the great officers of state was fixed : Cromwell, as viceroy, had the precedence assigned him above all of them. It was thought singular, that a blacksmith's son, for he was no other, should have place next the royal family ; and that a man possessed of no manner of literature should be set at the head of the church.

As soon as the act of the Six Articles had passed, the Catholics were extremely vigilant in informing against offenders ; and no less than five hundred persons were in a little time thrown into prison. But Cromwell, who had not had interest to prevent that act, was able, for the present, to elude its execution. Seconded by the Duke of Suffolk, and Chancellor Audley, as well as by Cranmer, he remonstrated against the cruelty of punishing so many delinquents ; and he obtained permission to set them at liberty. The uncertainty of the king's humour gave each party an opportunity of triumphing in its turn. No sooner had Henry passed this law, which seemed to inflict so deep a wound on the reformers, than he granted a general permission for every one to have the new translation of the Bible in his family : a concession regarded by that party as an important victory.

But as Henry was observed to be much governed by his wives, while he retained his fondness for them, the final prevalence of either party seemed much to depend on the choice of the future queen. Immediately after the death of Jane Seymour, the most beloved of all his wives, he began to think of a new marriage. He first cast his eye towards the Duchess-dowager of Milan, niece to the emperor ; and he made proposals for that alliance. But meeting with difficulties, he was carried by his friendship for Francis rather to think of a French princess. He demanded the Duchess-dowager of Longueville, daughter of the Duke of Guise, a prince of the house of Lorraine ; but Francis told him, that the lady was already betrothed to the King of Scotland. The king, however, would not take a refusal : he had set his heart extremely on the match : the information which he had received of the duchess's accomplishments and beauty, had prepossessed him in her favour ; and having privately sent over Meautys to examine her person, and get certain intelligence of her conduct, the accounts which that agent brought him, served further to inflame his desires. He learned that she was big made ; and he thought her on that account the more proper match for him, who was now become somewhat corpulent. The pleasure, too, of mortifying his nephew, whom he did not love, was a further incitement to his prosecution of this match ; and he insisted that Francis should give him the preference to the King of Scots. But Francis, though sensible that the alliance of England was of much greater importance to his interests, would not affront his friend and ally ; and to prevent further solicitation, he immediately sent that princess to Scotland. Not to shock, however, Henry's humour, Francis made him an offer of Mary of Bourbon, daughter of the Duke of Vendome ; but as the king was informed that James had formerly rejected this princess, he would not hear any further of such a proposal. The French monarch then offered him the choice of the two younger sisters of the Queen of Scots ; and he assured him that they were nowise inferior in merit or size to their elder sister, and that one of them was even superior in beauty. The king was as scrupulous with regard to the person of his wives, as if his heart had been really susceptible of a delicate passion ; and he was unwilling to trust any relations, or even pictures, with regard to this important particular. He proposed to Francis, that they should have a conference at Calais on pretence of business ; and that this monarch should bring along with him the two Princesses of Guise, together with the finest ladies of quality in France, that he might make a choice among them. But the gallant spirit of Francis was shocked with the proposal : he was impressed with too much regard, he said, for the fair sex, to carry ladies of the first quality like geldings to a market, there to be chosen or rejected by the

humour of the purchaser. Henry would be apt to catch of these niceties, but still insisted on his proposal ; which, however, notwithstanding Francis's earnest desire of obliging him, was finally rejected.

The king then began to turn his thoughts towards a German alliance ; and, as the princes of the Smalcaldic league were extremely disgusted with the emperor on account of his persecuting their religion, he hoped, by matching himself into one of their families, to renew a connexion which he regarded as so advantageous to him. Cromwell joyfully seconded this intention, and proposed to him Anne of Cleves, whose father, the duke of that name, had great interest among the Lutheran princes, and whose sister, Sibylla, was married to the Elector of Saxony, the head of the Protestant league. A flattering picture of the princess, by Hans Holbein, determined Henry to apply to her father ; and after some negotiation, the marriage, notwithstanding the opposition of the Elector of Saxony, was at last concluded ; and Anne was sent over to England. The king, impatient to be satisfied with respect to Rochester, and got a sight of her. He found her big, indeed, and tall as he could wish ; but utterly destitute both of beauty and grace ; very unlike the pictures and representations which he had received : he swore she was a great Flanders mare ; and declared that he never could possibly bear her any affection. The matter was worse when he found that she could speak no language but Dutch, of which he was entirely ignorant ; and that the charms of her conversation were not likely to compensate for the homeliness of her person. He returned to Greenwich very melancholy ; and

he much lamented his hard fate to Cromwell, as well as to Lord Russel, Sir Anthony Brown, and Sir Anthony Denny. This last gentleman, in order to give him comfort, told him, that his misfortune was common to him with all kings, who could not, like private persons, choose for themselves ; but must receive their wives from the judgment and fancy of others.

It was the subject of debate among the king's counselors, whether the marriage could not yet be dissolved, and the princess sent back to her own country. Henry's situation seemed at that time very critical. After the ten years' truce concluded between the emperor and the King of France, a good understanding was thought to have taken place between these rival monarchs ; and such marks of union appeared as gave great jealousy to the court of England. The emperor, who knew the generous nature of Francis, even put confidence in him, which is rare, to that degree, among great princes. An insurrection had been raised in the Low Countries by the inhabitants of Ghent, and seemed to threaten the most dangerous consequences. Charles, who resided at that time in Spain, resolved to go in person to Flanders, in order to appease those disorders ; but he found great difficulties in choosing the manner of his passing thither. The road by Italy and Germany was tedious ; the voyage through the channel dangerous, by reason of the English naval power : he asked Francis's permission to pass through his dominions ; and he intrusted himself into the hands of a rival whom he had so mortally offended. The French monarch received him at Paris with great magnificence and courtesy ; and though prompted both by revenge and interest, as well as by the advice of his mistress and favourites, to make advantage of the present opportunity, he conducted the emperor safely out of his dominions ; and would not so much as speak to him of business during his abode in France, lest his demands should bear the air of violence upon his royal guest.

Henry, who was informed of all these particulars, believed that an entire and cordial union had taken place between these princes ; and that their religious zeal might prompt them to fall with combined arms upon England. An alliance with the German princes seemed now, more than ever, requisite for his interest and safety ; and he knew that if he sent back the Princess of Cleves, such an affront would be highly resented by her friends and family. He was therefore resolved, notwithstanding his

aversion to her, to complete the marriage; and he told Cromwell, that since matters had gone so far, he must put his neck into the yoke. Cromwell, who knew how much his own interests were concerned in this affair, was very anxious to learn from the king, next morning after the marriage, whether he now liked his spouse any better. The king told him that he hated her worse than ever; and that her person was more disgusting on a near approach: he was resolved never to meddle with her; and even suspected her not to be a true maid: a point, about which he entertained an extreme delicacy. He continued, however, to be civil to Anne; he even seemed to repose his usual confidence in Cromwell; but though he exerted this command over himself, a discontent lay lurking in his breast, and was ready to burst out on the first opportunity.

15th April. A session of parliament was held; and a petitioned none of the abbots were now allowed a place in the House of Peers. The king, by the mouth of the chancellor, complained to the parliament of the great diversity of religions which still prevailed among his subjects: a grievance, he affirmed, which ought the less to be endured, because the Scriptures were now published in English, and ought universally to be the standard of belief to all mankind. But he had appointed, he said, some bishops and divines to draw up a list of tenets, to which the people were to assent; and he was determined that Christ, the doctrine of Christ, and the truth, should have the victory. The king seems to have expected more effect in ascertaining truth, from this new book of his doctors, than had ensued from the publication of the Scriptures. Cromwell, as vicar-general, made also, in the king's name, a speech to the upper House; and the peers, in return, bestowed great flattery on him, and in particular said, that he was worthy, by his desert, to be vicar-general of the universe. That minister seemed to be no less in his master's good graces: he received, soon after the sitting of the parliament, the title of Earl of Essex, and was installed knight of the garter.

There remained only one religious order in England; the Knights of St. John of Jerusalem, or the Knights of Malta, as they are commonly called. This order, partly ecclesiastical, partly military, had, by their valour, done great service to Christendom; and had very much retarded at Jerusalem, Rhodes, and Malta, the rapid progress of the barbarians. During the general surrender of the religious houses in England, they had exerted their spirit, and had obstinately refused to yield up their revenues to the king; and Henry, who would endure no society that professed obedience to the Pope, was obliged to have recourse to parliament for the dissolution of this order. Their revenues were large, and formed an addition nowise contemptible to the many acquisitions which the king had already made. But he had very ill husbanded the great revenue acquired by the plunder of the church: his profuse generosity dissipated faster than his rapacity could supply; and the parliament was surprised this session to find a demand made upon them of four-tenths, and a subsidy of one shilling in the pound during two years: so ill were the public expectations answered, that the crown was never more to require any supply from the people. The Commons, though lavish of their liberty, and of the blood of their fellow-subjects, were extremely frugal of their money; and it was not without difficulty so small a grant could be obtained by this absolute and dreaded monarch. The convocation gave the king four shillings in the pound, to be levied in two years. The pretext for these grants was the great expense which Henry had undergone for the defence of the realm, in building forts along the sea-coast, and in equipping a navy. As he had at present no ally on the continent in whom he reposed much confidence, he relied only on his domestic strength, and was, on that account, obliged to be more expensive in his preparations against the danger of an invasion.

The king's favour to Cromwell, and his acquiescence in the marriage with Anne of Cleves, were both of them deceitful appearances: his aversion to the queen secretly increased every day; and having at last broken all restraint,

it prompted him at once to seek the dissolution of a marriage so odious to him, and to involve his minister in ruin, who had been the innocent author of it. <sup>Fall of Cromwell.</sup> The fall of Cromwell was hastened by other causes. All the nobility hated a man, who, being of such low extraction, had not only mounted above them by his station of vicar-general, but had engrossed many of the other considerable offices of the crown: besides enjoying that commission which gave him a high and almost absolute authority over the clergy, and even over the laity, he was privy seal, chamberlain, and master of the wards: he had also obtained the order of the garter, a dignity which had ever been conferred only on men of illustrious families, and which seemed to be profaned by its being communicated to so mean a person. The people were averse to him, as the supposed author of the violence on the monasteries; establishments which were still revered and beloved by the commonalty. The catholics regarded him as the concealed enemy of their religion: the protestants, observing his exterior concurrence with all the persecutions exercised against them, were inclined to bear him as little favour; and reproached him with the timidity, if not treachery, of his conduct. And the king, who found that great clamours had, on all hands, arisen against the administration, was not displeased to throw on Cromwell the load of public hatred; and he hoped, by making so easy a sacrifice, to regain the affections of his subjects.

But there was another cause which suddenly set all these motives in action, and brought about an unexpected revolution in the ministry. The king had fixed his affections on Catherine Howard, niece to the Duke of Norfolk; and being determined to gratify this new passion, he could find no expedient, but by procuring a divorce from his present consort, to raise Catherine to his bed and throne. The duke, who had long been engaged in enmity with Cromwell, made the same use of her insinuations to ruin this minister, that he had formerly done of Anne Boleyn's against Wolsey: and when all engines were prepared, he obtained a commission from the king to arrest Cromwell at the council table, on an accusation of high treason, and to commit him to the Tower. Immediately after, a bill of attainder was framed against him; and the House of Peers thought proper, without trial, examination, or evidence, to condemn to death a man, whom, a few days before, they had declared worthy to be vicar-general of the universe. The House of Commons passed the bill, though not without some opposition. Cromwell was accused of heresy and treason; but the proofs of his treasonable practices are utterly improbable, and even absolutely ridiculous.<sup>1</sup> The only circumstance of his conduct by which he seems to have merited this fate, was his being the instrument of the king's tyranny, in conducting like iniquitous bills in the preceding session, against the Countess of Salisbury and others.

Cromwell endeavoured to soften the king by the most humble supplications; but all to no purpose: it was not the practice of that prince to ruin his ministers and favourites by halves; and though the unhappy prisoner once wrote to him in so moving a strain as even to draw tears from his eyes, he hardened himself against all movements of pity, and refused his pardon. The conclusion of Cromwell's letter ran in these words: "I, a most woful prisoner, am ready to submit to death when it shall please God and your majesty; and yet the frail flesh incites me to call to your grace for mercy and pardon of mine offences. Written at the Tower with the heavy heart and trembling hand of your highness's most miserable prisoner, and poor slave, Thomas Cromwell." And a little below, "Most gracious prince, I cry for mercy, mercy, mercy."<sup>2</sup>

When brought to the place of execution, he <sup>29th July.</sup> avoided all earnest protestations of his innocence. His execution. and all complaints against the sentence pronounced upon him. He knew that Henry would resent on his son those symptoms of opposition to his will, and that his death alone would not terminate that monarch's vengeance. He was a man of prudence, industry, and abilities; worthy of a better master and of a better fate. Though raised to the summit of power from a low origin, he betrayed no



insolence or contempt towards his inferiors; and was careful to remember all the obligations which, during his more humble fortune, he had owed to any one. He had served as a private soldier in the Italian wars; when he received some good offices from a Languese merchant, who had entirely forgotten his person, as well as the service which he had rendered him. Cromwell, in his grandeur, happened, at London, to cast his eye on his benefactor, now reduced to poverty by misfortunes. He immediately sent for him, reminded him of their ancient friendship, and by his grateful assistance reinstated him in his former prosperity and opulence.<sup>w</sup>

The measures for divorcing Henry from Anne of Cleves, were carried on at the same time with the bill of attainder against Cromwell. The House of Peers, in conjunction with the Commons, applied to the king by petition, desiring that he would allow his marriage to be examined; and orders were immediately given to lay the matter before the convocation. Anne had formerly been contracted by her father to the Duke of Lorraine; but she, as well as the duke, were at that time under age, and the contract had been afterwards annulled by consent of both parties. The king, however, pleaded this precontract as a ground of divorce; and he added two reasons more, which may seem a little extraordinary; that when he espoused Anne he had not inwardly given his consent, and that he had not thought proper to consummate the marriage. The convocation was satisfied with these reasons, and solemnly annulled the marriage between the king and queen; the parliament ratified the decision of the clergy; and the sentence was soon after notified to the princess.

Anne was blest with a happy insensibility of temper, even in the points which the most nearly affect her sex; and the king's aversion towards her, as well as his prosecution of the divorce, had never given her the least uneasiness. She willingly hearkened to terms of accommodation with him; and when he offered to adopt her as his sister, to give her place next the queen and his own daughter, and to make a settlement of three thousand pounds a year upon her; she accepted of the conditions, and gave her consent to the divorce.<sup>x</sup> She even wrote to her brother, (for her father was now dead,) that she had been very well used in England, and desired him to live on good terms with the king. The only instance of pride which she betrayed was, that she refused to return to her own country after the affront which she had received; and she lived and died in England.

Notwithstanding Anne's moderation, this incident produced a great coldness between the king and the German princes; but as the situation of Europe was now much altered, Henry was the more indifferent about their resentment. The close intimacy which had taken place between Francis and Charles had subsisted during a very short time; the dissimilarity of their characters soon renewed, with greater violence than ever, their former jealousy and hatred. While Charles remained at Paris, Francis had been imprudently engaged, by his open temper, and by that satisfaction which a noble mind naturally feels in performing generous actions, to make in confidence some dangerous discoveries to that interested monarch; and having now lost all suspicion of his rival, he hoped that the emperor and he, supporting each other, might neglect every other alliance. He not only communicated to his guest the state of his negotiations with Sultan Solymán and the Venetians; he also laid open the solicitations which he had received from the court of England, to enter into a confederacy against him.<sup>y</sup> Charles had no sooner reached his own dominions, than he showed himself unworthy of the friendly reception which he had met with. He absolutely refused to fulfil his promise, and put the Duke of Orleans in possession of the Milanese: he informed Solymán and the senate of Venice of the treatment which they had received from their ally; and he took

care that Henry should not be ignorant how readily Francis had abandoned his ancient friend, to whom he owed such important obligations, and had sacrificed him to a new confederate. He even poisoned and misrepresented many things, which the unsuspecting heart of the French monarch had disclosed to him. Had Henry possessed true judgment and generosity, this incident alone had been sufficient to guide him in the choice of his ally. But his domineering pride carried him immediately to renounce the friendship of Francis, who had so unexpectedly given the preference to the emperor; and as Charles invited him to a renewal of ancient amity, he willingly accepted of the offer; and thinking himself secure in this alliance, he neglected the friendship both of France and of the German princes.

The new turn which Henry had taken with regard to foreign affairs was extremely agreeable to his catholic subjects; and as it had perhaps contributed, among other reasons, to the ruin of Cromwell, it made them entertain hopes of a final prevalence over their antagonists. The marriage of the king with Catherine Howard, which followed soon after his divorce from Anne of Cleves, was also regarded as a favourable incident to their party; and the subsequent events corresponded to their expectations. The king's counsils being now directed by Norfolk and Gardiner, a furious persecution commenced against the protestants; and the law of the Six Articles was executed with rigour. Dr. Barnes, who had been the cause of Lambert's execution, felt in his turn the severity of the persecuting spirit; and, by a bill which passed in parliament, he was, without trial, condemned to the flames, together with Jerome and Gerrard. He discussed theological questions even at the stake; and as the dispute between him and the sheriff turned upon the invocation of saints, he said, that he doubted whether the saints could pray for us; but if they could, he hoped, in half an hour, to be praying for the sheriff and all the spectators. He next entreated the sheriff to carry to the king his dying request, which he fondly imagined would have authority with that monarch who had sent him to the stake. The purport of his request was, that Henry besides repressing superstitious ceremonies, should be extremely vigilant in preventing fornication and common swearing.<sup>z</sup>

While Henry was exerting his violence against the protestants, he spared not the catholics who denied his supremacy; and a foreigner at that time in England had reason to say, that those who were against the Pope were burned, and those who were for him were hanged.<sup>a</sup> The king even displayed in an ostentatious manner this tyrannical impartiality, which reduced both parties to subjection, and infused terror into every breast. Barnes, Gerrard, and Jerome, had been carried to the place of execution on three hurdles; and along with them there was placed on each hurdle a catholic, who was also executed for his religion. These catholics were Abel, Fetherstone, and Povel, who declared that the most grievous part of their punishment was the being coupled to such heretical miscreants as suffered with them.<sup>b</sup>

Though the spirit of the English seemed to be totally sunk under the despotic power A. D. 1541. of Henry, there appeared some symptoms of discontent: an insupportable rebellion broke out in Yorkshire, headed by Sir John Nevil; but was soon suppressed, and Nevil, with other ringleaders, was executed. The rebels were supposed to have been instigated by the intrigues of Cardinal Pole; and the king was instantly determined to make the Countess of Salisbury, who already lay under sentence of death, suffer for her son's offences.<sup>c</sup> He ordered her to be carried to execution; and 27th May. this venerable matron maintained still, in these distressful circumstances, the spirit of that long race of monarchs from whom she was descended.<sup>d</sup> She refused to lay her head on the block, or submit to a sentence

<sup>w</sup> Burnet, vol. i. p. 172.

<sup>x</sup> A foolish law much Henry sported with law and common sense, how severely the parliament followed all his caprices, and how much both of them were lost to divorce of shame, an act was passed this session, declaring that a precontract should be no ground for annulling a marriage; as if that pretext had not been made use of both in the case of Anne Poleyn and Anne of Cleves. But the king's indignity in this law is not to be described by resting the Princess Elizabeth to her right of legitimacy; and it

was his character never to look further than the present object, without regarding the inconsistency of his conduct. The parliament made it more tedious to deny the dissolution of Henry's marriage with Anne of Cleves.

<sup>y</sup> Herbert, p. 428, 429.

<sup>z</sup> Burnet, vol. i. p. 256. Fox.

<sup>a</sup> Sammers, de Schism, Angl.

<sup>b</sup> Herbert, p. 468.

<sup>c</sup> Pere Daniel, Du Tillet.

<sup>d</sup> Fox, vol. ii. p. 329.

where she had received no trial. She told the executioner, that if he would have her head, he must win it the best way he could: and thus, shaking her venerable grey locks, she ran about the scaffold; and the executioner followed her with his axe, among many fruitless blows at her neck before he was able to give the fatal stroke. Thus perished the last of the line of Plantagenet, which, with great glory, but still greater crimes and misfortunes, had governed England for the space of three hundred years. Lord Leonard Grey, a man who had formerly rendered service to the crown, was also beheaded for treason, soon after the Countess of Salisbury. We know little concerning the grounds of his prosecution.

The insurrection in the North engaged Henry to make a progress thither, in order to quiet the minds of his people, to reconcile them to his government, and to abolish the ancient superstitions, to which those parts were much addicted. He had also another motive for this journey: he purposed to have a conference at York with his nephew the King of Scotland, and, if possible, to cement a close and indissoluble union with that kingdom.

The same spirit of religious innovation, which had seized other parts of Europe, had made its way into Scotland, and had begun, before this period, to excite the same jealousies, fears, and persecutions. About the year 1527, Patric Hamilton, a young man of a noble family, having been created abbot of Ferne, was sent abroad for his education; but had fallen into company with some reformers, and he returned into his own country, very ill disposed towards that church, of which his birth and his merit entitled him to attain the highest dignities. The fervour of youth, and his zeal for novelty, made it impossible for him to conceal his sentiments; and Campbell, prior of the Dominicans, who, under colour of friendship and a sympathy in opinion, had insinuated himself into his confidence, accused him before Beaton, Archbishop of St. Andrews. Hamilton was invited to St. Andrews, in order to maintain, with some of the clergy, a dispute concerning the controverted points; and after much reasoning with regard to justification, free will, original sin, and other topics of that nature, the conference ended with their condemning Hamilton to be burned for his errors. The young man, who had been deaf to the insinuations of ambition, was less likely to be shaken with the fears of death; while he proposed to himself both the glory of bearing testimony to the truth, and the immediate reward attending his martyrdom. The people, who compassionated his youth, his virtue, and his noble birth, were much moved at the constancy of his end; and an incident which soon followed still more confirmed them in their favourable sentiments towards him. He had cited Campbell, who still insulted him at the stake, to answer before the judgment-seat of Christ; and as that persecutor, either astonished with these events, or overcome with remorse, or, perhaps, seized casually with a distemper, soon after lost his senses, and fell into a fever, of which he died; the people regarded Hamilton as a prophet as well as a martyr.<sup>c</sup>

Among the disciples converted by Hamilton, was one Friar Forrest, who became a zealous preacher; and who, though he did not openly discover his sentiments, was suspected to lean towards the new opinions. His diocesan, the Bishop of Dunkel, enjoined him, when he met with a good epistle or good gospel, which favoured the liberties of holy church, to preach on it, and let the rest alone. Forrest replied, that he had read both Old and New Testament, and had not found an ill epistle or ill gospel in any part of them. The extreme attachment to the Scriptures was regarded in those days as a sure characteristic of heresy; and Forrest was soon after brought to trial, and condemned to the flames. While the priests were deliberating on the place of his execution, a bystander advised them to burn him in a cellar: for that the smoke of Mr. Patric Hamilton had infected all those on whom it blew.<sup>d</sup>

The clergy were at that time reduced to great diffi-

culties, not only in Scotland, but all over Europe. As the reformers aimed at a total subversion of ancient establishments, which they represented as idolatrous, impious, and detestable; the priests, who found both their honours and properties at stake, thought that they had a right to resist, by every expedient, these dangerous invaders, and that the same simple principles of equity which justified a man in killing a pirate or a robber, would acquit them for the execution of such heretics. A toleration, though it is never acceptable to ecclesiastics, might, they said, be admitted in other cases; but seemed an absurdity where fundamentals were shaken, and where the possessions, and even the existence, of the established clergy were brought in danger. But though the church was thus carried by policy, as well as inclination, to kindle the fires of persecution, they found the success of this remedy very precarious, and observed, that the enthusiastic zeal of the reformers, inflamed by punishment, was apt to prove contagious on the compassionate minds of the spectators. The new doctrine, amidst all the dangers to which it was exposed, secretly spread itself every where; and the minds of men were gradually disposed to a revolution in religion.

But the most dangerous symptom for the clergy in Scotland was, that the nobility, from the example of England, had cast a wishful eye on the church revenues, and hoped, if a reformation took place, to enrich themselves by the plunder of the ecclesiastics. James himself, who was very poor, and was somewhat inclined to magnificence, particularly in building, had been swayed by like motives; and began to threaten the clergy with the same fate that had attended them in the neighbouring country. Henry also never ceased exhorting his nephew to imitate his example; and being moved, both by the pride of making proselytes, and the prospect of security, should Scotland embrace a close union with him, he solicited the King of Scots to meet him at York; and he obtained a promise to that purpose.

The ecclesiastics were alarmed at this resolution of James, and they employed every expedient in order to prevent the execution of it. They represented the danger of innovation; the pernicious consequences of aggrandizing the nobility, already too powerful; the hazard of putting himself into the hands of the English, his hereditary enemies; the dependence on them which must ensue upon his losing the friendship of France, and of all foreign powers. To these considerations, they added the prospect of immediate interest, by which they found the king to be much governed: they offered him a present gratuity of fifty thousand pounds: they promised him that the church should always be ready to contribute to his supply: and they pointed out to him the confiscation of heretics, as the means of filling his exchequer, and of adding a hundred thousand pounds a year to the crown revenues.<sup>e</sup> The insinuations of his new queen, to whom youth, beauty, and address had given a powerful influence over him, seconded all these reasons; and James was at last engaged, first to delay his journey, then to send excuses to the King of England, who had already come to York, in order to be present at the interview.<sup>f</sup>

Henry, vexed with the disappointment, and enraged at the affront, vowed vengeance against his nephew; and he began, by permitting piracies at sea and incursions at land, to put his threats in execution. But he received soon after, in his own family, an affront to which he was much more sensible, and which touched him in a point where he always showed an extreme delicacy. He had thought himself very happy in his new marriage; the agreeable person and disposition of Catherine had entirely captivated his affections; and he made no secret of his devoted attachment to her. He had even publicly, in his chapel, returned solemn thanks to Heaven for the felicity which the conjugal state afforded him; and he directed the Bishop of Lincoln to compose a form of prayer for that purpose. But the queen's dissolute life, <sup>tyranny of the queen's</sup> conduct very little merited this tenderness: she

doctrine, threw them into the fire, in the presence of the person who brought them: adding, it was better he should destroy them than they him. See Equi. Reginald Pole, part. i. p. 172.

<sup>a</sup> Stevenson's Hist. of the Church of Scotland, p. 62. <sup>b</sup> Ibid. p. 65.

<sup>c</sup> Stevenson, ibi. xiv. Discussed in his 2. Preface, and. <sup>d</sup> Henry.

<sup>e</sup> Henry had sent some books, richly ornamented, to his nephew, who

<sup>f</sup> Henry was caused by the tales that they had a tendency to defend the new

one Lascelles brought intelligence of her dissolute life to Crammer; and told him, that his sister, formerly a servant in the family of the old Duchess of Norfolk, with whom Catherine was educated, had given him a particular account of her licentious manners. Derham and Mannoe, both of them servants to the duchess, had been admitted to her bed; and she had even taken little care to conceal her shame from the other servants of the family. The primate, struck with this intelligence, which it was equally dangerous to conceal or to discover, communicated the matter to the Earl of Hertford, and to the chancellor. They agreed that the matter should by no means be buried in silence; and the archbishop himself seemed the most proper to disclose it to the king. Crammer, unwilling to speak on so delicate a subject, wrote a narrative of the whole, and conveyed it to Henry, who was infinitely astonished at the intelligence. So confident was he of the fidelity of his consort, that at first he gave no credit to the information; and he said to the privy-seal, to Lord Russel, high admiral, Sir Anthony Brown, and Wriothesley, that he regarded the whole as a falsehood. Crammer was now in a very perilous situation; and had not full proof been found, certain and inevitable destruction hung over him. The king's impatience, however, and jealousy, prompted him to search the matter to the bottom: the privy-seal was ordered to examine Lascelles, who persisted in the information he had given; and still appealed to his sister's testimony. That nobleman next made a journey under pretence of hunting, and went to Sussex, where the woman at that time resided: he found her both constant in her former intelligence, and particular as to the facts; and the whole bore but too much the face of probability. Mannoe and Derham, who were arrested at the same time, and examined by the chancellor, made the queen's guilt entirely certain by their confession; and discovered other particulars, which redounded still more to her dishonour. Three maids of the family were admitted into her secrets, and some of them had even passed the night in bed with her and the lovers. All the examinations were laid before the king, who was so deeply affected, that he remained a long time speechless, and at last burst into tears. He found to his surprise, that his great skill in distinguishing a true maid, of which he boasted in the case of Anne of Cleves, had failed him in that of his present consort. The queen, being next questioned, denied her guilt; but when informed that a full discovery was made, she confessed that she had been criminal before marriage; and only insisted that she had never been false to the king's bed. But as there was evidence that one Colepepper had passed the night with her alone since her marriage; and as it appeared that she had taken Derham, her old paramour, into her service, she seemed to deserve little credit in this asseveration; and the king, besides, was not of a humour to make any difference between these degrees of guilt.

A.D. 1542. Henry found that he could not by any  
6th Jan. means so fully or expeditiously satiate his vengeance on all these criminals, as by assembling a parliament, the usual instrument of his tyranny. The two Houses, having received the queen's confession, made an address to the king. They entreated him not to be vexed with this untoward accident, to which all men were subject; but to consider the frailty of human nature, and the mutability of human affairs; and from these views to derive a subject of consolation. They desired leave to pass a bill of attainder against the queen and her accomplices; and they begged him to give his assent to this bill, not in person, which would renew his vexation, and might endanger his health, but by commissioners appointed for that purpose. And as there was a law in force, making it treason to speak ill of the queen, as well as of the king, they craved his royal pardon if any of them should, on the present occasion, have transgressed any part of the statute.

Having obtained a gracious answer to these requests, the parliament proceeded to vote a bill of attainder for

treason against the queen, and the Viscountess of Rocheford, who had conducted her secret amours; and in this bill Colepepper and Derham were also comprehended. At the same time they passed a bill of attainder for misprision of treason against the old Duchess of Norfolk, Catherine's grandmother; her uncle Lord William Howard, and his lady, together with the Countess of Bridgewater, and nine persons more; because they knew the queen's vicious course of life before her marriage, and had concealed it. This was an effect of Henry's usual extravagance, to expect that parents should so far forget the ties of natural affection, and the sentiments of shame and decency, as to reveal to him the most secret disorders of their family. He himself seems to have been sensible of the cruelty of this proceeding: for he pardoned the Duchess of Norfolk, and most of the others condemned for misprision of treason.

However, to secure himself for the future, as well as his successors, from this fatal accident, he engaged the parliament to pass a law somewhat extraordinary. It was enacted, That any one who knew, or vehemently suspected, any guilt in the queen, might, within twenty days, disclose it to the king or council, without incurring the penalty of any former law against defaming the queen; but prohibiting every one, at the same time, from spreading the matter abroad, or even privately whispering it to others: it was also enacted, That if the king married any woman who had been incontinent, taking her for a true maid, she should be guilty of treason if she did not previously reveal her guilt to him. The people made merry with this singular clause, and said, that the king must henceforth look out for a widow; for no reputed maid would ever be persuaded to incur the penalty of the statute! After all these laws were passed, the queen was beheaded on Tower-hill, together with Lady Rocheford. They behaved in a manner suitable to their dissolute life: and as Lady Rocheford was known to be the chief instrument in bringing Anne Boleyn to her end, she died untipped; and men were further confirmed, by the discovery of this woman's guilt, in the favourable sentiments which they had entertained of that unfortunate queen.

The king made no demand of any subsidy from this parliament; but he found means of enriching his exchequer from another quarter: he took further steps towards the dissolution of colleges, hospitals, and other foundations of that nature. The courtiers had been practising on the presidents and governors to make a surrender of their revenues to the king; and they had been successful with eight of them. But there was an obstacle to their further progress: it had been, provided, by the local statutes of most of these foundations, that no president, or any number of fellows, could consent to such a deed, without the unanimous vote of all the fellows; and this vote was not easily obtained. All such statutes were annulled by parliament; and the revenues of these houses were now exposed to the rapacity of the king and his favourites.\* The church had been so long their prey, that nobody was surprised at any new inroads made upon her. From the regular, Henry now proceeded to make devastations on the secular, clergy. He extorted from many of the bishops a surrender of chapter lands; and by this device he pillaged the sees of Canterbury, York, and London, and enriched his greedy parasites and flatterers with their spoils.

The clergy have been commonly so Ecclesiastical  
fortunate as to make a concern for their affairs, temporal interests go hand in hand with a jealousy for orthodoxy; and both these passions be regarded by the people, ignorant and superstitious, as proofs of zeal for religion: but the violent and headstrong character of Henry now disjoined these objects. His rapacity was gratified by plundering the church, his bigotry and arrogance by persecuting heretics. Though he engaged the parliament to mitigate the penalties of the Six Articles, so far as regards the marriage of priests, which was now only subjected to

\* Buzot, vol. i. p. 314.

† It was enacted by this parliament, that there should be trial of treason in any county where the king should appoint by commission. The statutes of treason had been extremely multiplied in this reign, and such an experimental search for trouble and charges in trying that crime. The same parliament created Ireland into a kingdom, and Henry henceforth assumed the

title of King of Ireland to his other titles. This session, the Commons first began the practice of trying any of their members who were arrested, by a vote passed by the speaker. Formerly it was usual for them to apply for a writ from Chancery to had custody. This practice increased the authority of the Commons, and had afterwards important consequences. Hollingshead, p. 938, 936. Buzot, p. 312.



a forfeiture of goods, chattels, and lands, during life; he was still equally bent on maintaining a rigid purity in speculative principles. He had appointed a commission, consisting of the two archbishops, and several bishops of both provinces, together with a considerable number of doctors of divinity; and by virtue of his ecclesiastical supremacy, he had given them in charge to choose a religion for his people. Before the commissioners had made any progress in this arduous undertaking, the parliament, in 1541, had passed a law, by which they ratified all the tenets which these divines should thereafter establish with the king's consent; and they were not ashamed of thus expressly declaring that they took their religion upon trust, and had no other rule, in spiritual as well as temporal concerns, than the arbitrary will of their master. There is only one clause of the statute which may seem at first sight to savour somewhat of the spirit of liberty: it was enacted, That the ecclesiastical commissioners should establish nothing repugnant to the laws and statutes of the realm. But in reality this proviso was inserted by the king, to serve his own purposes. By introducing a confusion and contradiction into the laws, he became more master of every one's life and property. And as the ancient independence of the church still gave him jealousy, he was well pleased, under cover of such a clause, to introduce appeals from the spiritual to the civil courts. It was for a like reason that he would never promulgate a body of canon law; and he encouraged the judges on all occasions to interpose in ecclesiastical causes, wherever they thought the law of royal prerogative concerned. A happy innovation; though at first invented for arbitrary purposes!

The king, armed by the authority of parliament, or rather by their acknowledgment of that spiritual supremacy which he believed inherent in him, employed his commissioners to select a system of tenets for the assent and belief of the nation. A small volume was soon after published, called the *Institution of a Christian Man*, which was received by the convocation, and voted to be the standard of orthodoxy. All the delicate points of justification, faith, free-will, good works, and grace, are there defined with a leaning towards the opinion of the reformers: the sacraments, which a few years before were only allowed to be three, were now increased to the number of seven, conformably to the sentiments of the catholics. The king's caprice is discernible throughout the whole; and the book is in reality to be regarded as his composition. For Henry, while he made his opinion a rule for the nation, would tie his own hands by no canon or authority, not even by any which he himself had formerly established.

The people had occasion, soon after, to see a further instance of the king's inconstancy. He was not long satisfied with his *Institution of a Christian Man*; he ordered a new book to be composed, called the *Erudition of a Christian Man*; and without asking the assent of the convocation, he published by his own authority, and that of the parliament, this new model of orthodoxy. It differs from the *Institution*;<sup>1</sup> but the king was no less positive in his new creed than he had been in the old; and he required the belief of the nation to veer about at his signal. In both these compositions he was particularly careful to inculcate the doctrine of passive obedience; and he was equally careful to retain the nation in the practice.

While the king was spreading his own books among the people, he seems to have been extremely perplexed, as were also the clergy, what course to take with the Scriptures. A review had been made by the synod, of the new translation of the Bible; and Gardiner had proposed, that instead of employing English expressions throughout, several Latin words should still be preserved; because they contained, as he pretended, such peculiar energy and significance, that they had no correspondent terms in the vulgar tongue.<sup>2</sup> Among these were, *ecclesia*, *penitentia*, *poenitentia*, *contritus*, *habeant*, *sacramentum*, *elementa*, *ceremonia*, *mysterium*, *presbyter*, *sacrificium*, *humilitas*, *satis-*

*factio*, *peccatum*, *gratia*, *hostia*, *charitas*, &c. But as this mixture would have appeared extremely barbarous, and was plainly calculated for no other purpose than to retain the people in their ancient ignorance, the proposal was rejected. The knowledge of the people, however, at least their disputative turn, seemed to be an inconvenience still more dangerous; and the king and parliament,<sup>3</sup> soon after the publication of the Scriptures, retracted the concession which they had formerly made; and prohibited all but gentlemen and merchants from perusing them.<sup>4</sup> Even that liberty was not granted without an apparent hesitation, and a dread of the consequences: these persons were allowed to read, so it be done quietly and with good order. And the preamble to the act sets forth, "That many seditious and ignorant persons had abused the liberty granted them of reading the Bible, and that great diversity of opinion, animosities, tumults, and schisms, had been occasioned by perverting the sense of the Scriptures." It seemed very difficult to reconcile the king's model for uniformity with the permission of free inquiry.

The mass-book also passed under the king's revival; and little alteration was as yet made in it: some doubtful or fictitious saints only were struck out; and the name of the Pope was erased. This latter precaution was likewise used with regard to every new book that was printed, or even old book that was sold. The word Pope was carefully omitted or blotted out; as if that precaution could abolish the term from the language, or as if such a persecution of it did not rather imprint it more strongly in the memory of the people.

The king took care, about this time, to clear the churches from another abuse which had crept into them. Plays, interludes, and farces, were there often acted in derision of the former superstitions; and the reverence of the multitude for ancient principles and modes of worship, was thereby gradually effaced.<sup>5</sup> We do not hear that the catholics attempted to retaliate, by employing this powerful engine against their adversaries, or endeavoured, by like arts, to expose that fanatical spirit by which, it appears, the reformers were frequently actuated. Perhaps the people were not disposed to relish a jest on that side: perhaps the greater simplicity and the more spiritual abstract worship of the protestants gave less hold to ridicule, which is commonly founded on sensible representations. It was, therefore, a very agreeable concession which the king made to the catholic party, to suppress entirely these religious comedies.

Thus Henry laboured incessantly, by arguments, creeds, and penal statutes, to bring his subjects to a uniformity in their religious sentiments: but as he entered himself, with the greatest earnestness, into all those scholastic disputes, he encouraged the people, by his example, to apply themselves to the study of theology; and it was in vain afterwards to expect, however present fear might restrain their tongues or pens, that they would cordially agree in any set of tenets or opinions prescribed to them.

## CHAP. XXXIII.

War with Scotland—Victory at Solway—Death of James V.—Treaty with Scotland—New Rupture—Rupture with France—A parliament—Affairs of Scotland—A parliament—Campaign in France—A parliament—Peace with France and Scotland—Persecutions—Execution of the Earl of Surrey—Attainder of the Duke of Norfolk—Death of the king. His character—Miscellaneous Transactions.

HENRY, being determined to avenge himself on the King of Scots for slighting the advances which he had made him, would gladly have obtained a supply from parliament, in order to prosecute that enterprise; but as he did not think it prudent to discover his intentions, that assembly, conformably to their frugal maxims, would understand no hints; and the king was disappointed in his expectations. He continued, however, to make preparations for war; and as soon as

A. D. 1542.  
War with  
Scotland.

<sup>1</sup> Composed in 1539.

<sup>2</sup> Printed in 1542.

<sup>3</sup> See the preface to the *Scriptures*, 1542.

<sup>4</sup> See Hen. VIII. c. 1. The printing of the Bible, however, could not be

totally suppressed, much of it being sold, and some copies were kept in the

road. There were but 500 copies printed of this first authorized edition of the Bible, a book of which there are now several millions of copies in the kingdom.

<sup>5</sup> *Parliamentary History*, vol. iii. p. 113.

<sup>6</sup> *Parliamentary History*, vol. iii. p. 113.

he thought himself in a condition to invade Scotland, he published a manifesto, by which he endeavoured to justify his hostilities. He complained of James's breach of word, in declining the promised interview; which was the real ground of the quarrel;<sup>a</sup> but in order to give a more specious colouring to the enterprise, he mentioned other injuries; namely, that his nephew had granted protection to some English rebels and fugitives, and had detained some territory, which Henry pretended belonged to England. He even revived the old claim to the vassalage of Scotland, and he summoned James to do homage to him as his liege lord and superior. He employed the Duke of Norfolk, whom he called the squire of the Scots, to command in the war; and though James sent the Bishop of Aberdeen, and Sir James Learmont of Darsay, to appease his uncle, he would hearken to no terms of accommodation. While Norfolk was assembling his army at Newcastle, Sir Robert Bowes, attended by Sir Ralph Sadler, Sir Ralph Evers, Sir Brian Latoun, and others, made an incursion into Scotland, and advanced towards Jedburgh, with an intention of pillaging and destroying that town. The Earl of Angus, and George Douglas, his brother, who had been many years banished their country, and had subsisted by Henry's bounty, joined the English army in this excursion; and the forces commanded by Bowes exceeded four thousand men. James had not been negligent in his preparations for defence, and had posted a considerable body, under the command of the Earl of Huntley, for the protection of the borders. Lord Hume, at the head of his

vassals, was hastening to join Huntley, when <sup>5th Aug.</sup> he met with the English army; and an action immediately ensued. During the engagement, the forces under Huntley began to appear; and the English, afraid of being surrounded and overpowered, took to flight, and were pursued by the enemy. Evers, Latoun, and some other persons of distinction, were taken prisoners. A few only, of small note, fell in the skirmish.<sup>b</sup>

The Duke of Norfolk, meanwhile, began to move from his camp at Newcastle; and being attended by the Earls of Shrewsbury, Derby, Cumberland, Surrey, Hertford, Rutland, with many others of the nobility, he advanced to the borders. His forces amounted to above twenty thousand men; and it required the utmost efforts of Scotland to resist such a formidable armament. James had assembled his whole military force at Fala and Soutrey, and was ready to advance as soon as he should be informed of Norfolk's invading his kingdom. The English passed the Tweed at Berwick, and marched along the banks of the river as far as Kelso; but hearing that James had collected near thirty thousand men, they repassed the river at that village, and retreated into their own country.<sup>c</sup> The King of Scots, inflamed with a desire of military glory, and of revenge on his invaders, gave the signal for pursuing them, and carrying the war into England. He was surprised to find that his nobility, who were in general disaffected on account of the preference which he had given to the clergy, opposed this resolution, and refused to attend him in his projected enterprise. Enraged at this mutiny, he reproached them with cowardice, and threatened vengeance; but still resolved, with the forces which adhered to him, to make an impression on the enemy. He sent ten thousand men to the western borders, who entered England at Solway frith; and he himself followed them at a small distance, ready to join them upon occasion. Disgusted, however, at the refractory disposition of his nobles, he sent a message to the army, depriving Lord Maxwell, their general, of his commission, and conferring the command on Oliver Sinclair, a private gentleman, who was his favourite. The army was extremely disgusted with this abridgement, and was ready to disband; when a small body of English appeared, not exceeding 500 men, under the command of Daeres and Musgrave. A panic seized the Scots, who immediately took to flight, and were pursued by the enemy.

Few were killed in this rout; for it was a mere slaughter, but a great many were taken prisoners, and some of the principal nobility; among these the Earl of Cassilis, and George Cairn, the Lords Maxwell, Fleming, Sowerby, &c. Of these, Grey, who were all sent to London, and given in custody to different noblemen.

The King of Scots, hearing of this disaster, was astonished; and being naturally of a melancholic disposition, as well as endowed with a high spirit, he lost all command of his temper on this dismal occasion. Rage against his nobility, who, he believed, had betrayed him; shame for a defeat by such unequal numbers; regret for the past, fear of the future; all these passions so wrought up in him, that he would admit of no consolation, but abandoned himself wholly to despair. His body was wasted by sympathy with his anxious mind; and even his life began to be thought in danger. He had no issue living; and hearing that his queen was safely delivered, he asked whether she had brought him a male or a female child? Being told, the latter; he turned himself in his bed: "The crown came with a woman," said he, "and it will go with one: many miseries await this poor kingdom: Henry will make it his own, either by force of arms or by marriage." A few days after, he expired, in <sup>14th Dec.</sup> the flower of his age; a prince of considerable virtues and talents; well fitted, by his <sup>Death of James the Fifth.</sup> vigilance and personal courage, for repressing those disorders to which his kingdom during that age was so much exposed. He executed justice with impartiality and rigour; but as he supported the commonalty and the church against the rapine of the nobility, he escaped not the hatred of that order. The protestants also, whom he opposed, have endeavoured to throw many stains on his memory; but have not been able to fix any considerable imputation upon him.<sup>d</sup>

Henry was no sooner informed of this <sup>A. D. 1543.</sup> victory, and of the death of his nephew, than he projected, as James had foreseen, the scheme of uniting Scotland to his own dominions, by marrying his son, Edward, to the heiress of that kingdom.<sup>e</sup> He called together the Scottish nobles who were his prisoners; and after reproaching them in severe terms for their pretended breach of treaty, he began to soften his tone, and proposed to them this expedient, by which, he hoped, those disorders, so prejudicial to both states, would for the future be prevented. He offered to bestow on them their liberty without ransom; and only required of them engagements to favour the marriage of the Prince of Wales with their young mistress. They were easily prevailed on to give their assent to a proposal which seemed so natural and so advantageous to both kingdoms; and being conducted to Newcastle, they delivered to the Duke of Norfolk hostages for their return, in case the intended nuptials were not completed; and they thence proceeded to Scotland, where they found affairs in some confusion.

The Pope, observing his authority in Scotland to be in danger from the spreading of the new opinions, had bestowed on Beaton, the primate, the dignity of cardinal, in order to confer more influence upon him; and that prelate had long been regarded as prime minister to James, and as the head of that party which defended the ancient privileges and property of the ecclesiastics. Upon the death of his master, this man, apprehensive of the consequences both to his party and to himself, endeavoured to keep possession of power; and, for that purpose, he is accused of executing a deed, which required a high degree of temerity. He forged, it is said, a will for the king, appointing himself, and three noblemen more, regents of the kingdom during the minority of the infant princess;<sup>f</sup> at least, for historians are not well agreed in the circumstances of the fact, he had read to James a paper of that import, to which that monarch, during the delirium which preceded his death, had given an imperfect assent and approbation.<sup>g</sup> By virtue of this will, Beaton had put himself in pos-

<sup>a</sup> Buchanan, lib. 14. Drummond in James the Fifth.

<sup>b</sup> Buchanan, lib. 14.

<sup>c</sup> Ibid.

<sup>d</sup> The present us exercised during James's reign are not to be ascribed to dissimulation, a case of which seems to have been as true as that of the first of the Emperor Charles, both in England, as well as James, allowed, in official pretence their lives, even to be put in the power of others. These liberties to which all these princes were carried, proceeded entirely from the constitution of affairs during that reign, which rendered it impossible

for them to act with greater temper and moderation, after they had undergone the resolution of supplanting the ancient establishments. No intent was the propriety of the times to ward's innovations, but a bare transference of the new plan was equivalent to a thorough discussion of existing for national reform.

<sup>e</sup> See vol. p. 34. Herbert, *Parliament*, 1. c. 25. n.

<sup>f</sup> See vol. p. 161. *See* *Parliament*, 1. c. 25. n.

<sup>g</sup> Buchanan, lib. 14. *See* *Parliament*.

son of the government; and having united his interests with those of the queen-dowager, he obtained the consent of the convention of states, and excluded the pretensions of the Earl of Arran.

James, Earl of Arran, of the name of Hamilton, was next heir to the crown by his grandmother, daughter of James III. and on that account seemed best entitled to possess that high office into which the cardinal had obtruded himself. The prospect also of his succession after a princess, who was in such tender infancy, procured him many partisans; and though his character indicated little spirit, activity, or ambition, a propensity which he had discovered for the new opinions had attached to him all the zealous promoters of those innovations. By means of these adherents, joined to the vassals of his own family, he had been able to make opposition to the cardinal's administration; and the suspicion of Beaton's forgery, with the accession of the noblemen who had been prisoners in England, assisted too by some money sent from London, was able to turn the balance in his favour. The Earl of Angus and his brother, having taken the present opportunity of returning into their native country, opposed the cardinal with all the credit of that powerful family; and the majority of the convention had now embraced opposite interests to those which formerly prevailed. Arran was declared governor; the cardinal was committed to custody under the care of Lord Seton; and a negotiation was commenced with Sir Ralph Sadler, the English ambassador, for the marriage of the infant queen with the

Treaty with Prince of Wales. The following conditions Scotland. were quickly agreed on; that the queen should remain in Scotland till she should be ten years of age; that she should then be sent to England to be educated; that six Scottish noblemen should immediately be delivered as hostages to Henry; and that the kingdom, notwithstanding its union with England, should still retain its laws and privileges.<sup>a</sup> By means of these equitable conditions, the war between the nations, which had threatened Scotland with such dismal calamities, seemed to be fully composed, and to be changed into perpetual concord and amity.

But the cardinal-primate, having prevailed on Seton to restore him to his liberty, was able, by his intrigues, to confound all these measures, which appeared so well concerted. He assembled the most considerable ecclesiastics; and having represented to them the imminent danger to which their revenues and privileges were exposed, he persuaded them to collect privately from the clergy a large sum of money, by which, if intrusted to his management, he engaged to overturn the schemes of their enemies.<sup>b</sup> Besides the partisans whom he acquired by pecuniary motives, he roused up the zeal of those who were attached to the catholic worship; and he represented the union with England as the sure fore-runner of ruin to the church and to the ancient religion. The national antipathy of the Scots to their southern neighbours was also an infallible engine by which the cardinal wrought upon the people; and though the terror of Henry's arms, and their own inability to make resistance, had procured a temporary assent to the alliance and marriage proposed, the settled habits of the nation produced an extreme aversion to those measures. The English ambassador and his retinue received many insults from persons whom the cardinal had instigated to commit those violences, in hopes of bringing on a rupture: but Sadler prudently dissembled the matter; and waited patiently till the day appointed for the delivery of the hostages. He then demanded of the regent the performance of that important article; but received for answer, that his authority was very precarious, that the nation had now taken a different impression, and that it was not in his power to compel any of the nobility to deliver themselves as hostages to the English. Sadler, foreseeing the consequence of this refusal, sent a summons to all those who had been prisoners in England, and required them to fulfil the promise which they had given of returning into custody. None of them showed so much sentiment of honour as to fulfil their engagements, except Gilbert Kennedy, Earl of Cassilis. Henry was so

well pleased with the behaviour of this nobleman, that he not only received him graciously, but honoured him with presents, gave him his liberty, and sent him back to Scotland, with his two brothers, whom he had left as hostages.<sup>c</sup>

This behaviour of the Scottish nobles, <sup>New rupture.</sup> though it reflected dishonour on the nation, was not disagreeable to the cardinal, who foresaw that all these persons would now be deeply interested to maintain their enmity and opposition to England. And as a war was soon expected with that kingdom, he found it necessary immediately to apply to France, and to crave the assistance of that ancient ally, during the present distresses of the Scottish nation. Though the French king was fully sensible of his interest in supporting Scotland, a demand of aid could not have been made on him at a more unreasonable juncture. His pretensions on the Milanese, and his resentment against Charles, had engaged him in a war with that potentate; and having made great though fruitless efforts during the preceding campaign, he was the more disabled at present from defending his own dominions, much more from granting any succour to the Scots. Matthew Stuart, Earl of Lenox, a young nobleman of a great family, was at that time in the French court; and Francis being informed that he was engaged in ancient and hereditary enmity with the Hamiltons, who had murdered his father, sent him over to his native country, as a support to the cardinal and the queen-mother: and he promised that a supply of money, and, if necessary, even military succours, should soon be despatched after him. Arran, the governor, seeing all these preparations against him, assembled his friends, and made an attempt to get the person of the infant queen into his custody; but being repulsed, he was obliged to come to an accommodation with his enemies, and to intrust that precious charge to four neutral persons, the heads of potent families, the Grahams, Arskines, Lindseyes, and Livingstones. The arrival of Lenox, in the midst of these transactions, served to render the victory of the French party over the English still more indisputable.<sup>d</sup>

The opposition which Henry met with in <sup>Rupture with Scotland, from the French intrigues, excited France.</sup> Scotland, from the French intrigues, excited his resentment, and further confirmed the resolution which he had already taken, of breaking with France, and of uniting his arms with those of the emperor. He had other grounds of complaints against the French king, which, though not of great importance, yet being recent, were able to overbalance those great injuries which he had formerly received from Charles. He pretended that Francis had engaged to imitate his example, in separating himself entirely from the see of Rome, and that he had broken his promise in that particular. He was dissatisfied that James, his nephew, had been allowed to marry, first, Magdalene of France, then a princess of the house of Guise; and he considered these alliances as pledges, which Francis gave, of his intentions to support the Scots against the power of England.<sup>e</sup> He had been informed of some raileries which the French king had thrown out against his conduct with regard to his wives. He was disgusted that Francis, after so many obligations which he owed him, had sacrificed him to the emperor; and in the confidence of friendship, had rashly revealed his secrets to that subtle and interested monarch. And he complained, that regular payments were never made of the sums due to him by France, and of the pension which had been stipulated. Impelled by all these motives, he alienated himself from his ancient friend and confederate, and formed a league with the emperor, who earnestly courted his alliance. This league, besides stipulations in mutual defence, contained a plan for invading France; and the two monarchs agreed to enter Francis's dominions with an army, each of twenty-five thousand men; and to require that prince to pay Henry all the sums which he owed him, and to consign Boulogne, Montreuil, Terouenne, and Ardres, as a security for the regular payment of his pension for the future: in case these conditions were rejected, the confederate princes agreed to challenge for Henry the crown of France, or, in default of it, the duchies of Normandy, Aquitaine, and

<sup>a</sup> Preface, pp. 15. <sup>b</sup> *Tramontano*.  
<sup>c</sup> *Lea* *Paradoxe*.

<sup>d</sup> *Tramontano*, pp. 15. <sup>e</sup> *Lea*,  
*Paradoxe*, pp. 15.



Guenee; for Charles, the duchy of Burgundy, and some other territories.<sup>a</sup> That they might have a pretence for enforcing these claims, they sent a message to Francis, requiring him to renounce his alliance with Sultan Solymán, and to make reparation for all the prejudice which Christendom had sustained from that unnatural confederacy. Upon the French king's refusal, war was declared against him by the allies. It may be proper to remark, that the partisans of France objected to Charles his alliance with the heretical King of England, as no less obnoxious than that which Francis had contracted with Solymán; and they observed, that this league was a breach of the solemn promise which he had given to Clement VII. never to make peace or alliance with England.

While the treaty with the emperor was negotiating, the king summoned a new session of parliament, in order to obtain supplies for his projected war with France. The parliament granted him a subsidy, to be paid in three years: it was levied in a peculiar manner; but exceeded not three shillings in the pound upon any individual.<sup>b</sup> The convocation gave the king six shillings in the pound, to be levied in three years. Greater sums were always, even during the establishment of the catholic religion, exacted from the clergy than from the laity: which made the emperor Charles say, when Henry dissolved the monasteries, and sold their revenues, or bestowed them on his nobility and courtiers, that he had killed the hen which brought him the golden eggs.<sup>c</sup>

The parliament also facilitated the execution of the former law, by which the king's proclamations were made equal to statutes: they appointed that any nine counsellors should form a legal court for punishing all disobedience to proclamations. The total abolition of juries in criminal causes, as well as of all parliaments, seemed, if the king had so pleased, the necessary consequence of this enormous law. He might issue a proclamation, enjoining the execution of any penal statute, and afterwards try the criminals, not for breach of the statute, but for disobedience to his proclamation. It is remarkable, that Lord Mountjoy entered a protest against this law; and it is equally remarkable, that that protest is the only one entered against any public bill during this whole reign.<sup>d</sup>

It was enacted<sup>e</sup> this session, That any spiritual person who preached or taught contrary to the doctrine contained in the king's book, the *Erudition of a Christian Man*, or contrary to any doctrine which he should thereafter promulgate, was to be admitted on the first conviction to renounce his error; on the second, he was required to carry a faggot; which if he refused to do, or fell into a third offence, he was to be burnt. But the laity, for the third offence, were only to forfeit their goods and chattels, and be liable to perpetual imprisonment. Indictments must be laid within a year after the offence, and the prisoner was allowed to bring witnesses for his exculpation. These penalties were lighter than those which were formerly imposed on a denial of the real presence: it was, however, subjoined in this statute, that the act of the Six Articles was still in force. But in order to make the king more entirely master of his people, it was enacted, That he might hereafter, at his pleasure, change this act, or any provision in it. By this clause, both parties were retained in subjection: so far as regarded religion, the king was invested, in the fullest manner, with the sole legislative authority in his kingdom: and all his subjects were, under the severest penalties, expressly bound to receive implicitly whatever doctrine he should please to recommend to them.

12th July. The reformers began to entertain hopes that this great power of the crown might still be employed in their favour. The king married Catherine Par, widow of Nevil, Lord Latimer; a woman of virtue, and somewhat inclined to the new doctrine. By this marriage, Henry confirmed what had formerly been foretold in jest, that he would be obliged to espouse a widow. The king's league with the emperor seemed

a circumstance no less favourable to the catholic party, and thus matters remained still nearly balanced between the factions.

The advantages gained by this powerful confederacy between Henry and Charles were inconsiderable during the present year. The campaign was opened with a victory gained by the Duke of Cleves, Francis's ally, over the forces of the emperor;<sup>f</sup> Francis in person took the field early, and made himself master, without resistance, of the whole duchy of Luxembourg: he afterwards took Landrecy, and added some fortifications to it. Charles, having at last assembled a powerful army, appeared in the Low Countries; and after taking almost every fortress in the duchy of Cleves, he reduced the duke to accept of the terms which he was pleased to prescribe to him. Being then joined by a body of six thousand English, he sat down before Landrecy, and covered the siege with an army of above forty thousand men. Francis advanced at the head of an army not much inferior; as if he intended to give the emperor battle, or oblige him to raise the siege; but while these two rival monarchs were facing each other, and all men were in expectation of some great event, the French king found means of throwing succour into Landrecy; and having thus effected his purpose, he skillfully made a retreat. Charles, finding the season far advanced, despaired of success in his enterprise, and found it necessary to go into winter quarters.

The vanity of Henry was flattered by the Affairs of Scotland, which he made in the great transaction. Arran, the governor, was of so indolent and unambitious a character, that had he not been stimulated by his friends and dependants, he never had aspired to any share in the administration; and when he found himself overpowered by the party of the queen-dowager, the cardinal, and the Earl of Lenox, he was glad to accept of any terms of accommodation, however dishonourable. He even gave them a sure pledge of his sincerity, by renouncing the principles of the reformers, and reconciling himself to the Romish communion in the Franciscan church at Stirling. By this weakness and levity he lost his credit with the whole nation, and rendered the protestants, who were hitherto the chief support of his power, his mortal enemies. The cardinal acquired an entire ascendant in the kingdom: the queen-dowager placed implicit confidence in him: the governor was obliged to yield to him in every pretension: Lenox alone was become an obstacle to his measures, and reduced him to some difficulty.

The inveterate enmity which had taken place between the families of Lenox and Arran, made the interests of these two noblemen entirely incompatible; and as the cardinal and the French party, in order to engage Lenox the more in their cause, had flattered him with the hope of succeeding to the crown after their infant sovereign, this rivalry had tended still further to rouse the animosity of the Hamiltons. Lenox too had been encouraged to aspire to the marriage of the queen-dowager, which would have given him some pretension to the regency; and as he was become assuming on account of the services which he had rendered the party, the cardinal found, that since he must choose between the friendship of Lenox and that of Arran, the latter nobleman, who was more easily governed, and who was invested with present authority, was in every respect preferable. Lenox, finding that he was not likely to succeed in his pretensions to the queen-dowager; and that Arran, favoured by the cardinal, had acquired the ascendancy, retired to Dunbarton, the governor of which was entirely at his devotion: he entered into a secret correspondence with the English court; and he summoned his vassals and partisans to attend him. All those who were inclined to the protestant religion, or were on any account discontented with the cardinal's administration, now regarded Lenox as the head of their party; and they readily made him a tender of

<sup>a</sup> Rymer, vol. xiv. p. 768. vol. xv. p. 2.

<sup>b</sup> They who were worth in goods twenty shillings and upwards to five pounds, paid but one penny of every pound. From five pounds to ten pounds, two shillings. From ten pounds to twenty pounds, three shillings. From twenty and upwards, four shillings. Lands, tithes, and annuities, from

twenty shillings to five pounds, paid eight pence in the pound. From five pounds to ten pounds, sixteen pence. From ten pounds to twenty pounds, two shillings. From twenty pounds and upwards, three shillings.

<sup>c</sup> Fuller, vol. ii. p. 176.

<sup>d</sup> Rapin, vol. i. p. 176.

<sup>e</sup> 34 and 35 Hen. VIII. c. 1.

<sup>f</sup> Memoires du Bellay, lib. 1.

their services. In a little time he had collected an army of ten thousand men, and he threatened his enemies with immediate destruction. The cardinal had no equal force to oppose to him; but as he was a prudent man, he foresaw that Lenox could not long subsist so great an army, and he endeavoured to gain time by opening a negotiation with him. He seduced his followers by various artifices; he prevailed on the Douglasses to change party; he represented to the whole nation the danger of civil wars and commotions; and Lenox, observing the unequal contest in which he was engaged, was at last obliged to lay down his arms, and to accept of an accommodation with the governor and the cardinal. Present peace was restored; but no confidence took place between the parties. Lenox, fortifying his castles, and putting himself in a posture of defence, waited the arrival of English succours, from whose assistance alone he expected to obtain the superiority over his enemies.

While the winter season restrained Henry from military operations, he summoned a parliament, new parliament; in which a law was passed, such as he was pleased to dictate, with regard to the succession of the crown. After declaring that the Prince of Wales, or any of the king's male issue, were first and immediate heirs to the crown, the parliament restored the two princesses, Mary and Elizabeth, to their right of succession. This seemed a reasonable piece of justice, and corrected what the king's former violence had thrown into confusion; but it was impossible for Henry to do any thing, how laudable soever, without betraying, in some circumstance, his usual extravagance and caprice. Though he opened the way for these two princesses to mount the throne, he would not allow the acts to be reversed which had declared them illegitimate; he made the parliament confer on him a power of still excluding them, if they refused to submit to any conditions which he should be pleased to impose; and he required them to enact, that, in default of his own issue, he might dispose of the crown as he pleased, by will or letters patent. He did not probably foresee, that, in proportion as he degraded the parliament, by rendering it the passive instrument of his variable and violent inclinations, he taught the people to regard all his acts as invalid, and thereby defeated even the purposes which he was bent to attain.

An act passed, declaring that the king's usual style should be, "King of England, France, and Ireland, defender of the faith, and on earth the supreme head of the church of England and Ireland." It seemed a palpable inconsistency to retain the title of defender of the faith, which the court of Rome had conferred on him, for maintaining its cause against Luther; and yet subjoin his ecclesiastical supremacy in opposition to the claims of that court.

An act also passed for the remission of the debt which the king had lately contracted by a general loan, levied upon the people. It will easily be believed, that after the former act of this kind, the loan was not entirely voluntary.<sup>1</sup> But there was a peculiar circumstance attending the present statute, which none but Henry would have thought of; namely, that those who had already gotten payment, either in whole or in part, should refund the money to the exchequer.

The oaths which Henry imposed for the security of his ecclesiastical model, were not more reasonable than his other measures. All his subjects of any distinction had already been obliged to renounce the Pope's supremacy; but as the clauses to which they swore had not been deemed entirely satisfactory, another oath was imposed; and it was added, that all those who had taken the former oaths should be understood to have taken the new one.<sup>2</sup> A strange supposition! to represent men as bound by an oath which they had never taken.

The most commendable law to which the parliament gave their sanction, was that by which they mitigated the law of the Six Articles, and enacted, that no person should be put to his trial upon an accusation concerning any of the offences comprised in that sanguinary statute, except on the oath of twelve persons, before commissioners authorized for the purpose; and that no person should be

arrested or committed to ward for any such offence before he was indicted. Any preacher accused of speaking in his sermon contrary to these articles, must be indicted within forty days.

The king always experienced the limits of his authority whenever he demanded subsidies, however moderate, from the parliament; and therefore, not to hazard a refusal, he made no mention this session of a supply: but as his wars both in France and Scotland, as well as his usual prodigality, had involved him in great expense, he had recourse to other methods of filling his exchequer. Notwithstanding the former abolition of his debts, he yet required new loans from his subjects; and he enhanced gold from forty-five shillings to forty-eight an ounce; and silver from three shillings and nine-pence to four shillings. His pretence for this innovation was to prevent the money from being exported; as if that expedient could anywise serve the purpose. He even coined some base money, and ordered it to be current by proclamation. He named commissioners for levying a benevolence, and he extorted about seventy thousand pounds by this expedient. Read, alderman of London,<sup>3</sup> a man somewhat advanced in years having refused to contribute, or not coming up to the expectations of the commissioners, was enrolled as a foot soldier in the Scottish wars, and was there taken prisoner. Roach, who had been equally refractory, was thrown into prison, and obtained not his liberty, but by paying a large composition.<sup>4</sup> These powers of the prerogative, (which at that time passed unquestioned,) the compelling of any man to serve in any office, and the imprisoning of any man during pleasure, not to mention the practice of extorting loans, rendered the sovereign in a manner absolute master of the person and property of every individual.

Early this year the king sent a fleet and an army to invade Scotland. The fleet consisted of near two hundred vessels, and carried on board ten thousand men. Dudley, Lord Lisle, commanded the sea forces; the Earl of Hertford the land. The troops were disembarked near Leith; and after dispersing a small body which opposed them, they took that town without resistance, and then marched to Edinburgh. The gates were soon beaten down, (for little or no resistance was made,) and the English first pillaged and then set fire to the city. The regent and cardinal were not prepared to oppose so great a force, and they fled to Stirling. Hertford marched eastward; and being joined by a new body under Evers, warden of the east marches, he laid waste the whole country, burned and destroyed Haddington and Dunbar, then retreated into England; having lost only forty men in the whole expedition. The Earl of Arran collected some forces; but finding that the English were already departed, he turned them against Lenox, who was justly suspected of a correspondence with the enemy. That nobleman, after making some resistance, was obliged to fly into England, where Henry settled a pension on him, and even gave him his niece, Lady Margaret Douglas, in marriage. In return, Lenox stipulated conditions, by which, had he been able to execute them, he must have reduced his country to total servitude.<sup>5</sup>

Henry's policy was blamed in this sudden and violent incursion; by which he inflamed the passions of the Scots, without subduing their spirit; and it was commonly said, that he did too much, if he intended to solicit an alliance, and too little, if he meant a conquest.<sup>6</sup> But the reason of his recalling the troops so soon was, his eagerness to carry on a projected enterprise against France, in which he intended to employ the whole force of his kingdom. He had concerted a plan with the emperor, which threatened the total ruin of that monarchy, and must, as a necessary consequence, have involved the ruin of England. These two princes had agreed to invade France with forces amounting to above a hundred thousand men: Henry engaged to set out from Calais; Charles from the Low Countries: they were to enter on no siege; but leaving all the frontier towns behind them, to march directly to Paris, where they were to join their forces, and thence to proceed to the entire conquest of the kingdom. Francis could not oppose to these formidable preparations much above forty thousand men.

<sup>1</sup> Henry VIII. c. 10.  
<sup>2</sup> 1543. Statute, c. 26. <sup>3</sup> Hearne, i. 202.

<sup>4</sup> Gough's Annals, Stroud, p. 366.  
<sup>5</sup> Henry VIII. c. 27. 28.

<sup>6</sup> Hearne, i. 202.

Henry, having appointed the queen, regent, during his absence, passed over to Calais with thirty thousand men, accompanied by the Dukes of Norfolk and Suffolk, Fitzalan Earl of Arundel, Vere, Earl of Oxford, the Earl of Surrey, Paulet, Lord St. John, Lord Ferrers of Chartes, Lord Mountjoy, Lord Grey of Wilton, Sir Anthony Brown, Sir Francis Bryan, and the most flourishing nobility and gentry of his kingdom. The English army was soon joined by the Count de Buren, admiral of Flanders, with ten thousand foot and four thousand horse; and the whole composed an army which nothing on that frontier was able to resist. The chief force of the French armies was drawn to the side of Champagne, in order to oppose the Imperialists.

The emperor, with an army of near sixty thousand men, had taken the field much earlier than Henry; and not to lose time, while he waited for the arrival of his confederate, he set down before Luxembourg, which was surrendered to him: he thence proceeded to Commercy on the Meuse, which he took: Ligny met with the same fate: he next laid siege to St. Disier on the Marne, which, though a weak place, made a brave resistance under the Count of Sancerre, the governor, and the siege was protracted beyond expectation.

The emperor was employed before this town at the time the English forces were assembled in Picardy. Henry, either tempted by the defenceless condition of the French frontier, or thinking that the emperor had first broken his engagement by forming sieges, or, perhaps, foreseeing at last the dangerous consequences of entirely subduing the French power, instead of marching forward to Paris, sat down before Montreuil and Boulogne. The Duke of Norfolk commanded the army before Montreuil: the king himself that before Boulogne. Vervin was governor of the latter place, and under him Philip Corse, a brave old soldier, who encouraged the garrison to defend themselves to the last extremity against the English. He

14th Sept. was killed during the course of the siege, and the town was immediately surrendered to Henry, by the cowardice of Vervin; who was afterwards beheaded for this dishonourable capitulation.

During the course of this siege Charles had taken St. Disier, and finding the season much advanced, he began to hearken to a treaty of peace with France, since all his schemes for subduing that kingdom were likely to prove abortive. In order to have a pretence for deserting his ally, he sent a messenger to the English camp, requiring Henry immediately to fulfil his engagements, and to meet him with his army before Paris. Henry replied, that he was too far engaged in the siege of Boulogne to raise it with honour, and that the emperor himself had first broken the concert, by besieging St. Disier. This answer served

Charles as a sufficient reason for concluding a peace with Francis, at Crepy, where no mention was made of England. He stipulated to give Flanders as a dowry to his daughter, whom he agreed to marry to the Duke of Orleans, Francis's second son; and Francis, in return, withdrew his troops from Piedmont and Savoy, and renounced all claim to Milan, Naples, and other territories in Italy. This peace, so advantageous to Francis, was procured, partly by the decisive victory obtained in the beginning of the campaign, by the Count of Anguyen, over the Imperialists, at Cerisolles, in Piedmont, partly by the emperor's great desire to turn his arms against the protestant princes in Germany. Charles ordered his troops to separate from the English in Picardy; and Henry, finding himself obliged to raise the siege of Montreuil, returned it to England. This campaign served to the populace as matter of great triumph; but all men of sense concluded that the king had, as in all his former military enterprises, made, at a great expense, an acquisition which was of no importance.

The war with Scotland, meanwhile, was conducted feebly, and with various success. Sir Ralph Evers, now Lord Evers, and Sir Bryan Latoun, made an inroad into that kingdom; and having laid waste the counties of Tiviotdale and the Merse, they proceeded to the abbey of

Coldingham, which they took possession of and fortified. The governor assembled an army of eight thousand men, in order to dislodge them from this post; but he had no sooner opened his batteries before the place, than a sudden panic seized him; he left the army, and fled to Dunbar. He complained of the mutiny of his troops, and pretended apprehensions lest they should deliver him into the hands of the English; but his own unwearied spirit was generally believed to have been the motive of this dishonourable flight. The Scottish army, upon the departure of their general, fell into confusion; and had not Angus, with a few of his retainers, brought off the cannon, and protected their rear, the English might have gained great advantages over them. Evers, elated with this success, boasted to Henry that he had conquered all Scotland to the Forth; and he claimed a reward for this important service. The Duke of Norfolk, who knew with what difficulty such acquisitions would be maintained against a warlike enemy, advised the king to grant him, as his reward, the conquests of which he boasted so highly. The next inroad made by the English showed

A. D. 1545. the vanity of Evers's hopes. This general led about five thousand men into Tiviotdale, and was employed in ravaging that country, when intelligence was brought him, that some Scottish forces appeared near the abbey of Melross. Angus had roused the governor to more activity; and a proclamation being issued for assembling the troops of the neighbouring counties, a considerable body had repaired thither to oppose the enemy. Norman Lesly, son of the Earl of Rothes, had also joined the army, with some volunteers from Fife; and he inspired courage into the whole, as well by this accession of force, as by his personal bravery and intrepidity. In order to bring their troops to the necessity of a steady defence, the Scottish leaders ordered all their cavalry to dismount; and they resolved to wait, on some high grounds near Auncram, the assault of the English. The English, whose past successes had taught them too much to despise the enemy, thought, when they saw the Scottish horses led off the field, that the whole army was retiring; and they hastened to attack them. The Scots received them in good order; and being favoured by the advantage of the ground, as well as by the surprise of the English, who expected no resistance, they soon put them to flight, and pursued them with considerable slaughter. Evers and Latoun were both killed, and above a thousand men were made prisoners. In order to support the Scots in this war, Francis, some time after, sent over a body of auxiliaries, to the number of three thousand five hundred men, under the command of Montgomery, Lord of Lorges.<sup>a</sup> Reinforced by these succours, the governor assembled an army of fifteen thousand men at Haddington, and marched thence to ravage the east borders of England. He laid all waste wherever he came; and having met with no considerable resistance, he retired into his own country, and disbanded his army. The Earl of Hereford, in revenge, committed ravages on the middle and west marches; and the war on both sides was signalized rather by the ills inflicted on the enemy, than by any considerable advantage gained by either party.

The war, likewise, between France and England, was not distinguished this year by any memorable event. Francis had equipped a fleet of above two hundred sail, besides galleys; and having embarked some land-forces on board, he sent them to make a descent in England.<sup>b</sup> They sailed to the Isle of Wight, where they found the English fleet lying at anchor in St. Helen's. It consisted not of above a hundred sail; and the admiral thought it most advisable to remain in that road, in hopes of drawing the French into the narrow channels and the rocks, which were unknown to them. The two fleets cannonaded each other for two days; and except the sinking of the Mary Rose, one of the largest ships of the English fleet, the damage on both sides was inconsiderable.

Francis's chief intention in equipping so great a fleet was, to prevent the English from throwing succours into Boulogne, which he resolved to besiege; and for that purpose, he ordered a fort to be built, by which he intended

<sup>a</sup> Buchanan, vol. 15. Precedent.

<sup>b</sup> Beloeux. Memoires du Peuple.



to block up the harbour. After a considerable loss of time and money, the fort was found so ill constructed, that he was obliged to abandon it; and though he had assembled on that frontier an army of near forty thousand men, he was not able to effect any considerable enterprise. Henry, in order to defend his possessions in France, had levied fourteen thousand Germans: who, having marched to Fleurines, in the bishopric of Liege, found that they could advance no further. The emperor would not allow them a passage through his dominions: they received intelligence of a superior army on the side of France ready to intercept them: want of occupation and of pay soon produced a mutiny among them: and having seized the English commissaries, as a security for arrears, they retreated into their own country. There appears to have been some want of foresight in this expensive armament.

<sup>1541 Nov.</sup> The great expense of these two wars, a parliament, maintained by Henry, obliged him to summon a new parliament. The Commons granted him a subsidy, payable in two years, of two shillings a pound on land: the spirituality voted him six shillings a pound. But the parliament, apprehensive lest more demands should be made upon them, endeavoured to save themselves by a very extraordinary liberality of other people's property: by one vote they bestowed on the king all the revenues of the universities, as well as of the chantries, free chapels,<sup>a</sup> and hospitals. Henry was pleased with this concession, as it increased his power; but he had no intention to rob learning of all her endowments; and he soon took care to inform the universities that he meant not to touch their revenues. Thus these ancient and celebrated establishments owe their existence to the generosity of the king, not to the protection of this servile and prostitute parliament.

The prostitute spirit of the parliament further appeared in the preamble of a statute,<sup>b</sup> in which they recognise the king to have always been, by the word of God, supreme head of the church of England; and acknowledged that archbishops, bishops, and other ecclesiastical persons, have no manner of jurisdiction but by his royal mandate: to him alone, say they, and such persons as he shall appoint, full power and authority is given from above to hear and determine all manner of causes ecclesiastical, and to correct all manner of heresies, errors, vices, and sins whatsoever. No mention is here made of the concurrence of a convocation, or even of a parliament. His proclamations are, in effect, acknowledged to have, not only the force of law, but the authority of revelation; and by his royal power he might regulate the actions of men, control their words, and even direct their inward sentiments and opinions.

<sup>24th Dec.</sup> The king made, in person, a speech to the parliament on proroguing them; in which, after thanking them for their loving attachment to him, which, he said, equalled what was ever paid by their ancestors to any king of England, he complained of their dissensions, disputes, and animosities in religion. He told them, that the several pulpits were become a kind of batteries against each other; and that one preacher called another heretic and anabaptist, which was retaliated by the opprobrious appellations of papist and hypocrite: that he had permitted his people the use of the Scriptures, not in order to furnish them with materials for disputing and railing, but that he might enable them to inform their consciences, and instruct their children and families: that it grieved his heart to find how that precious jewel was prostituted, by being introduced into the conversation of every alehouse and tavern, and employed as a pretence for decrying the spiritual and legal pastors: and that he was sorry to observe that the word of God, while it was the object of so much anxious speculation, had very little influence on their practice; and, that though an imaginary knowledge so much abounded, charity was daily going to decay.<sup>c</sup> The king gave good advice; but his own example, by encouraging speculation and dispute, was ill fitted to pro-

mote that peaceable submission of opinion which he recommended.

Henry employed in military preparations the money granted by parliament; and he sent over the Earl of Hertford, and Lord Lisle, the admiral, to Calais, with a body of nine thousand men, two-thirds of which consisted of foreigners. Some skirmishes of small moment ensued with the French; and no hopes of any considerable progress could be entertained by either party. Henry, whose animosity against Francis was this violent, had given sufficient vent to his humour by this short war; and finding that from his great increase in corpulence and decay in strength, he could not hope for much longer life, he was desirous of ending a quarrel which might prove dangerous to his kingdom during a minority. Francis likewise, on his part, was not averse to peace with England; because, having lately lost his son, the Duke of Orleans, he revived his ancient claim upon Milan, and foresaw that hostilities must soon, on that account, break out between him and the emperor. Commissioners, therefore, having met at Campe, a small place between Ardres and Guisnes, the articles were soon agreed on, and the peace signed by them. The chief conditions were, that Henry should retain Boulogne during eight years, or till the former debt due by Francis should be paid. This debt was settled at two millions of livres, besides a claim of 500,000 livres, which was afterwards to be adjusted. Francis took care to comprehend Scotland in the treaty. Thus all that Henry obtained by a war which cost him above one million three hundred and forty thousand pounds sterling,<sup>d</sup> was a bad and a chargeable security for a debt, which was not a third of the value.

The king, now freed from all foreign wars, had leisure to give his attention to domestic affairs; particularly to the establishment of uniformity in opinion, on which he was so intent. Though he allowed an English translation of the Bible, he had hitherto been very careful to keep the mass in Latin; but he was at last prevailed on to permit that the litany, a considerable part of the service, should be celebrated in the vulgar tongue; and, by this innovation, he excited anew the hopes of the reformers, who had been somewhat discouraged by the severe law of the Six Articles. One petition of the new litany was a prayer to save us from the tyranny of the Bishop of Rome, and from all his detestable enormities. Crammer employed his credit to draw Henry into further innovations; and he took advantage of Gardiner's absence, who was sent on an embassy to the emperor: but Gardiner having written to the king, that if he carried his opposition against the catholic religion to greater extremities, Charles threatened to break off all commerce with him, the success of Crammer's projects was for some time retarded. Crammer lost this year the most sincere and powerful friend that he possessed at court, Charles Brandon, Duke of Suffolk; the Queen-dowager of France, consort to Suffolk, had died some years before. This nobleman is one instance that Henry was not altogether incapable of a cordial and steady friendship; and Suffolk seems to have been worthy of the favour which, from his earliest youth, he had enjoyed with his master. The king was sitting in council when informed of Suffolk's death; and he took the opportunity both to express his own sorrow for the loss, and to celebrate the merits of the deceased. He declared, that during the whole course of their friendship, his brother-in-law had never made one attempt to injure an adversary, and had never whispered a word to the disadvantage of any person. "Is there any of you, my Lords, who can say as much?" When the king subjoined these words, he looked round in all their faces, and saw that confusion which the consciousness of secret guilt naturally threw upon them.<sup>e</sup>

Crammer himself, when bereaved of this support, was the more exposed to those cabals of the courtiers, which the opposition in party and religion, joined to the usual

<sup>a</sup> Those who possessed lands or money above five pounds, and below ten, were to pay eight pence a pound. Those above ten pounds, a shilling. <sup>b</sup> A statute gave a little church, chapel, or parsonage after in some cathedral church, &c. endowed with lands, or other revenues, for the maintenance of one or more priests, daily to say mass, or perform divine service for the use of the benefactors, or such others as they appointed. See

purpose as the last. Jacob's Law Dict. <sup>c</sup> 2 Hen. VIII. c. 17. <sup>d</sup> Hall, fol. 261. Heibert, p. 534. <sup>e</sup> Heibert. Stowe. <sup>f</sup> Gual's Inst. ap. 99.

motives of interest, rendered so frequent among Henry's ministers and counsellors. The catholics took hold of the king by his passion for orthodoxy; and they represented to him, that if his laudable zeal for enforcing the truth met with no better success, it was altogether owing to the primate, whose example and encouragement were, in reality, the secret supports of heresy. Henry, seeing the point at which they aimed, feigned a compliance, and desired the council to make inquiry into Cranmer's conduct; promising that, if he were found guilty, he should be committed to prison, and brought to condign punishment. Every body now considered the primate as lost; and his old friends, from interested views, as well as the opposite party from animosity, began to show him marks of neglect and disregard. He was obliged to stand several hours among the lacqueys at the door of the council-chamber before he could be admitted; and when he was at last called in, he was told, that they had determined to send him to the Tower. Cranmer said, that he appealed to the king himself; and finding his appeal disregarded, he produced a ring, which Henry had given him as a pledge of favour and protection. The council were confounded; and when they came before the king, he reproved them in the severest terms; and told them that he was well acquainted with Cranmer's merit, as well as with their malignity and envy: but he was determined to crush all their cabals, and to teach them, by the severest discipline, since gentle methods were ineffectual, a more dutiful concurrence in promoting his service. Norfolk, who was Cranmer's capital enemy, apologized for their conduct, and said, that their only intention was to set the primate's innocence in a full light, by bringing him to an open trial; and Henry obliged them all to embrace him as a sign of their cordial reconciliation. The mild temper of Cranmer rendered this agreement more sincere on his part, than is usual in such forced compliances.<sup>1</sup>

But though Henry's favour for Cranmer rendered fruitless all accusations against him, his pride and peevishness, irritated by his declining state of health, impelled him to punish with fresh severity all others who presumed to entertain a different opinion from himself, particularly in the capital point of the real presence. Anne Ascue, a young woman of merit as well as beauty,<sup>2</sup> who had great connexions with the chief ladies at court, and with the queen herself, was accused of dogmatizing on that delicate article; and Henry, instead of showing indulgence to the weakness of her sex and age, was but the more provoked that a woman should dare to oppose his theological sentiments. She was prevailed on by Bonner's menaces to make a seeming recantation; but she qualified it with some reserves, which did not satisfy that zealous prelate. She was thrown into prison, and she there employed herself in composing prayers and discourses, by which she fortified her resolution to endure the utmost extremity rather than relinquish her religious principles. She even wrote to the king, and told him, that, as to the Lord's supper, she believed as much as Christ himself had said of it, and as much of his divine doctrine as the catholic church had required: but while she could not be brought to acknowledge an assent to the king's explications, this declaration availed her nothing, and was rather regarded as a fresh insult. The chancellor, Wriothesley, who had succeeded Audley, and who was much attached to the catholic party, was sent to examine her with regard to her patrons at court, and the great ladies who were in correspondence with her: but she maintained a laudable fidelity to her friends, and would confess nothing. She was put to the torture, in the most barbarous manner, and continued still resolute in preserving secrecy. Some authors<sup>3</sup> add an extraordinary circumstance: that the chancellor, who stood by, ordered the lieutenant of the Tower to stretch the rack still further; but that officer refused compliance: the chancellor menaced him; but met with a new refusal: upon which that magistrate, who was otherwise a person of merit, but intoxicated with religious zeal, put his own hand to the rack, and drew it so violently that he almost tore her

body asunder. Her constancy still surprised the barbarity of her persecutors, and they found all their efforts to be baffled. She was then condemned to be burned alive; and being so dislocated by the rack that she could not stand, she was carried to the stake on a chair. Together with her were conducted Nicholas Belenian, a priest, John Lassels, of the king's household, and John Adams, a tailor, who had been condemned for the same crime to the same punishment. They were all tied to the stake; and, in that dreadful situation, the chancellor sent to inform them that their pardon was ready drawn and signed, and should instantly be given them, if they would merit it by a recantation. They only regarded this offer as a new ornament to their crown of martyrdom; and they saw with tranquillity the executioner kindle the flames which consumed them. Wriothesley did not consider, that this public and noted situation interested their honour the more to maintain a steady perseverance.

Though the secrecy and fidelity of Ann Ascue saved the queen from this peril, that princess soon after fell into a new danger, from which she narrowly escaped. An ulcer had broken out in the king's leg, which, added to his extreme corpulency, and his bad habit of body, began both to threaten his life, and to render him even more than usually peevish and passionate. The queen attended him with the most tender and dutiful care, and endeavoured, by every soothing art and compliance, to allay those gusts of humour to which he was become so subject. His favourite topic of conversation was theology, and Catherine, whose good sense enabled her to discourse on any subject, was frequently engaged in the argument; and being secretly inclined to the principles of the reformers, she unwarily betrayed too much of her mind on these occasions. Henry, highly provoked that she should presume to differ from him, complained of her obstinacy to Gardiner, who gladly laid hold of the opportunity to inflame the quarrel. He praised the king's anxious concern for preserving the orthodoxy of his subjects; and represented, that the more elevated the person was who was chastised, and the more near to his person, the greater terror would the example strike into every one, and the more glorious would the sacrifice appear to posterity. The chancellor, being consulted, was engaged by religious zeal to second these topics; and Henry, hurried on by his own impetuous temper, and encouraged by his counsellors, went so far as to order articles of impeachment to be drawn up against his consort. Wriothesley executed his commands; and soon after brought the paper to him to be signed: for as it was high treason to throw slander upon the queen, he might otherwise have been questioned for his temerity. By some means, this important paper fell into the hands of one of the queen's friends, who immediately carried the intelligence to her. She was sensible of the extreme danger to which she was exposed; but did not despair of being able, by her prudence and address, still to elude the efforts of her enemies. She paid her usual visit to the king, and found him in a more serene disposition than she had reason to expect. He entered on the subject which was so familiar to him; and he seemed to challenge her to an argument in divinity. She gently declined the conversation, and remarked, that such profound speculations were ill suited to the natural imbecility of her sex. Women, she said, by their first creation, were made subject to men: the male was created after the image of God; the female after the image of the male: it belonged to the husband to choose principles for his wife: the wife's duty was, in all cases, to adopt implicitly the sentiments of her husband: and as to herself, it was doubly her duty, being blest with a husband who was qualified, by his judgment and learning, not only to choose principles for his own family, but for the most wise and knowing of every nation. "Not so! by St. Mary," replied the king; "you are now become a doctor, Kate; and better fitted to give than receive instruction." She meekly replied, that she was sensible how little she was entitled to these praises; that though she usually declined not any conversation, however sublime, when proposed by

<sup>1</sup> Burnet, vol. i. p. 343, 344. Antiq. Brit. in vita Cranm.

<sup>2</sup> See Speed, 760.

<sup>3</sup> Hist. vol. i. p. 578. Speed, p. 780. Baker, p. 299. But Burnet

questions the truth of this circumstance. Fox, however, transcribes Burnet's account, where she relates it. I must add, in justice to the king, that he disapproved of Wriothesley's conduct, and commended the lieutenant.

his majesty, she well knew, that her conceptions could serve to no other purpose than to give him a little momentary amusement: that she found the conversation apt to languish, when not revived by some opposition, and she had ventured sometimes to feign a contrariety of sentiments, in order to give him the pleasure of retorting her; and that she also pursued, by this innocent artifice, to engage him into topics whence she had observed, by frequent experience, that she reaped profit and instruction. "And is it so, sweetheart?" replied the king; "then are we perfect friends again." He embraced her with great affection, and sent her away with assurances of his protection and kindness. Her enemies, who knew nothing of this sudden change, prepared next day to convey her to the Tower, pursuant to the king's warrant. Henry and Catherine were conversing amicably in the garden, when the chancellor appeared, with forty of the pursuivants. The king spoke to him at some distance from her; and seemed to expostulate with him in the severest manner: she even overheard the appellations of *knave*, *fool*, and *beast*, which he liberally bestowed upon that magistrate: and then ordered him to depart his presence; she afterwards interposed, to mitigate his anger: he said to her, "poor soul! you know not how ill entitled this man is to your good offices." Thenceforth the queen, having narrowly escaped so great a danger, was careful not to offend Henry's humour by any contradiction; and Gardiner, whose malice had endeavoured to widen the breach, could never afterwards regain his favour and good opinion.<sup>12</sup>

But Henry's tyrannical disposition, soured by ill health, burst out soon after, to the destruction of a man who possessed a much superior rank to that of Gardiner. The Duke of Norfolk and his father, during this whole reign, and even a part of the foregoing, had been regarded as the greatest subjects in the kingdom, and had rendered considerable service to the crown. The duke himself had in his youth acquired reputation by naval enterprises: he had much contributed to the victory gained over the Scots at Flouden: he had suppressed a dangerous rebellion in the north: and he had always done his part with honour, in all the expeditions against France. Fortune seemed to conspire with his own industry, in raising him to the greatest elevation. From the favours heaped on him by the crown, he had acquired an immense estate: the king had successively been married to two of his nieces; and the king's natural son, the Duke of Richmond, had married his daughter; besides his descent from the ancient family of the Mowbrays, by which he was allied to the throne, he had espoused a daughter of the Duke of Buckingham, who was descended, by a female, from Edward III.: and as he was believed still to adhere secretly to the ancient religion, he was regarded, both abroad and at home, as the head of the catholic party. But all these circumstances, in proportion as they exalted the duke, provoked the jealousy of Henry; and he foresaw danger, during his son's minority, both to the public tranquillity and to the new ecclesiastical system, from the attempts of so potent a subject. But nothing tended more to expose Norfolk to the king's displeasure, than the prejudices which Henry had entertained against the Earl of Surrey, son of that nobleman.

Surrey was a young man of the most promising hopes, and had distinguished himself by every accomplishment which became a scholar, a courtier, and a soldier. He excelled in all the military exercises which were then in request: he encouraged the fine arts by his patronage and example: he had made some successful attempts in poetry; and being smitten with the romantic gallantry of the age, he celebrated the praises of his mistress, by his pen and his lance, in every masque and tournament. His spirit and ambition were equal to his talents and his quality; and he did not always regulate his conduct by the caution and reserve which his situation required. He had been left governor of Boulogne when that town was taken by Henry; but though his personal bravery was unquestioned, he had been unfortunate in some rencounters with the French. The king, somewhat displeased with his conduct, had sent over Hertford to command in his place;

and Surrey was so imprudent as to drop some menacing expressions against the ministers, on account of this affront which was put upon him. And as he had refused to marry Hertford's daughter, and even waved every other proposal of marriage, Henry imagined that he had entertained views of espousing the Lady Mary; and he was instantly determined to repress, by the most severe expedients, so dangerous an ambition.

Actuated by all these motives, and perhaps influenced by that old disgust with which the ill conduct of Catherine Howard had inspired him against her whole family, he gave private orders to arrest Norfolk and Surrey; and they were on the same day confined in the Tower. Surrey being a commoner, his trial was the more expeditious; and as to proofs, neither parliaments nor juries seem ever to have given the least attention to them in any cause of the crown during this whole reign. He was accused of entertaining in his family some Italians who were suspected to be spies; a servant of his had paid a visit to Cardinal Pole in Italy, whence he was suspected of holding a correspondence with that obnoxious prelate; he had quartered the arms of Edward the Confessor on his scutcheon, which made him be suspected of aspiring to the crown, though both he and his ancestors had openly, during the course of many years, maintained that practice, and the heralds had even justified it by their authority. These were the crimes for which a jury, notwithstanding his eloquent and spirited defence, condemned the Earl of Surrey for high treason; and their sentence was soon after executed upon him.

The innocence of the Duke of Norfolk was still, if possible, more apparent than that of his son; and his services to the crown had been greater. His duchess, with whom he lived on bad terms, had been so base as to carry intelligence to his enemies of all she knew against him: Elizabeth Holland, a mistress of his, had been equally subservient to the designs of the court: yet, with all these advantages, his accusers discovered no greater crime, than his once saying that the king was sickly, and could not hold out long; and the kingdom was likely to fall into disorders, through the diversity of religious opinions. He wrote a pathetic letter to the king, pleading his past services, and protesting his innocence: soon after, he embraced a more proper expedient for appeasing Henry, by making a submission and confession, such as his enemies required: but nothing could mollify the unrelenting temper of the king. He assembled a parliament as the surest and most expeditious instrument of his tyranny; and the House of Peers, without examining the prisoner, without trial or evidence, passed a bill of attainder against him, and sent it down to the Commons. Crammer, though engaged for many years in an opposite party to Norfolk, and though he had received many and great injuries from him, would have no hand in so unjust a prosecution; and he retired to his seat at Croydon.<sup>13</sup> The king was now approaching fast towards his end; and fearing lest Norfolk should escape him, he sent a message to the Commons, by which he desired them to hasten the bill, on pretence that Norfolk enjoyed the dignity of Earl Marshal, and it was necessary to appoint another, who might officiate at the ensuing ceremony of installing his son Prince of Wales. The obsequious Commons obeyed his directions, though founded on so frivolous a pretence; and the king, having affixed the royal assent to the bill by commissioners, issued orders for the execution of Norfolk on the morning of the twenty-ninth of January. But news being carried to the Tower, that the king himself had expired that night, the lieutenant deferred obeying the warrant; and it was not thought advisable by the council to begin a new reign by the death of the greatest nobleman in the kingdom, who had been condemned by a sentence so unjust and tyrannical.

The king's health had long been in a declining state; but for several days all those near him plainly saw his end approaching. He was become so froward, that no one durst inform him of his condition; and as some per-

12th Dec.

A. D. 1547.  
Execution of the  
Earl of Surrey.Attainder of the  
Duke of Norfolk.

14th Jan.

<sup>12</sup> In Burnet, vol. i. p. 341. Herbert, vol. 1. p. 289. Evans, Acts and Monuments, vol. 6. p. 1.

<sup>13</sup> In Burnet, vol. i. p. 342. Fox.



sions during this reign had suffered as traitors for foretelling the king's death; every one was afraid lest, in the transports of his fury, he might, on this pretence, punish caputally the authors of such friendly intelligence. At last, Sir Anthony Denny ventured to disclose to him the fatal secret, and exhorted him to prepare for the fate which was awaiting him. He expressed his resignation; and desired that Crommer might be sent for: but before the prelate arrived he was speechless, though he still seemed to retain his senses. Cranmer desired him to give some sign of his dying in the faith of Christ: he squeezed the prelate's hand, and immediately expired, after a reign of thirty-seven years and nine months; and in the sixty-sixth year of his age.

The king had made his will near a month before his demise; in which he confirmed the destination of parliament, by leaving the crown, first to Prince Edward, then to the Lady Mary, next to the Lady Elizabeth. The two princesses he obliged, under the penalty of forfeiting their title to the crown, not to marry without consent of the council, which he appointed for the government of his minor son. After his own children, he settled the succession on Frances Brandon, Marchioness of Dorset, elder daughter of his sister, the French queen; then on Eleanor, Countess of Cumberland, the second daughter. In passing over the posterity of the Queen of Scots, his elder sister, he made use of the power obtained from parliament; but as he subjoined, that, after the failure of the French queen's posterity, the crown should descend to the next lawful heir, it afterwards became a question, whether these words could be applied to the Scottish line. It was thought that those princes were not the next heirs, after the house of Suffolk, but before that house; and that Henry, by expressing himself in this manner, meant entirely to exclude them. The late injuries which he had received from the Scots, had irritated him extremely against that nation; and he maintained to the last that character of violence and caprice, by which his life had been so much distinguished. Another circumstance of his will may suggest the same reflection with regard to dangerous contrarieties of his temper and conduct: he left money for masses to be said for delivering his soul from purgatory; and though he destroyed all those institutions established by his ancestors and others for the benefit of their souls; and had even left the doctrine of purgatory doubtful in all the articles of faith which he promulgated during his later years; he was yet determined, when the hour of death was approaching, to take care at least of his own future repose, and to adhere to the safer side of the question.<sup>p</sup>

His character. It is difficult to give a just summary of this prince's qualities: he was so different from himself in different parts of his reign, that, as is well remarked by Lord Herbert, his history is his best character and description. The absolute uncontrolled authority which he maintained at home, and the regard which he acquired among foreign nations, are circumstances which entitle him, in some degree, to the appellation of a *great* prince; while his tyranny and barbarity exclude him from the character of a *good* one. He possessed, indeed, great vigour of mind, which qualified him for exercising dominion over men; courage, intrepidity, vigilance, inflexibility: and though these qualities lay not always under the guidance of a regular and solid judgment, they were accompanied with good parts and an extensive capacity; and every one dreaded a contest with a man who was known never to yield or to forgive, and who, in every controversy, was determined either to ruin himself or his antagonist. A catalogue of his vices would comprehend many of the worst qualities incident to human nature: violence, cruelty, profusion, rapacity, injustice, obstinacy, arrogance, bigotry, presumption, caprice: but neither was he subject to all these vices in the most extreme degree, nor was he at intervals altogether destitute of virtue: he was sincere, open, gallant, liberal, and capable at least of a temporary friendship and attachment. In this respect he was unfortunate, that the incidents of his reign served

to display his faults in their full light: the treatment which he met with from the court of Rome, provoked him to violence; the danger of a revolt from his superstitious subjects, seemed to require the most extreme severity. But it must at the same time be acknowledged, that his situation tended to throw an additional lustre on what was great and magnanimous in his character: the emulation between the emperor and the French king rendered his alliance, notwithstanding his impolitic conduct, of great importance in Europe: the extensive powers of his prerogative, and the submissive, not to say slavish, disposition of his parliaments, made it the more easy for him to assume and maintain that entire dominion, by which his reign is so much distinguished in the English history.

It may seem a little extraordinary, that notwithstanding his cruelty, his extortion, his violence, his arbitrary administration, this prince not only acquired the regard of his subjects, but never was the object of their hatred: he seems even, in some degree, to have possessed, to the last, their love and affection.<sup>q</sup> His exterior qualities were advantageous, and fit to captivate the multitude: his magnificence and personal bravery rendered him illustrious in vulgar eyes: and it may be said, with truth, that the English, in that age, were so thoroughly subdued, that, like eastern slaves, they were inclined to admire those acts of violence and tyranny which were exercised over themselves, and at their own expense.

With regard to foreign states, Henry appears long to have supported an intercourse of friendship with Francis, more sincere and disinterested than usually takes place between neighbouring princes. Their common jealousy of the Emperor Charles, and some resemblance in their characters, (though the comparison sets the French monarch in a very superior and advantageous light,) served as the cement of their mutual amity. Francis is said to have been affected with the king's death, and to have expressed much regret for the loss. His own health began to decline: he foretold that he should not long survive his friend: and he died in about two months after him.

There were ten parliaments summoned by Henry VIII. and twenty-three sessions held. The whole time in which these parliaments sat during this long reign exceeded not three years and a half. It amounted not to a twelvemonth during the first twenty years. The innovations in religion obliged the king afterwards to call these assemblies more frequently: but though these were the most important transactions that ever fell under the cognizance of parliament, their devoted submission to Henry's will, added to their earnest desire of soon returning to their country seats, produced a quick despatch of the bills, and made the sessions of short duration. All the king's caprices were indeed blindly complied with, and no regard was paid to the safety or liberty of the subject. Besides the violent prosecution of whatever he was pleased to term heresy, the laws of treason were multiplied beyond all former precedent. Even words to the disparagement of the king, queen, or royal issue, were subjected to that penalty; and so little care was taken in framing these rigorous statutes, that they contain obvious contradictions; insomuch that, had they been strictly executed, every man without exception must have fallen under the penalty of treason. By one statute,<sup>r</sup> for instance, it was declared treason to assert the validity of the king's marriage, either with Catherine of Arragon, or Anne Boleyn: by another<sup>s</sup> it was treason to say any thing to the disparagement or slander of the princesses, Mary and Elizabeth; and to call them spurious, would no doubt have been construed to their slander. Nor would even a profound silence, with regard to these delicate points, be able to save a person from such penalties. For by the former statute, whoever refused to answer upon oath any point contained in that act, was subjected to the pains of treason. The king, therefore, needed only propose to any one a question with regard to the legality of either of his first marriages: if the person were silent, he was a traitor by law: if he answered either in the negative

<sup>a</sup> Languet. *Estimate of Chronicles* in the year 1541.

<sup>p</sup> See also what is said in Under, Hevelin, and Rymer, p. 349. There is no reasonable ground to suspect its authenticity.

<sup>q</sup> Strype, vol. i. p. 399.

<sup>r</sup> 1<sup>st</sup> Hen.

<sup>s</sup> 28 Hen. VIII. c. 7.

<sup>t</sup> 1<sup>st</sup> Hen. VIII. c. 1.

or in the affirmative, he was no less a traitor. So monstrous were the inconsistencies which arose from the furious passions of the king, and the slavish submission of his parliaments. It is hard to say whether these contradictions were owing to Henry's precipitancy, or to a formed design of tyranny.

It may not be improper to recapitulate whatever is memorable in the statutes of this reign, whether with regard to government or commerce: nothing can better show the genius of the age than such a review of the laws.

The abolition of the ancient religion much contributed to the regular execution of justice. While the catholic superstition subsisted, there was no possibility of punishing any crime in the clergy: the church would not permit the magistrate to try the offences of her members, and she could not herself inflict any civil penalties upon them. But Henry restrained these pernicious immunities: the privilege of clergy was abolished for the crimes of petty treason, murder, and felony, to all under the degree of a subdeacon.<sup>a</sup> But the former superstition not only protected crimes in the clergy; it exempted also the laity from punishment, by affording them shelter in the churches and sanctuaries. The parliament abridged these privileges. It was first declared, that no sanctuaries were allowed in cases of high treason;<sup>b</sup> next, in those of murder, felony, rapes, burglary, and petty treason;<sup>c</sup> and it limited them in other particulars.<sup>d</sup> The further progress of the Reformation removed all distinction between the clergy and other subjects; and also abolished entirely the privileges of sanctuaries. These consequences were implied in the neglect of the canon law.

The only expedient employed to support the military spirit during this age was, the reviving and extending of some old laws enacted for the encouragement of archery, on which the defence of the kingdom was supposed much to depend. Every man was ordered to have a bow;<sup>e</sup> butts were ordered to be erected in every parish;<sup>f</sup> and every bowyer was ordered, for each bow of yew which he made, to make two of elm or wick for the service of the common people.<sup>g</sup> The use of cross-bows and hand-guns was also prohibited.<sup>h</sup> What rendered the English bowmen more formidable was, that they carried halberds with them, by which they were enabled upon occasion to engage in close fight with the enemy.<sup>i</sup> Frequent musters or arrays were also made of the people, even during time of peace; and all men of substance were obliged to have a complete suit of armour or harness, as it was called.<sup>j</sup> The martial spirit of the English, during that age, rendered this precaution, it was thought, sufficient for the defence of the nation; and as the king had then an absolute power of commanding the service of all his subjects, he could instantly, in case of danger, appoint new officers, and levy regiments, and collect an army as numerous as he pleased. When no faction or division prevailed among the people, there was no foreign power that ever thought of invading England. The city of London alone could muster fifteen thousand men.<sup>k</sup> Discipline, however, was an advantage wanting to those troops; though the garrison of Calais was a nursery of officers; and Tournay first, Boulogne afterwards, served to increase the number. Every one who served abroad was allowed to alienate his lands without paying any fees.<sup>l</sup> A general permission was granted to dispose of land by will.<sup>m</sup> The parliament was so little jealous of its privileges, (which indeed were at that time scarcely worth preserving,) that there is an instance of one Strode, who, because he had introduced into the Lower House some bill regarding tin, was severely treated by the Stannary courts in Cornwall: heavy fines were imposed on him; and upon his refusal to pay, he was thrown into a dungeon, loaded with irons, and used in such a manner as brought his life in danger: yet all the notice which the parliament took of this enormity, even in such a paltry court, was to enact, That no man could afterwards be questioned for his conduct in parliament.<sup>n</sup> This prohibition, however, must be supposed to extend only to the

inferior courts: for as to the king, and privy-council, and star-chamber, they were scarcely bound by any law.

There is a bill of tonnage and poundage, which shows what uncertain ideas the parliament had formed both of their own privileges and of the rights of the sovereign.<sup>o</sup> This duty had been voted to every king since Henry IV. during the term of his own life only: yet Henry VIII. had been allowed to levy it six years without any law; and though there had been four parliaments assembled during that time, no attention had been given either to grant it to him regularly, or restrain him from levying it. At last the parliament resolved to give him that supply; but even in this concession they plainly show themselves at a loss to determine whether they grant it, or whether he has a right of himself to levy it. They say that the imposition was made to endure during the natural life of the late king and no longer: they yet blame the merchants who had not paid it to the present king: they observe that the law for tonnage and poundage was expired; yet make no scruple to call that imposition the king's due: they affirm, that he had sustained great and manifold losses by those who had defrauded him of it; and to provide a remedy, they vote him that supply during his life time, and no longer. It is remarkable that, notwithstanding this last clause, all his successors, for more than a century, persevered in the like irregular practice; if a practice may deserve that epithet in which the whole nation acquiesced, and which gave no offence. But when Charles I. attempted to continue in the same course which had now received the sanction of many generations, so much were the opinions of men altered, that a furious tempest was excited by it; and historians, partial or ignorant, still represent this measure as a most violent and unprecedented enormity in that unhappy prince.

The king was allowed to make laws for Wales without consent of parliament.<sup>p</sup> It was forgotten, that with regard both to Wales and England, the limitation was abolished by the statute, which gave to the royal proclamations the force of laws.

The foreign commerce of England, during this age, was mostly confined to the Netherlands. The inhabitants of the Low Countries bought the English commodities, and distributed them into other parts of Europe. Hence the mutual dependence of those countries on each other; and the great loss sustained by both in case of a rupture. During all the variations of politics, the sovereigns endeavoured to avoid coming to this extremity; and though the king usually bore a greater friendship to Francis, the nation always leaned towards the emperor.

In 1528, hostilities commenced between England and the Low Countries; and the inconvenience was soon felt on both sides. While the Flemings were not allowed to purchase cloth in England, the English merchants could not buy it from the clothiers, and the clothiers were obliged to dismiss their workmen, who began to be tumultuous for want of bread. The cardinal, to appease them, sent for the merchants, and ordered them to buy cloth as usual: They told him, that they could not dispose of it as usual; and, notwithstanding his menaces, he could get no other answer from them.<sup>q</sup> An agreement was at last made, to continue the commerce between the states, even during war.

It was not till the end of this reign that any salads, carrots, turnips, or other edible roots, were produced in England. The little of these vegetables that was used, was formerly imported from Holland and Flanders.<sup>r</sup> Queen Catherine, when she wanted a salad, was obliged to despatch a messenger thither on purpose. The use of hops, and the planting of them, was introduced from Flanders about the beginning of this reign, or end of the preceding.

Foreign artificers, in general, much surpassed the English in dexterity, industry, and frugality: hence the violent animosity which the latter, on many occasions, expressed against any of the former who were settled in England. They had the assurance to complain, that all their custom-

<sup>a</sup> 23 Hen. VIII. c. 1.  
<sup>b</sup> 32 Hen. VIII. c. 12.

<sup>c</sup> 34 Hen. VIII. c. 3.  
<sup>d</sup> 3 Hen. VIII. c. 13.

<sup>e</sup> 12 Ed. 3d. 234. Stowe, p. 515.

<sup>f</sup> 26 Hen. VIII. c. 13.

<sup>g</sup> 22 Hen. VIII. c. 14.

<sup>h</sup> Ibid.

<sup>i</sup> Ibid.

<sup>j</sup> Ibid.

<sup>k</sup> Ibid.

<sup>l</sup> Ibid.

<sup>m</sup> Ibid.

<sup>n</sup> Ibid.

<sup>o</sup> Ibid.

<sup>p</sup> Ibid. fol. 285. Holingshead, p. 547.

<sup>q</sup> Ibid. fol. 64.

<sup>r</sup> Ibid. fol. 64.

<sup>s</sup> 34 and 35 Hen. VIII. c. 5.

<sup>t</sup> 16 Hen. VIII. c. 14.

<sup>u</sup> Ibid. fol. 171.

<sup>v</sup> Stowe, p. 577.

<sup>w</sup> 14 and 15 Hen. VIII. c. 15.

<sup>x</sup> 4 Hen. VIII. c. 24.

<sup>y</sup> 31 Hen. VIII. c. 13.

<sup>z</sup> Anderson, vol. i. p. 336.

ers went to foreign tradesmen; and, in the year 1517, being moved by the seditious sermons of one Dr. Beke, and the intrigues of Lincoln, a broker, they raised an insurrection. The apprentices, and others of the poorer sort, in London, began by breaking open the prisons, where some persons were confined for insulting foreigners. They next proceeded to the house of Mentas, a Frenchman, much hated by them; where they committed great disorders; killed some of his servants; and plundered his goods. The mayor could not appease them; nor Sir Thomas More, late under-sheriff, though much respected in the city. They also threatened Cardinal Wolsey with some insult; and he thought it necessary to fortify his house, and put himself on his guard. Tired at last with these disorders, they dispersed themselves; and the Earls of Shrewsbury and Surrey seized some of them. A proclamation was issued, that women should not meet together to babble and talk, and that all men should keep their wives in their houses. Next day, the Duke of Norfolk came into the city, at the head of thirteen hundred armed men, and made inquiry into the tumult. Beke and Lincoln, and several others, were sent to the Tower, and condemned for treason. Lincoln and thirteen more were executed. The other criminals, to the number of four hundred, were brought before the king, with ropes about their necks, fell on their knees, and cried for mercy. Henry knew at that time how to pardon; he dismissed them without further punishment.<sup>2</sup>

So great was the number of foreign artisans in the city, that, at least, fifteen thousand Flemings alone were, at one time, obliged to leave it, by an order of council, when Henry became jealous of their favour for queen Catherine.<sup>3</sup> Henry himself confesses, in an edict of the star-chamber, printed among the statutes, that the foreigners starved the natives; and obliged them, from idleness, to have recourse to theft, murder, and other enormities.<sup>4</sup> He also asserts, that the vast multitude of foreigners raised the price of grain and bread.<sup>5</sup> And to prevent an increase of the evil, all foreign artificers were prohibited from having above two foreigners in their house, either journeymen or apprentices. A like jealousy arose against the foreign merchants; and to appease it, a law was enacted, obliging all denizens to pay the duties imposed upon aliens.<sup>6</sup> The parliament had done better, to have encouraged foreign merchants and artisans to come over in greater numbers to England; which might have excited the emulation of the natives, and have improved their skill. The prisoners in the kingdom for debts and crimes are asserted, in an act of parliament, to be sixty thousand persons and above;<sup>7</sup> which is scarcely credible. Harrison asserts, that 72,000 criminals were executed during this reign, for theft and robbery, which would amount nearly to 2000 a-year. He adds, that in the latter end of Elizabeth's reign, there were not punished capitally 400 in a year; it appears, that in all England, there are not at present 50 executed for those crimes. If these facts be just, there has been a great improvement in morals since the reign of Henry VIII. And this improvement has been chiefly owing to the increase of industry and of the arts, which have given maintenance, and what is almost of equal importance, occupation, to the lower classes.

There is a remarkable clause, in a statute passed near the beginning of this reign,<sup>8</sup> by which we might be induced to believe, that England was extremely decayed from the flourishing condition which it had attained in preceding times. It had been enacted, in the reign of Edward II. that no magistrate, in town or borough, who by his office ought to keep assize, should, during the continuance of his magistracy, sell, either in wholesale or retail, any wine or victuals. This law seemed equitable, in order to prevent fraud or private views in fixing the assize; yet the law is repealed in this reign. The reason assigned is, that, "since the making of that statute and ordinance, many and the most part of all the cities, boroughs, and towns corporate, within the realm of England, are fallen in ruin and decay, and are not inhabited by merchants and men of such substance, as at the time of making that statute: for

at this day the dwellers and inhabitants of the same cities and boroughs are commonly bakers, vintners, fishmongers, and other victuallers, and there remain few others to bear the offices." Men have such a propensity to exalt past times above the present, that it seems dangerous to credit this reasoning of the parliament, without further evidence to support it. So different are the views in which the same object appears, that some may be inclined to draw an opposite inference from this fact. A more regular police was established in the reign of Henry VIII. than in a former period, and a stricter administration of justice; an advantage which induced the men of landed property to leave the provincial towns, and to retire into the country. Cardinal Wolsey, in a speech to parliament, represented it as a proof of the increase of riches, that the customs had increased beyond what they were formerly.<sup>9</sup>

But if there were really a decay of commerce, and industry, and populousness, in England, the statutes of this reign, except by abolishing monasteries, and retrenching holidays, circumstances of considerable moment, were not, in other respects, well calculated to remedy the evil. The fixing of the wages of artificers was attempted: <sup>1</sup> luxury in apparel was prohibited by repeated statutes; <sup>2</sup> and probably without effect. The chancellor and other ministers were empowered to fix the price of poultry, cheese, and butter.<sup>3</sup> A statute was even passed, to fix the price of beef, pork, mutton, and veal.<sup>4</sup> Beef and pork were ordered to be sold at a halfpenny a pound: mutton and veal at a halfpenny half a farthing, money of that age. The preamble of the statute says, that these four species of butcher's meat were the food of the poorer sort. This act was afterwards repealed.<sup>5</sup>

The practice of depopulating the country, by abandoning tillage, and throwing the lands into pasture, still continued; <sup>6</sup> as appears by the new laws which were, from time to time, enacted against that practice. The king was entitled to half the rents of the land, where any farm-houses were allowed to fall to decay.<sup>7</sup> The unskilful husbandry was probably the cause, why the proprietors found no profit in tillage. The number of sheep allowed to be kept in one flock was restrained to two thousand.<sup>8</sup> Sometimes, says the statute, one proprietor, or farmer, would keep a flock of twenty-four thousand. It is remarkable, that the parliament ascribes the increasing price of mutton to this increase of sheep: because, say they, the commodity being gotten into few hands, the price of it is raised at pleasure.<sup>9</sup> It is more probable that the effect proceeded from the daily increase of money: for it seems almost impossible that such a commodity could be engrossed.

In the year 1544, it appears that an acre of good land in Cambridgeshire was let at a shilling, or about fifteen pence of our present money.<sup>10</sup> This is ten times cheaper than the usual rent at present. But commodities were not above four times cheaper: a presumption of the bad husbandry in that age.

Some laws were made with regard to beggars and vagrants; <sup>1</sup> one of the circumstances in government which humanity would most powerfully recommend to a benevolent legislator; which seems, at first sight, the most easily adjusted; and which is yet the most difficult to settle in such a manner as to attain the end without destroying industry. The convents formerly were a support to the poor; but at the same time tended to encourage idleness and beggary.

In 1546, a law was made for fixing the interest of money at 10 per cent.; the first legal interest known in England. Formerly all loans of that nature were regarded as usurious. The preamble of this very law treats the interest of money as illegal and criminal: and the prejudices still remained so strong, that the law permitting interest was repealed in the following reign.

This reign, as well as many of the foregoing and even subsequent reigns, abounds with monopolizing laws, confining particular manufactures to particular towns, or excluding the open country in general.<sup>2</sup> There remain still

p Stowe, 365. Holingshead, 810. q Le Grand, vol. iii. p. 282.

r 21 Hen. VIII. s Hall. t 22 Hen. VIII. c. 8.

u 1 Hen. VIII. c. 15. w 3 Hen. VIII. c. 8.

x Hall, folio 119. y 6 Hen. VIII. c. 1.

z 1 Hen. VIII. c. 14. 6 Hen. VIII. c. 1. 7 Hen. VIII. c. 7.

a 25 Hen. VIII. c. 2. b 21 Hen. VIII. c. 5.

c 33 Hen. VIII. c. 11.

d 6 Hen. VIII. c. 5. 7 Hen. VIII. c. 1.

e 25 Hen. VIII. c. 13.

f 22 Hen. VIII. c. 12. 22 Hen. VIII. c. 5.

g 21 Hen. VIII. c. 12. 25 Hen. VIII. c. 10.

h 1 Edw. VI. c. 24.

i Strype, vol. i. p. 392.

j 25 Hen. VIII. c. 13.

k Anderson, vol. i. p. 374.

l 21 Hen. VIII. c. 12. 25 Hen. VIII. c. 10.

m 1 Edw. VI. c. 24.



too many traces of similar absurdities. In the subsequent reign, the corporations which had been opened by a former law, and obliged to admit tradesmen of different kinds, were again shut up by act of parliament; and every one was punished from exercising any trade, who was not of the corporation.<sup>1</sup>

Henry, as he possessed himself some talent for letters, was an encourager of them in others. He founded Trinity College in Cambridge, and gave it ample endowments. Wolsey founded Christ Church in Oxford, and intended to call it Cardinal College: but upon his fall, which happened before he had entirely finished his scheme, the king seized all the revenues; and this violence, above all the other misfortunes of that minister, is said to have given him the greatest concern.<sup>2</sup> But Henry afterwards restored the revenues of the college, and only changed the name. The cardinal founded in Oxford the first chair for teaching Greek; and this novelty rent that university into violent factions, which frequently came to blows. The students divided themselves into parties, which bore the names of Greeks and Trojans, and sometimes fought with as great animosity as was formerly exercised by those hostile nations. A new and more correct method of pronouncing Greek being introduced, it also divided the Grecians themselves into parties; and it was remarked, that the catholics favoured the former pronunciation, the protestants gave countenance to the new. Gardiner employed the authority of the king and council to suppress innovations in this particular, and to preserve the corrupt sound of the Greek alphabet. So little liberty was then allowed of any kind! The penalties inflicted upon the new pronunciation were no less than whipping, degradation, and expulsion; and the bishop declared, that rather than permit the liberty of innovating in the pronunciation of the Greek alphabet, it were better that the language itself were totally banished the universities. The introduction of the Greek language into Oxford excited the emulation of Cambridge.<sup>3</sup> Wolsey intended to have enriched the library of his college at Oxford with copies of all the manuscripts that were in the Vatican.<sup>4</sup> The countenance given to letters by this king and his ministers contributed to render learning fashionable in England: Erasmus speaks with great satisfaction of the general regard paid by the nobility and gentry to men of knowledge.<sup>5</sup> It is needless to be particular in mentioning the writers of this reign, or of the preceding. There is no man of that age who has the least pretension to be ranked among our classics. Sir Thomas More, though he wrote in Latin, seems to come the nearest to the character of a classical author.

## CHAP. XXXIV.

### EDWARD VI.

State of the reformation. Innovations in the regency. Hertford protector. - Reformation completed. Gardiner's opposition. Foreign affairs. Progress of the Reformation in Scotland. Assassination of Cardinal Beaton. Conclusion of the war with Scotland. Battle of Pinkie. A general reformation proposed. Progress of the reformation. Affairs of Scotland. Young Queen of Scots sent into France. Catalogue of Lord Seymour. Dudley, Earl of Warwick. A parliament. Attainder of Lord Seymour. - The execution of Leidenstade's affairs.

A. D. 1547. The late king, by the regulations which he imposed on the government of his infant son, as well as by the limitations of the succession, had projected to reign even after his decease; and he imagined that his ministers, who had always been so obsequious to him during his life-time, would never afterwards depart from the plan which he had traced out to them. He fixed the majority of the prince at the completion of his eighteenth year; and as Edward was then only a few months past nine, he appointed sixteen executors; to whom, during the minority, he intrusted the government of the king and kingdom. Their names were, Cranmer,

Archbishop of Canterbury; Lord Wriothesley, chancellor; Lord St. John, great master; Lord Russel, privy seal; the Earl of Hertford, chamberlain; Viscount Lisle, admiral; Tonstal, Bishop of Durham; Sir Anthony Brown, master of horse; Sir William Paget, secretary of state; Sir Edward North, chancellor of the court of augmentations; Sir Edward Montague, chief justice of the common pleas; Judge Bromley; Sir Anthony Denny, and Sir William Herbert, chief gentlemen of the privy chamber; Sir Edward Wotton, treasurer of Calais; Dr. Wotton, Dean of Canterbury. To these executors, with whom was intrusted the whole regal authority, were appointed twelve counsellors, who possessed no immediate power, and could only assist with their advice when any affair was laid before them. The council was composed of the Earls of Arundel and Essex; Sir Thomas Cheney, treasurer of the household; Sir John Gage, comptroller; Sir Anthony Wingfield, vice-chamberlain; Sir William Petre, secretary of state; Sir Richard Rich, Sir John Baker, Sir Ralph Sadler, Sir Thomas Seymour, Sir Richard Southwell, and Sir Edmund Pekham.<sup>6</sup> The usual caprice of Henry appears somewhat in this nomination; while he appointed several persons of inferior station among his executors, and gave only the place of counsellor to a person of such rank as the Earl of Arundel, and to Sir Thomas Seymour, the king's uncle.

But the first act of the executors and counsellors was to depart from the destination of the late king in a material article. No sooner were they met, than it was suggested, that the government would lose its dignity, for want of some head who might represent the royal majesty, who might receive addresses from foreign ambassadors, to whom despatches from English ministers abroad might be carried, and whose name might be employed in all orders and proclamations: and as the king's will seemed to labour under a defect in this particular, it was deemed necessary to supply it, by choosing a protector, who, though he should possess all the exterior symbols of royal dignity, should yet be bound, in every act of power, to follow the opinion of the executors.<sup>7</sup> This proposal was very disagreeable to Chancellor Wriothesley. That magistrate, a man of an active spirit and high ambition, found himself, by his office, entitled to the first rank in the regency after the prime; and as he knew that this prelate had no talent or inclination for state affairs, he hoped that the direction of public business would, of course, devolve in a great measure upon himself. He opposed, therefore, the proposal of choosing a protector; and represented that innovation as an infringement of the late king's will, which, being corroborated by act of parliament, ought in every thing to be a law to them, and could not be altered but by the same authority which had established it. But he seems to have stood alone in the opposition. The executors and counsellors were mostly courtiers who had been raised by Henry's favour, not men of high birth or great hereditary influence; and as they had been sufficiently accustomed to submission during the reign of the late monarch, and had no pretensions to govern the nation by their own authority, they acquiesced the more willingly in a proposal which seemed calculated for preserving public peace and tranquillity. It being therefore agreed to name a protector, Hertford the choice fell of course on the Earl of Hertford, who, as he was the king's maternal uncle, was strongly interested in his safety; and, possessing no claims to inherit the crown, could never have any separate interest, which might lead him to endanger Edward's person or his authority.<sup>8</sup> The public was informed by proclamation of this change in the administration; and despatches were sent to all foreign courts to give them intimation of it. All those who were possessed of any office resigned their former commissions, and accepted new ones in the name of the young king. The bishops themselves were constrained to make a like submission. Care was taken to insert in their new commissions, that they held their offices during pleasure:<sup>9</sup> and it is there expressly affirmed that

<sup>1</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>2</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>3</sup> See vol. I. Edw. VI. c. 20.

<sup>4</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>5</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>6</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>7</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>8</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>9</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

<sup>10</sup> See vol. I. Edw. VI. c. 20. in Strype, vol. i. p. 117.

all manner of authority and jurisdiction, as well ecclesiastical as civil, is originally derived from the crown.

The executors, in their next measure, showed a more submissive deference to Henry's will; because many of them found their account in it. The late king had intended, before his death, to make a new creation of nobility, in order to supply the place of those peerages which had fallen by former attanders, or the failure of issue; and that he might enable the new peers to support their dignity, he had resolved either to bestow estates on them, or advance them to higher offices. He had even gone so far as to inform them of this resolution; and in his will he charged his executors to make good all his promises.<sup>1</sup> That they might ascertain his intentions in the most authentic manner, Sir William Paget, Sir Anthony Denny, and Sir William Herbert, with whom Henry had always conversed in a familiar manner, were called before the board of regency; and having given evidence of what they knew concerning the king's promises, their testimony was relied on, and the executors proceeded to the fulfilling of these engagements. Hertford was created

17th Feb. Duke of Somerset, marshall and lord treasurer; Wriothesley, Earl of Southampton; the Earl of Essex, Marquis of Northampton; Viscount Lisle, Earl of Warwick; Sir Thomas Seymour, Lord Seymour of Sudley, and admiral; Sir Richard Rich, Sir William Willoughby, Sir Edward Sheffield, accepted the title of baron.<sup>2</sup> Several to whom the same dignity was offered, refused it; because the other part of the king's promise, the bestowing of estates on these new noblemen, was deferred till a more convenient opportunity. Some of them, however, as also Somerset the protector, were, in the mean time, endowed with spiritual preferments, deaneries, and prebends. For, among many other invasions of ecclesiastical privileges and property, this irregular practice of bestowing spiritual benefices on laymen began now to prevail.

The Earl of Southampton had always been engaged in an opposite party to Somerset; and it was not likely that factions, which had secretly prevailed, even during the arbitrary reign of Henry, should be suppressed in the weak administration that usually attends a minority. The former nobleman, that he might have the greater leisure for attending to public business, had, of himself and from his own authority, put the great seal in commission, and had empowered four lawyers, Southwell, Tregonel, Oliver, and Bellasis, to execute, in his absence, the office of chancellor. This measure seemed very exceptionable, and the more so, as two of the commissioners being canonists, the lawyers suspected that, by this nomination, the chancellor had intended to discredit the common law. Complaints were made to the council, who, influenced by the protector, gladly laid hold of the opportunity to depress Southampton. They consulted the judges with regard to so unusual a case, and received for answer, that the commission was illegal, and that the chancellor, by his presumption in granting it, had justly forfeited the great seal, and was even liable to punishment. The council summoned him to appear before them. He maintained, that he held his office by the late king's will, founded on an act of parliament, and could not lose it without a trial in parliament; that if the commission which he had granted were found illegal, it might be cancelled, and all the ill consequences of it be easily remedied; and that the depriving him of his office for an error of this nature, was a precedent by which any other innovation might be authorized. But the council, notwithstanding these topics of defence, declared that he had forfeited the great seal; that a fine should be imposed upon him; and that he should be confined to his own house during pleasure.<sup>3</sup>

The removal of Southampton increased the protector's authority, as well as tended to suppress faction in the regency; yet was not Somerset contented with this advantage: his ambition carried him to seek still further acquisitions. On pretence that the vote of the executors, choosing him protector, was not a sufficient foundation for his authority, he procured a patent from the young king, by which he entirely over-  
21st March. turned the will of Henry VIII., produced a total revolu-

tion in the government, and himself came even to have subverted all the laws of the kingdom. He named himself Protector with full regal power, and appointed a council consisting of all the former counsellors, and all the executors, except Southampton. He reserved a power of naming any other counsellors at pleasure; and he was bound to consult with such only as he thought proper. The protector and his council were likewise empowered to act at discretion, and to execute whatever they deemed for the public service, without incurring any penalty or forfeiture from any law, statute, proclamation, or ordinance whatsoever.<sup>4</sup> Even had this patent been more moderate in its concessions, and had it been drawn by directions from the executors appointed by Henry, its legality might justly be questioned; since it seems essential to a trust of this nature to be exercised by the persons intrusted, and not to admit of a delegation to others: but as the patent, by its very tenor, where the executors are not so much as mentioned, appears to have been surreptitiously obtained from a minor king, the protectorship of Somerset was a plain usurpation, which it is impossible by any arguments to justify. The connivance, however, of the executors, and their present acquiescence in the new establishment, made it be universally submitted to; and as the young king discovered an extreme attachment to his uncle, who was also in the main a man of moderation and probity, no objections were made to his power and title. All men of sense likewise, who saw the nation divided by the religious zeal of the opposite sects, deemed it the more necessary to intrust the government to one person, who might check the exorbitancies of faction, and insure the public tranquillity. And though some clauses of the patent seemed to imply a formal subversion of all limited government, so little jealousy was then usually entertained on that head, that no exception was ever taken at bare claims or pretensions of this nature, advanced by any person possessed of sovereign power. The actual exercise alone of arbitrary administration, and that in many, and great, and flagrant, and unpopular instances, was able sometimes to give some umbrage to the nation.

The extensive authority and imperious Reformation character of Henry had retained the partisans of both religions in subjection; but, upon his demise, the hopes of the protestants, and the fears of the catholics, began to revive, and the zeal of these parties produced every where disputes and animosities, the usual preludes to more fatal divisions. The protector had long been regarded as a secret partisan of the reformers; and being now freed from restraint, he scrupled not to discover his intention of correcting all abuses in the ancient religion, and of adopting still more of the protestant innovations. He took care that all persons intrusted with the king's education should be attached to the same principles; and as the young prince discovered a zeal for every kind of literature, especially the theological, far beyond his tender years, all men foresaw, in the course of his reign, the total abolition of the catholic faith in England; and they early began to declare themselves in favour of those tenets which were likely to become in the end entirely prevalent. After Southampton's fall, few members of the council seemed to retain any attachment to the Romish communion; and most of the counsellors appeared even sanguine in forwarding the progress of the Reformation. The riches which most of them had acquired from the spoils of the clergy, induced them to widen the breach between England and Rome; and by establishing a contrariety of speculative tenets, as well as of discipline and worship, to render a coalition with the mother church altogether impracticable.<sup>5</sup> Their rapacity also, the chief source of their reforming spirit, was excited by the prospect of pillaging the secular, as they had already done the regular, clergy; and they knew that while any share of the old principles remained, or any regard to the ecclesiastics, they could never hope to succeed in that enterprise.

The numerous and burdensome superstitions with which the Romish church was loaded, had thrown many of the reformers, by the spirit of opposition, into an enthusiastic strain of devotion; and all rites, ceremonies, pomp, order,

<sup>1</sup> Strype's *Mem. of Henry VIII.* p. 141.

<sup>2</sup> *Essex, Devon, and Cornwall.*

<sup>3</sup> Strype's *Annals* 1547.

<sup>4</sup> Holingshead p. 372.

<sup>5</sup> *Godwin's Annals* 1547.

<sup>6</sup> *Essex, Devon, and Cornwall.*

and exterior observances, were zealously proscribed by them as hindrances to their spiritual contemplations, and exhortations to their immediate converse with heaven. Many circumstances concurred to inflame this daring spirit; the novelty itself of their doctrines, the triumph of making proselytes, the furious persecutions to which they were exposed, their animosity against the ancient tenets and practices, and the necessity of procuring the concurrence of the laity, by depressing the hierarchy, and by tendering to them the plunder of the ecclesiastics. Wherever the Reformation prevailed over the opposition of civil authority, this genius of rebellion appeared at its full extent, and was attended with consequences, which, though less durable, were, for some time, not less dangerous than those which were connected with the ancient superstition. But as the magistrate took the lead in England, the transition was more gradual; much of the ancient religion was still preserved; and a reasonable degree of subordination was retained in discipline, as well as some pomp, order, and ceremony in public worship.

The protector, in his schemes for advancing the Reformation, had always recourse to the counsels of Cranmer, who, being a man of moderation and prudence, was averse to all violent changes, and determined to bring over the people, by insensible innovations, to that system of doctrine and discipline which he deemed the most pure and perfect. He probably also foresaw that a system, which carefully avoided the extremes of reformation, was likely to be most lasting; and that a devotion, merely spiritual, was fitted only for the first fervours of a new sect, and upon the relaxation of these, naturally gave place to the inroads of superstition. He seems, therefore, to have intended the establishment of a hierarchy, which, being suited to a great and settled government, might stand as a perpetual barrier against Rome, and might retain the reverence of the people, even after their enthusiastic zeal was diminished, or entirely evaporated.

The person who opposed, with greatest authority, any further advances towards reformation, was Gardiner, Bishop of Winchester; who, though he had not obtained a place in the council of regency, on account of late disgusts which he had given to Henry, was entitled, by his age, experience, and capacity, to the highest trust and confidence of his party. This prelate still continued to magnify the great wisdom and learning of the late king, which, indeed, were generally and sincerely revered by the nation; and he insisted on the prudence of persevering, at least till the young king's majority, in the ecclesiastical model established by that great monarch. He defended the use of images, which were now openly attacked by the protestants; and he represented them as serviceable in maintaining a sense of religion among the illiterate multitude.<sup>1</sup> He even deigned to write an apology for *holy water*, which Bishop Ridley had decried in a sermon; and he maintained that, by the power of the Almighty, it might be rendered an instrument of doing good; as much as the shadow of St. Peter, the hem of Christ's garment, or the spittle and clay laid upon the eyes of the blind.<sup>2</sup> Above all, he insisted, that the laws ought to be observed, that the constitution ought to be preserved inviolate, and that it was dangerous to follow the will of the sovereign, in opposition to an act of parliament.<sup>3</sup>

But though there remained at that time in England an idea of laws and a constitution, sufficient at least to furnish a topic of argument to such as were discontented with any immediate exercise of authority, this plea could scarcely, in the present case, be maintained with any plausibility by Gardiner. An act of parliament had invested the crown with a legislative power; and royal proclamations, even during a minority, were armed with the force of laws. The protector, finding himself supported by this statute, was determined to employ his authority in favour of the reformers; and having suspended, during the interval, the jurisdiction of the bishops, he appointed a general visitation to be made in all the dioceses of England.<sup>4</sup> The visitors consisted of a mixture of clergy and

laity, and had six circuits assigned them. The chief purport of their instructions was, besides correcting immoralities and irregularities in the clergy, to abolish the ancient superstitions, and to bring the discipline and worship somewhat nearer the practice of the reformed churches. The moderation of Somerset and Cranmer is apparent in the conduct of this delicate affair. The visitors were enjoined to retain for the present all images which had not been abused to idolatry; and to instruct the people not to despise such ceremonies as were not yet abrogated, but only to beware of some particular superstitions, such as the sprinkling of their beds with holy water, and the ringing of bells, or using of consecrated candles, in order to drive away the devil.<sup>5</sup>

But nothing required more the correcting hand of authority than the abuse of preaching, which was now generally employed, throughout England, in defending the ancient practices and superstitions. The court of augmentation, in order to ease the exchequer of the annuities paid to monks, had commonly placed them in the vacant churches; and these men were led by interest, as well as by inclination, to support those principles which had been invented for the profit of the clergy. Orders therefore were given to restrain the topics of their sermons: twelve homilies were published, which they were enjoined to read to the people; and all of them were prohibited, without express permission, from preaching any where but in their parish churches. The purpose of this injunction was to throw a restraint on the catholic divines; while the protestant, by the grant of particular licences, should be allowed unbounded liberty.

Bonner made some opposition to these measures; but soon after retracted and acquiesced. Gardiner was more high-spirited and more steady. He represented the peril of perpetual innovations, and the necessity of adhering to some system. "Tis a dangerous thing," said he, "to use too much freedom in researches of this kind. If you cut the old canal, the water is apt to run further than you have a mind to. If you indulge the humour of novelty, you cannot put a stop to people's demands, nor govern their indiscretions at pleasure." "For my part," said he, on another occasion, "my sole concern is, to manage the third and last act of my life with decency, and to make a handsome exit off the stage. Provided this point is secured, I am not solicitous about the rest. I am already by nature condemned to death: no man can give me a pardon from this sentence; nor so much as procure me a reprieve. To speak my mind, and to act as my conscience directs, are two branches of liberty which I can never part with. Sincerity in speech, and integrity in action, are entertaining qualities: they will stick by a man when every thing else takes its leave; and I must not resign them upon any consideration. The best on it is, if I do not throw them away myself, no man can force them from me: but if I give them up, then I am ruined by myself, and deserve to lose all my preferences."<sup>6</sup> This opposition of Gardiner drew on him the indignation of the council; and he was sent to the Fleet, where he was used with some severity.

One of the chief objections urged by Gardiner against the new homilies, was, that they defined, with the most metaphysical precision, the doctrines of grace, and of justification by faith; points, he thought, which it was superfluous for any man to know exactly, and which certainly much exceeded the comprehension of the vulgar. A famous martyrologist calls Gardiner, on account of this opinion, "an insensible ass, and one that had no feeling of God's Spirit in the matter of justification."<sup>7</sup> The meanest protestant imagined, at that time, that he had a full comprehension of all those mysterious doctrines, and he heartily despised the most learned and knowing person of the ancient religion, who acknowledged his ignorance with regard to them. It is indeed certain, that the reformers were very fortunate in their doctrine of justification, and might venture to foretell its success, in opposition to all the ceremonies, shows, and superstitions of popery. By exalting Christ and his sufferings, and renouncing all

<sup>1</sup> Hist. vol. vii. p. 100. See vol. vi.  
<sup>2</sup> Hist. vol. vii. p. 100.

<sup>3</sup> Hist. vol. vii. p. 100.  
<sup>4</sup> Hist. vol. vii. p. 100.

<sup>5</sup> Collier, vol. i. p. 67. MS. Col. C. C. Cantab. Bibliotheca Bodleiana, vol. i. p. 67.





ducted then enterprise with great secrecy and success. Early in the morning they entered the cardinal's palace, which he had strongly fortified; and though they were not above sixteen persons, they thrust out a hundred tradesmen and fifty servants, whom they seized separately, before any suspicion arose of their intentions; and having shut the gates, they proceeded very deliberately to execute their purpose on the cardinal. That prelate had been alarmed with the noise which he heard in the castle; and had barricaded the door of his chamber: but finding that they had brought fire, in order to force their way, and having obtained, as is believed, a promise of life, he opened the door; and reminding them that he was a priest, he conjured them to spare him. Two of the assassins rushed upon him with drawn swords; but a third, James Melvil, more calm and more considerate in villany, stopped their career, and bade them reflect, that this sacrifice was the work and judgment of God, and ought to be executed with becoming deliberation and gravity. Then turning the point of his sword towards Beaton, he called to him, "Repent thee, thou wicked cardinal, of all thy sins and iniquities, especially of the murder of Wishart, that instrument of God for the conversion of these lands: it is his death which now cries vengeance upon thee: we are sent by God, to inflict the deserved punishment. For here, before the Almighty, I protest, that it is neither hatred of thy person, nor love of thy riches, nor fear of thy power, which moves me to seek thy death: but only because thou hast been, and still remainest, an obstinate enemy to Christ Jesus, and his holy gospel." Having spoken these words, without giving Beaton time to finish that repentance to which he exhorted him, he thrust him through the body; and the cardinal fell dead at his feet.<sup>2</sup> This murder was executed on the 28th of May, 1546. The assassins, being reinforced by their friends, to the number of a hundred and forty persons, prepared themselves for the defence of the castle, and sent a messenger to London, craving assistance from Henry. That prince, though Scotland was comprehended in his peace with France, would not forego the opportunity of disturbing the government of a rival kingdom; and he promised to take them under his protection.

It was the peculiar misfortune of Scotland, that five short reigns had been successively followed by as many long minorities; and the execution of justice, which the prince was beginning to introduce, had been continually interrupted by the cabals, factions, and animosities of the great. But, besides these inveterate and ancient evils, a new source of disorder had arisen, the disputes and contentions of theology, which were sufficient to disturb the most settled government; and the death of the cardinal, who was possessed of abilities and vigour, seemed much to weaken the hands of the administration. But the queen-dowager was a woman of uncommon talents and virtue; and she did as much to support the government, and supply the weakness of Arran, the governor, as could be expected in her situation.

The Protector of England, as soon as the war with Scotland was brought to some composure, made land. preparations for war with Scotland; and he was determined to execute, if possible, that project, of uniting the two kingdoms by marriage, on which the late king had been so intent, and which he had recommended with his dying breath to his executors. He levied an army of 18,000 men, and equipped a fleet of sixty sail, one half of which were ships of war, the other laden with provisions and ammunition. He gave the command of the fleet to Lord Clinton: he himself marched at the head of the army, attended by the Earl of Warwick. These hostile measures were covered with a pretence of revenging some depredations committed by the borderers: but besides that Somerset revived the ancient claim of the superiority of the English crown over that of Scotland, he refused to enter into negotiation on any other condition than the marriage of the young queen with Edward.

The protector, before he opened the campaign, published a manifesto, in which he enforced all the arguments for that measure. He said, that nature seemed originally to have intended this island for one empire: and having cut it off from all communication with foreign states, and guarded it by the ocean, she had pointed out to the inhabitants the road to happiness and to security: that the education and customs of the people concurred with nature; and by giving them the same language, and laws, and manners, had invited them to a thorough union and coalition: that fortune had at last removed all obstacles, and had prepared an expedient by which they might become one people, without leaving any place for that jealousy, either of honour or of interests, to which rival nations are naturally exposed: that the crown of Scotland had devolved on a female; that of England on a male; and happily the two sovereigns, as of a rank, were also of an age, the most suitable to each other: that the hostile dispositions which prevailed between the nations, and which arose from past injuries, would soon be extinguished, after a long and secure peace had established confidence between them: that the memory of former miseries, which at present inflamed their mutual animosity, would then serve only to make them cherish, with more passion, a state of happiness and tranquillity so long unknown to their ancestors: that when hostilities had ceased between the kingdoms, the Scottish nobility, who were at present obliged to remain perpetually in a warlike posture, would learn to cultivate the arts of peace, and would soften their minds to a love of domestic order and obedience: that as this situation was desirable to both kingdoms, so particularly to Scotland, which had been exposed to the greatest miseries from intestine and foreign wars, and saw herself every moment in danger of losing her independency, by the efforts of a richer and more powerful people: that though England had claims of superiority, she was willing to resign every pretension for the sake of future peace, and desired an union, which would be the more secure, as it would be concluded on terms entirely equal: and that, besides all these motives, positive engagements had been taken for completing this alliance; and the honour and good faith of the nation were pledged to fulfil what her interest and safety so loudly demanded.<sup>3</sup>

Somerset soon perceived that these remonstrances would have no influence; and that the queen-dowager's attachment to France and to the catholic religion would render ineffectual all negotiations for the intended marriage. He found himself, therefore, obliged to try the force of arms, and to constrain the Scots by necessity to submit to a measure, for which they seemed to have entertained the most incurable aversion. He passed the borders at Berwick, and advanced towards Ed Sept. Edinburgh, without meeting any resistance for some days, except from some small castles which he obliged to surrender at discretion. The protector intended to have punished the governor and garrison of one of these castles for their temerity in resisting such unequal force: but they eluded his anger by asking only a few hours' respite, till they should prepare themselves for death; after which they found his ears more open to their applications for mercy.<sup>4</sup>

The governor of Scotland had summoned together the whole force of the kingdom; and his army, double in number to that of the English, had taken post on advantageous ground, guarded by the banks of the Esk, about four miles from Edinburgh. The English came within sight of them at Faside; and after a skirmish between the horse, where the Scots were worsted, and Lord Hume dangerously wounded, Somerset prepared himself for a more decisive action. But having taken a view of the Scottish camp with the Earl of Warwick, he found it difficult to make an attempt upon it with any probability of success. He wrote, therefore, another letter to Arran; and offered to evacuate the kingdom, as well as to repair all the damages which he had committed, provided the Scots

<sup>2</sup> The famous Scotch reformer, John Knox, calls James Melvil, a pious man, most gentle and most modest. It is easy to detect, but of the same tone somewhat amusing, to consider the piety and charity, and pleasure which that barbarous assassin was naturally, and thus accidentally, and it is remarkable, that in the first edition of his works, these words were printed in the margin of the page: *See gently James and Beaton's James*

<sup>3</sup> Melvil. But the following editors retrenched them. Knox himself had no hand in the murder of Beaton; but he afterwards joined the assassins, and assisted them in holding out the castle. See Keith's Hist. of the Rel. of Scotland, p. 147.

<sup>4</sup> A. D. 1547. John Haywood, in Kennet, p. 279. Heylin, p. 42.

<sup>5</sup> Haywood, Patten.

would stipulate not to contract the queen to any foreign prince, but to detain her at home till she reached the age of choosing a husband for herself. So moderate a demand was rejected by the Scots merely on account of its moderation; and it made them imagine that the protector must either be reduced to great distress, or be influenced by fear, that he was now contented to abate so much of his former pretensions. Inflamed also by their priests, who had come to the camp in great numbers, they believed that the English were detestable heretics, abhorred of God, and exposed to divine vengeance; and that no success could ever crown their arms. They were confirmed in this fond conceit when they saw the protector change his ground, and move towards the sea; nor did they any longer doubt that he intended to embark his army, and make his escape on board the ships, which at that very time moved into the bay opposite to him.<sup>c</sup> Determined therefore to cut off his retreat, they quitted their camp; and passing

14th Sept.

the river Esk, advanced into the plain. They were divided into three bodies: Angus commanded the vanguard: Arran the main body: Huntley the rear: their cavalry consisted only of light horse, which were placed on their left flank, strengthened by some Irish archers, whom Argyle had brought over for this service.

Somerset was much pleased when he saw this movement of the Scottish army; and as the English had usually been superior in pitched battles, he conceived great hopes of success. He ranged his van on the left, furthest from the sea; and ordered them to remain on the high grounds

on which he placed them, till the enemy should approach: he placed his main battle and his rear towards the right; and beyond the van he posted Lord Grey at the head of the men at arms, and ordered him to take the Scottish van in flank, but not till they should be engaged in close fight with the van of the English.

While the Scots were advancing on the plain, they were galled with the artillery from the English ships: the eldest son of Lord Graham was killed: the Irish archers were thrown into disorder; and even the other troops began to stagger: when Lord Grey, perceiving their situation, neglected his orders, left his ground, and at the head of his heavy-armed horse, made an attack on the Scottish infantry, in hopes of gaining all the honour of the victory. On advancing, he found a slough and ditch in his way; and behind were ranged the enemy armed with spears, and the field on which they stood was fallow ground, broken with ridges which lay across their front, and disordered the movements of the English cavalry. From all these accidents the shock of this body of horse was feeble and irregular; and as they were received on the points of the Scottish spears, which were longer than the lances of the English horsemen, they were in a moment pierced, overthrown, and discomfited. Grey himself was dangerously wounded: Lord Edward Seymour, son of the protector, had his horse killed under him: the standard was near being taken; and had the Scots possessed any good body of cavalry, who could have pursued the advantage, the whole English army had been exposed to great danger.<sup>d</sup>

The protector, meanwhile, assisted by Sir Ralph Sadler, and Sir Ralph Vane, employed himself with diligence and success in rallying the cavalry. Warwick showed great presence of mind in maintaining the ranks of the foot, on which the horse had recoiled: he made Sir Peter Meutas advance, captain of the foot arquebusers, and Sir Peter Gamboa, captain of some Italian and Spanish arquebusers on horseback; and ordered them to ply the Scottish infantry with their shot. They marched to the slough and discharged their pieces full in the face of the enemy: the ships galled them from the flank: the artillery, planted on a height, infested them from the front: the English archers poured in a shower of arrows upon them: and the vanguard, descending from the hill, advanced leisurely, and in good order, towards them. Dismayed with all these circumstances, the Scottish van began to retreat: the retreat soon changed into a flight, which was begun by the Irish archers. The panic of the van communicated itself to the main body, and passing thence to the rear,

rendered the whole field a scene of confusion, terror, flight, and consternation. The English army pressed from the heights the condition of the Scots, and began the pursuit with loud shouts and acclamations, which added still more to the dismay of the vanquished. The horse, in particular, eager to revenge the affront which they had received in the beginning of the day, did the most bloody execution on the flying enemy; and from the field of battle to Edinburgh, for the space of five miles, the whole ground was strewn with dead bodies. The priests, above all, and the monks, received no quarter; and the English made sport of slaughtering men, who, from their extreme zeal and animosity, had engaged in an enterprise so ill befitting their profession. Few victories have been more decisive, or gained with smaller loss to the conquerors. There fell not two hundred of the English; and according to the most moderate computation, there perished above ten thousand of the Scots. About fifteen hundred were taken prisoners. This action was called the battle of Pinkey, from a nobleman's seat of that name in the neighbourhood.

The queen-dowager and Arran fled to Stirling, and were scarcely able to collect such a body of forces as could check the incursions of small parties of the English. About the same time, the Earl of Lenox and Lord Wharton entered the west marches, at the head of five thousand men, and after taking and plundering Annan, they spread devastation over all the neighbouring counties.<sup>e</sup> Had Somerset prosecuted his advantages, he might have imposed what terms he pleased on the Scottish nation: but he was impatient to return to England, where he heard some counsellors, and even his own brother, the admiral, were carrying on cabals against his authority. Having taken the castles of Hume, Dunglass, Eymouth, Fast-castle, Roxborough, and some other small places, and having received the submission of some counties on the borders, he retired from Scotland. The fleet, besides destroying all the shipping along the coast, took Broughty in the Frith of Tay; and having fortified it, they there left a garrison. Arran desired leave to send commissioners in order to treat of a peace; and Somerset, having appointed Berwick for the place of conference, left Warwick with full powers to negotiate: but no commissioners from Scotland ever appeared. The overture of the Scots was an artifice to gain time till succours should arrive from France.

The protector, on his arrival in England, summoned a parliament: and being somewhat elated with his success against the Scots, he procured from his nephew a patent, appointing him to sit on the throne, upon a stool or bench, at the right hand of the king, and to enjoy the same honours and privileges that had usually been possessed by any prince of the blood, or uncle of the kings of England. In this patent the king employed his dispensing power, by setting aside the statute of precedency enacted during the former reign.<sup>f</sup> But if Somerset gave offence by assuming too much

4th Nov. A parliament.

A parliament. state, he deserves great praise on account of the laws passed this session, by which the rigour of former statutes was much mitigated, and some security given to the freedom of the constitution. All laws were repealed which extended the crime of treason beyond the statute of the twenty-fifth of Edward III.;<sup>g</sup> all laws enacted during the late reign extending the crime of felony; all the former laws against Lollardy or heresy, together with the statute of the Six Articles. None were to be accused for words, but within a month after they were spoken. By these repeals several of the most rigorous laws that ever had passed in England were annulled; and some dawn, both of civil and religious liberty, began to appear to the people. Heresy, however, was still a capital crime by the common law, and was subjected to the penalty of burning. Only there remained no precise standard by which that crime could be defined or determined: a circumstance which might either be advantageous or hurtful to public security, according to the disposition of the judges.

A repeal also passed of that law, the destruction of all

<sup>c</sup> Holinshed, p. 965.  
<sup>d</sup> Holinshed, p. 992.

<sup>d</sup> Patten. Holinshed, p. 992.

<sup>f</sup> Rymer, vol. XI. p. 164.  
<sup>g</sup> 1 Edw. VI. c. 1.



laws, by which the king's proclamation was made of equal force with a statute.<sup>1</sup> That other law likewise was mitigated, by which the king was empowered to annul every statute passed before the four-and-twentieth year of his age: he could prevent their future execution; but could not recall any past effects which had ensued from them.<sup>2</sup>

It was also enacted, That all who denied the king's supremacy, or asserted the Pope's, should, for the first offence, forfeit their goods and chattels, and suffer imprisonment during pleasure; for the second offence, should incur the penalty of a *praemunire*; and for the third, be attainted of treason. But if any, after the first of March ensuing, endeavoured, by writing, printing, or any overt act or deed, to deprive the king of his estate or titles, particularly of his supremacy, or to confer them on any other, he was to be adjudged guilty of treason. If any of the heirs of the crown should usurp upon another, or endeavour to break the order of succession, it was declared treason in them, their aiders and abettors. These were the most considerable acts passed during this session. The members in general discovered a very passive disposition with regard to religion: some few appeared zealous for the Reformation: others secretly harboured a strong propensity to the catholic faith: but the greater part appeared willing to take any impression which they should receive from interest, authority, or the reigning fashion.<sup>3</sup>

The convocation met at the same time with the parliament; and as it was found that their debates were at first cramped by the rigorous statute of the Six Articles, the king granted them a dispensation from that law, before it was repealed by parliament.<sup>4</sup> The lower house of convocation applied to have liberty of sitting with the Commons in parliament; or, if this privilege were refused them, which they claimed as their ancient right, they desired that no law regarding religion might pass in parliament without their consent and approbation. But the principles which now prevailed were more favourable to the civil than to the ecclesiastical power, and this demand of the convocation was rejected.

The protector had assented to the repeal of that law which gave to the king's proclamations the authority of statutes; but he did not intend to renounce that arbitrary or discretionary exercise of power, in issuing proclamations, which had ever been assumed by the crown, and which it is difficult to distinguish exactly from a full legislative power. He even continued to exert his authority in some particulars, which were then regarded as the most momentous.

Orders were issued by council, that candles should no longer be carried about on Candlemas-day, ashes on Ash-Wednesday, palms on Palm-Sunday.<sup>5</sup> These were ancient religious practices, now termed superstitions; though it is fortunate for mankind when superstition happens to take a direction so innocent and inoffensive. The severe disposition which naturally attends all reformers, prompted likewise the council to abolish some gay and showy ceremonies which belonged to the ancient religion.<sup>6</sup>

An order was also issued by the council for the removal of all images from the churches: an innovation which was much desired by the reformers, and which alone, with regard to the populace, amounted almost to a total change of the established religion.<sup>7</sup> An attempt had been made to separate the use of images from their abuse, the reverence from the worship of them; but the execution of this design was found, upon trial, very difficult, if not wholly impracticable.

As private masses were abolished by law, it became necessary to compose a new communion service: and the council went so far, in the preface which they prefixed to this work, as to leave the practice of auricular confession wholly indifferent.<sup>8</sup> This was a prelude to the entire abolition of that invention, one of the most powerful engines that ever was contrived for degrading the laity, and giving their spiritual guides an entire ascendancy over them. And it may justly be said, that though the priest's

absolution, which attends confession, serves somewhat to ease weak minds from the immediate agonies of superstitious terror, it operates only by enforcing superstition itself, and thereby preparing the mind for a more violent relapse into the same disorders.

The people were at that time extremely distracted by the opposite opinions of their preachers; and as they were totally unable to judge of the reasons advanced on either side, and naturally regarded every thing which they heard at church as of equal authority, a great confusion and fluctuation resulted from this uncertainty. The council had first endeavoured to remedy the inconvenience, by laying some restraints on preaching; but finding this expedient ineffectual, they imposed a total silence on the preachers, and thereby put an end at once to all the polemics of the pulpit.<sup>9</sup> By the nature of things, this restraint could only be temporary. For in proportion as the ceremonies of public worship, its shows and exterior observances, were retrenched by the reformers, the people were inclined to contract a stronger attachment to sermons, whence alone they received any occupation or amusement. The ancient religion, by giving its votaries something to do, freed them from the trouble of thinking: sermons were delivered only in the principal churches, and at some particular fasts and festivals: and the practice of haranguing the populace, which, if abused, is so powerful an incitement to faction and sedition, had much less scope and influence during those ages.

The greater progress was made towards a reformation in England, the further did the protector find himself from all prospect of completing the union with Scotland; and the queen-dowager, as well as the clergy, became the more averse to all alliance with a nation which had so far departed from all ancient principles. Somerset, having taken the town of Haddington, had ordered it to be strongly garrisoned and fortified by Lord Grey: he also erected some fortifications at Lauder: and he hoped that these two places, together with Broughty, and some smaller fortresses, which were in the hands of the English, would serve as a curb on Scotland, and would give him access into the heart of the country.

Arran, being disappointed in some attempts on Broughty, relied chiefly on the succours expected from France, for the recovery of these places; and they arrived at last in the Frith, to the number of six thousand men; half of them Germans. They were commanded by Dessé, and under him by Andelot, Strozzi, Meilleraye, and Count Rhingrave. The Scots were at that time so sunk by their misfortunes, that five hundred English horse were able to ravage the whole country without resistance, and make inroads to the gates of the capital: but on the appearance of the French succours, they collected more courage; and having joined Dessé with a considerable reinforcement, they laid siege to Haddington.<sup>10</sup> This was an undertaking for which they were by themselves totally unfit; and, even with the assistance of the French, they placed their chief hopes of success in starving the garrison. After some vain attempts to take the place by a regular siege, the blockade was formed, and the garrison was repulsed with loss, in several sallies which they made upon the besiegers.

The hostile attempts which the late king and the protector had made against Scotland, not being steady, regular, nor pushed to the last extremity, had served only to irritate the nation, and to inspire them with the strongest aversion to that union, which was courted in so violent a manner. Even those who were inclined to the English alliance, were displeased to have it imposed on them by force of arms; and the Earl of Huntley, in particular, said pleasantly, that he disliked not the match, but he hated the manner of wooing.<sup>11</sup> The queen-dowager, finding these sentiments to prevail, called a parliament, in an abbey near Haddington; and it was there proposed, that the young queen, for her greater security, should be sent to France, and be committed to the custody of that ancient ally. Some objected that this measure was desperate, allowed no resource in case of miscarriage, exposed the

Affairs of  
Scotland.

<sup>1</sup> 1 Edw. VI. c. 2. 2 Ibid. 3 Heylin, p. 46.  
<sup>4</sup> 1 And. Arden, p. 60. 5 Ibid. 6 Heylin, p. 46.  
<sup>7</sup> 1 And. Arden, p. 60. 8 Cooper, vol. ii. p. 241. Heylin, p. 46.  
<sup>9</sup> 1 And. Arden, p. 60.

<sup>10</sup> 1 Edw. VI. c. 2. p. 60. 11 Collier, vol. ii. p. 241. Heylin, p. 46.  
<sup>12</sup> 1 And. Arden, p. 60. 13 Fuller, p. 107. 14 Heylin, p. 46.  
<sup>15</sup> 1 And. Arden, p. 60. 16 Heylin, p. 46. 17 Patten.

Scots to be subjected by foreigners, involved them in perpetual war with England, and left them no expedient by which they could conciliate the friendship of that powerful nation. It was answered, on the other hand, that the queen's presence was the very cause of war with England; that that nation would desist, when they found that their views of forcing a marriage had become altogether impracticable; and that Henry, being engaged by so high a mark of confidence, would take their sovereignty under his protection, and use his utmost efforts to defend the kingdom. These arguments were aided by French gold, which was plentifully distributed among the nobles. The governor had a pension conferred on him of twelve thousand livres a year, received the title of Duke of Chatelrault, and obtained for his son the command of a hundred men at arms.<sup>a</sup> And as the clergy dreaded the consequences of the English alliance, they seconded this measure with all the zeal and industry which either principle or interest could

inspire. It was accordingly determined to send the queen to France; and, what was understood to be the necessary consequence, to marry her to the dauphin. Villegaignon, commander of four French galleys, lying in the Frith of Forth, set sail, as if he intended to return home; but when he reached the open sea, he turned northwards, passed by the Orkneys, and came in on the west coast at Dunbarton: an extraordinary voyage for ships of that fabric.<sup>b</sup> The young queen was there committed to him; and being attended by the Lords Erskine and Livingstone, she put to sea, and, after meeting with some tempestuous weather, arrived safely at Brest, whence she was conducted to Paris, and soon after she was betrothed to the dauphin.

Somerset, pressed by many difficulties at home, and despairing of success in his enterprise against Scotland, was desirous of composing the differences with that kingdom, and he offered the Scots a ten years' truce; but as they insisted on his restoring all the places which he had taken, the proposal came to nothing. The Scots recovered the fortresses of Hume and Fastcastle by surprise, and put the garrisons to the sword: they repulsed, with loss, the English, who, under the command of Lord Seymour, made a descent, first in Fife, then at Montrose; in the former action, James Stuart, natural brother to the queen, acquired honour; in the latter, Areskine, of Dun. An attempt was made by Sir Robert Bowes, and Sir Thomas Palmer, at the head of a considerable body, to throw relief into Haddington; but these troops, falling into an ambuscade, were almost wholly cut in pieces.<sup>c</sup> And though a small body of two hundred men escaped all the vigilance of the French, and arrived safely in Haddington, with some ammunition and provisions, the garrison was reduced to such difficulties, that the protector found it necessary to provide more effectually for their relief. He raised an army of eighteen thousand men, and adding three thousand Germans, who, on the dissolution of the protestant alliance, had offered their service to England, he gave the command of the whole to the Earl of Shrewsbury.<sup>d</sup> Dessé raised the blockade, on the approach of the English; and with great difficulty made good his retreat to Edinburgh, where he posted himself advantageously. Shrewsbury, who had lost the opportunity of attacking him on his march, durst not give him battle in his present situation; and contenting himself with the advantage already gained, of supplying Haddington, he retired into England.

Though the protection of France was of great consequence to the Scots, in supporting them against the invasions of England, they reaped still more benefit from the distractions and divisions which had crept into the councils of this latter kingdom. Even the two Cabals of Lord Seymour, brothers, the protector and admiral, not content with the high stations which they severally enjoyed, and the great eminence to which they had risen, had entertained the most violent jealousy of each other; and they divided the whole court and kingdom by their opposite cabals and pretensions. Lord Seymour was a man

of insatiable ambition; arrogant, assuming, implacable; and though esteemed of superior capacity to the protector, he possessed not, to the same degree, the confidence and regard of the people. By his flattery and address, he had so insinuated himself into the good graces of the queen-dowager, that, forgetting her usual prudence and decency, she married him immediately upon the demise of the late king: inasmuch, that had she soon proved pregnant, it might have been doubtful to which husband the child belonged. The credit and riches of this alliance supported the ambition of the admiral; but gave umbrage to the Duchess of Somerset, who, uneasy that the younger brother's wife should have the precedence, employed all her credit with her husband, which was too great, first to create, then to widen, the breach between the two brothers.<sup>e</sup>

The first symptoms of this misunderstanding appeared when the protector commanded the army in Scotland. Secretary Paget, a man devoted to Somerset, remarked, that Seymour was forming separate intrigues among the counsellors; was corrupting by presents the king's servants; and even endeavouring, by improper indulgences and liberalities, to captivate the affections of the young monarch. Paget represented to him the danger of this conduct; desired him to reflect on the numerous enemies, whom the sudden elevation of their family had created; and warned him, that any dissension between him and the protector would be greedily laid hold of, to effect the ruin of both. Finding his remonstrances neglected, he conveyed intelligence of the danger to Somerset, and engaged him to leave the enterprise upon Scotland unfinished, in order to guard against the attempts of his domestic enemies. In the ensuing parliament, the admiral's projects appeared still more dangerous to public tranquillity; and as he had acquired many partisans, he made a direct attack upon his brother's authority. He represented to his friends, that formerly, during a minority, the office of protector of the kingdom had been kept separate from that of governor of the king's person; and that the present union of these two important trusts conferred on Somerset an authority which could not safely be lodged in any subject.<sup>f</sup> The young king was even prevailed on to write a letter to the parliament, desiring that Seymour might be appointed his governor; and that nobleman had formed a party in the two Houses, by which he hoped to effect his purpose. The design was discovered before its execution; and some common friends were sent to remonstrate with him, but had so little influence, that he threw out many menacing expressions, and rashly threatened, that if he were thwarted in his attempt, he would make this parliament the blackest that ever sat in England.<sup>g</sup> The council sent for him to answer for this conduct; but he refused to attend: they then began to threaten in their turn, and informed him that the king's letter, instead of availing him any thing to the execution of his views, would be imputed to him as a criminal enterprise, and be construed as a design to disturb the government, by forming a separate interest with a child and minor. They even let fall some menaces of sending him to the Tower for his temerity; and the admiral, finding himself prevented in his design, was obliged to submit, and to desire a reconciliation with his brother.

The mild and moderate temper of Somerset made him willing to forget these enterprises of the admiral; but the ambition of that turbulent spirit could not be so easily appeased. His spouse, the queen-dowager, died in childhood; but so far from regarding this event as a check to his aspiring views, he founded on it the scheme of a more extraordinary elevation. He made his addresses to the Lady Elizabeth, then in the sixteenth year of her age; and that princess, whom even the hurry of business and the pursuits of ambition could not, in her more advanced years, disengage entirely from the tender passions, seems to have listened to the insinuations of a man who possessed every talent proper to captivate the affections of the fair.<sup>h</sup> But as Henry VIII. had excluded his daughters from all hopes of succession, if they married without the

<sup>a</sup> Turner, vol. ii. p. 88. Buchanan, lib. xv. Keith, p. 55. Thuanus, lib. x. c. 15.  
<sup>b</sup> Turner, lib. v. c. 15.  
<sup>c</sup> Stowe, p. 248. Hume, lib. x. c. 20.

<sup>d</sup> Hayward, p. 291.  
<sup>e</sup> Ibid. p. 301. Heylin, p. 71. Camden, Thuanus, lib. vi. c. 5. Haynes, p. 49.  
<sup>f</sup> Ibid. p. 75. a Haynes, p. 82, 90.  
c Ibid. p. 25, 96, 103.

consent of his executors, which Seymour could never hope to obtain; it was concluded that he meant to effect his purpose by expedients still more rash and more criminal. All the other measures of the admiral tended to confirm this suspicion. He continued to attack, by presents, the fidelity of those who had more immediate access to the king's person: he endeavoured to seduce the young prince into his interests: he found means of holding a private correspondence with him: he openly decried his brother's administration; and asserted, that, by enlisting Germans and other foreigners, he intended to form a mercenary army, which might endanger the king's authority, and the liberty of the people: by promises and persuasion he brought over to his party many of the principal nobility; and had extended his interest all over England: he neglected not even the most popular persons of inferior rank; and had computed that he could, on occasion, muster an army of 10,000 men, composed of his servants, tenants, and retainers;<sup>d</sup> he had already provided arms for their use; and having engaged in his interests Sir John Sharnington, a corrupt man, master of the mint at Bristol, he flattered himself that money would not be wanting. Somerset was well apprised of all these alarming circumstances, and endeavoured, by the most friendly expedients, by entreaty, reason, and even by heaping new favours upon the admiral, to make him desist from his dangerous counsels; but finding all endeavours ineffectual, he began to think of more severe remedies. The Earl of Warwick was an ill instrument between the brothers; and had formed the design, by inflaming the quarrel, to raise his own fortune on the ruins of both.

Dudley Earl of Warwick. Dudley, Earl of Warwick, was the son of that Dudley, minister to Henry VII. who having, by rapine, extortion, and perversion of law, incurred the hatred of the public, had been sacrificed to popular animosity in the beginning of the subsequent reign. The late king, sensible of the iniquity, at least illegality, of the sentence, had afterwards restored young Dudley's blood by act of parliament; and finding him endowed with abilities, industry, and activity, he had intrusted him with many important commands, and had ever found him successful in his undertakings. He raised him to the dignity of Viscount Lisle, conferred on him the office of admiral, and gave him, by his will, a place among his executors. Dudley made still further progress during the minority; and having obtained the title of Earl of Warwick, and undermined the credit of Southampton, he bore the chief rank among the protector's counsellors. The victory gained at Pinky was much ascribed to his courage and conduct; and he was universally regarded as a man equally endowed with the talents of peace and of war. But all these virtues were obscured by still greater vices; an exorbitant ambition, an insatiable avarice, a neglect of decency, a contempt of justice: and as he found that Lord Seymour, whose abilities and enterprising spirit he chiefly dreaded, was involving himself in ruin by his rash counsels, he was determined to push him on the precipice, and thereby remove the chief obstacle to his own projected greatness.

When Somerset found that the public peace was endangered by his brother's seditious, not to say rebellious, schemes, he was the more easily persuaded by Warwick to employ the extent of royal authority against him; and, after depriving him of the office of admiral, he signed a warrant for committing him to the Tower. Some of his accomplices were also taken into custody; and three privy-counsellors being sent to examine them, made a report that they had met with very full and important discoveries. Yet still the protector suspended the blow, and showed a reluctance to ruin his brother. He offered to desist from the prosecution, if Seymour would promise him a cordial reconciliation; and, renouncing all ambitious hopes, be contented with a private life, and retire into the country. But as Seymour made no other answer to these friendly offers than menaces and defiance, he ordered a charge to be drawn up against him consisting of thirty-three articles; e and the whole to be laid before the privy council. It is pretended, that every particular was so incontestably proved, both by witnesses and his own hand-writing, that

there was no room for doubt; yet did the council think proper to go in a body to the Tower, in order more fully to examine the prisoner. He was not daunted by the appearance: he boldly demanded a fair trial; required to be confronted with the witnesses; desired that the charge might be left with him, in order to be considered; and refused to answer any interrogatories by which he might accuse himself.

It is apparent that, notwithstanding what is pretended, there must have been some deficiency in the evidence against Seymour, when such demands, founded on the plainest principles of law and equity, were absolutely rejected. We shall indeed conclude, if we carefully examine the charge, that many of the articles were general, and scarcely capable of any proof; many of them, if true, susceptible of a more favourable interpretation; and that though, on the whole, Seymour appears to have been a dangerous subject, he had not advanced far in those treasonable projects imputed to him. The chief part of his actual guilt seems to have consisted in some unwarrantable practices in the admiralty, by which pirates were protected, and illegal impositions laid upon the merchants.

But the administration had, at that time, an easy instrument of vengeance, to wit, the parliament; and needed not to give themselves any concern with regard either to the guilt of the persons whom they prosecuted, or the evidence which could be produced against them. A session of parliament being held, it was re-

solved to proceed against Seymour by bill of attainder; and the young king being induced, after much solicitation, to give his consent to it, a considerable weight was put on his approbation. The matter was first laid before the Upper House; and several peers, rising up in their places, gave an account of what they knew concerning Lord Seymour's conduct, and his criminal words or actions. These narratives were received as undoubted evidence; and though the prisoner had formerly engaged many friends and partisans among the nobility, no one had either the courage or equity to move that he might be heard in his defence, that the testimony against him should be delivered in a legal manner, and that he should be confronted with the witnesses. A little more scruple was made in the House of Commons: there were even some members who objected against the whole method of proceeding by bill of attainder passed in absence; and insisted that a formal trial should be given to every man before his condemnation. But when a mes-

sage was sent by the king, enjoining the House to proceed, and offering that the same narratives should be laid before them which had satisfied the peers, they were easily prevailed on to acquiesce.<sup>f</sup> The bill passed in a full House. Near four hundred voted for it; not above nine or ten against it.<sup>g</sup> The sentence was soon after executed, and the prisoner was beheaded on Tower-hill. The warrant was signed by Somerset, who was exposed to much blame on account of the violence of these proceedings. The attempts of the admiral seem chiefly to have been levelled against his brother's usurped authority; and though his ambitious, enterprising character, encouraged by a marriage with the Lady Elizabeth, might have endangered the public tranquillity, the prudence of foreseeing evils at such a distance was deemed too great, and the remedy was plainly illegal. It could only be said that this bill of attainder was somewhat more tolerable than the preceding ones, to which the nation had been inured; for here, at least, some shadow of evidence was produced.

All the considerable business transacted this session, besides the attainder of Lord Seymour, regarded ecclesiastical affairs: which were now the chief object of attention throughout the nation. A committee of bishops and divines had been appointed by the council to compose a liturgy; and they had executed the work committed to them. They proceeded with moderation in this delicate undertaking: they retained as much of the ancient mass as the principles of the reformers would permit: they indulged nothing of the spirit of con-

A parliament.  
4th Nov.

A. D. 1549.  
Attainder of  
Lord Seymour.

20th March.

His execution.

Ecclesiastical  
affairs.

<sup>d</sup> Haywood, p. 105, 106.

<sup>e</sup> Burnet, vol. ii. Col. 31. 2 & 3 Edw. VI. c. 16.

<sup>f</sup> 2 A. 3 Edw. VI. c. 36.  
<sup>g</sup> 2 Burnet, vol. ii. p. 29.



tradition, which so naturally takes place in all great innovations: and they flattered themselves that they had established a service, in which every denunciation of Christians might without scruple concur. The mass had always been celebrated in Latin; a practice which might have been deemed absurd, had it not been found useful to the clergy, by impressing the people with an idea of some mysterious unknown virtue in those rites, and by checking all their pretensions to be familiarly acquainted with their religion. But as the reformers pretended, in some few particulars, to encourage private judgment in the laity, the translation of the liturgy, as well as of the Scriptures, into the vulgar tongue, seemed more conformable to the genius of their sect; and this innovation, with the retrenching of prayers to saints, and of some superstitious ceremonies, was the chief difference between the old mass and the new liturgy. The parliament established this form of worship in all the churches, and ordained a uniformity to be observed in all the rites and ceremonies.<sup>b</sup>

There was another material act which passed this session. The former canons had established the celibacy of the clergy; and though this practice is usually ascribed to the policy of the court of Rome, who thought that the ecclesiastics would be more devoted to their spiritual head, and less dependent on the civil magistrate, when freed from the powerful tie of wives and children; yet was this institution much forwarded, by the principles of superstition inherent in human nature. These principles had rendered the panegyrics on an inviolate chastity so frequent among the ancient fathers, long before the establishment of celibacy. And even this parliament, though they enacted a law, permitting the marriage of priests, yet confess, in the preamble, "That it were better for priests and the ministers of the church to live chaste and without marriage, and it were much to be wished they would of themselves abstain." The inconveniences which had arisen from the compelling of chastity and the prohibiting of marriage, are the reasons assigned for indulging a liberty in this particular.<sup>c</sup> The ideas of penance, also, were so much retained in other particulars, that an act of parliament passed, forbidding the use of flesh-meat during Lent and other times of abstinence.<sup>d</sup>

The principal tenets and practices of the catholic religion were now abolished, and the Reformation, such as it is enjoyed at present, was almost entirely completed in England. But the doctrine of the real presence, though tacitly condemned by the new communion service, and by the abolition of many ancient rites, still retained some hold on the minds of men; and it was the last doctrine of popery that was wholly abandoned by the people.<sup>e</sup> The great attachment of the late king to that tenet, might in part be the ground of this obstinacy; but the chief cause was really the extreme absurdity of the principle itself, and the profound veneration which, of course, it impressed on the imagination. The priests, likewise, were much inclined to favour an opinion, which attributed to them so miraculous a power; and the people, who believed that they participated of the very body and blood of their Saviour, were loth to renounce so extraordinary and, as they imagined, so salutary, a privilege. The general attachment to this dogma was so violent, that the Lutherans, notwithstanding their separation from Rome, had thought proper, under another name, still to retain it: and the catholic preachers in England, when restrained in all other particulars, could not forbear, on every occasion, inculcating that tenet. Bonner, for this

offence, among others, had been tried by the council, had been deprived of his see, and had been committed to custody. Gardiner also, who had recovered his liberty, appeared anew refractory to the authority which established the late innovations; and he seemed willing to countenance that opinion, much favoured by all the English catholics, that the king was indeed supreme head of the church, but not the council during a minority. Having declined to give full satisfaction on this head, he was sent to the Tower, and threatened with further effects of the council's displeasure.

These severities, being exercised on men possessed of office and authority, seemed, in that age, a necessary policy, in order to enforce a uniformity in public worship and discipline: but there were other instances of persecution, derived from no origin but the bigotry of theologians; a malady which seems almost incurable. Though the protestant divines had ventured to renounce opinions, deemed certain during many ages, they regarded, in their turn, the new system as so certain, that they would suffer no contradiction with regard to it; and they were ready to burn in the same flames, from which they themselves had so narrowly escaped, every one that had the assurance to differ from them. A commission, by act of council, was granted to the primate, and some others, to examine and search after all anabaptists, heretics, or contemners of the book of common prayer.<sup>f</sup> The commissioners were enjoined to reclaim them, if possible; to impose penance on them; and to give them absolution: or, if these criminals were obstinate, to excommunicate and imprison them, and to deliver them over to the secular arm: and in the execution of this charge, they were not bound to observe the ordinary methods of trial; the forms of law were dispensed with; and if any statutes happened to interfere with the powers in the commission, they were overruled and abrogated by the council. Some tradesmen in London were brought before these commissioners, and were accused of maintaining, among other opinions, that a man regenerate could not sin, and that, though the outward man might offend, the inward was incapable of all guilt. They were prevailed on to abjure, and were dismissed. But there was a woman accused of heretical pravity, called Joan Bocher, or Joan of Kent, who was so pertinacious, that the commissioners could make no impression upon her. Her doctrine was, "that Christ was not truly incarnate of the Virgin, whose flesh, being the outward man, was sinfully begotten, and born in sin; and consequently, he could take none of it: but the word, by the consent of the inward man of the Virgin, was made flesh."<sup>g</sup> This opinion, it would seem, is not orthodox; and there was a necessity for delivering the woman to the flames for maintaining it. But the young king, though in such tender years, had more sense than all his counsellors and preceptors; and he long refused to sign the warrant for her execution. Cramer was employed to persuade him to compliance; and he said, that there was a great difference between errors in other points of divinity, and those which were in direct contradiction to the Apostles' creed: these latter were impieties against God, which the prince, being God's deputy, ought to repress; in like manner, as inferior magistrates were bound to punish offences against the king's person. Edward, overcome by importunity, at last submitted, though with tears in his eyes; and he told Cramer, that if any wrong were done, the guilt should lie entirely on his head. The primate, after making a new effort to reclaim the woman from her errors, and finding her obstinate against all his arguments,

<sup>b</sup> 2 & 3 Edw. VI. c. 1.

<sup>c</sup> 2 & 3 Edw. VI. cap. 21.

<sup>d</sup> 2 & 3 Edw. VI. cap. 19. Another act passed this session takes notice, in the preamble, that the city of York, formerly well inhabited, was now much decayed: inasmuch that many of the houses could not afford a convenient attendance to the incumbents. To remedy this inconvenience, the trustees were empowered to unite as many parishes as they thought proper. An ecclesiastical historian, (Cotton, vol. ii. p. 246, 247) thinks that this decay of York is chiefly to be ascribed to the dissolution of monasteries, in which the revenues fell into the hands of persons who lived at a distance.

<sup>e</sup> A very gross tax was imposed this session upon the whole stock and movable estate of the kingdom, and even upon its industry. It was a charge in the pound yearly, during three years, on every pair a worth ten pence upwards. The double and single denizens, those last, if below twelve years of age, and if worth less than twenty shillings, were to pay half, and every yearly value was to pay the price yearly, every cow 6 pence. The woolen manufactures were to pay eight pence a pound on the value of all the cloth they made. These exorbitant taxes

on money are a proof that few people lived on money-lent at interest: for this tax amounts to half of the yearly income of all money-lenders, during three years, estimating their interest at the rate allowed by law, and it is too grievous to be borne, if many persons had been able to pay it. It is remarkable that no tax at all was laid upon land this session. The profits of merchandise were commonly so high, that it was supposed it could bear this imposition. The most absurd part of the above seems to be the tax upon the woollen manufactures. See 2 and 3 Edw. VI. cap. 35. The subsequent parliament repealed the tax on sheep and woolen cloth, 4 and 5 Edw. VI. cap. 25. But they continued the other tax a year longer. Ibid.

<sup>f</sup> The clergy taxed themselves at six shillings in the pound, to be paid in three years. This taxation was ratified in parliament, which had been the custom in practice since the Reformation, implying that the clergy have no legislative power over their themselves. See 2 and 3 Edw. VI. cap. 45.

<sup>g</sup> Burnet, vol. i. p. 104.

<sup>h</sup> Burnet, vol. i. c. 35. Strype's Mem. Cramer, p. 161.

at last committed her to the flames. Some time after, a Dutchman, called Van Paris, accused of the heresy which has received the name of Arrianism, was condemned to the same punishment. He suffered with so much satisfaction, that he hugged and caressed the faggots that were consuming him; a species of frenzy, of which there is more than one instance among the martyrs of that age.<sup>a</sup>

These rigorous methods of proceeding soon brought the whole nation to a conformity, 'seeming or real, with the new doctrine and the new liturgy. The Lady Mary alone continued to adhere to the mass, and refused to admit the established modes of worship. When pressed and menaced on this head, she applied to the emperor; who, using his interest with Sir Philip Hobby, the English ambassador, procured her a temporary connivance from the council.<sup>b</sup>

## CHAP. XXXV.

Discontents of the people. Insurrections.—Conduct of the War with Scotland.—With France.—Factions in the council.—Conspiracy against Somerset.—Somerset resigns the protectorship.—A parliament.—Peace with France and Scotland.—Boulogne surrendered.—Persecution of Gardiner.—Warwick created Duke of Northumberland.—His ambition.—Trial of Somerset.—His execution.—A parliament.—A new parliament.—Succession changed.—The king's sickness.—and death.

A. D. 1549. THERE is no abuse so great in civil society, as not to be attended with a variety of beneficial consequences; and in the beginnings of reformation, the loss of these advantages is always felt very sensibly, while the benefit resulting from the change is the slow effect of time, and is seldom perceived by the bulk of a nation. Scarce any institution can be imagined less favourable, in the main, to the interests of mankind, than that of monks and friars; yet was it followed by many good effects, which, having ceased by the suppression of monasteries, were much regretted by the people of England. The monks, always residing in their convents, in the centre of their estates, spent their money in the provinces and among their tenants, afforded a ready market for commodities, were a sure resource to the poor and indigent; and though their hospitality and charity gave but too much encouragement to idleness, and prevented the increase of public riches, yet did it provide to many a relief from the extreme pressures of want and necessity. It is also observable, that, as the friars were limited by the rules of their institution to a certain mode of living, they had not equal motives for extortion with other men; and they were acknowledged to have been in England, as they still are in Roman catholic countries, the best and most indulgent landlords. The abbots and priors were permitted to give leases at an under-value, and to receive, in return, a large present from the tenant; in the same manner as is still practised by the bishops and colleges. But when the abbey-lands were distributed among the principal nobility and courtiers, they fell under a different management: the rents of farms were raised, while the tenants found not the same facility in disposing of the produce; the money was often spent in the capital; and the farmers, living at a distance, were exposed to oppression from their new masters, or to the still greater rapacity of the stewards.

These grievances of the common people were at that time heightened by other causes. The arts of manufacture were much more advanced in other European countries than in England; and even in England these arts had made greater progress than the knowledge of agriculture; a profession which, of all mechanical employments, requires the most reflection and experience. A great demand arose for wool both abroad and at home: pasturage was found more profitable than unskilful tillage: whole estates were laid waste by enclosures: the tenants, regarded as a useless burden, were expelled their habitations: even the cottagers, deprived of the commons on which they formerly fed their cattle, were reduced to misery; and a decay of people, as well as the diminution of the former

plenty, was remarked in the kingdom.<sup>a</sup> This grievance was now of an old date; and Sir Thomas More, alluding to it, observes in his *Utopia*, that a sheep had become in England a more ravenous animal than a lion or wolf, and devoured whole villages, cities, and provinces.

The general increase also of gold and silver in Europe, after the discovery of the West Indies, had a tendency to inflame these complaints. The growing demand, in the more commercial countries, had heightened every where the price of commodities, which could easily be transported thither; but in England, the labour of men, who could not so easily change their habitation, still remained nearly at the ancient rates; and the poor complained that they could no longer gain a subsistence by their industry. It was by an addition alone of toil and application they were enabled to procure a maintenance; and though this increase of industry was at last the effect of the present situation, and an effect beneficial to society, yet was it difficult for the people to shake off their former habits of indolence; and nothing but necessity could compel them to such an exertion of their faculties.

It must also be remarked, that the profusion of Henry VIII. had reduced him, notwithstanding his rapacity, to such difficulties, that he had been obliged to remedy a present necessity, by the pernicious expedient of debasing the coin; and the wars in which the protector had been involved, had induced him to carry still further the same abuse. The usual consequences ensued: the good specie was hoarded or exported; base metal was coined at home, or imported from abroad in great abundance; the common people, who received their wages in it, could not purchase commodities at the usual rates; a universal diffidence and stagnation of commerce took place; and loud complaints were heard in every part of England.

The protector, who loved popularity, and pitied the condition of the people, encouraged these complaints by his endeavours to redress them. He appointed a commission for making inquiry concerning enclosures; and issued a proclamation, ordering all late enclosures to be laid open by a day appointed. The populace, meeting with such countenance from government, began to rise in several places, and to commit disorders, but were quieted by remonstrances and persuasion. In order to give them greater satisfaction, Somerset appointed new commissioners, whom he sent every where, with an unlimited power, to hear and determine all causes about enclosures, highways, and cottages.<sup>b</sup> As this commission was disagreeable to the gentry and nobility, they stigmatized it as arbitrary and illegal; and the common people, fearing it would be eluded, and being impatient for immediate redress, could no longer contain their fury, but sought for a remedy by force of arms. The rising began at once in

several parts of England, as if a universal Insurrections. conspiracy had been formed by the commonalty. The rebels in Wiltshire were dispersed by Sir William Herbert: those in the neighbouring counties, Oxford and Gloucester, by Lord Gray of Wilton. Many of the rioters were killed in the field: others were executed by martial law. The commotions in Hampshire, Sussex, Kent, and other counties were quieted by gentler expedients; but the disorders in Devonshire and Norfolk threatened more dangerous consequences.

The commonalty in Devonshire began with the usual complaints against enclosures and against oppressions from the gentry; but the parish priest of Sampford-Courtenay had the address to give their discontent a direction towards religion; and the delicacy of the subject in the present emergency made the insurrection immediately appear formidable. In other counties the gentry had kept closely united with government; but here many of them took part with the populace; among others, Humphry Arundel, governor of St. Michael's Mount. The rioters were brought into the form of a regular army, which amounted to the number of ten thousand. Lord Russel had been sent against them at the head of a small force; but finding himself too weak to encounter them in the field, he kept at a distance, and began to negotiate with them; in hopes of eluding their fury by delay, and of

<sup>a</sup> *Forest*, vol. ii. p. 112. *Styrie's Mein. Germ.* p. 191.  
<sup>b</sup> *Idem*, p. 192.

<sup>a</sup> *Styrie*, vol. ii. *Reposers* Q.  
<sup>b</sup> *Forest*, vol. ii. p. 115. *Styrie*, vol. ii. p. 171.

dispensing them by the difficulty of their subsisting in a body. Their demands were, that the mass should be restored, half of the abbey-lands resumed, the law of the Six Articles executed, holy water and holy bread respected, and all other particular grievances redressed. The council, to whom Russell transmitted these demands, sent a haughty answer; commanded the rebels to disperse, and promised them pardon upon their immediate submission. Enraged at this disappointment, they marched to Exeter; carrying before them crosses, banners, holy water, candles, sticks, and other implements of ancient superstition; together with the host, which they covered with a canopy.<sup>a</sup> The citizens of Exeter shut their gates; and the rebels, as they had no cannon, endeavoured to take the place, first by scalade, then by mining, but were repulsed in every attempt. Russell, meanwhile, lay at Honiton till reinforced by Sir William Herbert and Lord Gray, with some German horse, and some Italian arquebusers under Battista Spinola. He then resolved to attempt the relief of Exeter, which was now reduced to extremities. He attacked the rebels, drove them from all their posts, did great execution upon them both in the action and pursuit,<sup>b</sup> and took many prisoners. Arundel and the other leaders were sent to London, tried and executed. Many of the inferior sort were put to death by martial law: the vicar of St. Thomas, one of the principal incendiaries, was hanged on the top of his own steeple, arrayed in his popish weeds, with his beads at his girdle.<sup>c</sup>

The insurrection in Norfolk rose to a still greater height, and was attended with greater acts of violence. The populace were at first excited, as in other places, by complaints against enclosures; but finding their numbers amount to twenty thousand, they grew insolent, and proceeded to more exorbitant pretensions. They required the suppression of the gentry, the placing of new counsellors about the king, and the re-establishment of the ancient rites. One Ket, a tanner, had assumed the government over them, and he exercised his authority with the utmost arrogance and outrage. Having taken possession of Moushold-hill near Norwich, he erected his tribunal under an old oak, thence called the oak of reformation; and summoning the gentry to appear before him, he gave such decrees as might be expected from his character and situation. The Marquis of Northampton was first ordered against him; but met with a repulse in an action where Lord Sheffield was killed.<sup>d</sup> The protector affected popularity, and cared not to appear in person against the rebels: he therefore sent the Earl of Warwick at the head of 6000 men, levied for the wars against Scotland; and he thereby afforded his mortal enemy an opportunity of increasing his reputation and character. Warwick, having tried some skirmishes with the rebels, at last made a general attack upon them, and put them to flight. Two thousand fell in the action and pursuit; Ket was hanged at Norwich castle; nine of his followers on the boughs of the oak of reformation; and the insurrection was entirely suppressed. Some rebels in Yorkshire, learning the fate of their companions, accepted the offers of pardon, and threw down their arms. A general indemnity was soon after published by the protector.<sup>e</sup>

But though the insurrections were thus quickly subdued in England, and no traces of them seemed to remain, they were attended with bad consequences to the foreign interests of the nation. The forces of the Earl of Warwick, which might have made a great impression on Scotland, were diverted from that enterprise; and the French general had leisure to reduce that country to some settlement and composure. He took the fortress of Broughty, and put the garrison to the sword. He straitened the English at Haddington; and though Lord Dacres was enabled to throw relief into the place, and to reinforce the garrison, it was found at last very chargeable, and even impracticable, to keep possession of that fortress. The whole country in the neighbourhood was laid waste by the inroads both of the Scots and English, and could afford no supply to the garrison:

the place lay above thirty miles from the borders; so that a regular army was necessary to escort any provisions thither; and as the plague had broken out among the troops, they perished daily, and were reduced to a state of great weakness. For these reasons, orders were given to dismantle Haddington, and to convey the artillery and garrison to Berwick; and the Earl of Rutland, now created warden of the east marches, executed the orders.

The King of France also took advantage of the distractions among the English, and made an attempt to recover Boulogne, and that territory which Henry VIII. had conquered from France. On other pretences he assembled an army; and falling suddenly upon the Boulonnois, took the castles of Sellaeque, Blackness, and Ambleteuse, though well supplied with garrisons, ammunition, and provisions.<sup>f</sup> He endeavoured to surprise Boulenberg, and was repulsed; but the garrison, not thinking the place tenable after the loss of the other fortresses, destroyed the works and retired to Boulogne. The rains, which fell in great abundance during the autumn, and a pestilential distemper which broke out in the French camp, deprived Henry of all hopes of success against Boulogne itself; and he retired to Paris.<sup>g</sup> He left the command of the army to Gaspar de Coligny, Lord of Chatillon, so famous afterwards by the name of Admiral Coligny; and he gave him orders to form the siege early in the spring. The active disposition of this general engaged him to make, during the winter, several attempts against the place; but they all proved unsuccessful.

Strozzi, who commanded the French fleet and galleys, endeavoured to make a descent on Jersey; but meeting there with an English fleet, he commenced an action which seems not to have been decisive, since the historians of the two nations differ in the account of the event.<sup>h</sup>

As soon as the French war broke out, the protector endeavoured to fortify himself with the alliance of the emperor; and he sent over Secretary Paget to Brussels, where Charles then kept court, in order to assist Sir Philip Hobby, the resident ambassador, in this negotiation. But that prince had formed a design of extending his dominions by acting the part of champion for the catholic religion; and though extremely desirous of accepting the English alliance against France, his capital enemy, he thought it unsuitable to his other pretensions to enter into strict confederacy with a nation which had broken off all connexions with the church of Rome. He therefore declined the advances of friendship from England; and eluded the applications of the ambassadors. An exact account is preserved of this negotiation in a letter of Hobby's; and it is remarkable that the emperor, in a conversation with the English ministers, asserted that the prerogatives of a King of England were more extensive than those of a King of France.<sup>i</sup> Burnet, who preserves this letter, subjoins, as a parallel instance, that one objection which the Scots made to marrying their queen with Edward was, that all their privileges would be swallowed up by the great prerogative of the kings of England.<sup>j</sup>

Somerset, despairing of assistance from the emperor, was inclined to conclude a peace with France and Scotland; and besides that he was not in a condition to maintain such ruinous wars, he thought that there no longer remained any object of hostility. The Scots had sent away their queen; and could not, if ever so much inclined, complete the marriage contracted with Edward; and as Henry VIII. had stipulated to restore Boulogne in 1554, it seemed a matter of small moment to anticipate, a few years, the execution of the treaty. But when he proposed these reasons to the council, he met with strong opposition from his enemies, who, seeing him unable to support the war, were determined, for that very reason, to oppose all proposals for a pacification. The factions ran high in the court of England; and matters were drawing to an issue fatal to the authority of the protector.

After Somerset obtained the patent investing him with regal authority, he no longer paid any attention to the opinion of the

Factions in the council.

<sup>a</sup> Hayward, p. 292. Holingshead, p. 1003. Fox, vol. ii. p. 666. Mem. of Henry VIII. p. 166.

<sup>b</sup> Holingshead, p. 1003. Hayward, p. 293.

<sup>c</sup> Stowe's Annals, p. 177. Hayward, p. 293.

<sup>d</sup> Holingshead, p. 293, 296. <sup>e</sup> Heylin, i. 76. Holingshead, p. 1006.

<sup>f</sup> Stowe, p. 507. Holingshead, p. 1006, 1007. Stowe, vol. ii. p. 171.

<sup>g</sup> Hayward, p. 297, 298, 299.

<sup>h</sup> Holingshead, p. 1006, 1007.

<sup>i</sup> Burnet, Hist. of Henry VIII. p. 300.

<sup>j</sup> Burnet, Hist. of Henry VIII. p. 300.

<sup>k</sup> Holingshead, p. 1006, 1007.



other executors and counsellors; and being elated with his high dignity, as well as with his victory at Pinkie, he thought that every one ought, in every thing, to yield to his sentiments. All those who were not entirely devoted to him were sure to be neglected; whoever opposed his will received marks of anger or contempt;<sup>p</sup> and while he showed a resolution to govern every thing, his capacity appeared not in any respect proportioned to his ambition. Warwick, more subtle and artful, covered more exorbitant views under fairer appearances; and having associated himself with Southampton, who had been re-admitted into the council, he formed a strong party, who were determined to free themselves from the slavery imposed on them by the protector.

The malcontent counsellors found the disposition of the nation favourable to their designs. The nobility and gentry were in general displeased with the preference which Somerset seemed to have given to the people; and as they ascribed all the insults to which they had been lately exposed to his procrastination, and to the countenance shown to the multitude, they apprehended a renewal of the same disorders from his present affectation of popularity. He had erected a court of requests in his own house for the relief of the people,<sup>q</sup> and he interposed with the judges in their behalf; a measure which might be deemed illegal, if any exertion of prerogative, at that time, could with certainty deserve that appellation. And this attempt, which was a stretch of power, seemed the more impolitic, because it disgusted the nobles, the surest support of monarchical authority.

But though Somerset courted the people, the interest which he had formed with them was in no degree answerable to his expectations. The catholic party, who retained influence with the lower ranks, were his declared enemies, and took advantage of every opportunity to decry his conduct. The attainer and execution of his brother bore an odious aspect: the introduction of foreign troops into the kingdom was represented in invidious colours: the great estate which he had suddenly acquired at the expense of the church and of the crown rendered him obnoxious; and the palace which he was building in the Strand served, by its magnificence, and still more by other circumstances which attended it, to expose him to the censure of the public. The parish church of St. Mary, with three bishops' houses, was pulled down, in order to furnish ground and materials for this structure: not content with that sacrifice, an attempt was made to demolish St. Margaret's, Westminster, and to employ the stones to the same purpose; but the parishioners rose in a tumult and chased away the protector's tradesmen. He then laid his hands on a chapel in St. Paul's Church-yard, with a cloister and charnel house belonging to it; and these edifices, together with a church of St. John of Jerusalem, were made use of to raise his palace. What rendered the matter more odious to the people was, that the tombs and other monuments of the dead were defaced: and the bones, being carried away, were buried in unconsecrated ground.<sup>r</sup>

All these imprudences were remarked by Somerset's enemies, who resolved to take advantage of them. Lord St. John, president of the council, the Earls of Warwick, Southampton, and Arundel, with five members more, met at Ely-house; and assuming to themselves the whole power of the council, began to act independently of the protector, whom they represented as the author of every public grievance and misfortune. They wrote letters to the chief nobility and gentry in England, informing them of the present measures, and requiring their assistance: they sent for the mayor and aldermen of London, and enjoined them to obey their orders, without regard to any contrary orders which they might receive from the Duke of Somerset. They laid the same injunctions on the Lieutenant of the Tower, who expressed his resolution to comply with them. Next day, Rich, Lord Chancellor, the Marquis of Northampton, the Earl of Shrewsbury, Sir Thomas Cheney, Sir John Gage, Sir Ralph Sadler, and Chief Justice Montague,

joined the malcontent counsellors; and every thing bore a bad aspect for the protector's authority. Secretary Petre, whom he had sent to treat with the council, rather chose to remain with them: the common council of the city, being applied to, declared, with one voice, their approbation of the new measures, and their resolution of supporting them.<sup>s</sup>

As soon as the protector heard of the defection of the counsellors, he removed the king from Hampton-court, where he then resided, to the castle of Windsor; and, arming his friends and servants, seemed resolute to defend himself against all his enemies. But finding that no man of rank, except Cramer and Paget, adhered to him, that the people did not rise at his summons, that the city and Tower had declared against him, that even his best friends had deserted him, he lost all hopes of success, and began to apply to his enemies for pardon and forgiveness. No sooner was this despondency known, than Lord Russell, Sir John Baker, Speaker of the House of Commons, and three counsellors more, who had hitherto remained neutrals, joined the party of Warwick, whom every one now regarded as master. The council informed the public, by proclamation, of their actions and intention; they wrote to the princesses Mary and Elizabeth to the same purpose; and they made addresses to the king, in which, after the humblest protestation of duty and submission, they informed him, that they were the council appointed by his father for the government of the kingdom during his minority; that they had chosen the Duke of Somerset protector, under the express condition that he should guide himself by their advice and direction; that he had usurped the whole authority, and had neglected, and even in every thing opposed, their counsel; that he had proceeded to that height of presumption, as to levy forces against them, and place these forces about his majesty's person: they therefore begged that they might be admitted to his royal presence; that he would be pleased to restore them to his confidence, and that Somerset's servants might be dismissed. Their request was complied with; Somerset capitulated only for gentle treatment, which was promised him. He was, however, sent to the Tower;<sup>t</sup> with some of his friends and partisans, among whom was Cecil, afterwards so much distinguished. Articles of indictment were exhibited against him;<sup>u</sup> of which the chief, at least the best founded, is his usurpation of the government, and his taking into his own hands the whole administration of affairs. The clause of his patent, which invested him with absolute power, unlimited by any law, was never objected to him; plainly because, according to the sentiments of those times, that power was in some degree involved in the very idea of royal authority.

The catholics were extremely elated with this revolution; and as they had ascribed all the late innovations to Somerset's authority, they hoped that his fall would prepare the way for the return of the ancient religion. But Warwick, who now bore chief sway in the council, was entirely indifferent with regard to all these points of controversy; and finding that the principles of the Reformation had sunk deeper into Edward's mind than to be easily eradicated, he was determined to comply with the young prince's inclinations, and not to hazard his new acquired power by any dangerous enterprise. He took care very early to express his intentions of supporting the Reformation; and he threw such discouragements on Southampton, who stood at the head of the Romanists, and whom he considered as a dangerous rival, that that high-spirited nobleman retired from the council, and soon after died, from vexation and disappointment. The other counsellors, who had concurred in the revolution, received their reward by promotions and new honours. Russell was created Earl of Bedford; the Marquis of Northampton obtained the office of great chamberlain; and Lord Wentworth, besides the office of chamberlain of the household, got two large manors, Stepney and Hackney, which were torn from the see of London.<sup>w</sup> A council of regency was formed; not that which Henry's will had appointed for the government of the kingdom, and which, being

Somerset resigns the protectorship.

<sup>p</sup> 1549, c. 10. p. 121.  
<sup>q</sup> 1549, c. 10. p. 121.  
<sup>r</sup> 1549, c. 10. p. 121.

<sup>s</sup> 1549, c. 10. p. 121.  
<sup>t</sup> 1549, c. 10. p. 121.  
<sup>u</sup> 1549, c. 10. p. 121.  
<sup>v</sup> 1549, c. 10. p. 121.  
<sup>w</sup> 1549, c. 10. p. 121.

<sup>x</sup> 1549, c. 10. p. 121.  
<sup>y</sup> 1549, c. 10. p. 121.  
<sup>z</sup> 1549, c. 10. p. 121.

founded on an act of parliament, was the only legal one; but composed chiefly of members who had formerly been appointed by Somerset, and who derived their seat from an authority which was now declared usurped and illegal. But such niceties were, during that age, little understood, and still less regarded in England.

<sup>in Nov.</sup> A session of parliament was held; and as a parliament, it was the usual maxim of that assembly to acquiesce in every administration which was established, the council dreaded no opposition from that quarter, and had more reason to look for a corroboration of their authority.

<sup>23d Dec.</sup> Somerset had been prevailed on to confess, on his knees, before the council, all the articles of charge against him; and he imputed these misdemeanours to his own rashness, folly, and indiscretion, not to any malignity of intention.<sup>a</sup> He even subscribed this confession; and the paper was given in to parliament, who, after sending a committee to examine him, and hear him acknowledge it to be genuine, passed a vote, by which they deprived him of all his offices, and fined him two thousand pounds a year in land. Lord St. John was created treasurer, in his place, and Warwick Earl Marshal. The prosecution against him was carried no further. His fine was remitted by the king: he recovered his liberty: and Warwick, thinking that he was now sufficiently humbled, and that his authority was much lessened by his late tame and abject behaviour, re-admitted him into the council, and even agreed to an alliance between their families, by the marriage of his own son, Lord Dudley, with the Lady Jane Seymour, daughter of Somerset.<sup>b</sup>

During this session a severe law was passed against riots.<sup>c</sup> It was enacted, That if any, to the number of twelve persons, should meet together for any matter of state, and being required by a lawful magistrate, should not disperse, it should be treason; and if any broke hedges, or violently pulled up pales about enclosures, without lawful authority, it should be felony: any attempt to kill a privy counsellor was subjected to the same penalty. The bishops had made an application, complaining that they were deprived of all their power, by the encroachments of the civil courts, and the present suspension of the canon law; that they could summon no offender before them, punish no vice, or exert the discipline of the church: from which diminution of their authority, they pretended, immorality had every where received great encouragement and increase. The design of some was to revive the penitentiary rules of the primitive church: but others thought, that such an authority, committed to the bishops, would prove more oppressive than confession, penance, and all the clerical inventions of the Romish superstition. The parliament, for the present, contented themselves with empowering the king to appoint thirty-two commissioners, to compile a body of canon laws, which were to be valid, though never ratified by parliament. Such implicit trust did they repose in the crown; without reflecting, that all their liberties and properties might be affected by these canons.<sup>d</sup> The king did not live to affix the royal sanction to the new canons. Sir John Sherington, whose crimes and malversations had appeared so egregious at the condemnation of Lord Seymour, obtained from parliament a reversal of his attainder.<sup>e</sup> This man sought favour with the more zealous reformers: and Bishop Latimer affirmed, that though formerly he had been a most notorious knave, he was now so penitent that he had become a very honest man.

<sup>A. D. 1550.</sup> When Warwick and the council of regency began to exercise their power, they found themselves involved in the same difficulties that had embarrassed the protector. The wars with France and Scotland could not be supported by an exhausted exchequer; seemed dangerous to a divided nation; and were now acknowledged not to have any object which even the greatest and most uninterrupted success could attain. The project of peace entertained by Somerset, had served them as a pretence for clamour

against his administration, yet, after sending Sir Thomas Cheney to the emperor, and making every fruitless effort to engage him in the protection of Boulogne, they found themselves obliged to listen to the advances which Henry made them, by the canal of Guidotti, a Florentine merchant. The Earl of Bedford, Sir John Mason, Paget and Petre, were sent over to Boulogne, with full powers to negotiate. The French king absolutely refused to pay the two millions of crowns which his predecessor had acknowledged to be due to the crown of England as arrears of pensions; and said that he never would consent to render himself tributary to any prince: but he offered a sum for the immediate restitution of Boulogne; and four hundred thou-

Boulogne sur-  
rendered.  
24th March.

sand crowns were at last agreed on, one half to be paid immediately, the other in August following. Six hostages were given for the performance of this article. Scotland was comprehended in the treaty: the English stipulated to restore Lauder and Dungalas, and to demolish the fortresses of Roxburgh and Eymouth.<sup>f</sup> No sooner was peace concluded with France, than a project was entertained of a close alliance with that kingdom; and Henry willingly embraced a proposal so suitable both to his interests and his inclinations. An agreement, some time after, was formed for a marriage between Edward and Elizabeth, a daughter of France; and all the articles were, after a little negotiation, fully settled:<sup>g</sup> but this project never took effect.

The intention of marrying the king to a daughter of Henry, a violent persecutor of the protestants, was nowise acceptable to that party in England: but in all other respects the council was steady in promoting the Reformation, and in enforcing the laws against the Romanists. Several prelates were still addicted to that communion; and though they made some compliances, in order to save their bishoprics, they retarded, as much as they safely could, the execution of the new laws, and gave countenance to such incumbents as were negligent or refractory. A resolution was therefore taken to seek pretences for depriving those prelates; and the execution of this intention was the more easy, as they had all of them been obliged to take commissions in which it was declared, that they held their sees during the king's pleasure only. It was thought proper to begin with Gardiner, in order to strike a terror into the rest. The method of proceeding against him was violent, and had scarcely any colour of law or justice. Injunctions had been given him to inculcate, in a sermon, the duty of obedience to a king, even during his minority; and because he had neglected this topic, he had been thrown into prison, and had been there detained during two years, without being accused of any crime except disobedience to this arbitrary command. The Duke of Somerset, Secretary Petre, and some others of the council, were now sent, in order to try his temper, and endeavour to find some grounds for depriving him: he professed to them his intention of conforming to the government, of supporting the king's laws, and of officiating by the new liturgy. This was not the disposition which they expected or desired.<sup>h</sup> A new deputation was therefore sent, who carried him several articles to subscribe. He was required to acknowledge his former misbehaviour, and to confess the justice of his confinement: he was likewise to own, that the king was supreme head of the church; that the power of making and dispensing with holidays was part of the prerogative; that the book of Common Prayer was a godly and commendable form; that the king was a complete sovereign in his minority; that the law of the Six Articles was justly repealed; and that the king had full authority to correct and reform what was amiss in ecclesiastical discipline, government, or doctrine. The bishop was willing to set his hand to all the articles except the first: he maintained his conduct to have been inoffensive; and declared that he would not own himself guilty of faults which he had never committed.<sup>i</sup>

The council, finding that he had gone such lengths, were determined to prevent his full compliance, by multiplying

<sup>a</sup> Heylin, p. 24. Hayward, p. 369. Stowe, p. 603.

<sup>b</sup> Hayward, p. 369.

<sup>c</sup> 1 & 2 Edw. VI. c. 5.

<sup>d</sup> 1 Edw. VI. c. 2.

<sup>e</sup> 1 Edw. VI. c. 1.

<sup>f</sup> Burnet, vol. ii. p. 143. Hayward, p. 310, 311, 312. Rymer, vol. xv. p. 211.

<sup>g</sup> Hayward, p. 373. Heylin, p. 164. Rymer, tom. xv. p. 295.

<sup>h</sup> Heylin, p. 69.

<sup>i</sup> Collier, vol. ii. p. 327, from the original books. Heylin, p. 69.

the difficulties upon him, and sending him new articles to subscribe. A list was selected of such points as they thought would be the hardest of digestion; and, not content with this rigour, they also insisted on his submission, and his acknowledgment of past errors. To make this subscription more mortifying, they demanded a promise, that he would recommend and publish all these articles from the pulpit: but Gardiner, who saw that they intended either to ruin or dishonour him, or perhaps both, determined not to gratify his enemies by any further compliance: he still maintained his innocence; desired a fair trial; and refused to subscribe more articles, till he should recover his liberty. For this pretended offence, his bishopric was put under sequestration for three months; and as he then appeared no more compliant than before, a commission was appointed to try, or more properly, to condemn, him. The commissioners were, the primate, the Bishops of London, Ely, and Lincoln, Secretary Petre, Sir James Hales, and some other lawyers. Gardiner objected to the legality of the commission, which was not founded on any statute or precedent; and he appealed from the commissioners to the king. His appeal was not regarded: sentence was pronounced against him: he was deprived of his bishopric, and committed to close custody: his books and papers were seized; he was secluded from all company; and it was not allowed him either to send or receive any letters or messages.<sup>8</sup>

A. D. 1551. Gardiner, as well as the other prelates, had agreed to hold his office during the king's pleasure: but the council, unwilling to make use of a concession which had been so illegally and arbitrarily extorted, chose rather to employ some forms of justice; a resolution which led them to commit still greater iniquities and severities. But the violence of the reformers did not stop here. Day, Bishop of Chichester, Heath of Worcester, and Voisey of Exeter, were deprived of their bishoprics, on pretence of disobedience. Even Kitchen of Landaff, Capon of Salisbury, and Samson of Coventry, though they had complied in every thing, yet not being supposed cordial in their obedience, were obliged to seek protection, by sacrificing the most considerable revenues of their see to the rapacious courtiers.<sup>9</sup>

These plunderers neglected not even smaller profits. An order was issued by council for purging the library at Westminster of all missals, legends, and other superstitious volumes, and delivering their garniture to Sir Anthony Aucher.<sup>1</sup> Many of these books were plated with gold and silver, and curiously embossed; and this finery was probably the superstition that condemned them. Great havoc was likewise made on the libraries at Oxford. Books and manuscripts were destroyed without distinction: the volumes of divinity suffered for their rich binding: those of literature were condemned as useless: those of geometry and astronomy were supposed to contain nothing but necromancy.<sup>2</sup> The university had not power to oppose these barbarous violences: they were in danger of losing their own revenues; and expected every moment to be swallowed up by the Earl of Warwick and his associates.

Though every one besides yielded to the authority of the council, the Lady Mary could never be brought to compliance; and she still continued to adhere to the mass, and to reject the new liturgy. Her behaviour was, during some time, connived at; but at last, her two chaplains, Mallet and Berkeley, were thrown into prison; and remonstrances were made to the princess herself on account of her disobedience. The council wrote her a letter, by which they endeavoured to make her change her sentiments, and to persuade her that her religious faith was very ill grounded. They asked her what warrant there was in Scripture for prayers in an unknown tongue, the use of images, or offering up the sacrament for the dead; and they desired her to peruse St. Austin, and the other ancient doctors, who would convince her of the errors of the Romish superstition, and prove that it was founded merely on false miracles and lying stories.<sup>10</sup> The Lady

Mary remained obstinate against all this advice, and declared herself willing to endure death rather than relinquish her religion: she only feared, she said, that she was not worthy to suffer martyrdom in so holy a cause: and as for protestant books, she thanked God, that as she never had, so she hoped never to read any of them. Dreading further violence, she endeavoured to make an escape to her kinsman Charles; but her design was discovered and prevented.<sup>11</sup> The emperor remonstrated in her behalf, and even threatened hostilities, if liberty of conscience were refused her: but though the council, sensible that the kingdom was in no condition to support with honour such a war, was desirous to comply; they found great difficulty to overcome the scruples of the young king. He had been educated in such a violent abhorrence of the mass and other popish rites, which he regarded as impious and idolatrous, that he should participate, he thought, in the sin, if he allowed its commission: and when, at last, the importunity of Cramer, Ridley, and Poinet, prevailed somewhat over his opposition, he burst into tears; lamenting his sister's obstinacy, and bewailing his own hard fate, that he must suffer her to continue in such an abominable mode of worship.

The great object, at this time, of antipathy among the protestant sects was popery, or, more properly speaking, the papists. These they regarded as the common enemy, who threatened every moment to overwhelm the evangelical faith, and destroy its partisans by fire and sword: they had not as yet had leisure to attend to the other minute differences among themselves, which afterwards became the object of such furious quarrels and animosities, and threw the whole kingdom into combustion. Several Lutheran divines, who had reputation in those days, Bucer, Peter Martyr, and others, were induced to take shelter in England, from the persecutions which the emperor exercised in Germany; and they received protection and encouragement. John Alasco, a Polish nobleman, being expelled his country by the rigours of the catholics, settled, during some time, at Emden in East Friesland, where he became preacher to a congregation of the reformed. Foreseeing the persecutions which ensued, he removed to England, and brought his congregation along with him. The council, who regarded them as industrious useful people, and desired to invite over others of the same character, not only gave them the church of Augustine friars for the exercise of their religion, but granted them a charter, by which they were erected into a corporation, consisting of a superintendant and four assisting ministers. This ecclesiastical establishment was quite independent of the church of England, and differed from it in some rites and ceremonies.<sup>12</sup>

These differences among the protestants were matter of triumph to the catholics, who insisted, that the moment men departed from the authority of the church, they lost all criterion of truth and falsehood in matters of religion, and must be carried away by every wind of doctrine. The continual variations of every sect of protestants afforded them the same topic of reasoning. The book of Common Prayer suffered in England a new revival, and some rites and ceremonies, which had given offence, were omitted.<sup>13</sup> The speculative doctrines, or the metaphysics of religion, were also reduced to forty-two articles. These were intended to obviate further divisions and variations; and the compiling of them had been postponed till the establishment of the liturgy, which was justly regarded as a more material object to the people. The eternity of hell torments is asserted in this confession of faith; and care is also taken to inculcate, not only that no heathen, how virtuous soever, can escape an endless state of the most exquisite misery, but also that every one who presumes to maintain that any pagan can possibly be saved, is himself exposed to the penalty of eternal perdition.<sup>14</sup>

The theological zeal of the council, though seemingly fervent, went not so far as to make them neglect their own temporal concerns, which seem to have ever been uppermost in their thoughts: they even found leisure to attend

<sup>8</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.  
<sup>9</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.  
<sup>10</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.  
<sup>11</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.

<sup>12</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.  
<sup>13</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.  
<sup>14</sup> *Strype*, vol. ii. p. 249. *Parrot*, *Hevlin*, *Collier*.



to the public interest; nay, to the commerce of the nation, which was at that time very little the object of general study or attention. The trade of England had anciently been carried on altogether by foreigners, chiefly the inhabitants of the Hansa-towns, or Hanse-towns, as they were called; and in order to encourage these merchants to settle in England, they had been erected into a corporation by Henry III., had obtained a patent, were endowed with privileges, and were exempted from several heavy duties paid by other aliens. So ignorant were the English of commerce, that this company, usually denominated the merchants of the Stul-yard, engrossed, even down to the reign of Edward, almost the whole foreign trade of the kingdom; and as they naturally employed the shipping of their own country, the navigation of England was also in a very languishing condition. It was therefore thought proper by the council to seek pretences for annulling the privileges of this corporation, privileges which put them nearly on an equal footing with Englishmen in the duties which they paid; and as such patents were, during that age, granted by the absolute power of the king, men were the less surprised to find them revoked by the same authority. Several remonstrances were made against this innovation by Lubec, Hamburg, and other Hanse-towns; but the council persevered in their resolution, and the good effects of it soon became visible to the nation. The English merchants, by their very situation as natives, had advantages above foreigners in the purchase of cloth, wool, and other commodities; though these advantages had not hitherto been sufficient to rouse their industry, or engage them to become rivals to this opulent company; but when aliens' duty was also imposed upon all foreigners indiscriminately, the English were tempted to enter into commerce; and a spirit of industry began to appear in the kingdom.<sup>r</sup>

About the same time a treaty was made with Gustavus Ericson, King of Sweden, by which it was stipulated, that if he sent bullion into England, he might export English commodities without paying custom; that he should carry bullion to no other prince; that if he sent ozimus, steel, copper, &c. he should pay custom for English commodities as an Englishman; and that if he sent other merchandise, he should have free intercourse, paying custom as a stranger.<sup>s</sup> The bullion sent over by Sweden, though it could not be in great quantity, set the mint at work: good specie was coined; and much of the base metal formerly issued was recalled: a circumstance which tended extremely to the encouragement of commerce.

But all these schemes for promoting industry were likely to prove abortive, by the fear of domestic convulsions, arising from the ambition of Warwick. That nobleman, not contented with the station which he had attained, carried further his pretensions, and had gained partisans who were disposed to second him in every enterprise. The last Earl of Northumberland died without issue; and as Sir Thomas Percy, his brother, had been attainted on account of the share which he had in the Yorkshire insurrection during the late reign, the title was at present extinct, and the estate was vested in the crown. Warwick now procured to himself a grant of those ample possessions, which lay chiefly in the North, the most warlike part of the kingdom; and he was dignified with the title of Duke of Northumberland. His friend, Paulet Lord St. John, the treasurer, was created, first, Earl of Wiltshire, then Marquis of Winchester: Sir William Herbert obtained the title of Earl of Penbroke.

But the ambition of Northumberland made him regard all increase of possessions and titles, either to himself or his partisans, as steps only to further acquisitions. Finding that Somerset, though degraded from his dignity, and even lessened in the public opinion by his spiritless conduct, still enjoyed a considerable share of popularity, he determined to ruin the man whom he regarded as the chief obstacle to the attainment of his hopes. The alliance which had been contracted between the families had produced no cordial union, and only enabled Northumberland to compass with more cer-

tainly the destruction of his rival. He secretly gained many of the friends and servants of that unhappy nobleman: he sometimes terrified him by the appearance of danger; sometimes provoked him by ill usage. The unguarded Somerset often broke out into menacing expressions against Northumberland: at other times he formed rash projects, which he immediately abandoned: his treacherous confidants carried to his enemy every passionate word which dropped from him: they revealed the schemes which they themselves had first suggested: and Northumberland, thinking that the proper season was now come, began to act in an open manner against him.

In one night, the Duke of Somerset, Lord Grey, David and John Seymour, Hammond <sup>1666. 961</sup> and Neudigate, two of the duke's servants, Sir Ralph Vane, and Sir Thomas Palmer, were arrested and committed to custody. Next day the Duchess of Somerset, with her favourites, Crane and his wife, Sir Miles Partridge, Sir Michael Stanhope, Bannister, and others, were thrown into prison. Sir Thomas Palmer, who had all along acted as a spy upon Somerset, accused him of having formed a design to raise an insurrection in the North, to attack the gens d'armes on a muster-day, to secure the Tower, and to raise a rebellion in London: but, what was the only probable accusation, he asserted, that Somerset had once laid a project for murdering Northumberland, Northampton, and Pembroke, at a banquet which was to be given them by Lord Paget. Crane and his wife confirmed Palmer's testimony with regard to this last design; and it appears that some rash scheme of that nature had really been mentioned; though no regular conspiracy had been formed, or means prepared for its execution. Hammond confessed that the duke had armed men to guard him one night in his house at Greenwich.

Somerset was brought to his trial before <sup>Trial of</sup> the Marquis of Winchester, created high <sup>Somerset.</sup> steward. Twenty-seven peers composed the jury, among whom were Northumberland, Pembroke, and Northampton, whom decency should have hindered from acting as judges in the trial of a man that appeared to be their capital enemy. Somerset was accused of high treason, on account of the projected insurrections, and of felony, in laying a design to murder privy-counsellors.

We have a very imperfect account of all state trials during that age, which is a sensible defect in our history: but it appears that some more regularity was observed in the management of this prosecution than had usually been employed in like cases. The witnesses were <sup>ist Dec.</sup> all examined by the privy-council; and though they were neither produced in court, nor confronted with the prisoner, (circumstances required by the strict principles of equity,) their depositions were given in to the jury. The proof seems to have been lame with regard to the treasonable part of the charge; and Somerset's defence was so satisfactory, that the peers gave verdict in his favour: the intention alone of assaulting the privy-counsellors was supported by tolerable evidence; and the jury brought him in guilty of felony. The prisoner himself confessed that he had expressed his intention of murdering Northumberland and the other lords; but had not formed any resolution on that head: and when he received sentence, he asked pardon of those peers for the designs which he had hearkened to against them. The people, by whom Somerset was beloved, hearing the first part of his sentence, by which he was acquitted from treason, expressed their joy by loud acclamations: but their satisfaction was suddenly damped, on finding that he was condemned to death for felony.<sup>a</sup>

Care had been taken by Northumberland's emissaries, to prepossess the young <sup>A.D. 1535.</sup> king against his uncle; and lest he should relent, no access was given to any of Somerset's friends, and the prince was kept from reflection by a continued series of occupations and amusements. At last the prisoner <sup>His execution.</sup> was brought to the scaffold on Tower-hill, <sup>25d Jan.</sup> amidst great crowds of spectators, who bore him such sincere kindness that they entertained, to the last moment, the fond hopes of his pardon.<sup>b</sup> Many of them rushed in

<sup>r</sup> De Witt, p. 326. Haxliu, p. 408. Strype's Memoirs, vol. i. p. 245. & Haxliu, p. 410.

<sup>s</sup> Ibid. p. 412.

<sup>a</sup> Howard, p. 329, 331, 332. Strype, p. 666. Holmsted, p. 1067. & Heywood, p. 324, 325.

to dip their handkerchiefs in his blood, which they long preserved as a precious relic; and some of them soon after, when Northumberland met with a like doom, upbraided him with this cruelty, and displayed to him these symbols of his crime. Somerset indeed, though many actions of his life were exceptionable, seems in general to have merited a better fate; and the faults which he committed were owing to weakness, not to any bad intention. His virtues were better calculated for private than for public life; and by his want of penetration and firmness, he was ill fitted to extricate himself from those cabals and violences to which that age was so much addicted. Sir Thomas Arundel, Sir Michael Stanhope, Sir Miles Partridge, and Sir Ralph Vane, all of them Somerset's friends, were brought to their trial, condemned, and executed: great injustice seems to have been used in their prosecution. Lord Paget, chancellor of the duchy, was on some pretence tried in the star-chamber, and condemned in a fine of 6000 pounds, with the loss of his office. To mortify him the more, he was degraded from the order of the Garter; as unworthy, on account of his mean birth, to share that honour.<sup>a</sup> Lord Rich, chancellor, was also compelled to resign his office, on the discovery of some marks of friendship which he had shown to Somerset.

<sup>29th Jan.</sup> The day after the execution of Somerset, a parliament, a session of parliament was held, in which further advances were made towards the establishment of the Reformation. The new liturgy was authorized; and penalties were enacted against all those who absented themselves from public worship.<sup>b</sup> To use the mass had already been prohibited under severe penalties; so that the reformers, it appears, whatever scope they had given to their own private judgment, in disputing the tenets of the ancient religion, were resolved not to allow the same privilege to others; and the practice, nay the very doctrine, of toleration, was at that time equally unknown to all sects and parties. To dissent from the religion of the magistrate, was universally conceived to be as criminal as to question his title, or rebel against his authority.

A law was enacted against usury; that is, against taking any interest for money.<sup>c</sup> This act was the remains of ancient superstition; but being found extremely iniquitous in itself, as well as prejudicial to commerce, it was afterwards repealed in the twelfth of Elizabeth. The common rate of interest, notwithstanding the law, was at this time 14 per cent.<sup>d</sup>

A bill was introduced by the ministry into the House of Lords, renewing those rigorous statutes of treason which had been abrogated in the beginning of this reign; and though the Peers, by their high station, stood most exposed to these tempests of state, yet they had so little regard to public security, or even to their own true interest, that they passed the bill with only one dissenting voice.<sup>e</sup> But the Commons rejected it, and prepared a new bill, that passed into a law, by which it was enacted, that whoever should call the king or any of his heirs, named in the statute of the 35th of the last reign, heretic, schismatic, tyrant, infidel, or usurper of the crown, should forfeit, for the first offence, their goods and chattels, and be imprisoned during pleasure; for the second, should incur a *praemunire*; for the third, should be attainted for treason. But if any should unadvisedly utter such a slander in writing, printing, painting, carving, or graving, he was for the first offence to be held a traitor.<sup>f</sup> It may be worthy of notice, that the king and his next heir, the Lady Mary, were professedly of different religions; and religions which threw on each other the imputation of heresy, schism, idolatry, profaneness, blasphemy, wickedness, and all the opprobrious epithets that religious zeal has invented. It was almost impossible, therefore, for the people, if they spoke at all on these subjects, not to fall into the crime so severely punished by the statute; and the jealousy of the Commons for liberty, though it led them to reject the bill of treasons sent to them by the Lords, appears not to have been very active, vigilant, or clear-sighted.

The Commons annexed to this bill a clause which was of more importance than the bill itself, that no one should

be convicted of any kind of treason, unless the crime were proved by the oaths of two witnesses confronted with the prisoner. The Lords for some time scrupled to pass this clause, though conformable to the most obvious principles of equity. But the members of that House trusted for protection to their present personal interest and power, and neglected the noblest and most permanent security, that of laws.

The House of Peers passed a bill, whose object was making a provision for the poor; but the Commons, not choosing that a money-bill should begin in the upper House, framed a new act to the same purpose. By this act the churchwardens were empowered to collect charitable contributions; and if any refused to give, or dissuaded others from that charity, the bishop of the diocese was empowered to proceed against them. Such large discretionary powers intrusted to the prelates, seem as proper an object of jealousy as the authority assumed by the peers.<sup>g</sup>

There was another occasion in which the parliament reposed an unusual confidence in the bishops. They empowered them to proceed against such as neglected the Sundays and holidays.<sup>h</sup> But these were unguarded concessions granted to the church: the general humour of the age rather led men to bereave the ecclesiastics of all power, and even to pillage them of their property: many clergymen, about this time, were obliged for a subsistence to turn carpenters or tailors, and some kept ale-houses.<sup>i</sup> The bishops themselves were generally reduced to poverty, and held both their revenues and spiritual office by a very precarious and uncertain tenure.

Tonstal, Bishop of Durham, was one of the most eminent prelates of the age, still less for the dignity of his see, than for his own personal merit; his learning, moderation, humanity, and beneficence. He had opposed, by his vote and authority, all innovations in religion; but as soon as they were enacted, he had always submitted, and had conformed to every theological system which had been established. His known probity had made this compliance be ascribed, not to an interested or time-serving spirit, but a sense of duty, which led him to think that all private opinion ought to be sacrificed to the great concern of public peace and tranquillity. The general regard paid to his character had protected him from any severe treatment during the administration of Somerset; but when Northumberland gained the ascendancy, he was thrown into prison; and as that rapacious nobleman had formed a design of seizing the revenues of the see of Durham, and of acquiring to himself a principality in the northern counties, he was resolved, in order to effect his purpose, to deprive Tonstal of his bishopric. A bill of attainder, therefore, on pretence of misprision of treason, was introduced into the House of Peers against the prelate; and it passed with the opposition only of Lord Stourton, a zealous catholic, and of Cranmer, who always bore a cordial and sincere friendship to the Bishop of Durham. But when the bill was sent down to the Commons, they required that witnesses should be examined, that Tonstal should be allowed to defend himself, and that he should be confronted with his accusers: and when these demands were refused, they rejected the bill.

This equity, so unusual in the parliament during that age, was ascribed by Northumberland and his partisans, not to any regard for liberty and justice, but to the prevalence of Somerset's faction in a House of Commons, which, being chosen during the administration of that nobleman, had been almost entirely filled with his creatures. They were confirmed in this opinion, when they found that a bill, ratifying the attainder of Somerset and his accomplices, was also rejected by the Commons, though it had passed the upper House. A resolution was therefore taken to dissolve the parliament, which had sitten during this whole reign; and soon after to summon a new one.

Northumberland, in order to insure to himself a House of Commons entirely obsequious to his will, ventured on an expedient, which could

<sup>a</sup> Stow, p. 648.

<sup>z</sup> Ibid. p. 25.

<sup>b</sup> *Parliamentary Hist.* vol. iii. p. 536.

<sup>y</sup> 5 & 6 Edw. VI. c. 1.

<sup>a</sup> *Hayward*, p. 416.

<sup>c</sup> *Baronet*, vol. iii. p. 190.

<sup>e</sup> 5 & 6 Edw. VI. c. 2.

<sup>d</sup> *Ibid.* cap. 2.

<sup>f</sup> *Baronet*, vol. iii. p. 202.

<sup>g</sup> *Ibid.* cap. 3.

15th April.

A new parliament.

not have been practised, or even imagined, in an age when there was any idea or comprehension of liberty. He engaged the king to write circular letters to all the sheriffs, in which he enjoined them to inform the freeholders, that they were required to choose men of knowledge and experience for their representatives. After this general exhortation, the king continued in these words: "and yet, nevertheless our pleasure is, that where our privy-council, or any of them, shall, on our behalf, recommend, within their jurisdiction, men of learning and wisdom; in such cases their directions shall be regarded and followed, as tending to the same end which we desire; that is, to have this assembly composed of the persons in our realm the best fitted to give advice and good counsel."<sup>a</sup> Several letters were sent from the king, recommending members to particular counties, Sir Richard Cotton to Hampshire; Sir William Fitzwilliams and Sir Henry Nevil to Berkshire; Sir William Drury and Sir Henry Benningfield to Suffolk, &c. But though some counties only received this species of *congé d'élire* from the king, the recommendations from the privy council and the counsellors, we may fairly presume, would extend to the greater part, if not to the whole, of the kingdom.

It is remarkable that this attempt was made during the reign of a minor king, when the royal authority is usually weakest; that it was patiently submitted to; and that it gave so little umbrage as scarcely to be taken notice of by any historian. The painful and laborious collector above cited, who never omits the most trivial matter, is the only person that has thought this memorable letter worthy of being transmitted to posterity.

A. D. 1558.  
1st March. The parliament answered Northumberland's expectations. As Tostnal had in the interval been deprived of his bishopric in an arbitrary manner, by the sentence of lay commissioners appointed to try him, the see of Durham was by act of parliament divided into two bishoprics, which had certain portions of the revenue assigned them. The regalities of the see, which included the jurisdiction of a count palatine, were given by the king to Northumberland; nor is it to be doubted but that nobleman had also purposed to make rich plunder of the revenue, as was then usual with the courtiers whenever a bishopric became vacant.

The Commons gave the ministry another mark of attachment, which was at that time the most sincere of any, the most cordial, and the most difficult to be obtained: they granted a supply of two subsidies and two fifteenths. To render this present the more acceptable, they voted a preamble, containing a long accusation of Somerset, "for involving the king in wars, wasting his treasure, engaging him in much debt, embasing the coin, and giving occasion for a most terrible rebellion."<sup>b</sup>

The debts of the crown were at this time considerable. The king had received from France 400,000 crowns on delivering Boulogne; he had reaped profit from the sale of some chantry lands; the churches had been spoiled of all their plate and rich ornaments, which, by a decree of council, without any pretence of law or equity, had been converted to the king's use:<sup>c</sup> yet such had been the rapacity of the courtiers, that the crown owed about 300,000 pounds;<sup>d</sup> and great dilapidations were at the same time made of the royal demesnes. The young prince showed, among other virtues, a disposition to frugality, which, had he lived, would soon have retrieved these losses: but as his health was declining very fast, the present emptiness of the exchequer was a sensible obstacle to the execution of those projects which the ambition of Northumberland had founded on the prospect of Edward's approaching end.

That nobleman represented to the prince, Succession changed. whom youth and an infirm state of health made susceptible of any impression, that his two sisters, Mary and Elizabeth, had both of them been declared illegitimate by act of parliament: and though Henry by his will had restored them to a place in the succession, the nation would never submit to see the throne of England filled by a bastard: that they were the king's sisters by the half blood only; and even if they were legitimate,

could not enjoy the crown as his heirs and successors: that the Queen of Scots stood excluded by the late king's will; and being an alien, had lost by law all right of inheriting; not to mention, that as she was betrothed to the dauphin, she would by her succession render England, as she had already done Scotland, a province of France: that the certain consequence of his sister Mary's succession, or that of the Queen of Scots, was the abolition of the protestant religion, and the repeal of the laws enacted in favour of the Reformation, and the re-establishment of the usurpation and idolatry of the church of Rome: that, fortunately for England, the same order of succession which justice required, was also the most conformable to public interest; and there was not on any side any just ground for doubt or deliberation: that when these three princesses were excluded by such solid reasons, the succession devolved on the Marchioness of Dorset, elder daughter of the French queen and the Duke of Suffolk: that the next heir of the marchioness was the Lady Jane Gray, a lady of the most amiable character, accomplished by the best education, both in literature and religion; and every way worthy of a crown: and that even if her title by blood were doubtful, which there was no just reason to pretend, the king was possessed of the same power that his father enjoyed, and might leave her the crown by letters patent. These reasonings made impression on the young prince; and above all, his zealous attachment to the protestant religion made him apprehend the consequences, if so bigoted a catholic as his sister Mary should succeed to the throne. And though he bore a tender affection to the Lady Elizabeth, who was liable to no such objection, means were found to persuade him that he could not exclude the one sister on account of illegitimacy, without giving also an exclusion to the other.

Northumberland, finding that his arguments were likely to operate on the king, began to prepare the other parts of his scheme. Two sons of the Duke of Suffolk by a second venter having died this season of the sweating sickness, that title was extinct; and Northumberland engaged the king to bestow it on the Marquis of Dorset. By means of this favour, and of others which he conferred upon him, he persuaded the new Duke of Suffolk and the duchess to give their daughter, the Lady Jane, in marriage to his fourth son, the Lord Guilford Dudley. In order to fortify himself by further alliances, he negotiated a marriage between the Lady Catherine Gray, second daughter of Suffolk, and Lord Herbert, eldest son of the Earl of Pembroke. He also married his own daughter to Lord Hastings, eldest son of the Earl of Huntingdon.<sup>e</sup> These marriages were solemnized with great pomp and festivity; and the people, who hated Northumberland, could not forbear expressing their indignation at seeing such public demonstrations of joy during the languishing state of the young prince's health.

Edward had been seized in the foregoing year, first with the measles, then with the small-pox; but having perfectly recovered from both these distempers, the nation entertained hopes that they would only serve to confirm his health; and he had afterwards made a progress through some parts of the kingdom. It was suspected that he had there overheated himself in exercise: he was The king's sickness, seized with a cough, which proved obstinate, and gave way neither to regimen nor medicines: several fatal symptoms of a consumption appeared; and though it was hoped, that as the season advanced, his youth and temperance might get the better of the malady, men saw with great concern his bloom and vigour insensibly decay. The general attachment to the young prince, joined to the hatred borne the Dudleys, made it be remarked, that Edward had every moment declined in health, from the time that Lord Robert Dudley had been put about him in quality of gentleman of the bedchamber.

The languishing state of Edward's health made Northumberland the more intent on the execution of his project. He removed all except his own emissaries from about the king: he himself attended him with the greatest assiduity: he pretended the most anxious concern for his

<sup>a</sup> Strype's Ecclesiastical Memorials, vol. ii. p. 394.

<sup>b</sup> Edw. VI. chap. 12. <sup>c</sup> Ibid. p. 95. 132.

<sup>d</sup> Strype's Ecclesiastical Memorials, vol. ii. p. 244.

<sup>e</sup> Heylin, p. 199. Stowe, p. 609.



health and welfare: and by all these artifices he prevailed on the young prince to give his final consent to the settlement projected. Sir Edward Montague, chief justice of the Common Pleas, Sir John Baker and Sir Thomas Bromley, two judges, with the attorney and solicitor-general, were summoned to the council: where, after the minutes of the intended deed were read to them, the king required them to draw them up in the forms of letters patent. They hesitated to obey; and desired time to consider it. The more they reflected, the greater danger they found in compliance. The settlement of the crown by Henry VIII. had been made in consequence of an act of parliament; and by another act passed in the beginning of this reign, it was declared treason in any of the heirs, their aiders or abettors, to attempt on the right of another, or change the order of succession. The judges pleaded these reasons before the council. They urged, that such a patent as was intended, would be entirely invalid: that it would subject, not only the judges who drew it, but every counsellor who signed it, to the pains of treason; and that the only proper expedient, both for giving sanction to the new settlement, and freeing its partisans from danger, was to summon a parliament, and to obtain the consent of that assembly. The king said, that he intended afterwards to follow that method, and would call a parliament, in which he purposed to have his settlement ratified; but, in the mean time, he required the judges, on their allegiance, to draw the patent in the form required. The council told the judges, that their refusal would subject all of them to the pains of treason. Northumberland gave to Montague the appellation of traitor; and said, that he would, in his shirt, fight any man in so just a cause as that of Lady Jane's succession. The judges were reduced to great difficulties between the dangers from the law, and those which arose from the violence of present power and authority.<sup>a</sup>

The arguments were canvassed in several different meetings between the council and the judges; and no solution could be found of the difficulties. At last, Montague proposed an expedient, which satisfied both his brethren and the counsellors. He desired that a special commission should be passed by the king and council, requiring the judges to draw a patent for the new settlement of the crown, that a pardon should immediately after be granted them for any offence which they might have incurred by their compliance. When the patent was drawn, and brought to the Bishop of Ely, chancellor, in order to have the great seal affixed to it, this prelate required that all the judges should previously sign it. Gosnald at first refused; and it was with much difficulty that he was prevailed on, by the violent menaces of Northumberland, to comply; but the constancy of Sir James Hales, who, though a zealous protestant, preferred justice, on this occasion, to the prejudices of his party, could not be shaken by any expedient. The chancellor next required, for his greater security, that all the privy counsellors should set their hands to the patent: the intrigues of Northumberland, or the fears of his violence, were so prevalent, that the counsellors complied with this demand.

21st June. Cranmer alone hesitated during some time, but at last yielded to the earnest and pathetic entreaties of the king.<sup>b</sup> Cecil, at that time secretary of state, pretended afterwards that he only signed as witness to the king's subscription. And thus, by the king's letters patent, the two princesses, Mary and Elizabeth, were set aside; and the crown was settled on the heirs of the Duchess of Suffolk: for the duchess herself was content to give place to her daughters.

After this settlement was made, with so many inauspicious circumstances, Edward visibly declined every day; and small hopes were entertained of his recovery. To make matters worse, his physicians were dismissed by Northumberland's advice, and by an order of council; and he was put into the hands of an ignorant woman, who undertook in a little time to restore him to his former state of health. After the use of her medicines, all the bad symptoms increased to the most violent degree: he felt a difficulty of speech and breathing; his pulse failed, his

legs swelled, his colour became livid; and many other symptoms appeared of his approaching end. He expired at Greenwich, in the sixteenth year of his age, and the seventh of his reign. and death, 21st July.

All the English historians dwell with pleasure on the excellent qualities of this young prince; whom the flattering promises of hope, joined to many real virtues, had made an object of tender affection to the public. He possessed mildness of disposition, application to study and business, a capacity to learn and judge, and an attachment to equity and justice. He seems only to have contracted, from his education, and from the genius of the age in which he lived, too much of a narrow prepossession in matters of religion, which made him incline somewhat to bigotry and persecution: but as the bigotry of protestants, less governed by priests, lies under more restraints than that of catholics, the effects of this malignant quality were the less to be apprehended, if a longer life had been granted to young Edward.

## CHAP. XXXVI.

### MARY.

Lady Jane Gray proclaimed queen.—Deserted by the people.—The queen proclaimed and acknowledged.—Northumberland executed.—Catholic religion restored.—A parliament.—Deliberations with regard to the queen's marriage.—Queen's marriage with Philip.—Wyat's Insurrection.—Suppressed.—Execution of Lady Jane Gray.—A parliament.—Philip's arrival in England.

The title of the Princess Mary, after the demise of her brother, was not exposed to any considerable difficulty; and the objections started by the Lady Jane's partisans were new and unheard-of by the nation. Though all the protestants, and even many of the catholics, believed the marriage of Henry VIII. with Catherine of Aragon to be unlawful and invalid; yet, as it had been contracted by the parties without any criminal intention, had been avowed by their parents, recognized by the nation, and seemingly founded on those principles of law and religion which then prevailed, few imagined that their issue ought on that account to be regarded as illegitimate. A declaration to that purpose had indeed been extorted from parliament by the usual violence and caprice of Henry; but as that monarch had afterwards been induced to restore his daughter to the right of succession, her title was now become as legal and parliamentary as it was ever esteemed just and natural. The public had long been familiarized to these sentiments: during all the reign of Edward, the princess was regarded as his lawful successor; and though the protestants dreaded the effects of her prejudices, the extreme hatred universally entertained against the Dudleys,<sup>a</sup> who, men foresaw, would, under the name of Jane, be the real sovereigns, was more than sufficient to counterbalance, even with that party, the attachment to religion. This last attempt to violate the order of succession, had displayed Northumberland's ambition and injustice in a full light; and when the people reflected on the long train of fraud, iniquity, and cruelty, by which that project had been conducted; that the lives of the two Seymours, as well as the title of the princesses, had been sacrificed to it; they were moved by indignation to exert themselves in opposition to such criminal enterprises. The general veneration also paid to the memory of Henry VIII. prompted the nation to defend the rights of his posterity; and the miseries of the ancient civil wars were not so entirely forgotten, that men were willing, by a departure from the lawful heir, to incur the danger of like bloodshed and confusion.

Northumberland, sensible of the opposition which he must expect, had carefully concealed the destination made by the king; and in order to bring the two princesses into his power, he had had the precaution to engage the council, before Edward's death, to write to them, in that prince's name, desiring their attendance, on pretence that his infant state of health required the assistance of their coun-

<sup>a</sup> Northumberland, p. 2.

<sup>b</sup> Cranmer's Memoirs, p. 56.

<sup>c</sup> Northumberland, p. 2.

sed, and the consolation of their company." Edward expanded before their arrival; but Northumberland, in order to make the princesses fall into the snare, kept the king's death still secret; and the Lady Mary had already reached Hoddesden, within half a day's journey of the court. Happily, the Earl of Arundel sent her private intelligence both of her brother's death and of the conspiracy formed against her: she immediately made haste to retire; and she arrived, by quick journeys, first at Kenninghall in Norfolk, then at Framlingham in Suffolk; where she purposed to embark and escape to Flanders, in case she should find it impossible to defend her right of succession. She wrote letters to the nobility and most considerable gentry in every county of England; commanding them to assist her in the defence of her crown and person. And she despatched a message to the council, by which she notified to them that her brother's death was no longer a secret to her, promised them pardon for past offences, and required them immediately to give orders for proclaiming her in London.

Northumberland found that further dissimulation was fruitless: he went to Sion-house<sup>a</sup> accompanied by the Duke of Suffolk, the Earl of Pembroke, and others of the nobility; and he approached the Lady Jane, who resided there, with all the respect usually paid to the sovereign. Jane was, in a great measure, ignorant of these transactions; and it was with equal grief and surprise that she received intelligence of them.<sup>b</sup> She was a

Lady Jane Gray  
proclaimed  
queen.

lady of an amiable person, an engaging disposition, accomplished parts; and being of an equal age with the late king, she had received all her education with him, and seemed even to possess greater facility in acquiring every part of manly and polite literature. She had attained a familiar knowledge of the Roman and Greek languages, besides modern tongues; had passed most of her time in an application to learning; and expressed a great indifference for other occupations and amusements, usual with her sex and station. Roger Ascham, tutor to the Lady Elizabeth, having one day paid her a visit, found her employed in reading Plato, while the rest of the family were engaged in a party of hunting in the park; and on his admiring the singularity of her choice, she told him that she received more pleasure from that author than the others could reap from all their sport and gaiety.<sup>c</sup> Her heart, full of this passion for literature and the elegant arts, and of tenderness towards her husband, who was deserving of her affections, had never opened itself to the flattering allurements of ambition; and the intelligence of her elevation to the throne was nowise agreeable to her. She even refused to accept of the present; pleaded the preferable title of the two princesses; expressed her dread of the consequences attending an enterprise so dangerous, not to say so criminal; and desired to remain in the private station in which she was born. Overcome at last by the entreaties rather than the reasons of her father and father-in-law, and above all of her husband, she submitted to their will, and was prevailed on to relinquish her own judgment. It was then usual for the Kings of England, after their accession, to pass the first days in the Tower; and Northumberland immediately conveyed thither the new sovereign. All the counsellors were obliged to attend her to that fortress; and by this means became, in reality, prisoners in the hands of Northumberland; whose will they were necessitated to obey. Orders were given by the council to proclaim Jane throughout the kingdom; but these orders were executed only in London and the neighbourhood. No applause ensued: the people heard the proclamation with silence and concern: some even expressed their scorn and contempt; and one Pot, a vintner's apprentice, was severely punished for this offence. The protestant teachers themselves, who were employed to convince the people of Jane's title, found their eloquence fruitless; and Ridley, Bishop of London, who preached a sermon to that purpose, wrought no effect upon his audience.

The people of Suffolk, meanwhile, paid their attendance

on Mary. As they were much attached to the reformed communion, they could not forbear, amidst their tenders of duty, expressing apprehensions for their religion; but when she assured them that she never meant to change the laws of Edward, they enlisted themselves in her cause with zeal and affection. The nobility and gentry daily flocked to her, and brought her reinforcement. The Earls of Bath and Sussex, the eldest sons of Lord Wharton and Lord Mordaunt, Sir William Drury, Sir Henry Benningsfield, Sir Henry Jernegan, persons whose interest lay in the neighbourhood, appeared at the head of their tenants and retainers.<sup>d</sup> Sir Edward Hastings, brother to the Earl of Huntingdon, having received a commission from the council to make levies for the Lady Jane in Buckinghamshire, carried over his troops, which amounted to four thousand men, and joined Mary. Even a fleet which had been sent by Northumberland to lie off the coast of Suffolk, being forced into Yarmouth by a storm, was engaged to declare for that princess.

Northumberland, hitherto blinded by ambition, saw at last the danger gather round him, and knew not to what hand to turn himself. He had levied forces which were assembled at London; but dreading the cabals of the courtiers and counsellors, whose compliance, he knew, had been entirely the result of fear or artifice, he was resolved to keep near the person of the Lady Jane, and sent Suffolk to command the army. But the counsellors who wished to remove him, working on the filial tenderness of Jane, magnified to her the danger to which her father would be exposed; and represented that Northumberland, who had gained reputation by formerly suppressing a rebellion in those parts, was more proper to command in that enterprise. The duke himself, who knew the slender capacity of Suffolk, began to think that none but himself was able to encounter the present danger; and he agreed to take on him the command of the troops. The counsellors attended on him at his departure with the highest protestations of attachment, and none more than Arundel, his mortal enemy.<sup>e</sup> As he went along, he remarked the disaffection of the people, which foreboded a fatal issue to his ambitious hopes. "Many," said he to Lord Gray, "come out to look at us, but I find not one who cries, *God speed you!*"<sup>f</sup>

The duke had no sooner reached St. Edmondsbury, than he found his army, which did not exceed six thousand men, too weak to encounter the queen's,<sup>g</sup> which amounted to double the number. He wrote to the council, desiring them to send him a reinforcement; and the counsellors immediately laid hold of the opportunity to free themselves from confinement. They left the Tower, as if they meant to execute Northumberland's commands; but being assembled in Baynard's castle, a house belonging to Pembroke, they deliberated concerning the method of shaking off his usurped tyranny. Arundel began the conference, by representing the injustice and cruelty of Northumberland, the exorbitancy of his ambition, the criminal enterprise which he had projected, and the guilt in which he had involved the whole council; and he affirmed, that the only method of making atonement for their past offences, was by a speedy return to the duty which they owed to their lawful sovereign.<sup>h</sup> This motion was seconded by Pembroke, who, clapping his hand to his sword, swore he was ready to fight any man that expressed himself of a contrary sentiment. The mayor and aldermen of London were immediately sent for, who discovered great alacrity in obeying the orders they received to proclaim Mary. The people expressed their approbation by shouts of applause. Even Suffolk, who commanded in the Tower, finding resistance fruitless, opened the gates, and declared for the queen. The Lady Jane, after the vain pageantry of wearing a crown during ten days, returned to a private life with more satisfaction than she felt when the royalty was tendered to her: and the messengers who were sent to Northumberland with orders to lay down his arms, found that he had despaired of success, was deserted by all

Lady Jane  
deserted by  
the people.

<sup>a</sup> Heylin, p. 151.

<sup>b</sup> Burnet, vol. ii. p. 273.

<sup>c</sup> Fox, vol. ii. p. 14.

<sup>d</sup> Thuanus, lib. xiv. c. 10.

<sup>e</sup> Godwin, in Heylin, p. 302. Heylin, p. 149. Burnet, vol. ii. p. 274.

<sup>f</sup> Ascham's Works, p. 222, 223.

<sup>g</sup> Heylin, i. 169. Burnet, vol. ii. p. 27.

<sup>h</sup> Godwin, p. 330. Heylin, p. 150. Burnet, vol. ii. p. 270. Fox, vol. ii. p. 15.

<sup>i</sup> Heylin, p. 161. Baker, p. 315. Heylin, p. 162.

<sup>j</sup> Sped, p. 119. Heylin, p. 150. Godwin, i. 331.

<sup>k</sup> Godwin, p. 331, 332. Thuanus, lib. xiv. c. 10.

<sup>l</sup> Godwin, p. 332. Thuanus, lib. xiv. c. 10.

his followers, and had already proclaimed the queen, with exterior marks of joy and satisfaction. The people every where, on the queen's approach to London, gave sensible expressions of their loyalty and attachment. And the Lady Elizabeth met her at the head of a thousand horse, which that princess had levied in order to support their joint title against the usurper.

The queen gave orders for taking into custody the Duke of Northumberland, who fell on his knees to the Earl of Arundel that arrested him, and abjectly begged his life. At the same time were committed the Earl of Warwick, his eldest son, Lord Ambrose and Lord Henry Dudley, two of his younger sons, Sir Andrew Dudley, his brother, the Marquis of Northampton, the Earl of Huntingdon, Sir Thomas Palmer, and Sir John Gates. The queen afterwards confined the Duke of Suffolk, Lady Jane Gray, and Lord Guilford Dudley. But Mary was desirous, in the beginning of her reign, to acquire popularity by the appearance of clemency; and because the counsellors pleaded constraint as an excuse for their treason, she extended her pardon to most of them. Suffolk himself recovered his liberty; and he owed this indulgence, in a great measure, to the contempt entertained of his capacity. But the guilt of Northumberland was too great, as well as his ambition and courage too dangerous, to permit him to entertain any reasonable hopes of life. When brought to his trial, he only desired permission to ask two questions of the peers appointed to sit on his jury; whether a man could be guilty of treason that obeyed orders given him by the council under the great seal? and whether those who were involved in the same guilt with himself could sit as his judges? Being told that the great seal of a usurper was no authority, and that persons not lying under any sentence of attainder were still innocent in the eye of the law, and might be admitted on any jury, he acquiesced, and pleaded guilty. At his execution, he made profession of the catholic religion, and told the people that they never would enjoy tranquillity till they returned to the faith of their ancestors: whether that such were his real sentiments, which he had formerly disguised from interest and ambition, or that he hoped by this declaration to render the queen more favourable to his family.<sup>1</sup> Sir Thomas Palmer and Sir John Gates suffered with him; and this was all the blood spilled on account of so dangerous and criminal an enterprise against the rights of the sovereign. Sentence was pronounced against the Lady Jane and Lord Guilford; but without any present intention of putting it in execution. The youth and innocence of the persons, neither of whom had reached their seventeenth year, pleaded sufficiently in their favour.

When Mary first arrived in the Tower, the Duke of Norfolk, who had been detained prisoner during all the last reign; Courtney, son of the Marquis of Exeter, who, without being charged with any crime, had been subjected to the same punishment ever since his father's attainder; Gardiner, Tonstal, and Bonner, who had been confined for their adhering to the catholic cause, appeared before her, and implored her clemency and protection.<sup>2</sup> They were all of them restored to their liberty, and immediately admitted to her confidence and favour. Norfolk's attainder, notwithstanding that it had passed in parliament, was represented as null and invalid; because, among other informalities, no special matter had been alleged against him, except wearing a coat of arms, which he and his ancestors, without giving any offence, had always made use of, in the face of the court and of the whole nation. Courtney soon after received the title of Earl of Devonshire; and though educated in such close confinement, that he was altogether unacquainted with the world, he soon acquired all the accomplishments of a courtier and a gentleman, and made a considerable figure during the few years which he lived after he recovered his liberty: he besides performing all those popular acts, which, though they only affected individuals, were very acceptable to the na-

tion, the queen endeavoured to ingratiate herself with the public, by granting a general pardon, though with some exceptions, and by remitting the subsidy voted to her brother by the last parliament.<sup>3</sup>

The joy arising from the succession of the lawful heir, and from the gracious demeanour of the sovereign, hindered not the people from being agitated with great anxiety concerning the state of religion; and as the bulk of the nation inclined to the protestant communion, the apprehensions entertained concerning the principles and prejudices of the new queen were pretty general. The legitimacy of Mary's birth had appeared to be somewhat connected with the papal authority; and that princess, being educated with her mother, had imbibed the strongest attachment to the catholic communion, and the highest aversion to those new tenets, whence, she believed, all the misfortunes of her family had originally sprung. The discouragements which she lay under from her father, though at last they brought her to comply with his will, tended still more to increase her disgust to the reformers; and the vexations which the protector and the council gave her, during Edward's reign, had no other effect than to confirm her further in her prejudices. Naturally of a sour and obstinate temper, and irritated by contradiction and misfortunes, she possessed all the qualities fitted to compose a bigot; and her extreme ignorance rendered her utterly incapable of doubt in her own belief, or of indulgence to the opinions of others. The nation, therefore, had great reason to dread not only the abolition, but the persecution, of the established religion from the zeal of Mary; and it was not long ere she discovered her intentions.

Gardiner, Bonner, Tonstal, Day, Heath, Catholic religion and Vesev, were reinstated in their sees, restored. either by a direct act of power, or what is nearly the same, by the sentence of commissioners appointed to review their trial and condemnation. Though the bishopric of Durham had been dissolved by authority of parliament, the queen erected it anew by letters patent, and replaced Tonstal in his regalities as well as his revenue. On pretence of discouraging controversy, she silenced, by an act of prerogative, all the preachers throughout England, except such as should obtain a particular licence; and it was easy to foresee that none but the catholics would be favoured with this privilege. Holgate, Archbishop of York, Coverdale, Bishop of Exeter, Ridley of London, and Hooper of Gloucester, were thrown into prison; whither old Latimer also was sent soon after. The zealous bishops and priests were encouraged in their forwardness to revive the mass, though contrary to the present laws. Judge Hales, who had discovered such constancy in defending the queen's title, lost all his merit by an opposition to those illegal practices; and being committed to custody, was treated with such severity, that he fell into a frenzy, and killed himself. The men of Suffolk were brow-beaten; because they presumed to plead the promise which the queen, when they enlisted themselves in her service, had given them of maintaining the reformed religion: one in particular was set in the pillory, because he had been too peremptory in recalling to her memory the engagements which she had taken on that occasion, and though the queen still promised in a public declaration before the council, to tolerate those who differed from her, men foresaw that this engagement, like the former, would prove but a feeble security when set in opposition to religious prejudices.

The merits of Cranmer towards the queen during the reign of Henry had been considerable; and he had successfully employed his good offices in mitigating the severe prejudices which that monarch had entertained against her. But the active part which he had borne in promoting her mother's divorce, as well as in conducting the Reformation, had made him the object of her hatred; and though Gardiner had been equally forward in soliciting and defending the divorce, he had afterwards made sufficient atonement by his sufferings in defence of the catholic cause. The primate, therefore, had reason to ex-

<sup>1</sup> Stowe, p. 612.  
<sup>2</sup> Burnet, vol. i. p. 240. Heylin, p. 13. Stowe, p. 613.  
<sup>3</sup> Burnet, vol. i. p. 239. Stowe, p. 612. Bower, p. 345. Holmsted, p. 1009.  
<sup>4</sup> Burnet, vol. i. p. 213. Heylin, p. 18. Baker, p. 31. Holmsted, p. 1009.

<sup>1</sup> Heylin, p. 19. Burnet, vol. i. p. 243. Stowe, p. 614.  
<sup>2</sup> Heylin, p. 20. Stowe, p. 613. Holmsted, p. 1008.  
<sup>3</sup> Depositions, North, vol. i. p. 246, 247.  
<sup>4</sup> Stowe, p. 614.



poet little favour during the present reign; but it was by his own indiscreet zeal that he brought on himself the first violence and persecution. A report being spread, that Cranmer, in order to pay court to the queen, had promised to officiate in the Latin service, the archbishop, to wipe off this aspersion, published a manifesto in his own defence. Among other expressions, he there said, that as the devil was a liar from the beginning, and the father of lies, he had at this time stirred up his servants to persecute Christ and his true religion: that this infernal spirit now endeavoured to restore the Latin satisfactory masses, a thing of his own invention and device; and in order to effect his purpose, had falsely made use of Cranmer's name and authority: and that the mass is not only without foundation, either in the Scriptures or in the practice of the primitive church, but likewise discovers a plain contradiction to antiquity and the inspired writings, and is besides replete with many horrid blasphemies.<sup>a</sup> On the publication of this inflammatory paper, Cranmer was thrown into prison, and was tried for the part which he had acted in concurring with the Lady Jane, and opposing the queen's accession. Sentence of high treason was pronounced against him; and though his guilt was shared with the whole privy council, and was even less than that of the greater part of them, this sentence, however severe, must be allowed entirely legal. The execution of it, however, did not follow, and Cranmer was reserved for a more cruel punishment.

Peter Martyr, seeing a persecution gathering against the reformers, desired leave to withdraw;<sup>b</sup> and while some zealous catholics moved for his commitment, Gardiner both pleaded that he had come over by an invitation from the government, and generously furnished him with supplies for his journey: but as bigoted zeal still increased, his wife's body, which had been interred at Oxford, was afterwards dug up by public orders, and buried in a dunghill.<sup>c</sup> The bones of Bucer and Fagius, two foreign reformers, were about the same time committed to the flames at Cambridge.<sup>d</sup> John à Lasco was first silenced, then ordered to depart the kingdom with his congregation. The greater part of the foreign protestants followed him; and the nation thereby lost many useful hands for arts and manufactures. Several English protestants also took shelter in foreign parts; and every thing bore a dismal aspect for the Reformation.

During this revolution of the court, no<sup>e</sup> 5th Oct. protection was expected by protestants from the parliament, which was summoned to assemble. A zealous reformer pretends;<sup>f</sup> that great violence and iniquity were used in the elections; but besides that the authority of this writer is inconsiderable, that practice, as the necessities of government seldom required it, had not hitherto been often employed in England. There still remained such numbers devoted by opinion or affection to many principles of the ancient religion, that the authority of the crown was able to give such candidates the preference in most elections; and all those who hesitated to comply with the court religion, rather declined taking a seat, which while it rendered them obnoxious to the queen, could afterwards afford them no protection against the violence of prerogative. It soon appeared, therefore, that a majority of the Commons would be obsequious to Mary's designs; and as the peers were mostly attached to the court, from interest or expectations, little opposition was expected from that quarter.

In opening the parliament, the court showed a contempt of the laws, by celebrating, before the two Houses, a mass of the Holy Ghost, in the Latin tongue, attended with all the ancient rites and ceremonies, though abolished by act of parliament.<sup>g</sup> Taylor, Bishop of Lincoln, having refused to kneel at this service, was severely handled, and was violently thrust out of the House.<sup>h</sup> The queen, however, still retained the title of supreme head of the church of England; and it was generally pretended, that the in-

tention of the court was only to restore religion to the same condition in which it had been left by Henry; but that the other abuses of popery, which were the most grievous to the nation, would never be revived.

The first bill passed by the parliament was of a popular nature, and abolished every species of treason not contained in the statute of Edward III. and every species of felony that did not subsist before the first of Henry VIII.<sup>i</sup> The parliament next declared the queen to be legitimate, ratified the marriage of Henry with Catherine of Aragon, and annulled the divorce pronounced by Cranmer,<sup>j</sup> whom they greatly blamed on that account. No mention, however, is made of the Pope's authority, as any ground of the marriage. All the statutes of King Edward, with regard to religion, were repealed by one vote.<sup>k</sup> The attainder of the Duke of Norfolk was reversed; and this act of justice was more reasonable than the declaring of that attainder invalid, without further authority. Many clauses of the riot act, passed in the late reign, were revived: a step which eluded, in a great measure, the popular statute enacted at the first meeting of parliament.

Notwithstanding the compliance of the two Houses with the queen's inclinations, they had still a reserve in certain articles; and her choice of a husband, in particular, was of such importance to national interest, that they were determined not to submit tamely, in that respect, to her will and pleasure. There were three marriages, concerning which it was supposed that Mary had deliberated after her accession. The first person proposed to her was Courtney, Earl of Devonshire, who being an Englishman, nearly allied to the crown, could not fail of being acceptable to the nation; and as he was of an engaging person and address, he had visibly gained on the queen's affections,<sup>l</sup> and hints were dropped him of her favourable dispositions towards him.<sup>m</sup> But that nobleman neglected these overtures, and seemed rather to attach himself to the Lady Elizabeth, whose youth and agreeable conversation he preferred to all the power and grandeur of her sister. This choice occasioned a great coldness in Mary towards Devonshire; and made her break out in a declared animosity against Elizabeth. The ancient quarrel between their mothers had sunk deep into the malignant heart of the queen; and under the declaration made by parliament in favour of Catherine's marriage, she wanted not a pretence for representing the birth of her sister as illegitimate. The attachment of Elizabeth to the reformed religion, offended Mary's bigotry; and as the young princess had made some difficulty in disguising her sentiments, violent menaces had been employed to bring her to compliance.<sup>n</sup> But when the queen found that Elizabeth had obstructed her views in a point which, perhaps, touched her still more nearly, her resentment, excited by pride, no longer knew any bounds; and the princess was visibly exposed to the greatest danger.<sup>o</sup>

Cardinal Pole, who had never taken priest's orders, was another party proposed to the queen; and there appeared many reasons to induce her to make choice of this prelate. The high character of Pole, for virtue and humanity; the great regard paid him by the catholic church, of which he had nearly reached the highest dignity, on the death of Paul III.;<sup>p</sup> the queen's affection for the Countess of Salisbury, his mother, who had once been her governess; the violent animosity to which he had been exposed, on account of his attachment to the Romish communion; all these considerations had a powerful influence on Mary. But the cardinal was now in the decline of life; and having contracted habits of study and retirement, he was represented to her as unqualified for the bustle of a court, and the hurry of business.<sup>q</sup> The queen, therefore, dropped all thoughts of that alliance: but as she entertained a great regard for Pole's wisdom and virtue, she still intended to reap the benefit of his counsel, in the administration of her government. She secretly entered into a negotiation with Commendone, an agent of Cardinal

<sup>a</sup> Heylin, vol. ii. p. 94. Heylin, p. 25. Godwin, p. 336. Burnet, vol. ii. c. 3. See B. Cranmer, Mem. p. 345. Thomas, lib. xii. c. 3.

<sup>b</sup> Heylin, p. 26. Godwin, p. 336. Cranmer, Mem. p. 347.

<sup>c</sup> Heylin, p. 26. b Saunders de Schism. Anglie.

<sup>d</sup> Heylin, p. 26. b Fox, who lived at the time, and is very minute in his narrative, says nothing of the matter. See vol. ii. p. 16.

<sup>e</sup> Heylin, vol. iii. p. 19. e Burnet, vol. ii. p. 252.

<sup>f</sup> Maria, sec. 1. c. 1. By this repeal, though it was in general popular.

the clause of 5 and 6 Edw. VI. c. 11. was lost, which required the consent of two witnesses, in order to prove any treason.

<sup>g</sup> Maria, sec. ii. c. 1. h Maria, sec. ii. c. 1.

<sup>i</sup> Ibid. lib. 2. c. 3.

<sup>k</sup> Depuch de Noailles, vol. ii. p. 137. 163. 214. 215. vol. iii. p. 67.

<sup>l</sup> Ibid. p. 33. m Depuch de Noailles, vol. ii. p. 163.

<sup>n</sup> Heylin, p. 31. Burnet, vol. ii. p. 255. o Ibid. Paul, look in p. Heylin p. 31.

Dandino, legate at Brussels; she sent assurances to the Pope, then Julius III., of her earnest desire to reconcile herself and her kingdoms to the holy see; and she desired that Pole might be appointed legate for the performance of that pious office.

These two marriages being rejected, the queen cast her eye towards the emperor's family, from which her mother was descended, and which, during her own distresses, had always afforded her countenance and protection. Charles V., who, a few years before, was almost absolute master of Germany, had exercised his power in such an arbitrary manner, that he gave extreme disgust to the nation, who apprehended the total extinction of their liberties from the encroachments of that monarch.<sup>a</sup> Religion had served him as a pretence for his usurpations; and from the same principle, he met with that opposition which overthrew his grandeur, and dashed all his ambitious hopes. Maurice, Elector of Saxony, enraged that the Landgrave of Hesse, who, by his advice, and on his assurances, had put himself into the emperor's hands, should be unjustly detained a prisoner, formed a secret conspiracy among the protestant princes; and covering his intentions with the most artful disguises, he suddenly marched his forces against Charles, and narrowly missed becoming master of his person. The protestants flew to arms in every quarter; and their insurrection, aided by an invasion from France, reduced the emperor to such difficulties, that he was obliged to submit to terms of peace, which insured the independency of Germany. To retrieve his honour, he made an attack on France; and laying siege to Metz, with an army of a hundred thousand men, he conducted the enterprise in person, and seemed determined, at all hazards, to succeed in an undertaking which had fixed the attention of Europe. But the Duke of Guise, who defended Metz, with a garrison composed of the bravest nobility of France, exerted such vigilance, conduct, and valour, that the siege was protracted to the depth of winter; and the emperor found it dangerous to persevere any longer. He retired, with the remains of his army, into the Low Countries, much dejected with that reverse of fortune which, in his declining years, had so fatally overtaken him.

No sooner did Charles hear of the death of Edward, and the accession of his kinswoman Mary to the crown of England, than he formed the scheme of acquiring that kingdom to his family; and he hoped, by this incident, to balance all the losses which he had sustained in Germany. His son Philip was a widower; and though he was only twenty-seven years of age, eleven years younger than the queen, this objection, it was thought, would be overlooked, and there was no reason to despair of her still having a numerous issue. The emperor, therefore, immediately sent over an agent to signify his intentions to Mary, who, pleased with the support of so powerful an alliance, and glad to unite herself more closely with her mother's family, to which she was ever strongly attached, readily embraced the proposal. Norfolk, Arundel, and Paget, gave their advice for the match: and Gardiner, who was become prime minister, and who had been promoted to the office of chancellor, finding how Mary's inclinations lay, seconded the project of the Spanish alliance. At the same time he represented, both to her and the emperor, the necessity of stopping all further innovations in religion, till the completion of the marriage. He observed, that the parliament, amidst all their compliances, had discovered evident symptoms of jealousy, and seemed, at present, determined to grant no further concessions in favour of the catholic religion; that though they might make a sacrifice to their sovereign, of some speculative principles, which they did not well comprehend, or of some rites, which seemed not of any great moment, they had imbibed such strong prejudices against the pretended usurpations and exactions of the court of Rome, that they would with great difficulty be again brought to submit to its authority: that the danger of resuming the abbey lands would alarm the nobility and gentry, and induce them to encourage the prepossessions which were but too general among the people, against the doctrine and worship of the catholic church:

that much pains had been taken to prejudice the nation against the Spanish alliance; and if that point were urged, at the same time with further changes in religion, it would hazard a general revolt and insurrection: that the marriage, being once completed, would give authority to the queen's measures, and enable her afterwards to forward the pious work in which she was engaged: and that it was even necessary, previously to reconcile the people to the marriage, by rendering the conditions extremely favourable to the English, and such as would seem to insure to them their independency, and the entire possession of their ancient laws and privileges.<sup>b</sup>

The emperor, well acquainted with the prudence and experience of Gardiner, assented to all these reasons; and he endeavoured to temper the zeal of Mary, by representing the necessity of proceeding gradually in the great work of converting the nation. Hearing that Cardinal Pole, more sincere in his religious opinions, and less guided by the maxims of human policy, after having sent contrary advice to the queen, had set out on his journey to England, where he was to execute his legatine commission; he thought proper to stop him at Dillinghen, a town on the Danube; and he afterwards obtained Mary's consent for this detention. The negotiation for the marriage, meanwhile, proceeded apace; and Mary's intentions of espousing Philip became generally known to the nation. The Commons, who hoped that they had gained the queen by the concessions which they had already made, were alarmed to hear that she was resolved to contract a foreign alliance; and they sent a committee to remonstrate in strong terms against that dan-  
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gerous measure. To prevent further applications of the same kind, she thought proper to dissolve the parliament.

A convocation had been summoned at the same time with the parliament; and the majority here also appeared to be of the court religion. An offer was very frankly made by the Romanists, to dispute concerning the points controverted between the two communions; and as transubstantiation was the article which, of all others, they deemed the clearest, and founded on the most irresistible arguments, they chose to try their strength by defending it. The protestants pushed the dispute as far as the clamour and noise of their antagonists would permit; and they fondly imagined that they had obtained some advantage, when, in the course of the debate, they obliged the catholics to avow that, according to their doctrine, Christ had in his last supper held himself in his hand, and had swallowed and eaten himself.<sup>c</sup> This triumph, however, was confined only to their own party: the Romanists maintained, that their champions had clearly the better of the day; that their adversaries were blind and obstinate heretics; that nothing but the most extreme depravity of heart could induce men to contest such self-evident principles; and that the severest punishments were due to their perverse wickedness. So pleased were they with their superiority in this favourite point, that they soon after renewed the dispute at Oxford; and to show that they feared no force of learning or abilities, where reason was so evidently on their side, they sent thither Cranmer, Latimer, and Ridley, under a guard, to try whether these renowned controversialists could find any appearance of argument to defend their baffled principles.<sup>d</sup> The issue of the debate was very different from what it appeared to be a few years before, in a famous conference held at the same place during the reign of Edward.

After the parliament and convocation were  
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dismissed, the new laws with regard to religion, though they had been anticipated, in most places, by the zeal of the catholics countenanced by government, were still more openly put in execution: the mass was every where re-established; and marriage was declared to be incompatible with any spiritual office. It has been asserted by some writers, that three fourths of the clergy were at this time deprived of their livings; though other historians, more accurate,<sup>e</sup> have estimated the number of sufferers to be far short of this proportion. A visitation was appointed, in order to restore more perfectly the mass

<sup>a</sup> Burnet, vol. ii. p. 276.  
<sup>b</sup> Burnet, ib. iv. c. 17.  
<sup>c</sup> Burnet, vol. ii. p. 261.

<sup>d</sup> Collier, vol. ii. p. 356. Fox, vol. iii. p. 22.  
<sup>e</sup> Mem. Cranm. p. 361. Heylin, p. 50.  
<sup>f</sup> Burnet, p. 148.

and the ancient rites. Among other articles, the commissioners were enjoined to forbid the oath of supremacy to be taken by the clergy or their receiving any benefices.<sup>a</sup> It is to be observed, that this oath had been established by the laws of Henry VIII. which were still in force.

This violent and sudden change of religion inspired the protestants with great discontent; and even affected indifferent spectators with concern, by the hardships to which so many individuals were on that account exposed. But the Spanish match was a point of more general concern, and diffused universal apprehensions for the liberty and independence of the nation. To obviate all clamour, the articles of marriage were drawn as favourable as possible for the interest and security, and even grandeur, of England. It was agreed, that, though Philip should have the title of king, the administration should be entirely in the queen; that no foreigner should be capable of enjoying any office in the kingdom; that no innovation should be made in the English laws, customs, and privileges; that Philip should not carry the queen abroad without her consent, nor any of her children without the consent of the nobility; that sixty thousand pounds a year should be settled as her jointure; that the male issue of this marriage should inherit, together with England, both Burgundy and the Low Countries; and that if Don Carlos, Philip's son by his former marriage, should die and his line be extinct, the queen's issue, whether male or female, should inherit Spain, Sicily, Milan, and all the other dominions of Philip.<sup>b</sup> Such was the treaty of marriage signed by Count

Egmont, and three other ambassadors sent over to England by the emperor.<sup>c</sup>

These articles, when published, gave no satisfaction to the nation: it was universally said, that the emperor, in order to get possession of England, would verbally agree to any terms; and the greater advantage there appeared in the conditions which he granted, the more certainly might it be concluded that he had no serious intention of observing them: that the usual fraud and ambition of that monarch might assure the nation of such a conduct; and his son Philip, while he inherited these vices from his father, added to them tyranny, sullenness, pride, and barbarity, more dangerous vices of his own: that England would become a province, and a province to a kingdom which usually exercised the most violent authority over all her dependent dominions; that the Netherlands, Milan, Sicily, Naples, groaned under the burden of Spanish tyranny, and throughout all the new conquests in America there had been displayed scenes of unrelenting cruelty, hitherto unknown in the history of mankind: that the inquisition was a tribunal invented by that tyrannical nation; and would infallibly, with all their other laws and institutions, be introduced into England: and that the divided sentiments of the people with regard to religion would subject multitudes to this iniquitous tribunal, and would reduce the whole nation to the most abject servitude.<sup>d</sup>

These complaints, being diffused every where, prepared the people for a rebellion; and had any foreign power given them encouragement, or any great man appeared to lead them, the consequences might have proved fatal to the queen's authority. But the King of France, though engaged in hostilities with the emperor, refused to concur in any proposal for an insurrection, lest he should afford Mary a pretence for declaring war against him.<sup>e</sup> And the more prudent part of the nobility thought that as the evils of the Spanish alliance were only dreaded at a distance, matters were not yet fully prepared for a general revolt. Some persons, however, more turbulent than the rest, believed that it would be safer to prevent than to redress grievances; and they formed a conspiracy to rise in arms, and declare against the queen's marriage with Philip.

Sir Thomas Wiat purposed to raise Kent, Sir Peter Carew, Devonshire; and they

engaged the Duke of Suffolk, by the hopes of recovering the crown for the Lady Jane, to attempt raising the midland counties.<sup>f</sup> Carew's impatience or apprehensions engaged him to break the concert, and to rise in arms before the day appointed: he was soon suppressed by the Earl of Bedford, and constrained to fly into France. On this intelligence, Suffolk, dreading an arrest, suddenly left the town, with his brothers, Lord Thomas and Lord Leonard Gray; and endeavoured to raise the people in the counties of Warwick and Leicester, where his interest lay; but he was so closely pursued by the Earl of Huntingdon, at the head of 300 horse, that he was obliged to disperse his followers, and being discovered in his concealment, he was carried prisoner to London.<sup>g</sup> Wiat was at first more successful in his attempt; and having published a declaration at Maidstone in Kent, against the queen's evil counsellors, and against the Spanish match, without any mention of religion, the people began to flock to his standard. The Duke of Norfolk, with Sir Henry Jernejan, was sent against him, at the head of the guards and some other troops, reinforced with 500 Londoners commanded by Bret; and he came within sight of the rebels at Rochester, where they had fixed their head-quarters. Sir George Harper here pretended to desert from them; but having secretly gained Bret, these two malcontents so wrought on the Londoners, that the whole body deserted to Wiat, and declared that they would not contribute to enslave their native country. Norfolk, dreading the contagion of the example, immediately retreated with his troops, and took shelter in the city.<sup>h</sup>

After this proof of the dispositions of the people, especially of the Londoners, who were mostly protestants, Wiat was encouraged to proceed: he led his forces to Southwark, where he required of the queen that she should put the Tower into his hands, should deliver four counsellors as hostages, and, in order to insure the liberty of the nation, should immediately marry an Englishman. Finding that the bridge was secured against him, and that the city was overawed, he marched up to Kingston, where he passed the river with 4000 men; and returning towards London, hoped to encourage his partisans, who had engaged to declare for him. He had imprudently wasted so much time at Southwark, and in his march from Kingston, that the critical season, on which all popular commotions depend, was entirely lost: though he entered Westminster without resistance, his followers, finding that no person of note joined him, insensibly fell off, and he was at last seized near Temple-bar by Sir Maurice Berkeley.<sup>i</sup> Four hundred persons

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are said to have suffered for this rebellion: 8 four hundred more were conducted before the queen with ropes about their necks; and falling on their knees, received a pardon and were dismissed. Wiat

Insurrection suppressed.

was condemned and executed: as it had been reported that, on his examination, he had accused the Lady Elizabeth and the Earl of Devonshire as accomplices, he took care on the scaffold, before the whole people, fully to acquit them of having any share in his rebellion. The Lady Elizabeth had been, during some time, treated with great harshness by her sister; and many studied instances of discouragement and disrespect had been practised against her. She was ordered to take place at court after the Countess of Lenox and the Duchess of Suffolk, as if she were not legitimate: her friends were discountenanced on every occasion: and while her virtues, which were now become eminent, drew to her the attendance of all the young nobility, and rendered her the favourite of the nation, the malevolence of the queen still discovered itself every day by fresh symptoms, and obliged the princess to retire into the country. Mary seized the opportunity of this rebellion; and hoping to involve her sister in some appearance of guilt, sent for her under a strong guard, committed her to the Tower, and ordered her to be strictly examined by the council. But the

<sup>a</sup> Collier, vol. ii. p. 364. Fox, vol. iii. p. 38. Heylin, p. 33. Sleidan,

ibid. p. 377.

<sup>b</sup> Rymer, vol. xv. p. 577.

<sup>c</sup> Despatches de Noailles, vol. ii. p. 209.

<sup>d</sup> Heylin, p. 32. Burnet, vol. ii. p. 561. Godwin, p. 339.

<sup>e</sup> Despatches de Noailles, vol. ii. p. 219. vol. iii. p. 17. 36.

<sup>f</sup> Heylin, p. 33. Godwin, p. 340.

<sup>g</sup> Fox, vol. iii. p. 30.

<sup>h</sup> Heylin, p. 34. Godwin, p. 341. Stowe, p. 649. Baker, p. 318.

<sup>i</sup> Holingshead, p. 1004.

<sup>j</sup> Fox, vol. iii. p. 31. Heylin, p. 34. Burnet, vol. ii. p. 570. Stowe,

p. 621.

<sup>k</sup> Despatches de Noailles, vol. iii. p. 124.

<sup>l</sup> Ibid. vol. ii. p. 573. 588.

<sup>m</sup> Ibid. p. 573.



public declaration made by Wiat rendered it impracticable to employ against her any false evidence which might have offered; and the princess made so good a defence, that the queen found herself under a necessity of releasing her.<sup>1</sup> In order to send her out of the kingdom, a marriage was offered her with the Duke of Savoy; and when she declined the proposal, she was committed to custody under a strong guard at Wobestoke.<sup>2</sup> The Earl of Devonshire, though equally innocent, was confined in Fotheringhay castle.

But this rebellion proved still more fatal to the Lady Jane Gray, as well as to her husband: the Duke of Suffolk's guilt was imputed to her; and though the rebels and malcontents seemed chiefly to rest their hopes on the Lady Elizabeth and the Earl of Devonshire, the queen, incapable of generosity or clemency, determined to remove every person from whom the least danger could be apprehended. Warning was given the Lady Jane to prepare for death; a doom which she had long expected, and which the innocence of her life, as well as the misfortunes to which she had been exposed, rendered nowise unwelcome to her. The queen's zeal, under colour of tender mercy to the prisoner's soul, induced her to send divines, who harassed her with perpetual disputation; and even a reprieve for three days was granted her, in hopes that she would be persuaded, during that time, to pay, by a timely conversion, some regard to her eternal welfare. The Lady Jane had presence of mind, in those melancholy circumstances, not only to defend her religion by all the topics then in use, but also to write a letter to her sister<sup>3</sup> in the Greek language; in which, besides sending her a copy of the Scriptures in that tongue, she exhorted her to maintain, in every fortune, a like steady perseverance. On the day of her execution, her

12th Feb. husband, Lord Guilford, desired permission to see her; but she refused her consent, and informed him by a message, that the tenderness of their parting would overcome the fortitude of both, and would too much unbend their minds from that constancy which their approaching end required of them: their separation, she said, would be only for a moment; and they would soon rejoice each other in a scene where their affections would be for ever united, and where death, disappointment, and misfortunes could no longer have access to them, or disturb their eternal felicity.<sup>4</sup>

It had been intended to execute the Lady Jane and Lord Guilford together on the same scaffold at Tower-hill; but the council, dreading the compassion of the people for their youth, beauty, innocence, and noble birth, changed their orders, and gave directions that she should

Execution of Lady Jane Gray. be beheld within the verge of the Tower. She saw her husband led to execution; and having given him from the window some token of her remembrance, she waited with tranquillity till her own appointed hour should bring her to a like fate. She even saw his headless body carried back in a cart; and found herself more confirmed by the reports which she heard of the constancy of his end, than shaken by so tender and melancholy a spectacle. Sir John Gage, constable of the Tower, when he led her to execution, desired her to bestow on him some small present, which he might keep as a perpetual memorial of her: she gave him her table-book, on which she had just written three sentences on seeing her husband's dead body; one in Greek, another in Latin, a third in English.<sup>5</sup> The purpose of them was, that human justice was against his body, but divine mercy would be favourable to his soul; that if her fault deserved punishment, her youth at least, and her imprudence, were worthy of excuse; and that God and posterity, she trusted, would show her favour. On the scaffold she made a speech to the by-standers; in which the mildness of her disposition led her to take the blame wholly on herself, without uttering one complaint against the severity with which she had been treated. She said that her offence was, not the having laid her hand upon the crown, but the not rejecting it with sufficient

constancy: that she had less erred through ambition than through reverence to her parents, whom she had been taught to respect and obey: that she willingly received death as the only satisfaction which she could now make to the injured state; and though her infringement of the laws had been constrained, she should show, by her voluntary submission to their sentence, that she was desirous to atone for that disobedience into which too much filial piety had betrayed her: that she had justly deserved this punishment for being made the instrument, though the unwilling instrument, of the ambition of others; and that the story of her life, she hoped, might at least be useful, by proving that innocence excuses not great misdeeds, if they tend anywise to the destruction of the commonwealth. After uttering these words, she caused herself to be disrobed by her women; and with a steady serene countenance submitted herself to the executioner.<sup>6</sup>

The Duke of Suffolk was tried, condemned, and executed soon after; and would have met with more compassion, had not his temerity been the cause of his daughter's untimely end. Lord Thomas Gray lost his life for the same crime. Sir Nicholas Throgmorton was tried in Guildhall; but there appearing no satisfactory evidence against him, he was able, by making an admirable defence, to obtain a verdict of the jury in his favour. The queen was so enraged at this disappointment, that instead of releasing him as the law required, she re-committed him to the Tower, and kept him in close confinement during some time. But her resentment stopped not here: the jury, being summoned before the council, were all sent to prison, and afterwards fined, some of them a thousand pounds, others two thousand apiece.<sup>7</sup> This violence proved fatal to several; among others to Sir John Throgmorton, brother to Sir Nicholas, who was condemned on no better evidence than had formerly been rejected. The queen filled the Tower and all the prisons with nobility and gentry, whom their interest with the nation, rather than any appearance of guilt, had made the objects of her suspicion. And finding that she was universally hated, she determined to disable the people from resistance, by ordering general musters, and directing the commissioners to seize their arms, and lay them up in forts and castles.<sup>8</sup>

Though the government laboured under so general an odium, the queen's authority had received such an increase from the suppression of Wiat's rebellion, that the ministry hoped to find a compliant disposition in the A parliament. new parliament, which was summoned to 5th April. assemble. The emperor also, in order to facilitate the same end, had borrowed no less a sum than 400,000 crowns, which he had sent over to England to be distributed in bribes and pensions among the members: a pernicious practice, of which there had not hitherto been any instance in England. And not to give the public any alarm with regard to the church lands, the queen, notwithstanding her bigotry, resumed her title of supreme head of the church, which she had dropped three months before. Gardiner, the chancellor, opened the session by a speech; in which he asserted the queen's hereditary title to the crown; maintained her right of choosing a husband for herself; observed how proper a use she had made of that right, by giving the preference to an old ally, descended from the house of Burgundy; and remarked the failure of Henry VIII.'s posterity, of whom there now remained none but the queen and the Lady Elizabeth. He added, that in order to obviate the inconveniences which might arise from different pretenders, it was necessary to invest the queen, by law, with a power of disposing of the crown, and of appointing her successor: a power, he said, which was not to be thought unprecedented in England, since it had formerly been conferred on Henry VIII.<sup>9</sup>

The parliament was much disposed to gratify the queen in all her desires; but when the liberty, independency, and very being of the nation were in such visible danger, they could not, by any means, be brought to compliance. They knew both the inveterate hatred which she bore to the Lady Elizabeth, and her devoted attachment to the house

<sup>1</sup> Gousson, p. 414. Burnet, vol. ii. p. 273. Fox, vol. iii. p. 99. 165.

<sup>2</sup> Str. p. 100. Mem. vol. ii. p. 165.

<sup>3</sup> Gousson, p. 414. Burnet, vol. ii. p. 273.

<sup>4</sup> Fox, vol. iii. p. 99. 165.

<sup>5</sup> Fox, vol. iii. p. 99. 165.

<sup>6</sup> Fox, vol. iii. p. 99. 165.

<sup>7</sup> Fox, vol. iii. p. 99. 165.

<sup>8</sup> Fox, vol. iii. p. 99. 165.

<sup>9</sup> Heylin, p. 167.

<sup>1</sup> Heylin, p. 167. Fox, vol. iii. p. 36, 37. Holmsted, p. 1099.

<sup>2</sup> Fox, vol. iii. p. 99. Str. p. 100. Baker, p. 320. Holmsted, p.

104. H. J. Str. vol. ii. p. 120. Dep. de Noailles, vol. ii. p. 174.

<sup>3</sup> Dep. de Noailles, vol. ii. p. 98.

<sup>4</sup> Dep. de Noailles.

of Austria: they were acquainted with her extreme bigotry, which would lead her to postpone all considerations of justice, or national interest, to the establishment of the catholic religion: they remarked, that Gardiner had carefully avoided, in his speech, the giving to Elizabeth the appellation of the queen's sister: and they thence concluded, that a design was formed of excluding her, as illegitimate: they expected that Mary, if invested with such a power as she required, would make a will in her husband's favour, and thereby render England for ever a province to the Spanish monarchy: and they were the more alarmed with these projects, as they heard that Philip's descent from the house of Lancaster was carefully insisted on, and that he was publicly represented as the true and only heir by right of inheritance.

The parliament, therefore, aware of their danger, were determined to keep at a distance from the precipice which lay before them. They could not avoid ratifying the articles of marriage,<sup>a</sup> which were drawn very favourable for England: but they declined the passing of any such law as the chancellor pointed out to them: they would not so much as declare it treason to imagine or attempt the death of the queen's husband, while she was alive; and a bill introduced for that purpose was laid aside after the first reading. The more effectually to cut off Philip's hopes of possessing any authority in England, they passed a law, in which they declared, "That her majesty, as their only queen, should solely, and as a sole queen, enjoy the crown and sovereignty of her realms, with all the pre-eminences, dignities, and rights thereto belonging, in as large and ample a manner after her marriage as before, without any title or claim accruing to the Prince of Spain, either as tenant, by courtesy of the realm, or by any other means."<sup>b</sup>

A law passed in this parliament for re-erecting the bishopric of Durham, which had been dissolved by the last parliament of Edward.<sup>c</sup> The queen had already, by an exertion of her power, put Tonstal in possession of that see: but though it was usual, at that time, for the crown to assume authority which might seem entirely legislative, it was always deemed more safe and satisfactory to procure the sanction of parliament. Bills were introduced for suppressing heterodox opinions contained in books, and for reviving the law of the Six Articles, together with those against the Lollards, and against heresy and erroneous preaching: but none of these laws could pass the two Houses: a proof that the parliament had reserves, even in their concessions with regard to religion, about which they seem to have been less scrupulous. The queen, therefore, finding that they would not serve all her purposes, finished the session by dissolving them.

Mary's thoughts were now entirely employed about receiving Don Philip, whose arrival she hourly expected. This princess, who had lived so many years in a very reserved and private manner, without any prospect or hopes of a husband, was so smitten with affection for her young consort, whom she had never seen, that she waited with the utmost impatience for the completion of the marriage; and every obstacle was to her a source of anxiety and discontent.<sup>d</sup> She complained of Philip's delays as affected; and she could not conceal her vexation, that though she brought him a kingdom as her dowry, he treated her with such neglect, that he had never yet favoured her with a single letter.<sup>e</sup> Her fondness was but the more increased by this supercilious treatment; and when she found that her subjects had entertained the greatest aversion for the event, to which she directed her fondest wishes, she made the whole English nation the object of her resentment. A squadron, under the command of Lord Eftingham, had been fitted out, to convoy Philip from Spain, where he then resided; but the admiral informing her, that the discontents ran very high among the seamen, and that it was not safe for Philip to intrust himself in their hands, she gave orders to dismiss them.<sup>f</sup> She then dreaded lest the French fleet, being masters of

the sea, might intercept her husband; and every rumour of danger, every blast of wind, threw her into panics and convulsions. Her health, and even her understanding, were visibly hurt by this extreme impatience; and she was struck with a new apprehension, lest her person, impaired by time, and blasted by sickness, should prove disagreeable to her future consort. Her glass discovered to her how haggard she was become; and when she remarked the decay of her beauty, she knew not whether she ought more to desire or apprehend the arrival of Philip.<sup>g</sup>

At last came the moment so impatiently expected; and news was brought the queen Philip's arrival at Southampton.<sup>h</sup> A few days after, they were married in Westminster, and having made a pompous entry into London, where Philip displayed his wealth with great ostentation, she carried him to Windsor, the palace in which they afterwards resided. The prince's behaviour was ill calculated to remove the prejudices which the English nation had entertained against him. He was distant and reserved in his address; took no notice of the salutes even of the most considerable noblemen; and so entrenched himself in form and ceremony, that he was in a manner inaccessible:<sup>i</sup> but this circumstance rendered him the more acceptable to the queen, who desired to have no company but her husband's, and who was impatient when she met with any interruption to her fondness. The shortest absence gave her vexation; and when he showed civilities to any other woman, she could not conceal her jealousy and resentment.

Mary soon found that Philip's ruling passion was ambition; and that the only method of gratifying him, and securing his affections, was to render him master of England. The interest and liberty of her people were considerations of small moment, in comparison of her obtaining this favourite point. She summoned a new parliament, in hopes of finding them entirely compliant; and that she might acquire the greater authority over them, she imitated the precedent of the former reign, and wrote circular letters, directing a proper choice of members.<sup>j</sup> The zeal of the catholics, the influence of Spanish gold, the powers of prerogative, the discouragement of the gentry, particularly of the protestants; all these causes, seconding the intrigues of Gardiner, had procured her a House of Commons, which was in a great measure to her satisfaction; and it was thought, from the disposition of the nation, that she might now safely omit, on her assembling the parliament, the title of *supreme head of the church*, though inseparably annexed by law to the crown of England.<sup>k</sup> Cardinal Pole had arrived in Flanders, invested with legate powers from the Pope: in order to prepare the way for his arrival in England, the parliament passed an act, reversing his attainer, and restoring his blood; and the queen, dispensing with the old statute of provisors, granted him permission to act as legate. The cardinal came over; and after being introduced to the king and queen, he invited the parliament to reconcile themselves and the kingdom to the apostolic see, from which they had been so long and so unhappily divided. This message was taken in good part; and both Houses voted an address to Philip and Mary, acknowledging that they had been guilty of a most horrible defection from the true church; professing a sincere repentance of their past transgressions; declaring their resolution to repeal all laws enacted in prejudice of the church of Rome; and praying their majesties, that since they were happily uninfected with that criminal schism, they would intercede with the holy father for the absolution and forgiveness of their penitent subjects.<sup>l</sup> The request was easily granted. The legate, in the name of his Holiness, gave the parliament and kingdom absolution, freed them from all censures, and received them again into the bosom of the church. The Pope, then Julius III. being informed of these transactions, said that it was an unexampled instance of his felicity, to receive thanks from the English, for allowing

<sup>a</sup> Mar. Parl. 2. cap. 2.

<sup>b</sup> Ibid. cap. 1.

<sup>c</sup> Despatches de Noailles, vol. iii. p. 248.

<sup>d</sup> Ibid. p. 227, 228, 234.

<sup>e</sup> Ibid. vol. iii. p. 99. Heylin, p. 59. Burnet, vol. iii. p. 302. Godwin,

p. 425. We are told by Sir William Mordaunt, p. 253, that the admiral of England fled at the Spanish navy, when Philip was on board, because they

<sup>f</sup> Ibid. cap. 1.

<sup>g</sup> Strype, vol. iii. p. 125.

<sup>h</sup> Ibid. p. 120.

had not lowered their topsails, as a mark of deference to the English navy, in the narrow seas; a very spirited behaviour, and very unlike those times.

<sup>i</sup> Baker, p. 350.

<sup>j</sup> Mem. of Cram, p. 344. Strype's Eccl. Mem. vol. iii. p. 154, 155.

<sup>k</sup> Burnet, vol. iii. p. 291. Strype, vol. iii. p. 155.

<sup>l</sup> Fox, vol. iii. p. 3. Heylin, p. 42. Burnet, vol. iii. p. 293. Godwin,

p. 417.



them to do what he ought to give them thanks for performing.

Notwithstanding the extreme zeal of those times for and against popery, the object always uppermost with the nobility and gentry was their money and estates: they were not brought to make these concessions in favour of Rome, till they had received repeated assurances from the Pope, as well as the queen, that the plunder which they had made on the ecclesiastics should never be inquired into; and that the abbey and church lands should remain with the present possessors.<sup>g</sup> But not trusting altogether to these promises, the parliament took care in the law itself, by which they repealed the former statutes enacted against the Pope's authority, to insert a clause, in which, besides bestowing validity on all marriages celebrated during the schism, and fixing the right of incumbents to their benefices, they gave security to the possessors of church lands, and freed them from all danger of ecclesiastical censures. The convocation also, in order to remove apprehensions on that head, were induced to present a petition to the same purpose;<sup>h</sup> and the legate, in his master's name, ratified all these transactions. It now appeared that, notwithstanding the efforts of the queen and king, the power of the papacy was effectually suppressed in England, and invincible barriers fixed against its re-establishment. For though the jurisdiction of the ecclesiastics was for the present restored, their property, on which their power much depended, was irrevocably lost, and no hopes remained of recovering it. Even these arbitrary, powerful, and bigoted princes, while the transactions were yet recent, could not regain to the church her possessions so lately ravaged from her; and no expedients were left to the clergy for enriching themselves, but those which they had at first practised, and which had required many ages of ignorance, barbarism, and superstition, to produce their effect on mankind.<sup>i</sup>

The parliament, having secured their own possessions, were more indifferer with regard to religion, or even to the lives of their fellow-citizens: they revived the old sanguinary laws against heretics,<sup>j</sup> which had been rejected in the former parliament: they also enacted several statutes against seditious words and rumours;<sup>k</sup> and they made it treason to imagine or attempt the death of Philip, during his marriage with the queen.<sup>l</sup> Each parliament hitherto had been induced to go a step further than their predecessors; but none of them had entirely lost all regard to national interests. Their hatred against the Spaniards, as well as their suspicion of Philip's pretensions, still prevailed; and though the queen attempted to get her husband declared presumptive heir to the crown, and to have the administration put into his hands, she failed in all her endeavours, and could not so much as procure the parliament's consent to his coronation.<sup>m</sup> All attempts likewise to obtain subsidies from the Commons in order to support the emperor in his war against France, proved fruitless: the usual animosity and jealousy of the English against that kingdom, seemed to have given place, for the present, to like passions against Spain. Philip, sensible of the prepossessions entertained against him, endeavoured to acquire popularity by procuring the release of several prisoners of distinction: Lord Henry Dudley, Sir George Harper, Sir Nicholas Throgmorton, Sir Edmund Warner, Sir William St. Lo, Sir Nicholas Arnold, Harrington, Tremaine, who had been confined from the

suspicious or resentment of the court.<sup>n</sup> But nothing was more agreeable to the nation, than his protecting the Lady Elizabeth from the spite and malice of the queen, and restoring her to liberty. This measure was not the effect of any generosity in Philip, a sentiment of which he was wholly destitute; but of a refined policy, which made him foresee, that if that princess were put to death, the next lawful heir was the Queen of Scots, whose succession would for ever annex England to the crown of France. The Earl of Devonshire also reaped some benefit from Philip's affectation of popularity, and recovered his liberty: but that nobleman, finding himself exposed to suspicion, begged permission to travel;<sup>o</sup> and he soon after died at Padua, from poison, as is pretended, given him by the Imperialists. He was the eleventh and last Earl of Devonshire of that noble family, one of the most illustrious in Europe.

The queen's extreme desire of having issue, had made her fondly give credit to any appearance of pregnancy; and when the legate was introduced to her, she fancied she felt the embryo stir in her womb.<sup>p</sup> Her flatterers compared this motion of the infant to that of John the Baptist, who leaped in his mother's belly at the salutation of the Virgin.<sup>q</sup> Despatches were immediately sent to inform foreign courts of this event: orders were issued to give public thanks; great rejoicings were made: the family of the young prince was already settled;<sup>r</sup> for the catholics held themselves assured that the child was to be a male: and Bonner, Bishop of London, made public prayers, he said, that Heaven would please to render him beautiful, vigorous, and witty. But the nation still remained somewhat incredulous; and men were persuaded that the queen laboured under infirmities which rendered her incapable of having children. Her infant proved only the commencement of a dropsy, which the disordered state of her health brought upon her. The belief, however, of her pregnancy was upheld with all possible care; and was one artifice by which Philip endeavoured to support his authority in the kingdom. The parliament passed a law, which, in the

A. D. 1555.

case of the queen's demise, appointed him protector during the minority; and the king and queen, finding they could obtain no further concessions, came unexpectedly to Westminster and dissolved them.

There happened an incident this session 16th Jan. which must not be passed over in silence.

Several members of the Lower House, dissatisfied with the measures of the parliament, but finding themselves unable to prevent them, made a secession in order to show their disapprobation, and refused any longer to attend the House.<sup>s</sup> For this instance of contumacy they were indicted in the king's bench after the dissolution of parliament: six of them submitted to the mercy of the court, and paid their fines: the rest traversed; and the queen died before the affair was brought to an issue. Judging of the matter by the subsequent claims of the House of Commons, and indeed, by the true principles of free government, this attempt of the queen's ministers must be regarded as a breach of privilege; but it gave little umbrage at the time, and was never called in question by any House of Commons which afterwards sat during this reign. The Count of Noailles, the French ambassador, says that the queen threw several members into prison for their freedom of speech.<sup>t</sup>

<sup>g</sup> Father Paul, lib. iv.

<sup>h</sup> Heylin, p. 41.

<sup>i</sup> 1 and 2 Philip and Mary, c. 8.

<sup>k</sup> Heylin, p. 43. 1 and 2 Philip and Mary, c. 8. Streyce, vol. iii.

p. 159.

<sup>l</sup> The Pope at first gave Cardinal Pole powers to transact only with regard to the past; but the church lands, but being encompassed of the former attempts, they attempt to establish a Government of the Laws, he enlarged the cardinal's powers, and granted him authority to insure the future possession of the church lands to the present proprietors. There being some uncertainty as to the persons a power that has been exercised in some spiritual Courts. Aro, supposing such trade of such cases as they should think important enough to merit the being communicated to the College, the Pope may rather the presentment as the church lands, and his commission and given him full powers to that purpose. See *Harleian Miscellany*, vol. vii. p. 264, 266. It is true some councils have declared,

that it exceeds even the power of the Pope to alienate any church lands; and the Pope, according to his convenience or power, may either adhere to or recede from this declaration. But every one gave solidity to the right of the proprietors of church lands, and diminished the authority of the Pope, so that man's dread of popery in subsequent times was more founded on party or religious zeal, than on very solid reasons.

<sup>m</sup> 1 and 2 Philip and Mary, c. 6.

<sup>n</sup> 1 and 2 Philip and Mary, c. 6.

<sup>o</sup> 1 and 2 Philip and Mary, c. 6.

<sup>p</sup> Heylin, p. 49. Burnet, vol. ii. p. 237. Stowe, p. 626. *Deceps de*

*Noailles*, vol. ii. p. 146, 147.

<sup>q</sup> Heylin, p. 10. Godwin, p. 349.

<sup>r</sup> Heylin, p. 10. Godwin, p. 349.

<sup>s</sup> Heylin, p. 10. Godwin, p. 349.

<sup>t</sup> Heylin, p. 10. Godwin, p. 349.

<sup>u</sup> Heylin, p. 46.

<sup>v</sup> Heylin, p. 46.

<sup>w</sup> Heylin, p. 46.

<sup>x</sup> Heylin, p. 46.



## CHAP. XXXVII

Reasons for and against toleration. Persecutions. A parliament. The general's enterprises. The emperor makes his entry to London. A Congress. War with France—England's defeat in Calais. Invasion of the Low Countries—Scotland. Marriage of the dauphin and the queen of Scots. A parliament—Death of the queen.

THE success which Gardiner, from his cautious and prudent conduct, had met with in governing the parliament, and engaging them to concur both in the Spanish match, and the re-establishment of the ancient religion, two points to which, it was believed, they bore an extreme aversion, had so raised his character for wisdom and policy, that his opinion was received as an oracle in the council; and his authority, as it was always great in his own party, no longer suffered any opposition or control. Cardinal Pole himself, though more beloved on account of his virtue and candour, and though superior in birth and station, had not equal weight in public deliberations; and while his learning, piety, and humanity were extremely respected, he was represented more as a good man than a great minister. A very important question was frequently debated before the queen and council by these two ecclesiastics; whether the laws lately revived against heretics should be put in execution, or should only be employed to restrain by terror the bold attempts of these zealots? Pole was very sincere in his religious principles; and though his moderation had made him be suspected at Rome of a tendency towards Lutheranism, he was seriously persuaded of the catholic doctrines, and thought that no consideration of human policy ought ever to come in competition with such important interests. Gardiner, on the contrary, had always made his religion subservient to his schemes of safety or advancement; and by his unlimited complaisance to Henry, he had shown that had he not been pushed to extremity under the late minority, he was sufficiently disposed to make a sacrifice of his principles to the established theology. This was the well-known character of these two great counsellors; yet such is the prevalence of temper above system, that the benevolent disposition of Pole led him to advise a toleration of the heretical tenets which he highly blamed; while the severe manners of Gardiner inclined him to support by persecution that religion which, at the bottom, he regarded with great indifference.\* This circumstance of public conduct was of the highest importance; and from being the object of deliberation in the council, it soon became the subject of discourse throughout the nation. We shall relate, in a few words, the topics by which each side supported, or might have supported, their scheme of policy; and shall display the opposite reasons, which have been employed with regard to an argument that ever has been, and ever will be, so much canvassed.

Reasons for and against toleration. The practice of persecution, said the defenders of Pole's opinion, is the scandal of all religion; and the theological animosity so fierce and violent, far from being an argument of men's conviction in their opposite sects, is a certain proof that they have never reached any serious persuasion with regard to these remote and sublime subjects. Even those who are the most impatient of contradiction in other controversies, are mild and moderate in comparison of polemical divines; and wherever a man's knowledge and experience give him a perfect assurance in his own opinion, he regards with contempt, rather than anger, the opposition and mistakes of others. But while men zealously maintain what they neither clearly comprehend nor entirely believe, they are shaken in their imagined faith by the opposite persuasion, or even doubts, of other men; and vent on their antagonists that impatience which is the natural result of so disagreeable a state of the understanding. They then easily embrace any pretence for representing opponents as impious and profane; and if they can also find a colour for connecting this violence with the interests of civil government, they can no longer be restrained from giving uncontrolled scope to vengeance and resentment. But surely, never enterprise was more unfortunate than

that of founding persecution upon policy, or endeavouring, for the sake of peace, to settle an entire uniformity of opinion in questions, which of all others are least subjected to the criterion of human reason. The universal and uncontradicted prevalence of one opinion in religious subjects can be owing at first to the stupid ignorance alone and barbarism of the people, who never indulge themselves in any speculation or inquiry; and there is no expedient for maintaining that uniformity, so fondly sought after, but by banishing for ever all curiosity and all improvement in science and cultivation. It may not, indeed, appear difficult to check, by a steady severity, the first beginnings of controversy; but besides that this policy exposes for ever the people to all the abject terrors of superstition, and the magistrate to the endless encroachments of ecclesiastics, it also renders men so delicate, that they can never endure to hear of opposition; and they will some time pay dearly for that false tranquillity in which they have been so long indulged. As healthful bodies are ruined by too nice a regimen, and are thereby rendered incapable of bearing the unavoidable incidents of human life; a people who never were allowed to imagine that their principles could be contested, fly out into the most outrageous violence when any event (and such events are common) produces a faction among their clergy, and gives rise to any differences in tenet or opinion. But whatever may be said in favour of suppressing, by persecution, the first beginnings of heresy, no solid argument can be alleged for extending severity towards multitudes, or endeavouring, by capital punishments, to extirpate an opinion which has diffused itself among men of every rank and station. Besides the extreme barbarity of such an attempt, it commonly proves ineffectual to the purpose intended; and serves only to make men more obstinate in their persuasion, and to increase the number of their proselytes. The melancholy with which the fear of death, torture, and persecution, inspires the sectaries, is the proper disposition for fostering religious zeal: the prospect of eternal rewards, when brought near, overpowers the dread of temporal punishments: the glory of martyrdom stimulates all the more furious zealots, especially the leaders and preachers: where a violent animosity is excited by oppression, men naturally pass from hating the persons of their tyrants, to a more violent abhorrence of their doctrines: and the spectators, moved with pity towards the supposed martyrs, are easily seduced to embrace those principles which can inspire men with a constancy that appears almost supernatural. Open the door to toleration, mutual hatred relaxes among the sectaries; their attachment to their particular modes of religion decays; the common occupations and pleasures of life succeed to the acrimony of dispute, and the same man who, in other circumstances, would have braved flames and tortures, is induced to change his sect from the smallest prospect of favour and advancement, or even from the frivolous hope of becoming more fashionable in his principles. If any exception can be admitted to this maxim of toleration, it will only be where a theology altogether new, nowise connected with the ancient religion of the state, is imported from foreign countries, and may easily, at one blow, be eradicated without leaving the seeds of future innovation. But as this exception would imply some apology for the ancient pagan persecutions, or for the extirpation of Christianity in China and Japan; it ought surely, on account of this detested consequence, to be rather buried in eternal silence and oblivion.

Though these arguments appear entirely satisfactory, yet such is the subtlety of human wit, that Gardiner and the other enemies to toleration were not reduced to silence; and they still found topics on which to maintain the controversy. The doctrine, said they, of liberty of conscience, is founded on the most flagrant impiety, and supposes such an indifference among all religions, such an obscurity in theological doctrines, as to render the church and magistrate incapable of distinguishing with certainty the dictates of Heaven from the mere fictions of human imagination. If the Divinity reveals principles to mankind, he will surely give a criterion by which they

may be ascertained; and a prince, who knowingly allows these principles to be perverted or adulterated, is infinitely more criminal than if he gave permission for the vending of poison, under the shape of food, to all his subjects. Persecution may, indeed, seem better calculated to make hypocrites than converts; but experience teaches us, that the habits of hypocrisy often turn into reality; and the children, at least, ignorant of the dissimulation of their parents, may happily be educated in more orthodox tenets. It is absurd, in opposition to considerations of such unspeakable importance, to plead the temporal and frivolous interests of civil society; and if matters be thoroughly examined, even that topic will not appear so universally certain in favour of toleration as by some it is represented. Where sects arise, whose fundamental principle on all sides is to execrate, and abhor, and damn, and extirpate each other; what choice has the magistrate left, but to take part, and by rendering one sect entirely prevalent, restore, at least for a time, the public tranquillity? The political body, being here sickly, must not be treated as if it were in a state of sound health; and an affected neutrality in the prince, or even a cool preference, may serve only to encourage the hopes of all the sects, and keep alive their animosity. The protestants, far from tolerating the religion of their ancestors, regard it as an impious and detestable idolatry; and during the late minority, when they were entirely masters, they enacted very severe, though not capital, punishments against all exercise of the catholic worship, and even against such as barely abstained from their profane rites and sacraments. Nor are instances wanting of their endeavours to secure an imagined orthodoxy by the most rigorous executions: Calvin has burned Servetus at Geneva; Cranmer brought Arians and anabaptists to the stake; and if persecution of any kind be admitted, the most bloody and violent will surely be allowed the most justifiable, as the most effectual. Imprisonments, fines, confiscations, whippings, serve only to irritate the sects, without disabling them from resistance; but the stake, the wheel, and the gibbet, must soon terminate in the extirpation or banishment of all the heretics inclined to give disturbance, and in the entire silence and submission of the rest.

The arguments of Gardiner, being more agreeable to the cruel bigotry of Mary and Philip, were better received; and though Pole pleaded, as is affirmed,<sup>b</sup> the advice of the emperor, who recommended it to his daughter-in-law not to exercise violence against the protestants, and desired her to consider his own example, who, after endeavouring through his whole life to extirpate heresy, had, in the end, reaped nothing but confusion and disappointment, the scheme of toleration was entirely rejected. It was determined to let loose the laws in their full vigour against the reformed religion; and England was soon filled with scenes of horror, which have ever since rendered the catholic religion the object of general detestation, and which prove, that no human depravity can equal revenge and cruelty covered with the mantle of religion.

The persecutors began with Rogers, prebendary of St. Paul's, a man eminent in his party for virtue as well as for learning. Gardiner's plan was first to attack men of that character, whom, he hoped, terror would bend to submission, and whose example, either of punishment or recantation, would naturally have influence on the multitude: but he found a perseverance and courage in Rogers, which it may seem strange to find in human nature, and of which all ages and all sects do nevertheless furnish many examples. Rogers, besides the care of his own preservation, lay under other powerful temptations to compliance: he had a wife whom he tenderly loved, and ten children; yet such was his serenity after his condemnation, that the jailers, it is said, waked him from a sound sleep when the hour of his execution approached. He had desired to see his wife before he died; but Gardiner told him, that he was a priest, and could not possibly have a wife; thus joining insult to cruelty. Rogers was burnt in Smithfield.<sup>c</sup>

Hooper, Bishop of Gloucester, had been tried at the same time with Rogers; but was sent to his own choice to be executed. This circumstance was contrived to strike the greater terror into his flock; but it was a source of consolation to Hooper, who rejoiced in giving testimony, by his death, to that doctrine which he had formerly preached among them. When he was tied to the stake, a stool was set before him, and the queen's pardon laid upon it, which it was still in his power to merit by a recantation: but he ordered it to be removed; and cheerfully prepared himself for that dreadful punishment to which he was sentenced. He suffered it in its full severity: the wind, which was violent, blew the flame of the reeds from his body: the faggots were green, and did not kindle easily: all his lower parts were consumed before his vitals were attacked: one of his hands dropped off: with the other he continued to beat his breast: he was heard to pray and to exhort the people; till his tongue, swoln with the violence of his agony, could no longer permit him utterance. He was three quarters of an hour in torture, which he bore with inflexible constancy.<sup>d</sup>

Sanders was burned<sup>e</sup> at Coventry: a pardon was also offered him; but he rejected it, and embraced the stake, saying, "Welcome the cross of Christ! welcome everlasting life!" Taylor, parson of Hadleigh, was punished by fire in that place, surrounded by his ancient friends and parishioners. When tied to the stake, he rehearsed a psalm in English: one of his guards struck him in the mouth, and bade him speak Latin: another, in a rage, gave him a blow on the head with his halbert, which happily put an end to his tortments.

There was one Philpot, Archdeacon of Winchester, inflamed with such zeal for orthodoxy, that having been engaged in dispute with an Arian, he spit in his adversary's face to show the great detestation which he had entertained against that heresy. He afterwards wrote a treatise to justify this unmannerly expression of zeal: he said, that he was led to it in order to relieve the sorrow conceived from such horrid blasphemy, and to signify how unworthy such a miscreant was of being admitted into the society of any christian.<sup>f</sup> Philpot was a protestant; and falling now into the hands of people as zealous as himself, but more powerful, he was condemned to the flames, and suffered at Smithfield. It seems to be almost a general rule, that in all religions, except the true, no man will suffer martyrdom who would not also inflict it willingly on all that differ from him. The same zeal for speculative opinions, is the cause of both.

The crime, for which almost all the protestants were condemned, was their refusal to acknowledge the real presence. Gardiner, who had vainly expected that a few examples would strike a terror into the reformers, finding the work daily multiply upon him, devolved the invidious office on others, chiefly on Bonner, a man of profligate manners, and of a brutal character, who seemed to rejoice in the tortments of the unhappy sufferers.<sup>g</sup> He sometimes whipped the prisoners with his own hands, till he was tired with the violence of the exercise: he tore out the beard of a weaver who refused to relinquish his religion; and that he might give him a specimen of burning, he held his hand to the candle till the sinews and veins shrunk and burst.<sup>h</sup>

It is needless to be particular in enumerating the cruelties practised in England during the course of three years that these persecutions lasted: the savage barbarity on the one hand, and the patient constancy on the other, are so similar in all those martyrdoms, that the narrative, little agreeable in itself, would never be relieved by any variety. Human nature appears not, on any occasion, so detestable, and, at the same time, so absurd, as in these religious persecutions, which sink men below infernal spirits in wickedness, and below the beasts in folly. A few instances only may be worth preserving, in order, if possible, to warn zealous bigots for ever to avoid such odious and such fruitless barbarity.

Ferrar, Bishop of St. David's, was burned in his own

<sup>b</sup> Burnet, vol. ii. Heylin, p. 157. It is not likely, however, that Charles gave any such advice for he himself was at this very time proceeding with great violence in persecuting the reformed in Flanders. Bentivoglio, part i. lib. 1.

<sup>c</sup> Fox, vol. ii. p. 119. Burnet, vol. ii. p. 392.

<sup>d</sup> Fox, vol. ii. p. 145, &c. Burnet, vol. ii. p. 392. Heylin, p. 161. 19. Godwin, p. 149.

<sup>e</sup> Strype, vol. ii. p. 261. and Col. No. 38.

<sup>f</sup> Heylin, p. 17. 30.

<sup>g</sup> Fox, vol. ii. p. 107.

diocese; and his appeal to Cardinal Pole was not attended to.<sup>b</sup> Ridley, Bishop of London, and Latimer, formerly Bishop of Worcester, two prelates celebrated for learning and virtue, perished together in the same flames at Oxford, and supported each other's constancy by their mutual exhortations. Latimer, when tied to the stake, called to his companion, "Be of good cheer, brother: we shall this day kindle such a torch in England, as, I trust in God, shall never be extinguished." The executioners had been so merciful, (for that clemency may more naturally be ascribed to them than to the religious zealots,) as to tie bags of gunpowder about these prelates, in order to put a speedy period to their tortures: the explosion immediately killed Latimer, who was in extreme old age; Ridley continued alive during some time in the midst of the flames.<sup>c</sup>

One Hunter, a young man of nineteen, an apprentice, having been seduced by a priest into a dispute, had unwarily denied the real presence. Sensible of his danger, he immediately absconded; but Bonner, laying hold of his father, threatened him with the greatest severities if he did not produce the young man to stand his trial. Hunter, hearing of the vexations to which his father was exposed, voluntarily surrendered himself to Bonner, and was condemned to the flames by that barbarous prelate.

Thomas Haukes, when conducted to the stake, agreed with his friends, that if he found the torture tolerable, he would make them a signal to that purpose, in the midst of the flames. His zeal for the cause in which he suffered so supported him, that he stretched out his arms, the signal agreed on; and, in that posture, he expired.<sup>d</sup> This example, with many others of like constancy, encouraged multitudes not only to suffer, but even to court and aspire to martyrdom.

The tender sex itself, as they have commonly greater propensity to religion, produced many examples of the most inflexible courage in supporting the profession of it against all the fury of the persecutors. One execution, in particular, was attended with circumstances, which, even at that time, excited astonishment by reason of their unusual barbarity. A woman in Guernsey being near the time of her labour when brought to the stake, was thrown into such agitation by the torture, that her belly burst, and she was delivered in the midst of the flames. One of the guards immediately snatched the infant from the fire, and attempted to save it: but a magistrate, who stood by, ordered it to be thrown back, being determined, he said, that nothing should survive which sprang from so obstinate and heretical a parent.<sup>e</sup>

The persons condemned to these punishments were not convicted of teaching, or dogmatizing, contrary to the established religion: they were seized merely on suspicion; and articles being offered them to subscribe, they were immediately, upon their refusal, condemned to the flames.<sup>f</sup> These instances of barbarity, so unusual in the nation, excited horror; the constancy of the martyrs was the object of admiration; and as men have a principle of equity engraven in their minds, which even false religion is not able totally to obliterate, they were shocked to see persons of probity, of honour, of pious dispositions, exposed to punishments more severe than were inflicted on the greatest ruffians for crimes subversive of civil society. To exterminate the whole protestant party, was known to be impossible; and nothing could appear more iniquitous, than to subject to torture the most conscientious and courageous among them, and allow the cowards and hypocrites to escape. Each martyrdom, therefore, was equivalent to a hundred sermons against popery; and men either avoided such horrid spectacles, or returned from them full of a violent, though secret, indignation against the persecutors. Repeated orders were sent from the council to quicken the diligence of the magistrates in searching out heretics; and, in some places, the gentry were constrained to countenance, by their presence, those barbarous executions. These acts of violence tended only to render the Spanish government daily more odious; and Philip, sensible of the hatred which he incurred, endeavoured

to remove the reproach from himself by a very gross artifice: he ordered his confessor to deliver in his presence a sermon in favour of toleration; a doctrine somewhat extraordinary in the mouth of a Spanish friar.<sup>g</sup> But the court, finding that Bonner, however shameless and savage, would not bear alone the whole infamy, soon threw off the mask; and the unrelenting temper of the queen, as well as of the king, appeared without control. A bold step was even taken towards introducing the inquisition into England. As the bishops' courts, though extremely arbitrary, and not confined by any ordinary forms of law, appeared not to be invested with sufficient power, a commission was appointed, by authority of the queen's prerogative, more effectually to extirpate heresy. Twenty-one persons were named; but any three were armed with the powers of the whole. The commission runs in these terms: "That since many false rumours were published among the subjects, and many heretical opinions were also spread among them, the commissioners were to inquire into those, either by presentments, by witnesses, or any other political way they could devise, and to search after all heresies; the bringers in, the sellers, the readers of all heretical books: they were to examine and punish all misbehaviours or negligences in any church or chapel; and to try all priests that did not preach the sacrament of the altar: all persons that did not hear mass, or come to their parish church to service, that would not go in processions, or did not take holy bread or holy water: and if they found any that did obstinately persist in such heresies, they were to put them into the hands of their ordinaries, to be punished according to the spiritual laws: giving the commissioners full power to proceed as their discretions and consciences should direct them, and to use all such means as they would invent for the searching of the premises; empowering them also to call before them such witnesses as they pleased, and to force them to make oath of such things as might discover what they sought after."<sup>h</sup> Some civil powers were also given the commissioners to punish vagabonds and quarrelsome persons.

To bring the methods of proceeding in England still nearer to the practice of the inquisition, letters were written to Lord North, and others, enjoining them "To put to the torture such obstinate persons as would not confess, and there to order them at their discretion."<sup>i</sup> Secret spies also and informers were employed, according to the practice of that iniquitous tribunal. Instructions were given to the justices of peace, "That they should call secretly before them one or two honest persons within their limits, or more, at their discretion, and command them by oath, or otherwise, that they shall secretly learn and search out such persons as shall evil-behave themselves in church, or idly, or shall despise openly by words the king's or queen's proceedings, or go about to make any commotion, or tell any seditious tales or news. And also that the same persons so to be appointed shall declare to the same justices of peace, the ill behaviour of lewd disordered persons, whether it shall be for using unlawful games, and such other light behaviour of such suspected persons: and that the same information shall be given secretly to the justices; and the same justices shall call such accused persons before them, and examine them, without declaring by whom they were accused: and that the same justices shall, upon their examination, punish the offenders, according as their offences shall appear, upon the accusation and examination, by their discretion, either by open punishment or by good bearing."<sup>j</sup> In some respects this tyrannical edict even exceeded the oppression of the inquisition; by introducing into every part of government the same iniquities which that tribunal practises for the extirpation of heresy only, and which are in some measure necessary wherever that end is earnestly pursued.

But the court had devised a more expeditious and summary method of supporting orthodoxy than even the inquisition itself. They issued a proclamation against books of heresy, treason, and sedition; and declared, "That whosoever had any of these books, and did not presently

<sup>b</sup> Fox, vol. ii. p. 216.

<sup>c</sup> Burnet, vol. ii. p. 318; Heylin, p. 52.

<sup>d</sup> Fox, vol. ii. p. 265.

<sup>e</sup> Burnet, p. 747; Heylin, p. 57; Burnet, vol. ii. p. 347.

<sup>f</sup> Burnet, vol. ii. p. 306.

<sup>g</sup> Fox, vol. ii. p. cell 32.

<sup>h</sup> Fox, p. 216, 247.

<sup>i</sup> Heylin, p. 56.

<sup>j</sup> Burnet, vol. ii. p. 243.



burn them, without reading them, or showing them to any other person, should be esteemed rebels: and, without any further delay, be executed by martial law."<sup>r</sup> From the state of the English government during that period, it is not so much the illegality of these proceedings, as their violence and their pernicious tendency, which ought to be the object of our censure.

We have thrown together almost all the proceedings against heretics, though carried on during a course of three years; that we may be obliged, as little as possible, to return to such shocking violences and barbarities. It is computed, that in that time two hundred and seventy-seven persons were brought to the stake; besides those who were punished by imprisonments, fines, and confiscations. Among those who suffered by fire were five bishops, twenty-one clergymen, eight lay gentlemen, eighty-four tradesmen, one hundred husbandmen, servants, and labourers, fifty-five women, and four children. This persevering cruelty appears astonishing; yet is it much inferior to what has been practised in other countries. A great author<sup>s</sup> computes, that in the Netherlands alone, from the time that the edict of Charles V. was promulgated against the reformers, there had been fifty thousand persons hanged, beheaded, buried alive, or burnt, on account of religion: and that in France the number had also been considerable. Yet in both countries, as the same author subjoins, the progress of the new opinions, instead of being checked, was rather forwarded, by these persecutions.

The burning of heretics was a very natural method of reconciling the kingdom to the Romish communion, and little solicitation was requisite to engage the Pope to receive the strayed flock, from which he reaped such considerable profit: yet was there a solemn embassy sent to Rome, consisting of Sir Anthony Brown, created Viscount Montacute, the Bishop of Ely, and Sir Edward Carne; in order to carry the submissions of England, and beg to be re-admitted into the bosom of the catholic church.<sup>t</sup> Paul IV. after a short interval, now filled the papal chair; the most haughty pontiff that during several ages had been elevated to that dignity. He was offended that Mary still retained among her titles that of Queen of Ireland; and he affirmed, that it belonged to him alone, as he saw cause, either to erect new kingdoms or abolish the old: but to avoid all disputes with the new converts, he thought proper to erect Ireland into a kingdom, and he then admitted the title, as if it had been assumed from his concession. This was a usual artifice of the Popes, to give allowance to what they could not prevent,<sup>u</sup> and afterwards pretend that princes, while they exercised their own powers, were only acting by authority from the papacy. And though Paul had at first intended to oblige Mary formally to recede from this title before he would bestow it upon her, he found it prudent to proceed in a less haughty manner.<sup>v</sup>

Another point in discussion between the Pope and the English ambassadors was not so easily terminated. Paul insisted, that the property and possessions of the church should be restored to the uttermost farthing: that whatever belonged to God could never by any law be converted to profane uses, and every person who detained such possessions was in a state of eternal damnation: that he would willingly, in consideration of the humble submissions of the English, make them a present of these ecclesiastical revenues; but such a concession exceeded his power, and the people might be certain that so great a profanation of holy things would be a perpetual anathema upon them, and would blast all their future felicity: that if they would truly show their filial piety, they must restore all the privileges and emoluments of the Romish church, and Peter's pence among the rest; nor could they expect that this apostle would open to them the gates of paradise, while they detained from him his patrimony on earth.<sup>w</sup> These earnest remonstrances being transmitted to England, though they had little influence on the nation, operated powerfully on the queen; who was determined, in order to ease her conscience, to restore all the church lands which were still in the possession of the crown: and the more to

display her zeal, she erected anew some convents and monasteries, notwithstanding the low condition of the exchequer.<sup>x</sup> When this measure was debated in council, some members objected, that if such a considerable part of the revenue were dismembered, the dignity of the crown would fall to decay; but the queen replied, that she preferred the salvation of her soul to ten such kingdoms as England.<sup>y</sup> These imprudent measures would not probably have taken place so easily, had it not been for the death of Gardiner, which happened about this time: the great seal was given to Heathe, Archbishop of York; that an ecclesiastic might still be possessed of that high office, and be better enabled, by his authority, to forward the persecutions against the reformed.

These persecutions were now become extremely odious to the nation; and the effects of the public discontent appeared in the new parliament, summoned to meet at Westminster.<sup>z</sup> A bill<sup>a</sup> was passed, restoring to the church the tithes and first fruits, and all the impropriations which remained in the hands of the crown; but though this matter directly concerned none but the queen herself, great opposition was made to the bill in the House of Commons. An application being made for a subsidy, during two years, and for two fifteenths, the latter was refused by the Commons; and many members said, that while the crown was thus despoiling itself of its revenue, it was in vain to bestow riches upon it. The parliament rejected a bill for obliging the exiles to return, under certain penalties, and another for incapacitating such as were remiss in the prosecution of heresy from being justices of the peace. The queen, finding the intractable humour of the Commons, thought proper to dissolve the parliament.<sup>b</sup>

The spirit of opposition which began to prevail in parliament was the more likely to be vexatious to Mary, as she was otherwise in very bad humour, on account of her husband's absence, who, tired of her importunate love and jealousy, and finding his authority extremely limited in England, had laid hold of the first opportunity to leave her, and had gone over, last summer, to the emperor in Flanders. The indifference and neglect of Philip, added to the disappointment in her imagined pregnancy, threw her into deep melancholy; and she gave vent to her spleen, by daily enforcing the persecutions against the protestants, and even by expressions of rage against all her subjects; by whom she knew herself to be hated, and whose opposition, in refusing an entire compliance with Philip, was the cause, she believed, why he had alienated his affections from her, and afforded her so little of his company.<sup>c</sup> The less return her love met with, the more it increased; and she passed most of her time in solitude, where she gave vent to her passion, either in tears, or in writing fond epistles to Philip, who seldom returned her any answer, and scarcely deigned to pretend any sentiment of love, or even of gratitude, towards her. The chief part of government to which she attended, was the extorting of money from her people, in order to satisfy his demands; and as the parliament had granted her but a scanty supply, she had recourse to expédients very violent and irregular. She levied a loan of 60,000 pounds upon a thousand persons, of whose compliance, either on account of their riches or their affections to her, she held herself best assured: but that sum not sufficing, she exacted a general loan, on every one who possessed twenty pounds a year. This imposition lay heavy on the gentry, who were obliged, many of them, to retrench their expenses, and dismiss their servants, in order to enable them to comply with her demands: and as these servants, accustomed to idleness, and having no means of subsistence, commonly betook themselves to theft and robbery, the queen published a proclamation, by which she obliged their former masters to take them back to their service. She levied 60,000 marks on 7000 yeomen, who had not contributed to the former loan, and she exacted 36,000 pounds more from the merchants. In order to

<sup>r</sup> Burnet, vol. iv. p. 263. Heylin, p. 79.

<sup>s</sup> Father Paul, lib. v.

<sup>t</sup> Heylin, p. 15.

<sup>u</sup> Ibid. Father Paul, lib. v.

<sup>v</sup> Father Paul, lib. v.

<sup>w</sup> Ibid. Heylin, p. 45.

<sup>x</sup> Depêches de Noailles, vol. iv. p. 312.

<sup>y</sup> Heylin, p. 53, 66. Holmsted, p. 117. Speed, p. 96.

<sup>z</sup> Burnet, vol. iv. p. 322.

<sup>a</sup> Depêches de Noailles, vol. v. p. 370, 362.

<sup>b</sup> 2 and 3 Phil. and Mar. cap. 1.

The queen's  
extortions.

engage some Londoners to comply more willingly with her multiplied extortions, she passed an edict, prohibiting, for ten months, the exporting of any English cloth or kerseys to the Netherlands; an expedient which procured a good market for such as had already sent any quantity of cloth thither. Her rapaciousness engaged her to give endless disturbance and interruption to commerce. The English company, settled in Antwerp, having refused her a loan of 40,000 pounds, she dissembled her resentment, till she found that they had bought and shipped great quantities of cloth for Antwerp fair, which was approaching; she then laid an embargo on the ships, and obliged the merchants to grant her a loan of the 40,000 pounds, at first demanded, to engage for the payment of 20,000 pounds more, at a limited time, and to submit to an arbitrary imposition of twenty shillings on each piece. Some time after, she was informed, that the Italian merchants had shipped above 40,000 pieces of cloth, for the Levant, for which they were to pay her a crown a-piece, the usual imposition; she struck a bargain with the merchant adventurers in London; prohibited the foreigners from making any exportation; and received from the English merchants, in consideration of this iniquity, the sum of 50,000 pounds, and an imposition of four crowns on each piece of cloth which they should export. She attempted to borrow great sums abroad; but her credit was so low, that though she offered 14 per cent. to the city of Antwerp, for a loan of 30,000 pounds, she could not obtain it, till she compelled the city of London to be surety for her.<sup>d</sup> All these violent expedients were employed, while she herself was in profound peace with all the world, and had visibly no occasion for money, but to supply the demands of a husband, who gave attention only to his own convenience, and showed himself entirely indifferent about her interests.

The emperor re-  
marks his growth.  
Philip was now become master of all the wealth of the new world, and of the richest and most extensive dominions in Europe, by the voluntary resignation of the Emperor Charles V., who, though still in the vigour of his age, had taken a disgust to the world, and was determined to seek, in the tranquillity of retreat, that happiness which he had in vain pursued amidst the tumults of war, and the restless projects of ambition.

25th Oct.

He summoned the states of the Low Countries; and, seating himself on the throne for the last time, explained to his subjects the reasons of his resignation, absolved them from all oaths of allegiance, and devolving his authority on Philip, told him, that his paternal tenderness made him weep, when he reflected on the burden which he imposed upon him.<sup>e</sup> He inculcated on him the great and only duty of a prince, the study of his people's happiness; and represented how much preferable it was to govern by affection, rather than by fear, the nations subjected to his dominion. The cool reflections of age now discovered to him the emptiness of his former pursuits; and he found that the vain schemes of extending his empire had been the source of endless opposition and disappointment, and kept himself, his neighbours, and his subjects, in perpetual inquietude, and had frustrated the sole end of government, the felicity of the nations committed to his care; an object which meets with less opposition, and which, if steadily pursued, can alone convey a lasting and solid satisfaction.

A few months after, he resigned to Philip A. D. 1556. his other dominions; and embarking on board a fleet, sailed to Spain, and took his journey to St. Just, a monastery in Estremadura, which, being situated in a happy climate, and amidst the greatest beauties of nature, he had chosen for the place of his retreat. When he arrived at Burgos, he found, by the thinness of his court, and the negligent attendance of the Spanish grandees, that he was no longer emperor; and though this observation might convince him still more of the vanity of the world, and make him more heartily despise what he had renounced, he sighed to find, that all former adulation and obeisance had been paid to his fortune, not to his person. With better reason was he struck with the ingratitude of his son Philip, who obliged him to wait a long time for the

payment of the small pension which he had reserved; and this disappointment in his domestic arrangements gave him a sensible concern. He pursued, however, his resolution with inflexible constancy; and, shutting himself up in his retreat, he exerted such self-command, that he restrained even his curiosity from any inquiry concerning the transactions of the world, which he had entirely abandoned. The fencing against the pains and infirmities under which he laboured, occupied a great part of his time; and during the intervals, he employed his leisure either in examining the controversies of theology, with which his age had been so much agitated, and which he had hitherto considered only in a political light, or in imitating the works of renowned artists, particularly in mechanics, of which he had always been a great admirer and encourager. He is said to have here discovered a propensity to the new doctrines; and to have frequently dropped hints of this unexpected alteration in his sentiments. Having amused himself with the construction of clocks and watches, he thence remarked, how impracticable the object was in which he had so much employed himself during his grandeur; and how impossible that he, who never could frame two machines that would go exactly alike, could ever be able to make all mankind concur in the same belief and opinion. He survived his retreat two years.

The Emperor Charles had, very early in the beginning of his reign, found the difficulty of governing such distant dominions: and he had made his brother Ferdinand be elected King of the Romans; with a view to his inheriting the imperial dignity, as well as his German dominions. But having afterwards enlarged his schemes, and formed plans of aggrandizing his family, he regretted that he must dismember such considerable states; and he endeavoured to engage Ferdinand, by the most tempting offers, and the most earnest solicitations, to yield up his pretensions in favour of Philip. Finding his attempts fruitless, he had resigned the imperial crown, with his other dignities; and Ferdinand, according to common form, applied to the Pope for his coronation. The arrogant pontiff refused the demand; and pretended, that though, on the death of an emperor, he was obliged to crown the prince elected, yet, in the case of a resignation, the right devolved to the holy see, and it belonged to the Pope alone to appoint an emperor. The conduct of Paul was, in every thing, conformable to these lofty pretensions. He thundered always in the ears of all ambassadors, that he stood in no need of the assistance of any prince; that he was above all potentates of the earth; that he would not accustom monarchs to pretend to a familiarity or equality with him; that it belonged to him to alter and regulate kingdoms; that he was successor of those who had deposed kings and emperors; and that, rather than submit to any thing below his dignity, he would set fire to the four corners of the world. He went so far as at table, in the presence of many persons, and even openly, in a public consistory, to say, that he would not admit any kings for his companions; they were all his subjects, and he would hold them under these feet: so saying, he stamped on the ground with his old and infirm limbs: for he was now past fourscore years of age.<sup>f</sup>

The world could not forbear making a comparison between Charles V., a prince who, though educated amidst wars and intrigues of state, had prevented the decline of age, and had descended from the throne, in order to set apart an interval for thought and reflection, and a priest who, in the extremity of old age, exulted in his dominion, and, from restless ambition and revenge, was throwing all nations into combustion. Paul had entertained the most inveterate animosity against the house of Austria; and though a truce of five years had been concluded between France and Spain, he excited Henry, by his solicitations, to break it, and promised to assist him in recovering Naples, and the dominions to which he laid claim in Italy; a project which had ever proved hurtful to the predecessors of that monarch. He himself engaged in hostilities with the Duke of Alva, Viceroy of Naples; and Guise being sent with forces to support him, the renewal of war

<sup>d</sup> Godwin, p. 339. Cowper's Chronicle, Burnet, vol. ii. p. 359. Carte, p. 354, 355, 357, 341. Strype's Memoir, vol. iii. p. 428, 558. Annals, vol. i. p. 15.

<sup>e</sup> Thuan. lib. xvi. c. 20.

<sup>f</sup> Father Paul, lib. v.

between the two crowns seemed almost inevitable. Philip, though less warlike than his father, was no less ambitious; and he trusted, that by the intrigues of the cabinet, where he believed his caution and secrecy and prudence gave him the superiority, he should be able to subdue all his enemies, and extend his authority and dominion. For this reason, as well as from the desire of settling his new empire, he wished to maintain peace with France; but when he found, that without sacrificing his honour it was impossible for him to overlook the hostile attempts of Henry, he prepared for war with great industry. In order to give himself the more advantage, he was desirous of embarking England in the quarrel; and though the queen was of herself extremely averse to that measure, he hoped that the devoted fondness, which, notwithstanding repeated instances of his indifference, she still bore to him, would effectually second his applications. Had the matter indeed depended solely on her, she was incapable of resisting her husband's commands; but she had little weight with her council, still less with her people; and her government, which was every day becoming more odious, seemed unable to maintain itself even during the most profound tranquillity, much more if a war were kindled with France, and, what seemed an inevitable consequence, with Scotland, supported by that powerful kingdom.

**Execution of Cranmer.** An act of barbarity was thus exercised in England, which, added to many other instances of the same kind, tended to render the government extremely unpopular. Cranmer had long been detained prisoner; but the queen now determined to bring him to punishment; and in order the more fully to satiate her vengeance, she resolved to punish him for heresy, rather than for treason. He was cited by the Pope to stand his trial at Rome; and though he was known to be kept in close custody at Oxford, he was, upon his not appearing, condemned as contumacious. Bonner, Bishop of London, and Thirleby of Ely, were sent to degrade him; and the former executed the melancholy ceremony with all the joy and exultation which suited his savage nature.<sup>8</sup> The implacable spirit of the queen, not satisfied with the eternal damnation of Cranmer, which she believed inevitable, and with the execution of that dreadful sentence to which he was condemned, prompted her also to seek the ruin of his honour, and the infamy of his name. Persons were employed to attack him, not in the way of disputation, against which he was sufficiently armed; but by flattery, insinuation, and address; by representing the dignities to which his character still entitled him, if he would merit them by a recantation; by giving hopes of long enjoying those powerful friends whom his beneficent disposition had attached to him during the course of his prosperity.<sup>9</sup> Overcome by the fond love of life, terrified by the prospect of those tortures which awaited him, he allowed, in an unguarded hour, the sentiments of nature to prevail over his resolution, and he agreed to subscribe the doctrines of the papal supremacy, and of the real presence. The court, equally perfidious and cruel, were determined that this recantation should avail him nothing; and they sent orders that he should be required to acknowledge his errors in church before the whole people, and that he should thence be immediately carried to execution. Cranmer, whether that

he had received a secret intimation of their design, or had repented of his weakness, surprised the audience by a contrary declaration. He said, that he was well apprised of the obedience which he owed to his sovereign and the law; but this duty extended no further than to submit patiently to their commands, and to bear, without resistance, whatever hardships they should impose upon him: that a superior duty, the duty which he owed to his Maker, obliged him to speak truth on all occasions, and not to relinquish, by a base denial, the holy doctrine which the Supreme Being had revealed to mankind: that there was one miscarriage in his life, of which, above all others, he severely repented; the insincere declaration of faith to which he had the weakness to consent, and which the fear of death alone had extorted from him: that he

took this opportunity of atoning for his error, by a sincere and open recantation; and was willing to seal, with his blood, that doctrine which he firmly believed to be communicated from Heaven: and that, as his hand had erred, by betraying his heart, it should first be punished, by a severe but just doom, and should first pay the forfeit of its offences. He was thence led to the stake, amidst the insults of the catholics; and having now summoned up all the force of his mind, he bore their scorn, as well as the torture of his punishment, with singular fortitude. He stretched out his hand, and without betraying, either by his countenance or motions, the least sign of weakness, or even of feeling, he held it in the flames till it was entirely consumed. His thoughts seemed wholly occupied with reflections on his former fault, and he called aloud several times, *This hand has offended*. Satisfied with that atonement, he then discovered a serenity in his countenance; and when the fire attacked his body, he seemed to be quite insensible of his outward sufferings, and by the force of hope and resolution, to have collected his mind altogether within itself, and to repel the fury of the flames. It is pretended, that after his body was consumed, his heart was found entire and untouched amidst the ashes; an event, which, as it was the emblem of his constancy, was fondly believed by the zealous protestants. He was undoubtedly a man of merit; possessed of learning and capacity, and adorned with candour, sincerity, and beneficence, and all those virtues which were fitted to render him useful and amiable in society. His moral qualities procured him universal respect; and the courage of his martyrdom, though he fell short of the rigid inflexibility observed in many, made him the hero of the protestant party.<sup>1</sup>

After Cranmer's death Cardinal Pole, who had now taken priest's orders, was installed in the see of Canterbury; and was thus, by this office, as well as by his commission of legate, placed at the head of the church of England. But though he was averse to all sanguinary methods of converting heretics, and deemed the reformation of the clergy the more effectual, as the more laudable expedient for that purpose;<sup>2</sup> he found his authority too weak to oppose the barbarous and bigoted disposition of the queen and of her counsellors. He himself, he knew, had been suspected of Lutheranism: and as Paul, the reigning Pope, was a furious persecutor, and his personal enemy, he was prompted, by the modesty of his disposition, to reserve his credit for other occasions, in which he had a greater probability of success.<sup>3</sup>

The great object of the queen was to engage the nation in the war which was kindled between France and Spain; and Cardinal Pole, with many other counsellors, openly and zealously opposed this measure. Besides insisting on the marriage articles, which provided against such an attempt, they represented the violence of the domestic factions in England, and the disordered state of the finances; and they foreboded, that the tendency of all these measures was to reduce the kingdom to a total dependence on Spanish counsels. Philip had come to London, in order to support his partisans; and he told the queen, that if he were not gratified in so reasonable a request, he never more would set foot in England. This declaration extremely heightened her zeal for promoting his interests, and overcoming the inflexibility of her council. After employing other menaces of a more violent nature, she threatened to dismiss all of them, and to appoint counsellors more obsequious; yet could she not procure a vote for declaring war with France. At length, one Stafford and some other conspirators were detected in a design of surprising Scarborough;<sup>4</sup> and a confession being extorted from them, that they had been encouraged by Henry in the attempt, the queen's impetuosity prevailed; and it was determined to make this act of hostility, with others of a like secret and doubtful nature, the ground of the quarrel. War was accordingly declared against France; and preparations were every where made for attacking that kingdom.

The revenue of England at that time little exceeded

<sup>1</sup> Memoirs of Cranmer, p. 375.

<sup>2</sup> Heylin, p. 64. Burnet, vol. ii. p. 327.

<sup>3</sup> Heylin, p. 72. Burnet, vol. ii. p. 351. Sir James Melvil's Memoirs.

<sup>4</sup> Heylin, p. 72. Burnet, vol. ii. p. 351. Sir James Melvil's Memoirs.



300,000 pounds." Any considerable supplies could scarcely be expected from parliament, considering the present disposition of the nation; and as the war would sensibly diminish that branch arising from the customs, the finances, it was foreseen, would fall short even of the ordinary charges of government; and must still more prove unequal to the expenses of war. But though the queen owed great arrears to all her servants, besides the loans extorted from her subjects, these considerations had no influence with her; and in order to support her warlike preparations, she continued to levy money in the same arbitrary and violent manner which she had formerly practised. She obliged the city of London to supply her with 60,000 pounds on her husband's entry; she levied before the legal time the second year's subsidy voted by parliament; she issued anew many privy seals, by which she procured loans from her people; and having equipped a fleet, which she could not victual by reason of the dearth of provisions, she seized all the corn she could find in Suffolk and Norfolk, without paying any price to the owners. By all these expedients, assisted by the power of pressing, she levied an army of ten thousand men, which she sent over to the Low Countries, under the command of the Earl of Pembroke. Meanwhile, in order to prevent any disturbance at home, many of the most considerable gentry were thrown into the Tower; and lest they should be known, the Spanish practice was followed: they either were carried thither in the night-time, or were hoodwinked and muffled by the guards who conducted them.<sup>a</sup>

The King of Spain had assembled an army which, after the junction of the English, amounted to above sixty thousand men, conducted by Philibert, Duke of Savoy, one of the greatest captains of the age. The constable, Montmorency, who commanded the French army, had not half the number to oppose to him. The Duke of Savoy, after menacing Mariembourg and Rocroy, suddenly sat down before St. Quintin; and as the place was weak and ill provided with a garrison, he expected in a few days to become master of it. But Admiral Coligny, governor of the province, thinking his honour interested to save so important a fortress, threw himself into St. Quintin, with some troops of French and Scottish gendarmes; and by his exhortations and example animated the soldiers to a vigorous defence. He

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despatched a messenger to his uncle Montmorency, desiring a supply of men; and the constable approached the place with his whole army, in order to facilitate the entry of these succours. But the Duke of Savoy, falling on the reinforcement, did such execution upon them, that not above five hundred got into the

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French army, and put them to total rout, killing four thousand men, and dispersing the remainder. In this unfortunate action many of the chief nobility of France were either slain or taken prisoners; among the latter was the old constable himself, who, fighting valiantly, and resolute to die rather than survive his defeat, was surrounded by the enemy, and thus fell alive into their hands. The whole kingdom of France was thrown into consternation: Paris was attempted to be fortified in a hurry; and had the Spaniards presently marched thither, it could not have failed to fall into their hands. But Philip was of a cautious temper; and he determined first to take St. Quintin, in order to secure a communication with his own dominions. A very little time, it was expected, would finish this enterprise; but the bravery of Coligny still prolonged the siege seventeen days, which proved the safety of France. Some troops were levied and assembled. Couriers were sent to recall the Duke of Guise and his army from Italy: and the French, having recovered from their first panic, put themselves in a posture of defence. Philip, after taking Ham and Catelet, found the season so far advanced, that he could attempt no other enterprise: he broke up his camp and retired to winter quarters.

But the vigilant activity of Guise, not satisfied with securing the frontiers, prompted him, in the depth of

winter, to plan an enterprise, which France, during her greatest successes, had always regarded as impracticable, and had never thought of undertaking. Calais was in that age deemed an impregnable fortress; and as it was known to be the favourite of the English nation, by whom it could easily be succoured, the recovery of that place by France was considered as totally desperate. But Coligny had remarked, that as the town of Calais taken by Calais was surrounded with marshes, which, the French, during the winter, were impassable, except over a dyke guarded by two castles, St. Agatha and Newnam bridge, the English were of late accustomed, on account of the lowness of their finances, to dismiss a great part of the garrison at the end of autumn, and to recall them in the spring, at which time alone they judged their attendance necessary. On this circumstance he had founded the design of making a sudden attack on Calais; he had caused the place to be secretly viewed by some engineers, and a plan of the whole enterprise being found among his papers, it served, though he himself was made prisoner on the taking of St. Quintin, to suggest the project of that undertaking, and to direct the measures of the Duke of Guise.

Several bodies of troops defiled towards the frontiers on various pretences; and the whole being suddenly assembled, formed an army, with which Guise made an unexpected march towards Calais. At the same time a great number of French ships being ordered into the channel, under colour of cruising on the English, composed a fleet which made an attack by sea on the fortifications. The French assaulted St. Agatha with three thousand arquebusiers; and the garrison, though they made a vigorous defence, were soon obliged to abandon the place, and retreat to Newnam bridge. The siege of this latter place was immediately undertaken, and at the same time the fleet battered the risbank, which guarded the entrance of the harbour; and both these castles seemed exposed to imminent danger. The governor, Lord Wentworth, was a brave officer; but finding that the greater part of his weak garrison was enclosed in the castle of Newnam bridge and the risbank, he ordered them to capitulate, and to join him in Calais, which, without their assistance, he was utterly unable to defend. The garrison of Newnam bridge was so happy as to effect this purpose; but that of the risbank could not obtain such favourable conditions, and were obliged to surrender at discretion.

The Duke of Guise, now holding Calais blockaded by sea and land, thought himself secure of succeeding in his enterprise, but in order to prevent all accident, he delayed not a moment the attack of the place. He planted his batteries against the castle, where he made a large breach; and having ordered Andelot, Coligny's brother, to drain the fossés, he commanded an assault, which succeeded; and the French made a lodgment in the castle. On the night following, Wentworth attempted to recover this post; but having lost two hundred men in a furious attack which he made upon it,<sup>b</sup> he found his garrison so weak, that he was obliged to capitulate. Ham and Guisnes fell soon after; and thus the Duke of Guise in eight days, during the depth of winter, made himself master of this strong fortress, that had cost Edward III. a siege of eleven months, at the head of a numerous army, which had that very year been victorious in the battle of Cressy. The English had held it above two hundred years; and as it gave them an easy entrance into France, it was regarded as the most important possession belonging to the crown. The joy of the French was extreme, as well as the glory acquired by Guise, who, at the time when all Europe imagined France to be sunk by the unfortunate battle of St. Quintin, had, in opposition to the English, and their allies the Spaniards, acquired possession of a place which no former King of France, even during the distractions of the civil wars between the houses of York and Lancaster, had ever ventured to attempt. The English, on the other hand, bereaved of this valuable fortress, murmured loudly against the improvidence of the queen and her council; who, after engaging in a fruitless war,

<sup>a</sup> Ross, *Successi d'Inghilterra*.

<sup>b</sup> *Strype's Eccles. Memorials*, vol. iii. p. 777.

p. *Tham lib xx cap 6*

for the sake of foreign interests, had thus exposed the nation to so severe a disgrace. A treasury exhausted by expenses, and burdened with debts; a people divided and dejected; a sovereign negligent of her people's welfare; were circumstances which, notwithstanding the fair offers and promises of Philip, gave them small hopes of recovering Calais. And as the Scots, instigated by French councils, began to move on the borders, they were now necessitated rather to look to their defence at home, than to think of foreign conquests.

Affairs of Scotland. After the peace which, in consequence of King Edward's treaty with Henry, took place between Scotland and England, the queen-dowager, on pretence of visiting her daughter and her relations, made a journey to France, and she carried along with her the Earls of Huntley, Sutherland, Marischal, and many of the principal nobility. Her secret design was to take measures for engaging the Earl of Arran to resign to her the government of the kingdom; and as her brothers, the Duke of Guise, the Cardinal of Lorraine, and the Duke of Aumale, had uncontrolled influence in the court of France, she easily persuaded Henry, and by his authority the Scottish nobles, to enter into her measures. Having also gained Carnegy of Kinnaird, Panter, Bishop of Ross, and Gavin Hamilton, commendator of Kilwinning, three creatures of the governor's, she persuaded him, by their means, to consent to this resignation;<sup>a</sup> and when every thing was thus prepared for her purpose, she took a journey to Scotland, and passed through England in her way thither. Edward received her with great respect and civility; though he could not forbear attempting to renew the old treaty for his marriage with her daughter: a marriage, he said, so happily calculated for the tranquillity, interest, and security of both kingdoms, and the only means of insuring a durable peace between them. For his part, he added, he never could entertain a cordial amity for any other husband whom she should choose; nor was it easy for him to forgive a man, who, at the same time that he disappointed so natural an alliance, had bereaved him of a bride to whom his affections, from his earliest infancy, had been entirely engaged. The queen-dowager eluded these applications, by telling him, that if any measures had been taken disagreeable to him, they were entirely owing to the imprudence of the Duke of Somerset, who, instead of employing courtesy, caresses, and gentle offices, the proper means of gaining a young princess, had had recourse to arms and violence, and had constrained the Scottish nobility to send their sovereign into France, in order to interest that kingdom in protecting their liberty and independence.<sup>b</sup>

When the queen-dowager arrived in Scotland, she found the governor very unwilling to fulfil his engagements; and it was not till after many delays that he could be persuaded to resign his authority. But finding that the majority of the young princess was approaching, and that the queen-dowager had gained the affections of all the principal nobility, he thought it more prudent to submit; and having stipulated that he should be declared next heir to the crown, and should be freed from giving any account of his past administration, he placed her in possession of the power; and she thenceforth assumed the name of Regent.<sup>c</sup> It was a usual saying of this princess, that provided she could render her friends happy, and could insure to herself a good reputation, she was entirely indifferent what befell her; and though this sentiment is greatly censured by the zealous reformers,<sup>d</sup> as being founded wholly on secular motives, it discovers a mind well calculated for the government of kingdoms. D'Oysel, a Frenchman, celebrated for capacity, had attended her as ambassador from Henry, but in reality to assist her with his counsels, in so delicate an undertaking as the administration of Scotland; and this man had formed a scheme for laying a general tax on the kingdom, in order to support a standing military force, which might at once repel the inroads of foreign enemies, and check the turbulence of the Scottish nobles. But though some of the courtiers were gained over to this project, it gave great and general discontent to the nation; and the queen-regent, after ingenuously

confessing, that it would prove pernicious to the kingdom, had the prudence to desist from it, and to trust entirely for her security to the good-will and affections of her subjects.<sup>e</sup>

This laudable purpose seemed to be the chief object of her administration; yet was she sometimes drawn from it by her connexions with France, and by the influence which her brothers had acquired over her. When Mary commenced hostilities against that kingdom, Henry required the queen-regent to take part in the quarrel; and she summoned a convention of states at Newbottle, and requested them to concur in a declaration of war against England. The Scottish nobles, who were become as jealous of French, as the English were of Spanish, influence, refused their assent; and the queen was obliged to have recourse to stratagem, in order to effect her purpose. She ordered D'Oysel to begin some fortifications at Eyemouth, a place which had been dismantled by the last treaty with Edward; and when the garrison of Berwick, as she foresaw, made an inroad to prevent the undertaking, she effectually employed this pretence to inflame the Scottish nation, and to engage them in hostilities against England.<sup>f</sup> The enterprises, however, of the Scots proceeded no further than some inroads on the borders: when D'Oysel, of himself, conducted artillery and troops to besiege the castle of Werke, he was recalled, and sharply rebuked by the council.<sup>g</sup>

In order to connect Scotland more closely with France, and to increase the influence Marriage of the dauphin and the queen of Scots. of the latter kingdom, it was thought proper by Henry to celebrate the marriage between the young queen and the dauphin; and a deputation was sent by the Scottish parliament to assist at the ceremony, and to settle the terms of the contract.

The close alliance between France and Scotland threatened very nearly the repose and security of Mary; and it was foreseen, that though the factions and disorders which might naturally be expected in the Scottish government, during the absence of the sovereign, would make its power less formidable, that kingdom would, at least, afford to the French a means of invading England.

20th Jan. The queen, therefore, found it necessary to summon a parliament, and to demand of them some supplies to her exhausted exchequer. And such an emergency usually gives great advantage A parliament. to the people, and as the parliaments during this reign had shown, that where the liberty and independency of the kingdom was menaced with imminent danger, they were not entirely overawed by the court; we shall naturally expect, that the late arbitrary methods of extorting money should at least be censured, and, perhaps, some remedy be for the future provided against them. The Commons, however, without making any reflections on the past, voted, besides a fifteenth, a subsidy of four shillings in the pound on land, and two shillings and eight-pence on goods. The clergy granted eight shillings in the pound, payable, as was also the subsidy of the laity, in four years, by equal portions.

The parliament also passed an act, confirming all the sales and grants of crown lands, which either were already made by the queen, or should be made during the seven ensuing years. It was easy to foresee, that in Mary's present disposition and situation, this power would be followed by a great alienation of the royal demesnes; and nothing could be more contrary to the principles of good government, than to establish a prince with very extensive authority, yet permit him to be reduced to beggary. This act met with opposition in the House of Commons. One Copley expressed his fears lest the queen, under colour of the power there granted, might alter the succession, and alienate the crown from the lawful heir: but his words were thought irreverent to her majesty: he was committed to the custody of the serjeant-at-arms; and though he expressed sorrow for his offence, he was not released till the queen was applied to for his pardon.

The English nation, during this whole reign, were under great apprehensions, with regard not only to the

<sup>a</sup> Foxe's *Acts*, lib. viii. *Epist.* p. 26. September p. 92.  
<sup>b</sup> Foxe's, p. 300.  
<sup>c</sup> 12th April, 1554.  
<sup>d</sup> Knox, p. 406.

<sup>e</sup> Foxe's, p. 79. *First part*, lib. viii.  
<sup>f</sup> Foxe's, lib. viii. *Thos.* lib. viii. c. 7.  
<sup>g</sup> Knox, p. 25.

succession, but the life of the Lady Elizabeth. The violent hatred which the queen bore to her broke out on every occasion; and it required all the authority of Philip, as well as her own great prudence, to prevent the fatal effects of it. The princess retired into the country; and knowing that she was surrounded with spies, she passed her time wholly in reading and study, intermeddled in no business, and saw very little company. While she remained in this situation, which for the present was melancholy, but which prepared her mind for those great actions by which her life was afterwards so much distinguished, proposals of marriage were made to her by the Swedish ambassador, in his master's name. As her first question was, whether the queen had been informed of these proposals? the ambassador told her, that his master thought, as he was a gentleman, it was his duty first to make his addresses to herself; and having obtained her consent, he would next, as a king, apply to her sister. But the princess would allow him to proceed no further; and the queen, after thanking her for this instance of duty, desired to know how she stood affected to the Swedish proposals. Elizabeth, though exposed to many present dangers and mortifications, had the magnanimity to reserve herself for better fortune; and she covered her refusal with professions of a passionate attachment to a single life, which, she said, she infinitely preferred before any other.<sup>1</sup> The princess showed like prudence in concealing her sentiments of religion, in complying with the present modes of worship, and in eluding all questions with regard to that delicate subject.<sup>2</sup>

The money granted by parliament, enabled the queen to fit out a fleet of a hundred and forty sail, which being joined by thirty Flemish ships, and carrying six thousand land forces on board, was sent to make an attempt on the coast of Brittany. The fleet was commanded by Lord Clinton; the land forces by the Earls of Huntingdon and Rutland. But the equipment of the fleet and army was so dilatory, that the French got intelligence of the design, and were prepared to receive them. The English found Brest so well guarded, as to render an attempt on that place impracticable; but landing at Conquet, they plundered and burnt the town, with some adjacent villages, and were proceeding to commit greater disorders, when Kersimon, a Breton gentleman, at the head of some militia, fell upon them, put them to rout, and drove them to their ships with considerable loss. But a small squadron of ten English ships had an opportunity of amply revenging this disgrace upon the French. The Mareschal de Thermes, governor of Calais, had made an irruption into Flanders, with an army of fourteen thousand men; and having forced a passage over the river Aa, had taken Dunkirk and Berg St. Winoc, and had advanced as far as Newport, but Count Egmont coming suddenly upon him with superior forces, he was obliged to retreat; and being overtaken by the Spaniards near Gravelines, and finding a battle inevitable, he chose very skillfully his ground for the engagement. He fortified his left wing with all the precautions possible; and posted his right along the river Aa, which he reasonably thought gave him full security from that quarter. But the English ships, which were accidentally on the coast, being drawn by the noise of the firing, sailed up the river, and flanking the French, did such execution by their artillery, that they put them to flight; and the Spaniards gained a complete victory.<sup>3</sup>

Meanwhile the principal army of France, under the Duke of Guise, and that of Spain, under the Duke of Savoy, approached each other on the frontiers of Picardy; and as the two kings had come into their respective camps, attended by the flower of their nobility, men expected that some great and important event would follow from the emulation of these warlike nations. But Philip, though actuated by the ambition, possessed not the enterprising genius, of a conqueror; and he was willing, not-

withstanding the superiority of his numbers, and the two great victories which he had gained at St. Quintin and Gravelines, to put a period to the war by treaty. Negotiations were entered into for that purpose; and as the terms offered by the two monarchs were somewhat wide of each other, the armies were put into winter-quarters till the princes could come to better agreement. Among other conditions, Henry demanded the restitution of Navarre to its lawful owner; Philip, that of Calais and its territory to England: but in the midst of these negotiations, news arrived of the death of Mary; and Philip, no longer connected with England, began to relax in his firmness on that capital article. This was the only circumstance that could have made the death of that princess be regretted by the nation.

Mary had long been in a declining state of health; and having mistaken her dropsy for a pregnancy, she had made use of an improper regimen, and her malady daily augmented. Every reflection now tormented her. The consciousness of being hated by her subjects, the prospect of Elizabeth's succession, apprehensions of the danger to which the catholic religion stood exposed, dejection for the loss of Calais, concern for the ill state of her affairs, and, above all, anxiety for the absence of her husband, who she knew intended soon to depart for Spain, and to settle there during the remainder of his life: all these melancholy reflections preyed upon her mind, and threw her into a lingering fever, of which she died, after a short and unfortunate reign of five years, four months, and eleven days.

Death of the  
queen.  
17th Nov.

It is not necessary to employ many words in drawing the character of this princess. She possessed few qualities either estimable or amiable; and her person was as little engaging as her behaviour and address. Obstnacy, bigotry, violence, cruelty, malignity, revenge, tyranny; every circumstance of her character took a tincture from her bad temper and narrow understanding. And amidst that complication of vices which entered into her composition, we shall scarcely find any virtue but sincerity, a quality which she seems to have maintained through her whole life; except in the beginning of her reign, when the necessity of her affairs obliged her to make some promises to the protestants, which she certainly never intended to perform. But in these cases a weak bigoted woman, under the government of priests, easily finds casuistry sufficient to justify to herself the violation of a promise. She appears also, as well as her father, to have been susceptible of some attachments of friendship; and that without the caprice and inconstancy which were so remarkable in the conduct of that monarch. To which we may add, that in many circumstances of her life she gave indications of resolution and vigour of mind; a quality which seems to have been inherent in her family.

Cardinal Pole had long been sickly, from an intermitting fever; and he died the same day with the queen, about sixteen hours after her. The benign character of this prelate, the modesty and humanity of his deportment, made him be universally beloved; inasmuch, that in a nation where the most furious persecution was carried on, and where the most violent religious factions prevailed, entire justice, even by most of the reformers, has been done to his merit. The haughty pontiff, Paul IV., had entertained some prejudices against him; and when England declared war against Henry, the ally of that Pope, he seized the opportunity of revenge; and revoking Pole's legate commission, appointed in his room Cardinal Peyto, an Observantine friar, and confessor to the queen. But Mary would never permit the new legate to act upon the commission; and Paul was afterwards obliged to restore Cardinal Pole to his authority.

There occur a few general remarks, besides what have already been made in the course of our narration, with regard to the general state of the kingdom during this

And what the word did make it,  
That I believe and take it.

Which, though it may seem but a slight expression, yet hath it more solennes than at first sight appears: at least, it saved her turn, at that time, to say more than that, which even a direct answer she could not have done. Baker's Chronicle, p. 300.

a Holingshead, p. 115.

<sup>1</sup> Burnet, vol. ii. Collect. No. 37.

<sup>2</sup> The common notion at that time, says Sir Richard Baker, for catching of heretics, was this:—presence, and this net was used to catch the Lady Elizabeth. For being asked one time, what she thought of the words of Christ, *This is my body*, whether she thought it the true body of Christ that was in the sacrament? It said, that after some pausing, she thus answered.

Christ was the word that spoke it,

He took the bread and brake it.



reign. The naval power of England was then so considerable, that fourteen thousand pounds being ordered to be applied to the fleet, both for repairing and victualling it, it was computed that ten thousand pounds a year would afterwards answer all necessary charges.<sup>b</sup> The arbitrary proceedings of the queen above mentioned, joined to many monopolies granted by this princess, as well as by her father, checked the growth of commerce; and so much the more, as all other princes in Europe either were not permitted, or did not find it necessary, to proceed in so tyrannical a manner. Acts of parliament, both in the last reign and in the beginning of the present, had laid the same impositions on the merchants of the still-yard as on other aliens: yet the queen, immediately after her marriage, complied with the solicitations of the emperor, and, by her prerogative, suspended those laws.<sup>c</sup> Nobody in that age pretended to question this exercise of prerogative. The historians are entirely silent with regard to it; and it is only by the collection of public papers that it is handed down to us.

An absurd law had been made in the preceding reign, by which every one was prohibited from making cloth unless he had served an apprenticeship of seven years. The law was repealed in the first year of the queen; and this plain reason given, that it had occasioned the decay of the woollen manufacture, and had ruined several towns.<sup>d</sup> It is strange that Edward's law should have been revived during the reign of Elizabeth; and still more strange that it should still subsist.

A passage to Archangel had been discovered by the English during the last reign; and a beneficial trade with Muscovy had been established. A solemn embassy was sent by the Czar to Queen Mary. The ambassadors were shipwrecked on the coast of Scotland; but being hospitably entertained there, they proceeded on the journey, and were received at London with great pomp and solemnity.<sup>e</sup> This seems to have been the first intercourse which that empire had with any of the western potentates of Europe.

A law was passed in this reign, by which the number of horses, arms, and furniture was fixed, which each person, according to the extent of his property, should be provided with for the defence of the kingdom. A man of a thousand pounds a year, for instance, was obliged to maintain at his own charge six horses fit for demi-lances, of which three at least to be furnished with sufficient harness, steel saddles, and weapons proper for the demi-lances; and ten horses fit for light horsemen; with furniture and weapons proper for them: he was obliged to have forty corslets furnished; fifty almain revets, or, instead of them, forty coats of plate, corslets or brigandines furnished; forty pikes, thirty long bows, thirty sheafs of arrows, thirty steel caps or skulls, twenty black bills or halberts, twenty harquebuts, and twenty morions or sallets.

We may remark, that a man of a thousand marks of stock was rated equal to one of two hundred pounds a year: a proof that few or none at that time lived on their stock in money, and that great profits were made by the merchants in the course of trade. There is no class above a thousand pounds a year.

We may form a notion of the little progress made in arts and refinement about this time from one circumstance: a man of no less rank than the comptroller of Edward VI.'s household paid only thirty shillings a year of our present money for his house in Channel-row: yet labour and provisions, and consequently houses, were only about a third of the present price. Erasmus ascribes the frequent plagues in England to the nastiness and dirt and slovenly habits among the people. "The floors," says he, "are commonly of clay, strewed with rushes, under which lies unmolested an ancient collection of beer, grease, fragments, bones, spittle, excrements of dogs and cats, and every thing that is nasty."<sup>f</sup>

Holingshead, who lived in Queen Elizabeth's reign, gives a very curious account of the plain, or rather rude, way of living of the preceding generation. There scarcely was a chimney to the houses, even in considerable towns: the fire was kindled by the wall, and the smoke sought its way out at the roof, or door, or windows: the houses were nothing but wattle plastered over with clay: the people slept on straw pallets, and had a good round log under their head for a pillow; and almost all the furniture and utensils were of wood.<sup>g</sup>

In this reign, we find the first general law with regard to highways, which were appointed to be repaired by parish duty all over England.<sup>h</sup>

## CHAP. XXXVIII.

### ELIZABETH.

Queen's popularity.—Re-establishment of the protestant religion.—A parliament.—Peace with France.—Dispute between the queen and Mary Queen of Scots.—Affairs of Scotland.—Restoration in Scotland.—Civil wars in Scotland.—Interposal of the queen in the affairs of Scotland.—Settlement of Scotland.—French affairs.—Arrival of Mary in Scotland.—Bigotry of the Scotch reformers.—Wise government of Elizabeth.

In a nation so divided as the English, it could scarcely be expected that the death of one sovereign, and the accession of another, who was generally believed to have embraced opposite principles to those which prevailed, could be the object of universal satisfaction: yet so much were men displeased with the present conduct of affairs, and such apprehensions were entertained of futurity, that the people overlooking their theological disputes, expressed a general and unfeigned

A. D. 1558.

regarded: and yet see the change; for when our houses were built of willow, their laid was-oken men; but now that our houses are come to be made of oak, our men are not only become willows, but a great many altogether of staves, which is a sure indication. In these the courage of the owner was a sufficient defence to keep the house in safety, but now the assistance of the timber must defend the men from robbing. Now have we made of oak, oak men, and yet our timber complains of thorns, and of insect pests, then let us hope but not to be so, and our heads will never ache. For as the smoke in those days was supposed to be a sufficient haven for the timber of the house, so it was reported a far better medicine to keep the owner and his family from the quick or iser, where-with, as then, cry low were acquainted.—Again, in chap. xxiii. Our pesterers in time past employed the use of pewter only upon dishes and pots, and a few other things for service; whereas now they are grown into such exquisite cunning, that they can in manner invade by subtile any sort of fashion: a cup, dist, salt, or bowl, or goblet, which is made by coldsmith's craft, though they be never so curious, and very artificially forged. In some places beyond the sea, a dastard of good fat English pewter (I say that, because I have seen it) is made in my time begun to be made deep and like basins, and are indeed more convenient both for sauce and keeping the meat warm: is almost esteemed so precious as the like number of the vessels that are made of fine silver. If the reader is curious to know the sort of meals in which Elizabeth's reign, in the one country, and the other, was the use of fifty, gentles, and students, do ordinarily go to dinner at eleven or twelve noon, and to supper at five, or between five and six at afternoon. The merchants dine and sup seldom before twelve at noon and six at night, especially in London. The husbandmen dine also at high noon as they call it, and sup at seven or eight, but out of term in our universities the scholars dine at ten.

Prosart mentions waiting on the Duke of Lancaster at five o'clock in the afternoon when he was married. These hours surely more early. It is hard to tell why, all over the world, as the age becomes more luxurious, the hours become later. Is it the crowd of amusements that push on the hours gradually? or are the people of fashion better pleased with the silence and solitude of nocturnal hours, when the industrious vulgar are all gone to rest? In rude ages, men have few amusements or occupations but what day light affords them.

K 2 and 3 Phil. and Mar. cap. 6.

<sup>b</sup> Burnet, vol. iii. p. 259.

<sup>c</sup> 1 Mar. Part 2. cap. 7.

<sup>d</sup> 1 and 2 Phil. and Mar. cap. 2.

<sup>e</sup> Hook's Hist. 132.

<sup>f</sup> Erasmus, *de Hibernia*, in the dedication prefixed to his history, and

<sup>g</sup> *Endeavour to be made in this nation, speaking of the influence of*

*the sun.* See also the *History of the reign of Henry VIII.* p. 107.

<sup>h</sup> *History of the reign of Henry VIII.* p. 107.

<sup>i</sup> *History of the reign of Henry VIII.* p. 107.

<sup>j</sup> *History of the reign of Henry VIII.* p. 107.

<sup>k</sup> *History of the reign of Henry VIII.* p. 107.

<sup>l</sup> *History of the reign of Henry VIII.* p. 107.

<sup>m</sup> *History of the reign of Henry VIII.* p. 107.

<sup>n</sup> *History of the reign of Henry VIII.* p. 107.

<sup>o</sup> *History of the reign of Henry VIII.* p. 107.

<sup>p</sup> *History of the reign of Henry VIII.* p. 107.

<sup>q</sup> *History of the reign of Henry VIII.* p. 107.

<sup>r</sup> *History of the reign of Henry VIII.* p. 107.

<sup>s</sup> *History of the reign of Henry VIII.* p. 107.

<sup>t</sup> *History of the reign of Henry VIII.* p. 107.

<sup>u</sup> *History of the reign of Henry VIII.* p. 107.

<sup>v</sup> *History of the reign of Henry VIII.* p. 107.

<sup>w</sup> *History of the reign of Henry VIII.* p. 107.

<sup>x</sup> *History of the reign of Henry VIII.* p. 107.

<sup>y</sup> *History of the reign of Henry VIII.* p. 107.

<sup>z</sup> *History of the reign of Henry VIII.* p. 107.

<sup>c</sup> Rymer, vol. xv. p. 364.

<sup>d</sup> Holingshead, p. 722. Holin. p. 71.

<sup>e</sup> Newman's Historical Library.

joy, that the sceptre had passed into the hand of Elizabeth <sup>Queen's reign both.</sup> That princess had discovered great prudence in her conduct, during the reign of her sister; and as men were sensible of the imminent danger to which she was every moment exposed, compassion towards her situation, and concern for her safety, had rendered her, to an uncommon degree, the favourite of the nation. A parliament had been assembled a few days before Mary's death; and when Heathcote, Archbishop of York, then chancellor, notified to them that event, scarcely an interval of regret appeared; and the two Houses immediately resounded with the joyful acclamations of "God save Queen Elizabeth! Long and happily may she reign!" The people, less actuated by faction, and less influenced by private views, expressed a joy still more general and hearty on her proclamation; and the auspicious commencement of this reign prognosticated that felicity and glory which, during its whole course, so uniformly attended it.<sup>a</sup>

Elizabeth was at Hatfield when she heard of her sister's death; and after a few days, she went thence to London, through crowds of people, who strove with each other in giving her the strongest testimony of their affection. On her entrance into the Tower, she could not forbear reflecting on the great difference between her present fortune, and that which a few years before had attended her, when she was conducted to that place as a prisoner, and lay there exposed to all the bigoted malignity of her enemies. She fell on her knees, and expressed her thanks to Heaven for the deliverance which the Almighty had granted her from her bloody persecutors; a deliverance, she said, no less miraculous than that which Daniel had received from the den of lions. This act of pious gratitude seems to have been the last circumstance in which she remembered any past hardships and injuries. With a prudence and magnanimity truly laudable, she buried all offences in oblivion, and received with affability even those who had acted with the greatest malevolence against her. Sir Harry Hennifield himself, to whose custody she had been committed, and who had treated her with severity, never felt, during the whole course of her reign, any effects of her resentment.<sup>b</sup> Yet was not the gracious reception which she gave prostitute and undistinguishing. When the bishops came in a body to make their obeisance to her, she expressed to all of them sentiments of regard; except to Bonner, from whom she turned aside, as from a man polluted with blood, who was a just object of horror to every heart susceptible of humanity.<sup>c</sup>

After employing a few days in ordering her domestic affairs, Elizabeth notified to foreign courts her sister's death, and her own accession. She sent Lord Cobham to the Low Countries, where Philip then resided; and she took care to express to that monarch her gratitude for the protection which he had afforded her, and her desire of persevering in that friendship which had so happily commenced between them. Philip, who had long foreseen this event, and who still hoped, by means of Elizabeth, to obtain that dominion over England, of which he had failed in espousing Mary, immediately despatched orders to the Duke of Feria, his ambassador at London, to make proposals of marriage to the queen; and he offered to procure from Rome a dispensation for that purpose. But Elizabeth soon came to the resolution of declining the proposal. She saw that the nation had entertained an extreme aversion to the Spanish alliance, during her sister's reign; and that one great cause of the popularity which she herself enjoyed, was the prospect of being freed, by her means, from the danger of foreign subjection. She was sensible, that her affinity with Philip was exactly similar to that of her father with Catherine of Arragon; and that her marrying that monarch was, in effect, declaring herself illegitimate, and incapable of succeeding to the throne. And though the power of the Spanish monarchy might still be sufficient, in opposition to all pretenders, to support her title, her masculine spirit disdained such precarious dominion, which, as it would depend solely on the power of another, must be exercised according to his inclinations.<sup>d</sup> But, while these views prevented her from entertaining any

thoughts of a marriage with Philip, she gave him an obliging, though evasive, answer; and he still retained such hopes of success, that he sent a messenger to Rome with orders to solicit the dispensation.

The queen too, on her sister's death, had written to Sir Edward Carne, the English ambassador at Rome, to notify her accession to the Pope; but the precipitate nature of Paul broke through all the cautious measures concerted by this young princess. He told Carne, that England was a fief of the holy see; and it was great temerity in Elizabeth to have assumed, without his participation, the title and authority of queen: that being illegitimate, she could not possibly inherit that kingdom; nor could he annul the sentence pronounced by Clement VII. and Paul III. with regard to Henry's marriage: that were he to proceed with rigour, he should punish this criminal invasion of his rights, by rejecting all her applications; but, being willing to treat her with paternal indulgence, he would still keep the door of grace open to her: and that, if she would renounce all pretensions to the crown, and submit entirely to his will, she should experience the utmost lenity, compatible with the dignity of the apostolic see.<sup>e</sup> When this answer was reported to Elizabeth, she was astonished at the character of that aged pontiff; and, having recalled her ambassador, she continued, with more determined resolution, to pursue those measures which already she had secretly embraced.

The queen, not to alarm the partisans of the catholic religion, had retained eleven of her sister's counsellors; but in order to balance their authority, she added eight more, who were known to be inclined to the protestant communion: the Marquis of Northampton, the Earl of Bedford, Sir Thomas Parry, Sir Edward Rogers, Sir Ambrose Cave, Sir Francis Knolles, Sir Nicholas Bacon, whom she created lord keeper, and Sir William Cecil, secretary of state.<sup>f</sup> With these counsellors, particularly Cecil, she frequently deliberated concerning the expediency of restoring the protestant religion, and the means of executing that great enterprise. Cecil told her, that the greater part of the nation had, ever since her father's reign, inclined to the Reformation; and though her sister had constrained them to profess the ancient faith, the cruelties exercised by her ministers had still more alienated their affections from it: that happily the interests of the sovereign here concurred with the inclinations of the people; nor was her title to the crown compatible with the authority of the Roman pontiff: that a sentence, so solemnly pronounced by two popes against her mother's marriage, could not possibly be recalled, without inflicting a mortal wound on the credit of the see of Rome; and even if she were allowed to retain the crown, it would only be on an uncertain and dependent footing. That this circumstance alone counterbalanced all dangers whatsoever; and these dangers themselves, if narrowly examined, would be found very little formidable: that the curses and execrations of the Romish church, when not seconded by military force, were, in the present age, more an object of ridicule than of terror, and had now as little influence in this world as in the next: that though the bigotry or ambition of Henry or Philip might incline them to execute a sentence of excommunication against her, their interests were so incompatible, that they never could concur in any plan of operations; and the enmity of the one would always insure to her the friendship of the other: that if they encouraged the discontents of her catholic subjects, their dominions also abounded with protestants, and it would be easy to retaliate upon them: that even such of the English as seemed at present zealously attached to the catholic faith, would, most of them, embrace the religion of their new sovereign; and the nation had, of late, been so much accustomed to these revolutions, that men had lost all idea of truth and falsehood in such subjects: that the authority of Henry VIII. so highly raised by many concurring circumstances, first injured the people to this submissive deference; and it was the less difficult for succeeding princes to continue the nation in a track to which it had so long been accustomed: and that it would be easy for her, by bestowing

<sup>a</sup> Burnet, vol. ii. p. 373.  
<sup>c</sup> Ford, Heylin, p. 102.

<sup>b</sup> Ibid. p. 374.

<sup>d</sup> Camden in Kezlar, p. 370. Burnet, vol. ii. p. 375.  
<sup>e</sup> Est. of Paul, lib. 3.

<sup>f</sup> Strype's Ann. vol. i. p. 5.

on protestants all preferment in civil offices and the militia, the church and the universities, both to insure her own authority, and to render her religion entirely predominant.

The education of Elizabeth, as well as her interest, led her to favour the Reformation; and she remained not long in suspense with regard to the party which she should embrace. But though determined in her own mind, she resolved to proceed by gradual and secure steps, and not to imitate the example of Mary, in encouraging the bigots of her party to make immediately a violent invasion on the established religion.<sup>1</sup> She thought it requisite, however, to discover such symptoms of her intentions, as might give encouragement to the protestants, so much depressed by the late violent persecutions. She immediately recalled all the exiles, and gave liberty to the prisoners who were confined on account of religion. We are told of a pleasantry of one Rainsford on this occasion, who said to the queen, that he had a petition to present her, in behalf of other prisoners, called Matthew, Mark, Luke, and John: she readily replied, that it behoved her first to consult the prisoners themselves, and to learn of them whether they desired that liberty which he demanded for them.<sup>2</sup>

Elizabeth also proceeded to exert, in favour of the reformers, some acts of power, which were authorized by the extent of royal prerogative during that age. Finding that the protestant teachers, irritated by persecution, broke out in a furious attack on the ancient superstition, and that the Romanists replied with no less zeal and acrimony, she published a proclamation, by which she inhibited all preaching without a special licence;<sup>3</sup> and though she dispensed with these orders in favour of some preachers of her own sect, she took care that they should be the most calm and moderate of the party. She also suspended the laws, so far as to order a great part of the service, the litany, the Lord's prayer, the creed, and the gospels, to be read in English. And, having first published injunctions that all the churches should conform themselves to the practice of her own chapel, she forbade the hostile to be any more elevated in her presence; an innovation which, however frivolous it may appear, implied the most material consequences.<sup>4</sup>

These declarations of her intentions, concurring with preceding suspicions, made the bishops foresee, with certainty, a revolution in religion. They therefore refused to officiate at her coronation; and it was with some difficulty that the Bishop of Carlisle was at last prevailed on to perform the ceremony. When she was conducted through London, amidst the joyful acclamations of her subjects, a boy, who personated Truth, was let down from one of the triumphal arches, and presented to her a copy of the Bible. She received the book with the most gracious deportment, placed it next her bosom, and declared, that, amidst all the costly testimonies which the city had that day given her of their attachment, this present was by far the most precious and most acceptable.<sup>5</sup> Such were the innocent artifices by which Elizabeth insinuated herself into the affections of her subjects. Open in her address, gracious and affable in all public appearances, she rejoiced in the concourse of her subjects, entered into all their pleasures and amusements, and without departing from her dignity, which she knew well how to preserve, she acquired a popularity beyond what any of her predecessors or successors ever could attain. Her own sex exulted, to see a woman hold the reins of empire with such prudence and fortitude: and while a young princess of twenty-five years, (for that was her age at her accession,) who possessed all the graces and insinuation, though not all the beauty, of her sex, courted the affections of individuals by her civilities, of the public by her services, her authority, though corroborated by the strictest bands of law and religion, appeared to be derived entirely from the choice and inclination of the people.

A sovereign of this disposition was not likely to offend her subjects by any useless or violent exertions of power; and Elizabeth, though she threw out such hints as encouraged the protestants, delayed the entire change of religion till the meeting of the parliament which was summoned to assemble. The elections had gone entirely against the catholics, who seem not indeed A parliament. to have made any great struggle for the superiority;<sup>6</sup> and the Houses met, in a disposition of gratifying the queen in every particular which she could desire of them. They began the session with a unanimous declaration, "that Queen Elizabeth was, and ought to be, as well by the word of God, as the common and statute laws of the realm, the lawful, undoubted, and true heir to the crown, lawfully descended from the blood-royal, according to the order of succession settled in the 35th of Henry VIII."<sup>7</sup> This act of recognition was probably dictated by the queen herself and her ministers; and she showed her magnanimity, as well as moderation, in the terms which she employed on that occasion. She followed not Mary's practice in declaring the validity of her mother's marriage, or in expressly repealing the act formerly made against her own legitimacy; she knew that this attempt must be attended with reflections on her father's memory, and on the birth of her deceased sister; and as all the world was sensible, that Henry's divorce from Anne Boleyn was merely the effect of his usual violence and caprice, she scorned to found her title on any act of an assembly which had too much prostituted its authority by its former variable, servile, and iniquitous decisions. Satisfied, therefore, in the general opinion entertained with regard to this fact, which appeared the more undoubted, the less anxiety she discovered in fortifying it by votes and inquiries; she took possession of the throne, both as her birthright, and as insured to her by former acts of parliament; and she never appeared anxious to distinguish these titles.<sup>8</sup>

The first bill brought into parliament, with a view of trying their disposition on the head of religion, was that for suppressing the monasteries lately erected, and for restoring the tithes and first-fruits to the queen. This point being gained without much difficulty, a bill was next introduced, annexing the supremacy to the crown; and though the queen was there denominated *governess*, not *head*, of the church, it conveyed the same extensive power, which, under the latter title, had been exercised by her father and brother. All the bishops who were present in the upper House strenuously opposed this law; and as they possessed more learning than the temporal peers, they triumphed in the debate; but the majority of voices in that House, as well as among the Commons, was against them. By this act, the crown, without the concurrence either of the parliament or even of the convocation, was vested with the whole spiritual power; might repress all heresies, might establish or repeal all canons, might alter every point of discipline, and might ordain or abolish any religious rite or ceremony.<sup>9</sup> In determining heresy, the sovereign was only limited (if that could be called a limitation) to such doctrines as had been adjudged heresy by the authority of the Scripture, by the first four general councils, or by any general council which followed the Scripture as their rule, or to such other doctrines as should hereafter be denominated heresy by the parliament and convocation. In order to exercise this authority, the queen, by a clause of the act, was empowered to name commissioners, either laymen or clergymen, as she should think proper; and on this clause was afterwards founded the court of ecclesiastical commission; which assumed large discretionary, not to say arbitrary, powers, totally incompatible with any exact boundaries in the constitution. Their proceedings indeed were only consistent with absolute monarchy; but were entirely suitable to the genius of the act on which they were established; an act that at

<sup>1</sup> Burnet, vol. ii. p. 377. Camden, p. 370.

<sup>2</sup> Burnet, vol. ii. p. 370. Camden, p. 371.

<sup>3</sup> Heylin, p. 103.

<sup>4</sup> Ibid. p. 104. Strype, vol. i. p. 31.

<sup>5</sup> Camden, p. 371. Heylin, p. 103. Strype, vol. i. p. 54. Stowe,

p. 605.

<sup>6</sup> Burnet, vol. ii. p. 390. Strype, vol. i. p. 29.

<sup>7</sup> Notwithstanding the bias of the nation towards the protestant sect, it appears, that some violence, at least according to our present ideas, was

used in these elections: five candidates were nominated by the court to each borough, and three to each county; and by the sheriff's authority, the members were chosen from among these candidates. See *State Papers collected by Edward, Earl of Clarendon*, p. 92.

<sup>8</sup> 1 Eliz. cap. 3.

<sup>9</sup> Camden, p. 372. Heylin, p. 107, 100.

<sup>10</sup> 1 Eliz. cap. 1. This last power was anew recognised in the Act of Uniformity, 1 Eliz. cap. 2.



once gave the crown alone all the power which had formerly been claimed by the Popes, but which even these usurping prelates had never been able fully to exercise, without some concurrence of the national clergy.

Whoever refused to take an oath, acknowledging the queen's supremacy, was incapacitated from holding any office; whoever denied the supremacy, or attempted to deprive the queen of that prerogative, forfeited, for the first offence, all his goods and chattels; for the second, was subjected to the penalty of a premunure; but the third offence was declared treason. These punishments, however severe, were less rigorous than those which were formerly, during the reigns of her father and brother, inflicted in like cases.

A law was passed, confirming all the statutes enacted in King Edward's time with regard to religion; the nomination of bishops was given to the crown without any election of the chapters: the queen was empowered, on the vacancy of any see, to seize all the temporalities, and to bestow on the bishop elect an equivalent in the impropriations belonging to the crown. This pretended equivalent was commonly much inferior in value; and thus the queen, amidst all her concern for religion, followed the example of the preceding reformers, in committing depredations on the ecclesiastical revenues.

The bishops and all incumbents were prohibited from alienating their revenues, and from letting leases longer than twenty-one years or three lives. This law seemed to be meant for securing the property of the church; but as an exception was left in favour of the crown, great abuses still prevailed. It was usual for the courtiers during this reign to make an agreement with a bishop or incumbent, and to procure a fictitious alienation to the queen, who afterwards transferred the lands to the person agreed on. This method of pillaging the church was not remedied till the beginning of James I. The present depression of the clergy exposed them to all injuries; and the laity never stopped till they had reduced the church to such poverty, that her plunder was no longer a compensation for the odium incurred by it.

A solemn and public disputation was held during this session, in presence of Lord Keeper Bacon, between the divines of the protestant and those of the catholic communion. The champions appointed to defend the religion of the sovereign, were, as in all former instances, entirely triumphant; and the popish disputants, being pronounced refractory and obstinate, were even punished by imprisonment.<sup>1</sup> Imboldened by this victory, the protestants ventured on the last and most important step, and brought into parliament a bill<sup>2</sup> for abolishing the mass, and re-establishing the liturgy of King Edward. Penalties were enacted, as well against those who departed from this mode of worship, as against those who absented themselves from the church and the sacraments. And thus in one session, without any violence, tumult, or clamour, was the whole system of religion altered, on the very commencement of a reign, and by the will of a young woman, whose title to the crown was by many thought liable to great objections: an event which, though it may appear surprising to men in the present age, was every where expected, to the first intelligence of Elizabeth's accession.

The Commons also made a sacrifice to the queen, more difficult to obtain than that of any articles of faith: they voted a subsidy of four shillings in the pound on land, and two shillings and eight pence on movables, together with two fifteenths.<sup>3</sup> The House, in no instance, departed from the most respectful deference and complaisance towards the queen. Even the importunate address which they made her, on the conclusion of the session, to fix her choice of a husband, could not, they supposed, be very

disagreeable to one of her sex and age. The address was couched in the most respectful expressions; yet met with a refusal from the queen. She told the speaker, that as the application from the House was concerted in general terms, only recommending marriage, without pretending to direct her choice of a husband, she could not take offence at the address, or regard it otherwise than as a new instance of their affectionate attachment to her: that any further interposition on their part would have ill become either them to make as subjects, or her to bear as an independent princess; that even while she was a private person, and exposed to much danger, she had always declined that engagement, which she regarded as an encumbrance; much more, at present, would she persevere in this sentiment, when the charge of a great kingdom was committed to her, and her life ought to be entirely devoted to promoting the interests of religion, and the happiness of her subjects: that as England was her husband, wedded to her by this pledge, (and here she showed her finger with the same gold ring upon it with which she had solemnly betrothed herself to the kingdom at her inauguration,) so all Englishmen were her A. D. 1559.

children; and while she was employed in rearing or governing such a family, she could not deem herself barren, or her life useless and unprofitable: that if she ever entertained thoughts of changing her condition, the care of her subjects' welfare would still be uppermost in her thoughts; but should she live and die a virgin, she doubted not but Divine Providence, seconded by their counsels and her own measures, would be able to prevent all dispute with regard to the succession, and secure them a sovereign, who, perhaps, better than her own issue, would imitate her example, in loving and cherishing her people: and that, for her part, she desired that no higher character, or fairer remembrance of her, should be transmitted to posterity, than to have this inscription engraved on her tombstone, when she should pay the last debt to nature: "Here lies Elizabeth, who lived and died a maiden queen."<sup>4</sup>

After the prorogation of the parliament,<sup>5</sup> the laws enacted with regard to religion were put in execution, and met with little opposition from any quarter. The liturgy was again introduced in the vulgar tongue, and the oath of supremacy was tendered to the clergy. The number of bishops had been reduced to fourteen by a sickly season which preceded; and all these, except the Bishop of Landaff, having refused compliance, were degraded from their sees: but of the inferior clergy throughout all England, where there are near 10,000 parishes, only eighty rectors and vicars, fifty prebendaries, fifteen heads of colleges, twelve archdeacons, and as many deans, sacrificed their livings to their religious principles.<sup>6</sup> Those in high ecclesiastical stations, being exposed to the eyes of the public, seem chiefly to have placed a point of honour in their perseverance; but on the whole, the protestants, in the former change introduced by Mary, appear to have been much more rigid and conscientious. Though the catholic religion, adapting itself to the senses, and enjoining observances which enter into the common train of life, does at present lay faster hold on the mind than the reformed, which, being chiefly spiritual, resembles more a system of metaphysics; yet was the proportion of zeal, as well as of knowledge, during the first ages after the Reformation, much greater on the side of the protestants. The catholics continued, ignorantly and supinely, in their ancient belief, or rather their ancient practices: but the reformers, obliged to dispute on every occasion, and inflamed to a degree of enthusiasm by novelty and persecution, had strongly attached themselves to their tenets; and were ready to sacrifice their fortunes, and

<sup>1</sup> 1 Eliz. cap. 2.

<sup>2</sup> Ibid. p. 95.

<sup>3</sup> The parliament also granted the queen the duties of tonnage and poundage. But this concession was at that time regarded only as a matter of form, and she had used these duties before they were voted by parliament. There was another exertion of power which she practised, and which, though in the present age, from their ignorance of ancient practices, may be apt to think a little extraordinary. Her sister, after the commencement of the war with France, had, from her own authority, imposed new marks on each ton of wine imported, and had increased the punishment on all commodities. Queen Elizabeth continued these impositions as long as she thought convenient. The parliament, who had so good an opportunity of restraining these arbitrary taxes, when they voted the tonnage and poundage, thought not proper to make any mention

<sup>4</sup> Strype, vol. i. p. 79.

<sup>5</sup> 1 Eliz. cap. 2.

of them. They knew that the sovereign, during that age, pretended to have the sole regulation of foreign trade, and that their intermeddling with that prerogative would have drawn on them the severest reproof, if not chastisement. See Forbes, vol. i. p. 132, 133. We know certainly from the statutes and journals, that no such impositions were granted by parliament.

<sup>6</sup> Camden, p. 375. Sir Simon d'Ewes.

<sup>7</sup> It is so remarkable by Camden, that though this session was the first of the reign, no person was attainted; but on the contrary, some restored in blood by the parliament: a good symptom of the lenity, at least of the prudence, of the queen's government; and that it should appear remarkable, is a proof of the rigour of preceding reigns.

<sup>8</sup> Camden, p. 376. Heylin, p. 115. Strype, vol. i. p. 73. with some small variations.

even their lives, in support of their speculative and abstract principles.

The forms and ceremonies still preserved in the English liturgy, as they bore some resemblance to the ancient service, tended further to reconcile the catholics to the established religion; and as the queen permitted no other mode of worship, and at the same time struck out every thing that could be offensive to them in the new liturgy,<sup>a</sup> even those who were addicted to the Romish communion made no scruple of attending the established church. Had Elizabeth gratified her own inclinations, the exterior appearance, which is the chief circumstance with the people, would have been still more similar between the new and the ancient form of worship. Her love of state and magnificence, which she affected in every thing, inspired her with an inclination towards the pomp of the catholic religion; and it was merely in compliance with the prejudices of her party, that she gave up either images or the addresses to saints, or prayers for the dead.<sup>b</sup> Some foreign princes interposed, to procure the Romanists the privilege of separate assemblies in particular cities, but the queen would not comply with their request: and she represented the manifest danger of disturbing the national peace by a toleration of different religions.<sup>c</sup>

While the queen and parliament were employed in settling the public religion, the negotiations for a peace were still conducted, first at Ceramp, then at Chateau-Cambresis, between the ministers of France, Spain, and England: and Elizabeth, though equally prudent, was not equally successful in this transaction. Philip employed his utmost efforts to procure the restitution of Calais, both as bound in honour to indemnify England, which, merely on his account, had been drawn into the war, and as engaged in interest to remove France to a distance from his frontiers in the Low Countries. So long as he entertained hopes of espousing the queen, he delayed concluding a peace with Henry; and even after the change of religion in England deprived him of all such views, his ministers hinted to her a proposal, which may be regarded as reasonable and honourable. Though all his own terms with France were settled, he seemed willing to continue the war till she should obtain satisfaction; provided she would stipulate to adhere to the Spanish alliance, and continue hostilities against Henry during the course of six years:<sup>d</sup> but Elizabeth, after consulting with her ministers, wisely rejected this proposal. She was sensible of the low state of her finances; the great debts contracted by her father, brother, and sister; the disorders introduced into every part of the administration; the divisions by which her people were agitated; and she was convinced that nothing but tranquillity during some years could bring the kingdom again into a flourishing condition, or enable her to act with dignity and vigour in her transactions with foreign nations. Well acquainted with the value which Henry put upon Calais, and the impossibility, during the present emergence, of recovering it by treaty, she was willing rather to suffer that loss, than submit to such a dependence on Spain, as she must expect to fall into, if she continued pertinaciously in her present demand. She ordered, therefore, her ambassadors, Lord Effingham, the Bishop of Ely, and Dr. Wotton, to conclude the negotiation, and to settle a peace with Henry, on any reasonable terms. Henry offered to stipulate a marriage between the eldest daughter of the dauphin, and the eldest son of Elizabeth; and to engage for the restitution of Calais as the dowry of that princess;<sup>e</sup> but as the queen was sensible that this treaty would appear to the world a palpable evasion, she insisted upon more equitable, at least more plausible, conditions. It was at last agreed, that Henry should restore Calais at the expiration of eight years; that in case of failure, he should pay five hundred thousand crowns, and the queen's title to Calais still remain; that he should find the security of seven or eight foreign merchants, not natives of France, for the payment of this sum; that he should deliver five hostages till that security were provided; that if Elizabeth broke the peace with France or Scotland during the interval, she should forfeit all title to

Calais; but if Henry made war on Elizabeth, he should be obliged immediately to restore that fortress.<sup>f</sup> All men of penetration easily saw that these stipulations were but a colourable pretence for abandoning Calais; but they excused the queen on account of the necessity of her affairs; and they even extolled her prudence in submitting, without further struggle, to that necessity. A peace with Scotland was a necessary consequence of that with France.

Philip and Henry terminated hostilities by a mutual restitution of all places taken during the course of the war; and Philip espoused the Princess Elizabeth, eldest daughter of France, formerly betrothed to his son Don Carlos. The Duke of Savoy married Margaret, Henry's sister, and obtained a restitution of all his dominions of Savoy and Piedmont, except a few towns retained by France. And thus general tranquillity seemed to be restored to Europe.

But though peace was concluded between France and England, there soon appeared a ground of quarrel, of the most serious nature, and which was afterwards attended with the most important consequences. The two marriages of Henry VIII. that with Catherine of Arragon, and that with Anne Boleyn, were incompatible with each other; and it seemed impossible that both of them could be regarded as valid and legal: but still the birth of Elizabeth lay under some disadvantages, to which that of her sister Mary was not exposed. Henry's first marriage had obtained the sanction of all the powers, both civil and ecclesiastical, which were then acknowledged in England; and it was natural for protestants, as well as Romanists, to allow, on account of the sincere intention of the parties, that their issue ought to be regarded as legitimate. But his divorce and second marriage had been concluded in direct opposition to the see of Rome; and though they had been ratified by the authority both of the English parliament and convocation, those who were strongly attached to the catholic communion, and who reasoned with great strictness, were led to regard them as entirely invalid, and to deny altogether the queen's right of succession. The next heir of blood was the Queen of Scots, now married to the dauphin; and the great power of that princess, joined to her plausible title, rendered her a formidable rival to Elizabeth. The King of France had secretly been soliciting at Rome a bull of excommunication against the queen; and she had here been beholden to the good offices of Philip, who, from interest more than either friendship or generosity, had negotiated in her favour, and had successfully opposed the pretensions of Henry. But the court of France was not discouraged with this repulse: the Duke of Guise, and his brothers, thinking that it would much augment their credit, if their niece should bring an accession of England, as she had already done of Scotland, to the crown of France, engaged the king not to neglect the claim, and by their persuasion, he ordered his son and daughter-in-law to assume openly the arms as well as title of England, and to quarter these arms on all their equipages, furniture, and liveries. When the English ambassador complained of this injury, he could obtain nothing but an evasive answer; that as the Queen of Scots was descended from the blood royal of England, she was entitled, by the example of many princes, to assume the arms of that kingdom. But besides that this practice had never prevailed without permission being first obtained, and without making a visible difference between the arms, Elizabeth plainly saw, that this pretension had not been advanced during the reign of her sister Mary; and that therefore the King of France intended, on the first opportunity, to dispute her legitimacy and her title to the crown. Alarmed at the danger, she thenceforth conceived a violent jealousy against the Queen of Scots; and was determined, as far as possible, to incapacitate Henry from the execution of his project. The sudden death of that monarch, who was killed in a tournament at Paris, while celebrating the espousals of his sister with the Duke of Savoy, altered not her views. Being informed that his successor Francis II. still con-

Disput between the queen and Mary Queen of Scots.

<sup>a</sup> Heylin, p. 111. <sup>b</sup> Burnet, vol. ii. p. 376, 397. Camden, p. 371.  
<sup>c</sup> Calaneo, p. 378. <sup>d</sup> Strype, vol. i. p. 150, 379.

<sup>e</sup> Forbes's Full View, vol. i. p. 59.  
<sup>f</sup> Ibid. c. 68. Rymer, tom. xv. p. 505.

<sup>g</sup> Forbes, vol. i. p. 54.

tinued to assume, without reserve, the title of King of England, she began to consider him and his queen as her mortal enemies; and the present situation of affairs in Scotland afforded her a favourable opportunity, both of revenging the injury, and providing for her own safety.

The murder of the cardinal primate at St. Andrews had deprived the Scottish catholics of a head, whose severity, courage, and capacity, had rendered him extremely formidable to the innovators in religion; and the execution of the laws against heresy began thenceforth to be more remiss. The queen-regent governed the kingdom by prudent and moderate counsels; and as she was not disposed to sacrifice the civil interests of the state to the bigotry or interests of the clergy, she deemed it more expedient to temporize, and to connive at the progress of a doctrine which she had not power entirely to repress. When informed of the death of Edward, and the accession of Mary to the crown of England, she entertained hopes, that the Scottish reformers, deprived of the countenance which they received from that powerful kingdom, would lose their ardour with their prospect of success, and would gradually return to the faith of their ancestors. But the progress and revolutions of religion are little governed by the usual maxims of civil policy; and the event much disappointed the expectations of the regent. Many of the English preachers, terrified with the severity of Mary's government, took shelter in Scotland, where they found more protection, and a milder administration, and while they propagated their theological tenets, they filled the whole kingdom with just horror against the cruelties of the bigoted catholics, and showed their disciples the fate which they must expect, if ever their adversaries should obtain an uncontrolled authority over them.

A hierarchy, moderate in its acquisitions of power and riches, may safely grant a toleration to sectaries; and the more it softens the zeal of innovators by lenity and liberty, the more securely will it possess those advantages which the legal establishments bestow upon it. But where superstition has misad a church to such an exorbitant height as that of Rome, persecution is less the result of bigotry in the priests, than of a necessary policy; and the rigour of law is the only method of repelling the attacks of men, who, beside religious zeal, have so many other motives, derived both from public and private interests, to engage them on the side of innovation. But though such overgrown hierarchies may long support themselves by these violent expedients, the time comes when severities tend only to enrage the new sectaries, and make them break through all bounds of reason and moderation. This crisis was now visibly approaching in Scotland; and whoever considers merely the transactions resulting from it, will be inclined to throw the blame equally on both parties; whoever enlarges his view, and reflects on the situations, will remark the necessary progress of human affairs, and the operation of those principles which are inherent in human nature.

Some heads of the reformers in Scotland, such as the Earl of Argyll, his son Lord Lorne, the Earls of Morton and Glenearne, Erskine of Dun, and others, observing the danger to which they were exposed, and desirous to propagate their principles, entered privately into a bond or association; and called themselves the *Congregation of the Lord*, in contradistinction to the established church, which they denominated the *Congregation of Satan*. The tenor of the bond was as follows: "We, perceiving how Satan, in his members, the Antichrist of our time, do cruelly rage, seeking to overthrow and to destroy the gospel of Christ and his congregation, ought, according to our bounden duty, to strive, in our Master's cause, even unto the death, being certain of the victory in him. We do therefore promise, before the Majesty of God and his congregation, that we, by his grace, shall with all diligence continually apply our whole power, substance, and our very lives, to maintain, set forward, and establish the most blessed word of God and his congregation; and shall labour, by all possible means, to have faithful ministers, truly and purely to minister Christ's

gospel and sacraments to his people: we shall maintain them, nourish them, and defend them, the whole congregation of Christ, and every member thereof, by our whole power, and at the hazard of our lives, against Satan, and all wicked power, who may intend tyranny and trouble against the said congregation: unto which holy word and congregation we do join ourselves; and we forsake and renounce the congregation of Satan, with all the superstitious abomination and idolatry thereof; and moreover shall declare ourselves manifestly enemies thereto, by this faithful promise before God, testified to this congregation by our subscriptions. At Edinburgh, the third of December, 1557."

Had the subscribers of this zealous league been content only to demand a toleration of the new opinions; however incompatible their pretensions might have been with the policy of the church of Rome, they would have had the praise of opposing tyrannical laws, enacted to support an establishment prejudicial to civil society: but it is plain that they carried their views much further; and their practice immediately discovered the spirit by which they were actuated. Supported by the authority which they thought belonged to them as the congregation of the Lord, they ordained, that prayers in the vulgar tongue should be used in all the parish churches of the kingdom; and that preaching, and the interpretation of the Scriptures, should be practised in private houses, till God should move the prince to grant public preaching by faithful and true ministers.<sup>1</sup> Such bonds of association are always the forerunners of rebellion; and this violent invasion of the established religion was the actual commencement of it.

Before this league was publicly known or avowed, the clergy, alarmed with the progress of the Reformation, attempted to recover their lost authority by a violent exercise of power, which tended still further to augment the zeal and number of their enemies. Hamilton the primate seized Walter Mill, a priest of irreproachable life, who had embraced the new doctrines; and having tried him at St. Andrews, condemned him to the flames for heresy. Such general aversion was entertained against this barbarity, that it was some time before the bishops could prevail on any one to act the part of a civil judge, and pronounce sentence upon Mill; and even after the time of his execution was fixed, all the shops of St. Andrews being shut, no one would sell a rope to tie him to the stake, and the primate himself was obliged to furnish this implement. The man bore the torture with that courage, which, though usual on these occasions, always appears supernatural and astonishing to the multitude. The people, to express their abhorrence against the cruelty of the priests, raised a monument of stones on the place of his execution; and as fast as the stones were removed by order of the clergy, they were again supplied from the voluntary zeal of the populace.<sup>2</sup> It is in vain for men to oppose the severest punishment to the united motives of religion and public applause; and this was the last barbarity of the kind which the catholics had the power to exercise in Scotland.

Some time after, the people discovered their sentiments in such a manner as was sufficient to prognosticate to the priests the fate which was awaiting them. It was usual on the festival of St. Giles, the tutelar saint of Edinburgh, to carry in procession the image of that saint; but the protestants, in order to prevent the ceremony, found means, on the eve of the festival, to purloin the statue from the church; and they pleased themselves with imagining the surprise and disappointment of his votaries. The clergy, however, framed hastily a new image, which, in derision, was called by the people, young St. Giles; and they carried it through the streets, attended by all the ecclesiastics in the town and neighbourhood. The multitude abstained from violence so long as the queen-regent continued a spectator, but the moment she retired, they invaded the idol, threw it in the mire, and broke it in pieces. The flight and terror of the priests and friars, who, it was remarked, deserted in his greatest distress the object of their worship, was the source of universal mockery and laughter.

Encouraged by all these appearances, the Congregation

<sup>1</sup> Keith, p. 66. Knox, p. 101.

<sup>2</sup> The reformers used at that time King Edward's liturgy in Scotland, Forbes, p. 155.

<sup>1</sup> Keith, p. 66. Knox, p. 101.

<sup>2</sup> Knox, p. 122.



proceeded with alacrity in openly soliciting subscriptions to their league; and the death of Mary of England, with the accession of Elizabeth, which happened about this time, contributed to increase their hopes of final success in their undertaking. They ventured to present a petition to the regent, craving a reformation of the church, and of the *unquiet, scandalous, and detestable* lives of the prelates and ecclesiastics.<sup>1</sup> They framed a petition, which they intended to present to parliament, and in which, after promising that they could not communicate with the damnable idolatry and intolerable abuses of the papistical church, they desired that the laws against heretics should be executed by the civil magistrate alone, and that the Scripture should be the sole rule in judging of heresy.<sup>2</sup> They even petitioned the convocation, and insisted that prayers should be said in the vulgar tongue, and that bishops should be chosen with the consent of the gentry of the diocese, and priests with the consent of the parishioners.<sup>3</sup> The regent prudently temporized between these parties; and as she aimed at procuring a matrimonial crown for her son-in-law, the dauphin, she was, on that as well as other accounts, unwilling to come to extremities with either of them.

But after this concession was obtained, she received orders from France, probably dictated by the violent spirit of her brothers, to proceed with rigour against the reformers, and to restore the royal authority by some signal act of power.<sup>4</sup> She made the more eminent of the protestant teachers be cited to appear before the council at Stirling; but when their followers were marching thither in great multitudes, in order to protect and countenance them, she entertained apprehensions of an insurrection, and, it is said, dissipated the people by a promise,<sup>5</sup> that nothing should be done to the prejudice of the ministers. Sentence, however, was passed, by which all the ministers were pronounced rebels, on account of their not appearing: a measure which enraged the people, and made them resolve to oppose the regent's authority by force of arms, and to proceed to extremities against the clergy of the established religion.

In this critical time, John Knox arrived from Geneva, where he had passed some years in banishment, and where he had imbibed, from his commerce with Calvin, the highest fanaticism of his sect, augmented by the native ferocity of his own character. He had been

11th May. invited back to Scotland by the leaders of the Reformation; and mounting the pulpit at Perth, during the present ferment of men's minds, he declaimed with his usual vehemence against the idolatry and other abominations of the church of Rome, and incited his audience to exert their utmost zeal for its subversion. A priest was so imprudent after this sermon, as to open his repository of images and relics, and prepare himself to say mass. The audience, exalted to a disposition for any furious enterprise, were as much enraged as if the spectacle had not been quite familiar to them: they attacked the priest with fury, broke the images in pieces, tore the pictures, overthrew the altars, scattered about the sacred vases; and left no implement of idolatrous worship, as they termed it, entire or undefaced. They thence proceeded, with additional numbers and augmented rage, to the monasteries of the grey and black friars, which they pillaged in an instant: the Carthusians underwent the same fate: and the populace, not content with robbing and expelling the monks, vented their fury on the buildings which had been the receptacles of such abomination; and in a little time nothing but the walls of these edifices were left standing. The inhabitants of Coupar, in Fife, soon after imitated the example.<sup>6</sup>

The queen-regent, provoked at these violentences, assembled an army, and prepared to chastise the rebels. She had about two thousand French under her command, with a few Scottish troops; and being assisted by some of the nobility as were well affected to

her, she pitched her camp within ten miles of Perth. Even the Earl of Argyle, and Lord James Stuart, Prior of St. Andrews, the queen's natural brother, though deeply engaged with the reformers, attended the regent in this enterprise, either because they blamed the fury of the populace, or hoped, by their own influence and authority, to mediate some agreement between the parties. The Congregation, on the other hand, made preparations for defence; and being joined by the Earl of Glencairn, from the West, and being countenanced by many of the nobility and gentry, they appeared formidable from their numbers, as well as from the zeal by which they were animated. They sent an address to the regent, where they plainly insinuated, that if they were pursued to extremities, by the *cruel beasts* the churchmen, they would have recourse to foreign powers for assistance; and they subscribed themselves her faithful subjects in all things not repugnant to God, assuming, at the same time, the name of the Faithful Congregation of Christ Jesus.<sup>7</sup> They applied to the nobility attending her, and maintained that their own past violence was justified by the word of God, which commands the godly to destroy idolatry, and all the monuments of it; and though all civil authority was sacred, yet was there a great difference between the authority and the persons who exercised it;<sup>8</sup> and that it ought to be considered, whether or not those abominations, called by the pestilent papists, religion, and which they defend by fire and sword, be the true religion of Christ Jesus. They remonstrated with such of the queen's army as had formerly embraced their party, and told them, "That as they were already reputed traitors by God, they should likewise be excommunicated from their society, and from the participation of the sacraments of the church, which God by his mighty power had erected among them; whose ministers have the same authority which Christ granted to his apostles in these words, *If those sins ye shall forgive shall be forgiven, and whose sins ye shall retain shall be retained.*"<sup>9</sup> We may here see, that these new saints were no less lofty in their pretensions than the ancient hierarchy: no wonder they were enraged against the latter, as their rivals in dominion. They joined to all these declarations an address to the established church; and they affixed this title to it: "To the generation of Antichrist, the pestilent prelates and their *shavelings*" in Scotland, the Congregation of Christ Jesus within the same sayeth." The tenor of the manifesto was suitable to the title. They told the ecclesiastics, "As ye by tyranny intend not only to destroy our bodies, but also by the same to hold our souls in bondage of the devil, subject to idolatry; so shall we, with all the force and power which God shall grant unto us, execute just vengeance and punishment upon you: yea, we shall begin the same war which God commanded Israel to execute against the Canaanites; that is, contract of peace shall never be made till you desist from your open idolatry and cruel persecution of God's children. And this, in the name of the eternal God, and of his son Christ Jesus, whose verity we profess, and gospel we have preached, and holy sacraments rightly administered, we signify unto you, to be our intent, so far as God will assist us to withstand your idolatry. Take this for warning, and be not deceived."<sup>10</sup> With these outrageous symptoms, commenced in Scotland that cant, hypocrisy, and fanaticism, which long infested that kingdom, and which, though now mollified by the lenity of the civil power, is still ready to break out on all occasions.

The queen-regent finding such obstinate zeal in the rebels, was content to embrace the counsels of Argyle and the Prior of St. Andrews, and to form an accommodation with them. She was received into Perth, which submitted, on her promising an indemnity for past offences, and engaging not to leave any French garrison in the place. Complaints, very ill founded, immediately arose, concerning the infraction of this capitulation. Some of the inhabitants, it was pretended, were molested, on account of

<sup>1</sup> *Knox*, p. 131. <sup>2</sup> *Ibid.*, p. 133. <sup>3</sup> *Ibid.*, p. 134, 135. <sup>4</sup> *Mem. de la Reine*, p. 131. <sup>5</sup> *Ibid.*, p. 133. <sup>6</sup> *Ibid.*, p. 134. <sup>7</sup> *Ibid.*, p. 135. <sup>8</sup> *Ibid.*, p. 136. <sup>9</sup> *Ibid.*, p. 137. <sup>10</sup> *Ibid.*, p. 138.

was probably nothing but a rumour spread abroad to catch the populace. If the papers have sometimes so claimed, that no fault was to be found with the papists, it is only because they seem also to have thought, that no fault ought to be found with the reformers.

<sup>11</sup> *Scott's Hist.*, p. 121. *Knox*, p. 137.

<sup>12</sup> *Ibid.*, p. 134.

<sup>13</sup> *Ibid.*, p. 135. <sup>14</sup> *Ibid.*, p. 136.

<sup>15</sup> *Ibid.*, p. 137. <sup>16</sup> *Ibid.*, p. 138.

<sup>17</sup> *Ibid.*, p. 139. <sup>18</sup> *Ibid.*, p. 140.

<sup>19</sup> *Ibid.*, p. 141. <sup>20</sup> *Ibid.*, p. 142.

<sup>21</sup> *Ibid.*, p. 143. <sup>22</sup> *Ibid.*, p. 144.

<sup>23</sup> *Ibid.*, p. 145. <sup>24</sup> *Ibid.*, p. 146.

<sup>25</sup> *Ibid.*, p. 147. <sup>26</sup> *Ibid.*, p. 148.

the late violence; and some companies of Scotch soldiers, supposed to be in French pay, were quartered in the town; which step, though taken on very plausible grounds, was loudly exclaimed against by the Congregation.<sup>x</sup> It is asserted, that the regent, to justify these measures, declared that princes ought not to have their promises too strictly urged upon them; nor was any faith to be kept with heretics; and that, for her part, could she find as good a colour, she would willingly receive all these men at their lives and fortunes.<sup>y</sup> But it is nowise likely that such expressions ever dropped from this prudent and virtuous princess. On the contrary, it appears, that all these violence were disagreeable to her; that she was in this particular overruled by the authority of the French counsellors placed about her; and that she often thought, if the management of those affairs had been intrusted wholly to herself, she could easily, without force, have accommodated all differences.<sup>z</sup>

The Congregation, inflamed with their own zeal, and enraged by these disappointments, remained not long in tranquillity. Even before they left Perth, and while as yet they had no colour to complain of any violation of treaty, they had signed a new covenant, in which, besides their engagements to mutual defence, they vowed, in the name of God, to employ their whole power in destroying every thing that dishonoured his holy name; and this covenant was subscribed, among others, by Argyle, and the Prior of St. Andrew's.<sup>a</sup> These two leaders now desired no better pretence for deserting the regent, and openly joining their associates, than the complaints, however doubtful, or rather false, of her breach of promise. The Congregation also, encouraged by this accession of force, gave themselves up entirely to the furious zeal of Knox, and renewed at Crail, Anstruther, and other places in Fife, like depredations on the churches and monasteries with those formerly committed at Perth and Coupar. The regent, who marched against them with her army, finding their power so much increased, was glad to conclude a truce for a few days, and to pass over with her forces to the Lothians. The reformers besieged and took Perth; proceeded thence to Stirling, where they exercised their usual fury; and finding nothing able to resist them, they bent their march to Edinburgh, the inhabitants of which, as they had already anticipated the zeal of the Congregation against the churches and monasteries, gladly opened their gates to them. The regent, with a few forces which remained with her, took shelter in Dunbar, where she fortified herself, in expectation of a reinforcement from France.

Meanwhile, she employed her partisans in representing to the people the dangerous consequences of this open rebellion; and she endeavoured to convince them, that the Lord James, under pretence of religion, had formed the scheme of wresting the sceptre from the hands of the sovereign. By these considerations many were engaged to desert the army of the Congregation; but much more by the want of pay or any means of subsistence; and the regent, observing the malice to be much weakened, ventured to march to Edinburgh, with a design of suppressing them. On the interposition of the Duke of Chateaufort, who still adhered to her, she agreed to a capitulation, in which she granted them a toleration of their religion, and they engaged to commit no further depredations on the churches. Soon after they evacuated the city; and before they left it, they proclaimed the

articles of agreement; but they took care to publish only the articles favourable to themselves, and they were guilty of an imposture, in adding one to the number, namely, that idolatry should not again be erected in any place where it was at that time suppressed.<sup>b</sup>

An agreement, concluded while men were in this disposition, could not be durable; and both sides endeavoured to strengthen themselves as much as possible against the ensuing rupture, which appeared inevitable. The regent, having got a reinforcement of one thousand men from France, began to fortify Leith; and the Congregation seduced to their party the Duke of Chateaufort, who had long appeared inclined to join them, and who was at last determined by the arrival of his son, the Earl of Arran, from France, where he had escaped many dangers, from the jealousy, as well as bigotry, of Henry and the Duke of Guise. More French troops soon after disembarked, under the command of La Brosse, who was followed by the Bishop of Amiens, and three doctors of the Sorbonne. These last were supplied with store of syllogisms, authorities, citations, and scholastic arguments which they intended to oppose to the Scotch preachers, and which they justly presumed would acquire force, and produce conviction, by the influence of the French arms and artillery.<sup>c</sup>

The constable Montmorency had always opposed the marriage of the dauphin with the Queen of Scots, and had foretold, that by forming such close connexions with Scotland, the ancient league would be dissolved; and the natives of that kingdom, jealous of a foreign yoke, would soon become, instead of allies attached by interest and inclination, the most inveterate enemies to the French government. But though the event seemed now to have justified the prudence of that aged minister, it is not improbable, considering the violent counsels by which France was governed, that the insurrection was deemed a favourable event; as affording a pretence for sending over armies, for entirely subduing the country, for attainting the rebels,<sup>d</sup> and for preparing means thence to invade England, and support Mary's title to the crown of that kingdom. The leaders of the Congregation, well acquainted with these views, were not insensible of their danger, and saw that their only safety consisted in the vigour and success of their measures. They were encouraged by the intelligence received of the sudden death of Henry II.; and having passed an act from their own authority, depriving the queen-dowager of the regency, and ordering all the French troops to evacuate the kingdom, they collected forces to put their edict in execution against them. They again became masters of Edinburgh; but found themselves unable to keep long possession of that city. Their tumultuary armies, assembled in haste, and supported by no pay, soon separated upon the least disaster, or even any delay of success; and were incapable of resisting such veteran troops as the French, who were also seconded by some of the Scottish nobility, among whom, the Earl of Bothwell distinguished himself. Hearing that the Marquis of Elbeuf, brother to the regent, was levying an army against them in Germany, they thought themselves excusable for applying, in this extremity, to the assistance of England; and, as the sympathy of religion, as well as regard to national liberty, had now counterbalanced the ancient animosity against that kingdom, this measure was the result of inclination, no less than of interest.<sup>e</sup> Maitland of Lidington, therefore, and Robert Melvil, were secretly

to execute a sentence so indignantly obtained. And to what purpose could it serve?

a Keith, p. 89. Knox, p. 138.

b Keith, vol. 1, p. 139, 135. This author pretends that this article was agreed to verbally, but that the queen's scribes omitted it in the treaty which was signed. The story is very unlikely, or rather very absurd; and in the mean time it is allowed that the article is not in the treaty; nor do the Congregation, in their subsequent manifesto, insist upon it. Knox, p. 184. Besides, would the queen regent, in an article of a treaty, call her own religion idolatry?

c Spotswood, p. 134. Thuan lib. xiv. c. 10.

d Keith, vol. 1, p. 139. Thuan lib. xiv. c. 13.

e The Scotch lords, in their declaration say, "How far we have sought support of England, or of any other prince, and what just cause we had and have so to do, we shall shortly make manifest unto the world, to the praise of God's holy name, and to the confusion of all those that slander us for so doing: for thus we fear not to confess, that as in this enterprise against the devil, against idolaters and the maintainers of the same, we chiefly and only seek God's glory to be increased upon men, so to be punished, and virtue to be maintained, such are power takers of ourselves, we will seek it whosoever God shall offer the same." Knox, p. 176.

x Knox, p. 130.

y Ibid. Spotswood, p. 123.

z Spotswood, p. 116. Melvil, p. 23. Knox, p. 225, 228. Lesley, lib. x. that there was some violation of the capitulation of Perth, in which it is not very clearly related. The companies of Scotch soldiers were probably in some cases, since the Congregation complains, that the country was oppressed with taxes, to maintain armies. Knox, p. 164, 165. And even if there had been in French pay, it had been no breach of the capitulation, since they were not national troops, not French. Knox does not say, p. 132, that some of the inhabitants of Perth were tried or punished for their past

sin, but only that they were oppressed with the quartering of soldiers; and the Congregation, in their manifesto, say only that many of them had fled for fear. This plain detection of the calumny, with regard to the breach of the capitulation of Perth, may make us suspect a like calumny against the pretended promise not to give sentence against the ministers. The affair lay altogether between the regent and the Laird of Dun; and that gentleman, though a man of sense and character, might be willing to take some general professions for promises. If the queen, overruled by the power of the Congregation, gave such a promise in order to have liberty to proceed to a sentence; how could she expect to have power

despatched by the Congregation to solicit succours from Elizabeth.

The wise council of Elizabeth did not long deliberate in agreeing to this request, which concurred so well with the views and interests of their mistress. Cecil, in particular, represented to the queen, that the union of the crowns of Scotland and France, both of them the hereditary enemies of England, was ever regarded as a pernicious exert; and her father, as well as Protector Somerset, had employed every expedient, both of war and negotiation, to prevent it; that the claim which Mary advanced to the crown, rendered the present situation of England still more dangerous, and demanded, on the part of the queen, the greatest vigilance and precaution: that the capacity, ambition, and exorbitant views of the family of Guise, who now governed the French counsels, were sufficiently known; and they themselves made no secret of their design to place their niece on the throne of England: that deeming themselves secure of success, they had already, somewhat impudently and prematurely, taken off the mask; and Throgmorton, the English ambassador at Paris, sent over, by every courier, incontestable proofs of their hostile intentions: that they only waited till Scotland should be entirely subdued; and having thus deprived the English of the advantages resulting from their situation and naval power, they prepared means for subverting the queen's authority: that the zealous catholics in England, discontented with the present government, and satisfied in the legality of Mary's title, would bring them considerable reinforcement, and would disturb every measure of defence against that formidable power: that the only expedient for preventing these designs was to seize the present opportunity, and take advantage of a like zeal in the protestants of Scotland; nor could any doubt be entertained with regard to the justice of a measure, founded on such evident necessity, and directed only to the ends of self-preservation: that though a French war, attended with great expense, seemed the necessary consequence of supporting the malcontents in Scotland, that power, if removed to the continent, would be much less formidable; and a small disbursement at present would, in the end, be found the greatest frugality: and that the domestic dissensions of France, which every day augmented, together with the alliance of Philip, who, notwithstanding his bigotry and hypocrisy, would never permit the entire conquest of England, were sufficient to secure the queen against the dangerous ambition and resentment of the house of Guise.

Elizabeth's propensity to caution and economy was, though with some difficulty,<sup>a</sup> overcome by these powerful motives; and she prepared herself to support, by arms and money, the declining affairs of the Congregation in Scotland. She equipped a fleet, which consisted of thirteen ships of war; and giving the command of it to Winter, she sent it to the frith of Forth: she appointed the young Duke of Norfolk her lieutenant in the northern counties, and she assembled at Berwick an army of eight thousand men, under the command of Lord Gray, warden of the east and middle marches. Though the court of France, sensible of the danger, offered her to make immediate restitution of Calais, provided she would not interpose in the affairs of Scotland; she resolutely replied, that she never would put an inconsiderable fishing-town in competition with the safety of her dominions;<sup>b</sup> and she still continued her preparations. She concluded a treaty of mutual defence with the Congregation, which was to last during the marriage of the Queen of Scots with Francis, and a year after; and she promised never to desist till the French had entirely evacuated Scotland.<sup>c</sup> And having thus taken all proper measures for success, and received from the Scots six hostages for the performance of the articles, she ordered her fleet and army to begin their operations.

A. D. 1560. The appearance of Elizabeth's fleet in the frith disconcerted the French army, who

were at that time ravaging the county of Fife; and obliged them to make a circuit by Stirling, in order to reach Leith, where they prepared themselves for defence. The English army, reinforced by five thousand Scots,<sup>d</sup> sat down before the place; and after two skirmishes, in the former of which the English had the advantage, in the latter the French, they began to batter the town; and though repulsed with considerable loss in a rash and ill-conducted assault, they reduced the garrison to great difficulties. Their distress was augmented by two events; the dispersion by a storm of D'Elbeuf's fleet, which carried a considerable army on board,<sup>e</sup> and the death of the queen-regent, who expired about this time in the castle of Edinburgh; a woman endowed with all the capacity which shone forth in her family, but possessed of much more virtue and moderation than appeared in the conduct of the other branches of it. The French, who found it impossible to subsist for want of provisions, and who saw, that the English were continually reinforced by fresh numbers, were obliged to capitulate: and

5th July.

the Bishop of Valence, and Count Randan, plenipotentiaries from France, signed a treaty at Edinburgh with Cecil and Dr. Wotton, whom Elizabeth had sent thither for that purpose. It was there stipulated, Settlement of Scotland. that the French should instantly evacuate Scotland; that the King and Queen of France and Scotland should thenceforth abstain from bearing the arms of England, or assuming the title of that kingdom; that further satisfaction for the injury already done in that particular, should be granted Elizabeth; and that commissioners should meet to settle this point, or if they could not agree, that the King of Spain should be umpire between the crowns. Besides these stipulations, which regarded England, some concessions were granted to the Scots; namely, that an amnesty should be published for all past offences; that none but natives should enjoy any office in Scotland; that the states should name twenty-four persons, of whom the Queen of Scots should choose seven, and the states five, and in the hands of these twelve should the whole administration be placed during the queen's absence; and that Mary should neither make peace nor war without consent of the states.<sup>f</sup> In order to hasten the execution of this important treaty, Elizabeth sent ships, by which the French forces were transported into their own country.

Thus Europe saw, in the first transaction of this reign, the genius and capacity of the queen and her ministers. She discerned at a distance the danger which threatened her; and instantly took vigorous measures to prevent it. Making all possible advantages of her situation, she proceeded with celerity to a decision; and was not diverted by any offers, negotiations, or remonstrances of the French court. She stopped not till she had brought the matter to a final issue; and had converted that very power, to which her enemies trusted for her destruction, into her firmest support and security. By exacting no improper conditions from the Scottish malcontents, even during their greatest distresses, she established an entire confidence with them; and having cemented the union by all the ties of gratitude, interest, and religion, she now possessed an influence over them beyond what remained even with their native sovereign. The regard which she acquired by this dexterous and spirited conduct gave her every where, abroad as well as at home, more authority than had attended her sister, though supported by all the power of the Spanish monarchy.<sup>g</sup>

The subsequent measures of the Scottish reformers tended still more to cement their union with England. Being now entirely masters of the kingdom, they made no further ceremony or scruple in fully effecting their purpose. In the treaty of Edinburgh it had been agreed, that a parliament or convention should soon be assembled; and the leaders of the Congregation, not waiting till the Queen of Scots should ratify that treaty, thought themselves fully entitled, without the sovereign's authority, immediately to summon a parliament. The reformers presented a petition

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<sup>a</sup> Forster, vol. i. p. 151, 136, 149, 150, 159, 165, 181, 194, 220, 241, 245, 251, 256.  
<sup>b</sup> Forster, vol. i. p. 267. Tabb, vol. i. p. 418. Keith, Appendix 24.  
<sup>c</sup> Forster, vol. i. p. 454, 460.  
<sup>d</sup> Forster, vol. i. p. 116.

<sup>e</sup> Knox, p. 217. Haynes's State Papers, vol. i. p. 153. Rymer, tom. vi. p. 569.  
<sup>f</sup> Haynes, vol. i. p. 256, 259. m. Haynes, vol. i. p. 223.  
<sup>g</sup> Rymer, vol. i. p. 273. Keith, p. 137. Spotswood, p. 147. Knox, p. 229.  
<sup>h</sup> Forster, vol. i. p. 351, 371. Tabb, vol. i. p. 452.



to this assembly, in which they were not contented with desiring the establishment of their doctrine; they also applied for the punishment of the catholics, whom they called *vassals to the Roman harlot*; and they asserted, that among all the rabble of the clergy, such as their expression, there was not one lawful minister; but that they were, all of them, thieves and murderers; yea, rebels and traitors to civil authority; and therefore unworthy to be suffered in any reformed commonwealth. The parliament seem to have been actuated by the same spirit of rage and persecution. After ratifying a confession of faith agreeable to the new doctrines, they passed a statute against the mass, and not only abolished it in all the churches, but enacted, that whoever, any where, either officiated in it, or was present at it, should be chastised, for the first offence, with confiscation of goods and corporal punishment, at the discretion of the magistrate; for the second, with banishment; and for the third, with loss of life. A law was also voted for abolishing the papal jurisdiction in Scotland: the presbyterian form of discipline was settled, leaving only at first some shadow of authority to certain ecclesiastics whom they called *superintendents*. The prelates of the ancient faith appeared, in order to complain of great injustice committed on them by the invasion of their property, but the parliament took no notice of them: till, at last, these ecclesiastics, tired with fruitless attendance, departed the town. They were then cited to appear; and as nobody presented himself, it was voted by the parliament, that the ecclesiastics were entirely satisfied, and found no reason of complaint.

Sir James Sandilands, Prior of St. John, was sent over to France to obtain the ratification of these acts; but was very ill received by Mary, who denied the validity of a parliament summoned without the royal consent; and she refused her sanction to those statutes. But the protestants gave themselves little concern about their queen's refusal. They immediately put the statutes in execution; they abolished the mass; they settled their ministers; they committed every where furious devastations on the monasteries, and even on the churches, which they thought profaned by idolatry; and deeming the property of the clergy lawful prize, they took possession, without ceremony, of the far greater part of the ecclesiastical revenues. Their new preachers, who had authority sufficient to incite them to war and insurrection, could not restrain their rapacity; and fanaticism concurring with avarice, an incurable wound was given to the papal authority in that country. The protestant nobility and gentry, united by the consciousness of such unpardonable guilt, alarmed for their new possessions, well acquainted with the imperious character of the house of Guise, saw no safety for themselves but in the protection of England; and they despatched Morton, Glencarne, and Lidington, to express their sincere gratitude to the queen for her past favours, and to represent to her the necessity of continuing them.

**French affairs.** Elizabeth, on her part, had equal reason to maintain a union with the Scottish protestants; and soon found that the house of Guise, notwithstanding their former disappointments, had not laid aside the design of contesting her title, and subverting her authority. Francis and Mary, whose counsels were wholly directed by them, refused to ratify the treaty of Edinburgh; and showed no disposition to give her any satisfaction for that mortal affront which they had put upon her, by their openly assuming the title and arms of England. She was sensible of the danger attending such pretensions; and it was with pleasure she heard of the violent factions which prevailed in the French government, and of the opposition which had arisen against the measures of the Duke of Guise. That ambitious prince, supported by his four brothers, the Cardinal of Lorraine, the Duke of Aumale, the Marquis of Elbeuf, and the Grand Prior, men no less ambitious than himself, had engrossed all the authority of the crown; and as he was possessed of every quality which could command the esteem or seduce the affections of men, there appeared no end of his acquisitions and pretensions. The constable, Montmorency, who had long balanced his credit, was deprived of all power:

the princes of the blood, the King of Navarre, and his brother, the Prince of Condé, were entirely excluded from offices and favour: the queen-mother herself, Catherine de Medicis, found her influence every day declining; and as Francis, a young prince, infirm both in mind and body, was wholly governed by his consort, who knew no law but the pleasure of her uncles, men despaired of ever obtaining freedom from the dominion of that aspiring family. It was the contests of religion which first inspired the French with courage openly to oppose their unlimited authority.

The theological disputes first started in the north of Germany, next in Switzerland, countries at that time wholly illiterate, had long ago penetrated into France, and as they were assisted by the general discontent against the court and church of Rome, and by the zealous spirit of the age, the proselytes to the new religion were secretly increasing in every province. Henry II., in imitation of his father Francis, had opposed the progress of the reformers; and though a prince addicted to pleasure and society, he was transported by a vehemence, as well as bigotry, which had little place in the conduct of his predecessor. Rigorous punishments had been inflicted on the most eminent of the protestant party; and a point of honour seemed to have arisen, whether the one sect could exercise, or the other suffer, most barbarity. The death of Henry put some stop to the persecutions; and the people, who had admired the constancy of the new preachers, now heard with favour their doctrines and arguments. But the Cardinal of Lorraine, as well as his brothers, who were possessed of the legal authority, thought it their interest to support the established religion; and when they revived the execution of the penal statutes, they necessarily drove the malcontent princes and nobles to embrace the protection of the new religion. The King of Navarre, a man of mild dispositions, but of a weak character, and the Prince of Condé, who possessed many great qualities, having declared themselves in favour of the protestants, that sect acquired new force from their countenance; and the admiral Coligni, with his brother Andelot, no longer scrupled to make open profession of their communion. The integrity of the admiral, who was believed sincere in his attachment to the new doctrine, and his great reputation both for valour and conduct, for the arts of peace as well as of war, brought credit to the reformers; and after a frustrated attempt of the malcontents to seize the king's person at Amboise, of which Elizabeth had probably some intelligence, every place was full of distraction, and matters hastened to an open rupture between the parties. But the house of Guise, though these factions had obliged them to remit their efforts in Scotland, and had been one chief cause of Elizabeth's success, were determined not to relinquish their authority in France, or yield to the violence of their enemies. They found an opportunity of seizing the King of Navarre and the Prince of Condé; they threw the former into prison; they obtained sentence of death against the latter; and they were proceeding to put the sentence in execution, when the king's sudden death saved the noble prisoner, and interrupted the prosperity of the Duke of Guise. The queen-mother was appointed regent to her son, Charles IX., now in his minority: 4th Dec. the King of Navarre was named lieutenant-general of the kingdom: the sentence against Condé was annulled: the constable was recalled to court: and the family of Guise, though they still enjoyed great offices and great power, found a counterpoise to their authority.

Elizabeth was determined to make advantage of these events against the Queen of Scots, whom she still regarded as a dangerous rival. She saw herself freed from the perils attending a union of Scotland with France, and from the pretensions of so powerful a prince as Francis; but she considered, at the same time, that the English catholics, who were numerous, and who were generally prejudiced in favour of Mary's title, would now adhere to that princess with more zealous attachment, when they saw that her succession no longer endangered the liberties of the kingdom, and was rather attended with the advan-

of effecting an entire union with Scotland. She gave orders, therefore, to her ambassador, Throgmorton, a vigilant and able minister, to renew his applications to the Queen of Scots, and to require her ratification of the treaty of Edinburgh. But though Mary had desisted, after her husband's death, from bearing the arms and title of Queen of England, she still declined gratifying Elizabeth in this momentous article; and being swayed by the ambitious suggestions of her uncles, she refused to make any formal renunciation of her pretensions.

Meanwhile, the queen-mother of France, who imputed to Mary all the mortifications which she had met with during Francis's life-time, took care to retaliate on her by like injuries; and the Queen of Scots, finding her abode in France disagreeable, began to think of returning to her native country. Lord James, who had been sent in deputation from the States, to invite her over, seconded these intentions; and she applied to Elizabeth, by D'Oisel, for a safe-conduct, in case she should be obliged to pass through England;\* but she received for answer, that, till she had given satisfaction, by ratifying the treaty of Edinburgh, she could expect no favour from a person whom she had so much injured. This denial excited her indignation; and she made no scruple of expressing her sentiments to Throgmorton, when he reiterated his applications to gratify his mistress in a demand which he represented as so reasonable. Having cleared the room of her attendants, she said to him, "How weak I may prove, or how far a woman's frailty may transport me, I cannot tell: however, I am resolved not to have so many witnesses of my infirmity as your mistress had at her audience of my ambassador, D'Oisel. There is nothing disturbs me so much, as the having asked, with so much importunity, a favour which it was of no consequence for me to obtain. I can, with God's leave, return to my own country, without her leave; as I came to France, in spite of all the opposition of her brother, King Edward: neither do I want friends, both able and willing to conduct me home, as they have brought me hither; though I was desirous rather to make an experiment of your mistress's friendship, than of the assistance of any other person. I have often heard you say, that a good correspondence between her and myself would conduce much to the security and happiness of both our kingdoms: were she well convinced of this truth, she would hardly have denied me so small a request. But, perhaps, she bears a better inclination to my rebellious subjects than to me, their sovereign, her equal in royal dignity, her near relation, and the undoubted her of her kingdoms. Besides her friendship, I ask nothing at her hands: I neither trouble her, nor concern myself in the affairs of her state: not that I am ignorant, that there are now in England a great many malcontents, who are no friends to the present establishment. She is pleased to upbraid me as a person little experienced in the world: I freely own it; but age will cure that defect. However, I am already old enough to acquit myself honestly and courteously to my friends and relations, and to encourage no reports of your mistress, which would misbecome a queen and her kinswoman. I would also say, by her leave, that I am queen as well as she, and not altogether friendless: and, perhaps, I have as great a soul too: so that methinks we should be upon a level in our treatment of each other. As soon as I have consulted the states of my kingdom, I shall be ready to give her a reasonable answer; and I am the more intent on my journey, in order to make the quicker despatch in this affair. But she, it seems, intends to stop my journey; so that either she will not let me give her satisfaction, or is resolved not to be satisfied; perhaps on purpose to keep up the disagreement between us. She has often reproached me with my being young; and I must be very young indeed, and as ill advised, to treat of matters of such great concern and importance without the advice of my parliament. I have not been wanting in all friendly offices to her; but she disbelieves or overlooks them. I could heartily wish, that I were as nearly allied to her in affection as in blood: for that, indeed, would be a most valuable alliance.<sup>2</sup>

Such a spirited reply, notwithstanding the obliging

terms interspersed in it, was but ill fitted to conciliate friendship between these rival princesses, or cure those mutual jealousies which had already taken place. Elizabeth equipped a fleet, on pretence of pursuing pirates, but probably with an intention of intercepting the Queen of Scots in her return homewards. Mary embarked at Calais; and passing the English fleet in a fog, arrived safely at Leith, attended by her three uncles, the Duke of Aumale, the Grand Prior, and the Marquis of Elbeuf, together with the Marquis of Damville, and other French courtiers. This change of abode and situation was very little agreeable to that princess. Besides her natural prepossessions in favour of a country in which she had been educated from her earliest infancy, and where she had borne so high a rank, she could not forbear both regretting the society of that people, so celebrated for their humane disposition, and their respectful attachment to their sovereign, and reflecting on the disparity of the scene which lay before her. It is said, that, after she was embarked at Calais, she kept her eyes fixed on the coast of France, and never turned them from that beloved object, till darkness fell, and intercepted it from her view. She then ordered a couch to be spread for her in the open air; and charged the pilot, that if in the morning the land were still in sight, he should awake her, and afford her one parting view of that country, in which all her affections were centred. The weather proved calm, so that the ship made little way in the night-time: and Mary had once more an opportunity of seeing the French coast. She sat up on her couch, and still looking towards the land, often repeated these words: "Farewell, France, farewell: I shall never see thee more."<sup>3</sup> The first aspect, however, of things in Scotland was more favourable, if not to her pleasure and happiness, at least to her repose and security, than she had reason to apprehend. No sooner did the French galleys appear off Leith, than people of all ranks, who had long expected their arrival, flocked towards the shore with an earnest impatience to behold and receive their young sovereign. Some were led by duty, some by interest, some by curiosity; and all combined to express their attachment to her, and to insinuate themselves into her confidence, on the commencement of her administration. She had now reached her nineteenth year; and the bloom of her youth and amiable beauty of her person were further recommended by the affability of her address, the politeness of her manners, and the elegance of her genius. Well accomplished in all the superficial, but engaging graces of a court, she afforded, when better known, still more promising indications of her character; and men prognosticated both humanity from her soft and obliging deportment, and penetration from her taste in all the refined arts of music, eloquence, and poetry.<sup>4</sup> And as the Scots had long been deprived of the presence of their sovereign, whom they once despaired ever more to behold among them, her arrival seemed to give universal satisfaction; and nothing appeared about the court but symptoms of affection, joy, and festivity.

The first measures which Mary embraced confirmed all the prepossessions entertained in her favour. She followed the advice given her in France by D'Oisel and the Bishop of Amiens, as well as her uncles; and she bestowed her confidence entirely on the leaders of the reformed party, who had greatest influence over the people, and who, she found, were alone able to support her government. Her brother, Lord James, whom she soon after created Earl of Murray, obtained the chief authority; and after him Lidington, secretary of state, a man of great sagacity, had a principal share in her confidence. By the vigour of these men's measures she endeavoured to establish order and justice in a country divided by public factions and private feuds; and that fierce, intractable people, unacquainted with laws and obedience, seemed, for a time, to submit peaceably to her gentle and prudent administration.

But there was one circumstance which blasted all these promising appearances, and bereaved Mary of that general favour which her agreeable manners and judicious deportment gave her just reason to expect. She was still a

19th Aug.  
Arrival of Mary  
in Scotland.

\* Goddall, vol. i. p. 175. <sup>2</sup> Caballus, p. 374. Spotswood, p. 177.  
<sup>3</sup> Keith, p. 179. Jebb, vol. ii. p. 463.

<sup>4</sup> W. Burcham, lib. xvi. c. 9. Spotswood, p. 178, 179. Keith, p. 180.  
Thomson, lib. xxix. c. 2.

papist; and though she published, soon after her arrival, a proclamation, enjoining every one to submit to the established religion, the preachers and their adherents could neither be reconciled to a person polluted with so great an abomination, nor lay aside the jealousies of her future conduct. It was with great difficulty she could obtain permission for saying mass in her own chapel; and had not the people apprehended, that, if she had here met with a refusal, she would instantly have returned to France, the zealots never would have granted her even that small indulgence. The cry was, "Shall we suffer that idol to be again erected within the realm?" It was asserted in the pulpit, that one mass was more terrible than ten thousand armed men landed to invade the kingdom:<sup>x</sup> Lord Lindesey, and the gentlemen of Fife, exclaimed, "That the idolater should die the death;" such was their expression. One that carried tapers for the ceremony of that worship, was attacked and insulted in the court of the palace: and if Lord James, and some popular leaders, had not interposed, the most dangerous uproar was justly apprehended from the ungoverned fury of the multitude.<sup>y</sup> The usual prayers in the churches were to this purpose: that God would turn the queen's heart, which was obstinate against him and his truth; or if his holy will be otherwise, that he would strengthen the hearts and hands of the elect, stoutly to oppose the rage of all tyrants.<sup>z</sup> Nay, it was openly called in question, whether that princess, being an idolatress, was entitled to any authority, even in civil matters.<sup>a</sup>

The helpless queen was every moment exposed to contumely, which she bore with benignity and patience. Soon after her arrival she dined in the castle of Edinburgh, and it was there contrived, that a boy, six years of age, should be let down from the roof, and should present her with a bible, a psalter, and the keys of the castle. Lest she should be at a loss to understand this insult on her as a papist, all the decorations expressed the burning of Corah, Dathan, and Abiram, and other punishments inflicted by God upon idolatry.<sup>b</sup> The town council of Edinburgh had the assurance, from their own authority, to issue a proclamation, banishing from their district "all the wicked rabble of antichrist, the Pope, such as priests, monks, friars, together with adulterers and fornicators."<sup>c</sup> And because the privy council suspended the magistrates for their insolence, the passionate historians<sup>d</sup> of that age have inferred, that the queen was engaged, by a sympathy of manners, to take adulterers and fornicators under her protection. It appears probable, that the magistrates were afterwards reinstated in their office, and that their proclamation was confirmed.<sup>e</sup>

But all the insolence of the people was inconsiderable, in comparison of that which was exercised by the clergy and the preachers, who took a pride in vilifying, even to her face, this amiable princess. The assembly of the church framed an address, in which, after telling her that her mass was a bastard service of God, the fountain of all impiety, and the source of every evil which abounded in the realm; they expressed their hopes that she would, ere this time, have preferred truth to her own pre-conceived opinion, and have renounced her religion, which, they assured her, was nothing but abomination and vanity. They said, that the present abuses of government were so enormous, that, if a speedy remedy were not provided, God would not fail, in his anger, to strike the head and the tail, the disobedient prince and sinful people. They required, that severe punishment should be inflicted on adulterers and fornicators. And they concluded with demanding for themselves some addition both of power and property.<sup>f</sup>

The ringleader in all these insults on majesty was John Knox; who possessed an uncontrolled authority in the church, and even in the civil affairs of the nation, and who triumphed in the contumelious usage of his sovereign. His usual appellation for the queen was Jezebel; and though she endeavoured, by the most gracious condescension, to win his favour, all her insinuations could gain nothing on his obdurate heart. She promised him access

to her whenever he demanded it; and she even desired him, if he found her blamable in any thing, to reprehend her freely in private, rather than vilify her in the pulpit before the whole people: but he plainly told her, that he had a public ministry intrusted to him; that if she would come to church, she should there hear the gospel of truth; and that it was not his business to apply to every individual, nor had he leisure for that occupation.<sup>g</sup> The political principles of the man, which he communicated to his brethren, were as full of sedition as his theological were of rage and bigotry. Though he once condescended so far as to tell the queen, that he would submit to her, in the same manner as Paul did to Nero;<sup>h</sup> he remained not long in this dutiful strain. He said to her, that "Samuel feared not to slay Agag, the fat and delicate King of Amalek, whom King Saul had saved: neither spared Elias Jezebel's false prophets, and Baal's priests, though King Ahab was present. Phineas," added he, "was no magistrate; yet feared he not to strike Cosbi and Zimri in the very act of filthy fornication. And so, madam, your Grace may see, that others than chief magistrates may lawfully inflict punishment on such crimes as are condemned by the law of God."<sup>i</sup> Knox had formerly, during the reign of Mary of England, written a book against female succession to the crown: the title of it is, *The first blast of the trumpet against the monstrous regiment of women*. He was too proud either to recant the tenets of this book, or even to apologize for them; and his conduct showed, that he thought no more civility than loyalty due to any of the female sex.

The whole life of Mary was, from the demeanour of these men, filled with bitterness and sorrow. This rustic apostle scruples not, in his history, to inform us, that he once treated her with such severity, that she lost all command of temper, and dissolved in tears before him: yet, so far from being moved with youth, and beauty, and royal dignity reduced to that condition, he persevered in his insolent reproaches; and when he relates this incident, he discovers a visible pride and satisfaction in his own conduct.<sup>k</sup> The pulpits had become mere scenes of railing against the vices of the court; among which were always noted, as the principal, feasting, fiery, dancing, balls, and whoredom, their necessary attendant.<sup>l</sup> Some ornaments, which the ladies at that time wore upon their petticoats, excited mightily the indignation of the preachers; and they affirmed, that such vanity would provoke God's vengeance, not only against these foolish women, but against the whole realm.<sup>m</sup>

Mary, whose age, condition, and education, invited her to liberty and cheerfulness, was curbed in all amusements, by the absurd severity of these reformers; and she found, every moment, reason to regret her leaving that country, from whose manners she had, in her early youth, received the first impressions.<sup>n</sup> Her two uncles, the Duke of Aumale, and the Grand Prior, with the other French nobility, soon took leave of her: the Marquis of Elbeuf remained some time longer; but after his departure, she was left to the society of her own subjects; men unacquainted with the pleasures of conversation, ignorant of arts and civility, and corrupted beyond their usual rusticity, by a dismal fanaticism, which rendered them incapable of all humanity or improvement. Though Mary had made no attempt to restore the ancient religion, her popery was a sufficient crime: though her behaviour was hitherto irreproachable, and her manners sweet and engaging, her gaiety and ease were interpreted as signs of dissolute vanity. And to the harsh and preposterous usage, which this princess met with, may, in part, be ascribed those errors of her subsequent conduct, which seemed so little of a piece with the general tenor of her character.

There happened to the Marquis of Elbeuf, before his departure, an adventure, which, though frivolous, might enable him to give Mary's friends in France a melancholy idea of her situation. This nobleman, with the Earl of Bothwell, and some other young courtiers, had been engaged, after a debauch, to pay a visit to a woman, called

<sup>x</sup> Knox, p. 267. <sup>y</sup> Ibid. p. 284, 285, 287. <sup>z</sup> Spotswood, p. 179.  
<sup>a</sup> Keith, p. 179. <sup>b</sup> Ibid. p. 202. <sup>c</sup> Ibid. p. 189. <sup>d</sup> Ibid. p. 192.  
<sup>e</sup> Ibid. p. 192. <sup>f</sup> Buchanan, lib. xvii. c. 20. <sup>g</sup> Haynes, vol. i. p. 372.

<sup>h</sup> Keith, p. 202.  
<sup>i</sup> Ibid. p. 228.

<sup>j</sup> Knox, p. 311, 312.  
<sup>k</sup> Ibid. p. 326.

<sup>l</sup> Ibid. p. 310.  
<sup>m</sup> Ibid. p. 312, 313.  
<sup>n</sup> Ibid. p. 294.

<sup>o</sup> Ibid. p. 322.

<sup>p</sup> Ibid. p. 330.



Alison Craig, who was known to be liberal of her favours; and because they were denied admittance, they broke the windows, thrust open the door, and committed some disorders in searching for the damsel. It happened, that the assembly of the church was sitting at that time, and they immediately took the matter under their cognizance. In conjunction with several of the nobility, they presented an address to the queen, which was introduced with this awful prelude: "To the Queen's Majesty, and to her secret and great council, her Grace's faithful and obedient subjects, the professors of Christ Jesus's holy evangel, wish the spirit of righteous judgment." The tenor of the petition was, that the fear of God, the duty which they owed her Grace, and the terrible threatenings denounced by God against every city or country where horrible crimes were openly committed, compelled them to demand the severe punishment of such as had done what in them lay to kindle the wrath of God against the whole realm: that the iniquity of which they complained was so heinous and so horrible, that they should esteem themselves accomplices in it, if they had been engaged by worldly fear, or servile complaisance, to pass it over in silence, or bury it in oblivion: that as they owed her Grace obedience in the administration of justice, so were they entitled to require of her, in return, the sharp and condign punishment of this enormity, which, they repeated it, might draw down the vengeance of God on the whole kingdom: and that they maintained it to be her duty to lay aside all private affections towards the actors in so heinous a crime, and so enormous a villany, and without delay bring them to a trial, and inflict the severest penalties upon them. The queen gave a gracious reception to this peremptory address; but because she probably thought, that breaking the windows of a brothel merited not such severe reprehension, she only replied, that her uncle was a stranger, and that he was attended by a young company: but she would put such order to him, and to all others, that her subjects should henceforth have no reason to complain. Her passing over this incident so slightly, was the source of great discontent, and was regarded as a proof of the most profligate manners.<sup>a</sup> It is not to be omitted, that Alison Craig, the cause of all the uproar, was known to entertain a commerce with the Earl of Arran, who, on account of his great zeal for the Reformation, was, without scruple, indulged in that enormity.<sup>b</sup>

Some of the populace of Edinburgh broke into the queen's chapel during her absence, and committed outrages; for which two of them were indicted, and it was intended to bring them to trial. Knox wrote circular letters to the most considerable zealots of the party, and charged them to appear in town, and protect their brethren. The holy sacraments, he there said, are abused by profane papists; the mass has been said; and in worshipping that idol, the priests have omitted no ceremony, not even the conjuring of their accursed water, that had ever been practised in the time of the greatest blindness. These violent measures for opposing justice were little short of rebellion; and Knox was summoned before the council to answer for his offence. The courage of the man was equal to his insolence. He scrupled not to tell the queen, that the pestilent papists, who had inflamed her against these holy men, were the sons of the devil; and must therefore obey the directions of their father, who had been a liar and a manslayer from the beginning. The matter ended with a full acquittal of Knox.<sup>c</sup> Randolph, the English ambassador in Scotland, had reason to write to Cecil, speaking of the Scottish nation: "I think marvelously of the wisdom of God, that gave this unruly, inconstant, and cumbersome people, no more power nor substance: for they would otherwise run wild."<sup>d</sup>

We have related these incidents at greater length than the necessity of our subject may seem to require: but even trivial circumstances, which show the manners of the age, are often more instructive, as well as entertaining, than the great transactions of wars and negotiations, which are nearly similar in all periods and in all countries of the world.

The reformed clergy in Scotland had, at that time, a

very natural reason for their ill humour; namely, the poverty, or rather beggary, to which they were reduced. The nobility and gentry had at first laid their hands on all the property of the regular clergy, without making any provision for the friars and nuns, whom they turned out of their possessions. The secular clergy of the catholic communion, though they lost all ecclesiastical jurisdiction, still held some of the temporalities of their benefices; and either became laymen themselves, and converted them into private property, or made conveyance of them at low prices to the nobility, who thus enriched themselves by the plunder of the church. The new teachers had hitherto subsisted chiefly by the voluntary oblations of the faithful; and in a poor country, divided in religious sentiments, this establishment was regarded as very scanty and very precarious. Repeated applications were made for a legal settlement to the preachers; and though almost every thing in the kingdom was governed by their zeal and caprice, it was with difficulty that their request was at last complied with. The fanatical spirit which they indulged, and their industry in decrying the principles and practices of the Romish communion, which placed such merit in enriching the clergy, proved now a very sensible obstacle to their acquisitions. The convention, however, passed a vote,<sup>e</sup> by which they divided all the ecclesiastical benefices into twenty-one shares: they assigned fourteen to the ancient possessors: of the remaining seven they granted three to the crown; and if that were found to answer the public expense, they bestowed the overplus on the reformed ministers. The queen was empowered to levy all the seven; and it was ordained that she should afterwards pay to the clergy what should be judged to suffice for their maintenance. The necessities of the crown, the rapacity of the courtiers, and the small affection which Mary bore to the protestant ecclesiastics, rendered their revenues contemptible as well as uncertain; and the preachers, finding that they could not rival the gentry, or even the middling rank of men, in opulence and plenty, were necessitated to betake themselves to other expedients for supporting their authority. They affected a furious zeal for religion, morose manners, a vulgar and familiar, yet mysterious cant; and though the liberality of subsequent princes put them afterwards on a better footing with regard to revenue, and thereby corrected, in some degree, those bad habits; it must be confessed, that while many other advantages attend presbyterian government, these inconveniences are not easily separated from the genius of that ecclesiastical polity.

The Queen of Scots, destitute of all force, possessing a narrow revenue, surrounded with a factious turbulent nobility, a bigoted people, and insolent ecclesiastics, soon found, that her only expedient for maintaining tranquillity was to preserve a good correspondence with Elizabeth,<sup>f</sup> who, by former connexions and services, had acquired such authority over all these ranks of men. Soon after her arrival in Scotland, secretary Lidington was sent to London, in order to pay her compliments to the queen, and express her desire of friendship and a good correspondence; and he received a commission from her, as well as from the nobility of Scotland, to demand, as a means of cementing this friendship, that Mary should, by act of parliament or by proclamation, (for the difference between these securities was not then deemed very considerable,) be declared successor to the crown. No request could be more unreasonable, or made at a more improper juncture. The queen replied, that Mary had once discovered her intention not to wait for the succession, but had openly, without ceremony or reserve, assumed the title of Queen of England, and had pretended a superior right to her throne and kingdom: that though her ambassadors, and those of her husband, the French king, had signed a treaty, in which they renounced that claim, and promised satisfaction for so great an indignity, she was so intoxicated with this imaginary right, that she had rejected the most earnest solicitations, and even, as some endeavoured to persuade her, had incurred some danger in crossing the seas, rather than ratify that equitable treaty: that her partisans every where had still the assurance to insist on her

<sup>a</sup> Knox, p. 392, 393, 394. Keith, p. 509.  
<sup>b</sup> Knox, p. 393, 394. Keith, p. 509.

<sup>c</sup> Knox, ibid.  
<sup>d</sup> Keith, p. 509.

<sup>e</sup> Knox, p. 396. Keith, p. 510.  
<sup>f</sup> Ibid. p. 406.

title, and had presumed to talk of her own birth as illegitimate: that while affairs were on this footing; while a claim thus openly made, so far from being openly renounced, was only suspended till a more favourable opportunity, it would in her be the most egregious imprudence to fortify the hands of a pretender to her crown, by declaring her the successor: that no expedient could be worse imagined for cementing friendship than such a declaration; and kings were often found to bear no good-will to their successors, even though their own children; much more when the connexion was less intimate, and when such cause of disgust and jealousy had already been given, and indeed was still continued, on the part of Mary: that though she was willing, from the amity which she bore her kinswoman, to ascribe her former pretensions to the advice of others, by whose direction she was then governed; her present refusal to relinquish them could proceed only from her own prepossessions, and was a proof that she still harboured some dangerous designs against her: that it was the nature of all men to be disgusted with the present, to entertain flattering views of futurity, to think their services ill rewarded, to expect a better recompence from the successor; and she should esteem herself scarcely half a sovereign over the English, if they saw her declare her heir, and arm her rival with authority against her own repose and safety: that she knew the inconstant nature of the people; she was acquainted with the present divisions in religion; she was not ignorant that the same party which expected greater favour during the reign of Mary, did also imagine that the title of that princess was superior to her own: that for her part whatever claims were advanced, she was determined to live and die Queen of England; and after her death, it was the business of others to examine who had the best pretensions, either by the laws, or by the right of blood, to the succession: that she hoped the claim of the Queen of Scots would then be found solid; and, considering the injury which she herself had received, it was sufficient indulgence, if she promised, in the mean time, to do nothing which might, in any respect, weaken or invalidate it: and that Mary, if her title were really preferable, a point which, for her own part, she had never inquired into, possessed all advantages above her rivals; who, destitute both of present power, and of all support by friends, would only expose themselves to inevitable ruin, by advancing any weak, or even doubtful pretensions."

These views of the queen were so prudent and judicious, that there was no likelihood of her ever departing from them: but that she might put the matter to a fuller proof, she offered to explain the words of the treaty of Edinburgh, so as to leave no suspicion of their excluding Mary's right of succession; and in this form she again required her to ratify that treaty. Matters at last came to this issue, that Mary agreed to the proposal, and offered to renounce all present pretensions to the crown of England, provided Elizabeth would agree to declare her the successor.<sup>2</sup> But such was the jealous character of this latter princess, that she never would consent to strengthen the interest and authority of any claimant, by fixing the succession; much less would she make this concession in favour of a rival queen, who possessed such plausible pretensions for the present, and who, though she might verbally renounce them, could easily resume her claim on the first opportunity. Mary's proposal, however, bore so specious an appearance of equity and justice, that Elizabeth, sensible that reason would, by superficial thinkers, be deemed to lie entirely on that side, made no more mention of the matter; and, though further concessions were never made by either princess, they put on all the appearances of a cordial reconciliation and friendship with each other.

The queen observed that, even without her interposition, Mary was sufficiently depressed by the mutinous spirit of her own subjects; and instead of giving Scotland, for the present, any inquietude or disturbance, she employed herself, more usefully and laudably, in regulating the affairs of her own kingdom, and promoting the happiness of her people.

She made some progress in paying those great debts which lay upon the crown; she regulated the coin, which had been much debased by her predecessors; she furnished her arsenals with great quantities of arms from Germany and other places; engaged her nobility and gentry to imitate her example in this particular; introduced into the kingdom the art of making gunpowder and brass cannon; fortified her frontiers on the side of Scotland; made frequent reviews of the militia; encouraged agriculture, by allowing a free exportation of corn; promoted trade and navigation; and so much increased the shipping of her kingdom, both by building vessels of force herself, and suggesting like undertakings to the merchants, that she was justly styled the Restorer of Naval Glory, and the Queen of the Northern Seas.<sup>3</sup> The natural frugality of her temper, so far from incapacitating her from these great enterprises, only enabled her to execute them with greater certainty and success; and all the world saw in her conduct the happy effects of a vigorous perseverance in judicious and well-concerted projects.

It is easy to imagine that so great a princess, who enjoyed such singular felicity and renown, would receive proposals of marriage from every one that had any likelihood of succeeding; and though she had made some public declarations in favour of a single life, few believed that she would persevere for ever in that resolution. The Archduke Charles, second son of the emperor,<sup>4</sup> as well as Casimir, son of the Elector Palatine, made applications to her; and as this latter prince professed the reformed religion, he thought himself, on that account, better entitled to succeed in his addresses. Eric, King of Sweden, and Adolph, Duke of Holstein, were encouraged, by the same views, to become suitors: and the Earl of Arran, heir to the crown of Scotland, was, by the states of that kingdom, recommended to her as a suitable marriage. Even some of her own subjects, though they did not openly declare their pretensions, entertained hopes of success. The Earl of Arundel, a person declining in years, but descended from an ancient and noble family, as well as possessed of great riches, flattered himself with this prospect; as did also Sir William Pickering, a man much esteemed for his personal merit. But the person most likely to succeed, was a younger son of the late Duke of Northumberland, Lord Robert Dudley, who, by means of his exterior qualities, joined to address and flattery, had become, in a manner, her declared favourite, and had great influence in all her counsels. The less worthy he appeared of this distinction, the more was his great favour ascribed to some violent affection, which could thus seduce the judgment of this penetrating princess; and men long expected that he would obtain the preference above so many princes and monarchs. But the queen gave all these suitors a gentle refusal, which still encouraged their pursuit; and she thought that she should the better attach them to her interests, if they were still allowed to entertain hopes of succeeding in their pretensions. It is also probable that this policy was not entirely free from a mixture of female coquetry; and that, though she was determined in her own mind never to share her power with any man, she was not displeased with the courtship, solicitation, and professions of love, which the desire of acquiring so valuable a prize procured her from all quarters.

What is most singular in the conduct and character of Elizabeth is, that though she determined never to have any heir of her own body, she was not only very averse to fix any successor to the crown; but seems also to have resolved, as far as it lay in her power, that no one who had pretensions to the succession should ever have any heirs or successors. If the exclusion given by the will of Henry VIII. to the posterity of Margaret, Queen of Scotland, was allowed to be valid, the right to the crown devolved on the house of Suffolk; and the Lady Catharine Gray, younger sister to the Lady Jane, was now the heir of that family. This lady had been married to Lord Herbert, son of the Earl of Pembroke; but having been divorced from that nobleman, she made a private marriage with the Earl of Hertford, son of the protector; and her

<sup>1</sup> Buchanan, lib. xviii. c. 14—17. Camden, p. 365. Spotswood, p. 180, 181.

<sup>2</sup> Ibid. p. 161.

<sup>3</sup> Haynes, vol. i. p. 77.

<sup>4</sup> Camden, p. 346. Strype, vol. i. p. 240, 336, 337.

<sup>5</sup> Haynes, vol. i. p. 253.

husband, soon after consummation, travelled into France. In a little time she appeared to be pregnant, which so enraged Elizabeth, that she threw her into the Tower, and summoned Hertford to appear, in order to answer for his misdeemeanour. He made no scruple of acknowledging the marriage, which, though concluded without the queen's consent, was entirely suitable to both parties; and for this offence he was also committed to the Tower. Elizabeth's severity stopped not here: she issued a commission to inquire into the matter; and as Hertford could not, within the time limited, prove the nuptials by witnesses, the commerce between him and his consort was declared unlawful, and their posterity illegitimate. They were still detained in custody; but by bribing their keepers, they found means to have further intercourse; and another child appeared to be the fruit of their commerce. This was a fresh source of vexation to the queen; who made a fine of fifteen thousand pounds be set on Hertford by the star-chamber, and ordered his confinement to be thenceforth more rigid and severe. He lay in this condition for nine years, till the death of his wife, by freeing Elizabeth from all fears, procured him his liberty.<sup>m</sup> This extreme severity must be accounted for, either by the unrelenting jealousy of the queen, who was afraid lest a pretender to the succession should acquire credit by having issue; or by her malignity, which, with all her great qualities, made one ingredient in her character, and which led her to envy, in others, those natural pleasures of love and posterity, of which her own ambition and desire of dominion made her renounce all prospect for herself.

There happened, about this time, some other events in the royal family, where the queen's conduct was more laudable. Arthur Pole, and his brother, nephews to the late cardinal, and descended from the Duke of Clarence, together with Anthony Fortescue, who had married a sister of these gentlemen, and some other persons, were brought to their trial for intending to withdraw into France, with a view of soliciting succours from the Duke of Guise, of returning thence into Wales, and of proclaiming Mary, Queen of England, and Arthur Pole, Duke of Clarence. They confessed the indictment, but asserted, that they never meant to execute these projects during the queen's life-time: they had only deemed such precautions requisite in case of her demise, which some pretenders to judicial astrology had assured them, they might with certainty look for before the year expired. They were condemned by the jury; but received a pardon from the queen's clemency.<sup>n</sup>

## CHAP. XXXIX.

State of Europe.—Civil wars of France.—Havre de Grace put in possession of the English.—A parliament.—Havre lost.—Affairs of Scotland.—The Queen of Scots marries the Earl of Darnley.—Confederacy against the protestants.—Murder of Rizzio.—A parliament.—Murder of Darnley.—Queen of Scots marries Bothwell.—Insurrections in Scotland.—Imprisonment of Mary.—Mary flies into England.—Conferences at York and Hampton-Court.

A. D. 1562. AFTER the commencement of the religious wars in France, which rendered that flourishing kingdom, during the course of near forty years, a scene of horror and devastation, the great rival powers in Europe were Spain and England; and it was not long before an animosity, first political, then personal, broke out between the sovereigns of these countries.

Philip II. of Spain, though he reached not any enlarged views of policy, was endowed with great industry and sagacity, a remarkable caution in his enterprises, an unusual foresight in all his measures; and as he was ever cool and seemingly unmoved by passion, and possessed neither talents nor inclination for war, both his subjects and his neighbours had reason to expect justice, happiness, and tranquillity, from his administration. But prejudices had on him as pernicious effects as ever passion had on any other monarch; and the spirit of bigotry and tyranny by which he was actuated, with the fraudulent

maxims which governed his counsels, excited the most violent agitation among his own people, engaged him in acts of the most enormous cruelty, and threw all Europe into combustion.

After Philip had concluded peace at Chateau-Cambresis, and had remained some time in the Netherlands, in order to settle the affairs of that country, he embarked for Spain; and as the gravity of that nation, with their respectful obedience to their prince, had appeared more agreeable to his humour, than the homely familiar manners and the pertinacious liberty of the Flemings, it was expected that he would, for the future, reside altogether at Madrid, and would govern all his extensive dominions by Spanish ministers and Spanish counsels. Having met with a violent tempest on his voyage, he no sooner arrived in harbour than he fell on his knees; and, after giving thanks for his deliverance, he vowed that his life, which was thus providentially saved, should thenceforth be entirely devoted to the extirpation of heresy.<sup>a</sup> His subsequent conduct corresponded to these professions. Finding that the new doctrines had penetrated into Spain, he let loose the rage of persecution against all who professed them, or were suspected of adhering to them; and by his violence he gave new edge, even to the usual cruelty of priests and inquisitors. He threw into prison Constantine Ponce, who had been confessor to his father, the Emperor Charles; who had attended him during his retreat; and in whose arms that great monarch had terminated his life: and after this ecclesiastic died in confinement, he still ordered him to be tried and condemned for heresy, and his statue to be committed to the flames. He even deliberated whether he should not exercise like severity against the memory of his father, who was suspected, during his later years, to have indulged a propensity towards the Lutheran principles: in his unrelenting zeal for orthodoxy, he spared neither age, sex, nor condition: he was present, with an inflexible countenance, at the most barbarous executions: he issued rigorous orders for the prosecution of heretics in Spain, Italy, the Indies, and the Low Countries: and, having founded his determined tyranny on maxims of civil policy, as well as on principles of religion, he made it apparent to all his subjects, that there was no method, except the most entire compliance, or most obstinate resistance, to escape or elude the severity of his vengeance.

During that extreme animosity which prevailed between the adherents of the opposite religions, the civil magistrate, who found it difficult, if not impossible, for the same laws to govern such enraged adversaries, was naturally led, by specious rules of prudence, in embracing one party, to declare war against the other, and to exterminate, by fire and sword, those bigots, who, from abhorrence of his religion, had proceeded to an opposition of his power, and to a hatred of his person. If any prince possessed such enlarged views, as to foresee that a mutual toleration would in time abate the fury of religious prejudices, he yet met with difficulties in reducing this principle to practice; and might deem the malady too violent to await a remedy which, though certain, must necessarily be slow in its operation. But Philip, though a profound hypocrite, and extremely governed by self-interest, seems also to have been himself actuated by an imperious bigotry; and, as he employed great reflection in all his conduct, he could easily palliate the gratification of his natural temper under the colour of wisdom, and find, in this system, no less advantage to his foreign than his domestic politics. By placing himself at the head of the catholic party, he converted the zealots of the ancient faith into partisans of Spanish greatness; and by employing the powerful allurements of religion, he seduced, every where, the subjects from that allegiance which they owed to their native sovereign.

The course of events, guiding and concurring with choice, had placed Elizabeth in a situation diametrically opposite; and had raised her to be the glory, the bulwark, and the support of the numerous, though still persecuted, protestants, throughout Europe. More moderate in her temper than Philip, she found, with pleasure, that the principles of her sect required not such extreme severity

<sup>m</sup> Haynes, vol. i. p. 362. 378. 396. Camden, p. 389. Heylin, p. 154.

<sup>n</sup> Strype, vol. i. p. 333. Heylin, p. 154. <sup>a</sup> Thuanus, lib. xxi. cap. 14.



in her domestic government as was exercised by that monarch; and having no object but self-preservation, she united her interests in all foreign negotiations with those who were every where struggling under oppression, and guarding themselves against ruin and extermination. The more virtuous sovereign was thus happily thrown into the more favourable cause; and fortune, in this instance, concurred with policy and nature.

During the lifetime of Henry II. of France, and of his successor, the force of these principles was somewhat restrained, though not altogether overcome, by motives of a superior interest; and the dread of uniting England with the French monarchy, engaged Philip to maintain a good correspondence with Elizabeth. Yet even during this period, he rejected the Garter which she sent him; he refused to ratify the ancient league between the house of Burgundy and England;<sup>b</sup> he furnished ships to transport French forces into Scotland; he endeavoured to intercept the Earl of Arran, who was hastening to join the malcontents in that country; and the queen's wisest ministers still regarded his friendship as hollow and precarious.<sup>c</sup> But no sooner did the death of Francis II. put an end to Philip's apprehensions with regard to Mary's succession, than his animosity against Elizabeth began more openly to appear; and the interests of Spain and those of England were found opposite in every negotiation and transaction.

The two great monarchies of the continent, France and Spain, being possessed of nearly equal force, were naturally antagonists; and England, from its power and situation, was entitled to support its own dignity, as well as tranquility, by holding the balance between them. Whatever incident, therefore, tended too much to depress one of these rival powers, as it left the other without control, might be deemed contrary to the interests of England; yet so much were these great maxims of policy overruled, during that age, by the disputes of theology, that Philip found an advantage in supporting the established government and religion of France; and Elizabeth in protecting faction and innovation.

Civil wars of France. The Queen-regent of France, when reinstated in authority by the death of her son Francis, had formed a plan of administration more subtle than judicious; and, balancing the catholics with the hugonots, the Duke of Guise with the Prince of Condé, she endeavoured to render herself necessary to both, and to establish her own dominion on their constrained obedience.<sup>d</sup> But the equal counterpoise of power, which, among foreign nations, is the source of tranquillity, proves always the ground of quarrel between domestic factions; and if the animosity of religion concur with the frequent occasions which present themselves of mutual injury, it is impossible, during any time, to preserve a firm concord in so delicate a situation. The constable, Montmorency, moved by zeal for the ancient faith, joined himself to the Duke of Guise: the King of Navarre, from his inconstant temper, and his jealousy of the superior genius of his brother, embraced the same party: and Catharine, finding herself depressed by this combination, had recourse to Condé and the hugonots, who gladly embraced the opportunity of fortifying themselves by her countenance and protection.<sup>e</sup> An edict had been published, granting a toleration to the protestants; but the interested violence of the Duke of Guise, covered with the pretence of religious zeal, broke through this agreement; and the two parties, after the fallacious tranquillity of a moment, renewed their mutual insults and injuries. Condé, Coligni, Andelot, assembled their friends, and flew to arms: Guise and Montmorency got possession of the king's person, and constrained the queen regent to embrace their party: fourteen armies were levied and put in motion in different parts of France:<sup>f</sup> each province, each city, each family, was agitated with intestine rage and animosity. The father was divided against the son; brother against brother; and women themselves, sacrificing their humanity, as well as their timidity, to the religious fury, distinguished themselves by acts of ferocity and valour.<sup>g</sup>

Wherever the hugonots prevailed, the images were broken, the altars pillaged, the churches demolished, the monasteries consumed with fire; where success attended the catholics, they burned the bibles, re-baptized the infants, constrained married persons to pass anew through the nuptial ceremony: and plunder, desolation, and bloodshed, attended equally the triumph of both parties. The parliament of Paris itself, the seat of law and justice, instead of employing its authority to compose these fatal quarrels, published an edict, by which it put the sword into the hands of the enraged multitude, and empowered the catholics every where to massacre the hugonots:<sup>h</sup> and it was during this period, when men began to be somewhat enlightened, and, in this nation, renowned for polished manners, that the theological rage, which had long been boiling in men's veins, seems to have attained its last stage of virulence and ferocity.

Philip, jealous of the progress which the hugonots made in France, and dreading that the contagion would spread into the Low Country provinces, had formed a secret alliance with the princes of Guise, and had entered into a mutual concert for the protection of the ancient faith, and the suppression of heresy. He now sent six thousand men, with some supply of money, to reinforce the catholic party; and the Prince of Condé, finding himself unequal to so great a combination, countenanced by the royal authority, was obliged to despatch the Vidame of Chartres and Brigue-maut to London, in order to crave the assistance and protection of Elizabeth. Most of the province of Normandy was possessed by the hugonots: and Condé offered to put Havre de Grace into the hands of the English; on condition that, together with three thousand men for the garrison of that place, the queen should likewise send over three thousand to defend Dieppe and Rouën, and should furnish the prince with a supply of a hundred thousand crowns.<sup>i</sup>

Elizabeth, besides the general and essential interest of supporting the protestants, and opposing the rapid progress of her enemy, the Duke of Guise, had other motives, which engaged her to accept of this proposal. When she concluded the peace at Chateau-Cambresis, Havre de Grace put in possession of the English. 20th Sept. she had good reason to foresee that France never would voluntarily fulfil the article which regarded the restitution of Calais; and many subsequent incidents had tended to confirm this suspicion. Considerable sums of money had been expended on the fortifications; long leases had been granted of the lands; and many inhabitants had been encouraged to build and settle there, by assurances that Calais should never be restored to the English.<sup>k</sup> The queen, therefore, wisely concluded, that could she get possession of Havre, a place which commanded the mouth of the Seine, and was of greater importance than Calais, she should easily constrain the French to execute the treaty, and should have the glory of restoring to the crown that ancient possession, so much the favourite of the nation.

No measure could be more generally odious in France, than the conclusion of this treaty with Elizabeth. Men were naturally led to compare the conduct of Guise, who had finally expelled the English, and had debared these dangerous and destructive enemies from all access into France, with the treasonable politics of Condé, who had again granted them an entrance into the heart of the kingdom. The prince had the more reason to repent of this measure, as he reaped not from it all the advantage which he expected. Three thousand English immediately took possession of Havre and Dieppe, under the command of Sir Edward Poinings; but the latter place was found so little capable of defence, that it was immediately abandoned.<sup>l</sup> The siege of Rouën was already formed by the catholics, under the command of the King of Navarre and Montmorency; and it was with difficulty that Poinings could throw a small reinforcement into the place. Though these English troops behaved with gallantry,<sup>m</sup> and though the King of Navarre was mortally wounded during the siege, the catholics still continued the attack of the place, and

<sup>b</sup> Digges's Complete Ambassador, p. 369. Haynes, p. 535. Strype, vol. iv. p. 216.  
<sup>c</sup> Haynes, vol. i. p. 280, 281, 283, 284.

<sup>d</sup> Davila, lib. ii.

<sup>e</sup> Davila, lib. iii.  
<sup>h</sup> Father Paul, lib. vii.

<sup>f</sup> Father Paul, lib. vii.  
<sup>i</sup> Ibid. vol. u. p. 199.

<sup>g</sup> Ibid.  
<sup>k</sup> Forbes, vol. u. p. 40.  
<sup>m</sup> Ibid. p. 161.

carrying it at last by assault, put the whole garrison to the sword. The Earl of Warwick, eldest son of the late Duke of Northumberland, arrived soon after at Havre, with another body of three thousand English, and took on him the command of the place.

It was expected that the French catholics, flushed with their success at Rouen, would immediately have formed the siege of Havre, which was not as yet in any condition of defence; but the intestine disorders of the kingdom soon diverted their attention to another enterprise. Andelot, seconded by the negotiations of Elizabeth, had levied a considerable body of protestants in Germany; and having arrived at Orleans, the seat of the hugonots' power, he enabled the Prince of Condé and the admiral to take the field, and oppose the progress of their enemies. After threatening Paris during some time, they took their march towards Normandy, with a view of engaging the English to act in conjunction with them, and of fortifying themselves by the further assistance which they expected from the zeal and vigour of Elizabeth.<sup>a</sup> The catholics, commanded by the constable, and under him by the Duke of Guise, followed on their rear; and, overtaking them at Dreux, obliged them to give battle. The field was fought with great obstinacy on both sides: and the action was distinguished by this singular event, that Condé and Montmorency, the commanders of the opposite armies, fell both of them prisoners into the hands of their enemies. The appearances of victory remained with Guise; but the admiral, whose fate it ever was to be defeated, and still to rise more terrible after his misfortunes, collected the remains of the army; and inspiring his own unconquerable courage and constancy into every breast, kept them in a body, and subdued some considerable places in Normandy. Elizabeth, the better to support his cause, sent him a new supply of a hundred thousand crowns; and offered, if he could find merchants to lend him the money, to give her bond for another sum of equal amount.<sup>b</sup>

The expenses incurred by assisting the French hugonots had emptied the queen's exchequer; and, in order to obtain supply, she found herself under a necessity of summoning a parliament: an expedient to which she never willingly had recourse. A little before the meeting of this assembly she had fallen into a dangerous illness, the small-pox: and as her life, during some time, was despaired of, the people became the more sensible of their perilous situation, derived from the uncertainty which, in case of her demise, attended the succession of the crown. The partisans of the Queen of Scots, and those of the house of Suffolk, already divided the nation into factions; and every one foresaw, that, though it might be possible at present to determine the controversy by law, yet, if the throne were vacant, nothing but the sword would be able to fix a successor. The Commons, therefore, on the opening of the session, voted an address to the queen; in which, after enumerating the dangers attending a broken and doubtful succession, and mentioning the evils which their fathers had experienced from the contending titles of York and Lancaster, they entreated the queen to put an end to their apprehensions, by choosing some husband, whom they promised, whoever he were, gratefully to receive, and faithfully to serve, honour, and obey; or, if she had entertained any reluctance to the married state, they desired that the lawful successor might be named, at least appointed, by act of parliament. They remarked that, during all the reigns which had passed since the conquest, the nation had never before been so unhappy as not to know the person who, in case of the sovereign's death, was legally entitled to fill the vacant throne. And they observed, that the fixed order which took place in inheriting the French monarchy, was one chief source of the usual tranquillity, as well as of the happiness, of that kingdom.<sup>c</sup>

This subject, though extremely interesting to the nation, was very little agreeable to the queen; and she was sensible that great difficulties would attend every decision. A declaration in favour of the Queen of Scots would form a settlement perfectly legal, because that princess was

commonly allowed to possess the right of blood; and the exclusion given by Henry's will, deriving its weight chiefly from an act of parliament, would lose all authority, whenever the queen and parliament had made a new settlement, and restored the Scottish line to its place in the succession. But she dreaded giving encouragement to the catholics, her secret enemies, by this declaration. She was sensible that every heir was, in some degree, a rival; much more one who enjoyed a claim for the present possession of the crown, and who had already advanced, in a very open manner, these dangerous pretensions. The great power of Mary, both from the favour of the catholic princes, and her connexions with the house of Guise, not to mention the force and situation of Scotland, was well known to her; and she saw no security that this princess, if fortified by a sure prospect of succession, would not revive claims which she could never yet be prevailed on formally to relinquish. On the other hand, the title of the house of Suffolk was supported by the more zealous protestants only; and it was very doubtful, whether even a parliamentary declaration in its favour would bestow on it such validity as to give satisfaction to the people. The republican part of the constitution had not yet acquired such an ascendancy as to control, in any degree, the ideas of hereditary right; and as the legality of Henry's will was still disputed, though founded on the utmost authority which a parliament could confer; who could be assured that a more recent act would be acknowledged to have greater validity? In the frequent revolutions which had of late taken place, the right of blood had still prevailed over religious prejudices; and the nation had ever shown itself disposed rather to change its faith than the order of succession. Even many protestants declared themselves in favour of Mary's claim of inheritance;<sup>d</sup> and nothing would occasion more general disgust, than to see the queen, openly and without reserve, take part against it. The Scottish princess also, finding herself injured in so sensible a point, would thenceforth act as a declared enemy; and uniting together her foreign and domestic friends, the partisans of her present title and of her eventual succession, would soon bring matters to extremities against the present establishment. The queen, weighing all these inconveniences, which were great and urgent, was determined to keep both parties in awe, by maintaining still an ambiguous conduct; and she rather chose that the people should run the hazard of contingent events, than that she herself should visibly endanger her throne, by employing expedients, which, at best, would not bestow entire security on the nation. She gave, therefore, an evasive answer to the applications of the Commons; and when the House, at the end of the session, desired, by the mouth of their speaker, further satisfaction on that head, she could not be prevailed on to make her reply more explicit. She only told them, contrary to her declarations in the beginning of her reign, that she had fixed no absolute resolution against marriage; and she added, that the difficulties attending the question of the succession were so great, that she would be contented for the sake of her people, to remain some time longer in this vale of misery; and never should depart life with satisfaction till she had laid some solid foundation for their future security.<sup>e</sup>

The most remarkable law passed this session, was that which bore the title of *Assurance of the Queen's royal power over all states and subjects within her dominions*.<sup>f</sup> By this act, the asserting twice, by writing, word, or deed, the Pope's authority, was subjected to the penalties of treason. All persons in holy orders were bound to take the oath of supremacy; as also all who were advanced to any degree, either in the universities or in common law; all schoolmasters, officers in court, or members of parliament: and the penalty of their second refusal was treason. The first offence, in both cases, was punished by banishment and forfeiture. This rigorous statute was not extended to any of the degree of a baron; because it was not supposed that the queen could entertain any doubt with regard to the fidelity of persons possessed of such high dignity. Lord Montacute made opposition to the

<sup>a</sup> Forbes, p. 370. Davala, lib. iii.

<sup>b</sup> Forbes, vol. ii. p. 322, 347.

<sup>c</sup> See Simon D'Ewes's Journal, p. 81.

<sup>d</sup> Keith, p. 322.

<sup>e</sup> See Simon D'Ewes's Journal, p. 75.

<sup>f</sup> 5 Eliz. c. 1.

bill; and asserted, in favour of the catholics, that they disputed not, they preached not, they disobeyed not the queen, they caused no trouble, no tumults among the people.<sup>1</sup> It is however probable that some suspicious of their secret conspiracies had made the queen and parliament increase their rigour against them; though it is also more than probable that they were mistaken in the remedy.

There was likewise another point, in which the parliament, this session, showed more the goodness of their intention, than the soundness of their judgment. They passed a law against fond and fantastical prophecies, which had been observed to seduce the people into rebellion and disorder:<sup>2</sup> but at the same time they enacted a statute, which was most likely to increase these and such like superstitions: it was levelled against conjurations, enchantments, and witchcraft.<sup>3</sup> Witchcraft and heresy are two crimes, which commonly increase by punishment, and never are so effectually suppressed as by being totally neglected. After the parliament had granted the queen a supply of one subsidy, and two-fifteenths, the session was finished by a prorogation. The convocation likewise voted the queen a subsidy of six shillings in the pound, payable in three years.

While the English parties exerted these calm efforts against each other, in parliamentary votes and debates, the French factions, inflamed to the highest degree of animosity, continued that cruel war, which their intemperate zeal, actuated by the ambition of their leaders, had kindled in the kingdom. The admiral was successful in reducing the towns of Normandy which held for the king; but he frequently complained, that the numerous garrison of Havre remained totally inactive, and was not employed in any military operation against the common enemy. The queen, in taking possession of that place, had published a manifesto,<sup>4</sup> in which she pretended that her concern for the interests of the French king had engaged her in that measure, and that her sole intention was to oppose her enemies of the house of Guise, who held their prince in captivity, and employed his power to the destruction of his best and most faithful subjects. It was chiefly her desire to preserve appearances, joined to the great frugality of her temper, which made her, at this critical juncture, keep her soldiers in garrison; and restrain them from committing further hostilities upon the enemy.<sup>5</sup> The Duke of Guise, meanwhile, was aiming a mortal blow at the power of the hugonots; and had commenced the siege of Orleans, of which Andelot was governor, and where the constable was detained prisoner. He had the prospect of speedy success in this undertaking; when he was assassinated by Poltro, a young gentleman, whose zeal, instigated (as is pretended, though without any certain foundation) by the admiral and Beza, a famous preacher, led him to attempt that criminal enterprise. The death of this gallant prince was a sensible loss to the catholic party; and though the Cardinal of Lorraine, his brother, still supported the interests of the family, the danger of their progress appeared not so imminent either to Elizabeth or to the French protestants. The union, therefore, between these allies, which had been cemented by their common fears, began thenceforth to be less intimate; and the leaders of the hugonots were persuaded to hearken to terms of a separate accommodation. Condé and Montmorency held conferences for settling the peace; and as they were both of them impatient to relieve themselves from captivity, they soon came to an agreement with regard to the conditions. The character of the queen-regent, whose ends were always violent, but who endeavoured, by subtlety and policy, rather than force, to attain them, led her to embrace any plausible terms; and, in spite of the protestations of the admiral, whose sagacity could easily discover the treachery of the court, the articles of agreement were finally settled between the parties. A toleration, under some restrictions, was anew granted to the protestants; a

general amnesty was published; Condé was reinstated in his offices and governments; and after money was advanced for the payment of arrears due to the German troops, they were dismissed the kingdom.

By the agreement between Elizabeth and the Prince of Condé it had been stipulated,<sup>6</sup> that neither party should conclude peace without the consent of the other; but this article was at present but little regarded by the leaders of the French protestants. They only comprehended her so far in the treaty, as to obtain a promise, that, on her relinquishing Havre, her charges, and the money which she had advanced them, should be repaid her by the King of France, and that Calais, on the expiration of the term, should be restored to her. But she disdained to accept of these conditions; and thinking the possession of Havre a much better pledge for effecting her purpose, she sent Warwick orders to prepare himself against an attack from the now united power of the French monarchy.

The Earl of Warwick, who commanded a garrison of six thousand men, besides seven hundred pioneers, had no sooner got possession of Havre, than he employed every means for putting it in a posture of defence;<sup>7</sup> and after expelling the French from the town, he encouraged his soldiers to make the most desperate defence against the enemy. The constable commanded the French army; the queen-regent herself, and the king, were present in the camp; even the Prince of Condé joined the king's forces, and gave countenance to this enterprise; the admiral and Andelot alone, anxious still to preserve the friendship of Elizabeth, kept at a distance, and prudently refused to join their ancient enemies in an attack upon their allies.

From the force, and dispositions, and situations of both sides, it was expected that the siege would be attended with some memorable event; yet did France make a much easier acquisition of this important place, than was at first apprehended. The plague crept in among the English soldiers; and being increased by their fatigue and bad diet, (for they were but ill supplied with provisions,<sup>8</sup>) it made such ravages that sometimes a hundred men a-day died of it, and there remained not at last fifteen hundred in a condition to do duty.<sup>9</sup> The French meeting with such feeble resistance, carried on their attacks successfully; and having made two breaches, each of them sixty feet wide, they prepared for a general assault, which must have terminated in the slaughter of the whole garrison.<sup>10</sup> Warwick, who had frequently warned the English council of the danger, and who had loudly demanded a supply of men and provisions, Havre lost,  
28th July.

found himself obliged to capitulate, and to content himself with the liberty of withdrawing his garrison. The articles were no sooner signed, than Lord Clinton, the admiral, who had been detained by contrary winds, appeared off the harbour with a reinforcement of three thousand men, and found the place surrendered to the enemy. To increase the misfortune, the infected army brought the plague with them into England, where it swept off great multitudes, particularly in the city of London. About twenty thousand persons there died of it in one year.<sup>11</sup>

Elizabeth, whose usual vigour and foresight had not appeared in this transaction, was now glad to compound matters; and as the queen-regent desired to obtain leisure, in order to prepare measures for the extermination of the hugonots, she readily hearkened to any reasonable terms of accommodation with England.<sup>12</sup> It was agreed that the hostages, which the French had given for 2d April. the restitution of Calais, should be restored for 220,000 crowns; and that both sides should retain all their claims and pretensions.

The peace still continued with Scotland; Scotch affairs. and even a cordial friendship seemed to have been cemented between Elizabeth and Mary. These princesses made profession of the most entire affection; wrote amicable letters every week to each other; and had

<sup>1</sup> Strype, vol. i. p. 260.

<sup>2</sup> Ibid. i. 36.

<sup>3</sup> Forbes, vol. ii. p. 276, 277.

<sup>4</sup> Ibid. p. 158.

<sup>5</sup> Ibid. p. 450, 453.

<sup>6</sup> This year the council of Trent was dissolved, which had sitten from 1545. The publication of its decrees excited anew the general ferment in Europe, while the catholics endeavoured to enforce the acceptance of them, and the protestants rejected them. The religious controversies were too

<sup>7</sup> u 5 Eliz. c. 15.

<sup>8</sup> Forbes, vol. ii.

<sup>9</sup> Ibid. p. 79.

<sup>10</sup> Ibid. p. 377, 398.

<sup>11</sup> Ibid. p. 498.

far advanced to expect that any conviction would result from the decrees of this council. It is the only general council which has been held in an age truly learned and inquisitive; and as the history of it has been written with great penetration and judgment, it has tended very much to expose clerical usurpations and intriques, and may serve us as a specimen of more ancient councils. No one expects to see another general council, till the decay of learning and the progress of ignorance shall again fit mankind for these great impostures.

<sup>12</sup> Davila, lib. iii.



adopted, in all appearance, the sentiments as well as style of sisters. Elizabeth punished one Hales, who had published a book against Mary's title;<sup>g</sup> and as the Lord Keeper, Bacon, was thought to have encouraged Hales in this undertaking, he fell under her displeasure, and it was with some difficulty he was able to give her satisfaction, and recover her favour.<sup>h</sup> The two queens had agreed in the foregoing summer to an interview at York; in order to remove all difficulties with regard to Mary's ratification of the treaty of Edinburgh, and to consider of the proper method for settling the succession of England: but as Elizabeth carefully avoided touching on this delicate subject, she employed a pretence of the wars in France, which, she said, would detain her in London; and she delayed till next year the intended interview. It is also probable, that, being well acquainted with the beauty and address and accomplishments of Mary, she did not choose to stand the comparison with regard to those exterior qualities, in which she was eclipsed by her rival; and was unwilling that a princess, who had already made great progress in the esteem and affections of the English, should have a further opportunity of increasing the number of her partisans.

Mary's close connexions with the house of Guise, and her devoted attachment to her uncles, by whom she had been early educated and constantly protected, was the ground of just and insurmountable jealousy to Elizabeth, who regarded them as her mortal and declared enemies, and was well acquainted with their dangerous character and ambitious projects. They had made offer of their niece to Don Carlos, Philip's son; to the King of Sweden, the King of Navarre, the Archduke Charles, the Duke of Ferrara, the Cardinal of Bourbon, who had only taken deacon's orders, from which he might easily be freed by a dispensation; and they were ready to marry her to any one who could strengthen their interests, or give inquietude and disturbance to Elizabeth.<sup>i</sup> Elizabeth, on her part, was equally vigilant to prevent the execution of their schemes, and was particularly anxious, lest Mary should form any powerful foreign alliance, which might tempt her to revive her pretensions to the crown, and to invade the kingdom on the side where it was weakest and lay most exposed.<sup>j</sup> As she believed that the marriage with the Archduke Charles was the one most likely to have place, she used every expedient to prevent it; and, besides remonstrating against it to Mary herself, she endeavoured to draw off the archduke from that pursuit, by giving him some hopes of success in his pretensions to herself, and by inviting him to the renewal of the former treaty of marriage.<sup>k</sup> She always told the Queen of Scots, that nothing would satisfy her but her espousing some English nobleman, who would remove all grounds of jealousy, and cement the union between the kingdoms; and she offered on this condition to have her title examined, and to declare her successor to the crown.<sup>l</sup> After keeping the matter in these general terms during a twelvemonth, she at last named Lord Robert Dudley, now created Earl of Leicester, as the person on whom she desired that Mary's choice should fall.

The Earl of Leicester, the great and powerful favourite of Elizabeth, possessed all those exterior qualities which are naturally alluring to the fair sex; a handsome person, a polite address, and insinuating behaviour; and by means of these accomplishments, he had been able to blind even the penetration of Elizabeth, and conceal from her the great defects, or rather odious vices, which attended his character. He was proud, insolent, interested, ambitious; without honour, without generosity, without humanity; and atoned not for these bad qualities, by such abilities or courage as could fit him for that high trust and confidence, with which she always honoured him. Her constant and declared attachment to him had naturally imbodied him to aspire to her bed; and in order to make way for these nuptials, he was universally believed to have murdered, in a barbarous manner, his wife, the heiress of one Robesart. The proposal of espousing Mary was by no means agreeable to him; and he always ascribed it to the contrivance

of Cecil, his enemy; who, he thought, intended by that artifice to make him lose the friendship of Mary from the temerity of his pretensions, and that of Elizabeth from jealousy of his attachments to another woman.<sup>m</sup> The queen herself had not any serious intention of effecting this marriage; but as she was desirous that the Queen of Scots should never have any husband, she named a man, who, she believed, was not likely to be accepted of; and she hoped, by that means, to gain time, and elude the project of any other alliance. The Earl of Leicester was too great a favourite to be parted with; and when Mary, allured by the prospect of being declared successor to the crown, seemed at last to hearken to Elizabeth's proposal, this princess receded from her offers, and withdrew the bait which she had thrown out to her rival.<sup>n</sup> This duplicity of conduct, joined to some appearance of an imperious superiority, assumed by her, had drawn a peevish letter from Mary; and the seemingly amicable correspondence between the two queens was, during some time, interrupted. In order to make up the breach, the Queen of Scots despatched Sir James Melvil to London, who has given us, in his Memoirs, a particular account of his negotiation.

Melvil was an agreeable courtier, a man of address and conversation; and it was recommended to him by his mistress, that, besides grave reasonings concerning politics and state affairs, he should introduce more entertaining topics of conversation, suitable to the sprightly character of Elizabeth; and should endeavour by that means to insinuate himself into her confidence. He succeeded so well, that he threw that artful princess entirely off her guard;<sup>o</sup> and made her discover the bottom of her heart, full of all those levities and follies and ideas of rivalry, which possess the youngest and most frivolous of her sex. He talked to her of his travels, and forgot not to mention the different dresses of the ladies in different countries, and the particular advantages of each, in setting off the beauties of the shape and person. The queen said, that she had dresses of all countries; and she took care thenceforth to meet the ambassador every day apparelled in a different habit: sometimes she was dressed in the English garb, sometimes in the French, sometimes in the Italian; and she asked him, which of them became her most? He answered the Italian; a reply that he knew would be agreeable to her, because that mode showed to advantage her flowing locks, which he remarked, though they were more red than yellow, she fancied to be the finest in the world. She desired to know of him what

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was reputed the best colour of hair: she asked whether his queen or she had the finest hair: she even inquired which of them he esteemed the fairest person: a very delicate question, and which he prudently eluded, by saying, that her majesty was the fairest person in England, and his mistress in Scotland. She next demanded which of them was tallest: he replied, his queen: then is she too tall, said Elizabeth; for I myself am of a just stature. Having learned from him, that his mistress sometimes recreated herself by playing on the harpsichord, an instrument on which she herself excelled, she gave orders to Lord Hunsdon, that he should lead the ambassador, as it were casually, into an apartment where he might hear her perform; and when Melvil, as if ravished with the harmony, broke into the queen's apartment, she pretended to be displeased with his intrusion; but still took care to ask him, whether he thought Mary or her the best performer on that instrument? From the whole of her behaviour, Melvil thought he might, on his return, assure his mistress, that she had no reason ever to expect any cordial friendship from Elizabeth, and that all her professions of amity were full of falsehood and dissimulation.

After two years had been spent in evasions and artifices,<sup>p</sup> Mary's subjects and counsellors, and probably herself, began to think it full time that some marriage were concluded; and Lord Darley, son of the Earl of Lenox, was the person in whom most men's opinions and wishes centred. He was Mary's cousin-german, by the Lady

<sup>g</sup> Keith, p. 252.

<sup>h</sup> Hales, p. 381.

<sup>i</sup> Keith, p. 247, 264.

<sup>j</sup> Hales, p. 245, 249, 259, 261.

<sup>k</sup> Ibid. p. 251.

<sup>l</sup> Forbes, vol. ii. p. 287. Strype, vol. i. p. 400.

<sup>m</sup> Melvil, p. 41.

<sup>n</sup> Camden, p. 306.

<sup>o</sup> Keith, p. 269, 270. Appendix, p. 158. Strype, vol. i. p. 414.

<sup>p</sup> Hales, p. 417.

<sup>q</sup> Keith, p. 261.

<sup>r</sup> Melvil, p. 49, 50.

Margaret Douglas, niece to Henry VIII., and daughter of the Earl of Angus, by Margaret, Queen of Scotland. He had been born and educated in England, where the Earl of Lenox had constantly resided, since he had been banished by the prevailing power of the house of Hamilton: and as Darnley was now in his twentieth year, and was a very comely person, tall, and delicately shaped, it was hoped that he might soon render himself agreeable to the Queen of Scots. He was also, by his father, a branch of the same family with herself; and would, in espousing her, preserve the royal dignity in the house of Stuart: he was, after her, next heir to the crown of England; and those who pretended to exclude her on account of her being a foreigner, had endeavoured to recommend his title, and give it the preference. It seemed no inconsiderable advantage, that she could, by marrying, unite both their claims; and as he was by birth an Englishman, and could not, by his power or alliances, give any ground of suspicion to Elizabeth, it was hoped that the proposal of this marriage would not be unacceptable to that jealous princess.

Elizabeth was well informed of these intentions; <sup>1</sup> and was secretly not displeased with the projected marriage between Darnley and the Queen of Scots. <sup>2</sup> She would rather have wished that Mary had continued for ever in a single life: but finding little probability of rendering this scheme effectual, she was satisfied with a choice which freed her at once from the dread of a foreign alliance, and from the necessity of parting with Leicester, her favourite. In order to pave the way to Darnley's marriage, she secretly desired Mary to invite Lenox into Scotland, to reverse his attainer, and to restore him to his honours and fortune. <sup>3</sup> And when her request was complied with, she took care, in order to preserve the friendship of the Hamiltons, and her other partisans in Scotland, to blame openly this conduct of Mary. <sup>4</sup> Hearing that the negotiation for Darnley's marriage advanced apace, she gave that nobleman permission, on his first application, to follow his father into Scotland: but no sooner did she learn that the Queen of Scots was taken with his figure and person, and that all measures were fixed for espousing him, than she exclaimed against the marriage; sent Throgmorton to order Darnley immediately, upon his allegiance, to return to England; threw the Countess of Lenox and her second son into the Tower, where they suffered a rigorous confinement; seized all Lenox's English estate; and though it was impossible for her to assign one single reason for her displeasure, <sup>5</sup> she menaced, and protested, and complained, as if she had suffered the most grievous injury in the world.

The politics of Elizabeth, though judicious, were usually full of duplicity and artifice; but never more so than in her transactions with the Queen of Scots, where there entered so many little passions and narrow jealousies, that she durst not avow to the world the reasons of her conduct, scarcely to her ministers, and scarcely even to herself. But besides a womanish rivalry and envy against the marriage of this princess, she had some motives of interest for feigning a displeasure on the present occasion. It served her, as a pretence for refusing to acknowledge Mary's title to the succession of England; a point to which, for good reasons, she was determined never to consent. And it was useful to her, for a purpose still more unfriendly and dangerous, for encouraging the discontents and rebellion of the Scottish nobility and ecclesiastics. <sup>6</sup>

Nothing can be more unhappy for a people than to be governed by a sovereign attached to a religion different from the established; and it is scarcely possible that mutual confidence can ever, in such a situation, have place between the prince and his subjects. Mary's conduct had been hitherto in every respect unexceptionable, and even laudable; yet had she not made such progress in acquiring popularity, as might have been expected from her gracious deportment and agreeable accomplishments. Suspicious every moment

prevailed on account of her attachment to the catholic faith, and especially to her uncles, the open and avowed promoters of the scheme for exterminating the professors of the reformed religion throughout all Europe. She still refused to ratify the acts of Parliament which had established the Reformation; she made attempts for restoring to the catholic bishops some part of their civil jurisdiction; <sup>a</sup> and she wrote a letter to the council of Trent, in which, besides professing her attachment to the catholic faith, she took notice of her title to succeed to the crown of England, and expressed her hopes of being able, in some period, to bring back all her dominions to the bosom of the church. <sup>b</sup> The zealots among the protestants were not wanting, in their turn, to exercise their insolence against her, which tended still more to alienate her from their faith. A law was enacted, making it capital, on the very first offence, to say mass any where except in the queen's chapel; <sup>c</sup> and it was with difficulty that even this small indulgence was granted her; the general assembly importuned her anew to change her religion; to renounce the blasphemous idolatry of the mass, with the tyranny of the Roman Antichrist; and to embrace the true religion of Christ Jesus. <sup>d</sup> As she answered with temper, that she was not yet convinced of the falsity of her religion, or the impiety of the mass; and that her apostasy would lose her the friendship of her allies on the continent; they replied, by assuring her, that their religion was undoubtedly the same which had been revealed by Jesus Christ, which had been preached by the apostles, and which had been embraced by the faithful in the primitive ages; that neither the religion of Turks, Jews, nor Papists, was built on so solid a foundation as theirs; that they alone, of all the various species of religionists, spread over the face of the earth, were so happy as to be possessed of the truth; that those who hear, or rather who gaze on the mass, allow sacrilege, pronounce blasphemy, and commit most abominable idolatry; and that the friendship of the King of kings was preferable to all the alliances in the world. <sup>e</sup>

The marriage of the Queen of Scots had kindled afresh the zeal of the reformers, because the family of Lenox was believed to adhere to the catholic faith; and though Darnley, who now bore the name of King Henry, went often to the established church, he could not, by this exterior compliance, gain the confidence and regard of the ecclesiastics. They rather laid hold of the opportunity to insult him to his face; and Knox scrupled not to tell him from the pulpit, that God, for punishment of the offences and ingratitude of the people, was wont to commit the rule over them to boys and women. <sup>f</sup> The populace of Edinburgh, instigated by such doctrines, began to meet and to associate themselves against the government. <sup>g</sup> But what threatened more immediate danger to Mary's authority, were the discontents which prevailed among some of the principal nobility.

The Duke of Chatelrault was displeased with the restoration, and still more with the aggrandizement, of the family of Lenox, his hereditary enemies; and entertained fears lest his own eventual succession to the crown of Scotland should be excluded by his rival, who had formerly advanced some pretensions to it. The Earl of Murray found his credit at court much diminished by the interest of Lenox and his son; and began to apprehend the revocation of some considerable grants, which he had obtained from Mary's bounty. The Earls of Argyll, Rothes, and Glencairn, the Lords Boyde and Ochiltrey, Kirkaldy of Grange, Pittarow, were instigated by like motives; and as these were the persons who had most zealously promoted the Reformation, they were disgusted to find that the queen's favour was entirely engrossed by a new cabal, the Earls of Bothwell, Athole, Sutherland, and Huntley; men who were esteemed either lukewarm in religious controversy, or inclined to the catholic party. The same ground of discontent, which, in other courts, is the source of intrigue, faction, and opposition, commonly produced in Scotland, either projects of assassination, or

The Queen of Scots marries the Earl of Darnley.

<sup>28th</sup> July.

<sup>1</sup> Keith, p. 561.

<sup>2</sup> W. Keith, p. 555, 559, 572.

<sup>3</sup> Keith, p. 574, 575.

<sup>4</sup> A. Spotswood, p. 198.

<sup>5</sup> Ibid. p. 580, 582. Jebb, vol. ii. p. 46.

<sup>6</sup> Melb. ii. p. 43.

<sup>7</sup> Ibid. p. 420.

<sup>8</sup> Father Paul, lib. vii.

<sup>9</sup> Keith, p. 578.

<sup>10</sup> Keith, p. 580, 581.

<sup>11</sup> Ibid. p. 586. Knox, p. 381.

<sup>12</sup> Knox, p. 377.

<sup>13</sup> Ibid. p. 515. Knox, p. 374.

of rebellion; and, besides mutual accusations of the former kind, which it is difficult to clear up,<sup>b</sup> the malcontent lords, as soon as they saw the queen's marriage entirely resolved on, entered into a confederacy for taking arms against their sovereign. They met at Stirling; pretended an anxious concern for the security of religion; framed engagements for mutual defence; and made applications to Elizabeth for assistance and protection.<sup>c</sup> That princess, after publishing the expressions of her displeasure against the marriage, had secretly ordered her ambassadors, Randolph and Throgmorton, to give, in her name, some promises of support to the malcontents; and had even sent them a supply of ten thousand pounds to enable them to begin an insurrection.<sup>d</sup>

Mary was no sooner informed of the meeting at Stirling, and the movements of the lords, than she summoned them to appear at court, in order to answer for their conduct; and, having levied some forces to execute the laws, she obliged the rebels to leave the low countries, and take shelter in Argyleshire. That she might more effectually cut off their resources, she proceeded with the king to Glasgow, and forced them from their retreat. They appeared at Paisley, in the neighbourhood, with about a thousand horse; and, passing the queen's army, proceeded to Hamilton, thence to Edinburgh, which they entered without resistance. They expected great reinforcements in this place, from the efforts of Knox and the seditious preachers; and they beat their drums, desiring all men to enlist, and to receive wages for the defence of God's glory.<sup>e</sup> But the nation was in no disposition for rebellion: Mary was esteemed and beloved: her marriage was not generally disagreeable to the people; and the interested views of the malcontent lords were so well known, that their pretence of zeal for religion had little influence even on the ignorant populace.<sup>f</sup> The king and queen advanced to Edinburgh at the head of their army: the rebels were obliged to retire into the south; and, being pursued by a force, which now amounted to eighteen thousand men,<sup>g</sup> they found themselves under a necessity of abandoning their country, and of taking shelter in England.

Elizabeth, when she found the event so much to disappoint her expectations, thought proper to disavow all connexions with the Scottish malcontents, and to declare every where, that she had never given them any encouragement, nor any promise of countenance or assistance. She even carried further her dissimulation and hypocrisy. Murray had come to London, with the abbot of Kilwinning, agent for Chatehault; and she seduced them, by secret assurances of protection, to declare, before the ambassadors of France and Spain, that she had nowise contributed to their insurrection. No sooner had she extorted this confession from them, than she chased them from her presence, called them unworthy traitors, declared that their detestable rebellion was of bad example to all princes; and assured them, that as she had hitherto given them no encouragement, so should they never thenceforth receive from her any assistance or protection.<sup>h</sup> Throgmorton, alone, whose honour was equal to his abilities, could not be prevailed on to conceal the part which he had acted in the enterprise of the Scottish rebels; and, being well apprized of the usual character and conduct of Elizabeth, he had had the precaution to obtain an order of council to authorize the engagements which he had been obliged to make with them.<sup>i</sup>

The banished lords, finding themselves so harshly treated by Elizabeth, had recourse to the clemency of their own sovereign; and after some solicitation, and some professions of sincere repentance, the Duke of Chatehault obtained his pardon, on condition that he should retire into France. Mary was more implacable against the ungrateful Earl of Murray and the other confederates, on whom she threw the chief blame of the enterprise; but as she was continually plagued with applications from their

friends, and as some of her most judicious partisans in England thought that nothing would more promote her interests in that kingdom, than the gentle treatment of men so celebrated for their zeal against the catholic religion, she agreed to give way to her natural temper, which inclined not to severity, and she seemed determined to restore them to favour.<sup>j</sup> In this interval, Rambouillet arrived as ambassador from France, and brought her advice from her uncle, the Cardinal of Lorraine, to whose opinion she always paid an extreme deference, by no means to pardon these protestant leaders, who had been engaged in a rebellion against her.<sup>k</sup>

The two religions, in France, as well as in other parts of Europe, were rather irritated than tired with their acts of mutual violence; and the peace granted to the hugonots, as had been foreseen by Coligny, was intended only to lull them asleep, and prepare the way for their final and absolute destruction. The queen-regent made a pretence of travelling through the kingdom, in order to visit the provinces, and correct all the abuses arising from the late civil war; and, after having held some conferences on the frontiers with the Duke of Lorraine and the Duke of Savoy, she came to Bayonne, where she was met by her daughter, the Queen of Spain, and the Duke of Alva. Nothing appeared in the congress of these two splendid courts, but gaiety, festivity, love, and joy; but amidst these smiling appearances were secretly fabricated schemes the most bloody, and the most destructive to the repose of mankind, that had ever been thought of in any age or nation. No less than a total and universal extermination of the protestants by fire and sword was concerted by Philip and Catherine of Medicis; and Alva, agreeably to his fierce and sanguinary disposition, advised the queen-regent to commence the execution of this project, by the immediate massacre of all the leaders of the hugonots.<sup>l</sup> But that princess, though equally hardened against every humane sentiment, would not forego this opportunity of displaying her wit and refined politics; and she purposed, rather by treachery and dissimulation, which she called address, to lead the protestants into the snare, and never to draw the sword till they were totally disabled from resistance. The Cardinal of Lorraine, whose character bore a greater affinity to that of Alva, was a chief author of this barbarous association against the reformers; and having connected his hopes of success with the aggrandizement of his niece, the Queen of Scots, he took care that her measures should correspond to those violent councils which were embraced by the other catholic princes. In consequence of this scheme, he turned her from the road of clemency, which she intended to have followed; and made her resolve on the total ruin of the banished lords.<sup>m</sup> A

Confederacy  
against the  
protestants.

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parliament was summoned at Edinburgh for attainting them; and as their guilt was palpable and avowed, no doubt was entertained but sentence would be pronounced against them. It was by a sudden and violent incident, which, in the issue, brought on the ruin of Mary herself, that they were saved from the rigour of the law.

The marriage of the Queen of Scots with Lord Darnley was so natural, and so inviting in all its circumstances, that it had been precipitately agreed to by that princess and her council; and, while she was allured by his youth and beauty and exterior accomplishments, she had at first overlooked the qualities of his mind, which nowise corresponded to the excellence of his outward figure. Violent, yet variable in his resolutions; insolent, yet credulous, and easily governed by flatterers; he was destitute of all gratitude, because he thought no favours equal to his merit; and being addicted to low pleasures, he was equally incapable of all true sentiments of love and tenderness.<sup>n</sup> The Queen of Scots, in the first effusions of her fondness, had taken a pleasure in exalting him beyond

<sup>b</sup> It appears, however, from Randolph's Letters, (see Keith, p. 290.) that some offers had been made to that minister, of seizing Lennox and Darnley, and delivering them into Queen Elizabeth's hands. Melvil confirms the same story, and says, that the design was acknowledged by the conspirators, p. 36. This serves to justify the account given by the queen's party of the Raid of Bath, as it is called. See further, Goodall, vol. ii. p. 338. The other conspiracy, of which Murray complained, is much more uncertain, and is founded on very doubtful evidence.

<sup>c</sup> Keith, p. 293, 294, 300, 301.

<sup>k</sup> Knox, p. 380. Keith, Append. p. 164. Anderson, vol. iii. p. 194.

<sup>l</sup> Knox, p. 381.

<sup>m</sup> Ibid. p. 380, 385.

<sup>n</sup> Ibid. p. 388.

<sup>o</sup> Melvil, p. 57. Knox, p. 388. Keith, p. 319. Crawford, p. 62, 63.

<sup>p</sup> Melvil, p. 60.

<sup>q</sup> Ibid. p. 59, 60, 61, 62, 63. Keith, p. 322.

<sup>r</sup> Keith, p. 325. Melvil, p. 63.

<sup>s</sup> Davila, lib. iii.

<sup>t</sup> Melvil, p. 64. Keith's Append. p. 176.

<sup>u</sup> Keith, p. 387, 329. Append. p. 163.



measure; she had granted him the title of king; she had joined his name with her own in all public acts; she intended to have procured him from the parliament a matrimonial crown: but having leisure afterwards to remark his weakness and vices, she began to see the danger of her profuse liberality, and was resolved thenceforth to proceed with more reserve in the trust which she should confer upon him. His resentment against this prudent conduct served but the more to increase her disgust; and the young prince, enraged at her imagined neglects, pointed his vengeance against every one whom he deemed the cause of this change in her measures and behaviour.

**Murder of Rizzio.** There was in the court one David Rizzio, who had of late obtained a very extraordinary degree of confidence and favour with the Queen of Scots. He was a Piedmontese, of mean birth, son of a teacher of music, himself a musician; and, finding it difficult to subsist by his art in his own country, he had followed into Scotland an ambassador, whom the Duke of Savoy sent thither to pay his compliments to Mary, some time after her first arrival. He possessed a good ear and a tolerable voice; and as that princess found him useful to complete her band of music, she retained him in her service after the departure of his master. Her secretary for French despatches having some time after incurred her displeasure, she promoted Rizzio to that office, which gave him frequent opportunities of approaching her person and insinuating himself into her favour. He was shrewd and sensible, as well as aspiring, much beyond his rank and education; and he made so good use of the access which fortune had procured him, that he was soon regarded as the chief confidant, and even minister of the queen. He was consulted on all occasions; no favours could be obtained but by his intercession; all suitors were obliged to gain him by presents and flattery; and the man, insolent from his new exaltation, as well as rapacious in his acquisitions, soon drew on himself the hatred of the nobility and of the whole kingdom.<sup>w</sup> He had at first employed his credit to promote Darnley's marriage; and a firm friendship seemed to be established between them: but on the subsequent change of the queen's sentiments, it was easy for Henry's friends to persuade him that Rizzio was the real author of her indifference, and even to rouse in his mind jealousies of a more dangerous nature. The favourite was of a disagreeable figure, but was not past his youth;<sup>x</sup> and though the opinion of his criminal correspondence with Mary might seem of itself unreasonable, if not absurd, a suspicious husband could find no other means of accounting for that lavish and imprudent kindness with which she honoured him. The rigid austerity of the ecclesiastics, who could admit of no freedoms, contributed to spread this opinion among the people; and as Rizzio was universally believed to be a pensionary of the Pope's, and to be deeply engaged in all schemes against the protestants, any story to his and Mary's disadvantage received an easy credit among the zealots of that communion.

Rizzio, who had connected his interests with the Roman catholics, was the declared enemy of the banished lords; and by promoting the violent prosecutions against them, he had exposed himself to the animosity of their numerous friends and retainers. A scheme was also thought to be formed for revoking some exorbitant grants made during the queen's minority; and even the nobility who had seized the ecclesiastical benefices, began to think themselves less secure in the possession of them:<sup>y</sup> the Earl of Morton, chancellor, was affected by all these considerations, and still more by a rumour spread abroad, that Mary intended to appoint Rizzio chancellor in his place, and to bestow that dignity on a mean and upstart foreigner, ignorant of the laws and language of the country.<sup>z</sup> So indiscreet had this princess been in her kindness

to Rizzio, that even that strange report met with credit, and proved a great means of accelerating the ruin of the favourite. Morton, insinuating himself into Henry's confidence, employed all his art to inflame the discontent and jealousy of that prince; and he persuaded him, that the only means of freeing himself from the indignities under which he laboured, was to bring the base stranger to the fate which he had so well merited, and which was so passionately desired by the whole nation. George Douglas, natural brother to the Countess of Lenox, concurred in the same advice; and the Lords Ruthven and Lindesay, being consulted, offered their assistance in the enterprise; nor was even the Earl of Lenox, the king's father, averse to the design.<sup>a</sup> But as these conspirators were well acquainted with Henry's levity, they engaged him to sign a paper, in which he avowed the undertaking, as tending to the glory of God and advancement of religion, and promised to protect them against every consequence which might ensue upon the assassination of Rizzio.<sup>b</sup> All these measures being concerted, a messenger was despatched to the banished lords, who were hovering near the borders; and they were invited by the king to return to their native country.

This design, so atrocious in itself, was rendered still more so by the circumstances 9th March. which attended its execution. Mary, who was in the sixth month of her pregnancy, was supping in private, and had at table the Countess of Argyle, her natural sister, with Rizzio and others of her servants. The king entered the room by a private passage, and stood at the back of Mary's chair: Lord Ruthven, George Douglas, and other conspirators, being all armed, rushed in after him; and the Queen of Scots, terrified with the appearance, demanded of them the reason of this rude intrusion. They told her, that they intended no violence against her person; but meant only to bring that villain, pointing to Rizzio, to his deserved punishment. Rizzio, aware of the danger, ran behind his mistress, and seizing her by the waist, called aloud to her for protection; while she interposed in his behalf, with cries, and menaces, and entreaties. The impatient assassins, regardless of her efforts, rushed upon their prey, and by overturning every thing which stood in their way, increased the horror and confusion of the scene. Douglas, seizing Henry's dagger, stuck it in the body of Rizzio, who, screaming with fear and agony, was torn from Mary by the other conspirators, and pushed into the anti-chamber, where he was despatched with fifty-six wounds.<sup>c</sup> The unhappy princess, informed of his fate, immediately dried her tears, and said, She would weep no more, she would now think of revenge. The insult, indeed, upon her person; the stain attempted to be fixed on her honour; the danger to which her life was exposed, on account of her pregnancy were injuries so atrocious and so complicated, that they scarcely left room for pardon, even from the greatest lenity and mercy.

The assassins, apprehensive of Mary's resentment, detained her prisoner in the palace; and the king dismissed all who seemed willing to attempt her rescue, by telling them that nothing was done without his orders, and that he would be careful of the queen's safety. Murray and the banished lords appeared two days after, and Mary, whose anger was now engrossed by injuries more recent and violent, was willingly reconciled to them; and she even received her brother with tenderness and affection. They obtained an acquittal from parliament, and were reinstated in their honours and fortunes. The accomplices also in Rizzio's murder applied to her for a pardon; but she artfully delayed compliance, and persuaded them, that so long as she was detained in custody, and was surrounded by guards, any deed which she should sign would have no validity. Meanwhile, she had gained

<sup>w</sup> Keith, p. 292, 302. Crawford's Memoirs, p. 5. Spotswood, p. 191.

<sup>x</sup> Buchanan confesses that Rizzio was ugly; but it may be inferred, from the narration of that author, that he was young. He says that, on the return of the Duke of Savoy to Turin, Rizzio was in *adolescenscentia togata*, in the vigour of youth. Now that event happened only a few years before, *ib. viii. cap. 34.* That Bothwell was young, appears, among many other invariable proofs, from Mary's instructions to the Bishop of Dumbarton, her ambassador at Paris; where she says, that in 1559, only eight years before, he was *very young*. He might therefore have been about thirty when he married her. See Keith's History, p.

388. From the Appendix to the *Epistola Rerum Secretarum*, it appears by authentic documents, that Patrick, Earl of Bothwell, father to James, who espoused Queen Mary, was alive till near the year 1560. Buchanan, by a mistake, which has been long ago corrected, calls him James.

<sup>y</sup> Keith, p. 329. Melvil, p. 124.  
<sup>z</sup> Buchanan, *ib. xvi. c. 63.* Crawford, p. 6. Spotswood, p. 191.

Knox, p. 393. Jebb, vol. i. p. 456.

<sup>a</sup> Crawford, p. 7.

<sup>b</sup> Goodall, vol. i. p. 266. Crawford, p. 7.

<sup>c</sup> Melvil, p. 61. Keith, p. 330, 331. Crawford, p. 9.

the confidence of her husband, by her persuasion and cresses; and no sooner were the guards withdrawn, than she engaged him to escape with her in the night time, and take shelter in Dunbar. Many of her subjects here offered her their services: and Mary, having collected an army, which the conspirators had no power to resist, advanced to Edinburgh, and obliged them to fly into England, where they lived in great poverty and distress. They made applications, however, to the Earl of Bothwell, a new favourite of Mary's; and that nobleman, desirous of strengthening his party by the accession of their interest, was able to pacify her resentment; and he soon after procured them liberty to return into their own country.<sup>d</sup>

The vengeance of the Queen of Scots was implacable against her husband alone, whose person was before disagreeable to her, and who, by his violation of every tie of gratitude and duty, had now drawn on him her highest resentment. She engaged him to disown all connexions with the assassins, to deny any concurrence in their crime, even to publish a proclamation, containing a falsehood so notorious to the whole world,<sup>e</sup> and having thus made him expose himself to universal contempt, and rendered it impracticable for him ever to acquire the confidence of any party, she threw him off with disdain and indignation.<sup>f</sup> As if she had been making an escape from him, she suddenly withdrew to Alloa, a seat of the Earl of Marr's; and when Henry followed her thither, she suddenly returned to Edinburgh; and gave him every where the strongest proofs of displeasure, and even of antipathy. She encouraged her courtiers in their neglect of him; and she was pleased that his mean equipage and small train of attendants should draw on him the contempt of the very populace. He was permitted, however, to have apartments in the castle of Edinburgh, which Mary had

19th June.

chosen for the place of her delivery. She there brought forth a son; and as this was very important news to England, as well as to Scotland, she immediately despatched Sir James Melvil to carry intelligence of the happy event to Elizabeth. Melvil tells us, that this princess, the evening of his arrival in London, had given a ball to her court at Greenwich, and was displaying all that spirit and alacrity which usually attended her on these occasions: but when news arrived of the Prince of Scotland's birth, all her joy was damped; she sunk into melancholy; she reclined her head upon her arm; and complained to some of her attendants, that the Queen of Scots was mother of a fair son, while she herself was but a barren stock. Next day, however, at the reception of the ambassador, she resumed her former dissimulation, put on a joyful countenance, gave Melvil thanks for the haste he had made in conveying to her the agreeable intelligence, and expressed the utmost cordiality and friendship to her sister.<sup>g</sup> Some time after, she despatched the Earl of Bedford, with her kinsman, George Cary, son of Lord Hunsdon, in order to officiate at the baptism of the young prince; and she sent by them some magnificent presents to the Queen of Scots.

The birth of a son gave additional zeal to Mary's partisans in England;<sup>h</sup> and even men of the most opposite parties began to cry aloud for some settlement of the succession. These humours broke out with great vehemence in a new session of parliament, held after six prorogations.

Sept. 30.

A parliament. The House of Peers, which had hitherto borne to touch on this delicate point, here took the lead; and the House of Commons soon after imitated the zeal of the Lords. Molineux opened the matter in the lower House, and proposed that the question of the succession and that of supply should go hand in hand; as if it were intended to constrain the queen to a compliance with the request of her parliament.<sup>i</sup> The courtiers endeavoured to elude the debate: Sir Ralph Sadler told the House, that he had heard the queen positively affirm, that, for the good of her people, she was determined to marry. Secretary Cecil and Sir Francis Knollys gave their testimony to the same purpose; as did also Sir Ambrose Cave, chancellor of the duchy, and Sir Edward Rogers, comptroller of the household.<sup>k</sup> Eliza-

beth's ambitious and masculine character was so well known, that few members gave any credit to this intelligence; and it was considered merely as an artifice, by which she endeavoured to retract that positive declaration, which she had made in the beginning of her reign, that she meant to live and die a virgin. The ministers, therefore, gained nothing further by this piece of policy, than only to engage the House, for the sake of decency, to join the question of the queen's marriage with that of a settlement of the crown; and the Commons were proceeding with great earnestness in the debate, and had even appointed a committee to confer with the Lords, when express orders were brought them from Elizabeth, not to proceed further in the matter. Cecil told them, that she pledged to the House the word of a queen for her sincerity in her intentions to marry; that the appointment of a successor would be attended with great danger to her person; that she herself had had experience, during the reign of her sister, how much court was usually paid to the next heir, and what dangerous sacrifices men were commonly disposed to make of their present duty to their future prospects; and that she was therefore determined to delay, till a more proper opportunity, the decision of that important question.<sup>l</sup> The House was not satisfied with these reasons, and still less with the command, prohibiting them all debate on the subject. Paul Wentworth, a spirited member, went so far as to question whether such a prohibition were not an infringement of the liberties and privileges of the House.<sup>m</sup> Some even ventured to violate that profound respect which had hitherto been preserved to the queen; and they affirmed that she was bound in duty, not only to provide for the happiness of her subjects during her own life, but also to pay regard to their future security, by fixing a successor; that, by an opposite conduct, she showed herself the step-mother, not the natural parent, of her people, and would seem desirous that England should no longer subsist than she should enjoy the glory and satisfaction of governing it; that none but timorous princes, or tyrants, or faint-hearted women, ever stood in fear of their successors; and that the affections of the people were a firm and impregnable rampart to every sovereign, who, laying aside all artifice or bye-ends, had courage and magnanimity to put his whole trust in that honourable and sure defence.<sup>n</sup> The queen, hearing of these debates, sent for the speaker, and after reiterating her former prohibition, she bade him inform the House, that if any member remained still unsatisfied, he might appear before the privy council, and there give his reasons.<sup>o</sup> As the members showed a disposition, notwithstanding these peremptory orders, still to proceed upon the question, Elizabeth thought proper, by a message, to revoke them, and to allow the House liberty of debate.<sup>p</sup> They were so mollified by this gracious condescension, that they thenceforth conducted the matter with more calmness and temper; and they even voted her a supply, to be levied at three payments, of a subsidy and a fifteenth, without annexing any condition to it. The

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queen soon after dissolved the parliament, and told them, with some sharpness in the conclusion, that their proceedings had contained much dissimulation and artifice; that, under the plausible pretences of marriage and succession, many of them covered very malevolent intentions towards her; but that, however, she reaped this advantage from the attempts of these men, that she could now distinguish her friends from her enemies. "But do you think," added she, "that I am unmindful of your future security, or will be negligent in settling the succession? That is the chief object of my concern; as I know myself to be liable to mortality. Or do you apprehend that I meant to encroach on your liberties? No; it was never my meaning; I only intended to stop you before you approached the precipice. All things have their time; and though you may be blessed with a sovereign more wise or more learned than I, yet I assure you, that no one will ever rule over you, who shall be more careful of your safety. And therefore, henceforward, whether I live to see the like assembly or no, or whoever holds the

<sup>d</sup> Melvil, p. 75, 76. Keith, p. 344. Knox, p. 398.

<sup>e</sup> Grassall, vol. i. p. 320. Keith, Appendix, p. 167.

<sup>f</sup> Melvil, p. 66, 67. <sup>g</sup> Ibid. 69, 70.

<sup>h</sup> Camden, p. 397.

<sup>i</sup> Ibid. p. 137, 138.

<sup>o</sup> D'Ewes, p. 130.

<sup>l</sup> D'Ewes, p. 129.

<sup>m</sup> Ibid. p. 128.

<sup>n</sup> Ibid. p. 130.

<sup>k</sup> Ibid. p. 121.

<sup>o</sup> Camden, p. 343.

reins of government, let me warn you to beware of provoking your sovereign's patience, so far as you have done mine. But I shall now conclude, that, notwithstanding the disgusts I have received, (for I mean not to part with you in anger,) the greater part of you may assure themselves that they go home in their prince's good graces.<sup>74</sup>

Elizabeth carried further her dignity on this occasion. She had received the subsidy without any condition; but as it was believed that the Commons had given her that gratuity with a view of engaging her to yield to their requests, she thought proper, on her refusal, voluntarily to remit the third payment; and she said, that money in her subjects' purses was as good to her as in her own exchequer.<sup>75</sup>

But though the queen was able to elude, for the present, the applications of parliament, the friends of the Queen of Scots multiplied every day in England; and besides the catholics, many of whom kept a treasonable correspondence with her, and were ready to rise at her command,<sup>76</sup> the court itself of Elizabeth was full of her avowed partisans. The Duke of Norfolk, the Earl of Leicester, Pembroke, Bedford, Northumberland, Sir Nicholas Throgmorton, and most of the considerable men in England, except Cecil, seemed convinced of the necessity of declaring her the successor. None but the more zealous protestants adhered either to the Countess of Hertford, or to her aunt, Eleanor, Countess of Cumberland; and as the marriage of the former seemed liable to some objections, and had been declared invalid, men were alarmed, even on that side, with the prospect of new disputes concerning the succession. Mary's behaviour also, so moderate towards the protestants, and so gracious towards all men, had procured her universal respect;<sup>77</sup> and the public was willing to ascribe any imprudences, into which she had fallen, to her youth and inexperience. But all these flattering prospects were blasted by the subsequent incidents; where her egregious indiscretions, shall I say, or atrocious crimes, threw her from the height of her prosperity, and involved her in infamy and in ruin.

**Murder of Darnley.** The Earl of Bothwell was of a considerable family and power in Scotland; and though not distinguished by any talents either of a civil or military nature, he had made a figure in that party, which opposed the greatness of the Earl of Murray, and the more rigid reformers. He was a man of profligate manners; and involved his opulent fortune in great debts; and even reduced himself to beggary by his profuse expenses;<sup>78</sup> and seemed to have no resource but in desperate counsels and enterprises. He had been accused more than once of an attempt to assassinate Murray; and though the frequency of these accusations on all sides diminish somewhat the credit due to any particular imputation, they prove sufficiently the prevalence of that detestable practice in Scotland, and may in that view serve to render such rumours the more credible. This man had of late acquired the favour and entire confidence of Mary; and all her measures were directed by his advice and authority. Reports were spread of more particular intimacies between them; and these reports gained ground from the continuance or rather increase of her hatred towards her husband.<sup>79</sup> That young prince was reduced to such a state of desperation, by the neglects which he underwent from his queen and the courtiers, that he had once resolved to fly secretly into France or Spain, and had even provided a vessel for that purpose.<sup>80</sup> Some of the most considerable nobility, on the other hand, observing her rooted aversion to him, had proposed some expedients for a divorce; and though Mary is said to have spoken honourably on the occasion, and to have embraced the proposal no further than it should be fit and consistent with her own honour and her son's legitimacy,<sup>81</sup> men were inclined to believe that the difficulty of finding proper means for effecting that purpose, was the real cause of laying aside all further thoughts of

it. So far were the suspicions against her carried, that when Henry, discouraged with the continual proofs of her hatred, left the court and retired to Glasgow, an illness of an extraordinary nature, with which he was seized immediately on his arrival in that place, was universally ascribed by her enemies to a dose of poison, which, it was pretended, she had administered to him.

While affairs were in this situation, all those who wished well to her character, or to public tranquillity, were extremely pleased, and somewhat surprised, to hear that a friendship was again conciliated between them, that she had taken a journey to Glasgow on purpose to visit him during his sickness, that she behaved towards him with great tenderness, that she had brought him along with her, and that she appeared thenceforth determined to live with him on a footing more suitable to the connexions between them. Henry, naturally uxorious, and not distrusting this sudden reconciliation, put himself implicitly into her hands, and attended her to Edinburgh. She lived in the palace of Holyrood-house; but as the situation of the palace was low, and the concourse of people about the court was necessarily attended with noise, which might disturb him in his present infirm state of health, these reasons were assigned for fitting up an apartment for him in a solitary house at some distance, called the Kirk of Field. Mary here gave him marks of kindness and attachment; she conversed cordially with him; and she lay some nights in a room below his; but on the ninth of February, she told him that she would pass that night in the palace, because the marriage of one of her servants was there to be celebrated in her presence. About two o'clock in the morning the whole town was much alarmed at hearing a great noise; and was still more astonished, when it was discovered that the noise came from the king's house, which was blown up by gunpowder; Feb. 10.

that his dead body was found at some distance in a neighbouring field; and that no marks either of fire, contusion, or violence, appeared upon it.<sup>82</sup>

No doubt could be entertained but Henry was murdered; and general conjecture soon pointed towards the Earl of Bothwell as the author of the crime.<sup>83</sup> But as his favour with Mary was visible, and his power great, no one ventured to declare openly his sentiments; and all men remained in silence and mute astonishment. Voices, however, were heard in the streets, during the darkness of the night, proclaiming Bothwell, and even Mary herself, to be murderers of the king; bills were secretly affixed on the walls to the same purpose; offers were made that, upon giving proper securities, his guilt should be openly proved. But after one proclamation from the court, offering a reward and indemnity to any one that would discover the author of that villany, greater vigilance was employed in searching out the spreaders of the libels and reports against Bothwell and the queen, than in tracing the contrivers of the king's assassination, or detecting the regicides.<sup>84</sup>

The Earl of Lenox, who lived at a distance from court, in poverty and contempt, was roused by the report of his son's murder, and wrote to the queen, imploring speedy justice against the assassins; among whom he named the Earl of Bothwell, Sir James Balfour, and Gilbert Balfour his brother, David Chalmers, and four others of the queen's household; all of them persons who had been mentioned in the bills affixed to the walls at Edinburgh.<sup>85</sup> Mary took his demand of speedy justice in a very literal sense; and allowing only fifteen days for the examination of this important affair, she sent a citation to Lenox, requiring him to appear in court, and prove his charge against Bothwell.<sup>86</sup> This nobleman, meanwhile, and all the other persons accused by Lenox, enjoyed their full liberty;<sup>87</sup> Bothwell himself was continually surrounded with armed men;<sup>88</sup> took his place in council;<sup>89</sup> lived during some time in the house with Mary;<sup>90</sup> and seemed

q D'Ewes, p. 116, 117.

r Camden, p. 400.

s Haines, p. 446, 448.

t Melvil, p. 51, 61, 74.

u Keith, p. 240.

w Melvil, p. 66, 77.

x Keith, p. 345—348.

y Camden, p. 404. Goodall's Queen Mary, vol. ii, p. 317.

z It was imagined that Henry had been strangled before the house was blown up. But this supposition is contradicted by the confession of the criminals; and there is no necessity to admit it in order to account for the constitution of his body. There are many instances that men's lives have

been saved who had been blown up in ships. Had Henry fallen on water

he had not probably been killed.

a Melvil, p. 78. Cabala, p. 156.

b Anderson's Collections, vol. ii, p. 38, vol. iv, p. 167, 168. Spotswood,

p. 200. Keith, p. 374.

c Keith, p. 375. Anderson, vol. ii, p. 7.

d Keith, p. 373.

e Ibid. 374, 375.

f Ibid. p. 405.

g Anderson, vol. i, p. 81, 80, 80, 82.

h Ibid. vol. ii, p. 674.



to possess all his wonted confidence and familiarity with her. Even the castle of Edinburgh, a place of great consequence in this critical time, was intrusted to him, and under him, to his creature Sir James Balfour, who had himself been publicly charged as an accomplice in the king's murder.<sup>1</sup> Lenox, who had come as far as Stirling, with a view of appearing at the trial, was informed of all these circumstances; and reflecting on the small train which attended him, he began to entertain very just apprehensions from the power, insolence, and temerity of his enemy. He wrote to Mary, desiring that the day of trial might be prorogued; and conjured her, by all the regard which she bore to her own honour, to employ more leisure and deliberation in determining a question of such extreme moment.<sup>2</sup> No regard was paid to this application: the jury was enclosed, of which the Earl of Caithness was chancellor; and though Lenox, foreseeing this precipitation, had ordered Cunningham, one of his retinue, to appear in court, and protest, in his name, against the acquittal of the criminal, the jury proceeded to a verdict.<sup>3</sup> The verdict was such as it behoved them to give, where neither accuser nor witness appeared; and

12th April.

Bothwell was absolved from the king's murder. The jury, however, apprehensive that their verdict would give great scandal, and perhaps expose them afterwards to some danger, entered a protest, in which they represented the necessity of their proceedings.<sup>4</sup> It is remarkable, that the indictment was laid against Bothwell for committing the crime on the ninth of February, not the tenth, the real day on which Henry was assassinated.<sup>5</sup> The interpretation generally put upon this error, too gross, it was thought, to have proceeded from mistake, was, that the secret council, by whom Mary was governed, not trusting entirely to precipitation, violence, and authority, had provided this plea, by which they insured, at all adventures, a plausible pretence for acquitting Bothwell.

Two days after this extraordinary transaction, a parliament was held; and though the verdict in favour of Bothwell was attended with such circumstances as strongly confirmed, rather than diminished, the general opinion of his guilt, he was the person chosen to carry the royal sceptre on the first meeting of the national assembly.<sup>6</sup> In this parliament a rigorous act was made against those who set up defamatory bills; but no notice was taken of the king's murder.<sup>7</sup> The favour which Mary openly bore to Bothwell, kept every one in awe; and the effects of this terror appeared more plainly in another transaction, which ensued immediately upon the dissolution of the parliament. A bond, or association, was framed; in which the subscribers, after relating the acquittal of Bothwell by a legal trial, and mentioning a further offer, which he had made, to prove his innocence by single combat, oblige themselves, in case any person should afterwards impute to him the king's murder, to defend him with their whole power against such calumniators. After this promise, which implied no great assurance in Bothwell of his own innocence, the subscribers mentioned the necessity of their queen's marriage, in order to support the government; and

24th April.

they recommended Bothwell to her as a husband.<sup>8</sup> This paper was subscribed by all the considerable nobility there present. In a country divided by violent factions, such a concurrence in favour of one nobleman, nowise distinguished above the rest, except by his flagitious conduct, could never have been obtained, had not every one been certain, at least firmly persuaded, that Mary was fully determined on this measure.<sup>9</sup> Nor would such a motive have sufficed to influence men, commonly so stubborn and intractable, had they not been taken by surprise, been ignorant of each other's sentiments, and overawed by the present power of the court, and by the apprehensions of further violence, from persons so little governed by any principles of honour and humanity.

Even with all these circumstances, the subscription to this paper may justly be regarded as a reproach to the nation.

The subsequent measures of Bothwell were equally precipitate and audacious. Mary having gone to Stirling, to pay a visit to her son, he assembled a body of eight hundred horse, on pretence of pursuing some robbers on the borders, and having waylaid her on 24th April. her return, he seized her person near Edinburgh, and carried her to Dunbar, with an avowed design of forcing her to yield to his purpose. Sir James Melvil, one of her retinue, was carried along with her, and says not, that he saw any signs of reluctance or constraint: he was even informed, as he tells us, by Bothwell's officers, that the whole transaction was managed in concert with her.<sup>10</sup> A woman, indeed, of that spirit and resolution, which is acknowledged to belong to Mary, does not usually, on these occasions, give such marks of opposition to real violence, as can appear anywise doubtful or ambiguous. Some of the nobility, however, in order to put matters to a further trial, sent her a private message; in which they told her, that if, in reality, she lay under force, they would use all their efforts to rescue her. Her answer was, that she had indeed been carried to Dunbar by violence, but ever since her arrival had been so well treated, that she willingly remained with Bothwell.<sup>11</sup> No one gave himself thenceforth any concern to relieve her from a captivity, which was believed to proceed entirely from her own approbation and connivance.

This unusual conduct was at first ascribed to Mary's sense of the infamy attending her purposed marriage; and her desire of finding some colour to gloss over the irregularity of her conduct. But a pardon given to Bothwell, a few days after, made the public carry their conjectures somewhat further. In this deed, Bothwell received a pardon for the violence committed on the queen's person; and for all other crimes: a clause, by which the murder of the king was indirectly forgiven. The rape was then conjectured to have been only a contrivance, in order to afford a pretence for indirectly remitting a crime, of which it would have appeared scandalous to make openly any mention.<sup>12</sup>

These events passed with such rapidity, that men had no leisure to admire sufficiently one incident, when they were surprised with a new one, equally rare and uncommon. There still, however, remained one difficulty, which it was not easy to foresee how the queen and Bothwell, determined as they were to execute their shameful purpose, could find expedients to overcome. The man who had procured the subscription of the nobility, recommending him as a husband to the queen, and who had acted this seeming violence on her person, in order to force her consent, had been married two years before to another woman; to a woman of merit, of a noble family, sister to the Earl of Huntley. But persons blinded by passion, and infatuated with crimes, soon shake off all appearance of decency. A suit was commenced for a divorce between Bothwell and his wife; and this suit was opened at the same instant, in two different, or rather opposite, courts; in the court of the Archbishop of St. Andrews, which was popish, and governed itself by the canon law; and in the new consistorial or commissariat court, which was protestant, and was regulated by the principles of the reformed teachers. The plea, advanced in each court, was so calculated as to suit the principles which there prevailed: in the archbishop's court, the pretence of consanguinity was employed, because Bothwell was related to his wife in the fourth degree; in the commissariat court, the accusation of adultery was made use of against him. The parties, too, who applied for the divorce, were different in the different courts: Bothwell was the person who sued in the former; his wife in the latter. And the suit in both courts was opened, pleaded, examined, and

<sup>1</sup> Spotswood, p. 201.

<sup>2</sup> Keith, p. 375. Anderson, vol. i. p. 52.

<sup>3</sup> Keith, p. 376. Anderson, vol. ii. p. 16. Spotswood, p. 201.

<sup>4</sup> Spotswood, p. 201. Anderson, vol. i. p. 115.

<sup>5</sup> Keith, p. 375. Anderson, vol. ii. p. 93. Spotswood, p. 201.

<sup>6</sup> Keith, p. 376. Crawford, p. 14.

<sup>7</sup> Keith, p. 380. <sup>8</sup> Ibid. p. 381.

<sup>9</sup> Mary herself confessed in her instructions to the ambassadors whom she sent to France, that Bothwell persuaded all the noblemen, that their appli-

cation in favour of his marriage was agreeable to her. Keith, p. 380. Anderson, vol. i. p. 94. Murray afterwards produced to Queen Elizabeth's commissioners a paper, signed by Mary, by which she permitted them to make this application to her. This permission was a sufficient evidence of her intentions, and was esteemed equivalent to a command. Anderson, vol. iv. p. 59. They even asserted, that the house in which they met was surrounded with armed men. Goodall, vol. ii. p. 141.

<sup>10</sup> Keith, p. 380.

<sup>11</sup> Anderson, vol. iv. part ii. p. 61.

<sup>12</sup> Spotswood, p. 202.

decided, with the utmost precipitation; and a sentence of divorce was pronounced in four days.<sup>w</sup>

The divorce being thus obtained, it was thought proper that Mary should be conducted to Edinburgh, and should there appear before the courts of judicature, and should acknowledge herself restored to entire freedom. This was understood to be contrived in a view of obviating all doubts with regard to the validity of her marriage. Orders were then given to publish in the church the banns between the queen and the Duke of Orkney; for that was the title which he now bore; and Craig, a minister of Edinburgh, was applied to for that purpose. This clergyman, not content with having refused compliance, publicly in his sermons condemned the marriage, and exhorted all who had access to the queen to give her their advice against so scandalous an alliance. Being called before the council, to answer for this liberty, he showed a courage which might cover all the nobles with shame, on account of their tameness and servility. He said, that by the rules of the church, the Earl of Bothwell, being convicted of adultery, could not be permitted to marry; that the divorce between him and his former wife was plainly procured by collusion, as appeared by the precipitation of the sentence, and the sudden conclusion of his marriage with the queen; and that all the suspicions which prevailed, with regard to the king's murder, and the queen's concurrence in the former rape, would thence receive undoubted confirmation. He therefore exhorted Bothwell, who was present, no longer to persevere in his present criminal enterprises; and turning his discourse to the other counsellors, he charged them to employ all their influence with the queen, in order to divert her from a measure which would load her with eternal infamy and dishonour. Not satisfied even with this admonition, he took the first opportunity of informing the public, from the pulpit, of the whole transaction, and expressed to them his fears, that notwithstanding all remonstrances, their sovereign was still obstinately bent on her fatal purpose. "For himself," he said, "he had already discharged his conscience, and yet again would take heaven and earth to witness, that he abhorred and detested that marriage, as scandalous and hateful in the sight of mankind: but since the great, as he perceived, either by their flattery or silence, gave countenance to the measure, he besought the faithful to pray fervently to the Almighty, that a resolution taken contrary to all law, reason, and good conscience, might, by the divine blessing, be turned to the comfort and benefit of the church and kingdom." These speeches offended the court extremely; and Craig was anew summoned before the council, to answer for his temerity, in thus passing the bounds of his commission. But he told them, that the bounds of his commission were the word of God, good laws, and natural reason; and, were the queen's marriage tried by any of these standards, it would appear infamous and dishonourable, and would be so esteemed by the whole world. The council were so overawed by this heroic behaviour in a private clergyman, that they dismissed him without further censure or punishment.<sup>x</sup>

But though this transaction might have recalled Bothwell and the Queen of Scots from their infatuation, and might have instructed them in the dispositions of the people, as well as in their own inability to oppose them, they were still resolute to rush forward to their own manifest destruction.

The marriage was solemnized by the 15th May. Bishop of Orkney, a protestant, who was afterwards deposed by the church for his scandalous compliance. Few of the nobility appeared at the ceremony: they had, most of them, either from shame or fear, retired to their own houses. The French ambassador, Le Croc, an aged gentleman of honour and character, could not be prevailed on, though a dependant of the house of Guise, to countenance the marriage by his presence.<sup>y</sup> Elizabeth remonstrated, by friendly letters and messages, against the marriage:<sup>z</sup> the court of France made like opposition; but Mary, though

on all other occasions she was extremely obsequious to the advice of her relations in that country, was here determined to pay no regard to their opinion.

The news of these transactions, being carried to foreign countries, filled Europe with amazement, and threw infamy, not only on the principal actors in them, but also on the whole nation, who seemed, by their submission and silence, and even by their declared approbation, to give their sanction to these scandalous practices.<sup>a</sup> The Scots, who resided abroad, met with such reproaches, that they durst nowhere appear in public; and they earnestly exhorted their countrymen at home to free them from the public odium, by bringing to condign punishment the authors of such atrocious crimes. This intelligence, with a little more leisure for reflection, roused men from their lethargy; and the rumours which, from the very beginning,<sup>b</sup> had been spread against Mary, as if she had concurred in the king's murder, seemed now, by the subsequent transactions, to have received a strong confirmation and authority. It was every where said, that even though no particular and direct proofs had as yet been produced of the queen's guilt, the whole tenor of her late conduct was sufficient, not only to breed suspicion, but to produce entire conviction against her: that her sudden resolution of being reconciled to her husband, whom before she had long and justly hated; her bringing him to court, from which she had banished him by neglects and rigours; her fitting up separate apartments for him; were all of them circumstances, which, though trivial in themselves, yet being compared with the subsequent events, bore a very unfavourable aspect for her: that the least which, after the king's murder, might have been expected in her situation, was a more than usual caution in her measures, and an extreme anxiety to punish the real assassins, in order to free herself from all reproach and suspicion: that no woman, who had any regard to her character, would allow a man, publicly accused of her husband's murder, so much as to approach her presence, far less give him a share in her councils, and endow him with favour and authority: that an acquittal, merely in the absence of accusers, was very ill fitted to satisfy the public; especially if that absence proceeded from a designed precipitation of the sentence, and from the terror which her known friendship for the criminal had infused into every one: that the very mention of her marriage to such a person, in such circumstances, was horrible; and the contrivances of extorting a consent from the nobility, and of concerting a rape, were gross artifices, more proper to discover her guilt than prove her innocence: that where a woman thus shows a consciousness of merited reproach, and instead of correcting, provides only thin glosses to cover, her exceptional conduct, she betrays a neglect of fame, which must either be the effect or the cause of the most shameful enormities: that to espouse a man, who had, a few days before, been so scandalously divorced from his wife; who, to say the least, was believed to have, a few months before, assassinated her husband; was so contrary to the plainest rules of behaviour, that no pretence of indiscretion or imprudence could account for such a conduct: that a woman, who, so soon after her husband's death, though not attended with any extraordinary circumstances, contracts a marriage, which might in itself be the most blameless, cannot escape severe censure; but one who overlooks, for her pleasure, so many other weighty considerations, was equally capable, in gratifying her appetites, to neglect every regard to honour and humanity: that Mary was not ignorant of the prevailing opinion of the public, with regard to her own guilt, and of the inferences which would every where be drawn from her conduct; and therefore, if she still continued to pursue measures which gave such just offence, she ratified, by her actions, as much as she could by the most formal confession, all the surmises and imputations of her enemies: that a prince was here murdered in the face of the world; Bothwell alone was suspected and accused; if he were innocent, nothing could absolve him, either in Mary's eyes or those of the public, but the detection and conviction of

<sup>w</sup> Anderson, vol. i, p. 280.

<sup>x</sup> Spotswood, p. 203. Anderson, vol. ii p. 280.

<sup>y</sup> Spotswood, p. 203. Melvil, p. 62.

<sup>z</sup> Keith, p. 392. Digges, p. 14.

<sup>a</sup> Melvil, p. 62. Keith, p. 467. Anderson, vol. i, p. 128, 134.

<sup>b</sup> Crawford, p. 11. Keith, Pref. p. 9.

the real assassin; yet no inquiry was made to that purpose, though a parliament had been assembled; the sovereign and wife were here plainly silent from guilt, the people from terror. That the only circumstance which opposed all these presumptions, or rather proofs, was the benignity and goodness of her preceding behaviour, which seemed to remove her from all suspicions of such atrocious inhumanity; but that the characters of men were extremely variable, and persons guilty of the worst actions were not always of the worst and most criminal dispositions: that a woman who, in a critical and dangerous moment, had sacrificed her honour to a man of abandoned principles, might thenceforth be led blindfold by him to the commission of the most enormous crimes, and was in reality no longer at her own disposal: and that, though one supposition was still left to alleviate her blame, namely, that Bothwell, presuming on her affection towards him, had of himself committed the crime, and had never communicated it to her, yet such a sudden and passionate love to a man, whom she had long known, could not easily be accounted for without supposing some degree of preceding guilt; and as it appeared that she was not afterwards restrained, either by shame or prudence, from incurring the highest reproach and danger, it was not likely that a sense of duty or humanity would have a more powerful influence over her.

These were the sentiments which prevailed throughout Scotland; and as the protestant teachers, who had great authority, had long borne an animosity to Mary, the opinion of her guilt was, by that means, the more widely diffused, and made the deeper impression on the people. Some attempts made by Bothwell, and as is pretended, with her consent, to get the young prince into his power, excited the most serious attention; and the principal nobility, even many of those who had formerly been constrained to sign the application in favour of Bothwell's marriage, met at Stirling, and formed an association for protecting the prince, and punishing the king's murderers.<sup>c</sup> The Earl of Athol himself, a known catholic, was the first author of this confederacy: the Earls of Argyll, Morton, Marre, Glencarne, the Lords Boyd, Lindesay, Hume, Semple, Kirkaldy of Grange, Tulibardine, and Secretary Lidington, entered zealously into it. The Earl of Murray, foreseeing such turbulent times, and being desirous to keep free of these dangerous factions, had, some time before, desired and obtained Mary's permission to retire into France.

<sup>Insurrections in Scotland.</sup> Lord Hume was first in arms; and leading a body of eight hundred horse, suddenly environed the Queen of Scots and Bothwell in the castle of Borthwic. They found means of making their escape to Dunbar; while the confederate lords were assembling their troops at Edinburgh, and taking measures to effect their purpose. Had Bothwell been so prudent as to keep within the fortress of Dunbar, his enemies must have dispersed for want of pay and subsistence; but hearing that the associated lords were fallen into distress, he was so rash as to take the field, and advance towards them.

<sup>15th June.</sup> The armies met at Carberry Hill, about six miles from Edinburgh; and Mary soon became sensible that her own troops disapproved of her cause, and were averse to spill their blood in the quarrel.<sup>d</sup> After some bravadoes of Bothwell, where he discovered very little courage, she saw no resource but that of holding a conference with Kirkaldy of Grange, and of putting herself, upon some general promises, into the hands of the confederates. She was conducted to Edinburgh, amidst the insults of the populace; who reproached her with her crimes; and even held before her eyes, which way soever she turned, a banner, on which were painted the murder of her husband, and the distress of her infant son.<sup>e</sup> Mary, overwhelmed with her calamities, had recourse to tears and lamentations. Meanwhile Bothwell, during her conference with Grange, fled unattended to Dunbar; and fitting out a few small ships, set sail for the Orkneys, where he subsisted during some time by piracy. He was pursued thither by Grange, and his ship was taken, with

several of his servants, who afterwards discovered all the circumstances of the king's murder, and were punished for the crime.<sup>f</sup> Bothwell himself escaped in a boat, and found means to get a passage to Denmark, where he was thrown into prison, lost his senses, and died miserably about ten years after: an end worthy of his flagitious conduct and behaviour.

The Queen of Scots, now in the hands of an enraged faction, met with such treatment as a sovereign may naturally expect from subjects who have their future security to provide for, as well as their present animosity to gratify. It is pretended, that she behaved with a spirit very little suitable to her condition, avowed her inviolable attachment to Bothwell, and even wrote him a letter, which the lords intercepted, wherein she declared, that she would endure any extremity, nay, resign her dignity and crown itself, rather than relinquish his affections.<sup>h</sup> The malcontents, finding the danger to which they were exposed, in case Mary should finally prevail, thought themselves obliged to proceed with rigour against her; and they sent her next day under a guard to the castle of Lochleven, situated in a lake of that name. The mistress of the house was mother to the Earl of Murray; and as she pretended to have been lawfully married to the late King of Scots, she naturally bore an animosity to Mary, and treated her with the utmost harshness and severity.

Elizabeth, who was fully informed of all these incidents, seemed touched with compassion towards the unfortunate Queen; and all her fears and jealousies being now laid asleep, by the consideration of that ruin and infamy in which Mary's conduct had involved her, she began to reflect on the instability of human affairs, the precarious state of royal grandeur, the danger of encouraging rebellious subjects; and she resolved to employ her authority for alleviating the calamities of her unhappy kinswoman. She sent Sir Nicholas Throgmorton ambassador to Scotland, in order to remonstrate both with Mary and the associated lords; and she gave him instructions, which, though mixed with some lofty pretensions, were full of that good sense which was so natural to her, and of that generosity which the present interesting conjuncture had called forth. She empowered him to declare in her name to Mary, that the late conduct of that princess, so enormous, and in every respect so unjustifiable, had given her the highest offence; and though she felt the movements of pity towards her, she had once determined never to interpose in her affairs, either by advice or assistance, but to abandon her entirely, as a person whose condition was totally desperate, and honour irretrievable: that she was well assured that other foreign princes, Mary's near relations, had embraced the same resolution; but, for her part, the late events had touched her heart with more tender sympathy, and had made her adopt measures more favourable to the liberty and interests of the unhappy queen: that she was determined not to see her oppressed by her rebellious subjects; but would employ all her good offices, and even her power, to redeem her from captivity, and place her in such a condition as would at once be compatible with her dignity, and the safety of her subjects: that she conjured her to lay aside all thoughts of revenge, except against the murderers of her husband: and as she herself was his near relation, she was better entitled than the subjects of Mary, to interpose her authority on that head; and she therefore besought that princess, if she had any regard to her own honour and safety, not to oppose so just and reasonable a demand: that after those two points were provided for, her own liberty, and the punishment of her husband's assassins, the safety of her infant son was next to be considered; and there seemed no expedient more proper for that purpose than sending him to be educated in England: and that, besides the security which would attend his removal from a scene of faction and convulsions, there were many other beneficial consequences, which it was easy to foresee as the result of his education in that country.<sup>i</sup>

<sup>c</sup> Keith, p. 134.

<sup>d</sup> Ibid. p. 162. Spotswood, p. 207.

<sup>e</sup> Melvil, p. 83, 84.

<sup>f</sup> Anderson, vol. ii. p. 165, 166, &c.

<sup>g</sup> Keith, p. 119.

<sup>h</sup> Melvil, p. 84. The reality of this letter appears somewhat disputable; chiefly because Murray and his associates never mentioned it in their accusation of her before Queen Elizabeth's commissioners.

<sup>i</sup> Keith, p. 111, 112, &c.



The remonstrances which Throgmorton was instructed to make to the associated lords, were entirely conformable to these sentiments which Elizabeth entertained in Mary's favour. She empowered him to tell them, that, whatever blame she might throw on Mary's conduct, any opposition to their sovereign was totally unjustifiable, and incompatible with all order and good government: that it belonged not to them to reform, much less to punish, the mal-administration of their prince; and the only arms which subjects could in any case lawfully employ against the supreme authority, were entreaties, counsels, and representations: that if these expedients failed, they were next to appeal by their prayers to Heaven; and to wait with patience till the Almighty, in whose hands are the hearts of princes, should be pleased to turn them to justice and to mercy: that she inculcated not this doctrine, because she herself was interested in its observance; but because it was universally received in all well governed states, and was essential to the preservation of civil society: that she required them to restore their queen to liberty; and promised, in that case, to concur with them in all proper expedients for regulating the government, for punishing the king's murderers, and for guarding the life and liberty of the infant prince: and that if the services, which she had lately rendered the Scottish nation, in protecting them from foreign usurpation, were duly considered by them, they would repose confidence in her good offices, and would esteem themselves blame-worthy in having hitherto made no application to her.<sup>k</sup>

Elizabeth, besides these remonstrances, sent, by Throgmorton, some articles of accommodation, which he was to propose to both parties, as expedients for the settlement of public affairs; and though these articles contained some important restraints on the sovereign power, they were in the main calculated for Mary's advantage, and were sufficiently indulgent to her.<sup>l</sup> The associated lords, who determined to proceed with greater severity, were apprehensive of Elizabeth's partiality; and being sensible that Mary would take courage from the protection of that powerful princess,<sup>m</sup> they thought proper, after several affected delays, to refuse the English ambassador all access to her. There were four different schemes proposed in Scotland, for the treatment of the captive queen: one, that she should be restored to her authority under very strict limitations: the second, that she should be obliged to resign her crown to the prince, be banished the kingdom, and be confined either to France or England; with assurances from the sovereign in whose dominions she should reside, that she should make no attempts to the disturbance of the established government: the third, that she should be publicly tried for her crimes, of which her enemies pretended to have undoubted proof, and be sentenced to perpetual imprisonment. The fourth was still more severe, and required, that, after her trial and condemnation, capital punishment should be inflicted upon her.<sup>n</sup> Throgmorton supported the mildest proposal; but though he promised his mistress's guarantee for the performance of articles, threatened the ruling party with immediate vengeance in case of refusal,<sup>o</sup> and warned them not to draw on themselves, by their violence, the public reproach, which now lay upon their queen; he found that, excepting secretary Lidington, he had not the good fortune to convince any of the leaders. All counsels seemed to tend towards the more severe expedients; and the preachers, in particular, drawing their examples from the rigorous maxims of the Old Testament, which can only be warranted by particular revelations, inflamed the minds of the people against their unhappy sovereign.<sup>p</sup>

There were several pretenders to the regency of the young prince, after the intended deposition of Mary. The Earl of Lenox claimed that authority as grandfather to the prince: the Duke of Chatelrault, who was absent in France, had pretensions as next heir to the crown: but the greatest number of the associated lords inclined to the Earl of Murray, in whose capacity they had entire trust, and who possessed the confidence of the preachers and

more zealous reformers. All measures being therefore concerted, three instruments were sent to Mary, by the hands of Lord Lindesey, and Sir Robert Melvil; by one of which she was to resign the crown in favour of her son, by another to appoint Murray regent, by the third to make a council which should administer the government until his arrival in Scotland. The Queen of Scots, seeing no prospect of relief, lying justly under apprehensions for her life, and believing that no deed which she executed during her captivity could be valid, was prevailed on, after a plentiful effusion of tears, to sign these three instruments; and she took not the trouble of inspecting any one of them.<sup>q</sup> In consequence of this forced resignation, the young prince was proclaimed king, by the name of James VI. He was soon after crowned at Sirling, <sup>29th July.</sup> and the Earl of Morton took, in his name, the coronation oath; in which a promise to extirpate heresy was not forgotten. Some republican pretensions in favour of the people's power were countenanced in this ceremony;<sup>r</sup> and a coin was soon after struck, on which the famous saying of Trajan was inscribed, *Pro me; si merear, in me*: For me; if I deserve it, against me.<sup>s</sup> Throgmorton had orders from his mistress not to assist at the coronation of the King of Scots.<sup>t</sup>

The council of regency had not long occasion to exercise their authority. The Earl of Murray arrived from France, and took possession of his high office. He paid a visit to the captive queen; and spoke to her in a manner which better suited her past conduct than her present condition. This harsh treatment quite extinguished in her breast any remains of affection towards him.<sup>u</sup> Murray proceeded afterwards to break, in a more public manner, all terms of decency with her. He summoned a parliament; and that assembly, <sup>15th Dec.</sup> after voting that she was undoubtedly an accomplice in her husband's murder, condemned her to imprisonment, ratified her demission of the crown, and acknowledged her son for king, and Murray for regent.<sup>v</sup> The regent, a man of vigour and abilities, employed himself successfully in reducing the kingdom. He bribed Sir James Balfour to surrender the castle of Edinburgh: he constrained the garrison of Dunbar to open their gates: and he demolished that fortress.

But though every thing thus bore a favourable aspect to the new government, and all men seemed to acquiesce in Murray's authority, a violent revolution, however necessary, can never be effected without great discontents; and it was not likely that, in a country where the government, in its most settled state, possessed a very disjointed authority, a new establishment should meet with no interruption or disturbance. Few considerable men of the nation seemed willing to support Mary, so long as Bothwell was present; but the removal of that obnoxious nobleman had altered the sentiments of many. The Duke of Chatelrault, being disappointed of the regency, bore no good-will to Murray; and the same sentiments were embraced by all his numerous retainers. Several of the nobility, finding that others had taken the lead among the associators, formed a faction apart, and opposed the prevailing power: and besides their being moved by some remains of duty and affection towards Mary, the discontented lords observing every thing carried to extremity against her, were naturally led to embrace her cause, and shelter themselves under her authority. All who retained any propensity to the catholic religion, were induced to join this party; and even the people in general, though they had formerly either detested Mary's crimes, or blamed her imprudence, were now inclined to compassionate her present situation, and lamented that a person, possessed of so many amiable accomplishments, joined to such high dignity, should be treated with such extreme severity.<sup>w</sup> Animated by all these motives, many of the principal nobility, now adherents to the Queen of Scots, met at Hamilton, and concerted measures for supporting the cause of that princess.

While these humours were in fermentation, Mary was

<sup>k</sup> Keith, p. 434, 435, 429.

<sup>l</sup> *Ibid.* p. 427.

<sup>m</sup> *Ibid.* p. 426.

<sup>n</sup> *Ibid.* p. 426.

<sup>o</sup> *Ibid.* p. 426.

<sup>p</sup> *Ibid.* p. 426.

<sup>q</sup> *Ibid.* p. 426.

<sup>r</sup> *Ibid.* p. 426.

<sup>s</sup> *Ibid.* p. 426.

<sup>t</sup> *Ibid.* p. 426.

<sup>u</sup> *Ibid.* p. 426.

<sup>v</sup> *Ibid.* p. 426.

<sup>w</sup> *Ibid.* p. 426.

<sup>x</sup> *Ibid.* p. 426.

<sup>y</sup> *Ibid.* p. 426.

<sup>z</sup> *Ibid.* p. 426.

<sup>aa</sup> *Ibid.* p. 426.

<sup>ab</sup> *Ibid.* p. 426.

<sup>ac</sup> *Ibid.* p. 426.

<sup>ad</sup> *Ibid.* p. 426.

<sup>e</sup> Keith, p. 430, 440.

<sup>f</sup> *Ibid.* p. 430.

<sup>g</sup> *Anderson, vol. ii. p. 56, & seq.*

<sup>h</sup> *Anderson, lib. xiii. c. 53.*

<sup>i</sup> *Ibid.* p. 430.

<sup>j</sup> *Ibid.* p. 430.

<sup>k</sup> *Ibid.* p. 430.

<sup>l</sup> *Ibid.* p. 430.

<sup>m</sup> *Ibid.* p. 430.

<sup>n</sup> *Ibid.* p. 430.

<sup>o</sup> *Ibid.* p. 440. Append. p. 15.

<sup>p</sup> *Ibid.* p. 440.

<sup>q</sup> *Ibid.* p. 440.

<sup>r</sup> *Ibid.* p. 440.

<sup>s</sup> *Ibid.* p. 440.

<sup>t</sup> *Ibid.* p. 440.

<sup>u</sup> *Ibid.* p. 440.

<sup>v</sup> *Ibid.* p. 440.

<sup>w</sup> *Ibid.* p. 440.

<sup>x</sup> *Ibid.* p. 440.

<sup>y</sup> *Ibid.* p. 440.

<sup>z</sup> *Ibid.* p. 440.

<sup>aa</sup> *Ibid.* p. 440.

<sup>ab</sup> *Ibid.* p. 440.

<sup>ac</sup> *Ibid.* p. 440.

<sup>ad</sup> *Ibid.* p. 440.

<sup>ae</sup> *Ibid.* p. 440.

<sup>af</sup> *Ibid.* p. 440.

<sup>ag</sup> *Ibid.* p. 440.

<sup>ah</sup> *Ibid.* p. 440.

<sup>ai</sup> *Ibid.* p. 440.

<sup>aj</sup> *Ibid.* p. 440.

<sup>ak</sup> *Ibid.* p. 440.

<sup>al</sup> *Ibid.* p. 440.

<sup>am</sup> *Ibid.* p. 440.

<sup>an</sup> *Ibid.* p. 440.

<sup>ao</sup> *Ibid.* p. 440.

<sup>ap</sup> *Ibid.* p. 440.

<sup>aq</sup> *Ibid.* p. 440.

<sup>ar</sup> *Ibid.* p. 440.

<sup>as</sup> *Ibid.* p. 440.

<sup>at</sup> *Ibid.* p. 440.

<sup>au</sup> *Ibid.* p. 440.

<sup>av</sup> *Ibid.* p. 440.

<sup>aw</sup> *Ibid.* p. 440.

<sup>ax</sup> *Ibid.* p. 440.

<sup>ay</sup> *Ibid.* p. 440.

<sup>az</sup> *Ibid.* p. 440.

<sup>ba</sup> *Ibid.* p. 440.

<sup>bb</sup> *Ibid.* p. 440.

<sup>bc</sup> *Ibid.* p. 440.

<sup>bd</sup> *Ibid.* p. 440.

<sup>be</sup> *Ibid.* p. 440.

<sup>bf</sup> *Ibid.* p. 440.

<sup>bg</sup> *Ibid.* p. 440.

<sup>bh</sup> *Ibid.* p. 440.

<sup>bi</sup> *Ibid.* p. 440.

<sup>bj</sup> *Ibid.* p. 440.

<sup>bk</sup> *Ibid.* p. 440.

<sup>bl</sup> *Ibid.* p. 440.

<sup>bm</sup> *Ibid.* p. 440.

<sup>bn</sup> *Ibid.* p. 440.

<sup>bo</sup> *Ibid.* p. 440.

<sup>bp</sup> *Ibid.* p. 440.

<sup>bq</sup> *Ibid.* p. 440.

<sup>br</sup> *Ibid.* p. 440.

<sup>bs</sup> *Ibid.* p. 440.

<sup>bt</sup> *Ibid.* p. 440.

<sup>bu</sup> *Ibid.* p. 440.

<sup>bv</sup> *Ibid.* p. 440.

<sup>bw</sup> *Ibid.* p. 440.

<sup>bx</sup> *Ibid.* p. 440.

<sup>by</sup> *Ibid.* p. 440.

<sup>bz</sup> *Ibid.* p. 440.

<sup>ca</sup> *Ibid.* p. 440.

<sup>cb</sup> *Ibid.* p. 440.

<sup>cc</sup> *Ibid.* p. 440.

<sup>cd</sup> *Ibid.* p. 440.

<sup>ce</sup> *Ibid.* p. 440.

<sup>cf</sup> *Ibid.* p. 440.

<sup>cg</sup> *Ibid.* p. 440.

<sup>ch</sup> *Ibid.* p. 440.

<sup>ci</sup> *Ibid.* p. 440.

<sup>cj</sup> *Ibid.* p. 440.

<sup>ck</sup> *Ibid.* p. 440.

<sup>cl</sup> *Ibid.* p. 440.

<sup>cm</sup> *Ibid.* p. 440.

<sup>cn</sup> *Ibid.* p. 440.

<sup>co</sup> *Ibid.* p. 440.

<sup>cp</sup> *Ibid.* p. 440.

<sup>cq</sup> *Ibid.* p. 440.

<sup>cr</sup> *Ibid.* p. 440.

<sup>cs</sup> *Ibid.* p. 440.

<sup>ct</sup> *Ibid.* p. 440.

<sup>cu</sup> *Ibid.* p. 440.

<sup>cv</sup> *Ibid.* p. 440.

<sup>cw</sup> *Ibid.* p. 440.

<sup>cx</sup> *Ibid.* p. 440.

<sup>cy</sup> *Ibid.* p. 440.

<sup>cz</sup> *Ibid.* p. 440.

<sup>da</sup> *Ibid.* p. 440.

<sup>db</sup> *Ibid.* p. 440.

<sup>dc</sup> *Ibid.* p. 440.

<sup>dd</sup> *Ibid.* p. 440.

<sup>de</sup> *Ibid.* p. 440.

<sup>df</sup> *Ibid.* p. 440.

<sup>dg</sup> *Ibid.* p. 440.

<sup>dh</sup> *Ibid.* p. 440.

<sup>di</sup> *Ibid.* p. 440.

<sup>dj</sup> *Ibid.* p. 440.

<sup>dk</sup> *Ibid.* p. 440.

<sup>dl</sup> *Ibid.* p. 440.

<sup>dm</sup> *Ibid.* p. 440.

<sup>dn</sup> *Ibid.* p. 440.

<sup>do</sup> *Ibid.* p. 440.

<sup>dp</sup> *Ibid.* p. 440.

<sup>dq</sup> *Ibid.* p. 440.

<sup>dr</sup> *Ibid.* p. 440.

<sup>ds</sup> *Ibid.* p. 440.

<sup>dt</sup> *Ibid.* p. 440.

<sup>du</sup> *Ibid.* p. 440.

<sup>dv</sup> *Ibid.* p. 440.

<sup>dw</sup> *Ibid.* p. 440.

<sup>dx</sup> *Ibid.* p. 440.

<sup>dy</sup> *Ibid.* p. 440.

<sup>dz</sup> *Ibid.* p. 440.

<sup>ea</sup> *Ibid.* p. 440.

<sup>eb</sup> *Ibid.* p. 440.

<sup>ec</sup> *Ibid.* p. 440.

<sup>ed</sup> *Ibid.* p. 440.

<sup>ee</sup> *Ibid.* p. 440.

<sup>ef</sup> *Ibid.* p. 440.

<sup>eg</sup> *Ibid.* p. 440.

<sup>eh</sup> *Ibid.* p. 440.

<sup>ei</sup> *Ibid.* p. 440.

<sup>ej</sup> *Ibid.* p. 440.

<sup>ek</sup> *Ibid.* p. 440.

<sup>el</sup> *Ibid.* p. 440.

<sup>em</sup> *Ibid.* p. 440.

<sup>en</sup> *Ibid.* p. 440.

<sup>eo</sup> *Ibid.* p. 440.

<sup>ep</sup> *Ibid.* p. 440.

<sup>eq</sup> *Ibid.* p. 440.

<sup>er</sup> *Ibid.* p. 440.

<sup>es</sup> *Ibid.* p. 440.

<sup>et</sup> *Ibid.* p. 440.

<sup>eu</sup> *Ibid.* p. 440.

<sup>ev</sup> *Ibid.* p. 440.

<sup>ew</sup> *Ibid.* p. 440.

<sup>ex</sup> *Ibid.* p. 440.

<sup>ey</sup> *Ibid.* p. 440.

<sup>ez</sup> *Ibid.* p. 440.

<sup>fa</sup> *Ibid.* p. 440.

<sup>fb</sup> *Ibid.* p. 440.

<sup>fc</sup> *Ibid.* p. 440.

employed in contrivances for effecting her escape; and she engaged by her charms and caresses, a young gentleman, George Douglas, brother to the laird of Lochlevin, to assist her in that enterprise. She even went so far as to give him hopes of espousing her, after her marriage with Bothwell should be dissolved on the plea of force; and she proposed this expedient to the regent, who rejected it. Douglas, however, persevered in his endeavours to free her from captivity; and having all opportunities of access to the house, he was at last successful in the undertaking. He conveyed her in disguise into a small boat, and himself rowed her ashore. She hastened to Hamilton; and the news of her arrival in that place being immediately spread abroad, many of the nobility flocked to her with their forces. A bond of association for her defence was signed by the Earls of Argyll, Huntly, Eglinton, Crawford, Cassilis, Rothes, Montrose, Sutherland, Errol, nine bishops, and nine barons, besides many of the most considerable gentry.<sup>a</sup> And in a few days, an army, to the number of six thousand men, was assembled under her standard.

Elizabeth was no sooner informed of Mary's escape, than she discovered her resolution of persevering in the same generous and friendly measures which she had hitherto pursued. If she had not employed force against the regent, during the imprisonment of that princess, she had been chiefly withheld by the fear of pushing him to greater extremities against her; but she had proposed to the court of France an expedient, which, though less violent, would have been no less effectual for her service: she desired that France and England should by concert cut off all commerce with the Scots, till they should do justice to their injured sovereign.<sup>b</sup> She now despatched Leighton into Scotland to offer both her good offices, and the assistance of her forces, to Mary; but as she apprehended the entrance of French troops into the kingdom, she desired that the controversy between the Queen of Scots and her subjects might, by that princess, be referred entirely to her arbitration, and that no foreign succours should be introduced into Scotland.<sup>c</sup>

But Elizabeth had not leisure to exert fully her efforts in favour of Mary. The regent made haste to assemble forces; and notwithstanding that his army was inferior in number to that of the Queen of Scots, he took the field against her. A battle was fought at Langside, near Glasgow, which was entirely decisive in favour of the regent; and though Murray, after his victory, stopped the bloodshed, yet was the action followed by a

total dispersion of the queen's party. That unhappy princess fled southwards from the field of battle with great precipitation, and came, with a few attendants, to the borders of England. She here deliberated concerning her next measures, which would probably prove so important to her future happiness or misery. She found it impossible to remain in her own kingdom: she had an aversion, in her present wretched condition, to return into France, where she had formerly appeared with so much splendour; and she was not, besides, provided with a vessel which could safely convey her thither: the late generous behaviour of Elizabeth made her hope for protection, and even assistance, from that quarter; and as the present fears from her domestic enemies were the most urgent, she overlooked all other considerations, and embraced the resolution of taking shelter in England. She embarked on board a fishing boat in Galloway, and landed the same day at Workington, in Cumberland, about thirty miles from Carlisle; whence she immediately despatched a messenger to London; notifying her arrival, desiring leave to visit Elizabeth, and craving her protection, in consequence of former professions of friendship made her by that princess.

Elizabeth now found herself in a situation when it was become necessary to take some decisive resolution with regard to her treatment of the Queen of Scots; and as she had hitherto, contrary to the opinion of Cecil, attended more to the motives of generosity than of policy,<sup>d</sup> she was engaged by that prudent minister, to weigh anew all the

considerations which occurred in this critical conjuncture. He represented, that the party which had dethroned Mary, and had at present assumed the government of Scotland, was always attached to the English alliance, and was engaged, by all the motives of religion and of interest, to persevere in their connexions with Elizabeth: that though Murray and his friends might complain of some unkind usage during their banishment in England, they would easily forget these grounds of quarrel, when they reflected that Elizabeth was the only ally on whom they could safely rely, and that their own queen, by her attachment to the catholic faith, and by her other connexions, excluded them entirely from the friendship of France, and even from that of Spain: that Mary, on the other hand, even before her violent breach with her protestant subjects, was in secret entirely governed by the counsels of the house of Guise; much more would she implicitly comply with their views, when, by her own ill conduct, the power of that family and of the zealous catholics was become her sole resource and security: that her pretensions to the English crown would render her a dangerous instrument in their hands; and were she once able to suppress the protestants in her own kingdom, she would unite the Scottish and English catholics, with those of all foreign states, in a confederacy against the religion and government of England: that it behoved Elizabeth, therefore, to proceed with caution in the design of restoring her rival to the throne; and to take care, both that this enterprise, if undertaken, should be effected by English forces alone, and that full securities should before-hand be provided for the reformers and the Reformation in Scotland: that above all, it was necessary to guard carefully the person of that princess; lest, finding this unexpected reserve in the English friendship, she should suddenly take the resolution of flying into France, and should attempt, by foreign force, to recover possession of her authority: that her desperate fortunes and broken reputation fitted her for any attempt; and her resentment, when she should find herself thus deserted by the queen, would concur with her ambition and her bigotry, and render her an unrelenting as well as powerful enemy to the English government: that if she were once abroad, in the hands of enterprising catholics, the attack on England would appear to her as easy as that on Scotland; and the only method, she must imagine, of recovering her native kingdom, would be to acquire that crown, to which she would deem herself equally entitled: that a neutrality in such interesting situations, though it might be pretended, could never, without the most extreme danger, be upheld by the queen; and the detention of Mary was equally requisite, whether the power of England were to be employed in her favour, or against her: that nothing, indeed, was more becoming a great prince than generosity; yet the suggestions of this noble principle could never, without imprudence, be consulted in such delicate circumstances as those in which the queen was at present placed; where her own safety and the interests of her people were intimately concerned in every resolution which she embraced: that though the example of successful rebellion, especially in a neighbouring country, could nowise be agreeable to any sovereign, yet Mary's imprudence had been so great, perhaps her crimes so enormous, that the insurrection of subjects after such provocation, could no longer be regarded as a precedent against other princes: that it was first necessary for Elizabeth to ascertain, in a regular and satisfactory manner, the extent of Mary's guilt, and thence to determine the degree of protection which she ought to afford her against her discontented subjects: that as no glory could surpass that of defending oppressed innocence, it was equally infamous to patronize vice and murder on the throne; and the contagion of such dishonour would extend itself to all who countenanced or supported it: and that, if the crimes of the Scottish princess should, on inquiry, appear as great and certain as was affirmed and believed, every measure against her, which policy should dictate, would thence be justified; or if she should be found innocent, every enterprise which friendship should inspire, would be acknowledged laudable and glorious.

<sup>a</sup> Keble, p. 475.  
<sup>c</sup> Keble, p. 462.

<sup>b</sup> Keble, p. 473. Calhoun, p. 111.

<sup>d</sup> Keble, p. 473. in the notes. Anderson, vol. iv. p. 26.

<sup>e</sup> Keble's Collection, vol. i. p. 420. <sup>d</sup> Calhoun, p. 140.

Agreeably to these views, Elizabeth resolved to proceed in a seemingly generous, but really cautious, manner with the Queen of Scots; and she immediately sent orders to Lady Scrope, sister to the Duke of Norfolk, a lady who lived in the neighbourhood, to attend on that princess. Soon after, she despatched to her Lord Scrope himself, warden of the marches, and Sir Francis Knolles, vice-chamberlain. They found Mary already lodged in the castle of Carlisle; and, after expressing the queen's sympathy with her in her late misfortunes, they told her that her request of being allowed to visit their sovereign, and of being admitted to her presence, could not at present be complied with: till she had cleared herself of her husband's murder, of which she was so strongly accused, Elizabeth could not, without dishonour, show her any countenance, or appear indifferent to the assassination of so near a kinsman.<sup>a</sup> So unexpected a check threw Mary into tears; and the necessity of her situation extorted from her a declaration, that she would willingly justify herself to her sister from all imputations, and would submit her cause to the arbitration of so good a friend.<sup>b</sup> Two days after she sent Lord Herreis to London with a letter to the same purpose.

This concession, which Elizabeth could scarcely avoid without an acknowledgment of guilt, was the point expected and desired by Elizabeth: she immediately despatched Midlemore to the Regent of Scotland; requiring him both to desist from the further prosecution of his queen's party, and send some persons to London to justify his conduct with regard to her. Murray might justly be startled at receiving a message so violent and imperious; but as his domestic enemies were numerous and powerful, and England was the sole ally which he could expect among foreign nations, he was resolved rather to digest the affront, than provoke Elizabeth by a refusal. He also considered, that though that queen had hitherto appeared partial to Mary, many political motives evidently engaged her to support the king's cause in Scotland; and it was not to be doubted but so penetrating a princess would, in the end, discover this interest, and would at least afford him a patient and equitable hearing. He therefore replied, that he would himself take a journey to England, attended by other commissioners; and would willingly submit the determination of his cause to Elizabeth.<sup>c</sup>

Lord Herreis now perceived that his mistress had advanced too far in her concessions: he endeavoured to maintain, that Mary could not, without diminution of her royal dignity, submit to a contest with her rebellious subjects before a foreign prince; and he required either present aid from England or liberty for his queen to pass over into France. Being pressed, however, with the former agreement before the English council, he again renewed his consent; but in a few days he began anew to recoil; and it was with some difficulty that he was brought to acquiesce in the first determination.<sup>d</sup> These fluctuations, which were incessantly renewed, showed his visible reluctance to the measures pursued by the court of England.

The Queen of Scots discovered no less aversion to the trial proposed; and it required all the artifice and prudence of Elizabeth to make her persevere in the agreement to which she had at first consented. This latter princess still said to her, that she desired not, without Mary's consent or approbation, to enter into the question, and pretended only, as a friend, to hear her justification: that she was confident there would be found no difficulty in refuting all the calumnies of her enemies; and even if her apology should fall short of full conviction, Elizabeth was determined to support her cause, and procure her some reasonable terms of accommodation: and that it was never meant that she should be cited to a trial on the accusation of her rebellious subjects; but, on the contrary, that they should be summoned to appear, and to justify themselves for their conduct towards her.<sup>e</sup> Allured by these plausible professions, the Queen of Scots agreed to vindicate herself, by her own commissioners, before commissioners appointed by Elizabeth.

During these transactions, Lord Scrope and Sir Francis Knolles, who resided with Mary at Carlisle, had leisure to study her character and make report of it to Elizabeth. Unbroken by her misfortunes, resolute in her purpose, active in her enterprises, she aspired to nothing but victory; and was determined to endure any extremity, to undergo any difficulty, and to try every fortune, rather than abandon her cause, or yield the superiority to her enemies. Eloquent, insinuating, affable; she had already convinced all those who approached her, of the innocence of her past conduct; and as she declared her fixed purpose to require aid of her friends all over Europe, and even to have recourse to infidels and barbarians, rather than fail of vengeance against her persecutors, it was easy to foresee the danger to which her charms, her spirit, her address, if allowed to operate with their full force, would expose them.<sup>f</sup> The court of England, therefore, who, under pretence of guarding her, had already, in effect, detained her prisoner, were determined to watch her with greater vigilance. As Carlisle, by its situation on the borders, afforded her great opportunities of contriving her escape, they removed her to Bolton, a seat of Lord Scrope's in Yorkshire: and the issue of the controversy between her and the Scottish nation, was regarded as a subject more momentous to Elizabeth's security and interests than it had hitherto been apprehended.

The commissioners appointed by the English court for the examination of this great cause were, the Duke of Norfolk, the Earl of Sussex, and Sir Ralph Sadler; and York was named as the place of conference. <sup>4th Oct.</sup> Lesley, Bishop of Ross, the Lords Herreis, <sup>Conferences at</sup> <sup>York and</sup> <sup>Hampton-court.</sup> Levingsone, and Boyde, with three persons more, appeared as commissioners from the Queen of Scots. The Earl of Murray, regent, the Earl of Morton, the Bishop of Orkney, Lord Lindsey, and the Abbot of Dunfermling, were appointed commissioners from the king and kingdom of Scotland. Secretary Lidington, George Buchanan, the famous poet and historian, with some others, were named as their assistants.

It was a great circumstance in Elizabeth's glory, that she was thus chosen umpire between the factions of a neighbouring kingdom, which had, during many centuries, entertained the most violent jealousy and animosity against England; and her felicity was equally rare, in having the fortunes and fame of so dangerous a rival, who had long given her the greatest inquietude, now entirely at her disposal. Some circumstances of her late conduct had discovered a bias towards the side of Mary: her prevailing interests led her to favour the enemies of that princess: the professions of impartiality, which she had made, were open and frequent; and she had so far succeeded, that each side accused her commissioners of partiality towards their adversaries.<sup>g</sup> She herself appears, by the instructions given them, to have fixed no plan for the decision; but she knew that the advantages which she should reap must be great, whatever issue the cause might take. If Mary's crimes could be ascertained by undoubted proof, she could for ever blast the reputation of that princess, and might justifiably detain her for ever a prisoner in England: if the evidence fell short of conviction, it was intended to restore her to the throne, but with such strict limitations, as would leave Elizabeth perpetual arbiter of all differences between the parties in Scotland, and render her in effect absolute mistress of the kingdom.<sup>h</sup>

Mary's commissioners, before they gave in their complaints against her enemies in Scotland, entered a protest, that their appearance in the cause should nowise affect the independence of her crown, or be construed as a mark of subordination to England: the English commissioners received this protest, but with a reserve to the claim of England. The complaint of that princess was next read, and contained a detail of the injuries which she had suffered since her marriage with Bothwell: that her subjects had taken arms against her, on pretence of freeing her from captivity; and when she put herself into their hands, they had committed her to close custody in Loch-levin; had placed her son, an infant, on her throne; had

<sup>a</sup> Anderson, vol. iv. p. 54. 67. 72. 83. 86.

<sup>b</sup> *Ibid.* p. 16. 55. 67. <sup>c</sup> *Ibid.* p. 16. 13. 16.

<sup>d</sup> *Ibid.* p. 13. 14. 15. 109. 116.

<sup>e</sup> *Ibid.* p. 16. 10.

<sup>f</sup> Anderson, vol. iv. p. 54. 71. 72. 74. 79. 92.

<sup>g</sup> *Ibid.* vol. iv. part. 2. p. 40.

<sup>h</sup> *Ibid.* 34. 35. &c. Goodall, vol. ii. p. 113.



again taken arms against her after her deliverance from prison: had rejected all her proposals for accommodation; had given battle to her troops; and had obliged her, for the safety of her person, to take shelter in England.<sup>1</sup> The Earl of Murray, in answer to this complaint, gave a summary and imperfect account of the late transactions: that the Earl of Bothwell, the known murderer of the late king, had, a little after committing that crime, seized the person of the queen, and led her to Dunbar; that he acquired such influence over her, as to gain her consent to marry him, and he had accordingly procured a divorce from his former wife, and had pretended to celebrate his nuptials with the queen; that the scandal of this transaction, the dishonour which it brought on the nation, the danger to which the infant prince was exposed from the attempts of that audacious man, had obliged the nobility to take arms, and expose his criminal enterprises; that after Mary, in order to save him, had thrown herself into their hands, she still discovered such a violent attachment to him, that they found it necessary, for their own and the public safety, to confine her person, during a season, till Bothwell and the other murderers of her husband could be tried and punished for their crimes; and that, during this confinement, she had voluntarily, without compulsion or violence, merely from disgust at the inquietude and vexations attending power, resigned her crown to her only son, and had appointed the Earl of Murray regent during the minority.<sup>2</sup> The queen's answer to this apology was obvious: that she did not know, and never could suspect, that Bothwell, who had been acquitted by a jury, and recommended to her by all the nobility for her husband, was the murderer of the king; that she ever was, and still continues, desirous that if he be guilty, he may be brought to condign punishment; that her resignation of the crown was extorted from her by the well-grounded fears of her life, and even by direct menaces of violence; and that Throgmorton, the English ambassador, as well as others of her friends, had advised her to sign that paper, as the only means of saving herself from the last extremity, and had assured her that a consent, given under these circumstances, could never have any validity.<sup>3</sup>

So far the Queen of Scots seemed plainly to have the advantage in the contest: and the English commissioners might have been surprised that Murray had made so weak a defence, and had suppressed all the material imputations against that princess, on which his party had ever so strenuously insisted; had not some private conferences previously informed them of the secret. Mary's commissioners had boasted, that Elizabeth, from regard to her kinswoman, and from her desire of maintaining the rights of sovereigns, was determined, how criminal soever the conduct of that princess might appear, to restore her to the throne;<sup>4</sup> and Murray, reflecting on some past measures of the English court, began to apprehend that there were but too just grounds for these expectations. He believed that Mary, if he would agree to conceal the most violent part of the accusation against her, would submit to any reasonable terms of accommodation; but if he once proceeded so far as to charge her with the whole of her guilt, no composition could afterwards take place; and should she ever be restored, either by the power of Elizabeth, or the assistance of her other friends, he and his party must be exposed to her severe and implacable vengeance.<sup>5</sup> He resolved, therefore, not to venture rashly on a measure, which it would be impossible for him ever to recall; and he privately paid a visit to Norfolk and the other English commissioners, confessed his scruples, laid before them the evidence of the queen's guilt, and desired to have some security for Elizabeth's protection, in case that evidence should, upon examination, appear entirely satisfactory. Norfolk was not secretly displeased with these scruples of the regent.<sup>6</sup> He had ever been a partisan of the Queen of Scots: Secretary Lidington, who began also to incline to that party, and was a man of singular address and capacity,

had engaged him to embrace further views in her favour, and even to think of espousing her: and though that duke confessed,<sup>7</sup> that the proofs against Mary seemed to be unquestionable, he encouraged Murray in his present resolution, not to produce them publicly in the conferences before the English commissioners.<sup>8</sup>

Norfolk, however, was obliged to transmit to court the queries proposed by the regent. These queries consisted of four particulars. Whether the English commissioners had authority from their sovereign to pronounce sentence against Mary, in case her guilt should be fully proved before them? Whether they would promise to exercise that authority, and proceed to an actual sentence? Whether the Queen of Scots, if she were found guilty, should be delivered into the hands of the regent, or, at least, be so secured in England, that she never should be able to disturb the tranquillity of Scotland? and, Whether Elizabeth would also, in that case, promise to acknowledge the young king, and protect the regent in his authority?<sup>9</sup>

Elizabeth, when these queries, with the other transactions, were laid before her, began to think that they pointed towards a conclusion more decisive and more advantageous than she had hitherto expected. She determined, therefore, to bring the matter into full light; and under pretext that the distance from her person retarded the proceedings of her commissioners, she ordered them to come to London, and there continue the conferences. On their appearance, she immediately joined in commission with them some of the most considerable of her council; Sir Nicholas Bacon, lord keeper, the Earls of Arundel and Leicester, Lord Clinton, admiral, and Sir William Cecil, secretary.<sup>10</sup> The Queen of Scots, who knew nothing of these secret motives, and who expected that fear or decency would still restrain Murray from proceeding to any violent accusation against her, expressed an entire satisfaction in this adjournment; and declared that the affair, being under the immediate inspection of Elizabeth, was now in the hands where she most desired to rest it.<sup>11</sup> The conferences were accordingly continued at Hampton-court; and Mary's commissioners, as before, made no scruple to be present at them.

The queen, meanwhile, gave a satisfactory answer to all Murray's demands, and declared, that though she wished and hoped, from the present inquiry, to be entirely convinced of Mary's innocence, yet, if the event should prove contrary, and that princess should appear guilty of her husband's murder, she should, for her own part, deem her ever after unworthy of a throne.<sup>12</sup> The regent, encouraged by this declaration, opened more fully his charge against the Queen of Scots, and, after expressing his reluctance to proceed to that extremity, and protesting that nothing but the necessity of self-defence, which must not be abandoned for any delicacy, could have engaged him in such a measure, he proceeded to accuse her in plain terms of participation and consent in the assassination of the king.<sup>13</sup> The Earl of Lenox, too, appeared before the English commissioners; and imploring vengeance for the murder of his son, accused Mary as an accomplice with Bothwell in that enormity.<sup>14</sup>

When this charge was so unexpectedly given in, and copies of it were transmitted to the Bishop of Ross, Lord Herries, and the other commissioners of Mary, they absolutely refused to return an answer; and they grounded their silence on very extraordinary reasons: they had orders, they said, from their mistress, if any thing were advanced that might touch her honour, not to make any defence, as she was a sovereign princess, and could not be subject to any tribunal; and they required that she should previously be admitted to Elizabeth's presence, to whom, and to whom alone, she was determined to justify her innocence.<sup>15</sup> They forgot that the conferences were at first begun, and were still continued, with no other view, than to clear her from the accusations of her enemies; that Elizabeth had ever pretended to enter into them only as her friend, by her own consent and approbation, not

<sup>1</sup> Anderson, vol. iv. part 2, p. 52. Goodall, vol. ii. p. 126. Haynes, p. 178.

<sup>2</sup> Anderson, vol. iv. part 2, p. 64, & seq. Goodall, vol. ii. p. 144.

<sup>3</sup> Anderson, vol. iv. part 2, p. 69, & seq. Goodall, vol. ii. p. 162.

<sup>4</sup> Anderson, vol. iv. part 2, p. 15. Goodall, vol. ii. p. 127.

<sup>5</sup> Anderson, vol. iv. part 2, p. 47, 48. Goodall, vol. ii. p. 140.

<sup>6</sup> Goodall, p. 92. Mich. p. 91, 95. Haynes, p. 574.

<sup>7</sup> Anderson, vol. iv. part 2, p. 77.

<sup>8</sup> Anderson, p. 57, 77. State Trials, vol. i. p. 76.

<sup>9</sup> Anderson, vol. iv. part 2, p. 55. Goodall, vol. ii. p. 150.

<sup>10</sup> Anderson, vol. iv. part 2, p. 99.

<sup>11</sup> Mich. p. 95. Goodall, vol. ii. p. 177, 179.

<sup>12</sup> Goodall, vol. ii. p. 194.

<sup>13</sup> Anderson, vol. iv. part 2, p. 115, & seq. Goodall, vol. ii. p. 206.

<sup>14</sup> Anderson, vol. iv. part 2, p. 122. Goodall, vol. ii. p. 210.

<sup>15</sup> Anderson, vol. iv. part 2, p. 125, & seq. Goodall, vol. ii. p. 181, 211, 217.

as assuming an jurisdiction over her: that this princess had, from the beginning, refused to admit her to her presence, till she should vindicate herself from the crimes imputed to her; that she had therefore discovered no new signs of partiality by her perseverance in that resolution; and that though she had granted an audience to the Earl of Murray and his colleagues, she had previously conferred the same honour on Mary's commissioners;<sup>d</sup> and her conduct was so far entirely equal to both parties.<sup>e</sup>

As the commissioners of the Queen of Scots refused to give in any answer to Murray's charge, the necessary consequence seemed to be, that there could be no further proceedings in the conference. But though this silence might be interpreted as a presumption against her, it did not fully answer the purpose of those English ministers who were enemies to that princess. They still desired to have in their hands the proofs of her guilt; and, in order to draw them with decency from the regent, a judicious artifice was employed by Elizabeth. Murray was called before the English commissioners, and reproved by them in the queen's name, for the atrocious imputations which he had the temerity to throw upon his sovereign: but though the Earl of Murray, they added, and the other commissioners, had so far forgotten the duty of allegiance to their prince, the queen never would overlook what she owed to her friend, her neighbour, and her kinswoman; and she therefore desired to know what they could say in their own justification.<sup>1</sup> Murray, thus urged, made no difficulty in producing the proofs of his charge against the Queen of Scots; and among the rest some love-letters and sonnets of hers to Bothwell, written all in her own hand, and two other papers, one written in her own hand, another subscribed by her, and written by the Earl of Huntley; each of which contained a promise of marriage with Bothwell, made before the pretended trial and acquittal of that nobleman.

All these important papers had been kept by Bothwell in a silver box or casket, which had been given him by Mary, and which had belonged to her first husband, Francis; and though the princess had enjoined him to burn the letters as soon as he had read them, he had thought proper carefully to preserve them as pledges of her fidelity, and had committed them to the custody of Sir James Balfour, deputy-governor of the castle of Edinburgh. When that fortress was besieged by the associated

lords, Bothwell sent a servant to receive the casket from the hands of the deputy-governor. Balfour delivered it to the messenger; but as he had at that time received some disgust from Bothwell, and was secretly negotiating an agreement with the ruling party, he took care by conveying private intelligence to the Earl of Morton, to make the papers be intercepted by him. They contained incontestable proofs of Mary's criminal correspondence with Bothwell, of her consent to the king's murder, and of her concurrence in the violence which Bothwell pretended to commit upon her.<sup>a</sup> Murray fortified this evidence by some testimonies of corresponding facts;<sup>b</sup> and he added, some time after, the dying confession of one Hubert, or French Paris, as he was called, a servant of Bothwell's, who had been executed for the king's murder, and who directly charged the queen with her being accessory to that criminal enterprise.<sup>c</sup>

Mary's commissioners had used every expedient to ward this blow which they saw coming upon them, and against which, it appears, they were not provided with any proper defence. As soon as Murray opened his charge, they endeavoured to turn the conference from an inquiry into a negotiation; and though informed by the English commissioners that nothing could be more dishonourable for their mistress, than to enter into a treaty with such undutiful subjects, before she had justified herself from those enormous imputations which had been thrown upon her, they still insisted that Elizabeth should settle terms of accommodation between Mary and her enemies in Scotland.<sup>k</sup> They maintained that, till their mistress had given in her answer to Murray's charge, his proofs could neither be called for nor produced:<sup>l</sup> and finding that the English commissioners were still determined to proceed in the method which had been projected, they finally broke off the conferences, and never would make any reply. These papers, at least translations of them, have since been published. The objections made to their authenticity are, in general, of small force; but were they ever so specious, they cannot now be hearkened to; since Mary, at the time when the truth could have been fully cleared, did, in effect, ratify the evidence against her, by recoiling from the inquiry at the very critical moment, and refusing to give an answer to the accusation of her enemies.<sup>m</sup>

But Elizabeth, though she had seen enough for her own

of Lesley's Negotiations in Amsterdam, ed. iii, p. 25. Haynes, p. 487, writes: "The queen's complaint of the queen's partiality in admitting Murray to a conference was a mere pretext, in order to break off the conference. She instead employs that reason to her order for it at purpose, since Goodall, who was her private friend, her commissioners are directed to make use of that order to her satisfaction." *ibid.*, p. 488. *ibid.*, vol. ii, p. 183. It was therefore the accusation only she was afraid of. Murray was the least objection of all her enemies; he was about when she was about, and his capacity was so great that she had only accepted him as a regent, when voluntarily preferred to her by the nobles. She admitted to Queen Elizabeth his presence was therefore a very bad situation in a quarrel, or for breaking off the conference, and was plainly a mere pretext.

<sup>1</sup> Anderson, vol. iv, part 2, p. 147. Goodall, vol. ii, p. 233.

h Anderson, vol. ii. part 2. p. 165, &c. Goodall, vol. ii. p. 243.

<sup>k</sup> Anderson, vol. iv, part 2, p. 135-139. Goodall, vol. ii, p. 224.

Anderson, vol. iv, part 2, p. 135, 139. Goodall, vol. ii, p. 224.  
 Anderson, vol. iv, part 2, p. 139, 145. Goodall, vol. ii, p. 228.

We shall not enter into a long discussion concerning the authenticity of these letters; we shall only remark in general, that the chief objections

against them are, that they are supposed to have passed through the Earl of Morton's hands, the least scrupulous of all Mary's enemies; and that they

are to the last degree indecent, and even somewhat inelegant, such as it is

following considerations. (1.) Though it be not difficult to counterfeit a

subscription, it is very difficult, and almost impossible, to counterfeit several pages, so as to resemble exactly the hand writing of our patron.

Two letters were examined and compared with Mary's hand writing by the experts. They could not be said to resemble exactly the hand writing of any person.

of the privy council, and by a great many of the nobility, among whom were several partisans of that princess. They might have been examined

...the fact that the names of the commissioners were not known to the public. They might have been regarded as the 'Big Six'—Ross, Herrero, and others of Mary's commissioners. Lee then must have expected that they would be very critically scrutinized by

207. I just have expected that they would be very critically examined by them – and had they not been able to stand that test, he was only preparing a scapegoat for himself as a martyr. But, as I said, he was not a martyr.

scene of confusion to himself. Bishop Lesley expressly declines the complicity of the hands, which he calls no legal proof. (Goodall, vol. ii. p. 389.)

2. The letters are very long, much longer than they needed to have been, in order to serve the purposes of Mary's enemies, a circumstance which

increased the difficulty, and exposed any forgery the more to the risk of detection. Yet they also were aware and fully understood the

...for they still, but a pretext for Mary's friends to assert, that their mean

1) There is a long contract of marriage, said to be written by the

There is no binding contract or marriage, said to be written by the late John H. Huntley, and signed by the queen before Bothwell's execution. World's Mirror, with a Latin preface, has the story, and the story is true.

the largest and the danger of detection = (15) The letters are indiscreet, but such was, presumably, the state of the mind of the writer.

such was apparently Mary's conduct at that time: they are inelegant; but they have a careless, natural air, like letters hastily written between

stances as nobody could have thought of inventing, it is possible that they are

...necessarily have afforded her many means of detection. (7.) We have not

the originals of the letters, which were in French: we have only a Scotch

Latin translation from the original, and a French translation probably due from the French text to the Latin. The French translation is full of Gallicisms, and is clearly a translation from a French original, such as, *make fault*, *faire des fautes*; *make it seem that I believe*, *faire semblant de le croire*; *make back*, *faire backe*; *this my first journey*, *cette première voyagee*; *the place will hold unto the death*, *la place tiendra jusqu'à la mort*; *he may not come forthout till some time after*, *il ne peut pas venir avant qu'il n'ait esté quelque temps absent*; *to put one to it, mettre à cela*; *discharge your heart*, *décharger votre coeur*; *make up and catch*, *faire bonne garde*. &c. (8.) There is a conversation which she mentions, between herself and the king once evening; but Murray promises to give us more particulars thereof. (9.) The Duke of Norfolk, a gentleman of the Earl of Lenox, who swore that the king, on her departure from him, gave him an account of the same conversation. (9.) There seems to be great reason to think that this was a forgery, especially since such a dangerous forgery, which must have rendered them infamous if detected; since their cause, from Mary's known conduct, even without these letters, was sufficiently good and justifiable. (10.) Murray exposed the forgery of these letters before the Scotch parliament, and the Scotch council, the Scotch parliament, Queen Elizabeth and her council, who were possessed of a great number of Mary's genuine letters. (11.) He also had an opportunity of refuting all the allegations against her, which he had chosen to lay aside, in order to satisfy his conscience with all the other parts of her conduct during that transaction, that these proofs throw the strongest light on each other. (13.) The Duke of Norfolk, who had examined the letters, and saw how very much they differed from what he intended to marry her, and in the end lost his life in her cause, yet believed them authentic, and was fully convinced of her guilt. This appears by several of his letters above mentioned to queen Elizabeth, and is thus numbered; but by his testament, which is printed, it must truly be supposed to be false. See *Mary's State Trials*, vol. i. p. 68. In the conversations between the king, Secretary Liddinton, and the Bishop of Ross, all their mutual zealous assertions are repeated. See *Mary's State Trials*, vol. ii. p. 74, 75. See further MS. in the Archives Histor., A. 23. B. 34. From Cott. in Calig. c. 1. Indeed the story has been perused so often, that there can hardly be any doubt, that the Duke of Norfolk, or if he had found Livingston or the Bishop of Ross of a different opinion, or if they had ever told him that these letters were forged. It is to be remarked, that Liddinton, being one of the accusers, knew too well to attempt to contradict the Duke of Norfolk, who was the chief promoter of this penetration that nothing could escape him in such interesting events. (14.) I need not repeat the presumption drawn from Mary's refusal to answer. I only excuse her hesitancy, in the interest of that princess to acquit and justify her rival and competitor; and we accordingly find that Liddinton, from the secret information of the Duke of Norfolk, informed Mary, by the Duke of Norfolk, that she was guilty, and that she ought to make a decision; but only to get into her hands the proofs of Mary's guilt, in order to blast her character. See *State Trials*, vol. i. p. 77. But this was done in the most unbecoming manner, and at the very moment, the chief accusation was still on frivolous pretences.

on obvious pretences, the very moment the chief accusation was

satisfaction, was determined that the most eminent persons of her court should also be acquainted with these transactions, and should be convinced of the equity of her proceedings. She ordered her privy council to be assembled; and, that she might render the matter more solemn and authentic, she summoned, along with them, the Earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick. All the proceedings of the English commissioners were read to them: the evidences produced by Mary were perused: a great number of letters written by Mary to Elizabeth were laid before them, and the hand-writing compared with that of the letters delivered in by the regent: the refusal of the Queen of Scots' commissioners to make any reply was related: and on the whole, Elizabeth told them, that as she had from the first thought it improper that Mary, after such horrid crimes were imputed to her, should be admitted to her presence before she had, in some measure, justified herself from the charge: so now, when her guilt was confirmed by so many evidences, and all answer refused, she must, for her part, persevere more steadily in that resolution.<sup>a</sup> Elizabeth next called in the Queen of Scots' commissioners, and, after observing that she deemed it much more decent for their mistress to continue the conferences, than to require the liberty of justifying herself in person, she told them, that Mary might either send her reply by a person whom she trusted, or deliver it herself to some English nobleman, whom Elizabeth should appoint to wait upon her: but as to her resolution of making no reply at all, she must regard it as the strongest confession of guilt; nor could they ever be deemed her friends who advised her to that method of proceeding.<sup>b</sup> These topics

unexpectedly opened against her. I thought she could not expect Elizabeth's friendship in her favour, it was of importance to give a satisfactory answer, if she was any, to the charges of the Scotch murderers. That answer could have been dispersed for the satisfaction of the public, of foreign nations, and of posterity. And surely, after the accusation and proofs were in Queen Elizabeth's hands, it could do no harm to give in the answers. Mary's information, that the queen never intended to come to a decision, could be no obstacle to her justification. (15.) The very disappearance of these letters is a presumption of their authenticity. That event can be accounted for no way but from the care of King James's friends, who were desirous to destroy every proof of his mother's crimes. The disappearance of Morton's narrative, and of Crawford's evidence, from the Cotton library, Calig. c. i. must have proceeded from a like cause. See MS. in the Advocates library, A. 3. 29. p. 488.

I find an objection made to the authenticity of the letters, drawn from the vote of the Scotch privy council, which admits the letters to be written and subscribed by Queen Mary's own hand, whereas the copies given in to the parliament a few days after, were only written, not subscribed. See Goodall, vol. i. p. 67. The objection is not in the place; the mistake is of no manner of force: there were certainly letters, true or false, laid before the council; and whether the letters were true or false, this mistake proceeds equally from the inaccuracy or blunder of the clerk. The mistake must be accounted for: the letters were only written by her; the second contract with Bothwell was only subscribed. A proper accurate distinction was not made, and they are all said to be written and subscribed. A late writer, Mr. Goodall, has endeavoured to prove that these letters clash with chronology, and that the queen was not in the place; the mistake in the letters on the days there assigned: to confirm this, he produces charters and other deeds signed by the queen, where the date and place do not agree with the letters; but it is well known that the date of charters, and such like grants, is no proof of the real day on which they were signed by the sovereign. Papers of that kind commonly pass through different offices: the date is affixed to the first office, and may precede very long the day of the signature.

The account given by Morton of the manner in which the papers came into his hands is very natural. When he gave it to the English commissioners, he had no reason to think it would be canvassed with all the severity of able advocates, interested in the highest degree to refute it. It is probable that he had been confirmed in it by many circumstances and testimonies, since they did not seem to contest it.

The sources are innumerable, in some of which Brantome and Ronsard, who knew Queen Mary's style, were assured, when they saw them, that they could not be of her composition. Jedo, vol. i. p. 378. Her style is unequal in his promises, especially one whose style is so little for her as Mary's must be supposed to be. Not to mention that such dangerous and criminal enterprises leave little tranquillity of mind for elegant poetical compositions.

In a word, Queen Mary might easily have conducted the whole conference against her husband, without opening her mind to any one person except Bothwell, and without writing a set-off paper about it; but it was very difficult for her to have conducted it so, that her conduct should not betray her to men of discernment. In the present case her conduct was so gross as to betray her to every body, and to future it few into her enemies' hands papers by which she could convert her. The same information and imprudence, which supply the usual attending circumstances, will account for both. It is proper to observe, that there is not one circumstance of the foregoing narrative, contained in the history, that is taken from Foxe, Buchanan, or even Hume, or indeed from any suspected authority.

<sup>a</sup> Anderson, vol. i. part 2. p. 170. See. Goodall, vol. i. p. 254.

<sup>b</sup> Anderson, vol. i. part 2. p. 179. See. Goodall, vol. i. p. 268.

<sup>c</sup> Anderson, vol. i. part 2. p. 183. Goodall, vol. i. p. 268.

<sup>d</sup> Goodall, p. 129. Goodall, vol. i. p. 290.

<sup>e</sup> Unless we take this angry accusation, advanced by Queen Mary, to be an argument of Murray's guilt, there remains at the least presumption which should lead us to suspect him to have been any way concerned in the king's murder. That queen never pretended to give any trial of the charge, and her commissioners affirmed at the time, that Mary themselves knew of none, though they were ready to maintain its truth by their mis-creatures, which could not be proved, and that it was impossible for either her or them to

she enforced still more strongly in a letter which she wrote to Mary herself.<sup>f</sup>

The Queen of Scots had no other subterfuge from these pressing remonstrances, than still to demand a personal interview with Elizabeth; a concession which, she was sensible, would never be granted;<sup>g</sup> because Elizabeth knew that this expedient could decide nothing; because it brought matters to extremity, which that princess desired to avoid; and because it had been refused from the beginning, even before the commencement of the conferences. In order to keep herself better in countenance, Mary thought of another device. Though the conferences were broken off, she ordered her commissioners to accuse the Earl of Murray and his associates as the murderers of the king;<sup>h</sup> but this accusation, coming so late, being extorted merely by a complaint of Murray's, and being unsupported by any proof, could only be regarded as an angry recrimination upon her enemy.<sup>i</sup> She also desired to have copies of the papers given in by the regent; but as she still persisted in her resolution to make no reply before the English commissioners, this demand was finally refused her.<sup>j</sup>

As Mary had thus put an end to the conferences, the regent expressed great impatience to return into Scotland; and he complained, that his enemies had taken advantage of his absence, and had thrown the whole government into confusion. Elizabeth therefore dismissed him; and granted him a loan of five thousand pounds to bear the charges of his journey.<sup>k</sup> During the conferences at York, the Duke of Chateaufort arrived at London, in passing from France; and as the queen knew that he was engaged in Mary's party, and had very plausible pretensions to the

produce any proof; because the conferences before the English commissioners were previously broken off.

<sup>f</sup> Bishop of Ross, in an angry pamphlet, written by him under a borrowed name (where it is easy to say any thing), affirms, that Lord Herries, a few days after the king's death, charged Murray with the guilt, openly, to his face, at his own table. This latter nobleman, as easily relates the matter, affirmed, that Murray riding in with one of his servants, the evening before the commission of that crime, said to him among other talk, *This night ere morning the Lord Darnley shall lose his life.* See Anderson, vol. i. p. 75. But this is only a hearsay of Lady's concealing a hearsay of Herries's, and contains a very improbable fact. Would Murray, without any use or necessity, communicate to a servant such a dangerous and important secret, merely by way of conversation? We may also observe, that Lord Herries himself was one of Queen Mary's commissioners who accused Murray of the crime; and this story, or given credit to it, was not that the time to have proved it? And not have affirmed, as he did, that he for his part knew nothing of Murray's guilt. See Goodall, vol. i. p. 307.

<sup>g</sup> Goodall, vol. i. p. 283, 289, 310, 311. Haynes, vol. i. p. 492. I believe there is no reader of common sense who does not see, from the narrative in the text, that the author means to say, that Queen Mary refuses constantly to answer before the English commissioners; but offers on every occasion, to send a messenger, without inserting this condition, which she practices during the whole course of the conference, till the moment the evidence of her being an accomplice in her husband's murder is unexpectedly produced. It is true, the author, having repeated four or five times in his book, 'proof against Murray, otherwise they would have proved it, and not be insisted on so absurd a presumption.' Was this also the time for Hume to deny his writing Mary's contract with Bothwell, if that paper had been a forgery?

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regency of the King of Scots, she thought proper to detain him till after Murray's departure. But notwithstanding these marks of favour, and some other assistance which she secretly gave this latter nobleman,\* she still declined acknowledging the young king, or treating with Murray as Regent of Scotland.

Orders were given for removing the Queen of Scots from Bolton, a place surrounded with catholics, to Tutbury, in the county of Stafford, where she was put under the custody of the Earl of Shrewsbury. Elizabeth entertained hopes that this princess, discouraged by her misfortunes, and confounded by the late transactions, would be glad to secure a safe retreat from all the tempests with which she had been agitated; and she promised to bury every thing in oblivion, provided Mary would agree, either voluntarily to resign her crown, or to associate her son with her in the government; and the administration to remain, during his minority, in the hands of the Earl of Murray.<sup>5</sup> But that high-spirited princess refused all treaty upon such terms, and declared that her last words should be those of a Queen of Scotland. Besides many other reasons, she said, which fixed her in that resolution, she knew, that if, in the present emergency, she made such concessions, her submission would be universally deemed an acknowledgment of guilt, and would ratify all the calumnies of her enemies.<sup>6</sup>

Mary still insisted upon this alternative; either that Elizabeth should assist her in recovering her authority, or should give her liberty to retire into France, and make trial of the friendship of other princes: and, as she asserted that she had come voluntarily into England, invited by many former professions of amity, she thought that one or other of these requests could not, without the most extreme injustice, be refused her. But Elizabeth, sensible of the danger which attended both these proposals, was secretly resolved to detain her still a captive; and as her retreat into England had been little voluntary, her claim upon the queen's generosity appeared much less urgent than she was willing to pretend. Necessity, it was thought, would, to the prudent, justify her detention: her past misconduct would apologize for it to the equitable; and though it was foreseen, that compassion for Mary's situation, joined to her intrigues and insinuating behaviour, would, while she remained in England, excite the zeal of her friends, especially of the catholics, these inconveniences were deemed much inferior to those which attended any other expedient. Elizabeth trusted also to her own address for eluding all these difficulties: she purposed to avoid breaking absolutely with the Queen of Scots, to keep her always in hopes of an accommodation, to negotiate perpetually with her, and still to throw the blame of not coming to any conclusion, either on unforeseen accidents, or on the obstinacy and perverseness of others.

We come now to mention some English affairs which we left behind us, that we might not interrupt our narrative of the events in Scotland, which form so material a part of the present reign. The term fixed by the treaty of Chateau-Cambresis for the restitution of Calais expired 1567; and Elizabeth, after making her demands at the gates of that city, sent Sir Thomas Smith to Paris; and that minister, in conjunction with Sir Henry Norris, her resident ambassador, enforced her pretensions. Conferences were held on that head, without coming to any conclusion satisfactory to the English. The chancellor, De l'Hospital, told the English ambassadors, that though France, by an article of the treaty, was obliged to restore Calais on the expiration of eight years, there was another article of the same treaty, which now deprived Elizabeth of any right that could accrue to her by that engagement: that it was agreed, if the English should, during the interval, commit hostilities upon France, they should instantly forfeit all claims to Calais; and the taking possession of Havre and Dieppe, with whatever pretences that measure might be covered, was a plain violation of the peace between the nations: that though these places were not entered by force, but put into Elizabeth's hands by the governors, these governors were rebels; and a correspondence with such traitors was the most flagrant injury

that could be committed on any sovereign: that in the treaty which ensued upon the expulsion of the English from Normandy, the French ministers had absolutely refused to make any mention of Calais, and had thereby declared their intention to take advantage of the title which had accrued to the crown of France: and that though a general clause had been inserted, implying a reservation of all claims, this concession could not avail the English, who at that time possessed no just claim to Calais, and had previously forfeited all right to that fortress.<sup>7</sup> The queen was nowise surprised at hearing these allegations; and as she knew that the French court intended not from the first to make restitution, much less after they could justify their refusal by such plausible reasons, she thought it better for the present to acquiesce in the loss, than to pursue a doubtful title by a war both dangerous and expensive, as well as unseasonable.<sup>8</sup>

Elizabeth entered anew into negotiations for espousing the Archduke Charles; and she seems, at this time, to have had no great motive of policy, which might induce her to make this fallacious offer: but as she was very rigorous in the terms insisted on, and would not agree that the Archduke, if he espoused her, should enjoy any power or title in England, and even refused him the exercise of his religion, the treaty came to nothing; and that prince, despairing of success in his addresses, married the daughter of Albert, Duke of Bavaria.<sup>9</sup>

## CHAP. XL.

Character of the puritans.—Duke of Norfolk's conspiracy.—Insurrection in the North.—Assassination of the Earl of Murray.—A Parliament.—Civil wars of France.—Affairs of the Low Countries.—New conspiracy of the Duke of Norfolk.—Trial of Norfolk.—His execution.—Scottish Affairs.—French affairs.—Massacre of Paris.—French Affairs.—Civil wars of the Low Countries.—A parliament.

OF all the European churches which shook off the yoke of papal authority, no one proceeded with so much reason and moderation as the church of England; an advantage which had been derived partly from the interposition of the civil magistracy in this innovation, partly from the gradual and slow steps by which the Reformation was conducted in that kingdom. Rage and animosity against the catholic religion was as little indulged as could be supposed in such a revolution: the fabric of the secular hierarchy was maintained entire: the ancient liturgy was preserved, so far as was thought consistent with the new principles: many ceremonies, become venerable from age and preceding use, were retained: the splendour of the Romish worship, though removed, had at least given place to order and decency: the distinctive habits of the clergy, according to their different ranks, were continued: no innovation was admitted, merely from spite and opposition to former usage: and the new religion, by mitigating the genius of the ancient superstition, and rendering it more compatible with the peace and interests of society, had preserved itself in that happy medium which wise men have always sought, and which the people have so seldom been able to maintain.

But though such, in general, was the spirit of the Reformation in that country, many of the English reformers, being men of more warm complexions and more obstinate tempers, endeavoured to push matters to extremities against the church of Rome, and indulged themselves in the most violent contrariety and antipathy to all former practices. Among these, Hooper, who afterwards suffered for his religion with such extraordinary constancy, was chiefly distinguished. This man was appointed, during the reign of Edward, to the see of Gloucester, and made no scruple of accepting the episcopal office; but he refused to be consecrated in the episcopal habit, the cymarre and rochette, which had formerly, he said, been abused by superstition, and which were thereby rendered unbecoming a true Christian. Cranmer and Ridley were surprised at this objection, which opposed the received prac-

\* MS. in the Advocates' library. A. 1. 29. p. 128, 129, 130. from Cott. Lib. Cal. c. 1.

x Goodall, vol. ii. p. 295.

z Haynes, p. 367.

a Camden, p. 46.

y Ibid. p. 301.

b Ibid. p. 407, 408.

ties, and even the established laws; and though young Edward, desirous of promoting a man so celebrated for his eloquence, his zeal, and his morals, enjoined them to dispense with this ceremony, they were still determined to retain it. Hooper then embraced the resolution rather to refuse the bishopric, than to clothe himself in those hated garments; but it was deemed requisite, that for the sake of the example, he should not escape so easily. He was first confined to Cramer's house, then thrown into prison till he should consent to be a bishop on the terms proposed: he was plied with conferences, and reprimands, and arguments: Bucer and Peter Martyr, and the most celebrated foreign reformers, were consulted on this important question: and a compromise, with great difficulty, was at last made, that Hooper should not be obliged to wear commonly the obnoxious robes, but should agree to be consecrated in them, and to use them during cathedral service; a condescension not a little extraordinary in a man of so inflexible a spirit as this reformer.

The same objection which had arisen with regard to the episcopal habit, had been moved against the raiment of the inferior clergy; and the surplice, in particular, with the tippet and corner cap, was a great object of abhorrence to many of the popular zealots.<sup>b</sup> In vain it was urged, that particular habits, as well as postures and ceremonies, having been constantly used by the clergy, and employed in religious service, acquire a veneration in the eyes of the people, appear sacred in their apprehensions, excite their devotion, and contract a kind of mysterious virtue, which attaches the affections of men to the national and established worship: that in order to produce this effect, an uniformity in these particulars is requisite, and even a perseverance as far as possible, in the former practice: and that the nation would be happy, if, by retaining these inoffensive observances, the reformers could engage the people to renounce willingly what was absurd or pernicious in the ancient superstition. These arguments, which had influence with wise men, were the very reasons which engaged the violent protestants to reject the habits. They pushed matters to a total opposition with the church of Rome: every compliance, they said, was a symbolizing with Antichrist.<sup>c</sup> And this spirit was carried so far by some reformers, that, in a national remonstrance made afterwards by the church of Scotland against these habits, it was asked, "What has Christ Jesus to do with Belial? What has darkness to do with light? If surplices, corner caps, and tippets, have been badges of idolaters in the very act of their idolatry; why should the preacher of christian liberty, and the open rebuker of all superstition, partake with the dregs of the Romish beast? Yea, who is there that ought not rather to be afraid of taking in his hand, or on his forehead, the print and mark of that odious beast?"<sup>d</sup> But this application was rejected by the English church.

There was only one instance, in which the spirit of contradiction to the Romanists took place universally in England: the altar was removed from the wall, was placed in the middle of the church, and was thenceforth denominated the communion-table. The reason why this innovation met with such general reception was, that the nobility and gentry got thereby a pretence for making spoil of the plate, vestures, and rich ornaments, which belonged to the altars.<sup>e</sup>

These disputes, which had been started during the reign of Edward, were carried abroad by the protestants, who fled from the persecutions of Mary; and as the zeal of these men had received an increase from the furious cruelty of their enemies, they were generally inclined to carry their opposition to the utmost extremity against the practices of the church of Rome. Their communication with Calvin, and the other reformers, who followed the discipline and worship of Geneva, confirmed them in this obstinate reluctance; and though some of the refugees,

particularly those who were established at Frankfort, still adhered to King Edward's liturgy, the prevailing spirit carried these confessors to seek a still further reformation. On the accession of Elizabeth, they returned to their native country; and being regarded with general veneration, on account of their zeal and past sufferings, they ventured to insist on the establishment of their projected model; nor did they want countenance from many considerable persons in the queen's council. But the princess herself, so far from being willing to despoil religion of the few ornaments and ceremonies which remained in it, was rather inclined to bring the public worship still nearer to the Romish ritual; and she thought that the Reformation had already gone too far, in shaking off those forms and observances, which, without distracting men of more refined apprehensions, tend, in a very innocent manner, to allure, and amuse, and engage the vulgar. She took care to have a law for uniformity strictly enacted: she was empowered by the parliament to add any new ceremonies which she thought proper; and though she was sparing in the exercise of this prerogative, she continued rigid in exacting an observance of the established laws, and in punishing all nonconformity. The zealots, therefore, who harboured a great antipathy to the episcopal order, and to the whole liturgy, were obliged, in a great measure, to conceal these sentiments, which would have been regarded as highly audacious and criminal; and they confined their avowed objections to the surplice, the confirmation of children, the sign of the cross in baptism, the ring in marriage, kneeling at the sacrament, and bowing at the name of Jesus. So fruitless is it for sovereigns to watch with a rigid care over orthodoxy, and to employ the sword in religious controversy, that the work, perpetually renewed, is perpetually to begin; and a garb, a gesture, nay, a metaphysical or grammatical distinction, when rendered important by the disputes of theologians, and the zeal of the magistrate, is sufficient to destroy the unity of the church, and even the peace of society. These controversies had already excited such ferment among the people, that in some places they refused to frequent the churches where the habits and ceremonies were used; would not salute the conforming clergy; and proceeded so far as to revile them in the streets, to spit in their faces, and to use them with all manner of contumely.<sup>f</sup> And while the sovereign authority checked these excesses, the flame was confined, not extinguished; and burning fiercer from confinement, it burst out, in the succeeding reigns, to the destruction of the church and monarchy.

All enthusiasts, indulging themselves in rapturous flights, ecstasies, visions, inspirations, have a natural aversion to episcopal authority, to ceremonies, rites, and forms, which they denominate superstition, or beggarly elements, and which seem to restrain the liberal effusions of their zeal and devotion: but there was another set of opinions adopted by these innovators, which rendered them in a peculiar manner the object of Elizabeth's aversion. The same bold and daring spirit, which accompanied them in their addresses to the Divinity, appeared in their political speculations; and the principles of civil liberty, which, during some reigns, had been little avowed in the nation, and which were totally incompatible with the present exorbitant prerogative, had been strongly adopted by this new sect. Scarcely any sovereign before Elizabeth, and none after her, carried higher, both in speculation and practice, the authority of the crown; and the puritans (so these sectaries were called, on account of their pretending to a superior purity of worship and discipline) could not recommend themselves worse to her favour, than by inculcating the doctrine of resisting or restraining princes. From all these motives, the queen neglected no opportunity of depressing those zealous innovators; and while they were secretly countenanced by some of her most favoured ministers, Cecil, Leicester, Knolles, Bedford, Walsingham, she

<sup>a</sup> Burnet, vol. ii. p. 152. Heylin, p. 93.

<sup>b</sup> Strype, vol. i. p. 416.

<sup>c</sup> Keble, p. 563. Knox, p. 402.

<sup>d</sup> Heylin, preface, p. 2. Hist. p. 106.

<sup>e</sup> When Strype, one of her chaplains, had spoken here recently, in a sermon preached before her, of the sign of the cross, she called aloud to him, from her close window, commanding him to retire from that ungodly discourse, and to return unto his text. And on the other side, when one of her divines had preached a sermon in defence of the real presence, she openly gave him

<sup>e</sup> Ibid. p. 416.

thanks for his pains and piety. — Heylin, p. 121. She would have absolutely forbidden the marriage of the clergy, if Cecil had not interposed. Strype's Life of Parker, p. 107, 108, 109. She was an enemy to sermons, and usually said, that she thought two or three preachers were sufficient for a whole country. It was probably for these reasons that one Dr. Dorrington told her, when she came from the pulpit, that she was like an untamed heifer, that would not be ruled by God's people, but obstructed his discipline. See Life of Hooker, prefixed to his Works.

<sup>f</sup> Strype's Life of Whitgift, p. 460.

never was, to the end of her life, reconciled to their principles and practices.

We have thought proper to insert in this place an account of the rise and genius of the puritans; because Camden marks the present year, as the period when they began to make themselves considerable in England. We now return to our narration.

The Duke of Norfolk was the only peer that enjoyed the highest title of nobility; and as there were at present no princes of the blood, the splendour of his family, the opulence of his fortune, and the extent of his influence, had rendered him without comparison the first subject in England. The qualities of his mind corresponded to his high station: beneficent, affable, generous, he had acquired the affections of the people; prudent, moderate, obsequious, he possessed, without giving her any jealousy, the good graces of his sovereign. His grandfather and father had long been regarded as the leaders of the catholics: and this hereditary attachment, joined to the alliance of blood, had procured him the friendship of the most considerable men of that party: but as he had been educated among the reformers, he was sincerely devoted to their principles, and maintained that strict decorum and regularity of life, by which the protestants were at that time distinguished; he thereby enjoyed the rare felicity of being popular even with the most opposite factions. The height of his prosperity alone was the source of his misfortunes, and engaged him in attempts, from which his virtue and prudence would naturally have for ever kept him at a distance.

Norfolk was at this time a widower; and being of a suitable age, his marriage with the Queen of Scots had appeared so natural, that it had occurred to several of his friends and those of that princess: but the first person, who, after secretary Lidington, opened the scheme to the duke, is said to have been the Earl of Murray, before his departure for Scotland.<sup>a</sup> That nobleman set before Norfolk both the advantage of composing the dissensions in Scotland by an alliance, which would be so generally acceptable, and the prospect of reaping the succession of England; and in order to bind Norfolk's interest the faster with Mary's, he proposed that the duke's daughter should also espouse the young King of Scotland. The previously obtaining of Elizabeth's consent was regarded both by Murray and Norfolk, as a circumstance essential to the success of their project; and all terms being adjusted between them, Murray took care, by means of Sir Robert Melvil, to have the design communicated to the Queen of Scots. This princess replied, that the vexations which she had met with in her two last marriages, had made her more inclined to lead a single life; but she was determined to sacrifice her own inclinations to the public welfare; and therefore, as soon as she should be legally divorced from Bothwell, she would be determined by the opinion of her nobility and people in the choice of another husband.<sup>b</sup>

It is probable that Murray was not sincere in this proposal. He had two motives to engage him to dissimulation. He knew the danger to which he must run in his return through the North of England, from the power of the Earls of Northumberland and Westmoreland, Mary's partisans in that country; and he dreaded an insurrection in Scotland from the Duke of Châtelault, and the Earls of Argyll and Huntley, whom she had appointed her lieutenants during her absence. By these feigned appearances of friendship, he both engaged Norfolk to write in his favour to the northern noblemen;<sup>c</sup> and he persuaded the Queen of Scots to give her lieutenants permission, and even advice, to conclude a cessation of hostilities with the regent's party.<sup>d</sup>

The Duke of Norfolk, though he had agreed that Elizabeth's consent should be previously obtained before the completion of his marriage, had reason to apprehend that he never should prevail with her voluntarily to make that concession. He knew her perpetual and unrelenting jealousy against her heir and rival; he was acquainted with her former reluctance to all proposals of marriage with the

Queen of Scots; he foresaw that the princess's espousing a person of his power and character and interest would give the greatest umbrage; and as it would then become necessary to reinstate her in possession of her throne on some tolerable terms, and even to endeavour the re-establishing of her character, he dreaded lest Elizabeth, whose politics had now taken a different turn, would never agree to such indulgent and generous conditions. He therefore attempted previously to gain the consent and approbation of several of the most considerable nobility; and he was successful with the Earls of Pembroke, Arundel, Derby, Bedford, Shrewsbury, Southampton, Northumberland, Westmoreland, Sussex.<sup>e</sup> Lord Lumley and Sir Nicholas Throgmorton cordially embraced the proposal: even the Earl of Leicester, Elizabeth's declared favourite, who had formerly entertained some views of espousing Mary, willingly resigned all his pretensions, and seemed to enter zealously into Norfolk's interests.<sup>f</sup> There were other motives, besides affection to the duke, which produced this general combination of the nobility.

Sir William Cecil, secretary of state, was the most vigilant, active, and prudent minister ever known in England; and as he was governed by no views but the interests of his sovereign, which he had inflexibly pursued, his authority over her became every day more predominant. Ever cool himself, and uninfluenced by prejudice or affection, he checked those sallies of passion, and sometimes of caprice, to which she was subject; and if he failed of persuading her in the first movement, his perseverance, and remonstrances, and arguments, were sure at last to recommend themselves to her sound discernment. The more credit he gained with his mistress, the more was he exposed to the envy of her other counsellors; and as he had been supposed to adopt the interests of the house of Suffolk, whose claim seemed to carry with it no danger to the present establishment, his enemies, in opposition to him, were naturally led to attach themselves to the Queen of Scots. Elizabeth saw, without uneasiness, this emulation among her courtiers, which served to augment her own authority: and though she supported Cecil, whenever matters came to extremities, and dissipated every conspiracy against him, particularly one laid about this time for having him thrown into the Tower on some pretence or other,<sup>g</sup> she never gave him such unlimited confidence as might enable him entirely to crush his adversaries.

Norfolk, sensible of the difficulty which he must meet with in controlling Cecil's counsels, especially where they concurred with the inclination as well as interest of the queen, durst not open to her his intentions of marrying the Queen of Scots: but proceeded still in the same course, of increasing his interest in the kingdom, and engaging more of the nobility to take part in his measures. A letter was written to Mary by Leicester, and signed by several of the first rank, recommending Norfolk for her husband, and stipulating conditions for the advantage of both kingdoms; particularly, that she should give sufficient surety to Elizabeth, and the heirs of her body, for the free enjoyment of the crown of England; that a perpetual league, offensive and defensive, should be made between their realms and subjects; that the protestant religion should be established by law in Scotland; and that she should grant an amnesty to her rebels in that kingdom.<sup>h</sup> When Mary returned a favourable answer to this application, Norfolk employed himself with new ardour in the execution of his project; and besides securing the interests of many of the considerable gentry and nobility who resided at court, he wrote letters to such as lived at their country-seats, and possessed the greatest authority in the several counties.<sup>i</sup> The kings of France and Spain, who interested themselves extremely in Mary's cause, were secretly consulted, and expressed their approbation of these measures.<sup>j</sup> And though Elizabeth's consent was always supposed as a previous condition to the finishing of this alliance, it was apparently Norfolk's intention, when he proceeded such lengths without consulting her, to render his party so strong, that it should no longer be in her power to refuse it.<sup>k</sup>

<sup>a</sup> Lesley, p. 36, 77.

<sup>b</sup> State Trials, p. 76, 78.

<sup>c</sup> Lesley, p. 55. Camden, p. 419. Spotswood, p. 233.

<sup>d</sup> Ibid. p. 40, 41.

<sup>e</sup> State Trials, p. 41.

<sup>f</sup> Haynes, p. 535.

<sup>g</sup> Lesley, p. 54.

<sup>h</sup> Ibid. p. 63.

<sup>i</sup> Camden, p. 417.

<sup>j</sup> Haynes, p. 555, 559.

<sup>k</sup> State Trials, vol. i. p. 82.



It was impossible that so extensive a conspiracy could entirely escape the queen's vigilance and that of Cecil. She dropped several intimations to the duke, by which he might learn that she was acquainted with his designs; and she frequently warned him to beware on what pillow he reposed his head: 'but he never had the prudence or the courage to open to her his full intentions. Certain intelligence of this dangerous combination was given her first by Leicester, then by Murray,'<sup>a</sup> who, if ever he was sincere in promoting Norfolk's marriage, which is much to be doubted, had at least intended, for his own safety, and that of his party, that Elizabeth should in reality, as well as in appearance, be entire arbiter of the conditions, and should not have her consent extorted by any confederacy of her own subjects. This information gave great alarm to the court of England; and the more so, as those intrigues were attended with other circumstances, of which, it is probable, Elizabeth was not wholly ignorant.

Among the nobility and gentry that seemed to enter into Norfolk's views, there were many, who were zealously attached to the catholic religion, who had no other design than that of restoring Mary to her liberty, and who would gladly, by a combination with foreign powers, or even at the expense of a civil war, have placed her on the throne of England. The Earls of Northumberland and Westmoreland, who possessed great power in the North, were leaders of this party; and the former nobleman made offer to the Queen of Scots, by Leonard Dacres, brother to Lord Dacres, that he would free her from confinement, and convey her to Scotland, or any other place to which she should think proper to retire.<sup>w</sup> Sir Thomas and Sir Edward Stanley, sons of the Earl of Derby, Sir Thomas Gerrard, Rolstone, and other gentlemen, whose interest lay in the neighbourhood of the place where Mary resided, concurred in the same views; and required that, in order to facilitate the execution of the scheme, a diversion should, in the mean time, be made from the side of Flanders.<sup>x</sup> Norfolk discouraged, and even in appearance suppressed, these conspiracies; both because his duty to Elizabeth would not allow him to think of effecting his purpose by rebellion, and because he foresaw that, if the Queen of Scots came into the possession of these men, they would rather choose for her husband the King of Spain, or some foreign prince, who had power, as well as inclination, to re-establish the catholic religion.<sup>y</sup>

When men of honour and good principles, like the Duke of Norfolk, engage in dangerous enterprises, they are commonly so unfortunate as to be criminal by halves; and while they balance between the execution of their designs and their remorse, their fear of punishment and their hope of pardon, they render themselves an easy prey to their enemies. The duke, in order to repress the surmises spread against him, spoke contemptuously to Elizabeth of the Scottish alliance; affirmed that his estate in England was more valuable than the revenue of a kingdom wasted by civil wars and factions; and declared that, when he amused himself in his own tennis-court at Norwich amidst his friends and vassals, he deemed himself at least a petty prince, and was fully satisfied with his condition.<sup>z</sup> Finding that he did not convince her by these asseverations, and that he was looked on with a jealous eye by the ministers, he retired to his country-seat, without taking leave.<sup>a</sup> He soon after repented of this measure, and set out on his return to court, with a view of using every expedient to regain the queen's good graces; but he was met at St. Alban's by Fitz-Garret, lieutenant of the band of pensioners, by whom he was conveyed to Burnham, three miles from Windsor, where the court then resided.<sup>b</sup> He was soon after committed to the Tower, under the custody of Sir Henry Nevil.<sup>c</sup> Lesley, Bishop of Ross, the Queen of Scots' ambassador, was examined, and confronted with Norfolk before the council.<sup>d</sup> The Earl of Pembroke was confined to his own house. Arundel, Lumley, and Throgmorton, were taken into custody. The Queen of Scots herself was re-

moved to Coventry; all access to her was, during some time, more strictly prohibited; and Viscount Hereford was joined to the Earls of Shrewsbury and Huntingdon, in the office of guarding her.

A rumour had been diffused in the North of an intended rebellion; and the Earl of Sussex, president of York, alarmed with the danger, sent for Northumberland and Westmoreland, in order to examine them; but not finding any proof against them, he allowed them to depart. The report meanwhile gained ground daily; and many appearances of its reality being discovered, orders were despatched by Elizabeth to these two noblemen to appear at court, and answer for their conduct.<sup>e</sup> They had already proceeded so far in their criminal designs, that they dared not to trust themselves in her hands: they had prepared measures for a rebellion; had communicated their design to Mary and her ministers; <sup>f</sup> had entered into a correspondence with the Duke of Alva, governor of the Low Countries; had obtained his promise of a reinforcement of troops, and of a supply of arms and ammunition; and had prevailed on him to send over to London Chiapino Vitelli, one of his most famous captains, on pretence of adjusting some differences with the queen; but in reality, with a view of putting him at the head of the northern rebels. The summons, sent to the two earls, precipitated the rising before they were fully prepared; and Northumberland remained in suspense between opposite dangers, when he was informed that some of his enemies were on the way with a commission to arrest him. He took horse instantly, and hastened to his associate Westmoreland, whom he found surrounded with his friends and vassals, and deliberating with regard to the measures which he should follow in the present emergency. They determined to begin the insurrection without delay; and the great credit of these two noblemen, with that zeal for the catholic religion which still prevailed in the neighbourhood, soon drew together multitudes of the common people. They published a manifesto, in which they declared, that they intended to attempt nothing against the queen, to whom they avowed unshaken allegiance; and that their sole aim was to re-establish the religion of their ancestors, to remove evil counsellors, and to restore the Duke of Norfolk and other faithful peers to their liberty and to the queen's favour.<sup>g</sup> The number of the malcontents amounted to four thousand foot and sixteen hundred horse; and they expected the concurrence of all the catholics in England.<sup>h</sup>

The queen was not negligent in her own defence, and she had beforehand, from her prudent and wise conduct, acquired the general good-will of her people, the best security of a sovereign: inasmuch, that even the catholics in most counties expressed an affection for her service;<sup>i</sup> and the Duke of Norfolk himself, though he had lost her favour, and lay in confinement, was not wanting, as far as his situation permitted, to promote the levies among his friends and retainers. Sussex, attended by the Earls of Rutland, the Lords Hunsdon, Evers, and Willoughby of Parham, marched against the rebels at the head of seven thousand men, and found them already advanced to the bishopric of Durham, of which they had taken possession. They retired before him to Hexham; and hearing that the Earl of Warwick and Lord Clinton were advancing against them with a greater body, they found no other resource than to disperse themselves without striking a blow. The common people retired to their houses; the leaders fled into Scotland. Northumberland was found skulking in that country, and was confined by Murray in the castle of Lochleven. Westmoreland received shelter from the chieftains of the Kers and Scots, partisans of Mary; and persuaded them to make an inroad into England, with a view of exciting a quarrel between the two kingdoms. After they had committed great ravages, they retreated to their own country. This sudden and precipitate rebellion was followed soon after by another still more imprudent,

<sup>a</sup> Camden, p. 120. <sup>b</sup> Spotswood, p. 231. <sup>c</sup> Lesley, p. 71. It appears by Haynes, p. 521, 525, that Elizabeth had been rumours of Norfolk's dealing with Murray; and charged the latter with having procured the whole truth, which he accordingly did. See also the Earl of Murray's letter produced on Norfolk's trial.

<sup>w</sup> Lesley, p. 76.

<sup>x</sup> Ibid. p. 98.

<sup>y</sup> Ibid. p. 77.

<sup>z</sup> Camden, p. 120.

<sup>a</sup> Haynes, p. 528.

<sup>b</sup> Ibid. p. 339.

<sup>c</sup> Camden, p. 121. Haynes, p. 540. <sup>d</sup> Lesley, p. 80. <sup>e</sup> Haynes, p. 550.

<sup>f</sup> Haynes, p. 565. <sup>g</sup> Strype, vol. ii. Append. p. 30. MS. in the Advocates' Library, from Cott. Lib. Catal. c. 9.

<sup>h</sup> Calhoun, p. 169. <sup>i</sup> Strype, vol. ii. p. 517.

<sup>k</sup> Calhoun, p. 170. <sup>l</sup> Digges, p. 4.

<sup>l</sup> Stowe, p. 615.

raised by Leonard Dacres. Lord Hunsdon, at the head of the garrison of Berwick, was able, without any other assistance, to quell these rebels. Great severity was exercised against such as had taken part in these rash enterprises. Sixty-six petty constables were hanged;<sup>1</sup> and no less than eight hundred persons are said, on the whole, to have suffered by the hands of the executioner.<sup>2</sup> But the queen was so well pleased with Norfolk's behaviour, that she released him from the Tower; allowed him to live, though under some show of confinement, in his own house; and only exacted a promise from him not to proceed any further in his negotiations with the Queen of Scots.<sup>3</sup>

Elizabeth now found, that the detention of Mary was attended with all the ill consequences which she had foreseen when she first embraced that measure. This latter princess, recovering, by means of her misfortunes and her own natural good sense, from that delirium into which she seems to have been thrown during her attachment to Bothwell, had behaved with such modesty and judgment, and even dignity, that every one who approached her was charmed with her demeanour; and her friends were enabled, on some plausible grounds, to deny the reality of all those crimes which had been imputed to her.<sup>4</sup> Compassion for her situation, and the necessity of procuring her liberty, proved an incitement among all her partisans, to be active in promoting her cause; and as her deliverance from captivity, it was thought, could nowise be effected but by attempts dangerous to the established government, Elizabeth had reason to expect little tranquillity so long as the Scottish queen remained a prisoner in her hands. But as this inconvenience had been preferred to the danger of allowing that princess to enjoy her liberty, and to seek relief in all the catholic courts of Europe, it behoved the queen to support the measure which she had adopted, and to guard, by every prudent expedient, against the mischiefs to which it was exposed. She still flattered Mary with hopes of her protection, maintained an ambiguous conduct between that queen and her enemies in Scotland, negotiated perpetually concerning the terms of her restoration, made constant professions of friendship to her; and by these artifices endeavoured both to prevent her from making any desperate efforts for her deliverance, and to satisfy the French and Spanish ambassadors, who never intermitted their solicitations, sometimes accompanied with menaces, in her behalf. This deceit was received with the same deceit by the Queen of Scots; professions of confidence were returned by professions equally insincere: and while an appearance of friendship was maintained on both sides, the animosity and jealousy, which had long prevailed between them, became every day more inveterate and incurable. These two princesses, in address, capacity, activity, and spirit, were nearly a match for each other; but unhappily, Mary, besides her present forlorn condition, was always inferior in personal conduct and discretion, as well as in power, to her illustrious rival.

Elizabeth and Mary wrote at the same time letters to the regent. The Queen of Scots desired that her marriage with Bothwell might be examined, and a divorce be legally pronounced between them. The Queen of England gave Murray the choice of three conditions; that Mary should be restored to her dignity on certain terms; that she should be associated with her son, and the administration remain in the regent's hands till the young prince should come to years of discretion; or that she should be allowed to live at liberty as a private person in Scotland, and have an honourable settlement made in her favour.<sup>5</sup> Murray summoned a convention of states, in order to deliberate on these proposals of the two queens: no answer was made by them to Mary's letter, on pretence that she had there employed the style of a sovereign, addressing herself to her subjects; but in reality, because they saw that her request was calculated to prepare the

way for a marriage with Norfolk, or some powerful prince, who could support her cause, and restore her to the throne. They replied to Elizabeth, that the two former conditions were so derogatory to the royal authority of their prince, that they could not so much as deliberate concerning them: the third alone could be the subject of treaty. It was evident that Elizabeth, in proposing conditions so unequal in their importance, invited the Scots to a refusal of those which were most advantageous to Mary; and as it was difficult, if not impossible, to adjust all the terms of the third, so as to render it secure and eligible to all parties, it was concluded that she was not sincere in any of them.<sup>6</sup>

It is pretended that Murray had entered into a private negotiation with the queen, to get Mary delivered into his hands;<sup>7</sup> and as Elizabeth found the detention of her in England so dangerous, it is probable that she would have been pleased, on any honourable or safe terms, to rid herself of a prisoner who gave her so much inquietude.<sup>8</sup> But all these projects vanished by the sudden death of the regent, who was assassinated, in revenge of a private injury, by a gentleman of the name of Hamilton. Murray was a person of considerable vigour, abilities, and constancy; but though he was not successful, during his regency, in composing the dissensions in Scotland, his talents shone out more eminently in the beginning than in the end of his life. His manners were rough and austere; and he possessed not that perfect integrity, which frequently accompanies, and can alone atone for, that unamiable character.

By the death of the regent, Scotland relapsed into anarchy. Mary's party assembled together, and made themselves masters of Edinburgh. The castle, commanded by Kirkaldy of Grange, seemed to favour her cause; and as many of the principal nobility had embraced that party, it became probable, though the people were in general averse to her, that her authority might again acquire the ascendancy. To check its progress, Elizabeth despatched Sussex with an army to the North, under colour of chastising the ravages committed by the borderers. He entered Scotland, and laid waste the lands of the Kers and Scots, seized the castle of Hume, and committed hostilities on all Mary's partisans, who, he said, had offended his mistress by harbouring the English rebels. Sir William Drury was afterwards sent with a body of troops, and he threw down the houses of the Hamiltons who were engaged in the same faction. The English armies were afterwards recalled by agreement with the Queen of Scots, who promised, in return, that no French troops should be introduced into Scotland, and that the English rebels should be delivered up to the queen by her partisans.<sup>9</sup>

But though the queen, covering herself with the pretence of revenging her own quarrel, so far contributed to support the party of the young King of Scots, she was cautious not to declare openly against Mary; and she even sent a request, which was equivalent to a command, to the enemies of that princess, not to elect, during some time, a regent in the place of Murray.<sup>10</sup> Lenox, the king's grandfather, was therefore chosen temporary governor, under the title of Lieutenant. Hearing afterwards, that Mary's partisans, instead of delivering up Westmoreland and the other fugitives as they had promised, had allowed them to escape into Flanders; she permitted the king's party to give Lenox the title of regent,<sup>11</sup> and she sent Randolph, as her resident, to maintain a correspondence with him. But notwithstanding this step, taken in favour of Mary's enemies, she never laid aside her ambiguous conduct, nor quitted the appearance of amity to that princess. Being importuned by the Bishop of Ross, and her other agents, as well as by foreign ambassadors, she twice procured a suspension of arms between the Scottish factions,

<sup>1</sup> Camden, p. 429.

<sup>2</sup> Lesley, p. 42.

<sup>3</sup> H. A. 98. Camden, p. 429. Haynes, p. 597.

<sup>4</sup> Lesley, p. 282. Haynes, p. 511, 518.

<sup>5</sup> MSS. in the Advocates' Library. A. 329. p. 137. from Cott. Lib.

Catal. C. 1.

<sup>6</sup> Spotswood, p. 230, 231. Lesley, p. 71.

<sup>7</sup> Camden, p. 425. Lesley, p. 43.

<sup>8</sup> By Murden's state papers, published after the writing of this history. it

appears, that an agreement had been made between Elizabeth and the regent for the delivering up of Mary to him. The queen afterwards sent down Kirkaldy to the Earl of Mar, when, regretting, it seems, to put Mary into his hands, Kirkaldy was instructed to take great security from the regent, that that queen should be tried for her crimes, and that the sentence should be executed upon her. It appears that Mar rejected the offer because we hear no more of it.

<sup>9</sup> Lesley, p. 91.

<sup>10</sup> Ibid. p. 241.

<sup>11</sup> Spotswood, p. 240.

and by that means stopped the hands of the regent, who was likely to obtain advantages over the opposite party.<sup>a</sup> By these seeming contrarieties she kept alive the factions in Scotland, increased their mutual animosity, and rendered the whole country a scene of devastation and of misery.<sup>x</sup> She had no intention to conquer the kingdom, and consequently no interest or design to instigate the parties against each other; but this consequence was an accidental effect of her cautious politics, by which she was engaged, as far as possible, to keep on good terms with the Queen of Scots, and never to violate the appearances of friendship with her, at least those of neutrality.<sup>y</sup>

The better to amuse Mary with the prospect of an accommodation, Cecil and Sir Walter Mildmay were sent to her with proposals from Elizabeth. The terms were somewhat rigorous, such as a captive queen might expect from a jealous rival; and they thereby bore the greater appearance of sincerity on the part of the English court. It was required that the Queen of Scots, besides renouncing all title to the crown of England during the life-time of Elizabeth, should make a perpetual league, offensive and defensive, between the kingdoms; that she should marry no Englishman without Elizabeth's consent, nor any person without the consent of the states of Scotland; that compensation should be made for the late ravages committed in England; that justice should be executed on the murderers of King Henry; that the young prince should be sent into England to be educated there; and that six hostages, all of them noblemen, should be delivered to the Queen of England, with the castle of Hume, and some other fortress, for the security of performance.<sup>z</sup> Such were the conditions upon which Elizabeth promised to contribute her endeavours towards the restoration of the deposed queen. The necessity of Mary's affairs obliged her to consent to them; and the kings of France and Spain, as well as the Pope, when consulted by her, approved of her conduct; chiefly on account of the civil wars by which all Europe was at that time agitated, and which incapacitated the catholic princes from giving her any assistance.<sup>a</sup>

Elizabeth's commissioners proposed also to Mary a plan of accommodation with her subjects in Scotland; and after some reasoning on that head, it was agreed that the queen should require Lenox, the regent, to send commissioners, in order to treat of conditions under her mediation. The partisans of Mary boasted, that all terms were fully settled with the court of England, and that the Scottish rebels would soon be constrained to submit to the authority of their sovereign; but Elizabeth took care that these rumours should meet with no credit, and that the king's party should not be discouraged, nor sink too low in their demands. Cecil wrote to inform the regent, that all the Queen of England's proposals, so far from being fixed and irrevocable, were to be discussed anew in the conference; and desired him to send commissioners who should be constant in the king's cause, and cautious not to make concessions which might be prejudicial to their party.<sup>b</sup> Sussex also, in his letters, dropped hints to the same purpose; and Elizabeth herself said to the Abbot of Dunfermling, whom Lenox had sent to the court of England, that she would not insist on Mary's restoration, provided the Scots could make the justice of their cause appear to her satisfaction; and that, even if their reasons should fall short of full conviction, she would take effectual care to provide for their future security.<sup>c</sup>

The parliament of Scotland appointed the 1st March, Earl of Morton and Sir James Macgill, together with the Abbot of Dunfermling, to manage the treaty. These commissioners presented memorials, containing reasons for the deposition of their queen; and they seconded their arguments with examples drawn from the Scottish history, with the authority of laws, and with the sentiments of many famous divines. The lofty ideas

which Elizabeth had entertained, of the absolute, indefeasible right of sovereigns, made her be shocked with these republican topics; and she told the Scottish commissioners, that she was nowise satisfied with their reasons for justifying the conduct of their countrymen; and that they might therefore, without attempting any apology, proceed to open the conditions which they required for their security.<sup>d</sup> They replied, that their commission did not empower them to treat of any terms which might infringe the title and sovereignty of their young king, but they would gladly hear whatever proposals should be made them by her majesty. The conditions recommended by the queen were not disadvantageous to Mary; but as the commissioners still insisted, that they were not authorized to treat in any manner concerning the restoration of that princess, the conferences were necessarily at an end; and Elizabeth dismissed the Scottish commissioners with injunctions that they should return, after having procured more ample powers from their parliament.<sup>e</sup> The Bishop of Ross openly complained to the English council, that they had abused his mistress by fair promises and professions; and Mary herself was no longer at a loss to judge of Elizabeth's insincerity. By reason of these disappointments matters came still nearer to extremities between the two princesses; and the Queen of Scots, finding all her hopes eluded, was more strongly incited to make, at all hazards, every possible attempt for her liberty and security.

An incident also happened about this time, which tended to widen the breach between Mary and Elizabeth, and to increase the vigilance and jealousy of the latter princess. Pope Pius V., who had succeeded Paul, after having endeavoured in vain to conciliate by gentle means the friendship of Elizabeth, whom his predecessor's violence had irritated, issued at last a bull of excommunication against her, deprived her of all title to the crown, and absolved her subjects from their oaths of allegiance.<sup>f</sup> It seems probable, that this attack on the queen's authority was made in concert with Mary, who intended by that means to forward the northern rebellion; a measure which was at that time in agitation.<sup>g</sup> John Felton affixed this bull to the gates of the Bishop of London's palace; and scorning either to fly or deny the fact, he was seized and condemned, and received the crown of martyrdom, for which he seems to have entertained so violent an ambition.<sup>h</sup>

A new parliament, after five years' interval, <sup>21 April.</sup> was assembled at Westminster; and as the <sup>A parliament.</sup> queen, by the rage of the Pope against her, was become still more the head of the ruling party, it might be expected, both from this incident, and from her own prudent and vigorous conduct, that her authority over the two Houses would be absolutely uncontrollable. It was so in fact; yet it is remarkable, that it prevailed not without some small opposition, and that too arising chiefly from the height of zeal for protestantism; a disposition of the English which in general contributed extremely to increase the queen's popularity. We shall be somewhat particular in relating the transactions of this session, because they show, as well the extent of the royal power during that age, as the character of Elizabeth, and the genius of her government. It will be curious also to observe the faint dawn of the spirit of liberty among the English, the jealousy with which that spirit was repressed by the sovereign, the imperious conduct which was maintained in opposition to it, and the ease with which it was subdued by this arbitrary princess.

The lord keeper Bacon, after the Speaker of the Commons was elected, told the parliament, in the queen's name, that she enjoined them not to meddle with any matters of state: <sup>k</sup> such was his expression; by which he probably meant the questions of the queen's marriage and the succession, about which they had before given her some uneasiness. For as to the other great points of

<sup>w</sup> Spotswood, p. 213.

<sup>x</sup> Craw-ford, p. 136.

<sup>y</sup> Sir James Macgill, p. 108, 109, ascribes to Elizabeth a positive design of animating the Scotch factions against each other. but this charge is too much to impute to her; she was only anxious to keep the parties in mutual distrust, and to prevent any one authority, and, as is, indeed, confessed by her subsequent conduct, as well as her interest, and the necessity of her situation. It was plainly her interest, that the king's party should prevail, and nothing could have engaged her to stop their progress, or even to bear openly assisting them, but her intention of still assuming the Queen of Scots, by the hopes of being peaceably restored to her throne. See farther, *History*, Vol. II. Appendix, p. 50.

<sup>z</sup> Spotswood, p. 215. Lesley, p. 101.

<sup>a</sup> Lesley, p. 101, &c.

<sup>b</sup> Spotswood, p. 215.

<sup>c</sup> Ibid. p. 217, 248.

<sup>d</sup> Ibid. p. 248, 249.

<sup>e</sup> Spotswood, p. 239, 250, &c. Lesley, p. 133, 136. Camden, p. 431, 432.

<sup>f</sup> Camden, p. 437.

<sup>g</sup> Ibid. p. 441. From Capetani's Life of Pius V.

<sup>h</sup> Camden, p. 438.

<sup>i</sup> D'Ewes, p. 141.

<sup>k</sup> Haynes, p. 623.



government, alliances, peace and war, or foreign negotiations, no parliament in that age ever presumed to take them under consideration, or question, in these particulars, the conduct of their sovereign, or of his ministers.

In the former parliament, the puritans had introduced seven bills for a further reformation in religion; but they had not been able to prevail in any one of them.<sup>1</sup> This House of Commons had sitten a very few days, when Strickland, a member, revived one of the bills, that for the amendment of the liturgy.<sup>m</sup> The chief objection, which he mentioned, was the sign of the cross in baptism. Another member added the kneeling at the sacrament; and remarked that if a posture of humiliation were requisite in that act of devotion, it were better that the communicants should throw themselves prostrate on the ground, in order to keep at the widest distance from former superstition.<sup>n</sup>

Religion was a point, of which Elizabeth was, if possible, still more jealous than of matters of state. She pretended, that, in quality of supreme head or governor of the church, she was fully empowered, by her prerogative alone, to decide all questions which might arise with regard to doctrine, discipline, or worship; and she never would allow her parliaments so much as to take these points into consideration.<sup>o</sup> The courtiers did not forget to insist on this topic: the treasurer of the household, though he allowed that any heresy might be repressed by parliament, (a concession which seems to have been rash and unguarded, since the act, investing the crown with the supremacy, or rather recognising the prerogative, gave the sovereign full power to reform all heresies,) yet he affirmed, that it belonged to the queen alone, as head of the church, to regulate every question of ceremony in worship. The comptroller seconded this argument; insisted on the extent of the queen's prerogative; and said, that the House might, from former examples, have taken warning not to meddle with such matters. One Pistor opposed these remonstrances of the courtiers. He was scandalized, he said, that affairs of such infinite consequence, (namely, kneeling, and making the sign of the cross,) should be passed over so slightly. These questions, he added, concern the salvation of souls, and interest every one more deeply than the monarchy of the whole world. This cause he showed to be the cause of God; the rest were all but terrene, yea, trifles in comparison, call them ever so great: subsidies, crowns, kingdoms, he knew not what weight they had, when laid in the balance with subjects of such unspeakable importance.<sup>p</sup> Though the zeal of this member seems to have been approved of, the House, overawed by the prerogative, voted upon the question, that a petition should be presented to her majesty, for her licence to proceed further in this bill; and, in the mean time, that they should stop all debate or reasoning concerning it.<sup>q</sup>

Matters would probably have rested here, had not the queen been so highly offended with Strickland's presumption, in moving the bill for reformation of the liturgy, that she summoned him before the council, and prohibited him thenceforth from appearing in the House of Commons.<sup>r</sup> This act of power was too violent even for the submissive parliament to endure. Carleton took notice of the matter; complained that the liberties of the House were invaded; observed that Strickland was not a private man, but represented a multitude; and moved that he might be sent for, and, if he were guilty of any offence, might answer for it at the bar of the House, which he insinuated to be the only competent tribunal.<sup>s</sup> Yelverson enforced the principles of liberty with still greater boldness. He said, that the precedent was dangerous: and though in this happy time of lenity, among so many good and honourable personages as were at present invested with authority, nothing of extremity or injury was to be apprehended; yet the times might alter; what now is permitted might hereafter be construed as a duty; and might be enforced even on the ground of the present permission. He added, that all matters not treasonable, or which implied not *too much* derogation of the imperial crown, might, without offence, be introduced into parliament; where every question that

concerned the community must be considered, and where even the right of the crown itself must finally be determined. He remarked, that men sat not in that House in their private capacities, but as elected by their country; and though it was proper that the prince should retain his prerogative, yet was that prerogative limited by law: as the sovereign could not of himself make laws, neither could he break them, merely from his own authority.<sup>t</sup>

These principles were popular, and noble, and generous; but the open assertion of them was, at this time, somewhat new in England; and the courtiers were more warranted by present practice, when they advanced a contrary doctrine. The treasurer warned the House to be cautious in their proceedings; neither to venture further than their assured warrant might extend, nor hazard their good opinion with her majesty in any doubtful cause. The member, he said, whose attendance they required, was not restrained on account of any liberty of speech, but for his exhibiting a bill in the House against the prerogative of the queen; a temerity which was not to be tolerated. And he concluded with observing, that even speeches made in that House had been questioned and examined by the sovereign.<sup>u</sup> Cleere, another member, remarked, that the sovereign's prerogative is not so much as disputable, and that the safety of the queen is the safety of the subject. He added, that in questions of divinity, every man was for his instruction to repair to his ordinary; and he seems to insinuate, that the bishops themselves, for their instruction, must repair to the queen.<sup>v</sup> Fleetwood observed, that, in his memory, he knew a man, who, in the fifth of the present queen, had been called to account for a speech in the House. But lest this example should be deemed too recent, he would inform them, from the parliament rolls, that in the reign of Henry V. a bishop was committed to prison by the king's command, on account of his freedom of speech; and the parliament presumed not to go further than to be humble suitors for him. In the subsequent reign, the Speaker himself was committed, with another member; and the House found no other remedy than a like submissive application. He advised the House to have recourse to the same expedient; and not to presume either to send for their member, or demand him, as of right.<sup>w</sup> During this speech, those members of the privy-council who sat in the House, whispered together; upon which the Speaker moved, that the House should make stay of all further proceedings; a motion which was immediately complied with. The queen, finding that the experiment which she had made was likely to excite a great ferment, saved her honour by this silence of the House; and lest the question should be resumed, she sent next day to Strickland her permission to give his attendance in parliament.<sup>x</sup>

Notwithstanding this rebuke from the throne, the zeal of the Commons still engaged them to continue the discussion of those other bills which regarded religion; but they were interrupted by a still more arbitrary proceeding of the queen, in which the Lords condescended to be her instruments. This House sent a message to the Commons, desiring that a committee might attend them. Some members were appointed for that purpose; and the upper House acquainted them, that the queen's majesty, being informed of the articles of Reformation which they had canvassed, approved of them, intended to publish them, and to make the bishops execute them, by virtue of her royal authority, as supreme head of the church of England: but that she would not permit them to be treated of in parliament.<sup>y</sup> The House, though they did not entirely stop proceedings on account of this injunction, seem to have been nowise offended at such haughty treatment; and in the issue all the bills came to nothing.

A motion made by Robert Bell, a puritan, an exclusive patent granted to a company of merchants in Bristol,<sup>z</sup> gave also occasion to several remarkable incidents. The queen, some days after the motion was made, sent orders by the mouth of the Speaker, commanding the House to spend little time in motions, and to avoid long speeches. All the members understood that she had been

<sup>1</sup> D'Ewes, p. 163.

<sup>m</sup> Ibid. p. 156, 157.

<sup>n</sup> Ibid. p. 176.

<sup>o</sup> Ibid. p. 158.

<sup>p</sup> Ibid. p. 166.

<sup>q</sup> Ibid. p. 167.

<sup>r</sup> Ibid. p. 175.

<sup>s</sup> Ibid.

<sup>t</sup> Ibid. p. 175, 176.

<sup>u</sup> D'Ewes, p. 175.

<sup>v</sup> Ibid. p. 176.

<sup>w</sup> Ibid. p. 182, R2.

<sup>x</sup> Ibid.

<sup>y</sup> Ibid. p. 177.

<sup>z</sup> Ibid. p. 182, R2.

offended, because a matter had been moved which seemed to touch her prerogative.<sup>b</sup> Fleetwood accordingly spoke of this delicate subject. He observed, that the queen had a prerogative of granting patents; that to question the validity of any patent, was to invade the royal prerogative; that all foreign trade was entirely subject to the pleasure of the sovereign; that even the statute which gave liberty of commerce, admitted of all prohibitions from the crown; and that the prince, when he granted an exclusive patent, only employed the power vested in him, and prohibited all others from dealing in any particular branch of commerce. He quoted the clerk of the parliament's book, to prove that no man might speak in parliament of the statute of wills, unless the king first gave licence; because the royal prerogative in the wards was thereby touched. He showed likewise the statutes of Edward I. Edward III. and Henry IV. with a saving of the prerogative. And in Edward VI.'s time, the protector was applied to, for his allowance to mention matters of prerogative.<sup>c</sup>

Sir Humphrey Gilbert, the gallant and renowned sea-adventurer, carried these topics still further. He endeavoured to prove the motion made by Bell to be a vain device, and perilous to be treated of; since it tended to the derogation of the prerogative imperial, which whoever should attempt so much as in fancy, could not, he said, be otherwise accounted than an open enemy. For what difference is there between saying that the queen is not to use the privilege of the crown, and saying that she is not queen? and though experience has shown so much clemency in her majesty, as might, perhaps, make subjects forget their duty; it is not good to sport or venture too much with princes. He reminded them of the fable of the hare, who, upon the proclamation that all horned beasts should depart the court, immediately fled, lest his ears should be construed to be horns; and by this apologue he seems to insinuate, that even those who heard or permitted such dangerous speeches, would not themselves be entirely free from danger. He desired them to beware, lest, if they meddled further with these matters, the queen might look to her own power; and finding herself able to suppress their challenged liberty, and to exert an arbitrary authority, might imitate the example of Lewis XI. of France, who, as he termed it, delivered the crown from wardship.<sup>d</sup>

Though this speech gave some disgust, nobody, at the time, replied any thing, but that Sir Humphrey mistook the meaning of the House, and of the member who made the motion: they never had any other purpose, than to represent their grievances, in due and seemly form, unto her majesty. But in a subsequent debate, Peter Wentworth, a man of a superior free spirit, called that speech an insult on the House; noted Sir Humphrey's disposition to flatter and fawn on the prince; compared him to the chameleon, which can change itself into all colours except white; and recommended to the House a due care of liberty of speech, and of the privileges of parliament.<sup>e</sup> It appears, on the whole, that the motion against the exclusive patent had no effect. Bell, the member who first introduced it, was sent for by the council, and was severely reprimanded for his temerity. He returned to the House with such an amazed countenance, that all the members, well informed of the reason, were struck with terror: and during some time no one durst rise, to speak of any matter of importance, for fear of giving offence to the queen and the council. Even after the fears of the Commons were somewhat abated, the members spoke with extreme precaution; and by employing most of their discourse in preambles and apologies, they showed their conscious terror of the rod which hung over them. Wherever any delicate point was touched, though ever so gently; nay, seemed to be approached, though at ever so great a distance, the whisper ran about the House, "The queen will be offended; the council will be extremely displeased;" and by these surmises men were warned of the danger to which they exposed themselves. It is remarkable, that the patent, which the queen defended with such imperious violence was contrived for the profit of four

courtiers, and was attended with the utter ruin of seven or eight thousand of her industrious subjects.<sup>f</sup>

Thus every thing which passed the 29th May. Houses was extremely respectful and submissive; yet did the queen think it incumbent on her, at the conclusion of the session, to check, and that with great severity, those feeble efforts of liberty, which had appeared in the motions and speeches of some members. The lord keeper told the Commons, in her majesty's name, that, though the majority of the lower House had shown themselves, in their proceedings, discreet and dutiful, yet a few of them had discovered a contrary character, and had justly merited the reproach of audacious, arrogant, and presumptuous: contrary to their duty, both as subjects and parliament-men, nay, contrary to the express injunctions given them from the throne at the beginning of the session, injunctions which it might well become them to have better attended to, they had presumed to call in question her majesty's grants and prerogatives. But her majesty warns them, that since they thus wilfully forget themselves, they are otherwise to be admonished: some other species of correction must be found for them; since neither the commands of her majesty, nor the example of their wiser brethren, can reclaim their audacious, arrogant, and presumptuous folly, by which they are thus led to meddle with what nowise belongs to them, and what lies beyond the compass of their understanding.<sup>g</sup>

In all these transactions appears clearly the opinion which Elizabeth had entertained of the duty and authority of parliaments. They were not to canvass any matters of state; still less were they to meddle with the church. Questions of either kind were far above their reach, and were appropriated to the prince alone, or to those councils and ministers with whom he was pleased to intrust them. What then was the office of parliaments? They might give directions for the due tanning of leather, or milling of cloth; for the preservation of pheasants and partridges, for the reparation of bridges and highways; for the punishment of vagabonds or common beggars. Regulations concerning the police of the country came properly under their inspection; and the laws of this kind which they prescribed, had, if not a greater, yet a more durable authority, than those which were derived solely from the proclamations of the sovereign. Precedents or reports could fix a rule for decisions in private property, or the punishment of crimes; but no alteration or innovation in the municipal law could proceed from any other source than the parliament; nor would the courts of justice be induced to change their established practice by an order of council. But the most acceptable part of parliamentary proceedings was the granting of subsidies; the attainting and punishing of the obnoxious nobility, or any minister of state after his fall; the countenancing of such great efforts of power, as might be deemed somewhat exceptionable, when they proceeded entirely from the sovereign. The redress of grievances was sometimes promised to the people, but seldom could have place, while it was an established rule, that the prerogatives of the crown must not be abridged, nor so much as questioned and examined in parliament. Even though monopolies, and exclusive companies, had already reached an enormous height, and were every day increasing, to the destruction of all liberty, and extinction of all industry; it was criminal in a member to propose, in the most dutiful and regular manner, a parliamentary application against any of them.

These maxims of government were not kept secret by Elizabeth, nor smoothed over by any fair appearances or plausible pretences. They were openly avowed in her speeches and messages to parliament; and were accompanied with all the haughtiness, nay, sometimes bitterness, of expression, which the meanest servant could look for from his offended master. Yet, notwithstanding this conduct, Elizabeth continued to be the most popular sovereign that ever swayed the sceptre of England; because the maxims of her reign were conformable to the principles of the times, and to the opinion generally entertained with regard to the constitution. The continued encroach-

<sup>b</sup> *Ibid.* p. 159.<sup>c</sup> *Ibid.* p. 160.<sup>d</sup> *Ibid.* p. 161.<sup>e</sup> *Ibid.* p. 175.<sup>f</sup> *Ibid.* p. 242.<sup>g</sup> *Ibid.* p. 151.

ments of popular assemblies on Elizabeth's successors have so changed our ideas in these matters, that the passages above mentioned appear to us extremely curious, and even, at first, surprising; but they were so little remarked during the time, that neither Camden, though a contemporary writer, nor any other historian, has taken any notice of them. So absolute, indeed, was the authority of the crown, that the precious spark of liberty had been kindled, and was preserved, by the puritans alone; and it was to this sect, whose principles appear so frivolous, and habits so ridiculous, that the English owe the whole freedom of their constitution. Actuated by that zeal which belongs to innovators, and by the courage which enthusiasm inspires, they hazarded the utmost indignation of their sovereign; and employing all their industry to be elected into parliament, a matter not difficult, while a seat was rather regarded as a burden than an advantage,<sup>h</sup> they first acquired a majority in that assembly, and then obtained an ascendancy over the church and monarchy.

The following were the principal laws enacted this session. It was declared treason, during the lifetime of the queen, to affirm, that she was not the lawful sovereign, or that any other possessed a preferable title, or that she was a heretic, schismatic, or infidel, or that the laws and statutes cannot limit and determine the right of the crown and the successor thereof: to maintain, in writing or printing, that any person, except the *natural issue* of her body, is or ought to be the queen's heir or successor, subjected the person and all his abettors, for the first offence, to imprisonment during a year, and to the forfeiture of half their goods: the second offence subjected them to the penalty of a premunire.<sup>i</sup> This law was plainly levelled against the Queen of Scots and her partisans; and implied an avowal, that Elizabeth never intended to declare her successor. It may be noted, that the usual phrase of *lawful issue*, which the parliament thought indecent towards the queen, as if she could be supposed to have any other, was changed into that of *natural issue*. But this alteration was the source of pleasantries during the time; and some suspected a deeper design, as if Leicester intended, in case of the queen's demise, to produce some bastard of his own, and affirm that he was her offspring.<sup>k</sup>

It was also enacted, that whosoever, by bulls, should publish absolutions, or other scripts of the Pope, or should, by means of them, reconcile any man to the church of Rome, such offenders, as well as those who were so reconciled, should be guilty of treason. The penalty of a premunire was imposed on every one who imported any *Agnus Dei*, crucifix, or such other implement of superstition, consecrated by the Pope.<sup>l</sup> The former laws against usury were enforced by a new statute.<sup>m</sup> A supply of one subsidy and two fifteenths, was granted by parliament. The queen, as she was determined to yield to them none of her power, was very cautious in asking them for any supply. She endeavoured, either by a rigid frugality to make her ordinary revenues suffice for the necessities of the crown, or she employed her prerogative, and procured money by the granting of patents, monopolies, or by some such ruinous expedient.

Though Elizabeth possessed such uncontrolled authority over her parliaments, and such extensive influence over her people; though during a course of thirteen years she had maintained the public tranquillity, which was only interrupted by the hasty and ill-concerted insurrection in the North; she was still kept in great anxiety, and felt her throne perpetually totter under her. The violent commotions excited in France and the Low Countries as well as in Scotland, seemed, in one view, to secure her against any disturbance; but they served, on more reflection, to instruct her in the danger of her situation, when she remarked that England, no less than these neighbouring countries, contained the seeds of intestine discord; the differences of religious opinion, and the furious intolerance and animosity of the opposite sectaries.

The league formed at Bayonne, in 1566, for the extermination of the protestants, had

not been concluded so secretly, but intelligence of it had reached Condé, Coligni, and the other leaders of the hugonots; and finding that the measures of the court agreed with their suspicions, they determined to prevent the cruel perfidy of their enemies, and to strike a blow before the catholics were aware of the danger. The hugonots, though dispersed over the whole kingdom, formed a kind of separate empire; and being closely united, as well by their religious zeal as by the dangers to which they were perpetually exposed, they obeyed, with entire submission, the orders of their leaders, and were ready, on every signal, to fly to arms. The king and queen-mother were living in great security at Monceaux in Brie, when they found themselves surrounded by protestant troops, which had secretly marched thither from all quarters; and had not a body of Swiss come speedily to their relief, and conducted them with great intrepidity to Paris, they must have fallen, without resistance, into the hands of the malcontents. A battle was afterwards fought in the plains of St. Denis; where, though the old constable Montmorency, the general of the catholics, was killed, combating bravely at the head of his troops, the hugonots were finally defeated. Condé, collecting his broken forces, and receiving a strong reinforcement from the German protestants, appeared again in the field; and laying siege to Chartres, a place of great importance, obliged the court to agree to a new accommodation.

So great was the mutual animosity of those religionists, that even had the leaders on both sides been ever so sincere in their intentions for peace, and reposed ever so much confidence in each other, it would have been difficult to retain the people in tranquillity; much more, where such extreme jealousy prevailed, and where the court employed every pacification as a snare for their enemies. A plan was laid for seizing the person of the prince and admiral; who narrowly escaped to Rochelle, and summoned their partisans to their assistance.<sup>n</sup> The civil wars were renewed with greater fury than ever, and the parties became still more exasperated against each other. The young Duke of Anjou, brother to the king, commanded the forces of the catholics; and fought, in 1569, a great battle at Jarnac with the hugonots, where the Prince of Condé was killed and his army defeated. This discomfiture, with the loss of so great a leader, reduced not the hugonots to despair. The admiral still supported the cause; and having placed at the head of the protestants the Prince of Navarre, then sixteen years of age, and the young Prince of Condé, he encouraged the party rather to perish bravely in the field than ignominiously by the hands of the executioner. He collected such numbers, so determined to endure every extremity, that he was enabled to make head against the Duke of Anjou; and being strengthened by a new reinforcement of Germans, he obliged that prince to retreat, and to divide his forces.

Coligni then laid siege to Poitiers; and as the eyes of all France were fixed on this enterprise, the Duke of Guise, emulous of the renown which his father had acquired by the defence of Metz, threw himself into the place, and so animated the garrison by his valour and conduct, that the admiral was obliged to raise the siege. Such was the commencement of that unrivalled fame and grandeur afterwards attained by this Duke of Guise. The attachment which all the catholics had borne to his father was immediately transferred to the son; and men pleased themselves in comparing all the great and shining qualities which seemed in a manner hereditary in that family. Equal in affability, in munificence, in address, in eloquence, and in every quality which engages the affections of men; equal also in valour, in conduct, in enterprise, in capacity; there seemed only this difference between them, that the son, educated in more turbulent times, and finding a greater dissolution of all law and order, exceeded the father in ambition and temerity, and was engaged in enterprises still more destructive to the authority of his sovereign, and to the repose of his native country.

<sup>h</sup> It appeared this session, that a bribe of four pounds had been given to a mayor for a seat in parliament. D'Eves, p. 180. It is probable that the member had no other view than the privilege of being free from arrests.

<sup>i</sup> 13 Eliz. c. 1.

<sup>j</sup> 13 Eliz. c. 2.

<sup>k</sup> Davila, lib. iv.

<sup>l</sup> Camden, p. 456.

<sup>m</sup> Ibid. c. 6.



Elizabeth, who kept her attention fixed on the civil commotions of France, was nowise pleased with this new rise of her enemies the Guises; and being anxious for the fate of the protestants, whose interests were connected with her own,<sup>6</sup> she was engaged, notwithstanding her aversion from all rebellion, and from all opposition to the will of the sovereign, to give them secretly some assistance. Besides employing her authority with the German princes, she lent money to the Queen of Navarre, and received some jewels as pledges for the loan. And she permitted Henry Champignon to levy, and transport over into France, a regiment of a hundred gentlemen volunteers; among whom Walter Raleigh, then a young man, began to distinguish himself in that great school of military valour.<sup>7</sup> The admiral, constrained by the impatience of his troops, and by the difficulty of subsisting them, fought with the Duke of Anjou the battle of Moncontour in Poitou, where he was wounded and defeated. The court of France, notwithstanding their frequent experience of the obstinacy of the hugonots, and the vigour of Coligni, vainly flattered themselves that the force of the rebels was at last finally annihilated; and they neglected further preparations against a foe, who, they thought, could never more become dangerous. They were surprised to hear that this leader had appeared without dismay in another quarter of the kingdom; had encouraged the young princes, whom he governed, to like constancy; had assembled an army; had taken the field; and was even strong enough to threaten Paris. The public finances, diminished by the continued disorders of the kingdom, and wasted by so many fruitless military enterprises, could no longer bear the charge of a new armament; and the king, notwithstanding his extreme animosity against the hugonots, was obliged, in 1570, to conclude an accommodation with them, to grant them a pardon for all past offences, and to renew the edicts for liberty of conscience.

Though a pacification was seemingly concluded, the mind of Charles was nowise reconciled to his rebellious subjects; and this accommodation, like all the foregoing, was nothing but a snare by which the perfidious court had projected to destroy at once, without danger, all its formidable enemies. As the two young princes, the admiral, and the other leaders of the hugonots, instructed by past experience, discovered an extreme distrust of the king's intentions, and kept themselves in security at a distance, all possible artifices were employed to remove their apprehensions, and to convince them of the sincerity of the new counsels which seemed to be embraced. The terms of the peace were religiously observed to them; the toleration was strictly maintained; all attempts made by the zealous catholics to infringe it, were punished with severity; offices, and favours, and honours were bestowed on the principal nobility among the protestants; and the king and council every where declared, that, tired of civil disorders, and convinced of the impossibility of forcing men's consciences, they were thenceforth determined to allow every one the free exercise of his religion.

Among the other artifices employed to lull the protestants into a fatal security, Charles affected to enter into close connexion with Elizabeth; and as it seemed not the interest of France to forward the union of the two kingdoms of Great Britain, that princess the more easily flattered herself that the French monarch would prefer her friendship to that of the Queen of Scots. The better to deceive her, proposals of marriage were made her with the Duke of Anjou; a prince whose youth, beauty, and reputation for valour might naturally be supposed to recommend him to a woman, who had appeared not altogether insensible to these endowments. The queen immediately founded on this offer the project of deceiving the court of France; and being intent on that artifice, she laid herself the more open to be deceived. Negotiations were entered into with regard to the marriage; terms of the contract were proposed, difficulties started and removed; and the two courts, equally insincere, though not equally culpable, seemed to approach every day nearer to each other in their demands and concessions. The great

obstacle seemed to lie in adjusting the difference of religion; because Elizabeth, who recommended toleration to Charles, was determined not to grant it in her own dominions, not even to her husband; and the Duke of Anjou seemed unwilling to submit, for the sake of interest, to the dishonour of an apostasy.<sup>8</sup>

The artificial politics of Elizabeth never triumphed so much in any contrivances as in those which were conjoined with her coquetry; and as her character in this particular was generally known, the court of France thought that they might, without danger of forming any final conclusion, venture the further in their concessions and offers to her. The queen also had other motives for dissimulation. Besides the advantage of discouraging Mary's partisans, by the prospect of an alliance between France and England, her situation with Philip demanded her utmost vigilance and attention; and the violent authority established in the Low Countries made her desirous of fortifying herself even with the bare appearance of a new confederacy.

The theological controversies which had Affairs of the Low Countries. long agitated Europe, had, from the beginning, penetrated into the Low Countries; and as these provinces maintained an extensive commerce, they had early received from every kingdom with which they corresponded, a tincture of religious innovation. An opinion at that time prevailed, which had been zealously propagated by priests, and implicitly received by sovereigns, that heresy was closely connected with rebellion, and that every great or violent alteration in the church involved a like revolution in the civil government. The forward zeal of the reformers would seldom allow them to wait the consent of the magistrate to their innovations: they became less dutiful when opposed and punished: and though their pretended spirit of reasoning and inquiry was, in reality, nothing but a new species of implicit faith, the prince took the alarm, as if no institutions could be secure from the temerity of their researches. The Emperor Charles, who proposed to augment his authority, under pretence of defending the catholic faith, easily adopted these political principles; and notwithstanding the limited prerogative which he possessed in the Netherlands, he published the most arbitrary, severe, and tyrannical edicts against the protestants; and he took care that the execution of them should be no less violent and sanguinary. He was neither cruel nor bigoted in his natural disposition; yet an historian, celebrated for moderation and caution, has computed, that in the several persecutions promoted by that monarch, no less than a hundred thousand persons perished by the hands of the executioner.<sup>9</sup> But these severe remedies, far from answering the purposes intended, had rather served to augment the numbers as well as zeal of the reformers; and the magistrates of the several towns, seeing no end of those barbarous executions, felt their humanity rebel against their principles, and declined any further persecution of the new doctrines.

When Philip succeeded to his father's dominions, the Flemings were justly alarmed with new apprehensions; lest their prince, observing the lenity of the magistrates, should take the execution of the edicts from such remiss hands, and should establish the inquisition in the Low Countries, accompanied with all the iniquities and barbarities which attended it in Spain. The severe and unrelenting character of the man, his professed attachment to Spanish manners, the inflexible bigotry of his principles; all these circumstances increased their terror: and when he departed the Netherlands, with a known intention never to return, the disgust of the inhabitants was extremely augmented, and their dread of those tyrannical orders which their sovereign, surrounded with Spanish ministers, would issue from his cabinet at Madrid. He left the Duchess of Parma governess of the Low Countries; and the plain good sense and good temper of that princess, had she been intrusted with the sole power, would have preserved the submission of those opulent provinces, which were lost from that refinement of treacherous and barbarous politics on which Philip so highly valued him-

<sup>6</sup> Haynes, p. 471.

<sup>7</sup> Clarendon, p. 121.

<sup>8</sup> Grotius, l. 1. 431. Davila, lib. v. Dupleix, Complete Ambassador, p. 81. 11, 12.

<sup>9</sup> Grotius Annal. lib. i. Father Paul, another great authority, computes in a passage above cited, that fifty thousand persons were put to death in the Low Countries alone.

self. The Flemings found, that the name alone of regent remained with the duchess; that Cardinal Granville entirely possessed the king's confidence; that attempts were every day made on their liberties; that a resolution was taken never more to assemble the states; that new bishoprics were arbitrarily erected, in order to enforce the execution of the persecuting edicts; and that, on the whole, they must expect to be reduced to the condition of a province under the Spanish monarchy. The discontents of the nobility gave countenance to the complaints of the gentry, which encouraged the mutiny of the populace; and all orders of men showed a strong disposition to revolt. Associations were formed, tumultuary petitions presented, names of distinction assumed, badges of party displayed; and the current of the people, impelled by religious zeal and irritated by feeble resistance, rose to such a height, that in several towns, particularly in Antwerp, they made an open invasion on the established worship, pillaged the churches and monasteries, broke the images, and committed the most unwarrantable disorders.

The wiser part of the nobility, particularly the Prince of Orange, and the Counts Egmont and Horn, were alarmed at these excesses, to which their own discontents had at first given countenance; and seconding the wisdom of the government, they suppressed the dangerous insurrections, punished the ringleaders, and reduced all the provinces to a state of order and submission. But Philip was not contented with the re-establishment of his ancient authority: he considered, that provinces so remote from the seat of government could not be ruled by a limited prerogative; and that a prince, who must entreat rather than command, would necessarily, when he resided not among the people, feel every day a diminution of his power and influence. He determined, therefore, to lay hold of the popular disorders, as a pretence for entirely abolishing the privileges of the Low Country provinces; and for ruling them thenceforth with military and arbitrary authority.

In the execution of this violent design, he employed a man, who was a proper instrument in the hands of such a tyrant. Ferdinand of Toledo, Duke of Alva, had been educated amidst arms; and having attained a consummate knowledge in the military art, his habits led him to transfer into all government the severe discipline of a camp, and to conceive no measures between prince and subject, but those of rigid command and implicit obedience. This general, in 1568, conducted from Italy to the Low Countries a powerful body of veteran Spaniards; and his avowed animosity to the Flemings, with his known character, struck that whole people with terror and consternation. It belongs not to our subject to relate at length those violences which Alva's natural barbarity, steered by reflection, and aggravated by insolence, exercised on those flourishing provinces. It suffices to say, that all their privileges, the gift of so many princes, and the inheritance of so many ages, were openly and expressly abolished by edict; arbitrary and sanguinary tribunals erected; the Counts Egmont and Horn, in spite of their great merits and past services, brought to the scaffold; multitudes of all ranks thrown into confinement, and thence delivered over to the executioner: and notwithstanding the peaceable submission of all men, nothing was heard of but confiscation, imprisonment, exile, torture, and death.

Elizabeth was equally displeased to see the progress of that scheme, laid for the extermination of the protestants, and to observe the erection of so great a military power, in a state situated in so near a neighbourhood. She gave protection to all the Flemish exiles who took shelter in her dominions; and, as many of these were the most industrious inhabitants of the Netherlands, and had rendered that country celebrated for its arts, she reaped the advantage of introducing into England some useful manufactures, which were formerly unknown in that kingdom. Foreseeing that the violent government of Alva could not long subsist without exciting some commotion, she ventured to commit an insult upon him, which she would have been cautious not to hazard against a more established authority. Some Genoese merchants had engaged, by contract with Philip, to transport into Flanders the sum of

four hundred thousand crowns; and the vessels, on which this money was embarked, had been attacked in the Channel by some privateers equipped by the French hugonots, and had taken shelter in Plymouth and Southampton. The commanders of the ships pretended that the money belonged to the King of Spain; but the queen, finding upon inquiry that it was the property of Genoese merchants, took possession of it as a loan; and by that means deprived the Duke of Alva of this resource in the time of his greatest necessity. Alva, in revenge, seized all the English merchants in the Low Countries, threw them into prison, and confiscated their effects. The queen retaliated by a like violence on the Flemish and Spanish merchants; and gave all the English liberty to make reprisals on the subjects of Philip.

These differences were afterwards accommodated by treaty, and mutual reparations were made to the merchants: but nothing could repair the loss which so well-timed a blow inflicted on the Spanish government in the Low Countries. Alva, in want of money, and dreading the immediate mutiny of his troops, to whom great arrears were due, imposed by his arbitrary will the most ruinous taxes on the people. He not only required the hundredth penny, and the twentieth of all the immovable goods: he also demanded the tenth of all movable goods on every sale; an absurd tyranny, which would not only have destroyed all arts and commerce, but even have restrained the common intercourse of life. The people refused compliance: the duke had recourse to his usual expedient of the gibbet: and thus matters came still nearer the last extremities between the Flemings and the Spaniards.\*

All the enemies of Elizabeth, in order to revenge themselves for her insults, had naturally recourse to one policy, the supporting of the cause and pretensions of the Queen of Scots; and Alva, whose measures were ever violent, soon opened a secret intercourse with that princess. There was one Rodolph, a Florentine merchant, who had resided about fifteen years in London, and who, while he conducted his commerce in England, had managed all the correspondence of the court of Rome with the catholic nobility and gentry.<sup>1</sup> He had been thrown into prison at the time when the Duke of Norfolk's intrigues with Mary had been discovered; but either no proof was found against him, or the part which he had acted was not very criminal; and he soon after recovered his liberty. This man, zealous for the catholic faith, had formed a scheme, in concert with the Spanish ambassador, for subverting the government by a foreign invasion and a domestic insurrection; and when he communicated his project by letter to Mary, he found that, as she was now fully convinced of Elizabeth's artifices, and despaired of ever recovering her authority, or even her liberty, by pacific measures, she willingly gave her concurrence. The great number of discontented catholics were the chief source of their hopes on the side of England; and they also observed, that the kingdom was, at that time, full of indigent gentry, chiefly younger brothers, who having at present, by the late decay of the church, and the yet languishing state of commerce, no prospect of a livelihood suitable to their birth, were ready to throw themselves into any desperate enterprise.<sup>2</sup> But in order to inspire life and courage into all these malcontents, it was requisite that some great nobleman should put himself at their head; and no one appeared to Rodolph, and to the Bishop of Ross, who entered into all these intrigues, so proper, both on account of his power and his popularity, as the Duke of Norfolk.

This nobleman, when released from confinement in the Tower, had given his promise that he would drop all intercourse with the Queen of Scots;<sup>3</sup> but finding that he had lost, and, as he feared, beyond recovery, the confidence and favour of Elizabeth, and being still, in some degree, restrained from his liberty, he was tempted, by impatience and despair, to violate his word, and to open anew his correspondence with the captive princess.<sup>4</sup> A promise of marriage was renewed between them; the duke engaged to enter into all her interests; and as his remorses gradually diminished in the course of these trans-

<sup>1</sup> Bentriglio, part. i lib. 5. Camden, p. 416.

<sup>2</sup> Lesley, p. 123. State Trials, vol. i. p. 67.

<sup>3</sup> Lesley, p. 123.

<sup>4</sup> State Trials, vol. i. p. 102.

<sup>5</sup> Haynes, p. 571.

actions, he was pushed to give his consent to enterprises still more criminal. Rodolph's plan was, that the Duke of Alva should, on some other pretence, assemble a great quantity of shipping in the Low Countries; should transport a body of six thousand foot, and four thousand horse, into England; should land them at Harwich, where the Duke of Norfolk was to join them with all his friends; should thence march directly to London, and oblige the queen to submit to whatever terms the conspirators should please to impose upon her.<sup>1</sup> Norfolk expressed his assent to this plan; and three letters, in consequence of it, were written in his name by Rodolph, one to Alva, another to the Pope, and a third to the King of Spain; but the duke, apprehensive of the danger, refused to sign them.<sup>2</sup> He only sent to the Spanish ambassador a servant and confidant, named Barker, as well to notify his concurrence in the plan, as to vouch for the authenticity of these letters; and Rodolph, having obtained a letter of credence from the ambassador, proceeded on his journey to Brussels and to Rome. The Duke of Alva and the Pope embraced the scheme with alacrity. Rodolph informed Norfolk of their intentions,<sup>3</sup> and every thing seemed to concur in forwarding the undertaking.

Norfolk, notwithstanding these criminal enterprises, had never entirely forgotten his duty to his sovereign, his country, and his religion; and though he had laid the plan both of an invasion and an insurrection, he still flattered himself, that the innocence of his intentions would justify the violence of his measures, and that, as he aimed at nothing but the liberty of the Queen of Scots, and the obtaining of Elizabeth's consent to his marriage, he could not justly reproach himself as a rebel and a traitor.<sup>4</sup> It is certain, however, that, considering the queen's vigour and spirit, the scheme, if successful, must finally have ended in dethroning her; and her authority was here exposed to the utmost danger.

The conspiracy hitherto had entirely escaped the vigilance of Elizabeth, and that of secretary Cecil, who now bore the title of Lord Burleigh. It was from another attempt of Norfolk's, that they first obtained a hint, which, being diligently traced, led at last to a full discovery. Mary had intended to send a sum of money to Lord Herreis, and her partisans in Scotland; and Norfolk undertook to have it delivered to Bannister, a servant of his, at that time in the North, who was to find some expedient for conveying it to Lord Herreis.<sup>5</sup> He intrusted the money to a servant who was not in the secret, and told him that the bag contained a sum of money in silver, which he was to deliver to Bannister with a letter: but the servant conjecturing, from the weight and size of the bag, that it was full of gold, carried the letter to Burleigh; who immediately ordered Bannister, Barker, and Hicford, the duke's secretary, to be put under arrest, and to undergo a severe examination. Torture made them confess the whole truth; and as Hicford, though ordered to burn all papers, had carefully kept them concealed under the mats of the duke's chamber, and under the tiles of the house, full evidence now appeared against his master.<sup>6</sup> Norfolk himself, who was entirely ignorant of the discoveries made by his servants, was brought before the council; and though exhorted to atone for his guilt by a full confession, he persisted in denying every crime with which he was charged. The queen always declared, that, if he had given her this proof of his sincere repentance, she would have pardoned all his former offences;<sup>7</sup> but finding him obstinate, she committed him to the Tower, and ordered him to be brought to his trial. The Bishop of Ross had, on some suspicion, been committed to custody before the discovery of Norfolk's guilt; and every expedient was employed to make him reveal his share in the conspiracy. He at first insisted on his privilege; but he was told, that as his mistress was no longer a sovereign, he would not be regarded as an ambassador, and that, even if that character were allowed, it did not warrant him in conspiring against the sovereign at whose court he resided.<sup>8</sup> As he still

refused to answer interrogatories, he was informed of the confession made by Norfolk's servants, after which he no longer scrupled to make a full discovery; and his evidence put the guilt of that nobleman beyond all question. A jury of twenty-five peers unanimously passed sentence upon him. The trial was quite regular, even according to the strict rules of the Trials of Norfolk, observed at present in these matters; except that the witnesses gave not their evidence in court, and were not confronted with the prisoner: a laudable practice, which was not at that time observed in trials for high treason.

The queen still hesitated concerning Norfolk's execution, whether that she was really moved by friendship and compassion towards a peer of that rank and merit, or that, affecting the praise of clemency, she only put on the appearance of these sentiments. Twice she signed a warrant for his execution, and twice revoked the fatal sentence;<sup>9</sup> and though her ministers and counsellors pushed her to rigour, she still appeared irresolute and undetermined. After four months' hesitation, a parliament was assembled, and the Commons addressed her, in strong terms, for the execution of the duke; a sanction which, when added to the greatness and certainty of his guilt, would, she thought, justify, in the eyes of all mankind, her severity against that nobleman.

Norfolk died with calmness and constancy; and though he cleared himself of any disloyal intentions against the queen's authority, he acknowledged the justice of the sentence by which he suffered.<sup>10</sup> That we may relate together affairs of a similar nature, we shall mention, that the Earl of Northumberland, being delivered up to the queen by the Regent of Scotland, was also, a few months after, brought to the scaffold for his rebellion.

The Queen of Scots was either the occasion or the cause of all these disturbances; but as she was a sovereign princess, and might reasonably, from the harsh treatment which she had met with, think herself entitled to use any expedient for her relief, Elizabeth durst not, as yet, form any resolution of proceeding to extremities against her. She only sent Lord Delawar, Sir Ralph Sadler, Sir Thomas Bromley, and Dr. Wilson, to expostulate with her, and to demand satisfaction for all those parts of her conduct which, from the beginning of her life, had given displeasure to Elizabeth: her assuming the arms of England, refusing to ratify the treaty of Edinburgh, intending to marry Norfolk without the queen's consent, concurring in the northern rebellion, practising with Rodolph to engage the King of Spain in an invasion of England,<sup>11</sup> procuring the Pope's bull of excommunication, and allowing her friends abroad to give her the title of Queen of England. Mary justified herself from the several articles of the charge, either by denying the facts imputed to her, or by throwing the blame on others.<sup>12</sup> But the queen was little satisfied with her apology, and the parliament was so enraged against her, that the Commons made a direct application for immediate trial and execution. They employed some topics derived from practice and reason, and the laws of nations; but the chief stress was laid on passages and examples from the Old Testament,<sup>13</sup> which, if considered as a general rule of conduct, (an intention which it is unreasonable to suppose), would lead to consequences destructive of all principles of humanity and morality. Matters were here carried further than Elizabeth intended; and that princess, satisfied with showing Mary the disposition of the nation, sent to the House her express commands not to deal any further at present in the affair of the Scottish queen.<sup>14</sup> Nothing could be a stronger proof, that the puritanical interest prevailed in the House, than the intemperate use of authorities derived from Scripture, especially from the Old Testament; and the queen was so little a lover of that sect, that she was not likely to make any concession merely in deference to their sollicitation. She showed, this session, her disapprobation of their schemes in another remarkable instance. The Commons had passed two bills for regulating ecclesiastical ceremo-

<sup>1</sup> Lesley, p. 159. State Trials, vol. i. p. 86, 87.

<sup>2</sup> Lesley, p. 159, 161. Camden, p. 412.

<sup>3</sup> State Trials, vol. i. p. 93.

<sup>4</sup> Lesley, p. 158.

<sup>5</sup> Ibid. p. 169. State Trials, vol. i. p. 87. Camden, p. 413. Digges,

k Ibid. p. 194, 206, 209. Strype, vol. ii. p. 40, 51.

<sup>6</sup> Lesley, p. 173.

<sup>7</sup> Ibid. p. 175.

<sup>8</sup> Ibid. p. 169. Spotswood,

g Carte, p. 527. from Fenelon's Despatches. Digges, p. 166. Strype, vol. ii. p. 85.

<sup>9</sup> Camden, p. 410. Strype, vol. ii. App. p. 53.

<sup>10</sup> Digges, p. 16, 107. Strype, vol. ii. p. 51, 52.

<sup>11</sup> Ibid. p. 194, 206, 209. Strype, vol. ii. p. 40, 51.

<sup>12</sup> Camden, p. 413. in D'Ewes, p. 267, 538, &c. n Ibid. p. 219, 241.



nies; but she sent them a like imperious message with her former ones; and by the terror of her prerogative, she stopped all further proceeding in those matters.<sup>a</sup>

But though Elizabeth would not carry matters to such extremities against Mary, as were recommended by the parliament, she was alarmed at the great interest and the restless spirit of that princess, as well as her close connexions with Spain; and she thought it necessary both to increase the rigour and strictness of her confinement, and to follow maxims different from those which she had hitherto pursued in her management of Scotland.<sup>b</sup> That

kingdom remained still in a state of anarchy.  
*Scotch affairs.* The castle of Edinburgh, commanded by Kirkaldy of Grange, had declared for Mary; and the lords of that party, encouraged by his countenance, had taken possession of the capital, and carried on a vigorous war against the regent. By a sudden and unexpected inroad, they seized that nobleman at Stirling; but finding that his friends, rallying from the castle, were likely to rescue him, they instantly put him to death. The Earl of Marre was chosen regent in his room; and found the same difficulties in the government of that divided country. He was therefore glad to accept of the mediation offered by the French and English ambassadors; and to conclude on equal terms a truce with the queen's party.<sup>c</sup> He was a man of a free and generous spirit, and scorned to submit to any dependence on England; and for this reason, Elizabeth, who had then formed intimate connexions with France, yielded with less reluctance to the solicitations of that court, still maintained the appearance of neutrality between the parties, and allowed matters to remain on a balance in Scotland.<sup>d</sup> But affairs soon after took a new turn: Marre died of melancholy, with which the distracted state of the country affected him: Morton was chosen regent; and as this nobleman had secretly taken all his measures with Elizabeth, who no longer relied on the friendship of the French court, she resolved to exert herself more effectually for the support of the party which she had always favoured. She sent Sir Henry Killigrew, ambassador to Scotland, who found Mary's partisans so discouraged by the discovery and punishment of Norfolk's conspiracy, that they were glad to submit to the king's authority, and accept of an indemnity for all past offences.<sup>e</sup> The Duke of Chatelault and the Earl of Huntley, with the most considerable of Mary's friends, laid down their arms on these conditions. The garrison alone of the castle of Edinburgh continued refractory. Kirkaldy's fortunes were desperate; and he flattered himself with the hopes of receiving assistance from the kings of France and Spain, who encouraged his obstinacy, in the view of being able, from that quarter, to give disturbance to England. Elizabeth was alarmed with the danger, she no more apprehended making an entire breach with the Queen of Scots, who, she found, would not any longer be amused by her artifices; she had an implicit reliance on Morton; and she saw that by the submission of all the considerable nobility, the pacification of Scotland would be an easy as well as a most important undertaking. She ordered therefore Sir William Drury, governor of Berwick, to march with some troops and artillery to Edinburgh, and to besiege the castle.<sup>f</sup> The garrison surrendered at discretion; Kirkaldy was delivered into the hands of his countrymen, by whom he was tried, condemned, and executed; secretary Lidington, who had taken part with him, died soon after a voluntary death, as is supposed; and Scotland, submitting entirely to the regent, gave not, during a long time, any further inquietude to Elizabeth.

The events which happened in France were not so agreeable to the queen's interests and inclinations. The fallacious pacifications which had been so often made with the hugonots, gave them reason to suspect the present intentions of the court; and, after all the other leaders of that party were deceived into a dangerous credulity, the sagacious admiral still remained doubtful and uncertain. But his suspicions were at last overcome, partly by the profound dissimulation of Charles, partly by his own earnest desire to end

the miseries of France, and return again to the performance of his duty towards his prince and country. He considered besides, that as the former violent conduct of the court had ever met with such fatal success, it was not unlikely that a prince, who had newly come to years of discretion, and appeared not to be rivetted in any dangerous animosities or prejudices, would be induced to govern himself by more moderate maxims. And as Charles was young, was of a passionate, hasty temper, and addicted to pleasure,<sup>g</sup> such deep perfidy seemed either remote from his character, or difficult, and almost impossible, to be so uniformly supported by him. Moved by these considerations, the admiral, the Queen of Navarre, and all the hugonots, began to repose themselves in full security, and gave credit to the treacherous caresses and professions of the French court. Elizabeth herself, notwithstanding her great experience and penetration, entertained not the least distrust of Charles's sincerity; and being pleased to find her enemies of the house of Guise removed from all authority, and to observe an animosity every day growing between the French and

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Spanish monarchs, she concluded a defensive league with the former,<sup>h</sup> and regarded this alliance as an invincible barrier to her throne. Walsingham, her ambassador, sent her over, by every courier, the most satisfactory accounts of the honour, and plain dealing, and fidelity of that perfidious prince.

The better to blind the jealous hugonots, and draw their leaders into the snare prepared for them, Charles offered his sister Margaret in marriage to the Prince of Navarre; and the admiral, with all the considerable nobility of the party, had come to Paris, in order to assist at the celebration of these nuptials, which, it was hoped, would finally, if not compose the differences, at least appease the bloody animosity, of the two religions. The Queen of Navarre was poisoned by orders from the court; the admiral was dangerously wounded by an assassin: yet Charles redoubling his dissimulation, was still able to retain the hugonots in their security; till, on the evening of St. Bartholomew, a few days after the marriage, the signal was given for a general massacre of those religionists, and the king himself in person led the way to these assassinations. The hatred

Aug. 24.

Massacre of Paris.

long entertained by the Parisians against the protestants, made them second, without any preparation, the fury of the court; and persons of every condition, age, and sex, suspected of any propensity to that religion, were involved in an undistinguished ruin. The admiral, his son-in-law Teligni, Souzize, Rochefoucault, Pardailhon, Piles, Lavardin, men who, during the late wars, had signalized themselves by the most heroic actions, were miserably butchered, without resistance; the streets of Paris flowed with blood; and the people, more enraged than satiated with their cruelty, as if repining that death had saved the victims from further insult, exercised on their dead bodies all the rage of the most licentious brutality. About five hundred gentlemen and men of rank perished in this massacre, and near ten thousand of inferior condition.<sup>i</sup> Orders were instantly despatched to all the provinces for a like general execution of the protestants; and in Rouen, Lyons, and many other cities, the people emulated the fury of the capital. Even the murder of the King of Navarre, and Prince of Condé, had been proposed by the Duke of Guise; but Charles, softened by the amiable manners of the King of Navarre, and hoping that these young princes might easily be converted to the catholic faith, determined to spare their lives, though he obliged them to purchase their safety by a seeming change of their religion.

Charles, in order to cover this barbarous perfidy, pretended that a conspiracy of the hugonots to seize his person had been suddenly detected; and that he had been necessitated, for his own defence, to proceed to this severity against them. He sent orders to Fenelon, his ambassador in England, to ask an audience, and to give Elizabeth this account of the late transaction. That minister, a man of probity, abhorred the treachery and cruelty of his court; and even scrupled not to declare,

<sup>a</sup> D'Ewes, p. 213. 238.<sup>q</sup> Spotswood, p. 263.<sup>f</sup> Digges, p. 156. 163. 169.<sup>p</sup> Digges, p. 150.<sup>s</sup> Spotswood, p. 264.<sup>u</sup> Digges, p. R. 39.<sup>x</sup> Davila, lib. v.<sup>t</sup> Camden, p. 449.<sup>w</sup> Camden, p. 443.

that he was now ashamed to bear the name of Frenchman: yet he was obliged to obey his orders, and make use of the apology which had been presented to him. He met with that reception from all the courtiers, which he knew the conduct of his master had so well merited. Nothing could be more awful and affecting than the solemnity of his audience. A melancholy sorrow sat on every face: silence, as in the dead of night, reigned through all the chambers of the royal apartment; the courtiers and ladies, clad in deep mourning, were ranged on each side, and allowed him to pass, without affording him one salute or favourable look; till he was admitted to the queen herself.<sup>a</sup> That princess received him with a more easy, if not a more gracious countenance; and heard his apology, without discovering any visible symptoms of indignation. She then told him, that though on the first rumour of this dreadful intelligence, she had been astonished that so many brave men and loyal subjects, who rested secure on the faith of their sovereign, should have been suddenly butchered in so barbarous a manner, she had hitherto suspended her judgment, till further and more certain information should be brought her: that the account which he had given, even if founded on no mistake or bad information, though it might alleviate, would by no means remove the blame of the king's counsellors, or justify the strange irregularity of their proceedings: that the same force which, without resistance, had massacred so many defenceless men, could easily have secured their persons, and have reserved them for a trial, and for punishment by a legal sentence, which would have distinguished the innocent from the guilty: that the admiral, in particular, being dangerously wounded, and environed by the guards of the king, on whose protection he seemed entirely to rely, had no means of escape, and might surely, before his death, have been convicted of the crimes imputed to him: that it was more worthy of a sovereign to reserve in his own hands the sword of justice, than to commit it to bloody murderers, who, being the declared and mortal enemies of the persons accused, employed it without mercy and without distinction: that if these sentiments were just, even supposing the conspiracy of the protestants to be real, how much more so, if that crime was a calumny of their enemies, invented for their destruction! that if, upon inquiry, the innocence of these unhappy victims should afterwards appear, it was the king's duty to turn his vengeance on their defamers, who had thus cruelly abused his confidence, had murdered so many of his brave subjects, and had done what in them lay to cover him with everlasting dishonour: and that for her part, she should form her judgment of his intentions by his subsequent conduct; and in the mean time should act as desired by the ambassador, and rather pity than blame his master for the extremities to which he had been carried.<sup>b</sup>

Elizabeth was fully sensible of the dangerous situation in which she now stood. In the massacre of Paris, she saw the result of that general conspiracy, formed for the extermination of the protestants; and she knew that she herself, as the head and protectress of the new religion, was exposed to the utmost fury and resentment of the catholics. The violence and cruelty of the Spaniards in the Low Countries was another branch of the same conspiracy; and as Charles and Philip, two princes nearly allied in perfidy and barbarity, as well as in bigotry, had now laid aside their pretended quarrel, and had avowed the most entire friendship,<sup>c</sup> she had reason, as soon as they had appeased their domestic commotions, to dread the effects of their united counsels. The Duke of Guise also and his family, whom Charles, in order to deceive the admiral, had hitherto kept at a distance, had now acquired an open and entire ascendancy in the court of France; and she was sensible that these princes, from personal as well as political reasons, were her declared and implacable enemies. The Queen of Scots, their near relation and close confederate, was the pretender to her throne; and, though detained in custody, was actuated by a restless spirit, and, besides her foreign allies, possessed numerous

and zealous partisans in the heart of the kingdom. For these reasons, Elizabeth thought it more prudent not to reject all commerce with the French monarch, but still to listen to the professions of friendship which he made her. She allowed even the negotiations to be renewed for her marriage with the Duke of Alençon, Charles's third brother: those with the Duke of Anjou had already been broken off. She sent the Earl of Worcester to assist in her name at the baptism of a young princess, born to Charles; but before she agreed to give him this last mark of condescension, she thought it becoming her dignity, to renew her expressions of blame, and even of detestation, against the cruelties exercised on his protestant subjects.<sup>d</sup> Meanwhile, she prepared herself for that attack which seemed to threaten her from the combined power and violence of the Romanists: she fortified Portsmouth, put her fleet in order, exercised her militia, cultivated popularity with her subjects, acted with vigour for the further reduction of Scotland under obedience to the young king, and renewed her alliance with the German princes, who were no less alarmed than herself at these treacherous and sanguinary measures, so universally embraced by the catholics.

But though Elizabeth cautiously avoided coming to extremities with Charles, the greatest security that she possessed against his violence was derived from the difficulties which the obstinate resistance of the hugonots still created to him. Such of that sect as lived near the frontiers, immediately, on the first news of the massacres, fled into England, Germany, or Switzerland; where they excited the compassion and indignation of the protestants, and prepared themselves, with increased force and redoubled zeal, to return into France, and avenge the treacherous slaughter of their brethren. Those who lived in the middle of the kingdom, took shelter in the nearest garrisons occupied by the hugonots; and finding that they could repose no faith in capitulations, and expect no clemency, were determined to defend themselves to the last extremity. The sect, which Charles had hoped, at one blow, to exterminate, had now an army of eighteen thousand men on foot, and possessed, in different parts of the kingdom, above a hundred cities, castles, or fortresses; nor could that prince deem himself secure from the invasion threatened him by all the other protestants in Europe. The nobility and gentry of England were roused to such a pitch of resentment, that they offered to levy an army of twenty-two thousand foot and four thousand horse, to transport them into France, and to maintain them six months at their own charge: but Elizabeth, who was cautious in her measures, and who feared to inflame further the quarrel between the two religions by these dangerous crusades, refused her consent, and moderated the zeal of her subjects.<sup>e</sup> The German princes, less political, or more secure from the resentment of France, forwarded the levies made by the protestants; and the young Prince of Condé, having escaped from court, put himself at the head of these troops, and prepared to invade the kingdom. The Duke of Alençon, the King of Navarre, the family of Montmorency, and many considerable men, even among the catholics, displeased, either on a private or public account, with the measures of the court, favoured the progress of the hugonots; and every thing relapsed into confusion. The king, instead of repenting his violent counsels, which had brought matters to such extremities, called aloud for new vio-

lences; nor could even the mortal distemper under which he laboured, moderate the rage and animosity by which he was actuated. He died without male issue, at the age of twenty-five years; a prince, whose character, containing that usual mixture of dissimulation and ferocity, of quick resentment and unrelenting vengeance, executed the greatest mischiefs, and threatened still worse, both to his native country and to all Europe.

Henry, Duke of Anjou, who had, some time before, been elected King of Poland, no sooner heard of his

<sup>a</sup> Hist. p. 147.

<sup>b</sup> Hist. p. 147. <sup>c</sup> Hist. p. 147. <sup>d</sup> Hist. p. 147.

<sup>e</sup> Hist. p. 147.

<sup>a</sup> Hist. p. 147.

<sup>b</sup> Hist. p. 147. <sup>c</sup> Hist. p. 147.

<sup>d</sup> Hist. p. 147.

<sup>e</sup> Hist. p. 147.

<sup>f</sup> Hist. p. 147.

brother's death, than he hastened to take possession of the throne of France; and found the kingdom not only involved in the greatest present disorders, but exposed to infirmities, for which it was extremely difficult to provide any suitable remedy. The people were

A. D. 1575. divided into two theological factions, furious from their zeal, and mutually enraged from the injuries which they had committed or suffered; and as all law had been violated, and moderation banished, it seemed impracticable to find any terms of composition between them. Each party had devoted itself to leaders, whose commands had more authority than the will of the sovereign; and even the catholics, to whom the king was attached, were entirely conducted by the counsels of Guise and his family. The religious connexions had, on both sides, superseded the civil; or rather, (for men will always be guided by present interest,) two empires being secretly formed in the kingdom, every individual was engaged by new views of interest to follow those leaders, to whom, during the course of past convulsions, he had been indebted for his honour and preferment.

Henry, observing the low condition of the crown, had laid a scheme for restoring his own authority, by acting as umpire between the parties, by moderating their differences, and by reducing both to a dependence upon himself. He possessed all the talents of dissimulation, requisite for the execution of this delicate plan; but being deficient in vigour, application, and sound judgment, instead of acquiring a superiority over both factions, he lost the confidence of both, and taught the partisans of each to adhere still more closely to their particular leaders, whom they found more cordial and sincere in the cause

A. D. 1576. which they espoused. The hugonots were strengthened by the accession of a German army, under the Prince of Condé and Prince Casimir; but much more by the credit and personal virtues of the King of Navarre, who, having fled from court, had placed himself at the head of that formidable party. Henry, in prosecution of his plan, entered into a composition with them; and being desirous of preserving a balance between the sects, he granted them peace on the most advantageous conditions. This was the fifth general peace made with the hugonots; but though it was no more sincere on the part of the court than any of the former, it gave the highest disgust to the catholics; and afforded the Duke of Guise the desired pretence of declaiming against the measures, and maxims, and conduct of the king.

That artful and bold leader took thence an occasion of reducing his party into a more formed and regular body; and he laid the first foundations of the famous LEAGUE, which, without paying any regard to the royal authority, aimed at the entire suppression of the hugonots. Such was the unhappy condition of France, from the past severities and violent conduct of its princes, that toleration could no longer be admitted; and a concession for liberty of conscience, which would probably have appeased the reformers, excited the greatest resentment in the catholics.

A. D. 1577. Henry, in order to divert the force of the league from himself, and even to elude its efforts against the hugonots, declared himself the head of that seditious confederacy, and took the field as leader of the Romanists. But his dilatory and feeble measures betrayed his reluctance to the undertaking; and after some unsuccessful attempts, he concluded a new peace, which, though less favourable than the former to the protestants, gave no contentment to the catholics. Mutual diffidence still prevailed between the parties; the king's moderation was suspicious to both; each faction continued to fortify itself against that breach which, they foresaw, must speedily ensue; theological controversy daily whetted the animosity of the sects; and every private injury became the ground of a public quarrel.

A. D. 1578. The king, hoping by his artifice and subtlety to allure the nation into a love of pleasure and repose, was himself caught in the snare; and sinking into a dissolute indolence, wholly lost the esteem, and in a great measure the affections, of his people. Instead of advancing such men of character and

abilities as were neuters between these dangerous factions, he gave all his confidence to young agreeable favourites, who, unable to prop his falling authority, leaned entirely upon it, and inflamed the general odium against his administration. The public burdens, increased by his profuse liberality, and felt more heavy on a disordered kingdom, became another ground of complaint; and the uncontrolled animosity of parties, joined to the multiplicity of taxes, rendered peace more calamitous than any open state of foreign, or even domestic, hostility. The artifices of the king were too refined to succeed, A. D. 1579. and too frequent to be concealed; and the plain, direct, and avowed conduct of the Duke of Guise, on one side, and that of the King of Navarre, on the other, drew by degrees the generality of the nation to devote themselves, without reserve, to one or the other of these great leaders.

The civil commotions of France were of too general importance to be overlooked by the other princes of Europe; and Elizabeth's foresight and vigilance, though somewhat restrained by her frugality, led her to take secretly some part in them. Besides employing on all occasions her good offices in favour of the hugonots, she had expended no inconsiderable sums in levying that army of Germans which the Prince of Condé and Prince Casimir conducted into France; and notwithstanding her negotiations with the court, and her professions of amity, she always considered her own interests as connected with the prosperity of the French protestants and the depression of the house of Guise. Philip, on the other hand, had declared himself protector of the league; had entered into the closest correspondence with Guise; and had employed all his authority in supporting the credit of that factious leader. This sympathy of religion, which of itself begat a connexion of interests, was one considerable inducement; but that monarch had also in view, the subduing of his rebellious subjects in the Netherlands; who, as they received great encouragement from the French protestants, would, he hoped, finally despair of success, after the entire suppression of their friends and confederates.

The same political views which engaged Elizabeth to support the hugonots, would <sup>Civil wars of the Low Countries.</sup> have led her to assist the distressed protestants in the Low Countries; but the mighty power of Philip, the tranquillity of all his other dominions, and the great force which he maintained in these mutinous provinces, kept her in awe, and obliged her, notwithstanding all temptations and all provocations, to preserve some terms of amity with that monarch. The Spanish ambassador represented to her, that many of the Flemish exiles, who infested the seas, and preyed on his master's subjects, were received into the harbours of England, and were there allowed to dispose of their prizes; and by these remonstrances, the queen found herself under a necessity of denying them all entrance into her dominions. But this measure proved, in the issue, extremely prejudicial to the interests of Philip. These desperate exiles, finding no longer any possibility of subsistence, were forced to attempt the most perilous enterprises; and they made an assault on the Brille, a sea-port town in Holland, where they met with success, and after a short resistance, became masters of the place.<sup>1</sup> The Duke of Alva was alarmed at the danger; and stopping those bloody executions which he was making on the defenceless Flemings, he hastened with his army to extinguish the flame, which, falling on materials so well prepared for combustion, seemed to menace a general conflagration. His fears soon appeared to be well grounded. The people in the neighbourhood of the Brille, enraged by that complication of cruelty, oppression, insolence, usurpation, and persecution, under which they and all their countrymen laboured, flew to arms; and in a few days almost the whole province of Holland and that of Zealand had revolted from the Spaniards, and had openly declared against the tyranny of Alva. This event happened in the year 1572.

William, Prince of Orange, descended from a sovereign family of great lustre and antiquity in Germany, inheriting the possessions of a sovereign family in France, had fixed



his residence in the Low Countries, and on account of his noble birth and immense riches, as well as of his personal merit, was universally regarded as the greatest subject that lived in those provinces. He had opposed, by all regular and dutiful means, the progress of the Spanish usurpations; and when Alva conducted his army into the Netherlands, and assumed the government, this prince, well acquainted with the violent character of the man, and the tyrannical spirit of the court of Madrid, wisely fled from the danger which threatened him, and retired to his paternal estate and dominions in Germany. He was cited to appear before Alva's tribunal, was condemned in absence, was declared a rebel, and his ample possessions in the Low Countries were confiscated. In revenge, he had levied an army of protestants in the empire, and had made some attempts to restore the Flemings to liberty; but was still repulsed with loss, by the vigilance and military conduct of Alva, and by the great bravery, as well as discipline, of those veteran Spaniards who served under that general.

The revolt of Holland and Zealand, provinces which the Prince of Orange had formerly commanded, and where he was much beloved, called him anew from his retreat; and he added conduct, no less than spirit, to that obstinate resistance which was here made to the Spanish dominion. By uniting the revolted cities in a league, he laid the foundation of that illustrious commonwealth, the offspring of industry and liberty, whose arms and policy have long made so signal a figure in every transaction of Europe. He inflamed the inhabitants by every motive which religious zeal, resentment, or love of freedom could inspire. Though the present greatness of the Spanish monarchy might deprive them of all courage, he still flattered them with the concurrence of the other provinces, and with assistance from neighbouring states; and he exhorted them, in defence of their religion, their liberties, their lives, to endure the utmost extremities of war. From this spirit proceeded the desperate defence of Harlem; a defence which nothing but the most consuming famine could overcome, and which the Spaniards revenged by the execution of more than two thousand of the inhabitants.<sup>1</sup> This extreme severity, instead of striking terror into the Hollanders, animated them by despair; and the vigorous resistance made at Alcaer, where Alva was finally repulsed, showed them that their insolent enemies were not invincible. The duke, finding at last the pernicious effects of his violent counsels, solicited to be recalled; Medina-celi, who was appointed his successor, refused to accept the government; Requesens, commandador of Castile, was sent from Italy to replace Alva; and this tyrant departed from the Netherlands in 1574; leaving his name in execration to the inhabitants, and boasting in his turn, that during the course of five years, he had delivered above eighteen thousand of those rebellious heretics into the hands of the executioner.<sup>1</sup>

Requesens, though a man of milder dispositions, could not appease the violent hatred which the revolted Hollanders had conceived against the Spanish government; and the war continued as obstinate as ever. In the siege of Leyden, undertaken by the Spaniards, the Dutch opened the dykes and sluices, in order to drive them from the enterprise; and the very peasants were active in ruining their fields by an inundation, rather than fall again under the hated tyranny of Spain. But notwithstanding this repulse, the governor still pursued the war; and the contest seemed too unequal between so mighty a monarchy, and two small provinces, however fortified by nature, and however defended by the desperate resolution of the inhabitants. The Prince of Orange, therefore, in 1575, was resolved to sue for foreign succour, and to make applications to one or other of his great neighbours, Henry or Elizabeth. The court of France was not exempt from the same spirit of tyranny and persecution which prevailed among the Spaniards; and that kingdom, torn by domestic dissensions, seemed not to enjoy, at present, either leisure or ability to pay regard to foreign interests. But England, long connected, both by commerce and alliance, with the Netherlands, and now more concerned in the fate

of the revolted provinces by sympathy in religion, seemed naturally interested in their defence: and as Elizabeth had justly entertained great jealousy of Philip, and governed her kingdom in perfect tranquillity, hopes were entertained, that her policy, her ambition, or her generosity, would engage her to support them under their present calamities. They sent therefore a solemn embassy to London, consisting of St. Aldegonde, Douza, Nivelles, Buys, and Melsen; and after employing the most humble supplications to the queen, they offered her the possession and sovereignty of their provinces, if she would exert her power in their defence.

There were many strong motives which might impel Elizabeth to accept of so liberal an offer. She was apprized of the injuries which Philip had done her, by his intrigues with the malcontents in England and Ireland: she foresaw the danger which she must incur from a total prevalence of the catholics in the Low Countries: and the maritime situation of those provinces, as well as their command over the great rivers, was an inviting circumstance to a nation like the English, who were beginning to cultivate commerce and naval power. But this princess, though magnanimous, had never entertained the ambition of making conquests, or gaining new acquisitions; and the whole purpose of her vigilant and active politics was to maintain, by the most frugal and cautious expedients, the tranquillity of her own dominions. An open war with the Spanish monarchy was the apparent consequence of her accepting the dominion of these provinces; and after taking the inhabitants under her protection, she could never afterwards in honour abandon them, but, however desperate their defence might become, she must embrace it, even further than her convenience or interests would permit. For these reasons, she refused, in positive terms, the sovereignty proffered her; but told the ambassadors, that, in return for the good will which the Prince of Orange and the States had shown her, she would endeavour to mediate an agreement for them, on the most reasonable terms that could be obtained.<sup>2</sup> She sent accordingly Sir Henry Cobham to Philip; and represented to him the danger which he would incur of losing entirely the Low Countries, if France could obtain the least interval from her intestine disorders, and find leisure to offer her protection to those mutinous and discontented provinces. Philip seemed to take this remonstrance in good part; but no accord ensued, and war in the Netherlands continued with the same rage and violence as before.

It was an accident that delivered the Hollanders from their present desperate situation. Requesens, the governor, dying suddenly, the Spanish troops, discontented for want of pay, and licentious for want of a proper authority to command them, broke into a furious mutiny, and threw every thing into confusion. They sacked and pillaged the cities of Maestricht and Antwerp, and executed great slaughter on the inhabitants: they threatened the other cities with a like fate: and all the provinces, excepting Luxembourg, united for mutual defence against their violence, and called in the Prince of Orange and the Hollanders as their protectors. A treaty, commonly called the Pacification of Ghent, was formed by common agreement; and the removal of foreign troops, with the restoration of their ancient liberties, was the object which the provinces mutually stipulated to pursue. Don John of Austria, natural brother to Philip, being appointed governor, found, on his arrival at Luxembourg, that the States had so fortified themselves, and that the Spanish troops were so divided by their situation, that there was no possibility of resistance: and he agreed to the terms required of him. The Spaniards evacuated the country; and these provinces seemed at last to breathe a little from their calamities.

But it was not easy to settle entire peace, while the thirst of revenge and dominion governed the King of Spain, and while the Flemings were so strongly agitated with resentment of past, and fear of future, injuries. The ambition of Don John, who coveted this great theatre for his military talents, engaged him rather to inflame than appease the quarrel; and as he found the States deter-

<sup>1</sup> Bontingio, lib. 7.

<sup>2</sup> Groetius, lib. 1.

<sup>3</sup> Digges, p. 73.

<sup>4</sup> Camden, p. 453, 454.

mined to impose very strict limitations on his authority, he broke all articles, seized Namur, and procured the recall of the Spanish army from Italy. This prince, endowed with lofty genius, and elated by the prosperous successes of his youth, had opened his mind to vast undertakings; and looking much beyond the conquest of the revolted provinces, had projected to espouse the Queen of Scots, and to acquire in her right the dominion of the British kingdoms.<sup>a</sup> Elizabeth was aware of his intentions; and seeing now, from the union of all the provinces, a fair prospect of their making a long and vigorous defence against Spain, she no longer scrupled to embrace the protection of their liberties, which seemed so intimately connected with their own safety. After sending them a sum of money, about twenty thousand pounds, for the immediate pay of their troops, she concluded a treaty with them; in which she stipulated to assist them with five thousand foot and a thousand horse, at the charge of the Flemings; and to lend them a hundred thousand pounds on receiving the bonds of some of the most considerable towns of the Netherlands, for her repayment within the year. It was further agreed, that the commander of the English army should be admitted into the council of the States, and nothing be determined concerning war or peace without previously informing the queen or him of it; that they should enter into no league without her consent; that if any discord arose among themselves, it should be referred to her arbitration; and that if any prince, on any pretext, should attempt hostilities against her, they should send to her assistance an army equal to that which she had employed in their defence. This alliance was signed on the 6th of January 1578.<sup>b</sup>

One considerable inducement to the queen for entering into treaty with the States was, to prevent their throwing themselves into the arms of France; and she was desirous to make the King of Spain believe that it was her sole motive. She represented to him, by her ambassador, Thomas Wilkes, that hitherto she had religiously acted the part of a good neighbour and ally; had refused the sovereignty of Holland and Zealand, when offered her; had advised the Prince of Orange to submit to the king; and had even accompanied her counsel with menaces, in case of his refusal. She persevered, she said, in the same friendly intentions; and as a proof of it, would venture to interpose with her advice, for the composure of the present differences: let Don John, whom she could not but regard as her mortal enemy, be recalled; let some other prince more popular be substituted in his room; let the Spanish armies be withdrawn; let the Flemings be restored to their ancient liberties and privileges: and if, after these concessions, they were still obstinate not to return to their duty, she promised to join her arms with those of the King of Spain, and force them to compliance. Philip dissembled his resentment against the queen; and still continued to supply Don John with money and troops. That prince, though once repulsed at Rimenant by the valour of the English under Norris, and though opposed, as well by the army of the States as by Prince Casimir, who had conducted to the Low Countries a great body of Germans, paid by the queen, gained a great advantage over the Flemings at Gemblours; but was cut off in the midst of his prosperity by poison, given him secretly, as was suspected, by orders from Philip, who dreaded his ambition. The Prince of Parma succeeded to the command; who, uniting valour and clemency, negotiation and military exploits, made great progress against the revolted Flemings, and advanced the progress of the Spaniards by his arts, as well as by his arms.

During these years, while Europe was almost every where in great commotion, England enjoyed a profound tranquillity; owing chiefly to the prudence and vigour of the queen's administration, and to the wise precautions which she employed in all her measures. By supporting the zealous protestants in Scotland, she had twice given them the superiority over their antagonists, had closely connected their interests with her own, and had procured herself

entire security from that quarter whence the most dangerous invasions could be made upon her. She saw in France her enemies, the Guises, though extremely powerful, yet counterbalanced by the hugonots, her zealous partisans; and even hated by the king, who was jealous of their restless and exorbitant ambition. The bigotry of Philip gave her just ground of anxiety; but the same bigotry had happily excited the most obstinate opposition among his own subjects, and had created him enemies, whom his arms and policy were not likely soon to subdue. The Queen of Scots, her antagonist and rival, and the pretender to her throne, was a prisoner in her hands; and by her impatience and high spirit had been engaged in practices, which afforded the queen a pretence for rendering her confinement more rigorous, and for cutting off her communication with her partisans in England.

Religion was the capital point, on which depended all the political transactions of that age; and the queen's conduct in this particular, making allowance for the prevailing prejudices of the times, could scarcely be accused of severity or imprudence. She established no inquisition into men's bosoms: she imposed no oath of supremacy, except on those who received trust or emolument from the public: and though the exercise of every religion but the established was prohibited by statute, the violation of this law, by saying mass, and receiving the sacrament in private houses, was, in many instances, connived at; while, on the other hand, the catholics, in the beginning of her reign, showed little reluctance against going to church, or frequenting the ordinary duties of public worship. The Pope, sensible that this practice would by degrees reconcile all his partisans to the reformed religion, hastened the publication of the bull, which excommunicated the queen, and freed her subjects from their oaths of allegiance; and great pains were taken by the emissaries of Rome, to render the breach between the two religions as wide as possible, and to make the frequenting of protestant churches appear highly criminal in the catholics. These practices, with the rebellion which ensued, increased the vigilance and severity of the government; but the Romanists, if their condition were compared with that of the nonconformists in other countries, and with their own maxims where they domineered, could not justly complain of violence or persecution.

The queen appeared rather more anxious to keep a strict hand over the puritans; who, though their pretensions were not so immediately dangerous to her authority, seemed to be actuated by a more unreasonable obstinacy, and to retain claims, of which, both in civil and ecclesiastical matters, it was, as yet, difficult to discern the full scope and intention. Some secret attempts of that sect to establish a separate congregation and discipline had been carefully repressed in the beginning of this reign; and when any of the established clergy discovered a tendency to their principles, by omitting the legal habits or ceremonies, the queen had shown a determined resolution to punish them by fines and deprivation; though her order to that purpose had been frequently eluded, by the secret protection which these sectaries received from some of her most considerable courtiers.

But what chiefly tended to gain Elizabeth the hearts of her subjects, was, her frugality, which, though carried sometimes to an extreme, led her not to amass treasures, but only to prevent impositions upon her people, who were at that time very little accustomed to bear the burdens of government. By means of her rigid economy, she paid all the debts which she found on the crown, with their full interest; though some of these debts had been contracted even during the reign of her father.<sup>c</sup> Some loans, which she had exacted at the commencement of her reign, were repaid by her; a practice in that age somewhat unusual; and she had established her credit on such a footing, that no sovereign in Europe could more readily command any sum, which the public exigencies might at any time require.<sup>d</sup> During this peaceable and uniform government, England furnishes few materials for

<sup>a</sup> Camden, p. 466. Grotius, lib. iii.

<sup>b</sup> Camden, p. 466.

<sup>c</sup> Ibid. p. 459.

<sup>d</sup> Walsingham's Letter in Burnet, vol. ii. p. 418. Calhoun, p. 466.

<sup>e</sup> Strype's Life of Parker, p. 342. Ibid. Life of Grindal, p. 115.

<sup>f</sup> Heylin, p. 165, 166.

<sup>g</sup> D'Ewes, p. 215. Camden, p. 346.

<sup>h</sup> Walsingham, p. 426.

<sup>i</sup> Ibid. p. 215.

history; and except the small part which Elizabeth took in foreign transactions, there scarcely passed any occurrence which requires a particular detail.

The most memorable event in this period was a session of parliament, held on the 8th of February 1576; where debates were started, which may appear somewhat curious and singular. Peter Wentworth, a puritan, who had signalized himself in former parliaments by his free and undaunted spirit, opened this session with a premeditated harangue, which drew on him the indignation of the House, and gave great offence to the queen and the ministers. As it seems to contain a rude sketch of those principles of liberty which happily gained afterwards the ascendancy in England, it may not be improper to give, in a few words, the substance of it. He premised that the name of liberty is sweet; but the thing itself is precious beyond the most inestimable treasure: and that it behoved them to be careful, lest, contenting themselves with the sweetness of the name, they forego the substance, and abandon what of all earthly possessions was of the highest value to the kingdom. He then proceeded to observe, that freedom of speech in that House, a privilege so useful both to sovereign and subject, had been formerly infringed in many essential articles, and was at present exposed to the most imminent danger: that it was usual, when any subject of importance was handled, especially if it regarded religion, to surmise, that these topics were disagreeable to the queen, and that the further proceeding in them would draw down her indignation upon their temerity: that Solomon had justly affirmed the king's displeasure to be a messenger of death; and it was no wonder if men, even though urged by motives of conscience and duty, should be inclined to stop short, when they found themselves exposed to so severe a penalty: that, by the employing of this argument, the House was incapacitated from serving their country, and even from serving the queen herself, whose ears, besieged by pernicious flatterers, were thereby rendered inaccessible to the most salutary truths: that it was a mockery to call an assembly a parliament, yet deny it that privilege, which was so essential to its being, and without which it must degenerate into an abject school of servility and dissimulation: that, as the parliament was the great guardian of the laws, they ought to have liberty to discharge their trust, and to maintain that authority whence even kings themselves derive their being: that a king was constituted such by law, and though he was not dependent on man, yet was he subordinate to God and the law, and was obliged to make their prescriptions, not his own will, the rule of his conduct: that even his commission, as God's vicergerent, enforced, instead of loosening, this obligation; since he was thereby invested with authority to execute on earth the will of God, which is nothing but law and justice: that though these surmises of displeasing the queen by their proceedings had impeached, in a very essential point, all freedom of speech, a privilege granted them by a special law, yet was there a more express and more dangerous invasion made on their liberties by frequent messages from the throne: that it had become a practice, when the House was entering on any question, either ecclesiastical or civil, to bring an order from the queen, inhibiting them absolutely from treating of such matters, and debarring them from all further discussion of these momentous articles: that the prelates, imboldened by her royal protection, had assumed a decisive power in all questions of religion, and required that every one should implicitly submit his faith to their arbitrary determinations: that the love which he bore his sovereign forbade him to be silent under such abuses, or to sacrifice, on this important occasion, his duty to servile flattery and complaisance: and that as no earthly creature was exempt from fault, so neither was the queen herself; but, in imposing this servitude on her faithful Commons, she had committed a great, and even dangerous, fault against herself and the whole commonwealth.<sup>a</sup>

It is easy to observe from this speech, that, in this dawn

of liberty, the parliamentary style was still crude and unformed; and that the proper decorum of attacking ministers and counsellors, without interesting the honour of the crown, or mentioning the person of the sovereign, was not yet entirely established. The Commons expressed great displeasure at this unusual licence. They sequestered Wentworth from the House, and committed him prisoner to the serjeant-at-arms. They even ordered him to be examined by a committee, consisting of all those members who were also members of the privy-council; and a report to be next day made to the House. This committee met in the star-chamber, and, wearing the aspect of that arbitrary court, summoned Wentworth to appear before them and answer for his behaviour. But though the Commons had discovered so little delicacy or precaution, in thus confounding their own authority with that of the star-chamber, Wentworth better understood the principles of liberty, and refused to give these counsellors any account of his conduct in parliament, till he were satisfied that they acted, not as members of the privy-council, but as a committee of the House.<sup>b</sup> He justified his liberty of speech, by pleading the rigour and hardship of the queen's messages; and notwithstanding that the committee showed him, by instances in other reigns, that the practice of sending such messages was not unprecedented, he would not agree to express any sorrow or repentance. The issue of the affair was, that, after a month's confinement, the queen sent to the Commons, informing them, that, from her special grace and favour, she had restored him to his liberty, and to his place in the House.<sup>c</sup> By this seeming lenity, she indirectly retained the power which she had assumed, of imprisoning the members, and obliging them to answer before her for their conduct in parliament. And Sir Walter Mildmay endeavoured to make the House sensible of her majesty's goodness in so gently remitting the indignation which she might justly conceive at the temerity of their member: but he informed them, that they had not the liberty of speaking what and of whom they pleased; and that indiscreet freedoms used in that House had, both in the present and foregoing ages, met with a proper chastisement. He warned them, therefore, not to abuse further the queen's clemency; lest she be constrained, contrary to her inclination, to turn an unsuccessful lenity into a necessary severity.<sup>d</sup>

The behaviour of the two Houses was, in every other respect, equally tame and submissive. Instead of a bill, which was at first introduced,<sup>e</sup> for the reformation of the church, they were contented to present a petition to her majesty for that purpose: and when she told them that she would give orders to her bishops to amend all abuses, and if they were negligent, she would herself, by her supreme power and authority over the church, give such redress as would entirely satisfy the nation; the parliament willingly acquiesced in this sovereign and peremptory decision.<sup>f</sup>

Though the Commons showed so little spirit in opposing the authority of the crown, they maintained, this session, their dignity against an encroachment of the Peers, and would not agree to a conference which, they thought, was demanded of them in an irregular manner. They acknowledged, however, with all humbleness, (such is their expression,) the superiority of the Lords: they only refused to give that House any reason for their proceedings; and asserted, that where they altered a bill sent them by the Peers, it belonged to them to desire a conference, not to the upper House to require it.<sup>g</sup>

The Commons granted an aid of one subsidy and two fifteenths. Mildmay, in order to satisfy the House concerning the reasonableness of this grant, entered into a detail of the queen's past expenses in supporting the government, and of the increasing charges of the crown, from the daily increase in the price of all commodities. He did not, however, forget to admonish them, that they were to regard this detail as the pure effects of the queen's condescension, since she was not bound to give them any account how she employed her treasure.<sup>h</sup>

<sup>a</sup> D'Ewes, p. 236, 237, &c.

<sup>b</sup> Ibid. p. 259.

<sup>c</sup> Ibid. p. 241.

<sup>d</sup> Ibid. p. 241.

<sup>e</sup> Ibid. p. 262.

<sup>f</sup> D'Ewes, p. 557.

<sup>g</sup> Ibid. p. 246.

<sup>h</sup> Ibid. p. 263.



## CHAP. XLII.

Affairs of Scotland—Spanish affairs—Sir Francis Drake—A parliament—Negotiations of marriage with the Duke of Anjou—Affairs of Scotland—Letter of Queen Mary to Elizabeth—Conspiracies in England—A parliament—The Ecclesiastical Commission—Affairs of the Low Countries—Hostilities with Spain.

A. D. 1580.

THE greatest and most absolute security that Elizabeth enjoyed during her whole reign never exempted her from vigilance and attention; but the scene began now to be more overcast, and dangers gradually multiplied on her from more than one quarter.

The Earl of Morton had hitherto retained Scotland in strict alliance with the queen, and had also restored domestic tranquillity to that kingdom. But it was not to be expected that the factitious and legal authority of a regent would long maintain itself in a country unacquainted with law and order; where even the natural dominion of hereditary princes so often met with opposition and control. The nobility began anew to break into factions: the people were disgusted with some instances of Morton's avarice: and the clergy, who complained of further encroachments on their narrow revenue, joined and increased the discontent of the other orders. The regent was sensible of his dangerous situation; and having dropped some peevish expressions, as if he were willing or desirous to resign, the noblemen of the opposite party, favourites of the young king, laid hold of this concession, and required that demission which he seemed so frankly to offer them. James was at this time but eleven years of age; yet Morton, having secured himself, as he imagined, by a general pardon, resigned his authority into the hands of the king, who pretended to conduct, in his own name, the administration of the kingdom. The regent retired from the government; and seemed to employ himself entirely in the care of his domestic affairs; but, either tired with this tranquillity, which appeared insipid after the agitations of ambition, or thinking it time to throw off dissimulation, he came again to court; acquired an ascendancy in the council; and, though he resumed not the title of regent, governed with the same authority as before. The opposite party, after holding separate conventions, took to arms on pretence of delivering their prince from captivity, and restoring him to the free exercise of his government: Queen Elizabeth interposed by her ambassador, Sir Robert Bowes, and mediated an agreement between the factions: Morton kept possession of the government; but his enemies were numerous and vigilant; and his authority seemed to become every day more precarious.

The Count d'Aubigny, of the house of Lenox, cousin-german to the king's father, had been born and educated in France; and being a young man of good address and a sweet disposition, he appeared to the Duke of Guise a proper instrument for detaching James from the English interest, and connecting him with his mother and her relations. He no sooner appeared at Stirling, where James resided, than he acquired the affections of the young monarch; and, joining his interest with those of James Stuart, of the house of Ochiltree, a man of profligate manners, who had acquired the king's favour, he employed himself, under the appearance of play and amusement, in instilling into the tender mind of the prince new sentiments of politics and government. He represented to him the injustice which had been done to Mary in her deposition, and made him entertain thoughts either of resigning the crown into her hands, or of associating her with him in the administration.<sup>a</sup> Elizabeth, alarmed at the danger which might ensue from the prevalence of this interest in Scotland, sent anew Sir Robert Bowes to Stirling; and, accusing d'Aubigny, now created Earl of Lenox, of an attachment to the French, warned James against entertaining such suspicious and dangerous connections.<sup>b</sup> The king excused himself, by Sir Alexander

Hume, his ambassador; and Lenox, finding that the queen had openly declared against him, was further confirmed in his intention of overturning the English interest, and particularly of ruining Morton, who was regarded as the head of it. That nobleman was arrested in council, accused as an accomplice in the late king's murder, committed to prison, brought to trial, and condemned to suffer as a traitor. He confessed that Bothwell had communicated to him the design, had pleaded Mary's consent, and had desired his concurrence; but he denied that he himself had ever expressed any approbation of the crime; and, in excuse for his concealing it, he alleged the danger of revealing the secret, either to Henry, who had no resolution nor constancy, or to Mary, who appeared to be an accomplice in the murder.<sup>c</sup> Sir Thomas Randolph was sent by the queen to intercede in favour of Morton; and that ambassador, not content with discharging this duty of his function, engaged, by his persuasion, the Earls of Argyle, Montrose, Angus, Marre, and Glencarne, to enter into a confederacy for protecting, even by force of arms, the life of the prisoner. The more to overawe that nobleman's enemies, Elizabeth ordered forces to be assembled on the borders of England; but this expedient served only to hasten his sentence and execution.<sup>d</sup> Morton died with that constancy and resolution which had attended him through all the various events of his life; and left a reputation, which was less disputed with regard to abilities than probity and virtue. But this conclusion of the scene happened not till the subsequent year.

Elizabeth was, during this period, extremely anxious on account of every revolution in Spanish affairs. Scotland; both because that country alone, not being separated from England by sea, and bordering on all the catholic and malcontent counties, afforded her enemies a safe and easy method of attacking her; and because she was sensible, that Mary, thinking herself abandoned by the French monarch, had been engaged by the Guises to have recourse to the powerful protection of Philip, who, though he had not yet come to an open rupture with the queen, was every day, both by the injuries which he committed and suffered, more exasperated against her. That he might retaliate the assistance which she gave to his rebels in the Low Countries, he had sent, under the name of the Pope,<sup>e</sup> a body of seven hundred Spaniards and Italians into Ireland; where the inhabitants, always turbulent, and discontented with the English government, were now more alienated by religious prejudices, and were ready to join every invader. The Spanish general, San Josepho, built a fort in Kerry; and, being there besieged by the Earl of Ormond, president of Munster, who was soon after joined by Lord Gray, the deputy, he made a weak and cowardly defence. After some assaults, feebly sustained, he surrendered at discretion; and Gray, who commanded but a small force, finding himself encumbered with so many prisoners, put all the Spaniards and Italians to the sword without mercy, and hanged about fifteen hundred of the Irish: a cruelty which gave great displeasure to Elizabeth.<sup>f</sup>

When the English ambassador made complaints of this invasion, he was answered by Sir Francis Drake, like complaints of the piracies committed by Francis Drake, a bold seaman, who had assaulted the Spaniards in the place where they deemed themselves most secure, in the New World. This man, sprung from mean parents in the county of Devon, having acquired considerable riches by depredations made in the isthmus of Panama, and having there gotten a sight of the Pacific Ocean, was so stimulated by ambition and avarice, that he scrupled not to employ his whole fortune in a new adventure through those seas, so much unknown at that time to all the European nations.<sup>g</sup> By means of Sir Christopher Hatton, then vice-chamberlain, a great favourite of the queen's, he obtained her consent and approbation; and he set sail from Plymouth in 1577, with four ships and a pinnace, on board of which were one hundred and sixty-four able sailors.<sup>h</sup> He passed into the South Sea by the Straits

<sup>a</sup> Digges, p. 410, 428. Melvil, p. 130.<sup>b</sup> Spotswood, i. p. 302.<sup>c</sup> Ibid. p. 314. Crawford, p. 333. Meysse's Memoirs, p. 54.<sup>d</sup> Spotswood, p. 312. <sup>e</sup> Digges, p. 359, 370.<sup>f</sup> Camden, p. 475. Cox's Hist. of Ireland, p. 360.<sup>g</sup> Camden, p. 478. Shawe, p. 689.<sup>h</sup> Camden, p. 478. Hakluyt's Voyages, vol. iii. p. 739, 748. Purchas's

Pilgrim, vol. i. p. 46.

of Magellan, and attacking the Spaniards, who expected to enemy in those quarters, he took many rich prizes, and prepared to return with the booty which he had acquired. Apprehensive of being intercepted by the enemy, if he too, the same way homewards by which he had reached the Pacific Ocean, he attempted to find a passage by the north of California; and failing in that enterprise, he set sail for the East Indies, and returned safely this year by the Cape of Good Hope. He was the first Englishman who sailed round the globe; and the first commander-in-chief: for Magellan, whose ship executed the same adventure, died in his passage. His name became celebrated on account of so bold and fortunate an attempt; but many, apprehending the resentment of the Spaniards, endeavoured to persuade the queen, that it would be more prudent to disavow the enterprise, to punish Drake, and to restore the treasure. But Elizabeth, who admired valour, and was allured by the prospect of sharing in the booty, determined to countenance that gallant sailor: she conferred on him the honour of knighthood, and accepted of a banquet from him, at Deptford, on board the ship which had achieved so memorable a voyage. When Philip's ambassador, Mendoza, exclaimed against Drake's piracies, she told him that the Spaniards, by arrogating a right to the whole New World, and excluding thence all other European nations, who should sail thither, even with a view of exercising the most lawful commerce, naturally tempted others to make a violent irruption into those countries.<sup>1</sup> To pacify, however, the catholic monarch, she caused part of the booty to be restored to Pedro Seburga, a Spaniard, who pretended to be agent for the merchants whom Drake had spoiled. Having learned afterwards, that Philip had seized the money, and had employed part of it against herself in Ireland, part of it in the pay of the Prince of Parma's troops, she determined to make no more restitutions.

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There was another cause, which induced the queen to take this resolution: she was in such want of money, that she was obliged to assemble a parliament, a measure which, as she herself openly declared, she never embraced, except when constrained by the necessity of her affairs. The parliament, 36th Jan. A parliament. besides granting her a supply of one subsidy and two fifteenths, enacted some statutes for the security of her government, chiefly against the attempts of the catholics. Whoever, in any way, reconciled any one to the church of Rome, or was himself reconciled, was declared to be guilty of treason; to say mass was subjected to the penalty of a year's imprisonment, and a fine of two hundred marks; the being present was punishable by a year's imprisonment, and a fine of one hundred marks: a fine of twenty pounds a month was imposed on every one who continued, during that time, absent from the church.<sup>2</sup> To utter slanderous or seditious words against the queen was punishable, for the first offence, with the pillory and loss of ears; the second offence was declared felony: the writing or printing of such words was felony even on the first offence.<sup>3</sup> The puritans prevailed so far as to have further applications made for reformation in religion:<sup>4</sup> and Paul Wentworth, brother to the member of that name who had distinguished himself in the preceding session, moved, That the Commons, from their own authority, should appoint a general fast and prayers: a motion, to which the House unwarily assented. For this presumption, they were severely reprimanded by a message from the queen, as encroaching on the royal prerogative and supremacy; and they were, obliged to submit, and ask forgiveness.<sup>5</sup>

The queen and parliament were engaged to pass these severe laws against the catholics, by some late discoveries of the treasonable practices of their priests. When the ancient worship was suppressed, and the Reformation introduced into the universities, the King of Spain reflected, that as some species of literature was necessary for supporting these doctrines and controversies, the Romish communion must decay in England, if no means were found to give erudition to the ecclesiastics; and for this reason, he founded a seminary at Douay, where the

catholics sent their children, chiefly such as were intended for the priesthood, in order to receive the rudiments of their education. The Cardinal of Lorraine imitated this example, by erecting a like seminary in his diocese of Rheims; and though Rome was somewhat distant, the Pope would not neglect to adorn, by a foundation of the same nature, that capital of orthodoxy. These seminaries, founded with so hostile an intention, sent over every year a colony of priests, who maintained the catholic superstition in its full height of bigotry; and being educated with a view to the crown of martyrdom, were not deterred, either by danger or fatigue, from maintaining and propagating their principles. They infused into all their votaries an extreme hatred against the queen, whom they treated as a usurper, a schismatic, a heretic, a persecutor of the orthodox, and one solemnly and publicly anathematized by the holy father. Sedition, rebellion, sometimes assassination, were the expedients by which they intended to effect their purposes against her; and the severe restraint, not to say persecution, under which the catholics laboured, made them the more willingly receive, from their ghostly fathers, such violent doctrines.

These seminaries were all of them under the direction of the Jesuits, a new order of regular priests erected in Europe, when the court of Rome perceived that the lazy monks and beggarly friars, who sufficed in times of ignorance, were no longer able to defend the ramparts of the church, assailed on every side, and that the inquisitive spirit of the age required a society more active and more learned, to oppose its dangerous progress. These men, as they stood foremost in the contest against the protestants, drew on them the extreme animosity of that whole sect; and by assuming a superiority over the other more numerous and more ancient orders of their own communion, were even exposed to the envy of their brethren: so that it is no wonder, if the blame, to which their principles and conduct might be exposed, has in many instances been much exaggerated. This reproach, however, they must bear from posterity, that by the very nature of their institution, they were engaged to pervert learning, the only effectual remedy against superstition, into a nourishment of that infirmity; and as their erudition was chiefly of the ecclesiastical and scholastic kind, (though a few members have cultivated polite literature,) they were only the more enabled, by that acquisition, to refine away the plainest dictates of morality, and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purposes, might be justified and defended.

The Jesuits, as devoted servants to the court of Rome, exalted the prerogative of the sovereign pontiff above all earthly power; and, by maintaining his authority of deposing kings, set no bounds either to his spiritual or temporal jurisdiction. This doctrine became so prevalent among the zealous catholics in England, that the excommunication fulminated against Elizabeth, excited many scruples of a singular kind, to which it behoved the holy father to provide a remedy. The bull of Pius, in absolving the subjects from their oaths of allegiance, commanded them to resist the queen's usurpation; and many Romanists were apprehensive, that, by this clause, they were obliged in conscience, even though no favourable opportunity offered, to rebel against her, and that no dangers or difficulties could free them from this indispensable duty. But Parsons and Campion, two Jesuits, were sent over with a mitigation and explanation of the doctrine; and they taught their disciples, that though the bull was for ever binding on Elizabeth and her partisans, it did not oblige the catholics to obedience, except when the sovereign pontiff should think proper, by a new summons, to require it.<sup>6</sup> Campion was afterwards detected in treasonable practices; and being put to the rack, and confessing his guilt, he was publicly executed. His execution was ordered at the very time when the Duke of Anjou was in England, and prosecuted, with the greatest appearance of success, his marriage with the queen; and this severity was probably intended to appease her protestant subjects, and to satisfy them, that whatever measures she

<sup>1</sup> Camden, p. 460.<sup>2</sup> 23 Eliz. cap. 1.<sup>3</sup> Ibid. cap. 2.<sup>4</sup> D'Ewes, p. 302.<sup>5</sup> Ibid. p. 394, 395.<sup>6</sup> Camden, p. 477.

might pursue, she never would depart from the principles of the Reformation.

The Duke of Alençon, now created Duke of Anjou, had never entirely dropped his pretensions to Elizabeth; and that princess, though her suitor was near twenty-five years younger than herself, and had no knowledge of her person but by pictures or descriptions, was still pleased with the image, which his addresses afforded her, of love and tenderness. The duke, in order to forward his suit, besides employing his brother's ambassador, sent over Simier, an agent of his own, an artful man, of an agreeable conversation; who, soon remarking the queen's humour, amused her with gay discourse, and instead of serious political reasonings, which, he found, only awakened her ambition, and hurt his master's interest, he introduced every moment all the topics of passion and of gallantry. The pleasure which she found in this man's company, soon produced a familiarity between them; and amidst the greatest hurry of business, her most confidential ministers had not such ready access to her, as had Simier, who, on pretence of negotiation, entertained her with accounts of the tender attachment borne her by the Duke of Anjou. The Earl of Leicester, who had never before been alarmed with any courtship paid her, and who always trusted that her love of dominion would prevail over her inclination to marriage, began to apprehend, that she was at last caught in her own snare, and that the artful encouragement which she had given to this young suitor, had, unawares, engaged her affections. To render Simier odious, he availed himself of the credulity of the times, and spread reports, that that minister had gained an ascendant over the queen, not by any natural principles of her constitution, but by incantations and love potions. Simier, in revenge, endeavoured to discredit Leicester with the queen; and he revealed to her a secret, which none of her courtiers dared to disclose, that this nobleman was secretly, without her consent, married to the widow of the Earl of Essex; an action which the queen interpreted either to proceed from want of respect to her, or as a violation of their mutual attachment; and which so provoked her, that she threatened to send him to the Tower.<sup>p</sup> The quarrel went so far between Leicester and the French agent, that the former was suspected of having employed one Tudor, a bravo, to take away the life of his enemy; and the queen thought it necessary, by proclamation, to take Simier under her immediate protection. It happened, that while Elizabeth was rowed in her barge on the Thames, attended by Simier, and some of her courtiers, a shot was fired which wounded one of the bargemen; but the queen, finding, upon inquiry, that the piece had been discharged by accident, gave the person his liberty, without further punishment. So far was she from entertaining any suspicion against her people, that she was often heard to say, "That she would lend credit to nothing against them, which parents would not believe of their own children."<sup>q</sup>

The Duke of Anjou, encouraged by the accounts sent him of the queen's prepossessions in his favour, paid her secretly a visit at Greenwich; and after some conference with her, the purport of which is not known, he departed. It appeared, that though his figure was not advantageous, he had lost no ground by being personally known to her; and soon after, she commanded Burleigh, now treasurer, Sussex, Leicester, Bedford, Lincoln, Hatton, and secretary Walsingham, to concert with the French ambassadors the terms of the intended contract of marriage. Henry had sent over, on this occasion, a splendid embassy, consisting of Francis de Bourbon, Prince Dauphin, and many considerable noblemen; and as the queen had, in a manner, the power of prescribing what terms she pleased, the articles were soon settled with the English commissioners. It was agreed that the marriage should be celebrated within six weeks after the ratification of the articles; that the duke and his retinue should have the exercise of their religion; that after the marriage he should bear the title of

King, but the administration remain solely in the queen; that their children, male or female, should succeed to the crown of England; that if there be two males, the elder, in case of Henry's death without issue, should be king of France, the younger of England; that if there be but one male, and he succeed to the crown of France, he should be obliged to reside in England eight months every two years; that the laws and customs of England should be preserved inviolate; and that no foreigner should be promoted by the duke to any office in England.<sup>r</sup>

These articles, providing for the security of England, in case of its annexation to the crown of France, opened but a dismal prospect to the English, had not the age of Elizabeth, who was now in her forty-ninth year, contributed very much to allay their apprehensions of this nature. The queen, also, as a proof of her still remaining uncertainty, added a clause, that she was not bound to complete the marriage, till further articles, which were not specified, should be agreed on between the parties, and till the King of France be certified of this agreement. Soon after, the queen sent over Walsingham, as ambassador to France, in order to form closer connexions with Henry, and enter into a league, offensive and defensive, against the increasing power and dangerous usurpations of Spain. The French king, who had been extremely disturbed with the inquiet spirit, the restless ambition, the enterprising yet timid and inconstant disposition of Anjou, had already sought to free the kingdom from his intrigues, by opening a scene for his activity in Flanders; and having allowed him to embrace the protection of the States, had secretly supplied him with men and money for the undertaking. The prospect of settling him in England was, for a like reason, very agreeable to that monarch; and he was desirous to cultivate, by every expedient, the favourable sentiments which Elizabeth seemed to entertain towards him. But this princess, though she had gone further in her amorous<sup>s</sup> dalliance than could be justified or accounted for by any principles of policy, was not yet determined to carry matters to a final conclusion; and she confined Walsingham, in his instructions, to negotiating conditions of a mutual alliance between France and England.<sup>t</sup> Henry with reluctance submitted to hold conferences on that subject; but no sooner had Walsingham begun to settle the terms of alliance, than he was informed that the queen, foreseeing hostility with Spain to be the result of this confederacy, had declared, that she would prefer the marriage with the war, before the war without the marriage.<sup>u</sup> The French court, pleased with this change of resolution, broke off the conferences concerning the league, and opened a negotiation for the marriage.<sup>v</sup> But matters had not long proceeded in this train, before the queen again declared for the league, in preference to the marriage, and ordered Walsingham to renew the conferences for that purpose. Before he had leisure to bring this point to maturity, he was interrupted by a new change of resolution;<sup>w</sup> and not only the court of France, but Walsingham himself, Burleigh, and all the wisest ministers of Elizabeth, were in amazement, doubtful where this contest between inclination and reason, love and ambition, would at last terminate.<sup>x</sup>

In the course of this affair, Elizabeth felt another variety of intentions, from a new contest between her reason and her ruling passions. The Duke of Anjou expected from her some money, by which he might be enabled to open the campaign in Flanders; and the queen herself, though her frugality made her long reluctant, was sensible that this supply was necessary; and she was at last induced, after much hesitation, to comply with his request.<sup>y</sup> She sent him a present of a hundred thousand crowns, by which, joined to his own demesnes, and the assistance of his brother and the queen-dowager, he levied an army, and took the field against the Prince of Parma. He was successful in raising the siege of Cambray; and being chosen by the States governor of the Netherlands, he put his army into winter-quarters, and came over to England,

he opens the treaty, to examine the person of the duke; and as that prince had lately recovered from the small pox, she desires her ambassador to consider, whether he yet retained so much of his good looks, as that a woman could beher affections on him. Had she not been in earnest, and had she only meant to amuse the public, or the court of France, this circumstance was of no importance.

<sup>p</sup> Camden, p. 471. <sup>q</sup> *Ibid.*, ibid. <sup>r</sup> *Ibid.*, p. 484.  
<sup>s</sup> Digges, p. 377. 396. 408. 426. <sup>t</sup> *Ibid.*, p. 392.  
<sup>u</sup> *Ibid.*, p. 473. 521. <sup>v</sup> *Ibid.*, p. 392. <sup>w</sup> *Ibid.*, p. 392. <sup>x</sup> *Ibid.*, p. 403.  
<sup>y</sup> That the queen's negotiations for marrying the Duke of Anjou were not formed on political, appears clearly from many circumstances, particularly from a passage in Dr. Forbes's manuscript collections, at present in the possession of Lord Royston. She there enquires Walsingham, before

<sup>z</sup> Digges, p. 357. 367. 378. 409. 426. 459. Rymer, vol. xv. p. 703.



in order to prosecute his suit to the queen. The reception which he met with made him expect entire success, and gave him hopes that Elizabeth had surmounted all scruples, and was finally determined to make choice of him for her husband. In the midst of the pomp which

17th Nov. attended the anniversary of her coronation, she was seen, after long and intimate discourse with him, to take a ring from her own finger, and put it upon his; and all the spectators concluded, that in this ceremony she had given him a promise of marriage, and was even desirous of signifying her intentions to all the world. St. Aldegonde, ambassador from the States, despatched immediately a letter to his masters, informing them of this great event; and the inhabitants of Antwerp, who, as well as the other Flemings, regarded the queen as a kind of tutelar divinity, testified their joy by bonfires and the discharge of their great ordnance.<sup>a</sup> A puritan of Lincoln's-Inn had written a passionate book, which he entitled, "The Gulph in which England will be swallowed by the French marriage." He was apprehended and prosecuted, by order of the queen, and was condemned to lose his right hand, as a libeller. Such was the constancy and loyalty of the man, that immediately after the sentence was executed, he took off his hat with his other hand, and, waving it over his head, cried, "God save the queen."

But notwithstanding this attachment, which Elizabeth so openly discovered to the Duke of Anjou, the combat of her sentiments was not entirely over; and her ambition, as well as prudence, rousing itself by intervals, still filled her breast with doubt and hesitation. Almost all the courtiers whom she trusted and favoured, Leicester, Hatton, and Walsingham, discovered an extreme aversion to the marriage; and the ladies of her bed-chamber made no scruple of opposing her resolution with the most zealous remonstrances.<sup>b</sup> Among other enemies to the match, Sir Philip, son of Sir Henry Sidney, deputy of Ireland, and nephew to Leicester, a young man, the most accomplished of the age, declared himself: and he used the freedom to write her a letter, in which he dissuaded her from her present resolution, with an unusual elegance of expression, as well as force of reasoning. He told her, that the security of her government depended entirely on the affections of her protestant subjects; and she could not, by any measure, more effectually disgust them, than by espousing a prince, who was son of the perfidious Catherine, brother to the cruel and perfidious Charles, and who had himself imbrued his hands in the blood of the innocent and defenceless protestants: that the catholics were her mortal enemies, and believed, either that she had originally usurped the crown, or was now lawfully deposed by the Pope's bull of excommunication; and nothing had ever so much elevated their hopes as the prospect of her marriage with the Duke of Anjou: that her chief security, at present, against the efforts of so numerous, rich, and united a faction, was, that they possessed no head who could conduct their dangerous enterprises; and she herself was rashly supplying that defect, by giving an interest in the kingdom to a prince, whose education had zealously attached him to that communion: that though he was a stranger to the blood royal of England, the dispositions of men were now such that they preferred the religious to the civil connexions; and were more influenced by sympathy in theological opinions, than by the principles of legal and hereditary government: that the duke himself had discovered a very restless and turbulent spirit; and having often violated his loyalty to his elder brother and his sovereign, there remained no hopes that he would passively submit to a woman, whom he might, in quality of husband, think himself entitled to command: that the French nation, so populous, so much abounding in soldiers, so full of nobility, who were devoted to arms, and for some time accustomed to serve for plunder, would supply him with partisans, dangerous to a people unwarlike and defenceless, like the generality of her subjects: that the plain and honourable path which she had followed, of cultivating the affections of her people, had hitherto rendered her reign secure and happy; and however her enemies might seem to multiply upon her, the same in-

vincible rampart was still able to protect and defend her; that so long as the throne of France was filled by Henry, or his posterity, it was in vain to hope that the ties of blood would insure the amity of that kingdom, preferably to the maxims of policy or the prejudices of religion; and if ever the crown devolved on the Duke of Anjou, the conjunction of France and England would prove a burden, rather than a protection, to the latter kingdom: that the example of her sister Mary was sufficient to instruct her in the danger of such connexions; and to prove that the affection and confidence of the English could never be maintained, where they had such reason to apprehend that their interests would every moment be sacrificed to those of a foreign and hostile nation: that notwithstanding these great inconveniences, discovered by past experience, the house of Burgundy, it must be confessed, was more popular in the nation than the family of France; and what was of chief moment, Philip was of the same communion with Mary, and was connected with her by this great band of interest and affection: and that, however the queen might remain childless, even though old age should grow upon her, the singular felicity and glory of her reign would preserve her from contempt; the affections of her subjects, and those of all the protestants in Europe, would defend her from danger; and her own prudence, without other aid or assistance, would baffle all the efforts of her most malignant enemies.<sup>c</sup>

These reflections kept the queen in great anxiety and irresolution; and she was observed to pass several nights without any sleep or repose. At last, her settled habits of prudence and ambition prevailed over her temporary inclination; and having sent for the Duke of

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Anjou, she had a long conference with him in private, where she was supposed to have made him apologies for breaking her former engagements. He expressed great disgust on his leaving her; threw away the ring which she had given him; and uttered many curses on the mutability of women, and of islanders.<sup>d</sup> Soon after, he went over to his government of the Netherlands; lost the confidence of the States, by a rash and violent attempt on their liberties; was expelled that country; retired into France; and there died. The queen, by timely reflection, saved herself from the numerous mischiefs which must have attended so imprudent a marriage: and the distracted state of the French monarchy prevented her from feeling any effects of that resentment which she had reason to dread from the affront so wantonly put upon that royal family.

The anxiety of the queen, from the attempts of the English catholics, never ceased during the whole course of her reign; but the variety of revolutions which happened in all the neighbouring kingdoms, was the source, sometimes of her hopes, sometimes of her apprehensions. This year the affairs of Scotland strongly engaged her attention. The influence which the Earl of Lenox, and James Stuart, who now assumed the title of Earl of Arran, had acquired over the young king, was but a slender foundation of authority, while the generality of the nobles and all the preachers were so much discontented with their administration. The assembly of the church appointed a solemn fast; of which one of the avowed reasons was, the danger to which the king was exposed, from the company of wicked persons:<sup>e</sup> and on that day the pulpits resounded with declamations against Lenox, Arran, and all the present counsellors. When the minds of the people were sufficiently prepared by these lectures, a conspiracy of the nobility was formed, probably with the concurrence of Elizabeth, for seizing the person of James, at Ruthven, a seat of the Earl of Gowry's; and the design, being kept secret, succeeded without any opposition. The leaders in this enterprise were the Earl of Gowry himself, the Earl of Mar, the Lords Lindsey and Boyd, the Masters of Glamis and Oliphant, the Abbots of Dunfermline, Paisley, and Cambuskenneth. The king wept when he found himself detained a prisoner; but the Master of Glamis said, "No matter for his tears: better that boys weep than bearded men." an expression which James could never afterwards forgive.<sup>f</sup> But notwithstanding his resentment, he found it

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<sup>a</sup> Camden, p. 486. Thuan. lib. 74.

<sup>b</sup> Camden, p. 466.

<sup>c</sup> Letters of the Sidneys, vol. i. p. 567, & seq. Cabbala, p. 361.

<sup>d</sup> Camden, p. 466.

<sup>e</sup> Hunt, p. 220.

<sup>f</sup> Spotswood, p. 312.

necessary to submit to the present necessity. He pretended an entire acquiescence in the conduct of the associators; acknowledged the detention of his person to be acceptable service; and agreed to summon both an assembly of the church and a convention of estates, in order to ratify that enterprise.

The assembly, though they had established it as an inviolable rule, that the king, on no account and under no pretence, should ever intermeddle in ecclesiastical matters, made no scruple of taking civil affairs under their cognizance, and of deciding on this occasion, that the attempt of the conspirators was acceptable to all that feared God, or tendered the preservation of the king's person, and prosperous state of the realm. They even enjoined all the clergy to recommend these sentiments from the pulpit; and they threatened with ecclesiastical censures every man who should oppose the authority of the confederated lords.<sup>g</sup> The convention, being composed chiefly of these lords themselves, added their sanction to these proceedings. Arran was confined a prisoner in his own house; Lenox, though he had power to resist, yet rather than raise a civil war, or be the cause of bloodshed,<sup>h</sup> chose to retire into France, where he soon after died. He persevered to the last in the protestant religion, to which James had converted him, but which the Scottish clergy could never be persuaded that he had sincerely embraced. The king sent for his family, restored his son to his paternal honours and estate, took care to establish the fortunes of all his other children; and to his last moments never forgot the early friendship which he had borne their father: a strong proof of the good dispositions of that prince.<sup>i</sup>

No sooner was this revolution known in England, than the queen sent Sir Henry Cary and Sir Robert Bowes to James, in order to congratulate him on his deliverance from the pernicious counsels of Lenox and Arran; to exhort him not to resent the seeming violence committed on him by the confederated lords; and to procure from him permission for the return of the Earl of Angus, who, ever since Morton's fall, had lived in England. They easily prevailed in procuring the recall of Angus; and as James suspected that Elizabeth had not been entirely unacquainted with the project of his detention, he thought proper before the English ambassadors to dissemble his resentment against the authors of it. Soon

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after, La Mothe-Fenelon and Menneville appeared as ambassadors from France: their errand was to inquire concerning the situation of the king, make professions of their master's friendship, confirm the ancient league with France, and procure an accommodation between James and the Queen of Scots. This last proposal gave great umbrage to the clergy; and the assembly voted the settling of terms between the mother and son to be a most wicked undertaking. The pulpits resounded with declamations against the French ambassadors; particularly Fenelon, whom they called the messenger of the bloody murderer, meaning the Duke of Guise; and as that minister, being knight of the Holy Ghost, wore a white cross on his shoulder, they commonly denominated it, in contempt, the badge of antichrist. The king endeavoured, though in vain, to repress these insolent reflections; but in order to make the ambassadors some compensation, he desired the magistrates of Edinburgh to give them a splendid dinner before their departure. To prevent this entertainment, the clergy appointed that very day for a public fast; and finding that their orders were not regarded, they employed their sermons in thundering curses on the magistrates, who, by the king's direction, had put this mark of respect on the ambassadors. They even pursued them afterwards with the censures of the church; and it was with difficulty they were prevented from issuing the sentence of excommunication against them, on account of their submission to royal, preferably to clerical, authority.<sup>k</sup>

What increased their alarm with regard to an accommodation between James and Mary was, that the English ambassadors seemed to concur with the French in this proposal; and the clergy were so ignorant as to believe the sincerity of the professions made by the former. The

Queen of Scots had often made overtures to Elizabeth, which had been entirely neglected; but hearing of James's detention, she wrote a letter in a more pathetic and more spirited strain than usual; craving the assistance of that princess both for her own and her son's liberty. She said, that the account of the prince's captivity had excited her most tender concern; and the experience which she herself, during so many years, had of the extreme infelicity attending that situation, had made her the more apprehensive lest a like fate should pursue her unhappy offspring: that the long train of injustice which she had undergone, the calumnies to which she had been exposed, were so grievous, that finding no place for right or truth among men, she was reduced to make her last appeal to Heaven, the only competent tribunal between princes of equal jurisdiction, degree, and dignity: that after her rebellious subjects, secretly instigated by Elizabeth's ministers, had expelled her the throne, had confined her in prison, had pursued her with arms, she had voluntarily thrown herself under the protection of England; fatally allured by those reiterated professions of amity which had been made her, and by her confidence in the generosity of a friend, an ally, and a kinswoman: that, not content with excluding her from her presence, with supporting the usurpers of her throne, with contributing to the destruction of her faithful subjects, Elizabeth had reduced her to a worse captivity than that from which she had escaped, and had made her this cruel return for the unlimited confidence which she had reposed in her: that though her resentment of such severe usage had never carried her further than to use some disappointed efforts for her deliverance, unhappy for herself, and fatal to others, she found the rigours of confinement daily multiplied upon her, and at length carried to such a height, that it surpassed the bounds of all human patience any longer to endure them: that she was cut off from all communication, not only with the rest of mankind, but with her only son; and her maternal fondness, which was now more enlivened by their unhappy sympathy in situation, and was her sole remaining attachment to this world, deprived even of that melancholy solace which letters or messages could give: that the bitterness of her sorrows, still more than her close confinement, had preyed upon her health, and had added the insufferable weight of bodily infirmity to all those other calamities under which she laboured: that while the daily experience of her maladies opened to her the comfortable prospect of an approaching deliverance into a region where pain and sorrow are no more, her enemies envied her that last consolation; and, having secluded her from every joy on earth, had done what in them lay to debar her from all hopes in her future and eternal existence: that the exercise of her religion was refused her; the use of those sacred rites in which she had been educated; the commerce with those holy ministers whom Heaven had appointed to receive the acknowledgment of our transgressions, and to seal our penitence by a solemn re-admission into heavenly favour and forgiveness: that it was in vain to complain of the rigours of persecution exercised in other kingdoms, when a queen and an innocent woman was excluded from an indulgence which never yet, in the most barbarous countries, had been denied to the meanest and most obnoxious malefactor: that could she ever be induced to descend from that royal dignity in which providence had placed her, or depart from her appeal to Heaven, there was only one other tribunal to which she could appeal from all her enemies; to the justice and humanity of Elizabeth's own breast, and to that lenity which, uninfluenced by malignant counsel, she would naturally be induced to exercise towards her: and that she finally entreated her to resume her natural disposition, and to reflect on the support, as well as comfort, which she might receive from her son and herself, if, joining the obligations of gratitude to the ties of blood, she would deign to raise them from their present melancholy situation, and reinstate them in that liberty and authority to which they were entitled.<sup>l</sup>

Elizabeth was engaged to obstruct Mary's restoration,

<sup>g</sup> Spotswood, p. 332.

<sup>h</sup> Heylin's Hist. Presbyter, p. 227. Spotswood.

<sup>i</sup> Spotswood, p. 328.

<sup>l</sup> Camden, p. 489.

<sup>k</sup> Ibid. p. 321.

Letter of Mary  
to Elizabeth.

chiefly because she foresaw an unhappy alternative attending that event. If this princess recovered any considerable share of authority in Scotland, her resentment, ambition, zeal, and connexions both domestic and foreign, might render her a dangerous neighbour to England, and enable her, after suppressing the protestant party among her subjects, to revive those pretensions which she had formerly advanced to the crown, and which her partisans in both Kingdoms still supported with great industry and assurance. If she were reinstated in power with such strict limitations as could not be broken, she might be disgusted with her situation; and flying abroad, form more desperate attempts than any sovereign who had a crown to hazard would willingly undertake. Mary herself, sensible of these difficulties, and convinced by experience that Elizabeth would for ever debar her the throne, was now become more humble in her wishes; and as age and infirmities had repressed those sentiments of ambition by which she had formerly been so much actuated, she was willing to sacrifice all her hopes of grandeur in order to obtain a little liberty; a blessing to which she naturally aspired with the fondest impatience. She proposed therefore, that she should be associated with her son in the title to the crown of Scotland, but that the administration should remain solely in him: and she was content to live in England in a private station, and even under a kind of restraint; but with some more liberty, both for exercise and company, than she had enjoyed since the first discovery of her intrigues with the Duke of Norfolk. But Elizabeth, afraid lest such a loose method of guarding her would facilitate her escape into France or Spain, or at least would encourage and increase her partisans, and enable her to conduct those intrigues to which she had already discovered so strong a propensity, was secretly determined to deny her requests; and, though she feigned to assent to them, she well knew how to disappoint the expectations of the unhappy princess. While Lenox maintained his authority in Scotland, she never gave any reply to all the applications made to her by the Scottish queen: at present, when her own creatures had acquired possession of the government, she was resolved to throw the odium of refusal upon them; and pretending that nothing further was required to a perfect accommodation than the concurrence of the council of state in Scotland, she ordered her ambassador, Bowes, to open the negotiation for Mary's liberty, and her association with her son in the title to the crown. Though she seemed to make this concession to Mary, she refused her the liberty of sending any ambassador of her own; and that princess could easily conjecture from this circumstance what would be the result of the pretended negotiation. The privy council of Scotland, instigated by the clergy, rejected all treaty; and James, who was now a captive in their hands, affirmed that he had never agreed to an association with his mother, and that the matter had never gone further than some loose proposals for that purpose.<sup>a</sup>

The affairs of Scotland remained not long in the present situation. James, impatient of restraint, made his escape from his keepers; and flying to St. Andrews, summoned his friends and partisans to attend him. The Earls of Argyle, Marshal, Montrose, and Rothes, hastened to pay their duty to their sovereign; and the opposite party found themselves unable to resist so powerful a combination. They were offered a pardon upon their submission, and an acknowledgment of their fault in seizing the king's person, and restraining him from his liberty. Some of them accepted of the terms: the greater number, particularly Angus, Hamilton, Marre, Glamis, left the country, and took shelter in Ireland or England, where they were protected by Elizabeth. The Earl of Arran was recalled to court; and the malcontents, who could not brook the authority of Lenox, a man of virtue and moderation, found that by their resistance they had thrown all power into the hands of a person whose counsels were as violent as his manners were profligate.<sup>b</sup>

Elizabeth wrote a letter to James; in which she quoted

a moral sentence from Isocrates, and indirectly reproached him with inconstancy, and a breach of his engagements. James, in his reply, justified his measures; and retaliated by turning two passages of Isocrates against her.<sup>c</sup> She next sent Walsingham on an embassy to him; and her chief purpose in employing that aged minister in an errand where so little business was to be transacted, was to learn, from a man of so much penetration and experience, the real character of James. This young prince possessed good parts, though not accompanied with that vigour and industry which his station required; and as he excelled in general discourse and conversation, Walsingham entertained a higher idea of his talents than he was afterwards found, when real business was transacted, to have fully merited.<sup>d</sup> The account which he gave his mistress induced her to treat James thenceforth with some more regard than she had hitherto been inclined to pay him.

The King of Scots, persevering in his present views, summoned a parliament; where it was enacted, that no clergyman should presume in his sermons to utter false, untrue, or scandalous speeches against the king, the council, or the public measures, or to meddle, in an improper manner, with the affairs of his majesty and the states.<sup>e</sup> The clergy, finding that the pulpit would be no longer a sanctuary for them, were extremely offended: they said that the king was become popish in his heart; and they gave their adversaries the epithets of gross libertines, belly-gods, and infamous persons.<sup>f</sup> The violent conduct of Arran soon brought over the popularity to their side. The Earl of Gowry, though pardoned for the late attempt, was committed to prison, was tried on some new accusations, condemned, and executed. Many innocent persons suffered from the tyranny of this favourite; and the banished lords, being assisted by Elizabeth, now found the time favourable for the recovery of their estates and authority. After they had been foiled in one attempt upon Stirling, they prevailed in another; and, being admitted to the king's presence, were pardoned, and restored to his favour.

Arran was degraded from authority; deprived of that estate and title which he had usurped; and the whole country seemed to be composed to tranquillity. Elizabeth, after opposing, during some time, the credit of the favourite, had found it more expedient, before his fall, to compound all differences with him, by means of Davison, a minister whom she sent to Scotland: but having more confidence in the lords whom she had helped to restore, she was pleased with this alteration of affairs; and maintained a good correspondence with the new court and ministry of James.

These revolutions in Scotland would have been regarded as of small importance to the repose and security of Elizabeth, had her own subjects been entirely united, and had not the zeal of the catholics, excited by constraint more properly than persecution, daily threatened her with some dangerous insurrection. The vigilance of the ministers, particularly of Burleigh and Walsingham, was raised in proportion to the activity of the malcontents; and many arts, which had been blamable in a more peaceful government, were employed in detecting conspiracies, and even discovering the secret inclinations of men. Counterfeit letters were written in the name of the Queen of Scots, or of the English exiles, and privately conveyed to the houses of the catholics: spies were hired to observe the actions and discourse of suspected persons: informers were countenanced: and though the sagacity of these two great ministers helped them to distinguish the true from the false intelligence, many calumnies were no doubt hearkened to, and all the subjects, particularly the catholics, kept in the utmost anxiety and inquietude. Henry Piercy, Earl of Northumberland, brother to the earl beheaded some years before, and Philip Howard, Earl of Arundel, son of the unfortunate Duke of Norfolk, fell under suspicion; and the latter was, by order of council, confined to his own house. Francis Throgmorton, a private gentleman, was committed to

<sup>a</sup> M. B. 1583, vol. ii. p. 340.

<sup>b</sup> M. B. in the Advocates' Library, A. 3. 23. p. 401. from the Cott. Lib.

<sup>c</sup> M. B. 1583, vol. ii.

<sup>d</sup> S. P. 1583, vol. ii. p. 325, 326, & seq.

<sup>e</sup> M. B. 1583, vol. ii. p. 340.

<sup>f</sup> M. B. 1583, vol. ii. p. 340.

<sup>g</sup> S. P. 1583, vol. ii. p. 325.

<sup>h</sup> M. B. 1583, vol. ii.



custody, on account of a letter which he had written to the Queen of Scots, and which was intercepted. Lord Paget and Charles Arundel, who had been engaged with him in treasonable designs, immediately withdrew beyond sea. Throgmorton confessed that a plan for an invasion and insurrection had been laid; and though, on his trial, he was desirous of retracting this confession, and imputing it to the fear of torture, he was found guilty, and executed. Mendoza, the Spanish ambassador, having promoted this conspiracy, was ordered to depart the kingdom; and Wade was sent into Spain to excuse his dismissal, and to desire the king to send another ambassador in his place: but Philip would not so much as admit the English ambassador to his presence. Creighton, a Scottish Jesuit, coming over on board a vessel which was seized, tore some papers, with an intention of throwing them into the sea; but the wind blowing them back upon the ship, they were pieced together, and discovered some dangerous secrets.<sup>1</sup>

Many of those conspiracies were, with great appearance of reason, imputed to the intrigues of the Queen of Scots;<sup>2</sup> and as her name was employed in all of them, the council thought that they could not use too many precautions against the danger of her claims, and the restless activity of her temper. She was removed from under the care of the Earl of Shrewsbury, who, though vigilant and faithful in that trust, had also been indulgent to his prisoner, particularly with regard to air and exercise: and she was committed to the custody of Sir Amias Paulet, and Sir Drue Drury; men of honour, but inflexible in their care and attention. An association was also set on foot by the Earl of Leicester and other courtiers; and as Elizabeth was beloved by the whole nation, except the more zealous catholics, men of all ranks willingly flocked to the subscription of it. The purport of this association was to defend the queen, to revenge her death, or any injury committed against her, and to exclude from the throne all claimants, what title soever they might possess, by whose suggestion, or for whose behoof, any violence should be offered to her majesty.<sup>3</sup> The Queen of Scots was sensible that this association was levelled against her; and to remove all suspicion from herself, she also desired to subscribe it.

Elizabeth, that she might the more disconcert the courage malcontents, by showing them the concurrence of the nation in her favour, summoned a new parliament; and she met with that dutiful attachment which she expected. The association was confirmed by parliament; and a clause was added, by which the queen was empowered to name commissioners for the trial of any pretender to the crown, who should attempt or imagine any invasion, insurrection, or assassination against her. Upon condemnation, pronounced by these commissioners, the guilty person was excluded from all claim to the succession, and was further punishable as her majesty should direct. And for the greater security, a council of regency, in case of the queen's violent death, was appointed to govern the kingdom, to settle the succession, and to take vengeance for that act of treason.<sup>4</sup>

A severe law was also enacted against Jesuits and popish priests. It was ordained that they should depart the kingdom within forty days; that those who should remain beyond that time, or should afterwards return, should be guilty of treason; that those who harboured or relieved them should be guilty of felony; that those who were educated in seminaries, if they returned not in six months after notice given, and submitted not themselves to the queen, before a bishop, or two justices, should be guilty of treason; and that if any, so submitting themselves, should within ten years approach the court, or come within ten miles of it, their submission should be void.<sup>5</sup> By this law, the exercise of the catholic religion, which had formerly been prohibited under lighter penalties, and which was in many instances connived at, was totally suppressed. In the subsequent part of the queen's reign, the

law was sometimes executed by the capital punishment of priests; and though the partisans of that princess asserted that they were punished for their treason, not their religion, the apology must only be understood in this sense, that the law was enacted on account of the treasonable views and attempts of the sect, not that every individual who suffered the penalty of the law was convicted of treason.<sup>6</sup> The catholics therefore might now with justice complain of a violent persecution; which we may safely affirm, in spite of the rigid and bigoted maxims of that age, not to be the best method of converting them, or of reconciling them to the established government and religion.

The parliament, besides arming the queen with these powers, granted her a supply of one subsidy and two fifteenths. The only circumstance in which their proceedings were disagreeable to her, was an application made by the Commons for a further reformation in ecclesiastical matters. Yet even in this attempt, which affected her, as well as them, in a delicate point, they discovered how much they were overawed by her authority. The majority of the House were puritans, or inclined to that sect;<sup>7</sup> but the severe reprimands which they had already, in former sessions, met with from the throne, deterred them from introducing any bill concerning religion; a proceeding which would have been interpreted as an encroachment on the prerogative: they were content to proceed by way of humble petition, and that not addressed to her majesty, which would have given offence, but to the House of Lords, or rather the bishops, who had a seat in that House, and from whom alone they were willing to receive all advances towards reformation:<sup>8</sup> a strange departure from what we now apprehend to be the dignity of the Commons.

The Commons desired, in their humble petition, that no bishop should exercise his function of ordination but with the consent and concurrence of six presbyters: but this demand, as it really introduced a change of ecclesiastical government, was firmly rejected by the prelates. They desired that no clergyman should be instituted into any benefice without previous notice being given to the parish, that they might examine whether there lay any objection to his life or doctrine: an attempt towards a popular model, which naturally met with the same fate. In another article of the petition, they prayed that the bishops should not insist upon every ceremony, or deprive incumbents for omitting part of the service: as if uniformity in public worship had not been established by law; or as if the prelates had been endowed with a dispensing power. They complained of abuses which prevailed in pronouncing the sentence of excommunication, and they entreated the reverend fathers to think of some law for the remedy of these abuses; implying, that those matters were too high for the Commons of themselves to attempt.

But the most material article which the Commons touched upon in their petition, was the court of ecclesiastical commission, and the oath *ex officio*, as it was called, exacted by that court. This is a subject of such importance as to merit some explanation.

The first primate after the queen's accession, the ecclesiastical court, was Parker; a man rigid in exacting conformity to the established worship, and in punishing, by fine or deprivation, all the puritanical clergymen who attempted to innovate any thing in the habits, ceremonies, or liturgy of the church. He died in 1575; and was succeeded by Grindal, who, as he himself was inclined to the new sect, was with great difficulty brought to execute the laws against them, or to punish the nonconforming clergy. He declined obeying the queen's orders for the suppression of *prophesyings*, or the assemblies of the zealous in private houses, which she apprehended had become so many academies of fanaticism; and for this offence she had, by an order of the star-chamber, sequestered him from his archiepiscopal function, and confined him to his own house. Upon his death, which happened in 1583, she determined not to fall into the

<sup>1</sup> Camden, p. 409. <sup>2</sup> u Strype, vol. iii. p. 246.

<sup>3</sup> u Strype, vol. iii. p. 120, 123.

<sup>4</sup> u Strype, vol. iii. p. 120, 123.

<sup>5</sup> u Strype, vol. iii. p. 120, 123.

<sup>6</sup> u Strype, vol. iii. p. 120, 123.

<sup>7</sup> u Strype, vol. iii. p. 120, 123.

<sup>8</sup> u Strype, vol. iii. p. 120, 123.

rent observance of Sunday, which they termed the Sabbath, and the depriving the people of those amusements, which they were accustomed to take on that day. D'Ewes, p. 375. It was a strong symptom of a contrary spirit in the upper House, that they proposed to add Wednesday to the fast-days, and to prohibit entirely the eating of flesh on that day. D'Ewes, p. 374.

b D'Ewes, p. 357.

same error in her next choice: and she named Whitgift, a zealous churchman, who had already signalized his pen in controversy, and who, having in vain attempted to convince the puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown; and as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one, more arbitrary than any of the former, and conveying more unlimited authority.<sup>c</sup> She appointed forty-four commissioners, twelve of whom were ecclesiastics; three commissioners made a quorum; the jurisdiction of the court extended over the whole kingdom, and over all orders of men; and every circumstance of its authority, and all its methods of proceeding, were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms, in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make inquiry, not only by the legal methods of juries and witnesses, but by all other means and ways which they could devise; that is, by the rack, by torture, by inquisition, by imprisonment. Where they found reason to suspect any person, they might administer to him an oath, called *ex officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discretionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent was limited by no rule but their own pleasure. They assumed a power of imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the Reformation, to inhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviours, and disorders in marriage: and the punishments which they might inflict, were according to their wisdom, conscience, and discretion. In a word, this court was a real *inquisition*; attended with all the iniquities, as well as cruelties, inseparable from that tribunal. And as the jurisdiction of the ecclesiastical court was destructive of all law, so its erection was deemed by many a mere usurpation of this imperious princess; and had no other foundation than a clause of a statute, restoring the supremacy to the crown, and empowering the sovereign to appoint commissioners for exercising that prerogative. But prerogative in general, especially the supremacy, was supposed in that age to involve powers which no law, precedent, or reason, could limit and determine.

But though the Commons, in their humble petition to the prelates, had touched so gently and submissively on the ecclesiastical grievances, the queen, in a speech from the throne at the end of the session, could not forbear taking notice of their presumption, and reproving them for those murmurs, which, for fear of offending her, they had pronounced so low, as not directly to reach her royal ears. After giving them some general thanks for their attachment to her, and making professions of affection to her subjects, she told them, that whoever found fault with the church, threw a slander upon her, since she was appointed by God supreme ruler over it, and no heresies or schisms could prevail in the kingdom but by her permission and negligence: that some abuses must necessarily have place in every thing; but she warned the prelates to be watchful; for if she found them careless of their charge, she was fully determined to depose them: that she was commonly supposed to have employed herself in many studies, particularly philosophical, (by which I suppose she meant theological,) and she would confess that few, whose leisure

had not allowed them to make profession of science, had read or reflected more: that as she could discern the presumption of many, in curiously canvassing the Scriptures, and starting innovations, she would no longer endure this licentiousness; but meant to guide her people, by God's rule, in the just mean between the corruptions of Rome, and the errors of modern sectaries; and that as the Romanists were the inveterate enemies of her person, so the other innovators were dangerous to all kingly government; and under the colour of preaching the word of God, presumed to exercise their private judgment, and to censure the actions of the prince.<sup>d</sup>

From the whole of this transaction we may observe, that the Commons, in making their general application to the prelates, as well as in some particular articles of their petition, showed themselves wholly ignorant, no less than the queen, of the principles of liberty, and a legal constitution. And it may not be unworthy of remark, that Elizabeth, so far from yielding to the displeasure of the parliament against the ecclesiastical commission, granted, before the end of her reign, a new commission; in which she enlarged, rather than restrained, the powers of the commissioners.<sup>e</sup>

During this session of parliament there was discovered a conspiracy, which much increased the general animosity against the catholics, and still further widened the breach between the religious parties. William Parry, a catholic gentleman, had received the queen's pardon for a crime, by which he was exposed to capital punishment; and, having obtained permission to travel, he retired to Milan, and made open profession of his religion, which he had concealed while he remained in England. He was here persuaded by Palmio, a jesuit, that he could not perform a more meritorious action than to take away the life of his sovereign and his benefactress; the nuncio, Campeggio, when consulted, approved extremely of this pious undertaking; and Parry, though still agitated with doubts, came to Paris, with an intention of passing over to England, and executing his bloody purpose. He was here encouraged in the design by Thomas Morgan, a gentleman of great credit in the party; and though Watts and some other catholic priests told him that the enterprise was criminal and impious, he preferred the authority of Raggazzoni, the nuncio at Paris, and determined to persist in his resolution. He here wrote a letter to the Pope, which was conveyed to cardinal Como; he communicated his intention to the holy father; and craved his absolution and paternal benediction. He received an answer from the cardinal, by which he found that his purpose was extremely applauded; and he came over to England with a full design of carrying it into execution. So deeply are the sentiments of morality engrained in the human breast, that it is difficult even for the prejudices of false religion totally to efface them; and this bigoted assassin resolved, before he came to extremities, to try every other expedient for alleviating the persecutions under which the catholics at that time laboured. He found means of being introduced to the queen; assured her that many conspiracies were formed against her; and exhorted her, as she tendered her life, to give the Romanists some more indulgence in the exercise of their religion: but, lest he should be tempted, by the opportunity, to assassinate her, he always came to court unprovided with every offensive weapon. He even found means to be elected member of parliament, and having made a vehement harangue against the severe laws enacted this last session, was committed to custody for his freedom, and sequestered from the House. His failure in these attempts confirmed him the more in his former resolution; and he communicated his intention to Nevil, who entered zealously into the design, and was determined to have a share in the merits of its execution. A book, newly published by Dr. Allen, afterwards created a cardinal, served further to efface all their scruples with regard to the murder of an heretical prince; and having agreed to shoot the queen while she should be taking the air on horseback, they resolved, if they could not make their escape, to sacrifice their lives in fulfilling a duty so

commission. So impossible is it by good studies, however severe, to suppress all religious innovations. See Neal's Hist. of the Puritans, vol. i. p. 416. Strype's Life of Whitgift, p. 401.

<sup>c</sup> Neal's History of the Puritans, vol. i. p. 410.  
<sup>d</sup> Id. ibid. p. 416. The parliamentary sect had indeed gone so far, that a bill of compulsion was seriously submitted to the queen by the informed clergy; and the protestant government thereby established in the midst of the church, notwithstanding the ruin of the prelates, and of the high

agreeable, as they imagined, to the will of God and to true religion. But while they were watching an opportunity for the execution of their purpose, the Earl of Westmoreland happened to die in exile; and as Nevil was next heir to that family, he began to entertain hopes, that by doing some acceptable service to the queen, he might recover the estate and honours, which had been forfeited by the rebellion of the last earl. He betrayed the whole conspiracy to the ministers; and Parry, being thrown into prison, confessed the guilt, both to them and to the jury who tried him. The letter from Cardinal Como, being produced in court, put Parry's narrative beyond all question; and that criminal, having received sentence of death, suffered the punishment which the law appointed for his treasonable conspiracy.<sup>f</sup>

These bloody designs now appeared every where as the result of that bigoted spirit by which the two religions, especially the catholic, were at this time actuated. Somerville, a gentleman of the county of Warwick, somewhat disordered in his understanding, had heard so much of the merit attending the assassination of heretics and persecutors, that he came to London with a view of murdering the queen; but having betrayed his design by some extravagances, he was thrown into prison, and there perished

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by a voluntary death.<sup>h</sup> About the same time Baltazar Gerard, a Burgundian, undertook and executed the same design against the Prince of Orange; and that great man perished at Delft, by the hands of a desperate assassin, who, with a resolution worthy of a better cause, sacrificed his own life, in order to destroy the famous restorer and protector of religious liberty. The Flemings, who regarded that prince as their father, were filled with great sorrow, as well when they considered the miserable end of so brave a patriot, as their own forlorn condition from the loss of so powerful and prudent a leader, and from the rapid progress of the Spanish arms. The Prince of Parma had made every year great advances upon them, had reduced several of the provinces to obedience, and had laid close siege to Antwerp, the richest and most populous city of the Netherlands, whose subjection, it was foreseen, would give a mortal blow to the already declining affairs of the revolted provinces. The only hopes which remained to them arose from the prospect of foreign succour. Being well acquainted with the cautious and frugal maxims of Elizabeth, they expected better success in France; and, in the view of engaging Henry to embrace their defence, they

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tendered him the sovereignty of their provinces. But the present condition of that monarchy obliged the king to reject so advantageous an offer. The Duke of Anjou's death, which he thought would have tended to restore public tranquillity, by delivering him from the intrigues of that prince, plunged him into the deepest distress; and the King of Navarre, a professed hugonot, being next heir to the crown, the Duke of Guise took thence occasion to revive the catholic league, and to urge Henry, by the most violent expedients, to seek the exclusion of that brave and virtuous prince. Henry himself, though a zealous catholic, yet, because he declined complying with their precipitate measures, became an object of aversion to the league; and as his zeal, in practising all the superstitious observances of the Romish church, was accompanied with a very licentious conduct in private life; the catholic faction, in contradiction to universal experience, embraced thence the pretext of representing his devotion as mere deceit and hypocrisy. Finding his authority to decline, he was obliged to declare war against the hugonots, and to put arms into the hands of the league, whom, both on account of their dangerous pretensions at home, and their close alliance with Philip, he secretly regarded as his most dangerous enemies. Constrained by the same policy, he dreaded the danger of associating himself with the revolted protestants in the Low Coun-

tries, and was obliged to renounce that inviting opportunity of revenging himself for all the hostile intrigues and enterprises of Philip.

The States, reduced to this extremity, sent over a solemn embassy to London, and made anew an offer to the queen, of acknowledging her for their sovereign, on condition of obtaining her protection and assistance. Elizabeth's wisest counsellors were divided in opinion with regard to the conduct which she should hold in this critical and important emergence. Some advised her to reject the offer of the States, and represented the imminent dangers, as well as injustice, attending the acceptance of it. They said, that the suppression of rebellious subjects was the common cause of all sovereigns, and any encouragement given to the revolt of the Flemings might prove the example of a like pernicious licence to the English: that, though princes were bound by the laws of the Supreme Being not to oppress their subjects, the people never were entitled to forget all duty to their sovereign, or transfer, from every fancy or disgust, or even from the justest ground of complaint, their obedience to any other master: that the queen, in the succours hitherto afforded the Flemings, had considered them as labouring under oppression, not as entitled to freedom; and had intended only to admonish Philip not to persevere in his tyranny, without any view of ravishing from him those provinces which he enjoyed by hereditary right from his ancestors: that her situation in Ireland, and even in England, would afford that powerful monarch sufficient opportunity of retaliating upon her; and she must therefore expect that, instead of secretly fomenting faction, he would openly employ his whole force in the protection and defence of the catholics: that the Pope would undoubtedly unite his spiritual arms to the temporal ones of Spain: and that the queen would soon repent her making so precarious an acquisition in foreign countries, by exposing her own dominions to the most imminent danger.<sup>i</sup>

Other counsellors of Elizabeth maintained a contrary opinion. They asserted, that the queen had not, even from the beginning of her reign, but certainly had not at present, the choice, whether she would embrace friendship or hostility with Philip: that by the whole tenor of that prince's conduct it appeared, that his sole aims were, the extending of his empire, and the entire subjection of the protestants, under the specious pretence of maintaining the catholic faith: that the provocations which she had already given him, joined to his general scheme of policy, would for ever render him her implacable enemy; and as soon as he had subdued his revolted subjects, he would undoubtedly fall, with the whole force of his united empire, on her defenceless state: that the only question was, whether she would maintain a war abroad, and supported by allies, or wait till the subjection of all the confederates of England should give her enemies leisure to begin their hostilities in the bowels of the kingdom: that the revolted provinces, though in a declining condition, possessed still considerable force; and by the assistance of England, by the advantages of their situation, and by their inveterate antipathy to Philip, might still be enabled to maintain the contest against the Spanish monarchy: that their maritime power, united to the queen's, would give her entire security on the side from which alone she could be assaulted, and would even enable her to make inroads on Philip's dominions, both in Europe and the Indies: that a war which was necessary could never be unjust; and self-defence was concerned, as well in preventing certain dangers at a distance, as in repelling any immediate invasion: and that, since hostility with Spain was the unavoidable consequence of the present interests and situations of the two monarchies, it was better to compensate that danger and loss by the acquisition of such important provinces to the English empire.<sup>k</sup>

Amidst these opposite counsels, the queen, apprehended to depart secretly beyond sea, but was discovered and thrown into the Tower. In 1587, this nobleman was brought to his trial for high treason: chiefly because he had dropped some expressions of affection to the Spaniards, and had affirmed that he would have masses said for the success of the Armada. His Peers found him guilty of treason, his severe sentence was not executed; but Arundel never recovered his liberty. He died a prisoner in 1595. He carried his religious austerities so far, that they were believed the immediate cause of his death.

<sup>h</sup> Camden, p. 495.

<sup>i</sup> Ibid. p. 567. Penvicgion, part 2. lib. iv.

<sup>k</sup> Ibid.

<sup>f</sup> State Trials, vol. i. p. 103. & seq. Strype, vol. iii. p. 255. & seq.  
<sup>g</sup> This year, the Earl of Northumberland, brother to the earl beheaded some years before, had been engaged in a conspiracy with Lord Paget for the deliverance of the Queen of Scots. He was thrown into the Tower; and being conscious that his guilt could be proved upon him, at least, that sentence would infallibly be pronounced against him, he freed himself from further prosecution by a voluntary death. He shot himself in the breast with a pistol. About the same time the Earl of Arundel, son of the unfortunate Duke of Norfolk, having entered into some execrable measures, and reflecting on the unhappy fate which had attended his family, ended



sive of the consequences attending each extreme, was inclined to steer a middle course: and though such conduct is seldom prudent, she was not, in this resolution, guided by any prejudice or mistaken affection. She was determined not to permit, without opposition, the total subjection of the revolted provinces, whose interests she deemed so closely connected with her own: but foreseeing that the acceptance of their sovereignty would oblige her to employ her whole force in their defence, would give umbrage to her neighbours, and would expose her to the reproach of ambition and usurpation, imputations which hitherto she had carefully avoided, she immediately rejected this offer. She concluded a league with the States on the following conditions: that she should send over an army to their assistance, of five thousand foot and a thousand horse, and pay them during the war; that the general, and two others, whom she should appoint, should be admitted into the council of the States: that neither party should make peace without the consent of the other: that her expenses should be refunded after the conclusion of the war; and that the towns of Flushing and the Brille, with the castle of Rammekins, should in the mean time be consigned into her hands, by way of security.

The queen knew that this measure would immediately engage her in open hostilities with Philip; yet was not she terrified with the view of the present greatness of that monarch. The continent of Spain was at that time rich and populous; and the late addition of Portugal, besides securing internal tranquillity, had annexed an opulent kingdom to Philip's dominions, had made him master of many settlements in the East Indies, and of the whole commerce of those regions, and had much increased his naval power, in which he was before chiefly deficient. All the princes of Italy, even the Pope and the court of Rome, were reduced to a kind of subjection under him, and seemed to possess their sovereignty on terms somewhat precarious. The Austrian branch in Germany, with their dependent principalities, was closely connected with him, and was ready to supply him with troops for every enterprise. All the treasures of the West Indies were in his possession; and the present scarcity of the precious metals in every country of Europe, rendered the influence of his riches the more forcible and extensive. The Netherlands seemed on the point of relapsing into servitude; and small hopes were entertained of their withstanding those numerous and veteran armies which, under the command of the most experienced generals, he employed against them. Even France, which was wont to counterbalance the Austrian greatness, had lost all her force from intestine commotions; and as the catholics, the ruling party, were closely connected with him, he rather expected thence an augmentation than a diminution of his power. Upon the whole, such prepossessions were every where entertained concerning the force of the Spanish monarchy, that the King of Sweden, when he heard that Elizabeth had openly embraced the defence of the revolted Flemings, scrupled not to say, that she had now taken the diadem from her head, and had adventured it upon the doubtful chance of war.<sup>1</sup> Yet was this princess rather cautious than enterprising in her natural temper: she ever needed more to be impelled by the vigour, than restrained by the prudence, of her ministers: but when she saw an evident necessity, she braved danger with magnanimous courage; and trusting to her own consummate wisdom, and to the affections, however divided, of her people, she prepared herself to resist and even to assault the whole force of the catholic monarch.

The Earl of Leicester was sent over to Holland, at the head of the English auxiliary forces. He carried with him a splendid retinue; being accompanied by the young Earl of Essex, his son-in-law, the Lords Audley and North, Sir William Russel, Sir Thomas Shirley, Sir Arthur Basset, Sir Walter Waller, Sir Gervase Clifton, and a select troop of five hundred gentlemen. He was received, on his arrival at Flushing, by his nephew Sir Philip Sidney, the governor; and every town through which he passed expressed their joy by acclamations and triumphal arches, as if his presence and the queen's pro-

tection had brought them the most certain deliverance. The States, desirous of engaging Elizabeth still further in their defence, and knowing the interest which Leicester possessed with her, conferred on him the title of governor and captain-general of the United Provinces, appointed a guard to attend him, and treated him in some respects as their sovereign. But this step had a contrary effect to what they expected. The queen was displeased with the artifice of the States, and the ambition of Leicester. She severely reprimanded both, and it was with some difficulty that, after many humble submissions, they were able to appease her.

America was regarded as the chief source <sup>Hostilities with Spain.</sup> of Philip's power, as well as the most defenceless part of his dominions; and Elizabeth, finding that an open breach with that monarch was unavoidable, resolved not to leave him unmolested in that quarter. The great success of the Spaniards and Portuguese in both Indies had excited a spirit of emulation in England; and as the progress of commerce, still more than of colonies, is slow and gradual, it was happy that a war in this critical period had opened a more flattering prospect to the avarice and ambition of the English, and had tempted them, by the view of sudden and exorbitant profit, to engage in naval enterprises. A fleet of twenty sail was equipped to attack the Spaniards in the West Indies: two thousand three hundred volunteers, besides seamen, engaged on board it; Sir Francis Drake was appointed admiral; Christopher Carlisle, commander of the land forces. They took St. Jago, near Cape Verde, <sup>A. D. 1586.</sup> by surprise; and found in it plenty of pro- <sup>January.</sup> visions, but no riches. They sailed to Hispaniola; and, easily making themselves masters of St. Domingo by assault, obliged the inhabitants to ransom their houses by a sum of money. Carthage fell next into their hands after some more resistance, and was treated in the same manner. They burned St. Anthony and St. Helens, two towns on the coast of Florida. Sailing along the coast of Virginia, they found the small remains of a colony which had been planted there by Sir Walter Raleigh, and which had gone extremely to decay. This was the first attempt of the English to form such settlements; and though they have since surpassed all European nations, both in the situation of their colonies, and in the noble principles of liberty and industry on which they are founded; they had here been so unsuccessful, that the miserable planters abandoned their settlements, and prevailed on Drake to carry them with him to England. He returned with so much riches as encouraged the volunteers, and with such accounts of the Spanish weakness in those countries as served extremely to inflame the spirits of the nation to future enterprises. The great mortality which the climate had produced in his fleet was, as is usual, but a feeble restraint on the avidity and sanguine hopes of young adventurers.<sup>2</sup> It is thought that Drake's fleet first introduced the use of tobacco into England.

The enterprises of Leicester were much less successful than those of Drake. This man possessed neither courage nor capacity equal to the trust reposed in him by the queen; and as he was the only bad choice she made for any considerable employment, men naturally believed that she had here been influenced by an affection still more partial than that of friendship. He gained at first some advantage in an action against the Spaniards; and threw succours into Grave, by which that place was enabled to make a vigorous defence: but the cowardice of the governor, Van Hemert, rendered all these efforts useless. He capitulated after a feeble resistance; and, being tried for his conduct, suffered a capital punishment from the sentence of a court-martial. The Prince of Parma next undertook the siege of Venlo, which was surrendered to him after some resistance. The fate of Nuys was more dismal; being taken by assault while the garrison was treating of a capitulation. Rhimberg, which was garrisoned by twelve hundred English, under the command of Colonel Morgan, was afterwards besieged by the Spaniards; and Leicester, thinking himself too weak to

<sup>1</sup> Camden, p. 561.

<sup>2</sup> m Camden, p. 569.

attempt raising the siege, endeavoured to draw off the Prince of Parma by forming another enterprise. He first attacked Donsburgh, and succeeded: he then sat down before Zutphen, which the Spanish general thought so important a fortress that he hastened to its relief. He made the Marquis of Guasto advance with a convoy, which he intended to throw into the place. They were favoured by a fog; but, falling by accident on a body of English cavalry, a furious action ensued, in which the Spaniards were worsted, and the Marquis of Gonzaga, an Italian nobleman of great reputation and family, was slain. The pursuit was stopped by the advance of the Prince of Parma with the main body of the Spanish army; and the English cavalry, on their return from the field, found their advantage more than compensated by the loss of Sir Philip Sidney, who, being mortally wounded in the action, was carried off by the soldiers, and soon after died. This person is described by the writers of that age as the most perfect model of an accomplished gentleman that could be formed even by the wanton imagination of poetry or fiction. Virtuous conduct, polite conversation, heroic valour, and elegant erudition, all concurred to render him the ornament and delight of the English court; and as the credit which he possessed with the queen and the Earl of Leicester was wholly employed in the encouragement of genius and literature, his praises have been transmitted with advantage to posterity. No person was so low as not to become an object of his humanity. After this last action, while he was lying on the field mangled with wounds, a bottle of water was brought him to relieve his thirst; but, observing a soldier near him in a like miserable condition, he said, *This man's necessity is still greater than mine*: and resigned to him the bottle of water. The King of Scots, struck with admiration of Sidney's virtue, celebrated his memory in a copy of Latin verses, which he composed on the death of that young hero.

The English, though a long peace had deprived them of all experience, were strongly possessed of military genius; and the advantages gained by the Prince of Parma were not attributed to the superior bravery and discipline of the Spaniards, but solely to the want of military abilities in Leicester. The States were much discontented with his management of the war; still more with his arbitrary and imperious conduct, and at the end of the campaign they applied to him for a redress of all their grievances. But Leicester, without giving them any satisfaction, departed soon after for England.<sup>a</sup>

The queen, while she provoked so powerful an enemy as the King of Spain, was not forgetful to secure herself on the side of Scotland; and she endeavoured both to cultivate the friendship and alliance of her kinsman James, and to remove all grounds of quarrel between them. An attempt which she had made some time before was not well calculated to gain the confidence of that prince. She had despatched Wotton as her ambassador to Scotland; but though she gave him private instructions with regard to her affairs, she informed James that when she had any political business to discuss with him, she would employ another minister; that this man was not fitted for serious negotiations; and that her chief purpose in sending him was to entertain the king with witty and facetious conversation, and to partake, without reserve, of his pleasures and amusements. Wotton was master of profound dissimulation, and knew how to cover, under the appearance of a careless gaiety, the deepest designs and most dangerous artifices. When but a youth of twenty, he had been employed by his uncle, Dr. Wotton, ambassador in France, during the reign of Mary, to insnare the constable, Montmorency; and had not his purpose been frustrated by pure accident, his cunning had prevailed over all the caution and experience of that aged minister. It is no wonder, that after years had improved him in all the arts of deceit, he should gain an ascendant over a young prince of so open and unguarded a temper as James; especially when the queen's recommendation prepared the way for his reception. He was admitted into all the pleasures of the king; made himself master of his secrets; and had so much the more authority with him in political

transactions, as he did not seem to pay the least attention to these matters. The Scottish ministers, who observed the growing interest of this man, endeavoured to acquire his friendship; and scrupled not to sacrifice to his intrigues the most essential interests of their master. Elizabeth's usual jealousies with regard to her heirs, began now to be levelled against James; and as that prince had attained the years proper for marriage, she was apprehensive lest, by being strengthened with children and alliances, he should acquire the greater interest and authority with her English subjects. She directed Wotton to form a secret concert with some Scottish noblemen, and to procure their promise that James, during three years, should not on any account be permitted to marry. In consequence of this view, they endeavoured to embroil him with the King of Denmark, who had sent ambassadors to Scotland on pretence of demanding restitution of the Orkneys, but really with a view of opening a proposal of marriage between James and his daughter. Wotton is said to have employed his intrigues to purposes still more dangerous. He formed, it is pretended, a conspiracy with some malcontents, to seize the person of the king, and to deliver him into the hands of Elizabeth, who would probably have denied all concurrence in the design, but would have been sure to retain him in perpetual thralldom, if not captivity. The conspiracy was detected, and Wotton fled hastily from Scotland, without taking leave of the king.<sup>b</sup>

James's situation obliged him to dissemble his resentment of this traitorous attempt, and his natural temper inclined him soon to forgive and forget it. The queen found no difficulty in renewing the negotiations for a strict alliance between Scotland and England; and the more effectually to gain the prince's friendship, she granted him a pension equivalent to his claim on the inheritance of his grandmother, the Countess of Lenox, lately deceased.<sup>c</sup> A league was formed between Elizabeth and James, for the mutual defence of their dominions, and of their religion, now menaced by the open combination of all the catholic powers of Europe. It was stipulated that, if Elizabeth were invaded, James should aid her with a body of two thousand horse and five thousand foot; that Elizabeth, in a like case, should send to his assistance three thousand horse and six thousand foot; that the charge of these armies should be defrayed by the prince who demanded assistance; that if the invasion should be made upon England, within sixty miles of the frontiers of Scotland, this latter kingdom should march its whole force to the assistance of the former; and that the present league should supersede all former alliances of either state with any foreign kingdom, so far as religion was concerned.<sup>d</sup>

By this league James secured himself against all attempts from abroad, opened a way for acquiring the confidence and affections of the English, and might entertain some prospect of domestic tranquillity, which, while he lived on bad terms with Elizabeth, he could never expect long to enjoy. Besides the turbulent disposition and inveterate feuds of the nobility, ancient maladies of the Scottish government, the spirit of fanaticism had introduced a new disorder; so much the more dangerous, as religion, when corrupted by false opinion, is not restrained by any rules of morality, and is even scarcely to be accounted for in its operations by any principles of ordinary conduct and policy. The insolence of the preachers, who triumphed in their dominion over the populace, had, at this time, reached an extreme height; and they carried their arrogance so far, not only against the king, but against the whole civil power, that they excommunicated the Archbishop of St. Andrews, because he had been active in parliament for promoting a law, which restrained their seditious sermons: nor could that prelate save himself by any expedient from this terrible sentence, but by renouncing all pretensions to ecclesiastical authority. One Gibson said in the pulpit, that Captain James Stuart, (meaning the late Earl of Arran,) and his wife, Jezebel, had been deemed the chief persecutors of the church; but it was now seen that the king himself was the great offender: and for this crime the preacher denounced against him the

<sup>a</sup> Camden, p. 512. Bentivoglio, part. ii. lib. 4.

<sup>b</sup> Newel. <sup>c</sup> Spotswood, p. 357.

<sup>d</sup> Spotswood, p. 349. Camden, p. 513. Rymer, tom. xv. p. 603.

<sup>e</sup> Spotswood, p. 345, 346.





honour to devote himself entirely to the service of that unfortunate princess. During some time, he had found means of conveying to her all her foreign correspondence; but after she was put under the custody of Sir Amias Paulet, and reduced to a more rigorous confinement, he experienced so much difficulty and danger in rendering her this service, that he had desisted from every attempt of that nature.

When Ballard began to open his intentions to Babington, he found his zeal suspended, not extinguished: his former ardour revived on the mention of any enterprise which seemed to promise success in the cause of Mary and of the catholic religion. He had entertained sentiments conformable to those of Paget, and represented the folly of all attempts which, during the lifetime of Elizabeth, could be formed against the established religion and government of England. Ballard, encouraged by this hint, proceeded to discover to him the design undertaken by Savage;<sup>f</sup> and was well pleased to observe, that instead of being shocked with the project, Babington only thought it not secure enough, when intrusted to one single hand, and proposed to join five others with Savage in this desperate enterprise.

In prosecution of these views, Babington employed himself in increasing the number of his associates; and he secretly drew into the conspiracy many catholic gentlemen, discontented with the present government. Barnwel, of a noble family in Ireland, Charnock, a gentleman of Lancashire, and Abington, whose father had been cofferer to the household, readily undertook the assassination of the queen. Charles Tilney, the heir of an ancient family, and Tichbourne, of Southampton, when the design was proposed to them, expressed some scruples, which were removed by the arguments of Babington and Ballard. Savage alone refused, during some time, to share the glory of the enterprise with any others;<sup>g</sup> he challenged the whole to himself; and it was with some difficulty he was induced to depart from this preposterous ambition.

The deliverance of the Queen of Scots at the very same instant when Elizabeth should be assassinated, was requisite for effecting the purpose of the conspirators; and Babington undertook, with a party of a hundred horse, to attack her guards while she should be taking the air on horseback. In this enterprise he engaged Edward Windsor, brother to the lord of that name, Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Donne; most of them men of family and interest. The conspirators much wanted, but could not find, any nobleman of note whom they might place at the head of the enterprise; but they trusted that the great events of the queen's death and Mary's deliverance, would rouse all the zealous catholics to arms; and that foreign forces, taking advantage of the general confusion, would easily fix the Queen of Scots on the throne, and re-establish the ancient religion.

These desperate projects had not escaped the vigilance of Elizabeth's council, particularly of Walsingham, secretary of state. That artful minister had engaged Maud, a catholic priest, whom he retained in pay, to attend Ballard in his journey to France, and had thereby got a hint of the designs entertained by the fugitives. Polly, another of his spies, had found means to insinuate himself among the conspirators in England; and though not entirely trusted, had obtained some insight into their dangerous secrets. But the bottom of the conspiracy was never fully known till Gifford, a seminary priest, came over, and made a tender of his services to Walsingham. By his means the discovery became of the utmost importance, and involved the fate of Mary, as well as of those zealous partisans of that princess.

Babington and his associates, having laid such a plan as they thought promised infallible success, were impatient to communicate the design to the Queen of Scots, and to obtain her approbation and concurrence. For this service they employed Gifford, who immediately applied to Walsingham, that the interest of that minister might forward his secret correspondence with Mary. Walsingham proposed the matter to Paulet, and desired him to

connive at Gifford's corrupting one of his servants; but Paulet, averse to the introducing of such a pernicious precedent into his family, desired that they would rather think of some other expedient. Gifford found a brewer, who supplied the family with ale; and bribed him to convey letters to the captive queen. The letters, by Paulet's contrivance, were thrust through a chink in the wall; and answers were returned by the same conveyance.

Ballard and Babington were at first diffident of Gifford's fidelity; and to make trial of him, they gave him only blank papers made up like letters; but finding by the answers that these had been faithfully delivered, they laid aside all further scruple, and conveyed by his hands the most criminal and dangerous parts of their conspiracy. Babington informed Mary of the design laid for a foreign invasion, the plan of an insurrection at home, the scheme for her deliverance, and the conspiracy for assassinating the usurper by six noble gentlemen, as he termed them, all of them his private friends; who from the zeal which they bore to the catholic cause, and her majesty's service, would undertake the *tragic execution*. Mary replied, that she approved highly of the design; that <sup>Mary assents to the gentlemen might expect all the rewards the conspiracy.</sup> which it should ever be in her power to confer; and that the death of Elizabeth was a necessary circumstance, before any attempts were made, either for her own deliverance or an insurrection.<sup>h</sup> These letters, with others to Mendoza, Charles Paget, the Archbishop of Glasgow, and Sir Francis Inglesfield, were carried by Gifford to secretary Walsingham, were deciphered by the art of Philips, his clerk, and copies taken of them. Walsingham employed another artifice in order to obtain full insight into the plot: he subjoined to a letter of Mary's a postscript in the same cypher, in which he made her desire Babington to inform her of the names of the conspirators. The indiscretion of Babington furnished Walsingham with still another means of detection, as well as of defence. That gentleman had caused a picture to be drawn, where he himself was represented standing amidst the six assassins; and a motto was subjoined, expressing that their common perils were the band of their confederacy. A copy of this picture was brought to Elizabeth, that she might know the assassins, and guard herself against their approach to her person.

Meanwhile, Babington, anxious to insure and hasten the foreign succours, resolved to despatch Ballard into France; and he procured for him, under a feigned name, a licence to travel. In order to remove from himself all suspicion, he applied to Walsingham, pretended great zeal for the queen's service, offered to go abroad, and professed his intentions of employing the confidence which he had gained among the catholics to the detection and disappointment of their conspiracies. Walsingham commended his loyal purposes; and promising his own counsel and assistance in the execution of them, still fed him with hopes, and maintained a close correspondence with him. A warrant, meanwhile, was issued for seizing Ballard; and this incident, joined to the consciousness of guilt, begat in all the conspirators the utmost anxiety and concern. Some advised that they should immediately make their escape: others proposed that Savage and Charnock should without delay execute their purpose against Elizabeth; and Babington, in prosecution of this scheme, furnished Savage with money, that he might buy good clothes, and thereby have more easy access to the queen's person. Next day they began to apprehend that they had taken the alarm too hastily; and Babington having renewed his correspondence with Walsingham, was persuaded by that subtle minister, that the seizure of Ballard had proceeded entirely from the usual diligence of informers in the detection of popish and seminary priests. He even consented to take lodgings secretly in Walsingham's house, that they might have more frequent conferences together, before his intended departure for France: but observing that he was watched and guarded, he made his escape, and gave the alarm to the other conspirators. They all took to flight, covered themselves with several disguises, and lay concealed in woods or barns; but were

<sup>f</sup> Camden, p. 515. State Trials, p. 111.<sup>g</sup> State Trials, vol. i. p. 111.<sup>h</sup> Ibid. p. 135. Camden, p. 515.

The conspirators seized and executed.

soon discovered and thrown into prison. In their examinations they contradicted each other; and the leaders were obliged to make a full confession of the truth. Fourteen were condemned and executed: of whom seven acknowledged the crime on their trial; the rest were convicted by evidence.

September.

The lesser conspirators being despatched, measures were taken for the trial and conviction of the Queen of Scots, on whose account and with whose concurrence these attempts had been made against the life of the queen, and the tranquillity of the kingdom. Some of Elizabeth's counsellors were averse to this procedure; and thought that the close confinement of a woman who was become very sickly, and who would probably put a speedy period to their anxiety by her natural death, might give sufficient security to the government, without attempting a measure of which there scarcely remains any example in history. Leicester advised that Mary should be secretly despatched by poison, and he sent a divine to convince Walsingham of the lawfulness of that action: but Walsingham declared his abhorrence of it; and still insisted, in conjunction with the majority of the counsellors, for the open trial of the Queen of Scots. The situation of England, and of the English ministers, had, indeed, been hitherto not a little dangerous. No successor of the crown was declared; but the heir of blood, to whom the people in general were likely to adhere, was, by education, an enemy to the national religion; was, from multiplied provocations, an enemy to the ministers, and principal nobility; and their personal safety, as well as the safety of the public, seemed to depend alone on the queen's life, who was now somewhat advanced in years. No wonder, therefore, that Elizabeth's counsellors, knowing themselves to be so obnoxious to the Queen of Scots, endeavoured to push every measure to extremities against her, and were even more anxious than the queen herself, to prevent her from ever mounting the throne of England.

Though all England was acquainted with the detection of Babington's conspiracy, every avenue to the Queen of Scots had been so strictly guarded, that she remained in utter ignorance of the matter; and it was a great surprise to her, when Sir Thomas Gorges, by Elizabeth's orders, informed her, that all her accomplices were discovered and arrested. He chose the time for giving her this intelligence when she was mounted on horseback to go a hunting; and she was not permitted to return to her former place of abode, but was conducted from one gentleman's house to another, till she was lodged in Fotheringay castle in the county of Northampton, which it was determined to make the last stage of her trial and sufferings. Her two secretaries, Nau, a Frenchman, and Curle, a Scot, were immediately arrested: all her papers were seized, and sent up to the council: above sixty different keys to ciphers were discovered: there were also found many letters from persons beyond sea, and several too from English noblemen, containing expressions of respect and attachment. The queen took no notice of this latter discovery; but the persons themselves, knowing their correspondence to be detected, thought that they had no other means of making atonement for their imprudence, than by declaring themselves thenceforth the most inveterate enemies of the Queen of Scots.<sup>b</sup>

It was resolved to try Mary, not by the common statute of treasons, but by the act which had passed the former year with a view to this very event; and the queen, in terms of that act, appointed a commission, consisting of forty noblemen and privy counsellors, and empowered them to examine and pass sentence on Mary, whom she denominated the late Queen of Scots, and heir to James V. of Scotland. The commissioners came to Fotheringay castle, and sent to her Sir Walter Mildmay, Sir Amias Paulet, and Edward Barker, who delivered her a letter from Elizabeth, informing her of the commission, and of the approaching trial. Mary received the intelligence without emotion or astonishment. She said, however, that it seemed strange to her, that the queen should command

her, as a subject, to submit to a trial and examination before subjects: that she was an absolute independent princess, and would yield to nothing which might derogate either from her royal majesty, from the state of sovereign princes, or from the dignity and rank of her son: that, however oppressed by misfortunes, she was not yet so much broken in spirit as her enemies flattered themselves; nor would she, on any account, be accessory to her own degradation and dishonour: that she was ignorant of the laws and statutes of England; was utterly destitute of counsel; and could not conceive who were entitled to be called her peers, or could legally sit as judges on her trial: that though she had lived in England for many years, she had lived in captivity; and not having received the protection of the laws, she could not, merely by her involuntary residence in the country, be supposed to have subjected herself to their jurisdiction: that notwithstanding the superiority of her rank, she was willing to give an account of her conduct before an English parliament; but could not view these commissioners in any other light than as men appointed to justify, by some colour of legal proceeding, her condemnation and execution: and that she warned them to look to their conscience and their character in trying an innocent person; and to reflect, that these transactions would somewhere be subject to revision, and that the theatre of the whole world was much wider than the kingdom of England.

In return, the commissioners sent a new deputation, informing her that her plea, either from her royal dignity, or from her imprisonment, could not be admitted; and that they were empowered to proceed to her trial, even though she should refuse to answer before them. Burleigh, the treasurer, and Bromley, the chancellor, employed much reasoning to make her submit; but the person whose arguments had the chief influence, was Sir Christopher Hatton, vice-chamberlain. His speech was to this purpose: "You are accused, Madam," said he, "but not condemned, of having conspired the destruction of our lady and queen anointed. You say you are a queen: but in such a crime as this, and such a situation as yours, the royal dignity itself, neither by the civil or canon law, nor by the law of nature or of nations, is exempt from judgment. If you be innocent, you wrong your reputation in avoiding a trial. We have been present at your protestations of innocence: but Queen Elizabeth thinks otherwise; and is heartily sorry for the appearances which lie against you. To examine, therefore, your cause, she has appointed commissioners; honourable persons, prudent and upright men, who are ready to hear you with equity, and even with favour, and will rejoice if you can clear yourself of the imputations which have been thrown upon you. Believe me, Madam, the queen herself will rejoice, who affirmed to me at my departure, that nothing which ever befell her had given her so much uneasiness, as that you should be suspected of a concurrence in these criminal enterprises. Laying aside, therefore, the fruitless claim of privilege from your royal dignity, which can now avail you nothing, trust to the better defence of your innocence, make it appear in open trial, and leave not upon your memory that stain of infamy which must attend your obstinate silence on this occasion."<sup>c</sup>

By this artful speech Mary was persuaded to answer before the court; and thereby gave an appearance of legal procedure to the trial, and prevented those difficulties which the commissioners must have fallen into, had she persevered in maintaining so specious a plea as that of her sovereign and independent character. Her conduct in this particular must be regarded as the more imprudent, because formerly, when Elizabeth's commissioners pretended not to exercise any jurisdiction over her, and only entered into her cause by her own consent and approbation, she declined justifying herself, when her honour, which ought to have been dearer to her than life, seemed absolutely to require it.

On her first appearance before the commissioners, Mary, either sensible of her imprudence, or still unwilling to degrade herself by submit-

The commissioners prevail on her to submit to the trial.

The trial.

ting to a trial, renewed her protestation against the authority of her judges: the chancellor answered her by pleading the supreme authority of the English laws over every one who resided in England: and the commissioners accommodated matters by ordering both her protestation and his answer to be recorded.

The lawyers of the crown then opened the charge against the Queen of Scots. They proved, by intercepted letters, that she had allowed Cardinal Allen and others to treat her as Queen of England; and that she had kept a correspondence with Lord Paget and Charles Paget, in view of engaging the Spaniards to invade the kingdom. Mary seemed not anxious to clear herself from either of these imputations. She only said, that she could not hinder others from using what style they pleased in writing to her; and that she might lawfully try every expedient for the recovery of her liberty.

An intercepted letter of hers to Mendoza was next produced; in which she promised to transfer to Philip her right to the kingdom of England, if her son should refuse to be converted to the catholic faith, an event, she there said, of which there was no expectation, while he remained in the hands of his Scottish subjects.<sup>k</sup> Even this part of the charge she took no pains to deny, or rather she seemed to acknowledge it. She said, that she had no kingdoms to dispose of; yet it was lawful for her to give at her pleasure what was her own, and she was not accountable to any for her actions. She added, that she had formerly rejected that proposal from Spain; but now, since all her hopes in England were gone, she was fully determined not to refuse foreign assistance. There was also produced evidence to prove, that Allen and Parsons were at that very time negotiating by her orders at Rome, the conditions of transferring her English crown to the King of Spain, and of disinheriting her heretical son.<sup>l</sup>

It is remarkable, that Mary's prejudices against her son were at this time carried so far, that she had even entered into a conspiracy against him, had appointed Lord Claud Hamilton Regent of Scotland, and had instigated her adherents to seize James's person, and deliver him into the hands of the Pope, or the King of Spain; whence he was never to be delivered, but on condition of his becoming catholic.<sup>m</sup>

The only part of the charge which Mary positively denied, was her concurrence in the design of assassinating Elizabeth. This article, indeed, was the most heavy, and the only one that could fully justify the queen in proceeding to extremities against her. In order to prove the accusation, there were produced the following evidence: copies taken in secretary Walsingham's office of the intercepted letters between her and Babington, in which her approbation of the murder was clearly expressed; the evidence of her two secretaries Nau and Curle, who had confessed, without being put to any torture, both that she received these letters from Babington, and that they had

written the answers by her order; the confession of Babington, that he had written the letters and received the answers,<sup>n</sup> and the confession of Ballard and Savage, that Babington had showed them these letters of Mary, written in the cypher which had been settled between them.

It is evident that this complication of evidence, though every circumstance corroborates the general conclusion, resolves itself finally into the testimony of the two secretaries, who alone were certainly acquainted with their mistress's concurrence in Babington's conspiracy, but who knew themselves exposed to all the rigours of imprisonment, torture, and death, if they refused to give any evidence which might be required of them. In the case of an ordinary criminal, this proof, with all its disadvantages, would be esteemed legal, and even satisfactory, if not opposed by some other circumstances which shake the credit of the witnesses: but on the present trial, where the absolute power of the prosecutor concurred with such important interests, and such a violent inclination to have the princess condemned; the testimony of two witnesses, even though men of character, ought to be supported by strong probabilities, in order to remove all suspicion of tyranny and injustice. The proof against Mary, it must be confessed, is not destitute of this advantage; and it is difficult, if not impossible, to account for Babington's receiving an answer written in her name, and in the cypher concerted between them, without allowing that the matter had been communicated to that princess. Such is the light in which this matter appears, even after time has discovered every thing which could guide our judgment with regard to it: no wonder, therefore, that the Queen of Scots, unassisted by counsel, and confounded by so extraordinary a trial, found herself incapable of making a satisfactory defence before the commissioners. Her reply consisted chiefly in her own denial: whatever force may be in that denial was much weakened by her positively affirming, that she never had had any correspondence of any kind with Babington; a fact, however, of which there remains not the least question.<sup>o</sup> She asserted, that as Nau and Curle had taken an oath of secrecy and fidelity to her, their evidence against her ought not to be credited. She confessed however that Nau had been in the service of her uncle, the Cardinal of Lorraine, and had been recommended to her by the King of France, as a man in whom she might safely confide. She also acknowledged Curle to be a very honest man, but simple, and easily imposed on by Nau. If these two men had received any letters, or had written any answers without her knowledge, the imputation, she said, could never lie on her. And she was the more inclined, she added, to entertain this suspicion against them, because Nau had, in other instances, been guilty of a like temerity, and had ventured to transact business in her name, without communicating the matter to her.<sup>p</sup>

The sole circumstance of her defence, which to us may

<sup>k</sup> State Trials, vol. i. p. 138.

<sup>l</sup> Camden, p. 525. This evidence was that of Curle, her secretary, whom she is said to have been a very honest man, and who, as well as Nau, had given proof of his fidelity, by keeping so long such important secrets, from the prosecution, as could have costed the greatest profit. Mary, after all, thought that she was so little reason to complain of Curle's evidence, that she took care to have Nau sign a considerable sum by her will, which she wrote the day before she died. Greville, vol. i. p. 413. Neither did she forget Nau, though less satisfied in other respects with his conduct. Id. ibid.

<sup>m</sup> In the detail of this conspiracy it is to be found in a letter of the Queen of Scots to Charles Paget, her great confidant. This letter is dated the 30th of May, 1586, and is contained in Dr. Forster's manuscript collections, at present in the possession of Lord Roxburgh. It is a copy-attested by Curle, Mary's secretary, and endorsed by Lord Burleigh. What proves its authenticity beyond question is, that we find in Murdén's collection, p. 516, that Mary actually wrote that very day a letter to Charles Paget, and further, she mentions, in the manuscript letter, a letter of Charles Paget's, of the 10th of April, now we find by Murdén, p. 566, that Charles Paget did actually write her a letter of that date.

<sup>n</sup> The violence of spirit is very consistent with her character. Her maternal affection was too weak to oppose the gratification of her passions, particularly her pride, her ambition, and her bigotry. Her son, having made some fruitless attempts to associate her with him in the field, and having found the scheme impracticable on account of the prejudice of his protestant subjects, at last desisted from that design, and entered into an alliance with England, without comprehending his mother. She was in such a rage at this unbecoming behaviour, as she imagined it, that she wrote to Queen Elizabeth, that she no longer cared what became of him or herself in the world: the greatest satisfaction she could have before her death was, to see in a natural his adherents become a signal example of tyranny, murder, and impiety, and undergo the vengeance of heaven for their wickedness. She would find in Christendom other heirs, and she doubted not to put her inheritance in such hands as would retain the firm hold of it. She was, as it were, taking this revenge, what became of her body, the quickest death would then be the most agreeable to her. And she urged her that, if he persevered, she would disown him for her son, would give him her malediction, would disinherit him, as well as his present posses-

sions as of all he could expect by her, abandoning him not only to her subjects to treat him as they had done her, but to all strangers to subdue and conquer him. It was in vain to employ menaces against her: the fear of death or other misfortune would never induce her to make one step, or pronounce one syllable, beyond what she had determined, she would rather perish with honour, in maintaining the estate to which God had raised her, than degrade herself by the least pusillanimity, or act what was unworthy of her station and of her race. Murdén, p. 566, 567.

<sup>o</sup> James Earl of Gloucester, the French ambassador, who had seen a letter under her own hand, in which she threatened to disinherit him, and said that he might betake him to the lordship of Darnley; for that was all he had by his father. *Confession of Curle, a copy of Dr. Campbell's.* There is in Feb. vol. ii. p. 575, a letter of hers, where she throws out the same menace against him.

<sup>p</sup> We find this scheme of seizing the King of Scots, and delivering him into the hands of the Pope or the King of Spain, proposed by Ben Morgan to Mary. See Murdén, p. 565. A mother must be very violent to whom one would dare to make such a proposal: but it seems she assented to it. Was not such a woman very capable of murdering her husband, who had so cruelly injured her?

<sup>q</sup> The volume of State Papers, collected by Murdén, gives, beyond controversy, that Mary was long in close correspondence with Babington, p. 513, 516, 532, 533. She entertained a like correspondence with Ballard, Mordaunt, and Charles Paget, and had a scheme with Ben Morgan to murder him, and for the invasion of England by Spain, p. 523, 531. The same papers show, that there had been a communication of Babington's correspondence, agreeably to Camden's narration. See State Papers, p. 515, where Morgan recommends it to Queen Mary to renew her correspondence with Babington. These circumstances prove, that no weight can be laid on Mary's denial of guilt, and that her correspondence with Babington contained particulars which could not be avoided.

<sup>r</sup> There are three suppositions by which the letter to Babington may be accounted for without allowing Mary's concurrence in the conspiracy for assassinating Elizabeth. The first is, that which she seems herself to have embraced, that her secretaries had received Babington's letter, and had, without any treacherous intention, ventured of themselves to answer it, and had never communicated the matter to her: but it is utterly improba-



appear to have some force, was her requiring that Nau and Curle should be confronted with her, and her affirming, that they never would to her face persist in their evidence. But that demand, however equitable, was not then supported by law in trials of high treason, and was often refused, even in other trials where the crown was prosecutor. The clause, contained in an act of the 13th of the queen, was a novelty: that the species of treason there enumerated must be proved by two witnesses, confronted with the criminal. But Mary was not tried upon that act; and the ministers and crown lawyers of this reign were always sure to refuse every indulgence beyond what the strict letter of the law, and the settled practice of the courts of justice, required of them. Not to mention, that these secretaries were not probably at Fotheringhay castle during the time of the trial, and could not, upon Mary's demand, be produced before the commissioners.<sup>9</sup>

There passed two incidents in this trial which may be worth observing. A letter between Mary and Babington was read, in which mention was made of the Earl of Arundel and his brothers: on hearing their names, she broke into a sigh: "Alas!" said she, "what has the noble house of the Howards suffered for my sake!" She affirmed with regard to the same letter, that it was easy to forge the hand-writing and cypher of another: she was afraid that this was too familiar a practice with Walsingham, who, she also heard, had frequently practised both against her life and her son's. Walsingham, who was one of the commissioners, rose up. He protested, that in his private capacity he had never acted any thing against the Queen of Scots: in his public capacity, he owned, that his concern for his sovereign's safety had made him very diligent in searching out, by every expedient, all designs against her sacred person, or her authority. For attaining that end, he would not only make use of the assistance of Ballard, or any other conspirator; he would also reward them for betraying their companions. But if he had tampered in any manner unbefitting his character and office, why did none of the late criminals, either at their trial or execution, accuse him of such practices? Mary endeavoured to pacify him, by saying that she spoke from information; and she begged him to give thenceforth no more credit to such as slandered her, than she should to such as accused him. The great character, indeed, which Sir Francis Walsingham bears for probity and honour, should remove from him all suspicion of such base arts as forgery and subornation; arts which even the most corrupt ministers, in the most corrupt times, would scruple to employ.

25th Oct.

Having finished the trial, the commissioners adjourned from Fotheringhay castle,

ble, if not impossible, that a princess, of so much sense and spirit, should, in an affair of that importance, be so treated by her servants who lived in the intimacy with her, as to have been so grossly and so openly deceived in calling the secret to her. If the conspiracy failed, they must expect to suffer the severest punishment from the court of England; if it succeeded, the lightest punishment which they could hope for from their own mistress must be disgrace, and account of their treachery. Not to mention, that Mary's concurrence was, in some degree, requisite for effecting the design of her escape; it was proposed to attack her guards while she was employed in hunting; she must therefore concert the time and place with the conspirators. The second supposition is, that these two secretaries were previously traitors; and, being paid by Walsingham, had made such a reply in their mistress's cypher as might involve her in the guilt of the conspiracy. But these two men had lived long with the Queen of Scots, had been entirely trusted by her, and had never been under suspicion either from her or her partisans. Camden informs us, that Curle afterwards claimed a reward from Walsingham, on pretence of some promise; but Walsingham told him, that he owed him no reward, and that he had made no discoveries on his examination which were not known with certainty from other probable. The third supposition is, that neither the queen nor the two secretaries, Nau and Curle, ever saw Babington's letter, or made any answer; but that Walsingham, having deciphered the former, forged a reply. But this supposition implies the rejection of the whole story told by Camden, of Gilbert's access to the Queen of Scots' family, and Pabel's refusal to concur in allowing her servants to be tried. Not to mention, that as Nau and Curle's evidence must, on this supposition, have been extorted by violence and terror, they could not have been so ready to make such a declaration, to have told the truth afterwards; especially upon the accession of James. But Camden informs us, that Nau, even after that event, persisted still in his testimony.

We must also consider, that the two last suppositions imply such a monstrous criminal conduct in Walsingham, and consequently in Elizabeth, (for the matter could be no secret to her,) as exceeds all credibility. If we consider the situation of things and the temperance of the times, Mary's consent to Elizabeth's conspiracy appears much more natural and probable. She believed Elizabeth to be a usurper and a heretic: she regarded her as a personal and a violent enemy: she knew that schemes for assassinating heretics were very familiar in that age, and generally approved of by the court of Rome and the zealous catholics. Her own liberty and independence were connected with the success of this enterprise; and it cannot appear strange, that where much, or so much merit as Babington could bestowage, by his only alone, in so criminal an enterprise, Mary, who was actuated by the same motive (impelled to a many others), should have given her consent to a scheme projected by her friends. We may be previously certain, that, if such a scheme was ever communicated to her, with any probability

and met in the star-chamber at London; where, after taking the oaths of Mary's two secretaries, who voluntarily, without hope or reward, vouched the authenticity of those letters before produced, they pronounced <sup>Sentence</sup> sentence of death upon the Queen of Scots, and confirmed it by their seals and subscriptions. The same day a declaration was published by the commissioners and the judges, "That the sentence did nowise derogate from the title and honour of James, King of Scotland; but that he was in the same place, degree, and right, as if the sentence had never been pronounced."

The queen had now brought affairs with Mary to that situation which she had long ardently desired; and had found a plausible reason for executing vengeance on a competitor, whom, from the beginning of her reign, she had ever equally dreaded and hated. But she was restrained from instantly gratifying her resentment, by several important considerations. She foresaw the invidious colours in which this example of uncommon jurisdiction would be represented by the numerous partisans of Mary, and the reproach to which she herself might be exposed with all foreign princes, perhaps with all posterity. The rights of hospitality, of kindred, and of royal majesty, seemed, in one single instance, to be all violated; and this sacrifice of generosity to interest, of clemency to revenge, might appear equally unbecoming a sovereign and a woman. Elizabeth, therefore, who was an excellent hypocrite, pretended the utmost reluctance to proceed to the execution of the sentence; affected the most tender sympathy with her prisoner; displayed all her scruples and difficulties; rejected the solicitation of her courtiers and ministers; and affirmed, that were she not moved by the deepest concern for her people's safety, she would not hesitate a moment in pardoning all the injuries which she herself had received from the Queen of Scots.

That the voice of her people might be more audibly heard in the demand of justice <sup>29th Oct.</sup>

upon Mary, she summoned a new parliament; and she knew, both from the usual dispositions of that assembly, and from the influence of her ministers over them, that she should not want the most earnest solicitation to consent to that measure, which was so agreeable to her secret inclinations. She did not open this assembly in person, but appointed for that purpose three commissioners, Bromley the chancellor, Burleigh the treasurer, and the Earl of Derby. The reason assigned for this measure was, that the queen, foreseeing that the affair of the Queen of Scots would be canvassed in parliament, found her tenderness and delicacy so much hurt by that melancholy incident, that she had not the courage to be present while

of success, she would assent to it; and it served the purpose of Walsingham and the English ministry to facilitate the communication of these stories, as they had gotten an opportunity for interpreting her answer, and detecting the conspiracy. Now Walsingham's knowledge of the matter, is a supposition necessary to account for the letter delivered to Babington.

As to the not punishing of Nau and Curle by Elizabeth, it never is the practice to punish lesser criminals, who had given evidence against the principal.

But what ought to induce us to reject these three suppositions is, that they must, all of them, be considered as bare possibilities: the partisans of Mary can give no reason for preferring one to the other: not the slightest evidence ever appeared to support any one of them: neither at that time, nor at any time afterwards, was any reason discovered by the numerous zealous of that age and of all ages, who have abused Mary's defence, to lead us to the belief of any of these three suppositions; and even her apologists at present seem not to have fixed on any choice among these supposed possibilities. The positive proof of two very credible witnesses, supported by the other very strong circumstances, still remains unapproached. Babington, who had an extreme interest to have communication with the Queen of Scots, believed he had found a means of corresponding with her, and had received an answer from her: he, as well as the other conspirators, die of her letter to Thieries Moreau, dated the 27th of July 1586. As to the proof to prove that they were mistaken; can there be any reason, at present, to doubt the truth of their opinion? Camden, though a professed apologist for Mary, is constrained to tell the story in such a manner as to fully suppose her guilt. Such was the impossibility of finding any other consistent account, even by a man of parts, who was contemporary!

In this light might the question have appeared, even during Mary's trial, But what now puts her guilt beyond all controversy, is the following passage of her letter to Thieries Moreau, dated the 27th of July 1586. "As to Babington, he hath both kindly and honestly offered himself and all his means to be employed any way I would: whereupon I hope to have satisfied him by two of my several letters since I had his offer, and the rather for that I have loved him the way, whereby I received him with a cut afore said." Murten, p. 353. Babington confessed, that he had offered her to assassinate the queen: it appears by this that she had accepted the offer: so that all the suppositions of Walsingham's forgery, or the temerity or credulity of her secretaries, fall to the ground.

Queen Elizabeth was willing to have allowed Curle and Nau to be professed in the trial, and writes to that purpose to Burleigh and Walsingham, in her letter of the 7th of October, in which she says, "I have not only said, that she thinks it needless, though she was willing to agree to it. The contrivance of the witnesses was not the result of design, but the practice of the age." Camden, p. 526.

it was under deliberation, but withdrew her eyes from what she could not behold without the utmost reluctance and uneasiness. She was also willing, that by this unusual precaution the people should see the danger to which her person was hourly exposed; and should thence be more strongly incited to take vengeance on the criminal whose restless intrigues and bloody conspiracies had so long exposed her to the most imminent perils.<sup>3</sup>

The parliament answered the queen's expectations: the sentence against Mary was unanimously ratified by both Houses; and an application was voted to obtain Elizabeth's consent to its publication and execution.<sup>4</sup> She gave an answer, ambiguous, embarrassed; full of real artifice, and seeming irresolution. She mentioned the extreme danger to which her life was continually exposed; she declared her willingness to die, did she not foresee the great calamities which would thence fall upon the nation; she made professions of the greatest tenderness to her people; she displayed the clemency of her temper, and expressed her violent reluctance to execute the sentence against her unhappy kinswoman; she affirmed that the late law, by which that princess was tried, so far from being made to insnare her, was only intended to give her warning beforehand not to engage in such attempts as might expose her to the penalties with which she was thus openly menaced; and she begged them to think once again, whether it were possible to find any expedient, besides the death of the Queen of Scots, for securing the public tranquillity.<sup>5</sup> The parliament, in obedience to her commands, took the affair again under consideration; but could find no other possible expedient. They reiterated their solicitations, and entreaties, and arguments: they even remonstrated, that mercy to the Queen of Scots was cruelty to them, her subjects and children; and they affirmed, that it were injustice to deny execution of the law to any individual; much more to the whole body of the people, now unanimously and earnestly suing for this pledge of her parental care and tenderness. This second address set the pretended doubts and scruples of Elizabeth anew in agitation: she complained of her own unfortunate situation; expressed her uneasiness from their importunity; and renewed the professions of affection to her people; and dismissed

the committee of parliament in an uncertainty what, after all this deliberation, might be her final resolution.\*

But though the queen affected reluctance to execute the sentence against Mary, she complied with the request of parliament in publishing it by proclamation; and this act seemed to be attended with the unanimous and hearty rejoicings of the people. Lord Buckhurst, and Beal, clerk of the council, were sent to the Queen of Scots, and notified to her the sentence pronounced against her, its ratification by parliament, and the earnest applications made for its execution by that assembly, who thought that their religion could never, while she was alive, attain a full settlement and security. Mary was nowise dismayed at this intelligence: on the contrary, she joyfully laid hold of the last circumstance mentioned to her; and insisted that since her death was demanded by the protestants for the establishment of their faith, she was really a martyr to her religion, and was entitled to all the merits attending that glorious character. She added, that the English had often imbrued their hands in the blood of their sovereigns: no wonder they exercised cruelty against her, who derived her descent from these monarchs.\* Paulet, her keeper, received orders to take down her canopy, and to serve her no longer with the respect due to sovereign princes. He told her that she was now to be considered as a dead person; and incapable of any dignity.<sup>7</sup> This harsh treatment produced not in her any seeming emotion. She only replied, that she received her royal character from the hands of the Almighty, and no earthly power was ever able to bereave her of it.

The Queen of Scots wrote her last letter to Elizabeth; full of dignity, without departing from that spirit of meekness and of charity which appeared suitable to this concluding scene of her unfortunate life. She preferred no petition for averting the fatal sentence: on the contrary, she expressed her gratitude to Heaven for thus bringing to a speedy period her sad and lamentable pilgrimage. She requested some favours of Elizabeth, and entreated her that she might be beholden for them to her own goodness alone, without making applications to those ministers who had discovered such an extreme malignity against her person and her religion. She desired, that after her enemies

s D'Ewes, p. 373. t Ibid. p. 379. u Ibid. p. 402, 403.  
 \* This parliament granted the queen a supply of a subsidy and two fifteenths. They adjourned, and met again after the execution of the Queen of Scots, when there passed some remarkable incidents, which it may be proper not to omit. We shall give them in the words of Sir Simon D'Ewes, who was at it. His words are in the *Journal*, which he published in 1616. On Monday the 27th of February, Mr. Coxe, first using some speeches touching the necessity of a learned ministry, and the amendment of the times among the ecclesiastical estate, offered to the House a bill and a book, which he desired to be read and approved. The book contained all laws now in force touching ecclesiastical government should be kept; and that it might be enacted, that that Book of Common Prayer now offered, and none other, might be received into the church to be used. The book contained the necessity of prayer and administration of the sacraments, with divers rites and ceremonies to be used in the church; and he desired that the book might be read. Whereupon Mr. Speaker in effect used this speech: For that her majesty before this time had commanded the House not to meddle with this matter, and that her majesty had promised to take order in those causes, he doubted not but to the good satisfaction of all her people, he desired that it would please them to spare the reading of it. Notwithstanding the House desired the reading of it. Whereupon Mr. Speaker desired the clerk to read. And the court being ready to read it, Mr. Dalton made a motion against the reading of it, saying, that it was not meet to be read, and it did appoint a new form of administration of the sacraments and ceremonies of the church, to the discredit of the Book of Common Prayer, and of the whole state; and thought that this would bring her majesty's indignation against the House, thus to entertain this dealing with those things which her majesty especially had taken into her own charge and direction. Whereupon Mr. Lewkenor spake, showing the necessity of preaching and of a learned ministry, and thought it very fit that the petition and book should be read. In this purpose spake Mr. Hurleston and Mr. Bainbridge; and so the time being passed, the House broke up, and neither the petition nor book read. This done, her majesty sent to Mr. Speaker, as well for this petition and book, as for that other petition and book for the like effect, that was delivered the last session of Parliament, which Mr. Speaker sent for her majesty. On Tuesday the 28th of February, her majesty's consent for Mr. Speaker, by as many words as the House desired. On Wednesday the first day of March, Mr. Wentworth delivered to Mr. Speaker certain articles, which contained questions touching the liberties of the House, and to some of which he was to answer, and desired two names to be read. Mr. Speaker desired that he would spare his motion, until her majesty's pleasure was further known touching the petition and book lately delivered into the House; but Mr. Wentworth would not be so satisfied, but required his articles might be read. Mr. Wentworth introduced his queries by lamenting that he was as well as many others were deterred from speaking by their want of knowledge and experience in the liberties of the House; and the queries were as follow: Whether this council were not a place for any member of the same here assembled, freely and without contrivance of any person or danger of laws, by bill or speech to utter any of the griefs of this common-wealth, whatsoever, touching the service of God, the safety of the prince and his noble realm? Whether that great honour may be done unto God, and benefit and service unto the prince and state, without free speech in this council, that may be done with it? Whether there be any council which can make, add, or diminish from the laws of the realm, not only this council of parliament? Whether it be not against the orders of this council to make any secret or

matter of weight, which is here in hand, known to the prince or any other, concerning the high service of God, prince, or state, without the consent of the House? Whether the Speaker, or any other may interrupt any member of this council in his speech used in this House tending to any of the forenamed services? Whether the Speaker may rise when he will, any matter of his own choosing, without consent of the House? Whether the Speaker may overrule the House in any matter or cause there in question, or whether he is to be ruled or over-ruled in any matter or not? Whether the prince and state can continue, and stand, and be maintained, without the consent of parliament, not altering the government of the state? At the end of these questions, says Sir Simon D'Ewes, I found set down this short note or memorial ensuing: by which it may be perceived, both what Serjeant Puckering, the Speaker did with his own questions matter he had received, and what became also of this business, viz. "These questions Mr. Puckering pocketed up and showed Sir Thomas Henage, who so handled the matter that Mr. Wentworth went to the Tower, and the questions not at all moved. Mr. Buckler of Essex herein brake his faith in forsaking the matter, &c. and no more was done." After setting down, continues Sir Simon D'Ewes, the said business of Mr. Wentworth in the original journal, there follows only this short conclusion of the day itself, viz. "This day, Mr. Speaker being sent for to the queen's majesty, the House departed." On Thursday the second of March, Mr. Coxe, Mr. Lewkenor, Mr. Hurleston, and Mr. Bainbridge, were sent for to my Lord Chancellor, and by divers of the privy council, and from thence were sent to the Tower. On Saturday the fourth day of March, Sir John Higham made a motion to this House, for that divers good and necessary members thereof were taken from them, that it would please them to be humble petitioners to her majesty for the restitution of them again, to which speech Mr. Wentworth answered, saying, that if the gentlemen were committed for matter within the compass of the privilege of the House, then there might be a petition; but if not, then we should give occasion to her majesty's further displeasure; and therefore advised to stay until they heard more, which could not be long; and further he said, touching the book and the petition, her majesty had, for divers good causes best known to herself, thought fit to suppress the same without any further examination thereof; and yet thought it very unfit for her majesty to give any account of her doings; because they whatsoever Mr. Vice-chamberlain pretended, it is most probable these members were committed for intermeddling with matters touching the church, which her majesty had often inhibited, and which had caused so much dispute and so many motions to the House, the which she thought fit to suppress.

This is all we find of the matter in Sir Simon D'Ewes and Townshend; and it appears that those members who had been committed, were detained in custody till the queen thought proper to release them. These questions arose and advanced together, the true forerunner of the Hampdens, the Pym, and the Hollis, who, in the next age, with less courage, because with less danger, rendered their principles so triumphant. I shall only say, whether it be not sufficiently clear from all these transactions, that in the two succeeding reigns it was the people who encroached upon the sovereign; not the sovereign who attempted, as is pretended, to usurp upon the people.

x Camden, p. 528.

y Jebb, vol. ii. p. 293.



should be satiated with her innocent blood, her body, which it was determined should never enjoy rest while her soul was united to it, might be consigned to her servants, and be conveyed by them into France, there to repose in a catholic land, with the sacred relics of her mother. In Scotland, she said, the sepulchres of her ancestors were violated, and the churches either demolished or profaned; and in England, where she might be interred among the ancient kings, her own and Elizabeth's progenitors, she could entertain no hopes of being accompanied to the grave with those rites and ceremonies which her religion required. She requested that no one might have the power of inflicting a private death upon her, without Elizabeth's knowledge; but that her execution should be public, and attended by her ancient servants, who might bear testimony of her perseverance in the faith, and of her submission to the will of Heaven. She begged that these servants might afterwards be allowed to depart whithersoever they pleased, and might enjoy those legacies which she should bequeath them. And she conjured her to grant these favours by their near kindred; by the soul and memory of Henry VII. the common ancestor of both; and by the royal dignity, of which they equally participated.<sup>a</sup> Elizabeth made no answer to this letter; being unwilling to give Mary a refusal in her present situation, and foreseeing inconveniences from granting some of her requests.

While the Queen of Scots thus prepared herself to meet her fate, great efforts were made by foreign powers with Elizabeth, to prevent the execution of the sentence pronounced against her. Besides employing L'Aubespine, the French resident at London, a creature of the house of Guise, Henry sent over Bellievre, with a professed intention of interceding for the life of Mary. The Duke of Guise and the league at that time threatened very nearly the king's authority; and Elizabeth knew, that though that monarch might, from decency and policy, think himself obliged to interpose publicly in behalf of the Queen of Scots, he could not secretly be much displeased with the death of a princess, on whose fortune and elevation his mortal enemies had always founded so many daring and ambitious projects.<sup>b</sup> It is even pretended, that Bellievre had orders after making public and vehement remonstrances against the execution of Mary, to exhort privately the queen, in his master's name, not to defer an act of justice, so necessary for their common safety.<sup>c</sup> But whether the French king's intercession were sincere or not, it had no weight with the queen; and she still persisted in her former resolution.

**Interposition of King James.** The interposition of the young King of Scots, though not able to change Elizabeth's determination, seemed, on every account, to merit more regard. As soon as James heard of the trial and condemnation of his mother, he sent Sir William Keith, a gentleman of his bed-chamber, to London; and wrote a letter to the queen, in which he remonstrated, in very severe terms, against the indignity of the procedure. He said, that he was astonished to hear of the presumption of English noblemen and counsellors, who had dared to sit in judgment, and pass sentence, upon a Queen of Scotland, descended from the blood-royal of England; but he was still more astonished to hear that thoughts were seriously entertained of putting that sentence in execution: that he entreated Elizabeth to reflect on the dishonour which she would draw on her name, by imbruing her hands in the blood of her near kinswoman, a person of the same royal dignity and of the same sex with herself: that in this unparalleled attempt she offered an affront to all diadems, and even to her own; and, by reducing sovereigns to a level with other men, taught the people to neglect all duty towards those whom Providence had appointed to rule over them: that for his part, he must deem the injury and insult so enormous, as to be incapable of all atonement; nor was it possible for him thenceforward to remain in any terms of correspondence with a person, who, without any pretence of legal authority, had deliberately inflicted an ignominious death upon his parent: and that even if the sentiments of nature and duty did not inspire him with

this purpose of vengeance, his honour required it of him; nor could he ever acquit himself in the eyes of the world, if he did not use every effort, and endure every hazard, to revenge so great an indignity.<sup>d</sup>

Soon after, James sent the Master of Gray, and Sir Robert Melvil, to enforce the remonstrances of Keith; and to employ with the queen every expedient of argument and menaces. Elizabeth was at first offended with the sharpness of these applications; and she replied in a like strain to the Scottish ambassadors. When she afterwards reflected that this earnestness was no more than what duty required of James, she was pacified; but still retained her resolution of executing the sentence against Mary.<sup>e</sup> It is believed, that the Master of Gray, gained by the enemies of that princess, secretly gave his advice not to spare her, and undertook, in all events, to pacify his master.

The queen also, from many considerations, was induced to pay small attention to the applications of James, and to disregard all the efforts which he could employ in behalf of his mother. She was well acquainted with his character and interests, the factions which prevailed among his people, and the inveterate hatred which the zealous protestants, particularly the preachers, bore to the Queen of Scots. The present incidents set these dispositions of the clergy in a full light. James, observing the fixed purpose of Elizabeth, ordered prayers to be offered up for Mary in all the churches; and, knowing the captious humour of the ecclesiastics, he took care that the form of the petition should be most cautious, as well as humane and charitable: "That it might please God to illuminate Mary with the light of his truth, and save her from the apparent danger with which she was threatened." But, excepting the king's own chaplains, and one clergyman more, all the preachers refused to pollute their churches by prayers for a papist, and would not so much as prefer a petition for her conversion. James, unwilling or unable to punish this disobedience, and desirous of giving the preachers an opportunity of amending their fault, appointed a new day when prayers should be said for his mother; and, that he might at least secure himself from any insult in his own presence, he desired the Archbishop of St. Andrews to officiate before him. In order to disappoint this purpose, the clergy instigated one Couper, a young man who had not yet received holy orders, to take possession of the pulpit early in the morning, and to exclude the prelate. When the king came to church, and saw the pulpit occupied by Couper, he called to him from his seat, and told him that the place was destined for another; yet since he was there, if he would obey the charge given, and remember the queen in his prayers, he might proceed to divine service. The preacher replied, that he would do as the Spirit of God should direct him. This answer sufficiently instructed James in his purpose; and he commanded him to leave the pulpit. As Couper seemed not disposed to obey, the captain of the guard went to pull him from his place; upon which the young man cried aloud, That this day would be a witness against the king in the great day of the Lord; and he denounced a woe upon the inhabitants of Edinburgh for permitting him to be treated in that manner.<sup>f</sup> The audience at first appeared desirous to take part with him; but the sermon of the prelate brought them over to a more dutiful and more humane disposition.

Elizabeth, when solicited, either by James or by foreign princes, to pardon the Queen of Scots, seemed always determined to execute the sentence against her: but when her ministers urged her to interpose no more delays, her scruples and her hesitation returned; her humanity could not allow her to embrace such violent and sanguinary measures; and she was touched with compassion for the misfortunes, and with respect for the dignity, of the unhappy prisoner. The courtiers, sensible that they could do nothing more acceptable to her, than to employ persuasion on this head, failed not to enforce every motive for the punishment of Mary, and to combat all the objections urged against this act of justice. They said that the treatment of that princess in England had been, on her first reception, such

Reasons for the execution of Mary.

<sup>a</sup> Camden, p. 529. <sup>b</sup> Jebb, vol. ii. p. 225.  
<sup>c</sup> Camden, p. 494.

<sup>d</sup> Du Maurier.  
<sup>e</sup> Ibid. p. 335.

<sup>f</sup> Spotswood, p. 351.  
<sup>g</sup> Ibid. p. 354.



as sound reason and policy required: and if she had been governed by principles of equity, she would not have refused willingly to acquiesce in it: that the obvious inconveniences, either of allowing her to retire into France, or of restoring her by force to her throne, in opposition to the reformers and the English party in Scotland, had obliged the queen to detain her in England till time should offer some opportunity of serving her, without danger to the kingdom, or to the protestant religion: that her usage there had been such as became her rank; that her own servants in considerable numbers had been permitted to attend her; exercise had been allowed her for health, and all access of company for amusement; and these indulgences would in time have been carried further, if by her subsequent conduct she had appeared worthy of them: that after she had instigated the rebellion of Northumberland, the conspiracy of Norfolk, the bull of excommunication of Pope Pius, an invasion from Flanders; after she had seduced the queen's friends, and incited every enemy, foreign and domestic, against her; it became necessary to treat her as a most dangerous rival, and to render her confinement more strict and rigorous: that the queen, notwithstanding these repeated provocations, had, in her favour, rejected the importunity of her parliaments, and the advice of her sagest ministers; <sup>f</sup> and was still, in hopes of her amendment, determined to delay coming to the last extremities against her: that Mary, even in this forlorn condition, retained so high and unconquerable a spirit, that she acted as competitor to the crown, and allowed her partisans every where, and in their very letters addressed to herself, to treat her as Queen of England: that she had carried her animosity so far as to encourage, in repeated instances, the atrocious design of assassinating the queen; and this crime was unquestionably proved upon her by her own letters, by the evidence of her secretaries, and by the dying confession of her accomplices: that she was but a titular queen, and at present possessed no where any right of sovereignty; much less in England, where, the moment she set foot in the kingdom, she voluntarily became subject to the laws, and to Elizabeth, the only true sovereign: that even, allowing her to be still the queen's equal in rank and dignity, self-defence was permitted by a law of nature, which could never be abrogated; and every one, still more a queen, had sufficient jurisdiction over an enemy, who by open violence, and still more, who by secret treachery, threatened the utmost danger against her life: that the general combination of the catholics to exterminate the protestants was no longer a secret; and as the sole resource of the latter persecuted sect lay in Elizabeth, so the chief hope which the former entertained of final success, consisted in the person and in the title of the Queen of Scots: that this very circumstance brought matters to extremity between these princesses; and, rendering the life of one the death of the other, pointed out to Elizabeth the path, which either regard to self-preservation, or to the happiness of her people, should direct her to pursue: and that necessity, more powerful than policy, thus demanded of the queen that resolution which equity would authorize, and which duty prescribed.<sup>g</sup>

When Elizabeth thought that as many importunities had been used, and as much delay interposed, as decency required, she at last determined to carry the sentence into execution: but even in this final resolution she could not proceed without displaying a new scene of duplicity and artifice. In order to alarm the vulgar, rumours were previously dispersed that the Spanish fleet was arrived in Milford Haven; that the Scots had made an irruption into England; that the Duke of Guise was landed in Sussex with a strong army; that the Queen of Scots was escaped from prison, and had raised an army; that the northern counties had begun an insurrection; that there was a new conspiracy on foot to assassinate the queen, and set the city of London on fire; nay, that the queen was actually assassinated.<sup>h</sup> An attempt of this nature was even imputed to L'Aubespine, the French ambassa-

dor; and that minister was obliged to leave the kingdom. The queen, affecting to be in terror and perplexity, was observed to sit much alone, pensive and silent; and sometimes to mutter to herself half-sentences, importing the difficulty and distress to which she was reduced.<sup>i</sup> She at last called Davison, a man of parts, but easy to be imposed on, and who had lately for that very reason been made secretary, and she ordered him privately to draw a warrant for the execution of the Queen of Scots; which, she afterwards said, she intended to keep by her, in case any attempt should be made for the deliverance of that princess. She signed the warrant, and then commanded Davison to carry it to the chancellor, in order to have the great seal appended to it. Next day she sent Killigrew to Davison, enjoining him to forbear, some time, executing her former orders; and when Davison came and told her that the warrant had already passed the great seal, she seemed to be somewhat moved, and blamed him for his precipitation. Davison, being in a per-  
A. D. 1587.  
plexity, acquainted the council with this whole transaction; and they endeavoured to persuade him to send off Beale with the warrant: if the queen should be displeased, they promised to justify his conduct, and to take on themselves the whole blame of this measure.<sup>k</sup> The secretary, not sufficiently aware of their intention, complied with the advice; and the warrant was despatched to the Earls of Shrewsbury and Kent, and some others, ordering them to see the sentence executed upon the Queen of Scots.

The two earls came to Fotheringay castle, <sup>7th Feb.</sup> and being introduced to Mary, informed her <sup>The execution.</sup> of their commission, and desired her to prepare for death next morning at eight o'clock. She seemed nowise terrified, though somewhat surprised, with the intelligence. She said, with a cheerful, and even a smiling countenance, that she did not think the queen, her sister, would have consented to her death, or have executed the sentence against a person not subject to the laws and jurisdiction of England.—“But as such is her will,” said she, “death, which puts an end to all my miseries, shall be to me most welcome; nor can I esteem that soul worthy the felicities of heaven, which cannot support the body under the horrors of the last passage to these blissful mansions.”<sup>l</sup> She then requested the two noblemen that they would permit some of her servants, and particularly her confessor, to attend her: but they told her, that compliance with this last demand was contrary to their conscience,<sup>m</sup> and that Dr. Fletcher, Dean of Peterborow, a man of great learning, should be present to instruct her in the great principles of true religion. Her refusal to have any conference with this divine inflamed the zeal of the Earl of Kent; and he bluntly told her, that her death would be the life of their religion; as, on the contrary, her life would have been the death of it.—Mention being made of Babington, she constantly denied his conspiracy to have been at all known to her; and the revenge of her wrongs she resigned into the hands of the Almighty.

When the earls had left her, she ordered supper to be hastened, that she might have the more leisure after it to finish the few affairs which remained to her in this world, and to prepare for her passage to another. It was necessary for her, she said, to take some sustenance, lest a failure of her bodily strength should depress her spirits on the morrow, and lest her behaviour should thereby betray a weakness unworthy of herself.<sup>n</sup> She supped sparingly, as her manner usually was, and her wonted cheerfulness did not even desert her on this occasion. She comforted her servants under the affliction which overwhelmed them, and which was too violent for them to conceal it from her. Turning to Burgoine, her physician, she asked him, Whether he did not remark the great and invincible force of truth? “They pretend,” said she, “that I must die because I conspired against the queen's life: but the Earl of Kent avowed, that there was no other cause of my death, than the apprehensions which, if I should live, they entertain for their religion. My constancy in the faith is

<sup>f</sup> Digges, p. 276. <sup>g</sup> Strype, vol. ii. p. 48, 135, 136, 139.

<sup>g</sup> Camden, p. 533.

<sup>h</sup> Ibid.

<sup>i</sup> Ibid. p. 534.

<sup>k</sup> It appears by some letters published by Strype, vol. ii. book ii. c. i. that Elizabeth did not expressly communicate her intention to any of her ministers, not even to Burleigh: they were such experienced courtiers,

that they knew they could not gratify her more than by serving her without waiting till she desired them.

<sup>l</sup> Camden, p. 534. <sup>m</sup> Jebb, vol. ii. p. 301. MS. in the Advocates' Library,

p. 2. from the Coll. Lib. Cal. c. 9.

<sup>n</sup> Jebb, vol. ii. p. 302.

<sup>o</sup> Ibid. p. 489.

my real crime: the rest is only a colour, invented by interested and designing men." Towards the end of supper, she called in all her servants, and drank to them: they pledged her, in order, on their knees, and craved her pardon for any past neglect of their duty: she deigned, in return, to ask their pardon for her offences towards them; and a plentiful effusion of tears attended this last solemn farewell, and exchange of mutual forgiveness.<sup>o</sup>

Mary's care of her servants was the sole remaining affair which employed her concern. She perused her will, in which she had provided for them by legacies: she ordered the inventory of her goods, clothes, and jewels to be brought her; and she wrote down the names of those to whom she bequeathed each particular: to some she distributed money with her own hands; and she adapted the recompence to their different degrees of rank and merit. She wrote also letters of recommendation for her servants to the French king, and to her cousin, the Duke of Guise, whom she made the chief executor of her testament. At her wonted time she went to bed; slept some hours; and then rising, spent the rest of the night in prayer. Having foreseen the difficulty of exercising the rites of her religion, she had had the precaution to obtain a consecrated host from the hands of Pope Pius; and she had reserved the use of it for this last period of her life. By this expedient she supplied, as much as she could, the want of a priest and confessor, who was refused her.<sup>p</sup>

Towards the morning she dressed herself in a rich habit of silk and velvet, the only one which she had reserved to herself. She told her maids that she would willingly have left to them this dress rather than the plain garb which she wore the day before; but it was necessary for her to appear at the ensuing solemnity in a decent habit.

Thomas Andrews, sheriff of the county, entered the room, and informed her that the hour was come, and that he must attend her to the place of execution. She replied, that she was ready, and bidding adieu to her servants, she leaned on two of Sir Amias Paulet's guards, because of an infirmity in her limbs; and she followed the sheriff with a serene and composed countenance. In passing through a hall adjoining to her chamber, she was met by the Earls of Shrewsbury and Kent, Sir Amias Paulet, Sir Drue Drury, and many other gentlemen of distinction. Here she also found Sir Andrew Melvil, her steward, who flung himself on his knees before her; and, wringing his hands, cried aloud, "Ah, Madam! unhappy me! what man was ever before the messenger of such heavy tidings as I must carry, when I shall return to my native country, and shall report that I saw my gracious queen and mistress beheaded in England?" His tears prevented further speech: and Mary too felt herself moved more from sympathy than affliction. "Cease, my good servant," said she, "cease to lament: thou hast cause rather to rejoice than to mourn: for now shalt thou see the troubles of Mary Stuart receive their long-expected period and completion. Know," continued she, "good servant, that all the world at best is vanity, and subject still to more sorrow than a whole ocean of tears is able to bewail. But I pray thee carry this message from me, that I die a true woman to my religion, and unalterable in my affections to Scotland and to France. Heaven forgive them that have long desired my end, and have thirsted for my blood as the hart panteth after the water-brooks! O God," added she, "thou that art the Author of truth, and truth itself, thou knowest the inmost recesses of my heart: thou knowest that I was ever desirous to preserve an entire union between Scotland and England, and to obviate the source of all these fatal discords! But recommend me, Melvil, to my son, and tell him, that, notwithstanding all my distresses, I have done nothing prejudicial to the state and kingdom of Scotland." After these words, reclining herself, with weeping eyes, and face bedewed with tears, she kissed him. "And so," said she, "good Melvil, farewell: once again farewell, good Melvil; and grant the assistance of thy prayers to thy queen and mistress."<sup>q</sup>

She next turned to the noblemen who attended her, and made a petition in behalf of her servants, that they might

be well treated, be allowed to enjoy the presents which she had made them, and be sent safely into their own country. Having received a favourable answer, she preferred another request, that they might be permitted to attend her at her death; in order, said she, that their eyes may behold, and their hearts bear witness, how patiently their queen and mistress can submit to her execution, and how constantly she perseveres in her attachment to her religion. The Earl of Kent opposed this desire, and told her, that they would be apt by their speeches and cries to disturb both herself and the spectators: he was also apprehensive lest they should practise some superstition not meet for him to suffer; such as dipping their handkerchiefs in her blood: for that was the instance which he made use of. "My lord," said the Queen of Scots, "I will give my word (although it be but dead) that they shall not incur any blame in any of the actions which you have named. But alas! poor souls! it would be a great consolation to them to bid their mistress farewell. And I hoped," added she, "that your mistress, being a maiden queen, would vouchsafe in regard of womanhood, that I should have some of my own people about me at my death. I know that her majesty hath not given you any such strict command, but that you might grant me a request of far greater courtesy, even though I were a woman of inferior rank to that which I bear." Finding that the Earl of Kent persisted still in his refusal, her mind, which had fortified itself against the terrors of death, was affected by this indignity, for which she was not prepared. "I am cousin to your queen," cried she, "and descended from the blood-royal of Henry VII. and a married Queen of France, and an anointed Queen of Scotland." The commissioners, perceiving how invidious their obstinacy would appear, conferred a little together, and agreed that she might carry a few of her servants along with her. She made choice of four men and two maid-servants for that purpose.

She then passed into another hall, where was erected the scaffold covered with black; and she saw, with an undimmed countenance, the executioners, and all the preparations of death. The room was crowded with spectators; and no one was so steeled against all sentiments of humanity, as not to be moved, when he reflected on her royal dignity, considered the surprising train of her misfortunes, beheld her mild but inflexible constancy, recalled her amiable accomplishments, or surveyed her beauties, which, though faded by years, and yet more by her afflictions, still discovered themselves in this fatal moment. Here the warrant for her execution was read to her; and during this ceremony she was silent, but showed in her behaviour an indifference and unconcern, as if the business had nowise regarded her. Before the executioners performed their office, the Dean of Peterborow stepped forth; and though the queen frequently told him that he needed not concern himself about her, that she was settled in the ancient catholic and Roman religion, and that she meant to lay down her life in defence of that faith; he still thought it his duty to persist in his lectures and exhortations, and to endeavour her conversion. The terms which he employed were, under colour of pious insinuations, cruel insults on her unfortunate situation; and besides their own absurdity, may be regarded as the most mortifying indignities to which she had ever yet been exposed. He told her that the Queen of England had on this occasion shown a tender care of her; and notwithstanding the punishment justly to be inflicted on her for her manifold trespasses, was determined to use every expedient for saving her soul from that destruction with which it was so nearly threatened: that she was now standing upon the brink of eternity, and had no other means of escaping endless perdition, than by repenting her former wickedness, by justifying the sentence pronounced against her, by acknowledging the queen's favours, and by exerting a true and lively faith in Christ Jesus: that the Scriptures were the only rule of doctrine, the merits of Christ the only means of salvation; and if she trusted in the inventions or devices of men; she must expect in an instant to fall into utter darkness, into a place where shall be weeping, howling, and gnashing of teeth:

that the hand of death was upon her, the axe was laid to the root of the tree, the throne of the great Judge of heaven was erected, the book of her life was spread wide, and the particular sentence and judgment was ready to be pronounced upon her: and that it was now, during this important moment, in her choice, either to rise to the resurrection of life, and hear that joyful salutation, *Come, ye blessed of my Father*; or to share the resurrection of condemnation, replete with sorrow and anguish; and to suffer for that dreadful denunciation, *Go, ye cursed, into everlasting fire!*<sup>r</sup>

During this discourse, Mary could not sometimes forbear betraying her impatience, by interrupting the preacher; and the dean, finding that she had profited nothing by his lecture, at last bade her change her opinion, repent her of her former wickedness, and settle her faith upon this ground, that only in Christ Jesus could she hope to be saved. She answered, again and again, with great earnestness: "Trouble not yourself any more about the matter: for I was born in this religion; I have lived in this religion; and in this religion I am resolved to die." Even the two ears perceived that it was fruitless to harass her any further with theological disputes; and they ordered the dean to desist from his unseasonable exhortations, and to pray for her conversion. During the dean's prayer, she employed herself in private devotion from the office of the Virgin; and after he had finished, she pronounced aloud some petitions in English, for the afflicted church, for an end of her own troubles, for her son, and for Queen Elizabeth; and prayed God, that that princess might long prosper, and be employed in his service. The Earl of Kent, observing that in her devotions she made frequent use of the crucifix, could not forbear reproving her for her attachment to that popish trumpery, as he termed it: and he exhorted her to have Christ in her heart, not in her hand.<sup>s</sup> She replied with presence of mind, that it was difficult to hold such an object in her hand without feeling her heart touched with some compunction.<sup>t</sup>

She now began, with the aid of her two women, to disrobe herself; and the executioner also lent his hand to assist them. She smiled, and said, that she was not accustomed to undress herself before so large a company, nor to be served by such valets. Her servants, seeing her in this condition ready to lay her head upon the block, burst into tears and lamentations: she turned about to them; put her finger upon her lips, as a sign of imposing silence upon them;<sup>u</sup> and, having given them her blessing, desired them to pray for her. One of her maids whom she had appointed for that purpose, covered her eyes with a handkerchief; she laid herself down without any sign of fear or trepidation; and her head was severed from her body at two strokes by the executioner. He instantly held it up to the spectators, streaming with blood, and agitated with the convulsions of death: the Dean of Peterborow alone exclaimed, "So perish all Queen Elizabeth's enemies!" The Earl of Kent alone replied, "Amen!" The attention of all the other spectators was fixed on the melancholy scene before them; and zeal and flattery alike gave place to present pity and admiration of the expiring princess.

Thus perished, in the forty-fifth year of her age, and nineteenth of her captivity in England, Mary, Queen of Scots; a woman of great accomplishments both of body and mind, natural as well as acquired; but unfortunate in her life, and during one period very unhappy in her conduct. The beauties of her person, and graces of her air, combined to make her the most amiable of women; and the charms of her address and conversation aided the impression which her lovely figure made on the hearts of all beholders. Ambitious and active in her temper, yet inclined to cheerfulness and society; of a lofty spirit, constant, and even vehement, in her purpose, yet polite, and gentle, and affable in her demeanour; she seemed to partake only so much of the male virtues as to render her estimable, without relinquishing those soft graces which compose the proper ornament of her sex. In order to form a just idea of her character, we must set aside one part of her conduct, while she abandon-

ed herself to the guidance of a profligate man; and must consider these faults, whether we admit them to be imprudences or crimes, as the result of an inexplicable, though not uncommon, inconstancy in the human mind, of the frailty of our nature, of the violence of passion, and of the influence which situations, and sometimes momentary incidents, have on persons whose principles are not thoroughly confirmed by experience and reflection. Enraged by the ungrateful conduct of her husband, seduced by the treacherous counsels of one in whom she reposed confidence, transported by the violence of her own temper, which never lay sufficiently under the guidance of discretion, she was betrayed into actions which may with some difficulty be accounted for, but which admit of no apology, nor even of alleviation. An enumeration of her qualities might carry the appearance of a panegyric; an account of her conduct must in some parts wear the aspect of severe satire and invective.

Her numerous misfortunes, the solitude of her long and tedious captivity, and the persecutions to which she had been exposed on account of her religion, had wrought her up to a degree of bigotry during her later years; and such were the prevalent spirit and principles of the age, that it is the less wonder, if her zeal, her resentment, and her interest uniting, induced her to give consent to a design which conspirators, actuated only by the first of these motives, had formed against the life of Elizabeth.

When the queen was informed of Mary's <sup>The queen's</sup> execution, she affected the utmost surprise affected sorrow, and indignation. Her countenance changed; her speech faltered and failed her; for a long time her sorrow was so deep that she could not express it, but stood fixed like a statue in silence and mute astonishment. After her grief was able to find vent, it burst out into loud wailings and lamentations; she put herself in deep mourning for this deplorable event; and she was seen perpetually bathed in tears, and surrounded only by her maids and women. None of her ministers or counsellors dared to approach her; or if any had such temerity, she chased them from her with the most violent expressions of rage and resentment: they had all of them been guilty of an unpardonable crime, in putting to death her dear sister and kinswoman, contrary to her fixed purpose,<sup>v</sup> of which they were sufficiently apprized and acquainted.

No sooner was her sorrow so much abated as to leave room for reflection, than she wrote a letter of apology to the King of Scots, and sent it by Sir Robert Cary, son of Lord Hunsdon. She there told him, that she wished he knew, but not felt, the unutterable grief which she experienced on account of that lamentable accident which, without her knowledge, much less concurrence, had happened in England: that as her pen trembled when she attempted to write it, she found herself obliged to commit the relation of it to the messenger, her kinsman; who would likewise inform his majesty of every circumstance attending this dismal and unlooked-for misfortune: that she appealed to the supreme Judge of heaven and earth for her innocence; and was also so happy, amidst her own afflictions, as to find that many persons in her court could bear witness to her veracity in this protestation: that she abhorred dissimulation; deemed nothing more worthy of a prince than a sincere and open conduct; and could never surely be esteemed so base and poor-spirited as that, if she had really given orders for this fatal execution, she could on any consideration be induced to deny them: that, though sensible of the justice of the sentence pronounced against the unhappy prisoner, she determined, from clemency, never to carry it into execution; and could not but resent the temerity of those, who, on this occasion, had disappointed her intention: and that as no one loved him more dearly than herself, or bore a more anxious concern for his welfare; she hoped that he would consider every one as his enemy who endeavoured, on account of the present incident, to excite any animosity between them.<sup>x</sup>

In order the better to appease James, she committed Davison to prison, and ordered him to be tried in the

<sup>r</sup> MS. p. 8, 9, 10, 11. *Styrie*, vol. iii. p. 385.

<sup>s</sup> MS. p. 15. *Jebb*, vol. ii. p. 307, 491, 637.

*Jebb*, vol. ii. p. 307, 491, 637.

<sup>t</sup> *Ibid*. p. 307, 492.

<sup>u</sup> *Camden*, p. 536. *Styrie*, vol. iii. Appendix, p. 145. *Jebb*, vol. ii. p. 648.

<sup>x</sup> *Camden*, p. 536. *Spotswood*, p. 358.



star-chamber for his misdemeanour. The secretary was confounded; and, being sensible of the danger which must attend his entering into a contest with the queen, he expressed penitence for his error, and submitted very patiently to be ruled at by those very counsellors whose persuasion had induced him to incur the guilt, and who had promised to countenance and protect him. He was condemned to imprisonment during the queen's pleasure, and to pay a fine of ten thousand pounds. He remained a long time in custody, and the fine, though it reduced him to beggary, was rigorously levied upon him: All the favour which he could obtain from the queen, was sending him small supplies from time to time to keep him from perishing in necessity.<sup>7</sup> He privately wrote an apology to his friend Walsingham, which contains many curious particulars. The French and Scotch ambassadors, he said, had been remonstrating with the queen in Mary's behalf; and immediately after their departure, she commanded him, of her own accord, to deliver her the warrant for the execution of that princess. She signed it readily, and ordered it to be sealed with the great seal of England. She appeared in such good humour on the occasion, that she said to him in a jocular manner, "Go, tell all this to Walsingham, who is now sick: though I fear he will die of sorrow when he hears of it." She added, that though she had so long delayed the execution, lest she should seem to be actuated by malice or cruelty, she was all along sensible of the necessity of it. In the same conversation she blamed Drury and Paulet, that they had not before eased her of this trouble; and she expressed her desire that Walsingham would bring them to compliance in that particular. She was so bent on this purpose, that, some time after, she asked Davison, Whether any letter had come from Paulet, with regard to the service expected of him? Davison showed her Paulet's letter, in which that gentleman positively refused to act any thing inconsistent with the principles of honour and justice. The queen fell into a passion, and accused Paulet as well as Drury of perjury; because, having taken the oath of association, in which they had bound themselves to avenge her wrongs, they had yet refused to lend their hand on this occasion. "But others," she said, "will be found less scrupulous." Davison adds, that nothing but the consent and exhortations of the whole council could have engaged him to send off the warrant: he was well aware of his danger; and remembered that the queen, after having ordered the execution of the Duke of Norfolk, had endeavoured, in a like manner, to throw the whole blame and odium of that action upon Lord Burleigh.<sup>8</sup>

Elizabeth's dissimulation was so gross that it could deceive nobody who was not previously resolved to be blinded; but as James's concern for his mother was certainly more sincere and cordial, he discovered the highest resentment, and refused to admit Cary into his presence. He recalled his ambassadors from England; and seemed to breathe nothing but war and vengeance. The states of Scotland, being assembled, took part in his anger; and professed that they were ready to spend their lives and fortunes in revenge of his mother's death, and in defence of his title to the crown of England. Many of the nobility instigated him to take arms; Lord Sinclair, when the courtiers appeared in deep mourning, presented himself to the king arrayed in complete armour, and said, that this was the proper mourning for the queen. The catholics took the opportunity of exhorting James to make an alliance with the King of Spain, to lay immediate claim to the crown of England, and to prevent the ruin which, from his mother's example, he might conclude would certainly, if Elizabeth's power prevailed, overwhelm his person and his kingdom. The queen was sensible of the danger attending these counsels; and after allowing James some decent interval to vent his grief and anger, she employed her emissaries to pacify him, and to set before him every motive of hope or fear which might induce him to live in amity with her.

Walsingham wrote to Lord Thurlstone, James's secretary, a judicious letter to the

same purpose.<sup>9</sup> He said, That he was much surprised to hear of the violent resolutions taken in Scotland, and of the passion discovered by a prince of so much judgment and temper as James: that a war founded merely on the principle of revenge, and that too on account of an act of justice which necessity had extorted, would for ever be exposed to censure, and could not be excused by any principles of equity or reason: that if these views were deemed less momentous among princes, policy and interest ought certainly to be attended to; and these motives did still more evidently oppose all thoughts of a rupture with Elizabeth and all revival of exploded claims to the English throne: that the inequality between the two kingdoms deprived James of any hopes of success, if he trusted merely to the force of his own state, and had no recourse to foreign powers for assistance: that the objections attending the introduction of succours from a more potent monarch appeared so evident from all the transactions of history, that they could not escape a person of the king's extensive knowledge; but there were, in the present case, several peculiar circumstances, which ought for ever to deter him from having recourse to so dangerous an expedient: that the French monarch, the ancient ally of Scotland, might willingly use the assistance of that kingdom against England; but would be displeased to see the union of these two kingdoms in the person of James; a union which would ever after exclude him from practising that policy, formerly so useful to the French, and so pernicious to the Scottish nation: that Henry besides, infested with faction and domestic war, was not in a condition of supporting distant allies; much less would he expose himself to any hazard or expense, in order to aggrandize a near kinsman of the house of Guise, the most determined enemies of his repose and authority: that the extensive power and exorbitant ambition of the Spanish monarch rendered him a still more dangerous ally to Scotland; and as he evidently aspired to a universal monarchy in the west, and had in particular advanced some claims to England, as if he were descended from the house of Lancaster, he was at the same time the common enemy of all princes who wished to maintain their independence; and the immediate rival and competitor of the King of Scots: that the queen, by her own naval power and her alliance with the Hollanders, would probably intercept all succours which might be sent to James from abroad, and be enabled to decide the controversy in this island, with the superior forces of her own kingdom, opposed to those of Scotland: that if the king revived his mother's pretensions to the crown of England, he must also embrace her religion, by which alone they could be justified; and must thereby undergo the infamy of abandoning those principles in which he had been strictly educated, and to which he had hitherto religiously adhered: that as he would, by such an apostasy, totally alienate all the protestants in Scotland and England, he could never gain the confidence of the catholics, who would still entertain reasonable doubts of his sincerity: that by advancing a present claim to the crown, he forfeited the certain prospect of his succession, and revived that national animosity which the late peace and alliance between the kingdoms had happily extinguished: that the whole gentry and nobility of England had openly declared themselves for the execution of the Queen of Scots; and if James showed such violent resentment against that act of justice, they would be obliged, for their own security, to prevent for ever so implacable a prince from ruling over them: and that, however some persons might represent his honour as engaged to seek vengeance for the present affront and injury, the true honour of a prince consisted in wisdom and moderation and justice, not in following the dictates of blind passion, or in pursuing revenge at the expense of every motive and every interest.<sup>10</sup> These considerations, joined to the peaceable unambitious temper of the young prince, prevailed over his resentment; and he fell gradually into a good correspondence with the court of England. It is probable that the queen's chief object in her dissimulation with regard to the execution of Mary was, that she might

<sup>7</sup> Camden, p. 538.

<sup>8</sup> Camden, p. 533. Strype, vol. iii. p. 375, 376. MS. in the Advocates'

Library, A. 3. 38. p. 17. From the Cot. Lib. Calig. c. 9. Progr. Brit. p. 165, 167.

a Strype, vol. iii. p. 377. Spotswood.

thereby afford James a decent pretence for renewing his amity with her, on which their mutual interests so much depended.

While Elizabeth insured tranquillity from the attempts of her nearest neighbour, she was not negligent of more distant dangers. Hearing that Philip, though he seemed to dissemble the daily insults and injuries which he received from the English, was secretly preparing a great navy to attack her; she sent Sir Francis Drake with a fleet to intercept his supplies, to pillage his coast, and to destroy his shipping. Drake carried out four capital ships of the queen's, and twenty-six great and small, with which the London merchants, in hopes of sharing in the plunder,

Drake destroys the fleet at Cadix.

had supplied him. Having learned from two Dutch ships, which he met with in his passage, that a Spanish fleet, richly laden, was lying at Cadiz, ready to set sail for Lisbon, the rendezvous of the intended Armada; he bent his course to the former harbour, and boldly, as well as fortunately, made an attack on the enemy. He obliged six galleys, which made head against him, to take shelter under the forts; he burned about a hundred vessels laden with ammunition and naval stores; and he destroyed a great ship of the Marquis of Santa Croce. Thence he set sail for Cape St. Vincent, and took by assault the castle situated on that promontory, with three other fortresses. He next insulted Lisbon; and finding that the merchants, who had engaged entirely in expectation of profit, were disconcerted at these military enterprises, he set sail for the Terceiras, with an intention of lying in wait for a rich carrack which was expected in those parts. He was so fortunate as to meet with his prize; and by this short expedition, in which the public bore so small a share, the adventurers were encouraged to attempt further enterprises, the English seamen learned to despise the great unwieldy ships of the enemy, the naval preparations of Spain were destroyed, the intended expedition against England was retarded a twelvemonth, and the queen thereby had leisure to take more secure measures against that formidable invasion.<sup>b</sup>

This year, Thomas Cavendish, a gentleman of Devonshire, who had dissipated a good estate by living at court, being resolved to repair his fortune at the expense of the Spaniards, fitted out three ships at Plymouth, one of a hundred and twenty tons, another of sixty, and a third of forty; and with these small vessels he ventured into the South Sea, and committed great depredations on the Spaniards. He took nineteen vessels, some of which were richly laden; and, returning by the Cape of Good Hope, he came to London, and entered the river in a kind of triumph. His marines and soldiers were clothed in silk, his sails were of damask, his top-sail cloth of gold; and his prizes were esteemed the richest that ever had been brought into England.<sup>c</sup>

The land enterprises of the English were not, during this campaign, so advantageous or honourable to the nation. The important place of Deventer was intrusted by Leicester to William Stanley, with a garrison of twelve hundred English; and this gentleman, being a catholic, was alarmed at the discovery of Babington's conspiracy, and became apprehensive lest every one of his religion should thenceforth be treated with distrust in England. He entered into a correspondence with the Spaniards, betrayed the city to them for a sum of money, and engaged the whole garrison to desert with him to the Spanish service. Roland York, who commanded a fort near Zutphen, imitated his example; and the Hollanders, formerly disaffected with Leicester, and suspicious of the English, broke out into loud complaints against the improvidence, if not the treachery, of his administration. Soon after, he himself arrived in the Low Countries: but his conduct was nowise calculated to give them satisfaction, or to remove the suspicions which they had entertained against him. The Prince of Parma having besieged Sluys, Leicester attempted to relieve the place, first by sea, then by land; but failed in both enterprises; and as he ascribed his bad success to the ill behaviour of the Hollanders, they were

equally free in reflections upon his conduct. The breach between them became wider every day: they slighted his authority, opposed his measures, and neglected his councils; while he endeavoured, by an imperious behaviour and by violence, to recover that influence which he had lost by his imprudent and ill-concerted measures. He was even suspected by the Dutch of a design to usurp upon their liberties; and the jealousy entertained against him began to extend towards the queen herself. That princess had made some advances towards a peace with Spain. A congress had opened at Bourbourg, a village near Graveline: and though the two courts, especially that of Spain, had no other intention than to amuse each of them its enemy by negotiation, and mutually relax the preparations for defence or attack, the Dutch, who were determined on no terms to return under the Spanish yoke, became apprehensive lest their liberty should be sacrificed to the political interests of England.<sup>d</sup> But the queen, who knew the importance of her alliance with the States during the present conjuncture, was resolved to give them entire satisfaction by recalling Leicester, and commanding him to resign his government. Maurice, son of the late Prince of Orange, a youth of twenty years of age, was elected by the States governor in his place; and Peregrine Lord Willoughby was appointed by the queen commander of the English forces. The measures of these two generals were much embarrassed by the malignity of Leicester, who had left a faction behind him, and who still attempted, by means of his emissaries, to disturb all the operations of the States. As soon as Elizabeth received intelligence of these disorders, she took care to redress them; and she obliged all the partisans of England to fall into unanimity with Prince Maurice.<sup>e</sup> But though her good sense so far prevailed over her partiality to Leicester, she never could be made fully sensible of his vices and incapacity: the submissions which he made her restored him to her wonted favour; and Lord Buckhurst, who had accused him of misconduct in Holland, lost her confidence for some time, and was even committed to custody.

Sir Christopher Hatton was another favourite who at this time received some marks of her partiality. Though he had never followed the profession of the law, he was made chancellor in the place of Bromley, deceased; but, notwithstanding all the expectations and perhaps wishes of the lawyers, he behaved in a manner not unworthy of that high station: his good natural capacity supplied the place of experience and study; and his decisions were not found deficient either in point of equity or judgment. His enemies had contributed to his promotion, in hopes that his absence from court, while he attended the business of chancery, would gradually estrange the queen from him, and give them an opportunity of undermining him in her favour.

These little intrigues and cabals of the court were silenced by the account, which came from all quarters, of the vast preparations made by the Spaniards for the invasion of England, and for the entire conquest of that kingdom. Philip, though he had not yet declared war, on account of the hostilities which Elizabeth every where committed upon him, had long harboured a secret and violent desire of revenge against her. His ambition also, and the hopes of extending his empire, were much encouraged by the present prosperous state of his affairs; by the conquest of Portugal, the acquisition of the East-Indian commerce and settlements, and the yearly importation of vast treasures from America. The point on which he rested his highest glory, the perpetual object of his policy, was to support orthodoxy and exterminate heresy; and as the power and credit of Elizabeth were the chief bulwark of the protestants, he hoped, if he could subdue that princess, to acquire the eternal renown of re-uniting the whole christian world in the catholic communion. Above all, his indignation against his revolted subjects in the Netherlands instigated him to attack the English, who had encouraged that insurrection, and who, by their vi-

A. D. 1588.

Philip projects the invasion of England.

<sup>b</sup> Camden, p. 540. Sir William Monson's Naval Tracts in Churchill's Voyages, vol. iii. p. 156.  
<sup>c</sup> Birch's Memoirs, vol. i. p. 57.

<sup>d</sup> Bentivoglio, part ii. lib. iv. Strype, vol. iv. No. 246.  
<sup>e</sup> Rymer, tom. xv. p. 66.

cinity, were so well enabled to support the Hollanders, that he could never hope to reduce these rebels while the power of that kingdom remained entire and unbroken. To subdue England seemed a necessary preparative to the re-establishment of his authority in the Netherlands; and notwithstanding appearances, the former was in itself, as a more important, so a more easy, undertaking than the latter. That kingdom lay nearer Spain than the Low Countries, and was more exposed to invasions from that quarter; after an enemy had once obtained entrance, the difficulty seemed to be over, as it was neither fortified by art or nature; a long peace had deprived it of all military discipline and experience; and the catholics, in which it still abounded, would be ready, it was hoped, to join any invader who should free them from those persecutions under which they laboured, and should revenge the death of the Queen of Scots, on whom they had fixed all their affections. The fate of England must be decided in one battle at sea, and another at land; and what comparison between the English and Spaniards, either in point of naval force, or in the numbers, reputation, and veteran bravery of their armies? Besides the acquisition of so great a kingdom, success against England insured the immediate subjection of the Hollanders, who, attacked on every hand, and deprived of all support, must yield their stubborn necks to that yoke which they had so long resisted. Happily this conquest, as it was of the utmost importance to the grandeur of Spain, would not at present be opposed by the jealousy of other powers, naturally so much interested to prevent the success of the enterprise. A truce was lately concluded with the Turks; the empire was in the hands of a friend and near ally; and France, the perpetual rival of Spain, was so torn with intestine commotions, that she had no leisure to pay attention to her foreign interests. This favourable opportunity, therefore, which might never again present itself, must be seized, and one bold effort made for acquiring that ascendancy in Europe, to which the present greatness and prosperity of the Spaniards seemed so fully to entitle them.<sup>f</sup>

These hopes and motives engaged Philip, notwithstanding his cautious temper, to undertake this hazardous enterprise; and though the prince, now created by the Pope, Duke of Parma, when consulted, opposed the attempt, at least represented the necessity of previously getting possession of some sea-port town in the Netherlands, which might afford a retreat to the Spanish navy,<sup>g</sup> it was determined by the catholic monarch to proceed immediately to the execution of this ambitious project. During some time he had been secretly making preparations; but as soon as the resolution was fully taken, every part of his vast empire resounded with the noise of armaments, and all his ministers, generals, and admirals, were employed in forwarding the design. The Marquis of Santa Croce, a sea officer of great reputation and experience, was destined to command the fleet; and by his counsels were the naval equipments conducted. In all the ports of

Sicily, Naples, Spain, and Portugal, artisans were employed in building vessels of uncommon size and force; naval stores were bought at a great expense; provisions amassed; armies levied and quartered in the maritime towns of Spain; and plans laid for fitting out such a fleet and embarkation as had never before had its equal in Europe. The military preparations in Flanders were no less formidable. Troops from all quarters were every moment assembling, to reinforce the Duke of Parma. Capizuchi and Spinelli conducted forces from Italy: the Marquess of Borgaut, a prince of the house of Austria, levied troops in Germany: the Walloon and Burgundian regiments were completed or augmented: the Spanish infantry was supplied with recruits; and an army of thirty-four thousand men was assembled in the Netherlands, and kept in readiness to be transported into England. The Duke of Parma employed all the carpenters whom he could procure either in Flanders or in Lower Germany, and the coasts of the Baltic; and he built at Dunkirk and Newport, but especially at Antwerp, a great number of boats and flat-bottomed vessels, for the transporting of his

infantry and cavalry. The most renowned nobility and princes of Italy and Spain were ambitious of sharing in the honour of this great enterprise. Don Amadeus of Savoy, Don John of Medicis, Vespasian Gonzaga, Duke of Sabionetta, and the Duke of Pastrana, hastened to join the army under the Duke of Parma. About two thousand volunteers in Spain, many of them men of family, had enlisted in the service. No doubts were entertained, but such vast preparations, conducted by officers of such consummate skill, must finally be successful. And the Spaniards, ostentatious of their power, and elated with vain hopes, had already denominated their navy the *Invincible Armada*.

News of these extraordinary preparations soon reached the court of London; and notwithstanding the secrecy of the Spanish council, and their pretending to employ this force in the Indies, it was easily concluded, that they meant to make some effort against England. Preparations in England. The queen had foreseen the invasion, and finding that she must now contend for her crown with the whole force of Spain, she made preparations for resistance: nor was she dismayed with that power, by which all Europe apprehended she must of necessity be overwhelmed. Her force indeed seemed very unequal to resist so potent an enemy. All the sailors in England amounted at that time to about fourteen thousand men.<sup>h</sup> The size of the English shipping was in general so small, that except a few of the queen's ships of war, there were not four vessels belonging to the merchants which exceeded four hundred tons.<sup>i</sup> The royal navy consisted of only twenty-eight sail,<sup>j</sup> many of which were of small size; none of them exceeded the bulk of our largest frigates, and most of them deserved rather the name of pinnaces than of ships. The only advantage of the English fleet consisted in the dexterity and courage of the seamen, who, being accustomed to sail in tempestuous seas, and expose themselves to all dangers, as much exceeded in this particular the Spanish mariners, as their vessels were inferior in size and force to those of that nation.<sup>k</sup> All the commercial towns of England were required to furnish ships for reinforcing this small navy; and they discovered on the present occasion great alacrity in defending their liberty and religion against those imminent perils with which they were menaced. The citizens of London, in order to show their zeal in the common cause, instead of fifteen vessels which they were commanded to equip, voluntarily fitted out double the number.<sup>l</sup> The gentry and nobility hired, and armed, and manned, forty-three ships at their own charge;<sup>m</sup> and all the loans of money which the queen demanded were frankly granted by the persons applied to. Lord Howard of Effingham, a man of courage and capacity, was admiral, and took on him the command of the navy: Drake, Hawkins, and Frobisher, the most renowned seamen in Europe, served under him. The principal fleet was stationed at Plymouth. A smaller squadron, consisting of forty vessels, English and Flemish, was commanded by Lord Seymour, second son of Protector Somerset; and lay off Dunkirk, in order to intercept the Duke of Parma.

The land forces of England, compared to those of Spain, possessed contrary qualities to its naval power: they were more numerous than the enemy, but much inferior in discipline, reputation, and experience. An army of twenty thousand men was disposed in different bodies along the south coast, and orders were given them, if they could not prevent the landing of the Spaniards, to retire backwards, to waste the country around, and to wait for reinforcement from the neighbouring counties, before they approached the enemy. A body of twenty-two thousand foot, and a thousand horse, under the command of the Earl of Leicester, was stationed at Tilbury, in order to defend the capital. The principal army consisted of thirty-four thousand foot and two thousand horse, and was commanded by Lord Hunsdon. These forces were reserved for guarding the queen's person, and were appointed to march whithersoever the enemy should appear. The fate of England, if all the Spanish armies should be able to land, seemed to depend on the issue of a single battle; and men of reflection entertained the most dismal appre-

<sup>f</sup> Camden, *Strype*, vol. m. p. 512. <sup>g</sup> Bentinck, *part ii. lib. iv.*  
<sup>h</sup> *Mason*, p. 256. <sup>i</sup> *Ibid.* p. 268. <sup>k</sup> *Ibid.* p. 157.

<sup>l</sup> *Mason*, p. 521.

<sup>m</sup> *Lives of the Admirals*, vol. i. p. 451.

<sup>n</sup> *Ibid.* p. 276.



hensions, when they considered the force of fifty thousand veteran Spaniards, commanded by experienced officers, under the Duke of Parma, the most consummate general of the age; and compared this formidable armament with the military power, which England, not enervated by peace, but long dissuaded to war, could muster up against it.

The chief support of the kingdom seemed to consist in the vigour and prudence of the queen's conduct; who, undismayed by the present dangers, issued all her orders with tranquillity, animated her people to a steady resistance, and employed every resource which either her domestic situation or her foreign alliances could afford her. She sent Sir Robert Sidney into Scotland, and exhorted the king to remain attached to her, and to consider the danger which at present menaced his sovereignty no less than her own, from the ambition of the Spanish tyrant;<sup>a</sup> the ambassador found James well disposed to cultivate a union with England, and that prince even kept himself prepared to march with the force of his whole kingdom to the assistance of Elizabeth. Her authority with the King of Denmark, and the tie of their common religion, engaged this monarch, upon her application, to seize a squadron of ships which Philip had bought or hired in the Danish harbours;<sup>b</sup> the Hanse Towns, though not at that time on good terms with Elizabeth, were induced by the same motives to retard so long the equipment of some vessels in their ports, that they became useless to the purpose of invading England. All the protestants throughout Europe regarded this enterprise as the critical event, which was to decide for ever the fate of their religion; and though unable, by reason of their distance, to join their force to that of Elizabeth, they kept their eyes fixed on her conduct and fortune, and beheld with anxiety, mixed with admiration, the intrepid countenance with which she encountered that dreadful tempest, which was every moment advancing towards her.

The queen also was sensible that, next to the general popularity which she enjoyed, and the confidence which her subjects reposed in her prudent government, the firmest support of her throne consisted in the general zeal of the people for the protestant religion, and the strong prejudices which they had imbibed against popery. She took care, on the present occasion, to revive in the nation this attachment to their own sect, and this abhorrence of the opposite. The English were reminded of their former danger from the tyranny of Spain: all the barbarities exercised by Mary against the protestants were ascribed to the counsels of that bigoted and imperious nation: the bloody massacres in the Indies, the unrelenting executions in the Low Countries, the horrid cruelties and iniquities of the inquisition, were set before men's eyes: a list and description was published, and pictures dispersed, of the several instruments of torture with which, it was pretended, the Spanish Armada was loaded: and every artifice, as well as reason, was employed to animate the people to a vigorous defence of their religion, their laws, and their liberties.

But while the queen, in this critical emergence, roused the animosity of the nation against popery, she treated the partisans of that sect with moderation, and gave not way to an undistinguishing fury against them. Though she knew that Sixtus Quintus, the present Pope, famous for his capacity and his tyranny, had fulminated a new bull of excommunication against her, had deposed her, had absolved her subjects from their oaths of allegiance, had published a crusade against England, and had granted plenary indulgences to every one engaged in the present invasion; she would not believe that all her catholic subjects could be so blinded, as to sacrifice to bigotry their

duty to their sovereign, and the liberty and independence of their native country. She rejected all violent counsels, by which she was urged to seek pretences for despatching the leaders of that party: she would not even confine any considerable number of them: and the catholics, sensible of this good usage, generally expressed great zeal for the public service. Some gentlemen of that sect, conscious that they could not justly expect any trust or authority, entered themselves as volunteers in the fleet or army;<sup>c</sup> some equipped ships at their own charge, and gave the command of them to protestants: others were active in animating their tenants, and vassals, and neighbours, to the defence of their country: and every rank of men, burying for the present all party distinctions, seemed to prepare themselves with order as well as vigour to resist the violence of these invaders.

The more to excite the martial spirit of the nation, the queen appeared on horseback in the camp at Tilbury; and riding through the lines, discovered a cheerful and animated countenance, exhorted the soldiers to remember their duty to their country and their religion, and professed her intention, though a woman, to lead them herself into the field against the enemy, and rather to perish in battle than survive the ruin and slavery of her people.<sup>d</sup> By this spirited behaviour she revived the tenderness and admiration of the soldiery: an attachment to her person became a kind of enthusiasm among them: and they asked one another, Whether it were possible that Englishmen could abandon this glorious cause, could display less fortitude than appeared in the female sex, or could ever by any dangers be induced to relinquish the defence of their heroic princess?

The Spanish Armada was ready in the beginning of May; but, the moment it was preparing to sail, the Marquis of Santa Croce, the Admiral, was seized with a fever, of which he soon after died. The vice-admiral, the Duke of Paliano, by a strange concurrence of accidents, at the very same time suffered the same fate; and the king appointed for admiral the Duke of Medina Sidonia, a nobleman of great family, but unexperienced in action, and entirely unacquainted with sea affairs. Alcares was appointed vice-admiral. This misfortune, besides the loss of so great an officer as Santa Croce, retarded the sailing of the Armada, and gave the English more time for their preparations to oppose them. At last, the Spanish fleet, full of hopes and alacrity, set sail from Lisbon; but next day met with a violent tem-

29th May.

pest, which scattered the ships, sunk some of the smallest, and forced the rest to take shelter in the Groine, where they waited till they could be refitted. When news of this event was carried to England, the queen concluded that the design of an invasion was disappointed for this summer; and, being always ready to lay hold on every pretence for saving money, she made Walsingham write to the admiral, directing him to lay up some of the larger ships, and to discharge the seamen: but Lord Effingham, who was not so sanguine in his hopes, used the freedom to disobey these orders; and he begged leave to retain all the ships in service, though it should be at his own expense.<sup>e</sup> He took advantage of a north wind, and sailed toward the coast of Spain, with an intention of attacking the enemy in their harbours; but the wind changing to the south, he became apprehensive lest they might have set sail, and, by passing him at sea, invade England, now exposed by the absence of the fleet. He returned therefore with the utmost expedition to Plymouth, and lay at anchor in that harbour.

Meanwhile, all the damages of the Armada were repaired, and the Spaniards with fresh hopes set out again to

<sup>a</sup> She made him some promises which she never fulfilled, to give him a dukedom in England with suitable lands and revenue, to settle about a year on him, and pay him a guard, for the safety of his person. From a MS. of Lord Royston's.

<sup>b</sup> See page, vol. ii. p. 524.

<sup>c</sup> See page, vol. ii. p. 524.

<sup>d</sup> *The queen's speech in the camp of Tilbury has in these words:* My loving people, we have been persuaded by some that are careful of our safety, to take heed how we commit ourselves to armed multitudes, for fear of treachery; but assure you, I do not desire to live to distrust my faithful and loving people. Yet tyrants feed I have always so beheld myself, that, under that, I have placed my chiefest strength and safety in the loyal hearts and good will of my subjects. And therefore I am come advent' you at this time, not as for my recreation or sport, but being resolved, in the midst and heat of the battle, to live or die amongst you all; to lay down, for my God, and for my kingdom, and for my people, my

honour and my blood, even in the dust. I know I have but the body of a weak and feeble woman; but I have the heart of a king, and of a king of England too; and think foul scorn that Parma or Spain, or any prince of Europe, should dare to invade the borders of my realms: to which, rather than any dishonour should grow by me, I myself will take up arms: I myself will be your general, officer, and leader of a way; one of your virtues served rewards and crowns; and we do assure you, on the word of a prince, you shall be only paid you. In the mean time my lieutenant-general shall be in my stead, upon whom next place is nominated a more noble and worthy subject; not doubting by your obedience to my general, by your concord in the camp, and your valour in the field, we shall shortly have a glorious victory over three enemies of my God, of my kingdom, and of my people.

<sup>e</sup> Camden, p. 545.



fatigue, and so dispirited by their discomfiture, that they filled all Spain with accounts of the desperate valour of the English, and of the tempestuous violence of that ocean which surrounds them.

Such was the miserable and dishonourable conclusion of an enterprise which had been preparing for three years, which had exhausted the revenue and force of Spain, and which had long filled all Europe with anxiety or expectation. Philip, who was a slave to his ambition, but had an entire command over his countenance, no sooner heard of the mortifying event which blasted all his hopes, than he fell on his knees, and rendering thanks for the gracious dispensation of Providence, expressed his joy that the calamity was not greater. The Spanish priests, who had so often blest this holy crusade, and foretold its infallible success, were somewhat at a loss to account for the victory gained over the catholic monarch by excommunicated heretics and an execrable usurper: but they at last discovered, that all the calamities of the Spaniards had proceeded from their allowing the infidel Moors to live among them.

A. B. 1580. Soon after the defeat and dispersion of the Spanish Armada, the queen summoned a new parliament; and received from them a supply of two subsidies and four fifteenths, payable in four years. This is the first instance that subsidies were doubled in one supply; and so unusual a concession was probably obtained from the joy of the present success, and from the general sense of the queen's necessities. Some members objected to this heavy charge, on account of the great burden of loans which had lately been imposed upon the nation.

A parliament. Elizabeth foresaw, that this House of Commons, like all the foregoing, would be governed by the puritans; and therefore, to obviate their enterprises, she renewed at the beginning of the session her usual injunction, that the parliament should not on any account presume to treat of matters ecclesiastical. Notwithstanding this strict inhibition, the zeal of one Dampson moved him to present a bill to the Commons for remedying spiritual grievances, and for restraining the tyranny of the ecclesiastical commission, which were certainly great: but when Mr. Secretary Woley reminded the House of her majesty's commands, no one durst second the motion; the bill was not so much as read; and the Speaker returned it to Dampson without taking the least notice of it.<sup>a</sup> Some members of the House, notwithstanding the general submission, were even committed to custody on account of this attempt.<sup>b</sup>

The imperious conduct of Elizabeth appeared still more clearly in another parliamentary transaction. The right of purveyance was an ancient prerogative, by which the officers of the crown could at pleasure take provisions for the household from all the neighbouring counties, and

could make use of the carts and carriages of the farmers; and the price of these commodities and services was fixed and stated. The payment of the money was often distant and uncertain; and the rates, being fixed before the discovery of the West Indies, were much inferior to the present market price; so that purveyance, besides the slavery of it, was always regarded as a great burden, and, being arbitrary and casual, was liable to great abuses. We may fairly presume, that the hungry courtiers of Elizabeth, supported by her unlimited power, would be sure to render this prerogative very oppressive to the people; and the Commons had, last session, found it necessary to pass a bill for regulating these exactions: but the bill was lost in the House of Peers.<sup>c</sup> The continuance of the abuses begat a new attempt for redress; and the same bill was now revived, and again sent up to the House of Peers, together with a bill for some new regulations in the court of exchequer. Soon after the Commons received a message from the upper House, desiring them to appoint a committee for a conference. At this conference, the Peers informed them, that the queen, by a message delivered by Lord Burleigh, had expressed her displeasure, that the Commons should presume to touch on her prerogative. If there were any abuses, she said, either in imposing purveyance, or in the practice of the court of exchequer, her majesty was both able and willing to provide due reformation; but would not permit the parliament to intermeddle in these matters.<sup>d</sup> The Commons, alarmed at this intelligence, appointed another committee to attend the queen, and endeavour to satisfy her of their humble and dutiful intentions. Elizabeth gave a gracious reception to the committee: she expressed her great *inestimable loving care* towards her loving subjects; which, she said, was greater than of her own self, or even than any of them could have of themselves. She told them that she had already given orders for an inquiry into the abuses attending purveyance, but the dangers of the Spanish invasion had retarded the progress of the design; that she had as much skill, will, and power to rule her household as any subjects whatsoever to govern theirs, and needed as little the assistance of her neighbours; that the exchequer was her chamber, consequently more near to her than even her household, and therefore the less proper for them to intermeddle with; and that she would of herself, with advice of her council and the judges, redress every grievance in these matters, but would not permit the Commons, by laws moved without her privy, to bereave her of the honour attending these regulations.<sup>e</sup> The issue of this matter was the same that attended all contests between Elizabeth and her parliaments.<sup>f</sup> She seems even to have been more imperious in this particular than her predecessors; at least her more remote ones: for they often permitted the abuses of purveyance<sup>g</sup> to be redressed

Styripe, vol. iii, p. 525. On the fourth of September, soon after the dispersion of the Spanish Armada, died the Earl of Leicester, the queen's great, but unworthy, favourite. Her affection for him continued to the last. He had discovered no conduct in any of his military enterprises, and was suspected of cowardice; yet she trusted him with the command of the expedition to France, and he was killed at the battle of Jarnac, which might have proved fatal to her, had the Duke of Parma been able to land his troops in England. She had even entered a commission to be drawn for him, constituting him her lieutenant in the kingdom of England, Ireland, but Burleigh and Hatton represented to her the danger of intrusting the government to a man whose conduct in the field had prevented the execution of that design. No woman that a conflict, so unlike the usual jealousy of Elizabeth, gave reason to suspect that her partiality was founded on some other passion than friendship. But Elizabeth's affection for Leicester was not confined to the private sphere. She ordered his goods to be disposed of at a public sale, in order to reimburse herself of some debt which he owed her; and her usual attention to money was observed to prevail over her regard to the memory of the deceased. See also a great hypothesis, a pretender to the strictest logic, and the

tion, in encourage of the puritans, and a boulder of hospital-  
ity, and a fountain of grace, may please to give some singular  
passages in this last speech, which may be worth taking notice of; espe-  
cially, as they came from a member who was so courtly. So he argu-  
ingly says, "subsidy." And first, "says he, for the necessity thereof, I  
am glad to hear it." If it were not for the necessity thereof, he says, no  
commandment, or a demand proceeding from her majesty by way of re-  
quest, that I think there is not one among us all, either so disobedient as to  
refuse, or so ungrateful as to neglect it. And then he adds, "for the  
estimable benefits which, by her or from her, we have received, which  
would not with frank consent, both of voice and heart, most willingly sub-  
mit to be taken away." And then he says, "for the necessity thereof, I am  
glad to hear it; for it is continually in the mouth of us all, that our lands, goods,  
and lives, are at our prince's disposing. And it agreeth very well with  
the law of nature, and the civil law, which saith, *Quod unumquisque suo*. But  
now, *Quia inanis est gloria*, and *Quia omnis caro cinis*, and *Quia*  
*et singulis preterita*. So that although it be most true that her majesty  
may, as she pleaseth, send our goods *postea ut impendat*, yet it is true that  
until that she order it, we are not to stir, nor to stir up the least  
very just cause, every subject both in *his* *population* *possidenda*.

Which power and commandment from their majesty, which we have not yet received I feel (in saving reform) that we are freed from the cause of necessity. And the cause of necessity is the dangerous estate of the commonwealth." &c. The tenor of the speech pleads rather for a general benevolence than a subsidy, for the law of Richard III. against benevolence was never conceived to have any force. The member even proceeds to assert with some precaution, that it was in the present instance a case of necessity, and that there was a case that there was an instance of that liberty in Henry III.'s time, near four hundred years before.

a D'Ewes, p. 423.  
b Strype's *Life of Whitgift*, p. 260. Neal, vol. i. p. 500.  
c D'Ewes, p. 434. d *Ibid.* p. 440. e *Ibid.* p. 444.

I have cut off his pulvint, eo capite tantum. Tiv. We may judge of the extent and importance of these abuses by the speech of Bacon's against purveyors, delivered in the first session of the Elizabethan parliament, and which I will here insert as it stands in the original. It had given no redress to the grievances complained of. "First says he, 'they take in kind what they ought not to take; secondly, they take in quantity a far greater proportion than cometh to your majesty's use, thirdly, they do prohibit all private man to buy or sell any direct, or indirect way, for the purchase of such service laws.' For the first, I am a little to alter their name, for instead of buyers they become buyers instead of being provisions for your majesty's service, they tax you people at dear rates, and make themselves lords of the country. And fourthly, they do demand more money sometimes in gross, sometimes in the nature of stipends annually paid, *ne necesse*, to be freed and eased of their oppression. Again, they take trees, which by laws they cannot do: timber trees, which are the beauty, countenance, and shelter of the country; they take them without payment, and put them to waste and profit; that new esteem for their use and delight, above ten times the value; that are a loss which men cannot repair or recover. These do they take, to the defacing and spoiling of your subjects' mansions, castles, dwellings, and houses. And fifthly, they do oppress poor tenants, and gentlemen be too hard for them while he is at home, they will watch their time when there is but a bailiff or a serjeant remaining, and put the axe to the root of the tree, and drive the master can stop it. Again, they do take away the goods of the nation, and subject to pay poundage of their own debts, due from your majesty unto them, as if a poor man when he has had his day,



by law.<sup>9</sup> Edward III. a very arbitrary prince, allowed ten several statutes to be enacted for that purpose.

In so great awe did the Commons stand of every courtier, as well as of the crown, that they durst use no freedom of speech which they thought would give the least offence to any of them. Sir Edward Hobby showed in the House his extreme grief, that by some great personage, not a member of the House, he had been sharply rebuked for speeches delivered in parliament: he craved the favour of the House, and desired that some of the members might inform that great personage of his true meaning and intention in the speeches.<sup>1</sup> The Commons, to obviate these inconveniences, passed a vote that no one should reveal the secrets of the House.<sup>2</sup>

The discomfiture of the Armada had begotten in the nation a kind of enthusiastic passion for enterprises against Spain: and nothing seemed now impossible to be achieved by the valour and fortune of the English. Don Antonio, prior of Crato, a natural son of the royal family of Portugal, trusting to the aversion of his countrymen against the Castilians, had advanced a claim to the crown; and flying first to France, thence to England, had been encouraged both by Henry and Elizabeth in his pretensions. A design was formed by the people, not the court, of England, to conquer the kingdom for Don Antonio: Sir Francis Drake and Sir John Norris were the leaders in this romantic enterprise: near twenty thousand volunteers<sup>1</sup> enlisted themselves in the service: and ships were hired, as well as arms provided, at the charge of the adventurers.

The queen's frugality kept her from contributing more than sixty thousand pounds to the expense; and she only allowed six of her ships of war to attend the expedition.<sup>2</sup> There was more spirit and bravery, than foresight or prudence, in the conduct of this enterprise. The small stock of the adventurers did not enable them to buy either provisions or ammunition sufficient for such an undertaking: they even wanted vessels to stow the numerous volunteers who crowded to them: and they were obliged to seize by force some ships of the Hanse Towns, which they met with at sea: an expedient which set them somewhat more at ease in point of room for their men, but remedied not the deficiency of their provisions.<sup>3</sup> Had they sailed directly to Portugal, it is believed that the good-will of the people, joined to the defenceless state of the country, might have insured them of success: but hearing that great preparations were making at the Groine for the invasion of England, they were induced to go thither, and destroy this new armament of Spain. They broke into the harbour, burned some ships of war, particularly one commanded by Recalde, vice-admiral of Spain: they defeated an army of four or five thousand men, which was assembled to oppose them; they assaulted the Groine, and took the lower town, which they pillaged; and they would have taken the higher, though well fortified, had they not found their ammunition and provisions beginning to fail them. The young Earl of

Essex, a nobleman of promising hopes, who, fired with the thirst of military honour, had secretly, unknown to the queen, stolen from England, here joined the adventurers; and it was then agreed by common consent to make sail for Portugal, the main object of their enterprise.

The English landed at Paniche, a sea-port town, twelve leagues from Lisbon; and Norris led the army to that capital, while Drake undertook to sail up the river and attack the city with united forces. By this time the court of Spain had gotten leisure to prepare against the invasion. Forces were thrown into Lisbon: the Portuguese were disarmed: all suspected persons were taken into custody: and thus, though the inhabitants bore great affection to Don Antonio, none of them durst declare in favour of the invaders. The English army, however, made themselves masters of the suburbs, which abounded with riches of all kinds; but as they desired to conciliate the affections of the Portuguese, and were more intent on honour than profit, they observed a strict discipline, and abstained from all plunder. Meanwhile they found their ammunition and provisions much exhausted; they had not a single cannon to make a breach in the walls; the admiral had not been able to pass some fortresses which guarded the river; there was no appearance of an insurrection in their favour; sickness, from fatigue, hunger, and intemperance in wine and fruits, had seized the army: so that it was found necessary to make all possible haste to reembark. They were not pursued by the enemy; and, finding at the mouth of the river sixty ships laden with naval stores, they seized them as lawful prize, though they belonged to the Hanse Towns, a neutral power. They sailed thence to Vigo, which they took and burned; and, having ravaged the country around, they set sail and arrived in England. Above half of these gallant adventurers perished by sickness, famine, fatigue, and the sword;<sup>4</sup> and England reaped more honour than profit from this extraordinary enterprise. It is computed that eleven hundred gentlemen embarked on board the fleet, and that only three hundred and fifty survived those multiplied disasters.<sup>5</sup>

When these ships were on their voyage homewards, they met with the Earl of Cumberland, who was outward bound, with a fleet of seven sail, all equipped at his own charge, except one ship of war which the queen had lent him. That nobleman supplied Sir Francis Drake with some provisions; a generosity which saved the lives of many of Drake's men, but for which the others afterwards suffered severely. Cumberland sailed towards the Terceiras, and took several prizes from the enemy; but the richest, valued at a hundred thousand pounds, perished in her return, with all her cargo, near St. Michael's Mount, in Cornwall. Many of these adventurers were killed in a rash attempt at the Terceiras; a great mortality seized the rest: and it was with difficulty that the few hands which remained were able to steer the ships back into harbour.<sup>6</sup>

Though the signal advantages gained over the Spaniards, and the spirit thence infused

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his word, or his power (which perchance he was full loath to part with, and so for the provision of his own family, and not to put to sale) taken from him, and at a rate, and in such a manner, as he could not receive his money, he shall have after the rate of twelve-pence in the pound, dated for payment of his due payment upon so hard conditions, say, further, they are grown to that extremity, (as is affirmed, though it be scarce creditable, save that in such persons all things are credible,) that they will take double poudage, once when the debenture is made, and again the second time when the money is paid. For the second point, most gracious sovereign, touching the quantity which they take far above that which is assigned to your majesty's use, it is affirmed unto me by divers gentlemen of good report, as a matter which I may safely avouch unto your majesty, that there is no pound profit which replenisheth unto your majesty in this course, but indolence and beggeth three pound damage upon your subjects, beside the discontentment. And to the end they may make their spoil more secretly, what do they? Whereas divers statutes do strictly provide, that whatsoever they take shall be registered and attested, to the end that by means of collation of that which is taken from the country and that which is assigned to your majesty's use, they, to the end to shew their deceit, utterly omit the observation of this, which the law prescribeth. And therefore to remedy, if it may please your majesty, in this third sort of abuse, which is of the unlawful manner of their taking, whereas this question and statute is about, they take by rather assault an enumeration of some of the particulars than prosecution of all. For their price, by law they ought to take as they can after with the subject, by abuse, they take at an imposed and enforced price; by law, they ought to make full and true appraisement by neighbours in the country, by abuse, they make a small appraisement at the court case, and when the merchants' cattle come up many miles, less and out of plight by reason of their travel, then they prize them at an undervalued price: by law they ought to take before question and suit, by abuse, they take by forced and not by right force, a fine well chosen for malefactors; by law, they ought not to take in the highways, a place by her Majesty's high prerogative, prohibited, and by statute by special words excepted; by abuse,

they take in the highways: by law, they ought to show their commission, &c. A number of other particulars there are," &c. Bacon's Works, iv. p. 2.

Such were the abuses which Elizabeth would neither permit her parliament to meddle with, nor redress herself. I believe it will readily be allowed, that this slight prerogative alone, which has passed almost unobserved amidst other branches of so much greater importance, was sufficient to extinguish all regular liberty. For what elector, or member of parliament, or even jurymen, durst oppose the will of the court, while he lay under the lash of such an arbitrary prerogative. For a further account of the grievous and incredible oppressions of purveyors, see the Journals of the House of Commons, vol. i. p. 169. There is a story of a carter, who it may be worth mentioning on this occasion. "A carter had three times been at Windsor with his cart to carry away, upon summons of a remove, some part of the stuff of her majesty's wardrobe; and when he had repaired thither once, twice, and the third time, and that they of the wardrobe had told him the third time that the remove held not, the carter, clapping his hand on his thigh, said, *Now I see that the queen is a woman as well as a child*. Which words being overheard by her majesty, who then stood at the window, she said, *What a villain is this!* and so sent him three angels to stop his mouth." Birch's Memoirs, vol. i. p. 155.

See the Statutes under the head of purveyance.

1 An act was passed this session, enforcing the former statute, which imposed twenty pounds a month on every one absent from public worship. But the penalty was restricted to two-thirds of the income of the recusant.

2 Birch's Memoirs of Queen Elizabeth, vol. i. p. 61. Monson, p. 267, says, that there were only fourteen thousand soldiers and four thousand women in the whole on this expedition: but the account in Dr. Birch is given by one of the most considerable of the adventurers.

3 Monson, p. 267.

4 Ibid. p. 159.

5 Birch's Memoirs, vol. i. p. 61.

6 Monson, p. 161.

into the English, gave Elizabeth great security during the rest of her reign, she could not forbear keeping an anxious eye on Scotland, whose situation rendered its revolutions always of importance to her. It might have been expected, that this high-spirited princess, who knew so well to brave danger, would not have retained that malignant jealousy towards her heir, with which, during the life-time of Mary, she had been so much agitated. James had indeed succeeded to all the claims of his mother; but he had not succeeded to the favour of the catholics, which could alone render these claims dangerous.\* And as the queen was now well advanced in years, and enjoyed an uncontrolled authority over her subjects, it was not likely that the King of Scots, who was of an indolent unambitious temper, would ever give her any disturbance in her possession of the throne. Yet all these circumstances could not remove her timorous suspicions: and so far from satisfying the nation by a settlement of the succession, or a declaration of James's title, she was as anxious to prevent every incident which might anywise raise his credit, or procure him the regard of the English, as if he had been her immediate rival and competitor. Most of his ministers and favourites were her pensioners; and as she was desirous to hinder him from marrying and having children, she obliged them to throw obstacles in the way of every alliance, even the most reasonable, which could be offered him; and during some years she succeeded in this malignant policy.\* He had fixed on the elder daughter of the King of Denmark, who, being a remote prince and not powerful, could give her no umbrage; yet did she so artfully cross this negotiation, that the Danish monarch, impatient of delay, married his daughter to the Duke of Brunswick. James then renewed his suit to the younger princess; and still found obstacles from the intrigues of Elizabeth, who, merely with a view of interposing delay, proposed to him the sister of the King of Navarre, a princess much older than himself, and entirely destitute of fortune. The young king, besides the desire of securing himself, by the prospect of issue, from those traitorous attempts too frequent among his subjects, had been so watched by the rigid austerity of the ecclesiastics, that he had another inducement to marry, which is not so usual with monarchs. His impatience therefore broke through all the politics of Elizabeth: the articles of marriage were settled: the ceremony was performed by proxy, and the princess embarked for Scotland; but was driven by a storm into a port of Norway. The tempest, and some others which happened near the same time, were universally believed in Scotland and Denmark to have proceeded from a combination of the Scottish and Danish witches; and the dying confession of the criminals was supposed to put the accusation beyond all controversy.† James, however, though a great believer in sorcery, was not deterred by this incident from taking a voyage in order to conduct his bride home: he arrived in Norway; carried the queen thence to Copenhagen; and, having passed the winter in that city, he brought her next spring to Scotland, where they were joyfully received by the people. The clergy alone, who never neglected an opportunity of vexing their prince, made opposition to the queen's coronation, on account of the ceremony of anointing her, which they alleged was either a Jewish or a popish rite, and therefore utterly antichristian and unlawful. But James was as much bent on the ceremony as they were averse to it; and, after much controversy, and many intrigues, his authority, which had not often happened, at last prevailed over their opposition.‡

## CHAP. XLIII.

French affairs.—Murder of the Duke of Guise.—Murder of Henry III.—Progress of Henry IV.—Naval enterprises against Spain.—A parliament.—Henry IV. embraces the catholic religion.—Scottish affairs.—Naval enterprises.—A parliament.—Peace of Vervais.—The Earl of Essex.

AFTER a state of great anxiety and many difficulties, Elizabeth had at length reached

a situation where, though her affairs still required attention, and found employment for her active spirit, she was removed from all danger of any immediate revolution, and might regard the efforts of her enemies with some degree of confidence and security. Her successful and prudent administration had gained her, together with the admiration of foreigners, the affections of her own subjects; and after the death of the Queen of Scots, even the catholics, however discontented, pretended not to dispute her title, or adhere to any other person as her competitor. James, curbed by his factious nobility and ecclesiastics, possessed at home very little authority; and was solicitous to remain on good terms with Elizabeth and the English nation, in hopes that time, aided by his patient tranquillity, would secure him that rich succession to which his birth entitled him. The Hollanders, though overmatched in their contest with Spain, still made an obstinate resistance; and such was their unconquerable antipathy to their old masters, and such the prudent conduct of young Maurice, their governor, that the subduing of that small territory, if at all possible, must be the work of years, and the result of many and great successes. Philip, who, in his powerful effort against England, had been transported by resentment and ambition beyond his usual cautious maxims, was now disabled, and still more discouraged, from adventuring again on such hazardous enterprises. The situation also of affairs in France began chiefly to employ his attention; but notwithstanding all his artifice, and force, and expense, the events in that kingdom proved every day more contrary to his expectations, and more favourable to the friends and confederates of England.

The violence of the league having constrained Henry to declare war against the French affairs. hugonots, these religionists seemed exposed to the utmost danger; and Elizabeth, sensible of the intimate connexion between her own interests and those of that party, had supported the King of Navarre by her negotiations in Germany, and by large sums of money, which she permitted for levying forces in that country. This great prince, not discouraged by the superiority of his enemies, took the field; and in the year 1587 gained at Coutras a complete victory over the army of the French king; but as his allies, the Germans, were at the same time discomfited by the army of the league, under the Duke of Guise, his situation, notwithstanding his victory, seemed still as desperate as ever. The chief advantage which he reaped by this diversity of success arose from the dissensions which by that means took place among his enemies. The inhabitants of Paris, intoxicated with admiration of Guise, and strongly prejudiced against their king, whose intentions had become suspicious to them, took to arms, and obliged Henry to fly for his safety. That prince, dissembling with the league; and having conferred many high offices on Guise and his partisans, summoned an assembly of the states at Blois, on pretence of finding expedients to support the intended war against the hugonots. The various scenes of perfidy and cruelty, which had been exhibited in France, had justly begotten a mutual diffidence among all parties; yet Guise, trusting more to the timidity than honour of the King, rashly put himself into the hands of that monarch, and expected, by the ascendancy of his own genius, to make him submit to all his exorbitant pretensions. Henry, though of an easy disposition, not steady to his resolutions, nor even to his promises, wanted neither courage nor capacity; and finding all his subtleties eluded by the vigour of Guise, and even his throne exposed to the most imminent danger, he embraced more violent counsels than were Murder of the natural to him, and ordered that prince and Duke of Guise. his brother, the Cardinal of Guise, to be assassinated in his palace.

This cruel execution, which the necessity of it alone could excuse, had nearly proved fatal to the author, and seemed at first to plunge him into greater dangers than those which he sought to avoid by taking vengeance on his enemy. The partisans of the league were inflamed with the utmost rage against him: the populace every where, particularly at Paris, renounced allegiance to

r Winwood, vol. i. p. 41.

s Melvil, p. 166. 177.

t Melvil, p. 180.

u Spotswood, p. 321.

him: the ecclesiastics and the preachers filled all places with execrations against his name; and the most powerful cities and most opulent provinces appeared to combine in a resolution, either of renouncing monarchy, or of changing their monarch. Henry, finding slender resources among his catholic subjects, was constrained to enter into a confederacy with the Hugonots and the King of Navarre: he enlisted large bodies of Swiss infantry and German cavalry; and, being still supported by his chief nobility, he assembled by all these means an army of near forty thousand men, and advanced to the gates of Paris ready to crush the league, and subdue all his enemies. The desperate resolution of one man diverted the course of these great events. Jacques Clement, a Dominican friar, inflamed by that bloody spirit of bigotry which distinguishes this century and a great part of the following beyond all ages of the world, embraced the resolution of sacrificing his own life in order to save the church from the persecutions of an heretical tyrant; and being Murder of Henry the Third. admitted under some pretext to the king's presence, he gave that prince a mortal wound, and was immediately put to death by the courtiers, who hastily revenged the murder of their sovereign. This memorable incident happened on the first of August 1589.

The King of Navarre, next heir to the crown, assumed the government by the title of Henry IV. but succeeded to much greater difficulties than those which surrounded his predecessor. The prejudices entertained against his religion made a great part of the nobility immediately desert him; and it was only by his promise of hearkening to conferences and instruction, that he could engage any of the catholics to adhere to his undoubted title. The league, governed by the Duke of Mayenne, brother to Guise, gathered new force, and the King of Spain entertained views, either of dismembering the French monarchy, or of annexing the whole to his own dominions. In these distressful circumstances, Henry addressed himself to Elizabeth, and found her well disposed to contribute to his assistance, and to oppose the progress of the catholic league, and of Philip, her inveterate and dangerous enemies. To prevent the desertion of the Swiss and German auxiliaries, she made him a present of twenty-two thousand pounds, a greater sum than, as he declared, he had ever seen before: and she sent him a reinforcement of four thousand men under Lord Willoughby, an officer of reputation, who joined the French at Dieppe. Strengthened by these supplies, Henry marched directly to Paris; and, having taken the suburbs sword in hand, he abandoned them to be pillaged by his soldiers. He employed this body of English in many other enterprises; and still found reason to praise their courage and fidelity. The time of their service being elapsed, he dismissed them with many high commendations. Sir William Drury, Sir Thomas Baskerville, and Sir John Boroughs, acquired reputation in this campaign, and revived in France the ancient fame of English valour.

Progress of Henry the Fourth. The army which Henry, next campaign, led into the field, was much inferior to that of the league; but as it was composed of the chief nobility of France, he feared not to encounter his enemies in a pitched battle at Yvrée, and he gained a complete victory over them. This success enabled him to blockade Paris, and he reduced that capital to the last extremity of famine; when the Duke of Parma, in consequence of orders from Philip, marched to the relief of the league, and obliged Henry to raise the blockade. Having performed this important service, he retreated to the Low Countries; and, by his consummate skill in the art of war, performed these long marches in the face of the enemy, without affording the French monarch that opportunity which he sought of giving him battle, or so much as once putting his army in disorder. The only loss which he sustained was in the Low Countries; where Prince Maurice took advantage of his absence, and recon-

quered some places which the Duke of Parma had formerly conquered from the States.<sup>a</sup>

The situation of Henry's affairs, though promising, was not so well advanced or established as to make the queen discontinue her succours; and she was still more confirmed in the resolution of supporting him by some advantages gained by the King of Spain. The Duke of Mercœur, governor of Brittany, a prince of the house of Lorraine, had declared for the league; and finding himself hard pressed by Henry's forces, he had been obliged, in order to secure himself, to introduce some Spanish troops into the seaport towns of that province. Elizabeth was alarmed at the danger; and foresaw that the Spaniards, besides infesting the English commerce by privateers, might employ these harbours as the seat of their naval preparations, and might more easily from that vicinity, than from Spain or Portugal, project an invasion of England. She concluded therefore a new treaty with Henry, in which she engaged to send over three thousand men, to be employed in the reduction of Brittany; and she stipulated that her charges should, in a twelvemonth, or as soon as the enemy was expelled, be refunded her.<sup>b</sup> These forces were commanded by Sir John Norris, and under him by his brother Henry, and by Anthony Shirley. Sir Roger Williams was at the head of a small body which garrisoned Dieppe; and a squadron of ships, under the command of Sir Henry Palmer, lay upon the coast of France, and intercepted all the vessels belonging to the Spaniards or the leaguers.

The operations of war can very little be regulated beforehand by any treaty or agreement; and Henry, who found it necessary to lay aside the projected enterprise against Brittany, persuaded the English commanders to join his army, and to take a share in the hostilities which he carried into Picardy.<sup>c</sup> Notwithstanding the disgust which Elizabeth received from this disappointment, he laid before her a plan for expelling the leaguers from Normandy, and persuaded her to send over a new body of four thousand men to assist him in that enterprise. The Earl of Essex was appointed general of these forces; a young nobleman, who, by many exterior accomplishments, and still more real merit, was daily advancing in favour with Elizabeth, and seemed to occupy that place in her affections, which Leicester, now deceased, had so long enjoyed. Essex, impatient for military fame, was extremely uneasy to lie some time at Dieppe unemployed; and, had not the orders which he received from his mistress been so positive, he would gladly have accepted of Henry's invitation, and have marched to join the French army now in Champagne. This plan of operations was also proposed to Elizabeth by the French ambassador, but she rejected it with great displeasure; and she threatened immediately to recall her troops, if Henry should persevere any longer in his present practice, of breaking all concert with her, and attending to nothing but his own interests.<sup>d</sup> Urged by these motives, the French king at last led his army into Normandy, and laid siege to Rouën, which he reduced to great difficulties. But the league, unable of themselves to take the field against him, had again recourse to the Duke of Parma, who received orders to march to their relief. He executed this enterprise with his usual abilities and success; and, for the present, frustrated all the projects of Henry and Elizabeth. This princess, who kept still in view the interests of her own kingdom in all her foreign transactions, was impatient under these disappointments, blamed Henry for his negligence in the execution of treaties, and complained, that the English forces were thrust foremost in every hazardous enterprise.<sup>e</sup> It is probable, however, that their own ardent courage, and their desire of distinguishing themselves in so celebrated a theatre of war, were the causes why they so often enjoyed this perilous honour.

Notwithstanding the indifferent success of former enterprises, the queen was sensible how necessary it was to

<sup>a</sup> This year the nation suffered a great loss, by the death of Sir Francis Walsingham, secretary of state, a man universally celebrated for his abilities and integrity. He had passed through many employments, had been twice tried as a conspirator, and died so poor, that his family was obliged to carry on a private burial. He left only one daughter, first married to Sir Philip Sidney, then to the Earl of Essex, favourite of Queen Elizabeth, and lastly to the Earl of Clarendon of Ireland. The same year died

Thomas Randolph, who had been employed by the queen in several embassies to Scotland, as did also the Earl of Warwick, elder brother to Leicester.

<sup>b</sup> Camden, p. 561.

<sup>c</sup> Rymer, tom. xiv. p. 116.

<sup>d</sup> Birch's Negotiations, p. 5. Rymer, tom. xiv. p. 123. 130.

<sup>e</sup> Camden, p. 562.



support Henry against the league and the Spaniards; and she formed a new treaty with him, in which they agreed never to make peace with Philip but by common consent; she promised to send him a new supply of four thousand men; and he stipulated to repay her charges in a twelve-month, to employ these forces, joined to a body of French troops, in an expedition against Brittany, and to consign into her hands a sea-port town of that province, for a retreat to the English.<sup>f</sup> Henry knew the impossibility of executing some of these articles, and the imprudence of fulfilling others; but, finding them rigidly insisted on by Elizabeth, he accepted of her succours, and trusted that he might easily, on some pretence, be able to excuse his failure in executing his part of the treaty. This campaign was the least successful of all those which he had yet carried on against the league.

During these military operations in France, Elizabeth employed her naval power against Philip, and endeavoured to intercept his West-Indian treasures, the source of that greatness which rendered him so formidable to all his neighbours. She sent a squadron of seven ships under the command of Lord Thomas Howard, for this service; but the king of Spain, informed of her purpose, fitted out a great force of fifty-five sail, and despatched them to escort the Indian fleet. They fell in with the English squadron; and, by the courageous obstinacy of Sir Richard Greenville, the vice-admiral, who refused to make his escape by flight, they took one vessel, the first English ship of war that had yet fallen into the hands of the Spaniards.<sup>g</sup> The rest of the squadron returned safely into England, frustrated of their expectations, but pleasing themselves with the idea that their attempt had not been altogether fruitless in hurting the enemy. The Indian fleet had been so long detained in the Havanna from the fear of the English, that they were obliged at last to set sail in an improper season, and most of them perished by shipwreck ere they reached the Spanish harbours.<sup>h</sup> The Earl of Cumberland made a like unsuccessful enterprise against the Spanish trade. He carried out one ship of the queen's, and seven others equipped at his own expense; but the prizes which he made did not compensate the charges.<sup>i</sup>

The spirit of these expensive and hazardous adventures was very prevalent in England. Sir Walter Raleigh, who had enjoyed great favour with the queen, finding his interest to decline, determined to recover her good graces by some important undertaking; and as his reputation was high among his countrymen, he persuaded great numbers to engage with him as volunteers in an attempt on the West Indies. The fleet was detained so long in the channel by contrary winds, that the season was lost: Raleigh was recalled by the queen: Sir Martin Frobisher succeeded to the command, and made a privateering voyage against the Spaniards. He took one rich carrack

near the island of Flores, and destroyed another.<sup>k</sup> About the same time Thomas White, a Londoner, took two Spanish ships, which, besides fourteen hundred chests of quicksilver, contained about two millions of bulls for indulgences; a commodity useless to the English, but which had cost the King of Spain three hundred thousand florins, and would have been sold by him in the Indies for five millions.

This war did great damage to Spain; but it was attended with considerable expense to England; and Elizabeth's ministers computed that, since the commencement of it, she had spent in Flanders and France, and on her naval expeditions, above one million two hundred thousand pounds;<sup>l</sup> a charge which, notwithstanding her ex-

trema frugality, was too burdensome for her narrow revenues to support. She summoned therefore a parliament in order to obtain a supply; but she either thought her authority so established that she needed to make them no concessions in return, or she rated her power and prerogative above money: for there never was any parliament whom she treated in a more haughty manner, whom she made more sensible of their own weakness, or whose privileges she more openly violated. When the Speaker, Sir Edward Coke, made the three usual requests, of freedom from arrests, of access to her person, and of liberty of speech, she replied to him, by the mouth of Puckering, lord keeper, that liberty of speech was granted to the Commons, but they must know what liberty they were entitled to; not a liberty for every one to speak what he listeth, or what cometh in his brain to utter; their privilege extended no further than a liberty of eye or no: that she enjoined the Speaker, if he perceived any idle heads so negligent of their own safety as to attempt reforming the church or innovating in the commonwealth, that he should refuse the bills exhibited for that purpose, till they were examined by such as were fitter to consider of these things, and could better judge of them: that she would not impeach the freedom of their persons; but they must beware lest, under colour of this privilege, they imagined that any neglect of their duty could be covered or protected: and that she would not refuse them access to her person, provided it were upon urgent and weighty causes, and at times convenient, and when she might have leisure from other important affairs of the realm.<sup>m</sup>

Notwithstanding the menacing and contemptuous air of this speech, the intrepid and indefatigable Peter Wentworth, not discouraged by his former ill success, ventured to transgress the imperial orders of Elizabeth. He presented to the lord keeper a petition, in which he desired the upper House to join with the lower in a supplication to her majesty for entailing the succession of the crown; and he declared that he had a bill ready prepared for that purpose. This method of proceeding was sufficiently respectful and cautious; but the subject was always extremely disagreeable to the queen, and what she had expressly prohibited any one from meddling with: she sent Wentworth immediately to the Tower: committed Sir Thomas Bromley, who had seconded him, to the Fleet prison, together with Stevens and Welsh, two members to whom Sir Thomas had communicated his intention.<sup>n</sup> About a fortnight after, a motion was made in the House, to petition the queen for the release of these members; but it was answered by all the privy-counsellors there present, that her majesty had committed them for causes best known to herself, and that to press her on that head would only tend to the prejudice of the gentlemen whom they meant to serve: she would release them whenever she thought proper, and would be better pleased to do it or her own proper motion, than from their suggestion.<sup>o</sup> The House willingly acquiesced in this reasoning.

So arbitrary an act, at the commencement of the session, might well repress all further attempts for freedom: but the religious zeal of the puritans was not so easily restrained; and it inspired a courage which no human motive was able to surmount. Morrice, chancellor of the duchy, and attorney of the court of wards, made a motion for redressing the abuses in the bishops' courts, but, above all, in the high commission; where subscriptions, he said, were exacted to articles at the pleasure of the prelates; where oaths were imposed, obliging persons to answer to all questions without distinction, even though they should

ship with themselves, rather than yield to the enemy. The master gunner, and many of the seamen, agreed to this desperate resolution, but others opposed it, and advised Greenville to surrender himself prisoner. He died a few days after; and his last words were, "Here die I, Richard Greenville, with a joyful and quiet mind: for that I have ended my life as a true soldier ought to do, fighting for his country, queen, religion, and honour. My soul willingly departing from this body, leaving behind the lasting fame of having behaved as every valiant soldier is in his duty bound to do." The Spaniards lost in this sharp, though unequal action, four ships, and about a thousand men. And Greenville's vessel perished soon after with two hundred Spaniards in her. Hakluyt's Voyages, vol. ii. part 2, p. 169. Camden, p. 565.

<sup>f</sup> Monson, p. 161.

<sup>g</sup> Ibid. p. 165. Camden, p. 560.

<sup>h</sup> Ibid. p. 460. 469. Townsend, p. 37.

<sup>i</sup> D'Ewes, p. 470. Townsend, p. 54.

<sup>j</sup> Ibid. p. 169.

<sup>k</sup> Stowe, vol. iii.

<sup>l</sup> D'Ewes, p. 497.

<sup>f</sup> Rymer, vol. xv. p. 151. 168. 171. 173.

<sup>g</sup> This action of Sir Richard Greenville is so singular as to merit a more particular relation. He was engaged alone with the whole Spanish fleet of fifty three sail, which had ten thousand men on board, and from time to time the light began, which was about three in the afternoon, to the break of day next morning, he repulsed the enemy fifteen times, though they continually shifted their vessels, and boarded with fresh men. In the beginning of the action he himself received a wound; but he continued along his duty above deck till eleven at night, when, receiving a fresh wound, he was carried down to be dressed. During this operation he received a shot in the head and the surgeon was killed by his side. The English began now to want powder; all their small arms were broken or become useless, of their number, which were but an hundred and three at first, forty were killed, and almost all the rest wounded; their masts were beat overboard, their tackle cut in pieces, and nothing but a bulk left, unable to move one way or other. In this situation Sir Richard proposed to the ship's company, to trust to the mercy of God, not to that of the Spaniards, and to destroy the

tend to their own condemnation; and where every one who refused entire satisfaction to the commissioners was imprisoned, without relief or remedy.<sup>p</sup> This motion was seconded by some members; but the ministers and privy counsellors opposed it, and foretold the consequences which ensued. The queen sent for the speaker, and after requiring him to deliver to her Morrice's bill, she told him that it was in her power to call parliaments; in her power to dissolve them; in her power to give assent or dissent to any determination which they should form: that her purpose in summoning this parliament was two-fold; to have laws enacted for the further enforcement of uniformity in religion, and to provide for the defence of the nation against the exorbitant power of Spain: that these two points ought, therefore, to be the object of their deliberations: she had enjoined them already, by the mouth of the lord keeper, to meddle neither with matters of state nor of religion; and she wondered how any one could be so assuming as to attempt a subject so expressly contrary to her prohibition: that she was highly offended with this presumption; and took the present opportunity to reiterate the commands given by the keeper, and to require that no bill, regarding either state affairs, or reformation in causes ecclesiastical, be exhibited in the House: and that, in particular, she charged the speaker, upon his allegiance, if any such bills were offered, absolutely to refuse them a reading, and not so much as permit them to be debated by the members.<sup>q</sup> This command from the queen was submitted to without further question. Morrice was seized in the House itself by a serjeant at arms, discharged from his office of chancellor of the duchy, incapacitated from any practice in his profession as a common lawyer, and kept some years prisoner in Tilbury castle.<sup>r</sup>

The queen having thus expressly pointed out both what the House should and should not do, the Commons were as obsequious to the one as to the other of her injunctions. They passed a law against recusants; such a law as was suited to the severe character of Elizabeth, and to the persecuting spirit of the age. It was intitled, *An act to retain her majesty's subjects in their due obedience*; and was meant, as the preamble declares, to obviate such inconveniences and perils as might grow from the wicked practices of seditious sectaries and disloyal persons: for these two species of criminals were always at that time confounded together, as equally dangerous to the peace of society. It was enacted, that any person above sixteen years of age, who obstinately refused during the space of a month to attend public worship, should be committed to prison; that if, after being condemned for this offence, he persist three months in his refusal, he must abjure the realm; and that if he either refuse this condition, or return after banishment, he should suffer capitally as a felon without benefit of clergy.<sup>s</sup> This law bore equally hard upon the puritans and upon the catholics; and, had it not been imposed by the queen's authority, was certainly, in that respect, much contrary to the private sentiments and inclinations of the majority in the House of Commons. Very little opposition, however, appears there to have been openly made to it.<sup>t</sup>

The expenses of the war with Spain having reduced the queen to great difficulties, the grant of subsidies seems to have been the most important business of this parliament: and it was a signal proof of the high spirit of Elizabeth, that, while conscious of a present dependence on the Commons, she opened the session with the most haughty treatment of them, and covered her weakness under such a lofty appearance of superiority. The Commons readily voted two subsidies and four fifteenths; but, this sum not appearing sufficient to the court, an unusual expedient was fallen upon to induce them to make an enlargement in their concessions. The Peers informed the Commons, in a conference, that they could not give their consent to the supply voted, thinking it too small for the queen's occasions: they therefore proposed a grant of three subsidies and six fifteenths; and desired a further conference in order to persuade the Commons to agree to this mea-

sure. The Commons, who had acquired the privilege of beginning bills of subsidy, took offence at this procedure of the Lords, and at first absolutely rejected the proposal: but being afraid, on reflection, that they had, by this refusal, given offence to their superiors, they both agreed to the conference, and afterwards voted the additional subsidy.<sup>u</sup>

The queen, notwithstanding this unusual concession of the Commons, ended the session with a speech, containing some reprimands to them, and full of the same high pretensions which she had assumed at the opening of the parliament. She took notice, by the mouth of the keeper, that certain members spent more time than was necessary, by indulging themselves in harangues and reasonings: and she expressed her displeasure on account of their not paying due reverence to privy-counsellors, "who," she told them, "were not to be accounted as common knights and burgesses of the House, who are counsellors but during the parliament: whereas the others are standing counsellors, and for their wisdom and great service are called to the council of the state."<sup>v</sup> The queen also, in her own person, made the parliament a spirited harangue; in which she spoke of the justice and moderation of her government, expressed the small ambition she had ever entertained of making conquests, displayed the just grounds of her quarrel with the King of Spain, and discovered how little she apprehended the power of that monarch, even though he should make a greater effort against her than that of his Invincible Armada. "But I am informed," added she, "that when he attempted this last invasion, some upon the sea-coast forsook their towns, fled up higher into the country, and left all naked and exposed to his entrance: but I swear unto you by God, if I knew those persons, or may know of any that shall do so hereafter, I will make them feel what it is to be fearful in so urgent a cause."<sup>w</sup> By this menace, she probably gave the people to understand, that she would execute martial law upon such cowards: for there was no statute by which a man could be punished for changing his place of abode.

The King of France, though he had hitherto made war on the league with great bravery and reputation, though he had this campaign gained considerable advantages over them, and though he was assisted by a considerable body of English, under Norris, who carried hostilities into the heart of Brittany, was become sensible that he never could by force of arms alone render himself master of his kingdom. The nearer he seemed by his military successes to approach to a full possession of the throne, the more discontent and jealousy arose among those Romanists who adhered to him; and a party was formed in his own court to elect some catholic monarch of the royal blood, if Henry should any longer refuse to satisfy them by declaring his conversion. This excellent prince was far from being a bigot to his sect; and as he deemed these theological disputes entirely subordinate to the public good, he had secretly determined, from the beginning, to come some time or other to the resolution required of him. He had found on the death of his predecessor, that the hugonots, who formed the bravest and most faithful part of his army, were such determined zealots, that if he had at that time abjured their faith, they would instantly have abandoned him to the pretensions and usurpations of the catholics. The more bigoted catholics, he knew, particularly those of the league, had entertained such an insurmountable prejudice against his person, and diffidence of his sincerity, that even his abjuration would not reconcile them to his title; and he must either expect to be entirely excluded from the throne, or be admitted to it on such terms as would leave him little more than the mere shadow of royalty. In this delicate situation he had resolved to temporise; to retain the hugonots by continuing in the profession of their religion; to gain the moderate catholics by giving them hopes of his conversion; to attach both to his person by conduct and success; and he hoped either that the animosity arising from war against the league would make them drop gradually the question of religion,

understand of the assizes, rather than by the ecclesiastical commissioners.

<sup>p</sup> D'Ewes, p. 474. Townsend, p. 60.

<sup>q</sup> D'Ewes, p. 474. Townsend, p. 60.

<sup>r</sup> D'Ewes, p. 475. Townsend, p. 60.

<sup>s</sup> 35 Eliz. c. 1.

<sup>t</sup> After enacting this statute, the clergy, in order to remove the odium from themselves, often took care that recusants should be tried by the civil

<sup>u</sup> D'Ewes, p. 483. Townsend, p. 66.

<sup>v</sup> D'Ewes, p. 486. Townsend, p. 47.

<sup>w</sup> D'Ewes, p. 486. Townsend, p. 48.

or that he might in time, after some victories over his enemies, and some conferences with divines, make finally, with more decency and dignity, that abjuration, which must have appeared at first mean as well as suspicious to both parties.

Henry IV. embraces the catholic religion. When the people are attached to any theological tenets, merely from a general persuasion or prepossession, they are easily induced by any motive or authority to change their faith in these mysterious subjects; as appears from the example of the English, who, during some reigns, usually embraced without scruple the still varying religion of their sovereigns. But the French nation, where principles had so long been displayed as the badges of faction, and where each party had fortified its belief by an animosity against the other, were not found so pliable, or inconstant; and Henry was at last convinced, that the catholics of his party would entirely abandon him, if he gave them not immediate satisfaction in this particular. The hugonots also, taught by experience, clearly saw that his desertion of them was become absolutely necessary for the public settlement; and so general was this persuasion among them, that, as the Duke of Sully pretends, even the divines of that party purposely allowed themselves to be worsted in the disputes and conferences, that the king might more readily be convinced of the weakness of their cause, and might more cordially and sincerely, at least more decently, embrace the religion which it was so much his interest to believe. If this self-denial in so tender a point should appear incredible and supernatural in theologians, it will at least be thought very natural, that a prince, so little instructed in these matters as Henry, and desirous to preserve his sincerity, should insensibly bend his opinion to the necessity of his affairs, and should believe that party to have the best arguments, who could alone put him in possession of a kingdom. All circumstances, therefore, being prepared for this great event, that monarch renounced the protestant religion, and was solemnly received by the French prelates of his party into the bosom of the church.

Elizabeth, who was herself attached to the protestants, chiefly by her interest, and the circumstances of her birth, and who seems to have entertained some propensity during her whole life to the catholic superstition, at least to the ancient ceremonies, yet pretended to be extremely displeased with this abjuration of Henry; and she wrote him an angry letter, reproaching him with this interested change of his religion.<sup>a</sup> Sensible, however, that the league and the King of Spain were still their common enemies, she hearkened to his apologies; continued her succours both of men and money; and formed a new treaty, in which they mutually stipulated never to make peace but by common agreement.

Scotch affairs. The intrigues of Spain were not limited to France and England: by means of the never-failing pretence of religion, joined to the influence of money, Philip excited new disorders in Scotland, and gave fresh alarms to Elizabeth. George Kerr, brother to Lord Newbottle, had been taken, while he was passing secretly into Spain; and papers were found about him, by which a dangerous conspiracy of some catholic noblemen with Philip was discovered. The Earls of Angus, Errol, and Huntley, the heads of three potent families, had entered into a confederacy with the Spanish monarch: and had stipulated to raise all their forces; to join them to a body of Spanish troops, which Philip promised to send into Scotland; and after re-establishing the catholic religion in that kingdom, to march with their united power, in order to effect the same purpose in England.<sup>b</sup> Graham of Fintry, who had also entered into this conspiracy, was taken and arraigned, and executed. Elizabeth sent Lord Borough ambassador into Scotland, and exhorted the king to exercise the same severity on the three earls, to confiscate their estates, and, by annexing them to the crown, both increase his own demesnes, and set an example to all his subjects, of the danger attending treason and rebellion. The advice was certainly rational, but not easy to be executed by the small revenue and limited authority of James.

He desired therefore some supply from her of men and money; but though she had reason to deem the prosecution of the three popish earls a common cause, she never could be prevailed on to grant him the least assistance. The tenth part of the expense which she bestowed in supporting the French king and the States, would have sufficed to execute this purpose, more immediately essential to her security;<sup>c</sup> but she seems ever to have borne some degree of malignity to James, whom she hated both as heir and as the son of Mary, her hated rival and competitor.

So far from giving James assistance to prosecute the catholic conspirators, the queen rather contributed to increase his inquietude, by countenancing the turbulent disposition of the Earl of Bothwell,<sup>d</sup> a nobleman descended from a natural son of James V. Bothwell more than once attempted to render himself master of the king's person; and being expelled the kingdom for these traitorous enterprises, he took shelter in England, was secretly protected by the queen, and lurked near the borders where his power lay, with a view of still committing some new violence. He succeeded at last in an attempt on the king, and, by the mediation of the English ambassador, imposed dishonourable terms upon that prince: but James, by the authority of the convention of states, annulled this agreement as extorted by violence; again expelled Bothwell; and obliged him to take shelter in England. Elizabeth, pretending ignorance of the place of his retreat, never executed the treaties, by which she was bound to deliver up all rebels and fugitives to the King of Scotland. During these disorders, increased by the refractory disposition of the ecclesiastics, the prosecution of the catholic earls remained in suspense: but at last the parliament passed an act of attainder against them, A. D. 1594.

and the king prepared himself to execute it by force of arms. The noblemen, though they obtained a victory over the Earl of Argyle, who acted by the king's commission, found themselves hard pressed by James himself, and agreed, on certain terms, to leave the kingdom. Bothwell, being detected in a confederacy with them, forfeited the favour of Elizabeth; and was obliged to take shelter, first in France, then in Italy, where he died some years after in great poverty.

The established authority of the Queen secured her from all such attempts as James was exposed to from the mutinous disposition of his subjects; and her enemies found no other means of giving her domestic disturbance than by such traitorous and perfidious machinations as ended in their own disgrace, and in the ruin of their criminal instruments. Rodrigo Lopez, a Jew, domestic physician to the queen, being imprisoned on suspicion, confessed that he had received a bribe to poison her from Fuentes and Ibarra, who had succeeded Parma, lately deceased, in the government of the Netherlands; but he maintained that he had no other intention than to cheat Philip of his money, and never meant to fulfil his engagement. He was, however, executed for the conspiracy; and the queen complained to Philip of these dishonourable attempts of his ministers, but could obtain no satisfaction.<sup>e</sup> York and Williams, two English traitors, were afterwards executed for a conspiracy with Ibarra, equally atrocious.<sup>f</sup>

Instead of avenging herself, by retaliating in a like manner, Elizabeth sought a more honourable vengeance, by supporting the King of France, and assisting him in finally breaking the force of the league, which, after the conversion of that monarch, went daily to decay, and was threatened with speedy ruin and dissolution. Norris commanded the English forces in Brittany, and assisted at the taking of Morlaix, Quimpercorentin, and Brest, towns garrisoned by Spanish forces. In every action, the English, though they had so long enjoyed domestic peace, discovered a strong military disposition; and the queen, though herself a heroine, found more frequent occasion to reprove her generals for encouraging their temerity, than for countenancing their fear or caution.<sup>g</sup> Sir Martin Frobisher, her brave admiral, perished with many others before Brest. Morlaix had been promised to the English for a place of retreat; but the Duke d'Aumont, the

<sup>a</sup> Spil. vol. p. 231. Rymer, tom. xvi. p. 100.  
<sup>b</sup> Spilwood, p. 273. Rymer, tom. xvi. p. 235.  
<sup>c</sup> Spilwood, p. 237, 238.

<sup>d</sup> Camden, p. 577. Birch's Negot. p. 15. Bacon, vol. iv. p. 301.  
<sup>e</sup> Camden, p. 560.  
<sup>f</sup> Camden, i. 570.



French general, eluded this promise, by making it be inserted in the capitulation, that none but catholics should be admitted into that city.

A. D. 1593. Next campaign, the French king, who had long carried on hostilities with Philip, was at last provoked, by the taking of Chatelet and Doulens, and the attack of Cambrai, to declare war against that monarch. Elizabeth being threatened with a new invasion in England, and with an insurrection in Ireland, recalled most of her forces, and sent Norris to command in this latter kingdom. Finding, also, that the French league was almost entirely dissolved, and that the most considerable leaders had made an accommodation with their prince, she thought that he could well support himself by his own force and valour; and she began to be more sparing in his cause of the blood and treasure of her subjects.

Some disgusts which she had received from the States, joined to the remonstrances of her frugal minister Burleigh, made her also inclined to diminish her charge on that side; and she even demanded, by her ambassador, Sir Thomas Bodley, to be reimbursed all the money which she had expended in supporting them. The

A. D. 1596. States, besides alleging the condition of the treaty, by which they were not bound to repay her till the conclusion of a peace, pleaded their present poverty and distress, the great superiority of the Spaniards, and the difficulty in supporting the war, much more in saving money to discharge their encumbrances. After much negotiation, a new treaty was formed; by which the States engaged to free the queen immediately from the charge of the English auxiliaries, computed at forty thousand pounds a-year; to pay her annually twenty thousand pounds for some years; to assist her with a certain number of ships; and to conclude no peace or treaty without her consent. They also bound themselves, on finishing a peace with Spain, to pay her annually the sum of a hundred thousand pounds for four years; but on this condition, that the payment should be in lieu of all demands, and that they should be supplied, though at their own charge, with a body of four thousand auxiliaries from England.<sup>a</sup>

The queen still retained in her hands the cautionary towns, which were a great check on the rising power of the States; and she committed the important trust of Flushing to Sir Francis Vere, a brave officer, who had distinguished himself by his valour in the Low Countries. She gave him the preference to Essex, who expected so honourable a command; and though this nobleman was daily rising both in reputation with the people, and favour with herself, the queen, who was commonly reserved in the advancement of her courtiers, thought proper, on this occasion, to give him a refusal. Sir Thomas Baskerville was sent over to France, at the head of two thousand English, with which Elizabeth, by a new treaty concluded with Henry, engaged to supply that prince. Some stipulations for mutual assistance were formed by the treaty; and all former engagements were renewed.

A. D. 1597. This body of English were maintained at the expense of the French king: yet did Henry esteem the supply of considerable advantage, on account of the great reputation acquired by the English, in so many fortunate enterprises undertaken against the common enemy. In the great battle of Tournholt, gained this campaign by Prince Maurice, the English auxiliaries, under Sir Francis Vere and Sir Robert Sydney, had acquired honour; and the success of that day was universally ascribed to their discipline and valour.

Though Elizabeth, at a considerable expense of blood and treasure, made war against Philip in France and the Low Countries, the most severe blows which she gave him were by those naval enterprises, which either she or her subjects scarcely ever intermitted during one season. In 1594, Richard Hawkins, son of Sir John, the famous navigator, procured the queen's commission, and sailed with three ships to the South Sea, by the Straits of Magellan: but his voyage proved unfortunate, and he himself was taken prisoner on the coast of Chili. James Lancaster was supplied the same year with three ships and a pinnace, by the merchants

of London; and was more fortunate in his adventure. He took thirty-nine ships of the enemy; and, not content with this success, he made an attack on Fernambouc in Brazil, where he knew great treasures were at that time lodged. As he approached the shore he saw it lined with great numbers of the enemy; but, nowise daunted at this appearance, he placed the stoutest of his men in boats, and ordered them to row with such violence on the landing place as to split them in pieces. By this bold action he both deprived his men of all resource but in victory, and terrified the enemy, who fled after a short resistance. He returned home with the treasure which he had so bravely acquired. In 1595, Sir Walter Raleigh, who had anew forfeited the queen's friendship, by an intrigue with a maid of honour, and who had been thrown into prison for this misdemeanour, no sooner recovered his liberty than he was pushed by his active and enterprising genius to attempt some great action. The success of the first Spanish adventurers against Mexico and Peru had begotten an extreme avidity in Europe; and a prepossession universally took place, that in the inland parts of South America, called Guiana, a country as yet undiscovered, there were mines and treasures far exceeding any which Cortez or Pizarro had met with. Raleigh, whose turn of mind was somewhat romantic and extravagant, undertook, at his own charge, the discovery of this wonderful country. Having taken the small town of St. Joseph, in the isle of Trinidad, where he found no riches, he left his ship, and sailed up the river Oroonoko in pinnaces, but without meeting any thing to answer his expectations. On his return, he published an account of the country, full of the grossest and most palpable lies that were ever attempted to be imposed on the credulity of mankind.<sup>f</sup>

The same year Sir Francis Drake and Sir John Hawkins undertook a more important expedition against the Spanish settlements in America; and they carried with them six ships of the queen's, and twenty more, which either were fitted out at their own charge, or were furnished them by private adventurers. Sir Thomas Baskerville was appointed commander of the land forces, which they carried on board. Their first design was to attempt Porto Rico, where, they knew, a rich carrack was at that time stationed; but as they had not preserved the requisite secrecy, a pinnace, having strayed from the fleet, was taken by the Spaniards, and betrayed the intentions of the English. Preparations were made in that island for their reception; and the English fleet, notwithstanding the brave assault which they made on the enemy, was repulsed with loss. Hawkins soon after died; and Drake pursued his voyage to Nombre di Dios, on the isthmus of Darien; where, having landed his men, he attempted to pass forward to Panama, with a view of plundering that place, or, if he found such a scheme practicable, of keeping and fortifying it. But he met not with the same facility which had attended his first enterprises in those parts. The Spaniards, taught by experience, had every where fortified the passes, and had stationed troops in the woods, who so infested the English by continual alarms and skirmishes, that they were obliged to return, without being able to effect any thing. Drake himself, from the intemperance of the climate, the fatigues of his journey, and the vexation of his disappointment, was seized with a distemper, of which he soon after died. Sir Thomas Baskerville took the command of the fleet, which was in a weak condition; and, after having fought a battle near Cuba, with a Spanish fleet, of which the event was not decisive, he returned to England. The Spaniards suffered some loss from this enterprise; but the English reaped no profit.<sup>g</sup>

The bad success of this enterprise in the Indies made the English rather attempt the Spanish dominions in Europe, where, they heard, Philip was making great preparations for a new invasion of England. A powerful fleet was equipped at Plymouth, consisting of a hundred and seventy vessels, seventeen of which were capital ships of war; the rest tenders and small vessels: twenty ships were added by the Hollanders. In this fleet there were computed to be embarked six thousand three hundred and sixty soldiers, a thousand volunteers, and six thou-

<sup>a</sup> Camden, p. 586.

<sup>f</sup> Ibid. p. 321.

<sup>g</sup> Monson, p. 167.

sand seven hundred and seventy-two seamen, beside the Dutch. The land forces were commanded by the Earl of Essex: the navy by Lord Effingham, high-admiral. Both these commanders had expended great sums of their own in the armament; for such was the spirit of Elizabeth's reign. Lord Thomas Howard, Sir Walter Raleigh, Sir Francis Vere, Sir George Carew, and Sir Coniers Clifford, had commands in this expedition, and were appointed council to the general and admiral.<sup>b</sup>

The fleet set sail on the first of June, 1596; and meeting with a fair wind, bent its course to Cadiz, at which place, by sealed orders delivered to all the captains, the general rendezvous was appointed. They sent before them some armed tenders, which intercepted every ship that could carry intelligence to the enemy; and they themselves were so fortunate, when they came near Cadiz, as to take an Irish vessel, by which they learned, that that port was full of merchant ships of great value, and that the Spaniards lived in perfect security, without any apprehensions of an enemy. This intelligence much encouraged the English fleet, and gave them the prospect of a fortunate issue to the enterprise.

After a fruitless attempt to land at St. Sebastian's, on the western side of the island of Cadiz; it was, upon deliberation, resolved by the council of war to attack the ships and galleys in the bay. This attempt was deemed rash; and the admiral himself, who was cautious in his temper, had entertained great scruples with regard to it. But Essex strenuously recommended the enterprise; and when he found the resolution at last taken, he threw his hat into the sea, and gave symptoms of the most extravagant joy. He felt, however, a great mortification, when Effingham informed him, that the queen, anxious for his safety, and dreading the effects of his youthful ardour, had secretly given orders that he should not be permitted to command the van in the attack.<sup>1</sup> That duty was performed by Sir Walter Raleigh and Lord Thomas Howard; but Essex no sooner came within reach of the enemy than he forgot the promise which the admiral had exacted from him, to keep in the midst of the fleet; he broke through and pressed forward into the thickest of the fire. Emulation for glory, avidity of plunder, animosity against the Spaniards, proved incentives to every one; and the enemy was soon obliged to slip anchor and retreat further into the bay, where they ran many of their ships aground. Essex then landed his men at the fort of Puntal; and immediately marched to the attack of Cadiz, which the impetuous valour of the English soon carried sword in hand. The generosity of Essex, not inferior to his valour, made him stop the slaughter, and treat his prisoners with the greatest humanity, and even affability and kindness. The English made rich plunder in the city; but missed of a much richer, by the resolution which the Duke of Medina, the Spanish admiral, took, of setting fire to the ships, in order to prevent their falling into the hands of the enemy. It was computed that the loss which the Spaniards sustained in this enterprise amounted to twenty millions of ducats;<sup>2</sup> besides the indignity which that proud and ambitious nation suffered from the sacking of one of their chief cities, and destroying in their harbour a fleet of such force and value.

Essex, all on fire for glory, regarded this great success only as a step to future achievements: he insisted on keeping possession of Cadiz; and he undertook, with four hundred men and three months' provisions, to defend the place till succours should arrive from England: but all the other seamen and soldiers were satisfied with the honour which they had acquired; and were impatient to return home, in order to secure their plunder. Every other proposal of Essex to annoy the enemy met with a like reception; his scheme for intercepting the carracks at the Azores, for assailing the Groine, for taking St. Andero, and St. Sebastian: and the English, finding it so difficult to drag this impatient warrior from the enemy, at last left him on the Spanish coast, attended by a very few ships. He complained much to the queen of their want of spirit in this enterprise; nor was she pleased that they had returned without attempting to intercept the

Indian fleet;<sup>3</sup> but the great success, in the enterprise of Cadiz, had covered all their miscarriages: and that princess, though she admired the lofty genius of Essex, could not forbear expressing an esteem for the other officers.<sup>4</sup> The admiral was created Earl of Nottingham; and his promotion gave great disgust to Essex.<sup>5</sup> In the preamble of the patent it was said, that the new dignity was conferred on him on account of his good services, in taking Cadiz, and destroying the Spanish ships; a merit which Essex pretended to belong solely to himself; and he offered to maintain this plea by single combat against the Earl of Nottingham, or his sons, or any of his kindred.

The achievements in the subsequent year proved not so fortunate; but as the Indian fleet very narrowly escaped the English, Philip had still reason to see the great hazard and disadvantage of that war in which he was engaged, and the superiority which the English, by their naval power, and their situation, had acquired over him. The queen having received intelligence that the Spaniards, though their fleets were so much shattered and destroyed by the expedition to Cadiz, were preparing a squadron at Ferrol and the Groine, and were marching troops thither, with a view of making a descent in Ireland, was resolved to prevent their enterprise, and to destroy the shipping in these harbours. She prepared a large fleet, of a hundred and twenty sail, of which seventeen were her own ships, forty-three were smaller vessels, and the rest tenders and victuallers: she embarked on board this fleet five thousand new-leveled soldiers, and added a thousand veteran troops, whom Sir Francis Vere brought from the Netherlands. The Earl of Essex, commander-in-chief both of the land and sea forces, was at the head of one squadron: Lord Thomas Howard was appointed vice-admiral of another: Sir Walter Raleigh of the third: Lord Mountjoy commanded the land forces under Essex: Vere was appointed marshal: Sir George Carew lieutenant of the ordnance, and Sir Christopher Blount first colonel. The Earls of Rutland and Southampton, the Lords Grey, Cromwell, and Rich, with several other persons of distinction, embarked as volunteers. Essex declared his resolution either to destroy the new Armada, which threatened England, or to perish in the attempt.

This powerful fleet set sail from Plymouth, but were no sooner out of harbour 9th July, than they met with a furious storm, which shattered and dispersed them; and before they could be refitted, Essex found that their provisions were so far spent, that it would not be safe to carry so numerous an army along with him. He dismissed, therefore, all the soldiers, except the thousand veterans under Vere; and laying aside all thoughts of attacking Ferrol and the Groine, he confined the object of his expedition to the intercepting the Indian fleet; which had at first been considered only as the second enterprise which he was to attempt.

The Indian fleet in that age, by reason of the imperfection of navigation, had a stated course as well as season, both in their going out and in their return; and there were certain islands at which, as at fixed stages, they always touched, and where they took in water and provisions. The Azores being one of these places, where about this time the fleet was expected, Essex bent his course thither; and he informed Raleigh, that he, on his arrival, intended to attack Fayal, one of these islands. By some accident the squadrons were separated; and Raleigh, arriving first before Fayal, thought it more prudent, after waiting some time for the general, to begin the attack alone, lest the inhabitants should, by further delay, have leisure to make preparations for their defence. He succeeded in the enterprise; but Essex, jealous of Raleigh, expressed great displeasure at his conduct, and construed it as an intention of robbing the general of the glory which attended that action: he cashiered, therefore, Sydney, Bret, Berry, and others, who had concurred in the attempt; and would have proceeded to inflict the same punishment on Raleigh himself, had not Lord Thomas Howard interposed with his good offices, and persuaded Raleigh, though high-spirited, to make submissions to the general. Essex, who was placable as well as hasty and

<sup>1</sup> Camden, p. 521.<sup>2</sup> Tutch's Memoirs, vol. ii. p. 97.<sup>3</sup> Menston, p. 196.<sup>4</sup> Ibid. p. 171.<sup>5</sup> Sydney Papers, vol. ii. p. 77.

m Camden, p. 533.

passionate, was soon appeased, and both received Raleigh into favour, and restored the other officers to their commands.<sup>a</sup> This incident, however, though the quarrel was seemingly accommodated, laid the first foundation of that violent animosity which afterwards took place between these two gallant commanders.

Essex made next a disposition proper for intercepting the Indian galleons; and Sir William Monson, whose station was the most remote of the fleet, having fallen in with them, made the signals which had been agreed on. That able officer, in his Memoirs, ascribes Essex's failure, when he was so near attaining so mighty an advantage, to his want of experience in seamanship; and the account which he gives of the errors committed by that nobleman, appears very reasonable as well as candid.<sup>b</sup> The Spanish fleet, finding that the enemy was upon them, made all sail possible to the Terceiras, and got into the safe and well fortified harbour of Angra, before the English fleet could overtake them. Essex intercepted only three ships; which, however, were so rich as to repay all the charges of the expedition.

The causes of the miscarriage in this enterprise were much canvassed in England, upon the return of the fleet; and though the courtiers took part differently, as they affected either Essex or Raleigh, the people in general, who bore an extreme regard to the gallantry, spirit, and generosity of the former, were inclined to justify every circumstance of his conduct. The queen, who loved the one as much as she esteemed the other, maintained a kind of neutrality, and endeavoured to share her favours with an impartial hand between the parties. Sir Robert Cecil, second son of Lord Burleigh, was a courtier of promising hopes, much connected with Raleigh; and she made him secretary of state, preferably to Sir Thomas Bodley, whom Essex recommended for that office. But, not to disgust Essex, she promoted him to the dignity of earl marshal of England; an office which had been vacant since the death of the Earl of Shrewsbury. Essex might perceive, from this conduct, that she never intended to give him the entire ascendancy over his rivals, and might thence learn the necessity of moderation and caution. But his temper was too high for submission; his behaviour too open and candid to practise the arts of a court; and his free sallies, while they rendered him but more amiable in the eyes of good judges, gave his enemies many advantages against him.

The war with Spain, though successful, having exhausted the queen's exchequer, she was obliged to assemble a parliament; where Yelverton, a lawyer, was chosen speaker of the House of Commons.<sup>c</sup> Elizabeth took care, by the mouth of Sir Thomas Egerton, lord keeper, to inform this assembly of the necessity of a supply. She said, that the wars formerly waged in Europe had commonly been conducted by the parties, without further view than to gain a few towns, or at most a province, from each other; but the object of the present hostilities on the part of Spain, was no other than utterly to bereave England of her religion, her liberty, and her independence: that these blessings, however, she herself had hitherto been able to preserve, in spite of the devil, the Pope, and the Spanish tyrant, and all the mischievous designs of all her enemies: that in this contest she had disbursed a sum triple to all the parliamentary supplies granted her, and, besides expending her ordinary revenues, had been obliged to sell many of the crown lands; and that she could not doubt but her subjects, in a cause where their own honour and interest were so deeply concerned, would willingly contribute to such moderate taxations as should be found necessary for the common defence.<sup>d</sup> The

parliament granted her three subsidies and six fifteenths, the same supply which had been given four years before, but which had then appeared so unusual, that they had voted it should never afterwards be regarded as a precedent.

The Commons, this session, ventured to engage in two controversies about forms with the House of Peers; a prelude to those encroachments which, as they assumed more courage, they afterwards made upon the prerogatives of the crown. They complained, that the Lords failed in civility to them, by receiving their messages sitting, with their hats on; and that the keeper returned an answer in the same negligent posture: but the upper House proved, to their full satisfaction, that they were not entitled by custom, and the usage of parliament, to any more respect.<sup>e</sup> Some amendments had been made by the Lords, to a bill sent up by the Commons; and these amendments were written on parchment, and returned with the bill to the Commons. The lower House took umbrage at the novelty: they pretended that these amendments ought to have been written on paper, not on parchment: and they complained of this innovation to the Peers. The Peers replied, that they expected not such a frivolous objection from the gravity of the House; and that it was not material whether the amendments were written on parchment or on paper, nor whether the paper were white, black, or brown. The Commons were offended at this reply, which seemed to contain a mockery of them; and they complained of it, though without obtaining any satisfaction.<sup>f</sup>

An application was made, by way of petition, to the queen, from the lower House, against monopolies; an abuse which had arisen to an enormous height; and they received a gracious though a general answer, for which they returned their thankful acknowledgments.<sup>g</sup> But not to give them too much encouragement in such applications, she told them, in the speech which she delivered at their dissolution, "That with regard to these patents, she hoped that her dutiful and loving subjects would not take away her prerogative, which is the chief flower in her garden, and the principal and head pearl in her crown and diadem; but that they would rather leave these matters to her disposal."<sup>h</sup> The Commons also took notice, this session, of some transactions in the court of high commission; but not till they had previously obtained permission from her majesty to that purpose.<sup>i</sup>

Elizabeth had reason to foresee that parliamentary supplies would now become more necessary to her than ever; and that the chief burden of the war with Spain would thenceforth lie upon England. Henry had received an overture for peace with Philip; but before he would proceed to a negotiation, he gave intelligence of it to his allies, the queen and the States; that, if possible, a general pacification might be made, by common agreement. These two powers sent ambassadors to France, in order to remonstrate against peace; the queen, Sir Robert Cecil and Henry Herbert; the States, Justin Nassau and John Barnevelt. Henry said to these ministers, That his early education had been amidst war and danger, and he had passed the whole course of his life either in arms or in military preparations: that after the proofs which he had given of his alacrity in the field, no one could doubt but he would willingly, for his part, have continued in a course of life to which he was now habituated, till the common enemy were reduced to such a condition as no longer to give umbrage either to him or to his allies: that no private interests of his own, not even those of his people, nothing but the most invincible necessity, could ever induce him to think of a separate peace with Philip, or make him embrace measures not

<sup>a</sup> Monson, p. 175.

<sup>b</sup> Ibid. p. 174.

<sup>c</sup> It is usual for the speaker to disqualify himself for the office, but the reason is supplied by this speaker as so singular, that this may be worth transcribing. "My estate," said he, "is nothing so convenient for the transacting of this business, for my father, dying, left me a younger brother, and nothing to me but my late authority. Therefore, growing to man's estate, and some small tract of the law, I took a wife, to whom I have had many children, the keeping of us all being a great impoverishing to the estate, and the thereby living of us all milking but my daily industry. Neither from my person nor my nature doth this choice arise: for he that supports this charge ought to be a stout body and stout spirit, and stoutly spoken, his voice great, his carriage majestic, his nature haughty, and hume plentiful and heavy. But, contrariety, the nature of my body is somewhat not so well spoken, my voice low, my carriage lowly like, and of the countenance, fallen, my nature soft and basinal, my purse thin,

light, and never yet plentiful.—If Demosthenes, being so learned and eloquent as he was, one whom none surpassed, troubled to speak before the People at Athens; how much more shall I, being unlearned and unskilful to supply the place of dignity, charge, and trouble, to speak before so many Princes as I see before me, which is the greatest, being the unspassable majesty and sacred presence of our dread and dear sovereign: the terror of whose countenance will appal and abase even the stoutest hearts; yes, whose very name will pull down the greatest courage; for how mighty doth the estate and name of a prince deject the haughtiest stomach even of their greatest subjects?" D'Ewes, p. 459.

<sup>d</sup> D'Ewes, p. 525, 527. Townsend, p. 79.

<sup>e</sup> D'Ewes, p. 539, 540, 560, 565. Townsend, p. 93, 94, 95.

<sup>f</sup> D'Ewes, p. 576, 577.

<sup>g</sup> Ibid. p. 570, 573.

<sup>h</sup> Ibid. p. 547.

<sup>i</sup> Ibid. p. 557, 558.



entirely conformable to the wishes of all his confederates: that his kingdom, torn with the convulsions and civil wars of near half a century, required some interval of repose, ere it could reach a condition in which it might sustain itself, much more support its allies: that after the minds of his subjects were composed to tranquillity, and accustomed to obedience, after his finances were brought into order, and after agriculture and the arts were restored, France, instead of being a burden, as at present, to her confederates, would be able to lend them effectual succour, and amply to repay them all the assistance which she had received during her calamities: and that, if the ambition of Spain would not, at present, grant them such terms as they should think reasonable, he hoped that in a little time he should attain such a situation as would enable him to mediate more effectually, and with more decisive authority, in their behalf.

The ambassadors were sensible that these reasons were not feigned: and they therefore remonstrated with the less vehemence against the measures which they saw Henry was determined to pursue. The States knew that that monarch was interested never to permit their final ruin; and, having received private assurances that he would still, notwithstanding the peace, give them assistance, both of men and money, they were well pleased to remain on terms of amity with him. His greatest concern was, to give satisfaction to Elizabeth, for his breach of treaty. He had a cordial esteem for that princess, a sympathy of manners, and a gratitude for the extraordinary favours which he had received from her during his greatest difficulties: and he used every expedient to apologize and atone for that measure which necessity extorted from him. But as Spain refused to treat with the Dutch as a free state, and Elizabeth would not negotiate without

her ally, Henry found himself obliged to conclude at Vervins a separate peace, by which he recovered possession of all places seized by Spain during the course of the civil wars, and procured to himself leisure to pursue the domestic settlement of his kingdom. His capacity for the arts of peace was not inferior to his military talents; and in a little time, by his frugality, order, and wise government, he raised France from the desolation and misery in which she was involved, to a more flourishing condition than she had ever before enjoyed.

The queen knew that she could also, whenever she pleased, finish the war on equitable terms; and that Philip, having no claims upon her, would be glad to free himself from an enemy who had foiled him in every contest, and who still had it so much in her power to make him feel the weight of her arms. Some of her wisest counsellors, particularly the treasurer, advised her to embrace pacific measures; and set before her the advantages of tranquillity, security, and frugality, as more considerable than any success which could attend the greatest victories. But this high-spirited princess, though at first averse to war, seemed now to have attained such an ascendant over the enemy, that she was unwilling to stop the course of her prosperous fortune. She considered, that her situation and her past victories had given her entire security against any dangerous invasion; and the war must thenceforth be conducted by sudden enterprises and naval expeditions, in which she possessed an undoubted superiority: that the weak condition of Philip in the Indies opened to her the view of the most durable advantages; and the yearly return of his treasure by sea afforded a continued prospect of important, though more temporary, successes: that after his peace with France, if she also should consent to an accommodation, he would

be able to turn his whole force against the revolted provinces of the Netherlands, which, though they had surprisingly increased their power by commerce and good government, were still unable, if not supported by their confederates, to maintain war against so potent a monarch: and that, as her defence of that commonwealth was the original ground of the quarrel, it was unsafe, as well as dishonourable, to abandon its cause, till she had placed it in a state of greater security.

These reasons were frequently inculcated on her by the Earl of Essex, whose passion for glory, as well as his military talents, made him earnestly desire the continuance of war, from which he expected to reap so much advantage and distinction. The rivalry between this nobleman and Lord Burleigh made each of them insist the more strenuously on his own counsel; but as Essex's person was agreeable to the queen, as well as his advice conformable to her inclinations, the favourite seemed daily to acquire an ascendant over the minister. Had he been endowed with caution and self-command, equal to his shining qualities, he would have so rivetted himself in the queen's confidence, that none of his enemies had ever been able to impeach his credit. But his lofty spirit could ill submit to that implicit deference which her temper required, and which she had ever been accustomed to receive from all her subjects. Being once engaged in a dispute with her, about the choice of a governor for Ireland, he was so heated in the argument, that he entirely forgot the rules both of duty and civility; and turned his back upon her in a contemptuous manner. Her anger, naturally prompt and violent, rose at this provocation; and she instantly gave him a box on the ear; adding a passionate expression, suited to his impertinence. Instead of recollecting himself, and making the submissions due to her sex and station, he clapped his hand to his sword, and swore, that he would not bear such usage, were it from Henry VIII. himself; and he immediately withdrew from court. Egerton, the chancellor, who loved Essex, exhorted him to repair his indiscretion by proper acknowledgments; and entreated him not to give that triumph to his enemies, that affliction to his friends, which must ensue from his supporting a contest with his sovereign, and deserting the service of his country: but Essex was deeply stung with the dishonour which he had received; and seemed to think that an insult, which might be pardoned in a woman, was become a mortal affront when it came from his sovereign. "If the vilest of all indignities," said he, "is done me, does religion enforce me to sue for pardon? Doth God require it? Is it impious not to do it? Why? Cannot princes err? Cannot subjects receive wrong? Is an earthly power infinite? Pardon me, my lord, I can never subscribe to these principles. Let Solomon's fool laugh when he is stricken; let those that mean to make their profit of princes show no sense of princes' injuries: let them acknowledge an infinite absoluteness on earth, that do not believe an absolute infiniteness in heaven;" (alluding, probably, to the character and conduct of Sir Walter Raleigh, who lay under the reproach of impiety;) "As for me," continued he, "I have received wrong, I feel it: my cause is good, I know it; and whatsoever happens, all the powers on earth can never exert more strength and constancy in oppressing, than I can show in suffering every thing that can or shall be imposed upon me. Your lordship, in the beginning of your letter, makes me a player, and yourself a looker-on: and me a player of my own game; so you may see more than I; but give me leave to tell you, that since you do but see, and I do suffer, I must of necessity feel more than you."

y Cabbala, p. 234. Birch's Memoirs, vol. ii. p. 386. Speed, p. 877. The whole letter of Essex is so curious and so spirited, that the reader may be disappointed to read it. "My very good Lord, though there is not that in this day living, whom I would sooner make judge of any question that might concern me than yourself, yet you must give me leave to tell you, that in some cases I must appeal from all earthly judges: and it is, from myself to this, when the highest judge on earth has imposed on me the heaviest punishment, without trial or hearing. Since then I must either assuage your lordship's argument, or else forsake mine own just defence, I will forego mine ancient head to some service (or an hour). I must first be your opponent, which is, to force, to be an, humorous discontent, and that it was unreasonable, or is of so long continuing, your Lordship should rather condone with me than expostulate: natural seasons are excusable, or, at best, violent and unreasonable storm; some come from above, there is no temper equal to the passionate indignation of a prince, for

yet at any time so unreasonable as when it lighteth on those that might expect a harvest of their careful and painful labours. He that is once wounded must needs feel smart till his hurt is cured, or the part hurt become senseless: but since I expect none, her majesty's heart being obdurate against me; and be without sense I cannot, being of flesh and blood. But, say you, I am arm at the end: I do more than arms for I see an end of all my fortunes, I have set on end to all my desires. In this course do I say nothing for my enemies? When I was at court I found them absolute; and therefore I had rather they should triumph alone, than have me attendant upon their calamities. Or do I leave my title is? When I was a courtier, I could yield them so fruit of my love into them, and now that I am a hermit, they shall be to me a envy for their love towards me. Or do I forsake myself, because I do enjoy myself? Or do I overthrow my fortunes, because I could not find a fortune of paper walls, which every puff of wind bloweth down? Or do I ruinate my labour, because I receive following the

This spirited letter was shown by Essex to his friends, and they were so imprudent as to disperse copies of it: Yet, notwithstanding this additional provocation, the queen's partiality was so prevalent, that she reinstated him in his former favour; and her kindness to him appeared rather to have acquired new force from this short interval of anger and resentment. The death of

4th Aug.

Burleigh, his antagonist, which happened about the same time, seemed to insure him constant possession of the queen's confidence; and nothing, indeed, but his own indiscretion, could thenceforth have shaken his well-established credit. Lord Burleigh died in an advanced age; and, by a rare fortune, was equally regretted by his sovereign and the people. He had risen gradually, from small beginnings, by the mere force of merit; and though his authority was never entirely absolute or uncontested with the queen, he was still, during the course of near forty years, regarded as her principal minister. None of her other inclinations or affections could ever overcome her confidence in so useful a counsellor; and as he had had the generosity or good sense to pay assiduous court to her during her sister's reign, when it was dangerous to appear her friend, she thought herself bound in gratitude, when she mounted the throne, to persevere in her attachments to him. He seems not to have possessed any shining talents of address, eloquence, or imagination; and was chiefly distinguished by solidity of understanding, probity of manners, and indefatigable application in business: virtues which, if they do not always enable a man to attain high stations, do certainly qualify him best for filling them. Of all the queen's ministers, he alone left a considerable fortune to his posterity; a fortune not acquired by rapine or oppression, but gained by the regular profits of his offices, and preserved by frugality.

8th Aug.

The last act of this amiable minister was the concluding of a new treaty with the Dutch; who, after being in some measure deserted by the King of France, were glad to preserve the queen's alliance, by submitting to any terms which she pleased to require of them. The debt which they owed her was now settled at eight hundred thousand pounds: of this sum they agreed to pay, during the war, thirty thousand pounds a year; and these payments were to continue till four hundred thousand pounds of the debt should be extinguished. They engaged also, during the time that England should continue the war with Spain, to pay the garrisons of the cautionary towns. They stipulated, that if Spain should invade England, or the Isle of Wight, or Jersey, or Scilly, they should assist her with a body of five thousand foot, and five hundred horse; and that in case she undertook any naval armament against Spain, they should join an equal number of ships to hers.<sup>2</sup> By this treaty, the queen was eased of an annual charge of a hundred and twenty thousand pounds.

Soon after the death of Burleigh, the queen, who regretted extremely the loss of so wise and faithful a minister, was informed of the death of her capital enemy, Philip II. who, after languishing under many infirmities, expired, in an advanced age, at Madrid. This haughty prince, desirous of an accommodation with his revolted subjects in the Netherlands, but disinclined to make in his own name the concessions necessary for that purpose, had transferred to his daughter, married to Archduke Albert, the title to the Low Country provinces; but as it was not expected that this princess could have posterity, and as the reversion on failure of her issue was still reserved to

the crown of Spain, the States considered this deed only as the change of a name, and they persisted with equal obstinacy in their resistance to the Spanish arms. The other powers also of Europe made no distinction between the courts of Brussels and Madrid; and the secret opposition of France, as well as the avowed efforts of England, continued to operate against the progress of Albert, as it had done against that of Philip.

## CHAP. XLIV.

State of Ireland—Tyron's Rebellion—Essex sent over to Ireland—His ill success—Returns to England—Is disgraced—His intrigues—The insurrection this trial and execution—French affairs—Montjoy's success in Ireland—Defeat of the Spaniards and Irish—A parliament—Tyron's submission—Queen's sickness—and death—and character.

THOUGH the dominion of the English over Ireland had been seemingly established above four centuries, it may safely be affirmed, that their authority had hitherto been little more than nominal. The Irish princes and nobles, divided among themselves, readily paid the exterior marks of obedience to a power which they were not able to resist; but as no durable force was ever kept on foot to retain them in their duty, they relapsed still into their former state of independence. Too weak to introduce order and obedience among the rude inhabitants, the English authority was yet sufficient to check the growth of any enterprising genius among the natives: and though it could bestow no true form of civil government, it was able to prevent the rise of any such form, from the internal combination or policy of the Irish.<sup>a</sup>

Most of the English institutions, likewise, by which that island was governed, were to the last degree absurd, and such as no state before had ever thought of, for preserving dominion over its conquered provinces.

The English nation, all on fire for the project of subduing France, a project whose success was the most improbable, and would to them have proved the most pernicious, neglected all other enterprises, to which their situation so strongly invited them, and which in time would have brought them an accession of riches, grandeur, and security. The small army which they maintained in Ireland they never supplied regularly with pay; and as no money could be levied on the island which possessed none, they gave their soldiers the privilege of free quarter upon the natives. Rapine and insolence inflamed the hatred which prevailed between the conquerors and the conquered: want of security among the Irish, introducing despair, nourished still more the sloth natural to that uncultivated people.

But the English carried further their ill-judged tyranny. Instead of inviting the Irish to adopt the more civilized customs of their conquerors, they even refused, though earnestly solicited, to communicate to them the privileges of their laws, and every where marked them out as aliens and as enemies. Thrown out of the protection of justice, the natives could find no security but in force; and flying the neighbourhood of cities, which they could not approach with safety, they sheltered themselves in their marshes and forests from the insolence of their inhuman masters. Being treated like wild beasts, they became such; and joining the ardour of revenge to their yet untamed barbarity, they grew every day more intractable and more dangerous.<sup>b</sup>

per suit, or wearing the false badge or mark, of the shadow of honour? Do I give courage or comfort to the foreign foe, because I reserve myself to encounter with him? Or because I keep my heart from business, though I cannot keep my fortune from declining? No, no, my good Lord, I give every one of these considerations into due weight, and the more I weigh them, the more I find myself justified from offending in any of them. As for the two last objections, that I forsake my country when it hath most need of me, and fall in that irreconcilable duty which I owe to my sovereign, I answer, that if my country had at this time any need of me, public service, far more than that which I owe to my sovereign, would be my duty. As for the two last objections, that I forsake my country when it hath most need of me, and fall in that irreconcilable duty which I owe to my sovereign, I answer, that if my country had at this time any need of me, public service, far more than that which I owe to my sovereign, would be my duty. As for the two last objections, that I forsake my country when it hath most need of me, and fall in that irreconcilable duty which I owe to my sovereign, I answer, that if my country had at this time any need of me, public service, far more than that which I owe to my sovereign, would be my duty.

content to do her majesty the service of a clerk; but I can never serve her as a villain or slave. But yet you say I must give way unto the time. So I do: for now that I see the storm come, I have put myself into the harbour. Seneca saith, we must give way to fortune: I know that fortune is both blind and strong, and therefore I give over for ever the way. You say she is ready to strike. I neither strive nor seek for remedy. But you say I must yield and submit: I can neither yield myself to be guilty, nor allow the imputation laid upon me to be just: I owe so much to the Author of all truth, as I can never yield truth to be falsified, nor falsified to be truth. Have I given cause, you ask, and yet take a scandal when I have done? No. I give no cause, nor so much as I finders complaint against me. For I did not tell you *ex parte*: neither the whole secret into my jealousy. I patiently bear all, and sensibly feel all that I receive, when this scandal was given me. Say now, when the vilest of all indignities are done unto me, &c. This noble letter, drawn afterwards, in pleading against Essex, called bold and presumptuous, and derogatory to her majesty. Birch's Memoirs, vol. ii. p. 38.

<sup>a</sup> Rymer, vol. xxi. p. 340.

<sup>b</sup> Sir I. Davies, p. 5, 6, 7, &c.

<sup>c</sup> Ibid. p. 102, 103, &c.

As the English princes deemed the conquest of the dispersed Irish to be more the object of time and patience than the source of military glory, they willingly delegated that office to private adventurers, who, enlisting soldiers at their own charge, reduced provinces of that island, which they converted to their own profit. Separate jurisdictions and principalities were established by these lordly conquerors: the power of peace and war was assumed: military law was exercised over the Irish, whom they subdued; and by degrees over the English, by whose assistance they conquered: and, after their authority had once taken root, deeming the English institutions less favourable to barbarous dominion, they degenerated into mere Irish, and abandoned the garb, language, manners, and laws of their mother-country.<sup>c</sup>

By all this imprudent conduct of England, the natives of its dependent state remained still in that abject condition, into which the northern and western parts of Europe were sunk before they received civility and slavery from the refined policy and irresistible bravery of Rome. Even at the end of the sixteenth century, when every christian nation was cultivating with ardour every civil art of life, that island, lying in a temperate climate, enjoying a fertile soil, accessible in its situation, possessed of innumerable harbours, was still, notwithstanding these advantages, inhabited by a people whose customs and manners approached nearer those of savages than of barbarians.<sup>d</sup>

As the rudeness and ignorance of the Irish were extreme, they were sunk below the reach of that curiosity and love of novelty, by which every other people in Europe had been seized at the beginning of that century, and which had engaged them in innovations and religious disputes with which they were still so violently agitated. The ancient superstition, the practices and observances of their fathers, mingled and polluted with many wild opinions, still maintained an unshaken empire over them; and the example alone of the English was sufficient to render the reformation odious to the prejudiced and discontented Irish. The old opposition of manners, laws, and interest, was now inflamed by religious antipathy; and the subduing and civilizing of that country seemed to become every day more difficult and more impracticable.

The animosity against the English was carried so far by the Irish, that, in an insurrection raised by two sons of the Earl of Clanricarde, they put to the sword all the inhabitants of the town of Athenry, though Irish, because they began to conform themselves to English customs, and had embraced a more civilized form of life than had been practised by their ancestors.<sup>e</sup>

The usual revenue of Ireland amounted only to six thousand pounds a-year:<sup>f</sup> the queen, though with much repining,<sup>g</sup> commonly added twenty thousand more, which she remitted from England; and with this small revenue a body of a thousand men was supported, which on extraordinary emergencies was augmented to two thousand.<sup>h</sup> No wonder that a force so disproportioned to the object, instead of subduing a mutinous kingdom, served rather to provoke the natives, and to excite those frequent insurrections, which still further inflamed the animosity between the two nations, and increased the disorders to which the Irish were naturally subject.

In 1560, Shan O'Neale, or the Great O'Neale, as the Irish called him, because head of that potent clan, raised a rebellion in Ulster; but after some skirmishes he was received into favour, upon his submission, and his promise of a more dutiful behaviour for the future.<sup>i</sup> This impunity tempted him to undertake a new insurrection in 1567; but, being pushed by Sir Henry Sidney, lord deputy, he retreated into Clondeboy, and rather than submit to the English, he put himself into the hands of some Scottish islanders, who commonly infested those parts by their incursions. The Scots, who retained a quarrel against him on account of former injuries, violated the laws of hospitality, and murdered him at a festival to which they had invited him. He was a man equally noted for his pride, his violence, his debaucheries, and his hatred to the Eng-

lish nation. He is said to have put some of his followers to death because they endeavoured to introduce the use of bread after the English fashion.<sup>k</sup> Though so violent an enemy to luxury, he was extremely addicted to riot; and was accustomed, after his intemperance had thrown him into a fever, to plunge his body into mire, that he might allay the flame which he had raised by former excesses.<sup>l</sup> Such was the life led by this haughty barbarian, who scorned the title of the Earl of Tyrone, which Elizabeth intended to have restored to him, and who assumed the rank and appellation of King of Ulster. He used also to say, that though the queen was his sovereign lady, he never made peace with her but at her seeking.<sup>m</sup>

Sir Henry Sidney was one of the wisest and most active governors that Ireland had enjoyed for several reigns;<sup>n</sup> and he possessed his authority eleven years, during which he struggled with many difficulties, and made some progress in repressing those disorders which had become inveterate among the people. The Earl of Desmond, in 1569, gave him disturbance, from the hereditary animosity which prevailed between that nobleman and the Earl of Ormond, descended from the only family established in Ireland, that had steadily maintained its loyalty to the English crown.<sup>o</sup> The Earl of Thomond, in 1570, attempted a rebellion in Connaught, but was obliged to fly into France before his designs were ripe for execution. Stukely, another fugitive, found such credit with the Pope, Gregory the thirteenth, that he flattered that pontiff with the prospect of making his nephew, Buon Compagno, King of Ireland; and, as if this project had already taken effect, he accepted the title of Marquis of Leinster from the new sovereign.<sup>p</sup> He passed next into Spain; and after having received much encouragement and great rewards from Philip, who intended to employ him as an instrument in disturbing Elizabeth, he was found to possess too little interest for executing those high promises which he had made to that monarch. He retired into Portugal; and following the fortunes of Don Sebastian, he perished with that gallant prince in his bold but unfortunate expedition against the Moors.

Lord Gray, after some interval, succeeded to the government of Ireland; and, in 1579, suppressed a new rebellion of the Earl of Desmond, though supported by a body of Spaniards and Italians. The rebellion of the Bourks followed a few years after; occasioned by the strict and equitable administration of Sir Richard Bingham, governor of Connaught, who endeavoured to suppress the tyranny of the chieftains over their vassals.<sup>q</sup> The queen, finding Ireland so burdensome to her, tried several expedients for reducing it to a state of greater order and submission. She encouraged the Earl of Essex, father to that nobleman who was afterwards her favourite, to attempt the subduing and planting of Clondeboy, Ferny, and other territories, part of some late forfeitures: but that enterprise proved unfortunate; and Essex died of a distemper occasioned, as is supposed, by the vexation which he had conceived from his disappointments. An university was founded in Dublin with a view of introducing arts and learning into that kingdom, and civilizing the uncultivated manners of the inhabitants.<sup>r</sup> But the most unhappy expedient employed in the government of Ireland, was that made use of in 1585, by Sir John Perrot, at that time lord deputy: he put arms into the hands of the Irish inhabitants of Ulster, in order to enable them, without the assistance of the government, to repress the incursions of the Scottish islanders, by which these parts were much infested.<sup>s</sup> At the same time, the invitation of Philip, joined to their zeal for the catholic religion, engaged many of the gentry to serve in the Low Country wars; and thus Ireland, being provided with officers and soldiers, with discipline and arms, became formidable to the English, and was thenceforth able to maintain a more regular war against her ancient masters.

Hugh O'Neale, nephew to Shan O'Neale, Tyrone's rebellion. of Earl of Tyrone: but, having murdered his cousin, son

<sup>c</sup> Sir L. Davies, p. 133, 134, &c.

<sup>d</sup> See Spencer's Account of Ireland, throughout.

<sup>e</sup> Camden, i. p. 157.

<sup>f</sup> Camden, i. p. 157. <sup>g</sup> Memoirs of the Sidneys, v. l. i. p. 16.

<sup>h</sup> Camden, p. 342. Sidney, vol. i. p. 82, 90.

<sup>i</sup> Camden, p. 342. Sidney, vol. i. p. 65, 109, 183, 184.

<sup>j</sup> Camden, p. 325, 391.

<sup>k</sup> Ibid. p. 409.

<sup>l</sup> Ibid. Camden, p. 324.

<sup>m</sup> Camden, p. 321.

<sup>n</sup> Camden, p. 350.

<sup>o</sup> Camden, p. 324.

<sup>p</sup> Ibid. p. 431.

<sup>q</sup> Camden, p. 356.

<sup>r</sup> Camden, p. 356.

<sup>s</sup> Camden, p. 356.

<sup>t</sup> Camden, p. 356.

<sup>u</sup> Camden, p. 356.

<sup>v</sup> Camden, p. 356.

<sup>w</sup> Camden, p. 356.

<sup>x</sup> Camden, p. 356.

<sup>y</sup> Camden, p. 356.

<sup>z</sup> Camden, p. 356.

<sup>aa</sup> Camden, p. 356.

<sup>ab</sup> Camden, p. 356.

<sup>ac</sup> Camden, p. 356.

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of that rebel, and being acknowledged head of his clan, he preferred the pride of barbarous licence and dominion to the pleasures of opulence and tranquillity, and he fomented all those disorders, by which he hoped to weaken or overturn the English government. He was noted for the vice of perfidy and cruelty, so common among uncultivated nations; and was also eminent for courage, a virtue which their disorderly course of life requires, and which, notwithstanding, being less supported by the principle of honour, is commonly more precarious among them, than among a civilized people. Tyrone, actuated by this spirit, secretly fomented the discontents of the Maguires, O'Donnells, O'Rourks, Macmahons, and other rebels; yet, trusting to the influence of his deceitful oaths and professions, he put himself into the hands of Sir William Russell, who, in the year 1594, was sent over deputy to Ireland. Contrary to the advice and protestation of Sir Henry Bagnal, marshal of the army, he was dismissed; and, returning to his own country, he embraced the resolution of raising an open rebellion, and of relying no longer on the lenity or inexperience of the English government. He entered into a correspondence with Spain: he procured thence a supply of arms and ammunition; and, having united all the Irish chieftains in a dependence upon himself, he began to be regarded as a formidable enemy.

The native Irish were so poor that their country afforded few other commodities than cattle and oatmeal, which were easily concealed or driven away on the approach of the enemy; and as Elizabeth was averse to the expense requisite for supporting her armies, the English found much difficulty in pushing their advantages, and in pursuing the rebels into the bogs, woods, and other fastnesses, to which they retreated. These motives rendered Sir John Norris, who commanded the English army, the more willing to hearken to any proposals of truce or accommodation made him by Tyrone; and after the war was spun out by these artifices for some years, that gallant Englishman, finding that he had been deceived by treacherous promises, and that he had performed nothing worthy of his ancient reputation, was seized with a languishing distemper, and died of vexation and discontent. Sir Henry Bagnal, who succeeded him in the command, was still more unfortunate. As he advanced to relieve the fort of Black-water, besieged by the rebels, he was surrounded in disadvantageous ground; his soldiers, discouraged by part of their powder accidentally taking fire, were put to flight; and though the pursuit was stopped by Montacute, who commanded the English horse, fifteen hundred men, together with the general himself, were left dead upon the spot. This victory, so unusual to the Irish, roused their courage, supplied them with arms and ammunition, and raised the reputation of Tyrone, who assumed the character of the deliverer of his country, and patron of Irish liberty.<sup>1</sup>

The English council were now sensible, that the rebellion of Ireland was come to a dangerous head, and that the former temporizing arts of granting truces and pacifications to the rebels, and of allowing them to purchase pardons by resigning part of the plunder acquired during their insurrection, served only to encourage the spirit of mutiny and disorder among them. It was therefore resolved to push the war by more vigorous measures; and the queen cast her eye on Charles Blount, Lord Mountjoy, as a man, who, though hitherto less accustomed to arms than to books and literature, was endowed, she thought, with talents equal to the undertaking. But the young Earl of Essex, ambitious of fame, and desirous of obtaining this government for himself, opposed the choice of Mountjoy; and represented the necessity of appointing for that important employment some person more experienced in war than this nobleman, more practised in business, and of higher quality and reputation. By this description, he was understood to mean himself;<sup>2</sup> and no sooner was his desire known, than his enemies, even more zealously than his friends, conspired to gratify his wishes. Many of his friends thought that he never ought to consent, except for a short time, to accept of any employment which must remove him from court, and prevent him from cultivating that personal inclination which the queen so

visibly bore him.<sup>3</sup> His enemies hoped, that if by his absence she had once leisure to forget the charms of his person and conversation, his impatient and lofty demeanour would soon disgust a princess who usually exacted such profound submission and implicit obedience from all her servants. But Essex was incapable of entering into such cautious views; and even Elizabeth, who was extremely desirous of subduing the Irish rebels, and who was much prepossessed in favour of Essex's genius, readily agreed to appoint him governor of Ireland, by the title of Lord Lieutenant. The more to encourage him in <sup>Essex sent over</sup> his undertaking, she granted him by his <sup>to Ireland.</sup> patent more extensive authority than had ever before been conferred on any lieutenant; the power of carrying on or finishing the war as he pleased, of pardoning the rebels, and of filling all the most considerable employments of the kingdom.<sup>4</sup> And to insure him of success, she levied a numerous army of sixteen thousand foot, and thirteen hundred horse, which she afterwards augmented to twenty thousand foot, and two thousand horse; a force, which it was apprehended would be able in one campaign to overwhelm the rebels, and make an entire conquest of Ireland. Nor did Essex's enemies, the Earl of Nottingham, Sir Robert Cecil, Sir Walter Raleigh, and Lord Cobham, throw any obstacles in the way of these preparations; but hoped that, the higher the queen's expectations of success were raised, the more difficult it would be for the event to correspond to them. In a like view, they rather seconded than opposed those exalted encomiums, which Essex's numerous and sanguine friends dispersed of his high genius, of his elegant endowments, his heroic courage, his unbounded generosity, and his noble birth; nor were they displeased to observe that passionate fondness which the people every where expressed for this nobleman. These artful politicians had studied his character; and, finding that his open and undaunted spirit, if taught temper and reserve from opposition, must become invincible, they resolved rather to give full breath to those sails which were already too much expanded, and to push him upon dangers of which he seemed to make such small account.<sup>5</sup> And, the better to make advantage of his indiscretions, spies were set upon all his actions and even expressions; and his vehement spirit, which, while he was in the midst of the court and envied by his rivals, was unacquainted with disguise, could not fail, after he thought himself surrounded by none but friends, to give a pretence for malignant suspicions and constructions.

Essex left London in the month of March, attended with the acclamations of the populace; and, what did him more honour, accompanied by a numerous train of nobility and gentry, who, from affection to his person, had attached themselves to his fortunes, and sought fame and military experience under so renowned a commander. The first act of authority which he exercised after his arrival in Ireland, was an indiscretion, but of the generous kind; and in both these respects suitable to his character. He appointed his intimate friend, the Earl of Southampton, general of the horse; a nobleman who had incurred the queen's displeasure, by secretly marrying without her consent, and whom she had therefore enjoined Essex not to employ in any command under him. She no sooner heard of this instance of disobedience, than she reprimanded him, and ordered him to recall his commission to Southampton. But Essex, who had imagined that some reasons which he had opposed to her first injunctions, had satisfied her, had the imprudence to remonstrate against these second orders;<sup>6</sup> and it was not till she reiterated her commands, that he could be prevailed upon to displace his friend.

Essex, on his landing at Dublin, deliberated with the Irish council concerning <sup>His ill success.</sup> the proper methods of carrying on the war against the rebels; and here he was guilty of a capital error, which was the ruin of his enterprise. He had always, while in England, blamed the conduct of former commanders, who artfully protracted the war, who harassed their troops in small enterprises, and who, by agreeing to truces and temporary pacifications with the rebels, had given them leisure to

<sup>1</sup> Camden, p. 115.  
<sup>2</sup> See above, p. 476.

<sup>3</sup> Bacon, vol. iv. p. 371.  
<sup>4</sup> Rymer, tom. xvi. p. 396.

<sup>5</sup> Camden, p. 115.

<sup>6</sup> Birch's Memoirs, vol. ii. p. 121, 131.

recruit their broken forces.<sup>a</sup> In conformity to these views, he had ever insisted upon leading his forces immediately into Ulster against Tyrone, the chief enemy; and his instructions had been drawn agreeably to these his declared resolutions. But the Irish counsellors persuaded him that the season was too early for the enterprise, and that as the morasses, in which the northern Irish usually sheltered themselves, would not as yet be passable to the English forces, it would be better to employ the present time in an expedition into Munster. Their secret reason for this advice was, that many of them possessed estates in that province, and were desirous to have the enemy dislodged from their neighbourhood;<sup>b</sup> but the same selfish spirit which had induced them to give this counsel, made them soon after disown it, when they found the bad consequences with which it was attended.<sup>c</sup>

Essex obliged all the rebels of Munster either to submit or to fly into the neighbouring provinces: but as the Irish, from the greatness of the queen's preparations, had concluded that she intended to reduce them to total subjection, or even utterly to exterminate them, they considered their defence as a common cause; and the English forces were no sooner withdrawn than the inhabitants of Munster relapsed into rebellion, and renewed their confederacy with their other countrymen. The army, meanwhile, by the fatigue of long and tedious marches, and by the influence of the climate, was become sickly; and on its return to Dublin, about the middle of July, was surprisingly diminished in number. The courage of the soldiers was even much abated: for, though they had prevailed in some lesser enterprises against Lord Cahir and others, yet had they sometimes met with more stout resistance than they expected from the Irish, whom they were wont to despise: and as they were raw troops and inexperienced, a considerable body of them had been put to flight at the Glins, by an inferior number of the enemy. Essex was so enraged at this misbehaviour, that he cashiered all the officers, and decimated the private men.<sup>d</sup> But this act of severity, though necessary, had intimidated the soldiers, and increased their aversion to the service.

The queen was extremely disgusted when she heard that so considerable a part of the season was consumed in these frivolous enterprises; and was still more surprised that Essex persevered in the same practice which he had so much condemned in others, and which he knew to be so much contrary to her purpose and intention. That nobleman, in order to give his troops leisure to recruit from their sickness and fatigue, left the main army in quarters, and marched with a small body of fifteen hundred men into the county of Ophelia against the O'Connors and O'Mores, whom he forced to a submission: but, on his return to Dublin, he found the army so much diminished, that he wrote to the English council an account of its condition, and informed them that, if he did not immediately receive a reinforcement of two thousand men, it would be impossible for him this season to attempt any thing against Tyrone. That there might be no pretence for further inactivity, the queen immediately sent over the number demanded;<sup>e</sup> and Essex began at last to assemble his forces for the expedition into Ulster. The army was so averse to this enterprise, and so terrified with the reputation of Tyrone, that many of them counterfeited sickness, many of them deserted;<sup>f</sup> and Essex found that, after leaving the necessary garrisons, he could scarcely lead four thousand men against the rebels. He marched, however, with this small army; but was soon sensible that, in so advanced a season, it would be impossible for him to effect any thing against an enemy who, though superior in number, was determined to avoid every decisive action. He hearkened, therefore, to a message sent him by Tyrone, who desired a conference; and a place near the two camps was appointed for that purpose. The generals met without any of their attendants, and a river ran between them, into which Tyrone entered to the depth of his saddle; but Essex stood on the opposite bank. After half an hour's conference, where Tyrone behaved

with great submission to the lord-lieutenant, a cessation of arms was concluded to the first of May, renewable from six weeks to six weeks; but which might be broken off by either party upon a fortnight's warning.<sup>g</sup> Essex also received from Tyrone proposals for a peace, in which that rebel had inserted many unreasonable and exorbitant conditions: and there appeared afterwards some reason to suspect that he had here commenced a very unjustifiable correspondence with the enemy.<sup>h</sup>

So unexpected an issue of an enterprise, the greatest and most expensive that Elizabeth had ever undertaken, provoked her extremely against Essex; and this disgust was much augmented by other circumstances of that nobleman's conduct. He wrote many letters to the queen and council, full of peevish and impatient expressions; complaining of his enemies, lamenting that their calumnies should be believed against him, and discovering symptoms of a mind equally haughty and discontented. She took care to inform him of her dissatisfaction; but commanded him to remain in Ireland till further orders.

Essex heard at once of Elizabeth's anger, and of the promotion of his enemy, Sir Robert Cecil, to the office of master of the wards, an office to which he himself aspired: and dreading that, if he remained any longer absent, the queen would be totally alienated from him, he hastily embraced a resolution which he knew had once succeeded with the Earl of Leicester, the former favourite of Elizabeth. Leicester being informed, while in the Low Countries, that his mistress was extremely displeased with his conduct, disobeyed her orders by coming over to England; and having pacified her by his presence, by his apologies, and by his flattery and insinuation, disappointed all the expectations of his enemies.<sup>i</sup> Essex, there-  
Returns to  
England.

fore, weighing more the similarity of circumstances than the difference of character between himself and Leicester, immediately set out for England; and, making speedy journeys, he arrived at court before any one was in the least apprized of his intentions.<sup>k</sup>—Though besmeared with dirt and sweat, he hastened up stairs to the presence chamber; thence to the privy chamber; nor stopped till he was in the queen's bed-chamber, who was newly risen, and was sitting with her hair about her face. He threw himself on his knees, kissed her hand, and had some private conference with her; where he was so graciously received, that on his departure he was heard to express great satisfaction, and to thank God that, though he had suffered much trouble and many storms abroad, he found a sweet calm at home.<sup>l</sup>

But this placability of Elizabeth was merely the result of her surprise, and of the momentary satisfaction which she felt on the sudden and unexpected appearance of her favourite: after she had leisure for recollection, all his faults recurred to her; and she thought it necessary, by some severe discipline, to subdue that haughty, imperious spirit, who, presuming on her partiality, had pretended to domineer in her councils, to engross all her favour, and to act in the most important affairs, without regard to her orders and instructions. When Essex waited  
Is disgraced.

on her in the afternoon, he found her extremely altered in her carriage towards him. She ordered him to be confined to his chamber; to be twice examined by the council; and though his answers were calm and submissive, she committed him to the custody of Lord Keeper Egerton, and held him sequestered from all company; even from that of his countess, nor was so much as the intercourse of letters permitted between them. Essex dropped many expressions of humiliation and sorrow, none of resentment: he professed an entire submission to the queen's will: declared his intention of retiring into the country, and of leading thenceforth a private life, remote from courts and business: but though he affected to be so entirely cured of his aspiring ambition, the vexation of this disappointment, and of the triumph gained by his enemies, preyed upon his haughty spirit, and he fell into a distemper which seemed to put his life in danger.

The queen had always declared to all the world, and

<sup>a</sup> Birch's Memoirs, vol. ii. p. 431. Bacon, vol. iv. p. 512

<sup>b</sup> Birch's Memoirs, vol. ii. p. 446.

<sup>c</sup> Winwood, vol. i. p. 146.

<sup>d</sup> Cox, p. 421.

<sup>e</sup> Birch's Memoirs, vol. ii. p. 430. Cox, p. 421.

<sup>f</sup> Sidney Letters, vol. ii. p. 112, 113.

<sup>g</sup> Ibid. p. 125.

<sup>h</sup> Winwood, vol. i. p. 307. State Trials. Parson, vol. iv. p. 514, 515.

<sup>i</sup> Birch's Memoirs, vol. ii. p. 453.

<sup>k</sup> Winwood, vol. i. p. 118.

<sup>l</sup> Sidney Letters, vol. ii. p. 157.

even to the earl himself, that the purpose of her severity was to correct, not to ruin him;<sup>m</sup> and when she heard of his sickness, she was not a little alarmed with his situation. She ordered eight physicians of the best reputation and experience to consult of his case; and being informed that the issue was much to be apprehended, she sent Dr. James to him with some broth, and desired that physician to deliver him a message, which she probably deemed of still greater virtue, that if she thought such a step consistent with her honour, she would herself pay him a visit. The bystanders, who carefully observed her countenance, remarked, that in pronouncing these words, her eyes were suffused with tears.<sup>n</sup>

When the symptoms of the queen's returning affection towards Essex were known, they gave a sensible alarm to the faction which had declared their opposition to him. Sir Walter Raleigh, in particular, the most violent as well as the most ambitious of his enemies, was so affected with the appearance of this sudden revolution, that he was seized with sickness in his turn; and the queen was obliged to apply the same salve to his wound, and to send him a favourable message, expressing her desire of his recovery.<sup>o</sup>

The medicine which the queen administered to these aspiring rivals was successful with both; and Essex being now allowed the company of his countess, and having entertained more promising hopes of his future fortunes, was so much restored in his health as to be thought past danger. A belief was instilled into Elizabeth, that his distemper had been entirely counterfeit, in order to move her compassion; <sup>p</sup> and she relapsed into her former rigour against him. He wrote her a letter, and sent her a rich present on new-year's day, as was usual with the courtiers at that time: she read the letter, but rejected the present.<sup>q</sup> After some interval, however, of severity, she allowed him to retire to his own house; and though he remained still under custody, and was sequestered from all company, he was so grateful for this mark of lenity, that he sent her a letter of thanks on the occasion. "This further degree of goodness," said he, "doth sound in my ears as if your majesty spake these words; *Die not, Essex; for though I punish thee offence, and humble thee for thy good, yet will I one day be served again by thee.* My prostrate soul makes this answer: *I hope for that blessed day.* And in expectation of it, all my afflictions of body and mind are humbly, patiently, and cheerfully borne by me."<sup>r</sup> The Countess of Essex, daughter of Sir Francis Walsingham, possessed, as well as her husband, a refined taste in literature; and the chief consolation which Essex enjoyed during this period of anxiety and expectation, consisted in her company, and in reading with her those instructive and entertaining authors, which, even during the time of his greatest prosperity, he had never entirely neglected.

There were several incidents which kept alive the queen's anger against Essex. Every account which she received from Ireland, convinced her more and more of his misconduct in that government, and of the insignificant purposes to which he had employed so much force and treasure. Tyrone, so far from being quelled, had thought proper, in less than three months, to break the truce; and, joining with O'Donnell and other rebels, had overrun almost the whole kingdom. He boasted that he was certain of receiving a supply of men, money, and arms, from Spain: he pretended to be champion of the catholic religion; and he openly exulted in the present of a phoenix plume, which the Pope, Clement VIII., in order to encourage him in the prosecution of so good a cause, had consecrated, and had conferred upon him.<sup>s</sup> The queen, that she might check his progress, returned to her former intention of appointing Mountjoy lord deputy; and though that nobleman, who was an intimate friend of Essex, and desired his return to the government of Ireland, did at first very earnestly excuse himself, on account of his bad state of health, she obliged him to accept of the employment. Mountjoy found the island almost in a desperate condition; but being a man of capacity and vigour, he was so

little discouraged, that he immediately advanced against Tyrone in Ulster. He penetrated into the heart of that country, the chief seat of the rebels: he fortified Derry and Mount-Norris, in order to bridle the Irish: he chased them from the field, and obliged them to take shelter in the woods and morasses: he employed, with equal success, Sir George Carew in Munster: and by these promising enterprises, he gave new life to the queen's authority in that island.

As the comparison of Mountjoy's administration with that of Essex contributed to alienate Elizabeth from her favourite, she received additional disgust from the partiality of the people, who, prepossessed with an extravagant idea of Essex's merit, complained of the injustice done him by his removal from court, and by his confinement. Libels were secretly dispersed against Cecil and Raleigh, and all his enemies: and his popularity, which was always great, seemed rather to be increased than diminished by his misfortunes. Elizabeth, in order to justify to the public her conduct with regard to him, had often expressed her intentions of having him tried in the star-chamber for his offences: but her tenderness for him prevailed at last over her severity; and she was contented to have him only examined by the privy-council. The attorney-general, Coke, opened the cause against him, and treated him with the cruelty and insolence which that great lawyer usually exercised against the unfortunate. He displayed, in the strongest colours, all the faults committed by Essex in his administration of Ireland: his making Southampton general of the horse, contrary to the queen's injunctions; his deserting the enterprise against Tyrone, and marching to Leinster and Munster; his conferring knighthood on too many persons; his secret conference with Tyrone; and his sudden return from Ireland, in contempt of her majesty's commands. He also exaggerated the indignity of the conditions which Tyrone had been allowed to propose; odious and abominable conditions, said he; a public toleration of an idolatrous religion, pardon for himself and every traitor in Ireland, and full restitution of lands and possessions to all of them.<sup>t</sup> The solicitor-general, Fleming, insisted upon the wretched situation in which the earl had left that kingdom; and Francis, son of Sir Nicholas Bacon, who had been lord-keeper in the beginning of the present reign, closed the charge, with displaying the undutiful expressions contained in some letters written by the earl.

Essex, when he came to plead in his own defence, renounced, with great submission and humility, all pretensions to an apology; <sup>u</sup> and declared his resolution never, on this or any other occasion, to have any contest with his sovereign. He said, that, having severed himself from the world, and abjured all sentiments of ambition, he had no scruple to confess every failing or error into which his youth, folly, or manifold infirmities might have betrayed him; that his inward sorrow for his offences against her majesty was so profound, that it exceeded all his outward crosses and afflictions, nor had he any scruple of submitting to a public confession of whatever she had been pleased to impute to him; that in his acknowledgments he retained only one reserve, which he never would relinquish but with his life, the assertion of a loyal and unpolled heart, of an unfeigned affection, of an earnest desire ever to perform to her majesty the best service which his poor abilities would permit; and that, if this sentiment were allowed by the council, he willingly acquiesced in any condemnation or sentence which they could pronounce against him. This submission was uttered with so much eloquence, and in so pathetic a manner, that it drew tears from many of the audience.<sup>w</sup> All the privy-councillors, in giving their judgment, made no scruple of doing the earl justice with regard to the loyalty of his intentions. Even Cecil, whom he believed his capital enemy, treated him with regard and humanity. And the sentence pronounced by the lord-keeper (to which the council assented) was in these words: "If this cause," said he, "had been heard in the star-chamber, my sentence must have been for as great a fine as ever was set upon any man's head in that court, together

<sup>m</sup> Birch's Memoirs, p. 414, 445. <sup>n</sup> Sulney Letters, vol. ii. p. 196.  
<sup>o</sup> Birch's Letters, vol. ii. p. 151. <sup>p</sup> Ibid. p. 199.  
<sup>q</sup> Ibid. p. 151. <sup>r</sup> Ibid. p. 155, 156.

<sup>s</sup> Birch's Memoirs, p. 444.  
<sup>t</sup> Birch's Memoirs, vol. ii. p. 449.  
<sup>u</sup> Sulney Letters, vol. ii. p. 200.

<sup>v</sup> Camden, p. 617.  
<sup>w</sup> Ibid. p. 200, 201.



with perpetual confinement in that prison which belongeth to a man of his quality, the Tower. But since we are now in another place, and in a course of favour, my censure is, that the Earl of Essex is not to execute the office of a counsellor, nor that of earl marshal of England, nor of master of the ordnance; and to return to his own house, there to continue a prisoner till it shall please her majesty to release this and all the rest of his sentence.<sup>7</sup>\* The Earl of Cumberland made a slight opposition to this sentence; and said, that if he thought it would stand, he would have required a little more time to deliberate; that he deemed it somewhat severe; and that any commander in chief might easily incur a like penalty. But, however, added he, in confidence of her majesty's mercy, I agree with the rest. The Earl of Worcester delivered his opinion in a couple of Latin verses; importing that, where the gods are offended, even misfortunes ought to be imputed as crimes, and that accident is no excuse for transgressions against the Divinity.

Bacon, so much distinguished afterwards by his high offices, and still more by his profound genius for the sciences, was nearly allied to the Cecil family, being nephew to Lord Burleigh, and cousin-german to the secretary; but notwithstanding his extraordinary talents, he had met with so little protection from his powerful relations, that he had not yet obtained any preferment in the law, which was his profession. But Essex, who could distinguish merit, and who passionately loved it, had entered into an intimate friendship with Bacon, had zealously attempted, though without success, to procure him the office of solicitor-general: and, in order to comfort his friend under the disappointment, had conferred on him a present of land to the value of eighteen hundred pounds.<sup>7</sup> The public could ill excuse Bacon's appearance before the council against so munificent a benefactor; though he acted in obedience to the queen's commands: but she was so well pleased with his behaviour, that she imposed on him a new task, of drawing a narrative of that day's proceedings, in order to satisfy the public of the justice and lenity of her conduct. Bacon, who wanted firmness of character more than humanity, gave to the whole transaction the most favourable turn for Essex; and, in particular, pointed out, in elaborate expression, the dutiful submission which that nobleman discovered in the defence that he made for his conduct. When he read the paper to her, she smiled at that passage, and observed to Bacon, that old love, she saw, could not easily be forgotten. He replied, that he hoped she meant that of herself.<sup>2</sup>

All the world indeed expected that Essex would soon be reinstated in his former credit; <sup>a</sup> perhaps, as is usual in reconcilements founded on inclination, would acquire an additional ascendancy over the queen, and after all his disgraces would again appear more a favourite than ever. They were confirmed in this hope when they saw that, though he was still prohibited from appearing at court,<sup>b</sup> he was continued in his office of master of horse, and was restored to his liberty, and that all his friends had access to him. Essex himself seemed determined to persevere in that conduct which had hitherto been so successful, and which the queen, by all this discipline, had endeavoured to render habitual to him; he wrote to her, that he kissed her majesty's hands, and the rod with which she had corrected him; but that he could never recover his wonted cheerfulness, till she deigned to admit him to that presence which had ever been the chief source of his happiness and enjoyment: and that he had now resolved to make amends for his past errors, to retire into a country solitude, and say with Nebuchadnezzar, "Let my dwelling be with the beasts of the field; let me eat grass as an ox, and be wet with the dew of heaven, till it shall please the queen to restore me to my understanding." The queen was much pleased with these sentiments, and replied, that she heartily wished his actions might correspond with his expressions; that he had tried her patience a long time, and it

was but fitting she should now make some experiment of his submission; that her father would never have pardoned so much obstinacy; but that, if the furnace of affliction produced such good effects, she should ever after have the better opinion of her chemistry.<sup>c</sup>

The Earl of Essex possessed a monopoly of sweet wines; and as his patent was near expiring, he patiently expected that the queen would renew it, and he considered this event as the critical circumstance of his life, which would determine whether he could ever hope to be reinstated in credit and authority.<sup>d</sup> But Elizabeth, though gracious in her deportment, was of a temper somewhat haughty and severe; and being continually surrounded with Essex's enemies, means were found to persuade her, that his lofty spirit was not sufficiently subdued, and that he must undergo this further trial, before he could again be safely received into favour. She therefore denied his request; and even added, in a contemptuous style, that an ungovernable beast must be stinted in his provender.<sup>e</sup>

This rigour, pushed one step too far, proved His intrigues, the final ruin of this young nobleman, and was the source of infinite sorrow and vexation to the queen herself. Essex, who had with great difficulty so long subdued his proud spirit, and whose patience was now exhausted, imagining that the queen was entirely inexorable, burst at once all restraints of submission and of prudence, and determined to seek relief by proceeding to the utmost extremities against his enemies. Even during his greatest favour, he had ever been accustomed to carry matters with a high hand towards his sovereign; and as this practice gratified his own temper, and was sometimes successful, he had imprudently imagined that it was the only proper method of managing her.<sup>f</sup> But, being now reduced to despair, he gave entire reins to his violent disposition, and threw off all appearance of duty and respect. Intoxicated with the public favour, which he already possessed, he practised anew every art of popularity; and endeavoured to increase the general good-will, by a hospitable manner of life, little suited to his situation and circumstances. His former employments had given him great connexions with men of the military profession; and he now entertained, by additional caresses and civilities, a friendship with all desperate adventurers, whose attachment he hoped might, in his present views, prove serviceable to him. He secretly courted the confidence of the catholics; but his chief trust lay in the puritans, whom he openly caressed, and whose manners he seemed to have entirely adopted. He engaged the most celebrated preachers of that sect to resort to Essex-house; he had daily prayers and sermons in his family; and he invited all the zealots in London to attend those pious exercises. Such was the disposition now beginning to prevail among the English, that instead of feasting and public spectacles, the methods anciently practised to gain the populace, nothing so effectually ingratiated an ambitious leader with the public, as these fanatical entertainments. And as the puritanical preachers frequently inculcated in their sermons the doctrine of resistance to the civil magistrate, they prepared the minds of their hearers for those seditious projects which Essex was secretly meditating.<sup>g</sup>

But the greatest imprudence of this nobleman proceeded from the openness of his temper, by which he was ill qualified to succeed in such difficult and dangerous enterprises. He indulged himself in great liberties of speech, and was even heard to say of the queen, that she was now grown an old woman, and was become as crooked in her mind as in her body.<sup>h</sup> Some court ladies, whose favours Essex had formerly neglected, carried her these stories, and incensed her to a high degree against him. Elizabeth was ever remarkably jealous on this head; and though she was now approaching to her seventieth year, she allowed her courtiers,<sup>i</sup> and even foreign ambassadors,<sup>k</sup> to compliment her upon her beauty; nor had all her good sense been able to cure her of this preposterous vanity.<sup>l</sup>

<sup>k</sup> Sidney Letters, vol. ii. p. 171.

<sup>l</sup> Most of Queen Elizabeth's courtiers feigned love and desire towards her, and addressed themselves to her in the style of passion and gallantry. Sir Walter Raleigh, having fallen into disgrace, wrote the following letter to his friend, Sir Robert Cecil, with a view, no doubt, of having it shown to the queen. "My heart was never broke till this day, that I hear the queen goes away so far off, whom I have followed so many years, with so great love and desire, in so many journeys, and am now left behind her in

<sup>x</sup> Birch's Memoirs, vol. ii. p. 354. Camden, p. 626, 627.

<sup>y</sup> Cabballa, p. 78. <sup>z</sup> Ibid. p. 83. <sup>a</sup> Winwood, vol. i. p. 254.

<sup>b</sup> Birch's Memoirs, vol. ii. p. 462. <sup>c</sup> Camden, p. 628.

<sup>d</sup> Birch's Memoirs, vol. ii. p. 472. <sup>e</sup> Camden, p. 628.

<sup>f</sup> Cabballa, p. 79.

<sup>g</sup> Birch's Memoirs, vol. ii. p. 463. Camden, p. 630.

<sup>h</sup> Camden, p. 629. Osborne, p. 297. Sir Walter Raleigh's Prerogative

of Parliament, p. 43. <sup>i</sup> Birch's Memoirs, vol. ii. p. 442, 443.

There was also an expedient employed by Essex, which, if possible, was more provoking to the queen than those sarcasms on her age and deformity; and that was, his secret applications to the King of Scots, her heir and successor. That prince had this year very narrowly escaped a dangerous, though ill-formed, conspiracy of the Earl of Gowry; and even his deliverance was attended with this disagreeable circumstance, that the obstinate ecclesiastics persisted, in spite of the most incontestable evidence, to maintain to his face, that there had been no such conspiracy. James, harassed with his turbulent and factious subjects, cast a wishful eye to the succession of England; and, in proportion as the queen advanced in years, his desire increased of mounting that throne, on which, besides acquiring a great addition of power and splendour, he hoped to govern a people so much more tractable and submissive. He negotiated with all the courts of Europe, in order to insure himself friends and partisans: he even neglected not the court of Rome and that of Spain; and though he engaged himself in no positive promise, he flattered the catholics with hopes that, in the event of his succession, they might expect some more liberty than was at present indulged them. Elizabeth was the only sovereign in Europe to whom he never dared to mention his right of succession: he knew that, though her advanced age might now invite her to think of fixing an heir to the crown, she never could bear the prospect of her own death without horror, and was determined still to retain him, and all other competitors, in an entire dependence upon her.

Essex was descended by females from the royal family; and some of his sanguine partisans had been so imprudent as to mention his name among those of other pretenders to the crown; but the earl took care, by means of Henry Lee, whom he secretly sent into Scotland, to assure James, that so far from entertaining such ambitious views, he was determined to use every expedient for extorting an immediate declaration in favour of that monarch's right of succession. James willingly hearkened to this proposal; but did not approve of the violent methods which Essex intended to employ. Essex had communicated his scheme to Mountjoy, deputy of Ireland; and as no man ever commanded more the cordial affection and attachment of his friends, he had even engaged a person of that virtue and prudence to entertain thoughts of bringing over part of his army into England, and of forcing the queen to declare the King of Scots her successor.<sup>m</sup> And such was Essex's impatient ardour, that, though James declined this dangerous expedient, he still endeavoured to persuade Mountjoy not to desist from the project: but the deputy, who thought that such violence, though it might be prudent, and even justifiable, when supported by a sovereign prince, next heir to the crown, would be rash and criminal, if attempted by subjects, absolutely refused his concurrence. The correspondence, however, between Essex and the court of Scotland, was still conducted with great secrecy and cordiality; and that noblemen, besides conciliating the favour of James, represented all his own adversaries as enemies to that prince's succession, and as men entirely devoted to the interests of Spain, and partisans of the chimerical title of the Infanta.

The Infanta and the Archduke Albert had made some advances to the queen for peace; and Boulogne, as a neutral town, was chosen for the place of conference. Sir Henry Nevil, the English resident in France, Herbert,

Edmondson, and Beale, were sent thither as ambassadors from England, and negotiated with Zuniga, Carillo, Richardot, and Verheiken, ministers

16th May.

of Spain, and the archduke: but the conferences were soon broken off, by disputes with regard to the ceremonial. Among the European states, England had ever been allowed the precedence above Castile, Arragon, Portugal, and the other kingdoms of which the Spanish monarchy was composed; and Elizabeth insisted, that this ancient right was not lost on account of the junction of these states, and that that monarchy, in its present situation, though it surpassed the English in extent as well as in power, could not be compared with it in point of antiquity, the only durable and regular foundation of precedence among kingdoms, as well as noble families. That she might show, however, a pacific disposition, she was content to yield to an equality; but the Spanish ministers, as their nation had always disputed precedence even with France, to which England yielded, would proceed no further in the conference till their superiority of rank were acknowledged.<sup>n</sup> During the preparations for this abortive negotiation, the Earl of Nottingham, the admiral Lord Buckhurst, treasurer, and secretary Cecil, had discovered their inclination to peace; but as the English nation, flushed with success, and sanguine in their hopes of plunder and conquest, were in general averse to that measure, it was easy for a person so popular as Essex to infuse into the multitude an opinion, that these ministers had sacrificed the interests of their country to Spain, and would even make no scruple of receiving a sovereign from that hostile nation.

But Essex, not content with these arts for A. D. 1601. decrying his adversaries, proceeded to concert more violent methods of ruining them, chiefly instigated by Cuffe, his secretary, a man of a bold and arrogant spirit, who had acquired a great ascendancy over his patron. A select council of malcontents was formed, who commonly met at Drury-house, and were composed of Sir Charles Davers, to whom the house belonged, the Earl of Southampton, Sir Ferdinando Gorges, Sir Christopher Blount, Sir John Davies, and John Littleton; and Essex, who boasted that he had a hundred and twenty barons, knights, and gentlemen of note, at his devotion, and who trusted still more to his authority with the populace, communicated to his associates those secret designs with which his confidence in so powerful a party had inspired him. Among other criminal projects, the result of blind rage and despair, he deliberated with them concerning the method of taking arms; and asked their opinion, whether he had best begin with seizing the palace or the Tower, or set out with making himself master at once of both places. The first enterprise being preferred, a method was concerted for executing it. It was agreed that Sir Christopher Blount, with a choice detachment, should possess himself of the palace gates; that Davies should seize the hall, Davers the guard-chamber and presence-chamber; and that Essex should rush in from the Mews, attended by a body of his partisans; should entreat the queen, with all demonstrations of humility, to remove his enemies; should oblige her to assemble a parliament; and should, with common consent, settle a new plan of government.<sup>o</sup>

His insurrection.

While these desperate projects were in agitation, many reasons of suspicion were

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a dark prison all alone. While she was yet near at hand, that I might hear of her once in two or three days, my sorrows were less; but even now my heart is cast into the depths of all misery. I, that was wont to be bold like Antony, bustling like Drani, swelling like Venus, the gentle wind blowing her hair about her pure cheeks, like a nymph, sometimes sitting in the shade like a goddess, sometimes singing like an angel, sometimes playing like Orpheus, behold the sorrow of this world! once amplex have I received me of all O gods, that only slayest in this torment, what is become of thy assurance? All wounds have scars but that of Lethæa; all affections their relenting, but that of woman-kind. Who is the judge of friendship but adversity, or when is grace witnessed but in distress? There were no dangers, but the reason of compassion, for revenge are brutish and mortal. All those times past, the loves, the sighs, the sorrows, the desires, cannot they weigh down one frail misfortune? Cannot one drop of gall be hid in so great a heap of sweetness? I may then conclude, *Spes of fortune, caute!* She is gone in whom I trusted, and of the last not only thought of never, nor any respect of that which was. Do with me now therefore what you list. I am more weary of life than they are anxious I should perish, which it had been before, as it is now. I had been too lightly born. Murden, 627. It is to be remarked that this youth, Venus, goddess, angel, was then about sixty. Yet five or six years after she allowed the same language to be held to her. Sir Henry

Unton, her ambassador in France, relates to her a conversation which he had with Henry IV. That monarch, after having introduced Unton to his mistress, the fair Gabrielle, asked him how he liked her. I answer, he said sprightly in her praise," said the minister, "and told him, that if, without offence, I might speak it, I had the picture of a far more excellent mistress, and yet did her picture come far short of her perfection of beauty. As you love me, said he, show it me if you have it about you. I made some difficulties; yet, upon his importunity, offered it to his view very secretly, holding it still in my hand: he beheld it with passion and admiration, saying that I had reason. *Je me rends*, protesting that he had never seen the like, so with great reverence, he kissed it twice or thrice, I detaching it still in my hand. In the end, with some kind of contention, he took it from me, vowing that I might take my leave of it; for he would not forego it for any treasure: and that to possess the favour of the lovely creature, he would forsake all the world, and hold himself most happy with many other most passionate speeches.<sup>p</sup> Murden, p. 718. For further particulars on this head, see the ingenious Author of the Catalogue of Royal and Noble Authors, article, Essex.

m Birch's Memoirs, vol. ii. p. 471.

n Winwood's Memorials, vol. i. p. 285—286.

o Camden, p. 690. Birch's Memoirs, vol. ii. p. 464. State Trials,

Bacon, vol. iv. p. 542, 543.



carried to the queen; and she sent Robert Sacville, son of the treasurer, to Essex-house, on pretence of a visit, but in reality with a view of discovering whether there were in that place any unusual concourse of people, or any extraordinary preparations, which might threaten an insurrection. Soon after, Essex received a summons to attend the council, which met at the treasurer's house; and while he was musing on this circumstance, and comparing it with the late unexpected visit from Sacville, a private note was conveyed to him, by which he was warned to provide for his own safety. He concluded that all his conspiracy was discovered, at least suspected; and that the easiest punishment which he had reason to apprehend, was a new and more severe confinement: he therefore excused himself to the council, on pretence of an indisposition, and he immediately despatched messages to his more intimate confederates, requesting their advice and assistance in the present critical situation of his affairs. They deliberated, whether they should abandon all their projects, and fly the kingdom; or instantly seize the palace, with the force which they could assemble; or rely upon the affections of the citizens, who were generally known to have a great attachment to the Earl. Essex declared against the first expedient, and professed himself determined to undergo any fate rather than submit to live the life of a fugitive. To seize the palace seemed impracticable, without more preparations; especially as the queen seemed now aware of their projects, and, as they heard, had used the precaution of doubling her ordinary guards. There remained, therefore, no expedient but that of betaking themselves to the city; and, while the prudence and feasibility of this resolution was under debate, a person arrived, who, as if he had received a commission for the purpose, gave them assurance of the affections of the Londoners, and affirmed, that they might securely rest any project on that foundation. The popularity of Essex had chiefly buoyed him up in all his vain undertakings; and he fondly imagined, that with no other assistance than the good-will of the multitude, he might overturn Elizabeth's government, confirmed by time, revered for wisdom, supported by vigour, and concurring with the general sentiments of the nation. The wild project of raising the city was immediately resolved on; the execution of it was delayed till next day; and emissaries were despatched to all Essex's friends, informing them that Cobham and Raleigh had laid schemes against his life, and entreating their presence and assistance.

8th Feb. Next day there appeared at Essex-house the Earls of Southampton and Rutland, the Lords Sandys and Montague, with about three hundred gentlemen of good quality and fortune; and Essex informed them of the danger to which he pretended the machinations of his enemies exposed him. To some he said, that he would throw himself at the queen's feet, and crave her justice and protection: to others, he boasted of his interest in the city, and affirmed, that whatever might happen, this resource could never fail him. The queen was informed of these designs, by means of intelligence conveyed, as is supposed, to Raleigh, by Sir Ferdinando Gorges; and having ordered the magistrates of London to keep the citizens in readiness, she sent Egerton, lord keeper, to Essex-house, with the Earl of Worcester, Sir William Knollys, controller, and Popham, chief justice, in order to learn the cause of these unusual commotions. They were with difficulty admitted through a wicket; but all their servants were excluded, except the purse-bearer. After some altercation, in which they charged Essex's retainers, upon their allegiance, to lay down their arms, and were menaced, in their turn, by the angry multitude who surrounded them, the Earl, who found that matters were past recall, resolved to leave them prisoners in his house, and to proceed to the execution of his former project. He sallied forth with about two hundred attendants, armed only with walking swords; and in his passage to the city was joined by the Earl of Bedford and Lord Cromwell. He cried aloud, *For the queen! for the queen! a plot is laid for my life!* and then proceeded to the house of Smith, the sheriff, on whose aid he had great

reliance. The citizens flocked about him in amazement; but though he told them that England was sold to the Infanta, and exhorted them to arm instantly, otherwise they could not do him any service, no one showed a disposition to join him. The sheriff, on the earl's approach to his house, stole out at the back door, and made the best of his way to the mayor. Essex, meanwhile, observing the coldness of the citizens, and hearing that he was proclaimed a traitor by the Earl of Cumberland and Lord Burleigh, began to despair of success, and thought of retreating to his own house. He found the streets in his passage barricadoed and guarded by the citizens, under the command of Sir John Levison. In his attempt to force his way, Tracy, a young gentleman to whom he bore great friendship, was killed, with two or three of the Londoners; and the Earl himself, attended by a few of his partisans, (for the greater part began secretly to withdraw themselves,) retired towards the river, and taking boat, arrived at Essex-house. He there found that Gorges, whom he had sent before to capitulate with the lord keeper and the other counsellors, had given all of them their liberty, and had gone to court with them. He was now reduced to despair; and appeared determined, in prosecution of Lord Sandys' advice, to defend himself to the last extremity, and rather to perish, like a brave man, with his sword in his hand, than basely by the hands of the executioner: but after some parley, and after demanding in vain, first hostages, then conditions, from the besiegers, he surrendered at discretion; requesting only civil treatment, and a fair and impartial hearing.<sup>p</sup>

The queen, who during all this commotion had behaved with as great tranquillity and security as if there had only passed a fray in the streets, in which she was nowise concerned, soon gave orders for the trial of the most considerable of the criminals. The Earls of Essex and Southampton were arraigned before a jury of twenty-five peers, where Buckhurst acted as lord steward. The guilt of the prisoners was too apparent to admit of any doubt; and, besides the insurrection known to every body, the treasonable conferences at Drury-house were proved by undoubted evidence. Sir Ferdinando Gorges was produced in court: the confessions of the Earl of Rutland, of the Lords Cromwell, Sandys, and Montague, of Davers, Blount, and Davies, were only read to the peers, according to the practice of that age. Essex's best friends were scandalized at his assurance in insisting so positively on his innocence, and the goodness of his intentions; and still more at his vindictive disposition, in accusing, without any appearance of reason, secretary Cecil, as a partisan of the Infanta's title. The secretary, who had expected this charge, stepped into the court and challenged Essex to produce his authority, which, on examination, was found extremely weak and frivolous.<sup>r</sup> When sentence was pronounced, Essex spoke like a man who expected nothing but death: but he added, that he should be sorry if he were represented to the queen as a person that despised her clemency; though he should not, he believed, make any cringing submissions to obtain it. Southampton's behaviour was more mild and submissive: he entreated the good offices of the peers in so modest and becoming a manner, as excited compassion in every one.

The most remarkable circumstance in Essex's trial was Bacon's appearance against him. He was none of the crown lawyers; so was not obliged, by his office, to assist at this trial: yet did he not scruple, in order to obtain the queen's favour, to be active in bereaving of life his friend and patron, whose generosity he had often experienced. He compared Essex's conduct, in pretending to fear the attempts of his adversaries, to that of Pisistratus the Athenian, who cut and wounded his own body; and, making the people believe that his enemies had committed the violence, obtained a guard for his person, by whose assistance he afterwards subdued the liberties of his country.

After Essex had passed some days in the solitude and reflections of a prison, his proud heart was at last subdued, not by the fear of death, but by the sentiments of religion; a principle which he had before attempted to make the

19th Feb.  
His trial.



instrument of his ambition, but which now took a more firm hold of his mind, and prevailed over every other motive and consideration. His spiritual directors persuaded him, that he never could obtain the pardon of Heaven, unless he made a full confession of his disloyalty; and he gave in to the council an account of all his criminal designs, as well as of his correspondence with the King of Scots. He spared not even his most intimate friends, such as Lord Mountjoy, whom he had engaged in these conspiracies; and he sought to pacify his present remorse by making such atonements as, in any other period of his life, he would have deemed more blamable than those attempts themselves, which were the objects of his penitence.<sup>3</sup> Sir Harry Nevil, in particular, a man of merit, he accused of a correspondence with the conspirators; though it appears that this gentleman had never assented to the proposals made him, and was no further criminal than in not revealing the earl's treason; an office to which every man of honour naturally bears the strongest reluctance.<sup>4</sup> Nevil was thrown into prison, and underwent a severe persecution; but, as the queen found Mountjoy an able and successful commander, she continued him in his government, and sacrificed her resentment to the public service.

Elizabeth affected extremely the praise of clemency; and in every great example which she had made during her reign, she had always appeared full of reluctance and hesitation: but the present situation of Essex called forth all her tender affections, and kept her in the most real agitation and irresolution. She felt a perpetual combat between resentment and inclination, pride and compassion, the care of her own safety and concern for her favourite; and her situation, during this interval, was perhaps more an object of pity than that to which Essex himself was reduced. She signed the warrant for his execution; she countermanded it; she again resolved on his death; she felt a new return of tenderness. Essex's enemies told her that he himself desired to die; and had assured her, that she could never be in safety while he lived: it is likely that this proof of penitence and of concern for her would produce a contrary effect to what they intended, and would revive all the fond affection which she had so long indulged towards the unhappy prisoner. But what chiefly hardened her heart against him was his supposed obstinacy in never making, as she hourly expected, any application to her for mercy; and she finally gave her consent to his execution. He discovered at his death symptoms rather of penitence and piety than of fear; and willingly acknowledged the justice of the sentence by which he suffered.

The execution was private, in the Tower, <sup>25th Feb.</sup> and execution, agreeably to his own request. He was apprehensive, he said, lest the favour and compassion of the people would too much raise his heart in those moments, when humiliation under the afflicting hand of Heaven was the only proper sentiment which he could indulge.<sup>5</sup> And the queen, no doubt, thought that prudence required the removing of so melancholy a spectacle from the public eye. Sir Walter Raleigh, who came to the Tower on purpose, and who beheld Essex's execution from a window, increased much by this action the general hatred under which he already laboured: it was thought that his sole intention was to feast his eyes with the death of an enemy; and no apology which he could make for so ungenerous a conduct, could be accepted by the public. The cruelty and animosity with which he urged on Essex's fate, even when Cecil relented,<sup>6</sup> were still regarded as the principles of this unmanly behaviour.

The Earl of Essex was but thirty-four years of age when his rashness, imprudence, and violence, brought him to this untimely end. We must here, as in many other instances, lament the inconstancy of human nature, that a person endowed with so many noble virtues, generosity, sincerity, friendship, valour, eloquence, and industry, should, in the latter period of his life, have given reins to his ungovernable passions, and involved not only himself but many of his friends in utter ruin. The queen's tenderness and passion for him, as it was the cause of those

premature honours which he attained, seems, on the whole, the chief circumstance which brought on his unhappy fate. Confident of her partiality towards him, as well as of his own merit, he treated her with a haughtiness which neither her love nor her dignity could bear; and as her amorous inclinations, in so advanced an age, would naturally make her appear ridiculous, if not odious, in his eyes, he was engaged by an imprudent openness, of which he made profession, to discover too easily those sentiments to her. The many reconciliations and returns of affection, of which he had still made advantage, induced him to venture on new provocations, till he pushed her beyond all bounds of patience; and he forgot, that though the sentiments of the woman were ever strong in her, those of the sovereign had still in the end appeared predominant.

Some of Essex's associates, Cuffe, Davers, Blount, Meric, and Davies, were tried and condemned, and all of these, except Davies, were executed. The queen pardoned the rest; being persuaded that they were drawn in merely from their friendship to that nobleman, and their care of his safety; and were ignorant of the more criminal part of his intentions. Southampton's life was saved with great difficulty. But he was detained in prison during the remainder of this reign.

The King of Scots, apprehensive lest his correspondence with Essex might have been discovered, and have given offence to Elizabeth, sent the Earl of Marre and Lord Kinloss as ambassadors to England, in order to congratulate the queen on her escape from the late insurrection and conspiracy. They were also ordered to make secret inquiry whether any measures had been taken by her for excluding him from the succession, as well as to discover the inclinations of the chief nobility and counsellors, in case of the queen's demise.<sup>7</sup> They found the dispositions of men as favourable as they could wish; and they even entered into a correspondence with secretary Cecil, whose influence, after the fall of Essex, was now uncontrolled,<sup>8</sup> and who was resolved, by this policy, to acquire in time the confidence of the successor. He knew how jealous Elizabeth ever was of her authority, and he therefore carefully concealed from her his attachment to James: but he afterwards asserted, that nothing could be more advantageous to her than this correspondence; because the King of Scots, secure of mounting the throne by his undoubted title, aided by those connexions with the English ministry, was the less likely to give any disturbance to the present sovereign. He also persuaded that prince to remain in quiet, and patiently to expect that time should open to him the inheritance of the crown, without pushing his friends on desperate enterprises, which would totally incapacitate them from serving him. James's equity as well as his natural facility of disposition, easily inclined him to embrace that resolution:<sup>9</sup> and in this manner the minds of the English were silently but universally disposed to admit, without opposition, the succession of the Scottish line: the death of Essex, by putting an end to faction, had been rather favourable than prejudicial to that great event.

The French king, who was little prepossessed in favour of James, and who, for obvious reasons, was averse to the union of England and Scotland,<sup>10</sup> made his ambassador drop some hints to Cecil of Henry's willingness to concur in any measure for disappointing the hopes of the Scottish monarch; but as Cecil showed an entire disapprobation of such schemes, the court of France took no further steps in that matter; and thus, the only foreign power which could give much disturbance to James's succession, was induced to acquiesce in it.<sup>11</sup> Henry French affairs, made a journey this summer to Calais, and the queen, hearing of his intentions, went to Dover, in hopes of having a personal interview with a monarch, whom, of all others, she most loved and most respected. The King of France, who felt the same sentiments towards her, would gladly have accepted of the proposal; but as many difficulties occurred, it appeared necessary to lay aside, by common consent, the project of an interview. Elizabeth, however, wrote successively two letters to Henry, one by Edmondess, another by Sir Robert Sidney;

<sup>3</sup> Winwood, vol. i. p. 360.

<sup>4</sup> Ibid. vol. i. p. 362.

<sup>5</sup> Dr. Barlow's Sermon on Essex's execution. Bacon, vol. iv. p. 534.

<sup>6</sup> Murden, p. 611.

<sup>7</sup> x Fitch's Memoirs, vol. ii. p. 510.

<sup>8</sup> Osbourne, p. 645.

<sup>9</sup> Winwood, vol. i. p. 352.

<sup>10</sup> z Spotswood, p. 471, 472.

<sup>11</sup> b Spotswood, p. 471.

in which she expressed a desire of conferring about a business of importance, with some minister in whom that prince reposed entire confidence. The Marquis of Rosni, the king's favourite and prime minister, came to Dover in disguise; and the Memoirs of that able statesman contain a full account of his conference with Elizabeth. This princess had formed a scheme for establishing, in conjunction with Henry, a new system in Europe, and of fixing a durable balance of power, by the erection of new states on the ruins of the house of Austria. She had even the prudence to foresee the perils which might ensue from the aggrandizement of her ally; and she purposed to unite all the seventeen provinces of the Low Countries in one republic, in order to form a perpetual barrier against the dangerous increase of the French as well as of the Spanish monarchy. Henry had himself long meditated such a project against the Austrian family; and Rosni could not forbear expressing his astonishment, when he found that Elizabeth and his master, though they had never communicated their sentiments on this subject, not only had entered into the same general views, but had also formed the same plan for their execution. The affairs, however, of France were not yet brought to a situation which might enable Henry to begin that great enterprise; and Rosni satisfied the queen, that it would be necessary to postpone for some years their united attack on the house of Austria. He departed, filled with just admiration at the solidity of Elizabeth's judgment, and the greatness of her mind; and he owns, that she was entirely worthy of that high reputation which she enjoyed in Europe.

The queen's magnanimity in forming such extensive projects was the more remarkable, as, besides her having fallen so far into the decline of life, the affairs of Ireland, though conducted with abilities and success, were still in disorder, and made a great diversion of her forces. The expense, incurred by this war, lay heavy upon her narrow revenues, and her ministers, taking advantage of her disposition to frugality, proposed to her an expedient of saving, which, though she at first disapproved of it, she was at last induced to embrace. It was represented to her, that the great sums of money remitted to Ireland for the pay of the English forces, came, by the necessary course of circulation, into the hands of the rebels, and enabled them to buy abroad all necessary supplies of arms and ammunition, which, from the extreme poverty of that kingdom, and its want of every useful commodity, they could not otherwise find means to purchase. It was therefore recommended to her, that she should pay her forces in base money; and it was asserted, that besides the great saving to the revenue, this species of coin could never be exported with advantage, and would not pass in any foreign market. Some of her wiser counsellors maintained, that if the pay of the soldiers were raised in proportion, the Irish rebels would necessarily reap the same benefit from the base money, which would always be taken at a rate suitable to its value; if the pay were not raised, there would be danger of a mutiny among the troops, who, whatever names might be affixed to the pieces of metal, would soon find, from experience, that they were defrauded in their income.<sup>c</sup> But Elizabeth, though she justly valued herself on fixing the standard of the English coin, much debased by her predecessors, and had innovated very little in that delicate article, was seduced by the specious arguments employed by the treasurer on this occasion; and she coined a great quantity of base money, which he made use of in the pay of her forces in Ireland.<sup>d</sup>

Mountjoy's success in Ireland. abilities; and foreseeing the danger of mutiny among the troops, he led them instantly into the field, and resolved by means of strict discipline, and by keeping them employed against the enemy, to obviate those inconveniences which were justly to be apprehended. He made military roads, and built a fortress at Moghery; he drove the Mac-Genises out of Lecale; he harassed Tyrone in Ulster with inroads and lesser expeditions; and by destroying every where, and during all seasons, the provisions of the Irish, he reduced them to perish by famine in the woods and morasses, to which they were obliged to

retreat. At the same time, Sir Henry Docwray, who commanded another body of troops, took the castle of Derry, and put garrisons into Newton and Anagh; and having seized the monastery of Donegal near Ballishannon, he threw troops into it, and defended it against the assaults of O'Donnel and the Irish. Nor was Sir George Carew idle in the province of Munster. He seized the titular Earl of Desmond, and sent him over, with Florence Macarty, another chieftain, prisoner to England. He arrested many suspected persons, and took hostages from others. And, having gotten a reinforcement of two thousand men from England, he threw himself into Cork, which he supplied with arms and provisions; and he put every thing in a condition for resisting the Spanish invasion, which was daily expected. The deputy, informed of the danger to which the southern provinces were exposed, left the prosecution of the war against Tyrone, who was reduced to great extremities: and he marched with his army into Munster.

At last the Spaniards, under Don John d'Aquila, arrived at Kinsale; and Sir Richard Piercy, who commanded in the town with a small garrison of a hundred and fifty men, found himself obliged to abandon it on their appearance. These invaders amounted to four thousand men, and the Irish discovered a strong propensity to join them, in order to free themselves from the English government, with which they were extremely discontented. One chief ground of their complaint was the introduction of trials by jury;<sup>e</sup> an institution abhorred by that people, though nothing contributes more to the support of that equity and liberty, for which the English laws are so justly celebrated. The Irish also bore a great favour to the Spaniards, having entertained the opinion that they themselves were descended from that nation; and their attachment to the catholic religion proved a new cause of affection to the invaders. D'Aquila assumed the title of general in the holy war for the preservation of the faith in Ireland; and he endeavoured to persuade the people, that Elizabeth was, by several bulls of the Pope, deprived of her crown; that her subjects were absolved from their oaths of allegiance; and that the Spaniards were come to deliver the Irish from the dominion of the devil! Mountjoy found it necessary to act with vigour, in order to prevent a total insurrection of the Irish; and, having collected his forces, he formed the siege of Kinsale by land; while Sir Richard Levison, with a small squadron, blockaded it by sea. He had no sooner begun his operations, than he heard of the arrival of another body of two thousand Spaniards, under the command of Alphonso Ocampo, who had taken possession of Baltimore and Berehaven; and he was obliged to detach Sir George Carew to oppose their progress. Tyrone, meanwhile, with Randal, Mac-Surley, Tírel Baron of Kelly, and other chieftains of the Irish, had joined Ocampo with all their forces, and were marching to the relief of Kinsale. The deputy, informed of their design by intercepted letters, made preparations to receive them; and being reinforced by Levison with six hundred marines, he posted his troops on an advantageous ground, which lay on the passage of the enemy, leaving some cavalry to prevent a sally from D'Aquila and the Spanish garrison. When Tyrone, with a detachment of Irish and Spaniards, approached, he was surprised to find the English so well posted, and ranged in good order; and he immediately sounded a retreat: but the deputy gave orders to pursue him; and having thrown these advanced troops into disorder, he followed them to the main body, whom he also attacked, and put to flight, with the slaughter of twelve hundred men.<sup>f</sup> Ocampo was taken prisoner; Tyrone fled into Ulster; O'Donnel made his escape into Spain; and D'Aquila, finding himself reduced to the greatest difficulties, was obliged to capitulate upon such terms as the deputy prescribed to him: he surrendered Kinsale and Baltimore, and agreed to evacuate the kingdom. This great blow, joined to other successes gained by Wilmot, governor of Kerry, and by Roger and Gavin Harvey, threw the rebels into dismay, and gave a prospect of the final reduction of Ireland.



The Irish war, though successful, was extremely burdensome on the queen's revenue; and besides the supplies granted by parliament, which were indeed very small, but which they ever regarded as mighty concessions, she had been obliged, notwithstanding her great frugality, to employ other expedients, such as selling the royal demesnes, and crown jewels,<sup>a</sup> and exacting loans from the people; in order to support this cause, so essential to the honour and

interests of England. The necessity of her

27th Oct. A parliament. Affairs obliged her again to summon a parliament; and it here appeared, that though old age was advancing fast upon her, though she had lost much of her popularity by the unfortunate execution of Essex, inasmuch that when she appeared in public, she was not attended with the usual acclamations,<sup>b</sup> yet the powers of her prerogative, supported by vigour, still remained as high and uncontrollable as ever.

The active reign of Elizabeth had enabled many persons to distinguish themselves in civil and military employments; and the queen, who was not able, from her revenue, to give them any rewards proportioned to their services, had made use of an expedient which had been employed by her predecessor, but which had never been carried to such an extreme as under her administration. She granted her servants and courtiers patents for monopolies; and these patents they sold to others, who were thereby enabled to raise commodities to what price they pleased, and who put invincible restraints upon all commerce, industry, and emulation in the arts. It is astonishing to consider the number and importance of those commodities which were thus assigned over to patentees. Currants, salt, iron, powder, cards, calf-skins, fells, pouldavies, ox shin-bones, train oil, lists of cloth, pot-ashes, aniseeds, vinegar, sea-coals, steel, aquaviva, brushes, pots, bottles, salt-petre, lead, accidence, oil, calamine-stone, oil of blubber, glasses, paper, starch, tin, sulphur, new drapey, dried pilchards, transportation of iron ordnance, of beer, of horn, of leather, importation of Spanish wool, of Irish yarn: these are but a part of the commodities which had been appropriated to monopolists.<sup>c</sup> When this list was read in the House, a member cried, *Is not bread in the number? Bread!* said every one with astonishment: *Yes; I assure you,* replied he, *if affairs go on at this rate, we shall have bread reduced to a monopoly before next parliament.*<sup>d</sup> These monopolists were so exorbitant in their demands, that in some places they raised the price of salt from sixteen-pence a bushel, to fourteen or fifteen shillings.<sup>e</sup> Such high profits naturally begat intruders upon their commerce; and, in order to secure themselves against encroachments, the patentees were armed with high and arbitrary powers from the council, by which they were enabled to oppress the people at pleasure, and to exact money from such as they thought proper to accuse of interfering with

their patent.<sup>f</sup> The patentees of salt-petre, having the power of entering into every house, and of committing what havoc they pleased in stables, cellars, or wherever they suspected salt-petre might be gathered, commonly extorted money from those who desired to free themselves from this damage or trouble.<sup>g</sup> And while all domestic intercourse was thus restrained, lest any scope should remain for industry, almost every species of foreign commerce was confined to exclusive companies, who bought and sold at any price that they themselves thought proper to offer or exact.

These grievances, the most intolerable for the present, and the most pernicious in their consequences, that ever were known in any age, or under any government, had been mentioned in the last parliament, and a petition had even been presented to the queen, complaining of her patents; but she still persisted in defending her monopolists against her people. A bill was now introduced into the lower House, abolishing all these monopolies; and as the former application had been unsuccessful, a law was insisted on as the only certain expedient for correcting these abuses. The courtiers, on the other hand, maintained that this matter regarded the prerogative, and that the Commons could never hope for success if they did not make application, in the most humble and respectful manner, to the queen's goodness and beneficence. The topics which were advanced in the House, and which came equally from the courtiers and the country gentlemen, and were admitted by both, will appear the most extraordinary to such as are prepossessed with an idea of the privileges enjoyed by the people during that age, and of the liberty possessed under the administration of Elizabeth. It was asserted, that the queen inherited both an enlarging and a restraining power; by her prerogative she might set at liberty what was restrained by statute or otherwise, and by her prerogative she might restrain what was otherwise at liberty:<sup>h</sup> that the royal prerogative was not to be canvassed, nor disputed, nor examined;<sup>i</sup> and did not even admit of any limitation:<sup>j</sup> that absolute princes, such as the sovereigns of England, were a species of divinity:<sup>k</sup> that it was in vain to attempt tying the queen's hands by laws or statutes; since, by means of her dispensing power, she could loosen herself at pleasure;<sup>l</sup> and that even if a clause should be annexed to a statute, excluding her dispensing power, she could first dispense with that clause, and then with the statute.<sup>m</sup> After all this discourse, more worthy of a Turkish Divan than of an English House of Commons, according to our present idea of this assembly, the queen, who perceived how odious monopolies had become, and what heats were likely to arise, sent for the Speaker, and desired him to acquaint the House that she would immediately cancel the most grievous and oppressive of these patents.<sup>n</sup>

<sup>h</sup> D'Ewes, p. 692.

<sup>i</sup> Ibid. p. 692. Osborne, p. 601.

<sup>m</sup> Ibid. p. 698.

<sup>n</sup> Ibid. p. 696, 692.

<sup>o</sup> Ibid. p. 694, 695.

<sup>p</sup> Ibid. p. 696, 694.

<sup>u</sup> Ibid.

<sup>l</sup> D'Ewes, p. 648, 650, 692.

<sup>k</sup> Ibid. p. 647.

<sup>j</sup> Ibid. p. 688.

<sup>i</sup> Ibid. p. 643, 649.

<sup>h</sup> Ibid. p. 649.

<sup>g</sup> Ibid. p. 640, 646.

A. It may not be amiss to subjoin some passages of these speeches, which may serve to illustrate the government and state of mind, and of the political principles which prevailed during the reign of Elizabeth. Mr. Laurence Hyde proposed a bill, intitled, An Act for the Explanation of the Common Law in certain Cases of Letters Patent. Mr. Speaker said, This bill may touch the prerogative-royal, which is the least of her prerogatives, is so transcendent, that the — of the subject may not aspire thereto. I am to be therefore from me, that the state and prerogative-royal of the prince should be tied by me, or by the act of any other subject. Mr. Francis Bacon said, As to the prerogative-royal of the prince, for my own part, I ever allowed of it, and it is such as I hope will never be discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. For by her prerogative she may set at liberty things restrained by statute law or otherwise, and conversely, by her prerogative, she may restrain things which be at liberty. For the first, she may grant a *non obstante* contrary to the penal laws.—With regard to monopolies and such like cases, the case hath ever been to humble ourselves unto her majesty, and by petition desire to have our grievances remedied, especially when she readily touched her so much in point of prerogative.—I say, and I say it again, that we ought not to deal, to judge, or meddle with her majesty's prerogative. I wish therefore every man to be careful of this business. Dr. Heunet said, He that goeth about to debate her majesty's prerogative had need to walk warily. Mr. Laurence Hyde said, For the bill itself, I made it, and I think I understand it: and far be it from this heart of mine to think, this tongue to speak, or this hand to write, any thing either in prejudice or derogation of her majesty's prerogative-royal and the state.—Mr. Speaker, quoth Sirjeant Harra, for ought I see, the House moveth to have this bill in the nature of a petition; it must then begin with more humiliation. And truly, Sir, the bill is good of itself, but the petition of it is somewhat out of course. Mr. Montague said, The matter is good and honest, and I give this manner of proceeding by law, well enough in this matter.—The grievances are great, and I would

note only unto you thus much, that the last parliament we proceeded by way of petition, which had no successful effect. Mr. Francis More said, I know the queen's prerogative is a thing curious to be dealt with, yet all grievances are not comparable. I cannot utter with my tongue, or conceive with my heart, the great grievances that the towns and country, for which I serve, suffereth by some of these monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the subjects. We have a law for the true and faithful carrying of leather, there is no patent set at liberty, notwithstanding that statute. And to what purpose is it to do any thing by act of parliament, when the queen will undo the same by her prerogative? Out of the spirit of humiliation, Mr. Speaker, I do speak it, there is no act of hers that hath been or is, so dangerous to her own majesty, more odious to the subject, more dangerous to the commonwealth, than the granting of these monopolies. Mr. Martin said, I do speak for a town that grieves and pines, for a country that groweth and languisheth under the burden of monstrous and unconscionable substitutes to the monopolies of starch, tin, fish, cloth, oil, vinegar, salt, and I know not what, nay, what not? The principal commodities both of my town and country are engrossed into the hands of these blood-suckers of the commonwealth. If a body, Mr. Speaker, being and dirt, we have laboured for, shall be taken by warrant of supreme authority, which the poor subject dare not gainsay? Mr. George Moore said, We know the power of her majesty cannot be restrained by any act: why therefore should we thus talk, whilst we should make this statute with a *non obstante*; yet the queen may grant a patent with a *non obstante*, to cross this *non obstante*. I think therefore it agreeth more with the gravity and wisdom of this House to proceed with all humbleness by petition than still. Mr. Dowland said, As I would be no let or over-pleading in any thing, to am I not so much or senseless as the common grievance of the commonwealth. If we proceed by way of petition, we can have no more gracious answer than we had the last parliament to our petition. But since that parliament



The House was struck with astonishment, and admiration, and gratitude, at this extraordinary instance of the queen's goodness and condescension. A member said, with tears in his eyes, that if a sentence of everlasting happiness had been pronounced in his favour, he could not have felt more joy than that with which he was at present overwhelmed.<sup>a</sup> Another observed, that this message from the sacred person of the queen was a kind of gospel or glad-tidings, and ought to be received as such, and be written in the tablets of their hearts.<sup>b</sup> And it was further remarked, that in the same manner as the Deity would not give his glory to another, so the queen herself was the only agent in their present prosperity and happiness.<sup>c</sup> The House voted, that the speaker, with a committee, should ask permission to wait on her majesty, and return thanks to her for her gracious concessions to her people.

When the speaker, with the other members, was introduced to the queen, they all flung themselves on their knees; and remained in that posture a considerable time, till she thought proper to express her desire that they should rise.<sup>d</sup> The speaker displayed the gratitude of the Commons; because her sacred ears were ever open to hear them, and her blessed hands ever stretched out to relieve them. They acknowledged, he said, in all duty and thankfulness acknowledged, that, before they called, her *preventing grace* and *all deserving goodness* watched over them for their good; more ready to give than they could desire, much less deserve. He remarked, that the attribute which was most proper to God, to perform all he promiseth, appertained also to her; and that she was all truth, all constancy, and all goodness. And he concluded with these expressions: "Neither do we present our thanks in words, or any outward sign, which can be no sufficient retribution for so great goodness; but in all duty and thankfulness, prostrate at your feet, we present our most loyal and thankful hearts, even the last drop of blood in our hearts, and the last spirit of breath in our nostrils, to be poured out, to be breathed up for your safety."<sup>e</sup> The queen heard very patiently this speech, in which she was flattered in phrases appropriated to the Supreme Being; and she returned an answer full of such expressions of tenderness towards her people, as ought to have appeared fulsome, after the late instances of rigour which she had employed, and from which nothing but necessity had made her depart. Thus was this critical affair happily terminated; and Elizabeth, by prudently receding, in time, from part of her

prerogative, maintained her dignity, and preserved the affections of her people.

The Commons granted her a supply quite unprecedented, of four subsidies and eight fifteenths; and they were so dutiful as to vote this supply before they received any satisfaction in the business of monopolies, which they justly considered as of the utmost importance to the interest and happiness of the nation. Had they attempted to extort that concession, by keeping the supply in suspense; so haughty was the queen's disposition, that this appearance of constraint and jealousy had been sufficient to have produced a denial of all their requests, and to have forced her into some acts of authority still more violent and arbitrary.

The remaining events of this reign are A. D. 1602. neither numerous nor important. The queen, finding that the Spaniards had involved her in so much trouble, by fomenting and assisting the Irish rebellion, resolved to give them employment at home; and she fitted out a squadron of nine ships, under Sir Richard Levison, admiral, and Sir William Monson, vice-admiral, whom she sent on an expedition to the coast of Spain. The admiral, with part of the squadron, met the galleons loaded with treasure; but was not strong enough to attack them. The vice-admiral also fell in with some rich ships; but they escaped for a like reason: and these two brave officers, that their expedition might not prove entirely fruitless, resolved to attack the harbour of Cerimba, in Portugal, where they received intelligence a very rich carrack had taken shelter. The harbour was guarded by a castle: there were eleven galleys stationed in it; and the militia of the country, to the number, as was believed, of twenty thousand men, appeared in arms on the shore: yet, notwithstanding these obstacles, and others derived from the winds and tides, the English squadron broke into the harbour, dismounted the guns of the castle, sunk or burnt or put to flight the galleys, and obliged the carrack to surrender.<sup>f</sup> They brought her home to England, and she was valued at a million of ducats.<sup>g</sup> A sensible loss to the Spaniards; and a supply still more important to Elizabeth.<sup>h</sup>

The affairs of Ireland, after the defeat of Tyrone, and the expulsion of the Spaniards, hastened to a settlement. Lord Mountjoy divided his army into small parties, and harassed the rebels on every side. He built Charlemont, and many other small forts, which were impregnable to the Irish, and guarded all the important passes of the country:

we have no reformation. Sir Robert Wroth said, I speak, and I speak it boldly, these patents are worse than ever were. Mr. Haywards Fenwick proposed, that they should make suit to her majesty, not only to repeal all monopolies grievous to the subject, but also that they should beseege her majesty to give the parliament leave to make an act, that hereafter no more force, validity, or effect should be given to any common law, without the strength of her prerogative. Which, though we might now do, and the act being so reasonable, we might assure ourselves her majesty would not delay the passing thereof; yet, her loving subjects, &c. would not offer, without her privy and consent, (the cause so nearly touching her prerogative,) or go about to do any such act.

(On a subsequent day the bill against the monopolies was again introduced, and Mr. Spicer said, it is to no purpose to offer to use her majesty's hands by act of parliament, when she may loosen herself at her pleasure. Mr. Davies said, God hath given that power to absolute princes which he attributes to himself. *Dixi quod Dei esset.* (N. B. This axiom he applies to the kings of England.) The Secretary Cecil said, I am servant to the queen, and before I would speak and give consent to a case that should debase her prerogative, or abridge it, I would wish that my tongue were cut out of my head. I am sure there were law-makers before there were law. I mean, I suppose, that the sovereignty was above the laws.) One gentleman went about to possess us with the execution of the law in an ancient record of 5 or 7 of Edward the Third. Likely enough to be true in that time, when the king was afraid of the subject. If you stand upon law, and dispute of the prerogative, hardly will you get any action. *Prærogativa non strain nemo audiat disputare.* And for my own part, I like not these courses to be taken. And you, Mr. Speaker, should perform the charge her majesty gave unto you in the beginning of this parliament, not to receive bills of this nature: for her majesty's ears be open to all grievances, and her hands stretched out to every man's petitions.—When the prince dispenses with a penal law, that is left to the alteration of sovereigns, and is irrevocable. Mr. Montague said, I am not a lawyer, but I know, lest, perhaps, I should displease. The prerogative royal is that which is now in question, and which the laws of the land have ever allowed and maintained. Let us therefore apply by petition to her majesty.

After the speaker told the House that the queen had annulled many of the patents, Mr. Francis More said, I must confess, Mr. Speaker, I moved the House, both the last parliament and this, touching this point; but I never meant (and I hope the House thinks so) to set limits and bounds to the prerogative-royal. He proceeds to move, that thanks should be given to her majesty; and also, that whereas divers speeches have been moved extraneously in the House, which doubtless have been told her majesty, and perhaps ill conceived of by her, Mr. Speaker would apologize, and humbly crave pardon for the same. N. B. These extracts were taken by Townshend, a member of the House, who was no courtier; and the extravagance of the speeches seems rather to be an error on his side: it will certainly appear strange to us, that this liberty should be thought extraneous. However, the queen, notwithstanding her leaving the House, was so well satisfied with these proceedings, that she spoke of them peevishly in her concluding

speech, and told them that she perceived that private respects with them were privately masked under public presence. D'Ewes, p. 619.

There were some other topics in favour of prerogative, still more extravagant, advanced in the House this parliament. When the question of the bill, for the better settling the title of Sir Serjeant Heyle, was moved, much that the House should stand upon granting of a subsidy or the time of payment, when all we have is her majesty's, and she may lawfully at her pleasure take it from us: yea, she hath as much right to all our lands and goods as to any revenue of her crown. At which all the House hemmed, and laughed, and talked. Well, thought Serjeant Heyle, all your hemming shall not put me out of countenance. So Mr. Speaker stood up and said, It is a great disorder, that this House should be so used.—So the said Serjeant proceeded, and when he had spoken a little while, the House hemmed again; and so he sat down. In his latter speech, he said, he could prove his former position by precedents in the time of Henry the Third, King John, King Stephen, &c. which was the occasion of their hemming. D'Ewes, p. 635. It is observable, that Heyle was an eminent lawyer, a man of character. Winwood, vol. i. p. 290. And though the House in general showed their disapprobation, no one cared to take him down, or oppose these monstrous positions. It was also asserted this session, that in the same manner as the Roman consul was possessed of the power of rejecting or admitting motions in the senate, the speaker might either admit or reject bills in the House. D'Ewes, p. 677. The House declared themselves against this opinion; but the very proposal of it is a proof at what a low ebb liberty was at that time in England.

In the year 1591, the judges made a solemn decree, that England was an absolute empire, of which the king was the head. In consequence of this opinion, they determined that, even if the act of the first of Elizabeth had been never made, the king was supreme head of the church, and might have erected, by his prerogative, such a court as the ecclesiastical commission; for that he was the head of all his subjects. Now that court was plainly arbitrary. The inference is, that the power was equally absolute over laity. See Coke's Reports, p. 5. Caudrey's case.

y D'Ewes, p. 654. z Ibid, p. 666.

a D'Ewes, p. 657. b We learn from Hentzner's Travels, that she once spoke to Queen Elizabeth without kneeling; though now and then she raised some with waving her hand. Nay, wherever she turned her eye, every one fell on his knees. Her successor first allowed his courtiers to omit this ceremony; and as he exerted all the power, so he relinquished the appearance of despotism. Even when Queen Elizabeth was absent, those who covered her table, though persons of quality, neither approached it nor retired from it with e kneeling, and that often three times.

c D'Ewes, p. 659. d Monson, p. 181.

e Camden, p. 647. f This year the Spaniards began the siege of Ostend, which was bravely defended for five months by Sir Francis Vere, the states then relieved him, by sending a new governor; and on the whole the siege lasted three years, and is computed to have cost the lives of a hundred thousand men.

the activity of Sir Henry Docwray and Sir Arthur Chichester permitted no repose or security to the rebels: and many of the chieftains, after skulking, during some time, in woods and morasses, submitted to mercy, and received such conditions as the deputy was pleased to impose upon them. Tyrone himself made application, by

A. D. 1603. Arthur Mac-Baron, his brother, to be received upon terms; but Mountjoy would not admit him, except he made an absolute surrender of his life and fortunes to the queen's mercy. He appeared

<sup>Tyrone's sub-</sup>  
<sup>mission.</sup> before the deputy at Milford, in a habit and posture suitable to his present fortune; and, after acknowledging his offence in the most humble terms, he was committed to custody by Mountjoy, who intended to bring him over captive into England, to be disposed of at the queen's pleasure.

<sup>Queen's sickness.</sup> But Elizabeth was now incapable of receiving any satisfaction from this fortunate event: she had fallen into a profound melancholy; which all the advantages of her high fortune, all the glories of her prosperous reign, were unable in any degree to alleviate or assuage. Some ascribed this depression of mind to her repentance of granting a pardon to Tyrone, whom she had always resolved to bring to condign punishment for his treasons, but who had made such interest with the ministers, as to extort a remission from her. Others, with more likelihood, accounted for her dejection by a discovery which she had made of the correspondence maintained in her court with her successor, the King of Scots, and by the neglect to which, on account of her old age and infirmities, she imagined herself to be exposed. But there is another cause assigned for her melancholy, which has long been rejected by historians as romantic, but which late discoveries seem to have confirmed: some incidents happened which revived her tenderness for Essex, and filled her with the deepest sorrow for the consent which she had unwarily given to his execution.

The Earl of Essex, after his return from the fortunate expedition against Cadiz, observing the increase of the queen's fond attachment towards him, took occasion to regret, that the necessity of her service required him often to be absent from her person, and exposed him to all those ill offices, which his enemies, more assiduous in their attendance, could employ against him. She was moved with this tender jealousy; and, making him the present of a ring, desired him to keep that pledge of her affection, and assured him, that into whatever disgrace he should fall, whatever prejudices she might be induced to entertain against him, yet if he sent her that ring, she would immediately upon the sight of it recall her former tenderness, would afford him a patient hearing, and would lend a favourable ear to his apology. Essex, notwithstanding all his misfortunes, reserved this precious gift to the last extremity; but after his trial and condemnation, he resolved to try the experiment, and he committed the ring to the Countess of Nottingham, whom he desired to deliver it to the queen. The countess was prevailed on by her husband, the mortal enemy of Essex, not to execute the commission; and Elizabeth, who still expected that her favourite would make this last appeal to her tenderness, and who ascribed the neglect of it to his invincible obstinacy, was, after much delay and many internal combats, pushed by resentment and policy to sign the warrant for his execution. The Countess of Nottingham falling into sickness, and affected with the near approach of death, was seized with remorse for her conduct; and, having obtained a visit from the queen, she craved her pardon, and revealed to her the fatal secret. The queen, astonished with this incident, burst into a furious passion: she shook the dying countess in her bed; and crying to her, *That God might pardon her, but she never could*; she broke from her, and thenceforth resigned herself over to the deepest and most incurable melancholy. She rejected all consolation: she even refused food and sustenance: and, throwing herself on the floor, she remained sullen and immovable, feeding her thoughts on her afflictions, and declaring life and existence an insufferable burden to her. Few words she uttered; and they were all expressive of some inward grief, which

she cared not to reveal: but sighs and groans were the chief vent which she gave to her despondency, and which, though they discovered her sorrows, were never able to ease or assuage them. Ten days and nights she lay upon the carpet, leaning on cushions which her maids brought her; and her physicians could not persuade her to allow herself to be put to bed, much less to make trial of any remedies which they prescribed to her.<sup>1</sup> Her anxious mind, at last, had so long preyed on her frail body, that her end was visibly approaching; and the council, being assembled, sent the keeper, admiral, and secretary, to know her will with regard to her successor. She answered, with a faint voice, that as she had held a regal sceptre, she desired no other than a royal successor. Cecil requesting her to explain herself more particularly, she subjoined, that she would have a king to succeed her; and who should that be, but her nearest kinsman, the King of Scots? Being then advised by the Archbishop of Canterbury to fix her thoughts upon God, she replied, that she did so, nor did her mind in the least wander from him. Her voice soon after left her; her senses failed; she fell into <sup>and death,</sup> a lethargic slumber, which continued some <sup>24th March.</sup> hours; and she expired gently, without further struggle or convulsion, in the seventieth year of her age, and forty-fifth of her reign.

So dark a cloud overcast the evening of that day, which had shone out with a mighty <sup>and character.</sup> lustre in the eyes of all Europe. There are few great personages in history who have been more exposed to the calumny of enemies, and the adulation of friends, than Queen Elizabeth; and yet there is scarcely any whose reputation has been more certainly determined by the unanimous consent of posterity. The unusual length of her administration, and the strong features of her character, were able to overcome all prejudices; and obliging her detractors to abate much of their invectives, and her admirers somewhat of their panegyrics, have at last, in spite of political factions, and, what is more, of religious animosities, produced a uniform judgment with regard to her conduct. Her vigour, her constancy, her magnanimity, her penetration, vigilance, address, are allowed to merit the highest praises, and appear not to have been surpassed by any person that ever filled a throne: a conduct less rigorous, less imperious, more sincere, more indulgent to her people, would have been requisite to form a perfect character. By the force of her mind, she controlled all her more active and stronger qualities, and prevented them from running into excess: her heroism was exempt from temerity, her frugality from avarice, her friendship from partiality, her active temper from turbulency and a vain ambition: she guarded not herself with equal care or equal success from lesser infirmities; the rivalry of beauty, the desire of admiration, the jealousy of love, and the sallies of anger.

Her singular talents for government were founded equally on her temper and on her capacity. Endowed with a great command over herself, she soon obtained an uncontrolled ascendancy over her people; and while she merited all their esteem by her real virtues, she also engaged their affections by her pretended ones. Few sovereigns of England succeeded to the throne in more difficult circumstances; and none ever conducted the government with such uniform success and felicity. Though unacquainted with the practice of toleration, the true secret for managing religious factions, she preserved her people, by her superior prudence, from those confusions in which theological controversy had involved all the neighbouring nations: and though her enemies were the most powerful princes of Europe, the most active, the most enterprising, the least scrupulous, she was able by her vigour to make deep impressions on their states: her own greatness meanwhile remained untouched and unimpaired.

The wise ministers and brave warriors who flourished under her reign share the praise of her success, but instead of lessening the applause due to her, they make great addition to it. They owed all of them their advancement to her choice; they were supported by her constancy; and with all their abilities they were never able to acquire

<sup>2</sup> See the proofs of this remarkable fact collected in Birch's *Negociations*, p. 206. And *Memoirs*, vol. ii. p. 481, 505, 506, &c.

<sup>1</sup> H. Strype, vol. iv. No. 276.

any undue ascendancy over her. In her family, in her court, in her kingdom, she remained equally mistress: the force of the tender passions was great over her, but the force of her mind was still superior; and the combat which her victory visibly cost her, serves only to display the firmness of her resolution, and the loftiness of her ambitious sentiments.

The fame of this princess, though it has surmounted the prejudices both of faction and bigotry, yet lies still exposed to another prejudice, which is more durable because more natural, and which, according to the different views in which we survey her, is capable either of exalting beyond measure, or diminishing the lustre of her character. This prejudice is founded on the consideration of her sex.

When we contemplate her as a woman, we are apt to be struck with the highest admiration of her great qualities and extensive capacity; but we are also apt to require some more softness of disposition, some greater lenity of temper, some of those amiable weaknesses by which her sex is distinguished. But the true method of estimating her merit, is to lay aside all these considerations, and consider her merely as a rational being placed in authority, and intrusted with the government of mankind. We may find it difficult to reconcile our fancy to her as a wife or a mistress; but her qualities as a sovereign, though with some considerable exceptions, are the object of undisputed applause and approbation.

## THE

## HISTORY OF GREAT BRITAIN.

JAMES I.

## CHAP. XLV.

Introduction—James's first transactions—State of Europe—Rosni's negotiations—Raleigh's conspiracy—Hampton Court conference—A parliament—Peace with Spain.

A. D. 1603.

THE crown of England was never transmitted from father to son with greater tranquillity than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age made the prospect of her death more immediate, there appeared none but the King of Scots, who could advance any just claim or pretension to the throne. He was great-grandson of Margaret, elder daughter of Henry VII.; and, on the failure of the male line, his hereditary right remained unquestionable. If the religion of Mary, Queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession; these objections, being entirely personal, had no place with regard to her son. Men also considered, that though the title, derived from blood, had been frequently violated since the Norman conquest, such licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had still in the end prevailed; and both his exclusion and restoration had been commonly attended with such convulsions as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII. authorized by act of parliament, had tacitly excluded the Scottish line, the tyranny and caprices of that monarch had been so signal, that a settlement of this nature, unsupported by any just reason, had no authority with the people. Queen Elizabeth too, with her dying breath, had recognised the undoubted title of her kinsman James; and the whole nation seemed to dispose themselves with joy and pleasure for his reception. Though born and educated amidst a foreign and hostile people, men hoped, from his character of moderation and

wisdom, that he would embrace the maxims of an English monarch; and the prudent foresaw greater advantages resulting from a union with Scotland, than disadvantages from submitting to a prince of that nation. The alacrity with which the English looked towards the successor had appeared so evident to Elizabeth, that, concurring with other causes, it affected her with the deepest melancholy; and that wise princess, whose penetration and experience had given her the greatest insight into human affairs, had not yet sufficiently weighed the ingratitude of courtiers and levity of the people.

As victory abroad, and tranquillity at home, had attended this princess, she left the nation in such flourishing circumstances, that her successor possessed every advantage, except that of comparison with her illustrious name, when he mounted the throne of England. The king's journey from Edinburgh to London immediately afforded to the inquisitive some circumstances of comparison, which even the natural partiality in favour of their new sovereign could not interpret to his advantage. As he passed along, all ranks of men flocked about him from every quarter, allured by interest or curiosity. Great were the rejoicings, and loud and hearty the acclamations which resounded from all sides; and every one could remember how the affability and popular manners of their queen displayed themselves amidst such concourse and exultation of her subjects. But James, though sociable and familiar with his friends and courtiers, hated the bustle of a mixed multitude; and though far from disliking flattery, yet was he still fonder of tranquillity and ease. He issued therefore a proclamation, forbidding this resort of people, on pretence of the scarcity of provisions, and other inconveniences, which, he said, would necessarily attend it.<sup>a</sup>

He was not, however, insensible to the great flow of affection which appeared in his new subjects; and being himself of an affectionate temper, he seems to have been in haste to make them some return of kindness and good offices. To this motive, probably, we are to ascribe that

First transactions of this reign.



profusion of titles which was observed in the beginning of his reign; when, in six weeks' time after his entrance into the kingdom, he is computed to have bestowed knighthood on no less than two hundred and thirty-seven persons. If Elizabeth's frugality of honours, as well as of money, had formerly been repined at, it began now to be valued and esteemed; and every one was sensible that the king, by his lavish and premature conferring of favours, had failed of obliging the persons on whom he bestowed them. Titles of all kinds became so common, that they were scarcely marks of distinction; and being distributed, without choice or deliberation, to persons unknown to the prince, were regarded more as the proofs of facility and good-nature, than of any determined friendship or esteem.

A pasquinade was affixed to St. Paul's, in which an art was promised to be taught, very necessary to assist frail memories in retaining the names of the new nobility.<sup>b</sup>

We may presume, that the English would have thrown less blame on the king's facility in bestowing favours, had these been confined entirely to their own nation, and had not been shared out in too unequal proportions, to his old subjects. James, who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottish courtiers: whose impatience and importunity were apt, in many particulars, to impose on the easy nature of their master, and extort favours, of which, it is natural to imagine, his English subjects would loudly complain. The Duke of Lenox, the Earl of Mar, Lord Hume, Lord Kinloss, Sir George Hume, secretary Elphinstone,<sup>c</sup> were immediately added to the English privy-council. Sir George Hume, whom he created Earl of Dunbar, was his declared favourite as long as that nobleman lived, and was one of the wisest and most virtuous, though the least powerful, of all those whom the king ever honoured with that distinction. Nay, some time after, was created Viscount Doncaster, then Earl of Carlisle, and got an immense fortune from the crown; all which he spent in a splendid and courtly manner. Ramsay obtained the title of Earl of Holderness; and many others, being raised on a sudden to the highest elevation, increased, by their insolence, that envy which naturally attended them, as strangers and ancient enemies.

It must, however, be owned, in justice to James, that he left almost all the chief offices in the hands of Elizabeth's ministers, and trusted the conduct of political concerns, both foreign and domestic, to his English subjects. Among these, secretary Cecil, created successively Lord Essendon, Viscount Cranborne, and Earl of Salisbury, was always regarded as his prime minister and chief counsellor. Though the capacity and penetration of this minister were sufficiently known, his favour with the king created surprise, on the accession of that monarch. The secret correspondence into which he had entered with James, and which had sensibly contributed to the easy reception of that prince in England, laid the foundation of Cecil's credit; and while all his former associates, Sir Walter Raleigh, Lord Grey, Lord Cobham, were discountenanced, on account of their animosity against Essex, as well as for other reasons, this minister was continued in employment, and treated with the greatest confidence and regard.

The capacity of James and his ministers, in negotiation, was immediately put to trial, on the appearance of ambassadors from almost all the princes and states of Europe, in order to congratulate him on his accession, and to form with him new treaties and alliances. Beside ministers from Venice, Denmark, the Palatinate, Henry Frederic of Nassau, assisted by Barneveldt, the pensionary of Holland, was ambassador from the states of the United Provinces. Aremberg was sent by Archduke Albert; and Taxis was expected in a little time from Spain. But he who most excited the attention of the public, both on account of his own merit and that of his master, was the Marquis of Rosni, afterwards Duke of Sully, prime minister and favourite of Henry IV. of France.

When the dominions of the house of Austria devolved on Philip II. all Europe was struck with terror, lest the power of a family, which had

been raised by fortune, should now be carried to an immeasurable height, by the wisdom and conduct of this monarch. But never were apprehensions found in the event to be more groundless. Slow without prudence, ambitious without enterprise, false without deceiving any body, and refined without any true judgment; such was the character of Philip, and such the character which, during his lifetime, and after his death, he impressed on the Spanish councils. Revolted or depopulated provinces, discontented or indolent inhabitants, were the spectacles which those dominions, lying in every climate of the globe, presented to Philip III. a weak prince, and to the Duke of Lerma, a minister weak and odious. But though military discipline, which still remained, was what alone gave some appearance of life and vigour to that languishing body, yet so great was the terror produced by former power and ambition, that the reduction of the house of Austria was the object of men's vows throughout all the states of Christendom. It was not perceived, that the French empire, now united in domestic peace, and governed by the most heroic and most amiable prince that adorns modern story, was become, of itself, a sufficient counterpoise to the Spanish greatness. Perhaps, that prince Rosni's negotiations, himself did not perceive it, when he proposed, by his minister, a league with James, in conjunction with Venice, the United Provinces, and the northern crowns; in order to attack the Austrian dominions on every side, and depress the exorbitant power of that ambitious family.<sup>d</sup> But the genius of the English monarch was not equal to such vast enterprises. The love of peace was his ruling passion; and it was his peculiar felicity, that the conjunctures of the times rendered the same object which was agreeable to him in the highest degree advantageous to his people.

The French ambassador, therefore, was obliged to depart from these extensive views, and to concert with James the means of providing for the safety of the United Provinces: nor was this object altogether without its difficulties. The king, before his accession, had entertained scruples with regard to the revolt of the Low Countries; and being commonly open and sincere,<sup>e</sup> he had, on many occasions, gone so far as to give to the Dutch the appellation of rebels; <sup>f</sup> but having conversed more fully with English ministers and courtiers, he found their attachment to that republic so strong, and their opinion of common interest so established, that he was obliged to sacrifice to politics his sense of justice; a quality which, even when erroneous, is respectable as well as rare in a monarch. He therefore agreed with Rosni, to support secretly the states-general, in concert with the King of France; lest their weakness and despair should oblige them to submit to their old master. The articles of the treaty were few and simple. It was stipulated, that the two kings should allow the Dutch to levy forces in their respective dominions; and should underhand remit to that republic the sum of one million four hundred thousand livres a year, for the pay of these forces: that the whole sum should be advanced by the King of France; but that the third of it should be deducted from the debt due by him to Queen Elizabeth. And if the Spaniard attacked either of the princes, they agreed to assist each other: Henry with a force of ten thousand men, James with that of six. This treaty, one of the wisest and most equitable concluded by James during the course of his reign, was more the work of the prince himself, than any of his ministers.<sup>h</sup>

Amidst the great tranquillity, both foreign Raleigh's conspiracy. and domestic, with which the nation was blest, nothing could be more surprising than the discovery of a conspiracy to subvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and descended equally from Henry VII. Every thing remains still mysterious in this conspiracy, and history can give us no clue to unravel it. Watson and Clarke, two catholic priests, were accused of the plot: Lord Grey, a puritan: Lord Cobham, a thoughtless man, of no fixed principle: and Sir Walter Raleigh, suspected to be of that philosophical sect, who were then extremely rare in England, and who have since received

<sup>b</sup> Wilson, in Kennet, p. 665.  
<sup>c</sup> Sully's Memoirs.

<sup>d</sup> Hist. p. 662.

<sup>e</sup> La Broderie, vol. i. p. 120.  
<sup>h</sup> Sully's Memoirs.

<sup>f</sup> Winwood, vol. ii. p. 35.

the appellation of *free-thinkers*: together with these, Mr. Broke, brother to Lord Cobham, Sir Griffin Markham, Mr. Copeley, Sir Edward Parham. What cement could unite men of such discordant principles in so dangerous a combination; what end they proposed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot easily be imagined. As Raleigh, Grey, and Cobham, were commonly believed, after the Queen's death, to have opposed proclaiming the king, till conditions should be made with him; they were, upon that account, extremely obnoxious to the court and ministry; and people were apt, at first, to suspect, that the plot was merely a contrivance of secretary Cecil, to get rid of his old confederates, now become his most inveterate enemies. But the confession as well as trial of the criminals, put the matter beyond doubt.<sup>1</sup> And though no one could find any marks of a concerted enterprise, it appeared that men of furious and ambitious spirits, meeting frequently together, and believing all the world discontented, like themselves, had entertained very criminal projects, and had even entered, some of them at least, into a correspondence with Aremberg, the Flemish ambassador, in order to give disturbance to the new settlement.

The two priests<sup>a</sup> and Broke<sup>b</sup> were executed: Cobham, Grey, and Markham, were pardoned,<sup>c</sup> after they had laid their heads, upon the block.<sup>d</sup> Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's Memoirs, that Raleigh secretly offered his services to the French ambassador; and we may thence presume, that meeting with a repulse from that quarter, he had recourse, for the same unwarrantable purposes, to the Flemish minister. Such a conjecture we are now enabled to form; but it must be confessed, that, on his trial, there appeared no proof of this transaction, nor indeed any circumstance which could justify his condemnation. He was accused by Cobham alone, in a sudden fit of passion, upon hearing that Raleigh, when examined, had pointed out some circumstances, by which Cobham's guilt might be known and ascertained. This accusation Cobham afterwards retracted; and soon after he retracted his retraction. Yet upon the written evidence of this single witness, a man of no honour or understanding, and so contradictory in his testimony; not confronted with Raleigh; not supported by any concurring circumstance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleased to give sentence against the capital enemy of Essex, the favourite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cause for the crown, and threw out on Raleigh such gross abuse, as may be deemed a great reflection, not only on his own memory, but even, in some degree, on the manners of the age. Traitor, monster, viper, and spider of hell, are the terms which he employs against one of the most illustrious men of the kingdom, who was under trial for life and fortune, and who defended himself with temper, eloquence, and courage.<sup>e</sup>

The next occupation of the king was entirely according to his heart's content. He was employed in dictating magisterially to an assembly of divines, concerning points of faith and discipline, and in receiving the applauses of these holy men, for his superior zeal and learning. The religious disputes between the church and the puritans had induced him to call a conference at Hampton-court, on pretence of finding expedients which might reconcile both parties.

Though the severities of Elizabeth towards the catholics had much weakened that party, whose genius was opposite to the prevailing spirit of the nation; like severities had had so little influence on the puritans, who were encouraged by that spirit, that no less than seven hundred and fifty clergymen of that party signed a petition to the

king on his accession; and many more seemed willing to adhere to it.<sup>f</sup> They all hoped that James, having received his education in Scotland, and having sometimes professed an attachment to the church established there, would at least abate the rigour of the laws enacted in support of the ceremonies, and against puritans; if he did not show more particular grace and encouragement to that sect. But the king's disposition had taken strongly a contrary bias. The more he knew the puritanical clergy, the less favour he bore to them. He had remarked in their Scottish brethren a violent turn towards republicanism, and a zealous attachment to civil liberty; principles nearly allied to that religious enthusiasm with which they were actuated. He had found, that being mostly persons of low birth and mean education, the same lofty pretensions which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favourites, induced them to use the utmost freedoms with their earthly sovereign. In both capacities, of monarch and of theologian, he had experienced the little complaisance which they were disposed to show him; whilst they controlled his commands, disputed his tenets, and, to his face, before the whole people, censured his conduct and behaviour. If he had submitted to the indignity of courting their favour, he treasured up, on that account, the stronger resentment against them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with resistance and faction and obstinacy in the Scottish nobility, he retained no ill-will to that order; or rather showed them favour and kindness in England, beyond what reason and sound policy could well justify; but the ascendancy which the presbyterian clergy had assumed over him was what his monarchical pride could never thoroughly digest.<sup>g</sup>

He dreaded likewise the popularity which attended this order of men in both kingdoms. As useless austerities and self-denial are imagined, in many religions, to render us acceptable to a benevolent Being, who created us solely for happiness, James remarked that the rustic severity of these clergymen, and of their whole sect, had given them, in the eyes of the multitude, the appearance of sanctity and virtue. Strongly inclined himself to mirth and wine and sports of all kinds, he apprehended their censure for his manner of life, free and disengaged; and, being thus averse, from temper as well as policy, to the sect of puritans, he was resolved, if possible, to prevent its further growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wise and equitable in their end, than prudent and political in the means. Though justly sensible that no part of civil administration required greater care or a nicer judgment than the conduct of religious parties; he had not perceived, that, in the same proportion as this practical knowledge of theology is requisite, the speculative refinements in it are mean and even dangerous in a monarch. By entering zealously into frivolous disputes, James gave them an air of importance and dignity which they could not otherwise have acquired; and being himself enlisted in the quarrel, he could no longer have recourse to contempt and ridicule, the only proper method of appeasing it. The church of England had not yet abandoned the rigid doctrines of grace and predestination: the puritans had not yet separated themselves from the church, nor openly renounced episcopacy. Though the spirit of the parties was considerably different, the only appearing sub-<sup>Conference at</sup>jects of dispute were concerning the cross in Hampton-court, baptism, the ring in marriage, the use of the surplice, and the bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton-court between some bishops and dignified clergymen on the one hand, and some leaders of the puritanical party on the other; the king and his ministers being present.<sup>h</sup>

upon my Testament, it is no place for me to lie in, that ye shall never find with any Highland or Borderer Threes greater ingratitude and more lies and vile perjuries, than with these fanatic spirits, and suffer not the principal of them to break your land." *King James's Works*, p. 161.

<sup>f</sup> Fuller's Ecclesiastical History.

<sup>1</sup> State Trials, p. 180. 2d edit. Wivwood, vol. ii. p. 8. 11.

<sup>a</sup> November 2d. <sup>b</sup> December 5.

<sup>c</sup> November 2d. <sup>d</sup> December 5.

<sup>e</sup> Fuller, vol. ii. p. 11. <sup>f</sup> State Trials, 1st edit. p. 176. 177. 182.

<sup>g</sup> Fuller, vol. ii. p. 172.

<sup>h</sup> James ventured to say, in his Basilicon Doron, published while he was in Scotland, "I protest before the great God, and since I am here as

The puritans were here so unreasonable as to complain of a partial and unfair management of the dispute; as if the search after truth were in any degree the object of such conferences, and a candid indifference, so rare even among private inquirers in philosophical questions, could ever be expected among princes and prelates, in a theological controversy. The king, it must be confessed, from the beginning of the conference, showed the strongest propensity to the established church, and frequently inculcated a maxim, which, though it has some foundation, is to be received with great limitations, *No Bishop, No King*. The bishops, in their turn, were very liberal of their praises towards the royal disputant; and the Archbishop of Canterbury said, that undoubtedly *his majesty spoke by the special assistance of God's Spirit*.<sup>s</sup> A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction.

It had frequently been the practice of the puritans to form certain assemblies, which they called *prophesyings*; where alternately, as moved by the Spirit, they displayed their pious zeal in prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion which has so mighty an influence on holy fervours, and from the mutual emulation which arose in those trials of religious eloquence. Such dangerous societies had been suppressed by Elizabeth; and the ministers in this conference moved the king for their revival. But James sharply replied, *If you aim at a Scottish presbytery, it agrees as well with monarchy as God and the devil*. There Jack and Tom and Will and Dick shall meet and censure me and my council. Therefore I reiterate my former speech: *Le Roi s'avisera*. Stay, I pray, for one seven years before you demand; and then, if you find me grow pursie and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough.<sup>t</sup> Such were the political considerations which determined the king in his choice among religious parties.

The next assembly in which James displayed his learning and eloquence, was one that showed more spirit of liberty than appeared among his bishops and theologians. The parliament was now ready to assemble; being so long delayed on account of the plague, which had broken out in London, and raged to such a degree, that above 30,000 persons are computed to have died of it in a year; though the city contained at that time little more than 150,000 inhabitants.

The speech which the king made on opening the parliament, fully displays his character, and proves him to have possessed more knowledge and better parts, than prudence or any just sense of decorum and propriety.<sup>u</sup> Though few productions of the age surpass this performance either in style or matter, it wants that majestic brevity and reserve which becomes a king in his addresses to the great council of the nation. It contains, however, a remarkable stroke of candour, where he confesses his too great facility in yielding to the solicitations of suitors: *'a fault which he promises to correct; but which adhered to him, and distressed him, during the whole course of his reign*.

The first business, in which the Commons were engaged, was of the utmost importance to the preservation of their privileges; and neither temper nor resolution were wanting in their conduct of it.

In the former periods of the English government, the House of Commons was of so small weight in the balance of the constitution, that little attention had been given, either by the crown, the people, or the House itself, to the choice and continuance of the members. It had been usual, after parliaments were prolonged beyond one session, for the chancellor to exert a discretionary authority of issuing new writs to supply the place of any members whom he judged incapable of attending, either on account of their employment, their sickness, or other

impediment. This practice gave that minister, and consequently the prince, an unlimited power of modelling at pleasure the representatives of the nation; yet so little jealousy had it created, that the Commons, of themselves, without any court influence or intrigue, and contrary to some former votes of their own, confirmed it in the twenty-third of Elizabeth.<sup>x</sup> At that time, though some members, whose places had been supplied on account of sickness, having now recovered their health, appeared in the House, and claimed their seat; such was the authority of the chancellor, that merely out of respect to him, his sentence was adhered to, and the new members were continued in their places. Here a most dangerous prerogative was conferred on the crown: but to show the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; inasmuch that two days afterwards the chancellor, of himself, resigned it back to the Commons, and gave them power to judge of a particular vacancy in their House. And when the question concerning the chancellor's new writs was again brought on the carpet towards the end of the session, the Commons were so little alarmed at the precedent, that though they readmitted some old members, whose seats had been vacated on account of slight indispositions, yet they confirmed the chancellor's sentence, in instances where the distemper appeared to have been dangerous and incurable.<sup>y</sup> Nor did they proceed any further in vindication of their privileges, than to vote, *that during the sitting of parliament, there do not, at any time, any writ go out for choosing or returning any member without the warrant of the House*. In Elizabeth's reign we may remark, and the reigns preceding, sessions of parliament were not usually the twelfth part so long as the vacations; and during the latter, the chancellor's power, if he pleased to exert it, was confirmed, at least left, by this vote, as unlimited and unrestrained as ever.

In a subsequent parliament, the absolute authority of the queen was exerted in a matter still more open; and began for the first time to give alarm to the Commons. New writs having been issued by the chancellor when there was no vacancy, and a controversy arising upon that incident, the queen sent a message to the House, informing them, that it were impertinent for them to deal in such matters. These questions, she said, belonged only to the chancellor; and she had appointed him to confer with the judges, in order to settle all disputes with regard to elections. The Commons had the courage, a few days after, to vote, *'That it was a most perilous precedent, where two knights of a county were duly elected, if any new writ should issue out for a second election, without order of the House itself; that the discussing and adjudging of this and such like differences belonged only to the House; and that there should be no message sent to the lord chancellor, not so much as to inquire what he had done in the matter, because it was conceived to be a matter derogatory to the power and privilege of the House*.<sup>z</sup> This is the most considerable, and almost only, instance of parliamentary liberty which occurs during the reign of that princess.

Outlaws, whether on account of debts or crimes, had been declared by the judges<sup>a</sup> incapable of enjoying a seat in the House, where they must themselves be lawgivers; but this opinion of the judges had been frequently overruled. I find, however, in the case of Vaughan,<sup>b</sup> who was questioned for an outlawry, that, having proved all his debts to have been contracted by suretiship, and to have been, most of them, honestly compounded, he was allowed, on account of these favourable circumstances, to keep his seat: which plainly supposes that, otherwise, it would have been vacated, on account of the outlawry.<sup>c</sup>

When James summoned this parliament, he issued a proclamation;<sup>d</sup> in which, among many general advices, which, like a kind tutor, he bestowed on his people, he strictly enjoins them not to choose any outlaw for their

<sup>s</sup> Kennet, p. 665. <sup>t</sup> Fuller's Ecclesiastical History.  
<sup>u</sup> N. James's Works, p. 484, 485, &c. Journ. 23d March, 1603. Kennet, p. 668.

<sup>x</sup> N. James's Works, p. 495, 496. <sup>y</sup> Journ. January 19, 1599.  
<sup>z</sup> Journ. March 16, 1599. See further, D'Ewes, p. 439.

<sup>a</sup> D'Ewes, p. 27. <sup>b</sup> 39 H. 6.  
<sup>c</sup> Journ. February 3, 1599.

<sup>d</sup> In a subsequent parliament, that of the 25th of the queen, the Com-

mons, after great debate, expressly voted, that a person outlawed might be elected. D'Ewes, p. 518. But as the matter had been much contested, the king might think the vote of the House no law, and might esteem his own decision of more weight than theirs. We may also suppose that he was not acquainted with this vote. Queen Elizabeth in her speech to her last parliament complained of their admitting outlaws, and represents that conduct of the House as a great abuse.  
<sup>d</sup> Jan. 11, 1604. Rymer, tom. xvi. p. 561.



representative. And he adds: *If any person take upon him the place of knight, citizen, or Burgess, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending to be fined or imprisoned for the same.* A proclamation here was plainly put on the same footing with a law, and that in so delicate a point, as the right of elections: most alarming circumstances, had there not been reason to believe that this measure, being entered into so early in the king's reign, proceeded more from precipitation and mistake, than from any serious design of invading the privileges of parliament.<sup>6</sup>

Sir Francis Goodwin was chosen member for the county of Bucks; and his return, as usual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his seat, and issued writs for a new election.<sup>7</sup> Sir John Fortescue was chosen in his place by the county. But the first act of the House was to reverse the chancellor's sentence, and restore Sir Francis to his seat. At the king's suggestion, the Lords desired a conference on the subject; but were absolutely refused by the Commons, as the question entirely regarded their own privileges.<sup>8</sup> The Commons, however, agreed to make a remonstrance to the king by the mouth of their speaker; in which they maintained, that though the returns were by form made into chancery, yet the sole right of judging with regard to elections belonged to the House itself, not to the chancellor.<sup>9</sup> James was not satisfied, and ordered a conference between the House and the judges, whose opinion in this case was opposite to that of the Commons. This conference, he said, he commanded as an *absolute king*:<sup>10</sup> an epithet, we are apt to imagine, not very grateful to English ears, but one to which they had already been somewhat accustomed from the mouth of Elizabeth.<sup>11</sup> He added, *That all their privileges were derived from this grant, and hoped they would not turn them against him*:<sup>12</sup> a sentiment which, from her conduct, it is certain that princess had also entertained, and which was the reigning principle of her courtiers and ministers, and the spring of all her administration.

The Commons were in some perplexity. Their eyes were now opened, and they saw the consequences of that power which had been assumed by the chancellor, and to which their predecessors had, in some instances, blindly submitted. *By this course*, said a member, *the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us, therefore, with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of our common rights, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity.*<sup>13</sup> Another said,<sup>14</sup> This

may be called a quo warranto to seize all our liberties. A chancellor, added a third, *by this course may call a parliament consisting of what persons he pleases. Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question, whether the chancery or parliament ought to have authority.*<sup>15</sup>

Notwithstanding this watchful spirit of liberty which now appeared in the Commons, their deference for majesty was so great that they appointed a committee to confer with the judges before the king and counsel. There the question of law began to appear in James's eyes a little more doubtful than he had hitherto imagined it; and in order to extricate himself with some honour, he proposed that both Goodwin and Fortescue should be set aside, and a writ be issued, by warrant of the House, for a new election. Goodwin gave his consent, and the Commons embraced the expedient; but in such a manner, that while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed of judging solely in their own elections and returns.<sup>16</sup>

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the Commons; but must be regarded an inherent privilege, happily rescued from that ambiguity which the negligence of some former parliaments had thrown upon it.

At the same time the Commons, in the case of Sir Thomas Shirley, established their power of punishing, as well the persons at whose suit any member is arrested, as the officers who either arrest or detain him. Their asserting of this privilege admits of the same reflection.<sup>17</sup>

About this period, the minds of men throughout Europe, especially in England, seem to have undergone a general, but insensible, revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by those of sedentary professions; nor had they, till now, begun to spread themselves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itself over the whole globe. Travelling was secure and agreeable. And the general system of politics in Europe was become more enlarged and comprehensive.

In consequence of this universal fermentation, the ideas of men enlarged themselves on all sides; and the several constituent parts of the Gothic governments, which seem to have lain long inactive, began every where to operate and encroach on each other. On the continent, where the necessity of discipline had begotten standing armies, the princes commonly established an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unless checked, flourishes extremely in all liberal natures, ac-

<sup>6</sup> The Duke of Sully tells us, that it was a maxim of James, that no prince, in the first year of his reign, should begin any considerable undertaking: a maxim reasonable in itself, and very suitable to his cautious, not to say timid, character. The facility with which he departed from this pretension, is another proof that his meaning was innocent. But had the privileges of parliament been at that time exactly ascertained, or royal power fully limited, could such an imagination ever have been entertained? See, to think that his proclamations could regulate parliamentary elections. *Winstanley*, vol. ii. p. 12-19.

<sup>7</sup> Journ. 26th March, 1604. <sup>8</sup> Journ. 3d April, 1604.  
<sup>9</sup> Sir Charles Cornwallis, the king's ambassador at Madrid, when pressed by the Duke of Lerma to enter into a league with Spain, said to that minister, *Though his majesty was an absolute king, and therefore not bound to give an account to any of his actions; yet that so gracious and respectful a prince he was of the love and contentment of his own subjects, as I assured myself he would not think it fit to do any thing of great consequence without consulting them with his intentions.* *Winwood*, vol. ii. p. 229. Sir Walter Raleigh has this passage in the preface to his History of the World: *Philis II. by strong hand and main force, attempted to make himself not only an absolute monarch, like the Netherlands, like the kings and monarchs of England and France, but Turk-like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights.* We meet with this passage in Sir John Davis's Question concerning Impositions, p. 161. <sup>10</sup> Thus we may compare, prerogative, and jurisdiction, and put his little finger upon his subjects, when other princes and states do lay their heavy lions upon their people. What is the reason of this difference? From whence cometh it? Assuredly not from a different power or prerogative for the king of England is an absolute monarch as any emperor or king in the world, and hath as many prerogatives incident to his crown." *Coke*, in *Cawdry's case*, says, "That by the ancient laws of this realm, James I. an absolute empire and monarchy; and that the king is furnished with plenty and entire power, prerogative, and jurisdiction, and is the supreme governor over all persons within this realm." *Spencer*, speaking of some grants of the English kings to the Irish corporation, says, "All the kings, though at the time of their first grant they were tolerable, and perhaps reasonable, yet now are most unreasonable and inconvenient. But all these will easily be cut off, with the superior power of her majesty's prerogative, against which her own grants are not to be pleaded or enforced." *State of Ireland*, p. 367, edit. 1797. <sup>11</sup> The same author, in p. 160, proposes a plan for the civilization of Ireland; that the queen

should create a provost marshal in every county, who might ride about with eight or ten followers in search of stragglers and vagabonds; the first time he catches any, he may punish them more lightly by the stocks; the second time by whipping; but the third time he may hang them without trial or process on the first bough and he thinks, that this authority may more safely be intrusted to the provost-marshal than to the sheriff; because the latter magistrate having a profit by the escheats of felons, may be tempted to hang innocent persons. Here a real absolute, or rather despotic, power is pointed out; and we may infer from all these passages, either that the word *absolute* bore a different sense from what it does at present, or that men's ideas of the English as well as Irish government were then different. This latter inference seems juster. The word, being derived from the French, bore always the same sense as in that language. An absolute monarchy, in Charles I.'s answer to the nineteen propositions, is opposed to a limited; and the king of England is acknowledged not to be absolute: so much had matters changed even before the civil war. In Sir John Fortescue's treatise of absolute and limited monarchy, a book written in the reign of Edward the IVth, the word *absolute* is taken in the same sense as at present; and the government of England is also said not to be absolute. They were the princes of the house of Tudor chiefly who introduced that administration, which had the appearance of absolute government. The princes before them were restrained by the barons; as those after them by the House of Commons. The people had, properly speaking, authority in either of these ancient governments, but least in the more ancient. *k Camden*, in *Kennet*, p. 375.

<sup>12</sup> Journ. 29th March, 5th April, 1604. <sup>13</sup> Journ. 30th March, 1604. <sup>14</sup> *Id. ibid.* <sup>15</sup> *Id. ibid.*

<sup>16</sup> Even this parliament, which showed so much spirit and good sense in the affair of Goodwin, made a strange concession to the crown, in their fourth session. Toby Mathews, a member, had been banished by order of the council upon direction from his majesty. The parliament not only acquiesced in this arbitrary proceeding, but issued a writ for a new election. Such novices were they as yet in the principles of liberty! See Journ. 14 Feb. 1609. Mathews was banished by the king, on account of his change of religion to popery. The king had an indulgence to those who had been educated Catholics; but could not bear the new converts. It was probably the animosity of the Commons against the papists, which made them acquiesce in this precedent, without reflecting on the consequences! The jealousy of liberty, though roundly, was not yet thoroughly enlightened. <sup>17</sup> Journ. 6th and 7th May, 1604.

quired new force, and was regulated by more enlarged views, suitable to that cultivated understanding which became every day more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited, in every generous breast, a passion for a limited constitution, and begat an emulation of those manly virtues, which the Greek and Roman authors, by such animating examples, as well as pathetic expressions, recommend to us. The severe though popular government of Elizabeth had confined this rising spirit within very narrow bounds: but when a new and a foreign family succeeded to the throne, and a prince less dreaded and less beloved, symptoms immediately appeared of a more free and independent genius in the nation.

Happily, this prince possessed neither sufficient capacity to perceive the alteration, nor sufficient art and vigour to check it in its early advances. Jealous of regal, because conscious of little personal, authority, he had established within his own mind a speculative system of absolute government, which few of his subjects, he believed, and none but traitors and rebels, would make any scruple to admit. On whichever side he cast his eye, every thing concurred to encourage his prejudices. When he compared himself with the other hereditary sovereigns of Europe, he imagined, that as he bore the same rank, he was entitled to equal prerogatives; not considering the innovations lately introduced by them, and the military force by which their authority was supported. In England, that power, almost unlimited, which had been exercised for above a century, especially during the late reign, he ascribed solely to royal birth and title; not to the prudence and spirit of the monarchs, nor to the conjunctures of the times. Even the opposition which he had struggled with in Scotland encouraged him still further in his favourite notions; while he there saw, that the same resistance which opposed regal authority, violated all law and order, and made way, either for the ravages of a barbarous nobility, or for the more intolerable insolence of seditious preachers. In his own person, therefore, he thought all legal power to be centred, by an hereditary and a divine right: and this opinion might have proved dangerous, if not fatal, to liberty, had not the firmness of the persuasion, and its seeming evidence, induced him to trust solely to his right, without making the smallest provision, either of force or politics, in order to support it.

Such were the opposite dispositions of parliament and prince, at the commencement of the Scottish line; dispositions just beginning to exist and to appear in the parliament,<sup>a</sup> but thoroughly established and openly avowed on the part of the prince.

The spirit and judgment of the House of Commons appeared, not only in defence of their own privileges, but also in their endeavour, though at this time in vain, to free trade from those shackles which the high exerted prerogative, and even, in this respect, the ill-judged tyranny, of Elizabeth, had imposed upon it.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predecessor, and which extremely fettered every species of domestic industry: but the exclusive companies still remained; another species of monopoly, by which almost all foreign trade, except that to France, was brought into the hands of a few rapacious engrossers, and all prospect of future improvement in commerce was for ever sacrificed to a little temporary advantage of the sovereign. These companies, though arbitrarily elected, had carried their privileges so far, that almost all the commerce of England was centred in London; and it appears that the customs of that port

amounted to 110,000*l.* a year, while those of all the kingdom beside yielded only seventeen thousand.<sup>b</sup> Nay, the whole trade of London was confined to about two hundred citizens;<sup>c</sup> who were easily enabled, by combining among themselves, to fix whatever price they pleased both to the exports and imports of the nation. The committee appointed to consider this enormous grievance, one of the greatest which we read of in English story, insist on it as a fact well known and avowed, however contrary to present received opinion, that shipping and seamen had insensibly decayed during all the preceding reign.<sup>d</sup> And though nothing be more common than complaints of the decay of trade, even during the most flourishing periods; yet is this a consequence which might naturally result from such arbitrary establishments, at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the Commons were thus attempting to give liberty to the trading part of the nation, they also endeavoured to free the landed property from the burden of wardships,<sup>e</sup> and to remove those remains of the feudal tenures under which the nation still laboured. A just regard was shown to the crown in the conduct of this affair; nor was the remedy sought for, considered as a matter of right, but merely of grace and favour. The profit which the king reaped, both from wards and from respite of homage, was estimated: and it was intended to compound for these prerogatives by a secure and independent revenue. But after some debates in the House, and some conferences with the Lords, the affair was found to contain more difficulties than could easily, at that time, be surmounted; and it was not then brought to any conclusion.

The same fate attended an attempt of a like nature, to free the nation from the burden of purveyance. This prerogative had been much abused by the purveyors;<sup>f</sup> and the Commons showed some intention to offer the king fifty thousand pounds a year for the abolition of it.

Another affair of the utmost consequence was brought before the parliament, where the Commons showed a greater spirit of independence than any true judgment of national interest. The union of the two kingdoms was zealously and even impatiently urged by the king.<sup>g</sup> He justly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animosities of these hostile nations, and had reduced the whole island under one government; enjoying tranquillity within itself, and security from all foreign invasions. He hoped, that while his subjects of both kingdoms reflected on past disasters, besides regarding his person as infinitely precious, they would entertain the strongest desire of securing themselves against the return of like calamities, by a thorough union of laws, parliaments, and privileges. He considered not, that this very reflection operated, as yet, in a contrary manner on men's prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greatest extremities, and required time to allay it. The more urgent the king appeared in promoting so useful a measure, the more backward was the English parliament in concurring with him; while they ascribed his excessive zeal to that partiality in favour of his ancient subjects, of which they thought, that, on other occasions, they had reason to complain. Their complaisance for the king, therefore, carried them no further than to appoint forty-four English to meet with thirty-one Scottish commissioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the establishment of it.<sup>h</sup>

The same spirit of independence, and perhaps not better

<sup>a</sup> At that time men of genius and of enlarged minds had adopted the principles of liberty, which were as yet pretty much unknown to the generality of the people. Sir Matthew Hales has published a remonstrance against the king's conduct towards the parliament during this session. The remonstrance is drawn with great force of reasoning and spirit of liberty; and was the production of Sir Francis Bacon and Sir Edwin Sandys, two men of the greatest parts and knowledge in England. It is drawn in the name of the Commons; but as there is no hint of it in the Journals, we must conclude either that the authors, sensible that the strain of the piece was much beyond the principles of the age, had not ventured to present it to the House, or that it had been for that reason rejected. The dignity and authority of the Commons are strongly insisted upon in this remonstrance; and it is there said, that their submission to the ill treatment which they received during the latter part of Elizabeth's reign, had proceeded from their tenderness towards her age and her sex. But the authors are mistaken

in these facts: for the House received and submitted to as had treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, and in Henry the Eighth and Seventh's. And the further we go back into history, though there might be more of a certain irregular kind of liberty among the barons, the Commons were still of less authority.

<sup>b</sup> Journ. 21 May, 1604.

<sup>c</sup> Id. Ibid.

<sup>d</sup> A remonstrance from the Trinity house, in 1602, says, that in a little above twelve years after 1586, the shipping and number of seamen in London decayed about a third. Angley's happy future State of England, p. 128, from Sir Julius Caesar's Collections. See Journ. 21 May, 1604.

<sup>e</sup> Journ. 1 June, 1604.

<sup>f</sup> Journ. 30 April, 1604.

<sup>g</sup> Journ. 21 April, 1 May, 1604. Parliamentary History, vol. v. p. 91.

<sup>h</sup> Journ. 7 June, 1604. Kennet, p. 673.

judgment, appeared in the House of Commons when the question of supply was brought before them, by some members attached to the court. In vain was it urged, that though the king received a supply which had been voted to Elizabeth, and which had not been collected before her death; yet he found it burdened with a debt contracted by the queen, equal to the full amount of it: that peace was not yet thoroughly concluded with Spain, and that Ireland was still expensive to him: that on his journey from Scotland, amidst such a concourse of people, and on that of the queen and royal family, he had expended considerable sums: and that as the courtiers had looked for greater liberties from the prince on his accession, and had imposed on his generous nature; so the prince, in his turn, would expect, at the beginning, some mark of duty and attachment from his people, and some consideration of his necessities. No impression was made on the House of Commons by these topics; and the majority appeared fully determined to reject all supply. The burden of government, at that time, lay surprisingly light upon the people: and that very reason, which to us, at this distance, may seem a motive of generosity, was the real cause why the parliament was, on all occasions, so remarkably frugal and reserved. They were not, as yet, accustomed to open their purses in so liberal a manner as their successors, in order to supply the wants of their sovereign; and the smallest demand, however requisite, appeared in their eyes unreasonable and exorbitant. The Commons seem also to have been desirous of reducing the crown to still further necessities, by their refusing a bill, sent down to them by the Lords, for entailing the crown lands for ever on the king's heirs and successors.<sup>a</sup> The dissipation made by Elizabeth had probably taught James the necessity of this law, and shown them the advantage of refusing it.

In order to cover a disappointment with regard to supply, which might bear a bad construction both at home and abroad, James sent a message to the House,<sup>b</sup> in which he told them, that he desired no supply; and he was very forward in refusing what was never offered him. Soon after,

he prorogued the parliament, not without discovering, in his speech, visible marks of dissatisfaction. Even so early in his reign, he saw reason to make public complaints of the restless and encroaching spirit of the puritanical party, and of the malevolence with which they endeavoured to inspire the Commons. Nor were his complaints without foundation, or the puritans without interest; since the Commons, now finding themselves free from the arbitrary government of Elizabeth, made application for a conference with the Lords, and presented a petition to the king; the purport of both which was, to procure, in favour of the puritans, a relaxation of the ecclesiastical laws.<sup>c</sup> The use of the surplice, and of the cross in baptism, is there chiefly complained of; but the remedy seems to have been expected solely from the king's dispensing power.<sup>d</sup> In the papers which contain this application and petition, we may also see proofs of the violent animosity of the Commons against the catholics, together with the intolerating spirit of that assembly.<sup>e</sup>

This summer the peace with Spain was finally concluded, and was signed by the Spanish ministers at London.<sup>f</sup> In the conferences previous to this treaty, the nations were found to have so few claims on each other, that, except on account of the support given by England to the Low Country provinces, the war might appear to have been continued more on account of personal animosity between Philip and Elizabeth, than any contrariety of political interests between their subjects. Some articles in the treaty, which

seemed prejudicial to the Dutch commonwealth, were never executed by the king; and as the Spaniards made no complaints on that head, it appeared that, by secret agreement, the king had expressly reserved the power of sending assistance to the Hollanders.<sup>g</sup> The constable of Castile came into England to ratify the peace; and on the part of England, the Earl of Hertford was sent into the Low Countries for the same purpose, and the Earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and splendid; and the Spaniards, it is said, were extremely surprised, when they beheld the blooming countenances and graceful appearance of the English, whom their bigotry, inflamed by the priests, had represented as so many monsters and infernal demons.

Though England, by means of her naval force, was perfectly secure during the latter years of the Spanish war, James showed an impatience to put an end to hostilities; and soon after his accession, before any terms of peace were concerted, or even proposed by Spain, he recalled all the letters of marque<sup>h</sup> which had been granted by Queen Elizabeth. Archduke Albert had made some advances of a like nature,<sup>i</sup> which invited the king to take this friendly step. But what is remarkable; in James's proclamation for that purpose, he plainly supposes, that, as he had himself, while King of Scotland, always lived in amity with Spain, peace was attached to his person, and that merely by his accession to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms.<sup>k</sup> This ignorance of the law of nations may appear surprising in a prince, who was thirty-six years of age, and who had reigned from his infancy; did we not consider that a King of Scotland, who lives in close friendship with England, has few transactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amusement, particularly of hunting, to which he was much addicted, ever prevented him from making any progress in the knowledge or practice of foreign politics, and in a little time diminished that regard which all the neighbouring nations had paid to England during the reign of his predecessor.<sup>l</sup>

## CHAP. XLVI.

Gunpowder conspiracy.—A parliament.—Treaty betwixt Spain and the United Provinces.—A parliament.—Death of the French king.—Arminianism.—State of Ireland.

WE are now to relate an event, one of the most memorable that history has conveyed to posterity, and containing at once a singular proof both of the strength and weakness of the human mind; its widest departure from morals, and most steady attachment to religious prejudices. It is the *Gunpowder treason* of which I speak; a fact as certain as it appears incredible.

The Roman catholics had expected great favour and indulgence on the accession of James, both as he was descended from Mary, whose life they believed to have been sacrificed to their cause, and as he himself, in his early youth, was imagined to have shown some partiality towards them, which nothing, they thought, but interest and necessity had since restrained. It is pretended, that he had even entered into positive engagements to tolerate their religion, as soon as he should mount the throne of England; whether their credulity had interpreted

A. D. 1604.

<sup>a</sup> Parliamentary History, vol. v. p. 106.

<sup>b</sup> Journ. 26 June, 1604.

<sup>c</sup> La Boquerie, le French ambassador, says, that the House of Commons was composed wholly of puritans, vol. i. p. 31.

<sup>d</sup> Parliamentary History, vol. v. p. 97, 99, 100.

<sup>e</sup> This parliament passed an act of recognition of the king's title in the most simple terms. They recognised and acknowledged, that immediately upon the dissolution and decease of Elizabeth, late Queen of England, the imperial crown thereof did, by inherent right and law, fall and undoubted succession, descent and come to his most excellent majesty, as being lineally, justly, and lawfully next and sole heir of the blood royal of this realm: I James I. cap. 1. The puritans, though then prevalent, did not think proper to dispute this great constitutional point. In the recognition of Queen Elizabeth, the parliament declares, that the queen's highness is, and in very deed and of most mere right ought to be, by the laws of God and by the laws and statutes of this realm, our most lawful and

rightful sovereign, liege lady and queen, &c. It appears then, that if King James's *divine right* be not mentioned by parliament, the omission came merely from chance, and because that phrase did not occur to the compiler of the recognition; his title being plainly the same with that of his predecessor, who was allowed to have a *divine right*.

<sup>f</sup> Rymer, tom. xvi. p. 85, 86.

<sup>g</sup> Winwood, vol. ii. p. 27, 33, &c. *et seq.* In this respect James's peace was more honourable than that which Henry IV. himself made with Spain. This latter prince stipulated not to assist the Dutch; and the supplies, which he secretly sent them, were indeed too great, even to the treaty.

<sup>h</sup> 23 of June, 1603.

<sup>i</sup> Græv. Ann. lib. 12.

<sup>k</sup> See proclamations during the first years of A. James. Winwood, vol. ii. p. 25.

<sup>l</sup> Mémoires de La Potherie, t. i. p. 64, 80, 195, 217, &c. vol. ii. p. 244, 278.



in this sense some obliging expressions of the king's, or that he had employed such an artifice, in order to render them favourable to his title.<sup>a</sup> Very soon they discovered their mistake; and were at once surprised and enraged to find James, on all occasions, express his intention of strictly executing the laws enacted against them, and of persevering in all the rigorous measures of Elizabeth. Catesby, a gentleman of good parts and of an ancient family, first thought of a most extraordinary method of revenge; and he opened his intention to Piercy, a descendant of the illustrious house of Northumberland. In one of their conversations with regard to the distressed condition of the catholics, Piercy, having broken into a sally of passion, and mentioned assassinating the king, Catesby took the opportunity of revealing to him a nobler and more extensive plan of treason, which not only included a sure execution of vengeance, but afforded some hopes of restoring the catholic religion in England. In vain, said he, would you put an end to the king's life: he has children, who would succeed both to his crown and to his maxims of government. In vain would you extinguish the whole royal family: the nobility, the gentry, the parliament, are all infected with the same heresy, and could raise to the throne another prince and another family, who, besides their hatred to our religion, would be animated with revenge for the tragical death of their predecessors. To serve any good purpose, we must destroy, at one blow, the king, the royal family, the Lords, the Commons; and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the parliament; and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us, combining, may run a mine below the hall in which they meet; and choosing the very moment when the king harangues both Houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves standing aloof, safe and unsuspected, shall triumph in being the instruments of divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our church and butchering our children, tossed into a thousand fragments; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there for ever to endure the torments due to their offences.<sup>b</sup>

Piercy was charmed with this project of Catesby; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they enlisted any new conspirator, in order to bind him to secrecy, they always, together with an oath, employed the communion, the most sacred rite of their religion.<sup>c</sup> And it is remarkable, that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre which they projected, of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many catholics must be present; as spectators or attendants on the king, or as having seats in the House of Peers: but Tesmond, a Jesuit, and Garnet, superior of that order in England, removed these scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

All this passed in the spring and summer of the year 1604; when the conspirators also hired a house in Piercy's name, adjoining to that in which the parliament was to assemble. Towards the end of that year they began their operations. That they might be less interrupted, and give less suspicion to the neighbourhood, they carried in store of provisions with them, and never desisted from their labour. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation, they little feared death in comparison of a disappointment; and having provided arms, together with the instruments of their labour, they resolved there to perish in case of a discovery. Their perseverance advanced the work; and they soon pierced the wall, though

three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise which they knew not how to account for. Upon inquiry, they found that it came from the vault below the House of Lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place hired by Piercy; thirty-six barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellar boldly flung open; and every body admitted, as if it contained nothing dangerous.

Confident of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, Prince Henry, were all expected to be present at the opening of parliament. The duke, by reason of his tender age, would be absent: and it was resolved, that Piercy should seize him, or assassinate him. The Princess Elizabeth, a child likewise, was kept at Lord Harrington's house in Warwickshire; and Sir Everard Digby, Rookwood, Grant, being let into the conspiracy, engaged to assemble their friends, on pretence of a hunting match, and seizing that princess, immediately to proclaim her queen. So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and trusting to the general confusion which must result from so unexpected a blow, they foresaw not, that the fury of the people, now unrestrained by any authority, must have turned against them, and would probably have satiated itself, by a universal massacre of the catholics.

The day, so long wished for, now approached, on which the parliament was appointed to assemble. The dreadful secret, though communicated to above twenty persons, had been religiously kept, during the space of near a year and a half. No remorse, no pity, no fear of punishment, no hope of reward, had as yet induced any one conspirator either to abandon the enterprise, or make a discovery of it. The holy fury had extinguished in their breast every other motive; and it was an indiscretion at last, proceeding chiefly from these very bigoted prejudices and partialities, which saved the nation.

Ten days before the meeting of parliament, Lord Montague, a catholic, son to Lord Morley, received the following letter, which had been delivered to his servant by an unknown hand. *My Lord, Out of the love I bear to some of your friends, I have a care of your preservation. Therefore I would advise you, as you tender your life, to devise some excuse to shift off your attendance at this parliament. For God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement: but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they will receive a terrible blow this parliament, and yet they shall not see who hurts them. This counsel is not to be contemned, because it may do you good, and can do you no harm: for the danger is past, as soon as you have burned the letter. And I hope God will give you the grace to make good use of it, unto whose holy protection I commend you.*<sup>d</sup>

Montague knew not what to make of this letter; and though inclined to think it a foolish attempt to frighten and ridicule him, he judged it safest to carry it to Lord Salisbury, secretary of state. Though Salisbury too was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not so slight a matter; and from the serious earnest style of the letter, he conjectured, that it implied something dangerous and important. *A terrible blow, and yet the authors concealed; a danger so sudden, and yet so great:* these circumstances seemed all to denote some contrivance by gunpowder; and it was thought advisable to inspect all the vaults below the Houses of Parliament. This care belonged to the Earl of Suffolk, lord chamberlain; who purposely delayed the search, till the day before the meeting of parliament. He remarked those great piles of wood and faggots which lay in the vault under the upper House, and he cast his eye upon Fawkes, who stood in a dark corner, and passed himself for

<sup>a</sup> State Trials, vol. ii. p. 201, 202, 203. Watson's vol. ii. p. 49.  
<sup>b</sup> History of the Gunpowder Treason.

<sup>c</sup> State Trials, vol. i. p. 190, 196, 220.  
<sup>d</sup> R. James's Works, p. 527.

Piercy's servant. That daring and determined courage, which so much distinguished this conspirator, even among those heroes in villany, was fully painted in his countenance, and was not passed unnoticed by the chamberlain.<sup>a</sup> Such a quantity also of fuel, for the use of one who lived so little in town as Piercy, appeared a little extraordinary;<sup>b</sup> and upon comparing all circumstances, it was resolved that a more thorough inspection should be made. About midnight, Sir Thomas Knevet, a justice of peace, was sent with proper attendants; and before the door of the vault finding Fawkes, who had just finished all his preparations, he immediately seized him, and turning over the faggots, discovered the powder. The matches, and every thing proper for setting fire to the train, were taken in Fawkes's pocket; who finding his guilt now apparent, and seeing no refuge but in boldness and despair, expressed the utmost regret that he had lost the opportunity of firing the powder at once, and of sweetening his own death by that of his enemies.<sup>c</sup> Before the council, he displayed the same intrepid firmness, mixed even with scorn and disdain; refusing to discover his accomplices, and showing no concern but for the failure of the enterprise.<sup>d</sup> This obstinacy lasted two or three days: but being confined to the Tower, left to reflect on his guilt and danger, and the rack being just shown to him; his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him; and he made a full discovery of all the conspirators.<sup>e</sup>

Catesby, Piercy, and the other criminals, who were in London, though they had heard of the alarm taken at the letter sent to Montague; though they had heard of the chamberlain's search; yet were resolved to persist to the utmost, and never abandon their hopes of success.<sup>f</sup> But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire; where Sir Everard Digby, thinking himself assured that success had attended his confederates, was already in arms, in order to seize the Princess Elizabeth. She had escaped into Coventry; and they were obliged to put themselves on their defence against the country, who were raised from all quarters, and armed, by the sheriff. The conspirators, with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes, either of prevailing or escaping. Having therefore confessed themselves, and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire, and disabled them for defence.<sup>g</sup> The people rushed in upon them. Piercy and Catesby were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithstanding this horrid crime, the bigoted catholics were so devoted to Garnet, that they fancied miracles to be wrought by his blood;<sup>h</sup> and in Spain he was regarded as a martyr.<sup>i</sup>

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former proficacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems, in general, to be liable to no reproach. Catesby's character had entitled him to such regard, that Rookwood and Digby were seduced by their implicit trust in his judgment; and they declared, that, from the motive alone of friendship to him, they were ready, on any occasion, to have sacrificed their lives.<sup>j</sup> Digby himself was as highly esteemed and beloved as any man in England; and he had been particularly honoured with the good opinion of Queen Elizabeth.<sup>k</sup> It was bigoted zeal alone, the most

absurd of prejudices masked with reason, the most criminal of passions covered with the appearance of duty, which seduced them into measures, that were fatal to themselves, and had so nearly proved fatal to their country.<sup>l</sup>

The Lords Mordaunt and Stourton, two catholics, were fined, the former ten thousand pounds, the latter four thousand, by the star-chamber; because their absence from parliament had begotten a suspicion of their being acquainted with the conspiracy. The Earl of Northumberland was fined thirty thousand pounds, and detained several years prisoner in the Tower; because, not to mention other grounds of suspicion, he had admitted Piercy into the number of gentlemen pensioners, without his taking the requisite oaths.<sup>m</sup>

The king, in his speech to the parliament, observed, that, though religion had engaged the conspirators in so criminal an attempt, yet ought we not to involve all the Roman catholics in the same guilt, or suppose them equally disposed to commit such enormous barbarities. Many holy men, he said, and our ancestors among the rest, had been seduced to concur with that church in her scholastic doctrines, who yet had never admitted her seditious principles, concerning the Pope's power of dethroning kings, or sanctifying assassination. The wrath of Heaven is denounced against crimes, but innocent error may obtain its favour; and nothing can be more hateful than the uncharitableness of the puritans, who condemn alike to eternal torments even the most inoffensive partisans of popery. For his part, he added, that conspiracy, however atrocious, should never alter, in the least, his plan of government: while with one hand he punished guilt, with the other he would still support and protect innocence.<sup>n</sup> After this speech, he prorogued the parliament till the 22d of January.<sup>o</sup>

The moderation, and, I may say, magnanimity, of the king, immediately after so narrow an escape from a most detestable conspiracy, was wisely agreeable to his subjects. Their animosity against popery, even before this provocation, had risen to a great pitch; and it had perhaps been more prudent in James, by a little dissimulation, to have conformed himself to it. His theological learning, confirmed by disputation, had happily fixed his judgment in the protestant faith; yet was his heart a little biassed by the allurements of Rome, and he had been well pleased, if the making of some advances could have effected an union with that ancient mother-church. He strove to abate the acrimony of his own subjects against the religion of their fathers: he became himself the object of their diffidence and aversion. Whatever measures he embraced, in Scotland to introduce prelacy, in England to enforce the authority of the established church, and support its rites and ceremonies, were interpreted as so many steps towards popery, and were represented by the puritans as symptoms of idolatry and superstition. Ignorant of the consequences, or unwilling to sacrifice to politics his inclination, which he called his conscience, he persevered in the same measures, and gave trust and preferment, almost indifferently, to his catholic and protestant subjects. And finding his person, as well as his title, less obnoxious to the church of Rome, than those of Elizabeth, he gradually abated the rigour of those laws, which had been enacted against the church, and which were so acceptable to his bigoted subjects. But the effects of these dispositions on both sides became not very sensible till towards the conclusion of his reign.

At this time James seems to have possessed the affections even of his English subjects, and, in a tolerable degree, their esteem and regard. Hitherto their complaints were chiefly levelled against his too great constancy in his early

<sup>a</sup> K. James's Works, p. 229.

<sup>b</sup> Winwood, vol. ii. p. 173.

<sup>c</sup> Some historians have imagined, that the king had secret intelligence of

the conspiracy, and that the letter to Montague was written by his direc-

tion, in order to obtain the praise of penetration in discovering the plot.

But the known facts refute this supposition. That letter, being commonly

talked of, might naturally have given an alarm to the conspirators, and

made them contrive their escape. The visit of the lord chamberlain

ought to have had the same effect. In short, it appears that nobody was

arrested or inquired after for some days, till Fawkes discovered the names

of the conspirators. We may infer, however, from a letter in Winwood's

Memorials, vol. i. p. 171, that Salisbury's sagacity led the king in his con-

jectures, and that the minister, like an artful courtier, gave his master the

praise of the whole discovery.

<sup>d</sup> State Trials, vol. i. p. 199. Discourse of the manner, &c. p. 52, 70.

<sup>e</sup> Id. ibid.

<sup>f</sup> Id. ibid.

<sup>g</sup> Id. ibid.

<sup>h</sup> K. James's Works, p. 231.

<sup>i</sup> K. James's Works, p. 231.

<sup>j</sup> K. James's Works, p. 231.

<sup>k</sup> K. James's Works, p. 231.

<sup>l</sup> K. James's Works, p. 231.

<sup>m</sup> K. James's Works, p. 231.

<sup>n</sup> K. James's Works, p. 231.

<sup>o</sup> K. James's Works, p. 231.

<sup>a</sup> Winwood, vol. ii. p. 200.

<sup>b</sup> State Trials, vol. i. p. 201.

<sup>c</sup> Digby, after his condemnation, said in a letter to his wife: "Now for

my intention, let me tell you, that if I had thought there had been the

least sin in the plot, I would not have been of it for all the world; and no

other cause drew me, to hazard my fortune and life, but zeal to God's re-

ligion." He expresses his surprise to hear that any catholic had condemned

it. Digby's papers, published by Secretary Coventry.

<sup>d</sup> Camden in Kennet, p. 692.

<sup>e</sup> K. James's Works, p. 247, 344.

<sup>f</sup> The parliament, this session, passed an act obliging every one to take

the oath of allegiance, a very moderate test, since it did not touch on controverted

points between the two religions, and only required the person who took it

to abjure the Pope's power of dethroning kings. See K. James's Works,

p. 251.

<sup>l</sup> Id. ibid.

<sup>m</sup> Athen. Ov. vol. ii. fol. 254

<sup>n</sup> K. James's Works, p. 247, 344.

<sup>o</sup> K. James's Works, p. 247, 344.

<sup>p</sup> K. James's Works, p. 247, 344.

<sup>q</sup> K. James's Works, p. 247, 344.

<sup>r</sup> K. James's Works, p. 247, 344.

<sup>s</sup> K. James's Works, p. 247, 344.

<sup>t</sup> K. James's Works, p. 247, 344.

<sup>u</sup> K. James's Works, p. 247, 344.

<sup>v</sup> K. James's Works, p. 247, 344.

<sup>w</sup> K. James's Works, p. 247, 344.

<sup>x</sup> K. James's Works, p. 247, 344.

<sup>y</sup> K. James's Works, p. 247, 344.

<sup>z</sup> K. James's Works, p. 247, 344.

friendships; a quality which, had it been attended with more economy, the wise would have excused, and the candid would even perhaps have applauded. His parts, which were not despicable, and his learning, which was great, being highly extolled by his courtiers and gentlemen, and not yet tried in the management of any delicate affairs, for which he was unfit, raised a high idea of him in the world; nor was it always through flattery or insincerity that he received the title of the second Solomon.

A report, which was suddenly spread about this time, of his being assassinated, visibly struck a great consternation into all orders of men.<sup>a</sup> The Commons also

abated, this session, somewhat of their excessive frugality, and granted him an aid, payable in four years, of three subsidies and six sixteenths, which Sir Francis Bacon said in the House,<sup>b</sup> might amount to about four hundred thousand pounds: and for once the king and parliament parted in friendship and good humour. The hatred which the catholics so visibly bore him, gave him at this time an additional value in the eyes of his people. The only considerable point in which the Commons incurred his displeasure, was by discovering their constant good-will to the puritans, in whose favour they desired a conference with the Lords:<sup>c</sup> which was rejected.

The chief affair transacted next session, was the intended union of the two kingdoms.<sup>d</sup> Nothing could exceed the king's passion and zeal for this noble enterprise, but the parliament's prejudice and reluctance against it. There remain two excellent speeches in favour of the union, which it would not be improper to compare together; that of the king,<sup>e</sup> and that of Sir Francis Bacon. Those who affect in every thing such an extreme contempt for James, will be surprised to find, that his discourse, both for good reasoning and eloquent composition, approaches very near that of a man, who was undoubtedly, at that time, one of the greatest geniuses in Europe. A few trivial indiscretions and indecorums may be said to characterize the harangue of the monarch, and mark it for his own. And, in general, so open and avowed a declaration in favour of a measure, while he had taken no care, by any precaution or intrigue, to insure success, may safely be pronounced an indiscretion. But the art of managing parliaments, by private interest or cabal, being found hitherto of little use or necessity, had not, as yet, become a part of English politics. In the common course of affairs, government could be conducted without their assistance; and when their concurrence became necessary to the measures of the crown, it was, generally speaking, except in times of great faction and discontent, obtained without much difficulty.

The king's influence seems to have rendered the Scottish parliament cordial in all the steps which they took towards the union. Though the advantages which Scotland might hope from that measure were more considerable; yet were the objections too, with regard to that kingdom, more striking and obvious. The benefit which must have resulted to England, both by accession of strength and security, was not despicable; and as the English were by far the greater nation, and possessed the seat of government, the objections, either from the point of honour or from jealousy, could not reasonably have any place among them. The English parliament, indeed, seem to have been swayed merely by the vulgar motive of national antipathy. And they persisted so obstinately in their prejudices, that all the efforts for a thorough union and incorporation ended only in the abolition of the hostile laws formerly enacted between the kingdoms.<sup>f</sup>

Some precipitate steps which the king, a little after his accession, had taken, in order to promote his favourite project, had been observed to do more injury than service. From his own authority he had assumed the title of King of Great Britain; and had quartered the arms of Scotland, with those of England, in all coins, flags, and ensigns. He had also engaged the judges to make a declaration, that all

those who, after the union of the crowns, should be born in either kingdom, were, for that reason alone, naturalized in both. This was a nice question, and, according to the ideas of those times, susceptible of subtle reasoning on both sides. The king was the same: the parliaments were different. To render the people therefore the same, we must suppose that the sovereign authority resided chiefly in the prince, and that these popular assemblies were rather instituted to assist with money and advice, than endowed with any controlling or active powers in the government. *It is evident*, says Bacon, in his pleadings on this subject, *that all other commonwealths, monarchies only excepted, do subsist by a law precedent. For where authority is divided amongst many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain persons too have votes only in that election, and the like; these are busy and curious frames, which of necessity do presuppose a law precedent, written or unwritten, to guide and direct them: but in monarchies, especially hereditary, that is, when several families or lineages of people do submit themselves to one line, imperial or royal, the submission is more natural and simple; which afterwards, by law subsequent, is perfected, and made more formal; but that is grounded upon nature.*<sup>g</sup> It would seem, from this reasoning, that the idea of an hereditary limited monarchy, though implicitly supposed, in many public transactions, had scarcely ever, as yet, been expressly formed by any English lawyer or politician.

Except the obstinacy of the parliament with regard to the union, and an attempt on the king's ecclesiastical jurisdiction,<sup>h</sup> most of their measures, during this session, were sufficiently respectful and obliging; though they still discover a vigilant spirit and a careful attention towards national liberty. The votes, also, of the Commons show, that the House contained a mixture of puritans, who had acquired great authority among them,<sup>i</sup> and who, together with religious prejudices, were continually suggesting ideas more suitable to a popular than a monarchical form of government. The natural appetite for rule made the Commons lend a willing ear to every doctrine which tended to augment their own power and influence.

A petition was moved in the lower House, A. D. 1607. for a more rigorous execution of the laws against popish recusants, and an abatement towards protestant clergymen, who scrupled to observe the ceremonies. Both these points were equally unacceptable to the king; and he sent orders to the House to proceed no further in that matter. The Commons were inclined, at first, to consider these orders as a breach of privilege; but they soon acquiesced, when told that this measure of the king's was supported by many precedents during the reign of Elizabeth.<sup>k</sup> Had they been always disposed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spanish depredations were very loud among the English merchants.<sup>l</sup> The lower House sent a message to the Lords, desiring a conference with them, in order to their presenting a joint petition to the king on the subject. The Lords took some time to deliberate on this message; because they said the matter was *weighty and rare*. It probably occurred to them at first, that the parliament's interposing in affairs of state would appear unusual and extraordinary. And to show that in this sentiment they were not guided by court influence, after they had deliberated, they agreed to the conference.

The House of Commons began now to feel themselves of such importance, that on the motion of Sir Edwin Sandys, a member of great authority, they entered, for the first time, an order for the regular keeping of their journals.<sup>m</sup> When all business was finished, the king prorogued the parliament.

About this time there was an insurrection of the country people in Northamptonshire, headed by one Reynolds, a man of low condition. They went about destroying en-

<sup>a</sup> Knevet, p. 686.

<sup>b</sup> Journ. 2th April, 1606.

<sup>c</sup> R. James's Works, p. 509.

<sup>d</sup> Journ. 20th May, 1606.

<sup>e</sup> Knevet, p. 676.

<sup>f</sup> The Commons were even so averse to the union, that they had can planned in the former session to the Lords, of the Bishop of Oxford, for writing a book in favour of it; and the prelate was obliged to make submissions for this offence. The crime imputed to him seems to have consisted in a treatment of a subject which lay before the parliament. So little

notion had they as yet of general liberty! See Parliamentary History, vol. v. p. 148, 149, 151.

<sup>g</sup> Bacon's Works, vol. iv. p. 190, 191, edit. 1730.

<sup>h</sup> Journ. 2 December, 2th March, 1606. 25, 26th June, 1607.

<sup>i</sup> Journ. 26 February, 4, 7 March, 1606. 2 May, 17 June, 1607.

<sup>j</sup> Journ. 16, 17 June, 1607.

<sup>k</sup> Journ. 25 Feb. 1606.

<sup>l</sup> Journ. 3 July, 1607.



4th July. closures; but carefully avoided committing any other outrage. This insurrection was easily suppressed, and though great lenity was used towards the rioters, yet were some of the ringleaders punished. The chief cause of that trivial commotion seems to have been, of itself, far from trivial. The practice still continued in England, of disusing tillage, and throwing the land into enclosures for the sake of pasture. By this means the kingdom was depopulated, at least prevented from increasing so much in people as might have been expected from the daily increase of industry and commerce.

A. D. 1608. Next year presents us with nothing memorable: but in the spring of the subsequent, after a long negotiation, was concluded, by a truce of twelve years, that war, which for near half a century had been carried on with such fury between Spain and the States of the United Provinces. Never contest seemed, at first, more unequal: never contest was finished with more honour to the weaker party. On the side of Spain were numbers, riches, authority, discipline: on the side of the revolted provinces were found the attachment to liberty and the enthusiasm of religion. By her naval enterprises the republic maintained her armies; and, joining peaceful industry to military valour, she was enabled, by her own force, to support herself, and gradually rely less on those neighbouring princes, who, from jealousy to Spain, were at first prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her interest, and prevented her from hearkening to any terms of accommodation with her rebellious subjects. But finding all intercourse cut off between her provinces by the maritime force of the States, she at last agreed to treat with them as a free people, and solemnly to renounce all claim and pretension to their sovereignty.

March 30. This chief point being gained, the treaty was easily brought to a conclusion, under the joint mediation and guarantee of France and England. All exterior appearances of honour were paid equally to both crowns: but very different were the sentiments which the States, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumstances which procure regard among foreign nations, shone out as conspicuously in Henry as they were deficient in James. To a contempt of the English monarch, Henry seems to have added a considerable degree of jealousy and aversion, which were sentiments altogether without foundation. James was just and fair in all transactions with his allies,<sup>a</sup> but it appears from the memoirs of those times, that each side deemed him partial towards their adversary, and fancied that he had entered into secret measures against them.<sup>b</sup> So little equity have men in their judgments of their own affairs; and so dangerous is that entire neutrality affected by the king of England!

A. D. 1610. The little concern which James took in foreign affairs renders the domestic occurrences, particularly those of parliament, the most interesting of his reign. A new session was held this spring; the king full of hopes of receiving supply; the Commons of circumscribing his prerogative. The Earl of Salisbury, now created treasurer on the death of the Earl of Dorset, laid open the king's necessities, first to the Peers, then to a committee of the lower House.<sup>c</sup> He insisted on the unavoidable expense incurred in supporting the navy, and in suppressing a late insurrection in Ireland: he mentioned three numerous courts which the king was obliged to maintain, for himself, for the queen, and for the Prince of Wales: he observed, that Queen Elizabeth, though a single woman, had received very large supplies in the years preceding her death, which alone were expensive to her; and he remarked, that, during her reign, she had alienated many of the crown lands; an expedient which, though it supplied her present necessities, without laying burdens on her people, extremely multiplied the

necessities of her successor. From all these causes he thought it nowise strange, that the king's income should fall short so great a sum as eighty-one thousand pounds of his stated and regular expense; without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And as the crown was now necessarily burdened with a great and urgent debt of 300,000 pounds, he thence inferred the absolute necessity of an immediate and large supply from the people.

To all these reasons, which James likewise urged in a speech addressed to both Houses, the Commons remained inexorable. But, not to shock the king with an absolute refusal, they granted him one subsidy and one fifteenth; which would scarcely amount to a hundred thousand pounds. And James received the mortification of discovering, in vain, all his wants, and of begging aid of subjects who had no reasonable indulgence or consideration for him.

Among the many causes of disgust and quarrel, which now daily and unavoidably multiplied between prince and parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a height beyond what had been known since the declension of the Roman empire. As the revenue of the crown rose not in proportion,<sup>d</sup> the prince was insensibly reduced to poverty amidst the general riches of his subjects, and required additional funds, in order to support the same magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may observe, that, at the same time, and probably from that very cause, arts and industry of all kinds received a mighty increase; and elegance in every enjoyment of life became better known and more cultivated among all ranks of people. The king's servants, both civil and military, his courtiers, his ministers, demanded more ample supplies from the impoverished prince, and were not contented with the same simplicity of living which had satisfied their ancestors. The prince himself began to regard an increase of pomp and splendour as requisite to support the dignity of his character, and to preserve the same superiority above his subjects, which his predecessors had enjoyed. Some equality too, and proportion to the other sovereigns of Europe, it was natural for him to desire; and as they had universally enlarged their revenue, and multiplied their taxes, the King of England deemed it reasonable that his subjects, who were generally as rich as theirs, should bear with patience some additional burdens and impositions.

Unhappily for the king, those very riches, with the increasing knowledge of the age, bred opposite sentiments in his subjects; and begetting a spirit of freedom and independence, disposed them to pay little regard either to the entreaties or menaces of their sovereign. While the barons possessed their former immense property and extensive jurisdictions, they were apt, at every disgust, to endanger the monarch, and throw the whole government into confusion: but this confusion often, in its turn, proved favourable to the monarch, and made the nation again submit to him in order to re-establish justice and tranquillity. After the power of alienations, as well as the increase of commerce, had thrown the balance of property into the hands of the Commons, the situation of affairs, and the dispositions of men, became susceptible of a more regular plan of liberty; and the laws were not supported singly by the authority of the sovereign. And though in that interval, after the decline of the Peers, and before the people had experienced their force, the princes assumed an exorbitant power, and had almost annihilated the constitution under the weight of their prerogative; as soon as the Commons recovered from their lethargy, they seem to have been astonished at the danger, and were resolved to

<sup>a</sup> The plan of accommodation which James recommended is found in Winwood, vol. ii. p. 329, 330, and is the same that was recommended by Henry, as we learn from Jeannin, tom. iii. p. 416, 417. It had long been imagined by historians, from Jeannin's authority, that James had declared to the court of Spain that he would not support the Dutch in their pretensions to liberty and independence. But it has since been discovered by

Winwood's Memorials, vol. ii. p. 456, 466, 469, 473, 476, that that report was founded on a lie of President Richelieu's.

<sup>b</sup> Wane, and Jeannin, *peritum*. A Journal, 17 Feb. 1609 Kennet, p. 681.

<sup>c</sup> Besides the great alienation of the crown lands, the free farm rents never increased, and the other lands were let on long leases, and at a great undervalue, little or nothing above the old rent.

secure liberty by firmer barriers than their ancestors had hitherto provided for it.

Had James possessed a very rigid frugality, he might have warded off this crisis somewhat longer; and, waiting patiently for a favourable opportunity to increase and fix his revenue, might have secured the extensive authority transmitted to him. On the other hand, had the Commons been inclined to act with more generosity and kindness towards their prince, they might probably have turned his necessities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were soured by religious prejudices, and tenacious of their money; and, in this situation, it is no wonder that, during this whole reign, we scarcely find an interval of mutual confidence and friendship between prince and parliament.

The king, by his prerogative alone, had some years before altered the rates of the customs, and had established higher impositions on several kinds of merchandise. This exercise of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of some apology. The duties of tonnage and poundage were at first granted to the crown, by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then arise any doubt concerning the origin of the king's right to levy these duties; and this imposition, like all others, was plainly derived from the voluntary consent of the people. But as Henry V. and all the succeeding sovereigns had the revenue conferred on them for life, the prince, so long in possession of these duties, began gradually to consider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expressed the acquiescence of the people in his prerogative, than bestowed any new gift or revenue upon him.

The parliament, when it first granted poundage to the crown, had fixed no particular rates: the imposition was given as a shilling in a pound, or five per cent. on all commodities; it was left to the king himself, and the privy council, aided by the advice of such merchants as they should think proper to consult, to fix the value of goods, and thereby the rates of the customs: and as that value had been settled before the discovery of the West Indies, it was become much inferior to the prices which almost all commodities bore in every market in Europe; and consequently, the customs on many goods, though supposed to be five per cent., was in reality much inferior. The king, therefore, was naturally led to think that rates, which were now plainly false, ought to be corrected; that a valuation of commodities, fixed by one act of the privy council, might be amended by another; that if his right to poundage were inherent in the crown, he should also possess, of himself, the right of correcting its inequalities; if this duty were granted by the people, he should at least support the spirit of the law, by fixing a new and a juster valuation of all commodities. But besides this reasoning, which seems plausible, if not solid, the king was supported in that act of power by direct precedents, some in the reign of Mary, some in the beginning of Elizabeth.<sup>m</sup> Both these princesses had, without consent of parliament, altered the rates of commodities; and as their impositions had, all along, been submitted to without a murmur, and still continued to be levied, the king had no reason to apprehend that a further exertion of the same authority would give any occasion of complaint. That less umbrage might be taken, he was moderate in the new rates which he established: the customs, during his whole reign, rose only from 127,000 pounds a year to 190,000; though,

besides the increase of the rates, there was a sensible increase of commerce and industry during that period: every commodity, besides, which might serve to the subsistence of the people, or might be considered as a material of manufactures, was exempted from the new impositions of James;<sup>n</sup> but all this caution could not prevent the complaints of the Commons. A spirit of liberty had now taken possession of the House: the leading members, men of an independent genius and large views, began to regulate their opinions, more by the future consequences which they foresaw, than by the former precedents, which were set before them; and they less aspired at maintaining the ancient constitution, than at establishing a new one, and a freer, and a better. In their remonstrances to the king on this occasion, they observed it to be a general opinion, *That the reasons of that practice might be extended much further, even to the utter ruin of the ancient liberty of the kingdom, and the subjects' right of property in their lands and goods.*<sup>o</sup> Though expressly forbidden by the king to touch his prerogative, they passed a bill abolishing these impositions; which was rejected by the House of Lords.

In another address to the king, they objected to the practice of borrowing upon privy seals, and desired that the subjects should not be forced to lend money to his majesty, nor give a reason for their refusal. Some murmurs likewise were thrown out in the House against a new monopoly of the licence of wines.<sup>p</sup> It must be confessed, that forced loans and monopolies were established on many and ancient as well as recent precedents; though diametrically opposite to all the principles of a free government.<sup>q</sup>

The House likewise discovered some discontent against the king's proclamations. James told them, *That though he well knew, by the constitution and policy of the kingdom, that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inseparably annexed to the crown, to restrain and prevent such mischiefs and inconveniences as he saw growing on the state, against which no certain law was extant, and which might tend to the great detriment of the subject, if there should be no remedy provided till the meeting of a parliament.* And this prerogative, he adds, *our progenitors have, in all times, used and enjoyed.*<sup>r</sup> The intervals between sessions, we may observe, were frequently so long, as to render it necessary for a prince to interpose by his prerogative. The legality of this exertion was established by uniform and undisputed practice; and was even acknowledged by lawyers, who made, however, this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the sovereign who emitted them.<sup>s</sup> But what the authority could be, which bound the subject, yet was different from the authority of laws, and inferior to it, seems inexplicable by any maxims of reason or politics: and in this instance, as in many others, it is easy to see how inaccurate the English constitution was, before the parliament was enabled, by continued acquisitions or encroachments, to establish it on fixed principles of liberty.

Upon the settlement of the Reformation, that extensive branch of power which regards ecclesiastical matters, being then without an owner, seemed to belong to the first occupant; and Henry VIII. failed not immediately to seize it, and to exert it even to the utmost degree of tyranny. The possession of it was continued with Edward, and recovered by Elizabeth; and that ambitious princess was so remarkably jealous of this flower of her crown, that she severely reprimanded the parliament, if they ever presumed to intermeddle in these matters; and they were so overawed by her authority, as to submit, and to ask pardon

of all things, and hope for nothing. It was one thing *submittere principum legibus*, and another thing *submittere principatum subditis*. That he would not leave to posterity such a mark of weakness upon his reign; and therefore his conclusion was, *non placet petitiu, non placet exemplum*; yet with this mitigation, that in matters of loans he would refuse no reasonable excuse, nor should my lord chamberlain deny the arresting of any of his majesty's servants, if just cause was shown.<sup>t</sup> The parliament, however, acknowledged at this time with thankfulness to the king, that he allowed disputes and inquiries about his prerogative, much beyond what had been indulged by any of his predecessors. *Parliament. Hist.* vol. v. p. 280. This very session he expressly gave them leave to produce all their grievances without exception.

<sup>r</sup> *Parliament. Hist.* vol. v. p. 250.  
<sup>s</sup> *Journal.* 12th May, 1624.

<sup>m</sup> Winwood, vol. ii. p. 438.

<sup>n</sup> *Journal.* 18th April, 5th and 10th May, 1614. *See.* 20th February, 1625. See also Sir John Davis's question concerning impositions, p. 127, 136.

<sup>o</sup> Sir John Davis's question concerning impositions.

<sup>p</sup> *Journal.* 29th May, 1610.

<sup>q</sup> *Parliament. Hist.* vol. v. p. 241.

<sup>r</sup> We find the king's answer in Winwood's Memorials, vol. iii. p. 193, 2d edit. "As to the third and fourth, namely, that it might be lawful to arrest the king's servants without leave, and that no man should be enforced to lend money, nor to give a reason why he would not, his majesty said as at this, &c. if it be so as you brought precedents of antiquity to strengthen these demands, he allowed not of any precedents drawn from the time of usurping or deposing princes, or people too bold and wanton; that he desired not to assent in that commonwealth, where subjects should be assured

on these occasions. But James's parliaments were much less obsequious. They ventured to lift up their eyes, and to consider this prerogative. They there saw a large province of government, possessed by the king alone, and scarcely ever communicated with the parliament. They were sensible that this province admitted not of an exact boundary or circumscription. They had felt that the Roman pontiff in former ages, under pretence of religion, was gradually making advances to usurp the whole civil power. They dreaded still more dangerous consequences from the claims of their own sovereign, who resided among them, and who, in many other respects, possessed such unlimited authority. They therefore deemed it absolutely necessary to circumscribe this branch of prerogative; and accordingly, in the preceding session, they passed a bill against the establishment of any ecclesiastical canons without consent of parliament.<sup>1</sup> But the House of Lords, as is usual, defended the barriers of the throne, and rejected the bill.

In this session the Commons, after passing anew the same bill, made remonstrances against the proceedings of the high commission court.<sup>2</sup> It required no great penetration to see the extreme danger to liberty, arising in a regal government, from such large discretionary powers as were exercised by that court. But James refused compliance with the application of the Commons. He was probably sensible that, besides the diminution of his authority, many inconveniences must necessarily result from the abolishing of all discretionary power in every magistrate; and that the laws, were they ever so carefully framed and digested, could not possibly provide against every contingency; much less, where they had not, as yet, attained a sufficient degree of accuracy and refinement.

But the business which chiefly occupied the Commons during this session, was the abolition of wardships and purveyance; prerogatives which had been more or less touched on, every session, during the whole reign of James. In this affair, the Commons employed the proper means which might entitle them to success: they offered the king a settled revenue as an equivalent for the powers which he should part with; and the king was willing to hearken to terms. After much dispute he agreed to give up these prerogatives for 200,000 pounds a year, which they agreed to confer upon him.<sup>3</sup> And nothing remained, towards closing the bargain, but that the Commons should determine the funds by which this sum should be levied. This session was too far advanced to bring so difficult a matter to a full conclusion; and though the parliament met again, towards the end of the year, and resumed the question, they were never able to terminate an affair upon which they seemed so intent. The journals of that session are lost; and as the historians of this reign are very negligent in relating parliamentary affairs, of whose importance they were not sufficiently apprized, we know not exactly the reason of this failure. It only appears, that the king was extremely dissatisfied with the conduct of the parliament, and soon after dissolved it. This was his first parliament, and it sat near seven years.

Amidst all these attacks, some more, some less violent, on royal prerogative, the king displayed, as openly as ever,

all his exalted notions of monarchy and the authority of princes. Even in a speech to the parliament, where he begged for supply, and where he should naturally have used every art to ingratiate himself with that assembly, he expressed himself in these terms: "I conclude, then, the point touching the power of kings, with this axiom of divinity, that, as to dispute what God may do, is blasphemy, but what God wills, that divines may lawfully and do ordinarily dispute and discuss; so is it seditious in subjects to dispute what a king may do in the height of his power. But just kings will ever be willing to declare what they will do if they will not incur the curse of God. I will not be content, that my power be disputed upon; but I shall ever be willing to make the reason appear of my doings, and rule my actions according to my laws."<sup>4</sup> Notwithstanding the great extent of prerogative in that age, these expressions would probably give some offence. But we may observe, that, as the king's despotism was more speculative than practical, so the independency of the Commons was, at this time, the reverse; and though strongly supported by their present situation, as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions.<sup>5</sup>

This year was distinguished by a memorable event, which gave great alarm and concern in England; the murder of the French monarch by the poniard of the fanatic Ravalliac. With his death, the glory of the French monarchy suffered an eclipse for some years; and as that kingdom fell under an administration weak and bigoted, factious and disorderly, the Austrian greatness began anew to appear formidable to Europe. In England, the antipathy to the catholics revived a little upon this tragical event; and some of the laws which had formerly been enacted, in order to keep these religionists in awe, began now to be executed with greater rigour and severity.<sup>6</sup>

Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened this year an event in Europe of such mighty consequence as to rouse him from his lethargy, and summon up all his zeal and enterprise. A professor of divinity, Arminianism, named Vorstius, the disciple of Arminius, was called from a German to a Dutch university; and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was at last obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigour was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the States were obliged, after several remonstrances, to deprive Vorstius of his chair, and to banish him their dominions.<sup>7</sup> The king carried no further his animosity against that professor; though he had very charitably hinted to the States, *That, as to the burning of Vorstius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames.*<sup>8</sup> It is to be remarked, that at this period, all over Europe, except in Holland alone, the practice of

3d May.  
Death of the  
French king.

A. D. 1611.

<sup>1</sup> Journal, 2d, 11th December; 5th March, 1606.

<sup>2</sup> Parliament, Hist. vol. v. p. 247. Kennet, p. 681.

<sup>3</sup> We learn from Winwood's Memorials, vol. i. p. 193, the reason assigned for this particular sum. "From thence my lord treasurer came to the price; and here he said, that the king would no more rise and fall like a merchant. That he would not have a flower of his crown (meaning the court of law) so much tossed; that it was too daintily to be handled; and then he said, that he must deliver the very countenance and character of the king's mind out of his own handwriting; which, before he read, he said he would acquaint us with a pleasant conceit of his majesty. As concerning the number of nine score thousand pounds, which was our number, he could not afford, because nine was the number of the poets, who were always beggars, though they served so many muses; and eleven was the number of the apostles, when the traitor Judas was away; and therefore might best be affected by his majesty: but there was a mean number which might accord us both; and that was ten; which, says my lord treasurer, is a sacred number: for so many were God's commandments, which tend to virtue and edification." If the Commons really voted twenty thousand pounds a year more on account of this pleasant conceit of the king and treasurer, it was certainly the best paid vote for its goodness that ever was in the world.

<sup>4</sup> A. N. James's Works, p. 581.

<sup>5</sup> It may not be unworthy of observation, that James, in a book called *The True Laws of Free Monarchies*, which he published a little before his accession to the crown of England, affirmed, "That a good king, although he be above the law, will subject and frame his actions thereto for example's sake to his subjects, and of his own free will, but not as subject or bound thereto." In another passage, "According to the fundamental law already alleged, we daily see, that in the parliament (which is nothing else

but the head-court of the king and his vassals) the laws are but craved by his subjects, and only made by him at their rogarion, and with their advice. For albeit the king maketh daily statutes and ordinances, enjoining such pains thereto as he thinks meet without any advice of parliament or estates; yet it lies in the power of no parliament to make any kind of law, or statute, without his sceptre be to it, for giving it the force of a law." *King James's Works*, p. 592. It is not to be supposed, that an opinion so critical and juncture, James had so little sense as, directly, in so material a point, to have openly shocked what were the universal established principles of that age; on the contrary, we are told by historians, that nothing tended more to swell his accession, than the good opinion entertained of him by the English, on account of his learned and judicious writings. The question, however, with regard to the royal power was, at this time, become a very dangerous point, and without employing ambiguous and equivocal terms, which determined nothing, it was impossible to please both king and parliament. Dr. Cowell, who had mentioned the prerogative in words too intelligible, fell this session under the imputation of the Commons, *Parliament, Hist.* vol. v. p. 251. The king himself, after all his magnificent boasts, was obliged to make his escape through a distinction, which he framed between a king in abstracto and a king in concreto: an abstract king, he said, had all power, but a concrete king was bound to observe the laws of the country which he governed. *King James's Works*, p. 583. But, how bound? By conscience only? Or might his subjects resist him and defend their privileges? This he thought not fit to explain. And so difficult is it to explain that point, that, to this day, whatever liberties may be used by private inquirers, the laws have, very prudently, thought proper to maintain a total silence with regard to it.

<sup>7</sup> Kennet, p. 694.

<sup>8</sup> Ibid. p. 715.

<sup>9</sup> A. N. James's Works, p. 355.



burning heretics still prevailed, even in protestant countries; and instances were not wanting in England during the reign of James.

To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions, which he had framed for civilizing that kingdom, being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his masterpiece; and it will appear, upon inquiry, that his vanity, in this particular, was not altogether without foundation.

After the subjection of Ireland by Elizabeth, the more difficult task still remained; to civilize the inhabitants, to reconcile them to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan; and in the space of nine years, according to Sir John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the four hundred and forty years which had elapsed since the conquest was first attempted.<sup>c</sup>

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and were calculated to keep that people for ever in a state of barbarism and disorder.

By the *Brehon* law or custom, every crime, however enormous, was punished, not with death, but by a fine, or pecuniary mulct, which was levied upon the criminal. Murder itself, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his *eric*. When Sir William Fitzwilliams, being lord deputy, told Maguire, that he was to send a sheriff into Fermanagh, which, a little before, had been made a county, and subjected to the English law; *Your sheriff, said Maguire, shall be welcome to me; but let me know, beforehand, his eric, or the price of his head, that, if my people cut it off, I may levy the money upon the county.*<sup>d</sup> As for oppression, extortion, and other trespasses, so little were they regarded, that no penalty was affixed to them, and no redress for such offences could ever be obtained.

The customs of *Gavelkinde* and *Tanistry* were attended with the same absurdity in the distribution of property. The land, by the custom of *Gavelkinde*, was divided among all the males of the sept, or family, both bastard and legitimate: and, after partition made, if any of the sept died, his portion was not shared out among his sons; but the chieftain, at his discretion, made a new partition of all the lands belonging to that sept, and gave every one his share.<sup>e</sup> As no man, by reason of this custom, enjoyed the fixed property of any land; to build, to plant, to enclose, to cultivate, to improve, would have been so much lost labour.

The chieftains and the tanists, though drawn from the principal families, were not hereditary, but were established by election, or, more properly speaking, by force and violence. Their authority was almost absolute; and, notwithstanding that certain lands were assigned to the office, its chief profit resulted from exactions, dues, assessments, for which there was no fixed law, and which were levied at pleasure.<sup>f</sup> Hence arose that common bye-word among the Irish, *That they dwell westward of the law, which dwell beyond the river of the Barrow*: meaning the country where the English inhabited, and which extended not beyond the compass of twenty miles, lying in the neighbourhood of Dublin.<sup>g</sup>

After abolishing these Irish customs, and substituting English law in their place, James, having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular administration, military as well as civil.

A small army was maintained, its discipline inspected, and its pay transmitted from England, in order to keep the soldiers from preying upon the country, as had been usual in former reigns. When Odoghartie raised an insurrec-

tion, a reinforcement was sent over, and the flames of that rebellion were immediately extinguished.

All minds being first quieted by a general indemnity,<sup>h</sup> circuits were established, justice administered, oppression banished, and crimes and disorders of every kind severely punished.<sup>i</sup> As the Irish had been universally engaged in the rebellion against Elizabeth, a resignation of all the rights, which had been formerly granted them to separate jurisdictions, was rigorously exacted; and no authority, but that of the king and the law, was permitted throughout the kingdom.<sup>k</sup>

A resignation of all private estates was even required; and when they were restored, the proprietors received them under such conditions as might prevent, for the future, all tyranny and oppression over the common people. The value of the dues, which the nobles usually claimed from their vassals, was estimated at a fixed sum, and all further arbitrary exactions prohibited under severe penalties.<sup>l</sup>

The whole province of Ulster having fallen to the crown by the attainer of rebels, a company was established in London, for planting new colonies in that fertile country: the property was divided into moderate shares, the largest not exceeding two thousand acres: tenants were brought over from England and Scotland: the Irish were removed from the hills and fastnesses, and settled in the open country: husbandry and the arts were taught them: a fixed habitation secured: plunder and robbery punished: and, by these means, Ulster, from being the most wild and disorderly province of all Ireland, soon became the best cultivated and most civilized.<sup>m</sup>

Such were the arts, by which James introduced humanity and justice among a people, who had ever been buried in the most profound barbarism. Noble cares! much superior to the vain and criminal glory of conquests; but requiring ages of perseverance and attention to perfect what had been so happily begun.

A laudable act of justice was, about this time, executed in England upon Lord Sanquhar, a Scottish nobleman, who had been guilty of the base assassination of Turner, a fencing-master. The English nation, who were generally dissatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeased them, by preferring the severity of law to the intercession of the friends and family of the criminal.<sup>n</sup>

## CHAP. XLVII.

Death of Prince Henry—Marriage of the Princess Elizabeth with the Palatine—Rise of Somerset—His marriage—Overbury poisoned—Fall of Somerset—Rise of Buckingham—Cautionary towns delivered—Affairs of Scotland.

THIS year the sudden death of Henry, Prince of Wales, diffused an universal grief throughout the nation. Though youth and royal birth, both of them strong allurements, prepossess men mightily in favour of the early age of princes; it is with peculiar fondness that historians mention Henry: and in every respect, his merit seems to have been extraordinary. He had not reached his eighteenth year, and he already possessed more dignity in his behaviour, and commanded more respect, than his father, with all his age, learning, and experience. Neither his high fortune, nor his youth, had seduced him into any irregular pleasures: business and ambition seem to have been his sole passion. His inclinations, as well as exercises, were martial. The French ambassador, taking leave of him, and asking his commands for France, found him employed in the exercise of the pike; *Tell your king, said he, in what occupation you left me engaged.* He had conceived great affection and esteem for the brave Sir Walter Raleigh. It was his saying, *sure no king but my father would keep such a bird in a cage.*<sup>a</sup> He seems indeed to have nourished too violent a contempt for the king on account of his pedantry

A. D. 1612.  
Nov. 6th.  
Death of Prince Henry.

<sup>a</sup> The French monarch had given particular orders to his ministers to cultivate the prince's friendship, who must soon, said he, have chief authority in England, where the king and queen are held in so little estimation. See *Dep. du la France*, vol. i. p. 402. 412, vol. ii. p. 16. 319.

<sup>b</sup> Coke's *Detention*, p. 37.

<sup>c</sup> King James's Works, p. 229, edit. 1613. d Sir John Davis, p. 166.

<sup>e</sup> See John Davis, p. 167. f *Ibid.* p. 373. g *Ibid.* p. 277.

<sup>h</sup> *Ibid.* p. 294. i *Ibid.* p. 284. 295, &c.

<sup>k</sup> *Ibid.* p. 279. l *Ibid.* p. 278.

<sup>m</sup> *Ibid.* p. 330. n *Ibid.* p. 380.

and pusillanimity; and by that means struck in with the restless and martial spirit of the English nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy prepossession, which men commonly entertain in favour of ambition, courage, enterprise, and other warlike virtues, engages generous natures, who always love fame, into such pursuits as destroy their own peace, and that of the rest of mankind.

Violent reports were propagated, as if Henry had been carried off by poison; but the physicians, on opening his body, found no symptoms to confirm such an opinion.<sup>c</sup> The bold and criminal malignity of men's tongues and pens spared not even the king on the occasion. But that prince's character seems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent settlement, even in so early youth.

A. D. 1613.

The marriage of the Princess Elizabeth, with Frederic, Elector Palatine, was finished some time after the death of the prince, and served to dissipate the grief which arose on that melancholy event.

Feb. 14.  
Marriage of the  
Princess Elizabeth  
with the  
Palatine.

But this marriage, though celebrated with great joy and festivity, proved itself an unhappy event to the king, as well as to his son-in-law, and had ill consequences on the reputation and fortunes of both. The elector, trusting to so great an alliance, engaged in enterprises beyond his strength; and the king, not being able to support him in his distress, lost entirely, in the end of his life, what remained of the affection and esteem of his own subjects.

Except during sessions of parliament, the history of this reign may more properly be called the history of the court than that of the nation. An interesting

Rise of Somerset.

object had, for some years, engaged the attention of the court: it was a favourite, and one beloved by James with so profuse and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having passed some time in his travels. All his natural accomplishments consisted in good looks: all his acquired abilities, in an easy air and graceful demeanour. He had letters of recommendation to his countryman Lord Hay; and that nobleman no sooner cast his eye upon him, than he discovered talents sufficient to entitle him immediately to make a great figure in the government. Apprized of the king's passion for youth and beauty, and exterior appearance, he studied how matters might be so managed that this new object should make the strongest impression upon him. Without mentioning him at court, he assigned him the office, at a match of tilting, of presenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favourable to his design, by an incident which bore at first a contrary aspect. When Carre was advancing to execute his office, his unruly horse flung him, and broke his leg in the king's presence. James approached him with pity and concern: love and affection arose on the sight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himself, after the tilting, paid him a visit in his chamber, and frequently returned during his confinement. The ignorance and simplicity of the boy finished the conquest, begun by his exterior graces and accomplishments. Other princes have been fond of choosing their favourites from among the lower ranks of their subjects, and have reposed themselves on them with the more unreserved confidence and affection, because the object has been beholden to their bounty for every honour and acquisition: James was desirous that his favourite should also derive from him all his sense, experience, and knowledge. Highly conceited of his own wisdom, he pleased himself with the fancy that this raw youth, by his lessons and instructions, would, in a little time, be equal to his sagest ministers, and be initiated into all the profound mysteries of government, on which he set so high a value. And as this kind of creation was more

perfectly his own work than any other, he seems to have indulged an unlimited fondness for his minion, beyond even that which he bore to his own children. He soon knighted him, created him Viscount Rochester, gave him the Garter, brought him into the privy council, and, though at first without assigning him any particular office, bestowed on him the supreme direction of all his business and political concerns. Agreeable to this rapid advancement in confidence and honour, were the riches heaped upon the needy favourite; and while Salisbury and all the wisest ministers could scarcely find expedients sufficient to keep in motion the overburdened machine of government, James, with unsparing hand, loaded with treasures this insignificant and useless pageant.<sup>d</sup>

It is said, that the king found his pupil so ill educated, as to be ignorant even of the lowest rudiments of the Latin tongue; and that the monarch, laying aside the sceptre, took the birch into his royal hand, and instructed him in the principles of grammar. During the intervals of this noble occupation, affairs of state would be introduced; and the striping, by the ascendant which he had acquired, was now enabled to repay in political, what he had received in grammatical, instruction. Such scenes and such incidents are the more ridiculous, though the less odious, as the passion of James seems not to have contained in it any thing criminal or flagitious. History charges herself willingly with a relation of the great crimes, and still more with that of the great virtues, of mankind; but she appears to fall from her dignity, when necessitated to dwell on such frivolous events and ignoble personages.

The favourite was not, at first, so intoxicated with advancement as not to be sensible of his own ignorance and inexperience. He had recourse to the assistance and advice of a friend; and he was more fortunate in his choice, than is usual with such pampered minions. In Sir Thomas Overbury he met with a judicious and sincere counsellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured to instil into him the principles of prudence and discretion. By zealously serving every body, Carre was taught to abate the envy which might attend his sudden elevation: by showing a preference for the English, he learned to escape the prejudices which prevailed against his country. And so long as he was content to be ruled by Overbury's friendly councils, he enjoyed, what is rare, the highest favour of the prince, without being hated by the people.

To complete the measure of courtly happiness, nought was wanting but a kind mistress; and where high fortune concurred with all the graces of youth and beauty, this circumstance could not be difficult to attain. But it was here that the favourite met with that rock on which all his fortunes were wrecked, and which plunged him for ever into an abyss of infamy, guilt, and misery.

No sooner had James mounted the throne of England, than he remembered his friendship for the unfortunate families of Howard and Devereux, who had suffered for their attachment to the cause of Mary and to his own. Having restored young Essex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the house of Norfolk, he sought the further pleasure of uniting these families by the marriage of the Earl of Essex with Lady Frances Howard, daughter of the Earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both should attain the age of puberty, that he should go abroad and pass some time in his travels.<sup>e</sup> He returned into England after four years' absence, and was pleased to find his countess in the full lustre of beauty, and possessed of the love and admiration of the whole court. But, when the earl approached and claimed the privileges of a husband, he met with nothing but symptoms of aversion and disgust, and a flat refusal of any further familiarities. He applied to her parents, who constrained her to attend him into the country, and to partake of his bed: but nothing could overcome her rigid sullenness and obstinacy; and she still rose from his side, without having shared the nuptial pleasures. Disgusted with reiterated denials, he at last gave over the pursuit, and separating himself from her,

thenceforth abandoned her conduct to her own will and discretion.

Such coldness and aversion in Lady Essex arose not without an attachment to another object. The favourite had opened his addresses, and had been too successful in making impression on the tender heart of the young Countess.<sup>f</sup> She imagined that, so long as she refused the embraces of Essex, she never could be deemed his wife; and that a separation and divorce might still open the way for a new marriage with her beloved Rochester.<sup>g</sup> Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate, while the union between them was not entire and indissoluble. And the lover, as well as his mistress, was impatient till their mutual ardour should be crowned by marriage.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the countess of Essex merely as an affair of gallantry, he had favoured its progress; and it was partly owing to the ingenious and passionate letters which he dictated, that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favourite, and would tend still further to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm, when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprise to procure her a divorce from her husband: how dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favours on the object of a capricious and momentary passion. And, in the zeal of friendship, he went so far as to threaten Rochester, that he would separate himself for ever from him, if he could so far forget his honour and his interest as to prosecute the intended marriage.<sup>h</sup>

Rochester had the weakness to reveal this conversation to the Countess of Essex; and when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend, for the utmost instance which he could receive of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and after complaining, that his own indulgence to Overbury had begotten in him a degree of arrogance, which was extremely disagreeable, he procured a commission for his embassy to Russia; which he represented as a retreat for his friend, both profitable and honourable. When consulted by Overbury, he earnestly dissuaded him from accepting this offer, and took on himself the office of satisfying the king, if he should be anywise displeased with the refusal.<sup>i</sup> To the king again he aggravated the insolence of Overbury's conduct, and obtained a warrant for committing

him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office for this very purpose: he confined Overbury so strictly, that the unhappy prisoner was debarred the sight even of his nearest relations; and no communication of any kind was allowed with him, during near six months which he lived in prison.

This obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character, and his friendship for the family of Essex, entered zealously into the project of procuring the countess a divorce from her husband. Essex also embraced the opportunity of separating himself from a bad woman, by

whom he was hated; and he was willing to favour their success by any honourable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confessed, that, with regard to the countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place too, it is said, a young virgin was substituted under a mask, to undergo a legal inspection by a jury of matrons. After such a trial, seconded by court-influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the Earl of Essex and his countess.<sup>k</sup> And, to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of Earl of Somerset.

Notwithstanding this success, the Countess of Somerset was not satisfied, till she should further satiate her revenge on Overbury; and she engaged her husband, as well as her uncle, the Earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but, at last, they gave him one so sudden and violent, that the symptoms were <sup>Overbury poisoned 16th Sept.</sup> apparent to every one who approached him.<sup>l</sup> His interment was hurried on with the greatest precipitation; and though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after.

The fatal catastrophe of Overbury increased or begot the suspicion, that the Prince of Wales had been carried off by poison, given him by Somerset. Men considered not, that the contrary inference was much juster. If Somerset was so great a novice in this detestable art, that, during the course of five months, a man who was his prisoner, and attended by none but his emissaries, could not be despatched but in so bungling a manner; how could it be imagined that a young prince, living in his own court, surrounded by his own friends and domestics, could be exposed to Somerset's attempts, and be taken off by so subtle a poison, if such a one exist, as could elude the skill of the most experienced physicians?

The ablest minister that James ever possessed, the Earl of Salisbury, was dead; <sup>A. D. 1614. 5th April. A parliament.</sup> Suffolk, a man of slender capacity, had succeeded him in his office: and it was now his task to supply, from an exhausted treasury, the profusion of James and of his young favourite. The title of baronet, invented by Salisbury, was sold; and two hundred patents of that species of knighthood were disposed of for so many thousand pounds: each rank of nobility had also its price affixed to it: <sup>a</sup> privy seals were circulated, to the amount of two hundred thousand pounds: benevolences were exacted, to the amount of fifty-two thousand pounds. <sup>b</sup> And some monopolies of no great value were erected. But all these expedients proved insufficient to supply the king's necessities; even though he began to enter into some schemes for retrenching his expenses. <sup>c</sup> However small the hopes of success, a new parliament must be summoned, and this dangerous expedient, for such it was now become, once more be put to trial.

When the Commons were assembled, they discovered an extraordinary alarm, on account of the rumour which was spread abroad concerning *undertakers*. <sup>d</sup> It was reported that several persons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections, had distributed their interest all over England, and had undertaken to secure a majority for the court. So ignorant were the Commons, that they knew not this incident to be the first infallible symptom of any regular or established liberty. Had they been contented to follow the maxims of their predecessors, who, as the Earl of Salisbury said to the last parliament, never, but thrice in six hundred years, refused a supply; <sup>e</sup> they needed not dread that the crown should ever interest itself in their

<sup>f</sup> Kennet, p. 667.

<sup>g</sup> State Trials, vol. i. p. 238.

<sup>h</sup> State Trials, vol. i. p. 235, 236, 237.

<sup>i</sup> State Trials, vol. i. p. 236, 237, &c.

<sup>k</sup> Thos. p. 23, 234, &c. Franklin's Annals, p. 2, 3, &c.

<sup>l</sup> Kennet, p. 663. State Trials, vol. i. p. 233, 231, &c.

in 14th of May, 1612.

<sup>a</sup> Franklin, p. 11, 13.

<sup>b</sup> Franklin, p. 10.

<sup>c</sup> Idem, p. 49.

<sup>d</sup> Parlour Hist. vol. v. p. 286. Kennet, p. 666. Journ. 12 April, 24 May, 1614, &c. Franklin, p. 48.

<sup>e</sup> Journ. 17 Feb. 1609. It appears, however, that Salisbury was somewhat mistaken in this fact: and if the kings were not often refused supply by the parliament, it was only because they would not often expose them-



elections. Formerly the kings even insisted, that none of their household should be elected members; and though the charter was afterwards declared void, Henry VI. from his great favour to the city of York, conferred a peculiar privilege on its citizens, that they should be exempted from this trouble.<sup>3</sup> It is well known, that, in ancient times, a seat in the House being considered as a burden, attended neither with honour nor profit, it was requisite for the counties and boroughs to pay fees to their representatives. About this time a seat began to be regarded as an honour, and the country-gentlemen contended for it; though the practice of levying wages for the parliament-men was not altogether discontinued. It was not till long after, when liberty was thoroughly established, and popular assemblies entered into every branch of public business, that the members began to join profit to honour, and the crown found it necessary to distribute among them all the considerable offices of the kingdom.

So little skill or so small means had the courtiers, in James's reign, for managing elections, that this House of Commons showed rather a stronger spirit of liberty than the foregoing; and instead of entering upon the business of supply, as urged by the king, who made them several liberal offers of grace,<sup>4</sup> they immediately resumed the subject which had been opened last parliament, and disputed his majesty's power of levying new customs and impositions, by the mere authority of his prerogative. It is remarkable that, in their debates on this subject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain; nor was this reasoning received by the House either with surprise or indignation.<sup>5</sup> The members of the opposite party either contented themselves with denying the justness of the inference, or they disputed the truth of the observation.<sup>6</sup> And a patriot member in particular, Sir Roger Owen, even in arguing against the impositions, frankly allowed, that the King of England was endowed with as ample a power and prerogative as any prince in Christendom.<sup>7</sup> The nations on the continent, we may observe, enjoyed still, in that age, some small remains of liberty; and the English were possessed of little more.

The Commons applied to the Lords for a conference with regard to the new impositions. A speech of Neile, Bishop of Lincoln, reflecting on the lower House, begat some altercation with the Peers;<sup>8</sup> and the king seized the opportunity of dissolving immediately, with great indignation, a parliament which had shown so

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firm a resolution of retrenching his prerogative, without communicating, in return, the smallest supply to his necessities. He carried his resentment so far as even to throw into prison some of the members, who had been the most forward in their opposition to his measures.<sup>9</sup> In vain did he plead, in excuse for this violence, the example of Elizabeth and other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquiesce in none of these precedents, how ancient and frequent soever. And were the authority of such precedents admitted, the utmost that could be inferred is, that the constitution of England was, at that time, an inconsistent fabric, whose jarring and discordant parts must soon destroy each other, and from the dissolution of the old, beget some new form of civil government more uniform and consistent.

In the public and avowed conduct of the king and the House of Commons, throughout this whole reign, there appears sufficient cause of quarrel and mutual disgust; yet are we not to imagine, that this was the sole foundation of that jealousy which prevailed between them. During debates in the House, it often happened, that a particular member, more ardent and zealous than the rest,

would display the highest sentiments of liberty, which the Commons contented themselves to hear with silence and seeming approbation; and the king, informed of these harangues, concluded the whole House to be infected with the same principles, and to be engaged in a combination against his prerogative. The king, on the other hand, though he valued himself extremely on his king-craft, and perhaps was not altogether incapable of dissimulation, seems to have been very little endowed with the gift of secrecy; but openly, at his table, in all companies, inculcated those monarchical tenets which he had so strongly imbibed. Before a numerous audience, he had expressed himself with great disparagement of the common law of England, and had given the preference, in the strongest terms, to the civil law: and for this indiscretion he found himself obliged to apologize, in a speech to the former parliament.<sup>10</sup> As a specimen of his usual liberty of talk, we may mention a story, though it passed some time after, which we meet with in the life of Waller, and which that poet used frequently to repeat. When Waller was young, he had the curiosity to go to court; and he stood in the circle, and saw James dine; where, among other company, there sat at table two bishops, Neile and Andrews. The king proposed aloud this question, Whether he might not take his subjects' money when he needed it, without all this formality of parliament? Neile replied, *God forbid you should not: for you are the breath of our nostrils.* Andrews declined answering, and said, he was not skilled in parliamentary cases: but upon the king's urging him, and saying he would admit of no evasion, the bishop replied pleasantly, *Why then I think your majesty may lawfully take my brother Neile's money: for he offers it.*<sup>11</sup>

The favourite had hitherto escaped the in- A. D. 1615.  
quiry of justice; but he had not escaped Somerset's fall.  
that still voice which can make itself be heard amidst all the hurry and flattery of a court, and astonishes the criminal with a just representation of his most secret enormities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love, or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared, the gaiety of his manners was obscured, his politeness and obliging behaviour were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began to estrange himself from a man who no longer contributed to his amusement.

The sagacious courtiers observed the first symptoms of this disgust: Somerset's enemies seized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy, he was purposely placed full in James's eye, and immediately engaged the attention, and, in the same instant, the affections, of that monarch.<sup>12</sup> Ashamed of his sudden attachment, the king endeavoured, but in vain, to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service, without seeming to desire it. He declared his resolution not to confer any office on him, unless entreated by the queen; and he pretended, that it should only be in complaisance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she, well knowing the extreme to which the king carried these attachments, refused, at first, to lend her countenance to this new passion. It was not till entreated by Abbot, Archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband, by asking this favour of him.<sup>13</sup> And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but

selves to the hazard of being refused: but it is certain that English parliaments did anciently carry their frugality to an extreme, and seldom could be prevailed on to give the necessary support to government.

<sup>3</sup> Coke's Institutes, part 4. chap. 1. of Charters of Exemption.

<sup>4</sup> Journ. 11 April 1614. u Ibid. 21 May, 1614.

<sup>5</sup> Journ. 12, 21 May, 1614. x Ibid. 18 April, 1614.

<sup>6</sup> Parl. Hist. vol. v. p. 590. So little fixed at this time were the rules of parliament, that the Commons complained to the Peers of a speech made in the upper House by the Bishop of Lincoln; which it belonged only to that House to censure, and which the other could not regularly be supposed to be acquainted with. These at least are the rules established since

the parliament became a real seat of power, and scene of business. Neither the king must take notice of what passes in either House, nor either House of what passes in the other, till regularly informed of it. The Commons, in their famous protestation 1621, fixed this rule with regard to the king, though at present they would not bind themselves by it. But as liberty was yet new, those maxims which guard and regulate it were unknown and unpractised.

<sup>7</sup> Journ. p. 696. a King James's Works, p. 532.

<sup>8</sup> Preface to Waller's Works.

<sup>9</sup> Franklin, p. 50. Kennet, vol. ii. p. 698.

<sup>10</sup> Coke, p. 46, 67. Rush, vol. i. p. 456.

immediately bestowed the office of cup-bearer on young Villiers.

The whole court was thrown into parties between the two nimious; while some endeavoured to advance the rising fortune of Villiers, others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, increased the doubt and ambiguity of the courtiers; and the stern jealousy of the old favourite, who refused every advance of friendship from his rival, begat perpetual quarrels between their several partisans. But the discovery of Somerset's guilt in the murder of Overbury, at last decided the controversy, and exposed him to the ruin and infamy which he so well merited.

An apothecary's apprentice, who had been employed in making up the poisons, having retired to Flushing, began to talk very freely of the whole secret; and the affair at last came to the ears of Trumball, the king's envoy in the Low Countries. By his means, Sir Ralph Winwood, secretary of state, was informed, and he immediately carried the intelligence to James. The king, alarmed and astonished to find such enormous guilt in a man whom he had admitted into his bosom, sent for Sir Edward Coke, chief justice, and earnestly recommended to him the most rigorous and unbiassed scrutiny. This injunction was executed with great industry and severity: the whole labyrinth of guilt was carefully unravelled: the lesser criminals, Sir Jervis Elvis, lieutenant of the Tower, Franklin, Weston, Mrs. Turner, were first tried and condemned: Somerset and his Countess were afterwards found guilty: Northampton's death, a little before, had saved him from a like fate.

It may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her that she was guilty of the seven deadly sins: she was a whore, a bawd, a sorcerer, a witch, a papist, a felon, a murderer.<sup>a</sup> And what may more surprise us, Bacon, then attorney-general, took care to observe, that poisoning was a popish trick.<sup>b</sup> Such were the bigoted prejudices which prevailed: poisoning was not, of itself, sufficiently odious, if it were not represented as a branch of popery. Stowe tells us, that when the king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners, except those who were confined for treason, murder, and *popistry*. When one considers these circumstances, that furious bigotry of the catholics which broke out in the gunpowder conspiracy appears the less surprising.

All the accomplices in Overbury's murder received the punishment due to their crime: but the king bestowed a pardon on the principals, Somerset and the Countess. It must be confessed, that James's fortitude had been highly laudable, had he persisted in his first intention of consigning over to severe justice all the criminals: but let us still beware of blaming him too harshly, if, on the approach of the fatal hour, he scrupled to deliver into the hands of the executioner, persons whom he had once favoured with his most tender affections. To soften the rigour of their fate, after some years' imprisonment, he restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. Their guilty loves were turned into the most deadly hatred; and they passed many years together in the same house, without any intercourse or correspondence with each other.<sup>c</sup>

Several historians,<sup>d</sup> in relating these events, have insisted much on the dissimulation of James's behaviour, when he delivered Somerset into the hands of the chief justice; on the insolent menaces of that criminal; on his peremptory refusal to stand a trial; and on the extreme anxiety of the king during the whole progress of this affair. Allowing all these circumstances to be true, of which some are suspicious, if not palpably false,<sup>e</sup> the great remains of tenderness which James still felt for Somerset may, perhaps, be sufficient to account for them. That favourite was high-spirited, and resolute rather to perish, than live under the infamy to which he was exposed. James was

sensible that the pardoning of so great a criminal, which was of itself invidious, would become still more unpopular, if his obstinate and stubborn behaviour on his trial should augment the public hatred against him.<sup>f</sup> At least, the unreserved confidence in which the king had indulged his favourite for several years, might render Somerset master of so many secrets, that it is impossible, without further light, to assign the particular reason of that superiority, which, it is said, he appeared so much to assume.

The fall of Somerset, and his banishment <sup>Rise of Buckingham.</sup> from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's passion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his person, and might well have contented one of his age and family; nor would any one, who was not cynically austere, have much censured the singularity of the king's choice in his friends and favourites. But such advancement was far inferior to the fortune which he intended for his minion. In the course of a few years he created him Viscount Villiers, Earl, Marquis, and Duke of Buckingham, knight of the garter, master of the horse, chief justice in Eyre, warden of the cinque ports, master of the king's-bench office, steward of Westminster, constable of Windsor, and lord high admiral of England.<sup>g</sup> His mother obtained the title of Countess of Buckingham: his brother was created Viscount Purbeck; and a numerous train of needy relations were all pushed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honours, to render him, for ever, rash, precipitate, and insolent.

A young minion to gratify with pleasure, <sup>A. D. 1616.</sup> a necessitous family to supply with riches, were enterprises too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns must be delivered up to the Dutch: a measure which has been severely blamed by almost all historians; and I may venture to affirm, that it has been censured much beyond its real weight and importance.

When Queen Elizabeth advanced money <sup>Cautionary towns delivered.</sup> for the support of the infant republic, besides the view of securing herself against the power and ambition of Spain, she still reserved the prospect of reimbursement; and she got consigned into her hands the three important fortresses of Flushing, the Brille, and Rammekins, as pledges for the money due to her. Indulging to the necessitous condition of the States, she agreed that the debt should bear no interest; and she stipulated, that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses.<sup>h</sup>

After the truce was concluded between Spain and the United Provinces, the States made an agreement with the king, that the debt, which then amounted to 800,000 pounds, should be discharged by yearly payments of 40,000 pounds; and as five years had elapsed, the debt was now reduced to 600,000 pounds; and in fifteen years more, if the truce were renewed, it would be finally extinguished.<sup>i</sup> But of this sum, 26,000 pounds a year were expended on the pay of the garrisons: the remainder alone accrued to the king: and the States, weighing the circumstances, thought that they made James a very advantageous offer when they expressed their willingness, on the surrender of the cautionary towns, to pay him immediately 250,000 pounds, and to incorporate the English garrisons in their army. It occurred also to the king, that even the payment of the 40,000 pounds a year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic: if war broke out, the maintenance of the garrisons lay upon England alone; a burden very useless, and too heavy for the slender revenues of that kingdom: that even during the truce, the Dutch, straitened by other expenses, were far from being regular in their payments; and the garrisons were at present in

<sup>a</sup> State Trials, vol. i. p. 230.

<sup>b</sup> Ibid. vol. i. p. 232.

<sup>c</sup> Ibid. vol. i. p. 230.

<sup>d</sup> See Stowe's Annals.

<sup>e</sup> See Lord Hale's *Tracts*, vol. i. p. 139.

<sup>f</sup> Bacon, vol. ix. p. 617.

<sup>g</sup> Ibid. vol. ix. p. 617. Clarendon, *ibid.* vol. i. p. 10.

<sup>h</sup> Clarendon, *ibid.* vol. i. p. 10. Winwood, *ibid.* vol. i. p. 15.

<sup>i</sup> See *Duties* Clarendon's *Tracts*, p. 27, 28.

danger of mutiny for want of subsistence: that the annual sum of 14,000 pounds, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than 210,000 pounds; whereas 250,000 pounds were offered immediately, a larger sum, and if money be computed at ten per cent. the current interest, more than double the sum to which England was entitled:<sup>a</sup> that if James waited till the whole debt were discharged, the troops, which composed the garrisons, remained a burden upon him, and could not be broken, without receiving some consideration for their past services: that the cautionary towns were only a temporary restraint upon the Hollanders; and in the present emergence, the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous; and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons: that the exchequer of the republic was at present very low, inasmuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence which was requisite during the truce with Spain: and that the Spaniards were perpetually insisting with the king on the restitution of these towns, as belonging to their crown; and no cordial alliance could ever be made with that nation, while they remained in the hands of the English.<sup>b</sup> These reasons, together with his urgent wants, induced the

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king to accept of Caron's offer; and he evacuated the cautionary towns, which held the States in a degree of subjection, and which an ambitious and enterprising prince would have regarded as his most valuable possessions. This is the date of the full liberty of the Dutch commonwealth.

A. D. 1617.  
Affairs of  
Scotland.

When the crown of England devolved on James, it might have been foreseen by the Scottish nation, that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that, if both states persevered in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection, than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master; these considerations secured their dutiful obedience to a prince, who daily gave such sensible proofs of his friendship and partiality towards them. Never had the authority of any king, who resided among them, been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this summer, the king was resolved to pay a visit to

May.

his native country, in order to renew his ancient friendships and connexions, and to introduce that change of ecclesiastical discipline and government, on which he was extremely intent. The three chief points of this kind, which James proposed to accomplish by his journey to Scotland, were, the enlarging of episcopal authority, the establishing of a few ceremonies in public worship, and the fixing of a superiority in the civil above the ecclesiastical jurisdiction.

But it is an observation suggested by all history, and by none more than by that of James and his successor, that the religious spirit, when it mingles with faction, contains in it something supernatural and unaccountable; and that, in its operations upon society, effects correspond less to their known causes than is found in any other circumstance of government. A reflection which may, at once, afford a source of blame against such sovereigns as lightly innovate in so dangerous an article, and of apology for such as, being engaged in an enterprise of that nature, are disappointed of the expected event, and fail in their undertakings.

When the Scottish nation was first seized with that zeal for reformation, which, though it caused such disturbance during the time, has proved so salutary in the conse-

quences; the preachers, assuming a character little inferior to the prophetic or apostolical, disdained all subjection to the spiritual rulers of the church, by whom their innovations were punished and opposed. The revenues of the dignified clergy, no longer considered as sacred, were either appropriated by the present possessors, or seized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates however, and abbots, maintained their temporal jurisdictions and their seats in parliament; and though laymen were sometimes endowed with ecclesiastical titles, the church, notwithstanding its frequent protestations to the contrary, was still supposed to be represented by those spiritual lords, in the states of the kingdom. After many struggles, the king, even before his accession to the throne of England, had acquired sufficient influence over the Scottish clergy, to extort from them an acknowledgment of the parliamentary jurisdiction of bishops; though attended with many precautions, in order to secure themselves against the spiritual encroachments of that order.<sup>4</sup> When King of England, he engaged them, though still with great reluctance on their part, to advance a step further, and to receive the bishops as perpetual presidents or moderators in their ecclesiastical synods; reiterating their protestations against all spiritual jurisdiction of the prelates, and all controlling power over the presbyterians.<sup>5</sup> And by such gradual innovations, the king flattered himself, that he should quietly introduce episcopal authority: but as his final scope was fully seen from the beginning, every new advance gave fresh occasion of discontent, and aggravated, instead of softening, the abhorrence entertained against the prelacy.

What rendered the king's aim more apparent, were the endeavours which, at the same time, he used to introduce into Scotland some of the ceremonies of the church of England: the rest, it was easily foreseen, would soon follow. The fire of devotion, excited by novelty, and inflamed by opposition, had so possessed the minds of the Scottish reformers, that all rites and ornaments, and even order of worship, were disdainfully rejected as useless burdens; retarding the imagination in its rapturous ecstasies, and cramping the operations of that divine Spirit by which they supposed themselves to be animated. A mode of worship was established, the most naked and most simple imaginable; one that borrowed nothing from the senses; but reposed itself entirely on the contemplation of that divine essence, which discovers itself to the understanding only. This species of devotion, so worthy of the Supreme Being, but so little suitable to human frailty, was observed to occasion great disturbances in the breast, and in many respects to confound all rational principles of conduct and behaviour. The mind, straining for these extraordinary raptures, reaching them by short glances, sinking again under its own weakness, rejecting all exterior aid of pomp and ceremony, was so occupied in this inward life, that it fled from every intercourse of society, and from every cheerful amusement, which could soften or humanize the character. It was obvious to all discerning eyes, and had not escaped the king's, that by the prevalence of fanaticism, a gloomy and sullen disposition established itself among the people; a spirit, obstinate and dangerous; independent and disorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow these humours, James endeavoured to infuse a small tincture of ceremony into the national worship, and to introduce such rites as might, in some degree, occupy the mind, and please the senses, without departing too far from that simplicity, by which the Reformation was distinguished. The finer arts too, though still rude in these northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected, and some pictures and statues displayed, was proposed as a model to the rest of the nation. But music was grating to the prejudiced ears of the Scottish clergy; sculpture and painting appeared instruments of idolatry; the surplice was a rag of popery; and every motion or

King, because they were both of them freed from the maintenance of useless garrisons.

<sup>a</sup> Rushworth, vol. i. p. 3.

<sup>b</sup> 1598.

<sup>c</sup> 1606.

<sup>d</sup> An annuity of 14,000 pounds during fifteen years, money being at 10 per cent. is worth on computation only 106,500 pounds, whereas the king received 250,000. Yet the bargain was good for the Dutch, as well as the



gesture prescribed by the liturgy, was a step towards that spiritual Babylon, so much the object of their horror and aversion. Every thing was deemed impious, but their own mystical comments on the Scriptures, which they idolized, and whose eastern prophetic style they employed in every common occurrence.

It will not be necessary to give a particular account of the ceremonies which the king was so intent to establish. Such institutions, for a time, are esteemed either too divine to have proceeded from any other being than the supreme Creator of the universe, or too diabolical to have been derived from any but an infernal demon. But no sooner is the mode of the controversy past, than they are universally discovered to be of so little importance, as scarcely to be mentioned with decency amidst the ordinary course of human transactions. It suffices here to remark, that the rites introduced by James regarded the kneeling at the sacrament, private communion, private baptism, confirmation of children, and the observance of Christmas and other festivals.\* The acts, establishing these ceremonies, were afterwards known by the name of the Articles of Perth, from the place where they were ratified by the assembly.

A conformity of discipline and worship between the churches of England and Scotland, which was James's aim, he never could hope to establish, but by first procuring an acknowledgment of his own authority in all spiritual causes; and nothing could be more contrary to the practice as well as principles of the presbyterian clergy. The ecclesiastical courts possessed the power of pronouncing excommunication; and that sentence, besides the spiritual consequences supposed to follow from it, was attended with immediate effects of the most important nature. The person excommunicated was shunned by every one as profane and impious; and his whole estate, during his life-time, and all his movables for ever, were forfeited to the crown. Nor were the previous steps, requisite before pronouncing this sentence, formal or regular, in proportion to the weight of it. Without accuser, without summons, without trial, any ecclesiastical court, however inferior, sometimes pretended in a summary manner to denounce excommunication for any cause, and against any person, even though he lived not within the bounds of their jurisdiction.<sup>1</sup> And by this means the whole tyranny of the inquisition, though without its order, was introduced into the kingdom.

But the clergy were not content with the unlimited jurisdiction which they exercised in ecclesiastical matters: they assumed a censorial power over every part of administration; and, in all their sermons, and even prayers, mingling politics with religion, they inculcated the most seditious and most turbulent principles. Black, minister of St. Andrews, went so far,<sup>2</sup> in a sermon, as to pronounce all kings the devil's children; he gave the Queen of England the appellation of Atheist; he said, that the treachery of the king's heart was now fully discovered; and, in his prayers for the queen, he used these words: *We must pray for her for the fashion's sake, but we have no cause: she will never do us any good.* When summoned before the privy council, he refused to answer to a civil court for any thing delivered from the pulpit, even though the crime of which he was accused was of a civil nature. The church adopted his cause. They raised a sedition in Edinburgh.<sup>3</sup> The king, during some time, was in the hands of the enraged populace; and it was not without courage, as well as dexterity, that he was able to extricate himself.<sup>4</sup> A few days after, a minister, preaching in the principal church of that capital, said, that the king was possessed with a devil; and that one devil being expelled, seven worse had entered in his place.<sup>5</sup> To which he added, that the subjects might lawfully rise, and take the sword out of his hand. Scarcely, even during the darkest night of papal superstition, are there found such instances of priestly encroachments, as the annals of Scotland present to us during that period.

By these extravagant stretches of power, and by the patient conduct of James, the church began to lose ground,

even before the king's accession to the throne of England: but no sooner had that event taken place, than he made the Scottish clergy sensible, that he had become the sovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himself happy to have made a fair partition with them of the civil and ecclesiastical authority, he was now resolved to exert a supreme jurisdiction in church as well as state, and to put an end to their seditious practices. An assembly had been summoned at Aberdeen:<sup>6</sup> but on account of his journey to London, he prorogued it to the year following. Some of the clergy, disavowing his ecclesiastical supremacy, met at the time first appointed, notwithstanding his prohibition. He threw them into prison. Such of them as submitted, and acknowledged their error, were pardoned. The rest were brought to their trial. They were condemned for high treason. The king gave them their lives, but banished them the kingdom. Six of them suffered this penalty.<sup>7</sup>

The general assembly was afterwards induced<sup>b</sup> to acknowledge the king's authority in summoning ecclesiastical courts, and to submit to the jurisdiction and visitation of the bishops. Even their favourite sentence of excommunication was declared invalid, unless confirmed by the ordinary. The king recommended to the inferior courts the members whom they should elect to this assembly; and every thing was conducted in it with little appearance of choice and liberty.<sup>c</sup>

By his own prerogative likewise, which he seems to have stretched on this occasion, the king erected a court of high commission,<sup>d</sup> in imitation of that which was established in England. The bishops, and a few of the clergy, who had been summoned, willingly acknowledged this court; and it proceeded immediately upon business, as if its authority had been grounded on the full consent of the whole legislature.

But James reserved the final blow for the time when he should himself pay a visit to Scotland. He proposed to the parliament, which was then assembled, that they should enact, that "whatever his majesty should determine in the external government of the church, with the consent of the archbishops, bishops, and a competent number of the ministry, should have the force of law."<sup>e</sup> What number should be deemed competent was not determined: and their nomination was left entirely to the king: so that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamour and opposition, dropped the bill, which had already passed the lords of articles; and asserted, that the inherent prerogative of the crown contained more power than was recognized by it. Some time after, he called at St. Andrews a meeting of the bishops, and thirty-six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly, and to gain their assent. An assembly was accordingly summoned to meet on the 25th of November ensuing.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications; and it was not till the subsequent year, that he was able to procure a vote for receiving his ceremonies. And through every step of this affair, in the parliament, as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations; and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few, over whom religious prejudices were not prevalent, thought national honour sacrificed by a servile imitation of the modes of worship practised in England. And every prudent man agreed in condemning

\* Franklyn, p. 25. Spotswood.

<sup>1</sup> 159. <sup>2</sup> 17th Dec. 1596.

<sup>3</sup> Ibid.

<sup>4</sup> 1 July, 1604.

<sup>5</sup> Spotswood.

<sup>6</sup> Spotswood.

<sup>7</sup> Spotswood.

<sup>b</sup> 6th June, 1610.

<sup>c</sup> Spotswood.

Franklyn, p. 29.

<sup>d</sup> 15th Feb. 1610.

13th June.

10th July.

the measures of the king, who, by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged, that, had not these dangerous humours been irritated by opposition; had they been allowed peaceably to evaporate; they would at last have subsided within the limits of law and civil authority. And that as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics; no sooner is their first fire spent, than they lose their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the same time that James shocked, in so violent a manner, the religious principles of his Scottish subjects, he acted in opposition to those of his English. He had observed, in his progress through England, that a Judaical observance of the Sunday, chiefly by means of the puritans, was every day gaining ground throughout the kingdom, and that the people, under colour of religion, were, contrary to former practice, debarring such sports and recreations as contributed both to their health and their amusement. Festivals, which, in other nations and ages, are partly dedicated to public worship, partly to mirth and society, were here totally appropriated to the offices of religion, and served to nourish those sullen and gloomy contemplations, to which the people were, of themselves, so unfortunately subject. The king imagined, that it would be easy to infuse cheerfulness into this dark spirit of devotion. He issued a proclamation to allow and encourage, after divine service, all kinds of lawful games and exercises; and, by his authority, he endeavoured to give sanction to a practice, which his subjects regarded as the utmost instance of profaneness and impiety.

## CHAP. XLVIII.

Sir Walter Raleigh's expedition.—His execution.—Insurrections in Bohemia.—Loss of the Palatinate.—Negotiations with Spain.—A parliament.—Parties.—Fall of Bacon.—Rupture between the king and Commons.—Protestation of the Commons.

A. D. 1618.  
Sir Walter Raleigh's expedition.  
At the time when Sir Walter Raleigh was first confined in the Tower, his violent and haughty temper had rendered him the most unpopular man in England; and his condemnation was chiefly owing to that public odium under which he laboured. During the thirteen years' imprisonment which he suffered, the sentiments of the nation were much changed with regard to him. Men had leisure to reflect on the hardship, not to say injustice, of his sentence; they pitied his active and enterprising spirit, which languished in the rigours of confinement; they were struck with the extensive genius of the man, who, being educated amidst naval and military enterprises, had surpassed, in the pursuits of literature, even those of the most recluse and sedentary lives; and they admired his unbroken magnanimity, which at his age, and under his circumstances, could engage him to undertake and execute so great a work as his History of the World. To increase these favourable dispositions, on which he built the hopes of recovering his liberty, he spread the report of a golden mine, which he had discovered in Guiana, and which was sufficient, according to his representation, not only to enrich all the adventurers, but to afford immense treasures to the nation. The king gave little credit to these mighty promises, both because he believed that no such mine as the one described was any where in nature, and because he considered Raleigh as a man of desperate fortunes, whose business it was, by any means, to procure his freedom, and to reinstate himself in credit and authority. Thinking, however, that he had already undergone suf-

ficient punishment, he released him from the Tower; and when his vaunts of the golden mine had induced multitudes to engage with him, the king gave them permission to try the adventure, and, at their desire, he conferred on Raleigh authority over his fellow-adventurers. Though strongly solicited, he still refused to grant him a pardon, which seemed a natural consequence, when he was intrusted with power and command. But James declared himself still diffident of Raleigh's intentions; and he meant, he said, to reserve the former sentence, as a check upon his future behaviour.

Raleigh well knew, that it was far from the king's purpose to invade any of the Spanish settlements: he therefore firmly denied that Spain had planted any colonies on that part of the coast where his mine lay. When Gondomar, the ambassador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh still protested the innocence of his intentions; and James assured Gondomar, that he durst not form any hostile attempt, but should pay with his head for so audacious an enterprise. The minister, however, concluding that twelve armed vessels were not fitted out without some purpose of invasion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their settlements, particularly those along the coast of Guiana.

When the courage and avarice of the Spaniards and Portuguese had discovered so many new worlds, they were resolved to show themselves superior to the barbarous heathens whom they invaded, not only in arts and arms, but also in the justice of the quarrel: they applied to Alexander VI. who then filled the papal chair; and he generously bestowed on the Spaniards the whole western, and on the Portuguese the whole eastern, part of the globe. The more scrupulous protestants, who acknowledged not the authority of the Roman pontiff, established the first discovery as the foundation of their title; and if a pirate or sea-adventurer of their nation had but erected a stick or a stone on the coast, as a memorial of his taking possession, they concluded the whole continent to belong to them, and thought themselves entitled to expel or exterminate, as usurpers, the ancient possessors and inhabitants. It was in this manner that Sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coast, yet he pretended that the English title to the whole remained certain and indefeasible. But it happened in the mean time, that the Spaniards, not knowing or not acknowledging this imaginary claim, had taken possession of a part of Guiana, had formed a settlement on the river Oroonoko, had built a little town called St. Thomas, and were there working some mines of small value.

To this place Raleigh directly bent his course; and remaining himself at the mouth of the river, with five of the largest ships, he sent up the rest to St. Thomas, under the command of his son, and a Captain Keymis, a person entirely devoted to him. The Spaniards, who had expected this invasion, fired on the English at their landing, were repulsed, and pursued into the town. Young Raleigh, to encourage his men, called out, *That this was the true mine, and none but fools looked for any other*; and advancing upon the Spaniards received a shot, of which he immediately expired. This dismayed not Keymis and the others. They carried on the attack; got possession of the town, which they afterwards reduced to ashes; and found not in it any thing of value.

Raleigh did not pretend that he had himself seen the mine, which he had engaged so many people to go in quest of: it was Keymis, he said, who had formerly discovered it, and had brought him that lump of ore, which promised such immense treasures; yet Keymis, who owned that he was within two hours' march of the place, refused, on the most absurd pretences, to take any effectual step towards

f Kennet, p. 709.

g Franklin, p. 31. To show how rigid the English, chiefly the puritans, were become in this particular, a bill was introduced into the House of Commons, in the 18th of the king, for the more strict observance of the Sunday, which they affected to call the Sabbath. One Shepherd opposed this bill, objected to the appellation of Sabbath as puritanical, defended dancing by the example of David, and seems even to have justified sports

on that day. For this profaneness he was expelled the House, by the suggestion of Mr. Pym. The House of Lords opposed so far this puritanical spirit of the Commons, that they proposed that the appellation of Sabbath should be changed into that of the *Lord's day*. Journ. 15, 16 Feb. 1630, 28 May, 1621. In Shepherd's sentence, his offence is said by the House to be great, exorbitant, unparalleled.







courage; and though he had formerly made use of many mean artifices, such as feigning madness, sickness, and a variety of diseases, in order to protract his examination, and procure his escape, he now resolved to act his part with bravery and resolution. 'Tis a sharp remedy, he said, but a sure one for all ills, when he felt the edge of the axe by which he was to be beheaded. His harangue to the people was calm and eloquent; and he endeavoured to revenge himself, and to load his enemies with the public hatred, by strong asseverations of facts, which, to say the least, may be esteemed very doubtful.<sup>1</sup>

With the utmost indifference, he laid his head upon the block, and received the fatal blow; and in his death there appeared the same great but ill-regulated mind, which, during his life, had displayed itself in all his conduct and behaviour.

No measure of James's reign was attended with more public dissatisfaction than the punishment of Sir Walter Raleigh. To execute a sentence which was originally so hard, which had been so long suspended, and which seemed to have been tacitly pardoned, by conferring on him a new trust and commission, was deemed an instance of cruelty and injustice. To sacrifice to a concealed enemy of England, the life of the only man in the nation who had a high reputation for valour and military experience, was regarded as meanness and indiscretion: and the intimate connexions which the king was now entering into with Spain, being universally distasteful, rendered this proof of his complaisance still more invidious and unpopular.

James had entertained an opinion, which was peculiar to himself, and which had been adopted by none of his predecessors, that any alliance below that of a great king, was unworthy of a Prince of Wales; and he never would allow any princess but a daughter of France or Spain to be mentioned as a match for his son.<sup>2</sup> This instance of pride, which really implies meanness, as if he could receive honour from any alliance, was so well known, that Spain had founded on it the hopes of governing, in the most important transactions, this monarch, so little celebrated for politics or prudence. During the life of Henry, the King of Spain had dropped some hints of bestowing on that prince his eldest daughter, whom he afterwards disposed of in marriage to the young King of France, Lewis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the succession of Cleves, which was disputed between the protestant and popish line;<sup>3</sup> but the bait did not then take; and James, in consequence of his alliance with the Dutch, and with Henry IV. of France, marched four thousand men, under the command of Sir Edward Cecil, who joined these two powers, and put the Marquis of Brandenburg and the Palatine of Newbourg in possession of that duchy.

Gondomar was, at this time, the Spanish ambassador in England; a man whose flattery was the more artful, because covered with the appearance of frankness and sincerity; whose politics were the more dangerous, because disguised under the mask of mirth and pleasantry. He now made offer of the second daughter of Spain to Prince Charles; and, that he might render the temptation irresistible to the necessitous monarch, he gave hopes of an immense fortune, which should attend the princess. The court of Spain, though determined to contract no alliance with a heretic,<sup>4</sup> entered into negotiations with James, which they artfully protracted, and, amidst every disappointment, they still redoubled his hopes of success.<sup>5</sup> The transactions in Germany, so important to the Austrian greatness, became every day a new motive for this duplicity of conduct.

The king's chief blame seems to have lain in his negligence, in allowing Raleigh to depart without a more exact scrutiny; but for this he was excused, by saying, that doubts were required, of the good behaviour of Raleigh, and his associates in the enterprise, but that they were in bonds for each other, so that which was not perceived till they had sailed, and which increased the suspicion, of bad intentions.

Perhaps the king might also have granted Raleigh a pardon for his old treason, still before he had been aware for his new offences. His punishment in that case could not only have been just, but conducted in a just and unexceptionable manner. But we are told that a ridiculous opinion of his innocence, and of his loyalty, which is scarcely supported by Sir Walter Raleigh's own conduct, was not allowed until the Spaniards, in the interim, through process of time, were induced with that nation's weak policy, to purvey without fault Raleigh's guilty. So it is

In that great revolution of manners which happened during the sixteenth and the seventeenth centuries, the only nations who had the honourable, though often melancholy, advantage of making an effort for their expiring privileges, were such as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Besides the irresistible force of standing armies, the European princes possessed this advantage, that they were descended from the ancient royal families; that they continued the same appellations of magistrates, the same appearance of civil government; and restraining themselves by all the forms of legal administration, could insensibly impose the yoke on their unguarded subjects. Even the German nations, who formerly broke the Roman chains, and restored liberty to mankind, now lost their own liberty, and saw with grief the absolute authority of their princes firmly established among them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges which their ancestors, through so many ages, had transmitted to them.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence for her usurpations, she now met with resistance from a like principle; and the catholic religion, as usual, had ranged itself on the side of monarchy; the protestant, on that of liberty. The states of Bohemia, having taken arms against the Emperor Matthias, continued their revolt against his successor Ferdinand, and claimed the observance of all the edicts enacted in favour of the new religion, together with the restoration of their ancient laws and constitution. The neighbouring principalities, Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary, took part in the quarrel; and throughout all these populous and martial provinces, the spirit of discord and civil war had universally diffused itself.<sup>6</sup>

Ferdinand II., who possessed more vigour and greater abilities, though not more lenity and moderation, than are usual with the Austrian princes, strongly armed himself for the recovery of his authority; and besides employing the assistance of his subjects, who professed the ancient religion, he engaged on his side a powerful alliance of the neighbouring potentates. All the catholic princes of the empire had embraced his defence; even Saxony, the most powerful of the protestant: Poland had declared itself in his favour;<sup>7</sup> and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succours from Italy, and from the Low Countries; and he also advanced large sums for the support of Ferdinand and of the catholic religion.

The states of Bohemia, alarmed at these mighty preparations, began also to solicit foreign assistance; and, together with that support which they obtained from the evangelical union in Germany, they endeavoured to establish connexions with greater princes. They cast their eyes on Frederic, Elector Palatine. They considered, that besides commanding no despicable force of his own, he was son-in-law to the King of England, and nephew to Prince Maurice, whose authority was become almost absolute in the United Provinces. They hoped that these princes, moved by the connexions of blood, as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederic, and would promote his greatness. They therefore made him a tender of their crown, which they considered as elective; and the young Palatine, stimulated by ambition, without consulting either James or Maurice, whose opposition he foresaw, immediately ac-

ceeded to the king, and presented him with a petition, in which he requested that he would give him a just cause of complaint against the emperor, so that he might have a just cause of war, at least to have destroyed and destroyed the emperor.

This application I thought necessary to insert, because it is the story of a king's petition, though very old, and is not to be found in any other history, in a manner, that I scarcely know its parallel in the English history.

e. Evelyn, p. 42. d. He asserted, in the most solemn manner, that he had nowise contributed to Essex's death; but the last letter in Murden's Collection contains the strongest proof of the contrary.

e. Evelyn, p. 703-704. f. Resolutions, vol. i. p. 2. g. Evelyn, p. 704-705. h. Evelyn, p. 704-705. i. Evelyn, p. 704-705.

j. Evelyn, p. 71. k. Evelyn, p. 71. l. Evelyn, p. 71. m. Evelyn, p. 71. n. Evelyn, p. 71. o. Evelyn, p. 71. p. Evelyn, p. 71. q. Evelyn, p. 71. r. Evelyn, p. 71. s. Evelyn, p. 71. t. Evelyn, p. 71. u. Evelyn, p. 71. v. Evelyn, p. 71. w. Evelyn, p. 71. x. Evelyn, p. 71. y. Evelyn, p. 71. z. Evelyn, p. 71.

cepted the offer, and marched all his forces into Bohemia, in support of his new subjects.

The news of these events no sooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardour greater, with which all the states of Europe, in former ages, flew to rescue the Holy Land from the dominion of infidels. The nation was, as yet, sincerely attached to the blood of their monarchs, and they considered their connexion with the palatine, who had married a daughter of England, as very close and intimate; and when they heard of catholics carrying on wars and persecutions against protestants, they thought their own interest deeply concerned, and regarded their neutrality as a base desertion of the cause of God, and of his holy religion. In such a quarrel, they would gladly have marched to the opposite extremity of Europe, have plunged themselves into a chaos of German politics, and have expended all the blood and treasure of the nation, by maintaining a contest with the whole house of Austria, at the very time and in the very place in which it was the most potent, and almost irresistible.

But James, besides that his temper was too little enterprising for such vast undertakings, was restrained by another motive, which had a mighty influence over him: he refused to patronize the revolt of subjects against their sovereign. From the very first he denied to his son-in-law the title of King of Bohemia;<sup>a</sup> he forbade him to be prayed for in the churches under that appellation: and though he owned that he had nowise examined the pretensions, privileges, and constitution of the revolted states,<sup>b</sup> so exalted was his idea of the rights of kings, that he concluded subjects must ever be in the wrong, when they stood in opposition to those who had acquired or assumed that majestic title. Thus, even in measures founded on true politics, James intermixed so many narrow prejudices, as diminished his authority, and exposed him to the imputation of weakness and of error.

Meanwhile affairs every where hastened to a crisis. Ferdinand levied a great force, under the command of the Duke of Bavaria and the Count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thousand men. When Edmonds, the king's resident at Brussels, made remonstrances to the Archduke Albert, he was answered, that the orders for this armament had been transmitted to Spinola from Madrid, and that he alone knew the secret destination of it. Spinola again told the minister, that his orders were still sealed; but, if Edmonds would accompany him in his march to Coblenz, he would there open them, and give him full satisfaction.<sup>c</sup> It was more easy to see his intentions, than to prevent their success. Almost at one time, it was known in England that Frederic, being defeated in the great and decisive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the palatinate, and, meeting with no resistance, except from some princes of the union, and from one English regiment of 2400 men, commanded by the brave Sir Horace Vere,<sup>d</sup> had, in a little time, reduced the greater part of that principality.

High were now the murmurs and complaints against the king's neutrality and inactive disposition. The happiness and tranquillity of their own country became distasteful to the English, when they reflected on the grievances and distress of their protestant brethren in Germany. They considered not, that their interposition in the wars of the continent, though agreeable to religious zeal, could not, at that time, be justified by any sound maxims of politics; that, however exorbitant the Austrian greatness, the dan-

ger was still too distant to give any just alarm to England; that mighty resistance would yet be made by so many potent and warlike princes and states in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Austrian family, must necessarily be soon roused from her lethargy, and oppose the progress of so hated a rival; that in the further advance of conquests, even the interests of the two branches of that ambitious family must interfere, and beget mutual jealousy and opposition; that a land-war, carried on at such a distance, would waste the blood and treasure of the English nation, without any hopes of success; that a sea-war, indeed, might be both safe and successful against Spain, but would not affect the enemy in such vital parts as to make them stop their career of success in Germany, and abandon all their acquisitions; and that the prospect of recovering the palatinate being at present desperate, the affair was reduced to this simple question, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conquest in the Indies, were preferable? a question which, at the beginning of the king's reign, had already been decided, and perhaps with reason, in favour of the former advantages.

James might have defended his pacific measures by such plausible arguments: but these, though the chief, seem not to have been the sole motives which swayed him. He had entertained the notion, that, as his own justice and moderation had shone out so conspicuously throughout all these transactions, the whole house of Austria, though not awed by the power of England, would willingly, from mere respect to his virtue, submit themselves to so equitable an arbitration. He flattered himself that, after he had formed an intimate connexion with the Spanish monarch, by means of his son's marriage, the restitution of the palatinate might be procured, from the motive alone of friendship and personal attachment. He perceived not, that his inactive virtue, the more it was extolled, the greater disregard was it exposed to. He was not sensible that the Spanish match was itself attended with such difficulties, that all his art of negotiation would scarcely be able to surmount them; much less, that this match could in good policy be depended on, as the means of procuring such extraordinary advantages. His unwarlike disposition, increased by age, riveted him still faster in his errors, and determined him to seek the restoration of his son-in-law, by remonstrances and entreaties, by arguments and embassies, rather than by blood and violence. And the same defect of courage which held him in awe of foreign nations, made him likewise afraid of shocking the prejudices of his own subjects, and kept him from openly avowing the measures which he was determined to pursue. Or, perhaps, he hoped to turn these prejudices to account, and, by their means, engage his people to furnish him with supplies, of which their excessive frugality had hitherto made them so sparing and reserved.<sup>e</sup>

He first tried the expedient of a benevolence or free gift from individuals; pretending the urgency of the case, which would not admit of leisure for any other measure: but the jealousy of liberty was now roused, and the nation regarded these pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authorized by ancient precedent. A parliament was found to be the only resource which could furnish any large supplies; and writs were accordingly issued for summoning that great council of the nation.<sup>f</sup>

In this parliament there appeared, at first, nothing but duty and submission on the part

A. D. 1621.  
16th June.

<sup>a</sup> Rushworth, vol. i. p. 12, 13.

<sup>b</sup> Ibid. vol. i. p. 41. Rushworth, vol. i. p. 14.

<sup>c</sup> Ibid. vol. i. p. 42, 43. Rushworth, vol. i. p. 15. Kermet, p. 723.

<sup>d</sup> Ibid. vol. i. p. 17. Rushworth, vol. i. p. 21.

<sup>e</sup> This parliament is remarkable for being the second in which first regular business, though without asserting these demonstrations, for parties of court and country, parties who have ever since continued, and whose rights they often the total dissolution of the government, are the real cause of its permanent life and vigour. In the next royal constitution, of which the English partake, with other European nations, there was a mixture not of authority and liberty, which we have since enjoyed in this island, and which now stand uniformly together, but of authority and liberty, which perpetually divided with each other, and which, less than otherwise, according to circumstances, were one of the two favourite modes of power. A parliament composed of barons and

<sup>f</sup> Ibid. vol. i. p. 48.

summoned from their fields and forests, un instructed by study, conversation, or travel; ignorant of their own laws and liberties, and unconquered by the situation of all foreign nations. A parliament called piecemeal by the king, and dissolved at his pleasure, sitting a few days, debating a few points prepared for them, and whose members were impatient to return to their own estates, where alone they were great, and to the chase, which was their favourite amusement. Such a parliament was very little fitted to enter into a discussion of all the questions of government, and to form, in a regular manner, the legal administration. The name, dissimilarity of the business proposed in the common course of government, in exact and necessary measures, as assumed, with still better reason, the sole due to the importance and uniform laws left, in every thing, a latitude of interpretation, and when the ends pursued by the monarch were, altogether, ascribed to his subjects, little sample or likeness was obtained with regard to the regularity of the means. During the reign of an able, bold,

of the Commons; and they seemed determined to sacrifice every thing in order to maintain a good correspondence with their prince. They would allow no mention to be made of the new customs or impositions, which had been so eagerly disputed in the former parliament:<sup>4</sup> the imprisonment of the members of that parliament was here, by some, complained of; but, by the authority of the graver and more prudent part of the House, that grievance was buried in oblivion;<sup>5</sup> and, being informed that the king had remitted several considerable sums to the palace, the Commons, without a negative, voted him two subsidies,<sup>6</sup> and that, too, at the very beginning of the session, contrary to the maxims frequently adopted by their predecessors.

Afterwards, they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to Sir Giles Mompesson and Sir Francis Michel, for licensing inns and ale-houses; that great sums of money had been exacted, under pretext of these licences; and that such inn-keepers as presumed to continue their business, without satisfying the rapacity of the patentees, had been severely punished by fine, imprisonment, and vexatious prosecutions.

The same persons had also procured a patent, which they shared with Sir Edward Villiers, brother to Buckingham, for the sole making of gold and silver thread and lace, and had obtained very extraordinary powers for preventing any rivalry in these manufactures: they were armed with authority to search for all goods, which might interfere with their patent; and even to punish, at their own will and discretion, the makers, importers, and vendors of such commodities. Many had grievously suffered by this exorbitant jurisdiction; and the lace which had been manufactured by the patentees was universally found to be adulterated, and to be composed more of copper than of the precious metals.

These grievances the Commons represented to the king; and they met with a very gracious and very cordial reception. He seemed even thankful for the information given him; and declared himself ashamed that such abuses, unknowingly to him, had crept into his administration. "I assure you, said he, "had I before heard these things complained of, I would have done the office of a just king, and

of popular prince, no member of either House, much less of the lower, first of entering into a formal petition, in application to the court; and, secondly, that the parliament must, at a distance, leave him unprotected, to the vengeance of his sovereign; and to such stretches of prerogative, which were then so easily made, in order to punish an obnoxious subject. Doing an unpopular and even cruel, the court commonly ran strong against the monarch, that none durst enlist themselves in the court party, or if the prince was able to muzzle any considerable barons on his side, the question was decided with arms in the field, not by debates or articles of assent. And in such a whole, the chief circumstance, which, during ancient times, retained the prince in any legal form of administration, was, that the sword, by the nature of the feudal tenure, remained still in the hands of his subjects; and this irregular and dangerous condition, which was the source of all the disorders of the laws and constitution. As the nation could not be compelled, it was necessary that every public measure of consequence, particularly that of levying new taxes, should seem to be adopted by common consent and approbation.

The princes of the house of Tudor, partly by the vigour of their abilities, partly by the concurrence of favourable circumstances, had been able to establish a more regular system of government; but they drew the constitution so near to despotism, that they almost destroyed the authority of the parliament. The senate became, in a great degree, the organ of royal will and pleasure; opposition would have been regarded as a species of rebellion; and even religion, the most dangerous article in which innovations could be introduced, had, in the course of a few years, four several alterations, from the authority alone of the sovereign. The parliament was not then the road to honour and preferment: the talents of popular eloquence and eloquence were unutilized and unknown; and though that assembly, still reserved authority, it retained the prerogative of the lower house, bestowing public money, the members acquired not, upon that account, either with prince or people, much more weight and consider-  
 4 The king's power was necessary in conducting the management of government, as the king was accustomed, of himself, to assume. His own revenues supplied him with money sufficient for his ordinary expenses. And when extraordinary emergencies occurred, the prince needed not to solicit votes in parliament, either for making laws or imposing taxes, both of which were now become requisite for public interest and preservation.

The security of individuals, so necessary to the liberty of popular councils, was totally unknown in that age. And as no despot prince, scarcely even the most tyrannical, ruled entirely without the concurrence of some assemblies, which supply both advice and authority, little but a necessary force seems to have been wanting towards the establishment of a simple monarchy in England. The militia, though more favourable to regal authority than the feudal tenure, was in regard to much applier; nor did his penetration extend so far as to discover, that neither his circumstances nor his character could support so extensive an authority. His narrow resources, and little frugality began now to render him dependent

out of parliament have punished them, as severely, and peradventure more, than you now intend to do."<sup>7</sup> A sentence was passed for the punishment of Michel and Mompesson.<sup>8</sup> It was executed on the former. The latter broke prison and escaped. Villiers was, at that time, sent purposely on a foreign employment; and his guilt being less enormous, or less apparent, than that of the others, he was the more easily protected by the credit of his brother Buckingham.<sup>9</sup>

Encouraged by this success, the Commons carried their scrutiny, and still with a respectful hand, into other abuses of importance. The great seal was, at that time, in the hands of the celebrated Bacon, created Viscount St. Albans; a man universally admired for the greatness of his genius, and beloved for the courteousness and humanity of his behaviour. He was the great ornament of his age and nation; and ought was wanting to render him the ornament of human nature itself, but that strength of mind which might check his intemperate desire of preferment, that could add nothing to his dignity, and might restrain his profuse inclination to expense, that could be requisite neither for his honour nor entertainment. His want of economy, and his indulgence to servants, had involved him in necessities; and, in order to supply his prodigality, he had been tempted to take bribes, by the title of presents, and that in a very open manner, from suitors in chancery. It appears that it had been usual for former chancellors to take presents; and it is pretended that Bacon, who followed the same dangerous practice, had still, in the seat of justice, preserved the integrity of a judge, and had given just decrees against those very persons, from whom he had received the wages of iniquity. Complaints rose the louder on that account, and at last reached the House of Commons, who sent up an impeachment against him to the Peers. The chancellor, conscious of guilt, deprecated the vengeance of his judges, and endeavoured, by a general avowal, to escape the confusion of a stricter inquiry. The Lords insisted on a particular confession of all his corruptions. He acknowledged twenty-eight articles; and was sentenced to pay a fine of 40,000 pounds, to be imprisoned in the Tower during the king's pleasure, to be for ever incapable of any office, place, or

on his people, even in the ordinary course of administration; then increased, and he was desired to see to it that advantage which they had obtained, and made them sensible of the inestimable value of civil liberty. And as he possessed too little dignity to command respect, and too much good nature to oppress fear, a new spirit described itself every day in the parliament, and the establishment of a free constitution, was regularly formed in the House of Commons.

But notwithstanding these advantages acquired to liberty, so extensive was royal authority, and so firmly established in all its parts, that it is probable that, had not that age would have departed, or that reason had not been stimulated by religious motives, which inspire a courage unsurmountable by any human obstacle.

The same alliance, which has ever prevailed between kindly power and elevated spirit, was now fully established in England; and while the prince assisted the clergy in suppressing schismatics and innovators, the clergy, in return, inculcated the doctrine of an unreserved submission and obedience to the civil magistrate. The genius of the church of England, so fully to monarchy, forwarded the contrary; its submission to episcopal jurisdiction, its attachment to ceremonies, to order, and to a decent pomp and splendour of worship; and, in a word, its affinity to the tame superstition of the catholics, rather than to the wild fanaticism of the puritans.

On the other hand, opposition to the church, and the persecutions under which they laboured, were sufficient to throw the puritans into the country party, and to beget political principles little favourable to the high pretensions of the sovereign. The spirit of enthusiasm, bold, daring, and uncontrolled, strongly disposed their minds to adopt republican tenets, and to fuel them with an arrogant, in their actions and countenance, the same liberty of thought and action, which they then fastidiously sought in England. Every spirit of the first origin of that sect, through the whole reign of Elizabeth as well as of James, puritanical principles had been understood in a double sense, and expressed the opinions favourable both to political and to ecclesiastical liberty. And as the country party, in order to discredit all parliamentary opposition, attacked the denomination of puritans to its antagonists; the religious puritans willingly adopted this idea, which was so advantageous to them, and which confounded their cause with that of the patriots or country party. Thus the civil and ecclesiastical factions regularly formed, and the humour of the nation during that age running strongly towards fanatical extravagances, the spirit of civil liberty gradually revived from its lethargy, and by means of its religious associate, from which it reaped more substantial assistance, it secretly enlarged its dominion over the greater part of the kingdom.

This was as in the first edition a part of the text but the author omitted it, in order to avoid, as much as possible, the style of dissertation on the body of his text. The passage, however, contains some very important, that he thought it might be admitted as a note.

1 Journal, 5th Dec. 1621. 2 Journal, 12th, 16th Feb. 1620.

3 Journal, 16th Feb. 1620. 4 Journal, 1st, 2nd, 16th Feb. 1620.

5 Journal, 1st, 2nd, 16th Feb. 1620. 6 Journal, 1st, 2nd, 16th Feb. 1620.

7 Journal, 1st, 2nd, 16th Feb. 1620. 8 Journal, 1st, 2nd, 16th Feb. 1620.

9 Journal, 1st, 2nd, 16th Feb. 1620. 10 Journal, 1st, 2nd, 16th Feb. 1620.

11 Journal, 1st, 2nd, 16th Feb. 1620. 12 Journal, 1st, 2nd, 16th Feb. 1620.

13 Journal, 1st, 2nd, 16th Feb. 1620. 14 Journal, 1st, 2nd, 16th Feb. 1620.

15 Journal, 1st, 2nd, 16th Feb. 1620. 16 Journal, 1st, 2nd, 16th Feb. 1620.

17 Journal, 1st, 2nd, 16th Feb. 1620. 18 Journal, 1st, 2nd, 16th Feb. 1620.

19 Journal, 1st, 2nd, 16th Feb. 1620. 20 Journal, 1st, 2nd, 16th Feb. 1620.



employment, and never again to sit in parliament, or come within the verge of the court.

This dreadful sentence, dreadful to a man of nice sensibility to honour, he survived five years; and, being released in a little time from the Tower, his genius, yet unbroken, supported itself amidst involved circumstances and a depressed spirit, and shone out in literary productions, which have made his guilt or weaknesses be forgotten or overlooked by posterity. In consideration of his great merit, the king remitted his fine, as well as all the other parts of his sentence, conferred on him a large pension of 1800 pounds a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philosopher, at last, acknowledged with regret, that he had too long neglected the true ambition of a fine genius; and by plunging into business and affairs, which require much less capacity, but greater firmness of mind, than the pursuits of learning, had exposed himself to such grievous calamities.\*

The Commons had entertained the idea, that they were the great patrons of the people, and that the redress of all grievances must proceed from them; and to this principle they were chiefly beholden for the regard and consideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their researches into many grievances, which, though of no great importance, could not be touched on, without sensibly affecting the king and his ministers. The prerogative seemed every moment to be invaded; the king's authority, in every article, was disputed; and James, who was willing to correct the abuses of his power, would not submit to have his power itself questioned and denied. After the House, therefore, had sitten near six months, and had, as yet, brought no considerable business to a full conclusion, the king resolved, under pretence of the advanced season, to interrupt their proceedings; and he sent them word, that he was determined, in a little time, to adjourn them till next winter. The Commons made application to the Lords, and desired them to join in a petition for delaying the adjournment; which was refused by the upper House. The king regarded this project of a joint petition as an attempt to force him from his measures: he thanked the Peers for their refusal to concur in it, and told them, that if it were their desire, he would delay the adjournment, but would not so far comply with the request of the lower House.<sup>b</sup> And thus, in these great national affairs, the same peevishness, which, in private altercations, often raises a quarrel from the smallest beginnings, produced a mutual coldness and disgust between the king and the Commons.

During the recess of parliament, the king used every measure to render himself popular with the nation, and to appease the rising ill-humour of its representatives. He had voluntarily offered the parliament to circumscribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redressed every article of grievance, to the number of thirty-seven, which had ever been complained of in the House of Commons.<sup>c</sup> But he gained not the end which he proposed. The disgust, which had appeared at parting, could not so suddenly be dispelled. He had likewise been so imprudent as to commit to prison Sir Edwin Sandys,<sup>d</sup> without any known cause, besides his activity and vigour in discharging his duty as a member of parliament. And above all, the transactions in Germany were sufficient, when joined to the king's cautions, negotiations, and delays, to inflame that jealousy of honour and religion which prevailed throughout the nation.<sup>e</sup> This summer, the ban of the empire had been published against the elector palatine; and the execution of it was committed to the Duke of Bavaria.<sup>f</sup> The upper palatinate was,

in a little time, conquered by that prince; and measures were taken in the empire for bestowing on him the electoral dignity, of which the palatine was then despoiled. Frederic now lived with his numerous family, in poverty and distress, either in Holland or at Sedan, with his uncle the duke of Bouillon; and throughout all the new conquests, in both the Palatinates, as well as in Bohemia, Austria, and Lusatia, the progress of the Austrian arms was attended with rigours and severities, exercised against the professors of the reformed religion.

The zeal of the Commons immediately moved them, upon their assembling, to take all these transactions into consideration. They framed a remonstrance, which they intended to carry to the king. They represented, that the enormous growth of the Austrian power threatened the liberties of Europe; that the progress of the catholic religion in England bred the most melancholy apprehensions lest it should again acquire an ascendancy in the kingdom; that the indulgence of his majesty towards the professors of that religion had encouraged their insolence and temerity; that the uncontrolled conquests, made by the Austrian family in Germany, raised mighty expectations in the English papists; but above all, that the prospect of the Spanish match elevated them so far as to hope for an entire toleration, if not the final re-establishment, of their religion. The Commons, therefore, entreated his majesty, that he would immediately undertake the defence of the palatinate, and maintain it by force of arms; that he would turn his sword against Spain, whose armies and treasures were the chief support of the catholic interest in Europe; that he would enter into no negotiation for the marriage of his son but with a protestant princess; that the children of popish recusants should be taken from their parents, and be committed to the care of protestant teachers and schoolmasters; and that the fines and confiscations, to which the catholics were by law liable, should be levied with the utmost severity.<sup>g</sup>

By this bold step, unprecedented in England for many years, and scarcely ever heard of in peaceable times, the Commons attacked at once all the king's favourite maxims of government; his cautious and pacific measures, his lenity towards the Romish religion, and his attachment to the Spanish alliance, from which he promised himself such mighty advantages. But what most disgusted him was, their seeming invasion of his prerogative, and their pretending, under colour of advice, to direct his conduct in such points as had ever been acknowledged to belong solely to the management and direction of the sovereign. He was, at that time, absent at Newmarket; but as soon as he heard of the intended remonstrance of the Commons, he wrote a letter to the speaker, in which he sharply rebuked the House for openly debating matters far above their reach and capacity, and he strictly forbade them to meddle with any thing that regarded his government, or deep matters of state, and especially not to touch on his son's marriage with the daughter of Spain, nor to attack the honour of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the imprisonment of Sir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the House, he plainly told them, that he thought himself fully entitled to punish every misdemeanor in parliament, as well during its sitting as after its dissolution; and that he intended thenceforward to chastise any man, whose insolent behaviour there should minister occasion of offence.<sup>h</sup>

This violent letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it: the Commons were inflamed, not terrified. Secure of their own

Rupture between the king and the Commons.

\* It is thought, that access from chambers to the House of Peers first came into the late Charles's head in 1621. As really, under the reign of Charles the first, had long before lain against the courts of law. *Historical Collections*, vol. i. p. 151.

<sup>b</sup> Rushworth, vol. i. p. 35.

<sup>c</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773.

<sup>d</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773. <sup>e</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773. <sup>f</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773. <sup>g</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773. <sup>h</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773.

court of judicature and of record, proceeded to condemn him to a severe punishment. The House of Lords checked this encroachment, and what was a triumph, considering the present humour of the lower House, the latter acquiesced in the sentiments of the Peers. This is almost the only pretension of the English Commons, in which they have not succeeded. *History of the Commons*, they have been successful in almost all their other claims. See *Parliamentary History*, vol. x. p. 425, 429 & *Journal* 17. 18th, 19th May, 1701.

<sup>i</sup> *Ibid.* vol. i. p. 36.

<sup>j</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773.

<sup>k</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773.

<sup>l</sup> *Ibid.* vol. i. p. 36. Kennet, p. 773.

popularity, and of the bent of the nation towards a war with the catholics abroad, and the persecution of popery at home, they little dreaded the menaces of a prince who was unsupported by military force, and whose gentle temper would, of itself, so soon disarm his severity." In a new remonstrance, therefore, they still insisted on their former remonstrance and advice; and they maintained, though in respectful terms, that they were entitled to interpose with their counsel in all matters of government; that to possess entire freedom of speech, in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors; and that if any member abused this liberty it belonged to the House alone, who were witnesses of his offence, to inflict a proper censure upon him.<sup>1</sup>

So vigorous an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought; for that there were so many kings a-coming.<sup>2</sup> His answer was prompt and sharp. He told the House, that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their pretensions to inquire into all state affairs, without exception, was such a plenipotence as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better show their wisdom, as well as duty, than by keeping within their proper sphere;<sup>3</sup> and that in any business which depended on his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it. And he concluded with these memorable words: *And though we cannot allow of your style, in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors; and us (for the most of them grew from precedents, which shews rather a toleration than inheritance;) yet we are pleased to give you our royal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties and privileges as ever any of our predecessors were, now, as to preserve our own royal prerogative.*<sup>4</sup>

This open pretension of the king's naturally gave great alarm to the House of Commons. They saw their title to every privilege, if not plainly denied, yet considered at least as precarious. It might be forfeited by abuse, and they had already abused it. They thought proper, therefore, immediately to oppose pretension to pretension.

They framed a protestation, in which they repeated all their former claims for freedom of speech, and an unbounded authority to interpose with their advice and counsel. And they asserted, *That the liberties, franchises, privileges, and jurisdictions of parliament, are the ancient and undoubted birth-right and inheritance of the subjects of England.*<sup>5</sup>

The king, informed of these increasing heats and jealousies in the House, hurried to town. He sent immediately for the journals of the Commons; and, with his own hand, before the council, he tore out this protestation;<sup>6</sup> and ordered his reasons to be inserted in the council book. He was doubly displeased, he said, with the protestation of the lower House, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuously voted, at a late hour, and in a thin House;

and it was expressed in such general and ambiguous terms, as might serve for a foundation to the most enormous claims, and to the most unwarrantable usurpations upon his prerogative.<sup>7</sup>

The meeting of the House might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The king, therefore, prorogued the parliament, and soon after dissolved it by proclamation; in which he also made an apology to the public for his whole conduct.

The leading members of the House, Sir Edward Coke and Sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other prisons.<sup>8</sup> As a lighter punishment, Sir Dudley Digges, Sir Thomas Crew, Sir Nathaniel Rich, Sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business.<sup>9</sup> The king, at that time, enjoyed, at least exercised, the prerogative of employing any man, even without his consent, in any branch of public service.

Sir John Savile, a powerful man in the House of Commons, and a zealous opponent of the court, was made comptroller of the household, a privy counsellor, and soon after a baron.<sup>10</sup> This event is memorable; as being the first instance, perhaps, in the whole history of England, of any king's advancing a man on account of parliamentary interest, and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners as one of the most early and most infallible symptoms of a regular established liberty.

The king having thus, with so rash and indiscreet a hand, torn off that sacred veil which had hitherto covered the English constitution, and which threw an obscurity upon it so advantageous to royal prerogative, every man began to indulge himself in political reasonings and inquiries; and the same factions which commenced in parliament were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the discoursing of state affairs.<sup>11</sup> Such proclamations, if they had any effect, served rather to inflame the curiosity of the public. And, in every company or society, the late transactions became the subject of argument and debate.

All history, said the partisans of the court, as well as the history of England, justify the king's position with regard to the origin of popular privileges; and every reasonable man must allow, that as monarchy is the most simple form of government, it must first have occurred to rude and un instructed mankind. The other complicated and artificial additions were the successive invention of sovereigns and legislators; or, if they were obtruded on the prince by seditious subjects, their origin must appear, on that very account, still more precarious and unfavourable. In England, the authority of the king, in all the exterior forms of government, and in the common style of law, appears totally absolute and sovereign; nor does the real spirit of the constitution, as it has ever discovered itself in practice, fall much short of these appearances. The parliament is created by his will; by his will it is dissolved. It is his will alone, though at the desire of both Houses, which gives authority to laws. To all foreign nations, the majesty of the monarch seems to merit sole attention and regard. And no subject, who has exposed himself to royal indignation, can hope to live with safety in the kingdom; nor can he even leave it, according to law, without the consent of his master. If a magistrate, environed with such power and splendour, should consider his authority as sacred, and regard himself as the anointed of Heaven,

treat, reason, and bring to conclusion the same; and if at the Commons in parliament have like liberty and freedom to treat of these matters, in such order as in their judgment shall seem fittest, and that every member of the said House hath like freedom from all impeachment, imprisonment, and molestation, (other than by censure of the House itself,) in or concerning any speaking, reasoning, or declaring of any matter or matters touching the parliament or parliaments business. And that if any of the said members be complained of, or questioned for any thing done or said in parliament, the same is to be shown to the king by the advice and assent of all the Commons assembled in parliament, before the same are to be done to any private information." Franklyn, p. 65. Rushworth, vol. i. p. 53. Kennet, p. 747. Coke, p. 77.

<sup>1</sup> Journ. 18 Dec. 1621.

<sup>2</sup> Franklyn, p. 66. Rushworth, vol. i. p. 53.

<sup>3</sup> Ibid.

<sup>4</sup> Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55.

<sup>5</sup> Ibid.

<sup>6</sup> Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55.

<sup>7</sup> Ibid.

<sup>8</sup> Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55.

<sup>9</sup> Ibid.

<sup>10</sup> Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55.

<sup>11</sup> Ibid.

<sup>1</sup> Franklyn, p. 60. Rushworth, vol. i. p. 44. Kennet, p. 741.

<sup>2</sup> Kennet, p. 43.

<sup>3</sup> *Non est crepidum.* This expression is imagined to be insolent and disgusting, but it was a Latin proverb liberally used on all occasions.

<sup>4</sup> Franklyn, p. 62, 63, 64. Rushworth, vol. i. p. 46, 47, &c. Kennet, p. 742.

<sup>5</sup> This protestation is so remarkable, that it may not be improper to give it in its own words. "The Commons now assembled in parliament, being justly occasioned thereto, concerning sundry liberties, franchises, and privileges of parliament, amongst others here mentioned, do make this protestation following: that the liberties, franchises, and jurisdictions of parliament are the ancient and undoubted birth-right and inheritance of the subjects of England; and that the urgent and serious affairs concerning the king, state, and defence of the realm, and of the church of England, and the maintenance and making of laws, and repressing of mischiefs and wrongs, which daily happen within this realm, are proper subjects and matters of council and debate in parliament, and that in the handling and proceeding of these businesses, every member of the House of Parliament hath, and of right ought to have, freedom of speech to propound,

<sup>6</sup> Franklyn, p. 65.

<sup>7</sup> Kennet, p. 749.

<sup>8</sup> Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55.

<sup>9</sup> Ibid.

<sup>10</sup> Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55.

<sup>11</sup> Ibid.

his pretensions may bear a very favourable construction. Or, allowing them to be merely pious frauds, we need not be surprised, that the same stratagem which was practised by Minos, Numa, and the most celebrated legislators of antiquity, should now, in these restless and inquisitive times, be employed by the King of England. Subjects are not raised above that quality, though assembled in parliament. The same humble respect and deference is still due to their prince. Though he indulges them in the privilege of laying before him their domestic grievances, with which they are supposed to be best acquainted, this warrants not their bold intrusion into every province of government. And, to all judicious examiners, it must appear, "That the lines of duty are as much transgressed by a more independent and less respectful exercise of acknowledged powers, as by the usurpation of such as are new and unusual."

The lovers of liberty, throughout the nation, reasoned after a different manner. It is in vain, said they, that the king traces up the English government to its first origin, in order to represent the privileges of parliament as dependent and precarious: prescription, and the practice of so many ages, must, long ere this time, have given a sanction to these assemblies, even though they had been derived from an origin no more dignified than that which he assigns them. If the written records of the English nation, as asserted, represent parliaments to have arisen from the consent of monarchs, the principle of human nature, when we trace government a step higher, must show us that monarchs themselves owe all their authority to the voluntary submission of the people. But, in fact, no age can be shown, when the English government was altogether an unmixed monarchy: and, if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domestic usurpation; the generous spirit of the people has ever seized the first opportunity of re-establishing the ancient government and constitution. Though in the style of the laws, and in the usual forms of administration, royal authority may be represented as sacred and supreme; whatever is essential to the exercise of sovereign and legislative power must still be regarded equally divine and inviolable. Or, if any distinction be made in this respect, the preference is surely due to those natural councils, by whose interposition the exorbitancies of tyrannical power are restrained, and that sacred liberty is preserved, which heroic spirits, in all ages, have deemed more precious than life itself. Nor is it sufficient to say, that the mild and equitable administration of James affords little occasion, or no occasion, of complaint. How moderate soever the exercise of his prerogative, how exact soever his observance of the laws and constitution; "If he founds his authority on arbitrary and dangerous principles, it is requisite to watch him with the same care, and to oppose him with the same vigour, as if he had indulged himself in all the excesses of cruelty and tyranny."

Amidst these disputes, the wise and moderate in the nation endeavoured to preserve, as much as possible, an equitable neutrality between the opposite parties; and the more they reflected on the course of public affairs, the greater difficulty they found in fixing just sentiments with regard to them. On the one hand, they regarded the very rise of parties as a happy prognostic of the establishment of liberty; nor could they ever expect to enjoy, in a mixed government, so invaluable a blessing without suffering that inconvenience, which, in such governments, has ever attended it. But when they considered, on the other hand, the necessary aims and pursuits of both parties, they were struck with apprehension of the consequences, and could discover no feasible plan of accommodation between them. From long practice, the crown was now possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavour to secure the little ground which was left her: it was become necessary to carry on an offensive war, and to circumscribe, within more narrow, as well as more exact bounds, the authority of the sovereign. Upon such provocation, it could not but happen, that the prince, how-

ever just and moderate, would endeavour to repress his opponents; and, as he stood upon the very brink of arbitrary power, it was to be feared that he would, hastily and unknowingly, pass those limits, which were not precisely marked by the constitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided: the arms of the state were still in their hands: a civil war must ensue; a civil war where no party or both parties would justly bear the blame, and where the good and virtuous would scarcely know what vows to form; were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the sides of its defenders.

## CHAP. XLIX.

Negotiations with regard to the marriage and the palatinate—Character of Buckingham—Prince's journey to Spain—Marriage treaty broken—A parliament—Return of Bristol—Rupture with Spain—Treaty with France—Mansfeld's expedition—Death of the king—His character.

To wrest the palatinate from the hands of the emperor and the Duke of Bavaria, must always have been regarded as a difficult task for the power of England, conducted by so unwarlike a prince as James: it was plainly impossible, while the breach subsisted between him and the Commons. The king's negotiations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to elude all his applications. When Lord Digby, his ambassador to the emperor, had desired a cessation of hostilities, he was, referred to the Duke of Bavaria, who commanded the Austrian armies. The Duke of Bavaria told him that it was entirely superfluous to form any treaty for that purpose. *Hostilities are already ceased, said he; and I doubt not but I shall be able to prevent their revival by keeping firm possession of the palatinate, till a final agreement shall be concluded between the contending parties.*<sup>a</sup> Notwithstanding this insult, James endeavoured to resume with the emperor a treaty of accommodation; and he opened the negotiations at Brussels, under the mediation of Archduke Albert; and after his death, which happened about this time, under that of the Infanta: when the conferences were entered upon, it was found, that the powers of these princes to determine in the controversy were not sufficient or satisfactory. Schwartzembourg, the imperial minister, was expected at London; and it was hoped that he would bring more ample authority: his commission referred entirely to the negotiation at Brussels. It was not difficult for the king to perceive, that his applications were neglected by the emperor: but as he had no choice of any other expedient, and it seemed the interest of his son-in-law to keep alive his pretensions, he was still content to follow Ferdinand through all his shifts and evasions. Nor was he entirely discouraged, even when the imperial diet at Ratisbon, by the influence, or rather authority, of the emperor, though contrary to the protestation of Saxony, and of all the protestant princes and cities, had transferred the electoral dignity from the palatinate to the Duke of Bavaria.

Meanwhile the efforts made by Frederic, for the recovery of his dominions, were vigorous. Three armies were levied in Germany by his authority, under three commanders, Duke Christian of Brunswick, the Prince of Baden-Dourlach, and Count Mansfeldt. The two former generals were defeated by Count Tilly and the imperialists: the third, though much inferior in force to his enemies, still maintained the war; but with no equal supplies of money either from the palatinate or the King of England. It was chiefly by pillage and free quarters in the palatinate, that he subsisted his army. As the Austrians were regularly paid, they were kept in more exact discipline; and James justly became apprehensive, lest

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Negotiations with regard to the marriage and the palatinate.



so unequal a contest, besides ravishing the palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient sovereign, by whom they were plundered, and in an attachment to their new masters, by whom they were protected.<sup>b</sup> He persuaded, therefore, his son-in-law to disarm, under colour of duty and submission to the emperor: and, accordingly, Mansfeldt was dismissed from the palatine's service; and that famous general withdrew his army into the Low Countries, and there received a commission from the States of the United Provinces.

To show how little account was made of James's negotiations abroad, there is a pleasantry mentioned by all historians, which, for that reason, shall have place here. In a face, acted at Brussels, a courier was introduced carrying the doleful news that the palatinate would soon be wrested from the house of Austria; so powerful were the succours which, from all quarters, were hastening to the relief of the despoiled elector: the King of Denmark had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and the King of England a hundred thousand ambassadors. On other occasions, he was painted with a scabbard, but without a sword; or with a sword, which nobody could draw, though several were pulling at it.<sup>c</sup>

It was not from his negotiations with the emperor or the Duke of Bavaria, that James expected any success in his project of restoring the palatine: his eyes were entirely turned towards Spain; and if he could effect his son's marriage with the infanta, he doubted not but that, after so intimate a conjunction, this other point could easily be obtained. The negotiations of that court being commonly dilatory, it was not easy for a prince of so little penetration in business, to distinguish whether the difficulties which occurred were real or affected; and he was surprised, after negotiating five years on so simple a demand, that he was not more advanced than at the beginning. A dispensation from Rome was requisite for the marriage of the infanta with a protestant prince; and the King of Spain, having undertaken to procure that dispensation, had thereby acquired the means of retarding at pleasure or of forwarding the marriage, and at the same time of concealing entirely his artifices from the court of England.

In order to remove all obstacles, James despatched Digby, soon after created Earl of Bristol, as his ambassador to Philip IV. who had lately succeeded his father in the crown of Spain. He secretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not the sole, difficulty, which retarded the marriage, he resolved to soften that objection as much as possible. He issued public orders for discharging all popish recusants who were imprisoned; and it was daily apprehended that he would forbid, for the future, the execution of the penal laws enacted against them. For this step, so opposite to the rigid spirit of his subjects, he took care to apologize; and he even endeavoured to ascribe it to his great zeal for the reformed religion. He had been making applications, he said, to all foreign princes for some indulgence to the distressed protestants; and he was still answered by objections derived from the severity of English laws against catholics.<sup>d</sup> It might indeed occur to him, that if the extremity of religious zeal were ever to abate among Christian sects, one of them must begin; and nothing would be more honourable for England, than to have led the way in sentiments so wise and moderate.

Not only the religious puritans murmured at this tolerating measure of the king: the lovers of civil liberty were alarmed at so important an exertion of prerogative. But, among other dangerous articles of authority, the Kings of England were at that time possessed of the dispensing power; at least were in the constant practice of exercising it. Besides, though the royal prerogative in civil matters was then extensive, the princes, during some late reigns, had been accustomed to assume a still greater in ecclesiastical. And the king failed not to represent the toleration of catholics as a measure entirely of that nature.

By James's concession in favour of the catholics, he attained his end. The same religious motives which had hitherto rendered the court of Madrid insincere in all the steps taken with regard to the marriage, were now the chief cause of promoting it. By its means, it was there hoped the English catholics would for the future enjoy ease and indulgence; and the infanta would be the happy instrument of procuring to the church some tranquility, after the many severe persecutions which it had hitherto undergone. The Earl of Bristol, a minister of vigilance and penetration, and who had formerly opposed all alliance with catholics,<sup>e</sup> was now fully convinced of the sincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects.<sup>f</sup> A daughter of Spain, whom he represents as extremely accomplished, would soon, he said, arrive in England, and bring with her an immense fortune of two millions of pieces of eight, or six hundred thousand pounds sterling; a sum four times greater than Spain had ever before given with any princess, and almost equal to all the money which the parliament, during the whole course of this reign, had hitherto granted to the king. But what was of more importance to James's honour and happiness, Bristol considered this match as an infallible prognostic of the palatine's restoration; nor would Philip, he thought, ever have bestowed his sister and so large a fortune under the prospect of entering next day into a war with England. So exact was his intelligence, that the most secret counsels of the Spaniards, he boasts, had never escaped him; and he found that they had all along considered the marriage of the infanta and the restitution of the palatinate as measures closely connected, or altogether inseparable.<sup>g</sup> However little calculated James's character to extort so vast a concession; however improper the measures which he had pursued for attaining that end; the ambassador could not withstand the plain evidence of facts, by which Philip now demonstrated his sincerity. Perhaps too, like a wise man, he considered, that reasons of state, which are supposed solely to influence the councils of monarchs, are not always the motives which there predominate; that the milder virtues of gratitude, honour, friendship, generosity, are frequently able among princes, as well as private persons, to counterbalance these selfish considerations; that the justice and moderation of James had been so conspicuous in all these transactions, his reliance on Spain, his confidence in her friendship, that he had at last obtained the cordial alliance of that nation, so celebrated for honour and fidelity. Or, if politics must still be supposed the ruling motive of all public measures, the maritime power of England was so considerable, and the Spanish dominions so divided, as might well induce the council of Philip to think, that a sincere friendship with the masters of the sea could not be purchased by too great concessions.<sup>h</sup> And as James, during so many years, had been allured and seduced by hopes and protestations, his people enraged by delays and disappointments; it would probably occur, that there was now no medium left between the most inveterate hatred and the most intimate alliance between the nations. Not to mention, that as a new spirit began about this time to animate the councils of France, the friendship of England became every day more necessary to the greatness and security of the Spanish monarch.

All measures being, therefore, agreed on between the parties, nought was wanting but the dispensation from Rome, which might be considered as a mere formality.<sup>i</sup> The king, justified by success, now exulted in his pacific counsels, and boasted of his superior sagacity and penetration; when all these flattering prospects were blasted by the temerity of a man, whom he had fondly exalted from a private condition, to be the bane of himself, of his family, and of his people.

Ever since the fall of Somerset, Buck- Character of  
ingham had governed, with an uncontrolled Buckingham.  
sway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of observing how unfit his favourite was for the high station to which he was raised. Some accomplishments of a courtier

<sup>b</sup> Parl. Hist. vol. v. p. 481.

<sup>c</sup> Kennet, p. 749.

<sup>d</sup> Franklin, p. 69. Rushworth, vol. i. p. 63.

<sup>e</sup> Rushworth, vol. i. p. 292.

<sup>f</sup> Parl. p. 69.

<sup>g</sup> Ibid. p. 272.

<sup>h</sup> We find by private letters between Philip IV. and the Conde Olivarez

shown by the latter to Buckingham, that the marriage and the restitution of the palatinate were always considered by the court of Spain as inseparable. See Franklin, p. 71, 72. Rushworth, vol. i. p. 71, 239, 290. <sup>i</sup> Parl. Hist. vol. vi. p. 16.

<sup>k</sup> Franklin, p. 72.

<sup>l</sup> Rushworth, vol. i. p. 69.

he possessed : of every talent of a minister he was utterly destitute. Headlong in his passions, and incapable equally of prudence and of dissimulation : sincere from violence rather than candour ; expensive from profusion more than generosity ; a warm friend, a furious enemy ; but without any choice or discernment in either : with these qualities he had early and quickly mounted to the highest rank ; and partook at once of the insolence which attends a fortune newly acquired, and the impetuosity which belongs to persons born in high stations, and unacquainted with opposition.

Among those who had experienced the arrogance of this overgrown favourite, the Prince of Wales himself had not been entirely spared ; and a great coldness, if not an enmity, had, for that reason, taken place between them. Buckingham, desirous of an opportunity, which might connect him with the prince and overcome his aversion, and at the same time envious of the great credit acquired by Bristol in the Spanish negotiation, bethought himself of an expedient, by which he might at once gratify both these inclinations. He represented to Charles, that persons of his exalted station were peculiarly unfortunate in their marriage, the chief circumstance in life ; and commonly received into their arms a bride, unknown to them, to whom they were unknown ; not endeared by sympathy, not obliged by service ; wooed by treaties alone, by negotiations, by political interest : that however accomplished the infanta, she must still consider herself as a melancholy victim of state, and could not but think with aversion of that day, when she was to enter the bed of a stranger ; and, passing into a foreign country and a new family, bid adieu for ever to her father's house and to her native land : that it was in the prince's power to soften all these rigours, and lay such an obligation on her, as would attach the most indifferent temper, as would warm the coldest affections : that his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spanish romance, and suiting the amorous and enterprising character of that nation, must immediately introduce him to the princess under the agreeable character of a devoted lover and daring adventurer : that the negotiations with regard to the palatinate, which had hitherto languished in the hands of ministers, would quickly be terminated by so illustrious an agent, seconded by the mediation and entreaties of the grateful infanta : that Spanish generosity, moved by that unexampled trust and confidence, would make concessions beyond what could be expected from political views and considerations : and that he would quickly return to the king with the glory of having re-established the unhappy palatinate, by the same enterprise which procured him the affections and the person of the Spanish princess.<sup>1</sup>

The mind of the young prince, replete with candour, was inflamed by these generous and romantic ideas, suggested by Buckingham. He agreed to make application to the king for his approbation. They chose the moment of his kindest and most jovial humour, and more by the earnestness which they expressed, than by the force of their reasons, they obtained a hasty and unguarded consent to their undertaking. And having engaged his promise to keep their purpose secret, they left him in order to make preparations for the journey.

No sooner was the king alone, than his temper, more cautious than sanguine, suggested very different views of the matter, and represented every difficulty and danger which could occur. He reflected, that, however the world might pardon this sally of youth in the prince, they could never forgive himself, who, at his years, and after his experience, could intrust his only son, the heir of his crown, the prop of his age, to the discretion of foreigners, without so much as providing the frail security of a safe conduct in his favour : that if the Spanish monarch were sincere in his professions, a few months must finish the treaty of marriage, and bring the infanta into England ; if he were not sincere, the folly was still more egregious of committing the prince into his hands : that Philip, when possessed of so invaluable a pledge, might well rise in his demands, and impose harder conditions of treaty : and that

the temerity of the enterprise was so apparent, that the event, how prosperous soever, could not justify it ; and if disastrous, it would render himself infamous to his people and ridiculous to all posterity.<sup>2</sup>

Tormented with these reflections, as soon as the prince and Buckingham returned for their despatches, he informed them of all the reasons which had determined him to change his resolution ; and he begged them to desist from so foolish an adventure. The prince received the disappointment with sorrowful submission and silent tears : Buckingham presumed to speak in an imperious tone, which he had ever experienced to be prevalent over his too easy master. He told the king, that nobody for the future would believe any thing he said, when he retracted so soon the promise so solemnly given ; that he plainly discerned this change of resolution to proceed from another breach of his word, in communicating the matter to some rascal, who had furnished him with those pitiful reasons which he had alleged, and he doubted not but he should hereafter know who his counsellor had been ; and that if he receded from what he had promised, it would be such a disobligation to the prince, who had now set his heart upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.<sup>3</sup>

The king, with great earnestness, fortified by many oaths, made his apology, by denying that he had communicated the matter to any ; and finding himself assailed, as well by the boisterous importunities of Buckingham, as by the warm entreaties of his son, whose applications had hitherto, on other occasions, been always dutiful, never earnest ; he had again the weakness to assent to their purposed journey. It was agreed that Sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bed-chamber, should accompany them ; and the former being at that time in the anti-chamber, he was immediately called in by the king's orders.

James told Cottington, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever. "Cottington," added he, "here is baby Charles and Stenny," (these ridiculous appellations he usually gave to the prince and Buckingham,) "who have a great mind to go post into Spain, and fetch home the infanta : they will have but two more in their company, and have chosen you for one. What think you of the journey ?" Sir Francis, who was a prudent man, and had resided some years in Spain as the king's agent, was struck with all the obvious objections to such an enterprise, and scrupled not to declare them. The king threw himself upon his bed, and cried, *I told you this before* ; and fell into a new passion and new lamentations, complaining that he was undone, and should lose baby Charles.

The prince showed by his countenance that he was extremely dissatisfied with Cottington's discourse ; but Buckingham broke into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling ; particulars of which he might be a competent judge, having gone the road so often by post ; but that he, without being called to it, had the presumption to give his advice upon matters of state and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant, who, he foresaw, would suffer for answering him honestly. Upon which he said, with some emotion, *Nay, by God, Stenny, you are much to blame for using him so : he answered me directly to the question which I asked him, and very honestly and wisely ; and yet, you know, he said no more than I told you before he was called in*. However, after all this passion on both sides, James renewed his consent ; and proper directions were given for the journey. Nor was he now at any loss to discover that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

These circumstances, which so well characterize the persons, seem to have been related by Cottington to Lord

Clarendon, from whom they are here transcribed; and though minute, are not undeserving of a place in history.

The prince and Buckingham, with their two attendants, and Sir Richard Graham, master of horse to Buckingham, passed disguised and undiscovered through France; and they even ventured into a court-ball at Paris, where Charles saw the Princess Henrietta, whom he afterwards espoused, and who was at that time in the bloom of youth and beauty.

<sup>7th March.</sup>  
<sup>The prince's</sup>  
<sup>journey to Spain.</sup> In eleven days after their departure from London, they arrived at Madrid; and surprised every body by a step so unusual among great princes. The Spanish monarch immediately paid Charles a visit, expressed the utmost gratitude for the confidence reposed in him, and made warm protestations of a correspondent confidence and friendship. By the most studious civilities, he showed the respect which he bore to his royal guest. He gave him a golden key, which opened all his apartments, that the prince might, without any introduction, have access to him at all hours: he took the left hand of him on every occasion, except in the apartments assigned to Charles; for there, he said, the prince was at home: Charles was introduced into the palace with the same pomp and ceremony that attends the Kings of Spain on their coronation: the council received public orders to obey him as the king himself: Olivarez too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's presence:<sup>a</sup> all the prisons of Spain were thrown open, and all the prisoners received their freedom, as if the event, the most honourable and most fortunate, had happened to the monarchy:<sup>b</sup> and every sumptuary law with regard to apparel was suspended during Charles's residence in Spain. The infanta, however, was only shown to her lover in public: the Spanish ideas of decency being so strict, as not to allow of any further intercourse, till the arrival of the dispensation.<sup>c</sup>

The point of honour was carried so far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of imposing any harder conditions of treaty: their pious zeal only prompted them, on one occasion, to desire more concessions in the religious articles; but, upon the opposition of Bristol, accompanied with some reproaches, they immediately desisted. The Pope, however, hearing of the prince's arrival in Madrid, tacked some new clauses to the dispensation;<sup>d</sup> and it became necessary to transmit the articles to London, that the king might ratify them. This treaty, which was made public, consisted of several articles, chiefly regarding the exercise of the catholic religion by the infanta and her household. Nothing could reasonably be found fault with, except one article, in which the king promised, that the children should be educated by the princess, till ten years of age. This condition could not be insisted on, but with a view of seasoning their minds with catholic principles; and though so tender an age seemed a sufficient security against theological prejudices, yet the same reason which made the Pope insert that article, should have induced the king to reject it.

Besides the public treaty, there were separate articles, privately sworn to by the king; in which he promised to suspend the penal laws enacted against catholics, to procure a repeal of them in parliament, and to grant a toleration for the exercise of the catholic religion in private houses.<sup>e</sup> Great murmurs, we may believe, would have arisen against these articles, had they been made known to the public; since we find it to have been imputed as an enormous crime to the prince, that having received, about this time, a very civil letter from the Pope, he was induced to return a very civil answer.<sup>f</sup>

Meanwhile Gregory XV. who granted the dispensation, died, and Urban VIII. was chosen in his place. Upon this event, the nuncio refused to deliver the dispensation, till it should be renewed by Urban; and that crafty pontiff delayed sending a new dispensation, in hopes that, during the prince's residence in Spain, some expedient might be fallen upon to effect his conversion. The King

of England, as well as the prince, became impatient. On the first hint, Charles obtained permission to return; and Philip graced his departure with all the circumstances of elaborate civility and respect, which had attended his reception. He even erected a pillar on the spot where they took leave of each other, as a monument of mutual friendship; and the prince, having sworn to the observance of all the articles, entered on his journey, and embarked on board the English fleet at St. Andro.

The character of Charles, composed of decency, reserve, modesty, sobriety; virtues so agreeable to the manners of the Spaniards; the unparalleled confidence which he had reposed in their nation; the romantic gallantry which he had practised towards their princess; all these circumstances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impressed the most favourable ideas of him.<sup>g</sup> But, in the same proportion that the prince was beloved and esteemed, was Buckingham despised and hated. His behaviour, composed of English familiarity and French vivacity; his sallies of passion, his indecent freedoms with the prince, his dissolute pleasures, his arrogant, impetuous temper, which he neither could nor cared to disguise; qualities like these could, most of them, be esteemed no where, but to the Spaniards were the objects of peculiar aversion.<sup>h</sup> They could not conceal their surprise, that such a youth could intrude into a negotiation now conducted to a period by so accomplished a minister as Bristol, and could assume to himself all the merit of it. They lamented the infanta's fate, who must be approached by a man, whose temerity seemed to respect no laws, divine or human.<sup>i</sup> And when they observed, that he had the imprudence to insult the Condé Duke of Olivarez, their prime minister, every one, who was ambitious of paying court to the Spanish, became desirous of showing a contempt for the English, favourite.

The Duke of Buckingham told Olivarez, that his own attachment to the Spanish nation and to the King of Spain was extreme; that he would contribute to every measure which could cement the friendship between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the infanta. But he added, with a sincerity equally insolent and indiscreet, *With regard to you, Sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition.* The Condé Duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him: and on these terms the favourites parted.<sup>k</sup>

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the infanta, resolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment, by what colours he could disguise the ingratitude and imprudence of such a measure; these are totally unknown to us. We may only conjecture, that the many unavoidable causes of delay, which had so long prevented the arrival of the dispensation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of insincerity in the whole treaty. It also appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendancy over the gentle and modest temper of Charles, and, when the prince left Madrid, he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed so easily with James to abandon a project, which, during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period.<sup>l</sup> A rupture with Spain, the loss of two millions, were prospects little agreeable to this pacific and indigent monarch. But, finding his only son bent against a match, which had always been opposed by his people and his

<sup>n</sup> Franklyn, p. 73.

<sup>o</sup> Idem, p. 74.

<sup>p</sup> Rushworth, vol. i. p. 77.

<sup>q</sup> Idem, vol. i. p. 84.

<sup>r</sup> Franklyn, p. 76.

<sup>s</sup> Rushworth, vol. i. p. 82.

<sup>t</sup> Franklyn, p. 77.

<sup>u</sup> Idem, vol. i. p. 89.

<sup>v</sup> Idem, vol. i. p. 90.

<sup>w</sup> Idem, vol. i. p. 91.

<sup>x</sup> Idem, vol. i. p. 92.

<sup>y</sup> Idem, vol. i. p. 93.

<sup>z</sup> Franklyn, p. 83.

<sup>aa</sup> Rushworth, vol. i. p. 103.

<sup>ab</sup> Idem, vol. i. p. 104.

<sup>ac</sup> Rushworth, vol. i. p. 105.

<sup>ad</sup> Clarendon, vol. i. p. 57.

<sup>ae</sup> Hacket's Life of Williams.

<sup>af</sup> Idem, vol. i. p. 58.



parliament, he yielded to difficulties which he had not courage or strength of mind sufficient to overcome. The prince therefore, and Buckingham, on their arrival at London, assumed entirely the direction of the negotiation, and it was their business to seek for pretences, by which they could give a colour to their intended breach of treaty.

Though the restitution of the palatinate had ever been considered by James as a natural or necessary consequence of the Spanish alliance, he had always forbidden his ministers to insist on it as a preliminary article to the conclusion of the marriage treaty. He considered, that this principality was now in the hands of the emperor and the Duke of Bavaria; and that it was no longer in the King of Spain's power, by a single stroke of his pen, to restore it to its ancient master. The strict alliance of Spain with these princes would engage Philip, he thought, to soften so disagreeable a demand by every art of negotiation; and many articles must of necessity be adjusted, before such an important point could be effected. It was sufficient, in James's opinion, if the sincerity of the Spanish court could, for the present, be ascertained; and, dreading further delays of the marriage, so long wished for, he was resolved to trust the palatine's full restoration to the event of future counsels and deliberations.<sup>2</sup>

This whole system of negotiation Buckingham now reversed; and he overturned every supposition upon which the treaty had hitherto been conducted. After many fruitless artifices were employed to delay or prevent the espousals, Bristol received positive orders not to deliver the proxy, which had been left in his hands, or to finish the marriage, till security were given for the full restitution of the palatinate.<sup>3</sup> Philip understood this language. He had been acquainted with the disgust received by Buckingham, and deeming a man capable of sacrificing to his own ungovernable passions, the greatest interests of his master and of his country, he had expected, that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the English, he delivered into Bristol's hand a written promise, by which he bound himself to procure the restoration of the palatine, either by persuasion, or by every other possible means; and when he found that this concession gave no satisfaction, he ordered the infanta to lay aside the title of Princess of Wales, which she bore after the arrival of the dispensation from Rome, and to drop the study of the English language.<sup>4</sup> And thinking that such rash counsels, as now governed the court of England, would not stop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions.<sup>5</sup>

Thus James, having, by means inexplicable from the ordinary rules of politics, conducted so near an honourable period the marriage of his son, and the restoration of his son-in-law, failed at last of his purpose, by means equally unaccountable.

But, though the expedients already used by Buckingham were sufficiently inglorious both for himself and for the nation, it was necessary for him, ere he could fully effect his purpose, to employ artifices still more dishonourable.

The king, having broken with Spain, was obliged to concert new measures; and, without the assistance of parliament, no effectual step of any kind could be taken. The benevolence, which, during the interval, had been rigorously exacted for recovering the palatinate, though levied for so popular an end, had pro-

cured to the king less money than ill-will from his subjects.<sup>6</sup> Whatever discouragements, therefore, he might receive from his ill agreement with former parliaments, there was a necessity of sum-<sup>A parliament</sup> moning once more this assembly: and it might be hoped, that the Spanish alliance, which gave such umbrage, being abandoned, the Commons would now be better satisfied with the king's administration. In his<sup>29th Feb.</sup> speech to the Houses, James dropped some hints of his cause of complaint against Spain; and he graciously condescended to ask the advice of parliament, which he had ever before rejected, with regard to the conduct of so important an affair as his son's marriage.<sup>7</sup> Buckingham delivered to a committee of Lords and Commons a long narrative, which he pretended to be true and complete, of every step taken in the negotiations with Philip: but partly by the suppression of some facts, partly by the false colouring laid on others, this narrative was calculated entirely to mislead the parliament, and to throw on the court of Spain the reproach of artifice and insincerity. He said that, after many years' negotiation, the king found not himself any nearer his purpose; and that Bristol had never brought the treaty beyond general professions and declarations: that the prince, doubting the good intentions of Spain, resolved at last to take a journey to Madrid, and put the matter to the utmost trial: that he there found such artificial dealings as made him conclude all the steps taken towards the marriage to be false and deceitful: that the restitution of the palatinate, which had ever been regarded by the king as an essential preliminary, was not seriously intended by Spain: and that, after enduring much bad usage, the prince was obliged to return to England, without any hopes, either of obtaining the infanta, or of restoring the elector palatine.<sup>8</sup>

This narrative, which, considering the importance of the occasion, and the solemnity of that assembly to which it was delivered, deserves great blame, was yet vouched for truth by the Prince of Wales, who was present; and the king himself lent it, indirectly, his authority, by telling the parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. It is in vain to plead the youth and inexperience of Charles; unless his inexperience and youth, as is probable,<sup>9</sup> if not certain, really led him into error, and made him swallow all the falsities of Buckingham. And though the king was here hurried from his own measures by the impetuosity of others; nothing should have induced him to prostitute his character, and seem to vouch the impostures, at least false colourings, of his favourite, of which he had so good reason to entertain a suspicion.<sup>10</sup>

Buckingham's narrative, however artfully disguised, contained so many contradictory circumstances, as were sufficient to open the eyes of all reasonable men; but it concurred so well with the passions and prejudices of the parliament, that no scruple was made of immediately adopting it.<sup>11</sup> Charmed with having obtained at length the opportunity, so long wished for, of going to war with papists, they little thought of future consequences; but immediately advised the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the restitution of the palatinate.<sup>12</sup> The people, ever greedy of war, till they suffer by it, displayed their triumph at these violent measures by public bonfires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favourite of the public, and of the parliament. Sir Edward Coke, in the House of Commons, called him the saviour of the nation.<sup>13</sup> Every place

<sup>2</sup> Parl. Hist. vol. vi. p. 57.

<sup>3</sup> Rushworth, vol. i. p. 105. Kennet, p. 776.

<sup>4</sup> Franklin, p. 161. Rushworth, vol. i. p. 112.

<sup>5</sup> Rushworth, vol. i. p. 114.

<sup>6</sup> To show by what violent measures benevolences were usually raised, Clarendon tells us, in his *History of the Rebellion, that James, a trustee of Clarendon, was the first who refused to contribute any thing, upon which the recorder sent him word, that he must immediately prepare himself to carry, by post, a despatch into Ireland. The citizen was glad to make his peace, by paying a hundred pounds, and no one else afterwards refused to have his name required. See farther, Cowe, p. 39.*

<sup>7</sup> Franklin, p. 79. Rushworth, vol. i. p. 115. Kennet, p. 778.

<sup>8</sup> Franklin, p. 109, 109, 110. Rushworth, vol. i. p. 119, 120, &c. Parl. Hist. vol. vi. p. 51, &c.

<sup>9</sup> At the moment the prince was marked at St. Antonio's, he said to those about him, that it was only in the Spaniards to use him so ill, and allow him to

depart: a proof that the duke had made him believe they were insincere in the affair of the marriage and the palatinate: for as to his reception, in other respects, it had been altogether unexpected. Besides, had not the prince believed the Spaniards to be insincere, he had no reason to quarrel with them, though Buckingham had. It appears, therefore, that Charles himself must have been deceived. The monthly delays of the dispensation, though they arose from accident, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.

<sup>10</sup> It must, however, be confessed, that the king afterwards warned the House not to take Buckingham's narrative too far, though it was laid before them by order of Parliament. Parl. Hist. vol. vi. p. 101. James was probably ashamed to have been carried so far by his favourite.

<sup>11</sup> Parl. Hist. vol. vi. p. 75.

<sup>12</sup> Franklin, p. 98. Rushworth, vol. i. p. 128. Parl. Hist. vol. vi. p. 105.

<sup>13</sup> Clarendon, vol. i. p. 6.

resounded with his praises. And he himself, intoxicated by a popularity which he enjoyed so little time, and which he so ill deserved, violated all duty to his indulgent master, and entered into cabals with the puritanical members, who had ever opposed the royal authority. He even encouraged schemes for abolishing the order of bishops, and selling the dean and chapter lands, in order to defray the expenses of a Spanish war. And the king, though he still entertained projects for temporizing, and for forming an accommodation with Spain, was so borne down by the torrent of popular prejudices, conducted and increased by Buckingham, that he was at last obliged, in a speech to parliament, to declare in favour of hostile measures, if they would engage to support him.<sup>m</sup> Doubts of their sincerity in this respect, doubts which the event showed not to be ill-grounded, had probably been one cause of his former pacific and dilatory measures.

In his speech on this occasion, the king began with lamenting his own unhappiness, that, having so long valued himself on the epithet of the pacific monarch, he should now, in his old age, be obliged to exchange the blessings of peace for the inevitable calamities of war. He represented to them the immense and continued expense requisite for military armaments; and besides supplies, from time to time, as they should become necessary, he demanded a vote of six subsidies and twelve fifteenths, as a proper stock before the commencement of hostilities. He told them of his intolerable debts, chiefly contracted by the sums remitted to the palatinate;<sup>n</sup> but he added, that he did not insist on any supply for his own relief, and that it was sufficient for him, if the honour and security of the public were provided for. To remove all suspicion, he who had ever strenuously maintained his prerogative, and who had even extended it into some points esteemed doubtful, now made an imprudent concession, of which the consequences might have proved fatal to royal authority: he voluntarily offered, that the money voted should be paid to a committee of parliament, and should be issued by them, without being intrusted to his management.<sup>o</sup> The Commons willingly accepted of this concession, so unusual in an English monarch; they voted him only three subsidies and three fifteenths;<sup>p</sup> and they took no notice of the complaints which he made of his own wants and necessities.

Advantage was also taken of the present good agreement between the king and parliament, in order to pass the bill against monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the last House of Commons. This bill was conceived in such terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there supposed, that every subject of England had entire power to dispose of his own actions, provided he did no injury to any of his fellow-subjects; and that no prerogative of the king, no power of any magistrate, nothing but the authority alone of laws, could restrain that unlimited freedom. The full prosecution of this noble principle into all its natural consequences, has at last, through many contests, produced that singular and happy government which we enjoy at present.<sup>q</sup>

The House of Commons also corroborated, by a new precedent, the important power of impeachment, which, two years before, they had exercised in the case of Chancellor Bacon, and which had lain dormant for near two centuries, except when they served as instruments of royal vengeance. The Earl of Middlesex had been raised, by

Buckingham's interest, from the rank of a London merchant, to be treasurer of England; and, by his activity and address, seemed not unworthy of that preferment. But, as he incurred the displeasure of his patron, by scrupling or refusing some demands of money, during the prince's residence in Spain, that favourite vowed revenge, and employed all his credit among the Commons to procure an impeachment of the treasurer. The king was extremely dissatisfied with this measure, and prophesied to the prince and duke, that they would live to have their fill of parliamentary prosecutions.<sup>r</sup> In a speech to the parliament, he endeavoured to apologize for Middlesex, and to soften the accusation against him.<sup>s</sup> The charge, however, was still maintained by the Commons; and the treasurer was found guilty by the Peers, though the misdemeanors proved against him were neither numerous nor important. The accepting of two presents of five hundred pounds a-piece, for passing two patents, was the article of greatest weight. His sentence was, to be fined 50,000 pounds for the king's use, and to suffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince, when he mounted the throne.

This session an address was also made, very disagreeable to the king, craving the severe execution of the laws against catholics. His answer was gracious and descending;<sup>t</sup> though he declared against persecution, as being an improper measure for the suppression of any religion, according to the received maxim, *That the blood of the martyrs was the seed of the church*. He also condemned an entire indulgence of the catholics; and seemed to represent a middle course as the most humane and most politic. He went so far as even to affirm with an oath, that he never had entertained any thoughts of granting a toleration to these religionists.<sup>u</sup> The liberty of exercising their worship in private houses, which he had secretly agreed to in the Spanish treaty, did not appear to him deserving that name; and it was probably by means of this explication, he thought that he had saved his honour. And as Buckingham, in his narrative,<sup>v</sup> confessed that the king had agreed to a temporary suspension of the penal laws against the catholics, which he distinguished from a toleration, a term at that time extremely odious, James naturally deemed his meaning to be sufficiently explained, and feared not any reproach of falsehood or duplicity, on account of this asseveration. After all these 29th May.

transactions, the parliament was prorogued by the king, who let fall some hints, though in gentle terms, of the sense which he entertained of their unkindness, in not supplying his necessities.<sup>w</sup>

James, unable to resist so strong a combination as that of his people, his parliament, his son, and his favourite, had been compelled to embrace measures, for which, from temper as well as judgment, he had ever entertained a most settled aversion. Though he dissembled his resentment, he began to estrange himself from Buckingham, to whom he ascribed all those violent counsels, and whom he considered as the author both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Bristol he impatiently looked for; and it was by the assistance of that minister, whose wisdom he respected, and whose views he approved, that he hoped in time to extricate himself from his present difficulties.

During the prince's abode in Spain, that able negotiator had ever opposed, though Return of Bristol. unsuccessfully, to the impetuous measures suggested by Buckingham, his own wise and well-tempered counsels. After Charles's departure, he still, upon the first appear-

<sup>m</sup> In *Young's* p. 24, 25. *Rushworth*, vol. i. p. 129, 130.  
<sup>n</sup> Among other particulars, he mentions a sum of 100,000 pounds borrowed from the King of Denmark. In a former speech to the parliament, he told them, that he had expended 500,000 pounds in the cause of the palatinate, besides the voluntary contribution given him by the people. See *Traveller's*, p. 28. The sum is more extraordinary, the treasurer, in order to show his own good services, boasts to the parliament, that by his contributions, 600,000 pounds had been saved in the article of exchange in the sums remitted to the palatinate. This seems a great sum, not it is easy to mistake, because the king could not procure such vast sums without requiring a sum as considerable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the interests of his treasury, and that he had even gone far beyond what his narrow resources could afford.

<sup>o</sup> *Traveller's*, vol. i. p. 137.  
<sup>p</sup> Less than 800,000 pounds.  
<sup>q</sup> How far this principle had prevailed, during any former period of the English government, particularly in the last reign, which was certainly not so perfect a union of liberty as most writers would represent it,

will easily appear from many passages in the history of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful administration. The Commons, though James of himself had recalled all patents of monopolies, were not contented without a law against them, and a declaration by law too, which was conferring a great point, and establishing principles very favourable to liberty, but they were extremely grateful, when Elizabeth, upon petition, after having once refused their requests, recalled a few of the most oppressive patents, and employed some soothing expressions towards them.

The parliament had surely reason, when they confessed, in the seventh of James, that he allowed them more freedom of debate than ever was indulged by any of his predecessors. His indulgence in this particular, inclined to his easy temper, was probably one cause of the great power assumed by the Commons. Monsieur de la Hoderie, in his despatches, vol. i. p. 449, mentions the liberty of speech in the House of Commons as a new practice.  
<sup>r</sup> *Clarendon*, vol. i. p. 23.  
<sup>s</sup> *Traveller's*, p. 101, 102.  
<sup>t</sup> *Parl. Hist.* vol. vi. p. 37.  
<sup>u</sup> See further, *Traveller's*, p. 52.  
<sup>v</sup> *Franklin*, p. 103.

ance of a change of resolution, interposed his advice, and strenuously insisted on the sincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England must reap from the completion of it. Enraged to find that his successful labours should be rendered abortive by the levities and caprices of an insolent minion, he would understand no hints; and nothing but express orders from his master could engage him to make that demand which he was sensible must put a final period to the treaty. He was not therefore surprised to hear that Buckingham had declared himself his open enemy, and, on all occasions, had thrown out many violent reflections against him.

Nothing could be of greater consequence to Buckingham, than to keep Bristol at a distance both from the king and the parliament; lest the power of truth, enforced by so well-informed a speaker, should open scenes, which were but suspected by the former, and of which the latter had as yet entertained no manner of jealousy. He applied therefore to James, whose weakness, disguised to himself under the appearance of finesse and dissimulation, was now become absolutely incurable. A warrant for sending Bristol to the Tower was issued immediately upon his arrival in England;<sup>a</sup> and though he was soon released from confinement, yet orders were carried him from the king, to retire to his country seat, and to abstain from all attendance in parliament. He obeyed; but loudly demanded an opportunity of justifying himself, and of laying his whole conduct before his master. On all occasions he protested his innocence, and threw on his enemy the blame of every miscarriage. Buckingham, and at his instigation, the prince, declared, that they would be reconciled to Bristol, if he would but acknowledge his errors and ill-conduct: but the spirited nobleman, jealous of his honour, refused to buy favour at so high a price. James had the equity to say, that the insisting on that condition was a strain of unexampled tyranny: but Buckingham scrupled not to assert, with his usual presumption, that neither the king, the prince, nor himself, were as yet satisfied of Bristol's innocence.<sup>b</sup>

While the attachment of the prince to Buckingham, while the timidity of James, or the shame of changing his favourite, kept the whole court in awe; the Spanish ambassador, Inioisa, endeavoured to open the king's eyes, and to cure his fears by instilling greater fears into him. He privately slipped into his hand a paper, and gave him a signal to read it alone. He there told him, that he was as much a prisoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conspired together, and had the whole court at their devotion; that cabals among the popular leaders in parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to some of his hunting seats, and to commit the whole administration to Charles; and that it was necessary for him, by one vigorous effort, to vindicate his authority, and to punish those who had so long and so much abused his friendship and beneficence.<sup>c</sup>

What credit James gave to this representation does not appear. He only discovered some faint symptoms, which he instantly retracted, of dissatisfaction with Buckingham.

His public measures, and all the alliances into which he entered, were founded on the system of enmity to the Austrian family, and of war to be carried on for the recovery of the palatinate.

The States of the United Provinces were, at this time, governed by Maurice; and that aspiring prince, sensible that his credit would languish during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spanish monarchy. His great capacity in the military art would have compensated the inferiority of his forces, had not the Spanish armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprise and activity. In such a situation, nothing could be more welcome to the republic than the

prospect of a rupture between James and the catholic king; and they flattered themselves, as well from the natural union of interests between them and England, as from the influence of the present conjuncture, that powerful succours would soon march to their relief. Accordingly, an army of six thousand men was levied in England and sent over to Holland, commanded by four young noblemen, Essex, Oxford, Southampton, and Willoughby, who were ambitious of distinguishing themselves in so popular a cause, and of acquiring military experience under so renowned a captain as Maurice.

It might reasonably have been expected, <sup>Treaty with France,</sup> as religious zeal had made the recovery of the palatinate appear a point of such vast importance in England; the same effect must have been produced in France, by the force merely of political views and considerations. While that principality remained in the hands of the house of Austria, the French dominions were surrounded on all sides by the possessions of that ambitious family, and might be invaded by superior forces from every quarter. It concerned the King of France, therefore, to prevent the peaceable establishment of the emperor in his new conquests; and both by the situation and greater power of his state, he was much better enabled than James to give succour to the distressed palatine.<sup>d</sup> But though these views escaped not Louis, nor Cardinal Richlieu, who now began to acquire an ascendancy in the French court; that minister was determined to pave the way for his enterprises, by first subduing the hugonots, and thence to proceed, by mature counsels, to humble the house of Austria. The prospect, however, of a conjunction with England was presently embraced, and all imaginable encouragement was given to every proposal for conciliating a marriage between Charles and the Princess Henrietta.

Notwithstanding the sensible experience, which James might have acquired, of the insurmountable antipathy entertained by his subjects against an alliance with catholics, he still persevered in the opinion, that his son would be degraded by receiving into his bed a princess of less than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himself.<sup>e</sup> The same allurements had not here place, which had so long entangled him in the Spanish negotiation: the portion promised was much inferior; and the peaceable restoration of the palatine could not thence be expected. But James was afraid lest his son should be altogether disappointed of a bride; and therefore, as soon as the French king demanded, for the honour of his crown, the same terms which had been granted to the Spanish, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promise to allow the infant's education of her children till the age of thirteen, this article was here inserted in the treaty; and to that imprudence is generally imputed the present distressed condition of his posterity. The court of England, however, it must be confessed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics were inserted in the marriage treaty merely to please the Pope, and that their strict execution was, by an agreement with France, secretly dispensed with.<sup>f</sup>

As much as the conclusion of the marriage treaty was acceptable to the king, as much were all the military enterprises disagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for such a scene of action.

During the Spanish negotiation, Heidelberg and Mannheim had been taken by the imperial forces; and Frankendale, though the garrison was entirely English, was closely besieged by them. After reiterated remonstrances from James, Spain interposed, and procured a suspension of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions which was

<sup>a</sup> Rushworth, vol. i. p. 145.

<sup>b</sup> *Ibid.* vol. i. p. 259.

<sup>c</sup> Rushworth, vol. i. p. 141. Harker's Life of Williams, vol. i. p. 167.

<sup>d</sup> See Collection of State Papers by the Earl of Clarendon, p. 365.

<sup>e</sup> Rushworth, vol. i. p. 152.

<sup>f</sup> *Ibid.* tom. viii. p. 231. It is certain that the young Prince of Wales, afterwards Charles II. had profane notions from his early years. First the Earl of Newcastle, then the Marquis of Hertford. The

king, in his memorial to foreign churches, after the commencement of the civil wars, insists on his care in educating his children in the protestant religion, as a proof that he was never inclined to the catholic. Rushworth, vol. v. p. 702. It can scarcely, therefore, be questioned, but this article, which had so odd an appearance, was inserted only to amuse the Pope, and was never intended by either party to be executed.



still in his hands, Ferdinand, desirous of withdrawing his forces from the palatinate, and of leaving that state in security, was unwilling that so important a fortress should remain in the possession of his enemy. To compromise all differences, it was agreed to sequestrate it into the hands of the infant as a neutral person; upon condition that, after the expiration of the truce, it should be delivered to Frederic; though peace should not at that time be concluded between him and Ferdinand.<sup>a</sup> After the unexpected rupture with Spain, the infant, when James demanded the execution of the treaty, offered him peaceable possession of Frankendale, and even promised a safe conduct for the garrison through the Spanish Netherlands: but there was some territory of the empire interposed between her state and the palatinate; and for passage over that territory, no terms were stipulated.<sup>f</sup> By this chicane, which certainly had not been employed if amity with Spain had been preserved, the palatine was totally dispossessed of his patrimonial dominions.

The English nation, however, and James's warlike council, were not discouraged. It was still determined to reconquer the palatinate; a state lying in the midst of Germany, possessed entirely by the emperor and Duke of Bavaria, surrounded by potent enemies, and cut off from

<sup>Mansfeldt's expedition.</sup> all communication with England. Count Mansfeldt was taken into pay; and an English army of twelve thousand foot and two hundred horse was levied by a general press throughout the kingdom. During the negociation with France, vast promises had been made, though in general terms, by the French ministry; not only that a free passage should be granted to the English troops, but that powerful succours should also join them in their march towards the palatinate. In England, all these professions were hastily interpreted to be positive engagements. The troops under

<sup>December.</sup> Mansfeldt's command were embarked at Dover; but, upon sailing over to Calais, found no orders yet arrived for their admission. After waiting in vain during some time, they were obliged to sail towards Zealand; where it had also been neglected to concert proper measures for their disembarkation; and some scruples arose among the States on account of the scarcity of provisions. Meanwhile a pestilential distemper crept in among the English forces, so long cooped up in narrow vessels. Half the army died while on board; and the other half, weakened by sickness, appeared too small a body to march into the palatinate.<sup>g</sup> And thus ended this ill-concerted and fruitless expedition; the only disaster which happened to England during the prosperous and pacific reign of James.

<sup>A. D. 1625.</sup> That reign was now drawing towards a conclusion. With peace, so successfully cultivated and so passionately loved by this monarch, his life also terminated. This spring he was seized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that such a distemper, during that season, was health for a king, he replied, that the proverb was meant of a young king. After some fits, he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion; to protect the church of England; and to extend his care towards the unhappy family of the palatinate.<sup>h</sup> With decency and courage he prepared himself for his end; and he expired

<sup>Death of the king.</sup> on the 27th of March, after a reign over England of twenty-two years and some days; and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life. In all history, it would be difficult to find a reign less illustrious, yet more unspotted and unblemished, than that of James in both kingdoms.

<sup>His character.</sup> No prince, so little enterprising and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric. And the factions, which began in his

time, being still continued, have made his character be as much disputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it must be owned, he was possessed of; but scarce any of them pure, or free from the contagion of the neighbouring vices. His generosity bordered on profusion, his learning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness. While he imagined that he was only maintaining his own authority, he may perhaps be suspected, in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people: while he endeavoured, by an exact neutrality, to acquire the good-will of all his neighbours, he was able to preserve fully the esteem and regard of none. His capacity was considerable; but fitter to discourse on general maxims, than to conduct any intricate business: his intentions were just; but more adapted to the conduct of private life, than to the government of kingdoms. Awkward in his person and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment: exposed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole, it may be pronounced of his character, that all his qualities were sullied with weakness and embellished by humanity. Of political courage he certainly was destitute; and thence chiefly is derived the strong prejudice which prevails against his personal bravery: an inference, however, which must be owned, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the 3d of March 1619, in the forty-fifth year of her age; a woman eminent neither for her virtues nor her virtues. She loved shows and expensive amusements; but possessed little taste in her pleasures. A great comet appeared about the time of her death; and the vulgar esteemed it the prognostic of that event. So considerable in their eyes are even the most insignificant princes.

He left only one son, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate; and he never discovered any tendency, even the smallest, towards a passion for any mistress.

The Archbishops of Canterbury, during this reign, were, Whytgift, who died in 1604; Bancroft, in 1610; Abbott, who survived the king. The chancellors, Lord Ellesmore, who resigned in 1617; Bacon was first lord-keeper till 1619; then was created chancellor, and was displaced in 1621; Williams, Bishop of Lincoln, was created lord-keeper in his place. The high treasurers were, the Earl of Dorset, who died 1609; the Earl of Salisbury, in 1612; the Earl of Suffolk, fined, and displaced for bribery in 1618; Lord Mandeville, resigned in 1621; the Earl of Middlesex, displaced in 1624; the Earl of Marlborough succeeded. The lord admirals were, the Earl of Nottingham, who resigned in 1618; the Earl, afterwards Duke, of Buckingham. The secretaries of state were, the Earl of Salisbury, Sir Ralph Winwood, Nanton, Calvert, Lord Conway, Sir Albertus Moreton.

The numbers of the House of Lords, in the first parliament of this reign, were seventy-eight temporal peers. The numbers in the first parliament of Charles were ninety-seven. Consequently James, during that period, created nineteen new peerages above those that expired.

The House of Commons, in the first parliament of this reign, consisted of four hundred and sixty-seven members. It appears, that four boroughs revived their charters, which they had formerly neglected. And as the first parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

<sup>a</sup> Rushworth, vol. i. p. 74.

<sup>f</sup> *Ibid.* p. 151.

<sup>g</sup> *Franken.* p. 108. Rushworth, vol. i. p. 151. Durdale, p. 21

<sup>h</sup> Rushworth, vol. i. p. 155.

## CHAP. I.

## CHARLES I.

A Parliament at Westminster. At Oxford. Naval expedition against Spain. Second parliament. Imprisonment of Buckingham. Violent measures of the court.—War with France.—Expedition to the isle of Rhé.

A. D. 1625. No sooner had Charles taken into his hands the reins of government, than he showed an impatience to assemble the great council of the nation; and he would gladly, for the sake of despatch, have called together the same parliament which had sitten under his father, and which lay at that time under prorogation. But being told that this measure would appear unusual, he issued writs for summoning a new parliament on the 7th of May; and it was not without regret that the arrival of the princess Henrietta, whom he had espoused by proxy, obliged him to delay, by repeated prorogations, their meeting till the eighteenth of June, when they assembled at Westminster for the despatch of business.

The young prince, inexperienced and impolitic, regarded as sincere all the praises and caresses with which he had been loaded, while active in procuring the rupture with the house of Austria. And besides that he laboured under great necessities, he hastened with alacrity to a period when he might receive the most unbounded testimony of the dutiful attachment of his subjects. His discourse to the parliament was full of simplicity and cordiality. He lightly mentioned the occasion which he had for supply.<sup>a</sup> He employed no intrigue to influence the suffrages of the members. He would not even allow the officers of the crown who had seats in the House to mention any particular sum which might be expected by him. Secure of the affections of the Commons, he was resolved that their bounty should be entirely their own deed; unasked, unsolicited; the genuine fruit of sincere confidence and regard.

The House of Commons accordingly took into consideration the business of supply. They knew that all the money granted by the last parliament had been expended on naval and military armaments; and that great anticipations were likewise made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own subjects and from foreign princes. They had learned by experience, that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were sensible that the present war was very lately the result of their own importunate applications and entreaties, and that they had solemnly engaged to support their sovereign in the management of it. They were acquainted with the difficulty of military enterprises, directed against the whole house of Austria; against the King of Spain, possessed of the greatest riches and most extensive dominions of any prince in Europe; against the Emperor Ferdinand, hitherto the most fortunate monarch of his age, who had subdued and astonished Germany by the rapidity of his victories. Deep impressions, they saw, must be made by the English sword, and a vigorous offensive war be waged against these mighty potentates, ere they would resign a principality, which they had now fully subdued, and which they held in secure possession, by its being surrounded with all their other territories.

To answer, therefore, all these great and important ends; to satisfy their young king in the first request which he made them; to prove their sense of the many royal virtues, particularly economy, with which Charles was endowed; the House of Commons, conducted by the wisest and ablest senators that had ever flourished in England, thought proper to confer on the king a supply of two subsidies, amounting to 112,000 pounds.<sup>b</sup>

This measure, which discovers rather a cruel mockery of Charles than any serious design of supporting him, appears so extraordinary, when considered in all its circumstances,

that it naturally summons up our attention, and raises an inquiry concerning the causes of a conduct, unprecedented in an English parliament. So numerous an assembly, composed of persons of various dispositions, was not, it is probable, wholly influenced by the same motives; and few declared openly their true reason. We shall, therefore, approach nearer to the truth, if we mention all the views which the present conjuncture could suggest to them.

It is not to be doubted, but spleen and ill-will against the Duke of Buckingham had an influence with many. So vast and rapid a fortune, so little merited, could not fail to excite public envy; and however men's hatred might have been suspended for a moment, while the duke's conduct seemed to gratify their passions and their prejudices, it was impossible for him long to preserve the affections of the people. His influence over the modesty of Charles exceeded even that which he had acquired over the weakness of James, nor was any public measure conducted but by his counsel and direction. His vehement temper prompted him to raise suddenly to the highest elevation his flatterers and dependents; and upon the least occasion of displeasure, he threw them down with equal impetuosity and violence. Implacable in his hatred; fickle in his friendships: all men were either regarded as his enemies, or dreaded soon to become such. The whole power of the kingdom was grasped by his insatiable hand; while he both engrossed the entire confidence of his master, and held, invested in his single person, the most considerable offices of the crown.

However the ill-humour of the Commons might have been increased by these considerations, we are not to suppose them the sole motives. The last parliament of James, amidst all their joy and festivity, had given him a supply very disproportioned to his demand and to the occasion. And as every House of Commons which was elected during forty years, succeeded to all the passions and principles of their predecessors; we ought rather to account for this obstinacy from the general situation of the kingdom during that whole period, than from any circumstances which attended this particular conjuncture.

The nation was very little accustomed at that time to the burden of taxes, and had never opened their purses in any degree for supporting their sovereign. Even Elizabeth, notwithstanding her vigour and frugality, and the necessary wars in which she was engaged, had reason to complain of the Commons in this particular; nor could the authority of that princess, which was otherwise almost absolute, ever extort from them the requisite supplies. Habits, more than reason, we find in every thing to be the governing principle of mankind. In this view, likewise, the sinking of the value of subsidies must be considered as a loss to the king. The parliament, swayed by custom, would not augment their number in the same proportion.

The puritanical party, though disguised, had a great authority over the kingdom; and many of the leaders among the Commons had secretly embraced the rigid tenets of that sect. All these were disgusted with the court, both by the prevalence of the principles of civil liberty essential to their party, and on account of the restraint under which they were held by the established hierarchy. In order to fortify himself against the resentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans: but being secure of the confidence of Charles, he had since abandoned this party; and on that account was the more exposed to their hatred and resentment. Though the religious schemes of many of the puritans, when explained, appeared pretty frivolous, we are not thence to imagine that they were pursued by none but persons of weak understandings. Some men of the greatest parts and most extensive knowledge that the nation at this time produced, could not enjoy any peace of mind, because obliged to hear prayers offered up to the Divinity by a priest covered with a white linen vestment.

The match with France, and the articles in favour of catholics, which were suspected to be in the treaty, were likewise causes of disgust to this whole party: though it

<sup>a</sup> *Ed. comp.*, vol. i. p. 171. *Parl. Hist.*, vol. vi. p. 186. Franklin, i. 11.

<sup>b</sup> A subsidy was now fallen to about 26,000 pounds. *Cathol. post.* 114. *Ed.*

must be remarked, that the connexions with that crown were much less obnoxious to the protestants, and less agreeable to the catholics, than the alliance formerly projected with Spain, and were therefore received rather with pleasure than dissatisfaction.

To all these causes we must yet add another of considerable moment. The House of Commons, we may observe, was almost entirely governed by a set of men of the most uncommon capacity, and the largest views: men who were now formed into a regular party, and united, as well by fixed aims and projects, as by the hardships which some of them had undergone, in prosecution of them. Among these we may mention the names of Sir Edward Coke, Sir Edwin Sandys, Sir Robert Philips, Sir Francis Seymour, Sir Dudley Digges, Sir John Elliot, Sir Thomas Wentworth, Mr. Selden, and Mr. Pym. Animated with a warm regard to liberty, these generous patriots saw with regret an unbounded power exercised by the crown, and were resolved to seize the opportunity which the king's necessities offered them, of reducing the prerogative within more reasonable compass. Though their ancestors, had blindly given way to practices and precedents favourable to kingly power, and had been able, notwithstanding, to preserve some small remains of liberty; it would be impossible, they thought, when all these pretensions were methodized, and prosecuted by the increasing knowledge of the age, to maintain any shadow of popular government, in opposition to such unlimited authority in the sovereign. It was necessary to fix a choice; either to abandon entirely the privileges of the people, or to secure them by firmer and more precise barriers than the constitution had hitherto provided for them. In this dilemma, men of such aspiring geniuses, and such independent fortunes, could not long deliberate: they boldly embraced the side of freedom, and resolved to grant no supplies to their necessitous prince without extorting concessions in favour of civil liberty. The end they esteemed beneficent and noble: she means regular and constitutional. To grant or refuse supplies was the undoubted privilege of the Commons. And as all human governments, particularly those of a mixed frame, are in continual fluctuation, it was as natural in their opinion, and allowable, for popular assemblies to take advantage of favourable incidents, in order to secure the subject, as for monarchs, in order to extend their own authority. With pleasure they beheld the king involved in a foreign war, which rendered him every day more dependent on the parliament; while at the same time the situation of the kingdom, even without any military preparations, gave it sufficient security against all invasion from foreigners. Perhaps, too, it had partly proceeded from expectations of this nature, that the popular leaders had been so urgent for a rupture with Spain; nor is it credible, that religious zeal could so far have blinded all of them as to make them discover in such a measure any appearance of necessity, or any hope of success.

But, however natural all these sentiments might appear to the country party, it is not to be imagined that Charles would entertain the same ideas. Strongly prejudiced in favour of the duke, whom he had heard so highly extolled in parliament, he could not conjecture the cause of so sudden an alteration in their opinions. And when the war which they themselves had so earnestly solicited, was at last commenced, the immediate desertion of their sovereign could not but seem very unaccountable. Even though no further motive had been suspected, the refusal of supply in such circumstances would naturally to him appear cruel and deceitful: but when he perceived that this measure proceeded from an intention of encroaching on his authority, he failed not to regard these claims as highly criminal and traitorous. Those lofty ideas of monarchical power which were very commonly adopted during that age, and to which the ambiguous nature of the English constitution gave so plausible an appearance, were firmly rivetted in Charles; and, however moderate his temper, the natural and unavoidable prepossessions of self-love, joined to the late uniform precedents in favour of prerogative, had made him regard his political tenets as certain and

uncontroverted. Taught to consider even the ancient laws and constitution more as lines to direct his conduct, than barriers to withstand his power; a conspiracy to erect new ramparts in order to straiten his authority appeared but one degree removed from open sedition and rebellion. So atrocious in his eyes was such a design, that he seems even unwilling to impute it to the Commons: and though he was constrained to adjourn the parliament by reason of the plague, which at that time raged in London; he immediately re-assembled them at Oxford, and made a new attempt to gain from them some supplies in such an urgent necessity.

11th July.

1st Aug. A parliament at Oxford.

Charles now found himself obliged to depart from that delicacy which he had formerly maintained. By himself or his ministers, he entered into a particular detail both of the alliances which he had formed, and of the military operations which he had projected.<sup>e</sup> He told the parliament, that by a promise of subsidies, he had engaged the King of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouse to arms those princes who impatiently longed for an opportunity of asserting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an English army into the palatinate, and by that quarter to excite the members of the evangelical union; that the States must be supported in the unequal warfare which they maintained with Spain; that no less a sum than 700,000 pounds a year had been found, by computation, requisite for all these purposes; that the maintenance of the fleet, and the defence of Ireland, demanded an annual expense of 400,000 pounds; that he himself had already exhausted and anticipated in the public service his whole revenue, and had scarcely left sufficient for the daily subsistence of himself and his family;<sup>f</sup> that on his accession to the crown, he found a debt of above 300,000 pounds, contracted by his father in support of the palatine; and that, while Prince of Wales, he had himself contracted debts, notwithstanding his great frugality, to the amount of 70,000 pounds, which he had expended entirely on naval and military armaments. After mentioning all these facts, the king even condescended to use entreaties. He said, that this request was the first he had ever made them; that he was young and in the commencement of his reign; and if he now met with kind and dutiful usage, it would endear to him the use of parliaments, and would for ever preserve an entire harmony between him and his people.<sup>g</sup>

To these reasons the Commons remained inexorable. Notwithstanding that the king's measures, on the supposition of a foreign war, which they had constantly demanded, were altogether unexceptionable, they obstinately refused any further aid. Some members favourable to the court having insisted on an addition of two fifteenths to the former supply, even this pittance was refused; <sup>f</sup> though it was known that a fleet and army were lying at Portsmouth in great want of pay and provisions; and that Buckingham the admiral, and the treasurer of the navy, had advanced on their own credit near a hundred thousand pounds for the sea-service.<sup>h</sup> Besides all their other motives, the House of Commons had made a discovery which, as they wanted but a pretence for their refusal, inflamed them against the court and against the Duke of Buckingham.

When James deserted the Spanish alliance and courted that of France, he had promised to furnish Lewis, who was entirely destitute of naval force, with one ship of war, together with seven armed vessels hired from the merchants. These the French court had pretended they would employ against the Genoese, who, being firm and useful allies to the Spanish monarchy, were naturally regarded with an evil eye, both by the King of France and of England. When these vessels by Charles's orders arrived at Dieppe, there arose a strong suspicion that they were to serve against Rochelle. The sailors were inflamed. That race of men, who are at present both careless and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonstrance to Pennington, their com-

<sup>e</sup> Dugdale, p. 25, 26.<sup>d</sup> Parl. Hist. vol. vi. p. 396.<sup>f</sup> Parl. Hist. vol. i. p. 177, 178, &c. Parl. Hist. vol. vi. p. 399. Franklin, p. 169. Journ. 10th Aug. 1625.<sup>g</sup> Rush vol. i. p. 190.<sup>h</sup> Parl. Hist. vol. vi. p. 390.



mander; and signing all their names in a circle, lest he should discover the ringleaders, they had it under his prayer-book. Pennington declared, that he would rather be hanged in England for disobedience, than fight against his brother protestants in France. The whole squadron sailed immediately to the Downs. There they received new orders from Buckingham, lord admiral, to return to Dieppe. As the duke knew that authority alone would not suffice, he employed much art and many subtleties to engage them to obedience; and a rumour which was spread that peace had been concluded between the French king and the hugonots, assisted him in his purpose. When they arrived at Dieppe they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the vessels, broke through and returned to England. All the officers and sailors of all the other ships, notwithstanding great offers made them by the French, immediately deserted. One gunner alone preferred duty towards his king to the cause of religion; and he was afterwards killed in charging a cannon before Rochelle.<sup>1</sup> The care which historians have taken to record this frivolous event, proves with what pleasure the news was received by the nation.

The House of Commons, when informed of these transactions, showed the same attachment with the sailors for the protestant religion; nor was their zeal much better guided by reason and sound policy. It was not considered, that it was highly probable the king and the duke themselves had here been deceived by the artifices of France, nor had they any hostile intention against the hugonots; that were it otherwise, yet might their measures be justified by the most obvious and most received maxims of civil policy; that if the force of Spain were really so exorbitant as the Commons imagined, the French monarch was the only prince that could oppose its progress, and preserve the balance of Europe; that his power was at present fettered by the hugonots, who, being possessed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealousy and inquietude; that an insurrection had been at that time wantonly and voluntarily formed by their leaders, who, being disgusted in some court intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion; that the Dutch, influenced by these views, had ordered a squadron of twenty ships to join the French fleet, employed against the inhabitants of Rochelle.<sup>2</sup> That the Spanish monarch, sensible of the same consequences, secretly supported the protestants in France; and that all princes had ever sacrificed to reasons of state the interests of their religion in foreign countries. All these obvious considerations had no influence. Great murmurs and discontents still prevailed in parliament. The hugonots, though they had no ground of complaint against the French court, were thought to be as much entitled to assistance from England, as if they had taken arms in defence of their liberties and religion against the persecuting rage of the catholics. And it plainly appears from this incident, as well as from many others, that of all European nations, the British were at that time, and till long after, the most under the influence of that religious spirit which tends rather to inflame bigotry than increase peace and mutual charity.

On this occasion the Commons renewed their eternal complaints against the growth of popery, which was ever the chief of their grievances, and now their only one.<sup>3</sup> They demanded a strict execution of the penal laws against the catholics, and remonstrated against some late pardons granted the priests.<sup>4</sup> They attacked Montague, one of the king's chaplains, on account of a moderate book which he had lately published, and which, to their great disgust, saved virtuous catholics, as well as other Christians, from eternal torments.<sup>5</sup> Charles gave them a gracious and compliant answer to all their remonstrances. He was, however, in his heart extremely averse to these

furious measures. Though a determined protestant by principle as well as inclination, he had entertained no violent horror against popery; and a little humanity, he thought, was due by the nation to the religion of their ancestors. That degree of liberty which is now indulged to catholics, though a party much more obnoxious than during the reign of the Stuarts, it suited neither with Charles's sentiments, nor the humour of the age, to allow them. An abatement of the more rigorous laws was all he intended; and his engagements with France, notwithstanding that their regular execution had never been promised or expected, required of him some indulgence. But so unfortunate was this prince, that no measure embraced during his whole reign was ever attended with more unhappy and more fatal consequences.

The extreme rage against popery was a sure characteristic of puritanism. The House of Commons discovered other infallible symptoms of the prevalence of that party. They petitioned the king for replacing such able clergy as had been silenced for want of conformity to the ceremonies.<sup>6</sup> They also enacted laws for the strict observance of Sunday, which the puritans affected to call the Sabbath, and which they sanctified by the most melancholy indolence.<sup>7</sup> It is to be remarked, that the different appellations of this festival were at that time known symbols of the different parties.

The king, finding that the parliament was resolved to grant him no supply, and would furnish him with nothing but empty protestations of duty,<sup>8</sup> or disagreeable complaints of grievances; took advantage of the plague,<sup>9</sup> which began to appear at Oxford, and on that pretence immediately dissolved them. By finishing the session with a dissolution, instead of a prorogation, he sufficiently expressed his displeasure at their conduct.

To supply the want of parliamentary aids, Charles issued privy-seals for borrowing Aug 12. money from his subjects.<sup>10</sup> The advantage reaped by this expedient was a small compensation for the disgust which it occasioned: by means, however, of that supply, and by other expedients, he was, though with difficulty, enabled to equip his fleet. It consisted of eighty Oct. 1. vessels great and small; and carried on board an army of 10,000 men. Sir Edward Cecil, lately created Viscount Wimpleton, was intrusted with the command. He sailed immediately for Cadiz,

and found the bay full of Spanish ships of great value. He either neglected to attack Naval expedition against Spain. these ships, or attempted it preposterously. The army was landed and a fort taken: but the undisciplined soldiers, finding store of wine, could not be restrained from the utmost excesses. Further stay appearing fruitless, they were re embarked; and the fleet put to sea with an intention of intercepting the Spanish galleons. November.

But the plague having seized the seamen and soldier; they were obliged to abandon all hopes of this prize, and return to England. Loud complaints were made against the court for intrusting so important a command to a man like Cecil, whom, though he possessed great experience, the people, judging by the event, esteemed of slender capacity.<sup>11</sup>

Charles, having failed of so rich a prize, A. D. 1626. was obliged again to have recourse to a parliament. Though the ill success of his enterprises diminished his authority, and showed every day more plainly the imprudence of the Spanish war; though the increase of his necessities rendered him more dependent, and more exposed to the encroachments of the Commons; he was resolved to try once more that regular and constitutional expedient for supply. Perhaps, too, Second parliament. a little political art, which at that time he practised, was much trusted to. He had named four popular leaders, sheriffs of counties; Sir Edward Coke, Sir Robert Philips, Sir Thomas Wentworth, and Sir Francis Seymour; and, though the question had been formerly

at the beginning of the session, to petition the king to adjourn them, 1 Journ. 21 June, 1625. So it was impossible to enter upon grievances, even if there had been any. The only business of the parliament was to vote a supply, which was so much wanted by the king, in order to carry on the war in which they had engaged him. 2 Rush, vol. i. p. 102. Parl. Hist. vol. i. p. 107. 3 Franklin, p. 115. Roseworthy, vol. i. p. 98.

1 Franklin, p. 109. Rush, vol. i. p. 175, 176, Sec. 326, 326, Sec. 1 Journ. 16 April, 1626. 2 Franklin, p. 3 & 4. 3 Parl. Hist. vol. i. p. 171. Journ. 1 Aug. 1625. 4 Parl. Hist. vol. i. p. 171. Journ. 2 July, 1625. 5 Franklin, vol. i. p. 101. 6 Car. i. cap. i. Journ. 21 June, 1625. 7 Franklin, vol. i. p. 102. Roseworthy, vol. i. p. 98. 8 Roseworthy, vol. i. p. 98. 9 Roseworthy, vol. i. p. 98. 10 Roseworthy, vol. i. p. 98.

much contested, he thought that he had by that means incapacitated them from being elected members. But his intention being so evident, rather put the Commons more upon their guard. Enow of patriots still remained to keep up the ill humour of the House; and men needed but little instruction or rhetoric to recommend to them practices which increased their own importance and consideration. The weakness of the court, also, could not more evidently appear than by its being reduced to use so ineffectual an expedient, in order to obtain an influence over the Commons.

The votes, therefore, of the last parliament were immediately adopted; as if the same men had been every where elected, and no time had intervened since their meeting. When the king laid before the House his necessities, and asked for supply, they immediately voted him three subsidies and three fifteenths; and though they afterwards added one subsidy more, the sum was little proportioned to the greatness of the occasion, and ill fitted to promote those views of success and glory for which the young prince, in his first enterprise, so ardently longed. But this circumstance was not the most disagreeable one. The supply was only voted by the Commons. The passing of that vote into a law was reserved till the end of the session.<sup>a</sup> A condition was thereby made, in a very undisguised manner, with their sovereign. Under colour of redressing grievances, which during this short reign could not be very numerous, they were to proceed in regulating and controlling every part of government which displeased them: and if the king either cut them short in this undertaking, or refused compliance with their demands, he must not expect any supply from the Commons. Great dissatisfaction was expressed by Charles at a treatment which he deemed so harsh and undutiful.<sup>b</sup> But his urgent necessities obliged him to submit; and he waited with patience, observing to what side they would turn themselves.

The Duke of Buckingham, formerly obnoxious to the public, became every day more unpopular, by the symptoms which appeared both of his want of temper and prudence, and of the uncontrolled ascendancy which he had acquired over his master.<sup>c</sup> Two violent attacks he was obliged this session to sustain; one from the Earl of Bristol, another from the House of Commons.

As long as James lived, Bristol, secure of the concealed favour of that monarch, had expressed all duty and obedience; in expectation that an opportunity would offer of re-instating himself in his former credit and authority. Even after Charles's accession he despaired not. He submitted to the king's commands of remaining at his country seat, and of absenting himself from parliament. Many trials he made to regain the good opinion of his master; but finding them all fruitless, and observing Charles to be entirely governed by Buckingham, his implacable enemy, he resolved no longer to keep any measures with the court. A new spirit he saw, and a new power, arising in the nation; and to these he was determined for the future to trust for his security and protection.

When the parliament was summoned, Charles, by a stretch of prerogative, had given orders that no writ, as is customary, should be sent to Bristol.<sup>d</sup> That nobleman applied to the House of Lords by petition; and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was sent him,

but accompanied with a letter from the lord-keeper, Coventry, commanding him, in the king's name, to absent himself from parliament. This letter Bristol conveyed to the Lords, and asked advice how to proceed in so delicate a situation.<sup>e</sup> The king's prohibition was withdrawn, and Bristol took his seat. Provoked at these repeated instances of vigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accusation of high treason against him. By way of recrimination, Bristol accused Buckingham of high treason. Both the earl's defence of himself and accusation of the duke remain; and, together with some original letters still extant, contain the fullest and most authentic account of all the negotiations with the house of Austria. From the whole, the great imprudence of the duke evidently appears, and the sway of his ungovernable passions; but it would be difficult to collect thence any action which in the eye of the law could be deemed a crime; much less could subject him to the penalty of treason.

The impeachment of the Commons was still less dangerous to the duke, were it estimated by the standard of law and equity. The House, after having voted upon some queries of Dr. Turner's, that common fame was a sufficient ground of accusation by the Commons,<sup>f</sup> proceeded to frame regular articles against Buckingham. They accused him of having united many offices in his person; of having bought two of them; of neglecting to guard the seas, inasmuch that many merchant-ships had fallen into the hands of the enemy; of delivering ships to the French king, in order to serve against the hugonots; of being employed in the sale of honours and offices; of accepting extensive grants from the crown; of procuring many titles of honour for his kindred, and of administering physic to the late king without acquainting his physicians. All these articles appear, from comparing the accusation and reply, to be either frivolous, or false, or both.<sup>g</sup> The only charge which could be regarded as important was, that he had extorted a sum of ten thousand pounds from the East India Company, and that he had confiscated some goods belonging to French merchants, on pretence of their being the property of Spanish. The impeachment never came to a full determination; so that it is difficult for us to give a decisive opinion with regard to these articles. But it must be confessed, that the duke's answer in these particulars, as in all the rest, is so clear and satisfactory, that it is impossible to refuse our assent to it.<sup>h</sup> His faults and blemishes were in many respects very great; but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable that the Commons, though so much at a loss to find articles of charge against Buckingham, never adopted Bristol's accusation, or impeached the duke for his conduct in the Spanish treaty, the most blamable circumstance in his whole life. He had reason to believe the Spaniards sincere in their professions; yet, in order to gratify his private passions, he had hurried his master and his country into a war pernicious to the interests of both. But so rivetted throughout the nation were the prejudices with regard to Spanish deceit and falsehood, that very few of the Commons seem as yet to have been convinced that they had been seduced by Buckingham's narrative: a certain proof that a discovery of this nature was not, as is imagined by several historians, the cause of so sudden and surprising a variation in the measures of the parliament.<sup>i</sup>

While the Commons were thus warmly engaged against

<sup>a</sup> It is always an express clause in the writ of summons, that no sheriff shall be chosen; but the contrary practice had often prevailed. D'Ewes, p. 38. Yet still great doubts were entertained on this head. See Journ. 9 April, 1641.

<sup>b</sup> Parliamentary History, vol. vi, p. 419. Rushworth, vol. i, p. 224.

<sup>c</sup> His credit with the king had given him such influence, that he had no less than twenty proxies granted him this parliament by so many peers, who absented a vote, that no peer should have above two proxies. The Earl of Leicester, in 1585, had only ten proxies. D'Ewes, p. 311.

<sup>d</sup> Rushworth, vol. i, p. 236.

<sup>e</sup> Ibid. vol. i, p. 237. Franklin, p. 120, &c.

<sup>f</sup> Rushworth, vol. i, p. 256, 262, 263, &c. Franklin, p. 123, &c.

<sup>g</sup> Rushworth, vol. i, p. 247. Whitlocke, p. 3.

<sup>h</sup> Rushworth, vol. i, p. 306, &c. 375, &c. Journ. 25 March, 1626.

<sup>i</sup> Whitlocke, p. 7.

<sup>k</sup> By a speech of Sir Simon d'Ewes, in the first year of the long parliament, it clearly appears, that the nation never had, even to that time, been rightly informed concerning the transactions of the Spanish negotiation, and still believed the court of Madrid to have been altogether sincere in their professions. What reason, upon that supposition, had they to blame either the prince or the duke, Buckingham for their conduct, so far

as the narrative delivered to the parliament? This is a capital fault, and ought to be well attended to. D'Ewes's speech is in Nalson, vol. ii, p. 368. No author or historian of that age mentions the discovery of Buckingham's impostures as a cause of disgust in the parliament. Whitlocke, p. 1, says only, that the Commons began to suspect that it had been spoken in Buckingham, not zeal for public good, which had induced him to break the Spanish match: a clear proof that his falsehood was not suspected. Wilson, p. 720, says, that Buckingham lost his popularity after Bristol arrived, not because that nobleman discovered to the world the falsehood of his narrative, but because he proved that Buckingham, while in Spain, had professed himself a papist, which is false, and which was never said by Bristol. In all the debates which remain, not the least hint is given that any falsehood was suspected in the narrative. I shall further add, that even if the parliament had discovered the deceit in Buckingham's narrative, this ought not to have altered their political measures, or made them refuse supply to the king. They had supposed it practicable to wrest the palatinate by arms from the house of Austria; they had represented it as prudent to expend the blood and treasure of the nation in such an enterprise; they had believed that the King of Spain never had any sincere intention of restoring that principality. It is certain that he had not now any such intention: and though there was rea-

Buckingham, the king seemed desirous of embracing every opportunity by which he could express a contempt and disregard for them. No one was at that time sufficiently sensible of the great weight which the Commons bore in the balance of the constitution. The history of England had never hitherto afforded one instance where any great movement or revolution had proceeded from the lower House. And as their rank, both considered in a body and as individuals, was but the second in the kingdom; nothing less than fatal experience could engage the English princes to pay a due regard to the inclinations of that formidable assembly.

The Earl of Suffolk, chancellor of the university of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court-interest, chosen in his place. The Commons resented and loudly complained of this affront; and the more to enrage them, the king himself wrote a letter to the university, extolling the duke, and giving them thanks for his election.<sup>f</sup>

The lord-keeper, in the king's name, expressly commanded the House not to meddle with his minister and servant, Buckingham; and ordered them to finish, in a few days, the bill which they had begun for the subsidies, and to make some addition to them; otherwise they must not expect to sit any longer.<sup>g</sup> And though these harsh commands were endeavoured to be explained and mollified, a few days after, by a speech of Buckingham's,<sup>h</sup> they failed not to leave a disagreeable impression behind them.

Besides a more stately style which Charles in general affected to this parliament than to the last, he went so far in a message, as to threaten the Commons, that if they did not furnish him with supplies, he should be obliged to try new counsels. This language was sufficiently clear: yet, lest any ambiguity should remain, Sir Dudley Carleton, vice-chamberlain, took care to explain it. "I pray you consider," said he, "what these new counsels are, or may be. I fear to declare those that I conceive. In all Christian kingdoms, you know that parliaments were in use anciently, by which those kingdoms were governed in a most flourishing manner; until the monarchs began to know their own strength, and seeing the turbulent spirit of their parliaments, at length they, by little and little, began to stand on their prerogatives, and at last overthrew the parliaments, throughout Christendom, except here only with us.—Let us be careful then to preserve the king's good opinion of parliaments, which bringeth such happiness to the nation, and makes us envied of all others, while there is this sweetness between his majesty and the Commons; lest we lose the repute of a free people by our turbulency in parliament."<sup>i</sup> These imprudent suggestions rather gave warning than struck terror. A precarious liberty, the Commons thought, which was to be preserved by unlimited complaisance, was no liberty at all. And it was necessary, while yet in their power, to secure the constitution by such invincible barriers, that no king or minister should ever, for the future, dare to speak such a language to any parliament, or even entertain such a project against them.

Two members of the House, Sir Dudley Digges and Sir John Elliott, who had been employed as managers of the impeachment against the duke, were thrown into prison.<sup>k</sup> The Commons immediately declared, that they would proceed no further upon business, till they had satisfaction in their privileges. Charles alleged, as the reason of this measure, certain seditious expressions, which, he said, had, in their accusation of the duke, dropped from these members. Upon inquiry, it appeared that no such expressions had been used.<sup>l</sup> The members were released, and the king reaped no other benefit from this

attempt than to exasperate the House still further, and to show some degree of precipitancy and indiscretion.

Moved by this example, the House of Peers were roused from their inactivity; and claimed liberty for the Earl of Arundel, who had been lately confined in the Tower. After many fruitless evasions, the king, though somewhat ungracefully, was at last obliged to comply.<sup>m</sup> And in this incident it sufficiently appeared that the Lords, how little so ever inclined to popular courses, were not wanting in a just sense of their own dignity.

The ill humour of the Commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, sought other objects on which it might exert itself. The never-failing cry of popery here served them instead. They again claimed the execution of the penal laws against catholics; and they presented to the king a list of persons intrusted with offices, most of them insignificant, who were either convicted or suspected recusants.<sup>n</sup> In this particular, they had, perhaps, some reason to blame the king's conduct. He had promised to the last House of Commons a redress of this religious grievance: but he was apt, in imitation of his father, to imagine that the parliament, when they failed of supplying his necessities, had, on their part, freed him from the obligation of a strict performance. A new odium, likewise, by these representations, was attempted to be thrown upon Buckingham. His mother, who had a great influence over him, was a professed catholic; his wife was not free from suspicion: and the indulgence given to catholics was of course supposed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a sufficient reason for disqualifying any one from holding an office, that his wife, or relations, or companions, were papists, though he himself was a conformist.<sup>o</sup>

It is remarkable, that persecution was here chiefly pushed on by laymen; and that the church was willing to have granted more liberty than would be allowed by the Commons. The reconciling doctrines likewise of Montague failed not anew to meet with severe censures from that zealous assembly.<sup>p</sup>

The next attack made by the Commons, had it prevailed, would have proved decisive. They were preparing a remonstrance against the levying of tonnage and poundage without consent of parliament. This article, together with the new impositions laid on merchandise by James, constituted near half of the crown revenues; and by depriving the king of these resources, they would have reduced him to total subjection and dependence. While they retained such a pledge, besides the supply already promised, they were sure that nothing could be refused them. Though, after canvassing the matter near three months, they found themselves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable and perhaps a dangerous minister; and they intended to present a petition, which would then have been equivalent to a command, for removing him from his majesty's person and councils.<sup>q</sup>

The king was alarmed at the yoke which he saw prepared for him. Buckingham's sole guilt, he thought, was the being his friend and favourite.<sup>r</sup> All the other complaints against him were mere pretences. A little before he was the idol of the people. No new crime had since been discovered. After the most diligent inquiry, prompted by the greatest malice, the smallest appearance of guilt could not be fixed upon him. What idea, he asked, must all mankind entertain of his honour, should he sacrifice his innocent friend to pecuniary considerations? What further authority should he retain in the nation, were he capable, in the beginning of his reign, to give, in so signal

ten to suspect, that this alteration in his views had proceeded from the ill conduct of Buckingham; yet past errors could not be retrieved; and the nation was consequently liable to the suspicion that the parliament had ever forgotten, when they made such a demand, that they had, by their impudent, presumptuous, and even criminal, behaviour, forfeited the right which they claimed. Charles himself was certainly deceived by Buckingham, when he attributed his turbulent spirit to his testimony. Party historians are sometimes commended as their representations of these transactions, they represent the opponents as wildly disordered, that they may represent their enemies as being deceived by them; they represent them as being deceived by their only reproach (tongue, the prince, and the duke, with themselves) as being deceived by the parliament. The truth is, they were deceived by the king, and the results, proceeding from bigotry, carried suspicion to the king, and were at last overcome. These became sincere, but

the prince, deceived by the many unavoidable causes of delay, believed that they were still deceiving him.  
f Rushworth, vol. i. p. 371.  
g Parl. Hist. vol. x. p. 444.  
h Id. ibid. p. 421. Rushworth, vol. i. p. 225. Franklyn, p. 118.  
i Rushworth, vol. i. p. 371. Whitlocke, p. 6.  
k Rushworth, vol. i. p. 356.  
l Id. ibid. p. 358, 361. Franklyn, p. 180.  
m Rushworth, vol. i. p. 363, 364, &c. Franklyn, p. 181.  
n Transact. p. 165. Rushworth, p. 384. See also Franklyn and Rushworth.  
o Rushworth, vol. i. p. 394.  
p Ibid. p. 160. Franklyn, p. 180.  
q Franklyn, p. 178.



an instance, such matter of triumph to his enemies, and discouragement to his adherents? To-day the Commons pretend to wrest his minister from him. To-morrow they will attack some branch of his prerogative. By their remonstrances, and promises, and protestations, they had engaged the crown in a war. As soon as they saw a retreat impossible, without waiting for new incidents, without covering themselves with new pretences, they immediately deserted him, and refused him all reasonable supply. It was evident, that they desired nothing so much as to see him plunged in inextricable difficulties, of which they intended to take advantage. To such deep perfidy, to such unbounded usurpations, it was necessary to oppose a proper firmness and resolution. All encroachments on supreme power could only be resisted successfully on the first attempt. The sovereign authority was, with some difficulty, reduced from its ancient and legal height; but when once pushed downwards, it soon became contemptible, and would easily, by the continuance of the same effort, now encouraged by success, be carried to the lowest extremity.

Prompted by these plausible motives, Charles was determined immediately to dissolve the parliament. When this resolution was known, the House of Peers, whose compliant behaviour entitled them to some authority with him, endeavoured to interpose;<sup>a</sup> and they petitioned him, that he would allow the parliament to sit some time longer. *Not a moment longer*, cried the king hastily;<sup>b</sup> and he soon after ended the session by a dissolution.

As this measure was foreseen, the Commons took care to finish and disperse their remonstrance, which they intended as a justification of their conduct to the people.

The king likewise, on his part, published a declaration, in which he gave the reasons of his disagreement with the parliament, and of their sudden dissolution, before they had time to conclude any one act.<sup>c</sup> These papers furnished the partisans on both sides with ample matter of apology or of recrimination. But all impartial men judged "That the Commons, though they had not as yet violated any law, yet, by their unplaisance and independence, were insensibly changing, perhaps improving, the spirit and genius, while they preserved the form, of the constitution: and that the king was acting altogether without any plan; running on in a road surrounded on all sides with the most dangerous precipices, and concerning no proper measures, either for submitting to the obstinacy of the Commons, or for subduing it."

After a breach with the parliament, which seemed so difficult to repair, the only rational counsel which Charles could pursue, was, immediately to conclude a peace with Spain, and to render himself, as far as possible, independent of his people, who discovered so little inclination to support him, or rather who seem to have formed a determined resolution to abridge his authority. Nothing could be more easy in the execution than this measure, nor more agreeable to his own and to national interest. But besides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averse to pacific counsels. There are two circumstances in Charles's character seemingly incompatible, which attended him during the whole course of his reign, and were in part the cause of his misfortunes: he was very steady and even obstinate in his purpose; and he was easily governed, by reason of his facility, and of his deference to men much inferior to himself both in morals and understanding. His great ends he inflexibly maintained: but the means of attaining them he readily received from his ministers and favourites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a desire of revenge for injuries which he himself had committed, and animated with a love of glory which he had no talents to merit, had at this time, notwithstanding his profuse licentious life, acquired an invincible ascendancy over the virtuous and gentle temper of the king.

The new counsels, which Charles had mentioned to the parliament, were now to be tried, in order to supply his

necessities. Had he possessed any military force, on which he could rely, it is not improbable, that he had at once taken off the mask, and governed without any regard to parliamentary privileges: so high an idea Violent measures of the court. had he received of kingly prerogative, and of the so contemptible a notion of the rights of those popular assemblies, from which, he very naturally thought, he had met with such ill usage. But his army was new levied, ill paid, and worse disciplined; nowise superior to the militia, who were much more numerous, and who were in a great measure under the influence of the country gentlemen. It behoved him, therefore, to proceed cautiously, and to cover his enterprises under the pretence of ancient precedents, which, considering the great authority commonly enjoyed by his predecessors, could not be wanting to himself.

A commission was openly granted to compound with the catholics, and agree for dispensing with the penal laws enacted against them.<sup>d</sup> By this expedient, the king both filled his coffers, and gratified his inclination of giving indulgence to these religionists: but he could not have employed any branch of prerogative which would have been more disagreeable, or would have appeared more exceptionable to his protestant subjects.

From the nobility he desired assistance: from the city he required a loan of 100,000 pounds. The former contributed slowly: but the latter, covering themselves under many pretences and excuses, gave him at last a flat refusal.<sup>e</sup>

In order to equip a fleet, a distribution, by order of council, was made to all the maritime towns; and each of them was required, with the assistance of the adjacent counties, to arm so many vessels as were appointed them.<sup>f</sup> The city of London was rated at twenty ships. This is the first appearance, in Charles's reign, of ship-money; a taxation which had once been imposed by Elizabeth, but which afterwards, when carried some steps further by Charles, created such violent discontents.

Of some, loans were required;<sup>g</sup> to others, the way of benevolence was proposed: methods supported by precedent, but always invidious, even in times more submissive and compliant. In the most absolute governments such expedients would be regarded as irregular and unequal.

These counsels for supply were conducted with some moderation; till news arrived that a great battle was fought between the King of Denmark and Count 25th Aug. Tilly, the imperial general; in which the former was totally defeated. Money now, more than ever, became necessary, in order to repair so great a breach in the alliance, and to support a prince who was so nearly allied to Charles, and who had been engaged in the war chiefly by the intrigues, solicitations, and promises of the English monarch. After some deliberation, an act of council was passed, importing, that as the urgency of affairs admitted not the way of parliament, the most speedy, equal, and convenient method of supply was by a GENERAL LOAN from the subject, according as every man was assessed in the rolls of the last subsidy. That precise sum was required which each would have paid, had the vote of four subsidies passed into a law: but care was taken to inform the people, that the sums exacted were not to be called subsidies, but loans.<sup>h</sup> Had any doubt remained, whether forced loans, however authorized by precedent, and even by statute, were a violation of liberty, and must, by necessary consequence, render all parliaments superfluous; this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII. who had once, in his arbitrary reign, practised a like method of levying a regular supply, was generally deemed a very insufficient authority.

The commissioners appointed to levy these loans, among other articles of secret instruction, were enjoined, "If any shall refuse to lend, and shall make delays or excuses, and persist in his obstinacy, that they examine him upon oath, whether he has been dealt with to deny or refuse to lend, or make an excuse for not lending? Who has dealt with him, and what speeches or persuasions were used to that purpose? And that they also shall charge every such per-

<sup>a</sup> Rushworth, vol. i. p. 362.

<sup>b</sup> See also the Life of Charles I. p. 51.

<sup>c</sup> Rushworth, vol. i. p. 362.

<sup>d</sup> Rushworth, vol. i. p. 362.

<sup>e</sup> M. 2

<sup>f</sup> Rushworth, vol. i. p. 362.

<sup>g</sup> Rushworth, vol. i. p. 362.

<sup>h</sup> Rushworth, vol. i. p. 362.

<sup>i</sup> Rushworth, vol. i. p. 362.

<sup>j</sup> Rushworth, vol. i. p. 362.

son, in his majesty's name, upon his allegiance, not to disclose to any one what his answer was.<sup>b</sup> So violent an impetuous power, so impracticable an attempt at secrecy, were the objects of indignation, and even, in some degree, of ridicule.

That religious prejudices might support civil authority, sermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court industriously spread them over the kingdom. Passive obedience was there recommended in its full extent, the whole authority of the state was represented as belonging to the king alone, and all limitations of law and a constitution were rejected as seditious and impious.<sup>c</sup> So openly was this doctrine espoused by the court, that Archbishop Abbot, a popular and virtuous prelate, was, because he refused to license Sibthorpe's sermon, suspended from the exercise of his office, banished from London, and confined to one of his country seats.<sup>d</sup> Abbot's principles of liberty, and his opposition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that this party made the privileges of the nation as much a part of their religion, as the church party did the prerogatives of the crown; and nothing tended further to recommend among the people, who always take opinions in the lump, the whole system and all the principles of the former sect. The king soon found, by fatal experience, that this engine of religion, which with so little necessity was introduced into politics, falling under more fortunate management, was played with the most terrible success against him.

While the king, instigated by anger and necessity, thus employed the whole extent of his prerogative, the spirit of the people was far from being subdued. Throughout England, many refused these loans; some were even active in encouraging their neighbours to insist upon their common rights and privileges. By warrant of the council, *these* were thrown into prison.<sup>e</sup> Most of them with patience submitted to confinement, or applied by petition to the king, who commonly released them. Five gentlemen alone, Sir Thomas Darnel, Sir John Corbet, Sir Walter Earl, Sir John Heveningham, and Sir Edmond Hamden, had spirit enough, at their own hazard and expense, to defend the public liberties, and to demand releasement, not as a favour from the court, but as their due, by the laws of their country.<sup>f</sup> No particular cause was assigned of their commitment. The special command alone of the king and council was pleaded; and it was asserted, that, by law, this was not sufficient reason for refusing bail or releasement to the prisoners.

November.

This question was brought to a solemn trial before the King's Bench; and the whole kingdom was attentive to the issue of a cause, which was of much greater consequence than the event of many battles.

By the debates on this subject it appeared, beyond controversy, to the nation, that their ancestors had been so jealous of personal liberty, as to secure it against arbitrary power in the crown, by six several statutes,<sup>g</sup> and by an article<sup>h</sup> of the Great Charter itself, the most sacred foundation of the laws and constitution. But the kings of England who had not been able to prevent the enacting of these laws, had sufficient authority, when the tide of liberty was spent, to obstruct their regular execution; and they deemed it superfluous to attempt the formal repeal of statutes which they found so many expedients and pretences to elude. Turbulent and seditious times frequently occurred, when the safety of the people absolutely required the confinement of factious leaders; and by the genius of the old constitution, the prince, of himself, was accustomed to assume every branch of prerogative, which was found necessary for the preservation of public peace and of his own authority. Expediency at other times would cover itself under the appearance of necessity; and in proportion as precedents multiplied, the will alone of the sovereign was sufficient to supply the place of expediency, of which

he constituted himself the sole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no settled military force, the only means that could maintain public peace, was the exertion of such prompt and discretionary powers in the crown; and the public itself had become so sensible of the necessity, that those ancient laws in favour of personal liberty, while often violated, had never been challenged or revived during the course of near three centuries. Though rebellious subjects had frequently, in the open field, resisted the king's authority; no person had been found so bold, when confined and at mercy, as to set himself in opposition to regal power, and to claim the protection of the constitution against the will of the sovereign. It was not till this age, when the spirit of liberty was universally diffused, when the principles of government were nearly reduced to a system, when the tempers of men, more civilized, seemed less to require those violent exertions of prerogative, that these five gentlemen above mentioned, by a noble effort, ventured, in this national cause, to bring the question to a final determination. And the king was astonished to observe, that a power exercised by his predecessors, almost without interruption, was found, upon trial, to be directly opposite to the clearest laws, and supported by few undoubted precedents in courts of judicature. These had scarcely, in any instance, refused bail upon commitments by special command of the king; because the persons committed had seldom or never dared to demand it, at least to insist on their demand.

Sir Randolph Crew, chief justice, had been A. D. 1627. displaced, as unfit for the purposes of the court: Sir Nicholas Hyde, esteemed more obsequious, had obtained that high office: yet the judges, by his direction, went no further than to remand the gentlemen to prison, and refuse the bail which was offered.<sup>i</sup> Heathe, the attorney-general, insisted that the court, in imitation of the judges in the 34th of Elizabeth,<sup>k</sup> should enter a general judgment, that no bail could be granted upon a commitment by the king or council.<sup>l</sup> But the judges wisely declined complying. The nation, they saw, was already to the last degree exasperated. In the present disposition of men's minds, universal complaints prevailed, as if the kingdom were reduced to slavery. And the most invidious prerogative of the crown, it was said, that of imprisoning the subject, is here openly and solemnly, and in numerous instances, exercised for the most invidious purpose; in order to extort loans, or rather subsidies, without consent of parliament.

But this was not the only hardship of which the nation then thought they had reason to complain. The army, which had made the fruitless expedition to Cadiz, was dispersed throughout the kingdom; and money was levied upon the counties for the payment of their quarters.<sup>m</sup>

The soldiers were billeted upon private houses, contrary to custom, which required that, in all ordinary cases, they should be quartered in inns and public-houses.<sup>n</sup>

Those who had refused or delayed the loan, were sure to be loaded with a great number of these dangerous and disorderly guests.

Many too, of low condition, who had shown a refractory disposition, were pressed into the service, and enlisted in the fleet or army.<sup>o</sup> Sir Peter Hayman, for the same reason, was despatched on an errand to the palatinate.<sup>p</sup> Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy.<sup>q</sup>

The soldiers, ill paid and undisciplined, committed many crimes and outrages, and much increased the public discontents. To prevent these disorders, martial law, so requisite to the support of discipline, was exercised upon the soldiers. By a contradiction, which is natural when the people are exasperated, the outrages of the army were complained of; the remedy was thought still more intolerable.<sup>r</sup> Though the expediency, if we are not rather to

<sup>b</sup> Rushworth, vol. i. p. 419. Franklyn, p. 297.

<sup>c</sup> Rushworth, vol. i. p. 422. Franklyn, p. 298.

<sup>d</sup> Rushworth, vol. i. p. 431.

<sup>e</sup> Rushworth, vol. i. p. 433. Franklyn, p. 319.

<sup>f</sup> Rushworth, vol. i. p. 436. Franklyn, p. 324.

<sup>g</sup> 2 R. 2. cap. 11. cap. 3. 2 R. 2. cap. 11. cap. 3. 3 R. 2. cap. 11. cap. 3.

<sup>h</sup> 2 R. 2. cap. 11. cap. 3. 2 R. 2. cap. 11. cap. 3. 3 R. 2. cap. 11. cap. 3.

<sup>i</sup> Rushworth, vol. i. p. 419. Franklyn, p. 319.

<sup>k</sup> 34 E. 1. cap. 1.

<sup>l</sup> 34 E. 1. cap. 1.

<sup>m</sup> 34 E. 1. cap. 1.

<sup>n</sup> 34 E. 1. cap. 1.

<sup>o</sup> 34 E. 1. cap. 1.

<sup>p</sup> 34 E. 1. cap. 1.

<sup>q</sup> 34 E. 1. cap. 1.

<sup>r</sup> Rushworth, vol. i. p. 419. Whitlocke, p. 7.

say the necessity, of martial law had formerly been deemed, of itself, a sufficient ground for establishing it: men, now become more jealous of liberty, and more refined reasoners in questions of government, regarded as illegal and arbitrary, every exercise of authority which was not supported by express statute or uninterrupted precedent.

It may safely be affirmed, that, except a few courtiers or ecclesiastics, all men were displeased with this high exertion of prerogative, and this new spirit of administration. Though ancient precedents were pleaded in favour of the king's measures; a considerable difference, upon comparison, was observed between the cases. Acts of power, however irregular, might casually, and at intervals, be exercised by a prince, for the sake of despatch or expediency; and yet liberty still subsist in some tolerable degree under his administration. But where all these were reduced into a system, were exerted without interruption, were studiously sought for, in order to supply the place of laws, and subdue the refractory spirit of the nation, it was necessary to find some speedy remedy, or finally to abandon all hopes of preserving the freedom of the constitution. Nor did moderate men esteem the provocation which the king had received, though great, sufficient to warrant all these violent measures. The Commons, as yet, had novise invaded his authority: they had only exercised, as best pleased them, their own privileges. Was he justifiable, because from one House of Parliament he had met with harsh and unkind treatment, to make in revenge an invasion on the rights and liberties of the whole nation?

But great was at this time the surprise of all men, when Charles, baffled in every attempt against the Austrian dominions, embroiled with his own subjects, unsupplied with any treasure but what he extorted by the most invidious and most dangerous measures; as if the half of Europe, now his enemy, were not sufficient for the exercise of

War with France. military prowess: wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war against these two powers, whose interests were hitherto deemed so incompatible, that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's counsels this war with France, and represent him as actuated by motives, which would appear incredible, were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Lewis, and Charles, who were nearly of the same age, and who had resigned the government of themselves, and of their kingdoms, to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes would have allowed to remain for ever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, gotten possession of the reins of government, than he formed at once three mighty projects; to subdue the turbulent spirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the house of Austria. Undaunted and implacable, prudent and active, he braved all the opposition of the French princes and nobles in the prosecution of his vengeance; he discovered and dissipated all their secret cabals and conspiracies. His sovereign himself he held in subjection, while he exalted the throne. The people, while they lost their liberties, acquired, by means of his administration, learning, order, discipline, and renown. That confused and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a simple monarchy; at the very time when the incapacity of Buckingham encouraged the free spirit of the Commons to establish in England a regular system of liberty.

However unequal the comparison between these ministers, Buckingham had entertained a mighty jealousy against Richelieu; a jealousy not founded on rivalry of power

and politics, but of love and gallantry; where the duke was as much superior to the cardinal, as he was inferior in every other particular.

At the time when Charles married by proxy the Princess Henrietta, the Duke of Buckingham had been sent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curiosity towards that man, who had enjoyed the unlimited favour of two successive monarchs, and who, from a private station, had mounted, in the earliest youth, to the absolute government of three kingdoms. The beauty of his person, the gracefulness of his air, the splendour of his equipage, his fine taste in dress, festivals, and carousals, corresponded to the prepossessions entertained in his favour: the affability of his behaviour, the gaiety of his manners, the magnificence of his expense, increased still further the general admiration which was paid him. All business being already concerted, the time was entirely spent in mirth and entertainments; and, during those splendid scenes among that gay people, the duke found himself in a situation where he was perfectly qualified to excel.<sup>6</sup> But his great success at Paris proved as fatal as his former failure at Madrid. Encouraged by the smiles of the court, he dared to carry his ambitious addresses to the queen herself; and he failed not to make impression on a heart not undispensed to the tender passions. That attachment, at least of the mind, which appears so delicious, and is so dangerous, seems to have been encouraged by the princess; and the duke presumed so far on her good graces, that, after his departure, he secretly returned upon some pretence, and, paying a visit to the queen, was dismissed with a reproof which savoured more of kindness than of anger.<sup>7</sup>

Information of this correspondence was soon carried to Richelieu. The vigilance of that minister was here further roused by jealousy. He too, either from vanity or politics, had ventured to pay his addresses to the queen. But a priest, past middle age, of a severe character, and occupied in the most extensive plans of ambition or vengeance, was but an unequal match in that contest, for a young courtier, entirely disposed to gaiety and gallantry. The cardinal's disappointment strongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embassy to Paris, a message was sent him from Louis, that he must not think of such a journey. In a romantic passion he swore, *That he would see the queen in spite of all the power of France*; and, from that moment, he determined to engage England in a war with that kingdom.<sup>8</sup>

He first took advantage of some quarrels excited by the Queen of England's attendants; and he persuaded Charles to dismiss at once all her French servants, contrary to the articles of the marriage treaty.<sup>9</sup> He encouraged the English ships of war and privateers to seize vessels belonging to French merchants; and *these* he forthwith condemned as prizes, by a sentence of the court of admiralty. But finding that all these injuries produced only remonstrances and embassies, or at most reprisals, on the part of France, he resolved to second the intrigues of the Duke of Soubize, and to undertake at once a military expedition against that kingdom.

Soubize, who, with his brother the Duke of Rohan, was the leader of the hugonot faction, was at that time in London, and strongly solicited Charles to embrace the protection of these distressed religionists. He represented, that after the inhabitants of Rochelle had been repressed by the combined squadrons of England and Holland, after peace was concluded with the French king, under Charles's mediation, the ambitious cardinal was still meditating the destruction of the hugonots; that preparations were silently making in every province of France for the suppression of their religion; that forts were erected in order to bridle Rochelle, the most considerable bulwark of the protestants; that the reformed in France cast their eyes on Charles as the head of their faith, and considered him as a prince engaged by interest, as well as inclination, to support them; that, so long as their party subsisted, Charles might rely on their attachment as much as on that of his own subjects;

<sup>6</sup> Clarendon, vol. i. p. 20.

<sup>7</sup> Memoires du Cardinal, M. de Richelieu.

<sup>8</sup> Clarendon, vol. i. p. 20.

<sup>9</sup> Clarendon, vol. i. p. 20.



but if their liberties were once ravished from them, the power of France, freed from this impediment, would soon become formidable to England, and to all the neighbouring nations.

Though Charles probably bore but small favour to the hugenots, who so much resembled the puritans in discipline and worship, in religion and politics, he yet allowed himself to be gained by these arguments, enforced by the solicitations of Buckingham. A fleet of a hundred sail, and an army of 7000 men, were fitted out for the invasion of France, and both of them intrusted to the command of the duke, who was altogether unacquainted both with land and sea service. The fleet appeared before Rochelle; but so ill concerted were Buckingham's measures, that the inhabitants of that city shut their gates, and refused to admit allies, of whose coming they were not previously informed.<sup>a</sup> All his military operations showed equal incapacity and in-

experience. Instead of attacking Oleron, a fertile island and defenceless, he bent his course to the isle of Rhé, which was well garrisoned and fortified: having landed his men, though with some loss, he followed not the blow, but allowed Tioras, the French governor, five days' respite; during which St. Martin was victualled and provided for a siege.<sup>b</sup> He left behind him the small fort of Prie, which could at first have made no manner of resistance: though resolved to starve St. Martin, he guarded the sea negligently, and allowed provisions and ammunition to be thrown into it: despairing to reduce it by famine, he attacked it without having made any breach, and rashly threw away the lives of the soldiers: having found that a French army had stolen over in small divisions, and had landed at Prie, the fort which he had at first overlooked, he began to think of a retreat; but made it so unskilfully, that it was equivalent to a total rout: he was the last of the army that embarked; and he returned to England, having lost two-thirds of his land-forces; totally discredited both as an admiral and a general; and bringing no praise with him, but the vulgar one of courage and personal bravery.

The Duke of Rohan, who had taken arms as soon as Buckingham appeared upon the coast, discovered the dangerous spirit of the sect, without being able to do any mischief: the inhabitants of Rochelle, who had at last been induced to join the English, hastened the vengeance of their master, exhausted their provisions in supplying their allies, and were threatened with an immediate siege. Such were the fruits of Buckingham's expedition against France.

## CHAP. LI.

Third parliament. Petition of right—Prorogation—Death of Buckingham.  
New session of parliament. Tonnage and poundage—Arminianism.  
Dissolution of the parliament.

A. D. 1628. THERE was reason to apprehend some disorder or insurrection, from the discontents which prevailed among the people in England. Their liberties, they believed, were ravished from them; illegal taxes extorted; their commerce, which had met with a severe check from the Spanish, was totally annihilated by the French war; those military honours transmitted to them from their ancestors had received a grievous strain, by two unsuccessful and ill-conducted expeditions; scarce an illustrious family but mourned, from the last of them, the loss of a son or brother; greater calamities were dreaded from the war with these powerful monarchies, concurring with the internal disorders under which the nation laboured. And these ills were ascribed, not to the refractory disposition of the two former parliaments, to which they were partly owing; but solely to Charles's obstinacy, in adhering to the counsels of Buckingham; a man nowise entitled by his birth, age, services, or merit, to that unlimited confidence reposed in him. To be sacrificed to the interest, policy, and ambition of the great, is so much the common lot of the people, that they may appear unreasonable who

would pretend to complain of it: but to be the victim of the frivolous gallantry of a favourite, and of his boyish caprices, seemed the object of peculiar indignation.

In this situation, it may be imagined, the king and the duke dreaded above all things the assembling of a parliament: but so little foresight had they possessed in their enterprising schemes, that they found themselves under an absolute necessity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very slowly, and had left such ill-humour in the nation, that it appeared dangerous to renew the experiment. The absolute necessity of supply, it was hoped, would engage the Commons to forget all past injuries; and having experienced the ill effects of former obstinacy, they would probably assemble with a resolution of making some reasonable compliances. The more to soften them, it was concerted, by Sir Robert Cotton's advice,<sup>a</sup> that Buckingham should be the first person that proposed in council the calling of a new parliament. Having laid in this stock of merit, he expected that all his former misdemeanors would be overlooked and forgiven; and that, instead of a tyrant and oppressor, he should be regarded as the first patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the Commons assembled, they appeared to be men of the same independent spirit with their predecessors, and possessed of such riches, that their property was computed to surpass three times that of the House of Peers;<sup>b</sup> they were deputed by boroughs and counties, inflamed all of them by the late violations of liberty; many of the members themselves had been cast into prison, and had suffered by the measures of the court; yet, notwithstanding these circumstances, which might prompt them to embrace violent resolutions, they entered upon business with perfect temper and decorum. They considered, that the king, disgusted at these popular assemblies, and little prepossessed in favour of their privileges, wanted but a fair pretence for breaking with them, and would seize the first opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them, in his first speech, that "If they should not do their duties, in contributing to the necessities of the state, he must, in discharge of his conscience, use those other means which God had put into his hands, in order to save that which the follies of some particular men may otherwise put in danger. Take not this for a threatening," added the king, "for I scorn to threaten any but my equals; but as an admonition from him who, by nature and duty, has most care of your preservation and prosperity."<sup>c</sup> The lord-keeper, by the king's direction, subjoined, "This way of parliamentary supplies, as his majesty told you, he hath chosen, not as the only way, but as the fittest; not because he is destitute of others, but because it is most agreeable to the goodness of his own most gracious disposition, and to the desire and weal of his people. If this be deferred, necessity and the sword of the enemy make way for the others. Remember his majesty's admonition; I say, remember it."<sup>d</sup> From these avowed maxims, the Commons foresaw that if the least handle were afforded, the king would immediately dissolve them, and would thereupon deem himself justified for violating, in a manner still more open, all the ancient forms of the constitution. No remedy could then be looked for, but from insurrections and civil war, of which the issue would be extremely uncertain, and which must, in all events, prove calamitous to the nation. To correct the late disorders in the administration required some new laws, which would, no doubt, appear harsh to a prince so enamoured of his prerogative; and it was requisite to temper, by the decency and moderation of their debates, the rigour which must necessarily attend their determinations. Nothing can give us a higher idea of the capacity of those men who now guided the Commons, and of the great authority which they had acquired, than the forming and executing of so judicious and so difficult a plan of operations.

The decency, however, which the popular leaders had prescribed to themselves, and recommended to others,

<sup>a</sup> Rushworth, vol. i. p. 426.

<sup>b</sup> Wlatocke, p. 8. Sir Philip Warwick, p. 25.

<sup>c</sup> Franklyn, p. 230.

<sup>d</sup> Sanderson, p. 166. Walker, p. 399.

<sup>e</sup> Rushworth, vol. i. p. 177. Franklyn, p. 233.

<sup>f</sup> Rushworth, vol. i. p. 179. Franklyn, p. 230.

hindered them not from making the loudest and most vigorous complaints against the grievances under which the nation had lately laboured. Sir Francis Seymour said, "This is the great council of the kingdom, and here with certainty, if not here only, his majesty may see, as in a true glass, the state of the kingdom. We are called hither by his writs, in order to give him faithful counsel, such as may stand with his honour: and this we must do, without flattery. We are also sent hither by the people in order to deliver their just grievances: and this we must do, without fear. Let us not act like Cambyzes's judges, who, when their approbation was demanded by the prince to some illegal measure, said that *though there was a written law, the Persian kings might follow their own will and pleasure*. This was base flattery, fitter for our reproof than our imitation; and as fear, so flattery, taketh away the judgment. For my part, I shall shun both; and speak my mind with as much duty as any man to his majesty, without neglecting the public."

"But how can we express our affections, while we retain our fears; or speak of giving, till we know whether we have any thing to give? For if his majesty may be persuaded to take what he will, what need we give?"

"That this hath been done, appeareth by the billeting of soldiers, a thing nowise advantageous to the king's service, and a burden to the commonwealth: by the imprisonment of gentlemen for refusing the loan, who, if they had done the contrary for fear, had been as blamable as the projectors of that oppressive measure. To countenance these proceedings, hath it not been preached in the pulpit, or rather prayed, that *all we have is the king's by divine right*? But when preachers forsake their own calling, and turn ignorant statesmen, we see how willing they are to exchange a good conscience for a bishopric."

"He, I must confess, is no good subject, who would not, willingly and cheerfully, lay down his life, when that sacrifice may promote the interests of his sovereign, and the good of the commonwealth. But he is not a good subject, he is a slave, who will allow his goods to be taken from him against his will, and his liberty against the laws of the kingdom. By opposing these practices, we shall but tread in the steps of our forefathers, who still preferred the public before their private interest, nay, before their very lives. It will in us be a wrong done to ourselves, to our posterity, to our consciences, if we forego this claim and pretension."

"I read of a custom," said Sir Robert Philips, "among the old Romans, that, once every year, they held a solemn festival, in which their slaves had liberty, without exception, to speak what they pleased, in order to ease their afflicted minds, and on the conclusion of the festival, the slaves severally returned to their former servitudes."

"This institution may, with some distinction, well set forth our present state and condition. After the revolution of some time, and the grievous sufferance of many violent oppressions, we have now, at last, as those slaves, obtained, for a day, some liberty of speech: but shall not, I trust, be hereafter slaves to be our born free. Yet what new illegal burdens our estates and persons have groaned under, my heart yearns to think of, my tongue faulter to utter."

"The grievances, by which we are oppressed, I draw under two heads; acts of power against law, and the judgments of lawyers against our liberty."

Having mentioned three illegal judgments passed within his memory; that by which the Scots, born after James's accession, were admitted to all the privileges of English subjects; that by which the new impositions had been warranted; and the late one by which arbitrary imprisonments were authorized; he thus proceeded:

"I can live, though another, who has no right, be put to live along with me; nay, I can live, though burdened with impositions, beyond what at present I labour under: but to have my liberty, which is the soul of my life, ravished from me; to have my person pent up in a jail, without relief by law, and to be so adjudged,—O, improvident ancestors! O, unwise forefathers! to be so curious

in providing for the quiet possession of our lands, and the liberties of parliament; and at the same time, to neglect our personal liberty, and let us lie in prison, and that during pleasure, without redress or remedy! If this be law, why do we talk of liberties? Why trouble ourselves with disputes about a constitution, franchises, property of goods, and the like? What may any man call his own, if not the liberty of his person?"

"I am weary of treading these ways; and therefore conclude to have a select committee, in order to frame a petition to his majesty for redress of these grievances. And this petition being read, examined, and approved, may be delivered to the king, of whose gracious answer we have no cause to doubt, our desires being so reasonable, our intentions so loyal, and the manner so dutiful. Neither need we fear, that this is the critical parliament, as has been insinuated; or that this is the way to distraction: but assure ourselves of a happy issue. Then shall the king, as he calls us his great council, find us his true council, and own us his good council."

The same topics were enforced by Sir Thomas Wentworth. After mentioning projectors and ill ministers of state, "These," said he, "have introduced a privy-council, ravishing, at once, the spheres of all ancient government, destroying all liberty; imprisoning us without bail or bond. They have taken from us—what shall I say? Indeed, what have they left us? By tearing up the roots of all property, they have taken from us every means of supplying the king, and of ingratiating ourselves by voluntary proofs of our duty and attachment towards him."

"To the making whole all these breaches, I shall apply myself; and to all these diseases shall propound a remedy. By one and the same thing have the king and the people been hurt, and by the same must they be cured. We must vindicate—what? New things? No—our ancient, legal, and vital liberties; by reinforcing the laws enacted by our ancestors; by setting such a stamp upon them, that no licentious spirit shall dare henceforth to invade them. And shall we think this a way to break a parliament? No—our desires are modest and just. I speak both for the interest of king and people. If we enjoy not these rights, it will be impossible for us to relieve him. Let us never, therefore, doubt of a favourable reception from his goodness."

These sentiments were unanimously embraced by the whole House. Even the court party pretended not to plead in defence of the late measures, any thing but the necessity to which the king had been reduced, by the obstinacy of the two former parliaments. A vote, therefore, was passed without opposition against arbitrary imprisonments and forced loans.<sup>a</sup> And the spirit of liberty having obtained some contentment by this exertion, the reiterated messages of the king, who pressed for supply, were attended to with more temper. Five subsidies were voted him; with which, though much inferior to his wants, he declared himself well satisfied; and even tears of affection started in his eye, when he was informed of this concession. The duke's approbation too was mentioned by Secretary Coke; but the conjunction of a subject with the sovereign was ill received by the House.<sup>b</sup> Though disgusted with the king, the jealousy which they felt for his honour was more sensible than that which his unbounded confidence in the duke would allow even himself to entertain.

The supply, though voted, was not, as yet, passed into a law; and the Commons resolved to employ the interval, in providing some barriers to their rights and liberties so lately violated. They knew that their own vote, declaring the illegality of the former measures, had not, of itself, sufficient authority to secure the constitution against future invasion. Some act to that purpose must receive the sanction of the whole legislature; and they appointed a committee to prepare a model of so important a law. By collecting into one effort all the dangerous and oppressive claims of his prerogative, Charles had exposed them to the hazard of one assault; and had further, by presenting a nearer view of the consequences attending them, roused the independent genius of the Commons. Forced loans,

<sup>a</sup> Franklyn, p. 243. Rushworth, vol. i. p. 409.

<sup>b</sup> Franklyn, p. 245. Parl. Hist. vol. vii. p. 363. Rushworth, vol. i. p. 402.

<sup>a</sup> Franklyn, p. 243. Rushworth, vol. i. p. 409.

<sup>b</sup> Franklyn, p. 251. Rushworth, vol. i. p. 514. Warton, i.

<sup>c</sup> Franklyn, vol. i. p. 246. Warton, i. p. 514.

benevolences, taxes without consent of parliament, arbitrary imprisonments, the billeting of soldiers, martial law; these were the grievances complained of, and against these an eternal remedy was to be provided. The Commons pretended not, as they affirmed, to any unusual powers or privileges: they aimed only at securing those which had been transmitted from their ancestors: and their law they

resolved to call a *PETITION OF RIGHT*; as implying that it contained a corroboration or explanation of the ancient constitution, not any infringement of royal prerogative, or acquisition of new liberties.

While the committee was employed in framing the petition of right, the favourers of each party, both in parliament and throughout the nation, were engaged in disputes about this bill, which, in all likelihood, was to form a memorable era in the English government.

That the statutes, said the partisans of the Commons, which secure English liberty, are not become obsolete, appears hence, that the English have ever been free, and have ever been governed by law and a limited constitution. Privileges in particular, which are founded on the *GREAT CHARTER*, must always remain in force, because derived from a source of never-failing authority; regarded in all ages as the most sacred contract between king and people. Such attention was paid to this charter by our generous ancestors, that they got the confirmation of it reiterated thirty several times; and even secured it by a rule, which, though vulgarly received, seems in the execution impracticable. They have established it as a maxim, *That even a statute which should be enacted in contradiction to any article of that charter, cannot have force or validity.* But, with regard to that important article which secures personal liberty, so far from attempting, at any time, any legal infringement of it, they have corroborated it, by six statutes, and put it out of all doubt and controversy. If in practice it has often been violated, abuses can never come in the place of rules; nor can any rights or legal powers be derived from injury and injustice. But the title of the subject to personal liberty not only is founded on ancient, and therefore the most sacred, laws; it is confirmed by the whole *ANALOGY* of the government and constitution. A free monarchy in which every individual is a slave, is a glaring contradiction; and it is requisite, where the laws assign privileges to the different orders of the state, that it likewise secure the independence of the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would such immediate danger ensue, from that concession, to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial, is so egregious an exercise of tyranny, that it must at once shock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiscate a man's fortune, besides its being a most atrocious act of violence, exposes the monarch so much to the imputation of avarice and rapacity, that it will seldom be attempted in any civilized government. But confinement, though a less striking, is no less severe, a punishment; nor is there any spirit so erect and independent, as not to be broken by the long continuance of the silent and inglorious sufferings of a jail. The power of imprisonment, therefore, being the most natural and potent engine of arbitrary government, it is absolutely necessary to remove it from a government which is free and legal.

The partisans of the court reasoned after a different manner. The true rule of government, said they, during any period, is that to which the people, from time immemorial, have been accustomed, and to which they naturally pay a prompt obedience. A practice which has ever struck their senses, and of which they have seen and heard innumerable precedents, has an authority with them much superior to that which attends maxims derived from antiquated statutes and mouldy records. In vain do the lawyers establish it as a principle, that a statute can never be abrogated by opposite custom; but requires to be expressly repealed by a contrary statute: while they pretend to inculcate an axiom peculiar to English jurisprudence,

they violate the most established principles of human nature; and even, by necessary consequence, reason in contradiction to law itself, which they would represent as so sacred and inviolable. A law, to have any authority, must be derived from a legislature which has right. And whence do all legislatures derive their right but from long custom and established practice? If a statute contrary to public good has, at any time, been rashly voted and assented to, either from the violence of faction or the inexperience of senates and princes, it cannot be more effectually abrogated, than by a train of contrary precedents, which prove, that, by common consent, it has tacitly been set aside as inconvenient and impracticable. Such has been the case with all those statutes enacted during turbulent times in order to limit royal prerogative, and cramp the sovereign in his protection of the public, and his execution of the laws. But above all branches of prerogative, that which is most necessary to be preserved, is the power of imprisonment. Faction and discontent, like diseases, frequently arise in every political body; and during these disorders, it is by the salutary exercise alone of this discretionary power, that rebellions and civil wars can be prevented. To circumscribe this power is to destroy its nature: entirely to abrogate it, is impracticable; and the attempt itself must prove dangerous if not pernicious to the public. The supreme magistrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the state to perish, while there remains a remedy, which, how irregular soever, it is still in his power to apply. And if, moved by a regard to public good, he employs any exercise of power condemned by recent and express statute, how greedily, in such dangerous times, will factious leaders seize this pretence of throwing on his government the imputation of tyranny and despotism? Were the alternative quite necessary, it were surely much better for human society to be deprived of liberty than to be destitute of government.

Impartial reasoners will confess, that this subject is not, on both sides, without its difficulties. Where a general and rigid law is enacted against arbitrary imprisonment, it would appear, that government cannot, in times of sedition and faction, be conducted but by temporary suspensions of the law; and such an expedient was never thought of during the age of Charles. The meetings of parliament were too precarious, and their determinations might be too dilatory, to serve in cases of urgent necessity. Nor was it then conceived, that the king did not possess of himself sufficient power for the security and protection of his people, or that the authority of these popular assemblies was ever to become so absolute, that the prince must always conform himself to it, and could never have any occasion to guard against their practices, as well as against those of his other subjects.

Though the House of Lords was not insensible to the reasons urged in favour of the pretensions of the Commons, they deemed the arguments pleaded in favour of the crown still more cogent and convincing. That assembly seems, during this whole period, to have acted, in the main, a reasonable and a moderate part; and if their bias inclined a little too much, as is natural, to the side of monarchy, they were far from entertaining any design of sacrificing to arbitrary will the liberties and privileges of the nation. Ashley, the king's serjeant, having asserted, in a pleading before the Peers, that the king must sometimes govern by acts of state as well as by law; this position gave such offence, that he was immediately committed to prison, and was not released but upon his recantation and submission.<sup>k</sup> Being, however, afraid lest the Commons should go too far in their projected petition, the Peers proposed a plan of one more moderate, which they recommended to the consideration of the other House. It consisted merely in a general declaration, that the great charter and the six statutes, conceived to be explanations of it, stand still in force, to all intents and purposes; that, in consequence of the charter and the statutes, and by the tenor of the ancient customs and laws of the realm, every subject has a fundamental property in his goods, and a fundamental liberty of his person; that this



property and liberty are as entire at present as during any former period of the English government; that in all common cases, the common law ought to be the standard of proceedings: "And in case, that, for the security of his majesty's person, the general safety of his people, or the peaceable government of the kingdom, the king shall find just cause, for reasons of state, to imprison or restrain any man's person; he was petitioned graciously to declare, that, within a convenient time, he shall and will express the cause of the commitment or restraint, either general or special, and upon a cause so expressed, will leave the prisoner immediately to be tried according to the common law of the land."<sup>1</sup>

Archbishop Abbot was employed by the Lords to recommend, in a conference, this plan of a petition to the House of Commons. The prelate, as was, no doubt, foreseen from his known principles, was not extremely urgent in his applications; and the lower House was fully convinced, that the general declarations signified nothing, but that the latter clause left their liberties rather in a worse condition than before. They proceeded, therefore, with great zeal, in framing the model of a petition, which should contain expressions more precise, and more favourable to public freedom.

The king could easily see the consequence of these proceedings. Though he had offered, at the beginning of the session, to give his consent to any law for the security of the rights and liberties of the people; he had not expected that such inroads would be made on his prerogative. In order, therefore, to divert the Commons from their intention, he sent a message, wherein he acknowledged past errors, and promised that, hereafter, there should be no just cause of complaint. And he added, "That the affairs of the kingdom press him so, that he could not continue the session above a week or two longer: and if the House be not ready, by that time, to do what is fit for themselves, it shall be their own fault."<sup>2</sup> On a subsequent occasion, he asked them, "Why demand explanations, if you doubt not the performance of the statutes, according to their true meaning? Explanations will hazard an encroachment upon the prerogative. And it may well be said, what need a new law to confirm an old, if you repose confidence in the declarations which his majesty

made to both Houses?"<sup>3</sup> The truth is, the great charter and the old statutes were sufficiently clear in favour of personal liberty: but all kings of England had ever, in cases of necessity or expediency, been accustomed, at intervals, to elude them: and as Charles, in a complication of instances, had lately violated them, the Commons judged it requisite to enact a new law, which might not be eluded or violated, by any interpretation, construction, or contrary precedent. Nor was it sufficient, they thought, that the king promised to return into the way of his predecessors. His predecessors, in all times, had enjoyed too much discretionary power; and by his recent abuse of it, the whole world had reason to see the necessity of entirely retrenching it.

The king still persevered in his endeavours to elude the petition. He sent a letter to the House of Lords, in which he went so far as to make a particular declaration, "That neither he nor his privy-council shall or will, at any time hereafter, commit or command to prison, or otherwise restrain, any man for not lending money, or for any other cause, which in his conscience he thought not to concern the public good, and the safety of king and people." And he further declared, "That he never would be guilty of so base an action as to pretend any cause, of whose truth he was not fully satisfied."<sup>4</sup> But this promise, though enforced to the Commons by the recommendation of the upper House, made no more impression than all the former messages.

Among the other evasions of the king, we may reckon the proposal of the House of Peers, to subjoin to the intended petition of right the following clause: "We humbly present this petition to your majesty, not only with a care of preserving our own liberties, but with due regard to leave entire that sovereign power, with which your majesty is intrusted for the protection, safety, and happiness of your people."<sup>5</sup> Less penetration than was possessed by the leaders of the House of Commons, could easily discover how captious this clause was, and how much it was calculated to elude the whole force of the petition.

These obstacles, therefore, being surmounted, the petition of right passed the Commons and was sent to the upper House.<sup>6</sup> The Peers, who were probably well

<sup>1</sup> State Trials, vol. vii. p. 187. Rushworth, vol. i. p. 546.

<sup>2</sup> State Trials, vol. vii. p. 193.

<sup>3</sup> State Trials, vol. vii. p. 193. Rushworth, vol. i. p. 556.

<sup>4</sup> State Trials, vol. vii. p. 198. Rushworth, vol. i. p. 560. Parl. Hist.

vol. vii. p. 111.

<sup>5</sup> State Trials, vol. vii. p. 199. Rushworth, vol. i. p. 561. Parl. Hist.

vol. vii. p. 116. M. Utiile, vol. 10.

<sup>6</sup> *This petition is of great importance, that we shall here give it at length.* Humbly show unto our sovereign Lord the King, the Lords spiritual and temporal, and Commons, in parliament assembled, that, whereas, as is declared and enacted by a statute made in the time of the reign of King Edward I. commonly called *Statutum de tallagio non concedendo*, that no tallage or aid shall be levied by the king or his heirs in this realm, without the assent and assent of the archbishops, bishops, earls, barons, knights, burgesses, and of the freemen of the commonalty of this realm; and, by authority of parliament holden in the five and twentieth year of the reign of King Edward III. it is declared and enacted, that, from thenceforth, no person shall be compelled to make any loans to the king against his will, because such loans were against reason, and the franchise of the lands; and, by other laws of this realm, it is provided, that none shall be charged by any charge or imposition called a benevolence, or by any other charge, by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited their liberties, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

<sup>7</sup> Yet nevertheless of late divers commissions directed to sundry commissioners in several counties, with instructions, have issued, by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty, and many of them upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before some privy-council, and in other places; and others of them have been therewith imprisoned, confined, and sundry other ways molested and disquieted; and divers other charges have been laid and levied upon your people, in several counties, by lord lieutenants, deputy lieutenants, commissioners for musters, justices of the peace, your servants, by command or direction from your majesty, or your privy-council, against the laws and franchises of this realm.

<sup>8</sup> And whereas also, by the statute called *The great charter of the liberties of England*, it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties, or his free customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

<sup>9</sup> And in the fifth and twentieth year of the reign of King Edward III. it was declared and enacted, by authority of parliament, That no man, of what estate or condition that he be, should be put out of his land or tene-ments, nor taken, nor imprisoned, nor dishonoured, nor put to death, without being brought to answer by the process of law.

<sup>10</sup> Nevertheless, against the tenor of the said statutes and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed; and when, for their deliverance, they were brought before justice, by your majesty's writs of *Habeas Corpus*, there to undergo and receive as the court should

order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, directed by the lords of your privy-council, and adjudged to be turned back to several prisons, without being charged with any thing to which they might make answer according to the law.

<sup>11</sup> And whereas of late great companies of soldiers and mariners have been dispersed under divers names and titles, throughout your realm, against their wills, have been compelled to receive them into their houses, and thence to suffer them to sojourn, against the laws and customs of this realm, and to the great annoyance and vexation of the people.

<sup>12</sup> And whereas also, by authority of parliament, in the five and twentieth year of the reign of King Edward III. it is declared and enacted, That no man shall be forfeited of his life or limb against the form of the *Great Charter* and law of the land; and, by the said *Great Charter*, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same realm, or by acts of parliament; and whereas no offender, of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted, by the laws and statutes of this your realm; nevertheless, of late divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanor whatsoever, and by such summary course and order as is agreeable to martial law, and as was used of old in times of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial.

<sup>13</sup> By pretext whereof some of your majesty's subjects have been, by some of the said commissioners, put to death, when and where, if by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged as they have been.

<sup>14</sup> And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers, in several counties, cities, boroughs, ports, and havens, have suffered offenders according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions, as aforesaid: which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

<sup>15</sup> They do therefore humbly pray your most excellent majesty, That no man hereafter be compelled to make or suffer any tax, benevolence, loan, or such like charge, without common assent, by act of parliament; and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof; and that no freeman, in any such manner as is before mentioned, be imprisoned or detained; and that your majesty would be pleased, to remove the said soldiers and mariners, and that the people may not be so burdened in time to come, and that the aforesaid summary course or proceeding by martial law should be reformed, annulled, and that hereafter no commissions of like nature may issue forth, by any person or persons whatsoever, to be executed as aforesaid, lest by

pleased in secret that all their solicitations had been eluded by the Commons, quickly passed the petition without any material alteration; and nothing but the royal assent was wanting to give it the force of a law. The king accordingly came to the House of Peers; sent for the Commons; and being seated in his chair of state, the petition was read to him. Great was now the astonishment of all men, when, instead of the usual concise and clear form, by which a bill is either confirmed or rejected, Charles said, in answer to the petition, "The king willeth, that right be done according to the laws and customs of the realm, and that the statutes be put into execution; that his subjects may have no cause to complain of any wrong, or oppression, contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as much obliged as of his own prerogative."<sup>a</sup>

It is surprising that Charles, who had seen so many instances of the jealousy of the Commons, who had himself so much roused that jealousy by his frequent evasive messages during this session, could imagine that they would rest satisfied with an answer so vague and undetermined. It was evident, that the unusual form alone of the answer must excite their attention; that the disappointment must inflame their anger; and that therefore it was necessary, as the petition seemed to bear hard on royal prerogative, to come early to some fixed resolution, either gracefully to comply with it, or courageously to reject it.

It happened as might have been foreseen. The Commons returned in very ill humour. Usually, when in that disposition, their zeal for religion, and their enmity against the unfortunate catholics, ran extremely high. But they had already, in the beginning of the session, presented their petition of religion, and had received a satisfactory answer; though they expected that the execution of the laws against papists would, for the future, be no more exact and rigid than they had hitherto found it. To give vent to their present indignation, they fell with their utmost force on Dr. Manwaring.

There is nothing which tends more to excuse, if not justify, the extreme rigour of the Commons towards Charles, than his open encouragement and avowal of such general principles as were altogether incompatible with a limited government. Manwaring had preached a sermon, which the Commons found, upon inquiry, to be printed by special command of the king;<sup>b</sup> and, when this sermon was looked into, it contained doctrines subversive of all civil liberty. It taught, that though property was commonly lodged in the subject, yet, whenever any exigence required supply, all property was transferred to the sovereign; that the consent of parliament was not necessary for the imposition of taxes; and that the divine laws required compliance with every demand, how irregular soever, which the prince should make upon his subjects.<sup>c</sup> For these doctrines the Commons impeached Manwaring. The sentence, pronounced upon him by the Peers, was, that he should be imprisoned during the pleasure of the House, be fined a thousand pounds to the king, make submission and acknowledgment for his offence, be suspended during three years, be incapable of holding any ecclesiastical dignity or secular office, and that his book be called in and burnt.<sup>d</sup>

It may be worthy of notice, that no sooner was the session ended, than this man, so justly obnoxious to both Houses, received a pardon and was promoted to a living of considerable value.<sup>e</sup> Some years after, he was raised to the see of St. Asaph. If the republican spirit of the Commons increased, beyond all reasonable bounds, the monarchical spirit of the court, this latter, carried to so high a pitch, tended still further to augment the former.

colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

¶ XI. All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm, and that your majesty would also vouchsafe to declare, that the awards, doings, and proceedings to the prejudice of your people, in any of the premises, shall not be drawn hereafter into consequence or example, And that your majesty would be graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom. Stat. 17 Car. cap. 13.

And thus extremes were every where affected, and the just medium was gradually deserted by all men.

From Manwaring, the House of Commons proceeded to censure the conduct of Buckingham, whose name hitherto they had cautiously forbore to mention.<sup>a</sup> In vain did the king send them a message, in which he told them, that the session was drawing near to a conclusion; and desired that they would not enter upon new business, nor cast any aspersions on his government and ministry.<sup>b</sup> Though the court endeavoured to explain and soften this message by a subsequent message;<sup>c</sup> as Charles was apt hastily to correct any hasty step which he had taken; it served rather to inflame than appease the Commons: as if the method of their proceedings had here been prescribed to them. It was foreseen, that a great tempest was ready to burst on the duke; and in order to divert it, the king thought proper, upon a joint application of the Lords and Commons,<sup>d</sup> to endeavour giving them satisfaction with regard to the petition of right. He came therefore to the House of Peers, and pronouncing the usual form of words, *Let it be low as is desired*, gave full sanction and authority to the petition. The acclamations with which the House resounded, and the universal joy diffused over the nation, showed how much this petition had been the object of all men's vows and expectations.<sup>e</sup>

It may be affirmed, without any exaggeration, that the king's assent to the petition of right produced such a change in the government, as was almost equivalent to a revolution; and by circumscribing, in so many articles, the royal prerogative, gave additional security to the liberties of the subject. Yet were the Commons far from being satisfied with this important concession. Their ill humour had been so much irritated by the king's frequent evasions and delays, that it could not be presently appeased by an assent, which he allowed to be so reluctantly extorted from him. Perhaps too the popular leaders, implacable and artful, saw the opportunity favourable; and, turning against the king those very weapons with which he had furnished them, resolved to pursue the victory. The bill, however, for five subsidies, which had been formerly voted, immediately passed the House; because the granting of that supply was, in a manner, tacitly contracted for, upon the royal assent to the petition; and had faith been here violated, no further confidence could have subsisted between king and parliament. Having made this concession, the Commons continued to carry their scrutiny into every part of government. In some particulars their industry was laudable; in some it may be liable to censure.

A little after writs were issued for summoning this parliament, a commission had been granted to Sir Thomas Coventry, lord-keeper, the Earl of Marlborough, treasurer, the Earl of Manchester, president of the council, the Earl of Worcester, privy-seal, the Duke of Buckingham, high admiral, and all the considerable officers of the crown; in the whole thirty-three. By this commission, which, from the number of persons named in it, could be no secret, the commissioners were empowered to meet and to concert among themselves the methods of levying money by impositions, or otherwise; *Where form and circumstance, as expressed in the commission, must be dispensed with, rather than the substance be lost or hazarded*.<sup>a</sup> In other words, this was a scheme for finding expedients, which might raise the prerogative to the greatest height, and render parliaments entirely useless. The Commons applied for cancelling the commission;<sup>b</sup> and were, no doubt, desirous that all the world should conclude the king's principles to be extremely arbitrary, and should observe what little regard he was disposed to pay to the liberties and privileges of his people.

<sup>a</sup> State Trials, vol. vii. p. 212. Rushworth, vol. i. p. 590.

<sup>b</sup> Parl. Hist. vol. vii. p. 296.

<sup>c</sup> Rushworth, vol. i. p. 585, 594. Parl. Hist. vol. viii. p. 168, 169, 170, 83, Welwood, p. 44.

<sup>d</sup> Rushworth, vol. i. p. 65. Parl. Hist. vol. vii. p. 212.

<sup>e</sup> Rushworth, vol. i. p. 635. Whitlocke, p. 11.

<sup>f</sup> Rushworth, vol. i. p. 667.

<sup>g</sup> Ibid. vol. i. p. 510. Parl. Hist. vol. vii. p. 197.

<sup>h</sup> Rushworth, vol. i. p. 613. Journ. 7th June, 1628. Parl. Hist. vol. vii. p. 201.

<sup>i</sup> Rushworth, vol. i. p. 613.

<sup>j</sup> Ibid. vol. i. p. 614. Parl. Hist. vol. viii. p. 214.

<sup>k</sup> Journ. 13th June, 1628.



A commission had likewise been granted, and some money remitted, in order to raise a thousand German horse, and transmit them into England. These were supposed to be levied, in order to support the projected impositions or exercises; though the number seems insufficient for such a purpose: the House took notice of this design, in severe terms: and no measure, surely, could be projected more generally odious to the whole nation. It must, however, he confessed, that the king was so far right, that he had now, at last, fallen on the only effectual method for supporting his prerogative. But at the same time he should have been sensible, that, till provided with a sufficient military force, all his attempts, in opposition to the rising spirit of the nation, must, in the end, prove wholly fruitless; and that the higher he screwed up the springs of government, while he had so little real power to retain them in that forced situation, with more fatal violence must they fly out, when any accident occurred to restore them to their natural action.

The Commons next resumed their censure of Buckingham's conduct and behaviour, against whom they were implacable. They agreed to present a remonstrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumstance which could render the whole administration despicable and odious. The compositions with catholics, they said, amounted to no less than a toleration, hateful to God, full of dishonour and disprofit to his majesty, and of extreme scandal and grief to his good people: they took notice of the violations of liberty above mentioned, against which the petition of right seems to have provided a sufficient remedy; they mentioned the decay of trade, the unsuccessful expeditions to Cadiz and the isle of Rhé, the encouragement given to Arminians, the commission for transporting German horse, that for levying illegal impositions; and all these grievances they ascribed solely to the ill conduct of the Duke of Buckingham.<sup>f</sup> This remonstrance was, perhaps, not the less provoking to Charles, because, joined to the extreme acrimony of the subject, there were preserved in it, as in most of the remonstrances of that age, an affected civility and submission in the language. And as it was the first return which he met with for his late beneficial concessions, and for his sacrifices of prerogative, the greatest by far ever made by an English sovereign, nothing could be more the object of just and natural indignation.

It was not without good grounds that the Commons were so fierce and assuming. Though they had already granted the king the supply of five subsidies, they still retained a pledge in their hands, which they thought insured them success in all their applications. Tonnage and poundage had not yet been granted by parliament; and the Commons had artfully, this session, concealed their intention of invading that branch of revenue, till the royal assent had been obtained to the petition of right, which they justly deemed of such importance. They then openly asserted, that the levying of tonnage and poundage, without consent of parliament, was a palpable violation of the ancient liberties of the people, and an open infringement of the petition of right, so lately granted.<sup>g</sup> The

<sup>g</sup> Prorogation.  
26th June. king, in order to prevent the finishing and presenting this remonstrance, came suddenly to the parliament, and ended this session by a prorogation.<sup>h</sup>

Being freed for some time from the embarrassment of this assembly, Charles began to look towards foreign wars, where all his efforts were equally unsuccessful, as in his domestic government. The Earl of Denbigh, brother-in-law to Buckingham, was despatched to the relief of Rochelle, now closely besieged by land, and threatened with a blockade by sea: but he returned without effecting any thing; and having declined to attack the enemy's fleet, he brought on the English arms the imputation either of cowardice or ill conduct. In order to repair this dishonour, the duke went to Portsmouth, where he had prepared a considerable fleet and army, on which all the subsidies given by parliament had been expended. This supply had very much disappointed the king's expectations. The same mutinous spirit which prevailed in the

House of Commons, had diffused itself over the nation; and the commissioners appointed for making the assessments, had connived at all frauds which might diminish the supply, and reduce the crown to still greater necessities. This national discontent, communicated to a desperate enthusiast, soon broke out in an event, which may be considered as remarkable.

There was one Felton, of a good family, but of an ardent and melancholic temper, who had served under the duke in the station of lieutenant. His captain being killed, in the retreat at the isle of Rhé, Felton had applied for the company; and when disappointed, he threw up his commission, and retired in discontent from the army. While private resentment was boiling in his sullen, unsocial mind, he heard the nation resound with complaints against the duke; and he met with the remonstrance of the Commons, in which his enemy was represented as the cause of every national grievance, and as the great enemy of the public. Religious fanaticism further inflamed these vindictive reflections; and he fancied that he should do Heaven acceptable service, if, at one blow, he despatched this dangerous foe to religion and to his country.<sup>i</sup> Full of these dark views he secretly arrived at Portsmouth, at the same time with the duke, and watched for an opportunity of effecting his bloody purpose.

Buckingham had been engaged in conversation with Soubize, and other French gentlemen; and a difference of sentiment having arisen, the dispute, though conducted with temper and decency, had produced some of those vehement gesticulations and lively exertions of voice, in which that nation, more than the English, are apt to indulge themselves. The conversation being finished, the duke drew towards the door; and in that passage, turning himself to speak to Sir Thomas Fryar, a colonel in the army, he was, on the sudden, over Sir Thomas's shoulder, struck upon the breast with a knife. Without uttering other words than, *The villain has killed me*; in the same moment pulling out the knife, he breathed his last.

No man had seen the blow, nor the person who gave it; but in the confusion every one made his own conjecture; and all agreed that the murder had been committed by the French gentlemen, whose angry tone of voice had been heard, while their words had not been understood by the bystanders. In the hurry of revenge, they had instantly been put to death, had they not been saved by some of more temper and judgment, who, though they had the same opinion of their guilt, thought proper to reserve them for a judicial trial and examination.

Near the door there was found a hat, in the inside of which was sewed a paper, containing four or five lines of that remonstrance of the Commons, which declared Buckingham an enemy to the kingdom; and under these lines was a short ejaculation, or attempt towards a prayer. It was easily concluded that this hat belonged to the assassin; but the difficulty still remained, *Who that person should be?* For the writing discovered not the name: and whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was seen walking very composedly before the door. One crying out, *Here is the fellow who killed the duke*; every body ran to ask, *Which is he?* The man very sedately answered, *I am he*. The more furious immediately rushed upon him with drawn swords: others, more deliberate, defended and protected him; he himself, with open arms, calmly and cheerfully exposed his breast to the swords of the most enraged; being willing to fall a sudden sacrifice to their anger, rather than be reserved for that public justice which, he knew, must be executed upon him.

He was now known to be that Felton who had served in the army. Being carried into a private room, it was thought proper so far to dissemble as to tell him, that Buckingham was only grievously wounded, but not without hopes of recovery. Felton smiled, and told them, that the duke, he knew full well, had received a blow which had terminated all their hopes. When asked, at whose instigation he had performed the horrid deed? he replied,

<sup>f</sup> Rush, vol. i. p. 612.

<sup>g</sup> Ibid. p. 619. Parl. Hist. vol. viii. p. 219, 220, &c.

<sup>h</sup> Rush, vol. i. p. 628. Journ. 10th, 20th June, 1628.

<sup>i</sup> Journ. 10th June, 1628. i May's Hist. of the Parliament, p. 10.



that they needed not to trouble themselves in that inquiry; that no man living had credit enough with him to have disposed him to such an action; that he had not even intrusted his purpose to any one; that the resolution proceeded only from himself, and the impulse of his own conscience; and that his motives would appear, if his hat were found: for that believing he should perish in the attempt, he had there taken care to explain them.<sup>8</sup>

When the king was informed of this assassination, he received the news in public with an unmoved and undisturbed countenance; and the courtiers, who studied his looks, concluded, that secretly he was not displeased to be rid of a minister so generally odious to the nation.<sup>9</sup> But Charles's command of himself proceeded entirely from the gravity and composure of his temper. He was still, as much as ever, attached to his favourite; and during his whole life, he retained an affection for Buckingham's friends, and a prejudice against his enemies. He urged too, that Felton should be put to the question, in order to extort from him a discovery of his accomplices: but the judges declared, that though that practice had formerly been very usual, it was altogether illegal. So much more exact reasoners, with regard to law, had they become, from the jealous scruples of the House of Commons.

Meanwhile the distress of Rochelle had risen to the utmost extremity. That vast genius of Richelieu, which made him form the greatest enterprises, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all succour, he had dared to project the throwing across the harbour a mole of a mile's extent in that boisterous ocean; and having executed his project, he now held the town closely blockaded on all sides. The inhabitants, though pressed with the greatest rigours of famine, still refused to submit; being supported partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the Earl of Lindsey; who, arriving before Rochelle, made some attempts to break through the mole, and force his way into the harbour: but by the delays of the English, that work was

now fully finished and fortified; and the  
8th Oct. Rochellers, finding their last hopes to fail them, were reduced to surrender at discretion, even in sight of the English admiral. Of fifteen thousand persons shut up in the city, four thousand alone survived the fatigues and famine which they had undergone.<sup>10</sup>

This was the first necessary step towards the prosperity of France. Foreign enemies, as well as domestic factions, being deprived of this resource, that kingdom began now to shine forth in its full splendour. By a steady prosecution of wise plans, both of war and policy, it gradually gained an ascendancy over the rival power of Spain; and every order of the state, and every sect, were reduced to pay submission to the lawful authority of the sovereign. The victory, however, over the hugonots, was at first pushed by the French king with great moderation. A toleration was still continued to them; the only avowed and open toleration which, at that time, was granted in any European kingdom.

The failure of an enterprise, in which the  
A. D. 1629. English nation, from religious sympathy, so much interested themselves, could not but diminish the king's authority in the parliament during the approaching session: but the Commons, when assembled, found many other causes of complaint. Buckingham's conduct and character, with some had afforded a reason, with others a pretence, for discontent against public measures; but after his death, there wanted not new reasons and new pretences for general dissatisfaction. Manwaring's pardon and promotion were taken notice of: Sibthorpe and Cosins, two clergymen, who, for like reasons, were no less obnoxious to the Commons, had met with like favour from the king: Montague, who had been censured for moderation towards the catholics, the greatest of crimes, had been created Bishop of Chichester. They found,

likewise, upon inquiry, that all the copies of the petition of right, which were dispersed, had by the king's orders annexed to them the first answer, which had given so little satisfaction to the Commons.<sup>11</sup> An expedient by which Charles endeavoured to persuade the people that he had nowise receded from his former claims and pretensions, particularly with regard to the levying of tonnage and poundage. Selden also complained in the House, that one Savage, contrary to the petition of right, had been punished with the loss of his ears, by a discretionary or arbitrary sentence of the star-chamber.<sup>12</sup> So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers, which, from immemorial custom, were supposed inherent in it.

But the great article on which the House of Commons broke with the king, and which Tonnage and poundage. finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V. and all the succeeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The necessity of levying this duty had been so apparent, that each king had ever claimed it from the moment of his accession; and the first parliament of each reign had usually, by vote, conferred on the prince what they found him already in possession of. Agreeably to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived nor remedied; though nothing could have been easier than for the parliament to have prevented it.<sup>13</sup> By granting this duty to each prince, during his own life, and, for a year after his demise, to the successor, all inconveniences had been obviated; and yet the duty had never for a moment been levied without proper authority. But contrivances of that nature were not thought of during those rude ages: and so complicated and jealous a government as the English cannot subsist without many such refinements; it is easy to see how favourable every inaccuracy must formerly have proved to royal authority, which on all emergencies was obliged to supply, by discretionary power, the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII. till the sixth of his reign: yet this prince, who had not then raised his power to its greatest height, continued, during that whole time, to levy the imposition: the parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and though one expression of that bill may seem ambiguous, they employ the plainest terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority.<sup>14</sup> Four reigns, and above a whole century, had since elapsed; and this revenue had still been levied before it was voted by parliament. So long had the inaccuracy continued, without being remarked or corrected.

During that short interval which passed between Charles's accession and his first parliament, he had followed the example of his predecessors; and no fault was found with his conduct in this particular. But what was most remarkable in the proceedings of that House of Commons, and what proved beyond controversy that they had seriously formed a plan for reducing their prince to subjection, was, that instead of granting this supply during the king's life-time, as it had been enjoyed by all his immediate predecessors, they voted it only for a year; and, after that should be elapsed, reserved to themselves the power of renewing or refusing the same concession.<sup>15</sup> But the House of Peers, who saw that this duty was now become more necessary than ever to supply the growing necessities of the crown, and who did not approve of this encroaching spirit in the Commons, rejected the bill; and the dissolution of that parliament followed so soon after,

<sup>8</sup> Clarendon, vol. i. p. 27, 28.

<sup>9</sup> Rush, vol. i. p. 635.

<sup>10</sup> State Trials, vol. vi. p. 216. Rush, vol. i. p. 643.

<sup>11</sup> Warwick, p. 31.

<sup>12</sup> State Trials, vol. vi. p. 216. Parl. Hist. vol. vi. p. 246.

<sup>13</sup> Parl. Hist. vol. vi. p. 339, 340.

<sup>14</sup> Journ. 5th July, 1625. q. 6 Henry VIII. cap. 11.

that no attempt seems to have been made for obtaining tonnage and poundage in any other form.\*

Charles, meanwhile, continued still to levy this duty by his own authority; and the nation was so accustomed to that exertion of royal power, that no scruple was at first entertained of submitting to it. But the succeeding parliament excited doubts in every one. The Commons took there some steps towards declaring it illegal to levy tonnage and poundage without consent of parliament; and they openly showed their intention of employing this engine, in order to extort from the crown concessions of the most important nature. But Charles was not yet sufficiently tamed to compliance; and the abrupt dissolution of that parliament, as above related, put an end, for the time, to their further pretensions.

The following interval between the second and third parliament was distinguished by so many exertions of prerogative, that men had little leisure to attend to the affair of tonnage and poundage, where the abuse of power in the crown might seem to be of a more disputable nature. But after the Commons, during the precedent session, had remedied all these grievances by means of their petition of right, which they deemed so necessary; they afterwards proceeded to take the matter into consideration, and they showed the same intention as formerly, of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their sudden prorogation prevented them from bringing their pretensions to a full conclusion.

When Charles opened this session, he had foreseen that the same controversy would arise; and he therefore took care, very early, among many mild and reconciling expressions, to inform the Commons, "That he had not taken these duties as appertaining to his hereditary prerogative; but that it ever was, and still is, his meaning to enjoy them as a gift of his people: and that, if he had hitherto levied tonnage and poundage, he pretended to justify himself only by the necessity of so doing, not by any right which he assumed."<sup>1</sup> This concession, which probably arose from the king's moderate temper, now freed from the impulse of Buckingham's violent counsels, might have satisfied the Commons, had they entertained no other view than that of ascertaining their own powers and privileges. But they carried their pretensions much higher. They insisted as a necessary preliminary, that the king should once entirely desist from levying these duties; after which, they were to take it into consideration, how far they would restore him to the possession of a revenue, of which he had clearly divested himself. But, besides that this extreme rigour had never been exercised towards any of his predecessors, and many obvious inconveniences must follow from the intermission of the customs; there were other reasons which deterred Charles from complying with so hard a condition. It was probable that the Commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependence; they certainly would cut off the new impositions which Mary and Elizabeth, but especially James, had levied, and which formed no despicable part of the public revenue; and they openly declared, that they had at present many important pretensions, chiefly with regard to religion; and if compliance were refused, no supply must be expected from the Commons.

It is easy to see in what an inextricable labyrinth Charles was now involved. By his own concessions, by the general principles of the English government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, consequently, might be withdrawn at their pleasure. If unreasonable in their refusal, they still refused nothing but what was their own. If public necessity required this supply, it might be thought also to require the king's compliance with those conditions which were the price of obtaining it. Though the motive for

granting it had been the enabling of the king to guard the seas, it did not follow, that because he guarded the seas, he was therefore entitled to this revenue without further formality: since the people had still reserved to themselves the right of judging how far that service merited such a supply. But Charles, notwithstanding his public declaration, was far from assenting to this conclusion in its full extent. The plain consequence, he saw, of all these rigours, and refinements, and inferences, was, that he, without any public necessity, and without any fault of his own, must, of a sudden, even from his accession, become a magistrate of a very different nature from any of his predecessors, and must fall into a total dependence on subjects over whom former kings, especially those immediately preceding, had exercised an authority almost unlimited. Entangled in a chain of consequences which he could not easily break, he was inclined to go higher, and rather deny the first principle, than admit of conclusions which to him appeared so absurd and unreasonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he esteemed the essence and soul of the English government; and whatever other power pretended to annihilate, or even abridge, the royal authority must necessarily, he thought, either in its nature or exercise, be deemed no better than an usurpation. Willing to preserve the ancient harmony of the constitution, he had ever intended to comply, as far as he easily could, with the ancient forms of administration: but when these forms appeared to him, by the inveterate obstinacy of the Commons, to have no other tendency than to disturb that harmony, and to introduce a new constitution; he concluded, that, in this violent situation, what was subordinate must necessarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch, to be degraded into a slave of his insolent, ungrateful subjects, seemed, of all indignities, the greatest; and nothing in his judgment could exceed the humiliation attending such a state, but the meanness of tamely submitting to it, without making some efforts to preserve the authority transmitted to him by his predecessors.

Though these were the king's reflections and resolutions before the parliament assembled, he did not immediately break with them upon their delay in voting him this supply. He thought that he could better justify any strong measure which he might afterwards be obliged to take, if he allowed them to carry to the utmost extremities their attacks upon his government and prerogative.<sup>2</sup> He contented himself, for the present, with soliciting the House by messages and speeches. But the Commons, instead of hearkening to his solicitations, proceeded to carry their scrutiny into his management of religion,<sup>3</sup> which was the only grievance to which, in their opinion, they had not as yet, by their petition of right, applied a sufficient remedy.

It was not possible that this century, so fertile in religious sects and disputes, could escape the controversy concerning fatalism and free-will, which, being strongly interwoven both with philosophy and theology, had, in all ages, thrown every school and every church into such inextricable doubt and perplexity. The first reformers in England, as in other European countries, had embraced the most rigid tenets of predestination and absolute decrees, and had composed, upon that system, all the articles of their religious creed. But these principles having met with opposition from Arminius and his sectaries, the controversy was soon brought into this island, and began here to diffuse itself. The Arminians, finding more encouragement from the superstitious spirit of the church than from the fanaticism of the puritans, gradually incorporated themselves with the former; and some of that sect, by the indulgence of James and Charles, had attained the highest preferments in the hierarchy. But their success with the public had not been altogether answerable to that which they met with in the church and the court. Throughout the nation,

\* The reason assigned by Sir Philip Warwick, p. 2. for this unusual measure of the Commons, is, that they intended to deprive the crown of the prerogative, which it had assumed, of varying the rates of the impositions, and at the same time were resolved to cut off the new rates fixed by James. These were considerable diminutions both of revenue and prerogative, and whether they would have been stopped, considering then

present disposition, may be much doubted. The king, it seems, and the Lords, were resolved not to trust the m. p. as to render a revenue once precarious, which perhaps they might never afterwards be able to get re-established on the old footing.

<sup>1</sup> Rushworth, vol. i. p. 634.

<sup>2</sup> Parl. Hist. vol. viii. p. 236, 246.

<sup>3</sup> Rushworth, vol. i. p. 640.

<sup>4</sup> Idem, ibid. p. 631. Whitlocke, p. 12.

they still lay under the reproach of innovation and heresy. The Commons now levelled against them their formidable censures, and made them the objects of daily invective and declamation. Their protectors were stigmatized; their tenets canvassed; their views represented as dangerous and pernicious. To impartial spectators surely, if any such had been at that time in England, it must have given great entertainment, to see a popular assembly, inflamed with faction and enthusiasm, pretend to discuss questions to which the greatest philosophers, in the tranquillity of retreat, had never hitherto been able to find any satisfactory solution.

Amidst that complication of disputes in which men were then involved, we may observe, that the appellation *puritan* stood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the highest principles of civil liberty; the puritans in discipline, who were averse to the ceremonies and episcopal government of the church; and the doctrinal puritans, who rigidly defended the speculative system of the first reformers. In opposition to all these, stood the court party, the hierarchy, and the Arminians; only with this distinction, that the latter sect, being introduced a few years before, did not, as yet, comprehend all those who were favourable to the church and to monarchy. But, as the controversies on every subject grew daily warmer, men united themselves more intimately with their friends, and separated themselves wider from their antagonists; and the distinction gradually became quite uniform and regular.

This House of Commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better serve their cause than by branding and punishing the Arminian sect, which, introducing an innovation in the church, were the least favoured and least powerful of all their antagonists. From this measure, it was easily foreseen, that, besides gratifying the animosity of the doctrinal puritans, both the puritans in discipline, and those in politics, would reap considerable advantages. Laud, Neile, Montague, and other bishops, who were the chief supporters of episcopal government, and the most zealous partisans of the discipline and ceremonies of the church, were all supposed to be tainted with Arminianism. The same men and their disciples were the strenuous preachers of passive obedience, and of entire submission to princes; and if these could once be censured, and be expelled the church and court, it was concluded, that the hierarchy would receive a mortal blow, the ceremonies be less rigidly insisted on, and the king, deprived of his most faithful friends, be obliged to abate those high claims of prerogative, on which at present he insisted.

But Charles, besides a view of the political consequences which must result from a compliance with such pretensions, was strongly determined, from principles of piety and conscience, to oppose them. Neither the dissipation incident to youth, nor the pleasures attending a high fortune, had been able to prevent this virtuous prince from embracing the most sincere sentiments of religion; and that character which, in that religious age, should have been of infinite advantage to him, proved in the end the chief cause of his ruin: merely because the religion adopted by him, was not of that precise mode and sect which *began* to prevail among his subjects. His piety, though remote from popery, had a tincture of superstition in it; and, being averse to the gloomy spirit of the puritans, was represented by them as tending towards the abominations of antichrist. Laud also had unfortunately acquired a great ascendancy over him: and as all those prelates, obnoxious to the Commons, were regarded as his chief friends and most favourite courtiers, he was resolved not to disarm and dishonour himself, by abandoning them to the resentment of his enemies. Being totally unpro-

vided with military force, and finding a refractory independent spirit to prevail among the people; the most solid basis of his authority, he thought, consisted in the support which he received from the hierarchy.

In the debates of the Commons, which are transmitted to us, it is easy to discern so early some sparks of that enthusiastic fire, which afterwards set the whole nation in combustion. One Rouse made use of an allusion, which, though familiar, seems to have been borrowed from the writings of Lord Bacon.<sup>x</sup> "If a man meet a dog alone," said he, "the dog is fearful, though ever so fierce by nature: but if the dog have his master with him, he will set upon that man from whom he fled before. This shows, that lower natures, being backed by higher, increase in courage and strength: and certainly man, being backed with Omnipotency, is a kind of omnipotent creature. All things are possible to him that believes, and where all things are possible, there is a kind of omnipotency. Wherefore, let it be the unanimous consent and resolution of us all, to make a vow and covenant henceforth to hold fast our God and our religion; and then shall we henceforth expect with certainty happiness in this world."<sup>y</sup>

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned in these debates as complaining of one, who, he was told, preached flat popery.<sup>z</sup> It is amusing to observe the first words of this fanatical hypocrite correspond so exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with these theological or metaphysical controversies. The officers of the custom-house were summoned before the Commons, to give an account by what authority they had seized the goods of merchants who had refused to pay these duties: the barons of the exchequer were questioned concerning their decrees on that head.<sup>a</sup> One of the sheriffs of London was committed to the tower for his activity in supporting the officers of the custom-house: the goods of Rolles, a merchant and member of the House, being seized for his refusal to pay the duties, complaints were made for this violence, as if it were a breach of privilege.<sup>b</sup> Charles supported his officers in all these measures; and the quarrel grew every day higher between him and the Commons.<sup>c</sup> Mention was made in the House of impeaching Sir Richard Weston, the treasurer;<sup>d</sup> and the king began to entertain thoughts of finishing the session by a dissolution.

Sir John Elliot framed a remonstrance against levying tonnage and poundage without consent of parliament, and offered it to the clerk to read. It was refused. He read it himself. The question being then called for, the speaker, Sir John Finch, said, *That he had a command from the king to adjourn, and to put no question.*<sup>e</sup> Upon which he rose and left the chair. The whole House was in an uproar. The speaker was pushed back into the chair, and forcibly held in it by Hollis and Valentine; till a short remonstrance was framed, and was passed by acclamation rather than by vote. Papists and Arminians were there declared capital enemies to the commonwealth. Those who levied tonnage and poundage were branded with the same epithet. And even the merchants who should voluntarily pay these duties, were denominated betrayers of English liberty, and public enemies. The doors being locked, the gentleman usher of the House of Lords, who was sent by the king, could not get admittance till this remonstrance was finished. By the king's order, he took the mace from the table, which ended their proceedings.<sup>f</sup> And a few days after the par-

Dissolution of the parliament.  
10th Mar.

The discontents of the nation ran high, on account of this violent rupture between the king and parliament. These discontents Charles inflamed by his affectation of a severity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, Sir Peter Heyman, Selden, Coriton, Long, Ströde, were committed

<sup>x</sup> Essays of Atterbury.

<sup>y</sup> Rushworth, vol. i. p. 646. Parl. Hist. vol. viii. p. 260.

<sup>z</sup> Rushworth, vol. i. p. 655. Parl. Hist. vol. xiii. p. 209.

<sup>a</sup> Rushworth, vol. i. p. 654. Parl. Hist. vol. xiii. p. 301.

<sup>b</sup> Rushworth, vol. i. p. 653.

<sup>c</sup> Parl. p. 646.

<sup>d</sup> Parl. Hist. vol. xiii. p. 326.

<sup>e</sup> The king's power of adjourning, as well as of proroguing the parliament, was and is never questioned. In the 10th of the late king, the judges determined that the parliament by the king kept the parliament *in statu quo* until the next sitting; but that then no committees were to meet: but if the adjournment be by the House, then the committees and other matters do continue. Parl. Hist. vol. x. p. 460.

<sup>f</sup> Rushworth, vol. i. p. 646. Whitlocke, p. 12.



to prison, on account of the last tumult in the House, which was called sedition.<sup>a</sup> With great difficulty, and after several delays, they were released; and the law was generally supposed to be wrested, in order to prolong their imprisonment. Sir John Elliot, Hollis, and Valentine, were summoned to their trial in the king's bench, for seditious speeches and behaviour in parliament; but refusing to answer before an inferior court for their conduct as members of a superior, they were condemned to be imprisoned during the king's pleasure, to find sureties for their good behaviour, and to be fined, the two former a thousand pounds a piece, the latter five hundred.<sup>b</sup> This sentence, procured by the influence of the crown, served only to show the king's disregard to the privileges of parliament, and to acquire an immense stock of popularity to the sufferers, who had so bravely, in opposition to arbitrary power, defended the liberties of their native country. The Commons of England, though an immense body, and possessed of the greater part of national property, were naturally somewhat defenceless; because of their personal equality, and their want of leaders: but the king's severity, if these prosecutions deserve the name, here pointed out leaders to them whose resentment was inflamed, and whose courage was nowise daunted by the hardships which they had undergone in so honourable a cause.

So much did these prisoners glory in their sufferings, that though they were promised liberty on that condition, they would not condescend even to present a petition to the king, expressing their sorrow for having offended him.<sup>c</sup> They unanimously refused to find sureties for their good behaviour; and disdained to accept of deliverance on such easy terms. Nay, Hollis was so industrious to continue his meritorious distress, that, when one offered to bail him, he would not yield to the rule of court, and be himself bound with his friend. Even Long, who had actually found sureties in the chief justice's chamber, declared in court, that his sureties should no longer continue.<sup>d</sup> Yet because Sir John Elliot happened to die while in custody, a great clamour was raised against the administration; and he was universally regarded as a martyr to the liberties of England.<sup>e</sup>

## CHAP. LII.

Peace with France—Peace with Spain—State of the court and ministry—Character of the queen—Strafford—Laud—Innovations in the church—Irregular levies of money—Severities in the star-chamber and high commission—Ship money—Trial of Hamden.

A. D. 1629. THERE now opens to us a new scene. Charles, naturally disgusted with parliament, who, he found, were determined to proceed against him with unmitigated rigour, both in invading his prerogative, and refusing him all supply, resolved not to call any more, till he should see greater indication of a compliant disposition in the nation. Having lost his great favourite, Buckingham, he became his own minister; and never afterwards reposed in any one such unlimited confidence. As he chiefly follows his own genius and disposition, his measures are henceforth less rash and hasty; though the general tenor of his administration still wants somewhat of being entirely legal, and perhaps more of being entirely prudent.

We shall endeavour to exhibit a just idea of the events which followed for some years; so far as they regard foreign affairs, the state of the court, and the government of the nation. The incidents are neither numerous nor illustrious; but the knowledge of them is necessary for understanding the subsequent transactions which are so memorable.

Charles, destitute of all supply, was necessarily reduced to embrace a measure, which ought to have been the result of reason and sound policy: he made peace with the two crowns against which he had hitherto waged a war, entered into without necessity, and conducted without glory.

Notwithstanding the distracted and helpless condition of England, no attempt was made either by France or Spain, to invade their enemy; nor did they entertain any further project, than to defend themselves against the feeble and ill-concerted expeditions of that kingdom. Pleased that the jealousies and quarrels between king and parliament had disarmed so formidable a power, they carefully avoided any enterprise which might rouse either the terror or anger of the English, and dispose them to domestic union and submission. The endeavours to regain the good-will of the nation were carried so far by the King of Spain, that he generously released and sent home all the English prisoners taken in the expedition against Cadiz. The example was imitated by France, after the retreat of the English from the isle of Rhé. When princes were in such dispositions, and had so few pretensions on each other, it could not be difficult to conclude a peace. The treaty was first signed with France.<sup>a</sup> The situation of the king's affairs did not entitle him to demand any conditions for the hugenots, and they were abandoned to the will of their sovereign. Peace was afterwards concluded with Spain; where no conditions were made in favour of the palatine, except that Spain promised in general to use their good offices for his restoration.<sup>b</sup> The influence of these two wars on domestic affairs, and on the dispositions of king and people, was of the utmost consequence: but no alteration was made by them on the foreign interests of the kingdom.

Nothing more happy can be imagined than the situation in which England then stood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Austria, whose opposite interests, and still more their mutual jealousies, secured the tranquillity of this island: their forces were so nearly counterpoised, that no apprehensions were entertained of any event which could suddenly disturb the balance of power between them. The Spanish monarch, deemed the most powerful, lay at greatest distance: and the English, by that means, possessed the advantage of being engaged by political motives into a more intimate union and confederacy with the neighbouring potentate. The dispersed situation of the Spanish dominions rendered the naval power of England formidable to them, and kept that empire in continual dependence. France, more vigorous and more compact, was every day rising in policy and discipline; and reached at last an equality of power with the house of Austria: but her progress, slow and gradual, left it still in the power of England, by a timely interposition, to check her superiority. And thus Charles, could he have avoided all dissensions with his own subjects, was in a situation to make himself be courted and respected by every power in Europe; and what has scarcely ever since been attained by the princes of this island, he could either be active with dignity, or neutral with security.

A neutrality was embraced by the king; and during the rest of his reign, he seems to have little regarded foreign affairs, except so far as he was engaged by honour, and by friendship for his sister and the palatine, to endeavour the procuring of some relief for that unhappy family. He joined his good offices to those of France, and mediated a peace between the Kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppressed protestants in the empire. This was the famed Gustavus, whose heroic genius, seconded by the wisest policy, made him in a little time the most distinguished monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and assist him in his projected invasion of Germany, Charles agreed to furnish him with six thousand men; but that he might preserve the appearance of neutrality, he made use of the Marquis of Hamilton's name.<sup>c</sup> That nobleman entered into an engagement with Gustavus; and enlisting these troops in England and Scotland at Charles's expense, he landed them in the Elbe. The decisive battle of Leipzig was fought soon after; where the conduct of Tilly and the valour of the Imperialists

Peace with  
France and  
Spain,  
14th April.

A. D. 1630.  
5th Nov.

<sup>a</sup> Rushworth, vol. i. p. 661, 681. Parl. Hist. vol. viii. p. 354. May, p. 13.  
<sup>b</sup> Rushworth, vol. i. p. 634, 691.

<sup>c</sup> Kennet, vol. iii. p. 49.

<sup>d</sup> Whitlocke, p. 13.

<sup>e</sup> Rushworth, vol. v. p. 440.

<sup>a</sup> Rushworth, vol. ii. p. 23, 24.

<sup>b</sup> Idem, ibid. p. 75. Whitlocke, p. 14.

<sup>c</sup> Rushworth, vol. i. p. 40, 51, 62, 85.

were overcome by the superior conduct of Gustavus, and the superior valour of the Swedes. What remained of this hero's life was one continued series of victory, for which he was less beholden to fortune, than to those personal endowments which he derived from nature and from industry. That rapid progress of conquest, which we so much admire in ancient history, was here renewed in modern annals; and without that cause to which in former ages it had ever been owing. Military nations were not now engaged against an undisciplined and unwarlike people; nor heroes set in opposition to cowards. The veteran troops of Ferdinand, conducted by the most celebrated generals of the age, were foiled in every encounter, and all Germany was overrun in an instant by the victorious Swede. But by this extraordinary and unexpected success of his ally, Charles failed of the purpose for which he framed the alliance. Gustavus, elated by prosperity, began to form more extensive plans of ambition; and in freeing Germany from the yoke of Ferdinand, he intended to reduce it to subjection under his own. He refused to restore the palatine to his principality, except on conditions which would have kept him in total dependence.<sup>a</sup> And thus the negotiation was protracted; till the battle of Lutzen, where the Swedish monarch perished in the midst of a complete victory which he obtained over his enemies.

We have carried on these transactions a few years beyond the present period, that we might not be obliged to return to them; nor be henceforth interrupted in our account of Charles's court and kingdoms.

When we consider Charles as presiding in his court, as associating with his family, it is difficult to imagine a character at once more respectable and more amiable. A kind husband, an indulgent father, a gentle master, a steadfast friend; to all these eulogies his conduct in private life fully entitled him. As a monarch, too, in the exterior qualities, he excelled: in the essential, he was not defective. His address and manner, though perhaps inclining a little towards statelyness and formality, in the main corresponded to his high rank, and gave grace to that reserve and gravity which were natural to him. The moderation and equity which shone forth in his temper seemed to secure him against rash and dangerous enterprises: the good sense which he displayed in his discourse and conversation, seemed to warrant his success in every reasonable undertaking. Other endowments likewise he had attained, which, in a private gentleman, would have been highly ornamental, and which, in a great monarch, might have proved extremely useful to his people. He was possessed of an excellent taste in all the fine arts, and the love of painting was, in some degree, his favourite passion. Learned beyond what is common in princes, he was a good judge of writing in others, and enjoyed, himself, no mean talent in composition. In any other age or nation, this monarch had been secure of a prosperous and a happy reign. But the high idea of his own authority which he had imbibed, made him incapable of giving way to the spirit of liberty, which began to prevail among his subjects. His politics were not supported by such vigour and foresight as might enable him to subdue their pretensions, and maintain his prerogative at the high pitch to which it had been raised by his predecessors. And, above all, the spirit of enthusiasm being universally diffused, disappointed all the views of human prudence, and disturbed the operation of every motive which usually influences society.

But the misfortunes arising from these causes were yet remote. Charles now enjoyed himself in the full exercise of his authority, in a social intercourse with his friends and courtiers, and in a moderate use of those pleasures which he most affected.

After the death of Buckingham, who had somewhat alienated Charles from the queen, she is to be considered as his chief friend and favourite. That rustic contempt of the fair sex, which James affected, and which, banishing them from his court, made it resemble more a fair or an exchange, than the seat of a great prince, was very wide of the disposition of this monarch. But though full of complaisance to the whole sex, Charles

reserved all his passion for his consort, to whom he attached himself with unshaken fidelity and confidence. By her sense and spirit, as well as by her beauty, she justified the fondness of her husband; though it is allowed, that, being somewhat of a passionate temper, she precipitated him into hasty and imprudent measures. Her religion, likewise, to which she was much addicted, must be regarded as a great misfortune, since it augmented the jealousy which prevailed against the court, and engaged her to procure for the catholics some indulgences which were generally distasteful to the nation.<sup>b</sup>

In the former situation of the English government, when the sovereign was in a great measure independent of his subjects, the king chose his ministers either from personal favour, or from an opinion of their abilities, without any regard to their parliamentary interest or talents. It has since been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them; in expectation that they will afterwards become more careful not to diminish that power which has become their own. These politics were now embraced by Charles; a sure proof that a secret revolution had happened in the constitution, and had necessitated the prince to adopt new maxims of government.<sup>c</sup> But the views of the king were at this time so repugnant to those of the puritans, that the leaders whom he gained, lost from that moment all interest with their party, and were even pursued as traitors with implacable hatred and resentment. This was the case with Sir Thomas Wentworth, whom the king created, first a baron, then a viscount, and afterwards Earl of Strafford.

Strafford made him president of the council of York, and deputy of Ireland; and regarded him as his chief minister and counsellor. By his eminent talents and abilities, Strafford merited all the confidence which his master reposed in him: his character was stately and austere; more fitted to procure esteem than love: his fidelity to the king was unshaken; but as he now employed all his counsels to support the prerogative, which he had formerly bent all his endeavours to diminish, his virtue seems not to have been entirely pure, but to have been susceptible of strong impressions from private interest and ambition. Sir Dudley Digges was about the same time created master of the rolls; Noy, attorney-general; Littleton, solicitor-general. All these had likewise been parliamentary leaders; and were men eminent in their profession.<sup>d</sup>

In all ecclesiastical affairs, and even in many civil, Laud, Bishop of London, had great influence over the king. This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise. He was disinterested, but with unceasing industry he studied to exalt the priestly and prelatical character, which was his own. His zeal was unrelenting in the cause of religion; that is, in imposing by rigorous measures, his own tenets and pious ceremonies on the obstinate puritans, who had profanely dared to oppose him. In prosecution of his holy purposes, he overlooked every human consideration; or, in other words, the heat and indiscretion of his temper made him neglect the views of prudence and rules of good manners. He was in this respect happy, that all his enemies were also imagined by him the declared enemies to loyalty and true piety, and that every exercise of his anger, by that means, became in his eyes a merit and a virtue. This was the man who acquired so great an ascendancy over Charles, and who led him, by the facility of his temper, into a conduct which proved so fatal to himself and to his kingdoms. The humour of the nation ran at that time into the extreme opposite to superstition; and it was with difficulty that the ancient ceremonies to which men had been accustomed, and which had been sanctified by the practice of the first reformers, could be retained in divine service: yet was this the time which Laud chose for the introduction of new ceremonies and observances. Besides that these were sure to displease as innovations, there lay, in the opinion of the public, another very forcible objection against them. Laud, and the other prelates

Character of the queen.

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<sup>a</sup> Franklyn, vol. i. p. 115.

<sup>b</sup> May, p. 21.

<sup>c</sup> Sir Edward Walker, p. 33.

<sup>d</sup> Whitlocke, p. 11. May, p. 20.

who embraced his measures, were generally well instructed in sacred antiquity, and had adopted many of those religious sentiments which prevailed during the fourth and fifth centuries; when the Christian church, as is well known, was already sunk into those superstitions which were afterwards continued and augmented by the policy of Rome. The revival, therefore, of the ideas and practices of that age, could not fail of giving the English faith and liturgy some resemblance to the catholic superstition, which the kingdom in general, and the puritans in particular, held in the greatest horror and detestation. Men also were apt to think, that, without some secret purpose, such insignificant observances would not be imposed with such unrelenting zeal on the refractory nation; and that Laud's scheme was to lead back the English by gradual steps to the religion of their ancestors. They considered not, that the very insignificance of these ceremonies recommended them to the superstitious prelate, and made them appear the more peculiarly sacred and religious, as they could serve to no other purpose. Nor was the resemblance to the Romish ritual any objection, but rather a merit, with Laud and his brethren; who bore a much greater kindness to his mother-church, as they called her, than to the sectaries and presbyterians, and frequently recommended her as a true christian church; an appellation which they refused, or at least scrupled to give to the others.<sup>b</sup> So openly were these tenets espoused, that not only the discontented puritans believed the church of England to be relapsing fast into Romish superstition; the court of Rome itself entertained hopes of regaining its authority in this island; and, in order to forward Laud's supposed good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting.<sup>c</sup> His answer was, as he says himself, *That something dwelt within him, which would not suffer his compliance, till Rome were other than it is.*<sup>k</sup>

A court lady, daughter of the Earl of Devonshire, having turned catholic, was asked by Laud the reason of her conversion. *'Tis chiefly,* said she, *because I hate to travel in a crowd.* The meaning of this expression being demanded, she replied, *I perceive your Grace and many others are making haste to Rome; and therefore, in order to prevent my being crowded, I have gone before you.* It must be confessed, that though Laud deserved not the appellation of papist, the genius of his religion was, though in a less degree, the same with that of the Romish: the same profound respect was exacted to the sacerdotal character, the same submission required to the creeds and decrees of synods and councils, the same pomp and ceremony was affected in worship, and the same superstitious regard to days, postures, meats, and vestments. No wonder, therefore, that this prelate was, every where, among the puritans, regarded with horror, as the forerunner of antichrist.

As a specimen of the new ceremonies to which Laud sacrificed his own quiet and that of the nation, it may not be amiss to relate those which he was accused of employing in the consecration of St. Catherine's church, and which were the object of such general scandal and offence.

On the bishop's approach to the west door of the church, a loud voice cried, *Open, open, ye everlasting doors, that the King of glory may enter in!* Immediately the doors of the church flew open, and the bishop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered these words: *This place is holy; the ground is holy: In the name of the Father, Son, and Holy Ghost, I pronounce it holy.*

Going towards the chancel, he several times took up from the floor some of the dust, and threw it in the air. When he approached, with his attendants, near to the communion-table, he bowed frequently towards it: and on their return, they went round the church, repeating, as they marched along, some of the psalms: and then said a form of prayer, which concluded with these words: *We consecrate this church, and separate it unto thee as holy ground, not to be profaned any more to common uses.*

After this, the bishop, standing near the communion-table, solemnly pronounced many imprecations upon such

as should afterwards pollute that holy place by musters of soldiers, or keeping in it profane law-courts, or carrying burdens through it. On the conclusion of every curse he bowed towards the east, and cried, *Let all the people say, Amen.*

The imprecations being all so piously finished, there were poured out a number of blessings upon such as had any hand in framing and building that sacred and beautiful edifice, and on such as had given, or should hereafter give to it, any chalices, plate, ornaments, or utensils. At every benediction, he in like manner bowed towards the east, and cried, *Let all the people say, Amen.*

The sermon followed; after which, the bishop consecrated and administered the sacrament in the following manner.

As he approached the communion-table, he made many low reverences: and coming up to that part of the table where the bread and wine lay, he bowed seven times. After the reading of many prayers, he approached the sacramental elements, and gently lifted up the corner of the napkin in which the bread was placed. When he beheld the bread, he suddenly let fall the napkin, flew back a step or two, bowed three several times towards the bread; then he drew nigh again, opened the napkin, and bowed as before.

Next, he laid his hand on the cup, which had a cover upon it, and was filled with wine. He let go the cup, fell back, and bowed thrice toward it. He approached again; and lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, started back, and bowed as before. Then he received the sacrament, and gave it to others. And many prayers being said, the solemnity of the consecration ended. The walls and floor and roof of the fabric were then supposed to be sufficiently holy.<sup>l</sup>

Orders were given and rigorously insisted on, that the communion-table should be removed from the middle of the area, where it hitherto stood in all churches, except in cathedrals.<sup>m</sup> It was placed at the east end, railed in, and denominated an ALTAR; as the clergyman who officiated received commonly the appellation of PRIEST. It is not easy to imagine the discontents excited by this innovation, and the suspicions which it gave rise to.

The kneeling at the altar, and the using of copes, a species of embroidered vestment, in administering the sacrament, were also known to be great objects of scandal, as being popish practices; but the opposition rather increased than abated the zeal of the prelate for the introduction of these habits and ceremonies.

All kinds of ornament, especially pictures, were necessary for supporting that mechanical devotion, which was supposed to be raised in this model of religion: but as these had been so much employed by the church of Rome, and had given rise to so much superstition, or what the puritans called idolatry; it was impossible to introduce them into English churches, without exciting general murmurs and complaints. But Laud, possessed of present authority, persisted in his purpose, and made several attempts towards acquiring these ornaments. Some of the pictures introduced by him were also found, upon inquiry, to be the very same that might be met with in the mass-book. The crucifix too, that eternal consolation of all pious catholics, and terror of all sound protestants, was not forgotten on this occasion.<sup>n</sup>

It was much remarked, that Sheffield, the recorder of Salisbury, was tried in the star-chamber, for having broken, contrary to the Bishop of Salisbury's express injunctions, a painted window of St. Edmond's church in that city. He boasted that he had destroyed these monuments of idolatry: but for this effort of his zeal, he was fined 500 pounds, removed from his office, condemned to make a public acknowledgment, and be bound to his good behaviour.<sup>o</sup>

Not only such of the clergy as neglected to observe every ceremony, were suspended and deprived by the high commission court: oaths were, by many of the bishops, imposed on the churchwardens; and they were sworn to inform against any one who acted contrary to the ecclesi-

<sup>b</sup> May, p. 25.<sup>c</sup> Rush, vol. ii. p. 190. Welwood, p. 61.<sup>d</sup> Rushworth, vol. iii. p. 137. Whitlocke, p. 97.<sup>e</sup> Rushworth, vol. iii. p. 76, 77. Welwood, p. 275. Franklyn, p. 36.<sup>m</sup> Rushworth, vol. ii. p. 207. Whitlocke, p. 21.<sup>n</sup> Rushworth, vol. ii. p. 272, 273.<sup>o</sup> Rud. p. 132. State Trials, vol. v. p. 46. Franklyn, p. 410, 411, 412.



astical canons.<sup>p</sup> Such a measure, though practised during the reign of Elizabeth, gave much offence: as resembling too nearly the practice of the Romish inquisition.

To show the greater alienation from the churches reformed after the presbyterian model, Laud advised that the discipline and worship of the church should be imposed on the English regiments and trading companies abroad.<sup>q</sup> All foreigners of the Dutch and Walloon congregations were commanded to attend the established church; and indulgence was granted to none after the children of the first denizens.<sup>r</sup> Scudamore, too, the king's ambassador at Paris, had orders to withdraw himself from the communion of the hugonots. Even men of sense were apt to blame this conduct, not only because it gave offence in England, but because, in foreign countries, it lost the crown the advantage of being considered as the head and support of the Reformation.<sup>s</sup>

On pretence of pacifying disputes, orders were issued from the council, forbidding on both sides all preaching and printing with regard to the controverted points of predestination and free-will. But it was complained of, and probably with reason, that the impartiality was altogether confined to the orders, and that the execution of them was only meant against the Calvinists.

In return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occasion, the regal authority, and to treat with the utmost disdain or detestation, all puritanical pretensions to a free and independent constitution. But while these prelates were so liberal in raising the crown at the expense of public liberty, they made no scruple of encroaching themselves on the royal rights the most incontestable; in order to exalt the hierarchy, and procure to their own order dominion and independence. All the doctrines which the Romish church had borrowed from some of the fathers, and which freed the spiritual from subordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apostolical charter was insisted on, preferably to a legal and parliamentary one.<sup>t</sup> The sacerdotal character was magnified as sacred and indefeasible: all right to spiritual authority, or even to private judgment in spiritual subjects, was refused to profane laymen: ecclesiastical courts were held by the bishops in their own name, without any notice taken of the king's authority: and Charles, though extremely jealous of every claim in popular assemblies, seemed rather to encourage than repress those encroachments of his clergy. Having felt many sensible inconveniences from the independent spirit of parliaments, he attached himself entirely to those who professed a devoted obedience to his crown and person; nor did he foresee that the ecclesiastical power which he exalted, not admitting of any precise boundary, might in time become more dangerous to public peace, and no less fatal to royal prerogative than the other.

So early as the coronation, Laud was the person, according to general opinion, that introduced a novelty, which, though overlooked by Charles, made a deep impression on many of the bye-standers. After the usual ceremonies, these words were recited to the king: "Stand and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us and all the bishops and servants of God. And as you see the clergy to come nearer the altar than others, so remember that, in all places convenient, you give them greater honour; that the Mediator of God and man may establish you on the kingly throne, to be a mediator betwixt the clergy and the laity; and that you may reign for ever with Jesus Christ, the King of kings, and Lord of lords."<sup>u</sup>

The principles which exalted prerogative were not entertained by the king, merely as soft and agreeable to his royal ears: they were also put in practice during the time that he ruled without parliaments. Though frugal and

regular in his expense, he wanted money for the support of government; and he levied it either by the revival of obsolete laws, or by violations, some more open, some more disguised, of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few severities in the star-chamber and high commission, which seemed necessary, in order to support the present mode of administration, and repress the rising spirit of liberty throughout the kingdom. Under these two heads may be reduced all the remarkable transactions of this reign, during some years: for, in peaceable and prosperous times, where a neutrality in foreign affairs is observed, scarcely any thing is remarkable, but what is, in some degree, blamed, or blamable. And, lest the hope of relief or protection from parliament might encourage opposition, Charles issued a proclamation, in which he declared, "That whereas, for several ill ends, the calling again of a parliament is divulged; though his majesty has shown, by frequent meetings with his people, his love to the use of parliaments: yet the late abuse having, for the present, driven him unwillingly out of that course; he will account it presumption for any one to prescribe to him any time for the calling of that assembly."<sup>v</sup> This was generally construed as a declaration, that during this reign no more parliaments were intended to be summoned.<sup>w</sup> And every measure of the king's confirmed a suspicion, so disagreeable to the generality of the people.

Tonnage and poundage continued to be levied by the royal authority alone. The former additional impositions were still exacted. Even new impositions were laid on several kinds of merchandise.<sup>x</sup>

The custom-house officers received orders from the council to enter into any house, warehouse, or cellar; to search any trunk or chest; and to break any bulk whatever; in default of the payment of customs.<sup>y</sup>

In order to exercise the militia, and to keep them in good order, each county, by an edict of the council, was assessed in a certain sum, for maintaining a muster-master, appointed for that service.<sup>z</sup>

Compositions were openly made with recusants, and the popish religion became a regular part of the revenue. This was all the persecution which it underwent during the reign of Charles.<sup>b</sup>

A commission was granted for compounding with such as were possessed of crown lands upon defective titles; and on this pretence, some money was exacted from the people.<sup>c</sup>

There was a law of Edward II.<sup>d</sup> that whoever was possessed of twenty pounds a year in land, should be obliged, when summoned, to appear and receive the order of knighthood. Twenty pounds, at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to 200 in the seventeenth century; and it seemed just, that the king should not strictly insist on the letter of the law, and oblige people of so small revenue to accept of that expensive honour. Edward VI.<sup>e</sup> and Queen Elizabeth,<sup>f</sup> who had both of them made use of this expedient for raising money, had summoned only those who were possessed of forty pounds a year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example, in granting the same indulgence. Commissioners were appointed for fixing the rates of composition; and instructions were given to these commissioners, not to accept of a less sum than would have been due by the party, upon a tax of three subsidies and a half.<sup>g</sup> Nothing proves more plainly how ill-disposed the people were to the measures of the crown, than to observe, that they loudly complained of an expedient, founded on positive statute, and warranted by such recent precedents. The law was pretended to be obsolete; though only one reign had intervened since the last execution of it.

Barnard, lecturer of St. Sepulchre's, London, used this expression in his prayer before sermon; *Lord, open the eyes of the queen's majesty, that she may see Jesus Christ, whom*

Severities of the star-chamber and high commission.

<sup>p</sup> Barnard, vol. ii. p. 116.

<sup>q</sup> Ibid. p. 249. Franklin, p. 431.

<sup>r</sup> Ibid. p. 116. vol. ii. p. 272.

<sup>s</sup> See Paper collected by the Earl of Clarendon, p. 333.

<sup>t</sup> Wotton, p. 72.

<sup>u</sup> See Appendix 114. Rushworth, vol. i. p. 301.

<sup>v</sup> See Clarendon, vol. xii. p. 29. Rush, vol. ii. p. 1.

<sup>x</sup> Clarendon, vol. i. p. 4. May, p. 14.

<sup>y</sup> Rush, vol. ii. p. 1. May, p. 10.

<sup>z</sup> Ibid. vol. ii. p. 10.

<sup>a</sup> Ibid. vol. ii. p. 10.

<sup>b</sup> Ibid. vol. ii. p. 10.

<sup>c</sup> Ibid. vol. ii. p. 10.

<sup>d</sup> Ibid. vol. ii. p. 9.

<sup>e</sup> Ibid. vol. ii. p. 10.

<sup>f</sup> Ibid. vol. ii. p. 10.

<sup>g</sup> Ibid. vol. ii. p. 10.

she has pierced with her infidelity, superstition, and idolatry. He was questioned in the high-commission court, for this insult on the queen; but, upon his submission, dismissed.<sup>b</sup> Leighton, who had written libels against the king, the queen, the bishops, and the whole administration, was condemned by a very severe, if not a cruel, sentence; but the execution of it was suspended for some time, in expectation of his submission.<sup>c</sup> All the severities, indeed, of this reign, were exercised against those who triumphed in their sufferings, who courted persecution, and braved authority; and, on that account, their punishment may be deemed the more just, but the less prudent. To have neglected them entirely, had it been consistent with order and public safety, had been the wisest measure that could have been embraced; as perhaps it had been the most severe punishment that could have been inflicted on these zealots.

A. D. 1631. In order to gratify the clergy with a magnificent fabric, subscriptions were set on foot, for repairing and rebuilding St. Paul's; and the king, by his countenance and example, encouraged this laudable undertaking.<sup>k</sup> By order of the privy council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houses and shops, likewise, were pulled down, and compensation was made to the owners.<sup>l</sup> As there was no immediate prospect of assembling a parliament, such acts of power in the king became necessary; and in no former age would the people have entertained any scruple with regard to them. It must be remarked, that the puritans were extremely averse to the raising of this ornament to the capital. It savoured, as they pretended, of popish superstition.

A stamp duty was imposed on cards: a new tax, which, of itself, was liable to no objection; but appeared of dangerous consequence, when considered as arbitrary and illegal.<sup>m</sup>

Monopolies were revived; an oppressive method of levying money, being unlimited, as well as destructive of industry. The last parliament of James, which abolished monopolies, had left an equitable exception in favour of new inventions; and on pretence of these, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of soap was given to a company who paid a sum for their patent.<sup>n</sup> Leather, salt, and many other commodities, even down to linen rags, were put under restrictions.

It is affirmed by Clarendon, that so little benefit was reaped from these projects, that of 200,000 pounds thereby levied on the people, scarcely 1500 came into the king's coffers. Though we ought not to suspect the noble historian of exaggerations to the disadvantage of Charles's measures; this fact, it must be owned, appears somewhat incredible. The same author adds, that the king's intention was to teach his subjects how thriftness a thing it was to refuse reasonable supplies to the crown. An imprudent project! to offend a whole nation, under the view of punishment; and to hope, by acts of violence, to break their refractory spirits, without being possessed of any force to prevent resistance.

A. D. 1632. The council of York had been first erected, after a rebellion, by a patent from Henry VIII. without any authority of parliament; and this exercise of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court; but, besides some innovations introduced by James, Charles thought proper, some time after Wentworth was made president, to extend its powers, and to give it a large civil jurisdiction, and that in some respects discretionary.<sup>o</sup> It is not improbable that the king's intention was only to prevent inconveniences, which arose from the bringing of every cause, from the most distant parts of the kingdom, into Westminster-hall: but the consequence, in the mean time, of this measure, was the putting of all the northern counties out of the protection of ordinary law, and

subjecting them to an authority somewhat arbitrary. Some irregular acts of that council were, this year, complained of.<sup>p</sup>

The court of star-chamber extended its authority; and it was matter of complaint, that it encroached upon the jurisdiction of the other courts; imposing heavy fines and inflicting severe punishment, beyond the usual course of justice. Sir David Foulis was fined 5000 pounds, chiefly because he had dissuaded a friend from compounding with the commissioners of knighthood.<sup>q</sup>

Prynne, a barrister of Lincoln's-Inn, had written an enormous quarto of a thousand pages, which he called *Histrio-Mastix*. Its professed purpose was to decry stage-plays, comedies, interludes, music, dancing; but the author likewise took occasion to declaim against hunting, public festivals, Christmas-keeping, bonfires, and maypoles. His zeal against all these levities, he says, was first moved by observing, that plays sold better than the choicest sermons, and that they were frequently printed on finer paper than the Bible itself. Besides, that the players were often papists, and desperately wicked; the play-houses, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils; and so many steps in a dance, so many paces to hell. The chief crime of Nero he represents to have been, his frequenting and acting of plays; and those, who nobly conspired his death, were principally moved to it, as he affirms, by their indignation at that enormity. The rest of his thousand pages is of a like strain. He had obtained a licence from Archbishop Abbot's chaplain; yet was he indicted in the star-chamber as a libeller. It was thought somewhat hard, that general invectives against plays should be interpreted into satires against the king and queen, merely because they frequented these amusements, and because the queen sometimes acted a part in pastorals and interludes, which were represented at court. The author, it must be owned, had, in plainer terms, blamed the hierarchy, the ceremonies, the innovations in religious worship, and the new superstitions, introduced by Laud; and this, probably, together with the obstinacy and petulance of his behaviour before the star-chamber, was the reason why his sentence was so severe. He was condemned to be put from the bar; to stand on the pillory in two places, Westminster and Cheapside; to lose both his ears, one in each place; to pay 5000 pounds fine to the king; and to be imprisoned during life.<sup>r</sup>

This same Prynne was a great hero among the puritans; and it was chiefly with a view of mortifying that sect, that, though of an honourable profession, he was condemned by the star-chamber to so ignominious a punishment. The thorough-paced puritans were distinguishable by the sourness and austerity of their manners, and by their aversion to all pleasure and society.<sup>s</sup> To inspire them with better humour was certainly, both for their own sake and that of the public, a laudable intention in the court; but whether pillories, fines, and prisons, were proper expedients for that purpose, may admit of some question.

Another expedient which the king tried, in order to infuse cheerfulness into the national devotion, was not much more successful. He renewed his father's edict for allowing sports and recreations on Sunday to such as attended public worship; and he ordered his proclamation for that purpose to be publicly read by the clergy after divine service.<sup>t</sup> Those who were puritanically affected refused obedience, and were punished by suspension or deprivation. The differences between the sects were before sufficiently great; nor was it necessary to widen them further by these inventions.

Some encouragement and protection, which the king and the bishops gave to wakes, church-ales, bride-ales, and other cheerful festivals of the common people, were the objects of like scandal to the puritans.<sup>u</sup>

This year Charles made a journey to Scotland, attended by the court, in order to hold a parliament there, and to pass through the ceremony of

<sup>b</sup> Rushworth, vol. i. p. 32. <sup>i</sup> Kennet's Complete Hist. vol. ii. p. 60. <sup>k</sup> Whitmore, p. 15. <sup>l</sup> Rushworth, vol. ii. p. 83, 89, 9, 207, 462, 718. <sup>m</sup> Rushworth, vol. ii. p. 136, 142, 169, 224. <sup>n</sup> Rushworth, vol. ii. p. 132, 159, &c. <sup>o</sup> Franklyn, p. 417. <sup>p</sup> Rushworth, vol. ii. p. 242, 243. <sup>q</sup> Ibid. vol. ii. p. 215, 216, &c. <sup>r</sup> The tongue in the churches, he affirmed not to be the noise of men, but of beating of brute beasts. <sup>s</sup> Characters of the times, as it were, given, takes

a counterpart, as there was a kennel of dogs, that out a treble, as it were a sort of bulls, and trout out a base, as it were a number of hogs. Christmas, as it is kept, is the devil's Christmas, and Prynne employed a great number of rogues to presume upon to abuse the name of Puritan, as if there had been a Puritan, and so to set forth his lawless. Rushworth, vol. ii. p. 323. <sup>t</sup> Rushworth, vol. ii. p. 253, 221, &c. <sup>u</sup> Dugdale, p. 2. <sup>v</sup> Rushworth, vol. ii. p. 193, 459. <sup>w</sup> Whitmore, p. 16, 17. <sup>x</sup> Franklyn, p. 417. <sup>y</sup> Rushworth, vol. ii. p. 191, 192. <sup>z</sup> May, p. 2.

his coronation. The nobility and gentry of both kingdoms revealed each other, in expressing all duty and respect to the king, and in showing mutual friendship and regard to each other. No one could have suspected, from exterior appearances, that such dreadful scenes were approaching.

One chief article of business (for it deserves the name) which the king transacted in this parliament, was, besides obtaining some supply, to procure authority for ordering the habits of clergymen.<sup>a</sup> The act did not pass without opposition and difficulty. The dreadful surplice was before men's eyes; and they apprehended, with some reason, that under sanction of this law, it would soon be introduced among them. Though the king believed that his prerogative entitled him to a power, in general, of directing whatever belongs to the exterior government of the church, this was deemed a matter of too great importance to be ordered without the sanction of a particular statute.

Immediately after the king's return to England, he heard of Archbishop Abbot's death: and, without delay, he conferred that dignity on his favourite, Laud; who, by this accession of authority, was now enabled to maintain ecclesiastical discipline with greater rigour, and to aggravate the general discontent in the nation.

Laud obtained the bishopric of London for his friend Juxon; and, about a year after the death of Sir Richard Weston, created Earl of Portland, had interest enough to engage the king to make that prelate high treasurer. Juxon was a person of great integrity, mildness, and humanity, and ended with a good understanding. Yet did this last promotion give general offence. His birth and character were deemed too obscure for a man raised to one of the highest offices of the crown. And the clergy, it was thought, were already too much elated by former instances of the king's attachment to them, and needed not this further encouragement to assume dominion over the laity.<sup>b</sup> The puritans, likewise, were much dissatisfied with Juxon, notwithstanding his eminent virtues, because he was a lover of profane field-sports, and hunting.

A. D. 1631. Ship-money was now introduced. The first writs of this kind had been directed to sea-port towns only; but ship-money was at this time levied on the whole kingdom; and each county was rated at a particular sum, which was afterwards assessed upon individuals.<sup>c</sup> The amount of the whole tax was very moderate, little exceeding 200,000 pounds: it was levied upon the people with equality: the money was entirely expended on the navy, to the great honour and advantage of the kingdom: as England had no military force, while all the other powers of Europe were strongly armed, a fleet seemed absolutely necessary for her security: and it was obvious that a navy must be built and equipped at leisure, during peace; nor could it possibly be fitted out on a sudden emergence, when the danger became urgent: yet all these considerations could not reconcile the people to the imposition. It was entirely arbitrary: by the same right any other tax might be imposed: and men thought a powerful fleet, though very desirable both for the credit and safety of the kingdom, but an unequal recompence for their liberties, which, they apprehended, were thus sacrificed to the obtaining of it.

England, it must be owned, was, in this respect, unhappy in its present situation, that the king had entertained a very different idea of the constitution, from that which began in general to prevail among his subjects. He did not regard national privileges as so sacred and inviolable, that nothing but the most extreme necessity could justify an infringement of them. He considered himself as the supreme magistrate, to whose care Heaven, by his birthright, had committed his people, whose duty it was to provide for their security and happiness, and

who was vested with ample discretionary powers for that salutary purpose. If the observance of ancient laws and customs was consistent with the present convenience of government, he thought himself obliged to comply with that rule; as the easiest, the safest, and what procured the most prompt and willing obedience. But when a change of circumstances, especially if derived from the obstinacy of the people, required a new plan of administration, national privileges, he thought, must yield to supreme power; nor could any order of the state oppose any right to the will of the sovereign, directed to the good of the public.<sup>d</sup> That these principles of government were derived from the uniform tenor of the English laws, it would be rash to affirm. The fluctuating nature of the constitution, the impatient humour of the people, and the variety of events, had, no doubt, in different ages, produced exceptions and contradictions. These observations alone may be established on both sides, that the appearances were sufficiently strong in favour of the king to apologize for his following such maxims; and that public liberty must be so precarious under this exorbitant prerogative, as to render an opposition not only excusable, but laudable, in the people.<sup>e</sup>

Some laws had been enacted during the reign of Henry VII. against depopulation, or the converting of arable lands into pasture. By a decree of the star-chamber, Sir Anthony Roper was fined 4000 pounds for an offence of that nature.<sup>f</sup> This severe sentence was intended to terrify others into composition; and above 30,000 pounds were levied by that expedient.<sup>g</sup> Like compositions, or, in default of them, heavy fines, were required for encroachments on the king's forests; whose bounds, by decrees deemed arbitrary, were extended much beyond what was usual.<sup>h</sup> The bounds of one forest, that of Rockingham, were increased from six miles to sixty.<sup>i</sup> The same refractory humour, which made the people refuse to the king voluntary supplies, disposed them with better reason to murmur against these irregular methods of taxation.

Morley was fined 10,000 pounds for reviling, challenging, and striking, in the court of Whitehall, Sir George Theobald, one of the king's servants.<sup>j</sup> This fine was thought exorbitant; but whether it was compounded, as was usual in fines imposed by the star-chamber, we are not informed.

Allison had reported, that the Archbishop of York had incurred the king's displeasure, by asking a limited toleration for the catholics, and an allowance to build some churches for the exercise of their religion. For this slander against the archbishop, he was condemned in the star-chamber to be fined 1000 pounds, to be committed to prison, to be bound to his good behaviour during life, to be whipped, and to be set on the pillory, at Westminster, and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a sentence equally severe.<sup>k</sup> Such events are rather to be considered as rare and detached incidents, collected by the severe scrutiny of historians, than as proofs of the prevailing genius of the king's administration, which seems to have been more gentle and equitable than that of most of his predecessors: there were, on the whole, only five or six such instances of rigour during the course of fifteen years, which elapsed before the meeting of the long parliament. And it is also certain, that scandal against the great, though seldom prosecuted at present, is however, in the eye of the law, a great crime, and subjects the offender to very heavy penalties.

There are other instances of the high respect paid to the nobility and to the great in that age; when the powers of monarchy, though disputed, still maintained themselves in their pristine vigour. Clarendon<sup>l</sup> tells us a pleasant

<sup>a</sup> Rush, vol. ii. p. 143. <sup>y</sup> Whitlocke, p. 23. Clarendon, vol. i. p. 99.

<sup>b</sup> Clarendon, vol. i. p. 97. May, p. 25.

<sup>c</sup> *Proclamations*, vol. ii. p. 257, 258, 259.

<sup>d</sup> *Historical passage*, see John Davis's Question concerning Impositions.

<sup>e</sup> *Id.* This power of laying on arbitrary new impositions being a prerogative, it is granted to the king, as well as in point of profit, it cannot be refused or let go by act of parliament, it cannot be limited by any express or tacit rule of law, nor taken from the crown of a parliament upon time, nor removed from the king's heir by his or her will, according to the king's or her will, and therefore it must be properly said, that the king's prerogative, in this point, is as strong as Samson's; it could be bound: for though an act of parliament be made to restrain it, and the king, when he gives his consent unto it, as Samson was bound with his own con-

sent, yet if the Philistines come, that is, if any just or important occasion do arise, it cannot hold or restrain the prerogative, it will be as thread, and broken as wax, as the bones of Samson. The king's prerogatives are the sun-beams of the crown, and as inseparable from it as the sun-beams from the sun: the king's crown must be taken from him, Samson's hair must be cut off, before his courage can be any abated. Hence it is, that neither the king's act, nor any act of parliament, can give away his prerogative.

<sup>f</sup> Rushworth, vol. ii. p. 270. *Annals*, App. p. 166.

<sup>g</sup> Rush, vol. ii. p. 357. *Id.* *Id.* p. 478. <sup>h</sup> May, p. 16.

<sup>i</sup> Rushworth, Letters and Docs. at 99, vol. ii. p. 117.

<sup>j</sup> Rushworth, vol. ii. p. 270. <sup>k</sup> *Id.* p. 269.

<sup>l</sup> Life of Clarendon, vol. i. p. 72.



incident to this purpose: a waterman belonging to a man of quality, having a squabble with a citizen about his fare, showed his badge, the crest of his master, which happened to be a swan; and thence insisted on better treatment from the citizen. But the other replied carelessly, that he did not trouble his head about that goose. For this offence he was summoned before the marshal's court; was fined, as having opprobriously defamed the nobleman's crest, by calling the swan a goose; and was in effect reduced to beggary.

Sir Richard Granville had thought himself ill used by the Earl of Suffolk in a law suit; and he was accused before the star-chamber of having said of that nobleman that he was a base lord. The evidence against him was somewhat lame; yet, for this slight offence, insufficiently proved, he was condemned to pay a fine of 8000 pounds; one half to the earl, the other to the king.<sup>1</sup>

Sir George Markham, following a chase where Lord Darcy's huntsman was exercising his hounds, kept closer to the dogs than was thought proper by the huntsman, who, besides other rudeness, gave him foul language, which Sir George returned with a stroke of his whip. The fellow threatened to complain to his master: the knight replied, if his master should justify such insolence, he would serve him in the same manner, or words to that effect. Sir George was summoned before the star-chamber, and fined 10,000 pounds. *No fine a thing was it in those days to be a lord!*—A natural reflection of Lord Lansdown's in relating this incident.<sup>2</sup> The people, in vindicating their liberties from the authority of the crown, threw off also the yoke of the nobility. It is proper to remark, that this last incident happened early in the reign of James. The present practice of the star-chamber was far from being an innovation; though the present dispositions of the people made them repine more at this servitude.

A. D. 1655. Charles had imitated the example of Elizabeth and James, and had issued proclamations forbidding the landed gentlemen and the nobility to live idly in London, and ordering them to retire to their country seats.<sup>3</sup> For disobedience to this edict, many were indicted by the attorney-general, and were fined in the star-chamber.<sup>4</sup> This occasioned discontents; and the sentences were complained of as illegal. But if proclamations had authority, of which nobody pretended to doubt, must they not be put in execution? In no instance, I must confess, does it more evidently appear, what confused and uncertain ideas were, during that age, entertained concerning the English constitution.

Ray, having exported fuller's earth, contrary to the king's proclamation, was, besides the pillory, condemned in the star-chamber to a fine of 2000 pounds.<sup>5</sup> Like fines were levied on Terry, Eman, and others, for disobeying a proclamation which forbade the exportation of gold.<sup>6</sup> In order to account for the subsequent convulsions, even these incidents are not to be overlooked, as frivolous or contemptible. Such severities were afterwards magnified into the greatest enormities.

There remains a proclamation of this year, prohibiting hackney coaches from standing in the street.<sup>7</sup> We are told, that there were not above twenty coaches of that kind in London. There are, at present, near eight hundred.

A. D. 1666. The effects of ship-money began now to appear. A formidable fleet of sixty sail, the greatest that England had ever known, was equipped under the Earl of Northumberland, who had orders to attack the herring busses of the Dutch, which fished in what were called the British seas. The Dutch were content to pay 30,000 pounds for a licence during this year. They openly denied, however, the claim of dominion in the seas beyond the friths, bays, and shores; and it may be questioned, whether the laws of nations warrant any further pretensions.

This year the king sent a squadron against Salle; and with the assistance of the Emperor of Morocco, destroyed

that receptacle of pirates, by whom the English commerce, and even the English coasts, had long been infested.

Burton, a divine, and Bastwick, a physician, were tried in the star-chamber for seditious and schismatic libels, and were condemned to the same punishment that had been inflicted on Prynne. Prynne himself was tried for a new offence; and, together with another fine of 5000 pounds, was condemned to lose what remained of his ears. Besides that these writers had attacked with great severity, and even an intemperate zeal, the ceremonies, rites, and government of the church; the very answers which they gave in to the court were so full of contumacy and of invectives against the prelates, that no lawyer could be prevailed on to sign them.<sup>8</sup> The rigours, however, which they underwent, being so unworthy men of their profession, gave general offence; and the patience, or rather alacrity, with which they suffered, increased still further the indignation of the public.<sup>9</sup> The severity of the star-chamber, which was generally ascribed to Laud's passionate disposition, was, perhaps, in itself somewhat blamable; but will naturally to us appear enormous, who enjoy, in the utmost latitude, that liberty of the press, which is esteemed so necessary in every monarchy confined by strict legal limitations. But as these limitations were not regularly fixed during the age of Charles, nor at any time before; so was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever set an example of such an indulgence: and it seems unreasonable to judge of the measures embraced during one period, by the maxims which prevail in another.

Burton, in his book where he complained of innovations, mentioned among others, that a certain Wednesday had been appointed for a fast, and that the fast was ordered to be celebrated without any sermons.<sup>10</sup> The intention, as he pretended, of that novelty was, by the example of a fast without sermons, to suppress all the Wednesdays' lectures in London. It is observable, that the church of Rome and that of England, being both of them lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical sectaries, who find that the latter method of address, being directed to a numerous audience present and visible, is more inflaming and animating, have always regarded it as the chief part of divine service. Such circumstances, though minute, it may not be improper to transmit to posterity; that those, who are curious of tracing the history of the human mind, may remark how far its several singularities coincide in different ages.

Certain zealots had erected themselves into a society for buying in of impropriations, and transferring them to the church; and great sums of money had been bequeathed to the society for these purposes. But it was soon observed, that the only use which they made of their funds, was to establish lecturers in all the considerable churches; men, who, without being subjected to episcopal authority, employed themselves entirely in preaching and spreading the fire of puritanism. Laud took care, by a decree which was passed in the court of exchequer, and which was much complained of, to abolish this society, and to stop their progress.<sup>11</sup> It was, however, still observed, that throughout England the lecturers were all of them puritanically affected; and from them the clergymen, who contented themselves with reading prayers and homilies to the people, commonly received the reproachful appellation of *dumb dogs*.

The puritans, restrained in England, shipped themselves off for America, and laid there the foundations of a government which possessed all the liberty, both civil and religious, of which they found themselves bereaved in their native country. But their enemies, unwilling that they should any where enjoy ease and contentment, and dreading perhaps the dangerous consequences of so disaffected a

<sup>1</sup> Lord Lansdown, p. 511.

<sup>2</sup> Lord Lansdown, p. 515. This story is told differently in Hobart's Reports, p. 120. It there appears, that Markham was fined only 500 pounds, and very disrespectfully for the sake of the lie and wrote a challenge to Lord Darcy. James was anxious to discourage the practice of duelling, which was then prevalent.

<sup>3</sup> Rushworth, vol. ii. p. 144.

<sup>4</sup> Rushworth, vol. ii. p. 208.

<sup>5</sup> Idem, ibid. p. 318.

<sup>6</sup> Idem, ibid. p. 320.

<sup>7</sup> Idem, ibid. p. 316.

<sup>8</sup> Rushworth, vol. ii. p. 381, 382, &c.

<sup>9</sup> State Trials, vol. v. p. 66.

<sup>10</sup> State Trials, vol. v. p. 79.

<sup>11</sup> Ibid. p. 74. Fanshyn, p. 839.

<sup>12</sup> Rushworth, vol. ii. p. 150, 151. Whitlocke, p. 15. History of the Life and Sufferings of Laud, p. 211, 212.



*last word.* This hint supplied the young gentlemen with a new method of defence: and being advised by Dorset to behave with great humility and great submission to the prince; the modesty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, saved them from any severer punishment than a reprimand and admonition, with which they were dismissed.<sup>1</sup>

<sup>Trial of</sup> *Hambden.* This spirit John Hambden acquired, by his spirit and courage, universal popularity throughout the nation, and has merited great renown with posterity, for the bold stand which he made in defence of the laws and liberties of his country. After the imposing of ship-money, Charles, in order to discourage all opposition, had proposed this question to the judges: "Whether in a case of necessity, for the defence of the kingdom, he might not impose this taxation; and whether he were not sole judge of the necessity?" These guardians of law and liberty replied, with great complaisance, "That in a case of necessity he might impose that taxation, and that he was sole judge of the necessity."<sup>2</sup> Hambden had been rated at twenty shillings, for an estate which he possessed in the county of Buckingham: yet, notwithstanding this declared opinion of the judges, notwithstanding the great power and sometimes rigorous maxims of the crown, notwithstanding the small prospect of relief from parliament; he resolved, rather than tamely submit to so illegal an imposition, to stand a legal prosecution, and expose himself to all the indignation of the court. The case was argued during twelve days in the exchequer-chamber, before all the judges of England; and the nation regarded, with the utmost anxiety, every circumstance of this celebrated trial. The event was easily foreseen: but the principles, and reasonings, and behaviour of the parties engaged in the trial, were much canvassed and inquired into; and nothing could equal the favour paid to the one side, except the hatred which attended the other.

It was urged by Hambden's counsel, and by his partisans in the nation, that the plea of necessity was in vain introduced into a trial of law, since it was the nature of necessity to abolish all law, and by irresistible violence, to dissolve all the weaker and more artificial ties of human society. Not only the prince, in cases of extreme distress, is exempted from the ordinary rules of administration: all orders of men are then levelled; and any individual may consult the public safety by any expedient which his situation enables him to employ. But to produce so violent an effect, and so hazardous to every community, an ordinary danger or difficulty is not sufficient; much less, a necessity which is merely fictitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of the society; and though all ancient rules of government are in that case abrogated, men will readily, of themselves, submit to that irregular authority, which is exerted for their preservation. But what is there in common between such suppositions, and the present condition of the nation? England enjoys a profound peace with all her neighbours: and what is more, all her neighbours are engaged in furious and bloody wars among themselves, and by their mutual enmities further insure her tranquillity. The very writs themselves, which are issued for the levying of ship-money, contradict the supposition of necessity, and pretend only that the seas are infested with pirates; a slight and temporary inconvenience, which may well await a legal supply from parliament. The writs likewise allow several months for equipping the ships; which proves a very calm and deliberate species of necessity, and one that admits of delay much beyond the forty days requisite for summoning that assembly. It is strange too, that an extreme necessity which is always apparent, and usually comes to a sudden crisis, should now have continued, without interruption, for near four years, and should have remained, during so long a time, invisible to the whole kingdom. And as to the pretension, that the king is sole judge of the necessity; what is this but to subject all the privileges of the nation to his arbitrary will and pleasure? To expect that the public will be convinced by such reasoning, must aggravate the general indignation; by adding to violence against men's persons

and their property, so cruel a mockery of their understanding.

In vain are precedents of ancient writs produced: these writs, when examined, are only found to require the sea-ports, sometimes at their own charge, sometimes at the charge of the counties, to send their ships for the defence of the nation. Even the prerogative, which empowered the crown to issue such writs, is abolished, and its exercise almost entirely discontinued from the time of Edward III.;<sup>3</sup> and all the authority which remained, or was afterwards exercised, was to press ships into the public service, to be paid for by the public. How wide are these precedents from a power of obliging the people, at their own charge, to build new ships, to victual and pay them, for the public; navy, to furnish money to the crown for that purpose? What security either against the further extension of this claim, or against diverting to other purposes the public money so levied? The plea of necessity would warrant any other taxation as well as that of ship-money: wherever any difficulty shall occur, the administration, instead of endeavouring to elude or overcome it by gentle and prudent measures, will instantly represent it as a reason for infringing all ancient laws and institutions: and if such maxims and such practices prevail, what has become of national liberty? What authority is left to the great charter, to the statutes, and to that very petition of right, which, in the present reign, had been so solemnly enacted by the concurrence of the whole legislature?

The defenceless condition of the kingdom while unprovided with a navy; the inability of the king, from his established revenues, with the utmost care and frugality, to equip and maintain one; the impossibility of obtaining, on reasonable terms, any voluntary supply from parliament: all these are reasons of state, not topics of law. If these reasons appear to the king so urgent as to dispense with the legal rules of government; let him enforce his edicts by his court of star-chamber, the proper instrument of irregular and absolute power; not prostitute the character of his judges by a decree which is not, and cannot possibly be, legal. By this means the boundaries at least will be kept more distinct between ordinary law and extraordinary exertions of prerogative; and men will know that the national constitution is only suspended during a present and difficult emergence, but has not undergone a total and fundamental alteration.

Notwithstanding these reasons, the prejudiced judges, four<sup>4</sup> excepted, gave sentence in favour of the crown. Hambden, however, obtained by the trial the end for which he had so generously sacrificed his safety and his quiet: the people were roused from their lethargy, and became sensible of the dangers to which their liberties were exposed. These national questions were canvassed in every company; and the more they were examined, the more evidently did it appear to many, that liberty was totally subverted, and an unusual and arbitrary authority exercised over the kingdom. Slavish principles, they said, concur with illegal practices; ecclesiastical tyranny gives aid to civil usurpation; iniquitous taxes are supported by arbitrary punishments; and all the privileges of the nation, transmitted through so many ages, secured by so many laws, and purchased by the blood of so many heroes and patriots, now lie prostrate at the feet of the monarch. What though public peace and national industry increased the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any encouragement given by the crown, but to the spirit of the English, the remains of their ancient freedom. What though the personal character of the king, amidst all his misguided counsels, might merit indulgence, or even praise? He was but one man; and the privileges of the people, the inheritance of millions, were too valuable to be sacrificed to his prejudices and mistakes. Such, or more severe, were the sentiments promoted by a great party in the nation: no excuse on the king's part, or alleviation, how reasonable soever, could be hearkened to or admitted: and to redress these grievances, a parliament was impatiently longed for; or any other incident, however calamitous, that might secure the people against those

<sup>1</sup> Rush, vol. iii. p. 180.

<sup>2</sup> Hist. vol. ii. p. 355. Whitbecke, p. 24.

<sup>3</sup> State Trials, vol. v. p. 245, 255.

<sup>4</sup> See State Trials, Article Ship-money, which contains the speeches of our judges in favour of Habbden.



oppressions which they felt, or the greater ills which they apprehended, from the combined encroachments of church and state.

### CHAP. LIII.

Discontents in Scotland.—Introduction of the canons and liturgy—A tumult at Edinburgh—The covenant—A general assembly—Episcopacy abolished—War—A parliamentary removal of the seat—Fourth English parliament—Dissolution—Discontents in England—Rout at Newbury—Treaty of Rippon—Great council of the peers.

A D 1637. THE grievances under which the English laboured, when considered in themselves, without regard to the constitution, scarcely deserve the name; nor were they either burdensome on the people's properties, or any way shocking to the natural humanity of mankind. Even the imposition of ship-money, independent of the consequences, was a great and evident advantage to the public, by the judicious use which the king made of the money levied by that expedient. And though it was justly apprehended, that such precedents, if patiently submitted to, would end in a total disuse of parliaments, and in the establishment of arbitrary authority; Charles dreaded no opposition from the people, who are not commonly much affected with consequences, and require some striking motive to engage them in a resistance of established government. All ecclesiastical affairs were settled by law and uninterrupted precedent; and the church was become a considerable barrier to the power, both legal and illegal, of the crown. Peace too, industry, commerce, opulence; nay, even justice and lenity of administration, notwithstanding some very few exceptions: all these were enjoyed by the people; and every other blessing of government, except liberty, or rather the present exercise of liberty and its proper security.<sup>a</sup> It seemed probable, therefore, that affairs might long have continued on the same footing in England had it not been for the neighbourhood of Scotland; a country more turbulent, and less disposed to submission and obedience. It was thence the commotions first arose; and it is therefore time for us to return thither, and to give an account of the state of affairs in that kingdom.

Discontents in Scotland. Though the pacific and not unskilful government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had established law and order throughout the kingdom; the Scottish nobility were still possessed of the chief power and influence over the people. Their property was extensive; their hereditary jurisdictions and the feudal tenures increased their authority; and the attachment of the gentry to the heads of families established a kind of voluntary servitude under the chieftains. Besides that long absence had much loosened the king's connexions with the nobility, who resided chiefly at their country seats, they were in general at this time, though from slight causes, much disgusted with the court. Charles, from the natural piety or superstition of his temper, was extremely attached to the ecclesiastics: and as it is natural for men to persuade themselves that their interest coincides with their inclination; he had established it as a fixed maxim of policy, to increase the power and authority of that order. The prelates, he thought, established regularity and discipline among the clergy; the clergy inculcated obedience and loyalty among the people: and as that rank of men had no separate authority, and no dependence but on the crown; the royal power, it would seem, might, with the greater safety, be intrusted in their hands. Many of the prelates, therefore, were raised to the chief dignities of the state:<sup>b</sup> Spotswood, Archbishop of St. Andrews, was created chancellor: nine of the bishops were privy counsellors: the Bishop of Ross aspired to the office of treasurer: some of the prelates possessed places in the exchequer: and it was even endeavoured to revive the first institution of the college of justice, and to share equally between the clergy and laity

the whole judicial authority.<sup>c</sup> These advantages possessed by the church, and which the bishops did not always enjoy with suitable modesty, disgusted the haughty nobility, who, deeming themselves much superior in rank and quality to this new order of men, were displeased to find themselves inferior in power and influence. Interest joined itself to ambition, and begat a jealousy, lest the episcopal sees, which, at the Reformation, had been pillaged by the nobles, should again be enriched at the expense of that order. By a most useful and beneficial law, the impropriations had already been ravished from the great men: competent salaries had been assigned to the impoverished clergy from the tithes of each parish: and what remained, the proprietor of the land was empowered to purchase at a low valuation.<sup>d</sup> The king likewise, warranted by ancient law and practice, had declared for a general resumption of all crown lands, alienated by his predecessors; and though he took no step towards the execution of this project, the very pretension to such power had excited jealousy and discontent.<sup>e</sup>

Notwithstanding the tender regard which Charles bore to the whole church, he had been able, in Scotland, to acquire only the affection of the superior rank among the clergy. The ministers in general equalled, if not exceeded, the nobility, in their prejudices against the court, against the prelates, and against episcopal authority.<sup>f</sup> Though the establishment of the hierarchy might seem advantageous to the inferior clergy, both as it erected dignities to which all of them might aspire, and as it bestowed a lustre on the whole body, and allured men of family into it; these views had no influence on the Scottish ecclesiastics. In the present disposition of men's minds, there was another circumstance which drew consideration, and counterbalanced power and riches, the usual foundations of distinction among men; and that was, the fervour of piety, and the rhetoric, however barbarous, of religious lectures and discourses. Checked by the prelates in the licence of preaching, the clergy regarded episcopal jurisdiction both as tyranny and a usurpation, and maintained a parity among ecclesiastics to be a divine privilege, which no human law could alter or infringe. While such ideas prevailed, the most moderate exercise of authority would have given disgust; much more, that extensive power, which the king's indulgence encouraged the prelates to assume. The jurisdiction of presbyteries, synods, and other democratical courts, was, in a manner, abolished by the bishops; and the general assembly itself had not been summoned for several years.<sup>g</sup> A new oath was arbitrarily imposed on intrants, by which they swore to observe the articles of Perth, and submit to the liturgy and canons. And in a word, the whole system of church government, during a course of thirty years, had been changed by means of the innovations introduced by James and Charles.

The people, under the influence of the nobility and clergy, could not fail to partake of the discontents which prevailed among these two orders; and where real grounds of complaint were wanting, they greedily laid hold of imaginary ones. The same horror against popery, with which the English puritans were possessed, was observable among the populace in Scotland; and among these, as being more uncultivated and uncivilized, seemed rather to be inflamed into a higher degree of ferocity. The genius of religion, which prevailed in the court and among the prelates, was of an opposite nature; and having some affinity to the Romish worship, led them to mollify, as much as possible, these severe prejudices, and to speak of the catholics in more charitable language, and with more reconciling expressions. From this foundation, a panic fear of popery was easily raised; and every new ceremony or ornament, introduced into divine service, was part of that great mystery of iniquity, which, from the encouragement of the king and the bishops, was to overspread the nation.<sup>h</sup> The few innovations, which James had made, were considered as preparatives to this grand design; and the further alterations attempted by Charles, were represented as a plain declaration of his intentions. Through the whole course of this reign, nothing had more

<sup>a</sup> Clarendon, p. 74, 75. M. v. p. 18. Warwick, p. 62.

<sup>b</sup> Rushworth, vol. ii. p. 39. Max. p. 23.

<sup>c</sup> Clarendon's Memoirs, p. 11. Burnet's Mem. p. 29, 30.

<sup>d</sup> King's Declaration, p. 7. Franklyn, p. 611.

<sup>e</sup> King's Declaration, p. 6.

<sup>f</sup> Burnet's Mem. p. 29, 30.

<sup>g</sup> Max. p. 29.

<sup>h</sup> Burnet's Mem. p. 29, 30, 31.

fatal influence, in both kingdoms, than this groundless apprehension, which with so much industry was propagated, and with so much credulity was embraced, by all ranks of men.

Amidst these dangerous complaints and terrors of religious innovation, the civil and ecclesiastical liberties of the nation were imagined, and with some reason, not to be altogether free from invasion.

The establishment of the high commission by James, without any authority of law, seemed a considerable encroachment of the crown, and erected the most dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the steps towards the settlement of episcopacy had indeed been taken with consent of parliament: the articles of Perth were confirmed in 1621: in 1633, the king had obtained a general ratification of every ecclesiastical establishment: but these laws had less authority with the nation, as they were known to have passed contrary to the sentiments even of those who voted for them, and were in reality extorted by the authority and impotency of the sovereign. The means, however, which both James and Charles had employed, in order to influence the parliament, were entirely regular; and no reasonable pretence had been afforded for representing these laws as null or invalid.

But there prevailed among the greater part of the nation another principle, of the most important and most dangerous nature, and which, if admitted, destroyed entirely the validity of all such statutes. The ecclesiastical authority was supposed totally independent of the civil; and no act of parliament, nothing but the consent of the church itself, was represented as sufficient ground for the introduction of any change in religious worship or discipline. And though James had obtained the vote of assemblies for receiving episcopacy and his new rites, it must be confessed that such irregularities had prevailed in constituting these ecclesiastical courts, and such violence in conducting them, that there were some grounds for denying the authority of all their acts. Charles, sensible that an extorted consent, attended with such invidious circumstances, would rather be prejudicial to his measures, had wholly laid aside the use of assemblies, and was resolved, in conjunction with the bishops, to govern the church by an authority, to which he thought himself fully entitled, and which he believed inherent in the crown.

The king's great aim was to complete the work so happily begun by his father; to establish discipline upon a regular system of canons, to introduce a liturgy into public worship, and to render the ecclesiastical government of all his kingdoms regular and uniform. Some views of policy might move him to this undertaking: but his chief motives were derived from principles of zeal and conscience.

The canons for establishing ecclesiastical jurisdiction were promulgated in 1635; and were received by the nation, though without much appearing opposition, yet with great inward apprehension and discontent. Men felt displeasure at seeing the royal authority highly exalted by them, and represented as absolute and uncontrollable. They saw these speculative principles reduced to practice, and a whole body of ecclesiastical laws established without any previous consent either of church or state.<sup>1</sup> They dreaded lest, by a parity of reason, like arbitrary authority, from like pretences and principles, would be assumed in civil matters: they remarked, that the delicate boundaries which separate church and state were already passed, and many civil ordinances established by the canons, under colour of ecclesiastical institutions: and they were apt to deride the negligence with which these important edicts had been compiled, when they found that the new liturgy or service-book was every where, under severe penalties, enjoined by them, though it had not yet been composed or published.<sup>2</sup> It was, however, soon expected; and in the reception of it, as the people are always most affected by what is external and exposed to the senses, it was apprehended that the chief difficulty would consist.

The liturgy which the king, from his own authority, imposed on Scotland, was copied from that of England: but lest a servile imitation might shock the pride of his ancient kingdom, a few alterations, in order to save appearances, were made in it; and in that shape it was transmitted to the bishops at Edinburgh.<sup>3</sup> But the Scots had universally entertained a notion, that though riches and worldly glory had been shared out to them with a sparing hand, they could boast of spiritual treasures more abundant and more genuine than were enjoyed by any nation under heaven. Even their southern neighbours, they thought, though separated from Rome, still retained a great tincture of the primitive pollution, and their liturgy was represented as a species of mass, though with some less show and embroidery.<sup>4</sup> Great prejudices, therefore, were entertained against it, even considered in itself; much more when regarded as a preparative, which was soon to introduce into Scotland all the abominations of popery. And as the very few alterations which distinguished the new liturgy from the English, seemed to approach nearer to the doctrine of the real presence; this circumstance was deemed an undoubted confirmation of every suspicion with which the people were possessed.<sup>5</sup>

Easter-day was, by proclamation, appointed for the first reading of the service in Edinburgh: but in order to judge more surely of men's dispositions, the council delayed the matter till the 23d of July; and they even gave notice, the Sunday before, of their intention to commence the use of the new liturgy. As no considerable symptoms of discontent appeared, they thought that they might safely proceed in their purpose;<sup>6</sup> and accordingly, in the cathedral church of St. Giles, the Dean of Edinburgh, arrayed in his surplice, began the service; the bishop himself and many of the privy-council being present. But no sooner had the dean opened the book, than a multitude of the meanest sort, most of them women, clapping their hands, cursing, and crying out, *A pope! a pope! antichrist! stone him!* raised such a tumult, that it was impossible to proceed with the service. The bishop, mount-  
Tumult at Edinburgh.  
 ing the pulpit in order to appease the populace, had a stool thrown at him: the council was insulted: and it was with difficulty that the magistrates were able, partly by authority, partly by force, to expel the rabble, and to shut the doors against them. The tumult, however, still continued without: stones were thrown at the doors and windows: and when the service was ended, the bishop, going home, was attacked, and narrowly escaped from the hands of the enraged multitude. In the afternoon, the privy-seal, because he carried the bishop in his coach, was so pelted with stones, and hooted at with execrations, and pressed upon by the eager populace, that, if his servants, with drawn swords, had not kept them off, the bishop's life had been exposed to the utmost danger.<sup>7</sup>

Though it was violently suspected, that the low populace, who alone appeared, had been instigated by some of higher condition, yet no proof of it could be produced; and every one spake with disapprobation of the licentiousness of the giddy multitude.<sup>8</sup> It was not thought safe, however, to hazard a new insult by any new attempt to read the liturgy; and the people seemed, for the time, to be appeased and satisfied. But it being known that the king still persevered in his intentions of imposing that mode of worship, men fortified themselves still further in their prejudices against it; and great multitudes resorted to Edinburgh, in order to oppose the introduction of so hated a novelty.<sup>9</sup> It was not long before they broke out in the most violent disorder. The Bishop of Galloway was attacked in the streets, and chased into the chamber where the privy-council was sitting. The  
18th Oct.  
 council itself was besieged and violently attacked: the town-council met with the same fate: and nothing could have saved the lives of all of them, but their application to some popular lords, who protected them, and dispersed the multitude. In this sedition, the actors were of some better condition than in the former; though nobody of rank seemed, as yet, to countenance them.<sup>10</sup>

<sup>1</sup> Clarendon, vol. ii. p. 106.

<sup>k</sup> Idem, *ibid.* p. 106.

<sup>l</sup> King's Decl. p. 18. May, p. 32.

<sup>m</sup> King's Decl. p. 30.

<sup>n</sup> Burnet's Mem. p. 31. Rushworth, vol. ii. p. 306. May, p. 31.

<sup>o</sup> King's Decl. p. 22. Clarendon, vol. i. p. 108. Rushworth, vol. ii. p. 387.

<sup>p</sup> King's Decl. p. 23, 24, 25. Rushworth, vol. ii. p. 388.

<sup>q</sup> King's Decl. p. 26, 30. Clarendon, vol. i. p. 109.

<sup>r</sup> King's Decl. p. 32. Rushworth, vol. ii. p. 400.

<sup>s</sup> King's Decl. p. 35, 36. Rushworth, vol. ii. p. 404.

All men, however, began to unite and to encourage each other, in opposition to the religious innovations introduced into the kingdom. Petitions to the council were signed and presented by persons of the highest quality: the women took part, and, as was usual, with violence: the clergy, every where, loudly declaimed against popery and the liturgy, which they represented as the same. The pulpits resounded with vehement invectives against anti-christ: and the populace, who first opposed the service, was often compared to Balaam's ass, an animal in itself stupid and senseless, but whose mouth had been opened by the Lord, to the admiration of the whole world.<sup>1</sup> In short, fanaticism mingling with faction, private interest with the spirit of liberty, symptoms appeared, on all hands, of the most dangerous insurrection and disorder.

The parliament, a man of wisdom and piety, who was all along averse to the introduction of the liturgy, represented to the king the state of the nation: the Earl of Traquair, the treasurer, set out for London, in order to lay the matter more fully before him: every circumstance, whether the condition of England or of Scotland were considered, should have engaged him to desist from so hazardous an attempt: yet was Charles inflexible. In his whole conduct of this affair, there appear no marks of the good sense with which he was endowed: a lively instance of that species of character so frequently to be met with; where there are found parts and judgment in every discourse and opinion; in many actions indiscretion and imprudence. Men's views of things are the result of their understanding alone: their conduct is regulated by their understanding, their temper, and their passions.

To so violent a combination of a whole kingdom, Charles had nothing to oppose but a proclamation; in which he pardoned all past offences, and exhorted the people to be more obedient for the future, and to submit peaceably to the use of the liturgy. This proclamation was instantly encountered with a public protestation, presented by the Earl of Hume and Lord Lindsey: and this was the first time that men of quality had appeared in any violent act of opposition.<sup>2</sup> But this proved a crisis. The insurrection, which had been advancing by a gradual and slow progress, now blazed up at once. No disorder, however, attended it. On the contrary, a new order immediately took place. Four tables, as they were called, were formed in Edinburgh. One consisted of nobility, another of gentry, a third of ministers, a fourth of burgesses. The table of gentry was divided into many subordinate tables, according to their different counties. In the hands of the four tables, the whole authority of the kingdom was placed. Orders were issued by them, and every where obeyed, with the utmost regularity.<sup>3</sup> And among the first acts of their government was the production of the COVENANT.

This famous covenant consisted first of a renunciation of popery, formerly signed by James in his youth, and composed of many invectives, fitted to inflame the minds of men against their fellow-creatures, whom Heaven has enjoined them to cherish and to love. There followed a bond of union, by which the subscribers obliged themselves to resist religious innovations, and to defend each other against all opposition whatsoever: and all this, for the greater glory of God, and the greater honour and advantage of their king and country:<sup>4</sup> the people, without distinction of rank or condition, of age or sex, flocked to the subscription of this covenant: few, in their judgment, disapproved of it; and still fewer durst openly condemn it. The king's ministers and counsellors themselves were, most of them, seized by the general contagion. And none but rebels to God, and traitors to their country, it was thought, would withdraw themselves from so salutary and so pious a combination.

The treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spanish inquisition, was scarcely, during the preceding century, opposed in the Low Countries with more determined fury, than was now, by the Scots, the mild, the humane Charles, attended with his inoffensive liturgy.

The king began to apprehend the consequences. He sent the Marquis of Hamilton, as commissioner, with authority to treat with the covenanters. He required the covenant to be renounced and recalled: and he thought, that on his part he had made very satisfactory concessions, when he offered to suspend the canons and the liturgy, till, in a fair and legal way, they could be received; and so to model the high commission, that it should no longer give offence to his subjects.<sup>5</sup> Such general declarations could not well give content to any, much less to those who carried so much higher their pretensions. The covenanters found themselves seconded by the zeal of the whole nation. Above sixty thousand people were assembled in a tumultuous manner in Edinburgh and the neighbourhood. Charles possessed no regular forces in either of his kingdoms. And the discontents in England, though secret, were believed so violent, that the king, it was thought, would find it very difficult to employ in such a cause the power of that kingdom. The more, therefore, the popular leaders in Scotland considered their situation, the less apprehension did they entertain of royal power, and the more rigorously did they insist on entire satisfaction. In answer to Hamilton's demand of renouncing the covenant, they plainly told him, that they would sooner renounce their baptism.<sup>6</sup> And the clergy invited the commissioner himself to subscribe it, by informing him, "With what peace and comfort it had filled the hearts of all God's people; what resolutions and beginnings of reformation of manners were sensibly perceived in all parts of the nation, above any measure they had ever before found or could have expected; how great glory the Lord had received thereby; and what confidence they had that God would make Scotland a blessed kingdom."<sup>7</sup>

Hamilton returned to London: made another fruitless journey, with new concessions, to Edinburgh: returned again to London; and was immediately sent back with still more satisfactory concessions. The king was now willing entirely to abolish the canons, the liturgy, and the high commission court. He was even resolved to limit extremely the power of the bishops, and was content if on any terms he could retain that order in the church of Scotland.<sup>8</sup> And to insure all these gracious offers, he gave Hamilton authority to summon first an assembly, then a parliament, where every national grievance might be redressed and remedied. These successive concessions of the king, which yet came still short of the rising demands of the malcontents, discovered his own weakness, encouraged their insolence, and gave no satisfaction. The offer, however, of an assembly and a parliament, in which they expected to be entirely masters, was willingly embraced by the covenanters.

Charles, perceiving what advantage his enemies had reaped from their covenant, resolved to have a covenant on his side; and he ordered one to be drawn up for that purpose. It consisted of the same violent renunciation of popery above mentioned; which, though the king did not approve of it, he thought it safest to adopt, in order to remove all the suspicions entertained against him. As the covenanters, in their bond of mutual defence against all opposition, had been careful not to except the king; Charles had formed a bond, which was annexed to this renunciation, and which expressed the duty and loyalty of the subscribers to his majesty.<sup>9</sup> But the covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmost scorn and detestation. And without delay they proceeded to model the future assembly, from which such great achievements were expected.<sup>10</sup>

The genius of that religion which prevailed in Scotland, and which, every day, was secretly gaining ground in England, was far from inculcating deference and submission to the ecclesiastics, merely as such: or rather, by nourishing in every individual the highest raptures and ecstasies of devotion, it consecrated, in a manner, every individual, and, in his own eyes, bestowed a character on him, much superior to what forms and ceremonious institutions could alone confer.

A general assembly.

<sup>1</sup> King's Decl. p. 31.

<sup>2</sup> King's Decl. p. 31. <sup>3</sup> Confess. p. 32. May, p. 37.

<sup>4</sup> Confess. p. 31. <sup>5</sup> Confess. p. 32. May, p. 37.

<sup>6</sup> King's Decl. p. 31. <sup>7</sup> Confess. p. 32. May, p. 37.

<sup>8</sup> King's Decl. p. 31.

<sup>9</sup> King's Decl. p. 31. <sup>10</sup> Confess. p. 32.

<sup>11</sup> King's Decl. p. 31. <sup>12</sup> Confess. p. 32.

<sup>13</sup> King's Decl. p. 31.

<sup>14</sup> King's Decl. p. 31.



The clergy of Scotland, though such tumult was excited about religious worship and discipline, were both poor and in small numbers: nor are they in general to be considered, at least in the beginning, as the ringleaders of the solution which was raised on their account. On the contrary, the laity, apprehending, from several instances which occurred, a spirit of moderation in that order, resolved to domineer entirely in the assembly which was summoned, and to hurry on the ecclesiastics by the same furious zeal with which they were themselves transported.<sup>a</sup>

It had been usual, before the establishment of prelacy, for each presbytery to send to the assembly, besides two or three ministers, one lay-commissioner;<sup>b</sup> and, as all the boroughs and universities sent likewise commissioners, the lay-members in that ecclesiastical court nearly equalled the ecclesiastics. Not only this institution, which James, apprehensive of zeal in the laity, had abolished, was now revived by the covenanters: they also introduced an innovation, which served still further to reduce the clergy to subjection. By an edict of the tables, whose authority was supreme, an elder from each parish was ordered to attend the presbytery, and to give his vote in the choice both of the commissioners and ministers who should be deputed to the assembly. As it is not usual for the ministers who are put in the list of candidates, to claim a vote, all the elections, by that means, fell into the hands of the laity: the most furious of all ranks were chosen: and the more to overawe the clergy, a new device was fallen upon, of choosing to every commissioner, four or five lay assessors, who though they could have no vote, might yet interpose with their advice and authority in the assembly.<sup>c</sup>

The assembly met at Glasgow: and, besides a great concourse of the people, all the nobility and gentry of any family or interest were present, either as members, assessors, or spectators; and it was apparent, that the resolutions taken by the covenanters, could here meet with no manner of opposition. A firm determination had been entered into, of utterly abolishing episcopacy; and as a preparative to it, there was laid before the presbytery of Edinburgh, and solemnly read in all the churches of the kingdom, an accusation against the bishops, as guilty, all of them, of heresy, simony, bribery, perjury, cheating, incest, adultery, fornication, common swearing, drunkenness, gaming, breach of the sabbath, and every other crime that had occurred to the accusers.<sup>d</sup> The bishops sent a protest, declining the authority of the assembly; the commissioner, too, protested against that court, as illegally constituted and elected; and, in his majesty's name, dissolved it. This measure was foreseen, and little regarded. The court still continued to sit, and to finish their business.<sup>e</sup> All the acts of assembly since the accession of James to the crown of England were, upon pretty reasonable grounds, declared null and invalid. The acts of parliament which affected ecclesiastical affairs were supposed, on that very account, to have no manner of authority. And thus episcopacy, the high commission, the articles of Perth, the canons, and the liturgy, were abolished and declared unlawful: and the whole fabric, which James and Charles, in a long course of years, had been rearing with so much care and policy, fell at once to the ground. The covenant likewise was ordered to be signed by every one, under pain of excommunication.<sup>f</sup>

Episcopacy  
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A. D. 1639.

The independency of the ecclesiastical upon the civil power was the old presbyterian principle, which had been zealously adopted at the Reformation, and which, though James and Charles had obliged the church publicly to disclaim it, had secretly been adhered to by all ranks of people. It was commonly asked, whether Christ or the king were superior? And as the answer seemed obvious, it was inferred, that the assembly, being Christ's council, was superior in all spiritual matters to the parliament, which was only the king's. But as the covenanters were sensible that this consequence, though it seemed to them irrefragable, would not be assented to by the king; it became necessary to maintain

their religious tenets by military force, and not to trust entirely to supernatural assistance, of which, however, they held themselves well assured. They cast their eyes on all sides, abroad and at home, whence ever they could expect any aid or support.

After France and Holland had entered into a league against Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the Low Country provinces, England was invited to preserve a neutrality between the contending parties, while the French and Dutch should attack the maritime towns of Flanders. But the king replied to D'Estrades, the French ambassador, who opened the proposal, that he had a squadron ready, and would cross the seas, if necessary, with an army of 15,000 men, in order to prevent these projected conquests.<sup>1</sup> This answer, which proves that Charles, though he expressed his mind with an imprudent candour, had at last acquired a just idea of national interest, irritated Cardinal Richelieu; and in revenge, that politic and enterprising minister carefully fomented the first commotions in Scotland, and secretly supplied the covenanters with money and arms, in order to encourage them in their opposition against their sovereign.

But the chief resource of the Scottish malcontents was in themselves and in their own vigour and abilities. No regular established commonwealth could take juster measures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reasonable object. The whole kingdom was in a manner engaged; and the men of greatest abilities soon acquired the ascendant, which their family interest enabled them to maintain. The Earl of Argyle, though he long seemed to temporize, had at last embraced the covenant; and he became the chief leader of that party: a man equally supple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The Earls of Rothes, Cassilis, Montrose, Lothian, the Lords Lindsey, Loudon, Yester, Balmerino, distinguished themselves in that party. Many Scotch officers had acquired reputation in the German wars, particularly under War.

Gustavus; and these were invited over to assist their country in her present necessity. The command was intrusted to Lesley, a soldier of experience and abilities. Forces were regularly enlisted and disciplined. Arms were commissioned and imported from foreign countries. A few castles which belonged to the king, being unprovided with victuals, ammunition, and garrisons, were soon seized. And the whole country, except a small party, where the Marquis of Huntley still adhered to the king, being in the hands of the covenanters, was in a very little time put in a tolerable posture of defence.<sup>2</sup>

The fortifications of Leith were begun and carried on with great rapidity. Besides the inferior sort, and those who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the most abject employment to be dignified by the sanctity of the cause. Women, too, of rank and condition, forgetting the delicacy of their sex, and the decorum of their character, were intermingled with the lowest rabble; and carried on their shoulders the rubbish requisite for completing the fortifications.<sup>3</sup>

We must not omit another auxiliary of the covenanters, and no inconsiderable one; a propheticess, who was much followed and admired by all ranks of people. Her name was Michelson, a woman full of whimsies, partly hysterical, partly religious; and inflamed with a zealous concern for the ecclesiastical discipline of the presbyterians. She spoke at certain times only, and had often interruptions of days and weeks: but when she began to renew her ecstasies, warning of the happy event was conveyed over the whole country, thousands crowded about her house, and every word which she uttered was received with veneration, as the most sacred oracles. The covenant was her perpetual theme. The true, genuine covenant, she said, was ratified in heaven: the king's covenant was an inven-

<sup>1</sup> King's Hist. i. p. 190. Rushworth, vol. ii. p. 761.

<sup>2</sup> A presbyterian minister sent to perjure himself, and to certify that was stronger, as it is a classis in Edinburgh, and is composed of the clergy of 62 parishes, and the number commonly of between twelve and twenty.

<sup>3</sup> King's Hist. i. p. 191, 190. Guttry, p. 30, &c.

<sup>1</sup> King's Hist. p. 227. Rushworth, vol. ii. p. 767.

<sup>2</sup> Mich. p. 49. <sup>3</sup> King's Hist. p. 317.

<sup>1</sup> Mem. d'Estrades, vol. i. <sup>2</sup> Guttry's Memoirs, p. 46.

tion of Satan. When she spoke of Christ, she usually gave him the name of the Covenanting Jesus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and paid her, on his part, no less veneration. Being desired by the spectators to pray with her, and speak to her, he answered, "That he durst not, and that it would be ill manners in him to speak, while his master Christ was speaking in her."

Charles had agreed to reduce episcopal authority so much, that it would no longer have been of any service to support the crown; and this sacrifice of his own interests he was willing to make, in order to attain public peace and tranquillity. But he could not consent entirely to abolish an order, which he thought as essential to the being of a Christian church, as his Scottish subjects deemed it incompatible with that sacred institution. This narrowness of mind, if we would be impartial, we must either blame or excuse equally on both sides; and thereby anticipate, by a little reflection, that judgment, which time, by introducing new subjects of controversy, will undoubtedly render quite familiar to posterity.

So great was Charles's aversion to violent and sanguinary measures, and so strong his affection to his native kingdom, that it is probable the contest in his breast would be nearly equal between these laudable passions and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him hasten those military preparations which he had projected for subduing the refractory spirit of the Scottish nation. By regular economy, he had not only paid all the debts contracted during the Spanish and French wars, but had amassed a sum of two hundred thousand pounds, which he reserved for any sudden exigency. The queen had great interest with the catholics, both from the sympathy of religion, and from the favours and indulgences which she had been able to procure to them. She now employed her credit, and persuaded them that it was reasonable to give large contributions as a mark of their duty to the king, during this urgent necessity.<sup>p</sup> A considerable supply was obtained by this means; to the great scandal of the puritans, who were offended at seeing the king on such good terms with the papists, and repined that others should give what they themselves were disposed to refuse him.

Charles's fleet was formidable and well supplied. Having put 5000 land forces on board, he intrusted it to the Marquis of Hamilton, who had orders to sail to the frith of Forth, and to cause a diversion in the forces of the malcontents. An army was levied of near 20,000 foot, and above 3000 horse, and was put under the command of the Earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The Earl of Essex, a man of strict honour, and extremely popular, especially among the soldiery, was appointed lieutenant-general: the Earl of Holland was general of the horse. The king himself joined the army,

and he summoned all the peers of England to attend him. The whole had the appearance of a splendid court rather than of a military armament; and in this situation, carrying more show than real force with it, the camp arrived at Berwick.<sup>q</sup>

The Scottish army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience; and the soldiers, though undisciplined and ill-armed, were animated as well by the national aversion to England, and the dread of becoming a province to their old enemy, as by an unsurmountable fervour of religion. The pulpits had extremely assisted the officers in levying recruits, and had thundered out anathemas against all those who went not out to assist the Lord against the mighty.<sup>r</sup> Yet so prudent were the leaders of the malcontents, that they immediately sent submissive messages to the king, and craved to be admitted to a treaty.

Charles knew that the force of the covenanters was considerable, their spirits high, their zeal furious; and that, as they were not yet daunted by any ill success, no reasonable terms could be expected from them. With regard therefore to a treaty, great difficulties occurred on both sides. Should he submit to the pretensions of the mal-

contents, besides that the prelacy must be sacrificed to their religious prejudices, such a check would be given to royal authority, which had, very lately, and with much difficulty, been thoroughly established in Scotland, that he must expect ever after to retain in that kingdom no more than the appearance of majesty. The great men, having proved, by so sensible a trial, the impotence of law and prerogative, would return to their former licentiousness: the preachers would retain their innate arrogance: and the people, unprotected by justice, would recognise no other authority than that which they found to domineer over them. England also, it was much to be feared, would imitate so bad an example; and having already a strong propensity towards republican and puritanical factions, would expect, by the same seditious practices, to attain the same indulgence. To advance so far, without bringing the rebels to a total submission, at least to reasonable concessions, was to promise them, in all future time, an impunity for rebellion.

On the other hand, Charles considered that Scotland was never before, under any of his ancestors, so united, and so animated in its own defence; yet had often been able to foil or elude the force of England, combined heartily in one cause, and inured by long practice to the use of arms. How much greater difficulty should he find at present, to subdue, by violence, a people inflamed with religious prejudices; while he could only oppose to them a nation enervated by long peace, and lukewarm in his service; or, what was more to be dreaded, many of them engaged in the same party with the rebels.<sup>s</sup> Should the war be only protracted beyond a campaign, (and who could expect to finish it in that period?) his treasures would fail him; and for supply, he must have recourse to an English parliament, which by fatal experience he had ever found more ready to encroach on the prerogatives than to supply the necessities of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from being impossible. They were engaged in a national cause, and strongly actuated by mistaken principles. His army was retained entirely by pay, and looked on the quarrel with the same indifference which naturally belongs to mercenary troops, without possessing the discipline by which such troops are commonly distinguished. And the consequences of a defeat, while Scotland was enraged and England discontented, were so dreadful, that no motive should persuade him to hazard it.

It is evident that Charles had fallen into such a situation that, whichever side he embraced, his errors must be dangerous: no wonder, therefore, he was in great perplexity. But he did worse than embrace the worst side: for, properly speaking, he embraced no side at all. He concluded a sudden pacification, in which it was stipulated, that he should withdraw his fleet and army; that within eight and forty hours the Scots should dismiss their forces; that the king's forts should be restored to him; his authority be acknowledged; and a general assembly and a parliament be immediately summoned, in order to compose all differences.<sup>t</sup> What were the reasons which engaged the king to admit such strange articles of peace, it is in vain to inquire: for there scarcely could be any. The causes of that event may admit of a more easy explication.

The malcontents had been very industrious in representing to the English the grievances under which Scotland laboured, and the ill counsels which had been suggested to their sovereign. Their liberties, they said, were invaded: the prerogatives of the crown extended beyond all former precedent: illegal courts erected: the hierarchy exalted at the expense of national privileges; and so many new superstitions introduced by the haughty tyrannical prelates, as begat a just suspicion that a project was seriously formed for the restoration of popery. The king's conduct, surely, in Scotland, had been in every thing, except in establishing the ecclesiastical canons, more legal than in England; yet was there such a general resemblance in the complaints of both kingdoms, that the English readily assented to all the representations of the Scottish malcontents, and believed that nation to have been driven by oppression into the violent counsels which they had em-

<sup>p</sup> King's Declaration at large, p. 227. Burnet's Memoirs of Hamilton, p. Ross worth, vol. iii. p. 1329. Franklin, p. 767.

<sup>q</sup> Clarendon, vol. i. p. 115, 116, 117. <sup>r</sup> Burnet's Memoirs of Hamilton, s Rush, vol. iii. p. 936.

<sup>t</sup> Ibid. p. 945.

braced. So far, therefore, from being willing to second the king in subduing the free spirits of the Scots; they rather pitied that unhappy people, who had been pushed to those extremities; and they thought that the example of such neighbours, as well as their assistance, might some time be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who, without attachment to the court, without command in the army, attended in great numbers the English camp, greedily seized, and propagated, and gave authority to these sentiments: a retreat, very little honourable, which the Earl of Holland, with a considerable detachment of the English forces, had made before a detachment of the Scottish, caused all these humours to blaze up at once: and the king, whose character was not sufficiently vigorous or decisive, and who was apt, from facility, to embrace hasty counsels, suddenly assented to a measure which was recommended by all about him, and which favoured his natural propensity towards the misguided subjects of his native kingdom.<sup>a</sup>

Charles, having so far advanced in pacific measures, ought with a steady resolution to have prosecuted them, and have submitted to every tolerable condition demanded by the assembly and parliament; nor should he have recommenced hostilities, but on account of such enormous and unexpected pretensions as would have justified his cause, if possible, to the whole English nation. So far, indeed, he adopted this plan, that he agreed not only to confirm his former concessions of abrogating the canons, the liturgy, the high commission, and the articles of Perth; but also to abolish the order itself of bishops, for which he had so zealously contended.<sup>b</sup> But this concession was gained by the utmost violence which he could impose on his disposition and prejudices: he even secretly retained an intention of seizing favourable opportunities, in order to recover the ground which he had lost.<sup>c</sup> And one step further he could not prevail with himself to advance. The assembly, when it met, paid no deference to the king's prepossessions, but gave full indulgence to their own.

They voted episcopacy to be unlawful in the church of Scotland: he was willing to allow it contrary to the constitutions of that church. They stigmatized the liturgy and canons as popish: he agreed simply to abolish them. They denominated the high commission, tyranny: he was content to set it aside.<sup>d</sup> The parliament, which sat after the assembly, advanced pretensions which tended to diminish the civil power of the monarch; and, what probably affected Charles still more, they were proceeding to ratify the acts of assembly, when,<sup>e</sup> by the king's instructions, Traquaire, the commissioner, prorogued them. And on account of these claims, which might have been foreseen, was the war renewed with great advantages on the side of the covenants, and disadvantages on that of the king.

No sooner had Charles concluded the pacification without conditions, than the necessity of his affairs and his want of money obliged him to disband his army; and as the soldiers had been held together solely by mercenary views, it was not possible, without great trouble, and expense, and loss of time, again to assemble them. The more prudent covenants had concluded, that their pretensions being so contrary to the interests, and still more to the inclinations, of the king, it was likely that they should again be obliged to support their cause by arms; and they were therefore careful, in dismissing their troops, to preserve nothing but the appearance of a pacific disposition. The officers had orders to be ready on the first summons: the soldiers were warned not to think the nation secure from an English invasion: and the religious zeal which animated all ranks of men, made them immediately fly to their standards as soon as the trumpet was sounded by their spiritual and temporal leaders. The credit which in their last expedition they had acquired, by obliging their sovereign to depart from all his pretensions, gave courage to every one in undertaking this new enterprise.<sup>f</sup>

The king, with great difficulty, found means to draw together an army; but soon discovered, that all savings being gone, and great debts contracted, his revenue would be insufficient to support them. An English parliament, therefore, formerly so unkind and intractable, must now, after above eleven years' intermission, after the king had tried many irregular methods of taxation, after multiplied disgusts given to the puritanical party, be summoned to assemble, amidst the most pressing necessities of the crown.<sup>g</sup>

As the king resolved to try, whether this House of Commons would be more compliant than their predecessors, and grant him supply on any reasonable terms; the time appointed for the meeting of parliament was late, and very near the time allotted for opening the campaign against the Scots. After the past experience of their ill-humour, and of their encroaching disposition, he thought that he could not in prudence trust them with a long session, till he had seen some better proofs of their good intentions: the urgency of the occasion, and the little time allowed for debate, were reasons which he reserved against the malcontents in the House: and an incident had happened, which, he believed, had now furnished him with still more cogent arguments.

The Earl of Traquaire had intercepted a letter written to the King of France by the Scottish malcontents; and had conveyed this letter to the king. Charles, partly repenting of the large concessions made to the Scots, partly disgusted at their fresh insolence and pretensions, seized this opportunity of breaking with them. He had thrown into the Tower Lord Loudon, commissioner from the covenants; and one of the persons who had signed the reasonable letter.<sup>h</sup> And he now laid the matter before the parliament, whom he hoped to inflame by the resentment, and alarm by the danger, of this application to a foreign power. By the mouth of the lord keeper, Finch, he discovered his wants, and informed them that he had been able to assemble his army, and to subsist them, not by any revenue which he possessed, but by means of a large debt of above 300,000 pounds which he had contracted, and for which he had given security upon the crown-lands. He represented, that it was necessary to grant supplies for the immediate and urgent demands of his military armaments: that the season was far advanced, the time precious, and none of it must be lost in deliberation: that though his coffers were empty, they had not been exhausted by unnecessary pomp, or sumptuous buildings, or any other kind of magnificence: that whatever supplies had been levied on his subjects, had been employed for their advantage and preservation, and like vapours rising out of the earth, and gathered into a cloud, had fallen in sweet and refreshing showers on the same fields from which they had been at first exhaled: that though he desired such immediate assistance as might prevent for the time a total disorder in the government, he was far from any intention of precluding them from their right to inquire into the state of the kingdom, and to offer him petitions for the redress of their grievances: that as much as was possible of this season should afterwards be allowed them for that purpose: that as he expected only such supply at present as the current service necessarily required, it would be requisite to assemble them again next winter, when they should have full leisure to conclude whatever business had this session been left imperfect and unfinished: that the parliament of Ireland had twice put such trust in his good intentions, as to grant him, in the beginning of the session, a large supply, and had ever experienced good effects from the confidence reposed in him: and that, in every circumstance, his people should find his conduct suitable to a just, pious, and gracious king, and such as was calculated to promote an entire harmony between prince and parliament.<sup>i</sup>

However plausible these topics, they made small impression on the House of Commons. By some illegal, and several suspicious, measures of the crown, and by the

<sup>a</sup> Clarendon, vol. i. p. 122, 123. May, p. 46.

<sup>b</sup> Rush, vol. iii. p. 946.

<sup>c</sup> Burnet's Memoirs, p. 154. Rush, vol. iii. p. 951.

<sup>d</sup> Rushworth, vol. iii. p. 956. &c.

<sup>e</sup> Rushworth, vol. iii. p. 933.

<sup>f</sup> Clarendon, vol. i. p. 125. Rushworth, vol. iii. p. 1023.

<sup>g</sup> Clarendon, vol. i. p. 129. Rush, vol. iii. p. 956. May, p. 56.

<sup>h</sup> Rush, vol. iii. p. 1114.

A. D. 1640.

Apr. 13th.

4th English parliament.



courageous opposition which particular persons, amidst dangers and hardships, had made to them; the minds of men, throughout the nation, had taken such a turn, as to ascribe every honour to the refractory opposers of the king and the ministers. These were the only patriots, the only lovers of their country, the only heroes, and perhaps, too, the only true Christians. A reasonable compliance with the court was slavish dependence; a regard to the king, servile flattery; a confidence in his promises, shameful prostitution. This general cast of thought, which has, more or less, prevailed in England, during near a century and a half, and which has been the cause of much good and much ill in public affairs, never predominated more than during the reign of Charles. The present House of Commons, being entirely composed of country gentlemen, who came into parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to contain a majority of these stubborn patriots.

Affairs likewise, by means of the Scottish insurrection, and the general discontents in England, were drawn so near to a crisis, that the leaders of the House, sagacious and penetrating, began to foresee the consequences, and to hope, that the time, so long wished for, was now come, when royal authority must fall into a total subordination under popular assemblies, and when public liberty must acquire a full ascendancy. By reducing the crown to necessities, they had hitherto found, that the king had been pushed into violent counsels, which had served extremely the purposes of his adversaries: and by multiplying these necessities, it was foreseen that his prerogative, undermined on all sides, must, at last, be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compose the differences between king and parliament, and to preserve the government uniformly in its present channel, was zealously opposed by these popular leaders; and their past conduct and sufferings gave them credit sufficient to effect all their purposes.

The House of Commons, moved by these and many other obvious reasons, instead of taking notice of the king's complaints against his Scottish subjects, or his applications for supply, entered immediately upon grievances; and a speech which Pym made them on that subject, was much more hearkened to, than that which the lord keeper had delivered to them in the name of their sovereign. The subject of Pym's harangue has been sufficiently explained above; where we gave an account of all the grievances, imaginary in the church, more real in the state, of which the nation, at that time, so loudly complained.<sup>a</sup> The House began with examining the behaviour of the speaker the last day of the former parliament; when he refused, on account of the king's command, to put the question: and they declared it a breach of privilege. They proceeded next to inquire into the imprisonment and prosecution of Sir John Elliot, Hollis, and Valentine: <sup>e</sup> the affair of ship-money was canvassed: and plentiful subject of inquiry was suggested on all hands. Grievances were regularly classed under three heads; those with regard to privileges of parliament, to the property of the subject, and to religion.<sup>f</sup> The king, seeing a large and inexhaustible field opened, pressed them again for supply; and finding his message ineffectual, he came to the House of Peers, and desired their good offices with the Commons. The Peers were sensible of the king's urgent necessities; and thought that supply, on this occasion, ought, both in reason and in decency, to go before grievances. They ventured to represent their sense of the matter to the Commons; but their intercession did harm. The Commons had always claimed, as their peculiar province, the granting of supplies; and though the Peers had here gone no further than offering advice, the lower House immediately thought proper to vote so unprecedented an interposition to be a breach of privilege.<sup>g</sup> Charles, in order to bring the matter of supply to some issue, solicited the House by new messages: and finding that ship-money gave great alarm and disgust; besides informing them, that he never intended to make a constant revenue of it, that all the money levied

had been regularly, with other great sums, expended on equipping the navy; he now went so far as to offer them a total abolition of that obnoxious claim, by any law which the Commons should think proper to present to him. In return, he only asked, for his necessities, a supply of twelve subsidies, about six hundred thousand pounds, and that payable in three years; but at the same time, he let them know, that, considering the situation of his affairs, a delay would be equivalent to a denial.<sup>h</sup> The king, though the majority was against him, never had more friends in any House of Commons; and the debate was carried on for two days, with great zeal and warmth on both sides.

It was urged by the partisans of the court, that the happiest occasion, which the fondest wishes could suggest, was now presented, for removing all disgusts and jealousies between king and people, and for reconciling their sovereign for ever to the use of parliaments. That if they, on their part, laid aside all enormous claims and pretensions, and provided, in a reasonable manner, for the public necessities; they needed entertain no suspicion of any insatiable ambition or illegal usurpation in the crown. That though due regard had not always been paid, during this reign, to the rights of the people, yet no invasion of them had been altogether deliberate and voluntary; much less, the result of wanton tyranny and injustice; and still less, of a formed design to subvert the constitution. That to repose a reasonable confidence in the king, and generously to supply his present wants, which proceeded neither from prodigality nor misconduct, would be the true means of gaining on his generous nature, and extorting, by gentle violence, such concessions as were requisite for the establishment of public liberty. That he had promised, not only on the word of a prince, but also on that of a gentleman, (the expression which he had been pleased to use,) that, after the supply was granted, the parliament should still have liberty to continue their deliberations: could it be suspected, that any man, any prince, much less such a one, whose word was, as yet, sacred and inviolate, would for so small a motive forfeit his honour, and, with it, all future trust and confidence, by breaking a promise so public and so solemn? That even, if the parliament should be deceived in reposing this confidence in him, they neither lost any thing, nor incurred any danger; since it was evidently necessary, for the security of public peace, to supply him with money in order to suppress the Scottish rebellion. That he had so far suited his first demands to their prejudices, that he only asked a supply for a few months, and was willing, after so short a trust from them, to fall again into dependence, and to trust them for his further support and subsistence. That if he now seemed to desire something further, he also made them, in return, a considerable offer, and was willing, for the future, to depend on them for a revenue, which was quite necessary for public honour and security. That the nature of the English constitution supposed a mutual confidence between king and parliament; and if they should refuse it on their part, especially with circumstances of such outrage and indignity; what could be expected but a total dissolution of government, and violent factions, followed by the most dangerous convulsions and intestine disorders?

In opposition to these arguments, it was urged by the malcontent party, that the court had discovered, on their part, but few symptoms of that mutual confidence to which they now so kindly invited the Commons. That eleven years' intermission of parliaments, the longest that was to be found in the English annals, was a sufficient indication of the jealousy entertained against the people; or rather of designs formed for the suppression of all their liberties and privileges. That the ministers might well plead necessity, nor could any thing, indeed, be a stronger proof of some invincible necessity, than their embracing a measure, for which they had conceived so violent an aversion, as the assembling of an English parliament. That this necessity, however, was purely ministerial, not national: and if the same grievances, ecclesiastical and civil, under which this nation itself laboured, had pushed the Scots to extremities; was it requisite that the English

<sup>a</sup> *Commons*, vol. i. p. 143. *Rush*, vol. iii. p. 113. *M. A.* p. 60.  
<sup>e</sup> *Ibid.* vol. i. p. 146. <sup>f</sup> *Ibid.* vol. i. p. 147.

<sup>g</sup> *Commons*, vol. i. p. 144.  
<sup>h</sup> *Ibid.* p. 145. *Russell*, vol. iii. p. 114.

should forge their own chains, by imposing chains on their unhappy neighbours? That the ancient practice of parliament was to give grievances the precedence of supply; and this order, secretly observed by their ancestors, was founded on a jealousy inherent in the constitution, and was never interpreted as any peculiar diffidence of the present sovereign. That a practice, which had been upheld, during times the most favourable to liberty, could not, in common prudence, be departed from, where such undeniable reasons for suspicion had been afforded. That it was ridiculous to plead the advanced season, and the urgent occasion for supply; when it plainly appeared, that in order to afford a pretence for this topic, and to seduce the Commons, great political contrivance had been employed. That the writs for elections were issued early in the winter; and if the meeting of parliament had not purposely been delayed till so near the commencement of military operations, there had been leisure sufficient to have redressed all national grievances, and to have proceeded afterwards to an examination of the king's occasion for supply. That the intention of so gross an artifice was to engage the Commons, under pretence of necessity, to violate the regular order of parliament; and a precedent of that kind being once established, no inquiry into public measures would afterwards be permitted: that scarcely any argument more unfavourable could be pleaded for supply, than an offer to abolish ship-money; a taxation the most illegal, and the most dangerous, that had ever, in any reign, been imposed upon the nation: and that, by bargaining for the remission of that duty the Commons would, in a manner, ratify the authority by which it had been levied; at least, give encouragement for advancing new pretensions of a like nature, in hopes of resigning them on like advantageous conditions.

These reasons, joined to so many occasions of ill-humour, seemed to sway with the greater number: but to make the matter worse, Sir Harry Vane, the secretary, told the Commons, without any authority from the king, that nothing less than twelve subsidies would be accepted as a compensation for the abolition of ship-money. This assertion, proceeding from the indiscretion, if we are not rather to call it the treachery, of Vane, displeased the House, by showing a stiffness and rigidity in the king, which, in a claim so ill-grounded, was deemed<sup>1</sup> inexcusable. We are informed likewise, that some men, who were thought to understand the state of the nation, affirmed in the House, that the amount of twelve subsidies was a greater sum than could be found in all England. Such were the happy ignorance and inexperience of those times, with regard to taxes!<sup>1k</sup>

The king was in great doubt and perplexity. He saw that his friends in the House were outnumbered by his enemies, and that the same counsels were still prevalent, which had ever bred such opposition and disturbance. Instead of hoping that any supply would be granted him to carry on war against the Scots, whom the majority of the House regarded as their best friends and firmest allies; he expected every day that they would present him an address for making peace with those rebels. And if the House met again, a vote, he was informed, would certainly pass, to blast his revenue of ship-money; and thereby renew all the opposition, which, with so much difficulty, he had surmounted in levying that taxation. Where great evils lie on all sides, it is difficult to follow the best counsel; nor is it any wonder, that the king, whose capacity was not equal to situations of such extreme delicacy,

should hastily have formed and executed the resolution of dissolving this parliament: a measure however of which he soon after repented, and which the subsequent events, more than any convincing reason, inclined every one to condemn. The last parliament, which ended with such rigour and violence, had yet, at first, covered their intentions with greater appear-

ance of moderation than this parliament had hitherto assumed.

An abrupt and violent dissolution naturally excites discontents among the people, who usually put entire confidence in their representatives, and expect from them the redress of all grievances. As if there were not already sufficient grounds of complaint, the king persevered still in those counsels, which, from experience, he might have been sensible were so dangerous and unpopular. Bellasis and Sir John Hotham were summoned before the council; and refusing to give any account of their conduct in parliament, were committed to prison. All the petitions and complaints, which had been sent to the committee of religion, were demanded from Crew, chairman of the committee, and on his refusal to deliver them, he was sent to the Tower. The studies, and even the pockets, of the Earl of Warwick and Lord Broke, before the expiration of privilege, were searched, in expectation of finding treasonable papers. These acts of authority were interpreted, with some appearance of reason, to be invasions on the right of national assemblies.<sup>1</sup> But the king, after the first provocation which he met with, never sufficiently respected the privileges of parliament; and by his example, he further confirmed their resolution, when they should acquire power, to pay like disregard to the prerogatives of the crown.

Though the parliament was dissolved, the convocation was still allowed to sit; a practice, of which, since the Reformation, there was but few instances,<sup>2m</sup> and which was for that reason supposed by many to be irregular. Besides granting to the king a supply from the spirituality, and framing many canons, the convocation, jealous of like innovations with those which had taken place in Scotland, imposed an oath on the clergy, and the graduates in the universities, by which every one swore to maintain the established government of the church by archbishops, bishops, deans, chapters, &c.<sup>2n</sup> These steps, in the present discontented humour of the nation, were commonly deemed illegal; because not ratified by consent of parliament, in whom all authority was now supposed to be centred. And nothing besides could afford more subject of ridicule, than an oath, which contained an *et cetera* in the midst of it.

The people, who generally abhorred the convocation as much as they revered the parliament, could scarcely be restrained from insulting and abusing this assembly; and the king was obliged to give them guards in order to protect them.<sup>2o</sup> An attack too was made during the night upon Laud, in his palace of Lambeth, by above 500 persons; and he found it necessary to fortify himself for his defence.<sup>2p</sup> A multitude, consisting of two thousand sectaries, entered St. Paul's, where the high commission then sat; tore down the benches; and cried out, *No bishop, no high commission.*<sup>2q</sup> All these instances of discontent were presages of some great revolution; had the court possessed sufficient skill to discern the danger, or sufficient power to provide against it.

In this disposition of men's minds, it was in vain that the king issued a declaration, in order to convince his people of the necessity, which he lay under, of dissolving the last parliament.<sup>2r</sup> The chief topic, on which he insisted, was, that the Commons imitated the bad example of all their predecessors of late years, in making continual encroachments on his authority, in censuring his whole administration and conduct, in discussing every circumstance of public government, and in their indirect bargaining and contracting with their king for supply; as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his royal prerogative, or by diminishing and lessening his standing revenue. These practices, he said, were contrary to the maxims of their ancestors; and these practices were totally incompatible with monarchy.<sup>2s</sup>

A little on the present subject. It must be confessed, that the king, in this declaration, touched upon that circumstance in the English constitution, when it is most difficult, or rather altogether impossible, to regulate by laws, and which must be governed by certain delicate rules of propriety and decency, rather than by any exact rule of strict justice. To deny the parliament all right of re-constituting against what its extreme grievances, were to reduce that assembly to a total impotency, and to deprive the people of every advantage which they could reap from popular councils, to complain of the parliament's employing the power of taxation as the

<sup>1</sup> Clarendon, vol. i. p. 138.

<sup>k</sup> Ibid. p. 136.

<sup>1</sup> Clarendon, vol. iii. p. 1167. May, p. 61.

<sup>2m</sup> There was one in 1556. See History of Archbishop Laud, p. 69. The

case of the convocation was indeed, in most respects, independent of that of parliament, and there was no reason, which required them to be dissolved upon the dissolution of the other.

<sup>2n</sup> Wyllocke, p. 31.

<sup>2o</sup> Ibid. p. 68.

<sup>2p</sup> Clarendon, vol. i. p. 143.

<sup>2q</sup> Ibid. p. 143.

<sup>2r</sup> Ibid. p. 143.

<sup>2s</sup> Ibid. p. 143.

The king, disappointed of parliamentary subsidies, was obliged to have recourse to other expedients, in order to supply his urgent necessities. The ecclesiastical subsidies served him in some stead; and it seemed but just, that the clergy should contribute to a war, which was in a great measure of their own raising.<sup>1</sup> He borrowed money from his ministers and courtiers; and so much was he beloved among them, that above 300,000 pounds were subscribed in a few days: though nothing surely could be more disagreeable to a prince, full of dignity, than to be a burden on his friends, instead of being a support to them. Some attempts were made towards forcing a loan from the citizens; but still repelled by the spirit of liberty, which was now become unconquerable.<sup>2</sup> A loan of 40,000 pounds was extorted from the Spanish merchants, who had bullion in the Tower, exposed to the attempts of the king. Coat and conduct-money for the soldiery was levied on the counties; an ancient practice,<sup>3</sup> but supposed to be abolished by the petition of right. All the pepper was bought from the East India Company upon trust, and sold, at a great discount, for ready money.<sup>4</sup> A scheme was proposed for coining two or three hundred thousand pounds of base money.<sup>5</sup> Such were the extremities to which Charles was reduced. The fresh difficulties which, amidst the present distresses, were every day raised, with regard to the payment of ship-money, obliged him to exert continual acts of authority, augmented the discontents of the people, and increased his indigence and necessities.<sup>6</sup>

The present expedients, however, enabled the king, though with great difficulty, to march his army, consisting of 19,000 foot, and 2000 horse.<sup>7</sup> The Earl of Northumberland was appointed general: the Earl of Strafford, who was called over from Ireland, lieutenant-general: Lord Conway, general of the horse. A small fleet was thought sufficient to serve the purposes of this expedition.

So great are the effects of zeal and unanimity, that the Scottish army, though somewhat superior, were sooner ready than the king's; and they marched to the borders of England. To engage them to proceed, besides their general knowledge of the secret discontents of that kingdom, Lord Saville had forged a letter, in the name of six noblemen, the most considerable of England, by which the Scots were invited to assist their neighbours, in procuring a redress of grievances.<sup>8</sup> Notwithstanding these warlike preparations and hostile attempts, the covenanters still preserved the most pathetic and most submissive language; and entered England, they said, with no other view, than to obtain access to the king's presence, and lay their humble petition at his royal feet. At Newburn-upon-Tyne, they were opposed

by a detachment of 4500 men under Conway, who seemed resolute to dispute with them the passage of the river. The Scots first entreated them, with great civility, not to stop them in their march to their gracious sovereign; and then attacked them with great bravery, killed several, and chased the rest from their ground. Such a panic seized the whole English army, that <sup>28th Aug.</sup> the forces at Newcastle fled immediately to Durham; and not yet thinking themselves safe, they deserted that town, and retreated into Yorkshire.<sup>9</sup>

The Scots took possession of Newcastle; and though sufficiently elated with their victory, they preserved exact discipline, and persevered in their resolution of paying for every thing, in order still to maintain the appearance of an amicable correspondence with England. They also despatched messengers to the king, who was arrived at York; and they took care, after the advantage which they had obtained, to redouble their expressions of loyalty, duty, and submission to his person, and they even made apologies, full of sorrow and contrition, for their late victory.<sup>10</sup>

Charles was in a very distressed condition. The nation was universally and highly discontented. The army was discouraged, and began likewise to be discontented, both from the contagion of general disgust, and as an excuse of their misbehaviour, which they were desirous of representing rather as want of will than of courage to fight. The treasury too was quite exhausted, and every expedient for supply had been tried to the uttermost. No event had happened, but what might have been foreseen as necessary, at least as very probable; yet such was the king's situation, that no provision could be made, nor was even any resolution taken, against such an exigency.

In order to prevent the advance of the <sup>Treaty at Rip-</sup> Scots upon him, the king agreed to a treaty, <sup>pon.</sup> and named sixteen English noblemen, who met with eleven Scottish commissioners at Rippon. The Earls of Hertford, Bedford, Salisbury, Warwick, Essex, Holland, Bristol, and Berkshire, the Lords Kimbolton, Wharton, Dunsmore, Paget, Broke, Saville, Paulet, and Howard of Escric, were chosen by the king; all of them popular men, and consequently supposed nowise averse to the Scottish invasion, or unacceptable to that nation.<sup>11</sup>

An address arrived from the city of London, petitioning for a parliament; the great point to which all men's projects at this time tended.<sup>12</sup> Twelve noblemen presented a petition to the same purpose.<sup>13</sup> But the king contented himself with summoning a great council of the peers at York; a measure which had formerly been taken in cases of sudden emergency, but which, at present, could serve to little purpose. Perhaps the king, who dreaded above

means of extorting concessions from their sovereign, were to expect that they would entirely disarm themselves, and renounce the sole expedient provided by the constitution, for procuring to the kingdom a just and legal administration. In a different period of English story, there occurred instances of their remonstrating with their prince in the most manly manner, and sometimes of their refusing supply, when dissatisfied with any circumstance of public conduct. It is, however, certain, that this power, though essential to parliament, may easily be abused, as well by the frequency and minuteness of their remonstrances, as by their intrusion into every part of the king's secrets and determinations. Under colour of advice, they may set a dissipated prince, and a court of intrigues, free; they may draw to themselves every power of government. Whatever measure is embraced, without consulting them, may be pronounced an oppression of the people; and, if corrected, they may refuse the most necessary supplies to their sovereign; so that the nature of this privilege, if abused, is almost identical, that it must be left unbounded by law, or who can pretend how frequently grievances may occur, or who part of administration may be affected by them. Thus the nature too of the human frame may be expected, that the king, in the exercise of his power, should be subject to the same limitations of respect and decorum befitting to restrain human ambition, who so frequently breaks through all the prescribed bounds of law.

But here it is observable, that the wisdom of the English constitution, or rather the continuance of accounts, has provided, in different periods, certain tried checks to this privilege of parliament, and thereby maintained, in some tolerable measure, the dignity and authority of the crown. In the ancient constitution, before the beginning of the seventeenth century, the meetings of parliament were frequent, and were not frequent. The sessions were short, and the members being to leave, either to get acquainted with a foreign, or with public business. The great nobles of the age made men more submissive to that authority which governed them. Antiquated, too, the large dispenses of the crown, with the small expense of government during that period, rendered the prince almost independent, and taught the parliament to preserve great submission and duty towards him.

In our present constitution, many accidents, which have rendered government every where, as well as in great Britain, more lax and lenient than formerly, have thrown into the hands of the crown the disposal of a large revenue, and have enabled the king, by the private interest and predilection of the commons, to restrain the public interest and aversion of the nobles. Were the constitution still so much as it has been, or even so much as it is, the commons would still have been administered by the commons of parliament, the courtiers reserve a part to the disposal of the

crown; and the royal prerogative, though deprived of its ancient power, still maintains a due weight in the balance of the constitution.

It was the fate of the house of Stuart to govern England at a period, when the former source of authority was already much diminished, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne perpetually tottered; and the prince sat upon a precarious and precarious base, every expedient used by James and Charles, in order to support their dignity, we have seen attended with sensible inconveniences. The majesty of the crown, derived from ancient powers and prerogatives, (prerogatives, and checked the approaches of insolent intruders, but it began to be in danger, as also of his own rank and station, as made him incapable of stooping to popular causes, or submitting in any degree to the control of parliament. The alliance with the hierarchy strengthened law by the sanction of religion; but it enraged the puritanical party, and exposed the prince to the attacks of a numerous, violent, and implacable. The memory too of these things, from like causes, has been attended, in some degree, with the same infidelity which pursued them during the whole course of their lives. Though it is not the least of their faults, that they have not been able to rise to the extreme delicacy of their situation, a sufficient indulgence has not been given them, and all the blame, by several historians, has been unjustly thrown on their side. Their violations of law, particularly those of the last kind, the constitution. While they exercised the powers granted to them, in a manner more independent, and less compliant, than had ever before been practised, the kings were, perhaps imprudently, but, as they imagined, from necessity, tempted to assume powers, which had scarcely ever been exercised, or had been exercised, in a different manner, by the crown. And from the shock of these opposite pretensions, together with religious controversy, arose all the factions, convulsions, and disorders, which attended that period.

*See note 2, in the first editions, a part of the text.*  
 1 May, p. 48. a Rush, vol. iii, p. 1181.  
 2 Ibid. vol. i, p. 168. a May, p. 63.  
 3 Ibid. vol. ii, p. 1216. May, p. 63.  
 4 Rush, vol. iii, p. 1216, 1182, 1184, 1199, 1200, 1201, 1202.  
 5 Ibid. p. 1279. b Nalson, vol. ii, p. 497.  
 6 Clarendon, vol. i, p. 143. d Rush, vol. iii, p. 1255.  
 7 Clarendon, vol. i, p. 155. e Rush, vol. iii, p. 1267.  
 8 Clarendon, vol. i, p. 146. Rush, vol. iii, p. 1267. May, p. 66.  
 9 Ibid. p. 151.



all things the House of Commons, and who expected no supply from them on any reasonable terms, thought, that in his present distresses, he might be enabled to levy supplies by the authority of the peers alone. But the employing so long the plea of a necessity which appeared distant and doubtful, rendered it impossible for him to avail himself of a necessity which was now at last become real, urgent, and inevitable.

By Northumberland's sickness, the command of the army had devolved on Strafford. This nobleman possessed more vigour of mind than the king or any of the council. He advised Charles rather to put all to hazard, than submit to such unworthy terms as were likely to be imposed upon him. The loss sustained at Newburn, he said, was inconsiderable; and though a panic had for a time seized the army, that event was nothing strange among new levied troops; and the Scots being in the same condition, would, no doubt, be liable, in their turn, to a like accident. His opinion therefore was, that the king should push forward, and attack the Scots, and bring the affair to a quick decision; and if he were ever so unsuccessful, nothing worse could befall him, than what, from his inactivity, he would certainly be exposed to.<sup>b</sup> To show how easy it would be to execute this project, he ordered an assault to be made on some quarters of the Scots, and he gained an advantage over them. No cessation of arms had as yet been agreed to during the treaty at Rippon; yet great clamour prevailed, on account of this act of hostility. And when it was known that the officer who conducted the attack, was a papist, a violent outcry was raised against the king, for employing that hated sect in the murder of his protestant subjects.<sup>c</sup>

It may be worthy of remark, that several mutinies had arisen among the English troops, when marching to join the army; and some officers had been murdered, merely on suspicion of their being papists.<sup>d</sup> The petition of right had abolished all martial law; and by an inconvenience which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found absolutely impossible for the generals to govern the army, by all the authority which the king could legally confer upon them. The lawyers had declared, that martial law could not be exercised, except in the very presence of an enemy; and because it had been found necessary to execute a mutineer, the generals thought it advisable, for their own safety, to apply for a pardon from the crown. This weakness, however, was carefully concealed from the army, and Lord Conway said, that if any lawyer were so imprudent as to discover the secret to the soldiers, it would be necessary instantly to refute him, and to hang the lawyer himself by sentence of a court-martial.<sup>e</sup>

An army new levied, undisciplined, frightened, seditious, ill-paid, and governed by no proper authority, was very unfit for withstanding a victorious and high-spirited enemy, and retaining in subjection a discontented and zealous nation.

Charles, in despair of being able to stem the torrent, at last determined to yield to it: and as he foresaw, that the great council of the peers would advise him to call a parliament, he told them in his first speech, that he had already taken this resolution. He informed them likewise, that the queen, in a letter which she had written to him, had very earnestly recommended that measure. This good prince, who was extremely attached to his consort, and who passionately wished to render her popular in the nation, forgot not, amidst all his distress, the interests of his domestic tenderness.<sup>f</sup>

In order to subsist both armies, (for the king was obliged, in order to save the northern counties, to pay his enemies,) Charles wrote to the city, desiring a loan of 200,000 pounds. And the peers at York, whose authority was now much greater than that of their sovereign, joined in the same request.<sup>g</sup> So low was this prince already fallen in the eyes of his own subjects!

As many difficulties occurred in the negotiation with the Scots, it was proposed to transfer the treaty from Rip-

pon to London: a proposal willingly embraced by that nation, who were now sure of treating with advantage, in a place where the king, they foresaw, would be in a manner a prisoner, in the midst of his implacable enemies and their determined friends.<sup>h</sup>

## CHAP. LIV.

Meeting of the long parliament—Strafford and Laud impeached—Finch and Windebank fly—Great authority of the Commons—The bishops attacked—Tonnage and poundage—Triennial bill—Strafford's trial—Bill of attainder—Execution of Strafford—High commission and star chamber abolished—King's journey to Scotland.

THE causes of disgust which, for above thirty years, had been daily multiplying in England, were now come to full maturity, and threatened the kingdom with some great revolution or convulsion. The uncertain and undefined limits of prerogative and privilege had been eagerly disputed during that whole period; and in every controversy between prince and people, the question, however doubtful, had always been decided by each party in favour of its own pretensions. Too lightly, perhaps, moved by the appearance of necessity, the king had even assumed powers incompatible with the principles of limited government, and had rendered it impossible for his most zealous partisans entirely to justify his conduct, except by topics so unpopular, that they were more fitted, in the present disposition of men's minds, to inflame than appease the general discontent. Those great supports of public authority, law and religion, had likewise, by the unbounded compliance of judges and prelates, lost much of their influence over the people; or rather, had in a great measure gone over to the side of faction, and authorized the spirit of opposition and rebellion. The nobility, also, whom the king had no means of retaining by offices and preferments suitable to their rank, had been seized with the general discontent, and unwarily threw themselves into the scale which already began too much to preponderate. Sensible of some encroachments which had been made by royal authority, men entertained no jealousy of the Commons, whose enterprises for the acquisition of power had ever been covered with the appearance of public good, and had hitherto gone no further than some disappointed efforts and endeavours. The progress of the Scottish malcontents reduced the crown to an entire dependence for supply: their union with the popular party in England brought great accession of authority to the latter: the near prospect of success roused all latent murmurs and pretensions, which had hitherto been held in such violent constraint: and the torrent of general inclination and opinion ran so strongly against the court, that the king was in no situation to refuse any reasonable demands of the popular leaders, either for defining or limiting the powers of his prerogative. Even many exorbitant claims, in his present situation, would probably be made, and must necessarily be complied with.

The triumph of the malcontents over the church, was not yet so immediate or certain. Though the political and religious puritans mutually lent assistance to each other, there were many who joined the former, yet declined all connexion with the latter. The hierarchy had been established in England, ever since the Reformation: the Romish church, in all ages, had carefully maintained that form of ecclesiastical government: the ancient fathers, too, bore testimony to episcopal jurisdiction: and though parity may seem at first to have had place among Christian pastors, the period during which it prevailed was so short, that few undisputed traces of it remained in history. The bishops, and their more zealous partisans, inferred thence the divine indefeasible right of prelacy: others regarded that institution as venerable and useful: and if the love of novelty led some to adopt the new rites and discipline of the puritans, the reverence to antiquity retained many in their attachment to the liturgy and government of the church. It behaved, therefore, the zealous innovators in

<sup>b</sup> Nelson, vol. ii. p. 5.

<sup>c</sup> Clarendon, vol. i. p. 159.

<sup>d</sup> Rush, vol. iii. p. 1190, 1191, 1192, &c. May, p. 64.

<sup>e</sup> Rush, vol. iii. p. 1199.

<sup>m</sup> Clarendon, vol. i. p. 154. Rush, vol. iii. p. 1275.

<sup>n</sup> Rush, vol. iii. p. 1279.

<sup>o</sup> Ibid. p. 1303.

parliament to proceed with some caution and reserve. By promoting all measures which reduced the powers of the crown, they hoped to disarm the king, whom they justly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming against the supposed encroachments and tyranny of the prelates, they endeavoured to carry the nation from a hatred of their persons, to an opposition against their office and character. And when men were enlisted in party, it would not be difficult, they thought, to lead them, by degrees, into many measures, for which they formerly entertained the greatest aversion. Though the new sectaries composed not, at first, the majority of the nation, they were inflamed, as is usual among innovators, with extreme zeal for their opinions. Their unsummountable passion, disguised to themselves, as well as to others, under the appearance of holy fervours, was well qualified to make proselytes, and to seize the minds of the ignorant multitude. And one furious enthusiast was able, by his active industry, to surmount the indolent efforts of many sober and reasonable antagonists.

When the nation, therefore, was so generally discontented, and little suspicion was entertained of any design to subvert the church and monarchy; no wonder that almost all elections ran in favour of those who, by their high pretensions to piety and patriotism, had encouraged the national prejudices. It is a usual compliment to regard the king's inclination in the choice of a speaker; and Charles had intended to advance Gardiner, recorder of London, to that important trust: but so little interest did the crown at that time possess in the nation, that Gardiner was disappointed of his election, not only in London, but in every other place where it was attempted: and the king was obliged to make the choice of speaker fall on Lenthall, a lawyer of some character, but not sufficiently qualified for so high and difficult an office.<sup>a</sup>

The eager expectations of men with regard to a parliament, summoned at so critical a juncture, and during such general discontents; a parliament which, from the situation of public affairs, could not be abruptly dissolved, and which was to execute every thing left unfinished by former parliaments; these motives, so important and interesting, engaged the attendance of all the members; and the House of Commons was never observed to be, from the beginning, so full and numerous. Without any interval, therefore, they entered upon business, and, by unanimous consent, they immediately struck a blow which may in a manner be regarded as decisive.

The Earl of Strafford was considered as chief minister, both on account of the credit which he possessed with his master, and of his own great and uncommon vigour and capacity. By a concurrence of accidents, this man laboured under the severe hatred of all the three nations which composed the British monarchy. The Scots, whose authority now ran extremely high, looked on him as the capital enemy of their country, and one whose counsels and influence they had most reason to apprehend. He had engaged the parliament of Ireland to advance large subsidies, in order to support a war against them: he had levied an army of 9000 men, with which he had menaced all their western coast: he had obliged the Scots, who lived under his government, to renounce the covenant, their national idol: he had, in Ireland, proclaimed the Scottish covenanted rebels and traitors, even before the king had issued any such declaration against them in England: and he had ever dissuaded his master against the late treaty and suspension of arms, which he regarded as dangerous and dishonourable. So avowed and violent were the Scots in their resentment of all these measures, that they had refused to send commissioners to treat at York, as was at first proposed; because, they said, the Lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

Strafford, first as deputy, then as lord lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence, but with very little popularity. In a nation so averse to the English government and religion,

these very virtues were sufficient to draw on him the public hatred. The manners too and character of this great man, though to all full of courtesy, and to his friends full of affection, were, at bottom, haughty, rigid, and severe. His authority and influence, during the time of his government, had been unlimited; but no sooner did adversity seize him, than the concealed aversion of the nation blazed at once, and the Irish parliament used every expedient to aggravate the charge against him.

The universal discontent which prevailed in England against the court, was all pointed towards the Earl of Strafford; though without any particular reason, but because he was the minister of state whom the king most favoured and most trusted. His extraction was honourable, his paternal fortune considerable: yet envy attended his sudden and great elevation. And his former associates in popular counsels, finding that he owed his advancement to the desertion of their cause, represented him as the great apostate of the commonwealth, whom it behoved them to sacrifice as a victim to public justice.

Strafford, sensible of the load of popular prejudices under which he laboured, would gladly have declined attendance in parliament; and he begged the king's permission to withdraw himself to his government of Ireland, at least to remain at the head of the army in Yorkshire; where many opportunities, he hoped, would offer, by reason of his distance, to elude the attacks of his enemies. But Charles, who had entire confidence in the earl's capacity, thought that his counsels would be extremely useful during the critical session which approached. And when Strafford still insisted on the danger of his appearing amidst so many enraged enemies, the king, little apprehensive that his own authority was so suddenly to expire, promised him protection, and assured him, that not a hair of his head should be touched by the parliament.<sup>b</sup>

No sooner was Strafford's arrival known, than a concerted attack was made upon him in the House of Commons. Pym, in a long, studied discourse, divided into many heads after his manner, enumerated all the grievances under which the nation laboured; and, from a complication of such oppressions, inferred, that a deliberate plan had been formed of changing entirely the frame of government, and subverting the ancient laws and liberties of the kingdom.<sup>c</sup> Could any thing, he said, increase our indignation against so enormous and criminal a project, it would be to find, that during the reign of the best of princes, the constitution had been endangered by the worst of ministers, and that the virtues of the king had been seduced by wicked and pernicious counsel. We must inquire, added he, from what fountain these waters of bitterness flow; and though doubtless many civil counsellors will be found to have contributed their endeavours, yet is there one who challenges the infamous pre-eminence, and who, by his courage, enterprise, and capacity, is entitled to the first place among these betrayers of their country. He is the Earl of Strafford, lieutenant of Ireland, and president of the council of York, who in both places, and in all other provinces where he has been intrusted with authority, has raised ample monuments of tyranny; and will appear, from a survey of his actions, to be the chief promoter of every arbitrary counsel. Some instances of imperious expressions, as well as actions, were given by Pym; who afterwards entered into a more personal attack of that minister, and endeavoured to expose his whole character and manners. The austere genius of Strafford, occupied in the pursuits of ambition, had not rendered his breast altogether inaccessible to the tender passions, or secured him from the dominion of the fair; and in that sullen age, when the irregularities of pleasure were more reproachful than the most odious crimes, these weaknesses were thought worthy of being mentioned, together with his treasons, before so great an assembly. And, upon the whole, the orator concluded, that it belonged to the House to provide a remedy proportionable to the disease, and to prevent the further mischiefs, justly to be apprehended from the influence which this man had acquired over the measures and counsels of their sovereign.<sup>d</sup>

<sup>a</sup> Meeting of the long parliament, to a parliament, summoned at so critical a juncture, and during such general discontents; a parliament which, from the situation of public affairs, could not be abruptly dissolved, and which was to execute every thing left unfinished by former parliaments; these motives, so important and interesting, engaged the attendance of all the members; and the House of Commons was never observed to be, from the beginning, so full and numerous. Without any interval, therefore, they entered upon business, and, by unanimous consent, they immediately struck a blow which may in a manner be regarded as decisive.

11th Nov.

<sup>c</sup> Strafford impeached.

Sir John Clotworthy, an Irish gentleman, Sir John Hotham of Yorkshire, and many others, entered into the same topics: and, after several hours spent in bitter invective, when the doors were locked in order to prevent all discovery of their purpose; it was moved, in consequence of the resolution secretly taken, that Strafford should immediately be impeached of high treason. This motion was received with universal approbation; nor was there, in all the debate, one person that offered to stop the torrent by any testimony in favour of the earl's conduct. Lord Falkland alone, though known to be his enemy, modestly desired the House to consider, whether it would not better suit the gravity of their proceedings, first to digest by a committee many of those particulars which had been mentioned, before they sent up an accusation against him. It was ingenuously answered by Pym, that such a delay might probably blast all their hopes, and put it out of their power to proceed any further in the prosecution: that when Strafford should learn, that so many of his enormities were discovered, his conscience would dictate his condemnation; and, so great was his power and credit, he would immediately procure the dissolution of the parliament, or attempt some other desperate measure for his own preservation: that the Commons were only accusers, not judges; and it was the province of the Peers to determine whether such a complication of enormous crimes, in one person, did not amount to the highest crime known by the law.<sup>e</sup> Without further debate, the impeachment was voted: Pym was chosen to carry it up to the Lords: most of the House accompanied him on so agreeable an errand: and Strafford, who had just entered the House of Peers, and who little expected so speedy a prosecution, was immediately, upon this general charge, ordered into custody, with several symptoms of violent prejudice in his judges, as well as in his prosecutors.

In the inquiry concerning grievances, and, in the censure of past measures, Laud could not long escape the severe scrutiny of the Commons; who were led too, in their accusation of that prelate, as well by their prejudices against his whole order, as by the extreme antipathy which his intemperate zeal had drawn upon him. After a deliberation, which scarcely lasted half an hour, an impeachment of high treason was voted against this subject, the first, both in rank and in favour, throughout the kingdom. Though this incident, considering the example of Strafford's impeachment, and the present disposition of the nation and parliament, needed be no surprise to him; yet was he betrayed into some passion, when the accusation was presented. *The Commons themselves*, he said, *though his accusers, did not believe him guilty of the crimes with which they charged him*: an indiscretion, which, next day, upon more mature deliberation, he desired leave to retract: but so little favourable were the Peers, that they refused him this advantage or indulgence. Laud also was immediately, upon this general charge, sequestered from parliament, and committed to custody.<sup>f</sup>

The capital article insisted on against these two great men, was the design which the Commons supposed to have been formed, of subverting the laws and constitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's ministers, no one was so obnoxious in this respect as the lord keeper Finch. He it was, who, being speaker in the king's third parliament, had left the chair, and refused to put the question, when ordered by the House. The extra-judicial opinion of the judges in the case of ship-money, had been procured by his intrigues, persuasions, and even menaces. In all unpopular and illegal measures, he was ever most active; and he was even believed to have declared publicly, that while he was keeper, an order of council should always, with him, be equivalent to a law. To appease the rising displeasure of the Commons, he desired to be heard at their bar. He prostrated himself with all humility before them; but this submission availed him nothing. An impeachment was resolved on; and in order to escape

their fury, he thought proper secretly to withdraw and retire into Holland. As he was not esteemed equal to Strafford, or even to Laud, either in capacity or in fidelity to his master, it was generally believed that his escape had been connived at by the popular leaders.<sup>g</sup> His impeachment, however, in his absence, was carried up to the House of Peers.

Sir Francis Windebank, the secretary, was a creature of Laud's; a sufficient reason for his being extremely obnoxious to the Commons. He was secretly suspected too of the crime of popery; and it was known that, from complaisance to the queen, and indeed in compliance with the king's maxims of government, he had granted many indulgences to catholics, and had signed warrants for the pardon of priests, and their delivery from confinement. Grimstone, a popular member, called him, in the House, the very pander and broker to the whore of Babylon.<sup>h</sup> Finding that the scrutiny of the Commons was pointed towards him, and being sensible that England was no longer a place of safety for men of his character, he suddenly made his escape into France.<sup>i</sup>

Thus, in a few weeks, this House of Commons, not opposed, or rather seconded, by the Peers, had produced such a revolution in the government, that the two most powerful and most favoured ministers of the king were thrown into the Tower, and daily expected to be tried for their life: two other ministers had, by flight alone, saved themselves from a like fate: all the king's servants saw that no protection could be given them by their master: a new jurisdiction was erected in the nation; and before that tribunal all those trembled, who had before exulted most in their credit and authority.

What rendered the power of the Commons more formidable was, the extreme prudence with which it was conducted. Not content with the authority which they had acquired by attacking these great ministers, they were resolved to render the most considerable bodies of the nation obnoxious to them. Though the idol of the people, they determined to fortify themselves likewise with terrors, and to overawe those who might still be inclined to support the falling ruins of monarchy.

During the late military operations several powers had been exercised by the lieutenants and deputy-lieutenants of counties: and these powers, though necessary for the defence of the nation, and even warranted by all former precedent, yet not being authorized by statute, were now voted to be illegal; and the persons who had assumed them, declared *delinquents*. This term was newly come into vogue, and expressed a degree or species of guilt not exactly known or ascertained. In consequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they justly thought, the legal powers of magistracy, unexpectedly found themselves involved in the crime of delinquency. And the Commons reaped this multiplied advantage by their vote: they disarmed the crown; they established the maxims of rigid law and liberty; and they spread the terror of their own authority.<sup>k</sup>

The writs for ship-money had been directed to the sheriffs, who were required, and even obliged, under severe penalties, to assess the sums, upon individuals, and to levy them by their authority. Yet were all the sheriffs, and all those who had been employed in that illegal service, voted, by a very rigorous sentence, to be delinquents. The king, by the maxims of law, could do no wrong: his ministers and servants, of whatever degree, in case of any violation of the constitution, were alone culpable.<sup>l</sup>

All the farmers and officers of the customs, who had been employed during so many years in levying tonnage and poundage, and the new impositions, were likewise declared criminals, and were afterwards glad to compound for a pardon by paying a fine of 150,000 pounds.

Every discretionary or arbitrary sentence of the star-chamber and high-commission courts, which, from their very constitution, were arbitrary, underwent a severe scrutiny: and all those who had concurred in such sentences,

<sup>e</sup> Clarendon, vol. i. p. 174.

<sup>f</sup> Ibid. p. 177. Whitlocke, p. 38. Rushworth, vol. iii. p. 1365.

<sup>g</sup> Clarendon, vol. i. p. 177. Whitlocke, p. 38. Rushworth, vol. i. p. 139, 156.

<sup>h</sup> Rushworth, vol. x. p. 162.

<sup>i</sup> Clarendon, vol. i. p. 176. Whitlocke, p. 37.

<sup>k</sup> Clarendon, vol. i. p. 176.

<sup>l</sup> Ibid.



were voted to be liable to the penalties of law.<sup>m</sup> No minister of the king, no member of the council, but found himself exposed by this decision.

The judges who had given their vote against Hamblen, in the trial of ship-money, were accused before the Peers, and obliged to find surety for their appearance. Berkeley, a judge of the King's Bench, was seized by order of the House, even when sitting in his tribunal; and all men saw with astonishment the irresistible authority of their jurisdiction.<sup>n</sup>

The sanction of the Lords and Commons, as well as that of the king, was declared necessary for the confirmation of ecclesiastical canons.<sup>o</sup> And this judgment, it must be confessed, however reasonable, at least useful, it would have been difficult to justify by any precedent.<sup>p</sup> But the present was no time for question or dispute. That decision which abolished all legislative power, except that of parliament, was requisite for completing the new plan of liberty, and rendering it quite uniform and systematical. Almost all the bench of bishops, and the most considerable of the inferior clergy, who had voted in the late convocation, found themselves exposed by these new principles to the imputation of delinquency.<sup>q</sup>

The most unpopular of all Charles's measures, and the least justifiable, was the revival of monopolies, so solemnly abolished, after reiterated endeavours, by a recent act of parliament. Sensible of this unhappy measure, the king had of himself recalled, during the time of his first expedition against Scotland, many of these oppressive patents; and the rest were now annulled by authority of parliament, and every one who was concerned in them declared delinquent. The Commons carried so far their detestation of this odious measure, that they assumed a power which had formerly been seldom practised,<sup>r</sup> and they expelled all their members who were monopolists or projectors: an artifice, by which, besides increasing their own privileges, they weakened still further the very small party which the king secretly retained in the House. Mildmay, a notorious monopolist, yet having associated himself with the ruling party, was still allowed to keep his seat. In all questions, indeed, of elections, no steady rule of decision was observed; and nothing further was regarded than the affections and attachments of the parties.<sup>s</sup> Men's passions were too much heated to be shocked with any instance of injustice, which served ends so popular as those which were pursued by this House of Commons.

The whole sovereign power being thus in a manner transferred to the Commons, and the government, without any seeming violence or disorder, being changed in a moment from a monarchy almost absolute, to a pure democracy; the popular leaders seemed willing for some time to suspend their active vigour, and to consolidate their authority, ere they proceeded to any violent exercise of it. Every day produced some new harangue on past grievances. The detestation of former usurpations was further enlivened: the jealousy of liberty roused; and agreeably to the spirit of free government, no less indignation was excited by the view of a violated constitution, than by the ravages of the most enormous tyranny.

This was the time when genius and capacity of all kinds, freed from the restraint of authority, and nourished by unbounded hopes and projects, began to exert themselves, and be distinguished by the public. Then was celebrated the sagacity of Pym, more fitted for use than ornament; matured, not chilled, by his advanced age and long experience: then was displayed the mighty ambition of Hamblen, taught disguise, not moderation, from former constraint; supported by courage, conducted by prudence, embellished by modesty; but whether founded in a love of power or zeal for liberty, is still, from his untimely end, left doubtful and uncertain: then too were known the dark, ardent, and dangerous character of St. John; the impetuous spirit of Hollis, violent and sincere, open and entire in his enmities and in his friendships; the enthusiastic genius

of young Vane, extravagant in the ends which he pursued, sagacious and profound in the means which he employed; incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for past measures, so contagious the general spirit of discontent, that even men of the most moderate tempers, and the most attached to the church and monarchy, exerted themselves with the utmost vigour in the redress of grievances, and in prosecuting the authors of them. The lively and animated Digby displayed his eloquence on this occasion, the firm and undaunted Capel, the modest and candid Palmer. In this list too of patriot royalists are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions, these men differed widely from the former; in their present actions and discourses, an entire concurrence and unanimity was observed.

By the daily harangues and invectives against illegal usurpations, not only the House of Commons inflamed themselves with the highest animosity against the court: the nation caught new fire from the popular leaders, and seemed now to have made the first discovery of the many supposed disorders in the government. While the law in several instances seemed to be violated, they went no further than some secret and calm murmurs; but mounted up into rage and fury, as soon as the constitution was thought to be restored to its former integrity and vigour. The capital, especially, being the seat of parliament, was highly animated with the spirit of mutiny and disaffection. Tumults were daily raised; seditious assemblies encouraged; and every man, neglecting his own business, was wholly intent on the defence of liberty and religion. By stronger contagion, the popular affections were communicated from breast to breast, in this place of general rendezvous and society.

The harangues of members, now first published and dispersed, kept alive the discontents against the king's administration. The pulpits, delivered over to puritanical preachers and lecturers, whom the Commons arbitrarily settled in all the considerable churches, resounded with faction and fanaticism. Vengeance was fully taken for the long silence and constraint, in which, by the authority of Laud and the high commission, these preachers had been retained. The press, freed from all fear or reserve, swarmed with productions dangerous by their seditious zeal and calumny more than by any art or eloquence of composition. Noise and fury, cant and hypocrisy, formed the sole rhetoric which, during this tumult of various prejudices and passions, could be heard or attended to.

The sentence which had been executed against Prynne, Bastwic, and Burton, now suffered a revival from parliament. These libellers, far from being tamed by the rigorous punishments which they had undergone, showed still a disposition of repeating their offence; and the ministers were afraid lest new satires should issue from their prisons, and still further inflame the prevailing discontents. By an order, therefore, of council, they had been carried to remote prisons; Bastwic to Scilly, Prynne to Jersey, Burton to Guernsey; all access to them was denied; and the use of books, and of pen, ink, and paper, was refused them. The sentence for these additional punishments was immediately reversed in an arbitrary manner by the Commons; even the first sentence, upon examination, was declared illegal: and the judges who passed it were ordered to make reparation to the sufferers.<sup>t</sup> When the prisoners landed in England, they were received and entertained with the highest demonstrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence, and liberal presents bestowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed their reception with shouts and acclamations. Their train still increased, as they drew nigh to London. Some miles from the city, the zealots of their party met

<sup>m</sup> Clarendon, vol. i. p. 177.

<sup>n</sup> Whitlocke, p. 39.

<sup>o</sup> Nassau, vol. i. p. 678.

<sup>p</sup> An act of parliament, 25 Hen. VIII. cap. 19, allowed the convocation, with the king's consent, to make canons. In the famous act of submission to that prince, the clergy bound themselves to enact no canons without the king's consent. The parliament was never mentioned nor thought of. Such pretensions as the Commons advanced at present would, in any former age, have been deemed strange usurpations.

<sup>q</sup> Clarendon, vol. i. p. 206. Whitlocke, p. 37. Rush, vol. v. p. 235, 236. Nassau, vol. i. p. 607.

<sup>r</sup> Lord Clarendon says it was entirely new; but there are instances of it in the reign of Elizabeth. 1741 vol. p. 296, 297. There are also instances in the reign of James.

<sup>s</sup> Clarendon, vol. i. p. 176.

<sup>t</sup> Nassau, vol. i. p. 763. May, p. 79.

them in great multitudes, and attended their triumphant entrance: boughs were carried in this tumultuous procession; the roads were strewn with flowers, and amidst the highest exultations of joy, were intermingled loud and virulent invectives against the prelates, who had so cruelly persecuted such godly personages.<sup>a</sup> The more ignoble these men were, the more sensible was the insult upon royal authority, and the more dangerous was the spirit of disaffection and mutiny, which it discovered among the people.

Lilburne, Leighton, and every one that had been punished for seditious libels during the preceding administration, now recovered their liberty, and were decreed damages from the judges and ministers of justice.<sup>b</sup>

Not only the present disposition of the nation insured impunity to all libellers: a new method of framing and dispersing libels was invented by the leaders of popular discontent. Petitions to parliament were drawn, craving redress against particular grievances; and when a sufficient number of subscriptions was procured, the petitions were presented to the Commons, and immediately published. These petitions became secret bonds of association among the subscribers, and seemed to give undoubted sanction and authority to the complaints which they contained.

It is pretended by historians favourable to the royal cause,<sup>c</sup> and is even asserted by the king himself in a declaration,<sup>d</sup> that a most disingenuous or rather criminal practice prevailed, in conducting many of these addresses. A petition was first framed; moderate, reasonable, such as men of character willingly subscribed. The names were afterwards torn off, and affixed to another petition, which served better the purposes of the popular faction. We may judge of the wild fury which prevailed throughout the nation, when so scandalous an imposture, which affected such numbers of people, could be openly practised, without drawing infamy and ruin upon the managers.

So many grievances were offered, both by the members, and by petitions without doors, that the House was divided into above forty committees, charged, each of them, with the examination of some particular violation of law and liberty, which had been complained of. Besides the general committees of religion, trade, privileges, laws; many subdivisions of these were framed, and a strict scrutiny was every where carried on. It is to be remarked, that, before the beginning of this century, when the Commons assumed less influence and authority, complaints of grievances were usually presented to the House by any members who had had particular opportunity of observing them. These general committees, which were a kind of inquisitorial courts, had not then been established; and we find that the king, in a former declaration,<sup>e</sup> complains loudly of this innovation, so little favourable to royal authority. But never was so much multiplied as at present, the use of these committees; and the Commons, though themselves the greatest innovators, employed the usual artifice of complaining against innovations, and pretending to recover the ancient and established government.

From the reports of their committees, the House daily passed votes, which mortified and astonished the court, and inflamed and animated the nation. Ship-money was declared illegal and arbitrary; the sentence against Hamden cancelled; the court of York abolished; compositions for knighthood stigmatized; the enlargement of the forests condemned; patents for monopolies annulled; and every late measure of administration treated with reproach and obloquy. To-day, a sentence of the star-chamber was exclaimed against: to-morrow, a decree of the high-commission. Every discretionary act of council was represented as arbitrary and tyrannical; and the general inference was still inculcated, that a formed design had been laid to subvert the laws and constitution of the kingdom.

From necessity, the king remained entirely passive during all these violent operations. The few servants, who continued faithful to him, were seized with astonishment at the rapid progress made by the Commons in power and popularity, and were glad, by their unactive

and inoffensive behaviour, to compound for impunity. The torrent rising to so dreadful and unexpected a height, despair seized all those, who from interest or habit were most attached to monarchy. And as for those who maintained their duty to the king, merely from their regard to the constitution, they seemed by their concurrence to swell that inundation which began already to deluge every thing. "You have taken the whole machine of government in pieces," said Charles in a discourse to the parliament: "a practice frequent with skilful artists, when they desire to clear the wheels from any rust which may have grown upon them. The engine," continued he, "may again be restored to its former use and motions, provided it be put up entire; so as not a pin of it be wanting." But this was far from the intention of the Commons. The machine, they thought, with some reason, was encumbered with many wheels and springs, which retarded and crossed its operations, and destroyed its utility. Happy! had they proceeded with moderation, and been contented, in their present plenitude of power, to remove such parts only as might justly be deemed superfluous and incongruous.

In order to maintain that high authority which they had acquired, the Commons, besides confounding and over-awing their opponents, judged it requisite to inspire courage into their friends and adherents; particularly into the Scots, and the religious puritans, to whose assistance and good offices they were already so much beholden.

No sooner were the Scots masters of the northern counties, than they laid aside their first professions, which they had not indeed means to support, of paying for every thing; and in order to prevent the destructive expedient of plunder and free quarters, the country consented to give them a regular contribution of 850 pounds a day, in full of their subsistence.<sup>a</sup> The parliament, that they might relieve the northern counties from so grievous a burden, agreed to remit pay to the Scottish, as well as to the English army; and because subsidies would be levied too slowly for so urgent an occasion, money was borrowed from the citizens upon the security of particular members. Two subsidies, a very small sum,<sup>b</sup> were at first voted; and as the intention of this supply was to indemnify the members, who, by their private, had supported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treasury, but to commissioners appointed by parliament: a practice which, as it diminished the authority of the crown, was willingly embraced, and was afterwards continued by the Commons, with regard to every branch of revenue which they granted to the king. The invasion of the Scots had evidently been the cause of assembling the parliament: the presence of their army reduced the king to that total subjection in which he was now held: the Commons, for this reason, openly professed their intention of retaining these invaders, till all their own enemies should be suppressed, and all their purposes effected. *We cannot yet spare the Scots*, said Strode plainly in the House, *the sons of Zeruah are still too strong for us*:<sup>c</sup> an allusion to a passage of Scripture, according to the mode of that age. Eighty thousand pounds a month were requisite for the subsistence of the two armies; a sum much greater than the subject had ever been accustomed, in any former period, to pay to the public. And though several subsidies, together with a poll-tax, were from time to time voted to answer the charge; the Commons still took care to be in debt, in order to render the continuance of the session the more necessary.

The Scots being such useful allies to the malcontent party in England, no wonder they were courted with the most unlimited complaisance and the most important services. The king having, in his first speech, called them *rebels*, observed that he had given great offence to the parliament; and he was immediately obliged to soften and even retract the expression. The Scottish commissioners, of whom the most considerable were the Earl of Rothes and Lord Loudon, found every advantage in conducting

<sup>a</sup> Clarendon, vol. i. p. 199, 200, &c. Nalson, vol. i. p. 570. May, p. 40.

<sup>b</sup> Hist. vol. v. p. 228. Nalson, vol. i. p. 400.

<sup>c</sup> Dugdale, Clarendon, vol. i. p. 238.

<sup>d</sup> Hist. vol. v. p. 546.

<sup>a</sup> Published in dissolving the third parliament. See Parl. Hist. vol. viii. p. 347.

<sup>b</sup> Dugdale, vol. iii. p. 1295.

<sup>c</sup> It appears that a subsidy was now fallen to 50,000 pounds.

<sup>d</sup> Dugdale, p. 71.

their treaty; yet made no haste in bringing it to an issue. They were lodged in the city, and kept an intimate correspondence, as well with the magistrates, who were extremely disaffected, as with the popular leaders in both Houses. St. Antholine's church was assigned them for their devotions; and their chaplains, here, began openly to practise the presbyterian form of worship, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propensity towards this new religion, that multitudes of all ranks crowded to the church. Those, who were so happy as to find access early in the morning, kept their places the whole day: those, who were excluded, clung to the doors or windows, in hopes of catching, at least, some distant murmur or broken phrases of the holy rhetoric.<sup>d</sup> All the eloquence of parliament, now well refined from pedantry, animated with the spirit of liberty, and employed in the most important interests, was not attended to with such insatiable avidity as were these lectures, delivered with ridiculous cant, and a provincial accent, full of barbarism and of ignorance.

The most effectual expedient for paying court to the zealous Scots, was to promote the presbyterian discipline and worship throughout England, and to this innovation, the popular leaders among the Commons, as well as their more devoted partisans, were of themselves sufficiently inclined. The puritanical party, whose progress, though secret, had hitherto been gradual in the kingdom, taking advantage of the present disorders, began openly to profess their tenets, and to make furious attacks on the established religion. The prevalence of that sect in the parliament discovered itself, from the beginning, by insensible but decisive symptoms. Marshall and Burgess, two puritanical clergymen, were chosen to preach before them, and entertained them with discourses seven hours in length.<sup>e</sup> It being the custom of the House always to take the sacrament before they enter upon business, they ordered, as a necessary preliminary, that the communion-table should be removed from the east end of St. Margaret's into the middle of the area.<sup>f</sup> The name of the *spiritual lords* was commonly left out in acts of parliament; and the laws ran in the name of King, Lords, and Commons. The clerk of the upper House, in reading bills, turned his back on the bench of bishops; nor was his insolence ever taken notice of. On a day appointed for a solemn fast and humiliation, all the orders of temporal peers, contrary to former practice, in going to church, took place of the spiritual; and Lord Spencer remarked that the humiliation, that day, seemed confined alone to the prelates.

Every meeting of the Commons produced some vehement harangue against the usurpations of the bishops, against the high commission, against the late convocation, against the new canons. So disgusted were all lovers of civil liberty at the doctrines promoted by the clergy, that these invectives were received without control; and no distinction, at first, appeared between such as desired only to repress the exorbitances of the hierarchy, and such as pretended totally to annihilate episcopal jurisdiction. Encouraged by these favourable appearances, petitions against the church were framed in different parts of the kingdom. The epithet of the ignorant and vicious priesthood, was commonly applied to all churchmen, addicted to the established discipline and worship; though the episcopal clergy in England, during that age, seem to have been, as they are at present, sufficiently learned and exemplary. An address against episcopacy was presented by twelve clergymen to the committee of religion, and pretended to be signed by many hundreds of the puritanical persuasion. But what made most noise was, the city petition for a total alteration of church government; a petition to which 15,000 subscriptions were annexed, and which was presented by Alderman Pennington, the city member.<sup>g</sup> It is remarkable that, among the many ecclesiastical abuses there complained of, an allowance, given by the licensers of books,

to publish a translation of Ovid's *Art of Love*, is not forgotten by these rustic censors.<sup>h</sup>

Notwithstanding the favourable disposition of the people, the leaders in the House resolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exercise of any civil office. As a consequence, the bishops were to be deprived of their seats in the House of Peers; a measure not unacceptable to the zealous friends of liberty, who observed with regret the devoted attachment of that order to the will of the monarch. But when this bill was presented to the Peers, it was rejected by a great majority:<sup>i</sup> the first check which the Commons had received in their popular career, and a prognostic of what they might afterwards expect from the upper House, whose inclinations and interests could never be totally separated from the throne. But, to show how little they were discouraged, the puritans immediately brought in another bill for the total abolition of episcopacy; though they thought proper to let the bill sleep at present, in expectation of a more favourable opportunity of reviving it.<sup>k</sup>

Among other acts of regal executive power, which the Commons were every day assuming, they issued orders for demolishing all images, altars, crucifixes. The zealous Sir Robert Harley, to whom the execution of these orders was committed, removed all crosses even out of streets and markets; and from his abhorrence of that superstitious figure, would not any where allow one piece of wood or stone to lie over another at right angles.<sup>l</sup>

The Bishop of Ely and other clergymen were attacked on account of innovations.<sup>m</sup> Cozens, who had long been obnoxious, was exposed to new censures. This clergyman, who was Dean of Peterborough, was extremely zealous for ecclesiastical ceremonies: and so far from permitting the communicants to break the sacramental bread with their fingers, a privilege on which the puritans strenuously insisted, he would not so much as allow it to be cut with an ordinary household instrument. A consecrated knife must perform that sacred office, and must never afterwards be profaned by any vulgar service.<sup>n</sup>

Cozens likewise was accused of having said, *The king has no more authority in ecclesiastical matters, than the boy who rubs his horse's heels.*<sup>o</sup> The expression was violent: but it is certain, that all those high churchmen, who were so industrious in reducing the laity to submission, were extremely fond of their own privileges and independency, and were desirous of exempting the mitre from all subjection to the crown.

A committee was elected by the lower House, as a court of inquiry upon the clergy, and was commonly denominated the committee of *scandalous ministers*. The politicians among the Commons were apprized of the great importance of the pulpit for guiding the people; the bigots were enraged against the prelatical clergy; and both of them knew that no established government could be overthrown by strictly observing the principles of justice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for several years, were cruel and arbitrary, and made great havoc both on the church and the universities. They began with harassing, imprisoning, and molesting the clergy; and ended with sequestering and ejecting them. In order to join contumely to cruelty, they gave the sufferers the epithet of *scandalous*, and endeavoured to render them as odious as they were miserable.<sup>p</sup> The greatest vices, however, which they could reproach to a great part of them, were, bowing at the name of Jesus, placing the communion table in the east, reading the king's orders for sports on Sunday, and other practices, which the established government, both in church and state, had strictly enjoined them.

It may be worth observing, that all historians, who lived near that age, or what perhaps is more decisive, all authors who have casually made mention of those public transactions, still represent the civil disorders and convulsions as proceeding from religious controversy, and consider the

<sup>d</sup> Clarendon, vol. i. p. 169.

<sup>e</sup> Nelson, vol. i. p. 590, 533.

<sup>f</sup> Rush, vol. v. p. 57.

<sup>g</sup> Clarendon, vol. i. p. 203. Whitlocke, p. 37. Nelson, vol. i. p. 666.

<sup>h</sup> Rush, vol. v. p. 171.

<sup>i</sup> Clarendon, vol. i. p. 237.

<sup>k</sup> Clarendon, vol. i. p. 237.

<sup>l</sup> Whitlocke, p. 45.

<sup>m</sup> Rush, vol. v. p. 351.

<sup>n</sup> Rush, p. 203.

<sup>o</sup> Pol. Hist. vol. vii. p. 292.

<sup>p</sup> Clarendon, vol. i. p. 199.

Whitlocke, p. 122. May, p. 81.



political disputes about power and liberty, as entirely subordinate to the other. It is true, had the king been able to support government, and at the same time to abstain from all invasion of national privileges, it seems not probable that the puritans ever could have acquired such authority as to overturn the whole constitution: yet so entire was the subjection into which Charles was now fallen, that had not the wound been poisoned by the infusion of theological hatred, it must have admitted of an easy remedy. Disuse of parliaments, imprisonments and prosecution of members, ship-money, an arbitrary administration; these were loudly complained of: but the grievances which tended chiefly to inflame the parliament and nation, especially the latter, were the surplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the sabbath, embroidered copes, lawn sleeves, the use of the ring in marriage, and of the cross in baptism. On account of these, were the popular leaders content to throw the government into such violent convulsions; and, to the disgrace of that age, and of this island, it must be acknowledged that the disorders in Scotland entirely, and those in England mostly, proceeded from so mean and contemptible an origin.<sup>a</sup>

Some persons, partial to the patriots of this age, have ventured to put them in balance with the most illustrious characters of antiquity; and mentioned the names of Pym, Hambden, Vane, as a just parallel to those of Cato, Brutus, Cassius. Profound capacity, indeed, undaunted courage, extensive enterprise; in these particulars, perhaps, the Roman do not much surpass the English worthies: but what a difference, when the discourse, conduct, conversation, and private as well as public behaviour of both are inspected! Compare only one circumstance, and consider its consequences. The leisure of those noble ancients was totally employed in the study of Grecian eloquence and philosophy; in the cultivation of polite letters and civilized society: the whole discourse and language of the moderns were polluted with mysterious jargon, and full of the lowest and most vulgar hypocrisy.

The laws, as they stood at present, protected the church, but they exposed the catholics to the utmost rage of the puritans; and these unhappy religionists, so obnoxious to the prevailing sect, could not hope to remain long unmolested. The voluntary contribution which they had made, in order to assist the king in his war against the Scottish covenants, was inquired into, and represented as the greatest enormity.<sup>b</sup> By an address from the Commons, all officers of that religion were removed from the army, and application was made to the king for seizing two-thirds of the lands of recusants; a proportion to which, by law, he was entitled, but which he had always allowed them to possess upon easy compositions. The execution of the severe and bloody laws against priests was insisted on: and one Goodman, a jesuit, who was found in prison, was condemned to a capital punishment. Charles, however, agreeably to his principles, scrupled to sign the warrant for his execution; and the Commons expressed great repentment on the occasion.<sup>c</sup> There remains a singular petition of Goodman, begging to be hanged, rather than prove a source of contention between the king and his people.<sup>d</sup> He escaped with his life; but it seems more probable that he was overlooked amidst affairs of greater consequence, than that such unrelenting hatred would be softened by any consideration of his courage and generosity.

For some years, Con, a Scotchman, afterwards, Rosetti, an Italian, had openly resided at London, and frequented the court, as vested with a commission from the Pope. The queen's zeal, and her authority with her husband, had been the cause of this imprudence, so offensive to the

nation.<sup>e</sup> But the spirit of bigotry now rose too high to permit any longer such indulgences.<sup>f</sup>

Hayward, a justice of peace, having been wounded, when employed in the exercise of his office, by one James, a catholic madman, this enormity was ascribed to the popery, not to the phrensy, of the assassin; and great alarms seized the nation and parliament.<sup>g</sup> A universal conspiracy of the papists was supposed to have taken place; and every man, for some days, imagined that he had a sword at his throat. Though some persons of family and distinction were still attached to the catholic superstition, it is certain that the numbers of that sect did not amount to the fortieth part of the nation: and the frequent panics to which men, during this period, were so subject on account of the catholics, were less the effects of fear, than of extreme rage and aversion entertained against them.

The queen-mother of France, having been forced into banishment by some court-intrigues, had retired into England; and expected shelter, amidst her present distresses, in the dominions of her daughter and son-in-law. But though she behaved in the most inoffensive manner, she was insulted by the populace on account of her religion; and was even threatened with worse treatment. The Earl of Holland, Lieutenant of Middlesex, had ordered a hundred musqueteers to guard her; but finding that they had imbibed the same prejudices with the rest of their countrymen, and were unwilling employed in such a service, he laid the case before the House of Peers; for the king's authority was now entirely annihilated. He represented the indignity of the action, that so great a princess, mother to the King of France, and to the Queens of Spain and England, should be affronted by the multitude. He observed the indelible reproach which would fall upon the nation, if that unfortunate queen should suffer any violence from the misguided zeal of the people. He urged the sacred rights of hospitality due to every one, much more to a person in distress, of so high a rank, with whom the nation was so nearly connected. The Peers thought proper to communicate the matter to the Commons, whose authority over the people was absolute. The Commons agreed to the necessity of protecting the queen-mother; but at the same time prayed, that she might be desired to depart the kingdom: "For the quieting those jealousies in the hearts of his majesty's well affected subjects, occasioned by some ill instruments about that queen's person, by the flowing of priests and papists to her house, and by the use and practice of the idolatry of the mass, and exercise of other superstitious services of the Romish church, to the great scandal of true religion."<sup>h</sup>

Charles, in the former part of his reign, had endeavoured to overcome the intractable and encroaching spirit of the Commons, by a perseverance in his own measures, by a stately dignity of behaviour, and by maintaining, at their utmost height, and even perhaps stretching beyond former precedent, the rights of his prerogative. Finding, by experience, how unsuccessful those measures had proved, and observing the low condition to which he was now reduced, he resolved to alter his whole conduct, and to regain the confidence of his people, by plianeness, by concessions, and by a total conformity to their inclinations and prejudices. It may safely be averred, that this new extreme into which the king, for want of proper counsel or support, was fallen, became no less dangerous to the constitution, and pernicious to public peace, than the other, in which he had so long and so unfortunately persevered.

The pretensions with regard to tonnage and poundage were revived, and with certain assurance of success, by the Commons.<sup>i</sup> The levying of these duties, as formerly, without consent of parliament,

<sup>a</sup> Lord Clarendon, vol. i. p. 233, says, that the parliamentary party were not so acted about the entire abolition of episcopacy: they were only the *moderate branch*, as they were called, who insisted on that measure. But those men were willing to retain bishops, insisted on reducing their authority to a law *et c.* as well as on abolishing the ceremonies of worship and vestments of the clergy. The controversy, therefore, between the parties was almost wholly theological, and that of the most frivolous and trifling kind.

<sup>b</sup> Rushworth, vol. v. p. 160.

<sup>c</sup> *Ibid.* vol. i. p. 139. Nalson, vol. i. p. 739.

<sup>d</sup> Rushworth, vol. v. p. 166. Nalson, vol. i. p. 749.

<sup>e</sup> It is now known from the Clarendon papers, that the king had also an authorized agent who resided at Rome. This name was Pret, and his chief business was to negotiate with the Pope concerning indulgences to the

catholics, and to engage the catholics in return to be good and loyal subjects. But this whole matter, though very innocent, was most carefully kept secret. The king says, that he believed Pret to be as much his as any papist could be. See p. 348, 351.

<sup>f</sup> Rushworth, vol. v. p. 201.

<sup>g</sup> Clarendon, vol. i. p. 249.

<sup>h</sup> Rushworth, vol. v. p. 267.

<sup>i</sup> It appears not that the Commons, though now entirely masters, abolished the new impositions of James, against which they had formerly so loudly complained; a certain proof that they were not so sensible, at that price, were in most instances just, and proportioned to the new price of commodities. They seem rather to have been low. See *Journal* 10th Aug. 1645.

and even increasing them at pleasure, was such an incongruity in a free constitution, where the people, by their fundamental privileges, cannot be taxed but by their own consent, as could no longer be endured by these jealous patrons of liberty. In the preamble therefore to the bill, by which the Commons granted these duties to the king, they took care, in the strongest and most positive terms, to assert their own right of bestowing this gift, and to divest the crown of all independent title of assuming it. And that they might increase, or rather finally fix, the entire dependence and subjection of the king, they voted these duties only for two months, and afterwards, from time to time, renewed their grants for very short periods.<sup>a</sup> Charles, in order to show that he entertained no intention ever again to separate himself from his parliament, passed this important bill without any scruple or hesitation.<sup>b</sup>

<sup>1</sup>Triennial bill. With regard to the bill for triennial parliaments, he made a little difficulty. By an old statute, passed during the reign of Edward III., it had been enacted, that parliaments should be held once every year, or more frequently if necessary: but as no provision had been made in case of failure, and no precise method pointed out for execution; this statute had been considered merely as a general declaration, and was dispensed with at pleasure. The defect was supplied by those vigilant patriots who now assumed the reins of government. It was enacted, that if the chancellor, who was first bound under severe penalties, failed to issue writs by the third of September in every third year, any twelve or more of the peers should be empowered to exert this authority: in default of the peers, that the sheriffs, mayors, bailiffs, &c. should summon the voters: and in their default, that the voters themselves should meet and proceed to the election for members, in the same manner as if writs had been regularly issued from the crown. Nor could the parliament, after it was assembled, be adjourned, prorogued, or dissolved, without their own consent, during the space of fifty days. By this bill, some of the noblest and most valuable prerogatives of the crown were retrenched; but at the same time nothing could be more necessary than such a statute for completing a regular plan of law and liberty. A great reluctance to assemble parliaments must be expected in the king; where these assemblies, as of late, established it as a maxim to carry their scrutiny into every part of government. During long intermissions of parliament, grievances and abuses, as was found by recent experience, would naturally creep in; and it would even become necessary for the king and council to exert a great discretionary authority, and by acts of state to supply, in every emergency, the legislative power, whose meeting was so uncertain and precarious. Charles, finding that nothing less would satisfy his parliament and people, at last gave his assent to this bill, which produced so great an innovation in the constitution.<sup>c</sup> Solemn thanks were presented him by both Houses. Great rejoicings were expressed both in the city and throughout the nation. And mighty professions were every where made of gratitude and mutual returns of supply and confidence. This concession of the king, it must be owned, was not entirely voluntary: it was of a nature too important to be voluntary. The sole inference which his partisans were entitled to draw from the submissions so frankly made to present necessity, was, that he had certainly adopted a new plan of government, and for the future was resolved, by every indulgence, to acquire the confidence and affections of his people.

Charles thought, that what concessions were made to the public were of little consequence, if no gratifications were bestowed on individuals, who had acquired the direction of public counsels and determinations. A change of ministers as well as of measures was therefore resolved on. In one day several new privy-counsellors were sworn; the Earls of Hertford, Bedford, Essex, Bristol; the Lords Say, Saville, Kimbolton: within a few days after was admitted the Earl of Warwick.<sup>d</sup> All these noblemen were of the popular party; and some of them afterwards, when

matters were pushed to extremities by the Commons, proved the greatest support of monarchy.

Juxon, Bishop of London, who had never desired the treasurer's staff, now earnestly solicited for leave to resign it, and retire to the care of that turbulent diocese committed to him. The king gave his consent; and it is remarkable, that during all the severe inquiries carried on against the conduct of ministers and prelates, the mild and prudent virtues of this man, who bore both these invidious characters, remained unmolested.<sup>e</sup> It was intended that Bedford, a popular man of great authority, as well as wisdom and moderation, should succeed Juxon: but that nobleman, unfortunately both for king and people, died about this very time. By some promotions, place was made for St. John, who was created solicitor-general. Hollis was to be made secretary of state, in the room of Windebank, who had fled: Pym, chancellor of the exchequer, in the room of Lord Cottington, who had resigned: Lord Say, master of the wards, in the room of the same nobleman: the Earl of Essex, governor; and Hamden, tutor to the prince.<sup>f</sup>

What retarded the execution of these projected changes was, the difficulty of satisfying all those, who, from their activity and authority in parliament, had pretensions for offices, and who still had it in their power to embarrass and distress the public measures. Their associates too in popularity, whom the king intended to distinguish by his favour, were unwilling to undergo the reproach of having driven a separate bargain, and of sacrificing to their own ambitious views, the cause of the nation. And as they were sensible that they must owe their preferment entirely to their weight and consideration in parliament, they were most of them resolved still to adhere to that assembly, and both to promote its authority, and to preserve their own credit in it. On all occasions they had no other advice to give the king, than to allow himself to be directed by his great council; or, in other words, to resign himself passively to their guidance and government. And Charles found, that, instead of acquiring friends by the honours and offices which he should bestow, he should only arm his enemies with more power to hurt him.

The end on which the king was most intent in changing ministers was, to save the life of the Earl of Strafford, and to mollify, by these indulgences, the rage of his most furious prosecutors. But so high was that nobleman's reputation for experience and capacity, that all the new counsellors and intended ministers plainly saw, that if he escaped their vengeance he must return into favour and authority; and they regarded his death as the only security which they could have, both for the establishment of their present power, and for success in their future enterprises. His impeachment, therefore, was pushed on with the utmost vigour; and after long and solemn preparations was brought to a final issue.

Immediately after Strafford was sequestered from parliament, and confined in the Tower, a committee of thirteen was chosen by the lower House, and intrusted with the office of preparing a charge against him. These, joined to a small committee of Lords, were vested with authority to examine all witnesses, to call for every paper, and to use any means of scrutiny, with regard to any part of the earl's behaviour and conduct.<sup>g</sup> After so general and unbounded an inquisition, exercised by such powerful and implacable enemies, a man must have been very cautious or very innocent, not to afford, during the whole course of his life, some matter of accusation against him.

This committee, by direction from both Houses, took an oath of secrecy; a practice very unusual, and which gave them the appearance of conspirators, more than ministers of justice.<sup>h</sup> But the intention of this strictness was, to render it more difficult for the earl to elude their search, or prepare for his justification.

Application was made to the king, that he would allow this committee to examine privy-counsellors with regard to opinions delivered at the board: a concession which

<sup>a</sup> It was an ancient maxim, by the House to the committee which managed one of these bills, to take care that the tax upon exportation may be as great as possible, since upon importation as heavy a trade will bear: a maxim, that the nature of commerce began now to be understood. Journ. 18<sup>th</sup> June, 1641.

<sup>b</sup> Clarendon, vol. i. p. 381.

<sup>c</sup> Ibid. p. 384. Whitlocke, p. 49. Rushworth, vol. v. p. 169.

<sup>d</sup> Clarendon, vol. i. p. 195.

<sup>e</sup> Clarendon, vol. i. p. 240, 241.

<sup>f</sup> Ibid. p. 192.

<sup>g</sup> Whitlocke, p. 37.

Charles unwarily made, and which thenceforth banished all mutual confidence from the deliberations of council; where every man is supposed to have entire freedom, without fear of future punishment or inquiry, of proposing any expedient, questioning any opinion, or supporting any argument.<sup>1</sup>

Sir George Ratcliffe, the earl's intimate friend and confidant, was accused of high treason, sent for from Ireland, and committed to close custody. As no charge ever appeared or was prosecuted against him, it is impossible to give a more charitable interpretation to this measure, than that the Commons thereby intended to deprive Strafford, in his present distress, of the assistance of his best friend, who was most enabled, by this testimony, to justify the innocence of his patron's conduct and behaviour.<sup>2</sup>

When intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Irish House of Commons, though they had very lately bestowed ample praises on his administration, entered into all the violent counsels against him, and prepared a representation of the miserable state into which, by his misconduct, they supposed the kingdom to be fallen. They sent over a committee to London, to assist in the prosecution of their unfortunate governor; and by intimations from this committee, who entered into close confederacy with the popular leaders in England, was every measure of the Irish parliament governed and directed. Impeachments, which were never prosecuted, were carried up against Sir Richard Bolton, the chancellor, Sir Gerard Louth, chief justice, and Bramhall, Bishop of Derry.<sup>3</sup> This step, which was an exact counterpart to the proceedings in England, served also the same purposes: it deprived the king of the ministers whom he most trusted; it discouraged and terrified all the other ministers; and it prevented those persons who were best acquainted with Strafford's counsels from giving evidence in his favour before the English parliament.

The bishops, being forbidden by the ancient canons to assist in trials for life, and being unwilling, by any opposition, to irritate the Commons, who were already much prejudiced against them, thought proper, of themselves, to withdraw.<sup>4</sup> The Commons also voted, that the new created peers ought to have no voice in this trial; because the accusation being agreed to while they were commoners, their consent to it was implied with that of all the Commons of England. Notwithstanding this decision, which was meant only to deprive Strafford of so many friends, Lord Seymour, and some others, still continued to keep their seat; nor was their right to it any further questioned.<sup>5</sup>

To bestow the greater solemnity on this important trial, scaffolds were erected in Westminster-hall; where both Houses sat, the one as accusers, the other as judges. Besides the chair of state, a close gallery was prepared for the king and queen, who attended during the whole trial.<sup>6</sup>

An accusation carried on by the united effort of three kingdoms against one man, unprotected by power, unassisted by counsel, discountenanced by authority, was likely to prove a very unequal contest: yet such were the capacity, genius, presence of mind, displayed by this magnanimous statesman, that, while argument, and reason, and law, had any place, he obtained an undisputed victory. And he perished at last, overwhelmed, and still unsubdued, by the open violence of his fierce and unrelenting antagonists.

The articles of impeachment against Strafford are twenty-eight in number; and regard his conduct, as president of the council of York, as deputy or lieutenant of Ireland, and as counsellor or commander in England. But though four months were employed by the managers in framing the accusation, and all Strafford's answers were extemporary; it appears from comparison, not only that he was free from the crime of treason, of which there is not the least appearance, but that his conduct, making allowance for human infirmities, exposed to such severe scrutiny, was innocent, and even laudable.

The powers of the northern council, while he was president, had been extended by the king's instructions beyond what formerly had been practised: but that court being at first instituted by a stretch of royal prerogative, it had been usual for the prince to vary his instructions; and the largest authority committed to it, was altogether as legal as the most moderate, and most limited. Nor was it reasonable to conclude, that Strafford had used any art to procure those extensive powers; since he never once sat as president, or exercised one act of jurisdiction, after he was invested with the authority so much complained of.<sup>7</sup>

In the government of Ireland, his administration had been equally promotive of his master's interest, and that of the subjects committed to his care. A large debt he had paid off: he had left a considerable sum in the exchequer: the revenue, which never before answered the charges of government, was now raised to be equal to them.<sup>8</sup> A small standing army, formerly kept in no order, was augmented, and was governed by exact discipline: and a great force was there raised and paid, for the support of the king's authority against the Scottish covenanters.

Industry, and all the arts of peace, were introduced among that rude people: the shipping of the kingdom augmented a hundred fold: the customs tripled upon the same rates: the exports double in value to the imports: manufactures, particularly that of linen, introduced and promoted: agriculture, by means of the English and Scottish plantations, gradually advancing: the protestant religion encouraged, without the persecution or discontent of the catholics.

The springs of authority he had enforced without overstraining them. Discretionary acts of jurisdiction, indeed, he had often exerted, by holding courts-martial, billeting soldiers, deciding causes upon paper-petitions before the council, issuing proclamations, and punishing their infraction. But discretionary authority, during that age, was usually exercised even in England. In Ireland, it was still more requisite, among a rude people, not yet thoroughly subdued, averse to the religion and manners of their conquerors, ready on all occasions to relapse into rebellion and disorder. While the managers of the Commons demanded, every moment, that the deputy's conduct should be examined by the line of rigid law and severe principles; he appealed still to the practice of all former deputies, and to the uncontrollable necessity of his situation.

So great was his art of managing elections and balancing parties, that he had engaged the Irish parliament to vote whatever was necessary, both for the payment of former debts, and for support of the new levied army; nor had he ever been reduced to the illegal expedients practised in England, for the supply of public necessities. No imputation of rapacity could justly lie against his administration. Some instances of imperious expressions, and even actions, may be met with. The case of Lord Mountnorris, of all those which were collected with so much industry, is the most flagrant and the least excusable.

It had been reported at the table of Lord Chancellor Loftus, that Annesley, one of the deputy's attendants, in moving a stool, had sorely hurt his master's foot, who was at that time afflicted with the gout. *Perhaps*, said Mountnorris, who was present at table, *it was done in revenge of that public affront, which my lord deputy formerly put upon him: BUT HE HAS A BROTHER WHO WOULD NOT HAVE TAKEN SUCH A REVENGE.* This casual, and seemingly innocent, at least ambiguous, expression, was reported to Strafford, who, on pretence that such a suggestion might prompt Annesley to avenge himself in another manner, ordered Mountnorris, who was an officer, to be tried by a court-martial for mutiny and sedition against his general. The court, which consisted of the chief officers of the army, found the crime to be capital, and condemned that nobleman to lose his head.<sup>9</sup>

In vain did Strafford plead, in his own defence, against

<sup>1</sup> Clarendon, vol. i. p. 191.

<sup>2</sup> Rushworth, vol. x. p. 231.

<sup>3</sup> Clarendon, vol. i. p. 216.

<sup>4</sup> Whitlocke, p. 40.

<sup>5</sup> Idem, vol. i. p. 211.

<sup>6</sup> Idem, ibid.

<sup>7</sup> Rushworth, vol. iv. p. 41.

<sup>8</sup> May, p. 90.

<sup>9</sup> Rushworth, vol. iv. p. 145.

<sup>10</sup> Ibid. p. 120, 217.

<sup>11</sup> Warwick, p. 115.

<sup>12</sup> Nelson, vol. ii. p. 45.

<sup>13</sup> Warwick, p. 115.

<sup>14</sup> Rushworth, vol. iv. p. 124.

<sup>15</sup> Rushworth, vol. iv. p. 187.



this article of impeachment, that the sentence of Mountnorris was the deed, and that too unanimous, of the court, not the act of the deputy; that he spake not to a member of the court, nor voted in the cause, but sat uncovered as a party, and then immediately withdrew, to leave them to their freedom: that, sensible of the iniquity of the sentence, he procured his majesty's free pardon to Mountnorris: and that he did not even keep that nobleman a moment in suspense with regard to his fate, but instantly told him, that he himself would sooner lose his right hand than execute such a sentence, nor was his lordship's life in any danger. In vain did Strafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court, by the lowest adulation, to all deputies while present; and blackened their character, by the vilest calumnies, when recalled: and that Strafford, expecting like treatment, had used this expedient for no other purpose than to subdue the petulant spirit of the man. These excuses alleviate the guilt; but there still remains enough to prove, that the mind of the deputy, though great and firm, had been not a little debauched by the riot of absolute power and uncontrolled authority.

When Strafford was called over to England, he found every thing fallen into such confusion, by the open rebellion of the Scots, and the secret discontents of the English, that, if he had counselled or executed any violent measure, he might perhaps have been able to apologize for his conduct, from the great law of necessity, which admits not, while the necessity is extreme, of any scruple, ceremony, or delay.<sup>w</sup> But, in fact, no illegal advice or action was proved against him; and the whole amount of his guilt, during this period, was some peevish, or at most imperious, expressions, which, amidst such desperate extremities, and during a bad state of health, had unhappily fallen from him.

If Strafford's apology was, in the main, so satisfactory when he pleaded to each particular article of the charge, his victory was still more decisive when he brought the whole together and repelled the imputation of treason; the crime which the Commons would infer from the full view of his conduct and behaviour. Of all species of guilt the law of England had, with the most scrupulous exactness, defined that of treason; because on that side it was found most necessary to protect the subject against the violence of the king and of his ministers. In the famous statute of Edward III. all the kinds of treason are enumerated, and every other crime, besides such as are there expressly mentioned, is carefully excluded from that appellation. But with regard to this guilt, *An endeavour to subvert the fundamental laws*, the statute of treasons is totally silent: and arbitrarily to introduce it into the fatal catalogue, is itself a subversion of all law; and, under colour of defending liberty, reverses a statute the best calculated for the security of liberty that had ever been enacted by an English parliament.

As this species of treason, discovered by the Commons, is entirely new and unknown to the laws; so is the species of proof by which they pretend to fix that guilt upon the prisoner. They have invented a kind of *accumulative or constructive evidence*, by which many actions, either totally innocent in themselves, or criminal in a much inferior degree, shall, when united, amount to treason, and subject the person to the highest penalties inflicted by the law. A hasty and unguarded word, a rash and passionate action, assisted by the malevolent fancy of the accuser, and tortured by doubtful constructions, is transmuted into the deepest guilt; and the lives and fortunes of the whole nation, no longer protected by justice, are subjected to arbitrary will and pleasure.

"Where has this species of guilt lain so long concealed?" said Strafford in conclusion: "where has this fire been so long buried, during so many centuries, that no smoke should appear till it burst out at once, to consume me and my children! Better it were to live under no law at all, and, by the maxims of cautious prudence, to conform ourselves, the best we can, to the arbitrary will of a master; than fancy we have a law on which we can rely, and find at last that this law shall inflict a punishment precedent to

the promulgation, and try us by maxims unheard of till the very moment of the prosecution. If I sail on the Thames, and split my vessel on an anchor; in case there be no buoy to give warning, the party shall pay me damages: but, if the anchor be marked out, then is the striking on it at my own peril. Where is the mark set upon this crime? Where the token by which I should discover it? It has lain concealed under water; and no human prudence, no human innocence, could save me from the destruction with which I am at present threatened.

"It is now full two hundred and forty years since treasons were defined; and so long has it been since any man was touched to this extent upon this crime, before myself. We have lived, my lords, happily to ourselves at home: we have lived gloriously abroad to the world: let us be content with what our fathers have left us: let not our ambition carry us to be more learned than they were, in these killing and destructive arts. Great wisdom it will be in your lordships, and just providence, for yourselves, for your posterities, for the whole kingdom, to cast from you, into the fire, these bloody and mysterious volumes of arbitrary and constructive treasons, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the statute, which tells you where the crime is, and points out to you the path by which you may avoid it.

"Let us not, to our own destruction, awake those sleeping lions, by rattling up a company of old records, which have lain for so many ages by the wall, forgotten and neglected. To all my afflictions, add not this, my lords, the most severe of any; that I, for my other sins, not for my treasons, be the means of introducing a precedent so pernicious to the laws and liberties of my native country.

"However, these gentlemen at the bar say they speak for the commonwealth; and they believe so: yet, under favour, it is I who, in this particular, speak for the commonwealth. Precedents, like those which are endeavoured to be established against me, must draw along such inconveniences and miseries, that, in a few years, the kingdom will be in the condition expressed in a statute of Henry IV.; and no man shall know by what rule to govern his words and actions.

"Impose not, my lords, difficulties insurmountable upon ministers of state, nor disable them from serving with cheerfulness their king and country. If you examine them, and under such severe penalties, by every grain, by every little weight, the scrutiny will be intolerable. The public affairs of the kingdom must be left waste; and no wise man, who has any honour or fortune to lose, will ever engage himself in such dreadful, such unknown perils.

"My lords, I have now troubled your lordships a great deal longer than I should have done. Were it not for the interest of these pledges, which a saint in heaven left me, I should be loth"—Here he pointed to his children, and his weeping stopped him—"What I forfeit for myself, it is nothing: but, I confess, that my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my infirmity: something I should have said; but I see I shall not be able, and therefore I shall leave it.

"And now, my lords, I thank God, I have been, by his blessing, sufficiently instructed in the extreme vanity of all temporary enjoyments, compared to the importance of our eternal duration. And so, my lords, even so, with all humility, and with all tranquillity of mind, I submit, clearly and freely, to your judgments: and whether that righteous doom shall be to life or death, I shall repose myself, full of gratitude and confidence, in the arms of the great Author of my existence."<sup>x</sup>

Certainly, says Whitlocke,<sup>y</sup> with his usual candour, never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent person; and he moved the hearts of all his auditors, some few excepted, to remorse and pity. It is remarkable, that the historian, who expresses himself in these terms, was himself chairman of that committee which conducted the

impeachment against this unfortunate statesman. The accusation and defence lasted eighteen days. The managers divided the several articles among them, and attacked the prisoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to speak with deference and reserve towards his most inveterate enemies, the Commons, the Scottish nation, and the Irish parliament. He took only a very short time, on each article, to recollect himself: yet he alone, without assistance, mixing modesty and humility with firmness and vigour, made such a defence, that the Commons saw it impossible, by a legal prosecution, ever to obtain a sentence against him.

But the death of Strafford was too important a stroke of party to be left unattended by any expedient, however extraordinary. Besides the great genius and authority of that minister, he had threatened some of the popular leaders with an impeachment; and, had he not, himself, been suddenly prevented by the impeachment of the Commons, he had, that very day, it was thought, charged Pym, Hamden, and others, with treason, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower House immediately after finishing these pleadings; and preparatory to it, a new proof of the earl's guilt was produced, in order to remove such scruples as might be entertained with regard to a method of proceeding so unusual and irregular.

Sir Henry Vane, secretary, had taken some notes of a debate in council, after the dissolution of the last parliament; and being at a distance, he had sent the keys of his cabinet, as was pretended, to his son, Sir Henry, in order to search for some papers, which were necessary for completing a marriage settlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmost importance; and immediately communicated it to Pym, who now produced the paper before the House of Commons. The question before the council was: *Offensive or defensive war with the Scots.* The king proposes this difficulty, "But how can I undertake offensive war, if I have no more money?" The answer ascribed to Strafford was in these words: "Borrow of the city a hundred thousand pounds: go on vigorously to levy ship-money. Your majesty having tried the affections of your people, you are absolved and loose from all rules of government, and may do what power will admit. Your majesty, having tried all ways, shall be acquitted before God and man. And you have an army in Ireland, which you may employ to reduce this kingdom to obedience: for I am confident the Scots cannot hold out five months." There followed some counsels of Laud and Cottington, equally violent, with regard to the king's being absolved from all rules of government.<sup>2</sup>

This paper, with all the circumstances of its discovery and communication, was pretended to be equivalent to two witnesses, and to be an unanswerable proof of those pernicious counsels of Strafford, which tended to the subversion of the laws and constitution. It was replied by Strafford and his friends, that old Vane was his most inveterate and declared enemy; and if the secretary himself, as was by far most probable, had willingly delivered to his son this paper of notes, to be communicated to Pym, this implied such a breach of oaths and of trust as rendered him totally unworthy of all credit: that the secretary's deposition was at first exceedingly dubious: upon two examinations, he could not remember any such words: even the third time, his testimony was not positive, but imported only that Strafford had spoken such or such-like words: and words may be very like in sound, and differ much in sense; nor ought the lives of men to depend upon grammatical criticisms of any expressions, much less of those which had been delivered by the speaker without premeditation, and committed by the hearer for any time, however short, to the uncertain record of memory. That, in the present case, changing *This kingdom* into *that kingdom*, a very slight alteration! the earl's discourse could regard nothing but Scotland, and implies no advice unworthy of an English counsellor.

That even retaining the expression, *This kingdom*, the words may fairly be understood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the king's ministers, as by the known disposition of the forces, that the intention never was to land the Irish army in England, but in Scotland. That of six other counsellors present, Laud and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxon, could recollect no such expression; and the advice was too remarkable to be easily forgotten. That it was nowise probable such a desperate counsel would be openly delivered at the board, and before Northumberland, a person, of that high rank, and whose attachments to the court were so much weaker than his connexions with the country. That though Northumberland, and he alone, had recollected some such expression as that *Of being absolved from rules of government*, yet in such desperate extremities as those into which the king and kingdom were then fallen, a maxim of that nature, allowing it to be delivered by Strafford, may be defended upon principles the most favourable to law and liberty. And that nothing could be more iniquitous, than to extract an accusation of treason from an opinion simply proposed at the council-table, where all freedom of debate ought to be permitted, and where it was not unusual for the members, in order to draw forth the sentiments of others, to propose counsels very remote from their own secret advice and judgment.<sup>3</sup>

The evidence of Secretary Vane, though exposed to such insurmountable objections, Bill of attainder. was the real cause of Strafford's unhappy fate; and made the bill of attainder pass the Commons with no greater opposition than that of fifty-nine dissenting votes. But there remained two other branches of the legislature, the king and the Lords, whose assent was requisite; and these, if left to their free judgment, it was easily foreseen, would reject the bill without scruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden partly to their own industry, partly to the indiscretion of their adversaries.

Next Sunday after the bill passed the Commons, the puritanical pulpits resounded with declamations concerning the necessity of executing justice upon great delinquents.<sup>4</sup> The populace took the alarm. About six thousand men, armed with swords and cudgels, flocked from the city, and surrounded the houses of parliament.<sup>5</sup> The names of the fifty-nine commoners who had voted against the bill of attainder, were posted up under the title of *Straffordians*, and *betrayers of their country*. These were exposed to all the insults of the ungovernable multitude. When any of the lords passed, the cry for *Justice* against Strafford resounded in their ears: and such as were suspected of friendship to that obnoxious minister, were sure to meet with menaces, not unaccompanied with symptoms of the most desperate resolutions in the furious populace.<sup>6</sup>

Complaints in the House of Commons being made against these violences, as the most flagrant breach of privilege, the ruling members, by their affected coolness and indifference, showed plainly that the popular tumults were not disagreeable to them.<sup>7</sup> But a new discovery, made about this time, served to throw every thing into still greater flame and combustion.

Some principal officers, Piercy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Ashburnham, partly attached to the court, partly disgusted with the parliament, had formed a plan of engaging into the king's service the English army, whom they observed to be displeased at some marks of preference given by the Commons to the Scots. For this purpose, they entered into an association, took an oath of secrecy, and kept a close correspondence with some of the king's servants. The form of a petition to the king and parliament was concerted; and it was intended to get this petition subscribed by the army. The petitioners there represent the great and unexampled concessions made by the king for the security of public peace and

<sup>2</sup> Clarendon, vol. i. p. 225, 229, 230, &c. Whitlocke, p. 41. May, p. 93. Rushworth, vol. iv. p. 560.

<sup>3</sup> Whitlocke, p. 43.

<sup>4</sup> Whitlocke, p. 43.

<sup>5</sup> Clarendon, vol. i. p. 237, 256. Rushworth, vol. v. p. 248, 1279.

<sup>6</sup> Whitlocke, at supra.

liberty; the endless demands of certain insatiable and turbulent spirits, whom nothing less will content than a total subversion of the ancient constitution; the frequent tumults which these factious malcontents had excited, and which endangered the liberty of parliament. To prevent these mischiefs, the army offered to come up and guard that assembly. "So shall the nation," as they express themselves in the conclusion, "not only be vindicated from preceding innovations, but be secured from the future, which are threatened, and which are likely to produce more dangerous effects than the former."<sup>1</sup> The draught of this petition being conveyed to the king, he was prevailed on somewhat imprudently to countersign it himself, as a mark of his approbation. But, as several difficulties occurred, the project was laid aside two months before any public discovery was made of it.

It was Goring who betrayed the secret to the popular leaders. The alarm may easily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as disguised, or rather undisguised, commands; and are of a nature widely different from petitions presented by any other rank of men. Pym opened the matter in the House.<sup>2</sup> On the first intimation of a discovery, Piercy concealed himself, and Jermyon withdrew beyond sea. This further confirmed the suspicion of a dangerous conspiracy. Goring delivered his evidence before the House: Piercy wrote a letter to his brother Northumberland, confessing most of the particulars.<sup>3</sup> Both their testimonies agree with regard to the oath of secrecy; and as this circumstance had been denied by Pollard, Ashburnham, and Wilmot, in all their examinations, it was regarded as a new proof of some desperate resolutions which had been taken.

To convey more quickly the terror and indignation at this plot, the Commons voted, that a protestation should be signed by all the members. It was sent up to the Lords, and signed by all of them, except Southampton and Roberts. Orders were given by the Commons alone, without other authority, that it should be subscribed by the whole nation. The protestation was in itself very inoffensive, even insignificant; and contained nothing but general declarations, that the subscribers would defend their religion and liberties.<sup>4</sup> But it tended to increase the popular panic, and intimidated, what was more expressly declared in the preamble, that these blessings were now exposed to the utmost peril.

Alarms were every day given of new conspiracies: <sup>5</sup> in Lancashire, great multitudes of papists were assembling; secret meetings were held by them in caves and underground, in Surrey: they had entered into a plot to blow up the river with gunpowder, in order to drown the city: <sup>6</sup> provisions of arms were making beyond sea: sometimes France, sometimes Denmark, was forming designs against the kingdom; and the populace, who are always terrified with present and enraged with distant dangers, were still further animated in their demands of justice against the unfortunate Strafford.

The king came to the House of Lords: and though he expressed his resolution, for which he offered them any security, never again to employ Strafford in any branch of public business, he professed himself totally dissatisfied with regard to the circumstance of treason, and on that account declared his difficulty in giving his assent to the bill of attainder.<sup>7</sup> The Commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the Houses. Charles did not perceive that his attachment to Strafford was the chief motive for the bill; and that the greater proofs he gave of anxious concern for this minister, the more inevitable did he render his destruction.

About eighty peers had constantly attended Strafford's trial; but such apprehensions were entertained on account of the popular tumults, that only forty-five were present when the bill of attainder was brought into the House. Yet of these, nineteen had the courage to vote against it. A certain proof, that if entire freedom had been allowed, the bill had been rejected by a great majority.

In carrying up the bill to the Lords, St. John, the solicitor-general, advanced two topics, well suited to the fury of the times; that though the testimony against Strafford were not clear, yet in this way of bill, private satisfaction to each man's conscience was sufficient, even should no evidence at all be produced; and that the earl had no title to plead law, because he had broken the law. It is true, added he, we give law to hares and deer; for they are beasts of chase. But it was never accounted either cruel or unfair to destroy foxes or wolves wherever they can be found, for they are beasts of prey.<sup>8</sup>

After popular violence had prevailed over the Lords, the same battery was next applied to force the king's assent. The populace flocked about Whitehall, and accompanied their demand of justice with the loudest clamours and most open menaces. Rumours of conspiracies against the parliament were anew spread abroad: invasions and insurrections talked of: and the whole nation was raised into such a ferment as threatened some great and imminent convulsion. On whichever side the king cast his eyes, he saw no resource or security. All his servants, consulting their own safety, rather than their master's honour, declined interposing with their advice between him and his parliament. The queen, terrified with the appearance of so mighty a danger, and bearing formerly no good-will to Strafford, was in tears, and pressed him to satisfy his people in this demand, which, it was hoped, would finally content them. Juxon alone, whose courage was not inferior to his other virtues, ventured to advise him, if in his conscience he did not approve of the bill, by no means to assent to it.<sup>9</sup>

Strafford, hearing of Charles's irresolution and anxiety, took a very extraordinary step: he wrote a letter, in which he entreated the king, for the sake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the request for which they were so importunate.<sup>10</sup> "In this," added he, "my consent will more acquit you to God than all the world can do besides. To a willing man there is no injury. And as, by God's grace, I forgive all the world with a calmness and meekness of infinite contentment to my dislodging soul; so, Sir, to you I can resign the life of this world with all imaginable cheerfulness, in the just acknowledgment of your exceeding favours." Perhaps Strafford hoped that this unusual instance of generosity would engage the king still more strenuously to protect him: perhaps he gave his life for lost; and finding himself in the hands of his enemies, and observing that Balfour, the lieutenant of the Tower, was devoted to the popular party,<sup>11</sup> he absolutely despaired of ever escaping the multiplied dangers with which he was every way environed. We might ascribe this step to a noble effort of disinterestedness, not unworthy the great mind of Strafford, if the measure which he advised had not been, in the event, as pernicious to his master as it was immediately fatal to himself.<sup>12</sup>

After the most violent anxiety and doubt, Charles at last granted a commission to four noblemen to give the royal assent, in his name, to the bill: flattering himself, probably, in this extremity of distress, that, as neither his will consented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it. These commissioners he empowered,

some reasons why I adhere to the common way of telling this story. 1. The account of the forgery comes through several hands, and from men of character of fully known to the public. A circumstance which seems every evidence. It is a hearsay of a hearsay. 2. It seems impossible, that young Lord Strafford must inform the king, who would not have failed to trace the forgery, and expose his enemies to their merited ruin. 3. It is not to be conceived but that Clarendon and Whitlocke, not to mention others, must have heard of the matter. 4. Sir George Ratcliffe in his Life of Strafford, tells the story in the same way that Clarendon and Whitlocke do. Would he also, who was Strafford's intimate friend, never have heard of the forgery? It is remarkable, that this Life is dedicated or addressed to young Strafford. Would not he have put Sir George right in so material and interesting a fact?

<sup>1</sup> Clarendon, vol. i. p. 247. Whitlocke, p. 43.

<sup>2</sup> Rushworth, vol. i. p. 240.

<sup>3</sup> Idem, ibid. p. 255.

<sup>4</sup> Clarendon, vol. i. p. 252. Rush, vol. x. p. 241. Warwick, p. 180.

<sup>5</sup> Dugdale, p. 61. Franklin, p. 90.

<sup>6</sup> Sir Isaac Wake, p. 48.

<sup>7</sup> Rushworth, vol. i. p. 239.

<sup>8</sup> Whitlocke, p. 43.

<sup>9</sup> Clarendon, vol. i. p. 242. p. 257. Warwick, p. 169.

<sup>10</sup> Clarendon, vol. i. p. 250. Rush, vol. x. p. 251.

<sup>11</sup> Whitlocke, p. 44. Rushworth, p. 256.

<sup>12</sup> Mr. Carte, in his Life of the Duke of Ormonde, has given us some evidence to prove, that this letter was entirely a forgery of the popular leaders, to induce the king to sacrifice Strafford. He tells us, that Strafford sent to his son, the night before his execution. But there are



at the same time, to give his assent to the bill which rendered the parliament perpetual.

The Commons, from policy, rather than necessity, had embraced the expedient of paying the two armies by borrowing money from the city; and these loans they had repaid afterwards by taxes levied upon the people. The citizens, either of themselves or by suggestion, began to start difficulties with regard to a further loan which was demanded. We make no scruple of trusting the parliament, said they, were we certain that the parliament were to continue till our repayment. But, in the present precarious situation of affairs, what security can be given us for our money? In pretence of obviating this objection, a bill was suddenly brought into the House, and passed with great unanimity and rapidity, that the parliament should not be dissolved, prorogued, or adjourned, without their own consent. It was hurried in like manner through the House of Peers, and was instantly carried to the king for his assent. Charles, in the agony of grief, shame, and remorse, for Strafford's doom, perceived not that this other bill was of still more fatal consequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontrollable.<sup>a</sup> In comparison of the bill of attainder, by which he deemed himself an accomplice in his friend's murder, this concession made no figure in his eyes:<sup>b</sup> a circumstance which, if it lessened our idea of his resolution or penetration, serves to prove the integrity of his heart, and the goodness of his disposition. It is indeed certain, that strong compunction for his consent to Strafford's execution attended this unfortunate prince during the remainder of his life; and even at his own fatal end, the memory of this guilt, with great sorrow and remorse, recurred upon him. All men were so sensible of the extreme violence which was done him, that he suffered the less both in character and interest from this unhappy measure; and though he abandoned his best friend, yet was he still able to preserve, in some degree, the attachment of all his adherents.

Secretary Carleton was sent by the king to inform Strafford of the final resolution which necessity had extorted from him. The Earl seemed surprised, and starting up, exclaimed, in the words of Scripture, *Put not your trust in princes, nor in the sons of men: for in them there is no salvation.*<sup>c</sup> He was soon able, however, to collect his courage; and he prepared himself to suffer the fatal sentence. Only three days' interval was allowed him. The king, who made a new effort in his behalf, and sent, by the hands of the young prince, a letter, addressed to the Peers, in which he entreated them to confer with the Commons about a mitigation of Strafford's sentence, and begged at least for some delay, was refused in both requests.<sup>d</sup>

<sup>e</sup> Execution of Strafford. Strafford, in passing from his apartment to Tower-hill, where the scaffold was erected, stopped under Laud's windows, with whom he had long lived in intimate friendship; and entreated the assistance of his prayers, in those awful moments which were approaching: the aged primate dissolved in tears; and having pronounced, with a broken voice, a tender blessing on his departing friend, sunk into the arms of his attendants.<sup>f</sup> Strafford, still superior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what usually attended him. He wanted that consolation which commonly supports those who perish by the stroke of injustice and oppression: he was not buoyed up by glory, nor by the affectionate compassion of the spectators. Yet his mind, erect and undaunted, found resources within itself, and maintained its unbroken resolution, amidst the terrors of death, and the triumphant exultations of his misguided enemies. His discourse on

the scaffold was full of decency and courage. "He feared," he said, "that the omen was bad for the intended reformation of the state, that it commenced with the shedding of innocent blood." Having bid a last adieu to his brother and friends who attended him, and having sent a blessing to his nearer relations who were absent; "And now," said he, "I have nigh done! One stroke will make my wife a widow, my dear children fatherless, deprive my poor servants of their indulgent master, and separate me from my affectionate brother and all my friends! But let God be to you and them all in all!" Going to disrobe, and prepare himself for the block, "I thank God," said he, "that I am nowise afraid of death, nor am daunted with any terrors; but do as cheerfully lay down my head at this time, as ever I did when going to repose!" With one blow was a period put to his life by the executioner.<sup>g</sup>

Thus perished, in the 49th year of his age, the Earl of Strafford, one of the most eminent personages that has appeared in England. Though his death was loudly demanded as a satisfaction to justice, and an atonement for the many violations of the constitution; it may safely be affirmed, that the sentence by which he fell was an enormity greater than the worst of those which his implacable enemies prosecuted with so much cruel industry. The people in their rage had totally mistaken the proper object of their resentment. All the necessities, or, more properly speaking, the difficulties, by which the king had been induced to use violent expedients for raising supply, were the result of measures previous to Strafford's favour; and if they arose from ill conduct, he, at least, was entirely innocent. Even those violent expedients themselves, which occasioned the complaint that the constitution was subverted, had been, all of them, conducted, so far as appeared, without his counsel or assistance. And whatever his private advice might be,<sup>h</sup> this salutary maxim he failed not, often and publicly, to inculcate in the king's presence, that, if any inevitable necessity ever obliged the sovereign to violate the laws, this licence ought to be practised with extreme reserve, and, as soon as possible, a just atonement be made to the constitution, for any injury which it might sustain from such dangerous precedents.<sup>i</sup> The first parliament after the restoration reversed the bill of attainder; and even a few weeks after Strafford's execution, this very parliament remitted to his children the more severe consequences of his sentence: as if conscious of the violence with which the prosecution had been conducted.

In vain did Charles expect, as a return for so many instances of unbounded compliance, that the parliament would at last show him some indulgence, and would cordially fall into that unanimity, to which, at the expense of his own power, and of his friend's life, he so earnestly courted them. All his concessions were poisoned by their suspicion of his want of cordiality; and the supposed attempt to engage the army against them served with many as a confirmation of this jealousy. It was natural for the king to seek some resource, while all the world seemed to desert him, or combine against him; and this probably was the utmost of that embryo-scheme which was formed with regard to the army. But the popular leaders still insisted, that a desperate plot was laid to bring up the forces immediately, and offer violence to the parliament: a design of which Percy's evidence acquits the king, and which the near neighbourhood of the Scottish army seems to render absolutely impracticable.<sup>j</sup> By means, however, of these suspicions, was the same implacable spirit still kept alive; and the Commons, without giving the king any satisfaction in the settlement of his revenue, proceeded to carry their inroads with great vigour into his now defenceless prerogative.<sup>k</sup>

<sup>a</sup> Clarendon, vol. i. p. 261, 262. Rushworth, vol. v. p. 264.

<sup>b</sup> What was the real effect of less consequence was, that the parliament was once again brought up for no longer a period than two months; and as that house was more than half of the revenues, and the government could not possibly subsist without it, it seemed indirectly in the power of the parliament to continue themselves as long as they pleased. This, indeed, was true in the ordinary sense; but the government, but, on the approach towards a civil war, which was not then fifteen, it had been of consequence to the king to have reserved the right of dissolution, and to have retained any extremity, rather than allow the continuance of the parliament.

<sup>c</sup> Whitlocke, p. 44.

<sup>d</sup> Nalson, vol. i. p. 168.

<sup>e</sup> Rush, vol. v. p. 265.

<sup>f</sup> Rushworth, vol. v. p. 267.

<sup>g</sup> That Strafford was secretly no enemy to arbitrary councils, appears from some of his letters and despatches, particularly vol. ii. p. 60, where he expresses a wish that a standing army were established.

<sup>h</sup> Rushworth, vol. v. p. 267, 268, 269, 270.

<sup>i</sup> The project of bringing up the army to London, according to Percy, was proposed to the king, but he rejected it as foolish; because the Scots, who were in arms, and lying in their neighbourhood, must be at London as soon as the English army. This reason is so solid and convincing, that it leaves no room to doubt of the veracity of Percy's evidence; and consequently acquits the king of this terrible plot of bringing up the army, which made such a noise at the time, and was a pretence for so many violences.

<sup>j</sup> Clarendon, vol. i. p. 266.

The two ruling passions of this parliament were zeal for liberty, and an aversion to the church; and to both of these nothing could appear more exceptionable than the court of high commission, whose institution rendered it entirely arbitrary, and assigned to it the defence of the ecclesiastical establishment. The star-chamber also was a court which exerted high discretionary powers; and had no precise rule or limit, either with regard to the causes which came under its jurisdiction, or the decisions which it formed. A bill unanimously passed the Houses to abolish these two courts; and in them to annulate the principal and most dangerous article of the king's prerogative. By the same bill, the jurisdiction of the council was regulated, and its authority abridged.<sup>d</sup> Charles hesitated before he gave his assent. But finding that he had gone too far to retreat, and that he possessed no resource in case of a rupture, he at last affixed the royal sanction to this excellent bill. But to show the parliament that he was sufficiently apprized of the importance of his grant, he observed to them, that this statute altered in a great measure the fundamental laws, ecclesiastical and civil, which many of his predecessors had established.<sup>e</sup>

By removing the star-chamber, the king's power of binding the people by his proclamations was indirectly abolished; and that important branch of prerogative, the strong symbol of arbitrary power, and unintelligible in a limited constitution, being at last removed, left the system of government more consistent and uniform. The star-chamber alone was accustomed to punish infractions of the king's edicts: but as no courts of judicature now remained, except those in Westminster-hall, which take cognizance only of common and statute law, the king may thenceforth issue proclamations, but no man is bound to obey them. It must, however, be confessed, that the experiment here made by the parliament was not a little rash and adventurous. No government at that time appeared in the world, nor is perhaps to be found in the records of any history, which subsisted without the mixture of some arbitrary authority, committed to some magistrate; and it might reasonably, beforehand, appear doubtful whether human society could ever reach that state of perfection, as to support itself with no other control than the general and rigid maxims of law and equity. But the parliament justly thought, that the king was too eminent a magistrate to be trusted with discretionary power, which he might so easily turn to the destruction of liberty. And in the event it has hitherto been found, that, though some sensible inconveniences arise from the maxim of adhering strictly to law, yet the advantages overbalance them, and should render the English grateful to the memory of their ancestors, who, after repeated contests, at last established that noble, though dangerous, principle.

At the request of the parliament, Charles, instead of the patents during pleasure, gave all the judges patents during their good behaviour:<sup>f</sup> a circumstance of the greatest moment towards securing their independency, and barring the entrance of arbitrary power into the ordinary courts of judicature.

The marshal's court, which took cognizance of offensive words, and was not thought sufficiently limited by law, was also, for that reason, abolished.<sup>g</sup> The stannary courts, which exercised jurisdiction over the minors, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the same principles. The authority of the clerk of the market, who had a general inspection over the weights and measures throughout the kingdom, was transferred to the mayors, sheriffs, and ordinary magistrates.

In short, if we take a survey of the transactions of this memorable parliament, during the first period of its operations, we shall find that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits in other respects so much outweigh their mistakes, as to entitle them to praise from all lovers of liberty. Not only were former abuses remedied, and grievances redressed: great provision, for the future, was made by law against

the return of like complaints. And if the means by which they obtained such advantages savour often of artifice, sometimes of violence; it is to be considered, that revolutions of government cannot be effected by the mere force of argument and reasoning: and that factions being once excited, men can neither so firmly regulate the tempers of others, nor their own, as to insure themselves against all exorbitances.

The parliament now came to a pause. The king had promised his Scottish subjects, that he would this summer pay them a visit, in order to settle their government; and though the English parliament was very importunate with him, that he should lay aside that journey, they could not prevail with him so much as to delay it. As he must necessarily in his journey have passed through the troops of both nations, the Commons seem to have entertained great jealousy on that account, and to have now hurried on, as much as they formerly delayed, the disbanding of the armies. The arrears therefore of the Scots were fully paid them; and those of the English in part. The Scots returned home, and the English were separated into their several counties, and dismissed.

After this the parliament adjourned to the 20th of October; and a committee of both Houses, a thing unprecedented, was appointed to sit during the recess with very ample powers.<sup>h</sup> Pym was elected chairman of the committee of the lower House. Further attempts were made by the parliament, while it sat, and even by the Commons alone, for assuming sovereign executive powers, and publishing their ordinances, as they called them, instead of laws. The committee too, on their part, was ready to imitate the example.

A small committee of both Houses was appointed to attend the king into Scotland, in order, as was pretended, to see that the articles of pacification were executed; but really to be spies upon him, and extend still further the ideas of parliamentary authority, as well as eclipse the majesty of the king. The Earl of Bedford, Lord Howard, Sir Philip Stapleton, Sir William Armyne, Fiennes, and Hamblen, were the persons chosen.<sup>i</sup>

Endeavours were used, before Charles's departure, to have a protector of the kingdom appointed, with a power to pass laws without having recourse to the king. So little regard was now paid to royal authority, or to the established constitution of the kingdom.

Amidst the great variety of affairs which occurred during this busy period, we have almost overlooked the marriage of the Princess Mary with William, Prince of Orange. The king concluded not this alliance without communicating his intentions to the parliament, who received the proposal with satisfaction.<sup>k</sup> This was the commencement of the connexions with the family of Orange: connexions, which were afterwards attended with the most important consequences, both to the kingdom and to the house of Stuart.

## CHAP. LV.

Settlement of Scotland—Conspiracy in Ireland—Insurrection and massacre—Meeting of the English parliament—the remonstrance—Reasons on both sides—Impachment of the bishops—Accusation of the five members—Formal leave—King leaves London—Arrives in York—Preparations for a civil war.

THE Scots, who began these fatal commotions, thought that they had finished a very perilous undertaking, much to their profit and reputation. Besides the large pay voted them for lying in good quarters during a twelvemonth, the English parliament had conferred on them a present of 300,000 pounds for their brotherly assistance.<sup>a</sup> In the articles of pacification, they were declared to have ever been good subjects; and their military expeditions were approved of, as enterprises calculated and intended for his majesty's honour and advantage. To carry further their triumph over their sovereign,

<sup>d</sup> *Idem*, ibid. p. 293, 294. Whitlocke, p. 47. Rushworth, vol. iii. p. 167, 168.  
<sup>e</sup> Rushworth, vol. v. p. 97.  
<sup>f</sup> *Idem*, p. 107.

<sup>g</sup> *Nelson*, vol. i. p. 778.

<sup>h</sup> Rushworth, vol. v. p. 337.

<sup>i</sup> *Idem*, p. 376.

<sup>k</sup> Whitlocke, p. 33.

<sup>a</sup> *Nelson*, vol. i. p. 747. May, p. 101.

<sup>8th Aug.</sup>  
King's journey  
to Scotland.

<sup>9th Sept.</sup>

A. D. 1641.

these terms, so ignominious to him, were ordered, by a vote of parliament, to be read in all churches, upon a day of thanksgiving, appointed for the national pacification;<sup>b</sup> all their claims for the restriction of prerogative were agreed to be ratified: and what they more valued than all these advantages, they had a near prospect of spreading the presbyterian discipline in England and Ireland, from the seeds which they had scattered of their religious principles. Never did refined Athens so exult in diffusing the sciences and liberal arts over a savage world; never did generous Rome so please herself in the view of law and order established by her victorious arms; as the Scots now rejoiced, in communicating their barbarous zeal and theological fervour to the neighbouring nations.

Charles, despoiled in England of a considerable part of his authority, and dreading still further encroachments upon him, arrived in Scotland, with an intention of abdicating almost entirely the small share of power which there remained to him, and of giving full satisfaction, if possible, to his restless subjects in that kingdom.

The lords of articles were an ancient institution in the Scottish parliament. They were constituted after this manner. The temporal lords chose eight bishops: the bishops elected eight temporal lords: these sixteen named eight commissioners of counties, and eight burgesses: and without the previous consent of the thirty-two who were denominated lords of articles, no motion could be made in parliament. As the bishops were entirely devoted to the court, it is evident that all the lords of articles, by necessary consequence, depended on the king's nomination; and the prince, besides one negative after the bills had passed through parliament, possessed indirectly another before their introduction; a prerogative of much greater consequence than the former. The bench of bishops being now abolished, the parliament laid hold of the opportunity, and totally set aside the lords of articles: and, till this important point was obtained, the nation, properly speaking, could not be said to enjoy any regular freedom.<sup>c</sup>

It is remarkable that, notwithstanding this institution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon represents it as one advantage to be expected from the union, that the too extensive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland be enlarged from the imitation of England. The English were, at that time, a civilized people, and obedient to the laws: but among the Scots, it was of little consequence how the laws were framed, or by whom voted, while the exorbitant aristocracy had it so much in their power to prevent their regular execution.

The Peers and Commons formed only one House in the Scottish parliament; and as it had been the practice of James, continued by Charles, to grace English gentlemen with Scottish titles, all the determinations of parliament, it was to be feared, would in time depend upon the prince, by means of these votes of foreigners, who had no interest or property in the nation. It was therefore a law deserving approbation, that no man should be created a Scotch peer, who possessed not 10,000 marks (above 500 pounds) of annual rent in the kingdom.<sup>d</sup>

A law for triennial parliaments was likewise passed; and it was ordained, that the last act of every parliament should be to appoint the time and place for holding the parliament next ensuing.<sup>e</sup>

The king was deprived of that power formerly exercised, of issuing proclamations, which enjoined obedience under the penalty of treason: a prerogative which invested him with the whole legislative authority, even in matters of the highest importance.<sup>f</sup>

So far was laudable: but the most fatal blow given to royal authority, and what in a manner dethroned the prince, was the article, that no member of the privy council, in whose hands, during the king's absence, the whole administration lay, no officer of state, none of the judges, should be appointed, but by advice and approbation of

parliament. Charles even agreed to deprive of their seats four judges who had adhered to his interests; and their place was supplied by others more agreeable to the ruling party. Several of the covenanters were also sworn of the privy council. And all the ministers of state, counsellors, and judges, were, by law, to hold their places during life or good behaviour.<sup>g</sup>

The king, while in Scotland, conformed himself entirely to the established church; and assisted with great gravity at the long prayers and longer sermons with which the presbyterians endeavoured to regale him. He bestowed pensions and preferments on Henderson, Gillespy, and other popular preachers; and practised every art to soften, if not to gain, his greatest enemies. The Earl of Argyle was created a marquis, Lord Loudon an earl, Lesley was dignified with the title of Earl of Leven.<sup>h</sup> His friends he was obliged, for the present, to neglect and overlook: some of them were disgusted; and his enemies were not reconciled; but ascribed all his caresses and favours to artifice and necessity.

Argyle and Hamilton, being seized with an apprehension, real or pretended, that the Earl of Crawford and others meant to assassinate them, left the parliament suddenly, and retired into the country: but, upon invitation and assurances, returned in a few days. This event, which had neither cause nor effect that was visible, nor purpose, nor consequence, was commonly denominated the *incident*. But though the incident had no effect in Scotland; what was not expected, it was attended with consequences in England. The English parliament which <sup>8th Oct.</sup> was now assembled, being willing to awaken the people's tenderness by exciting their fears, immediately took the alarm; as if the malignants, so they called the king's party, had laid a plot at once to murder them and all the godly in both kingdoms. They applied, therefore, to Essex, whom the king had left general in the south of England, and he ordered a guard to attend them.<sup>i</sup>

But while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himself to the same salutary work in that kingdom; he received intelligence of a dangerous rebellion broken out in Ireland, with circumstances of the utmost horror, bloodshed, and devastation. On every side, this unfortunate prince was pursued with murmurs, discontent, faction, and civil wars; and the fire from all quarters, even by the most independent accidents, at once blazed up about him.

The great plan of James, in the administration of Ireland, continued by Charles, was, by justice and peace to reconcile that turbulent people to the authority of laws, and, introducing art and industry among them, to cure them of that sloth and barbarism to which they had ever been subject. In order to serve both these purposes, and at the same time secure the dominion of Ireland to the English crown, great colonies of British had been carried over, and, being intermixed with the Irish, had every where introduced a new face of things into that country. During a peace of near forty years, the inveterate quarrels between the nations seemed in a great measure to be obliterated; and though much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made by their instructing the natives in tillage, building, manufactures, and all the civilized arts of life.<sup>k</sup> This had been the course of things during the successive administrations of Chichester, Grandison, Falkland, and, above all, of Strafford. Under the government of this latter nobleman, the pacific plans, now come to greater maturity, and forwarded by his vigour and industry, seemed to have operated with full success, and to have bestowed at last on that savage country the face of a European settlement.

After Strafford fell a victim to popular rage, the humours excited in Ireland by that great event could not be suddenly composed, but continued to produce the greatest innovations in the government.

The British protestants, transplanted into Ireland, having every moment before their eyes all the horrors of

<sup>b</sup> Rushworth, vol. v. p. 365. Clarendon, vol. ii. p. 235.

<sup>c</sup> Burnet, Mem.

<sup>d</sup> Ibid.

<sup>e</sup> Ibid.

<sup>f</sup> Ibid.

<sup>g</sup> Ibid.

<sup>h</sup> Clarendon, vol. ii. p. 309.

<sup>i</sup> Whitlocke, p. 40. Dugdale, p. 72. Burnet's Memoirs of the House of Hamilton, p. 184, 185. Clarendon, p. 299.

<sup>k</sup> See John Temple's Irish Rebellion, p. 12.



popery, had naturally been carried into the opposite extreme, and had universally adopted the highest principles and practices of the puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown, and detaching themselves from the king of England, was greedily adopted and pursued. They considered not, that as they scarcely formed the sixth part of the people, and were secretly obnoxious to the ancient inhabitants, their only method of supporting themselves was by maintaining royal authority, and preserving a great dependence on their mother-country. The English Commons, likewise, in their furious prosecution of Strafford, had overlooked the most obvious consequences; and while they imputed to him, as a crime, every discretionary act of authority, they despoiled all succeeding governors of that power, by which alone the Irish could be retained in subjection. And so strong was the current for popular government in all the three kingdoms, that the most established maxims of policy were every where abandoned, in order to gratify this ruling passion.

Charles, unable to resist, had been obliged to yield to the Irish, as to the Scottish and English parliaments; and found too, that their encroachments still rose in proportion to his concessions. Those subsidies, which themselves had voted, they reduced, by a subsequent vote, to a fourth part: the court of high commission was determined to be a grievance: martial law abolished: the jurisdiction of the council annihilated: proclamations and acts of state declared of no authority: every order or institution, which depended on monarchy, was invaded: and the prince was despoiled of all his prerogative, without the least pretext of any violence or illegality in his administration.

The standing army of Ireland was usually about 3000 men; but in order to assist the king in suppressing the Scottish covenanters, Strafford had raised 8000 more, and had incorporated with them a thousand men, drawn from the old army; a necessary expedient for bestowing order and discipline on the new-levied soldiers. The private men in this army were all catholics; but the officers, both commission and non-commission, were protestants, and could entirely be depended on by Charles. The English Commons entertained the greatest apprehensions on account of this army; and never ceased soliciting the king, till he agreed to break it: nor would they consent to any proposal for augmenting the standing army to 5000 men; a number which the king deemed necessary for retaining Ireland in obedience.

Charles, thinking it dangerous that 8000 men accustomed to idleness, and trained to the use of arms, should be dispersed among a nation so turbulent and unsettled, agreed with the Spanish ambassador to have them transported into Flanders, and enlisted in his master's service. The English Commons, pretending apprehensions, lest regular bodies of troops, disciplined in the Low Countries, should prove still more dangerous, showed some aversion to this expedient; and the king reduced his allowance to 4000 men. But when the Spaniards had hired ships for transporting these troops, and the men were ready to embark, the Commons, willing to show their power, and not displeased with an opportunity of curbing and affronting the king, prohibited every one from furnishing vessels for that service. And thus the project, formed by Charles, of freeing the country from these men, was unfortunately disappointed.<sup>1</sup>

The old Irish remarked all these false steps of the English, and resolved to take advantage of them. Though their animosity against that nation, for want of an occasion to exert itself, seemed to be extinguished, it was only composed to a temporary and deceitful tranquillity.<sup>2</sup> Their interests, both with regard to *property* and *religion*, secretly stimulated them to a revolt. No individual of any sept, according to the ancient customs, had the property of any particular estate; but as the whole sept had a title to a whole territory, they ignorantly preferred this barbarous community before the more secure and narrower possessions assigned them by the English. An indulgence, amounting almost to a toleration, had been given to the

catholic religion: but so long as the churches and the ecclesiastical revenues were kept from the priests, and they were obliged to endure the neighbourhood of profane heretics, being themselves discontented, they continually endeavoured to retard any cordial reconciliation between the English and the Irish nations.

There was a gentleman called Roger More, <sup>Conspiracy in Ireland.</sup> who, though of a narrow fortune, was descended from an ancient Irish family, and was much celebrated among his countrymen for valour and capacity. This man first formed the project of expelling the English, and asserting the independency of his native country.<sup>3</sup> He secretly went from chieftain to chieftain, and roused up every latent principle of discontent. He maintained a close correspondence with Lord Maguire and Sir Phelim O'Neale, the most powerful of the old Irish. By conversation, by letters, by his emissaries, he represented to his countrymen the motives of a revolt. He observed to them, that by the rebellion of the Scots, and factions of the English, the king's authority in Britain was reduced to so low a condition, that he never could exert himself with any vigour in maintaining the English dominion over Ireland; that the catholics, in the Irish House of Commons, assisted by the protestants, had so diminished the royal prerogative, and the power of the lieutenant, as would much facilitate the conducting to its desired effect, any conspiracy or combination which could be formed; that the Scots, having so successfully thrown off dependence on the crown of England, and assumed the government into their own hands, had set an example to the Irish, who had so much greater oppressions to complain of; that the English planters, who had expelled them their possessions, suppressed their religion, and bereaved them of their liberties, were but a handful in comparison of the natives; that they lived in the most supine security, interspersed with their numerous enemies, trusting to the protection of a small army, which was itself scattered in inconsiderable divisions throughout the whole kingdom; that a great body of men, disciplined by the government, were now thrown loose, and were ready for any daring or desperate exercise; that though the catholics had hitherto enjoyed, in some tolerable measure, the exercise of their religion, from the moderation of their indulgent prince, they must henceforth expect, that the government will be conducted by other maxims and other principles; that the puritanical parliament, having at length subdued their sovereign, would, no doubt, as soon as they had consolidated their authority, extend their ambitious enterprises to Ireland, and make the catholics in that kingdom feel the same furious persecution to which their brethren in England were at present exposed; and that a revolt in the Irish tending only to vindicate their native liberty against the violence of foreign invaders, could never at any time be deemed rebellion; much less during the present confusions, when their prince was, in a manner, a prisoner, and obedience must be paid, not to him, but to those who had traitorously usurped his lawful authority.<sup>4</sup>

By these considerations, More engaged all the heads of the native Irish into the conspiracy. The English of the pale, as they were called, or the old English planters, being all catholics, it was hoped would afterwards join the party which restored their religion to its ancient splendour and authority. The intention was, that Sir Phelim O'Neale and the other conspirators should begin an insurrection on one day throughout the provinces, and should attack all the English settlements; and that, on the same day, Lord Maguire and Roger More should surprise the castle of Dublin. The commencement of the revolt was fixed on the approach of winter, that there might be more difficulty in transporting forces from England. Succours to themselves, and supplies of arms, they expected from France, in consequence of a promise made them by Cardinal Richelieu. And many Irish officers, who served in the Spanish troops, had engaged to join them, as soon as they saw an insurrection entered upon by their catholic brethren. News, which every day arrived from England, of the fury expressed by the Commons against all papists, struck fresh terror into the Irish nation, and both stimulated

<sup>1</sup> I. Lelandus, vol. i. p. 201. Rushworth, vol. v. p. 391. Dugdale, p. 75. May, book ii. p. 3.

<sup>2</sup> Nelson, vol. ii. p. 543.

<sup>3</sup> Temple, p. 72, 73, 78. Dugdale, p. 73.

the conspirators to execute their fatal purpose, and gave them assured hopes of the concurrence of all their countrymen.<sup>1</sup>

Such propensity to a revolt was discovered in all the Irish, that it was deemed unnecessary, as it was dangerous, to intrust the secret to many hands; and the appointed day drew nigh, nor had any discovery been yet made to the government. The king, indeed, had received information from his ambassadors, that something was in agitation among the Irish in foreign parts: but though he gave warning to the administration in Ireland, the intelligence was entirely neglected.<sup>2</sup> Secret rumours likewise were heard of some approaching conspiracy; but no attention was paid to them. The Earl of Leicester, whom the king had appointed lieutenant, remained in London. The two justices, Sir William Parsons and Sir John Borlace, were men of small abilities; and, by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for the party by whom every thing was now governed. Tranquil from their ignorance and inexperience, these men indulged themselves in the most profound repose, on the very brink of destruction.

But they were awakened from their security, on the very day before that which was appointed for the commencement of hostilities. The castle of Dublin, by which the capital was commanded, contained arms for ten thousand men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partisans: others were expected that night: and, next morning, they were to enter upon, what they esteemed the easiest of all enterprises, the surprisal of the castle. O'Conolly, an Irishman, but a protestant, betrayed the conspiracy to Parsons.<sup>3</sup> The justices and council fled immediately for safety into the castle, and reinforced the guards. The alarm was conveyed to the city, and all the protestants prepared for defence. More escaped; Maguire was taken; and Mahone, one of the conspirators, being likewise seized, first discovered to the justices the project of a general insurrection, and redoubled the apprehensions which already were universally diffused throughout Dublin.<sup>4</sup>

But though O'Conolly's discovery saved the castle from a surprise, the confession extorted from Mahone came too late to prevent the intended insurrection. O'Neale and his confederates had already taken arms in Ulster. The Irish, every where intermingled with the English, needed but a hint from their leaders and priests to begin hostilities against a people whom they hated on account of their religion, and envied for their riches and prosperity.<sup>5</sup> The houses, cattle, goods, of the unwary English were first seized. Those who heard of the commotions in their neighbourhood, instead of deserting their habitations, and assembling for mutual protection, remained at home, in hopes of defending their property, and fell thus separately into the hands of their enemies.<sup>6</sup> After rapacity had fully exerted itself, cruelty, and the most barbarous that ever, in any nation, was known or heard of, began its operations. A universal massacre commenced of the English, now defenceless, and passively resigned to their inhuman foes. No age, no sex, no condition was spared. The wife weeping for her butchered husband, and embracing her helpless children, was pierced with them, and perished by the same stroke.<sup>7</sup> The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight save from the first assault: destruction was every where let loose, and met the hunted victims at every turn. In vain was recourse had to relations, to companions, to friends: all connexions were dissolved, and death was dealt by that hand, from which protection was implored and expected. Without provocation, without opposition, the astonished English, living in profound peace and full security, were massacred by their nearest neighbours, with

whom they had long upheld a continual intercourse of kindness and good offices.<sup>8</sup>

But death was the slightest punishment inflicted by those rebels: all the tortures which wanton cruelty could devise, all the lingering pains of body, the anguish of mind, the agonies of despair, could not satiate revenge excited without injury, and cruelty derived from no cause. To enter into particulars would shock the least delicate humanity. Such enormities, though attested by undoubted evidence, appear almost incredible. Depraved nature, even perverted religion, encouraged by the utmost licence, reach not to such a pitch of ferocity; unless the pity inherent in human breasts be destroyed by that contagion of example which transports men beyond all the usual motives of conduct and behaviour.

The weaker sex themselves, naturally tender to their own sufferings, and compassionate to those of others, here emulated their more robust companions in the practice of every cruelty.<sup>9</sup> Even children, taught by the example, and encouraged by the exhortation, of their parents, essayed their feeble blows on the dead carcasses or defenceless children of the English.<sup>10</sup> The very avarice of the Irish was not a sufficient restraint of their cruelty. Such was their frenzy, that the cattle which they had seized, and by rapine made their own, yet, because they bore the name of English, were wantonly slaughtered, or, when covered with wounds, turned loose into the woods and deserts.<sup>11</sup>

The stately buildings or commodious habitations of the planters, as if upbraiding the sloth and ignorance of the natives, were consumed with fire, or laid level with the ground. And where the miserable owners, shut up in their houses, and preparing for defence, perished in the flames, together with their wives and children, a double triumph was afforded to their insulting foes.<sup>12</sup>

If any where a number assembled together, and, assuming courage from despair, were resolved to sweeten death by revenge on their assassins; they were disarmed by capitulations, and promises of safety, confirmed by the most solemn oaths. But no sooner had they surrendered, than the rebels, with perfidy equal to their cruelty, made them share the fate of their unhappy countrymen.<sup>13</sup>

Others, more ingenious still in their barbarity, tempted their prisoners by the fond love of life, to imbrue their hands in the blood of friends, brothers, parents; and having thus rendered them accomplices in guilt, gave them that death, which they sought to shun by deserving it.<sup>14</sup>

Amidst all these enormities, the sacred name of Religion resounded on every side; not to stop the hands of these murderers, but to enforce their blows, and to steel their hearts against every movement of human or social sympathy. The English, as heretics, abhorred of God, and detestable to all holy men, were marked out by the priests for slaughter; and, of all actions, to rid the world of these declared enemies to catholic faith and piety, was represented as the most meritorious.<sup>15</sup> Nature, which, in that rude people, was sufficiently inclined to atrocious deeds, was further stimulated by precept; and national prejudices, empoisoned by those aversions, more deadly and incurable, which arose from an enraged superstition. While death finished the sufferings of each victim, the bigoted assassins, with joy and exultation, still echoed in his expiring ears, that these agonies were but the commencement of torments infinite and eternal.<sup>16</sup>

Such were the barbarities, by which Sir Phelim O'Neale and the Irish in Ulster signalized their rebellion: an event, memorable in the annals of human kind, and worthy to be held in perpetual detestation and abhorrence. The generous nature of More was shocked at the recital of such enormous cruelties. He flew to O'Neale's camp; but found that his authority, which was sufficient to excite the Irish to an insurrection, was too feeble to restrain their inhumanity. Soon after, he abandoned a cause, polluted by so many crimes; and he retired into Flanders. Sir Phelim, recommended by the greatness of his family, and perhaps, too, by the unrestrained brutality of his na-

<sup>1</sup> Dugdale, p. 74. <sup>2</sup> Rushworth, vol. v. p. 408. <sup>3</sup> Nalson, vol. ii. p. 565.

<sup>4</sup> Rushworth, vol. v. p. 399. <sup>5</sup> Nalson, vol. ii. p. 520. <sup>6</sup> May, book ii. p. 6.

<sup>7</sup> Temple, p. 17, 18, 19, 20. <sup>8</sup> Rushworth, vol. v. p. 400.

<sup>9</sup> Temple, p. 33, 40, 79. <sup>10</sup> <sup>11</sup> <sup>12</sup> <sup>13</sup> <sup>14</sup> <sup>15</sup> <sup>16</sup> <sup>17</sup> <sup>18</sup> <sup>19</sup> <sup>20</sup> <sup>21</sup> <sup>22</sup> <sup>23</sup> <sup>24</sup> <sup>25</sup> <sup>26</sup> <sup>27</sup> <sup>28</sup> <sup>29</sup> <sup>30</sup> <sup>31</sup> <sup>32</sup> <sup>33</sup> <sup>34</sup> <sup>35</sup> <sup>36</sup> <sup>37</sup> <sup>38</sup> <sup>39</sup> <sup>40</sup> <sup>41</sup> <sup>42</sup> <sup>43</sup> <sup>44</sup> <sup>45</sup> <sup>46</sup> <sup>47</sup> <sup>48</sup> <sup>49</sup> <sup>50</sup> <sup>51</sup> <sup>52</sup> <sup>53</sup> <sup>54</sup> <sup>55</sup> <sup>56</sup> <sup>57</sup> <sup>58</sup> <sup>59</sup> <sup>60</sup> <sup>61</sup> <sup>62</sup> <sup>63</sup> <sup>64</sup> <sup>65</sup> <sup>66</sup> <sup>67</sup> <sup>68</sup> <sup>69</sup> <sup>70</sup> <sup>71</sup> <sup>72</sup> <sup>73</sup> <sup>74</sup> <sup>75</sup> <sup>76</sup> <sup>77</sup> 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time, though without any courage or capacity, acquired the entire ascendant over the northern rebels.<sup>a</sup> The English colonies were totally annihilated in the open country of Ulster: the Scots, at first, met with more favourable treatment. In order to engage them to a passive neutrality, the Irish pretended to distinguish between the British nations; and claiming friendship and consanguinity with the Scots, extended not over them the fury of their massacres. Many of them found an opportunity to fly the country, others retired into places of security, and prepared themselves for defence: and by this means, the Scottish planters, most of them at least, escaped with their lives.<sup>b</sup>

From Ulster, the flames of rebellion diffused themselves in an instant over the other three provinces of Ireland. In all places death and slaughter were not uncommon; though the Irish, in these other provinces, pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the English their houses, with despoiling them of their goodly manors, with wasting their cultivated fields; they stripped them of their very clothes, and turned them out, naked and defenceless, to all the severities of the season.<sup>c</sup> The heavens themselves, as if conspiring against that unhappy people, were armed with cold and tempest unusual to the climate, and executed what the merciless sword had left unfinished.<sup>d</sup> The roads were covered with crowds of naked English, hastening towards Dublin, and the other cities, which yet remained in the hands of their countrymen. The feeble age of children, the tender sex of women, soon sunk under the multiplied rigours of cold and hunger. Here, the husband, bidding a final adieu to his expiring family, envied them that fate which he himself expected so soon to share: there, the son, having long supported his aged parent, with reluctance obeyed his last commands, and, abandoning him in his uttermost distress, reserved himself to the hopes of avenging that death, which all his efforts could not prevent or delay. The astonishing greatness of the calamity deprived the sufferers of any relief from the view of companions in affliction. With silent tears, or lamentable cries, they hurried on through the hostile territories; and found every heart which was not steeled by native barbarity, guarded by the more implacable furies of mistaken piety and religion.<sup>e</sup>

The saving of Dublin preserved in Ireland the remains of the English name. The gates of that city, though timorously opened, received the wretched supplicants, and presented to the view a scene of human misery beyond what any eye had ever before beheld.<sup>f</sup> Compassion seized the amazed inhabitants, aggravated with the fear of like calamities; while they observed the numerous foes without and within, which every where environed them, and reflected on the weak resources by which they were themselves supported. The more vigorous of the unhappy fugitives, to the number of three thousand, were enlisted into three regiments: the rest were distributed into the houses; and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs. Diseases of unknown name and species, derived from these multiplied distresses, seized many of them, and put a speedy period to their lives: others, having now leisure to reflect on their mighty loss of friends and fortune, cursed that being which they had saved. Abandoning themselves to despair, refusing all succour, they expired; without other consolation than that of receiving among their countrymen the honours of a grave, which, to their slaughtered companions, had been denied by the inhuman barbarians.<sup>g</sup>

By some computations, those who perished by all these cruelties are supposed to be a hundred and fifty, or two hundred, thousand: by the most moderate, and probably the most reasonable, account, they are made to amount to forty thousand; if this estimation itself be not, as is usual in such cases, somewhat exaggerated.

The justices ordered to Dublin all the bodies of the army which were not surrounded by the rebels; and they assembled a force of fifteen hundred veterans. They soon enlisted, and armed from the magazines, above four thou-

sand men more. They despatched a body of six hundred men to throw relief into Tredah, besieged by the Irish. But these troops, attacked by the enemy, were seized with a panic, and were most of them put to the sword. Their arms, falling into the hands of the Irish, supplied them with what they most wanted.<sup>h</sup> The justices, willing to foment the rebellion, in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more than providing for their own present security, and that of the capital. The Earl of Ormond, their general, remonstrated against such timid, not to say base and interested, counsels; but was obliged to submit to authority.

The English of the pale, who probably were not at first in the secret, pretended to blame the insurrection, and to detest the barbarity with which it was accompanied.<sup>i</sup> By their protestations and declarations, they engaged the justices to supply them with arms, which they promised to employ in defence of the government. But in a little time, the interests of religion were found more prevalent over them, than regard and duty to their mother-country. They chose Lord Gormanston their leader; and, joining the old Irish, rivalled them in every act of violence towards the English protestants. Besides many smaller bodies dispersed over the kingdom, the principal army of the rebels amounted to twenty thousand men, and threatened Dublin with an immediate siege.<sup>j</sup>

Both the English and Irish rebels conspired in one imposture, with which they seduced many of their deluded countrymen: they pretended authority from the king and queen, but chiefly from the latter, for their insurrection; and they affirmed, that the cause of their taking arms was to vindicate royal prerogative, now invaded by the puritanical parliament.<sup>k</sup> Sir Phelim O'Neale, having found a royal patent in Lord Caulfield's house, whom he had murdered, tore off the seal, and affixed it to a commission which he had forged for himself.<sup>l</sup>

The king received an account of this insurrection by a messenger despatched from the north of Ireland. He immediately communicated his intelligence to the Scottish parliament. He expected that the mighty zeal expressed by the Scots for the protestant religion, would immediately engage them to fly to its defence, where it was so violently invaded: he hoped that their horror against popery, a religion which now appeared in its most horrible aspect, would second all his exhortations: he had observed with what alacrity they had twice run to arms, and assembled troops in opposition to the rights of their sovereign: he saw with how much greater facility they could now collect forces, which had been very lately disbanded, and which had been so long inured to military discipline. The cries of their afflicted and distressed brethren in Ireland, he promised himself, would powerfully incite them to send over succours, which could arrive so quickly, and aid them with such promptitude in this uttermost distress. But the zeal of the Scots, as is usual among religious sects, was very feeble, when not stimulated either by faction or by interest. They now considered themselves entirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the present distresses of Ireland, they resolved to make an advantageous bargain for the succours with which they should supply their neighbouring nation. And they cast their eye towards the English parliament, with whom they were already so closely connected, and who could alone fulfil any articles which might be agreed on. Except despatching a small body to support the Scottish colonies in Ulster, they would, therefore, go no further at present, than sending commissioners to London in order to treat with that power, to whom the sovereign authority was now in reality transferred.<sup>m</sup>

The king too, sensible of his utter inability to subdue the Irish rebels, found himself obliged, in this exigency, to have recourse to the English parliament, and depend on their assistance for supply. After communicating to them the intelligence which he had received, he informed them, that the insurrection was not, in his opinion, the result of any rash enterprise, but of a formed conspiracy

<sup>a</sup> Temple, p. 14. <sup>b</sup> Ibid. p. 14. <sup>c</sup> Parsonson, vol. i. p. 116.  
<sup>d</sup> Temple, p. 14. <sup>e</sup> Ibid. p. 14. <sup>f</sup> Ibid. p. 14.  
<sup>g</sup> Ibid. p. 14. <sup>h</sup> Ibid. p. 14. <sup>i</sup> Ibid. p. 14.

<sup>j</sup> Temple, p. 14. <sup>k</sup> Temple, p. 14. <sup>l</sup> Temple, p. 14.  
<sup>m</sup> Temple, p. 14. <sup>n</sup> Temple, p. 14. <sup>o</sup> Temple, p. 14.



against the crown of England. To their care and wisdom, therefore, he said, he committed the conduct and prosecution of the war, which, in a cause so important to national and religious interests, must of necessity be immediately entered upon, and vigorously pursued.\*

The English parliament was now assembled; and discovered, in every vote, the same dispositions in which they had separated. The exalting of their own authority, the diminishing of the king's, were still the objects pursued by the majority. Every attempt which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of success, either for want of skill in conducting it, or by reason of the slender preferments which it was then in the king's power to confer. The ambitious and enterprising patriots disdained to accept, in detail, of a precarious power; while they deemed it so easy, by one bold and vigorous assault, to possess themselves for ever of the entire sovereignty. Sensible that the measures which they had hitherto pursued, rendered them extremely obnoxious to the king; were many of them, in themselves exceptionable; some of them, strictly speaking, illegal; they resolved to seek their own security, as well as greatness, by enlarging popular authority in England. The great necessities to which the king was reduced; the violent prejudices which generally, throughout the nation, prevailed against him; his facility in making the most important concessions; the example of the Scots, whose encroachments had totally subverted monarchy: all these circumstances further instigated the Commons in their invasion of royal prerogative. And the danger to which the constitution seemed to have been so lately exposed, persuaded many, that it never could be sufficiently secured, but by the entire abolition of that authority which had invaded it.

But this project, it had not been in the power, scarcely in the intention, of the popular leaders to execute, had it not been for the passion which seized the nation for presbyterian discipline, and for the wild enthusiasm which at that time accompanied it. The licence which the parliament had bestowed on this spirit, by checking ecclesiastical authority; the countenance and encouragement with which they had honoured it; had already diffused its influence to a wonderful degree: and all orders of men had drank deep of the intoxicating poison. In every discourse or conversation, this mode of religion entered; in all business it had a share; every elegant pleasure or amusement it utterly annihilated; many vices or corruptions of mind it promoted; even diseases and bodily distempers were not totally exempted from it; and it became requisite, we are told, for all physicians to be expert in the spiritual profession, and by theological considerations, to allay those religious terrors with which their patients were so generally haunted. Learning itself, which tends so much to enlarge the mind, and humanize the temper, rather served on this occasion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it supplied the dismal fanaticism with a variety of views, founded it on some coherency of system, enriched it with different figures of elocution; advantages with which a people, totally ignorant and barbarous, had been happily unacquainted.

From policy, at first, and inclination, not from necessity, the king attached himself extremely to the hierarchy:

for like reasons his enemies were deterred, by one and the same effort, to overpower the church and monarchy.

While the Commons were in this disposition, the Irish rebellion was the event which tended most to promote the views in which all their measures terminated. A horror against the papists, however innocent, they had constantly encouraged; a terror from the conspiracies of that sect, however improbable, they had at all times endeavoured to excite. Here was broken out a rebellion, dreadful and unexpected; accompanied by circumstances the most detestable of which there ever was any record: and what was the peculiar guilt of the Irish catholics, it was no difficult matter, in the present disposition of men's minds, to attribute to that whole sect, who were already so much the object of general abhorrence. Accustomed, in all invectives, to join the prelatical party with the papists, the people immediately supposed this insurrection to be the result of their united counsels. And when they heard that the Irish rebels pleaded the king's commission for all their acts of violence; bigotry, ever credulous and malignant, assented without scruple to that gross imposture, and loaded the unhappy prince with the whole enormity of a contrivance so barbarous and inhuman.\*

By the difficulties and distresses of the crown, the Commons, who possessed alone the power of supply, had aggrandized themselves; and it seemed a peculiar happiness, that the Irish rebellion had succeeded, at so critical a juncture, to the pacification of Scotland. That expression of the king's, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the most unlimited sense. They had, on other occasions, been gradually encroaching on the executive power of the crown, which forms its principal and most natural branch of authority; but, with regard to Ireland, they at once assumed it fully and entirely, as if delivered over to them by a regular gift or assignment. And to this usurpation the king was obliged passively to submit; both because of his inability to resist, and lest he should still more expose himself to the reproach of favouring the progress of that odious rebellion.

The project of introducing further innovations in England being once formed by the leaders among the Commons, it became a necessary consequence, that their operations with regard to Ireland should, all of them, be considered as subordinate to the former, on whose success, when once undertaken, their own grandeur, security, and even being, must entirely depend. While they pretended the utmost zeal against the Irish insurrection, they took no steps towards its suppression, but such as likewise tended to give them the superiority in those commotions which they foresaw must so soon be excited in England.† The extreme contempt entertained for the natives in Ireland, made the popular leaders believe, that it would be easy at any time to suppress their rebellion, and recover that kingdom: nor were they willing to lose, by too hasty success, the advantage which that rebellion would afford them in their projected encroachments on the prerogative. By assuming the total management of the war, they acquired the courtship and dependence of every one who had any connexion with Ireland, or who was desirous of enlisting in these military enterprises: they levied money under pretence of the Irish expedition; but reserved it for purposes which concerned them more nearly: they took arms from the king's magazines; but still kept them, with a secret

\* W. Clarendon, vol. ii. p. 241.

† It is now so universally allowed, notwithstanding some muttering to the contrary, that the king had no hand in the Irish rebellion, that it will be superfluous to mention a point which seems so clear. I shall only suggest a very few arguments, among an infinite number which occur. (1) I ought the attribution of perfidious, malicious rebels, ever to have been reserved for any authority. (2) No man can tell us what the words of the pretended commission were. (3) That commission, which we find in Burn's fourth, vol. x. p. 401 and in Milton's Works, Ireland's civil war, is plainly a forgery, because it pretends to be dated in October 1641, yet men in facts which happened not till some months after. It appears that the Irish rebels, during some inconsistency in their first policy, were obliged to forge this commission anew, yet could not render it coherent or plausible. (4) Nothing could be more obviously pernicious to the king's cause, than to first rebellion, because it increased his necessities, and rendered him still more dependent on the parliament, who had before been friendly shown on what terms they would assist him. (5) The instant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the parliament, and gave over to them the management of the war. (6) If he built any projects on that rebellion, would he not have seated some little time to see how they would succeed? Would he presently have adopted a measure which was evidently so harmful to his

authority? (7) What can be imagined to be the king's interests? To raise the Irish to arms, I suppose, and bring them over to England for his assistance. But is it not plain, that the king never intended to raise war in England? Had that been his intention, would he have sent him the parliament's perpetual? Does it not appear, by the whole train of events, that the parliament forced him into the war? (8) The king conveyed to the justices his licence which he could to force in presented the rebellion. (9) The Irish catholics, in all their future transactions with the king, were always endeavour to excuse their insurrection, never had the assurance to plead his commission. (10) From amongst themselves they dropped that protest. It appears that Sir Philip O'Sullivan, chief, and several of his, founded the insurrection. See Clarendon's fourth, vol. ii. No. 100, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

y Clarendon, vol. ii. p. 195. Sir Edward Walker, p. 6.

intention of employing them against himself: whatever law they deemed necessary for aggrandizing themselves, was voted, under colour of enabling them to recover Ireland; and if Charles withheld the royal assent, his refusal was imputed to those pernicious counsels which had at first excited the popish rebellion, and which still threatened total destruction to the protestant interest throughout all his dominions.\* And though no forces were for a long time sent over to Ireland, and very little money remitted, during the extreme distress of that kingdom; so strong was the people's attachment to the Commons, that the fault was never imputed to those pious zealots, whose votes breathed nothing but death and destruction to the Irish rebels.

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonstrance of the state of the nation; and accordingly, the committee, which at the first meeting of parliament had been chosen for that purpose, and which had hitherto made no progress in their work, received fresh injunctions to finish that undertaking.

The remonstrance, which has become so memorable, and which was soon afterwards attended with such important consequences. It was not addressed to the king; but was openly declared to be an appeal to the people. The harshness of the matter was equalled by the severity of the language. It consists of many gross falsehoods, intermingled with some evident truths: malignant insinuations are joined to open invectives: loud complaints of the past, accompanied with jealous prognostications of the future. Whatever unfortunate, whatever invidious, whatever suspicious measure had been embraced by the king, from the commencement of his reign, is insisted on and aggravated with merciless rhetoric: the unsuccessful expeditions to Cadiz, and the Isle of Rhé, are mentioned: the sending of ships to France for the suppression of the hugonots: the forced loans: the illegal confinement of men for not obeying illegal commands: the violent dissolution of four parliaments: the arbitrary government which always succeeded: the questioning, fining, and imprisoning of members for their conduct in the House: the levying of taxes without consent of the Commons: the introducing of superstitious innovations into the church, without authority of law: in short, every thing which, either with or without reason, had given offence, during the course of fifteen years, from the accession of the king to the calling of the present parliament. And, though all these grievances had been already redressed, and even laws enacted for future security against their return, the praise of these advantages was ascribed, not to the king, but to the parliament who had extorted his consent to such salutary statutes. Their own merits too, they asserted, towards the king, were no less eminent than towards the people. Though they had seized his whole revenue, rendered it totally precarious, and made even their temporary supplies be paid to their own commissioners, who were independent of him; they pretended that they had liberally supported him in his necessities. By an insult still more egregious, the very giving of money to the Scots, for levying war against their sovereign, they represented as an instance of their duty towards him. And all their grievances, they said, which amounted to no less than a total subversion of the constitution, proceeded entirely from the formed combination of a popish faction, who had ever swayed the king's counsels, who had endeavoured, by an uninterrupted effort, to introduce their superstition into England and Scotland, and who had now, at last, excited an open and bloody rebellion in Ireland.\*

This remonstrance, so full of acrimony and violence, was a plain signal for some further attacks intended on royal prerogative, and a declaration, that the concessions already made, however important, were not to be regarded as satisfactory. What pretensions would be advanced, how unprecedented, how unlimited, were easily imagined; and nothing less was foreseen, whatever ancient names might be preserved, than an abolition, almost total, of the monarchical government of England. The opposition, therefore, which the remonstrance met with in the House of

Commons, was great. For above fourteen hours, the debate was warmly managed; and from the weariness of the king's party, which probably consisted chiefly of the elderly people, and men of cool spirits, the vote was at last carried by a small majority of eleven.† Some time after, the remonstrance was ordered to be printed and published, without being carried up to the House of Peers for their assent and concurrence.

When this remonstrance was dispersed, it excited every where the same violent controversy, which attended it when introduced into the House of Commons. This parliament, said the partisans of that assembly, have at length profited by the fatal example of their predecessors; and are resolved that the fabric, which they have generously undertaken to rear for the protection of liberty, shall not be left to future ages insecure and imperfect. At the time when the petition of right, that requisite vindication of a violated constitution, was extorted from the unwilling prince; who but imagined that liberty was at last secured, and that the laws would thenceforth maintain themselves in opposition to arbitrary authority! But what was the event? A right was indeed acquiesced to the people, or rather their ancient right was more exactly defined: but as the power of invading it still remained in the prince, no sooner did an opportunity offer than he totally disregarded all laws and preceding engagements, and made his will and pleasure the sole rule of government. Those lofty ideas of monarchical authority, which he has derived from his early education, which are united in his mind with the irresistible illusions of self-love, which are corroborated by his mistaken principles of religion, it is in vain to hope that, in his more advanced age, he will sincerely renounce, from any subsequent reflection or experience. Such conversions, if ever they happen, are extremely rare; but to expect that they will be derived from necessity, from the jealousy and resentment of antagonists, from blame, from reproach, from opposition, must be the result of the fondest and most blind credulity. These violences, however necessary, are sure to irritate a prince against limitations so cruelly imposed upon him; and each concession, which he is constrained to make, is regarded as a temporary tribute paid to faction and sedition, and is secretly attended with a resolution of seizing every favourable opportunity to retract it. Nor should we imagine that opportunities of that kind will not offer in the course of human affairs. Governments, especially those of a mixed kind, are in continual fluctuation: the humours of the people change perpetually from one extreme to another: and no resolution can be more wise, as well as more just, than that of employing the present advantages against the king, who had formerly pushed much less tempting ones to the utmost extremities against his people and his parliament. It is to be feared, that, if the religious rage which has seized the multitude be allowed to evaporate, they will quickly return to the ancient ecclesiastical establishment; and, with it, embrace those principles of slavery, which it inculcates with such zeal on its submissive proselytes. Those patriots, who are now the public idols, may then become the objects of general detestation; and equal shouts of joy attend their ignominious execution, with those which second their present advantages and triumphs. Nor ought the apprehension of such an event to be regarded in them as a selfish consideration: in their safety is involved the security of the laws: the patrons of the constitution cannot suffer without a fatal blow to the constitution: and it is but justice in the public to protect, at any hazard, those who have so generously exposed themselves to the utmost hazard for the public interest. What though monarchy, the ancient government of England, be impaired, during these contests, in many of its former prerogatives: the laws will flourish the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at least runs towards liberty, and that the error is on that side, which is safest for the general interest of mankind and society.

The best arguments of the royalists against a further attack on the prerogative were founded more on opposite

\* Nalson, vol. ii. p. 618. Clarendon, vol. iv. p. 399.

† Rush, vol. i. p. 198. Nalson, vol. ii. p. 691.

† Whitelocke, p. 146. Dugdale, p. 71. Nalson, vol. ii. p. 692.

ideas, which they had formed of the past events of this reign, than on opposite principles of government. Some invasions, they said, and those too of moment, had undoubtedly been made on national privileges: but were we to look for the cause of these violences, we should never find it to consist in the wanton tyranny and injustice of the prince, not even in his ambition or immoderate appetite for authority. The hostilities with Spain, in which the king, on his accession, found himself engaged, however imprudent and unnecessary, had proceeded from the advice, and even importunity, of the parliament; who deserted him immediately after they had embarked him in those warlike measures. A young prince, jealous of honour, was naturally afraid of being foiled in his first enterprise, and had not as yet attained such maturity of counsel, as to perceive that his greatest honour lay in preserving the laws inviolate, and gaining the full confidence of his people. The rigour of the subsequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage; and had reduced the king to an absolute necessity, if he would preserve entire the royal prerogative, of levying those duties by his own authority, and of breaking through the forms, in order to maintain the spirit, of the constitution. Having once made so perilous a step, he was naturally induced to continue, and to consult the public interest, by imposing ship-money, and other moderate, though irregular, burdens and taxations. A sure proof that he had formed no system for enslaving his people is, that the chief object of his government has been to raise a naval, not a military, force; a project useful, honourable, nay, indispensably requisite, and, in spite of his great necessities, brought almost to a happy conclusion. It is now full time to free him from all these necessities, and to apply cordials and lenitives, after those severities, which have already had their full course against him. Never was sovereign blessed with more moderation of temper, with more justice, more humanity, more honour, or a more gentle disposition. What pity that such a prince should so long have been harassed with rigours, suspicions, calumnies, complaints, encroachments; and been forced from that path in which the rectitude of his principles would have inclined him to have constantly trod! If some few instances are found of violations made on the petition of right, which he himself had granted; there is an easier and more natural way for preventing the return of like inconveniences, than by a total abolition of royal authority. Let the revenue be settled, suitably to the ancient dignity and splendour of the crown; let the public necessities be fully supplied; let the remaining articles of prerogative be left untouched; and the king, as he has already lost the power, will lay aside the will, of invading the constitution. From what quarter can jealousies now arise? What further security can be desired or expected? The king's preceding concessions, so far from being insufficient for public security, have rather erred on the other extreme; and, by depriving him of all power of self-defence, are the real cause why the Commons are emboldened to raise pretensions hitherto unheard of in the kingdom, and to subvert the whole system of the constitution. But would they be content with moderate advantages, is it not evident that, besides other important concessions, the present parliament may be continued, till the government be accustomed to the new track, and every part be restored to full harmony and concord? By the triennial act a perpetual succession of parliaments is established, as everlasting guardians to the laws, while the king possesses no independent power or military force, by which he can be supported in his invasion of them. No danger remains, but what is inseparable from all free constitutions, and what forms the very essence of their freedom: the danger of a change in the people's disposition, and of general disgust, contracted against popular privileges. To prevent such an evil, no expedient is more proper than to contain ourselves within the bounds of moderation, and to consider that all extremes naturally and infallibly beget each other. In the same manner as the past usurpations of the crown, however excusable on account of the necessity or provoca-

tions whence they arose, have excited an immeasurable appetite for liberty; let us beware, lest our encroachments, by introducing anarchy, make the people seek shelter under the peaceable and despotic rule of a monarch. Authority, as well as liberty, is requisite to government; and is even requisite to the support of liberty itself, by maintaining the laws, which can alone regulate and protect it. What madness, while every thing is so happily settled under ancient forms and institutions, now more exactly poised and adjusted, to try the hazardous experiment of a new constitution, and renounce the mature wisdom of our ancestors for the crude whimsies of turbulent innovators! Besides the certain and inconceivable mischiefs of civil war; are not the perils apparent, which the delicate frame of liberty must inevitably sustain amidst the furious shock of arms! Whichever side prevails, she can scarcely hope to remain inviolate, and may suffer no less, or rather greater, injuries from the boundless pretensions of forces engaged in her cause, than from the invasion of enraged troops, enlisted on the side of monarchy.

The king, upon his return from Scotland, was received in London with the shouts and acclamations of the people, and with every demonstration of regard and affection.<sup>2</sup> Sir Richard Gournay, lord mayor, a man of moderation and authority, had promoted these favourable dispositions, and had engaged the populace, who so lately insulted the king, and who so soon after made furious war upon him, to give him these marks of their dutiful attachment. But all the pleasure which Charles reaped from this joyous reception, was soon damped by the remonstrance of the Commons which was presented him, together with a petition of a like strain. The bad counsels which he followed are there complained of; his concurrence in the Irish rebellion plainly insinuated; the scheme laid for the introduction of popery and superstition inveighed against; and, as a remedy for all these evils, he is desired to intrust every office and command to persons in whom his parliament should have cause to confide.<sup>3</sup> By this phrase, which is so often repeated in all the memorials and addresses of that time, the Commons meant themselves and their adherents.

As soon as the remonstrance of the Commons was published, the king dispersed an answer to it. In this contest he lay under great disadvantages. Not only the ears of the people were extremely prejudiced against him; the best topics upon which he could justify, at least apologize for, his former conduct, were such as it was not safe or prudent for him at this time to employ. So high was the national idolatry towards parliaments, that to blame the past conduct of these assemblies, would have been very ill received by the generality of the people. So loud were the complaints against regal usurpations, that had the king asserted the prerogative of supplying, by his own authority, the deficiencies in government, arising from the obstinacy of the Commons, he would have increased the clamours with which the whole nation already resounded. Charles, therefore, contented himself with observing in general, that even during that period so much complained of, the people enjoyed a great measure of happiness, not only comparatively, in respect of their neighbours, but even in respect of those times which were justly accounted the most fortunate. He made warm protestations of sincerity in the reformed religion; he promised indulgence to tender consciences with regard to the ceremonies of the church; he mentioned his great concessions to national liberty; he blamed the infamous libels every where dispersed against his person and the national religion; he complained of the general reproaches thrown out in the remonstrance with regard to ill counsels, though he had protected no minister from parliamentary justice, retained no unpopular servant, and conferred offices on no one who enjoyed not a high character and estimation in the public. "If, notwithstanding this," he adds, "any malignant party shall take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambition, under whatever pretence of religion



and conscience: if they shall endeavour to lessen my reputation and interest, and to weaken my lawfull power and authority: if they shall attempt, by discountenancing the present laws, to loosen the bands of government, that all disorder and confusion may break in upon us; I doubt not but God in his good time will discover them to me, and that the wisdom and courage of my high court of parliament will join with me in their suppression and punishment.<sup>b</sup> Nothing shows more evidently the hard situation in which Charles was placed, than to observe, that he was obliged to confine himself within the limits of civility towards subjects who had transgressed all bounds of regard, and even of good manners, in the treatment of their sovereign.

The first instance of those parliamentary encroachments which Charles was now to look for, was, the bill for pressing soldiers to the service of Ireland. This bill quickly passed the lower House. In the preamble, the king's power of pressing, a power exercised during all former times, was declared illegal, and contrary to the liberty of the subject. By a necessary consequence, the prerogative which the crown had ever assumed of obliging men to accept of any branch of public service, was abolished and annihilated: a prerogative, it must be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raise 10,000 volunteers for the Irish service: but the Commons were afraid lest such an army should be too much at his devotion. Charles, still unwilling to submit to so considerable a diminution of power, came to the House of Peers, and offered to pass the law without the preamble; by which means, he said, that ill-timed question with regard to the prerogative would for the present be avoided, and the pretensions of each party be left entire. Both Houses took fire at this measure, which, from a similar instance while the bill of attainder against Strafford was in dependence, Charles might foresee would be received with resentment. The Lords, as well as Commons, passed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill which was in agitation in either of the Houses, or to express his sentiments with regard to it, before it be presented to him for his assent in a parliamentary manner. The king was obliged to compose all matters by an apology.<sup>c</sup>

The general question, we may observe, with regard to privileges of parliament, has always been, and still continues, one of the greatest mysteries in the English constitution; and, in some respects, notwithstanding the accurate genius of that government, these privileges are at present as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted: but though it were certain that former kings had not, in any instance, taken notice of bills lying before the Houses, (which yet appears to have been very common,) it follows not, merely from their never exerting such a power, that they had renounced it or never were possessed of it. Such privileges also as are essential to all free assemblies which deliberate, they may be allowed to assume, whatever precedents may prevail: but though the king's interposition, by an offer or advice, does in some degree overawe or restrain liberty; it may be doubted whether it imposes such evident violence as to entitle the parliament, without any other authority or concession, to claim the privilege of excluding it. But this was the favourable time for extending privileges; and had none more exorbitant or unreasonable been challenged, few bad consequences had followed. The establishment of this rule, it is certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

The interposition of Peers in the election of commoners was likewise about this time declared a breach of privilege; and continues ever since to be condemned by votes of the Commons, and universally practised throughout the nation.

Every measure pursued by the Commons, and, still more, every attempt made by their partisans, were full of the most inveterate hatred against the hierarchy, and

showed a determined resolution of subverting the whole ecclesiastical establishment. Besides numberless vexations and persecutions which the clergy underwent from the arbitrary power of the lower House, the Peers, while the king was in Scotland, having passed an order for the observance of the laws with regard to public worship, the Commons assumed such authority, that, by a vote alone of their House, they suspended those laws, though enacted by the whole legislature: and they particularly forbade bowing at the name of Jesus; a practice which gave them the highest scandal, and which was one of their capital objections against the established religion.<sup>d</sup> They complained of the king's filling five vacant sees, and considered it as an insult upon them, that he should complete and strengthen an order, which they intended soon entirely to abolish.<sup>e</sup> They had accused thirteen bishops of high treason, for enacting canons without consent of parliament,<sup>f</sup> though from the foundation of the monarchy no other method had ever been practised: and they now insisted that the Peers, upon this general accusation, should sequester those bishops from their seats in parliament, and commit them to prison. Their bill for taking away the bishops' votes had last winter been rejected by the Peers: but they again introduced the same bill, though no prorogation had intervened; and they endeavoured, by some minute alterations, to elude that rule of parliament which opposed them. And when they sent up this bill to the Lords, they made a demand, the most absurd in the world, that the bishops, being all of them parties, should be refused a vote with regard to that question.<sup>g</sup> After the resolution was once formed by the Commons, of invading the established government of church and state, it could not be expected that their proceedings, in such a violent attempt, would thenceforth be altogether regular and equitable: but it must be confessed, that, in their attack on the hierarchy, they still more openly passed all bounds of moderation, as supposing, no doubt, that the sacredness of the cause would sufficiently atone for employing means the most irregular and unprecedented. This principle, which prevails so much among zealots, never displayed itself so openly as during the transactions of this whole period.

But, notwithstanding these efforts of the Commons, they could not expect the concurrence of the upper House, either to this law, or to any other which they should introduce for the further limitation of royal authority. The majority of the Peers adhered to the king, and plainly foresaw the depression of nobility, as a necessary consequence of popular usurpations on the crown. The insolence, indeed, of the Commons, and their haughty treatment of the Lords, had already risen to a great height, and gave sufficient warning of their future attempts upon that order. They muttered somewhat of their regret that they should be obliged to save the kingdom alone, and that the House of Peers would have no part in the honour. Nay, they went so far as openly to tell the Lords, "That they themselves were the representative body of the whole kingdom, and that the Peers were nothing but individuals, who held their seats in a particular capacity: and therefore, if their lordships will not consent to the passing of acts necessary for the preservation of the people, the Commons, together with such of the Lords as are more sensible of the danger, must join together, and represent the matter to his majesty."<sup>h</sup> So violent was the democratical, enthusiastic spirit diffused throughout the nation, that a total confusion of all rank and order was justly to be apprehended; and the wonder was not, that the majority of the nobles should seek shelter under the throne, but that any of them should venture to desert it. But the tide of popularity seized many, and carried them wide of the most established maxims of civil policy. Among the opponents of the king are ranked the Earl of Northumberland, lord admiral, a man of the first family and fortune, and endowed with that dignified pride which so well became his rank and station: the Earl of Essex, who inherited all his father's popularity, and having, from his early youth, sought renown in arms, united to a middling capacity that rigid inflexibility of

<sup>b</sup> Nelson, vol. ii. p. 748.  
<sup>c</sup> Rushworth, vol. v. p. 457, 458, &c. Clarendon, vol. ii. p. 327. Nelson, vol. ii. p. 748, 750, 751, &c.

<sup>d</sup> Rushworth, vol. v. p. 325, 326. Nelson, vol. ii. p. 482.

<sup>e</sup> Nelson, vol. ii. p. 511. <sup>f</sup> Rush. vol. v. p. 750.

<sup>g</sup> Clarendon, vol. ii. p. 334.

<sup>h</sup> Ibid. p. 412.

honour which forms the proper ornament of a nobleman and a soldier: Lord Kimbolton, soon after Earl of Manchester, a person distinguished by humanity, generosity, affability, and every amiable virtue. These men, finding that their credit ran high with the nation, ventured to encourage those popular disorders, which, they vainly imagined, they possessed authority sufficient to regulate and control.

In order to obtain a majority in the upper House, the Commons had a recourse to the populace, who on other occasions had done them such important service. Amidst the greatest security, they affected continual fears of destruction to themselves and the nation, and seemed to quake at every breath or rumour of danger. They again excited the people by never-ceasing inquiries after conspiracies, by reports of insurrections, by feigned intelligence of invasions from abroad, by discoveries of dangerous combinations at home among papists and their adherents. When Charles dismissed the guard which they had ordered during his absence, they complained; and, upon his promising them a new guard, under the command of the Earl of Lindsey, they absolutely refused the offer, and were well pleased to insinuate, by this instance of jealousy, that their danger chiefly arose from the king himself.<sup>1</sup> They ordered halberds to be brought into the hall where they assembled, and thus armed themselves against those conspiracies with which, they pretended, they were hourly threatened. All stories of plots, however ridiculous, were willingly attended to, and were dispersed among the multitude, to whose capacity they were well adapted. Beale, a taylor, informed the Commons, that, walking in the fields, he had hearkened to the discourse of certain persons unknown to him, and had heard them talk of a most dangerous conspiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight Lords and Commoners, and were promised rewards for these assassinations, ten pounds for each lord, forty shillings for each commoner. Upon this notable intelligence, orders were issued for seizing priests and jesuits, a conference was desired with the Lords, and the deputy-lieutenants of some suspected counties were ordered to put the people in a posture of defence.<sup>2</sup>

The pulpits likewise were called in aid, and resounded with the dangers which threatened religion, from the desperate attempts of papists and malignants. Multitudes flocked towards Westminster, and insulted the prelates and such of the Lords as adhered to the crown. The Peers voted a declaration against those tumults, and sent it to the lower House; but these refused their concurrence.<sup>3</sup> Some seditious apprentices, being seized and committed to prison, immediately received their liberty, by an order of the Commons.<sup>4</sup> The sheriffs and justices having appointed constables with strong watches to guard the parliament, the Commons sent for the constables, and required them to discharge the watches, convened the justices, voted their orders a breach of privilege, and sent one of them to the Tower.<sup>5</sup> Encouraged by these intimations of their pleasure, the populace crowded about Whitehall, and threw out insolent menaces against Charles himself. Several reduced officers and young gentlemen of the inns of court, during this time of disorder and danger, offered their service to the king. Between them and the populace there passed frequent skirmishes, which ended not without bloodshed. By way of reproach, these gentlemen gave the rabble the appellation of Roundheads, on account of the short crop hair which they wore: these called the others Cavaliers. And thus the nation, which was before sufficiently provided with religious as well as civil-causes of quarrel, was also supplied with party-names, under which the factions might rendezvous and signalize their mutual hatred.<sup>6</sup>

Meanwhile the tumults still continued, and even increased about Westminster and Whitehall. The cry incessantly resounded against *bishops and rotten-hearted lords*.<sup>7</sup> The former especially, being distinguishable by their habit, and being the object of violent hatred to all the

sectaries, were exposed to the most dangerous insults.<sup>8</sup> Williams, now created Archbishop of York, having been abused by the populace, hastily called a meeting of his brethren. By his advice a protestation was

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drawn and addressed to the king and the House of Lords. The bishops there set forth, that though they had an undoubted right to sit and vote in parliament, yet in coming thither, they had been menaced, assaulted, affronted, by the unruly multitude, and could no longer with safety attend their duty in the House. For this reason they protested against all laws, votes, and resolutions, as null and invalid, which should pass during the time of their constrained absence. This protestation, which, though just and legal, was certainly ill-timed, was signed by twelve bishops, and communicated to the king, who hastily approved of it. As soon as it was presented to the Lords, that house desired a conference with the Commons, whom they informed of this unexpected protestation. The opportunity was seized with joy and triumph. An impeachment of high treason was immediately<sup>9</sup> impeachment of sent up against the bishops, as endeavouring<sup>10</sup> the bishops, to subvert the fundamental laws, and to invalidate the authority of the legislature.<sup>11</sup> They were, on the first demand, sequestered from parliament, and committed to custody. No man, in either House, ventured to speak a word in their vindication; so much displeased was every one at the egregious imprudence of which they had been guilty. One person alone said, that he did not believe them guilty of high treason; but that they were stark mad, and therefore desired they might be sent to Bedlam.<sup>12</sup>

A few days after, the king was betrayed into another indiscretion, much more fatal: A. D. 1642.

an indiscretion, to which all the ensuing disorders and civil wars ought immediately and directly to be ascribed. This was the impeachment of Lord Kimbolton and the five members.

When the Commons employed, in their remonstrance, language so severe and indecent, they had not been actuated entirely by insolence and passion: their views were more solid and profound. They considered, that in a violent attempt, such as an invasion of the ancient constitution, the more leisure was afforded the people to reflect, the less would they be inclined to second that rash and dangerous enterprise; that the Peers would certainly refuse their concurrence, nor were there any hopes of prevailing on them, but by instigating the populace to tumult and disorder; that the employing of such odious means for so invidious an end, would, at long-run, lose them all their popularity, and turn the tide of favour to the contrary party; and that, if the king only remained in tranquillity, and cautiously eluded the first violence of the tempest, he would, in the end, certainly prevail, and be able at least to preserve the ancient laws and constitution. They were therefore resolved, if possible, to excite him to some violent passion; in hopes that he would commit indiscretions, of which they might make advantage.

It was not long before they succeeded beyond their fondest wishes. Charles was enraged to find that all his concessions but increased their demands; that the people, who were returning to a sense of duty towards him, were again roused to sedition and tumults; that the blackest calumnies were propagated against him, and even the Irish massacre ascribed to his counsels and machinations; and that a method of address was adopted, not only unsuitable towards so great a prince, but which no private gentleman could bear without resentment. When he considered all these increasing acts of insolence in the Commons, he was apt to ascribe them, in a great measure, to his own indolence and facility. The queen and the ladies of the court further stimulated his passion, and represented, that, if he exerted the vigour and displayed the majesty of a monarch, the daring usurpations of his subjects would shrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate passions, suggested like counsels; and Charles, who, though commonly moderate in his temper, was ever disposed to hasty resolu-

<sup>1</sup> Journ. 30th Nov. 1641. Nalson, vol. ii. p. 688.

<sup>2</sup> Nalson, vol. ii. p. 616. Journ. 16th Nov. 1641. Dugdale, p. 77.

<sup>3</sup> Rushworth, part iii. vol. i. p. 710.

<sup>4</sup> Nalson, vol. ii. p. 784 792.

<sup>5</sup> Ibid. p. 792. Journ. 27th, 28th, and 29th of December, 1641.

<sup>6</sup> Clarendon, vol. ii. p. 372.

<sup>7</sup> Ibid. p. 386.

<sup>8</sup> Dugdale, p. 78.

<sup>9</sup> Whitlocke, p. 51. Rushworth, vol. v. p. 166. Nalson, vol. ii. p. 794.

<sup>10</sup> Clarendon, vol. ii. p. 375.

tions, gave way to the fatal importunity of his friends and servants.<sup>1</sup>

Herbert, attorney-general, appeared in the House of Peers, and in his majesty's name, entered an accusation of high treason against Lord Kimbolton and five commoners, Hollis, Sir Arthur Hazelrig, Hamblen, Pym, and Strode. The articles were, that they had traitorously endeavoured to subvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impose on his subjects an arbitrary and tyrannical authority; that they had endeavoured, by many foul aspersions on his majesty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to disobedience of his royal commands, and to side with them in their traitorous designs; that they had invited and encouraged a foreign power to invade the kingdom; that they had aimed at subverting the rights and very being of parliament; that, in order to complete their traitorous designs, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and to that end, had actually raised and countenanced tumults against the king and parliament; and that they had traitorously conspired to levy, and actually had levied, war against the king.<sup>2</sup>

The whole world stood amazed at this important accusation, so suddenly entered upon, without concert, deliberation, or reflection. Some of these articles of accusation, men said, to judge by appearance, seem to be common between the impeached members and the parliament; nor did these persons appear any further active in the enterprises of which they were accused, than so far as they concurred with the majority in their votes and speeches. Though proofs might, perhaps, be produced, of their privately inviting the Scots to invade England; how could such an attempt be considered as treason, after the act of oblivion which had passed, and after that both Houses, with the king's concurrence, had voted that nation three hundred thousand pounds for their brotherly assistance? While the House of Peers are scarcely able to maintain their independency, or to reject the bills sent them by the Commons; will they ever be permitted by the populace, supposing them inclined, to pass a sentence, which must totally subdue the lower House, and put an end to their ambitious undertakings? These five members, at least Pym, Hamblen, and Hollis, are the very heads of the popular party; and if these be taken off, what fate must be expected by their followers, who are many of them accomplices in the same treason? The punishment of leaders is ever the last triumph over a broken and routed party; but surely was never before attempted, in opposition to a faction, during the full tide of its power and success.

But men had not leisure to wonder at the indiscretion of this measure: their astonishment was excited by new attempts, still more precipitate and imprudent. A serjeant-at-arms, in the king's name, demanded of the House the five members; and was sent back without any positive answer. Messengers were employed to search for them and arrest them. Their trunks, chambers, and studies, were sealed and locked. The House voted all these acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members.<sup>3</sup> The king, irritated by all this opposition, resolved next day to come in person to the House, with an intention to demand, perhaps seize, in their presence, the persons whom he had accused.

This resolution was discovered to the Countess of Carlisle, sister to Northumberland, a lady of spirit, wit, and intrigue.<sup>4</sup> She privately sent intelligence to the five members; and they had time to withdraw, a moment before the king entered. He was accompanied by his ordinary retinue, to the number of above two hundred, armed as usual, some with halberds, some with walking swords. The king left them at the door, and he himself advanced alone through the hall; while all the members rose to re-

ceive him. The speaker withdrew from his chair, and the king took possession of it. The speech which he made was as follows: "Gentlemen, I am sorry for this occasion of coming to you. Yesterday, I sent a serjeant-at-arms, to demand some, who, by my order, were accused of high treason. Instead of obedience, I received a message. I must here declare to you, that though no king that ever was in England could be more careful of your privileges than I shall be, yet in cases of treason no person has privilege. Therefore am I come to tell you, that I must have these men wheresoever I can find them. Well, since I see all the birds are flown, I do expect that you will send them to me as soon as they return. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a fair and legal way: for I never meant any other: and now since I see I cannot do what I came for, I think this is no unfit occasion to repeat what I have said formerly, that whatever I have done in favour and to the good of my subjects, I do intend to maintain it."<sup>5</sup>

When the king was looking around for the accused members, he asked the speaker, who stood below, whether any of these persons were in the House? The speaker, falling on his knee, prudently replied: "I have, Sir, neither eyes to see, nor tongue to speak, in this place, but as the House is pleased to direct me, whose servant I am. And I humbly ask pardon, that I cannot give any other answer to what your majesty is pleased to demand of me."<sup>6</sup>

The Commons were in the utmost disorder; and, when the king was departing, some members cried aloud, so as he might hear them, *Privilege! privilege!* And the House immediately adjourned till next day.<sup>7</sup>

That evening, the accused members, to show the greater apprehension, removed into the city, which was their fortress. The citizens were the whole night in arms. Some people, who were appointed for that purpose, or perhaps actuated by their own terrors, ran from gate to gate, crying out, that the cavaliers were coming to burn the city, and that the king himself was at their head.

Next morning Charles sent to the mayor, and ordered him to call a common-council immediately. About ten o'clock, he himself, attended only by three or four lords, went to Guildhall. He told the common-council, that he was sorry to hear of the apprehensions entertained of him; that he was come to them without any guard, in order to show how much he relied on their affections; and that he had accused certain men of high treason, against whom he would proceed in a legal way, and therefore presumed that they would not meet with protection in the city. After many other gracious expressions, he told one of the sheriffs, who of the two was thought the least inclined to his service, that he would dine with him. He departed the hall without receiving the applause which he expected. In passing through the streets, he heard the cry, *Privilege of parliament! privilege of parliament!* resounding from all quarters. One of the populace, more insolent than the rest, drew nigh to his coach, and called out with a loud voice, *To your tents, O Israel!* the words employed by the mutinous Israelites when they abandoned Rehoboam, their rash and ill-counselled sovereign.<sup>8</sup>

When the House of Commons met, they affected the greatest dismay; and adjourning themselves for some days, ordered a committee to sit in Merchant-Taylors' hall in the city. The committee made an exact inquiry into all circumstances attending the king's entry into the House: every passionate speech, every menacing gesture of any, even the meanest of his attendants, was recorded and aggravated. An intention of offering violence to the parliament, of seizing the accused members in the very House, and of murdering all who should make resistance, was inferred. And that unparalleled breach of privilege, so it was called, was still ascribed to the counsel of papists and their adherents. This expression, which then recurred every moment in speeches and memorials, and which at present is so apt to excite laughter in the reader, begat at that time the deepest and most real consternation throughout the kingdom.

<sup>1</sup> Clarendon, vol. ii. p. 360.

<sup>2</sup> Whitlocke, p. 50. Rushworth, vol. v. p. 473. Nalson, vol. ii. p. 111.

<sup>3</sup> Clarendon, i. 366.

<sup>4</sup> Whitlocke, p. 50. Rushworth, vol. v. p. 474, 475.

<sup>5</sup> Whitlocke, p. 51. Warwick, p. 204.

<sup>6</sup> Whitlocke, p. 50.

<sup>7</sup> Clarendon, i. 366. May, 1<sup>st</sup> 8. m. p. 29.

<sup>8</sup> Whitlocke, p. 51.

<sup>9</sup> Rushworth, vol. v. p. 479. Clarendon, vol. ii. p. 361.



A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great stress upon it. One catholic there congratulates another on the accusation of the members; and represents that incident as a branch of the same pious contrivance, which had excited the Irish insurrection, and by which the profane heretics would soon be exterminated in England.<sup>c</sup>

The House again met, and after confirming the votes of their committee, instantly adjourned, as if exposed to the most imminent perils from the violence of their enemies. This practice they continued for some time. When the people, by these affected panics, were wrought up to a sufficient degree of rage and terror, it was thought proper that the accused members should, with a triumphant and military procession, take their seats in the House. The river was covered with boats, and other vessels, laden with small pieces of ordnance, and prepared for fight. Skippon, whom the parliament had appointed, by their own authority, major-general of the city militia,<sup>d</sup>

<sup>1</sup> tumults.

conducted the members, at the head of this tumultuary army, to Westminster-hall. And when the populace, by land and by water, passed Whitehall, they still asked with insulting shouts, *What has become of the king and his cavaliers? And whither are they fled?*<sup>e</sup>

<sup>2</sup> King leaves London.

The king, apprehensive of danger from the enraged multitude, had retired to Hampton-court, deserted by all the world, and overwhelmed with grief, shame, and remorse, for the fatal measures into which he had been hurried. His distressed situation he could no longer ascribe to the rigours of destiny, or the malignity of enemies: his own precipitancy and indiscretion must bear the blame of whatever disasters should henceforth befall him. The most faithful of his adherents, between sorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every prospect blasted, faction triumphant, the discontented populace inflamed to a degree of fury, they utterly despaired of success in a cause, to whose ruin friends and enemies seemed equally to conspire.

The prudence of the king in his conduct of this affair nobody pretended to justify. The legality of his proceedings met with many and just apologies; though generally offered to unwilling ears. No maxim of law, it was said, is more established or more universally allowed, than that privilege of parliament extends not to treason, felony, or breach of peace; nor has either House, during former ages, ever pretended in any of those cases to interpose in behalf of its members. Though some inconveniences should result from the observance of this maxim; that would not be sufficient, without other authority, to abolish a principle established by uninterrupted precedent, and founded on the tacit consent of the whole legislature. But what are the inconveniences so much dreaded? The king, on pretence of treason, may seize any members of the opposite faction, and for a time, gain to his partisans the majority of voices. But if he seize only a few, will he not lose more friends by such a gross artifice than he confines enemies? If he seize a great number; is not this expedient force, open and barefaced? And what remedy at all times against such force, but to oppose to it a force which is superior? Even allowing that the king intended to employ violence, not authority, for seizing the members; though at that time, and ever afterwards, he positively asserted the contrary; yet will his conduct admit of excuse. That the hall, where the parliament assemblies, is an inviolable sanctuary, was never yet pretended. And if the Commons complain of the affront offered them, by an attempt to arrest their members in their very presence; the blame must lie entirely on themselves, who had formerly refused compliance with the king's message, when he peaceably demanded these members. The sovereign is the great executor of the laws; and his presence was here legally employed, both in order to prevent opposition, and to protect the House against those insults which their disobedience had so well merited.

Charles knew to how little purpose he should urge these reasons against the present fury of the Commons.

He proposed, therefore, by a message, that they would agree upon a legal method, by which he might carry on his prosecution against the members, lest further misunderstandings happen with regard to privilege. They desired him to lay the grounds of accusation before the House; and pretended that they must first judge whether it were proper to give up their members to a legal trial. The king then informed them, that he would waive for the present all prosecution: by successive messages, he afterwards offered a pardon to the members; offered to concur in any law that should acquire or secure them; offered any reparation to the House for the breach of privilege, of which, he acknowledged, they had reason to complain.<sup>f</sup> They were resolved to accept of no satisfaction, unless he would discover his advisers in that illegal measure: a condition to which they knew that, without rendering himself for ever vile and contemptible, he could not possibly submit. Meanwhile, they continued to thunder against the violation of parliamentary privileges, and, by their violent outcries, to inflame the whole nation. The secret reason of their displeasure, however obvious, they carefully concealed. In the king's accusation of the members, they plainly saw his judgment of late parliamentary proceedings; and every adherent of the ruling faction dreaded the same fate, should royal authority be re-established in its ancient lustre. By the most unhappy conduct, Charles, while he extremely augmented in his opponents the will, had also increased the ability, of hurting him.

The more to excite the people, whose dispositions were already very seditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was presented to the House by six thousand subscribers, who promised to live and die in defence of the privileges of parliament.<sup>g</sup> The city of London, the county of Essex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciously received.<sup>h</sup> Nay, one was encouraged from the porters; whose numbers amounted, as they said, to fifteen thousand.<sup>i</sup> The address of that great body contained the same articles with all the others, the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters further desired, that justice might be done upon offenders, as the atrociousness of their crimes had deserved. And they added, *That if such remedies were any longer suspended, they should be forced to extremities not fit to be named, and make good the saying, "That necessity has no law."*<sup>k</sup>

Another petition was presented by several poor people, or beggars, in the name of many thousands more; in which the petitioners proposed as a remedy for the public miseries, *That those noble worthies of the House of Peers, who concur with the happy votes of the Commons, may separate themselves from the rest, and sit and vote as one entire body.* The Commons gave thanks for this petition.<sup>l</sup>

The very women were seized with the same rage. A brewer's wife, followed by many thousands of her sex, brought a petition to the House; in which the petitioners expressed their terror of the papists and prelates, and their dread of like massacres, rapes, and outrages, with those which had been committed upon their sex in Ireland. They had been necessitated, they said, to imitate the example of the women of Tekoah: and they claimed equal right with the men, of declaring, by petition, their sense of the public cause; because Christ had purchased them at as dear a rate, and in the free enjoyment of Christ consists equally the happiness of both sexes. Pym came to the door of the House; and having told the female zealots, that their petition was thankfully accepted, and was presented in a seasonable time, he begged that their prayers for the success of the Commons might follow their petition. Such low arts of popularity were affected! and by such illiberal cant were the unhappy people incited to civil discord and convulsions!

In the mean time, not only all petitions which favoured the church or monarchy, from whatever hand they came, were discouraged; but the petitioners were sent for, im-

<sup>c</sup> Nelson, vol. ii. p. 136.

<sup>d</sup> Ibid. p. 233.

<sup>e</sup> Whitlocke, p. 52. Dugdale, p. 52. Clarendon, vol. ii. p. 380.

<sup>f</sup> Dugdale, p. 84. Rushworth, vol. v. p. 484. 486. 492. &c

<sup>g</sup> Rush, vol. v. p. 467.

<sup>h</sup> Dugdale, p. 87.

<sup>i</sup> Ibid. p. 413.

<sup>j</sup> Ibid. p. 462.

<sup>k</sup> Clarendon, vol. ii. p. 410.

prisoned, and prosecuted as delinquents: and this unequal conduct was openly avowed and justified. Whoever desire a change, it was said, must express their sentiments; for how, otherwise, shall they be known? But those who favour the established government in church or state should not petition; because they already enjoy what they wish for.<sup>m</sup>

The king had possessed a great party in the lower House, as appeared in the vote for the remonstrance; and this party, had every new cause of disgust been carefully avoided, would soon have become the majority, from the odium attending the violent measures embraced by the popular leaders. A great majority he always possessed in the House of Peers, even after the bishops were confined or chased away; and this majority could not have been overcome, but by outrages which, in the end, would have drawn disgrace and ruin on those who incited them. By the present fury of the people, as by an inundation, were all these obstacles swept away, and every rampart of royal authority laid level with the ground. The victory was pursued with impetuosity by the sagacious Commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all opposition, and even all blame, vented in private conversation, were treated as the most atrocious crimes by these severe inquisitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the House; and reflections thrown out on Pym, were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the least hint, the will of their leaders; nor was it safe for any member to approach either House, who pretended to control or oppose the general torrent. After so undisguised a manner was this violence conducted, that Hollis, in a speech to the Peers, desired to know the names of such members as should vote contrary to the sentiments of the Commons.<sup>n</sup> And Pym said, in the lower House, that the people must not be restrained in the expressions of their just desires.<sup>o</sup>

By the flight, or terror, or despondency of the king's party, an undisputed majority remained every where to their opponents; and the bills sent up by the Commons, which had hitherto stopped with the Peers, and would certainly have been rejected, now passed, and were presented for the royal assent. These were, the pressing bill with its preamble, and the bill against the votes of the bishops in parliament. The king's authority was at that time reduced to the lowest ebb. The queen too, being secretly threatened with an impeachment, and finding no resource in her husband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion, as well as her spirit and activity, universally levelled against her. Usage, the most contumelious, she had hitherto borne with silent indignation. The Commons, in their fury against priests, had seized her very confessor; nor would they release him upon her repeated applications. Even a visit of the prince to his mother had been openly complained of, and remonstrances against it had been presented to her.<sup>p</sup> Apprehensive of attacks still more violent, she was desirous of facilitating her escape; and she prevailed with the king to pass these bills, in hopes of appeasing for a time the rage of the multitude.<sup>q</sup>

These new concessions, however important, the king immediately found to have no other effect, than had all the preceding ones: they were made the foundation of demands still more exorbitant. From the facility of his disposition, from the weakness of his situation, the Commons believed that he could now refuse them nothing. And they regarded the least moment of relaxation, in their invasion of royal authority, as highly impolitic, during the uninterrupted torrent of their successes. The very moment they were informed of these last acquisitions, they affronted the queen, by opening some intercepted letters written to her by Lord Digby: they carried up an impeachment against Herbert, attorney-general, for obeying his master's commands in accusing their members.<sup>r</sup> And they prosecuted with fresh vigour their plan of the militia, on

which they rested all future hopes of an uncontrolled authority.

The Commons were sensible that monarchical government, which, during so many ages, had been established in England, would soon regain some degree of its former dignity, after the present tempest was overblown; nor would all their new-invented limitations be able totally to suppress an authority, to which the nation had ever been accustomed. The sword alone, to which all human ordinances must submit, could guard their acquired power, and fully insure to them personal safety against the rising indignation of their sovereign. This point, therefore, became the chief object of their aims. A large magazine of arms being placed in the town of Hull, they despatched thither Sir John Hotham, a gentleman of considerable fortune in the neighbourhood, and of an ancient family; and they gave him the authority of governor. They sent orders to Goring, governor of Portsmouth, to obey no commands but such as he should receive from the parliament. Not content with having obliged the king to displace Lunsford, whom he had appointed governor of the Tower,<sup>s</sup> they never ceased soliciting him, till he had also displaced Sir John Biron, a man of unexceptionable character, and had bestowed that command on Sir John Conyers, in whom alone, they said, they could repose confidence. After making a fruitless attempt, in which the Peers refused their concurrence, to give public warning, that the people should put themselves in a posture of defence against the enterprises of *papists and other ill-affected persons*;<sup>t</sup> they now resolved, by a bold and decisive stroke, to seize at once the whole power of the sword, and to confer it entirely on their own creatures and adherents.

The severe votes passed in the beginning of this parliament against lieutenants and their deputies, for exercising powers assumed by all their predecessors, had totally disarmed the crown, and had not left in any magistrate military authority sufficient for the defence and security of the nation. To remedy this inconvenience now appeared necessary. A bill was introduced and passed the two Houses, which restored to lieutenants and deputies the same powers of which the votes of the Commons had bereaved them; but at the same time the names of all the lieutenants were inserted in the bill; and these consisted entirely of men in whom the parliament could confide. And for their conduct, they were accountable, by the express terms of the bill, not to the king, but to the parliament.

The policy pursued by the Commons, and which had hitherto succeeded to admiration, was, to astonish the king by the boldness of their enterprises, to intermingle no sweetness with their severity, to employ expressions no less violent than their pretensions, and to make him sensible in what little estimation they held both his person and his dignity. To a bill so destructive of royal authority, they prefixed, with an insolence seemingly wanton, a preamble equally dishonourable to the personal character of the king. These are the words: "Whereas there has been of late a most dangerous and desperate design upon the House of Commons, which we have just cause to believe an effect of the bloody counsels of papists and other ill-affected persons, who have already raised a rebellion in the kingdom of Ireland; and whereas, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like rebellions and insurrections in this kingdom of England; but also to back them with forces from abroad," &c.

Here Charles first ventured to put a stop to his concessions; and that not by a refusal, but a delay. When this demand was made; a demand which, if granted, the Commons justly regarded as the last they should ever have occasion to make; he was at Dover, attending the queen and the Princess of Orange, in their embarkation. He replied, that he had not now leisure to consider a matter of so great importance, and must therefore respite his answer till his return.<sup>u</sup> The parliament instantly despatched another message to him, with solicitations still

<sup>m</sup> Clarendon, vol. ii. p. 149.

<sup>n</sup> *Engl. Decl.* of 19th of August, 1642.

<sup>o</sup> *Ibid.*

<sup>p</sup> *Nelson*, vol. ii. p. 512.

<sup>q</sup> *Clarendon*, vol. ii. p. 139.

<sup>r</sup> *Rushworth*, vol. v. p. 519. *Clarendon*, vol. ii. p. 395.

<sup>s</sup> *Rushworth*, vol. v. p. 519.

<sup>t</sup> *Nelson*, vol. ii. p. 456.

<sup>u</sup> *Rushworth*, vol. v. p. 519.

<sup>w</sup> *Ibid.* p. 521.

22d Feb. more importunate. They expressed their great grief on account of his majesty's answer to their just and necessary petition. They represented, that any delay, during dangers and distractions so great and pressing, was not less unsatisfactory and destructive than an absolute denial. They insisted, that it was their duty to see put in execution a measure so necessary for public safety. And they affirmed,

23d Feb. that the people, in many counties, had applied to them for that purpose, and, in some places, were, of themselves, and by their own authority, providing against those urgent dangers with which they were threatened.<sup>x</sup>

Even after this insolence, the king durst not venture upon a flat denial. Besides excepting to the preamble, which threw such dishonour upon him, and protesting the innocence of his intentions when he entered the House of Commons; he only desired that the military authority, if it were defective, should first be conferred upon the crown; and he promised to bestow commissions, but such as should be revocable at pleasure, on the same persons whom the parliament had named in the bill.<sup>y</sup> By a former message he had expressed his wishes, that they would lay before him, in one view, all the concessions which they deemed requisite for the settlement of the nation. They pretended, that they were exposed to perils so dreadful and imminent, that they had not leisure for such a work.<sup>z</sup> The expedient proposed by the king seemed a sufficient remedy during this emergency; and yet maintained the prerogatives of the crown entire and unbroken.

1st March. But the intentions of the Commons were wide of this purpose, and their panics could be cured by one remedy alone. They instantly replied, that the dangers and distempers of the nation were such as could endure no longer delay; and unless the king speedily complied with their demands, they should be constrained, for the safety of prince and people, to dispose of the militia by the authority of both Houses, and were resolved to do it accordingly. They asserted, that those parts of the kingdom which had, from their own authority, put themselves in a posture of defence during these prevailing fears and jealousies, had acted suitably to the declarations and directions of both Houses, and conformably to the laws of the kingdom. And while they thus menaced the king with their power, they invited him to fix his residence at London, where they knew he would be entirely at mercy.<sup>a</sup>

"I am so much amazed at this message," said the king in his prompt reply, "that I know not what to answer. You speak of jealousies and fears! Lay your hands on your hearts, and ask yourselves whether I may not likewise be disturbed with fears and jealousies: and if so, I assure you that this message has nothing lessened them."

"As to the militia, I thought so much of it before I gave that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask, or I in honour grant, that I shall not alter it in any point."

"For my residence near you, I wish it might be safe and honourable, and that I had no cause to absent myself from Whitehall: ask yourselves whether I have not.<sup>b</sup>

"What would you have? Have I violated your laws? Have I denied to pass any bill for the ease and security of my subjects? I do not ask what you have done for me."

"Have any of my people been transported with fears and apprehensions? I offer as free and general a pardon as yourselves can devise. All this considered, there is a judgment of Heaven upon this nation, if these distractions continue."

"God so deal with me and mine, as all my thoughts and intentions are upright for the maintenance of the true protestant profession, and for the observance and preservation of the laws; and I hope God will bless and assist those laws for my preservation."<sup>c</sup>

No sooner did the Commons despair of obtaining the king's consent to their bill, than they instantly voted, that those who advised his majesty's answer were enemies to the state, and mischievous projectors against the safety of the nation; that this denial is of such dangerous conse-

quence, that, if his majesty persist in it, it will hazard the peace and tranquillity of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of both Houses; and that such of the subjects as have put themselves in a posture of defence against the common danger, have done nothing but what is justifiable, and approved by the House.<sup>d</sup>

Least the people might be averse to the seconding of all these usurpations, they were plied anew with rumours of danger, with the terrors of invasion, with the dread of English and Irish papists; and the most unaccountable panics were spread throughout the nation. Lord Digby having entered Kingston in a coach and six, attended by a few livery servants, the intelligence was conveyed to London; and it was immediately voted, that he had appeared in a hostile manner, to the terror and affright of his majesty's subjects, and had levied war against the king and kingdom.<sup>e</sup> Petitions from all quarters loudly demanded of the parliament to put the nation in a posture of defence; and the county of Stafford, in particular, expressed such dread of an insurrection among the papists, that every man, they said, was constrained to stand upon his guard, not even daring to go to church unarmed.<sup>f</sup>

That the same violence by which he had so long been oppressed, might not still reach him, and extort his consent to the militia bill, Charles had resolved to remove further from London: and accordingly, taking the Prince of Wales and the Duke of York along with him, King arrives at he arrived, by slow journeys, at York, which York. he determined for some time to make the place of his residence. The distant parts of the kingdom being removed from that furious vortex of new principles and opinions, which had transported the capital, still retained a sincere regard for the church and monarchy; and the king here found marks of attachment beyond what he had before expected.<sup>g</sup> From all quarters of England the prime nobility and gentry, either personally, or by messages and letters, expressed their duty towards him; and exhorted him to save himself and them from that ignominious slavery with which they were threatened. The small interval of time which had passed since the fatal accusation of the members, had been sufficient to open the eyes of many, and to recover them from the astonishment with which at first they had been seized. One rash and passionate attempt of the king's seemed but a small counterbalance to so many acts of deliberate violence, which had been offered to him and every branch of the legislature: and, however sweet the sound of liberty, many resolved to adhere to that moderate freedom transmitted them from their ancestors, and now better secured by such important concessions; rather than, by engaging in a giddy search after more independence, run a manifest risk either of incurring a cruel subjection, or abandoning all law and order.

Charles, finding himself supported by a considerable party in the kingdom, began to speak in a firmer tone, and to retort the accusations of the Commons with a vigour which he had not before exerted. Notwithstanding their remonstrances, and menaces, and insults, he still persisted in refusing their bill; and they proceeded to frame an ordinance, in which, by the authority of the two Houses, without the king's consent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garrisons, and forts of the kingdom. He issued proclamations against this manifest usurpation; and, as he professed a resolution strictly to observe the law himself, so was he determined, he said, to oblige every other person to pay it a like obedience. The name of the king was essential to all laws, and so familiar in all acts of executive authority, that the parliament was afraid, had they totally omitted it, that the innovation would be too sensible to the people. In all commands, therefore, which they conferred, they bound the persons to obey the orders of his majesty, signified by both Houses of Parliament: and, inventing a distinction, hitherto unheard of, between the office and the person of the king; those very forces which they employed against him, they levied in his name and by his authority.<sup>h</sup>

x Rushworth, vol. v. p. 521. y Ibid. ibid. z Ibid. p. 516, 517.  
a Ibid. part iii. vol. i. chap. iv. p. 523. b Ibid. vol. v. p. 521.  
c Rushworth, vol. v. p. 532. d Ibid. part iii. vol. i. chap. iv. p. 523.

e Clarendon. Rush. part iii. vol. i. chap. ii. p. 475.  
f Dugdale, p. 89. g Warwick, p. 203.  
h Rushworth, vol. v. p. 526.



It is remarkable how much the topics of argument were now reversed between the parties. The king, while he acknowledged his former error, of employing a plea of necessity, in order to infringe the laws and constitution, warned the parliament not to imitate an example on which they threw such violent blame; and the parliament, while they clothed their personal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the most exceptionable part of the king's conduct. That the liberties of the people were no longer exposed to any peril from royal authority, so narrowly circumscribed, so exactly defined, so much unsupported by revenue and by military power, might be maintained upon very plausible topics: but that the danger, allowed it to have any existence, was of that kind; great, urgent, inevitable; which dissolves all law, and levels all limitations; seems apparent from the simplest view of these transactions. So obvious indeed was the king's present inability to invade the constitution, that the fears and jealousies which operated on the people, and pushed them so furiously to arms, were undoubtedly not of a civil, but of a religious nature. The distempered imaginations of men were agitated with a continual dread of popery, with a horror against prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was most opposite to these objects of aversion. The fanatical spirit let loose, confounded all regard to ease, safety, interest; and dissolved every moral and civil obligation.<sup>1</sup>

Each party was now willing to throw on its antagonist the odium of commencing a civil war; but both of them prepared for an event which they deemed inevitable. To gain the people's favour and good opinion, was the chief point on both sides. Never was there a people less corrupted by vice, and more actuated by principle, than the English during that period: never were there individuals who possessed more capacity, more courage, more public spirit, more disinterested zeal. The infusion of one ingredient, in too large a proportion, had corrupted all these noble principles, and converted them into the most virulent poison. To determine his choice in the approaching contests, every man hearkened with avidity to the reasons proposed on both sides. The war of the pen preceded that of the sword, and daily sharpened the humours of the opposite parties. Besides private adventurers without number, the king and parliament themselves carried on the controversy, by messages, remonstrances, and declarations; where the nation was really the party to whom all arguments were addressed. Charles had here a double advantage. Not only his cause was more favourable, as supporting the ancient government in church and state against the most illegal pretensions: it was also defended with more art and eloquence. Lord Falkland had accepted

the office of secretary; a man who adorned the purest virtue with the richest gifts of nature, and the most valuable acquisitions of learning. By him, assisted by the king himself, were the memorials of the royal party chiefly composed. So sensible was Charles of his superiority in this particular, that he took care to disperse every where the papers of the parliament together with his own, that the people might be the more enabled, by comparison, to form a judgment between them: the parliament, while they distributed copies of their own, were anxious to suppress all the king's compositions.<sup>2</sup>

To clear up the principles of the constitution, to mark the boundaries of the powers intrusted by law to the several members, to show what great improvements the whole political system had received from the king's late concessions, to demonstrate his entire confidence in his people, and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, insults, and indignities, to which he had been exposed; these were the topics which, with so much justness of reasoning and propriety of expression, were insisted on in the king's declarations and remonstrances.<sup>3</sup>

Though these writings were of consequence, and tended much to reconcile the nation to Charles, it was evident that they would not be decisive, and that keener weapons must determine the controversy. To the ordinance of the parliament concerning the militia, the king opposed his commissions of array. The counties obeyed the one or the other, according as they stood affected. And in many counties, where the people were divided, mobbish combats and skirmishes ensued.<sup>4</sup> The parliament, on this occasion, went so far as to vote, "That when the Lords and Commons in parliament, which is the supreme court of judicature, shall declare what the law of the land is, to have this not only questioned, but contradicted, is a high breach of their privilege."<sup>5</sup> This was a plain assuming of the whole legislative authority, and exerting it in the most material article, the government of the militia. Upon the same principles, they pretended, by a verbal criticism on the tense of a Latin verb, to ravish from the king his negative voice in the legislature.<sup>6</sup>

The magazine of Hull contained the arms of all the forces levied against the Scots; and Sir John Hotham, the governor, though he had accepted of a commission from the parliament, was not thought to be much disaffected to the church and monarchy. Charles, therefore, entertained hopes, that, if he presented himself at Hull before the commencement of hostilities, Hotham, overruled by his presence, would admit him with his retinue; after which he might easily render himself master of the place. But the governor was on his guard. He shut the gates, and refused to receive the king, who desired leave to enter

<sup>1</sup> The great courage and conduct displayed by many of the popular leaders, have caused many men to do them in one respect more honour than they could justly claim; and to suppose that, like other politicians, they employed pretences which they secretly despised, in order to serve their selfish purposes. It is, however, probable, if not certain, that they were, generally speaking, the possessors of their own zeal. Hypocrisy, quite proper to those times, and to the nature of the cause, was not a necessary ingredient in their professions, as it is in a determined political and philosophical scepticism, from necessity, as far as its foundation is fixed, purged from all mixture of hypocrisy. So convinced that the christian spirit and religious sentiments, that it is impossible to counterfeit long these holy fervours, without feeling some such state of mind, as is necessary to aid, in the other kind, so systematic and temporary, that the reality of that nature, is the operation of the spiritual virtues, that the religious ecstasies, if carefully employed, should often be counterfeited, and must be swapped by those more familiar motives of interest and ambition, which insensibly gain upon the mind. This indeed seems the way to prevent the deterioration of the characters of that age. Equally full of fraud and of ardour, these pious paranoists, notwithstanding the avowal of the Lord, yet still pursued their own purposes; and, as a necessary consequence, they were not without a delusive, less destructive, that principle is by which they were actuated.

<sup>2</sup> With regard to the people, we are not to suppose that the controversy was on their part, entirely theological. The generality of the nation could never have been so much engaged in a contest of abstract principles, and the quite greater difficulty than they and their associates had ever been acquainted with. Their talents had been entirely satisfied with the government of Elizabeth: why should they have been thrown into such extreme rage against Charles, when, from the beginning of his reign, he wished only to maintain such a government? And why not, at least, compound matters with him, when, by all his laws, it appeared that he had agreed to depart from it? Especially, as he had not only entirely out of his power to detract that resolution. It is in vain, therefore, to regard this war, and the parliamentary authors of it, by supposing it to have any other considerable foundation than theological and civil, that good and evil, and causes of animosity among men. The controversies also were very a priori, and a priori, but without any foundation, since, from the very establishment of the constitution, it was as well, as almost, too, that no man could be a royalist, and who might pretend to a certain passion, as he could not be a consistent enemy of the monarchy. It is, therefore, the *very partial* this notion, in the *16th* edition, of the *History*, vol. v. p. 750.

<sup>3</sup> The most of these declarations, supposed to be penned by Lord Falk-

land, is found the first regular definition of the constitution, according to our present ideas of it, that occurs in any English composition; at least, any published by authority. The three species of government, monarchical, aristocratical, and democratical, are there plainly distinguished, and the balance of power is expressly said to be none of them pure, but all of them mixed and tempered together. This style, though to some extent was imitated by many writers, has been copied, and the subject have a very rational and useful property in their goods, and that no part of them can be taken from by their own consent in parliament. But that the parliament was instituted to check and control the king, and share the supreme power, would, most of the times, have been equally evident to all eyes, and not less, if it had been, language. We need not be surprised that governments should have continued, though the boundaries of authority, in their several branches, be implicit, confused, and undetermined. This is the case all over the world. We may draw an exact line between the authority of a temporal and a spiritual state. What can be ascertained the precise authority of the Roman senate, in every occurrence? Perhaps the English is the first mixed government, where the authority of every part has been very accurately defined, and yet there still remains many very important rights between the two Houses, that, by common consent, are buried in a discreet silence. The king's power is limited more exactly limited, but this period, of which we now treat, is the time at which that accuracy commenced. And it appears, from Warwick and Hobbes, that many royalists blamed this philosophical precision in the king's penman, and thought that the veil was very imprudently drawn off the mysteries of government. It is certain that liberty reaped mighty advantages from these controversies and inquiries; and the royal authority itself, though some more serious, within those contests, which were assigned to it. Since the first publication of this history, the *Journal of Lord Clarendon* has been published, which, that tedious writer, that he himself was the author of most of these remonstrances and answers, &c. &c.

<sup>4</sup> In May, book ii. p. 99. <sup>5</sup> Rushworth, vol. v. p. 534. <sup>6</sup> The king, by the declaration, promises that he would vindicate the laws and constitution, the preservation of which, says, claims, and the maintenance of the same, shall be his chief care, and that he will not suffer that the king had no right to refuse any bills which should be presented him. See Rushworth, vol. v. p. 240.

with twenty persons only. Charles immediately proclaimed him traitor, and complained to the parliament of his disobedience. The parliament avowed and justified the action.<sup>p</sup>

**Preparations.** The county of York levied a guard for the king of 600 men: for the kings of England had hitherto lived among their subjects, like fathers among their children, and had derived all their security from the dignity of their character, and from the protection of the laws. The two Houses, though they had already levied a guard for themselves, had attempted to seize all the military power, all the navy, and all the forts of the kingdom; and had openly employed their authority in every kind of warlike preparations: yet immediately voted, "That the king, seduced by wicked counsel, intended to make war against his parliament, who, in all their consultations and actions, had proposed no other end but the care of his kingdoms, and the performance of all duty and loyalty to his person; that this attempt was a breach of the trust reposed in him by his people, contrary to his oath, and tending to a dissolution of the government; and that whoever should assist him in such a war, were traitors by the fundamental laws of the kingdom."<sup>q</sup>

The armies, which had been every where raised on pretence of the service in Ireland, were henceforth more openly enlisted by the parliament for their own purposes, and the command of them was given to the Earl of Essex. In London, no less than four thousand men enlisted in one day.<sup>r</sup> And the parliament voted a declaration, which they required every member to subscribe, that they would live and die with their general.

**10th June.** They issued orders for bringing in loans of money and plate, in order to maintain forces which should defend the king and both Houses of parliament: for this style they still preserved. Within ten days, vast quantities of plate were brought to their treasurers. Hardly were there men enow to receive it, or room sufficient to stow it: and many, with regret, were obliged to carry back their offerings, and wait till the treasurers could find leisure to receive them. Such zeal animated the pious partisans of the parliament, especially in the city! The women gave up all the plate and ornaments of their houses, and even their silver thimbles and bodkins, in order to support the *good cause* against the malignants.<sup>s</sup>

Meanwhile the splendour of the nobility, with\* which the king was environed, much eclipsed the appearance at Westminster. Lord-keeper Littleton, after sending the great seal before him, had fled to York. Above forty peers of the first rank attended the king; while the House of Lords seldom consisted of more than sixteen members. Near the moiety too of the lower House absented themselves from counsels which they deemed so full of danger. The Commons sent up an impeachment against nine peers, for deserting their duty in parliament. Their own members also, who should return to them, they voted not to admit, till satisfied concerning the reason of their absence.

Charles made a declaration to the Peers who attended him, that he expected from them no obedience to any commands which were not warranted by the laws of the land. The Peers answered this declaration by a protest, in which they declared their resolution to obey no commands but such as were warranted by that authority.<sup>t</sup> By these deliberate engagements, so worthy of an English prince and English nobility, they meant to confound the furious and tumultuary resolutions taken by the parliament.

The queen, disposing of the crown jewels in Holland, had been enabled to purchase a cargo of arms and ammunition. Part of these, after escaping many perils, arrived safely to the king. His preparations were not near so forward as those of the parliament. In order to remove all jealousy, he had resolved, that their usurpations and illegal pretensions should be apparent to the whole world, and thought, that to recover the confidence of the people, was a point much more material to his interest than the

collecting of any magazines, stores, or armies, which might breed apprehensions of violent or illegal counsels. But the urgent necessity of his situation no longer admitted of delay. He now prepared himself for defence. With a spirit, activity, and address, which neither the one party apprehended, nor the other expected, he employed all the advantages which remained to him, and roused up his adherents to arms. The resources of this prince's genius increased in proportion to his difficulties; and he never appeared greater than when plunged into the deepest perils and distresses. From the mixed character, indeed, of Charles, arose in part the misfortunes in which England was at this time involved. His political errors, or rather weaknesses, had raised him inveterate enemies: his eminent moral virtues had procured him zealous partisans: and between the hatred of the one, and the affections of the other, was the nation agitated with the most violent convulsions.

That the king might despair of all composition, the parliament sent him the conditions on which they were willing to come to an agreement. Their demands, contained in nineteen propositions, amounted to a total abolition of monarchical authority. They required, that no man should remain in the council, who was not agreeable to parliament; that no deed of the king's should have validity, unless it passed the council, and was attested under their hand; that all the officers of state and principal judges should be chosen with consent of parliament, and enjoy their offices for life; that none of the royal family should marry without consent of parliament or council; that the laws should be executed against catholics; that the votes of popish lords should be excluded; that the reformation of the liturgy and church-government should have place according to advice of parliament; that the ordinance, with regard to the militia, be submitted to; that the justice of parliament pass upon all delinquents; that a general pardon be granted, with such exceptions as should be advised by parliament; that the forts and castles be disposed of by consent of parliament; and that no peer be made but with consent of both Houses.<sup>u</sup>

"Should I grant these demands," said the king in reply, "I may be waited on bareheaded; I may have my hand kissed; the title of majesty may be continued to me; and the king's authority, signified by both Houses, may still be the style of your commands; I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre (though even these twigs would not long flourish, when the stock upon which they grew was dead): but as to true and real power, I should remain but the outside, but the picture, but the sign of a king."<sup>v</sup> War on any terms was esteemed, by the king and all his counsellors, preferable to so ignominious a peace. Charles accordingly resolved to support his authority by arms. "His towns," he said, "were taken from him, his ships, his arms, his money; but there still remained to him a good cause, and the hearts of his loyal subjects, which, with God's blessing, he doubted not, would recover all the rest." Collecting, therefore, some forces, he advanced southwards; and, at Nottingham, he erected his royal standard, 25th Aug. the open signal of discord and civil war throughout the kingdom.

## CHAP. LVI.

Commencement of the civil war.—State of parties.—Battle of Edgehill.—Negotiation at Oxford.—Victories of the royalists in the west.—Battle of Stratton.—or Longdown.—of Roundway Down.—Death of Hopton.—Bristol taken.—Siege of Gloucester.—Battle of Newbury.—Actions in the North of England.—Solemn league and covenant.—Arming of the Scots.—State of Ireland.

WHEN two names, so sacred in the English constitution as those of KING and PARLIAMENT, were placed in opposition, no

A. D. 1642.

Commencement of the civil war.

<sup>p</sup> Rushworth, p. 55. Rush, vol. v. p. 565, 566. May, book ii. p. 51.  
<sup>q</sup> Rushworth, p. 57. Rushworth, vol. v. p. 717. Dugdale, p. 93. May, book ii. p. 51.  
<sup>r</sup> *Our Viceroy's God in the Mount*.  
<sup>s</sup> Rushworth, p. 58. Dugdale, p. 96, 97. May, book ii. p. 59.

<sup>u</sup> Rushworth, vol. v. p. 636, 637. May, book ii. p. 86. Warwick p. 219.  
<sup>v</sup> Rushworth, vol. v. p. 722. May, book ii. p. 54.  
<sup>x</sup> Rushworth, vol. v. p. 728. Warwick p. 182.

wonder the people were divided in their choice, and were agitated with the most violent animosities and factions.

The nobility, and more considerable gentry, dreading a total confuson of rank from the fury of the populace, enlisted themselves in defence of the monarch, from whom they received, and to whom they communicated, their lustre. Animated with the spirit of loyalty, State of parties derived from their ancestors, they adhered to the ancient principles of the constitution, and valued themselves on exerting the maxims, as well as inheriting the possessions, of the old English families. And while they passed their time mostly at their country-seats, they were surprised to hear of opinions prevailing, with which they had ever been unacquainted, and which implied not a limitation, but an abolition, almost total, of monarchical authority.

The city of London, on the other hand, and most of the great corporations, took part with the parliament, and adopted with zeal those democratical principles on which the pretensions of that assembly were founded. The government of cities, which even under absolute monarchies is commonly republican, inclined them to this party: the small hereditary influence, which can be retained over the industrious inhabitants of towns; the natural independence of citizens; and the force of popular currents over those more numerous associations of mankind; all these causes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had lately been enriched by commerce, saw with indignation, that, notwithstanding their opulence, they could not raise themselves to a level with the ancient gentry: they therefore adhered to a power, by whose success they hoped to acquire rank and consideration.<sup>a</sup> And the new splendour and glory of the Dutch commonwealth, where liberty so happily supported industry, made the commercial part of the nation desire to see a like form of government established in England.

The genius of the two religions, so closely at this time interwoven with politics, corresponded exactly to these divisions. The presbyterian religion was new, republican, and suited to the genius of the populace: the other had an air of greater show and ornament, was established on ancient authority, and bore an affinity to the kingly and aristocratical parts of the constitution. The devotees of presbytery became of course zealous partisans of the parliament: the friends of the episcopal church valued themselves on defending the rights of monarchy.

Some men also there were of liberal education, who, being either careless or ignorant of those disputes bandied about by the clergy of both sides, aspired to nothing but an easy enjoyment of life, amidst the jovial entertainment and social intercourse of their companions. All these flocked to the king's standard, where they breathed a freer air, and were exempted from that rigid preciseness and melancholy austerity, which reigned among the parliamentary party.

Never was a quarrel more unequal than seemed at first that between the contending parties: almost every advantage lay against the royal cause. The king's revenue had been seized, from the beginning, by the parliament, who issued out to him, from time to time, small sums for his present subsistence; and as soon as he withdrew to York, they totally stopped all payments. London and all the sea-ports, except Newcastle, being in their hands, the customs yielded them a certain and considerable supply of money; and all contributions, loans, and impositions, were more easily raised from the cities which possessed the ready money, and where men lived under their inspection, than they could be levied by the king in those open countries, which after some time declared for him.

The seamen naturally followed the disposition of the sea-ports to which they belonged: and the Earl of Northumberland, lord admiral, having embraced the party of the parliament, had appointed, at their desire, the Earl of Warwick to be his lieutenant, who at once established his authority in the fleet, and kept the entire dominion of the sea in the hands of that assembly.

All the magazines of arms and ammunition were from

the first seized by the parliament; and their fleet intercepted the greater part of those which were sent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the train-bands, under promise of restoring them as soon as peace should be settled in the kingdom.

The veneration for parliaments was at this time extreme throughout the nation.<sup>b</sup> The custom of reviling those assemblies for corruption, as it had no pretence, so was it unknown, during all former ages. Few or no instances of their encroaching ambition or selfish claims had hitherto been observed. Men considered the House of Commons in no other light than as the representatives of the nation, whose interest was the same with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the necessary defence of the people, could ever engage in an opposition to the crown. The torrent, therefore, of general affection ran to the parliament. What is the great advantage of popularity, the privilege of affixing epithets, fell of course to that party. The king's adherents were the *Wicked* and the *Malignant*: their adversaries were the *Godly* and *Well-affected*. And as the force of the cities was more united than that of the country, and at once gave shelter and protection to the parliamentary party, who could easily suppress the royalists in their neighbourhood, almost the whole kingdom, at the commencement of the war, seemed to be in the hands of the parliament.<sup>c</sup>

What alone gave the king some compensation for all the advantages possessed by his adversaries, was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous spirit of the nobles and gentry, than from the base disposition of the multitude. And as the men of estates, at their own expense, levied and armed their tenants, besides an attachment to their masters, greater force and courage were to be expected in these rustic troops, than in the vicious and enervated populace of cities.

The neighbouring states of Europe, being engaged in violent wars, little interested themselves in these civil commotions; and this island enjoyed the singular advantage (for such it surely was) of fighting out its own quarrels without the interposition of foreigners. France, from policy, had fomented the first disorders in Scotland; had sent over arms to the Irish rebels; and continued to give countenance to the English parliament: Spain, from bigotry, furnished the Irish with some supplies of money and arms. The Prince of Orange, closely allied to the crown, encouraged English officers, who served in the Low Countries, to enlist in the king's army: the Scottish officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

The contempt entertained by the parliament for the king's party was so great, that it was the chief cause of pushing matters to such extremities against him; and many believed that he never would attempt resistance, but must soon yield to the pretensions, however enormous, of the two Houses. Even after his standard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more desperate, by opposing a force which was so much superior. The low condition in which he appeared at Nottingham confirmed all these hopes. His artillery, though far from numerous, had been left at York, for want of horses to transport it. Besides the trained bands of the county, raised by Sir John Digby, the sheriff, he had not gotten together above three hundred infantry. His cavalry, in which consisted his chief strength, exceeded not eight hundred, and were very ill provided with arms. The forces of the parliament lay at Northampton, within a few days' march of him; and consisted of above six thousand men, well armed and well appointed. Had these troops advanced upon him, they must soon have dissipated the small force which he had assembled. By pursuing him in his retreat, they had so discredited his cause, and discouraged his adherents, as to have for ever prevented his collecting an army able to make head against them. But the Earl of Essex, the parliamentary general,



had not yet received any orders from his masters.<sup>d</sup> What rendered them so backward, after such precipitate steps as they had formerly taken, is not easily explained. It is probable, that in the extreme distress of his party consisted the present safety of the king. The parliament hoped, that the royalists, sensible of their feeble condition, and convinced of their slender resources, would disperse of themselves, and leave their adversaries a victory, so much the more complete and secure, as it would be gained without the appearance of force, and without bloodshed. Perhaps too, when it became necessary to make the concluding step, and offer barefaced violence to their sovereign, their scruples and apprehensions, though not sufficient to overcome their resolutions, were able to retard the execution of them.<sup>e</sup>

Sir Jacob Astley, whom the king had appointed major-general of his intended army, told him, that he could not give him assurance but he might be taken out of his bed, if the rebels should make a brisk attempt to that purpose. All the king's attendants were full of well grounded apprehensions. Some of the lords having desired that a message might be sent to the parliament with overtures to a treaty, Charles, who well knew that an accommodation, in his present condition, meant nothing but a total submission, hastily broke up the council, lest this proposal should be further insisted on. But next day, the Earl of Southampton, whom no one could suspect of base or timid sentiments, having offered the same advice in council, it was hearkened to with more coolness and deliberation. He urged, that though such a step would probably increase the insolence of the parliament, this was so far from being an objection, that such dispositions must necessarily turn to the advantage of the royal cause: that if they refused to treat, which was more probable, the very sound of peace was so popular, that nothing could more disgust the nation than such haughty severity: that if they admitted of a treaty, their proposals, considering their present situation, would be so exorbitant, as to open the eyes of their most partial adherents, and turn the general favour to the king's party: and that, at worst, time might be gained by this expedient, and a delay of the imminent danger with which the king was at present threatened.<sup>f</sup>

Charles, on assembling the council, had declared against all advances towards an accommodation; and had said, that, having now nothing left him but his honour, this last possession he was resolved steadily to preserve, and rather to perish than yield any further to the pretensions of his enemies.<sup>g</sup> But, by the unanimous desire of the counsellors, he was prevailed on to embrace Southampton's advice. That nobleman, therefore, with Sir John Colepeper, and Sir William Uvedale, was despatched to London, with offers of a treaty.<sup>h</sup> The manner in which they were received gave little hopes of success. Southampton was not allowed by the Peers to take his seat; but was ordered to deliver his message to the usher, and immediately to depart the city: the Commons showed little better disposition towards Colepeper and Uvedale.<sup>i</sup> Both Houses replied, that they could admit of no treaty with the king, till he took down his standard, and recalled his proclamations, in which the parliament supposed themselves to be declared traitors. The king, by a second message, denied any such intention against the two Houses; but offered to recall these proclamations, provided the parliament agreed to recall theirs, in which his adherents were declared traitors. They desired him, in return, to dismiss his forces, to reside with his parliament, and to give up delinquents to their justice; that is, abandon himself and his friends to the mercy of his enemies.<sup>k</sup> Both parties flattered themselves, that, by these messages and replies, they had gained the ends which they proposed.<sup>l</sup> The king believed that the people were made sufficiently sensible of the parliament's insolence and aversion to peace: the parliament intended, by this vigour in their resolutions, to support the vigour of their military operations.

The courage of the parliament was increased, besides their great superiority of force, by two recent events, which had happened in their favour. Goring was governor of Portsmouth, the best fortified town in the kingdom, and, by its situation, of great importance. This man seemed

to have rendered himself an implacable enemy to the king, by betraying, probably magnifying, the secret cabals of the army; and the parliament thought that his fidelity to them might, on that account, be entirely depended on. But the same levity of mind still attended him, and the same disregard to engagements and professions. He took underhand his measures with the court, and declared against the parliament. But, though he had been sufficiently supplied with money, and long before knew his danger, so small was his foresight, that he had left the place entirely destitute of provisions, and in a few days he was obliged to surrender to the parliamentary forces.<sup>m</sup>

The Marquis of Hertford was a nobleman of the greatest quality and character in the kingdom, and, equally with the king, descended, by a female, from Henry VII. During the reign of James, he had attempted, without having obtained the consent of that monarch, to marry Arabella Stuart, a lady nearly related to the crown; and, upon discovery of his intentions, had been obliged, for some time, to fly the kingdom. Ever after, he was looked on with an evil eye at court, from which, in a great measure, he withdrew; and living in an independent manner, he addicted himself entirely to literary occupations and amusements. In proportion as the king declined in popularity, Hertford's character flourished with the people; and when this parliament assembled, no nobleman possessed more general favour and authority. By his sagacity, he soon perceived, that the Commons, not content with correcting the abuses of government, were carried, by the natural current of power and popularity, into the opposite extreme, and were committing violations, no less dangerous than the former, upon the English constitution. Immediately he devoted himself to the support of the king's falling authority, and was prevailed with to be governor to the young prince, and reside at court, to which, in the eyes of all men, he gave, by his presence, a new lustre and authority. So high was his character for mildness and humanity, that he still preserved, by means of these popular virtues, the public favour; and every one was sensible of the true motive of his change. Notwithstanding his habits of ease and study, he now exerted himself in raising an army for the king; and being named general of the western counties, where his interest chiefly lay, he began to assemble forces in Somersetshire. By the assistance of Lord Seymour, Lord Paulet, John Digby, son of the Earl of Bristol, Sir Francis Hawley, and others, he had drawn together some appearance of an army; when the parliament, apprehensive of the danger, sent the Earl of Bedford with a considerable force against him. On his approach, Hertford was obliged to retire into Sherborne castle; and, finding that place untenable, he himself passed over into Wales, leaving Sir Ralph Hopton, Sir John Berkeley, Digby, and other officers, with their horse, consisting of about a hundred and twenty, to march into Cornwall, in hopes of finding that county better prepared for their reception.<sup>n</sup>

All the dispersed bodies of the parliamentary army were now ordered to march to Northampton; and the Earl of Essex, who had joined them, found the whole amount to 15,000 men.<sup>o</sup> The king, though his camp had been gradually reinforced from all quarters, was sensible that he had no army which could cope with so formidable a force; and he thought it prudent, by slow marches, to retire to Derby, thence to Shrewsbury, in order to countenance the levies which his friends were making in those parts. At Wellington, a day's march from Shrewsbury, he made a rendezvous of all his forces, and caused his military orders to be read at the head of every regiment. That he might bind himself by reciprocal ties, he solemnly made the following declaration before his whole army:

"I do promise, in the presence of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed protestant religion, established in the church of England, and, by the grace of God, in the same will live and die.

"I desire that the laws may ever be the measure of my government, and that the liberty and property of the subject may be preserved by them with the same care as my

<sup>d</sup> Rushworth, vol. iii. p. 12.

<sup>e</sup> *Ibid.*, p. 7.

<sup>f</sup> Rushworth, vol. v. p. 784.

<sup>g</sup> *Ibid.*, p. 13.

<sup>h</sup> *Ibid.*

<sup>i</sup> Clarendon, vol. iii. p. 10.

<sup>k</sup> Rushworth, vol. i. p. 782.

<sup>l</sup> Rushworth, vol. i. p. 782.

<sup>m</sup> Clarendon, vol. vi. p. 2, 3, &c.

<sup>n</sup> Whitlocke, p. 59.

<sup>o</sup> Clarendon, vol. iii. p. 12.

<sup>p</sup> Whitlocke, p. 60.

own just rights. And if it please God, by his blessing on this army, raised for my necessary defence, to preserve me from the present rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of parliament, and to govern, to the utmost of my power, by the known statutes and customs of the kingdom; and particularly to observe inviolably the laws to which I have given my consent this parliament. Meanwhile, if this emergence, and the great necessity to which I am driven, beget any violation of law, I hope it shall be imputed by God and man to the authors of this war; not to me, who have so earnestly laboured to preserve the peace of the kingdom.

"When I willingly fail in these particulars, I shall expect no aid or relief from man, nor any protection from above; but in this resolution I hope for the cheerful assistance of all good men, and am confident of the blessing of Heaven."<sup>p</sup>

Though the concurrence of the church undoubtedly increased the king's adherents, it may safely be affirmed, that the high monarchical doctrines, so much inculcated by the clergy, had never done him any real service. The bulk of that generous train of nobility and gentry who now attended the king in his distresses, breathed the spirit of liberty, as well as of loyalty: and in the hopes alone of his submitting to a legal and limited government, were they willing, in his defence, to sacrifice their lives and fortunes.

While the king's army lay at Shrewsbury, and he was employing himself in collecting money, which he received, though in no great quantities, by voluntary contributions, and by the plate of the universities, which was sent him, the news arrived of an action, the first which had happened in these wars, and where he was successful.

On the appearance of commotions in England, the Princes Rupert and Maurice, sons of the unfortunate palatine, had offered their service to the king; and the former, at that time, commanded a body of horse, which had been sent to Worcester, in order to watch the motions of Essex, who was marching towards that city. No sooner had the prince arrived, than he saw some cavalry of the enemy approaching the gates. Without delay he briskly attacked them, as they were defiling from a lane, and forming themselves. Colonel Sandys, who led them, and who fought with valour, being mortally wounded, fell from his horse. The whole party was routed, and was pursued above a mile. The prince, hearing of Essex's approach, returned to the main body.<sup>q</sup> This encounter, though in itself of small importance, mightily raised the reputation of the royalists, and acquired to Prince Rupert the character of promptitude and courage; qualities which he eminently displayed during the whole course of the war.

The king, on mustering his army, found it amount to 10,000 men. The Earl of Lindsey, who in his youth had sought experience of military service in the Low Countries,<sup>r</sup> was general: Prince Rupert commanded the horse: Sir Jacob Astley, the foot: Sir Arthur Aston, the dragoons: Sir John Heydon, the artillery. Lord Bernard Stuart was at the head of a troop of guards. The estates and revenue of this single troop, according to Lord Clarendon's computation, were at least equal to those of all the members, who, at the commencement of war, voted in both Houses. Their servants, under the command of Sir William Killigrew, made another troop, and always marched with their masters.<sup>s</sup>

With this army the king left Shrewsbury, resolving to give battle as soon as possible to the army of the parliament, which, he heard, was continually augmenting by supplies from London. In order to bring on an action, he directed his march towards the capital, which he knew the enemy would not abandon to him. Essex had now received his instructions. The import of them was, to present a most humble petition to the king, and to rescue him and the royal family from those desperate malignants, who had seized their persons.<sup>t</sup> Two days after the departure of the royalists from Shrewsbury, he left Worcester. Though it be commonly easy in civil wars to get intelligence, the armies were within six miles

of each other, ere either of the generals was acquainted with the approach of his enemy. Shrewsbury and Worcester, the places from which they set out, are not above twenty miles distant; yet had the two armies marched ten days in this mutual ignorance. So much had military skill, during a long peace, decayed in England.<sup>u</sup>

The royal army lay near Banbury: that of the parliament at Keinton, in the county of Warwick. Prince Rupert sent intelligence of the enemy's approach. Though the day was far advanced, the king resolved upon the attack: Essex drew up his men to receive him. Sir Faithful Fortescue, who had levied a troop for the Irish wars, had been obliged to serve in the parliamentary army, and was now posted on the left wing, commanded by Ramsay, a Scotchman. No sooner did the king's army approach, than Fortescue, ordering his troop to discharge their pistols in the ground, put himself under the command of Prince Rupert. Partly from this incident, partly from the furious shock made upon them by the prince, that whole wing of cavalry immediately fled, and were pursued for two miles. The right wing of the parliament's army had no better success. Chased from their ground by Wilmot and Sir Arthur Aston, they also took to flight. The king's body of reserve, commanded by Sir John Biron, judging, like raw soldiers, that all was over, and impatient to have some share in the action, heedlessly followed the chase, which their left wing had precipitately led them. Sir William Balfour, who commanded Essex's reserve, perceived the advantage: he wheeled about upon the king's infantry, now quite unfurnished of horse; and he made great havoc among them. Lindsey, the general, was mortally wounded, and taken prisoner. His son, endeavouring his rescue, fell likewise into the enemy's hands. Sir Edmund Verney, who carried the king's standard, was killed, and the standard taken; but it was afterwards recovered. In this situation, Prince Rupert, on his return, found affairs. Every thing bore the appearance of a defeat instead of a victory, with which he had hastily flattered himself. Some advised the king to leave the field: but that prince rejected such pusillanimous counsel. The two armies faced each other for some time, and neither of them retained courage sufficient for a new attack. All night they lay under arms; and next morning found themselves in sight of each other. General, as well as soldier, on both sides, seemed averse to renew the battle. Essex first drew off, and retired to Warwick. The king returned to his former quarters. Five thousand men are said to have been found dead on the field of battle; and the loss of the two armies, as far as we can judge by the opposite accounts, was nearly equal. Such was the event of this first battle, fought at Keinton, or Edge-hill.<sup>v</sup>

Some of Essex's horse, who had been driven off the field in the beginning of the action, flying to a great distance, carried news of a total defeat, and struck a mighty terror into the city and parliament. After a few days, a more just account arrived; and then the parliament pretended to a complete victory.<sup>w</sup> The king also, on his part, was not wanting to display his advantages; though, except the taking of Banbury, a few days after, he had few marks of victory to boast of. He continued his march, and took possession of Oxford, the only town in his dominions which was altogether at his devotion.

After the royal army was recruited and refreshed, as the weather still continued favourable, it was again put in motion. A party of horse approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garrison were seized with panic, and fled with precipitation to London. The king, hoping that every thing would yield before him, advanced with his whole army to Reading. The parliament, who, instead of their fond expectations that Charles would never be able to collect an army, had now the prospect of a civil war, bloody, and of uncertain event; were further alarmed at the near approach of the royal army, while their own forces lay at a distance. They voted an address for a treaty.

<sup>p</sup> Clarendon, vol. iii. p. 16, 17. Durdale, p. 104.

<sup>q</sup> Clarendon, vol. iii. p. 25. May, book iii. p. 10.

<sup>r</sup> Description Lord Willoughby.

<sup>s</sup> Clarendon, vol. iii. p. 41. Warwick, p. 231.

<sup>t</sup> Whitlocke, p. 59. Clarendon, vol. iii. p. 27, 28. &c.

<sup>u</sup> Clarendon, vol. iii. p. 41.

<sup>v</sup> Ibid. p. 44, &c. May, book iii. p. 16, &c.

<sup>w</sup> Whitlocke, p. 61. Clarendon, vol. iii. p. 59.

The king's near approach to Colebrooke quickened their advances for peace. Northumberland and Pembroke, with three commoners, presented the address of both Houses; in which they besought his majesty to appoint some convenient place where he might reside till committees could attend him with proposals. The king named Windsor, and desired that their garrison might be removed, and his own troops admitted into that castle.

Meanwhile Essex, advancing by hasty marches, had arrived at London. But neither the presence of his army, nor the precarious hope of a treaty, retarded the king's approaches. Charles attacked, at Brentford, two regiments quartered there, and after a sharp action beat them from that village, and took about 500 prisoners. The parliament had sent orders to forbear all hostilities, and had expected the same from the king; though no stipulations to that purpose had been mentioned by their commissioners. Loud complaints were raised against this attack, as if it had been the most apparent perfidy, and breach of treaty.<sup>a</sup> Inflamed with resentment, as well as anxious for its own safety, the city marched its trained bands in excellent order, and joined the army under Essex. The parliamentary army now amounted to above 24,000 men, and was much superior to that of the king.<sup>a</sup> After both armies had faced each other for some time, Charles drew off and retired to Reading, thence to Oxford.

While the principal armies on both sides were kept in inaction by the winter season, the king and parliament were employed in real preparations for war, and in seeming advances towards peace. By means of contributions or assessments, levied by the horse, Charles maintained his cavalry: by loans and voluntary presents, sent him from all parts of the kingdom, he supported his infantry: but the supplies were still very unequal to the necessities under which he laboured.<sup>b</sup> The parliament had much greater resources for money; and had, by consequence, every military preparation in much greater order and abundance. Besides an imposition levied in London, amounting to the five-and-twentieth part of every one's substance, they established on that city a weekly assessment of 10,000 pounds, and another of 23,518 on the rest of the kingdom.<sup>c</sup> And as their authority was at present established in most counties, they levied these taxes with regularity; though they amounted to sums much greater than the nation had formerly paid to the public.

The king and parliament sent reciprocally their demands; and a treaty commenced, but without any cessation of hostilities, as had at first been proposed. The Earl of Northumberland, and four members of the lower House, came to Oxford as commissioners.<sup>d</sup> In this treaty the king perpetually insisted on the re-establishment of the crown in its legal powers, and on the restoration of his constitutional prerogative: the parliament still required new concessions, and a further abridgment of regal authority, as a more effectual remedy to their fears and jealousies. Finding the king supported by more forces and a greater party than they had ever looked for, they seemingly abated somewhat of those extravagant conditions which they had formerly claimed; but their demands were still too high for an equal treaty. Besides other articles, to which a complete victory alone could entitle them, they required the king in express terms utterly to abolish episcopacy; a demand which, before, they had only insinuated: and they required, that all other ecclesiastical controversies should be determined by *their* assembly of divines; that is, in the manner the most repugnant to the

inclinations of the king and all his partisans. They insisted, that he should submit to the punishment of his most faithful adherents. And they desired him to acquiesce in their settlement of the militia, and to confer on their adherents the entire power of the sword. In answer to the king's proposal, that his magazines, towns, forts, and ships, should be restored to him, the parliament required, that they should be put into such hands as they could confide in: of the nineteen propositions, which they formerly sent to the king, showed their inclination to abolish monarchy; they only asked, at present, the power of doing it. And having now, in the eye of the law, been guilty of treason, by levying war against their sovereign; it is evident that their fears and jealousies must, on that account, have multiplied extremely; and have rendered their personal safety, which they interwove with the safety of the nation, still more incompatible with the authority of the monarch. Though the gentleness and lenity of the king's temper might have insured them against schemes of future vengeance; they preferred, as is, no doubt, natural, an independent security, accompanied too with sovereign power, to the station of subjects, and that not entirely guarded from all apprehensions of danger.<sup>e</sup>

The conferences went no further than the first demand on each side. The parliament, finding that there was no likelihood of coming to any agreement, suddenly recalled their commissioners.

A military enterprise, which they had concerted early in the spring, was immediately undertaken. Reading, the garrison of the king's which lay nearest to London, was esteemed a place of considerable strength in that age, when the art of attacking towns was not well understood in Europe, and was totally unknown in England. The Earl of Essex sat down before this place with an army of 18,000 men; and carried on the 15th April. siege by regular approaches. Sir Arthur Aston, the governor, being wounded, Colonel Fielding succeeded to the command. In a little time the town was found to be no longer in a condition of defence; and though the king approached, with an intention of obliging Essex to raise the siege, the disposition of the parliamentary army was so strong, as rendered the design impracticable. Fielding, therefore, was contented to yield the town, on condition that he should bring off all the 27th April. garrison with the honours of war, and deliver up deserters. This last article was thought so ignominious and so prejudicial to the king's interests, that the governor was tried by a council of war, and condemned to lose his life for consenting to it. His sentence was afterwards remitted by the king.<sup>f</sup>

Essex's army had been fully supplied with all necessaries from London: even many superfluities and luxuries were sent them by the care of the zealous citizens: yet the hardships, which they suffered from the siege, during so early a season, had weakened them to such a degree, that they were no longer fit for any new enterprise. And the two armies, for some time, encamped in the neighbourhood of each other, without attempting, on either side, any action of moment.

Besides the military operations between the principal armies, which lay in the centre of England; each county, each town, each family almost, was divided within itself; and the most violent convulsions shook the whole kingdom. Throughout the winter, continual efforts had every where been made by each party to surmount its antagonist; and the English, roused from the lethargy of peace, with eager though unskilful hands, employed against their fellow-citizens their long-neglected weapons. The furious

y Whitlocke, p. 62. Clarendon, vol. iii. p. 73.  
 z Whitlocke, p. 62. Clarendon, vol. iii. p. 73.  
 a Whitlocke, p. 62. b Clarendon, vol. iii. p. 87. c Ibid. p. 171.  
 d Whitlocke, p. 61. e Rushworth, vol. vi. p. 262.  
 f Ibid. p. 166. Clarendon, vol. iii. p. 119.  
 g Whitlocke, who was one of the commissioners, says, p. 63. "In this treaty the king manifested his great parts and abilities, shewing of reason and quickness of apprehension, with much patience in hearing what was objected against him, wherein he allowed all freedom, and only gainsaid him sum up the arguments, and gave a most clear judgement upon them. His unhappiness was, that he had a better opinion of others' judgements than of his own; though they were weaker than his own, and in this the parliament commissioners had experience to their great trouble. They were often waiting on the king, and debating some points of the treaty with him, until midnight, before they could come to a conclusion. Upon one of the most material points, they pressed his majesty with their reasons and best argu-

ments they could use to grant what they desired. The king said, he was fully satisfied, and promised to give them his answer in writing according to his desire, but because it was then past midnight, and too late to put it into writing, he would have it drawn up next morning, when he commanded them to wait on him again, and then he would give them his answer in writing, as it was now agreed upon. But most cunning the king told them, that he had altered his mind, and so sent his friends, of whom the commissioners inquired, to tell them, that after they were gone, and even his counsel retired, some of his bad counsellors never left pressing on him, suading him till they prevailed on him to change his former resolutions." It is difficult, however, to conceive, that any pre-acting could have succeeded between the king and parliament, while the latter insisted, as they did at all along, on a total submission to all their demands, and challenged the whole power, which they professedly intended to employ to the punishment of the king's friends.

h Rushworth, vol. vi. p. 265, &c. Clarendon, vol. iii. p. 277, 278, &c.



zeal for liberty and presbyterian discipline, which had hitherto run uncontrolled throughout the nation, now at last excited an equal ardour for monarchy and episcopacy: when the intention of abolishing these ancient modes of government was openly avowed by the parliament. Conventions for neutrality, though in several counties they had been entered into, and confirmed by the most solemn oaths, yet, being voted illegal by the two Houses, were immediately broken; and the fire of discord was spread into every quarter. The altercation of discourse, the controversies of the pen, but, above all, the declamations of the pulpit, indisposed the minds of men towards each other, and propagated the blind rage of party.<sup>k</sup> Fierce, however, and intemperate as were the dispositions of the English, by a war both civil and religious, that great destroyer of humanity; all the events of this period are less distinguished by atrocious deeds, either of treachery or cruelty, than were ever any intestine discords which had so long continued: a circumstance which will be found to reflect great praise on the national character of that people, now so unhappily roused to arms.

In the north, Lord Fairfax commanded for the parliament, the Earl of Newcastle for the king. The latter nobleman began those associations which were afterwards so much practised in other parts of the kingdom. He united in a league for the king the counties of Northumberland, Cumberland, Westmoreland, and the bishopric, and engaged, some time after, other counties in the same association. Finding that Fairfax, assisted by Hotham and the garrison of Hull, was making progress in the southern parts of Yorkshire; he advanced with a body of four thousand men, and took possession of York. At Tadcaster, he attacked the forces of the parliament, and dislodged them: but his victory was not decisive. In other encounters he obtained some inconsiderable advantages. But the chief benefit which resulted from his enterprises was, the establishing of the king's authority in all the northern provinces.

In another part of the kingdom, Lord Brooke was killed by a shot, while he was taking possession of Lichfield for the parliament.<sup>l</sup> After a short combat, near Stafford, between the Earl of Northampton and Sir John Gell, the former, who commanded the king's forces, was killed, while he fought with great valour; and his forces, discouraged by his death, though they had obtained the advantage in the action, retreated into the town of Stafford.<sup>m</sup>

Sir William Waller began to distinguish himself among the generals of the parliament. Active and indefatigable in his operations, rapid and enterprising, he was fitted by his genius to the nature of the war; which, being managed by raw troops, conducted by unexperienced commanders, afforded success to every bold and sudden undertaking. After taking Winchester and Chichester, he advanced towards Gloucester, which was in a manner blockaded by Lord Herbert, who had levied considerable forces in Wales for the royal party.<sup>n</sup> While he attacked the Welch on one side, a sally from Gloucester made impression on the other. Herbert was defeated; five hundred of his men killed on the spot; a thousand taken prisoners; and he himself escaped with some difficulty to Oxford. Hereford, esteemed a strong town, defended by a considerable garrison, was surrendered to Waller, from the cowardice of Colonel Price the governor. Tewkesbury underwent the same fate. Worcester refused him admittance; and Waller, without placing any garrisons in his new conquests, retired to Gloucester, and he thence joined the army under the Earl of Essex.<sup>o</sup>

But the most remarkable actions of valour, during this winter season, were performed in the west. When Sir Ralph Hopton, with his small troop, retired into Cornwall before the Earl of Bedford, that nobleman, despising so inconsiderable a force, abandoned the pursuit, and committed the care of suppressing the royal party to the sheriffs of the county. But the affections of Cornwall were much inclined to the king's

service. While Sir Richard Buller and Sir Alexander Carew lay at Launceston, and employed themselves in executing the parliament's ordinance for the militia, a meeting of the county was assembled at Truro; and after Hopton produced his commission from the Earl of Hertford, the king's general, it was agreed to execute the laws, and to expel these invaders of the county. The train-bands were accordingly levied, Launceston taken, and all Cornwall reduced to peace and to obedience under the king.

It had been usual for the royal party, on the commencement of these disorders, to claim, on all occasions, the strict execution of the laws, which they knew were favourable to them; and the parliament, rather than have recourse to the plea of necessity, and avow the transgression of any statute, had also been accustomed to warp the laws, and by forced constructions to interpret them in their own favour.<sup>p</sup> But though the king was naturally the gainer by such a method of conducting war, and it was by favour of law that the train-bands were raised in Cornwall; it appeared that those maxims were now prejudicial to the royal party. These troops could not legally, without their own consent, be carried out of the county; and consequently, it was impossible to push into Devonshire the advantage which they had obtained. The Cornish royalists, therefore, bethought themselves of levying a force which might be more serviceable. Sir Bevil Granville, the most beloved man of that country, Sir Ralph Hopton, Sir Nicholas Slanning, Arundel, and Trevannion, undertook, at their own charge, to raise an army for the king; and their great interest in Cornwall soon enabled them to effect their purpose. The parliament, alarmed at this appearance of the royalists, gave commission to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorset, Somerset, and Devon, and make an entire conquest of Cornwall. The Earl of Stamford followed him at some distance with a considerable supply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, hastened to an action, lest Stamford should join him, and obtain the honour of that victory which he looked for with assurance. The royalists, in like manner, were impatient to bring the affair to a decision before Ruthven's army should receive so considerable a reinforcement. The battle was fought on Bradock Down; and the king's forces, though inferior in number, gave a total defeat to their enemies. Ruthven, with a few broken troops, fled to Saltash; and when that town was taken, he escaped with some difficulty, and almost alone, into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

Notwithstanding these advantages, the extreme want both of money and ammunition under which the Cornish royalists laboured, obliged them to enter into a convention of neutrality with the parliamentary party in Devonshire; and this neutrality held all the winter-season. In the spring it was broken by the authority of the two Houses; and war recommenced with great appearance of disadvantage to the king's party. Stamford, having assembled a strong body of near seven thousand men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair, joined to the natural gallantry of these troops, commanded by the prime gentry of the country, made them resolve, by one vigorous effort, to overcome all these disadvantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four divisions, at five in the morning, having lain all night under arms. One division was commanded by Lord Mohun and Sir Ralph Hopton, another by Sir Bevil Granville, and Sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action began; the king's forces pressing with vigour those four ways up the hill, and their enemies obstinately defending themselves. The fight continued with doubtful success, till word was brought the

<sup>k</sup> Clarendon, vol. iii. p. 137, 139. <sup>l</sup> Dugdale, p. 96.

<sup>m</sup> He had taken possession of Lichfield, and was viewing from a window St. Chad's cathedral, in which a parliament the royalists had taken their seat. He was seated in a high place, but saw that this in the eyes of a parliament. Lord Erskine was anxious to mention, and that he hoped to see with his eyes the ruin of all the cathedrals of

England. It was a superstitious remark of the royalists, that he was killed on St. Chad's day by a shot from St. Chad's cathedral, which perished at the very eye by which he hoped to see the ruin of all cathedrals. <sup>n</sup> Rush. vol. vi. p. 132. <sup>o</sup> Ibid. p. 133. <sup>p</sup> Clarendon, vol. iii. p. 151. <sup>q</sup> Rush. vol. vi. p. 132, 133. <sup>r</sup> Ibid. p. 133. <sup>s</sup> Clarendon, vol. iii. p. 151.

chief officers of the Cornish, that their ammunition was spent to less than four barrels of powder. This defect, which they concealed from the soldiers, they resolved to supply by their valour. They agreed to advance without firing till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers, that the royalists began on all sides to gain ground. Major-General Chidley, who commanded the parliamentary army, (for Stamford kept at a distance,) failed not in his duty; and when he saw his men recoil, he himself advanced with a good stand of pikes, and piercing into the thickest of the enemy, was at last overpowered by numbers, and taken prisoner. His army, upon this disaster, gave ground apace; inasmuch that the four parties of the royalists, growing nearer and nearer as they ascended, at last met together upon the plain at the top; where they embraced with great joy, and signalized their victory with loud shouts and mutual congratulations.<sup>1</sup>

After this success, the attention both of king and parliament was turned towards the west, as to a very important scene of action. The king sent thither the Marquis of Hertford and Prince Maurice, with a reinforcement of cavalry; who, having joined the Cornish army, soon overran the county of Devon; and advancing into that of Somerset, began to reduce it to obedience. On the other hand, the parliament having supplied Sir William Waller, in whom they much trusted, with a complete army, despatched him westwards, in order to check the progress of the royalists. After some skirmishes, the two armies met at Lansdown near Bath, and fought a pitched battle, with great loss on both sides, but without any decisive event.<sup>2</sup>

The gallant Granville was there killed; and Hopton, by the blowing up of some powder, was dangerously hurt. The royalists next attempted to march eastwards, and to join their forces to the king's at Oxford: but Waller hung on their rear, and infested their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters, he so much surpassed the royalists in number, that they durst no longer continue their march, or expose themselves to the hazard of an action. It was resolved, that Hertford and Prince Maurice should proceed with the cavalry; and having procured a reinforcement from the king, should hasten back to the relief of their friends. Waller was so confident of taking this body of infantry, now abandoned by the horse, that he wrote to the parliament, that their work was done, and that by the next post he would inform them of the number and quality of their prisoners. But the king, even before Hertford's arrival, hearing of the great difficulties to which his western army was reduced, had prepared a considerable body of cavalry, which he immediately despatched to their succour under the command of Lord Wilmot. Waller drew up on Roundway-down, about two miles from the Devizes; and advancing with his cavalry to fight Wilmot, and prevent his conjunction with the Cornish infantry, was received with equal valour by the royalists. After a sharp action he was totally routed, and flying with a few horse, escaped to Bristol. Wilmot, seizing the enemy's cannon, and having joined his friends, whom he came to relieve, attacked Waller's infantry with redoubled courage, drove them off the field, and routed and dispersed the whole army.<sup>3</sup>

This important victory following so quick after many other successes, struck great dismay into the parliament, and gave an alarm to their principal army commanded by Essex. Waller exclaimed loudly against that general,

for allowing Wilmot to pass him, and proceed without any interruption to the succour of the distressed infantry at the Devizes. But Essex, finding that his army fell continually to decay after the siege of Reading, was resolved to remain upon the defensive; and the weakness of the king, and his want of all military stores, had also restrained the activity of the royal army. No action had happened in that part of England, except one skirmish, which of itself was of no great consequence, and was rendered memorable by the death alone of the famous Hamblen.

Colonel Urrey, a Scotchman, who served in the parliamentary army, having received some disgust, came to Oxford, and offered his services to the king. In order to prove the sincerity of his conversion, he informed Prince Rupert of the loose disposition of the enemy's quarters, and exhorted him to form some attempt upon them. The prince, who was entirely fitted for that kind of service, falling suddenly upon the dispersed bodies of Essex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horseback, in order to pursue the prince, to recover the prisoners, and to repair the disgrace which the army had sustained. Among the rest, Hamblen, who had a regiment of infantry that lay at a distance, joined the horse as a volunteer; and overtaking the royalists on Chalgrave field, entered into the thickest of the battle. By the bravery and activity of Rupert, the king's troops were brought off; and a great booty, together with two hundred prisoners, was conveyed to Oxford. But what most pleased the royalists was, the expectation that some disaster had happened to Hamblen, their capital and much dreaded enemy. One of the prisoners taken in the action said, that he was confident Mr. Hamblen was hurt: for he saw him, contrary to his usual custom, ride off the field, before the action was finished; his head hanging down, and his hands leaning upon his horse's neck. Next day, the news arrived that he was shot in the shoulder with a brace of bullets, and the bone broken.

Some days after, he died, in exquisite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been thrown into greater consternation. The king himself so highly valued him, that, either from generosity or policy, he intended to have sent him his own surgeon to assist at his cure.<sup>4</sup>

Many were the virtues and talents of this eminent personage; and his valour, during the war, had shone out with a lustre equal to that of the other accomplishments by which he had ever been distinguished. Affability in conversation; temper, art, and eloquence in debate; penetration and discernment in counsel; industry, vigilance, and enterprise in action; all these praises are unanimously ascribed to him by historians of the most opposite parties. His virtues too, and integrity, in all the duties of private life, are allowed to have been beyond exception: we must only be cautious, notwithstanding his generous zeal for liberty, not hastily to ascribe to him the praises of a good citizen. Through all the horrors of civil war, he sought the abolition of monarchy, and subversion of the constitution; an end which, had it been attainable by peaceful measures, ought carefully to have been avoided by every lover of his country. But whether, in the pursuit of this violent enterprise, he was actuated by private ambition, or by honest prejudices, derived from the former exorbitant powers of royalty, it belongs not to an historian of this age, scarcely even to an intimate friend, positively to determine.<sup>5</sup>

Essex, discouraged by this event, dismayed by the total

<sup>1</sup> Rush. vol. vi. p. 267, 273. Clarendon, vol. iii. p. 569, 579.

<sup>2</sup> Rush. vol. vi. p. 294. Clarendon, vol. iii. p. 592.

<sup>3</sup> Rush. vol. vi. p. 295. Clarendon, vol. iii. p. 594.

<sup>4</sup> Walsley's Memoirs, p. 241. Clarendon, vol. iii. p. 564.

<sup>5</sup> For other reasons that some blame may be thrown upon him, on the part of those who are his enemies, see the character of him as given by the king, in the letter to the parliament, in which he is accused of having attempted to entertain a suspicion of bad intentions, when the actions were praise-worthy. But the author's meaning is directly contrary: he esteems the last actions of Mr. Hamblen's life to have been very blameable; though, as they were the result of a great and noble mind, pushed to an extreme, there is much to be said in his defence, if not in his justification, as well as of many of his actions, were blameable. Had the preceding administration of the king, and the present parliament, been more moderate in their ambition, and less violent in their encroachments on the ancient liberties of the people, there would have been less reason for giving him any trust, or leaving in his hands a considerable share of the power which he had so much abused.

But if his conduct was derived in a great measure from necessity, and from a natural desire of defending that prerogative which was transmitted to him from his ancestors, and which his parliaments were visibly encroaching on: there is no reason why he may not be esteemed a very virtuous prince, and entirely worthy of trust from his people. His attempt, therefore, of totally annihilating monarchical power was a very blameable extreme, especially as it was attended with the danger, to say the least, of a civil war, which, besides the numberless evil consequences from it, exposed liberty to much greater perils than it was. It was not under the mask of liberty that he intended to proceed. But as these points could not be supposed so clear as they are, at this time, as they are, or may be, at present, there are great reasons of abatement to a man, who were treated by the courtiers, or, perhaps by the mob. And it is remarkable, that even at present such is the force of party prejudices, that some few people who have coolness enough to see these matters in a proper light, are convinced that the parliament could, practically have stopped in their preten-

rount of Waller, was further informed, that the queen, who landed in Burlington-bay, had arrived at Oxford, and had brought from the north a reinforcement of three thousand foot and fifteen hundred horse. Dislodging from Thame and Aylesbury, where he had hitherto lain, he thought proper to retreat nearer to London; and he showed to his friends his broken and disheartened forces, which a few months before he had led into the field in so flourishing a condition. The king, freed from this enemy, sent his army westward under Prince Rupert, and, by their conjunction with the Cornish troops, a formidable force, for numbers as well as reputation and valour, was composed. That an enterprise, correspondent to men's expectations, might be undertaken, the prince resolved to lay siege to Bristol, the second town for riches and greatness in the kingdom. Nathaniel Fiennes, son of Lord Say, he himself, as well as his father, a great parliamentary leader, was governor, and commanded a garrison of two thousand five hundred foot, and two regiments, one of horse, another of dragoons. The fortifications not being complete or regular, it was resolved by Prince Rupert to storm the city; and next morning, with little other provisions suitable to such a work, besides the courage of the troops, the assault began. The Cornish, in three divisions, attacked the west side, with a resolution which nothing could control: but though the middle division had already mounted the wall, so great was the disadvantage of the ground, and so brave the defence of the garrison, that in the end the assailants were repulsed with a considerable loss both of officers and soldiers. On the prince's side, the assault was conducted with equal courage, and almost with equal loss, but with better success. One party, led by Lord Grandison, was indeed beaten off, and the commander himself mortally wounded. Another, conducted by Colonel Bellasis, met with a like fate: but Washington, with a less party, finding a place in the curtain weaker than the rest, broke in, and quickly made room for the horse to follow. By this irruption, however, nothing but the suburbs was yet gained: the entrance into the town was still more difficult: and by the loss already sustained, as well as by the prospect of further danger, every one was extremely discouraged: when,

Bristol taken, to the great joy of the army, the city beat a  
25th July. parley. The garrison was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colours. For this instance of cowardice, Fiennes was afterwards tried by a court-martial, and condemned to lose his head; but the sentence was remitted by the general.<sup>w</sup>

Great complaints were made of violences exercised on the garrison, contrary to the capitulation. An apology was made by the royalists, as if these were a retaliation for some violences committed on their friends at the surrender of Reading. And under pretence of like retaliations, but really from the extreme animosity of the parties, were such irregularities continued during the whole course of the war.<sup>x</sup>

The loss sustained by the royalists, in the assault of Bristol, was considerable. Five hundred excellent soldiers perished. Among those of condition, were Grandison, Slanning, Trevannion, and Moyle; Bellasis, Ashley, and Sir John Owen, were wounded: yet was the success, upon the whole, so considerable, as mightily raised the courage of the one party, and depressed that of the other. The king, to show that he was not intoxicated with good fortune, nor aspired to a total victory over the parliament, published a manifesto, in which he renewed the protestation, formerly taken, with great solemnity, at the head of his army, and expressed his firm intention of making peace upon the re-establishment of the constitution. Having joined the camp at Bristol, and sent Prince Maurice with a detachment into Devonshire, he deliberated how to employ the remaining forces in an enterprise of moment. Some proposed, and seemingly with reason, to march di-

rectly to London; where every thing was in confusion, where the army of the parliament was baffled, weakened, and dismayed, and where, it was hoped, either by an insurrection of the citizens, by victory, or by treaty, a speedy end might be put to the civil disorders. But this undertaking, by reason of the great number and force of the London militia, was thought by many to be attended with considerable difficulties. Gloucester, lying within twenty miles, presented an easier, yet a very important conquest. It was the only remaining garrison possessed by the parliament in those parts. Could that city be reduced, the king held the whole course of the Severn under his command; the rich and malcontent counties of the west, having lost all protection from their friends, might be forced to pay high contributions, as an atonement for their disaffection; an open communication could be preserved between Wales and these new conquests; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-establishing the king's authority throughout the remainder. These were the reasons for embracing that resolution; fatal, as it was ever esteemed, to the royal party.<sup>y</sup>

The governor of Gloucester was one Massey, a soldier of fortune, who, before he <sup>Siege of Gloucester.</sup> engaged with the parliament, had offered his service to the king; and as he was free from the fumes of enthusiasm, by which most of the officers on that side were intoxicated, he would lend an ear, it was presumed, to proposals for accommodation: but Massey was resolute to preserve an entire fidelity to his masters; and though no enthusiast himself, he well knew how to employ to advantage that enthusiastic spirit so prevalent in his city and garrison. The summons to surrender allowed <sup>10th Aug.</sup> two hours for an answer: but before that time expired, there appeared before the king two citizens, with lean, pale, sharp, and dismal visages: faces, so strange and uncouth, according to Lord Clarendon; figures, so habited and accoutred, as at once moved the most severe countenance to mirth, and the most cheerful heart to sadness: it seemed impossible that such messengers could bring less than a defiance. The men, without any circumstance of duty or good manners, in a pert, shrill, undismayed accent, said, that they brought an answer from the godly city of Gloucester: and extremely ready were they, according to the historian, to give insolent and seditious replies to any question; as if their business were chiefly, by provoking the king, to make him violate his own safe-conduct. The answer from the city was in these words: "We, the inhabitants, magistrates, officers, and soldiers, within the garrison of Gloucester, unto his majesty's gracious message, return this humble answer: that we do keep this city, according to our oaths and allegiance, to and for the use of his majesty, and his royal posterity; and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both Houses of parliament: and are resolved, by God's help, to keep this city accordingly."<sup>z</sup> After these preliminaries, the siege was resolutely undertaken by the army, and as resolutely sustained by the citizens and garrison.

When intelligence of the siege of Gloucester arrived in London, the consternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progress of the royalists threatened the parliament with immediate subjection: the factions and discontents among themselves in the city, and throughout the neighbouring counties, prognosticated some dangerous division or insurrection. Those parliamentary leaders, it must be owned, who had introduced such mighty innovations in the English constitution, and who had projected so much greater, had not engaged in an enterprise which exceeded their courage and capacity. Great vigour, from the beginning, as well as wisdom, they had displayed in all their counsels; and a furious, headstrong body, broken loose

<sup>w</sup> Some. They still plead the violations of liberty attempted by the king, after granting the petition of right; without considering the extreme harsh treatment which followed; after making that great concession, and the responsibility of a self-propping government by the revenue then settled on the crown. The worst result is, that there was a great loss of enthusiasm in the ranks of the two parliamentary leaders, which, though it might render their conduct more judicious, will not much enhance their character with posterity. And though Hamilton was, perhaps, less infected with this spirit than many of his associates, he appears not to have been altogether free from

it. His intended migration to America, where he could only propose the advantage of enjoying political prayers and sermons, will be allowed a proof of the prevalence of this spirit in him.

<sup>x</sup> Rushworth, vol. vi. p. 284. Clarendon, vol. iii. p. 293, 294, &c.

<sup>y</sup> Clarendon, *ubi supra*, p. 297.

<sup>z</sup> Whitlocke, p. 69. May, book iii. p. 91.

<sup>a</sup> Rushworth, vol. vi. p. 287. Clarendon, vol. iii. p. 315. May, book iii. p. 96.



from the restraint of law, had hitherto been retained in subjection under their authority, and firmly united by zeal and passion, as by the most legal and established government. A small committee, on whom the two Houses devolved their power, had directed all their military operations, and had preserved a secrecy in deliberation, and a promptitude in execution, beyond what the king, notwithstanding the advantages possessed by a single leader, had ever been able to attain. Sensible that no jealousy was by their partisans entertained against them, they had on all occasions exerted an authority much more despotic than the royalists, even during the pressing exigencies of war, could with patience endure in their sovereign. Whoever incurred their displeasure, or was exposed to their suspicions, was committed to prison, and prosecuted under the notion of delinquency: after all the old jails were full, many new ones were erected; and even the ships were crowded with the royalists, both gentry and clergy, who languished below decks, and perished in those unhealthy confinements: they imposed taxes, the heaviest, and of the most unusual nature, by an ordinance of the two Houses: they voted a commission for sequestrations; and they seized, wherever they had power, the revenues of all the king's party:<sup>a</sup> and knowing that themselves, and all their adherents, were, by resisting the prince, exposed to the penalties of law, they resolved, by a severe administration, to overcome these terrors, and to retain the people in obedience, by penalties of a more immediate execution. In the beginning of this summer, a combination, formed against them in London, had obliged them to exert the plenitude of their authority.

Edmund Waller, the first refiner of English versification, was a member of the lower House; a man of considerable fortune, and not more distinguished by his poetical genius, than by his parliamentary talents, and by the politeness and elegance of his manners. As full of keen satire and invective in his eloquence, as of tenderness and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmost boldness in blaming those violent counsels, by which the Commons were governed. Finding all opposition within doors to be fruitless, he endeavoured to form a party without, which might oblige the parliament to accept of reasonable conditions, and restore peace to the nation. The charms of his conversation, joined to his character for courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent person of either sex who resided in London. They opened their breasts to him without reserve, and expressed their disapprobation of the furious measures pursued by the Commons, and their wishes that some expedient could be found for stopping so impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like sentiments; and as the connexions of these two gentlemen lay chiefly in the city, they informed Waller, that the same abhorrence of war prevailed there, among all men of reason and moderation. Upon reflection it seemed not impracticable, that a combination might be formed between the Lords and citizens; and, by mutual concert, the illegal taxes be refused, which the parliament, without the royal assent, imposed on the people. While this affair was in agitation, and lists were making of such as they conceived to be well affected to their design, a servant of Tomkins, who had overheard their discourse, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were seized, and tried by a court-martial.<sup>b</sup> They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a test, was taken<sup>c</sup> by the Lords and Commons, and imposed on their army, and on all who lived within their quarters. Besides resolving to amend and reform their lives, the covenanters there vow, that they will never lay down their arms so long as the papists, now in open war against the parliament, shall, by force of arms, be protected from justice; they express their abhorrence of the late conspiracy; and

they promise to assist to the utmost the forces raised by both Houses, against the forces levied by the king.<sup>d</sup>

Waller, as soon as imprisoned, sensible of the great danger into which he had fallen, was so seized with the dread of death, that all his former spirit deserted him; and he confessed whatever he knew, without sparing his most intimate friends, without regard to the confidence reposed in him, without distinguishing between the negligence of familiar conversation, and the schemes of a regular conspiracy. With the most profound dissimulation, he counterfeited such remorse of conscience, that his execution was put off, out of mere Christian compassion, till he might recover the use of his understanding. He invited visits from the ruling clergy of all sects; and while he expressed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Presents too, of which, as well as of flattery, these holy men were not insensible, were distributed among them; as a small retribution for their prayers and ghostly counsel. And by all these artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, small account would be made, he prevailed so far as to have his life spared, and a fine of ten thousand pounds accepted in lieu of it.<sup>e</sup>

The severity exercised against the conspiracy, or rather project, of Waller, increased the authority of the parliament, and seemed to insure them against like attempts for the future. But by the progress of the king's arms, the defeat of Sir William Waller, the taking of Bristol, the siege of Gloucester, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpose, flocked about the House, and were so clamorous and importunate, that orders were given for dispersing them; and some of the females were killed in the fray.<sup>f</sup> Bedford, Holland, and Conway, had deserted the parliament, and had gone to Oxford; Clare and Lovelace had followed them.<sup>g</sup> Northumberland had retired to his country-seat: Essex himself showed extreme dissatisfaction, and exhorted the parliament to make peace.<sup>h</sup> The upper House sent down terms of accommodation more moderate than had hitherto been insisted on. It even passed, by a majority among the Commons, that these proposals should be transmitted to the king. The zealots took the alarm. A petition against peace was framed in the city, and presented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces against the moderate party.<sup>i</sup> The pulpits thundered, and rumours were spread of twenty thousand Irish, who had landed, and were to cut the throat of every protestant.<sup>k</sup> The majority was again turned to the other side; and all thoughts of pacification being dropped, every preparation was made for resistance, and for the immediate relief of Gloucester, on which the parliament was sensible all their hopes of success in the war did so much depend.

Massey, resolute to make a vigorous defence, and having under his command a city and garrison ambitious of the crown of martyrdom, had hitherto maintained the siege with courage and abilities, and had much retarded the advances of the king's army. By continual sallies he infested them in their trenches, and gained sudden advantages over them: by disputing every inch of ground, he repressed the vigour and alacrity of their courage, elated by former successes. His garrison, however, was reduced to the last extremity; and he failed not, from time to time, to inform the parliament, that, unless speedily relieved, he should be necessitated, from the extreme want of provisions and ammunition, to open his gates to the enemy.

The parliament, in order to repair their broken condition, and put themselves in a posture of defence, now exerted to the utmost their power and authority. They voted that an army should be levied under Sir William

<sup>a</sup> The king afterwards copied from this example; but, as the far greater part of the nobility and landed gentry were his friends, he reaped much less profit from this measure.

<sup>b</sup> Rushworth, vol. vi. p. 326. Clarendon, vol. iii. p. 249, 250, &c.

<sup>c</sup> 11th of June.

<sup>d</sup> Rushworth, vol. vi. p. 325. Clarendon, vol. iii. p. 255.

<sup>e</sup> Whitlocke, p. 66. Rushworth, vol. vi. p. 330. Clarendon, vol. iii. p. 253, 254, &c.

<sup>f</sup> Rushworth, vol. vi. p. 357.

<sup>g</sup> Whitlocke, p. 67.

<sup>h</sup> Rush. vol. vi. p. 250.

<sup>i</sup> Idem, ibid. p. 356.

<sup>k</sup> Clarendon, vol. iii. p. 320. Rushworth, vol. vi. p. 331.

Waller, whom, notwithstanding his misfortunes, they loaded with extraordinary caresses. Having associated in their cause the counties of Hertford, Essex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the Earl of Manchester a commission to be general of the association, and appointed an army to be levied under his command. But, above all, they were intent that Essex's army, on which their whole fortune depended, should be put in a condition of marching against the king. They excited afresh their preachers to furious declamations against the royal cause. They even employed the expedient of pressing, though abolished by a late law, for which they had strenuously contended.<sup>1</sup> And they engaged the city to send four regiments of its militia to the relief of Gloucester. All shops, meanwhile, were ordered to be shut; and every man expected, with the utmost anxiety, the event of that important enterprise.<sup>2</sup>

Essex, carrying with him a well-appointed army of 14,000 men, took the road of Bedford and Leicester; and though inferior in cavalry, yet by the mere force of conduct and discipline, he passed over those open champion countries, and defended himself from the enemy's horse, who had advanced to meet him, and who infested him during his whole march. As he approached to Gloucester, the king was obliged to raise the siege, and open the way for Essex to enter that city. The necessities of the garrison were extreme. One barrel of powder was their whole stock of ammunition remaining; and their other provisions were in the same proportion. Essex had brought with him military stores; and the neighbouring country abundantly supplied him with victuals of every kind. The inhabitants had carefully concealed all provisions from the king's army, and pretending to be quite exhausted, had reserved their stores for that cause which they so much favoured.<sup>3</sup>

The chief difficulty still remained. Essex dreaded a battle with the king's army, on account of its great superiority in cavalry; and he resolved to return, if possible, without running that hazard. He lay five days at Tewkesbury, which was his first stage after leaving Gloucester; and he feigned, by some preparations, to point towards Worcester. By a forced march during the night, he reached Cirencester, and obtained the double advantage of passing unmolested an open country, and of surprising a convoy of provisions which lay in that town.<sup>4</sup> Without delay he proceeded towards London; but when he reached Newbury, he was surprised to find that the king, by hasty marches, had arrived before him, and was already possessed of the place.

An action was now unavoidable; and the 8th Sept. Battle of Newbury. Essex prepared for it with presence of mind, and not without military conduct. On both sides, the battle was fought with desperate valour and a steady bravery. Essex's horse were several times broken by the king's, but his infantry maintained themselves in firm array; and, besides giving a continued fire, they presented an invincible rampart of pikes against the furious shock of Prince Rupert, and those gallant troops of gentry, of which the royal cavalry was chiefly composed. The militia of London especially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet having learned all military exercises, and being animated with unconquerable zeal for the cause in which they were engaged, equalled, on this occasion, what could be expected from the most veteran forces. While the armies were engaged with the utmost ardour, night put an end to the action, and left the victory undecided. Next morning, Essex proceeded on his march; and though his rear was once put in some disorder by an incursion of the king's horse, he reached London in safety, and received applause for his conduct and success in the whole enterprise. The king followed him on his march; and having taken possession of Reading, after the earl left it, he there established a garrison; and straitened, by that means, London, and the quarters of the enemy.<sup>5</sup>

In the battle of Newbury, on the part of the king, be-

sides the Earls of Sunderland and Carnarvon, two noblemen of promising hopes, was unfortunately slain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary, Viscount Falkland, secretary of state. Before assembling the present parliament, this man, devoted to the pursuits of learning, and to the society of all the polite and elegant, had enjoyed himself in every pleasure, which a fine genius, a generous disposition, and an opulent fortune could afford. Called into public life, he stood foremost in all attacks on the high prerogatives of the crown; and displayed that masculine eloquence, and undaunted love of liberty, which, from his intimate acquaintance with the sublime spirits of antiquity, he had greedily imbibed. When civil convulsions proceeded to extremities, and it became requisite for him to choose his side; he tempered the ardour of his zeal, and embraced the defence of those limited powers which remained to monarchy, and which he deemed necessary for the support of the English constitution. Still anxious, however, for his country, he seems to have dreaded the too prosperous success of his own party, as much as of the enemy; and, among his intimate friends, often, after a deep silence and frequent sighs, he would, with a sad accent, reiterate the word, *Peace*. In excuse for the too free exposing of his person, which seemed unsuitable in a secretary of state, he alleged, that it became him to be more active than other men in all hazardous enterprises, lest his impatience for peace might bear the imputation of cowardice or pusillanimity. From the commencement of the war, his natural cheerfulness and vivacity became clouded; and even his usual attention to dress, required by his birth and station, gave way to a negligence which was easily observable. On the morning of the battle in which he fell, he had shown some care of adorning his person; and gave for a reason, that the enemy should not find his body in any slovenly, indecent situation. "I am weary," subjoined he, "of the times, and foresee much misery to my country; but believe, that I shall be out of it ere night."<sup>6</sup> This excellent person was but thirty-four years of age when a period was thus put to his life.

The loss sustained on both sides in the battle of Newbury, and the advanced season, obliged the armies to retire into winter quarters.

In the north, during the summer, the great interest and popularity of the Earl, now created Marquis, of Newcastle, had raised a considerable force for the king; and great hopes of success were entertained from that quarter. There appeared however, in opposition to him, two men, on whom the event of the war finally depended, and who began about this time to be remarked for their valour and military conduct. These were Sir Thomas Fairfax, son of the lord of that name, and Oliver Cromwell. The former gained a considerable advantage at Wakefield<sup>7</sup> over a detachment of royalists, and took General Goring prisoner; the latter obtained a victory at Gainsborow<sup>8</sup> over a party commanded by the gallant Cavendish, who perished in the action. But both these defeats of the royalists were more than sufficiently compensated by the total rout of Lord Fairfax at Atherton moor,<sup>9</sup> and the dispersion of his army. After this victory, Newcastle, with an army of 15,000 men, sat down before Hull. Hotham was no longer governor of this place. That gentleman and his son, partly from a jealousy entertained of Lord Fairfax, partly repenting of their engagements against the king, had entered into a correspondence with Newcastle, and had expressed an intention of delivering Hull into his hands. But their conspiracy being detected, they were arrested and sent prisoners to London; where, without any regard to their former services, they fell, both of them, victims to the severity of the parliament.<sup>10</sup>

Newcastle, having carried on the attack of Hull for some time, was beat off by a sally of the garrison,<sup>11</sup> and suffered so much, that he thought proper to raise the siege. About the same time, Manchester, who advanced from the eastern associated counties, having joined Cromwell and young Fairfax, obtained a considerable victory over the royalists at Horncastle; where the two officers last

<sup>1</sup> *Trinh*, vol. vi. p. 292.

<sup>2</sup> *Idem*, *ibid*.

<sup>3</sup> *Clarendon*, vol. iii. p. 344.

<sup>4</sup> *Rush*, vol. vi. p. 292.

<sup>5</sup> *Clarendon*, vol. iii. p. 293.

<sup>6</sup> *Clarendon*, vol. iii. p. 347.

<sup>7</sup> *Whitlocke*, p. 70. *Clarendon*, vol. iii. p. 350, 351, &c. <sup>8</sup> 21st of May.

<sup>9</sup> 31st of July.

<sup>10</sup> 30th June.

<sup>11</sup> *Rush*, vol. vi. p. 275.

<sup>12</sup> 12th of October.

mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favours, the king's party still remained much superior in those parts of England; and had it not been for the garrison of Hull, which kept Yorkshire in awe, a conjunction of the northern forces with the army in the south might have been made, and had probably enabled the king, instead of entering on the unfortunate, perhaps imprudent, enterprise of Gloucester, to march directly to London, and put an end to the war.<sup>2</sup>

While the military enterprises were carried on with vigour in England, and the event became every day more doubtful, both parties cast their eye towards the neighbouring kingdoms, and sought assistance for the finishing of that enterprise, in which their own forces experienced such furious opposition. The parliament had recourse to Scotland; the King to Ireland.

When the Scottish covenanters obtained that end, for which they so earnestly contended, the establishment of presbyterian discipline in their own country, they were not satisfied, but indulged still an ardent passion for propagating, by all methods, that mode of religion in the neighbouring kingdoms. Having flattered themselves in the fervour of their zeal, that, by supernatural assistances, they should be enabled to carry their triumphant covenant to the gates of Rome itself, it behoved them first to render it prevalent in England, which already showed so great a disposition to receive it. Even in the articles of pacification, they expressed a desire of uniformity in worship with England; and the king, employing general expressions, had approved of this inclination, as pious and laudable. No sooner was there an appearance of a rupture, than the English parliament, in order to allure that nation into a close confederacy, openly declared their wishes of ecclesiastical reformation, and of imitating the example of their northern brethren.<sup>3</sup> When war was actually commenced, the same artifices were used; and the Scots beheld, with the utmost impatience, a scene of action, of which they could not deem themselves indifferent spectators. Should the king, they said, be able, by force of arms, to prevail over the parliament of England, and re-establish his authority in that powerful kingdom, he will undoubtedly retract all those concessions, which, with so many circumstances of violence and indignity, the Scots have extorted from him. Besides a sense of his own interest, and a regard to royal power, which has been entirely annihilated in this country; his very passion for prelacy and for religious ceremonies must lead him to invade a church which he has ever been taught to regard as antichristian and unlawful. Let us but consider who the persons are that compose the factions now so furiously engaged in arms. Does not the parliament consist of those very men who have ever opposed all war with Scotland, who have punished the authors of our oppressions, who have obtained us the redress of every grievance, and who, with many honourable expressions, have conferred on us an ample reward for our brotherly assistance? And is not the court full of papists, prelates, malignants; all of them zealous enemies to our religious model, and resolute to sacrifice their lives for their idolatrous establishments? Not to mention our own necessary security; can we better express our gratitude to Heaven for that pure light with which we are, above all nations, so eminently distinguished, than by conveying the same divine knowledge to our unhappy neighbours, who are wading through a sea of blood in order to attain it? These were, in Scotland, the topics of every conversation: with these doctrines the pulpits echoed: and the famous curse of Meroz, that curse so solemnly denounced and reiterated against neutrality and moderation, resounded from all quarters.<sup>4</sup>

The parliament of England had ever invited the Scots, from the commencement of the civil dissensions, to interpose their mediation, which, they knew, would be so little favourable to the king; and the king, for that very reason, had ever endeavoured, with the least offensive expressions, to decline it.<sup>5</sup> Early this spring, the Earl of Loudon, the chancellor, with other commissioners, and attended by Henderson, a popular and intriguing preacher, was sent to the King at Oxford, and renewed the offer of mediation; but with the same success as before. The commissioners were also empowered to press the king on the article of religion, and to recommend to him the Scottish model of ecclesiastical worship and discipline. This was touching Charles in a very tender point: his honour, his conscience, as well as his interest, he believed to be intimately concerned in supporting prelacy and the liturgy.<sup>6</sup> He begged the commissioners, therefore, to remain satisfied with the concessions which he had made to Scotland; and, having modelled their own church according to their own principles, to leave their neighbours in the like liberty, and not to intermeddle with affairs of which they could not be supposed competent judges.<sup>7</sup>

The divines of Oxford, secure, as they imagined, of a victory, by means of their authorities from church history, their quotations from the fathers, and their spiritual arguments, desired a conference with Henderson, and undertook, by dint of reasoning, to convert that great apostle of the north: but Henderson, who had ever regarded as impious, the least doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, absolutely refused all dispute or controversy. The English divines went away full of admiration at the blind assurance and bigoted prejudices of the man: he, on his part, was moved with equal wonder at their obstinate attachment to such palpable errors and delusions.

By the concessions which the king had granted to Scotland, it became necessary for him to summon a parliament once in three years; and in June of the subsequent year, was fixed the period for the meeting of that assembly. Before that time elapsed, Charles flattered himself that he should be able, by some decisive advantage, to reduce the English parliament to a reasonable submission, and might then expect, with security, the meeting of a Scottish parliament. Though earnestly solicited by Loudon to summon presently that great council of the nation, he absolutely refused to give authority to men who had already excited such dangerous commotions, and who showed still the same disposition to resist and invade his authority. The commissioners, therefore, not being able to prevail in any of their demands, desired the king's passport for London, where they purposed to confer with the English parliament; and being likewise denied this request, they returned with extreme dissatisfaction to Edinburgh.

The office of conservators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and these, instigated by the clergy, were resolved, since they could not obtain the king's consent, to summon, in his name, but by their own authority, a convention of states; and to bereave their sovereign of this article, the only one which remained of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of English armies, was a convention called;<sup>8</sup> an assembly which, though it meets with less solemnity, has the same authority as a parliament, in raising money and levying forces. Hamilton, and his brother the Earl of Lanerick, who had been sent into Scotland in order to oppose these measures, wanted either authority or sincerity; and passively yielded to the torrent. The general assembly of the church met at the same time with the con-

<sup>2</sup> Warburton, p. 261. Walser, p. 278.

<sup>3</sup> Rush, vol. vi. p. 320. Clarendon, vol. iii. p. 63.

<sup>4</sup> *Course of Merit*, said the angel of the Lord; *course* ye bitterly the mischief ye meet, because they came not to the help of the Lord, to the help of the Lord against the mighty. Judges, chap. v. ver. 23.

<sup>5</sup> Rush, vol. vi. p. 320.

<sup>6</sup> A letter of the king to the queen, preserved in the British Museum, and published by Mrs. Macaulay, vol. iv. p. 420, he says, that unless religion was preserved, the militia being lost, as in France, a fortified powerful strength would be of little use to the crown; and that if the parliament and commons, which would never be if Presbyterian government was absolutely established, the king would have but small comfort of the militia. This reasoning shows the king's good sense, and passes

that his attachment to episcopacy, though partly founded on religious principles, was also, in his situation, derived from the soundest views of civil policy. In reality, it was easy for the king to perceive, by the necessary connexion between trifles and important matters, and by the connexion maintained at that time between religion and politics, that when he was contending for the surplice, he was in effect fighting for his crown, and even for his life. Few of the popular party could perceive this connexion; most of them were carried headlong by fanaticism; as might be expected by the great multitude. Few even of the leaders seem to have perceived these views.

<sup>7</sup> Rush, vol. vi. p. 262.

<sup>8</sup> Rush, vol. vi. p. 262.

<sup>9</sup> Rush, vol. vi. p. 262.



vention, and exercising an authority almost absolute over the whole civil power, made every political consideration yield to their theological zeal and prejudices.

The English parliament was, at that time, fallen into great distress, by the progress of the royal arms; and they gladly sent to Edinburgh commissioners, with ample powers, to treat of a nearer union and confederacy with the Scottish nation. The persons employed were the Earl of Rutland, Sir William Armyne, Sir Henry Vane the younger, Thomas Hatcher, and Henry Darley, attended by Marshal and Nye, two clergymen of signal authority.<sup>f</sup> In this negotiation, the man chiefly trusted was Vane, who, in eloquence, address, capacity, as well as in art and dissimulation, was not surpassed by any one, even during that age, so famous for active talents. By his persuasion

Solemn league was framed at Edinburgh that SOLEMN SUB-COVENANT, LEAGUE AND COVENANT, which efficed all former protestations and vows taken in both kingdoms; and long maintained its credit and authority. In this covenant, the subscribers, besides engaging mutually to defend each other against all opponents, bound themselves to endeavour, without respect of persons, the extirpation of popery and prelacy, superstition, heresy, schism, and profaneness; to maintain the rights and privileges of parliaments, together with the king's authority; and to discover and bring to justice all incendiaries and malignants.<sup>g</sup>

The subscribers of the covenant vowed also to preserve the reformed religion established in the church of Scotland; but, by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland, than that these kingdoms should be reformed, according to the word of God, and the example of the purest churches. The Scottish zealots, when prelacy was abjured, deemed this expression quite free from ambiguity, and regarded their own model as the only one which corresponded, in any degree, to such a description; but that able politician had other views, and while he employed his great talents in overreaching the presbyterians, and secretly laughed at their simplicity, he had blindly devoted himself to the maintenance of systems still more absurd and more dangerous.

In the English parliament there remained some members, who, though they had been induced, either by private ambition, or by zeal for civil liberty, to concur with the majority, still retained an attachment to the hierarchy, and to the ancient modes of worship. But, in the present danger which threatened their cause, all scruples were laid aside; and the covenant, by whose means alone they could expect to obtain so considerable a reinforcement as the accession of the Scottish nation, was received without opposition. The parliament, therefore, having first subscribed it themselves, ordered it to be received by all who lived under their authority.

Great were the rejoicings among the Scots, that they should be the happy instruments of extending their mode of religion, and dissipating that profound darkness in which the neighbouring nations were involved. The general assembly applauded this glorious imitation of the piety displayed by their ancestors, who, they said, in three different applications, during the reign of Elizabeth, had endeavoured to engage the English, by persuasion, to lay aside the use of the surplice, tippet, and cornercap.<sup>h</sup> The convention too, in the height of their zeal, ordered every one to swear to this covenant, under the penalty of confiscation; beside what further punishment it should please the ensuing parliament to inflict on the refusers, as enemies to God, to the king, and to the kingdom. And being determined that the sword should carry conviction to all refractory minds, they prepared themselves, with great vigilance and activity, for their military enterprises. By means of a hundred thousand pounds, which they received from England; by the hopes of good pay and warm quarters; not to mention men's favourable disposition towards the cause; they soon completed their levies. And, having added to their other forces the troops which they had recalled from Ireland,

they were ready, about the end of the year, to enter England, under the command of their old general, the Earl of Leven, with an army of above twenty thousand men.<sup>i</sup>

The king, foreseeing this tempest which was gathering upon him, endeavoured to secure himself by every expedient; and he cast his eye towards Ireland, in hopes that this kingdom, from which his cause had already received so much prejudice, might at length contribute somewhat towards his protection and security.

After the commencement of the Irish insurrection, the English parliament, though <sup>State of Ireland.</sup> they undertook the suppression of it, had ever been too much engaged, either in military projects, or expeditions at home, to take any effectual step towards finishing that enterprise. They had entered, indeed, into a contract with the Scots, for sending over an army of ten thousand men into Ireland; and, in order to engage that nation in this undertaking, beside giving a promise of pay, they agreed to put Carricfergus into their hands, and to invest their general with an authority quite independent of the English government. These troops, so long as they were allowed to remain, were useful, by diverting the force of the Irish rebels, and protecting in the north the small remnants of the British planters. But, except this contract with the Scottish nation, all the other measures of the parliament either were hitherto absolutely insignificant, or tended rather to the prejudice of the protestant cause in Ireland. By continuing their violent persecution, and still more violent menaces against priests and papists, they confirmed the Irish catholics in their rebellion, and cut off all hopes of indulgence and toleration. By disposing beforehand of all the Irish forfeitures to subscribers or adventurers, they rendered all men of property desperate, and seemed to threaten a total extirpation of the natives.<sup>k</sup> And while they thus infused zeal and animosity into the enemy, no measure was pursued which could tend to support or encourage the protestants, now reduced to the last extremities.

So great is the ascendancy which, from a long course of successes, the English has acquired over the Irish nation, that though the latter, when they receive military discipline among foreigners, are not surpassed by any troops, they had never, in their own country, been able to make any vigorous effort for the defence or recovery of their liberties. In many encounters, the English under Lord More, Sir William St. Leger, Sir Frederic Hamilton, and others, had, though under great disadvantages of situation and numbers, put the Irish to rout, and returned in triumph to Dublin. The rebels raised the siege of Tredah, after an obstinate defence made by the garrison.<sup>l</sup> Ormond had obtained two complete victories at Kilrush and Ross; and had brought relief to all the forts which were besieged or blockaded in different parts of the kingdom.<sup>m</sup> But notwithstanding these successes, even the most common necessities of life were wanting to the victorious armies. The Irish, in their wild rage against the British planters, had laid waste the whole kingdom, and were themselves totally unfit, from their habitual sloth and ignorance, to raise any convenience of human life. During the course of six months no supplies had come from England, except the fourth part of one small vessel's lading. Dublin, to save itself from starving, had been obliged to send the greater part of its inhabitants to England. The army had little ammunition, scarcely exceeding forty barrels of gunpowder; not even shoes or clothes; and for want of food the soldiers had been obliged to eat their own horses. And though the distress of the Irish was not much inferior;<sup>n</sup> besides that they were more hardened against such extremities, it was but a melancholy reflection, that the two nations, while they continued their furious animosities, should make desolate that fertile island, which might serve to the subsistence and happiness of both.

The justices and council of Ireland had been engaged, chiefly by the interest and authority of Ormond, to fall into an entire dependence on the king. Parsons, Temple, Loftus, and Meredith, who favoured the opposite party,

<sup>f</sup> Whitlocke, p. 73. Rush, vol. vi. p. 466. Clarendon, vol. iii. p. 300.

<sup>g</sup> Rush, vol. vi. p. 476. Clarendon, ibid. iii. p. 373.

<sup>h</sup> Rushworth, vol. vi. p. 383.

<sup>i</sup> Clarendon, vol. iii. p. 303.

<sup>k</sup> A thousand acres in Ulster were given to every one that subscribed 200 pounds; in Connaught to the subscribers of 450, in Munster for 450, in Leinster for 600.

<sup>l</sup> Ibid. p. 512.

<sup>m</sup> Rush, vol. vi. p. 576.

<sup>n</sup> Ibid. p. 555.

had been removed; and Charles had supplied their place by others better affected to his service. A committee of the English House of Commons, which had been sent over to Ireland, in order to conduct the affairs of that kingdom had been excluded the council, in obedience to orders transmitted from the king.<sup>o</sup> And these were reasons sufficient, besides the great difficulties under which they themselves laboured, why the parliament was unwilling to send supplies to an army, which, though engaged in a cause much favoured by them, was commanded by their declared enemies. They even intercepted some small succours sent thither by the king.

The king, as he had neither money, arms, ammunition, nor provisions, to spare from his own urgent wants, resolved to embrace an expedient, which might at once relieve the necessities of the Irish protestants, and contribute to the advancement of his affairs in England. A truce with the rebels, he thought, would enable his subjects in Ireland to provide for their own support, and would procure him the assistance of the army against the English parliament. But as a treaty with a people, so odious for their barbarities, and still more for their religion, might be represented in invidious colours, and renew all those calumnies with which he had been loaded; it was necessary to proceed with great caution in conducting that measure. A remonstrance from the army was made to the Irish council, representing their intolerable necessities, and craving permission to leave the kingdom: and if that were refused, *We must have recourse, they said, to that first and primary law, with which God has endowed all men: we mean the law of nature, which touches every creature to preserve itself.*<sup>p</sup> Memorials both to the king and parliament were transmitted by the justices and council, in which their wants and dangers are strongly set forth;<sup>q</sup> and though the general expressions in these memorials might perhaps be suspected of exaggeration, yet from the particular facts mentioned, from the confession of the English parliament itself,<sup>r</sup> and from the very nature of things, it is apparent that the Irish protestants were reduced to great extremities;<sup>s</sup> and it became prudent in the king, if not absolutely necessary, to embrace some expedient, which might secure them, for a time, from the ruin and misery with which they were threatened.

Accordingly, the king gave orders<sup>t</sup> to Ormond and the justices to conclude, for a year, a cessation of arms with the council of Kilkenny, by whom the Irish were governed, and to leave both sides in possession of their present advantages. The parliament, whose business it was to find fault with every measure adopted by the opposite party, and who would not lose so fair an opportunity of reproaching the king with his favour to the Irish papists, exclaimed loudly against this cessation. Among other reasons, they insisted upon the divine vengeance, which England might justly dread, for tolerating anti-christian idolatry, on pretence of civil contracts and political agreements.<sup>u</sup> Religion, though every day employed as the engine of their own ambitious purposes, was supposed too sacred to be yielded up to the temporal interests or safety of kingdoms.

After the cessation, there was little necessity, as well as no means, of subsisting the army in Ireland. The king ordered Ormond, who was entirely devoted to him, to send over considerable bodies of it to England. Most of them continued in his service; but a small part, having imbibed in Ireland a strong animosity against the catholics, and hearing the king's party universally reproached with popery, soon after deserted to the parliament.

Some Irish catholics came over with these troops, and joined the royal army, where they continued the same cruelties and disorders to which they had been accustomed.<sup>v</sup> The parliament voted that no quarter, in any action, should ever be given them: but Prince Rupert, by making some reprisals, soon repressed this inhumanity.<sup>x</sup>

## CHAP. LVII.

*Invasion of the Scots—Battle of Marston-moor—Battle of Cropredy-bridge—Essex's forces dispersed—Second battle of Newbury—Rise and character of the independents—Self-denying ordinance—Fairfax, Cromwell—Treaty of Uxbridge—Execution of Laud.*

The king had hitherto, during the course A. D. 1644. of the war, obtained many advantages over the parliament, and had raised himself from that low condition into which he had at first fallen, to be nearly upon an equal footing with his adversaries. Yorkshire, and all the northern counties, were reduced by the Marquis of Newcastle; and, excepting Hull, the parliament was master of no garrison in these quarters. In the west, Plymouth alone, having been in vain besieged by Prince Maurice, resisted the king's authority: and had it not been for the disappointment in the enterprise of Gloucester, the royal garisons had reached, without interruption, from one end of the kingdom to the other; and had occupied a greater extent of ground than those of the parliament. Many of the royalists flattered themselves that the same vigorous spirit which had elevated them to the present height of power, would still favour their progress, and obtain them a final victory over their enemies: but those who judged more soundly observed, that besides the accession of the whole Scottish nation to the side of the parliament, the very principle on which the royal successes had been founded was every day acquired, more and more, by the opposite party. The king's troops, full of gentry and nobility, had exerted a valour superior to their enemies, and had hitherto been successful in almost every encounter: but, in proportion as the whole nation became warlike by the continuance of civil discords, this advantage was more equally shared; and superior numbers, it was expected, must at length obtain the victory. The king's troops also, ill paid, and destitute of every necessary, could not possibly be retained in equal discipline with the parliamentary forces, to whom all supplies were furnished from unexhausted stores and treasures.<sup>a</sup> The severity of manners, so much affected by these zealous religionists, assisted their military institutions; and the rigid inflexibility of character by which the austere reformers of church and state were distinguished, enabled the parliamentary chiefs to restrain their soldiers within stricter rules and more exact order. And while the king's officers indulged themselves even in greater licences than those to which, during times of peace, they had been accustomed, they were apt, both to neglect their military duty, and to set a pernicious example of disorder to the soldiers under their command.

At the commencement of the civil war all Englishmen, who served abroad, were invited over, and treated with extraordinary respect: and most of them, being descended of good families, and, by reason of their absence, unacquainted with the new principles which depressed the dignity of the crown, had enlisted under the royal standard. But it is observable that, though the military profession requires great genius and long experience in the principal commanders, all its subordinate duties may be discharged by ordinary talents, and from superficial practice. Citizens and country gentlemen soon became excellent officers, and the generals of greatest fame and capacity happened, all of them, to spring up on the side of the parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the subordinate officers; and every man there, as in a regular established government, was confined to the station in which his birth had placed him.

The king, that he might make preparations, during winter, for the ensuing campaign, summoned to Oxford all the members of either House, who adhered to his interests; and endeavoured to avail himself of the name of parliament, so passionately cherished by the English nation.<sup>b</sup> The House of Peers was pretty full; and besides

<sup>o</sup> Rush, vol. vi. p. 530. Clarendon, vol. iii. p. 167.

<sup>p</sup> Rushworth, vol. xi. p. 537.

<sup>q</sup> Iren, *ibid.* p. 538.

<sup>r</sup> Iren, *ibid.* p. 540.

<sup>s</sup> See further, Carte's Ormond, vol. iii. No. 113. 127. 128. 129. 131. 136.

141. 144. 149. 158. 159. All these papers put it past doubt, that the neces-

sities of the English army in Ireland were extreme. See further, Rush, vol.

vi. p. 537. and Dugdale, p. 853. 154.

<sup>t</sup> 17th September. See Rush, vol. vi. p. 537. 544. 547.

<sup>u</sup> *Ibid.* *ibid.* p. 537.

<sup>v</sup> Whitlocke, p. 78. 103.

<sup>w</sup> *Ibid.* p. 560.

<sup>x</sup> Rush, vol. vi. p. 680. 783.

<sup>b</sup> *Ibid.* p. 559.

the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Westminster. The House of Commons consisted of about 140; which amounted not to above half of the other House of Commons.<sup>c</sup>

So extremely light had government hitherto lain upon the people, that the very name of *excise* was unknown to them; and among other evils arising from these domestic wars, was the introduction of that impost into England. The parliament at Westminster having voted an excise on beer, wine, and other commodities; that at Oxford imitated the example, and conferred that revenue on the king. And, in order to enable him the better to recruit his army, they granted him the sum of 100,000 pounds, to be levied by way of loan upon the subject. The king circulated privy seals, countersigned by the speakers of both Houses, requiring the loan of particular sums from such persons as lived within his quarters.<sup>d</sup> Neither party had as yet got above the pelfantry of reproaching their antagonists with these illegal measures.

The Westminster parliament passed a whimsical ordinance, commanding all the inhabitants of London and the neighbourhood to retrench a meal a week; and to pay the value of it for the support of the public cause.<sup>e</sup> It is easily imagined, that provided the money were paid, they troubled themselves but little about the execution of their ordinance.

Such was the king's situation, that, in order to restore peace to the nation, he had no occasion to demand any other terms than the restoring of the laws and constitution; the replacing him in the same rights which had ever been enjoyed by his predecessors; and the re-establishing, on its ancient basis, the whole frame of government, civil as well as ecclesiastical. And, that he might facilitate an end seemingly so desirable, he offered to employ means equally popular, an universal act of oblivion, and a toleration or indulgence to tender consciences. Nothing, therefore, could contribute more to his interests than every discourse of peace, and every discussion of the conditions upon which that blessing could be obtained. For this reason, he solicited a treaty on all occasions, and desired a conference and mutual examination of pretensions, even when he entertained no hopes that any conclusion could possibly result from it.

For like reasons, the parliament prudently avoided, as much as possible, all advances towards negotiation, and were cautious not to expose too easily to censure those high terms, which their apprehensions or their ambition made them previously demand of the king. Though their partisans were blinded with the thickest veil of religious prejudices, they dreaded to bring their pretensions to the test, or lay them open before the whole nation. In opposition to the sacred authority of the laws, to the venerable precedents of many ages, the popular leaders were ashamed to plead nothing but fears and jealousies, which were not avowed by the constitution, and for which neither the personal character of Charles, so full of virtue, nor his situation, so deprived of all independent authority, seemed to afford any reasonable foundation. Grievances which had been fully redressed; powers, either legal or illegal, which had been entirely renounced; it seemed unpopular, and invidious, and ungrateful, any further to insist on.

The king, that he might abate the universal veneration paid to the name of parliament, had issued a declaration, in which he set forth all the tumults by which himself and his partisans in both Houses had been driven from London; and he thence inferred, that the assembly at Westminster was no longer a free parliament, and till its liberty were restored, was entitled to no authority. As this declaration was an obstacle to all treaty, some contrivance seemed requisite, in order to elude it.

A letter was written in the foregoing spring, to the Earl of Essex, and subscribed by the prince, the Duke of York, and forty-three noblemen.<sup>f</sup> They there exhort him to be an instrument of restoring peace, and to promote that happy end with those by whom he was employed.

Essex, though much disgusted with the parliament, though apprehensive of the extremities to which they were driving, though desirous of any reasonable accommodation; yet was still more resolute to preserve an honourable fidelity to the trust reposed in him. He replied, that as the paper sent him neither contained any address to the two Houses of parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like proposals had been reiterated by the king, during the ensuing campaign, and still met with a like answer from Essex.<sup>g</sup>

In order to make a new trial for a treaty, the king, this spring, sent another letter, directed to the Lords and Commons of parliament assembled at Westminster; but as he also mentioned, in the letter, the Lords and Commons of parliament assembled at Oxford, and declared that his scope and intention was to make provision that all the members of both Houses might securely meet in a full and free assembly; the parliament, perceiving the conclusion implied, refused all treaty upon such terms.<sup>h</sup> And the king, who knew what small hopes there were of accommodation, would not abandon the pretensions which he had assumed; nor acknowledge the two Houses, more expressly, for a free parliament.

This winter the famous Pym died; a man as much hated by one party, as respected by the other. At London he was considered as the victim to national liberty, who had abridged his life by incessant labours for the interests of his country: <sup>1</sup> at Oxford he was believed to have been struck with an uncommon disease, and to have been consumed with vermin; as a mark of divine vengeance for his multiplied crimes and treasons. He had been so little studious of improving his private fortune in those civil wars of which he had been one principal author, that the parliament thought themselves obliged, from gratitude, to pay the debts which he had contracted.<sup>k</sup> We now return to the military operations, which, during the winter, were carried on with vigour in several places, notwithstanding the severity of the season.

The forces brought from Ireland were landed at Mostyn, in North Wales; and being put under the command of Lord Byron, they besieged and took the castles of Hawarden, Beeston, Acton, and Deddington-house.<sup>l</sup> No place in Cheshire, or the neighbourhood, now adhered to the parliament, except Nantwich: and to this town Byron laid siege during the depth of winter. Sir Thomas Fairfax, alarmed at so considerable a progress of the royalists, assembled an army of 4000 men in Yorkshire, and, having joined Sir William Brereton, was approaching to the camp of the enemy. Byron and his soldiers, elated with successes obtained in Ireland, had entertained the most profound contempt for the parliamentary forces; a disposition which, if confined to the army, may be regarded as a good presage of victory; but, if it extend to the general, is the most probable forerunner of a defeat. Fairfax suddenly attacked the camp of the royalists. The swelling of the river, by a thaw, divided one 25th Jan. part of the army from the other. That part exposed to Fairfax, being beaten from their post, retired into the church of Acton, and were all taken prisoners: the other retreated with precipitation.<sup>m</sup> And thus was dissipated, or rendered useless, that body of forces which had been drawn from Ireland; and the parliamentary party revived in those north-west counties of England.

The invasion from Scotland was attended with consequences of much greater importance. The Scots, having summoned in vain the town of Newcastle, which was fortified by the vigilance of Sir Thomas Glenham, passed the Tyne, and faced the Marquis of Newcastle, who lay at Durham, with an army of 14,000 men.<sup>n</sup> After some military operations, in which that nobleman reduced the enemy to difficulties for forage and provisions, he received intelligence of a great disaster which had befallen his forces in Yorkshire. Colonel Bellasis, whom he had left with a considerable body of troops, was totally routed at Selby, by Sir Thomas Fair- April 11.

<sup>c</sup> Rush, vol. vi. p. 566, 574, 575.

<sup>d</sup> Ibid. p. 530.

<sup>e</sup> *Tracts*, p. 149. Rush, vol. vi. p. 710.

<sup>f</sup> *Clarendon*, vol. iii. p. 482. Rush, vol. vi. p. 566. Whitlocke, p. 77.

<sup>g</sup> *Clarendon*, vol. iii. p. 484. Rush, vol. vi. p. 569, 570. Whitlocke, p. 91.

<sup>h</sup> *Clarendon*, vol. iii. p. 449. Whitlocke, p. 79.

<sup>i</sup> Ibid. p. 66.

<sup>k</sup> *Idem*, 13th of February, 1643.

<sup>l</sup> Rush, vol. vi. p. 229.

<sup>m</sup> Ibid. p. 301.

<sup>n</sup> Ibid. p. 615.



fax, who had returned from Cheshire with his victorious forces.<sup>c</sup> Afraid of being enclosed between two armies, Newcastle retreated; and Leven having joined Lord Fairfax, they sat down before York, to which the army of the royalists had retired. But as the parliamentary and Scottish forces were not numerous enough to invest so large a town, divided by a river, they contented themselves with investing it by a loose blockade; and affairs remained, for some time, in suspense between these opposite armies.<sup>d</sup>

During this winter and spring, other parts of the kingdom had also been infested with war. Hopton, having assembled an army of 14,000 men, endeavoured to break into Sussex, Kent, and the southern association, which seemed well disposed to receive him. Waller fell upon him at Cheriton, and gave him a defeat,<sup>e</sup> of considerable importance. In another quarter, siege being laid to Newark, by the parliamentary forces, Prince Rupert prepared himself for relieving a town of such consequence, which alone preserved the communication open between the king's southern and northern quarters.<sup>f</sup> With a small force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally dissipated that army of the parliament.<sup>g</sup>

But though fortune seemed to have divided her favours between the parties, the king found himself, in the main, a considerable loser by this winter-campaign; and he prognosticated a still worse event from the ensuing summer. The preparations of the parliament were great, and much exceeded the slender resources of which he was possessed. In the eastern association, they levied fourteen thousand men, under the Earl of Manchester, seconded by Cromwell.<sup>h</sup> An army of ten thousand men, under Essex, another of nearly the same force under Waller, were assembled in the neighbourhood of London. The former was destined to oppose the king; the latter was appointed to march into the west, where Prince Maurice, with a small army which went continually to decay, was spending his time in vain before Lyme, an inconsiderable town upon the sea-coast. The utmost efforts of the king could not raise above ten thousand men at Oxford; and on their sword chiefly, during the campaign, were these to depend for subsistence.

The queen, terrified with the dangers which every way environed her, and afraid of being enclosed in Oxford, in the middle of the kingdom, fled to Exeter, where she hoped to be delivered unmolested of the child with which she was now pregnant, and whence she had the means of an easy escape into France, if pressed by the forces of the enemy. She knew the implacable hatred which the parliament, on account of her religion and her credit with the king, had all along borne her. Last summer the Commons had sent up to the Peers an impeachment of high treason against her; because, in his utmost distresses, she had assisted her husband with arms and ammunition, which she had bought in Holland.<sup>i</sup> And had she fallen into their hands, neither her sex, she knew, nor high station, could protect her against insults, at least, if not danger, from those haughty republicans, who so little affected to conduct themselves by the maxims of gallantry and politeness.

From the beginning of these dissensions, the parliament, it is remarkable, had, in all things, assumed an extreme ascendancy over their sovereign, and had displayed a violence, and arrogated an authority, which, on his side, would not have been compatible either with his temper or his situation. While he spoke perpetually of pardoning all rebels; they talked of nothing but the punishment of delinquents and malignants: while he offered a toleration and indulgence to tender consciences: they threatened the utter extirpation of prelacy; to his professions of lenity, they opposed declarations of rigour: and the more the ancient tenor of the laws inculcated a respectful subordination to the crown, the more careful were they, by their lofty pretensions, to cover that defect under which they laboured.

Their great advantages in the north seemed to second their ambition, and finally to promise them success in their

unwarrantable enterprises. Manchester, having taken Lincoln, had united his army to that of Leven and Fairfax; and York was now closely besieged by their combined forces. That town, though vigorously defended by Newcastle, was reduced to extremity; and the parliamentary generals, after enduring great losses and fatigues, flattered themselves that all their labours would at last be crowned by this important conquest. On a sudden, they were alarmed by the approach of Prince Rupert. This gallant commander, having vigorously exerted himself in Lancashire and Cheshire, had collected a considerable army; and joining Sir Charles Lucas, who commanded Newcastle's horse, hastened to the relief of York, with an army of 20,000 men. The Scottish and parliamentary generals raised the siege, and, drawing up on Marston-moor, purposed to give battle to the royalists. Prince Rupert approached the town by another quarter, and, interposing the river Ouse between him and the enemy, safely joined his forces to those of Newcastle. The Marquis endeavoured to persuade him, that, having so successfully effected his purpose, he ought to be content with the present advantages, and leave the enemy, now much diminished by their losses, and discouraged by their ill success, to dissolve by those mutual dissensions which had begun to take place among them.<sup>j</sup> The prince, whose martial disposition was not sufficiently tempered with prudence, nor softened by complaisance, pretending positive orders from the king, without deigning to consult with Newcastle,

2d July.

whose merits and services deserved better treatment, immediately issued orders for battle, and led out the army to Marston-moor.<sup>k</sup> This ac- Battle of Marston-moor.  
tion was obstinately disputed between the most numerous armies that were engaged during the course of these wars; nor were the forces on each side much different in number. Fifty thousand British troops were led to mutual slaughter; and the victory seemed long undecided between them. Prince Rupert, who commanded the right wing of the royalists, was opposed to Cromwell, who conducted the choice troops of the parliament, inured to danger, under that determined leader, animated by zeal, and confirmed by the most rigid discipline. After a sharp combat, the cavalry of the royalists gave way; and such of the infantry as stood next them were likewise borne down and put to flight. Newcastle's regiment alone, resolute to conquer or to perish, obstinately kept their ground, and maintained, by their dead bodies, the same order in which they had at first been ranged. In the other wing, Sir Thomas Fairfax and Colonel Lambert, with some troops, broke through the royalists; and transported by the ardour of pursuit, soon reached their victorious friends, engaged also in pursuit of the enemy. But after that tempest was past, Lucas, who commanded the royalists in this wing, restoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into disorder, pushed them upon their own infantry, and put that whole wing to rout. When ready to seize on their carriages and baggage, he perceived Cromwell, who was now returned from pursuit of the other wing. Both sides were not a little surprised to find that they must again renew the combat for that victory which each of them thought they had already obtained. The front of the battle was now exactly counterchanged; and each army occupied the ground which had been possessed by the enemy at the beginning of the day. This second battle was equally furious and desperate with the first: but after the utmost efforts of courage by both parties, victory wholly turned to the side of the parliament. The prince's train of artillery was taken; and his whole army pushed off the field of battle.<sup>l</sup>

This event was in itself a mighty blow to the king; but proved more fatal in its consequences. The Marquis of Newcastle was entirely lost to the royal cause. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his disposition, into these military operations, merely by a high sense of honour, and a personal regard to his master. The dangers of war were disregarded by his valour; but its

<sup>c</sup> Rush. vol. vi. p. 618.<sup>p</sup> *Ibid.* vol. vi. p. 620.<sup>d</sup> 20th of March.<sup>r</sup> Rush. vol. vi. p. 620.<sup>e</sup> 21st of March.<sup>t</sup> Rush. vol. vi. p. 621.<sup>u</sup> Rush. vol. vi. p. 621.<sup>w</sup> Life of the Duke of Newcastle, p. 40.<sup>x</sup> Clarendon, vol. v. p. 506.<sup>y</sup> Rush. part ii. vol. ii. p. 638.<sup>z</sup> *Ibid.* vol. vi. p. 632. Whitlocke, p. 19.

fatigues were oppressive to his natural indolence. Munificent and generous in his expense; polite and elegant in his taste; courteous and humane in his behaviour; he brought a great accession of friends and of credit to the party which he embraced. But amidst all the hurry of action, his inclinations were secretly drawn to the soft arts of peace, in which he took delight; and the charms of poetry, music, and conversation, often stole him from his rougher occupations. He chose Sir William Davenant, an ingenious poet, for his lieutenant-general: the other persons, in whom he placed confidence, were more the instruments of his refined pleasures, than qualified for the business which they undertook: and the severity and application, requisite to the support of discipline, were qualities in which he was entirely wanting.<sup>a</sup>

When Prince Rupert, contrary to his advice, resolved on this battle, and issued all orders, without communicating his intentions to him, he took the field, but, he said, merely as a volunteer; and, except by his personal courage, which shone out with lustre, he had no share in the action. Enraged to find that all his successful labours were rendered abortive by one act of fatal temerity, terrified with the prospect of renewing his pains and fatigue, he resolved no longer to maintain the few resources which remained to a desperate cause, and thought that the same regard to honour, which had at first called him to arms, now required him to abandon a party, where he met with such unworthy treatment. Next morning early he sent word to the prince that he was instantly to leave the kingdom; and, without delay, he went to Scarborough, where he found a vessel, which carried him beyond sea. During the ensuing years, till the Restoration, he lived abroad in great necessity, and saw, with indifference, his opulent fortune sequestered by those who assumed the government of England. He disdained, by submission or composition, to show obedience to their usurped authority; and the least favourable censors of his merit allowed, that the fidelity and services of a whole life had sufficiently atoned for one rash action into which his passion had betrayed him.<sup>b</sup>

Prince Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancashire. Glen-

ham, in a few days, was obliged to surrender July 16. York; and he marched out his garrison with all the honours of war.<sup>c</sup> Lord Fairfax, remaining in the city, established his government in that whole county, and sent a thousand horse into Lancashire, to join with the parliamentary forces in that quarter, and attend the motions of Prince Rupert: the Scottish army marched northwards, in order to join the Earl of Calender, who was advancing with ten thousand additional forces;<sup>d</sup> and to reduce the town of Newcastle, which they took by storm: the Earl of Manchester, with Cromwell, to whom the fame of this great victory was chiefly ascribed, and who was wounded in the action, returned to the eastern association, in order to recruit his army.<sup>e</sup>

While these events passed in the north, the king's affairs in the south were conducted with more success and greater abilities. Ruthven, a Scotchman, who had been created Earl of Brentford, acted under the king, as general.

The parliament soon completed their two armies commanded by Essex and Waller. The great zeal of the city facilitated this undertaking. Many speeches were made to the citizens by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to spare, on this important occasion, either their purses, their persons, or their prayers; and, in general, it must be confessed, they were sufficiently liberal in all these contributions. The two generals had orders to march with their combined armies towards Oxford; and, if the king retired into that city, to lay siege to it, and by one enterprise put a period to the war. The king, leaving a numerous garrison in Oxford, passed with dexterity between the two armies, which had taken Abingdon, and had enclosed him on both sides.<sup>f</sup> He marched towards Worcester; and Waller received orders from Essex to follow him and

watch his motions; while he himself marched into the west in quest of Prince Maurice. Waller had approached within two miles of the royal camp, and was only separated from it by the Severn, when he received intelligence that the king was advanced to Bewdley, and had directed his course towards Shrewsbury. In order to prevent him, Waller presently dislodged, and hastened by quick marches to that town; while the king suddenly returning upon his own footsteps, reached Oxford; and having reinforced his army from that garrison, now in his turn marched out in quest of Waller. The two armies faced each other at Cropredy-bridge near Banbury; but the Carwell ran between them. Next day the king decamped, and marched towards Daventry. Waller ordered a considerable detachment to pass the bridge, with an intention of falling on the rear of the royalists. He was repulsed, routed, and pursued with considerable loss.<sup>g</sup> Stunned and disheartened with this blow, his army decayed and melted away by desertion; and the king thought he might safely leave it, and march westward against Essex. That general, having obliged Prince Maurice to raise the siege of Lyme, having taken Weymouth and Taunton, advanced still in his conquests, and met with no equal opposition. The king followed him, and having reinforced his army from all quarters, appeared in the field with an army superior to the enemy. Essex, retreating into Cornwall, informed the parliament of his danger, and desired them to send an army, which might fall on the king's rear. General Middleton received a commission to execute that service; but came too late. Essex's army, cooped up in a narrow corner at Lestithiel, deprived of all forage and provisions, and seeing no prospect of succour, was reduced to the last extremity. The king pressed them on one side; Prince Maurice on another; Sir Richard Granville on a third. Essex, Roberts, and some of the principal officers, escaped in a boat to Plymouth: Balfour with his horse passed the king's out-posts, in a thick mist, and got safely to the garrisons of his own party. The foot under Skippon were obliged to surrender their arms, artillery, baggage, and ammunition; and being conducted to the parliament's quarters, were dismissed. By this advantage, which was much boasted of, the king, besides the honour of the enterprise, obtained what he stood extremely in need of: the parliament, having preserved the men, lost what they could easily repair.<sup>h</sup>

No sooner did this intelligence reach London, than the committee of the two kingdoms voted thanks to Essex for his fidelity, courage, and conduct; and this method of proceeding, no less politic than magnanimous, was preserved by the parliament throughout the whole course of the war. Equally indulgent to their friends and rigorous to their enemies, they employed, with success, these two powerful engines of reward and punishment, in confirmation of their authority.

That the king might have less reason to exult in the advantages which he had obtained in the west, the parliament opposed to him very numerous forces. Having armed anew Essex's subdued but not disheartened troops, they ordered Manchester and Cromwell to march with their recruited forces from the eastern association; and, joining their armies to those of Waller and Middleton, as well as of Essex, offer battle to the king. Charles chose his post at Newbury, where the parliamentary armies, under the Earl of Manchester, attacked him with great vigour; and that town was a second time the scene of the bloody animosities of the English. Essex's soldiers, exhorting one another to repair their broken honour, and revenge the disgrace of Lestithiel, made an impetuous assault on the royalists; and having recovered some of their cannon, lost in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themselves with valour, they were overpowered by numbers; and the night came very seasonably to their relief, and prevented a total overthrow. Charles, leaving his

<sup>a</sup> Clarendon, vol. v. p. 507, 508. See Warwick.

<sup>b</sup> Clarendon, vol. v. p. 511.

<sup>c</sup> Rushworth, vol. vi. p. 638.

<sup>d</sup> Whitlocke, p. 148.

<sup>e</sup> Rushworth, vol. vi. p. 641.

<sup>f</sup> Rushworth, vol. vi. p. 662.

<sup>g</sup> 3d of June.

<sup>h</sup> Rush, vol. vi. p. 676. Clarendon, vol. v. p. 497. Sir Ed. Walker, p. 31. Rush, vol. vi. p. 691. Ke. Whitlocke, p. 98. Clarendon, vol. v. p. 524, 525. Sir Edw. Walker, p. 69, 70, &c.

baggage and cannon in Dennington-castle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There Prince Rupert and the Earl of Northampton joined him, with considerable bodies of cavalry. Strengthened by this reinforcement, he ventured to advance towards the enemy, now employed before Dennington-castle.<sup>k</sup> Essex, detained by sickness, had not joined the army since his

9th Nov.

misfortune in Cornwall. Manchester, who commanded, though his forces were much superior to those of the king, declined an engagement, and rejected Cromwell's advice, who earnestly pressed him not to neglect so favourable an opportunity of finishing the war. The king's army, by bringing off their cannon from Dennington-castle, in the face of the enemy, seemed to have sufficiently repaired the honour which they had lost at Newbury; and Charles, having the satisfaction to excite, between Manchester and Cromwell, equal animosities with those which formerly took place between Essex and Waller,<sup>l</sup> distributed his army into winter-quarters.

3rd Nov.

Those contests among the parliamentary generals, which had disturbed their military operations, were renewed in London during the winter season; and each being supported by his own faction, their mutual reproaches and accusations agitated the whole city and parliament. There had long prevailed, in that party, a secret distinction, which, though the dread of the king's power had hitherto suppressed it, yet, in proportion as the hopes of success became nearer and more immediate, began to discover itself with high contest and animosity. The INDEPENDENTS, who had, at first, taken shelter and concealed themselves under the wings of the PRESBYTERIANS, now evidently appeared a distinct party, and betrayed very different views and pretensions. We must here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the scene of action.

✓ During those times, when the enthusiastic spirit met with such honour and encouragement, and was the immediate means of distinction and preferment, it was impossible to set bounds to these holy fervours, or confine, within any natural limits, what was directed towards an infinite and a supernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or supported by his habits of hypocrisy, endeavoured to distinguish himself beyond his fellows, and to arrive at a higher pitch of saintship and perfection. In proportion to its degree of fanaticism, each sect became dangerous and destructive; and as the independents went a note higher than the presbyterians, they could less be restrained within any bounds of temper and moderation. From this distinction, as from a first principle, were derived, by a necessary consequence, all the other differences of these two sects.

The independents rejected all ecclesiastical establishments, and would admit of no spiritual courts, no government among pastors, no interposition of the magistrate in religious concerns, no fixed encouragement annexed to any system of doctrines or opinions. According to their principles, each congregation, united voluntarily and by spiritual ties, composed, within itself, a separate church, and exercised a jurisdiction, but one destitute of temporal sanctions, over its own pastor and its own members. The election alone of the congregation was sufficient to bestow the sacerdotal character; and as all essential distinction was denied between the laity and the clergy, no ceremony, no institution, no vocation, no imposition of hands, was, as in all other churches, supposed requisite to convey a right to holy orders. The enthusiasm of the presbyterians led them to reject the authority of prelates, to throw off the restraints of liturgies, to repress ceremonies, to limit the riches and authority of the priestly office: the fanaticism of the independents, exalted to a higher pitch, abolished ecclesiastical government, disdained creeds and systems, neglected every ceremony, and confounded all ranks and orders. The soldier, the merchant, the mechanic, indulging the fervours of zeal, and guided by the illapses of the Spirit, resigned himself to an inward and superior

direction, and was consecrated, in a manner, by an immediate intercourse and communication with heaven.

The catholics, pretending to an infallible guide, had justified, upon that principle, their doctrine and practice of persecution: the presbyterians, imagining that such clear and certain tenets as they themselves adopted, could be rejected only from a criminal and pertinacious obstinacy, had hitherto gratified, to the full, their bigoted zeal, in a like doctrine and practice: the independents, from the extremity of the same zeal, were led into the milder principles of toleration. Their mind, set afloat in the wide sea of inspiration, could confine itself within no certain limits; and the same variations, in which an enthusiast indulged himself, he was apt, by a natural train of thinking, to permit in others. Of all christian sects this was the first, which, during its prosperity, as well as its adversity, always adopted the principle of toleration; and it is remarkable that so reasonable a doctrine owed its origin, not to reasoning, but to the height of extravagance and fanaticism.

Papery and prelacy alone, whose genius seemed to tend towards superstition, were treated by the independents with rigour. The doctrines too of fate or destiny were deemed by them essential to all religion. In these rigid opinions, the whole sectaries, amidst all their other differences, unanimously concurred.

The political system of the independents kept pace with their religious. Not content with confining to very narrow limits the power of the crown, and reducing the king to the rank of first magistrate, which was the project of the presbyterians; this sect, more ardent in the pursuit of liberty, aspired to a total abolition of the monarchy, and even of the aristocracy; and projected an entire equality of rank and order in a republic, quite free and independent. In consequence of this scheme, they were declared enemies to all proposals for peace, except on such terms as they knew it was impossible to obtain; and they adhered to that maxim, which is, in the main, prudent and political, that, whoever draws the sword against his sovereign, should throw away the scabbard. By terrifying others with the fear of vengeance from the offended prince, they had engaged greater numbers into the opposition against peace, than had adopted their other principles with regard to government and religion. And the great success which had already attended the arms of the parliament, and the greater, which was soon expected, confirmed them still further in this obstinacy.

Sir Harry Vane, Oliver Cromwell, Nathaniel Fiennes, and Oliver St. John, the solicitor-general, were regarded as the leaders of the independents. The Earl of Essex, disgusted with a war, of which he began to foresee the pernicious consequences, adhered to the presbyterians, and promoted every reasonable plan of accommodation. The Earl of Northumberland, fond of his rank and dignity, regarded with horror a scheme which, if it took place, would confound himself and his family with the lowest in the kingdom. The Earls of Warwick and Denbigh, Sir Philip Stapleton, Sir William Waller, Hollis, Massey, Whitlocke, Maynard, Glyn, had embraced the same sentiments. In the parliament, a considerable majority, and a much greater in the nation, were attached to the presbyterian party; and it was only by cunning and deceit at first, and afterwards by military violence, that the independents could entertain any hopes of success.

The Earl of Manchester, provoked at the impeachment which the king had lodged against him, had long forwarded the war with alacrity: but being a man of humanity and good principles, the view of public calamities, and the prospect of a total subversion of government, began to moderate his ardour, and inclined him to promote peace on any safe or honourable terms. He was even suspected, in the field, not to have pushed to the utmost against the king the advantages obtained by the arms of the parliament; and Cromwell, in the public debates, revived the accusation, that this nobleman had wilfully neglected, at Dennington-castle, a favourable opportunity of finishing the war by a total defeat of the royalists. "I showed him evidently," said Cromwell, "how this success might



be obtained; and only desired leave, with my own brigade of horse, to charge the king's army in their retreat; leaving it in the earl's choice, if he thought proper, to remain neuter with the rest of his forces: but, notwithstanding my importunity, he positively refused his consent; and gave no other reason but that, if we met with a defeat, there was an end of our pretensions; we should all be rebels and traitors, and be executed and forfeited by law.<sup>1a</sup>

Manchester, by way of reprimand, informed the parliament, that at another time, Cromwell having proposed some scheme, to which it seemed improbable the parliament would agree, he insisted and said, *My Lord, if you will stick firm to lowest men, you shall find yourself at the head of an army, which shall give law both to king and parliament.* "This discourse," continued Manchester, "made the greater impression on me, because I knew the lieutenant-general to be a man of very deep designs; and he has even ventured to tell me, that it never would be well with England, till I were Mr. Montague, and there were ne'er a lord or peer in the kingdom."<sup>1b</sup> So full was Cromwell of these republican projects, that notwithstanding his habits of profound dissimulation, he could not so carefully guard his expressions, but that sometimes his favourite notions would escape him.

These violent dissensions brought matters to extremity, and pushed the independents to the execution of their designs. The present generals, they thought, were more desirous of protracting than finishing the war; and having entertained a scheme for preserving still some balance in the constitution, they were afraid of entirely subduing the king, and reducing him to a condition where he should not be entitled to ask any concessions. A new model alone of the army could bring complete victory to the parliament, and free the nation from those calamities under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits, of Essex, was very great with the parliament. Not only he had served them all along with the most exact and scrupulous honour: it was, in some measure, owing to his popularity, that they had ever been enabled to levy an army, or make head against the royal cause. Manchester, Warwick, and the other commanders, had likewise great credit with the public; nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpose of their antagonists. The Scots and Scottish commissioners, jealous of the progress of the independents, were a new obstacle; which, without the utmost art and subtlety, it would be difficult to surmount.<sup>2</sup> The methods by which this intrigue was conducted are so singular, and show so fully the genius of the age, that we shall give a detail of them, as they are delivered by Lord Clarendon.<sup>3</sup>

A fast, on the last Wednesday of every month, had been ordered by the parliament, at the beginning of these commotions; and their preachers on that day were careful to keep alive, by their vehement declarations, the popular prejudices entertained against the king, against prelacy, and against popery. The king, that he might combat the parliament with their own weapons, appointed likewise a monthly fast, when the people should be instructed in the duties of loyalty and of submission to the higher powers; and he chose the second Friday of every month for the devotion of the royalists.<sup>4</sup> It was now proposed and carried in parliament, by the independents, that a new and more solemn fast should be voted, when they should implore the Divine assistance for extricating them from those perplexities in which they were at present involved. On that day the preachers, after many political prayers, took care to treat of the reigning divisions in the parliament, and ascribed them entirely to the selfish ends pursued by the members. In the hands of those members, they said, are lodged all the considerable commands of the army, all the lucrative offices in the civil administration: and while the nation is falling every day into poverty, and groans under an insupportable load of taxes, these men multiply possession on possession, and will, in a little time, be masters of all the wealth of the kingdom. That such persons, who fatten on the calamities of their country, will

ever embrace any effectual measure for bringing them to a period, or insuring final success to the war, cannot reasonably be expected. Lingering expedients alone will be pursued: and operations in the field concurring in the same pernicious end with deliberations in the cabinet, civil commotions will for ever be perpetuated in the nation. After exaggerating these disorders, the ministers returned to their prayers; and besought the Lord, that he would take his own work into his own hand, and if the instruments, whom he had hitherto employed, were not worthy to bring to a conclusion so glorious a design, that he would inspire others more fit, who might perfect what was begun, and, by establishing true religion, put a speedy period to the public miseries.

On the day subsequent to these devout animadversions, when the parliament met, a new spirit appeared in the looks of many. Sir Henry Vane told the Commons, that if ever God appeared to them, it was in the ordinances of yesterday: that as he was credibly informed by many, who had been present in different congregations, the same lamentations and discourses, which the godly preachers had made before them, had been heard in other churches: that so remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit: that he therefore entreated them, in vindication of their own honour, in consideration of their duty to God and their country, to lay aside all private ends, and renounce every office attended with profit or advantage: that the absence of so many members, occupied in different employments, had rendered the House extremely thin, and diminished the authority of their determinations: and that he could not forbear, for his own part, accusing himself as one who enjoyed a gainful office, that of treasurer of the navy; and though he was possessed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to resign it, and to sacrifice, to the welfare of his country, every consideration of private interest and advantage.

Cromwell next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were so unwilling to be informed. Though they dwelt on many things, he said, on which he had never before reflected; yet, upon revolving them, he could not but confess, that, till there were a perfect reformation in these particulars, nothing which they undertook could possibly prosper. The parliament, no doubt, continued he, had done wisely on the commencement of the war, in engaging several of its members in the most dangerous parts of it, and thereby satisfying the nation, that they intended to share all hazards with the meanest of the people. But affairs are now changed. During the progress of military operations, there have arisen in the parliamentary armies many excellent officers who are qualified for higher commands than they are now possessed of. And though it becomes not men engaged in such a cause to *put trust in the arm of flesh*, yet he could assure them, that their troops contained generals fit to command in any enterprise in Christendom. The army, indeed, he was sorry to say it, did not correspond, by its discipline, to the merit of the officers; nor were there any hopes, till the present vices and disorders, which prevail among the soldiers, were repressed by a new model, that their forces would ever be attended with signal success in any undertaking.

In opposition to this reasoning of the independents, many of the presbyterians showed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honour, who loved his country, though in every change of government he always adhered to the ruling power, said, that besides the ingratitude of discarding, and that by fraud and artifice, so many noble persons, to whom the parliament had hitherto owed its chief support; they would find it extremely difficult to supply the place of men, now formed by experience to command and authority: that the rank alone, possessed by such as were members of either House, prevented envy, retained the army in obedience, and gave weight to

<sup>1</sup> Clarendon, vol. i. p. 561.

<sup>2</sup> Ibid. p. 562.

<sup>3</sup> Ibid. p. 562.

<sup>4</sup> Clarendon, vol. i. p. 565.

<sup>5</sup> Rushworth, vol. vi. p. 364.

military orders: that greater confidence might safely be reposed in men of family and fortune, than in mere adventurers, who would be apt to entertain separate views from those which were embraced by the persons who employed them: that no maxim of policy was more undisputed, than the necessity of preserving an inseparable connexion between the civil and military powers, and of retaining the latter in strict subordination to the former: that the Greeks and Romans, the wisest and most passionate lovers of liberty, had ever intrusted to their senators the command of armies, and had maintained an unconquerable jealousy of all mercenary forces: and that such men alone, whose interests were involved in those of the public, and who possessed a vote in the civil deliberations, would sufficiently respect the authority of parliament, and never could be tempted to turn the sword against those by whom it was committed to them.<sup>r</sup>

Notwithstanding these reasonings, a committee was chosen to frame what was called the *Self-denying ordinance*, by which the members of both Houses were excluded from all civil and military employments, except a few offices which were specified. This ordinance was the subject of great debate, and, for a long time, rent the parliament and city into factions. But at last, by the prevalence of envy with some; with others, of false modesty; with a great many, of the republican and independent views; it passed the House of Commons, and was sent to the upper House. The Peers, though the scheme was, in part, levelled against their order; though all of them were, at bottom, extremely averse to it; though they even ventured once to reject it; yet possessed so little authority, that they durst not persevere in opposing the resolution of the Commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin which they saw approaching.<sup>s</sup> The ordinance, therefore, having passed both Houses, Essex, Warwick, Manchester, Denbigh, Waller, Brereton, and many others, resigned their commands, and received the thanks of parliament for their good services. A pension of ten thousand pounds a year was settled on Essex.

It was agreed to recruit the army to 22,000 men; and Sir Thomas Fairfax was appointed general.<sup>t</sup> It is remarkable, that his commission did not run, like that of Essex, in the name of the king and parliament, but in that of the parliament alone: and the article concerning the safety of the king's person was omitted. So much had animosities increased between the parties.<sup>u</sup> Cromwell, being a member of the lower House, should have been discarded with the others; but this impartiality would have disappointed all the views of those who had introduced the self-denying ordinance. He was saved by a subtilty, and by that political craft in which he was so eminent. At the time when the other officers resigned their commissions, care was taken that he should be sent with a body of horse, to relieve Taunton, besieged by the royalists. His absence being remarked, orders were despatched for his immediate attendance in parliament; and the new general was directed to employ some other officer in that service. A ready compliance was feigned; and the very day was named, on which, it was averred, he would take his place in the House. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and desired leave to retain, for some days, Lieutenant-general Cromwell, whose advice, he said, would be useful in supplying the place of those officers who had resigned. Shortly after, he begged with much earnestness that they would allow Cromwell to serve that campaign.<sup>v</sup> And thus the independents, though the minority, prevailed by art and cunning over the presbyterians, and bestowed the whole military authority, in appearance, upon Fairfax; in reality, upon Cromwell.

Fairfax was a person equally eminent for courage and for humanity; and though strongly infected with prejudices, or principles derived

from religious and party zeal, he seems never, in the course of his public conduct, to have been diverted, by private interest or ambition, from adhering strictly to these principles. Sincere in his professions; disinterested in his views; open in his conduct; he had formed one of the most shining characters of the age; had not the extreme narrowness of his genius, in every thing but in war, and his embarrassed and confused elocution on every occasion, but when he gave orders, diminished the lustre of his merit, and rendered the part which he acted, even when vested with the supreme command, but secondary and subordinate.

Cromwell, by whose sagacity and insinuation Fairfax was entirely governed, is one of the most eminent and most singular personages that occurs in history. The strokes of his character are as open and strongly marked, as the schemes of his conduct were, during the time, dark and impenetrable. His extensive capacity enabled him to form the most enlarged projects: his enterprising genius was not dismayed with the boldest and most dangerous. Carried by his natural temper to magnanimity, to grandeur, and to an imperious and domineering policy; he yet knew, when necessary, to employ the most profound dissimulation, the most oblique and refined artifice, the semblance of the greatest moderation and simplicity. A friend to justice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the instrument of his ambition; he was engaged in crimes from the prospect of sovereign power, a temptation which is, in general, irresistible to human nature. And by using well that authority which he had attained by fraud and violence, he has lessened, if not overpowered, our detestation of his enormities, by our admiration of his success and of his genius.

During this important transaction of the *Treaty of Uxbridge*, self-denying ordinance, the negotiations for peace were likewise carried on, though with small hopes of success. The king having sent two messages, one from Evesham,<sup>w</sup> another from Tavistoke,<sup>x</sup> desiring a treaty, the parliament despatched commissioners to Oxford, with proposals as high as if they had obtained a complete victory.<sup>y</sup> The advantages during the campaign, and the great distresses of the royalists, had much elevated their hopes; and they were resolved to repose no trust in men inflamed with the highest animosity against them, and who, were they possessed of power, were fully authorized by law to punish all their opponents as rebels and traitors.

The king, when he considered the proposals and the disposition of the parliament, could not expect any accommodation, and had no prospect but of war, or of total submission and subjection; yet, in order to satisfy his own party, who were impatient for peace, he agreed to send the Duke of Richmond, and Earl of Southampton, with an answer to the proposals of the parliament, and at the same time to desire a treaty upon their mutual demands and pretensions.<sup>z</sup> It now became necessary for him to retract his former declaration, that the two Houses at Westminster were not a free parliament; and accordingly he was induced, though with great reluctance, to give them, in his answer, the appellation of the parliament of England.<sup>aa</sup> But it appeared afterwards, by a letter which he wrote to the queen, and of which a copy was taken at Naseby, that he secretly entered an explanatory protest in his council-book; and he pretended that, though he had called them the parliament, he had not thereby acknowledged them for such.<sup>ab</sup> This subtilty, which has been frequently objected to Charles, is the most noted of those very few instances, from which the enemies of this prince have endeavoured to load him with the imputation of insincerity; and have inferred, that the parliament could repose no confidence in his professions and declarations, not even in his laws and statutes. There is, however, it must be confessed, a difference universally avowed between

<sup>r</sup> Whitlocke, p. 114, 115. Rush, vol. vii. p. 6.  
<sup>s</sup> Rush, vol. vii. p. 8, 15. <sup>t</sup> Whitlocke, p. 118. Rush, vol. vii. p. 7.  
<sup>u</sup> W. Whitlocke, p. 134.  
<sup>v</sup> W. C. Rush, vol. v. p. 629, 630. Whitlocke, p. 111.  
<sup>w</sup> Dec. 1641, 1644. <sup>x</sup> Ibid. Sept. 1644.  
<sup>y</sup> Dugdale, p. 77. Rush, vol. vi. p. 850. <sup>z</sup> A. Whitlocke, p. 110.  
<sup>aa</sup> Whitlocke, p. 111. Dugdale, p. 738.  
<sup>ab</sup> His words are: "As for my calling those at London a parliament,

I shall refer thee to Dugbe for particular satisfaction; this in general. If there had been but two besides myself at my council, I had not done it; and the argument that prevailed with me was, that the calling and no way acknowledging them to be a parliament, upon which confidence and construction I did put, and no otherwise, and according to it is registred in the council books, with the council's unanimous approbation." *The King's Cabinet opened*. Rush, vol. iv. p. 243.

simply giving to men the appellation which they assume, and the formal acknowledgment of their title to it; nor is any thing more common and familiar in all public transactions.

30th June. The time and place of treaty being settled, sixteen commissioners from the king met at Uxbridge, with twelve authorized by the parliament, attended by the Scottish commissioners. It was agreed, that the Scottish and parliamentary commissioners should give in their demands, with regard to three important articles, *religion, the militia, and Ireland*; and that these should be successively discussed in conference with the king's commissioners.<sup>d</sup> It was soon found impracticable to come to any agreement with regard to any of these articles.

In the summer 1643, while the negotiations were carried on with Scotland, the parliament had summoned an assembly at Westminster, consisting of 121 divines and 30 laymen, celebrated in their party for piety and learning. By their advice, alterations were made in the thirty-nine articles, or in the metaphysical doctrines of the church; and what was of greater importance, the liturgy was entirely abolished, and in its stead, a new directory for worship was established, by which, suitably to the spirit of the puritans, the utmost liberty, both in praying and preaching, was indulged to the public teachers. By the solemn league and covenant, episcopacy was abjured, as destructive of all true piety; and a national engagement, attended with every circumstance that could render a promise sacred and obligatory, was entered into with the Scots, never to suffer its readmission. All these measures showed little spirit of accommodation in the parliament; and the king's commissioners were not surprised to find the establishment of presbytery and the directory positively demanded, together with the subscription of the covenant, both by the king and kingdom.<sup>e</sup>

Had Charles been of a disposition to neglect all theological controversy, he yet had been obliged, in good policy, to adhere to episcopal jurisdiction, not only because it was favourable to monarchy, but because all his adherents were passionately devoted to it; and to abandon them, in what they regarded as so important an article, was for ever to relinquish their friendship and assistance. But Charles had never attained such enlarged principles. He deemed bishops essential to the very being of a Christian church; and he thought himself bound by more sacred ties than those of policy, or even of honour, to the support of that order. His concessions, therefore, on this head, he judged sufficient, when he agreed that an indulgence should be given to tender consciences with regard to ceremonies; that the bishops should exercise no act of jurisdiction or ordination, without the consent and counsel of such presbyters as should be chosen by the clergy of each diocese; that they should reside constantly in their diocese, and be bound to preach every Sunday; that pluralities be abolished; that abuses in ecclesiastical courts be redressed; and that a hundred thousand pounds be levied on the bishops' estates and the chapter lands, for payment of debts contracted by the parliament.<sup>f</sup> These concessions, though considerable, gave no satisfaction to the parliamentary commissioners; and without abating any thing of their rigour on this head, they proceeded to their demands with regard to the militia.

The king's partisans had all along maintained, that the fears and jealousies of the parliament, after the securities so early and easily given to public liberty, were either

feigned or groundless; and that no human institution could be better poised and adjusted, than was now the government of England. By the abolition of the star-chamber and court of high commission, the prerogative, they said, has lost all that coercive power by which it had formerly suppressed or endangered liberty: by the establishment of triennial parliaments, it can have no leisure to acquire new powers, or guard itself, during any time, from the inspection of that vigilant assembly: by the slender revenue of the crown, no king can ever attain such influence as to procure a repeal of these salutary statutes: and while the prince commands no military force, he will in vain, by violence, attempt an infringement of laws, so clearly defined by means of late disputes, and so passionately cherished by all his subjects. In this situation, surely, the nation, governed by so virtuous a monarch, may, for the present, remain in tranquillity, and try whether it be not possible, by peaceful arts, to elude that danger with which, it is pretended, its liberties are still threatened.

But though the royalists insisted on these plausible topics before the commencement of war, they were obliged to own, that the progress of civil commotions had somewhat abated the force and evidence of this reasoning. If the power of the militia, said the opposite party, be intrusted to the king, it would not now be difficult for him to abuse that authority. By the rage of intestine discord, his partisans are inflamed into an extreme hatred against their antagonists; and have contracted, no doubt, some prejudices against popular privileges, which, in their apprehension, have been the source of so much disorder. Were the arms of the state, therefore, put entirely into such hands, what public security, it may be demanded, can be given to liberty, or what private security to those who, in opposition to the letter of the law, have so generously ventured their lives in its defence? In compliance with this apprehension, Charles offered, that the arms of the state should be intrusted, during three years, to twenty commissioners, who should be named, either by common agreement between him and the parliament, or one half by him, the other by the parliament. And after the expiration of that term, he insisted that his constitutional authority over the militia should again return to him.<sup>g</sup>

The parliamentary commissioners at first demanded, that the power of the sword should for ever be intrusted to such persons as the parliament alone should appoint: but afterwards, they relaxed so far as to require that authority only for seven years; after which it was not to return to the king, but to be settled by bill, or by common agreement between him and his parliament.<sup>h</sup> The king's commissioners asked, whether jealousies and fears were all on one side; and whether the prince, from such violent attempts and pretensions as he had experienced, had not, at least, as great reason to entertain apprehensions for his authority, as they for their liberty? Whether there were any equity in securing only one party, and leaving the other, during the space of seven years, entirely at the mercy of their enemies? Whether, if unlimited power were intrusted to the parliament during so long a period, it would not be easy for them to frame the subsequent bill in the manner most agreeable to themselves, and keep for ever possession of the sword, as well as of every article of civil power and jurisdiction.<sup>i</sup>

The truth is, after the commencement of war, it was very difficult, if not impossible, to find security for both parties, especially for that of the parliament. Amidst such violent

<sup>d</sup> Whitlocke, p. 121. Dugdale, p. 738.

<sup>e</sup> Such love of contradiction prevailed in the parliament, that they had converted Christmas, which, with the churchmen, was a great festival, into a solemn fast and humiliation: "in order," as they said, "that it might call to remembrance our sins and the sins of our forefathers, who, pretending to celebrate the memory of Christ, have turned this feast into an excessive forgetfulness of him, by giving liberty to carnal and sensual delights." Rush, ed. vi. p. 317. It is remarkable that, as the parliament abolished all holy days, and severely prohibited all amusement on the sabbath, and even burned, by the hands of the hangman, the king's book of sports, the nation found that this was no true bill for relaxation or diversion. Upon application, therefore, of the servants and apprentices, the parliament appointed the second Tuesday of every month for play and recreation. Rush, vol. vi. p. 360. Whitlocke, p. 27. But these institutions they found great difficulty to execute, and the people were resolved to have merry when they themselves pleased, not when the parliament should prescribe it to them. The keeping of Christmas holy-days was long a great mark of attachment, and very severely censured by the Commons. Whitlocke, p. 296. The ordered pies, which custom had made a Christmas dish among the churchmen, was regarded, during that season, as a profane

and superstitious viand by the sectaries, though at other times it agreed very well with their stomachs. In the parliamentary ordinance too, for the observance of the sabbath, they inserted a clause for the taking down the may poles, which they called a profane vanity. Since we are upon this subject, it may not be amiss to mention, that, beside setting apart Sunday for the ordinances, as they called them, the godly had regular meetings on the Thursdays to resolve cases of conscience, and confer about their progress in grace. What they were chiefly anxious about was, the fixing the precise moment of their conversion or new birth; and whoever could not ascertain so difficult a point of calculation, could not pretend to any title to sanctity. The profane scholars at Oxford, when the parliament became masters of that town, gave to the house in which the zealous assembled, the denomination of *Scripture Shop*: the zealous, in their turn, insulted the scholars and professors; and, intruding into the place of lectures, declared against them in learning, and challenged the most knowing of them to prove that their calling was from Christ. See Woolf's *Early Oxoniensis*, p. 719.

<sup>f</sup> Dugdale, p. 779, 780.

<sup>g</sup> Rush, p. 791.

<sup>h</sup> Rush, p. 787.

<sup>i</sup> Rush, p. 798.

<sup>j</sup> Rush, p. 820.



animosities, power alone could insure safety; and the power of one side was necessarily attended with danger to the other. Few or no instances occur in history of an equal, peaceable, and durable accommodation, that has been concluded between two factions which had been inflamed into civil war.

With regard to Ireland, there were no greater hopes of agreement between the parties. The parliament demanded, that the truce with the rebels should be declared null; that the management of the war should be given over entirely to the parliament; and that, after the conquest of Ireland, the nomination of the lord-lieutenant and of the judges, or in other words, the sovereignty of that kingdom, should likewise remain in their hands.<sup>1</sup>

What rendered an accommodation more desperate was, that the demands on these three heads, however exorbitant, were acknowledged, by the parliamentary commissioners, to be nothing but preliminaries. After all these were granted, it would be necessary to proceed to the discussion of those other demands, still more exorbitant, which a little before had been transmitted to the king at Oxford. Such ignominious terms were there insisted on, that worse could scarcely be demanded, were Charles totally vanquished, a prisoner, and in chains. The king was required to attain, and except from a general pardon, forty of the most considerable of his English subjects, and nineteen of his Scottish, together with all popish recusants in both kingdoms who had borne arms for him. It was insisted, that forty-eight more, with all the members who had sitted in either House at Oxford, all lawyers and divines who had embraced the king's party, should be rendered incapable of any office, be forbidden the exercise of their profession, be prohibited from coming within the verge of the court, and forfeit the third of their estates to the parliament. It was required, that whoever had borne arms for the king should forfeit the tenth of their estates, or, if that did not suffice, the sixth, for the payment of public debts. As if royal authority were not sufficiently annihilated by such terms, it was demanded that the court of wards should be abolished; that all the considerable officers of the crown, and all the judges, should be appointed by parliament; and that the right of peace and war should not be exercised without the consent of that assembly.<sup>2</sup> The presbyterians, it must be confessed, after insisting on such conditions, differed only in words from the independents, who required the establishment of a pure republic. When the debates had been carried on to no purpose during twenty days among the commissioners, they separated and returned; those of the king, to Oxford, those of the parliament, to London.

A little before the commencement of this fruitless treaty, a deed was executed by the parliament, which proved their determined resolution to yield nothing, but to proceed in the same violent and imperious manner with which they had at first entered on these dangerous enterprises. Archbishop Laud, the most favourite minister of the king, was brought to the scaffold; and in this instance the public might see, that popular assemblies, as, by their very number, they are in a great measure exempt from the restraint of shame, so, when they also overleap the bounds of law, naturally break out into acts of the greatest tyranny and injustice.

From the time that Laud had been committed, the House of Commons, engaged in enterprises of greater moment, had found no leisure to finish his impeachment; and he had patiently endured so long an imprisonment without being brought to any trial. After the union with Scotland, the bigoted prejudices of that nation revived the like spirit in England; and the sectaries resolved to gratify their vengeance in the punishment of this prelate, who had so long, by his authority, and by the execution of penal laws, kept their zealous spirit under confinement. He was accused of high treason in endeavouring to subvert the fundamental laws, and of other high crimes and misdemeanours. The same illegality of an accumulative crime and a constructive evidence, which appeared in the case of Strafford; the same violence and iniquity in conducting the trial; are conspicuous throughout the whole

course of this prosecution. The groundless charge of popery, though belied by his whole life and conduct, was continually urged against the prisoner; and every error rendered unpardonable by this imputation, which was supposed to imply the height of all enormities. "This man, my lords," said serjeant Wilde, concluding his long speech against him, "is like Naaman the Syrian; a great man, but a leper."<sup>3</sup>

We shall not enter into a detail of this matter, which, at present, seems to admit of little controversy. It suffices to say, that, after a long trial, and the examination of above a hundred and fifty witnesses, the Commons found so little likelihood of obtaining a judicial sentence against Laud, that they were obliged to have recourse to their legislative authority, and to pass an ordinance for taking away the life of this aged prelate. Notwithstanding the low condition into which the House of Peers was fallen, there appeared some intention of rejecting this ordinance; and the popular leaders were again obliged to apply to the multitude, and to extinguish, by threats of new tumults, the small remains of liberty possessed by the upper House. Seven peers alone voted in this important question. The rest, either from shame or fear, took care to absent themselves.<sup>4</sup>

Laud, who had behaved during his trial with spirit and vigour of genius, sunk not under the horrors of his execution; but though he had usually professed himself apprehensive of a violent death, he found all his fears to be dissipated before that superior courage by which he was animated, "No one," said he, "can be more willing to send me out of life, than I am desirous to go." Even upon the scaffold, and during the intervals of his prayers, he was harassed and molested by Sir John Clotworthy, a zealot of the reigning sect, and a great leader in the lower House: this was the time he chose for examining the principles of the dying prelate, and trepanning him into a confession, that he trusted for his salvation to the merits of good works, not to the death of the Redeemer.<sup>5</sup> Having extricated himself from these theological toils, the archbishop laid his head on the block; and it was severed from the body at one blow.<sup>6</sup> Those religious opinions, for which he suffered, contributed, no doubt, to the courage and constancy of his end. Sincere he undoubtedly was, and, however misguided, actuated by pious motives in all his pursuits; and it is to be regretted, that a man of such spirit, who conducted his enterprises with so much warmth and industry, had not entertained more enlarged views, and embraced principles more favourable to the general happiness of society.

The great and important advantage which the party gained by Strafford's death may, in some degree, palliate the iniquity of the sentence pronounced against him. But the execution of this old infirm prelate, who had so long remained an inoffensive prisoner, can be ascribed to nothing but vengeance and bigotry in those severe religionists, by whom the parliament was entirely governed. That he deserved a better fate was not questioned by any reasonable man: the degree of his merit, in other respects, was disputed. Some accused him of recommending slavish doctrines, of promoting persecution, and of encouraging superstition; while others thought that his conduct, in these three particulars, would admit of apology and extenuation.

That the *letter* of the law, as much as the most flaming court-sermon, inculcates passive obedience, is apparent. And though the *spirit* of a limited government seems to require, in extraordinary cases, some mitigation of so rigorous a doctrine; it must be confessed, that the preceding genius of the English constitution had rendered a mistake in this particular very natural and excusable. To inflict death, at least on those who depart from the exact line of truth in these nice questions, so far from being favourable to national liberty, savours strongly of the spirit of tyranny and proscription.

Toleration had hitherto been so little the principle of any Christian sect, that even the catholics, the remnant of the religion professed by their forefathers, could not obtain from the English the least indulgence. This very House of Commons, in their famous remonstrance, took care to

<sup>1</sup> Dugdale, p. 826, 827.

<sup>2</sup> Rush. vol. vi. p. 330.

<sup>3</sup> Rush. vol. vi. p. 830. Dugdale, p. 737.

<sup>4</sup> Warwick, p. 169.

2 R

<sup>5</sup> Rushworth, vol. vi. p. 838, 839.

<sup>6</sup> 12th of July, 1644.

justify themselves, as from the highest imputation, from any intention to relax the golden rules of discipline; as they called them, or to grant any toleration? and the enemies of the church were so fair from the beginning, as not to lay claim to liberty of conscience, which they called a toleration for soul-murder. They openly challenged the superiority, and even menaced the established church with that persecution which they afterwards exercised against her with such severity. And if the question be considered in the view of policy; though a sect, already formed and advanced, may, with good reason, demand a toleration; what title had the puritans to this indulgence, who were just on the point of separation from the church, and whom, it might be hoped, some wholesome and legal severities would still retain in obedience?<sup>15</sup>

Whatever ridicule, to a philosophical mind, may be thrown on pious ceremonies, it must be confessed, that during a very religious age, no institutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy spirit of devotion, to which they are subject. Even the English church, though it has retained a share of popish ceremonies, may justly be thought too naked and unadorned, and still to approach too near the abstract and spiritual religion of the puritans. Laud and his associates, by reviving a few primitive institutions of this nature, corrected the error of the first reformers, and presented to the affrightened and astonished mind, some sensible, exterior observances, which might occupy it during its religious exercises, and abate the violence of its disappointed efforts. The thought, no longer bent on that divine and mysterious essence, so superior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itself in the contemplation of pictures, postures, vestments, build-ings; and all the fine arts, which minister to religion, thereby received additional encouragement. The prime, it is true, conducted this scheme, not with the enlarged sentiments and cool reflection of a legislator, but with the intemperate zeal of a sectary; and by overlooking the circumstances of the times, served rather to inflame that religious fury which he meant to repress. But this blemish is more to be regarded as a general imputation on the whole age, than any particular failing of Laud's; and it is sufficient for his vindication to observe, that his errors were the most excusable of all those which prevailed during that zealous period.

## CHAP. LVIII.

Montrose's victories. The new model of the army—Battle of Naseby—Surrender of Bristol—The West conquered by Fairfax—Defeat of Montrose. Ecclesiastical affairs. King goes to the Scots at Newark. End of the war. King delivered up by the Scots.

A. D. 1645.      WHILE the king's affairs declined in England, some events happened in Scotland, which seemed to promise him a more prosperous issue of the quarrel.

Before the commencement of these civil disorders, the Earl of Montrose, a young nobleman of a distinguished family, returning from his travels, had been introduced to the king, and had made an offer of his services; but by the insinuations of the Marquis, afterwards Duke, of Hamilton, who possessed much of Charles's confidence, he had not been received

with that distinction to which he thought himself justly entitled.<sup>a</sup> Disgusted with this treatment, he had forwarded all the violence of the covenanters; and, agreeably to the natural ardour of his genius, he had employed himself during the first Scottish insurrection, with great zeal as well as success, in levying and conducting their armies. Being commissioned by the *Tables* to wait upon the king, while the royal army lay at Berwick, he was so gained by the civilities and caresses of that monarch, that he thenceforth devoted himself entirely, though secretly, to his service, and entered into a close correspondence with him. In the second insurrection, a great military command was intrusted to him by the covenanters; and he was the first that passed the Tweed, at the head of their troops, in the invasion of England. He found means however, soon after, to convey a letter to the king: and by the infidelity of some about that prince, (Hamilton, as was suspected) a copy of this letter was sent to Leven, the Scottish general. Being accused of treachery, and a correspondence with the enemy; Montrose openly avowed the letter, and asked the generals, if they dared to call their sovereign an enemy; and by this bold and magnanimous behaviour, he escaped the danger of an immediate prosecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavoured to draw those who had entertained like sentiments, into a bond of association for his master's service. Though thrown into prison for this enterprise,<sup>b</sup> and detained some time, he was not discouraged; but still continued, by his countenance and protection, to infuse spirit into the distressed royalists. Among other persons of distinction, who united themselves to him, was Lord Napier of Merchiston, son of the famous inventor of the logarithms, the person to whom the title of GREAT MAN is more justly due, than to any other whom his country ever produced.

There was in Scotland another party, who, professing equal attachment to the king's service, pretended only to differ with Montrose about the means of attaining the same end; and of that party, Duke Hamilton was the leader. This nobleman had cause to be extremely devoted to the king, not only by reason of the connexion of blood, which united him to the royal family; but on account of the great confidence and favour with which he had ever been honoured by his master. Being accused by Lord Rae, not without some appearance of probability, of a conspiracy against the king; Charles was so far from harbouring suspicion against him, that, the very first time Hamilton came to court, he received him into his bed-chamber, and passed alone the night with him.<sup>c</sup> But such was the duke's unhappy fate or conduct, that he escaped not the imputation of treachery to his friend and sovereign; and though he at last sacrificed his life in the king's service, his integrity and sincerity have not been thought by historians entirely free from blemish. Perhaps (and this is the more probable opinion) the subtleties and refinements of his conduct, and his temporizing maxims, though accompanied with good intentions, have been the chief cause of a suspicion, which has never yet been either fully proved or refuted. As much as the bold and vivid spirit of Montrose prompted him to enterprising measures, as much was the cautious temper of Hamilton inclined to such as were moderate and dilatory. While the former foretold that the Scottish covenants were secretly forming a union with the English parliament, and inculcated the necessity of preventing them by some vigorous undertaking; the latter still insisted, that every such attempt would precipitate them into measures, to which, otherwise

tempts towards innovation, and only grant a toleration to beliefs that are tolerated and established. See *Plato's Laws*, iv, 25, chap. 10. According to this principle, Land's intolerance to the catholics, and severity to the puritans, would admit of apology. I own, however, that it is *very* questionable, whether persecution can in any case be justified; but, at the same time, it would be hard to give that application to Land's conduct, who only enforced the art of uniformity, and expelled the dissenters that accepted of benefices, and set to read the scriptures, and the law. He never imposed them upon the people, but he put them to law. He never imposed them upon the place of worship, because they themselves would have esteemed it impious to demand them, and no less impious to allow them.

b It is not improper to take notice of a mistake committed by Clarendon, which is the chief charge of the gallant nobility, that he ordered the king, when his majesty was in Scotland, to assassinate Argyle. All the time the king was in Scotland, Montrose was confined to prison. *History of England*, vol. x. p. 279.

1. Nelson, vol. II, p. 705.

[illegible]

is aligned with the established religion, to make it consistent the list of

they were not, perhaps, inclined. After the Scottish convention was summoned without the king's authority, the former exclaimed, that their intentions were now visible, and that, if some unexpected blow were not struck, to dissipate them, they would arm the whole nation against the king; the latter maintained the possibility of outwitting the disaffected party, and securing, by peaceful means, the allegiance of the kingdom.<sup>d</sup> Unhappily for the royal cause, Hamilton's representations met with more credit from the king and queen, than those of Montrose; and the covenanters were allowed, without interruption, to proceed in all their hostile measures. Montrose then hastened to Oxford; where his invectives against Hamilton's treachery, concurring with the general prepossession, and supported by the unfortunate event of his counsels, were entertained with universal approbation. Influenced by the clamour of his party, more than his own suspicions, Charles, as soon as Hamilton appeared, sent him prisoner to Pendennis castle, in Cornwall. His brother, Lanerick, who was also put under confinement, found means to make his escape, and to fly into Scotland.

The king's ears were now opened to Montrose's counsels, who proposed none but the boldest and most daring, agreeably to the desperate state of the royal cause in Scotland. Though the whole nation was subjected by the covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant administration; he undertook, by his own credit, and that of the few friends who remained to the king, to raise such commotions, as would soon oblige the malcontents to recall those forces, which had so sensibly thrown the balance in favour of the parliament.<sup>e</sup> Not discouraged with the defeat at Marston-moor, which rendered it impossible for him to draw any succour from England; he was content to stipulate with the Earl of Antrim, a nobleman of Ireland, for some supply of men from that country. And he himself, changing his disguises, and passing through many dangers, arrived in Scotland; where he lay concealed in the borders of the Highlands, and secretly prepared the minds of his partisans for attempting some great enterprise.<sup>f</sup>

No sooner were the Irish landed, though not exceeding eleven hundred foot, very ill armed, than Montrose declared himself, and entered upon that scene of action, which has rendered his name so celebrated. About eight hundred of the men of Athole flocked to his standard. Five hundred men more, who had been levied by the covenanters, were persuaded to embrace the royal cause; and with this combined force, he hastened to attack Lord Elcho, who lay at Perth, with an army of six thousand men, assembled upon the first news of the Irish invasion. Montrose, inferior in number, totally unprovided with horse, ill supplied with arms and ammunition, had nothing to depend on, but the courage which he himself, by his own example, and the rapidity of his enterprises, should inspire into his raw soldiers. Having received the fire of the enemy, which was answered chiefly by a volley of stones, he rushed amidst them with his sword drawn, threw them into confusion, pushed his advantage, and obtained a complete victory, with the slaughter of two thousand of the covenanters.<sup>g</sup>

This victory, though it augmented the renown of Montrose, increased not his power or numbers. The far greater part of the kingdom was extremely attached to the covenant; and such as bore an affection to the royal cause, were terrified by the established authority of the opposite party. Dreading the superior power of Argyle, who, having joined his vassals to a force levied by the public, was approaching with a considerable army; Montrose hastened northwards, in order to rouse again the Marquis of Huntley and the Gordons, who, having before hastily taken arms, had been instantly suppressed by the covenanters. He was joined on his march by the Earl of Airy, with his two younger sons, Sir Thomas and Sir David Ogilvy: the eldest was at that time prisoner with the enemy. He attacked at Aberdeen the Lord Burley, who commanded a force of 2500 men. After a sharp combat, by his undaunted courage, which, in his situation, was true policy, and was

also not unaccompanied with military skill, he put the enemy to flight, and in the pursuit did great execution upon them.<sup>h</sup>

But by this second advantage he obtained not the end which he expected. The envious nature of Huntley, jealous of Montrose's glory, rendered him averse to join an army, where he himself must be so much eclipsed by the superior merit of the general. Argyle, reinforced by the Earl of Lothian, was behind him with a great army: the militia of the northern counties, Murray, Ross, Caithness, to the number of 5000 men, opposed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude these numerous armies, he turned aside into the hills, and saved his weak but active troop, in Badenoch. After some marches and counter-marches, Argyle came up with him at Faivy castle. This nobleman's character, though celebrated for political courage and conduct, was very low for military prowess; and after some skirmishes, in which he was worsted, he here allowed Montrose to escape him. By quick marches through these inaccessible mountains, that general freed himself from the superior forces of the covenanters.

Such was the situation of Montrose, that very good or very ill fortune was equally destructive to him, and diminished his army. After every victory, his soldiers, greedy of spoil, but deeming the smallest acquisition to be unexhausted riches, deserted in great numbers, and went home to secure the treasures which they had acquired. Tired too, and spent with hasty and long marches, in the depth of winter, through snowy mountains, unprovided with every necessary, they fell off, and left their general almost alone with the Irish, who, having no place to which they could retire, still adhered to him in every fortune.

With these, and some reinforcements of the Athole men and Macdonalds whom he had recalled, Montrose fell suddenly upon Argyle's country, and let loose upon it all the rage of war; carrying off the cattle, burning the houses, and putting the inhabitants to the sword. This severity, by which Montrose sullied his victories, was the result of private animosity against the chieftain, as much as of zeal for the public cause. Argyle, collecting three thousand men, marched in quest of the enemy, who had retired with their plunder; and he lay at Innerlochy, supposing himself still at a considerable distance from them. The Earl of Seaforth, at the head of the garrison of Inverness, who were veteran soldiers, joined to 5000 new-levied troops of the northern counties, pressed the royalists on the other side, and threatened them with inevitable destruction. By a quick and unexpected march, Montrose hastened to Innerlochy, and presented himself in order of battle before the surprised, but not affrightened, covenanters. Argyle alone, seized with a panic, deserted his army, who still maintained their ground, and gave battle to the royalists. After a vigorous resistance they were defeated, and pursued with great slaughter.<sup>i</sup> And Feb

the power of the Campbells (that is Argyle's name) being thus broken, the Highlanders, who were in general well affected to the royal cause, began to join Montrose's camp in great numbers. Seaforth's army dispersed of itself, at the very terror of his name. And Lord Gordon, eldest son of Huntley, having escaped from his uncle Argyle, who had hitherto detained him, now joined Montrose with no contemptible number of his followers, attended by his brother, the Earl of Aboine.

The council at Edinburgh, alarmed at Montrose's progress, began to think of a more regular plan of defence against an enemy, whose repeated victories had rendered him extremely formidable. They sent for Baillie, an officer of reputation, from England; and joining him in command with Urrey, who had again enlisted himself among the king's enemies, they sent them to the field with a considerable army against the royalists. Montrose, with a detachment of 800 men, had attacked Dundee, a town extremely zealous for the covenant, and having carried it by assault, had delivered it up to be plundered by his soldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him.<sup>k</sup> His conduct and presence

<sup>d</sup> Clarendon, vol. iii. p. 380, 381. Rush, vol. vi. p. 980. Wismar, cap. 2.  
<sup>e</sup> Wishart, cap. 3.

<sup>f</sup> Clarendon, vol. v. p. 618. Rush, vol. vi. p. 982. Wishart, cap. 1.

<sup>g</sup> 1st of Sept. 1644. Rush, vol. vi. p. 983. Wishart, cap. 5.

<sup>h</sup> 13th of Sept. 1644. Rush, vol. vi. p. 983. Wishart, cap. 7.

<sup>i</sup> Rush, vol. vi. p. 985. Wish. c. 8. <sup>k</sup> Rush, vol. vi. p. 238. Wish. c. 9.



of mind, in this emergency, appeared conspicuous. Instantly he called off his soldiers from plunder, put them in order, secured his retreat by the most skilful measures; and having marched sixty miles in the face of an enemy much superior, without stopping, or allowing his soldiers the least sleep or refreshment, he at last secured himself in the mountains.

Baillie and Urey now divided their troops, in order the better to conduct the war against an enemy, who surprised them, as much by the rapidity of his marches, as by the boldness of his enterprises. Urey, at the head of 4000 men, met him at Alderue, near Inverness; and, encouraged by the superiority of number, (for the covenanters were double the royalists,) attacked him in the post which he had chosen. Montrose, having placed his right wing in strong ground, drew the best of his forces to the other, and left no main body between them; a defect which he artfully concealed, by showing a few men through the trees and bushes, with which that ground was covered. That Urey might have no leisure to perceive the stratagem, he instantly led his left wing to the charge; and making a furious impression upon the covenanters, drove them off the field, and gained a complete victory.<sup>1</sup> In this battle, the valour of young Napier, son to the lord of that name, shone out with signal lustre.

Baillie now advanced, in order to revenge Urey's discomfiture; but at Alford, he met, himself, with a like fate.<sup>2</sup> Montrose, weak in cavalry, here lined his troops of horse with infantry; and after putting the enemy's horse to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loss of the gallant Lord Gordon on the part of the royalists.<sup>3</sup> And having thus prevailed in so many battles, which his vigour ever rendered as decisive as they were successful, he summoned together all his friends and partisans, and prepared himself for marching into the southern provinces, in order to put a final period to the power of the covenanters, and dissipate the parliament, which with great pomp and solemnity they had summoned to meet at St. Johnstone's.

While the fire was thus kindled in the north of the island, it blazed out with no less fury in the south: the parliamentary and royal armies, as soon as the season would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick decision. The passing of the self-denying ordinance had been protracted by so many debates and intrigues, that the spring was far advanced before it received the sanction of both Houses; and it was thought dangerous by many to introduce, so near the time of action, such great innovations into the army. Had not the punctilious principles of Essex engaged him, amidst all the disgusts which he received, to pay implicit obedience to the parliament, this alteration had not been effected without some fatal accident; since, notwithstanding his prompt resignation of the command, a mutiny was generally apprehended.<sup>4</sup> Fairfax, or, more properly speaking, Cromwell, under his name, introduced, at last, the *new model* into the army, and threw the troops into a different shape. From the same men, new regiments and new companies were formed, different officers appointed, and the whole military force put into such hands, as the independents could rely on. Besides members of parliament who were excluded, many officers, unwilling to serve under the new generals, threw up their commissions; and unwarily facilitated the project of putting the army entirely into the hands of that faction.

Though the discipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorously executed, by these new commanders. Valour indeed was very generally diffused over the one party as well as the other during this period: discipline also was attained by the forces of the parliament: but the perfection of the military art in concerting the general plans of action, and the operations of the field, seems still, on both sides, to have been, in a great measure, wanting. Historians at least, perhaps from their own ignorance and inexperience, have not remarked any thing but a headlong impetuous conduct; each party hurrying to a battle, where

valour and fortune chiefly determined the success. The great ornament of history during these reigns, are the civil, not the military, transactions.

Never surely was a more singular army <sup>New model of</sup> assembled, than that which was now set on <sup>the army.</sup> foot by the parliament. To the greater number of the regiments, chaplains were not appointed. The officers assumed the spiritual duty, and united it with their military functions. During the intervals of action, they occupied themselves in sermons, prayers, exhortations; and the same emulation there attended them, which, in the field, is so necessary to support the honour of that profession. Rapturous ecstasies supplied the place of study and reflection; and while the zealous devotees poured out their thoughts in unprepared harangues, they mistook that eloquence, which, to their own surprise, as well as that of others, flowed in upon them, for divine illuminations, and for illapses of the Holy Spirit. Wherever they were quartered, they excluded the minister from his pulpit; and, usurping his place, conveyed their sentiments to the audience, with all the authority which followed their power, their valour, and their military exploits, united to their appearing zeal and fervour. The private soldiers, seized with the same spirit, employed their vacant hours in prayer, in perusing the Holy Scriptures, in ghostly conferences, where they compared the progress of their souls in grace, and mutually stimulated each other to further advances in the great work of their salvation. When they were marching to battle, the whole field resounded, as well with psalms and spiritual songs adapted to the occasion, as with the instruments of military music; and every man endeavoured to drown the sense of present danger, in the prospect of that crown of glory which was set before him. In so holy a cause, wounds were esteemed meritorious; death, martyrdom; and the hurry and dangers of action, instead of banishing their pious visions, rather served to impress their minds more strongly with them.

The royalists were desirous of throwing a ridicule on this fanaticism of the parliamentary armies, without being sensible how much reason they had to apprehend its dangerous consequences. The forces assembled by the king at Oxford, in the west, and in other places, were equal, if not superior, in number, to their adversaries; but actuated by a very different spirit. That licence, which had been introduced by want of pay, had risen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the soldiery, had indulged the troops in unvarnished liberties: Wilmot, a man of dissolute manners, had promoted the same spirit of disorder: and the licentious Goring, Gerrard, Sir Richard Granville, now carried it to a great pitch of enormity. In the west especially, where Goring commanded, universal spoil and havoc were committed; and the whole country was laid waste by the rapine of the army. All distinction of parties being in a manner dropped, the most devoted friends of the church and monarchy wished there for such success to the parliamentary forces as might put an end to these oppressions. The country people, despoiled of their substance, flocked together in several places, armed with clubs and staves; and though they professed an enmity to the soldiers of both parties, their hatred was, in most places, levelled chiefly against the royalists, from whom they had met with the worst treatment. Many thousands of these tumultuary peasants were assembled in different parts of England; who destroyed all such straggling soldiers as they met with, and much infested the armies.<sup>5</sup>

The disposition of the forces on both sides was as follows: part of the Scottish army was employed in taking Pomfret, and other towns in Yorkshire: part of it besieged Carlisle, valiantly defended by Sir Thomas Glenham. Chester, where Biron commanded, had long been blockaded by Sir William Brereton; and was reduced to great difficulties. The king, being joined by the Princes Rupert and Maurice, lay at Oxford, with a considerable army, about 15,000 men. Fairfax and Cromwell were posted at Windsor, with the new-modelled army, about

<sup>1</sup> Rush, vol. vii. p. 229. Wishart, cap. 10.

<sup>2</sup> Rush, vol. vii. p. 229. Wishart, cap. 11.

<sup>3</sup> Rush, vol. vii. p. 120, 127.

m 2d of July.

p Dugdale, p. 7. Rush, vol. vi. p. 261.

<sup>5</sup> Rush, vol. vii. p. 52, 61, 62. Whitlocke, p. 130, 131, 133, 135. Clarendon, vol. v. p. 696.

22,000 men. Taunton, in the county of Somerset, defended by Blake, suffered a long siege from Sir Richard Granville, who commanded an army of about 8000 men; and, though the defence had been obstinate, the garrison was now reduced to the last extremity. Goring commanded, in the west, an army of nearly the same number.<sup>7</sup>

On opening the campaign, the king formed the project of relieving Chester; Fairfax that of relieving Taunton. The king was first in motion. When he advanced to Draiton in Shropshire, Biron met him, and brought intelligence, that his approach had raised the siege, and that the parliamentary army had withdrawn. Fairfax, having reached Salisbury in his road westward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay siege to Oxford, now exposed by the king's absence. He obeyed, after sending Colonel Weldon to the west, with a detachment of 4000 men. On Weldon's approach, Granville, who imagined that Fairfax with his whole army was upon him, raised the siege, and allowed this pertinacious town, now half taken and half burned, to receive relief: but the royalists, being reinforced with 3000 horse under Goring, again advanced to Taunton, and shut up Weldon, with his small army, in that ruinous place.<sup>8</sup>

The king, having effected his purpose with regard to Chester, returned southwards; and, in his way, sat down before Leicester, a garrison of the parliament's. Having made a breach in the wall, he stormed the town on all sides; and after a furious assault, the soldiers entered sword in hand, and committed all those disorders to which their natural violence, especially when inflamed by resistance, is so much addicted.<sup>1</sup> A great booty was taken and distributed among them: fifteen hundred prisoners fell into the king's hands. This success, which struck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and he marched towards the king, with an intention of offering him battle. The king was advancing towards Oxford, in order to raise the siege, which he apprehended was now begun; and both armies, ere they were aware, had advanced within six miles of each other. A council of war was called by the king, in order to deliberate concerning the measures which he should now pursue. On the one hand, it seemed more prudent to delay the combat: because Gerrard, who lay in Wales with 3000 men, might be enabled, in a little time, to join the army; and Goring, it was hoped, would soon be master of Taunton; and having put the west in full security, would then unite his forces to those of the king, and give him an incontestable superiority over the enemy. On the other hand, Prince Rupert, whose boiling ardour still pushed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full; and urged the many difficulties under which the royalists laboured, and from which nothing but a victory could relieve them: the resolution was taken to give battle to Fairfax; and the royal army immediately advanced upon him.

At Naseby was fought, with forces nearly equal, this decisive and well-disputed action, between the king and parliament. The main body of the royalists was commanded by the king himself: the right wing by Prince Rupert; the left by Sir Marmaduke Langdale. Fairfax, seconded by Skippon, placed himself in the main body of the opposite army: Cromwell in the right wing: Ireton, Cromwell's son-in-law, in the left. The charge was begun, with his usual celerity and usual success, by Prince Rupert. Though Ireton made stout resistance, and even after he was run through the thigh with a pike, still maintained the combat, till he was taken prisoner; yet was that whole wing broken, and pursued with precipitate fury by Rupert; he was even so inconsiderate as to lose time in summoning and attacking the artillery of the enemy, which had been left with a good guard of infantry. The

king led on his main body, and displayed, in this action, all the conduct of a prudent general, and all the valour of a stout soldier.<sup>2</sup> Fairfax and Skippon encountered him, and well supported that reputation which they had acquired. Skippon, being dangerously wounded, was desired by Fairfax to leave the field; but he declared that he would remain there as long as one man maintained his ground.<sup>3</sup> The infantry of the parliament was broken, and pressed upon by the king; till Fairfax, with great presence of mind, brought up the reserve and renewed the combat. Meanwhile Cromwell, having led on his troops to the attack of Langdale, overbore the force of the royalists, and by his prudence improved that advantage which he had gained by his valour. Having pursued the enemy about a quarter of a mile, and detached some troops to prevent their rallying, he turned back upon the king's infantry and threw them into the utmost confusion. One regiment alone preserved its order unbroken, though twice desperately assailed by Fairfax: and that general, excited by so steady a resistance, ordered Doyley, the captain of his life-guard, to give them a third charge in front, while he himself attacked them in rear. The regiment was broken. Fairfax, with his own hands, killed an ensign, and having seized the colours, gave them to a soldier to keep for him. The soldier afterwards boasting that he had won this trophy, was reproved by Doyley, who had seen the action; *Let him retain that honour*, said Fairfax, *I have to-day acquired enough beside.*<sup>4</sup>

Prince Rupert, sensible too late of his error, left the fruitless attack on the enemy's artillery, and joined the king, whose infantry was now totally discomfited. Charles exhorted this body of cavalry not to despair, and cried aloud to them, *One charge more, and we recover the day.*<sup>5</sup> But the disadvantages under which they laboured were too evident; and they could by no means be induced to renew the combat. Charles was obliged to quit the field, and leave the victory to the enemy.<sup>6</sup> The slain, on the side of the parliament, exceeded those on the side of the king: they lost a thousand men; he not above eight hundred: but Fairfax made 500 officers prisoners, and 4000 private men; took all the king's artillery and ammunition; and totally dissipated his infantry: so that scarce any victory could be more complete than that which he obtained.

Among the other spoils was seized the king's cabinet, with the copies of his letters to the queen, which the parliament afterwards ordered to be published.<sup>7</sup> They chose, no doubt, such of them as they thought would reflect dishonour on him: yet, upon the whole, the letters are written with delicacy and tenderness, and give an advantageous idea both of the king's genius and morals. A mighty fondness, it is true, and attachment, he expresses to his consort, and often professes that he never would embrace any measures which she disapproved: but such declarations of civility and confidence are not always to be taken in a full literal sense. And so legitimate an affection, avowed by the laws of God and man, may, perhaps, be excusable towards a woman of beauty and spirit, even though she was a papist.<sup>8</sup>

The Athenians having intercepted a letter written by their enemy, Philip of Macedon, to his wife, Olympia, so far from being moved by a curiosity of prying into secrets of that relation, immediately sent the letter to the queen unopened. Philip was not their sovereign; nor were they inflamed with that violent animosity against him, which attends all civil commotions.

After the battle the king retreated with that body of horse which remained entire, first to Hereford, then to Abergavenny; and remained some time in Wales, from the vain hope of raising a body of infantry in those harassed and exhausted quarters. Fairfax, having 17th June. first retaken Leicester, which was surrendered upon articles, began to deliberate concerning his

<sup>1</sup> Rush, vol. vii. p. 18, 19, &c.

<sup>2</sup> Ibid. p. 28.

<sup>3</sup> Clarendon, vol. v. p. 652.

<sup>4</sup> Ibid. p. 146.

<sup>5</sup> Rush, vol. vii. p. 43. Whitlocke, p. 145.

<sup>6</sup> Whitlocke, p. 145.

<sup>7</sup> Rush, vol. vii. p. 41.

<sup>8</sup> Clarendon, vol. iv. p. 656, 657. Walker, p. 130, 131.

<sup>9</sup> Clarendon, vol. iv. p. 656.

<sup>10</sup> Hume has published the following extract from a manuscript work of Sir Simon D'Ewes, who was no mean man in the parliamentary party.

<sup>11</sup> On Thursday the 30th and last day of this instant, June 1645, I went to

Whitehall purposely to see the queen, which I did fully all the time she sat at dinner. I perceiv'd her to be a most absolute delicate lady, after I had exactly survey'd all the features of her face, much enliven'd by her radiant and sparkling black eyes. Besides, her deportment among her women was so sweet and humble, and her speech and looks to her other servants so mild and gracious, as I could not abstain from divers deep-thoughted smiles, to consider, that she wanted the knowledge of the true religion." See Preface to the Chronicle of Dunstable, p. 64.

future enterprises. A letter was brought him written by Goring to the king, and unfortunately entrusted to a spy of Fairfax's. Goring there informed the king, that in three weeks he hoped to be master of Taunton; after which he would join his majesty with all the forces in the west; and entreated him, in the meanwhile, to avoid coming to any general action. This letter, which, had it been safely delivered, had probably prevented the battle of Naseby, served now to direct the operations of Fairfax.<sup>e</sup> After leaving a body of 3000 men to Pointz and Rossiter, with orders to attend the king's motions, he marched immediately to the west, with a view of saving Taunton, and suppressing the only considerable force which now remained to the royalists.

In the beginning of the campaign, Charles, apprehensive of the event, had sent the Prince of Wales, then fifteen years of age, to the west, with the title of general, and had given orders, if he were pressed by the enemy, that he should make his escape into a foreign country, and save one part of the royal family from the violence of the parliament. Prince Rupert had thrown himself into Bristol, with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach, the siege of Taunton was raised; and the royalists retired to Lampord, an open town in the county of Somerset. Fairfax attacked them in that post, beat them from it, killed about 300 men, and took 1400 prisoners.<sup>f</sup> After this advantage, he sat down before Bridgewater, a town esteemed strong, and of great consequence in that country. When he had entered the outer town by storm, Windham the governor, who had retired into the inner, immediately capitulated, and delivered up the place to Fairfax. The

garrison, to the number of 2600 men, were made prisoners of war.

Fairfax, having next taken Bath and Sherborne, resolved to lay siege to Bristol, and made great preparations for an enterprise, which from the strength of the garrison, and the reputation of Prince Rupert the governor, was deemed of the last importance. But so precarious, in most men, is this quality of military courage! a poorer defence was not made by any town during the whole war: and the general expectations were here extremely disappointed. No sooner had the parliamentary forces entered the lines by storm, than the prince capitulated, and surrendered the

city to Fairfax.<sup>g</sup> A few days before, he had undertaken to defend the place for four months, if no mutiny obliged them to surrender it. Charles, who was forming schemes, and collecting forces, for the relief of Bristol, was astonished at so unexpected an event, which was little less fatal to his cause than the defeat at Naseby.<sup>h</sup> Full of indignation, he instantly recalled all Prince Rupert's commissions, and sent him a pass to go beyond sea.<sup>i</sup>

The king's affairs now went fast to ruin in all quarters. The Scots having made themselves masters of Carlisle,<sup>j</sup> after an obstinate siege, marched southwards, and laid siege to Hereford; but were obliged to raise it on the king's approach: and this was the last glimpse of success which attended his arms. Having marched to the relief of Chester, which was anew besieged by the parliamentary forces under Colonel Jones; Pointz attacked his rear, and forced him to give battle. While the fight

was continued with great obstinacy, and victory seemed to incline to the royalists; Jones fell upon them from the other side, and put them to rout with the loss of 600 slain, and 1000 prisoners.<sup>k</sup> The king, with the remains of his broken army, fled to Newark, and thence escaped to Oxford, where he shut himself up during the winter season.

The news which he received from every quarter, was no less fatal than those events which passed where he himself was present. Fairfax and Cromwell, after the surrender of Bristol, having divided their forces, the former marched westwards, in order to complete the conquest of

Devonshire and Cornwall; the latter attacked the king's garrisons which lay to the east of Bristol. The Devises were surrendered to Cromwell; Berkley castle was taken by storm; Winchester capitulated; Basing-house was entered sword in hand: and all these middle counties of England were, in a little time, reduced to obedience under the parliament.

The same rapid and uninterrupted success attended Fairfax. The parliamentary forces, elated by past victories, governed by the most rigid discipline, met with no equal opposition from troops, dismayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royalists at Bovey-Tracey, Fairfax sat down before Dartmouth, and in a few days entered it by storm. Poudram-castle, being taken by him, and Exeter blockaded on all sides; Hopton, a man of merit, who now commanded the royalists, having advanced to the relief of that town, with an army of 8000 men, met with the parliamentary army at Torrington; where he was defeated, all his foot dispersed,

and he himself, with his horse, obliged to retire into Cornwall. Fairfax followed him, and vigorously pursued the victory. Having enclosed the royalists at Truro, he forced the whole army, consisting of 5000 men, chiefly cavalry, to surrender upon terms. The soldiers, delivering up their horses and arms, were allowed to disband, and received twenty shillings a-piece, to carry them to their respective abodes. Such of the officers, as desired it, had passes to retire beyond sea: the others, having promised never more to bear arms, paid compositions to the parliament,<sup>l</sup> and procured their pardon.<sup>m</sup> And thus Fairfax, after taking Exeter, which completed the conquest of the west, marched with his victorious army to the centre of the kingdom, and fixed his camp at Newbury. The Prince of Wales, in pursuance of the king's orders, retired to Scilly, thence to Jersey; whence he went to Paris; where he joined the queen, who had fled thither from Exeter at the time the Earl of Essex conducted the parliamentary army to the west.

In the other parts of England, Hereford was taken by surprise: Chester surrendered: Lord Digby, who had attempted with 1200 horse to break into Scotland, and join Montrose, was defeated at Sherburn, in Yorkshire, by Colonel Copley; his whole force was dispersed: and he himself was obliged to fly, first to the Isle of Man, thence to Ireland. News too arrived that Montrose himself, after some more successes, was at last routed; and this only remaining hope of the royal party finally extinguished.

When Montrose descended into the southern counties, the covenanters, assembling their whole force, met him with a numerous army, and gave him battle, but without success, at Kilsyth.<sup>n</sup> This was the most complete victory that Montrose ever obtained. The royalists put to the sword six thousand of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was shaken with these repeated successes of Montrose; and many noblemen, who secretly favoured the royal cause, now declared openly for it, when they saw a force able to support them. The Marquis of Douglas, the Earls of Annandale and Hartfield, the Lords Fleming, Seton, Maderty, Carnegie, with many others, flocked to the royal standard. Edinburgh opened its gates, and gave liberty to all the prisoners there detained by the covenanters. Among the rest was Lord Ogilvy, son of Airy, whose family had contributed extremely to the victory gained at Kilsyth.<sup>o</sup>

David Lesley was detached from the army in England, and marched to the relief of his distressed party in Scotland. Montrose advanced still further to the south, allured by vain hopes, both of rousing to arms the Earls of Hume, Traquaire, and Roxborough, who had promised to join him; and of obtaining from England some supply of cavalry, in which he was deficient. By the negligence of his scouts, Lesley, at Philip-haugh in the Forest, surprised his army, much diminished in numbers, from the desertion

A. D. 1646.  
The west con-  
quered by Fair-  
fax.

18th Jan.

19th Feb.

<sup>e</sup> Burnet, vol. vi. p. 19. <sup>f</sup> Ibid. p. 53.

<sup>g</sup> Commonwealth, vol. i. p. 690. Walker, p. 137.

<sup>h</sup> Commonwealth, vol. i. p. 690.

<sup>i</sup> Commonwealth, vol. vi. p. 117.

<sup>j</sup> These compositions were different according to the demerits of the

h 20th of June.

part. But by a vote of the House they could not be under two years' rent of the delinquent's estate. Journ. 11th of August, 1648. Whitlocke, p. 109.

<sup>l</sup> Rush, vol. vi. p. 160.

<sup>m</sup> 15th August, 1645.

<sup>n</sup> Rush, vol. vi. p. 230, 231.

Wichart, cap. 15.



of the Highlanders, who had retired to the hills, according to custom, in order to secure their plunder. After a sharp conflict, where Montrose exerted great valour, his forces were routed by Lesley's cavalry;<sup>a</sup> and he himself was obliged to fly with his broken forces into the mountains; where he again prepared himself for new battles and new enterprises.<sup>b</sup>

The covenanters used the victory with rigour. Their prisoners, Sir Robert Spotswood, secretary of state, and son to the late primate, Sir Philip Nisbet, Sir William Rollo, Colonel Nathaniel Gordon, Andrew Guthrie, son of the Bishop of Murray, William Murray, son of the Earl of Tullibardine, were condemned and executed. The sole crime imputed to the secretary was, his delivering to Montrose the king's commission, to be captain-general of Scotland. Lord Ogilvie, who was again taken prisoner, would have undergone the same fate, had not his sister found means to procure his escape, by changing clothes with him. For this instance of courage and dexterity, she met with harsh usage. The clergy solicited the parliament, that more royalists might be executed; but could not obtain their request.<sup>c</sup>

After all these repeated disasters, which every where befell the royal party, there remained only one body of troops, on which fortune could exercise her rigour. Lord Astley, with a small army of 3000 men, chiefly cavalry, marching to Oxford, in order to join the king, was met at Sowe by Colonel Morgan, and entirely defeated; himself being taken prisoner. "You have done your work," said Astley to the parliamentary officers; "and may now go to play, unless you choose to fall out among yourselves."<sup>d</sup>

The condition of the king, during this whole winter, was to the last degree disastrous and melancholy. As the dread of ills is commonly more oppressive than their real presence, perhaps in no period of his life was he more justly the object of compassion. His vigour of mind, which, though it sometimes failed him in acting, never deserted him in his sufferings, was what alone supported him; and he was determined, as he wrote to Lord Digby, if he could not live as a king, to die like a gentleman; nor should any of his friends, he said, ever have reason to blush for the prince whom they had so unfortunately served.<sup>e</sup> The murmurs of discontented officers, on the one hand, harassed their unhappy sovereign; while they overrated those services and sufferings which, they now saw, must for ever go unrewarded.<sup>f</sup> The affectionate duty, on the other hand, of his more generous friends, who respected his misfortunes and his virtues, as much as his dignity, wrung his heart with a new sorrow; when he reflected, that such disinterested attachment would so soon be exposed to the rigour of his implacable enemies. Repeated attempts, which he made for a peaceful and equitable accommodation with the parliament, served to no purpose but to convince them, that the victory was entirely in their hands. They deigned not to make the least reply to several of his messages, in which he desired a passport for commissioners.<sup>g</sup> At last, after reproaching him with the blood spilt during the war, they told him that they were preparing bills for him; and his passing them would be the best pledge of his inclination towards peace: in other words, he must yield at discretion.<sup>h</sup> He desired a personal treaty, and offered to come to London, upon receiving a safe-conduct for himself and his attendants: they absolutely refused him admittance, and issued orders for the guarding, that is, the seizing of his person in case he should attempt to visit them.<sup>i</sup> A new incident which happened in Ire-

land served to mislead the minds of men, and to increase those calumnies with which his enemies had so much loaded him, and which he ever regarded as the most grievous part of his misfortunes.

After the cessation with the Irish rebels, the king was desirous of concluding a final peace with them, and obtaining their assistance in England: and he gave authority to Ormond, lord-lieutenant, to promise them an abrogation of all the penal laws enacted against catholics; together with the suspension of Poinings' statute, with regard to some particular bills, which should be agreed on. Lord Herbert, created Earl of Glamorgan, (though his patent had not yet passed the seals,) having occasion for his private affairs to go to Ireland, the king considered, that this nobleman, being a catholic, and allied to the best Irish families, might be of service: he also foresaw, that further concessions with regard to religion might probably be demanded by the bigoted Irish; and that, as these concessions, however necessary, would give great scandal to the protestant zealous in his three kingdoms, it would be requisite both to conceal them during some time, and to preserve Ormond's character, by giving private orders to Glamorgan to conclude and sign these articles. But as he had a better opinion of Glamorgan's zeal and affection for his service, than of his capacity, he enjoined him to communicate all his measures to Ormond; and though the final conclusion of the treaty must be executed only in Glamorgan's own name, he was required to be directed, in the steps towards it, by the opinion of the lord-lieutenant. Glamorgan, bigoted to his religion, and passionate for the king's service, but guided in these pursuits by no manner of judgment or discretion, secretly, of himself, without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed, in the king's name, that the Irish should enjoy all the churches of which they had ever been in possession since the commencement of their insurrection; on condition that they should assist the king in England with a body of ten thousand men. This transaction was discovered by accident. The titular Archbishop of Tuam being killed by a sally of the garrison of Sligo, the articles of the treaty were found among his baggage, and were immediately published every where, and copies of them sent over to the English parliament.<sup>j</sup> The lord-lieutenant and Lord Digby, foreseeing the clamour which would be raised against the king, committed Glamorgan to prison, charged him with treason for his temerity, and maintained, that he had acted altogether without any authority from his master. The English parliament, however, neglected not so favourable an opportunity of reviving the old clamour with regard to the king's favour of popery, and accused him of delivering over, in a manner, the whole kingdom of Ireland to that hated sect. The king told them, "That the Earl of Glamorgan having made an offer to raise forces in the kingdom of Ireland, and to conduct them into England for his majesty's service, had a commission to that purpose, and to that purpose only, and that he had no commission at all to treat of any thing else, without the privy and direction of the lord-lieutenant, much less to capitulate any thing concerning religion, or any property belonging either to church or laity."<sup>k</sup> Though this declaration seems agreeable to truth, it gave no satisfaction to the parliament; and some historians, even at present, when the ancient bigotry is somewhat abated, are desirous of representing this very innocent transaction, in which the king was engaged by the most violent necessity, as a stain on the memory of that unfortunate prince.<sup>l</sup>

<sup>a</sup> 1 Eth. of Sept. 1645. <sup>b</sup> Rush, vol. vii, p. 231.  
<sup>c</sup> Rush, vol. vii, p. 231.  
<sup>d</sup> Rush, vol. vii, p. 231. It was the same Astley, who, before he charged at the battle of Edgehill, made this short prayer, *O Lord! thou knowest how I love thee, do not let me be taken prisoner.* And with that, rose up, and cried, *March on, boys!* Warwick, p. 229. There were certainly much longer prayers said in the parliamentary army; but I doubt if there were so good a one.  
<sup>e</sup> Charles Ormond, vol. iii, No. 433.  
<sup>f</sup> Walpole, p. 137.  
<sup>g</sup> Rush, vol. vii, p. 215, &c.  
<sup>h</sup> Rush, vol. vii, p. 217, 219. Clarendon, vol. iv, p. 744.  
<sup>i</sup> Rush, vol. vii, p. 219. Clarendon, vol. iv, p. 741.  
<sup>j</sup> Rush, vol. vii, p. 219.  
<sup>k</sup> Dr. Birch has written a treatise on this subject. It is not my business to oppose any facts contained in that gentleman's performance. I shall only produce arguments which prove that Glamorgan, when he received his private commission, had instructions from the king to act altogether in concert with Ormond. (1.) It seems to be implied in the very words of

the commission, Glamorgan is empowered and authorized to treat and conclude with the confederate Roman catholics in Ireland. "If upon necessity any articles be concluded under, or even the king's lieutenant cannot so well be seen in, as not fit to be so present publicly to sign." Here no articles are mentioned, which are not to be communicated to Ormond, but only not fit for him and the king publicly to be seen and to avow. (2.) The king's protestation to Ormond, and, both on account of that prince's character and the reasons he assigns, to have the greatest weight. He says, as these "Ormond, I expect but and to the long letter, that, upon the word of a Christian, I never intended Glamorgan should treat any thing without your approbation, much less without your knowledge. For besides the injury to you, I was always distrustful of his judgment, though I could not think him so extremely weak as now. In respect I have found, which you may easily perceive in a postscript of a letter of mine to you." Carte, vol. ii, App. xxiii. It is impossible that any man of honour, however he might deal with his enemies, would assert a falsehood in so solemn a manner to his best friend, especially where that person must have had opportunities of knowing the truth. The letter,

Having lost all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only resource which remained to the king was derived from the intestine dissensions, which ran very high among his enemies. Presbyterians and independents, even before their victory was fully completed, fell into contests about the division of the spoil, and their religion as well as civil disputes agitated the whole kingdom.

The parliament, though they had early abolished episcopal authority, had not, during so long a time, substituted any other spiritual government in its place; and their committee of religion had hitherto assumed the whole ecclesiastical jurisdiction: but they now established, by an ordinance, the presbyterian model in all its forms of

*ecclesiastical affairs.* *congregational, classical, provincial, and national assemblies.* All the inhabitants of each parish were ordered to meet and choose elders, on whom, together with the minister, was bestowed the entire direction of all spiritual concerns within the congregation.

A number of neighbouring parishes, commonly between twelve and twenty, formed a classis; and the court, which governed this division, was composed of all the ministers, together with two, three, or four elders chosen from each parish. The provincial assembly retained an inspection over several neighbouring classes, and was composed entirely of clergymen: the national assembly was constituted in the same manner; and its authority extended over the whole kingdom. It is probable, that the tyranny exercised by the Scottish clergy had given warning not to allow laymen a place in the provincial or national assemblies; lest the nobility and more considerable gentry, soliciting a seat in these great ecclesiastical courts, should bestow a consideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts, the mixture of the laity might serve rather to temper the usual zeal of the clergy.<sup>b</sup>

But though the presbyterians, by the establishment of parity among the ecclesiastics, were so far gratified, they were denied satisfaction in several other points on which they were extremely intent. The assembly of divines had voted presbytery to be of divine right. The parliament refused their assent to that decision.<sup>c</sup> Selden, Whitlocke, and other political reasoners, assisted by the independents, had prevailed in this important deliberation. They thought, that had the bigoted religionists been able to get their heavenly charter recognised, the presbyters would soon become more dangerous to the magistrate than had ever been the prelatical clergy. These latter, while they claimed to themselves a divine right, admitted of a like origin to civil authority: the former, challenging to their own order a celestial pedigree, derived the legislative power from a source no more dignified than the voluntary association of the people.

Under colour of keeping the sacraments from profanation, the clergy of all christian sects had assumed what they call the power of the keys, or the right of fulminating

excommunication. The example of Scotland was a sufficient lesson for the parliament to use precaution in guarding against so severe a tyranny. They determined, by a general ordinance, all the cases in which excommunication could be used. They allowed of appeals to parliament from all ecclesiastical courts. And they appointed commissioners in every province to judge of such cases as fell not within their general ordinance.<sup>d</sup> So much civil authority, intermixed with the ecclesiastical, gave disgust to all the zealots.

But nothing was attended with more universal scandal than the propensity of many in the parliament towards a toleration of the protestant sectaries. The presbyterians exclaimed, that this indulgence made the church of Christ resemble Noah's ark, and rendered it a receptacle for all unclean beasts. They insisted, that the least of Christ's truth was superior to all political considerations.<sup>e</sup> They maintained the eternal obligation imposed by the covenant to extirpate heresy and schism. And they menaced all their opponents with the same rigid persecution, under which they themselves had groaned, when held in subjection by the hierarchy.

So great prejudice and reserve, in such material points, does great honour to the parliament; and proves, that, notwithstanding the prevalence of bigotry and fanaticism, there were many members who had more enlarged views, and paid regard to the civil interests of society. These men, uniting themselves to the enthusiasts, whose genius is naturally averse to clerical usurpations, exercised so jealous an authority over the assembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not intrust them even with the power of electing their own chairman or his substitute, or of supplying the vacancies of their own members.

While these disputes were canvassed by theologians, who engaged in their spiritual contests every order of the state; the king, though he entertained hopes of reaping advantage from those divisions, was much at a loss which side it would be most for his interest to comply with. The presbyterians were, by their principles, the least averse to regal authority; but were rigidly bent on the extirpation of prelacy: the independents were resolute to lay the foundation of a republican government; but as they pretended not to erect themselves into a national church, it might be hoped, that if gratified with a toleration, they would admit the re-establishment of the hierarchy. So great attachment had the king to episcopal jurisdiction, that he was ever inclined to put it in balance even with his own power and kingly office.

But whatever advantage he might hope to reap from the divisions in the parliamentary party, he was apprehensive lest it should come too late to save him from the destruction with which he was instantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper measures for laying siege to Oxford, which must infallibly fall into his hands. To be taken captive and led in triumph by his insolent enemies,

whose postscript is mentioned by the king, is to be found in Carte, vol. ii, Appendix, (C). As the king had only so late an opportunity of obtaining this understanding, it is very unlikely that he would trust him with the sole management of so important and delicate a treaty. And if he had intended that Glamorgan's negotiation should have been independent of Ormond, it is not probable that he would have put him in the way of doing so, by his guard against Glamorgan's independence, that the king judged aright of this nobleman's character, appears from his *Centuries*, *rits or Scandal of the Nation*, which is a ridiculous compound of lies, clamours, and impositions, and shows what might be expected from such a man. (3.) Mr. Carte has published a whole series of the king's correspondence with Ormond, from the time that Glamorgan came into Ireland, and it is evident that Charles all along considers the lord lieutenant as the person who was conducting the negotiation with the Irish. The 31st of July, 1645, after the battle of Naseby, being retired to great straits, he writes earnestly to Ormond to conclude a peace upon certain conditions mentioned, much in favour to those granted by Glamorgan, and to come over himself with all the Irish he could, except the king's service. Carte, vol. ii, No. 380. This would have been a great absurdity if he had already fixed a different call, by which, on very different conditions, he purposed to establish a peace. On the 22d of October, as his discontents multiply, he sends what challenges in conditions, that they still fall of Glamorgan's *Centuries*, *its* *loyalty* and *fidelity* to demonstrate, yet he promises faithfully upon his word and honour, not to acquiesce in his majesty with this declaration, till he had been discomfited, as far as in him lay, to induce his majesty to the granting of the particulars in the said articles: but, that done, the said commissioners

discharge the said Earl of Glamorgan, both in honour and conscience, of any further obligation to them therein; though his majesty should not be pleased to grant the said particulars in the articles mentioned; the said earl having given them assurance, upon his word, honour, and voluntary oath, that he would never, to any person whatsoever, discover this declaration in the interim without their consent. Carte, vol. ii, No. 386. Glamorgan's view was to get troops for the king's service without hurting his own honour or his master's. The wonder only is, why the Irish accepted of a treaty, which bound nobody, and which the very person who executed it, seems to confess he does not expect to be ratified. They probably hoped, that the king would, from their services, be more easily induced to ratify a treaty which was concluded, than to consent to its conclusion. (4.) I might add, that the lord lieutenant's concurrence in the treaty was the more requisite; because without it the treaty could not be carried into execution by Glamorgan, nor the Irish troops be transported into England: and even with Ormond's concurrence, it clearly appears, that a treaty, so ruinous to the protestant religion in Ireland, could not be executed in opposition to the zealous protest of that kingdom. So one can doubt of this truth, who peruses Ormond's correspondence in Mr. Carte. The king was sufficiently apprized of this difficulty. It appears indeed to be the only reason why Ormond objected to the granting of high honours to the Irish nobility.

Dr. Birch, in p. 364, has published a letter of the king's to Glamorgan, where he says, "I thought I know you cannot be but confident of my making good all instructions and promises to you and the nation." But it is too certain, that if this letter is dated in April 5, 1646, after there had been a new negotiation entered into between Glamorgan and the Irish, and after a provisional treaty had even been concluded between them. See Dr. Birch, p. 176. The king's assurances, therefore, can plainly relate only to the first transaction. The old treaty had long been disavowed by the king, as opposed by all parties to be annulled.

<sup>b</sup> Birch, vol. vi, p. 224.

<sup>c</sup> Whitlocke, p. 106. Rush, vol. vii, p. 260, 261.

<sup>d</sup> Rush, vol. vi, p. 210. <sup>e</sup> Hud. vol. vii, p. 308.

was what Charles justly abhorred; and every insult, if not violence, was to be dreaded from that enthusiastic soldiery, who hated his person and despised his dignity. In this desperate extremity, he embraced a measure which, in any other situation, might lie under the imputation of imprudence and indiscretion.

Montreville, the French minister, interested for the king, more by the natural sentiments of humanity than any instructions from his court, which seemed rather to favour the parliament, had solicited the Scottish generals and commissioners to give protection to their distressed sovereign; and having received many general professions and promises, he had always transmitted these, perhaps with some exaggeration, to the king. From his suggestions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scottish army, which at that time lay before Newark.<sup>f</sup> He considered that the Scottish nation had been fully gratified in all their demands; and having already, in their own country, annihilated both episcopacy and regal authority, had no further concessions to exact from him. In all disputes which had passed about settling the terms of peace, the Scots, he heard, had still adhered to the milder side, and had endeavoured to soften the rigour of the English parliament. Great disgusts also, on other accounts, had taken place between the nations; and the Scots found that in proportion as their assistance became less necessary, less value was put upon them. The progress of the independents gave them great alarm; and they were scandalized to hear their beloved covenant spoken of, every day, with less regard and reverence. The refusal of a divine right to presbytery, and the infringing of ecclesiastical discipline from political considerations, were, to them, the subject of much offence: and the king hoped, that, in their present disposition, the sight of their native prince flying to them in this extremity of distress, would rouse every spark of generosity in their bosom, and procure him their favour and protection.

That he might the better conceal his intentions, orders were given at every gate in Oxford for allowing three persons to pass; and in the night the king, accompanied by none but Dr. Hudson and Mr. Ashburnham, went out at that gate which leads to London. He rode before a port-manteau, and called himself Ashburnham's servant. He passed through Henley, St. Albans, and came so near to London as Harrow-on-the-Hill. He once entertained thoughts of entering into that city, and of throwing himself on the mercy of the parliament. But at last, after passing through many cross roads, he arrived at the Scottish camp before Newark.<sup>g</sup> The

parliament hearing of his escape from Oxford, issued rigorous orders, and threatened with instant death whoever should harbour or conceal him.<sup>h</sup>

The Scottish general and commissioners affected great surprise on the appearance of the king; and though they paid him all the exterior respect due to his dignity, they instantly set a guard upon him, under colour of protection, and made him in reality a prisoner. They informed the English parliament of this unexpected incident, and assured them that they had entered into no private treaty with the king. They applied to him for orders to Bellasis, governor of Newark, to surrender that town, now reduced to extremity; and the orders were instantly obeyed. And hearing that the parliament laid claim to the entire disposal of the king's person, and that the English army was making some motions towards them; they thought proper to retire northwards, and to fix their camp at Newcastle.<sup>i</sup>

This measure was very grateful to the king; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of that age to make the pulpit the scene of news; and on every great event, the whole Scripture was ransacked by the clergy for passages applicable to the present occasion. The first minister who preached before the king, chose these words for his text; "And behold all the men of Israel came to

the king, and said unto him, Why have our brethren, the men of Judah, stolen thee away, and have brought the king and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us; wherefore then be ye angry for this matter? Have we eaten at all of the king's cost; or hath he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had, in bringing back our king: and the words of the men of Judah were fiercer than the words of the men of Israel.<sup>k</sup> But the king found, that the happiness chiefly of the allusion had tempted the preacher to employ this text, and that the covenanting zealots were nowise pacified towards him. Another preacher, after reproaching him to his face with his misgovernment, ordered this psalm to be sung:

*Why dost thou, tyrant, boast thyself,  
Thy wicked deeds to praise!*

The king stood up, and called for that psalm which begins with these words,

*Have mercy, Lord, on me, I pray;  
For men would me devour:*

The good-natured audience, in pity to fallen majesty, showed for once greater deference to the king than to the minister, and sung the psalm which the former had called for.<sup>l</sup>

Charles had very little reason to be pleased with his situation. He not only found himself a prisoner very strictly guarded: all his friends were kept at a distance; and no intercourse, either by letters or conversation, was allowed him, with any one on whom he could depend, or who was suspected of any attachment towards him. The Scottish generals would enter into no confidence with him; and still treated him with distant ceremony and feigned respect. And every proposal which they made him, tended further to his abasement and to his ruin.<sup>m</sup>

They required him to issue orders to Oxford, and all his other garrisons, commanding their surrender to the parliament: and the king, sensible that their resistance was to very little purpose, willingly complied. The terms given to most of them were honourable; and Fairfax, as far as lay in his power, was very exact in observing them. Far from allowing violence, he would not even permit insults or triumph over the unfortunate royalists; and by his generous humanity, so cruel a civil war was ended, in appearance very calmly, between the parties.

Ormond, having received like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montrose also, after having experienced still more variety of good and bad fortune, threw down his arms and retired out of the kingdom.

The Marquis of Worcester, a man past eighty-four, was the last in England that submitted to the authority of the parliament. He defended Raglan castle to extremity; and opened not its gates till the middle of August. Four years, a few days excepted, were now elapsed, since the king first erected his standard at Nottingham.<sup>n</sup> So long had the British nations, by civil and religious quarrels, been occupied in shedding their own blood, and laying waste their native country.

The parliament and the Scots laid their proposals before the king. They were such as a captive, entirely at mercy, could expect from the most inexorable victor: yet were they little worse than what were insisted on before the battle of Naseby. The power of the sword, instead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the parliament should think proper for the support of their armies. The other conditions were, in the main, the same with those which had formerly been offered to the king.<sup>o</sup>

Charles said, that proposals which introduced such important innovations in the constitution, demanded time

<sup>f</sup> Clarendon, vol. iv. p. 730. vol. v. p. 16.

<sup>g</sup> Rushworth, vol. vii. p. 267.

<sup>h</sup> Rushworth, p. 269.

<sup>i</sup> Rushworth, vii. p. 271. Clarendon, vol. v. p. 23.

<sup>k</sup> 2 Sam. chap. xix. 41, 42, and 43 verses. See Clarendon, vol. v. p. 23, 24.

<sup>l</sup> Whitelocke, p. 334.

<sup>m</sup> Rushworth, vol. vii. p. 233.

<sup>n</sup> Clarendon, vol. v. p. 30.

<sup>o</sup> Ibid. p. 309.



for deliberation: the commissioners replied, that he must give his answer in ten days.<sup>1</sup> He desired to reason about the meaning and import of some terms: they informed him, that they had no power of debate; and peremptorily rejected his consent or refusal. He requested a personal treaty with the parliament: they threatened, that if he delayed compliance, the parliament would, by their own authority, settle the nation.

What the parliament was most intent upon, was, not their treaty with the king, to whom they paid little regard, but that with the Scots. Two important points remained to be settled with that nation; their delivery of the king, and the estimation of their arrears.

The Scots might pretend, that, as Charles was King of Scotland as well as of England, they were entitled to an equal vote in the disposal of his person: and that, in such a case, where the titles are equal, and the subject indivisible, the preference was due to the present possessor. The English maintained, that the king, being in England, was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. A delicate question this, and what surely could not be decided by precedent, since such a situation is not, any where, to be found in history.<sup>2</sup>

As the Scots concurred with the English, in imposing such severe conditions on the king, that, notwithstanding his unfortunate situation, he still refused to accept of them: it is certain that they did not desire his freedom: nor could they ever intend to join lenity and rigour together, in so inconsistent a manner. Before the settlement of terms, the administration must be possessed entirely by the parliaments of both kingdoms; and how incompatible that scheme with the liberty of the king, is easily imagined. To carry him a prisoner into Scotland, where few forces could be supported to guard him, was a measure so full of inconvenience and danger, that, even if the English had consented to it, must have appeared to the Scots themselves altogether uneligious: and how could such a plan be supported in opposition to England, possessed of such numerous and victorious armies, which were, at that time, at least seemed to be, in entire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they scrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themselves with the royalists in both kingdoms, endeavour, by force of arms, to reduce the English parliament to more moderate conditions: but, besides that this measure was full of extreme hazard; what was it but instantly to combine with their old enemies against their old friends; and, in a fit of romantic generosity, overturn what, with so much expense of blood and treasure, they had, during the course of so many years, been so carefully erecting?

But, though all these reflections occurred to the Scottish commissioners, they resolved to prolong the dispute, and keep the king as a pledge for those arrears which they claimed from England, and which they were not likely, in the present disposition of that nation, to obtain by any other expedient. The sum, by their account, amounted to near two millions: for they had received little regular pay since they had entered England. And though the contributions which they had levied, as well as the price of their living at free quarters, must be deducted; yet still the sum which they insisted on was very considerable. After many discussions, it was at last agreed, that, in lieu of all demands, they should accept of 400,000 pounds, one half to be paid instantly, another in two subsequent payments.<sup>3</sup>

Great pains were taken by the Scots (and the English complied with their pretended delicacy) to make this estimation and payment of arrears appear a quite different transaction from that for the delivery of the king's person: but common sense requires, that they should be regarded as one and the same. The English, it is evident, had they not been previously assured of receiving the king, would never have parted with so considerable a sum; and, while they weakened themselves by the same

measure, have strengthened a people with whom they must afterwards have so material an interest to discuss.

Thus the Scottish nation underwent, and still undergo, (for such grievous stains are not easily wiped off,) the reproach of selling their king, and betraying their prince for money. In vain did they maintain, that this money was, on account of former services, undoubtedly their due; that in their present situation, no other measure, without the utmost indiscretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themselves as much his open enemies as those to whom they surrendered him, and their common hatred against him had long united the two parties in strict alliance with each other. They were still answered, that they made use of this scandalous expedient for obtaining their wages; and that after taking arms, without any provocation, against their sovereign, who had ever loved and cherished them, they had deservedly fallen into a situation, from which they could not extricate themselves, without either infamy or imprudence.

The infamy of this bargain had such an influence on the Scottish parliament, that they once voted, that the king should be protected, and his liberty insisted on. But the general assembly interposed, and pronounced, that, as he had refused to take the covenant, which was pressed on him, it became not the godly to concern themselves about his fortunes. After this declaration, it behoved the parliament to retract their vote.<sup>4</sup>

Intelligence concerning the final resolution of the Scottish nation to surrender him, was brought to the king; and he happened, at that very time, to be playing at chess.<sup>5</sup> Such command of temper did he possess, that he continued his game without interruption; and none of the by-standers could perceive that the letter, which he perused, had brought him news of any consequence. The English commissioners, who, some days after, came to take him under their custody, were admitted to kiss his hands; and he received them with the same grace and cheerfulness, as if they had travelled on no other errand than to pay court to him. The old Earl of Pembroke in particular, who was one of them, he congratulated on his strength and vigour, that he was still able, during such a season, to perform so long a journey in company with so many young people.

The king, being delivered over by the <sup>A. D. 1647.</sup> Scots to the English commissioners, was king delivered conducted under a guard to Holdenby, <sup>up by the Scots.</sup> in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curiosity, partly by compassion and affection. If any still retained rancour against him, in his present condition, they passed in silence; while his well-wishers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his safety.<sup>6</sup> That ancient superstition likewise of desiring the king's touch in scrofulous distempers, seemed to acquire fresh credit among the people, from the general tenderness which began to prevail for this virtuous and unhappy monarch.

The commissioners rendered his confinement at Holdenby very rigorous; dismissing his ancient servants, debarring him from visits, and cutting off all communication with his friends or family. The parliament, though earnestly applied to by the king, refused to allow his chaplains to attend him, because they had not taken the covenant. The king refused to assist at the service exercised according to the directory; because he had not as yet given his consent to that mode of worship.<sup>7</sup> Such religious zeal prevailed on both sides! And such was the unhappy and distracted condition to which it had reduced king and people!

During the time that the king remained in the Scottish army at Newcastle, died the Earl of Essex, the discarded, but still powerful and popular, general of the parliament. His death, in this conjuncture, was a public misfortune. Fully sensible of the excesses to which affairs had been carried, and of the worse consequences which were still

<sup>1</sup> Burnet's Hist. vol. vi. p. 309.

<sup>2</sup> Ibid. p. 314.

<sup>3</sup> Burnet's Hist. vol. vi. p. 316. Parl. Hist. vol. xv. p. 276.

<sup>4</sup> Parl. Hist. vol. xv. p. 244, 244.

<sup>5</sup> Burnet's Memoirs of the Cavaliers.

<sup>6</sup> Ibid. Hist. p. 314.

<sup>7</sup> Burnet's Hist. vol. v. p. 32. Warwick, p. 280.

to be apprehended, he had resolved to conclude a peace, and to remedy, as far as possible, all those ills to which, from mistake rather than any bad intentions, he had himself so much contributed. The presbyterian, or the moderate party among the Commons, found themselves considerably weakened by his death: and the small remains of authority which still adhered to the House of Peers, were in a manner wholly extinguished.\*

## CHAP. LIX.

Mutiny of the army.—The king seized by force.—The army march against the parliament.—The army subdue the parliament.—The king flies to the Isle of Wight.—Second civil war.—Invasion from Scotland.—The duke of Newcastle.—The civil war and invasion repressed.—The king retreats again by the army.—The House purged.—The king's trial—and execution—and character.

A. D. 1647. THE dominion of the parliament was of short duration. No sooner had they subdued their sovereign, than their own servants rose against them, and tumbled them from their slippery throne. The sacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every successive revolution became a precedent for that which followed it.

In proportion as the terror of the king's power diminished, the division between independent and presbyterian became every day more apparent; and the neuters found it at last requisite to seek shelter in one or the other faction. Many new writs were issued for elections, in the room of members who had died, or were disqualified by adhering to the king; yet still the presbyterians retained the superiority among the Commons: and all the Peers, except Lord Say, were esteemed of that party. The independents, to whom the inferior sectaries adhered, predominated in the army: and the troops of the new model were universally infected with that enthusiastic spirit. To their assistance did the independent party among the Commons chiefly trust, in their projects for acquiring the ascendancy over their antagonists.

Soon after the retreat of the Scots, the presbyterians, seeing every thing reduced to obedience, began to talk of diminishing the army: and, on pretence of easing the public burdens, they levelled a deadly blow at the opposite faction. They purposed to embark a strong detachment under Skippon and Massey, for the service of Ireland: they openly declared their intention of making a great reduction of the remainder.<sup>a</sup> It was even imagined, that another new model of the army was projected, in order to regain to the presbyterians that superiority which they had so imprudently lost by the former.<sup>b</sup>

The army had small inclination to the service of Ireland; a country barbarous, uncultivated, and laid waste by massacres and civil commotions; they had less inclination to disband, and to renounce that pay, which, having earned it through fatigues and dangers, they now purposed to enjoy in ease and tranquillity. And most of the officers having risen from the dregs of the people, had no other prospect, if deprived of their commission, than that of returning to languish in their native poverty and obscurity.

These motives of interest acquired additional influence, and became more dangerous to the parliament, from the religious spirit by which the army was universally actuated. Among the generality of men, educated in regular civilized societies, the sentiments of shame, duty, honour, have considerable authority, and serve to counterbalance and direct the motives derived from private advantage: but, by the predominancy of enthusiasm among the parliamentary forces, these salutary principles lost their credit, and were regarded as mere human inventions, yea, moral institutions, fitter for heathens than for Christians.<sup>c</sup> The saint, resigned over to superior guidance, was at full liberty to gratify all his appetites, disguised under the appearance of pious zeal. And, besides the strange corruptions engendered by this spirit, it eluded and loosened all

the ties of morality, and gave entire scope, and even sanction, to the selfishness and ambition which naturally adhere to the human mind.

The military confessors were further encouraged in disobedience to superiors, by that spiritual pride to which a mistaken piety is so subject. They were not, they said, mere janisaries; mercenary troops enlisted for hire, and to be disposed of at the will of their paymasters.<sup>d</sup> Religion and liberty were the motives which had excited them to arms; and they had a superior right to see those blessings, which they had purchased with their blood, insured to future generations. By the same title that the presbyterians, in contradistinction to the royalists, had appropriated to themselves the epithet of *godly*, or the *well-affected*;<sup>e</sup> the independents did now, in contradistinction to the presbyterians, assume this magnificent appellation, and arrogate all the ascendancy, which naturally belongs to it.

Hearing of parties in the House of Commons, and being informed that the minority were friends to the army, the majority enemies; the troops naturally interested themselves in that dangerous distinction, and were eager to give the superiority to their partisans. Whatever hardships they underwent, though perhaps derived from inevitable necessity, were ascribed to a settled design of oppressing them, and resented as an effect of the animosity and malice of their adversaries.

Notwithstanding the great revenue which accrued from taxes, assessments, sequestrations, and compositions, considerable arrears were due to the army; and many of the private men, as well as officers, had near a twelvemonth's pay still owing them. The army suspected, that this deficiency was purposely contrived, in order to oblige them to live at free quarters; and by rendering them odious to the country, serve as a pretence for disbanding them. When they saw such members as were employed in committees and civil offices accumulate fortunes, they accused them of rapine and public plunder. And, as no plan was pointed out by the Commons for the payment of arrears, the soldiers dreaded, that, after they should be disbanded or embarked for Ireland, their enemies, who predominated in the two Houses, would entirely defraud them of their right, and oppress them with impunity.

On this ground or pretence did the first <sup>Mutiny of the army.</sup> commotions begin in the army. A petition, addressed to Fairfax, the general, was handed about; craving an indemnity, and that ratified by the king, for any illegal actions, of which, during the course of the war, the soldiers might have been guilty; together with satisfaction in arrears, freedom from pressing, relief of widows and maimed soldiers, and pay till disbanded.<sup>f</sup> The Commons, aware of what combustible materials the army was composed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its first appearance, must be attended with the most dangerous consequences, and must soon exalt the military above the civil authority. Besides summoning some officers to answer

for this attempt, they immediately voted that <sup>March 30.</sup> the petition tended to introduce mutiny, to put conditions upon the parliament, and to obstruct the relief of Ireland; and they threatened to proceed against the promoters of it, as enemies to the state and disturbers of public peace.<sup>g</sup> This declaration, which may be deemed violent, especially as the army had some ground for complaint, produced fatal effects. The soldiers lamented that they were deprived of the privileges of Englishmen; that they were not allowed so much as to represent their grievances; that, while petitions from Essex and other places were openly encouraged against the army, their mouths were stopped; and that they, who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the most grievous servitude.

In this disposition was the army found by Warwick, Dacres, Massey, and other commissioners, who were sent to make them proposals for entering into the service of Ireland.<sup>h</sup> Instead of enlisting, the generality objected to the terms; demanded an indemnity; were clamorous for

\* Clarendon, vol. v. p. 43.

a To fifteen thousand men were only intended to be kept up, each horse, Gen. foot, and 2000 dragoons. Bates.

b Rushworth, vol. vii. p. 561.

c Ibid. vol. vii. p. 565.

d Ibid. vol. vii. p. 562.

e Ibid. vol. vi. p. 134.

f Ibid. p. 574.

g Ibid. p. 511. h Rush. vol. vii. p. 457.

their arrears : and, though they expressed no dissatisfaction against Skippon, who was appointed commander, they discovered much stronger inclination to serve under Fairfax and Cromwell.<sup>1</sup> Some officers who were of the presbyterian party, having entered into engagements for this service, could prevail on very few of the soldiers to enlist under them. And, as these officers lay all under the grievous reproach of deserting the army, and betraying the interests of their companions, the rest were further confirmed in that confederacy, which they had secretly formed.<sup>2</sup>

To petition and remonstrate being the most cautious method of conducting a confederacy, an application to parliament was signed by near 200 officers ; in which they made their apology with a very imperious air, asserted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower House.<sup>3</sup> The private men likewise of some regiments sent a letter to Skippon ; in which, together with insisting on the same topics, they lament that designs were formed against them and many of the godly party in the kingdom ; and declare that they could not engage for Ireland, till they were satisfied in their expectations, and had their just desires granted.<sup>4</sup> The army, in a word, felt their power, and resolved to be masters.

The parliament too resolved, if possible, to preserve their dominion ; but being destitute of power, and not retaining much authority, it was not easy for them to employ any expedient which could contribute to their purpose. The expedient which they now made use of, was the worst imaginable. They sent Skippon, Cromwell, Ireton, and Fleetwood, to the head-quarters at Saffron Waldon in Essex ; and empowered them to make offers to the army, and inquire into the cause of its *distempers*.

7th May. These very generals, at least the three last, were secretly the authors of all the discontents ; and failed not to foment those disorders, which they pretended to appease. By their suggestion, a measure was embraced, which at once brought matters to extremity, and rendered the mutiny incurable.

In opposition to the parliament at Westminster, a military parliament was formed. Together with a council of the principal officers, which was appointed after the model of the House of Peers, a more free representative of the army was composed, by the election of two private men or inferior officers, under the title of agitators, from each troop or company.<sup>5</sup> By this means, both the general humour of that time was gratified, intent on plans of imaginary republics ; and an easy method contrived for conducting underhand, and propagating the sedition of the army.

This terrible court, when assembled, having first declared that they found no *distempers* in the army, but many *grievances*, under which it laboured, immediately voted the offers of the parliament unsatisfactory. Eight weeks' pay alone, they said, was promised ; a small part of fifty-six weeks, which they claimed as their due : no visible security was given for the remainder : and having been declared public enemies by the Commons, they might hereafter be prosecuted as such, unless the declaration were recalled.<sup>6</sup> Before matters came to this height, Cromwell had posted up to London, on pretence of laying before the parliament the rising discontents of the army.

The parliament made one vigorous effort more, to try the force of their authority : they voted that all the troops which did not engage for Ireland should instantly be disbanded in their quarters.<sup>7</sup> At the same time, the council of the army ordered a general rendezvous of all the regiments, in order to provide for their common interests. And while they thus prepared themselves for opposition to the parliament, they struck a blow, which at once decided the victory in their favour.

A party of five hundred horse appeared at Holdenby, conducted by one Joyce, who had once been a tailor by profession ; but was now advanced to the rank of cornet, and was an active agitator in the army. Without being opposed by the guard, whose affections were all on their side, Joyce came into the king's presence armed with pistols, and told him,

that he must immediately go along with him. *Whither?* said the king. *To the army*, replied Joyce. *By what warrant?* asked the king. Joyce pointed to the soldiers whom he brought along ; tall, handsome, and well accoutred. *Your warrant*, said Charles, smiling, *is written in fair characters, legible without spelling.*<sup>8</sup> The parliamentary commissioners came into the room : they asked Joyce whether he had any orders from the parliament ? He said, *No* : from the general ? *No* : by what authority he came ? He made the same reply as to the king. *They would write*, they said, *to the parliament, to know their pleasure.* *You may do so*, replied Joyce ; *but in the mean time the king must immediately go with me.* Resistance was vain. The king, after protracting the time as long as he could, went into his coach ; and was safely conducted to the army, who were hastening to their rendezvous at Triplo-Heath, near Cambridge. The parliament, informed of this event by their commissioners, were thrown into the utmost consternation.<sup>9</sup>

Fairfax himself was no less surprised at the king's arrival. That bold measure, executed by Joyce, had never been communicated to the general. The orders were entirely verbal ; and nobody avowed them. And while every one affected astonishment at the enterprise, Cromwell, by whose counsel it had been directed, arrived from London, and put an end to their deliberations.

This artful and audacious conspirator had conducted himself in the parliament with such profound dissimulation, with such refined hypocrisy, that he had long deceived those, who, being themselves very dexterous practitioners in the same arts, should naturally have entertained the more suspicion against others. At every intelligence of disorders in the army, he was moved to the highest pitch of grief and of anger. He wept bitterly : he lamented the misfortunes of his country : he advised every violent measure for suppressing the mutiny ; and by these precipitate counsels, at once seemed to evince his own sincerity, and inflamed those discontents, of which he intended to make advantage. He obtested heaven and earth, that his devoted attachment to the parliament had rendered him so odious in the army, that his life, while among them, was in the utmost danger ; and he had very narrowly escaped a conspiracy formed to assassinate him. But information being brought that the most active officers and agitators were entirely his creatures, the parliamentary leaders secretly resolved, that next day, when he should come to the House, an accusation should be entered against him, and he should be sent to the Tower.<sup>10</sup> Cromwell, who in the conduct of his desperate enterprises frequently approached to the very brink of destruction, knew how to make the requisite turn with proper dexterity and boldness. Being informed of this design, he hastened to the camp ; where he was received with acclamation, and was instantly invested with the supreme command, both of general and army.

Fairfax, having neither talents himself for cabal, nor penetration to discover the cabals of others, had given his entire confidence to Cromwell, who, by the best coloured pretences, and by the appearance of an open sincerity and a scrupulous conscience, imposed on the easy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwell's direction, and conveyed his will to the whole army. By his profound and artful conduct, he had now attained a situation, where he could cover his enterprises from public view ; and, seeming either to obey the commands of his superior officer, or yield to the movements of the soldiers, could secretly pave the way for his future greatness. While the disorders of the army were yet in their infancy, he kept at a distance, lest his counterfeit aversion might throw a damp upon them, or his secret encouragement beget suspicion in the parliament. As soon as they came to maturity, he openly joined the troops ; and in the critical moment, struck that important blow of seizing the king's person, and depriving the parliament of any resource of an accommodation with him. Though one vizor fell off, another still remained to cover his natural countenance. Where delay was requisite, he would employ the most

<sup>1</sup> 3d June. The king seized by Joyce.

A party of five hundred horse appeared at Holdenby, conducted by one Joyce, who had once been a tailor by profession ; but was now advanced to the rank of cornet, and was an active agitator in the army. Without being opposed by the guard, whose affections were all on their side, Joyce came into the king's presence armed with pistols, and told him,

<sup>1</sup> Rush, vol. vi, p. 468.

<sup>2</sup> Dod, p. 461, 566.

<sup>3</sup> Ibid, p. 468.

<sup>4</sup> Ibid, p. 474.

<sup>5</sup> Rush, vol. vi, p. 497, 505.

<sup>6</sup> Dod, p. 465.

<sup>7</sup> Clarendon, vol. v, p. 14.

<sup>8</sup> Whitlocke, p. 250.

<sup>9</sup> Rush, vol. vi, p. 37.

<sup>10</sup> Whitlocke, p. 251. Warwick, p. 290.

<sup>11</sup> Rush, vol. vi, p. 513, 515.

<sup>12</sup> Clarendon, vol. v, p. 16.

<sup>13</sup> Clarendon, vol. v, p. 47.



indefatigable patience: where celerity was necessary, he flew to a decision. And by thus uniting in his person the most opposite talents, he was enabled to combine the most contrary interests in a subserviency to his secret purposes.

The parliament, though at present defenceless, was possessed of many resources; and less might easily enable them to resist that violence with which they were threatened. Without further deliberation, therefore, Cromwell advanced the army upon them, and arrived in a few days at St. Albans.

Nothing could be more popular than this hostility which the army commenced against the parliament. As much as that assembly was once the idol of the nation, as much was it now become the object of general hatred and aversion.

The self-denying ordinance had no longer been put in execution, than till Essex, Manchester, Waller, and the other officers of that party, had resigned their commission: immediately after it was laid aside by tacit consent; and the members, sharing all offices of power and profit among them, proceeded with impunity in exercising acts of oppression on the helpless nation. Though the necessity of their situation might serve as an apology for many of their measures, the people, not accustomed to such a species of government, were not disposed to make the requisite allowances.

A small supply of 100,000 pounds a year could never be obtained by former kings from the jealous humour of parliaments; and the English, of all nations in Europe, were the least accustomed to taxes: but this parliament, from the commencement of the war, according to some computations, had levied, in five years, above forty millions;<sup>1</sup> yet were loaded with debts and encumbrances, which, during that age, were regarded as prodigious. If these computations should be thought much exaggerated, as they probably are,<sup>2</sup> the taxes and impositions were certainly far higher than in any former state of the English government; and such popular exaggerations are, at least, a proof of popular discontents.

But the disposal of this money was no less the object of general complaint against the parliament than the levying of it. The sum of 300,000 pounds they openly took, it is affirmed,<sup>3</sup> and divided among their own members. The committees, to whom the management of the different branches of revenue was intrusted, never brought in their accounts, and had unlimited power of secreting whatever sums they pleased from the public treasure.<sup>4</sup> These branches were needlessly multiplied, in order to render the revenue more intricate, to share the advantages among greater numbers, and to conceal the frauds of which they were universally suspected.<sup>5</sup>

The method of keeping accounts practised in the exchequer was confessedly the exactest, the most ancient, the best known, and the least liable to fraud. The exchequer was, for that reason, abolished, and the revenue put under the management of a committee, who were subject to no control.<sup>6</sup>

The excise was an odious tax, formerly unknown to the nation; and was now extended over provisions, and the common necessities of life. Near one half of the goods and chattels, and at least one half of the lands, rents, and revenues of the kingdom had been sequestered. To great numbers of royalists, all redress from these sequestrations was refused: to the rest, the remedy could be obtained only by paying large compositions and subscribing the covenant, which they abhorred. Besides pitying the ruin and desolation of so many ancient and honourable families, indifferent spectators could not but blame the harshness of punishing, with such severity, actions which the law, in its usual and most undisputed interpretation, strictly required of every subject.

The severity, too, exercised against the episcopal clergy,

naturally affected the royalists, and even all men of candour, in a sensible manner. By the most moderate computation,<sup>7</sup> it appears, that above one half of the established clergy had been turned out to beggary and want, for no other crime than their adhering to the civil and religious principles in which they had been educated, and for their attachment to those laws under whose countenance they had at first embraced that profession. To renounce episcopacy and the liturgy, and to subscribe the covenant, were the only terms which could save them from so rigorous a fate; and if the least mark of malignancy, as it was called, or affection to the king, who so entirely loved them, had ever escaped their lips, even this hard choice was not permitted. The sacred character, which gives the priesthood such authority over mankind, becoming more venerable from the sufferings endured for the sake of principle by these distressed royalists, aggravated the general indignation against their persecutors.

But what excited the most universal complaint was, the unlimited tyranny and despotic rule of the country committees. During the war, the discretionary power of these courts was excused from the plea of necessity: but the nation was reduced to despair, when it saw neither end put to their duration, nor bounds to their authority. These could sequester, fine, imprison, and corporally punish, without law or remedy. They interposed in questions of private property. Under colour of malignancy, they exercised vengeance against their private enemies. To the obnoxious, and sometimes the innocent, they sold their protection. And instead of one star-chamber which had been abolished, a great number were anew erected, fortified with better pretences, and armed with more unlimited authority.<sup>8</sup>

Could any thing have increased the indignation against that slavery, into which the nation, from the too eager pursuit of liberty, had fallen, it must have been the reflection on the pretences by which the people had so long been deluded. The sanctified hypocrites, who called their oppressions the spoiling of the Egyptians, and their rigid severity the dominion of the elect, interlarded all their iniquities with long and frequent prayers, saved themselves from blushing by their pious grimaces, and exercised, in the name of the Lord, all their cruelty on men. An undisguised violence could be forgiven: but such a mockery of the understanding, such an abuse of religion, were, with men of penetration, objects of peculiar resentment.

The parliament, conscious of their decay in popularity, seeing a formidable armed force advance upon them, were reduced to despair, and found all their resources much inferior to the present necessity. London still retained a strong attachment to presbyterianism; and its militia, which was numerous, and had acquired reputation in wars, had by a late ordinance been put into hands in whom the parliament could entirely confide. This militia was now called out, and ordered to guard the lines which had been drawn round the city, in order to secure it against the king. A body of horse was ordered to be instantly levied. Many officers, who had been cashiered by the new model of the army, offered their service to the parliament. An army of 5000 men lay in the north under the command of General Pointz, who was of the presbyterian faction; but these were too distant to be employed in so urgent a necessity. The forces destined for Ireland were quartered in the west; and though deemed faithful to the parliament, they also lay at a distance. Many inland garrisons were commanded by officers of the same party; but their troops, being so much dispersed, could at present be of no manner of service. The Scots were faithful friends, and zealous for presbytery and the covenant; but a long time was required ere they could collect their forces, and march to the assistance of the parliament.

<sup>1</sup> Clement Walker's History of the Two Juntas, prefixed to his History of Independency, p. 8. This is an author of spirit and ingenuity, and being a zealous parliamentarian, his authority is very considerable, notwithstanding the air of satire which prevails in his writings. This computation, however, seems much too large, especially as the sequestrations, during the time of war, could not be so considerable as afterwards.

<sup>2</sup> Yet the same sum precisely is assigned in another book, called Royal Treasures of England, p. 297.

<sup>3</sup> Clement Walker's History of Independency, p. 3. 166.

<sup>4</sup> Ibid. p. 8. <sup>5</sup> Ibid.

<sup>6</sup> See John Walker's Attempt towards recovering an Account of the

Numbers and Sufferings of the Clergy. The parliament pretended to leave the sequestered clergy a fifth of their revenue; but this author makes it sufficiently appear, that this provision, small as it is, was never regularly paid the ejected clergy.

<sup>7</sup> Clement Walker's History of Independency, p. 5. Hollis gives the same representation as Walker, of the plundering, oppressions, and tyranny of the parliament; only, instead of laying the fault on both parties, as Walker does, he ascribes it solely to the independent faction. The presbyterians, indeed, being commonly denominated the moderate party, would probably be more inoffensive. See Russ. vol. vii. p. 298. and Parl. Hist. vol. xv. p. 230.

In this situation, it was thought more prudent to submit, and by compliance to stop the fury of the enraged army. The declaration, by which the military petitioners had been voted public enemies, was recalled and erased from the journal-book.<sup>a</sup> This was the first symptom which the parliament gave of submission; and the army, hoping by terror alone to effect all their purposes, stopped at St. Albans, and entered into negotiation with their masters.

Here commenced the encroachments of the military upon the civil authority. The army, in their usurpations on the parliament, copied exactly the model which the parliament itself had set them, in their recent usurpations on the crown.

Every day they rose in their demands. If one claim was granted, they had another ready, still more enormous and exorbitant; and were determined never to be satisfied. At first they pretended only to petition for what concerned themselves as soldiers: next, they must have a vindication of their character: then it was necessary that their enemies be punished;<sup>b</sup> at last they claimed a right of modelling the whole government, and settling the nation.<sup>c</sup>

They preserved, in words, all deference and respect to the parliament; but, in reality, insulted them and tyrannized over them. That assembly they pretended not to accuse: it was only evil counsellors, who seduced and betrayed it.

They proceeded so far as to name eleven members, whom, in general terms, they charged with high treason, as enemies to the army and evil counsellors to the parliament. Their names were Hollis, Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, Sir John Maynard, Massey, Glyn, Long, Harley, and Nicholas.<sup>d</sup> These were the very leaders of the presbyterian party.

They insisted, that these members should immediately be sequestered from parliament, and be thrown into prison.<sup>e</sup> The Commons replied, that they could not, upon a general charge, proceed so far.<sup>f</sup> The army observed to them, that the cases of Strafford and Laud were direct precedents for that purpose.<sup>g</sup> At last, the eleven members themselves, not to give occasion for discord, begged leave to retire from the House; and the army, for the present, seemed satisfied with this mark of submission.<sup>h</sup>

Pretending that the parliament intended to levy war upon them, and to involve the nation again in blood and confusion, they required that all new levies should be stopped. The parliament complied with this demand.<sup>i</sup>

There being no signs of resistance, the army, in order to save appearances, removed, at the desire of the parliament, to a greater distance from London, and fixed their head quarters at Reading. They carried the king along with them in all their marches.

That prince now found himself in a better situation than at Holdenby, and had attained some greater degree of freedom, as well as of consideration, with both parties.

All his friends had access to his presence: his correspondences with the queen was not interrupted: his chaplains were restored to him, and he was allowed the use of the liturgy: his children were once allowed to visit him, and they passed a few days at Caversham, where he then resided.<sup>j</sup> He had not seen the Duke of Gloucester, his youngest son, and the Princess Elizabeth, since he left London, at the commencement of the civil disorders;<sup>k</sup> nor the Duke of York, since he went to the Scottish army before Newark. No private man, unacquainted with the pleasures of a court and the tumult of a camp, more passionately loved his family, than did this good prince; and such an instance of indulgence in the army was extremely grateful to him. Cromwell, who was witness to the meeting of the royal family, confessed that he never had been present at so tender a scene; and he extremely applauded the benignity which displayed itself in the whole disposition and behaviour of Charles.

That artful politician, as well as the leaders of all parties,

paid court to the king; and fortune, notwithstanding all his calamities, seemed again to smile upon him. The parliament, afraid of his forming some accommodation with the army, addressed him in a more respectful style than formerly; and invited him to reside at Richmond, and contribute his assistance to the settlement of the nation. The chief officers treated him with regard, and spake on all occasions of restoring him to his just powers and prerogatives. In the public declarations of the army, the settlement of his revenue and authority were insisted on.<sup>l</sup> The royalists every where entertained hopes of the restoration of monarchy; and the favour which they universally bore to the army, contributed very much to discourage the parliament, and to forward their submission.

The king began to feel of what consequence he was; the more the national confusions increased, the more was he confident that all parties would, at length, have recourse to his lawful authority as the only remedy for the public disorders. *You cannot be without me*, said he, on several occasions: *You cannot settle the nation but by my assistance*. A people without government and without liberty, a parliament without authority, an army without a legal master: distractions every where, terrors, oppressions, convulsions: from this scene of confusion, which could not long continue, all men, he hoped, would be brought to reflect on that ancient government, under which they and their ancestors had so long enjoyed happiness and tranquillity.

Though Charles kept his ears open to all proposals, and expected to hold the balance between the opposite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: they had confined his person. In both these particulars, the army showed more indulgence.<sup>m</sup> He had a free intercourse with his friends. And in the proposals, which the council of officers sent for the settlement of the nation, they insisted neither on the abolition of episcopacy, nor of the punishment of the royalists; the two points to which the king had the most extreme reluctance. And they demanded, that a period should be put to the present parliament; the event for which he most ardently longed.

His conjunction too seemed more natural with the generals, than with that usurping assembly, who had so long assumed the entire sovereignty of the state, and who had declared their resolution still to continue masters. By gratifying a few persons with titles and preferences, he might draw over, he hoped, the whole military power, and, in an instant, reinstate himself in his civil authority. To Ireton he offered the lieutenancy of Ireland: to Cromwell, the garter, the title of Earl of Essex, and the command of the army. Negotiations to this purpose were secretly conducted. Cromwell pretended to hearken to them; and was well pleased to keep the door open for an accommodation, if the course of events should, at any time, render it necessary. And the king, who had no suspicion that one born a private gentleman could entertain the daring ambition of seizing a sceptre transmitted through a long line of monarchs, indulged hopes that he would, at last, embrace a measure which, by all the motives of duty, interest, and safety, seemed to be recommended to him.

While Cromwell allured the king by these expectations, he still continued his scheme of reducing the parliament to subjection, and depriving them of all means of resistance. To gratify the army, the parliament invested Fairfax with the title of general in chief of all the forces in England and Ireland; and intrusted the whole military authority to a person who, though well inclined to their service, was no longer at his own disposal.

They voted that the troops which, in obedience to them, had enlisted for Ireland, and deserted the rebellious army, should be disbanded, or, in other words, punished for their fidelity. The forces in the north, under Pointz, had already mutinied against their general, and had entered into an association with that body of the army which was so

<sup>a</sup> Clarendon, vol. i. p. 53, 547. Clarendon, vol. i. p. 10.

<sup>b</sup> Clarendon, vol. i. p. 549.

<sup>c</sup> Clarendon, vol. i. p. 57, 625. Hist. vol. vii. p. 741.

<sup>d</sup> Hist. vol. vii. p. 747.

<sup>e</sup> Hist. vol. vii. p. 747.

<sup>f</sup> Hist. vol. vii. p. 747.

<sup>g</sup> Hist. vol. vii. p. 747.

<sup>h</sup> Hist. vol. vii. p. 747.

<sup>i</sup> Hist. vol. vii. p. 747.

<sup>j</sup> Hist. vol. vii. p. 747.

<sup>k</sup> Clarendon, vol. i. p. 51, 52, 57.

<sup>l</sup> When the king appeared to have his children, the parliament always told him, that they could take as much care at London, both of his estates and of his persons, as could be at Oxford. Parl. Hist. vol. vii. p. 157.

<sup>m</sup> Parl. Hist. vol. vi. p. 500.

<sup>n</sup> Whitlock, p. 306. Parl. Hist. vol. vii. p. 10. Clarendon, vol. i. p. 50.

successfully employed in exalting the military above the civil authority.<sup>a</sup>

That no resource might remain to the parliament, it was demanded, that the militia of London should be changed, the presbyterian commissioners displaced, and the command restored to those who, during the course of the war, had constantly exercised it. The parliament even complied with so violent a demand, and passed a vote in obedience to the army.<sup>b</sup>

By this unlimited patience they purposed to temporize under their present difficulties, and they hoped to find a more favourable opportunity for recovering their authority and influence : but the impatience of the city lost them all the advantage of their cautious measures.

20th July. A petition against the alteration of the militia was carried to Westminster, attended by the apprentices and seditious multitude, who besieged the door of the House of Commons ; and by their clamour, noise, and violence, obliged them to reverse that vote, which they had passed so lately. When gratified in this pretension, they immediately dispersed, and left the parliament at liberty.<sup>c</sup>

No sooner was intelligence of this tumult conveyed to Reading, than the army was put in motion. The two Houses being under restraint, they were resolved, they said, to vindicate, against the seditious citizens, the invaded privileges of parliament, and restore that assembly to its just freedom of debate and counsel. In their way to London, they were drawn up on Hounslow-heath ; a formidable body, twenty thousand strong, and determined, without regard to laws or liberty, to pursue whatever measures their generals should dictate to them. Here the most favourable event happened, to quicken and encourage their advance. The speakers of the two Houses, Manchester and Lenthall, attended by eight peers, and about sixty commoners, having secretly retired from the city, presented themselves with their maces, and all the ensigns of their dignity ; and complaining of the violence put upon them, applied to the army for defence and protection. They were received with shouts and acclamations : respect was paid to them as to the parliament of England : and the army being provided with so plausible a pretence, which in all public transactions is of great consequence, advanced to chastise the rebellious city, and to reinstate the violated parliament.<sup>d</sup>

Neither Lenthall nor Manchester were esteemed independents ; and such a step in them was unexpected. But they probably foresaw that the army must, in the end, prevail ; and they were willing to pay court in time to that authority, which began to predominate in the nation.

The parliament, forced from their temporizing measures, and obliged to resign at once, or combat for their liberty and power, prepared themselves with vigour for defence, and determined to resist the violence of the army. The two Houses immediately chose new speakers, Lord Hunsdon, and Henry Pelham : they renewed their former orders for enlisting troops : they appointed Massey to be commander : they ordered the train bands to man the lines : and the whole city was in a ferment, and resounded with military preparations.<sup>e</sup>

When any intelligence arrived, that the army stopped or retreated, the shout of *One and all*, ran with alacrity from street to street, among the citizens : when news came of their advancing, the cry of *Treat and capitulate*, was no less loud and vehement.<sup>f</sup> The terror of an universal pillage, and even massacre, had seized the timid inhabitants.

As the army approached, Rainsbow, being sent by the general over the river, presented himself before Southwark, and was gladly received by some soldiers, who were quartered there for its defence, and who were resolved not to separate their interests from those of the army. It behoved then the parliament to submit. The army marched in triumph through the city, but preserved the greatest order, decency, and appearance of humility. They conducted to Westminster the two speakers, who took their seats as if nothing had happened. The eleven impeached members, being

accused as authors of the tumult, were expelled ; and most of them retired beyond sea : seven peers were impeached : the mayor, one sheriff, and three aldermen, sent to the Tower : several citizens and officers of the militia committed to prison : every deed of the parliament annulled, from the day of the tumult till the return of the speakers : the lines about the city levelled : the militia restored to the independents : regiments quartered in Whitehall and the Mews : and the parliament <sup>the army subdued the parliament</sup> being reduced to a regular formed servitude, a day was appointed of solemn thanksgiving for the restoration of its liberty.<sup>g</sup>

The independent party among the Commons exulted in their victory. The whole authority of the nation, they imagined, was now lodged in their hands ; and they had a near prospect of moulding the government into that imaginary republic which had long been the object of their wishes. They had secretly concurred in all encroachments of the military upon the civil power ; and they expected, by the terror of the sword, to impose a more perfect system of liberty on the reluctant nation. All parties, the king, the church, the parliament, the presbyterians, had been guilty of errors since the commencement of these disorders : but it must be confessed, that this delusion of the independents and republicans was, of all others, the most contrary to common sense and the established maxims of policy. Yet were the leaders of that party, Vane, Fiennes, St. John, Martin, the men in England the most celebrated for profound thought and deep contrivance ; and by their well-coloured pretences and professions, they had overreached the whole nation. To deceive such men, would argue a superlative capacity in Cromwell ; were it not that, besides the great difference there is between dark, crooked councils and true wisdom, an exorbitant passion for rule and authority will make the most prudent overlook the dangerous consequences of such measures as seem to tend, in any degree, to their own advancement.

The leaders of the army having established their dominion over the parliament and city, ventured to bring the king to Hampton-court, and he lived, for some time, in that palace with an appearance of dignity and freedom. Such equality of temper did he possess, that, during all the variety of fortune which he underwent, no difference was perceived in his countenance or behaviour ; and though a prisoner, in the hands of his most inveterate enemies, he supported, towards all who approached him, the majesty of a monarch ; and that neither with less nor greater state than he had been accustomed to maintain. His manner, which was not in itself popular nor gracious, now appeared amiable, from its great meekness and equality.

The parliament renewed their application to him, and presented him with the same conditions which they had offered at Newcastle. The king declined accepting them, and desired the parliament to take the proposals of the army into consideration, and make them the foundation of the public settlement.<sup>h</sup> He still entertained hopes that his negotiations with the generals would be crowned with success ; though every thing, in that particular, daily bore a worse aspect. Most historians have thought that Cromwell never was sincere in his professions ; and that, having by force rendered himself master of the king's person, and, by fair pretences, acquired the countenance of the royalists, he had employed these advantages to the enslaving of the parliament ; and afterwards thought of nothing but the establishment of his own unlimited authority, with which he esteemed the restoration, and even life of the king, altogether incompatible. This opinion, so much warranted by the boundless ambition and profound dissimulation of his character, meets with ready belief ; though it is more agreeable to the narrowness of human views, and the darkness of futurity, to suppose that this daring usurper was guided by events, and did not as yet foresee, with any assurance, that unparalleled greatness which he afterwards attained. Many writers of that age have asserted, that he really intended to make a private bargain with the king ; a measure which carried the most plausi-

<sup>a</sup> Bosc. vol. vi. p. 620. <sup>c</sup> Ibid. p. 629. <sup>e</sup> Ibid. p. 632. <sup>g</sup> Ibid. p. 634. <sup>b</sup> Ibid. p. 641. <sup>d</sup> Ibid. p. 643. <sup>f</sup> Ibid. p. 645. <sup>h</sup> Ibid. p. 647. <sup>i</sup> Ibid. p. 649. <sup>j</sup> Ibid. p. 651. <sup>k</sup> Ibid. p. 653. <sup>l</sup> Ibid. p. 655. <sup>m</sup> Ibid. p. 657. <sup>n</sup> Ibid. p. 659. <sup>o</sup> Ibid. p. 661. <sup>p</sup> Ibid. p. 663. <sup>q</sup> Ibid. p. 665. <sup>r</sup> Ibid. p. 667. <sup>s</sup> Ibid. p. 669. <sup>t</sup> Ibid. p. 671. <sup>u</sup> Ibid. p. 673. <sup>v</sup> Ibid. p. 675. <sup>w</sup> Ibid. p. 677. <sup>x</sup> Ibid. p. 679. <sup>y</sup> Ibid. p. 681. <sup>z</sup> Ibid. p. 683. <sup>aa</sup> Ibid. p. 685. <sup>ab</sup> Ibid. p. 687. <sup>ac</sup> Ibid. p. 689. <sup>ad</sup> Ibid. p. 691. <sup>ae</sup> Ibid. p. 693. <sup>af</sup> Ibid. p. 695. <sup>ag</sup> Ibid. p. 697. <sup>ah</sup> Ibid. p. 699. <sup>ai</sup> Ibid. p. 701. <sup>aj</sup> Ibid. p. 703. <sup>ak</sup> Ibid. p. 705. <sup>al</sup> Ibid. p. 707. <sup>am</sup> Ibid. p. 709. <sup>an</sup> Ibid. p. 711. <sup>ao</sup> Ibid. p. 713. <sup>ap</sup> Ibid. p. 715. <sup>aq</sup> Ibid. p. 717. <sup>ar</sup> Ibid. p. 719. <sup>as</sup> Ibid. p. 721. <sup>at</sup> Ibid. p. 723. <sup>au</sup> Ibid. p. 725. <sup>av</sup> Ibid. p. 727. <sup>aw</sup> Ibid. p. 729. <sup>ax</sup> Ibid. p. 731. <sup>ay</sup> Ibid. p. 733. <sup>az</sup> Ibid. p. 735. <sup>ba</sup> Ibid. p. 737. <sup>bb</sup> Ibid. p. 739. <sup>bc</sup> Ibid. p. 741. <sup>bd</sup> Ibid. p. 743. <sup>be</sup> Ibid. p. 745. <sup>bf</sup> Ibid. p. 747. <sup>bg</sup> Ibid. p. 749. <sup>bh</sup> Ibid. p. 751. <sup>bi</sup> Ibid. p. 753. <sup>bj</sup> Ibid. p. 755. <sup>bk</sup> Ibid. p. 757. <sup>bl</sup> Ibid. p. 759. <sup>bm</sup> Ibid. p. 761. <sup>bn</sup> Ibid. p. 763. <sup>bo</sup> Ibid. p. 765. <sup>bp</sup> Ibid. p. 767. <sup>bq</sup> Ibid. p. 769. <sup>br</sup> Ibid. p. 771. <sup>bs</sup> Ibid. p. 773. <sup>bt</sup> Ibid. p. 775. <sup>bu</sup> Ibid. p. 777. <sup>bv</sup> Ibid. p. 779. <sup>bw</sup> Ibid. p. 781. <sup>bx</sup> Ibid. p. 783. <sup>by</sup> Ibid. p. 785. <sup>bz</sup> Ibid. p. 787. <sup>ca</sup> Ibid. p. 789. <sup>cb</sup> Ibid. p. 791. <sup>cc</sup> Ibid. p. 793. <sup>cd</sup> Ibid. p. 795. <sup>ce</sup> Ibid. p. 797. <sup>cf</sup> Ibid. p. 799. <sup>cg</sup> Ibid. p. 801. <sup>ch</sup> Ibid. p. 803. <sup>ci</sup> Ibid. p. 805. <sup>cj</sup> Ibid. p. 807. <sup>ck</sup> Ibid. p. 809. <sup>cl</sup> Ibid. p. 811. <sup>cm</sup> Ibid. p. 813. <sup>cn</sup> Ibid. p. 815. <sup>co</sup> Ibid. p. 817. <sup>cp</sup> Ibid. p. 819. <sup>cq</sup> Ibid. p. 821. <sup>cr</sup> Ibid. p. 823. <sup>cs</sup> Ibid. p. 825. <sup>ct</sup> Ibid. p. 827. <sup>cu</sup> Ibid. p. 829. <sup>cv</sup> Ibid. p. 831. <sup>cw</sup> Ibid. p. 833. <sup>cx</sup> Ibid. p. 835. <sup>cy</sup> Ibid. p. 837. <sup>cz</sup> Ibid. p. 839. <sup>da</sup> Ibid. p. 841. <sup>db</sup> Ibid. p. 843. <sup>dc</sup> Ibid. p. 845. <sup>dd</sup> Ibid. p. 847. <sup>de</sup> Ibid. p. 849. <sup>df</sup> Ibid. p. 851. <sup>dg</sup> Ibid. p. 853. <sup>dh</sup> Ibid. p. 855. <sup>di</sup> Ibid. p. 857. <sup>dj</sup> Ibid. p. 859. <sup>dk</sup> Ibid. p. 861. <sup>dl</sup> Ibid. p. 863. <sup>dm</sup> Ibid. p. 865. <sup>dn</sup> Ibid. p. 867. <sup>do</sup> Ibid. p. 869. <sup>dp</sup> Ibid. p. 871. <sup>dq</sup> Ibid. p. 873. <sup>dr</sup> Ibid. p. 875. <sup>ds</sup> Ibid. p. 877. <sup>dt</sup> Ibid. p. 879. <sup>du</sup> Ibid. p. 881. <sup>dv</sup> Ibid. p. 883. <sup>dw</sup> Ibid. p. 885. <sup>dx</sup> Ibid. p. 887. <sup>dy</sup> Ibid. p. 889. <sup>dz</sup> Ibid. p. 891. <sup>ea</sup> Ibid. p. 893. <sup>eb</sup> Ibid. p. 895. <sup>ec</sup> Ibid. p. 897. <sup>ed</sup> Ibid. p. 899. <sup>ee</sup> Ibid. p. 901. <sup>ef</sup> Ibid. p. 903. <sup>eg</sup> Ibid. p. 905. <sup>eh</sup> Ibid. p. 907. <sup>ei</sup> Ibid. p. 909. <sup>ej</sup> Ibid. p. 911. <sup>ek</sup> Ibid. p. 913. <sup>el</sup> Ibid. p. 915. <sup>em</sup> Ibid. p. 917. <sup>en</sup> Ibid. p. 919. <sup>eo</sup> Ibid. p. 921. <sup>ep</sup> Ibid. p. 923. <sup>eq</sup> Ibid. p. 925. <sup>er</sup> Ibid. p. 927. <sup>es</sup> Ibid. p. 929. <sup>et</sup> Ibid. p. 931. <sup>eu</sup> Ibid. p. 933. <sup>ev</sup> Ibid. p. 935. <sup>ew</sup> Ibid. p. 937. <sup>ex</sup> Ibid. p. 939. <sup>ey</sup> Ibid. p. 941. <sup>ez</sup> Ibid. p. 943. <sup>fa</sup> Ibid. p. 945. <sup>fb</sup> Ibid. p. 947. <sup>fc</sup> Ibid. p. 949. <sup>fd</sup> Ibid. p. 951. <sup>fe</sup> Ibid. p. 953. <sup>ff</sup> Ibid. p. 955. <sup>fg</sup> Ibid. p. 957. <sup>fh</sup> Ibid. p. 959. <sup>fi</sup> Ibid. p. 961. <sup>fj</sup> Ibid. p. 963. <sup>fk</sup> Ibid. p. 965. <sup>fl</sup> Ibid. p. 967. <sup>fm</sup> Ibid. p. 969. <sup>fn</sup> Ibid. p. 971. <sup>fo</sup> Ibid. p. 973. <sup>fp</sup> Ibid. p. 975. <sup>fq</sup> Ibid. p. 977. <sup>fr</sup> Ibid. p. 979. <sup>fs</sup> Ibid. p. 981. <sup>ft</sup> Ibid. p. 983. <sup>fu</sup> Ibid. p. 985. <sup>fv</sup> Ibid. p. 987. <sup>fw</sup> Ibid. p. 989. <sup>fx</sup> Ibid. p. 991. <sup>fy</sup> Ibid. p. 993. <sup>fz</sup> Ibid. p. 995. <sup>ga</sup> Ibid. p. 997. <sup>gb</sup> Ibid. p. 999. <sup>gc</sup> Ibid. p. 1001. <sup>gd</sup> Ibid. p. 1003. <sup>ge</sup> Ibid. p. 1005. <sup>gf</sup> Ibid. p. 1007. <sup>gg</sup> Ibid. p. 1009. <sup>gh</sup> Ibid. p. 1011. <sup>gi</sup> Ibid. p. 1013. <sup>gj</sup> Ibid. p. 1015. <sup>gk</sup> Ibid. p. 1017. <sup>gl</sup> Ibid. p. 1019. <sup>gm</sup> Ibid. p. 1021. <sup>gn</sup> Ibid. p. 1023. <sup>go</sup> Ibid. p. 1025. <sup>gp</sup> Ibid. p. 1027. <sup>gq</sup> Ibid. p. 1029. <sup>gr</sup> Ibid. p. 1031. <sup>gs</sup> Ibid. p. 1033. <sup>gt</sup> Ibid. p. 1035. <sup>gu</sup> Ibid. p. 1037. <sup>gv</sup> Ibid. p. 1039. <sup>gw</sup> Ibid. p. 1041. <sup>gx</sup> Ibid. p. 1043. <sup>gy</sup> Ibid. p. 1045. <sup>gz</sup> Ibid. p. 1047. <sup>ha</sup> Ibid. p. 1049. <sup>hb</sup> Ibid. p. 1051. <sup>hc</sup> Ibid. p. 1053. <sup>hd</sup> Ibid. p. 1055. <sup>he</sup> Ibid. p. 1057. <sup>hf</sup> Ibid. p. 1059. <sup>hg</sup> Ibid. p. 1061. <sup>hh</sup> Ibid. p. 1063. <sup>hi</sup> Ibid. p. 1065. <sup>hj</sup> Ibid. p. 1067. <sup>hk</sup> Ibid. p. 1069. <sup>hl</sup> Ibid. p. 1071. <sup>hm</sup> Ibid. p. 1073. <sup>hn</sup> Ibid. p. 1075. <sup>ho</sup> Ibid. p. 1077. <sup>hp</sup> Ibid. p. 1079. <sup>hq</sup> Ibid. p. 1081. <sup>hr</sup> Ibid. p. 1083. <sup>hs</sup> Ibid. p. 1085. <sup>ht</sup> Ibid. p. 1087. <sup>hu</sup> Ibid. p. 1089. <sup>hv</sup> Ibid. p. 1091. <sup>hw</sup> Ibid. p. 1093. <sup>hx</sup> Ibid. p. 1095. <sup>hy</sup> Ibid. p. 1097. <sup>hz</sup> Ibid. p. 1099. <sup>ia</sup> Ibid. p. 1101. <sup>ib</sup> Ibid. p. 1103. <sup>ic</sup> Ibid. p. 1105. <sup>id</sup> Ibid. p. 1107. <sup>ie</sup> Ibid. p. 1109. <sup>if</sup> Ibid. p. 1111. <sup>ig</sup> Ibid. p. 1113. <sup>ih</sup> Ibid. p. 1115. <sup>ii</sup> Ibid. p. 1117. <sup>ij</sup> Ibid. p. 1119. <sup>ik</sup> Ibid. p. 1121. <sup>il</sup> Ibid. p. 1123. <sup>im</sup> Ibid. p. 1125. <sup>in</sup> Ibid. p. 1127. <sup>io</sup> Ibid. p. 1129. <sup>ip</sup> Ibid. p. 1131. <sup>iq</sup> Ibid. p. 1133. <sup>ir</sup> Ibid. p. 1135. <sup>is</sup> Ibid. p. 1137. <sup>it</sup> Ibid. p. 1139. <sup>iu</sup> Ibid. p. 1141. <sup>iv</sup> Ibid. p. 1143. <sup>iw</sup> Ibid. p. 1145. <sup>ix</sup> Ibid. p. 1147. <sup>iy</sup> Ibid. p. 1149. <sup>iz</sup> Ibid. p. 1151. <sup>ja</sup> Ibid. p. 1153. <sup>jb</sup> Ibid. p. 1155. <sup>jc</sup> Ibid. p. 1157. <sup>jd</sup> Ibid. p. 1159. <sup>je</sup> Ibid. p. 1161. <sup>jf</sup> Ibid. p. 1163. <sup>jj</sup> Ibid. p. 1165. <sup>jk</sup> Ibid. p. 1167. <sup>jl</sup> Ibid. p. 1169. <sup>jm</sup> Ibid. p. 1171. <sup>jn</sup> Ibid. p. 1173. <sup>jo</sup> Ibid. p. 1175. <sup>jp</sup> Ibid. p. 1177. <sup>jq</sup> Ibid. p. 1179. <sup>jr</sup> Ibid. p. 1181. <sup>js</sup> Ibid. p. 1183. <sup>jt</sup> Ibid. p. 1185. <sup>ju</sup> Ibid. p. 1187. <sup>jv</sup> Ibid. p. 1189. <sup>jw</sup> Ibid. p. 1191. <sup>jx</sup> Ibid. p. 1193. <sup>jy</sup> Ibid. p. 1195. <sup>jz</sup> Ibid. p. 1197. <sup>ka</sup> Ibid. p. 1199. <sup>kb</sup> Ibid. p. 1201. <sup>kc</sup> Ibid. p. 1203. <sup>kd</sup> Ibid. p. 1205. <sup>ke</sup> Ibid. p. 1207. <sup>kf</sup> Ibid. p. 1209. <sup>kg</sup> Ibid. p. 1211. <sup>kh</sup> Ibid. p. 1213. <sup>ki</sup> Ibid. p. 1215. <sup>kj</sup> Ibid. p. 1217. <sup>kl</sup> Ibid. p. 1219. <sup>km</sup> Ibid. p. 1221. <sup>kn</sup> Ibid. p. 1223. <sup>ko</sup> Ibid. p. 1225. <sup>kp</sup> Ibid. p. 1227. <sup>kq</sup> Ibid. p. 1229. <sup>kr</sup> Ibid. p. 1231. <sup>ks</sup> Ibid. p. 1233. <sup>kt</sup> Ibid. p. 1235. <sup>ku</sup> Ibid. p. 1237. <sup>kv</sup> Ibid. p. 1239. <sup>kx</sup> Ibid. p. 1241. <sup>ky</sup> Ibid. p. 1243. <sup>kz</sup> Ibid. p. 1245. <sup>la</sup> Ibid. p. 1247. <sup>lb</sup> Ibid. p. 1249. <sup>lc</sup> Ibid. p. 1251. <sup>ld</sup> Ibid. p. 1253. <sup>le</sup> Ibid. p. 1255. <sup>lf</sup> Ibid. p. 1257. <sup>lg</sup> Ibid. p. 1259. <sup>lh</sup> Ibid. p. 1261. <sup>li</sup> Ibid. p. 1263. <sup>lj</sup> Ibid. p. 1265. <sup>lk</sup> Ibid. p. 1267. <sup>ll</sup> Ibid. p. 1269. <sup>lm</sup> Ibid. p. 1271. <sup>ln</sup> Ibid. p. 1273. <sup>lo</sup> Ibid. p. 1275. <sup>lp</sup> Ibid. p. 1277. <sup>lq</sup> Ibid. p. 1279. <sup>lr</sup> Ibid. p. 1281. <sup>ls</sup> Ibid. p. 1283. <sup>lt</sup> Ibid. p. 1285. <sup>lu</sup> Ibid. p. 1287. <sup>lv</sup> Ibid. p. 1289. <sup>lw</sup> Ibid. p. 1291. <sup>lx</sup> Ibid. p. 1293. <sup>ly</sup> Ibid. p. 1295. <sup>lz</sup> Ibid. p. 1297. <sup>ma</sup> Ibid. p. 1299. <sup>mb</sup> Ibid. p. 1301. <sup>mc</sup> Ibid. p. 1303. <sup>md</sup> Ibid. p. 1305. <sup>me</sup> Ibid. p. 1307. <sup>mf</sup> Ibid. p. 1309. <sup>mg</sup> Ibid. p. 1311. <sup>mh</sup> Ibid. p. 1313. <sup>mi</sup> Ibid. p. 1315. <sup>mj</sup> Ibid. p. 1317. <sup>mk</sup> Ibid. p. 1319. <sup>ml</sup> Ibid. p. 1321. <sup>mn</sup> Ibid. p. 1323. <sup>mo</sup> Ibid. p. 1325. <sup>mp</sup> Ibid. p. 1327. <sup>mq</sup> Ibid. p. 1329. <sup>mr</sup> Ibid. p. 1331. <sup>ms</sup> Ibid. p. 1333. <sup>mt</sup> Ibid. p. 1335. <sup>mu</sup> Ibid. p. 1337. <sup>mv</sup> Ibid. p. 1339. <sup>mw</sup> Ibid. p. 1341. <sup>mx</sup> Ibid. p. 1343. <sup>my</sup> Ibid. p. 1345. <sup>mz</sup> Ibid. p. 1347. <sup>na</sup> Ibid. p. 1349. <sup>nb</sup> Ibid. p. 1351. <sup>nc</sup> Ibid. p. 1353. <sup>nd</sup> Ibid. p. 1355. <sup>ne</sup> Ibid. p. 1357. <sup>nf</sup> Ibid. p. 1359. <sup>ng</sup> Ibid. p. 1361. <sup>nh</sup> Ibid. p. 1363. <sup>ni</sup> Ibid. p. 1365. <sup>nj</sup> Ibid. p. 1367. <sup>nk</sup> Ibid. p. 1369. <sup>nl</sup> Ibid. p. 1371. <sup>nm</sup> Ibid. p. 1373. <sup>no</sup> Ibid. p. 1375. <sup>np</sup> Ibid. p. 1377. <sup>nq</sup> Ibid. p. 1379. <sup>nr</sup> Ibid. p. 1381. <sup>ns</sup> Ibid. p. 1383. <sup>nt</sup> Ibid. p. 1385. <sup>nu</sup> Ibid. p. 1387. <sup>nv</sup> Ibid. p. 1389. <sup>nw</sup> Ibid. p. 1391. <sup>nx</sup> Ibid. p. 1393. <sup>ny</sup> Ibid. p. 1395. <sup>nz</sup> Ibid. p. 1397. <sup>oa</sup> Ibid. p. 1399. <sup>ob</sup> Ibid. p. 1401. <sup>oc</sup> Ibid. p. 1403. <sup>od</sup> Ibid. p. 1405. <sup>oe</sup> Ibid. p. 1407. <sup>of</sup> Ibid. p. 1409. <sup>og</sup> Ibid. p. 1411. <sup>oh</sup> Ibid. p. 1413. <sup>oi</sup> Ibid. p. 1415. <sup>oj</sup> Ibid. p. 1417. <sup>ok</sup> Ibid. p. 1419. <sup>ol</sup> Ibid. p. 1421. <sup>om</sup> Ibid. p. 1423. <sup>on</sup> Ibid. p. 1425. <sup>op</sup> Ibid. p. 1427. <sup>oq</sup> Ibid. p. 1429. <sup>or</sup> Ibid. p. 1431. <sup>os</sup> Ibid. p. 1433. <sup>ot</sup> Ibid. p. 1435. <sup>ou</sup> Ibid. p. 1437. <sup>ov</sup> Ibid. p. 1439. <sup>ow</sup> Ibid. p. 1441. <sup>ox</sup> Ibid. p. 1443. <sup>oy</sup> Ibid. p. 1445. <sup>oz</sup> Ibid. p. 1447. <sup>pa</sup> Ibid. p. 1449. <sup>pb</sup> Ibid. p. 1451. <sup>pc</sup> Ibid. p. 1453. <sup>pd</sup> Ibid. p. 1455. <sup>pe</sup> Ibid. p. 1457. <sup>pf</sup> Ibid. p. 1459. <sup>pg</sup> Ibid. p. 1461. <sup>ph</sup> Ibid. p. 1463. <sup>pi</sup> Ibid. p. 1465. <sup>pj</sup> Ibid. p. 1467. <sup>pk</sup> Ibid. p. 1469. <sup>pl</sup> Ibid. p. 1471. <sup>pm</sup> Ibid. p. 1473. <sup>pn</sup> Ibid. p. 1475. <sup>po</sup> Ibid. p. 1477. <sup>pp</sup> Ibid. p. 1479. <sup>pq</sup> Ibid. p. 1481. <sup>pr</sup> Ibid. p. 1483. <sup>ps</sup> Ibid. p. 1485. <sup>pt</sup> Ibid. p. 1487. <sup>pu</sup> Ibid. p. 1489. <sup>pv</sup> Ibid. p. 1491. <sup>pw</sup> Ibid. p. 1493. <sup>px</sup> Ibid. p. 1495. <sup>py</sup> Ibid. p. 1497. <sup>pz</sup> Ibid. p. 1499. <sup>qa</sup> Ibid. p. 1501. <sup>qb</sup> Ibid. p. 1503. <sup>qc</sup> Ibid. p. 1505. <sup>qd</sup> Ibid. p. 1507. <sup>qe</sup> Ibid. p. 1509. <sup>qf</sup> Ibid. p. 1511. <sup>qh</sup> Ibid. p. 1513. <sup>qi</sup> Ibid. p. 1515. <sup>qj</sup> Ibid. p. 1517. <sup>qk</sup> Ibid. p. 1519. <sup>ql</sup> Ibid. p. 1521. <sup>qm</sup> Ibid. p. 1523. <sup>qn</sup> Ibid. p. 1525. <sup>qo</sup> Ibid. p. 1527. <sup>qp</sup> Ibid. p. 1529. <sup>qr</sup> Ibid. p. 1531. <sup>qs</sup> Ibid. p. 1533. <sup>qt</sup> Ibid. p. 1535. <sup>qu</sup> Ibid. p. 1537. <sup>qv</sup> Ibid. p. 1539. <sup>qw</sup> Ibid. p. 1541. <sup>qx</sup> Ibid. p. 1543. <sup>qy</sup> Ibid. p. 1545. <sup>qz</sup> Ibid. p. 1547. <sup>ra</sup> Ibid. p. 1549. <sup>rb</sup> Ibid. p. 1551. <sup>rc</sup> Ibid. p. 1553. <sup>rd</sup> Ibid. p. 1555. <sup>re</sup> Ibid. p. 1557. <sup>rf</sup> Ibid. p. 1559. <sup>rg</sup> Ibid. p. 1561. <sup>rh</sup> Ibid. p. 1563. <sup>ri</sup> Ibid. p. 1565. <sup>rj</sup> Ibid. p. 1567. <sup>rk</sup> Ibid. p. 1569. <sup>rl</sup> Ibid. p. 1571. <sup>rm</sup> Ibid. p. 1573. <sup>rn</sup> Ibid. p. 1575. <sup>ro</sup> Ibid. p. 1577. <sup>rp</sup> Ibid. p. 1579. <sup>rq</sup> Ibid. p. 1581. <sup>rr</sup> Ibid. p. 1583. <sup>rs</sup> Ibid. p. 1585. <sup>rt</sup> Ibid. p. 1587. <sup>ru</sup> Ibid. p. 1589. <sup>rv</sup> Ibid. p. 1591. <sup>rw</sup> Ibid. p. 1593. <sup>rx</sup> Ibid. p. 1595. <sup>ry</sup> Ibid. p. 1597. <sup>rz</sup> Ibid. p. 1599. <sup>sa</sup> Ibid. p. 1601. <sup>sb</sup> Ibid. p. 1603. <sup>sc</sup> Ibid. p. 1605. <sup>sd</sup> Ibid. p. 1607. <sup>se</sup> Ibid. p. 1609. <sup>sf</sup> Ibid. p. 1611. <sup>sh</sup> Ibid. p. 1613. <sup>si</sup> Ibid. p. 1615. <sup>sj</sup> Ibid. p. 1617. <sup>sk</sup> Ibid. p. 1619. <sup>sl</sup> Ibid. p. 1621. <sup>sm</sup> Ibid. p. 1623. <sup>sn</sup> Ibid. p. 1625. <sup>so</sup> Ibid. p. 1627. <sup>sp</sup> Ibid. p. 1629. <sup>sq</sup> Ibid. p. 1631. <sup>sr</sup> Ibid. p. 1633. <sup>st</sup> Ibid. p. 1635. <sup>su</sup> Ibid. p. 1637. <sup>sv</sup> Ibid. p. 1639. <sup>sw</sup> Ibid. p. 1641. <sup>sx</sup> Ibid. p. 1643. <sup>sy</sup> Ibid. p. 1645. <sup>sz</sup> Ibid. p. 1647. <sup>ta</sup> Ibid. p. 1649. <sup>tb</sup> Ibid. p. 1651. <sup>tc</sup> Ibid. p. 1653. <sup>td</sup> Ibid. p. 1655. <sup>te</sup> Ibid. p. 1657. <sup>tf</sup> Ibid. p. 1659. <sup>tg</sup> Ibid. p. 1661. <sup>th</sup> Ibid. p. 1663. <sup>ti</sup> Ibid. p. 1665. <sup>tj</sup> Ibid. p. 1667. <sup>tk</sup> Ibid. p. 1669. <sup>tl</sup> Ibid. p. 1671. <sup>tm</sup> Ibid. p. 1673. <sup>tn</sup> Ibid. p. 1675. <sup>to</sup> Ibid. p. 1677. <sup>tp</sup> Ibid. p. 1679. <sup>tq</sup> Ibid. p. 1681. <sup>tr</sup> Ibid. p. 1683. <sup>ts</sup> Ibid. p. 1685. <sup>tu</sup> Ibid. p. 1687. <sup>tv</sup> Ibid. p. 1689. <sup>tw</sup> Ibid. p. 1691. <sup>tx</sup> Ibid. p. 1693. <sup>ty</sup> Ibid. p. 1695. <sup>tz</sup> Ibid. p. 1697. <sup>ua</sup> Ibid. p. 1699. <sup>ub</sup> Ibid. p. 1701. <sup>uc</sup> Ibid. p. 1703. <sup>ud</sup> Ibid. p. 1705. <sup>ue</sup> Ibid. p. 1707. <sup>uf</sup> Ibid. p. 1709. <sup>ug</sup> Ibid. p. 1711. <sup>uh</sup> Ibid. p. 1713. <sup>ui</sup> Ibid. p. 1715. <sup>uj</sup> Ibid. p. 1717. <sup>uk</sup> Ibid. p. 1719. <sup>ul</sup> Ibid. p. 1721. <sup>um</sup> Ibid. p. 1723. <sup>un</sup> Ibid. p. 1725. <sup>uo</sup> Ibid. p. 1727. <sup>up</sup> Ibid. p. 1729. <sup>uq</sup> Ibid. p. 1731. <sup>ur</sup> Ibid. p. 1733. <sup>us</sup> Ibid. p. 1735. <sup>ut</sup> Ibid. p. 1737. <sup>uv</sup> Ibid. p. 1739. <sup>uw</sup> Ibid. p. 1741. <sup>ux</sup> Ibid. p. 1743. <sup>uy</sup> Ibid. p. 1745. <sup>uz</sup> Ibid. p. 1747. <sup>va</sup> Ibid. p. 1749. <sup>vb</sup> Ibid. p. 1751. <sup>vc</sup> Ibid. p. 1753. <sup>vd</sup> Ibid. p. 1755. <sup>ve</sup> Ibid. p. 1757. <sup>vf</sup> Ibid. p. 1759. <sup>vg</sup> Ibid. p. 1761. <sup>vh</sup> Ibid. p. 1763. <sup>vi</sup> Ibid. p. 1765. <sup>vj</sup> Ibid. p. 1767. <sup>vk</sup> Ibid. p. 1769. <sup>vl</sup> Ibid. p. 1771. <sup>vm</sup> Ibid. p. 1773. <sup>vn</sup> Ibid. p. 1775. <sup>vo</sup> Ibid. p. 1777. <sup>vp</sup> Ibid. p. 1779. <sup>vq</sup> Ibid. p. 1781. <sup>vr</sup> Ibid. p. 1783. <sup>vs</sup> Ibid. p. 1785. <sup>vt</sup> Ibid. p. 1787. <sup>vu</sup> Ibid. p. 1789. <sup>vv</sup> Ibid. p. 1791. <sup>vw</sup> Ibid. p. 1793. <sup>vx</sup> Ibid. p. 1795. <sup>vy</sup> Ibid. p. 1797. <sup>vz</sup> Ibid. p. 1799. <sup>wa</sup> Ibid. p. 1801. <sup>wb</sup> Ibid. p. 1803. <sup>wc</sup> Ibid. p. 1805. <sup>wd</sup> Ibid. p. 1807. <sup>we</sup> Ibid. p. 1809. <sup>wf</sup> Ibid. p. 1811. <sup>wh</sup> Ibid. p. 1813. <sup>wi</sup> Ibid. p. 1815. <sup>wj</sup> Ibid. p. 1817. <sup>wk</sup> Ibid. p. 1819. <sup>wl</sup> Ibid. p. 1821. <sup>wm</sup> Ibid. p. 1823. <sup>wn</sup> Ibid. p. 1825. <sup>wo</sup> Ibid. p. 1827. <sup>wp</sup> Ibid. p. 1829. <sup>wq</sup> Ibid. p. 1831. <sup>wr</sup> Ibid. p. 1833. <sup>ws</sup> Ibid. p. 1835. <sup>wt</sup> Ibid. p. 1837. <sup>wu</sup> Ibid. p. 1839. <sup>wv</sup> Ibid. p. 1841. <sup>wx</sup> Ibid. p. 1843. <sup>w</sup>



ble appearance both for his safety and advancement; but that he found insuperable difficulties in reconciling to it the wild humours of the army. The horror and antipathy of these fanatics had, for many years, been artfully fomented against Charles; and though their principles were on all occasions easily warped and eluded by private interest, yet was some colouring requisite, and a flat contradiction to all former professions and tenets could not safely be proposed to them. It is certain, at least, that Cromwell made use of this reason, why he admitted rarely of visits from the king's friends, and showed less favour than formerly to the royal cause. The agitators, he said, had rendered him odious to the army, and had represented him as a traitor, who, for the sake of private interest, was ready to betray the cause of God to the great enemy of piety and religion. Desperate projects, too, he asserted to be secretly formed, for the murder of the king; and he pretended much to dread lest all his authority, and that of the commanding officers, would not be able to restrain these enthusiasts from their bloody purposes.<sup>a</sup>

Intelligence being daily brought to the king, of menaces thrown out by the agitators, he began to think of retiring from Hampton-court, and of putting himself in some place of safety. The guards were doubled upon him: the promiscuous concourse of people restrained: a more jealous care exerted in attending his person: all under colour of protecting him from danger; but really with a view of making him uneasy in his present situation. These artifices soon produced the intended effect. Charles, who was naturally apt to be swayed by counsel, and who had not then access to any good counsel, took suddenly a resolution of withdrawing himself, though without any concerted, at least any rational, scheme for the future disposal of his person. Attended only by Sir

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John Berkeley, Ashburnham, and Leg, he privately left Hampton-court; and his escape was not discovered till near an hour after; when those who entered his chamber found on the table some letters directed to the parliament, to the general, and to the officer who had attended him.<sup>b</sup> All night he travelled through the forest, and arrived next day at Titchfield, a seat of the Earl of Southampton's, where the countess dowager resided, a woman of honour, to whom the king knew he might safely intrust his person. Before he arrived at this place, he had gone to the sea coast; and expressed great anxiety, that a ship which he seemed to look for had not arrived; and thence, Berkeley and Leg, who were not in the secret, conjectured that his intention was to transport himself beyond sea.

The king flies to the Isle of Wight.

The king could not hope to remain long concealed at Titchfield: what measure should next be embraced was the question. In the

neighbourhood lay the Isle of Wight, of which Hammond was governor. This man was entirely dependent on Cromwell. At his recommendation he had married a daughter of the famous Hamden, who, during his lifetime, had been an intimate friend of Cromwell's, and whose memory was ever respected by him. These circumstances were very unfavourable: yet, because the governor was nephew to Dr. Hammond, the king's favourite chaplain, and had acquired a good character in the army, it was thought proper to have recourse to him in the present exigence, when no other rational expedient could be thought of. Ashburnham and Berkeley were despatched to the island. They had orders not to inform Hammond of the place where the king was concealed, till they had first obtained a promise from him not to deliver up his majesty, though the parliament and the army should require him; but to restore him to his liberty, if he could not protect him. This promise, it is evident, would have been a very slender security: yet, even without exacting it, Ashburnham, imprudently, if not treacherously, brought Hammond to Titchfield; and the king was obliged to put himself into his hands, and to attend him to Carisbrooke-castle, in the Isle of Wight, where, though received with great demonstrations of respect and duty, he was in reality a prisoner.

Lord Clarendon<sup>c</sup> is positive, that the king, when he fled from Hampton-court, had no intention of going to this island; and indeed all the circumstances of that historian's narrative, which we have here followed, strongly favour this opinion. But there remains a letter of Charles's to the Earl of Lanerc, secretary of Scotland, in which he plainly intimates, that that measure was voluntarily embraced; and even insinuates, that if he had thought proper, he might have been in Jersey, or any other place of safety.<sup>d</sup> Perhaps he still confided in the promises of the generals; and flattered himself that, if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had so often promised in his favour.

Whatever may be the truth in this matter, for it is impossible fully to ascertain the truth, Charles never took a weaker step, nor one more agreeable to Cromwell and all his enemies. He was now lodged in a place, removed from his partisans, at the disposal of the army, whence it would be very difficult to deliver him, either by force or artifice. And though it was always in the power of Cromwell, whenever he pleased, to have sent him thither; yet such a measure, without the king's consent, would have been very invidious, if not attended with some danger. That the king should voluntarily throw himself into the snare, and thereby gratify his implacable persecutors, was to them an incident peculiarly fortunate, and proved in the issue very fatal to him.

letter written to the queen, where the king said, that he would first raise, and then destroy, Cromwell. But, besides that this conduct seems to contradict the character of the king, it is, on other accounts, totally unworthy of credit. It is first told by Roger Coke, an very passionate and foolish historian, who wrote so late as King William's reign, and even he mentions it only as a tradition, or a story, without any foundation in fact. In the memoirs of Lord Broghill, we meet with another story of an intercepted letter which deserves more attention, and agrees very well with the narration here given. It is so related by Mr. Moore, chaplain to Roger, Earl of Chester. "Lord Broghill, at the time of his acquaintance with Cromwell, just after he had so seasonably relieved him in his great distress at Chinnell, riding out of Voughall one day with him and Ireton, they fell into discourse about the king's death. Cromwell thereupon said more than once, that if the king had followed his own judgment, and had been attended by none but trusty servants, he had fooled them all; and that once they had a mind to have closed with him, but, upon something that happened, fell off from that design. Orrery finding them in good humour, and being alone with them, asked if he might presume to desire to know, why they would once have closed with his majesty, and why they did not? Cromwell very freely told him, he would satisfy him in both his queries. The reason (says he) why we would have closed with the king was this. We thought the world and posterity began to grow more powerful than we, and were likely to act over with him, and leave us in the lurch. In this reason we thought it best to prevent them, by offering first to come in upon reasonable conditions; but whilst our thoughts were taken up with this project, there came a letter from one of our spies, who was the king's bed-chamber, acquainting us that our final design was detected that very day, that he could not possibly learn what it was, but we must discover it, if we could but intercept a letter sent from the king to the queen, wherein he informed her of his resolution. And this letter was seen up in the skirt of a saddle, and the bearer of it would come with the saddle upon his head, about ten of the clock that night to the Blue Boar in H. then where he was to take horse for Dover. The messenger king's return of the letter in the saddle, though some in Dover did. We were at Windsor ascept Cromwell when we received this letter, and immediately upon the receipt of it, Ireton and I resolved to take our trusty fellow with us, and to go in troop's habits to that inn. We did so, and leaving our man at the inn, we went in, and he was the first to take out the letters in and out, to watch and give us notice when any man came

in with a saddle, we went into a drinking stall. We there continued drinking cups of beer till about ten of the clock, when our centinel at the gate gave us notice that the man with the saddle was come. We rose up presently, and just as the man was leading out his horse saddled, we came up to him with drawn swords, and told him we were to search all that went out of the gate, but as he looked on us, we were told that we should search his saddle, and so dismiss him. The saddle was ungirt; we carried it into the stall where we had been drinking, and ripping open one of the skirts, we there found the letter we wanted. Having thus got it into our hands, we delivered the man whom we had taken from our centinel, his saddle, told him he was an honest fellow, and bid him go about his business; which he did, pursuing his journey without more ado, and ignorant of the harm he had suffered. We found in the letter, that his majesty acquainted the queen that he was courted by all factions, the Scotch presbyterians, and the army; and that those which bade the fairest for him should have him; but yet he thought he should close with the Scots sooner than with the other. Upon this, we returned to Windsor; and finding we were not like to have good terms from the king, we, from that time, vowed his destruction." "This relation, suiting well enough with other passages and circumstances at this time, I have inserted, to gratify the reader's curiosity." Carte's *Ormond*, vol. ii. p. 12.

<sup>a</sup> Clarendon, vol. vi. p. 76.

<sup>b</sup> Rush, vol. viii. p. 871.

<sup>c</sup> P. 79, 80, &c.

<sup>d</sup> These are the words: "Lanerc, I wonder to hear (if that be true) that some of my friends say, that my going to Jersey would have much more furthered my personal safety, than any coming hither, for which I see no colour of reason; so I had not been here, if I had thought that I fancy true, or had not been secured of a personal treaty; of which I neither do, nor I hope will repent; for I am daily more and more satisfied with the government, and find these islands very good, peaceable, and quiet people. This encouragement, I have thought not unfit for you to receive, hoping at least it may do good upon others, though needless to you." Burnet's *Memoirs of Hamilton*, p. 365. See also Rushworth, part 4, vol. ii. p. 911. All the writers of that age, except Clarendon, represent the king's going to the Isle of Wight as voluntary and intended. Perhaps the king thought it little for his credit to be tripped into this measure, and was more willing to take it on himself as entirely voluntary. Perhaps he thought it would encourage his friends, if they thought him in a situation which was not disagreeable to him.

Cromwell, being now entirely master of the parliament, and free from all anxiety with regard to the custody of the king's person, applied himself seriously to quell those disorders in the army, which he himself had so artfully raised, and so successfully employed against both king and parliament. In order to engage the troops into a rebellion against their masters, he had encouraged an arrogant spirit among the inferior officers and private men; and the camp, in many respects, carried more the appearance of civil liberty than of military obedience. The troops themselves were formed into a kind of republic; and the plans of imaginary republics, for the settlement of the state, were every day the topics of conversation among these armed legislators. Royalty it was agreed to abolish: nobility must be set aside: even all ranks of men be levelled; and a universal equality of property, as well as of power, be introduced among the citizens. The saints, they said, were the salt of the earth: an entire parity had place among the elect: and, by the same rule that the apostles were exalted from the most ignoble professions, the meanest centinel, if enlightened by the Spirit, was entitled to equal regard with the greatest commander. In order to wean the soldiers from these licentious maxims, Cromwell had issued orders for discontinuing the meetings of the agitators; and he pretended to pay entire obedience to the parliament, whom, being now fully reduced to subjection, he purposed to make, for the future, the instruments of his authority. But the *levellers*, for so that party in the army was called, having experienced the sweets of dominion, would not so easily be deprived of it. They secretly continued their meetings: they asserted, that their officers, as much as any part of the church or state, needed reformation: several regiments joined in seditious remonstrances and petitions.<sup>e</sup> Separate rendezvous were concerted: and every thing tended to anarchy and confusion. But this distemper was soon cured by the rough but dexterous hand of Cromwell. He chose the opportunity of a review, that he might display the greater boldness and spread the terror the wider. He seized the ringleaders before their companions: held in the field a council of war: shot one mutineer instantly: and struck such dread into the rest, that they presently threw down the symbols of sedition, which they had displayed, and thenceforth returned to their wonted discipline and obedience.<sup>f</sup>

Cromwell had great deference for the counsels of Ireton; a man who, having grafted the soldier on the lawyer, the statesman on the saint, had adopted such principles as were fitted to introduce the severest tyranny, while they seemed to encourage the most unbounded license in human society. Fierce in his nature, though probably sincere in his intentions, he proposed by arbitrary power to establish liberty, and in prosecution of his imagined religious purposes, he thought himself dispensed from all the ordinary rules of morality by which inferior mortals must allow themselves to be governed. From his suggestion, Cromwell secretly called, at Windsor, a council of the chief officers, in order to deliberate concerning the settlement of the nation, and the future disposal of the king's person.<sup>g</sup> In this conference, which commenced with devout prayers, poured forth by Cromwell himself, and other inspired persons, (for the officers of this army received inspiration with their commission,) was first opened the daring and unheard-of counsel, of bringing the king to justice, and of punishing, by judicial sentence, their sovereign, for his pretended tyranny and mal-administration. While Charles lived, even though restrained to the closest prison, conspiracies, they knew, and insurrections, would never be wanting in favour of a prince, who was so extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compassion. To murder him privately was exposed to the imputation of injustice and cruelty, aggravated by the baseness of such a crime; and every odious epithet of

*Traitor and Assassin* would, by the general voice of mankind, be indisputably ascribed to the actors in such a villany. Some unexpected procedure must be attempted, which would astonish the world by its novelty, would bear the semblance of justice, and would cover its barbarity by the audaciousness of the enterprise. Striking in with the fanatical notions of the entire equality of mankind, it would insure the devoted obedience of the army, and serve as a general engagement against the royal family, whom, by their open and united deed, they would so heinously affront and injure.<sup>h</sup>

This measure, therefore, being secretly resolved on, it was requisite, by degrees, to make the parliament adopt it, and to conduct them from violence to violence, till this last act of atrocious iniquity should seem in a manner wholly inevitable. The king, in order to remove those fears and jealousies, which were perpetually pleaded as reasons for every invasion of the constitution, had offered, by a message sent from Carisbroke-castle, to resign, during his own life, the power of the militia and the nomination to all the great offices; provided that, after his demise, these prerogatives should revert to the crown.<sup>i</sup> But the parliament acted entirely as victors and enemies; and, in all their transactions with him, paid no longer any regard to equity or reason. At the instigation of the independents and army, they neglected this offer, and framed four proposals, which they sent him as preliminaries; and, before they would deign to treat, they demanded his positive assent to all of them. By one, he was required to invest the parliament with the military power for twenty years, together with an authority to levy whatever money should be necessary for exercising it; and even after the twenty years should be elapsed, they reserved a right of resuming the same authority, whenever they should declare the safety of the kingdom to require it. By the second, he was to recall all his proclamations and declarations against the parliament, and acknowledge that assembly to have taken arms in their just and necessary defence. By the third, he was to annul all the acts, and void all the patents of peerage, which had passed the great seal, since it had been carried from London by Lord-keeper Littleton; and at the same time, renounce for the future the power of making peers without consent of parliament. By the fourth, he gave the two Houses power to adjourn as they thought proper: a demand seemingly of no great importance; but contrived by the independents, that they might be able to remove the parliament to places where it should remain in perpetual subjection to the army.<sup>k</sup>

The king regarded the pretension as unusual and exorbitant, that he should make such concessions, while not secure of any settlement; and should blindly trust his enemies for the conditions which they were afterwards to grant him. He required, therefore, a personal treaty with the parliament, and desired, that all the terms on both sides should be adjusted, before any concession on either side should be insisted on. The republican party in the House pretended to take fire at this answer; and openly inveighed, in violent terms, against the person and government of the king; whose name, hitherto, had commonly, in all debates, been mentioned with some degree of reverence. Ireton, seeming to speak the sense of the army, under the appellation of many thousand godly men, who had ventured their lives in defence of the parliament, said, that the king, by denying the four bills, had refused safety and protection to his people; that their obedience to him was but a reciprocal duty for his protection of them; and that, as he had failed on his part, they were freed from all obligations to allegiance, and must settle the nation without consulting any longer so misguided a prince.<sup>l</sup> Cromwell, after giving an ample character of the valour, good affections, and godliness of the army, subjoined, that it was expected the parliament should guide and defend the kingdom by their own power and resolutions, and not accustom the people any longer to expect safety and government from an obsti-

<sup>e</sup> Rush, vol. viii. p. 845, 850.

<sup>f</sup> Idem, ibid. p. 875. Clarendon, vol. v. p. 87.

<sup>g</sup> Clarendon, vol. v. p. 92.

<sup>h</sup> The following was a favourite text among the enthusiasts of that age:

<sup>i</sup> Let the high praises of God be in the mouths of his saints, and a two fold sword in their hands, to execute vengeance upon the heathen and punish-

ment upon the people; to bind their kings with chains and their nobles with letters of iron, to execute upon them the judgments written in the book of life. Psal. cxlviii. ver. 6, 7, 8, 9. Hosh Peters, the mad chaplain of Cromwell, preached frequently upon this text.

<sup>j</sup> Rush, vol. viii. p. 880.

<sup>k</sup> Clarendon, vol. v. p. 88.

<sup>l</sup> Cl. Walker, p. 70.

into man, whose heart God had hardened; that those who, at the expense of their blood, had hitherto defended the parliament from so many dangers, would still continue, with fidelity and courage, to protect them against all opposition in this vigorous measure. "Teach them not," added he, "by your neglecting your own safety and that of the kingdom, (in which theirs too is involved,) to imagine themselves betrayed, and their interests abandoned to the rage and malice of an irreconcilable enemy, whom, for your sake, they have dared to provoke. Beware, and at these words he had his hand on his sword,) beware, lest despair cause them to seek safety by some other means than by adhering to you, who know not how to consult your own safety."<sup>m</sup> Such arguments prevailed, though ninety-one members had still the courage to

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oppose. It was voted that no more addresses be made to the king, nor any letters or messages be received from him; and that it be treason for any one, without leave of the two Houses, to have any intercourse with him. The Lords concurred in the same ordinance.<sup>n</sup>

By this vote of non-addresses, (so it was called,) the king was in reality dethroned, and the whole constitution formally overthrown. So violent a measure was supported by a declaration of the Commons no less violent. The blackest calumnies were there thrown upon the king; such as, even in their famous remonstrance, they thought proper to omit, as incredible and extravagant: the poisoning of his father, the betraying of Rochelle, the contriving of the Irish massacre.<sup>o</sup> By blasting his fame, had that injury been in their power, they formed a very proper prelude to the executing of violence on his person.

No sooner had the king refused his assent to the four bills, than Hammond, by orders from the army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The king afterwards showed to Sir Philip Warwick a decrepit old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed, during several months that this rigorous confinement lasted.<sup>p</sup> No amusement was allowed him, nor society, which might relieve his anxious thoughts: to be speedily poisoned or assassinated was the only prospect which he had every moment before his eyes: for he entertained no apprehension of a judicial sentence and execution; an event of which no history hitherto furnished an example. Meanwhile, the parliament was very industrious in publishing, from time to time, the intelligence which they received from Hammond; how cheerful the king was, how pleased with every one that approached him, how satisfied in his present condition: as if the view of such benignity and constancy had not been more proper to inflame, than allay, the general compassion of the people. The great source whence the king derived consolation amidst all his calamities, was undoubtedly religion; a principle which, in him, seems to have contained nothing fierce or gloomy, nothing which enraged him against his adversaries, or terrified him with the dismal prospect of futurity. While every thing around him bore a hostile aspect; while friends, family, relations, whom he passionately loved, were placed at a distance, and unable to serve him; he reposed himself with confidence in the arms of that Being who penetrates and sustains all nature, and whose severities, if received with piety and resignation, he regarded as the surest pledges of unexhausted favour.

Second civil war.

The parliament and army, meanwhile, enjoyed not in tranquillity that power which they had obtained with so much violence and injustice. Combinations and conspiracies, they were sensible, were every where forming around them; and Scotland, whence the king's cause had received the first fatal disaster, seemed now to promise its support and assistance.

Before the surrender of the king's person at Newcastle, and much more since that event, the subjects of discontent had been daily multiplying between the two kingdoms. The independents, who began to prevail, took all occasions of mortifying the Scots, whom the presbyterians

looked on with the greatest affection and veneration. When the Scottish commissioners, who, joined to a committee of English Lords and Commons, had managed the war, were ready to depart, it was proposed in parliament to give them thanks for their civilities and good offices. The independents insisted, that the words *good offices* should be struck out; and thus the whole brotherly friendship and intimate alliance with the Scots resolved itself into an acknowledgment of their being well-bred gentlemen.

The advance of the army to London, the subjection of the parliament, the seizing of the king at Holdenby, his confinement in Carisbroke castle, were so many blows sensibly felt by that nation, as threatening the final overthrow of presbytery, to which they were so passionately devoted. The covenant was profanely called in the House of Commons, an almanack out of date;<sup>q</sup> and that impiety, though complained of, had passed uncensured. Instead of being able to determine and establish orthodoxy by the sword and by penal statutes, they saw the sectarian army, who were absolute masters, claim an unbounded liberty of conscience, which the presbyterians regarded with the utmost abhorrence. All the violences put on the king they loudly blamed, as repugnant to the covenant, by which they stood engaged to defend his royal person. And those very actions of which they themselves had been guilty, they denominated treason and rebellion, when executed by an opposite party.

The Earls of Loudon, Lauderdale, and Lanerie, who were sent to London, protested against the four bills; as containing too great a diminution of the king's civil power, and providing no security for religion. They complained, that notwithstanding this protestation, the bills were still insisted on; contrary to the solemn league, and to the treaty between the two nations. And when they accompanied the English commissioners to the isle of Wight, they secretly formed a treaty with the king, for arming Scotland in his favour.<sup>r</sup>

Three parties, at that time, prevailed in Scotland: the *Royalists*, who insisted upon the restoration of the king's authority, without any regard to religious sects or tenets: of these Montrose, though absent, was regarded as the head. The *rigid presbyterians*, who hated the king, even more than they abhorred toleration; and who determined to give him no assistance till he should subscribe the covenant: these were governed by Argyle. The *moderate presbyterians*, who endeavoured to reconcile the interests of religion and of the crown, and hoped, by supporting the presbyterian party in England, to suppress the sectarian army, and to reinstate the parliament, as well as the king, in their just freedom and authority: the two brothers, Hamilton and Lanerie, were leaders of this party.

When Pendennis castle was surrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland; and being generously determined to remember ancient favours, more than recent injuries, he immediately embraced, with zeal and success, the protection of the royal cause. He obtained a vote from the Scottish parliament to arm 40,000 men in support of the king's authority, and to call over a considerable body under Monro, who commanded the Scottish forces in Ulster. And though he openly protested, that the covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, Sir Marmaduke Langdale and Sir Philip Musgrave, who had levied considerable forces in the north of England.

The general assembly who sat at the same time, and was guided by Argyle, dreaded the consequence of these measures, and foresaw that the opposite party, if successful, would effect the restoration of monarchy, without the establishment of presbytery, in England. To join the king before he had subscribed the covenant was, in their eyes, to restore him to his honour before Christ had obtained his; and they thundered out anathemas against every one who paid obedience to the parliament. Two supreme independent judicatories were erected in the kingdom;

<sup>m</sup> Cl. Walker, p. 70.<sup>n</sup> Hall p. 101. Carenden, vol. v. p. 62.<sup>o</sup> Wodrow, p. 319.<sup>p</sup> Richardson, in p. 266, 267.<sup>q</sup> Rush, vol. viii. p. 469.<sup>r</sup> Carenden, vol. v. p. 101.<sup>t</sup> Whitlock, p. 267.<sup>r</sup> Cl. Walker, p. 68.



one threatening the people with damnation and eternal torments; the other with imprisonment, banishment, and military execution. The people were distracted in their choice: and the armament of Hamilton's party, though seconded by all the civil power, went on but slowly. The royalists he would not as yet allow to join him, lest he might give offence to the ecclesiastical party; though he secretly promised them trust and preferment as soon as his army should advance into England.

While the Scots were making preparations for the invasion of England, every part of that kingdom was agitated with tumults, insurrections, conspiracies, discontents. It is seldom that the people gain any thing by revolutions in government; because the new settlement, jealous and insecure, must commonly be supported with more expense and severity than the old: but on no occasion was the truth of this maxim more sensibly felt, than in the present situation of England. Complaints against the oppression of ship-money, against the tyranny of the star-chamber, had roused the people to arms: and having gained a complete victory over the crown, they found themselves loaded with a multiplicity of taxes, formerly unknown: and scarcely an appearance of law and liberty remained in the administration. The presbyterians, who had chiefly supported the war, were enraged to find the prize, just when it seemed within their reach, snatched by violence from them. The royalists, disappointed in their expectations, by the cruel treatment which the king now received from the army, were strongly animated to restore him to liberty, and to recover the advantages which they had unfortunately lost. All orders of men were inflamed with indignation at seeing the military prevail over the civil power, and king and parliament at once reduced to subjection by a mercenary army. Many persons of family and distinction had, from the beginning of the war, adhered to the parliament: but all these were, by the new party, deprived of authority; and every office was intrusted to the most ignoble part of the nation. A base populace exalted above their superiors: hypocrites exercising iniquity under the vizard of religion: these circumstances promised not much liberty or lenity to the people; and these were now found united in the same usurped and illegal administration.

Though the whole nation seemed to combine in their hatred of military tyranny, the ends which the several parties pursued were so different, that little concert was observed in their insurrections. Langhorne, Poyer, and Powell, presbyterian officers, who commanded bodies of troops in Wales, were the first that declared themselves; and they drew together a considerable army in those parts, which were extremely devoted to the royal cause. An insurrection was raised in Kent by young Hales and the Earl of Norwich. Lord Capel, Sir Charles Lucas, Sir George Lisle, excited commotions in Essex. The Earl of Holland, who had several times changed sides since the commencement of the civil wars, endeavoured to assemble forces in Surrey. Pomfret castle in Yorkshire was surprised by Maurice. Langdale and Musgrave were in arms, and masters of Berwick and Carlisle in the north.

What seemed the most dangerous circumstance, the general spirit of discontent had seized the fleet. Seventeen ships, lying in the mouth of the river, declared for the king; and putting Rainsborow, their admiral, ashore, sailed over to Holland, where the Prince of Wales took the command of them.<sup>u</sup>

The English royalists exclaimed loudly against Hamilton's delays, which they attributed to a refined policy in the Scots; as if their intentions were, that all the king's party should first be suppressed, and the victory remain solely to the presbyterians. Hamilton, with better reason, complained of the precipitate humour of the English royalists, who, by their ill-timed insurrections, forced him to march his army before his levies were completed, or his preparations in any forwardness.

No commotions beyond a tumult of the apprentices, which was soon suppressed, were raised in London: the terror of the army kept the citizens in subjection. The parliament was so overawed, that they declared the Scots

to be enemies, and all who joined them traitors. Ninety members, however, of the lower House, had the courage to dissent from this vote.

Cromwell, and the military council, prepared themselves with vigour and conduct for defence. The establishment of the army was at this time 26,000 men; but by enlisting supernumeraries, the regiments were greatly augmented, and commonly consisted of more than double their stated complement.<sup>v</sup> Colonel Horton first attacked the revolted troops in Wales, and gave them a considerable defeat. The remnants of the vanquished threw themselves into Pembroke, and were there closely besieged, and soon after taken by Cromwell. Lambert was opposed to Langrave and Musgrave in the north, and gained advantages over them. Sir Michael Livesey defeated the Earl of Holland at Kingston, and, pursuing his victory, took him prisoner at St. Neots. Fairfax, having routed the Kentish royalists at Maidstone, followed the broken army: and when they joined the royalists of Essex, and threw themselves into Colchester, he laid siege to that place, which defended itself to the last extremity. A new fleet was manned and sent out under the command of Warwick, to oppose the revolted ships of which the prince had taken the command.

While the forces were employed in all quarters, the parliament regained its liberty, and began to act with its wonted courage and spirit. The members who had withdrawn, from terror of the army, returned; and infusing boldness into their companions, restored to the presbyterian party the ascendancy which it had formerly lost. The eleven impeached members were recalled, and the vote, by which they were expelled, was reversed. The vote too of non-addresses was repealed; and commissioners, five Peers and ten Commoners, were sent to Newport in the isle of Wight, in order to treat with the king.<sup>w</sup> He was allowed to summon several of his friends and old counsellors, that he might have their advice in this important transaction.<sup>x</sup> The theologians on both sides, armed with their syllogisms and quotations, attended as auxiliaries.<sup>y</sup> By them the flame had first been raised; and their appearance was but a bad prognostic of its extinction. Any other instruments seemed better adapted for a treaty of pacification.

When the king presented himself to this company, a great and sensible alteration was remarked in his aspect, from what it appeared the year before, when he resided at Hampton-court. The moment his servants had been removed, he had laid aside all care of his person, and had allowed his beard and hair to grow, and to hang dishevelled and neglected. His hair was become almost entirely grey; either from the decline of years, or from that load of sorrows, under which he laboured, and which, though borne with constancy, preyed inwardly on his sensible and tender mind. His friends beheld with compassion, and perhaps even his enemies, that *grey and disrowned head*, as he himself terms it, in a copy of verses, which the truth of the sentiment, rather than any elegance of expression, renders very pathetic.<sup>z</sup> Having in vain endeavoured by courage to defend his throne from his armed adversaries, it now behoved him, by reasoning and persuasion, to save some fragments of it from these peaceful, and no less implacable, negotiators.

The vigour of the king's mind, notwithstanding the seeming decline of his body, here appeared unbroken and decayed. The parliamentary commissioners would allow none of his counsel to be present, and refused to enter into reasoning with any but himself. He alone, during the transactions of two months, was obliged to maintain the argument against fifteen men of the greatest parts and capacity in both Houses; and no advantage was ever obtained over him.<sup>a</sup> This was the scene, above all others, in which he was qualified to excel. A quick conception, a cultivated understanding, a chaste elocution, a dignified manner; by these accomplishments he triumphed in all discussions of cool and temperate reasoning. *The king is much changed*, said the Earl of Salisbury to Sir Philip Warwick: *He is extremely improved of late*. No, replied Sir Philip; *he was always so: but you are now at last sensible*

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Treaty of  
Newport.

<sup>u</sup> Clarendon, vol. v. p. 137.

<sup>v</sup> Whitlocke, p. 284.

<sup>w</sup> Clarendon, vol. v. p. 180. Sir Edward Walker's perfect copies, p. 6.

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<sup>x</sup> Sir Edward Walker's perfect copies, p. 8.

<sup>y</sup> Ibid, p. 838.

<sup>z</sup> Burnet's Memoirs of Hamilton. a Herbert's Memoirs, p. 72.

of it.<sup>b</sup> Sir Henry Vane, discoursing with his fellow-commissioners, drew an argument from the king's uncommon abilities, why the terms of pacification must be rendered more strict and rigid.<sup>c</sup> But Charles's capacity shone not equally in action as in reasoning.

The first point insisted on by the parliamentary commissioners, was the king's revoking all his proclamations and declarations against the parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former concession; but long scrupled the latter. The falsehood, as well as indignity, of that acknowledgment, beat in his breast an extreme reluctance against it. The king had no doubt, in some particulars of moment, invaded, from a seeming necessity, the privileges of his people: but having renounced all claim to these usurped powers, having confessed all his errors, and having repaired every breach in the constitution, and even erected new ramparts in order to secure it; he could no longer, at the commencement of the war, be represented as the aggressor. However it might be pretended, that the former display of his arbitrary inclinations, or rather his monarchical principles, rendered an offensive or preventive war in the parliament prudent and reasonable; it could never, in any propriety of speech, make it be termed a defensive one. But the parliament, sensible that the letter of the law condemned them as rebels and traitors, deemed this point absolutely necessary for their future security: and the king, finding that peace could be obtained on no other terms, at last yielded to it. He only entered a protest, which was admitted; that no concession made by him should be valid, unless the whole treaty of pacification were concluded.<sup>d</sup>

He agreed that the parliament should retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleased for their support. He even yielded to them the right of resuming, at any time afterwards, this authority, whenever they should declare such a resumption necessary for public safety. In effect, the important power of the sword was for ever ravished from him and his successors.<sup>e</sup>

He agreed, that all the great offices, during twenty years, should be filled by both Houses of parliament.<sup>f</sup> He relinquished to them the entire government of Ireland, and the conduct of the war there.<sup>g</sup> He renounced the power of the wards, and accepted of 100,000 pounds a year in lieu of it.<sup>h</sup> He acknowledged the validity of their great seal, and gave up his own.<sup>i</sup> He abandoned the power of creating Peers without consent of parliament: and he agreed that all the debts, contracted in order to support the war against him, should be paid by the people.

So great were the alterations made on the English constitution by this treaty, that the king said, not without reason, that he had been more an enemy to his people by these concessions, could he have prevented them, than by any other action of his life.

Of all the demands of the parliament, Charles refused only two. Though he relinquished almost every power of the crown, he would neither give up his friends to punishment, nor desert what he esteemed his religious duty. The severe repentance, which he had undergone, for abandoning Strafford, had, no doubt, confirmed him in the resolution never again to be guilty of a like error. His long solitude and severe afflictions had contributed to rivet

him the more in those religious principles, which had ever a considerable influence over him. His desire, however, of finishing an accommodation induced him to go as far in both these particulars, as he thought anywise consistent with his duty.

The estates of the royalists being, at that time, almost entirely under sequestration, Charles, who could give him no protection, consented that they should pay such compositions as they and the parliament could agree on, and only begged that they might be made as moderate as possible. He had not the disposal of offices; and it seemed but a small sacrifice to consent, that a certain number of his friends should be rendered incapable of public employments.<sup>k</sup> But when the parliament demanded a bill of attainder and banishment against seven persons, the Marquis of Newcastle, Lord Digby, Lord Byron, Sir Marmaduke Langdale, Sir Richard Granville, Sir Francis Doddington, and Judge Jenkins, the king absolutely refused compliance: their banishment for a limited time he was willing to agree to.<sup>l</sup>

Religion was the fatal point about which the differences had arisen; and of all others, it was the least susceptible of composition or moderation between the contending parties. The parliament insisted on the establishment of presbytery, the sale of the chapter lands, the abolition of all forms of prayer, and strict laws against catholics. The king offered to retrench every thing which he did not esteem of apostolical institution: he was willing to abolish archbishops, deans, prebends, canons: he offered, that the chapter lands should be let at low leases during ninety-nine years: he consented, that the present church government should continue during three years.<sup>m</sup> After that time, he required not that any thing should be restored to bishops but the power of ordination, and even that power to be exercised by advice of the presbyters.<sup>n</sup> If the parliament, upon the expiration of that period, still insisted on their demand, all other branches of episcopal jurisdiction were abolished, and a new form of church government must, by common consent, be established. The book of Common Prayer he was willing to renounce, but required the liberty of using some other liturgy in his own chapel.<sup>o</sup> A demand which, though seemingly reasonable, was positively refused by the parliament.

In the dispute on these articles, one is not surprised, that two of the parliamentary theologians should tell the king, *That if he did not consent to the utter abolition of episcopacy, he would be damned.* But it is not without some indignation that we read the following vote of the Lords and Commons: "The Houses, out of their detestation to that abominable idolatry used in the mass, do declare that they cannot admit of, or consent unto, any such indulgence in any law, as is desired by his majesty, for exempting the queen and her family from the penalties to be enacted against the exercise of the mass."<sup>p</sup> The treaty of marriage, the regard to the queen's sex and high station, even common humanity; all considerations were undervalued, in comparison of their bigoted prejudices.<sup>q</sup>

It was evidently the interest both of king and parliament, to finish their treaty with all expedition; and endeavour, by their combined force, to resist, if possible, the usurping fury of the army. It seemed even the interest of the parliament, to leave in the king's hand a considerable share of authority, by which he might be enabled to pro-

<sup>b</sup> Warwick, p. 324. <sup>c</sup> Clarendon, Sir Edward Walker, p. 319. <sup>d</sup> Walker, p. 11, 12, 24. <sup>e</sup> Ibid. p. 51. <sup>f</sup> Ibid. p. 78. <sup>g</sup> Ibid. p. 45. <sup>h</sup> Ibid. p. 67. <sup>i</sup> Ibid. p. 56, 66. <sup>k</sup> Ibid. p. 61. <sup>l</sup> Ibid. p. 91, 93. <sup>m</sup> Ibid. p. 29, 35, 49. <sup>n</sup> Ibid. p. 65. <sup>o</sup> Ibid. p. 75, 82. <sup>p</sup> *Testis*, vol. viii, p. 1343. <sup>q</sup> Walker, p. 71.

The king composed a letter to the prince, in which he related the whole course of this transaction, and accompanied his narrative with severe, wise, as well as pathetic reflections and admonitions. The words with which he concluded the letter, are remarkable. "By what hath been said, you may have long since observed, in the search of power, that you be disheartened to tread in the same steps. Use all worthy means to restore yourself to your rights; but prefer the way of peace: show the greatness of your mind, rather by conquering your enemies, by persuading, than by punishing. If you see, how unprofitably and unreasonably, that you be in this position in our ill wishers, you would avoid that spirit. Censure me not for having parted with so much of our right; the price was great; but the commodity was surely more, *peace to my people.*" After I said this, I thought that another parliament would remember, how useful a king's power is to a people's liberty; of how much power I divested myself, that I and they might meet once again in a parliamentary way, in order to agree the bounds of prince and people. Give belief to my experience, never to affect more splendour, splendour, splendour, than what is beneficial to the good of the subjects, not the satisfaction of favourites. If you this use it,

you will never want means to be a father to all, and a bountiful prince to any, when you incline to be extraordinarily gracious to you. You may perceive that all men intrust their treasure where it returns them interest; and if a prince, like the sea, receive and repay all the fresh streams which the rivers intrust with him, they will not grudge, but pride themselves to make him an open ocean. These considerations may make you as great a prince as your father. I have heard, and your state may be so much the more established, as mine hath been shaken. For our subjects have learned, I dare say, that victorious over their princes, are but triumph over themselves, and so will more unwillingly hearken to changes hereafter, than to those that I have named, and you shall see, by referring to myself, and therefore can the better digest whatever befalls me, not doubting but God's providence will restrain our enemies' power, and turn their fierceness into his praise. To conclude, if God give you success, use it humbly, and be ever far from revenge. If he restore you to your right on hard conditions, whatever you promise, keep. These men, who have violated laws which they were bound to preserve, will find their triumphs full of troubles. But do not you thank any thing in the world worth attending by heat and unjust means."

fect them and himself from so dangerous an enemy. But the terms on which they insisted were so rigorous, that the king, fearing no worse from the most implacable enemies, was in no haste to come to a conclusion. And so great was the bigotry on both sides, that they were willing to sacrifice the greatest civil interests, rather than relinquish the most minute of their theological contentions. From these causes, assisted by the artifice of the independents, the treaty was spun out to such a length, that the invasions and insurrections were every where subdued; and the army had leisure to execute their violent and sanguinary purposes.

Hamilton, having entered England with a numerous, though undisciplined, army, durst not unite his forces with those of Langdale; because the English royalists had refused to take the covenant; and the Scottish presbyterians, though engaged for the king, refused to join them on any other terms. The two armies marched together, though at some distance; nor could even the approach of the parliamentary army, under Cromwell, oblige the covenanters to consult their own safety, by a close union with the royalists. When principles are so absurd and so destructive of human society, it may safely be averred, that the more sincere and the more disinterested they are, they only become the more ridiculous and the more odious.

Cromwell feared not to oppose 8000 men, to the numerous armies of 20,000, commanded by Hamilton and Langdale. He attacked the latter by surprise, near Preston in Lancashire; and, though the royalists made a brave resistance, yet, not being succoured in time by their confederates, they were almost entirely cut in pieces. Hamilton was next attacked, put to rout, and pursued to Uttoxeter, where he surrendered himself prisoner. Cromwell followed his advantage; and, marching into Scotland with a considerable body, joined Argyle, who was also in arms; and having suppressed Lanerick, Monro, and other moderate presbyterians, he placed the power entirely in the hands of the violent party. The ecclesiastical authority, exalted above the civil, exercised the severest vengeance on all who had a share in Hamilton's engagement, as it was called; nor could any of that party recover trust, or even live in safety, but by doing solemn and public penance for taking arms, by authority of parliament, in defence of their lawful sovereign.

The Chancellor Loudon, who had, at first, countenanced Hamilton's enterprise, being terrified with the menaces of the clergy, had, some time before, gone over to the other party; and he now openly in the church, though invested with the highest civil character in the kingdom, did penance for his obedience to the parliament, which he termed a *carual self-seeking*. He accompanied his penance with so many tears, and such pathetic addresses to the people for their prayers in this his uttermost sorrow and distress, that a universal weeping and lamentation took place among the deluded audience.<sup>5</sup>

The loan of great sums of money, often to the ruin of families, was exacted from all such as lay under any suspicion of favouring the king's party; though their conduct had been ever so inoffensive. This was a device, fallen upon by the ruling party, in order, as they said, to reach *Heart Malignants*.<sup>6</sup> Never, in this island, was known a more severe and arbitrary government, than was generally exercised by the patrons of liberty in both kingdoms.

The siege of Colchester terminated in a manner no less unfortunate than Hamilton's engagement for the royal cause. After suffering the utmost extremities of famine, after feeding on the vilest aliments, the garrison desired, at last, to capitulate. Fairfax required them to surrender at discretion; and he gave such an explanation to these terms, as to reserve to himself power, if he pleased, to put them all instantly to the sword. The officers endeavoured, though in vain, to persuade the soldiers, by making a vigorous sally, to break through, at least to sell their lives as dear as possible. They were obliged<sup>7</sup> to accept of the conditions offered; and Fairfax, instigated by Ireton, to whom Cromwell, in his absence, had consigned over the

government of the passive general, seized Sir Charles Lucas and Sir George Lisle, and resolved to make them instant sacrifices to military justice. This unusual severity was loudly exclaimed against by all the prisoners. Lord Capel, fearless of danger, reproached Ireton with it; and challenged him, as they were all engaged in the same honourable cause, to exercise the same impartial vengeance on all of them. Lucas was first shot, and he himself gave orders to fire, with the same alacrity as if he had commanded a platoon of his own soldiers. Lisle instantly ran and kissed the dead body, then cheerfully presented himself to a like fate. Thinking that the soldiers, destined for his execution, stood at too great a distance, he called to them to come nearer: one of them replied, *I'll warrant you, Sir, we'll hit you*: he answered, smiling, *Friends, I have been nearer you when you have missed me*. Thus perished this generous spirit, not less beloved for his modesty and humanity, than esteemed for his courage and military conduct.

Soon after, a gentleman appearing in the king's presence, clothed in mourning for Sir Charles Lucas; that humane prince, suddenly recollecting the hard fate of his friends, paid them a tribute, which none of his own unparalleled misfortunes ever extorted from him: he dissolved into a flood of tears.<sup>8</sup>

By these multiplied successes of the army, they had subdued all their enemies; and none remained but the helpless king and parliament, to oppose their violent measures. From Cromwell's suggestion, a remonstrance was drawn by the council of general officers, and sent to the parliament. They there complain of the treaty with the king; demand his punishment for the blood spilt during the war; require a dissolution of the present parliament, and assert, that though servants, they are entitled to represent these important points to their masters, who are themselves no better than servants and trustees of the people. At the same time, they advanced with the army to Windsor, and sent Colonel Eure to seize the king's person at Newport, and convey him to Hurst-castle in the neighbourhood, where he was detained in strict confinement.

The king seized again by the army.

This measure being foreseen some time before, the king was exhorted to make his escape, which was conceived to be very easy: but having given his word to the parliament not to attempt the recovery of his liberty during the treaty, and three weeks after, he would not, by any persuasion, be induced to hazard the reproach of violating that promise. In vain was it urged, that a promise given to the parliament could no longer be binding; since they could no longer afford him protection from violence threatened him by other persons, to whom he was bound by no tie or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects; and was resolved, that what depredations soever fortune should commit upon him, she never should bereave him of his honour.<sup>9</sup>

The parliament lost not courage, notwithstanding the danger with which they were so nearly menaced. Though without any plan for resisting military usurpations, they resolved to withstand them to the uttermost; and rather to bring on a violent and visible subversion of government, than lend their authority to those illegal and sanguinary measures which were projected. They set aside the remonstrance of the army, without deigning to answer it; they voted the seizing of the king's person to be without their consent, and sent a message to the general, to know by what authority that enterprise had been executed; and they issued orders, that the army should advance no nearer to London.

Hollis, the present leader of the presbyterians, was a man of unconquerable intrepidity; and many others of that party seconded his magnanimous spirit. It was proposed by them, that the generals and principal officers should, for their disobedience and usurpations, be proclaimed traitors by the parliament.

But the parliament was dealing with men who would not be frightened by words, nor retarded by any scrupulous delicacy. The generals, under the name of Fairfax,

<sup>5</sup> 29th of August.  
<sup>6</sup> *Cottrell's*.

<sup>7</sup> Whitlocke, p. 360.  
<sup>8</sup> 18th of August.

<sup>9</sup> Whitlocke.  
<sup>10</sup> *Col. Cooke's Memoirs*, p. 174. Rush, vol. viii. p. 137.



(for he still allowed them to employ his name,) marched the army to London, and placing guards in Whitehall, the Mews, St. James's, Durham-house, Covent-garden, and Palace-yard, surrounded the parliament with their hostile armaments.

The parliament, destitute of all hopes of prevailing, retained, however, courage to resist. They attempted, in the face of the army, to close their treaty with the king; and though they had formerly voted his concessions with regard to the church and delinquents to be unsatisfactory, they now took into consideration the final resolution with regard to the whole. After a violent debate of three days, it was carried, by a majority of 129 against 83, in the House of Commons, that the king's concessions were a foundation for the Houses to proceed upon in the settlement of the kingdom.

Next day, when the Commons were to meet, Colonel Pride, formerly a drayman, had environed the House with two regiments; and, directed by Lord Grey of Groby, he

seized in the passage forty-one members of the presbyterian party, and sent them to a low room, which passed by the appellation of *hell*; whence they were afterwards carried to several inns. Above 160 members more were excluded; and none were allowed to enter but the most furious and the most determined of the independents; and these exceeded not the number of fifty or sixty. This invasion of the parliament commonly passed under the name of *Colonel Pride's purge*; so much disposed was the nation to make merry with the dethroning of those members, who had violently arrogated the whole authority of government, and deprived the king of his legal prerogatives.

The subsequent proceedings of the parliament, if this diminutive assembly deserve that honourable name, retain not the least appearance of law, equity, or freedom. They instantly reversed the former vote, and declared the king's concessions unsatisfactory. They determined that no member, absent at this last vote, should be received, till he subscribed it as agreeable to his judgment. They renewed their former vote of non-addresses. And they committed to prison Sir William Waller, Sir John Clotworthy, the generals Massey, Brown, Copley, and other leaders of the presbyterians. These men by their credit and authority, which was then very high, had, at the commencement of the war, supported the parliament; and thereby prepared the way for the greatness of the present leaders, who, at that time, were of small account in the nation.

The secluded members having published a paper, containing a narrative of the violence which had been exercised upon them, and a protestation, that all acts were void, which from that time had been transacted in the House of Commons, the remaining members encountered it with a declaration in which they pronounced it false, scandalous, seditious, and tending to the destruction of the visible and fundamental government of the kingdom.

These sudden and violent revolutions held the whole nation in terror and astonishment. Every man dreaded to be trampled under foot, in the contention between those mighty powers which disputed for the sovereignty of the state. Many began to withdraw their effects beyond sea: foreigners scrupled to give any credit to a people, so torn by domestic faction, and oppressed by military usurpation: even the internal commerce of the kingdom began to stagnate. And in order to remedy these growing evils, the generals, in the name of the army, published a declaration, in which they expressed their resolution of supporting law and justice.

The more to quiet the minds of men, the council of officers took into consideration a scheme, called *The agreement of the people*; being the plan of a republic, to be substituted in the place of that government which they had so violently pulled in pieces. Many parts of this scheme, for correcting the inequalities of the representative, are plausible, had the nation been disposed to receive it, or had the army intended to impose it. Other parts are too perfect for human nature, and savour strongly of that fanatical spirit so prevalent throughout the kingdom.

The height of all iniquity and fanatical extravagance yet remained; the public trial and execution of their sovereign. To this period was every measure precipitated by the zealous independents. The parliamentary leaders of that party had intended that the army, themselves, should execute that daring enterprise; and they deemed so irregular and lawless a deed best fitted to such irregular and lawless instruments.<sup>2</sup> But the generals were too wise to load themselves singly with the infamy which, they knew, must attend an action so shocking to the general sentiments of mankind. The parliament, they were resolved, should share with them the reproach of a measure which was thought requisite for the advancement of their common ends of safety and ambition. In the House of Commons, therefore, a committee was appointed to bring in a charge against the king. On their report a vote passed, declaring it treason in a king to levy war against his parliament, and appointing a HIGH COURT OF JUSTICE, to try Charles for this new invented treason. This vote was sent up to the House of Peers.

The House of Peers, during the civil wars, had, all along, been of small account; but it had lately, since the king's fall, become totally contemptible; and very few members would submit to the mortification of attending it. It happened, that day, to be fuller than usual, and they were assembled, to the number of sixteen. Without one dissenting voice, and almost without deliberation, they instantly rejected the vote of the lower House, and adjourned themselves for ten days; hoping that this delay would be able to retard the furious career of the Commons.

The Commons were not to be stopped by A. D. 1649. so small an obstacle. Having first established a principle, which is noble in itself, and seems specious, but is belied by all history and experience, *That the people are the origin of all just power*; they next declared, that the Commons of England, assembled in parliament, being chosen by the people, and representing them, are the supreme authority of the nation, and that whatever is enacted and declared to be law by the Commons, hath the force of law, without the consent of king or House of Peers. The ordinance for the trial of Charles Stuart, King of England, 4th Jan. so they called him, was again read, and unanimously assented to.

In proportion to the enormity of the violences and usurpations, were augmented the pretences of sanctity among those regicides. "Should any one have voluntarily proposed," said Cromwell in the House, "to bring the king to punishment, I should have regarded him as the greatest traitor; but, since Providence and necessity have cast us upon it, I will pray to God for a blessing on your councils; though I am not prepared to give you any advice on this important occasion. Even I myself," subjoined he, "when I was lately offering up petitions for his majesty's restoration, felt my tongue cleave to the roof of my mouth, and considered this preternatural movement as the answer which Heaven, having rejected the king, has sent to my supplications."

A woman of Hertfordshire, illuminated by prophetic visions, desired admittance into the military council, and communicated to the officers a revelation, which assured them that their measures were consecrated from above, and ratified by a heavenly sanction. This intelligence gave them great comfort, and much confirmed them in their present resolutions.<sup>2</sup>

Colonel Harrison, the son of a butcher, and the most furious enthusiast in the army, was sent with a strong party to conduct the king to London. At Windsor, Hamilton, who was there detained a prisoner, was admitted into the king's presence; and falling on his knees, passionately exclaimed, *My dear master!—I have indeed been so to you*, replied Charles, embracing him. No further intercourse was allowed between them. The king was instantly hurried away. Hamilton long followed him with his eyes, all suffused in tears, and prognosticated, that in this short salutation, he had given the last adieu to his sovereign and his friend.

Charles himself was assured, that the period of his life

was now approaching; but notwithstanding all the preparations which were making, and the intelligence which he received, he could not, even yet, believe that his enemies really meant to conclude their violences by a public trial and execution. A private assassination he every moment looked for; and though Harrison assured him, that his apprehensions were entirely groundless, it was by that catastrophe, so frequent with dethroned princes, that he expected to terminate his life. In appearance, as well as in reality, the king was now dethroned. All the exterior symbols of sovereignty were withdrawn, and his attendants had orders to serve him without ceremony. At first, he was shocked with instances of rudeness and familiarity, to which he had been so little accustomed. *Nothing so contemptible as a dethroned prince!* was the reflection which they suggested to him. But he soon reconciled his mind to this, as he had done to his other calamities.

All the circumstances of the trial were now adjusted; and the high court of justice fully constituted. It consisted of 133 persons as named by the Commons; but there scarcely ever sat above 70: so difficult was it, notwithstanding the blindness of prejudice and the allurements of interest, to engage men of any name or character in that criminal measure. Cromwell, Ireton, Harrison, and the chief officers of the army, most of them of mean birth, were members, together with some of the lower House, and some citizens of London. The twelve judges were at first appointed in the number: but as they had affirmed, that it was contrary to all the ideas of English law to try the king for treason, by whose authority all accusations for treason must necessarily be conducted; their names, as well as those of some Peers, were afterwards struck out. Bradshaw, a lawyer, was chosen president. Coke was appointed solicitor for the people of England. Dorislaus, Steele, and Aske, were named assistants. The court sat in Westminster-hall.

It is remarkable, that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inserted in the number, a voice came from one of the spectators, and cried, *He has more wit than to be here.* When the charge was read against the king, *In the name of the people of England;* the same voice exclaimed, *not a tenth part of them.* Axtel the officer, who guarded the court, giving orders to fire into the box whence these insolent speeches came; it was discovered that Lady Fairfax was there, and that it was she who had had the courage to utter them. She was a person of noble extraction, daughter of Horace, Lord Vere of Tilbury; but being seduced, by the violence of the times, she had long seconded her husband's zeal against the royal cause, and was now, as well as he, struck with abhorrence at the fatal and unexpected consequence of all his boasted victories.

The pomp, the dignity, the ceremony of this transaction corresponded to the greatest conception that is suggested in the annals of human kind; the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust. The solicitor, in the name of the Commons, represented, that Charles Stuart, being admitted King of England, and *intrusted* with a limited power; yet nevertheless from a wicked design to erect an unlimited and tyrannical government, had traitorously and maliciously feigned war against the present parliament, and the people whom they represented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finished, the president directed his discourse to the king, and told him, that the court expected his answer.

The king, though long detained a prisoner, and now produced as a criminal, sustained, by his magnanimous courage, the majesty of a monarch. With great temper and dignity, he declined the authority of the court, and refused to submit himself to their jurisdiction. He represented, that having been engaged in treaty with his two Houses of parliament, and having finished almost every article, he had expected to be brought to his capital in another manner, and ere this time, to have been restored to his power, dignity, revenue, as well as to his personal liberty: that he could not now perceive any appearance of

the upper House, so essential a member of the constitution; and had learned, that even the Commons, whose authority was pretended, were subdued by lawless force, and were bereaved of their liberty: that he himself was *their NATIVE HEREDITARY KING*; nor was the whole authority of the state, though free and united, entitled to try him, who derived his dignity from the Supreme Majesty of heaven: that, admitting those extravagant principles which levelled all orders of men, the court could plead no power delegated by the people; unless the consent of every individual, down to the meanest and most ignorant peasant, had been previously asked and obtained: that he acknowledged, without scruple, that he had a *trust* committed to him, and one most sacred and inviolable; he was intrusted with the liberties of his people, and would not now betray them, by recognising a power founded on the most atrocious violence and usurpation: that having taken arms, and frequently exposed his life in defence of public liberty, of the constitution, of the fundamental laws of the kingdom, he was willing, in this last and most solemn scene, to seal with his blood those precious rights for which, though in vain, he had so long contended: that those who arrogated a title to sit as his judges, were born his subjects, and born subjects to those laws, which determined, *that the king can do no wrong*: that he was not reduced to the necessity of sheltering himself under this general maxim, which guards every English monarch, even the least deserving; but was able, by the most satisfactory reasons, to justify those measures, in which he had been engaged: that to the whole world, and even to them, his pretended judges, he was desirous, if called upon in another manner, to prove the integrity of his conduct, and assert the justice of those defensive arms, to which, unwillingly and unfortunately, he had had recourse: but that, in order to preserve a uniformity of conduct, he must at present forego the apology of his innocence; lest, by ratifying an authority, no better founded than that of robbers and pirates, he be justly branded as the betrayer, instead of being applauded as the martyr, of the constitution.

The president, in order to support the majesty of the people, and maintain the superiority of his court above the prisoner, still inculcated, that he must not decline the authority of his judges; that they overruled his objections; that they were delegated by the people, the only source of every lawful power; and that kings themselves acted but in trust from that community, which had invested this high court of justice with its jurisdiction. Even according to those principles, which in his present situation he was perhaps obliged to adopt, his behaviour in general will appear not a little harsh and barbarous; but when we consider him as a subject, and one too of no high character, addressing himself to his unfortunate sovereign, his style will be esteemed, to the last degree, audacious and insolent.

Three times was Charles produced before the court, and as often declined their jurisdiction. On the fourth, the judges having examined some witnesses, by whom it was proved that the king had appeared in arms against the forces commissioned by the parliament; they pronounced sentence against him. He seemed very anxious, at this time, to be admitted to a conference with the two Houses; and it was supposed, that he intended to resign the crown to his son: but the court refused compliance, and considered that request as  
27th Jan.

It is confessed, that the king's behaviour, during this last scene of his life, does honour to his memory; and that in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmost perspicuity and justness both of thought and expression: mild and equitable, he rose into no passion at that unusual authority which was assumed over him. His soul, without effort or affectation, seemed only to remain in the situation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The soldiers, instigated by their superiors, were brought, though with difficulty, to cry aloud for justice: *Poor souls!* said the king to one of his attendants; *for a little money they would do as much*

against their commanders.<sup>b</sup> Some of them were permitted to get the utmost length of brutal insolence, and to spit in his face, as he was conducted along the passage to the court. To excite a sentiment of piety was the only effect which this inhuman insult was able to produce upon him.

The people, though under the rod of lawless unlimited power, could not forbear, with the most ardent prayers, pouring forth their wishes for his preservation; and, in his present distress, they avowed him, by their generous tears, for their monarch, whom, in their misguided fury, they had before so violently rejected. The king was softened at this moving scene, and expressed his gratitude for their dutiful affection. One soldier, too, seized by contagious sympathy, demanded from Heaven a blessing on oppressed and fallen majesty: his officer, overhearing the prayer, beat him to the ground in the king's presence. *The punishment, methinks, exceeds the offence:* this was the reflection which Charles formed on that occasion.<sup>c</sup>

As soon as the intention of trying the king was known in foreign countries, so enormous an action was exclaimed against by the general voice of reason and humanity; and all men, under whatever form of government they were born, rejected this example, as the utmost effort of undisguised usurpation, and the most heinous insult on law and justice. The French ambassador, by orders from his court, interposed in the king's behalf: the Dutch employed their good offices: the Scots exclaimed and protested against the violence: the queen, the prince, wrote pathetic letters to the parliament. All solicitations were found fruitless with men whose resolutions were fixed and irrevocable.

Four of Charles's friends, persons of virtue and dignity, Richmond, Hertford, Southampton, Lindesey, applied to the Commons. They represented that they were the king's counsellors, and had concurred, by their advice, in all those measures which were now imputed as crimes to their royal master: that in the eye of the law, and according to the dictates of common reason, they alone were guilty, and were alone exposed to censure for every blamable action of the prince: and that they now presented themselves, in order to save, by their own punishment, that precious life, which it became the Commons themselves, and every subject, with the utmost hazard, to protect and defend.<sup>d</sup> Such a generous effort tended to their honour; but contributed nothing towards the king's safety.

The people remained in that silence and astonishment which all great passions, when they have not an opportunity of exerting themselves, naturally produce in the human mind. The soldiers being incessantly plied with prayers, sermons, and exhortations, were wrought up to a degree of fury, and imagined, that in the acts of the most extreme disloyalty towards their prince, consisted their greatest merit in the eye of Heaven.<sup>e</sup>

Three days were allowed the king between his sentence and his execution. This interval he passed with great tranquillity, chiefly in reading and devotion. All his family that remained in England were allowed access to him. It consisted only of the Princess Elizabeth and the Duke of Gloucester; for the Duke of York had made his escape. Gloucester was little more than an infant: the princess, notwithstanding her tender years, showed an advanced judgment; and the calamities of her family had made a deep impression upon her. After many pious consolations and advices, the king gave her in charge to tell the queen, that, during the whole course of his life, he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderness and his life should have an equal duration.

To the young duke, too, he could not forbear giving some advice, in order to season his mind with early principles of loyalty and obedience towards his brother, who was so soon to be his sovereign. Holding him on his knee, he said, "Now they will cut off thy father's head." At these words the child looked very stedfastly upon him. "Mark, child! what I say: they will cut off my head! and perhaps make thee a king: but mark what I say, thou must not be a king, as long as thy brothers Charles and James are alive. They will cut off thy brothers' heads,

when they can catch them! And thy head too they will cut off at last! Therefore, I charge thee, do not be made a king by them!" The duke, sighing, replied, "I will be torn in pieces first!" So determined an answer, from one of such tender years, filled the king's eyes with tears of joy and admiration.

Every night, during this interval, the king slept sound as usual; though the noise of workmen employed in framing the scaffold, and other preparations for his execution, continually resounded in his ears.<sup>f</sup> The morning of the fatal day he rose early; and calling Herbert, one of his attendants, he bade him employ more than usual care in dressing him, and preparing him for so great and joyful a solemnity. Bishop Juxon, a man endowed 30th Jan. with the same mild and steady virtues by which the king himself was so much distinguished, assisted him in his devotions, and paid the last melancholy duties to his friend and sovereign.

The street before Whitehall was the place and execution. destined for the execution: for it was intended, by choosing that very place, in sight of his own palace, to display more evidently the triumph of popular justice over royal majesty. When the king came upon the scaffold, he found it so surrounded with soldiers, that he could not expect to be heard by any of the people: he addressed therefore his discourse to the few persons who were about him; particularly Colonel Tomlinson, to whose care he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire conversion. He justified his own innocence in the late fatal wars, and observed that he had not taken arms till after the parliament had enlisted forces; nor had he any other object in his warlike operations, than to preserve that authority entire, which his predecessors had transmitted to him. He threw not, however, the blame upon the parliament; but was more inclined to think that ill-instruments had interposed, and raised in them fears and jealousies with regard to his intentions. Though innocent towards his people, he acknowledged the equity of his execution in the eyes of his Maker; and observed, that an unjust sentence, which he had suffered to take effect, was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death; but exhorted them and the whole nation to return to the ways of peace, by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, Bishop Juxon called to him: "There is, Sir, but one stage more, which, though turbulent and troublesome, is yet a very short one. Consider, it will soon carry you a great way; it will carry you from earth to heaven; and there you shall find, to your great joy, the prize to which you hasten, a crown of glory." "I go," replied the king, "from a corruptible to an incorruptible crown; where no disturbance can have place." At one blow was his head severed from his body. A man in a vizor performed the office of executioner: another, in a like disguise, held up to the spectators the head streaming with blood, and cried aloud, *This is the head of a traitor!* It is impossible to describe the grief, indignation, and astonishment, which took place, not only among the spectators, who were overwhelmed with a flood of sorrow, but throughout the whole nation, as soon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of success and victory, was more dear to his people, than his misfortunes and magnanimity, his patience and piety, had rendered this unhappy prince. In proportion to their former delusions, which had animated them against him, was the violence of their return to duty and affection; while each reproached himself, either with active disloyalty towards him, or with too indolent defence of his oppressed cause. On weaker minds, the effect of these complicated passions was prodigious. Women are said to have cast forth the untimely fruit of their womb: others fell into convulsions, or sunk into such a melancholy as attended them to their grave: nay, some, unmindful of themselves, as though they could not or would not survive their beloved prince, it is reported, suddenly fell down dead. The very pulpits were bedewed with unsuborned

<sup>b</sup> Esmond's History, vol. i. p. 1425.

<sup>c</sup> Esmond's History, vol. i. p. 1425.

<sup>d</sup> Warwicke, p. 179.

<sup>e</sup> Parnet's History of his own Times.

<sup>f</sup> Clement Walker's History of Independency.



tears; those pulpits, which had formerly thundered out the most violent imprecations and anathemas against him. And all men united in their detestation of those hypocritical parades, who, by sanctified pretences, had so long disguised their reasons, and in this last act of iniquity had thrown an indelible stain upon the nation.

A fresh instance of hypocrisy was displayed the very day of the king's death. The generous Fairfax, not content with being absent from the trial, had used all the interest which he yet retained, to prevent the execution of the fatal sentence; and had even employed persuasion with his own regiment, though none else would follow him, to rescue the king from his disloyal murderers. Cromwell and Ireton, informed of this intention, endeavoured to convince him that the Lord had rejected the king; and they exhorted him to seek by prayer some direction from heaven on this important occasion: but they concealed from him that they had already signed the warrant for the execution. Harrison was the person appointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant, till intelligence arrived, that the fatal blow was struck. He then rose from his knees, and insisted with Fairfax, that this event was a miraculous and providential answer, which heaven had sent to their devout supplications.<sup>5</sup>

It being remarked, that the king, the moment before he stretched out his neck to the executioner, had said to Juxon, with a very earnest accent, the single word **REMEMBER**, great mysteries were supposed to be concealed under that expression; and the generals vehemently insisted with the prelate, that he should inform them of the king's meaning. Juxon told them, that the king, having frequently charged him to inculcate on his son the forgiveness of his murderers, had taken this opportunity, in the last moment of his life, when his commands, he supposed, would be regarded as sacred and inviolable, to reiterate that desire; and that his mild spirit thus terminated its present course, by an act of benevolence towards his greatest enemies.

The character of this prince, as that of most men, if not of all men, was mixed; but his virtues predominated extremely above his vices, or, more properly speaking, his imperfections: for scarce any of his faults rose to that pitch as to merit the appellation of vices. To consider him in the most favourable light, it may be affirmed that his dignity was free from pride, his humanity from weakness, his bravery from rashness, his temperance from austerity, his frugality from avarice: all these virtues in him maintained their proper bounds, and merited unreserved praise. To speak the most harshly of him, we may affirm, that many of his good qualities were attended with some latent

frailty, which, though seemingly inconsiderable, was able, when seconded by the extreme malevolence of his fortune, to disappoint them of all their influence: his beneficent disposition was clouded by a manner not very gracious; his virtue was tinged with superstition; his good sense was disfigured by a deference to persons of a capacity inferior to his own; and his moderate temper exempted him not from hasty and precipitate resolutions. He deserves the epithet of a good, rather than of a great, man; and was more fitted to rule in a regular established government, than either to give way to the encroachments of a popular assembly, or finally to subdue their pretensions. He wanted suppleness and dexterity sufficient for the first measure: he was not endowed with the vigour requisite for the second. Had he been born an absolute prince, his humanity and good sense had rendered his reign happy and his memory precious: had the limitations on prerogative been in his time quite fixed and certain, his integrity had made him regard as sacred the boundaries of the constitution. Unhappily, his fate threw him into a period when the precedents of many former reigns savoured strongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not sufficient to extricate him from so perilous a situation, he may be excused; since even after the event, when it is commonly easy to correct all errors, one is at a loss to determine what conduct, in his circumstances, could have maintained the authority of the crown, and preserved the peace of the nation. Exposed, without revenue, without arms, to the assault of furious, implacable, and bigoted factions, it was never permitted him, but with the most fatal consequences, to commit the smallest mistake; a condition too rigorous to be imposed on the greatest human capacity.

Some historians have rashly questioned the good faith of this prince: but, for this reproach, the most malignant scrutiny of his conduct, which in every circumstance is now thoroughly known, affords not any reasonable foundation. On the contrary, if we consider the extreme difficulties to which he was so frequently reduced, and compare the sincerity of his professions and declarations; we shall avow, that probity and honour ought justly to be numbered among his most shining qualities. In every treaty, those concessions which he thought he could not in conscience maintain, he never could, by any motive or persuasion, be induced to make. And though some violations of the petition of right may perhaps be imputed to him; these are more to be ascribed to the necessity of his situation, and to the lofty ideas of royal prerogative, which, from former established precedents, he had imbibed, than to any failure in the integrity of his principles.<sup>6</sup>

<sup>5</sup> Herbert, p. 145.

<sup>6</sup> The imputation of insincerity on Charles I., like most party clamours, is difficult to be removed; though it may not here be improper to say that, in the several places, in dispute, and at a time when he was weary from that view, he was received, distant, solely, cold in his address, plain in his discourse, inflexible in his principles, wary of the caresses, insinuating manners of his sons, or the protesting, talkative humour of his ladies. He had no more to say, than that he was weary of his public actions, which we are therefore in the third place to examine. The following are the only instances which I find cited to confirm that accusation. (1.) His vouching Buckingham's narrative of the transactions in Spain.—But it is evident that Charles himself was deceived; why other wise did he quarrel with Spain? The following is a passage of a letter from Lord Kensington, ambassador in France, to the Duke of Buckingham, Feb. 31st. "But his highness (the prince) had observed as great a weakness and folly as that, in that after they (the Spaniards) had used him so ill, they would suffer him to depart, which was one of the first speeches he uttered after he came into the ship: but did he say so, said the queen, the prince. Yes, Madam, I will assure you, quoth I, from the witness of mine own ears. She smiled and replied, I heard he was used ill. So he was, answered I, but not in his entertainment, for that was as splendid as that country could afford it; but in their frivolous delays, and in the disadvantage which they had of his princely person." (2.) By Burrow in his History of the House of Hamilton, p. 154, has preserved not a letter of the king's to the Scottish bishops, in which he desires them not to be present at the parliament, where they would be forced to ratify the abolition of their own ears. "Then," adds the king, "we do hereby assure you, that it shall be still one of our chiefest studies how to rectify and establish the government of that church, and to repair your losses, which we desire you to be contented with. And in another place, 'You may rest assured, that if we perhaps may give you the present that which we have prepared and sold to the church and our own government, yet we shall not leave thinking a time to us to remedy both.' But does the king say that he will arbitrarily revoke his edicts? Does not candid require us rather to suppose that he hoped his authority would so far recover as to

enable him to obtain the national consent to re-establish episcopacy, which he believed so material a part of religion as well as of government? It is not easy indeed to think how he could hope to effect this purpose in any other way than his father had taken, that is, by consent of parliament. (3.) There is a passage in Lord Clarendon; where it is said, that the king assented the more easily to the bill, which excluded the bishops from the House of Peers; because he thought, that that law being enacted by force, could not be valid. But the king certainly reasoned right in that conclusion. Three-fourths of the temporal Peers were at that time banished by the violence of the populace: twelve bishops were unjustly thrown into the Tower by the Commons. Great numbers of the Commons themselves were kept away by fear or violence, the king himself was charged from London. If all this be not true, there is no such thing. But is scruple of the king's affects only the bishops' bill, and that against pressing. The other constitution laws had passed without the least appearance of violence, as did indeed all the bills passed during the first year, except Strafford's attainder, which could not be recalled. The parliament, therefore, even if they had known the king's sentiments in this particular, could not, on that account, have had any just foundation of jealousy. (4.) The king's letter intercepted at Naseby, has been the source of much clamour. "We have spoken of it already in chap. lviii. Nothing is more usual in all public transactions than such distinctions. After the death of Charles II. of Spain, wrote the treaty, that the French king should acknowledge the title of King of Spain, yet at that very time King William was secretly forming alliances to detrone him, and soon after he raised him that title, and insisted as he had reason that he had not acknowledged his title. Yet could he have had reason to justify his conduct. There was no objection so not regarded as any objection to his character, in that particular. In all the negotiations at the peace of Ryswick, the French ambassadors always addressed King William as King of England; yet it was made an article of the treaty, that the French king should acknowledge him as such. Such a palpable difference is there between giving a title to a prince, and positively recognising his right to it. I may add, that Charles, when he inserted that protestation in the council-books, before his council, surely thought he had reason to justify his conduct. There were many men of honour in that company to avow a palpable cheat. To which we may subjoin, that if men were as much disposed to judge of this prince's actions with candour as severity, this pretence of asserting a principle in his council-books might rather pass for a proof of scrupulous honour; let us he should afterwards be reproached with breach of his word, when he should think proper again to declare the assembly at Westminster no parliament. (5.) The king's declaration in his council, that he considered another instance which has been cited. This matter has been already treated in a

This prince was of a comely presence; of a sweet, but melancholy aspect. His face was regular, handsome, and well complexioned; his body strong, healthy, and justly proportioned; and being of a middle stature, he was capable of enduring the greatest fatigues. He excelled in horsemanship and other exercises; and he possessed all the exterior, as well as many of the essential, qualities which form an accomplished prince.

The tragical death of Charles begat a question, whether the people, in any case, were entitled to judge and to punish their sovereign; and most men, regarding chiefly the atrocious usurpation of the pretended judges, and the merit of the virtuous prince who suffered, were inclined to condemn the republican principle as highly seditious and extravagant: but there still were a few who, abstracting from the particular circumstances of this case, were able to consider the question in general, and were inclined to moderate, not contradict, the prevailing sentiment. Such might have been their reasoning. If ever, on any occasion, it were laudable to conceal truth from the populace, it must be confessed, that the doctrine of resistance affords such an example; and that all speculative reasoners ought to observe, with regard to this principle, the same cautious silence, which the laws in every species of government have ever prescribed to themselves. Government is instituted in order to restrain the fury and injustice of the people; and being always founded on opinion, not on force, it is dangerous to weaken, by these speculations, the reverence which the multitude owe to authority, and to instruct them beforehand, that the case can ever happen, when they may be freed from their duty of allegiance. Or should it be found impossible to restrain the license of human disquisitions, it must be acknowledged, that the doctrine of obedience ought alone to be *inculcated*, and that the exceptions, which are rare, ought seldom or never to be mentioned in popular reasonings and discourses. Nor is there any danger, that mankind, by this prudent reserve, should universally degenerate into a state of abject servitude. When the exception really occurs, even though it be not previously expected and descanted on, it must, from its very nature, be so obvious and undisputed, as to remove all doubt, and overpower the restraint, however great, imposed by teaching the general doctrine of obedience. But between resisting a prince and dethroning him, there is a wide interval; and the abuses of power, which can warrant the latter violence, are greater and more enormous than those which will justify the former. History, however, supplies us with examples even of this kind; and the reality of the supposition, though, for the future, it ought ever to be little looked for, must, by all candid inquirers, be acknowledged in the past. But between dethroning a prince and punishing him, there is another very wide interval; and it were not strange, if even men of the most enlarged thought should question, whether human nature could ever in any monarch reach that height of depravity, as to warrant, in revolted subjects, this last act of extraordinary jurisdiction. That illusion, if it be an illusion, which teaches us to pay a sacred regard to the persons of princes, is so salutary, that to dissipate it by the formal trial and punishment of a sovereign, will have more pernicious effects upon the people, than the example of justice can be supposed to have a beneficial influence upon princes, by checking their career of tyranny. It is dangerous, also, by these examples to reduce princes to despair, or

bring matters to such extremities against persons endowed with great power, as to leave them no resource, but in the most violent and most sanguinary counsels. This general position being established, it must however be observed, that no reader, almost of any party or principle, was ever shocked, when he read in ancient history, that the Roman senate voted Nero, their absolute sovereign, to be a public enemy, and even without trial, condemned him to the severest and most ignominious punishment; a punishment from which the meanest Roman citizen was, by the laws, exempted. The crimes of that bloody tyrant are so enormous, that they break through all rules; and extort a confession, that such a dethroned prince is no longer superior to his people, and can no longer plead, in his own defence, laws, which were established for conducting the ordinary course of administration. But when we pass from the case of Nero to that of Charles, the great disproportion, or rather total contrariety, of character immediately strikes us; and we stand astonished, that, among a civilized people, so much virtue could ever meet with so fatal a catastrophe. History, the great mistress of wisdom, furnishes examples of all kinds; and every prudential as well as moral precept, may be authorized by those events, which her enlarged mirror is able to present to us. From the memorable revolutions which passed in England during this period, we may naturally deduce the same useful lesson, which Charles himself, in his later years, inferred, that it is dangerous for princes, even from the appearance of necessity, to assume more authority than the laws have allowed them. But it must be confessed that these events furnish us with another instruction, no less natural, and no less useful, concerning the madness of the people, the furies of fanaticism, and the danger of mercenary armies.

In order to close this part of the British history, it is also necessary to relate the dissolution of the monarchy in England: that event soon followed upon the death of the monarch. When the Peers met, on the 6th Feb. day appointed in their adjournment, they entered upon business and sent down some votes to the Commons, of which the latter deigned not to take the least notice. In a few days the lower House passed a vote that they would make no more addresses to the House of Peers, nor receive any from them; and that that House was useless and dangerous, and was therefore to be abolished. A like vote passed with regard to the monarchy; and it is remarkable, that Martin, a zealous republican, in the debate on this question, confessed, that if they desired a king, the last was as proper as any gentleman in England.<sup>1</sup> The Commons ordered a new great seal to be engraved, on which that assembly was represented, with this legend, ON THE FIRST YEAR OF FREEDOM, BY GOD'S BLESSING, RESTORED, 1648. The forms of all public business were changed, from the king's name, to that of the keepers of the liberties of England.<sup>2</sup> And it was declared high treason to proclaim, or any otherwise acknowledge, Charles Stuart, commonly called Prince of Wales.

The Commons intended, it is said, to bind the princess Elizabeth apprentice to a button-maker: the Duke of Gloucester was to be taught some other mechanical employment. But the former soon died; of grief, as is supposed, for her father's tragical end: the latter was, by Cromwell, sent beyond sea.

The king's statue, in the Exchange, was thrown down;

popular party themselves, as a model, in this, particular, for his government. Nor is it sufficient to say, that example and precedent can never authorize vice: example and precedents, uniform and ancient, can surely fix the nature of any constitution, and the limits of any form of government. There is indeed no other principle by which those land marks or boundaries can be settled.

What a paradox in human affairs, that Henry VIII. should have been almost adored in his lifetime, and his memory be respected; while Charles I. should, by the same people, at no greater distance than a century, have been led to a public and ignominious execution, and his name be ever after pursued by falsehood and by obloquy! Even at present, an historian who, prompted by his courageous candour, should venture, though from the most authentic and undisputed facts, to vindicate the fame of that prince, would be sure to meet with such treatment, as would encourage even the boldest from so dangerous, however splendid, an enterprise.

<sup>1</sup> See also the History of Independency, part 2.

<sup>2</sup> The court of King's Bench was called the court of Public Benefit. So cautious on this head were some of the republicans, that, it is pretended, in reciting the Lord's prayer, they would not say *thy kingdom come*, but always *thy commonwealth come*.

note to chap. lvi. that transaction was entirely innocent. Even if the king had given a commission to Glamorgan to conclude that treaty, and had ratified it, with any reasonable man in our age that it strange, that, in order to save his own life, his crown, his family, his friends, and his party, he should make a treaty with papists, and grant them such large commissions for their rebellion. 6. There is another of the king's intercepted letters to the queen, commonly mentioned, where it is pretended, he is detected raising and then destroying Cromwell; but that story stands on no manner of foundation, as we have observed in a preceding note to transcript. In a word, be parliament, after the commencement of their seditious, and still more, after beginning the civil war, had reason for their suspicions and persecutions, founded on the very nature of their situation, and on the general propensity of the human mind; not on any fault of the king's character, who was candid, sincere, upright, as much as any man whom we meet with in history. Perhaps it would be difficult to find another character so unexceptionable in this particular.

As to the other circumstance, viz. Charles's character, chiefly exclaimed against, namely, his arbitrary principles in government, one may venture to assert, that the greatest enemies of this prince will not find, in the long train of his proceedings, from the Conquest to his time, any one king, except perhaps his father, whose administration was not more arbitrary and oppressive, or whose conduct could have been recommended to him by the

and on the pedestal these words were inscribed: *EXIT TYRANNUS, REGUM ULTIMUS; The tyrant is gone, the last of the kings.*

Duke Hamilton was tried by a new high court of justice, as Earl of Cambridge in England; and condemned for treason. This sentence, which was certainly hard, but which ought to save his memory from all imputations of treachery to his master, was executed on a scaffold erected before Westminster-hall. Lord Capel underwent the same fate. Both these noblemen had escaped from prison, but were afterwards discovered and taken. To all the solicitations of their friends for pardon, the generals and parliamentary leaders still replied, that it was certainly the intention of Providence they should suffer; since it had permitted them to fall into the hands of their enemies, after they had once recovered their liberty.

The Earl of Holland lost his life by a like sentence. Though of a polite and courtly behaviour, he died lamented by no party. His ingratitude to the king, and his frequent changing of sides, were regarded as great stains on his memory. The Earl of Norwich, and Sir John Owen, being condemned by the same court, were pardoned by the Commons.

The king left six children; three males, Charles, born in 1630, James, Duke of York, born in 1633, Henry, Duke of Gloucester, born in 1641; and three females, Mary, Princess of Orange, born 1631, Elizabeth, born 1635, and Henrietta, afterwards Duchess of Orleans, born at Exeter, 1644.

The Archbishops of Canterbury in this reign were Abbot and Laud: the lord-keepers, Williams, Bishop of Lincoln, Lord Coventry, Lord Finch, Lord Littleton, and Sir Richard Lane; the high admirals, the Duke of Buckingham, and the Earl of Northumberland; the treasurer, the Earl of Marlborough, the Earl of Portland, Juxon, Bishop of London, and Lord Cottington; the secretaries of state, Lord Conwav, Sir Albertus Moreton, Coke, Sir Henry Vane, Lord Falkland, Lord Digby, and Sir Edward Nicholas.

It may be expected, that we should here mention the *Icon Basiliké*, a work published in the king's name a few days after his execution. It seems almost impossible, in the controverted parts of history, to say any thing which will satisfy the zealots of both parties: but with regard to the genuineness of that production, it is not easy for an historian to fix any opinion which will be entirely to his own satisfaction. The proofs brought to evince that this work is or is not the king's are so convincing, that if an impartial reader peruse any one side apart, he will think it impossible that arguments could be produced, sufficient to counterbalance so strong an evidence: and when he compares both sides, he will be some time at a loss to fix any determination. Should an absolute suspense of judgment be found difficult or disagreeable in so interesting a question, I must confess, that I much incline to give the preference to the arguments of the royalists. The testimonies which prove that performance to be the king's, are more numerous, certain, and direct, than those on the other side. This is the case, even if we consider the external evidence: but when we weigh the internal, derived from the style and composition, there is no manner of comparison. These meditations resemble, in elegance, purity, neatness, and simplicity, the genius of those performances which we know with certainty to have flowed from the royal pen: but are so unlike the bombast, perplexed, rhetorical, and corrupt style of Dr. Gauden, to whom they are ascribed, that no human testimony seems sufficient to convince us that he was the author. Yet all the evidences which would rob the king of that honour, tend to prove that Dr. Gauden had the merit of writing so fine a performance, and the infamy of imposing it on the work of the king's.

It is not easy to conceive the general compassion excited towards the king, by the publishing, at so critical a juncture, a work so full of piety, meekness, and humanity. Many have not scrupled to ascribe to that book the

subsequent restoration of the royal family. Milton compares its effects to those which were wrought on the tumultuous Romans by Antony's reading to them the will of Cæsar. The *Icon* passed through fifty editions in a twelvemonth; and independent of the great interest taken in it by the nation, as the supposed production of their murdered sovereign, it must be acknowledged the best prose composition, which, at the time of its publication, was to be found in the English language.

## CHAP. LX.

## THE COMMONWEALTH.

State of England of Scotland—of Ireland. Levellers suppressed. — Siege of Dublin raised — Ireland subdued — Levellers. Nineteen taken prisoner — Executed — Covenanters. Battle of Dunbar — Worcester. — King's Escape. — The Commonwealth. — Dutch War. — Dissolution of the Parliament.

THE confusions which overspread England after the murder of Charles I., proceeded as well from the spirit of refinement and innovation, which agitated the ruling party, as from the dissolution of all that authority, both civil and ecclesiastical, by which the nation had ever been accustomed to be governed. Every man had framed the model of a republic, and however new it was, or fantastical, he was eager in recommending it to his fellow-citizens, or even imposing it by force upon them. Every man had adjusted a system of religion, which, being derived from no traditional authority, was peculiar to himself; and being founded on supposed inspiration, not on any principles of human reason, had no means, besides cant and low rhetoric, by which it could recommend itself to others. The levellers insisted on an equal distribution of power and property, and disclaimed all dependence and subordination. The millenarians or fifth monarchy men required, that government itself should be abolished, and all human powers be laid in the dust, in order to pave the way for the dominion of Christ, whose second coming they suddenly expected. The Antinomians even insisted, that the obligations of morality and natural law were suspended, and that the elect, guided by an internal principle more perfect and divine, were superior to the *beggarly elements* of justice and humanity. A considerable party declaimed against tithes and hireling priesthood, and were resolved that the magistrate should not support by power or revenue any ecclesiastical establishment. Another party inveighed against the law and its professors; and on pretence of rendering more simple the distribution of justice, were desirous of abolishing the whole system of English jurisprudence, which seemed interwoven with monarchical government. Even those among the republicans who adopted not such extravagances, were so intoxicated with their saintly character, that they supposed themselves possessed of peculiar privileges; and all professions, oaths, laws, and engagements, had, in a great measure, lost their influence over them. The bands of society were every where loosened; and the irregular passions of men were encouraged by speculative principles, still more unsocial and irregular.

The royalists, consisting of the nobles and more considerable gentry, being degraded from their authority, and plundered of their property, were inflamed with the highest resentment and indignation against those ignoble adversaries, who had reduced them to subjection. The presbyterians, whose credit at first supported the arms of the parliament, were enraged to find that, by the treachery or superior cunning of their associates, the fruits of all their successful labours were ravished from them. The former party, from inclination and principle, zealously attached themselves to the son of their unfortunate monarch, whose memory they respected, and whose tragical death they deplored. The latter cast their eye towards the same object;

1 See, on the one hand, Toland's *Amyntor*, and, on the other, Waddington's *Vindication of the royal Martyr*, with Young's addition. We may remark, that Lord Clarendon's total silence with regard to this subject, in so full a history, composed in vindication of the king's measures and cha-

acter, forms a presumption on Toland's side, and a presumption of which that author was ignorant; the works of the noble historian not being then published. Bishop Burnet's testimony too must be allowed of some weight against the *Icon*.

A. D. 1649.  
State of  
England.



but they had still many prejudices to overcome, many fears and jealousies to be allayed, ere they could cordially entertain thoughts of restoring the family, which they had so grievously offended, and whose principles they regarded with such violent abhorrence.

The only solid support of the republican independent faction, which, though it formed so small a part of the nation, had violently usurped the government of the whole, was a numerous army of near fifty thousand men. But this army, formidable from its discipline and courage, as well as its numbers, was actuated by a spirit that rendered it dangerous to the assembly which had assumed the command over it. Accustomed to indulge every chimera in politics, every frenzy in religion, the soldiers knew little of the subordination of citizens, and had only learned, from apparent necessity, some maxims of military obedience. And while they still maintained that all those enormous violations of law and equity, of which they had been guilty, were justified by the success with which Providence had blessed them; they were ready to break out into any new disorder, wherever they had the prospect of a like sanction and authority.

What alone gave some stability to all these unsettled humours was, the great influence both civil and military acquired by Oliver Cromwell. This man, suited to the age in which he lived, and to that alone, was equally qualified to gain the affection and confidence of men, by what was mean, vulgar, and ridiculous in his character; as to command their obedience by what was great, daring, and enterprising. Familiar even to buffoonery with the meanest sentinel, he never lost his authority: transported to a degree of madness with religious ecstasies, he never forgot the political purposes to which they might serve. Hating monarchy, while a subject; despising liberty, while a citizen; though he retained for a time all orders of men under a seeming obedience to the parliament, he was secretly paving the way, by artifice and courage, to his own unlimited authority.

The parliament, for so we must henceforth call a small and inconsiderable part of the House of Commons, having murdered their sovereign with so many appearing circumstances of solemnity and justice, and so much real violence and even fury, began to assume more the air of a civil, legal power, and to enlarge a little the narrow bottom upon which they stood. They admitted a few of the excluded and absent members, such as were liable to least exception; but on condition that these members should sign an approbation of whatever had been done in their absence with regard to the king's trial: and some of them were willing to acquire a share of power on such terms: the greater part disdained to lend their authority to such apparent usurpations. They issued some writs for new elections, in places where they hoped to have interest enough to bring in their own friends and dependents. They named a council of state, thirty-eight in number, to whom all addresses were made, who gave orders to all generals and admirals, who executed the laws, and who disesteemed all business before it was introduced into parliament.<sup>a</sup> They pretended to employ themselves entirely in adjusting the laws, forms, and plan of a new representative; and as soon as they should have settled the nation, they professed their intention of restoring the power to the people, from whom they acknowledged they had entirely derived it.

The commonwealth found every thing in England composed into a seeming tranquillity by the terror of their arms. Foreign powers, occupied in wars among themselves, had no leisure or inclination to interpose in the domestic dissensions of this island. The young king, poor and neglected, living sometimes in Holland, sometimes in France, sometimes in Jersey, comforted himself amidst his present distresses with the hopes of better fortune. The situation alone of Scotland and Ireland gave any immediate inquietude to the new republic.

After the successive defeats of Montrose and Hamilton, and the ruin of their parties,

the whole authority in Scotland fell into the hands of Argyre and the rigid churchmen, that party which was most averse to the interests of the royal family. Their enmity, however, against the independents, who had prevented the settlement of presbyterian discipline in England, carried them to embrace opposite maxims in their political conduct. Though invited by the English parliament to model their government into a republican form, they resolved still to adhere to monarchy, which had ever prevailed in their country, and which, by the express terms of their covenant, they had engaged to defend. They considered besides, that as the property of the kingdom lay mostly in the hands of great families, it would be difficult to establish a commonwealth, or without some chief magistrate, invested with royal authority, to preserve peace or justice in the community. The execution, therefore, of the king, against which they had always protested, having occasioned a vacancy of the throne, they immediately proclaimed his son and successor, Charles II.; but upon condition "of his good behaviour and strict observance of the covenant, and his entertaining no other persons about him but such as were godly men and faithful to that obligation." These unusual clauses, inserted in the very first acknowledgment of their prince, sufficiently showed their intention of limiting extremely his authority. And the English commonwealth, having no pretence to interpose in the affairs of that kingdom, allowed the Scots for the present to take their own measures in settling their government.

The dominion which England claimed over Ireland, demanded more immediately Of Ireland. their efforts for subduing that country. In order to convey a just notion of Irish affairs, it will be necessary to look backwards some years, and to relate briefly those transactions which had passed during the memorable revolutions in England. When the late king agreed to that cessation of arms with the popish rebels,<sup>b</sup> which was become so requisite, as well for the security of the Irish protestants as for promoting his interests in England, the parliament, in order to blacken his conduct, reproached him with favouring that odious rebellion, and exclaimed loudly against the terms of the cessation. They even went so far as to declare it entirely null and invalid, because finished without their consent; and to this declaration the Scots in Ulster, and the Earl of Inchiquin, a nobleman of great authority in Munster, professed to adhere. By their means the war was still kept alive; but as the dangerous distractions in England hindered the parliament from sending any considerable assistance to their allies in Ireland, the Marquis of Ormond, lord-lieutenant, being a native of Ireland, and a person endowed with great prudence and virtue, formed a scheme for composing the disorders of his country, and for engaging the rebel Irish to support the cause of his royal master. There were many circumstances which strongly invited the natives of Ireland to embrace the king's party. The maxims of that prince had always led him to give a reasonable indulgence to the catholics throughout all his dominions; and one principal ground of that enmity, which the puritans professed against him, was this tacit toleration. The parliament, on the contrary, even when unprovoked, had ever menaced the papists with the most rigid restraint, if not a total extirpation; and immediately after the commencement of the Irish rebellion, they put to sale all the estates of the rebels, and had engaged the public faith for transferring them to the adventurers, who had already advanced money upon that security. The success, therefore, which the arms of the parliament met with at Naseby, struck a just terror into the Irish; and engaged the council of Kilkenny, composed of deputies from all the catholic counties and cities, to conclude a peace with the Marquis of Ormond.<sup>c</sup> They professed to return to their duty and allegiance, engaged to furnish ten thousand men for the support of the king's authority in England, and were content with stipulating, in return, indemnity for their rebellion and toleration of their religion.

Ormond, not doubting but a peace, so advantageous and even necessary to the Irish, would be strictly observed,

<sup>a</sup> In their names were, the Earls of Denbigh, Montrose, Pembroke, Salisbury, Lewis, Grey, and Fairfax; Lords, R. S. Long, Wilde, Francis, Cromwell, Skippon, Pierrepont, Massieu, Hesketh, Harrington, Vane, &c. *Historians*, Atterbury, Muldrey, Constable, Pennington, Wilson, Warburton.

<sup>b</sup> Martin, Ludlow, Stapleton, Hengham, Wallop, Hutchinson, Boulton, Penryn, Valentine, Warrin, Scott, Purchoy, Jones.

<sup>c</sup> 1645.

<sup>d</sup> 1646.

advanced with a small body of troops to Kilkenny, in order to concert measures for common defence with his new allies. The Pope had sent over to Ireland a nuncio, Rinuccini, an Italian; and this man, whose commission empowered him to direct the spiritual concerns of the Irish, was unboldened, by their ignorance and bigotry, to assume the chief authority in the civil government. Foreseeing that a general submission to the lord-lieutenant would put an end to his own influence, he conspired with Owen O'Neal, who commanded the native Irish, in Ulster, and who bore a great jealousy to Preston, the general chiefly trusted by the council of Kilkenny. By concert, these two malcontents secretly drew forces together, and were ready to fall on Ormond, who remained in security, trusting to the pacification so lately concluded with the rebels. He received intelligence of their treachery, made his retreat with celerity and conduct, and sheltered his small army in Dublin and the other fortified towns, which still remained in the hands of the protestants.

The nuncio, full of arrogance, levity, and ambition, was not contented with this violation of treaty. He summoned an assembly of the clergy at Waterford, and engaged them to declare against that pacification, which the civil council had concluded with their sovereign. He even thundered out a sentence of excommunication against all who should adhere to a peace, so prejudicial, as he pretended, to the catholic religion; and the deluded Irish, terrified with his spiritual menaces, ranged themselves every where on his side, and submitted to his authority. Without scruple, he carried on war against the lord-lieutenant, and threatened with a siege the protestant garrisons, which were, all of them, very ill provided for defence.

Meanwhile, the unfortunate king was necessitated to take shelter in the Scottish army; and being there reduced to close confinement, and secluded from all commerce with his friends, despaired that his authority, or even his liberty, would ever be restored to him. He sent orders to Ormond, if he could not defend himself, rather to submit to the English than to the Irish rebels; and accordingly the lord-lieutenant, being reduced to extremities, delivered up Dublin, Tredah, Dundalk, and other garrisons, to Colonel Michael Jones, who took possession of them in the name of the English parliament. Ormond himself went over to England, was admitted into the king's presence, received a grateful acknowledgment for his past services, and during some time lived in tranquillity near London. But being banished, with the other royalists, to a distance from that city, and seeing every event turn out unfortunately for his royal master, and threaten him with a catastrophe still more direful, he thought proper to retire into France, where he joined the queen and the Prince of Wales.

In Ireland, during these transactions, the authority of the nuncio prevailed without control among all the catholics; and that prelate, by his indiscretion and insolence, soon made them repent of the power with which they had intrusted him. Prudent men likewise were sensible of the total destruction which was hanging over the nation from the English parliament, and saw no resource or safety but in giving support to the declining authority of the king. The Earl of Clanricarde, a nobleman of an ancient family, a person too of merit, who had ever preserved his loyalty, was sensible of the ruin which threatened his countrymen, and was resolved, if possible, to prevent it. He secretly formed a combination among the catholics; he entered into a correspondence with Inchiquin, who preserved great authority over the protestants in Munster; he attacked the nuncio, whom he chased out of the island; and he sent to Paris a deputation, inviting the lord-lieutenant to return, and take possession of his government.

Ormond, on his arrival in Ireland, found the kingdom divided into many factions, among which either open war or secret enmity prevailed. The authority of the English parliament was established in Dublin, and the other towns, which he himself had delivered into their hands. O'Neal maintained his credit in Ulster; and having entered into a secret correspondence with the parliamentary generals, was more intent on schemes for his own personal safety, than anxious for the preservation of his country or religion. The other Irish, divided between their clergy, who were

averse to Ormond, and their nobility, who were attached to him, were very uncertain in their motions and feeble in their measures. The Scots in the north, enraged, as well as their other countrymen, against the usurpations of the sectarian army, professed their adherence to the king; but were still hindered, by many prejudices, from entering into a cordial union with his lieutenant. All these distracted councils and contrary humours checked the progress of Ormond, and enabled the parliamentary forces in Ireland to maintain their ground against him. The republican faction, meanwhile, in England, employed in subduing the revolted royalists, in reducing the parliament to subjection, in the trial, condemnation, and execution of their sovereign, totally neglected the supplying of Ireland, and allowed Jones, and the forces in Dublin, to remain in the utmost weakness and necessity. The lord-lieutenant, though surrounded with difficulties, neglected not the favourable opportunity of promoting the royal cause. Having at last assembled an army of 16,000 men, he advanced upon the parliamentary garrisons. Dundalk, where Monk commanded, was delivered up by the troops, who mutinied against their governor. Tredah, Newry, and other forts, were taken. Dublin was threatened with a siege; and the affairs of the lieutenant appeared in so prosperous a condition, that the young king entertained thoughts of coming in person into Ireland.

When the English commonwealth was brought to some tolerable settlement, men began to cast their eyes towards the neighbouring island. During the contest of the two parties, the government of Ireland had remained a great object of intrigue; and the presbyterians endeavoured to obtain the lieutenancy for Waller, the independents for Lambert. After the execution of the king, Cromwell himself began to aspire to a command, where so much glory, he saw, might be won, and so much authority acquired. In his absence, he took care to have his name proposed to the council of state; and March 15. both friends and enemies concurred immediately to vote him into that important office: the former suspected that the matter had not been proposed merely by chance, without his own concurrence; the latter desired to remove him to a distance, and hoped, during his absence, to gain the ascendancy over Fairfax, whom he had so long blinded by his hypocritical professions. Cromwell himself, when informed of his election, feigned surprise, and pretended, at first, to hesitate, with regard to the acceptance of the command. And Lambert, either deceived by his dissimulation, or in his turn, feigning to be deceived, still continued, notwithstanding this disappointment, his friendship and connexions with Cromwell.

The new lieutenant immediately applied himself with his wonted vigilance to make preparations for his expedition. Many disorders in England it behoved him previously to compose. All places were full of danger and inquietude. Though men, astonished with the successes of the army, remained in seeming tranquillity, symptoms of the greatest discontent every where appeared. The English, long accustomed to a mild administration, and unacquainted with dissimulation, could not conform their speech and countenance to the present necessity, or pretend attachment to a form of government, which they generally regarded with such violent abhorrence. It was requisite to change the magistracy of London, and to degrade, as well as punish, the mayor and some of the aldermen, before the proclamation for the abolition of monarchy could be published in the city. An engagement being framed to support the commonwealth without king or House of Peers, the army was, with some difficulty, brought to subscribe it; but though it was imposed upon the rest of the nation, under severe penalties, no less than putting all who refused out of the protection of law; such obstinate reluctance was observed in the people, that even the imperious parliament was obliged to desist from it. The spirit of fanaticism, by which that assembly had at first been strongly supported, was now turned, in a great measure, against them. The pulpits being chiefly filled with presbyterians, or disguised royalists, and having long been the scene of news and politics, could by no penalties be restrained from declarations unfavourable to the established government. Numberless were the extra-

vagances which broke out among the people. Everard, a disbanded soldier, having preached that the time was now come when the community of goods would be renewed among Christians, led out his followers to take possession of the land; and being carried before the general, he refused to salute him; because he was but his fellow-creature.<sup>p</sup> What seemed more dangerous, the army itself was infected with like humours.<sup>q</sup> Though the levellers had for a time been suppressed, by the audacious spirit of Cromwell, they still continued to propagate their doctrines among the private men and inferior officers, who pretended a right to be consulted, as before, in the administration of the commonwealth. They now practised against their officers the same lesson which they had been taught against the parliament. They framed a remonstrance, and sent five agitators to present it to the general and council of war: these were cashiered with ignominy by sentence of a court-martial. One Lockier, having carried his sedition further, was sentenced to death; but this punishment was so far from quelling the mutinous spirit, that above a thousand of his companions showed their adherence to him, by attending his funeral, and wearing in their hats black and sea-green ribbons, by way of favours. About four

thousand assembled at Burford, under the command of Thomson, a man formerly condemned for sedition by a court-martial, but pardoned by the general. Colonel Reynolds, and afterwards Fairfax and Cromwell, fell upon them, while unpre-

pared for defence, and seduced by the appearance of a treaty. Four hundred were taken prisoners: some of them capitally punished: the rest pardoned: and this tumultuous spirit, though it still lurked in the army, and broke out from time to time, seemed for the present to be suppressed.

Petitions, framed in the same spirit of opposition, were presented to the parliament by Lieutenant-colonel Lilburn, the person who, for dispersing seditious libels, had formerly been treated with such severity by the star-chamber. His liberty was at this time as ill-relished by the parliament, and he was thrown into prison, as a promoter of sedition and disorder in the commonwealth. The women applied by petition for his release; but were now desired to mind their household affairs, and leave the government of the state to the men. From all quarters the parliament was harassed with petitions of a very free nature, which strongly spoke the sense of the nation, and proved how ardently all men longed for the restoration of their laws and liberties. Even in a feast, which the city gave to the parliament and council of state, it was deemed a requisite precaution, if we may credit Walker and Dugdale, to swear all the cooks that they would serve nothing but wholesome food to them.

The parliament judged it necessary to enlarge the laws of high-treason beyond those narrow bounds, within which they had been confined during the monarchy. They even comprehended verbal offences, nay intentions, though they had never appeared in any overt act against the state. To affirm the present government to be a usurpation, to assert that the parliament or council of state were tyrannical or illegal, to endeavour subverting their authority, or stirring up sedition against them; these offences were declared to be high-treason. The power of imprisonment, of which the petition of right had bereaved the king, it was now found necessary to restore to the council of state; and all the jails in England were filled with men whom the jealousies and fears of the ruling party had represented as

dangerous.<sup>r</sup> The taxes, continued by the new government, and which, being unusual, were esteemed heavy, increased the general ill-will under which it laboured. Besides the customs and excise, ninety thousand pounds a-month were levied on land for the subsistence of the army. The sequestrations and compositions of the royalists, the sale of the crown lands, and of the dean and chapter lands, though they yielded great sums, were not sufficient to support the vast expenses, and, as was suspected, the great depredations, of the parliament and of their creatures.<sup>s</sup>

Amidst all these difficulties and disturbances, the steady mind of Cromwell, without confusion or embarrassment, still pursued its purpose. While he was collecting an army of twelve thousand men in the west of England, he sent to Ireland, under Reynolds and Venables, a reinforcement of four thousand horse and foot, in order to strengthen Jones, and enable him to defend himself against the Marquis of Ormond, who lay at Finglass, and was making preparations for the attack of Dublin. Inchiquin, who had now made a treaty with the king's lieutenant, having, with a separate body, taken Tredah and Dundalk, gave a defeat to Offarrell, who served under O'Neal, and to young Coot, who commanded some parliamentary forces. After he had joined his troops to the main army, with whom, for some time, he remained united, Ormond passed the river Liffy, and took post at Rathmines, two miles from Dublin, with a view of commencing the siege of that city. In order to cut off all further supply from Jones, he had begun the reparation of an old fort which lay at the gates of Dublin; and being exhausted with continual fatigue for some days, he had retired to rest, after leaving orders to keep his forces under arms. He was sud-

denly awakened with the noise of firing; and, starting from his bed, saw every thing already in tumult and confusion. Jones, an excellent officer, formerly a lawyer, had sallied out with the reinforcement newly arrived; and, attacking the party employed in repairing the fort, he totally routed them, pursued the advantage, and fell in with the army, which had neglected Ormond's orders. These he soon threw into disorder; put them to flight, in spite of all the efforts of the lord-lieutenant; chased them off the field; seized all their tents, baggage, ammunition; and returned victorious to the Siege of Dublin Dublin, after killing a thousand men, and taking above two thousand prisoners.<sup>t</sup>

This loss, which threw some blemish on the military character of Ormond, was irreparable to the royal cause. That numerous army which, with so much pains and difficulty, the lord-lieutenant had been collecting for more than a year, was dispersed in a moment. Cromwell soon after arrived in Dublin, Aug. 15.

where he was welcomed with shouts and rejoicings. He hastened to Tredah. That town was well fortified: Ormond had thrown into it a good garrison of three thousand men, under Sir Arthur Aston, an officer of reputation. He expected that Tredah, lying in the neighbourhood of Dublin, would first be attempted by Cromwell, and he was desirous to employ the enemy some time in that siege, while he himself should repair his broken forces. But Cromwell knew the importance of despatch. Having made a breach, he ordered a general assault. Though twice repulsed with loss, he renewed the attack, and himself, along with Ireton, led on his men. All opposition was overborne by the furious valour of the troops. The town was taken sword in hand; and, orders

with revelations and inspirations. And here I should put out my third light, &c. (1.) Magistrates are abolished, as useful, and as useful to myself as to purity amongst us, and hath erected the kingdom of the saints upon earth. Besides, they are tyrants and oppressors of the liberty of the saints, and tie them to laws and ordinances, mere human inventions. And here I should put out my fourth light, &c. (5.) Then putting his hand into his pocket, and pulling out a little Bible, he showed it open to the people, saying, Here is a book you have in great veneration, consisting of two parts, the Old and New Testament: I must tell you it is abolished; it contains beggarly rudiments, milk for babes; but now Christ is in glory amongst us, and imparts a further measure of his Spirit to his saints than this can afford, I am commanded to burn it before your face. Then putting out the candle, he said, and here my fifth light is extinguished. It becometh a pretty common doctrine at that time, that it was unworthy of a Christian man to pay rent to his fellow-creatures; and landlords were obliged to use all the penalties of law against their tenants, whose conscience was scrupulous.

<sup>r</sup> History of Independency, part II.

<sup>s</sup> Parl. History, vol. viii, p. 146, 176.

<sup>t</sup> Ibid. p. 165.

<sup>p</sup> Whitlocke.

<sup>q</sup> The following instance of extravagance is given by Walker in his History of Independency, part II, p. 152. About this time there came six soldiers into the parish church of Walton upon Thames, near twilight. Mr. Faucet, the preacher there, not having till then ended his sermon. One of these soldiers had a lantern in his hand, and a candle burning in it, and in the other hand four candles not lighted. He desired the parishioners to stay a while, saying, he had a message from God unto them, and thereupon offered to go into the pulpit. But the people refusing to give him leave so freely to stay in the church, he went into the church yard, and there told them that he had a vision, wherein he had received a command from God to deliver his will unto them, which he was to deliver, and they to receive, upon pain of damnation, consisting of five lights: (1.) That the sabbath was abolished as unnecessary, Jewish, and carnal. And hereupon he, I should put out the first light, but the wind blew it out. I cannot handle it. (2.) That titles are abolished as Jewish and carnal, against brethren in the saints of God, and a discouragement of industry and labour. And here I should put out my second light, &c. (3.) That magistrates are abolished as anti-christian, and of no longer use, now Christ himself descendeth into the hearts of his saints, and his Spirit enlighteneth them



being issued to give no quarter, a cruel slaughter was made of the garrison. Even a few, who were saved by the soldiers, satiated with blood, were next day miserably butchered by orders from the general. One person alone of the garrison escaped to be a messenger of this universal havoc and destruction.

Cromwell pretended to retaliate by this severe execution the cruelty of the Irish massacre: but he well knew, that almost the whole garrison was English; and his justice was only a barbarous policy, in order to terrify all other garrisons from resistance. His policy, however, had the desired effect. Having led the army without delay to Wexford, he began to batter the town. The garrison, after a slight defence, offered to capitulate; but, before they obtained a cessation, they imprudently neglected their guards; and the English army rushed in upon them. The same severity was exercised as at Tredah.

Every town before which Cromwell presented himself, now opened its gates without resistance. Ross, though

strongly garrisoned, was surrendered by Lord Taffe. Having taken Estogney, Cromwell threw a bridge over the Barrow, and made himself master of Passage and Carric. The English had no further difficulties to encounter than what arose from fatigue and the advanced season. Fluxes and contagious distempers crept in among the soldiers, who perished in great numbers. Jones himself, the brave governor of Dublin, died at Wexford. And Cromwell had so far advanced with his decayed army, that he began to find it difficult, either to subside in the enemies' country, or retreat to his

own garrisons. But while he was in these straits, Corke, Kinsale, and all the English garrisons in Munster, deserted to him, and opening their gates, resolved to share the fortunes of their victorious countrymen.

This desertion of the English put an end to Ormond's authority, which was already much diminished by the misfortunes at Dublin, Tredah, and Wexford. The Irish, actuated by national and religious prejudices, could no longer be kept in obedience by a protestant governor, who was so unsuccessful in all his enterprises. The clergy renewed their excommunications against him and his adherents, and added the terrors of superstition to those which arose from a victorious enemy. Cromwell, having received a reinforcement from England, again took the field early in the spring. He made himself master of Kilkenny and Clonmel, the only places where he met with any vigorous resistance. The whole frame of the Irish union being in a manner dissolved, Ormond soon after left the island, and delegated his authority to Clanricarde, who found affairs so desperate as to admit of no remedy. The Irish were glad to embrace banishment as a refuge. Above 40,000 men passed into foreign service; and Cromwell, well pleased to free the island from enemies, who never could be cordially reconciled to the English, gave them full liberty and leisure for their embarkation.

While Cromwell proceeded with such uninterrupted success in Ireland, which in the space of nine months he had almost entirely subdued, fortune was preparing for him a new scene of victory and triumph in Scotland. Charles was at the Hague when Sir Joseph Douglas brought him intelligence that he was proclaimed king by the Scottish parliament. At the same time, Douglas informed him of the hard conditions annexed to the proclamation, and extremely damped that joy which might arise from his being recognised sovereign in one of his kingdoms. Charles too considered, that those who pretended to acknowledge his title were at that very time in actual rebellion against his family, and would be sure to intrust very little authority in his hands, and scarcely would afford him personal liberty and security. As the prospect of affairs in Ireland was at that time not unpromising, he intended rather to try his fortune in that kingdom, from which he expected more dutiful submission and obedience.

Meanwhile, he found it expedient to depart from Holland. The people in the United Provinces were much attached to his interests. Besides his connexion with the family of Orange, which was extremely beloved by the populace, all men regarded with compassion his helpless condition, and expressed the greatest abhorrence against

the murder of his father: a deed to which nothing, they thought, but the rage of fanaticism and faction could have impelled the parliament. But though the public in general bore great favour to the king, the States were uneasy at his presence. They dreaded the parliament, so formidable by their power, and so prosperous in all their enterprises. They apprehended the most precipitate resolutions from men of such violent and haughty dispositions. And, after the murder of Dorislaus, they found it still more necessary to satisfy the English commonwealth, by removing the king to a distance from them.

Dorislaus, though a native of Holland, A. D. 1651. had lived long in England; and being employed as assistant to the high court of justice which condemned the late king, he had risen to great credit and favour with the ruling party. They sent him envoy to Holland; but no sooner had he arrived at the Hague, than he was set upon by some royalists, chiefly retainers to Montrose. They rushed into the room, where he was sitting with some company; dragged him from the table; put him to death as the first victim to their murdered sovereign; very leisurely and peaceably separated themselves; and, though orders were issued by the magistrates to arrest them, these were executed with such slowness and reluctance, that the criminals had all of them the opportunity of making their escape.

Charles, having passed some time at Paris, where no assistance was given him, and even few civilities were paid him, made his retreat into Jersey, where his authority was still acknowledged. Here Winram, laird of Liberton, came to him as deputy from the committee of estates in Scotland, and informed him of the conditions to which he must necessarily submit before he could be admitted to the exercise of his authority. Conditions more severe were never imposed by subjects upon their sovereign; but as the affairs of Ireland began to decline, and the king found it no longer safe to venture himself in that island, he gave a civil answer to Winram, and desired commissioners to meet him at Breda, in order to enter into a treaty with regard to these conditions.

The Earls of Cassilis and Lothian, Lord Burley, the laird of Liberton, and other commissioners, arrived at Breda; but without any power of treating: the king must submit, without reserve, to the terms imposed upon him. The terms were, that he should issue a proclamation, banishing from court all excommunicated persons, that is, all those who, either under Hamilton or Montrose, had ventured their lives for his family; that no English subject, who had served against the parliament, should be allowed to approach him; that he should bind himself by his royal promise to take the covenant; that he should ratify all acts of parliament, by which presbyterian government, the directory of worship, the confession of faith, and the catechism, were established; and that in civil affairs he should entirely conform himself to the direction of parliament, and in ecclesiastical to that of the assembly. These proposals, the commissioners, after passing some time in sermons and prayers, in order to express the more determined resolution, very solemnly delivered to the king.

The king's friends were divided with regard to the part which he should act in this critical conjuncture. Most of his English counsellors dissuaded him from accepting conditions so disadvantageous and dishonourable. They said, that the men who now governed Scotland were the most furious and bigoted of that party, which, notwithstanding his gentle government, had first excited a rebellion against the late king; after the most unlimited concessions, had renewed their rebellion, and stopped the progress of his victories in England; and after he had intrusted his person to them in his uttermost distress, had basely sold him, together with their own honour, to his barbarous enemies: that they had as yet shown no marks of repentance, and even in the terms which they now proposed, displayed the same antimonarchical principles, and the same jealousy of their sovereign, by which they had ever been actuated: that nothing could be more dishonourable than that the king, in his first enterprise, should sacrifice, merely for the empty name of royalty, those principles for which his father had died a martyr, and in

which he himself had been strictly educated : that by this hypocrisy he might lose the royalists, who alone were sincerely attached to him ; but never would gain the presbyterians, who were averse to his family and his cause, and would ascribe his compliance merely to policy and necessity : that the Scots had refused to give him any assurances of their intending to restore him to the throne of England ; and could they even be brought to make such an attempt, it had sufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to so great an enterprise : that on the first check which they should receive, Argyle and his partisans would lay hold of the quickest expedient for reconciling themselves to the English parliament, and would betray the king, as they had done his father, into the hands of his enemies ; and that, however desperate the royal cause, it must still be regarded as highly imprudent in the king to make a sacrifice of his honour ; where the sole purchase was to endanger his life or liberty.

The Earl of Lanerick, now Duke of Hamilton, the Earl of Lauderdale, and others of that party, who had been banished their country for the late engagement, were then with the king ; and being desirous of returning home in his retinue, they joined the opinion of the young Duke of Buckingham, and earnestly pressed him to submit to the conditions required of him. It was urged that nothing would more gratify the king's enemies than to see him fall into the snare laid for him, and by so scrupulous a nicety leave the possession of his dominions to those who desired but a pretence for excluding him : that Argyle, not daring so far to oppose the bent of the nation as to throw off all allegiance to his sovereign, had embraced this expedient, by which he hoped to make Charles dethrone himself, and refuse a kingdom which was offered him : that it was not to be doubted but the same national spirit, assisted by Hamilton and his party, would rise still higher in favour of their prince after he had intrusted himself to their fidelity, and would much abate the rigour of the conditions now imposed upon him : that whatever might be the present intentions of the ruling party, they must unavoidably be engaged in a war with England, and must accept the assistance of the king's friends of all parties, in order to support themselves against a power so much superior : that how much soever a steady, uniform conduct might have been suitable to the advanced age and strict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which necessity had extorted from him : that even the rigour of those principles professed by his father, though with some it had exalted his character, had been extremely prejudicial to his interests ; nor could any thing be more serviceable to the royal cause, than to give all parties room to hope for more equal and more indulgent maxims of government : and that, where affairs were reduced to so desperate a situation, dangers ought little to be regarded ; and the king's honour lay rather in showing some early symptoms of courage and activity, than in choosing strictly a party among theological controversies, with which, it might be supposed, he was as yet very little acquainted.

These arguments, seconded by the advice of the queen-mother, and of the Prince of Orange, the king's brother-in-law, who both of them thought it ridiculous to refuse a kingdom merely from regard to episcopacy, had great influence on Charles. But what chiefly determined him to comply, was the account brought him of the fate of Montrose, who, with all the circumstances of rage and contumely, had been put to death by his zealous countrymen. Though in this instance the king saw, more evidently, the furious spirit by which the Scots were actuated, he had now no further resource, and was obliged to grant whatever was demanded of him.

Montrose, having laid down his arms at the command of the late king, had retired into France, and, contrary to his natural disposition, had lived for some time inactive at Paris. He there became acquainted with the famous Cardinal de Retz ; and that penetrating judge celebrates him in his memoirs as one of those heroes, of whom there is no longer any remains in the world, and who are only

to be met with in Plutarch. Desirous of improving his martial genius, he took a journey to Germany, was crested by the emperor, received the rank of mareschal, and proposed to levy a regiment for the imperial service. While employed for that purpose in the Low Countries, he heard of the tragical death of the king ; and at the same time received from his young master a renewal of his commission of captain-general in Scotland.<sup>a</sup> His ardent and daring spirit needed but this authority to put him in action. He gathered followers in Holland and the north of Germany, whom his great reputation allured to him. The King of Denmark and Duke of Holstein sent him some small supply of money ; the Queen of Sweden furnished him with arms ; the Prince of Orange with ships ; and Montrose, hastening his enterprise, lest the king's agreement with the Scots should make him revoke his commission, set out for the Orkneys with about 500 men, most of them Germans. These were all the preparations which he could make against a kingdom, settled in domestic peace, supported by a disciplined army, fully apprized of his enterprise, and prepared against him. Some of his retainers having told him of a prophecy, that to him and him *alone* it was reserved to restore the king's authority in all his dominions ; he lent a willing ear to suggestions which, however ill-grounded or improbable, were so conformable to his own daring character.

He armed several of the inhabitants of the Orkneys, though an unwarlike people, and carried them over with him to Caithness ; hoping that the general affection to the king's service, and the fame of his former exploits, would make the highlanders flock to his standard. But all men were now harassed and fatigued with wars and disorders : many of those who formerly adhered to him, had been severely punished by the covenanters : and no prospect of success was entertained in opposition to so great a force as was drawn together against him. But however weak Montrose's army, the memory of past events struck a great terror into the committee of estates. They immediately ordered Lesley and Holborne to march against him with an army of 4000 men. Strahan was sent before, with a body of cavalry to check his progress. He fell unexpectedly on Montrose, who had no horse to bring him intelligence. The royalists were put to flight ; all of them either killed or taken prisoners ; and Montrose <sup>Montrose taken prisoner.</sup> himself, having put on the disguise of a peasant, was perfidiously delivered into the hands of his enemies, by a friend to whom he had intrusted his person.

All the insolence, which success can produce in ungenerous minds, was exercised by the covenanters against Montrose, whom they so much hated and so much dreaded. Theological antipathy further increased their indignities towards a person, whom they regarded as impious, on account of the excommunication which had been pronounced against him. Lesley led him about for several days in the same low habit under which he had disguised himself. The vulgar, wherever he passed, were instigated to reproach and vilify him. When he came to Edinburgh, every circumstance of elaborate rage and insult was put in practice by order of the parliament. At the gate of the city he was met by the magistrates, and put into a new cart, purposely made with a high chair or bench, where he was placed, that the people might have a full view of him. He was bound with a cord, drawn over his breast and shoulders, and fastened through holes made in the cart. The hangman then took off the hat of the noble prisoner, and rode himself before the cart in his livery, and with his bonnet on ; the other officers, who were taken prisoners with the marquis, walking two and two before them.

The populace, more generous and humane, when they saw so mighty a change of fortune in this great man, so lately their dread and terror, into whose hands the magistrates, a few years before, had delivered on their knees the keys of the city, were struck with compassion, and viewed him with silent tears and admiration. The preachers, next Sunday, exclaimed against this movement of rebel nature, as they termed it ; and reproached the people with their profane tenderness towards the capital enemy of piety and religion.

When he was carried before the parliament, which was then sitting, Loudon, the chancellor, in a violent declamation, reproached him with the breach of the national covenant, which he had subscribed; his rebellion against God, the king, and the kingdom; and the many horrible murders, treasons, and impieties, for which he was now to be brought to condign punishment. Montrose, in his answer, maintained the same superiority above his enemies, to which, by his fame and great actions, as well as by the consciousness of a good cause, he was justly entitled. He told the parliament, that since the king, as he was informed, had so far avowed their authority, as to enter into a treaty with them, he now appeared uncovered before their tribunal; a respect which, while they stood in open defiance to their sovereign, they would in vain have required of him. That he acknowledged, with infinite shame and remorse, the errors of his early conduct, when their plausible pretences had seduced him to tread with them the paths of rebellion, and bear arms against his prince and country. That his following services, he hoped, had sufficiently testified his repentance; and his death would now atone for that guilt, the only one with which he could justly reproach himself. That in all his warlike enterprises he was warranted by that commission, which he had received from his and their master, against whose lawful authority they had erected their standard. That to venture his life for his sovereign was the least part of his merit: he had even thrown down his arms in obedience to the sacred commands of the king; and had resigned to them the victory, which, in defiance of all their efforts, he was still enabled to dispute with them. That no blood had ever been shed by him but in the field of battle; and many persons were now in his eye, many now dared to pronounce sentence of death upon him, whose life, forfeited by the laws of war, he had formerly saved from the fury of the soldiers. That he was sorry to find no better testimony of their return to allegiance than the murder of so faithful a subject, in whose death the king's commission must be, at once, so highly injured and affronted. That as to himself, they had in vain endeavoured to vilify and degrade him by all their studied indignities: the justice of his cause, he knew, would ennoble any fortune; nor had he other affliction than to see the authority of his prince, with which he was invested, treated with so much ignominy. And that he now joyfully followed, by a like unjust sentence, his late sovereign; and should be happy if, in his future destiny, he could follow him to the same blissful mansions, where his piety and humane virtues had already, without doubt, secured him an eternal recompence.

Montrose's sentence was next pronounced against him, "That he, James Graham, (for this was the only name they vouchsafed to give him,) should next be carried to Edinburgh cross, and there be hanged on a gibbet, thirty feet high, for the space of three hours: then be taken down, his head be cut off upon a scaffold, and affixed to the prison: his legs and arms be stuck up on the four chief towns of the kingdom: his body be buried in the place appropriated for common malefactors; except the church, upon his repentance, should take off his excommunication."

The clergy, hoping that the terrors of immediate death had now given them an advantage over their enemy, flocked about him, and insulted over his fallen fortunes. They pronounced his damnation, and assured him, that the judgment, which he was so soon to suffer, would prove but an easy prologue to that which he must undergo hereafter. They next offered to pray with him: but he was too well acquainted with those forms of imprecation which they called prayers. "Lord, vouchsafe yet to touch the obdurate heart of this proud incorrigible sinner; this wicked, perjured, traitorous, and profane person, who refuses to hearken to the voice of thy church." Such were the petitions, which he expected they would, according to custom, offer up for him. He told them, that they were a miserably deluded and deluding people; and would shortly bring their country under the most insupportable servitude, to which any nation had ever been reduced. "For my part," added he, "I am much prouder

to have my head affixed to the place where it is sentenced to stand, than to have my picture hang in the king's bed-chamber. So far from being sorry that my quarters are to be sent to four cities of the kingdom; I wish I had limbs enow to be dispersed into all the cities of Christendom, there to remain as testimonies in favour of the cause for which I suffer." This sentiment, that very evening, while in prison, he threw into verse. The poem remains a signal monument of his heroic spirit, and no despicable proof of his poetical genius.

Now was led forth, amidst the insults of his enemies and the tears of the people, this 21st May. man of illustrious birth, and of the greatest renown in the nation, to suffer, for his adhering to the laws of his country and the rights of his sovereign, the ignominious death destined to the meanest malefactor. Every attempt, which the insolence of the governing party had made to subdue his spirit, had hitherto proved fruitless: they made yet one effort more, in this last and melancholy scene, when all enmity, arising from motives merely human, is commonly softened and disarmed. The executioner brought that book, which had been published in elegant Latin, of his great military actions, and tied it by a cord about his neck. Montrose smiled at this new instance of their malice. He thanked them, however, for their officious zeal; and said, that he bore this testimony of his bravery and loyalty with more pride than he had ever worn the garter. Having asked, whether they had any more indignities to put upon him, and re- Executed. newing some devout ejaculations, he patiently endured the last act of the executioner.

Thus perished, in the thirty-eighth year of his age, the gallant Marquis of Montrose; the man whose military genius, both by valour and conduct, had shone forth beyond any which, during these civil disorders, had appeared in the three kingdoms. The finer arts, too, he had in his youth successfully cultivated; and whatever was sublime, elegant, or noble, touched his great soul. Nor was he insensible to the pleasures either of society or of love. Something, however, of the *vast and unbounded* characterized his actions and deportment; and it was merely by an heroic effort of duty, that he brought his mind, impatient of superiority, and even of equality, to pay such unlimited submission to the will of his sovereign.

The vengeance of the covenants was not satisfied with Montrose's execution. Urrey, whose inconstancy now led him to take part with the king, suffered about the same time: Spotswood of Daersie, a youth of eighteen, Sir Francis Hay of Dalgetie, and Colonel Sibbald, all of them of birth and character, underwent a like fate. These were taken prisoners with Montrose. The Marquis of Huntley, about a year before, had also fallen a victim to the severity of the covenants.

The past scene displays in a full light the barbarity of this theological faction: the sequel will sufficiently display their absurdity.

The king, in consequence of his agree- 23d June. ment with the commissioners of Scotland, set sail for that country; and being escorted by seven Dutch ships of war, who were sent to guard the herring fishery, he arrived in the Frith of Cromarty. Before he was permitted to land, he was required to sign the covenant; and many sermons and lectures were made him, exhorting him to persevere in that holy confederacy.\* Hamilton, Lauderdale, Dumfermling, and Covenants, other noblemen of that party whom they called Engagers, were immediately separated from him, and obliged to retire to their houses, where they lived in a private manner without trust or authority. None of his English friends, who had served his father, were allowed to remain in the kingdom. The king himself found that he was considered as a mere pageant of state, and that the few remains of royalty which he possessed, served only to draw on him the greater indignities. One of the quarters of Montrose, his faithful servant, who had borne his commission, had been sent to Aberdeen, and was still allowed to hang over the gates when he passed by that place.\* The general assembly, and afterwards the committee of



estates and the army, who were entirely governed by the assembly, set forth a public declaration, in which they protested, "that they did not espouse any malignant quarrel or party; but fought merely on their former grounds or principles; that they disclaimed all the sins and guilt of the king, and of his house; nor would they own him or his interest, otherwise than with a subordination to God, and so far as he owned and prosecuted the cause of God, and acknowledged the sins of his house, and of his former ways."

The king, lying entirely at mercy, and having no assurance of life or liberty, further than was agreeable to the fancy of these austere zealots, was constrained to embrace a measure, which nothing but the necessity of his affairs, and his great youth and inexperience, could

excuse. He issued a declaration, such as they required of him.<sup>a</sup> He there gave thanks for the merciful dispensations of Providence, by which he was recovered from the snare of evil counsel, had attained a full persuasion of the righteousness of the covenant, and was induced to cast himself and his interests wholly upon God. He desired to be deeply humbled and afflicted in spirit, because of his father's following wicked measures, opposing the covenant and the work of reformation, and shedding the blood of God's people throughout all his dominions. He lamented the idolatry of his mother, and the toleration of it in his father's house; a matter of great offence, he said, to all the protestant churches, and a great provocation to him who is a jealous God, visiting the sins of the father upon the children. He professed, that he would have no enemies but the enemies of the covenant; and that he detested all popery, superstition, prelacy, heresy, schism, and profaneness: and was resolved not to tolerate, much less to countenance, any of them in any of his dominions. He declared, that he should never love or favour those who had so little conscience as to follow his interests, in preference to the gospel and the kingdom of Jesus Christ. And he expressed his hope, that, whatever ill success his former guilt might have drawn upon his cause, yet now, having obtained mercy to be on God's side, and to acknowledge his own cause subordinate to that of God, divine Providence would crown his arms with victory.

Still the covenanters and the clergy were diffident of the king's sincerity. The facility which he discovered in yielding whatever was required of him, made them suspect, that he regarded his concessions merely as ridiculous farces, to which he must of necessity submit. They had another trial prepared for him. Instead of the solemnity of his coronation, which was delayed, they were resolved that he should pass through a public humiliation, and do penance before the whole people. They sent him twelve articles of repentance, which he was to acknowledge; and the king had agreed, that he would submit to this indignity. The various transgressions of his father and grandfather, together with the idolatry of his mother, are again enumerated and aggravated in these articles; and further declarations were insisted on, that he sought the restoration of his rights for the sole advancement of religion, and in subordination to the kingdom of Christ.<sup>b</sup> In short, having exalted the altar above the throne, and brought royalty under their feet, the clergy were resolved to trample on it, and vilify it, by every instance of contumely, which their present influence enabled them to impose upon their unhappy prince.

Charles in the mean time found his authority entirely annihilated, as well as his character degraded. He was consulted in no public measure. He was not called to assist at any councils. His favour was sufficient to discredit any pretender to office or advancement. All efforts which he made to unite the opposite parties, increased the suspicion which the covenanters had entertained of him, as if he were not entirely their own. Argyle, who by subtleties and compliances was partly led and partly governed by this wild faction, still turned a deaf ear to all advances which the king made to enter into confidence with him. *Malignants and Engagers* continued to be the objects of general hatred and persecution; and whoever was ob-

noxious to the clergy, failed not to have one or other of these epithets affixed to him. The fanaticism which prevailed, being so full of sour and angry principles, and so overcharged with various antipathies, had acquired a new object of abhorrence: these were the *Sorcerers*. So prevalent was the opinion of witchcraft, that great numbers, accused of that crime, were burnt by sentence of the magistrates throughout all parts of Scotland. In a village near Berwick, which contained only fourteen houses, fourteen persons were punished by fire; and it became a science, every where much studied and cultivated, to distinguish a true witch by proper trials and symptoms.<sup>c</sup>

The advance of the English army under Cromwell was not able to appease or soften the animosities against the parties in Scotland. The clergy were still resolute to exclude all but their most zealous adherents. As soon as the English parliament found that the treaty between the king and the Scots would probably terminate in an accommodation, they made preparations for a war, which, they saw, would in the end prove inevitable. Cromwell, having broken the force and courage of the Irish, was sent for; and he left the command of Ireland to Ireton, who governed that kingdom in the character of deputy, and with vigilance and industry persevered in the work of subduing and expelling the natives.

It was expected that Fairfax, who still retained the name of general, would continue to act against Scotland, and appear at the head of the forces; a station for which he was well qualified, and where alone he made any figure. But Fairfax, though he had allowed the army to make use of his name in murdering their sovereign, and offering violence to the parliament, had entertained insurmountable scruples against invading the Scots, whom he considered as zealous presbyterians, and united to England by the sacred bands of the covenant. He was further disgusted at the extremities into which he had already been hurried; and was confirmed in his repugnance by the exhortations of his wife, who had great influence over him, and was herself much governed by the presbyterian clergy. A committee of parliament was sent to reason with him; and Cromwell was of the number. In vain did they urge that the Scots had first broken the covenant by their invasion of England under Hamilton; and that they would surely renew their hostile attempts, if not prevented by the vigorous measures of the commonwealth. Cromwell, who knew the rigid inflexibility of Fairfax in every thing which he regarded as matter of principle, ventured to solicit him with the utmost earnestness; and went so far as to shed tears of grief and vexation on the occasion. No one could suspect any ambition in the man who laboured so zealously to retain his general in that high office which, he knew, he himself was alone entitled to fill. The same warmth of temper which made Cromwell a frantic enthusiast, rendered him the most dangerous of hypocrites; and it was to this turn of mind, as much as to his courage and capacity, that he owed all his wonderful successes. By the contagious ferment of his zeal, he engaged every one to co-operate with him in his measures; and entering easily and affectionately into every part which he was disposed to act, he was enabled, even after multiplied deceits, to cover, under a tempest of passion, all his crooked schemes and profound artifices.

Fairfax having resigned his commission, it was bestowed on Cromwell, who was declared captain-general of all the forces in England. This command, in a commonwealth, which stood entirely by arms, was of the utmost importance; and was the chief step towards this ambitious politician had yet made towards sovereign power. He immediately marched his forces, and entered Scotland with an army of 16,000 men.

The command of the Scottish army was given to Lesley, an experienced officer, who formed a very proper plan of defence. He entrenched himself in a fortified camp between Edinburgh and Leith, and took care to remove from the counties of Merse and the Lothians every thing which could serve to the subsistence of the English army. Cromwell advanced to the Scotch camp, and endeavoured by every expedient to bring Lesley to a battle: the pru-

<sup>a</sup> See Edward Walker's *Historical Discourse*, p. 166, 167.

<sup>b</sup> *Ibid* p. 170.

<sup>c</sup> *Ibid* p. 178.

<sup>a</sup> Whitlocke, p. 101, 108.

<sup>b</sup> *Ibid* p. 106, 110.

dent Scotchman knew that, though superior in numbers, his army was much inferior in discipline to the English; and he carefully kept himself within his entrenchments. By skirmishes and small encounters he tried to confirm the spirits of his soldiers; and he was successful in these enterprises. His army daily increased both in numbers and courage. The king came to the camp; and having exerted himself in an action, gained on the affections of the soldiery, who were more desirous of serving under a young prince of spirit and vivacity, than under a committee of talking gown-men. The clergy were alarmed. They ordered Charles immediately to leave the camp. They also purged it carefully of about 4000 *Malignants* and *Engagers*, whose zeal had led them to attend the king, and who were the soldiers of chief credit and experience in the nation.<sup>d</sup> They then concluded, that they had an army composed entirely of saints, and could not be beaten. They murmured extremely, not only against their prudent general, but also against the Lord, on account of his delays in giving them deliverance;<sup>e</sup> and they plainly told him, that if he would not save them from the English sectaries, he should no longer be their God.<sup>f</sup> An advantage having offered itself on a Sunday, they hindered the general from making use of it, lest he should involve the nation in the guilt of sabbath-breaking.

Cromwell found himself in a very bad situation. He had no provisions but what he received by sea. He had not had the precaution to bring these in sufficient quantities; and his army was reduced to difficulties. He retired to Dunbar. Lesley followed him, and he encamped on the heights of Lammernure, which overlook that town. There lay many difficult passes between Dunbar and Berwick, and of these Lesley had taken possession. The English general was reduced to extremities. He had even embraced a resolution of sending by sea all his foot and artillery to England, and of breaking through, at all hazards, with his cavalry. The madness of the Scottish ecclesiastics saved him from this loss and dishonour.

Night and day the ministers had been wrestling with the Lord in prayer, as they termed it; and they fancied that they had at last obtained the victory. Revelations, they said, were made them, that the sectarian and heretical army, together with Agag, meaning Cromwell, was delivered into their hands. Upon the faith of these visions, they forced their general, in spite of his remonstrances, to descend into the plain, with a view of attacking the English in their retreat. Cromwell, looking

through a glass, saw the enemy's camp in motion; and foretold, without the help of revelations, that the Lord had delivered them into his hands. He gave orders immediately for an attack. In this

battle it was easily observed that nothing, in military actions, can supply the place of discipline and experience; and that, in the presence of real danger, where men are not accustomed to it, the fumes of enthusiasm presently dissipate, and lose their influence. The Scots, though double in number to the English, were soon put to flight, and pursued with great slaughter. The chief, if not only, resistance was made by one regiment of highlanders, that part of the army which was the least infected with fanaticism. No victory could be more complete than this which was obtained by Cromwell. About 3000 of the enemy were slain, and 9000 taken prisoners. Cromwell pursued his advantage, and took possession of Edinburgh and Leith. The remnant of the Scottish army fled to Stirling. The approach of the winter season, and an ague, which seized Cromwell, kept him from pushing the victory any further.

The clergy made great lamentation, and told the Lord, that to them it was little to sacrifice their lives and estates, but to him it was a great loss to suffer his elect to be destroyed.<sup>g</sup> They published a declaration, containing the

cause of their late misfortunes. These visitations they ascribed to the manifold provocations of the king's house, of which they feared he had not yet thoroughly repented; the secret intrusion of malignants into the king's family, and even into the camp; the leaving of a most malignant and profane guard of horse, who, being sent for to be purged, came two days before the defeat, and were allowed to fight with the army; the owning of the king's quarrel by many without subordination to religion and liberty; and the carnal self-seeking of some, together with the neglect of family prayers by others.

Cromwell, having been so successful in the war of the sword, took up the pen against the Scottish ecclesiastics. He wrote them some polemical letters, in which he maintained the chief points of the independent theology. He took care likewise to retort on them their favourite argument of providence; and asked them, Whether the Lord had not declared against them? But the ministers thought that the same events, which to their enemies were judgments, to them were trials; and they replied, that the Lord had only hid his face, for a time, from Jacob. But Cromwell insisted, that the appeal had been made to God in the most express and solemn manner, and that, in the fields of Dunbar, an irrevocable decision had been awarded in favour of the English army.<sup>h</sup>

The defeat of the Scots was regarded by the king as a fortunate event. The armies, which fought on both sides, were almost equally his enemies; and the vanquished were now obliged to give him some more authority, and apply to him for support. The parliament was summoned to meet at St. Johnstone's. Hamilton, Lauderdale, and all the Engagers, were admitted into court and camp, on condition of doing public penance, and expressing repentance for their late transgressions. Some malignants also crept in under various pretences. The intended humiliation or penance of the king was changed into the ceremony of his coronation, which was performed at Scone with great

1st Jan.

pomp and solemnity. But amidst all this appearance of respect, Charles remained in the hands of the most rigid covenanters: and though treated with civility and courtesy by Argyle, a man of parts and address, he was little better than a prisoner, and was still exposed to all the rudeness and pederasty of the ecclesiastics.

This young prince was in a situation which very ill suited his temper and disposition. All those good qualities which he possessed, his affability, his wit, his gaiety, his gentleman-like, disengaged behaviour, were here so many vices; and his love of ease, liberty, and pleasure, was regarded as the highest enormity. Though artful in the practice of courtly dissimulation, the sanctified style was utterly unknown to him, and he never could mould his deportment into that starched grimace which the covenanters required as an infallible mark of conversion. The Duke of Buckingham was the only English courtier allowed to attend him; and, by his ingenious talent for ridicule, he had rendered himself extremely agreeable to his master. While so many objects of dersion surrounded them, it was difficult to be altogether insensible to the temptation, and wholly to suppress the laugh. Obligated to attend from morning to night at prayers and sermons, they betrayed evident symptoms of weariness or contempt. The clergy never could esteem the king sufficiently regenerated: and by continual exhortations, remonstrances, and reprimands, they still endeavoured to bring him to a juster sense of his spiritual duty.

The king's passion for the fair could not altogether be restrained. He had once been observed using some familiarities with a young woman; and a committee of ministers was appointed to reprove him for a behaviour so unbefitting a covenanted monarch. The spokesman of the committee, one Douglas, began with a severe aspect,

event? Were not both your and our expectations renewed from time to time, while we waited on God, to see which way he would manifest himself upon our appeals? And shall we, after all these mere prayers, fastings, tears, expectations, and solemn appeals, call these our prayers? The Lord pity you. Surely we fear, because it has been a merciful and a gracious deliverance of us.

"I beseech you in the bowels of Christ, search after the mind of the Lord in it towards you, and we shall help you by our prayers that you may find it. For yet, if we know our heart at all, our bowels do in Christ yearn after the godly in Scotland."—*Churche*, vol. i. p. 158.

c *St. Edw.* Walker, p. 165.e *Wutlocke*, p. 449.d *Ibid.* p. 166.f *St. Edw.* Walker.

g This is the best of Cromwell's wretched compositions that remains, and we shall here extract a passage out of it. You say you have not so learned Christ as to hang the equity of your cause upon events. We could wish that blindness had not been upon your eyes to all those marvellous dispensations which God hath wrought lately in England. But did not you solemnly appeal and pray? Did not we do so too? And ought not we and you to think, with fear and trembling, of the hand of the great God, in this mighty and strange appearance of his, but can slightly call it an

informed the king that great scandal had been given to the godly, enlarged on the heinous nature of sin, and concluded with exhorting his majesty, whenever he was disposed to amuse himself, to be more careful, for the future, in shutting the windows. This delicacy, so unusual to the place, and to the character of the man, was regarded by the king; and he never forgot the obligation.

The king, shocked at all the indignities, and, perhaps, still more tired with all the formalities, to which he was obliged to submit, made an attempt to regain his liberty. General Middleton, at the head of some royalists, being proscribed by the covenanters, kept in the mountains, expecting some opportunity of serving his master. The king resolved to join this body. He secretly made his escape from Argyle, and fled towards the highlands. Colonel Montgomery, with a troop of horse, was sent in pursuit of him. He overtook the king, and persuaded him to return. The royalists being too weak to support him, Charles was the more easily induced to comply. This incident procured him, afterwards, better treatment and more authority; the covenanters being afraid of driving him, by their rigours, to some desperate resolution. Argyle renewed his courtship to the king, and the king, with equal dissimulation, pretended to repose great confidence in Argyle. He even went so far as to drop hints of his intention to marry that nobleman's daughter: but he had to do with a man too wise to be seduced by such gross artifices.

As soon as the season would permit, the Scottish army was assembled under Hamilton and Lesley; and the king was allowed to join the camp. The forces of the western counties, notwithstanding the imminent danger which threatened their country, were resolute not to unite their cause with that of an army which admitted any engagers or malignants among them; and they kept in a body apart under Ker. They called themselves the *Protesters*; and their frantic clergy declaimed equally against the king and against Cromwell. The other party were denominated *Resolutioners*; and these distinctions continued long after to divide and agitate the kingdom.

Charles encamped at the Torwood; and his generals resolved to conduct themselves by the same cautious maxims, which, so long as they were embraced, had been successful during the former campaign. The town of Stirling lay at his back, and the whole north supplied him with provisions. Strong entrenchments defended his front; and it was in vain that Cromwell made every attempt to bring him to an engagement. After losing much time, the English general sent Lambert over the frith into Fife, with an intention of cutting off the provisions of the enemy. Lambert fell upon Holborne and Brown, who commanded a party of the Scots, and put them to rout with great slaughter. Cromwell also passed over, with his whole army; and lying at the back of the king, made it impossible for him to keep his post any longer.

Charles, reduced to despair, embraced a resolution worthy of a young prince contending for empire. Having the way open, he resolved immediately to march into England; where he expected that all his friends, and all those who were discontented with the present government, would flock to his standard. He persuaded the generals to enter into the same views; and with one consent, the army, to the number of 14,000 men, rose from their camp, and advanced by great journeys towards the south.

Cromwell was surprised at this movement of the royal army. Wholly intent on offending his enemy, he had exposed his friends to imminent danger, and saw the king with numerous forces marching into England; where his presence, from the general hatred which prevailed against the parliament, was capable of producing some great revolution. But if this conduct was an oversight in Cromwell, he quickly repaired it by his vigilance and activity. He despatched letters to the parliament, exhorting them not to be dismayed at the approach of the Scots: he sent orders every where for assembling forces to oppose the king: he ordered Lambert with a body of cavalry to hang upon the rear of the royal army, and infest their march: and he himself, leaving Monk with 7000 men to complete the reduction of Scotland, followed the king with all the expedition possible.

Charles found himself disappointed in his expectations of increasing his army. The Scots, terrified at the prospect of so hazardous an enterprise, fell off in great numbers. The English presbyterians, having no warning given them of the king's approach, were not prepared to join him. To the royalists, this measure was equally unexpected; and they were further deterred from joining the Scottish army, by the orders which the committee of ministers had issued, not to admit any, even in this desperate extremity, who would not subscribe the covenant. The Earl of Derby, leaving the isle of Man, where he had hitherto maintained his independence, was employed in levying forces in Cheshire and Lancashire; but was soon suppressed by a party of the parliamentary army. And the king, when he arrived at Worcester, found that his forces, extremely harassed by a hasty and fatiguing march, were not more numerous than when he rose from his camp in the Torwood.

Such is the influence of established government, that the commonwealth, though founded in usurpation the most unjust and unpopular, had authority sufficient to raise every where the militia of the counties; and these, united with the regular forces, bent all their efforts against the king. With an army of about 30,000 men, Cromwell fell upon Worcester; and <sup>21 Sept. Battle of Worcester.</sup> attacking it on all sides, and meeting with little resistance, except from Duke Hamilton and General Middleton, broke in upon the disordered royalists. The streets of the city were strewed with dead. Hamilton, a nobleman of bravery and honour, was mortally wounded; Massey wounded and taken prisoner; the king himself, having given many proofs of personal valour, was obliged to fly. The whole Scottish army was either killed or taken prisoners. The country people, inflamed with national antipathy, put to death the few that escaped from the field of battle.

The king left Worcester at six o'clock in the afternoon, and, without halting, travelled <sup>The king's escape.</sup> about twenty-six miles, in company with fifty or sixty of his friends. To provide for his safety, he thought it best to separate himself from his companions; and he left them without communicating his intentions to any of them. By the Earl of Derby's directions, he went to Boscobel, a lone house, in the borders of Staffordshire, inhabited by one Penderell, a farmer. To this man Charles intrusted himself. The man had dignity of sentiments much above his condition; and though death was denounced against all who concealed the king, and a great reward promised to any one who should betray him, he professed and maintained unshaken fidelity. He took the assistance of his four brothers, equally honourable with himself; and, having clothed the king in a garb like their own, they led him into the neighbouring wood, put a bill into his hand, and pretended to employ themselves in cutting fagots. Some nights he lay upon straw in the house, and fed on such homely fare as it afforded. For a better concealment, he mounted upon an oak, where he sheltered himself among the leaves and branches for twenty-four hours. He saw several soldiers pass by. All of them were intent in search of the king; and some expressed, in his hearing, their earnest wishes of seizing him. This tree was afterwards denominated the *Royal Oak*; and for many years was regarded by the neighbourhood with great veneration.

Charles was in the middle of the kingdom, and could neither stay in his retreat, nor stir a step from it, without the most imminent danger. Fears, hopes, and party zeal, interested multitudes to discover him; and even the smallest indiscretion of his friends might prove fatal. Having joined Lord Wilmot, who was skulking in the neighbourhood, they agreed to put themselves into the hands of Colonel Lane, a zealous royalist, who lived at Bentley, not many miles distant. The king's feet were so hurt by walking about in heavy boots or countrymen's shoes which did not fit him, that he was obliged to mount on horseback; and he travelled in this situation to Bentley, attended by the Penderells, who had been so faithful to him. Lane formed a scheme for his journey to Bristol, where, it was hoped, he would find a ship, in which he might transport himself. He had a near kinswoman, Mrs. Nor-



ton, who lived within three miles of that city, and was with child, very near the time of her delivery. He obtained a pass (for, during those times of confusion, this precaution was requisite) for his sister, Jane Lane, and a servant, to travel towards Bristol, under pretence of visiting and attending her relation. The king rode before the lady, and personated the servant.

When they arrived at Norton's, Mrs. Lane pretended that she had brought along, as her servant, a poor lad, a neighbouring farmer's son, who was ill of an ague; and she begged a private room for him, where he might be quiet. Though Charles kept himself retired in this chamber, the butler, one Pope, soon knew him: the king was alarmed, but made the butler promise that he would keep the secret from every mortal, even from his master; and he was faithful to his engagement.

No ship, it was found, would, for a month, set sail from Bristol, either for France or Spain; and the king was obliged to go elsewhere for a passage. He intrusted himself to Colonel Windham of Dorsetshire, an affectionate partisan of the royal family: the natural effect of the long civil wars, and of the furious rage to which all men were wrought up in their different factions, was, that every one's inclinations and affections were thoroughly known, and even the courage and fidelity of most men, by the variety of incidents, had been put to trial. The royalists too, had, many of them, been obliged to make concealments in their houses for themselves, their friends, or more valuable effects; and the arts of eluding the enemy had been frequently practised. All these circumstances proved favourable to the king in the present exigency. As he often passed through the hands of catholics, the *Priest's Hole*, as they called it, the place where they were obliged to conceal their persecuted priests, was sometimes employed for sheltering their distressed sovereign.

Windham, before he received the king, asked leave to intrust the important secret to his mother, his wife, and four servants, on whose fidelity he could rely. Of all these, no one proved wanting either in honour or discretion. The venerable old matron, on the reception of her royal guest, expressed the utmost joy, that having lost, without regret, three sons and one grand-child in defence of his father, she was now reserved, in her declining years, to be instrumental in the preservation of himself. Windham told the king, that Sir Thomas, his father, in the year 1636, a few days before his death, called to him his five sons: "My children," said he, "we have hitherto seen serene and quiet times under our three last sovereigns: but I must now warn you to prepare for clouds and storms. Factions arise on every side, and threaten the tranquillity of your native country. But, whatever happen, do you faithfully honour and obey your prince, and adhere to the crown. I charge you never to forsake the crown, though it should hang upon a bush." "These last words," added Windham, "made such impressions on all our breasts, that the many afflictions of these sad times could never efface their indelible characters." From innumerable instances it appears, how deep-rooted in the minds of the English gentry of that age was the principle of loyalty to their sovereign; that noble and generous principle, inferior only in excellence to the more enlarged and more enlightened affection towards a legal constitution. But during those times of military usurpation, these passions were the same.

The king continued several days in Windham's house; and all his friends in Britain, and in every part of Europe, remained in the most anxious suspense with regard to his fortunes: no one could conjecture whether he were dead or alive; and the report of his death being generally believed, happily relaxed the vigilant search of his enemies. Trials were made to procure a vessel for his escape; but he still met with disappointments. Having left Windham's house, he was obliged again to return to it. He passed through many other adventures; assumed different disguises; in every step was exposed to imminent perils; and received daily proofs of uncorrupted fidelity and attachment. The sagacity of a smith, who remarked that

his horse's shoes had been made in the north, not in the west, as he pretended, once detected him; and he narrowly escaped. At Shoreham, in Sussex, a vessel was at last found, in which he embarked. He had been known to so many, that if he had not set sail in that critical moment, it had been impossible for him to escape. After one and forty days' concealment, he arrived safely at Fescamp in Normandy. No less than forty men and women had, at different times, been privy to his concealment and escape.<sup>b</sup>

The battle of Worcester afforded Cromwell what he called his *crowning mercy*.<sup>c</sup> So elated was he, that he intended to have knighted, in the field, two of his generals, Lambert and Fleetwood; but was dissuaded by his friends from exerting this act of regal authority. His power and ambition were too great to brook submission to the empty name of a republic, which stood chiefly by his influence, and was supported by his victories. How early he entertained thoughts of taking into his hand the reins of government is uncertain. We are only assured, that he now discovered to his intimate friends these aspiring views; and even expressed a desire of assuming the rank of king, which he had contributed, with such seeming zeal, to abolish.<sup>k</sup>

The little popularity and credit acquired by the republicans further stimulated the ambition of this enterprising politician. These men had not that large thought, nor those comprehensive views, which might qualify them for acting the part of legislators: selfish aims and bigotry chiefly engrossed their attention. They carried their rigid austerity so far as to enact a law, declaring fornication, after the first act, to be felony, without benefit of clergy.<sup>l</sup> They made small progress in that important work, which they professed to have so much at heart, the settling of a new model of representation, and fixing a plan of government. The nation began to apprehend that they intended to establish themselves as a perpetual legislature, and to confine the whole power to 60 or 70 persons, who called themselves the parliament of the commonwealth of England. And while they pretended to bestow new liberties upon the nation, they found themselves obliged to infringe even the most valuable of those which, through time immemorial, had been transmitted from their ancestors. Not daring to intrust the trials of treason to juries, who, being chosen indifferently from among the people, would have been little favourable to the commonwealth, and would have formed their verdict upon the ancient laws, they eluded that noble institution, by which the government of this island has ever been so much distinguished. They had evidently seen in the trial of Lilburn what they could expect from juries. This man, the most turbulent, but the most upright and courageous, of human kind, was tried for a transgression of the new statute of treasons: but though he was plainly guilty, he was acquitted, to the great joy of the people. Westminster-hall, nay the whole city, rang with shouts and acclamations. Never did any established power receive so strong a declaration of its usurpation and invalidity; and from no institution, besides the admirable one of juries, could be expected this magnanimous effort.

That they might not for the future be exposed to affronts, which so much lessened their authority, the parliament erected a high court of justice, which was to receive indictments from the council of state. This court was composed of men devoted to the ruling party, without name or character, determined to sacrifice every thing to their own safety or ambition. Colonel Eusebius Andrews and Colonel Walter Slingsby were tried by this court for conspiracy, and condemned to death. They were royalists, and refused to plead before so illegal a jurisdiction. Love, Gibbons, and other presbyterians, having entered into a plot against the republic, were also tried, condemned, and executed. The Earl of Derby, Sir Timothy Featherstone, Bemboe, being taken prisoners after the battle of Worcester, were put to death by sentence of a court martial; a method of proceeding declared illegal by that very petition of right, for which a former parliament had so strenu-

<sup>b</sup> Hentze's Chronicle, p. 301.

<sup>c</sup> Parl. Hist. vol. xx, p. 47.

<sup>k</sup> Whitlock, p. 263.

<sup>l</sup> Scobel, p. 121. A bill was introduced into the House against painting, patches, and other immodest dress of women; but it did not pass. Parl. Hist. vol. xiv, p. 263.

ously contended, and which, after great efforts, they had extorted from the king.

Excepting their principles of toleration, the maxims by which the republicans regulated ecclesiastical affairs no more prognosticated any durable settlement, than those by which they conducted their civil concerns. The presbyterian model of congregation, classes, and assemblies, was not allowed to be finished: it seemed even the intention of many leaders in the parliament to admit of no established church, and to leave every one, without any guidance of the magistrate, to embrace whatever sect, and to support whatever clergy, were most agreeable to him.

The parliament went so far as to make some approaches, in one province, to their independent model. Almost all the clergy of Wales being ejected as malignants, itinerant preachers with small salaries were settled, not above four or five in each county; and these, being furnished with horses at the public expense, hurried from place to place, and carried, as they expressed themselves, the glad tidings of the gospel.<sup>m</sup> They were all of them men of the lowest birth and education, who had deserted mechanical trades, in order to follow this new profession. And in this particular, as well as in their wandering life, they pretended to be more truly apostolical.

The republicans, both by the turn of their disposition, and by the nature of the instruments which they employed, were better qualified for acts of force and vigour, than for the slow and deliberate work of legislation. Notwithstanding the late wars and bloodshed, and the present factions, the power of England had never, in any period, appeared so formidable to the neighbouring kingdoms as it did at this time, in the hands of the commonwealth. A numerous army served equally to retain every one in implicit subjection to established authority, and to strike a terror into foreign nations. The power of peace and war was lodged in the same hands with that of imposing taxes; and no difference of views, among the several members of the legislature, could any longer be apprehended. The present impositions, though much superior to what had ever formerly been experienced, were in reality moderate, and what a nation so opulent could easily bear. The military genius of the people had, by the civil contests, been roused from its former lethargy; and excellent officers were formed in every branch of service. The confusion into which all things had been thrown, had given opportunity to men of low stations to break through their obscurity, and to raise themselves by their courage to commands which they were well qualified to exercise, but to which their birth could never have entitled them. And while so great a power was lodged in such active hands, no wonder the republic was successful in all its enterprises.

Blake, a man of great courage and a generous disposition, the same person who had defended Lyme and Taunton with such unshaken obstinacy against the late king, was made an admiral; and though he had hitherto been accustomed only to land-service, into which too he had not entered till past fifty years of age, he soon raised the naval glory of the nation to a greater height than it had ever attained in any former period. A fleet was put under his command, and he received orders to pursue Prince Rupert, to whom the king had intrusted that squadron which had deserted to him. Rupert took shelter in Kinsale; and, escaping thence, fled towards the coast of Portugal. Blake pursued and chased him into the Tagus, where he intended to make an attack upon him. But the King of Portugal, moved by the favour which, throughout all Europe, attended the royal cause, refused Blake admittance, and aided Prince Rupert in making his escape. To be revenged of this partiality, the English admiral made prize of twenty Portuguese ships richly laden; and he threatened still further vengeance. The King of Portugal, dreading so dangerous a foe to his newly acquired dominion, and sensible of the unequal contest in which he was engaged, made all possible submissions to the haughty re-

public, and was at last admitted to negotiate the renewal of his alliance with England. Prince Rupert, having lost a great part of his squadron on the coast of Spain, made sail towards the West Indies. His brother, Prince Maurice, was there shipwrecked in a hurricane. Every where this squadron subsisted by privateering, sometimes on English, sometimes on Spanish, vessels. And Rupert at last returned to France, where he disposed of the remnants of his fleet, together with his prizes.

All the settlements in America, except New England, which had been planted entirely by the puritans, adhered to the royal party, even after the settlement of the republic; and Sir George Ayscue was sent with a squadron to reduce them. Bermudas, Antigua, and Virginia, were soon subdued. Barbadoes, commanded by Lord Willoughby of Parham, made some resistance; but was at last obliged to submit.

With equal ease were Jersey, Guernsey, Scilly, and the Isle of Man, brought under subjection to the republic; and the sea, which had been much infested by privateers from these islands, was rendered safe to the English commerce. The Countess of Derby defended the Isle of Man; and with great reluctance yielded to the necessity of surrendering to the enemy. This lady, a daughter of the illustrious house of Trimouille, in France, had, during the civil war, displayed a manly courage by her obstinate defence of Latham-house against the parliamentary forces; and she retained the glory of being the last person in the three kingdoms, and in all their dependent dominions, who submitted to the victorious commonwealth.<sup>n</sup>

Ireland and Scotland were now entirely subjected and reduced to tranquillity. Ireton, the new deputy of Ireland, at the head of a numerous army, 30,000 strong, prosecuted the work of subduing the revolted Irish; and he defeated them in many rencounters, which, though of themselves of no great moment, proved fatal to their declining cause. He punished without mercy all the prisoners who had any hand in the massacres. Sir Phelim O'Neale, among the rest, was, some time after, brought to the gibbet, and suffered an ignominious death, which he had so well merited by his inhuman cruelties. Limerick, a considerable town, still remained in the hands of the Irish; and Ireton, after a vigorous siege, made himself master of it. He was here infected with the plague, and shortly after died; a memorable personage, much celebrated for his vigilance, industry, capacity, even for the strict execution of justice in that unlimited command which he possessed in Ireland. He was observed to be inflexible in all his purposes; and it was believed by many, that he was animated with a sincere and passionate love of liberty, and never could have been induced by any motive to submit to the smallest appearance of regal government. Cromwell appeared to be much affected by his death; and the republicans, who reposed great confidence in him, were inconsolable. To show their regard for his merit and services, they bestowed an estate of two thousand pounds a-year on his family, and honoured him with a magnificent funeral at the public charge. Though the established government was but the mere shadow of a commonwealth, yet was it beginning, by proper arts, to encourage that public spirit which no other species of civil polity is ever able fully to inspire.

The command of the army in Ireland devolved on Lieutenant-General Ludlow. The civil government of the island was intrusted to commissioners. Ludlow continued to push the advantages against the Irish, and every where obtained an easy victory. That unhappy people, disgusted with the king on account of those violent declarations against them and their religion, which had been extorted by the Scots, applied to the King of Spain, to the Duke of Lorraine, and found assistance no where. Clanricarde, unable to resist the prevailing power, made submissions to the parliament, and retired into England, where he soon after died. He was a steady catholic; but a man much respected by all parties.

<sup>m</sup> Dr. John Walker's Attempt, p. 147, et seq.

<sup>n</sup> When the Earl of Derby was alive, he had been summoned by Ireton to surrender the Isle of Man; and he returned this spirited and memorable answer: "I received your letter with indignation, and with scorn return you this answer; that I cannot but wonder whence you should gather any hopes, that I should prove, like you, treacherous to my sovereign; since you cannot be ignorant of my former actions in his late majesty's service, from which principles of loyalty I am no whit departed. I scorn you

proffers; I disdain your favour; I abhor your treason; and am so far from delivering up this island to your advantage, that I shall keep it to the utmost of my power to your destruction. Take this for your final answer, and forbear any further solicitations; for if you trouble me with any more messages of this nature, I will burn the paper and hang up the bearer. This is my immutable resolution, and shall be the undeviating practice of him, who accounts it his chiefest glory to be his majesty's most loyal and obedient subject.

DERBY."

The successes which attended Monk in Scotland were no less decisive. That able general laid siege to Stirling castle; and, though it was well provided for defence, it was soon surrendered to him. He there became master of all the records of the kingdom; and he sent them to England. The Earl of Leven, and the Earl of Crawford, Lord Ogilvy, and other noblemen, having met near Perth, in order to concert measures for raising a new army, were suddenly set upon by Colonel Alured, and most of them taken prisoners. Sir Philip Musgrave, with some Scots, being engaged at Dumfries in a like enterprise, met with a like fate. Dundee was a town well fortified, supplied with a good garrison under Lumsden, and full of all the rich furniture, the plate, and money of the kingdom, which had been sent thither as to a place of safety. Monk appeared before it; and having made a breach, gave a general assault. He carried the town; and following the example and instructions of Cromwell, put all the inhabitants to the sword, in order to strike a general terror into the kingdom. Warned by this example, Aberdeen, St. Andrews, Inverness, and other towns and forts, yielded, of their own accord, to the enemy. Argyle made his submissions to the English commonwealth; and excepting a few royalists, who remained some time in the mountains, under the Earl of Glencairn, Lord Balcarras, and General Middleton, that kingdom, which had hitherto, through all ages, by means of its situation, poverty, and valour, maintained its independence, was reduced to total subjection.

The English parliament sent Sir Harry Vane, St. John, and other commissioners, to settle Scotland. These men, who possessed little of the true spirit of liberty, knew how to maintain the appearance of it; and they required the voluntary consent of all the counties and towns of this conquered kingdom, before they would unite them into the same commonwealth with England. The clergy protested; because, they said, this incorporating union would draw along with it a subordination of the church to the state in the things of Christ.<sup>o</sup> English judges, joined to some Scottish, were appointed to determine all causes; justice was strictly administered; order and peace maintained; and the Scots, freed from the tyranny of the ecclesiastics, were not much dissatisfied with the present government.<sup>p</sup> The prudent conduct of Monk, a man who possessed a capacity for the arts both of peace and war, served much to reconcile the minds of men, and to allay their prejudices.

A. D. 1652. By the total reduction and pacification of  
Dutch war. the British dominions, the parliament had leisure to look abroad, and to exert their vigour in foreign enterprises. The Dutch were the first that felt the weight of their arms.

During the life of Frederick Henry, Prince of Orange, the Dutch republic had maintained a neutrality in the civil wars of England, and had never interposed, except by her good offices, between the contending parties. When William, who had married an English princess, succeeded to his father's commands and authority,<sup>q</sup> the States, both before and after the execution of the late king, were accused of taking steps more favourable to the royal cause, and of betraying a great prejudice against that of the parliament. It was long before the envoy of the English commonwealth could obtain an audience of the States-general. The murderers of Dorislaus were not pursued with such rigour as the parliament expected. And much regard had been paid to the king, and many good offices performed to him, both by the public, and by men of all ranks in the United Provinces.

After the death of William, Prince of Orange,<sup>r</sup> which was attended with the depression of his party and the triumph of the Dutch republicans, the parliament thought that the time was now favourable for cementing a closer

confederacy with the States. St. John, chief justice, who was sent over to the Hague, had entertained the idea of forming a kind of coalition between the two republics, which would have rendered their interests totally inseparable; but fearing that so extraordinary a project would not be relished, he contented himself with dropping some hints of it, and openly went no further than to propose a strict defensive alliance between England and the United Provinces, such as has now, for near seventy years, taken place between these friendly powers.<sup>s</sup> But the States, who were unwilling to form a nearer confederacy with a government whose measures were so obnoxious, and whose situation seemed so precarious, offered only to renew the former alliances with England. And the haughty St. John, disgusted with this disappointment, as well as incensed at many affronts, which had been offered him with impunity, by the retainers of the Palatine and Orange families, and indeed by the populace in general, returned into England, and endeavoured to foment a quarrel between the republics.

The movements of great states are often directed by as slender springs as those of individuals. Though war, with so considerable a naval power as the Dutch, who were in peace with all their other neighbours, might seem dangerous to the yet unsettled commonwealth, there were several motives which at this time induced the English parliament to embrace hostile measures. Many of the members thought that a foreign war would serve as a pretence for continuing the same parliament, and delaying the new model of a representative, with which the nation had so long been flattered. Others hoped that the war would furnish a reason for maintaining, some time longer, that numerous standing army, which was so much complained of.<sup>t</sup> On the other hand, some who dreaded the increasing power of Cromwell, expected that the great expense of naval armaments would prove a motive for diminishing the military establishment. To divert the attention of the public from domestic quarrels towards foreign transactions, seemed, in the present disposition of men's minds, to be good policy. The superior power of the English commonwealth, together with its advantages of situation, promised success; and the parliamentary leaders hoped to gain many rich prizes from the Dutch, to distress and sink their flourishing commerce, and by victories, to throw a lustre on their own establishment, which was so new and unpopular. All these views, enforced by the violent spirit of St. John, who had great influence over Cromwell, determined the parliament to change the purposed alliance into a furious war against the United Provinces.

To cover these hostile intentions, the parliament, under pretence of providing for the interests of commerce, embraced such measures as they knew would give disgust to the States. They framed the famous act of navigation; which prohibited all nations from importing into England in their bottoms any commodity which was not the growth and manufacture of their own country. By this law, though the terms in which it was conceived were general, the Dutch were principally affected; because their country produces few commodities, and they subsist chiefly by being the general carriers and factors of Europe. Letters of reprisal were granted to several merchants, who complained of injuries, which, they pretended, they had received from the States; and above eighty Dutch ships fell into their hands, and were made prizes. The cruelties committed on the English at Amboyna, which were certainly enormous, but which seemed to be buried in oblivion by a thirty years' silence, were again made the ground of complaint. And the allowing the murderers of Dorislaus to escape, and the conniving at the insults to which St. John had been exposed, were represented as

<sup>o</sup> Whitlocke, p. 466. Heaht's Chronicle, p. 307.

<sup>p</sup> It had been a usual policy of the presbyterian ecclesiastics to settle a chaplain in the great families, who acted as a spy upon his master, and gave them intelligence of the most private transactions and discourses of the family. A signal instance of priestly tyranny, and the subjection of the nobility! They even obliged the servants to give intelligence against their masters.

<sup>q</sup> Whitlocke, p. 502. The same author, p. 512, tells the following story. The synod meeting at Perth, and citing the ministers and people, who had expressed a dislike of their heavenly government, the men being out of the way, their wives resolved to answer for them. And, on the day of appearance, 120 women, with good clubs in their hands, came and besieged the church, where the reverend ministers sat. They sent one of number to treat with the females, and he threatening excommunication, they basted him for his labour, kept him prisoner, and sent a party of 60,

who routed the rest of the clergy, basted their bodies sorely, and took all their baggage and 10 horses. One of the ministers, after a mile's running, taking all creatures for his foes, meeting with a soldier, fell on his knees, who knowing nothing of the matter, asked the black coat what he meant? The female conquerors, having laid hold of the synod clerk, beat him till he forsook his office. Thirteen ministers rallied about four miles from the place, and voted that this village should never more have a synod in it, but be accused; and that though in the year 1638 and 1639, the zealous women were cruelly up for stoning the bishops, yet now the whole sex should be eternally wicked.

<sup>r</sup> On Oct. 17, 1650.

<sup>s</sup> Thurlow, vol. i. p. 282.

<sup>t</sup> We are told in the Life of Sir Harry Vane, that that famous republican opposed the Dutch war, and that it was the military gentlemen chiefly who supported that measure.



symptoms of an unfriendly, if not a hostile, disposition in the States.

The States, alarmed at all these steps, sent orders to their ambassadors to endeavour the renewal of the treaty of alliance, which had been broken off by the abrupt departure of St. John. Not to be unprepared, they equipped a fleet of a hundred and fifty sail, and took care, by their ministers at London, to inform the council of state of that armament. This intelligence, instead of striking terror into the English republic, was considered as a menace, and further confirmed the parliament in their hostile resolutions. The minds of men in both states were every day more irritated against each other; and it was not long before these humours broke forth into action.

Tromp, an admiral of great renown, received from the States the command of a fleet of forty-two sail, in order to protect the Dutch navigation against the privateers of the English. He was forced, by stress of weather, as he alleged, to take shelter in the road of Dover, where he met with Blake, who commanded an English fleet much inferior in number. Who was the aggressor in the action, which ensued between these two admirals, both of them men of such prompt and fiery dispositions, it is not easy to determine; since each of them sent to his own state a relation totally opposite in all its circumstances to that of the other, and yet supported by the testimony of every captain in his fleet. Blake pretended that, having given a signal to the Dutch admiral to strike, Tromp, instead of complying, fired a broadside at him. Tromp asserted that he was preparing to strike, and that the English admiral, nevertheless, began hostilities. It is certain that the admiralty of Holland, who are distinct from the council of state, had given Tromp no orders to strike, but had left him to his own discretion with regard to that vain but much contested ceremonial. They seemed willing to introduce the claim of an equality with the new commonwealth, and to interpret the former respect paid the English flag as a deference due only to the monarchy. This circumstance forms a strong presumption against the narrative of the Dutch admiral. The whole Orange party, it must be remarked, to which Tromp was suspected to adhere, were desirous of a war with England.

Blake, though his squadron consisted only of fifteen vessels, reinforced, after the battle began, by eight under Captain Bourne, maintained the fight with bravery for five hours, and sunk one ship of the enemy, and took another. Night parted the combatants, and the Dutch fleet retired towards the coast of Holland. The populace of London were enraged, and would have insulted the Dutch ambassadors, who lived at Chelsea, had not the council of state sent guards to protect them.

When the States heard of this action, of which the consequences were easily foreseen, they were in the utmost consternation. They immediately despatched Paw, pensionary of Holland, as their ambassador extraordinary to London, and ordered him to lay before the parliament the narrative which Tromp had sent of the late encounter. They entreated them, by all the bands of their common religion and common liberties, not to precipitate themselves into hostile measures, but to appoint commissioners, who should examine every circumstance of the action, and clear up the truth, which lay in obscurity. And they pretended that they had given no orders to their admiral to offer any violence to the English, but would severely punish him, if they found, upon inquiry, that he had been guilty of an action which they so much disapproved. The imperious parliament would hearken to none of these reasons or remonstrances. Elated by the numerous successes which they had obtained over their domestic enemies, they thought that every thing must yield to their fortunate arms; and they gladly seized the opportunity which they sought, of making war upon the States. They demanded that, without any further delay or inquiry, reparation should be made for all the damages which the English had sustained. And when this demand was not complied with, they despatched orders for commencing war against the United Provinces.

Blake sailed northwards with a numerous fleet, and fell upon the herring busses, which were escorted by twelve men of war. All these he either took or dispersed. Tromp

followed him with a fleet of above a hundred sail. When these two admirals were within sight of each other, and preparing for battle, a furious storm attacked them. Blake took shelter in the English harbours. The Dutch fleet was dispersed, and received great damage.

Sir George Ayscue, though he commanded only forty ships, according to the English Aug. 16. accounts, engaged, near Plymouth, the famous De Ruiter, who had under him fifty ships of war, with thirty merchantmen. The Dutch ships were indeed of inferior force to the English. De Ruiter, the only admiral in Europe who has attained a renown equal to that of the greatest general, defended himself so well, that Ayscue gained no advantage over him. Night parted them in the greatest heat of the action. De Ruiter next day sailed off with his convoy. The English fleet had been so shattered in the fight, that it was not able to pursue.

Near the coast of Kent, Blake, seconded Oct. 28. by Bourne and Pen, met a Dutch squadron nearly equal in numbers, commanded by De Witte and De Ruiter. A battle was fought much to the disadvantage of the Dutch. Their rear-admiral was boarded and taken. Two other vessels were sunk, and one blown up. The Dutch next day made sail towards Holland.

The English were not so successful in the Mediterranean, Van Galen, with much superior force, attacked Captain Badily, and defeated him. He bought, however, his victory with the loss of his life.

Sea-fights are seldom so decisive as to Nov. 29. disable the vanquished from making head in a little time against the victors. Tromp, seconded by De Ruiter, met, near the Goodwins, with Blake, whose fleet was inferior to the Dutch, but who resolved not to decline the combat. A furious battle commenced, where the admirals on both sides, as well as the inferior officers and seamen, exerted great bravery. In this action the Dutch had the advantage. Blake himself was wounded. The Garland and Bonaventure were taken. Two ships were burned, and one sunk; and night came opportunely to save the English fleet. After this victory, Tromp, in a bravado, fixed a broom to his mainmast, as if he were resolved to sweep the sea entirely of all English vessels.

Great preparations were made in England, A. D. 1653. in order to wipe off this disgrace. A gallant fleet of eighty sail was fitted out. Blake commanded, and Dean under him, together with Monk, who had been sent for from Scotland. When the English lay off Feb. 18. Portland, they descried, near break of day, a

Dutch fleet of seventy-six vessels, sailing up the channel, along with a convoy of 300 merchantmen, who had received orders to wait at the isle of Rhé, till the fleet should arrive to escort them. Tromp, and under him, De Ruiter, commanded the Dutch. This battle was the most furious that had yet been fought between these warlike and rival nations. Three days was the combat continued with the utmost rage and obstinacy; and Blake, who was victor, gained not more honour than Tromp, who was vanquished. The Dutch admiral made a skilful retreat, and saved all the merchant ships, except thirty. He lost, however, eleven ships of war, had 2000 men slain, and near 1500 taken prisoners. The English, though many of their ships were extremely shattered, had but one sunk. Their slain were not much inferior in number to those of the enemy.

All these successes of the English were chiefly owing to the superior size of their vessels; an advantage which all the skill and bravery of the Dutch admirals could not compensate. By means of ship-money, an imposition which had been so much complained of, and in some respects with reason, the late king had put the navy into a situation which it had never attained in any former reign; and he ventured to build ships of a size which was then unusual. But the misfortunes which the Dutch met with in battle, were small in comparison of those which their trade sustained from the English. Their whole commerce by the channel was cut off; even that to the Baltic was much infested by English privateers. Their fisheries were totally suspended. A great number of their ships, above 1600, had fallen into the hands of the enemy. And all this distress they suffered, not for any national interests or

necessity; but from vain points of honour and personal resentments, of which it was difficult to give a satisfactory account to the public. They resolved, therefore, to gratify the pride of the parliament, and to make some advances towards peace. They met not, however, with a favourable reception; and it was not without pleasure that they learned the dissolution of that haughty assembly, by the violence of Cromwell; an event from which they expected a more prosperous turn to their affairs.

The zealous republicans in the parliament had not been the chief or first promoters of the war; but when it was once entered upon, they endeavoured to draw from it every possible advantage. On all occasions they set up the fleet in opposition to the army, and celebrated the glory and successes of their naval armaments. They insisted on the intolerable expense to which the nation was subjected, and urged the necessity of diminishing it, by a reduction

of the land forces. They had ordered some regiments to serve on board the fleet in the quality of marines. And Cromwell, by the whole train of their proceedings, evidently saw that they had entertained a jealousy of his power and ambition, and were resolved to bring him to a subordination under their authority. Without scruple or delay he resolved to prevent them.

On such firm foundations was built the credit of this extraordinary man, that though a great master of fraud and dissimulation, he judged it superfluous to employ any disguise in conducting this bold enterprise. He summoned a general council of officers; and immediately found that they were disposed to receive whatever impressions he was pleased to give them. Most of them were his creatures, had owed their advancement to his favour, and relied entirely upon him for their future preferment. The breach being already made between the military and civil powers, when the late king was seized at Holdenby; the general officers regarded the parliament as at once their creature and their rival; and thought that they themselves were entitled to share among them those offices and riches, of which its members had so long kept possession. Harrison, Rich, Overton, and a few others who retained some principle, were guided by notions so extravagant, that they were easily deluded into measures the most violent and most criminal. And the whole army had already been guilty of such illegal and atrocious actions, that they could entertain no further scruple with regard to any enterprise which might serve their selfish or fanatical purposes.

In the council of officers it was presently voted to frame a remonstrance to the parliament. After complaining of the arrears due to the army, they there desired the parliament to reflect how many years they had sitten, and what professions they had formerly made of their intentions to new model the representative, and establish successive parliaments, who might bear the burden of national affairs, from which they themselves would gladly, after so much danger and fatigue, be at last relieved. They confessed that the parliament had achieved great enterprises, and had surmounted mighty difficulties; yet was it an injury, they said, to the rest of the nation to be excluded from bearing any part in the service of their country. It was now full time for them to give place to others; and they therefore desired them, after settling a council who might execute the laws during the interval, to summon a new parliament, and establish that free and equal government, which they had so long promised to the people.

The parliament took this remonstrance in ill part, and made a sharp reply to the council of officers. The officers insisted on their advice; and by mutual altercation and opposition the breach became still wider between the

army and the commonwealth. Cromwell, finding matters ripe for his purpose, called a council of officers, in order to come to a determination with regard to the public settlement. As he had here many friends, so had he also some opponents. Harrison having assured the council that the general sought only to pave the way for the government of Jesus and his saints, Major Streeter briskly replied, that Jesus ought then to come

quickly: for if he delayed it till after Christmas, he would come too late; he would find his place occupied. While the officers were in debate, Colonel Ingoldsby informed Cromwell, that the parliament was sitting, and had come to a resolution not to dissolve themselves, but to fill up the House by new elections; and was at that very time engaged in deliberations with regard to this expedient. Cromwell, in a rage, immediately hastened to the House, and carried a body of 300 soldiers along with him. Some of them he placed at the door, some in the lobby, some on the stairs. He first addressed himself to his friend St. John, and told him, that he had come with a purpose of doing what grieved him to the very soul, and what he had earnestly with tears besought the Lord not to impose upon him: but there was a necessity, in order to the glory of God and good of the nation. He sat down for some time, and heard the debate. He beckoned Harrison, and told him, that he now judged the parliament ripe for a dissolution. "Sir," said Harrison, "the work is very great and dangerous; I desire you seriously to consider, before you engage in it." "You say well," replied the general; and thereupon sat still about a quarter of an hour. When the question was ready to be put, he said again to Harrison, "This is the time: I must do it." And suddenly starting up, he loaded the parliament with the vilest reproaches, for their tyranny, ambition, oppression, and robbery of the public. Then stamping with his foot, which was a signal for the soldiers to enter, "For shame," said he to the parliament, get you gone; give place to honest men; to those who will more faithfully discharge their trust. You are no longer a parliament: I tell you, you are no longer a parliament. The Lord has done with you: he has chosen other instruments for carrying on his work." Sir Harry Vane exclaiming against this proceeding, he cried with a loud voice, "O Sir Harry Vane, Sir Harry Vane! The Lord deliver me from Sir Harry Vane!" Taking hold of Martin by the cloak, "Thou art a whoremaster," said he. To another, "Thou art an adulterer." To a third, "Thou art a drunkard and a glutton;" and thou an extortioner," to a fourth. He commanded a soldier to seize the mace. "What shall we do with this bauble? Here, take it away. It is you," said he, addressing himself to the House, "that have forced me upon this. I have sought the Lord night and day, that he would rather slay me than put me upon this work." Having commanded the soldiers to clear the hall, he himself went out the last, and ordering the doors to be locked, departed to his lodgings in Whitehall.

In this furious manner, which so well denotes his genuine character, did Cromwell, without the least opposition, or even murmur, annihilate that famous assembly which had filled all Europe with the renown of its actions, and with astonishment at its crimes, and whose commencement was not more ardently desired by the people than was its final dissolution. All parties now reaped successively the melancholy pleasure of seeing the injuries which they had suffered revenged on their enemies; and that too by the same arts which had been practised against them. The king had, in some instances, stretched his prerogative beyond its just bounds; and aided by the church, had well nigh put an end to all the liberties and privileges of the nation. The presbyterians checked the progress of the court and clergy, and excited, by cant and hypocrisy, the populace, first to tumults, then to war, against the king, the peers, and all the royalists. No sooner had they reached the pinnacle of grandeur, than the independents, under the appearance of still greater sanctity, instigated the army against them, and reduced them to subjection. The independents amidst their empty dreams of liberty, or rather of dominion, were oppressed by the rebellion of their own servants, and found themselves at once exposed to the insults of power and hatred of the people. By recent, as well as all ancient, example, it was become evident, that illegal violence, with whatever pretences it may be covered, and whatever object it may pursue, must inevitably end at last in the arbitrary and despotic government of a single person.

## CHAP. LXI.

Cromwell's birth and private life. Barebone's parliament. Cromwell made protector. Peace with Holland. A new parliament. Insurrection of the royalists. State of Europe. War with Spain. James a captive. Success and death of Admiral Blake. Domestic administration of Cromwell. Humble petition and advice. Dunkirk taken. Sickness of the protector. His death and character.

A. D. 1653. OLIVER CROMWELL, in whose hands the Cromwell's birth dissolution of the parliament had left the and private life. whole power, civil and military, of three kingdoms, was born at Huntingdon, the last year of the former century, of a good family; though he himself, being the son of a second brother, inherited but a small estate from his father. In the course of his education he had been sent to the university; but his genius was found little fitted for the calm and elegant occupations of learning, and he made small proficiencies in his studies. He even threw himself into a dissolute and disorderly course of life; and he consumed in gaming, drinking, debauchery, and country riots, the more early years of his youth, and dissipated part of his patrimony. All of a sudden the spirit of reformation seized him; he married, affected a grave and composed behaviour, entered into all the zeal and rigour of the puritanical party, and offered to restore to every one whatever sums he had formerly gained by gaming. The same vehemence of temper which had transported him into the extremes of pleasure, now distinguished his religious habits. His house was the resort of all the zealous clergy of the party; and his hospitality, as well as his liberality to the silenced and deprived ministers, proved as chargeable as his former debaucheries. Though he had acquired a tolerable fortune by a maternal uncle, he found his affairs so injured by his expenses, that he was obliged to take a farm at St. Ives, and apply himself, for some years, to agriculture as a profession. But this expedient served rather to involve him in further debts and difficulties. The long prayers which he said to his family in the morning, and again in the afternoon, consumed his own time and that of his ploughmen; and he reserved no leisure for the care of his temporal affairs. His active mind, superior to the low occupations to which he was condemned, preyed upon itself; and he indulged his imagination in visions, illuminations, revelations; the great nourishment of that hypochondriacal temper to which he was ever subject. Urged by his wants and his piety, he had made a party with Hamden, his near kinsman, who was pressed only by the latter motive, to transport himself into New England, now become the retreat of the more zealous among the puritanical party; and it was an order of council which obliged them to disembark and remain in England. The Earl of Bedford, who possessed a large estate in the Fen Country, near the Isle of Ely, having undertaken to drain these morasses, was obliged to apply to the king; and by the powers of the prerogative, he got commissioners appointed, who conducted that work, and divided the new acquired land among the several proprietors. He met with opposition from many, among whom Cromwell distinguished himself; and this was the first public opportunity which he had met with of discovering the factious zeal and obstinacy of his character.

From accident and intrigue he was chosen by the town of Cambridge member of the long parliament. His domestic affairs were then in great disorder; and he seemed not to possess any talents which could qualify him to rise in that public sphere into which he was now at last entered. His person was ungraceful, his dress slovenly, his voice untunable, his elocution homely, tedious, obscure, and embarrassed. The fervour of his spirit frequently prompted him to rise in the House; but he was not heard with attention: his name, for above two years, is not to be found oftener than twice in any committee; and those committees into which he was admitted were chosen for affairs which would more interest the zealots than the men of business. In comparison of the eloquent speakers and fine gentlemen of the House, he was entirely

overlooked; and his friend Hamden alone was acquainted with the depth of his genius, and foretold that, if a civil war should ensue, he would soon rise to eminence and distinction.

Cromwell himself seems to have been conscious where his strength lay; and partly from that motive, partly from the uncontrollable fury of his zeal, he always joined that party which pushed every thing to extremities against the king. He was active in promoting the famous remonstrance, which was the signal for all the ensuing commotions; and when, after a long debate, it was carried by a small majority, he told Lord Falkland, that if the question had been lost, he was resolved next day to have converted into ready money the remains of his fortune, and immediately to have left the kingdom. Nor was this resolution, he said, peculiar to himself: many others of his party he knew to be equally determined.

He was no less than forty-three years of age when he first embraced the military profession; and by force of genius, without any master, he soon became an excellent officer; though perhaps he never reached the fame of a consummate commander. He raised a troop of horse; fixed his quarters in Cambridge; exerted great severity towards that university, which zealously adhered to the royal party; and showed himself a man who would go all lengths in favour of that cause which he had espoused. He would not allow his soldiers to perplex their heads with those subtleties of fighting by the king's authority against his person, and of obeying his majesty's commands signified by both Houses of parliament: he plainly told them that, if he met the king in battle, he would fire a pistol in his face as readily as against any other man. His troop of horse he soon augmented to a regiment; and he first instituted that discipline and inspired that spirit, which rendered the parliamentary armies in the end victorious. "Your troops," said he to Hamden, according to his own account, "are most of them old decayed serving men and tapsters, and such kind of fellows; the king's forces are composed of gentlemen's younger sons and persons of good quality. And do you think that the mean spirits of such base and low fellows as ours will ever be able to encounter gentlemen, that have honour and courage and resolution in them? You must get men of spirit, and take it not ill that I say, of a spirit that is likely to go as far as gentlemen will go, or else I am sure you will still be beaten, as you have hitherto been, in every encounter." He did as he proposed. He enlisted the sons of freeholders and farmers. He carefully invited into his regiment all the zealous fanatics throughout England. When they were collected in a body, their enthusiastic spirit still rose to a higher pitch. Their colonel, from his own natural character, as well as from policy, was sufficiently inclined to increase the flame. He preached, he prayed, he fought, he punished, he rewarded. The wild enthusiasm, together with valour and discipline, still propagated itself; and all men cast their eyes on so pious and so successful a leader. From low commands he rose with great rapidity to be really the first, though in appearance only the second, in the army. By fraud and violence, he soon rendered himself the first in the state. In proportion to the increase of his authority, his talents always seemed to expand themselves; and he displayed every day new abilities, which had lain dormant till the very emergence by which they were called forth into action. All Europe stood astonished to see a nation so turbulent and unruly, who, for some doubtful encroachments on their privileges, had dethroned and murdered an excellent prince, descended from a long line of monarchs, now at last subdued and reduced to slavery by one, who, a few weeks before, was no better than a private gentleman, whose name was not known in the nation, and who was little regarded even in that low sphere to which he had always been confined.

The indignation entertained by the people against an authority founded on such manifest usurpation, was not so violent as might naturally be expected. Congratulatory addresses, the first of the kind, were made to Cromwell by the fleet, by the army, even by many of the chief corporations and counties of England; but especially by the



several congregations of saints dispersed throughout the kingdom.<sup>b</sup> The royalists, though they could not love the man who had imbrued his hands in the blood of their sovereign, expected more lenity from him, than from the jealous and imperious republicans who had hitherto governed. The presbyterians were pleased to see those men by whom they had been outwitted and expelled, now in their turn expelled and outwitted by their own servant; and they applauded him for this last act of violence upon the parliament. These two parties composed the bulk of the nation, and kept the people in some tolerable temper. All men likewise, harassed with wars and factions, were glad to see any prospect of settlement: and they deemed it less ignominious to submit to a person of such admirable talents and capacity, than to a few ignoble enthusiastic hypocrites, who, under the name of a republic, had reduced them to a cruel subjection.

The republicans, being dethroned by Cromwell, were the party whose resentment he had the greatest reason to apprehend. That party, besides the independents, contained two sets of men, who are seemingly of the most opposite principles, but who were then united by a similitude of genius and of character. The first and most numerous were the millenarians, or fifth monarchy men, who insisted, that dominion being founded in grace, all distinction in magistracy must be abolished, except what arose from piety and holiness; who expected suddenly the second coming of Christ upon earth; and who pretended, that the saints in the mean while, that is, themselves, were alone entitled to govern. The second were the deists, who had no other object than political liberty, who denied entirely the truth of revelation, and insinuated, that all the various sects, so heated against each other, were alike founded in folly and in error. Men of such daring geniuses were not contented with the ancient and legal forms of civil government; but challenged a degree of freedom beyond what they expected ever to enjoy under any monarchy. Martin, Challoner, Harrington, Sidney, Wildman, Nevil, were esteemed the heads of this small division.

The deists were perfectly hated by Cromwell, because he had no hold of enthusiasm, by which he could govern or overreach them; he therefore treated them with great rigour and disdain, and usually denominated them the *heathens*. As the millenarians had a great interest in the army, it was much more important for him to gain their confidence; and their size of understanding afforded him great facility in deceiving them. Of late years, it had been so usual a topic of conversation to discourse of parliaments and councils and senates, and the soldiers themselves had been so much accustomed to enter into that spirit, that Cromwell thought it requisite to establish something which might bear the face of a commonwealth. He supposed, that God, in his providence, had thrown the whole right, as well as power, of government into his hands; and without any more ceremony, by the advice of his council of officers, he sent summons to a hundred and twenty-eight persons of different towns and counties of England, to five of Scotland, to six of Ireland. He pretended, by his sole act and deed, to devolve upon these

the whole authority of the state. This legislative power they were to exercise during fifteen months, and they were afterwards to choose the

same number of persons who might succeed them in that high and important office.

There were great numbers at that time, who made it a principle always to adhere to any power which was uppermost, and to support the established government. This maxim is not peculiar to the people of that age; but what may be esteemed peculiar to them is, that there prevailed a hypocritical phrase for expressing so prudential a conduct: it was called a waiting upon Providence. When Providence, therefore, was so kind as to bestow on these men, now assembled together, the supreme authority, they must have been very ungrateful, if, in their turn, they had been wanting in complaisance towards her. They immediately voted themselves a parliament; and 4th July, having their own consent, as well as that of Oliver Cromwell, for their legislative authority, they now proceeded very gravely to the exercise of it.

In this notable assembly were some persons of the rank of gentlemen; but the far greater part were low mechanics; fifth monarchy men, anabaptists, antinomians, independents; the very dregs of the fanatics. They began with seeking God by prayer: this office was performed by eight or ten *gifted* men of the assembly; and with so much success, that, according to the confession of all, they had never before, in any of their devotional exercises, enjoyed so much of the Holy Spirit as was then communicated to them.<sup>c</sup> Their hearts were, no doubt, dilated when they considered the high dignity to which they supposed themselves exalted. They had been told by Cromwell, in his first discourse, that he never looked to see such a day, when Christ should be so owned.<sup>d</sup> They thought it, therefore, their duty to proceed to a thorough reformation, and to pave the way for the reign of the Redeemer, and for that great work which, it was expected, the Lord was to bring forth among them. All fanatics, being consecrated by their own fond imaginations, naturally bear an antipathy to the ecclesiastics, who claim a peculiar sanctity, derived merely from their office and priestly character. This parliament took into consideration the abolition of the clerical function, as savouring of popery; and the taking away of tithes, which they called a relic of Judaism. Learning, also, and the universities, were deemed heathenish and unnecessary: the common law was denominated a badge of the conquest and of Norman slavery; and they threatened the lawyers with a total abrogation of their profession. Some steps were even taken towards an abolition of the chancery,<sup>e</sup> the highest court of judicature in the kingdom; and the Mosaic law was intended to be established as the sole system of English jurisprudence.<sup>f</sup>

Of all the extraordinary schemes adopted by these legislators, they had not leisure to finish any, except that which established the legal solemnization of marriage by the civil magistrate alone, without the interposition of the clergy. They found themselves exposed to the derision of the public. Among the fanatics of the House, there was an active member, much noted for his long prayers, sermons, and harangues. He was a leather-seller in London: his name, *Praise-God Barebone*. This ridiculous name, which seems to have been chosen by some poet or allegorist to suit so ridiculous a personage, struck the fancy of the people; and they commonly affixed to this assembly the appellation of Barebone's parliament.<sup>g</sup>

The Dutch ambassadors endeavoured to enter into nego-

James, Andrew, John, Peter, were not held in such regard as those which were borrowed from the Old Testament, Hezekiah, Habakkuk, Joshua, Zerobab. Sometimes a whole godly sentence was adopted as a name. Here are the names of a jury said to be enclosed in the county of Sussex about that time.

Accepted, Trevor of Nordsam.  
Redeemed, Compton of Battle.  
Faint not, Hewit of Heathfield.  
Make Peace, Heaton of Hare.  
God Reward, Smart of Five-hurst.  
Standfast on High, Stringer of Crowhurst.  
Earth, Adams of Warbleton.  
Called, Lover of the same.  
Kil-Sin, Pimple of Withan.

Return, Spelman of Watling.  
Be Faithful, Joiner of Brirling.  
Fly Debate, Roberts of the same.  
Fight the good Fight of Faith,  
White of Fiver.  
More Fruit, Fowler of East Hadley.  
Hope for, Bending of the same.  
Gracious, Harding of Lewes.  
Weep not, Billing of the same.  
Meek, Brewer of Okeham.

See Brome's Travels into England, p. 279. "Cromwell," says Cleveland, "last beat up his drums cleave through the Old Testament. You may learn the genealogy of our Saviour by the means of his regiment. The master-master has no other list than the first chapter of St. Matthew." The brother of this Praise God Barebone had for name, *If I have had not died for you, you had been damned, Bitch-me*. But the people, tired of this long name, retained only the last word, and commonly gave him the appellation of *Damned Barebone*.

<sup>b</sup> See Milton's State Papers.

<sup>c</sup> Parl. Hist. vol. xx, p. 182.

<sup>d</sup> These are his expressions: "Indeed, I have but one word more to say to you, though in that perhaps I shall show my weakness: it is by way of encouragement to you in this work, give me leave to begin thus. I confess I never looked to have seen such a day as this, it may be not you rather, when Jesus Christ should be so owned as he is at this day and in this work. Jesus Christ is owned this day by your call, and you own him by your willingness to appear for him, and you manifest this day that as poor creatures can do) be a day of the power of Christ. I know you will remember that scripture, *he makes his people willing in the day of his power*. God manifests it to be the day of the power of Christ, having through so much blood and so much trial as has been upon this nation, he makes this one of the greatest mercies, next to his own Son, to have his people called to the supreme authority. God hath owned his Son, and hath owned him, and hath made you to own him. I confess, I never looked to have seen such a day; I did not." I suppose at this passage he cried: for he was very much given to weeping, and could at any time shed abundance of tears. The rest of the speech may be seen among Milton's State Papers, 106. It is very curious, and full of the same obscurity, confusion, embarrassment, and absurdity, which appear in almost all Oliver's productions.

<sup>e</sup> Whitlocke, p. 543. 548.

<sup>f</sup> Conference held at Whitehall.

<sup>g</sup> It was usual for the pretended saints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heathenish, into others more sanctified and godly: even the New Testament names,

citation with this parliament : but though protestants and even presbyterians, they met with a bad reception from those who pretended to a sanctity so much superior. The Hollanders were regarded as worldly-minded men, intent only on commerce and industry : whom it was fitting the saints should first extirpate, ere they undertook that great work, to which they believed themselves destined by Providence, of subduing antichrist, the man of sin, and extending, to the uttermost bounds of the earth, the kingdom of the Redeemer.<sup>h</sup> The ambassadors finding themselves proscribed, not as enemies of England, but of Christ, remained in astonishment, and knew not which was most to be admired, the implacable spirit or egregious folly of these pretended saints.

Cromwell began to be ashamed of his legislature. If he ever had any design in summoning so preposterous an assembly, beyond amusing the populace and the army, he had intended to alarm the clergy and lawyers ; and he had so far succeeded as to make them desire any other government, which might secure their professions, now brought into danger by these desperate fanatics. Cromwell himself was dissatisfied, that the parliament, though they had derived all their authority from him, began to pretend power from the Lord, and to insist already on their divine commission. He had been careful to summon in his writs several persons entirely devoted to him. By concert, these met early ; and it was mentioned by some among them, that the sitting of this parliament any longer would be of no service to the nation. They hastened, therefore, to Cromwell, along with

12th Dec. Rouse, their speaker ; and, by a formal deed or assignment, restored into his hands that supreme authority which they had so lately received from him. General Harrison and about twenty more remained in the House ; and that they might prevent the reign of the saints from coming to an untimely end, they placed one Moyer in the chair, and began to draw up protests. They were soon interrupted by Colonel White, with a party of soldiers. He asked them what they did there ? “ We are seeking the Lord,” said they. “ Then you may go elsewhere,” replied he : “ for to my certain knowledge, he has not been here these many years.”

The military being now in appearance, as well as in reality, the sole power which prevailed in the nation, Cromwell thought fit to indulge in a new fancy : for he seems not to have had any deliberate plan in all these alterations. Lambert, his creature, who, under the appearance of obsequiousness to him, indulged an unbounded ambition, proposed in a council of officers to adopt another scheme of government, and to temper the liberty of a commonwealth by the authority of a single person, who should be known by the appellation of *protector*. Without delay, he prepared what *protector* was called the *instrument of government*, containing the plan of this new legislature ; and as it was supposed to be agreeable to the general, it was immediately voted by the council of officers. Cromwell was declared protector ; and with great solemnity installed in that high office.

So little were these men endowed with the spirit of legislation, that they confessed, or rather boasted, that they had employed only four days in drawing this instrument, by which the whole government of three kingdoms was pretended to be regulated and adjusted to all succeeding generations. There appears no difficulty in believing them ; when it is considered how crude and undigested a system of civil polity they endeavoured to establish. The chief articles of the instrument are these : A council was appointed, which was not to exceed twenty-one, nor be less than thirteen, persons. These were to enjoy their office during life or good behaviour ; and in case of a vacancy, the remaining members named three, of whom the protector chose one. The protector was appointed supreme magistrate of the commonwealth : in his name was all justice to be administered ; from him were all magistracy and honours derived ; he had the power of pardoning all crimes, excepting murder and treason : to him the benefit of all forfeitures devolved.

The right of peace, war, and alliance, rested in him ; but in these particulars he was to act by the advice and with the consent of his council. The power of the sword was vested in the protector jointly with the parliament, while it was sitting, or with the council of state in the intervals. He was obliged to summon a parliament every three years, and allow them to sit five months, without adjournment, prorogation, or dissolution. The bills, which they passed, were to be presented to the protector for his assent ; but if within twenty days it were not obtained, they were to become laws by the authority alone of parliament. A standing army for Great Britain and Ireland was established, of 20,000 foot and 10,000 horse ; and funds were assigned for their support. These were not to be diminished without the consent of the protector ; and in this article alone he assumed a negative. During the intervals of parliament, the protector and council had the power of enacting laws, which were to be valid till the next meeting of parliament. The chancellor, treasurer, admiral, chief governors of Ireland and Scotland, and the chief justices of both the benches, must be chosen with the approbation of parliament ; and in the intervals, with the approbation of the council, to be afterwards ratified by parliament. The protector was to enjoy his office during life ; and on his death, the place was immediately to be supplied by the council. This was the instrument of government enacted by the council of officers, and solemnly sworn to by Oliver Cromwell. The council of state, named by the instrument, were fifteen men entirely devoted to the protector, and by reason of the opposition among themselves in party and principles, not likely ever to combine against him.

Cromwell said that he accepted the dignity of protector, merely that he might exert the duty of a constable, and preserve peace in the nation. Affairs indeed were brought to that pass by the furious animosities of the several factions, that the extensive authority and even arbitrary power of some first magistrate was become a necessary evil, in order to keep the people from relapsing into blood and confusion. The independents were too small a party ever to establish a popular government, or intrust the nation, where they had so little interest, with the free choice of its representatives. The presbyterians had adopted the violent maxims of persecution ; incompatible at all times with the peace of society, much more with the wild zeal of those numerous sects which prevailed among the people. The royalists were so much enraged by the injuries which they had suffered, that the other prevailing parties would never submit to them, who, they knew, were enabled, merely by the execution of the ancient laws, to take severe vengeance upon them. Had Cromwell been guilty of no crime but this temporary usurpation, the plea of necessity and public good, which he alleged, might be allowed, in every view, a reasonable excuse for his conduct.

During the variety of ridiculous and distracted scenes, which the civil government exhibited in England, the military force was exerted with vigour, conduct, and unanimity ; and never did the kingdom appear more formidable to all foreign nations. The English fleet, consisting of a hundred sail, and commanded by Monk and Dean, and under them by Pen and Lawson, met, near the coast of Flanders, with the Dutch fleet, equally numerous, and commanded by Tromp. The two republics were not inflamed by any national antipathy, and their interests very little interfered : yet few battles have been disputed with more fierce and obstinate courage than were those many naval combats which were fought during this short, but violent war. The desire of remaining sole lords of the ocean animated these states to an honourable emulation against each other. After a battle of two days, in the first of which Dean was killed, the Dutch, inferior in the size of their ships, were obliged, with great loss, to retire into their harbours. Blake, towards the end of the fight, joined his countrymen with eighteen sail. The English fleet lay off the coast of Holland, and totally interrupted the commerce of that republic.

The ambassadors whom the Dutch had sent over to



England, gave them hopes of peace. But as they could obtain no cessation of hostilities, the States, unwilling to suffer any longer the loss and dishonour of being blockaded by the enemy, made the utmost efforts to recover their injured honour. Never on any occasion did the power and vigour of that republic appear in a more conspicuous light. In a few weeks they had repaired and manned their fleet; and they equipped some ships of a larger size than any which they had hitherto sent to sea. Tromp issued out, determined again to fight the victors, and to die rather than to yield the contest. He met with the enemy, commanded by Monk; and both sides immediately rushed into the combat. Tromp,

July 29. gallantly animating his men, with his sword drawn, was shot through the heart with a musket ball. This event alone decided the battle in favour of the English. Though near thirty ships of the Dutch were sunk and taken, they little regarded this loss compared with that of their brave admiral.

Meanwhile the negotiations for peace were continually advancing. The States, overwhelmed with the expense of the war, terrified by their losses and mortified by their defeats, were extremely desirous of an accommodation with an enemy whom they found, by experience, too powerful for them. The king having shown an inclination to serve on board their fleet; though they expressed their sense of the honour intended them, they declined an offer which might inflame the quarrel with the English commonwealth. The great obstacle to the peace was found, not to be any animosity on the part of the English; but, on the contrary, a desire, too earnest, of union and confederacy. Cromwell had revived the chimerical scheme of a coalition with the United Provinces; a total conjunction of government, privileges, interests, and councils. This project appeared so wild to the States, that they wondered any man of sense could ever entertain it; and they refused to enter into conferences with regard to a proposal, which could serve only to delay any practicable scheme of accommodation. The peace was at last signed by Cromwell, now invested with the dignity of protector; and it proves sufficiently, that the war had been impolitic, since, after the most signal victories, no terms more advantageous could be obtained. A defensive league was made between the two republics. They agreed each of them to banish the enemies of the other; those who had been concerned in the massacre of Amboyna were to be punished if any remained alive; the honour of the flag was yielded to the English; eighty-five thousand pounds were stipulated to be paid by the Dutch East India company for losses which the English company had sustained; and the island of Polorone in the East Indies was promised to be ceded to the latter.

Cromwell, jealous of the connexions between the royal family and that of Orange, insisted on a separate article; that neither the young prince nor any of his family should ever be invested with the dignity of Stadtholder. The province of Holland, strongly prejudiced against the office, which they esteemed dangerous to liberty, secretly ratified this article. The protector, knowing that the other provinces would not be induced to make such a concession, was satisfied with this security.

The Dutch war being successful, and the peace reasonable, brought credit to Cromwell's administration. An act of justice, which he exercised at home, gave likewise satisfaction to the people; though the regularity of it may, perhaps, appear somewhat doubtful. Don Pantaleon Sa, brother to the Portuguese ambassador, and joined with him in the same commission,\* fancying himself to be insulted, came upon the exchange, armed and attended by several servants. By mistake, he fell on a gentleman, whom he took for the person that had given him the offence; and having butchered him with many wounds, he and all his attendants took shelter in the house of the Portuguese ambassador, who had connived at this base enterprise.<sup>1</sup> The populace surrounded the house, and threatened to set fire to it. Cromwell sent a guard, who seized all the criminals. They were brought to trial: and

notwithstanding the opposition of the ambassador, who pleaded the privileges of his office, Don Pantaleon was executed on Tower-hill. The laws of nations were here plainly violated: but the crime committed by the Portuguese gentleman was, to the last degree, atrocious; and the vigorous chastisement of it, suiting so well to the undaunted character of Cromwell, was universally approved of at home, and admired among foreign nations. The situation of Portugal obliged that court to acquiesce; and the ambassador soon after signed with the protector a treaty of peace and alliance, which was very advantageous to the English commerce.

Another act of severity, but necessary in his situation, was, at the very same time, exercised by the protector, in the capital punishment of Gerard and Vowel, two royalists, who were accused of conspiring against his life. He had erected a high court of justice for their trial; an infringement of the ancient laws, which at this time was become familiar, but one to which no custom or precedent could reconcile the nation. Juries were found altogether unmanageable. The restless Lilburn, for new offences, had been brought to a new trial; and had been acquitted with new triumph and exultation. If no other method of conviction had been devised during this illegal and unpopular government, all its enemies were assured of entire impunity.

The protector had occasion to observe the prejudices entertained against his government by the disposition of the parliament, which he summoned on the third of September, that day of the year on which he gained his two great victories of Dunbar and Worcester, and which he always regarded as fortunate for him. It must be confessed, that, if we are left to gather Cromwell's intentions from his instrument of government, it is such a motley piece, that we cannot easily conjecture, whether he seriously meant to establish a tyranny or a republic. On one hand, a first magistrate, in so extensive a government, seemed necessary both for the dignity and tranquillity of the state; and the authority, which he assumed as protector, was, in some respects, inferior to the prerogatives, which the laws intrusted and still intrust to the king. On the other hand, the legislative power, which he reserved to himself and council, together with so great an army, independent of the parliament, were bad prognostics of his intention to submit to a civil and legal constitution. But if this were not his intention, the method in which he distributed and conducted the elections, being so favourable to liberty, forms an inconsistency which is not easily accounted for. He deprived of their right of election all the small boroughs, places the most exposed to influence and corruption. Of 400 members, which represented England, 270 were chosen by the counties. The rest were elected by London, and the more considerable corporations. The lower populace too, so easily guided or deceived, were excluded from the elections: an estate of 200 pounds value was necessary to entitle any one to a vote. The elections of this parliament were conducted with perfect freedom; and, excepting that such of the royalists as had borne arms against the parliament and all their sons were excluded, a more fair representation of the people could not be desired or expected. Thirty members were returned from Scotland; as many from Ireland.

The protector seems to have been disappointed, when he found that all these precautions, which were probably nothing but covers to his ambition, had not procured him the confidence of the public. Though Cromwell's administration was less odious to every party than that of any other party, yet was it entirely acceptable to none. The royalists had been instructed by the king to remain quiet, and to cover themselves under the appearance of republicans; and they found in this latter faction such inveterate hatred against the protector, that they could not wish for more zealous adversaries to his authority. It was maintained by them, that the pretence of liberty and popular election was but a new artifice of this great deceiver, in order to lay asleep the deluded nation, and give himself leisure to rivet their chains more securely upon

3d of Sept.  
A new parliament.



them: that in the instrument of government he openly declared his intention of still retaining the same mercenary army, by whose assistance he had subdued the ancient established government, and who would with less scruple obey him, in overturning, whenever he should please to order them, that new system, which he himself had been pleased to model: that being sensible of the danger and uncertainty of all military government, he endeavoured to intermix some appearance, and but an appearance, of civil administration, and to balance the army by a seeming consent of the people. That the absurd trial, which he had made, of a parliament elected by himself, appointed perpetually to elect their successors, plainly proved, that he aimed at nothing but temporary expedients, was totally averse to a free republican government, and possessed not that mature and deliberate reflection, which could qualify him to act the part of a legislator: that his imperious character, which had betrayed itself in so many incidents, could never seriously submit to legal limitations; nor would the very image of popular government be longer upheld than while conformable to his arbitrary will and pleasure: and that the best policy was to oblige him to take off the mask at once; and either submit entirely to that parliament, which he had summoned, or, by totally rejecting its authority, leave himself no resource but in his seditious and enthusiastic army.

In prosecution of these views, the parliament, having heard the protector's speech, three hours long,<sup>a</sup> and having chosen Lenthall for their speaker, immediately entered into a discussion of the pretended instrument of government, and of that authority which Cromwell, by the title of protector, had assumed over the nation. The greatest liberty was used in arraigning this new dignity; and even the personal character and conduct of Cromwell escaped not without censure. The utmost that could be obtained by the officers and by the court party, for so they were called, was to protract the debate by arguments and long speeches, and prevent the decision of a question, which, they were sensible, would be carried against them by a great majority. The protector, surprised and enraged at this refractory spirit in the parliament, which however he had so much reason to expect, sent for them to the painted chamber, and with an air of great authority inveighed against their conduct. He told them, that nothing could be more absurd than for them to dispute his title; since the same instrument of government which made them a parliament, had invested him with the protectorship; that some points in the new constitution were supposed to be fundamentals, and were not, on any pretence, to be altered or disputed; that among these were the government of the nation by a single person and a parliament, their joint authority over the army and militia, the succession of new parliaments, and liberty of conscience; and that, with regard to these particulars, there was reserved to him a negative voice, to which, in the other circumstances of government, he confessed himself nowise entitled.

The protector now found the necessity of exacting a security which, had he foreseen the spirit of the House, he would with better grace have required at their first meeting.<sup>b</sup> He obliged the members to sign a recognition of his authority, and an engagement not to propose or consent to any alteration in the government, as it was settled in a single person and a parliament; and he placed guards at the door of the House, who allowed none but subscribers to enter. Most of the members, after some hesitation, submitted to this condition; but retained the same refractory spirit which they had discovered in their first debates. The instrument of government was taken in pieces, and examined, article by article, with the most scrupulous accuracy: very free topics were advanced with the general approbation of the House: and during the whole course of their proceedings, they neither sent up one bill to the protector, nor took any notice of him. Being informed that conspiracies were entered into between the members and some discontented officers, he hastened to the dissolution of so dangerous an assembly. By the instrument of government, to which he had sworn, no parliament could be dissolved till it had sitted

five months; but Cromwell pretended, that a month contained only twenty-eight days, according to the method of computation practised in the paying the fleet and army. The full time, therefore, according to this reckoning, being elapsed, the parliament was ordered to attend the protector, who made them a tedious, confused, angry harangue, and dismissed them. Were we to judge of Cromwell's capacity by this, and indeed by all his other compositions, we should be apt to entertain no very favourable idea of it. But in the great variety of human geniuses, there are some which, though they see their object clearly and distinctly in general, yet, when they come to unfold its parts by discourse or writing, lose that luminous conception which they had before attained. All accounts agree in ascribing to Cromwell, a tiresome, dark, unintelligible elocution, even when he had no intention to disguise his meaning: yet no man's actions were ever, in such a variety of difficult incidents, more decisive and judicious.

The electing of a discontented parliament is a proof of a discontented nation: the angry and abrupt dissolution of that parliament is always sure to increase the general discontent. The members of this assembly, returning to their counties, propagated that spirit of mutiny which they had exerted in the House. Sir Harry Vane and the old republicans, who maintained the indissoluble authority of the long parliament, encouraged the murmurs against the present usurpation; though they acted so cautiously as to give the protector no handle against them. Wildman and some others of that party carried still further their conspiracies against the protector's authority. The royalists, observing this general ill-will towards the establishment, could no longer be retained in subjection; but fancied that every one who was dissatisfied like them had also embraced the same views and inclinations. They did not consider that the old parliamentary party, though many of them were displeased with Cromwell, who had dispossessed them of their power, were still more apprehensive of any success to the royal cause; whence, besides a certain prospect of the same consequence, they had so much reason to dread the severest vengeance for their past transgressions.

In concert with the king, a conspiracy was entered into by the royalists throughout Eng-<sup>Insurrection of the royalists.</sup> land, and a day of general rising appointed. Information of this design was conveyed to Cromwell. The protector's administration was extremely vigilant.—Thurloe, his secretary, had spies every where. Manning, who had access to the king's family, kept a regular correspondence with him. And it was not difficult to obtain intelligence of a confederacy, so generally diffused among a party who valued themselves more on zeal and courage, than on secrecy and sobriety. Many of the royalists were thrown into prison. Others, on the approach of the day, were terrified with the danger of the undertaking, and remained at home. In one place alone the conspiracy broke into action. 11th March.

Penruddock, Groves, Jones, and other gentlemen of the west, entered Salisbury with about 200 horse; at the very time when the sheriff and judges were holding the assizes. These they made prisoners; and they proclaimed the king. Contrary to their expectations, they received no accession of force; so prevalent was the terror of the established government. Having in vain wandered about for some time, they were totally discouraged; and one troop of horse was able at last to suppress them. The leaders of the conspiracy, being taken prisoners, were capitally punished. The rest were sold for slaves, and transported to Barbadoes.

The easy subduing of this insurrection, which, by the boldness of the undertaking, struck at first a great terror into the nation, was a singular felicity to the protector; who could not, without danger, have brought together any considerable body of his mutinous army, in order to suppress it. The very insurrection itself he regarded as a fortunate event; since it proved the reality of those conspiracies, which his enemies, on every occasion, represented as mere fictions, invented to colour his tyrannical severities. He resolved to keep no longer any terms with the royalists, who, though they were not perhaps the most implacable or

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his enuities, were those whom he could oppress under the most plausible pretences, and who met with least countenance and protection from his adherents. He issued an edict, with the consent of his council, for exacting the tenth penny from that whole party; in order, as he pretended, to make them pay the expenses to which their mutinous disposition continually exposed the public. Without regard to compositions, articles of capitulation, or acts of indemnity, all the royalists, however harassed with former oppressions, were obliged anew to redeem themselves by great sums of money; and many of them were reduced by these multiplied disasters to extreme poverty. Whoever was known to be disaffected, or even lay under any suspicion, though no guilt could be proved against him, was exposed to the new taxation.

In order to raise this imposition, which commonly passed by the name of decimation, the protector instituted twelve major-generals; and divided the whole kingdom of England into so many military jurisdictions.<sup>o</sup> These men, assisted by commissioners, had power to subject whom they pleased to decimation, to levy all the taxes imposed by the protector and his council, and to imprison any person who should be exposed to their jealousy or suspicion; nor was there any appeal from them but to the protector himself and his council. Under colour of these powers, which were sufficiently exorbitant, the major-generals exercised an authority still more arbitrary, and acted as if absolute masters of the property and person of every subject. All reasonable men now concluded, that the very mask of liberty was thrown aside, and that the nation was for ever subject to military and despotic government, exercised not in the legal manner of European nations, but according to the maxims of eastern tyranny. Not only the supreme magistrate owed his authority to illegal force and usurpation: he had parcelled out the people into so many subdivisions of slavery, and had delegated to his inferior ministers the same unlimited authority which he himself had so violently assumed.

A government totally military and despotic is almost sure, after some time, to fall into impotence and languor: but when it immediately succeeds a legal constitution, it may, at first, to foreign nations, appear very vigorous and active, and may exert with more unanimity that power, spirit, and riches, which had been acquired under a better form. It seems now proper, after so long

an interval, to look abroad to the general state of Europe, and to consider the measures which England at this time embraced in its negotiations with the neighbouring princes. The moderate temper and unwarlike genius of the two last princes, the extreme difficulties under which they laboured at home, and the great security which they enjoyed from foreign enemies, had rendered them negligent of the transactions on the continent; and England, during their reigns, had been in a manner overlooked in the general system of Europe. The bold and restless genius of the protector led him to extend his alliances and enterprises to every part of Christendom; and partly from the ascendancy of his magnanimous spirit, partly from the situation of foreign kingdoms, the weight of England, even under its most legal and bravest princes, was never more sensibly felt than during this unjust and violent usurpation.

A war of thirty years, the most signal and most destructive that had appeared in modern annals, was at last finished in Germany: and by the treaty of Westphalia, were composed those fatal quarrels which had been excited by the palatine's precipitate acceptance of the crown of Bohemia. The young palatine was restored to part of his dignities and of his dominions.<sup>a</sup> The rights, privileges, and authority of the several members of the Germanic body were fixed and ascertained: sovereign princes and free states were in some degree reduced to obedience under laws: and by the valour of the heroic Gustavus, the enterprises of the active Richelieu, the intrigues of the artful Mazarine, was in part effected, after an infinite expense of blood and treasure, what had been fondly expected and loudly demanded from the feeble efforts of the pacific James, seconded by the scanty supplies of his jealous parliaments.

Sweden, which had acquired by conquest large dominions in the north of Germany, was engaged in enterprises which promised her, from her success and valour, still more extensive acquisitions on the side both of Poland and of Denmark. Charles X. who had mounted the throne of that kingdom after the voluntary resignation of Christina, being stimulated by the fame of Gustavus, as well as by his own martial disposition, carried his conquering arms to the south of the Baltic, and gained the celebrated battle of Warsaw, which had been obstinately disputed during the space of three days. The protector, at the time his alliance was courted by every power in Europe, anxiously courted the alliance of Sweden; and he was fond of forming a confederacy with a protestant power of such renown, even though it threatened the whole north with conquest and subjection.

The transactions of the parliament and protector with France had been various and complicated. The emissaries of Richelieu had furnished fuel to the flame of rebellion, when it first broke out in Scotland; but after the conflagration had diffused itself, the French court, observing the materials to be of themselves sufficiently combustible, found it unnecessary any longer to animate the British malcontents to an opposition of their sovereign. On the contrary, they offered their mediation for composing these intestine disorders; and their ambassadors, from decency, pretended to act in concert with the court of England, and to receive directions from a prince with whom their master was connected by so near an affinity. Meanwhile, Richelieu died; and soon after him the French king, Louis XIII. leaving his son, an infant four years old, and his widow, Anne of Austria, regent of the kingdom. Cardinal Mazarine succeeded Richelieu in the ministry; and the same general plan of policy, though by men of such opposite characters, was still continued in the French councils. The establishment of royal authority, the reduction of the Austrian family, were pursued with ardour and success; and every year brought an accession of force and grandeur to the French monarchy. Not only battles were won, towns and fortresses taken; the genius too of the nation seemed gradually to improve, and to compose itself to the spirit of dutiful obedience and of steady enterprise. A Condé, a Turenne, were formed; and the troops, animated by their valour, and guided by their discipline, acquired every day a greater ascendancy over the Spaniards. All of a sudden, from some intrigues of the court, and some discontents in the courts of judicature, intestine commotions were excited, and every thing relapsed into confusion. But these rebellions of the French, neither ennobled by the spirit of liberty, nor disgraced by the fanatical extravagances which distinguished the British civil wars, were conducted with little bloodshed, and made but a small impression on the minds of the people. Though seconded by the force of Spain, and conducted by the Prince of Condé, the malcontents, in a little time, were either expelled or subdued; and the French monarchy, having lost a few of its conquests, returned with fresh vigour to the acquisition of new dominion.

The Queen of England, and her son Charles, during these commotions, passed most of their time at Paris; and notwithstanding their near connexion of blood, received but few civilities, and still less support, from the French court. Had the queen-regent been ever so much inclined to assist the English prince, the disorders of her own affairs would, for a long time, have rendered such intentions impracticable. The banished queen had a moderate pension assigned her; but it was so ill paid, and her credit ran so low, that, one morning, when the Cardinal de Retz waited on her, she informed him that her daughter, the princess Henrietta, was obliged to lie a-bed, for want of a fire to warm her. To such a condition was reduced, in the midst of Paris, a Queen of England, and daughter of Henry IV. of France!

The English parliament, however, having assumed the sovereignty of the state, resented the countenance, cold as it was, which the French court gave to the unfortunate monarch. On pretence of injuries, of which the English merchants complained, they issued letters of reprisal upon the

<sup>o</sup> Parl. Hist. vol. xx. p. 433.

<sup>a</sup> In 1648.

<sup>q</sup> This prince, during the civil wars, had much neglected his uncle, and

paid court to the parliament. He accepted of a pension of £8000 a year from them, and took a place in their assembly of divines.



French; and Blake went so far as to attack and seize the whole squadron of ships, which were carrying supplies to Dunkirk, then closely besieged by the Spaniards. That town, disappointed of these supplies, fell into the hands of the enemy. The French ministers soon found it necessary to change their measures. They treated Charles with such affected indifference, that he thought it more decent to withdraw, and prevent the indignity of being desired to leave the kingdom. He went first to Spaw, thence he retired to Cologne; where he lived two years on a small pension, about 6000 pounds a-year, paid him by the court of France, and on some contributions sent him by his friends in England. In the management of his family, he discovered a disposition to order and economy; and his temper, cheerful, careless, and sociable, was more than a sufficient compensation for that empire of which his enemies had bereaved him. Sir Edward Hyde, created lord chancellor, and the Marquis of Ormond, were his chief friends and confidants.

If the French ministry had thought it prudent to bend under the English parliament, they deemed it still more necessary to pay deference to the protector, when he assumed the reins of government. Cardinal Mazarine, by whom all the councils of France were directed, was artful and vigilant, subtle and patient, false and intriguing; desirous rather to prevail by dexterity than violence, and placing his honour more in the final success of his measures, than in the splendour and magnanimity of the means which he employed. Cromwell, by his imperious character rather than by the advantage of his situation, acquired an ascendancy over this man; and every proposal made by the protector, however unreasonable in itself, and urged with whatever insolence, met with a ready compliance from the politic and timid cardinal. Bourdeaux was sent over to England as minister; and all circumstances of respect were paid to the daring usurper, who had imbrued his hands in the blood of his sovereign, a prince so nearly related to the royal family of France. With indefatigable patience did Bourdeaux conduct this negotiation, which Cromwell seemed entirely to neglect; and though privateers, with English commissions, committed daily depredations on the French commerce, Mazarine was content, in hopes of a fortunate issue, still to submit to these indignities.<sup>r</sup>

The court of Spain, less connected with the unfortunate royal family, and reduced to greater distress than the French monarchy, had been still more forward in her advances to the prosperous parliament and protector. Don Alonzo de Cardenas, the Spanish envoy, was the first public minister who recognised the authority of the new republic; and in return for this civility, Ascham was sent envoy into Spain by the parliament. No sooner had this minister arrived in Madrid, than some of the banished royalists, inflamed by that inveterate hatred which animated the English factions, broke into his chamber, and murdered him, together with his secretary. Immediately they took sanctuary in the churches; and assisted by the general favour, which every where attended the royal cause, were enabled, most of them, to make their escape. Only one of the criminals suffered death; and the parliament seemed to rest satisfied with this atonement.

Spain, at this time, assailed every where by vigorous enemies from without, and labouring under many internal disorders, retained nothing of her former grandeur, except the haughty pride of her counsels, and the hatred and jealousy of her neighbours. Portugal had rebelled, and established her monarchy in the house of Braganza: Catalonia, complaining of violated privileges, had revolted to France! Naples was shaken with popular convulsions: the Low Countries were invaded with superior forces, and seemed ready to change their master: the Spanish infantry, anciently so formidable, had been annihilated by Condé in the fields of Rocroy; and though the same prince, banished France, sustained, by his activity and valour, the falling

fortunes of Spain, he could only hope to protract, not prevent, the ruin with which that monarchy was visibly threatened.

Had Cromwell understood and regarded the interests of his country, he would have supported the declining condition of Spain against the dangerous ambition of France, and preserved that balance of power, on which the greatness and security of England so much depend. Had he studied only his own interests, he would have maintained an exact neutrality between those great monarchies; nor would he have hazarded his ill-acquired and unsettled power, by provoking foreign enemies, who might lend assistance to domestic faction, and overturn his tottering throne. But his magnanimity undervalued danger: his active disposition, and avidity of extensive glory, made him incapable of repose: and as the policy of men is continually warped by their temper, no sooner was peace made with Holland, than he began to deliberate what new enemy he should invade with his victorious arms.

The extensive empire and yet extreme <sup>War with</sup> weakness of Spain in the West Indies; the <sup>Spain.</sup> vigorous courage and great naval power of England; were circumstances which, when compared, excited the ambition of the enterprising protector, and made him hope that he might, by some gainful conquest, render for ever illustrious that dominion which he had assumed over his country. Should he fail of these durable acquisitions, the Indian treasures, which must every year cross the ocean to reach Spain, were, he thought, a sure prey to the English navy, and would support his military force, without his laying new burthens on the discontented people. From France a vigorous resistance must be expected: no plunder, no conquests could be hoped for: the progress of his arms, even if attended with success, must there be slow and gradual: and the advantages acquired, however real, would be less striking to the multitude, whom it was his interest to allure. The royal family, so closely connected with the French monarch, might receive great assistance from that neighbouring kingdom; and an army of French protestants, landed in England, would be able, he dreaded, to unite the most opposite factions against the present usurpation.<sup>s</sup>

These motives of policy were probably seconded by his bigoted prejudices; as no human mind ever contained so strange a mixture of sagacity and absurdity, as that of this extraordinary personage. The Swedish alliance, though much contrary to the interests of England, he had contracted merely from his zeal for protestantism; and Sweden being closely connected with France, he could not hope to maintain that confederacy, in which he so much prided himself, should a rupture ensue between England and this latter kingdom.<sup>t</sup> The hugenots, he expected, would meet with better treatment, while he engaged in a close union with their sovereign.<sup>u</sup> And as the Spaniards were much more papists than the French, were much more exposed to the old puritanical hatred,<sup>x</sup> and had even erected the bloody tribunal of the inquisition, whose rigours they had refused to mitigate on Cromwell's solicitation; he hoped that a holy and meritorious war with such idolaters could not fail of protection from heaven.<sup>y</sup> A preacher likewise, inspired, as was supposed, by a prophetic spirit, bid him *go and prosper: calling him a stone cut out of the mountains without hands, that would break the pride of the Spaniard, crush antichrist, and make way for the purity of the gospel over the whole world.*<sup>z</sup>

Actuated equally by these bigoted, these ambitious, and these interested motives, the protector equipped two considerable squadrons; and while he was making those preparations, the neighbouring states, ignorant of his intentions, remained in suspense, and looked with anxious expectation on what side the storm should discharge itself. One of these squadrons, consisting of thirty capital ships, was sent into the Mediterranean under Blake, whose fame was now spread over Europe. No English fleet, except during the Crusades, had ever before sailed in those seas;

<sup>r</sup> Thurloe, vol. iii. p. 103, 619, 653. In the treaty, which was signed after long negotiation, the protector's name was inserted before the French King's in that copy which remained in England. Thurloe, vol. vi. p. 116. See further, vol. vii. p. 178.

<sup>s</sup> See the account of the negotiations with France and Spain, by Thurloe, vol. i. p. 729.

<sup>t</sup> He proposed to Sweden a general league and confederacy of all the protestants. Whitlocke, p. 620. Thurloe, vol. vii. p. 1. In order to judge

of the maxims by which he conducted his foreign politics, see further, Thurloe, vol. iv. p. 295, 343, 413. vol. vii. p. 173.

<sup>u</sup> Thurloe, vol. i. p. 759. <sup>x</sup> Id. ibid. <sup>y</sup> Id. ibid.

<sup>z</sup> Id. ibid. Don Alonzo said, that the Indian trade and the inquisition were his master's two eyes, and the protector insisted upon the putting out both of them at once.

<sup>a</sup> Larring on, p. 191.

<sup>b</sup> Bates.



and from one extremity to the other, there was no naval force, Christian or Mahometan, able to resist them. The Roman pontiff, whose weakness and whose pride equally provoked attacks, dreaded invasion from a power which professed the most inveterate enmity against him, and which so little regulated its movements by the usual motives of interest and prudence. Blake, casting anchor before Lagnhorn, demanded and obtained from the Duke of Tuscany reparation for some losses which the English commerce had formerly sustained from him. He next sailed to Algiers, and compelled the Dey to make peace, and to restrain his piratical subjects from further violences on the English. He presented himself before Tunis; and having there made the same demands, the Dey of that republic bade him look to the castles of Porto Farino and Goletta, and do his utmost. Blake needed not to be roused by such a bravado: he drew his ships close up to the castles, and tore them in pieces with his artillery. He sent a numerous detachment of sailors in their long-boats into the harbour, and burned every ship which lay there. This bold action, which its very temerity, perhaps, rendered safe, was executed with little loss, and filled all that part of the world with the renown of English valour.

The other squadron was not equally successful. It was commanded by Pen, and carried on board 4000 men, under the command of Venables. About 5000 more joined them from Barbadoes and St. Christopher's. Both these officers were inclined to the king's service;<sup>b</sup> and it is pretended that Cromwell was obliged to hurry the soldiers on board, in order to prevent the execution of a conspiracy which had been formed among them, in favour of the exiled family.<sup>c</sup> The ill success of this enterprise may justly be ascribed, as much to the injudicious schemes of the protector, who planned it, as to the bad execution of the officers by whom it was conducted. The soldiers were the refuse of the whole army: the forces, enlisted in the West Indies, were the most profligate of mankind: Pen and Venables were of incompatible tempers: the troops were not furnished with arms fit for such an expedition: their provisions were defective both in quantity and quality: all hopes of pillage, the best incentive to valour among such men, were refused the soldiers and seamen: no directions or intelligence were given to conduct the officers in their enterprise: and at the same time they were tied down to follow the advice of commissioners who disconcerted them in all their projects.<sup>d</sup>

April 13. It was agreed by the admiral and general to attempt St. Domingo, the only place of strength in the island of Hispaniola. On the approach of the English, the Spaniards, in a fright, deserted their houses, and fled into the woods. Contrary to the opinion of Venables, the soldiers were disembarked, without guides, ten leagues distant from the town. They wandered four days through the woods without provisions, and, what was still more intolerable in that sultry climate, without water. The Spaniards recovered spirit, and attacked them. The English, discouraged with the bad conduct of their officers, and scarcely alive from hunger, thirst, and fatigue, were unable to resist. An inconsiderable number of the enemy put the whole army to rout, killed 600 of them, and chased the rest on board their vessels.

The English commanders, in order to atone as much as possible for this unprosperous attempt, bent their course to Jamaica, which was surrendered to them without a blow. Pen and Venables returned to England, and were both of them sent to the Tower by the protector, who, though commonly master of his fiery temper, was thrown into a violent passion at this disappointment. He had made a conquest of greater importance than he was himself at that time aware of; yet was it much inferior to the vast projects which he had formed. He gave orders, however, to support it by men and money; and that island has ever since remained in the hands of the English; the chief acquisition which they owe to the enterprising spirit of Cromwell.

As soon as the news of this expedition, which was an unwarrantable violation of A. D. 1666. treaty, arrived in Europe, the Spaniards declared war against England, and seized all the ships and goods of English merchants, of which they could make themselves masters. The commerce with Spain, so profitable to the English, was cut off; and near 1500 vessels, it is computed,<sup>e</sup> fell in a few years into the hands of the enemy. Blake, to whom Montague was now joined in command, after receiving new orders, prepared himself for hostilities against the Spaniards.

Several sea officers, having entertained scruples of conscience with regard to the justice of the Spanish war, threw up their commissions and retired.<sup>f</sup> No commands, they thought, of their superiors, could justify a war, which was contrary to the principles of natural equity, and which the civil magistrate had no right to order. Individuals, they maintained, in resigning to the public their natural liberty, could bestow on it only what they themselves were possessed of, a right of performing lawful actions, and could invest it with no authority of commanding what is contrary to the decrees of Heaven. Such maxims, though they seem reasonable, are perhaps too perfect for human nature; and must be regarded as one effect, though of the most innocent and even honourable kind, of that spirit, partly fanatical, partly republican, which predominated in England.

Blake lay some time off Cadiz, in expectation of intercepting the Plate fleet, but was at last obliged, for want of water, to make sail towards Portugal. Captain Stayer, whom he had left on the coast with a squadron of seven vessels, came in sight of the galleons, and immediately set sail to pursue them. The Spanish admiral ran his ship ashore: two others followed his example: the English took two ships valued at near two millions of pieces of eight. Two galleons were set on fire; and the Marquis of Badajoz, viceroy of Peru, with his wife, and his daughter betrothed to the young Duke of Medina Celi, were destroyed in them. The marquis himself might have escaped; but seeing these unfortunate women, astonished with danger, fall in a swoon, and perish in the flames, he rather chose to die with them, than drag out a life imbittered with the remembrance of such dismal scenes.<sup>g</sup> When the treasures gained by this enterprise arrived at Portsmouth, the protector, from a spirit of ostentation, ordered them to be transported by land to London.

The next action against the Spaniards was more honourable, though less profitable to the nation. Blake, having heard that a Spanish fleet of sixteen ships, much richer than the former, had taken shelter in the Canaries, immediately made sail towards them. He found them in the bay of Santa Cruz, disposed in a formidable posture. The bay was secured with a strong castle, well provided with cannon, besides seven forts in several parts of it, all united by a line of communication, manned with musqueteers. Don Diego Diaques, the Spanish admiral, ordered all his smaller vessels to moor close to the shore, and posted the larger galleons further off, at anchor, with their broadsides to the sea.

Blake was rather animated than daunted with this appearance. The wind seconded his courage, and blowing full into the bay, in a moment brought him among the thickest of his enemies. After a resistance of four hours, the Spaniards yielded to English valour, and abandoned their ships, which were set on fire, and consumed with all their treasure. The greatest danger still remained to the English. They lay under the fire of the castles and all the forts, which must in a little time have torn them in pieces. But the wind suddenly shifting, carried them out of the bay; where they left the Spaniards in astonishment at the happy temerity of their audacious victors.

This was the last and greatest action of the gallant Blake. He was consumed with a drench of dropsy and scurvy, and hastened home, that he might yield up his breath in his native country, which he had so much adorned by his valour. As he came within sight of

<sup>b</sup> Clarendon. <sup>c</sup> Vita D. Perwici, p. 124. <sup>d</sup> Butler's Naval History. See also Carte's Collection, vol. ii. p. 46. 47. Thucyd. vol. iii. p. 55.

<sup>e</sup> Thucyd. vol. iv. p. 135. World's Mistake in Oliver Cromwell, in the Port. Miscel. vol. i.

<sup>f</sup> Thucyd. vol. iv. p. 570. 569.

<sup>g</sup> Ibid. vol. v. p. 442.

land, he expired.<sup>b</sup> Never man, so zealous for a faction, was so much respected and esteemed even by the opposite factions. He was by principle an inflexible republican; and the late usurpations, amidst all the trust and caresses which he received from the ruling powers, were thought to be very little grateful to him. *It is still our duty*, he said to the seamen, *to fight for our country, into what hands soever the government might fall.* Disinterested, generous, liberal; ambitious only of true glory, dreadful only to his avowed enemies; he forms one of the most perfect characters of the age, and the least stained with those errors and violences which were then so predominant. The protector ordered him a pompous funeral at the public charge; but the tears of his countrymen were the most honourable panegyric on his memory.

The conduct of the protector in foreign affairs, though imprudent and impolitic, was full of vigour and enterprise, and drew a consideration to his country, which, since the reign of Elizabeth, it seemed to have totally lost. The great mind of this successful usurper was intent on spreading the renown of the English nation; and while he struck mankind with astonishment at his extraordinary fortune, he seemed to ennoble, instead of debasing, that people whom he had reduced to subjection. It was his boast, that he would render the name of an Englishman as much feared and revered as ever was that of a Roman; and as his countrymen found some reality in these pretensions, their national vanity, being gratified, made them bear with more patience all the indignities and calamities under which they laboured.

Domestic administration of Cromwell. It must also be acknowledged, that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency, as his usurped authority, derived from no law, and founded only on the sword, could possibly permit. All the chief offices in the courts of judicature were filled with men of integrity: amidst the virulence of faction, the decrees of the judges were upright and impartial: and to every man but to himself, and to himself except where necessity required the contrary, the law was the great rule of conduct and behaviour. Vane and Lilburn, whose credit with the republicans and levellers he dreaded, were indeed for some time confined to prison; Cony, who refused to pay illegal taxes, was obliged by menaces to depart from his obstinacy: high courts of justice were erected to try those who had engaged in conspiracies and insurrections against the protector's authority, and whom he could not safely commit to the verdict of juries. But these irregularities were deemed inevitable consequences of his illegal authority. And though often urged by his officers, as is pretended, to attempt a general massacre of the royalists, he always with horror rejected such sanguinary counsels.

65 In the army was laid the sole basis of the protector's power; and in managing it consisted the chief art and delicacy of his government. The soldiers were held in exact discipline; a policy which both accustomed them to obedience, and made them less hateful and burdensome to the people. He augmented their pay; though the public necessities sometimes obliged him to run in arrears to them. Their interests, they were sensible, were closely connected with those of their general and protector. And he entirely commanded their affectionate regard, by his abilities and success in almost every enterprise which he had hitherto undertaken. But all military government is precarious; much more where it stands in opposition to civil establishments; and still more where it encounters religious prejudices. By the wild fanaticism which he had nourished in the soldiers, he had seduced them into measures, for which, if openly proposed to them, they would have entertained the utmost aversion. But this same spirit rendered them more difficult to be governed, and made their caprices terrible even to that hand which directed their movements. So often taught, that the office of king was an usurpation upon Christ, they were apt to suspect a

protector not to be altogether compatible with that divine authority. Harrison, though raised to the highest dignity, and possessed of Cromwell's confidence, became his most inveterate enemy as soon as the authority of a single person was established, against which that usurper had always made such violent protestations. Overton, Rich, Okey, officers of rank in the army, were actuated with like principles, and Cromwell was obliged to deprive them of their commissions. Their influence, which was before thought unbounded among the troops, seemed from that moment to be totally annihilated.

The more effectually to curb the enthusiastic and seditious spirit of the troops, Cromwell established a kind of militia in the several counties. Companies of infantry and cavalry were enlisted under proper officers, regular pay distributed among them, and a resource by that means provided both against the insurrections of the royalists, and mutiny of the army.

Religion can never be deemed a point of small consequence in civil government: but during this period, it may be regarded as the great spring of men's actions and determinations. Though transported, himself, with the most frantic whimsies, Cromwell had adopted a scheme for regulating this principle in others, which was sagacious and political. Being resolved to maintain a national church, yet determined neither to admit episcopacy nor presbytery, he established a number of commissioners, under the name of *tryers*, partly laymen, partly ecclesiastics, some presbyterians, some independents. These presented to all livings, which were formerly in the gift of the crown; they examined and admitted such persons as received holy orders; and they inspected the lives, doctrine, and behaviour of the clergy. Instead of supporting that union between learning and theology, which has long been attempted in Europe, these tryers embraced the latter principle in its full purity, and made it the sole object of their examination. The candidates were no more perplexed with questions concerning their progress in Greek and Roman erudition; concerning their talent for profane arts and sciences: the chief object of scrutiny regarded their advances in grace, and fixing the critical moment of their conversion.

With the pretended saints of all denominations Cromwell was familiar and easy. Laying aside the state of protector, which, on other occasions, he well knew how to maintain, he insinuated to them, that nothing but necessity could ever oblige him to invest himself with it. He talked spiritually to them; he sighed, he wept, he canted, he prayed. He even entered with them into an emulation of ghostly gifts; and these men, instead of grieving to be outdone in their own way, were proud that his highness, by his princely example, had dignified those practices in which they themselves were daily occupied.<sup>k</sup>

If Cromwell might be said to adhere to any particular form of religion, they were the independents who could chiefly boast of his favour; and it may be affirmed, that such pastors of that sect, as were not passionately addicted to civil liberty, were all of them devoted to him.

The presbyterian clergy also, saved from the ravages of the anabaptists and millenarians, and enjoying their establishments and tithes, were not averse to his government; though he still entertained a great jealousy of that ambitious and restless spirit by which they were actuated. He granted an unbounded liberty of conscience to all but catholics and prelaticists; and by that means he both attached the wild sectaries to his person, and employed them in curbing the domineering spirit of the presbyterians. "I am the only man," he was often heard to say, "who has known how to subdue that insolent sect, which can suffer none but itself."

The protestant zeal which possessed the presbyterians and independents, was highly gratified by the haughty manner in which the protector so successfully supported the persecuted protestants throughout all Europe. Even the Duke of Savoy, so remote a power, and so little ex-

you have every day, reckon it so, more than to eat, sleep, and cumbered together. But aside sometimes from your company, and get a word with the Lord. Was should not you have three or four precious souls always standing at your elbow, with whom you might now and then turn into a corner, & have brief refreshment and merriment in such a way." Milton's State Papers, p. 1.

b 30th of April, 1657.

k Clarendon, l. 16, of the 2d. Book, &c.

l Cromwell's confession, throughout in part, the advice which he received from General Harrison at the time when the intimacy and confidence most strongly subsisted between them. "Let the water, which I have sold, and that might be said, 'be the greatest and most precious commodity

posed to the naval force of England, was obliged, by the authority of France, to comply with his mediation, and to tolerate the protestants of the valleys, against whom that prince had commenced a furious persecution. France itself was constrained to bear not only with the religion, but even, in some instances, with the seditious insolence, of the hugonots; and when the French court applied for a reciprocal toleration of the catholic religion in England, the protector, who arrogated in every thing the superiority, would hearken to no such proposal. He had entertained a project of instituting a college, in imitation of that at Rome, for the propagation of the faith; and his apostles, in zeal, though not in unanimity, had certainly been a full match for the catholics.

Cromwell retained the church of England in constraint; though he permitted its clergy a little more liberty than the republican parliament had formerly allowed. He was pleased that the superior lenity of his administration should in every thing be remarked. He bridled the royalists, both by the army which he retained, and by those secret spies which he found means to intermix in all their counsels. Manning being detected and punished with death, he corrupted Sir Richard Willis, who was much trusted by Chancellor Hyde and all the royalists; and by means of this man he was let into every design and conspiracy of the party. He could disconcert any project, by confining the persons who were to be the actors in it; and as he restored them afterwards to liberty, his severity passed only for the result of general jealousy and suspicion. The secret source of his intelligence remained still unknown and unsuspected.

Conspiracies for an assassination he was chiefly afraid of; these being designs which no prudence or vigilance could evade. Colonel Titus, under the name of Allen, had written a spirited discourse, exhorting every one to embrace this method of vengeance; and Cromwell knew that the inflamed minds of the royal party were sufficiently disposed to put the doctrine in practice against him. He openly told them, that assassinations were base and odious, and he never would commence hostilities by so shameful an expedient; but if the first attempt or provocation came from them, he would retaliate to the uttermost. He had instruments, he said, whom he could employ; and he never would desist till he had totally exterminated the royal family. This menace, more than all his guards, contributed to the security of his person.<sup>1</sup>

There was no point about which the protector was more solicitous than to procure intelligence. This article alone, it is said, cost him sixty thousand pounds a year. Postmasters, both at home and abroad, were in his pay: carriers were searched or bribed: secretaries and clerks were corrupted: the greatest zealots in all parties were often those who conveyed private information to him; and nothing could escape his vigilant inquiry. Such at least is the representation made by historians of Cromwell's administration: but it must be confessed, that if we may judge by those volumes of Thurloe's papers, which have been lately published, this affair, like many others, has been greatly magnified. We scarcely find, by that collection, that any secret counsels of foreign states, except those of Holland, which are not expected to be concealed, were known to the protector.

The general behaviour and deportment of this man, who had been raised from a very private station, who had passed most of his youth in the country, and who was still constrained so much to frequent bad company, was such as might befit the greatest monarch. He maintained a dignity without either affectation or ostentation; and supported with all strangers that high idea with which his great exploits and prodigious fortune had impressed them. Among his ancient friends he could relax himself; and by trifling and amusement, jesting and making verses, he feared not exposing himself to their most familiar approaches.<sup>2</sup> With others, he sometimes pushed matters to

the length of rustic buffoonery; and he would amuse himself by putting burning coals into the boots and hose of the officers who attended him.<sup>3</sup> Before the king's trial, a meeting was agreed on between the chiefs of the republican party and the general officers, in order to concert the model of that free government which they were to substitute in the room of the monarchical constitution, now totally subverted. After debates on this subject, the most important that could fall under the discussion of human creatures, Ludlow tells us, that Cromwell, by way of frolic, threw a cushion at his head; and when Ludlow took up another cushion in order to return the compliment, the general ran down stairs, and had almost fallen in the hurry. When the high court of justice was signing the warrant for the execution of the king, a matter, if possible, still more serious, Cromwell, taking the pen in his hand, before he subscribed his name, bedaubed with ink the face of Martin, who sat next him. And the pen being delivered to Martin, he practised the same frolic upon Cromwell.<sup>4</sup> He frequently gave feasts to his inferior officers; and when the meat was set upon the table, a signal was given; the soldiers rushed in upon them; and with much noise, tumult, and confusion, ran away with all the dishes, and disappointed the guests of their expected meal.<sup>5</sup>

That vein of frolic and pleasantry which made a part, however inconsistent, of Cromwell's character, was apt sometimes to betray him into other inconsistencies, and to discover itself even where religion might seem to be a little concerned. It is a tradition, that, one day, sitting at table, the protector had a bottle of wine brought him, of a kind which he valued so highly, that he must needs open the bottle himself: but in attempting it, the cork-screw dropt from his hand. Immediately his courtiers and generals flung themselves on the floor to recover it. Cromwell burst out a-laughing. *Should any fool, said he, put in his head at the door, he would fancy, from your posture, that you were seeking the Lord; and you are only seeking a cork-screw.*

Amidst all the unguarded play and buffoonery of this singular personage, he took the opportunity of remarking the characters, designs, and weaknesses of men; and he would sometimes push them, by an indulgence in wine, to open to him the most secret recesses of their bosom. Great regularity however, and even austerity of manners, were always maintained in his court; and he was careful never by any liberties to give offence to the most rigid of the godly. Some state was upheld; but with little expense, and without any splendour. The nobility, though courted by him, kept at a distance, and disdained to intermix with those mean persons who were the instruments of his government. Without departing from economy, he was generous to those who served him; and he knew how to find out and engage in his interests every man possessed of those talents which any particular employment demanded. His generals, his admirals, his judges, his ambassadors, were persons who contributed, all of them in their several spheres, to the security of the protector, and to the honour and interest of the nation.

Under pretence of uniting Scotland and Ireland in one commonwealth with England, Cromwell had reduced those kingdoms to a total subjection; and he treated them entirely as conquered provinces. The civil administration of Scotland was placed in a council, consisting mostly of English, of which Lord Broghil was president. Justice was administered by seven judges, four of whom were English. In order to curb the tyrannical nobility, he both abolished all vassalage, and revived the office of justice of peace, which King James had introduced, but was not able to support.<sup>6</sup> A long line of forts and garrisons was maintained throughout the kingdom. An army of 10,000 men<sup>7</sup> kept every thing in peace and obedience; and neither the banditti of the mountains, nor the bigots of the Low Countries, could indulge their inclination to

<sup>1</sup> About this time an accident had almost robbed the protector of his life, and saved his enemies the trouble of all their animations. Having got six fine Thracian coach horses as a present from the Count of Oldenburgh, he undertook, for his amusement to drive them about Hyde-park, his secretary, Thurloe, being in the coach. The horses were started and ran away: he was unable to command them or keep the box. He fell upon the pole, was dragged upon the ground for some time, a pistol, which he

carried in his pocket, went off, and by that singular good fortune, which ever attended him, he was taken up without any considerable hurt or bruise.

<sup>2</sup> M. Whitlocke, p. 647.

<sup>3</sup> A Trial of the Regents.

<sup>4</sup> A. Whitlocke, p. 579.

<sup>5</sup> Ibid. vol. vi. p. 557.

<sup>6</sup> Bates.

<sup>7</sup> Fades.

<sup>8</sup> Thurloe, vol. iv. p. 57.



turbulence and disorder. He courted the presbyterian clergy; though he nourished that intestine enmity which prevailed between the resolutioners and protesters; and he found that very little policy was requisite to foment quarrels among theologians. He permitted no church assemblies; being sensible that from thence had proceeded many of the past disorders. And, in the main, the Scots were obliged to acknowledge, that never before, while they enjoyed their irregular factious liberty, had they attained so much happiness, as at present when reduced to subjection under a foreign nation.

The protector's administration of Ireland was more severe and violent. The government of that island was first intrusted to Fleetwood, a notorious fanatic, who had married Ireton's widow; then to Henry Cromwell, second son of the protector, a young man of an amiable, mild disposition, and not destitute of vigour and capacity. Above five millions of acres, forfeited either by the popish rebels or by the adherents of the king, were divided partly among the adventurers, who had advanced money to the parliament, partly among the English soldiers, who had arrears due to them. Examples of a more sudden and violent change of property are scarcely to be found in any history. An order was even issued to confine all the native Irish to the province of Connaught, where they would be shut up by rivers, lakes, and mountains; and could not, it was hoped, be any longer dangerous to the English government; but this barbarous and absurd policy, which, from an impatience of attaining immediate security, must have depopulated all the other provinces, and rendered the English estates of no value, was soon abandoned as impracticable.

New parliament. Cromwell began to hope that, by his administration, attended with so much lustre and success abroad, so much order and tranquillity at home, he had now acquired such authority as would enable him to meet the representatives of the nation, and would assure him of their dutiful compliance with his government. He summoned a parliament; but, not trusting altogether to the good-will of the people, he used every art, which his new model of representation allowed him to employ, in order to influence the elections, and fill the House with his own creatures. Ireland, being entirely in the hands of the army, chose few but such officers as were most acceptable to him. Scotland showed a like compliance; and as the nobility and gentry of that kingdom regarded their attendance on English parliaments as an ignominious badge of slavery, it was, on that account, more easy for the officers to prevail in the elections. Notwithstanding all these precautions, the protector still found that the majority would not be favourable to him. He set guards, therefore, on the door, who permitted none to enter but such as produced a warrant from his council; and the council rejected about a hundred, who either refused a recognition of the protector's government, or were on other accounts obnoxious to him. These protested against so egregious a violence, subversive of all liberty; but every application for redress was neglected both by the council and the parliament.

17th Sept. The majority of the parliament, by means of these arts and violences, was now at last either friendly to the protector, or resolved by their compliance to adjust, if possible, this military government to their laws and liberties. They voted a renunciation of all title in Charles Stuart, or any of his family; and this was the first act, dignified with the appearance of national consent, which had ever had that tendency. Colonel Jephson, in order to sound the inclinations of the House, ventured to move, that the parliament should bestow the crown on Cromwell; and no surprise or reluctance was discovered on the occasion. When Cromwell afterwards asked Jephson what induced him to make such a motion; "As long," said Jephson, "as I have the honour to sit in parliament, I must follow the dictates of my own conscience, whatever offence I may be so unfortunate as to give you." "Get thee gone," said Cromwell, giving him a gentle blow on the shoulder, "get thee gone, for a mad fellow as thou art."

In order to pave the way to this advancement, for which he so ardently longed, Cromwell resolved to sacrifice his major-generals, whom he knew to be extremely odious to

the nation. That measure was also become necessary for his own security. All government, purely military, fluctuates perpetually, between a despotic monarchy and a despotic aristocracy, according as the authority of the chief commander prevails, or that of the officers next him in rank and dignity. The major-generals, being possessed of so much distinct jurisdiction, began to establish a separate title to power, and had rendered themselves formidable to the protector himself; and for this inconvenience, though he had not foreseen it, he well knew, before it was too late, to provide a proper remedy. Claypole, his son-in-law, who possessed his confidence, abandoned them to the pleasure of the House; and though the name was still retained, it was agreed to abridge, or rather entirely annihilate, the power of the major-generals.

At length, a motion in form was made by Alderman Pack, one of the city members, for investing the protector with the dignity of king. This motion, at first, excited great disorder, and divided the whole House into parties. The chief opposition came from the usual adherents of the protector, the major-generals, and such officers as depended on them. Lambert, a man of deep intrigue, and of great interest in the army, had long entertained the ambition of succeeding Cromwell in the protectorship; and he foresaw, that if the monarchy were restored, hereditary right would also be established, and the crown be transmitted to the posterity of the prince first elected. He pleaded, therefore, conscience; and rousing all those civil and religious jealousies against kingly government, which had been so industriously encouraged among the soldiers, and which served them as a pretence for so many violences, he raised a numerous and still more formidable party, against the motion.

On the other hand, the motion was supported by every one who was more particularly devoted to the protector, and who hoped, by so acceptable a measure, to pay court to the prevailing authority. Many persons also, attached to their country, despaired of ever being able to subvert the present illegal establishment; and were desirous, by fixing it on ancient foundations, to induce the protector, from views of his own safety, to pay a regard to the ancient laws and liberties of the kingdom. Even the royalists imprudently joined in the measure; and hoped that, when the question regarded only persons, not forms of government, no one would any longer balance between the ancient royal family and an ignoble usurper, who, by blood, treason, and perfidy, had made his way to the throne. The bill was voted by a considerable majority; and a committee was appointed to reason with the protector, and to overcome those scruples which he pretended against accepting so liberal an offer.

The conference lasted for several days.

9th April. The committee urged, that all the statutes and customs of England were founded on the supposition of regal authority, and could not, without extreme violence, be adjusted to any other form of government: that a protector, except during the minority of a king, was a name utterly unknown to the laws; and no man was acquainted with the extent or limits of his authority: that if it were attempted to define every part of his jurisdiction, many years, if not ages, would be required for the execution of so complicated a work; if the whole power of the king were at once transferred to him, the question was plainly about a name, and the preference was indisputably due to the ancient title: that the English constitution was more anxious concerning the form of government than concerning the birth-right of the first magistrate, and had provided, by an express law of Henry VII., for the security of those who act in defence of the king in being, by whatever means he might have acquired possession: that it was extremely the interest of all his highness's friends, to seek the shelter of this statute; and even the people in general were desirous of such a settlement, and in all juries were with great difficulty induced to give their verdict in favour of a protector: that the great source of all the late commotions had been the jealousy of liberty; and that a republic, together with a protector, had been established, in order to provide further securities for the freedom of the constitution; but that by experience the remedy had been found insufficient, even dangerous and

A. D. 1657.  
Crown offered to Cromwell.

pernicious: since every undeterminate power, such as that of a protector, must be arbitrary; and the more arbitrary, as it was contrary to the genius and inclination of the people.

The difficulty consisted not in persuading Cromwell. He was sufficiently convinced of the solidity of these reasons; and his inclination, as well as judgment, was entirely on the side of the committee. But how to bring over the soldiers to the same way of thinking was the question. The office of king had been painted to them in such horrible colours, that there were no hopes of reconciling them suddenly to it, even though bestowed upon their general, to whom they were so much devoted. A contradiction, open and direct, to all past professions, would make them pass, in the eyes of the whole nation, for the most shameless hypocrites, enlisted, by no other than mercenary motives, in the cause of the most perfidious traitor. Principles, such as they were, had been encouraged in them by every consideration, human and divine; and though it was easy, where interest concurred, to deceive them by the thinnest disguises, it might be found dangerous at once to pull off the mask, and to show them, in a full light, the whole crime and deformity of their conduct. Suspended between these fears and his own most ardent desires, Cromwell protracted the time, and seemed still to oppose the reasonings of the committee; in hopes that by artifice he might be able to reconcile the refractory minds of the soldiers to his new dignity.

While the protector argued so much in contradiction, both to his judgment and inclination, it is no wonder that his elocution, always confused, embarrassed, and unintelligible, should be involved in tenfold darkness, and discover no glimmering of common sense or reason. An exact account of this conference remains, and may be regarded as a great curiosity. The members of the committee, in their reasonings, discover judgment, knowledge, elocution: Lord Broghil, in particular, exerts himself on this memorable occasion. But what a contrast, when we pass to the protector's replies! After so singular a manner does nature distribute her talents, that in a nation abounding with sense and learning, a man who, by superior personal merit alone, had made his way to supreme dignity, and had even obliged the parliament to make him a tender of the crown, was yet incapable of expressing himself on this occasion, but in a manner which a peasant of the most ordinary capacity would justly be ashamed of!

The opposition which Cromwell dreaded, was not that which came from Lambert and his adherents, whom he now regarded as capital enemies, and whom he was resolved, on the first occasion, to deprive of all power and authority: it was that which he met with in his own family, and from men, who, by interest as well as inclination, were the most devoted to him. Fleetwood had married his daughter: Desborow, his sister: yet these men, actuated by principle alone, could by no persuasion, artifice, or entreaty, be induced to consent, that their friend and patron should be invested with regal dignity. They told him that, if he accepted of the crown, they would instantly throw up their commissions, and never afterwards should have it in their power to serve him.\* Colonel Pride procured a petition against the office of king, signed by a majority of the officers who were in London and the neighbourhood. Several persons, it is said, had entered into an engagement to murder the protector within a few hours after he should have accepted the offer of the parliament. Some sudden mutiny in the army was justly dreaded. And upon the whole, Cromwell, after the agony

and perplexity of long doubt, was at last obliged to refuse that crown, which the representatives of the nation, in the most solemn manner, had tendered to him. Most historians are inclined to blame his choice; but he must be allowed the best judge of his own situation. And in such complicated subjects, the alteration of a very minute circumstance, unknown to the spectator, will often be sufficient to cast the balance, and render a determination, which, in itself, may be uneligible, very prudent, or even absolutely necessary to the actor.

A dream or prophecy, Lord Clarendon mentions, which he affirms, (and he must have known the truth,) was universally talked of, almost from the beginning of the civil wars, and long before Cromwell was so considerable a person as to bestow upon it any degree of probability. In this prophecy it was foretold that Cromwell should be the greatest man in England, and would nearly, but never would fully, mount the throne. Such a prepossession probably arose from the heated imagination, either of himself or of his followers; and as it might be one cause of the great progress which he had already made, it is not an unlikely reason which may be assigned for his refusing, at this time, any further elevation.

The parliament, when the regal dignity was rejected by Cromwell, found themselves obliged to retain the name of a commonwealth and protector; and as the government was hitherto a manifest usurpation, it was thought proper to sanctify it by a seeming choice of the people and their representatives. Instead of the *instrument of government*, which was the work of the general officers alone, an *humble petition and advice* was framed, and offered to the protector, by the parliament. This *Humble petition and advice* was represented as the great basis of the republican establishment, regulating and limiting the powers of each member of the constitution, and securing the liberty of the people to the most remote posterity. By this deed, the authority of protector was, in some particulars, enlarged: in others, it was considerably diminished. He had the power of nominating his successor; he had a perpetual revenue assigned him, a million a year for the pay of the fleet and army, three hundred thousand pounds for the support of civil government; and he had authority to name another House, who should enjoy their seats during life, and exercise some functions of the former House of Peers. But he abandoned the power assumed in the intervals of parliament, of framing laws with the consent of his council; and he agreed that no members of either House should be excluded but by the consent of that House of which they were members. The other articles were, in the main, the same as in the instrument of government. The instrument of government Cromwell had formerly extolled, as the most perfect work of human invention: he now represented it as a rotten plank, upon which no man could trust himself without sinking. Even the humble petition and advice, which he extolled in its turn, appeared so lame and imperfect, that it was found requisite, this very session, to mend it by a supplement; and after all, it may be regarded as a crude and undigested model of government. It was, however, accepted for the voluntary deed of the whole people in the three united nations; and Cromwell, as if his power had just commenced from this popular consent, was anew inaugurated in Westminster-hall, after the most solemn and most pompous manner.

The parliament having adjourned itself, the protector deprived Lambert of all his commissions; but still allowed him a considerable pension of 2000 pounds a-year, as a bribe for his future

\* We shall produce any passage at random: for his discourse is all of a piece. "I confess, for it behoves me to deal plainly with you, I must confess, I would say, I hope, I may be understood in this; for indeed I must be tender what I say to such an audience as this: I say I would be understood, that in this conference, I do not make parallel between men of a different mind and a parliament, which shall have their desires. I know there is no comparison, nor can it be urged upon me, that my words have the least colour that way, because the parliament seems to give liberty to me to say any thing to you; as that, that is a tender of my humble reason and judgment and opinion to them; and if I think they are such, and will be such to them, and are faithful servants, and will be so to the supreme authority, and the legislative, whosoever it is: if, I say, I should not tell you, knowing their minds to be so, I should not be truthful, it would not tell you so, to the end you may report it to the parliament: I shall say something for myself, for my own mind, I do profess it, I am not a man scrupulous about words or names of such things I have not; but as I have the word of God, and I hope I shall ever have it, for the rule of my con-

science, for my intimations; so truly men that have been led in dark paths, through the providence and dispensation of God, who, surely, it is not to be objected to a man, for who can love to walk in the dark? Most Providence does so dispose. And I touch a man may be put to some folly and blindness to Providence's service, yet I would be at no pains, the case may be that it is the providence of God that doth lead men in darkness; I must needs say, that I have had a great deal of experience of providence, and seen of the world in many cases." *Engagement Hatched*. The great defect in Oliver's speeches consists not in his want of eloquence, but in his want of ideas. The sagacity of his actions, and the shortness of his discourse, form the most prodigious contrast that ever was known. The collection of all his speeches, letters, sermons, (for he also wrote sermons,) would make a great curiosity, and with a few exceptions, might justly pass for one of the most precious books in the world.

u Burlew, vol. vi. p. 261.

peaceable deportment. Lambert's authority in the army, to the surprise of every body, was found immediately to expire with the loss of his commission. Packer and some other officers, whom Cromwell suspected, were also displaced.

Richard, eldest son of the protector, was brought to court, introduced into public business, and thenceforth regarded by many as his heir in the protectorship; though Cromwell sometimes employed the gross artifice of flattering others with hopes of the succession. Richard was a person possessed of the most peaceable, inoffensive, unambitious character, and had hitherto lived contentedly in the country on a small estate which his wife had brought him. All the activity which he discovered, and which never was great, was however exerted to beneficent purposes: at the time of the king's trial, he had fallen on his knees before his father, and had conjured him, by every tie of duty and humanity, to spare the life of that monarch. Cromwell had two daughters unmarried: one of them he now gave in marriage to the grandson and heir of his great friend, the Earl of Warwick, with whom he had, in every fortune, preserved an uninterrupted intimacy and good correspondence. The other he married to the Viscount Fauconberg, of a family formerly devoted to the royal party. He was ambitious of forming connexions with the nobility; and it was one chief motive for his desiring the title of king, that he might replace every thing in its natural order, and restore to the ancient families the trust and honour of which he now found himself obliged, for his own safety, to deprive them.

1658. The parliament was again assembled; consisting, as in the times of monarchy, of two Houses, the Commons and the other House. Cromwell, during the interval, had sent writs to his House of Peers, which consisted of sixty members. They were composed of five or six ancient Peers, of several gentlemen of fortune and distinction, and of some officers, who had risen from the meanest stations. None of the ancient Peers, however, though summoned by writ, would deign to accept of a seat, which they must share with such companions as were assigned them. The protector endeavoured, at first, to maintain the appearance of a legal magistrate. He placed no guard at the door of either House: but soon found how incompatible liberty is with military usurpations. By bringing so great a number of his friends and adherents into the other House, he had lost the majority among the national representatives. In consequence of a clause in the humble petition and advice, the Commons assumed a power of re-admitting those members whom the council had formerly excluded. Sir Arthur Hazelrigg and some others, whom Cromwell had created Lords, rather chose to take their seat with the Commons. An incontestable majority now declared themselves against the protector; and they refused to acknowledge the jurisdiction of that other House which he had established. Even the validity of the humble petition and advice was questioned; as being voted by a parliament which lay under force, and which was deprived, by military violence, of a considerable number of its members. The protector, dreading combinations between the parliament and the malcontents in the army, resolved to allow no leisure for forming any conspiracy against him; and, with expressions of great displeasure, he dissolved the parliament. When urged by Fleetwood, and others of his friends, not to precipitate himself into this rash measure, he swore by the living God, that they should not sit a moment longer.

4th Feb. These distractions at home were not able to take off the protector's attention from foreign affairs; and in all his measures he proceeded with the same vigour and enter-

prise, as if secure of the duty and attachment of the three kingdoms. His alliance with Sweden he still supported; and he endeavoured to assist that crown in its successful enterprises, for reducing all its neighbours to subjection, and rendering itself absolute master of the Baltic. As soon as Spain declared war against him, he concluded a peace and an alliance with France, and united himself in all his counsels with that potent and ambitious kingdom. Spain, having long courted, in vain, the friendship of the successful usurper, was reduced at last to apply to the unfortunate prince. Charles formed a league with Philip, removed his small court to Bruges in the Low Countries, and raised four regiments of his own subjects, whom he employed in the Spanish service. The Duke of York, who had, with applause, served some campaigns in the French army, and who had merited the particular esteem of Marshal Turenne, now joined his brother, and continued to seek military experience under Don John of Austria, and the Prince of Condé.

The scheme of foreign politics, adopted by the protector, was highly imprudent, but was suitable to that magnanimity and enterprise, with which he was so signally endowed. He was particularly desirous of conquest and dominion on the continent; and he sent over into Flanders six thousand men under Reynolds, who joined the French army commanded by Turenne. In the former campaign, Mardyke was taken, and put into the hands of the English. Early this campaign, siege was laid to Dunkirk; and when the Spanish army advanced to relieve it, the combined armies of France and England marched out of their trenches, and fought the battle of the Dunes, where the Spaniards were totally defeated.<sup>1</sup> Dunkirk taken.

The valour of the English was much remarked on this occasion. Dunkirk, being soon after surrendered, was by agreement delivered to Cromwell. He committed the government of that important place to Lockhart, a Scotchman of abilities, who had married his niece, and was his ambassador at the court of France.

This acquisition was regarded by the protector as the means only of obtaining further advantages. He was resolved to concert measures with the French court for the final conquest and partition of the Low Countries.<sup>2</sup> Had he lived much longer, and maintained his authority in England, so chimerical, or rather so dangerous, a project would certainly have been carried into execution. And this first and principal step towards more extensive conquest, which France, during a whole century, has never yet been able, by an infinite expense of blood and treasure, fully to attain, had at once been accomplished by the enterprising, though unskilful, politics of Cromwell.

During these transactions, great demonstrations of mutual friendship and regard passed between the French king and the protector. Lord Fauconberg, Cromwell's son-in-law, was despatched to Louis, then in the camp before Dunkirk; and was received with the regard usually paid to foreign princes by the French court.<sup>3</sup> Mazarine sent to London his nephew Mancini, along with the Duke of Crequi; and expressed his regret, that his urgent affairs should deprive him of the honour which he had long wished for, of paying, in person, his respects to the greatest man in the world.

The protector regarded little satisfaction from the success of his arms abroad: the situation in which he stood at home, kept him in perpetual uneasiness and inquietude. His administration, so expensive both by military enterprises and secret intelligence, had exhausted his revenue, and involved him in a considerable debt. The royalists, he heard, had renewed their conspiracies for a general insurrection; and Ormond was secretly come over with a view of concerting measures for the execution of this pro-

<sup>1</sup> He aspired to get possession of Flisnore and the passage of the Sound. See *World's Mistake in O. Cromwell*. He also endeavoured to get possession of Bremen. *Ibid.* vol. vi. p. 476.

<sup>2</sup> It was remarked by the saints of that time, that the battle was fought on a day which was held for a fast in London, so that as Fleetwood said, *Ibid.* vol. vi. p. 132, while we were praying, they were fighting, and the Lord hath given a signal answer. The Lord has not only rewarded us in our work there, but in our waiting upon him in a way of prayer, which is indeed our old experienced approval was in all strengths and difficulties. Cromwell's Letter to Flea and Montague, his brave admirals, is remarkable for the same sentiment. *Ibid.* vol. vi. p. 71. You have, says he, as I ever believed and am persuaded, a plentiful stock of prayers come for you, sent up by the soberest and most approved ministers and Coun-

cils in this nation, and, notwithstanding some discouragements, very much wrestling of faith for you, which are to us, and I trust will be to you, matter of great encouragement. But notwithstanding all this, it will be good for you and us to deliver up ourselves and all our affairs to the disposition of our all-wise Father, whom not only out of reverence, but because of his goodness, wisdom, and truth, ought to be received into by his creatures, especially those who are children of his blessing through the Spirit, &c.

<sup>3</sup> *Ibid.* vol. vi. p. 762. *a Ibid.* vol. vi. p. 151, 152.

<sup>4</sup> In reality the Cardinal had not entertained so high an idea of Cromwell. He used to say, that he was a fortunate madman. See *de Cromwell per Baguet*. See also *Care's Collection*, vol. ii. p. 81. Gumble's *Life of Henry*, p. 104. *World's Mistake in O. Cromwell*.



ject. Lord Fairfax, Sir William Waller, and many heads of the presbyterians, had secretly entered into the engagement. Even the army was infected with the general spirit of discontent; and some sudden and dangerous eruption was every moment to be dreaded from it. No hopes remained, after his violent breach with the last parliament, that he should ever be able to establish, with general consent, a legal settlement, or temper the military with any mixture of civil authority. All his arts and policy were exhausted; and having so often, by fraud and false pretences, deceived every party, and almost every individual, he could no longer hope, by repeating the same professions, to meet with equal confidence and regard.

However zealous the royalists, their conspiracy took no effect: Willis discovered the whole to the protector. Ormond was obliged to fly, and he deemed himself fortunate to have escaped so vigilant an administration. Great numbers were thrown into prison. A high court of justice was anew erected for the trial of those criminals whose guilt was most apparent. Notwithstanding the recognition of his authority by the last parliament, the protector could not as yet trust to an unbiased jury. Sir Henry Slingsby, and Dr. Huët, were condemned and beheaded. Mordaunt, brother to the Earl of Peterborough, narrowly escaped. The numbers for his condemnation and his acquittal were equal; and just as the sentence was pronounced in his favour, Colonel Pride, who was resolved to condemn him, came into court. Ashton, Storey, and Bestley, were hanged in different streets of the city.

The conspiracy of the millenarians in the army struck Cromwell with still greater apprehensions. Harrison and the other discarded officers of that party could not remain at rest. Stimulated equally by revenge, by ambition, and by conscience, they still harboured in their breast some desperate project; and there wanted not officers in the army, who, from like motives, were disposed to second all their undertakings. The levellers and agitators had been encouraged by Cromwell to interpose with their advice in all political deliberations; and he had even pretended to honour many of them with his intimate friendship, while he conducted his daring enterprises against the king and the parliament. It was a usual practice with him, in order to familiarize himself the more with the agitators, who were commonly corporals or sergeants, to take them to bed with him, and there, after prayers and exhortations, to discuss together their projects and principles, political as well as religious. Having assumed the dignity of protector, he excluded them from all his councils, and had neither leisure nor inclination to indulge them any further in their wonted familiarities. Among those who were enraged at this treatment was Sexby, an active agitator, who now employed against him all that restless industry which had formerly been exerted in his favour. He even went so far as to enter into a correspondence with Spain; and Cromwell, who knew the distempers of the army, was justly afraid of some mutiny, to which a day, an hour, an instant, might provide leaders.

Of assassinations likewise he was apprehensive, from the zealous spirit which actuated the soldiers. Sindercome had undertaken to murder him; and by the most unaccountable accidents, had often been prevented from executing his bloody purpose. His design was discovered; but the protector could never find the bottom of the enterprise, nor detect any of his accomplices. He was tried by a jury; and notwithstanding the general odium attending that crime, notwithstanding the clear and full proof of his guilt, so little conviction prevailed of the protector's right to the supreme government, it was with the utmost difficulty that this conspirator was condemned. When every thing was prepared for his execution, he was found dead; from poison, as is supposed, which he had voluntarily taken.

The protector might better have supported those fears and apprehensions which the public distempers occasioned, had he enjoyed any domestic satisfaction, or possessed any cordial friend of his own family, in whose bosom he could safely have unloaded his anxious and corroding cares. But Fleetwood, his son-in-law, actuated by the

wildest zeal, began to estrange himself from him; and was anxious to discover that Cromwell, in all his enterprises, had entertained views of promoting his own grandeur, more than of encouraging piety and religion, of which he made such fervent professions. His eldest daughter, married to Fleetwood, had adopted republican principles so vehement, that she could not with patience behold power lodged in a single person, even in her indulgent father. His other daughters were no less prejudiced in favour of the royal cause, and regretted the violence and iniquities into which they thought their family had so unhappily been transported. Above all, the sickness of Mrs. Claypole, his peculiar favourite, a lady endued with many humane virtues and amiable accomplishments, depressed his anxious mind, and poisoned all his enjoyments. She had entertained a high regard for Dr. Huët, lately executed; and being refused his pardon, the melancholy of her temper, increased by her distempered body, had prompted her to lament to her father all his sanguinary measures, and urge him to compunction for those heinous crimes into which his fatal ambition had betrayed him. Her death, which followed soon after, gave new edge to every word which she had uttered.

All composure of mind was now for ever fled from the protector: he felt that the grandeur which he had attained with so much guilt and courage, could not insure him that tranquillity which it belongs to virtue alone, and moderation, fully to ascertain. Overwhelmed with the load of public affairs, dreading perpetually some fatal accident in his distempered government, seeing nothing around him but treacherous friends or enraged enemies, possessing the confidence of no party, resting his title on no principle, civil or religious, he found his power to depend on so delicate a poise of factions and interests, as the smallest event was able, without any preparation, in a moment to overturn. Death too, which with such signal intrepidity he had braved in the field, being incessantly threatened by the poniards of fanatical or interested assassins, was ever present to his terrified apprehension, and haunted him in every scene of business or repose. Each action of his life betrayed the terrors under which he laboured. The aspect of strangers was uneasy to him: with a piercing and anxious eye he surveyed every face to which he was not daily accustomed. He never moved a step without strong guards attending him: he wore armour under his clothes, and further secured himself by offensive weapons, a sword, falchion, and pistols, which he always carried about him. He returned from no place by the direct road, or by the same way which he went. Every journey he performed with hurry and precipitation. Seldom he slept above three nights together in the same chamber: and he never let it be known beforehand what chamber he intended to choose, nor intrusted himself in any which was not provided with back doors, at which centinels were carefully placed. Society terrified him, while he reflected on his numerous, unknown, and implacable enemies: solitude astonished him, by withdrawing that protection which he found so necessary for his security.

His body also, from the contagion of his sickness of the anxious mind, began to be affected; and his health seemed sensibly to decline. He was seized with a slow fever, which changed into a tertian ague. For the space of a week, no dangerous symptoms appeared; and in the intervals of the fits he was able to walk abroad. At length the fever increased, and he himself began to entertain some thoughts of death, and to cast his eye towards that future existence, whose idea had once been intimately present to him; though since, in the hurry of affairs, and in the shock of wars and factions, it had, no doubt, been considerably obliterated. He asked Goodwin, one of his preachers, if the doctrine were true, that the elect could never fall or suffer a final reprobation. "Nothing more certain," replied the preacher. "Then am I safe," said the protector: "for I am sure that once I was in a state of grace."

His physicians were sensible of the perilous condition to which his distemper had reduced him: but his chaplains,

by their prayers, visions, and revelations, so buoyed up his hopes, that he began to believe his life out of all danger. A favourable answer, it was pretended, had been returned by Heaven to the petitions of all the godly; and he relied on their asseverations much more than on the opinion of the most experienced physicians. "I tell you," he cried with confidence to the latter, "I tell you, I shall not die of this distemper: I am well assured of my recovery. It is promised by the Lord, not only to my supplications, but to those of men who hold a stricter commerce and more intimate correspondence with him. Ye may have skill in your profession; but nature can do more than all the physicians in the world, and God is far above nature."<sup>d</sup> Nay, to such a degree of madness did their enthusiastic assurances amount, that upon a fast day, which was observed on his account both at Hampton-court and at Whitehall, they did not so much pray for his health, as give thanks for the undoubted pledges which they had received of his recovery. He himself was overheard offering up his addresses to Heaven; and so far had the illusions of fanaticism prevailed over the plainest dictates of natural morality, that he assumed more the character of a mediator, in interceding for his people, than that of a criminal, whose atrocious violation of social duty had, from every tribunal, human and divine, merited the severest vengeance.

Meanwhile all the symptoms began to wear a more fatal aspect; and the physicians were obliged to break silence, and to declare, that the protector could not survive the next fit with which he was threatened. The council was alarmed. A deputation was sent to know his will with regard to his successor. His senses were gone, and he could not now express his intentions. They asked him whether he did not mean that his eldest son, Richard, should succeed him in the protectorship. A simple affirmative was, or seemed to be, extorted from him. Soon after, on the 3d of September, that very day which he had always considered as the most fortunate for him, he

expired. A violent tempest, which immediately succeeded his death, served as a subject of discourse to the vulgar. His partisans, as well as his enemies, were fond of remarking this event; and each of them endeavoured, by forced inferences, to interpret it as a confirmation of their particular prejudices.

The writers, attached to the memory of this wonderful person, make his character, with regard to abilities, bear the air of the most extravagant panegyric: his enemies form such a representation of his moral qualities as resembles the most virulent invective. Both of them, it must be confessed, are supported by such striking circumstances in his conduct and fortune, as bestow on their representation a great air of probability. "What can be more extraordinary," it is said, "than that a person of private birth and education, no fortune, no eminent qualities of body, which have sometimes, nor shining talents of mind, which have often, raised men to the highest dignities, should have the courage to attempt, and the abilities to execute, so great a design as the subverting one of the most ancient and best established monarchies in the world? That he should have the power and boldness to put his prince and master to an open and infamous death? Should banish that numerous and strongly allied family? Cover all these temerities under a seeming obedience to a parliament, in whose service he pretended to be retained? Trample too upon that parliament in their turn, and scornfully expel them as soon as they gave him ground of dissatisfaction? Erect in their place the dominion of the saints, and give reality to the most visionary idea, which the heated imagination of any fanatic was ever able to entertain? Suppress again that monster in its infancy, and openly set up himself above all things that ever were called sovereign in England? Overcome first all his enemies by arms, and all his friends afterwards by artifice? Serve all parties patiently for a while, and command them victoriously at last? Overrun each corner of the three nations, and subdue, with equal facility, both the riches of the south, and the poverty of the north? Be feared and courted by all foreign princes, and be adopted a brother to the gods of the earth? Call together parliaments with a word of his pen,

and scatter them again with the breath of his mouth? Reduce to subjection a warlike and discontented nation by means of a mutinous army? Command a mutinous army by means of seditious and factious officers? Be humbly and daily petitioned, that he would be pleased, at the rate of millions a year, to be hired as master of those who had hired him before to be their servant? Have the estates and lives of three nations as much at his disposal as was once the little inheritance of his father, and be as noble and liberal in the spending of them? And lastly, (for there is no end of enumerating every particular of his glory,) with one word bequeath all this power and splendour to his posterity? Die possessed of peace at home, and triumph abroad? Be buried among kings, and with more than regal solemnity; and leave a name behind him not to be extinguished but with the whole world: which as it was too little for his praise, so might it have been for his conquests, if the short line of his mortal life could have stretched out to the extent of his immortal designs."

My intention is not to disfigure this picture, drawn by so masterly a hand: I shall only endeavour to remove from it somewhat of the marvellous; a circumstance, which, on all occasions, gives much ground for doubt and suspicion.

It seems to me, that the circumstance of Cromwell's life, in which his abilities are principally discovered, is his rising from a private station, in opposition to so many rivals, so much advanced before him, to a high command and authority in the army. His great courage, his signal military talents, his eminent dexterity and address, were all requisite for this important acquisition. Yet will not this promotion appear the effect of supernatural abilities, when we consider, that Fairfax himself, a private gentleman, who had not the advantage of a seat in parliament, had, through the same steps, attained even a superior rank, and, if endowed with common capacity and penetration, had been able to retain it. To incite such an army to rebellion against the parliament, required no uncommon art or industry: to have kept them in obedience had been the more difficult enterprise. When the breach was once formed between the military and civil powers, a supreme and absolute authority, from that moment, is devolved on the general; and if he be afterwards pleased to employ artifice or policy, it may be regarded on most occasions as great condescension, if not as superfluous caution. That Cromwell was ever able really to blind or overreach either the king or the republicans, does not appear: as they possessed no means of resisting the force under his command, they were glad to temporize with him, and, by seeming to be deceived, wait for opportunities of freeing themselves from his dominion. If he seduced the military fanatics, it is to be considered that their interests and his evidently concurred, that their ignorance and low education exposed them to the grossest imposition, and that he himself was at bottom as frantic an enthusiast as the worst of them, and, in order to obtain their confidence, needed but to display those vulgar and ridiculous habits, which he had early acquired, and on which he set so high a value. An army is so forcible, and at the same time so coarse a weapon, that any hand which wields it may, without much dexterity, perform any operation, and attain any ascendancy in human society.

The domestic administration of Cromwell, though it discovers great abilities, was conducted without any plan either of liberty or arbitrary power: perhaps, his difficult situation admitted of neither. His foreign enterprises, though full of intrepidity, were pernicious to national interest, and seem more the result of impetuous fury or narrow prejudices, than of cool foresight and deliberation. An eminent personage, however, he was in many respects, and even a superior genius; but unequal and irregular in his operations. And though not defective in any talent, except that of elocution, the abilities which in him were most admirable, and which most contributed to his marvellous success, were the magnanimous resolution of his enterprises, and his peculiar dexterity in discovering the characters, and practising on the weaknesses, of mankind.

If we survey the moral character of Cromwell with that indulgence which is due to the blindness and infirmities

<sup>d</sup> Bates: see also Thucyd. vol. vi. p. 105-110.

<sup>e</sup> Cromwell's Discourses: this passage is altered in some particulars from the original.

of the human species, we shall not be inclined to load his memory with such violent reproaches as those which his enemies usually throw upon it. Amidst the passions and prejudices of that period, that he should prefer the parliamentary to the royal cause, will not appear extraordinary; since, even at present, some men of sense and knowledge are disposed to think that the question with regard to the justice of the quarrel, may be regarded as doubtful and uncertain. The murder of the king, the most atrocious of all his actions, was to him covered under a mighty cloud of republican and fanatical illusions; and it is not impossible, but he might believe it, as many others did, the most meritorious action that he could perform. His subsequent usurpation was the effect of necessity, as well as of ambition; nor is it easy to see, how the various factions could at that time have been restrained, without a mixture of military and arbitrary authority. The private department of Cromwell, as a son, a husband, a father, a friend, is exposed to no considerable censure, if it does not rather merit praise. And, upon the whole, his character does not appear more extraordinary and unusual by the mixture of so much absurdity with so much penetration, than by his tempering such violent ambition and such enraged fanaticism with so much regard to justice and humanity.

Cromwell was in the fifty-ninth year of his age when he died. He was of a robust frame of body, and of a manly, though not of an agreeable, aspect. He left only two sons, Richard and Henry; and three daughters, one married to General Fleetwood, another to Lord Fauconberg, a third to Lord Rich. His father died when he was very young. His mother lived till after he was protector; and, contrary to her orders, he buried her with great pomp in Westminster Abbey. She could not be persuaded that his power or person were ever in safety. At every noise which she heard, she exclaimed that her son was murdered; and was never satisfied that he was alive, if she did not receive frequent visits from him. She was a decent woman, and, by her frugality and industry, had raised and educated a numerous family upon a small fortune. She had even been obliged to set up a brewery at Huntingdon, which she managed to good advantage. Hence Cromwell, in the invectives of that age, is often stigmatized with the name of the brewer. Ludlow, by way of insult, mentions the great accession, which he would receive to his royal revenues upon his mother's death, who possessed a jointure of sixty pounds a year upon his estate. She was of a good family, of the name of Stuart; remotely allied, as is by some supposed, to the royal family.

## CHAP. LXII.

Richard acknowledged protector—A parliament—Cabal of Wallingford House—Richard deposed—Long parliament or Rump restored—Conspiracy of the royalists—Insurrection—Suppressed Parliament expelled—Committee of safety—Foreign affairs—General Monk—Monk declares for the Parliament—Parliament restored—Monk enters London, declares for a free parliament—Secluded members restored—Long parliament dissolved—New parliament—the Restoration—Manners and Arts.

A. D. 1658. ALL the arts of Cromwell's policy had been so often practised that they began to lose their effect; and his power, instead of being confirmed by time and success, seemed every day to become more uncertain and precarious. His friends the most closely connected with him, and his counsellors the most trusted, were entering into cabals against his authority; and with all his penetration into the characters of men, he could not find any ministers on whom he could rely. Men of probity and honour, he knew, would not submit to be the instruments of an usurpation violent and illegal: those who were free from the restraint of principle, might betray, from interest, that cause, in which, from no better motives, they had enlisted themselves. Even those on whom he conferred any favour, never deemed the recompence an equivalent for the sacrifices which they made to obtain it: whoever was refused any demand, justified his anger by the specious colours of conscience and of duty. Such difficulties surrounded the protector, that his dying at so critical a time is esteemed by many the most fortunate cir-

cumstance that ever attended him; and it was thought, that all his courage and dexterity could not much longer have extended his usurped administration.

But when that potent hand was removed, which conducted the government, every one expected a sudden dissolution of the unwieldy and ill-jointed fabric. Richard, a young man of no experience, educated in the country, accustomed to a retired life, unacquainted with the officers, and unknown to them, recommended by no military exploits, endeared by no familiarities, could not long, it was thought, maintain that authority which his father had acquired by so many valorous achievements, and such signal successes. And when it was observed, that he possessed only the virtues of private life, which in his situation were so many vices; that indolence, incapacity, irresolution, attended his facility and good nature; the various hopes of men were excited by the expectation of some great event or revolution. For some time, however, the public was disappointed in this opinion. The council

Richard acknowledged protector.

recognised the succession of Richard: Fleetwood, in whose favour it was supposed Cromwell had formerly made a will, renounced all claim or pretension to the protectorship: Henry, Richard's brother, who governed Ireland with popularity, insured him the obedience of that kingdom: Monk, whose authority was well established in Scotland, being much attached to the family of Cromwell, immediately proclaimed the new protector: the army, every where, the fleet, acknowledged his title: above ninety addresses, from the counties and most considerable corporations, congratulated him on his accession, in all the terms of dutiful allegiance: foreign ministers were forward in paying him the usual compliments: and Richard, whose moderate, unambitious character never would have led him to contend for empire, was tempted to accept of so rich an inheritance, which seemed to be tendered to him by the consent of all mankind.

It was found necessary to call a parliament, in order to furnish supplies, both for the ordinary administration, and for fulfilling those engagements with foreign princes, particularly Sweden, into which the late protector had entered. In hopes of obtaining greater influence in elections, the ancient right was restored to all the small boroughs; and the counties were allowed no more than their usual members. The House of Peers, or the other House, consisted of the same persons that had been appointed by Oliver.

A parliament.

The House  
A. D. 1659.

All the Commons, at first, signed, without hesitation, an engagement not to alter the present government. They next proceeded to examine the humble petition and advice; and after great opposition and many vehement debates, it was at length, with much difficulty, carried by the court-party to confirm it. An acknowledgment too of the authority of the other House was extorted from them; though it was resolved not to treat this House of Peers with any greater respect than they should return to the Commons. A declaration was also made, that the establishment of the other House should nowise prejudice the right of such of the ancient peers as had, from the beginning of the war, adhered to the parliament. But in all these proceedings, the opposition among the Commons was so considerable, and the debates were so much prolonged, that all business was retarded, and great alarm given to the partisans of the young protector.

7th Jan.

But there was another quarter from which greater dangers were justly apprehended. The most considerable officers of the army, and even Fleetwood, brother-in-law to the protector, were entering into cabals against him. No character in human society is more dangerous than that of the fanatic; because, if attended with weak judgment, he is exposed to the suggestion of others; if supported by more discernment, he is entirely governed by his own illusions, which sanctify his most selfish views and passions. Fleetwood was of the former species; and as he was extremely addicted to a republic, and even to the fifth monarchy, or dominion of the saints, it was easy for those, who had insinuated themselves into his confidence, to instil disquits against the dignity of protector. The whole



republican party in the army, which was still considerable, Fitz, Mason, Moss, Farley, united themselves to that general. The officers too of the same party, whom Cromwell had discarded, Overton, Ludlow, Rich, Okey, Alured, began to appear, and to recover that authority, which had been only for a time suspended. A party likewise, who found themselves eclipsed in Richard's favour, Sydenham, Kelsey, Berry, Haines, joined the cabal of the others. Even Desborow, the protector's uncle, lent his authority to that faction. But above all, the intrigues of Lambert, who was now roused from his retreat, inflamed all those dangerous humours, and threatened the nation with some great convulsion. The discontented officers established their meetings in Fleetwood's apartments; and because Cabot et Wal. he dwelt in Wallingford-house, the party re- hington-house. ceived a denomination from that place.

Richard, who possessed neither resolution nor penetration, was prevailed to give an unguarded consent for calling a general council of officers, who might make him proposals, as they pretended, for the good of the army. No sooner were they assembled than they voted a remonstrance. They there lamented, that *the good old cause*, as they termed it, that is, the cause for which they had engaged against the late king, was entirely neglected; and they proposed, as a remedy, that the whole military power should be intrusted to some person, in whom they might all confide. The city militia, influenced by two aldermen, Tichburn and Ireton, expressed the same resolution of adhering to *the good old cause*.

The protector was justly alarmed at those movements among the officers. The persons in whom he chiefly confided were, all of them, excepting Broghil, men of civil characters and professions; Fiennes, Thorloe, Whitlocke, Wolseley; who could only assist him with their advice and opinion. He possessed none of those arts which were proper to gain an enthusiastic army. Murmurs being thrown out against some promotions which he had made. *Would you have me, said he, prefer none but the gentry? Here is Dick Ingoldsby, continued he, who can neither pray nor preach; yet will I trust him before ye all.*<sup>a</sup> This imprudence gave great offence to the pretended saints. The other qualities of the protector were correspondent to these sentiments: he was of a gentle, humane, and generous disposition. Some of his party offering to put an end to those intrigues by the death of Lambert, he declared, that he would not purchase power or dominion by such sanguinary measures.

The parliament was no less alarmed at the military cabals. They voted that there should be no meeting or general council of officers, except with the protector's consent, or by his orders. This vote brought affairs immediately to a rupture. The officers hastened to Richard and demanded of him the dissolution of the parliament. Desborow, a man of a clownish and brutal nature, threatened him, if he should refuse compliance. The protector wanted the resolution to deny, and possessed little ability to resist. The parliament was dissolved; and by the same act the protector was, by every one, considered as effectually dethroned. Soon after he signed his demission in form.

Henry, the deputy of Ireland, was endowed with the same moderate disposition as Richard; but as he possessed more vigour and capacity, it was apprehended that he might make resistance. His popularity in Ireland was great; and even his personal authority, notwithstanding his youth, was considerable. Had his ambition been very eager, he had, no doubt, been able to create disturbance: but being threatened by Sir Hardress Waller, Colonel John Jones, and other officers, he very quietly resigned his command, and retired to England. He had once entertained thoughts, which he had not resolution to execute, of proclaiming the king in Dublin.<sup>b</sup>

Thus fell suddenly, and from an enormous height, but by a rare fortune without any hurt or injury, the family of the Cromwells. Richard continued to possess an estate, which was moderate, and burdened too with a large debt, which he had contracted for the interest of his father. After the restoration, though he remained unmolested, he

thought proper to travel for some years; and at Pezenas in Languedoc he was introduced, under a borrowed name, to the Prince of Conti. That prince talked of English affairs, broke out into admiration of Cromwell's courage and capacity. "But as for that poor pitiful fellow, Richard," said he, "what has become of him? How could he be such a blockhead as to reap no greater benefit from all his father's crimes and successes?" Richard extended his peaceful and quiet life to an extreme old age, and died not till the latter end of Queen Anne's reign. His social virtues, more valuable than the greatest capacity, met with a recompence more precious than noisy fame, and more suitable, contentment and tranquillity.

The council of officers, now possessed of supreme authority, deliberated what form of government they should establish. Many of them seemed inclined to exercise the power of the sword in the most open manner; but as it was apprehended that the people would with great difficulty be induced to pay taxes, levied by arbitrary will and pleasure; it was agreed to preserve the shadow of civil administration, and to revive the long parliament, which had been expelled by Cromwell. That assembly could not be dissolved, it was asserted, but by their own consent; and violence had interrupted, but was not able to destroy, their right to government. The officers also expected that, as these members had sufficiently felt their own weakness, they would be contented to act in subordination to the military commanders, and would therefore allow all the authority to remain where the power was so visibly vested.

The officers applied to Lenthal, the speaker, and proposed to him, that the parliament should resume their seats. Lenthal was of a low, timid spirit; and, being uncertain what issue might attend these measures, was desirous of evading the proposal. He replied, that he could by no means comply with the desire of the officers; being engaged in a business of far greater importance to himself, which he could not omit on any account, because it concerned the salvation of his own soul. The officers pressed him to tell what it might be. He was preparing, he said, to participate of the Lord's supper, which he resolved to take next sabbath. They insisted, that mercy was preferable to sacrifice, and that he could not better prepare himself for that great duty, than by contributing to the public service. All their remonstrances had no effect. However, on the appointed day, the speaker being informed that a quorum of the House was likely to meet, thought proper, notwithstanding the salvation of his soul, as Ludlow observes, to join them; and the House immediately proceeded upon business. The secluded members attempted, but in vain, to resume their seats among them.

The numbers of this parliament were small, <sup>Long parliament, or Rump,</sup> little exceeding seventy members: their authority in the nation, ever since they had been restored, <sup>restored.</sup> been purged by the army, was extremely diminished; and after their expulsion had been totally annihilated: but being all of them men of violent ambition; some of them men of experience and capacity; they were resolved, since they enjoyed the title of the supreme authority, and observed that some appearance of a parliament was requisite for the purposes of the army, not to act a subordinate part to those who acknowledged themselves their servants. They chose a council, in which they took care that the officers of Wallingford-house should not be the majority: they appointed Fleetwood lieutenant-general, but inserted in his commission, that it should only continue during the pleasure of the House: they chose seven persons who should nominate to such commands as became vacant: and they voted that all commissions should be received from the speaker, and be assigned by him in the name of the House. These precautions, the tendency of which was visible, gave great disgust to the general officers; and their discontent would immediately have broken out into some resolution fatal to the parliament, had it not been checked by the apprehensions of danger from the common enemy.

The bulk of the nation consisted of royalists and pres-

<sup>a</sup> Ludlow.

<sup>b</sup> Carte's Collections, vol. i. p. 213.

byterians; and to both these parties the dominion of the pretended parliament had ever been to the last degree odious. When that assembly was expelled by Cromwell, contempt had succeeded to hatred; and no reserve had been used in expressing the utmost derision against the impotent ambition of these usurpers. Seeing them reinstated in authority, all orders of men felt the highest indignation, together with apprehensions, lest such tyrannical rulers should exert their power by taking vengeance upon their enemies, who had so openly insulted them. A secret reconciliation, therefore, was made between the rival parties, and it was agreed, that, burying former enmities in oblivion, all efforts should be used for the overthrow of the Rump; so they called the parliament, in allusion to that part of the animal body. The presbyterians, sensible from experience that their passion for liberty, however laudable, had carried them into unwarrantable excesses, were willing to lay aside ancient jealousies, and, at all hazards, to restore the royal family. The nobility, the gentry, bent their passionate endeavours to the same enterprise, by which alone they could be redeemed from slavery. And no man was so remote from party, so indifferent to public good, as not to feel the most ardent wishes for the dissolution of that tyranny which, whether the civil or the military part of it were considered, appeared equally oppressive and ruinous to the nation.

<sup>Conspiracy of the royalists.</sup> Mordaunt, who had so narrowly escaped, on his trial before the high court of justice, seemed rather animated than daunted with past danger; and having, by his resolute behaviour, obtained the highest confidence of the royal party, he was now become the centre of all their conspiracies. In many counties, a resolution was taken to rise in arms. Lord Willoughby of Parham, and Sir Horatio Townshend, undertook to secure Lynn; General Massey engaged to seize Gloucester; Lord Newport, Littleton, and other gentlemen, conspired to take possession of Shrewsbury; Sir George Booth, of Chester; Sir Thomas Middleton, of North Wales; Arundel, Pollar, Granville, Trelawney, of Plymouth and Exeter. A day was appointed for the execution of all these enterprises. And the king, attended by the Duke of York, had secretly arrived at Calais, with a resolution of putting himself at the head of his loyal subjects. The French court had promised to supply him with a small body of forces, in order to countenance the insurrections of the English.

This combination was disconcerted by the infidelity of Sir Richard Willis. That traitor continued with the parliament the same correspondence which he had begun with Cromwell. He had engaged to reveal all conspiracies, so far as to destroy their effect; but reserved to himself, if he pleased, the power of concealing the conspirators. He took care never to name any of the old genuine cavaliers, who had zealously adhered, and were resolved still to adhere, to the royal cause in every fortune. These men he esteemed; these he even loved. He betrayed only the new converts among the presbyterians, or such lukewarm royalists, as, discouraged by their disappointments, were resolved to expose themselves to no more hazards. A lively proof how impossible it is, even for the most corrupted minds, to divest themselves of all regard to morality and social duty.

<sup>July.</sup> Many of the conspirators in the different counties were thrown into prison: others, astonished at such symptoms of secret treachery, left their houses, or remained quiet: the most tempestuous weather prevailed during the whole time appointed for the rendezvous: inasmuch that some found it impossible to join their friends, and others were dismayed with fear and superstition at an incident so unusual during the summer season. Of all the projects, the only one which took effect was that of Sir George Booth for the seizing of Chester. The Earl of Derby, Lord Herbert of Cherbury, Mr. Lee, Colonel Morgan, entered into this enterprise. Sir William Middleton joined Booth with some troops from North Wales; and the malcontents were powerful enough to subdue all in that neighbourhood who ventured to oppose them. In their declaration they made no

mention of the king: they only demanded a free and full parliament.

The parliament was justly alarmed. How combustible the materials, they well knew; and the fire was now fallen among them. Booth was of a family eminently presbyterian; and his conjunction with the royalists they regarded as a dangerous symptom. They had many officers whose fidelity they could more depend on than that of Lambert: but there was no one in whose vigilance and capacity they reposed such confidence. They commissioned him to suppress the rebels. He made incredible haste. Booth imprudently ventured himself out of the walls of Chester, and exposed, in the open field, his raw troops against these hardy veterans. He was soon routed and taken prisoner. His whole <sup>suppressed.</sup> army was dispersed. And the parliament had no further occupation than to fill all the jails with their open or secret enemies. Designs were even entertained of transporting the loyal families to Barbadoes, Jamaica, and the other colonies; lest they should propagate in England children of the same malignant affections with themselves.

This success hastened the ruin of the parliament. Lambert, at the head of a body of troops, was no less dangerous to them than Booth. A thousand pounds, which they sent him to buy a jewel, were employed by him in liberalities to his officers. At his instigation they drew up a petition, and transmitted it to Fleetwood, a weak man, and an honest, if sincerity in folly deserve that honourable name. The import of this petition was, that Fleetwood should be made commander-in-chief, Lambert, major-general, Desborow lieutenant-general of the horse, Monk major-general of the foot. To which a demand was added, that no officer should be dismissed from his command but by a court-martial.

The parliament, alarmed at the danger, immediately cashiered Lambert, Desborow, Berry, Clarke, Barrow, Kelsey, Cobbet. Sir Arthur Hazelrig proposed the impeachment of Lambert for high treason. Fleetwood's commission was vacated, and the command of the army was vested in seven persons, of whom that general was one. The parliament voted, that they would have no more general officers. And they declared it high treason to levy any money without consent of parliament.

But these votes were feeble weapons in opposition to the swords of the soldiery. Lambert drew some troops together, in order to decide the controversy. Okey, who was leading his regiment to the assistance of the parliament, was deserted by them. Morley and Moss brought their regiments into Palace-yard, resolute to oppose the violence of Lambert. But that artful general knew an easy way of disappointing them. <sup>13th Oct.</sup> He placed his soldiers in the streets which lead to Westminster-hall.—When the speaker came in his coach, he ordered the horses to be turned, <sup>Parliament expelled.</sup> and very civilly conducted him home. The other members were, in like manner, intercepted. And the two regiments in Palace-yard, observing that they were exposed to derision, peaceably retired to their quarters. A little before this bold enterprise, a solemn fast had been kept by the army; and it is remarked, that this ceremony was the usual prelude to every signal violence which they committed.

The officers found themselves again invested with supreme authority, of which they intended for ever to retain the substance, however they might bestow on others the empty shadow or appearance. They elected <sup>26th Oct.</sup> a committee of twenty-three persons, of whom seven were officers. These they pretended to invest with sovereign authority; and they called them a <sup>Committee of safety.</sup> committee of safety. They spoke every where of summoning a parliament chosen by the people; but they really took some steps towards assembling a military parliament, composed of officers elected from every regiment in the service.<sup>c</sup> Throughout the three kingdoms there prevailed nothing but the melancholy fears, to the nobility and gentry, of a bloody massacre and extermination; to the rest of the people, of perpetual servitude, beneath those sanctified robbers, whose union and whose

divisions would be equally destructive, and who, under pretence of superior illuminations, would soon extirpate, if possible, all private morality, as they had already done all public law and justice, from the British dominions.

*Terran affairs.* During the time that England continued in this distracted condition, the other kingdoms of Europe were hastening towards a composure of those differences by which they had so long been agitated. The parliament, while it preserved authority, instead of following the imprudent politics of Cromwell, and lending assistance to the conquering Swede, embraced the maxims of the Dutch commonwealth, and resolved, in conjunction with that state, to mediate by force an accommodation between the northern crowns. Montague was sent with a squadron to the Baltic, and carried with him as ambassador, Algernon Sidney, the celebrated republican. Sidney found the Swedish monarch employed in the siege of Copenhagen, the capital of his enemy; and was highly pleased, that, with a Roman arrogance, he could check the progress of royal victories, and display, in so singular a manner, the superiority of freedom above tyranny. With the highest indignation, the ambitious prince was obliged to submit to the imperious mediation of the two commonwealths.—“It is cruel,” said he, “that laws should be prescribed me by parricides and pedlars.” But his whole army was enclosed in an island, and might be starved by the combined squadrons of England and Holland. He was obliged, therefore, to quit his prey, when he had so nearly gotten possession of it; and having agreed to a pacification with Denmark, he retired into his own country, where he soon after died.

The wars between France and Spain were also concluded by the treaty of the Pyrenees. These animosities had long been carried on between the rival states, even while governed by a sister and brother, who cordially loved and esteemed each other. But politics, which had so long prevailed over these friendly affections, now at last yielded to their influence; and never was the triumph more full and complete. The Spanish Low Countries, if not every part of that monarchy, lay almost entirely at the mercy of its enemy. Broken armies, disordered finances, slow and irresolute counsels; by these resources alone were the dispersed provinces of Spain defended against the vigorous power of France. But the queen-regent, anxious for the fate of her brother, employed her authority with the cardinal to stop the progress of the French conquests, and put an end to a quarrel which, being commenced by ambition, and attended with victory, was at last concluded with moderation. The young monarch of France, though aspiring and warlike in his character, was at this time entirely occupied in the pleasures of love and gallantry, and had passively resigned the reins of empire into the hands of his politic minister. And he remained an unconcerned spectator; while an opportunity for conquest was parted with, which he never was able, during the whole course of his active reign, fully to retrieve.

The ministers of the two crowns, Mazarine and Don Louis de Haro, met at the foot of the Pyrenees, in the Isle of Pheasants, a place which was supposed to belong to neither kingdom. The negotiation being brought to an issue by frequent conferences between the ministers, the monarchs themselves agreed to a congress; and these two splendid courts appeared in their full lustre amidst those savage mountains. Philip brought his daughter, Mary Therese, along with him; and giving her in marriage to his nephew, Louis, endeavoured to cement by this new tie the incompatible interests of the two monarchies. The French king made a solemn renunciation of every succession which might accrue to him in right of his consort; a vain formality, too weak to restrain the ungoverned ambition of princes.

The affairs of England were in so great disorder, that it was not possible to comprehend that kingdom in the treaty, or adjust measures with a power which was in such incessant fluctuation. The king, reduced to despair by the failure of all enterprises for his restoration, was resolved to try the weak resource of foreign succours; and he went to the Pyrenees at the time when the two minis-

ters were in the midst of their negotiations. Don Louis received him with that generous civility peculiar to his nation; and expressed great inclination, had the low condition of Spain allowed him, to give assistance to the distressed monarch. The cautious Mazarine, pleading the alliance of France with the English commonwealth, refused even to see him; and though the king offered to marry the cardinal's niece,<sup>d</sup> he could, for the present, obtain nothing but empty professions of respect, and protestations of services. The condition of that monarch, to all the world, seemed totally desperate. His friends had been baffled in every attempt for his service: the scaffold had often streamed with the blood of the more active royalists: the spirits of many were broken with tedious imprisonments: the estates of all were burdened by the fines and confiscations which had been levied upon them: no one durst openly avow himself of that party; and so small did their number seem to a superficial view, that, even should the nation recover its liberty, which was deemed nowise probable, it was judged uncertain what form of government it would embrace. But amidst all these gloomy prospects, fortune, by a surprising revolution, was now paving the way for the king to mount, in peace and triumph, the throne of his ancestors. It was by the prudence and loyalty of General Monk, that this happy change was at last accomplished.

George Monk, to whom the fate was reserved of re-establishing monarchy, and finishing the bloody dissensions of three kingdoms, was the second son of a family in Devonshire, ancient and honourable, but lately, from too great hospitality and expense, somewhat fallen to decay. He betook himself, in early youth, to the profession of arms; and was engaged in the unfortunate expeditions to Cadiz and the Isle of Rhé. After England had concluded peace with all her neighbours, he sought military experience in the Low Countries, the great school of war to all the European nations; and he rose to the command of a company under Lord Goring. This company consisted of 200 men, of whom a hundred were volunteers, often men of family and fortune, sometimes noblemen who lived upon their own income in a splendid manner. Such a military turn at that time prevailed among the English!

When the sound of war was first heard in this island, Monk returned to England, partly desirous of promotion in his native country, partly disgusted with some ill usage from the States, of which he found reason to complain. Upon the Scottish pacification, he was employed by the Earl of Leicester against the Irish rebels; and having obtained a regiment, was soon taken notice of for his military skill, and for his calm and deliberate valour. Without ostentation, expense, or caresses, merely by his humane and equal temper, he gained the good-will of the soldiery; who, with a mixture of familiarity and affection, usually called him *honest George Monk*; an honourable appellation, which they still continued to him, even during his greatest elevation. He was remarkable for his moderation in party; and while all around him were inflamed into rage against the opposite faction, he fell under suspicion from the candour and tranquillity of his behaviour. When the Irish army was called over into England, surmises of this kind had been so far credited, that he had even been suspended from his command, and ordered to Oxford that he might answer the charge laid against him. His established character for truth and sincerity here stood him in great stead; and upon his earnest protestations and declarations, he was soon restored to his regiment, which he joined at the siege of Nantwich. The day after his arrival, Fairfax attacked and defeated the royalists, commanded by Biron; and took Colonel Monk prisoner. He was sent to the Tower, where he endured, above two years, all the rigours of poverty and confinement. The king, however, was so mindful as to send him, notwithstanding his own difficulties, a present of 100 guineas; but it was not till after the royalists were totally subdued, that he recovered his liberty. Monk, however distressed, had always refused the most inviting offers from the parliament: but Cromwell, sensible of his merit, having soli-



cited him to engage in the wars against the Irish, who were considered as rebels both by king and parliament; he was not unwilling to repair his broken fortunes by accepting a command which, he flattered himself, was reconcilable to the strictest principles of honour. Having once engaged with the parliament, he was obliged to obey orders; and found himself necessitated to fight, both against the Marquis of Ormond in Ireland, and against the king himself in Scotland. Upon the reduction of the latter kingdom, Monk was left with the supreme command; and by the equality and justice of his administration, he was able to give contentment to that restless people, now reduced to subjection by a nation whom they hated. No less acceptable was his authority to the officers and soldiers; and foreseeing that the good will of the army under his command might some time be of great service to him, he had, with much care and success, cultivated their friendship.

The connexions which he had formed with Cromwell, his benefactor, preserved him faithful to Richard, who had been enjoined by his father to follow in every thing the directions of General Monk. When the long parliament was restored, Monk, who was not prepared for opposition, acknowledged their authority, and was continued in his command, from which it would not have been safe to attempt dislodging him. After the army had expelled the parliament, he protested against the violence, and resolved, as he pretended, to vindicate their invaded privileges. Deeper designs, either in the king's favour or his own, were, from the beginning, suspected to be the motive of his actions.

A rivalry had long subsisted between him and Lambert; and every body saw the reason why he opposed the elevation of that ambitious general, by whose success his own authority, he knew, would soon be subverted. But little friendship had ever subsisted between him and the parliamentary leaders; and it seemed nowise probable that he intended to employ his industry, and spend his blood, for the advancement of one enemy above another. How early he entertained designs for the king's restoration, we know not with certainty: it is likely, that as soon as Richard was deposed, he foresaw, that without such an expedient it would be impossible ever to bring the nation to a regular settlement. His elder and younger brothers were devoted to the royal cause: the Granvilles, his near relations, and all the rest of his kindred, were in the same interests: he himself was intoxicated with no fumes of enthusiasm, and had maintained no connexions with any of the fanatical tribe. His early engagements had been with the king, and he had left that service without receiving any disgust from the royal family. Since he had enlisted himself with the opposite party, he had been guilty of no violence or rigour, which might render him obnoxious. His return, therefore, to loyalty, was easy and open; and nothing could be supposed to counterbalance his natural propensity to that measure, except the views of his own elevation, and the prospect of usurping the same grandeur and authority which had been assumed by Cromwell. But from such exorbitant, if not impossible projects, the natural tranquillity and moderation of his temper, the calmness and solidity of his genius, not to mention his age, now upon the decline, seem to have set him at a distance. Cromwell himself, he always asserted,\* could not long have maintained his usurpation; and any other person, even equal to him in genius, it was obvious, would now find it more difficult to practise arts, of which every one, from experience, was sufficiently aware. It is more agreeable, therefore, to reason as well as candour, to suppose that Monk, as soon as he put himself in motion, had entertained views of effecting the king's restoration; nor ought any objections, derived from his profound silence even to Charles himself, be regarded as considerable. His temper was naturally reserved; his circumstances required dissimulation; the king, he knew, was surrounded with spies and traitors; and upon the whole, it seems hard to interpret that conduct, which ought to exalt our idea of his prudence, as a disparagement of his probity.

Sir John Granville, hoping that the general would engage in the king's service, sent into Scotland his younger

brother, a clergyman, Dr. Monk, who carried him a letter and invitation from the king. When the doctor arrived, he found that his brother was then holding a council of officers, and was not to be seen for some hours. In the mean time, he was received and entertained by Price, the general's chaplain, a man of probity, as well as a partisan of the king's. The doctor, having an entire confidence in the chaplain, talked very freely to him about the object of his journey, and engaged him, if there should be occasion, to second his applications. At last, the general arrives; the brothers embrace; and after some preliminary observations, the doctor opens his business. Monk interrupted him, to know whether he had ever before to any body mentioned the subject. "To nobody," replied his brother, "but to Price, whom I know to be entirely in your confidence." The general, altering his countenance, turned the discourse, and would enter into no further confidence with him, but sent him away with the first opportunity. He would not trust his own brother the moment he knew that he had disclosed the secret; though to a man whom he himself could have trusted.<sup>f</sup>

His conduct, in all other particulars, was full of the same reserve and prudence; and no less was requisite for effecting the difficult work which he had undertaken. All the officers in his army, of whom he entertained any suspicion, he immediately cashiered: Cobbet, who had been sent by the committee of safety, under pretence of communicating their resolutions to Monk, but really with a view of debauching his army, he committed to custody: he drew together the several scattered regiments: he summoned an assembly, somewhat resembling a convention of states; and having communicated to them his resolution of marching into England, he received a seasonable, though no great supply of money.

Hearing that Lambert was advancing northward with his army, Monk sent Cloberry and two other commissioners to London, with large professions of his inclination to peace, and with offers of terms for an accommodation. His chief aim was to gain time, and relax the preparations of his enemies. The committee of safety fell into the snare. A treaty was signed by Monk's commissioners; but he refused to ratify it, and complained that they had exceeded their powers. He desired, however, to enter into a new negotiation at Newcastle. The committee willingly accepted this fallacious offer.

Meanwhile these military sovereigns found themselves surrounded on all hands with inextricable difficulties. The nation had fallen into total anarchy; and by refusing the payment of all taxes, reduced the army to the greatest necessities. While Lambert's forces were assembling at Newcastle, Hazelrig and Morley took possession of Portsmouth, and declared for the parliament. A party, sent to suppress them, was persuaded by their commander to join in the same declaration. The city apprentices rose in a tumult, and demanded a free parliament. Though they were suppressed by Colonel Hewson, a man who, from the profession of a cobbler, had risen to a high rank in the army, the city still discovered symptoms of the most dangerous discontent. It even established a kind of separate government, and assumed the supreme authority within itself. Admiral Lawson, with his squadron, came into the river, and declared for the parliament. Hazelrig and Morley, hearing of this important event, left Portsmouth, and advanced towards London. The regiments near that city, being solicited by their old officers, who had been cashiered by the committee of safety, revolted again to the parliament. Desborow's regiment, being sent by Lambert to support his friends, no sooner arrived at St. Albans than it declared for the same assembly.

Fleetwood's band was found too weak and unstable to support this ill founded fabric, which, every where around him, was falling into ruins. When he received intelligence of any murmurs among the soldiers, he would prostrate himself in prayer, and could hardly be prevailed with to join the troops. Even when among them, he would, in the midst of any discourse, invite them all to prayer, and put himself on his knees before them. If any of his

Monk declares  
for the parlia-  
ment.

November.

friends exhorted him to more vigour, they could get no other answer, than that God had spitten in his face and would not hear him. Men now ceased to wonder, why Lambert had promoted him to the office of general, and had contented himself with the second command in the army.

February  
December. Lenthall, the speaker, being invited by the officers, again assumed authority, and summoned together the parliament, which twice before had been expelled with so much reproach and ignominy. As soon as assembled, they repealed their act against the payment of excise and customs; they appointed commissioners for assigning quarters to the army; and, without taking any notice of Lambert, they sent orders to the forces under his command immediately to repair to those quarters which were appointed them.

A. D. 1660.  
Jan. 1. Lambert was now in a very disconsolate condition. Monk, he saw, had passed the Tweed at Coldstream, and was advancing upon him. His own soldiers deserted him in great multitudes, and joined the enemy. Lord Fairfax, too, he heard, had raised forces behind him, and had possessed himself of York, without declaring his purpose. The last orders of the parliament so entirely stripped him of his army, that there remained not with him above a hundred horse: all the rest went to their quarters with quietness and resignation; and he himself was, some time after, arrested and committed to the Tower. The other officers, who had formerly been cashiered by the parliament, and who had resumed their commands, that they might subdue that assembly, were again cashiered and confined to their houses. Sir Harry Vane and some members, who had concurred with the committee of safety, were ordered into a like confinement. And the parliament now seemed to be again possessed of more absolute authority than ever, and to be without any danger of opposition or control.

The republican party was at this time guided by two men, Hazelig and Vane, who were of opposite characters, and mortally hated each other. Hazelig, who possessed greater authority in the parliament, was haughty, imperious, precipitate, vain-glorious; without civility, without prudence; qualified only by his noisy, pertinacious obstinacy, to acquire an ascendancy in public assemblies. Vane was noted, in all civil transactions, for temper, insinuation, address, and a profound judgment; in all religious speculations, for folly and extravagance. He was a perfect enthusiast; and fancying that he was certainly favoured with inspiration, he deemed himself, to speak in the language of the times, to be a *man above ordinances*, and, by reason of his perfection, to be unlimited and unrestrained by any rules, which govern inferior mortals. These whimsies, mingling with pride, had so corrupted his excellent understanding, that sometimes he thought himself the person deputed to reign on earth for a thousand years over the whole congregation of the faithful.

Monk, though informed of the restoration of the parliament, from whom he received no orders, still advanced with his army, which was near 6000 men: the scattered forces in England were above five times more numerous. Fairfax, who had resolved to declare for the king, not being able to make the general open his intentions, retired to his own house in Yorkshire. In all counties through which Monk passed, the prime gentry flocked to him with addresses; expressing their earnest desire, that he would be instrumental in restoring the nation to peace and tranquillity, and to the enjoyment of those liberties, which by law were their birth-right, but of which, during so many years, they had been fatally bereaved: and that, in order to this salutary purpose, he would prevail, either for the restoring of those members who had been secluded before the king's death, or for the election of a new parliament, who might legally, and by general consent, again govern the nation. Though Monk pretended not to favour these addresses, that ray of hope, which the knowledge of his character and situation afforded, mightily animated all men. The tyranny and the anarchy, which now equally oppressed the kingdom; the experience of past distrac-

tions, the dread of future convulsions, the indignation against military usurpation, against sanctified hypocrisy: all these motives had united every party, except the most desperate, into ardent wishes for the king's restoration, the only remedy for all these fatal evils.

Scot and Robinson were sent as deputies by the parliament, under pretence of congratulating the general, but in reality to serve as spies upon him. The city despatched four of their principal citizens to perform like compliments; and at the same time to confirm the general in his inclination to a free parliament, the object of all men's prayers and endeavours. The authority of Monk could scarcely secure the parliamentary deputies from those insults, which the general hatred and contempt towards their masters drew from men of every rank and denomination.

Monk continued his march with few interruptions till he reached St. Albans. He there sent a message to the parliament; desiring them to remove from London those regiments which, though they now professed to return to their duty, had so lately offered violence to that assembly. This message was unexpected, and exceedingly perplexed the House. Their fate, they found, must still depend on a mercenary army; and they were as distant as ever from their imaginary sovereignty. However, they found it necessary to comply. The soldiers made more difficulty. A mutiny arose among them. One regiment, in particular, quartered in Somerset-house, expressly refused to yield their place to the northern army. But those officers who would gladly, on such an occasion, have inflamed the quarrel, were absent or in confinement; and for want of leaders, the soldiers were at last, with great reluctance, obliged to submit. Monk with his army took quarters in Westminster.

The general was introduced to the House; and thanks were given him by Lenthall for the eminent services which he had done his country. Monk was a prudent not an eloquent speaker. He told the House, that the services, which he had been enabled to perform, were no more than his duty, and merited not such praises as those with which they were pleased to honour him: that among many persons of greater worth, who bore their commission, he had been employed as the instrument of Providence for effecting their restoration; but he considered this service as a step only to more important services, which it was *their* part to render to the nation: that while on his march, he observed all ranks of men, in all places, to be in earnest expectation of a settlement, after the violent convulsions to which they had been exposed; and to have no prospect of that blessing but from the dissolution of the present parliament, and from the summoning of a new one, free and full, who, meeting without oaths or engagements, might finally give contentment to the nation: that applications had been made to him for that purpose; but that he, sensible of his duty, had still told the petitioners, that the parliament itself, which was now free, and would soon be full, was the best judge of all these measures, and that the whole community ought to acquiesce in their determination: that though he expressed himself in this manner to the people, he must now freely inform the House, that the fewer engagements were exacted, the more comprehensive would their plan prove, and the more satisfaction would it give to the nation: and that it was sufficient for public security, if the fanatical party and the royalists were excluded; since the principles of these factions were destructive either of government or of liberty.

This speech, containing matter which was both agreeable and disagreeable to the House as well as to the nation, still kept every one in suspense, and upheld that uncertainty, in which it seemed the general's interest to retain the public. But it was impossible for the kingdom to remain long in this doubtful situation: the people, as well as the parliament, pushed matters to a decision. During the late convulsions, the payment of taxes had been interrupted; and though the parliament, upon their assembling, renewed the ordinances for impositions, yet so little reverence did the people pay to those legislators, that they gave very slow and unwilling obedience to their commands.

The common council of London flatly refused to submit to an assessment required of them; and declared that, till a free and lawful parliament imposed taxes, they never should deem it their duty to make any payment. This resolution, if yielded to, would immediately have put an end to the dominion of the parliament: they were determined, therefore, upon this occasion, to make at once a full experiment of their own power, and of their general's obedience.

29th February. Monk received orders to march into the city; to seize twelve persons, the most obnoxious to the parliament: to remove the posts and chains from all the streets; and to take down and break the portcullises and gates of the city: and very few hours were allowed him to deliberate upon the execution of these violent orders. To the great surprise and consternation of all men, Monk prepared himself for obedience. Neglecting the entreaties of his friends, the remonstrances of his officers, the cries of the people, he entered the city in a military manner; he apprehended as many as he could of the proscribed persons, whom he sent to the Tower; with all the circumstances of contempt, he broke the gates and portcullises; and having exposed the city to the scorn and derision of all who hated it, he returned in triumph to his quarters in Westminster.

No sooner had the general leisure to reflect, than he found, that this last measure, instead of being a continuation of that cautious ambiguity, which he had hitherto maintained, was taking party without reserve, and laying himself, as well as the nation, at the mercy of that tyrannical parliament, whose power had long been odious, as their persons contemptible, to all men. He resolved, therefore, before it were too late, to repair the dangerous mistake into which he had been betrayed, and to show the whole world, still more without reserve, that he meant no longer to be the minister of violence and usurpation.

February 11th. After complaining of the odious service in which he had been employed, he wrote a letter to the House, reproaching them, as well with the new cabals which they had formed with Vane and Lambert, as with the encouragement given to a fanatical petition presented by Praise-God Barebone; and he required them, in the name of the citizens, soldiers, and whole commonwealth, to issue writs within a week for the filling of their House, and to fix the time for their own dissolution and

the assembling of a new parliament. Having despatched this letter, which might be regarded, he thought, as an undoubted pledge of his sincerity, he marched with his army into the city, and desired Allen, the mayor, to summon a common-council at Guildhall. He there made many apologies for the indignity which, two days before, he had been obliged to put upon them; assured them of his perseverance in the measures which he had adopted; and desired that they might mutually plight their faith for a strict union between city and army, in every enterprise for the happiness and settlement of the commonwealth.

It would be difficult to describe the joy and exultation which displayed itself throughout the city, as soon as intelligence was conveyed of this happy measure embraced by the general. The prospect of peace, concord, liberty, justice, broke forth at once, from amidst the deepest darkness in which the nation had ever been involved. The view of past calamities no longer presented dismal prognostics of the future: it tended only to enhance the general exultation for those scenes of happiness and tranquillity, which all men now confidently promised themselves. The royalists, the presbyterians, forgetting all animosities, mingled in common joy and transport, and vowed never more to gratify the ambition of false and factious tyrants, by their calamitous divisions. The populace, more outrageous in their festivity, made the air resound with acclamations, and illuminated every street with signals of jollity and triumph. Applauses of the general were every where intermingled with detestation against the parliament. The most ridiculous inventions were adopted, in order to express this latter passion. At every bonfire, rumps were roasted, and where these could no longer be found, pieces of flesh were cut into that shape; and the funeral of the

parliament (the populace exclaimed) was celebrated by these symbols of hatred and derision.

The parliament, though in the agonies of despair, made still one effort for the recovery of their dominion. They sent a committee with offers to gain the general. He refused to hear them, except in the presence of some of the secluded members. Though several persons, desperate from guilt and fanaticism, promised to invest him with the dignity of supreme magistrate, and to support his government, he would not hearken to such wild proposals. Having fixed a close correspondence with the city, and established its militia in hands whose fidelity could be relied on, he returned with his army to Westminster, and pursued every proper measure for the settlement of the nation. While he still pretended to maintain republican principles, he was taking large steps towards the re-establishment of the ancient monarchy.

The secluded members, upon the general's invitation, went to the House, and finding no longer any obstruction, they entered, and immediately appeared to be the majority: most of the independents left the place. The restored members first repealed all the ordinances by which they had been excluded: they gave Sir George Boothé and his party their liberty and estates: they renewed the general's commission, and enlarged his powers: they fixed an as-  
March 16. Long parliament dissolved.

sembly for the support of the fleet and Long parliament dissolved. army: and having passed these votes for the present composure of the kingdom, they dissolved themselves, and issued writs for the immediate assembling of a new parliament. This last measure had been previously concerted with the general, who knew that all men, however different in affections, expectations, and designs, united in the detestation of the long parliament.

A council of state was established, consisting of men of character and moderation: most of whom, during the civil wars, had made a great figure among the presbyterians. The militia of the kingdom was put into such hands as would promote order and settlement. These, conjoined with Monk's army, which lay united at London, were esteemed a sufficient check on the more numerous, though dispersed army, of whose inclinations there was still much reason to be diffident. Monk, however, was every day removing the more obnoxious officers, and bringing the troops to a state of discipline and obedience.

Overton, governor of Hull, had declared his resolution to keep possession of that fortress till the coming of King Jesus: but when Alured produced the authority of parliament for his delivering the place to Colonel Fairfax, he thought proper to comply.

Montague, who commanded the fleet in the Baltic, had entered into the conspiracy with Sir George Boothé; and pretending want of provisions, had sailed from the Sound towards the coast of England, with an intention of supporting that insurrection of the royalists. On his arrival, he received the news of Boothé's defeat, and the total failure of the enterprise. The great difficulties, to which the parliament was then reduced, allowed them no leisure to examine strictly the reasons which he gave for quitting his station; and they allowed him to retire peaceably to his country-house. The council of state now conferred on him, in conjunction with Monk, the command of the fleet; and secured the naval as well as military force, in hands favourable to the public settlement.

Notwithstanding all these steps which were taken towards the re-establishment of monarchy, Monk still maintained the appearance of zeal for a commonwealth, and hitherto allowed no canal of correspondence between himself and the king to be opened. To call a free parliament, and to restore the royal family, were visibly, in the present disposition of the kingdom, one and the same measure: yet would not the general declare, otherwise than by his actions, that he had adopted the king's interests; and nothing but necessity extorted at last the confession from him. His silence, in the commencement of his enterprise, ought to be no objection to his sincerity; since he maintained the same reserve, at a time when, consistent with common sense, he could have entertained no other purpose.<sup>b</sup>

<sup>b</sup> After Monk's declaration for a free parliament on the eleventh of

February, he could mean nothing but the king's restoration: yet it was



There was one Morrice, a gentleman of Devonshire, of a sedentary, studious disposition, nearly related to Monk, and one who had always maintained the strictest intimacy with him. With this friend alone did Monk deliberate concerning that great enterprise which he had projected. Sir John Granville, who had a commission from the king, applied to Morrice for access to the general; but received for answer, that the general desired him to communicate his business to Morrice. Granville, though importunately urged, twice refused to deliver his message to any but Monk himself; and this cautious politician, finding him now a person, whose secrecy could be safely trusted, admitted him to his presence, and opened to him his whole intentions. Still he scrupled to commit any thing to writing: <sup>1</sup> he delivered only a verbal message by Granville; assuring the king of his services, giving advice for his conduct, and exhorting him instantly to leave the Spanish territories, and retire into Holland. He was apprehensive lest Spain might detain him as a pledge for the recovery of Dunkirk and Jamaica. Charles followed these directions, and very narrowly escaped to Breda. Had he protracted his journey a few hours, he had certainly, under pretence of honour and respect, been arrested by the Spaniards.

Lockhart, who was governor of Dunkirk, and nowise averse to the king's service, was applied to on this occasion. The state of England was set before him, the certainty of the restoration represented, and the prospect of great favour displayed, if he would anticipate the vows of the kingdom, and receive the king into his fortress. Lockhart still replied, that his commission was derived from an English parliament, and he would not open his gates but in obedience to the same authority.<sup>2</sup> This scruple, though in the present emergence it approaches towards superstition, it is difficult for us entirely to condemn.

The elections for the new parliament went every where in favour of the king's party. This was one of those popular torrents, where the most indifferent, or even the most averse, are transported with the general passion, and zealously adopt the sentiments of the community to which they belong. The enthusiasts themselves seemed to be disarmed of their fury; and between despair and astonishment, gave way to those measures, which, they found, it would be impossible for them, by their utmost efforts, to withstand. The presbyterians and the royalists, being united, formed the voice of the nation, which, without noise, but with infinite ardour, called for the king's restoration. The kingdom was almost entirely in the hands of the former party; and some zealous leaders among them began to renew the demand of those conditions, which had been required of the late king in the treaty of Newport: but the general opinion seemed to condemn all those rigorous and jealous capitulations with their sovereign. Harassed with convulsions and disorders, men ardently longed for repose, and were terrified at the mention of negotiations or delays, which might afford opportunity to the seditious army still to breed new confusion. The passion too for liberty having been carried to such violent extremes, and having produced such bloody commotions, began, by a natural movement, to give place to a spirit of loyalty and obedience; and the public was less zealous in a cause, which was become odious on account of the calamities which had so long attended it. After the legal concessions made by the late king, the constitution seemed to be sufficiently secured; and the additional conditions insisted on, as they had been framed during the greatest ardour of the contest, amounted rather to annihilation than a limitation of monarchy. Above all, the general was averse to the mention of conditions; and resolved that the crown which he intended to restore, should be conferred on the king entirely free and unencumbered. Without further scruple, therefore, or jealousy, the people gave their voice in elections for such as they knew to entertain sentiments favourable to monarchy; and all paid court to a party

which, they foresaw, was soon to govern the nation. Though the parliament had voted, that no one should be elected, who had himself or whose father had borne arms for the late king; little regard was any where paid to this ordinance. The leaders of the presbyterians, the Earl of Manchester, Lord Fairfax, Lord Roberts, Hollis, Sir Anthony Ashley Cooper, Annesley, Lewis, were determined to atone for past transgressions, by their present zeal for the royal interests; and from former merits, successes, and sufferings, they had acquired with their party the highest credit and authority.

The affairs of Ireland were in a condition no less favourable to the king. As soon as Monk declared against the English army, he despatched emissaries into Ireland, and engaged the officers in that kingdom to concur with him in the same measures. Lord Broghil, president of Munster, and Sir Charles Coote, president of Connaught, went so far as to enter into a correspondence with the king, and to promise their assistance for his restoration. In conjunction with Sir Theophilus Jones, and other officers, they took possession of the government and excluded Ludlow, who was zealous for the Rump parliament, but whom they pretended to be in a confederacy with the committee of safety. They kept themselves in readiness to serve the king; but made no declarations, till they should see the turn which affairs took in England.

But all these promising views had almost been blasted by an untoward accident. Upon the admission of the secluded members, the republican party, particularly the late king's judges, were seized with the justest despair, and endeavoured to infuse the same sentiments into the army. By themselves or their emissaries, they represented to the soldiers, that all those brave actions, which had been performed during the war, and which were so meritorious in the eyes of the parliament, would no doubt be regarded as the deepest crimes by the royalists, and would expose the army to the severest vengeance. That in vain did that party make professions of moderation and lenity: the king's death, the execution of so many of the nobility and gentry, the sequestration and imprisonment of the rest, were in their eyes crimes so deep, and offences so personal, as must be prosecuted with the most implacable resentment. That the loss of all arrears, and the cashiering of every officer and soldier, were the lightest punishment which must be expected: after the dispersion of the army, no further protection remained to them, either for life or property, but the clemency of enraged victors. And that even if the most perfect security could be obtained, it were inglorious to be reduced, by treachery and deceit, to subjection under a foe, who, in the open field, had so often yielded to their superior valour.

After these suggestions had been infused into the army, Lambert suddenly made his escape from the Tower, and threw Monk and the council of state into great consternation. They knew Lambert's vigour and activity; they were acquainted with his popularity in the army; they were sensible, that, though the soldiers had lately deserted him, they sufficiently expressed their remorse and their detestation of those, who, by false professions, they found, had so egregiously deceived them. It seemed necessary, therefore, to employ the greatest celerity in suppressing so dangerous a foe: Colonel Ingoldsby, who had been one of the late king's judges, but who was now <sup>22d April.</sup> entirely engaged in the royal cause, was despatched after him. He overtook him at Daventry, while he had yet assembled but four troops of horse. One of them deserted him. Another quickly followed the example. He himself, endeavouring to make his escape, was seized by Ingoldsby, to whom he made submissions not suitable to his former character of spirit and valour. Okey, Axtel, Cobbet, Crede, and other officers of that party, were taken prisoners with him. All the roads were full of soldiers hastening to join them. In a few days they had been formidable, and it was thought, that it might prove dan-

long before he would open himself even to the king. This declaration was within eight days after his arrival in London. Had he ever intended to have set up for himself, he would not surely have so soon abandoned a project so mature. He would have taken some steps which would have betrayed it. It could only have been some distant pointment, some frustrated attempt, which could have made him renounce the royal cause with such truth. But there is not the least symptom of such intentions. The story

told of Sir Anthony Ashley Cooper, by Mr. Locke, has not any appearance of truth. So Lord Lansdown's Visitation, and Philip's Confirmation, &c. I will not say what these authors have ascribed, that Cardinal Nevers was sought for the king's restoration, though he would not have ventured much to have procured it.

<sup>1</sup> I. Nevers, Clarendon.

<sup>2</sup> I. Nevers.

gerous for Monk himself to have assembled any considerable body of his republican army for their suppression : so that nothing could be more happy than the sudden extinction of this rising flame.

25th April. When the parliament met, they chose Sir Harbottle Grimstone speaker, a man who, though he had for some time concurred with the late parliament, had long been esteemed affectionate to the king's service. The great dangers incurred during former usurpations, joined to the extreme caution of the general, kept every one in awe ; and none dared, for some days, to make any mention of the king. The members exerted their spirit chiefly in bitter invectives against the memory of Cromwell, and in execrations against the inhuman murder of their late sovereign. At last, the general,

1st May. having sufficiently sounded their inclinations, gave directions to Annesley president of the council, to inform them, that one Sir John Granville, a servant of the king's, had been sent over by his majesty, and was now at the door with a letter to the Commons. The loud-

The restoration. est acclamations were excited by this intelligence. Granville was called in : the letter, accompanied with a declaration, greedily read : without one moment's delay, and without a contradictory vote, a committee was appointed to prepare an answer : and, in order to spread the same satisfaction throughout the kingdom, it was voted that the letter and declaration should immediately be published.

The people, freed from the state of suspense in which they had so long been held, now changed their anxious hope for the unmixed effusions of joy ; and displayed a social triumph and exultation, which no private prosperity, even the greatest, is ever able fully to inspire. Traditions remain of men, particularly of Oughtred, the mathematician, who died of pleasure, when informed of this happy and surprising event. The king's declaration was well calculated to uphold the satisfaction inspired by the prospect of public settlement. It offered a general amnesty to all persons whatsoever ; and that without any exceptions but such as should afterwards be made by parliament : it promised liberty of conscience ; and a concurrence in any act of parliament, which, upon mature deliberation, should be offered for insuring that indulgence : it submitted to the arbitration of the same assembly the inquiry into all grants, purchases, and alienations : and it assured the soldiers of all their arrears, and promised them, for the future, the same pay which they then enjoyed.

The Lords perceiving the spirit by which the kingdom, as well as the Commons, was animated, hastened to re-instate themselves in their ancient authority, and to take their share in the settlement of the nation. They found the doors of their House open ; and all were admitted ; even such as had formerly been excluded on account of their pretended delinquency.

8th May. The two Houses attended, while the king was proclaimed with great solemnity, in Palace-yard, at Whitehall, and at Temple-bar. The Commons voted 500 pounds to buy a jewel for Granville, who had brought them the king's gracious messages : a present of 50,000 pounds was conferred on the king, 10,000 pounds on the Duke of York, 5,000 pounds on the Duke of Gloucester. A committee of Lords and Commons was despatched to invite his majesty to return and take possession of the government. The rapidity with which all these events were conducted was marvellous, and discovered the passionate zeal and entire unanimity of the nation. Such an impatience appeared, and such an emulation, in Lords, and Commons, and city, who should make the most lively expressions of their joy and duty ; that, as the noble historian expresses it, a man could not but wonder where those people dwelt, who had done all the mischief, and kept the king so many years from enjoying the comfort and support of such excellent subjects. The king himself said, that it must surely have been his own fault that he had not sooner taken possession of the throne ; since he found every body so zealous in promoting his happy restoration.

The respect of foreign powers soon followed the submission of the king's subjects. Spain invited him to return to the Low Countries, and embark in some of her

maritime towns. France made protestations of affection and regard, and offered Calais for the same purpose. The States-general sent deputies with a like friendly invitation. The king resolved to accept of this last offer. The people of the republic bore him a cordial affection ; and politics no longer restrained their magistrates from promoting and expressing that sentiment. As he passed from Breda to the Hague, he was attended by numerous crowds, and was received with the loudest acclamations ; as if themselves, not their rivals in power and commerce, were now restored to peace and security. The States-general, in a body, and afterwards the States of Holland apart, performed their compliments with the greatest solemnity. Every person of distinction was ambitious of being introduced to his majesty ; all ambassadors and public ministers of kings, princes, or states, repaired to him, and professed the joy of their masters in his behalf : so that one would have thought, that from the united efforts of Christendom had been derived this revolution, which diffused every where such universal satisfaction.

The English fleet came in sight of Scheveling. Montague had not waited for orders from the parliament ; but had persuaded the officers, of themselves, to tender their duty to his majesty. The Duke of York immediately went on board, and took the command of the fleet as high admiral.

When the king disembarked at Dover, he was met by the general, whom he cordially embraced. Never subject, in fact, probably in his intentions, had deserved better of his king and country. In the space of a few months, without effusion of blood, by his cautious and disinterested conduct alone, he had bestowed settlement on three kingdoms, which had long been torn with the most violent convulsions : and having obstinately refused the most inviting conditions offered him by the king, as well as by every party in the kingdom, he freely restored his injured master to the vacant throne. The king entered 29th May. London on the 29th of May, which was also his birth-day. The fond imaginations of men interpreted as a happy omen the concurrence of two such joyful periods.

At this era, it may be proper to stop a moment, and take a general survey of the age, so far as regards manners, finances, arms, commerce, arts, and sciences. The chief use of history is, that it affords materials for disquisitions of this nature ; and it seems the duty of an historian to point out the proper inferences and conclusions.

No people could undergo a change more sudden and entire in their manners, than Manners and arts. did the English nation during this period. From tranquillity, concord, submission, sobriety, they passed in an instant to a state of faction, fanaticism, rebellion, and almost frenzy. The violence of the English parties exceeded any thing which we can now imagine : had they continued but a little longer, there was just reason to dread all the horrors of the ancient massacres and proscriptions. The military usurpers, whose authority was founded on palpable injustice, and was supported by no national party, would have been impelled by rage and despair into such sanguinary measures ; and if these furious expedients had been employed on one side, revenge would naturally have pushed the other party, after a return of power, to retaliate upon their enemies. No social intercourse was maintained between the parties ; no marriages or alliances contracted. The royalists, though oppressed, harassed, persecuted, disdained all affinity with their masters. The more they were reduced to subjection, the greater superiority did they affect above those usurpers, who by violence and injustice had acquired an ascendancy over them.

The manners of the two factions were as opposite as those of the most distant nations. "Your friends, the cavaliers," said a parliamentarian to a royalist, "are very dissolute and debauched." "True," replied the royalist, "they have the infirmities of men : but your friends, the roundheads, have the vices of devils, tyranny, rebellion,

and spiritual pride." Riot and disorder, it is certain, notwithstanding the good example set them by Charles I. prevailed very much among his partisans. Being commonly men of birth and fortune, to whom excesses are less pernicious than to the vulgar, they were too apt to indulge themselves in all pleasures, particularly those of the table. Opposition to the rigid preciseness of their antagonists increased their inclination to good fellowship; and the character of a man of pleasure was affected among them, as a sure pledge of attachment to the church and monarchy. Even when ruined by confiscations and sequestrations, they endeavoured to maintain the appearance of a careless and social jollity. "As much as hope is superior to fear," said a poor and merry cavalier, "so much is our situation preferable to that of our enemies. We laugh while they tremble."

The gloomy enthusiasm which prevailed among the parliamentary party, is surely the most curious spectacle presented by any history; and the most instructive, as well as entertaining, to a philosophical mind. All recreations were, in a manner, suspended by the rigid severity of the presbyterians and independents. Horse-races and cock-matches were prohibited as the greatest enormities.<sup>m</sup> Even bear-baiting was esteemed heathenish and unchristian: the sport of it, not the inhumanity, gave offence. Colonel Hewson, from his pious zeal, marched with his regiment into London, and destroyed all the bears, which were there kept for the diversion of the citizens. This adventure seems to have given birth to the fiction of Hudibras. Though the English nation be naturally candid and sincere, hypocrisy prevailed among them beyond any example in ancient or modern times. The religious hypocrisy, it may be remarked, is of a peculiar nature; and being generally unknown to the person himself, though more dangerous, it implies less falsehood than any other species of insincerity. The Old Testament, preferably to the New, was the favourite of all the sectaries. The eastern poetical style of that composition made it more easily susceptible of a turn which was agreeable to them.

We have had occasion, in the course of this work, to speak of many of the sects which prevailed in England: to enumerate them all would be impossible. The quakers, however, are so considerable, at least so singular, as to merit some attention; and as they renounced by principle the use of arms, they never made such a figure in public transactions as to enter into any part of our narrative.

The religion of the quakers, like most others, began with the lowest vulgar, and, in its progress, came at last to comprehend people of better quality and fashion. George Fox, born at Drayton in Lancashire, in 1624, was the founder of this sect. He was the son of a weaver, and was himself bound apprentice to a shoe-maker. Feeling a stronger impulse towards spiritual contemplations than towards that mechanical profession, he left his master, and went about the country clothed in a leathern doublet, a dress which he long affected, as well for its singularity as its cheapness. That he might wean himself from sub-lunary objects, he broke off all connexions with his friends and family, and never dwelt a moment in one place; lest habit should beget new connexions, and depress the sublimity of his aerial meditations. He frequently wandered into the woods, and passed whole days in hollow trees, without company, or any other amusement than his Bible. Having reached that pitch of perfection as to need no other book, he soon advanced to another state of spiritual progress, and began to pay less regard even to that divine composition itself. His own breast, he imagined, was full of the same inspiration which had guided the prophets and apostles themselves; and by this inward light must every spiritual obscurity be cleared, by this living spirit must the dead letter be animated.

When he had been sufficiently consecrated in his own imagination, he felt that the fumes of self-applause soon dissipate, if not continually supplied by the admiration of others; and he began to seek proselytes. Proselytes were easily gained at a time when all men's affections were

turned towards religion, and when the most extravagant modes of it were sure to be most popular. All the forms of ceremony, invented by pride and ostentation, Fox and his disciples, from a superior pride and ostentation, carefully rejected: even the ordinary rites of civility were shunned, as the nourishment of carnal vanity and self-conceit. They would bestow no titles of distinction: the name of *friend* was the only salutation with which they indiscriminately accosted every one. To no person would they make a bow, or move their hat, or give any signs of reverence. Instead of that affected adulation, introduced into modern tongues, of speaking to individuals as if they were a multitude, they returned to the simplicity of ancient languages; and *thou* and *thee* were the only expressions which, on any consideration, they could be brought to employ.

Dress too, a material circumstance, distinguished the members of this sect. Every superfluity and ornament was carefully retrenched: no plaits to their coat, no buttons to their sleeves; no lace, no ruffles, no embroidery. Even a button to the hat, though sometimes useful, yet not being always so, was universally rejected by them with horror and detestation.

The violent enthusiasm of this sect, like all high passions, being too strong for the weak nerves to sustain, threw the preachers into convulsions, and shakings, and distortions in their limbs; and they thence received the appellation of *quakers*. Amidst the great toleration which was then granted to all sects, and even encouragement given to all innovations, this sect alone suffered persecution. From the fervour of their zeal, the quakers broke into churches, disturbed public worship, and harassed the minister and audience with railing and reproaches. When carried before a magistrate, they refused him all reverence, and treated him with the same familiarity as if he had been their equal. Sometimes they were thrown into mad-houses, sometimes into prisons: sometimes whipped, sometimes pilloried. The patience and fortitude with which they suffered, begat compassion, admiration, esteem.<sup>n</sup> A supernatural spirit was believed to support them under those sufferings, which the ordinary state of humanity, freed from the illusions of passion, is unable to sustain.

The quakers crept into the army: but as they preached universal peace, they seduced the military zealots from their profession, and would soon, had they been suffered, have put an end, without any defeat or calamity, to the dominion of the saints. These attempts became a fresh ground of persecution, and a new reason for their progress among the people.

Morals with this sect were carried, or affected to be carried, to the same degree of extravagance as religion. Give a quaker a blow on one cheek, he held up the other: ask his cloak, he gave you his coat also: the greatest interest could not engage him, in any court of judicature, to swear even to the truth: he never asked more for his wares than the precise sum which he was determined to accept. This last maxim is laudable, and continues still to be religiously observed by that sect.

No fanatics ever carried further the hatred to ceremonies, forms, orders, rites, and positive institutions. Even baptism and the Lord's supper, by all other sects believed to be interwoven with the very vitals of Christianity, were disdainfully rejected by them. The very sabbath they profaned. The holiness of churches they derided; and they would give to these sacred edifices no other appellation than that of *shops* or *steeple-houses*. No priests were admitted into their sect: every one had received from immediate illumination a character much superior to the sacerdotal. When they met for divine worship, each rose up in his place, and delivered the extemporarv inspirations of the Holy Ghost: women were also admitted to teach the brethren, and were considered as proper vehicles to convey the dictates of the Spirit. Sometimes a great many preachers were moved to speak at once: sometimes a tall silence prevailed in their congregations.

to pardon the people, who knew not what they did, and afterwards speaking to the people, convinced them that the evil they had done in beating them, that the country people tell a quaking, and beat one another more than they had before beaten the quakers.

<sup>m</sup> Sir Philip Warwick.

<sup>n</sup> Killing no Murder.

<sup>o</sup> The following story is told by Whitlocke, p. 167. Some quakers at Huddersfield, in their zeal and contempt of the magistracy, and of all authority, and assuming to themselves the privilege of a higher law, and of a celestial court of justice, were seized by the magistrates, and carried to the gaol.



Some quakers attempted to fast forty days in imitation of Christ; and one of them bravely perished in the experiment.<sup>a</sup> A female quaker came naked into the church, where the protector sat; being moved by the Spirit, as she said, to appear *as a sign* to the people. A number of them fancied, that the renovation of all things had commenced, and that clothes were to be rejected, together with other superfluities. The sufferings which followed the practice of this doctrine, were a species of persecution not well calculated for promoting it.

James Naylor was a quaker, noted for blasphemy, or rather madness, in the time of the protectorship. He fancied that he himself was transformed into Christ, and was become the real saviour of the world; and in consequence of this frenzy he endeavoured to imitate many actions of the Messiah related in the Evangelists. As he bore a resemblance to the common pictures of Christ, he allowed his beard to grow in a like form: he raised a person from the dead; he was ministered unto by women: <sup>q</sup> he entered Bristol, mounted on a horse: I suppose, from the difficulty in that place of finding an ass: his disciples spread their garments before him, and cried, "Hosannah to the highest; holy, holy is the Lord God of Sabaoth." When carried before the magistrate, he would give no other answer to all questions than "thou hast said it." What is remarkable, the parliament thought that the matter deserved their attention. Near ten days they spent in inquiries and debates about him.<sup>r</sup> They condemned him to be pilloried, whipped, burned in the face, and to have his tongue bored through with a red-hot iron. All these severities he bore with the usual patience. So far his delusion supported him. But the sequel spoiled all. He was sent to Bridewell, confined to hard labour, fed on bread and water, and debarred from all his disciples, male and female. His illusion dissipated, and after some time he was contented to come out an ordinary man, and return to his usual occupations.

The chief taxes in England, during the time of the commonwealth, were the monthly assessments, the excise, and the customs. The assessments were levied on personal estates, as well as on land;<sup>s</sup> and commissioners were appointed in each county for rating the individuals. The highest assessment amounted to 120,000 pounds a-month in England; the lowest was 35,000. The assessments in Scotland were sometimes 10,000 pounds a-month;<sup>t</sup> commonly 6000. Those in Ireland 9000. At a medium this tax might have afforded about a million a-year. The excise, during the civil wars, was levied on bread, flesh-meat, as well as beer, ale, strong waters, and many other commodities. After the king was subdued, bread and flesh-meat were exempted from excise. The customs on exportation were lowered in 1656.<sup>u</sup> In 1650, commissioners were appointed to levy both customs and excise. Cromwell in 1657 returned to the old practice of farming. Eleven hundred thousand pounds were then offered, both for customs and excise; a greater sum than had ever been levied by the commissioners: <sup>v</sup> the whole of the taxes during that period might at a medium amount to above two millions a-year; a sum which, though moderate, much exceeded the revenue of any former king.<sup>w</sup> Sequestrations, compositions, sale of crown and church lands, and of the lands of delinquents, yielded also considerable sums, but very difficult to be estimated. Church lands are said to have been sold for a million.<sup>x</sup> None of these were ever valued at above ten or eleven years' purchase.<sup>y</sup> The estates of delinquents amounted to above 200,000 pounds a-year.<sup>z</sup> Cromwell died more than two millions in debt;<sup>aa</sup> though the parliament had left him in the treasury above 500,000 pounds; and in stores, the value of 700,000 pounds.<sup>ab</sup>

The committee of danger in April 1648 voted to raise the army to 40,000 men.<sup>ac</sup> The same year, the pay of the

army was estimated at 80,000 pounds a-month.<sup>ad</sup> The establishment of the army in 1652 was, in Scotland, 15,000 foot, 2580 horse, 560 dragoons; in England, 4700 foot, 2520 horse, garrisons 6154. In all, 31,519, besides officers.<sup>ae</sup> The army in Scotland was afterwards considerably reduced. The army in Ireland was not much short of 20,000 men; so that, upon the whole, the commonwealth maintained in 1652 a standing army of more than 50,000 men. Its pay amounted to a yearly sum of 1,047,715 pounds.<sup>af</sup> Afterwards the protector reduced the establishment to 30,000 men, as appears by the instrument of government and humble petition and advice. His frequent enterprises obliged him from time to time to augment them. Richard had on foot in England an army of 13,258 men, in Scotland 9506, in Ireland about 10,000 men.<sup>ag</sup> The foot soldiers had commonly a shilling a-day.<sup>ah</sup> The horse had two shillings and six-pence; so that many gentlemen and younger brothers of good family enlisted in the protector's cavalry.<sup>ai</sup> No wonder that such men were averse from the re-establishment of civil government, by which, they well knew, they must be deprived of so gainful a profession.

At the time of the battle of Worcester, the parliament had on foot about 80,000 men, partly militia, partly regular forces. The vigour of the commonwealth, and the great capacity of those members who had assumed the government, never at any time appeared so conspicuous.<sup>aj</sup>

The whole revenue of the public, during the protectorship of Richard, was estimated at 1,868,717 pounds: his annual expenses at 2,201,540 pounds. An additional revenue was demanded from parliament.<sup>ak</sup>

The commerce and industry of England increased extremely during the peaceable period of Charles's reign: the trade to the East Indies and to Guinea became considerable. The English possessed almost the sole trade with Spain. Twenty thousand cloths were annually sent to Turkey.<sup>al</sup> Commerce met with interruption, no doubt, from the civil wars and convulsions which afterwards prevailed; though it soon recovered after the establishment of the commonwealth. The war with the Dutch, by distressing the commerce of so formidable a rival, served to encourage trade in England: the Spanish war was to an equal degree pernicious. All the effects of the English merchants, to an immense value, were confiscated in Spain. The prevalence of democratical principles engaged the country gentlemen to bind their sons apprentices to merchants; <sup>am</sup> and commerce has ever since been more honourable in England than in any other European kingdom. The exclusive companies, which formerly confined trade, were never expressly abolished by any ordinance of parliament during the commonwealth; but as men paid no regard to the prerogative whence the charters of these companies were derived, the monopoly was gradually invaded, and commerce increased by the increase of liberty. Interest in 1650 was reduced to six per cent.

The customs in England, before the civil wars, are said to have amounted to 500,000 pounds a year:<sup>an</sup> a sum ten times greater than during the best period in Queen Elizabeth's reign: but there is probably some exaggeration in this matter.

The post-house in 1653 was farmed at 10,000 pounds a-year, which was deemed a considerable sum for the three kingdoms. Letters paid only about half their present postage.

From 1619 to 1638, there had been coined 6,900,042 pounds. From 1638 to 1657, the coinage amounted to 7,733,521 pounds.<sup>ao</sup> Dr. Davenant has told us from the registers of the mint, that between 1558 and 1659, there had been coined 19,832,476 pounds in gold and silver.

The first mention of tea, coffee, and chocolate, is about 1660.<sup>ap</sup> Asparagus, artichokes, cauliflower, and a variety

<sup>a</sup> Whitlocke, p. 664.

<sup>b</sup> *Harleian Miscellany*, vol. 6, p. 399. One Dorcas Fashberry made oath before a magistrate, that she had been dead two days, and that Naylor had restored her to life.

<sup>c</sup> *Whitlocke*, vol. 8, p. 709.

<sup>d</sup> *Ibid.* vol. 8, p. 476.

<sup>e</sup> *Whitlocke*, vol. 8, p. 425.

<sup>f</sup> It appears that the late king's revenue, from 1657 to the meeting of the long parliament, was only 900,000 pounds, of which 200,000 may be esteemed illegal.

<sup>g</sup> Dr. Walker, p. 14.

<sup>h</sup> *Ibid.* vol. 11, p. 414.

<sup>i</sup> World's Mistake in Oliver Cromwell.

<sup>j</sup> *Ibid.* p. 378.

<sup>k</sup> *Journal*, 2d December, 1652.

<sup>l</sup> *Journal*, 6th of April, 1659.

<sup>m</sup> *Journal*, 7th April, 1659.

<sup>n</sup> *Stratford's Letters*, vol. 1, p. 421, 423, 450, 467.

<sup>o</sup> Lewis Robert's *Treasure of Traffick*.

<sup>p</sup> Happy Estate of England.

<sup>q</sup> *Whitlocke*, vol. 1, p. 755.

<sup>r</sup> *Ibid.* vol. 1, p. 667.

<sup>s</sup> *Whitlocke*, p. 298.

<sup>t</sup> *Whitlocke*, p. 298.

<sup>u</sup> *Whitlocke*, p. 298.

<sup>v</sup> *Whitlocke*, p. 298.

<sup>w</sup> *Whitlocke*, p. 298.

<sup>x</sup> *Whitlocke*, p. 298.

<sup>y</sup> *Whitlocke*, p. 298.

<sup>z</sup> *Whitlocke*, p. 298.

<sup>aa</sup> Clarendon

<sup>ab</sup> *Whitlocke*, p. 298.

<sup>ac</sup> *Whitlocke*, p. 298.

<sup>ad</sup> *Whitlocke*, p. 298.

<sup>ae</sup> *Whitlocke*, p. 298.

<sup>af</sup> *Whitlocke*, p. 298.

<sup>ag</sup> *Whitlocke*, p. 298.

<sup>ah</sup> *Whitlocke*, p. 298.

<sup>ai</sup> *Whitlocke*, p. 298.

<sup>aj</sup> *Whitlocke*, p. 298.

<sup>ak</sup> *Whitlocke*, p. 298.

<sup>al</sup> *Whitlocke*, p. 298.

<sup>am</sup> *Whitlocke*, p. 298.

<sup>an</sup> *Whitlocke*, p. 298.

<sup>ao</sup> *Whitlocke*, p. 298.

<sup>ap</sup> *Whitlocke*, p. 298.

of salads, were about the same time introduced into England.

The colony of New England increased by means of the puritans, who fled thither, in order to free themselves from the constraint which Laud and the church party had imposed upon them; and, before the commencement of the civil wars, it is supposed to have contained 23,000 souls.<sup>1</sup> For a like reason the catholics, afterwards, who found themselves exposed to many hardships, and dreaded still worse treatment, went over to America in great numbers, and settled the colony of Maryland.

Before the civil wars, learning and the fine arts were favoured at court, and a good taste began to prevail in the nation. The king loved pictures, sometimes handled the pencil himself, and was a good judge of the art. The pieces of foreign masters were bought up at a vast price; and the value of pictures doubled in Europe by the emulation between Charles and Philip IV. of Spain, who were touched with the same elegant passion. Vandyke was caressed and enriched at court. Inigo Jones was master of the king's buildings; though afterwards persecuted by the parliament, on account of the part which he had in rebuilding St. Paul's, and for obeying some orders of council, by which he was directed to pull down houses, in order to make room for that edifice. Laws, who had not been surpassed by any musician before him, was much beloved by the king, who called him the father of music. Charles was a good judge of writing, and was thought by some more anxious with regard to purity of style than became a monarch.<sup>2</sup> Notwithstanding his narrow revenue, and his freedom from all vanity, he lived in such magnificence, that he possessed four-and-twenty palaces, all of them elegantly and completely furnished; inasmuch that, when he removed from one to another, he was not obliged to transport any thing along with him.

Cromwell, though himself a barbarian, was not insensible to literary merit. Usher, notwithstanding his being a bishop, received a pension from him. Marvel and Milton were in his service. Waller, who was his relation, was caressed by him. That poet always said, that the protector himself was not so wholly illiterate as was commonly imagined. He gave a hundred pounds a-year to the divinity professor at Oxford; and an historian mentions this bounty as an instance of his love of literature.<sup>3</sup> He intended to have erected a college at Durham for the benefit of the northern counties.

Civil wars, especially when founded on principles of liberty, are not commonly unfavourable to the arts of eloquence and composition; or rather, by presenting nobler and more interesting objects, they amply compensate that tranquility of which they bereave the Muses. The speeches of the parliamentary orators during this period are of a strain much superior to what any former age had produced in England; and the force and compass of our tongue were then first put to trial. It must, however, be confessed, that the wretched fanaticism which so much infected the parliamentary party, was no less destructive of taste and science, than of all law and order. Gaiety and wit were proscribed: human learning despised: freedom of inquiry detested: cant and hypocrisis alone encouraged. It was an article positively insisted on in the preliminaries to the treaty of Uxbridge, that all play-houses should for ever be abolished. Sir John Davenant, says Whitlocke,<sup>4</sup> speaking of the year 1658, published an opera, notwithstanding the nicety of the times. All the king's furniture was put to sale: his pictures, disposed of at very low prices, enriched all the collections in Europe: the cartoons, when complete, were only appraised at 300 pounds, though the whole collection of the king's curiosities was sold at above 50,000.<sup>5</sup> Even the royal palaces were pulled in pieces, and the materials of them sold. The very library and medals at St. James's were intended by the generals to be brought to auction, in order to pay the arrears of some regiments of cavalry quartered near London: but Selden, apprehensive of the loss, engaged his friend Whitlocke, then lord-keeper for the commonwealth, to apply for the office of librarian. This expedient saved that valuable collection.

It is, however, remarkable, that the greatest genius by far that shone out in England during this period, was deeply engaged with these fanatics, and even prostituted his pen in theological controversy, in factious disputes, and in justifying the most violent measures of the party. This was John Milton, whose poems are admirable, though liable to some objections; his prose writings disagreeable, though not altogether defective in genius. Nor are all his poems equal: his *Paradise Lost*, his *Comus*, and a few others, shine out amidst some flat and insipid compositions: even in the *Paradise Lost*, his capital performance, there are very long passages, amounting to near a third of the work, almost wholly destitute of harmony and elegance, nay, of all vigour of imagination. This natural inequality in Milton's genius was much increased by the inequalities in his subject; of which some parts are of themselves the most lofty that can enter into human conception; others would have required the most laboured elegance of composition to support them. It is certain, that this author, when in a happy mood, and employed on a noble subject, is the most wonderfully sublime of any poet in any language; Homer and Lucretius and Tasso not excepted. More concise than Homer, more simple than Tasso, more nervous than Lucretius; had he lived in a later age, and learned to polish some rudeness in his verses; had he enjoyed better fortune, and possessed leisure to watch the returns of genius in himself, he had attained the pinnacle of perfection, and borne away the palm of epic poetry.

It is well known, that Milton never enjoyed in his lifetime the reputation which he deserved. His *Paradise Lost* was long neglected: prejudices against an apologist for the regicides, and against a work not wholly purged from the cant of former times, kept the ignorant world from perceiving the prodigious merit of that performance. Lord Somers, by encouraging a good edition of it, about twenty years after the author's death, first brought it into request; and Tonson, in his dedication of a smaller edition, speaks of it as a work just beginning to be known. Even during the prevalence of Milton's party, he seems never to have been much regarded; and Whitlocke<sup>6</sup> talks of one Milton, as he calls him, a blind man, who was employed in translating a treaty with Sweden into Latin. These forms of expression are amusing to posterity, who consider how obscure Whitlocke himself, though lord-keeper and ambassador, and indeed a man of great abilities and merit, has become in comparison of Milton.

It is not strange that Milton received no encouragement after the restoration: it is more to be admired that he escaped with his life. Many of the cavaliers blamed extremely that lenity towards him, which was so honourable in the king, and so advantageous to posterity. It is said, that he had saved Davenant's life during the protectorship; and Davenant, in return, afforded him like protection after the restoration; being sensible that men of letters ought always to regard their sympathy of taste as a more powerful band of union, than any difference of party or opinion as a source of animosity. It was during a state of poverty, blindness, disgrace, danger, and old age, that Milton composed his wonderful poem, which not only surpassed all the performances of his contemporaries, but all the compositions which had flowed from his pen during the vigour of his age and the height of his prosperity. This circumstance is not the least remarkable of all those which attend that great genius. He died in 1674, aged 66.

Waller was the first refiner of English poetry, at least of English rhyme; but his performances still abound with many faults, and what is more material, they contain but feeble and superficial beauties. Gaiety, wit, and ingenuity, are their ruling character: they aspire not to the sublime; still less to the pathetic. They treat of love, without making us feel any tenderness; and abound in panegyric, without exciting admiration. The panegyric, however, on Cromwell, contains more force than we should expect from the other compositions of this poet.

Waller was born to an ample fortune, was early intro-

<sup>1</sup> Vespasian, &c. p. 111. <sup>2</sup> British Empire in America, vol. i. p. 572. <sup>3</sup> Esopet, &c. p. 124. <sup>4</sup> See Nares's History of the Puritans, vol. iv. p. 124.

<sup>5</sup> P. 639. <sup>6</sup> P. 633.

<sup>7</sup> Part. Hist. vol. xix. p. 63.

duced to the court, and lived in the best company. He possessed talents for eloquence as well as poetry; and till his death, which happened in a good old age, he was the delight of the House of Commons. The errors of his life proceeded more from want of courage, than of honour or integrity. He died in 1687, aged 82.

Cowley is an author extremely corrupted by the bad taste of his age; but had he lived even in the purest times of Greece or Rome, he must always have been a very indifferent poet. He had no ear for harmony; and his verses are only known to be such by the rhyme which terminates them. In his rugged untunable numbers are conveyed sentiments the most strained and distorted; long-spun allegories, distant allusions, and forced conceits. Great ingenuity, however, and vigour of thought, sometimes break out amidst those unnatural conceptions: a few anacronisms surprise us by their ease and gaiety: his prose writings please, by the honesty and goodness which they express, and even by their spleen and melancholy. This author was much more praised and admired during his life-time, and celebrated after his death, than the great Milton. He died in 1667, aged 49.

Sir John Denham, in his Cooper's Hill, (for none of his other poems merit attention,) has a loftiness and vigour, which had not before him been attained by any English poet who wrote in rhyme. The mechanical difficulties of that measure retarded its improvement. Shakspeare, whose tragic scenes are sometimes so wonderfully forcible and expressive, is a very indifferent poet when he attempts to rhyme. Precision and neatness are chiefly wanting in Denham. He died in 1688, aged 73.

No English author in that age was more celebrated both abroad and at home, than Hobbes; in our time he is much neglected: a lively instance, how precarious all reputations founded on reasoning and philosophy! A pleasant comedy which paints the manners of the age, and exposes a faithful picture of nature, is a durable work, and is transmitted to the latest posterity. But a system, whether physical or metaphysical, commonly owes its success to its novelty; and is no sooner canvassed with impartiality, than its weakness is discovered. Hobbes's politics are fitted only to promote tyranny, and his ethics to encourage licentiousness. Though an enemy to religion, he partakes nothing of the spirit of scepticism; but is as positive and dogmatical as if human reason, and his reason in particular, could attain a thorough conviction in these subjects. Clearness and propriety of style are the chief excellences of Hobbes's writings. In his own person he is represented to have been a man of virtue; a character nowise surprising, notwithstanding his libertine system of ethics. Timidity is the principal fault with which he is reproached: he lived to an extreme old age, yet could never reconcile himself to the thoughts of death. The boldness of his opinions and sentiments form a remarkable contrast to this part of his character. He died in 1679, aged 91.

Harrington's Oceana was well adapted to that age, when the plans of imaginary republics were the daily subjects of debate and conversation; and even in our time, it is justly admired as a work of genius and invention. The idea, however, of a perfect and immortal commonwealth will always be found as chimerical as that of a perfect and immortal man. The style of this author wants ease and fluency; but the good matter which his work contains, makes compensation. He died in 1677, aged 66.

Harvey is entitled to the glory of having made, by reasoning alone, without any mixture of accident, a capital discovery in one of the most important branches of science. He had also the happiness of establishing at once his theory on the most solid and convincing proofs; and posterity has added little to the arguments suggested by his industry and ingenuity. His treatise of the circulation of the blood is further embellished by that warmth and spirit which so naturally accompany the genius of invention. This great man was much favoured by Charles I. who gave him the liberty of using all the deer in the royal forests for perfecting his discoveries on the generation of animals. It was remarked, that no physician in Europe, who had reached forty years of age, ever, to the end of his life, adopted Harvey's doctrine of the circulation of the

blood, and that his practice in London diminished extremely, from the reproach drawn upon him by that great and signal discovery. So slow is the progress of truth in every science, even when not opposed by factious or superstitious prejudices! He died in 1657, aged 79.

This age affords great materials for history; but did not produce any accomplished historian. Clarendon, however, will always be esteemed an entertaining writer, even independent of our curiosity to know the facts which he relates. His style is prolix and redundant, and suffocates us by the length of its periods: but it discovers imagination and sentiment, and pleases us at the same time that we disapprove of it. He is more partial in appearance than in reality: for he seems perpetually anxious to apologize for the king; but his apologies are often well grounded. He is less partial in his relation of facts, than in his account of characters: he was too honest a man to falsify the former: his affections were easily capable, unknown to himself, of disguising the latter. An air of probity and goodness runs through the whole work; as these qualities did, in reality, embellish the whole life of the author. He died in 1674, aged 66.

These are the chief performances which engage the attention of posterity. Those numberless productions, with which the press then abounded; the cant of the pulpit, the declamations of party, the subtleties of theology, all these have long ago sunk in silence and oblivion. Even a writer, such as Selden, whose learning was his chief excellency; or Chillingworth, an acute disputant against the papists; will scarcely be ranked among the classics of our language or country.

## CHAP. LXIII.

## CHARLES II.

New ministry—Act of indemnity. Settlement of the revenue—Trial and execution of the regicides—Dissolution of the convention—Parliament—Prelacy restored—Insurrection of the Milenarians—Affairs of Scotland—Conference at the Savoy—Arguments for and against a compromise—A new parliament—Bishops' seats restored—Corporation Act—Act of Uniformity—King's marriage—Trial of Vane and execution—Presbyterian clergy ejected—Dunkirk sold to the French—Declaration of indulgence—Decline of Clarendon's credit.

CHARLES II. when he ascended the throne A. D. 1660. of his ancestors, was thirty years of age. He possessed a vigorous constitution, a fine shape, a manly figure, a graceful air; and though his features were harsh, yet was his countenance in the main lively and engaging. He was in that period of life, when there remains enough of youth to render the person amiable, without preventing that authority and regard which attend the years of experience and maturity. Tenderness was excited by the memory of his recent adversities. His present prosperity was the object rather of admiration than of envy. And as the sudden and surprising revolution, which restored him to his regal rights, had also restored the nation to peace, law, order, and liberty; no prince ever obtained a crown in more favourable circumstances, or was more blest with the cordial affection and attachment of his subjects.

This popularity the king, by his whole demeanour and behaviour, was well qualified to support and to increase. To a lively wit and quick comprehension, he united a just understanding and a general observation both of men and things. The easiest manners, the most unaffected politeness, the most engaging gaiety, accompanied his conversation and address. Accustomed, during his exile, to live among his courtiers rather like a companion than a monarch, he retained, even while on the throne, that open affability which was capable of reconciling the most determined republicans to his royal dignity. Totally devoid of resentment, as well from the natural lenity as carelessness of his temper, he insured pardon to the most guilty of his enemies, and left hopes of favour to his most violent opponents. From the whole tenor of his actions and discourse, he seemed desirous of losing the memory of past animosities, and of uniting every party in an affection for their prince and their native country.



## NEW ministry

Into his council were admitted the most eminent men of the nation, without regard to former distinctions: the presbyterians, equally with the royalists, shared this honour. Amesley was also created Earl of Anglesey; Ashley Cooper, Lord Ashley; Denzil Holles, Lord Holles. The Earl of Manchester was appointed lord chamberlain, and Lord Say, privy-seal. Calamy and Baxter, presbyterian clergymen, were even made chaplains to the king.

\*Admiral Montague, created Earl of Sandwich, was entitled, from his recent services, to great favour; and he obtained it. Monk, created Duke of Albemarle, had performed such signal services, that according to a vulgar and malignant observation, he ought rather to have expected hatred and ingratitude: yet was he ever treated by the king with great marks of distinction. Charles's disposition, free from jealousy; and the prudent behaviour of the general, who never overrated his merits; prevented all those disgusts which naturally arise in so delicate a situation. The capacity too of Albemarle was not extensive, and his parts were more solid than shining. Though he had distinguished himself in inferior stations, he was imagined, upon familiar acquaintance, not to be wholly equal to those great achievements, which fortune, united to prudence, had enabled him to perform; and he appeared unfit for the court, a scene of life to which he had never been accustomed. Morrice, his friend, was created secretary of state, and was supported more by his patron's credit than by his own abilities or experience.

But the choice which the king at first made of his principal ministers and favourites, was the circumstance which chiefly gave contentment to the nation, and prognosticated future happiness and tranquillity. Sir Edward Hyde, created Earl of Clarendon, was chancellor and prime minister: the Marquis, created Duke, of Ormond, was steward of the household: the Earl of Southampton, high treasurer: Sir Edward Nicholas, secretary of state. These men, united together in friendship, and combining in the same laudable inclinations, supported each other's credit, and pursued the interests of the public.

Agreeable to the present prosperity of public affairs, was the universal joy and festivity diffused throughout the nation. The melancholy austerity of the fanatics fell into discredit, together with their principles. The royalists, who had ever affected a contrary disposition, found in their recent success new motives for mirth and gaiety; and it now belonged to them to give repute and fashion to their manners. From past experience it had sufficiently appeared, that gravity was very distinct from wisdom, formality from virtue, and hypocrisy from religion. The king himself, who bore a strong propensity to pleasure, served, by his powerful engaging example, to banish those sour and malignant humours, which had hitherto engendered such confusion. And though the just bounds were undoubtedly passed, when men returned from their former extreme; yet was the public happy in exchanging vices, pernicious to society, for disorders, hurtful chiefly to the individuals themselves who were guilty of them.

It required some time before the several parts of the state, disfigured by war and faction, could recover their former arrangement: but the parliament immediately fell into good correspondence with the king, and they treated him with the same dutiful regard which had usually been paid to his predecessors. Being summoned without the king's consent, they received, at first, only the title of a convention; and it was not till he passed an act for that purpose, that they were called by the appellation of parliament. All judicial proceedings, transacted in the name of the commonwealth or protector, were ratified by a new law. And both Houses, acknowledging the guilt of the former rebellion, gratefully received, in their own name, and in that of all the subjects, his majesty's gracious pardon and indemnity.

Act of indemnity. The king, before his restoration, being afraid of reducing any of his enemies to despair, and at the same time unwilling that such enormous crimes as had been committed, should receive a total impunity, had expressed himself very cautiously in his declaration of Breda, and had promised an indemnity to all criminals but such as should be excepted by parliament.

He now issued a proclamation, declaring that such of the late king's judges as did not yield themselves prisoners within fourteen days should receive no pardon. Nineteen surrendered themselves: some were taken in their flight: others escaped beyond sea.

The Commons seemed to have been more inclined to lenity than the Lords. The upper House, inflamed by the ill usage which they had received, were resolved, besides the late king's judges, to except every one who had sitten in any high court of justice. Nay, the Earl of Bristol moved, that no pardon might be granted to those who had in anywise contributed to the king's death. So wide an exception, in which every one who had served the parliament might be comprehended, gave a general alarm; and men began to apprehend, that this motion was the effect of some court artifice or intrigue. But the king soon dissipated these fears. He came to the House of Peers; and, in the most earnest terms, passed the act of general indemnity. He urged both the necessity of the thing, and the obligation of his former promise: a promise, he said, which he would ever regard as sacred; since to it he probably owed the satisfaction, which at present he enjoyed, of meeting his people in parliament. This measure of the king's was received with great applause and satisfaction.

After repeated solicitations, the act of indemnity passed both Houses, and soon received the royal assent. Those who had an immediate hand in the late king's death, were there excepted: even Cromwell, Ireton, Bradshaw, and others now dead, were attainted, and their estates forfeited. Vane and Lambert, though none of the regicides, were also excepted. St. John and seventeen persons more were deprived of all benefit from this act, if they ever accepted any public employment. All who had sitten in any illegal high court of justice were disabled from bearing offices. These were all the severities which followed such furious civil wars and convulsions.

The next business was the settlement of Settlement of the king's revenue. In this work, the parliament had regard to public freedom, as well as to the support of the crown. The tenures of wards and liveries had long been regarded as a grievous burden by the nobility and gentry: several attempts had been made during the reign of James to purchase this prerogative, together with that of purveyance; and 200,000 pounds a year had been offered that prince in lieu of them; wardships and purveyance had been utterly abolished by the republican parliament: and even in the present parliament, before the king arrived in England, a bill had been introduced, offering him a compensation for the emoluments of these prerogatives. A hundred thousand pounds a year was the sum agreed to; and half of the excise was settled in perpetuity upon the crown, as the fund whence this revenue should be levied. Though that impost yielded more profit, the bargain might be esteemed hard; and it was chiefly the necessity of the king's situation which induced him to consent to it. No request of the parliament, during the present joy, could be refused them.

Tonnage and poundage and the other half of the excise were granted to the king during life. The parliament even proceeded so far as to vote that the settled revenue of the crown for all charges should be 1,200,000 pounds a year; a sum greater than any English monarch had ever before enjoyed. But as all the princes of Europe were perpetually augmenting their military force, and consequently their expense, it became requisite that England, from motives both of honour and security, should bear some proportion to them, and adapt its revenue to the new system of politics which prevailed. According to the chancellor's computation, a charge of 800,000 pounds a-year was at present requisite for the fleet and other articles, which formerly cost the crown but eighty thousand.

Had the parliament, before restoring the king, insisted on any further limitations than those which the constitution already imposed; besides the danger of reviving former quarrels among parties; it would seem that their precaution had been entirely superfluous. By reason of its slender and precarious revenue, the crown in effect was still totally dependent. Not a fourth part of this sum, which seemed requisite for public expenses, could be levied without consent of parliament; and any concessions, had they been

thought necessary, might, even after the restoration, be extorted by the Commons from their necessitous prince. This parliament showed no intention of employing at present that engine to any such purposes; but they seemed still determined not to part with it entirely, or to render the revenues of the crown fixed and independent. Though they voted in general, that 1,200,000 pounds a year should be settled on the king, they scarcely assigned any funds which could yield two-thirds of that sum. And they left the care of fulfilling their engagements to the future consideration of parliament.

In all the temporary supplies which they voted, they discovered the same cautious frugality. To disband the army, so formidable in itself, and so much accustomed to rebellion and changes of government, was necessary for the security both of king and parliament; yet the Commons showed great jealousy in granting the sums requisite for that end. An assessment of 70,000 pounds a-month was imposed; but it was at first voted to continue only three months: and all the other sums, which they levied for that purpose, by a poll-bill and new assessments, were still granted by parcels: as if they were not, as yet, well assured of the fidelity of the hand to which the money was intrusted. Having proceeded so far in the settlement of the nation, the parliament adjourned itself for some time.

September 13. Trial and execution of the regicides.  
During the recess of parliament, the object which chiefly interested the public, was the trial and condemnation of the regicides. The general indignation, attending the enormous crime of which these men had been guilty, made their sufferings the subject of joy to the people: but in the peculiar circumstances of that action, in the prejudices of the times, as well as in the behaviour of the criminals, a mind, seasoned with humanity, will find a plentiful source of compassion and indulgence. Can any one, without concern for human blindness and ignorance, consider the demeanor of General Harrison, who was first brought to his trial? With great courage and elevation of sentiment, he told the court, that the pretended crime, of which he stood accused, was not a deed performed in a corner; the sound of it had gone forth to most nations; and in the singular and marvellous conduct of it had chiefly appeared the sovereign power of Heaven. That he himself, agitated by doubts, had often, with passionate tears, offered up his addresses to the divine Majesty, and earnestly sought for light and conviction: he had still received assurance of a heavenly sanction, and returned from these devout supplications with more serene tranquillity and satisfaction. That all the nations of the earth were, in the eyes of their Creator, less than a drop of water in the bucket; nor were their erroneous judgments aught but darkness, compared with divine illuminations. That these frequent illapses of the divine Spirit he could not suspect to be interested illusions; since he was conscious, that for no temporal advantage, would he offer injury to the poorest man or woman that trod upon the earth. That all the allurements of ambition, all the terrors of imprisonment, had not been able, during the usurpation of Cromwell, to shake his steady resolution, or bend him to a compliance with that deceitful tyrant. And that, when invited by him to sit on the right hand of the throne, when offered riches and splendour and dominion, he had disdainfully rejected all temptations; and, neglecting the tears of his friends and family, had still, through every danger, held fast his principles and his integrity.

Scot, who was more a republican than a fanatic, had said in the House of Commons, a little before the restoration, that he desired no other epitaph to be inscribed on his tomb-stone than this; *Here lies Thomas Scot, who adjudged the king to death.* He supported the same spirit upon his trial.

Carew, a millenarian, submitted to his trial, *saving to our Lord Jesus Christ his right to the government of these kingdoms.* Some scrupled to say, according to form, that they would be tried by God and their country; because God was not visibly present to judge them. Others said, that they would be tried by the word of God.

No more than six of the late king's judges, Harrison,

Scot, Carew, Clement, Jones, and Scrope, were executed: Scrope alone, of all those who came in upon the king's proclamation. He was a gentleman of good family and of a decent character: but it was proved, that he had a little before, in conversation, expressed himself as if he were nowise convinced of any guilt, in condemning the king. Axtel, who had guarded the high court of justice, Hacker, who commanded on the day of the king's execution, Coke, the solicitor for the people of England, and Hugh Peters, the fanatical preacher, who inflamed the army and impelled them to regicide: all these were tried, and condemned, and suffered with the king's judges. No saint or confessor ever went to martyrdom with more assured confidence of heaven than was expressed by those criminals, even when the terrors of immediate death, joined to many indignities, were set before them. The rest of the king's judges, by an unexampled lenity, were reprieved; and they were dispersed into several prisons.

This punishment of declared enemies interrupted not the rejoicings of the court: but September 13. the death of the Duke of Gloucester, a young prince of promising hopes, threw a great cloud upon them. The king, by no incident in his life, was ever so deeply affected. Gloucester was observed to possess united the good qualities of both his brothers: the clear judgment and penetration of the king; the industry and application of the Duke of York. He was also believed to be affectionate to the religion and constitution of his country. He was but twenty years of age, when the small-pox put an end to his life.

The Princess of Orange, having come to England, in order to partake of the joy attending the restoration of her family, with whom she lived in great friendship, soon after sickened and died. The queen-mother paid a visit to her son; and obtained his consent to the marriage of the Princess Henrietta with the Duke of Orleans, brother to the French king.

After a recess of near two months the parliament met, and proceeded in the great Nov. 6. work of the national settlement. They established the post-office, wine-licenses, and some articles of the revenue. They granted more assessments, and some arrears, for paying and disbanding the army. Business, being carried on with great unanimity, was soon despatched: and after they had sitten two months, the king, in a speech full of the most gracious expressions, thought proper to dissolve them.

This House of Commons had been chosen during the reign of the old parliamentary party; and though many royalists had crept in amongst them, yet did it chiefly consist of presbyterians, who had not yet entirely laid aside their old jealousies and principles. Lenthall, a member, having said, that those who first took arms against the king, were as guilty as those who afterwards brought him to the scaffold, was severely reprimanded by order of the House; and the most violent efforts of the long parliament, to secure the constitution, and bring delinquents to justice, were in effect vindicated and applauded.<sup>a</sup> The claim of the two Houses to the militia, the first ground of the quarrel, however exorbitant an usurpation, was never expressly resigned by this parliament. They made all grants of money with a very sparing hand. Great arrears being due by the protectors to the fleet, the army, the navy-office, and every branch of service; this whole debt they threw upon the crown, without establishing funds sufficient for its payment. Yet notwithstanding this jealous care, expressed by the parliament, there prevails a story, that Popham, having sound the disposition of the members, undertook to the Earl of Southampton to procure, during the king's life, a grant of two millions a-year, land-tax; a sum which, added to the customs and excise, would for ever have rendered this prince independent of his people. Southampton, it is said, merely from his affection to the king, had unwarily embraced the offer; and it was not till he communicated the matter to the chancellor, that he was made sensible of its pernicious tendency. It is not improbable that such an offer might

have been made, and been hearkened to; but it is nowise probable that all the interest of the court would ever, with this House of Commons, have been able to make it effectual. Clarendon showed his prudence, no less than his integrity, in entirely rejecting it.

The chancellor, from the same principles of conduct, hastened to disband the army. When the king reviewed these veteran troops, he was struck with their beauty, order, discipline, and martial appearance; and being sensible, that regular forces are most necessary implements of royalty, he expressed a desire of finding expedients still to retain them. But his wise minister set before him the dangerous spirit by which these troops were actuated, their enthusiastic genius, their habits of rebellion and mutiny; and he convinced the king, that till they were disbanded, he never could esteem himself securely established on his throne. No more troops were retained than a few guards and garrisons, about 1000 horse, and 4000 foot. This was the first appearance, under the monarchy, of a regular standing army in this island. Lord Mordaunt said, that the king, being possessed of that force, might now look upon himself as the most considerable gentleman in England.<sup>b</sup> The fortifications of Gloucester, Taunton, and other towns, which had made resistance to the king during the civil wars, were demolished.

Clarendon not only behaved with wisdom and justice in the office of chancellor; all the counsels, which he gave the king, tended equally to promote the interest of prince and people. Charles, accustomed in his exile to pay entire deference to the judgment of this faithful servant, continued still to submit to his direction; and for some time no minister was ever possessed of more absolute authority. He moderated the former zeal of the royalists, and tempered their appetite for revenge. With the opposite party he endeavoured to preserve inviolate all the king's engagements: he kept an exact register of the promises which had been made for any service, and he employed all his industry to fulfil them. This good minister was now nearly allied to the royal family. His daughter, Ann Hyde, a woman of spirit and fine accomplishments, had hearkened, while abroad, to the addresses of the Duke of York, and, under promise of marriage, had secretly admitted him to her bed. Her pregnancy appeared soon after the restoration; and though many endeavoured to dissuade the king from consenting to so unequal an alliance, Charles, in pity to his friend and minister, who had been ignorant of these engagements, permitted his brother to marry her. Clarendon expressed great uneasiness at the honour which he had obtained; and said, that by being elevated so much above his rank, he thence dreaded a more sudden downfall.

Most circumstances of Clarendon's administration have met with applause: his maxims alone in the conduct of ecclesiastical politics have by many been deemed the effect of prejudices narrow and bigoted. Had the jealousy of royal power prevailed so far with the convention parliament, as to make them restore the king with strict limitations, there is no question but the establishment of presbyterian discipline had been one of the conditions most rigidly insisted on. Not only that form of ecclesiastical government is more favourable to liberty than to royal power: it was likewise, on its own account, agreeable to the majority of the House of Commons, and suited their religious principles. But as the impatience of the people, the danger of delay, the general disgust towards faction, and the authority of Monk, had prevailed over that jealous project of limitations, the full settlement of the hierarchy, together with the monarchy, was a necessary and infallible consequence. All the royalists were zealous for that mode of religion; the merits of the episcopal clergy towards the king, as well as their sufferings on that account, had been great; the laws which established bishops and the liturgy were as yet unrepealed by legal authority; and any attempt of the parliament, by new acts, to give the superiority to presbyterianism, had been sufficient to involve the nation again in blood and confusion. Moved by these views, the Commons had

wisely postponed the examination of all religious controversy, and had left the settlement of the church to the king and to the ancient laws.

The king at first used great moderation in the execution of the laws. Nine bishops still remained alive; and these were immediately restored to their sees: all the ejected clergy recovered their livings: the liturgy, a form of worship decent and not without beauty, was again admitted into the churches: but, at the same time, a declaration was issued, in order to give contentment to the presbyterians, and preserve an air of moderation and neutrality.<sup>d</sup> In this declaration, the king promised that he would provide suffragan bishops for the larger dioceses; that the prelates should, all of them, be regular and constant preachers; that they should not confer ordination, or exercise any jurisdiction, without the advice and assistance of presbyters, chosen by the diocese; that such alterations should be made in the liturgy as would render it totally unexceptionable; that, in the mean time, the use of that mode of worship should not be imposed on such as were unwilling to receive it; and that the surplice, the cross in baptism, and bowing at the name of Jesus, should not be rigidly insisted on. This declaration was issued by the king as head of the church; and he plainly assumed, in many parts of it, a legislative authority in ecclesiastical matters. But the English government, though more exactly defined by late contests, was not as yet reduced, in every particular, to the strict limits of law. And if ever prerogative was justifiably employed, it seemed to be on the present occasion, when all parts of the state were torn with past convulsions, and required the moderating hand of the chief magistrate to reduce them to their ancient order.

But though these appearances of neutrality were maintained, and a mitigated episcopacy only seemed to be insisted on, it was far from the intention of the ministry always to preserve like regard to the presbyterians. The madness of the fifth monarchy men afforded them a pretence for departing from it. Venner, a desperate enthusiast, who had often conspired against Cromwell, having by his zealous lectures inflamed his own imagination and that of his followers, issued forth at their head into the streets of London. They were to the number of sixty, completely armed, believed themselves invulnerable and invincible, and firmly expected the same success which had attended Gideon and other heroes of the Old Testament. Every one at first fled before them. One unhappy man, who, being questioned, said, "He was for God and King Charles," was instantly murdered by them. They went triumphantly from street to street, every where proclaiming King Jesus, who, they said, was their invisible leader. At length, the magistrates, having assembled some train-bands, made an attack upon them. They defended themselves with order, as well as valour; and, after killing many of the assailants, they made a regular retreat into Cane-wood, near Hampstead. Next morning they were chased thence by a detachment of the guards; but they ventured again to invade the city, which was not prepared to receive them. After committing great disorder, and traversing almost every street of that immense capital, they retired into a house, which they were resolute to defend to the last extremity. Being surrounded, and the house untied, they were fired upon from every side, and they still refused quarter. The people rushed in upon them, and seized the few who were alive. These were tried, condemned, and executed; and to the last they persisted in affirming, that if they were deceived, it was the Lord that had deceived them.

Clarendon and the ministry took occasion, from this insurrection, to infer the dangerous spirit of the presbyterians, and of all the sectaries: but the madness of the attempt sufficiently proved, that it had been undertaken by no concert, and never could have proved dangerous. The well-known hatred, too, which prevailed between the presbyterians and the other sects, should have removed the former from all suspicion of any concurrence in the

<sup>b</sup> King James's Memoirs. The prince says, that Venner's insurrection frustrated a resolution, pretence for keeping up the guards, which were intended at first to have been disbanded with the rest of the army.

<sup>c</sup> King James's Memoirs.

<sup>d</sup> Parl. Hist. vol. xxiii. p. 173.



enterprise. But as a pretence was wanted, besides their old demerits, for justifying the intended rigours against all of them, this reason, however slight, was greedily laid hold of.

**Affairs of Scotland.** Affairs in Scotland hastened with still quicker steps than those in England towards a settlement and a compliance with the king. It was deliberated in the English council, whether that nation should be restored to its liberty, or whether the forts erected by Cromwell should not still be upheld, in order to curb the mutinous spirit by which the Scots, in all ages, had been so much governed? Lauderdale, who, from the battle of Worcester to the restoration, had been detained prisoner in the Tower, had considerable influence with the king; and he strenuously opposed this violent measure. He represented, that it was the loyalty of the Scottish nation, which had engaged them in an opposition to the English rebels; and to take advantage of the calamities into which, on that account, they had fallen, would be regarded as the highest injustice and ingratitude: that the spirit of that people was now fully subdued by the servitude under which the usurpers had so long held them, and would of itself yield to any reasonable compliance with their legal sovereign, if by this means they recovered their liberty and independence: that the attachment of the Scots towards their king, whom they regarded as their native prince, was naturally much stronger than that of the English; and would afford him a sure resource, in case of any rebellion among the latter: that republican principles had long been, and still were, very prevalent with his southern subjects, and might again menace the throne with new tumults and resistance: that the time would probably come, when the king, instead of desiring to see English garrisons in Scotland, would be better pleased to have Scottish garrisons in England, who, supported by English pay, would be found to curb the seditious genius of that opulent nation: and that a people, such as the Scots, governed by a few nobility, would more easily be reduced to submission under monarchy, than one like the English, who breathed nothing but the spirit of democratical equality.

**A. D. 1661.** These views induced the king to disband **1st Jan.** all the forces in Scotland, and to raze all the forts which had been erected. General Middleton, created earl of that name, was sent commissioner to the parliament, which was summoned. A very compliant spirit was there discovered in all orders of men. The commissioner had even sufficient influence to obtain an act, annulling, at once, all laws which had passed since the year 1633, on pretext of the violence which, during that time, had been employed against the king and his father, in order to procure their assent to these statutes. This was a very large, if not an unexampled concession; and, together with many dangerous limitations, overthrew some useful barriers which had been erected to the constitution. But the tide was now running strongly towards monarchy; and the Scottish nation plainly discovered, that their past resistance had proceeded more from the turbulence of their aristocracy, and the bigotry of their ecclesiastics, than from any fixed passion towards civil liberty. The lords of articles were restored, with some other branches of prerogative; and royal authority, fortified with more plausible claims and pretences, was, in its full extent, re-established in that kingdom.

The prelacy, likewise, by the abrogating of every statute enacted in favour of presbytery, was thereby tacitly restored; and the king deliberated what use he should make of this concession. Lauderdale, who at bottom was a passionate zealot against episcopacy, endeavoured to persuade him, that the Scots, if gratified in this favourite point of ecclesiastical government, would, in every other demand, be entirely compliant with the king. Charles, though he had no such attachment to prelacy as had influenced his father and grandfather, had suffered such indignities from the Scottish presbyterians, that he ever after bore them a hearty aversion. He said to Lauderdale, that presbyterianism, he thought, was not a religion for a gentleman; and he could not consent to its further continuance in Scotland. Middleton too and his other ministers persuaded him that the nation in general was so disgusted with the

violence and tyranny of the ecclesiastics, that any alteration of church government would be universally grateful. And Clarendon, as well as Ormond, dreading that the presbyterian sect, if legally established in Scotland, would acquire authority in England and Ireland, seconded the application of these ministers. The resolution was therefore taken to restore prelacy; a measure afterwards attended with many and great inconveniences: but whether in this resolution Charles chose not the lesser evil, it is very difficult to determine. Sharp, who had been commissioned by the presbyterians in Scotland to manage their interest with the king, was persuaded to abandon that party; and, as a reward for his compliance, was created Archbishop of St. Andrews. The conduct of ecclesiastical affairs was chiefly intrusted to him; and as he was esteemed a traitor and a renegade by his old friends, he became on that account, as well as from the violence of his conduct, extremely obnoxious to them.

Charles had not promised to Scotland any such indemnity as he had insured to England by the declaration of Breda: and it was deemed more political for him to hold over men's heads, for some time, the terror of punishment, till they should have made the requisite compliances with the new government. Though neither the king's temper nor plan of administration led him to severity, some examples, after such a bloody and triumphant rebellion, seemed necessary; and the Marquis of Argyle, and one Guthry, were pitched on as the victims. Two acts of indemnity, one passed by the late king, in 1641, another by the present in 1651, formed, it was thought, invincible obstacles to the punishment of Argyle; and barred all inquiry into that part of his conduct which might justly be regarded as the most exceptionable. Nothing remained but to try him for his compliance with the usurpation; a crime common to him with the whole nation, and such a one as the most loyal and affectionate subject might frequently by violence be obliged to commit. To make this compliance appear the more voluntary and hearty, there were produced in court letters which he had written to Albemarle, while that general commanded in Scotland, and which contained expressions of the most cordial attachment to the established government. But besides the general indignation excited by Albemarle's discovery of this private correspondence, men thought, that even the highest demonstrations of affection might, during jealous times, be exacted as a necessary mark of compliance from a person of such distinction as Argyle, and could not, by any equitable construction, imply the crime of treason. The parliament, however, scrupled not to pass sentence upon him; and he died with great constancy and courage. As he was universally known to have been the chief instrument of the past disorders and civil wars, the irregularity of his sentence, and several iniquitous circumstances in the method of conducting his trial, seemed, on that account, to admit of some apology. Lord Lorne, son of Argyle, having ever preserved his loyalty, obtained a gift of the forfeiture. Guthry was a seditious preacher, and had personally affronted the king: his punishment gave surprise to nobody. Sir Archibald Johnstone, of Warriston, was attainted, and fled; but was seized in France about two years after, brought over, and executed. He had been very active during all the late disorders, and was even suspected of a secret correspondence with the English regicides.

Besides these instances of compliance in the Scottish parliament, they voted an additional revenue to the king, of 40,000 pounds a year, to be levied by way of excise. A small force was purposed to be maintained by this revenue, in order to prevent like confusions with those to which the kingdom had been hitherto exposed. An act was also passed, declaring the covenant unlawful, and its obligation void and null.

In England, the civil distinctions seemed to be abolished by the lenity and equality of Charles's administration. Cavalier and roundhead were heard of no more: all men seemed to concur in submitting to the king's lawful prerogatives, and in cherishing the just privileges of the people and of parliament. Theological controversy alone still subsisted, and kept alive some sparks of that flame which had thrown the nation into combustion.

While catholics, independents, and other sectaries, were content with entertaining some prospect of toleration; prelacy and presbytery struggled for the superiority, and the hopes and fears of both parties kept them in agitation. A

conference was held in the Savoy between twelve bishops and twelve leaders among the presbyterian ministers, with an intention, at least on pretence, of bringing about an accommodation between the parties. The surplice, the cross in baptism, the kneeling at the sacrament, the bowing at the name of Jesus, were anew canvassed; and the ignorant multitude were in hopes that so many men of gravity and learning could not fail, after deliberate argumentation, to agree in all points of controversy: they were surprised to see them separate more inflamed than ever, and more confirmed in their several prejudices. To enter into particulars would be superfluous. Disputes concerning religious forms are, in themselves, the most frivolous of any; and merit attention only so far as they have influence on the peace and order of civil society.

The king's declaration had promised, that some endeavours should be used to effect a comprehension of both parties; and Charles's own indifference with regard to all such questions seemed a favourable circumstance for the execution of that project. The partisans of a comprehension said, that the presbyterians, as well as the prelatists, having felt by experience the fatal effects of obstinacy and violence, were now well disposed towards an amicable agreement: that the bishops, by relinquishing some part of their authority, and dispensing with the most exceptionable ceremonies, would so gratify their adversaries as to obtain their cordial and affectionate compliance, and unite the whole nation in one faith and one worship: that by obstinately insisting on forms, in themselves insignificant, an air of importance was bestowed on them, and men were taught to continue equally obstinate in rejecting them: that the presbyterian clergy would go every reasonable length, rather than, by parting with their livings, expose themselves to a state of beggary, at best of dependence: and that if their pride were flattered by some seeming alterations, and a pretence given them for affirming that they had not abandoned their former principles, nothing further was wanting to produce a thorough union between those two parties which comprehended the bulk of the nation.

It was alleged, on the other hand, that the difference between religious sects was founded, not on principle, but on passion; and till the irregular affections of men could be corrected, it was in vain to expect, by compliances, to obtain a perfect unanimity and comprehension: that the more insignificant the objects of dispute appeared, with the more certainty might it be inferred, that the real ground of dissension was different from that which was universally pretended: that the love of novelty, the pride of argumentation, the pleasure of making proselytes, and the obstinacy of contradiction, would for ever give rise to sects and disputes; nor was it possible that such a source of dissension could ever, by any concessions, be entirely exhausted: that the church, by departing from ancient practices and principles, would tacitly acknowledge herself guilty of error, and lose that reverence, so requisite for preserving the attachment of the multitude: and that if the present concessions (which was more than probable) should prove ineffectual, greater must still be made; and in the issue, discipline would be despoiled of all its authority, and worship of all its decency, without obtaining that end which had been so fondly sought for by these dangerous indulgences.

The ministry were inclined to give the preference to the latter arguments; and were the more confirmed in that intention by the disposition which appeared in the parliament lately assembled. The royalists and zealous churchmen were at present the popular party in the nation, and, seconded by the efforts of the court, had prevailed in most elections. Not more than fifty-six members of the presbyterian party had obtained seats in the lower House; and these were not able either to oppose or retard the measures of the ma-

jority. Monarchy, therefore, and episcopacy, were now exalted to as great power and splendour as they had lately suffered misery and depression. Sir Edward Turner was chosen speaker.

An act was passed for the security of the king's person and government. To intend or devise the king's imprisonment, or bodily harm, or deposition, or levying war against him, was declared, during the lifetime of his present majesty, to be high treason. To affirm him to be a papist or heretic, or to endeavour by speech or writing to alienate his subjects' affections from him; these offences were made sufficient to incapacitate the person guilty from holding any employment in church or state. To maintain that the long parliament is not dissolved, or that either or both Houses, without the king, are possessed of legislative authority, or that the covenant is binding, was made punishable by the penalty of præmunire.

The covenant itself, together with the act for erecting the high court of justice, that for subscribing the engagement, and that for declaring England a commonwealth, were ordered to be burnt by the hands of the hangman. The people assisted with great alacrity on this occasion.

The abuses of petitioning in the preceding reign had been attended with the worst consequences; and to prevent such irregular practices for the future, it was enacted, that no more than twenty hands should be fixed to any petition, unless with the sanction of three justices, or the major part of the grand jury; and that no petition should be presented to the king or either House by above ten persons. The penalty annexed to a transgression of this law, was a fine of a hundred pounds and three months' imprisonment.

The bishops, though restored to their spiritual authority, were still excluded from parliament by the law which the late king had passed immediately before the commencement of the civil disorders. Great violence, both against the king and the House of Peers, had been employed in passing this law; and on that account alone the partisans of the church were provided with a plausible pretence for repealing it. Charles expressed much satisfaction, when he gave his assent to the act for that purpose. It is certain, that the authority of the crown, as well as that of the church, was interested in restoring the prelates to their former dignity. But those who deemed every acquisition of the prince a detriment to the people, were apt to complain of this instance of complaisance in the parliament.

After an adjournment of some months, 30th Nov. the parliament was again assembled, and proceeded in the same spirit as before. They discovered no sign of restoring, in its full extent, the ancient prerogative of the crown: they were only anxious to repair all those breaches, which had been made, not by the love of liberty, but by the fury of faction and civil war. The power of the sword had, in all ages, been allowed to be vested in the crown; and though no law conferred this prerogative, every parliament, till the last of the preceding reign, had willingly submitted to an authority more ancient, and therefore more sacred, than that of any positive statute. It was now thought proper solemnly to relinquish the violent pretensions of that parliament, and to acknowledge, that neither one House, nor both Houses, independent of the king, were possessed of any military authority. The preamble to this statute went so far as to renounce all right even of defensive arms against the king; and much observation has been made with regard to a concession esteemed so singular. Were these terms taken in their full literal sense, they imply a total renunciation of limitations to monarchy, and of all privileges in the subject, independent of the will of the sovereign. For as no rights can subsist without some remedy, still less rights exposed to so much invasion from tyranny, or even from ambition; if subjects must never resist, it follows, that every prince, without any effort, policy, or violence, is at once rendered absolute and uncontrollable: the sovereign needs only issue an edict, abolishing every authority but his own; and all liberty from that moment is in effect annihilated. But this meaning it were absurd to impute

Conference at the Savoy, March 25.

Arguments for and against a comprehension.

Bishops' seats restored.

A new parliament, 15th May.

to the present parliament, who, though zealous royalists, showed in their measures that they had not cast off all regard to national privileges. They were probably sensible, that to suppose in the sovereign any such invasion of public liberty is entirely unconstitutional; and that therefore expressly to reserve, upon that event, any right of resistance in the subject, must be liable to the same objection. They had seen that the long parliament, under colour of defence, had begun a violent attack upon kingly power; and, after involving the kingdom in blood, had finally lost that liberty for which they had so imprudently contended. They thought, perhaps erroneously, that it was no longer possible, after such public and such exorbitant pretensions, to persevere in that prudent silence hitherto maintained by the laws; and that it was necessary, by some positive declaration, to bar the return of like inconveniences. When they excluded, therefore, the right of defence, they supposed, that the constitution remaining firm upon its basis, there never really could be an attack made by the sovereign. If such an attack was at any time made, the necessity was then extreme; and the case of extreme and violent necessity, no laws, they thought, could comprehend; because to such a necessity no laws could beforehand point out a proper remedy.

The other measures of this parliament still discovered a more anxious care to guard against rebellion in the subject than encroachments in the crown: the recent evils of civil war and usurpation had naturally increased the spirit of submission to the monarch, and had thrown the nation

into that dangerous extreme. During the violent and jealous government of the parliament and of the protectors, all magistrates, liable to suspicion, had been expelled the corporations: and none had been admitted, who gave not proofs of affection to the ruling powers, or who refused to subscribe the covenant. To leave all authority in such hands seemed dangerous; and the parliament, therefore, empowered the king to appoint commissioners for regulating the corporations, and expelling such magistrates as either intruded themselves by violence, or professed principles dangerous to the constitution, civil and ecclesiastical. It was also enacted, that all magistrates should disclaim the obligation of the covenant, and should declare, both their belief, that it was not lawful, upon any pretence whatsoever, to resist the king, and their abhorrence of the traitorous position of taking arms by the king's authority against his person, or against those who were commissioned by him.

The care of the church was no less attended to by this parliament, than that of monarchy; and the bill of uniformity was a pledge of their sincere attachment to the episcopal hierarchy, and of their antipathy to presbyterianism. Different parties, however, concurred in promoting this bill, which contained many severe clauses. The independents and other sectaries, enraged to find all their schemes subverted by the presbyterians, who had once been their associates, exerted themselves to disappoint that party of the favour and indulgence, to which, from their recent merits in promoting the restoration, they thought themselves justly entitled. By the presbyterians, said they, the war was raised: by them was the populace first incited to tumults: by their zeal, interest, and riches, were the armies supported: by their force was the king subdued: and if, in the sequel, they protested against those extreme violences committed on his person by the military leaders, their opposition came too late, after having supplied these usurpers with the power and the pretences, by which they maintained their sanguinary measures. They had indeed concurred with the royalists in recalling the king: but ought they to be esteemed, on that account, more affectionate to the royal cause? Rage and animosity, from disappointed ambition, were plainly their sole motives; and if the king should now be so imprudent as to distinguish them by any particular indulgences, he would soon experience from them the same hatred and opposition which had proved so fatal to his father.

The catholics, though they had little interest in the nation, were a considerable party at court; and from their

services and sufferings during the civil wars, it seemed but just to bear them some favour and regard. These religionists dreaded an entire union among the protestants. Were they the sole nonconformists in the nation, the severe execution of penal laws upon their sect seemed an infallible consequence; and they used, therefore, all their interest to push matters to extremity against the presbyterians, who had formerly been their most severe oppressors, and whom they now expected for their companions in affliction. The Earl of Bristol, who, from conviction, or interest, or levity, or complaisance for the company with whom he lived, had changed his religion during the king's exile, was regarded as the head of this party.

The church party had, during so many years, suffered such injuries and indignities from the sectaries of every denomination, that no moderation, much less deference, was on this occasion to be expected in the ecclesiastics. Even the laity of that communion seemed now disposed to retaliate upon their enemies, according to the usual measures of party justice. This sect or faction (for it partook of both) encouraged the rumours of plots and conspiracies against the government; crimes which, without any apparent reason, they imputed to their adversaries. And, instead of enlarging the terms of communion, in order to comprehend the presbyterians, they gladly laid hold of the prejudices which prevailed among that sect, in order to eject them from their livings. By the bill of uniformity it was required that every clergyman should be re-ordained, if he had not before received episcopal ordination; should declare his assent to every thing contained in the Book of Common Prayer; should take the oath of canonical obedience; should abjure the solemn league and covenant; and should renounce the principle of taking arms, on any pretence whatsoever, against the king.

This bill reinstated the church in the same condition in which it stood before the commencement of the civil wars; and as the old persecuting laws of Elizabeth still subsisted in their full rigour, and new clauses of a like nature were now enacted, all the king's promises of toleration and of indulgence to tender consciences were thereby eluded and broken. It is true, Charles, in his declaration from Breda, had expressed his intention of regulating that indulgence by the advice and authority of parliament: but this limitation could never reasonably be extended to a total infringement and violation of his engagements. However, it is agreed, that the king did not voluntarily concur with this violent measure, and that the zeal of Clarendon and of the church party among the Commons, seconded by the intrigues of the catholics, was the chief cause which extorted his consent.

The royalists, who now predominated, were very ready to signalize their victory, by establishing those high principles of monarchy which their antagonists had controverted: but when any real power or revenue was demanded for the crown, they were neither so forward nor so liberal in their concessions as the king would gladly have wished. Though the parliament passed laws for regulating the navy, they took no notice of the army; and declined giving their sanction to this dangerous innovation. The king's debts were become intolerable; and the Commons were at last constrained to vote him an extraordinary supply of 1,200,000 pounds, to be levied by eighteen monthly assessments. But besides that this supply was much inferior to the occasion, the king was obliged earnestly to solicit the Commons, before he could obtain it; and, in order to convince the House of its absolute necessity, he desired them to examine strictly into all his receipts and disbursements. Finding, likewise, upon inquiry, that the several branches of revenue fell much short of the sums expected, they at last, after much delay, voted a new imposition of two shillings on each hearth; and this tax they settled on the king during life. The whole established revenue, however, did not, for many years, exceed a million; a sum confessedly too narrow for the public expenses. A very rigid frugality at least, which the king seems to have wanted, would have been requisite to make it suffice for the dignity and security of



May 19. government. After all business was despatched, the parliament was prorogued.

Before the parliament rose, the court was employed in making preparations for the reception of the new queen, Catharine of Portugal, to whom the king was betrothed, and who had just landed at Portsmouth. During the time that the protector carried on the war with Spain, he was naturally led to support the Portuguese in their revolt; and he engaged himself by treaty to supply them with 10,000 men for their defence against the Spaniards. On the king's restoration, advances were made by Portugal for the renewal of the alliance; and in order to bind the friendship closer, an offer was made of the Portuguese princess, and a portion of 500,000 pounds, together with two fortresses, Tangiers in Africa, and Bombay in the East Indies. Spain, who, after the peace of the Pyrenees, bent all her force to recover Portugal, now in appearance abandoned by France, took the alarm, and endeavoured to fix Charles in an opposite interest. The catholic king offered to adopt any other princess as a daughter of Spain, either the Princess of Parma, or, what he thought more popular, some protestant princess, the daughter of Denmark, Saxony, or Orange: and on any of these, he promised to confer a dowry equal to that which was offered by Portugal. But many reasons inclined Charles rather to accept of the Portuguese proposals. The great disorders in the government and finances of Spain made the execution of her promises be much doubted; and the king's urgent necessities demanded some immediate supply of money. The interest of the English commerce likewise seemed to require that the independency of Portugal should be supported, lest the union of that crown with Spain should put the whole treasures of America into the hands of one potentate. The claims, too, of Spain upon Dunkirk and Jamaica, rendered it impossible, without further concessions, to obtain the cordial friendship of that power; and, on the other hand, the offer made by Portugal, of two such considerable fortresses, promised a great accession to the naval force of England. Above all, the proposal of a protestant princess was no allurement to Charles, whose inclinations led him strongly to give the preference to a catholic alliance. According to the most probable accounts,<sup>g</sup> the resolution of marrying the daughter of Portugal was taken by the king, unknown to all his ministers; and no remonstrances could prevail with him to alter his intentions. When the matter was laid before the council, all voices concurred in approving the resolution; and the parliament expressed the same complaisance. And thus was concluded, seemingly with universal consent, the inauspicious marriage with Catharine, a princess of virtue, but who was never able, either by the graces of her person or humour, to make herself agreeable to the king. The report, however, of her natural incapacity to have children seems to have been groundless; since she was twice declared to be pregnant.<sup>h</sup>

May 21. The festivity of these espousals was clouded by the trial and execution of criminals. Berkstead, Cobbet, and Okey, three regicides, had escaped beyond sea; and, after wandering some time concealed in Germany, came privately to Delft, having appointed their families to meet them in that place. They were discovered by Downing, the king's resident in Holland, who had formerly served the protector and commonwealth in the same station, and who once had even been chaplain to Okey's regiment. He applied for a warrant to arrest them. It had been usual for the States to grant these warrants; though, at the same time, they had ever been careful secretly to advertise the persons, that they might be enabled to make their escape. This precaution was eluded by the vigilance and despatch of Downing. He quickly seized the criminals, hurried them on board a frigate which lay off the coast, and sent them to England. These three men behaved with more moderation and submission, than any

of the other regicides who had suffered. Okey in particular, at the place of execution, prayed for the king, and expressed his intention, had he lived, of submitting peaceably to the established government. He had risen during the wars from being a chandler in London to a high rank in the army; and in all his conduct appeared to be a man of humanity and honour. In consideration of his good character and of his dutiful behaviour, his body was given to his friends to be buried.

The attention of the public was much engaged by the trial of two distinguished criminals, Lambert and Vane. These men, though none of the late king's judges, had been excepted from the general indemnity, and committed to prison. The convention parliament, however, was so favourable to them, as to petition the king, if they should be found guilty, to suspend their execution: but this new parliament, more zealous for monarchy, applied for their trial and condemnation. Not to revive Trial of Vane; disputes, which were better buried in oblivion, the indictment of Vane did not comprehend any of his actions during the war between the king and parliament: it extended only to his behaviour after the late king's death, as member of the council of state, and secretary of the navy, where fidelity to the trust reposed in him required his opposition to monarchy.

Vane wanted neither courage nor capacity to avail himself of this advantage. He urged, that, if a compliance with the government, at that time established in England, and the acknowledging of its authority, were to be regarded as criminal, the whole nation had incurred equal guilt, and none would remain, whose innocence could entitle them to try or condemn him for his pretended treasons: that, according to these maxims, wherever an illegal authority was established by force, a total and universal destruction must ensue; while the usurpers proscribed one part of the nation for disobedience, the lawful prince punished the other for compliance. That the legislature of England, foreseeing this violent situation, had provided for public security by the famous statute of Henry VII.; in which it was enacted, that no man, in case of any revolution, should ever be questioned for his obedience to the king in being: that whether the established government were a monarchy or a commonwealth, the reason of the thing was still the same; nor ought the expelled prince to think himself entitled to allegiance, so long as he could not afford protection: that it belonged not to private persons, possessed of no power, to discuss the title of their governors; and every usurpation, even the most flagrant, would equally require obedience with the most legal establishment: that the controversy between the late king and his parliament was of the most delicate nature; and men of the greatest probity had been divided in their choice of the party which they should embrace: that the parliament, being rendered indissoluble but by its own consent, was become a kind of co-ordinate power with the king; and as the case was thus entirely new and unknown to the constitution, it ought not to be tried rigidly by the letter of the ancient laws: that for his part, all the violences which had been put upon the parliament, and upon the person of the sovereign, he had ever condemned; nor had he once appeared in the House for some time before and after the execution of the king: that finding the whole government thrown into disorder, he was still resolved, in every revolution, to adhere to the Commons, the root, the foundation of all lawful authority: that in prosecution of this principle, he had cheerfully undergone all the violence of Cromwell's tyranny; and would now, with equal alacrity, expose himself to the rigours of perverted law and justice: that though it was in his power, on the king's restoration, to have escaped from his enemies, he was determined, in imitation of the most illustrious names of antiquity, to perish in defence of liberty, and to give testimony with his blood for that honourable cause, in which he had been enlisted: and that, besides the ties by which God and nature had bound him to his native country, he

<sup>g</sup> Carte's Ormond, vol. ii. p. 251. This account seems better supported than that in *Abraham's Memoirs*, that the chancellor chiefly pushed the Portuguese alliance. The secret transactions of the court of England could not be supposed to be much known to a French resident at Lisbon; and whatever opposition the chancellor might make, he would certainly

endeavour to conceal it from the queen and all her family, and even in the parliament and council would support the resolution already taken. (*Clarendon himself says, in his Memoirs, that he never either opposed or promoted the Portuguese match.*)

<sup>h</sup> Lord Lansdowne's Defence of General Monk, Temple, vol. ii. p. 151.

was voluntarily engaged by the most sacred covenant, whose obligation no earthly power should ever be able to make him relinquish.

All the defence which Vane could make was fruitless. The court, considering more the general opinion of his

active guilt in the beginning and prosecution of the civil wars, than the articles of treason charged against him, took advantage of the letter of the law, and brought him in guilty. His courage deserted him not upon his condemnation. Though timid by nature, the persuasion of a just cause supported him against the terrors of death; while his enthusiasm, excited by the prospect of glory, embellished the conclusion of a life, which, through the whole course of it, had been so much disfigured by the prevalence of that principle. Lest pity for a courageous sufferer should make impression on the populace, drummers were placed under the scaffold, whose execution noise, as he began to launch out in reflections on the government, drowned his voice, and admonished him to temper the ardour of his zeal. He was not astonished at this unexpected incident. In all his behaviour, there appeared a firm and animated intrepidity; and he considered death but as a passage to that eternal felicity, which he believed to be prepared for him.

This man, so celebrated for his parliamentary talents, and for his capacity in business, has left some writings behind him: they treat, all of them, of religious subjects, and are absolutely unintelligible: no traces of eloquence, or even of common sense, appear in them. A strange paradox! did we not know, that men of the greatest genius, where they relinquish by principle the use of their reason, are only enabled, by their vigour of mind, to work themselves the deeper into error and absurdity. It was remarkable, that, as Vane, by being the chief instrument of Strafford's death, had first opened the way for that destruction which overwhelmed the nation; so by his death he closed the scene of blood. He was the last that suffered on account of the civil wars. Lambert, though condemned, was reprieved at the bar; and the judges declared, that, if Vane's behaviour had been equally dutiful and submissive, he would have experienced like lenity in the king. Lambert survived his condemnation near thirty years. He was confined to the Isle of Guernsey; where he lived contented, forgetting all his past schemes of greatness, and entirely forgotten by the nation: he died a Roman catholic.

However odious Vane and Lambert were to the presbyterians, that party had no leisure to rejoice at their condemnation. The fatal St. Bartholomew approached; the day when the clergy were obliged, by the late law, either to relinquish their livings, or to sign the articles required of them. A combination had been entered into by the more zealous of the presbyterian ecclesiastics to refuse the subscription; in hopes that the bishops would not venture at once to expel so great a number of the most popular preachers. The catholic party at court, who desired a great rant among the protestants, encouraged them in this obstinacy, and gave them hopes that the king would protect them in their refusal. The king himself, by his irresolute conduct, contributed, either from design or accident, to increase this opinion. Above all, the terms of subscription had been made strict and rigid, on purpose to disgust all the zealous and scrupulous among the presbyterians, and deprive them of their livings. About 2000 of the clergy, in one day, relinquished their cures; and to the astonishment of the court, sacrificed their interest to their religious tenets. Fortified by society in their sufferings, they were resolved to undergo any hardships, rather than openly renounce those principles, which, on other occasions, they were so apt, from interest, to warp or elude. The church enjoyed the pleasure of retaliation; and even pushed, as usual, the vengeance further than the offence. During the dominion

of the parliamentary party, a fifth of each living had been left to the ejected clergymen; but this indulgence, though at first insisted on by the House of Peers, was now refused to the presbyterians. However difficult to conciliate peace among theologians, it was hoped by many, that some relaxation in the terms of communion might have kept the presbyterians united to the church, and have cured those ecclesiastical factions which had been so fatal, and were still so dangerous. Bishops were offered to Calamy, Baxter, and Reynolds, leaders among the presbyterians; the last only could be prevailed on to accept. Deaneries and other preferments were refused by many.

The next measure of the king has not had the good fortune to be justified by any party; but is often considered, on what grounds I shall not determine, as one of the greatest mistakes, if not blemishes, of his reign. It is the sale of Dunkirk to the French. The parsimonious maxims of the parliament, and the liberal or rather careless disposition of Charles, were ill suited to each other; and notwithstanding the supplies voted him, his treasury was still very empty and very much indebted. He had secretly received the sum of 200,000 crowns from France, for the support of Portugal; but the forces sent over to that country, and the fleets maintained in order to defend it, had already cost the king that sum; and, together with it, near double the money which had been paid as the queen's portion.<sup>1</sup> The time fixed for payment of his sister's portion to the Duke of Orleans was approaching. Tangiers, a fortress from which great benefit was expected, was become an additional burden to the crown; and Rutherford, who now commanded in Dunkirk, had increased the charge of that garrison to a hundred and twenty thousand pounds a year. These considerations had such influence, not only on the king, but even on Clarendon, that this uncorrupt minister was the most forward to advise accepting a sum of money in lieu of a place which he thought the king, from the narrow state of his revenue, was no longer able to retain. By the treaty with Portugal, it was stipulated that Dunkirk should never be yielded to the Spaniards: France was therefore the only purchaser that remained. D'Estrades was invited over, by a letter from the chancellor himself, in order to conclude the bargain. Nine hundred thousand pounds were demanded. One hundred thousand were offered. The English by degrees lowered their demand: the French raised their offer: and the bargain was concluded at 400,000 pounds. The artillery and stores were valued at a fifth of the sum.<sup>2</sup> The importance of this sale was not, at that time, sufficiently known either abroad or at home.<sup>3</sup> The French monarch himself, so fond of acquisitions, and so good a judge of his own interests, thought that he had made a hard bargain;<sup>4</sup> and this sum, in appearance so small, was the utmost which he would allow his ambassador to offer.

A new incident discovered such a glimpse of the king's character and principles, as, at first, the nation was somewhat at a loss how to interpret, but such as subsequent events, by degrees, rendered sufficiently plain and manifest. He issued a declaration on

pretence of mitigating the rigours contained in the act of uniformity. After expressing his firm resolution to observe the general indemnity, and to trust entirely to the affections of his subjects, not to any military power, for the support of his throne, he mentioned the promises of liberty of conscience, contained in his declaration of Breda. And he subjoined, that, "as in the first place he had been zealous to settle the uniformity of the church of England, in discipline, ceremony, and government, and shall ever constantly maintain it: so as for what concerns the penalties upon those who, living peaceably, do not conform themselves thereunto, through scruple and tenderness of misguided conscience, but modestly and without scandal perform their devotions in their own

so little to belong to them: a proof that the government was not yet settled into that compromise and mutual confidence which is absolutely requisite for comforting it.

In 10. 3d. of October, 1662. The chief importance indeed of Dunkirk to the English was, that it was able to distress their trade when in the hands of the French; but it was Lewis the XIV. who first made it a good support. If ever England have occasion to transport armies to the continent, it must be in ship, out of some ally whose towers serve to the same purpose as Dunkirk would, it in the hands of the English.

Declaration of indulgence. 5th Dec.

<sup>1</sup> D'Estrades, 17th August, 1662. There was above a half of 500,000 pounds really paid as the queen's portion.

<sup>2</sup> D'Estrades, 21st of August, 16th of September, 1662.

<sup>3</sup> It appears, however, from many of D'Estrades's letters, particularly that of the 21st of August, 1661, that the king might have transferred Dunkirk to the parliament, who would not have refused to bear the charges of it, but were unwilling to give money to the king for that purpose. The king, on the other hand, was jealous lest the parliament should acquire any separate dominion or authority in a branch of administration which he seemed

way, he should make it his special care, so far as in him lay, without invading the freedom of parliament, to incline their wisdom next approaching sessions to concur with him in making some such act for that purpose, as may enable him to exercise, with a more universal satisfaction, that power of dispensing which he conceived to be inherent in him.<sup>10</sup> Here a most important prerogative was exercised by the king; but under such artful reserves and limitations as might prevent the full discussion of the claim, and obviate a breach between him and his parliament. The foundation of this measure lay much deeper, and was of the utmost consequence.

The king, during his exile, had imbibed strong prejudices in favour of the catholic religion, and, according to the most probable accounts, had already been secretly reconciled in form to the church of Rome. The great zeal, expressed by the parliamentary party against all papists, had always, from a spirit of opposition, inclined the court, and all the royalists, to adopt more favourable sentiments towards that sect, which, through the whole course of the civil wars, had strenuously supported the rights of the sovereign. The rigour, too, which the king, during his abode in Scotland, had experienced from the presbyterians, disposed him to run into the other extreme, and to bear a kindness to the party most opposite in its genius to the severity of those religionists. The solicitations and importunities of the queen-mother, the contagion of the company which he frequented, the view of a more splendid and courtly mode of worship, the hopes of indulgence in pleasure; all these causes operated powerfully on a young prince, whose careless and dissolute temper made him incapable of adhering closely to the principles of his early education. But if the thoughtless humour of Charles rendered him an easy convert to popery, the same disposition ever prevented the theological tenets of that sect from taking any fast hold of him. During his vigorous state of health, while his blood was warm and his spirits high, a contempt and disregard to all religion held possession of his mind; and he might more properly be denominated a deist than a catholic. But in those revolutions of temper, when the love of raiery gave place to reflection, and his penetrating, but negligent understanding was clouded with fears and apprehensions, he had starts of more sincere conviction; and a sect, which always possessed his inclination, was then master of his judgment and opinion.<sup>11</sup>

But though the king thus fluctuated, during his whole reign, between irreligion, which he more openly professed, and popery, to which he retained a secret propensity, his brother, the Duke of York, had zealously adopted all the principles of that theological party. His eager temper and narrow understanding made him a thorough convert, without any reserve from interest, or doubts from reasoning and inquiry. By his application to business he had acquired a great ascendancy over the king, who, though possessed of more discernment, was glad to throw the burden of affairs on the duke, of whom he entertained little jealousy. On pretence of easing the protestant dissenters, they agreed upon a plan for introducing a general toleration, and giving the catholics the free exercise of their religion; at least, the exercise of it in private houses. The two brothers saw with pleasure so numerous and popular a body of the clergy refuse conformity; and it was hoped that, under shelter of their name, the small and hated sect of the catholics might meet with favour and protection.

1663.  
18th Feb. But while the king pleaded his early promises of toleration, and insisted on many other plausible topics, the parliament, who sat a little after the declaration was issued, could by no means be satisfied with this measure. The declared intention of easing the dissenters, and the secret purpose of favouring the catholics, were equally disagreeable to them; and in these prepossessions they were encouraged by the king's ministers themselves, particularly the chancellor. The House of Commons represented to the king, that his declaration of Breda contained no promise to the presbyterians and other dissenters, but only an expression of his intentions,

upon supposition of the concurrence of parliament: that even if the non-conformists had been entitled to plead a promise, they had intrusted this claim, as all their other rights and privileges, to the House of Commons, who were their representatives, and who now freed the king from that obligation: that it was not to be supposed that his majesty and the Houses were so bound by that declaration as to be incapacitated from making any laws which might be contrary to it: that even at the king's restoration, there were laws of uniformity in force which could not be dispensed with but by act of parliament: and that the indulgence intended would prove most pernicious both to church and state, would open the door to schism, encourage faction, disturb the public peace, and discredit the wisdom of the legislature. The king did not think proper, after this remonstrance, to insist any further at present on the project of indulgence.

In order to deprive the catholics of all hopes, the two Houses concurred in a remonstrance against them. The king gave a gracious answer; though he scrupled not to profess his gratitude towards many of that persuasion, on account of their faithful services in his father's cause and in his own. A proclamation, for form's sake, was soon after issued against Jesuits and Romish priests: but care was taken, by the very terms of it, to render it ineffectual. The parliament had allowed, that all foreign priests, belonging to the two queens, should be excepted, and that a permission for them to remain in England should still be granted. In the proclamation, the word *foreign* was purposely omitted; and the queens were thereby authorized to give protection to as many English priests as they should think proper.

That the king might reap some advantage from his compliances, however fallacious, he engaged the Commons anew into an examination of his revenue, which, chiefly by the negligence in levying it, had proved, he said, much inferior to the public charges. Notwithstanding the price of Dunkirk, his debts, he complained, amounted to a considerable sum; and to satisfy the Commons that the money formerly granted him had not been prodigally expended, he offered to lay before them the whole account of his disbursements. It is, however, agreed on all hands, that the king, though during his banishment he had managed his small and precarious income with great order and economy, had now much abated of these virtues, and was unable to make his royal revenues suffice for his expenses. The Commons, without entering into too nice a disquisition, voted him four subsidies; and this was the last time that taxes were levied in that manner.

Several laws were made this session with regard to trade. The militia also came under consideration, and some rules were established for ordering and arming it. It was enacted, that the king should have no power of keeping the militia under arms above fourteen days in the year. The situation of this island, together with its great naval power, has always occasioned other means of security, however requisite, to be much neglected amongst us: and the parliament showed here a very superfluous jealousy of the king's strictness in disciplining the militia. The principles of liberty rather require a contrary jealousy.

The Earl of Bristol's friendship with Clarendon, which had subsisted with great intimacy during their exile, and the distresses of the royal party, had been considerably impaired since the restoration, by the chancellor's refusing his assent to some grants, which Bristol had applied for, to a court lady: and a little after, the latter nobleman, agreeably to the impetuosity and indiscretion of his temper, broke out against the minister in the most outrageous manner. He even entered a charge of treason against him before the House of Peers; but had concerted his measures so imprudently, that the judges, when consulted, declared, that, neither for its matter, nor its form, could the charge be legally received. The articles indeed resemble more the incoherent alterations of a passionate enemy, than a serious accusation, fit to be discussed by a court of judicature; and Bristol himself was so ashamed of his conduct and defeat, that he absconded during some time. Notwithstanding his fine talents, his eloquence, his spirit, and

n Kennet's Register, p. 1650.

o The author contends, that the king's zeal for popery was not, at inter-

vals, to go further than is here supposed; and, in proof, refers to many passages in James the second's Memoirs.



his courage, he could never regain the character which he lost by this hasty and precipitate measure.

*Decline of Charles's credit.* But though Clarendon was able to elude the effect of this rash assault, his credit at court was sensibly declining; and in proportion as the king found himself established on the throne, he began to alienate himself from a minister, whose character was so little suited to his own. Charles's favour for the catholics was always opposed by Clarendon, public liberty was secured against all attempts of the over-zealous royalists, prodigal grants of the king were checked or refused, and the dignity of his own character was so much consulted by the chancellor, that he made it an inviolable rule, as did also his friend, Southampton, never to enter into any connexion with the royal mistresses. The king's favourite was Mrs. Palmer, afterwards created Duchess of Cleveland; a woman prodigal, rapacious, dissolute, violent, revengeful. She failed not in her turn to undermine Clarendon's credit with his master; and her success was at this time made apparent to the whole world. Secretary Nicholas, the chancellor's great friend, was removed from his place; and Sir Harry Bennet, his avowed enemy, was advanced to that office. Bennet was soon after created Lord Arlington.

Though the king's conduct had hitherto, since his restoration, been, in the main, laudable, men of penetration began to observe, that those virtues by which he had at first so much dazzled and enchanted the nation, had great show, but not equal solidity. His good understanding lost much of its influence by his want of application; his bounty was more the result of a facility of disposition, than any generosity of character; his social humour led him frequently to neglect his dignity; his love of pleasure was not attended with proper sentiment and decency; and while he seemed to bear a good-will to every one that approached him, he had a heart not very capable of friendship, and he had secretly entertained a very bad opinion and distrust of mankind. But above all, what sullied his character in the eyes of good judges, was his negligent ingratitude towards the unfortunate cavaliers, whose zeal and sufferings in the royal cause had known no bounds. This conduct, however, in the king may, from the circumstances of his situation and temper, admit of some excuse; at least, of some alleviation. As he had been restored more by the efforts of his reconciled enemies than of his ancient friends, the former pretended a title to share his favour; and being, from practice, acquainted with public business, they were better qualified to execute any trust committed to them. The king's revenues were far from being large, or even equal to his necessary expenses; and his mistresses, and the companions of his mirth and pleasures, gained, by solicitation, every request from his easy temper. The very poverty to which the more zealous royalists had reduced themselves, by rendering them insignificant, made them unfit to support the king's measures, and caused him to deem them a useless encumbrance. And as many false and ridiculous claims of merit were offered, his natural indolence, averse to a strict discussion or inquiry, led him to treat them all with equal indifference. The parliament took some notice of the poor cavaliers. Sixty thousand pounds were, at one time, distributed among them: Mrs. Lane also, and the Penderells, had handsome presents and pensions from the king. But the greater part of the royalists still remained in poverty and distress; aggravated by the cruel disappointment in their sanguine hopes, and by seeing avarice and preferment bestowed upon their most inveterate foes. With regard to the act of indemnity and oblivion, they universally said, that it was an act of indemnity to the king's enemies, and of oblivion to his friends.

## CHAP. LXIV.

A new session.—Rupture with Holland.—A new session.—Victory of the English.—Rupture with France.—Rupture with Denmark.—New session.—Night of four days.—Victory of the English.—Fire of London.—Advances towards peace.—Disgrace at Chatham.—Peace of Breda.—Clarendon's fall.—and banishment.—State of France.—Character of Lewis XIV.—French invasion of the Low Countries.—Negotiations.—Triple league.—Treaty of Aix la Chapelle.—Affairs of Scotland.—and of Ireland.

The next session of parliament discovered a continuance of the same principles which had prevailed in all the foregoing. Monarchy and the church were still the objects of regard and affection. During no period of the present reign did this spirit more evidently pass the bounds of reason and moderation.

The king, in his speech to the parliament, had ventured openly to demand a repeal of the triennial act; and he even went so far as to declare that, notwithstanding the law, he never would allow any parliament to be assembled by the methods prescribed in that statute. The parliament, without taking offence at this declaration, repealed the law; and, in lieu of all the securities formerly provided, satisfied themselves with a general clause, "that parliaments should not be interrupted above three years at the most." As the English parliament had now raised itself to be a regular check and control upon royal power, it is evident that they ought still to have preserved a regular security for their meeting, and not have trusted entirely to the good-will of the king, who, if ambitious or enterprising, had so little reason to be pleased with these assemblies. Before the end of Charles's reign, the nation had occasion to feel very sensibly the effects of this repeal.

By the act of uniformity, every clergyman, who should officiate without being properly qualified, was punishable by fine and imprisonment; but this security was not thought sufficient for the church. It was now enacted, that wherever five persons above those of the same household should assemble in a religious congregation, every one of them was liable, for the first offence, to be imprisoned three months, or pay five pounds; for the second, to be imprisoned six months, or pay ten pounds; and for the third, to be transported seven years, or pay a hundred pounds. The parliament had only in their eye the malignity of the sectaries: they should have carried their intention further, to the chief cause of that malignity, the restraint under which they laboured.

The Commons likewise passed a vote, that the wrongs, dishonours, and indignities, offered to the English by the subjects of the United Provinces, were the greatest obstructions to all foreign trade: and they promised to assist the king with their lives and fortunes in asserting the rights of his crown against all opposition whatsoever. This was the first open step towards the Dutch war. We must explain the causes and motives of this measure.

That close union and confederacy, which, during a course of near seventy years, has, subsisted, almost without interruption or jealousy, between England and Holland, is not so much founded on the natural and unalterable interests of these states, as on their terror of the growing power of the French monarch, who, without their combination, it is apprehended, would soon extend his dominion over Europe. In the first years of Charles's reign, when the ambitious genius of Lewis had not, as yet, displayed itself, and when the great force of his people was, in some measure, unknown even to themselves, the rivalry of commerce, not checked by any other jealousy or apprehension, had in England begotten a violent enmity against the neighbouring republic.

Trade was beginning, among the English, to be a matter of general concern; but notwithstanding all their efforts and advantages, their commerce seemed hitherto to stand upon a footing, which was somewhat precarious. The Dutch, who by industry and frugality were enabled to undersell them in every market, retained possession of the most lucrative branches of commerce; and the English merchants had the mortification to find that all attempts to extend their trade were still turned, by the vigilance of their rivals, to their loss and dishonour. Their indignation increased, when they considered the superior naval power of England; the bravery of her officers and seamen, her favourable situation, which enabled her to intercept the whole Dutch commerce. By the prospect of these advantages they were strongly prompted, from motives less just than political, to make war upon the States; and at once to ravish from them by force what they could not obtain, or could obtain but slowly, by superior skill and industry.

The careless unambitious temper of Charles rendered him little capable of forming so vast a project as that of engrossing the commerce and naval power of Europe; yet

A. D. 1664.  
March 16.  
A new session.

could he not remain altogether insensible to such obvious and such tempting prospects. His genius, happily turned towards mechanics, had inclined him to study naval affairs, which, of all branches of business, he both loved the most and understood the best. Though the Dutch, during his exile, had expressed towards him more civility and friendship, than he had received from any other foreign power; the Louvestein or aristocratic faction, which at this time ruled the commonwealth, had fallen into close union with France; and could that party be subdued, he might hope that his nephew, the young Prince of Orange, would be reinstated in the authority possessed by his ancestors, and would bring the States to a dependence under England. His narrow revenues made it still requisite for him to study the humours of his people, which now ran violently towards war; and it has been suspected, though the suspicion was not justified by the event, that the hopes of diverting some of the supplies to his private use were not overlooked by this necessitous monarch.

The Duke of York, more active and enterprising, pushed more eagerly the war with Holland. He desired an opportunity of distinguishing himself: he loved to cultivate commerce: he was at the head of a new African company, whose trade was extremely checked by the settlements of the Dutch: and perhaps the religious prejudices, by which that prince was always so much governed, began even so early to instil into him an antipathy against a protestant commonwealth, the bulwark of the reformation. Clarendon and Southampton, observing that the nation was not supported by any foreign alliance, were averse to hostilities; but their credit was now on the decline.

By these concurring motives, the court  
May 17. and parliament were both of them inclined to a Dutch war. The parliament was prorogued without voting supplies: but as they had been induced, without any open application from the crown, to pass that vote above mentioned against the Dutch encroachments, it was reasonably considered as sufficient sanction for the vigorous measures which were resolved on.

Downing, the English minister at the Hague, a man of an insolent impetuous temper, presented a memorial to the States, containing a list of those depredations, of which the English complained. It is remarkable, that all the pretended depredations preceded the year 1662, when a treaty of league and alliance had been renewed with the Dutch; and these complaints were then thought either so ill-grounded or so frivolous, that they had not been mentioned in the treaty. Two ships alone, the Bonaventure and the Good-hope, had been claimed by the English; and it was agreed that the claim should be prosecuted by the ordinary course of justice. The States had consigned a sum of money in case the cause should be decided against them; but the matter was still in dependence. Cary, who was intrusted by the proprietors with the management of the law-suit for the Bonaventure, had resolved to accept of thirty thousand pounds, which were offered him; but was hindered by Downing, who told him that the claim was a matter of state between the two nations, not a concern of private persons.<sup>a</sup> These circumstances give us no favourable idea of the justice of the English pretensions.

Charles confined not himself to memorials and remonstrances. Sir Robert Holmes was secretly despatched with a squadron of twenty-two ships to the coast of Africa. He not only expelled the Dutch from Cape Corse, to which the English had some pretensions: he likewise seized the Dutch settlements of Cape Verde and the isle of Goree, together with several ships trading on the coast. And having sailed to America, he possessed himself of Nova Belgia, since called New York; a territory which James the First had given by patent to the Earl of Stirling, but which had never been planted but by the Hollanders. When the States complained of these hostile measures, the king, unwilling to avow what he could not well justify, pretended to be totally ignorant of Holmes's enterprise. He likewise confined that admiral to the Tower; but some time after released him.

The Dutch, finding that their applications for redress were likely to be eluded, and that a ground of quarrel was

industriously sought for by the English, began to arm with diligence. They even exerted, with some precipitation, an act of vigour, which hastened on the rupture. Sir John Lawson and De Ruyter had been sent with combined squadrons into the Mediterranean, in order to chastise the piratical states on the coast of Barbary; and the time of their separation and return was now approaching. The States secretly despatched orders to De Ruyter, that he should take in provisions at Cadiz; and sailing towards the coast of Guinea, should retaliate on the English, and put the Dutch in possession of those settlements whence Holmes had expelled them. De Ruyter, having a considerable force on board, met with no opposition in Guinea. All the new acquisitions of the English, except Cape Corse, were recovered from them. They were even dispossessed of some old settlements. Such of their ships as fell into his hands were seized by De Ruyter. That admiral sailed next to America. He attacked Barbadoes, but was repulsed. He afterwards committed hostilities on Long Island.

Meanwhile, the English preparations for war were advancing with vigour and industry. The king had received no supplies from parliament; but by his own funds and credit he was enabled to equip a fleet: the city of London lent him 100,000 pounds: the spirit of the nation seconded his armaments: he himself went from port to port, inspecting with great diligence, and encouraging the work; and in a little time the English navy was put in a formidable condition. Eight hundred thousand pounds are said to have been expended on this armament. When Lawson arrived, and communicated his suspicion of De Ruyter's enterprise, orders were issued for seizing all Dutch ships; and 135 fell into the hands of the English. These were not declared prizes, till afterwards, when war was proclaimed.

The parliament, when it met, granted a  
supply, the largest by far that had ever been <sup>24th Nov.</sup>  
A new session. given to a King of England, yet scarcely sufficient for the present undertaking. Near two millions and a half were voted to be levied by quarterly payments in three years. The avidity of the merchants, together with the great prospect of success, had animated the whole nation against the Dutch.

A great alteration was made this session in the method of taxing the clergy. In almost all the other monarchies of Europe, the assemblies, whose consent was formerly requisite to the enacting of laws, were composed of three estates, the clergy, the nobility, and the commonalty, which formed so many members of the political body, of which the king was considered as the head. In England, too, the parliament was always represented as consisting of three estates; but their separation was never so distinct as in other kingdoms. A convocation, however, had usually sitten at the same time with the parliament; though they possessed not a negative voice in the passing of laws, and assumed no other temporal power than that of imposing taxes on the clergy. By reason of ecclesiastical preferences, which he could bestow, the king's influence over the church was more considerable than over the laity; so that the subsidies, granted by the convocation, were commonly greater than those which were voted by parliament. The church, therefore, was not displeased to depart tacitly from the right of taxing herself, and allow the Commons to lay impositions on ecclesiastical revenues, as on the rest of the kingdom. In recompence, two subsidies, which the convocation had formerly granted, were remitted, and the parochial clergy were allowed to vote at elections. Thus the church of England made a barter of power for profit. Their convocations, having become insignificant to the crown, have been much disused of late years.

The Dutch saw, with the utmost regret, a war approaching, whence they might dread the most fatal consequences, but which afforded no prospect of advantage. They tried every art of negotiation, before they would come to extremities. Their measures were at that time directed by John de Wit, a minister equally eminent for greatness of mind, for capacity, and for integrity. Though moderate





monarch, that no motive of interest was sufficient to outweigh them.

The Bishop of Munster was the only ally that Charles could acquire. This prelate, a man of restless enterprise and ambition, had entertained a violent animosity against the States; and he was easily engaged, by the promise of subsidies from England, to make an incursion on that republic. With a tumultuary army of near 20,000 men, he invaded her territories, and met with weak resistance. The land forces of the States were as feeble and ill-governed, as their fleets were gallant and formidable. But after his committing great ravages in several of the provinces, a stop was put to the progress of this warlike prelate. He had not military skill sufficient to improve the advantages which fortune had put into his hands: the King of France sent a body of 6000 men to oppose him: subsidies were not regularly remitted him from England; and many of his troops deserted for want of pay: the Elector of Brandenburg threatened him with an invasion in his own state: and on the whole, he was glad to conclude a peace under the mediation of France. On the first surmise of his intentions, Sir William Temple was sent from London with money to fix him in his former alliance; but found that he arrived too late.

The Dutch, encouraged by all these favourable circumstances, continued resolute to exert themselves to the utmost in their own defence. De Ruyter, their great admiral, was arrived from his expedition to Guinea: their Indian fleet was come home in safety: their harbours were crowded with merchant ships: faction at home was appeased: the young Prince of Orange had put himself under the tuition of the States of Holland, and of De Wit, their pensionary, who executed his trust with honour and fidelity: and the animosity, which the Hollanders entertained against the attack of the English, so unprovoked, as they thought it, made them thirst for revenge, and hope for better success in their next enterprise. Such vigour was exerted in the common cause, that, in order to man the fleet, all merchant ships were prohibited to sail, and even the fisheries were suspended.<sup>a</sup>

The English likewise continued in the same disposition, though another more grievous calamity had joined itself to that war. The plague had broken out in London; and that with such violence, as to cut off, in a year, near 90,000 inhabitants. The king was obliged to summon the parliament at Oxford.

<sup>New session.</sup> A good agreement still subsisted between the king and parliament. They, on their part, unanimously voted him the supply demanded, twelve hundred and fifty thousand pounds, to be levied in two years by monthly assessments. And he, to gratify them, passed the five-mile act, which has given occasion to grievous and not unjust complaints. The church, under pretence of guarding monarchy against its inveterate enemies, persevered in the project of wreaking her own enmity against the nonconformists. It was enacted, that no dissenting teacher who took not the non-resistance oath above mentioned, should, except upon the road, come within five miles of any corporation, or of any place, where he had preached after the act of oblivion. The penalty was a fine of fifty pounds, and six months imprisonment. By ejecting the nonconforming clergy from their churches, and prohibiting all separate congregations, they had been rendered incapable of gaining any livelihood by their spiritual profession. And now, under colour of removing them from places where their influence might be dangerous, an expedient was fallen upon to deprive them of all means of subsistence. Had not the spirit of the nation undergone a change, these violences were preludes to the most furious persecution.

However prevalent the hierarchy, this law did not pass without opposition. Besides several peers, attached to the old parliamentary party, Southampton himself, though Clarendon's great friend, expressed his disapprobation of these measures. But the church party, not discouraged with this opposition, introduced into the House of Commons a bill for imposing the oath of non-resistance on

the whole nation. It was rejected only by three voices. The parliament, after a short session, was prorogued.

31st Oct.

After France had declared war, England was evidently overmatched in force. Yet she possessed this advantage by her situation, that she lay between the fleets of her enemies, and might be able, by speedy and well-concerted operations, to prevent their junction. But such was the unhappy conduct of her commanders, or such want of intelligence in her ministers, that this circumstance turned rather to her prejudice. Lewis had given orders to the Duke of Beaufort, his admiral, to sail from Toulon; and the French squadron, under his command, consisting of above forty sail, was now commonly supposed to be entering the channel. The Dutch fleet, to the number of seventy-six sail, was at sea, under the command of De Ruyter and Tromp, in order to join him. The Duke of Albemarle and Prince Rupert commanded the English fleet, which exceeded not seventy-four sail. Albemarle, who, from his successes under the protector, had too much learned to despise the enemy, proposed to detach Prince Rupert with twenty ships, in order to oppose the Duke of Beaufort. Sir George Ayscue, well acquainted with the bravery and conduct of De Ruyter, protested against the temerity of this resolution: but Albemarle's authority prevailed. The remainder of the English set sail to give battle to the Dutch; who seeing the enemy advance quickly upon them, cut their cables, and prepared for the combat. The battle that ensued, is one of the most memorable that we read of in story; whether we consider its long duration, or the desperate courage with which it was fought. Albemarle made here some atonement by his valour for the rashness of the attempt. No youth, animated by glory and ambitious hopes, could exert himself more than did this man, who was now in the decline of life, and who had reached the summit of honours. We shall not enter minutely into particulars. It will be sufficient to mention the chief events of each day's engagement.

Sea-fight of four days.

In the first day, Sir William Berkeley, vice-admiral, leading the van, fell into the thickest of the enemy, was overpowered, and his ship taken. He himself was found dead in his cabin, all covered with blood. The English had the weather-gage of the enemy; but as the wind blew so hard, that they could not use their lower tier, they derived but small advantage from this circumstance. The Dutch shot, however, fell chiefly on their sails and rigging; and few ships were sunk or much damaged. Chain-shot was at that time a new invention; commonly attributed to De Wit. Sir John Harman exerted himself extremely on this day. The Dutch admiral, Evertz, was killed in engaging him. Darkness parted the combatants.

1st June.

The second day, the wind was somewhat fallen, and the combat became more steady and more terrible. The English now found, that the greatest valour cannot compensate the superiority of numbers, against an enemy who is well conducted, and who is not defective in courage. De Ruyter and Van Tromp, rivals in glory, and enemies from faction, exerted themselves in emulation of each other; and De Ruyter had the advantage of disengaging and saving his antagonist, who had been surrounded by the English, and was in the most imminent danger. Sixteen fresh ships joined the Dutch fleet during the action; and the English were so shattered, that their fighting ships were reduced to twenty-eight, and they found themselves obliged to retreat towards their own coast. The Dutch followed them, and were on the point of renewing the combat, when a calm, which came a little before night, prevented the engagement.

Next morning, the English were obliged to continue their retreat; and a proper disposition was made for that purpose. The shattered ships were ordered to stretch a-head; and sixteen of the most entire followed them in good order, and kept the enemy in awe. Albemarle himself closed the rear, and presented an undaunted countenance to his victorious foes. The Earl of Ossory, son of Ormond, a gallant youth, who sought honour and experience in every action throughout Europe, was then on board the admiral

<sup>a</sup> *Trinity*. *Life*. D'Estrades, 5th of February, 1669.

f *D'Estrades*, 21st of May, 1666.

Albemarle confessed to him his intention rather to blow up his ship and perish gloriously, than yield to the enemy. Ossory applauded this desperate resolution.

About two o'clock, the Dutch had come up with their enemy, and were ready to renew the fight; when a new fleet was descried from the south, crowding all their sail to reach the scene of action. The Dutch flattered themselves that Beaufort was arrived, to cut off the retreat of the vanquished: the English hoped that Prince Rupert had come, to turn the scale of action. Albemarle, who had received intelligence of the prince's approach, bent his course towards him. Unhappily, Sir George Ayscue, in a ship of a hundred guns, the largest in the fleet, struck on the Galloper sands, and could receive no assistance from his friends, who were hastening to join the reinforcement. He could not even reap the consolation of perishing with honour, and revenging his death on his enemies. They were preparing freships to attack him, and he was obliged to strike. The English sailors, seeing the necessity, with the utmost indignation surrendered themselves prisoners.

Albemarle and Prince Rupert were now determined to face the enemy; and next morning the battle began afresh, with more equal force than ever, and with equal valour. After long cannonading, the fleets came to a close combat; which was continued with great violence, till parted by a mist. The English retired first into their harbours.

Though the English, by their obstinate courage, reaped the chief honour in this engagement, it is somewhat uncertain who obtained the victory. The Hollanders took a few ships, and having some appearances of advantage, expressed their satisfaction by all the signs of triumph and rejoicing. But as the English fleet was repaired in a little time, and put to sea more formidable than ever, together with many of those ships which the Dutch had boasted to have burned or destroyed; all Europe saw, that those two brave nations were engaged in a contest, which was not likely, on either side, to prove decisive.

It was the conjunction alone of the French, that could give a decisive superiority to the Dutch. In order to facilitate this conjunction, De Ruyter, having repaired his fleet, posted himself at the mouth of the Thames. The English, under Prince Rupert and Albemarle, were not long in coming to the attack. The numbers

<sup>25th July</sup> of the of each fleet amounted to about eighty sail; <sup>Victory of the</sup> and the valour and experience of the commanders, as well as of the seamen, rendered the engagement fierce and obstinate. Sir Thomas Allen, who commanded the white squadron of the English, attacked the Dutch van, which he entirely routed; and he killed the three admirals who commanded it. Van Tromp engaged Sir Jeremy Smith; and during the heat of action, he was separated from De Ruyter and the main body, whether by accident or design was never certainly known. De Ruyter, with conduct and valour, maintained the combat against the main body of the English; and though overpowered by numbers, kept his station, till night ended the engagement. Next day, finding the Dutch fleet scattered and discouraged, his high spirit submitted to a retreat, which yet he conducted with such skill, as to render it equally honourable to himself as the greatest victory. Full of indignation, however, at yielding the superiority to the enemy, he frequently exclaimed, "My God! what a wretch am I! among so many thousand bullets, is there not one to put an end to my miserable life?" One De Witte, his son-in-law, who stood near, exhorted him, since he sought death, to turn upon the English, and render his life a dear purchase to the victors. But De Ruyter esteemed it more worthy a brave man to persevere to the uttermost, and, as long as possible, to render service to his country. All that night and next day, the English pressed upon the rear of the Dutch; and it was chiefly by the redoubled efforts of De Ruyter, that the latter saved themselves in their harbours.

The loss sustained by the Hollanders in this action was not very considerable; but as violent animosities had broken out between the two admirals, who engaged all the officers on one side or other, the consternation which took place was great among the provinces. Tromp's commission was at last taken from him; but though several captains had misbehaved, they were so effectually protected by their friends in the magistracy of the towns, that most

of them escaped punishment, many were still continued in their commands.

The English now rode incontestable masters of the sea, and insulted the Dutch in their harbours. A detachment under Holmes was sent into the road of Vlie, and burned a hundred and forty merchantmen, two men of war, together with Brandaris, a large and rich village on the coast. The Dutch merchants, who lost by this enterprise, uniting themselves to the Orange faction, exclaimed against an administration, which, they pretended, had brought such disgrace and ruin on their country. None but the firm and intrepid mind of De Wit could have supported itself under such a complication of calamities.

The King of France, apprehensive that the Dutch would sink under their misfortunes; at least, that De Wit, his friend, might be dispossessed of the administration, hastened the advance of the Duke of Beaufort. The Dutch fleet likewise was again equipped; and under the command of De Ruyter, cruised near the straits of Dover. Prince Rupert, with the English navy, now stronger than ever, came full sail upon them. The Dutch admiral thought proper to decline the combat, and retired into St. John's road near Boulogne. Here he sheltered himself, both from the English, and from a furious storm which arose. Prince Rupert too was obliged to retire into St. Helens; where he staid some time, in order to repair the damages which he had sustained. Meanwhile the Duke of Beaufort proceeded up the channel, and passed the English fleet unperceived; but he did not find the Dutch, as he expected. De Ruyter had been seized with a fever: many of the chief officers had fallen into sickness: a contagious distemper was spread through the fleet: and the states thought it necessary to recall them into their harbours, before the enemy could be refitted. The French king, anxious for his navy, which, with so much care and industry, he had lately built, despatched orders to Beaufort, to make the best of his way to Brest. That admiral had again the good fortune to pass the English. One ship alone, the Ruby, fell into the hands of the enemy.

While the war continued without any decisive success on either side, a calamity hap- <sup>3d Sept.</sup> Fire of London. pened in London, which threw the people into great consternation. Fire, breaking out in a baker's house near the bridge, spread itself on all sides with such rapidity, that no efforts could extinguish it, till it laid in ashes a considerable part of the city. The inhabitants, without being able to provide effectually for their relief, were reduced to be spectators of their own ruin; and were pursued from street to street by the flames, which unexpectedly gathered round them. Three days and nights did the fire advance; and it was only by the blowing up of houses that it was at last extinguished. The king and duke used their utmost endeavours to stop the progress of the flames; but all their industry was unsuccessful.—About four hundred streets, and thirteen thousand houses, were reduced to ashes.

The causes of this calamity were evident. The narrow streets of London, the houses built entirely of wood, the dry season, and a violent east wind which blew; these were so many concurring circumstances, which rendered it easy to assign the reason of the destruction that ensued. But the people were not satisfied with this obvious account. Prompted by blind rage, some ascribed the guilt to the republicans, others to the catholics; though it is not easy to conceive how the burning of London could serve the purposes of either party. As the papists were the chief objects of public detestation, the rumour, which threw the guilt on them, was more favourably received by the people. No proof, however, or even presumption, after the strictest inquiry by a committee of parliament, ever appeared to authorize such a calumny; yet, in order to give countenance to the popular prejudice, the inscription engraved by authority on the monument, ascribed this calamity to that hated sect. This clause was erased by order of King James, when he came to the throne; but after the revolution it was replaced. So credulous, as well as obstinate, are the people, in believing every thing which flatters their prevailing passion!

The fire of London, though at that time a great calamity,

has proved in the issue beneficial both to the city and the kingdom. The city was rebuilt in a very little time; and care was taken to make the streets wider and more regular than before. A discretionary power was assumed by the king to regulate the distribution of the buildings, and to forbid the use of lath and timber, the materials of which the houses were formerly composed. The necessity was so urgent, and the occasion so extraordinary, that no exceptions were taken at an exercise of authority, which otherwise might have been deemed illegal. Had the king been enabled to carry his power still further, and made the houses be rebuilt with perfect regularity, and entirely upon one plan; he had much contributed to the convenience, as well as embellishment, of the city. Great advantages, however, have resulted from the alterations; though not carried to the full length. London became much more healthy after the fire. The plague, which used to break out with great fury twice or thrice every century, and indeed was always lurking in some corner or other of the city, has scarcely ever appeared since that calamity.

The parliament met soon after, and gave the sanction of law to those regulations made by royal authority; as well as appointed commissioners for deciding all such questions of property, as might arise from the fire. They likewise voted a supply of 1,800,000 pounds to be levied, partly by a poll-bill, partly by assessments. Though their inquiry brought out no proofs which could fix on the papists the burning of London, the general aversion against that sect still prevailed; and complaints were made, probably without much foundation, of its dangerous increase. Charles, at the desire of the Commons, issued a proclamation for the banishment of all priests and Jesuits; but the bad execution of this, as well as of former edicts, destroyed all confidence in his sincerity, whenever he pretended an aversion towards the catholic religion. Whether suspicions of this nature had diminished the king's popularity, is uncertain; but it appears, that the supply was voted much later than Charles expected, or even than the public necessities seemed to require. The intrigues of the Duke of Buckingham, a man who wanted only steadiness to render him extremely dangerous, had somewhat embarrassed the measures of the court; and this was the first time that the king found any considerable reason to complain of a failure of confidence in this House of Commons. The rising symptoms of ill humour tended, no doubt, to quicken the steps which were already making towards a peace with foreign enemies.

Charles began to be sensible, that all the advances towards peace, which the war had been undertaken, were likely to prove entirely abortive. The Dutch, even when single, had defended themselves with vigour, and were every day improving in their military skill and preparations. Though their trade had suffered extremely, their extensive credit enabled them to levy great sums; and while the season of England loudly

complained of want of pay, the Dutch navy was regularly supplied with money and every thing requisite for its subsistence. As two powerful kings now supported them, every place, from the extremity of Norway to the coasts of Ravenna, was become hostile to the English. And Charles, neither fond of action, nor stimulated by any violent ambition, earnestly sought for means of restoring tranquillity to his people, disgusted with a war, which, being joined with the plague and fire, had proved so fruitless and destructive.

The first advances towards an accommodation were made by England. When the king sent for the body of Sir William Berkeley, he insinuated to the States his desire of peace on reasonable terms; and their answer corresponded in the same amicable intentions. Charles, however, to maintain the appearance of superiority, still insisted that the States should treat at London; and they agreed to make him this compliment so far as concerned themselves; but being engaged in an alliance with two crowned heads, they could not, they said, prevail with those to depart from that respect from their dignity. On a sudden, the king went so far on the other side as to offer

the sending of ambassadors to the Hague; but this proposal, which seemed honourable to the Dutch, was meant only to divide and distract them, by affording the English an opportunity to carry on cabals with the disaffected party. The offer was therefore rejected; and conferences were secretly held in the queen-mother's apartments at Paris, where the pretensions of both parties were discussed. The Dutch made equitable proposals; either that all things should be restored to the same condition in which they stood before the war; or that both parties should continue in possession of their present acquisitions. Charles accepted of the latter proposal; and almost every thing was adjusted, except the disputes with regard to the Isle of Polorone. This island lies in the East Indies, and was formerly valuable for its produce of spices. The English had been masters of it; but were dispossessed at the time when the violences were committed against them at Ambonyra. Cromwell had stipulated to have it restored; and the Hollanders, having first entirely destroyed all the spice trees, maintained, that they had executed the treaty, but that the English had been anew expelled during the course of the war. Charles renewed his pretensions to this island; and as the reasons on both sides began to multiply, and seemed to require a long discussion, it was agreed to transfer the treaty to some other place; and Charles made choice of Breda.

Lord Hollis and Henry Coventry were the English ambassadors. They immediately desired, that a suspension of arms should be agreed to, till the several claims should be adjusted: but this proposal, seemingly so natural, was rejected by the credit of De Wit. That penetrating and active minister, thoroughly acquainted with the characters of princes and the situation of affairs, had discovered an opportunity of striking a blow, which might at once restore to the Dutch the honour lost during the war, and severely revenge those injuries, which he ascribed to the wanton ambition and injustice of the English.

Whatever projects might have been formed by Charles for secreting the money granted him by parliament, he had hitherto failed in his intention. The expenses of such vast armaments had exhausted all the supplies; and even a great debt was contracted to the seamen. The king therefore was resolved to save, as far as possible, the last supply of 1,800,000 pounds; and to employ it for payment of his debts, as well those which had been occasioned by the war, as those which he had formerly contracted. He observed that the Dutch had been with great reluctance forced into the war, and that the events of it were not such as to inspire them with great desire of its continuance. The French, he knew, had been engaged into hostilities by no other motive than that of supporting their ally; and were now more desirous than ever of putting an end to the quarrel. The differences between the parties were so inconsiderable, that the conclusion of peace appeared infallible; and nothing but forms, at least some vain points of honour, seemed to remain for the ambassadors at Breda to discuss. In this situation, Charles, moved by an ill-timed frugality, remitted his preparations, and exposed England to one of the greatest affronts which it has ever received. Two small squadrons alone were equipped; and during a war with such potent and martial enemies, every thing was left almost in the same situation as in times of the most profound tranquillity.

De Wit protracted the negotiations at Breda, and hastened the naval preparations. The Dutch fleet appeared in the Thames under the command of De Ruyter, and threw the English into the utmost consternation. A chain had been drawn across the river Medway; some fortifications had been added to Sheerness and Upnor castle: but all these preparations were unequal to the present necessity. Sheerness was soon taken; nor could it be saved by the valour of Sir Edward Sprague, who defended it. Having the advantage of a spring tide and an easterly wind, the Dutch pressed on and broke the chain, 10th June. though fortified by some ships which had been there sunk by orders of the Duke of Albemarle. They burned the three ships which lay to Discharge at Chatham.

<sup>1</sup> Charles had spent on the war near 40 millions of French money, and the States had given a much greater sum than had been granted to the king's party in 1653, viz. 240,000 l. See Vol. 1, p. 114.

<sup>2</sup> Jan. 1, 1666. Temple, vol. 1, p. 71. It was probably the want of money which engaged the king to pay the seamen with tickets, a confidence which proved so much to their loss.



guard the chain, the *Matthias*, the *Umty*, and the *Charles* the Fifth. After damaging several vessels, and possessing themselves of the hull of the *Royal Charles*, which the English had burned, they advanced, with six men of war and five fire-ships, as far as Upmore castle, where they burned the *Royal Oak*, the *Loyal London*, and the *Great James*. Captain Douglas, who commanded on board the *Royal Oak*, perished in the flames, though he had an easy opportunity of escaping. "Never was it known," he said, "that a Douglas had left his post without orders."<sup>7b</sup> The Hollanders fell down the Medway without receiving any considerable damage; and it was apprehended, that they might next tide sail up the Thames, and extend their hostilities even to the bridge of London. Nine ships were sunk at Woolwich, four at Blackwall: platforms were raised in many places, furnished with artillery: the train-bands were called out; and every place was in a violent agitation. The Dutch sailed next to Portsmouth, where they made a fruitless attempt: they met with no better success at Plymouth: they insulted Harwich: they sailed again up the Thames as far as Tilbury, where they were repulsed. The whole coast was in alarm; and had the French thought proper at this time to join the Dutch fleet and to invade England, consequences the most fatal might justly have been apprehended. But Lewis had no intention to push the victory to such extremities. His interest required that a balance should be kept between the two maritime powers; not that an uncontrolled superiority should be given to either.

Great indignation prevailed among the English to see an enemy, whom they regarded as inferior, whom they had expected totally to subdue, and over whom they had gained many honourable advantages, now of a sudden ride undisputed masters of the ocean, burn their ships in their very harbours, fill every place with confusion, and strike a terror into the capital itself. But though the cause of all these disasters could be ascribed neither to bad fortune, to the misconduct of admirals, nor to the ill behaviour of seamen, but solely to the avarice, at least to the improvidence, of the government; no dangerous symptoms of discontent appeared, and no attempt for an insurrection was made by any of those numerous sectaries, who had been so openly branded for their rebellious principles, and who upon that supposition had been treated with such severity.<sup>1</sup>

In the present distress, two expedients were embraced; an army of 12,000 men was suddenly levied; and the parliament, though it lay under prorogation, was summoned to meet. The houses were very thin; and the only vote which the Commons passed, was an address for breaking the army; which was complied with. This expression of jealousy showed the court what they might expect from that assembly; and it was thought more prudent to prorogue them till next winter.

12th July.  
Peace of  
Breda.  
But the signing of the treaty at Breda exasperated the king from his present difficulties. The English ambassadors received orders to recede from those demands, which, however frivolous in themselves, could not now be relinquished, without acknowledging a superiority in the enemy. Polorone remained with the Dutch; satisfaction for the ships, Bonaventure and Good-hope, the pretended grounds of the quarrel, was no longer insisted on: Acadie was yielded to the French. The acquisition of New York, a settlement so important by its situation, was the chief advantage which the English reaped from a war, in which the national character of bravery had shone out with lustre, but where the misconduct of the government, especially in the conclusion, had been no less apparent.

Charles II. seemed requisite before the meeting of parliament; and the prejudices of the nation pointed out the victim. The chancellor was at this time much exposed to the hatred of the public, and of every party which divided the nation. All the numerous sectaries regarded him as their determined enemy; and ascribed to his advice and influence those persecuting laws to which they had lately been exposed. The catholics knew, that while

he retained any authority, all their credit with the king and the duke would be entirely useless to them, nor must they ever expect any favour or indulgence. Even the royalists, disappointed in their sanguine hopes of preferment, threw a great load of envy on Clarendon, into whose hands the king seemed at first to have resigned the whole power of government. The sale of Dunkirk, the bad payment of the seamen, the disgrace at Chatham, the unsuccessful conclusion of the war; all these misfortunes were charged on the chancellor, who, though he had ever opposed the rupture with Holland, thought it still his duty to justify what he could not prevent. A building, likewise, of more expense and magnificence than his slender fortune could afford, being unwarily undertaken by him, much exposed him to public reproach, as if he had acquired great riches by corruption. The populace gave it commonly the appellation of Dunkirk-house.

The king himself, who had always more revered than loved the chancellor, was now totally estranged from him. Amidst the dissolute manners of the court, that minister still maintained an inflexible dignity, and would not submit to any concessions, which he deemed unworthy of his age and character. Buckingham, a man of profligate morals, happy in his talent for ridicule, but exposed in his own conduct to all the ridicule which he threw on others, still made him the object of his raillery, and gradually lessened in the king that regard which he bore to his minister. When any difficulties arose either for want of power or money, the blame was still thrown on him, who, it was believed, had carefully at the restoration checked all lavish concessions to the king. And what perhaps touched Charles more nearly, he found in Clarendon, it is said, obstacles to his pleasures, as well as to his ambition.

The king, disgusted with the homely person of his consort, and desirous of having children, had hearkened to proposals of obtaining a divorce, on pretence either of her being pre-engaged to another, or of having made a vow of chastity before her marriage. He was further stimulated by his passion for Mrs. Stuart, daughter of a Scotch gentleman; a lady of great beauty, and whose virtue he had hitherto found impregnable: but Clarendon, apprehensive of the consequences attending a disputed title, and perhaps anxious for the succession of his own grand-children, engaged the Duke of Richmond to marry Mrs. Stuart, and thereby put an end to the king's hope. It is pretended that Charles never forgave this disappointment.

When politics, therefore, and inclination both concurred to make the king sacrifice Clarendon to popular prejudices, the memory of his past services was not able any longer to delay his fall. The great seal was taken from him, and given to Sir Orlando Bridgeman, by the title of Lord Keeper. Southampton, the treasurer, was now dead, who had persevered to the utmost in his attachments to the chancellor. The last time he appeared at the council table, he exerted his friendship with a vigour, which neither age nor infirmities could abate. "This man," said he, speaking of Clarendon, "is a true protestant and an honest Englishman; and while he enjoys power, we are secure of our laws, liberties, and religion. I dread the consequences of his removal."

But the fall of the chancellor was not sufficient to gratify the malice of his enemies: his total ruin was resolved on. The Duke of York in vain exerted his interest in behalf of his father-in-law. Both prince and people united in promoting that violent measure; and no means were thought so proper for ingratiating the court with a parliament, which had so long been governed by that very minister, who was now to be the victim of their prejudices.

Some popular acts paved the way for the session; and the parliament, in their first address, gave the king thanks for these instances of his goodness, and among the rest, they took care to mention his dismissal of Clarendon. The king, in reply, assured the Houses that he would never again employ that nobleman in any public office whatsoever. Immediately the change against him was opened in the House of Commons by Mr. Seymour, after-

<sup>1</sup> *English*, vol. ii. p. 41.

<sup>2</sup> Some contemporaries, however, both in Scotland and England, had entertained correspondence with the State, and had entertained projects for in-

surrections, but they were too weak even to attempt the execution of them. D'Ustades, 11th October, 1665.

wounds Sir Edward, and consisted of seventeen articles. The House, without examining particulars, further than hearing general affirmations that all would be proved, immediately voted his impeachment. Many of the articles we know to be either false or frivolous; and such of them as we are less acquainted with, we may fairly presume to be no better grounded. His advising the sale of Dunkirk seems the heaviest and truest part of the charge; but a mistake in judgment, allowing it to be such, where there appear no symptoms of corruption or bad intentions, it would be very hard to impute as a crime to any minister. The king's necessities, which occasioned that measure, cannot, with any appearance of reason, be charged on Clarendon; and chiefly proceeded from the over-frugal maxims of the parliament itself, in not granting the proper supplies to the crown.

When the impeachment was carried up to the Peers, as it contained an accusation of treason in general, without specifying any particulars, it seemed not a sufficient ground for committing Clarendon to custody. The precedents of Straford and Laud were not, by reason of the violence of the times, deemed a proper authority; but as the Commons still insisted upon his commitment, it was necessary to appoint a free conference between the Houses. The Lords persevered in their resolution; and the Commons voted this conduct to be an obstruction to public justice, and a precedent of evil and dangerous tendency. They also chose a committee to draw up a vindication of their own proceedings.

Clarendon, finding that the popular torrent, united to the violence of power, ran with impetuosity against him, and that a defence, offered to such prejudiced ears, would be entirely ineffectual, thought proper to withdraw. At Calais he wrote a paper addressed to the House of Lords. He there said, that his fortune, which was but moderate, had been gained entirely by the lawful, avowed profits of his office, and by the voluntary bounty of the king; that during the first years after the restoration he had always concurred in opinion with the other counsellors, men of such reputation that no one could entertain suspicions of their wisdom or integrity; that his credit soon declined, and however he might disapprove some measures, he found it vain to oppose them; that his repugnance to the Dutch war, the source of all the public grievances, was always generally known, as well as his disapprobation of many unhappy steps taken in conducting it; and that whatever pretence might be made of public offences, his real crime, that which had exasperated his powerful enemies, was his frequent opposition to exorbitant grants, which the impetuosity of suitors had extorted from his majesty.

The Lords transmitted this paper to the Commons under the appellation of a libel; and by a vote of both Houses, it was condemned to be burned by the hands of the hangman. The parliament next proceeded to exert

their legislative power against Clarendon, and passed a bill of banishment and incapacity, which received the royal assent. He retired into France, where he lived in a private manner. He survived his banishment six years; and he employed his leisure chiefly in reducing into order the History of the Civil Wars, for which he had before collected materials. The performance does honour to his memory; and except Whitlocke's Memorials, is the most candid account of those times, composed by any contemporary author.

Clarendon was always a friend to the liberty and constitution of his country. At the commencement of the civil wars, he had entered into the late king's service, and was honoured with a great share in the esteem and friendship of that monarch: he was pursued with unrelenting animosity by the long parliament: he had shared all the fortunes, and directed all the counsels, of the present king during his exile: he had been advanced to the highest

trust and offices after the restoration: yet all these circumstances, which might naturally operate with such force, either on resentment, gratitude, or ambition, had no influence on his uncorrupted mind. It is said, that when he first engaged in the study of the law, his father exhorted him with great earnestness to shun the practice too common in that profession, of straining every point in favour of prerogative, and perverting so useful a science to the oppression of liberty: and in the midst of these rational and virtuous counsels, which he reiterated, he was suddenly seized with an apoplexy, and expired in his son's presence. This circumstance gave additional weight to the principles which he inculcated.

The combination of king and subject to oppress so good a minister affords, to men of opposite dispositions, an equal occasion of inveighing against the ingratitude of princes, or ignorance of the people. Charles seems never to have mitigated his resentment against Clarendon; and the national prejudices pursued him to his retreat in France. A company of English soldiers, being quartered near him, assaulted his house, broke open the doors, gave him a dangerous wound on the head, and would have proceeded to the last extremities, had not their officers, hearing of the violence, happily interposed.

The next expedient which the king embraced in order to acquire popularity, is more deserving of praise; and, had it been steadily pursued, would probably have rendered his reign happy, certainly his memory respected. It is the triple alliance of which I speak; a measure which gave entire satisfaction to the public.

The glory of France, which had long been eclipsed, either by domestic factions, or by the superior force of the Spanish monarchy, began now to break out with great lustre, and to engage the attention of the neighbouring nations. The independent power and mutinous spirit of the nobility were subdued: the popular pretensions of the parliament restrained: the hugonot party reduced to subjection: that extensive and fertile country, enjoying every advantage both of climate and situation, was fully peopled with ingenious and industrious inhabitants: and while the spirit of the nation discovered all the vigour and bravery requisite for great enterprises, it was tamed to an entire submission under the will of the sovereign.

The sovereign who now filled the throne was well adapted, by his personal character, both to increase and to avail himself of these advantages, Lewis XIV. endowed with every quality which could enchant the people, possessed many which merit the approbation of the wise. The masculine beauty of his person was embellished with a noble air: the dignity of his behaviour was tempered with affability and politeness: elegant without effeminacy, addicted to pleasure without neglecting business, decent in his very vices, and beloved in the midst of arbitrary power, he surpassed all contemporary monarchs, as in grandeur, so likewise in fame and glory.

His ambition, regulated by prudence, not by justice, had carefully provided every means of conquest; and before he put himself in motion, he seemed to have absolutely insured success. His finances were brought into order: a naval power created: his armies increased and disciplined: magazines and military stores provided: and though the magnificence of his court was supported beyond all former example, so regular was the economy observed, and so willingly did the people, now enriched by arts and commerce, submit to multiplied taxes, that his military force much exceeded what in any preceding age had ever been employed by any European monarch.

The sudden decline and almost total fall of the Spanish monarchy, opened an inviting field to so enterprising a

1. The articles were, that he had advised the king to govern by military power without restrictions, that he had affirmed the king to be a papist or papist ally, that he had received great sums of money for procuring the king's patent and other illegal patents, that he had advised and procured the king's subjects to be imprisoned against law, in violent insults and injuries, thereby to prevent their leaving the benefit of the law, that he had procured the customs to be taxed at higher rates, that he had received great sums from the Vintners' company, for allowing them to enhance the price of wines, that he had in a short time raised a greater estate than could have been supplied to any man from the profits of his offices, that he had introduced an arbitrary government into

his majesty's plantations, that he had rejected a proposal for the preservation of Nevis and St. Christopher's, which was the occasion of great losses to those parts, that when he was in his majesty's service beyond sea, he held a correspondence with Cromwell and his accomplices, that he had sold the castle of Dunkirk, that he had unlawfully altered letters patent under the king's seal, that he had unlawfully decreed causes in council, which should have been tried before a court, that he had issued two warrants without the cooperation with an intention of squeezing money from them, that he had taken money for passing the bill of settlement in Ireland, that he betrayed the nation in all foreign negotiations, and that he was the principal adviser of dividing the fleet in June 1664.

prince, and seemed to promise him easy and extensive conquests. The other nations of Europe, feeble or ill governed, were astonished at the greatness of his rising empire; and all of them cast their eyes towards England, as the only power which could save them from that subjection with which they seemed to be so nearly threatened.

The animosity which had anciently subsisted between the English and French nations, and which had been suspended for above a century by the jealousy of Spanish greatness, began to revive and to exert itself. The glory of preserving the balance of Europe, a glory so much founded on justice and humanity, flattered the ambition of England; and the people were eager to provide for their own future security, by opposing the progress of so hated a rival. The prospect of embracing such measures had contributed, among other reasons, to render the peace of Breda so universally acceptable to the nation. By the death of Philip IV. King of Spain, an inviting opportunity, and some very slender pretences, had been afforded to call forth the ambition of Lewis.

At the treaty of the Pyrenees, when Lewis espoused the Spanish princess, he had renounced every title of succession to every part of the Spanish monarchy; and this renunciation had been couched in the most accurate and most precise terms that language could afford. But on the death of his father-in-law, he retracted his renunciation, and pretended that natural rights, depending on blood and succession, could not be annihilated by any extorted deed or contract. Philip had left a son, Charles II. of Spain; but as the Queen of France was of a former marriage, she laid claim to a considerable province of the Spanish monarchy, even to the exclusion of her brother. By the customs of some parts of Brabant, a female of a first marriage was preferred to a male of a second, in the succession to private inheritances; and Lewis thence inferred, that his queen had acquired a right to the dominion of that important duchy.

A claim of this nature was more properly supported by military force than by argument and reasoning. Lewis appeared on the frontiers of the Netherlands with an army of 40,000 men, commanded by the best generals of the age, and provided with every thing necessary for action. The Spaniards, though they might have foreseen this measure, were totally unprepared. Their towns, without magazines, fortifications, or garrisons, fell into the hands of the French king, as soon as he presented himself before them. Athé, Lisle, Tournay, Oudenarde, Courtray, Charleroi, Binche, were immediately taken: and it was visible that no force in the Low Countries was able to stop or retard the progress of the French arms.

This measure, executed with such celerity and success, gave great alarm to almost every court in Europe. It had been observed with what dignity, or even haughtiness, Lewis, from the time he began to govern, had ever supported all his rights and pretensions. D'Estrades, the French ambassador, and Wateville, the Spanish, having quarrelled in London, on account of their claims for precedence, the French monarch was not satisfied till Spain sent to Paris a solemn embassy, and promised never more to revive such contests. Cregui, his ambassador at Rome, had met with an affront from the Pope's guards: the Pope, Alexander VII., had been constrained to break his guards, to send his nephew to ask pardon, and to allow a pillar to be erected in Rome itself, as a monument of his own humiliation. The King of England too had experienced the high spirit and unsubmitting temper of Lewis. A pretension to superiority in the English flag having been advanced, the French monarch remonstrated with such vigour, and prepared himself to resist with such courage, that Charles found it more prudent to desist from his vain and antiquated claims. "The King of England," said Lewis to his ambassador, D'Estrades, "may know my force, but he knows not the sentiments of my heart: every thing appears to me contemptible in comparison of glory."<sup>1</sup> These measures of conduct had given strong indications of his character: but the invasion of Flanders discovered an ambition which, being supported by such

overgrown power, menaced the general liberties of Europe.

As no state lay nearer the danger, none was seized with more terror, than the United Provinces. They were still engaged, together with France, in a war against England; and Lewis had promised them that he would take no step against Spain without previously informing them: but, contrary to this assurance, he kept a total silence, till on the very point of entering upon action. If the renunciation at the treaty of the Pyrenees was not valid, it was foreseen, that upon the death of the King of Spain, a sickly infant, the whole monarchy would be claimed by Lewis, after which it would be vainly expected to set bounds to his pretensions. Charles, acquainted with these well-grounded apprehensions of the Dutch, had been the more obstinate in insisting on his own conditions at Breda; and by delaying to sign the treaty, had imprudently exposed himself to the signal disgrace which he received at Chatham. De Wit, sensible that a few weeks' delay would be of no consequence in the Low Countries, took this opportunity of striking an important blow, and of finishing the war with honour to himself and to his country.

Negotiations, meanwhile, commenced for the saving of Flanders; but no resistance was made to the French arms. The Spanish ministers exclaimed every where against the flagrant injustice of Lewis's pretensions, and represented it to be the interest of every power in Europe, even more than of Spain itself, to prevent his conquest of the Low Countries. The emperor and the German princes discovered evident symptoms of discontent; but their motions were slow and backward. The States, though terrified at the prospect of having their frontier exposed to so formidable a foe, saw no resource, no means of safety. England indeed seemed disposed to make opposition to the French; but the variable and impolitic conduct of Charles kept that republic from making him any open advances, by which she might lose the friendship of France, without acquiring any new ally. And though Lewis, dreading a combination of all Europe, had offered terms of accommodation, the Dutch apprehended, lest these, either from the obstinacy of the Spaniards, or the ambition of the French, should never be carried into execution.

Charles resolved, with great prudence, to take the first step towards a confederacy. Sir William Temple, his resident at Brussels, received orders to go secretly to the Hague, and to concert with the States the means of saving the Netherlands. This man, whom philosophy had taught to despise the world, without rendering him unfit for it, was frank, open, sincere, superior to the little tricks of vulgar politicians: and meeting in De Wit with a man of the same generous and enlarged sentiments, he immediately opened his master's intentions, and pressed a speedy conclusion. A treaty was from the first negotiated between these two statesmen with the same cordiality as if it were a private transaction between intimate companions. Deeming the interests of their country the same, they gave full scope to that sympathy of character which disposed them to an entire reliance on each other's professions and engagements. And though jealousy against the house of Orange might inspire De Wit with an aversion to a strict union with England, he generously resolved to sacrifice all private considerations to the public service.

Temple insisted on an offensive league between England and Holland, in order to oblige France to relinquish all her conquests: but De Wit told him, that this measure was too bold and precipitate to be agreed to by the States. He said, that the French were the old and constant allies of the republic; and, till matters came to extremities, she never would deem it prudent to abandon a friendship so well established, and rely entirely on a treaty with England, which had lately waged so cruel a war against her: that ever since the reign of Elizabeth, there had been such a fluctuation in the English councils, that it was not possible, for two years together, to take any sure or certain measures with that kingdom: that though the present ministry, having entered into views so conformable to national interest, promised greater firmness and constancy,



it might still be unsafe, in a business of such consequence, to put entire confidence in them : that the French monarch was young, haughty, and powerful ; and if treated in so impetuous a manner, would expose himself to the greatest extremities rather than submit : that it was sufficient, if he could be constrained to adhere to the offers which he himself had already made ; and if the remaining provinces of the Low Countries could be thereby saved from the danger with which they were at present threatened : and that the other powers, in Germany and the north, whose assistance they might expect, would be satisfied with putting a stop to the French conquests, without pretending to recover the places already lost.

The English minister was content to accept of the terms proposed by the pensionary. Lewis had offered to relinquish all the queen's rights, on condition either of keeping the conquests which he had made last campaign, or of receiving, in lieu of them, Franche-comté, together with Cambray, Aire, and St. Omers. De Wit and Temple founded their treaty upon this proposal. They agreed to offer their mediation to the contending powers, and oblige France to adhere to this alternative, and Spain to accept of it. If Spain refused, they agreed, that France should not prosecute her claim by arms, but leave it entirely to England and Holland to employ force for making the terms effectual. And the remainder of the Low Countries they thenceforth guaranteed to Spain. A defensive alliance was likewise concluded between Holland and England.

The articles of this confederacy were soon adjusted by such candid and able negotiators : but the greatest difficulty still remained. By the constitution of the republic, all the towns in all the provinces must give their consent to every alliance ; and besides that this formality could not be despatched in less than two months, it was justly to be dreaded, that the influence of France would obstruct the passing of the treaty in some of the smaller cities. D'Estrades, the French ambassador, a man of abilities, hearing of the league which was on the carpet, treated it lightly : " Six weeks hence," said he, " we shall speak to it." To obviate this difficulty, De Wit had the courage, for the public good, to break through the laws in so fundamental an article ; and by his authority, he prevailed with the

17th Jan.

States-general at once to sign and ratify the league : though they acknowledged that, if that measure should displease their constituents, they risked their heads by this irregularity. After sealing, all parties embraced with great cordiality. Temple cried out, *At Brida, as friends; here, as brothers.* And De Wit added, that now the matter was finished, it looked like a miracle.

Room had been left in the treaty for the Triple league. accession of Sweden, which was soon after obtained ; and thus was concluded in five days the triple league ; an event received with equal surprise and approbation by the world. Notwithstanding the unfortunate conclusion of the last war, England now appeared in her proper station, and, by this wise conduct, had recovered all her influence and credit in Europe. Temple likewise received great applause ; but to all the compliments made him on the occasion, he modestly replied, that to remove things from their centre, or proper element, required force and labour ; but that of themselves they easily returned to it.

The French monarch was extremely displeased with this measure. Not only bounds were at present set to his ambition : such a barrier was also raised as seemed for ever impregnable. And though his own offer was made the foundation of the treaty, he had prescribed so short a time for the acceptance of it, that he still expected, from the delays and reluctance of Spain, to find some opportunity of eluding it. The court of Madrid showed equal displeasure. To relinquish any part of the Spanish provinces, in lieu of claims so apparently unjust, and these urged with such violence and haughtiness, inspired the highest disgust. Often did the Spaniards threaten to abandon entirely the Low Countries, rather than submit to so cruel a mortification ; and they endeavoured, by this menace, to terrify the mediating powers into more vigorous measures for their support. But Temple and De Wit were better

acquainted with the views and interests of Spain. They knew, that she must still retain the Low Countries, as a bond of connexion with the other European powers, who alone, if her young monarch should happen to die without issue, could insure her independency against the pretensions of France. They still urged, therefore, the terms of the triple league, and threatened Spain with war in case of refusal. The plenipotentiaries of all the powers met at Aix-la-Chapelle. Temple was minister for England ; Van Beuninghen for Holland ; D'Ohna for Sweden.

Spain at last, pressed on all hands, accepted of the alternative offered ; but in her very compliance, she gave strong symptoms of ill-humour and discontent. It had been apparent, that the Hollanders, entirely neglecting the honour of the Spanish monarchy, had been anxious only for their own security ; and, provided they could remove Lewis to a distance from their frontier, were more indifferent what progress he made in other places. Sensible of these views, the queen-regent of Spain resolved still to keep them in an anxiety, which might for the future be the foundation of an union more intimate than they were willing at present to enter into. Franche-comté, by a vigorous Treaty of and well-concerted plan of the French king, Aix-la-Chapelle. had been conquered, in fifteen days, during a rigorous season, and in the midst of winter. She chose, therefore, to recover this province, and to abandon all the towns conquered in Flanders during the last campaign. By this means Lewis extended his garrisons into the heart of the Low Countries ; and a very feeble barrier remained to the Spanish provinces.

But notwithstanding the advantages of his situation, the French monarch could entertain small hopes of ever extending his conquests on that quarter which lay the most exposed to his ambition, and where his acquisitions were of most importance. The triple league guaranteed the remaining provinces of Spain ; and the emperor and other powers of Germany, whose interest seemed to be intimately concerned, were invited to enter into the same confederacy. Spain herself, having about this time, under the mediation of Charles, made peace on equal terms with Portugal, might be expected to exert more vigour and opposition to her haughty and triumphant rival. The great satisfaction expressed in England, on account of the counsels now embraced by the court, promised the hearty concurrence of parliament in every measure which could be proposed for opposition to the grandeur of France. And thus all Europe seemed to repose herself with security under the wings of that powerful confederacy, which had been so happily formed for her protection. It is now time to give some account of the state of affairs in Scotland and in Ireland.

The Scottish nation, though they had never been subject to the arbitrary power of their prince, had but very imperfect notions of law and liberty ; and scarcely in any age had they ever enjoyed an administration which had confined itself within the proper boundaries. By their final union alone with England, their once hated adversary, they have happily attained the experience of a government perfectly regular, and exempt from all violence and injustice. Charles, from his aversion to business, had intrusted the affairs of that country to his ministers, particularly Middleton ; and these could not forbear making very extraordinary stretches of authority.

There had been intercepted a letter written by Lord Lorne to Lord Duffus, in which, a little too plainly, but very truly, he complained, that his enemies had endeavoured by falsehood to prepossess the king against him. But he said, that he had now discovered them, had defeated them, and had gained the person, meaning the Earl of Clarendon, upon whom the chief of them depended. This letter was produced before the parliament ; and Lorne was tried upon an old, tyrannical, absurd law against *Leasing-making* ; by which it was rendered criminal to belie the subjects to the king, or create in him an ill opinion of them. He was condemned to die : but Charles was much displeased with the sentence, and granted him a pardon.<sup>m</sup>

It was carried in parliament, that twelve persons with-

out crime, witness, trial, or accuser, should be declared incapable of all trust or office; and to render this injustice more egregious, it was agreed, that these persons should be named by ballot: a method of voting which several republics had adopted at elections, in order to prevent faction and intrigue; but which could serve only as a cover to malice and iniquity in the inflicting of punishments. Lauderdale, Crawford, and Sir Robert Murray, among others, were incapacitated: but the king, who disapproved of this injustice, refused his assent.<sup>a</sup>

An act was passed against all persons, who should move the king for restoring the children of those who were attainted by parliament; an unheard-of restraint on applications for grace and mercy. No penalty was affixed; but the act was but the more violent and tyrannical on that account. The court-lawyers had established it as a maxim, that the assigning of a punishment was a limitation of the crown: whereas a law, forbidding any thing, though without a penalty, made the offenders criminal. And in that case, they determined, that the punishment was arbitrary; only that it could not extend to life. Middleton as commissioner passed this act; though he had no instructions for that purpose.

An act of indemnity passed; but at the same time it was voted, that all those who had offended during the late disorders, should be subjected to fines; and a committee of parliament was appointed for imposing them. These proceeded without any regard to some equitable rules, which the king had prescribed to them.<sup>b</sup> The most obnoxious compounded secretly. No consideration was had, either of men's riches, or of the degrees of their guilt; no proofs were produced: inquiries were not so much as made: but as fast as information was given in against any man, he was marked down for a particular fine: and all was transacted in a secret committee. When the list was read in parliament, exceptions were made to several: some had been under age during the civil wars; some had been abroad. But it was still replied, that a proper time would come, when every man should be heard in his own defence. The only intention, it was said, of setting the fines was, that such persons should have no benefit by the act of indemnity, unless they paid the sum demanded: every one that chose to stand upon his innocence, and renounce the benefit of the indemnity, might do it at his peril. It was well known, that no one would dare so far to set at defiance so arbitrary an administration. The king wrote to the council, ordering them to supersede the levying of those fines: but Middleton found means, during some time, to elude these orders.<sup>c</sup> And at last, the king obliged his ministers to compound for half the sums which had been imposed. In all these transactions, and in most others, which passed during the present reign, we still find the moderating hand of the king, interposed to protect the Scots from the oppressions which their own countrymen, employed in the ministry, were desirous of exercising over them.

But the chief circumstance, whence were derived all the subsequent tyranny and disorders in Scotland, was the execution of the laws for the establishment of episcopacy; a mode of government, to which a great part of the nation had entertained an insurmountable aversion. The rights of patrons had for some years been abolished; and the power of electing ministers had been vested in the kirk-session, and lay-elders. It was now enacted, that all incumbents, who had been admitted upon this title, should receive a presentation from the patron, and should be instituted anew by the bishop, under the penalty of deprivation. The more rigid presbyterians concerted measures among themselves, and refused obedience: they imagined that their number would protect them. Three hundred and fifty parishes, above a third of the kingdom, were at once declared vacant. The western counties chiefly were obstinate in this particular. New ministers were sought for all over the kingdom; and no one was so ignorant or vicious as to be rejected. The people, who loved extremely and respected their former teachers; men remarkable for the severity of their manners, and their fervour in preaching; were inflamed against these intruders, who had obtained

their livings under such invidious circumstances, and who took no care, by the regularity of their manners, to soften the prejudices entertained against them. Even most of those who retained their livings by compliance, fell under the imputation of hypocrisy, either by their showing a disgust to the new model of ecclesiastical government, which they had acknowledged; or, on the other hand, by declaring that their former abhorrence to presbytery and the covenant had been the result of violence and necessity. And as Middleton and the new ministry indulged themselves in great riot and disorder, to which the nation had been little accustomed, an opinion universally prevailed, that any form of religion, offered by such hands, must be profane and impious.

The people, notwithstanding their discontents, were resolved to give no handle against them, by the least symptom of mutiny or sedition: but this submissive disposition, instead of procuring a mitigation of the rigours, was made use of as an argument for continuing the same measures, which, by their vigour, it was pretended, had produced so prompt an obedience. The king, however, was disgusted with the violence of Middleton;<sup>d</sup> and he made Rothes commissioner in his place. This nobleman was already president of the council; and soon after was made lord-keeper and treasurer. Lauderdale still continued secretary of state, and commonly resided at London.

Affairs remained in a peaceable state, till the severe law was made in England against conventicles.<sup>e</sup> The Scottish parliament imitated that violence, by passing a like act. A kind of high commission court was appointed by the privy-council, for executing this rigorous law, and for the direction of ecclesiastical affairs. But even this court, illegal as it might be deemed, was much preferable to the method next adopted. Military force was let loose by the council. Wherever the people had generally forsaken their churches, the guards were quartered throughout the country. Sir James Turner commanded them, a man whose natural ferocity of temper was often inflamed by the use of strong liquors. He went about and received from the clergy lists of those who absented themselves from church or were supposed to frequent conventicles. Without any proof or legal conviction, he demanded a fine from them, and quartered soldiers on the supposed delinquents, till he received payment. As an insurrection was dreaded during the Dutch war, new forces were levied, and intrusted to the command of Dalziel and Drummond; two officers who had served the king during the civil wars, and had afterwards engaged in the service of Russia, where they had increased the native cruelty of their disposition. A full career was given to their tyranny by the Scottish ministry. Representations were made to the king against these enormities. He seemed touched with the state of the country; and besides giving orders that the ecclesiastical commission should be discontinued, he signified his opinion, that another way of proceeding was necessary for his service.<sup>f</sup>

This lenity of the king's came too late to remedy the disorders. The people, inflamed with bigotry, and irritated by ill usage, rose in arms. They were instigated by Guthry, Semple, and other preachers. They surprised Turner in Dumfries, and resolved to have him put to death; but finding that his orders, which fell into their hands, were more violent than his execution of them, they spared his life. At Lanerik, after many prayers, they renewed the covenant, and published their manifesto; in which they professed all submission to the king: they desired only the re-establishment of presbytery and of their former ministers. As many gentlemen of their party had been confined on suspicion; Wallace and Learmont, two officers, who had served, but in no high rank, were intrusted by the populace with the command. Their force never exceeded two thousand men; and though the country in general bore them favour, men's spirits were so subdued, that the rebels could expect no further accession of numbers. Dalziel took the field to oppose their progress. Their number was now diminished to 800; and these having advanced near Edinburgh, attempted to find their way back into the west by Pentland Hills. They were attacked

<sup>a</sup> Burnet, p. 102.<sup>b</sup> Ibid. p. 147.<sup>c</sup> Ibid. p. 141.<sup>d</sup> Burnet, p. 102.<sup>e</sup> 1664.<sup>f</sup> Burnet, p. 213.

by the king's forces.<sup>1</sup> Finding that they could not escape, they stopped their march. Their clergy endeavoured to infuse courage into them. After singing some psalms, the rebels turned on the enemy; and being assisted by the advantage of the ground, they received the first charge very resolutely. But that was all the action: immediately they fell into disorder, and fled for their lives. About forty were killed on the spot, and a hundred and thirty taken prisoners. The rest, favoured by the night, and by the wariness, and even by the pity, of the king's troops, made their escape.

The oppressions which these people had suffered, the delusions under which they laboured, and their inoffensive behaviour during the insurrection, made them the objects of compassion. Yet were the king's ministers, particularly Sharpe, resolved to take severe vengeance. Ten were hanged on one gibbet at Edinburgh: thirty-five before their own doors in different places. These criminals might all have saved their lives, if they would have renounced the covenant. The executions were going on, when the king put a stop to them. He said, that blood enough had already been shed; and he wrote a letter to the privy-council, in which he ordered that such of the prisoners as should simply promise to obey the laws for the future, should be set at liberty, and that the incorrigible should be sent to the plantations.<sup>2</sup> This letter was brought by Burnet, Archbishop of Glasgow; but not being immediately delivered to the council by Sharpe the president,<sup>3</sup> one Maccail had in the interval been put to the torture, under which he expired. He seemed to die in an ecstasy of joy. "Farewell, sun, moon, and stars; farewell, world, and time; farewell, weak and frail body: welcome, eternity; welcome, angels and saints; welcome, Saviour of the world; and welcome, God, the judge of all!" Such were his last words; and these animated speeches he uttered with an accent and manner, which struck all the bystanders with astonishment.

<sup>1</sup> *Affairs of Ireland.* The settlement of Ireland after the restoration, was a work of greater difficulty than that of England, or even of Scotland. Not only the power, during the former usurpations, had there been vested in the king's enemies: the whole property, in a manner, of the kingdom, had also been changed; and it became necessary to redress, but with as little violence as possible, many grievous hardships and iniquities, which were there complained of.

The Irish catholics had, in 1648, concluded a treaty with Ormond, the king's lieutenant, in which they had stipulated pardon for their past rebellion, and had engaged, under certain conditions, to assist the royal cause: and though the violence of the priests and the bigotry of the people had prevented, in a great measure, the execution of this treaty; yet were there many, who having strictly, at the hazard of their lives, adhered to it, seemed on that account well entitled to reap the fruits of their loyalty. Cromwell, having without distinction expelled all the native Irish from the three provinces of Munster, Leinster, and Ulster, had confined them to Connaught and the county of Clare; and among those who had thus been forfeited, were many whose innocence was altogether unquestionable. Several protestants, likewise, and Ormond among the rest, had all along opposed the Irish rebellion; yet having afterwards embraced the king's cause against the parliament, they were all of them attainted by Cromwell. And there were many officers who had, from the commencement of the insurrection, served in Ireland, and who, because they would not desert the king, had been refused all their arrears by the English commonwealth.

To all these unhappy sufferers some justice seemed to be due: but the difficulty was to find the means of redressing such great and extensive iniquities. Almost all the valuable parts of Ireland had been measured out and divided, either to the adventurers, who had lent money to the parliament for the suppression of the Irish rebellion, or to the soldiers who had received land in lieu of their arrears. These could not be dispossessed, because they were the most powerful and only armed part of Ireland; because it was requisite to favour them, in order to sup-

port the protestant and English interest in that kingdom; and because they had generally, with a seeming zeal and alacrity, concurred in the king's restoration. The king, therefore, issued a proclamation, in which he promised to maintain their settlement, and at the same time engaged to give redress to the innocent sufferers. There was a quantity of land as yet undivided in Ireland; and from this and some other funds, it was thought possible for the king to fulfil both these engagements.

A court of claims was erected, consisting altogether of English commissioners, who had no connexion with any of the parties, into which Ireland was divided. Before these were laid four thousand claims of persons craving restitution on account of their innocence; and the commissioners had found leisure to examine only six hundred. It already appeared, that, if all these were to be restored, the funds, whence the adventurers and soldiers must get reprisals, would fall short of giving them any tolerable satisfaction. A great alarm and anxiety seized all ranks of men: the hopes and fears of every party were excited: these eagerly grasped at recovering their paternal inheritance. Those were resolute to maintain their new acquisitions.

The Duke of Ormond was created lord-lieutenant; being the only person, whose prudence and equity could compose such jarring interests. A parliament was assembled at Dublin; and as the lower House was almost entirely chosen by the soldiers and adventurers, who still kept possession, it was extremely favourable to that interest. The House of Peers showed greater impartiality.

An insurrection was projected, together with a surprisal of the castle of Dublin, by some of the disbanded soldiers; but this design was happily defeated by the vigilance of Ormond. Some of the criminals were punished. Blood, the most desperate of them, escaped into England.

But affairs could not long remain in the confusion and uncertainty into which they had fallen. All parties seemed willing to abate somewhat of their pretensions, in order to attain some stability; and Ormond interposed his authority for that purpose. The soldiers and adventurers agreed to relinquish a third of their possessions; and as they had purchased their lands at very low prices, they had reason to think themselves favoured by this composition. All those, who had been attainted on account of their adhering to the king, were restored, and some of the innocent Irish. It was a hard situation, that a man was obliged to prove himself innocent in order to recover possession of the estate which he and his ancestors had ever enjoyed: but the hardship was augmented, by the difficult conditions annexed to this proof. If the person had ever lived in the quarters of the rebels, he was not admitted to plead his innocence; and he was, for that reason alone, supposed to have been a rebel. The heinous guilt of the Irish nation made men the more readily overlook any iniquity, which might fall on individuals; and it was considered, that, though it be always the interest of all good governments to prevent injustice, it is not always possible to remedy it, after it has had a long course, and has been attended with great successes.

Ireland began to attain a state of some composure when it was disturbed by a violent act, passed by the English parliament, which prohibited the importation of Irish cattle into England.<sup>4</sup> Ormond remonstrated strongly against the law. He said, that the present trade, carried on between England and Ireland, was extremely to the advantage of the former kingdom, which received only provisions, or rude materials, in return for every species of manufacture: that if the cattle of Ireland were prohibited, the inhabitants of that island had no other commodity by which they could pay England for their importations, and must have recourse to other nations for a supply: that the industrious inhabitants of England, if deprived of Irish provisions, which made living cheap, would be obliged to augment the price of labour, and thereby render their manufactures too dear to be exported to foreign markets: that the indolent inhabitants of Ireland, finding provisions fall almost to nothing, would never be induced to labour, but would perpetuate to all generations their native sloth



and barbarism: that by cutting off almost entirely the trade between the kingdoms, all the natural bands of union were dissolved, and nothing remained to keep the Irish in their duty but force and violence: and that, by reducing that kingdom to extreme poverty, it would be even rendered incapable of maintaining that military power, by which, during its well-grounded discontents, it must necessarily be retained in subjection.

The king was so much convinced of the justness of these reasons, that he used all his interest to oppose the bill, and he openly declared, that he could not give his assent to it with a safe conscience. But the Commons were resolute in their purpose. Some of the rents of England had fallen of late years, which had been ascribed entirely to the importation of Irish cattle: several intrigues had contributed to inflame that prejudice, particularly those of Buckingham and Ashley, who were desirous of giving Ormond disturbance in his government: and the spirit of tyranny, of which nations are as susceptible as individuals, had extremely animated the English to exert their superiority over their dependent state. No affair could be conducted with greater violence than this was by the Commons. They even went so far in the preamble of the bill, as to declare the importation of Irish cattle to be a *nuisance*. By this expression they gave scope to their passion, and at the same time barred the king's prerogative, by which he might think himself entitled to dispense with a law so full of injustice and bad policy. The Lords expunged the word; but as the king was sensible that no supply would be given by the Commons, unless they were gratified in their prejudices, he was obliged both to employ his interest with the Peers for making the bill pass, and to give the royal assent to it. He could not, however, forbear expressing his displeasure at the jealousy entertained against him, and at the intention which the Commons discovered of retrenching his prerogative.

This law brought great distress for some time upon the Irish; but it has occasioned their applying with greater industry to manufactures, and has proved in the issue beneficial to that kingdom.

## CHAP. LXV.

A parliament.—The Cabal—their characters—their counsels.—Alliance with France.—A parliament.—Covenent Act.—Blood's crimes.—Duke declares himself Catholic.—Exchequer shut.—Declaration of indulgence.—Attack of the Smyrna fleet.—War declared with Holland.—Weakness of the States.—Battle of Solebay.—Sandwich killed.—Progress of the French.—Consternation of the Dutch.—Prince of Orange Straitholder.—Navarre of the De Witts.—Good conduct of the prince.—A parliament.—Declaration of indulgence recalled.—Sea-fight.—Another sea fight.—Another sea-fight.—Congress of Cologne.—A parliament.—Peace with Holland.

A. D. 1668. SINCE the restoration, England had attained a situation which had never been experienced in any former period of her government, and which seemed the only one that could fully insure, at once, her tranquillity and her liberty: the king was in continual want of supply from the parliament: and he seemed willing to accommodate himself to that dependent situation. Instead of reviving those claims of prerogative, so strenuously insisted on by his predecessors, Charles had strictly confined himself within the limits of law, and had courted, by every art of popularity, the affections of his subjects. Even the severities, however blamable, which he had exercised against nonconformists, are to be considered as expedients by which he strove to ingratiate himself with that party which predominated in parliament. But notwithstanding these promising appearances, there were many circumstances which kept the government from resting steadily on that bottom on which it was placed. The crown, having lost almost all its ancient demesnes, relied entirely on voluntary grants of the people; and the Commons, not fully accustomed to this new situation, were not yet disposed to supply with sufficient liberality the necessities of the crown. They imitated too strictly the example of their predecessors in a rigid frugality of public money; and neither sufficiently considered the

indigent condition of their prince, nor the general state of Europe; where every nation, by its increase both of magnificence and force, had made great additions to all public expenses. Some considerable sums, indeed, were bestowed on Charles; and the patriots of that age, tenacious of ancient maxims, loudly upbraided the Commons with prodigality: but if we may judge by the example of a later period, when the government has become more regular, and the harmony of its parts has been more happily adjusted, the parliaments of this reign seem rather to have merited a contrary reproach.

The natural consequence of the poverty of the crown was, besides feeble irregular transactions in foreign affairs, a continual uncertainty in his domestic administration. No one could answer with any tolerable assurance for the measures of the House of Commons. Few of the members were attached to the court by any other band than that of inclination. Royalists, indeed, in their principles, but unexperienced in business, they lay exposed to every rumour or insinuation; and were driven by momentary gusts or currents, no less than the populace themselves. Even the attempts made to gain an ascendant over them by offices, and, as it is believed, by bribes and pensions, were apt to operate in a manner contrary to what was intended by the ministers. The novelty of the practice conveyed a general, and indeed a just, alarm; while, at the same time, the poverty of the crown rendered this influence very limited and precarious.

The character of Charles was ill fitted to remedy those defects in the constitution. He acted in the administration of public affairs as if government were a pastime rather than a serious occupation; and by the uncertainty of his conduct, he lost that authority which could alone bestow constancy on the fluctuating resolutions of the parliament. His expenses too, which sometimes, perhaps, exceeded the proper bounds, were directed more by inclination than by policy; and while they increased his dependence on the parliament, they were not calculated fully to satisfy either the interested or disinterested part of that assembly.

The parliament met, after a long adjournment, 8th of February. and the king promised himself every 8th of February. A parliament. thing from the attachment of the Commons. All his late measures had been calculated to acquire the good will of his people; and, above all, the triple league, it was hoped, would be able to efface all the disagreeable impressions left by the unhappy conclusion of the Dutch war. But a new attempt made by the court, and a laudable one too, lost him, for a time, the effect of all these endeavours. Buckingham, who was in great favour with the king, and carried on many intrigues among the Commons, had also endeavoured to support connexions with the nonconformists; and he now formed a scheme, in concert with the lord keeper, Sir Orlando Bridgeman, and the chief justice, Sir Matthew Hale, two worthy patriots, to put an end to those severities under which these religionists had so long laboured. It was proposed to reconcile the presbyterians by a comprehension, and to grant a toleration to the independents and other sectaries. Favour seems not, by this scheme, as by others embraced during the present reign, to have been intended the catholics: yet were the zealous Commons so disgusted, that they could not be prevailed on even to give the king thanks for the triple league, however laudable that measure was then, and has ever since been, esteemed. They immediately voted an address for a proclamation against conventicles. Their request was complied with; but as the king still dropped some hints of his desire to reconcile his protestant subjects, the Commons passed a very unusual vote, that no man should bring into the House any bill of that nature. The king in vain reiterated his solicitations for supply; represented the necessity of equipping a fleet; and even offered, that the money which they should grant should be collected and issued for that purpose by commissioners appointed by the House. Instead of complying, the Commons voted an inquiry into all the miscarriages during the late war; the slackening of sail after the duke's victory from false orders delivered by Brouncker, the miscarriage at Bergen, the division of the fleet under Prince Rupert and Albemarle, the disgrace at Chatham. Brouncker was

expelled the House, and ordered to be impeached. Commissioner Pet, who had neglected orders issued for the security of Chatham, met with the same fate. These impeachments were never prosecuted. The House at length, having been indulged in all their prejudices, were prevailed with to vote the king three hundred and ten thousand pounds, by an imposition on wine and other liquors; after which they were adjourned.

Public business, besides being retarded by the disgust of the Commons against the tolerating maxims of the court, met with obstructions this session from a quarrel

between the two Houses. Skinner, a rich merchant in London, having suffered some injuries from the East India company, laid the matter by petition before the House of Lords, by whom he was relieved in costs and damages to the amount of five thousand pounds. The Commons voted, that the Lords, in taking cognizance of this affair, originally, without any appeal from inferior courts, had acted in a manner not agreeable to the laws of the land, and tending to deprive the subject of the right, ease, and benefit due to him by these laws; and that Skinner, in prosecuting the suit after this manner, had infringed the privileges of the Commons: for which offence they ordered him to be taken into custody. Some conferences ensued between the Houses: where the Lords were tenacious of their right of judicature, and maintained that the method in which they had exercised it was quite regular. The Commons rose into a great ferment; and went so far as to vote, that "whoever should be aiding or assisting in putting in execution the order or sentence of the House of Lords, in the case of Skinner against the East India company, should be deemed a betrayer of the rights and liberties of the Commons of England, and an infringer of the privileges of the House of Commons." They rightly judged, that it would not be easy, after this vote, to find any one who would venture to incur their indignation. The proceedings indeed of the Lords seem in this case to have been unusual, and without precedent.

The king's necessities obliged him again to assemble the parliament, who showed some disposition to relieve him. The price, however, which he must pay for this indulgence, was his yielding to new laws against conventicles. His complaisance in this particular contributed more to gain the Commons, than all the pompous pretences of supporting the triple alliance, that popular measure by which he expected to make such advantage. The quarrel between the two Houses was revived; and as the Commons had voted only four hundred thousand pounds, with which the king was not satisfied, he thought proper, before they had carried their vote into a law, to prorogue them. The only business finished this short session was the receiving of the report of the committee appointed for examining the public accounts. On the first inspection of this report, there appears a great sum, no less than a million and a half, unaccounted for; and the natural inference is, that the king had much abused the trust reposed in him by parliament. But a more accurate inspection of particulars serves, in a great measure, to remove this imputation. The king, indeed, went so far as to tell the parliament from the throne, "That he had fully informed himself of that matter, and did affirm, that no part of those monies which they had given him had been diverted to other uses, but, on the contrary, besides all those supplies, a very great sum had been raised out of his standing revenue and credit, and a very great debt contracted; and all for the war." Though artificial pretences have often been employed by kings in their speeches to parliament, and by none more than Charles, it is somewhat difficult to suspect him of a direct lie and falsehood. He must have had some reasons, and perhaps not unplausible ones, for this affirmation, of which all his hearers, as they had

the accounts lying before them, were at that time competent judges.<sup>a</sup>

The method which all parliaments had hitherto followed was, to vote a particular sum for the supply, without any distinction, or any appropriation to particular services. So long as the demands of the crown were small and casual, no great inconveniences arose from this practice. But as all the measures of government were now changed, it must be confessed, that, if the king made a just application of public money, this inaccurate method of proceeding, by exposing him to suspicion, was prejudicial to him. If he were inclined to act otherwise, it was equally hurtful to the people. For these reasons, a contrary practice, during all the late reigns, has constantly been followed by the Commons.

When the parliament met after the prorogation, they entered anew upon the business of supply, and granted the king an additional duty, during eight years, of twelve pounds on each tun of Spanish wine imported, eight on each tun of French. A law also passed, empowering him to sell the fee-farm rents; the last remains of the demesnes, by which the ancient kings of England had been supported. By this expedient, he obtained some supply for his present necessities, but left the crown, if possible, still more dependent than before. How much money might be raised, by these sales, is uncertain; but it could not be near one million eight hundred thousand pounds; the sum assigned by some writers.<sup>b</sup>

The act against conventicles passed, and received the royal assent. It bears the appearance of mitigating the former persecuting laws; but, if we may judge by the spirit, which had broken out almost every session during this parliament, it was not intended as any favour to the nonconformists. Experience probably had taught, that laws over rigid and severe could not be executed. By this act the hearer in a conventicle (that is, in a dissenting assembly, where more than five were present, besides the family) was fined five shillings for the first offence, ten for the second; the preacher twenty pounds for the first offence, forty for the second. The person, in whose house the conventicle met, was amerced a like sum with the preacher. One clause is remarkable; that, if any dispute should arise with regard to the interpretation of any part of the act, the judges should always explain the doubt in the sense least favourable to conventicles, it being the intention of parliament entirely to suppress them. Such was the zeal of the Commons, that they violated the plainest and most established maxims of civil policy, which require that, in all criminal prosecutions, favour should always be given to the prisoner.

The affair of Skinner still remained a ground of quarrel between the two Houses; but the king prevailed with the Peers to accept of the expedient proposed by the Commons, that a general rature should be made of all the transactions with regard to that disputed question.

Some attempts were made by the king to effect an union between England and Scotland: though they were too feeble to remove all the difficulties which obstructed that useful and important undertaking. Commissioners were appointed to meet, in order to regulate the conditions; but the design, chiefly by the intrigues of Lauderdale, soon after came to nothing.

The king, about this time, began frequently to attend the debates of the House of Peers. He said, that they amused him, and that he found them no less entertaining than a play. But deeper designs were suspected. As he seemed to interest himself extremely in the case of Lord Roos, who had obtained a divorce from his wife on the accusation of adultery, and applied to parliament for leave to marry again; people imagined, that Charles intended to make a precedent of the case, and that some other pre-

<sup>a</sup> The abstract of the report of the French house committee on that matter was at first published by Mr. Edgely, vol. i. p. 177, from *Journal des assemblées*, to which I refer. If we borrow from a copy, which we find in the subsequent page of the same author, we shall find that they acted with some liberality towards the king. His words have not only been misinterpreted, but the date of the report is changed from the 1st of September 1667 to the 1st of the same month 1668, and the sum of money which he had received is increased from eight hundred thousand pounds, to one million and a half, without any authority. This sum, therefore, must be added to the account. The sum which was charged on the French treasury, might be the

king on account of the winter and summer guards, saved during two years and ten months that the war lasted. But this seems impossible. For though that was a considerable burden on the revenue, which was then saved; yet, as the continuation of the customs during the war, is an important point, besides, near three hundred and forty thousand pounds are charged for the same money, which, perhaps the king himself might be obliged to account for. These sums exceed the million and a half.

<sup>b</sup> Mr. Carte, in his *Vindication of the Answer to the Bystander*, p. 89, says that the sale of the fee-farm rents would not yield above one hundred thousand pounds, and his reasons appear well founded.

tence would be found for getting rid of the queen. Many proposals to this purpose, it is said, were made him by Buckingham: but the king, how little scrupulous soever in some respects, was incapable of any action harsh or barbarous; and he always rejected every scheme of this nature. A suspicion, however, of such intentions, it was observed, had, at this time, begotten a coldness between the two royal brothers.

We now come to a period, when the king's counsels, which had hitherto, in the main, been good, though negligent and fluctuating, became, during some time, remarkably bad, or even criminal; and breeding incurable jealousies in all men, were followed by such consequences as had almost terminated in the ruin both of prince and people. Happily, the same negligence still attended him; and, as it had lessened the influence of the good, it also diminished the effect of the bad, measures which he embraced.

It was remarked, that the committee of council, established for foreign affairs, was entirely changed; and that Prince Rupert, the Duke of Ormonde, Secretary Trevor, and Lord-keeper Bridgeman, men in whose honour the nation had great confidence, were never called to any deliberations. The whole secret was intrusted to five persons, Clifford, Ashley, Buckingham, Arlington, and Lauderdale. These men were known by the appellation of the Cabal, a word which the initial letters of their names happened to compose. Never was there a more dangerous ministry in England, nor one more noted for pernicious counsels.

Lord Ashley, soon after known by the name of Earl of Shaftesbury, was one of the most remarkable characters of the age, and the chief spring of all the succeeding movements. During his early youth, he had engaged in the late king's party; but being disgusted with some measures of Prince Maurice, he soon deserted to the parliament. He insinuated himself into the confidence of Cromwell; and, as he had great influence with the presbyterians, he was serviceable in supporting, with his party, the authority of that usurper. He employed the same credit, in promoting the restoration, and on that account both deserved and acquired favour with the king. In all his changes, he still maintained the character of never betraying those friends whom he deserted; and whichever party he joined, his great capacity and singular talents soon gained him their confidence, and enabled him to take the lead among them. No station could satisfy his ambition, no fatigues were insuperable to his industry. Well acquainted with the blind attachment of faction, he surmounted all sense of shame; and relying on the subtlety of his contrivances, he was not startled with enterprises the most hazardous and most criminal. His talents, both of public speaking and private insinuation, shone out in an eminent degree; and amidst all his furious passions, he possessed a sound judgment of business, and still more of men. Though fitted by nature for beginning and pushing the greatest undertakings, he was never able to conduct any to a happy period; and his eminent abilities, by reason of his insatiable desires, were equally dangerous to himself, to the prince, and to the people.

The Duke of Buckingham possessed all the advantages, which a graceful person, a high rank, a splendid fortune, and a lively wit could bestow; but by his wild conduct, unrestrained either by prudence or principle, he found means to render himself in the end odious and even insignificant. The least interest could make him abandon his honour; the smallest pleasure could seduce him from his interest; the most frivolous caprice was sufficient to counterbalance his pleasure. By his want of secrecy and constancy, he destroyed his character in public life; by his contempt of order and economy, he dissipated his private fortune; by riot and debauchery, he ruined his health; and he remained at last as incapable of doing hurt, as he had ever been little desirous of doing good, to mankind.

The Earl, soon after created Duke, of Lauderdale, was not defective in natural, and still less in acquired, talents; but neither was his address graceful nor his understanding just. His principles, or more properly speaking his

prejudices, were obstinate, but unable to restrain his ambition: his ambition was still less dangerous than the tyranny and violence of his temper. An implacable enemy, but a lukewarm friend; insolent to his inferiors, but object to his superiors; though in his whole character and deportment he was almost diametrically opposite to the king, he had the fortune, beyond any other minister, to maintain, during the greater part of his reign, an ascendant over him.

The talents of parliamentary eloquence and intrigue had raised Sir Thomas Clifford; and his daring impetuous spirit gave him weight in the king's councils. Of the whole cabal, Arlington was the least dangerous, either by his vices or his talents. His judgment was sound, though his capacity was but moderate; and his intentions were good, though he wanted courage and integrity to persevere in them. Together with Temple and Bridgeman, he had been a great promoter of the triple league; but he threw himself, with equal alacrity, into opposite measures, when he found them agreeable to his master. Clifford and he were secretly catholics; Shaftesbury, though addicted to astrology, was reckoned a deist; Buckingham had too little reflection to embrace any steady principles: Lauderdale had long been a bigoted and furious presbyterian; and the opinions of that sect still kept possession of his mind, how little soever they appeared in his conduct.

The dark counsels of the cabal, though from the first they gave anxiety to all men of reflection, were not thoroughly known but by the event. Such seem to have been the views which they, in concurrence with some catholic courtiers who had the ear of their sovereign, suggested to the king and the duke, and which these princes too greedily embraced. They said, that the parliament, though the spirit of party, for the present, attached them to the crown, were still more attached to those powers and privileges which their predecessors had usurped from the sovereign: that after the first flow of kindness was spent, they had discovered evident symptoms of discontent; and would be sure to turn against the king all the authority which they yet retained, and still more those pretensions which it was easy for them in a moment to revive: that they not only kept the king in dependence by means of his precarious revenue, but had never discovered a suitable generosity, even in those temporary supplies which they granted him: that it was high time for the prince to rouse himself from his lethargy, and to recover that authority which his predecessors, during so many ages, had peaceably enjoyed: that the great error or misfortune of his father was the not having formed any close connexion with foreign princes, who, on the breaking out of the rebellion, might have found their interest in supporting him: that the present alliances, being entered into with so many weaker potentates, who themselves stood in need of the king's protection, could never serve to maintain, much less augment, the royal authority: that the French monarch alone, so generous a prince, and by blood so nearly allied to the king, would be found both able and willing, if gratified in his ambition, to defend the common cause of kings against usurping subjects: that a war, undertaken against Holland by the united force of two such mighty potentates, would prove an easy enterprise, and would serve all the purposes which were aimed at: that, under pretence of that war, it would not be difficult to levy a military force without which, during the prevalence of republican principles among his subjects, the king would vainly expect to defend his prerogative: that his naval power might be maintained, partly by the supplies, which, on other pretences, would previously be obtained from parliament; partly by subsidies from France; partly by captures, which might easily be made on that opulent republic: that, in such a situation, attempts to recover the lost authority of the crown would be attended with success: nor would any malcontents dare to resist a prince fortified by so powerful an alliance; or, if they did, they would only draw more certain ruin on themselves and on their cause: and that, by subduing the States, a great step would be made towards a reformation of the government; since it was apparent, that that republic, by its fame and grandeur, fortified, in his factious subjects, their attach-



ment to what they vainly termed their civil and religious liberties.

These suggestions happened fatally to concur with all the inclinations and prejudices of the king; his desire of more extensive authority, his propensity to the catholic religion, his avidity for money. He seems likewise, from the very beginning of his reign, to have entertained great jealousy of his own subjects, and, on that account, a desire of fortifying himself by an intimate alliance with France. So early as 1664, he had offered the French monarch to allow him, without opposition, to conquer Flanders, provided that prince would engage to furnish him with ten thousand infantry, and a suitable number of cavalry, in case of any rebellion in England.<sup>c</sup> As no dangerous symptoms at that time appeared, we are left to conjecture, from this incident, what opinion Charles had conceived of the factious disposition of his people.

Even during the time when the triple alliance was the most zealously cultivated, the king never seems to have been entirely cordial in those salutary measures, but still to have cast a longing eye towards the French alliance. Clifford, who had much of his confidence, said imprudently, "Notwithstanding all this joy, we must have a second war with Holland." The accession of the emperor to that alliance had been refused by England on frivolous pretences. And many unfriendly cavils were raised against the States with regard to Surinam and the conduct of the East India company.<sup>d</sup> But about April, 1669, the strongest symptoms appeared of those fatal measures which were afterwards more openly pursued.

De Wit, at that time, came to Temple; and told him, that he paid him a visit as a friend, not as a minister. The occasion was, to acquaint him with a conversation which he had lately had with Puffendorf the Swedish agent, who had passed by the Hague in the way from Paris to his own country. The French ministers, Puffendorf said, had taken much pains to persuade him, that the Swedes would very ill find their account in those measures which they had lately embraced; that Spain would fail them in all her promises of subsidies; nor would Holland alone be able to support them: that England would certainly fail them, and had already adopted counsels directly opposite to those which by the triple league she had bound herself to pursue; and that the resolution was not the less fixed and certain, because the secret was as yet communicated to very few, either in the French or English court. When Puffendorf seemed incredulous, Turenne showed him a letter from Colbert de Crossy, the French minister at London; in which, after mentioning the success of his negotiations, and the favourable disposition of the chief ministers there, he added, "And I have at last made them sensible of the full extent of his majesty's bounty."<sup>e</sup> From this incident it appears, that the infamous practice of selling themselves to foreign princes, a practice which, notwithstanding the malignity of the vulgar, is certainly rare among men in high office, had not been scrupled by Charles's ministers, who even obtained their master's consent to this dishonourable corruption.

But while all men of penetration, both abroad and at home, were alarmed with these incidents, the visit which the king received from his sister, the Duchess of Orleans, was the foundation of still stronger suspicions. Lewis, knowing the address and insinuation of that amiable princess, and the great influence which she had gained over her brother, had engaged her to employ all her good offices, in order to detach Charles from the triple league, which, he knew, had fixed such insurmountable barriers to his ambition; and he now sent her to put the last hand to the plan of their conjunct operations. That he might the better cover this negotiation, he pretended to visit his frontiers, particularly the great works which he had undertaken at Dunkirk; and he carried the queen and the whole court along with him. While he remained on the opposite shore, the Duchess of Orleans went over to England; and Charles met her at Dover, where they passed ten days in great mirth

and festivity. By her artifices and caresses, Alliance with she prevailed on Charles to relinquish the France. most settled maxims of honour and policy, and to finish his engagements with Lewis for the destruction of Holland; as well as for the subsequent change of religion in England.

But Lewis well knew Charles's character, and the usual fluctuation of his councils. In order to fix him in the French interests, he resolved to bind him by the ties of pleasure, the only ones which with him were irresistible; and he made him a present of a French mistress, by whose means he hoped, for the future, to govern him. The Duchess of Orleans brought with her a young lady of the name of Querouaille, whom the king carried to London, and soon after created Duchess of Portsmouth. He was extremely attached to her during the whole course of his life; and she proved a great means of supporting his connexions with her native country.

The satisfaction which Charles reaped from his new alliance, received a great check by the death of his sister, and still more by those melancholy circumstances which attended it. Her death was sudden, after a few days illness; and she was seized with the malady upon drinking a glass of succory water. Strong suspicions of poison arose in the court of France, and were spread all over Europe; and as her husband had discovered many symptoms of jealousy and discontent on account of her conduct, he was universally believed to be the author of the crime. Charles himself, during some time, was entirely convinced of his guilt; but upon receiving the attestation of physicians, who, on opening her body, found no foundation for the general rumour, he was, or pretended to be, satisfied. The Duke of Orleans, indeed, did never, in any other circumstance of his life, betray such dispositions as might lead him to so criminal an action; and a lady, it is said, drank the remains of the same glass, without feeling any inconvenience. The sudden death of princes is commonly accompanied with these dismal surmises; and therefore less weight is in this case to be laid on the suspicions of the public.

Charles, instead of breaking with France upon this incident, took advantage of it to send over Buckingham, under pretence of condoling with the Duke of Orleans, but in reality to concert further measures for the projected war. Never ambassador received greater caresses. The more destructive the present measures were to the interests of England, the more natural was it for Lewis to load with civilities, and even with favours, those whom he could engage to promote them.

The journey of Buckingham augmented the suspicions in Holland, which every circumstance tended still further to confirm. Lewis made a sudden irruption into Lorraine; and though he missed seizing the duke himself, who had no surmise of the danger, and who narrowly escaped, he was soon able, without resistance, to make himself master of the whole country. The French monarch was so far unhappy, that, though the most tempting opportunities offered themselves, he had not commonly so much as the pretence of equity and justice to cover his ambitious measures. This acquisition of Lorraine ought to have excited the jealousy of the contracting powers in the triple league, as much as an invasion of Flanders itself; yet did Charles turn a deaf ear to all remonstrances made him upon that subject.

But what tended chiefly to open the eyes of De Wit and the States, with regard to the measures of England, was the sudden recall of Sir William Temple. This minister had so firmly established his character of honour and integrity, that he was believed incapable even of obeying his master's commands, in promoting measures which he esteemed pernicious to his country; and so long as he remained in employment, De Wit thought himself assured of the fidelity of England. Charles was so sensible of this prepossession, that he ordered Temple to leave his family at the Hague, and pretended, that that minister would immediately return after having conferred with the

<sup>c</sup> D'Estades, 20th July, 1667.

<sup>d</sup> *Comptes rendus*, &c. in his *Memoirs*, vol. ii. p. 14-67. That Charles was never sincere in the triple league, and that Buckingham betrayed a secret and ungenerous against the Wit, he is abundantly proved by *Memoirs de Louis XIV.* from the 1st of publication, with a French edition of the *Essai sur l'histoire de Louis XIV.*

to detach his vengeance upon him. This account, though very little agreeable to the king's memory, seems probable from excess, as well as from the authority of the author.

<sup>e</sup> Temple, vol. ii. p. 179.

king about some business, where his negotiation had met with obstructions. De Wit made the Dutch resident inform the English court, that he should consider the recall of Temple as an express declaration of a change of measures in England; and should even know what interpretation to put upon any delay of his return.

While these measures were secretly in agitation, the parliament met according to adjournment. The king made a short speech, and left the business to be enlarged upon by the keeper. That minister much insisted on the king's great want of supply; the mighty increase of the naval power of France, now triple to what it was before the last war with Holland; the decay of the English navy; the necessity of fitting out next year a fleet of fifty sail; the obligations which the king lay under by several treaties to exert himself for the common good of Christendom. Among other treaties, he mentioned the triple alliance, and the defensive league with the States.

The artifice succeeded. The House of Commons, entirely satisfied with the king's measures, voted him considerable supplies. A land tax for a year was imposed of a shilling a pound; two shillings a pound on two-thirds of the salaries of offices; fifteen shillings on every hundred pounds of bankers' money and stock; an additional excise upon beer for six years, and certain impositions upon law proceedings for nine years. The parliament had never before been in a more liberal humour; and never surely was it less merited by the counsels of the king and of his ministers.<sup>f</sup>

The Commons passed another bill for laying a duty on tobacco, Scotch salt, glasses, and some other commodities. Against this bill the merchants of London appeared by petition before the House of Lords. The Lords entered into their reasons, and began to make amendments on the bill sent up by the Commons. This attempt was highly resented by the lower House, as an encroachment on the right, which they pretended to possess alone, of granting money to the crown. Many remonstrances passed between the two Houses; and by their altercations the king was obliged to prorogue the parliament; and he thereby lost the money which was intended him. This is the last time that the Peers have revived any pretensions of that nature. Ever since, the privilege of the Commons, in all other places except in the House of Peers, has passed for uncontroverted.

There was a private affair, which, during this session, disgusted the House of Commons, and required some pains to accommodate it. The usual method of those who opposed the court in the money bills was, if they failed in the main vote, as to the extent of the supply, to levy the money upon such funds as they expected would be unacceptable, or would prove deficient. It was proposed to lay an imposition upon playhouses: the courtiers objected, that the players were the king's servants, and a part of his pleasure. Sir John Coventry, a gentleman of the country party, asked, "whether the king's pleasure lay among the male or the female players?" This stroke of satire was aimed at Charles, who, besides his mistresses of higher quality, entertained at that time two actresses, Davis and Nell Gwin. The king received not the raillery with the good humour which might have been expected. It was said, that this being the first time that respect to majesty had been publicly violated, it was necessary, by some severe chastisement, to make Coventry an example to all who might incline to tread in his footsteps. Sands, Obrian, and some other officers of the guards, were ordered to way-lay him, and to set a mark upon him. He defended himself with bravery, and after wound-

ing several of the assailants, was disarmed with some difficulty. They cut his nose to the bone, in order, as they said, to teach him what respect he owed to the king. The Commons were inflamed by this indignity offered to one of their members, on account of words spoken in the House. They passed a law, which made it capital to maim any person; and they enacted, that those criminals, who had assaulted Coventry, should be incapable of receiving a pardon from the crown.<sup>g</sup>

There was another private affair transacted about this time, by which the king was as much exposed to the imputation of a capricious lenity, as he was here blamed for unnecessary severity. Blood, a disbanded officer of the protector's, had been engaged in the conspiracy for raising an insurrection in Ireland; and on account of this crime he himself had been attainted, and some of his accomplices capitally punished. The daring villain meditated revenge upon Ormond, the lord lieutenant. Having by artifice drawn off the duke's footmen, he attacked his coach in the night time, as it drove along St. James's street in London; and he made himself master of his person. He might here have finished the crime, had he not meditated refinements in his vengeance: he was resolved to hang the duke at Tyburn; and for that purpose bound him, and mounted him on horseback behind one of his companions. They were advanced a good way into the fields; when the duke, making efforts for his liberty, threw himself to the ground, and brought down with him the assassin to whom he was fastened. They were struggling together in the mire, when Ormond's servants, whom the alarm had reached, came and saved him. Blood and his companions, firing their pistols in a hurry at the duke, rode off, and saved themselves by means of the darkness.

Buckingham was at first, with some appearances of reason, suspected to be the author of this attempt. His profligate character, and his enmity against Ormond, exposed him to that imputation. Ossory soon after came to court; and seeing Buckingham stand by the king, his colour rose, and he could not forbear expressing himself to this purpose: "My lord, I know well that you are at the bottom of this late attempt upon my father: but I give you warning; if by any means he come to a violent end, I shall not be at a loss to know the author: I shall consider you as the assassin: I shall treat you as such; and wherever I meet you, I shall pistol you, though you stood behind the king's chair; and I tell it you in his majesty's presence, that you may be sure I shall not fail of performance." If there was here any indecorum, it was easily excused in a generous youth, when his father's life was exposed to danger.

A little after, Blood formed a design of carrying off the crown and regalia from the Tower; a design to which he was prompted, as well by the surprising boldness of the enterprise, as by the views of profit. He was near succeeding. He had bound and wounded Edwards, the keeper of the jewel-office, and had gotten out of the Tower with his prey; but was overtaken and seized, with some of his associates. One of them was known to have been concerned in the attempt upon Ormond; and Blood was immediately concluded to be the ringleader. When questioned he frankly avowed the enterprise; but refused to tell his accomplices. "The fear of death," he said, "should never engage him either to deny guilt, or betray a friend." All these extraordinary circumstances made him the general subject of conversation; and the king was moved, by an idle curiosity, to see and speak with a person so noted for his courage and his crimes. Blood might now esteem himself secure of pardon; and he wanted not address to improve the opportunity. He told Charles that he had

islands, who, since the beginning of time, rendered the most durable and most essential services to his native country. The means, also, by which he achieved his great undertakings, were almost entirely unscripturable. His temperary dissimulation, being absolutely necessary, could scarcely be blamable. He had received no trust from that mongrel, pretended, usurping parliament whom he detested; therefore could betray none. He even refused to carry his dissimulation so far as to take an oath of abjuration against the king. I confess, however, that the Rev. Dr. Douglas has shown me, from the Clarendon papers, an original letter of his to Sir Arthur Hazelrigg, containing very earnest, and certainly false protestations, of his zeal for a commonwealth. It is to be lamented that so worthy a man, and of such plain manners, should ever have found it necessary to carry his dissimulation to such a height. His family ended with his son.

g Carte's Ormond, vol. ii, p. 225.

<sup>f</sup> This year, on the third of January, died George Monk, Duke of Albemarle, at Newhall in Essex, after a languishing illness, and in the sixty-third year of his age. He left a great estate of 15,000 a year in land, and 10,000 in money, acquired by the bounty of the king, and increased by his own frugality in his later years. Bishop Burnet, who, according to a common saying, treats this illustrious personage with great civility, had fallen into a great error. But as he appears not to have been in the reputation of a great wit, his frigid conduct may more easily be imputed to his indolence, acquired in early life, while he was possessed of a very narrow fortune. It is indeed a singular proof of the strange power of factious spirit, which some malignity should pursue the memory of a nobleman, the most virtuous and successful politician, and who, by restoring the ancient and just order of government to three kingdoms, is placed in the most destructive anarchy, may safely be said to be the subject in these

been engaged, with others, in a design to kill him with a carbine above Buttersen, where his majesty often went to bathe: that the cause of this resolution was the severity exercised over the consciences of the godly, in restraining the liberty of their religious assemblies: that when he had taken his stand among the reeds, full of these bloody resolutions, he found his heart checked with an awe of majesty; and he not only relented himself, but diverted his associates from their purpose: that he had long ago brought himself to an entire indifference about life, which he now gave for lost; yet could he not forbear warning the king of the danger which might attend his execution: that his associates had bound themselves by the strictest oaths to revenge the death of any of the confederacy; and that no precaution or power could secure any one from the effects of their desperate resolutions.

Whether these considerations excited fear or admiration in the king, they confirmed his resolution of granting a pardon to Blood; but he thought it a point of decency first to obtain the Duke of Ormond's consent. Arlington came to Ormond in the king's name, and desired that he would not prosecute Blood, for reasons which he was commanded to give him. The duke replied, that his majesty's commands were the only reasons that could be given; and being sufficient, he might therefore spare the rest. Charles carried his kindness to Blood still further: he granted him an estate of five hundred pounds a year in Ireland; he encouraged his attendance about his person; he showed him great countenance; and many applied to him for promoting their pretensions at court. And while old Edwards, who had bravely ventured his life, and had been wounded in defending the crown and regalia, was forgotten and neglected, this man, who deserved only to be stared at and detested as a monster, became a kind of favourite.

Errors of this nature in private life have often as bad an influence as miscarriages in which the public is more immediately concerned. Another incident happened this year, which infused a general displeasure, and still greater apprehensions, into all men. The Duchess of York died; and in her last sickness, she made open profession of the Romish religion, and finished her life in that communion.

This put an end to that thin disguise which the duke had hitherto worn; and he now openly declared his conversion to the church of Rome. Unaccountable terrors of popery, ever since the accession of the house of Stuart, had prevailed throughout the nation; but these had formerly been found so groundless, and had been employed to so many bad purposes, that surmises of this nature were likely to meet with the less credit among all men of sense; and nothing but the duke's imprudent bigotry could have convinced the whole nation of his change of religion. Popery, which had hitherto been only a hideous spectre, was now become a real ground of terror; being openly and zealously embraced by the heir to the crown, a prince of industry and enterprise; while the king himself was not entirely free from like suspicions.

It is probable, that the new alliance with France inspired the duke with the courage to make open profession of his religion, and rendered him more careless of the affections and esteem of the English. This alliance became every day more apparent. Temple was declared to be no longer ambassador to the States; and Downing, whom the Dutch regarded as the inveterate enemy of their republic, was sent over in his stead. A ground of quarrel was sought by means of a yacht, despatched for Lady Temple. The captain sailed through the Dutch fleet which lay on their own coasts; and he had orders to make them strike, to fire on them, and to persevere till they should return his fire. The Dutch Admiral, Van Ghent, surprised at this bravado, came on board the yacht, and expressed his willingness to pay respect to the British flag, according to former practice: but that a fleet, on their own coasts, should strike to a single vessel, and that not a ship of war, was, he said, such an innovation, that he durst not, without express orders, agree to it. The captain thinking it dangerous, as well as absurd, to renew firing in the midst of the Dutch

fleet, continued his course; and, for that neglect of orders, was committed to the Tower.

This incident, however, furnished Downing with a new article to increase those vain pretences, on which it was purposed to ground the intended rupture. The English court delayed several months before they complained; lest, if they had demanded satisfaction more early, the Dutch might have had time to grant it. Even when Downing delivered his memorial, he was bound by his instructions not to accept of any satisfaction after a certain number of days; a very imperious manner of negotiating, and impracticable in Holland, where the forms of the republic render delays absolutely unavoidable. An answer, however, though refused by Downing, was sent over to London; with an ambassador extraordinary, who had orders to use every expedient that might give satisfaction to the court of England. That court replied, that the answer of the Hollanders was ambiguous and obscure; but they would not specify the articles or expressions which were liable to that objection. The Dutch ambassador desired the English ministry to draw the answer in what terms they pleased, and he engaged to sign it. The English ministry replied, that it was not their business to draw papers for the Dutch. The ambassador brought them the draught of an article, and asked them whether it were satisfactory: the English answered that, when he had signed and delivered it, they would tell him their mind concerning it. The Dutchman resolved to sign it at a venture; and on his demanding a new audience, an hour was appointed for that purpose: but when he attended, the English refused to enter upon business, and told him, that the season for negotiating was now past.<sup>b</sup>

Long and frequent prorogations were made of the parliament; lest the Houses should declare themselves with vigour against counsels so opposite to the inclination as well as interests of the public. Could we suppose that Charles, in his alliance against Holland, really meant the good of his people, that measure must pass for an extraordinary, nay, a romantic strain of patriotism, which could lead him, in spite of all difficulties, and even in spite of themselves, to seek the welfare of the nation. But every step which he took in this affair, became a proof to all men of penetration, that the present war was intended against the religion and liberties of his own subjects, even more than against the Dutch themselves. He now acted in every thing, as if he were already an absolute monarch, and was never more to lie under the control of national assemblies.

The long prorogations of parliament, if they freed the king from the importunate remonstrances of that assembly, were, however, attended with this inconvenience, that no money could be procured to carry on the military preparations against Holland. Under pretence of maintaining the triple league, which at that very time he had firmly resolved to break, Charles had obtained a large supply from the Commons; but this money was soon exhausted by debts and expenses. France had stipulated to pay two hundred thousand pounds a year during the war; but that supply was inconsiderable, compared to the immense charge of the English navy. It seemed as yet premature to venture on levying money, without consent of parliament; since the power of taxing themselves was the privilege, of which the English were, with reason, particularly jealous. Some other resource must be fallen on. The king had declared, that the staff of treasurer was ready for any one that could find an expedient for supplying the present necessities. Shaftesbury dropped a hint to Clifford, which the latter immediately seized, and carried to the king, who granted him the promised reward, together with a peerage. This expedient was the shutting up of the exchequer, and the retaining of all the payments which should be made into it.

It had been usual for the bankers to carry their money to the Exchequer, and to advance it upon security of the funds, by which they were afterwards reimbursed, when the money was levied on the public. The bankers, by this traffic, got eight, sometimes

<sup>a</sup> The Duchess of York died, on the 10th of November, 1671, in the 46th year of her age. She was buried at Whitehall, and her funeral was attended by a great number of persons, and was very magnificent.

<sup>b</sup> The Exchequer was shut, on the 10th of January, 1672. The money which was in the Exchequer at that time, was about 1,000,000 l. This money was afterwards used by the king for his private purposes.



ten, per cent. for sums which either had been consigned to them without interest, or which they had borrowed at six per cent.: profits which they dearly paid for by this egregious breach of public faith. The measure was so suddenly taken, that none had warning of the danger. A general confusion prevailed in the city, followed by the ruin of many. The bankers stopped payment; the merchants could answer no bills; distrust took place every where, with a stagnation of commerce, by which the public was universally affected. And men, full of dismal apprehensions, asked each other, what must be the scope of those mysterious counsels, whence the parliament and all men of honour were excluded, and which commenced by the forfeiture of public credit, and an open violation of the most solemn engagements, both foreign and domestic.

*Declaration of insulgence.* Another measure of the court contains something laudable, when considered in itself; but if we reflect on the motive whence it proceeded, as well as the time when it was embraced, it will furnish a strong proof of the arbitrary and dangerous counsels pursued at present by the king and his ministry. Charles resolved to make use of his supreme power in ecclesiastical matters; a power, he said, which was not only inherent in him, but which had been recognised by several acts of

parliament. By virtue of this authority, he issued a proclamation, suspending the penal laws enacted against all nonconformists or recusants whatsoever; and granting to the protestant dissenters the public exercise of their religion, to the catholics the exercise of it in private houses. A fruitless experiment, of this kind, opposed by the parliament, and retracted by the king, had already been made a few years after the restoration; but Charles expected, that the parliament, whenever it should meet, would now be tamed to greater submission, and would no longer dare to control his measures. Meanwhile, the dissenters, the most inveterate enemies of the court, were mollified by these indulgent maxims; and the catholics, under their shelter, enjoyed more liberty than the laws had hitherto allowed them.

At the same time, the act of navigation was suspended by royal will and pleasure: a measure which, though a stretch of prerogative, seemed useful to commerce, while all the seamen were employed on board the royal navy. A like suspension had been granted, during the first Dutch war, and was not much remarked; because men had, at that time, entertained less jealousy of the crown. A proclamation was also issued, containing rigorous clauses in favour of pressing: another full of menaces against those who presumed to speak undutifully of his majesty's measures, and even against those who heard such discourse, unless they informed in due time against the offenders: another against importing or vending any sort of painted earthenware, "except those of China, upon pain of being grievously fined, and suffering the utmost punishment, which might be lawfully inflicted upon contemners of his majesty's royal authority." An army had been levied; and it was found that discipline could not be enforced without the exercise of martial law; which was therefore established by order of council, though contrary to the petition of right. All these acts of power, how little important soever in themselves, savoured strongly of arbitrary government, and were nowise suitable to that legal administration, which the parliament, after such violent convulsions and civil wars, had hoped to have established in the kingdom.

It may be worth remarking, that the lord-keeper refused to affix the great seal to the declaration for suspending the penal laws; and was for that reason, though under other pretences, removed from his office. Shaftesbury was made chancellor in his place; and thus another member of the cabal received the reward of his counsels.

*Attack of the Smyrna fleet.* Foreign transactions kept pace with these domestic occurrences. An attempt, before the declaration of war, was made on the Dutch Smyrna fleet by Sir Robert Holmes. This fleet consisted of seventy sail, valued at a million and a half; and the hopes of seizing so rich a prey had been a great motive for engaging Charles in the present war, and he had considered that capture as a principal resource for supporting his military enterprises. Holmes, with nine frigates and three yachts,

had orders to go on this command; and he passed Sprague in the channel, who was returning with a squadron from a cruise in the Mediterranean. Sprague informed him of the near approach of the Hollanders, and had not Holmes, from a desire of engrossing the honour and profit of the enterprise, kept the secret of his orders, the conjunction of these squadrons had rendered the success infallible. When Holmes approached the Dutch, he put on an amicable appearance, and invited the admiral, Van Ness, <sup>13th Mar.</sup> who commanded the convoy, to come on board of him: one of his captains gave a like insidious invitation to the rear-admiral. But these officers were on their guard. They had received an intimation of the hostile intentions of the English, and had already put all the ships of war and merchant-men in an excellent posture of defence. Three times were they valiantly assailed by the English; and as often did they valiantly defend themselves. In the third attack one of the Dutch ships of war was taken; and three or four of their most inconsiderable merchant-men fell into the enemy's hands. The rest, fighting with skill and courage, continued their course; and, favoured by a mist, got safe into their own harbours. This attempt is denominated perfidious and piratical by the Dutch writers, and even by many of the English. It merits at least the appellation of irregular; and, as it had been attended with bad success, it brought double shame upon the contrivers. The English ministry endeavoured to apologize for the action, by pretending that it was a casual rencounter, arising from the obstinacy of the Dutch, in refusing the honours of the flag: but the contrary was so well known, that even Holmes himself had not the assurance to persist in this asseveration.

Till this incident the States, notwithstanding all the menaces and preparations of the English, never believed them thoroughly in earnest; and had always expected that the affair would terminate, either in some demands of money, or in some proposals for the advancement of the Prince of Orange. The French themselves had never much reckoned on assistance from England; and scarcely could believe that their ambitious projects would, contrary to every maxim of honour and policy, be forwarded by that power which was most interested and most able to oppose them. But Charles was too far advanced to retreat. He immediately issued a declaration of war <sup>17th Mar.</sup> against the Dutch; and surely reasons more War declared with Holland. false and frivolous never were employed to justify a flagrant violation of treaty. Some complaints are there made of injuries done to the East India company, which yet that company disavowed: the detention of some English in Surinam is mentioned; though it appears that these persons had voluntarily remained there: the refusal of a Dutch fleet, on their own coasts, to strike to an English yacht, is much aggravated: and to piece up all these pretensions, some abusive pictures are mentioned, and represented as a ground of quarrel. The Dutch were long at a loss what to make of this article; till it was discovered, that a portrait of Cornelius de Wit, brother to the pensionary, painted by order of certain magistrates of Dort, and hung up in a chamber of the town-house, had given occasion to the complaint. In the perspective of this portrait, the painter had drawn some ships on fire in a harbour. This was construed to be Chatham, where De Wit had really distinguished himself, and had acquired honour; but little did he imagine, that, while the insult itself, committed in open war, had so long been forgiven, the picture of it should draw such severe vengeance upon his country. The conclusion of this manifesto, where the king still professed his resolution of adhering to the triple alliance, was of a piece with the rest of it.

Lewis's declaration of war contained more dignity, if undisguised violence and injustice could merit that appellation. He pretended only, that the behaviour of the Hollanders had been such, that it did not consist with his glory any longer to bear it. That monarch's preparations were in great forwardness; and his ambition was flattered with the most promising views of success. Sweden was detached from the triple league: the Bishop of Munster was engaged by the payment of subsidies to take part with France: the Elector of Cologne had entered into the same alliance; and having consigned Bonne and other towns

into the hands of Lewis, magazines were there erected; and it was from that quarter that France purposed to invade the United Provinces. The standing force of that kingdom amounted to a hundred and eighty thousand men; and with more than one half of this great army was the French king now approaching to the Dutch frontiers. The order, economy, and industry of Colbert, equally subservient to the ambition of the prince and happiness of the people, furnished unexhausted treasures: these, employed by the unrelenting vigilance of Louvois, supplied every military preparation, and facilitated all the enterprises of the army: Condé, Turenne, seconded by Luxembourg, Crequi, and the most renowned generals of the age, conducted this army, and by their conduct and reputation inspired courage into every one. The monarch himself, surrounded with a brave nobility, animated his troops by the prospect of reward, or, what was more valued, by the hopes of his approbation. The fatigues of war gave no interruption to gaiety: its dangers furnished matter for glory: and in no enterprise did the genius of that gallant and polite people ever break out with more distinguished lustre.

Though De Wit's influence in foreign courts was not equal to the vigilance of his domestic administration, he had, long before, received many surmises of this fatal confederacy; but he prepared not for defence so early, or with such industry, as the danger required. A union of England with France was evidently, he saw, destructive to the interests of the former kingdom; and therefore, overlooking or ignorant of the humours and secret views of Charles, he concluded it impossible that such pernicious projects could ever really be carried into execution.

Secure in this fallacious reasoning, he allowed the republic to remain too long in that defenceless situation, into which many concurring accidents had conspired to throw her.

By a continued and successful application to commerce, the people were become unwarlike, and confided entirely for their defence in that mercenary army, which they maintained. After the treaty of Westphalia, the States, trusting to their peace with Spain, and their alliance with France, had broken a great part of this army, and did not support with sufficient vigilance the discipline of the troops which remained. When the aristocratic party prevailed, it was thought prudent to dismiss many of the old experienced officers, who were devoted to the house of Orange; and their place was supplied by raw youths, the sons or kinsmen of burghmasters, by whose interest the party was supported. These new officers, relying on the credit of their friends and family, neglected their military duty; and some of them, it is said, were even allowed to serve by deputies, to whom they assigned a small part of their pay. During the war with England, all the forces of that nation had been disbanded: Lewis's invasion of Flanders, followed by the triple league, occasioned the dismissal of the French regiments: and the place of these troops, which had ever had a chief share in the honour and fortune of all the wars in the Low Countries, had not been supplied by any new levies.

De Wit, sensible of this dangerous situation, and alarmed by the reports which came from all quarters, exerted himself to supply those defects, to which it was not easy of a sudden to provide a suitable remedy. But every proposal, which he could make, met with opposition from the Orange party, now become extremely formidable. The long and uncontrolled administration of this statesman had begotten envy: the present incidents roused up his enemies and opponents, who ascribed to his misconduct alone the bad situation of the republic: and, above all, the popular affection to the young prince, which had so long been held in violent constraint, and had thence acquired new accession of force, began to display itself, and to threaten the commonwealth with some great convulsion. William III., Prince of Orange, was in the twenty-second year of his age, and gave strong indications of those great qualities, by which his life was afterwards so much distinguished. De Wit himself, by giving him an excellent education, and instructing him in all the principles of go-

vernment and sound policy, had generously contributed to make his rival formidable. Dreading the precarious situation of his own party, he was always resolved, he said, by conveying to the prince the knowledge of affairs, to render him capable of serving his country, if any future emergency should ever throw the administration into his hands. The conduct of William had hitherto been extremely laudable. Notwithstanding his powerful alliances with England and Brandenburg, he had expressed his resolution of depending entirely on the States for his advancement; and the whole tenor of his behaviour suited extremely the genius of that people. Silent and thoughtful; given to hear and to inquire; of a sound and steady understanding; firm in what he once resolved, or once denied; strongly intent on business, little on pleasure: by these virtues he engaged the attention of all men. And the people, sensible that they owed their liberty, and very existence, to his family, and remembering, that his great uncle, Maurice, had been able, even in more early youth, to defend them against the exorbitant power of Spain, were desirous of raising this prince to all the authority of his ancestors, and hoped, from his valour and conduct alone, to receive protection against those imminent dangers with which they were at present threatened.

While these two powerful factions struggled for superiority, every scheme for defence was opposed, every project retarded. What was determined with difficulty, was executed without vigour. Levies indeed were made, and the army completed to seventy thousand men: the prince was appointed both general and admiral of the commonwealth, and the whole military power was put into his hands. But new troops could not of a sudden acquire discipline and experience: and the partisans of the prince were still unsatisfied, as long as the *perpetual edict*, so it was called, remained in force; by which he was excluded from the stadtholdership, and from all share in the civil administration.

It had always been the maxim of De Wit's party to cultivate naval affairs with extreme care, and to give the fleet a preference above the army, which they represented as the object of an unreasonable partiality in the princes of Orange. The two violent wars, which had of late been waged with England, had exercised the valour and improved the skill of the sailors. And, above all, De Ruyter, the greatest sea-commander of the age, was closely connected with the Louvestein party; and every one was disposed, with confidence and alacrity, to obey him. The equipment of the fleet was therefore hastened by De Wit; in hopes that, by striking at first a successful blow, he might inspire courage into the dismayed States, and support his own declining authority. He seems to have been, in a peculiar manner, incensed against the English; and he resolved to take revenge on them for their conduct, of which, he thought, he himself and his country had such reason to complain. By the offer of a close alliance for mutual defence, they had seduced the republic to quit the alliance of France; but no sooner had she embraced these measures, than they formed leagues for her destruction, with that very power which they had treacherously engaged her to offend. In the midst of full peace, nay during an intimate union, they attacked her commerce, her only means of subsistence; and, moved by shameful rapacity, had invaded that property, which, from a reliance on their faith, they had hoped to find unprotected and defenceless. Contrary to their own manifest interest, as well as to their honour, they still retained a malignant resentment for her successful conclusion of the former war; a war which had at first sprung from their own wanton insolence and ambition. To repress so dangerous an enemy, would, De Wit imagined, give peculiar pleasure, and contribute to the future security of his country, whose prosperity was so much the object of general envy.

Actuated by like motives and views, De Ruyter put to sea with a formidable fleet, consisting of ninety-one ships of war and forty-four fire-ships. Cornelius de Wit was on board, as deputy from the States. They sailed in quest of the English, who were under the command of the Duke

of York, and who had already joined the French under Mareschal d'Etrées. The combined fleets lay at Solebay in a very negligent posture; and Sandwich, being an experienced officer, had given the duke warning of the danger; but received, it is said, such an answer as intimated, that there was more of caution than of courage in his apprehensions. Upon the appearance of the enemy, every one ran to his post with precipitation, and many ships were obliged to cut their cables, in order to be in readiness. Sandwich commanded the van; and though determined to conquer or to perish, he so tempered his courage with prudence, that the whole fleet was visibly indebted to him for its safety. He hastened out of the bay, where it had been easy for De Ruyter with his fire-ships to have destroyed the combined fleets, which were crowded together; and by this wise measure gave time to the Duke of York, who commanded the main body, and to Mareschal d'Etrées, admiral of the rear, to disengage themselves. He himself meanwhile rushed into battle with the Hollanders; and by presenting himself to every danger, had drawn upon him all the bravest of the enemy. He killed Van Ghent, a Dutch admiral, and beat off his ship: he sunk another ship, which ventured to lay him aboard: he sunk three fire ships, which endeavoured to grapple with him: and of a thousand men she contained, near six hundred were laid dead upon the deck, he continued still to thunder with all his artillery in the midst of the enemy. But another fire-ship, more fortunate than the preceding, having laid hold of his vessel, her destruction was now inevitable. Warned by Sir Edward Haddock, his captain, he refused to make his escape, and bravely embraced death as a shelter from that ignominy, which a rash expression of the duke's, he thought, had thrown upon him.

During this fierce engagement with Sandwich, De Ruyter remained not inactive. He attacked the Duke of York, and fought him with such fury for above two hours, that, of two and thirty actions, in which that admiral had been engaged, he declared this combat to be the most obstinately disputed. The duke's ship was so shattered, that he was obliged to leave her, and remove his flag to another.

His squadron was overpowered with numbers; till Sir Joseph Jordan, who had succeeded to Sandwich's command, came to his assistance; and the fight, being more equally balanced, was continued till night, when the Dutch retired, and were not followed by the English. The loss sustained by the fleets of the two maritime powers was nearly equal, if it did not rather fall more heavy on the English. The French suffered very little, because they had scarcely been engaged in the action; and as this backwardness is not their national character, it was concluded that they had received secret orders to spare their ships, while the Dutch and English should weaken each other by their mutual animosity. Almost all the other actions during the present war tended to confirm this suspicion.

It might be deemed honourable for the Dutch to have fought with some advantage the combined fleets of two such powerful nations; but nothing less than a complete victory could serve the purpose of De Wit, or save his country from those calamities, which from every quarter threatened to overwhelm her. He had expected that the French would make their attack on the side of Maestricht, which was well fortified, and provided with a good garrison; but Lewis, taking advantage of his alliance with Cologne, resolved to invade the enemy on that frontier, which he knew to be more feeble and defenceless. The armies of that elector and those of Munster appeared on the other side of the Rhine, and divided the force and attention of the States. The Dutch troops, too weak to defend so extensive a frontier, were scattered into so many towns, that no considerable body remained in the field; and a strong garrison was scarcely to be found in any fortress. Lewis passed the Meuse at Viset;

and laying siege to Orsoi, a town of the Elector of Brandenburg's, but garrisoned by the Dutch, he carried it in three days. He divided his army, and invested at once Burik, Wesel, Emerick, and Rhimberg, four places regularly fortified, and not unprovided with troops: in a few days all these places were

surrendered. A general astonishment had seized the Hollanders, from the combination of such powerful princes against the republic; and no where was resistance made, suitable to the ancient glory or present greatness of the state. Governors without experience commanded troops without discipline; and despair had universally extinguished that sense of honour, by which alone, men, in such dangerous extremities, can be animated to a valorous defence.

Lewis advanced to the banks of the Rhine, which he prepared to pass. To all the other calamities of the Dutch was added the extreme drought of the season, by which the greatest rivers were much diminished, and in some places rendered fordable. The French cavalry, animated by the presence of their prince, full of impetuous courage, but ranged in exact order, flung themselves into the river: the infantry passed in boats: a few regiments of Dutch appeared on the other side, who were unable to make resistance. And thus was executed, without danger, but not without glory, the passage of the Rhine; so much celebrated at that time by the flattery of the French courtiers, and transmitted to posterity by the more durable flattery of their poets.

Each success added courage to the conquerors, and struck the vanquished with dismay. The Prince of Orange, though prudent beyond his age, was but newly advanced to the command, unacquainted with the army, unknown to them; and all men, by reason of the violent factions which prevailed, were uncertain of the authority on which they must depend. It was expected, that the fort of Skink, famous for the sieges which it had formerly sustained, would make some resistance; but it yielded to Turenne in a few days. The same general made himself master of Arnheim, Knotzenbourg, and Nimègue, as soon as he appeared before them. Doesbourg at the same time opened its gates to Lewis: soon after, Hardewic, Amersfort, Campen, Rhenen, Viane, Elberg, Zwol, Cuijlenberg, Wageningen, Lochem, Woerden, fell into the enemies' hands. Groll and Deventer surrendered to the Mareschal Luxembourg, who commanded the troops of Munster. And every hour brought to the States news of the rapid progress of the French, and of the cowardly defence of their own garrisons.

The Prince of Orange, with his small and discouraged army, retired into the province of Holland; where he expected, from the natural strength of the country, since all human art and courage failed, to be able to make some resistance. The town and province of Utrecht sent deputies, and surrendered themselves to Lewis. Naerden, a place within three leagues of Amsterdam, was seized by the Marquis of Rochfort, and, had he pushed on to Muiden, he had easily gotten possession of it. Fourteen stragglers of his army having appeared before the gates of that town, the magistrates sent them the keys; but a servant maid, who was alone in the castle, having raised the draw-bridge, kept them from taking possession of that fortress. The magistrates afterwards, finding the party so weak, made them drunk, and took the keys from them. Muiden is so near to Amsterdam, that its cannon may infest the ships which enter that city.

Lewis with a splendid court made a solemn entry into Utrecht, full of glory, because every where attended with success; though more owing to the cowardice and misconduct of his enemies, than to his own valour or prudence. Three provinces were already in his hands, Guelderland, Overysse, and Utrecht; Groningen was threatened: Friesland was exposed: the only difficulty lay in Holland and Zealand; and the monarch deliberated concerning the proper measures for reducing them. Condé and Turenne exhorted him to dismount all the towns which he had taken, except a few; and fortifying his main army by the garrisons, put himself in a condition of pushing his conquests. Louvois, hoping that the other provinces, weak and dismayed, would prove an easy prey, advised him to keep possession of places which might afterwards serve to retain the people in subjection. His counsel was followed; though it was found, soon after, to have been the most impolitic.

Meanwhile the people throughout the republic, instead of collecting a noble indig-

Consternation of the Dutch



nation against the haughty conqueror, discharged their rage upon their own unhappy minister, on whose prudence and integrity every one formerly bestowed the merited applause: the bad condition of the armies was laid to his charge: the ill choice of governors was ascribed to his partiality: as instances of cowardice multiplied, treachery was suspected; and his former connexions with France being remembered, the populace believed, that he and his partisans had now combined to betray them to their most mortal enemy. The Prince of Orange, notwithstanding his youth and inexperience, was looked on as the only saviour of the state; and men were violently driven by their fears into his party, to which they had always been led by favour and inclination.

Amsterdam alone seemed to retain some courage; and by forming a regular plan of defence, endeavoured to infuse spirit into the other cities. The magistrates obliged the burgesses to keep a strict watch: the populace, whom want of employment might engage to mutiny, were maintained by regular pay, and armed for the defence of the public. Some ships, which lay useless in the harbour, were refitted, and stationed to guard the city: and the sluices being opened, the neighbouring country, without regard to the damage sustained, was laid under water. All the provinces followed the example, and scrupled not, in this extremity, to restore to the sea those fertile fields, which with great art and expense had been won from it.

The States were assembled, to consider whether any means were left to save the remains of their lately flourishing, and now distressed, commonwealth. Though they were surrounded with waters, which barred all access to the enemy, their deliberations were not conducted with that tranquillity, which could alone suggest measures proper to extricate them from their present difficulties. The nobles gave their vote, that, provided their religion, liberty, and sovereignty, could be saved, every thing else should without scruple be sacrificed to the conqueror. Eleven towns concurred in the same sentiments. Amsterdam singly declared against all treaty with insolent and triumphant enemies: but, notwithstanding that opposition, ambassadors were despatched to implore the pity of the two combined monarchs. It was resolved to sacrifice to Lewis, Maestricht, and all the frontier towns which lay without the bounds of the seven provinces; and to pay him a large sum for the charges of the war.

Lewis deliberated with his ministers Louvois and Pomponne, concerning the measures which he should embrace in the present emergency; and fortunately for Europe, he still preferred the violent counsels of the former. He offered to evacuate his conquests, on condition that all duties lately imposed on the commodities of France should be taken off: that the public exercise of the Romish religion should be permitted in the United Provinces; the churches shared with the catholics; and their priests maintained by appointments from the States: that all the frontier towns of the republic should be yielded to him, together with Nimeguen, Skink, Knotzenbourg, and that part of Guelderland which lay on the other side of the Rhine; as likewise the isle of Bommel, that of Voorn, the fortress of St. Andrew, those of Louvestein and Crevecoeur: that the States should pay him the sum of twenty millions of livres for the charges of the war: that they should every year send him a solemn embassy, and present him with a golden medal, as an acknowledgment that they owed to him the preservation of that liberty, which, by the assistance of his predecessors, they had formerly acquired: and that they should give entire satisfaction to the King of England: and he allowed them but ten days for the acceptance of these demands.

The ambassadors sent to London met with still worse reception: no minister was allowed to treat with them; and they were retained in a kind of confinement. But, notwithstanding this rigorous conduct of the court, the presence of the Dutch ambassadors excited the sentiments of tender compassion, and even indignation, among the people in general, especially among those who could foresee the aim and result of those dangerous counsels. The two most powerful monarchs, they said, in Europe, the one by land, the other by sea, have, contrary to the faith of solemn treaties, combined to exterminate an illus-

trious republic: what a dismal prospect does their success afford to the neighbours of the one, and to the subjects of the other? Charles had formed the triple league, in order to restrain the power of France: a sure proof that he does not now err from ignorance. He had courted and obtained the applauses of his people by that wise measure: as he now adopts contrary counsels, he must surely expect by their means to render himself independent of his people, whose sentiments are become so indifferent to him. During the entire submission of the nation, and dutiful behaviour of the parliament, dangerous projects, without provocation, are formed to reduce them to subjection; and all the foreign interests of the people are sacrificed in order the more surely to bereave them of their domestic liberties. Lost any instance of freedom should remain within their view, the United Provinces, the real barrier of England, must be abandoned to the most dangerous enemy of England; and by an universal combination of tyranny against laws and liberty, all mankind, who have retained, in any degree, their precious, though hitherto precarious, birthrights, are for ever to submit to slavery and injustice.

Though the fear of giving umbrage to his confederate had engaged Charles to treat the Dutch ambassadors with such rigour, he was not altogether without uneasiness, on account of the rapid and unexpected progress of the French arms. Were Holland entirely conquered, its whole commerce and naval force, he perceived, must become an accession to France; the Spanish Low Countries must soon follow; and Lewis, now independent of his ally, would no longer think it his interest to support him against his discontented subjects. Charles, though he never carried his attention to very distant consequences, could not but foresee these obvious events; and, though incapable of envy or jealousy, he was touched with anxiety, when he found every thing yield to the French arms, while such vigorous resistance was made to his own. He soon dismissed the Dutch ambassadors, lest they should cabal among his subjects, who bore them great favour: but he sent over Buckingham and Arlington, and soon after Lord Halifax, to negotiate anew with the French king, in the present prosperous situation of that monarch's affairs.

These ministers passed through Holland; and, as they were supposed to bring peace to the distressed republic, they were every where received with the loudest acclamations. "God bless the King of England! God bless the Prince of Orange! Confusion to the States!" This was every where the cry of the populace. The ambassadors had several conferences with the States and the Prince of Orange; but made no reasonable advances towards an accommodation. They went to Utrecht, where they renewed the league with Lewis, and agreed, that neither of the kings should make peace with Holland but by common consent. They next gave in their pretensions, of which the following are the principal articles: That the Dutch should give up the honour of the flag, without the least reserve or limitation; nor should whole fleets, even on the coast of Holland, refuse to strike or lower their top-sails to the smallest ship, carrying the British flag: that all persons guilty of treason against the king, or of writing seditious libels, should, on complaint, be banished for ever the dominions of the States: that the Dutch should pay the king a million sterling towards the charges of the war, together with ten thousand pounds a-year, for permission to fish on the British seas: that they should share the Indian trade with the English: that the Prince of Orange and his descendants should enjoy the sovereignty of the United Provinces; at least, that they should be invested with the dignities of Stadtholder, Admiral, and General, in as ample a manner as had ever been enjoyed by any of his ancestors: and that the Isle of Walcheren, the city and castle of Sluis, together with the isles of Cadsant, Gorée, and Vorne, should be put into the king's hands, as a security for the performance of articles.

The terms proposed by Lewis bereaved the republic of all security against any invasion by land from France: those demanded by Charles exposed them equally to an invasion by sea from England: and when both were united, they appeared absolutely intolerable, and reduced the Hollanders, who saw no means of defence, to the utmost despair. What extremely augmented their distress,

were the violent factions with which they continued to be every where agitated. De Wit, too pertinacious in defence of his own system of liberty, while the very being of the commonwealth was threatened, still persevered in opposing the repeal of the perpetual edict, now become the object of

horror to the Dutch populace. Their rage at last broke all bounds, and bore every thing before it. They rose in an insurrection at Dort, and by force constrained their burgomasters to sign the repeal, so much demanded. This proved a signal of a general revolt throughout all the provinces.

At Amsterdam, the Hague, Middlebourg, Rotterdam, the people flew to arms, and, trampling under foot the authority of their magistrates, obliged them to submit to the Prince of Orange. They expelled from their office such as displeased them: they required the prince to appoint others in their place; and, agreeably to the proceedings of the populace in all ages, provided they might wreak their vengeance on their superiors, they expressed great indifference for the protection of their civil liberties.

The superior talents and virtues of De Wit made him, on this occasion, the chief object of envy, and exposed him to the utmost rage of popular prejudice. Four assassins, actuated by no other motive than mistaken zeal, had assaulted him in the streets, and after giving him many wounds, had left him for dead. One of them was punished: the others were never questioned for the crime. His brother, Cornelius, who had behaved with prudence and courage on board the fleet, was obliged by sickness to come ashore; and he was now confined to his house at Dort. Some assassins broke in upon him; and it was with the utmost difficulty that his family and servants could repel their violence. At Amsterdam, the house of the brave De Huyter, the sole resource of the distressed commonwealth, was surrounded by the enraged populace; and his wife and children were for some time exposed to the most imminent danger.

One Tichelaar, a barber, a man noted for infamy, accused Cornelius de Wit of endeavouring by bribes to engage him in the design of poisoning the Prince of Orange. The accusation, though attended with the most improbable and even absurd circumstances, was greedily received by the credulous multitude; and Cornelius was cited before a court of judicature. The judges, either blinded by the same prejudices, or not daring to oppose the popular torrent, condemned him to suffer the question. This man, who had bravely served his country in war, and who had been invested with the highest dignities, was delivered into the hands of the executioner, and torn in pieces by the most inhuman torments. Amidst the severe agonies which he endured, he still made protestations of his innocence, and frequently repeated an ode of Horace, which contained sentiments suited to his deplorable condition:

*Iustum et tenacem propositi virum, &c.*

The judges, however, condemned him to lose his offices, and to be banished the commonwealth. The pensionary, who had not been terrified from performing the part of a kind brother and faithful friend during this prosecution, resolved not to desert him on account of the unmerited infamy which was endeavoured to be thrown upon him. He came to his brother's prison, determined to accompany him to the place of his exile. The signal was given to

Massacre of the De Witts. broke open the doors of the prison; they pulled out the two brothers; and a thousand hands vied who should first be imbrued in their blood. Even their death did not satiate the brutal rage of the multitude. They exercised on the dead bodies of those virtuous citi-

zens, indignities too shocking to be recited; and till tired with their own fury, they permitted not the friends of the deceased to approach, or to bestow on them the honours of a funeral, silent and unattended.

The massacre of the De Witts put an end for the time to the remains of their party; and all men, from fear, inclination, or prudence, concurred in expressing the most implicit obedience to the Prince of Orange. The republic, though half subdued by foreign force, and as yet dismayed by its misfortunes, was now firmly united under one leader, and began to collect the remains of its pristine vigour. William, worthy of that heroic family from which he sprang, adopted sentiments of the prince, coming the head of a brave and free people. He bent all his efforts against the public enemy: he sought not against his country any advantages which might be dangerous to civil liberty. Those intolerable conditions demanded by their insolent enemies, he exhorted the States to reject with scorn; and by his advice they put an end to negotiations, which served only to break the courage of their fellow-citizens, and delay the assistance of their allies. He showed them, that the numbers and riches of the people, aided by the advantages of situation, would still be sufficient, if they abandoned not themselves to despair, to resist, at least retard, the progress of their enemies, and preserve the remaining provinces, till the other nations of Europe, sensible of the common danger, could come to their relief. He represented, that as envy at their opulence and liberty had produced this mighty combination against them, they would in vain expect by concessions to satisfy foes, whose pretensions were as little bounded by moderation as by justice. He exhorted them to remember the generous value of their ancestors, who yet in the infancy of the state preferred liberty to every human consideration; and rousing their spirits to an obstinate defence, repelled all the power, riches, and military discipline of Spain. And he professed himself willing to tread in the steps of his illustrious predecessors, and hoped, that as they had honoured him with the same affection which their ancestors paid to the former Princes of Orange, they would second his efforts with the same constancy and manly fortitude.

The spirit of the young prince infused itself into his hearers. Those who lately entertained thoughts of yielding their necks to subjection, were now bravely determined to resist the haughty victor, and to defend those last remains of their native soil, of which neither the irruptions of Lewis, nor the inundation of waters, had as yet bereaved them. Should even the ground fail them on which they might combat, they were still resolved not to yield the generous strife; but flying to their settlements in the Indies, erect a new empire in those remote regions, and preserve alive, even in the climates of slavery, that liberty, of which Europe was become unworthy. Already they concerted measures for executing this extraordinary resolution; and found that the vessels contained in their harbours could transport above two hundred thousand inhabitants to the East Indies.

The combined princes, finding at last some appearance of opposition, bent all their efforts to seduce the Prince of Orange, on whose valour and conduct the fate of the commonwealth entirely depended. The sovereignty of the province of Holland was offered him, and the protection of England and France, to insure him as well against the invasion of foreign enemies, as the insurrection of his subjects. All proposals were generously rejected, and the prince declared his resolution to retire into Germany, and to pass his life in hunting on his lands there, rather than abandon the liberty of his country, or betray the trust reposed in him. When Buckingham urged the inevitable destruction which hung over the United Provinces, and

[Which may be thus translated.]

The man, whose mind, on virtue bent,  
Pursues some greatly good intent,  
With undiverted aim,  
Severe befalls the angry crowd;  
Nor can their clamours, force and loud,  
His stubborn bosom move.  
  
Not the proud tyrant's fiercest threat,  
Nor storms, that from their dark retreat  
The lawless surges wake;

Not Jove's dread bolt that shakes the pole,  
The firmer purpose of his soul  
With all its power can shake.  
  
Should Nature's frame in ruins fall,  
And Chaos o'er the sinking ball  
Become principal sway,  
His courage chance and fate defies,  
Nor feels the wreck of earth and skies  
Obstruct its destin'd way.

asked him, whether he did not see that the commonwealth was ruined? *There is one certain means,* replied the prince, *by which I can be sure never to see my country's ruin: I will die in the last ditch.*

The people in Holland had been much incited to espouse the prince's party, by the hopes that the King of England, pleased with his nephew's elevation, would abandon those dangerous engagements into which he had entered, and would afford his protection to the distressed republic. But all these hopes were soon found to be fallacious. Charles still persisted in his alliance with France; and the combined fleets approached the coast of Holland, with an English army on board, commanded by Count Schomberg. It is pretended that an unusual tide carried them off the coast; and that Providence thus interposed, in an extraordinary manner, to save the republic from the imminent danger to which it was exposed. Very tempestuous weather, it is certain, prevailed all the rest of the season; and the combined fleets either were blown to a distance, or durst not approach a coast which might prove fatal to them. Lewis, finding that his enemies gathered courage behind their inundations, and that no further success was likely for the present to attend his arms, had retired to Versailles.

The other nations of Europe regarded the subjection of Holland as the forerunner of their own slavery, and retained no hopes of defending themselves, should such a mighty accession be made to the already exorbitant power of France. The emperor, though he lay at a distance, and was naturally slow in his undertakings, began to put himself in motion; Brandenburg showed a disposition to support the States; Spain had sent some forces to their assistance; and by the present efforts of the Prince of Orange, and the prospect of relief from their allies, a different face of affairs began already to appear. Groningen was the first place that stopped the progress of the enemy: the Bishop of Munster was repulsed from before that town, and obliged to raise the siege with loss and dishonour. Naerden was attempted by the Prince of Orange; but Mareschal Luxembourg, breaking in upon his entrenchments, with a sudden irruption, obliged him to abandon the enterprise.

A. D. 1673.  
4th Feb. There was no ally on whom the Dutch more relied for assistance, than the parliament of England, which the king's necessities at last obliged him to assemble. The eyes of all men, both abroad and at home, were fixed on this session, which met after prorogations continued for near two years. It was evident how much the king dreaded the assembling of his parliament; and the discontents universally excited by the bold measures entered into, both in foreign and domestic administration, had given but too just foundation for his apprehensions.

The king however, in his speech, addressed them with all the appearance of cordiality and confidence. He said, that he would have assembled them sooner, had he not been desirous to allow them leisure for attending their private affairs, as well as to give his people respite from taxes and impositions: that, since their last meeting, he had been forced into a war, not only just but necessary; necessary both for the honour and interest of the nation: that in order to have peace at home, while he had war abroad, he had issued his declaration of indulgence to dissenters, and had found many good effects to result from that measure: that he heard of some exceptions which had been taken to this exercise of power; but he would tell them plainly, that he was resolved to stick to his declaration; and would be much offended at any contradiction: and that though a rumour had been spread, as if the new levied army had been intended to control law and property, he regarded that jealousy as so frivolous, that he was resolved to augment his forces next spring, and did not doubt but they would consider the necessity of them in their supplies. The rest of the business he left to the chancellor.

The chancellor enlarged on the same topics, and added many extraordinary positions of his own. He told them, that the Hollanders were the common enemies of all monarchies, especially that of England, their only competitor for commerce and naval power, and the sole ob-

stacle to their views of attaining an universal empire, as extensive as that of ancient Rome: that, even during their present distress and danger, they were so intoxicated with these ambitious projects, as to slight all treaty, nay to refuse all cessation of hostilities: that the king, in entering on this war, did no more than prosecute those maxims which had engaged the parliament to advise and approve of the last; and he might therefore safely say, that *it was their war*: that the States being the eternal enemies of England, both by interest and inclination, the parliament had wisely judged it necessary to extirpate them, and had laid it down as an eternal maxim, that *delenda est Carthago*, this hostile government by all means is to be subverted: and that though the Dutch pretended to have assurances that the parliament would furnish no supplies to the king, he was confident that this hope, in which they extremely trusted, would soon fail them.

Before the Commons entered upon business, there lay before them an affair, which discovered, beyond a possibility of doubt, the arbitrary projects of the king; and the measures taken upon it proved that the House was not at present in a disposition to submit to them. It had been the constant undisputed practice, ever since the parliament in 1604, for the House, in case of any vacancy, to issue out writs for new elections; and the chancellor, who, before that time, had had some precedents in his favour, had ever afterwards abstained from all exercise of that authority. This indeed was one of the first steps which the Commons had taken in establishing and guarding their privileges; and nothing could be more requisite than this precaution, in order to prevent the clandestine issuing of writs, and to insure a fair and free election. No one but so desperate a minister as Shaftesbury, who had entered into a regular plan for reducing the people to subjection, could have entertained thoughts of breaking in upon a practice so reasonable and so well established, or could have hoped to succeed in so bold an enterprise. Several members had taken their seats upon irregular writs issued by the chancellor; but the House was no sooner assembled, and the speaker placed in the chair, than a motion was made against them; and the members themselves had the modesty to withdraw. Their election was declared null; and the new writs, in the usual form, were issued by the speaker.

The next step taken by the Commons had the appearance of some more complaisance; but in reality proceeded from the same spirit of liberty and independence. They entered a resolution, that in order to supply his majesty's extraordinary occasions, for that was the expression employed, they would grant eighteen months' assessment, at the rate of 70,000 pounds a month, amounting in the whole to 1,260,000 pounds. Though unwilling to come to a violent breach with the king, they would not express the least approbation of the war; and they gave him the prospect of this supply, only that they might have permission to proceed peaceably in the redress of the other grievances, of which they had such reason to complain.

No grievance was more alarming, both on account of the secret views from which it proceeded, and the consequences which might attend it, than the declaration of indulgence. A remonstrance was immediately framed against that exercise of prerogative. The king defended his measure. The Commons persisted in their opposition to it; and they represented that such a practice, if admitted, might tend to interrupt the free course of the laws, and alter the legislative power, which had always been acknowledged to reside in the king and the two Houses. All men were in expectation with regard to the issue of this extraordinary affair. The king seemed engaged in honour to support his measure; and in order to prevent all opposition, he had positively declared that he would support it. The Commons were obliged to persevere, not only because it was dishonourable to be foiled, where they could plead such strong reasons, but also because, if the king prevailed in his pretensions, an end seemed to be put to all the legal limitations of the constitution.

It is evident that Charles was now come to that delicate crisis which he ought at first to have foreseen, when he embraced those desperate counsels; and his resolutions,



in such an event, ought long ago to have been entirely fixed and determined. Besides his usual guards, he had an army encamped at Blackheath, under the command of Mareschal Schomberg, a foreigner; and many of the officers were of the catholic religion. His ally, the French king, he might expect, would second him, if force became requisite for restraining his discontented subjects, and supporting the measures which, by common consent, they had agreed to pursue. But the king was startled, when he approached so dangerous a precipice as that which lay before him. Were violence once offered, there could be no return, he saw, to mutual confidence and trust with his people; the perils attending foreign succours, especially from so mighty a prince, were sufficiently apparent; and the success which his own arms had met with in the war, was not so great as to increase his authority, or terrify the malcontents from opposition. The desire of power, likewise, which had engaged Charles in these precipitate measures, had less proceeded, we may observe, from ambition, than from love of ease. Strict limitations of the constitution rendered the conduct of business complicated and troublesome; and it was impossible for him, without much contrivance and intrigue, to procure the money necessary for his pleasures, or even for the regular support of government. When the prospect, therefore, of such dangerous opposition presented itself, the same love of ease inclined him to retract what it seemed so difficult to maintain; and his turn of mind, naturally pliant and careless, made him find little objection to a measure which a more haughty prince would have embraced with the utmost reluctance. That he might yield with the better grace, he asked the opinion of the House of Peers, who advised him to comply with the Commons. Accordingly the king sent for the declaration, and with his own hands broke the seals. The Commons expressed the utmost satisfaction with this measure, and the most entire duty to his majesty. Charles assured them that he would willingly pass any law offered him, which might tend to give them satisfaction in all their just grievances.

Shaftesbury, when he found the king recede at once from so capital a point, which he had publicly declared his resolution to maintain, concluded that all schemes for enlarging royal authority were vanished, and that Charles was utterly incapable of pursuing such difficult and such hazardous measures. The parliament, he fore-saw, might push their inquiries into those counsels, which were so generally odious; and the king, from the same facility of disposition, might abandon his ministers to their vengeance. He resolved, therefore, to make his peace in time with that party which was likely to predominate, and to atone for all his violences in favour of monarchy, by like violences in opposition to it. Never turn was more sudden, or less calculated to save appearances. Immediately, he entered into all the cabals of the country party; and discovered to them, perhaps magnified, the arbitrary designs of the court, in which he himself had borne so deep a share. He was received with open arms by that party, who stood in need of so able a leader; and no questions were asked with regard to his late apostasy. The various factions into which the nation had been divided, and the many sudden revolutions to which the public had been exposed, had tended much to debase the minds of men, and to destroy the sense of honour and decorum in their public conduct.

But the parliament, though satisfied with the king's compliance, had not lost all those apprehensions, to which the measures of the court had given so much foundation. A law passed for imposing a test on all who should enjoy any public office. Besides taking the oaths of allegiance and supremacy, and receiving the sacrament in the established church, they were obliged to abjure all belief in the doctrine of transubstantiation. As the dissenters had seconded the efforts of the Commons against the king's declaration of indulgence, and seemed resolute to accept of no toleration in any illegal manner, they had acquired great favour with the parliament; and a project was adopted to unite the whole protestant interest against the common enemy, who now began to appear formidable. A bill passed the Commons for the ease and relief of the

protestant nonconformists; but met with some difficulties, at least delays, in the House of Peers.

The resolution for supply was carried into a law; as a recompence to the king for his concessions. An act, likewise, of general pardon and indemnity was passed, which screened the ministers from all further inquiry. The parliament probably thought, that the best method of reclaiming the criminals was to show them that their case was not desperate. Even the remonstrance, which the Commons voted, of their grievances, may be regarded as a proof, that their anger was, for the time, somewhat appeased. None of the capital points are there touched on; the breach of the triple league, the French alliance, or the shutting up of the exchequer. The sole grievances mentioned are, an arbitrary imposition on coals for providing convoys, the exercise of martial law, the quartering and pressing of soldiers; and they prayed, that after the conclusion of the war, the whole army should be disbanded. The king gave them a gracious, though an evasive, answer. When business was finished, the two Houses <sup>29th March.</sup> adjourned themselves.

Though the king had receded from his declaration of indulgence, and thereby had tacitly relinquished the dispensing power, he was still resolved, notwithstanding his bad success both at home and abroad, to persevere in his alliance with France, and in the Dutch war, and consequently in all those secret views, whatever they were, which depended on those fatal measures. The money, granted by parliament, sufficed to equip a fleet, of which Prince Rupert was declared admiral: for the duke was set aside by the test. Sir Edward Sprague and the Earl of Ossory commanded under the prince. A French squadron joined them, commanded by D'Étrées. The com- <sup>29th May.</sup> bined fleets set sail towards the coast of <sup>Sea-fight.</sup>

Holland, and found the enemy, lying at anchor, within the sands at Schonvelt. There is a natural confusion attending sea-fights, even beyond other military transactions, derived from the precarious operations of winds and tides, as well as from the smoke and darkness in which every thing is there involved. No wonder, therefore, that accounts of those battles are apt to contain uncertainties and contradictions; especially when delivered by writers of the hostile nations, who take pleasure in exalting the advantages of their own countrymen, and depressing those of the enemy. All we can say with certainty of this battle is, that both sides boasted of the victory; and we may thence infer, that the event was not decisive. The Dutch, being near home, retired into their harbours. In a week they were refitted, and presented themselves again to the combined fleets. A new action ensued, not <sup>4th June.</sup> more decisive than the foregoing. It was not <sup>Another sea-fight.</sup> fought with great obstinacy on either side; but whether the Dutch or the allies first retired, seems to be a matter of uncertainty. The loss in the former of these actions fell chiefly on the French, whom the English, diffident of their intentions, took care to place under their own squadrons; and they thereby exposed them to all the fire of the enemy. There seems not to have been a ship lost on either side in the second engagement.

It was sufficient glory to De Ruyter, that, with a fleet much inferior to the combined squadrons of France and England, he could fight them without any notable disadvantage; and it was sufficient victory, that he could defeat the project of a descent in Zealand, which, had it taken place, had endangered, in the present circumstances, the total overthrow of the Dutch commonwealth. Prince Rupert was also suspected not to favour the king's projects for subduing Holland, or enlarging his authority at home; and from these motives, he was thought not to have pressed so hard on the enemy, as his well-known valour gave reason to expect. It is indeed remarkable, that, during this war, though the English, with their allies, much over-matched the Hollanders, they were not able to gain any advantage over them; while, in the former war, though often overborne by numbers, they still exerted themselves with the greatest courage, and always acquired great renown, sometimes even signal victories. But they were disgusted at the present measures, which they deemed pernicious to their country; they were not satisfied in the justice of the quarrel; and they entertained a perpetual

jealousy of their confederates, whom, had they been permitted, they would, with much more pleasure, have destroyed, than even the enemy themselves.

If Prince Rupert was not favourable to the designs of the court, he enjoyed as little favour from the court, at least from the duke, who, though he could no longer command the fleet, still possessed the chief authority in the admiralty. The prince complained of a total want of every thing, powder, shot, provisions, beer, and even water; and he went into harbour, that he might refit his ships, and supply their numerous necessities. After some weeks he was

refitted, and he again put to sea. The hostile fleets met at the mouth of the Texel, and

11th Aug.  
Another  
sea-fight.

fought the last battle, which, during the course of so many years, these neighbouring maritime powers have disputed with each other. De Ruyter, and under him Tromp, commanded the Dutch in this action, as in the two former; for the Prince of Orange had reconciled these gallant rivals; and they retained nothing of their former animosity, except that emulation, which made them exert themselves with more distinguished bravery against the enemies of their country. Brankert was opposed to D'Etrees, De Ruyter to Prince Rupert, Tromp to Sprague. It is to be remarked, that in all actions these brave admirals last mentioned had still selected each other as the only antagonists worthy each others' valour; and no decisive advantage had as yet been gained by either of them. They fought in this battle as if there were no mean between death and victory.

D'Etrees and all the French squadron, except Rear-Admiral Martel, kept at a distance, and Brankert, instead of attacking them, bore down to the assistance of De Ruyter, who was engaged in furious combat with Prince Rupert. On no occasion did the prince acquire more deserved honour: his conduct, as well as valour, shone out with signal lustre. Having disengaged his squadron from the numerous enemies with whom he was every where surrounded, and having joined Sir John Chicheley, his rear-admiral, who had been separated from him, he made haste to the relief of Sprague, who was hard pressed by Tromp's squadron. The Royal Prince, in which Sprague first engaged, was so disabled, that he was obliged to hoist his flag on board the St. George; while Tromp was for a like reason obliged to quit his ship, the Golden Lion, and go on board the Comet. The fight was renewed with the utmost fury by these valorous rivals, and by the rear-admirals, their seconds. Ossory, rear-admiral to Sprague, was preparing to board Tromp, when he saw the St. George terribly torn, and in a manner disabled. Sprague was leaving her, in order to hoist his flag on board a third ship, and return to the charge; when a shot, which had passed through the St. George, took his boat, and sunk her. The admiral was drowned, to the great regret of Tromp himself, who bestowed on his valour the deserved praises.

Prince Rupert found affairs in this dangerous situation, and saw most of the ships in Sprague's squadron disabled from fight. The engagement however was renewed, and became very close and bloody. The prince threw the enemy into disorder. To increase it, he sent among them two fire-ships; and at the same time made a signal to the French to bear down; which, if they had done, a decisive victory must have ensued; but the prince, when he saw that they neglected his signal, and observed that most of his ships were in no condition to keep the sea long, wisely provided for their safety by making easy sail towards the English coast. The victory in this battle was as doubtful, as in all the actions fought during the present war.

The turn which the affairs of the Hollanders took by land, was more favourable. The Prince of Orange besieged and took Naerden; and from this success gave his country reason to hope for still more prosperous enterprises. Montecuculi, who commanded the imperialists on the Upper Rhine, deceived, by the most artful conduct, the vigilance and penetration of Turenne, and making a sudden march, set down before Bonne. The Prince of Orange's conduct was no less masterly; while he eluded all the French generals, and leaving them behind him, joined his army to that of the imperialists. Bonne was taken in a few days: several other places in the electorate

of Cologne fell into the hands of the allies; and the communication being thus cut off between France and the United Provinces, Lewis was obliged to recall his forces, and to abandon all his conquests with greater rapidity than he had at first made them. The taking of Maestricht was the only advantage which he gained this campaign.

A congress was opened at Cologne, under the mediation of Sweden; but with small hopes of success. The demands of the two kings were such as must have reduced the Hollanders to perpetual servitude. In proportion as the affairs of the States rose, the kings sunk in their demands; but the States still sunk lower in their offers; and it was found impossible for the parties ever to agree on any conditions. After the French evacuated Holland, the congress broke up; and the seizure of Prince William of Furstenburgh by the imperialists afforded the French and English a good pretence for leaving Cologne. The Dutch ambassadors, in their memorials, expressed all the haughtiness and disdain, so natural to a free state, which had met with such unmerited ill usage.

The parliament of England was now assembled, and discovered much greater symptoms of ill humour than had appeared in the last session. They had seen for some time a negotiation of marriage carried on between the Duke of York and the Archduchess of Inspruc, a catholic of the Austrian family; and they had made no opposition. But when that negotiation failed, and the duke applied to a princess of the house of Modena, then in close alliance with France; this circumstance, joined to so many other grounds of discontent, raised the Commons into a flame, and they remonstrated with the greatest zeal against the intended marriage. The king told them, that their remonstrance came too late; and that the marriage was already agreed on, and even celebrated by proxy. The Commons still insisted; and proceeding to the examination of the other parts of government, they voted the standing army a grievance, and declared, that they would grant no more supply, unless it appeared, that the Dutch were so obstinate as to refuse all reasonable conditions of peace. To cut short these disagreeable attacks, the king resolved to prorogue the parliament; and with that intention he came unexpectedly to the House of Peers, and sent the usher to summon the Commons. It happened, that the speaker and the usher nearly met at the door of the House; but the speaker being within, some of the members suddenly shut the door, and cried, *To the chair, to the chair*; while others cried, *The black rod is at the door*. The speaker was hurried to the chair, and the following motions were instantly made: that the alliance with France is a grievance; that the evil counsellors about the king are a grievance; that the Duke of Lauderdale is a grievance, and not fit to be trusted or employed. There was a general cry, *To the question, to the question*; but, the usher knocking violently at the door, the speaker leaped from the chair, and the House rose in great confusion.

During the interval, Shaftesbury, whose intrigues with the malcontent party were now become notorious, was dismissed from the office of chancellor; and the great seal was given to Sir Heneage Finch, by the title of lord keeper. The test had incapacitated Clifford; and the white staff was conferred on Sir Thomas Osborne, soon after created Earl of Danby, a minister of abilities, who had risen by his parliamentary talents. Clifford retired into the country, and soon after died.

The parliament had been prorogued, in order to give the duke leisure to finish his marriage; but the king's necessities soon obliged him again to assemble them; and by some popular acts he paved the way for the session. But all his efforts were in vain. The disgust of the Commons was fixed in foundations too deep to be easily removed. They began with applications for a general fast; by which they intimated, that the nation was in a very calamitous condition: they addressed against the king's guards, which they represented as dangerous to liberty, and even as illegal, since they never had yet received the sanction of parliament: they took some steps towards establishing a new and more rigorous test against popery: and, what chiefly alarmed the court, they made an attack on the members of the cabal, to whose pernicious

20th Oct.  
A parliament.

4th Nov.

A. D. 1674.  
7th Feb.

counsels they imputed all their present grievances. Clifford was dead; Shaftesbury had made his peace with the country party, and was become their leader; Buckingham was endeavouring to imitate Shaftesbury; but his intentions were as yet known to very few. A motion was therefore made in the House of Commons for his impeachment: he desired to be heard at the bar; but expressed himself in so confused and ambiguous a manner, as gave little satisfaction. He was required to answer precisely to certain queries which they proposed to him. These regarded all the articles of misconduct above mentioned; and, among the rest, the following query seems remarkable: "By whose advice was the army brought up to overawe the debates and resolutions of the House of Commons?"—This shows to what length the suspicions of the House were at that time carried. Buckingham, in all his answers, endeavoured to exculpate himself, and to load Arlington. He succeeded not in the former intention: the Commons voted an address for his removal. But Arlington, who was on many accounts obnoxious to the House, was attacked. Articles were drawn up against him, though the impeachment was never prosecuted.

The king plainly saw that he could expect no supply from the Commons for carrying on a war so odious to them. He resolved therefore to make a separate peace with the Dutch, on the terms which they had proposed, through the channel of the Spanish ambassador. With a cordiality, which in the present disposition on both sides, was probably but affected, but which was obliging, he asked advice of the parliament. The parliament unanimously concurred, both in thanks for his gracious condescension,

and in their advice for peace. Peace was accordingly concluded. The honour of the

flag was yielded to the Dutch in the most extensive terms: a regulation of trade was agreed to: all possessions were restored to the same condition as before the war: the English planters in Surinam were allowed to remove at pleasure: and the States agreed to pay to the king the sum of eight hundred thousand patacoons, near three hundred thousand pounds. Four days after the parliament was prorogued, the peace was proclaimed in London to the great joy of the people. Spain had declared that she could no longer remain neuter, if hostilities were continued against Holland; and a sensible decay of trade was foreseen, in case a rupture should ensue with that kingdom. The prospect of this loss contributed very much to increase the national aversion to the present war, and to enliven the joy for its conclusion.

There was in the French service a great body of English, to the number of ten thousand men, who had acquired honour in every action, and had greatly contributed to the successes of Lewis. These troops Charles said he was bound by treaty not to recall; but he obliged himself to the States by a secret article, not to allow them to be recruited. His partiality to France prevented a strict execution of this engagement.

## CHAP. LXVI.

Schemes of the cabal.—Remonstrances of Sir William Temple.—Campaign of 1674.—A Parliament.—Passive obedience.—A parliament.—Campaign of 1675.—Congress of Nimuegen.—Campaign of 1676.—Unsettled conduct of the king.—A parliament.—Campaign of 1677.—Parliamentary distrust of the king.—Marriage of the Prince of Orange with the Lady Mary.—Plan of peace.—Negotiations.—Campaign of 1678.—Negotiations.—Peace of Nimuegen.—State of affairs in Scotland.

A. D. 1671. IF we consider the projects of the famous Schemes of the cabal, it will appear hard to determine, whether the end which those ministers pursued were more blamable and pernicious, or the means by which they were to effect it more impolitic and imprudent. Though they might talk only of recovering or fixing the king's authority; their intention could be no other than

that of making him absolute: since it was not possible to regain or maintain, in opposition to the people, any of those powers of the crown abolished by late law or custom, without subduing the people, and rendering the royal prerogative entirely uncontrollable. Against such a scheme, they might foresee, that every part of the nation would declare themselves, not only the old parliamentary faction, which, though they kept not in a body, were still numerous; but even the greatest royalists, who were indeed attached to monarchy, but desired to see it limited and restrained by law. It had appeared, that the present parliament, though elected during the greatest prevalence of the royal party, was yet tenacious of popular privileges, and retained a considerable jealousy of the crown, even before they had received any just ground of suspicion. The guards, therefore, together with a small army, new levied and undisciplined, and composed too of Englishmen, were almost the only domestic resources which the king could depend on in the prosecution of these dangerous counsels.

The assistance of the French king was, no doubt, deemed, by the cabal, a considerable support in the schemes which they were forming; but it is not easily conceived, that they could imagine themselves capable of directing and employing an associate of so domineering a character. They ought justly to have suspected that it would be the sole intention of Lewis, as it evidently was his interest, to raise incurable jealousies between the king and his people; and that he saw how much a steady uniform government in this island, whether free or absolute, would form invincible barriers to his ambition. Should his assistance be demanded; if he sent a small supply, it would serve only to enrage the people, and render the breach altogether irreparable; if he furnished a great force, sufficient to subdue the nation, there was little reason to trust his generosity, with regard to the use which he would make of this advantage.

In all its other parts the plan of the cabal, it must be confessed, appears equally absurd and incongruous. If the war with Holland were attended with great success, and involved the subjection of the republic; such an accession of force must fall to Lewis, not to Charles: and what hopes afterwards of resisting by the greatest unanimity so mighty a monarch! How dangerous, or rather how ruinous, to depend upon his assistance against domestic discontents! If the Dutch, by their own vigour, and the assistance of allies, were able to defend themselves, and could bring the war to an equality, the French a *ms* would be so employed abroad, that no considerable reinforcement could thence be expected to second the king's enterprises in England. And might not the project of overawing or subduing the people be esteemed, of itself, sufficiently odious without the aggravation of sacrificing that state, which they regarded as their best ally, and with which, on many accounts, they were desirous of maintaining the greatest concord and strictest confederacy?

Whatever views might likewise be entertained of promoting by these measures the catholic religion; they could only tend to render all the other schemes abortive, and make them fall with inevitable ruin upon the projectors. The catholic religion, indeed, where it is established, is better fitted than the protestant for supporting an absolute monarchy; but would any man have thought of it as the means of acquiring arbitrary authority in England, where it was more detested than even slavery itself?

It must be allowed, that the difficulties, and even inconsistencies, attending the schemes of the cabal, are so numerous and obvious, that one feels at first an inclination to deny the reality of those schemes, and to suppose them entirely the chimeras of calumny and faction. But the utter impossibility of accounting, by any other hypothesis, for those strange measures embraced by the court, as well as for the numerous circumstances which accompanied them, obliges us to acknowledge (though there remains no direct evidence of it\*) that a formal plan was laid for changing the religion, and subverting the constitution of

\* Since the publication of this History, the author has had occasion to see the most direct and positive evidence of this conspiracy. From the liberality and candour of the principal of the Scotch College at Paris, he was admitted to peruse Letters the Second's Memoirs, sent there. They amount to several volumes of small folio, all writ with that prince's own hand, and comprehending the remarkable incidents of his life, from his early

youth till near the time of his death. His account of the French alliance is as follows: "The intention of the king and duke was chiefly to change the religion of England, and which they deemed an easy undertaking, because of the great propensity, as they imagined, of the cavaliers and church party to popery: the treaty with Lewis was concluded at Versailles in the end of 1669, or beginning of 1670, by Lord Arundel of Wardour, whom no histo-





well as checked in their commerce, were desirous of peace; and had few or no claims of their own to retard it: but they could not in gratitude, or even in good policy, abandon allies to whose protection they had so lately been indebted for their safety. The Prince of Orange likewise, who had great influence in their counsels, was all on fire for military fame, and was well pleased to be at the head of armies, from which such mighty successes were expected. Under various pretences, he eluded, during the whole campaign, the meeting with Temple; and after the troops were sent into winter-quarters, he told that minister, in his first audience, that till greater impression were made on France, reasonable terms could not be hoped for; and it were therefore vain to negotiate.

The success of the campaign had not answered expectation. The Prince of Orange, with a superior army, was opposed in Flanders to the Prince of Condé, and had hoped to penetrate into France by that quarter, where the frontier was then very feeble. After long endeavouring, though in vain, to bring Condé to a battle, he rashly exposed, at Senefé, a wing of his army; and that active prince failed not at once to see and to seize the advantage. But this imprudence of the Prince of Orange was amply compensated by his behaviour in that obstinate and bloody action which ensued. He rallied his dismayed troops; he led them to the charge; he pushed the veteran and martial troops of France; and he obliged the Prince of Condé, notwithstanding his age and character, to exert greater efforts, and to risk his person more than in any action, where, even during the heat of youth, he had ever commanded. After sunset, the action was continued by the light of the moon; and it was darkness at last, not the weariness of the combatants, which put an end to the contest, and left the victory undecided. "The Prince of Orange," said Condé, with candour and generosity, "has acted in every thing like an old captain, except venturing his life too like a young soldier." Oude-nard: was afterwards invested by the Prince of Orange; but he was obliged by the imperial and Spanish generals, to raise the siege on the approach of the enemy. He afterwards besieged and took Grave; and at the beginning of winter, the allied armies broke up, with great discontents and complaints on all sides.

The allies were not more successful in other places. Lewis, in a few weeks, reconquered Franche-comté. In Alsace, Turenne displayed, against a much superior enemy, all that military skill, which had long rendered him the most renowned captain of his age and nation. By a sudden and forced march, he attacked and beat at Sintzheim the Duke of Lorraine, and Caprara, general of the imperialists. Seventy thousand Germans poured into Alsace, and took up their quarters in that province. Turenne, who had retired into Lorraine, returned unexpectedly upon them. He attacked and defeated a body of the enemy at Mulhausen. He chased from Colmar the Elector of Brandenburg, who commanded the German troops. He gained a new advantage at Turkheim. And having dislodged all the allies, he obliged them to repossess the Rhine, full of shame for their multiplied defeats, and still more of anger and complaints against each other.

In England all these events were considered by the people with great anxiety and concern; though the king and his ministers affected great indifference with regard to them. Considerable alterations were about this time made in the English ministry. Buckingham was dismissed, who had long, by his wit and entertaining humour, possessed the king's favour. Arlington, now chamberlain, and Danby the treasurer, possessed chiefly the king's confidence. Great hatred and jealousy took place between these ministers; and public affairs were somewhat disturbed by their quarrels. But Danby daily gained ground with his master: and Arlington declined in the same proportion. Danby was a frugal minister; and, by his application and industry, he brought the revenue into tolerable order. He endeavoured so to conduct himself as to give offence to no party; and the consequence was, that he was able entirely to please none. He was a declared enemy to the French alliance; but never possessed authority

enough to overcome the prepossessions which the king and the duke retained towards it. It must be ascribed to the prevalence of that interest, aided by money remitted from Paris, that the parliament was assembled so late this year; lest they should attempt to engage the king in measures against France, during the ensuing campaign. They met not till the approach of summer.<sup>c</sup> April 13.

Every step, taken by the Commons, discovered that ill-humour and jealousy, to which the late open measures of the king, and his present secret attachments, gave but too just foundation. They drew up a new bill against popery, and resolved to insert in it many severe clauses for the detection and prosecution of priests: they presented addresses a second time against Lauderdale; and when the king's answer was not satisfactory, they seemed still determined to persevere in their applications: an accusation was moved against Danby; but upon examining the several articles, it was not found to contain any just reasons of a prosecution; and was therefore dropped: they applied to the king for recalling his troops from the French service; and as he only promised that they should not be recruited, they appeared to be much dissatisfied with the answer: a bill was brought in, making it treason to levy money without authority of parliament: another, vacating the seats of such members as accepted of offices: another, to secure the personal liberty of the subject, and to prevent sending any person prisoner beyond sea.

That the court party might not be idle during these attacks, a bill for a new test was introduced into the House of Peers by the Earl of Lindsey. All members of either House, and all who possessed any office, were by this bill required to swear, that it was not lawful, upon any pretence whatsoever, to take arms against the king; that they abhorred the traitorous position of taking arms by his authority against his person, or against those who were commissioned by him; and that they will not at any time endeavour the alteration of the protestant religion, or of the established government either in church or state.

Great opposition was made to this bill; as might be expected from the present disposition of the nation. During seventeen days, the debates were carried on with much zeal; and all the reason and learning of both parties were displayed on the occasion. The question, indeed, with regard to resistance, was a point which entered into the controversies of the old parties, cavalier and roundhead; as it made an essential part of the present disputes between court and country. Few neutrals were found in the nation: but among such as could maintain a calm indifference, there prevailed sentiments wide of those which were adopted by either party. Such persons thought, that all general, speculative declarations of the legislature, either for or against resistance, were equally impolitic, and could serve to no other purpose, than to signalize in their turn the triumph of one faction over another: that the simplicity retained in the ancient laws of England, as well as in the laws of every other country, ought still to be preserved, and was best calculated to prevent the extremes on either side: that the absolute exclusion of resistance, in all possible cases, was founded on false principles; its express admission might be attended with dangerous consequences; and there was no necessity for exposing the public to either inconvenience: that if a choice must necessarily be made in the case, the preference of utility to truth in public institutions was apparent; nor could the supposition of resistance beforehand, and in general terms, be safely admitted in any government: that even in mixed monarchies, where that supposition seemed most requisite, it was yet entirely superfluous; since no man, on the approach of extraordinary necessity, could be at a loss, though not directed by legal declarations, to find the proper remedy: that even those who might, at a distance, and by scholastic reasoning, exclude all resistance, would yet hearken to the voice of nature; when evident ruin, both to themselves and to the public, must attend a strict adherence to their pretended principles: that the question, as it ought thus to be entirely excluded from all determinations of the

<sup>c</sup> This year, on the 25th of March, died Henry Cromwell, second son of the protector, in the 47th year of his age. He had lived unmolested in a

privatisation, ever since the king's restoration, which he rather favoured than opposed.

legislature, was, even among private reasoners, somewhat frivolous, and little better than a dispute of words: that the one party could not pretend that resistance ought ever to become a familiar practice; the other would surely have recourse to it in great extremities: and thus the difference could only turn on the degrees of danger or oppression, which would warrant this irregular remedy; a difference which, in a general question, it was impossible, by any language, precisely to fix or determine.

There were many other absurdities in this test, particularly that of binding men by oath not to alter the government either in church or state; since all human institutions are liable to abuse, and require continual amendments, which are, in reality, so many alterations. It is not indeed possible to make a law which does not innovate, more or less, in the government. These difficulties produced such obstructions to the bill, that it was carried only by two voices in the House of Peers. All the popish Lords, headed by the Earl of Bristol, voted against it. It was sent down to the House of Commons, where it was likely to undergo a scrutiny still more severe.

But a quarrel, which happened between the two Houses, prevented the passing of every bill projected during the present session. One Dr. Shirley, being cast in a law-suit before chancery against Sir John Fag, a member of the House of Commons, preferred a petition of appeal to the House of Peers. The Lords received it, and summoned Fag to appear before them. He complained to the lower House, who espoused his cause. They not only maintained, that no member of their House could be summoned before the Peers: they also asserted, that the upper House could receive no appeals from any court of equity; a pretension which extremely retrenched the jurisdiction of the Peers, and which was contrary to the practice which had prevailed during this whole century. The Commons send Shirley to prison; the Lords assert their powers. Conferences are tried; but no accommodation ensues. Four lawyers are sent to the Tower by the Commons, for transgressing the orders of the House, and pleading in this cause before the Peers. The Peers denominated this arbitrary commitment a breach of the great charter, and order the lieutenant of the Tower to release the prisoners: he declines obedience: they apply to the king, and desire him to punish the lieutenant for his contempt. The king summons both Houses; exhorts them to unanimity; and informs them that the present quarrel had arisen from the contrivance of his and their enemies, who expected by that means to force a dissolution of the parliament. His advice has no effect: the Commons continue as violent as ever; and the king, finding that no business could be finished, at last prorogued the parliament.

8th June.

Oct. 13. When the parliament was again assembled, there appeared not in any respect a change in the dispositions of either House. The king desired supplies, as well for the building of ships, as for taking off anticipations which lay upon his revenue. He even confessed, that he had not been altogether so frugal as he might have been, and as he resolved to be for the future; though he asserted, that, to his great satisfaction, he had found his expenses by no means so exorbitant as some had represented them. The Commons took into consideration the subject of supply. They voted 300,000 pounds for the building of ships; but they appropriated the sum by very strict clauses. They passed a resolution not to grant any supply for taking off the anticipations of the revenue.<sup>d</sup> This vote was carried, in a full House, by a majority of four only: so nearly were the parties balanced. The quarrel was revived, to which Dr. Shirley's cause had given occasion. The proceedings of the Commons discovered the same violence as during the last session. A motion was made in the House of Peers, but rejected, for addressing the king to dissolve the present parliament. The king contented himself with proroguing them to a very long term. Whether these quarrels between the Houses arose from contrivance or accident was not certainly known. Each party might, according to

Nov. 22.

<sup>d</sup> Several historians have affirmed, that the Commons found, this session, 1674, that the king's revenue was 1,000,000 pounds a year, and that the necessary expense was but 700,000 pounds, and have appealed to

their different views, esteem themselves either gainers or losers by them. The court might desire to obstruct all attacks from the Commons, by giving them other employment. The country party might desire the dissolution of a parliament, which, notwithstanding all disgusts, still contained too many royalists, ever to serve all the purposes of the malcontents.

Soon after the prorogation, there passed an incident, which in itself is trivial, but tends strongly to mark the genius of the English government, and of Charles's administration during this period. The liberty of the constitution, and the variety as well as violence of the parties, had begotten a propensity for political conversation; and as the coffee-houses in particular were the scenes, where the conduct of the king and the ministry was canvassed with great freedom, a proclamation was issued to suppress these places of rendezvous. Such an act of power, during former reigns, would have been grounded entirely on the prerogative; and before the accession of the house of Stuart, no scruple would have been entertained with regard to that exercise of authority. But Charles, finding doubts to arise upon his proclamation, had recourse to the judges, who supplied him with a chicanery, and that too a frivolous one, by which he might justify his proceedings. The law, which settled the excise, enacted, that licenses for retailing liquors might be refused to such as could not find security for payment of the duties. But coffee was not a liquor subjected to excise; and even this power of refusing licenses was very limited, and could not reasonably be extended beyond the intention of the act. The king, therefore, observing the people to be much dissatisfied, yielded to a petition of the coffee-men, who promised for the future to restrain all seditious discourse in their houses; and the proclamation was recalled.

This campaign proved more fortunate to the confederates than any other during the whole war. The French took the field in Flanders with a numerous army; and Lewis himself served as a volunteer under the Prince of Condé. But, notwithstanding his great preparations, he could gain no advantages but the taking of Huy and Limbourg, places of small consequence. The Prince of Orange, with a considerable army, opposed him in all his motions; and neither side was willing, without a visible advantage, to hazard a general action, which might be attended either with the entire loss of Flanders on the one hand, or the invasion of France on the other. Lewis, tired of so inactive a campaign, returned to Versailles; and the whole summer passed in the Low Countries without any memorable event.

Turenne commanded on the Upper Rhine, in opposition to his great rival Montecuculi, general of the imperialists. The object of the latter was to pass the Rhine, to penetrate into Alsace, Lorraine, or Burgundy, and to fix his quarters in these provinces: the aim of the former was to guard the French frontiers, and to disappoint all the schemes of his enemy. The most consummate skill was displayed on both sides; and if any superiority appeared in Turenne's conduct, it was chiefly ascribed to his greater vigour of body, by which he was enabled to inspect all the posts in person, and could on the spot take the justest measures for the execution of his designs. By posting himself on the German side of the Rhine, he not only kept Montecuculi from passing that river: he had also laid his plan in so masterly a manner, that, in a few days, he must have obliged the Germans to decamp, and have gained a considerable advantage over them; when a period was put to his life, by a random shot, which struck him on the breast as he was taking a view of the enemy. The consternation of his army was inexpressible. The French troops, who, a moment before, were assured of victory, now considered themselves as entirely vanquished; and the Germans, who would have been glad to compound for a safe retreat, expected no less than the total destruction of their enemy. But de Lorges, nephew to Turenne, succeeded him in the command, and possessed a great share of the genius and capacity of his predecessor. By his skillful operations the French were enabled to repass the Rhine, without con-

the Journals for a proof. But there is not the least appearance of this in the Journals: and the fact is impossible.



siderable loss; and this retreat was deemed equally glorious with the greatest victory. The valour of the English troops, who were placed in the rear, greatly contributed to save the French army. They had been seized with the same passion as the native troops of France, for their brave general, and fought with ardour to revenge his death on the Germans. The Duke of Marlborough, then Captain Churchill, here learned the rudiments of that art, which he afterwards practised with such fatal success against France.

The Prince of Condé left the army in Flanders under the command of Luxembourg; and carrying with him a considerable reinforcement, succeeded to Turenne's command. He defended Alsace from the Germans, who had passed the Rhine, and invaded that province. He obliged them first to raise the siege of Hagenau, then that of Saverre. He eluded all their attempts to bring him to a battle; and, having dexterously prevented them from establishing themselves in Alsace, he forced them, notwithstanding their superiority of numbers, to repossess the Rhine, and to take up winter-quarters in their own country.

After the death of Turenne, a detachment of the German army was sent to the siege of Treves: an enterprise, in which the imperialists, the Spaniards, the Palatine, the Duke of Lorraine, and many other princes, passionately concurred. The project was well concerted, and executed with vigour. Mareschal Crequi, on the other hand, collected an army, and advanced with a view of forcing the Germans to raise the siege. They left a detachment to guard their lines, and, under the command of the Dukes of Zell and Osnaburgh, marched in quest of the enemy. At Consarbric, they fell unexpectedly, and with superior numbers, on Crequi, and put him to rout. He escaped with four attendants only; and throwing himself into Treves, resolved, by a vigorous defence, to make atonement for his former error or misfortune. The garrison was brave, but not abandoned to that total despair by which their governor was actuated. They mutinied against his obstinacy; capitulated for themselves; and, because he refused to sign the capitulation, they delivered him a prisoner into the hands of the enemy.

It is remarkable that this defeat, given to Crequi, is almost the only one which the French received at land, from Rocroi to Blenheim, during the course of above thirty years; and these too full of bloody wars against potent and martial enemies: their victories almost equal the number of years during that period. Such was the vigour and good conduct of that monarchy! And such too were the resources and refined policy of the other European nations, by which they were enabled to repair their losses, and still to confine that mighty power nearly within its ancient limits! A fifth part of these victories would have sufficed, in another period, to have given to France the empire of Europe.

The Swedes had been engaged, by the payment of large subsidies, to take part with Lewis, and invade the territories of the Elector of Brandenburg, in Pomerania. That elector, joined by some imperialists from Silesia, fell upon them with bravery and success. He soon obliged them to evacuate his part of that country, and he pursued them into their own. He had an interview with the King of Denmark, who had now joined the confederates, and resolved to declare war against Sweden. These princes concerted measures for pushing the victory.

To all these misfortunes against foreign enemies were added some domestic insurrections of the common people in Guienne and Brittany. Though soon suppressed, they divided the force and attention of Lewis. The only advantage gained by the French was at sea. Messina in Sicily had revolted; and a fleet under the Duke de Vivonne was despatched to support the rebels. The Dutch had sent a squadron to assist the Spaniards. A battle ensued, where de Ruyter was killed. This event alone was thought equivalent to a victory.

The French who, twelve years before, had scarcely a ship of war in any of their harbours, had raised themselves, by means of perseverance and policy, to be in their present force, though not in their resources, the first maritime

power in Europe. The Dutch, while in alliance with them against England, had supplied them with several vessels, and had taught them the rudiments of the difficult art of ship-building. The English next, when in alliance with them against Holland, instructed them in the method of fighting their ships, and of preserving order in naval engagements. Lewis availed himself of every opportunity to aggrandize his people, while Charles, sunk in indolence and pleasure, neglected all the noble arts of government; or if at any time he roused himself from his lethargy, that industry, by reason of the unhappy projects which he embraced, was often more pernicious to the public than his inactivity itself. He was as anxious to promote the naval power of France, as if the safety of his crown had depended on it; and many of the plans executed in that kingdom, were first, it is said,<sup>e</sup> digested and corrected by him.

The successes of the allies had been considerable the last campaign; but the Spaniards and imperialists well knew that France was not yet sufficiently broken, nor willing to submit to the terms which they resolved to impose upon her. Though they could not refuse the king's mediation, and Nimeguen, after many difficulties, was at last fixed on as the place of congress; yet, under one pretence or other, they still delayed sending their ambassadors, and no progress was made in the negotiation. Lord Berkeley, Sir William Temple, and Sir Lionel Jenkins, were the English ministers at Nimeguen. The Dutch, who were impatient for peace, soon appeared: Lewis, who hoped to divide the allies, and who knew that he himself could neither be seduced nor forced into a disadvantageous peace, sent ambassadors: the Swedes, who hoped to recover by treaty what they had lost by arms, were also forward to negotiate. But as these powers could not proceed of themselves to settle terms, the congress, hitherto, served merely as an amusement to the public.

It was by the events of the campaign, not the conferences among the negotiators, that the articles of peace were to be determined. The Spanish towns, ill fortified, and worse defended, made but a feeble resistance to Lewis; who, by laying up magazines during the winter, was able to take the field early in the spring, before the forage could be found in the open country. In the month of April he laid siege to Condé, and took it by storm in four days. Having sent the Duke of Orleans to besiege Bouchaine, a small but important fortress, he posted himself so advantageously with his main army, as to hinder the confederates from relieving it, or fighting without disadvantage. The Prince of Orange, in spite of the difficulties of the season, and the want of provisions, came in sight of the French army; but his industry served to no other purpose than to render him spectator of the surrender of Bouchaine. Both armies stood in awe of each other, and were unwilling to hazard an action, which might be attended with the most important consequences. Lewis, though he wanted not personal courage, was little enterprising in the field; and being resolved this campaign to rest contented with the advantages which he had so early obtained, he thought proper to intrust his army to Mareschal Schomberg, and retired himself to Versailles. After his departure, the Prince of Orange laid siege to Maestricht; but meeting with an obstinate resistance, he was obliged, on the approach of Schomberg, who in the mean time had taken Aire, to raise the siege. He was incapable of yielding to adversity, or bending under misfortunes: but he began to foresee, that by the negligence and errors of his allies, the war in Flanders must necessarily have a very unfortunate issue.

On the Upper Rhine, Philipsbourg was taken by the imperialists. In Pomerania, the Swedes were so unsuccessful against the Danes and Brandenburgers, that they seemed to be losing apace all those possessions which, with so much valour and good fortune, they had acquired in Germany.

About the beginning of winter, the congress of Nimeguen was pretty full, and the plenipotentiaries of the

emperor and Spain, two powers strictly conjoined by blood and alliance, at last appeared. The Dutch had threatened, if they absented themselves any longer, to proceed to a separate treaty with France. In the conferences and negotiations, the disposition of the parties became every day more apparent.

The Hollanders, loaded with debts and harassed with taxes, were desirous of putting an end to the war, in which, besides the disadvantages attending all leagues, the weakness of the Spaniards, the divisions and delays of the Germans, prognosticated nothing but disgrace and misfortune. Their commerce languished; and, what gave them still greater anxiety, the commerce of England, by reason of her neutrality, flourished extremely; and they were apprehensive, lest advantages, once lost, would never thoroughly be regained. They had themselves no further motive for continuing the war, than to secure a good frontier to Flanders; but gratitude to their allies still engaged them to try whether another campaign might procure a peace, which would give general satisfaction. The Prince of Orange, urged by motives of honour, of ambition, and of animosity against France, endeavoured to keep them steady to this resolution.

The Spaniards, not to mention the other incurable weaknesses into which their monarchy was fallen, were distracted with domestic dissensions between the parties of the queen-regent and Don John, natural brother to their young sovereign. Though unable of themselves to defend Flanders, they were resolute not to conclude a peace, which would leave it exposed to every assault or inroad; and while they made the most magnificent promises to the States, their real trust was in the protection of England. They saw that, if that small but important territory were once subdued by France, the Hollanders, exposed to so terrible a power, would fall into dependence, and would endeavour, by submissions, to ward off that destruction to which a war, in the heart of their state, must necessarily expose them. They believed that Lewis, sensible how much greater advantages he might reap from the alliance than from the subjection of the republic, which must scatter its people and depress its commerce, would be satisfied with very moderate conditions, and would turn his enterprises against his other neighbours. They thought it impossible but the people and parliament of England, foreseeing these obvious consequences, must at last force the king to take part in the affairs of the continent, in which their interests were so deeply concerned. And they trusted, that even the king himself, on the approach of so great a danger, must open his eyes, and sacrifice his prejudices in favour of France, to the safety of his own dominions.

But Charles here found himself entangled <sup>Uncertain conduct of the king.</sup> in such opposite motives and engagements, as he had not resolution enough to break, or patience to unravel. On the one hand, he always regarded his alliance with France as a sure resource in case of any commotions among his own subjects, and whatever schemes he might still retain for enlarging his authority, or altering the established religion, it was from that quarter alone he could expect assistance. He had actually in secret sold his neutrality to France, and he received remittances of a million of livres a-year, which was afterwards increased to two millions; a considerable supply in the present embarrassed state of his revenue. And he dreaded lest the parliament should treat him as they had formerly done his father; and after they had engaged him in a war on the continent, should take advantage of his necessities, and make him purchase supplies by sacrificing his prerogative and abandoning his ministers.

On the other hand, the cries of his people and parliament, seconded by Danby, Arlington, and most of his ministers, incited him to take part with the allies, and to correct the unequal balance of power in Europe. He might apprehend danger from opposing such earnest desires: he might hope for large supplies if he concurred with them: and however inglorious and indolent his disposition, the renown of acting as arbiter of Europe would probably, at intervals, rouse him from his lethargy, and move him to support the character with which he stood invested.

It is worthy of observation, that, during this period, the

king was, by every one, abroad and at home, by France and by the allies, allowed to be the undisputed arbiter of Europe; and no terms of peace, which he would have prescribed, could have been refused by either party. Though France afterwards found means to resist the same alliance, joined with England; yet was she then obliged to make such violent efforts as quite exhausted her; and it was the utmost necessity which pushed her to find resources, far surpassing her own expectations. Charles was sensible, that so long as the war continued abroad, he should never enjoy ease at home, from the impatience and impurity of his subjects; yet could he not resolve to impose a peace by openly joining himself with either party. Terms advantageous to the allies must lose him the friendship of France: the contrary would enrage his parliament. Between these views he perpetually fluctuated; and from his conduct, it is observable, that a careless remiss disposition, agitated by opposite motives, is capable of as great inconsistencies as are incident even to the greatest inability and folly.

The parliament was assembled; and the king made them a plausible speech, in which <sup>15th Feb. A parliament.</sup> he warned them against all differences among themselves; expressed a resolution to do his part for bringing their consultations to a happy issue; and offered his consent to any laws for the further security of their religion, liberty, and property. He then told them of the decayed condition of the navy; and asked money for repairing it: he informed them, that part of his revenue, the additional excise, was soon to expire; and he added these words, "You may at any time see the yearly established expense of the government, by which it will appear, that the constant and unavoidable charge being paid, there will remain no overplus towards answering those contingencies, which may happen in all kingdoms, and which have been a considerable burden on me this last year."

Before the parliament entered upon business, they were stopped by a doubt concerning the legality of their meeting. It had been enacted by an old law of Edward III., "That parliaments should be held once every year, or oftener, if need be." The last prorogation had been longer than a year; and being supposed on that account illegal, it was pretended to be equivalent to a dissolution. The consequence seems by no means just; and besides, a later act, that which repealed the triennial law, had determined, that it was necessary to hold parliaments only once in three years. Such weight, however, was put on this cavil, that Buckingham, Shaftesbury, Salisbury, and Wharton, insisted strenuously in the House of Peers on the invalidity of the parliament, and the nullity of all its future acts. For such dangerous positions they were sent to the Tower, there to remain during the pleasure of his majesty and the House. Buckingham, Salisbury, and Wharton, made submissions, and were soon after released. But Shaftesbury, more obstinate in his temper, and desirous of distinguishing himself by his adherence to liberty, sought the remedy of law; and being rejected by the judges, he was at last, after a twelvemonth's imprisonment, obliged to make the same submissions; upon which he was also released.

The Commons at first seemed to proceed with temper. They granted the sum of 586,000 pounds, for building thirty ships; though they strictly appropriated the money to that service. Estimates were given in of the expense; but it was afterwards found that they fell short near 100,000 pounds. They also voted, agreeably to the king's request, the continuance of the additional excise for three years. This excise had been granted for nine years in 1668. Every thing seemed to promise a peaceable and an easy session.

But the parliament was roused from this <sup>Campaign of 1677.</sup> tranquillity by the news received from abroad. The French king had taken the field in the middle of February, and laid siege to Valenciennes, which he carried in a few days by storm. He next invested both Cambray and St. Omers. The Prince of Orange, alarmed with his progress, hastily assembled an army, and marched to the relief of St. Omers. He was encountered by the French under the Duke of Orleans and Mareschal Luxembourg. The prince possessed great

talents for war; courage, activity, vigilance, patience; but still he was inferior in genius to those consummate generals opposed to him by Lewis: and though he always found means to repair his losses, and to make head in a little time against the victors, he was, during his whole life, unsuccessful. By a masterly movement of Luxembourg, he was here defeated, and obliged to retreat to Ypres. Cambray and St Omers were soon after surrendered to Lewis.

This success, derived from such great power and such wise conduct, infused a just terror into the English parliament. They addressed the king, representing the danger to which the kingdom was exposed from the greatness of France, and praying that his majesty, by such alliances as he should think fit, would both secure his own dominions and the Spanish Netherlands, and thereby quiet the fears of his people. The king, desirous of eluding this application, which he considered as a kind of attack on his measures, replied in general terms, that he would use all means for the preservation of Flanders, consistent with the peace and safety of his kingdoms. This answer was an evasion, or rather a denial. The Commons, therefore, thought proper to be more explicit. They entreated him not to defer the entering into such alliances as might attain that great end: and in case war with the French king should be the result of his measures, they promised to grant him all the aids and supplies which would enable him to support the honour and interest of the nation. The king was also more explicit in his reply. He told them, that the only way to prevent danger, was to put him in a condition to make preparations for their security. This message was understood to be a demand of money. The parliament accordingly empowered the king to borrow on the additional excise 200,000 pounds at seven per cent.: a very small sum indeed; but which they deemed sufficient, with the ordinary revenue, to equip a good squadron, and thereby put the nation in security, till further resolutions should be taken.

But this concession fell far short of the king's expectations. He therefore informed them, that, unless they granted him the sum of 600,000 pounds upon new funds, it would not be possible for him, without exposing the nation to manifest danger, *to speak or act those things*, which would answer the end of their several addresses. The House took this message into consideration: but before they came to any resolution, the king sent for them to Whitehall, where he told them, upon the word of a king, that they should not repent any trust which they would repose in him for the safety of his kingdom; that he would not for any consideration break credit with them, or employ their money to other uses than those for which they intended it; but that he would not hazard either his own safety or theirs, by taking any vigorous measures, or forming new alliances, till he were in a better condition both to defend his subjects and offend his enemies. This speech brought affairs to a short issue. The king required them to trust him with a large sum: he pawned his royal word for their security: they must either run the risk of losing all their money, or fail of those alliances which they had projected, and at the same time declare to all the world the highest distrust of their sovereign.

But there were many reasons which determined the House of Commons to put no trust in the king. They considered, that the pretence of danger was obviously groundless, while the French were opposed by such powerful alliances on the continent, while the king was master of a good fleet at sea, and while all his subjects were so heartily united in opposition to foreign enemies. That the only justifiable reason, therefore, of Charles's backwardness, was not the apprehension of danger from abroad, but a diffidence, which he might have perhaps entertained of his parliament; lest, after engaging him in foreign alliances for carrying on war, they should take advantage of his necessities, and extort from him concessions dangerous to the royal dignity. That this parliament, by their past conduct, had given no foundation for such suspicions, and were so far from pursuing any sinister ends, that they had granted supplies for the first Dutch

war; for maintaining the triple league, though concluded without their advice; even for carrying on the second Dutch war, which was entered into contrary to their opinion, and contrary to the manifest interests of the nation. That, on the other hand, the king had, by former measures, excited very reasonable jealousies in his people, and did, with a bad grace, require at present their trust and confidence. That he had not scrupled to demand supplies for maintaining the triple league, at the very moment he was concerting measures for breaking it, and had accordingly employed to that purpose the supplies which he had obtained by those delusive pretences. That his union with France, during the war against Holland, must have been founded on projects the most dangerous to his people; and as the same union was still secretly maintained, it might justly be feared that the same projects were not yet entirely abandoned. That he could not seriously intend to prosecute vigorous measures against France; since he had so long remained entirely unconcerned during such obvious dangers; and, till prompted by his parliament, whose proper business it was not to take the lead in those parts of administration, had suspended all his activity. That if he really meant to enter into a cordial union with his people, he would have taken the first step, and have endeavoured, by putting trust in them, to restore that confidence, which he himself, by his rash conduct, had first violated. That it was in vain to ask so small a sum as 600,000 pounds, in order to secure him against the future attempts of the parliament; since that sum must soon be exhausted by a war with France, and he must again fail into that dependence, which was become, in some degree, essential to the constitution. That if he would form the necessary alliances, that sum or a greater would instantly be voted; nor could there be any reason to dread, that the parliament would immediately desert measures, in which they were engaged by their honour, their inclination, and the public interest. That the real ground, therefore, of the king's refusal, was neither apprehension of danger from foreign enemies, nor jealousy of parliamentary encroachments; but a desire of obtaining the money which he intended, notwithstanding his royal word, to employ to other purposes. And that, by using such dishonourable means to so ignoble an end, he rendered himself still more unworthy the confidence of his people.

The House of Commons was now regularly divided into two parties, the court and the country. Some were enlisted in the court party by offices, nay, a few by bribes secretly given them; a practice first begun by Clifford, a dangerous minister: but great numbers were attached merely by inclination; so far as they esteemed the measures of the court agreeable to the interests of the nation. Private views and faction had likewise drawn several into the country party: but there were also many of that party, who had no other object than the public good. These disinterested members on both sides fluctuated between the factions; and gave the superiority sometimes to the court, sometimes to the opposition. In the present emergence, a general distrust of the king prevailed; and the parliament resolved not to hazard their money in expectation of alliances, which, they believed, were never intended to be formed. Instead of granting the supply, they voted an address, wherein they "besought his majesty to enter into a league, offensive and defensive, with the States general of the United Provinces, against the growth and power of the French King, and for the preservation of the Spanish Netherlands; and to make such other alliances with the confederates as should appear fit and useful to that end." They supported their advice with reasons; and promised speedy and effectual supplies, for preserving his majesty's honour, and insuring the safety of the public. The king pretended the highest anger at this address, which he represented as a dangerous encroachment upon his prerogative. He reproved the Commons in severe terms; and ordered them immediately to be adjourned.

It is certain, that this was the critical moment when the king both might with ease 8th May. have preserved the balance of power in Europe, which it has since cost this island a great expence of blood and



treasure to restore, and might by perseverance have at last regained, in some tolerable measure, after all past errors, the confidence of his people. This opportunity being neglected, the wound became incurable; and notwithstanding *his* momentary appearances of vigour against France and popery, and *their* momentary inclinations to rely on his faith; he was still believed to be at bottom engaged in the same interest, and *they* soon relapsed into distrust and jealousy. The secret memoirs of this reign, which have since been published,<sup>g</sup> prove, beyond a doubt, that the king had, at this time, concerted measures with France, and had no intention to enter into a war in favour of the allies. He had entertained no view, therefore, even when he pawned his *royal* word to his people, than to procure a grant of money; and he trusted, that while he eluded their expectations, he could not afterwards want pretences for palliating his conduct.

Negotiations meanwhile were carried on between France and Holland, and an eventual treaty was concluded; that is, all their differences were adjusted, provided they could afterwards satisfy their allies on both sides. This work, though in appearance difficult, seemed to be extremely forwarded by further bad successes on the part of the confederates, and by the great impatience of the Hollanders; when a new event happened, which promised a more prosperous issue to the quarrel with France, and revived the hopes of all the English who understood the interests of their country.

The king saw, with regret, the violent discontents which prevailed in the nation, and which seemed every day to augment upon him. Desirous by his natural temper to be easy himself, and to make every body else easy, he sought expedients to appease those murmurs, which, as they were very disagreeable for the present, might, in their consequences, prove extremely dangerous. He knew that, during the late war with Holland, the malcontents at home had made applications to the Prince of Orange; and if he continued still to neglect the prince's interests, and to thwart the inclinations of his own people, he apprehended lest their common complaints should cement a lasting union between them. He saw that the religion of the duke inspired the nation with dismal apprehensions; and though he had obliged his brother to allow the young princesses to be educated in the protestant faith, something further, he thought, was necessary, in order to satisfy the nation. He entertained, therefore, proposals for marrying the Prince of Orange to the Lady Mary, the elder princess, and heir apparent to the crown, (for the duke had no male issue,) and he hoped, by so tempting an offer, to engage him entirely in his interests. A peace he purposed to make; such as would satisfy France, and still preserve his connexions with that crown: and he intended to sanctify it by the approbation of the prince, whom he found to be extremely revered in England, and respected throughout Europe. All the reasons for this alliance were seconded by the solicitations of Danby, and also of Temple, who was at that time in England: and Charles at last granted permission to the prince, when the campaign should be over, to pay him a visit.

10th Oct. The king very graciously received his nephew at Newmarket. He would have entered immediately upon business; but the prince desired first to be acquainted with the Lady Mary: and he declared that, contrary to the usual sentiments of persons of his rank, he placed a great part of happiness in domestic satisfaction, and would not, upon any consideration of interest or politics, match himself with a person disagreeable to him. He was introduced to the princess, whom he found in the bloom of youth, and extremely amiable both in her person and her behaviour. The king now thought that he had a double tie upon him, and might safely expect his compliance with every proposal: he was surprised to find the prince decline all discourse of business, and refuse to concert any terms for the general peace, till his marriage should be finished. He foresaw, he said, from the situa-

tion of affairs, that his allies were likely to have hard terms; and he never would expose himself to the reproach of having sacrificed their interest to promote his own purposes. Charles still believed, notwithstanding the cold, severe manner of the prince, that he would abate of this rigid punctilio of honour; and he protracted the time, hoping, by his own insinuation and address, as well as by the allurements of love and ambition, to win him to compliance. One day, Temple found the prince in very bad humour, repenting that he had ever come to England, and resolute in a few days to leave it: but before he went, the king, he said, must choose the terms on which they should hereafter live together: he was sure it must be like the greatest friends, or the greatest enemies: and he desired Temple to inform his master next morning of these intentions. Charles was struck with this menace, and foresaw how the prince's departure would be interpreted by the people. He resolved, therefore, immediately to yield with a good grace; and having paid a compliment to his nephew's honesty, he told Temple that the marriage was concluded, and desired him to inform the duke of it, as of an affair already resolved on. The duke seemed surprised; but yielded a prompt obedience: which, he said, was his constant maxim to whatever he found to be the king's pleasure. No measure, during this reign, gave such general satisfaction. All parties strove who should most applaud it. And even Arlington, who had been kept out of the secret, told the prince, "That some things, good in themselves, were spoiled by the manner of doing them, as some things bad were mended by it; but he would confess that this was a thing so good in itself, that the manner of doing it could not spoil it."

This marriage was a great surprise to Lewis, who, accustomed to govern every thing in the English court, now found so important a step taken, not only without his consent, but without his knowledge or participation. A conjunction of England with the allies, and a vigorous war in opposition to French ambition, were the consequences immediately expected both abroad and at home: but to check these sanguine hopes, the king, a few days after the marriage, prolonged the adjournment of the parliament from the third of December to the fourth of April. This term was too late for granting supplies or making preparations for war; and could be chosen by the king for no other reason, than as an atonement to France for his consent to the marriage. It appears also, that Charles secretly received from Lewis the sum of two millions of livres on account of this important service.<sup>h</sup>

The king, however, entered into consultations with the prince, together with Danby and Temple, concerning the terms which it would be proper to require of France. After some debate, it was agreed, that France should restore Lorraine to the duke; with Tournay, Valenciennes, Condé, Aeth, Charleroi, Courtray, Oudenarde, and Binche, to Spain, in order to form a good frontier for the Low Countries. The prince insisted that Franche-comté should likewise be restored, and Charles thought that, because he had patrimonial estates of great value in that province, and deemed his property more secure in the hands of Spain, he was engaged by such views to be obstinate in that point: but the prince declared, that to procure but one good town to the Spaniards in Flanders, he would willingly relinquish all those possessions. As the king still insisted on the impossibility of wresting Franche-comté from Lewis, the prince was obliged to acquiesce.

Notwithstanding this concession to France, the projected peace was favourable to the allies; and it was a sufficient indication of vigour in the king, that he had given his assent to it. He further agreed to send over a minister instantly to Paris, in order to propose these terms. This minister was to enter into no treaty. He was to allow but two days for the acceptance or refusal of the terms: upon the expiration of these, he was presently to return; and

<sup>g</sup> Such as the letters, which passed between Danby and Montague, the English ambassador at Paris, Temple's Memoirs, and his Letters. In these last, we see, that the king never made any proposals of peace, but what were advantageous to France, and for Prince of Orange bore all them to have always been concerted with the French ambassador. Vol. i. p. 139.

<sup>h</sup> In Sir John Dalrymple's Appendix, p. 105, it appears that the king had

291 Oct.  
Marriage of the  
Prince of  
Orange with the  
Lady Mary.

Plan of peace.

In Sir John Dalrymple's Appendix, p. 112.

in case of refusal, the king promised to enter immediately into the confederacy. To carry so imperious a message, and so little expected from the English court, Temple was the person pitched on, whose declared aversion to the French interest was not likely to make him fail of vigour and promptitude in the execution of his commission.

But Charles next day felt a relenting in this assumed vigour. Instead of Temple he despatched the Earl of Feversham, a creature of the duke's, and a Frenchman by birth: and he said, that the message being harsh in itself, it was needless to aggravate it by a disagreeable messenger. The prince left London; and the king, at his departure, assured him that he never would abate in the least point of the scheme concerted, and would enter into war with Lewis, if he rejected it.

**Negotiations.** Lewis received the message with seeming gentleness and complacency. He told Feversham, that the King of England well knew that he might always be master of the peace; but some of the towns in Flanders it seemed very hard to demand, especially Tournay, upon whose fortifications such immense sums had been expended: he would therefore take some short time to consider of an answer. Feversham said, that he was limited to two days' stay: but when that time was elapsed, he was prevailed on to remain some few days longer; and he came away at last without any positive answer. Lewis said, that he hoped his brother would not break with him for one or two towns: and with regard to them, too, he would send orders to his ambassador at London to treat with the king himself. Charles was softened by the softness of France; and the blow was thus artfully eluded. The French ambassador, Barillon, owned at last, that he had orders to yield all except Tournay, and even to treat about some equivalent for that fortress, if the king absolutely insisted upon it. The prince was gone who had given spirit to the English court; and the negotiation began to draw out into messages and returns from Paris.

By intervals, however, the king could rouse himself, and show still some firmness and resolution. Finding that affairs were not likely to come to any conclusion with France, he summoned, notwithstanding the long adjournment, the parliament, on the fifteenth of January; an unusual measure, and capable of giving alarm to the French court. Temple was sent for to the council, and the king told him that he intended he should go to Holland, in order to form a treaty of alliance with the States; and that the purpose of it should be like the triple league, to force both France and Spain to accept of the terms proposed. Temple was sorry to find this act of vigour qualified by such a regard to France, and by such an appearance of indifference and neutrality between the parties. He told the king, that the resolution agreed on, was to begin the war in conjunction with all the confederates, in case of no direct and immediate answer from France: that this measure would satisfy the prince, the allies, and the people of England; advantages which could not be expected from such an alliance with Holland alone: that France would be disobliged, and Spain likewise; nor would the Dutch be satisfied with such a faint imitation of the triple league, a measure concerted when they were equally at peace with both parties. For these reasons, Temple declined the employment: and Lawrence Hyde, second son of Chancellor Clarendon, was sent in his place.

**A. D. 1678.** The Prince of Orange could not regard without contempt such symptoms of weakness and vigour conjoined in the English councils. He was resolved, however, to make the best of a measure which he did not approve; and as Spain secretly consented that her ally should form a league, which was seemingly directed against her as well as France, but which was to fall only on the latter, the States concluded the treaty in the terms proposed by the king.

**28th Jan.** Meanwhile the English parliament met, after some new adjournments; and the king was astonished, that notwithstanding the resolute measures which he thought he had taken, great distrust and jealousy

and discontent were apt, at intervals, still to prevail among the members. Though in his speech he had allowed that a good peace could no longer be expected from negotiation, and assured them that he was resolved to enter into a war for that purpose; the Commons did not forbear to insert in their reply several harsh and even unreasonable clauses. Upon his reproving them, they seemed penitent, and voted, that they would assist his majesty in the prosecution of the war. A fleet of ninety sail, an army of thirty thousand men, and a million of money, were also voted. Great difficulties were made by the Commons with regard to the army, which the House, judging by past measures, believed to be intended more against the liberties of England, than against the progress of the French monarch. To this perilous situation had the king reduced both himself and the nation. In all debates, severe speeches were made, and were received with seeming approbation: the duke and the treasurer began to be apprehensive of impeachments: many motions against the king's ministers were lost by a small majority: the Commons appointed a day to consider the state of the kingdom with regard to popery: and they even went so far as to vote, that, how urgent soever the occasion, they would lay no further charge on the people, till secured against the prevalence of the catholic party. In short, the parliament was impatient for war whenever the king seemed averse to it; but grew suspicious of some sinister design as soon as he complied with their requests, and seemed to enter into their measures.

The king was enraged at this last vote: he reproached Temple with his popular notions, as he termed them; and asked him how he thought the House of Commons could be trusted for carrying on the war, should it be entered on, when in the very commencement they made such declarations? The uncertainties indeed of Charles's conduct were so multiplied, and the jealousies on both sides so incurable, that even those who approached nearest the scene of action could not determine, whether the king ever seriously meant to enter into a war, or whether, if he did, the House of Commons would not have taken advantage of his necessities, and made him purchase supplies by a great sacrifice of his authority.<sup>1</sup>

The King of France knew how to avail himself of all the advantages which these distractions afforded him. By his emissaries, he represented to the Dutch the imprudence of their depending on England, where an indolent king, averse to all war, especially with France, and irresolute in his measures, was actuated only by the uncertain breath of a factious parliament. To the aristocratical party, he remarked the danger of the prince's alliance with the royal family of England, and revived their apprehensions; lest, in imitation of his father, who had been honoured with the same alliance, he should violently attempt to enlarge his authority, and enslave his native country. In order to enforce these motives <sup>Campaign of 1678.</sup> with further terrors, he himself took the field very early in the spring; and after threatening Luxembourg, Mons, and Namur, he suddenly sat down before Ghent and Ypres, and in a few weeks made himself master of both places. This success gave great alarm to the Hollanders, who were nowise satisfied with the conduct of England, or with the ambiguous treaty lately concluded; and it quickened all their advances towards an accommodation.

Immediately after the parliament had voted the supply, the king began to enlist forces; and such was the ardour of the English for a war with France, that an army of above 20,000 men, to the astonishment of Europe, was completed in a few weeks. Three thousand men, under the Duke of Monmouth, were sent over to secure Ostend: some regiments were recalled from the French service: a fleet was fitted out with great diligence: and a quadruple alliance was projected between England, Holland, Spain, and the emperor.

But these vigorous measures received a sudden damp from a passionate address of the lower House; in which they justified all their past proceedings that had given disgust to the king; desired to be acquainted with the

<sup>1</sup> Temple, vol. i. p. 461.





Aug. 1. entertained so just an idea of the fluctuations in the English counsels, and was so much alarmed by the late commission given to Du Cros, that he deemed it fortunate for the republic to finish on any terms a dangerous war, where they were likely to be very ill supported. The papers were instantly drawn, and signed by the ministers of France and Holland, between eleven and twelve o'clock at night. By this treaty, France secured the possession of Franche-comté, together with Cambray, Aire, St. Omers, Valenciennes, Tournay, Ypres, Bouchain, Cassel, &c. and restored to Spain only Charleroi, Courtrai, Oudenard, Aeth, Ghent, and Limbourg.

Next day Temple received an express from England, which brought the ratifications of the treaty lately concluded with the States, together with orders immediately to proceed to the exchange of them. Charles was now returned to his former inclinations for war with France.

Van Beverning was loudly exclaimed against by the ambassadors of the allies at Nimeguen, especially those at Brandenburg and Denmark, whose masters were obliged, by the treaty, to restore all their acquisitions. The ministers of Spain and the emperor were sullen and disgusted; and all men hoped that the States, importuned and encouraged by continual solicitations from England, would disavow their ambassador and renew the war. The Prince of Orange even took an extraordinary step in order to engage them to that measure; or perhaps to give vent to his own spleen and resentment. The day after signing the peace at Nimeguen, he attacked the French army at St. Dennis, near Mons; and gained some advantage over Luxembourg, who rested secure on the faith of the treaty, and concluded the war to be finished. The prince knew, at least had reason to believe, that the peace was signed, though it had not been formally notified to him, and he here sacrificed wantonly, without a proper motive, the lives of many brave men on both sides, who fell in this sharp and well contested action.

Hyde was sent over with a view of persuading the States to disavow Van Beverning; and the king promised, that England, if she might depend on Holland, would immediately declare war, and would pursue it, till France were reduced to reasonable conditions. Charles at present went further than words. He hurried on the embarkation of his army for Flanders; and all his preparations wore a hostile appearance. But the States had been too often deceived to trust him any longer. They ratified the treaty signed at Nimeguen; and all the other powers of Europe were at last, after much clamour and many disgusts, obliged to accept of the terms prescribed to them.

Peace of Nimeguen. Lewis had now reached the height of that glory which ambition can afford. His ministers and negotiators appeared as much superior to those of all Europe in the cabinet, as his generals and armies had been experienced in the field. A successful war had been carried on against an alliance, composed of the greatest potentates in Europe. Considerable conquests had been made, and his territories enlarged on every side. An advantageous peace was at last concluded, where he had given the law. The allies were so enraged against each other, that they were not likely to cement soon in any new confederacy. And thus he had, during some years, a real prospect of attaining the monarchy of Europe, and of exceeding the empire of Charlemagne, perhaps equalling that of ancient Rome. Had England continued much longer in the same condition, and under the same government, it is not easy to conceive that he could have failed of his purpose.

In proportion as these circumstances exalted the French, they excited indignation among the English, whose animosity, roused by terror, mounted to a great height against that rival nation. Instead of taking the lead in the affairs of Europe, Charles, they thought, had, contrary to his own honour and interest, acted a part entirely subservient to the common enemy; and in all his measures had either no project at all, or such as was highly criminal and dangerous. While Spain, Holland, the emperor, the princes of Germany, called aloud on England to lead them to victory and to liberty, and conspired to raise her to a station more glorious than she had ever before attained; her king, from mean pecuniary motives, had secretly sold his alliance to

Lewis, and was bribed into an interest contrary to that of his people. His active schemes, in conjunction with France, were highly pernicious; his neutrality was equally ignominious; and the jealous refractory behaviour of the parliament, though in itself dangerous, was the only remedy for so many greater ills, with which the public, from the misguided counsels of the king, was so nearly threatened. Such were the dispositions of men's minds at the conclusion of the peace of Nimeguen; and these dispositions naturally prepared the way for the events which followed.

We must now return to the affairs of <sup>State of affairs in Scotland.</sup> Scotland, which we left in some disorder, after the suppression of the insurrection in 1666. The king, who at that time endeavoured to render himself popular in England, adopted like measures in Scotland, and he intrusted the government into the hands chiefly of Tweddale and Sir Robert Murray, men of prudence and moderation. These ministers made it their principal object to compose the religious differences, which ran high, and for which scarcely any modern nation but the Dutch had as yet found the proper remedy. As rigour and restraint had failed of success in Scotland, a scheme of *comprehension* was tried; by which it was intended to diminish greatly the authority of bishops, to abolish their negative voice in the ecclesiastical courts, and to leave them little more than the right of precedence among the presbyters. But the presbyterian zealots entertained great jealousy against this scheme. They remembered that, by such gradual steps, King James had endeavoured to introduce episcopacy. Should the ears and eyes of men be once reconciled to the name and habit of bishops, the whole power of the function, they dreaded, would soon follow: the least communication with unlawful and antichristian institutions they esteemed dangerous and criminal: *Touch not, taste not, handle not*; this cry went out amongst them; and the king's ministers at last perceived that they should prostitute the dignity of the government, by making advances, to which the malcontents were determined not to correspond.

The next project adopted was that of *indulgence*. In prosecution of this scheme, the most popular of the expelled preachers, without requiring any terms of submission to the established religion, were settled in vacant churches; and small salaries of about twenty pounds a-year were offered to the rest, till they should otherwise be provided for. These last refused the king's bounty, which they considered as the wages of a criminal silence. Even the former soon repented their compliance. The people, who had been accustomed to hear them rail against their superiors, and preach to the times, as they termed it, deemed their sermons languid and spiritless when deprived of these ornaments. Their usual gifts, they thought, had left them, on account of their submission, which was stigmatized as *erastianism*. They gave them the appellation, not of ministers of Christ, but of *the king's curates*; as the clergy of the established church were commonly denominated *the bishops' curates*. The preachers themselves returned in a little time to their former practices, by which they hoped to regain their former dominion over the minds of men. The conventicles multiplied daily in the west: the clergy of the established church were insulted: the laws were neglected: the covenanters even met daily in arms at their places of worship: and though they usually dispersed themselves after divine service, yet the government took a just alarm at seeing men, who were so entirely governed by their seditious teachers, dare to set authority at defiance, and, during a time of full peace, to put themselves in a military posture.

There was here, it is apparent, in the political body, a disease dangerous and inveterate; and the government had tried every remedy, but the true one, to allay and correct it. An unlimited *toleration*, after sects have diffused themselves, and are strongly rooted, is the only expedient which can allay their fervour, and make the civil union acquire a superiority above religious distinctions. But as the operations of this regimen are commonly gradual, and at first imperceptible, vulgar politicians are apt, for that reason, to have recourse to more hasty and more dangerous remedies. It is observable, too, that these nonconformists, in Scotland, neither offered nor demanded tole-

nation; but had claim to an entire superiority, and to the exercise of extreme rigour against their adversaries. The covenant, which they idolized, was a persecuting as well as a seditious bond of confederacy; and the government, instead of treating them like madmen, who should be soothed, and flattered, and deceived into tranquillity, thought themselves entitled to a rigid obedience; and were too apt, from a mistaken policy, to retaliate upon the dissenters, who had erred from the spirit of enthusiasm.

Amidst these disturbances, a new parliament was assembled at Edinburgh;<sup>m</sup> and Lauderdale was sent down commissioner. The zealous presbyterians, who were the chief patrons of liberty, were too obnoxious to resist, with any success, the measures of government; and in parliament the tide still ran strongly in favour of monarchy. The commissioner had such influence as to get two acts passed, which were of great consequence to the ecclesiastical and civil liberties of the kingdom. By the one, it was declared, that the settling of all things, with regard to the external government of the church, was a right of the crown: that whatever related to ecclesiastical meetings, matters, and persons, was to be ordered according to such directions as the king should send to his privy council: and that these, being published by them, should have the force of laws. The other act regarded the militia, which the king, by his own authority, had two years before established, instead of the army, which was disbanded. By this act the militia was settled to the number of 22,000 men, who were to be constantly armed and regularly disciplined. And it was further enacted, that these troops should be held in readiness to march into England, Ireland, or any part of the king's dominions, for any cause in which his majesty's authority, power, or greatness, was concerned; on receiving orders, not from the king himself, but from the privy council of Scotland.

Lauderdale boasted extremely of his services in procuring these two laws. The king, by the former, was rendered absolute master of the church, and might legally, by his edict, re-establish, if he thought proper, the catholic religion in Scotland. By the latter, he saw a powerful force ready at his call: he had even the advantage of being able to disguise his orders under the name of the privy council; and in case of failure in his enterprises, could, by such a pretence, apologize for his conduct to the parliament of England. But in proportion as these laws were agreeable to the king, they gave alarm to the English Commons, and were the chief cause of the redoubled attacks which they made upon Lauderdale. These attacks, however, served only to fortify him in his interest with the king; and though it is probable that the militia of Scotland, during the divided state of that kingdom, would, if matters had come to extremities, have been of little service against England; yet did Charles regard the credit of it as a considerable support to his authority: and Lauderdale, by degrees, became the prime, or rather sole, minister for Scotland. The natural indolence of the king disposed him to place entire confidence in a man who had so far extended the royal prerogative, and who was still disposed to render it absolutely uncontrollable.

In a subsequent session of the same parliament,<sup>n</sup> a severe law was enacted against conventicles. Ruinous fines were imposed both on the preachers and hearers, even if the meetings had been in houses, but field conventicles were subjected to the penalty of death, and confiscation of goods: four hundred marks Scotch were offered as a reward to those who should seize the criminals; and they were indemnified for any slaughter which they might commit in the execution of such an undertaking. And as it was found difficult to get evidence against these conventicles, however numerous, it was enacted by another law, that whoever, being required by the council, refused to give information upon oath, should be punished by arbitrary fines, by imprisonment, or by banishment to the plantations. Thus all persecution naturally, or rather necessarily, adopts the iniquities, as well as rigours, of the inquisition. What a considerable part of the society consider as their duty and honour, and even many of the opposite party are apt to regard with compassion and in-

dulgence, can by no other expedient be subjected to such severe penalties as the natural sentiments of mankind appropriate only to the greatest crimes.

Though Lauderdale found this ready compliance in the parliament, a party was formed against him, of which Duke Hamilton was the head. This nobleman, with Tweddale and others, went to London, and applied to the king, who, during the present depression and insignificance of parliament, was alone able to correct the abuses of Lauderdale's administration. But even their complaints to him might be dangerous; and all approaches of truth to the throne were barred by the ridiculous law against leasing-making; a law which seems to have been extorted by the ancient nobles, in order to protect their own tyranny, oppression, and injustice. Great precautions, therefore, were used by the Scottish malcontents in their representation to the king; but no redress was obtained. Charles loaded them with caresses, and continued Lauderdale in his authority.

A very bad, at least a severe, use was made of this authority. The privy council dispossessed twelve gentlemen or noblemen of their houses; which were converted into so many garrisons, established for the suppression of conventicles. The nation, it was pretended, was really, on account of these religious assemblies, in a state of war; and by the ancient law, the king, in such an emergence, was empowered to place a garrison in any house where he should judge it expedient.

It were endless to recount every act of violence and arbitrary authority exercised during Lauderdale's administration. All the lawyers were put from the bar, nay banished, by the king's order, twelve miles from the capital, and by that means the whole justice of the kingdom was suspended for a year; till these lawyers were brought to declare it as their opinion, that all appeals to parliament were illegal. A letter was procured from the king, for expelling twelve of the chief magistrates of Edinburgh, and declaring them incapable of all public office, though their only crime had been their want of compliance with Lauderdale. The boroughs of Scotland have a privilege of meeting once a-year by their deputies, in order to consider the state of trade, and make bye-laws for its regulation: in this convention a petition was voted, complaining of some late acts, which obstructed commerce, and praying the king that he would empower his commissioner, in the next session of parliament, to give his assent for repealing them. For this presumption, as it was called, several of the members were fined and imprisoned. One More, a member of parliament, having moved in the House, that, in imitation of the English parliament, no bill should pass except after three readings; he was, for this pretended offence, immediately sent to prison by the commissioner.

The private deportment of Lauderdale was as insolent and provoking as his public administration was violent and tyrannical. Justice likewise was universally perverted by faction and interest: and from the great rapacity of that duke, and still more of his duchess, all offices and favours were openly put to sale. No one was allowed to approach the throne who was not dependent on him; and no remedy could be hoped for or obtained against his manifold oppressions. The case of Mitchel shows that this minister was as much destitute of truth and honour, as of lenity and justice.

Mitchel was a desperate fanatic, and had entertained a resolution of assassinating Sharpe, Archbishop of St. Andrews, who, by his former apostasy and subsequent rigour, had rendered himself extremely odious to the covenanters. In the year 1668, Mitchel fired a pistol at the primate, as he was sitting in his coach; but the Bishop of Orkney, stepping into the coach, happened to stretch out his arm, which intercepted the ball, and was much shattered by it. This happened in the principal street of the city; but so generally was the archbishop hated, that the assassin was allowed peaceably to walk off: and having turned a street or two, and thrown off a wig, which disguised him, he immediately appeared in public, and remained altogether unsuspected. Some years after, Sharpe remarked one, who seemed to eye him very eagerly; and being still

anxious lest an attempt of assassination should be renewed, he ordered the man to be seized and examined. Two loaded pistols were found upon him; and as he was now concluded to be the author of the former attempt, Sharpe promised, that, if he would confess his guilt, he should be dismissed without any punishment. Mitchel (for the conjecture was just) was so credulous as to believe him; but was immediately produced before the council by the faithless primate. The council, having no proof against him, but hoping to involve the whole body of covenanters in this odious crime, solemnly renewed the promise of pardon, if he would make a full discovery; and it was a great disappointment to them, when they found, upon his confession, that only one person, who was now dead, had been acquainted with his bloody purpose. Mitchel was then carried before a court of judicature, and required to renew his confession; but being apprehensive, lest, though a pardon for life had been promised him, other corporal punishment might still be inflicted, he refused compliance, and was sent back to prison. He was next examined before the council, under pretence of his being concerned in the insurrection at Pentland; and though no proof appeared against him, he was put to the question, and, contrary to the most obvious principles of equity, was urged to accuse himself. He endured the torture with singular resolution, and continued obstinate in the denial of a crime, of which, it is believed, he really was not guilty. Instead of obtaining his liberty, he was sent to the Bass, a very high rock surrounded by the sea; at this time converted into a state prison, and full of the unhappy covenanters. He there remained in great misery, loaded with irons, till the year 1677, when it was resolved, by some new examples, to strike a fresh terror into the persecuted but still obstinate enthusiasts. Mitchel was then brought before a court of judicature, and put upon his trial for an attempt to assassinate an archbishop and a privy-counsellor. His former confession was pleaded against him, and was proved by the testimony of the Duke of Lauderdale, lord commissioner, Lord Hatton, his brother, the Earl of Rothes, and the primate himself. Mitchel, besides maintaining that the privy-council was no court of judicature, and that a confession before them was not judicial, asserted, that he had been engaged to make that confession by a solemn promise of pardon. The four privy-counsellors denied upon oath that any such promise had ever been given. The prisoner then desired that the council books might be produced in court; and even offered a copy of that days' proceedings to be read; but the privy-counsellors maintained, that, after they had made oath, no further proof could be admitted, and that the books of council contained the king's secrets, which were on no account to be divulged. They were not probably aware, when they swore, that the clerk, having engrossed the promise of pardon in the narrative of Mitchel's confession, the whole minute had been signed by the chancellor, and that the proofs of their perjury were by that means committed to record. Though the prisoner was condemned, Lauderdale was still inclined to pardon him; but the unrelenting primate rigorously insisted upon his execution; and said, that if assassins remained unpunished, his life must be exposed to perpetual danger. Mitchel was accordingly executed at Edinburgh in January, 1678. Such a complication of cruelty and treachery shows the character of those ministers to whom the king had, at this time, intrusted the government of Scotland.

Lauderdale's administration, besides the iniquities arising from the violence of his temper, and the still greater iniquities inseparable from all projects of persecution, was attended with other circumstances, which engaged him in severe and arbitrary measures. An absolute government was to be introduced, which on its commencement is often most rigorous, and tyranny was still obliged, for want of military power, to cover itself under an appearance of law; a situation which rendered it extremely awkward in its motions, and, by provoking opposition, extended the violence of its oppressions.

The rigours exercised against conventicles, instead of breaking the spirit of the fanatics, had tended only, as is usual, to render them more obstinate, to increase the fervour of their zeal, to link them more closely together,

and to inflame them against the established hierarchy. The commonalty, almost every where in the south, particularly in the western counties, frequented conventicles without reserve; and the gentry, though they themselves commonly abstained from these illegal places of worship, connived at this irregularity in their inferiors. In order to interest the former on the side of the persecutors, a bond or contract was, by order of the privy council, tendered to the landlords in the west, by which they were to engage for the good behaviour of their tenants; and in case any tenant frequented a conventicle, the landlord was to subject himself to the same fine, as could by law be exacted from the delinquent. It was ridiculous to give sanction to laws by voluntary contracts: it was iniquitous to make one man answerable for the conduct of another: it was illegal to impose such hard conditions upon men, who had no-wise offended. For these reasons the greater part of the gentry refused to sign these bonds; and Lauderdale, enraged at this opposition, endeavoured to break their spirit by expedients which were still more unusual and more arbitrary.

The law enacted against conventicles, had called them seminaries of rebellion. This expression, which was nothing but a flourish of rhetoric, Lauderdale and the privy council were willing to understand in a life sense; and because the western counties abounded in conventicles, though otherwise in profound peace, they pretended that these counties were in a state of actual war and rebellion. They made therefore an agreement with some highland chieftains to call out their clans, to the number of 8000 men: to these they joined the guards, and the militia of Angus: and they sent the whole to live at free quarters upon the lands of such as had refused the bonds illegally required of them. The obnoxious counties were the most populous and most industrious in Scotland. The highlanders were the people the most disorderly and the least civilized. It is easy to imagine the havoc and destruction which ensued. A multitude, not accustomed to discipline, averse to the restraint of laws, trained up in rapine and violence, were let loose amidst those whom they were taught to regard as enemies to their prince and to their religion. Nothing escaped their ravenous hands: by menaces, by violence, and sometimes by tortures, men were obliged to discover their concealed wealth. Neither age, nor sex, nor innocence, afforded protection: and the gentry, finding that even those who had been most compliant, and who had subscribed the bonds, were equally exposed to the rapacity of those barbarians, confirmed themselves still more in the resolution of refusing them. The voice of the nation was raised against this enormous outrage; and after two months' free quarter, the highlanders were sent back to their hills, loaded with the spoils and execrations of the west.

Those who had been engaged to subscribe the bonds, could find no security, but by turning out such tenants as they suspected of an inclination to conventicles, and thereby depopulating their estates. To increase the misery of these unhappy farmers, the council enacted, that none should be received any where, or allowed a habitation, who brought not a certificate of his conformity from the parish minister. That the obstinate and refractory might not escape further persecution, a new device was fallen upon. By the law of Scotland, any man, who should go before a magistrate, and swear that he thought himself in danger from another, might obtain a writ of *law-burrows*, as it is called; by which the latter was bound, under the penalty of imprisonment and outlawry, to find security for his good behaviour. Lauderdale entertained the absurd notion of making the king sue out writs of law-burrows against his subjects. On this pretence, the refusers of the bonds were summoned to appear before the council, and were required to bind themselves, under the penalty of two years' rent, neither to frequent conventicles themselves, nor allow their family and tenants to be present at those unlawful assemblies. Thus chicanery was joined to tyranny; and the majesty of the king, instead of being exalted, was in reality prostituted; as if he were obliged to seek the same security, which one neighbour might require of another.

It was an old law, but seldom executed, that a man who was accused of any crime, and did not appear, in order to stand his trial, might be *intercommuned*, that is, he might



be publicly outlawed; and whoever afterwards, either on account of business, relation, nay charity, had the least intercourse with him, was subjected to the same penalties as could by law be inflicted on the criminal himself. Several writs of intercommuning were now issued against the hearers and preachers in conventicles; and by this severe and even absurd law, crimes and guilt went on multiplying in a geometrical proportion. Where laws themselves are so violent, it is no wonder that an administration should be tyrannical.

Last the cry of an oppressed people should reach the throne, the council forbade, under severe penalties, all noblemen or gentlemen of landed property to leave the kingdom: a severe edict, especially where the sovereign himself resided in a foreign country. Notwithstanding this act of council, Cassilis first, afterwards Hamilton and Tweddale, went to London and laid their complaints before the king. These violent proceedings of Lauderdale went opposite to the natural temper of Charles; and he immediately issued orders for discontinuing the bonds and the writs of law-burrows. But as he was commonly little touched with what lay at a distance, he entertained not the proper indignation against those who had abused his authority: even while he retracted these oppressive measures, he was prevailed with to avow and praise them, in a letter which he wrote to the privy council. This proof of confidence might fortify the hands of the ministry; but the king ran a manifest risk of losing the affections of his subjects, by not permitting even those who were desirous of it, to distinguish between him and their oppressors.

It is reported,<sup>o</sup> that Charles, after a full hearing of the debates concerning Scottish affairs, said, "I perceive, that Lauderdale has been guilty of many bad things against the people of Scotland; but I cannot find that he has acted any thing contrary to my interest:" a sentiment unworthy of a sovereign!

During the absence of Hamilton and the other discontented lords, the king allowed Lauderdale to summon a convention of estates at Edinburgh. This assembly, besides granting some money, bestowed applause on all Lauderdale's administration, and in their addresses to the king expressed the highest contentment and satisfaction. But these instances of complaisance had the contrary effect in England from what was expected by the contrivers of them. All men there concluded, that in Scotland the very voice of liberty was totally suppressed; and that, by the prevalence of tyranny, grievances were so riveted, that it was become dangerous even to mention them, or complain to the prince, who alone was able to redress them. From the slavery of the neighbouring kingdom, they inferred the arbitrary disposition of the king; and from the violence with which sovereign power was there exercised, they apprehended the miseries which might ensue to themselves upon their loss of liberty. If persecution, it was asked, by a protestant church, could be carried to such extremes, what might be dreaded from the prevalence of popery, which had ever, in all ages, made open profession of exterminating by fire and sword every opposite sect or communion? And if the first approaches towards unlimited authority were so tyrannical, how dismal its final establishment; when all dread of opposition should at last be removed by mercenary armies, and all sense of shame by long and inveterate habit?

## CHAP. LXVII.

The popish plot—Oates's narrative—and character—Coleman's letters—Godfrey's murder—General consideration—The parliament—Zeal of the parliament—Before's narrative—Arrestation of Danby—His impeachment—Dissolution of the second parliament—Its character—Trial of Coleman—Of Ireland—New elections—Duke of Monmouth—Duke of York returns to Brussels—New parliament—Danby's impeachment—Popish plots—New councils—Intimations of a popish success—Bill of exclusion—Hague Convention—Protection and dissolution of the parliament—Trial and execution of the five Jesuits; and of Langborne—Wasserman acquitted—State of affairs in Scotland—Battle of Bothwell bridge.

A. D. 1678.

THE English nation, ever since the fatal league with France, had entertained violent

jealousies against the court; and the subsequent measures adopted by the king had tended more to increase than cure the general prejudices. Some mysterious design was still suspected in every enterprise and profession: arbitrary power and popery were apprehended as the scope of all projects: each breath or rumour made the people start with anxiety: their enemies, they thought, were in their very bosom, and had gotten possession of their sovereign's confidence. While in this timorous, jealous disposition, the cry of a plot all on a sudden struck their ears: they were awakened from their slumber; and, like men affrighted and in the dark, took every figure for a spectre. The terror of each man became the source of terror to another. And a universal panic being diffused, reason, and argument, and common sense, and common humanity, lost all influence over them. From this disposition of men's minds we are to account for the progress of the popish plot, and the credit given to it; an event which would otherwise appear prodigious. The popish plot. And altogether inexplicable.

On the 12th of August, one Kirby, a chemist, accosted the king, as he was walking in the park: "Sir," said he, "keep within the company: your enemies have a design upon your life; and you may be shot in this very walk." Being asked the reason of these strange speeches, he said, that two men, called Grove and Pickering, had engaged to shoot the king, and Sir George Wakeman, the queen's physician, to poison him. This intelligence, he added, had been communicated to him by Doctor Tongue; whom, if permitted, he would introduce to his majesty. Tongue was a divine of the church of England; a man, active, restless, full of projects, void of understanding. He brought papers to the king, which contained information of a plot, and were digested into forty-three articles. The king, not having leisure to peruse them, sent them to the treasurer Danby, and ordered the two informers to lay the business before that minister. Tongue confessed to Danby, that he himself had not drawn the papers, that they had been secretly thrust under his door, and that, though he suspected, he did not certainly know, who was the author. After a few days he returned, and told the treasurer, that his suspicions, he found, were just; and that the author of the intelligence, whom he had met twice or thrice in the street, had acknowledged the whole matter, and had given him a more particular account of the conspiracy, but desired that his name might be concealed, being apprehensive lest the papists should murder him.

The information was renewed with regard to Grove's and Pickering's intentions of shooting the king; and Tongue even pretended that, at a particular time, they were to set out for Windsor with that intention. Orders were given for arresting them, as soon as they should appear in that place: but though this alarm was more than once renewed, some frivolous reasons were still found by Tongue for their having delayed the journey. And the king concluded, both from these evasions, and from the mysterious, artificial manner of communicating the intelligence, that the whole was an imposture.

Tongue came next to the treasurer, and told him, that a packet of letters, written by Jesuits concerned in the plot, was that night to be put into the post-house for Windsor, directed to Bennifield, a Jesuit, confessor to the duke. When this intelligence was conveyed to the king, he replied, that the packet mentioned had a few hours before been brought to the duke by Bennifield; who said, that he suspected some bad design upon him; that the letters seemed to contain matters of a dangerous import; and that he knew them not to be the handwriting of the persons whose names were subscribed to them. This incident still further confirmed the king in his incredulity.

The matter had probably slept for ever, had it not been for the anxiety of the duke; who, hearing that priests and Jesuits, and even his own confessor, had been accused, was desirous that a thorough inquiry should be made by the council into the pretended conspiracy. Kirby and Tongue were inquired after, and were now found to be living in close connexion with Titus Oates, the person who was said to have conveyed the first intelligence to Tongue. Oates affirmed, that he had fallen under sus-

picion with the Jesuits; that he had received three blows with a stick, and a box on the ear from the provincial of that order, for revealing their conspiracy: and that, overhearing them speak of their intentions to punish him more severely, he had withdrawn and concealed himself. This man, in whose breast was lodged a secret, involving the fate of kings and kingdoms, was allowed to remain in such necessity, that Kirby was obliged to supply him with daily bread; and it was a joyful surprise to him, when he heard that the council was at last disposed to take some notice of his intelligence.—But as he expected more encouragement from the public, than from the king or his ministers, he thought proper, before he was presented to the council, to go with his two companions to Sir Edmundsbury Godfrey, a noted and active justice of peace, and to give evidence before him of all the articles of the conspiracy.

Oates's narrative. The wonderful intelligence, which Oates conveyed both to Godfrey and the council, and afterwards to the parliament, was to this purpose.<sup>a</sup> The Pope, he said, on examining the matter in the congregation *de propaganda*, had found himself entitled to the possession of England and Ireland on account of the heresy of prince and people, and had accordingly assumed the sovereignty of these kingdoms. This supreme power he had thought proper to delegate to the society of Jesuits; and De Oliva, general of that order, in consequence of the papal grant, had exerted every act of regal authority, and particularly had supplied, by commissions under the seal of the society, all the chief offices, both civil and military. Lord Arundel was created chancellor, Lord Powis treasurer, Sir William Godolphin privy seal, Coleman secretary of state, Langhorne attorney general, Lord Bellasis general of the papal army, Lord Peters lieutenant-general, Lord Stafford paymaster; and inferior commissions, signed by the provincial of the Jesuits, were distributed all over England. All the dignities, too, of the church were filled, and many of them with Spaniards and other foreigners. The provincial had held a consult of the Jesuits under his authority; where the king, whom they opprobriously called the Black Bastard, was solemnly tried and condemned as a heretic; and a resolution taken to put him to death. Father le Shee (for so this great plotter and informer called Father la Chaise, the noted confessor of the French king) had consigned in London ten thousand pounds, to be paid to any man who should merit it by this assassination. A Spanish provincial had expressed like liberality: the prior of the Benedictines was willing to go the length of six thousand; the Dominicans approved of the action; but pleaded poverty. Ten thousand pounds had been offered to Sir George Wakeman, the queen's physician, who demanded fifteen thousand, as a reward for so great a service: his demand was complied with; and five thousand had been paid him by advance. Lest this means should fail, four Irish ruffians had been hired by the Jesuits, at the rate of twenty guineas a-piece, to stab the king at Windsor; and Coleman, secretary to the late Duchess of York, had given the messenger, who carried them orders, a guinea to quicken his diligence. Grove and Pickering were also employed to shoot the king with silver bullets: the former was to receive the sum of fifteen hundred pounds; the latter, being a pious man, was to be rewarded with thirty thousand masses, which, estimating masses at a shilling a-piece, amounted to a like value. Pickering would have executed his purpose, had not the flint at one time dropt out of his pistol, at another time the priming. Coniers, the Jesuit, had bought a knife at the price of ten shillings, which he thought was not dear, considering the purpose for which he intended it, to wit, stabbing the king. Letters of subscription were circulated among the catholics all over England, to raise a sum for the same purpose. No less than fifty Jesuits had met in May last, at the White-horse tavern, where it was unanimously agreed to put the king to death. This synod did afterwards, for more convenience, divide themselves into many lesser cabals or companies; and Oates was employed to carry notes and letters from one to another, all tending to the same end, of murdering the king. He even

carried from one company to another a paper, in which they formally expressed their resolution of executing that deed; and it was regularly subscribed by all of them. A wager of a hundred pounds was laid, and stakes made, that the king should eat no more Christmas pies. In short, it was determined, to use the expression of a Jesuit, that if he would not become R. C. (Roman Catholic,) he should no longer be C. R. (Charles Rex.) The great fire of London had been the work of the Jesuits, who had employed eighty or eighty-six persons for that purpose, and had expended seven hundred fire-balls; but they had a good return for their money, for they had been able to pilfer goods from the fire to the amount of fourteen thousand pounds: the Jesuits had also raised another fire on St. Margaret's Hill, whence they had stolen goods to the value of two thousand pounds: another at Southwark: and it was determined in like manner to burn all the chief cities in England. A paper model was already framed for the firing of London; the stations were regularly marked out, where the several fires were to commence; and the whole plan of operations was so concerted, that precautions were taken by the Jesuits to vary their measures, according to the variation of the wind. Fire-balls were familiarly called among them Teuxbury mustard pills; and were said to contain a noble biting sauce. In the great fire, it had been determined to murder the king; but he had displayed such diligence and humanity in extinguishing the flames, that even the Jesuits relented, and spared his life. Besides these assassinations and fires; insurrections, rebellions, and massacres, were projected by that religious order in all the three kingdoms. There were twenty thousand catholics in London, who would rise in four-and-twenty hours or less; and Jennison, a Jesuit, said, that they might easily cut the throats of a hundred thousand protestants. Eight thousand catholics had agreed to take arms in Scotland. Ormond was to be murdered by four Jesuits; a general massacre of the Irish protestants was concerted; and forty thousand black bills were already provided for that purpose. Coleman had remitted two hundred thousand pounds to promote the rebellion in Ireland; and the French king was to land a great army in that island. Poole, who wrote the Synopsis, was particularly marked out for assassination; as was also Dr. Stillingfleet, a controversial writer against the papists. Burnet tells us, that Oates paid him the same compliment. After all this havoc, the crown was to be offered to the duke, but on the following conditions; that he receive it as a gift from the Pope; that he confirm all the papal commissions for offices and employments; that he ratify all past transactions, by pardoning the incendiaries, and the murderers of his brother and of the people; and that he consent to the utter extirpation of the protestant religion. If he refuse these conditions, he himself was immediately to be poisoned or assassinated. *To pot James must go*; according to the expression ascribed by Oates to the Jesuits.

Oates, the informer of this dreadful plot, was himself the most infamous of mankind. He was the son of an anabaptist preacher, chaplain to Colonel Pride; but having taken orders in the church, he had been settled in a small living by the Duke of Norfolk. He had been indicted for perjury; and by some means had escaped. He was afterwards a chaplain on board the fleet; whence he had been dismissed on complaint of some unnatural practices not fit to be named. He then became a convert to the catholics; but he afterwards boasted, that his conversion was a mere pretence, in order to get into their secrets and to betray them.<sup>b</sup> He was sent over to the Jesuits' college at St. Omers, and though above thirty years of age, he there lived some time among the students. He was despatched on an errand to Spain; and thence returned to St. Omers; where the Jesuits, heartily tired of their convert, at last dismissed him from their seminary. It is likely, that, from resentment of this usage, as well as from want and indigence, he was induced, in combination with Tongue, to contrive that plot of which he accused the catholics.

This abandoned man, when examined before the coun-

<sup>a</sup> Oates's Narrative.

<sup>b</sup> Burnet, Toland, North, L'Estrange, &c.

ed, betrayed his impostures, in such a manner, as would have utterly discredited the most consistent story, and the most reputable evidence. While in Spain, he had been carried, he said, to Don John, who promised great assistance to the execution of the catholic designs. The king asked him, what sort of a man Don John was: he answered, a tall lean man: directly contrary to truth, as the king well knew.<sup>c</sup> He totally mistook the situation of the Jesuits' college at Paris. Though he pretended great intimacies with Coleman, he knew him not, when placed very near him; and had no other excuse than that his sight was bad in candle-light.<sup>e</sup> He fell into like mistakes with regard to Wakeman.

Notwithstanding these objections, great attention was paid to Oates's evidence, and the plot became very soon the subject of conversation, and even the object of terror to the people. The violent animosity, which had been excited against the catholics in general, made the public swallow the grossest absurdities when they accompanied an accusation of those religionists; and the more diabolical any contrivance appeared, the better it suited the tremendous idea entertained of a Jesuit. Danby likewise, who stood in opposition to the French and catholic interest at court, was willing to encourage every story, which might serve to discredit that party. By his suggestion, when a warrant was signed for arresting Coleman, there was inserted a clause for seizing his papers; a circumstance attended with the most important consequences.

<sup>Coleman's letters.</sup> Coleman, partly on his own account, partly by orders from the duke, had been engaged in a correspondence with Father la Chaise, with the Pope's nuncio at Brussels, and with other catholics abroad; and being himself a fiery zealot, busy and sanguine, the expressions in his letters often betrayed great violence and indiscretion. His correspondence, during the years 1674, 1675, and part of 1676, was seized, and contained many extraordinary passages. In particular he said to La Chaise, "We have here a mighty work upon our hands, no less than the conversion of three kingdoms, and by that perhaps the utter subduing a pestilent heresy, which has a long time domineered over a great part of this northern world. There were never such hopes of success, since the days of Queen Mary, as now in our days. God has given us a prince," meaning the duke, "who is become (may I say a miracle) zealous of being the author and instrument of so glorious a work; but the opposition we are sure to meet with, is also like to be great: so that it imports us to get all the aid and assistance we can." In another letter he said, "I can scarce believe myself awake, or the thing real, when I think of a prince in such an age as we live in, converted to such a degree of zeal and piety, as not to regard any thing in the world in comparison of God Almighty's glory, the salvation of his own soul, and the conversion of our poor kingdom." In other passages the interests of the crown of England, those of the French king, and those of the catholic religion, are spoken of as inseparable. The duke is also said to have connected his interests unalterably with those of Lewis. The king himself, he affirms, is always inclined to favour the catholics, when he may do it without hazard. "Money," Coleman adds, "cannot fail of persuading the king to any thing. There is nothing it cannot make him do, were it ever so much to his prejudice. It has such an absolute power over him, that he cannot resist it. Logic, built upon money, has in our court more powerful charms than any other sort of argument." For these reasons, he proposed to Father la Chaise, that the French king should remit the sum of 300,000 pounds on condition that the parliament be dissolved; a measure to which, he affirmed, the king was, of himself, sufficiently inclined, were it not for his hopes of obtaining money from that assembly. The parliament, he said, had already constrained the king to make peace with Holland, contrary to the interests of the catholic religion, and of his most Christian majesty: and if they should meet again, they would surely engage him further, even to the making of war against France. It appears also from the same letters, that the assembling of the parliament so late as April in the year 1675, had been pro-

cured by the intrigues of the catholic and French party, who thereby intended to show the Dutch and their confederates, that they could expect no assistance from England.

When the contents of these letters were publicly known, they diffused the panic, with which the nation began already to be seized on account of the popish plot. Men reasoned more from their fears and their passions, than from the evidence before them. It is certain, that the restless and enterprising spirit of the catholic church, particularly of the Jesuits, merits attention, and is, in some degree, dangerous to every other communion. Such zeal of proselytism actuates that sect, that its missionaries have penetrated into every nation of the globe; and, in one sense, there is a *popish plot* perpetually carrying on against all states, protestant, pagan, and mahometan. It is likewise very probable, that the conversion of the duke, and the favour of the king, had inspired the catholic priests with new hopes of recovering in these islands their lost dominion, and gave fresh vigour to that intemperate zeal by which they are commonly actuated. Their first aim was to obtain a toleration; and such was the evidence, they believed, of their theological tenets, that, could they but procure entire liberty, they must infallibly in time open the eyes of the people. After they had converted considerable numbers, they might be enabled, they hoped, to reinstate themselves in full authority, and entirely to suppress that heresy, with which the kingdom had so long been infected. Though these dangers to the protestant religion were distant, it was justly the object of great concern to find that the heir of the crown was so blinded with bigotry, and so deeply engaged in foreign interests; and that the king himself had been prevailed on, from low interests, to hearken to his dangerous insinuations. Very bad consequences might ensue from such perverse habits and attachments; nor could the nation and parliament guard against them with too anxious a precaution. But that the Roman pontiff could hope to assume the sovereignty of these kingdoms, a project which, even during the darkness of the eleventh and twelfth centuries, would have appeared chimerical; that he should delegate this authority to the Jesuits, that order in the Romish church, which was the most hated; that a massacre could be attempted of the protestants, who surpassed the catholics a hundred fold, and were invested with the whole authority of the state; that the king himself was to be assassinated, and even the duke, the only support of their party: these were such absurdities as no human testimony was sufficient to prove; much less the evidence of one man, who was noted for infamy, and who could not keep himself, every moment, from falling into the grossest inconsistencies. Did such intelligence deserve even so much attention as to be refuted, it would appear, that Coleman's letters were sufficient alone to destroy all its credit. For how could so long a train of correspondence be carried on, by a man so much trusted by the party; and yet no traces of insurrections, if really intended, of fires, massacres, assassinations, invasions, be ever discovered in any single passage of these letters? But all such reflections, and many more, equally obvious, were vainly employed against that general prepossession with which the nation was seized. Oates's plot and Coleman's were universally confounded together: and the evidence of the latter being unquestionable, the belief of the former, aided by the passions of hatred and of terror, took possession of the whole people.

There was danger, however, lest time might open the eyes of the public; when the murder of Godfrey completed the general delusion, and rendered the prejudices of the nation absolutely incurable. This magistrate had been missing some days, and, after much search, and many surmises, his body was found lying in a ditch at Primrose-hill: the marks of strangling were thought to appear about his neck, and some contusions on his breast: his own sword was sticking in the body; but as no considerable quantity of blood ensued on drawing it, it was concluded, that it had been thrust in after his death, and that he had not killed him-

17th Oct.  
Godfrey's  
murder.

<sup>c</sup> Luttrell, North.

<sup>d</sup> North.

<sup>e</sup> Burnet, North, Trials.



self: he had rings on his fingers, and money in his pocket: it was therefore inferred, that he had not fallen into the hands of robbers. Without further reasoning, the cry rose, that he had been assassinated by the papists, on account of his taking Oates's evidence. This clamour was quickly propagated, and met with universal belief. The panic spread itself on every side with infinite rapidity; and all men, astonished with fear, and animated with rage, saw in Godfrey's fate all the horrible designs ascribed to the catholics, and no further doubt remained of Oates's veracity. The voice of the nation united against that hated sect; and, notwithstanding that the bloody conspiracy was supposed to be now detected, men could scarcely be persuaded that their lives were yet in safety. Each hour teemed with new rumours and surmises. In-

General con-  
surrection.

vasions from abroad, insurrections at home, even private murders and poisonings, were apprehended. To deny the reality of the plot was to be an accomplice: to hesitate was criminal: royalist, republican, churchman, sectary, courtier, patriot; all parties concurred in the illusion. The city prepared for its defence, as if the enemy were at its gates: the chains and posts were put up: and it was a noted saying at that time of Sir Thomas Player, the chamberlain, that were it not for these precautions, all the citizens might rise next morning with their throats cut!

In order to propagate the popular frenzy, several artifices were employed. The dead body of Godfrey was carried into the city, attended by vast multitudes. It was publicly exposed in the streets, and viewed by all ranks of men; and every one who saw it, went away inflamed, as well by the mutual contagion of sentiments, as by the dismal spectacle itself. The funeral pomp was celebrated with great parade. The corpse was conducted through the chief streets of the city: seventy-two clergymen marched before: above a thousand persons of distinction followed after: and at the funeral sermon, two able-bodied divines mounted the pulpit, and stood on each side of the preacher, lest, in paying the last duties to this unhappy magistrate, he should, before the whole people, be murdered by the papists.<sup>a</sup>

In this disposition of the nation, reason could no more be heard than a whisper in the midst of the most violent hurricane. Even at present, Godfrey's murder can scarcely, upon any system, be rationally accounted for. That he was assassinated by the catholics, seems utterly improbable. These religionists could not be engaged to commit that crime from *policy*, in order to deter other magistrates from acting against them. Godfrey's fate was no-wise capable of producing that effect, unless it were publicly known, that the catholics were his murderers; an opinion which, it was easy to foresee, must prove the ruin of their party. Besides, how many magistrates, during more than a century, had acted in the most violent manner against the catholics, without its being ever suspected that any one had been cut off by assassination? Such jealous times as the present were surely ill fitted for beginning these dangerous experiments. Shall we therefore say, that the catholics were pushed on, not by policy, but by blind *revenge* against Godfrey? But Godfrey had given them little or no occasion of offence in taking Oates's evidence. His part was merely an act of form, belonging to his office; nor could he, or any man in his station, possibly refuse it. In the rest of his conduct, he lived on good terms with the catholics, and was far from distinguishing himself by his severity against that sect. It is even certain that he had contracted an intimacy with Coleman, and took care to inform his friend of the danger to which, by reason of Oates's evidence, he was at present exposed.

There are some writers, who, finding it impossible to account for Godfrey's murder by the machinations of the catholics, have recourse to the opposite supposition. They lay hold of that obvious presumption, that those commit the crime who reap advantage by it; and they affirm that it was Shaftesbury, and the heads of the popular party, who perpetrated that deed, in order to throw the odium of it on the papists. If this supposition be received, it must

also be admitted, that the whole plot was the contrivance of those politicians; and that Oates acted altogether under their direction. But it appears that Oates, dreading probably the opposition of powerful enemies, had very anxiously acquitted the duke, Danby, Ormond, and all the ministry; persons who were certainly the most obnoxious to the popular leaders. Besides, the whole texture of the plot contains such low absurdity, that it is impossible to have been the invention of any man of sense or education. It is true, the more monstrous and horrible the conspiracy, the better was it fitted to terrify, and thence to convince, the populace: but this effect, we may safely say, no one could beforehand have expected; and a fool was in this case more likely to succeed than a wise man. Had Shaftesbury laid the plan of a popish conspiracy, he had probably rendered it moderate, consistent, credible; and on that very account had never met with the prodigious success, with which Oates's tremendous fictions were attended.

We must, therefore, be contented to remain for ever ignorant of the actors in Godfrey's murder; and only pronounce in general, that that event, in all likelihood, had no connexion, one way or other, with the popish plot. Any man, especially so active a magistrate as Godfrey, might, in such a city as London, have many enemies, of which his friends and family had no suspicion. He was a melancholy man; and there is some reason, notwithstanding the pretended appearances to the contrary, to suspect that he fell by his own hands. The affair was never examined with tranquillity, or even with common sense, during the time; and it is impossible for us, at this distance, certainly to account for it.

No one doubted but the papists had assassinated Godfrey; but still the particular actors were unknown. A proclamation was issued by the king, offering a pardon and reward of five hundred pounds to any one who should discover them. As it was afterwards surmised, that the terror of a like assassination would prevent discovery, a new proclamation was issued, promising absolute protection to any one who should reveal the secret. Thus were indemnity, money, and security offered to the fairest bidder: and no one needed to fear, during the present fury of the people, that his evidence would undergo too severe a scrutiny.

While the nation was in this ferment, the <sup>1st Oct.</sup> parliament was assembled. In his speech <sup>The parliament.</sup> the king told them, that, though they had given money for disbanning the army,<sup>b</sup> he had found Flanders so exposed, that he had thought it necessary still to keep them on foot, and doubted not but this measure would meet with their approbation. He informed them, that his revenue lay under great anticipations, and at best was never equal to the constant and necessary expense of government; as would appear from the state of it, which he intended to lay before them. He also mentioned the plot formed against his life by Jesuits; but said, that he would forbear delivering any opinion of the matter, lest he should seem to say too much or too little; and that he would leave the scrutiny of it entirely to the law.

The king was anxious to keep the question of the popish plot from the parliament; where, he suspected, many designing people would very much abuse the present credulity of the nation: but Danby, who hated the catholics, and courted popularity, and perhaps hoped that the king, if his life were believed in danger from the Jesuits, would be more cordially loved by the nation, had entertained opposite designs; and the very first day of the session, he opened the matter in the House of Peers. The king was extremely displeased with this temerity, and told his minister, "Though you do not believe it, you will find, that you have given the parliament a handle to ruin yourself, as well as to disturb all my affairs; and you will surely live to repent it." Danby had afterwards sufficient reason to applaud the sagacity of his master.

The cry of the plot was immediately <sup>Zeal of the</sup> echoed from one House to the other. The <sup>parliament.</sup> authority of parliament gave sanction to that fury, with which the people were already agitated. An address was

<sup>a</sup> North, p. 206.

<sup>b</sup> Ibid. p. 205.

<sup>c</sup> They had granted him 600,000 pounds for disbanning the army, for

reimbursing the charges of his naval armament, and for paying the Princess of Orange's portion.

voted for a solemn fast: a form of prayer was contrived for that solemnity; and because the popish plot had been omitted in the first draft, it was carefully ordered to be inserted; lest Omniscience should want intelligence; to use the words of an historian.

In order to continue and propagate the alarm, addresses were voted for laying before the House such papers as might discover the horrible conspiracy; for the removal of popish recusants from London; for administering every where the oaths of allegiance and supremacy; for denying access at court to all unknown or suspicious persons; and for appointing the train-bands of London and Westminster to be in readiness. The Lords Powis, Stafford, Arundel, Peters, and Bellasis, were committed to the Tower, and were soon after impeached for high treason. And both Houses, after hearing Oates's evidence, voted, "That the Lords and Commons are of opinion, that there hath been, and still is, a damnable and hellish plot, contrived and carried on by the popish recusants, for assassinating the king, for subverting the government, and for rooting out and destroying the protestant religion."

So vehement were the Houses, that they sat every day, forenoon and afternoon, on the subject of the plot: for no other business could be attended to. A committee of Lords was appointed to examine prisoners and witnesses: blank warrants were put into their hands, for the commitment of such as should be accused or suspected. Oates, who, though his evidence were true, must, by his own account, be regarded as an infamous villain, was by every one applauded, caressed, and called the saviour of the nation. He was recommended by the parliament to the king. He was lodged in Whitehall, protected by guards, and encouraged by a pension of 1200 pounds a-year.

Bedloe's  
NARRATIVE.

It was not long before such bountiful encouragement brought forth new witnesses. William Bedloe, a man, if possible, more infamous than Oates, appeared next upon the stage. He was of very low birth, had been noted for several cheats and even thefts, had travelled over many parts of Europe under borrowed names, had frequently passed himself for a man of quality, and had endeavoured, by a variety of lies and contrivances, to prey upon the ignorant and unwary. When he appeared before the council, he gave intelligence of Godfrey's murder only, which, he said, had been perpetrated in Somerset-house, where the queen lived, by papists, some of them servants in her family. He was questioned about the plot; but utterly denied all knowledge of it, and also asserted that he had no acquaintance with Oates. Next day, when examined before the committee of Lords, he bethought himself better, and was ready to give an ample account of the plot, which he found so anxiously inquired into. This narrative he made to tally, as well as he could, with that of Oates, which had been published: but that he might make himself acceptable by new matter, he added some other circumstances, and these still more tremendous and extraordinary. He said, that ten thousand men were to be landed from Flanders in Burlington Bay, and immediately to seize Hull: that Jersey and Guernsey were to be surprised by forces from Brest; and that a French fleet was, all last summer, hovering in the channel for that purpose: that the Lords Powis and Peters were to form an army in Radnorshire, to be joined by another army, consisting of twenty or thirty thousand religious men and pilgrims, who were to land at Milford Haven from St. Iago in Spain: that there were forty thousand men ready in London; besides those, who would, on the alarm, be posted at every alehouse door, in order to kill the soldiers, as they came out of their quarters: that Lord Stafford, Coleman, and Father Ireland, had money sufficient to defray the expenses of all these armaments: that he himself was to receive four thousand pounds, as one that could murder a man; as also a commission from Lord Bellasis, and a benediction from the Pope: that the king was to be assassinated; all the protestants massacred, who would not seriously be converted; the government offered to one, if he would consent to hold it of the church, but if he should refuse that condition, as was suspected, the supreme authority would be given to cer-

tain lords under the nomination of the Pope. In a subsequent examination before the Commons, Bedloe added, (for these men always brought out their intelligence successively and by piece-meal,) that Lord Carrington was also in the conspiracy for raising men and money against the government; as was likewise Lord Brudenel. These noblemen, with all the other persons mentioned by Bedloe, were immediately committed to custody by the parliament.

It is remarkable, that the only resource of Spain, in her present decayed condition, lay in the assistance of England; and so far from being in a situation to transport ten thousand men for the invasion of that kingdom, she had solicited and obtained English forces to be sent into the garrisons of Flanders, which were not otherwise able to defend themselves against the French. The French too, we may observe, were at that very time in open war with Spain, and yet are supposed to be engaged in the same design against England; as if religious motives were become the sole actuating principle among sovereigns. But none of these circumstances, however obvious, were able, when set in opposition to multiplied horrors, antipathies, and prejudices, to engage the least attention of the populace; for such the whole nation were at this time become. The popish plot passed for incontestable: and had not men soon expected with certainty the legal punishment of these criminals, the catholics had been exposed to the hazard of an universal massacre. The torrent indeed of national prejudices ran so high, that no one, without the most imminent danger, durst venture openly to oppose it; nay, scarcely any one, without great force of judgment, could even secretly entertain an opinion contrary to the prevailing sentiments. The loud and unanimous voice of a great nation has mighty authority over weak minds; and even later historians are so swayed by the concurring judgment of such multitudes, that some of them have esteemed themselves sufficiently moderate, when they affirmed that many circumstances of the plot were true, though some were added, and others much magnified. But it is an obvious principle, that a witness, who perjures himself in one circumstance, is credible in none: and the authority of the plot, even to the end of the prosecutions, stood entirely upon witnesses. Though the catholics had been suddenly and unexpectedly detected, at the very moment when their conspiracy, it is said, was ripe for execution; no arms, no ammunition, no money, no commissions, no papers, no letters, after the most rigorous search, ever were discovered, to confirm the evidence of Oates and Bedloe. Yet still the nation, though often frustrated, went on in the eager pursuit and confident belief of the conspiracy: and even the manifold inconsistencies and absurdities, contained in the narratives, instead of discouraging them, served only as further incentives to discover the bottom of the plot, and were considered as slight objections, which a more complete information would fully remove. In all history, it will be difficult to find such another instance of popular frenzy and bigoted delusion.

In order to support the panic among the people, especially among the citizens of London, a pamphlet was published with this title: "A narrative and impartial discovery of the horrid popish plot, carried on for burning and destroying the cities of London and Westminster, with their suburbs; setting forth the several consults, orders, and resolutions of the Jesuits, concerning the same: by Captain William Bedloe, lately engaged in that horrid design, and one of the popish committee for carrying on such fires." Every fire which had happened for several years past, is there ascribed to the machinations of the Jesuits, who purposed, as Bedloe said, by such attempts, to find an opportunity for the general massacre of the protestants; and in the mean time, were well pleased to enrich themselves, by pilfering goods from the fire.

The king, though he scrupled not, wherever he could speak freely, to throw the highest ridicule on the plot, and on all who believed it; yet found it necessary to adopt the popular opinion before the parliament. The torrent, he saw, ran too strong to be controlled; and he could

only hope, by a seeming compliance, to be able, after some time, to guide and direct and chide its fury. He made, therefore, a speech to both Houses; in which he told them, that he would take the utmost care of his person during these times of danger; that he was as ready as their hearts could wish, to join with them in all means for establishing the protestant religion, not only during his own time, but for all future ages; and that, provided the right of succession were preserved, he would consent to any laws for restraining a popish successor: and, in conclusion, he exhorted them to think of effectual means for the conviction of popish recusants; and he highly praised the duty and loyalty of all his subjects, who had discovered such anxious concern for his safety.

These gracious expressions abated nothing of the vehemence of parliamentary proceedings. A bill was introduced for a new test, in which popery was denominated idolatry; and all members, who refused this test, were excluded from both Houses. The bill passed the Commons without much opposition; but in the upper House the duke moved, that an exception might be admitted in his favour. With great earnestness, and even with tears in his eyes, he told them, that he was now to cast himself on their kindness, in the greatest concern which he could have in the world; and he protested, that whatever his religion might be, it should only be a private *thing* between God and his own soul, and never should appear in his public conduct. Notwithstanding this strong effort, in so important a point, he prevailed only by two voices; a sufficient indication of the general disposition of the people.—“I would not have,” said a noble peer, in the debate on this bill, “so much as a popish man or a popish woman to remain here; not so much as a popish dog or a popish bitch; not so much as a popish cat to pur or mew about the king.”—What is more extraordinary, this speech met with praise and approbation.

Encouraged by this general fury, the witnesses went still a step further in their accusations; and though both Oates and Bedloe had often declared, that there was no other person of distinction whom they knew to be concerned in the plot, they were now so audacious as to accuse the queen herself of entering into the design against the life of her husband. The Commons, in an address to the king, gave countenance to this scandalous accusation; but the Lords would not be prevailed with to join in the address. It is here, if any where, that we may suspect the suggestions of the popular leaders to have had place. The king, it was well known, bore no great affection to his consort; and now, more than ever, when his brother and heir was so much hated, had reason to be desirous of issue, which might quiet the jealous fears of his people. This very hatred, which prevailed against the duke, would much facilitate, he knew, any expedient that could be devised for the exclusion of that prince; and nothing further seemed requisite for the king, than to give way in this particular to the rage and fury of the nation. But Charles, notwithstanding all allurements of pleasure, or interest, or safety, had the generosity to protect his injured consort. “They think,” said he, “I have a mind to a new wife; but for all that, I will not see an innocent woman abused.”<sup>k</sup> He immediately ordered Oates to be strictly confined, seized his papers, and dismissed his servants; and this daring informer was obliged to make applications to parliament, in order to recover his liberty.

During this agitation of men's minds, the parliament gave new attention to the militia; a circumstance which, even during times of greatest tranquillity, can never prudently be neglected. They passed a bill, by which it was enacted, that a regular militia should be kept in arms, during six weeks of the year, and a third part of them do duty every fortnight at that time. The popular leaders probably intended to make use of the general prejudices, and even to turn the arms of the people against the prince.<sup>l</sup> But Charles refused his assent to the bill, and told the parliament, that he would not, were it for half an hour, part so far with the power of the sword: but if they would contrive any other bill for ordering the militia, and still leave it in his power to assemble or dismiss them as he

thought proper, he would willingly give it the royal assent. The Commons, dissatisfied with this negative, though the king had never before employed that prerogative, immediately voted that all the new levied forces should be disbanded. They passed a bill, granting money for that purpose; but to show their extreme jealousy of the crown, besides appropriating the money by the strictest clauses, they ordered it to be paid, not into the exchequer, but into the chamber of London. The Lords demurred with regard to so extraordinary a clause, which threw a violent reflection on the king's ministers, and even on himself, and by that means the act remained in suspense.

It was no wonder, that the present ferment and credulity of the nation engaged men of infamous character and indigent circumstances to become informers, when persons of rank and condition could be tempted to give in to that scandalous practice. Montague, the king's ambassador at Paris, had procured a seat in the lower House; and without obtaining or asking the king's leave, he suddenly came over to England. Charles, suspecting his intention, ordered his papers to be seized; but Montague, who foresaw this message, had taken care to secrete one paper, which he immediately laid before the House of Commons. It was a letter from the treasurer Danby, written in the beginning of the year, during the negotiations at Nimeguen for the general peace.

Montague was there directed to make a demand of money from France; or, in other words, the king was willing secretly to sell his good offices to Lewis, contrary to the general interests of the confederates, and even to those of his own kingdoms. The letter, among other particulars, contains these words: “In case the conditions of peace shall be accepted, the king expects to have six millions of livres a-year for three years, from the time that this agreement shall be signed between his majesty and the King of France; because it will probably be two or three years before the parliament will be in humour to give him any supplies after the making of any peace with France; and the ambassador here has always agreed to that sum; but not for so long a time.” Danby was so unwilling to engage in this negotiation, that the king, to satisfy him, subjoined, with his own hand, these words: “This letter is writ by my order, C. R.” Montague, who revealed this secret correspondence, had even the baseness to sell his base treachery at a high price to the French monarch.<sup>m</sup>

The Commons were inflamed with this intelligence against Danby; and carrying their suspicions further than the truth, they concluded, that the king had all along acted in concert with the French court; and that every step, which he had taken in conjunction with the allies, had been illusory and deceitful. Desirous of getting to the bottom of so important a secret, and being pushed by Danby's numerous enemies, they immediately voted an impeachment of high treason against that minister, and sent up six articles to the House of Peers. These articles were, That he had traitorously engrossed to himself regal power, by giving instructions to his majesty's ambassadors, without the participation of the secretaries of state, or the privy council: that he had traitorously endeavoured to subvert the government, and introduce arbitrary power; and to that end had levied and continued an army, contrary to act of parliament: that he had traitorously endeavoured to alienate the affections of his majesty's subjects, by negotiating a disadvantageous peace with France, and procuring money for that purpose: that he was popishly affected, and had traitorously concealed, after he had notice, the late horrid and bloody plot, contrived by the papists against his majesty's person and government: that he had wasted the king's treasure; and that he had, by indirect means, obtained several exorbitant grants from the crown.

It is certain that the treasurer, in giving instructions to an ambassador, had exceeded the bounds of his office; and as the genius of a monarchy, strictly limited, requires that the proper minister should be answerable for every abuse of power, the Commons, though they here advanced a new pretension, might justify themselves by the utility, and even necessity, of it. But in other respects their charge

Accusation of Danby.

His impeachment.

<sup>k</sup> North's Examen, p. 168.

<sup>l</sup> Burnet, vol. i, p. 137.

<sup>m</sup> Appendix to Sir John Dalrymple's Memoirs.



against Danby was very ill grounded. That minister made it appear to the House of Lords, not only that Montague, the informer against him, had all along promoted the money-negotiations with France, but that he himself was ever extremely averse to the interests of that crown, which he esteemed pernicious to his master and to his country. The French nation, he said, had always entertained, as he was certainly informed, the highest contempt, both of the king's person and government. His diligence, he added, in tracing and discovering the popish plot, was generally known; and if he had common sense, not to say common honesty, he would surely be anxious to preserve the life of a master, by whom he was so much favoured. He had wasted no treasure, because there was no treasure to waste. And though he had reason to be grateful for the king's bounty, he had made more moderate acquisitions than were generally imagined, and than others in his office had often done, even during a shorter administration.

The House of Peers plainly saw, that allowing all the charges of the Commons to be true, Danby's crime fell not under the statute of Edward III.; and though the words *treason* and *traitorously* had been carefully inserted in several articles, this appellation could not change the nature of things, or subject him to the penalties annexed to that crime. They refused, therefore, to commit Danby upon this irregular charge: the Commons insisted on their demand; and a great contest was likely to arise, when the king, who had already seen sufficient instances of the ill-humour of the parliament, thought proper to prorogue them. This prorogation was soon after followed by a dissolution: a desperate remedy in the present disposition of the nation. But the disease, it must be owned, the king had reason to esteem desperate. The utmost rage had been discovered by the Commons, on account of the popish plot; and their fury began already to point against the royal family, if not against the throne itself. The duke had been struck at in several motions: the treasurer had been impeached: all supply had been refused, except on the most disagreeable conditions: fears, jealousies, and antipathies, were every day multiplying in parliament; and though the people were strongly infected with the same prejudices, the king hoped, that, by dissolving the present cabals, a set of men might be chosen more moderate in their pursuits, and less tainted with the virulence of faction.

Dec. 30.  
Dissolution of  
the long parliament.

Thus came to a period a parliament, which had sitted during the whole course of this reign, one year excepted. Its conclusion was very different from its commencement. Being elected during the joy and festivity of the restoration, it consisted almost entirely of royalists; who were disposed to support the crown by all the liberality which the habits of that age would permit. Alarmed by the alliance with France, they gradually withdrew their confidence from the king; and finding him still to persevere in a foreign interest, they proceeded to discover symptoms of the most refractory and most jealous disposition. The popish plot pushed them beyond all bounds of moderation; and before their dissolution they seemed to be treading fast in the footsteps of the last long parliament, on whose conduct they threw at first such violent blame. In all their variations, they had still followed the opinions and prejudices of the nation; and ever seemed to be more governed by humour and party views than by public interest, and more by public interest than by any corrupt or private influence.

During the sitting of the parliament, and after its prorogation and dissolution, the trials of the pretended criminals were carried on, and the courts of judicature, places which, if possible, ought to be kept more pure from injustice than even national assemblies themselves, were strongly infected with the same party rage, and bigoted prejudices. Coleman, the most obnoxious of the conspirators, was first brought to his trial. His letters were produced against him. They contained, as he himself confessed, much indiscretion: but unless so far as it is illegal to be a zealous catholic, they seemed to prove nothing criminal, much less treasonable, against him. Oates and Bedloe deposed, that he had received a com-

mission, signed by the superior of the Jesuits, to be papal secretary of state, and had consented to the poisoning, shooting, and stabbing of the king: he had even, according to Oates's deposition, advanced a guinea to promote those bloody purposes. These wild stories were confounded with the projects contained in his letters; and Coleman received sentence of death. The sentence was soon after executed upon him.<sup>a</sup> He suffered with calmness and constancy, and to the last persisted in the strongest protestations of his innocence.

Coleman's execution was succeeded by the trial of Father Ireland, who, it is pretended, had signed, together with fifty Jesuits, the great resolution of murdering the king. Grove and Pickering, who had undertaken to shoot him, were tried at the same time. The only witnesses against the prisoners were still Oates and Bedloe. Ireland affirmed that he was in Staffordshire all the month of August last, a time when Oates's evidence made him in London. He proved his assertion by good evidence, and would have proved it by undoubted, had he not most iniquitously been debarr'd, while in prison, from all use of pen, ink, and paper, and denied the liberty of sending for witnesses. All the men, before their arraignment, were condemned in the opinion of the judges, jury, and spectators; and to be a Jesuit, or even a catholic, was of itself a sufficient proof of guilt. The chief justice,<sup>b</sup> in particular, gave sanction to all the narrow prejudices and bigoted fury of the populace. Instead of being counsel for the prisoners, as his office required, he pleaded the cause against them, browbeat their witnesses, and on every occasion represented their guilt as certain and uncontroverted. He even went so far as publicly to affirm, that the papists had not the same principles which protestants have, and therefore were not entitled to that common *credence*, which the principles and practices of the latter call for. And when the jury brought in their verdict against the prisoners, he said, "You have done, gentlemen, like very good subjects, and very good Christians, that is to say, like very good protestants: and now much good may their 30,000 masses do them:" alluding to the masses by which Pickering was to be rewarded for murdering the king. All these unhappy men went to execution, protesting their innocence; a circumstance which made no impression on the spectators. The opinion that the Jesuits allowed of lies and mental reservations, for promoting a good cause, was at this time so universally received, that no credit was given to testimony delivered either by that order or by any of their disciples. It was forgotten, that all the conspirators engaged in the gunpowder treason, and Garnet, the Jesuit, among the rest, had freely, on the scaffold, made confession of their guilt.

Though Bedloe had given information of Godfrey's murder, he still remained a single evidence against the persons accused; and all the allurements of profit and honour had not hitherto tempted any one to confirm the testimony of that informer. At last means were found to complete the legal evidence. One Prance, a silversmith and a catholic, had been accused by Bedloe of being an accomplice in the murder; and upon his denial had been thrown into prison, loaded with heavy irons, and confined to the condemned hole, a place cold, dark, and full of nastiness. Such rigours were supposed to be exercised by orders from the secret committee of Lords, particularly Shaftesbury and Buckingham; who, in examining the prisoners, usually employed (as it is said, and indeed sufficiently proved) threatenings and promises, rigour and indulgence, and every art, under pretence of extorting the truth from them. Prance had no courage to resist, but confessed himself an accomplice in Godfrey's murder. Being asked concerning the plot, he also thought proper to be acquainted with it, and conveyed some intelligence to the council. Among other absurd circumstances, he said that one Le Fevre bought a second-hand sword of him; because he knew not, as he said, what times were at hand; and Prance, expressing some concern for poor tradesmen, if such times came, Le Fevre replied, that it would be better for tradesmen, if the catholic religion were restored; and particularly, that there would be more church-work

<sup>a</sup> Trial of Coleman.

<sup>b</sup> Coleman, the most obnoxious of the conspirators, was first brought to his trial. His letters were produced against him. They contained, as he himself confessed, much indiscretion: but unless so far as it is illegal to be a zealous catholic, they seemed to prove nothing criminal, much less treasonable, against him. Oates and Bedloe deposed, that he had received a com-

for silversmiths. All this information, with regard to the plot, as well as the murder of Godfrey, France solemnly retracted, both before the king and the secret committee: but being again thrown into prison, he was induced, by new terrors and new sufferings, to confirm his first information, and was now produced as a sufficient evidence.

Hill, Green, and Berry, were tried for Godfrey's murder; all of them men of low stations. Hill was servant to a physician: the other two belonged to the popish chapel at Somerset house. It is needless to run over all the particulars of a long trial: it will be sufficient to say, that Bedloe's evidence and France's were, in many circumstances, totally irreconcilable; that both of them laboured under unsurmountable difficulties, not to say gross absurdities, and that they were invalidated by contrary evidence, which is altogether convincing. But all was in vain: the prisoners were condemned and executed. They all denied their guilt at their execution; and as Berry died a protestant, this circumstance was regarded as very considerable: but, instead of its giving some check to the general credulity of the people, men were only surprised, that a protestant could be induced, at his death, to persist in so manifest a falsehood.

As the army could neither be kept up, nor disbanded, without money, the king, how little hopes soever he could entertain of more compliance, found himself obliged to summon a new parliament. The blood, already shed on account of the popish plot, instead of satiating the people, served only as an incentive to their fury; and each conviction of a criminal was hitherto regarded as a new proof of those horrible designs imputed to the papists. This election is perhaps the first in England, which, since the commencement of the monarchy, had been carried on by a violent contest between the parties, and where the court interested itself, to a high degree, in the choice of the national representatives. But all its efforts were fruitless, in opposition to the torrent of prejudices which prevailed. Religion, liberty, property, even the lives of men, were now supposed to be at stake; and no security, it was thought, except in a vigilant parliament, could be found against the impious and bloody conspirators. Were there any part of the nation to which the ferment, occasioned by the popish plot, had not as yet propagated itself; the new elections, by interesting the whole people in public concerns, tended to diffuse it into the remotest corner; and the consternation universally excited, proved an excellent engine for influencing the electors. All the zealots of the former parliament were re-chosen: new ones were added: the presbyterians, in particular, being transported with the most inveterate antipathy against popery, were very active and very successful in the elections. That party, it is said, first began at this time the abuse of splitting their freeholds, in order to multiply votes and electors. By accounts which came from every part of England, it was concluded, that the new representatives would, if possible, exceed the old, in their refractory opposition to the court, and furious persecution of the catholics.

The king was alarmed, when he saw so dreadful a tempest arise from such small and unaccountable beginnings. His life, if Oates and Bedloe's information were true, had been aimed at by the catholics: even the duke's was in danger: the higher, therefore, the rage mounted against popery, the more should the nation have been reconciled to these princes, in whom it appeared, the church of Rome reposed no confidence. But there is a sophistry which attends all the passions; especially those into which the populace enter. Men gave credit to the informers, so far as concerned the guilt of the catholics. But they still retained their old suspicions, that these religionists were secretly favoured by the king, and had obtained the most entire ascendant over his brother. Charles had too much penetration not to see the danger, to which the succession, and even his own crown and dignity, now stood exposed. A numerous party, he found, was formed against him; on the one hand, composed of a populace, so credulous from prejudice, so blinded with religious antipathy, as implicitly to believe the most palpable absurdities; and conducted, on the other hand, by leaders so little scrupulous, as to endeavour, by encouraging per-

jury, subordination, lies, impostures, and even by shedding innocent blood, to gratify their own furious ambition, and subvert all legal authority. Roused from his lethargy by so imminent a peril, he began to exert that vigour of mind, of which, on great occasions, he was not destitute; and without quitting, in appearance, his usual facility of temper, he collected an industry, firmness, and vigilance, of which he was believed altogether incapable. These qualities, joined to dexterity and prudence, conducted him happily through the many shoals which surrounded him; and he was at last able to make the storm fall on the heads of those who had blindly raised or artfully conducted it.

One chief step, which the king took, towards gratifying and appeasing his people and parliament, was desiring the duke to withdraw beyond sea, that no further suspicion might remain of the influence of popish counsels. The duke readily complied; but first required an order for that purpose, signed by the king, lest his absenting himself should be interpreted as a proof of fear or of guilt. He also desired that his brother should satisfy him, as well as the public, by a declaration of the illegitimacy of the Duke of Monmouth.

James, Duke of Monmouth, was the king's natural son by Lucy Walters, and born about ten years before the restoration. He possessed all the qualities which could engage the affections of the populace; a distinguished valour, an affable address, a thoughtless generosity, a graceful person. He rose still higher in the public favour, by reason of the universal hatred to which the duke, on account of his religion, was exposed. Monmouth's capacity was mean; his temper pliant: so that notwithstanding his great popularity, he had never been dangerous, had he not implicitly resigned himself to the guidance of Shaftesbury, a man of such a restless temper, such subtle wit, and such abandoned principles. That daring politician had flattered Monmouth with the hopes of succeeding to the crown. The story of a contract of marriage, passed between the king and Monmouth's mother, and secretly kept in a certain black box, had been industriously spread abroad, and was greedily received by the multitude. As the horrors of popery still pressed harder on them, they might be induced either to adopt that fiction, as they had already done many others more incredible, or to commit open violation on the right of succession. And it would not be difficult, it was hoped, to persuade the king, who was extremely fond of his son, to give him the preference above a brother, who, by his imprudent bigotry, had involved him in such inextricable difficulties. But Charles, in order to cut off all such expectations, as well as to remove the duke's apprehensions, took care, in full council, to make a declaration of Monmouth's illegitimacy, and to deny all promise of marriage with his mother. The duke, being gratified in so reasonable a request, willingly complied with the king's desire, and retired to Brussels.

But the king soon found, that notwithstanding this precaution, his concurrence in the prosecution of the popish plot, notwithstanding the zeal which he expressed, and even at this time exercised, against the catholics; he had nowise obtained the confidence of his parliament. The refractory humour of the lower House appeared in the first step which they took upon their assembling. It had ever been usual for the Commons, in the election of their speaker, to consult the inclinations of the sovereign, and even the long parliament in 1641 had not thought proper to depart from so established a custom. The king now desired that the choice should fall on Sir Thomas Meres: but Seymour, speaker to the last parliament, was instantly called to the chair, by a vote which seemed unanimous. The king, when Seymour was presented to him for his approbation, rejected him, and ordered the Commons to proceed to a new choice. A great flame was excited. The Commons maintained, that the king's approbation was merely a matter of form, and that he could not, without giving a reason, reject the speaker chosen: the king, that since he had the power of rejecting, he might, if he pleased, keep the reason in his own breast. As the question had never before been started, it might seem difficult to find

Duke of Monmouth.

Duke of York retires to Brussels.

March 6. New parliament.

principles upon which it could be decided. By way of compromise, it was agreed to set aside both candidates. Gregory, a lawyer, was chosen; and the election was ratified by the king. It has ever since been understood that the choice of the speaker lies in the House; but that the king retains the power of rejecting any person disagreeable to him.

Seymour was deemed a great enemy to Danby; and it was the influence of that nobleman, as commonly supposed, which had engaged the king to enter into this ill-timed controversy with the Commons. The

impeachment therfore of Danby was, on that account, the sooner revived; and it was maintained by the Commons, that notwithstanding the intervening dissolution, every part of that proceeding stood in the same condition in which it had been left by the last parliament: a pretension, which, though unusual, seems tacitly to have been yielded them. The king had, before hand, had the precaution to grant a pardon to Danby; and, in order to screen the chancellor from all attacks by the Commons, he had taken the great seal into his own hands, and had himself affixed it to the parchment. He told the parliament, that, as Danby had acted in every thing by his orders, he was in no respect criminal; that his pardon, however, he would insist upon; and if it should be found anywise defective in form, he would renew it again and again, till it should be rendered entirely complete: but that he was resolved to deprive him of all employments, and to remove him from court.

The Commons were nowise satisfied with this concession. They pretended, that no pardon of the crown could be pleaded in bar of an impeachment by the Commons. The prerogative of mercy had hitherto been understood to be altogether unlimited in the king; and this pretension of the Commons, it must be confessed, was entirely new. It was however not unsuitable to the genius of a monarchy strictly limited; where the king's ministers are supposed to be for ever accountable to national assemblies, even for such abuses of power as they may commit by orders from their master. The present emergence, while the nation was so highly inflamed, was the proper time for pushing such popular claims; and the Commons failed not to avail themselves of this advantage. They still insisted on the impeachment of Danby. The Peers, in compliance with them, departed from their former scruples, and ordered Danby to be taken into custody. Danby absconded. The Commons passed a bill, appointing him to surrender himself before a certain day, or in default of it, attainting him. A bill had passed the upper House, mitigating the penalty to banishment; but, after some conferences, the Peers thought proper to yield to the violence of the Commons, and the bill of attainder was carried. Rather than undergo such severe penalties, Danby appeared, and was immediately committed to the Tower.

While a protestant nobleman met with such violent prosecution, it was not likely that the catholics would be

overlooked by the zealous Commons. The Popish plot. credit of the popish plot still stood upon the oaths of a few infamous witnesses. Though such immense preparations were supposed to have been made in the very bowels of the kingdom, no traces of them, after the most rigorous inquiry, had as yet appeared. Though so many thousands, both abroad and at home, had been engaged in the dreadful secret; neither hope, nor fear, nor remorse, nor levity, nor suspicions, nor private resentment, had enzeaged any one to confirm the evidence. Though the catholics, particularly the Jesuits, were represented as guilty of the utmost indiscretion, inasmuch that they talked of the king's murder as common news, and wrote of it in plain terms by the common post; yet, among the great number of letters seized, no one contained any part of so complicated a conspiracy. Though the informers pretended that, even after they had resolved to betray the secret, many treasonable commissions and papers had passed through their hands; they had not had the precaution to keep any one of them in order to fortify their evidence. But all these difficulties, and a thousand more,

were not found too hard of digestion by the nation and parliament. The prosecution and further discovery of the plot were still the object of general concern. The Commons voted, that, if the king should come to an untimely end, they would revenge his death upon the papists; not reflecting that this sect were not his only enemies. They promised rewards to new discoveries; not considering the danger, which they incurred, of granting bribes to perjury. They made Bedloe a present of 500 pounds, and particularly recommended the care of his safety to the Duke of Monmouth. Colonel Sackville, a member, having, in a private company, spoken opprobriously of those who affirmed that there was any plot, was expelled the House. The Peers gave power to their committees to send for and examine such as would maintain the innocence of those who had been condemned for the plot. A pamphlet having been published to discredit the informers, and to vindicate the catholic lords in the Tower, these lords were required to discover the author, and thereby to expose their own advocate to prosecution. And both Houses concurred in renewing the former vote, that the papists had undoubtedly entered into a *horrid and treasonable* conspiracy against the king, the state, and the protestant religion.

It must be owned that this extreme violence, in prosecution of so absurd an imposture, disgraces the noble cause of liberty, in which the parliament was engaged. We may even conclude, from such impatience of contradiction, that the prosecutors themselves retained a secret suspicion that the general belief was but ill-grounded. The politicians among them were afraid to let in light, lest it might put an end to so useful a delusion: the weaker and less dishonest party took care, by turning their eyes aside, not to see a truth so opposite to those furious passions, by which they were actuated, and in which they were determined obstinately to persevere.

Sir William Temple had lately been recalled from his foreign employments; and the king, who, after the removal of Danby, had no one with whom he could so much as discourse with freedom of public affairs, was resolved, upon Coventry's dismissal, to make him one of his secretaries of state. But that philosophical patriot, too little interested for the intrigues of a court, too full of spleen and delicacy for the noisy turbulence of popular assemblies, was alarmed at the universal discontents and jealousies which prevailed, and was determined to make his retreat, as soon as possible, from a scene which threatened such confusion. Meanwhile he could not refuse the confidence with which his master honoured him; and he resolved to employ it to the public service. He represented to the king, that, as the jealousies of the nation were extreme, it was necessary to cure them by some new remedy, and to restore that mutual confidence so requisite for the safety both of king and people: that to refuse every thing to the parliament in their present disposition, or to yield every thing, was equally dangerous to the constitution, as well as to public tranquillity: that if the king would introduce into his councils such men as enjoyed the confidence of his people, fewer concessions would probably be required; or if unreasonable demands were made, the king, under the sanction of such counsellors, might be enabled, with the greater safety, to refuse them: and that the heads of the popular party, being gratified with the king's favour, would probably abate of that violence by which they endeavoured at present to pay court to the multitude.

The king assented to these reasons; and in concert with Temple, he laid the plan of a New council. new privy-council, without whose advice he declared himself determined for the future to take no measure of importance. This council was to consist of thirty persons, and was never to exceed that number. Fifteen of the chief officers of the crown were to be continued, who, it was supposed, would adhere to the king, and, in case of any extremity, oppose the exorbitancies of faction. The other half of the council was to be composed, either of men of character, detached from the court, or of those who possessed chief credit in both Houses. And the king, in

p. In 1566, the speaker said to Queen Elizabeth, that without her allowance, the election of the House was of no significance. D'Ewes's Journal, p. 27. In the parliament 1592, 1593, the speaker, who was Sir Edward

Coke, advances a like position. D'Ewes, p. 459. Townsend, p. 35. So that this pretension of the Commons seems to have been somewhat new; like many of their other powers and privileges.



filling up the names of his new council, was well pleased to find that the members, in land and offices, possessed to the amount of 500,000 pounds a year; a sum nearly equal to the whole property of the House of Commons, against whose violence the new council was intended as a barrier to the throne.<sup>1</sup>

This experiment was tried, and seemed at first to give some satisfaction to the public. The Earl of Essex, a nobleman of the popular party, son of that Lord Capel who had been beheaded a little after the late king, was created treasurer in the room of Danby: the Earl of Sunderland, a man of intrigue and capacity, was made secretary of state; Viscount Halifax, a fine genius, possessed of learning, eloquence, industry, but subject to iniquitude, and fond of refinements, was admitted into the council. These three, together with Temple, who often joined them, though he kept himself more detached from public business, formed a kind of cabinet council, from which all affairs received their first direction. Shaftesbury was made president of the council, contrary to the advice of Temple, who foretold the consequence of admitting a man of so dangerous a character into any part of the public administration.

As Temple foresaw, it happened. Shaftesbury, finding that he possessed no more than the appearance of court-favour, was resolved still to adhere to the popular party, by whose attachment he enjoyed an undisputed superiority in the lower House, and possessed great influence in the other. The very appearance of court favour, empty as it was, tended to render him more dangerous. His partisans, observing the progress which he had already made, hoped that he would soon acquire the entire ascendancy; and he constantly flattered them, that if they persisted in their purpose, the king, from indolence, and necessity, and fondness for Monmouth, would at last be induced, even at the expense of his brother's right, to make them every concession.

Besides, the antipathy to popery, as well as jealousy of the king and duke, had taken too fast possession of men's minds, to be removed by so feeble a remedy as this new council projected by Temple. The Commons, soon after the establishment of that council, proceeded so far as to vote unanimously, "That the Duke of York's being a papist, and the hopes of his coming to the crown, had given the highest countenance to the present conspiracies and designs of the papists against the king and the protestant religion." It was expected that a bill for excluding him the throne would soon be brought in. To prevent this bold measure, the king concerted some limitations, which he proposed to the parliament. He introduced his plan by the following gracious expressions: "And to show you that, while you are doing your parts, my thoughts have not been misemployed, but that it is my constant care to do every thing that may preserve your religion, and secure it for the future in all events, I have commanded my lord chancellor to mention several particulars; which, I hope, will be an evidence that, in all things which concern the public security, I shall not follow your zeal, but lead it."

The limitations projected were of the utmost importance, and deprived the successor of the chief branches of royalty. A method was there chalked out, by which the nation, on every new reign, could be insured of having a parliament, which the king should not, for a certain time, have it in his power to dissolve. In case of a popish successor, the prince was to forfeit the right of conferring any ecclesiastical preferments: no member of the privy council, no judge of the common law, or in chancery, was to be put in or displaced but by consent of parliament: and the same precaution was extended to the military part of the government; to the lord lieutenants and deputy lieutenants of the counties, and to all officers of the navy. The chancellor, himself, added, "It is hard to invent another restraint; considering how much the revenue will depend upon the consent of parliament, and how im-

possible it is to raise money without such consent. But yet, if any thing else can occur to the wisdom of parliament, which may further secure religion and liberty against a popish successor, without defeating the right of succession itself, his majesty will readily consent to it."

It is remarkable that, when these limitations were first laid before the council, Shaftesbury and Temple were the only members who argued against them. The reasons which they employed were diametrically opposite. Shaftesbury's opinion was, that the restraints were insufficient; and that nothing but the total exclusion of the duke could give a proper security to the kingdom. Temple, on the other hand, thought that the restraints were so rigorous as even to subvert the constitution; and that shackles, put upon a popish successor, would not afterwards be easily cast off by a protestant. It is certain that the duke was extremely alarmed when he heard of this step taken by the king, and that he was better pleased even with the bill of exclusion itself, which he thought, by reason of its violence and injustice, could never possibly be carried into execution. There is also reason to believe that the king would not have gone so far, had he not expected, from the extreme fury of the Commons, that his concessions would be rejected; and that the blame of not forming a reasonable accommodation would by that means lie entirely at their door.

It soon appeared that Charles had entertained a just opinion of the dispositions of the House. So much were the Commons actuated by the cabals of Shaftesbury and other malcontents; such violent antipathy prevailed against popery, that the king's concessions, though much more important than could reasonably have been expected, were not embraced. A bill was brought in for the <sup>Bill of exclusion.</sup> total exclusion of the duke from the crown of England and Ireland. It was there declared that the sovereignty of these kingdoms, upon the king's death or resignation, should devolve to the person next in succession, after the duke; that all acts of royalty which that prince should afterwards perform, should not only be void, but be deemed treason; that if he so much as entered any of these dominions, he should be deemed guilty of the same offence; and that all who supported his title should be punished as rebels and traitors. This important bill, which implied banishment as well as exclusion, passed the lower House by a majority of seventy-nine.

The Commons were not so wholly employed about the exclusion bill as to overlook all other securities to liberty. The country party, during all the last parliament, had much exclaimed against the bribery and corruption of the members; and the same reproach had been renewed against the present parliament. An inquiry was made into a complaint which was so dangerous to the honour of that assembly, but very little foundation was found for it. Sir Stephen Fox, who was the paymaster, confessed to the House that nine members received pensions to the amount of three thousand four hundred pounds: and after a rigorous inquiry by a secret committee, eight more pensioners were discovered. A sum, also, about twelve thousand pounds, had been occasionally given or lent to others. The writers of that age pretend that Clifford and Danby had adopted opposite maxims with regard to pecuniary influence. The former endeavoured to gain the leaders and orators of the House, and deemed the others of no consequence. The latter thought it sufficient to gain a majority, however composed. It is likely that the means, rather than the intention, were wanting to both these ministers.

Pensions and bribes, though it be difficult entirely to exclude them, are dangerous expedients for government; and cannot be too carefully guarded against, nor too vehemently decried, by every one who has a regard to the virtue and liberty of a nation. The influence, however, which the crown acquires from the disposal of places, honours, and preferments, is to be esteemed of a different nature. This engine of power may become too forcible, but it cannot altogether be abolished, without the total

<sup>1</sup> The names were, Prince Rupert, the Archbishop of Canterbury, Lord Finch, Chancellor, Earl of Newcastle, first lord, Earl of Arundel, privy seal, Duke of Albemarle, Duke of Monmouth, Duke of Somerset, Duke of Devonshire, Duke of Ormonde, Marquis of Winchester, Marquis of Worcester, Earl of Arlington, Earl of Salisbury, Earl of Bridgewater.

Earl of Sunderland, Earl of Essex, Earl of Bath, Viscount Fauconberg, Viscount Halifax, Bishop of Evesham, Lord Roberts, Lord Holford, Lord Russell, Lord Cavendish, Secretary of Council, Sir Francis North, chief justice, Sir Henry Capel, Sir John Friday, Sir Thomas Chicheley, Sir William Temple, Edward Seymour, Henry Powle.

destruction of monarchy, and even of all regular authority. But the Commons at this time were so jealous of the crown, that they brought in a bill, which was twice read, excluding from the lower House all who possessed any lucrative office.

The standing army, and the king's guards, were by the Commons voted to be illegal: a new pretension, it must be confessed; but necessary for the full security of liberty and a limited constitution.

**Habeas corpus.** Arbitrary imprisonment is a grievance, <sup>but</sup> which, in some degree, has place almost in every government, except in that of Great Britain; and our absolute security from it we owe chiefly to the present parliament; a merit which makes some atonement for the faction and violence into which their prejudices had, in other particulars, betrayed them. The great charter had laid the foundation of this valuable part of liberty; the petition of right had renewed and extended it; but some provisions were still wanting to render it complete, and prevent all evasion or delay from ministers and judges. The act of *habeas corpus*, which passed this session, served these purposes. By this act it was prohibited to send any one to a prison beyond sea. No judge, under severe penalties, must refuse to any prisoner a writ of *habeas corpus*, by which the gaoler was directed to produce in court the body of the prisoner, (whence the writ had its name,) and to certify the cause of his detainer and imprisonment. If the gaol lie within twenty miles of the judge, the writ must be obeyed in three days; and so proportionably for greater distances: every prisoner must be indicted the first term after his commitment, and brought to trial in the subsequent term. And no man, after being enlarged by order of court, can be recommitted for the same offence. This law seems necessary for the protection of liberty in a mixed monarchy; and as it has not place in any other form of government, this consideration alone may induce us to prefer our present constitution to all others. It must, however, be confessed, that there is some difficulty to reconcile with such extreme liberty the full security and the regular police of a state, especially the police of great cities. It may also be doubted whether the low state of the public revenue in this period, and of the military power, did not still render some discretionary authority in the crown necessary to the support of government.

During these zealous efforts for the protection of liberty, no complaisance for the crown was discovered by this parliament. The king's revenue lay under great debts and anticipations: those branches granted in the year 1669 and 1670 were ready to expire: and the fleet was represented by the king as in great decay and disorder. But the Commons, instead of being affected by these distresses of the crown, trusted chiefly to them for passing the exclusion bill, and for punishing and displacing all the ministers who were obnoxious to them. They were therefore in no haste to relieve the king; and grew only the more assuming on account of his complaints and uneasiness. Jealous, however, of the army, they granted the same sum of 206,000 pounds, which had been voted for disbanding it by the last parliament; though the vote, by reason of the subsequent prorogation and dissolution, joined to some scruples of the Lords, had not been carried into an act. The money was appropriated by very strict clauses; but the Commons insisted not, as formerly, upon its being paid into the chamber of London.

The impeachment of the five popish lords in the Tower, with that of the Earl of Danby, was carried on with vigour. The power of this minister, and his credit with the king, rendered him extremely obnoxious to the popular leaders; and the Commons hoped that, if he were pushed to extremity, he would be obliged, in order to justify his own conduct, to lay open the whole intrigue of the French alliance, which they suspected to contain a secret of the most dangerous nature. The king, on his part, apprehensive of the same consequences, and desirous to protect his minister, who was become criminal merely by obeying orders, employed his whole interest to support the validity of that pardon which had been granted him. The Lords appointed a day for the examination of the question, and agreed to hear counsel on both sides: but the Commons

would not submit their pretensions to the discussion of argument and inquiry. They voted, that whoever should presume, without their leave, to maintain before the House of Peers the validity of Danby's pardon, should be accounted a betrayer of the liberties of the English Commons. And they made a demand, that the bishops, whom they knew to be devoted to the court, should be removed, not only when the trial of the earl should commence, but also when the validity of his pardon should be discussed.

The bishops before the Reformation had always enjoyed a seat in parliament; but so far were they anciently from regarding that dignity as a privilege, that they affected rather to form a separate order in the state, independent of the civil magistrate, and accountable only to the Pope and to their own order. By the constitutions, however, of Clarendon, enacted during the reign of Henry II., they were obliged to give their presence in parliament; but as the canon law prohibited them from assisting in capital trials, they were allowed in such cases the privilege of absenting themselves. A practice, which was at first voluntary, became afterwards a rule; and on the Earl of Strafford's trial, the bishops, who would gladly have attended, and who were no longer bound by the canon law, were yet obliged to withdraw. It had been usual for them to enter a protest, asserting their right to sit; and this protest, being considered as a mere form, was always admitted and disregarded. But here was started a new question of no small importance. The Commons, who were now enabled, by the violence of the people and the necessities of the crown, to make new acquisitions of powers and privileges, insisted that the bishops had no more title to vote in the question of the earl's pardon than in the impeachment itself. The bishops asserted that the pardon was merely a preliminary; and that, neither by the canon law nor the practice of parliament, were they ever obliged, in capital cases, to withdraw till the very commencement of the trial itself. If their absence were considered as a privilege, which was its real origin, it depended on their own choice how far they would insist upon it. If regarded as a diminution of their right of peerage, such unfavourable customs ought never to be extended beyond the very circumstance established by them; and all arguments, from a pretended parity of reason, were in that case of little or no authority.

The House of Lords was so much influenced by these reasons, that they admitted the bishops' right to vote, when the validity of the pardon should be examined. The Commons insisted still on their withdrawing; and thus a quarrel being commenced between the two Houses, the king, who expected nothing but fresh instances of violence from this parliament, began to entertain thoughts of laying hold of so favourable a pretence, and of finishing the session by a prorogation. While in this disposition he was alarmed with sudden intelligence, that the House of Commons was preparing a remonstrance, in order to inflame the nation still further upon the favourite topics of the plot and of popery. He hastened, therefore, to execute his intention, even without consulting his new council, by whose advice he had promised to regulate his whole conduct. And thus were disappointed all the projects of the malcontents, who were extremely enraged at this vigorous measure of the king's. Shaftesbury publicly threatened that he would have the head of whoever had advised it. The parliament was soon after dissolved without the advice of council; and writs were issued for a new parliament. The king was willing to try every means which gave a prospect of more compliance in his subjects; and, in case of failure, the blame, he hoped, would lie on those whose obstinacy forced him to extremities.

But even during the recess of parliament, there was no interruption to the prosecution of the catholics accused of the plot: the king found himself obliged to give way to this popular fury. Whitebread, provincial of the Jesuits, Fenwic, Gavan, Turner, and Harcourt, all of them of the same order, were first brought to their trial. Besides Oates and Bedloe, Dugdale, a new witness, appeared against the prisoners. This man had been steward to Lord Aston, and,

27th May.

Prorogation and dissolution of the parliament.  
10th July.

Trial and execution of the five Jesuits.

though poor, possessed a character somewhat more reputable than the other two: but his account of the intended massacres and assassinations was equally monstrous and incredible. He even asserted that 200,000 papists in England were ready to take arms. The prisoners proved, by sixteen witnesses from St. Omers, students, and most of them young men of family, that Oates was in that seminary at the time when he swore that he was in London: but as they were catholics, and disciples of the Jesuits, their testimony, both with the judges and jury, was totally disregarded. Even the reception which they met with in the court was full of outrage and mockery. One of them saying that Oates always continued at St. Omers, if he could believe his senses: "You papists," said the chief justice, "are taught not to believe your senses." It must be confessed that Oates, in opposition to the students of St. Omers, found means to bring evidence of his having been at the time in London: but this evidence, though it had, at that time, the appearance of some solidity, was afterwards discovered, when Oates himself was tried for perjury, to be altogether deceitful. In order further to discredit that witness, the Jesuits proved, by undoubted testimony, that he had perjured himself in Father Ireland's trial, whom they showed to have been in Staffordshire at the very time when Oates swore that he was committing treason in London. But all these pleas availed them nothing against the general prejudices. They received sentence of death; and were executed, persisting to their last breath in the most solemn, earnest, and deliberate, though disregarded, protestations of their innocence.

and of Lang-  
horne. The next trial was that of Langhorne, an eminent lawyer, by whom all the concerns of the Jesuits were managed. Oates and Bedloe swore, that all the papal commissions, by which the chief offices in England were filled with catholics, passed through his hands. When the verdict was given against the prisoner, the spectators expressed their savage joy by loud acclamations. So high indeed had the popular rage mounted, that the witnesses for this unhappy man, on approaching the court, were almost torn in pieces by the rabble: one in particular was bruised to such a degree as to put his life in danger: and another, a woman, declared that, unless the court would afford her protection, she durst not give evidence: but as the judges could go no further than promise to punish such as should do her any injury, the prisoner himself had the humanity to waive her testimony.

So far the informers had proceeded with success: their accusation was hitherto equivalent to a sentence of death.

Wakeman  
acquitted,  
16th July. The first check which they received was on the trial of Sir George Wakeman, the queen's physician, whom they accused of an intention to poison the king. It was a strong circumstance in favour of Wakeman, that Oates, in his first information before the council, had accused him only upon hearsay; and when asked by the chancellor, whether he had any thing further to charge him with? he added, "God forbid I should say any thing against Sir George: for I know nothing more against him." On the trial he gave positive evidence of the prisoner's guilt. There were many other circumstances which favoured Wakeman: but what chiefly contributed to his acquittal, was the connexion of his cause with that of the queen, whom no one, even during the highest prejudices of the times, could sincerely believe guilty. The great importance of the trial made men recollect themselves, and recall that good sense and humanity which seemed, during some time, to have abandoned the nation. The chief justice himself, who had hitherto favoured the witnesses, exaggerated the plot, and railed against the prisoners, was observed to be considerably mollified, and to give a favourable charge to the jury. Oates and Bedloe had the assurance to attack him to his face, and even to accuse him of partiality before the council. The whole party, who had formerly much extolled his conduct, now made him the object of their resentment. Wakeman's acquittal was, indeed, a sensible mortification to the furious prosecutors of the plot, and fixed an indelible stain upon the witnesses. But Wakeman, after he recovered his liberty, finding himself exposed to such inveterate enmity,

and being threatened with further prosecutions, thought it prudent to retire beyond sea: and his flight was interpreted as a proof of guilt, by those who were still resolved to persist in the belief of the conspiracy.

The great discontents in England, and the State of affairs refractory disposition of the parliament, drew in Scotland, the attention of the Scottish covenants, and gave them a prospect of some time putting an end to those oppressions, under which they had so long laboured. It was suspected to have been the policy of Lauderdale and his associates to push these unhappy men to extremities, and force them into rebellion, with a view of reaping profit from the forfeitures and attainders which would ensue upon it. But the covenants, aware of this policy, had hitherto forborne all acts of hostility; and that tyrannical minister had failed of his purpose. An incident at last happened, which brought on an insurrection in that country.

The covenants were much enraged against Sharpe, the primate, whom they considered as an apostate from their principles, and whom they experienced to be an unrelenting persecutor of all those who dissented from the established worship. He had an officer under him, one Carmichael, no less zealous than himself against conventicles, and who by his violent prosecutions had rendered himself extremely obnoxious to the fanatics. A company of these had way-laid him on the road near St. Andrews, with an intention, if not of killing him, at least of chastising him so severely as would afterwards render him more cautious in persecuting the nonconformists.\* While

3d May.

looking out for their prey, they were surprised at seeing the archbishop's coach pass by; and they immediately interpreted this incident as a declaration of the secret purpose of Providence against him. But when they observed that almost all his servants, by some accident, were absent, they no longer doubted but Heaven had here delivered their capital enemy into their hands. Without further deliberation, they fell upon him; dragged him from his coach; tore him from the arms of his daughter, who interposed with cries and tears; and piercing him with redoubled wounds, left him dead on the spot, and immediately dispersed themselves.

This atrocious action served the ministry as a pretence for a more violent persecution against the fanatics, on whom, without distinction, they threw the guilt of those furious assassins. It is indeed certain, that the murder of Sharpe had excited a universal joy among the covenants, and that their blind zeal had often led them, in their books and sermons, to praise and recommend the assassination of their enemies, whom they considered as the enemies of all true piety and godliness. The stories of Jael and Sisera, of Ehud and Eglon, resounded from every pulpit. The officers, quartered in the west, received more strict orders to find out and disperse all conventicles; and for that reason the covenants, instead of meeting in small bodies, were obliged to celebrate their worship in numerous assemblies, and to bring arms for their security. At Rutherglen, a small borough near Glasgow, they openly set forth a declaration against prelacy; and in the marketplace burned several acts of parliament and acts of council, which had established that mode of ecclesiastical government, and had prohibited conventicles. For this insult on the supreme authority, they purposely chose the 29th of May, the anniversary of the restoration; and previously extinguished the bonfires which had been kindled for that solemnity.

Captain Graham, afterwards Viscount Dundee, an active and enterprising officer, attacked a great conventicle upon Loudon-hill, and was repulsed with the loss of thirty men. The covenants, finding that they were unwarily involved in such deep guilt, were engaged to persevere, and to seek from their valour and fortune alone, for that indemnity, which the severity of the government left them no hopes of ever being able otherwise to obtain. They pushed on to Glasgow; and though at first repulsed, they afterwards made themselves masters of that city; dispossessed the established clergy; and issued proclamations, in which they declared that they fought against the king's supremacy, against popery and prelacy, and against a popish successor.

\* Wodrow's History of the Sufferings of the Church of Scotland, vol. ii. p. 68.



How accidental soever this insurrection might appear, it is reason to suspect that some great men, in combination with the popular leaders in England, had secretly instigated the covenanters to proceed to such extremities, and hoped for the same effects that had forty years before ensued from the disorders in Scotland. The king also, apprehensive of like consequences, immediately despatched thither Monmouth with a small body of English cavalry. That nobleman joined to these troops the Scottish guards, and some regiments of militia levied from the well-affected

counties; and with great celerity marched in quest of the rebels. They had taken post near Bothwell-castle, between Hamilton and Glasgow; where there was no access to them but over a bridge, which a small body was able to defend against the king's forces. They showed judgment in the choice of their post; but discovered neither judgment nor valour in any other step of their conduct. No nobility, and few gentry, had joined them: the clergy were in reality the generals; and the whole army never exceeded 8000 men.

Monmouth attacked the bridge; and the body of rebels who defended it, maintained their post as long as their ammunition lasted. When they sent for more, they received orders to quit their ground, and to retire backwards. This imprudent measure occasioned an immediate defeat to the covenanters. Monmouth passed the bridge without opposition, and drew up his forces opposite to the enemy. His cannon alone put them to rout. About 700 fell in the pursuit; for properly speaking there was no action. Twelve hundred were taken prisoners; and were treated by Monmouth with a humanity which they had never experienced in their own countrymen. Such of them as would promise to live peaceably were dismissed. About three hundred, who were so obstinate as to refuse this easy condition, were shipped for Barbadoes; but unfortunately perished in the voyage. Two of their clergy were hanged. Monmouth was of a generous disposition; and besides aimed at popularity in Scotland. The king intended to intrust the government of that kingdom in his hands. He had married a Scottish lady, heir of a great family, and allied to all the chief nobility. And Lauderdale, as he was now declining in his parts, and was much decayed in his memory, began to lose with the king that influence which he had maintained during so many years; notwithstanding the efforts of his numerous enemies both in Scotland and England, and notwithstanding the many violent and tyrannical actions of which he had been guilty. Even at present he retained so much influence as to poison all the good intentions, which the king, either of himself, or by Monmouth's suggestion, had formed with regard to Scotland. An act of indemnity was granted; but Lauderdale took care that it should be so worded as rather to afford protection to himself and his associates, than to the unhappy covenanters. And though orders were given to connive thenceforwards at all conventicles, he found means, under a variety of pretences, to elude the execution of them. It must be owned, however, to his praise, that he was the chief person, who, by his counsel, occasioned the expeditious march of the forces and the prompt orders given to Monmouth; and thereby disappointed all the expectations of the English royalcontents, who, reflecting on the disposition of men's minds in both kingdoms, had entertained great hopes from the progress of the Scottish insurrection.

## CHAP. LXVIII.

State of parties. State of the ministry. Mead tub plot. Whigs and Tories. A new parliament. Audience of the Commons. Exclusion bill. Arraigned for and against the exclusion. Exclusion bill rejected. Trial of Shaftesbury. His execution. Audience of the Commons. Dissolution of the parliament. New parliament at Oxford. Fitzharris's case. Parliament dissolved. Victory of the royalists.

A. D. 1679. THE king, observing that the whole nation concurred at first in the belief and prosecution of the popish plot, had found it necessary for his own safety

to pretend, in all public speeches and transactions, an entire belief and acquiescence in that famous absurdity, and by this artifice he had eluded the violent and irresistible torrent of the people. When a little time and recollection, as well as the execution of the pretended conspirators, had somewhat moderated the general fury, he was enabled to form a considerable party, devoted to the interests of the crown, and determined to oppose the pretensions of the malcontents.

In every mixed government, such as that of England, the bulk of the nation will always incline to preserve the entire frame of the constitution; but according to the various prejudices, interests, and dispositions of men, some will ever attach themselves with more passion to the regal, others to the popular, part of the government. Though the king, after his restoration, had endeavoured to abolish the distinction of parties, and had chosen the ministers from among all denominations; no sooner had he lost his popularity, and exposed himself to general jealousy, than he found it necessary to court the old cavalier party, and to promise them full compensation for that neglect of which they had hitherto complained. The present emergency made it still more necessary for him to apply for their support; and there were many circumstances which determined them, at this time, to fly to the assistance of the crown, and to the protection of the royal family.

A party, strongly attached to monarchy, will naturally be jealous of the right of succession, by which alone they believe stability to be preserved in the government, and a barrier fixed against the encroachments of popular assemblies. The project openly embraced, of excluding the duke, appeared to that party a dangerous innovation: and the design, secretly projected, of advancing Monmouth, made them apprehensive lest the inconveniences of a disputed succession should be propagated to all posterity. While the jealous lovers of liberty maintained, that a king, whose title depended on the parliament, would naturally be more attentive to the interests, at least to the humours, of the people; the passionate admirers of monarchy considered all dependence as a degradation of kingly government, and a great step towards the establishment of a commonwealth in England.

But though his union with the political royalists brought great accession of force to the king, he derived no less support from the confederacy, which he had, at this time, the address to form with the church of England. He represented to the ecclesiastics the great number of presbyterians and other sectaries, who had entered into the popular party; the encouragement and favour which they met with; the loudness of their cries with regard to popery and arbitrary power. And he made the established clergy and their adherents apprehend, that the old scheme of the abolition of prelacy as well as monarchy was revived, and that the same miseries and oppressions awaited them, to which, during the civil wars and usurpations, they had so long been exposed.

The memory also of those dismal times united many indifferent and impartial persons to the crown, and begat a dread lest the zeal for liberty should engraft itself on fanaticism, and should once more kindle a civil war in the kingdom. Had not the king still retained the prerogative of dissolving the parliament, there was, indeed, reason to apprehend the renewal of all the pretensions and violences which had ushered in the last commotions. The one period appeared an exact counterpart to the other: but still discerning judges could perceive, both in the spirit of the parties and in the genius of the prince, a material difference; by means of which Charles was enabled, at last, though with the imminent peril of liberty, to preserve the peace of the nation.

The cry against popery was loud; but it proceeded less from religious than from party zeal, in those who propagated, and even in those who adopted it. The spirit of enthusiasm had occasioned so much mischief, and had been so successfully exploded, that it was not possible, by any artifice, again to revive and support it. Cant had been ridiculed, hypocrisy detected; the pretensions to a more

thorough reformation, and to greater purity, had become suspicious; and instead of denouncing themselves the *godly* party, the appellation affected at the beginning of the civil wars, the present patriots were content with calling themselves the *good* and the *honest* party: a sure prognostic that their measures were not to be so furious, nor their pretensions so exorbitant.

The king, too, though not endowed with the integrity and strict principles of his father, was happy in a more amiable manner, and more popular address. Far from being distant, stately, or reserved, he had not a grain of pride or vanity in his whole composition,<sup>a</sup> but was the most affable, best bred man alive. He treated his subjects like noblemen, like gentlemen, like freemen; not like vassals or boors. His professions were plausible, his whole behaviour engaging; so that he won upon the hearts, even while he lost the good opinion of his subjects, and often balanced their judgment of things by their personal inclination.<sup>c</sup> In his public conduct, likewise, though he had sometimes embraced measures dangerous to the liberty and religion of his people, he had never been found to persevere obstinately in them, but had always returned into that path, which their united opinion seemed to point out to him. And upon the whole, it appeared to many, cruel and even iniquitous, to remark too rigorously the failings of a prince, who discovered so much facility in correcting his errors, and so much lenity in pardoning the offences committed against himself.

The general affection borne the king appeared singularly about this time. He fell sick at Windsor; and had two or three fits of a fever, so violent as made his life be thought in danger. A general consternation seized all ranks of men, increased by the apprehensions entertained of his successor. In the present disposition of men's minds, the king's death, to use an expression of Sir William Temple,<sup>d</sup> was regarded as the end of the world. The malcontents, it was feared, would proceed to extremities, and immediately kindle a civil war in the kingdom. Either their entire success, or entire failure, or even the balance and contest of parties, seemed all of them events equally fatal. The king's chief counsellors, therefore, Essex, Halifax, and Sunderland, who stood on bad terms with Shaftesbury and the popular party, advised him to send secretly for the duke, that in case of any sinister accident, that prince might be ready to assert his right against the opposition which he was likely to meet with. When the duke arrived, he found his brother out of danger; and it was agreed to conceal the invitation which he had received. His journey, however, was attended with important consequences. He prevailed on the king to disgrace Monmouth, whose projects were now known and avowed; to deprive him of his command in the army; and to send him beyond sea. He himself returned to Brussels; but made a short stay in that place. He obtained leave to retire to Scotland, under pretence still of quieting the apprehensions of the English nation; but in reality with a view of securing that kingdom in his interests.

Though Essex and Halifax had concurred in the resolution of inviting over the duke, they soon found, that they had not obtained his confidence, and that even the king, while he made use of their service, had no sincere regard for their persons. Essex in disgust resigned the treasury: Halifax retired to his country seat: Temple, despairing of any accommodation among such enraged parties, withdrew almost entirely to his books and his gardens. The king, who changed ministers as well as measures with great indifference, bestowed at this time his chief confidence on Hyde, Sunderland, and Godolphin. Hyde succeeded Essex in the treasury.

All the king's ministers, as well as himself, were extremely averse to the meeting of the new parliament, which they expected to find as refractory as any of the preceding. The elections had gone mostly in favour of the country party. The terrors of the plot had still a mighty influence over the populace; and the apprehensions of the duke's bigoted principles and arbitrary character weighed with men of sense and reflection. The king therefore resolved

to prorogue the parliament, that he might try whether time would allay those humours which, by every other expedient, he had in vain attempted to mollify. In this measure he did not expect the concurrence of his council. He knew that those popular leaders, whom he had admitted, would zealously oppose a resolution, which disconcerted all their schemes; and that the royalists would not dare, by supporting it, to expose themselves to the vengeance of the parliament, when it should be assembled. These reasons obliged him to take this step entirely of himself; and he only declared his resolution in council. It is remarkable, that, though the king had made profession never to embrace any measure without the advice of these counsellors, he had often broken that resolution, and had been necessitated, in affairs of the greatest consequence, to control their opinion. Many of them in disgust threw up about this time; particularly Lord Russel, the most popular man in the nation, as well from the mildness and integrity of his character, as from his zealous attachment to the religion and liberties of his country. Though carried into some excesses, his intentions were ever esteemed upright; and being heir to the greatest fortune in the kingdom, as well as void of ambition, men believed that nothing but the last necessity could ever engage him to embrace any desperate measures. Shaftesbury, who was, in most particulars, of an opposite character, was removed by the king from the office of president of the council; and the Earl of Radnor, a man who possessed whimsical talents, and splenetic virtues, was substituted in his place.

It was the favour and countenance of the parliament which had chiefly encouraged the rumour of plots; but the nation had gotten so much into that vein of credulity, and every necessitous villain was so much incited by the success of Oates and Bedloe, that, even during the prorogation, the people were not allowed to remain in tranquillity. There was one Dangerfield, a fellow who had been burned in the hand for crimes, transported, whipped, pilloried four times, fined for cheats, outlawed for felony, convicted of coining, and exposed to all the public infamy which the laws could inflict on the basest and most shameful enormities. The credulity of the people, and the humour of the times, enabled even this man to become a person of consequence. He was the author of a new incident, called the *meal-tub plot*,<sup>e</sup> from the place where some papers relating to it were found. The bottom of this affair it is difficult, and not very material, to discover. It only appears, that Dangerfield, under pretence of betraying the conspiracies of the presbyterians, had been countenanced by some catholics of condition, and had even been admitted to the duke's presence and the king's: and that, under pretence of revealing new popish plots, he had obtained access to Shaftesbury and some of the popular leaders. Which side he intended to cheat is uncertain; or whether he did not rather mean to cheat both: but he soon found that the belief of the nation was more open to a popish than a presbyterian plot; and he resolved to strike in with the prevailing humour. Though no weight could be laid on his testimony, great clamour was raised; as if the court, by way of retaliation, had intended to load the presbyterians with the guilt of a false conspiracy. It must be confessed that the present period, by the prevalence and suspicion of such mean and ignoble arts on all sides, throws a great stain on the British annals.

One of the most innocent artifices, practised by party men at this time, was the additional ceremony, pomp, and expense, with which a pope-burning was celebrated in London: the spectacle served to entertain, and amuse, and inflame, the populace.<sup>f</sup> The Duke of Monmouth likewise came over without leave, and made a triumphant procession through many parts of the kingdom, extremely caressed and admired by the people. All these arts seemed requisite to support the general prejudices, during the long interval of parliament. Great endeavours were also used to obtain the king's consent for the meeting of that assembly. A. D. 1680. Seven-teen peers presented a petition to this purpose. Many of the corporations imitated the example.

<sup>a</sup> Temple, vol. i. p. 335.

<sup>b</sup> Ibid. p. 149.

<sup>c</sup> Dissertation on Parties, letter xii.

<sup>d</sup> Vol. i. p. 342.

Notwithstanding several marks of displeasure, and even a menacing proclamation from the king, petitions came from all parts, earnestly insisting on a session of parliament. The danger of popery, and the terrors of the plot, were never forgotten in any of these addresses.

Tumultuous petitioning was one of the chief artifices by which the malcontents in the last reign had attacked the crown: and though the manner of subscribing and delivering petitions was now somewhat regulated by act of parliament, the thing itself still remained; and was an admirable expedient for infesting the court, for spreading discontent, and for uniting the nation in any popular clamour. As the king found no law by which he could punish those importunate, and, as he deemed them, undutiful solicitations, he was obliged to encounter them by popular applications of a contrary tendency. Wherever the church and court party prevailed, addresses were framed, containing expressions of the highest regard to his majesty, the most entire acquiescence in his wisdom, the most dutiful submission to his prerogative, and the deepest abhorrence of those who endeavoured to encroach upon it, by prescribing to him any time for assembling the parliament. Thus the nation came to be distinguished into *petitioners* and *abhorers*. Factions indeed were at this time extremely animated against each other. The very names, by which each party denominated its antagonist, discover the virulence and rancour which prevailed. For besides petitioner and abhorer, appellations which were soon forgotten, this year is remarkable for being the epoch of the well-known epithets of WHIG and TORY,

Whig and Tory, by which, and sometimes without any material difference, this island has been so long divided. The court party reproached their antagonists with their affinity to the fanatical conventicles in Scotland, who were known by the name of Whigs: the country party found a resemblance between the courtiers and the popish banditti in Ireland, to whom the appellation of Tory was affixed. And after this manner, these foolish terms of reproach came into public and general use; and even at present seem not nearer their end than when they were first invented.

The king used every art to encourage his partisans, and to reconcile the people to his government. He persevered in the great zeal which he affected against popery. He even allowed several priests to be put to death, for no other crime than their having received orders in the Romish church. It is singular, that one of them, called Evans, was playing at tennis, when the warrant for his immediate execution was notified to him: he swore, that he would play out his set first. Charles, with the same view of acquiring popularity, formed an alliance with Spain, and also offered an alliance to Holland: but the Dutch, terrified with the great power of France, and seeing little resource in a country so distracted as England, declined acceptance. He had sent for the duke from Scotland, but desired him to return, when the time of assembling the parliament began to approach.

It was of great consequence to the popular party, while the meeting of parliament depended on the king's will, to keep the law, whose operations are perpetual, entirely on their side. The sheriffs of London by their office return the juries: it had been usual for the mayor to nominate one sheriff by drinking to him; and the common-hall had ever without dispute confirmed the mayor's choice. Sir Robert Clayton, the mayor, appointed one who was not acceptable to the popular party: the common-hall rejected him; and Bethel and Cornish, two independents and republicans, and of consequence deeply engaged with the malcontents, were chosen by a majority of voices. In spite of all remonstrances and opposition, the citizens persisted in their choice; and the court party was obliged for the present to acquiesce.

Juries however were not so partial in the city, but that reason and justice, even when the popish plot was in question, could sometimes prevail. The Earl of

June 23rd. Castlemaine, husband to the Duchess of Cleveland, was acquitted about this time, though accused by Oates and Dangerfield of an intention to assassinate the king. Sir Thomas Gascoigne, a very aged gentleman in the north, being accused by two servants, whom he had dismissed for dishonesty, received a like verdict. These

trials were great blows to the plot, which now began to stagger, in the judgment of most men, except those who were entirely devoted to the country party. But in order still to keep alive the zeal against popery, the Earl of Shaftesbury appeared in Westminster-hall, attended by the Earl of Huntingdon, the Lords Russel, Cavendish, Grav, Brandon, Sir Henry Caverly, Sir Gilbert Gerrard, Sir William Cooper, and other persons of distinction, and presented to the grand jury of Middlesex reasons for indicting the Duke of York as a popish recusant. While the jury were deliberating on this extraordinary presentment, the chief justice sent for them, and suddenly, even somewhat irregularly, dismissed them. Shaftesbury however obtained the end for which he had undertaken this bold measure: he showed to all his followers the desperate resolution which he had embraced, never to admit of any accommodation or composition with the duke. By such daring conduct he gave them assurance, that he was fully determined not to desert their cause; and he engaged them to a like devoted perseverance in all the measures which he should suggest to them.

As the kingdom was regularly and openly divided into two zealous parties, it was not difficult for the king to know that the majority of the new House of Commons was engaged in interests opposite to the court: but that he might leave no expedient untried, which could compose the unhappy differences among his subjects, he resolved, at last, after a long interval, to assemble the parliament. In his speech, he told them Oct. 21.  
A new parliament. that the several prerogatives which he had made had been very advantageous to his neighbours, and very useful to himself: that he had employed that interval in perfecting with the crown of Spain an alliance, which had often been desired by former parliaments, and which, he doubted not, would be extremely agreeable to them: that, in order to give weight to this measure, and render it beneficial to Christendom, it was necessary to avoid all domestic dissensions, and to unite themselves firmly in the same views and purposes: that he was determined that nothing on his part should be wanting to such a salutary end; and, provided the succession were preserved in its due and legal course, he would concur in any expedient for the security of the protestant religion: that the further examination of the popish plot and the punishment of the criminals were requisite for the safety both of king and kingdom; and after recommending to them the necessity of providing, by some supplies, for the safety of Tangiers, he proceeded in these words: "But that which I value above all the treasure in the world, and which I am sure will give us greater strength and reputation both at home and abroad than any treasure can do, is a perfect union among ourselves. Nothing but this can restore the kingdom to that strength and vigour which it seems to have lost, and raise us again to that consideration which England hath usually possessed. All Europe have their eyes upon this assembly, and think their own happiness and misery, as well as ours, will depend upon it. If we should be so unhappy as to fall into misunderstandings among ourselves to that degree as would render our friendship unsafe to trust to, it will not be wondered at, if our neighbours should begin to take new resolutions, and, perhaps, such as may be fatal to us. Let us therefore take care that we do not gratify our enemies, and discourage our friends, by any unseasonable disputes. If any such do happen, the world will see that it is no fault of mine: for I have done all that was possible for me to do, to keep you in peace while I live, and to leave you so when I die. But from so great prudence and so good affection as yours, I can fear nothing of this kind; but do rely upon you all, that you will do your best endeavours to bring this parliament to a good and happy conclusion."

All these mollifying expressions had no influence with the Commons. Every step which they took betrayed the zeal with which they were animated. They voted that it was the undoubted right of the subject to petition the king for the calling and sitting of parliament. Not content with this decision, which seems justifiable in a mixed monarchy, they fell with the utmost violence on all those *abhorers*, who, in their addresses to the crown, had expressed their disapprobation



of those petitions. They did not reflect that it was as lawful for one party of men as for another, to express their sense of public affairs; and that the best established right may, in particular circumstances, be abused, and even the exercise of it become an object of abhorrence. For this offence, they expelled Sir Thomas Withens. They appointed a committee for further inquiry into such members as had been guilty of a like crime; and complaints were lodged against Lord Paston, Sir Robert Malverer, Sir Bryan Stapleton, Taylor, and Turner. They addressed the king against Sir George Jefferies, recorder of London, for his activity in the same cause; and they frightened him into a resignation of his office, in which he was succeeded by Sir George Treby, a great leader of the popular party. They voted an impeachment against North, chief justice of the common pleas, for drawing the proclamation against tumultuous petitions: but upon examination found the proclamation so cautiously worded, that it afforded them no handle against him. A petition had been presented to the king from Taunton. "How dare you deliver me such a paper?" said the king to the person who presented it. "Sir," replied he, "my name is DARE." For this saucy reply, but under other pretences, he had been tried, fined, and committed to prison. The Commons now addressed the king for his liberty, and for remitting his fine. Some printers also and authors of seditious libels they took under their protection.

Great numbers of the abhorers, from all parts of England, were seized by order of the Commons, and committed to custody. The liberty of the subject, which had been so carefully guarded by the great charter, and by the late law of habeas corpus, was every day violated by their arbitrary and capricious commitments. The chief jealousy, it is true, of the English constitution is naturally and justly directed against the crown; nor indeed have the Commons any other means of securing their privileges than by commitments, which, as they cannot beforehand be exactly determined by law, must always appear, in some degree, arbitrary. Sensible of these reasons, the people had hitherto, without murmuring, seen this discretionary power exercised by the House: but as it was now carried to excess, and was abused to serve the purposes of faction, great complaints against it were heard from all quarters. At last the vigour and courage of one Stowel of Exeter, an abhorrer, put an end to the practice. He refused to obey the sergeant-at-arms, stood upon his defence, and said that he knew of no law by which they pretended to commit him. The House, finding it equally dangerous to proceed or to recede, got off by an evasion: they inserted in their votes, that Stowel was indisposed, and that a month's time was allowed him for the recovery of his health.

But the chief violence of the House of Commons appeared in all their transactions with regard to the plot, which they prosecuted with the same zeal and the same credulity as their predecessors. They renewed the former vote, which affirmed the reality of the horrid popish plot; and, in order the more to terrify the people, they even asserted that, notwithstanding the discovery, the plot still subsisted. They expelled Sir Robert Can, and Sir Robert Yeomans, who had been complained of for saying that there was no popish, but there was a presbyterian, plot. And they greatly lamented the death of Bedloe, whom they called a material witness, and on whose testimony they much depended. He had been seized with a fever at Bristol; had sent for Chief-justice North; confirmed all his former evidence, except that with regard to the duke and the queen; and desired North to apply to the king for some money to relieve him in his necessities. A few days after he expired; and the whole party triumphed extremely in these circumstances of his death: as if such a testimony could be deemed the affirmation of a dying man, as if his confession of perjury in some instances could assure his veracity in the rest, and as if the perseverance of one profligate could outweigh the last words of so many men, guilty of no crime but that of popery.

The Commons even endeavoured, by their countenance and protection, to remove the extreme infamy with which Dangerfield was loaded, and to restore him to the capacity of being an evidence. The whole tribe of informers they

applauded and rewarded; Jennison, Turberville, Dugdale, Smith, La Faria, appeared before them; and their testimony, however frivolous or absurd, met with a favourable reception: the king was applied to in their behalf for pensions and pardons: their narratives were printed with that sanction which arose from the approbation of the House: Dr. Tongue was recommended for the first considerable church preferment which should become vacant. Considering men's determined resolution to believe, instead of admiring, that a palpable falsehood should be maintained by witnesses, it may justly appear wonderful, that no better evidence was ever produced against the catholics.

The principal reasons, which still supported the clamour of the popish plot, were the apprehensions entertained by the people of the Duke of York, and the resolution embraced by their leaders, of excluding him from the throne. Shaftesbury and many considerable men of the party, had rendered themselves irreconcilable with him, and could find their safety no way but in his ruin. Monmouth's friends hoped that the exclusion of that prince would make way for their patron. The resentment against the duke's apostasy, the love of liberty, the zeal for religion, the attachment to faction, all these motives incited the country party. And above all, what supported the resolution of adhering to the exclusion, and rejecting all other expedients offered, was the hope artfully encouraged, that the king would at last be obliged to yield to their demand. His revenues were extremely burdened; and even if free, could scarcely suffice for the necessary charges of government, much less for that pleasure and expense to which he was inclined. Though he had withdrawn his countenance from Monmouth, he was known secretly to retain a great affection for him. On no occasion had he ever been found to persist obstinately against difficulties and importunity. And as his beloved mistress, the Duchess of Portsmouth, had been engaged, either from lucrative views, or the hopes of making the succession fall on her own children, to unite herself with the popular party; this incident was regarded as a favourable prognostic of their success. Sunderland, secretary of state, who had linked his interest with that of the duchess, had concurred in the same measure.

But besides friendship for his brother, and a regard to the right of succession, there were many strong reasons which had determined Charles to persevere in opposing the exclusion. All the royalists and the devotees to the church, that party by which alone monarchy was supported, regarded the right of succession as inviolable; and if abandoned by the king in so capital an article, it was to be feared that they would, in their turn, desert his cause, and deliver him over to the pretensions and usurpations of the country party. The country party, or the whigs, as they are called, if they did not still retain some propensity towards a republic, were at least affected with a violent jealousy of regal power; and it was equally to be dreaded, that being enraged with past opposition, and animated by present success, they would, if they prevailed in this pretension, be willing as well as able to reduce the prerogative within very narrow limits. All menaces, therefore, all promises were again employed against the king's resolution: he never would be prevailed on to desert his friends, and put himself into the hands of his enemies. And having voluntarily made such important concessions, and tendered, over and over again, such strong limitations, he was well pleased to find them rejected by the obstinacy of the Commons; and hoped that, after the spirit of opposition had spent itself in fruitless violence, the time would come, when he might safely appeal against his parliament to his people.

So much were the popular leaders determined to carry matters to extremities, that in less than a week after the commencement of the session, a motion was made for bringing in an exclusion bill, and a committee was appointed for that purpose. This bill differed in nothing from the former, but in two articles, which showed still an increase of zeal in the Commons: the bill was to be read to the people twice a-year in all the churches of the kingdom, and every one who should support the duke's title was rendered incapable of receiving a pardon but by act of parliament.

The debates were carried on with great violence on both sides. The bill was defended by Sir William Jones, who had now resigned his office of attorney-general, by Lord Russel, by Sir Francis Wmington, Sir Henry Capel, Sir William Pulteney, by Colonel Titus, Treby, Hamblin, Montague. It was opposed by Sir Leoline Jenkins, secretary of state, Sir John Erskine, chancellor of the exchequer, by Hyde, Seymour, Temple. The arguments transmitted to us may be reduced to the following topics.

In every government, said the exclusionists, there is somewhere an authority absolute and supreme; nor can any determination, how unusual soever, which receives the sanction of the legislature, admit afterwards of dispute or control. The liberty of a constitution, so far from diminishing this absolute power, seems rather to add force to it, and to give it greater influence over the people. The more members of the state concur in any legislative decision, and the more free their voice, the less likelihood is there that any opposition will be made to those measures which receive the final sanction of their authority. In England, the legislative power is lodged in King, Lords, and Commons, which comprehend every order of the community: and there is no pretext for exempting any circumstance of government, not even the succession of the crown, from so full and decisive a jurisdiction. Even express declarations have, in this particular, been made of parliamentary authority: instances have occurred where it has been exerted: and though prudential reasons may justly be alleged why such innovations should not be attempted but on extraordinary occasions, the power and right are for ever vested in the community. But if any occasion can be deemed extraordinary, if any emergence can require unusual expedients, it is the present; when the heir of the crown has renounced the religion of the state, and has zealously embraced a faith totally hostile and incompatible. A prince of that communion can never put trust in a people so prejudiced against him: the people must be equally diffident of such a prince: foreign and destructive alliances will seem to one the only protection of his throne: perpetual jealousy, opposition, faction, even insurrections will be employed by the other as the sole securities for their liberty and religion. Though theological principles, when set in opposition to passions, have often small influence on mankind in general, still less on princes; yet when they become symbols of faction, and marks of party distinctions, they concur with one of the strongest passions in the human frame, and are then capable of carrying men to the greatest extremities. Notwithstanding the better judgment and milder disposition of the king, how much has the influence of the duke already disturbed the tenor of government! how often engaged the nation into measures totally destructive of their foreign interests and honour, of their domestic repose and tranquillity! The more the absurdity and incredibility of the popish plot are insisted on, the stronger reason it affords for the exclusion of the duke; since the universal belief of it discovers the extreme antipathy of the nation to his religion, and the utter impossibility of ever bringing them to acquiesce peaceably under the dominion of such a sovereign. The prince, finding himself in so perilous a situation, must seek for security by desperate remedies, and by totally subduing the privileges of a nation which had betrayed such hostile dispositions towards himself, towards every thing which he deems the most sacred. It is in vain to propose limitations and expedients. Whatever share of authority is left in the duke's hands, will be employed to the destruction of the nation; and even the additional restraints, by discovering the public diffidence and aversion, will serve him as incitements to put himself in a condition entirely superior and independent. And as the laws of England still make resistance treason, and neither do nor can admit of any positive exceptions; what folly to leave the kingdom in so perilous and absurd a situation; where the greatest virtue will be exposed to the most severe proscription, and where the laws are only to serve for expedients, which these same laws have declared the highest crime and enormity.

The court party reasoned in an opposite manner. An

authority, they said, wholly absolute and uncontrollable is a mere chimera, and is no where to be found in any human institutions. All government is founded on opinion and a sense of duty; and wherever the supreme magistrate, by any law or positive prescription, shocks an opinion regarded as fundamental, and established with a firmness equal to that of his own authority, he subverts the principle by which he himself is established, and can no longer hope for obedience. In European monarchies, the right of succession is justly esteemed a fundamental; and even though the whole legislature be vested in a single person, it would never be permitted him, by an edict, to disinherit his lawful heir, and call a stranger or more distant relation to the throne. Abuses in other parts of government are capable of redress, from more dispassionate inquiry or better information of the sovereign, and till then ought patiently to be endured: but violations of the right of succession draw such terrible consequences after them as are not to be paralleled by any other grievance or inconvenience. Vainly is it pleaded that England is a mixed monarchy; and that a law, assented to by king, Lords, and Commons, is enacted by the concurrence of every part of the state: it is plain that there remains a very powerful party, who may indeed be out-voted, but who never will deem a law, subversive of hereditary right, anywise valid or obligatory. Limitations, such as are proposed by the king, give no shock to the constitution, which, in many particulars, is already limited; and they may be so calculated as to serve every purpose sought for by an exclusion. If the ancient barriers against regal authority have been able, during so many ages, to remain impregnable; how much more these additional ones, which, by depriving the monarch of power, tend so far to their own security! The same jealousy too of religion, which has engaged the people to lay these restraints upon the successor, will extremely lessen the number of his partisans, and make it utterly impracticable for him, either by force or artifice, to break the fetters imposed upon him. The king's age and vigorous state of health promise him a long life: and can it be prudent to tear in pieces the whole state, in order to provide against a contingency, which, it is very likely, may never happen? No human schemes can secure the public in all possible, imaginable events; and the bill of exclusion itself, however accurately framed, leaves room for obvious and natural suppositions, to which it pretends not to provide any remedy. Should the duke have a son, after the king's death, must that son, without any default of his own, forfeit his title? or must the Princess of Orange descend from the throne, in order to give place to the lawful successor? But were all these reasons false, it still remains to be considered that, in public deliberations, we seek not the expedient which is best in itself, but the best of such as are practicable. The king willingly consents to limitations, and has already offered some which are of the utmost importance: but he is determined to endure any extremity rather than allow the right of succession to be invaded. Let us beware of that factious violence, which leads to demand more than will be granted; lest we lose the advantage of those beneficial concessions, and leave the nation, on the king's demise, at the mercy of a zealous prince, irritated with the ill usage which he imagines he has already met with.

In the House of Commons, the reasoning of the exclusionists appeared the more convincing; and the bill passed by a great majority. It was in the House of Peers that the king expected to oppose it with success. The court party was there so prevalent, that it was carried only by a majority of two, to pay so much regard to the bill as even to commit it. When it came to be debated, 15th Nov. the contest was violent. Shaftesbury, Sunderland, and Essex argued for it: Halifax chiefly conducted the debate against it, and displayed an extent of capacity, and a force of eloquence, which had never been surpassed in that assembly. He was animated, as well by the greatness of the occasion, as by a rivalry with his uncle Shaftesbury; whom, during that day's debate, he seemed, in the judgment of all, to have totally eclipsed. The king was present during the whole debate, which was prolonged till eleven at night. The bill was Exclusion bill rejected. thrown out by a considerable majority. All

the bishops, except three, voted against it. Besides the influence of the court over them, the church of England, they imagined, or pretended, was in greater danger from the prevalence of presbyterianism than of popery, which, though favoured by the duke, and even by the king, was extremely repugnant to the genius of the nation.

The Commons discovered much ill-humour upon this disappointment. They immediately voted an address for the removal of Halifax from the king's councils and presence for ever. Though the pretended cause was his advising the late frequent prorogations of parliament, the real reason was apparently his vigorous opposition to the exclusion bill. When the king applied for money to enable him to maintain Tangiers, which he declared his present revenues totally unable to defend; instead of complying, they voted such an address as was in reality a remonstrance, and one little less violent than that famous remonstrance, which ushered in the civil wars. All the abuses of government, from the beginning almost of the reign, are there insisted on; the Dutch war, the alliance with France, the prorogations and dissolutions of parliament; and as all these measures, as well as the *dumblie* and *hellish* plot, are there ascribed to the machinations of papists, it was plainly insinuated that the king had, all along, lain under the influence of that party, and was in reality the chief conspirator against the religion and liberties of his people.

The Commons, though they conducted the great business of the exclusion with extreme violence and even imprudence, had yet much reason for the jealousy which gave rise to it: but their vehement prosecution of the popish plot, even after so long an interval, discovers such a spirit, either of credulity or injustice, as admits of no apology. The impeachment of the catholic lords in the Tower was revived; and as Viscount Stafford, from his age, infirmities, and narrow capacity, was deemed the least capable of defending himself, it was determined to make him the first victim, that his condemnation might pave the way for a sentence against the rest. The chancellor, now created Earl of Nottingham, was appointed high

30th Nov.

Trial of  
Stafford;

steward for conducting the trial. Three witnesses were produced against the prisoner; Oates, Dugdale, and Turberville. Oates swore, that he saw Fenwick, the Jesuit, deliver to Stafford a commission signed by De Oliva, general of the Jesuits, appointing him paymaster to the papal army, which was to be levied for the subduing of England: for this ridiculous imposture still maintained its credit with the Commons. Dugdale gave testimony, that the prisoner at Tixal, a seat of Lord Aston's, had endeavoured to engage him in the design of murdering the king; and had promised him, besides the honour of being sainted by the church, a reward of 500 pounds for that service. Turberville deposed, that the prisoner, in his own house at Paris, had made him a like proposal. To offer money for murdering a king, without laying down any scheme by which the assassin may insure some probability or possibility of escape, is so incredible in itself, and may so easily be maintained by any prostitute evidence, that an accusation of that nature, not accompanied with circumstances, ought very little to be attended to by any court of judicature. But notwithstanding the small hold which the witnesses afforded, the prisoner was able, in many material particulars, to discredit their testimony. It was sworn by Dugdale, that Stafford had assisted in a great consult of the catholics held at Tixal; but Stafford proved, by undoubted testimony, that at the time assigned he was in Bath, and in that neighbourhood. Turberville had served a novitiate among the Dominicans; but having deserted the convent, he had enlisted as a trooper in the French army; and being dismissed that service, he now lived in London, abandoned by all his relations, and exposed to great poverty. Stafford proved, by the evidence of this gentleman and his page, that Turberville had never, either at Paris or at London, been seen in his company; and it might justly appear strange, that a person who had so important a secret in his keeping, was so long entirely neglected by him.

The clamour and outrage of the populace during the trial, were extreme: great abilities and eloquence were

displayed by the managers, Sir William Jones, Sir Francis Wmington, and Sergeant Maynard. Yet did the prisoner, under all these disadvantages, make a better defence than was expected, either by his friends or his enemies: the unequal contest in which he was engaged, was a plentiful source of compassion to every mind seasoned with humanity. He represented that during a course of forty years, from the very commencement of the civil wars, he had, through many dangers, difficulties, and losses, still maintained his loyalty: and was it credible, that now, in his old age, easy in his circumstances, but dispirited by infirmities, he would belie the whole course of his life, and engage against his royal master, from whom he had ever received kind treatment, in the most desperate and most bloody of all conspiracies? He remarked the infamy of the witnesses; the contradictions and absurdities of their testimony; the extreme indigence in which they had lived, though engaged, as they pretended, in a conspiracy with kings, princes, and nobles; the credit and opulence to which they were at present raised. With a simplicity and tenderness more persuasive than the greatest oratory, he still made protestations of his innocence, and could not forbear, every moment, expressing the most lively surprise and indignation at the audacious impudence of the witnesses.

It will appear astonishing to us, as it did to Stafford himself, that the Peers, after a solemn trial of six days, should, by a majority of twenty-four voices, give sentence against him. He received, however, with resignation, the fatal verdict. *God's holy name be praised*, was the only exclamation which he uttered. When the high-steward told him that the Peers would intercede with the king for remitting the more cruel and ignominious parts of the sentence, hanging and quartering, he burst into tears: but he told the Lords that he was moved to this weakness by his sense of their goodness, not by any terror of that fate which he was doomed to suffer.

It is remarkable that, after Charles, as is usual in such cases, had remitted to Stafford the hanging and quartering, the two sheriffs, Bethel and Cornish, indulging their own republican humour, and complying with the prevalent spirit of their party, ever jealous of monarchy, started a doubt with regard to the king's power of exercising even this small degree of lenity. "Since he cannot pardon the whole," said they, "how can he have power to remit any part of the sentence?" They proposed the doubt to both Houses: the Peers pronounced it superfluous; and even the Commons, apprehensive lest a question of this nature might make way for Stafford's escape, gave this singular answer: "This House is *content*, that the sheriffs do execute William, late Viscount Stafford, by severing his head from his body *only*." Nothing can be a stronger proof of the fury of the times, than that Lord Russel, notwithstanding the virtue and humanity of his character, seconded in the House this barbarous scruple of the sheriffs.

In the interval between the sentence and execution, many efforts were made to shake the resolution of the infirm and aged prisoner, and to bring him to some confession of the treason for which he was condemned. It was even rumoured, that he had confessed; and the zealous partymen, who, no doubt, had secretly, notwithstanding their credulity, entertained some doubts with regard to the reality of the popish conspiracy, expressed great triumph on the occasion. But Stafford, when again called before the House of Peers, discovered many schemes, which had been laid by himself and others for procuring a toleration to the catholics, at least a mitigation of the penal laws enacted against them: and he protested that this was the sole treason of which he had ever been guilty.

Stafford now prepared himself for death with the intrepidity which became his birth and station, and which was the natural result of the innocence and integrity which, during the course of a long life, he had ever maintained: his mind seemed even to collect new force from the violence and oppression under which he laboured. When going to execution, he called for a cloak to <sup>19th Dec.</sup> defend himself against the rigour of the cold and execution. season: "Perhaps," said he, "I may shake with cold; but I trust in God, not for fear." On the scaffold he con-



tinued, with reiterated and earnest asseverations, to make protestations of his innocence: all his fervour was exercised on that point: when he mentioned the witnesses, whose perjuries had bereaved him of life, his expressions were full of mildness and of charity. He solemnly disavowed all those immoral principles which over-zealous protestants had ascribed, without distinction, to the church of Rome: and he hoped, he said, that the time was now approaching, when the present delusion would be dissipated; and when the force of truth, though late, would engage the whole world to make reparation to his injured honour.

The populace, who had exulted at Stafford's trial and condemnation, were now melted into tears at the sight of that tender fortitude which shone forth in each feature, and motion, and accent of this aged noble. Their profound silence was only interrupted by sighs and groans. With difficulty they found speech to assent to those protestations of innocence, which he frequently repeated: "We believe you, my lord! God bless you, my lord!" These expressions, with a faltering accent, flowed from them. The executioner himself was touched with sympathy. Twice he lifted up the axe, with an intent to strike the fatal blow; and as often felt his resolution to fail him. A deep sigh was heard to accompany his last effort, which laid Stafford for ever at rest. All the spectators seemed to feel the blow. And when the head was held up to them with the usual cry, *This is the head of a traitor*, no clamour of assent was uttered. Pity, remorse, and astonishment, had taken possession of every heart, and displayed itself in every countenance.

This is the last blood which was shed on account of the popish plot: an incident which, for the credit of the nation, it were better to bury in eternal oblivion; but which it is necessary to perpetuate, as well to maintain the truth of history, as to warn, if possible, their posterity and all mankind never again to fall into so shameful, so barbarous a delusion.

The execution of Stafford gratified the prejudices of the country party; but it contributed nothing to their power and security: on the contrary, by exciting commiseration, it tended still further to increase that disbelief of the whole plot, which began now to prevail. The Commons, therefore, not to lose the present opportunity, resolved to make both friends and enemies sensible of their power. They passed a bill for easing the protestant dissenters, and for repealing the persecuting statute of the thirty-fifth of Elizabeth: this laudable bill was likewise carried through the House of Peers. The chief justice was very obnoxious for dismissing the grand jury in an irregular manner, and thereby disappointing that bold measure of Shaftesbury and his friends, who had presented the duke as a recusant. For this crime the Commons sent up an impeachment against him; as also against Jones and Weston, two of the judges, who, in some speeches from the bench, had gone so far as to give to many of the first reformers the appellation of fanatics.

The king, in rejecting the exclusion bill, had sheltered himself securely behind the authority of the House of Peers: and the Commons had been deprived of the usual pretence, to attack the sovereign himself, under colour of attacking his ministers and counsellors. In prosecution, however, of the scheme which he had formed, of throwing the blame on the Commons in case of any rupture, he made them a new speech. After warning them, that a neglect of this opportunity would never be retrieved, he added these words: "I did promise you the fullest satisfaction, which your hearts could wish, for the security of the protestant religion, and to concur with you in any remedies which might consist with preserving the succession of the crown in its due and legal course of descent. I do again, with the same reservations, renew the same promises to you: and being thus ready on my part to do all that can reasonably be expected from me, I should be glad to know from you, as soon as may be, how far I shall be assisted by you, and what it is you desire from me."

The most reasonable objection against the limitations proposed by the king, is, that they introduced too considerable an innovation in the government, and almost

totally annihilated the power of the future monarch. But considering the present disposition of the Commons and their leaders, we may fairly presume, that this objection would have small weight with them, and that their disgust against the court would rather incline them to diminish than support regal authority. They still hoped, from the king's urgent necessities and his usual facility, that he would throw himself wholly into their hands; and that thus, without waiting for the accession of the duke, they might immediately render themselves absolute masters of the government. The Commons, Violence of the Commons, therefore, besides insisting still on the exclusion, proceeded to bring in bills of an important, and some of them of an alarming, nature: one to renew the triennial act, which had been so inadvertently repealed in the beginning of the reign: a second to make the office of judge during good behaviour: a third to declare the levying of money without consent of parliament to be high treason: a fourth to order an association for the safety of his majesty's person, for defence of the protestant religion, for the preservation of the protestant subjects against all invasions and opposition whatsoever, and for preventing the Duke of York or any papist from succeeding to the crown. The memory of the covenant was too recent for men to overlook the consequences of such an association: and the king, who was particularly conversant in Davila, could not fail of recollecting a memorable foreign instance, to fortify this domestic experience.

The Commons also passed many votes, which, though they had not the authority of laws, served however to discover the temper and disposition of the House. They voted, that whoever had advised his majesty to refuse the exclusion bill, were promoters of popery, and enemies to the king and kingdom. In another vote, they named the Marquis of Worcester, the Earls of Clarendon, Feversham, and Halifax, Laurence Hyde, and Edward Seymour, as those dangerous enemies; and they requested his majesty to remove them from his person and councils for ever: they voted that, till the exclusion bill were passed, they could not, consistently with the trust reposed in them, grant the king any manner of supply. And lest he should be enabled, by any other expedient, to support the government, and preserve himself independent, they passed another vote, in which they declared that whoever should hereafter lend, by way of advance, any money upon those branches of the king's revenue, arising from customs, excise, or hearth-money, should be judged a hinderer of the sitting of parliament, and be responsible for the same in parliament.

The king might presume that the Peers, who had rejected the exclusion bill, would still continue to defend the throne, and that none of the dangerous bills, introduced into the other House, would ever be presented for the royal assent and approbation. But as there remained no hopes of bringing the Commons to any better temper, and as their further sitting served only to keep faction alive, and to perpetuate the general ferment of the nation, he came secretly to a resolution of proroguing them. They got intelligence about a quarter of an hour before the black rod came to the door.

Not to lose such precious time, they passed in a tumultuous manner some extraordinary resolutions. They voted, That whoever advised his majesty to prorogue this parliament to any other purpose than in order to pass the bill of exclusion, was a betrayer of the king, of the protestant religion, and of the kingdom of England; a promoter of the French interest, and a pensioner of France: That thanks be given to the city of London for their manifest loyalty, and for their care and vigilance in the preservation of the king, and of the protestant religion: That it is the opinion of this House, that the city was burned in the year 1666 by the papists, designing thereby to introduce arbitrary power and popery into the kingdom: That humble application be made to his majesty for restoring the Duke of Monmouth to all his offices and commands, from which it appears to the House, he had been removed by the influence of the Duke of York: and, That it is the opinion of the House, that the prosecution of the protestant dissenters upon the penal laws is at that time grievous to the subject, a weakening

A. D. 1681.  
10th Jan.  
Dissolution of  
the parliament.

to the protestant interest, an encouragement of popery, and dangerous to the peace of the kingdom.

The king passed some laws of no great importance : but the bill for repealing the thirty-fifth of Elizabeth, he privately ordered the clerk of the crown not to present to him. By this artifice, which was equally disobliging to the country party as if the bill had been rejected, and at the same time implied some timidity in the king, that salutary act was for the present eluded. The king had often of himself attempted, and sometimes by irregular means, to give indulgence to nonconformists : but besides that he had usually expected to comprehend the catholics in this liberty, the present refractory disposition of the sectaries had much incensed him against them ; and he was resolved, if possible, to keep them still at mercy.

The last votes of the Commons seemed to be an attempt of forming indirectly an association against the crown, after they found that their association bill could not pass : the dissenting interest, the city, and the Duke of Monmouth, they endeavoured to connect with the country party. A civil war indeed never appeared so likely as at present ; and it was high time for the king to dissolve a parliament, which seemed to have entertained such dangerous projects. Soon after, he summoned another. Though he observed, that the country party had established their interest so strongly in all the electing boroughs, that he could not hope for any disposition more favourable in the new parliament, this expedient was still a prosecution of his former project, of trying every method by which he might form an accommodation with the Commons : and if all failed, he hoped that he could the better justify to his people, at least to his party, a final breach with them.

It had always been much regretted by the royalists, during the civil wars, that the long parliament had been assembled at Westminster, and had thereby received force and encouragement from the vicinity of a potent and factious city, which had zealously embraced their party. Though the king was now possessed of guards, which in some measure overawed the populace, he was determined still further to obviate all inconveniences ; and he summoned the new parliament to meet at Oxford. The city of London showed how just judgment he had formed of their dispositions. Besides re-electing the same members, they voted thanks to them for their former behaviour, in endeavouring to discover the depth of the *horrid and hellish* popish plot, and to exclude the Duke of York, the principal cause of the ruin and misery impending over the nation. Monmouth with fifteen Peers presented a petition against assembling the parliament at Oxford, "where the two Houses," they said, "could not be in safety ; but would be easily exposed to the swords of the papists and their adherents, of whom too many had crept into his majesty's guards." These insinuations, which pointed so evidently at the king himself, were not calculated to persuade him, but to inflame the people.

The exclusionists might have concluded, both from the king's dissolution of the last parliament, and from his summoning of the present to meet at Oxford, that he was determined to maintain his declared resolution of rejecting their favourite bill : but they still flattered themselves that his urgent necessities would influence his easy temper, and finally gain them the ascendant. The leaders came to parliament, attended not only by their servants, but by numerous bands of their partisans. The four city members in particular were followed by great multitudes, wearing ribbons, in which were woven these words, *No popery ! no slavery !* The king had his guards regularly mustered : his party likewise endeavoured to make a show of their strength : and on the whole, the assembly at Oxford rather bore the appearance of a tumultuous Polish diet, than of a regular English parliament.

March 21.

The king, who had hitherto employed the most gracious expressions to all his parliaments, particularly the two last, thought proper to address himself to the present in a more authoritative manner. He complained of the unwarrantable proceedings of the former House of Commons ; and said, that as he would never use arbitrary government himself, neither would he ever suffer it in others. By

calling, however, this parliament so soon, he had sufficiently shown that no past irregularities could inspire him with a prejudice against those assemblies. He now afforded them, he added, yet another opportunity of providing for the public safety ; and to all the world had given one evidence more, that on his part he had not neglected the duty incumbent on him.

The Commons were not overawed by the magisterial air of the king's speech. They consisted almost entirely of the same members ; they chose the same speaker ; and they instantly fell into the same measures, the impeachment of Danby, the repeal of the prosecuting statute of Elizabeth, the inquiry into the popish plot, and the bill of exclusion. So violent were they on this last article, that no other expedient, however plausible, could so much as be hearkened to. Ernley, one of the king's ministers, proposed that the duke should be banished, during life, five hundred miles from England, and that on the king's demise the next heir should be constituted regent with regal power : yet even this expedient, which left the duke only the bare title of king, could not, though seconded by Sir Thomas Lyttleton and Sir Thomas Mompesson, obtain the attention of the House. The past disappointments of the country party, and the opposition made by the court, had only rendered them more united, more haughty, and more determined. No method but their own, of excluding the duke, could give them any satisfaction.

There was one Fitz-harris, an Irish catholic, Fitz-harris's case. who had insinuated himself into the Duchess of Portsmouth's acquaintance, and had been very busy in conveying to her intelligence of any libel written by the country party, or of any designs entertained against her or against the court. For services of this kind, and perhaps too, from a regard to his father, Sir Edward Fitz-harris, who had been an eminent royalist, he had received from the king a present of 250 pounds. This man met with one Everard, a Scotchman, a spy of the exclusionists and an informer concerning the popish plot ; and he engaged him to write a libel against the king, the duke, and the whole administration. What Fitz-harris's intentions were, cannot well be ascertained : it is probable, as he afterwards asserted, that he meant to carry this libel to his patron, the duchess, and to make a merit of the discovery. Everard, who suspected some other design, and who was well pleased, on his side, to have the merit of a discovery with his patrons, resolved to betray his friend : he posted Sir William Waller, a noted justice of peace, and two persons more, behind the hangings, and gave them an opportunity of seeing and hearing the whole transaction. The libel, sketched out by Fitz-harris, and executed partly by him, partly by Everard, was the most furious, indecent, and outrageous performance imaginable ; and such as was fitter to hurt than serve any party, which should be so imprudent as to adopt it. Waller carried the intelligence to the king, and obtained a warrant for committing Fitz-harris, who happened, at that very time, to have a copy of the libel in his pocket. Finding himself now delivered over to the law, he resolved to pay court to the popular party, who were alone able to protect him, and by whom he observed almost all trials to be governed and directed. He affirmed, that he had been employed by the court to write the libel, in order to throw the odium of it on the exclusionists : but this account, which was within the bounds of credibility, he disgraced by circumstances which are altogether absurd and improbable. The intention of the ministers, he said, was to send about copies to all the heads of the country party ; and the moment they received them, they were to be arrested, and a conspiracy to be imputed to them. That he might merit favour by still more important intelligence, he commenced a discoverer of the great popish plot ; and he failed not to confirm all the tremendous circumstances insisted on by his predecessors. He said, that the second Dutch war was entered into with a view of extirpating the protestant religion, both abroad and at home : that Father Parry, a Jesuit, on the disappointment by the peace, told him, that the catholics resolved to murder the king, and had even engaged the queen in that design ; that the envoy of Modena offered him 10,000 pounds to kill the king, and upon his refusal, the envoy said that the Duchess of Mazarine, who was as

New-parliament at Oxford.

expert at poisoning as her sister, the Countess of Soissons, would, with a little phial, execute that design; that upon the king's death, the army in Flanders was to come over and massacre the protestants; that money was raised in Italy for recruits and supplies, and there should be no more parliaments; and that the duke was privy to this whole plan, and had even entered into the design of Godfrey's murder, which was executed in the manner related by France.

The popular leaders had, all along, been very desirous of having an accusation against the duke; and though Oates and Bedloe, in their first evidence, had not dared to go so far, both Dugdale and Dangerfield had afterwards been encouraged to supply so material a defect, by comprehending him in the conspiracy. The Commons, therefore, finding that Fitz-harris was also willing to serve this purpose, were not ashamed to adopt his evidence, and resolved for that end to save him from the destruction with which he was at present threatened. The king had removed him from the city-prison, where he was exposed to be tampered with by the exclusionists; had sent him to the Tower; and had ordered him to be prosecuted by an indictment at common law. In order to prevent his trial and execution, an impeachment was voted by the Commons against him, and sent up to the Lords. That they might show the greater contempt of the court, they ordered, by way of derision, that the impeachment should be carried up by Secretary Jenkins; who was so provoked by the intended affront, that he at first refused obedience; though afterwards being threatened with commitment, he was induced to comply. The Lords voted to remit the affair to the ordinary courts of justice, before whom, as the attorney-general informed them, it was already determined to try Fitz-harris. The Commons maintained, that the Peers were obliged to receive every impeachment from the Commons; and this indeed seems to have been the first instance of their refusal: they therefore voted, that the Lords, in rejecting their impeachment, had denied justice, and had violated the constitution of parliament. They also declared, that whatever inferior court should proceed against Fitz-harris, or any one that lay under impeachment, would be guilty of a high breach of privilege. Great heats were likely to ensue; and as the king saw no appearance of any better temper in the Commons, he gladly laid

Parliament dissolved. hold of the opportunity, afforded by a quarrel between the two Houses; and he proceeded to a dissolution of parliament. The secret was so well kept, that the Commons had no intimation of it, till the black rod came to their door, and summoned them to attend the king at the House of Peers.

This vigorous measure, though it might have been foreseen, excited such astonishment in the country party, as deprived them of all spirit, and reduced them to absolute despair. They were sensible, though too late, that the king had finally taken his resolution, and was determined to endure any extremity rather than submit to those terms which they had resolved to impose upon him. They found, that he had patiently waited till affairs should come to full maturity; and having now engaged a national party on his side, had boldly set his enemies at defiance: no parliament, they knew, would be summoned for some years; and during that long interval, the court, though perhaps at the head of an inferior party, yet being possessed of all authority, would have every advantage over a body dispersed and disunited. These reflections crowded upon every one; and all the exclusionists were terrified, lest Charles should follow the blow by some action more violent, and immediately take vengeance on them for their long and obstinate opposition to his measures. The king, on his part, was no less apprehensive lest despair might prompt them to have recourse to force, and make some sudden attempt upon his person. Both parties therefore hurried from Oxford; and in an instant, that city, so crowded and busy, was left in its usual emptiness and tranquillity.

The court party gathered force from the dispersion and astonishment of their antagonists, and adhered more firmly to the king, whose resolutions, they now saw, could be entirely depended on. The violences of the exclusionists were every where exclaimed

against and aggravated; and even the reality of the plot, that great engine of their authority, was openly called in question. The clergy especially were busy in this great revolution; and being moved, partly by their own fears, partly by the insinuations of the court, they represented all their antagonists as sectaries and republicans, and rejoiced in escaping those perils, which they believed to have been hanging over them. Principles the most opposite to civil liberty were every where enforced from the pulpit, and adopted in numerous addresses; where the king was flattered in his present measures, and congratulated on his escape from parliaments. Could words have been depended on, the nation appeared to be running fast into voluntary servitude, and seemed even ambitious of resigning into the king's hands all the privileges transmitted to them, through so many ages, by their gallant ancestors.

But Charles had sagacity enough to distinguish between men's real internal sentiments, and the language which zeal and opposition to a contrary faction may sometimes extort from them. Notwithstanding all these professions of duty and obedience, he was resolved not to trust, for a long time, the people with a new election, but to depend entirely on his own economy for alleviating those necessities under which he laboured. Great retrenchments were made in the household: even his favourite navy was neglected: Tangiers, though it had cost great sums of money, was a few years after abandoned and demolished. The mole was entirely destroyed; and the garrison being brought over to England, served to augment that small army, which the king relied on, as the solid basis of his authority. It had been happy for the nation, had Charles used his victory with justice and moderation equal to the prudence and dexterity with which he obtained it.

The first step taken by the court, was the trial of Fitz-harris. Doubts were raised by the jury with regard to their power of trying him, after the concluding vote of the Commons: but the judges took upon them to decide the question in the affirmative; and the jury were obliged to proceed. The writing of the libel was clearly proved upon Fitz-harris: the only question was with regard to his intentions. He asserted, that he was a spy of the court, and had accordingly carried the libel to the Duchess of Portsmouth; and he was desirous that the jury should, in this transaction, consider him as a cheat, not as a traitor. He failed however somewhat in the proof; and was brought in guilty of treason by the jury.

Finding himself entirely in the hands of the king, he now retracted all his former impostures with regard to the popish plot, and even endeavoured to atone for them by new impostures against the country party. He affirmed, that these fictions had been extorted from him by the suggestions and artifices of Treby the recorder, and of Bethel and Cornish, the two sheriffs: this account he persisted in even at his execution; and though men knew, that nothing could be depended on, which came from one so corrupt, and so lost to all sense of honour; yet were they inclined, from his perseverance, to rely somewhat more on his veracity in these last asseverations. But it appears that his wife had some connexions with Mrs. Wall, the favourite maid of the Duchess of Portsmouth: and Fitz-harris hoped, if he persisted in a story agreeable to the court, that some favour might, on that account, be shown to his family.

It is amusing to reflect on the several lights in which this story has been represented by the opposite factions. The country party affirmed, that Fitz-harris had been employed by the court, in order to throw the odium of the libel on the exclusionists, and thereby give rise to a protestant plot: the court party maintained, that the exclusionists had found out Fitz-harris, a spy of the ministers, and had set him upon this undertaking, from an intention of loading the court with the imputation of such a design upon the exclusionists. Rather than acquit their antagonists, both sides were willing to adopt an account the most intricate and incredible. It was a strange situation, in which the people at this time were placed; to be every day tortured with these perplexed stories, and inflamed with such dark suspicions against their fellow-citizens. This was no less than the fifteenth false plot, or sham-plot,



as they were then called, with which the court, it was imagined, had endeavoured to load their adversaries.\*

The country party had intended to make use of Fitz-harris's evidence against the duke and the catholics; and his execution was therefore a great mortification to them. But the king and his ministers were resolved not to be contented with so slender an advantage. They were determined to pursue the victory, and to employ against the exclusionists those very offensive arms, however unfair, which that party had laid up in store against their antagonists. The whole gang of spies, witnesses, informers, suborners, who had so long been supported and encouraged by the leading patriots, finding now that the king was entirely master, turned short upon their old patrons, and offered their service to the ministers. To the disgrace of the court and of the age, they were received with hearty welcome; and their testimony, or rather perjury, made use of in order to commit legal murder upon the opposite party. With an air of triumph and decision it was asked, "Are not these men good witnesses, who have established the popish plot, upon whose testimony Stafford and so many catholics have been executed, and whom you yourselves have so long celebrated as men of credit and veracity? You have admitted them into your bosom: they are best acquainted with your treasons: they are determined in another shape to serve their king and country: and you cannot complain, that the same measure, which you meted to others, should now, by a righteous doom or vengeance, be measured out to you."

It is certain, that the principle of retaliation may serve in some cases as a full apology, in others as an alleviation, for a conduct which would otherwise be exposed to great blame. But these infamous arts, which poison justice in its very source, and break all the bands of human society, are so detestable and dangerous, that no pretence of retaliation can be pleaded as an apology or even an alleviation of the crime incurred by them. On the contrary, the greater indignation the king and his ministers felt, when formerly exposed to the perjuries of abandoned men, the more reluctance should they now have discovered against employing the same instruments of vengeance upon their antagonists.

The first person, on whom the ministers fell, was one College, a London joiner, who had become extremely noted for his zeal against popery, and was much connected with Shaftesbury and the leaders of the country party: for as they relied much upon the populace, men of College's rank and station were useful to them. College had been in Oxford, armed with sword and pistol, during the sitting of the parliament; and this was made the foundation of his crime. It was pretended that a conspiracy had been entered into to seize the king's person, and detain him in confinement, till he should make the concessions demanded of him. The sheriffs of London were in strong opposition to the court; and it was not strange, that the grand jury named by them rejected the bill against College. The prisoner was therefore sent to Oxford, where the treason was said to have been committed. Lord Norris, a courtier, was sheriff of the county; and the inhabitants were in general devoted to the court party. A jury was named, consisting entirely of royalists; and though they were men of credit and character, yet such was the factious rage which prevailed, that little justice could be expected by the prisoner. Some papers, containing hints and directions for his defence, were taken from him, as he was conducted to his trial: an iniquity, which some pretended to justify by alleging, that a like violence had been practised against a prisoner during the fury of the popish plot. Such wild notions of retaliation were at that time propagated by the court party.

The witnesses produced against College were Dugdale, Turberville, Haynes, Smith; men who had before given evidence against the catholics; and whom the jury, for that very reason, regarded as the most perjured villains. College, though beset with so many toils, and oppressed with so many iniquities, defended himself with spirit, courage, capacity, presence of mind; and he invalidated the evidence of the crown, by convincing arguments and

undoubted testimony: yet did the jury, after half an hour's deliberation, bring in a verdict against him. The inhuman spectators received the verdict with a shout of applause: but the prisoner was nowise dismayed. At his execution, he maintained the same manly fortitude, and still denied the crime imputed to him. His whole conduct and demeanour prove him to have been a man led astray only by the fury of the times, and to have been governed by an honest, but indiscreet, zeal for his country and his religion.

Thus the two parties, actuated by mutual rage, but cooped up within the narrow limits of the law, levelled with poisoned daggers the most deadly blows against each other's breast, and buried in their factious divisions all regard to truth, honour, and humanity.

## CHAP. LXIX.

State of affairs in Ireland—Shaftesbury acquitted—Arzyle's trial—State of affairs in Scotland—State of the ministry in England—New imputation of sheriff's—Two warrants—Great power of the crown—A conspiracy—Shaftesbury retires and dies—Rye-house plot—Conspiracy discovered—Execution of the conspirators—Trial of Lord Russell—His execution—Trial of Algernon Sidney—His execution—State of the nation—State of foreign affairs—King's sickness and death—and character.

WHEN the cabal entered into the mysterious alliance with France, they took care to remove the Duke of Ormond from the committee of foreign affairs; and nothing tended further to increase the national jealousy, entertained against the new measures, than to see a man of so much loyalty, as well as probity and honour, excluded from public councils. They had even so great interest with the king as to get Ormond recalled from the government of Ireland; and Lord Roberts, afterwards Earl of Radnor, succeeded him in that important employment. Lord Berkeley succeeded Roberts; and the Earl of Essex, Berkeley. At last, in the year 1677, Charles cast his eye again upon Ormond, whom he had so long neglected; and sent him over lieutenant to Ireland. "I have done every thing," said the king, "to disoblige that man; but it is not in my power to make him my enemy." Ormond, during his disgrace, had never joined the malcontents, nor encouraged those clamours, which, with too much reason, but often for bad purposes, were raised against the king's measures. He even thought it his duty, regularly, though with dignity, to pay his court at Whitehall; and to prove that his attachments were founded on gratitude, inclination, and principle, not on any temporary advantages. All the expressions, which dropped from him, while neglected by the court, showed more of good humour, than any prevalence of spleen and indignation. "I can do you no service," said he to his friends. "I have only the power left by my applications to do you some hurt." When Colonel Cary Dillon solicited him to second his pretensions for an office, and urged that he had no friends but God and his grace: "Alas! poor Cary," replied the duke, "I pity thee: thou couldst not have two friends that possess less interest at court." "I am thrown by," said he on another occasion, "like an old rusty clock; yet even that neglected machine, twice in twenty-four hours, points right."

On such occasions, when Ormond, from decency, paid his attendance at court, the king, equally ashamed to show him civility and to neglect him, was abashed and confounded. "Sir," said the profligate Buckingham, "I wish to know whether it be the Duke of Ormond that is out of favour with your majesty, or your majesty with the Duke of Ormond; for, of the two, you seem the most out of countenance."

When Charles found it his interest to show favour to the old royalists, and to the church of England, Ormond, who was much revered by that whole party, could not fail of recovering, together with the government of Ireland, his former credit and authority. His administration, when lord lieutenant, corresponded to the general tenor of his life; and tended equally to promote the interests of prince

\* College's Trial.

and people, of protestant and catholic. Ever firmly attached to the established religion, he was able, even during those jealous times, to escape suspicion, though he gratified not vulgar prejudices by any persecution of the popish party. He increased the revenue of Ireland to three hundred thousand pounds a-year: he maintained a regular army of ten thousand men: he supported a well-disciplined militia of twenty thousand: and though the act of settlement had so far been infringed, that catholics were permitted to live in corporate towns, they were guarded with so careful an eye, that the most timorous protestant never apprehended any danger from them.

The chief object of Essex's ambition was to return to the station of lord lieutenant, where he had behaved with honour and integrity: Shaftesbury and Buckingham bore an extreme hatred to Ormond, both from personal and party considerations: the great aim of the anti-courtiers was to throw reflections on every part of the king's government. It could be no surprise, therefore, to the lord lieutenant to learn, that his administration was attacked in parliament, particularly by Shaftesbury; but he had the satisfaction, at the same time, to hear of the keen, though polite, defence, made by his son, the generous Ossory. After justifying several particulars of Ormond's administration against that intriguing patriot, Ossory proceeded in the following words: "Having spoken of what the lord lieutenant has done, I presume with the same truth to tell your lordships what he has not done. He never advised the breaking of the triple league; he never advised the shutting up of the exchequer; he never advised the declaration for a toleration; he never advised the falling out with the Dutch and the joining with France: he was not the author of that most excellent position, *Delenda est Carthago*, that Holland, a protestant country, should, contrary to the true interests of England, be totally destroyed. I beg that your lordships will be so just as to judge of my father and all men, according to their actions and their counsels." These few sentences, pronounced by a plain gallant merit, noted for probity, had a surprising effect upon the audience, and confounded all the rhetoric of his eloquent and factious adversary. The Prince of Orange, who esteemed the former character as much as he despised the latter, could not forbear congratulating by letter the Earl of Ossory on this new species of victory which he had obtained.

Ossory, though he ever kept at a distance from faction, was the most popular man in the kingdom; though he never made any compliance with the corrupt views of the court, was beloved and respected by the king. A universal grief appeared on his death, which happened about this time, and which the populace, as is usual wherever they are much affected, foolishly ascribed to poison. Ormond bore the loss with patience and dignity; though he ever retained a pleasing, however melancholy, sense of the signal merit of Ossory. "I would not exchange my dead son," said he, "for any living son in Christendom."

These particularities may appear a digression; but it is with pleasure, I own, that I relax myself for a moment in the contemplation of these humane and virtuous characters, amidst that scene of fury and faction, fraud and violence, in which at present our narration has unfortunately engaged us.

Besides the general interest of the country party to decry the conduct of all the king's ministers, the prudent and peaceful administration of Ormond was in a particular manner displeasing to them. In England, where the catholics were scarcely one to a hundred, means had been found to excite a universal panic, on account of insurrections, and even massacres, projected by that sect; and it could not but seem strange that in Ireland, where they exceeded the protestants six to one, there should no symptoms appear of any combination or conspiracy. Such an incident, when duly considered, might even in England shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. Rewards, therefore, were published in Ireland to any that would bring intelligence or become witnesses; and some profligates were

sent over to that kingdom, with a commission to seek out evidence against the catholics. Under pretence of searching for arms or papers, they broke into houses, and plundered them; they threw innocent men into prison, and took bribes for their release: and after all their diligence, it was with difficulty that that country, commonly fertile enough in witnesses, could furnish them with any fit for their purpose.

At last, one Fitzgerald appeared, followed by Ivey, Sanson, Dennis, Bourke, two Macnamaras, and some others. These men were immediately sent over to England; and though they possessed neither character sufficient to gain belief even for truth, nor sense to invent a credible falsehood, they were caressed, rewarded, supported, and recommended by the Earl of Shaftesbury. Oliver Plunket, the titular primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony. And the Oxford parliament entered so far into the matter as to vote, that they were entirely satisfied in the reality of the *horrid and damnable* Irish plot. But such decisions, though at first regarded as infallible, had now lost much of their authority; and the public still remained somewhat indifferent and incredulous.

After the dissolution of the parliament, and the subsequent victory of the royalists, Shaftesbury's evidences, with Turberville, Smith, and others, addressed themselves to the ministers, and gave information of high treason against their former patron. It is sufficiently scandalous, that intelligence, conveyed by such men, should have been attended to; but there is some reason to think, that the court agents, nay the ministers, nay the king himself, went further, and were active in endeavouring, though in vain, to find more reputable persons to support the blasted credit of the Irish witnesses. Shaftesbury was committed to prison, and his indictment was presented to the grand jury. The new sheriffs of London, Shute and Pilkington, were engaged as deeply as their predecessors in the country party; and they took care to name a jury devoted to the same cause: a precaution quite necessary, when it was scarcely possible to find men indifferent or attached to neither party. As far as swearing could go, the treason was clearly proved against Shaftesbury; or rather so clearly as to merit no kind of credit or attention. Shaftesbury acquitted. That veteran leader of a party, inured from his early youth to faction and intrigue, to cabals and conspiracies, was represented as opening without reserve his reasonable intentions to these obscure banditti, and throwing out such violent and outrageous reproaches upon the king, as none but men of low education, like themselves, could be supposed to employ. The draft of an association, it is true, against popery and the duke, was found in Shaftesbury's cabinet; and dangerous inferences might be drawn from many clauses of that paper. But it did not appear, that it had been framed by Shaftesbury, or so much as approved by him. And as projects of an association had been proposed in parliament, it was very natural for this nobleman, or his correspondents, to be thinking of some plan, which it might be proper to lay before that assembly. The grand jury, therefore, after weighing all these circumstances, rejected the indictment; and the people, who attended the hall, testified their joy by the loudest acclamations, which were echoed throughout the whole city.

About this time a scheme of oppression was laid in Scotland, after a manner still more flagrant, against a nobleman much less obnoxious than Shaftesbury; and as that country was reduced to a state of almost total subjection, the project had the good fortune to succeed.

The Earl of Argyre, from his youth, had distinguished himself by his loyalty, and his attachment to the royal family. Though his father was head of the covenanters, he himself refused to concur in any of their measures: and when a commission of colonel was given him by the convention of states, he forebore to act upon it, till it should be ratified by the king. By his respectful behaviour, as well as by his services, he made himself acceptable to Charles, when that prince was in Scotland: and even after the battle of Worcester, all the

misfortunes which attended the royal cause, could not engage him to desert it. Under Middleton, he obstinately persevered to harass and infest the victorious English; and it was not till he received orders from that general, that he would submit to accept of a capitulation. Such jealousy of his loyal attachments was entertained by the commonwealth and protector, that a pretence was soon after fallen upon to commit him to prison; and his confinement was rigorously continued till the restoration. The king, sensible of his services, had remitted to him his father's forfeiture, and created him Earl of Argyle; and when a most unjust sentence was passed upon him by the Scottish parliament, Charles had anew remitted it. In the subsequent part of this reign, Argyle behaved himself dutifully; and though he seemed not disposed to go all lengths with the court, he always appeared, even in his opposition, to be a man of mild dispositions and peaceable deportment.

A parliament was summoned at Edinburgh this summer, and the duke was appointed commissioner. Besides granting money to the king, and voting the indefeasible right of succession, this parliament enacted a test, which all persons, possessed of offices, civil, military, or ecclesiastical, were bound to take. In this test, the king's supremacy was asserted, the covenant renounced, passive obedience assented to, and all obligations disclaimed of endeavouring any alteration in civil or ecclesiastical establishments. This was the state of the test, as proposed by the courtiers; but the country party proposed also to insert a clause, which could not with decency be refused, expressing the person's adherence to the protestant religion. The whole was of an enormous length, considered as an oath; and what was worse, a confession of faith was there ratified, which had been imposed a little after the Reformation, and which contained many articles altogether forgotten by the parliament and nation. Among others, the doctrine of resistance was inculcated; so that the test, being voted in a hurry, was found on examination to be a medley of contradiction and absurdity. Several persons, the most attached to the crown, scrupled to take it: the bishops and many of the clergy remonstrated: the Earl of Queensberry refused to swear, except he might be allowed to add an explanation: and even the privy council thought it necessary to publish, for general satisfaction, a solution of some difficulties attending the test.

Though the courtiers could not reject the clause of adhering to the protestant religion, they proposed, as a necessary mark of respect, that all princes of the blood should be exempted from taking the oath. This exception was zealously opposed by Argyle; who observed that the sole danger to be dreaded for the protestant religion must proceed from the perversion of the royal family. By insisting on such topics, he drew on himself the secret indignation of the duke, of which he soon felt the fatal consequences.

When Argyle took the test as a privy-counsellor, he subjoined, in the duke's presence, an explanation, which he had before-hand communicated to that prince, and which he believed to have been approved by him. It was in these words: "I have considered the test, and am very desirous of giving obedience as far as I can. I am confident that the parliament never intended to impose contradictory oaths: therefore, I think, no man can explain it but for himself. Accordingly, I take it as far as it is consistent with itself and the protestant religion. And I do declare, that I mean not to bind myself, in my station, and in a lawful way, from wishing and endeavouring any alteration, which I think to the advantage of church or state, and not repugnant to the protestant religion and my loyalty: and thus I understand as a part of my oath." The duke, who was natural, heard these words with great tranquillity: no one took the least offence: Argyle was admitted to sit that day in council: and it was impossible to imagine that a capital offence had been committed, where occasion seemed not to have been given, so much as for a frown or reprimand.

Argyle was much surprised, a few days after, to find that a warrant was issued for committing him to prison; that he was indicted for high treason, leasing-making, and perjury; and that from these innocent words an accusation

was extracted, by which he was to forfeit honours, life, and fortune. It is needless to enter into particulars, where the iniquity of the whole is so apparent. Though the sword of justice was displayed, even her semblance was not put on; and the forms alone of law were preserved, in order to sanctify, or rather aggravate, the oppression. Of five judges, three did not scruple to find the guilt of treason and leasing-making to be incurred by the prisoner: a jury of fifteen noblemen gave verdict against him: and the king, being consulted, ordered the sentence to be pronounced; but the execution of it to be suspended till further orders.

It was pretended by the duke and his creatures, that Argyle's life and fortune were not in any danger, and that the sole reason for pushing the trial to such extremities against him, was in order to make him renounce some hereditary jurisdictions, which gave his family a dangerous authority in the highlands, and obstructed the course of public justice. But allowing the end to be justifiable, the means were infamous; and such as were incompatible, not only with a free but a civilized government. Argyle had therefore no reason to trust any longer to the justice or mercy of such enemies: he made his escape from prison; and till he should find a ship for Holland, he concealed himself during some time in London. The king heard of his lurking-place, but would not allow him to be arrested.<sup>b</sup> All the parts, however, of his sentence, as far as the government in Scotland had power, were rigorously executed; his estate confiscated, his arms reversed and torn.

It would seem, that the genuine passion State of affairs in Scotland. for liberty was at this time totally extinguished in Scotland: there was only preserved a spirit of mutiny and sedition, encouraged by a mistaken zeal for religion. Cameron and Cargil, two furious preachers, went a step beyond all their brethren: they publicly communicated the king for his tyranny and his breach of the covenant; and they renounced all allegiance to him. Cameron was killed by the troops in an action at Airmoss; Cargil was taken and hanged. Many of their followers were tried and convicted. Their lives were offered them if they would say, *God save the king*: but they would only agree to pray for his repentance. This obstinacy was much insisted on as an apology for the rigours of the administration: but if duly considered, it will rather afford reason for a contrary inference. Such unhappy delusion is an object rather of commiseration than of anger: and it is almost impossible that men could have been carried to such a degree of frenzy, unless provoked by a long train of violence and oppression.

As the king was master in England, and A. D. 1682. no longer dreaded the clamours of the country party, he permitted the duke to pay him a visit; and was soon after prevailed on to allow of his return to England, and of his bearing a part in the administration. The duke went to Scotland, in order to bring up his family, and settle the government of that country; and he chose to take his passage by sea. The ship struck on a sand-bank, and was lost: the duke escaped in the barge; and it is pretended that, while many persons of rank and quality were drowned, and among the rest Hyde, his brother-in-law, he was very careful to save several of his dogs and priests: for these two species of favourites are coupled together by some writers. It has likewise been asserted, that the barge might safely have held more persons, and that some who swam to it were thrust off, and even their hands cut, in order to disengage them. But every action of every eminent person, during this period, is so liable to be misinterpreted and misrepresented by faction, that we ought to be very cautious in passing judgment on too slight evidence. It is remarkable, that the sailors on board the ship, though they felt themselves sinking, and saw inevitable death before their eyes, yet, as soon as they observed the duke to be in safety, gave a loud shout, in testimony of their joy and satisfaction.

The duke, during his abode in Scotland, had behaved with great civility towards the gentry and nobility; and by his courtly demeanour had much won upon their affections: but his treatment of the enthusiasts was still some-



what rigorous; and in many instances he appeared to be a man of a severe, if not an unrelenting temper. It is even asserted, that he sometimes assisted at the torture of criminals, and looked on with tranquillity, as if he were considering some curious experiment.<sup>c</sup> He left the authority in the hands of the Earl of Aberdeen, chancellor, and the Earl of Queensberry, treasurer. A very arbitrary spirit appeared in their administration: a gentleman of the name of Weir was tried, because he had kept company with one who had been in rebellion; though that person had never been marked out by process or proclamation. The inferences upon which Weir was condemned (for a prosecution by the government and a condemnation were in Scotland the same thing) hung upon each other after the following manner: no man, it was supposed, could have been in a rebellion without being exposed to suspicion in the neighbourhood: if the neighbourhood had suspected him, it was to be presumed that each individual had likewise heard of the grounds of suspicion: every man was bound to declare to the government his suspicion against every man, and to avoid the company of traitors; to fail in this duty was to participate in the treason: the conclusion on the whole was, You have conversed with a rebel; therefore you are yourself a rebel. A reprieve was, with some difficulty, procured for Weir; but it was seriously determined to make use of the precedent. Courts of judicature were erected in the southern and western counties, and a strict inquisition carried on against this new species of crime. The term of three years was appointed for the continuance of these courts; after which an indemnity was promised. Whoever would take the test, was instantly entitled to the benefit of this indemnity. The presbyterians, alarmed with such tyranny, from which no man could deem himself safe, began to think of leaving the country; and some of their agents were sent to England, in order to treat with the proprietors of Carolina for a settlement in that colony. Any condition seemed preferable to their living in their native country, which, by the prevalence of persecution and violence, was become as insecure to them as a den of robbers.

Above two thousand persons were outlawed on pretence of their conversing or having intercourse with rebels,<sup>d</sup> and they were continually hunted in their retreat by soldiers, spies, informers, and oppressive magistrates. It was usual to put insinuating questions to people living peaceably in their own houses; such as, "Will you renounce the covenant? Do you esteem the rising at Bothwell to be rebellion? Was the killing of the Archbishop of St. Andrews murder?" And when the poor deluded creatures refused to answer, capital punishments were inflicted on them.<sup>e</sup> Even women were brought to the gibbet for this pretended crime. A number of fugitives, rendered frantic by oppression, had published a seditious declaration; renouncing allegiance to Charles Stuart, whom they called, as they, for their parts, had indeed some reason to esteem him, a tyrant. This incident afforded the privy-council a pretence for an unusual kind of oppression. Soldiers were dispersed over the country, and power was given to all commission-officers, even the lowest, to oblige every one they met with to abjure the declaration; and upon refusal, instantly, without further questions, to shoot the delinquent.<sup>f</sup> It were endless, as well as shocking, to enumerate all the instances of persecution, or in other words, of absurd tyranny, which at that time prevailed in Scotland. One of them, however, is so singular, that I cannot forbear relating it.

Three women were seized; and the customary oath was tendered to them, by which they were to abjure the seditious declaration above mentioned. They all refused, and were condemned to a capital punishment by drowning. One of them was an elderly woman: the other two were young; one eighteen years of age, the other only thirteen. Even these violent persecutors were ashamed to put the youngest to death: but the other two were conducted to the place of execution, and were tied to stakes within the sea-mark at low-water: a contrivance which rendered their death lingering and dreadful. The

elderly woman was placed furthest in, and by the rising of the waters was first suffocated. The younger, partly terrified with the view of her companion's death, partly subdued by the entreaty of her friends, was prevailed with to say, *God save the king*. Immediately the spectators called out that she had submitted; and she was loosened from the stake. Major Winram, the officer who guarded the execution, again required her to sign the abjuration; and upon her refusal, he ordered her instantly to be plunged in the water, where she was suffocated.

The severity of the administration in Scotland is in part to be ascribed to the duke's temper, to whom the king had assigned over the government of that country, and who gave such attention to affairs as to allow nothing of moment to escape him. Even the government of England, from the same cause, began to be somewhat infected with the same severity. The duke's credit was great at court. Though neither so much beloved nor esteemed as the king, he was more dreaded; and thence an attendance more exact, as well as a submission more obsequious, was paid to him. The saying of Waller was remarked, that Charles, in spite to the parliament, who had determined that the duke should not succeed him, was resolved that he should reign even in his life-time.

The king, however, who loved to maintain a balance in his councils, still supported Halifax, whom he created a marquis, and made privy-seal, though ever in opposition to the duke. This man, who possessed the finest genius and most extensive capacity of all employed in public affairs during the present reign, affected a species of neutrality between the parties, and was esteemed the head of that small body known by the denomination of *Trimmers*. This conduct, which is more natural to men of integrity than of ambition, could not, however, procure him the former character; and he was always, with reason, regarded as an intriguer rather than a patriot. Sunderland, who had promoted the exclusion bill, and who had been displaced on that account, was again, with the duke's consent, brought into the administration. The extreme duplicity, at least variable-ness, of this man's conduct, through the whole course of his life, made it be suspected that it was by the king's direction he had mixed with the country party. Hyde, created Earl of Rochester, was first commissioner of the treasury, and was entirely in the duke's interests.

The king himself was obliged to act as the head of a party; a disagreeable situation for a prince, and always the source of much injustice and oppression. He knew how obnoxious the dissenters were to the church, and he resolved, contrary to the maxims of toleration which he had hitherto supported in England, to gratify his friends by the persecution of his enemies. The laws against conventicles were now rigorously executed; an expedient which, the king knew, would diminish neither the numbers nor influence of the nonconformists; and which is therefore to be deemed more the result of passion than of policy. Scarcely any persecution serves the intended purpose but such as amounts to a total extermination.

Though the king's authority made every day great advances, it still met with considerable obstacles, chiefly from the city, which was entirely in the hands of the malcontents. The juries, in particular, named by the sheriffs, were not likely to be impartial judges between the crown and the people; and, after the experiments <sup>New nomination of sheriffs.</sup> already made in the case of Shaftesbury and that of College, treason it was apprehended might there be committed with impunity. There could not therefore be a more important service to the court than to put affairs upon a different footing. Sir John Moore, the mayor, was gained by Secretary Jenkins, and encouraged to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly, when the time of election came, he drank to North, a Levant merchant, who accepted of that expensive office. The country party said, that being lately returned from Turkey, he was, on account of his recent experience, better qualified to serve the purposes of the court. A poll was opened for the election of another

<sup>c</sup> Forster, vol. i. p. 303. Woodrow, vol. i. p. 160. I am not author, who is the better authority, transmitted this circumstance. (Ibid.) Spauld. Hist. vol. i. p. 160. See also an account of this case.

<sup>d</sup> Woodrow, vol. i. Appendix, 94.

<sup>e</sup> Ibid. vol. i. p. 160.

<sup>f</sup> Ibid. vol. i. p. 131.

sheriff; and here began the contest. The majority of the common hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of appointing one sheriff, but insisted that both must be elected by the livery.

Of the persons whom the country party agreed to elect: Box was pointed out by the courtiers. The poll was opened; but as the mayor would not allow the election to proceed for two vacancies, the sheriffs and he separated, and each carried on the poll apart. The country party, who voted with the sheriffs for Papillon and Dubois, were much more numerous than those who voted with the mayor for Box: but as the mayor insisted, that his poll was the only legal one, he declared Box to be duly elected. All difficulties, however, were not surmounted. Box, apprehensive of the consequences which might attend so dubious an election, fined off; and the mayor found it necessary to proceed to a new choice. When the matter was proposed to the common hall, a loud cry was raised, No election! No election! The two sheriffs already elected, Papillon and Dubois, were insisted on as the only legal magistrates. But as the mayor still maintained, that Box alone had been legally chosen, and that it was now requisite to supply his place, he opened books anew; and during the tumult and confusion of the citizens, a few of the mayor's partisans elected Rich, unknown to and unheeded by the rest of the livery. North and Rich were accordingly sworn in sheriffs for the ensuing year; but it was necessary to send a guard of the train-bands to protect them in entering upon their office.

A new mayor of the court party was soon after chosen, by means, as is pretended, still more violent and irregular.

Thus the country party were dislodged from their strong hold in the city; where, ever since the commencement of factions in the English government, they had, without interruption, almost without molestation, maintained a superiority. It had been happy, had the partialities, hitherto objected to juries, been corrected, without giving place to partialities of an opposite kind. But in the present distracted state of the nation, an equitable neutrality was almost impossible to be attained. The court and church party, who were now named on juries, made justice subservient to their factious views; and the king had a prospect of obtaining full revenge on his enemies. It was not long before the effects of these alterations were seen. When it was first reported, that the duke intended to leave Scotland, Pilkington, at that time sheriff, a very violent man, had broken out in these terms, "He has already burned the city, and he is now coming to cut all our throats!" For these scandalous expressions, the duke sued Pilkington; and enormous damages, to the amount of 100,000 pounds, were decreed him. By the law of England, ratified in the great charter, no fine or damages ought to extend to the total ruin of a criminal. Sir Patience Ward, formerly mayor, who gave evidence for Pilkington, was sued for perjury and condemned to the pillory: a severe sentence, and sufficient to deter all witnesses from appearing in favour of those who were prosecuted by the court.

But though the crown had obtained so great a victory in the city, it was not quite decisive; and the contest might be renewed every year at the election of magistrates. An important project, therefore, was formed, not only to make the king master of the city, but by that precedent to gain him uncontrolled influence in all the corporations of England, and thereby give the greatest wound to the legal constitution, which the most powerful and most arbitrary monarchs had ever yet been able to inflict. A writ of *quo warrantum* was issued against the city; that is, an inquiry into the validity of its charter. It was pretended, that the city had forfeited all its privileges, and ought to be declared no longer a corporation, on account of two offences which the court of aldermen and common council had committed. After the great fire in 1666, all the markets had been rebuilt, and had been fitted up with many conveniences; and, in order to defray the expense, the magistrates had imposed a small toll on goods brought to market: in the year 1679, they had addressed the king

against the prorogation of parliament, and had employed the following terms: "Your petitioners are greatly surprised at the late prorogation, whereby the prosecution of the public justice of the kingdom, and the making of necessary provisions for the preservation of your majesty and your protestant subjects, have received interruption." These words were pretended to contain a scandalous reflection on the king and his measures. The cause of the city was defended against the attorney and solicitor generals by Treby and Pollexfen.

These last pleaded, that, since the foundation of the monarchy, no corporation had ever yet been exposed to forfeiture, and the thing itself implied an absurdity: that a corporation, as such, was incapable of all crime or offence, and none were answerable for any iniquity but the persons themselves who committed it: that the members, in choosing magistrates, had trusted them with legal powers only; and where the magistrates exceeded these powers, their acts were void, but could never involve the body itself in any criminal imputation: that such had ever been the practice of England, except at the reformation, when the monasteries were abolished; but this was an extraordinary case; and it was even thought necessary to ratify afterwards the whole transaction by act of parliament: that corporate bodies, framed for public good, and calculated for perpetual duration, ought not to be annihilated for the temporary faults of their members, who might themselves, without hurting the community, be questioned for their offences: that even a private estate, if entailed, could not be forfeited to the crown, on account of treason committed by the tenant for life; but upon his demise went to the next in remainder: that the offences, objected to the city, far from deserving so severe a punishment, were not even worthy of the smallest reprehension: that all corporations were invested with the power of making bye-laws; and the smallest borough in England had ever been allowed to carry the exercise of this power further than London had done in the instance complained of: that the city, having, at its own expense, repaired the markets, which were built too on its own estate, might as lawfully claim a small recompence from such as brought commodities thither, as a man might require rent for a house of which he was possessed: that those who disliked the condition might abstain from the market; and whoever paid, had done it voluntarily: that it was an avowed right of the subjects to petition; nor had the city in their address abused this privilege: that the king himself had often declared, the parliament often voted, the nation to be in danger from the popish plot; which, it is evident, could not be fully prosecuted but in a parliamentary manner: that the impeachment of the popish lords was certainly obstructed by the frequent prorogations; as was also the enacting of necessary laws, and providing for the defence of the nation: that the loyalty of the city, no less than their regard to self-preservation, might prompt them to frame the petition; since it was acknowledged, that the king's life was every moment exposed to the most imminent danger from the popish conspiracy: that the city had not accused the king of obstructing justice, much less of having any such intention; since it was allowed, that evil counsellors were alone answerable for all the pernicious consequences of any measure: and that it was unaccountable, that two public deeds which had not, during so long a time, subjected to any, even the smallest penalty, the persons guilty of them, should now be punished so severely upon the corporation, which always was, and always must be, innocent.

It is evident, that those who would apologize for the measures of the court, must, in this case, found their arguments not on law, but reasons of state. The judges, therefore, who condemned the city, are inexcusable; since the sole object of their determinations must ever be the pure principles of justice and equity. But the office of judge was at that time held during pleasure; and it was impossible that any cause, where the court bent its force, could ever be carried against it. After sentence was pronounced, the city applied in an humble manner to the king; and he agreed to restore their charter, but in return they were obliged to submit to the following regulations: that no mayor, sheriff, recorder,

A. D. 1683.

quo warrantum.

12th June.

common serjeant, town clerk, or coroner, should be admitted to the exercise of his office without his majesty's approbation: that if the king disapprove twice of the mayor or sheriffs elected, he may by commission appoint these magistrates: that the mayor and court of aldermen may, with his majesty's leave, displace any magistrate: and that no alderman, in case of a vacancy, shall be elected without consent of the court of aldermen, who, if they disapprove twice of the choice, may fill the vacancy.

**Great power of the crown.** All the corporations in England, having the example of London before their eyes, saw how vain it would prove to contend with the court, and were, most of them, successively induced to surrender their charters into the king's hands. Considerable sums were exacted for restoring the charters; and all offices of power and profit were left at the disposal of the crown. It seems strange, that the independent royalists, who never meant to make the crown absolute, should yet be so elated with the victory obtained over their adversaries, as to approve of a precedent, which left no national privileges in security, but enabled the king, under like pretences, and by means of like instruments, to recall anew all those charters, which at present he was pleased to grant. And every friend to liberty must allow, that the nation, whose constitution was thus broken in the shock of faction, had a right, by every prudent expedient, to recover that security of which it was so unhappily bereaved.

While so great a faction adhered to the crown, it is apparent, that resistance, however justifiable, could never be prudent; and all wise men saw no expedient but peaceably to submit to the present grievances. There was, however, a party of malcontents, so turbulent in their disposition, that, even before this last iniquity, which laid the whole constitution at the mercy of the king, they had meditated plans of resistance; at a time when it could be as little justifiable as prudent. In the spring of 1681,<sup>a</sup> a little before the Oxford parliament, the king was seized with a fit of sickness at Windsor, which gave great alarm to the public. The Duke of Monmouth,

**A conspiracy.** Lord Russel, Lord Gray, instigated by the restless Shaftesbury, had agreed, in case the king's sickness should prove mortal, to rise in arms, and to oppose the succession of the duke. Charles recovered; but these dangerous projects were not laid aside. The same conspirators, together with Essex and Salisbury, were determined to continue the Oxford parliament, after the king, as was daily expected, should dissolve it; and they engaged some leaders among the Commons in the same desperate measure. They went so far as to detain several Lords in the House, under pretence of signing a protest against rejecting Fitz-harris's impeachment: but hearing that the Commons had broken up in great consternation, they were likewise obliged at last to separate. Shaftesbury's imprisonment and trial put an end for some time to these machinations; and it was not till the new sheriffs were imposed on the city that they were revived. The leaders of the country party began then to apprehend themselves in imminent danger; and they were well pleased to find that the citizens were struck with the same terror, and were thence inclined to undertake the most perilous enterprises. Besides the city, the gentry and nobility in several counties of England were solicited to rise in arms. Monmouth engaged the Earl of Macclesfield, Lord Brandon, Sir Gilbert Gerrard, and other gentlemen in Cheshire; Lord Russel fixed a correspondence with Sir William Courtney, Sir Francis Rowles, Sir Francis Drake, who promised to raise the west; and Trenchard in particular, who had interest in the disaffected town of Taunton, assured him of considerable assistance from that neighbourhood. Shaftesbury, and his emissary Ferguson, an independent clergyman, and a restless plotter, managed the correspondence in the city, upon which the confederates chiefly relied. The whole train was ready to take fire; but was prevented by the caution of Lord Russel, who induced Monmouth to delay the enterprise. Shaftesbury, in the mean time, was so much affected with the sense of

his danger, that he had left his house, and secretly lurked in the city; meditating all those desperate schemes, which disappointed revenge and ambition could inspire. He exclaimed loudly against delay, and represented to his confederates that having gone so far, and intrusted the secret into so many hands, there was no safety for them but in a bold and desperate prosecution of their purpose. The projects were therefore renewed: meetings of the conspirators were appointed in different houses, particularly in Shephard's, an eminent wine-merchant in the city: the plan of an insurrection was laid in London, Cheshire, Devonshire, and Bristol: the several places of rendezvous in the city were concerted; and all the operations fixed: the state of the guards was even viewed by Monmouth and Armstrong, and an attack on them pronounced practicable: a declaration to justify the enterprise to the public was read and agreed to: and every circumstance seemed now to render an insurrection unavoidable; when a new delay was procured by Trenchard, who declared, that the rising in the west could not for some weeks be in sufficient forwardness.

Shaftesbury was enraged at these perpetual cautions and delays in an enterprise which, he thought, nothing but courage and celerity could render effectual: he threatened to commence the insurrection with his friends in the city alone; and he boasted, that he had ten thousand *brisk boys*, as he called them, who, on a motion of his finger, were ready to fly to arms. Monmouth, Russel, and the other conspirators, were, during some time, in apprehensions lest despair should push him into some dangerous measure; when they heard that, after a long combat between fear and rage, he had at last abandoned all hopes of success, and had retired into Holland. He lived in a private manner at Amsterdam; and for greater security desired to be admitted into the magistracy of that city: but his former violent counsels against the Dutch commonwealth were remembered; and all applications from him were rejected. He died soon after; and his end gave neither sorrow to his friends, **Shaftesbury retires and dies.** nor joy to his enemies. His furious temper, notwithstanding his capacity, had done great injury to the cause in which he was engaged. The violence and iniquities which he suggested and encouraged, were greater than even faction itself could endure; and men could not forbear sometimes recollecting, that the same person, who had become so zealous a patriot, was once a most prostitute courtier. It is remarkable, that this man, whose principles and conduct were, in all other respects, so exceptionable, proved an excellent chancellor; and that all his decrees, while he possessed that high office, were equally remarkable for justness and for integrity. So difficult is it to find in history a character either wholly bad or perfectly good; though the prejudices of party make writers run easily into the extremes both of panegyric and of satire!

After Shaftesbury's departure, the conspirators found some difficulty in renewing the correspondence with the city malcontents, who had been accustomed to depend solely on that nobleman. Their common hopes, however, as well as common fears, made them at last have recourse to each other; and a regular project of an insurrection was again formed. A council of six was erected, consisting of Monmouth, Russel, Essex, Howard, Algernon Sidney, and John Hamden, grandson of the great parliamentary leader. These men entered into an agreement with Argyle and the Scottish malcontents; who engaged, that, upon the payment of 10,000 pounds for the purchase of arms in Holland, they would bring the covenanted into the field. Insurrections, likewise, were anew projected in Cheshire, and the west, as well as in the city; and some meetings of the leaders were held, in order to reduce these projects into form. The conspirators differed extremely in their views. Sidney was passionate for a commonwealth. Essex had embraced the same project. But Monmouth had entertained hopes of acquiring the crown for himself. Russel, as well as Hamden, was much attached to the

<sup>a</sup> Lord Gray's secret History of the Rye-house Plot. This is the most full and authentic account of all these transactions; but is in the main confirmed by Bishop Sprat, and even Burnet, as well as by the trials and dying confessions of the conspirators: so that nothing can be more unac-

countable than that any one should pretend that this conspiracy was an imposture like the popish plot. Monmouth's declaration, published in the next reign, entitles a consult for extraordinary remedies.



ancient constitution, and intended only the exclusion of the duke, and the redress of grievances. Lord Howard was a man of no principle, and was ready to embrace any party which his immediate interest should recommend to him. But notwithstanding this difference of characters and of views, their common hatred of the duke and the present administration united them in one party; and the dangerous experiment of an insurrection was fully resolved on.

While these schemes were concerting among the leaders, there was an inferior order of conspirators, who held frequent meetings; and, together with the insurrection, carried on projects quite unknown to Monmouth and the cabal of

**Rye-house plot.** six. Among these men were Colonel Rumsey, an old republican officer, who had distinguished himself in Portugal, and had been recommended to the king by Mareschal Schomberg; Lieutenant-colonel Walcot, likewise a republican officer; Goodenough, under-sheriff of London, a zealous and noted party-man; West, Tyley, Norton, Ayliffe, lawyers; Ferguson, Rouse, Hone, Keiling, Holloway, Bourne, Lee, Rumbald. Most of these last were merchants or tradesmen; and the only persons of this confederacy who had access to the leaders of the party, were Rumsey and Ferguson. When these men met together, they indulged themselves in the most desperate and most criminal discourse: they frequently mentioned the assassination of the king and the duke, to which they had given the familiar appellation of *lopping*: they even went so far as to have thought of a scheme for that purpose. Rumbald, who was a maltster, possessed a farm called the Rye-house, which lay on the road to Newmarket, whither the king commonly went once a-year for the diversion of the races. A plan of this farm had been laid before some of the conspirators by Rumbald, who showed them how easy it would be, by overturning a cart, to stop at that place the king's coach; while they might fire upon him from the hedges, and be enabled afterwards, through bye-lanes and across the fields, to make their escape. But though the plausibility of this scheme gave great pleasure to the conspirators, no concerted design was as yet laid, nor any men, horses, or arms, provided: the whole was little more than loose discourse, the overflowings of their zeal and rancour. The house, in which the king lived at Newmarket, took fire accidentally; and he was obliged to leave that place eight days sooner than he intended. To this circumstance his safety was afterwards ascribed when the conspiracy was detected; and the court party could not sufficiently admire the wise dispensations of Providence. It is indeed certain, that as the king had thus unexpectedly left Newmarket, he was worse attended than usual; and Rumbald informed his confederates with regret, what a fine opportunity was thus unfortunately lost.

**Conspiracy discovered.** Among the conspirators I have mentioned Keiling, a salter in London. This man had been engaged in a bold measure, of arresting the mayor of London, at the suit of Papillon and Dubois, the outed sheriffs; and being liable to prosecution for that action, he thought it safest to purchase a pardon, by revealing the conspiracy, in which he was deeply concerned. He

**12th June.** brought to secretary Jenkins intelligence of the assassination-plot; but as he was a single evidence, the secretary, whom many false plots had probably rendered incredulous, scrupled to issue warrants for the commitment of so great a number of persons. Keiling, therefore, in order to fortify his testimony, engaged his brother in reasonable discourse with Goodenough, one of the conspirators: and Jenkins began now to give more attention to the intelligence. The conspirators had got some hint of the danger in which they were involved; and all of them concealed themselves. One person alone, of the name of Barber, an instrument-maker, was seized; and as his confession concurred in many particulars with Keiling's information, the affair seemed to be put out of all question; and a more diligent search was every where made after the conspirators.

West, the lawyer, and Colonel Rumsey, finding the perils to which they were exposed in endeavouring to escape, resolved to save their own lives at the expense of

their companions; and they surrendered themselves with an intention of becoming evidence. West could do little more than confirm the testimony of Keiling with regard to the assassination plot; but Rumsey, besides giving additional confirmation of the same design, was at last, though with much difficulty, led to reveal the meetings at Shephard's. Shephard was immediately apprehended; and had not courage to maintain fidelity to his confederates. Upon his information, orders were issued for arresting the great men engaged in the conspiracy. Monmouth absconded: Russel was sent to the Tower: Gray was arrested, but escaped from the messenger: Howard was taken, while he concealed himself in a chimney; and being a man of profligate morals as well as indigent circumstances, he scrupled not, in hopes of a pardon and a reward, to reveal the whole conspiracy. Essex, Sidney, and Hambden, were immediately apprehended upon his evidence. Every day some of the conspirators were detected in their lurking-places, and thrown into prison.

Lieutenant-colonel Walcot was first brought **Execution of the conspirators.** to his trial. This man, who was once noted for bravery, had been so far overcome by the love of life, that he had written to Secretary Jenkins, and had offered, upon promise of pardon, to turn evidence: but no sooner had he taken this mean step than he felt more generous sentiments arise in him: and he endeavoured, though in vain, to conceal himself. The witnesses against him were Rumsey, West, Shephard, together with Bourne, a brewer. His own letter to the secretary was produced, and rendered the testimony of the witnesses unquestionable. Hone and Rouse were also condemned. These two men, as well as Walcot, acknowledged, at their execution, the justice of the sentence; and from their trial and confession it is sufficiently apparent, that the plan of an insurrection had been regularly formed; and that even the assassination had been often talked of, and not without the approbation of many of the conspirators.

The condemnation of these criminals was **Trial of Lord Russel;** probably intended as a preparative to the trial of Lord Russel, and served to impress the public with a thorough belief of the conspiracy, as well as a horror against it. The witnesses produced against the noble prisoner were, Rumsey, Shephard, and Lord Howard. Rumsey swore, that he himself had been introduced to the cabal at Shephard's, where Russel was present; and had delivered them a message from Shaftesbury, urging them to hasten the intended insurrection: but had received for answer, that it was found necessary to delay the design, and that Shaftesbury must therefore, for some time, rest contented. This answer, he said, was delivered by Ferguson; but was assented to by the prisoner. He added, that some discourse had been entered into about taking a survey of the guards; and he thought that Monmouth, Gray, and Armstrong, undertook to view them. Shephard deposed, that his house had before-hand been bespoken by Ferguson for the secret meeting of the conspirators, and that he had been careful to keep all his servants from approaching them, and had served them himself. Their discourse, he said, ran chiefly upon the means of surprising the guards; and it was agreed, that Monmouth and his two friends should take a survey of them. The report, which they brought next meeting, was, that the guards were remiss, and that the design was practicable; but he did not affirm that any resolution was taken of executing it. The prisoner, he thought, was present at both these meetings; but he was sure that at least he was present at one of them. A declaration, he added, had been read by Ferguson in Russel's presence: the reasons of the intended insurrection were there set forth, and all the public grievances fully displayed.

Lord Howard had been one of the cabal of six, established after Shaftesbury's flight; and two meetings had been held by the conspirators, one at Hambden's, another at Russel's. Howard deposed, that at the first meeting it was agreed to begin the insurrection in the country before the city; the places were fixed, the proper quantity and kind of arms agreed on, and the whole plan of operations concerted: that at the second meeting the conversation chiefly turned upon their correspondence with Argyle and the discontented Scots, and that the principal management

of that affair was intrusted to Sidney, who had sent one Aaron Smith into Scotland with proper instructions. He added, that in these deliberations no question was put, or votes collected; but there was no contradiction; and, as he took it, all of them, and the prisoner among the rest, gave their consent.

Rumsey and Shephard were very unwilling witnesses against Lord Russel; and it appears from Gray's Secret History,<sup>1</sup> that, if they had pleased, they could have given a more explicit testimony against him. This reluctance, together with the difficulty in recollecting circumstances of a conversation which had passed above eight months before, and which the persons had not at that time any intention to reveal, may beget some slight objection to their evidence. But on the whole it was undoubtedly proved, that the instruction had been deliberated on by the prisoner, and fully resolved; the surprisal of the guards deliberated on, but not fully resolved; and that an assassination had never once been mentioned nor imagined by him. So far the matter of fact seems certain: but still, with regard to law, there remained a difficulty, and that of an important nature.

The English laws of treason, both in the manner of defining that crime, and in the proof required, are the mildest and most indulgent, and consequently the most equitable, that are any where to be found. The two chief species of treason, contained in the statute of Edward III. are the compassing and intending of the king's death, and the actually levying of war against him; and by the law of Mary, the crime must be proved by the concurring testimony of two witnesses, to some overt act, tending to these purposes. But the lawyers, partly desirous of paying court to the sovereign, partly convinced of ill consequences which might attend such narrow limitations, had introduced a greater latitude, both in the proof and definition of the crime. It was not required that the two witnesses should testify the same precise overt act: it was sufficient, that they both testified some overt act of the same treason: and though this evasion may seem a subtilty, it had long prevailed in the courts of judicature, and had at last been solemnly fixed by parliament at the trial of Lord Stafford. The lawyers had used the same freedom with the law of Edward III. They had observed, that, by that statute, if a man should enter into a conspiracy for a rebellion, should even fix a correspondence with foreign powers for that purpose, should provide arms and money, yet, if he were detected and no rebellion ensued, he could not be tried for treason. To prevent this inconvenience, which it had been better to remedy by a new law, they had commonly laid their indictment for intending the death of the king, and had produced the intention of rebellion as a proof of that other intention. But though this form of indictment and trial was very frequent, and many criminals had received sentence upon it, it was still considered as somewhat irregular, and was plainly confounding by a sophism, two species of treason, which the statute had accurately distinguished. What made this refinement still more exceptionable was, that a law had passed soon after the restoration; in which the consulting or the intending of a rebellion was, during Charles's lifetime, declared treason; and it was required, that the prosecution should be commenced within six months after the crime was committed. But notwithstanding this statute, the lawyers had persevered, as they still do persevere, in the old form of indictment; and both Sir Harry Vane, and Oliver Plunket, titular primate of Ireland, had been tried by it. Such was the general horror entertained against the old republicans and the popish conspirators, that no one had murmured against this interpretation of the statute; and the lawyers thought that they might follow the precedent, even in the case of the popular and beloved Lord Russel. Russel's crime fell plainly within the statute of Charles the First; but the facts sworn to by Rumsey and Shephard were beyond the six months required by law, and to the other facts Howard was a single witness. To make the indictment, therefore, more extensive, the intention of murdering the king was comprehended in it; and for proof of this inten-

tion the conspiracy for raising a rebellion was assigned; and what seemed to bring the matter still nearer, the design of attacking the king's guards.

Russel perceived this irregularity, and desired to have the point argued by counsel: the chief justice told him, that this favour could not be granted, unless he previously confessed the facts charged upon him. The artificial confounding of the two species of treason, though a practice supported by many precedents, is the chief, but not the only, hardship of which Russel had reason to complain on his trial. His defence was feeble; and he contented himself with protesting, that he never had entertained any design against the life of the king: his veracity would not allow him to deny the conspiracy for an insurrection. The jury were men of fair and reputable characters, but zealous royalists: after a short deliberation, they brought in the prisoner guilty.

Applications were made to the king for a pardon: even money to the amount of a hundred thousand pounds was offered to the Duchess of Portsmouth by the old Earl of Bedford, father to Russel. The king was inexorable. He had been extremely harassed with the violence of the country party; and he had observed, that the prisoner, besides his secret designs, had always been carried to the highest extremity of opposition in parliament. Russel had even adopted a sentiment, similar to what we meet with in a letter of the younger Brutus. Had his father, he said, advised the king to reject the exclusion bill, he would be the first to move for a parliamentary impeachment against him. When such determined resolution was observed, his popularity, his humanity, his justice, his very virtues, became so many crimes, and were used as arguments against sparing him. Charles therefore would go no further than remitting the more ignominious part of the sentence, which the law requires to be pronounced against traitors. "Lord Russel," said he, "shall find, that I am possessed of that prerogative, which, in the case of Lord Stafford, he thought proper to deny me." As the fury of the country party had rendered it impossible for the king, without the imminent danger of his crown, to pardon so many catholics, whom he firmly believed innocent, and even affectionate and loyal to him; he probably thought that, since the edge of the law was now ready to fall upon that party themselves, they could not reasonably expect that he would interpose to save them.

Russel's consort, a woman of virtue, daughter and heir of the good Earl of Southampton, threw herself at the king's feet, and pleaded with many tears the merits and loyalty of her father, as an atonement for those errors, into which honest, however mistaken, principles had seduced her husband. These supplications were the last instance of female weakness (if they deserve the name) which she betrayed. Finding all applications vain, she collected courage, and not only fortified herself against the fatal blow, but endeavoured, by her example, to strengthen the resolution of her unfortunate lord. With a tender and decent composure, they took leave of each other on the day of his execution. "The bitterness of death is now past," said he, when he turned from her. Lord Cavendish had lived in the closest intimacy with Russel, and deserted not his friend in the present calamity. He offered to manage his escape by changing clothes with him, and remaining at all hazards in his place. Russel refused to save his own life, by an expedient which might expose his friend to so many hardships. When the Duke of Monmouth by message offered to surrender himself, if Russel thought that this measure would anywise contribute to his safety: "It will be no advantage to me," he said, "to have my friends die with me." Some of his expressions discover, not only composure, but good humour in this melancholy extremity. The day before his execution he was seized with a bleeding at the nose. "I shall not now let blood to divert this distemper," said he to Doctor Burnet who attended him; "that will be done to-morrow." A little before the sheriffs conducted him to the scaffold, he wound up his watch, "Now I have done," said he, "with time, and henceforth must think solely of eternity."

The scaffold was erected in Lincoln's Inn Fields, a place distant from the Tower; and it was probably intended, by conducting Russel through so many streets, to show the mutinous city their beloved leader, once the object of all their confidence, now exposed to the utmost rigours of the law. As he was the most popular among his own party; so was he ever the least obnoxious to the opposite faction: and his melancholy fate united every heart, sensible of humanity, in a tender compassion for him.

and execution. Without the least change of countenance, he laid his head on the block; and at two strokes it was severed from his body.

In the speech which he delivered to the sheriffs, he was very anxious to clear his memory from any imputation of ever intending the king's death, or any alteration in the government: he could not explicitly confess the projected insurrection without hurting his friends, who might still be called in question for it; but he did not purge himself of that design, which, in the present condition of the nation, he regarded as no crime. By many passages in his speech he seems to the last to have lain under the influence of party zeal; a passion which, being nourished by a social temper, and clothing itself under the appearance of principle, it is almost impossible for a virtuous man, who has acted in public life, ever thoroughly to eradicate. He professed his entire belief in the popish plot; and he said, that, though he had often heard the seizure of the guards mentioned, he had ever disapproved of that attempt. To which he added, that the massacring of so many innocent men in cool blood was so like a popish practice, that he could not but abhor it. Upon the whole, the integrity and virtuous intentions, rather than the capacity, of this unfortunate nobleman, seem to have been the shining parts of his character.

Trial of Algernon Sidney. Algernon Sidney was next brought to his trial. This gallant person, son of the Earl of Leicester, had entered deeply into the war against the late king; and though nowise tainted with enthusiasm, he had so far shared in all the counsels of the independent republican party, as to have been named on the high court of justice, which tried and condemned that monarch: he thought not proper, however, to take his seat among the judges. He ever opposed Cromwell's usurpation with zeal and courage; and after making all efforts against the restoration, he resolved to take no benefit of the general indemnity, but chose voluntary banishment, rather than submit to a government and family which he abhorred. As long as the republican party had any existence, he was active in every scheme, however unpromising, which tended to promote their cause: but at length, in 1677, finding it necessary for his private affairs to return to England, he had applied for the king's pardon, and had obtained it. When the factions arising from the popish plot began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic.

From this imperfect sketch of the character and conduct of this singular personage, it may easily be conceived how obnoxious he was become to the court and ministry: what alone renders them blamable, was the illegal method which they took for effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators; a topic more fit to condemn one party, than to justify the other. The only witness who deposed against Sidney was Lord Howard; but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closet, some discourses on government were found; in which he had maintained principles favourable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace; the original contract, the source of power from a consent of the people, the lawfulness of resisting tyrants, the prefer-

ence of liberty to the government of a single person. These papers were asserted to be equivalent to a second witness, and even to many witnesses. The prisoner replied, that there was no other reason, for ascribing these papers to him as the author, besides a similitude of hand; a proof which was never admitted in criminal prosecutions: that allowing him to be the author, he had composed them solely for his private amusement, and had never published them to the world, or even communicated them to any single person: that, when examined, they appeared, by the colour of the ink, to have been written many years before, and were in vain produced as evidence of a present conspiracy against the government: and that where the law positively requires two witnesses, one witness, attended with the most convincing circumstances, could never suffice; much less, when supported by a circumstance so weak and precarious. All these arguments, though urged by the prisoner with great courage and pregnancy of reason, had no influence. The violent and inhuman Jefferies was now chief justice; and by his direction a partial jury was easily prevailed on to give verdict against Sidney.

His execution followed a few days after: Dec. 17. he complained, and with reason, of the inequality of the sentence; but he had too much greatness of mind to deny those conspiracies with Monmouth and Russel, in which he had been engaged. He rather gloried, that he now suffered for that *good old cause*, in which, from his earliest youth, he said, he had enlisted himself.

The execution of Sidney is regarded as one of the greatest blemishes of the present reign. The evidence against him, it must be confessed, was not legal; and the jury, who condemned him, were, for that reason, very blamable. But that after sentence passed by a court of judicature, the king should interpose and pardon a man, who, though otherwise possessed of merit, was undoubtedly guilty, who had ever been a most inflexible and most inveterate enemy to the royal family, and who lately had even abused the king's clemency, might be an act of heroic generosity, but can never be regarded as a necessary and indispensable duty.

Howard was also the sole evidence against Hambden; and his testimony was not supported by any material circumstance. The crown lawyers therefore found it in vain to try the prisoner for treason: they laid the indictment only for a misdemeanor, and obtained sentence against him. The fine imposed was exorbitant; no less than forty thousand pounds.

Holloway, a merchant of Bristol, one of the conspirators, had fled to the West Indies, and was now brought over. He had been outlawed, but the year allowed him for surrendering himself was not expired. A trial was therefore offered him: but as he had at first confessed his being engaged in a conspiracy for an insurrection, and even allowed that he had heard some discourse of an assassination, though he had not approved of it, he thought it more expedient to throw himself on the king's mercy. He was executed, persisting in the same confession.

Sir Thomas Armstrong, who had been seized in Holland, and sent over by Chidley, the king's minister, was precisely in the same situation with Holloway: but the same favour, or rather justice, was refused him. The lawyers pretended, that, unless he had voluntarily surrendered himself before the expiration of the time assigned, he could not claim the privilege of a trial; not considering that the seizure of his person ought in equity to be supposed the accident which prevented him. The king bore a great enmity against this gentleman, by whom he believed the Duke of Monmouth to have been seduced from his duty: he also asserted that Armstrong had once promised Cromwell to assassinate him; though it must be confessed, that the prisoner justified himself from this imputation by very strong arguments. These were the reasons of that injustice which was now done him. It was apprehended that sufficient evidence of his guilt could not be produced; and that even the partial juries, which were now returned, and which allowed themselves to be entirely directed by Jefferies and other violent judges, would not give sentence against him.

On the day that Russel was tried, Essex, a man eminent both for virtues and abilities, was found in the Tower



with his throat cut. The coroner's inquest brought in their verdict, *self-murder*: yet because two children ten years old (one of whom too departed from his evidence) had affirmed that they heard a great noise from his window, and that they saw a hand throw out a bloody razor; these circumstances were laid hold of, and the murder was ascribed to the king and the duke, who happened that morning to pay a visit to the Tower. Essex was subject to fits of deep melancholy, and had been seized with one immediately upon his commitment: he was accustomed to maintain the lawfulness of suicide: and his countess, upon a strict inquiry, which was committed to the care of Dr. Burnet, found no reason to confirm the suspicion: yet could not all these circumstances, joined to many others, entirely remove the imputation. It is no wonder, that faction is so productive of vices of all kinds: for, besides that it inflames all the passions, it tends much to remove those great restraints, honour and shame; when men find, that no iniquity can lose them the applause of their own party, and no innocence secure them against the calumnies of the opposite.

But though there is no reason to think that Essex had been murdered by any orders from court, it must be acknowledged that an unjustifiable use in Russell's trial was made of that incident. The king's counsel mentioned it in their pleadings as a strong proof of the conspiracy; and it is said to have had great weight with the jury. It was insisted on in Sidney's trial for the same purpose.

Some memorable causes, tried about this time, though they have no relation to the Rye-house conspiracy, show the temper of the bench and of the juries. Oates was convicted of having called the duke a popish traitor; was condemned in damages to the amount of one hundred thousand pounds; and was adjudged to remain in prison till he should make payment. A like sentence was passed upon Dutton Colt for a like offence. Sir Samuel Barnardiston was fined ten thousand pounds; because in some private letters, which had been intercepted, he had reflected on the government. This gentleman was obnoxious, because he had been foreman of that jury which rejected the bill against Shaftesbury. A pretence was therefore fallen upon for punishing him; though such a precedent may justly be deemed a very unusual act of severity, and sufficient to destroy all confidence in private friendship and correspondence.

There is another remarkable trial, which shows the disposition of the courts of judicature, and which, though it passed in the ensuing year, it may not be improper to relate in this place. One Rosewel, a presbyterian preacher, was accused by three women of having spoken treasonable words in a sermon. They swore to two or three periods, and agreed so exactly together, that there was not the smallest variation in their depositions. Rosewel, on the other hand, made a very good defence. He proved that the witnesses were lewd and infamous persons. He proved that, even during Cromwell's usurpations, he had always been a royalist; that he prayed constantly for the king and his family; and that in his sermons he often inculcated the obligations of loyalty. And as to the sermon of which he was accused, several witnesses, who heard it, and some who wrote it in short-hand, deposed that he had used no such expressions as those which were imputed to him. He offered his own notes as a further proof. The women could not show, by any circumstance or witness, that they were at his meeting. And the expressions, to which they deposed, were so gross, that no man in his senses could be supposed to employ them before a mixt audience. It was also urged, that it appeared next to impossible for three women to remember so long a period upon one single hearing, and to remember it so exactly, as to agree to a tittle in their depositions with regard to it. The prisoner offered to put the whole upon this issue: he would pronounce, with his usual tone of voice, a period as long as that to which they had sworn; and then let them try to repeat it, if they could. What was more unaccountable, they had forgotten even the text of his sermon; nor did they remember any single passage, but the words to which they gave evidence. After so strong a defence, the solicitor-general thought not proper to make any reply: even Jefferies went no further than some general declamations against conventicles and presbyterians: yet so violent were

party prejudices, that the jury gave a verdict against the prisoner; which, however, appeared so palpably unjust, that it was not carried into execution.

The Duke of Monmouth had absconded on the first discovery of the conspiracy; and the court could get no intelligence of him. At length Halifax, who began to apprehend the too great prevalence of the royal party, and who thought that Monmouth's interest would prove the best counterpoise to the duke's, discovered his retreat, and prevailed on him to write two letters to the king, full of the tenderness and most submissive expressions. The king's fondness was revived; and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his son and his brother; and having promised Monmouth, that his testimony should never be employed against any of his friends, he engaged him to give a full account of the plot. But, in order to put the country party to silence, he called next day an extraordinary council, and informed them that Monmouth had showed great penitence for the share which he had had in the late conspiracy, and had expressed his resolutions never more to engage in such criminal enterprises. He went so far as to give orders, that a paragraph to the like purpose should be inserted in the Gazette. Monmouth kept silence till he had obtained his pardon in form: but finding that, by taking this step, he was entirely disgraced with his party, and that even though he should not be produced in court as an evidence, his testimony, being so publicly known, might have weight with juries on any future trial, he resolved at all hazards to retrieve his honour. His emissaries, therefore, received orders to deny that he had ever made any such confession, as that which was imputed to him; and the party exclaimed, that the whole was an imposture of the court. The king, provoked at this conduct, banished Monmouth his presence, and afterwards ordered him to depart the kingdom.

The court was aware, that the malcontents in England had held a correspondence with those of Scotland; and that Baillie of Jerviswood, a man of merit and learning, with two gentlemen of the name of Campbell, had come to London, under pretence of negotiating the settlement of the Scottish presbyterians in Carolina, but really with a view of concerting measures with the English conspirators. Baillie was sent prisoner to Edinburgh; but as no evidence appeared against him, the council required him to swear, that he would answer all questions which should be propounded to him. He refused to submit to so iniquitous a condition; and a fine of six thousand pounds was imposed upon him. At length, two persons, Spence and Carstares, being put to the torture, gave evidence which involved the Earl of Tarras and some others, who, in order to save themselves, were reduced to accuse Baillie. He was brought to trial; and being in so languishing a condition from the treatment which he had met with in prison, that it was feared he would not survive that night, he was ordered to be executed the very afternoon on which he received sentence.

The severities exercised during this part of the present reign, were much contrary to the usual tenor of the king's conduct; and though those who studied his character more narrowly, have pronounced, that towards great offences he was rigid and inexorable, the nation were more inclined to ascribe every unjust or hard measure to the prevalence of the duke, into whose hands the king had, from indolence, not from any opinion of his brother's superior capacity, resigned the reins of government. The crown, indeed, gained great advantage from the detection of the conspiracy, and lost none by the rigorous execution of the conspirators: the horror entertained against the assassination plot, which was generally confounded with the project for an insurrection, rendered the whole party unpopular, and reconciled the nation to the measures of the court. The most loyal addresses came from all parts: and the doctrine of submission to the civil magistrate, and even of an unlimited passive obedience, became the reigning principle of the times. The University of Oxford passed a solemn decree, condemning some doctrines which they termed republican, but which indeed are, most of them, the only tenets on which liberty and a limited constitution can be founded. The faction of the exclusionists, lately so numerous, powerful, and zealous, were at the

king's feet; and were as much fallen in their spirit as in their credit with the nation. Nothing that had the least appearance of opposition to the court could be hearkened to by the public.<sup>1</sup>

A. D. 1684. The king endeavoured to increase his present popularity by every art; and knowing, that the suspicion of popery was of all others the most dangerous, he judged it proper to marry his niece, the Lady Anne, to Prince George, brother to the king of Denmark. All the credit, however, and persuasion of Halifax, could not engage him to call a parliament, or trust the nation with the election of a new representative. Though his revenues were extremely burdened, he rather chose to struggle with the present difficulties, than try, an experiment which, by raising afresh so many malignant humours, might prove dangerous to his repose. The duke likewise zealously opposed this proposal, and even engaged the king in measures which could have no tendency, but to render any accommodation with a parliament altogether impracticable. Williams, who had been speaker during the two last parliaments, was prosecuted for warrants, issued by him, in obedience to orders of the House: a breach of privilege, which it seemed not likely any future House of Commons would leave unquestioned. Danby and the popish lords, who had so long been confined in the Tower, and who saw no prospect of a trial in parliament, applied by petition, and were admitted to bail: a measure just in itself, but deemed a great encroachment on the privileges of that assembly. The duke, contrary to law, was restored to the office of high-admiral, without taking the test.

Had the least grain of jealousy or emulation been mixed in the king's character; had he been actuated by that concern for his people's or even for his own honour, which his high station demanded, he would have hazarded many domestic inconveniences rather than allow France to domineer in so haughty a manner as that which at present she

State of assumed in every negotiation. The peace foreign affairs. of Nimègue, imposed by the Dutch on their unwilling allies, had disjoined the whole confederacy; and all the powers engaged in it had disbanded their supernumerary troops, which they found it difficult to subsist. Lewis alone still maintained a powerful army, and by his preparations rendered himself every day more formidable. He now acted as if he were the sole sovereign in Europe, and as if all other princes were soon to become his vassals. Courts or chambers were erected in Metz and Brisac, for re-uniting such territories as had ever been members of any part of his new conquests. They made inquiry into titles buried in the most remote antiquity. They cited the neighbouring princes to appear before them, and issued decrees expelling them the contested territories. The important town of Strasbourg, an ancient and a free state, was seized by Lewis: Alost was demanded of the Spaniards, on a frivolous, and even ridiculous, pretence; and upon their refusal to yield it, Luxembourg was blockaded, and soon after taken.<sup>1</sup> Genoa had been bombarded, because the Genoese had stipulated to build some galleys for the Spaniards; and in order to avoid more severe treatment, that republic was obliged to yield to the most mortifying conditions. The empire was insulted in its head and principal members; and used no other expedient for redress, than impotent complaints and remonstrances.

Spain was so enraged at the insolent treatment which she met with, that, without considering her present weak condition, she declared war against her haughty enemy. She hoped that the other powers of Europe, sensible of the common danger, would fly to her assistance. The Prince of Orange, whose ruling passions were love of war

and animosity against France, seconded every where the applications of the Spaniards. In the year 1681, he made a journey to England, in order to engage the king into closer measures with the confederates. He also proposed to the States to make an augmentation of their forces; but several of the provinces, and even the town of Amsterdam, had been gained by the French, and the proposal was rejected. The prince's enemies derived the most plausible reasons of their opposition from the situation of England, and the known and avowed attachments of the English monarch.

No sooner had Charles dismissed his parliament, and embraced the resolution of governing by prerogative alone, than he dropped his new alliance with Spain, and returned to his former dangerous connexions with Lewis. This prince had even offered to make him arbiter of his differences with Spain; and the latter power, sensible of Charles's partiality, had refused to submit to such a disadvantageous proposal. Whether any money was now remitted to England, we do not certainly know: but we may fairly presume, that the king's necessities were in some degree relieved by France.<sup>2</sup> And though Charles had reason to apprehend the utmost danger from the great and still increasing naval power of that kingdom, joined to the weak condition of the English fleet, no consideration was able to rouse him from his present lethargy.

It is here we are to fix the point of the highest exaltation, which the power of Lewis, or that of any European prince since the age of Charlemagne, had ever attained. The monarch, most capable of opposing his progress, was entirely engaged in his interests; and the Turks, invited by the malcontents of Hungary, were preparing to invade the emperor, and to disable that prince from making head against the progress of the French power. Lewis may even be accused of oversight, in not making sufficient advantage of such favourable opportunities, which he was never afterwards able to recall. But that monarch, though more governed by motives of ambition than by those of justice or moderation, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the princes and free states of Europe; and he thereby provoked their resentment without subduing their power. While every one, who approached his person, and behaved with submission to his authority, was treated with the highest politeness; all the neighbouring potentates had successively felt the effects of his haughty imperious disposition. And by indulging his poets, orators, and courtiers, in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of general conquest and subjection.

The French greatness never, during his whole reign, inspired Charles with any apprehensions; and Clifford, it is said, one of his most favoured ministers, went so far as to affirm, that it were better for the king to be viceroy under a great and generous monarch, than a slave to five hundred of his own insolent subjects. The ambition, therefore, and uncontrolled power of Lewis were no diminution of Charles's happiness; and in other respects his condition seemed at present more eligible than it had ever been since his restoration. A mighty faction, which had shaken his throne, and menaced his family, was totally subdued; and by their precipitate indiscretion had exposed themselves both to the rigour of the laws and to public hatred. He had recovered his former popularity in the nation; and what probably pleased him more than having a compliant parliament, he was enabled to govern altogether without one. But it is certain that the king, amidst all these promising circumstances, was not happy or satisfied. Whether he found

A. D. 1685.

<sup>1</sup> In the month of November this year died Prince Rupert, in the sixty-third year of his age. He had left his own country so early, that he had become an entire Englishman, and was even suspected, in his latter days, of a bias to the country party. He was for that reason much neglected at court. The Duke of Lauderdale died also this year.

<sup>2</sup> It appears from Sir John Dalrymple's Appendix, that the king received from France a million of livres for his complicity at the seizure of Luxembourg, besides his ordinary pension.

<sup>3</sup> The following passage is an extract from M. Barillon's letters kept in the *Regis des Affaires étrangères* at Versailles. It was lately communicated to the author while in France. "Une convention verbale a été le 1 Avril, 1681, Charles II. s'engageant à ne rien entreprendre pour pouvoir faire connaître à sa majesté qu'elle avoit raison de prendre confiance en lui; à se

dégarer peu à peu de l'alliance avec l'Espagne, et à se mettre en état de ne point être contrain par son parlement de faire quelque chose d'opposé aux nouveaux engagements qu'il prenoit. En conséquence, le roi promet un subsidie de deux millions, la première des trois années de cet engagement, et 500,000 couronnes deux autres, se contentant de la parole de sa majesté Britannique, d'agir à l'égard de sa majesté conformément aux obligations qu'il lui avoit. Le sr. Hyde demanda que le roi s'engageât à ne point attaquer les Pays Bas et même Strasbourg, et ajoutant que le roi son maître ne pourroit s'empêcher de secourir les Pays Bas, quand même son parlement ne seroit point assemblé. M. Barillon lui répondit en termes généraux, par ordre du roi, que sa majesté n'avoit point intention de nuire la paix, et qu'il n'engageroit pas sa majesté Britannique en choses contraires à ses véritables intérêts."

himself exposed to difficulties for want of money, or dreaded a record of the popular humour from the present arbitrary measures, is uncertain. Perhaps the violent imprudent temper of the duke, by pushing Charles upon dangerous attempts, gave him apprehension and uneasiness. He was overheard one day to say, in opposing some of the duke's hasty counsels, "Brother, I am too old to go again to my travels: you may, if you choose it." Whatever was the cause of the king's dissatisfaction, it seems probable, that he was meditating some change of measures, and had formed a new plan of administration. He was determined, it is thought, to send the duke to Scotland, to recall Monmouth, to summon a parliament, to dismiss all his unpopular ministers, and to throw himself entirely on the good-will and affections of his subjects.<sup>a</sup>

Amidst these truly wise and virtuous designs, he was seized with a sudden fit, which resembled an apoplexy; and though he was recovered from it by bleeding, he languished only for a few days, and expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was so happy in a good constitution of body, and had ever been so remarkably careful of his health, that his death struck as great a surprise into his subjects, as if he had been in the flower of his youth. And their great concern for him, owing to their affection for his person, as well as their dread of his successor, very naturally, when joined to the critical time of his death, begat the suspicion of poison. All circumstances however considered, this suspicion must be allowed to vanish, like many others, of which all histories are full.

During the few days of the king's illness, clergymen of the church of England attended him; but he discovered a total indifference towards their devotions and exhortations. Catholic priests were brought, and he received the sacrament from them, accompanied with the other rites of the Romish church. Two papers were found in his cabinet, written with his own hand, and containing arguments in favour of that communion. The duke had the imprudence immediately to publish these papers, and thereby both confirmed all the reproaches of those who had been the greatest enemies to his brother's measures, and afforded to the world a specimen of his own bigotry.

If we survey the character of Charles II. in the different lights which it will admit of, it will appear various, and give rise to different and even opposite sentiments. When considered as a companion, he appears the most amiable and engaging of men; and, indeed, in this view, his deportment must be allowed altogether unexceptionable. His love of raillery was so tempered with good breeding, that it was never offensive: his propensity to satire was so checked with discretion, that his friends never dreaded their becoming the object of it: his wit, to use the expression of one who knew him well, and who was himself a good judge,<sup>b</sup> could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though perhaps he talked more than strict rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the monarch, that they always went away contented both with him and with themselves. This indeed is the most shining part of the king's character; and he seems to have been sensible of it: for he was fond of dropping the formality of state, and of relapsing every moment into the companion.

In the duties of private life, his conduct, though not free from exception, was, in the main, laudable. He was an easy, generous lover; a civil, obliging husband; a friendly brother, an indulgent father, and a good-natured master.<sup>c</sup> The voluntary friendships, however, which this prince contracted, nay, even his sense of gratitude, were feeble; and he never attached himself to any of his ministers or courtiers with a sincere affection. He believed them to have no motive in serving him but self-interest: and he was still ready, in his turn, to sacrifice them to present ease or convenience.

With a detail of his private character we must set bounds to our panegyric on Charles. The other parts of his con-

duct may admit of some apology, but can deserve small applause. He was indeed so much fitted for private life, preferably to public, that he even possessed order, frugality, and economy, in the former; was profuse, thoughtless, and negligent, in the latter. When we consider him as a sovereign, his character, though not altogether destitute of virtue, was in the main dangerous to his people, and dishonourable to himself. Negligent of the interests of the nation, careless of its glory, averse to its religion, jealous of its liberty, lavish of its treasure, sparing only of its blood; he exposed it by his measures, though he ever appeared but in sport, to the danger of a furious civil war, and even to the ruin and ignominy of a foreign conquest. Yet may all these enormities, if fairly and candidly examined, be imputed, in a great measure, to the indolence of his temper: a fault, which, however unfortunate in a monarch, it is impossible for us to regard with great severity.

It has been remarked of Charles, that he never said a foolish thing, nor ever did a wise one: a censure which, though too far carried, seems to have some foundation in his character and deportment. When the king was informed of this saying, he observed, that the matter was easily accounted for: for that his discourse was his own, his actions were the ministry's.

If we reflect on the appetite for power inherent in human nature, and add to it the king's education in foreign countries, and among the cavaliers, a party which would naturally exaggerate the late usurpations of popular assemblies upon the rights of monarchy; it is not surprising, that civil liberty should not find in him a very zealous patron. Harassed with domestic faction, weary of calumnies and complaints, oppressed with debts, straitened in his revenue, he sought, though with feeble efforts, for a form of government, more simple in its structure, and more easy in its management. But his attachment to France, after all the pains which we have taken, by inquiry and conjecture, to fathom it, contains still something, it must be confessed, mysterious and inexplicable. The hopes of rendering himself absolute by Lewis's assistance seem so chimerical, that they could scarcely be retained with such obstinacy by a prince of Charles's penetration; and as to pecuniary subsidies, he surely spent much greater sums in one season, during the second Dutch war, than were remitted him from France during the whole course of his reign. I am apt therefore to imagine, that Charles was in this particular guided chiefly by inclination, and by a prepossession in favour of the French nation. He considered that people as gay, sprightly, polite, elegant, courteous, devoted to their prince, and attached to the catholic faith; and for these reasons he cordially loved them. The opposite character of the Dutch had rendered them the objects of his aversion; and even the uncourtly humours of the English made him very indifferent towards them. Our notions of interest are much warped by our affections; and it is not altogether without example, that a man may be guided by national prejudices, who has ever been little biassed by private and personal friendship.

The character of this prince has been elaborately drawn by two great masters, perfectly well acquainted with him, the Duke of Buckingham and the Marquis of Halifax; not to mention several elegant strokes given by Sir William Temple. Dr. Welwood likewise and Bishop Burnet have employed their pencil on the same subject: but the former is somewhat partial in his favour; as the latter is by far too harsh and malignant. Instead of finding an exact parallel between Charles II. and the Emperor Tiberius, as asserted by that prelate, it would be more just to remark a full contrast and opposition. The emperor seems as much to have surpassed the king in abilities, as he falls short of him in virtue. Provident, wise, active, jealous, malignant, dark, sullen, unsociable, reserved, cruel, unrelenting, unforgiving; these are the lights under which the Roman tyrant has been transmitted to us. And the only circumstance in which it can justly be pretended he was similar to Charles, is his love of women, a passion which is too general to form any striking resemblance, and which that detestable and detested monster shared also with unnatural appetites.

<sup>a</sup> In D'Avaux's Memoirs confirm this rumour, as also D'Avaux's News, 1685, 14th Dec. 1684.

<sup>b</sup> Marquis of Halifax.  
<sup>c</sup> Duke of Buckingham.



## CHAP. LXX.

## JAMES II.

King's first transactions.—A parliament.—Arguments for and against a revenue for life.—Gates convicted of perjury.—Monmouth's invasion, his defeat, and execution.—Crucifixes of Burke—and of Jeffries.—State of affairs in Scotland.—Argyle's invasion, defeat, and execution.—A parliament.—French negotiations.—The dispensing power.—State of Ireland.—Breach between the king and the church.—Court of ecclesiastical commission.—Sentence against the Bishop of London.—Suspension of the penal laws.—State of Ireland.—Embassy to Rome.—Attempt on Magdalen College.—Imprisonment—trial, and acquittal of the bishops.—Birth of the Prince of Wales.

A. D. 1685.  
King's first transactions.

THE first act of James's reign was to assemble the privy council; where, after some praises bestowed on the memory of his predecessor, he made professions of his resolution to maintain the established government, both in church and state. Though he had been reported, he said, to have imbibed arbitrary principles, he knew that the laws of England were sufficient to make him as great a monarch as he could wish; and he was determined never to depart from them. And as he had heretofore ventured his life in defence of the nation, he would still go so far as any man in maintaining all its just rights and liberties.

This discourse was received with great applause, not only by the council, but by the nation. The king universally passed for a man of great sincerity and great honour; and as the current of favour ran at that time for the court, men believed that his intentions were conformable to his expressions. "We have now," it was said, "the word of a king; and a word never yet broken." Addresses came from all quarters, full of duty, nay, of the most servile adulation. Every one hastened to pay court to the new monarch;<sup>a</sup> and James had reason to think, that, notwithstanding the violent efforts made by so potent a party for his exclusion, no throne in Europe was better established than that of England.

The king, however, in the first exercise of his authority, showed, that either he was not sincere in his professions of attachment to the laws, or that he had entertained so lofty an idea of his own legal power, that even his utmost sincerity would tend very little to secure the liberties of the people. All the customs and the greater part of the excise had been settled by parliament on the late king during life, and consequently the grant was now expired; nor had the successor any right to levy these branches of revenue. But James issued a proclamation, ordering the customs and excise to be paid as before; and this exertion of power he would not deign to qualify by the least act or even appearance of condescension. It was proposed to him, that, in order to prevent the ill effects of any intermission in levying these duties, entries should be made, and bonds for the sums be taken from the merchants and brewers; but the payment be suspended till the parliament should give authority to receive it. This precaution was recommended as an expression of deference to that assembly, or rather to the laws; but for that very reason, probably, it was rejected by the king, who thought, that the Commons would thence be invited to assume more authority, and would regard the whole revenue, and consequently the whole power of the crown, as dependent on their good will and pleasure.

The king likewise went openly, and with all the ensigns of his dignity, to mass, an illegal meeting; and by this imprudence he displayed at once his arbitrary disposition, and the bigotry of his principles; those two great characteristics of his reign, and bane of his administration. He even sent Caryl as his agent to Rome, in order to make submission to the Pope, and to pave the way for a solemn readmission of England into the bosom of the catholic church. The Pope, Innocent the XIth, prudently advised the king not to be too precipitate in his measures, nor rashly attempt what repeated experience might convince him was impracticable. The Spanish ambassador, Ronquillo, deeming the tranquillity of England necessary for

the support of Spain, used the freedom to make like remonstrances. He observed to the king, how busy the priests appeared at court, and advised him not to assent with too great facility to their dangerous counsels. "Is it not the custom in Spain," said James, "for the king to consult with his confessor?" "Yes," replied the ambassador, "and it is for that very reason our affairs succeed so ill."

James gave hopes on his succession, that he would hold the balance of power more steadily than his predecessor; and that France, instead of rendering England subservient to her ambitious projects, would now meet with strong opposition from that kingdom. Besides applying himself to business with industry, he seemed jealous of national honour, and expressed great care, that no more respect should be paid to the French ambassador at London than his own received at Paris. But these appearances were not sufficiently supported, and he found himself immediately under the necessity of falling into a union with that great monarch, who, by his power as well as his zeal, seemed alone able to assist him in the projects formed for promoting the catholic religion in England.

Notwithstanding the king's prejudices, all the chief offices of the crown continued still in the hands of protestants. Rochester was treasurer; his brother Clarendon chamberlain; Godolphin chamberlain to the queen; Sunderland secretary of state; Halifax president of the council. This nobleman had stood in opposition to James during the last years of his brother's reign; and when he attempted, on the accession, to make some apology for his late measures, the king told him, that he would forget every thing past, except his behaviour during the bill of exclusion. On other occasions, however, James appeared not of so forgiving a temper. When the principal exclusionists came to pay their respects to the new sovereign, they either were not admitted, or were received very coldly, sometimes even with frowns. This conduct might suit the character, which the king so much affected, of sincerity; but by showing, that a King of England could resent the quarrels of a Duke of York, he gave his people no high idea either of his lenity or magnanimity.

On all occasions, the king was open in declaring that men must now look for a more active and more vigilant government, and that he would retain no ministers, who did not practise an unreserved obedience to his commands. We are not indeed to look for the springs of his administration so much in his council and chief officers of state, as in his own temper, and in the character of those persons with whom he secretly consulted. The queen had great influence over him; a woman of spirit, whose conduct had been popular till she arrived at that high dignity. She was much governed by the priests, especially the Jesuits; and as these were also the king's favourites, all public measures were taken originally from the suggestions of these men, and bore evident marks of their ignorance in government, and of the violence of their religious zeal.

The king, however, had another attachment, seemingly not very consistent with this devoted regard to his queen and to his priests: it was to Mrs. Sedley, whom he soon after created Countess of Dorchester, and who expected to govern him with the same authority which the Duchess of Portsmouth had possessed during the former reign. But James, who had entertained the ambition of converting his people, was told, that the regularity of his life ought to correspond to the sanctity of his intentions; and he was prevailed with to remove Mrs. Sedley from court: a resolution in which he had not the courage to persevere. Good agreement between the mistress and the confessor of princes is not commonly a difficult matter to compass; but in the present case these two potent engines of command were found very incompatible. Mrs. Sedley, who possessed all the wit and ingenuity of her father, Sir Charles, made the priests and their counsels the perpetual object of her railery; and it is not to be doubted, but they, on their part, redoubled their exhortations with their penitent to break off so criminal an attachment.

How little inclination soever the king, as well as his

<sup>a</sup> The quakers's address was esteemed somewhat singular for its plainness and simplicity. It was conceived in these terms: "We are come to testify our sorrow for the death of our good friend Charles, and our joy for thy being made our governor. We are told thou art not of the per-

suasion of the church of England, no more than we; wherefore we hope thou wilt grant us the same liberty which thou allowest thyself. Which thing, we wish thee all manner of happiness."

queen and priests, might bear to an English parliament, it was absolutely necessary, at the beginning of the reign, to summon that assembly. The low condition, to which the whigs or country-party had fallen during the last years of Charles's reign, the odium under which they laboured on account of the Rye-house conspiracy; these causes made that party meet with little success in the elections. The general resignation too of the charters had made the corporations extremely dependent; and the recommendations of the court, though little assisted, at that time, by pecuniary influence, were become very prevalent. The new

House of Commons, therefore, consisted almost entirely of zealous Tories and churchmen; and were of consequence strongly biassed by their affections, in favour of the measures of the crown.

19th May.

The discourse which the king made to the parliament was more fitted to work on their fears than their affections. He repeated indeed, and with great solemnity, the promise which he had made before the privy-council, of governing according to the laws, and preserving the established religion. But at the same time he told them, that he positively expected they would settle his revenue, and during life too, as in the time of his brother. "I might use many arguments," said he, "to enforce this demand; the benefit of trade, the support of the navy, the necessities of the crown, and the well-being of the government itself, which I must not suffer to be precarious; but I am confident, that your own consideration, and your sense of what is just and reasonable, will suggest to you whatever on this occasion might be enlarged upon. There is indeed one popular argument," added he, "which may be urged, against compliance with my demand: men may think, that by feeding me from time to time with such supplies as they think convenient, they will better secure frequent meetings of parliament: but as this is the first time I speak to you from the throne, I must plainly tell you, that such an expedient would be very improper to employ with me, and that the best way to engage me to meet you often, is always to use me well."

It was easy to interpret this language of the king. He plainly intimated, that he had resources in his prerogative for supporting the government, independent of their supplies; and that so long as they complied with his demands, he would have recourse to them; but that any ill usage on their part would set him free from those measures of government, which he seemed to regard more as voluntary than as necessary. It must be confessed, that no parliament in England was ever placed in a more critical situation, nor where more forcible arguments could be urged, either for their opposition to the court, or their compliance with it.

It was said on the one hand, that jealousy of royal power was the very basis of the English constitution, and the principle to which the nation was beholden for all that liberty which they enjoy above the subjects of other monarchies. That this jealousy, though, at different periods, it may be more or less intense, can never safely be laid asleep, even under the best and wisest princes. That the character of the present sovereign afforded cause for the highest vigilance, by reason of the arbitrary principles which he had imbibed; and still more, by reason of his religious zeal, which it is impossible for him ever to gratify, without assuming more authority than the constitution allows him. That power is to be watched in its very first encroachments; nor is any thing ever gained by timidity and submission. That every concession adds new force to usurpation; and at the same time, by discovering the dastardly dispositions of the people, inspires it with new courage and enterprise. That as arms were intrusted altogether in the hands of the prince, no check remained upon him but the dependent condition of his revenue; a security therefore which it would be the most egregious folly to abandon. That all the other barriers, which, of late years, had been erected against arbitrary power, would be found, without this capital article, to be rather pernicious and destructive. That new limitations in the constitution stimulated the monarch's inclination to surmount the laws, and required frequent meetings of parliament, in order to repair all the breaches, which either time or violence may have made

upon that complicated fabric. That recent experience during the reign of the late king, a prince who wanted neither prudence nor moderation, had sufficiently proved the solidity of all these maxims. That his parliament, having rashly fixed his revenue for life, and at the same time repealed the triennial bill, found that they themselves were no longer of importance, and that liberty, not protected by national assemblies, was exposed to every outrage and violation. And that the more openly the king made an unreasonable demand, the more obstinately ought it to be refused; since it is evident, that his purpose in making it cannot possibly be justifiable.

On the other hand it was urged, that the rule of watching the very first encroachments of power could only have place, where the opposition to it could be regular, peaceful, and legal. That though the refusal of the king's present demand might seem of this nature, yet in reality it involved consequences, which led much further than at first sight might be apprehended. That the king in his speech had intimated, that he had resources in his prerogative, which, in case of opposition from parliament, he thought himself fully entitled to employ. That if the parliament openly discovered an intention of reducing him to dependence, matters must presently be brought to a crisis, at a time the most favourable to his cause, which his most sanguine wishes could ever have promised him. That if we cast our eyes abroad, to the state of affairs on the continent, and to the situation of Scotland and Ireland; or, what is of more importance, if we consider the disposition of men's minds at home, every circumstance would be found adverse to the cause of liberty. That the country-party, during the late reign, by their violent, and in many respects unjustifiable, measures in parliament, by their desperate attempts out of parliament, had exposed their principles to general hatred, and had excited extreme jealousy in all the royalists and zealous churchmen, who now formed the bulk of the nation. That it would not be acceptable to that party to see this king worse treated than his brother in point of revenue, or any attempts made to keep the crown in dependence. That they thought parliaments as liable to abuse as courts, and desired not to see things in a situation, where the king could not, if he found it necessary, either prorogue or dissolve those assemblies. That if the present parliament, by making great concessions, could gain the king's confidence, and engage him to observe the promises now given them, every thing would by gentle methods succeed to their wishes. That if, on the contrary, after such instances of compliance, he formed any designs on the liberty and religion of the nation, he would, in the eyes of all mankind, render himself altogether inexcusable, and the whole people would join in opposition to him. That resistance could scarcely be attempted twice; and there was therefore the greater necessity for waiting till time and incidents had fully prepared the nation for it. That the king's prejudices in favour of popery, though in the main pernicious, were yet so far fortunate, that they rendered the connexion inseparable between the national religion and national liberty. And that if any illegal attempts were afterwards made, the church, which was at present the chief support of the crown, would surely catch the alarm, and would soon dispose the people to an effectual resistance.

These last reasons, enforced by the prejudices of party, prevailed in parliament; and the Commons, besides giving thanks for the king's speech, voted unanimously, that they would settle on his present majesty, during life, all the revenue enjoyed by the late king, at the time of his demise. That they might not detract from this generosity by any symptoms of distrust, they also voted unanimously, that the House entirely relied on his majesty's royal word and repeated declarations to support the religion of the church of England; but they added, that that religion was dearer to them than their lives. The speaker, in presenting the revenue bill, took care to inform the king of their vote with regard to religion; but could not, by so signal a proof of confidence, extort from him one word in favour of that religion, on which, he told his majesty, they set so high a value. Notwithstanding the grounds of suspicion which this silence afforded, the House continued in the same liberal disposition. The king having de-

Reasons for and against a revenue during life.

manded a further supply for the navy and other purposes, they revived those duties on wines and vinegar, which had once been enjoyed by the late king; and they added some impositions on tobacco and sugar. This grant amounted on the whole to about six hundred thousand pounds a year.

The House of Lords were in a humour no less compliant. They even went some lengths towards breaking in pieces all the remains of the popish plot; that once formidable engine of bigotry and faction.

*Oates convicted of perjury.* A little before the meeting of parliament, Oates had been tried for perjury on two indictments. One for deposing that he was present at a consult of Jesuits in London, the twenty-fourth of April, 1679: another for deposing that Father Ireland was in London between the eighth and twelfth of August, and in the beginning of September in the same year. Never criminal was convicted on fuller and more undoubted evidence. Two-and-twenty persons, who had been students at St. Omers, most of them men of credit and family, gave evidence, that Oates had entered into that seminary about Christmas in the year 1678, and had never been absent but one night till the month of July following. Forty-seven witnesses, persons also of untainted character, deposed, that Father Ireland, on the third of August, 1679, had gone to Staffordshire, where he resided till the middle of September; and, what some years before would have been regarded as a very material circumstance, nine of these witnesses were protestants, of the church of England. Oates's sentence was, to be fined a thousand marks on each indictment, to be whipped on two different days from Aldgate to Newgate, and from Newgate to Tyburn, to be imprisoned during life, and to be pilloried five times every year. The impudence of the man supported itself under the conviction, and his courage under the punishment. He made solemn appeals to Heaven, and protestations of the veracity of his testimony: though the whipping was so cruel that it was evidently the intention of the court to put him to death by that punishment, he was enabled, by the care of his friends, to recover: and he lived to King William's reign, when a pension of four hundred pounds a-year was settled on him. A considerable number still adhered to him in his distresses, and regarded him as the martyr of the protestant cause. The populace were affected with the sight of a punishment, more severe than is commonly inflicted in England. And the sentence of perpetual imprisonment was deemed illegal.

The conviction of Oates's perjury was taken notice of by the House of Peers. Besides freeing the popish Lords, Powis, Arundel, Bellasis, and Tyrone, together with Danby, from the former impeachment by the Commons, they went as far as to vote a reversal of Stafford's attainder, on account of the falsehood of that evidence on which he had been condemned. This bill fixed so deep a reproach on the former proceedings of the exclusionists, that it met with great opposition among the Lords; and it was at last, after one reading, dropped by the Commons. Though the reparation of injustice be the second honour which a nation can attain; the present emergence seemed very improper for granting so full a justification to the catholics, and throwing so full a stain on the protestants.

*Monmouth's invasion.* The course of parliamentary proceedings was interrupted by the news of Monmouth's arrival in the west with three ships from Holland. No sooner was this intelligence conveyed to the parliament, than they voted that they would adhere to his majesty with their lives and fortunes. They passed a bill of attainder against Monmouth; and they granted a supply of four hundred thousand pounds for suppressing his rebellion. Having thus strengthened the hands of the king, they adjourned themselves.

Monmouth, when ordered to depart the kingdom, during the late reign, had retired to Holland; and as it was well known that he still enjoyed the favour of his indulgent father, all marks of honour and distinction were bestowed upon him by the Prince of Orange. After the accession of James, the prince thought it necessary to dismiss Monmouth and all his followers; and that illustrious fugitive

retired to Brussels. Finding himself still pursued by the king's severity, he was pushed, contrary to his judgment as well as inclination, to make a rash and premature attack upon England. He saw that James had lately mounted the throne, not only without opposition, but seemingly with the good will and affections of his subjects. A parliament was sitting, which discovered the greatest disposition to comply with the king, and whose adherence, he knew, would give a sanction and authority to all public measures. The grievances of this reign were hitherto of small importance; and the people were not as yet in a disposition to remark them with great severity. All these considerations occurred to Monmouth; but such was the impatience of his followers, and such the precipitate humour of Argyle, who set out for Scotland a little before him, that no reasons could be attended to; and this unhappy man was driven upon his fate.

The imprudence, however, of this enterprise did not at first appear. Though, on his landing at Lime, in Dorsetshire, he had scarcely a hundred followers, so popular was his name, that in four days he had assembled above two thousand horse and foot. They were, indeed, almost all of them, the lowest of the people; and the declaration which he published, was chiefly calculated to suit the prejudices of the vulgar, or the most bigoted of the whig party. He called the king, Duke of York; and denominated him a traitor, a tyrant, an assassin, and a popish usurper. He imputed to him the fire of London, the murder of Godfrey and of Essex, nay the poisoning of the late king. And he invited all the people to join in opposition to his tyranny.

The Duke of Albemarle, son to him who had restored the royal family, assembled the militia of Devonshire to the number of 4000 men, and took post at Axminster, in order to oppose the rebels; but observing that his troops bore a great affection to Monmouth, he thought proper to retire. Monmouth, though he had formerly given many proofs of personal courage, had not the vigour of mind requisite for an undertaking of this nature. From an ill-grounded diffidence of his men, he neglected to attack Albemarle; an easy enterprise, by which he might both have acquired credit, and have supplied himself with arms. Lord Gray, who commanded his horse, discovered himself to be a notorious coward; yet such was the softness of Monmouth's nature, that Gray was still continued in his command. Fletcher of Saltou, a Scotchman, a man of signal probity and fine genius, had been engaged by his republican principles in this enterprise, and commanded the cavalry together with Gray: but being insulted by one who had newly joined the army, and whose horse he had in a hurry made use of, he was prompted by passion, to which he was much subject, to discharge a pistol at the man; and he killed him on the spot. This incident obliged him immediately to leave the camp; and the loss of so gallant an officer was a great prejudice to Monmouth's enterprise.

The next station of the rebels was Taunton, a disaffected town, which gladly, and even fondly, received them, and reinforced them with considerable numbers. Twenty young maids of some rank presented Monmouth with a pair of colours of their handiwork, together with a copy of the Bible. Monmouth was here persuaded to take upon him the title of king, and assert the legitimacy of his birth; a claim which he advanced in his first declaration, but whose discussion he was determined, he then said, during some time to postpone. His numbers had now increased to six thousand; and he was obliged every day, for want of arms, to dismiss a great many who crowded to his standard. He entered Bridgewater, Wells, Frome; and was proclaimed in all these places: but forgetting that such desperate enterprises can only be rendered successful by the most adventurous courage, he allowed the expectations of the people to languish, without attempting any considerable undertaking.

While Monmouth, by his imprudent and misplaced caution, was thus wasting time in the west, the king employed himself in making preparations to oppose him. Six regiments of British troops were called over from Holland: the army was considerably augmented: and regular forces, to the number of 3000 men, were despatched



under the command of Feversham and Churchill, in order to check the progress of the rebels.

Monmouth, observing that no considerable men joined him, finding that an insurrection, which was projected in the city, had not taken place, and hearing that Argyle, his confederate, was already defeated and taken, sunk into such despondency, that he had once resolved to withdraw himself, and leave his unhappy followers to their fate. His followers expressed more courage than their leader, and seemed determined to adhere to him in every fortune.

The negligent disposition, made by Feversham, invited Monmouth to attack the king's army at Sedgewood, near Bridgewater; and his men, in this action, showed what a native courage and a principle of duty, even when unassisted by discipline, is able to perform. They threw the veteran forces into disorder; drove them from their ground; continued the fight till their ammunition failed them; and would at last have obtained a victory, had not the misconduct of Monmouth and the cowardice of Gray prevented it. After a combat of three hours the rebels gave way; and were followed with great slaughter. About 1500 fell in the battle and pursuit. And thus was concluded in a few weeks this enterprise, rashly undertaken, and feebly conducted.

Monmouth fled from the field of battle above twenty miles till his horse sunk under him. He then changed clothes with a peasant in order to conceal himself. The peasant was discovered by the pursuers, who now redoubled the diligence of their search. At last, the unhappy Monmouth was found lying in the bottom of a ditch, and covered with fern: his body depressed with fatigue and hunger; his mind, by the memory of past misfortunes, by the prospect of future disasters. Human nature is unequal to such calamitous situations; much more, the temper of a man, softened by early prosperity, and accustomed to value himself solely on military bravery. He burst into tears when seized by his enemies; and he seemed still to indulge the fond hope and desire of life. Though he might have known, from the greatness of his own offences, and the severity of James's temper, that no mercy could be expected, he wrote him the most submissive letters, and conjured him to spare the issue of a brother, who had ever been so strongly attached to his interest. James, finding such symptoms of depression and despondency in the unhappy prisoner, admitted him to his presence, in hopes of extorting a discovery of his accomplices: but Monmouth would not purchase life, however loved, at the price of so much infamy. Finding all efforts vain, he assumed courage from despair, and prepared himself for death, with a spirit better suited to his rank and character. This favourite of the people was attended to the scaffold with a plentiful effusion of tears.

He warned the executioner not to fall into the error which he had committed in beheading Russel, where it had been necessary to repeat the blow. This precaution served only to dismay the executioner. He struck a feeble blow on Monmouth, who raised his head from the block, and looked him in the face, as if reproaching him for his failure. He gently laid down his head a second time; and the executioner struck him again and again to no purpose. He then threw aside the axe, and cried out that he was incapable of finishing the bloody office. The sheriff obliged him to renew the attempt; and at two blows more the head was severed from the body.

Thus perished, in the thirty-sixth year of his age, a nobleman, who, in less turbulent times, was well qualified to be an ornament of the court, even to be serviceable to his country. The favour of his prince, the caresses of faction, and the allurements of popularity, seduced him into enterprises which exceeded his capacity. The goodwill of the people still followed him in every fortune. Even after his execution, their fond credulity flattered them with hopes of seeing him once more at their head. They believed that the person executed was not Monmouth, but one who, having the fortune to resemble him nearly, was willing to give this proof of his extreme attachment, and to suffer death in his stead.

This victory, obtained by the king in the commencement of his reign, would naturally, had it been managed

with prudence, have tended much to increase his power and authority. But by reason of the cruelty with which it was prosecuted, and of the temerity with which it afterwards inspired him, it was a principal cause of his sudden ruin and downfall.

Such arbitrary principles had the court instilled into all its servants, that Feversham, immediately after the victory, hanged above twenty prisoners; and was proceeding in his executions, when the Bishop of Bath and Wells warned him, that these unhappy men were now by law entitled to a trial, and that their execution would be deemed a real murder. This remonstrance, however, did not stop the savage nature of Colonel Kirke, a soldier of fortune, who had long served at Tangiers, and had contracted, from his intercourse with the Moors, an inhumanity less known in European and in free countries. At his first entry into Bridgewater, he hanged nineteen prisoners, without the least inquiry into the merits of their cause. As if to make sport with death, he ordered a certain number to be executed, while he and his company should drink the king's health, or the queen's, or that of Chief-justice Jefferies. Observing their feet to quiver in the agonies of death, he cried, that he would give them music to their dancing, and he immediately commanded the drums to beat and the trumpets to sound. By way of experiment, he ordered one man to be hung up three times, questioning him at each interval, whether he repented of his crime: but the man obstinately asserting, that, notwithstanding the past, he still would willingly engage in the same cause, Kirke ordered him to be hung in chains. One story, commonly told of him, is memorable for the treachery, as well as barbarity, which attended it. A young maid pleaded for the life of her brother, and flung herself at Kirke's feet, armed with all the charms which beauty and innocence, bathed in tears, could bestow upon her. The tyrant was inflamed with desire, not softened into love or clemency. He promised to grant her request, provided that she, in her turn, would be equally compliant to him. The maid yielded to the conditions: but, after she had passed the night with him, the wanton savage the next morning showed her, from the window, her brother, the darling object for whom she had sacrificed her virtue, hanging on a gibbet, which he had secretly ordered to be there erected for the execution. Rage, and despair, and indignation, took possession of her mind, and deprived her for ever of her senses. All the inhabitants of that country, innocent as well as guilty, were exposed to the ravages of this barbarian. The soldiery were let loose to live at free quarters; and his own regiment, instructed by his example, and encouraged by his exhortations, distinguished themselves in a particular manner by their outrages. By way of pleasantry he used to call them *his lambs*; an appellation which was long remembered with horror in the west of England.

The violent Jefferies succeeded after some interval; and showed the people, that the rigours of law might equal, if not exceed, the ravages of military tyranny. This man, who wanted in cruelty, had already given a specimen of his character in many trials where he presided; and he now set out with a savage joy, as to a full harvest of death and destruction. He began at Dorchester; and thirty rebels being arraigned, he exhorted them, but in vain, to save him, by their free confession, the trouble of trying them; and when twenty-nine were found guilty, he ordered them, as an additional punishment of their disobedience, to be led to immediate execution. Most of the other prisoners, terrified with this example, pleaded guilty; and no less than two hundred and ninety-two received sentence at Dorchester. Of these, eighty were executed. Exeter was the next stage of his cruelty: two hundred and forty-three were there tried, of whom a great number were condemned and executed. He also opened his commission at Taunton and Wells; and every where carried consternation along with him. The juries were so struck with his menaces, that they gave their verdict with precipitation; and many innocent persons, it is said, were involved with the guilty. And on the whole, besides those who were butchered by the military commanders, two hundred and fifty-one are computed to have fallen by the hand of justice. The whole country was

strewed with the heads and limbs of traitors. Every village almost beheld the dead carcass of a wretched inhabitant. And all the rigours of justice, unabated by any appearance of clemency, were fully displayed to the people by the inhuman Jefferies.

Of all the executions, during this dismal period, the most remarkable were those of Mrs. Gaunt and Lady Lisle, who had been accused of harbouring traitors. Mrs. Gaunt was an anabaptist, noted for her beneficence, which she extended to persons of all professions and persuasions. One of the rebels, knowing her humane disposition, had recourse to her in his distress, and was concealed by her. Hearing of the proclamation, which offered an indemnity and rewards to such as discovered criminals, he betrayed his benefactress, and bore evidence against her. He received a pardon as a recompence for his treachery; she was burned alive for her charity.

Lady Lisle was widow of one of the regicides who had enjoyed great favour and authority under Cromwell, and who having fled, after the restoration, to Lauzanne in Switzerland, was there assassinated by three Irish ruffians, who hoped to make their fortune by this piece of service. His widow was now prosecuted for harbouring two rebels the day after the battle of Sedgemoor; and Jefferies pushed on the trial with an unrelenting violence. In vain did the aged prisoner plead, that these criminals had been put into no proclamation; had been convicted by no verdict; nor could any man be denominated a traitor, till the sentence of some legal court was passed upon him: that it appeared not by any proof, that she was so much as acquainted with the guilt of the persons, or had heard of their joining the rebellion of Monmouth: that though she might be obnoxious on account of her family, it was well known, that her heart was ever loyal, and that no person in England had shed more tears for that tragical event, in which her husband had unfortunately borne too great a share: and that the same principles, which she herself had ever embraced, she had carefully instilled into her son, and had, at that very time, sent him to fight against those rebels, whom she was now accused of harbouring. Though these arguments did not move Jefferies, they had influence on the jury. Twice they seemed inclined to bring in a favourable verdict: they were as often sent back with menaces and reproaches; and at last were constrained to give sentence against the prisoner. Notwithstanding all applications for pardon, the cruel sentence was executed. The king said, that he had given Jefferies a promise not to pardon her: an excuse which could serve only to aggravate the blame against himself.

It might have been hoped, that, by all these bloody executions, a rebellion, so precipitate, so ill supported, and of such short duration, would have been sufficiently expiated: but nothing could satiate the spirit of rigour which possessed the administration. Even those multitudes, who received pardon, were obliged to atone for their guilt by fines, which reduced them to beggary; or, where their former poverty made them incapable of paying, they were condemned to cruel whippings or severe imprisonments. Nor could the innocent escape the hands, no less rapacious than cruel, of the chief justice. Prideaux, a gentleman of Devonshire, being thrown into prison, and dreading the severe and arbitrary spirit, which at that time met with no control, was obliged to buy his liberty of Jefferies at the price of fifteen thousand pounds; though he could never so much as learn the crime of which he was accused.

Goodenough, the seditious under-sheriff of London, who had been engaged in the most bloody and desperate part of the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and resolved to save his own life by an accusation of Cornish, the sheriff, whom he knew to be extremely obnoxious to the court. Colonel Rumsey joined him in the accusation; and the prosecution was so hastened, that the prisoner was tried, condemned, and executed in the space of a week. The perjury of the witnesses appeared immediately after; and the king seemed to regret the execution of Cornish. He granted his estate to his family, and condemned the witnesses to perpetual imprisonment.

The injustice of this sentence against Cornish was not wanted to disgust the nation with the court: the continued rigour of the other executions had already impressed a universal hatred against the ministers of justice, attended with compassion for the unhappy sufferers, who, as they had been seduced into this crime by mistaken principles, bore their punishment with the spirit and zeal of martyrs. The people might have been willing on this occasion to distinguish between the king and his ministers: but care was taken to prove, that the latter had done nothing but what was agreeable to their master. Jefferies, on his return, was immediately, for those eminent services, created a peer; and was soon after vested with the dignity of chancellor. It is pretended, however, with some appearance of authority, that the king was displeased with these cruelties, and put a stop to them by orders, as soon as proper information of them was conveyed to him.<sup>b</sup>

We must now take a view of the state of <sup>State of affairs in Scotland.</sup> affairs in Scotland; where the fate of Argyle had been decided before that of Monmouth. Immediately after the king's accession, a parliament had been summoned at Edinburgh; and all affairs were there conducted by the Duke of Queensberry the commissioner, and the Earl of Perth chancellor. The former had resolved to make an entire surrender of the liberties of his country; but was determined still to adhere to its religion: the latter entertained no scruple of paying court even by the sacrifice of both. But no courtier, even the most prostitute, could go further than the parliament itself towards a resignation of their liberties. In a vote which they called an offer of duty, after adopting the fabulous history of a hundred and eleven Scottish monarchs, they acknowledged, that all these princes, by the primary and fundamental law of the state, had been vested with a *solid and absolute* authority. They declared their abhorrence of all principles and positions, derogatory to the king's sacred, supreme, sovereign, absolute power, of which none, they said, whether single persons, or collective bodies, can participate, but in dependence on him, and by commission from him. They promised that the whole nation, between sixteen and sixty, shall be in readiness for his majesty's service, where and as oft as it shall be his royal pleasure to require them. And they annexed the whole excise, both of inland and foreign commodities, for ever to the crown.

All the other acts of this assembly savoured of the same spirit. They declared it treason for any person to refuse the test, if tendered by the council. To defend the obligation of the covenant, subjected a person to the same penalty. To be present at any conventicle, was made punishable with death and confiscation of movables. Even such as refused to give testimony, either in cases of treason or nonconformity, were declared equally punishable as if guilty of those very crimes: an excellent prelude to all the rigours of an inquisition. It must be confessed, that nothing could equal the abject servility of the Scottish nation during this period, but the arbitrary severity of the administration.

It was in vain that Argyle summoned a <sup>Argyle's invasion;</sup> people, so lost to all sense of liberty, so degraded by repeated indignities, to rise in vindication of their violated laws and privileges. Even those who declared for him were, for the greater part, his own vassals; men who, if possible, were still more sunk in slavery than the rest of the nation. He arrived, after a prosperous voyage, in Argyleshire, attended by some fugitives from Holland; among the rest, by Sir Patrick Hume, a man of mild dispositions, who had been driven to this extremity by a continued train of oppression. The privy council was before-hand apprized of Argyle's intentions. The whole militia of the kingdom, to the number of twenty-two thousand men, were already in arms; and a third part of them, with the regular forces, were on their march to oppose him. All the considerable gentry of his clan were thrown into prison. And two ships of war were on the coast to watch his motions. Under all these discouragements he yet made a shift, partly from terror, partly from affection, to collect and arm a body of about two thousand five hundred men; but soon found himself surrounded

on all sides with insuperable difficulties. His arms and ammunition were seized; his provisions cut off: the Marquis of Athole pressed him on one side; Lord Charles

<sup>defeat,</sup> Murray on another; the Duke of Gordon hung upon his rear; the Earl of Dunbarton met him in front. His followers daily fell off from him; but Argyle, resolute to persevere, broke at last with the shattered remains of his troops into the disaffected part of the Low Countries, which he had endeavoured to allure to him by declarations for the covenant. No one showed either courage or inclination to join him; and his small and still decreasing army, after wandering about for a little time, was at last defeated and dissipated without an enemy. Argyle himself was seized and carried to Edinburgh; where, after enduring many indignities with a gallant spirit, he was publicly executed. He suffered on the former unjust sentence which had been passed upon him. The rest of his followers either escaped or were punished by transportation; Rumbold and Ayloffte, two Englishmen who had attended Argyle on this expedition, were executed.

<sup>9th Nov.</sup> The king was so elated with this continued  
<sup>A parliament.</sup> tide of prosperity, that he began to undervalue even an English parliament, at all times formidable to his family; and from his speech to that assembly, which he had assembled early in the winter, he seems to have thought himself exempted from all rules of prudence, or necessity of dissimulation. He plainly told the two Houses, that the militia, which had formerly been so much magnified, was now found, by experience in the last rebellion, to be altogether useless; and he required a new supply, in order to maintain those additional forces which he had levied. He also took notice, that he had employed a great many catholic officers, and that he had, in their favour, dispensed with the law requiring the test to be taken by every one that possessed any public office. And to cut short all opposition, he declared, that, having reaped the benefit of their service during such times of danger, he was determined, neither to expose them afterwards to disgrace, nor himself, in case of another rebellion, to the want of their assistance.

Such violent aversion did this parliament bear to opposition; so great dread had been instilled of the consequences attending any breach with the king; that it is probable, had he used his dispensing power without declaring it, no inquiries would have been made, and time might have reconciled the nation to this dangerous exercise of prerogative. But to invade at once their constitution, to threaten their religion, to establish a standing army, and even to require them, by their concurrence, to contribute towards all these measures, exceeded the bounds of their patience; and they began, for the first time, to display some small remains of English spirit and generosity. When the king's speech was taken into consideration by the Commons, many severe reflections were thrown out against the present measures; and the House was with seeming difficulty engaged to promise, in a general vote, that they would grant some supply. But instead of finishing that business, which could alone render them acceptable to the king, they proceeded to examine the dispensing power; and they voted an address to the king against it. Before this address was presented, they resumed the consideration of the supply; and as one million two hundred thousand pounds were demanded by the court, and two hundred thousand proposed by the country-party, a middle course was chosen; and seven hundred thousand, after some dispute, were at last voted. The address against the dispensing power was expressed in most respectful and submissive terms; yet it was very ill received by the king, and his answer contained a flat denial, uttered with great warmth and vehemence. The Commons were so daunted with this reply, that they kept silence a long time; and when Coke, member for Derby, rose up and said, "I hope we are all Englishmen, and not to be frightened with a few hard words;" so little spirit appeared in that assembly, often so refractory and mutinous, that they sent him to the Tower for bluntly expressing a free and generous sentiment. They adjourned, without fixing a day for the consideration of his majesty's answer; and on their next meeting, they submissively proceeded to the consideration

of the supply, and even went so far as to establish funds for paying the sum voted, in nine years and a half. The king, therefore, had in effect, almost without contest or violence, obtained a complete victory over the Commons; and that assembly, instead of guarding their liberties, now exposed to manifest peril, conferred an additional revenue on the crown; and by rendering the king in some degree independent, contributed to increase those dangers with which they had so much reason to be alarmed.

The next opposition came from the House of Peers, which has not commonly taken the lead on these occasions; and even from the bench of bishops, where the court usually expects the greatest complaisance and submission. The upper House had been brought, in the first days of the session, to give general thanks for the king's speech; by which compliment they were understood, according to the practice of that time, to have acquiesced in every part of it: yet, notwithstanding that step, Compton, Bishop of London, in his own name and that of his brethren, moved that a day should be appointed for taking the speech into consideration: he was seconded by Halifax, Nottingham, and Mordaunt. Jefferies, the chancellor, opposed the motion; and seemed inclined to use in that House the same arrogance to which on the bench he had so long been accustomed. But he was soon taught to know his place; and he proved, by his behaviour, that insolence, when checked, naturally sinks into meanness and cowardice. The Bishop of London's motion prevailed.

The king might reasonably have presumed, that, even if the Peers should so far resume courage as to make an application against his dispensing power, the same steady answer which he had given to the Commons would make them relapse into the same timidity; and he might by that means have obtained a considerable supply, without making any concessions in return. But so imperious was his temper, so lofty the idea which he had entertained of his own authority, and so violent the schemes suggested by his own bigotry and that of his priests, that, without any delay, without waiting for any further provocation, he immediately proceeded to a prorogation. He continued the parliament during a year and a half by four more prorogations; but having in vain tried, by separate applications, to break the obstinacy of the leading members, he at last dissolved that assembly. And as it was plainly impossible for him to find among his protestant subjects a set of men more devoted to royal authority, it was universally concluded, that he intended thenceforth to govern entirely without parliaments.

Never king mounted the throne of England with greater advantages than James; nay, possessed greater facility, if that were any advantage, of rendering himself and his posterity absolute: but all these fortunate circumstances tended only, by his own misconduct, to bring more sudden ruin upon him. The nation seemed disposed of themselves to resign their liberties, had he not, at the same time, made an attempt upon their religion: and he might even have succeeded in surmounting at once their liberties and religion, had he conducted his schemes with common prudence and discretion. Openly to declare to the parliament, so early in his reign, his intention to dispense with the tests, struck a universal alarm throughout the nation; infused terror into the church, which had hitherto been the chief support of monarchy; and even disgusted the army, by whose means alone he could now purpose to govern. The former horror against popery was revived by polemical books and sermons; and in every dispute the victory seemed to be gained by the protestant divines, who were heard with more favourable ears, and who managed the controversy with more learning and eloquence. But another incident happened at this time, which tended mightily to excite the animosity of the nation against the catholic communion.

Lewis XIV. having long harassed and molested the protestants, at last revoked entirely the edict of Nantz; which had been enacted by Henry IV. for securing them the free exercise of their religion; which had been declared irrevocable; and which, during the experience of near a century, had been attended with no sensible inconvenience. All the iniquities inseparable from persecution were exercised against those unhappy religionists; who became



obstinate in proportion to the oppressions which they suffered, and either covered under a feigned conversion a more violent abhorrence of the catholic communion, or sought among foreign nations for that liberty of which they were bereaved in their native country. Above half a million of the most useful and industrious subjects deserted France; and exported, together with immense sums of money, those arts and manufactures which had chiefly tended to enrich that kingdom. They propagated every where the most tragical accounts of the tyranny exercised against them, and revived among the protestants all that resentment against the bloody and persecuting spirit of popery, to which so many incidents in all ages had given too much foundation. Near fifty thousand refugees passed over into England; and all men were disposed, from their representations, to entertain the utmost horror against the projects which they apprehended to be formed by the king for the abolition of the protestant religion. When a prince of so much humanity, and of such signal prudence, as Lewis, could be engaged, by the bigotry of his religion alone, without any provocation, to embrace such sanguinary and impolitic measures, what might not be dreaded, they asked, from James, who was so much inferior in these virtues, and who had already been irritated by such obstinate and violent opposition? In vain did the king affect to throw the highest blame on the persecutions in France: in vain did he afford the most real protection and assistance to the distressed hugonots. All these symptoms of toleration were regarded as insidious; opposite to the avowed principles of his sect, and belied by the severe administration which he himself had exercised against the nonconformists in Scotland.

A. D. 1666. The smallest approach towards the introduction of popery, must, in the present disposition of the people, have afforded reason of jealousy; much more so wide a step as that of dispensing with the tests, the sole security which the nation, being disappointed of the exclusion bill, found provided against those dreaded innovations. Yet was the king resolute to persevere in his purpose; and having failed in bringing over the parliament, he made an attempt, with more success, for establishing his dispensing power, by a verdict of the judges. Sir Edward Hales, a new proselyte, had accepted a commission of colonel; and directions were given his coachman to prosecute him for the penalty of five hundred pounds, which the law, establishing the tests, had granted to informers. By this feigned action, the king hoped, both from the authority of the decision, and the reason of the thing, to put an end to all questions with regard to his dispensing power.

It could not be expected that the lawyers appointed to plead against Hales would exert great force on that occasion: but the cause was regarded with such anxiety by the public, that it has been thoroughly canvassed in several elaborate discourses;<sup>c</sup> and could men divest themselves of prejudice, there want not sufficient materials on which to form a true judgment. The claim and exercise of the dispensing power is allowed to be very ancient in England; and though it seems at first to have been copied from papal usurpations, it may plainly be traced up as high as the reign of Henry III. In the feudal governments, men were more anxious to secure their private property than to share in the public administration; and provided no innovations were attempted on their rights and possessions, the care of executing the laws, and insuring general safety, was without jealousy intrusted to the sovereign. Penal statutes were commonly intended to arm the prince with more authority for that purpose; and being in the main calculated for promoting his influence as first magistrate, there seemed no danger in allowing him to dispense with their execution, in such particular cases as might require an exception or indulgence. That practice had so much prevailed, that the parliament itself had more than once acknowledged this prerogative of the crown; particularly during the reign of Henry V. when they

enacted the law against aliens,<sup>d</sup> and also when they passed the statute of provisors.<sup>e</sup> But though the general tenor of the penal statutes was such as gave the king a superior interest in their execution beyond any of his subjects; it could not but sometimes happen, in a mixed government, that the parliament would desire to enact laws, by which the regal power, in some particulars, even where private property was not immediately concerned, might be regulated and restrained. In the twenty-third of Henry VI. a law of this kind was enacted, prohibiting any man from serving in a county as sheriff above a year; and a clause was inserted, by which the king was disabled from granting a dispensation. Plain reason might have taught, that this law, at least, should be exempted from the king's prerogative: but as the dispensing power still prevailed in other cases, it was soon able, aided by the servility of the courts of judicature, even to overpower this statute, which the legislature had evidently intended to secure against violation. In the reign of Henry VII. the case was brought to a trial before all the judges in the exchequer-chamber; and it was decreed, that, notwithstanding the strict clause above mentioned, the king might dispense with the statute: he could first, it was alleged, dispense with the prohibitory clause, and then with the statute itself. This opinion of the judges, though seemingly absurd, had ever since passed for undoubted law: the practice of continuing the sheriffs had prevailed; and most of the property in England had been fixed by decisions, which juries, returned by such sheriffs, had given in the courts of judicature. Many other dispensations of a like nature may be produced; not only such as took place by intervals, but such as were uniformly continued. Thus the law was dispensed with, which prohibited any man from going a judge of assize into his own county; that which rendered all Welchmen incapable of bearing offices in Wales; and that which required every one who received a pardon for felony, to find sureties for his good behaviour. In the second of James I. a new consultation of all the judges had been held upon a like question: this prerogative of the crown was again unanimously affirmed;<sup>f</sup> and it became an established principle in English jurisprudence, that though the king could not allow of what was morally unlawful, he could permit what was only prohibited by positive statute. Even the jealous House of Commons, who extorted the petition of right from Charles I., made no scruple, by the mouth of Glanville, their manager, to allow of the dispensing power in its full extent;<sup>g</sup> and in the famous trial of ship-money, Holborne, the popular lawyer, had freely, and in the most explicit terms, made the same concession.<sup>h</sup> Sir Edward Coke, the great oracle of English law, had not only concurred with all other lawyers in favour of this prerogative, but seems even to believe it so inherent in the crown, that an act of parliament itself could not abolish it.<sup>i</sup> And he particularly observes, that no law can impose such a disability of enjoying offices as the king may not dispense with; because the king, from the law of nature, has a right to the service of all his subjects. This particular reason, as well as all the general principles, is applicable to the question of the tests; nor can the dangerous consequence of granting dispensations in that case be ever allowed to be pleaded before a court of judicature. Every prerogative of the crown, it may be said, admits of abuse: should the king pardon all criminals, law must be totally dissolved: should he declare and continue perpetual war against all nations, inevitable ruin must ensue: yet these powers are intrusted to the sovereign, and we must be content, as our ancestors were, to depend upon his prudence and discretion in the exercise of them.

Though this reasoning seems founded on such principles as are usually admitted by lawyers, the people had entertained such violent prepossessions against the use which James here made of his prerogative, that he was obliged, before he brought on Hales's cause, to displace four of the judges, Jones, Montague, Charleton, and Nel-

<sup>c</sup> Particularly Sir Edward Herbert's Defence in the State Trials, and Sir Robert Atkyn's Inquiry concerning the Dispensing Power.

<sup>d</sup> Rot. Parl. i. Hen. V. p. xv.

<sup>e</sup> Ibid. i. Hen. V. p. xxii. It is remarkable, however, that in the reign of Richard the Second, the parliament granted the king only a temporary power of dispensing with the statute of provisors. Rot. Parl. 15 Rich.

II. n. i. A plain implication that he had not, of himself, such prerogative as uncertain were many of those points at that time.

<sup>f</sup> Sir Edward Coke's Reports, seventh Report.

<sup>g</sup> State Trials, vol. ii. first edit. p. 205. Parl. Hist. vol. viii. p. 132.

<sup>h</sup> State Trials, vol. v. first edit. p. 171.

<sup>i</sup> Sir Edward Coke's Reports, twelfth Report, p. 18.

vil; and even Sir Edward Herbert, the chief justice, though a man of acknowledged virtue, yet, because he here supported the pretensions of the crown, was exposed to great and general reproach. Men deemed a dispensing to be in effect the same with a repealing power; and they could not conceive that less authority was necessary to repeal than to enact any statute. If one penal law was dispensed with, any other might undergo the same fate: and by what principle could even the laws which define property be afterwards secured from violation? The test act had ever been conceived the great barrier of the established religion under a popish successor: as such, it had been insisted on by the parliament; as such, granted by the king; as such, during the debates with regard to the exclusion, recommended by the chancellor. By what magic, what chicanery of law, is it now annihilated, and rendered of no validity? These questions were every where asked; and men, straitened by precedents and decisions of great authority, were reduced either to question the antiquity of this prerogative itself, or to assert that even the practice of near five centuries could not bestow on it sufficient authority.<sup>k</sup> It was not considered, that the present difficulty or seeming absurdity had proceeded from late innovations introduced into the government. Ever since the beginning of this century, the parliament had, with a laudable zeal, been acquiring powers and establishing principles favourable to law and liberty: the authority of the crown had been limited in many important particulars: and penal statutes were often calculated to secure the constitution against the attempts of ministers, as well as to preserve a general peace, and repress crimes and immoralities. A prerogative, however, derived from very ancient and almost uniform practice, the dispensing power, still remained, or was supposed to remain, with the crown; sufficient in an instant to overturn this whole fabric, and to throw down all fences of the constitution. If this prerogative, which carries on the face of it such strong symptoms of an absolute authority in the prince, had yet, in ancient times, subsisted with some degree of liberty in the subject; this fact only proves, that scarcely any human government, much less one erected in rude and barbarous times, is entirely consistent and uniform in all its parts. But to expect that the dispensing power could, in any degree, be rendered compatible with those accurate and regular limitations, which had of late been established, and which the people were determined to maintain, was a vain hope; and though men knew not upon what principles they could deny that prerogative, they saw that, if they would preserve their laws and constitution, there was an absolute necessity for denying, at least for abolishing it. The revolution alone, which soon succeeded, happily put an end to all these disputes: by means of it, a more uniform edifice was at last erected: the monstrous inconsistency, so visible between the ancient Gothic parts of the fabric and the recent plans of liberty, was fully corrected: and to their mutual felicity, king and people were finally taught to know their proper boundaries.<sup>l</sup>

Whatever topics lawyers might find to defend James's dispensing power, the nation thought it dangerous, if not fatal to liberty; and his resolution of exercising it may on that account be esteemed no less alarming, than if the power had been founded on the most recent and most flagrant usurpation. It was not likely, that an authority, which had been assumed, through so many obstacles, would in his hands lie long idle and unemployed. Four catholic lords were brought into the privy-council, Powis, Arundel, Bellasis, and Dover. Halifax, finding that, notwithstanding his past merits, he possessed no real credit or authority, became refractory in his opposition; and his office of privy-seal was given to Arundel. The king was open as well as zealous, in the desire of making converts; and men plainly saw, that the only way to acquire his affection and confidence was by a sacrifice of their religion.

Sunderland, some time after, scrupled not to gain favour at this price. Rochester, the treasurer, though the king's brother-in-law, yet, because he refused to give this instance of complaisance, was turned out of his office. The treasury was put in commission, and Bellasis was placed at the head of it. All the courtiers were disgusted, even such as had little regard to religion. The dishonour, as well as distrust, attending renegades, made most men resolve, at all hazards, to adhere to their ancient faith.

In Scotland, James's zeal for proselytism was more successful. The Earls of Murray, Perth, and Melfort, were brought over to the court religion, and the two latter noblemen made use of a very courtly reason for their conversion: they pretended, that the papers found in the late king's cabinet had opened their eyes, and had convinced them of the preference due to the catholic religion. Queensberry, who showed not the same compliance, fell into total disgrace, notwithstanding his former services, and the important sacrifices which he had made to the measures of the court. These merits could not even insure him of safety against the vengeance to which he stood exposed. His rival, Perth, who had been ready to sink under his superior interest, now acquired the ascendant; and all the complaints exhibited against him were totally obliterated. His faith, according to a saying of Halifax, had made him whole.

But it was in Ireland, chiefly, that the mask was wholly taken off, and that the king thought himself at liberty to proceed to the full extent of his zeal and his violence. The Duke of Ormond was recalled; and though the primate and Lord Granard, two protestants, still possessed the authority of justices, the whole power was lodged in the hands of Talbot, the general, soon after created Earl of Tyrconnel; a man who, from the blindness of his prejudices and fury of his temper, was transported with the most immeasurable ardour for the catholic cause. After the suppression of Monmouth's rebellion, orders were given by Tyrconnel to disarm all the protestants, on pretence of securing the public peace, and keeping their arms in a few magazines, for the use of the militia. Next, the army was new-modelled; and a great number of officers were dismissed, because it was pretended that they or their fathers had served under Cromwell and the republic. The injustice was not confined to them. Near three hundred officers more were afterwards broken, though many of them had purchased their commissions: about four or five thousand private soldiers, because they were protestants, were dismissed; and being stripped even of their regimentals, were turned out to starve in the streets. While these violences were carrying on, Clarendon, who had been named lord lieutenant, came over; but he soon found, that, as he had refused to give the king the desired pledge of fidelity by changing his religion, he possessed no credit or authority. He was even, a kind of prisoner in the hands of Tyrconnel; and as he gave all opposition in his power to the precipitate measures of the catholics, he was soon after recalled, and Tyrconnel substituted in his place. The unhappy protestants now saw all the civil authority, as well as the military force, transferred into the hands of their inveterate enemies; inflamed with hereditary hatred, and stimulated by every motive, which the passion either for power, property, or religion, could inspire. Even the barbarous banditti were let loose to prey on them in their present defenceless condition. A renewal of the ancient massacre was apprehended; and great multitudes, struck with the best-grounded terror, deserted the kingdom, and infused into the English nation a dread of those violences, to which, after some time, they might justly, from the prevalence of the catholics, think themselves exposed.

All judicious persons of the catholic communion were disgusted with these violent measures, and could easily

<sup>k</sup> Sir Robert Atkins, p. 21.

<sup>l</sup> It is remarkable, that the convention, summoned by the Prince of Orange, did not, even when they had the making of their own terms in the declaration of right, venture to condemn the dispensing power in general, which had been uniformly exercised by the former kings of England. It was only condemned it so far, as it had been assumed and exercised of late, without being able to tell wherein the difference lay. But in the bill of rights, which passed about a twelvemonth after, the parliament took care to secure themselves more effectually against a branch of prerogative inco-

patible with all legal liberty and limitations; and they excluded, in positive terms, all dispensing power in the crown. Yet even then the House of Lords rejected that clause of the bill, which condemned the exercise of this power in former kings, and obliged the Commons to rest content with abolishing it for the future. There needs no other proof of the irregular nature of the old English government, than the existence of such a prerogative, always exercised and never questioned, till the acquisition of real liberty discovered, at last, the danger of it. See the Journals.

foresee the consequences. But James was entirely governed by the rash counsels of the queen and of his confessor, Father Peters, a Jesuit, whom he soon after created a privy-counsellor. He thought, too, that, as he was now in the decline of life, it was necessary for him, by hasty steps, to carry his designs into execution; lest the succession of the Princess of Orange should overturn all his projects. In vain did Arundel, Powis, and Bellasis, remonstrated, and suggest more moderate and cautious measures. These men had seen and felt, during the prosecution of the popish plot, the extreme antipathy which the nation bore to their religion; and though some subsequent incidents had seemingly allayed that spirit, they knew that the settled habits of the people were still the same, and that the smallest incident was sufficient to renew the former animosity. A very moderate indulgence, therefore, to the catholic religion, would have satisfied them; and all attempts to acquire power, much more to produce a change of the national faith, they deemed dangerous and destructive.<sup>m</sup>

On the first broaching of the popish plot, the clergy of the church of England had concurred in the prosecution of it, with the same violence and credulity as the rest of the nation: but dreading afterwards the prevalence of republican and presbyterian principles, they had been engaged to support the measures of the court; and to their assistance, chiefly, James had owed his succession to the crown. Finding that all these services were forgotten, and that the catholic religion was the king's sole favourite, the church had commenced an opposition to court measures; and popery was now acknowledged the more immediate danger. In order to prevent inflammatory sermons on this popular subject, James revived some directions to preachers, which had been promulgated by the late king, in the beginning of his reign, when no design against the national religion was yet formed, or at least apprehended. But in the present delicate and interesting situation of the church, there was little reason to expect that orders founded on no legal authority, would be rigidly obeyed by preachers, who saw no security to themselves but in preserving the confidence and regard of the people. Instead of avoiding controversy, according to the king's injunctions, the preachers every where declaimed against popery; and among the rest, Dr. Sharpe, a clergyman of London, particularly distinguished himself, and affected to throw great contempt on those who had been induced to change their religion by such pitiful arguments as the Romish missionaries could suggest. This topic, being supposed to reflect on the king, gave great offence at court; and positive orders were issued to the Bishop of London, his diocesan, immediately to suspend Sharpe, till his majesty's pleasure should be further known. The prelate replied, that he could not possibly obey these commands, and that he was not empowered, in such a summary manner, to inflict any punishment, even upon the greatest delinquent. But neither this obvious reason, nor the most dutiful submissions, both of the prelate and of Sharpe himself, could appease the court. The king was determined to proceed with violence in the prosecution of this affair. The bishop himself he resolved to punish for disobedience to his commands; and the expedient which he employed for that purpose, was of a nature at once the most illegal and most alarming.

Among all the engines of authority formerly employed by the crown, none had been more dangerous, or even destructive to liberty, than the court of high commission, which, together with the star-chamber, had been abolished in the reign of Charles I. by act of parliament; in which a clause was also inserted, prohibiting the erection, in all future times, of that court, or any of a like nature. But this law was deemed by James no obstacle; and an ecclesiastical commission was anew issued, by which seven<sup>n</sup> commissioners were vested with full and unlimited authority over the church of England. On them were bestowed the same inquisitorial powers, possessed by the former court of high commission: they might proceed upon bare suspicion;

and the better to set the law at defiance, it was expressly inserted in their patent itself, that they were to exercise their jurisdiction, notwithstanding any law or statute to the contrary. The king's design to subdue the church was now sufficiently known; and had he been able to establish the authority of this new-erected court, his success was infallible. A more sensible blow could not be given, both to national liberty and religion; and happily the contest could not be tried in a cause more iniquitous and unpopular than that against Sharpe and the Bishop of London.

The prelate was cited before the commissioners. After denying the legality of the court, and claiming the privilege of all Christian bishops to be tried by the metropolitan and his suffragans; he pleaded in his own defence, that, as he was obliged, if he had suspended Sharpe, to act in the capacity of a judge, he could not, consistent either with law or equity, pronounce sentence without a previous citation and trial: that he had by petition represented this difficulty to his majesty; and not receiving any answer, he had reason to think that his petition had given entire satisfaction: that in order to show further his deference, he had advised Sharpe to abstain from preaching, till he had justified his conduct to the king; an advice which, coming from a superior, was equivalent to a command, and had accordingly met with the proper obedience: that he had thus, in his apprehension, conformed himself to his majesty's pleasure, but if he should still be found wanting to his duty in any particular, he was now willing to crave pardon, and to make reparation. All this submission, both in Sharpe and the prelate, had no effect: it was determined to have an example: the Bishop of London. Orders were accordingly sent to the commissioners to proceed: and by a majority of votes the bishop, as well as the doctor, was suspended.

Almost the whole of this short reign consists of attempts always imprudent, often illegal, sometimes both, against whatever was most loved and revered by the nation: even such schemes of the king's as might be laudable in themselves, were so disgraced by his intentions, that they serve only to aggravate the charge against him. James was become a great patron of toleration, and an enemy to all those persecuting laws which, from the influence of the church, had been enacted both against the dissenters and catholics. Not content with granting dispensations to particular persons, he assumed a power of issuing a declaration of general indulgence, and of suspending at once all the penal statutes, by which a conformity was required to the established religion. This was a strain of authority, it must be confessed, quite inconsistent with law and a limited constitution; yet was it supported by many strong precedents in the history of England. Even after the principles of liberty were become more prevalent, and began to be well understood, the late king had, oftener than once, and without giving much umbrage, exerted this dangerous power: he had, in 1662, suspended the execution of a law which regulated carriages: during the two Dutch wars, he had twice suspended the act of navigation: and the Commons, in 1666, being resolved, contrary to the king's judgment, to enact that iniquitous law against the importation of Irish cattle, found it necessary, in order to obviate the exercise of this prerogative, which they desired not at that time entirely to deny or abrogate, to call that importation a nuisance.

Though the former authority of the sovereign was great in civil affairs, it was still greater in ecclesiastical; and the whole despotic power of the popes was often believed, in virtue of the supremacy, to have devolved to the crown. The last parliament of Charles I., by abolishing the power of the king and convocation to frame canons without consent of parliament, had somewhat diminished the supposed extent of the supremacy; but still very considerable remains of it, at least very important claims, were preserved, and were occasionally made use of by the sovereign. In 1662, Charles, pleading both the rights of his supremacy and his suspending power, had granted a general indulgence or toleration; and in 1672 he renewed the same edict: though the remonstrances

breach betwixt the king and the church.

Sentence against the Bishop of London.

Penal laws suspended.

Court of ecclesiastical commission.

<sup>m</sup> D'Avaux, 10th January, 1687.  
<sup>n</sup> The persons named were the Archbishop of Canterbury, Sarroft; the Bishop of Durham, Crew; of Rochester, Spait; the Earl of Rochester,

Sunderland, Chancellor Jefferies, and Lord Chief Justice Herbert. The Archbishop refused to act, and the Bishop of Chester was substituted in his place.



of his parliament obliged him on both occasions to retract; and in the last instance, the triumph of law over prerogative was deemed very great and memorable. In general we may remark, that where the exercise of the suspending power was agreeable and useful, the power itself was little questioned: where the exercise was thought liable to exceptions, men not only opposed it, but proceeded to deny altogether the legality of the prerogative on which it was founded.

James, more imprudent and arbitrary than his predecessor, issued his proclamation, suspending all the penal laws in ecclesiastical affairs, and granting a general liberty of conscience to all his subjects. He was not deterred by the reflection, both that this scheme of indulgence was already blasted by two fruitless attempts; and that in such a government as that of England, it was not sufficient that a prerogative be approved of by some lawyers and antiquaries: if it was condemned by the general voice of the nation, and yet was still exerted, the victory over national liberty was no less signal than if obtained by the most flagrant injustice and usurpation. These two considerations, indeed, would rather serve to recommend this project to James; who deemed himself superior in vigour and activity to his brother, and who probably thought that his people enjoyed no liberties, but by his royal concession and indulgence.

In order to procure a better reception for his edict of toleration, the king, finding himself opposed by the church, began to pay court to the dissenters; and he imagined that, by playing one party against another, he should easily obtain the victory over both; a refined policy which it much exceeded his capacity to conduct. His intentions were so obvious, that it was impossible for him ever to gain the sincere confidence and regard of the nonconformists. They knew that the genius of their religion was diametrically opposite to that of the catholics, the sole object of the king's affection. They were sensible, that both the violence of his temper, and the maxims of his religion, were repugnant to the principles of toleration. They had seen that, on his accession, as well as during his brother's reign, he had courted the church at their expense; and it was not till his dangerous schemes were rejected by the prelates, that he had recourse to the nonconformists. All his favours, therefore, must, to every man of judgment among the sectaries, have appeared insidious: yet such was the pleasure reaped from present ease, such the animosity of the dissenters against the church, who had so long subjected them to the rigours of persecution, that they every where expressed the most entire duty to the king, and compliance with his measures; and could not forbear rejoicing extremely in the present depression of their adversaries.

But had the dissenters been ever so much inclined to shut their eyes with regard to the king's intentions, the manner of conducting his scheme in Scotland was sufficient to discover the secret. The king first applied to the Scottish parliament, and desired an indulgence for the catholics alone, without comprehending the presbyterians: but that assembly, though more disposed than even the parliament of England, to sacrifice their civil liberties, resolved likewise to adhere pertinaciously to their religion; and they rejected, for the first time, the king's application. James therefore found himself obliged to exert his prerogative; and he now thought it prudent to interest a party among his subjects, besides the catholics, in supporting this act of authority. To the surprise of the harassed and persecuted presbyterians, they heard the principles of toleration every where extolled, and found that full permission was granted to attend conventicles; an offence, which, even during this reign, had been declared no less than a capital enormity. The king's declaration, however, of indulgence, contained clauses sufficient to depress their joy. As if popery were already predominant, he declared, "that he never would use force or *invincible necessity* against any man on account of his persuasion of the protestant religion:" a promise surely of toleration given to the protestants with great precaution, and admitting a considerable latitude for persecution and violence. It is likewise remarkable, that the king declared in express terms, "that he had thought fit, by his sovereign authority,

prerogative royal, and *absolute* power, which all his subjects were to obey *without reserve*, to grant this royal toleration." The dangerous designs of other princes are to be collected by a comparison of their several actions, or by a discovery of their more secret counsels: but so blinded was James with zeal, so transported by his imperious temper, that even his proclamations and public edicts contain expressions which, without further inquiry, may suffice to his condemnation.

The English well knew, that the king, by the constitution of their government, thought himself entitled, as indeed he was, to as ample authority in his southern, as in his northern kingdom; and therefore, though the declaration of indulgence published for England was more cautiously expressed, they could not but be alarmed by the arbitrary treatment to which their neighbours were exposed. It is even remarkable, that the English declaration contained clauses of a strange import. The king there promised, that he would maintain his loving subjects in all their properties and possessions, as well of church and abbey lands as of any other. Men thought, that if the full establishment of popery were not at hand, this promise was quite superfluous; and they concluded, that the king was so replete with joy on the prospect of that glorious event, that he could not, even for a moment, refrain from expressing it.

But what afforded the most alarming prospect, was the continuance and even increase of the violent and precipitate conduct of affairs in Ireland. Tyrconnel was now vested with full authority; and carried over with him as chancellor one Fitton, a man who was taken from a jail, and who had been convicted of forgery and other crimes, but who compensated for all his enormities by a headlong zeal for the catholic religion. He was even heard to say from the bench, that the protestants were all rogues, and that there was not one among forty thousand that was not a traitor, a rebel, and a villain. The whole strain of the administration was suitable to such sentiments. The catholics were put in possession of the council-table, of the courts of judicature, and of the bench of justices. In order to make them masters of the parliament, the same violence was exercised that had been practised in England. The charters of Dublin and of all the corporations were annulled; and new charters were granted, subjecting the corporations to the will of the sovereign. The protestant freemen were expelled, catholics introduced; and the latter set, as they always were the majority in number, were now invested with the whole power of the kingdom. The act of settlement was the only obstacle to their enjoying the whole property; and Tyrconnel had formed a scheme for calling a parliament, in order to reverse that act, and empower the king to bestow all the lands of Ireland on his catholic subjects. But in this scheme he met with opposition from the moderate catholics in the king's council. Lord Bellasis went even so far as to affirm with an oath, "that that fellow in Ireland was fool and madman enough to ruin ten kingdoms." The decay of trade, from the desertion of the protestants, was represented; the sinking of the revenue; the alarm communicated to England: and by these considerations the king's resolutions were for some time suspended; though it was easy to foresee, from the usual tenor of his conduct, which side would at last preponderate.

But the king was not content with discovering in his own kingdom the imprudence of his conduct: it was resolved, that all Europe should be witness of it. He publicly sent the Earl of Castlemaine ambassador extraordinary to Rome, in order to express his obeisance to the Pope, and to make advances for reconciling his kingdoms, in form, to the catholic communion. Never man, who came on so important an errand, met with so many neglects, and even affronts, as Castlemaine. The pontiff, instead of being pleased with this forward step, concluded that a scheme, conducted with so much indiscretion, could never possibly be successful. And as he was engaged in a violent quarrel with the French monarch, a quarrel which interested him more nearly than the conversion of England, he bore little regard to James, whom he believed too closely connected with his capital enemy.

State of Ireland.

Embassy to Rome.

The only proof of complaisance which James received from the pontiff, was his sending a nuncio to England, in return for the embassy. By act of parliament any communication with the Pope was made treason: yet so little regard did the king pay to the laws, that he gave the nuncio a public and solemn reception at Windsor. The Duke of Somerset, one of the bed-chamber, because he refused to assist at this ceremony, was dismissed from his employment. The nuncio resided openly in London during the rest of this reign. Four catholic bishops were publicly consecrated in the king's chapel, and sent out, under the title of vicars apostolical, to exercise the episcopal function in their respective dioceses. Their pastoral letters, directed to the lay catholics of England, were printed and dispersed by the express allowance and permission of the king. The regular clergy of that communion appeared at court in the habits of their order; and some of them were so indiscreet as to boast, that, in a little time, they hoped to walk in procession through the capital.

While the king shocked in the most open manner all the principles and prejudices of his protestant subjects, he could not sometimes but be sensible, that he stood in need of their assistance for the execution of his designs. He had himself, by virtue of his prerogative, suspended the penal laws, and dispensed with the test; but he would gladly have obtained the sanction of parliament to these acts of power; and he knew that, without this authority, his edicts alone would never afford a durable security to the catholics. He had employed, therefore, with the members of parliament many private conferences, which were then called *closetings*; and he used every expedient of reasons, menaces, and promises, to break their obstinacy in this particular. Finding all his efforts fruitless, he had dissolved the parliament, and was determined to call a new one, from which he expected more complaisance and submission. By the practice of annulling the charters, the king was become master of all the corporations, and could at pleasure change every where the whole magistracy. The church party, therefore, by whom the crown had been hitherto so remarkably supported, and to whom the king visibly owed his safety from all the efforts of his enemies, was deprived of authority; and the dissenters, those very enemies, were, first in London, and afterwards in every other corporation, substituted in their place. Not content with this violent and dangerous innovation, the king appointed certain regulators to examine the qualifications of electors; and directions were given them to exclude all such as adhered to the test and penal statutes.<sup>a</sup> Queries to this purpose were openly proposed in all places, in order to try the sentiments of men, and enable the king to judge of the proceedings of the future parliament. The power of the crown was at this time so great; and the revenue, managed by James's frugality, so considerable and independent; that, if he had embraced any national party, he had been insured of success, and might have carried his authority to what length he pleased. But the catholics, to whom he had entirely devoted himself, were scarcely the hundredth part of the people. Even the protestant non-conformists, whom he so much courted, were little more than the twentieth; and what was worse, reposed no confidence in the unnatural alliance contracted with the catholics, and in the principles of toleration, which, contrary to their usual practice in all ages, seemed at present to be adopted by that sect. The king, therefore, finding little hopes of success, delayed the summoning of a parliament, and proceeded still in the exercise of his illegal and arbitrary authority.

The whole power in Ireland had been committed to catholics. In Scotland, all the ministers whom the king chiefly trusted were converts to that religion. Every great office in England, civil and military, was gradually transferred from the protestants. Rochester and Clarendon, the king's brothers-in-law, though they had ever been faithful to his interests, could not, by all their services, atone for their adherence to the national religion; and had been dismissed from their employments. The violent Jefferies himself, though he had sacrificed justice and humanity to

the court; yet, because he refused also to give up his religion, was declining in favour and interest. Nothing now remained but to open the door in the church and universities to the intrusion of the catholics. It was not long before the king made this rash effort: and by constraining the prelacy and established church to seek protection in the principles of liberty, he at last left himself entirely without friends and adherents.

Father Francis, a Benedictine, was recommended by the king's mandate to the university of Cambridge for the degree of master of arts; and as it was usual for the university to confer that degree on persons eminent for learning, without regard to their religion; and as they had even admitted lately the secretary to the ambassador of Morocco; the king on that account thought himself the better entitled to complaisance. But the university considered, that there was a great difference between a compliment bestowed on foreigners, and degrees which gave a title to vote in all the elections and statutes of the university, and which, if conferred on the catholics, would infallibly in time render that sect entirely superior. They therefore refused to obey the king's mandate, and were cited to appear before the court of ecclesiastical commission. The vice-chancellor was suspended by that court; but as the university chose a man of spirit to succeed him, the king thought proper for the present to drop his pretensions.

The attempt upon the university of Oxford <sup>Attempt upon Magdalen college.</sup> was prosecuted with more inflexible obstinacy, and was attended with more important consequences. This university had lately, in their famous decree, made a solemn profession of passive obedience; and the court probably expected that they would show their sincerity, when their turn came to practise that doctrine; which, though, if carried to the utmost extent, it be contrary both to reason and to nature, is apt to meet with the more effectual opposition from the latter principle. The president of Magdalen college, one of the richest foundations in Europe, dying about this time, a mandate was sent in favour of Farmer, a new convert, but one who, besides his being a catholic, had not, in other respects, the qualifications required by the statutes for enjoying that office. The fellows of the college made submissive applications to the king for recalling his mandate; but before they received an answer, the day came, on which, by their statutes, they were obliged to proceed to an election. They chose Dr. Hough, a man of virtue, as well as of the firmness and vigour requisite for maintaining his own rights and those of the university. In order to punish the college for this contumacy, as it was called, an inferior ecclesiastical commission was sent down, and the new president and the fellows were cited before it. So little regard had been paid to any consideration besides religion, that Farmer, on inquiry, was found guilty of the lowest and most scandalous vices; inasmuch that even the ecclesiastical commissioners were ashamed to insist on his election. A new mandate, therefore, was issued in favour of Parker, lately created Bishop of Oxford, a man of a prostitute character, but who, like Farmer, atoned for all his vices by his avowed willingness to embrace the catholic religion. The college represented, that all presidents had ever been appointed by election, and there were few instances of the king's interposing by his recommendation in favour of any candidate; that having already made a regular election of a president, they could not deprive him of his office, and, during his life-time, substitute any other in his place; that, even if there were a vacancy, Parker, by the statutes of their founder, could not be chosen; that they had all of them bound themselves by oath to observe these statutes, and never on any account to accept of a dispensation; and that the college had at all times so much distinguished itself by its loyalty, that nothing but the most invincible necessity could now oblige them to oppose his majesty's inclinations. All these reasons availed them nothing. The president and all the fellows, except two who complied, were expelled the college; and Parker was put in possession of the office.

<sup>a</sup> The elections in some places, particularly in York, were transferred from the people to the magistrates, who, by the new charter, were all named by the crown. Sir John Ferebee's *Memoirs*, p. 672. This was in

reality nothing different from the king's naming the members. The same act of authority had been employed in all the boroughs of Scotland.





main in a sullen and refractory silence: that it was no breach of duty in subjects, even though not called upon, to discover their sense of public measures, in which every one had so intimate a concern: that the bishops in the present case were called upon, and must either express their approbation by compliance, or their disapprobation by petition: that it could be no sedition to deny the prerogative of suspending the laws; because there really was no such prerogative, nor even could be, in a legal and limited government: that even if this prerogative were real, it had yet been frequently controverted before the whole nation, both in Westminster-hall, and in both Houses of parliament; and no one had ever dreamed of punishing the denial of it as criminal: that the prelates, instead of making an appeal to the people, had applied in private to his majesty, and had even delivered their petition so secretly, that, except by the confession extorted from them before the council, it was found impossible to prove them the authors: and that though the petition was afterwards printed and dispersed, it was not so much as attempted to be proved that they had the least knowledge of the publication.

These arguments were convincing in themselves, and were heard with a favourable disposition by the audience. Even some of the judges, though their seats were held during pleasure, declared themselves in favour of the prisoners. The jury, however, from what cause is unknown, took several hours to deliberate, and kept, during so long a time, the people in the most anxious expectation. But

when the wished-for verdict, *not guilty*, was at last pronounced, the intelligence was echoed through the hall, was conveyed to the crowds without, was carried into the city, and was propagated with infinite joy throughout the kingdom.

Ever since Monmouth's rebellion, the king had, every summer, encamped his army on Hounslow heath, that he might both improve their discipline, and by so unusual a spectacle overawe the mutinous people. A popish chapel was openly erected in the midst of the camp, and great pains were taken, though in vain, to bring over the soldiers to that communion. The few converts, whom the priests had made, were treated with such contempt and ignominy, as deterred every one from following the example. Even the Irish soldiers, whom the king introduced into the army, served rather, from the aversion borne them, to weaken his interest among them. It happened, that the very day on which the trial of the bishops was finished, James had reviewed the troops, and had retired into the tent of Lord Feversham, the general; when he was surprised to hear a great uproar in the camp, attended with the most extravagant symptoms of tumultuary joy. He suddenly inquired the cause, and was told by Feversham, "It was nothing but the rejoicing of the soldiers for the acquittal of the bishops." "Do you call that nothing?" replied he; "but so much the worse for them."

The king was still determined to rush forward in the same course, in which he was already, by his precipitate career, so fatally advanced. Though he knew that every order of men, except a handful of catholics, were enraged at his past measures, and still more terrified with the future prospect; though he saw that the same discontents had reached the army, his sole resource during the general disaffection; yet he was incapable of changing his measures, or even remitting his violence in the prosecution of them. He struck out two of the judges, Powel and Holloway, who had appeared to favour the bishops: he issued orders to prosecute all those clergymen who had not read his declaration; that is, the whole church of England, two hundred excepted: he sent a mandate to the new fellows, whom he had obtruded on Magdalen college, to elect for president in the room of Parker, lately deceased, one Gifford, a doctor of the Sorbonne, and titular bishop of Madura; and he is even said to have nominated the same person to the see of Oxford. So great an infatuation is perhaps an object of compassion rather than of anger: and is really surprising in a man who, in other respects, was not wholly deficient in sense and accomplishments.

A few days before the acquittal of the bishops, an event

happened, which, in the king's sentiments, much overbalanced all the mortifications received on that occasion. The queen was delivered of a son, who was <sup>10th June.</sup> baptized by the name of James. This blessing <sup>Birth of the Prince of Wales,</sup> was impatiently longed for, not only by the king and queen, but by all the zealous catholics both abroad and at home. They saw, that the king was passed middle age; and that on his death the succession must devolve to the Prince and Princess of Orange, two zealous protestants, who would soon replace every thing on ancient foundations. Vows, therefore, were offered at every shrine for a male successor: pilgrimages were undertaken, particularly one to Loretto, by the Duchess of Modena; and success was chiefly attributed to that pious journey. But in proportion as this event was agreeable to the catholics, it increased the disgust of the protestants, by depriving them of that pleasing, though somewhat distant, prospect in which at present they flattered themselves. Calumny even went so far as to ascribe to the king the design of imposing on the world a supposititious child, who might be educated in his principles, and after his death support the catholic religion in his dominions. The nation almost universally believed him capable, from bigotry, of committing any crime; as they had seen, that, from like motives, he was guilty of every imprudence: and the affections of nature, they thought, would be easily sacrificed to the superior motive of propagating a catholic and orthodox faith. The present occasion was not the first, when that calumny had been invented. In the year 1682, the queen, then Duchess of York, had been pregnant; and rumours were spread that an imposture would at that time be obtruded upon the nation: but, happily, the infant proved a female, and thereby spared the party all the trouble of supporting their improbable fiction.<sup>f</sup>

## CHAP. LXXI.

Conduct of the Prince of Orange—he forms a league against France—refuses to concur with the king—resolves to oppose the king—is applied to by the English—Coalition of parties—Prince's preparations—Offers of France to the king—rejected—Supposed league with France—General discontents—The king retracts his measures—Prince's declaration—The prince lands in England—General commotion—Desertion of the army—and of Prince George—and of the Princess Anne—King's consternation—and flight—General confusion—King seized at Everham—Second escape—King's character—Convention summoned—Settlement of Scotland—English convention meets—Views of the parties—Free conference between the Houses—Commons prevail—Settlement of the crown—Manners and sciences.

WHILE every motive, civil and religious, A. D. 1688. concurred to alienate from the king every rank and denomination of men, it might be expected that his throne would, without delay, fall to pieces by its own weight: but such is the influence of established government; so averse are men from beginning hazardous enterprises; that, had not an attack been made from abroad, affairs might long have remained in their present delicate situation, and James might at last have prevailed in his rash and ill-concerted projects.

The Prince of Orange, ever since his marriage with the Lady Mary, had maintained a <sup>Conduct of the Prince of Orange.</sup> very prudent conduct; agreeably to that sound understanding with which he was so eminently endowed. He made it a maxim to concern himself little in English affairs, and never by any measure to disgust any of the factions, or give umbrage to the prince who filled the throne. His natural inclination, as well as his interest, led him to employ himself with assiduous industry in the transactions on the continent, and to oppose the grandeur of the French monarch, against whom he had long, both from personal and political considerations, conceived a violent animosity. By this conduct, he gratified the prejudices of the whole English nation: but as he crossed the inclinations of Charles, who sought peace by compliance with France, he had much declined in the favour and affections of that monarch.

James on his accession found it so much his interest to live on good terms with the heir apparent, that he showed

<sup>f</sup> This story is taken notice of in a weekly paper, the Observer, published at that very time, 21d of August 1682. Party zeal is capable of such

lowing the most incredible story: but it is surely singular, that the same calumny, when once baffled, should yet be renewed with such success.

the prince some demonstrations of friendship; and the prince, on his part, was not wanting in every instance of duty and regard towards the king. On Monmouth's invasion he immediately despatched over six regiments of British troops, which were in the Dutch service; and he offered to take the command of the king's forces against the rebels. How little could he might approve of James's administration, he always kept a total silence on the subject, and gave no countenance to those discontents which were propagated with such industry throughout the nation.

It was from the application of James himself, that the prince first openly took any part in English affairs. Notwithstanding the lofty ideas which the king had entertained of his prerogative, he found that the odium emitted from it still wanted much of the authority of laws, and that the continuance of them might in the issue become dangerous, both to himself and to the catholics, whom he desired to favour. An act of parliament alone could insure the indulgence or toleration which he had laboured to establish; and he hoped that, if the prince would declare in favour of that scheme, the members, who had hitherto resisted all his own applications, would at last be prevailed with to adopt it. The consent, therefore, of the prince to the repeal of the penal statutes and of the test was strongly solicited by the king; and in order to engage him to agree to that measure, hopes were given,\* that England would second him in all those enterprises which his active and extensive genius had with such success planned on the continent. He was at this time the centre of all the negotiations of Christendom.

The emperor and the King of Spain, as the prince well knew, were enraged by the repeated injuries which they had suffered from the ambition of Lewis, and still more by the frequent insults which his pride had made them undergo. He was apprized of the influence of these monarchs over the catholic princes of the empire; he had himself acquired great authority with the protestant; and he formed a project of uniting Europe in one general league against the encroachments of France, which seemed so nearly to threaten the independence of all its neighbours.

No characters are more incompatible than those of a conqueror and a persecutor; and Lewis soon found, that besides his weakening France by the banishment of so many useful subjects, the refugees had inflamed all the protestant nations against him, and had raised him enemies, who, in defence of their religion as well as liberty, were obstinately resolved to oppose his progress. The city of Amsterdam and other towns in Holland, which had before fallen into dependence on France, being terrified with the accounts which they every moment received of the furious persecutions against the hugonots, had now dropped all domestic faction, and had entered into an entire confidence with the Prince of Orange.<sup>b</sup> The protestant princes of the empire formed a separate league at Magdebourg for the defence of their religion. The English were anew enraged at the blind bigotry of their sovereign, and were disposed to embrace the most desperate resolutions against him. From a view of the state of Europe during this period, it appears, that Lewis, besides sullyng an illustrious reign, had wantonly by this persecution raised invincible barriers to his arms, which otherwise it had been difficult, if not impossible, to resist.

The Prince of Orange knew how to avail himself of all these advantages. By his intrigues and influence there was formed at Augsburg a league, in which the whole empire united for its defence against the French monarch. Spain and Holland became parties in the alliance. The accession of Savoy was afterwards obtained. Sweden and Denmark seemed to favour the same cause. But though these numerous states composed the greatest part of Europe, the league was still deemed imperfect and unequal to its end, so long as England maintained that neutrality, in which she had hitherto persevered.

James, though more prone to bigotry, was more sensible to his own and to national honour than his brother; and had he not been restrained by the former motive, he would have maintained with more spirit the interests and

independence of his kingdoms. When a prospect, therefore, appeared of effecting his religious schemes by opposing the progress of France, he was not averse to that measure; and he gave his son-in-law room to hope, that by concurring with his views in England, he might prevail with him to second those projects which the prince was so ambitious of promoting.

A more tempting offer could not be made. Refuses to con-  
to a person of his enterprising character: but cur with the  
the objections to that measure, upon deliber-  
ation, appeared to him insurmountable. The king, he observed, had incurred the hatred of his own subjects: great apprehensions were entertained of his designs: the only resource which the nation saw, was in the future succession of the prince and princess: should he concur in those dreaded measures, he would draw on himself all the odium under which the king laboured: the nation might even refuse to bear the expense of alliances, which would in that case become so suspicious: and he might himself incur the danger of losing a succession which was awaiting him, and which the egregious indiscretion of the king seemed even to give him hopes of reaping, before it should devolve to him by the course of nature. The prince, therefore, would go no further than to promise his consent to the repeal of the penal statutes, by which the non-conformists as well as catholics were exposed to punishment: the test he deemed a security absolutely necessary for the established religion.

The king did not remain satisfied with a single trial. There was one Stuart, a Scotch lawyer, who had been banished for pretended treasonable practices; but who had afterwards obtained a pardon, and had been recalled. By the king's directions, Stuart wrote several letters to pensionary Fagel, with whom he had contracted an acquaintance in Holland; and besides urging all the motives for an unlimited toleration, he desired that his reasons should, in the king's name, be communicated to the Prince and Princess of Orange. Fagel during a long time made no reply; but finding that his silence was construed into assent, he at last expressed his own sentiments and those of their highnesses. He said, that it was their fixed opinion, that no man, merely because he differed from the established faith, should ever, while he remained a peaceable subject, be exposed to any punishment or even vexation. That the prince and princess gave heartily their consent for repealing legally all the penal statutes, as well those which had been enacted against the catholics as against the protestant nonconformists; and would concur with the king in any measure for that purpose. That the test was not to be considered as a penalty inflicted on the professors of any religion, but as a security provided for the established worship. That it was no punishment on men to be excluded from public offices, and to live peaceably on their own revenues or industry. That even in the United Provinces, which were so often cited as models of toleration, though all sects were admitted, yet civil offices were enjoyed by the professors of the established religion alone. The military commands, indeed, were sometimes bestowed on catholics; but as they were conferred with great precaution, and still lay under the control of the magistrate, they could give no just reason for umbrage. And that their highnesses, however desirous of gratifying the king, and of endeavouring, by every means, to render his reign peaceable and happy, could not agree to any measure which would expose their religion to such imminent danger.

When this letter was published, as it soon was, it inspired great courage into the protestants of all denominations, and served to keep them united in their opposition to the encroachments of the catholics. On the other hand, the king, who was not content with a simple toleration for his own religion, but was resolved that it should enjoy great credit, if not an absolute superiority, was extremely disgusted, and took every occasion to express his displeasure, as well against the Prince of Orange as the United Provinces. He gave the Algerine pirates, who preyed on the Dutch, a reception in his harbours, and liberty to dispose of their prizes. He revived some com-

\* *France's* vol. i. p. 741. *DE Vaux*, 150. *et* *Alibi*, 1688.

<sup>b</sup> *DE Vaux*, 20th of July, 1680. 20th of June, 15th of October, 13th of November, 1662, vol. i. p. 35.

plants of the East India company with regard to the affair of Bantam. He required the six British regiments in the Dutch service to be sent over. He began to put his navy in a formidable condition. And from all his movements, the Hollanders entertained apprehensions, that he sought only an occasion and pretence for making war upon them.

Resolves to oppose the king. The prince in his turn resolved to push affairs with more vigour, and to preserve all the English protestants in his interests, as well as maintain them firm in their present union against the catholics. He knew that men of education in England were, many of them, retained in their religion more by honour than by principle;<sup>a</sup> and that, though every one was ashamed to be the first proselyte, yet if the example were once set by some eminent persons, interest would every day make considerable conversions to a communion which was so zealously encouraged by the sovereign. Dykvelt therefore was sent over as envoy to England; and the prince gave him instructions, besides publicly remonstrating on the conduct of affairs both at home and abroad, to apply in his name, after a proper manner, to every sect and denomination. To the church party, he sent assurances of favour and regard, and protested, that his education in Holland had nowise prejudiced him against episcopal government. The nonconformists were exhorted not to be deceived by the fallacious caresses of a popish court, but to wait patiently till, in the fulness of time, laws, enacted by protestants, should give them that toleration which, with so much reason, they had long demanded. Dykvelt executed his commission with such dexterity, that all orders of men cast their eyes towards Holland, and expected thence a deliverance from those dangers with which their religion and liberty were so nearly threatened.

Is applied to by the English. Many of the most considerable persons, both in church and state, made secret applications to Dykvelt, and through him to the Prince of Orange. Admiral Herbert too, though a man of great expense, and seemingly of little religion, had thrown up his employments, and had retired to the Hague, where he assured the prince of the disaffection of the seamen, by whom that admiral was extremely beloved. Admiral Russel, cousin-german to the unfortunate lord of that name, passed frequently between England and Holland, and kept the communication open with all the great men of the protestant party. Henry Sidney, brother to Algernon, and uncle to the Earl of Sunderland, came over under pretence of drinking the waters at Spaw, and conveyed still stronger assurances of a universal combination against the measures of the king. Lord Dumbaine, son of the Earl of Danby, being master of a frigate, made several voyages to Holland, and carried from many of the nobility tenders of duty, and even considerable sums of money,<sup>b</sup> to the Prince of Orange.

There remained, however, some reasons, which retained all parties in awe, and kept them from breaking out into immediate hostility. The prince, on the one hand, was afraid of hazarding by violent measures, an inheritance which the laws insured to the princess; and the English protestants, on the other, from the prospect of her succession, still entertained hopes of obtaining at last a peaceable and a safe redress of all their grievances. But when a son was born to the king, both the prince and the English nation were reduced to despair, and saw no resource but in a confederacy for their mutual interests. And thus the event, which James had so long made the object of his most ardent prayers, and from which he expected the firm establishment of his throne, proved the immediate cause of his ruin and downfall.

Zuytlestein, who had been sent over to congratulate the king on the birth of his son, brought back to the prince invitations from most of the great men in England, to assist them, by his arms, in the recovery of their laws and liberties. The Bishop of London, the Earls of Danby, Nottingham, Devonshire, Dorset, the Duke of Norfolk, the Lords Lovelace, Delamere, Paulet, Eland, Mr. Hambden, Powle, Lester, besides many eminent citizens of

London; all these persons, though of opposite parties, concurred in their applications to the prince. The whigs, suitably to their ancient principles of liberty, <sup>Coalition of parties.</sup> which had led them to attempt the exclusion bill, easily agreed to oppose a king whose conduct had justified whatever his worst enemies had prognosticated concerning his succession. The Tories and the church party, finding their past services forgotten, their rights invaded, their religion threatened, agreed to drop for the present all over-strained doctrines of submission, and attend to the great and powerful dictates of nature. The nonconformists, deeming the caresses of known and inveterate enemies, deemed the offers of toleration more secure from a prince, educated in those principles, and accustomed to that practice. And thus all faction was for a time laid asleep in England; and rival parties, forgetting their animosity, had secretly concurred in a design of resisting their unhappy and misguided sovereign. The Earl of Shrewsbury, who had acquired great popularity by deserting, at this time, the catholic religion, in which he had been educated, left his regiment, mortgaged his estate for forty thousand pounds, and made a tender of his sword and purse to the Prince of Orange. Lord Wharton, notwithstanding his age and infirmities, had taken a journey for the same purpose. Lord Mordaunt was at the Hague, and pushed on the enterprise with that ardent and courageous spirit, for which he was so eminent. Even Sunderland, the king's favourite minister, is believed to have entered into correspondence with the prince; and at the expense of his own honour and his master's interests, to have secretly favoured a cause, which, he foresaw, was likely soon to predominate.

The prince was easily engaged to yield to the applications of the English, and to embrace the defence of a nation, which, during its present fears and distresses, regarded him as its sole protector. The great object of his ambition was to be placed at the head of a confederate army, and by his valour to avenge the injuries, which he himself, his country, and his allies, had sustained from the haughty Lewis. But while England remained under the present government, he despaired of ever forming a league which would be able, with any probability of success, to make opposition against that powerful monarch. The ties of affinity could not be supposed to have great influence over a person of the prince's rank and temper; much more as he knew, that they were at first unwillingly contracted by the king, and had never since been cultivated by any essential favours or good offices. Or should any reproach remain upon him for violating the duties of private life; the glory of delivering oppressed nations would, he hoped, be able, in the eyes of reasonable men, to make ample compensation. He could not well expect, on the commencement of his enterprise, that it would lead him to mount the throne of England: but he undoubtedly foresaw, that its success would establish his authority in that kingdom. And so egregious was James's temerity, that there was no advantage, so great or obvious, which that prince's indiscretion might not afford his enemies.

The Prince of Orange, throughout his whole life, was peculiarly happy in the situations in which he was placed. He saved his own country from ruin, he restored the liberties of these kingdoms, he supported the general independency of Europe. And thus, though his virtue, it is confessed, be not the purest which we meet with in history, it will be difficult to find any person, whose actions and conduct have contributed more eminently to the general interests of society and of mankind.

The time, when the prince entered on his <sup>Prince's preparations.</sup> enterprise, was well chosen; as the people were then in the highest ferment, on account of the insult which the imprisonment and trial of the bishops had put upon the church, and indeed upon all the protestants of the nation. His method of conducting his preparations was no less wise and politic. Under other pretences he had beforehand made considerable augmentations to the Dutch navy; and the ships were at that time lying in harbour. Some additional troops were also levied; and

<sup>a</sup> D'Ysaux, 21st of January, 1687.

<sup>b</sup> Burnet.

<sup>c</sup> D'Ysaux, 14th and 24th of September, 8th and 15th of October, 1688.

<sup>d</sup> D'Ysaux was always of that opinion. See his negotiations 6th and 20th of May, 1688, 27th of September, 23d of November, 1688. On this which, that opinion is the most probable.



sums of money, raised for other purposes, were diverted by the prince to the use of this expedition. The States had given him their entire confidence; and partly from terror of the power of France, partly from disgust at some restraints laid on their commerce in that kingdom, were sensible how necessary success in this enterprise was become to their domestic happiness and security. Many of the neighbouring princes regarded him as their guardian and protector, and were guided by him in all their counsels. He held conferences with Constantine, governor of the Spanish Netherlands, with the Electors of Brandenburg and Saxony, with the Landgrave of Hesse-Cassel, and with the whole house of Lunenburg. It was agreed, that these princes should replace the troops employed against England, and should protect the United Provinces during the absence of the Prince of Orange. Their forces were already on their march for that purpose: a considerable encampment of the Dutch army was formed at Nimeguen: every place was in movement; and though the roots of this conspiracy reached from one end of Europe to the other, so secret were the prince's counsels, and so fortunate was the situation of affairs, that he could still cover his preparations under other pretences; and little suspicion was entertained of his real intentions.

The King of France, menaced by the league of Augsburg, had resolved to strike the first blow against the allies; and having sought a quarrel with the emperor and the elector palatine, he had invaded Germany with a great army, and had laid siege to Philippsbourg. The Elector of Cologne, who was also Bishop of Liege and Munster, and whose territories almost entirely surrounded the United Provinces, had died about this time; and the candidates for that rich succession were Prince Clement of Bavaria, supported by the house of Austria, and the Cardinal of Furstenberg, a prelate dependent on France. The Pope, who favoured the allies, was able to throw the balance between the parties, and Prince Clement was chosen; a circumstance which contributed extremely to the security of the States. But as the Cardinal kept possession of many of the fortresses, and had applied to France for succour, the neighbouring territories were full of troops; and by this means the preparations of the Dutch and their allies seemed intended merely for their own defence against the different enterprises of Lewis.

All the artifices, however, of the prince, could not entirely conceal his real intentions from the sagacity of the French court. D'Avaux, Lewis's envoy at the Hague, had been able, by a comparison of circumstances, to trace the purposes of the preparations in Holland; and he instantly informed his master of the discovery. Lewis conveyed the intelligence to James; and accompanied the information with an important offer. He was willing to join a squadron of French ships to the English fleet; and to send over any number of troops, which James should judge requisite for his security. When this proposal was rejected, he again offered to raise the siege of Philippsbourg, to march his army into the Netherlands, and by the terror of his arms to detain the Dutch forces in their own country. This proposal met with no better reception.

James was not, as yet, entirely convinced, that his son-in-law intended an invasion upon England. Fully persuaded, himself, of the sacredness of his own authority, he fancied that a like belief had made deep impression on his subjects; and notwithstanding the strong symptoms of discontent which broke out every where, such a universal combination in rebellion appeared to him nowise credible. His army, in which he trusted, and which he had considerably augmented, would easily be able, he thought, to repel foreign force, and to suppress any sedition among the populace. A small number of French troops, joined to these, might tend only to breed discontent; and afford them a pretence for mutinying against foreigners, so much feared and hated by the nation. A great body of auxiliaries might indeed secure him both against an invasion from Holland, and against the rebellion of his own subjects; but would be able afterwards to reduce him to dependence, and render his authority entirely

precarious. Even the French invasion of the Low Countries might be attended with dangerous consequences; and would suffice, in these jealous times, to revive the old suspicion of a combination against Holland, and against the protestant religion; a suspicion, which had already produced such discontents in England. These were the views suggested by Sunderland; and it must be confessed, that the reasons on which they were founded, were sufficiently plausible; as indeed the situation, to which the king had reduced himself, was, to the last degree, delicate and perplexing.

Still Lewis was unwilling to abandon a friend and ally, whose interests he regarded as closely connected with his own. By the suggestions of Skelton, the king's minister at Paris, orders were sent to D'Avaux to remonstrate with the States, in Lewis's name, against those preparations which they were making to invade England. The strict amity, said the French minister, which subsists between the two monarchs, will make Lewis regard every attempt against his ally as an act of hostility against himself. This remonstrance had a bad effect, and put the States in a flame. What is this alliance, they asked, between France and England, which has been so carefully concealed from us? Is it of the same nature with the former; meant for our destruction, and for the extirpation of the protestant religion? If so, it is high time for us to provide for our own defence, and to anticipate those projects which are forming against us.

Even James was displeased with this officious step taken by Lewis for his service. He was not reduced, he said, to the condition of the Cardinal of Furstenberg, and obliged to seek the protection of France. He recalled Skelton, and threw him into the Tower for his rash conduct. He solemnly disavowed D'Avaux's memorial; and protested that no alliance subsisted between him and Lewis, but what was public and known to all the world. The States, however, still affected to appear incredulous on that head; and the English, prepossessed against their sovereign, firmly believed that he had concerted a project with Lewis for their entire subjection. Portsmouth, it was said, was to be put into the hands of that ambitious monarch: England was to be filled with French and Irish troops; and every man who refused to embrace the Romish superstition was by these bigoted princes devoted to certain destruction.

These suggestions were every where spread abroad, and tended to augment the discontents of which both the fleet and army, as well as the people, betrayed every day the most evident symptoms. The fleet had begun to mutiny; because Strickland, the admiral, a Roman catholic, introduced the mass aboard his ship, and dismissed the protestant chaplain. It was with some difficulty the seamen could be appeased; and they still persisted in declaring, that they would not fight against the Dutch, whom they called friends and brethren, but would willingly give battle to the French, whom they regarded as national enemies. The king had intended to augment his army with Irish recruits, and he resolved to try the experiment on the regiment of the Duke of Berwick, his natural son: but Beaumont, the lieutenant-colonel, refused to admit them; and to this opposition five captains steadily adhered. They were all cashiered; and had not the discontents of the army on this occasion become very apparent, it was resolved to have punished those officers for mutiny.

The king made a trial of the dispositions of his army in a manner still more undisguised. Finding opposition from all the civil and ecclesiastical orders of the kingdom, he resolved to appeal to the military, who, if unanimous, were able alone to serve all his purposes, and to enforce universal obedience. His intention was to engage all the regiments, one after another, to give their consent to the repeal of the test and penal statutes; and accordingly, the major of Litchfield's drew out the battalion before the king, and told them, that they were required either to enter into his majesty's views in these particulars, or to lay down their arms. James was surprised to find that, two captains and a few popish soldiers excepted, the whole battalion immediately

2. That there really was no new alliance formed between France and England appears both from Sunderland's apology, and from D'Avaux's remonstrances lately published (see vol. v. p. 38). Eng. translation, 1768.

of September, 1667, 16th of March, 6th of May, 10th of August, 24, 23d, and 24th of September, 5th and 7th of October, 11th of November, 1668.

embraced the latter part of the alternative. For some time he remained speechless; but having recovered from his astonishment, he commanded them to take up their arms; adding with a sullen, discontented air, "That for the future, he would not do them the honour to apply for their approbation."

While the king was dismayed with these symptoms of general disaffection, he received a letter from the Marquis of Albemarle, his minister at the Hague, which informed him with certainty, that he was soon to look for a powerful invasion from Holland, and that pensionary Fagel had at length acknowledged that the scope of all the Dutch naval preparations was to transport forces into England. Though James could reasonably expect no other intelligence, he was astonished at the news: he grew pale, and the letter dropped from his hand: his eyes were now opened, and he found himself on the brink of a frightful precipice, which his delusions had hitherto concealed from him. His ministers and counsellors, equally astonished, saw no resource but in a sudden and precipitate retraction of all those fatal measures by which he had created to himself so many enemies, foreign and domestic. He paid court to the Dutch, and

The king refracts his measures. for common security: he replaced in all the counties the deputy-lieutenants and justices, who had been deprived of their commissions for their adherence to the test and the penal laws: he restored the charters of London, and of all the corporations: he annulled the court of ecclesiastical commission: he took off the Bishop of London's suspension: he reinstated the expelled president and fellows of Magdalen college: and he was even reduced to caress those bishops whom he had so lately persecuted and insulted. All these measures were regarded as symptoms of fear, not of repentance. The bishops, instead of promising succour, or suggesting comfort, recapitulated to him all the instances of his mal-administration, and advised him thenceforward to follow more salutary counsel. And as intelligence arrived of a great disaster which had befallen the Dutch fleet, it is commonly believed, that the king recalled, for some time, the concessions which he had made to Magdalen college: a bad sign of his sincerity in his other concessions. Nay, so prevalent were his unfortunate prepossessions, that amidst all his present distresses, he could not forbear, at the baptism of the young prince, appointing the Pope to be one of the godfathers.

The report, that a supposititious child was to be imposed on the nation, had been widely spread, and greedily received, before the birth of the Prince of Wales: but the king, who, without seeming to take notice of the matter, might easily have quashed that ridiculous rumour, had, from an ill-timed haughtiness, totally neglected it. He disdained, he said, to satisfy those who would deem him capable of so base and villanous an action. Finding that the calumny gained ground, and had made deep impression on his subjects, he was now obliged to submit to the mortifying task of ascertaining the reality of the birth. Though no particular attention had been beforehand given to insure proof, the evidence, both of the queen's pregnancy and delivery, was rendered indisputable; and so much the more, as no argument or proof of any importance, nothing but popular rumour and surmise, could be thrown into the opposite scale.

Meanwhile, the Prince of Orange's declaration was dispersed over the kingdom, and met with universal approbation. All the grievances of the nation were there enumerated: the dispensing and suspending power; the court of ecclesiastical commission; the filling of all offices with catholics, and the raising of a Jesuit to be privy counsellor; the open encouragement given to popery, by building every where churches, colleges, and seminaries, for that sect; the displacing of judges, if they refused to give sentence according to orders received from court; the annulling of the charters of all the corporations, and the subjecting of elections to arbitrary will and pleasure; the treating of petitions, even the most modest, and from persons of the highest rank, as criminal and seditious; the committing of the whole authority of Ireland, civil and military, into the hands of

papists; the assuming of an absolute power over the religion and laws of Scotland, and openly exacting in that kingdom an obedience without reserve; and the violent presumptions against the legitimacy of the Prince of Wales. In order to redress all these grievances, the prince said that he intended to come over to England with an armed force, which might protect him from the king's evil counsellors: and that his sole aim was to have a legal and free parliament assembled, who might provide for the safety and liberty of the nation, as well as examine the proofs of the Prince of Wales's legitimacy. No one, he added, could entertain such hard thoughts of him as to imagine, that he had formed any other design than to procure the full and lasting settlement of religion, liberty, and property. The force which he meant to bring with him was totally disproportioned to any views of conquest; and it were absurd to suspect, that so many persons of high rank, both in church and state, would have given him so many solemn invitations for such a pernicious purpose. Though the English ministers, terrified with this enterprise, had pretended to redress some of the grievances complained of; yet still remained the foundation of all grievances, that upon which they could in an instant be again erected, an arbitrary and despotic power in the crown. And for this usurpation there was no possible remedy, but by a full declaration of all the rights of the subject in a free parliament.

So well concerted were the prince's measures, that, in three days, about four hundred transports were hired; the army quickly fell down the rivers and canals from Nimeguen; the artillery, arms, stores, and horses, were embarked; and the prince set sail from Helvoet-Sluis, with a fleet of near five hundred vessels, and an army of above fourteen thousand men. He first encountered a storm, which drove him back: but his loss being soon repaired, the fleet put to sea under the command of Admiral Herbert, and made sail with a fair wind towards the west of England. The same wind detained the king's fleet in their station near Harwich, and enabled the Dutch to pass the straits of Dover without opposition. Both shores were covered with multitudes of people, who, besides admiring the grandeur of the spectacle, were held in anxious suspense by the prospect of an enterprise, the most important which, during some ages, had been undertaken in Europe. The prince had a prosperous voyage, and landed his army safely in Torbay on the fifth of November, the anniversary of the gunpowder treason.

The Dutch army marched first to Exeter: and the prince's declaration was there published. That whole county was so terrified with the executions which had ensued on Monmouth's rebellion, that no one for several days joined the prince. The Bishop of Exeter in a fright fled to London, and carried to court intelligence of the invasion. As a reward of his zeal, he received the archbishopric of York, which had long been kept vacant, with an intention, as was universally believed, of bestowing it on some catholic. The first person who joined the prince was Major Burrington; and he was quickly followed by the gentry of the counties of Devon and Somerset. Sir Edward Seymour made proposals for an association, which every one signed. By degrees the Earl of Abingdon, Mr. Russel, son of the Earl of Bedford, Mr. Wharton, Godfrey, Howe, came to Exeter. All England was in commotion, Lord Delamere took arms in Cheshire, the Earl of Danby seized York, the Earl of Bath, governor of Plymouth, declared for the prince, the Earl of Devonshire made a like declaration in Derby. The nobility and gentry of Nottinghamshire embraced the same cause; and every day there appeared some effect of that universal combination into which the nation had entered against the measures of the king. Even those who took not the field against him, were able to embarrass and confound his counsels. A petition for a free parliament was signed by twenty-four bishops and peers of the greatest distinction, and was presented to the king. No one thought of opposing or resisting the invader.

But the most dangerous symptom was the disaffection which, from the general spirit of the nation, not from any particular reason, had crept into the army. The officers

seemed all disposed to prefer the interests of their country and of their religion to those principles of honour and fidelity, which are commonly esteemed the most sacred ties by men of that profession. Lord Colchester, son of the Earl of Rivers, was the first officer that deserted to the prince; and he was attended by a few of his troops. Lord Lovelace made a like effort; but was intercepted by the militia under the Duke of Beaufort, and taken prisoner: Lord Cornbury, son of the Earl of Clarendon, was more successful. He attempted to carry over three regiments of cavalry; and he actually brought a considerable part of them to the prince's quarters. Several officers of distinction informed Feversham, the general, that they could not in conscience fight against the Prince of Orange.

Lord Churchill had been raised from the rank of a page, had been invested with a high command in the army, had been created a peer, and had owed his whole fortune to the king's favour: yet even he could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the Duke of Grafton, natural son of the late king, Colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of every duty in private life; and required, ever after, the most upright, disinterested, and public-spirited behaviour to render it justifiable.

The king had arrived at Salisbury, the head-quarters of his army, when he received this fatal intelligence. That prince, though a severe enemy, had ever appeared a warm, steady, and sincere friend, and he was extremely shocked with this, as with many other instances of ingratitude, to which he was now exposed. There remained none in whom he could confide. As the whole army had discovered symptoms of discontent, he concluded it full of treachery; and being deserted by those whom he had most favoured and obliged, he no longer expected that others would hazard their lives in his service. During this distraction and perplexity, he embraced a sudden resolution of drawing off his army, and retiring towards London: a measure which could only serve to betray his fears, and provoke further treachery.

But Churchill had prepared a still more mortal blow for his distressed benefactor. His lady and he had an entire ascendant over the family of Prince George of Denmark; and the time now appeared seasonable for overwhelming the unhappy king, who was already staggering with the violent shocks which he had received. Andover was the first stage of James's retreat towards London; and there Prince George, together with the young Duke of Ormond,<sup>b</sup> Sir George Huet, and some other persons of distinction, deserted him in the night-time, and retired to the prince's camp. No sooner and of the Princess Anne, had this news reached London, than the Princess Anne, pretending fear of the king's displeasure, withdrew herself in company with the Bishop of London and Lady Churchill. She fled to Nottingham; where the Earl of Dorset received her with great respect, and the gentry of the county quickly formed a troop for her protection.

The late king, in order to gratify the nation, had intrusted the education of his nieces entirely to protestants; and as these princesses were deemed the chief resource of the established religion after their father's defection, great care had been taken to instil into them, from their earliest infancy, the strongest prejudices against popery. During the violence too of such popular currents as now prevailed in England, all private considerations are commonly lost in the general passion; and the more principle any person possesses, the more apt is he, on such occasions, to neglect and abandon his domestic duties. Though these causes may account for the behaviour of the princess, they had nowise prepared the king to expect so astonishing an event.

He burst into tears, when the first intelligence of it was conveyed to him. Undoubtedly he foresaw in this incident the total expiration of his royal authority: but the nearer and more intimate concern of a parent laid hold of his heart; when he found himself

abandoned in his uttermost distress by a child, and a virtuous child, whom he had ever regarded with the most tender affection. "God help me," cried he, in the extremity of his agony, "my own children have forsaken me!" It is indeed singular, that a prince whose chief blame consisted in imprudences, and misguided principles, should be exposed, from religious antipathy, to such treatment as even Nero, Domitian, or the most enormous tyrants that have disgraced the records of history, never met with from their friends and family.

So violent were the prejudices which at this time prevailed, that this unhappy father, who had been deserted by his favourite child, was believed, upon her disappearing, to have put her to death: and it was fortunate, that the truth was timely discovered; otherwise the populace, even the king's guards themselves, might have been engaged, in revenge, to commence a massacre of the priests and catholics.

The king's fortune now exposed him to the contempt of his enemies; and his behaviour was not such as could gain him the esteem of his friends and adherents. Unable to resist the torrent, he preserved not presence of mind in yielding to it; but seemed in this emergence as much depressed with adversity, as he had before been vainly elated by prosperity. He called a council of the peers and prelates who were in London; and followed their advice in issuing writs for a new parliament, and in sending Halifax, Nottingham, and Godolphin, as commissioners to treat with the Prince of Orange. But these were the last acts of royal authority which he exerted. He even hearkened to imprudent counsel, by which he was prompted to desert the throne, and to gratify his enemies beyond what their fondest hopes could have promised them.

The queen, observing the fury of the people, and knowing how much she was the object of general hatred, was struck with the deepest terror, and began to apprehend a parliamentary impeachment, from which, she was told, the queens of England were not exempted. The popish courtiers, and above all, the priests, were aware, that they should be the first sacrifice, and that their perpetual banishment was the smallest penalty which they must expect from national resentment. They were, therefore, desirous of carrying the king along with them; whose presence, they knew, would still be some resource and protection to them in foreign countries, and whose restoration, if it ever happened, would again reinstate them in power and authority. The general defection of the protestants made the king regard the catholics as his only subjects, on whose counsel he could rely; and the fatal catastrophe of his father afforded them a plausible reason for making him apprehend a like fate. The great difference of circumstances was not, during men's present distractions, sufficiently weighed. Even after the people were inflamed by a long civil war, the execution of Charles I. could not be deemed a national deed: it was perpetrated by a fanatical army, pushed on by a daring and enthusiastic leader; and the whole kingdom had ever entertained, and did still entertain, a violent abhorrence against that enormity. The situation of public affairs, therefore, no more resembled what it was forty years before, than the Prince of Orange, either in birth, character, fortune, or connexions, could be supposed a parallel to Cromwell.

The emissaries of France, and among the rest, Barillon, the French ambassador, were busy about the king; and they had entertained a very false notion, which they instilled into him, that nothing would more certainly retard the public settlement, and beget universal confusion, than his deserting the kingdom. The Prince of Orange had with good reason embraced a contrary opinion; and he deemed it extremely difficult to find expedients for securing the nation, so long as the king kept possession of the crown. Actuated, therefore, by this public motive, and no less, we may well presume, by private ambition, he was determined to use every expedient which might intimidate the king, and make him quit that throne which he himself was alone enabled to fill. He declined a personal conference with James's commissioners, and sent the Earls of Clarendon and Oxford to treat with them: the terms

<sup>b</sup> His grandfather, the first Duke of Ormond, had died this year, on the

21st of July



which he proposed, implied almost a present participation of the sovereignty; and he stopped not a moment the march of his army towards London.

The news, which the king received from all quarters, served to continue the panic into which he was fallen, and which his enemies expected to improve to their advantage. Colonel Copel, deputy governor of Hull, made himself master of that important fortress; and threw into prison Lord Langdale, the governor, a catholic; together with Lord Montgomerie, a nobleman of the same religion. The town of Newcastle received Lord Lumley, and declared for the Prince of Orange and a free parliament. The Duke of Norfolk, lord lieutenant of the county of that name, engaged it in the same measure. The prince's declaration was read at Oxford by the Duke of Ormond, and was received with great applause by that loyal university, who also made an offer of their plate to the prince. Every day, some person of quality or distinction, and among the rest the Duke of Somerset, went over to the enemy. A violent declaration was dispersed in the prince's name, but without his participation; in which every one was commanded to seize and punish all papists, who, contrary to law, pretended either to carry arms, or exercise any act of authority. It may not be unworthy of notice, that a merry ballad, called *Lillibullero*, being at this time published in derision of the papists and the Irish, it was greedily received by the people, and was sung by all ranks of men, even by the king's army, who were strongly seized with the national spirit. This incident both discovered, and served to increase, the general discontent of the kingdom.

The contagion of mutiny and disobedience had also reached Scotland, whence the regular forces, contrary to the advice of Balcaras, the treasurer, were withdrawn, in order to reinforce the English army. The Marquis of Athole, together with Viscount Tarbat, and others, finding the opportunity favourable, began to form intrigues against Perth, the chancellor; and the presbyterians and other malcontents flocked from all quarters to Edinburgh. The chancellor, apprehensive of the consequences, found it expedient to abscond; and the populace, as if that event were a signal for their insurrection, immediately rose in arms, and rifled the popish chapel in the king's palace. All the catholics, even all the zealous royalists, were obliged to conceal themselves; and the privy council, instead of their former submissive strains of address to the king, and violent edicts against their fellow-subjects, now made applications to the Prince of Orange, as the restorer of law and liberty.

The king, every moment alarmed, more and more, by these proofs of a general disaffection, not daring to repose trust in any but those who were exposed to more danger than himself, agitated by disdain towards ingratitude, by indignation against disloyalty, impelled by his own fears and those of others, precipitately embraced the resolution of escaping into France; and he sent off beforehand the queen and the infant prince, under the conduct of Count Lauzun, an old favourite of the French monarch. He himself disappeared in the night-time, attended <sup>and flight,</sup> only by Sir Edward Hales; and made the best of his way to a ship which waited for him near the mouth of the river. As if this measure had not been the most grateful to his enemies of any that he could adopt, he had carefully concealed his intention from all the world; and nothing could equal the surprise which seized the city, the court, and the kingdom, upon the discovery of this strange event. Men beheld, all of a sudden, the reins of government thrown up by the hand which held them; and saw none who had any right, or even pretension, to take possession of them.

The more effectually to involve every thing in confusion, the king appointed not any one, who should, in his absence, exercise any part of the administration; he threw the great seal into the river; and he recalled all those writs which had been issued for the election of the new parliament. It is often supposed, that the sole motive which impelled him to this sudden desertion, was his reluctance to meet a free parliament, and his resolution not to submit to those terms which his subjects would deem requisite for the security of their liberties and their religion.

But it must be considered, that his subjects had first deserted him, and entirely lost his confidence; that he might reasonably be supposed to entertain fears for his liberty, if not for his life; and that the conditions would not probably be moderate, which the nation, sensible of his inflexible temper, enraged with the violation of their laws and the danger of their religion, and foreseeing his resentment on account of their past resistance, would, in his present circumstances, exact from him.

By this temporary dissolution of government, the populace were masters; and there was no disorder, which, during their present ferment, might not be dreaded from them. They rose in a tumult and destroyed all the mass-houses. They even attacked and rifled the houses of the Florentine envoy and Spanish ambassador, where many of the catholics had lodged their most valuable effects. Jefferies, the chancellor, who had disguised himself in order to fly the kingdom, was discovered by them, and so abused, that he died a little after. Even the army, which should have suppressed these tumults, would, it was apprehended, serve rather to increase the general disorder. Feversham had no sooner heard of the king's flight, than he disbanded the troops in the neighbourhood, and, without either disarming or paying them, let them loose to prey upon the country.

In this extremity, the bishops and peers who were in town, being the only remaining authority of the state, (for the privy council, composed of the king's creatures, was totally disregarded,) thought proper to assemble, and to interpose for the preservation of the community. They chose the Marquis of Halifax, speaker: they gave directions to the mayor and aldermen for keeping the peace of the city: they issued orders, which were readily obeyed, to the fleet, the army, and all the garrisons: and they made applications to the Prince of Orange, whose enterprise they highly applauded, and whose success they joyfully congratulated.

The prince, on his part, was not wanting to the tide of success which flowed in upon him, nor backward in assuming that authority which the present exigency had put into his hands. Besides the general popularity attending his cause, a new incident made his approach to London still more grateful. In the present trepidation of the people, a rumour arose, either from chance or design, that the disbanded Irish had taken arms, and had commenced an universal massacre of the protestants. This ridiculous belief was spread all over the kingdom in one day; and begat every where the deepest consternation. The alarm bells were rung; the beacons fired; men fancied that they saw at a distance the smoke of the burning cities, and heard the groans of those who were slaughtered in their neighbourhood. It is surprising, that the catholics did not all perish in the rage which naturally succeeds to such popular panics.

While every one, from principle, interest, or animosity, turned his back on the unhappy king, who had abandoned his own cause, the unwelcome news arrived, <sup>King seized</sup> that he had been seized by the populace <sup>at Feversham.</sup> Feversham, as he was making his escape in disguise; that he had been much abused, till he was known; but that the gentry had then interposed and protected him, though they still refused to consent to his escape. This intelligence threw all parties into confusion. The prince sent Zuytlestein with orders, that the king should approach no nearer than Rochester; but the message came too late. He was already arrived in London, where the populace, moved by compassion for his unhappy fate, and actuated by their own levity, had received him with shouts and acclamations.

During the king's abode at Whitehall, little attention was paid to him by the nobility or any persons of distinction. They had all of them been previously disgusted on account of his blind partiality to the catholics, and they knew that they were now become criminal in his eyes by their late public application to the Prince of Orange. He himself showed not any symptom of spirit, nor discovered any intention of resuming the reins of government which he had once thrown aside. His authority was now plainly expired; and as he had exercised his power, while possessed of it, with very precipitate and haughty counsels,

he relinquished it by a despair equally precipitate and pusillanimous.

Nothing remained for the now ruling powers, but to deliberate how they should dispose of his person. Besides that the prince may justly be supposed to have possessed more generosity than to think of offering violence to an unhappy monarch, so nearly related to him, he knew that nothing would so effectually promote his own views as the king's retiring into France, a country at all times obnoxious to the English. It was determined, therefore, to push him into that measure, which, of himself, he seemed sufficiently inclined to embrace. The king having sent Lord Feversham on a civil message to the prince, desiring a conference for an accommodation in order to the public settlement, that nobleman was put in arrest, under pretence of his coming without a passport: the Dutch guards were ordered to take possession of Whitehall, where James then resided, and to displace the English: and Halifax, Shrewsbury, and Delamere brought a message from the prince, which they delivered to the king in bed after midnight, ordering him to leave his palace next morning, and to depart for Ham, a seat of the Duchess of Lauderdale's. He desired permission, which was easily granted, of retiring to Rochester, a town near the sea-coast. It was perceived, that the artifice had taken effect; and that the king, terrified with this harsh treatment, had renewed his former resolution of leaving the kingdom.

He lingered, however, some days at Rochester, under the protection of a Dutch guard, and seemed desirous of an invitation still to keep possession of the throne. He was undoubtedly sensible, that, as he had at first trusted too much to his people's loyalty, and, in confidence of their submission, had offered the greatest violence to their principles and prejudices; so had he, at last, on finding his disappointment, gone too far in the other extreme, and had hastily supposed them destitute of all sense of duty or allegiance. But observing that the church, the nobility, the city, the country, all concurred in neglecting him, and leaving him to his own counsels, he submitted to his melancholy fate; and being urged by earnest letters from the queen, he privately embarked on board a frigate which waited for him; and he arrived safely at Ambleuse, in Picardy, whence he hastened to St. Germain's. Lewis received him with the highest generosity, sympathy, and regard; a conduct which, more than his most signal victories, contributes to the honour of that great monarch.

Thus ended the reign of a prince, whom, if we consider his personal character rather than his public conduct, we may safely pronounce more unfortunate than criminal. He had many of those qualities which form a good citizen: even some of those which, had they not been swallowed up in bigotry and arbitrary principles, serve to compose a good sovereign. In domestic life, his conduct was irreproachable, and is entitled to our approbation. Severe but open in his enmities, steady in his counsels, diligent in his schemes, brave in his enterprises, faithful, sincere, and honourable in his dealings with all men: such was the character with which the Duke of York mounted the throne of England. In that high station, his frugality of public money was remarkable, his industry exemplary, his application to naval affairs successful, his encouragement of trade judicious, his jealousy of national honour laudable: what then was wanting to make him an excellent sovereign? A due regard and affection to the religion and constitution of his country. Had he been possessed of this essential quality, even his middling talents, aided by so many virtues, would have rendered his reign honourable and happy. When it was wanting, every excellency which he possessed became dangerous and pernicious to his kingdoms.

The sincerity of this prince (a virtue on which he highly valued himself) has been much questioned in those reiterated promises which he had made of preserving the liberties and religion of the nation. It must be confessed, that his reign was almost one continued invasion of both; yet it is known, that, to his last breath, he persisted in asserting, that he never meant to subvert the laws, or procure more than a toleration and an equality of privileges to his catholic subjects. This question can only affect the per-

sonal character of the king, not our judgment of his public conduct. Though by a stretch of candour we should admit of his sincerity in these professions, the people were equally justifiable in their resistance of him. So lofty was the idea which he had entertained of his legal authority, that it left his subjects little or no right to liberty, but what was dependent on his sovereign will and pleasure. And such was his zeal for proselytism, that whatever he might at first have intended, he plainly stopped not at toleration and equality: he confined all power, encouragement, and favour, to the catholics: converts from interest would soon have multiplied upon him: if not the greater, at least the better, part of the people, he would have flattered himself, was brought over to his religion: and he would in a little time have thought it just, as well as pious, to bestow on them all the public establishments. Rigours and persecutions against heretics would speedily have followed; and thus liberty and the protestant religion would, in the issue, have been totally subverted; though we should not suppose that James, in the commencement of his reign, had formally fixed a plan for that purpose. And, on the whole, allowing this king to have possessed good qualities and good intentions, his conduct serves only, on that very account, as a stronger proof, how dangerous it is to allow any prince, infected with the catholic superstition, to wear the crown of these kingdoms.

After this manner, the courage and abilities of the Prince of Orange, seconded by surprising fortune, had effected the deliverance of this island; and with very little effusion of blood (for only one officer of the Dutch army and a few private soldiers fell in an accidental skirmish) had de-throned a great prince, supported by a formidable fleet and a numerous army. Still the more difficult task remained, and what perhaps the prince regarded as not the least important: the obtaining for himself that crown which had fallen from the head of his father-in-law. Some lawyers, entangled in the subtleties and forms of their profession, could think of no expedient, but that the prince should claim the crown by right of conquest; should immediately assume the title of sovereign; and should call a parliament, which, being thus legally summoned by a king in possession, could ratify whatever had been transacted before they assembled. But this measure, being destructive of the principles of liberty, the only principles on which his future throne could be established, was prudently rejected by the prince, who, finding himself possessed of the good-will of the nation, resolved to leave them entirely to their own guidance and direction. The peers and bishops, to the number of near ninety, made an address desiring him to summon a convention by circular letters; to assume, in the mean time, the management of public affairs; and to concert measures for the security of Ireland. At the same time, they refused reading a letter, which the king had left, in order to apologize for his late desertion, by the violence which had been put upon him. This step was a sufficient indication of their intentions with regard to that unhappy monarch.

The prince seemed still unwilling to act upon an authority which might be deemed so imperfect: he was desirous of obtaining a more express declaration of the public consent. A judicious expedient was fallen on for that purpose. All the members who had sitten in the House of Commons during any parliament of Charles II., (the only parliaments whose election was regarded as free,) were invited to meet; and to them were added the mayor, aldermen, and fifty of the common council. This was regarded as the most proper representative of the people that could be summoned during the present emergency. They unanimously voted the same address with the Lords: and the prince, being thus supported by all the legal authority which could possibly be obtained in this critical juncture, wrote circular letters to the counties and Convention incorporations of England; and his orders <sup>moned</sup> were universally complied with. A profound tranquility prevailed throughout the kingdom; and the prince's administration was submitted to, as if he had succeeded in the most regular manner to the vacant throne. The fleet received his orders: the army, without murmur or opposition, allowed him to new-model them: and the city supplied him with a loan of two hundred thousand pounds.

A. D. 1689.

7th Jan.  
Settlement of  
Scotland.

The conduct of the prince with regard to Scotland, was founded on the same prudent and moderate maxims. Finding that there were many Scotchmen of rank at that time in London, he summoned them together, and before then his intentions, and asked their advice in the present emergency. This assembly, consisting of thirty noblemen and about fourscore gentlemen, chose Duke Hamilton president; a man who, being of a temporizing character, was determined to pay court to the present authority. His eldest son, the Earl of Arran, professed an adherence to king James; a usual policy in Scotland, where the father and son, during civil commotions, were often observed to take opposite sides, in order to secure, in all events, the family from attainder. Arran proposed to invite back the king upon conditions; but as he was vehemently opposed in this motion by Sir Patrick Hume, and seconded by nobody, the assembly made an offer to the prince of the present administration, which he willingly accepted. To anticipate a little in our narration; a convention, by circular letters from the prince, was summoned at Edinburgh on the twenty-second of March; where it was soon visible, that the interest of the malcontents would entirely prevail. The more zealous royalists, regarding this assembly as illegal, had forborne to appear at elections; and the other party were returned for most places. The revolution was not in Scotland, as in England, effected by a coalition of whig and tory: the former party alone had overpowered the government, and were too much enraged by the past injuries which they had suffered, to admit of any composition with their former masters. As soon as the purpose of the convention was discovered, the Earl of Balcaras and Viscount Dundee, leaders of the tories, withdrew from Edinburgh; and the convention having passed a bold and decisive vote, that King James, by his mal-administration and his abuse of power, had forfeited all title to the crown, they made a tender of the royal dignity to the Prince and Princess of Orange.

The English convention was assembled; and it immediately appeared, that the House of Commons, both from the prevailing humour of the people, and from the influence of present authority, were mostly chosen from among the whig party. After thanks were unanimously given by both Houses to the Prince of Orange, for the deliverance which he had brought them, a less decisive vote than that of the Scottish convention was in a few days passed by a great majority of the Commons, and sent up to the Peers for their concurrence. It was contained in these words: "That King James II. having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people; and having, by the advice of Jesuits and other wicked persons, violated the fundamental laws, and withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant." This vote, when carried to the upper House, met with great opposition; of which it is here necessary for us to explain the causes.

The tories and the high-church party, finding themselves at once menaced with a subversion of the laws and of their religion, had zealously promoted the national revolt, and had on this occasion departed from those principles of non-resistance, of which, while the king favoured them, they had formerly made such loud professions. Their present apprehensions had prevailed over their political tenets; and the unfortunate James, who had too much trusted to those general declarations, which never will be reduced to practice, found in the issue, that both parties were secretly united against him. But no sooner was the danger past, and the general fears somewhat allayed, than party prejudices resumed, in some degree, their former authority; and the tories were abashed at that victory, which their antagonists, during the late transactions, had

obtained over them. They were inclined, therefore, to steer a middle course; and, though generally determined to oppose the king's return, they resolved not to consent to dethroning him, or altering the line of succession. A regent with kingly power was the expedient which they proposed; and a late instance in

Portugal seemed to give some authority and precedent to that plan of government.

In favour of this scheme, the tories urged, that, by the uniform tenor of the English laws, the title to the crown was ever regarded as sacred, and could, on no account, and by no mal-administration, be forfeited by the sovereign: that to dethrone a king and to elect his successor, was a practice quite unknown to the constitution, and had a tendency to render kingly power entirely dependent and precarious: that where the sovereign, from his tender years, from lunacy, or from other natural infirmity, was incapacitated to hold the reins of government, both the laws and former practice agreed in appointing a regent, who, during the interval, was invested with the whole power of the administration: that the inveterate and dangerous prejudices of King James had rendered him as unfit to sway the English sceptre, as if he had fallen into lunacy; and it was therefore natural for the people to have recourse to the same remedy: that the election of one king was a precedent for the election of another; and the government, by that means, would either degenerate into a republic, or what was worse, into a turbulent and seditious monarchy: that the case was still more dangerous, if there remained a prince, who claimed the crown by right of succession, and disputed, on so plausible a ground, the title of the present sovereign: that though the doctrine of non-resistance might not, in every possible circumstance, be absolutely true, yet was the belief of it very expedient; and to establish a government which should have the contrary principle for its basis, was to lay a foundation for perpetual revolutions and convulsions: that the appointment of a regent was indeed exposed to many inconveniences; but so long as the line of succession was preserved entire, there was still a prospect of putting an end, some time or other, to the public disorders: and that scarcely an instance occurred in history, especially in the English history, where a disputed title had not, in the issue, been attended with much greater ills, than all those which the people had sought to shun, by departing from the lineal succession.

The leaders of the whig party, on the other hand, asserted, that if there were any ill in the precedent, that ill would result as much from establishing a regent, as from dethroning one king, and appointing his successor; nor would the one expedient, if wantonly and rashly embraced by the people, be less the source of public convulsions than the other: that if the laws gave no express permission to depose the sovereign, neither did they authorize resisting his authority, or separating the power from the title: that a regent was unknown, except where the king, by reason of his tender age or his infirmities, was incapable of a will; and in that case, his will was supposed to be involved in that of the regent: that it would be the height of absurdity to try a man for acting upon a commission, received from a prince, whom we ourselves acknowledged to be the lawful sovereign; and no jury would decide so contrary both to law and common sense, as to condemn such a pretended criminal: that even the prospect of being delivered from this monstrous inconvenience was, in the present situation of affairs, more distant than that of putting an end to a disputed succession: that allowing the young prince to be the legitimate heir, he had been carried abroad; he would be educated in principles destructive of the constitution and established religion; and he would probably leave a son liable to the same insuperable objection: that if the whole line were cut off by law, the people would in time forget or neglect their claim; an advantage which could not be hoped for, while the administration was conducted in their name, and while they were still acknowledged to possess the legal title: and that a nation thus perpetually governed by regents or protectors, approached much nearer to a republic than one subject to monarchs, whose hereditary regular succession, as well as present authority, was fixed and appointed by the people.

This question was agitated with great zeal, by the opposite parties in the House of Peers. The chief speakers among the tories were Clarendon, Rochester, and Nottingham; among the whigs, Halifax and Danby. The question was carried for a king by two voices only, fifty-one against forty-nine. All the prelates, except two, the



bishops of London and Bristol, voted for a regent. The primate, a disinterested but pusillanimous man, kept at a distance both from the prince's court and from parliament.

The House of Peers proceeded next to examine premedial the vote sent up to them by the Commons. They debated, "Whether there were an original contract between king and people?" and the affirmative was carried by fifty-three against forty-six; a proof that the tories were already losing ground. The next question was, "Whether King James had broken that original contract?" and, after a slight opposition, the affirmative prevailed. The Lords proceeded to take into consideration the word *abdicated*; and it was carried that *deserted* was more proper. The concluding question was, "Whether King James, having broken the original contract and *deserted* the government, the throne was thereby vacant?" This question was debated with more heat and contention than any of the former; and upon a division, the tories prevailed by eleven voices, and it was carried, to omit the last article with regard to the vacancy of the throne. The vote was sent back to the Commons with these amendments.

The Earl of Danby had entertained the project of bestowing the crown solely upon the Princess of Orange, and of admitting her as hereditary legal successor to King James; passing by the infant prince, as illegitimate or supposititious. His change of party in the last question gave the tories so considerable a majority in the number of voices.

The Commons still insisted on their own vote, and sent up reasons why the Lords should depart from their amendments. The Lords were not convinced; and it was necessary to have a free conference, in order to settle this controversy. Never surely was national debate more important, or managed by more able speakers; yet is one surprised to find the topics insisted on by both sides so frivolous; more resembling the verbal disputes of the schools, than the solid reasonings of statesmen and legislators. In public transactions of such consequence, the true motives which produce any measure are seldom avowed. The whigs, now the ruling party, having united with the tories, in order to bring about the revolution, had so much deference for their new allies, as not to insist that the crown should be declared *forfeited*, on account of the king's mal-administration: such a declaration, they thought, would imply too express a censure of the old tory principles, and too open a preference of their own. They agreed, therefore, to confound together the king's abusing his power, and his withdrawing from the kingdom; and they called the whole an *abdication*; as if he had given a virtual, though not a verbal, consent to dethroning himself. The tories took advantage of this obvious impropriety, which had been occasioned merely by the complaisance or prudence of the whigs; and they insisted upon the word *desertion* as more significant and intelligible. It was retorted on them, that however that expression might be justly applied to the king's withdrawing himself, it could not, with any propriety, be extended to his violation of the fundamental laws. And thus both parties, while they warped their principles from regard to their antagonists, and from prudential considerations, lost the praise of consistence and uniformity.

The managers for the Lords next insisted, that even allowing the king's abuse of power to be equivalent to an abdication, or, in other words, to a civil death, it could operate no otherwise than his voluntary resignation, or his natural death, and could only make way for the next successor. It was a maxim of English law, that the throne was never vacant; but instantly, upon the demise of one king, was filled with his legal heir, who was entitled to all the authority of his predecessor. And however young or unfit for government the successor, however unfortunate in his situation, though he were even a captive in the hands of public enemies; yet no just reason, they thought, could be assigned why, without any default of his own, he should lose a crown, to which, by birth, he was fully entitled. The managers for the Commons might have opposed this reasoning by many specious, and even solid, arguments. They might have said, that the great security for allegiance being merely opinion, any scheme of settlement should be adopted in which it was most probable the people would

acquiesce and persevere: that though, upon the natural death of a king whose administration had been agreeable to the laws, many and great inconveniences would be endured, rather than exclude his lineal successor; yet the case was not the same when the people had been obliged, by their revolt, to dethrone a prince whose illegal measures had, in every circumstance, violated the constitution: that, in these extraordinary revolutions, the government reverted, in some degree, to its first principles, and the community acquired a right of providing for the public interest by expedients which, on other occasions, might be deemed violent and irregular: that the recent use of one extraordinary remedy reconciled the people to the practice of another, and more familiarized their minds to such licenses, than if the government had run on in its usual tenor: and that King James, having carried abroad his son, as well as withdrawn himself, had given such just provocation to the kingdom, had voluntarily involved it in such difficulties, that the interests of his family were justly sacrificed to the public settlement and tranquillity. Though these topics seem reasonable, they were entirely forborne by the whig managers; both because they implied an acknowledgment of the infant prince's legitimacy, which it was agreed to keep in obscurity, and because they contained too express a condemnation of tory principles. They were content to maintain the vote of the Commons by shifts and evasions; and both sides parted at last without coming to any agreement.

But it was impossible for the public to remain long in the present situation. The perseverance, therefore, of the lower House obliged the Lords to comply; and, by the desertion of some Peers to the whig party, the vote of the Commons, without any alteration, passed by a majority of fifteen in the upper House, and received the sanction of every part of the legislature which then subsisted.

It happens unluckily for those who maintain an original contract between the magistrate and people, that great revolutions of government, and new settlements of civil constitutions, are commonly conducted with such violence, tumult, and disorder, that the public voice can scarcely ever be heard; and the opinions of the citizens are at that time less attended to than even in the common course of administration. The present transactions in England, it must be confessed, are a singular exception to this observation. The new elections had been carried on with great tranquillity and freedom: the prince had ordered the troops to depart from all the towns where the voters assembled: a tumultuary petition to the two Houses having been promoted, he took care, though the petition was calculated for his advantage, effectually to suppress it: he entered into no intrigues, either with the electors or the members: he kept himself in a total silence, as if he had been nowise concerned in these transactions: and so far from forming cabals with the leaders of parties, he disdained even to bestow caresses on those whose assistance might be useful to him. This conduct was highly meritorious, and discovered great moderation and magnanimity; even though the prince, unfortunately, through the whole course of his life, and on every occasion, was noted for an address so cold, dry, and distant, that it was very difficult for him, on account of any interest, to soften or familiarize it.

At length the prince deigned to break silence, and to express, though in a private manner, his sentiments on the present situation of affairs. He called together Halifax, Shrewsbury, Danby, and a few more; and he told them, that having been invited over to restore their liberty, he had engaged in this enterprise, and had at last happily effected his purpose. That it belonged to the parliament, now chosen and assembled, with freedom to concert measures for the public settlement; and he pretended not to interpose in their determinations. That he heard of several schemes proposed for establishing the government: some insisted on a regent; others were desirous of bestowing the crown on the princess: it was their concern alone to choose the plan of administration most agreeable or advantageous to them. That if they judged it proper to settle a regent, he had no objection: he only thought it incumbent on him to inform them, that he was determined not to be the regent, nor ever to engage in a scheme which, he

know, would be exposed to such insuperable difficulties. That no man could have a juster or deeper sense of the princess's merit than he was impressed with; but he would rather remain a private person than enjoy a crown which must depend on the will or life of another. And that they must therefore make account, if they were inclined to either of these two plans of settlement, that it would be totally out of his power to assist them in carrying it into execution; his affairs abroad were too important to be abandoned for so precarious a dignity, or even to allow him so much leisure as would be requisite to introduce order into their disjointed government.

These views of the prince were seconded by the princess herself, who, as she possessed many virtues, was a most obsequious wife to a husband, who, in the judgment of the generality of her sex, would have appeared so little attractive and amiable. All considerations were neglected, when they came in competition with what she deemed her duty to the prince. When Danby and others of her partisans wrote her an account of their schemes and proceedings, she expressed great displeasure; and even transmitted their letters to her husband, as a sacrifice to conjugal fidelity. The Princess Anne also concurred in the same plan for the public settlement; and being promised an ample revenue, was content to be postponed in the succession to the crown. And as the title of her infant brother was, in the present establishment, entirely neglected, she might, on the whole, deem herself, in point of interest, a gainer by this revolution.

Settlement of the crown. The chief parties, therefore, being agreed, the convention passed a bill, in which they settled the crown on the Prince and Princess of Orange, the sole administration to remain in the prince; the Princess of Denmark to succeed after the death of the Prince and Princess of Orange; her posterity after those of the princess, but before those of the prince by any other wife. The convention annexed to this settlement of the crown a declaration of rights, where all the points which had, of late years, been disputed between the king and people, were finally determined; and the powers of royal prerogative were more narrowly circumscribed and more exactly defined, than in any former period of the English government.

Manners, arts, and sciences. Thus have we seen, through the whole course of four reigns, a continual struggle maintained between the crown and the people: privilege and prerogative were ever at variance: and both parties, beside the present object of dispute, had many latent claims, which, on a favourable occasion, they produced against their adversaries. Governments too steady and uniform, as they are seldom free, so are they, in the judgment of some, attended with another sensible inconvenience: they abate the active powers of men: depress courage, invention, and genius; and produce a universal lethargy in the people. Though this opinion may be just, the fluctuation and contest, it must be allowed, of the English government were, during these reigns, much too violent both for the repose and safety of the people. Foreign affairs, at that time, were either entirely neglected, or managed to pernicious purposes: and in the domestic administration there was felt a continued fever, either secret or manifest: sometimes the most furious convulsions and disorders. The revolution forms a new epoch in the constitution; and was probably attended with consequences more advantageous to the people, than barely freeing them from an exceptionable administration. By deciding many important questions in favour of liberty, and still more by that great precedent of deposing one king, and establishing a new family, it gave such an ascendancy to popular principles, as has put the nature of the English constitution beyond all controversy. And it may justly be affirmed, without any danger of exaggeration, that we, in this island, have ever since enjoyed, if not the best system of government, at least the most entire system of liberty, that ever was known amongst mankind.

To decry with such violence, as is affected by some, the

whole line of Stuart; to maintain, that their administration was one continued encroachment on the *incontestable* rights of the people; is not giving due honour to that great event, which not only put a period to their hereditary succession, but made a new settlement of the whole constitution. The inconveniences suffered by the people under the two first reigns of that family (for in the main they were fortunate) proceeded in a great measure from the unavoidable situation of affairs; and scarcely any thing could have prevented those events, but such vigour of genius in the sovereign, attended with such good fortune, as might have enabled him entirely to overpower the liberties of his people. While the parliaments in those reigns were taking advantage of the necessities of the prince, and attempting every session to abolish, or circumscribe, or define, some prerogative of the crown, and innovate in the usual tenor of government: what could be expected, but that the prince would exert himself in defending, against such inveterate enemies, an authority which, during the most regular course of the former English government, had been exercised without dispute or controversy? And though Charles II., in 1672, may with reason be deemed the aggressor, nor is it possible to justify his conduct; yet were there some motives surely, which could engage a prince so soft and indolent, and at the same time so judicious, to attempt such hazardous enterprises. He felt that public affairs had reached a situation at which they could not possibly remain without some further innovation. Frequent parliaments were become almost absolutely necessary to the conducting of public business; yet these assemblies were still, in the judgment of the royalists, much inferior in dignity to the sovereign, whom they seemed better calculated to counsel than control. The crown still possessed considerable power of opposing parliaments; and had not as yet acquired the means of influencing them. Hence a continual jealousy between these parts of the legislature: hence the inclination mutually to take advantage of each other's necessities: hence the impossibility, under which the king lay, of finding ministers, who could at once be serviceable and faithful to him. If he followed his own choice in appointing his servants, without regard to their parliamentary interest, a refractory session was instantly to be expected: if he chose them from among the leaders of popular assemblies, they either lost their influence with the people by adhering to the crown, or they betrayed the crown, in order to preserve their influence. Neither Hamden, whom Charles I. was willing to gain at any price; nor Shaftesbury, whom Charles II. after the popish plot, attempted to engage in his counsels, would renounce their popularity for the precarious and, as they esteemed it, deceitful favour of the prince. The root of their authority they still thought to lie in the parliament; and as the power of that assembly was not yet uncontrollable, they still resolved to augment it, though at the expense of the royal prerogative.

It is no wonder that these events have long, by the representations of faction, been extremely clouded and obscured. No man has yet arisen, who has paid an entire regard to truth, and has dared to expose her, without covering or disguise, to the eyes of the prejudiced public. Even that party amongst us which boasts of the highest regard to liberty, has not possessed sufficient liberty of thought in this particular, nor has been able to decide impartially of their own merit, compared with that of their antagonists. More noble perhaps in their ends, and highly beneficial to mankind; they must also be allowed to have often been less justifiable in the means, and in many of their enterprises to have paid more regard to political than to moral considerations. Obligated to court the favour of the populace, they found it necessary to comply with their rage and folly; and have even, on many occasions, by propagating calumnies, and by promoting violence, served to infatuate as well as corrupt that people to whom they made a tender of liberty and justice. Charles I. was a tyrant, a papist, and a contriver of the Irish massacre: the church of England was relapsing fast into idolatry: puritanism was the only true religion, and the covenant the favourite object of heavenly regard. Through these delusions, the party proceeded, and, what may seem wonderful, still to the increase of law and liberty; till they reached the

imposture of the popish plot, a fiction which exceeds the ordinary bounds of vulgar credulity. But however singular these events may appear, there is really nothing altogether new in any period of modern history : and it is remarkable that tribunician arts, though sometimes useful in a free constitution, have usually been such as men of probity and honour could not bring themselves either to practise or approve. The other faction, which, since the revolution, has been obliged to cultivate popularity, sometimes found it necessary to employ like artifices.

The whig party, for a course of near seventy years, has, almost without interruption, enjoyed the whole authority of government ; and no honours or offices could be obtained but by their countenance and protection. But this event, which, in some particulars, has been advantageous to the state, has proved destructive to the truth of history, and has established many gross falsehoods, which it is unaccountable how any civilized nation could have embraced with regard to its domestic occurrences. Compositions the most despicable, both for style and matter, have been extolled, and propagated, and read ; as if they had equalled the most celebrated remains of antiquity.<sup>1</sup> And forgetting that a regard to liberty, though a laudable passion, ought commonly to be subordinate to a reverence for established government, the prevailing faction has celebrated only the partisans of the former, who pursued as their object the perfection of civil society, and has extolled them at the expense of their antagonists, who maintained those maxims that are essential to its very existence. But extremes of all kinds are to be avoided ; and though no one will ever please either faction by moderate opinions, it is there we are most likely to meet with truth and certainty.

We shall subjoin to this general view of the English government, some account of the state of the finances, arms, trade, manners, arts, between the restoration and revolution.

The revenue of Charles II. as settled by the long parliament, was put upon a very bad footing. It was too small, if they intended to make him independent in the common course of his administration : it was too large, and settled during too long a period, if they resolved to keep him in entire dependence. The great debts of the republic, which were thrown upon that prince ; the necessity of supplying the naval and military stores, which were entirely exhausted ;<sup>2</sup> that of repairing and furnishing his palaces : all these causes involved the king in great difficulties immediately after his restoration, and the parliament was not sufficiently liberal in supplying him. Perhaps too he had contracted some debts abroad ; and his bounty to the distressed cavaliers, though it did not correspond either to their services or expectations, could not fail, in some degree, to exhaust his treasury. The extraordinary sums granted the king during the first years, did not suffice for these extraordinary expenses ; and the excise and customs, the only constant revenue, amounted not to nine hundred thousand pounds a-year, and fell much short of the ordinary burdens of government. The addition of hearth money in 1662, and of other two branches in 1669 and 1670, brought up the revenue to one million three hundred fifty-eight thousand pounds, as we learn from Lord Danby's account : but the same authority informs us, that the yearly expense of government was at that time one million three hundred eighty-seven thousand seven hundred and seventy pounds ;<sup>3</sup> without mentioning contingencies, which are always considerable, even under the most prudent administration. Those branches of revenue, granted in 1669 and 1670, expired in 1680, and were never renewed by parliament : they were computed to be above two hundred thousand pounds a-year. It must be allowed, because asserted by all contemporary authors of both parties, and even confessed by himself, that King Charles was somewhat profuse and negligent. But it is likewise certain, that a very rigid frugality was requisite to support the government under such difficulties. It is a similar rule in all business, that

every man should be paid in proportion to the trust reposed in him, and to the power which he enjoys ; and the nation soon found reason, from Charles's dangerous connexions with France, to repent their departure from that prudent maxim. Indeed, could the parliaments in the reign of Charles I. have been induced to relinquish so far their old habits, as to grant that prince the same revenue which was voted to his successor, or had those in the reign of Charles II. conferred on him as large a revenue as was enjoyed by his brother, all the disorders in both reigns might easily have been prevented, and probably all reasonable concessions to liberty might peaceably have been obtained from both monarchs. But these assemblies, unacquainted with public business, and often actuated by faction and fanaticism, could never be made sensible, but too late and by fatal experience, of the incessant change of times and situations. The French ambassador informs his court, that Charles was very well satisfied with his share of power, could the parliament have been induced to make him tolerably easy in his revenue.<sup>4</sup>

If we estimate the ordinary revenue of Charles II. at one million two hundred thousand pounds a-year during his whole reign, the computation will rather exceed than fall below the true value. The convention parliament, after all the sums which they had granted the king towards the payment of old debts, threw, the last day of their meeting, a debt upon him amounting to one million seven hundred forty-three thousand two hundred sixty-three pounds.<sup>5</sup> All the extraordinary sums which were afterwards voted him by parliament amounted to eleven millions four hundred forty-three thousand four hundred and seven pounds ; which, divided by twenty-four, the number of years which that king reigned, make four hundred seventy-six thousand eight hundred and eight pounds a-year. During that time, he had two violent wars to sustain with the Dutch ; and in 1678 he made expensive preparations for a war with France. In the first Dutch war, both France and Denmark were allies to the United Provinces, and the naval armaments in England were very great ; so that it is impossible he could have secreted any part, at least any considerable part, of the sums which were then voted him by parliament.

To these sums we must add about one million two hundred thousand pounds, which had been detained from the bankers on shutting up the Exchequer in 1672. The king paid six per cent. for this money during the rest of his reign.<sup>6</sup> It is remarkable, that notwithstanding this violent breach of faith, the king, two years after, borrowed money at eight per cent. ; the same rate of interest which he had paid before that event.<sup>7</sup> A proof that public credit, instead of being of so delicate a nature as we are apt to imagine, is, in reality, so hardy and robust, that it is very difficult to destroy it.

The revenue of James was raised by the parliament to about one million eight hundred and fifty thousand pounds ;<sup>8</sup> and his income as Duke of York, being added, made the whole amount to two millions a-year ; a sum well proportioned to the public necessities, but enjoyed by him in too independent a manner. The national debt at the revolution amounted to one million fifty-four thousand nine hundred and twenty-five pounds.<sup>9</sup>

The militia fell much to decay during these two reigns, partly by the policy of the kings, who had entertained a diffidence of their subjects, partly by that ill-judged law which limited the king's power of mustering and arraying them. In the beginning, however, of Charles's reign, the militia was still deemed formidable. De Wit having proposed to the French king an invasion of England during the first Dutch war, that monarch replied, that such an attempt would be entirely fruitless, and would tend only to unite the English. In a few days, said he, after our landing, there will be fifty thousand men at least upon us.<sup>10</sup>

Charles, in the beginning of his reign, had in pay near

<sup>1</sup> Such as Rayn's *History*, Lucke's *Sidney*, Thackeray's *Life*, &c.  
<sup>2</sup> Lord Clarendon's speech to the parliament, Oct. 9. 1660.  
<sup>3</sup> *English History*, vol. i. p. 204. We learn from that author's *Memoirs*, p. 1, that the revenue of the exchequer, during six years, from 1670 to 1675, scarce amounting millions two hundred thousand pounds, &c. rose not less than three hundred sixty-six thousand pounds a-year. See likewise, p. 1, 2.

<sup>4</sup> *Dutch Embassy's Appendix*, p. 112.  
<sup>5</sup> *Journal*, 20th of December, 1689.  
<sup>6</sup> *Danby's Memoirs*, vol. i. p. 7. p. 161, p. 65.  
<sup>7</sup> *Journal*, 20th March, 1690.  
<sup>8</sup> *Dutch Embassy's Appendix*, p. 112.



five thousand men, of guards and garrisons. At the end of his reign he augmented this number to near eight thousand. James, on Monmouth's rebellion, had on foot about fifteen thousand men; and when the Prince of Orange invaded him, there were no fewer than thirty thousand regular troops in England.

The English navy, during the greater part of Charles's reign, made a considerable figure, for number of ships, valour of the men, and conduct of the commanders. Even in 1678, the fleet consisted of eighty-three ships;<sup>1</sup> besides thirty which were at that time on the stocks. On the king's restoration he found only sixty-three vessels of all sizes.<sup>2</sup> During the latter part of Charles's reign, the navy fell somewhat to decay, by reason of the narrowness of the king's revenue; but James soon after his accession restored it to its former power and glory; and before he left the throne carried it much further. The administration of the admiralty under Pepys, is still regarded as a model for order and economy. The fleet at the revolution consisted of one hundred seventy-three vessels of all sizes; and required forty-two thousand seamen to man it.<sup>3</sup> That king, when Duke of York, had been the first inventor of sea signals. The military genius, during these two reigns, had not totally decayed among the young nobility. Dorset, Mulgrave, Rochester, not to mention Ossory, served on board the fleet, and were present in the most furious engagements against the Dutch.

The commerce and riches of England did never, during any period, increase so fast as from the restoration to the revolution. The two Dutch wars, by disturbing the trade of that republic, promoted the navigation of this island; and after Charles had made a separate peace with the States, his subjects enjoyed, unmolested, the trade of Europe. The only disturbance which they met with, was from a few French privateers who infested the channel; and Charles interposed not in behalf of his subjects with sufficient spirit and vigour. The recovery or conquest of New York and the Jerseys was a considerable accession to the strength and security of the English colonies; and together with the settlement of Pennsylvania and Carolina, which was effected during that reign, extended the English empire in America. The persecutions of the dissenters, or, more properly speaking, the restraints imposed upon them, contributed to augment and people these colonies. Dr. Davenant affirms,<sup>4</sup> that the shipping of England more than doubled during these twenty-eight years. Several new manufactures were established; in iron, brass, silk, hats, glass, paper, &c. One Brewer, leaving the Low Countries, when they were threatened with a French conquest, brought the art of dyeing woollen cloth into England, and by that improvement saved the nation great sums of money. The increase of coinage during these two reigns was ten millions two hundred sixty-one thousand pounds. A board of trade was erected in 1670; and the Earl of Sandwich was made president. Charles revived and supported the charter of the East-India company; a measure whose utility is by some thought doubtful: he granted a charter to the Hudson's Bay company; a measure probably hurtful.

We learn from Sir Josiah Child,<sup>5</sup> that in 1688, there were on the 'Change more men worth 10,000 pounds than there were in 1650 worth a thousand; that 500 pounds with a daughter was, in the latter period, deemed a larger portion than 2000 in the former; that gentewomen, in those earlier times, thought themselves well clothed in a serge gown, which a chambermaid would, in 1688, be ashamed to be seen in; and that, besides the great increase of rich clothes, plate, jewels, and household furniture, coaches were in that time augmented a hundred-fold.

The Duke of Buckingham introduced from Venice the manufacture of glass and crystal into England. Prince Rupert was also an encourager of useful arts and manufactures: he himself was the inventor of etching.

The first law for erecting turnpikes was passed in 1662: the places of the turnpikes were Wadesmill, Caxton, and Stilton: but the general and great improvement of highways took not place till the reign of George II.

In 1663, was passed the first law for allowing the exportation of foreign coin and bullion.

In 1667 was concluded the first American treaty between England and Spain: this treaty was made more general and complete in 1670. The two states then renounced all right of trading with each other's colonies; and the title of England was acknowledged to all the territories in America, of which she was then possessed.

The French king, about the beginning of Charles's reign, laid some impositions on English commodities: and the English, partly displeased with this innovation, partly moved by their animosity against France, retaliated, by laying such restraints on the commerce with that kingdom as amounted almost to a prohibition. They formed calculations, by which they persuaded themselves that they were losers a million and a half or near two millions a-year, by the French trade. But no good effects were found to result from these restraints; and in King James's reign they were taken off by parliament.

Lord Clarendon tells us, that in 1665, when money, in consequence of a treaty, was to be remitted to the Bishop of Munster, it was found, that the whole trade of England could not supply above 1000 pounds a-month to Frankfurt and Cologne, nor above 20,000 pounds a-month to Hamburg: these sums appear surprisingly small.<sup>6</sup>

At the same time that the boroughs of England were deprived of their privileges, a like attempt was made on the colonies. King James recalled the charters by which their liberties were secured; and he sent over governors invested with absolute power. The arbitrary principles of that monarch appear in every part of his administration.

The people, during these two reigns, were, in a great measure, cured of that wild fanaticism, by which they had formerly been so much agitated. Whatever new vices they might acquire, it may be questioned, whether, by this change, they were, in the main, much losers in point of morals. By the example of Charles II. and the cavaliers, licentiousness and debauchery became prevalent in the nation. The pleasures of the table were much pursued. Love was treated more as an appetite than a passion. The one sex began to abate of the national character of chastity, without being able to inspire the other with sentiment or delicacy.

The abuses in the former age, arising from overstrained pretensions to piety, had much propagated the spirit of irreligion; and many of the ingenious men of this period lie under the imputation of deism. Besides wits and scholars by profession, Shaftesbury, Halifax, Buckingham, Mulgrave, Sunderland, Essex, Rochester, Sidney, Temple, are supposed to have adopted these principles.

The same factions which formerly distracted the nation, were revived, and exerted themselves in the most ungenerous and unmanly enterprises against each other. King Charles, being in his whole deportment a model of easy and gentlemanlike behaviour, improved the politeness of the nation; as much as faction, which of all things is most destructive to that virtue, could possibly permit. His courtiers were long distinguishable in England by their obliging and agreeable manners.

Till the revolution, the liberty of the press was very imperfectly enjoyed in England, and during a very short period. The star-chamber, while that court subsisted, put effectual restraints upon printing. On the suppression of that tribunal in 1641, the long parliament, after their rupture with the king, assumed the same power with regard to the licensing of books; and this authority was continued during all the period of the republic and protectorship.<sup>7</sup> Two years after the restoration, an act was passed reviving the republican ordinances. This act expired in 1679; but was revived in the first of King James. The liberty of the press did not even commence with the revolution. It was not till 1694, that the restraints were taken off; to the great displeasure of the king and his ministers, who, seeing no where in any government, during present or past ages, any example of such unlimited freedom, doubted much of its salutary effects, and probably thought that no books or writings would ever so much improve the

<sup>1</sup> Pepys's Memoirs, p. 4.

<sup>2</sup> Memoirs of English affairs, chiefly naval.

<sup>3</sup> Lives of the Admirals, vol. ii. p. 170.

<sup>4</sup> Discourse on the Public Revenues, part ii. p. 21, 33, 36.

<sup>5</sup> Third Observation, &c.

<sup>6</sup> Scobell, s. 44, 134, 135, 250. 2 Life of Clarendon, p. 237.

general understanding of men, as to render it safe to intrust them with an indulgence so easily abused.

In 1677, the old law for burning heretics was repealed: a prudent measure, while the nation was in continual dread of the return of popery.

Amidst the thick cloud of bigotry and ignorance which overspread the nation, during the commonwealth and protectorship, there were a few sedate philosophers, who, in the retirement of Oxford, cultivated their reason, and established conferences for the mutual communication of their discoveries in physics and geometry. Wilkins a clergyman, who had married Cromwell's sister, and was afterwards Bishop of Chester, promoted these philosophical conversations. Immediately after the restoration, these men procured a patent, and having enlarged their number, were denominated the *Royal Society*. But this patent was all they obtained from the king. Though Charles was a lover of the sciences, particularly chemistry and mechanics; he animated them by his example alone, not by his bounty. His craving courtiers and mistresses, by whom he was perpetually surrounded, engrossed all his expense, and left him neither money nor attention for literary merit. His contemporary, Lewis, who fell short of the king's genius and knowledge in this particular, much exceeded him in liberality. Besides pensions conferred on learned men throughout all Europe, his academies were directed by rules, and supported by salaries: a generosity which does great honour to his memory; and in the eyes of all the ingenious part of mankind, will be esteemed an atonement for many of the errors of his reign. We may be surprised that this example should not be more followed by princes; since it is certain that that bounty, so extensive, so beneficial, and so much celebrated, cost not this monarch so great a sum as is often conferred on one useless overgrown favourite or courtier.

But though the French academy of sciences was directed, encouraged, and supported by the sovereign, there arose in England some men of superior genius, who were more than sufficient to cast the balance, and who drew on themselves and on their native country the regard and attention of Europe. Besides Wilkins, Wren, Wallis, eminent mathematicians; Hooke, an accurate observer by microscopes; and Sydenham, the restorer of true physic; there flourished during this period a Boyle and a Newton; men who trod with cautious, and therefore the more secure, steps, the only road which leads to true philosophy.

Boyle improved the pneumatic engine invented by Otto Guericke, and was thereby enabled to make several new and curious experiments on the air, as well as on other bodies: his chemistry is much admired by those who are acquainted with that art: his hydrostatics contain a greater mixture of reasoning and invention with experiment than any other of his works; but his reasoning is still remote from that boldness and temerity which had led astray so many philosophers. Boyle was a great partisan of the mechanical philosophy; a theory which, by discovering some of the secrets of nature, and allowing us to imagine the rest, is so agreeable to the natural vanity and curiosity of men. He died in 1691, aged 65.

In Newton this island may boast of having produced the greatest and rarest genius that ever rose for the ornament and instruction of the species. Cautious in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual: from modesty, ignorant of his superiority above the rest of mankind; and thence less careful to accommodate his reasonings to common apprehensions: more anxious to merit than acquire fame: he was, from these causes, long unknown to the world; but his reputation at last broke out with a lustre, which scarcely any writer, during his own life-time, had ever before attained. While Newton seemed to draw off the veil from some of the mysteries of nature, he showed at the same time the imperfections of the mechanical philosophy; and thereby restored her ultimate secrets to that obscurity in which they ever did and ever will remain. He died in 1727, aged 85.

This age was far from being so favourable to polite literature as to the sciences. Charles, though fond of wit,

though possessed himself of a considerable share of it, though his taste in conversation seems to have been sound and just, served rather to corrupt than improve the poetry and eloquence of his time. When the theatres were opened at the restoration, and freedom was again given to pleasantries and ingenuity; men, after so long an abstinence, fed on these delicacies with less taste and avidity, and the coarsest and most irregular species of wit was received by the court as well as by the people. The productions represented at that time on the stage, were such monsters of extravagance and folly; so utterly destitute of all reason, or even common sense; that they would be the disgrace of English literature, had not the nation made atonement for its former admiration of them, by the total oblivion to which they are now condemned. The Duke of Buckingham's rehearsal, which exposed these wild productions, seems to be a piece of ridicule carried to excess; yet in reality the copy scarcely equals some of the absurdities which we meet with in the originals.<sup>b</sup>

This severe satire, together with the good sense of the nation, corrected, after some time, the extravagances of the fashionable wit; but the productions of literature still wanted much of that correctness and delicacy which we so much admire in the ancients, and in the French writers, their judicious imitators. It was indeed during this period chiefly that that nation left the English behind them in the productions of poetry, eloquence, history, and other branches of polite letters; and acquired a superiority, which the efforts of English writers, during the subsequent age, did more successfully contest with them. The arts and sciences were imported from Italy into this island as early as into France; and made at first more sensible advances. Spenser, Shakespeare, Bacon, Jonson, were superior to their contemporaries, who flourished in that kingdom. Milton, Waller, Denham, Cowley, Harvey, were at least equal to their contemporaries. The reign of Charles II. which some preposterously represent as our Augustan age, retarded the progress of polite literature in this island; and it was then found, that the immeasurable licentiousness, indulged or rather applauded at court, was more destructive to the refined arts, than even the cant, nonsense, and enthusiasm of the preceding period.

Most of the celebrated writers of this age remain monuments of genius, perverted by indecency and bad taste; and none more than Dryden, both by reason of the greatness of his talents, and the gross abuse which he made of them. His plays, excepting a few scenes, are utterly disfigured by vice or folly, or both. His translations appear too much the offspring of haste and hunger: even his fables are ill-chosen tales, conveyed in an incorrect, though spirited versification. Yet, amidst this great number of loose productions, the refuse of our language, there are found some small pieces, his Ode to St. Cecilia, the greater part of Absalom and Aithiophel, and a few more, which discover so great genius, such richness of expression, such pomp and variety of numbers, that they leave us equally full of regret and indignation, on account of the inferiority, or rather great absurdity, of his other writings. He died in 1701, aged 69.

The very name of Rochester is offensive to modest ears; yet does his poetry discover such energy of style and such poignancy of satire, as give ground to imagine what so fine a genius, had he fallen in a more happy age, and had followed better models, was capable of producing. The ancient satirists often used great liberties in their expressions; but their freedom no more resembles the licentiousness of Rochester, than the nakedness of an Indian does that of a common prostitute.

Wycherley was ambitious of the reputation of wit and libertinism; and he attained it: he was probably capable of reaching the fame of true comedy and instructive ridicule. Otway had a genius finely turned to the pathetic; but he neither observes strictly the rules of the drama, nor the rules, still more essential, of propriety and decorum. By one service piece, the Duke of Buckingham did both great service to his age, and honour to himself. The Earls of Mulgrave, Dorset, and Roscommon, wrote in a good taste, but their productions are either feeble or care-

less. The Marquis of Halifax discovers a refined genius ; and nothing but leisure and an inferior station seem wanting to have procured him eminence in literature.

Of all the considerable writers of this age, Sir William Temple is almost the only one that kept himself altogether unpolluted by that inundation of vice and licentiousness which overwhelmed the nation. The style of this author, though extremely negligent, and even infected with foreign idioms, is agreeable and interesting. That mixture of vanity which appears in his works, is rather a recommendation to them. By means of it, we enter into acquaintance with the character of the author, full of honour and humanity ; and fancy that we are engaged, not in the perusal of a book, but in conversation with a companion. He died in 1698, aged 70.

Though *Hudibras* was published, and probably composed, during the reign of Charles II., Butler may justly, as well as Milton, be thought to belong to the foregoing period. No composition abounds so much as *Hudibras* in strokes of just and inimitable wit ; yet are there many performances which give us great or greater entertainment on the whole perusal. The allusions in Butler are often dark and far-fetched ; and though scarcely any author was ever able to express his thoughts in so few words, he often employs too many thoughts on one subject, and thereby

becomes prolix after an unusual manner. It is surprising how much erudition Butler has introduced with so good a grace into a work of pleasantry and humour : *Hudibras* is perhaps one of the most learned compositions that is to be found in any language. The advantage which the royal cause received from this poem, in exposing the fanaticism and false pretensions of the former parliamentary party, was prodigious. The king himself had so good a taste, as to be highly pleased with the merit of the work, and had even got a great part of it by heart : yet was he either so careless in his temper, or so little endowed with the virtue of liberality, or, more properly speaking, of gratitude, that he allowed the author, a man of virtue and probity, to live in obscurity, and die in want.<sup>c</sup> Dryden is an instance of a negligence of the same kind. His Absalom sensibly contributed to the victory which the Tories obtained over the Whigs, after the exclusion of parliaments : yet could not this merit, aided by his great genius, procure him an establishment which might exempt him from the necessity of writing for bread. Otway, though a professed royalist, could not even procure bread by his writings ; and he had the singular fate of dying literally of hunger. These incidents throw a great stain on the memory of Charles, who had discernment, loved genius, was liberal of money, but attained not the praise of true generosity

<sup>c</sup> Butler died in 1680, aged 68.



# APPENDIX.

## No. I.

### THE ANGLO-SAXON GOVERNMENT AND MANNERS.

First Saxon government—Succession of the kings—The Wittenagemot—The aristocracy—The several orders of men—Courts of justice—Criminal law—Rules of proof—Military force—Public revenue—Value of money—Manners.

THE government of the Germans, and that of all the northern nations, who established themselves on the ruins of Rome, was always extremely free; and those fierce people, accustomed to independence and inured to arms, were more guided by persuasion than authority, in the submission which they paid to their princes. The military despotism, which had taken place in the Roman empire, and which, previously to the irruption of those conquerors, had sunk the genius of men, and destroyed every noble principle of science and virtue, was unable to resist the vigorous efforts of a free people; and Europe, as from a new epoch, rekindled her ancient spirit, and shook off the base servitude to arbitrary will and authority under which she had so long laboured. The free constitutions then established, however impaired by the encroachments of succeeding princes, still preserve an air of independence and legal administration, which distinguish the European nations; and if that part of the globe maintain sentiments of liberty, honour, equity, and valour, superior to the rest of mankind, it owes these advantages chiefly to the seeds implanted by those generous barbarians.

The Saxons, who subdued Britain, as they enjoyed great liberty in their own country, obstinately retained that invaluable possession in their new settlement; and they imported into this island the same principles of independence, which they had inherited from their ancestors. The chieftains (for such they were, more properly than kings or princes) who commanded them in those military expeditions, still possessed a very limited authority; and as the Saxons exterminated, rather than subdued, the ancient inhabitants, they were indeed transplanted into a new territory, but preserved unaltered all their civil and military institutions. The language was pure Saxon; even the names of places, which often remain while the tongue entirely changes, were almost all affixed by the conquerors; the manners and customs were wholly German; and the same picture of a fierce and bold liberty, which is drawn by the masterly pencil of Tacitus, will suit those founders of the English government. The king, so far from being invested with arbitrary power, was only considered as the first among the citizens; his authority depended more on his personal qualities than on his station; he was even so far on a level with the people, that a stated price was fixed for his head, and a legal fine was levied upon his murderer, which, though proportionate to his station, and superior to that paid for the life of a subject, was a sensible mark of his subordination to the community.

It is easy to imagine, that an independent people, so little restrained by law and cultivated by science, would not be very strict in maintaining a regular succession of their princes. Though they paid

great regard to the royal family, and ascribed to it an undisputed superiority, they either had no rule, or none that was steadily observed, in filling the vacant throne; and present convenience, in that emergency, was more attended to than general principles. We are not, however, to suppose that the crown was considered as altogether elective; and that a regular plan was traced by the constitution for supplying, by the suffrages of the people, every vacancy made by the demise of the first magistrate. If any king left a son of an age and capacity fit for government, the young prince naturally stepped into the throne: if he was a minor, his uncle, or the next prince of the blood, was promoted to the government, and left the sceptre to his posterity: any sovereign, by taking previous measures with the leading men, had it greatly in his power to appoint his successor: all these changes, and indeed the ordinary administration of government, required the express concurrence, or at least the tacit acquiescence, of the people; but possession, however obtained, was extremely apt to secure their obedience, and the idea of any right, which was once excluded, was but feeble and imperfect. This is so much the case in all barbarous monarchies, and occurs so often in the history of the Anglo-Saxons, that we cannot consistently entertain any other notion of their government. The idea of an hereditary succession in authority is so natural to men, and is so much fortified by the usual rule in transmitting private possessions, that it must retain a great influence on every society, which does not exclude it by the refinements of a republican constitution. But as there is a material difference between government and private possessions, and every man is not as much qualified for exercising the one, as for enjoying the other, a people, who are not sensible of the general advantages attending a fixed rule, are apt to make great leaps in the succession, and frequently to pass over the person, who, had he possessed the requisite years and abilities, would have been thought entitled to the sovereignty. Thus, these monarchies are not, strictly speaking, either elective or hereditary; and though the destination of a prince may often be followed in appointing his successor, they can as little be regarded as wholly testamentary. The states by their suffrage may sometimes establish a sovereign; but they more frequently recognise the person whom they find established: a few great men take the lead; the people, overawed and influenced, acquiesce in the government; and the reigning prince, provided he be of the royal family, passes undisputedly for the legal sovereign.

It is confessed, that our knowledge of the Anglo-Saxon history and antiquities is too imperfect to afford us means of determining, with certainty, all the prerogatives of the crown and privileges of the people, or of giving an exact delineation of that government. It is probable, also, that the constitution might be somewhat different in the different kingdoms of the heptarchy, and that it changed considerably during the

course of six centuries, which elapsed from the first invasion of the Saxons till the Norman conquest.<sup>a</sup> But most of these differences and changes, with their causes and effects, are unknown to us. It only appears, that at all times, and in all the kingdoms, there was a national council, called a Wittenagemot, or assembly of the wise men, (for that is the import of the term,) whose consent was requisite for enacting laws, and for ratifying the chief acts of public administration. The preambles to all the laws of Ethelbert, Ina, Alfred, Edward the Elder, Athelstan, Edmond, Edgar, Ethelred, and Edward the Confessor; even those to the laws of Canute, though a kind of conqueror, put this matter beyond controversy, and carry proofs every where of a limited and legal government. But who were the constituent members of this Wittenagemot has not been determined with certainty by antiquaries. It is agreed, that the bishops and abbots<sup>b</sup> were an essential part; and it is also evident, from the tenor of those ancient laws, that the Wittenagemot enacted statutes which regulated the ecclesiastical as well as civil government, and that those dangerous principles, by which the church is totally severed from the state, were hitherto unknown to the Anglo-Saxons.<sup>c</sup> It also appears, that the aldermen, or governors of counties, who, after the Danish times, were often called earls,<sup>d</sup> were admitted into this council, and gave their consent to the public statutes. But besides the prelates and aldermen, there is also mention of the Wites, or Wise-men, as a component part of the Wittenagemot; but who *these* were, is not so clearly ascertained by the laws or the history of that period. The matter would probably be of difficult discussion, even were it examined impartially; but as our modern parties have chosen to divide on this point, the question has been disputed with the greater obstinacy, and the arguments on both sides have become, on that account, the more captious and deceitful. Our monarchical faction maintain, that these *Wites*, or *Sapientes*, were the judges, or men learned in the law: the popular faction assert them to be representatives of the boroughs, or what we now call the Commons.

The expressions employed by all ancient historians, in mentioning the Wittenagemot, seem to contradict the latter supposition. The members are almost always called the *principes*, *satrapæ*, *optimates*, *migrætes*, *proceres*; terms which seem to suppose an aristocracy, and to exclude the Commons. The boroughs also, from the low state of commerce, were so small and so poor, and the inhabitants lived in such dependence on the great men,<sup>e</sup> that it seems nowise probable they would be admitted as a part of the national councils. The Commons are well known to have had no share in the governments established by the Franks, Burgundians, and other northern nations; and we may conclude that the Saxons, who remained longer barbarous and uncivilized than those tribes, would never think of conferring such an extraordinary privilege on trade and industry. The military profession alone was honourable among all those conquerors: the warriors subsisted by their possessions in land: they became considerable by their influence over their vassals, retainers, tenants, and slaves: and it requires strong proof to convince us that they would admit any of a rank so much inferior as the burgesses, to share with them in the legislative authority. Tacitus indeed affirms, that, among the ancient Germans, the consent of all the members of the community was required in every important deliberation; but he speaks not of representatives; and this ancient practice, mentioned

by the Roman historian, could only have place in small tribes, where every citizen might, without inconvenience, be assembled upon any extraordinary emergency. After principalities became extensive; after the difference of property had formed distinctions more important than those which arose from personal strength and valour, we may conclude, that the national assemblies must have been more limited in their number, and composed only of the more considerable citizens.

But though we must exclude the burgesses, or Commons, from the Saxon Wittenagemot, there is some necessity for supposing that this assembly consisted of other members than the prelates, abbots, aldermen, and the judges or privy council. For as all these, excepting some of the ecclesiastics,<sup>f</sup> were anciently appointed by the king, had there been no other legislative authority, the royal power had been in a great measure absolute, contrary to the tenor of all the historians, and to the practice of all the northern nations. We may therefore conclude, that the more considerable proprietors of land were, without any election, constituent members of the national assembly; there is reason to think that forty hides, or between four and five thousand acres, was the estate requisite for entitling the possessor to this honourable privilege. We find a passage in an ancient author,<sup>g</sup> by which it appears, that a person of very noble birth, even one allied to the crown, was not esteemed a *principes* (the term usually employed by ancient historians, when the Wittenagemot is mentioned) till he had acquired a fortune of that amount. Nor need we imagine that the public council would become disorderly or confused by admitting so great a multitude. The landed property of England was probably in few hands during the Saxon times; at least during the latter part of that period: and as men had hardly any ambition to attend those public councils, there was no danger of the assembly's becoming too numerous for the despatch of the little business which was brought before them.

It is certain, that, whatever we may determine concerning the constituent members of the Wittenagemot, in whom, with the king, the legislature resided, the Anglo-Saxon government, in the period preceding the Norman conquest, was become extremely aristocratical: the royal authority was very limited; the people, even if admitted to that assembly, were of little or no weight and consideration. We have hints given us in historians, of the great power and riches of particular noblemen: and it could not but happen, after the abolition of the heptarchy, when the king lived at a distance from the provinces, that those great proprietors, who resided on their estates, would much augment their authority over their vassals and retainers, and over all the inhabitants of the neighbourhood. Hence the immeasurable power assumed by Harold, Godwin, Leofric, Siward, Morcar, Edwin, Edric, and Alfric, who controlled the authority of the kings, and rendered themselves quite necessary in the government. The two latter, though detested by the people, on account of their joining a foreign enemy, still preserved their power and influence; and we may therefore conclude, that their authority was founded, not on popularity, but on family rights and possessions. There is one Athelstan, mentioned in the reign of the king of that name, who is called Alderman of all England, and is said to be half-king; though the monarch himself was a prince of valour and abilities.<sup>h</sup> And we find, that in the latter Saxon times, and in these alone, the great offices went

<sup>a</sup> We know of one change not inconsiderable, in the Saxon constitution. The *Synodicals*, p. 49, inform us, that it was in early times the prerogative of the king to name the dukes, earls, aldermen, and sheriffs of the counties. Asse, a contemporary writer, informs us, that Alfred bestowed all the important aldermen, and appointed men of more capacity in their place. See the laws of Edward the Confessor, c. 35, say expressly, that the heretofore dukes, and the sheriffs, were chosen by the freeholders in the *Witenote*, a county court, which was assembled once a year, and where all the freeholders swore allegiance to the king.

<sup>b</sup> Sometimes abbots were admitted, at least, they often sign the king's charters or grants. Spelman, Gloss. in verbo *Parliamentum*.

<sup>c</sup> Wilkins, *DANIEL*.

<sup>d</sup> I address myself to the ancient translations of the Saxon annals and laws, and trust King Alfred's translation of Bede, as well as from all the ancient Saxon, were quite synonymous. There is only a clause in a law of King Athelstan (see Spelman, *Conr.* p. 406.) which has stumbled some antiquaries; and has made them imagine that an earl was superior to an alderman. The *Wergeld*, or the price of an earl's blood, is there fixed at 15,000 thirlings, equal to that of an archbishop, whereas that of a bishop

and alderman is only 8000 thirlings. To solve this difficulty we must have recourse to Selden's conjecture, see his titles of Honour, chap. x. p. 608, 609; that the term of earl was in the age of Athelstan just beginning to be in use in England, and stood at that time for the *atheling* or prince of the blood, heir to the crown. It is he confuses by a law of Canute, c. 55, where an *atheling* and an archbishop are put upon the same footing. In another law of the same Athelstan, the *Wergeld* of the prince or *atheling* is said to be 15,000 thirlings. See Wilkins, p. 71. He is there called the same who is called earl in the former law.

<sup>e</sup> Brady's Treatise of English Boroughs, p. 3, 4, 5, &c.

<sup>f</sup> There is some reason to think, that the bishops were sometimes chosen by the Wittenagemot, and confirmed by the king. Eddius, cap. 8. The abbots in the monasteries of royal foundation were anciently named by the king; though Edgar gave the monks the election, and only reserved to himself the ratification. This destination was afterwards frequently violated; and the abbots, as well as bishops, were afterwards all appointed by the king; as we learn from Ingulf, a writer contemporary with the conquest.

<sup>g</sup> Hist. Florentin, lib. 2, cap. 10.

<sup>h</sup> Hist. Rames. 3. 3. p. 267.

from father to son, and became in a manner hereditary in the families.<sup>1</sup>

The circumstances attending the invasions of the Danes would also serve much to increase the power of the principal nobility. Those freebooters made unexpected inroads on all quarters; and there was a necessity that each county should resist them by its own force, and under the conduct of its own nobility and its own magistrates. For the same reason that a general war, managed by the united efforts of the whole state, commonly augments the power of the crown; those private wars and inroads turned to the advantage of the aldermen and nobles.

Among that military and turbulent people, so averse to commerce and the arts, and so little inured to industry, justice was commonly very ill administered, and great oppression and violence seem to have prevailed. These disorders would be increased by the exorbitant power of the aristocracy; and would, in their turn, contribute to increase it. Men, not daring to rely on the guardianship of the laws, were obliged to devote themselves to the service of some chieftain, whose orders they followed, even to the disturbance of the government, or the injury of their fellow-citizens, and who afforded them, in return, protection from any insult or injustice by strangers. Hence we find, by the extracts which Dr. Brady has given us from Domesday, that almost all the inhabitants, even of towns, had placed themselves under the clientship of some particular nobleman, whose patronage they purchased by annual payments, and whom they were obliged to consider as their sovereign, more than the king himself, or even the legislature.<sup>2</sup> A client, though a freeman, was supposed so much to belong to his patron, that his murderer was obliged by law to pay a fine to the latter, as a compensation for his loss; in like manner as he paid a fine to the master for the murder of his slave.<sup>3</sup> Men who were of a more considerable rank, but not powerful enough, each to support himself by his own independent authority, entered into formal confederacies with each other, and composed a kind of separate community, which rendered itself formidable to all aggressors. Dr. Hickeys has preserved a curious Saxon bond of this kind, which he calls a *Sodalitium*, and which contains many particulars characteristic of the manners and customs of the times.<sup>4</sup> All the associates are there said to be gentlemen of Cambridgeshire, and they swear before the holy relics to observe their confederacy, and to be faithful to each other: they promise to bury any of the associates who dies, in whatever place he had appointed; to contribute to his funeral charges, and to attend at his interment; and whoever is wanting in this last duty, binds himself to pay a measure of honey. When any of the associates is in danger, and calls for the assistance of his fellows, they promise, besides flying to his succour, to give information to the sheriff; and if he be negligent in protecting the person exposed to danger, they engage to levy a fine of one pound upon him: if the president of the society himself be wanting in this particular, he binds himself to pay one pound; unless he has the reasonable excuse of sickness, or of duty to his superior. When any of the associates is murdered, they are to exact eight pounds from the murderer; and if he refuse to pay it, they are to prosecute him for the sum at their joint expense. If any of the associates who happens to be poor kill a man, the society are to contribute, by a certain proportion, to pay his fine: a mark a-piece if the fine be 700 shillings; less if the person killed be a clown or coarle; the half of that sum, again, if he be a Welchman. But where any of the associates kills a man, wilfully and without provocation, he must himself pay the fine. If any of the associates kill any of his fellows in a like criminal manner; besides paying the usual fine to the relations of the deceased, he must pay eight pounds to the society, or renounce the benefit of it: in which case, they bind themselves, under the penalty of one pound, never to eat or drink with him, except in the

presence of the king, bishop, or alderman. There are other regulations to protect themselves and their servants from all injuries, to revenge such as are committed, and to prevent their giving abusive language to each other; and the fine, which they engage to pay for this last offence, is a measure of honey.

It is not to be doubted but a confederacy of this kind must have been a great source of friendship and attachment; when men lived in perpetual danger from enemies, robbers, and oppressors, and received protection chiefly from their personal valour, and from the assistance of their friends or patrons. As animosities were then more violent, connexions were also more intimate, whether voluntary or derived from blood: the most remote degree of propinquity was regarded: an indelible memory of benefits was preserved: severe vengeance was taken for injuries, both from a point of honour, and as the best means of future security: and the civil union being weak, many private engagements were contracted in order to supply its place, and to procure men that safety which the laws and their own innocence were not alone able to insure to them.

On the whole, notwithstanding the seeming liberty, or rather licentiousness, of the Anglo-Saxons, the great body even of the free citizens, in those ages, really enjoyed much less true liberty, than where the execution of the laws is the most severe, and where subjects are reduced to the strictest subordination and dependence on the civil magistrate. The reason is derived from the excess itself of that liberty. Men must guard themselves at any price against insults and injuries; and where they receive not protection from the laws and magistrate, they will seek it by submission to superiors, and by herding in some private confederacy which acts under the direction of a powerful leader. And thus all anarchy is the immediate cause of tyranny, if not over the state, at least over many of the individuals.

Security was provided by the Saxon laws to all members of the Wittenagemot, both in going and returning, *except they were notorious thieves and robbers.*

The German Saxons, as the other nations <sup>The several orders of men.</sup> of that continent, were divided into three orders of men. The ranks of men, the noble, the free, and the slaves.<sup>5</sup> This distinction they brought over with them into Britain.

The nobles were called thanes; and were of two kinds, the king's thanes and lesser thanes. The latter seem to have been dependent on the former; and to have received lands, for which they paid rent, services, or attendance in peace and war.<sup>6</sup> We know of no title which raised any one to the rank of thane, except noble birth and the possession of land. The former was always much regarded by all the German nations, even in their most barbarous state; and as the Saxon nobility, having little credit, could scarcely burthen their estates with much debt, and as the Commons had little trade or industry by which they could accumulate riches, these two ranks of men, even though they were not separated by positive laws, might remain long distinct, and the noble families continue many ages in opulence and splendour. There were no middle ranks of men, that could gradually mix with their superiors, and insensibly procure to themselves honour and distinction. If by any extraordinary accident a mean person acquired riches, a circumstance so singular made him be known and remarked; he became the object of envy, as well as of indignation, to all the nobles; he would have great difficulty to defend what he had acquired; and he would find it impossible to protect himself from oppression, except by courting the patronage of some great chieftain, and paying a large price for his safety.

There are two statutes among the Saxon laws which seem calculated to confound those different ranks of men; that of Athelstan, by which a merchant, who had made three long sea-voyages on his own account, was entitled to the quality of thane; and that of the same prince, by

<sup>1</sup> Roger Hoveden, giving the reason why William the Conqueror made Conqueror Earl of Northumberland, says, *Nam ex matre sanguinem ultra vellet adire honor illius comitis. Post eum ex matre Haroldus, filius illius comitis.* See also Sten. Dun. p. 265. We see in these instances the same tendency towards rendering offices hereditary, which took place, during a more early period, in the continent, and which has already produced their disuse almost

<sup>2</sup> Brady's *Treatise of Boroughs*, p. 3, 4, 5, &c. The case was the same with the freemen in the country. See Pref. to his *Hist.* p. 8, 9, 10, &c.  
<sup>3</sup> *I. II. Edw. Conf.* 58. *apud Ingulf.*  
<sup>4</sup> *In Dissert. Epist.* p. 21.  
<sup>5</sup> *Nithard, Hist. lib.* 4.  
<sup>6</sup> *Spelling, Words and Tenures*, p. 10.  
<sup>7</sup> *p. Wilkins*, p. 71.



which a ceorle or husbandman, who had been able to purchase five hides of land, and had a chapel, a kitchen, a hall, and a bell, was raised to the same distinction.<sup>a</sup> But the opportunities were so few, by which a merchant or ceorle could thus exalt himself above his rank, that the law could never overcome the reigning prejudices; the distinction between noble and base blood would still be indelible; and the well-born thanes would entertain the highest contempt for those legal and factitious ones. Though we are not informed of any of these circumstances by ancient historians, they are so much founded on the nature of things, that we may admit them as a necessary and infallible consequence of the situation of the kingdom during those ages.

The cities appear by Domesday-book to have been at the conquest little better than villages.<sup>b</sup> York itself, though it was always the second, at least the third,<sup>c</sup> city in England, and was the capital of a great province, which never was thoroughly united with the rest, contained then but 1418 families.<sup>d</sup> Malmesbury tells us,<sup>e</sup> that the great distinction between the Anglo-Saxon nobility, and the French or Norman, was, that the latter built magnificent and stately castles; whereas the former consumed their immense fortunes in riot and hospitality, and in mean houses. We may thence infer, that the arts in general were much less advanced in England than in France; a greater number of idle servants and retainers lived about the great families; and as these, even in France, were powerful enough to disturb the execution of the laws, we may judge of the authority acquired by the aristocracy in England. When Earl Godwin besieged the Confessor in London, he summoned from all parts his huscarles, or housecarles and retainers, and thereby constrained his sovereign to accept of the conditions which he was pleased to impose upon him.

The lower rank of freemen were denominated ceorles among the Anglo-Saxons; and, where they were industrious, they were chiefly employed in husbandry: whence a ceorle and a husbandman became in a manner synonymous terms. They cultivated the farms of the nobility or thanes, for which they paid rent; and they seem to have been removable at pleasure. For there is little mention of leases among the Anglo-Saxons: the pride of the nobility, together with the general ignorance of writing, must have rendered those contracts very rare, and must have kept the husbandmen in a dependent condition. The rents of farms were then chiefly paid in kind.<sup>f</sup>

But the most numerous rank by far in the community seems to have been the slaves or villains, who were the property of their lords, and were consequently incapable, themselves, of possessing any property. Dr. Brady assures us, from a survey of Domesday-book,<sup>g</sup> that in all the counties of England, the far greater part of the land was occupied by them, and that the husbandmen, and still more the socmen, who were tenants that could not be removed at pleasure, were very few in comparison. This was not the case with the German nations, as far as we can collect from the account given us by Tacitus. The perpetual wars in the Heptarchy, and the depredations of the Danes, seem to have been the cause of this great alteration with the Anglo-Saxons. Prisoners taken in battle, or carried off in the frequent inroads, were then reduced to slavery; and became, by right of war,<sup>h</sup> entirely at the disposal of their lords. Great property in the nobles, especially if joined to an irregular administration of justice, naturally favours the power of the aristocracy; but still more so, if the practice of slavery be admitted, and has become very common. The nobility not only possess the influence which always attends riches, but also the power which the laws give them over their slaves and villains. It then becomes

difficult, and almost impossible, for a private man to remain altogether free and independent.

There were two kinds of slaves among the Anglo-Saxons; household slaves, after the manner of the ancients, and prædial or rustic, after the manner of the Germans.<sup>i</sup> These latter resembled the serfs, which are at present to be met with in Poland, Denmark, and some parts of Germany. The power of a master over his slaves was not unlimited among the Anglo-Saxons, as it was among their ancestors. If a man beat out his slave's eye, or teeth, the slave recovered his liberty:<sup>j</sup> if he killed him, he paid a fine to the king; provided the slave died within a day after the wound or blow; otherwise it passed unpunished.<sup>k</sup> The selling of themselves or children to slavery was always the practice among the German nations,<sup>l</sup> and was continued by the Anglo-Saxons.<sup>m</sup>

The great lords and abbots among the Anglo-Saxons possessed a criminal jurisdiction within their territories, and could punish, without appeal, any thieves or robbers whom they caught there.<sup>n</sup> This institution must have had a very contrary effect to that which was intended, and must have procured robbers a sure protection on the lands of such noblemen as did not sincerely mean to discourage crimes and violence.

But though the general strain of the Anglo-Saxon government seems to have become aristocratical, there were still considerable remains of the ancient democracy, which were not indeed sufficient to protect the lowest of the people, without the patronage of some great lord, but might give security, and even some degree of dignity, to the gentry, or inferior nobility. The administration of justice, in particular, by the courts of the decennary, the hundred, and the county, was well calculated to defend general liberty, and to restrain the power of the nobles. In the county courts, or shiremoets, all the freeholders were assembled twice a year, and received appeals from the inferior courts. They there decided all causes, ecclesiastical as well as civil; and the bishop, together with the alderman or earl, presided over them.<sup>o</sup> The affair was determined in a summary manner, without much pleading, formality, or delay, by a majority of voices; and the bishop and alderman had no further authority than to keep order among the freeholders, and interpose with their opinion.<sup>p</sup> Where justice was denied during three sessions by the hundred, and then by the county court, there lay an appeal to the king's court;<sup>q</sup> but this was not practised on slight occasions. The alderman received a third of the fines levied in those courts;<sup>r</sup> and as most of the punishments were then pecuniary, this perquisite formed a considerable part of the profits belonging to his office. The two-thirds also, which went to the king, made no contemptible part of the public revenue. Any freeholder was fined who absented himself thrice from these courts.<sup>s</sup>

As the extreme ignorance of the age made deeds and writings very rare, the county or hundred court was the place where the most remarkable civil transactions were finished, in order to preserve the memory of them, and prevent all future disputes. Here testaments were promulgated, slaves manumitted, bargains of sale concluded; and sometimes, for greater security, the most considerable of these deeds were inserted in the blank leaves of the parish Bible, which thus became a kind of register too sacred to be falsified. It was not unusual to add to the deed an imprecation on all such as should be guilty of that crime.<sup>t</sup>

Among a people, who lived in so simple a manner as the Anglo-Saxons, the judicial power is always of greater importance than the legislative. There were few or no taxes imposed by the states: there were few statutes enacted; and the nation was less governed by laws than by customs, which admitted a great latitude of interpreta-

<sup>a</sup> Selden, *Titles of Honour*, p. 515. Wilkins, p. 70.

<sup>b</sup> Winchester, being the capital of the West-Saxon monarchy, was anciently a considerable city. *Gul. Pict.* p. 210.

<sup>c</sup> Norwich contained 738 houses, 1 xlvii 315, Ipswich 579, Northampton 60, Hertford 146, Canterbury 262, Bath 61, Southampton 81, Warwick 225. See Brady of *Boroughs*, p. 3, 1, 5, 6, &c. These are the most considerable.

<sup>d</sup> Brady's *Treatise of Boroughs*, p. 10. There were six wards, besides the archbishop's palace, and five of these wards contained the number of families here mentioned, which, at the rate of five persons to a family, makes about 7000 souls. The sixth ward was laid waste.

<sup>e</sup> *U. L. Jur.* § 70. See also, *De Gest. Angl.* p. 333.

<sup>f</sup> *U. L. Jur.* § 70. These laws fixed the rents for a hide, but it is difficult to convert it into modern measures.

<sup>x</sup> General Preface to his Hist. p. 7, 8, 9, &c.

<sup>y</sup> *U. L. Idg.* § 14. apud Spellm. *Conc.* vol. 1. p. 471.

<sup>z</sup> Spellm. *Gloss.* in verb. *Servus*.

<sup>a</sup> *U. L. Idg.* § 17. c *Tacit. de Morib. Germ.*

<sup>d</sup> *U. L. Idg.* § 11. *U. L. Idg.* § 12.

<sup>e</sup> Higden, lib. 1. cap. 50. *U. L. Idg.* Conf. § 26. Spellm. *Conc.* vol. 1.

<sup>f</sup> p. 415. *Gloss.* in verb. *Haltgenet* et *Intangenhe*.

<sup>g</sup> *U. L. Idg.* § 3. Wilkins, p. 79. *U. L. Canon.* § 17. Wilkins, p. 136.

<sup>h</sup> *U. L. Idg.* § 2. Wilkins, p. 77. *U. L. Canon.* § 12. apud Wilkins, p. 136.

<sup>i</sup> *U. L. Idg.* Conf. § 31.

<sup>j</sup> *U. L. Idg.* § 20.

<sup>k</sup> *U. L. Idg.* § 20.

<sup>l</sup> *Hicks, Dissert. Epist.*

tion. Though it should, therefore, be allowed that the Wittenage-moot was altogether composed of the principal nobility, the county courts, where all the freeholders were admitted, and which regulated all the daily occurrences of life, formed a wide basis for the government, and were no contemptible checks on the aristocracy. But there is another power still more important than either the judicial or legislative: to wit, the power of injuring or serving by immediate force and violence, for which it is difficult to obtain redress in courts of justice. In all extensive governments, where the execution of the laws is feeble, this power naturally falls into the hands of the principal nobility; and the degree of it which prevails, cannot be determined so much by the public statutes, as by small incidents in history, by particular customs, and sometimes by the reason and nature of things. The highlands of Scotland have long been entitled by law to every privilege of British subjects; but it was not till very lately that the common people could in fact enjoy these privileges.

The powers of all the members of the Anglo-Saxon government are disputed among historians and antiquaries: the extreme obscurity of the subject, even though faction had never entered into the question, would naturally have begotten those controversies. But the great influence of the lords over their slaves and tenants, the clientship of the burghers, the total want of a middling rank of men, the extent of the monarchy, the loose execution of the laws, the continued disorders and convulsions of the state; all these circumstances evince that the Anglo-Saxon government became at last extremely aristocratical; and the events, during the period immediately preceding the conquest, confirm this inference or conjecture.

**Criminal Law.** Both the punishments inflicted by the Anglo-Saxon courts of judicature, and the methods of proof employed in all causes, appear somewhat singular, and are very different from those which prevail at present among all civilized nations.

We must conceive that the ancient Germans were little removed from the original state of nature: the social confederacy among them was more martial than civil: they had chiefly in view the means of attack or defence against public enemies, not those of protection against their fellow-citizens: their possessions were so slender and so equal, that they were not exposed to great danger; and the natural bravery of the people made every man trust to himself, and to his particular friends, for his defence or vengeance. This defect in the political union drew much closer the knot of particular confederacies: an insult upon any man was regarded by all his relations and associates as a common injury: they were bound by honour as well as by a sense of common interest, to revenge his death, or any violence which he had suffered: they retaliated on the aggressor by like acts of violence; and if he were protected, as was natural and usual, by his own clan, the quarrel was spread still wider, and bred endless disorders in the nation.

The Frisians, a tribe of the Germans, had never advanced beyond this wild and imperfect state of society; and the right of private revenge still remained among them unlimited and uncontrolled.<sup>m</sup> But the other German nations, in the age of Tacitus, had made one step further towards completing the political or civil union. Though it still continued to be an indispensable point of honour for every clan to revenge the death or injury of a member, the magistrate had acquired a right of interposing in the quarrel, and of accommodating the difference. He obliged the person maimed or injured, and the relations of one killed, to accept of a present from the aggressor and his relations,<sup>n</sup> as a compensation for the injury,<sup>o</sup> and to drop all further prosecution of revenge. That the accommodation of one quarrel might not be the source of more, this present was fixed and certain, according to the rank of the person killed or injured, and was commonly paid in cattle, the chief property of those rude and uncul-

tivated nations. A present of this kind gratified the revenge of the injured family, by the loss which the aggressor suffered: it satisfied their pride, by the submission which it expressed: it diminished their regret for the loss or injury of a kinsman, by their acquisition of new property: and thus general peace was for a moment restored to the society.<sup>p</sup>

But when the German nations had been settled some time in the provinces of the Roman empire, they made still another step towards a more cultivated life, and their criminal justice gradually improved and refined itself. The magistrate, whose office it was to guard public peace, and to suppress private animosities, conceived himself to be injured by every injury done to any of his people; and besides the compensation to the person who suffered, or to his family, he thought himself entitled to exact a fine, called the *Fridwit*, as an atonement for the breach of peace, and as a reward for the pains which he had taken in accommodating the quarrel. When this idea, which is so natural, was once suggested, it was willingly received both by sovereign and people. The numerous fines which were levied, augmented the revenue of the king; and the people were sensible that he would be more vigilant in interposing with his good offices, when he reaped such immediate advantage from them: and that injuries would be less frequent, when, besides compensation to the person injured, they were exposed to this additional penalty.<sup>q</sup>

This short abstract contains the history of the criminal jurisprudence of the northern nations for several centuries. The state of England in this particular, during the period of the Anglo-Saxons, may be judged of by the collection of ancient laws, published by Lambard and Wilkins. The chief purport of these laws is not to prevent or entirely suppress private quarrels, which the legislature knew to be impossible, but only to regulate and moderate them. The laws of Alfred enjoin, that if any one know that his enemy or aggressor, after doing him an injury, resolves to keep within his own house, and his own lands,<sup>r</sup> he shall not fight him till he require compensation for the injury. If he be strong enough to besiege him in his house, he may do it for seven days without attacking him; and if the aggressor be willing, during that time, to surrender himself and his arms, his adversary may detain him thirty days; but is afterwards obliged to restore him safe to his kindred, and be content with the compensation. If the criminal fly to the temple, that sanctuary must not be violated. Where the assailant has not force sufficient to besiege the criminal in his house, he must apply to the alderman for assistance; and if the alderman refuse aid, the assailant must have recourse to the king; and he is not allowed to assault the house, till after this supreme magistrate has refused assistance. If any one meet with his enemy, and be ignorant that he has resolved to keep within his own lands, he must, before he attack him, require him to surrender himself prisoner, and deliver up his arms; in which case he may detain him thirty days: but if he refuse to deliver up his arms, it is then lawful to fight him. A slave may fight in his master's quarrel: a father may fight in his son's with any one, except with his master.<sup>s</sup>

It was enacted by King Ina, that no man should take revenge for an injury till he had first demanded compensation, and had been refused it.<sup>t</sup>

King Edmond, in the preamble to his laws, mentions the general misery occasioned by the multiplicity of private feuds and battles; and he establishes several expedients for remedying this grievance. He ordains, that if any one commit murder, he may, with the assistance of his kindred, pay within a twelvemonth the fine of his crime; and if they abandon him, he shall alone sustain the deadly feud or quarrel with the kindred of the murdered person: his own kindred are free from the feud, but on condition that they neither converse with the criminal, nor supply him with meat or other necessities: if any of them,

<sup>m</sup> L.L. Fris. tit. 2. apud Lindenbrog. p. 491.

<sup>n</sup> L.L. Ethelb. l. 23. § 1. Eth. l. 27.

<sup>o</sup> Called by the Saxons *manbot*.

<sup>p</sup> Tacit. de Morib. Germ. The author says, that the price of the man *Tresden* was fixed, which must have been by the laws and the interposition of the magistrates.

<sup>q</sup> Brought paying money to the relations of the deceased, and to the king.

the murderer was also obliged to pay the master of a slave or vassal a sum as a compensation for his loss. This was called the *Manbot*. See Spell. Gloss. in verb. *Tresden*, *Manbot*.

<sup>r</sup> The addition of these last words in Italics appears necessary from what follows in the same law.

<sup>s</sup> L.L. Eth. c. 9. Wilkins, p. 43.

<sup>t</sup> L.L. Ina. l. 9.

after renouncing him, receive him into their house, or give him assistance, they are finable to the king, and are involved in the feud. If the kindred of the murdered person take revenge on any but the criminal himself, *after he is abandoned by his kindred*, all their property is forfeited, and they are declared to be enemies to the king and all his friends.<sup>a</sup> It is also ordained, that the fine for murder shall never be remitted by the king;<sup>b</sup> and that no criminal shall be killed who flies to the church, or any of the king's towns;<sup>c</sup> and the king himself declares, that his house shall give no protection to murderers, till they have satisfied the church by their penance, and the kindred of the deceased, by making compensation.<sup>d</sup> The method appointed for transacting this composition is found in the same law.<sup>e</sup>

These attempts of Edmond, to contract and diminish the feuds, were contrary to the ancient spirit of the northern barliarians, and were a step towards a more regular administration of justice. By the Salic law, any man might, by a public declaration, exempt himself from his family quarrels: but then he was considered by the law as no longer belonging to the family; and he was deprived of all right of succession, as the punishment of his cowardice.<sup>f</sup>

The price of the king's head, or his wergild, as it was then called, was by law 30,000 thrimas, near 1300 pounds of present money. The price of the prince's head was 15,000 thrimas; that of a bishop's or alderman's, 8000; a sheriff's, 4000; a thane's or clergyman's, 2000; a coeorle's, 266. These prices were fixed by the laws of the Angles. By the Mercian law, the price of a coeorle's head was 200 shillings; that of a thane's six times as much; that of a king six times more.<sup>g</sup> By the laws of Kent, the price of the archbishop's head was higher than that of the king's.<sup>h</sup> Such respect was then paid to the ecclesiastics! It must be understood, that where a person was unable or unwilling to pay the fine, he was put out of the protection of law, and the kindred of the deceased had liberty to punish him as they thought proper.

Some antiquarians<sup>i</sup> have thought, that these compensations were only given for manslaughter, not for wilful murder: but no such distinction appears in the laws; and it is contradicted by the practice of all the other barbarous nations,<sup>j</sup> by that of the ancient Germans,<sup>k</sup> and by that curious monument above mentioned, of Saxon antiquity, preserved by Hickee. There is indeed a law of Alfred's, which makes wilful murder capital;<sup>l</sup> but this seems only to have been an attempt of that great legislator towards establishing a better police in the kingdom, and it probably remained without execution. By the laws of the same prince, a conspiracy against the life of the king might be redeemed by a fine.<sup>m</sup>

The price of all kinds of wounds was likewise fixed by the Saxon laws: a wound of an inch long under the hair, was paid with one shilling: one of a like size in the face, two shillings: thirty shillings for the loss of an ear, and so forth.<sup>n</sup> There seems not to have been any difference made, according to the dignity of the person. By the laws of Ethelbert, any one who committed adultery with his neighbour's wife, was obliged to pay him a fine, and buy him another wife.<sup>o</sup>

These institutions are not peculiar to the ancient Germans. They seem to be the necessary progress of criminal jurisprudence among every free people, where the will of the sovereign is not implicitly obeyed. We find them among the ancient Greeks during the time of the Trojan war. Compositions for murder are mentioned in Nestor's speech to Achilles in the ninth Iliad, and are called *aragora*. The Irish, who never had any connexions with the German nations, adopted the same practice till very lately; and the price of a man's head was called among them his *eric*; as we learn from Sir John Davis.

The same custom seems also to have prevailed among the Jews.<sup>p</sup>

Theft and robbery were frequent among the Anglo-Saxons. In order to impose some check upon these crimes, it was ordained, that no man should sell or buy any thing above twenty-pence value, except in open market;<sup>q</sup> and every bargain of sale must be executed before witnesses.<sup>r</sup> Gangs of robbers much disturbed the peace of the country; and the law determined, that a tribe of banditti, consisting of between seven and thirty-five persons, was to be called a *turma*, or troop: any greater company was denominated an army.<sup>s</sup> The punishments for this crime were various, but none of them capital.<sup>t</sup> If any man could track his stolen cattle into another's ground, the latter was obliged to show the tracks out of it, or pay their value.<sup>u</sup>

Rebellion, to whatever excess it was carried, was not capital, but might be redeemed by a sum of money.<sup>v</sup> The legislators, knowing it impossible to prevent all disorders, only imposed a higher fine on breaches of the peace committed in the king's court, or before an alderman or bishop. An alehouse too seems to have been considered as a privileged place; and any quarrels that arose there were more severely punished than elsewhere.<sup>w</sup>

If the manner of punishing crimes among the Anglo-Saxons appear singular, the proofs Rules of proof. were not less so; and were also the natural result of the situation of those people. Whatever we may imagine concerning the usual truth and sincerity of men who live in a rude and barbarous state, there is much more falsehood, and even perjury among them, than among civilized nations: virtue, which is nothing but a more enlarged and more cultivated reason, never flourishes to any degree, nor is founded on steady principles of honour, except where a good education becomes general: and where men are taught the pernicious consequences of vice, treachery, and immorality. Even superstition, though more prevalent among ignorant nations, is but a poor supply for the defects in knowledge and education: our European ancestors, who employed every moment the expedient of swearing on extraordinary crosses and relics, were less honourable in all engagements than their posterity, who, from experience, have omitted those ineffectual securities. This general proneness to perjury was much increased by the usual want of discernment in judges, who could not discuss an intricate evidence, and were obliged to number, not weigh, the testimony of the witnesses.<sup>x</sup> Hence the ridiculous practice of obliging men to bring compurgators, who, as they did not pretend to know any thing of the fact, expressed upon oath, that they believed the person spoke true: and these compurgators were in some cases multiplied to the number of three hundred.<sup>y</sup> The practice also of single combat was employed by most nations on the continent as a remedy against false evidence;<sup>z</sup> and though it was frequently dropped, from the opposition of the clergy, it was continually revived from experience of the falsehood attending the testimony of witnesses.<sup>aa</sup> It became at last a species of jurisprudence: the cases were determined by law, in which the party might challenge his adversary, or the witnesses, or the judge himself;<sup>ab</sup> and though these customs were absurd, they were rather an improvement on the methods of trial which had formerly been practised among those barbarous nations, and which still prevailed among the Anglo-Saxons.

When any controversy about a fact became too intricate for those ignorant judges to unravel, they had recourse to what they called the judgment of God; that is, to fortune: their methods of consulting this oracle were various. One of them was the decision by the cross: it was practised in this manner: when a person was accused of any crime, he first cleared himself by oath, and he was attended by

a LL. Edm. § 1. Wilkins, p. 73. w LL. Edm. § 3. z Ibid. § 7. b LL. § 2. y Ibid. § 4. c LL. Ethelred, apud Wilkins, p. 110. d Iyerel, Introduction, vol. i. p. 126. e Carte, vol. i. p. 366. f Tac. de Mor. Germ. g LL. § 12. Wilkins, p. 29. h It is probable, that by wilful murder Alfred means a treacherous murder, committed by one who has no declared feud with another. i LL. § 4. Wilkins, p. 35. j LL. § 40. See also LL. Ethelb. § 34, &c. k LL. Ethelb. § 32. l Ibid. cap. xxi. § 9, 30. m LL. Ethelb. § 12. n Ibid. § 10, 12. LL. Edm. apud Wilkins, p. 80. LL. Ethelred, § 4. apud Wilkins, p. 103. Hoth. and Edm. § 16. LL. Canut. § 22.

o LL. Inae, § 12. p Ibid. § 37. q LL. Ethelst. § 2. Wilkins, p. 67. r LL. Ethelred, apud Wilkins, p. 110. LL. § 1. Wilkins, p. 35. s LL. Hloth. and Edm. § 12, 13. LL. Ethelb. apud Wilkins, p. 117. t Sometimes the laws fixed easy general rules for weighing the credibility of witnesses. A man whose life was estimated at 120 shillings, counterbalanced six coeorles, each of whose lives was only valued at 20 shillings, and his oath was esteemed equivalent to that of all the six. See Wilkins, p. 72. u Pref. Nicol. ad Wilkins, p. 11. v LL. Burgund. cap. 45. LL. Lomb. lib. 2. tit. 55. cap. 31. x LL. Lomb. lib. 2. tit. 55. cap. 23. apud Lindenb. p. 661. y See Desfontaines and Beaumaur.



eleven comparators. He next took two pieces of wood, one of which was marked with the sign of the cross, and wrapping both up in wool, he placed them on the altar, or on some celebrated relic. After solemn prayers for the success of the experiment, a priest, or, in his stead, some unexperienced youth, took up one of the pieces of wood, and if he happened upon that which was marked with the figure of the cross, the person was pronounced innocent; if otherwise, guilty.<sup>2</sup> This practice, as it arose from superstition, was abolished by it in France. The Emperor, Lewis the Debonnaire, prohibited that method of trial, not because it was uncertain, but lest that sacred figure, says he, of the cross, should be prostituted in common disputes and controversies.<sup>3</sup>

The ordeal was another established method of trial among the Anglo-Saxons. It was practised either by boiling water or red-hot iron. The former was appropriated to the common people; the latter to the nobility. The water or iron was consecrated by many prayers, masses, fastings, and exorcisms;<sup>4</sup> after which the person accused either took up a stone sunk in the water<sup>5</sup> to a certain depth, or carried the iron to a certain distance; and his hand being wrapped up, and the covering sealed for three days, if there appeared, on examining it, no marks of burning, he was pronounced innocent; if otherwise, guilty.<sup>6</sup> The trial by cold water was different: the person was thrown into consecrated water; if he swam, he was guilty; if he sunk, innocent.<sup>7</sup> It is difficult for us to conceive how any innocent person could ever escape by the one trial, or any criminal be convicted by the other. But there was another usage admirably calculated for allowing every criminal to escape who had confidence enough to try it. A consecrated cake, called a corned, was produced; which if the person could swallow and digest, he was pronounced innocent.<sup>8</sup>

The feudal law, if it had place at all among the Anglo-Saxons, which is doubtful, was not certainly extended over all the landed property, and was not attended with those consequences of homage, reliefs,<sup>9</sup> wardship, marriage, and other burdens, which were inseparable from it in the kingdoms of the continent. As the Saxons expelled, or almost entirely destroyed, the ancient Britons, they planted themselves in this island on the same footing with their ancestors in Germany, and found no occasion for the feudal institutions,<sup>10</sup> which were calculated to maintain a kind of standing army, always in readiness to suppress any insurrection among the conquered people. The trouble and expense of defending the state in England lay equally upon all the land; and it was usual for every five hides to equip a man for the service. The *trinoda necessitas*, as it was called, or the burden of military expeditions, of repairing highways, and of building and supporting bridges, was inseparable from landed property, even though it belonged to the church or monasteries, unless exempted by a particular charter.<sup>11</sup> The coarles or husbandmen were provided with arms, and were obliged to take their turn in military duty.<sup>12</sup> There were computed to be 243,600 hides in England;<sup>13</sup> consequently the ordinary military force of the kingdom consisted of 48,720 men; though, no doubt, on extraordinary occasions, a greater number might be assembled. The king and nobility had some military tenants, who were called *Sithcun-men*.<sup>14</sup> And there were some lands annexed to the office of aldermen, and to other offices; but these probably were not of great extent, and were possessed only during pleasure, as in the commencement of the feudal law in other countries of Europe.

The revenue of the king seems to have consisted chiefly in his demesnes, which were large; and in the tolls and imposts which he probably levied at discretion on the boroughs and seaports that lay

within his demesnes. He could not alienate any part of the crown lands, even to religious uses, without the consent of the states.<sup>15</sup> Danegelt was a land-tax of a shilling a hide, imposed by the states,<sup>16</sup> either for payment of the sums exacted by the Danes, or for putting the kingdom in a posture of defence against those invaders.<sup>17</sup>

The Saxon pound, as likewise that which was coined for some centuries after the conquest, was near three times the weight of our present money: there were forty-eight shillings in the pound, and five pence in a shilling;<sup>18</sup> consequently a Saxon shilling was near a fifth heavier than ours, and a Saxon penny near three times as heavy.<sup>19</sup> As to the value of money in those times, compared to commodities, there are some, though not very certain, means of computation. A sheep, by the laws of Athelstan, was estimated at a shilling; that is, fifteen pence of our money. The fleece was two-fifths of the value of the whole sheep;<sup>20</sup> much above its present estimation; and the reason probably was, that the Saxons, like the ancients, were little acquainted with any clothing but what was made of wool. Silk and cotton were quite unknown: linen was not much used. An ox was computed at six times the value of a sheep; a cow at four.<sup>21</sup> If we suppose that the cattle in that age, from the defects in husbandry, were not so large as they are at present in England, we may compute that money was then near ten times of greater value. A horse was valued at about thirty-six shillings of our money, or thirty Saxon shillings;<sup>22</sup> a mare a third less. A man at three pounds.<sup>23</sup> The board wages of a child the first year was eight shillings, together with a cow's pasture in summer, and an ox's in winter.<sup>24</sup> William of Malmesbury mentions it as a remarkably high price, that William Rufus gave fifteen marks for a horse, or about thirty pounds of our present money.<sup>25</sup> Between the years 900 and 1000, Ednoth bought a hide of land for about 118 shillings of present money.<sup>26</sup> This was little more than a shilling an acre, which indeed appears to have been the usual price, as we may learn from other accounts.<sup>27</sup> A palfrey was sold for twelve shillings about the year 966.<sup>28</sup> The value of an ox in King Ethelred's time was between seven and eight shillings; a cow about six shillings.<sup>29</sup> Gervas of Tilbury says, that in Henry I.'s time, bread which would suffice a hundred men for a day was rated at three shillings, or a shilling of that age; for it is thought that soon after the conquest, a pound sterling was divided into twenty shillings: a sheep was rated at a shilling, and so of other things in proportion. In Athelstan's time a ram was valued at a shilling, or fourpence Saxon.<sup>30</sup> The tenants of Shireburn were obliged, at their choice, to pay either sixpence or four hens.<sup>31</sup> About 1232, the Abbot of St. Alban's, going on a journey, hired seven handsome stout horses; and agreed, if any of them died on the road, to pay the owner 30 shillings a-piece of our present money.<sup>32</sup> It is to be remarked, that in all ancient times the raising of corn, especially wheat, being a species of manufactory, that commodity always bore a higher price, compared to cattle, than it does in our times.<sup>33</sup> The Saxon Chronicle tells us,<sup>34</sup> that in the reign of Edward the Confessor there was the most terrible famine ever known; inasmuch that a quarter of wheat rose to sixty pence, or fifteen shillings of our present money. Consequently it was as dear as if it now cost seven pounds ten shillings. This much exceeds the great famine in the end of Queen Elizabeth; when a quarter of wheat was sold for four pounds. Money in this last period was nearly of the same value as in our time. These severe famines are a certain proof of bad husbandry.

On the whole, there are three things to be considered, wherever a sum of money is mentioned in ancient times. First, the change of denomination, by which a pound has been reduced to the third part of its ancient weight in

<sup>2</sup> J. L. Friesen. tit. lib. apud Landemboogium, p. 106.

<sup>3</sup> De Cate, in verb. *Orde*.

<sup>4</sup> Spelman, in verb. *Ordeal*. Parker, p. 155. Ivo Novemburg, p. 1290.

<sup>5</sup> L. L. lib. 77. <sup>6</sup> Sometimes the person accused walked barefoot over red hot iron.

<sup>7</sup> Spelman, in verb. *Ordeal*. Parker, p. 126. Text. Beilfain, p. 35.

<sup>8</sup> On the method of an alderman, a greater or lesser stone, three was a pound, and four to the weight of his best ox, and this was used as his mark.

<sup>9</sup> This was not at all the nature of a relief. See Spelman, in *Testament*, p. 2. The *alms* of the Church was, namely, *Catechesis*, *coram*, &c.

<sup>10</sup> Reginus de Aepa, rer. norm. lib. 2, cap. 16. See more fully Spelman, in *Testament*, and *Crucis de re feud* lib. 1, dist. 7.

<sup>11</sup> Spelman, Conc. vol. 1, p. 256.

<sup>12</sup> Inac. § 51.

<sup>13</sup> Spelman, in *Testament*, p. 17.

<sup>14</sup> Ibid. p. 340.

<sup>15</sup> Conc. Sax. p. 100.

<sup>16</sup> L. L. lib. 12.

<sup>17</sup> L. L. lib. 1, p. 10.

<sup>18</sup> Fleetwood's Chron. Pretiosum, p. 47, 48, &c.

<sup>19</sup> L. L. lib. 1, p. 69.

<sup>20</sup> Ibid. p. 129.

<sup>21</sup> Ibid. p. 129.

<sup>22</sup> L. L. lib. 1, p. 88.

<sup>23</sup> L. L. lib. 1, p. 115.

<sup>24</sup> Hist. Elens. p. 475.

<sup>25</sup> Ibid. p. 171.

<sup>26</sup> C. Wilkins, p. 126.

<sup>27</sup> Ibid. p. 126.

<sup>28</sup> Monast. Angliæ vol. ii. p. 529.

<sup>29</sup> Mat. Paris.

<sup>30</sup> Fleetwood, p. 83, 91, 96, 98.

<sup>31</sup> Ibid.

silver. Secondly, the change in value by the greater plenty of money, which has reduced the same weight of silver to ten times less value compared to commodities; and consequently a pound sterling to the thirtieth part of the ancient value. Thirdly, the fewer people and less industry, which were then to be found in every European kingdom. This circumstance made even the thirtieth part of the sum more difficult to levy, and caused any sum to have more than thirty times greater weight and influence, both abroad and at home, than in our times; and in the same manner that a sum, a hundred thousand pounds, for instance, is at present more difficult to levy in a small state, such as Bavaria, and can produce greater effects on such a small community, than on England. This last difference is not easy to be calculated: but allowing that England has now six times more industry, and three times more people than it had at the conquest, and for some reigns after that period, we are upon that supposition to conceive, taking all circumstances together, every sum of money mentioned by historians, as if it were multiplied more than a hundred-fold above a sum of the same denomination at present.

In the Saxon times, land was divided equally among all the male children of the deceased, according to the custom of Gavelkind. The practice of entails is to be found in those times.<sup>i</sup> Land was chiefly of two kinds, *bockland*, or land held by book or charter, which was regarded as full property, and descended to the heirs of the possessor; and *folkland*, or the land held by the *ceorles* and common people, who were removable at pleasure, and were indeed only tenants during the will of their lords.

The first attempt which we find in England to separate the ecclesiastical from the civil jurisdiction, was that law of Edgar, by which all disputes among the clergy were ordered to be carried before the bishop.<sup>k</sup> The penances were then very severe; but as a man could buy them off with money, or might substitute others to perform them, they lay easy upon the rich.<sup>l</sup>

With regard to the manners of the Anglo-Saxons we can say little, but that they were in general a rude uncultivated people, ignorant of letters, unskilled in the mechanical arts, untamed to submission under law and government, addicted to intemperance, riot, and disorder. Their best quality was their military courage, which yet was not supported by discipline or conduct. Their want of fidelity to the prince, or to any trust reposed in them, appears strongly in the history of their later period; and their want of humanity in all their history. Even the Norman historians, notwithstanding the low state of the arts in their own country, speak of them as barbarians, when they mention the invasion made upon them by the Duke of Normandy.<sup>m</sup> The conquest put the people in a situation of receiving slowly, from abroad, the rudiments of science and cultivation, and of correcting their rough and licentious manners.

## No. II.

### THE FEUDAL AND ANGLO-NORMAN GOVERNMENT AND MANNERS.

Origin of the feudal law.—Its progress. Feudal government of England — The feudal parliament.—The Commons. Judicial power.—Revenue of the crown.—Commerce.—The church. Civil laws. Manners.

THE feudal law is the chief foundation, both of the political government and of the jurisprudence established by the Normans in England. Our subject therefore requires, that we should form a just idea of this law, in order to explain the state, as well of that kingdom, as of all other kingdoms of Europe, which, during those ages, were governed by similar institutions. And though I am sensible that I must here repeat many observations and reflections which have been communicated by others;<sup>a</sup> yet, as every book, agreeably to the observation of a great historian,<sup>b</sup> should be as complete as possible within itself, and should

never refer, for any thing material, to other books, it will be necessary, in this place, to deliver a short plan of that prodigious fabric, which, for several centuries, preserved such a mixture of liberty and oppression, order and anarchy, stability and revolution, as was never experienced in any other age, or any other part of the world.

After the northern nations had subdued the provinces of the Roman empire, they were obliged to establish a system of government, which might secure their conquests as well against the revolt of their numerous subjects, who remained in the provinces, as from the inroads of other tribes, who might be tempted to ravish from them their new acquisitions. The great change of circumstances made them here depart from those institutions which prevailed among them, while they remained in the forests of Germany; yet it was still natural for them to retain, in their present settlement, as much of their ancient customs as was compatible with their new situation.

The German governments, being more a confederacy or independent warriors, than a civil subjection, derived their principal force from many inferior and voluntary associations, which individuals formed under a particular head or chieftain, and which it became the highest point of honour to maintain with inviolable fidelity. The glory of the chief consisted in the number, the bravery, and the zealous attachment of his retainers: the duty of the retainers required, that they should accompany their chief in all wars and dangers, that they should fight and perish by his side, and that they should esteem his renown or his favour a sufficient recompence for all their services.<sup>c</sup> The prince himself was nothing but a great chieftain, who was chosen from among the rest, on account of his superior valour or nobility; and who derived his power from the voluntary association or attachment of the other chieftains.

When a tribe, governed by these ideas, and actuated by these principles, subdued a large territory, they found, that though it was necessary to keep themselves in a military posture, they could neither remain united in a body, nor take up their quarters in several garrisons, and that their manners and institutions debarred them from using these expedients; the obvious ones, which, in a like situation, would have been employed by a more civilized nation. Their ignorance in the art of finances, and perhaps the devastations inseparable from such violent conquests, rendered it impracticable for them to levy taxes sufficient for the pay of numerous armies; and their repugnance to subordination, with their attachment to rural pleasures, made the life of the camp or garrison, if perpetuated during peaceful times, extremely odious and disgusting to them. They seized, therefore, such a portion of the conquered lands as appeared necessary; they assigned a share for supporting the dignity of their prince and government; they distributed other parts, under the title of fiefs, to the chiefs; these made a new partition among their retainers; the express condition of all these grants was, that they might be resumed at pleasure, and that the possessor, so long as he enjoyed them, should still remain in readiness to take the field for the defence of the nation. And though the conquerors immediately separated, in order to enjoy their new acquisitions, their martial disposition made them readily fulfil the terms of their engagement: they assembled on the first alarm; their habitual attachment to the chieftain made them willingly submit to his command; and thus a regular military force, though concealed, was always ready, to defend, on any emergency, the interests and honour of the community.

We are not to imagine, that all the conquered lands were seized by the northern conquerors; or that the whole of the land thus seized was subjected to those military services. This supposition is confuted by the history of all the nations on the continent. Even the idea given us of the German manners by the Roman historian, may convince us, that that bold people would never have been content with so precarious a subsistence, or have fought to procure establishments, which were only to continue during the good pleasure of their sovereign. Though the northern

<sup>i</sup> L.L. Flit. v. 37. apud Wilkins, p. 43.

<sup>k</sup> Wilkins, p. 83.

<sup>l</sup> Gul. Part. p. 502.

<sup>m</sup> Ibid. p. 96, 97. Spellin. Conc. p. 473.

<sup>a</sup> L'Esprit des Loix. Dr. Robertson's History of Scotland.

<sup>b</sup> Padre Paolo Hist. Conc. Ital.

<sup>c</sup> Tacit. de Mor. Germ.

chieftains accepted of lands, which, being considered as a kind of military pay, might be resumed at the will of the king or general: they also took possession of estates, which, being hereditary and independent, enabled them to maintain their native liberty, and support, without court favour, the honour of their rank and family.

But there is a great difference, in the consequences, between the distribution of a pecuniary subsistence, and the assignment of lands burdened with the condition of military service. The delivery of the former, at the weekly, monthly, or annual terms of payment, still recalls the idea of a voluntary gratuity from the prince, and reminds the soldier of the precarious tenure by which he holds his commission. But the attachment, naturally formed with a fixed portion of land, gradually begets the idea of something like property, and makes the possessor forget his dependent situation, and the condition which was at first annexed to the grant. It seemed equitable, that one who had cultivated and sowed a field should reap the harvest: hence fiefs, which were at first entirely precarious, were soon made annual. A man who had employed his money in building, planting, or other improvements, expected to reap the fruits of his labour or expense: hence they were next granted during a term of years. It would be thought hard to expel a man from his possessions, who had always done his duty, and performed the conditions on which he originally received them: hence the chieftains, in a subsequent period, thought themselves entitled to demand the enjoyment of their feudal lands during life. It was found, that a man would more willingly expose himself in battle, if assured that his family should inherit his possessions, and should not be left by his death in want and poverty: hence fiefs were made hereditary in families, and descended, during one age, to the son, then to the grandson, next to the brothers, and afterwards to more distant relations.<sup>a</sup> The idea of property stole in gradually upon that of military pay; and each century made some sensible addition to the stability of fiefs and tenures.

In all these successive acquisitions, the chief was supported by his vassals; who, having originally a strong connexion with him, augmented by the constant intercourse of good offices, and by the friendship arising from vicinity and dependence, were inclined to follow their leader against all his enemies, and voluntarily, in his private quarrels, paid him the same obedience, to which, by their tenure, they were bound in foreign wars. While he daily advanced new pretensions to secure the possession of his superior fief, they expected to find the same advantage, in acquiring stability to their subordinate ones; and they zealously opposed the intrusion of a new lord, who would be inclined, as he was fully entitled, to bestow the possession of their lands on his own favourites and retainers. Thus the authority of the sovereign gradually decayed; and each noble, fortified in his own territory by the attachment of his vassals, became too powerful to be expelled by an order from the throne; and he secured by law what he had at first acquired by usurpation.

During this precarious state of the supreme power, a difference would immediately be experienced between those portions of territory which were subjected to the feudal tenures, and those which were possessed by an allodial or free title. Though the latter possessions had at first been esteemed much preferable, they were soon found, by the progressive changes introduced into public and private law, to be of an inferior condition to the former. The possessors of a feudal territory, united by a regular subordination under one chief, and by the mutual attachments of the vassals, had the same advantages over the proprietors of the other, that a disciplined order enjoys over a dispersed multitude; and were enabled to commit with impunity all injuries on their defenceless neighbours. Every one, therefore, hastened to seek that protection which he found so necessary; and each allodial proprietor, resigning his possessions into the hands of the king, or of some nobleman respected for power or valour, received

them back with the condition of feudal services,\* which, though a burden somewhat grievous, brought him ample compensation, by connecting him with the neighbouring proprietors, and placing him under the guardianship of a potent chieftain. The decay of the political government thus necessarily occasioned the extension of the feudal: the kingdoms of Europe were universally divided into baronies, and these into inferior fiefs: and the attachment of vassals to their chief, which was at first an essential part of the German manners, was still supported by the same causes from which it at first arose; the necessity of mutual protection, and the continued intercourse, between the head and the members, of benefits and services.

But there was another circumstance which corroborated these feudal dependencies, and tended to connect the vassals with their superior lord by an indissoluble bond of union. The northern conquerors, as well as the more early Greeks and Romans, embraced a policy, which is unavoidable to all nations that have made slender advances in refinement: they every where united the civil jurisdiction with the military power. Law, in its commencement, was not an intricate science, and was more governed by maxims of equity, which seem obvious to common sense, than by numerous and subtle principles, applied to a variety of cases by profound reasonings from analogy. An officer, though he had passed his life in the field, was able to determine all legal controversies which could occur within the district committed to his charge; and his decisions were the most likely to meet with a prompt and ready obedience, from men who respected his person, and were accustomed to act under his command. The profit arising from punishments, which were then chiefly pecuniary, was another reason for his desiring to retain the judicial power; and when his fief became hereditary, this authority, which was essential to it, was also transmitted to his posterity. The counts and other magistrates, whose power was merely official, were tempted, in imitation of the feudal lords, whom they resembled in so many particulars, to render their dignity perpetual and hereditary; and in the decline of the regal power, they found no difficulty in making good their pretensions. After this manner the vast fabric of feudal subordination became quite solid and comprehensive; it formed every where an essential part of the political constitution; and the Norman and other barons, who followed the fortunes of William, were so accustomed to it that they could scarcely form an idea of any other species of civil government.<sup>f</sup>

The Saxons who conquered England, as they exterminated the ancient inhabitants, and thought themselves secured by the sea against new invaders, found it less requisite to maintain themselves in a military posture: the quantity of land which they annexed to offices seems to have been of small value; and for that reason continued the longer in its original situation, and was always possessed during pleasure by those who were intrusted with the command. These conditions were too precarious to satisfy the Norman barons, who enjoyed more independent possessions and jurisdictions in their own country; and William was obliged, in the new distribution of land, to copy the tenures, which were now become universal on the continent. England of a sudden became a feudal kingdom; and received all the advantages, and was exposed to all the inconveniences, incident to that species of civil polity.

According to the principles of the feudal law, the king was the supreme lord of the landed property: all possessors who enjoyed the fruits or revenue of any part of it, held those privileges either mediately or immediately, of him; and their property was conceived to be, in some degree, conditional.<sup>b</sup> The land was still apprehended to be a species of *benefice*, which was the original conception of a feudal property; and the vassal owed, in return for it, stated services to his baron, as the baron himself did for his land to the crown. The vassal was obliged to defend his baron in war; and the baron at the head of his vassals, was bound to fight in

<sup>a</sup> I. b. Feud. lib. 1. tit. 1.

<sup>b</sup> Marcard. Form. 17. quid Landenbr. p. 1236.

<sup>c</sup> The ideas of the feudal government were so rooted, that even lawyers, in those ages, could not form a notion of any other constitution. *Regum*

1588. Prætor. lib. 2. cap. 34. *quod ex comitatibus et baronibus dicitur esse constitutum.*

<sup>d</sup> Coke Comm. on Lit. p. 1. 2. ad sect. 1.

<sup>e</sup> Somner of Gavelk. p. 109. Smith de Rep. lib. 3. cap. 10.

<sup>f</sup> The feudal government of England.



defence of the king and kingdom. But besides these military services, which were casual, there were others imposed of a civil nature, which were more constant and durable.

The northern nations had no idea, that any man, trained up to honour, and inured to arms, was ever to be governed, without his own consent, by the absolute will of another; or that the administration of justice was ever to be exercised by the private opinion of any one magistrate, without the concurrence of some other persons, whose interest might induce them to check his arbitrary and iniquitous decisions. The king, therefore, when he found it necessary to demand any service of his barons or chief tenants, beyond what was due by their tenures, was obliged to assemble them in order to obtain their *consent*: and when it was necessary to determine any controversy which might arise among the barons themselves, the question must be discussed in their presence, and be decided according to their opinion or *advice*. In these two circumstances of consent and advice, consisted chiefly the civil services of the ancient barons; and these implied all the considerable incidents of government. In one view, the barons regarded this attendance as their principal *privilege*; in another, as a grievous *burden*. That no momentous affairs could be transacted without their consent and advice, was in general esteemed the great security of their possessions and dignities: but as they reaped no immediate profit from their attendance at court, and were exposed to great inconvenience and charge by an absence from their own estates, every one was glad to exempt himself from each *particular* exertion of this power; and was pleased both that the call for that duty should seldom return upon him, and that others should undergo the burden in his stead. The king, on the other hand, was usually anxious, for several reasons, that the assembly of the barons should be full at every stated or casual meeting: this attendance was the chief badge of their subordination to his crown, and drew them from that independence which they were apt to affect in their own castles and manors; and where the meeting was thin or ill attended, its determinations had less authority, and commanded not so ready an obedience from the whole community.

The case was the same with the barons in their courts, as with the king in the supreme council of the nation. It was requisite to assemble the vassals, in order to determine by their vote any question which regarded the barony; and they sat along with the chief in all trials, whether civil or criminal, which occurred within the limits of their jurisdiction. They were bound to pay suit and service at the court of their baron; and as their tenure was military, and consequently honourable, they were admitted into his society, and partook of his friendship. Thus, a kingdom was considered only as a great barony, and a barony as a small kingdom. The barons were peers to each other in the national council, and, in some degree, companions to the king: the vassals were peers to each other in the court of barony, and companions to their baron.<sup>1</sup>

But though this resemblance so far took place, the vassals, by the natural course of things, universally, in the feudal constitutions, fell into a greater subordination under the baron, than the baron himself under his sovereign; and these governments had a necessary and infallible tendency to augment the power of the nobles. The great chief, residing in his country-seat, which he was commonly allowed to fortify, lost, in a great measure, his connexion or acquaintance with the prince; and added every day new force to his authority over the vassals of the barony. They received from him education in all military exercises: his hospitality invited them to live and enjoy society in his hall: their leisure, which was great, made them perpetual retainers on his person, and partakers of his country sports and amusements: they had no means of gratifying their ambition but by making a figure in his train: his favour and countenance was their greatest honour: his displeasure exposed them to contempt and ignominy: and they felt every moment the necessity of his protection, both in the controversies which occurred

with other vassals, and, what was more material, in the daily inroads and injuries which were committed by the neighbouring barons. During the time of general war, the sovereign, who marched at the head of his armies, and was the great protector of the state, always acquired some accession to his authority, which he lost during the intervals of peace and tranquillity: but the loose police, incident to the feudal constitutions, maintained a perpetual, though secret hostility, between the several members of the state; and the vassals found no means of securing themselves against the injuries to which they were continually exposed, but by closely adhering to their chief, and falling into a submissive dependence upon him.

If the feudal government was so little favourable to the true liberty even of the military vassal, it was still more destructive of the independence and security of the other members of the state, or what, in a proper sense, we call the people. A great part of them were *serfs*, and lived in a state of absolute slavery or villanage: the other inhabitants of the country paid their rents in services, which were in a great measure arbitrary; and they could expect no redress of injuries, in a court of barony, from men who thought they had a right to oppress and tyrannise over them: the towns were situated either within the demesnes of the king, or the lands of the great barons, and were almost entirely subjected to the absolute will of their master. The languishing state of commerce kept the inhabitants poor and contemptible; and the political institutions were calculated to render that poverty perpetual. The barons and gentry, living in rustic plenty and hospitality, gave no encouragement to the arts, and had no demand for any of the more elaborate manufactures: every profession was held in contempt but that of arms: and if any merchant or manufacturer rose by industry and frugality to a degree of opulence, he found himself but the more exposed to injuries, from the envy and avidity of the military nobles.

These concurring causes gave the feudal governments so strong a bias towards aristocracy, that the royal authority was extremely eclipsed in all the European states; and, instead of dreading the growth of monarchical power, we might rather expect, that the community would every where crumble into so many independent baronies, and lose the political union by which they were cemented. In elective monarchies, the event was commonly answerable to this expectation; and the barons, gaining ground on every vacancy of the throne, raised themselves almost to a state of sovereignty, and sacrificed to their power both the rights of the crown and the liberties of the people. But hereditary monarchies had a principle of authority which was not so easily subverted; and there were several causes which still maintained a degree of influence in the hands of the sovereign.

The greatest baron could never lose view entirely of those principles of the feudal constitution which bound him, as a vassal, to submission and fealty towards his prince; because he was every moment obliged to have recourse to those principles, in exacting fealty and submission from his own vassals. The lesser barons, finding that the annihilation of royal authority left them exposed, without protection, to the insults and injuries of more potent neighbours, naturally adhered to the crown, and promoted the execution of general and equal laws. The people had still a stronger interest to desire the grandeur of the sovereign; and the king, being the legal magistrate, who suffered by every internal convulsion or oppression, and who regarded the great nobles as his immediate rivals, assumed the salutary office of general guardian or protector of the commons. Besides the prerogatives with which the law invested him, his large demesnes and numerous retainers rendered him, in one sense, the greatest baron in his kingdom; and where he was possessed of personal vigour and abilities, (for his situation required these advantages,) he was commonly able to preserve his authority, and maintain his station as head of the community, and the chief fountain of law and justice.

The first kings of the Norman race were favoured by another circumstance, which preserved them from the en-

<sup>1</sup> Du Cange Gloss. in verb. *Par.* Cujac. Commun. in Lib. Feud. lib. i.

tit. p. 18. Spellm. Gloss. in verb.

encroachments of their barons. They were generals of a conquering army, which was obliged to continue in a military posture, and to maintain great subordination under their leader, in order to secure themselves from the revolt of the numerous natives, whom they had bereaved of all their properties and privileges. But though this circumstance supported the authority of William and his immediate successors, and rendered them extremely absolute, it was lost as soon as the Norman barons began to incorporate with the nation, to acquire a security in their possessions, and to fix their influence over their vassals, tenants, and slaves. And the immense fortunes which the Conqueror had bestowed on his chief captains, served to support their independence, and make them formidable to their sovereign.

He gave, for instance, to Hugh de Abrincis, his sister's son, the whole county of Chester, which he erected into a palatinate, and rendered by his grant almost independent of the crown.<sup>8</sup> Robert, Earl of Mortagne, had 973 manors and lordships: Allan, Earl of Brittany and Richmond, 442: Odo, Bishop of Baieux, 439: Geoffrey, Bishop of Coutance, 280:<sup>9</sup> Walter Giffard, Earl of Buckingham, 107: William, Earl Warrenne, 298, besides 28 towns or hamlets in Yorkshire: Todenei, 81: Roger Bigod, 123: Robert, Earl of Eu, 119: Roger Mortimer, 132, besides several hamlets: Robert de Stafford, 130: Walter de Eurus, Earl of Salisbury, 46: Geoffrey de Mandeville, 118: Richard de Clare, 171: Hugh de Beauchamp, 47: Baldwin de Ridvers, 164: Henry de Ferrars, 222: William de Percy, 119:<sup>10</sup> Norman d'Arcy, 33.<sup>11</sup> Sir Henry Spellman computes, that, in the large county of Norfolk, there were not, in the Conqueror's time, above sixty-six proprietors of land.<sup>12</sup> Men, possessed of such princely revenues and jurisdictions, could not long be retained in the rank of subjects. The great Earl Warrenne, in a subsequent reign, when he was questioned concerning his right to the lands which he possessed, drew his sword, which he produced as his title; adding, that William the Bastard did not conquer the kingdom himself; but that the barons, and his ancestor among the rest, were joint adventurers in the enterprise.<sup>13</sup>

The supreme legislative power of England was lodged in the king and great council, or what was afterwards called the parliament. It is not doubted but the archbishops, bishops, and most considerable abbots were constituent members of this council. They sat by a double title: by prescription, as having always possessed that privilege, through the whole Saxon period, from the first establishment of Christianity; and by their right of baronage, as holding of the king *in capite*, by military service. These two titles of the prelates were never accurately distinguished. When the usurpations of the church had risen to such a height, as to make the bishops affect a separate dominion, and regard their seat in parliament as a degradation of their episcopal dignity; the king insisted, that they were barons, and, on that account, obliged, by the general principles of the feudal law, to attend on him in his great councils.<sup>14</sup> Yet there still remained some practices, which supposed their title to be derived merely from ancient possession: when a bishop was elected, he sat in parliament before the king had made him restitution of his temporalities; and during the vacancy of a see, the guardian of the spiritualities was summoned to attend along with the bishops.

The barons were another constituent part of the great council of the nation. These held immediately of the crown by a military tenure: they were the most honourable members of the state, and had a right to be consulted in all public deliberations: they were the immediate vassals of the crown, and owed as a service their attendance in the court of their supreme lord. A resolution taken without their consent was likely to be but ill executed: and no determination of any cause or controversy among them had any validity, where the vote and advice of the body did not

concur. The dignity of earl or count was official and territorial, as well as hereditary; and as all the earls were also barons, they were considered as military vassals of the crown, were admitted in that capacity into the general council, and formed the most honourable and powerful branch of it.

But there was another class of the immediate military tenants of the crown, no less, or probably more, numerous than the barons, the tenants *in capite* by knights' service; and these, however inferior in power or property, held by a tenure which was equally honourable with that of the others. A barony was commonly composed of several knights' fees: and though the number seems not to have been exactly defined, seldom consisted of less than fifty hydes of land:<sup>15</sup> but where a man held of the king only one or two knights' fees, he was still an immediate vassal of the crown, and as such had a title to have a seat in the general councils. But as this attendance was usually esteemed a burden, and one too great for a man of slender fortune to bear constantly; it is probable that, though he had a title, if he pleased, to be admitted, he was not obliged, by any penalty, like the barons, to pay a regular attendance. All the immediate military tenants of the crown amounted not fully to 700, when Domesday book was framed; and as the members were well pleased, on any pretext, to excuse themselves from attendance, the assembly was never likely to become too numerous for the despatch of public business.

So far the nature of a general council, or *The Commons*, ancient parliament, is determined without any doubt or controversy. The only question seems to be with regard to the Commons, or the representatives of counties and boroughs; whether they were also, in more early times, constituent parts of parliament? This question was once disputed in England with great acrimony: but such is the force of time and evidence, that they can sometimes prevail even over faction; and the question seems, by general consent and even by their own, to be at last determined against the ruling party. It is agreed, that the Commons were no part of the great council, till some ages after the conquest; and that the military tenants alone of the crown composed that supreme and legislative assembly.

The vassals of a baron were by their tenure immediately dependent on him, owed attendance at his court, and paid all their duty to the king, through that dependence which their lord was obliged by his tenure to acknowledge to his sovereign and superior. Their land, comprehended in the barony, was represented in parliament by the baron himself, who was supposed, according to the fictions of the feudal law, to possess the direct property of it; and it would have been deemed incongruous to give it any other representation. They stood in the same capacity to him, that he and the other barons did to the king: the former were peers of the barony; the latter were peers of the realm: the vassals possessed a subordinate rank within their district; the baron enjoyed a superior dignity in the great assembly: they were in some degree his companions at home; he the king's companion at court; and nothing can be more evidently repugnant to all feudal ideas, and to that gradual subordination, which was essential to those ancient institutions, than to imagine that the king would apply either for the advice or consent of men, who were of a rank so much inferior, and whose duty was immediately paid to the *mesne* lord, that was interposed between them and the throne.<sup>16</sup>

If it be unreasonable to think that the vassals of a barony, though their tenure was military and noble and honourable, were ever summoned to give their opinion in national councils, much less can it be supposed, that the tradesmen or inhabitants of boroughs, whose condition was so much inferior, would be admitted to that privilege. It appears from Domesday, that the greatest boroughs were, at the time of the conquest, scarcely more than country villages; and that the inhabitants lived in entire depend-

<sup>8</sup> Combel, in Clough. Spell, Gloss, in verb, *Comes Palatinate*.

<sup>9</sup> *Crane*, Hist. p. 186, 200. <sup>10</sup> *Order*, Vitell.

<sup>11</sup> *Dugliss's Baronage*, from Domesday Book, vol. i. p. 60, 74, 10, 112.

<sup>12</sup> *Ibid.* p. 130, 156, 171, 200, 207, 224, 251, 257, 269.

<sup>13</sup> *Ibid.* p. 300. It is remarkable, that this family of d'Arcy seems to be the only one, whose descendants of any of the Conqueror's barons now remaining among the peers. Lord Holderness is the last of that family.

<sup>14</sup> Spell, Gloss, in verb, *Domesday*.

<sup>15</sup> *Dugliss*, Bar. vol. i. p. 79. *Ibid.* Origines Juridicales, p. 13.

<sup>16</sup> Spell, Gloss, in verb, *Baro*.

<sup>17</sup> Four hydes made one knight's fee: the relief of a barony was twelvetimes greater than that of a knight's fee; whence we may conjecture its usual value. Spell, Gloss, in verb, *Feudum*. There were 254,000 hydes in England, and 100,000 knight's fees, whence it is evident, that their *hydes* were a little more than four hydes in each knight's fee.

<sup>18</sup> Spell, Gloss, in verb, *Baro*.

ence on the king or great lords, and were of a station little better than servile.<sup>u</sup> They were not then so much as incorporated; they formed no community; were not regarded as a body politic, and being really nothing but a number of low dependent tradesmen, living, without any particular civil tie, in neighbourhood together, they were incapable of being represented in the states of the kingdom. Even in France, a country which made more early advances in arts and civility than England, the first corporation is sixty years posterior to the conquest under the Duke of Normandy; and the erecting of these communities was an invention of Lewis the Gross, in order to free the people from slavery under the lords, and to give them protection, by means of certain privileges and a separate jurisdiction.<sup>w</sup> An ancient French writer calls them a new and wicked device, to procure liberty to slaves, and encourage them in shaking off the dominion of their masters.<sup>x</sup> The famous charter, as it is called, of the Conqueror to the city of London, though granted at a time when he assumed the appearance of gentleness and lenity, is nothing but a letter of protection, and a declaration that the citizens should not be treated as slaves.<sup>y</sup> By the English feudal law, the superior lord was prohibited from marrying his female ward to a burgher or a villain; <sup>z</sup> so near were these two ranks esteemed to each other, and so much inferior to the nobility and gentry. Besides possessing the advantages of birth, riches, civil powers, and privileges, the nobles and gentlemen alone were armed; a circumstance which gave them a mighty superiority, in an age when nothing but the military profession was honourable, and when the loose execution of laws gave so much encouragement to open violence, and rendered it so decisive in all disputes and controversies.<sup>a</sup>

The great similarity among the feudal governments of Europe is well known to every man that has any acquaintance with ancient history; and the antiquaries of all foreign countries, where the question was never embarrassed by party disputes, have allowed, that the Commons came very late to be admitted to a share in the legislative power. In Normandy particularly, whose constitution was most likely to be William's model in raising his new fabric of English government, the states were entirely composed of the clergy and nobility; and the first incorporated boroughs or communities of that duchy were Rouen and Falaise, which enjoyed their privileges by a grant of Philip Augustus in the year 1207.<sup>b</sup> All the ancient English historians, when they mention the great council of the nation, call it an assembly of the baronage, nobility, or great men; and none of their expressions, though several hundred passages might be produced, can, without the utmost violence, be tortured to a meaning, which will admit the Commons to be constituent members of that body.<sup>c</sup> If in the long period of 200 years, which elapsed between the conquest and the latter end of Henry III. and which abounded in factions, revolutions, and convulsions of all kinds, the House of Commons never performed one single legislative act, so considerable as to be once mentioned by any of the numerous historians of that age, they must have been totally insignificant; and in that case, what reason can be assigned for their ever being assembled? Can it be supposed, that men of so little weight or importance possessed a negative voice against the king and the barons? Every page of the subsequent histories discovers their existence; though these histories are not written with greater accuracy than the preceding ones, and indeed scarcely equal them in that particular. The *Magna Charta* of King John pro-

vides, that no scutage or aid should be imposed, either on land or towns, but by consent of the great council; and for more security, it enumerates the persons entitled to a seat in that assembly, the prelates and immediate tenants of the crown, without any mention of the Commons: an authority so full, certain, and explicit, that nothing but the zeal of party could ever have procured credit to any contrary hypothesis.

It was probably the example of the French barons which first imbodied the English to require greater independence from their sovereign: it is also probable, that the boroughs and corporations of England were established in imitation of those of France. It may, therefore, be proposed as no unlikely conjecture, that both the chief privileges of the Peers in England and the liberty of the Commons were originally the growth of that foreign country.

In ancient times, men were little solicitous to obtain a place in the legislative assemblies; and rather regarded their attendance as a burden, which was not compensated by any return of profit or honour proportionate to the trouble and expense. The only reason for instituting those public councils; was, on the part of the subject, that they desired some security from the attempts of arbitrary power; and on the part of the sovereign, that he despaired of governing men of such independent spirits without their own consent and concurrence. But the Commons, or the inhabitants of boroughs, had not as yet reached such a degree of consideration as to desire security against their prince, or to imagine, that, even if they were assembled in a representative body, they had power or rank sufficient to enforce it. The only protection which they aspired to, was against the immediate violence and injustice of their fellow-citizens; and this advantage each of them looked for, from the courts of justice, or from the authority of some great lord, to whom, by law or his own choice, he was attached. On the other hand, the sovereign was sufficiently assured of obedience in the whole community, if he procured the concurrence of the nobles; nor had he reason to apprehend, that any order of the state could resist his and their united authority. The military sub-vassals could entertain no idea of opposing both their prince and their superiors: the burgesses and tradesmen could much less aspire to such a thought: and thus, even if history were silent on the head, we have reason to conclude, from the known situation of society during those ages, that the Commons were never admitted as members of the legislative body.

The executive power of the Anglo-Norman government was lodged in the king. Besides the stated meetings of the national council at the three great festivals of Christmas, Easter, and Whitsuntide,<sup>d</sup> he was accustomed on any sudden exigence, to summon them together. He could at his pleasure command the attendance of his barons and their vassals, in which consisted the military force of the kingdom; and could employ them, during forty days, either in resisting a foreign enemy, or reducing his rebellious subjects. And, what was of great importance, the whole judicial power was ultimately in his hands, and was exercised by officers and ministers of his appointment.

The general plan of the Anglo-Norman judicial power, government was, that the court of barony was appointed to decide such controversies as arose between the several vassals or subjects of the same barony; the hundred court and county-court, which were still continued as during the Saxon times,<sup>e</sup> to judge between the subjects of different baronies; <sup>f</sup> and the *curia regis*, or

<sup>u</sup> *Liber homo* anciently signified a gentleman: for scarce any one beside was entirely free. Spellin. Gloss. in verbo.

<sup>w</sup> Du Cange's Gloss. in verbo. *Commune, Communis*.

<sup>x</sup> *Gubertus, de vita sua*, lib. ii. cap. 7.

<sup>y</sup> Stat. of Merton, 1235, cap. 6.

<sup>z</sup> Hollingshead, vol. iii. p. 15.

<sup>a</sup> Madon's Baron, Angl. p. 19.

<sup>b</sup> Norman, Du Chesne, p. 166.

<sup>c</sup> Sometimes the historians mention the people, *populus*, as part of the parliament; but they always mean the laity, in opposition to the clergy. Sometimes, the word *communitas* is found; but it always means *communitas*, *hominum*. These points are clearly proved by Dr. Bady. There is also mention sometimes made of a crowd or multitude that brought into the great council on particular interesting occasions; but as deputies from boroughs are never once spoke of, the proof, that they had not then any existence, becomes the more certain and undeniable. These never could make a crowd, as they must have had a regular place assigned them, if they had made a regular part of the legislative body. There were only 110 boroughs who received writs of summons from Edward I. It is expressly said in *Gesta Regis Steph.* p. 932, that it was usual for the populace,

*videlicet*, to crowd into the great councils; where they were plainly mere spectators, and could only gratify their curiosity.

<sup>d</sup> Dugl. Orig. Jurid. p. 15. Spellin. Gloss. in verbo *Parliamentum*.

<sup>e</sup> *Ang. Sacta*, vol. i. p. 334. See Dugl. Orig. Jurid. p. 27. 59. Madox,

*Hist. of Exch.* p. 75. 76. Spellin. Gloss. in verbo *Hundred*.

<sup>f</sup> None of the feudal governments in Europe had such institutions as the county courts, which the great authority of the Conqueror still retained from the Saxons customs. All the freeholders of the county, even the greatest barons, were obliged to attend the sheriffs in their courts, and to assist them in the administration of justice. By these means they received frequent and sensible admonitions of their dependence on the king or supreme magistrate: they formed a kind of community with their fellow-barons and freeholders: they were often drawn from their individual and independent state, peculiar to the feudal system; and were made members of a political body; and, perhaps, this institution of county courts in England has had greater effects on the government, than has yet been distinctly pointed out by historians, or traced by antiquaries. The barons were never able to free themselves from this attendance on the sheriffs and itinerant justices till the reign of Henry III.



king's court, to give sentence among the barons themselves.<sup>g</sup> But this plan, though simple, was attended with some circumstances which, being derived from a very extensive authority assumed by the Conqueror, contributed to increase the royal prerogative; and as long as the state was not disturbed by arms, reduced every order of the community to some degree of dependence and subordination.

The king himself often sat in his court, which always attended his person;<sup>h</sup> he there heard causes and pronounced judgment;<sup>i</sup> and though he was assisted by the advice of the other members, it is not to be imagined that a decision could easily be obtained contrary to his inclination or opinion. In his absence the chief justiciary presided, who was the first magistrate in the state, and a kind of viceroy, on whom depended all the civil affairs of the kingdom.<sup>k</sup> The other chief officers of the crown, the constable, marshal, seneschal, chamberlain, treasurer, and chancellor,<sup>l</sup> were members, together with such feudal barons as thought proper to attend, and the barons of the exchequer, who at first were also feudal barons appointed by the king.<sup>m</sup> This court, which was sometimes called the king's court, sometimes the court of exchequer, judged in all causes, civil and criminal, and comprehended the whole business which is now shared out among four courts, the chancery, the king's bench, the common pleas, and the exchequer.<sup>n</sup>

Such an accumulation of powers was itself a great source of authority, and rendered the jurisdiction of the court formidable to all the subjects; but the turn, which judicial trials took soon after the Conquest, served still more to increase its authority, and to augment the royal prerogatives. William, among the other violent changes which he attempted and effected, had introduced the Norman law into England,<sup>o</sup> had ordered all the pleadings to be in that tongue, and had interwoven, with the English jurisprudence, all the maxims and principles, which the Normans, more advanced in cultivation, and naturally litigious, were accustomed to observe in the distribution of justice. Law now became a science, which at first fell entirely into the hands of the Normans: and which, even after it was communicated to the English, required so much study and application, that the laity, in those ignorant ages, were incapable of attaining it, and it was a mystery almost solely confined to the clergy, and chiefly to the monks.<sup>p</sup> The great officers of the crown, and the feudal barons, who were military men, found themselves unfit to penetrate into those obscurities; and though they were entitled to a seat in the supreme judicature, the business of the court was wholly managed by the chief justiciary and the law barons, who were men appointed by the king, and entirely at his disposal.<sup>q</sup> This natural course of things was forwarded by the multiplicity of business which flowed into that court, and which daily augmented by the appeals from all the subordinate judicatures of the kingdom.

In the Saxon times, no appeal was received in the king's court, except upon the denial or delay of justice by the inferior courts; and the same practice was still observed in most of the feudal kingdoms of Europe. But the great power of the Conqueror established, at first, in England, an authority, which the monarchs in France were not able to attain till the reign of St. Lewis, who lived near two centuries after: he empowered his court to receive appeals both from the courts of barony and the county courts, and by that means brought the administration of justice ultimately into the hands of the sovereign.<sup>r</sup> And lest the expense or trouble of a journey to court should discourage suitors, and make them acquiesce in the decision of the inferior judicatures, itinerant judges

were afterwards established, who made their circuits throughout the kingdom, and tried all causes that were brought before them.<sup>s</sup> By this expedient the courts of barony were kept in awe; and if they still preserved some influence, it was only from the apprehensions, which the vassals might entertain, of disobliging their superior, by appealing from his jurisdiction. But the county courts were much discredited; and as the freeholders were found ignorant of the intricate principles and forms of the new law, the lawyers gradually brought all business before the king's judges, and abandoned the ancient simple and popular judicature. After this manner, the formalities of justice, which, though they appear tedious and cumbersome, are found requisite to the support of liberty in all monarchical governments, proved at first by a combination of causes, very advantageous to royal authority in England.

The power of the Norman kings was also Revenue of the much supported by a great revenue; and crown. by a revenue that was fixed, perpetual, and independent of the subject. The people, without betaking themselves to arms, had no check upon the king, and no regular security for the due administration of justice. In those days of violence, many instances of oppression passed unheeded; and soon after were openly pleaded as precedents, which it was unlawful to dispute or control. Princes and ministers were too ignorant to be themselves sensible of the advantages attending an equitable administration; and there was no established council or assembly which could protect the people, and, by withdrawing supplies, regularly and peaceably admonish the king of his duty, and insure the execution of the laws.

The first branch of the king's stated revenue was the royal demesnes or crown lands, which were very extensive, and comprehended, beside a great number of manors, most of the chief cities of the kingdom. It was established by law, that the king could alienate no part of his demesne, and that he himself, or his successor, could at any time resume such donations;<sup>t</sup> but this law was never regularly observed; which happily rendered in time the crown somewhat more dependent. The rent of the crown lands, considered merely as so much riches, was a source of power: the influence of the king over his tenants and the inhabitants of his towns, increased this power: but the other numerous branches of his revenue, besides supplying his treasury, gave, by their very nature, a great latitude to arbitrary authority, and were a support of the prerogative; as will appear from an enumeration of them.

The king was never content with the stated rents, but levied heavy talliages at pleasure on the inhabitants both of town and country, who lived within his demesne. All bargains of sale, in order to prevent theft, being prohibited, except in boroughs and public markets,<sup>u</sup> he pretended to exact tolls on all goods which were there sold.<sup>v</sup> He seized two hogsheads, one before and one behind the mast, from every vessel that imported wine. All goods paid to his customs a proportionable part of their value:<sup>w</sup> passage over bridges and on rivers was loaded with tolls at pleasure;<sup>x</sup> and though the boroughs by degrees bought the liberty of farming these impositions, yet the revenue profited by these bargains: new sums were often exacted for the renewal and confirmation of their charters,<sup>y</sup> and the people were thus held in perpetual dependence.

Such was the situation of the inhabitants within the royal demesnes. But the possessors of land, or the military tenants, though they were better protected both by law, and by the great privilege of carrying arms, were, from the nature of their tenures, much exposed to the inroads of power, and possessed not what we should esteem, in our age, a very durable security. The Conqueror ordained, that the barons should be obliged to pay nothing

<sup>g</sup> Prædy Pref. p. 143. <sup>h</sup> Madox, Hist. of Exch. p. 103.

<sup>i</sup> Bracton, lib. 1. cap. 9. § 1. cap. 10. § 1.

<sup>k</sup> Spelman, Gloss. in verbo *Justiciarius*.

<sup>l</sup> Madox, Hist. Exch. p. 27. 29. 33. 38. 41. 54. The Normans introduced the practice of sealing charters, and the chancellor's office was to keep the great seal. *Inquillo, Dugd.* p. 31. 34.

<sup>m</sup> Madox, Hist. of the Exch. p. 154, 155. Gerv. Dorob. p. 1387.

<sup>n</sup> Madox, Hist. of the Exch. p. 56. 70.

<sup>o</sup> *Prædy* See p. 30. and Madox, Hist. of the Exch.

<sup>p</sup> Malines, lib. 1. p. 12. <sup>q</sup> Dugd. Orig. Jurid. p. 25.

<sup>r</sup> Madox, Hist. of the Exch. p. 65. Glanv. lib. 12. cap. 1. 7. I. L. Hen.

<sup>s</sup> 1. *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>t</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>u</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>v</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

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<sup>ff</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

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<sup>hh</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>ii</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>jj</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>kk</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

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<sup>ww</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>xx</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>yy</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

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<sup>sss</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>ttt</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>uuu</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>vvv</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>www</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

<sup>xxx</sup> *quod Wilensy*, p. 240. Fitzstephens, p. 36. Coke's Comment on the statute of Marlbridge, cap. 20.

beyond their stated services,<sup>a</sup> except a reasonable aid to ransom his person if he were taken in war, to make his eldest son a knight, and to marry his eldest daughter. What should, on these occasions, be deemed a reasonable aid, was not determined; and the demands of the crown were so far discretionary.

The king could require in war the personal attendance of his vassals, that is, of almost all the landed proprietors; and if they declined the service, they were obliged to pay him a composition in money, which was called a scutage. The sum was, during some reigns, precarious and uncertain; it was sometimes levied without allowing the vassal the liberty of personal service;<sup>b</sup> and it was a usual artifice of the king's to pretend an expedition, that he might be entitled to levy the scutage from his military tenants. Danegelt was another species of land-tax levied by the early Norman kings, arbitrarily, and contrary to the laws of the Conqueror.<sup>c</sup> Moneyage was also a general land-tax of the same nature, levied by the two first Norman kings, and abolished by the charter of Henry I.<sup>d</sup> It was a shilling paid every three years by each hearth, to induce the king not to use his prerogative in debasing the coin. Indeed it appears from that charter, that, though the Conqueror had granted his military tenants an immunity from all taxes and talliages, he and his son William had never thought themselves bound to observe that rule, but had levied impositions at pleasure on all the landed estates of the kingdom. The utmost that Henry grants, is, that the land cultivated by the military tenant himself shall not be so burdened; but he reserves the power of taxing the farmers: and as it is known that Henry's charter was never observed in any one article, we may be assured that this prince and his successors retracted even this small indulgence, and levied arbitrary impositions on all the lands of all their subjects. These taxes were sometimes very heavy; since Malmesbury tells us, that in the reign of William Rufus, the farmers, on account of them, abandoned tillage, and a famine ensued.<sup>e</sup>

The escheats were a great branch both of power and of revenue, especially during the first reigns after the Conquest. In default of posterity from the first baron, his land reverted to the crown, and continually augmented the king's possessions. The prince had indeed by law a power of alienating these escheats; but by this means he had an opportunity of establishing the fortunes of his friends and servants, and thereby enlarging his authority. Sometimes he retained them in his own hands; and they were gradually confounded with the royal demesnes, and became difficult to be distinguished from them. This confusion is probably the reason why the king acquired the right of alienating his demesnes.

But besides escheats from default of heirs, those which ensued from crimes, or breach of duty towards the superior lord, were frequent in ancient times. If the vassal, being thrice summoned to attend his superior's court and do fealty, neglected or refused obedience, he forfeited all title to his land.<sup>f</sup> If he denied his tenure, or refused his service, he was exposed to the same penalty.<sup>g</sup> If he sold his estate without licence from his lord,<sup>h</sup> or if he sold it upon any other tenure or title than that by which he himself held it, he lost all right to it. The adhering to his lord's enemies,<sup>i</sup> deserting him in war,<sup>j</sup> betraying his secrets,<sup>k</sup> debauching his wife or his near relations,<sup>l</sup> or even using indecent freedoms with them,<sup>m</sup> might be punished by forfeiture. The higher crimes, rapes, robbery, murder, arson, &c. were called felony; and being interpreted want of fidelity to his lord, made him lose his fief.<sup>n</sup> Even where the felon was vassal to a baron, though his immediate lord enjoyed the forfeiture, the king might retain possession of his estate during a twelvemonth, and had the right of spoiling and destroying it, unless the baron paid him a reasonable composition.<sup>o</sup> We have not here enumerated all the species of felonies, or of crimes by which forfeiture was incurred: we have said enough to

prove, that the possession of feudal property was anciently somewhat precarious, and that the primary idea was never lost, of its being a kind of *fee* or *benefice*.

When a baron died, the king immediately took possession of the estate; and the heir, before he recovered his right, was obliged to make application to the crown, and desire that he might be admitted to do homage for his land, and pay a composition to the king. This composition was not at first fixed by law, at least by practice: the king was often exorbitant in his demands, and kept possession of the land till they were complied with.

If the heir were a minor, the king retained the whole profit of the estate till his majority; and might grant what sum he thought proper for the education and maintenance of the young baron. This practice was also founded on the notion, that a fief was a benefice, and that, while the heir could not perform his military services, the revenue devolved to the superior, who employed another in his stead. It is obvious, that a great proportion of the landed property must, by means of this device, be continually in the hands of the prince, and that all the noble families were thereby held in perpetual dependence. When the king granted the wardship of a rich heir to any one, he had the opportunity of enriching a favourite or minister: if he sold it, he thereby levied a considerable sum of money. Simon de Mountfort paid Henry III. 10,000 marks, an immense sum in those days, for the wardship of Gilbert de Umfreville.<sup>p</sup> Geoffrey de Mandeville paid to the same prince the sum of 20,000 marks, that he might marry Isabel, Countess of Gloucester, and possess all her lands and knights' fees. This sum would be equivalent to 300,000, perhaps 400,000, pounds in our time.<sup>q</sup>

If the heir were a female, the king was entitled to offer her any husband of her rank he thought proper; and if she refused him, she forfeited her land. Even a male heir could not marry without the royal consent; and it was usual for men to pay large sums for the liberty of making their own choice in marriage.<sup>r</sup> No man could dispose of his land, either by sale or will, without the consent of his superior. The possessor was never considered as full proprietor: he was still a kind of beneficiary; and could not oblige his superior to accept of any vassal that was not agreeable to him.

Fines, amerciements, and oblatas, as they were called, were another considerable branch of the royal power and revenue. The ancient records of the exchequer, which are still preserved, give surprising accounts of the numerous fines and amerciements levied in those days,<sup>s</sup> and of the strange inventions fallen upon to exact money from the subject. It appears that the ancient kings of England put themselves entirely on the footing of the barbarous eastern princes, whom no man must approach without a present, who sell all their good offices, and who intrude themselves into every business that they may have a pretence for extorting money. Even justice was avowedly bought and sold; the king's court itself, though the supreme judicature of the kingdom, was open to none that brought not presents to the king; the bribes given for the expedition, delay,<sup>t</sup> suspension, and, doubtless, for the perversion of justice, were entered in the public registers of the royal revenue, and remain as monuments of the perpetual iniquity and tyranny of the times. The barons of the exchequer, for instance, the first nobility of the kingdom, were not ashamed to insert, as an article in their records, that the county of Norfolk paid a sum that they might be fairly dealt with;<sup>u</sup> the borough of Yarmouth, that the king's charters, which they have for their liberties, might not be violated;<sup>v</sup> Richard, son of Gilbert, for the king's helping him to recover his debt from the Jews;<sup>w</sup> Serlo, son of Terlavaston, that he might be permitted to make his defence, in case he were accused of a certain homicide;<sup>x</sup> Walter de Burton, for free law, if accused of wounding another;<sup>y</sup> Robert de Essart, for having an inquest to find whether Roger the Butcher, and Wace and

<sup>a</sup> I.L. Will. Conq. § 55.

<sup>b</sup> Gervase de Tilbury, p. 25.

<sup>c</sup> Madox's Hist. of the Exch. p. 475.

<sup>d</sup> Martin, Paris, p. 38.

<sup>e</sup> See also Chron. Abb. St. Petri de Burgo, p. 55. Knighton, p. 2366.

<sup>f</sup> I. I. Norm. de Feud. Disp. cap. 28, col. 126.

<sup>g</sup> I. Lib. Feud. lib. 3, tit. 1. I. Lib. 4, tit. 21, § 9.

<sup>h</sup> I. Lib. 1, tit. 21, § 1.

<sup>i</sup> I. Lib. 1, tit. 44.

<sup>k</sup> I. Lib. 3, tit. 1.

<sup>l</sup> I. Lib. 4, tit. 14, 21.

<sup>m</sup> I. Lib. 4, tit. 14, 21.

<sup>n</sup> I. Lib. 1, tit. 1.

<sup>p</sup> Spellm. Gloss. in verb. *Felonia*.

<sup>q</sup> I. Lib. 1, tit. 7, cap. 12.

<sup>r</sup> Madox's Hist. of the Exch. p. 223.

<sup>s</sup> I. Lib. 1, tit. 21, § 9.

<sup>t</sup> I. Lib. 1, tit. 21, § 9.

<sup>u</sup> I. Lib. 1, tit. 21, § 9.

<sup>v</sup> I. Lib. 1, tit. 21, § 9.

<sup>w</sup> I. Lib. 1, tit. 21, § 9.

<sup>x</sup> I. Lib. 1, tit. 21, § 9.

<sup>y</sup> I. Lib. 1, tit. 21, § 9.

<sup>z</sup> I. Lib. 1, tit. 21, § 9.

<sup>s</sup> I. Lib. 1, tit. 21, § 9.

<sup>t</sup> I. Lib. 1, tit. 21, § 9.

<sup>u</sup> I. Lib. 1, tit. 21, § 9.

<sup>v</sup> I. Lib. 1, tit. 21, § 9.

<sup>w</sup> I. Lib. 1, tit. 21, § 9.

<sup>x</sup> I. Lib. 1, tit. 21, § 9.

<sup>y</sup> I. Lib. 1, tit. 21, § 9.

<sup>z</sup> I. Lib. 1, tit. 21, § 9.

Humphrey, accused him of robbery and theft out of envy and ill-will or not? William Buhurst, for having an inquest to find whether he were accused of the death of one Godwin, out of ill-will, or for just cause.<sup>a</sup> I have selected these few instances from a great number of a like kind, which Madox had selected from a still greater number, preserved in the ancient rolls of the exchequer.<sup>b</sup>

Sometimes the party litigant offered the king a certain portion, a half, a third, a fourth, payable out of the debts, which he, as the executor of justice, should assist him in recovering.<sup>c</sup> Theophania de Westland agreed to pay the half of 212 marks, that she might recover that sum against James de Fugleston; <sup>d</sup> Solomon, the Jew, engaged to pay one mark out of every seven that he should recover against Hugh de la Hosc; <sup>e</sup> Nicholas Morrel promised to pay sixty pounds, that the Earl of Flanders might be distrained to pay him 343 pounds, which the Earl had taken from him; and these sixty pounds were to be paid out of the first money that Nicholas should recover from the earl.<sup>f</sup>

As the king assumed the entire power over trade, he was to be paid for a permission to exercise commerce or industry of any kind.<sup>g</sup> Hugh Oisel paid 400 marks for liberty to trade in England; <sup>h</sup> Nigel de Havene gave fifty marks for the partnership in merchandise which he had with Gervase de Hanton; <sup>i</sup> the men of Worcester paid 100 shillings, that they might have the liberty of selling and buying dyed cloth, as formerly; <sup>j</sup> several other towns paid for a like liberty.<sup>k</sup> The commerce indeed of the kingdom was so much under the control of the king, that he erected guilds, corporations, and monopolies, wherever he pleased; and levied sums for these exclusive privileges.<sup>l</sup>

There were no profits so small as to be below the king's attention. Henry, son of Arthur, gave ten dogs, to have a recognition against the Countess of Copland for one knight's fee.<sup>m</sup> Roger, son of Nicholas, gave twenty lambs and twenty shads for an inquest to find, whether Gilbert, son of Alured, gave to Roger 200 muttons to obtain his confirmation for certain lands, or whether Roger took them from him by violence; <sup>n</sup> Geoffrey Fitz-Pierre, the chief justiciary, gave two good Norway hawks, that Walter le Madine might have leave to export a hundred-weight of cheese out of the king's dominions.<sup>o</sup>

It is really amusing to remark the strange business in which the king sometimes interfered, and never without a present: the wife of Hugh de Neville gave the king 200 hens, that she might lie with her husband one night; <sup>p</sup> and she brought with her two sureties, who answered each for a hundred hens. It is probable that her husband was a prisoner, which barred her from having access to him. The Abbot of Rucford paid ten marks for leave to erect houses and place men upon his land near Welhang, in order to secure his wood there from being stolen; <sup>q</sup> Hugh, Archdeacon of Wells, gave one tun of wine for leave to carry 600 summs of corn whither he would; <sup>r</sup> Peter de Peraris gave twenty marks for leave to salt fishes, as Peter Chevalier used to do.<sup>s</sup>

It was usual to pay high fines, in order to gain the king's good-will, or mitigate his anger. In the reign of Henry II. Gilbert, the son of Fergus, fines in 919 pounds 9 shillings to obtain that prince's favour; William de Chataignes, a thousand marks, that he would remit his displeasure. In the reign of Henry III. the city of London fines in no less a sum than 20,000 pounds on the same account.<sup>t</sup>

The king's protection and good offices of every kind were bought and sold. Robert Grislet paid twenty marks

of silver, that the king would help him against the Earl of Mortaigne, in a certain plea; <sup>u</sup> Robert de Cundet gave thirty marks of silver that the king would bring him to an accord with the Bishop of Lincoln; <sup>v</sup> Ralph de Breckham gave a hawk, that the king would protect him; <sup>w</sup> and this is a very frequent reason for payments: John, son of Ordgar, gave a Norway hawk, to have the king's request to the King of Norway to let him have his brother Godard's chattels; <sup>x</sup> Richard de Neville gave twenty palfreys to obtain the king's request to Isolda Bisset, that she should take him for a husband; <sup>y</sup> Roger Fitz-Walter gave three good palfreys to have the king's letter to Roger Bertram's mother, that she should marry him; <sup>z</sup> Eling, the dean, paid 100 marks, that his whore and his children might be let out upon bail; <sup>aa</sup> the Bishop of Winchester gave one tun of good wine for his not putting the king in mind to give a girdle to the Countess of Albemarle; <sup>ab</sup> Robert de Vaux gave five of the best palfreys, that the king would hold his tongue about Henry Pintel's wife.<sup>ac</sup> There are, in the records of exchequer, many other singular instances of a like nature.<sup>ad</sup> It will, however, be just to remark, that the same ridiculous practices and dangerous abuses prevailed in Normandy, and probably in all the other states of Europe; <sup>ae</sup> England was not, in this respect, more barbarous than its neighbours.

These iniquitous practices of the Norman kings were so well known, that on the death of Hugh Bigod, in the reign of Henry II. the best and most just of these princes, the eldest son and the widow of this nobleman came to court, and strove, by offering large presents to the king, each of them to acquire possession of that rich inheritance. The king was so equitable as to order the cause to be tried by the great council! But in the mean time, he seized all the money and treasure of the deceased. <sup>af</sup> Peter of Blois, a judicious, and even an elegant, writer for that age, gives a pathetic description of the venality of justice, and the oppressions of the poor, under the reign of Henry: and he scruples not to complain to the king himself of these abuses.<sup>ag</sup> We may judge what the case would be under the government of worse princes. The articles of inquiry concerning the conduct of sheriffs, which Henry promulgated in 1170, show the great power, as well as the licentiousness, of these officers.<sup>ah</sup>

Amerciaments or fines for crimes and trespasses were another considerable branch of the royal revenue.<sup>ai</sup> Most crimes were atoned for by money; the fines imposed were not limited by any rule or statute; and frequently occasioned the total ruin of the person, even for the slightest trespasses. The forest-laws, particularly, were a great source of oppression. The king possessed sixty-eight forests, thirteen chases, and seven hundred and eighty-one parks, in different parts of England; <sup>aj</sup> and, considering the extreme passion of the English and Normans for hunting, these were so many snares laid for the people, by which they were allured into trespasses, and brought within the reach of arbitrary and rigorous laws, which the king had thought proper to enact by his own authority.

But the most barefaced acts of tyranny and oppression were practised against the Jews, who were entirely out of the protection of law, were extremely odious from the bigotry of the people, and were abandoned to the immeasurable rapacity of the king and his ministers. Besides many other indignities, to which they were continually exposed, it appears that they were once all thrown into prison, and the sum of 66,000 marks exacted for their liberty: <sup>ak</sup> at

<sup>a</sup> Madox's Hist. of the Exch. p. 298.

<sup>c</sup> Id. p. 302. <sup>e</sup> Id. chap. xii.

<sup>f</sup> Id. p. 311. <sup>g</sup> Id. ibid.

<sup>h</sup> Id. p. 323. <sup>i</sup> Id. ibid.

<sup>j</sup> Id. p. 323. <sup>k</sup> Id. ibid.

<sup>l</sup> Id. p. 323. <sup>m</sup> Id. ibid.

<sup>n</sup> Id. p. 323. <sup>o</sup> Id. ibid.

<sup>p</sup> Id. p. 323. <sup>q</sup> Id. ibid.

<sup>r</sup> Id. p. 323. <sup>s</sup> Id. ibid.

<sup>t</sup> Id. p. 323. <sup>u</sup> Id. ibid.

<sup>v</sup> Id. p. 323. <sup>w</sup> Id. ibid.

<sup>x</sup> Id. p. 323. <sup>y</sup> Id. ibid.

<sup>z</sup> Id. p. 323. <sup>aa</sup> Id. ibid.

<sup>ab</sup> Id. p. 323. <sup>ac</sup> Id. ibid.

<sup>ad</sup> Id. p. 323. <sup>ae</sup> Id. ibid.

<sup>af</sup> Id. p. 323. <sup>ag</sup> Id. ibid.

<sup>ah</sup> Id. p. 323. <sup>ai</sup> Id. ibid.

<sup>aj</sup> Id. p. 323. <sup>ak</sup> Id. ibid.

<sup>al</sup> Id. p. 323. <sup>am</sup> Id. ibid.

<sup>an</sup> Id. p. 323. <sup>ao</sup> Id. ibid.

<sup>ap</sup> Id. p. 323. <sup>aq</sup> Id. ibid.

<sup>ar</sup> Id. p. 323. <sup>as</sup> Id. ibid.

Hereford, clerk, paid ten marks for a letter of request to the Bishop of Lincoln, to let him enjoy peacefully his church of Schenrith. Andrew Neulton gave three Flemish caps for the king's request to the prior of Chokesand, for performance of an agreement made between them. Henry de Fontibus gave a Lombard horse of value, to have the king's request to Henry Fitz-Hervey, that he would give him his daughter to wife. Roger, son of Nicholas, promised all the lambs he could get, to have the king's request to Earl William Mortaigne, that he would grant him the manor of Langleford at Erton. The burgesses of Gloucester promised 300 lambs, that they might not be distressed to find the prisoners of Poitou with necessaries, unless they pleased. Id. p. 352. Jordan, son of Reginald, paid twenty marks to have the king's request to William Paniel, that he would grant him the land of Mill Noremout, and the custody of 100 acres; and it Jordan obtained the same, he was to pay the twenty marks, otherwise not. Id. p. 343.

<sup>k</sup> Madox's Hist. of the Exch. p. 359. <sup>l</sup> Bened. Abb. p. 180. 181. in Petri Bles. Epist. 95. apud Bini. Patrum, tom. ii. p. 201.

<sup>m</sup> Hoveden, Chron. Cery. p. 1410. <sup>n</sup> Madox, chap. xiv.

<sup>p</sup> Spellin, Gloss. in verbo *Foresta*.

<sup>q</sup> Madox's Hist. of the Exch. p. 151. This happened in the reign of King John.



another time, Isaac the Jew paid alone 5100 marks; Brun, 3000 marks.<sup>r</sup> Jurnet, 2000; Bennet, 500; at another, Latorica, widow of David, the Jew of Oxford, was required to pay 6000 marks; and she was delivered over to six of the richest and discreetest Jews in England, who were to answer for the sum.<sup>s</sup> Henry III. borrowed 5000 marks from the Earl of Cornwall; and for his repayment consigned over to him all the Jews in England.<sup>t</sup> The revenue arising from exactions upon this nation was so considerable, that there was a particular court of exchequer set apart for managing it.<sup>w</sup>

#### Commerce.

We may judge concerning the low state of commerce among the English, when the Jews, notwithstanding these oppressions, could still find their account in trading among them, and lending them money. And as the improvements of agriculture were also much checked, by the immense possessions of the nobility, by the disorders of the times, and by the precarious state of feudal property; it appears that industry of no kind could then have place in the kingdom.<sup>x</sup>

It is asserted by Sir Henry Spellman,<sup>y</sup> as an undoubted truth, that, during the reigns of the first Norman princes, every edict of the king, issued with the consent of his privy council, had the full force of law. But the barons, surely, were not so passive as to intrust a power, entirely arbitrary and despotic, into the hands of the sovereign. It only appears, that the constitution had not fixed any precise boundaries to the royal power; that the right of issuing proclamations on any emergency, and of exacting obedience to them, a right which was always supposed inherent in the crown, is very difficult to be distinguished from a legislative authority; that the extreme imperfection of the ancient laws, and the sudden exigencies which often occurred in such turbulent governments, obliged the prince to exert frequently the latent powers of his prerogative; that he naturally proceeded, from the acquiescence of the people, to assume, in many particulars of moment, an authority, from which he had excluded himself by express statutes, charters, or concessions, and which was, in the main, repugnant to the general genius of the constitution; and that the lives, the personal liberty, and the properties of all his subjects, were less secured by law against the exertion of his arbitrary authority, than by the independent power and private connexions of each individual. It appears from the Great Charter itself, that not only John, a tyrannical prince, and Richard, a violent one, but their father Henry, under whose reign the prevalence of gross abuses is the least to be suspected, were accustomed, from their sole authority, without process of law, to imprison, banish, and attain the freemen of their kingdom.

A great baron, in those times, considered himself as a kind of sovereign within his territory; and was attended by courtiers and dependents more zealously attached to him than the ministers of state and the great officers were commonly to their sovereign. He often maintained in his court the parade of royalty, by establishing a justiciary, constable, mareschal, chamberlain, seneschal, and chaucellor, and assigning to each of these officers a separate province and command. He was usually very assiduous in exercising his jurisdiction; and took such delight in that image of sovereignty, that it was found necessary to restrain his activity, and prohibit him by law from holding courts too frequently.<sup>z</sup> It is not to be doubted, but the example, set him by the prince, of a mercenary and sordid extortion, would be faithfully copied, and that all his good and bad offices, his justice and injustice, were equally put to sale. He had the power, with the king's consent, to exact talliages even from the free citizens who lived within his barony; and as his necessities made him rapacious, his authority was usually found to be more oppressive and tyrannical than that of the sovereign.<sup>a</sup> He was ever engaged in hereditary or personal animosities or confederacies with

his neighbours, and often gave protection to all desperate adventurers and criminals, who could be useful in serving his violent purposes. He was able alone, in times of tranquillity, to obstruct the execution of justice within his territories; and by combining with a few malcontent barons of high rank and power, he could throw the state into convulsions. And, on the whole, though the royal authority was confined within bounds, and often within very narrow ones, yet the check was irregular, and frequently the source of great disorders; nor was it derived from the liberty of the people, but from the military power of many petty tyrants, who were equally dangerous to the prince, and oppressive to the subject.

The power of the church was another rampart against royal authority; but this defence The church. was also the cause of many mischiefs and inconveniences. The dignified clergy, perhaps, were not so prone to immediate violence as the barons; but as they pretended to a total independence on the state, and could always cover themselves with the appearances of religion, they proved, in one respect, an obstruction to the settlement of the kingdom, and to the regular execution of the laws. The policy of the Conqueror was in this particular liable to some exception. He augmented the superstitious veneration for Rome, to which that age was so much inclined; and he broke those bands of connexion, which, in the Saxon times, had preserved a union between the lay and the clerical orders. He prohibited the bishops from sitting in the county courts; he allowed ecclesiastical causes to be tried in spiritual courts only;<sup>b</sup> and he so much exalted the power of the clergy, that of 60,215 knights' fees, into which he divided England, he placed no less than 28,015 under the church.<sup>c</sup>

The right of primogeniture was introduced Civil laws. with the feudal law: an institution which is hurtful, by producing and maintaining an unequal division of private property; but is advantageous, in another respect, by accustoming the people to a preference in favour of the eldest son, and thereby preventing a partition or disputed succession in the monarchy. The Normans introduced the use of surnames, which tend to preserve the knowledge of families and pedigrees. They abolished none of the old absurd methods of trial by the cross or ordeal; and they added a new absurdity, the trial by single combat;<sup>d</sup> which became a regular part of jurisprudence, and was conducted with all the order, method, devotion, and solemnity imaginable.<sup>e</sup> The ideas of chivalry also seem to have been imported by the Normans: no traces of those fantastic notions are to be found among the plain and rustic Saxons.

The feudal institutions, by raising the military Manners. tenants to a kind of sovereign dignity, and by rendering personal strength and valour requisite, and by making every knight and baron his own protector and avenger, begat that martial pride and sense of honour, which, being cultivated and embellished by the poets and romance-writers of the age, ended in chivalry. The virtuous knight fought not only in his own quarrel, but in that of the innocent, of the helpless, and, above all, of the fair, whom he supposed to be for ever under the guardianship of his valiant arm. The uncourteous knight who, from his castle, exercised robbery on travellers, and committed violence on virgins, was the object of his perpetual indignation; and he put him to death, without scruple, or trial, or appeal, wherever he met with him. The great independence of men made personal honour and fidelity the chief tie among them; and rendered it the capital virtue of every true knight, or genuine professor of chivalry. The solemnities of single combat, as established by law, banished the notion of every thing unfair or unequal in encounters; and maintained an appearance of courtesy between the combatants, till the moment of their engage-

<sup>r</sup> Madox's Hist. of the Exch. p. 151.

<sup>t</sup> Id. p. 168.

<sup>x</sup> We learn from the extracts given us by Brady, in his

Treatise of Boroughs, that almost all the boroughs of England had suffered in the shock of the conquest, and had extremely decayed between the death of the Conqueror, and the time when Doomsday was framed.

<sup>y</sup> Gloss in verb. *Judicium Dei*. The author of the *Miroir des Justices* complains, that ordinances are only made by the king and his clerks, and by aliens and others, who dare not contradict the king, but study to please him. Whence he concludes, laws are often dictated by will than founded on right.

<sup>s</sup> Id. p. 153.

<sup>w</sup> Id. ch. vii.

<sup>z</sup> Id. ch. vii.

<sup>a</sup> Id. ch. vii.

<sup>b</sup> Id. ch. vii.

<sup>c</sup> Id. ch. vii.

<sup>d</sup> Id. ch. vii.

<sup>e</sup> Id. ch. vii.

<sup>z</sup> Douglass Jurid. Orig. p. 56.

<sup>a</sup> Madox's Hist. of the Exch. p. 520.

<sup>b</sup> Char. Will. apud Wilkins, p. 230. Spell. Conc. vol. ii. p. 14.

<sup>c</sup> Spell. Gloss. in verb. *Manna Mortua*. We are not to imagine, as some have done, that the church possessed lands in this proportion, but only that they and their vassals enjoyed such a proportionable part of the landed property.

<sup>d</sup> LL. Will. cap. 68.

<sup>e</sup> Spell. Gloss. in verb. *Campus*. The last instance of these duels was in the 15th of Eliz. So long did that absurdity remain.

ment. The credulity of the age grafted on this stock the notion of giants, enchanters, dragons, spells, and a thousand wonders, which still multiplied during the times of the Crusades; when men, returning from so great a distance, used the liberty of imposing every fiction on their believing audience. These ideas of chivalry infected the writings, conversation, and behaviour of men, during some ages; and even after they were, in a great measure, banished by the revival of learning, they left modern gallantry, and the point of honour, which still maintain their influence, and are the genuine offspring of those ancient affectations.

The concession of the Great Charter, or rather its full establishment, (for there was a considerable interval of time between the one and the other,) gave rise, by degrees, to a new species of government, and introduced some order and justice into the administration. The ensuing scenes of our history are therefore somewhat different from the preceding. Yet the Great Charter contained no establishment of new courts, magistrates, or senates, nor abolition of the old. It introduced no new distribution of the powers of the commonwealth, and no innovation in the political or public law of the kingdom. It only guarded, and that merely by verbal clauses, against such tyrannical practices as are incompatible with civilized government, and, if they become very frequent, are incompatible with all government. The barbarous licence of the kings, and perhaps of the nobles, was thenceforth somewhat more restrained: men acquired some more security for their properties and their liberties: and government approached a little nearer to that end for which it was originally instituted, the distribution of justice, and the equal protection of the citizens. Acts of violence and iniquity in the crown, which before were only deemed injurious to individuals, and were hazardous chiefly in proportion to the number, power, and dignity of the persons affected by them, were now regarded, in some degree, as public injuries, and as infringements of a charter, calculated for general security. And thus the establishment of the Great Charter, without seeming anywise to innovate in the distribution of political power, became a kind of epoch in the constitution.

### No. III.

Government of England—Revenues—Commerce—Military Force—Manufactures—Learning.

THE party among us who have distinguished themselves by their adhering to liberty and a popular government, have long indulged their prejudices against the succeeding race of princes, by bestowing unbounded panegyrics on the virtue and wisdom of Elizabeth. They have even been so extremely ignorant of the transactions of this reign, as to extol her for a quality, which, of all others, she was the least possessed of; a tender regard for the constitution, and a concern for the liberties and privileges of her people. But as it is scarcely possible for the prepossessions of party to throw a veil much longer over facts so palpable and undeniable, there is danger lest the public should run into the opposite extreme, and should entertain an aversion to the memory of a princess who exercised the royal authority in a manner so contrary to all the ideas which we at present entertain of a legal constitution. But Elizabeth only supported the prerogatives transmitted to her by her predecessors: she believed that her subjects were entitled to no more liberty than their ancestors had enjoyed: she found that they entirely acquiesced in her arbitrary administration:

<sup>f</sup> In all legal single combats, it was part of the champion's oath, that he carried not about him any north-sill, or enchantment, by which he might procure victory. Durol, Orig. Jurid. p. 48.

<sup>g</sup> In the ancient constitution, it is here to be noted that which prevailed before the settlement of our present plan of liberty. There was a monarchical constitution, where, though the people had perhaps less liberty than under the highest, yet the king had also less authority: the power of the barons was a great check upon him, and exercised still great business over them. But the monarchs still a monarchical constitution, viz. that before the coming of the charter, was neither the people nor the barons, but any regular

and it was not natural for her to find fault with a form of government by which she herself was invested with such unlimited authority. In the particular exertions of power the question ought never to be forgotten, *What is best?* But in the general distribution of power among the several members of a constitution, there can seldom be admitted any other question than *What is established?* Few examples occur of princes who have willingly resigned their power: none of those who have, without struggle and reluctance, allowed it to be extorted from them. If any other rule than established practice be followed, factions and dissensions must multiply without end: and though many constitutions, and none more than the British, have been improved even by violent innovations, the praise bestowed on those patriots to whom the nation has been indebted for its privileges, ought to be given with some reserve, and surely without the least rancour, against those who adhered to the ancient constitution.<sup>a</sup>

In order to understand the ancient constitution of England, there is not a period which deserves more to be studied than the reign of Elizabeth. The prerogatives of this princess were scarcely ever disputed, and she therefore employed them without scruple: her imperious temper, a circumstance in which she went far beyond her successors, rendered her exertions of power violent and frequent, and discovered the full extent of her authority: the great popularity which she enjoyed proves that she did not infringe any established liberties of the people: there remains evidence sufficient to ascertain the most noted acts of her administration: and though that evidence must be drawn from a source wide of the ordinary historians, it becomes only the more authentic on that account, and serves as a stronger proof that her particular exertions of power were conceived to be nothing but the ordinary course of administration, since they were not thought remarkable enough to be recorded even by contemporary writers. If there was any difference in this particular, the people in former reigns seem rather to have been more submissive than even during the age of Elizabeth.<sup>b</sup> It may not here be improper to recount some of the ancient prerogatives of the crown, and lay open the sources of that great power which the English monarchs formerly enjoyed.

One of the most ancient and most established instruments of power, was the court of star-chamber, which possessed an unlimited discretionary authority of fining, imprisoning, and inflicting corporal punishment, and whose jurisdiction extended to all sorts of offences, contempts, and disorders that lay not within reach of the common law. The members of this court consisted of the privy council and the judges, men, who all of them enjoyed their offices during pleasure: and when the prince himself was present, he was the sole judge, and all the others could only interpose with their advice. There needed but this one court in any government to put an end to all regular, legal, and exact plans of liberty: for who durst set himself in opposition to the crown and ministry, or aspire to the character of being a patron of freedom, while exposed to so arbitrary a jurisdiction? I much question whether any of the absolute monarchies in Europe contain at present so illegal and despotic a tribunal.

The court of high commission was another jurisdiction still more terrible; both because the crime of heresy, of which it took cognizance, was more undefinable than any civil offence, and because its methods of inquisition, and of administering oaths, were more contrary to all the most simple ideas of justice and equity. The fines and imprisonments imposed by this court were frequent: the deprivations and suspensions of the clergy for nonconformity were also numerous, and comprehended at one time the third of all the ecclesiastics of England.<sup>c</sup> The queen, in a letter to the Archbishop of Canterbury, said expressly, that she was resolved, "That no man should be

privileges, and the power of the government, during the reign of an able prince, was almost wholly in the king. The English constitution, like all others, has been in a state of continual fluctuation.

<sup>b</sup> In a memorial of the state of the realm, drawn by Secretary Cecil, in 1591, there is this passage: "Then followeth the decay of obedience in civil polity, which being compared with the fearfulness and reverence of all inferior states to their superiors in times past, will astonish any way and considerate person, to behold the desperation of reformation."

Haynes, p. 586. Again, p. 588.

<sup>c</sup> Neal vol. i. p. 173.

suffered to decline, either on the left, or on the right hand, from the drawn line limited by authority, and by her laws and injunctions."<sup>d</sup>

But martial law went beyond even these two courts in a prompt, and arbitrary, and violent method of decision. Whenever there was any insurrection or public disorder, the crown employed martial law; and it was, during that time, exercised not only over the soldiers, but over the whole people: any one might be punished as a rebel, or an aider and abettor of rebellion, whom the provost-martial, or lieutenant of a county, or their deputies, pleased to suspect. Lord Bacon says, that the trial at common law, granted to the Earl of Essex and his fellow-conspirators, was a favour; for that the case would have borne and required the severity of martial law.<sup>e</sup> We have seen instances of its being employed by Queen Mary in defence of orthodoxy. There remains a letter of Queen Elizabeth's to the Earl of Sussex, after the suppression of the northern rebellion, in which she sharply reproves him because she had not heard of his having executed any criminals by martial law;<sup>f</sup> though it is probable that near eight hundred persons suffered, one way or other, on account of that slight insurrection. But the kings of England did not always limit the exercise of this law to times of civil war and disorder. In 1552, when there was no rebellion or insurrection, King Edward granted a commission of martial law; and empowered the commissioners to execute it, *as should be thought by their discretions most necessary.*<sup>g</sup> Queen Elizabeth too was not sparing in the use of this law. In 1573, one Peter Burchet, a puritan, being persuaded that it was meritorious to kill such as opposed the truth of the gospel, ran into the streets, and wounded Hawkins, the famous sea-captain, whom he took for Hatton, the queen's favourite. The queen was so incensed, that she ordered him to be punished instantly by martial law; but upon the remonstrance of some prudent counsellors, who told her that this law was usually confined to turbulent times, she recalled her order, and delivered over Burchet to the common law.<sup>h</sup> But she continued not always so reserved in executing this authority. There remains a proclamation of hers, in which she orders martial law to be used against all such as import bulls, or even forbidden books and pamphlets, from abroad;<sup>i</sup> and prohibits the questioning of the lieutenants, or their deputies, for their arbitrary punishment of such offenders, *any law or statute to the contrary in anywise notwithstanding.* We have another act of hers still more extraordinary. The streets of London were much infested with idle vagabonds and riotous persons. The lord mayor had endeavoured to repress this disorder: the star-chamber had exerted its authority and inflicted punishment on these rioters: but the queen, finding those remedies ineffectual, revived martial law, and gave Sir Thomas Wilford a commission of provost-martial: "Granting him authority, and commanding him, upon signification, given by the justices of peace in London or the neighbouring counties, of such offenders worthy to be speedily executed by martial law, to attach and take the same persons, and in the presence of the said justices, according to justice of martial law, to execute them upon the gallows or gibbet openly, or near to such place where the said rebellious and incorrigible offenders shall be found to have committed the said great offences."<sup>k</sup> I suppose it would be difficult to produce an instance of such an act of authority in any place nearer than Muscovy. The patent of high constable, granted to Earl Rivers, by Edward IV., proves the nature of the office. The powers are unlimited, perpetual, and remain in force during peace as well as during war and rebellion. The parliament in Edward the VI.'th's reign, acknowledged the jurisdiction of the constable and martial's court to be part of the law of the land.<sup>l</sup>

The star-chamber, and high commission, and court-martial, though arbitrary jurisdictions, had still some pre-

ference of a trial, at least of a sentence; but there was a grievous punishment very generally inflicted in that age, without any other authority than the warrant of a secretary of state, or of the privy council;<sup>m</sup> and that was imprisonment in any jail, and during any time, that the ministers should think proper. In suspicious times, all the jails were full of prisoners of state; and these unhappy victims of public jealousy were sometimes thrown into dungeons, and loaded with irons, and treated in the most cruel manner, without their being able to obtain any remedy from law.

This practice was an indirect way of employing torture: but the rack itself, though not admitted in the ordinary execution of justice,<sup>n</sup> was frequently used, upon any suspicion, by authority of a warrant from a secretary, or the privy council. Even the council in the marshes of Wales was empowered, by their very commission, to make use of torture whenever they thought proper.<sup>o</sup> There cannot be a stronger proof how lightly the rack was employed, than the following story told by Lord Bacon. We shall give it in his own words: "The queen was mightily incensed against Haywarde, on account of a book he dedicated to Lord Essex, being a story of the first year of Henry IV.; thinking it a seditious prelude, to put into the people's heads boldness and faction: <sup>p</sup> she said, she had an opinion that there was treason in it, and asked me, if I could not find any places in it, that might be drawn within the case of treason? Whereto I answered, For treason, sure I found none; but for felony very many: and when her majesty hastily asked me, Wherein? I told her, the author had committed very apparent theft: for he had taken most of the sentences of Cornelius Tacitus, and translated them into English, and put them into his text. And another time, when the queen could not be persuaded that it was his writing whose name was to it, but that it had some more mischievous author, and said, with great indignation, that she would have him racked, to produce his author; I replied, Nay, madam, he is a doctor, never rack his person, but rack his style: let him have pen, ink, and paper, and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake, by collating the styles, to judge whether he were the author or no."<sup>q</sup> Thus, had it not been for Bacon's humanity, or rather his wit, this author, a man of letters, had been put to the rack, for a most innocent performance. His real offence was, his dedicating a book to that munificent patron of the learned, the Earl of Essex, at a time when this nobleman lay under her majesty's displeasure.

The queen's menace, of trying and punishing Haywarde for treason, could easily have been executed, let this book have been ever so innocent. While so many terrors hung over the people, no jury durst have acquitted a man, when the court was resolved to have him condemned. The practice, also, of not confronting witnesses with the prisoner, gave the crown lawyers all imaginable advantage against him. And, indeed, there scarcely occurs an instance, during all these reigns, that the sovereign or the ministers were ever disappointed in the issue of a prosecution. Timid juries, and judges who held their offices during pleasure, never failed to second all the views of the crown. And as the practice was anciently common, of fining, imprisoning, or otherwise punishing the jurors, merely at the discretion of the court, for finding a verdict contrary to the direction of these dependent judges; it is obvious that juries were then no manner of security to the liberty of the subject.

The power of pressing, both for sea and land service, and obliging any person to accept of any office, however mean or unfit for him, was another prerogative totally incompatible with freedom. Osborne gives the following account of Elizabeth's method of employing this prerogative. "In case she found any likely to interrupt her occasions," says he, "she did seasonably prevent him, by

<sup>d</sup> Morden, p. 163.

<sup>e</sup> Vol. iv. p. 510.

<sup>f</sup> MS. of Lord Royston's from the Paper Office.

<sup>g</sup> Strype's Eccles. Memoirs, vol. ii. p. 373. 480. 9.

<sup>h</sup> Camden, p. 446. Strype, vol. ii. p. 238.

<sup>i</sup> Strype vol. iii. p. 370.

<sup>j</sup> Rymer, vol. xvi. p. 270.

<sup>k</sup> Edw. VI. cap. 20. See Sir John Davis's Question concerning Im-

positions, p. 9.

<sup>m</sup> In 1588, the lord mayor committed several citizens to prison, because they refused to pay the loan demanded of them. Morden, p. 632.

<sup>n</sup> Harrison, book ii. chap. 11.

<sup>o</sup> Haynes, p. 136. See, further, la Roederie, vol. i. p. 211.

<sup>p</sup> To our apprehension, Haywards's book seems rather to have a contrary tendency. For he has there preserved the famous speech of the Bishop of Carlisle, when he was, in the most express terms, the doctrine of passive obedience. But Queen Elizabeth was very difficult to please on this head, q Cabballa, p. 81.



a chargeable employment abroad, or putting him upon some service at home, which she knew least grateful to the people: contrary to a false maxim, since practised with far worse success, by such princes as thought it better husbandry to buy off enemies than reward friends.<sup>17</sup> The practice with which Osborne reproaches the two immediate successors of Elizabeth, proceeded partly from the extreme difficulty of their situation, partly from the greater lenity of their disposition. The power of pressing, as may naturally be imagined, was often abused, in other respects, by men of inferior rank; and officers often exacted money for freeing persons from the service.<sup>18</sup>

The government of England, during that age, however different in other particulars, bore, in this respect, some resemblance to that of Turkey at present: the sovereign possessed every power, except that of imposing taxes: and in both countries this limitation, unsupported by other privileges, appears rather prejudicial to the people. In Turkey, it obliges the sultan to permit the extortion of the bashaws and governors of provinces, from whom he afterwards squeezes presents, or takes forfeitures: in England, it engaged the queen to erect monopolies, and grant patents for exclusive trade: an invention so pernicious, that had she gone on during a track of years at her own rate, England, the seat of riches, and arts, and commerce, would have contained at present as little industry as Morocco, or the coast of Barbary.

We may further observe, that this valuable privilege, valuable only because it proved afterwards the means by which the parliament extorted all their other privileges, was very much encroached on, in an indirect manner, during the reign of Elizabeth, as well as of her predecessors. She often exacted loans from her people; an arbitrary and unequal kind of imposition, and which individuals felt severely: for though the money had been regularly repayed, which was seldom the case,<sup>19</sup> it lay in the prince's hands without interest, which was a sensible loss to the persons from whom the money was borrowed.<sup>20</sup>

There remains a proposal, made by Lord Burleigh, for levying a general loan on the people, equivalent to a subsidy:<sup>21</sup> a scheme which would have laid the burden more equally, but which was, in different words, a taxation imposed without consent of parliament. It is remarkable, that the scheme thus proposed, without any visible necessity, by that wise minister, is the very same which Henry VIII. executed, and which Charles I., enraged by ill usage from his parliament, and reduced to the greatest difficulties, put afterwards in practice, to the great discontent of the nation.

The demand of benevolence was another invention of that age for taxing the people. This practice was so little conceived to be irregular, that the Commons, in 1585, offered the queen a benevolence; which she very generously refused, as having no occasion at that time for money.<sup>22</sup> Queen Mary also, by an order of council, increased the customs in some branches; and her sister imitated the example.<sup>23</sup> There was a species of ship money imposed at the time of the Spanish invasion: the several ports were required to equip a certain number of vessels at their own charge; and such was the alacrity of the people for the public defence, that some of the ports, particularly London, sent double the number demanded of them.<sup>24</sup> When any levies were made for Ireland, France, or the Low Countries, the queen obliged the counties to levy the soldiers, to arm and clothe them, and carry them to the sea-ports at their own charge. New-year's gifts were at that time expected from the nobility, and from the more considerable gentry.<sup>25</sup>

Purveyance and pre-emption were also methods of taxation, unequal, arbitrary, and oppressive. The whole kingdom sensibly felt the burden of those impositions; and it was regarded as a great privilege conferred on Oxford and Cambridge, to prohibit the purveyors from taking any commodities within five miles of these universities.

The queen virtualled her navy by means of this prerogative, during the first years of her reign.<sup>26</sup>

Wardship was the most regular and legal of all these impositions by prerogative: yet was it a great badge of slavery and oppression to all the considerable families. When an estate devolved to a female, the sovereign obliged her to marry any one he pleased: whether the heir were male or female, the crown enjoyed the whole profit of the estate during the minority. The giving of a rich wardship was a usual method of rewarding a courtier or favourite.

The inventions were endless which arbitrary power might employ for the extorting of money, while the people imagined that their property was secured by the crown's being debarred from imposing taxes. Strype has preserved a speech of Lord Burleigh to the queen and council, in which are contained some particulars not a little extraordinary.<sup>27</sup> Burleigh proposes that she should erect a court for the correction of all abuses, and should confer on the commissioners a general inquisitorial power over the whole kingdom. He sets before her the example of her wise grandfather Henry VII. who, by such methods, extremely augmented his revenue; and he recommends that this new court should proceed, "as well by the direction and ordinary course of the laws, as by virtue of her majesty's supreme regiment and *absolute power from whence law proceeded.*" In a word, he expects from this institution greater accession to the royal treasure than Henry VIII. derived from the abolition of the abbeyes, and all the forfeitures of ecclesiastical revenues. This project of Lord Burleigh's needs not, I think, any comment. A form of government must be very arbitrary indeed, where a wise and good minister could make such a proposal to the sovereign.

Embargoes on merchandise was another engine of royal power, by which the English princes were able to extort money from the people. We have seen instances in the reign of Mary. Elizabeth, before her coronation, issued an order to the custom-house, prohibiting the sale of all crimson silks which should be imported, till the court were first supplied.<sup>28</sup> She expected, no doubt, a good penny-worth from the merchants while they lay under this restraint.

The parliament pretended to the right of enacting laws, as well as of granting subsidies; but this privilege was, during that age, still more insignificant than the other. Queen Elizabeth expressly prohibited them from meddling either with state matters or ecclesiastical causes; and she openly sent the members to prison who dared to transgress her imperial edict in these particulars. There passed few sessions of parliament during her reign where there occur not instances of this arbitrary conduct.

But the legislative power of the parliament was a mere fallacy; while the sovereign was universally acknowledged to possess a dispensing power, by which all the laws could be invalidated, and rendered of no effect. The exercise of this power was also an indirect method practised for erecting monopolies. Where the statutes laid any branch of manufacture under restrictions, the sovereign, by exempting one person from the laws, gave him in effect the monopoly of that commodity.<sup>29</sup> There was no grievance at that time more universally complained of, than the frequent dispensing with the penal laws.<sup>30</sup>

But in reality the crown possessed the full legislative power by means of proclamations, which might affect any matter, even of the greatest importance, and which the star-chamber took care to see more rigorously executed than the laws themselves. The motives for these proclamations were sometimes frivolous and even ridiculous. Queen Elizabeth had taken offence at the smell of woad; and she issued an edict prohibiting any one from cultivating that useful plant.<sup>31</sup> She was also pleased to take offence at the long swords and high ruffs then in fashion: she sent about her officers to break every man's sword, and clip every man's ruff, which was beyond a certain

<sup>17</sup> Page 392.

<sup>18</sup> Bacon, vol. iv. p. 362.

<sup>19</sup> Murden, p. 181.

<sup>20</sup> In the second of Richard II. it was enacted, That in loans, which the king shall require of his subjects upon letters of purvey seal, such as have reasonable excuse of not having, may there be received without further summons, travail, or grief. See Cotton's Abridg. p. 170. By this law, the king's prerogative of exacting loans was ratified: and what ought to be taken for a reasonable excuse, was still left in his own breast to determine.

<sup>21</sup> Haynes, p. 318, 519.

<sup>22</sup> D'Ewes, p. 491.

<sup>23</sup> Pacon, vol. iv. p. 362.

<sup>24</sup> Menston, p. 297.

<sup>25</sup> Strype's Memoirs, vol. i. p. 137.

<sup>26</sup> Gordon, p. 285.

<sup>27</sup> Annals, vol. iv. p. 231, & seq.

<sup>28</sup> Strype, vol. i. p. 27.

<sup>29</sup> Heymer, tom. iv. p. 796. D'Ewes, p. 645.

<sup>30</sup> Murden, p. 325.

<sup>31</sup> Gordon, p. 325. See also Strype's Memoirs, p. 290. See also Strype's Memoirs, p. 290.

dimension.<sup>b</sup> This practice resembles the method employed by the great Czar Peter to make his subjects change their garb.

The queen's prohibition of the *prophesyings*, or the assemblies, instituted for fanatical prayers and conferences, was founded on a better reason; but shows still the unlimited extent of her prerogative. Any number of persons could not meet together in order to read the Scriptures, and confer about religion, though in ever so orthodox a manner, without her permission.

There were many other branches of prerogative incompatible with an exact or regular enjoyment of liberty. None of the nobility could marry without permission from the sovereign. The queen detained the Earl of Southampton long in prison, because he privately married the Earl of Essex's cousin.<sup>c</sup> No man could travel without the consent of the prince. Sir William Evers underwent a severe persecution because he had presumed to pay a private visit to the King of Scots.<sup>k</sup> The sovereign even assumed a supreme and uncontrolled authority over all foreign trade; and neither allowed any person to enter or depart the kingdom, nor any commodity to be imported or exported without his consent.<sup>l</sup>

The parliament, in the thirteenth of the queen, praised her for not imitating the practice usual among her predecessors, of stopping the course of justice by particular warrants.<sup>m</sup> There could not possibly be a greater abuse, nor a stronger mark of arbitrary power; and the queen in refraining from it was very laudable. But she was by no means constant in this reserve. There remain in the public records some warrants of hers, for exempting particular persons from all lawsuits and prosecutions;<sup>n</sup> and these warrants, she says, she grants from her royal prerogative, which she will not allow to be disputed.

It was very usual in Queen Elizabeth's reign, and probably in all the preceding reigns, for noblemen or privy-counsellors to commit to prison any one who had happened to displease them, by suing for his just debts; and the unhappy person, though he gained his cause in the courts of justice, was commonly obliged to relinquish his property in order to obtain his liberty. Some likewise, who had been delivered from prison by the judges, were again committed to custody in secret places, without any possibility of obtaining relief; and even the officers and sergeants of the courts of law were punished for executing the writs in favour of these persons. Nay, it was usual to send for people by pursuivants, a kind of harpies, who then attended the orders of the council and high commission; and they were brought up to London, and constrained by imprisonment, not only to withdraw their lawful suits, but also to pay the pursuivants great sums of money. The judges, in the 34th of the queen, complain to her majesty of the frequency of this practice. It is probable that so egregious a tyranny was carried no further down than the reign of Elizabeth; since the parliament, who presented the petition of right, found no later instances of it.<sup>o</sup> And even these very judges of Elizabeth, who thus protect the people against the tyranny of the great, expressly allow, that a person committed by special command of the queen is not bailable.

It is easy to imagine that in such a government no justice could by course of law be obtained of the sovereign, unless he were willing to allow it. In the naval expedition undertaken by Raleigh and Froisher against the Spaniards in the year 1592, a very rich carrack was taken, worth two hundred thousand pounds. The queen's share in the adventure was only a tenth, but as the prize was so great, and exceeded so much the expectation of all the adventurers, she was determined not to rest contented with her share. Raleigh humbly and earnestly begged her to accept of a hundred thousand pounds in lieu of all demands, or rather extortions; and says, that the present which the proprietors were willing to make her, of eighty thousand pounds, was the greatest that prince ever received from a subject.<sup>p</sup>

But it is no wonder the queen in her administration should pay so little regard to liberty; while the parliament itself in enacting laws was entirely negligent of it. The persecuting statutes which they passed against papists and puritans are extremely contrary to the genius of freedom; and, by exposing such multitudes to the tyranny of priests and bigots, accustomed the people to the most disgraceful subjection. Their conferring an unlimited supremacy on the queen, or, what is worse, acknowledging her inherent right to it, was another proof of their voluntary servitude.

The law of the 23d of her reign, making seditious words against the queen capital, is also a very tyrannical statute; and a use no less tyrannical was sometimes made of it. The case of Udal, a puritanical clergyman, seems singular even in those arbitrary times. This man had published a book called a *Demonstration of Discipline*, in which he inveighed against the government of bishops; and though he had carefully endeavoured to conceal his name, he was thrown into prison upon suspicion, and brought to a trial for this offence. It was pretended, that the bishops were part of the queen's political body; and to speak against them was really to attack her, and was therefore felony by the statute. This was not the only iniquity to which Udal was exposed. The judges would not allow the jury to determine any thing but the fact, whether Udal had written the book or not, without examining his intention or the import of the words. In order to prove the fact, the crown lawyers did not produce a single witness to the court: they only read the testimony of two persons absent, one of whom said, that Udal had told him he was the author; another, that a friend of Udal's had said so. They would not allow Udal to produce an exculpatory evidence; which they said was never to be permitted against the crown.<sup>q</sup> And they tendered him an oath, by which he was required to depose, that he was not the author of the book; and his refusal to make that deposition was employed as the strongest proof of his guilt. It is almost needless to add, that notwithstanding these multiplied iniquities, a verdict of death was given by the jury against Udal: for, as the queen was extremely bent upon his prosecution, it was impossible he could escape.<sup>r</sup> He died in prison before execution of the sentence.

The case of Penry was, if possible, still harder. This man was a zealous puritan, or rather a Brownist, a small sect which afterwards increased, and received the name of Independents. He had written against the hierarchy several tracts, such as *Martin Marprelate*, *Theses Martiniana*, and other compositions, full of low scurrility and petulant satire. After concealing himself for some years, he was seized; and, as the statute against seditious words required that the criminal should be tried within a year after committing the offence, he could not be indicted for his printed books. He was therefore tried for some papers found in his pocket, as if he had thereby scattered sedition.<sup>s</sup> It was also imputed to him, by the Lord-keeper, Puckering, that in some of these papers, "he had only acknowledged her majesty's royal power to establish laws, ecclesiastical and civil; but had avoided the usual terms of making, enacting, decreeing, and ordaining laws; which imply," says the lord-keeper, "a most absolute authority."<sup>t</sup> Penry, for these offences, was condemned and executed.

Thus we have seen that the *most absolute* authority of the sovereign, to make use of the lord-keeper's expression, was established on about twenty branches of prerogative, which are now abolished, and which were, every one of them, totally incompatible with the liberty of the subject. But what insured more effectually the slavery of the people, than even these branches of prerogative, was the established principles of the times, which attributed to the prince such an unlimited and indefeasible power as was supposed to be the origin of all law, and could be circumscribed by none. The homilies published for the use of the clergy, and which they were enjoined to read every Sunday in all the churches, inculcate every where a blind and unlimited passive obedience to the prince, which, on

<sup>b</sup> Townsend's Journals, p. 250. Stow's Annals. Strype, vol. ii. p. 603.

<sup>c</sup> Birch's Memoirs, vol. ii. p. 422. <sup>d</sup> Ibid. p. 511.

<sup>e</sup> Sir John Davis's Question concerning Impositions, passim.

<sup>f</sup> D'Ewes, p. 142. <sup>g</sup> Rymer, tom. xii. p. 692, 708, 777.

<sup>h</sup> Rushworth, vol. i. p. 511. Franklin's Annals, p. 250, 251.

<sup>i</sup> Strype, vol. ii. p. 126, 129.

<sup>q</sup> It was never fully established that the prisoner could legally produce evidence against the crown, till after the revolution. See Blackstone's Commentaries, vol. iv. p. 332.

<sup>r</sup> State Trials, vol. i. p. 141. Strype, vol. iv. p. 21. Id. Life of Whitgift, p. 311.

<sup>s</sup> Id. Life of Whitgift, book iv. chap. 11. Neal, vol. i. p. 361.

<sup>t</sup> Strype's Annals, vol. iv. p. 177.

no account, and under no pretence, it is ever lawful for subjects in the smallest article to depart from or infringe. Much noise has been made because some court chaplains during the succeeding reigns were permitted to preach such doctrines; but there is a great difference between these sermons, and discourses published by authority, avowed by the prince and council, and promulgated to the whole nation.<sup>u</sup> So thoroughly were these principles imbibed by the people, during the reigns of Elizabeth and her predecessors, that opposition to them was regarded as the most flagrant sedition, and was not even rewarded by that public praise and approbation which can alone support men under such dangers and difficulties as attend the resistance of tyrannical authority.<sup>w</sup> It was only during the next generation that the noble principles of liberty took root, and spreading themselves under the shelter of puritanical absurdities, became fashionable among the people.

It is worth remarking, that the advantage usually ascribed to absolute monarchy, a greater regularity of police, and a more strict execution of the laws, did not attend the former English government, though in many respects it fell under that denomination. A demonstration of this truth is contained in a judicious paper which is preserved by Strype,<sup>x</sup> and which was written by an eminent justice of peace of Somersetshire, in the year 1596, near the end of the queen's reign; when the authority of that princess may be supposed to be fully corroborated by time, and her maxims of government improved by long practice. This paper contains an account of the disorders which then prevailed in the county of Somerset. The author says, that forty persons had there been executed in a year for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-seven whipped, one hundred and eighty-three discharged: that those who were discharged were most wicked and desperate persons, who never would come to any good, because they would not work, and none would take them into service: that, notwithstanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to a trial; the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or the foolish lenity of the people: that the rapines committed by the infinite number of wicked, wandering, idle people, were intolerable to the poor countrymen, and obliged them to keep a perpetual watch over their sheepfolds, their pastures, their woods, and their corn-fields: that the other counties of England were in no better condition than Somersetshire; and many of them were even in a worse: that there was at least three or four hundred able-bodied vagabonds in every county who lived by theft and rapine; and who sometimes met in troops to the number of sixty and committed spoil on the inhabitants: that if all the felons of this kind were assembled, they would be able, if reduced to good subjection, to give the greatest enemy her majesty has a *strong battle*: and that the magistrates themselves were intimidated from executing the laws upon them; and there were instances of justices of peace, who, after giving sentence against rogues, had interposed to stop the execution of their own sentence, on account of the danger which hung over them, from the confederates of the felons.

In the year 1575, the queen complained in parliament of the bad execution of the laws; and threatened, that if the magistrates were not for the future more vigilant, she

would intrust authority to indigent and needy persons, who would find an interest in a more exact administration of justice.<sup>y</sup> It appears that she was as good as her word. For in the year 1601 there were great complaints made in parliament of the rapine of justices of peace; and a member said that this magistrate was an animal, who, for half a dozen of chickens, would dispense with a dozen of penal statutes.<sup>z</sup> It is not easy to account for this relaxation of government and neglect of police, during a reign of so much vigour as that of Elizabeth. The small revenue of the crown is the most likely cause that can be assigned. The queen had it not in her power to interest a great number in assisting her to execute the laws.<sup>a</sup>

On the whole, the English have no reason, from the example of their ancestors, to be in love with the picture of absolute monarchy; or to prefer the unlimited authority of the prince, and his unbounded prerogatives, to that noble liberty, that sweet equality, and that happy security, by which they are at present distinguished above all nations in the universe. The utmost that can be said in favour of the government of that age (and perhaps it may be said with truth) is, that the power of the prince, though really unlimited, was exercised after the European manner, and entered not into every part of the administration; that the instances of a high exerted prerogative were not so frequent as to render property sensibly insecure, or reduce the people to a total servitude; that the freedom from faction, the quickness of execution, and the promptitude of those measures, which could be taken for offence or defence, made some compensation for the want of a legal and determinate liberty; that as the prince commanded no mercenary army, there was a tacit check on him which maintained the government in that medium to which the people had been accustomed; and that this situation of England, though seemingly it approached nearer, was in reality more remote from, a despotic and eastern monarchy than the present government of that kingdom, where the people, though guarded by multiplied laws, are totally naked, defenceless, and disarmed; and besides are not secured by any middle power, or independent powerful nobility interposed between them and the monarch.

We shall close the present appendix with a brief account of the revenues, the military force, the commerce, the arts, and the learning of England during this period.

Queen Elizabeth's economy was remarkable; and in some instances seemed to border on avarice. The smallest expense, if it could possibly be spared, appeared considerable in her eyes; and even the charge of an express during the most delicate transactions was not below her notice.<sup>b</sup> She was also attentive to every profit; and embraced opportunities of gain which may appear somewhat extraordinary. She kept, for instance, the see of Ely vacant nineteen years, in order to retain the revenue;<sup>c</sup> and it was usual with her, when she promoted a bishop, to take the opportunity of pillaging the see of some of its manors.<sup>d</sup> But that in reality there was little or no avarice in the queen's temper, appears from this circumstance, that she never amassed any treasure; and even refused subsidies from the parliament when she had no present occasion for them. Yet we must not conclude, from this circumstance, that her economy proceeded from a tender concern for her people: she loaded them with monopolies and exclusive patents, which are much more oppressive than the most heavy taxes levied in an

Revenues.

<sup>u</sup> Gifford, a clergyman, was suspended in the year 1584, for preaching up a limited obedience to the civil magistrates. Neal, vol. i. p. 435.

<sup>w</sup> It is remarkable, that in all the historical plays of Shakespeare, where the manners and characters, and even the transactions of the several reigns, are so exactly copied, there is scattered an intimation of *civil liberty*, which some pretended historians have imagined to be the object of all the ancient quarrels, insurrections, and civil wars. In the elaborate panegyric of England, contained in the tragedy of Richard II., and the detail of its advantages, not a word of its civil constitution, as otherwise different from, or superior to, that of other European kingdoms: an omission which cannot be supposed in any English author that wrote since the restoration, at least since the revolution.

<sup>x</sup> Annals, vol. iv. p. 320.

<sup>y</sup> D'Ewes, p. 534.

<sup>z</sup> Ibid. p. 661, 664.

<sup>a</sup> We have remarked before, that Harrison, in book ii. chap. 11, says, that in the reign of Henry VIII. there were hanged seventy-two thousand thieves and rogues. *Abolished other malefactors*: this makes about two thousand a year: but in Queen Elizabeth's time, the same author says, there were only between three and four hundred a year hanged for theft and robbery: so much had the times mended. But in our age there are not forty a year hanged for those crimes in all England. Yet Harrison com-

plaints of the relaxation of the laws, that there were so few such rogues punished in his time. Our vulgar prepossession in favour of the morals of former and rude ages is very absurd and ill grounded. The same author says, chap. 10, that there were computed to be ten thousand gibbets in England; a species of banditti introduced about the reign of Henry VIII. and he adds, that there will be no way of extirpating them by the ordinary course of justice, the queen must employ martial law against them. That law has been almost totally disapproved in England, and even in Scotland, where there were some remnants of them a few years ago. However arbitrary the exercise of martial law in the crown, it appears that nobody in the age of Elizabeth entertained any jealousy of it.

<sup>b</sup> Frey's, Nov. 10. 61.

<sup>c</sup> See Frey, vol. i. p. 241.

<sup>d</sup> Ibid. p. 215. There is a curious letter of the queen's, written to a Bishop of Ely, and preserved in the register of that see. It is in these words: *Friend Prebete, I understand you are back and in company with your agreement, but I would say, you know, that I also made you what you are, can you make you, that I now do not justify, fulfil your commitment, by God, I will immediately subject you. Yours, as you know, Elizabeth.* ELIZABETH.—The bishop, it seems, had promised to exchange some part of the lands belonging to the see for a pretended equivalent, and so on; but it was in consequence of the above letter. Annual Register, 1761, p. 15.



equal and regular manner. The real source of her frugal conduct was derived from her desire of independency, and her care to preserve her dignity, which would have been endangered had she reduced herself to the necessity of having frequent recourse to parliamentary supplies. In consequence of this motive, the queen, though engaged in successful and necessary wars, thought it more prudent to make a continual dilapidation of the royal demesnes, than demand the most moderate supplies from the Commons. As she lived unmarried, and had no posterity, she was content to serve her present turn, though at the expense of her successors; who, by reason of this policy, joined to other circumstances, found themselves, on a sudden, reduced to the most extreme indigence.

The splendour of a court was, during this age, a great part of the public charge; and as Elizabeth was a single woman, and expensive in no kind of magnificence, except clothes, this circumstance enabled her to perform great things by her narrow revenue. She is said to have paid four millions of debt, left on the crown by her father, brother, and sister; an incredible sum for that age.<sup>1</sup> The States, at the time of her death, owed her about eight hundred thousand pounds: and the King of France, four hundred and fifty thousand.<sup>2</sup> Though that prince was extremely frugal, and, after the peace of Vervins, was continually amassing treasure, the queen never could, by the most pressing importunities, prevail on him to make payment of those sums which she had so generously advanced him during his greatest distresses. One payment of twenty thousand crowns, and another of fifty thousand, were all she could obtain by the strongest representations she could make of the difficulties to which the rebellion in Ireland had reduced her.<sup>3</sup> The queen expended on the wars with Spain, between the years 1589 and 1593, the sum of one million three hundred thousand pounds, beside the pittance of a double subsidy, amounting to two hundred and eighty thousand pounds, granted her by parliament.<sup>4</sup> In the year 1599, she spent six hundred thousand pounds in six months, on the service of Ireland.<sup>5</sup> Sir Robert Cecil affirmed, that in ten years Ireland cost her three millions four hundred thousand pounds.<sup>6</sup> She gave the Earl of Essex a present of thirty thousand pounds, upon his departure for the government of that kingdom.<sup>7</sup> Lord Burleigh computed, that the value of the gifts conferred on that favourite amounted to three hundred thousand pounds; a sum which, though probably exaggerated, is a proof of her strong affection towards him! It was a common saying during this reign, *The queen pays bountifully, though she rewards sparingly.*<sup>8</sup>

It is difficult to compute exactly the queen's ordinary revenue, but it certainly fell much short of five hundred thousand pounds a-year.<sup>9</sup> In the year 1590, she raised the customs from fourteen thousand pounds a-year to fifty thousand, and obliged Sir Thomas Smith, who had farmed them, to refund some of his former profits.<sup>10</sup> This improvement of the revenue was owing to the suggestions of one Caermarthen; and was opposed by Burleigh, Leicester, and Walsingham: but the queen's perseverance overcame all their opposition. The great undertakings which she executed with so narrow a revenue, and with such small supplies from her people, prove the mighty effects of wisdom and economy. She received from the parliament, during the course of her whole reign, only twenty subsidies and

thirty-nine fifteenths. I pretend not to determine exactly the amount of these supplies; because the value of a subsidy was continually falling, and in the end of her reign it amounted only to eighty thousand pounds.<sup>11</sup> If we suppose that the supplies granted Elizabeth during a reign of forty-five years amounted to three millions, we shall not probably be much wide of the truth.<sup>12</sup> This sum makes only sixty-six thousand six hundred and sixty-six pounds a-year; and it is surprising, that while the queen's demands were so moderate, and her expenses so well regulated, she should ever have found any difficulty in obtaining a supply from parliament, or be reduced to make sale of the crown-lands. But such was the extreme, I had almost said absurd, parsimony of the parliaments during that period. They valued nothing in comparison of their money. The members had no connexion with the court: and the very idea which they conceived of the trust committed to them was, to reduce the demands of the crown, and to grant as few supplies as possible. The crown, on the other hand, conceived the parliament in no other light than as a means of supply. Queen Elizabeth made a merit to her people of seldom summoning parliaments.<sup>13</sup> No redress of grievances was expected from these assemblies: they were supposed to meet for no other purpose than to impose taxes.

Before the reign of Elizabeth, the English princes had usually recourse to the city of Antwerp for voluntary loans; and their credit was so low, that besides paying the high interest of ten or twelve per cent., they were obliged to make the city of London join in the security. Sir Thomas Gresham, that great and enterprising merchant, one of the chief ornaments of this reign, engaged the company of merchant adventurers to grant a loan to the queen; and as the money was regularly repaid, her credit by degrees established itself in the city, and she shook off this dependence on foreigners.<sup>14</sup>

In the year 1559, however, the queen employed Gresham to borrow for her two hundred thousand pounds at Antwerp, in order to enable her to reform the coin, which was at that time extremely debased.<sup>15</sup> She was so impolitic as to make, herself, an innovation in the coin; by dividing a pound of silver into sixty-two shillings, instead of sixty, the former standard. This is the last time that the coin has been tampered with in England.

Queen Elizabeth, sensible how much the Commerce. defence of her kingdom depended on its naval power, was desirous to encourage commerce and navigation: but as her monopolies tended to extinguish all domestic industry, which is much more valuable than foreign trade, and is the foundation of it, the general train of her conduct was ill calculated to serve the purpose at which she aimed, much less to promote the riches of her people. The exclusive companies, also, were an immediate check on foreign trade. Yet, notwithstanding these discouragements, the spirit of the age was strongly bent on naval enterprises: and besides the military expeditions against the Spaniards, many attempts were made for new discoveries, and many new branches of foreign commerce were opened by the English. Sir Martin Frobisher undertook three fruitless voyages, to discover the north-west passage: Davis, not discouraged by this ill success, made a new attempt, when he discovered the straits which pass by his name. In the year 1600, the queen granted the

<sup>1</sup> Rymer, tom. xvi. p. 141. D'Ewes, p. 151. 457. 525. 629. Bacon, vol. iv. p. 367.

<sup>2</sup> D'Ewes, p. 473. I think it impossible to reconcile this account of the public debts with that given by Strype, Eccles. Mem. vol. ii. p. 34, that in the year 1533, the crown owed but 300,000 pounds. I own that this last sum appears a great deal more likely. The whole revenue of Queen Elizabeth would not in ten years have paid four millions.

<sup>3</sup> Winwood, vol. i. p. 29. 54. <sup>4</sup> Idem, vol. i. p. 117. 395.

<sup>5</sup> D'Ewes, p. 433. <sup>6</sup> Camden, p. 167.

<sup>7</sup> Apology to the Earl of Essex's Apology.

<sup>8</sup> D'Ewes's Memoirs, vol. ii. <sup>9</sup> Naunton's Regalia, chap. i. <sup>10</sup> Franklyn, in his Annals, p. 9, says, that the profit of the kingdom, besides wards and the duchy of Lancaster, (which amounted to about 130,000 pounds) was, 186,197 pounds: the crown lands seem to be comprehended in this computation.

<sup>11</sup> Camden, p. 558. This account of Camden is difficult or impossible to be reconciled to the state of the customs in the beginning of the subsequent reign, as they appear in the Journals of the Commons. See Hist. of James, vol. i. p. 630.

<sup>12</sup> Lord Salisbury computed these supplies only at 2,000,000 pounds, *Journal*, 17th 1609. King James was certainly mistaken when he estimated the queen's annual supplies at 157,000 pounds. Franklyn, p. 44. It is curious to observe, that the minister, in the war begun in 1751, was in

some periods allowed to lavish, in two months, as great a sum as was granted by parliament to Queen Elizabeth in forty-five years. The extreme frivolous object of the late war, and the great importance of hers, so this matter in still a stronger light. Money, too, we may observe, was in most particulars of the same value in both periods: she paid eight-pence a-day to every foot-soldier. But our late delusions have much exceeded any thing known in history, not even excepting those of the Crusades. For I suppose there is no mathematical, still less an arithmetical, demonstration, that the road to the Holy Land was not the road to Paradise; as there is, that the endless increase of national debts is the direct road to national ruin. But how can it be otherwise, when the debt is so great, and the present, to reflect on the past. It will be found in the present year, 1776, that all the revenues of this island north of Trent, and west of Reading, are mortgaged or anticipated for ever. Could the small remainder be in a worse condition, were those provinces seized by Austria and Prussia? There is only this difference, that some event might happen in Europe which would oblige these great monarchs to disgorge their acquisitions. But no imagination can figure a situation, when will induce our creditors to relinquish their claims, or the public to seize their revenues. So egregious indeed has been our folly, that we have even lost all title to compassion in the numberless calamities that are awaiting us.

<sup>13</sup> Strype, vol. iv. p. 124. <sup>14</sup> *Journal*, p. 10. <sup>15</sup> *Journal*, book i. p. 429.

<sup>16</sup> *Mss.* of Lord Royston's from the Paper Office, p. 235.

first patent to the East India company: the stock of that company was seventy-two thousand pounds; and they fitted out four ships, under the command of James Lancaster, for this new branch of trade. The adventure was successful; and the ships returning with a rich cargo, encouraged the company to continue the commerce.

The communication with Muscovy had been opened in Queen Mary's time, by the discovery of the passage to Archangel: but the commerce to that country did not begin to be carried on to a great extent till about the year 1569. The queen obtained from the czar an exclusive patent to the English for the whole trade of Muscovy;<sup>w</sup> and she entered into a personal as well as national alliance with him. This czar was named John Basilides, a furious tyrant, who, continually suspecting the revolt of his subjects, stipulated to have a safe retreat and protection in England. In order the better to insure this resource, he purposed to marry an English woman; and the queen intended to have sent him Lady Anne Hastings, daughter of the Earl of Huntingdon: but when the lady was informed of the barbarous manners of the country, she wisely declined purchasing an empire at the expense of her ease and safety.<sup>x</sup>

The English, encouraged by the privileges which they had obtained from Basilides, ventured further into those countries than any Europeans had formerly done. They transported their goods along the river Dwina, in boats made of one entire tree, which they towed and rowed up the stream as far as Walogda. Thence they carried their commodities seven days' journey by land to Yeraslau, and then down the Volga to Astracan. At Astracan they built ships, crossed the Caspian sea, and distributed their manufactures into Persia. But this bold attempt met with such discouragements, that it was never renewed.<sup>y</sup>

After the death of John Basilides, his son Theodore revoked the patent which the English enjoyed for a monopoly of the Russian trade: when the queen remonstrated against this innovation, he told her ministers, that princes must carry an indifferent hand, as well between their subjects as between foreigners; and not convert trade, which by the laws of nations ought to be common to all, into a monopoly for the private gain of a few.<sup>z</sup> So much juster notions of commerce were entertained by this barbarian than appear in the conduct of the renowned Queen Elizabeth! Theodore, however, continued some privileges to the English, on account of their being the discoverers of the communication between Europe and his country.

The trade to Turkey commenced about the year 1583; and that commerce was immediately confined to a company by Queen Elizabeth. Before that time the Grand Signior had always conceived England to be a dependant province of France;<sup>a</sup> but, having heard of the queen's power and reputation, he gave a good reception to the English, and even granted them larger privileges than he had given to the French.

The merchants of the Hanse-towns complained loudly, in the beginning of Elizabeth's reign, of the treatment which they had received in the reigns of Edward and Mary. She prudently replied, that as she would not innovate any thing, she would still protect them in the immunities and privileges of which she found them possessed. This answer not contenting them, their commerce was soon after suspended for a time, to the great advantage of the English merchants, who tried what they could themselves

effect for promoting their commerce. They took the whole trade into their own hands; and, their returns proving successful, they divided themselves into staplers and merchant-adventurers; the former residing constantly at one place, the latter trying their fortunes in other towns and states abroad with cloth and other manufactures. This success so enraged the Hanse-towns, that they tried all the methods which a discontented people could devise, to draw upon the English merchants the ill opinion of other nations and states. They prevailed so far as to obtain an imperial edict, by which the English were prohibited all commerce in the empire: the queen, by way of retaliation, retained sixty of their ships, which had been seized in the river Tagus with contraband goods of the Spaniards. These ships the queen intended to have restored, as desiring to have compromised all differences with those trading cities; but when she was informed that a general assembly was held at Lubec, in order to concert measures for distressing the English trade, she caused the ships and cargoes to be confiscated: only two of them were released to carry home the news, and to inform these states that she had the greatest contempt imaginable for all their proceedings.<sup>b</sup>

Henry VIII. in order to fit out a navy, was obliged to hire ships from Hamburgh, Lubec, Dantzic, Genoa, and Venice: but Elizabeth, very early in her reign, put affairs upon a better footing; both by building some ships of her own, and by encouraging the merchants to build large trading vessels, which, on occasion, were converted into ships of war.<sup>c</sup> In the year 1582, the seamen in England were found to be fourteen thousand two hundred and ninety-five men;<sup>d</sup> the number of vessels twelve hundred and thirty-two; of which there were only two hundred and seventeen above eighty tons. Monson pretends, that though navigation decayed in the first years of James I. by the practice of the merchants, who carried on their trade in foreign bottoms,<sup>e</sup> yet, before the year 1640, this number of seamen was tripled in England.<sup>f</sup>

The navy which the queen left at her decease appears considerable, when we reflect Military force. only on the number of vessels, which were forty-two; but when we consider that none of these ships carried above forty guns; that four only came up to that number; that there were but two ships of a thousand tons; and twenty-three below five hundred, some of fifty, and some even of twenty tons; and that the whole number of guns belonging to the fleet, was seven hundred and seventy-four; we must entertain a contemptible idea of the English navy, compared to the force which it has now attained.<sup>g</sup> In the year 1588, there were not above five vessels fitted out by the noblemen and sea-ports which exceeded two hundred tons.<sup>h</sup>

In the year 1599, an alarm was given of an invasion by the Spaniards; and the queen equipped a fleet and levied an army in a fortnight to oppose them. Nothing gave foreigners a higher idea of the power of England than this sudden armament. In the year 1575, all the militia in the kingdom were computed at a hundred and eighty-two thousand nine hundred and twenty-nine.<sup>i</sup> A distribution was made in the year 1595, of a hundred and forty thousand men, besides those which Wales could supply.<sup>j</sup> These armies were formidable by their numbers; but their discipline and experience were not proportionate. Small bodies from Dunkirk and Newport frequently ran over and plundered the east coast: so unfit was the militia, as it was

<sup>w</sup> Camden, p. 408.

<sup>x</sup> Ibid. p. 497.

<sup>y</sup> Ibid. p. 418.

<sup>z</sup> Ibid. p. 493.

<sup>a</sup> Birch's Memoirs, vol. i. p. 36.

<sup>b</sup> History of the Admirals, vol. i. p. 470.

<sup>c</sup> Camden, p. 382.

<sup>d</sup> Monson, p. 256.

<sup>e</sup> Ibid. p. 300.

<sup>f</sup> Ibid. p. 210, 256.

<sup>g</sup> Ibid. p. 196. The English navy at present carries about 11,000 guns.

<sup>h</sup> Harrison, in his Description of Britain, printed in 1577, has the following passage, chap. 15. "There is no prince in Europe that hath a more beautiful sort of ships than the queen's majesty of England at this present; and these generally are of such exceeding force, that two of them, being well appointed and furnished as they ought, will not let ten encounter with these or two of them of other countries; and either besiege them or put them to flight, if they may not bring them home." The queen's highness hath at this present already made and furnished to the number of one and twenty great ships, which he for the most part in Gillingham road.

<sup>i</sup> Beside these, her grace hath other in hand also, of whom he saith, "as their turns come about, I will not let to leave some further reinforcement."

<sup>j</sup> She hath likewise three notable galleys, the Speedwell, the Frye-right, and the Black Gallie, with the sight whereof, and the rest of the navy, it is incredible to see how marvellously her grace is delighted; and not without great cause, sith by their means her coasts are kept in quiet, and sundry foreign enemies put back, which otherwise would invade us."

<sup>k</sup> After speaking of the merchant ships, which he says are commonly estimated at seventeen or eighteen hundred, he continues: "I add therefore, to

the end all men should understand somewhat of the great masses of treasure daily employed upon our navy, how there are few of those ships of the first and second sort (that is, of the merchant ships) that are appraised and made ready to sail, are not worth one thousand pounds, or three thousand ducats at the least, if they should presently be sold. What shall we then think of the navy-royal, of which some one vessel is worth two of the other, as the shipwright has often told me." It is possible that some covetous person, hearing this report, will either not credit at all, or suppose money so employed to be not so profitable to the queen's coffers, as a good husband said once, when he heard that provisions should be made for the queen's navy, "that the queen should be rather to some speedier return of gain unto her grace: but if he wist that the good keeping of the sea is the safeguard of our land, he would alter his sentence, and soon give over his judgment." Speaking of the forests, this author says, "An insatiable deal of wood hath been destroyed within these few years, and I dare affirm, that if wood do go so fast to decay in the next hundred years or grace, as they have done or are like to do in this, it is to be feared that sea-wood will be good merchandise even in the city of London." Harrison's progress was fulfilled in a very few years; for about 1640 there were two hundred sail employed in carrying coal to London. See Anderson, vol. i. p. 414.

<sup>k</sup> Lives of the Admirals, vol. i. p. 432.

<sup>l</sup> Strype, vol. iv. p. 221.

<sup>m</sup> Monson, p. 380.

then constituted, for the defence of the kingdom. The lord lieutenants were first appointed to the counties in this reign.

Mr. Murden<sup>m</sup> has published, from the Salisbury collections, a paper which contains the military force of the nation at the time of the Spanish Armada, and which is somewhat different from the account given by our ordinary historians. It makes all the able-bodied men of the kingdom amount to a hundred and eleven thousand five hundred and thirteen; those armed, to eighty thousand eight hundred and seventy-five: of whom forty-four thousand seven hundred and twenty-seven were trained. It must be supposed, that these able-bodied men consisted of such only as were registered, otherwise the small number is not to be accounted for. Yet Sir Edward Coke<sup>n</sup> said in the House of Commons, that he was employed about the same time, together with Popham, chief justice, to take a survey of all the people of England, and that they found them to be 900,000 of all sorts. This number, by the ordinary rules of computation, supposes that there were above 200,000 men able to bear arms. Yet even this number is surprisingly small. Can we suppose that the kingdom is six or seven times more populous at present? And that Murden's was the real number of men, excluding catholics, and children, and infirm persons?

Harrison says, that in the musters taken in the years 1574 and 1575, the men fit for service amounted to 1,172,674; yet it was believed that a full third was omitted. Such uncertainty and contradiction are there in all these accounts. Notwithstanding the greatness of this number, the same author complains much of the decay of populousness: a vulgar complaint in all places and all ages. Guicciardini makes the inhabitants of England in this reign amount to two millions.

Whatever opinion we may form of the comparative populousness of England in different periods, it must be allowed that, abstracting from the national debt, there is a prodigious increase of power in that, more perhaps than in any other European state since the beginning of the last century. It would be no paradox to affirm, that Ireland alone could, at present, exert a greater force than all the three kingdoms were capable of, at the death of Queen Elizabeth. And we might go further, and assert, that one good county in England is able to make, at least to support, a greater effort than the whole kingdom was capable of, in the reign of Harry V.; when the maintenance of a garrison, in a small town like Calais, formed more than a third of the ordinary national expense. Such are the effects of liberty, industry, and good government!

The state of the English manufactures was, at this time, very low; and foreign wares of almost all kinds had the preference.<sup>o</sup> About the year 1590, there were, in London, four persons only rated in the subsidy-books so high as four hundred pounds.<sup>p</sup> This computation is not, indeed, to be deemed an exact estimate of their wealth. In 1567, there were found, on inquiry, to be four thousand eight hundred and fifty-one strangers of all nations in London: of whom three thousand eight hundred and thirty-eight were Flemings, and only fifty-eight Scots.<sup>q</sup> The persecutions in France and the Low Countries drove afterwards a greater number of foreigners into England; and the commerce, as well as manufactures, of that kingdom, was very much improved by them.<sup>r</sup> It was then that Sir Thomas Gresham built, at his own charge, the magnificent fabric of the Exchange for the reception of the merchants: the queen visited it, and gave it the appellation of the Royal Exchange.

By a lucky accident in language, which has a great effect on men's ideas, the invidious word usury, which formerly meant the taking of any interest for money, came now to

express only the taking of exorbitant and illegal interest. An act, passed in 1571, violently condemns all usury; but permits ten per cent. interest to be paid. Henry IV. of France reduced interest to 6½ per cent.: an indication of the great advance of France above England in commerce.

Dr. Howel says,<sup>s</sup> that Queen Elizabeth, in the third of her reign, was presented with a pair of black silk knit stockings, by her silk woman, and never wore cloth hose any more. The author of the present state of England says, that about 1577, pocket watches were first brought into England from Germany. They are thought to have been invented at Nuremburgh. About 1580, the use of coaches was introduced by the Earl of Arundel.<sup>t</sup> Before that time, the queen, on public occasions, rode behind her chamberlain.

Camden says, that in 1581, Randolph, so much employed by the queen in foreign embassies, possessed the office of postmaster-general of England. It appears, therefore, that posts were then established; though from Charles I.'s regulations in 1635, it would seem that few post-houses were erected before that time.

In a remonstrance of the Hanse-towns to the diet of the empire in 1582, it is affirmed that England exported annually about 200,000 pieces of cloth.<sup>u</sup> This number seems to be much exaggerated.

In the fifth of this reign was enacted the first law for the relief of the poor.

A judicious author of that age confirms the vulgar observation, that the kingdom was depopulating from the increase of enclosures and decay of tillage; and he ascribes the reason very justly to the restraints put on the exportation of corn; while full liberty was allowed to export all the produce of pasturage, such as wood, hides, leather, tallow, &c. These prohibitions of exportation were derived from the prerogative, and were very injudicious. The queen, once, on the commencement of her reign, had tried a contrary practice, and with good success. From the same author we learn, that the complaints, renewed in our time, were then very common, concerning the high prices of every thing.<sup>v</sup> There seems, indeed, to have been two periods in which prices rose remarkably in England, namely, that in Queen Elizabeth's reign, when they are computed to have doubled; and that in the present age. Between the two there seems to have been a stagnation. It would appear that industry, during that intermediate period, increased as fast as gold and silver, and kept commodities nearly at a par with money.

There were two attempts made in this reign to settle colonies in America; one by Sir Humphrey Gilbert in Newfoundland, another by Sir Walter Raleigh in Virginia: but neither of these projects proved successful. All those noble settlements were made in the following reigns. The current specie of the kingdom in the end of this reign is computed at four millions.<sup>w</sup>

The Earl of Leicester desired Sir Francis Walsingham, then ambassador in France, to provide him with a riding-master in that country, to whom he promises a hundred pounds a-year, beside maintaining himself and servant, and a couple of horses. "I know," adds the Earl, "that such a man as I want may receive higher wages in France; but let him consider, that a shilling in England goes as far as two shillings in France."<sup>x</sup> It is known that every thing is much changed since that time.

The nobility in this age still supported, in some degree, the ancient magnificence in their hospitality, and in the numbers of their retainers; and the queen found it prudent to retrench, by proclamation, their expenses in this last particular.<sup>y</sup> The expense of hospitality she somewhat encouraged by the frequent visits she paid her nobility, and the sumptuous feasts which she received from them.<sup>z</sup>

m P. 608.

n Journ. 25th April, 1621.

o D'Uves, p. 505.

p Ibid p. 497.

q Haynes, p. 461, 462.

r Stowe, p. 668.

s History of the World, vol. ii. p. 222.

t Ibid, vol. i. p. 424.

u A circumstantial or brief examination of certain ordinary complaints of divers of our countrymen. The author says, that in 20 or 30 years before 1581, commodities had in general risen 34 per cent. some more. Cannot you, neighbour, remember, says he, that, within these 30 years, I could in this town buy the best pig or goose I could by my handson for four-pence, which now costeth twelve-pence; a good capon for three-pence or four-pence, a chicken for a penny, 4 den for two pence? p. 35. Yet the price of ordinary labour was then eight-pence a-day, p. 31.

w Lives of the Admirals, vol. i. p. 475.

x Digges's Complete Ambassador.

y Strype, vol. iii. Appendix, p. 54.

z Harrison, after enumerating the queen's palaces, adds: "Put what shall I need to take upon me to repeat all, and tell what houses the queen's majesty hath: such all is hers; and when it pleaseth her in the summer season to recreate herself abroad, and view the estate of the country, and hear the complaints of her poor commons, injured by her unjust officers or their substitutes, every nobleman's house is her palace, where she congregate, during pleasure, and till she return again to some of her own, in which she remaineth so long as she pleaseth." Took it chap. 15. Surely one may say of such a guest what nero says to Attius on occasion of a visit paid him by Cæsar. *Hospes tamen non est cui diceres, amato te, eodem ad me*



The Earl of Leicester gave her an entertainment in Kenilworth castle, which was extraordinary for expense and magnificence. Among other particulars, we are told that three hundred and sixty-five hogheads of beer were drunk at it.<sup>a</sup> The earl had fortified this castle at great expense; and it contained arms for ten thousand men.<sup>b</sup> The Earl of Derby had a family consisting of two hundred and forty servants.<sup>c</sup> Stowe remarks it as a singular proof of beneficence in this nobleman, that he was contented with his rent from his tenants, and exacted not any extraordinary services from them: a proof that the great power of the sovereign (what was almost unavoidable) had very generally countenanced the nobility in tyrannizing over the people. Burleigh, though he was frugal, and had no paternal estate, kept a family consisting of a hundred servants.<sup>d</sup> He had a standing table for gentlemen, and two other tables for persons of meaner condition, which were always served alike, whether he were in town or in the country. About his person he had people of great distinction, inasmuch that he could reckon up twenty gentlemen retainers, who had each a thousand pounds a-year; and as many among his ordinary servants, who were worth from a thousand pounds to three, five, ten, and twenty thousand pounds.<sup>e</sup> It is to be remarked, that though the revenues of the crown were at that time very small, the ministers and courtiers sometimes found means, by employing the boundless prerogative, to acquire greater fortunes than it is possible for them at present to amass, from their large salaries and more limited authority.

Burleigh entertained the queen twelve several times in his country house, where she remained three, four, or five weeks at a time. Each visit cost him two or three thousand pounds.<sup>f</sup> The quantity of silver plate possessed by this nobleman is surprising: no less than fourteen or fifteen thousand pounds' weight;<sup>g</sup> which, besides the fashion, would be above forty-two thousand pounds sterling in value. Yet Burleigh left only 4000 pounds a-year in land, and 11,000 pounds in money; and as land was then commonly sold at ten years' purchase, his plate was nearly equal to all the rest of his fortune. It appears that little value was then put upon the fashion of the plate, which probably was but rude: the weight was chiefly considered.<sup>h</sup>

But, though there were preserved great remains of the ancient customs, the nobility were by degrees acquiring a taste for elegant luxury; and many edifices in particular were built by them, neat, large, and sumptuous, to the great ornament of the kingdom, says Camden;<sup>i</sup> but to the no less decay of the glorious hospitality of the nation. It is, however, more reasonable to think, that this new turn of expense promoted arts and industry; while the ancient hospitality was the source of vice, disorder, sedition, and idleness.<sup>k</sup>

Among the other species of luxury, that of apparel began much to increase during this age; and the queen thought proper to restrain it by proclamation.<sup>l</sup> Her example was very little conformable to her edicts. As no woman was ever more conceited of her beauty, or more desirous of making impression on the hearts of beholders, no one ever went to a greater extravagance in apparel, or studied more the variety and richness of her dresses. She appeared almost every day in a different habit; and tried all the several modes by which she hoped to render herself agreeable. She was also so fond of her clothes, that she never could part with any of them; and at her death she had in her wardrobe all the different habits, to

the number of three thousand, which she had ever worn in her life-time.<sup>m</sup>

The retrenchment of the ancient hospitality, and the diminution of retainers, were favourable to the prerogative of the sovereign; and, by disabling the great noblemen from resistance, promoted the execution of the laws, and extended the authority of the courts of justice. There were many peculiar causes in the situation and character of Henry VII. which augmented the authority of the crown: most of these causes concurred in succeeding princes; together with the factions in religion, and the acquisition of the supremacy, a most important article of prerogative; but the manners of the age were a general cause which operated during this whole period, and which continually tended to diminish the riches, and still more the influence, of the aristocracy, anciently so formidable to the crown. The habits of luxury dissipated the immense fortunes of the ancient barons; and as the new methods of expense gave subsistence to mechanics and merchants, who lived in an independent manner on the fruits of their own industry, a nobleman, instead of that unlimited ascendant which he was wont to assume over those who were maintained at his board, or subsisted by salaries conferred on them, retained only that moderate influence which customers have over tradesmen, and which can never be dangerous to civil government. The landed proprietors also, having a greater demand for money than for men, endeavoured to turn their lands to the best account with regard to profit; and, either enclosing their fields, or joining many small farms into a few large ones, dismissed those useless hands which formerly were always at their call in every attempt to subvert the government, or oppose a neighbouring baron. By all these means the cities increased; the middle rank of men began to be rich and powerful; the prince, who in effect was the same with the law, was implicitly obeyed; and though the further progress of the same causes begat a new plan of liberty, founded on the privileges of the Commons, yet in the interval between the fall of the nobles and the rise of this order, the sovereign took advantage of the present situation, and assumed an authority almost absolute.

Whatever may be commonly imagined, from the authority of Lord Bacon, and from that of Harrington, and later authors, the laws of Henry VII. contributed very little towards the great revolution which happened about this period in the English constitution. The practice of breaking entails by a fine and recovery had been introduced in the preceding reign; and this prince only gave indirectly a legal sanction to the practice, by reforming some abuses which attended it. But the settled authority which he acquired to the crown, enabled the sovereign to encroach on the separate jurisdictions of the barons, and produced a more general and regular execution of the laws. The counties palatine underwent the same fate as the feudal powers; and by a statute of Henry VIII.<sup>n</sup> the jurisdiction of these counties was annexed to the crown, and all writs were ordained to run in the king's name. But the change of manners was the chief cause of the secret revolution of government, and subverted the power of the barons. There appear still in this reign some remains of the ancient slavery of the boors and peasants,<sup>o</sup> but none afterwards.

Learning, on its revival, was held in high estimation by the English princes and nobles; and as it was not yet prostituted by being too com-

cum revertere. Lab. xii. Ep. 52. If she relieved the people from oppressions, to whom it seems the law could give no relief, her visits were a great oppression to the nobility.

<sup>a</sup> Boerh. Brit. vol. iii. p. 179.

<sup>b</sup> Stowe, p. 674.

<sup>c</sup> Labot. Burleigh, published by Collins.

<sup>d</sup> Burleigh, published by Collins.

<sup>e</sup> Labot. Burleigh, published by Collins.

<sup>f</sup> Burleigh, published by Collins.

<sup>g</sup> Labot. Burleigh, published by Collins.

<sup>h</sup> Labot. Burleigh, published by Collins.

<sup>i</sup> Camden, p. 452.

<sup>k</sup> Harrison says, "the greatest part of our building in the cities and good towns of England consisteth only of timber, cast over with thick clay to keep out the wind. Certes, this rude kind of building made the Spaniards in Queen Mary's days to wonder; but chiefly when they saw that large diet was used in many of these so homely cottages, inasmuch that one of no small reputation amongst them said after this manner; these English, quoth he, have their houses made of sticks and dirt, but they live commonly so well as the king. Whereby it appeareth that he liked better of our good fare in such coarse cabins, than of their own thin diet in their princely habitations and palaces. The clay with which our houses are commonly unpaved, is either white, red, or blue." Book ii. chap. 12. The author adds, that the new houses of the nobility are commonly of brick or stone, and that glass windows were beginning to be used in England.

<sup>l</sup> Camden, p. 452.

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<sup>n</sup> Stat. in force, p. 702, from Beaumont's Despatches.

<sup>o</sup> Rymer, tom. xv. p. 731.

mon, even the great deemed it an object of ambition to attain a character for literature. The four successive sovereigns, Henry, Edward, Mary, and Elizabeth, may, on one account or other, be admitted into the class of authors. Queen Catharine Parr translated a book: Lady Jane Gray, considering her age, and her sex, and her station, may be regarded as a prodigy of literature. Sir Thomas Smith was raised from being a professor in Cambridge, first to be ambassador to France, then secretary of state. The despatches of those times, and among others those of Burleigh himself, are frequently interlarded with quotations from the Greek and Latin classics. Even the ladies of the court valued themselves on knowledge: Lady Burleigh, Lady Bacon, and their two sisters, were mistresses of the ancient as well as modern languages; and placed more pride in their erudition than in their rank and quality.

Queen Elizabeth wrote and translated several books; and she was familiarly acquainted with the Greek as well as Latin tongue. It is pretended that she made an extemporary reply in Greek to the university of Cambridge, who had addressed her in that language. It is certain that she answered in Latin without premeditation, and in a very spirited manner, to the Polish ambassador, who had been wanting in respect to her. When she had finished, she turned about to her courtiers, and said, "God's death, my lords!" (for she was much addicted to swearing), "I have been forced this day to scour up my old Latin, that hath long lain rusting."<sup>a</sup> Elizabeth, even after she was queen, did not entirely drop the ambition of appearing as an author: and, next to her desire of ambition for beauty, this seems to have been the chief object of her vanity. She translated Boethius of the Consolation of Philosophy; in order, as she pretended, to allay her grief for Henry IV.'s change of religion. As far as we can judge from Elizabeth's compositions, we may pronounce, that notwithstanding her application and her excellent parts, her taste in literature was but indifferent: she was much inferior to her successor in this particular, who was himself no perfect model of eloquence.

Unhappily for literature, at least for the learned of this age, the queen's vanity lay more in shining by her own learning, than in encouraging men of genius by her liberality. Spenser himself, the finest English writer of his age, was long neglected; and after the death of Sir Philip Sidney, his patron, was allowed to die almost for want. This poet contains great beauties, a sweet and harmonious versification, easy elocution, a fine imagination. Yet does the perusal of his work become so tedious, that one never finishes it from the mere pleasure which it affords: it soon becomes a kind of task-reading; and it requires some effort and resolution to carry us on to the end of his long performance. This effect, of which every one is conscious, is usually ascribed to the change of manners: but manners have more changed since Homer's age; and yet that poet remains still the favourite of every reader of taste and judgment. Homer copied true natural manners, which, however rough or uncultivated, will always form an agreeable and interesting picture: but the pencil of the English poet was employed in drawing the affectations, and conceits, and fopperies of chivalry, which appear ridiculous as soon as they lose the recommendation of the mode. The tediousness of continued allegory, and that too seldom striking or ingenious, has also contributed to render the *Fairy Queen* peculiarly tiresome; not to mention the too great frequency of its descriptions, and the languor of its stanza. Upon the whole, Spenser maintains his place

upon the shelves, among our English classics; but he is seldom seen on the table; and there is scarcely any one, if he dares to be ingenuous, but will confess, that, notwithstanding all the merit of the poet, he affords an entertainment with which the palate is soon satiated. Several writers of late have amused themselves in copying the style of Spenser; and no imitation has been so indifferent as not to bear a great resemblance to the original: his manner is so peculiar, that it is almost impossible not to transfer some of it into the copy.

## No. IV.

THE REIGN OF JAMES I.<sup>a</sup>

Civil government of England during this period. Ecclesiastical government—Manners—Innocence—Navy—Commerce—Manufactures—Colonies—Learning and arts.

It may not be improper, at this period, to make a pause; and to take a survey of the state of the kingdom with regard to government, manners, finances, arms, trade, learning. Where a just notion is not formed of these particulars, history can be little instructive, and often will not be intelligible.

We may safely pronounce, that the English Civil government, at the accession of the Scottish line, was much more arbitrary than it is at present; the prerogative less limited, the liberties of the subject less accurately defined and secured. Without mentioning other particulars, the courts alone of high commission and star-chamber were sufficient to lay the whole kingdom at the mercy of the prince.

The court of high commission had been erected by Elizabeth, in consequence of an act of parliament, passed in the beginning of her reign: by this act, it was thought proper, during the great revolution of religion, to arm the sovereign with full powers, in order to discourage and suppress opposition. All appeals from the inferior ecclesiastical courts were carried before the high commission; and, of consequence, the whole life and doctrine of the clergy lay directly under its inspection. Every breach of the act of uniformity, every refusal of the ceremonies, was cognizable in this court; and during the reign of Elizabeth, had been punished by deprivation, by fine, confiscation, and imprisonment. James contented himself with the gentler penalty of deprivation; nor was that punishment inflicted with rigour on every offender. Archbishop Spotswood tells us, that he was informed by Bancroft, the primate, several years after the king's accession, that not above forty-five clergymen had then been deprived. All the catholics too were liable to be punished by this court, if they exercised any act of their religion, or sent abroad their children or other relations, to receive that education which they could not procure them in their own country. Popish priests were thrown into prison, and might be delivered over to the law, which punished them with death; though that severity had been sparingly exercised by Elizabeth, and never almost by James. In a word, that liberty of conscience, which we so highly and so justly value at present, was totally suppressed; and no exercise of any religion, but the established, was permitted throughout the kingdom. Any word or writing, which tended towards heresy or schism, was punishable by the high commissioners, or any three of them: they alone were

<sup>a</sup> The following are the words of Roger Ascham, the queen's preceptor: "It is your shame, it speaks to you all, you young gentlemen of England, that one hand should go beyond ye all in experience of learning, and knowledge of divers tongues. Point out six of the best given gentlemen in this court, and all they together show not so much good will, spend not so much time, bestow not so many hours daily, on oratory, and civility, for the increase of learning, and knowledge as doth the queen's majesty herself. Yea, I believe that, besides her perfect readiness in Latin, Italian, French, and Spanish, she readeth here now at Windsor, more Greek every day, than some prebendary of this church doth Latin in a whole week.—Amongst all the benefits which God had blessed the world with, next the knowledge of Christ's true religion, I count this the greatest, that it pleased God to call me to be one poor minister in setting forward these excellent gifts of learning." &c. Page 612. Truly, says Harrington, it is a rare thing with us now to hear of a courtier which hath but his own language; and to say how many gentlewomen and ladies there are that, besides sound knowledge of the Greek and Latin tongues, are thereto no less skilful in the Spanish, Italian, and French, or in some one of them, it is almost

not in me, sith I am persuaded, that as the noblemen and gentlemen do surmount in this behalf, so these come little or nothing at all behind them for their parts; which industry God continue.—The stranger, that entereth in the court of England upon this occasion, shall rather imagine himself to come into some public school of the university, where many gave ear to one that teacheth unto them, than into a prince's palace, if you confer thus with those of other nations. Description of Britain, book ii. chap. 15. By this account the court had profited by the example of the queen. The sober way of life practised by the ladies of Elizabeth's court appears from the same author. Reading, spinning, and needle-work, occupied the elder; the house the younger. 14. Ibid.

<sup>b</sup> A history of the house of Stuart was written and published by the author before the history of the house of Tudor. Hence it happens, that some passages, particularly in the present Appendix, may seem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled some few passages in the foregoing chapters.

judges what expressions had that tendency: they proceeded not by information, but upon rumour, suspicion, or according to their discretion: they administered an oath, by which the party cited before them was bound to answer any question which should be propounded to him. Whoever refused this oath, though he pleaded ever so justly, that he might thereby be brought to accuse himself, or his dearest friend, was punishable by imprisonment: and, in short, an inquisitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full discretionary powers were bestowed with regard to the inquiry, trial, sentence, and penalty inflicted; excepting only that corporal punishments were restrained by that patent of the prince, which erected the court, not by the act of parliament which empowered him. By reason of the uncertain limits which separate ecclesiastical from civil causes, all accusations of adultery and incest were tried by the court of high commission; and every complaint of wives against their husbands was there examined and discussed.<sup>b</sup> On like pretences, every cause which regarded conscience, that is, every cause, could have been brought under their jurisdiction.

But there was a sufficient reason, why the king would not be solicitous to stretch the jurisdiction of this court: the star-chamber possessed the same authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the most remote antiquity;<sup>c</sup> though it is pretended, that its power had first been carried to the greatest height by Henry VII. In all times, however, it is confessed, it enjoyed authority; and at no time was its authority circumscribed, or method of proceeding directed by any law or statute.

We have had already, or shall have, sufficient occasion, during the course of this history, to mention the dispensing power, the power of imprisonment, of exacting loans<sup>d</sup> and benevolence, of pressing and quartering soldiers, of altering the customs, of erecting monopolies. These branches of power, if not directly opposite to the principles of all free government, must, at least, be acknowledged dangerous to freedom in a monarchical constitution, where an eternal jealousy must be preserved against the sovereign, and no discretionary powers must ever be intrusted to him, by which the property or personal liberty of any

subject can be affected. The kings of England, however, had almost constantly exercised these powers; and if, on any occasion, the prince had been obliged to submit to laws enacted against them, he had ever, in practice, eluded these laws, and returned to the same arbitrary administration. During almost three centuries before the accession of James, the regal authority, in all these particulars, had never once been called in question.

We may also observe, that the principles in general, which prevailed during that age, were so favourable to monarchy, that they bestowed on it an authority almost absolute and unlimited, sacred and indefeasible.

The meetings of parliament were so precarious; their sessions so short, compared to the vacations; that, when men's eyes were turned upwards in search of sovereign power, the prince alone was apt to strike them as the only permanent magistrate, invested with the whole majesty and authority of the state. The great complaisance too of parliaments during so long a period, had extremely degraded and obscured those assemblies; and as all instances of opposition to prerogative must have been drawn from a remote age, they were unknown to a great many, and had the less authority even with those who were acquainted with them. These examples, besides, of liberty had commonly in ancient times been accompanied with such circumstances of violence, convulsion, civil war, and disorder, that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew such dismal scenes. By a great many, therefore, monarchy, simple and unmixed, was conceived to be the government of England; and those popular assemblies were supposed to form only the ornament of the fabric, without being in any degree essential to its being and existence.<sup>e</sup> The prerogative of the crown was represented by lawyers as something real and durable; like those eternal essences of the schools which no time or force could alter. The sanction of religion was by divines called in aid; and the Monarch of heaven was supposed to be interested in supporting the authority of his earthly viceroy. And though it is pretended that these doctrines were more openly inculcated and more strenuously insisted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more necessary at that period, by reason of the opposite doctrines

<sup>b</sup> Rymer, tom. xiv. p. 200.

<sup>c</sup> Rushworth, vol. ii. p. 473. In Chambers's case, it was the unanimous opinion of the court of king's bench, that the court of star-chamber was not derived from the statute of Henry VII. but was a court many years before, and one of the most high and honourable courts of justice. See Cook's Reports, lib. 5. c. 1. See further, Camden's Brit. vol. I. Intro. p. 10.

<sup>d</sup> During several centuries, no reign had passed without some forced loans from the subject.

<sup>e</sup> "Monarchies," according to Sir Walter Raleigh, "are of two sorts: either of their own authority, viz. in England, where the whole power of ordering all state matters, both in peace and war, doth by law and custom appertain to the prince, as in the English kingdom; where they have both the power to make laws, declare war, to create magistrates, to pardon life, of appeal, &c. Or they are given to a confederated body of officers, they have a surridge in making laws, yet ever subject to the prince's pleasure and negative will.—2. Limited or restrained, that hath no full power in all the points and matters of state, as the military king, that hath not the sovereignty in time of peace, as the making of laws, &c. And in war only, as the Poles and Swiss." *Mary's Narrative*.

"And a little after, 'In every just state, some part of the government is, or ought to be, imparted to the people, as in a singular, a voice and a share in the administration of justice, in public, as the law, the power of charge be great, and the prince forced to borrow help of his subjects.' The matter rightly may be propounded to a parliament, that the tax may seem to have proceeded from themselves. So ancient nations and some provinces, in natural matters may, in civil, not be from the prince. He is restrained, seeing themselves to be in no number, not of reckoning, they make the state or government." This way of reasoning differs little from that of King James, who considered the privileges of the parliament as matters of state, and includes none that of religion. It is remarkable, that I find was thus, at least towards the parliamentary party, notwithstanding these positions. Put ideas of government changed much in different times.

Raleigh's sentiments on this head are still more openly expressed in his *Discourse of Government*, a work not published till after his death. It is a dialogue between a courtier or counsellor and a country justice of peace, who represents the patriot party, and defends the highest notions of liberty, which the principles of that age would bear. Here is a passage of it: "Counsellor. That which is by the king, with the advice of his private or privy council, is done by the king's absolute power. Justice. And by whose power is it done in parliament, but by the king's absolute power? Mistake it not, my lord; the three estates do but advise, as the privy council doth, without it, if the king emends it becomes the king's own act in the eye, and the king's law in the effect." &c.

The Earl of Clare, in a private letter to his son-in-law, Sir Thomas Wentworth, afterwards Earl of Strafford, thus expresses himself: "We live under a prerogative so transcendent, where book law submits to *lez faits*." He spoke from his own and all his ancestors' experience. There was no single instance of power which a king of England might not, at that time, exert on pretence of necessity or expediency: the common law, or frequent repetition of arbitrary administration might not, however, be the want of force to support it. It is remarkable, that this letter of the Earl of Clare was written in the first year of Charles

reign; and consequently must be meant of the general genius of the government, not the spirit or temper of the monarch. See Strafford's Letters, vol. i. p. 35. In another letter in the same collection, vol. i. p. 10, it appears that the council sometimes assumed the power of forbidding persons disagreeable to the court to stand in the elections. This authority they could exert in some instances; but we are not to conclude, that they could do so at all times, or in all cases, who were not applicable to them. The genius of the ancient government reposed more trust in the king, than to entertain any such suspicion, and it allowed scattered instances of such a kind as would have been really destructive of the constitution, had they been continued without interruption.

I have not met with any English writer in that age who speaks of England as a limited monarchy, but as an absolute one, where the people have many privileges. That is no contradiction. In all European monarchies the people have privileges; but whether dependent or independent on the will of the monarch, is a question, that, in most governments, it is better to forbear. Surely that question was not determined before the age of James. The rising spirit of the parliament, together with the king's love of general, speculative principles, brought it on by its obscurity, and made it be commonly canvassed. The strongest testimony that I remember from a writer of James's age, in favour of English liberty, is in Cardinal Bentivoglio, a foreigner, who mentions the English government as similar to that of the Low Country Provinces under their princes, rather than to that of France or Spain. Englishmen were not so sensible that their prince was limited, because they were sensible that no individual had any security against a stretch of prerogative; but foreigners, by comparison, could perceive that these stretches were at that time, from custom or other causes, less frequent in England than in other monarchies. Philip de Comines, too, remarked the English constitution to be more popular in his time than that of France. But in a paper written by a patriot in 1677, it is remarked, that the freedom of speech in parliament had been lost in England since the days of Comines. See *Parliamentary History*, vol. 2. Here is a stanza of Malherbe's Ode to Mary de Medici, the Queen-Regent, written in 1614.

Entre les peuples qui ont eue  
Dont son principal ornement  
C'est d'être le Lieutenant du Sage  
Dont l'usage est tout convenement:  
N'est-ce pas à la Cour de France  
Où le peuple adore les princes,  
Et met un ange à leur bout  
Leur donner un sceptre en la main,  
Seul d'être à l'exercice du Sain  
De ne parler pas comme il faut.

The English, as well as the Spaniards, are here pointed out as much more obedient subjects than the French, and much more tractable and submissive to their princes. Though this passage be taken from a poet, every man of judgment will allow its authority to be decisive. The character of a national government cannot be unknown in Europe: though it changes sometimes very suddenly. Machiavel, in his *Dissertations on Livy*, says repeatedly, that France was the most legal and most popular monarchy then in Europe.



which began to be promulgated by the puritanical party.<sup>f</sup>

In consequence of these exalted ideas of kingly authority, the prerogative, besides the articles of jurisdiction founded on precedent, was by many supposed to possess an inexhaustible fund of latent powers which might be exerted on any emergency. In every government, necessity, when real, supersedes all laws and levels all limitations: but in the English government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the strict obedience required to proclamations, during all periods of the English history; and if James has incurred blame on account of his edicts, it is only because he too frequently issued them at a time when they began to be less regarded, not because he first assumed or extended to an unusual degree that exercise of authority. Of his maxims in a parallel case, the following is a pretty remarkable instance.

Queen Elizabeth had appointed commissioners for the inspection of prisons, and had bestowed on them full discretionary powers to adjust all differences between prisoners and their creditors, to compound debts, and to give liberty to such debtors as they found honest and insolvent. From the uncertain and undefined nature of the English constitution, doubts sprang up in many, that this commission was contrary to law; and it was represented in that light to James. He forbore therefore renewing the commission till the fifteenth of his reign; when complaints rose so high, with regard to the abuses practised in prisons, that he thought himself obliged to overcome his scruples, and to appoint new commissioners invested with the same discretionary powers which Elizabeth had formerly conferred.<sup>g</sup>

Upon the whole, we must conceive that monarchy, on the accession of the house of Stuart, was possessed of a very extensive authority: an authority, in the judgment of all, not exactly limited; in the judgment of some, not limitable. But, at the same time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not supported either by money or by force of arms. And, for this reason, we need not wonder that the princes of that line were so extremely jealous of their prerogative; being sensible that when those claims were ravished from them, they possessed no influence by which they could maintain their dignity, or support the laws. By the changes which have since been introduced, the liberty and independence of individuals has been rendered much more full, entire, and secure; that of the public more uncertain and precarious. And it seems a necessary, though perhaps a melancholy, truth, that in every government, the magistrate must either possess a large revenue and a military force, or enjoy some discretionary powers, in order to execute the laws and support his own authority.

<sup>h</sup> Ecclesiastical government. We have had occasion to remark, in so many instances, the bigotry which prevailed in that age, that we can look for no toleration among the different sects. Two Arians, under the title of heretics, were punished by fire during this period; and no one reign since the Reformation had been free from like barbarities. Stowe says, that these Arians were offered their pardon at the stake, if they would merit it by a recantation. A madman who called himself the Holy Ghost, was, without any indulgence for his frenzy, condemned to the same punishment. Twenty pounds a-month could by law be levied on every one who frequented not the established worship. This religious law, however, had one indulgent clause, that the fines exacted should not exceed two-thirds of the yearly income of the person. It had been usual for Elizabeth to allow those penalties to run on for several years; and to levy them all at once; to the utter ruin of such catholics as had incurred her displeasure.

<sup>i</sup> Passive obedience is expressly and zealously inculcated in the homilies, composed and published by authority, in the reign of Queen Elizabeth. The consecration, which met in the very first year of the king's reign, voted as high monarchial principles as are contained in the decrees of the universities of Oxford, during the rule of the tories. These principles, so far from being deemed a novelty, introduced by James's influence, passed as signs that no historian has taken notice of them: they were never the subject of controversy, or dispute, or discomfiture, and it is only by means of Bishop Overall's unaccountable and printed treatise, seventy years after, that we are acquainted with them. Would James, who was so scrupulous, and even timid, have ventured to begin his reign with a bold stroke, which

James was more humane in this, as in every other respect. The puritans formed a sect which secretly lurked in the church, but pretended not to any separate worship or discipline. An attempt of that kind would have been universally regarded as the most unpardonable enormity. And had the king been disposed to grant the puritans a full toleration for a separate exercise of their religion, it is certain, from the spirit of the times, that this sect itself would have despised and hated him for it, and would have reproached him with lukewarmness and indifference in the cause of religion. They maintained, that they themselves were the only pure church; that their principles and practices ought to be established by law, and that no others ought to be tolerated. It may be questioned, therefore, whether the administration at this time could with propriety deserve the appellation of persecutors with regard to the puritans. Such of the clergy, indeed, as refused to comply with the legal ceremonies, were deprived of their livings, and sometimes, in Elizabeth's reign, were otherwise punished: and ought any man to accept of an office or benefice in an establishment, while he declines compliance with the fixed and known rules of that establishment? But puritans were never punished for frequenting separate congregations; because there were none such in the kingdom; and no protestant ever assumed or pretended to the right of erecting them. The greatest well-wishers of the puritanical sect would have condemned a practice, which in that age was universally, by statesmen and ecclesiastics, philosophers and zealots, regarded as subversive of civil society. Even so great a reasoner as Lord Bacon, thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries.<sup>h</sup> Nothing but the imputation of idolatry, which was thrown on the catholic religion, could justify, in the eyes of the puritans themselves, the schism made by the hugonots and other protestants who lived in popish countries.

In all former ages, not wholly excepting even those of Greece and Rome, religious sects and heresies and schisms had been esteemed dangerous, if not pernicious, to civil government, and were regarded as the source of faction, and private combination, and opposition to the laws.<sup>i</sup> The magistrate, therefore, applied himself directly to the cure of this evil as of every other; and very naturally attempted by penal statutes to suppress those separate communities, and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies, and diffused itself more rapidly throughout the whole society. Hence, though late, arose the paradoxical principle and salutary practice of toleration.

The liberty of the press was incompatible with such maxims and such principles of government as then prevailed, and was therefore quite unknown in that age. Besides employing the two terrible courts of star-chamber and high commission, whose powers were unlimited, Queen Elizabeth exerted her authority by restraints upon the press. She passed a decree in her court of star-chamber, that is, by her own will and pleasure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge;<sup>k</sup> and another, in which she prohibited, under severe penalties, the publishing of any book or pamphlet against the form or meaning of any restraint or ordinance, contained, or to be contained, in any statute or laws of this realm, or in any injunction made or set forth by her majesty or her privy-council, or against the true sense or meaning of any letters patent, commissions, or prohibitions under the great seal of England.<sup>l</sup> James extended the same penalties to the importing of such books from abroad.<sup>m</sup> And to render these edicts more effectual, he afterwards inhibited the printing of any book without a licence from

would have given just ground of jealousy to his subjects: It appears from that monarch's Basilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people were, at that time, esteemed puritanical novelties. The patriarch had scheme, it is remarkable, is inculcated in these votes of the convocation prescribed by Overall, nor was Filmer the first inventor of those absurd notions.

<sup>g</sup> Rymer, tom. xvi. p. 117, 541.

<sup>h</sup> See his essay *De unitate ecclesiæ*.

<sup>i</sup> Civil or Elizabeth. See State Trials. Sir Robert Knollys, vol. viii. c. 1st.

<sup>k</sup> Rymer, tom. xvi. p. 322.

<sup>l</sup> See Cicero de Legibus.

<sup>m</sup> Id. ibid.

the Archbishop of Canterbury, the Archbishop of York, the Bishop of London, or the vice-chancellor of one of the universities, or of some person appointed by them."

In tracing the coherence among the systems of modern theology, we may observe, that the doctrine of absolute decrees has ever been intimately connected with the enthusiastic spirit; as that doctrine affords the highest subject of joy, triumph, and security to the supposed elect, and exalts them by infinite degrees above the rest of mankind. All the first reformers adopted these principles; and the Jansenists too, a fanatical sect in France, not to mention the Mahometans in Asia, have ever embraced them. As the Lutheran establishments were subjected to episcopal jurisdiction, their enthusiastic genius gradually decayed, and men had leisure to perceive the absurdity of supposing God to punish by infinite torments what he himself from all eternity had unchangeably decreed. The king, though at this time his Calvinistic education had riveted him in the doctrine of absolute decrees, yet, being a zealous partisan of episcopacy, was insensibly engaged, towards the end of his reign, to favour the milder theology of Arminius. Even in so great a doctor, the genius of the religion prevailed over its speculative tenets; and with him the whole clergy gradually dropped the more rigid principles of absolute reprobation and unconditional decrees. Some noise was at first made about these innovations; but being drowned in the fury of factions and civil wars which ensued, the scholastic arguments made an insignificant figure amidst those violent disputes about civil and ecclesiastical power with which the nation was agitated. And at the restoration, the church, though she still retained her old subscriptions and articles of faith, was found to have totally changed her speculative doctrines, and to have embraced tenets more suitable to the genius of her discipline and worship, without its being possible to assign the precise period in which the alteration was produced.

It may be worth observing, that James, from his great desire to promote controversial divinity, erected a college at Chelsea for the entertainment of twenty persons, who should be entirely employed in refuting the papists and puritans.<sup>9</sup> All the efforts of the great Bacon could not procure an establishment for the cultivation of natural philosophy: even to this day, no society has been instituted for the polishing and fixing of our language. The only encouragement which the sovereign in England has ever given to any thing that has the appearance of science, was this short-lived establishment of James; an institution quite superfluous, considering the unhappy propensity which at that time so universally possessed the nation for polemical theology.

**Manners.** The manners of the nation were agreeable to the monarchical government which prevailed; and contained not that strange mixture which at present distinguishes England from all other countries. Such violent extremes were then unknown of industry and debauchery, frugality and profusion, civility and rusticity, fanaticism and scepticism. Candour, sincerity, modesty, are the only qualities which the English of that age possessed in common with the present.

High pride of family then prevailed; and it was by a dignity and stateliness of behaviour, that the gentry and nobility distinguished themselves from the common people. Great riches acquired by commerce were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of distinction. Much ceremony took place in the common intercourse of life, and little familiarity was indulged by the great. The advantages which result from opulence are so solid and real, that those who are possessed of them need not dread the near approaches of their inferiors. The distinctions of birth and title being more empty and imaginary, soon vanish upon familiar access and acquaintance.

The expenses of the great consisted in pomp and show, and a numerous retinue, rather than in convenience and true pleasure. The Earl of Nottingham, in his embassy to Spain, was attended by 500 persons. The Earl of

Hertford, in that to Brussels, carried 300 gentlemen along with him. Lord Bacon has remarked, that the English nobility in his time maintained a larger retinue of servants than the nobility of any other nation, except, perhaps, the Poles.<sup>10</sup>

Civil honours, which now hold the first place, were at that time subordinate to the military. The young gentry and nobility were fond of distinguishing themselves by arms. The fury of duels, too, prevailed more than at any time before or since.<sup>11</sup> This was the turn that the romantic chivalry, for which the nation was formerly so renowned, had lately taken.

Liberty of commerce between the sexes was indulged; but without any licentiousness of manners. The court was very little an exception to this observation. James had rather entertained an aversion and contempt for the females, nor were those young courtiers, of whom he was so fond, able to break through the established manners of the nation.

The first sedan-chair seen in England was in this reign, and was used by the Duke of Buckingham; to the great indignation of the people, who exclaimed, that he was employing his fellow-creatures to do the service of beasts.

The country life prevails at present in England beyond any cultivated nation of Europe; but it was then much more generally embraced by all the gentry. The increase of arts, pleasures, and social commerce, was just beginning to produce an inclination for the softer and more civilized life of the city. James discouraged, as much as possible, this alteration of manners. "He was wont to be very earnest," as Lord Bacon tells us, "with the country gentlemen, to go from London to their country seats. And sometimes he would say thus to them: *Gentlemen, at London, you are like ships in a sea, which show like nothing; but in your country villages you are like ships in a river, which look like great things.*"<sup>12</sup>

He was not content with reproof and exhortation. As Queen Elizabeth had perceived with regret the increase of London, and had restrained all new buildings by proclamation; James, who found that these edicts were not exactly obeyed, frequently renewed them; though a strict execution seems still to have been wanting. He also issued reiterated proclamations in imitation of his predecessor; containing severe menaces against the gentry who lived in town.<sup>13</sup> This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court; to engage them in expensive pleasures or employments which dissipate their fortune; to increase their subjection to ministers by attendance; to weaken their authority in the provinces by absence: these have been the common arts of arbitrary government. But James, besides that he had certainly laid no plan for extending his power, had no money to support a splendid court, or bestow on a numerous retinue of gentry and nobility. He thought, too, that by their living together, they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country-seats; where, he hoped, they would bear a more submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The riches amassed during their residence at home rendered them independent. The influence acquired by hospitality made them formidable. They would not be led by the court: they could not be driven: and thus the system of the English government received a total and a sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons which rendered them so formidable both to king and people. The further progress of these advantages began during this reign to ruin the small proprietors of land; and by both events, the gentry, or that rank which composed the House of Commons, enlarged their power and authority. The early improvements in luxury were

<sup>9</sup> Rymer, tom. xvii. p. 616.

<sup>10</sup> Fœnet, p. 665. Camden's Brit. vol. i. p. 370. Gibson's edit.

<sup>11</sup> Essays De profer, fm. imp.

<sup>12</sup> Franklin, p. 5. See also Lord Herbert's Memoirs.

<sup>13</sup> Anon. lib. 2.

<sup>14</sup> Cabbala, p. 221. 1st edit.

<sup>15</sup> Rymer, tom. xvii. p. 632.

seized by the greater nobles, whose fortunes placing them above frugality, or even calculation, were soon dissipated in expensive pleasures. These improvements reached, at last, all men of property; and those of slender fortunes, who at that time were often men of family, imitating those of a rank immediately above them, reduced themselves to poverty. Their lands, coming to sale, swelled the estates of those who possessed riches sufficient for the fashionable expenses; but who were not exempted from some care and attention to their domestic economy.

The gentry, also, of that age, were engaged in no expense, except that of country hospitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profusion required at elections.<sup>u</sup> Could human nature ever reach happiness, the condition of the English gentry, under so mild and benign a prince, might merit that appellation.

The account of the king's revenue, as it stood in 1617, is thus stated:<sup>w</sup> Of crown lands, 80,000 pounds a-year; by customs and new impositions, near 190,000; by wards, and other various branches of revenue, besides purveyance, 180,000. The whole amounting to 450,000. The king's ordinary disbursements, by the same account, are said to exceed this sum thirty-six thousand pounds.<sup>x</sup> All the extraordinary sums which James had raised by subsidies, loans, sale of lands, sale of the title of baronet, money paid by the states, and by the King of France, benevolences, &c. were, in the whole, about two millions two hundred thousand pounds; of which the sale of lands afforded seven hundred and seventy-five thousand pounds. The extraordinary disbursements of the king amounted to two millions; besides above four hundred thousand pounds given in presents. Upon the whole, a sufficient reason appears, partly from necessary expenses, partly for want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to support the government.

Farmers, not commissioners, levied the customs. It seems, indeed, requisite, that the former method should always be tried before the latter, though a preferable one. When men's own interest is concerned, they fall upon a hundred expedients to prevent frauds in the merchants; and these the public may afterwards imitate, in establishing proper rules for its officers.

The customs were supposed to amount to five *per cent.* of the value, and were levied upon exports as well as imports. Nay, the imposition upon exports, by James's additions, is said to amount, in some few instances, to twenty-five *per cent.* This practice, so hurtful to industry, prevails still in France, Spain, and most countries of Europe. The customs, in 1604, yielded 127,000 pounds a-year.<sup>y</sup> They rose to 190,000 towards the end of the reign.

Interest, during this reign, was at ten *per cent.* till 1624, when it was reduced to eight. This high interest is an indication of the great profits and small progress of commerce.

The extraordinary supplies granted by parliament during this whole reign, amounted not to more than 630,000 pounds; which divided among twenty-one years, makes 30,000 pounds a-year. I do not include those supplies, amounting to 300,000 pounds, which were given to the king by his last parliament. These were paid in to their own commissioners; and the expenses of the Spanish war were much more than sufficient to exhaust them. The distressed family of the Palatine was a great burden on James, during part of his reign. The king, it is pretended, possessed not frugality proportioned to the extreme narrowness of his revenue. Splendid equipages, however, he did not affect, nor costly furniture, nor a luxurious table, nor prodigal mistresses. His buildings, too, were not sumptuous; though the Banqueting-house must not be forgotten, as a monument which does honour to his

reign. Hunting was his chief amusement, the cheapest pleasure in which a king can indulge himself. His expenses were the effects of liberality, rather than of luxury.

One day, it is said, while he was standing amidst some of his courtiers, a porter passed by, loaded with money, which he was carrying to the treasury. The king observed that Rich, afterwards Earl of Holland, one of his handsome, agreeable favourites, whispered something to one standing near him. Upon inquiry, he found that Rich had said, *how happy would that money make me!* Without hesitation James bestowed it all upon him, though it amounted to 3000 pounds. He added, *You think yourself very happy in obtaining so large a sum; but I am more happy in having an opportunity of obliging a worthy man, whom I love.* The generosity of James was more the result of a benign humour or light fancy, than of reason or judgment. The objects of it were such as could render themselves agreeable to him in his loose hours; not such as were endowed with great merit, or who possessed talents or popularity which could strengthen his interest with the public.

The same advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the Peers and the rise of the Commons, was now possessed by the people against the crown, during the continuance of a like interval. The sovereign had already lost that independent revenue, by which he could subsist without regular supplies from parliament; and he had not yet acquired the means of influencing those assemblies. The effects of this situation, which commenced with the accession of the house of Stuart, soon rose to a great height, and were more or less propagated throughout all the reigns of that unhappy family.

Subsidies and fifteenths are frequently mentioned by historians; but neither the amount of these taxes nor the method of levying them have been well explained. It appears, that the fifteenths formerly corresponded to the name, and were that proportionable part of the movables.<sup>z</sup> But a valuation having been made in the reign of Edward III. that valuation was always adhered to, and each town paid unalterably a particular sum, which the inhabitants themselves assessed upon their fellow-citizens. The same tax in corporate towns was called a tenth; because, there it was at first a tenth of the movables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth, as it is often more concisely called, was about 29,000 pounds.<sup>a</sup> The amount of a subsidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth a subsidy amounted to 120,000 pounds: in the fortieth it was not above 78,000.<sup>b</sup> It afterwards fell to 70,000; and was continually decreasing.<sup>c</sup> The reason is easily collected from the method of levying it. We may learn from the subsidy bills,<sup>d</sup> that one subsidy was given for four shillings in the pound on land, and two shillings and eight-pence on movables throughout the counties; a considerable tax, had it been strictly levied. But this was only the ancient state of a subsidy. During the reign of James, there was not paid the twentieth part of that sum. The tax was so far personal, that a man paid only in the county where he lived, though he should possess estates in other counties; and the assessors formed a loose estimation of his property, and rated him accordingly. To preserve, however, some rule in the estimation, it seems to have been the practice to keep an eye to former assessments, and to rate every man according as his ancestors, or men of such an estimated property, were accustomed to pay. This was a sufficient reason why subsidies could not increase, notwithstanding the great increase of money and rise of rents. But there was an evident reason why they continually decreased. The favour, as is natural to suppose, ran always against the crown; especially during the latter end of Elizabeth, when subsidies became numerous and frequent, and the sums levied were considerable, compared to former supplies. The assessors, though accus-

<sup>u</sup> Men seem then to have been ambitious of representing the counties, but careless of the boroughs. A seat in the House was, in itself, of small importance. But the former became a point of honour among the gentlemen. Journ. 10th Feb. 1620. Towns which had formerly neglected their right of sending members, now began to claim it. Journ. 26th Feb. 1621.  
<sup>v</sup> An abstract or brief declaration of his majesty's revenue, with the assignments and defalcations upon the same.

<sup>x</sup> The excess was formerly greater, as appears by Salisbury's account See chap. ii.

<sup>y</sup> Journ. 21st May, 1604.

<sup>z</sup> Coke's Inst. book iv. chap. 1. of fifteenths, quinzins.

<sup>a</sup> Id. Subsidies temporary.

<sup>b</sup> Journ. 11th July, 1610.

<sup>c</sup> Coke's Inst. book iv. chap. 1. subsidies temporary.

<sup>d</sup> See Statutes at Large.



tomed to have an eye to ancient estimations, were not bound to observe any such rule; but might rate anew any person, according to his present income. When rents fell, or part of an estate was sold off, the proprietor was sure to represent these losses, and obtain a diminution of his subsidy; but where rents rose, or new lands were purchased, he kept his own secret, and paid no more than formerly. The advantage, therefore, of every change, was taken against the crown; and the crown could obtain the advantage of none. And to make the matter worse, the alterations which happened in property during this age, were generally unfavourable to the crown. The small proprietors, or twenty-pound men, went continually to decay; and when their estates were swallowed up by a greater, the new purchaser increased not his subsidy. So loose, indeed, is the whole method of rating subsidies, that the wonder was not how the tax should continually diminish; but how it yielded any revenue at all. It became at last so unequal and uncertain, that the parliament was obliged to change it into a land tax.

The price of corn during this reign, and that of the other necessities of life, was no lower, or was rather higher, than at present. By a proclamation of James, establishing public magazines, whenever wheat fell below thirty-two shillings a quarter, rye below eighteen, barley below sixteen, the commissioners were empowered to purchase corn for the magazines.<sup>e</sup> These prices, then, are to be regarded as low; though they would rather pass for high by our present estimation. The usual bread of the poor was at this time made of barley.<sup>f</sup> The best wool, during the greater part of James's reign, was at thirty-three shillings a tod.<sup>g</sup> At present it is not above two-thirds of that value; though it is to be presumed, that our exports in woollen goods are somewhat increased. The finer manufactures, too, by the progress of arts and industry, have rather diminished in price, notwithstanding the great increase of money. In Shakspeare, the hostess tells Falstaff, that the shirts she bought him were holland at eight shillings a-yard; a high price at this day, even supposing, what is not probable, that the best holland at that time was equal in goodness to the best that can now be purchased. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two-and-twenty shillings. It appears from Dr. Birch's Life of Prince Henry,<sup>h</sup> that that prince, by contract with his butcher, paid near a groat a-pound, throughout the year, for all the beef and mutton used in his family. Besides, we must consider, that the general turn of that age, which no laws could prevent, was the converting of arable land into pasture: a certain proof that the latter was found more profitable, and consequently that all butcher's meat, as well as bread, was rather higher than at present. We have a regulation of the market, with regard to poultry and some other articles, very early in Charles I.'s reign;<sup>i</sup> and the prices are high. A turkey-cock four shillings and sixpence, a turkey-hen three shillings, a pheasant-cock six, a pheasant-hen five, a partridge one shilling, a goose two, a capon two and sixpence, a pullet one and sixpence, a rabbit eight-pence, a dozen of pigeons six shillings.<sup>k</sup> We must consider that London at present is more than three times more populous than it was at that time: a circumstance which much increases the price of poultry, and of every thing that cannot conveniently be brought from a distance: not to mention that these regulations by authority are always calculated to diminish, never to increase, the market prices. The contractors for victualling the navy were allowed by government eight-pence a day for the diet of each man when in harbour, seven-pence halfpenny when at sea;<sup>l</sup> which would suffice at present. The chief difference in expense between that age and the present consists in the imaginary wants of men, which

have since extremely multiplied. These<sup>m</sup> are the principal reasons why James's revenue would go further than the same money in our time; though the difference is not near so great as is usually imagined.

The public was entirely free from the danger and expense of a standing army.<sup>n</sup> While James was vaunting his divine vicegerency, and boasting of his high prerogative, he possessed not so much as a single regiment of guards to maintain his extensive claims: a sufficient proof that he sincerely believed his pretensions to be well grounded, and a strong presumption that they were at least built on what were then deemed plausible arguments. The militia of England, amounting to 160,000 men,<sup>o</sup> was the sole defence of the kingdom. It is pretended that they were kept in good order during this reign.<sup>p</sup> The city of London procured officers who had served abroad, and who taught the trained bands their exercise in Artillery-garden; a practice which had been discontinued since 1588. All the counties of England, in emulation of the capital, were fond of showing a well-ordered and well-appointed militia. It appeared that the natural propensity of men towards military shows and exercises will go far, with a little attention in the sovereign, towards exciting and supporting this spirit in any nation. The very boys, at that time, in mimicry of their elders, enlisted themselves voluntarily into companies, elected officers, and practised the discipline, of which the models were every day exposed to their view.<sup>q</sup> Sir Edward Harwood, in a memorial composed at the beginning of the subsequent reign, says, that England was so unprovided with horses fit for war, that 2000 men could not possibly be mounted throughout the whole kingdom.<sup>r</sup> At present the breed of horses is so much improved, that almost all those which are employed either in the plough, waggon, or coach, would be fit for that purpose.

The disorders of Ireland obliged James to keep up some forces there, and put him to great expense. The common pay of a private man in the infantry was eight-pence a day, a lieutenant two shillings, an ensign eighteen-pence.<sup>s</sup> The armies in Europe were not near so numerous during that age; and the private men, we may observe, were drawn from a better rank than at present, and approaching nearer to that of the officers.

In the year 1583 there was a general review made of all the men in England capable of bearing arms; and these were found to amount to 1,172,000 men, according to Raleigh.<sup>t</sup> It is impossible to warrant the exactness of this computation; or, rather, we may fairly presume it to be somewhat inaccurate. But if it approached near the truth, England has probably, since that time, increased in populousness. The growth of London, in riches and beauty, as well as in numbers of inhabitants, has been prodigious. From 1600 it doubled every forty years;<sup>u</sup> and consequently, in 1680, it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom; and almost the only town that affords society and amusement. The affection which the English bear to a country life makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the residence of the king, and by being the seat of government, and of all the courts of justice, can prevail over their passion for their rural villas.

London at this time was almost entirely built of wood, and in every respect was certainly a very ugly city. The Earl of Arundel first introduced the general practice of brick buildings.<sup>v</sup>

The navy of England was esteemed formidable in Elizabeth's time, yet it consisted only of thirty-three ships, besides pinnaces.<sup>w</sup> And the largest of these would not equal our fourth rates at present. Raleigh

<sup>e</sup> Rymer, tom. xvii. p. 526. To the same purpose, see also 21 Jac. II. cap. 36.

<sup>f</sup> Rymer, tom. xx. p. 15.

<sup>g</sup> See a compendium or dialogue inserted in the Memoirs of Wool, chap. 23.

<sup>h</sup> P. 449.

<sup>i</sup> Rymer, tom. xix. p. 511.

<sup>k</sup> We may judge of the great grievance of purveyance by this circumstance, that the purveyors often gave but sixpence for a dozen of pigeons, and two pence for a fowl. Journ. 25 May, 1646.

<sup>l</sup> Rymer, tom. xxv. p. 441, et seq.

<sup>m</sup> This volume was written above twenty-eight years before the edition of 1786. In that short period, prices have perhaps risen more than during the preceding hundred and fifty.

<sup>n</sup> Journ. 1 March, 1623.

<sup>o</sup> Stowe. See also Sir Walter Raleigh of the Prerogatives of Parliament, and Johnston, Hist. lib. xxvii.

<sup>p</sup> Stowe.

<sup>q</sup> In the Harleyan Miscellany, vol. iv. p. 255.

<sup>r</sup> Rymer, tom. xvi. p. 717.

<sup>s</sup> Of the Invention of Shipping. This number is much superior to that contained in Musonius, and that delivered by Sir Edward Coke to the House of Commons; and is more likely.

<sup>t</sup> Sir William Petty.

<sup>u</sup> Sir Edward Walker's Political Discourses, p. 270.

<sup>v</sup> Coke's Inst. book iv. chap. 1. Consultation in parliament for the navy.

advises never to build a ship of war above 600 tons.<sup>a</sup> James was not negligent of the navy. In five years preceding 1623, he built ten new ships, and expended fifty thousand pounds a-year on the fleet, beside the value of thirty-six thousand pounds in timber, which he annually gave from the royal forests.<sup>b</sup> The largest ship that had ever come from the English docks was built during this reign. She was only 1400 tons, and carried sixty-four guns.<sup>c</sup> The merchant ships, in cases of necessity, were instantly converted into ships of war. The king affirmed to the parliament, that the navy had never before been in so good a condition.<sup>d</sup>

Every session of parliament during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of popery: such violent propensity have men to complain of the present times, and to entertain discontent against their fortune and condition. The king himself was deceived by these popular complaints, and was at a loss to account for the total want of money, which he heard so much exaggerated.<sup>e</sup> It may, however, be affirmed, that during no preceding period of English history, was there a more sensible increase than during the reign of this monarch, of all the advantages which distinguish a flourishing people. Not only the peace which he maintained was favourable to industry and commerce; his turn of mind inclined him to promote the peaceful arts: and trade being yet in its infancy, all additions to it must have been the more evident to every eye, which was not blinded by melancholy prejudices.<sup>f</sup>

By an account<sup>g</sup> which seems judicious and accurate, it appears that all the seamen employed in the merchant service amounted to 10,000 men, which probably exceeds not the fifth part of their present number. Sir Thomas Overbury says, that the Dutch possessed three times more shipping than the English, but that their ships were of inferior burden to those of the latter.<sup>h</sup> Sir William Monson computed the English naval power to be little or nothing inferior to the Dutch,<sup>i</sup> which is surely an exaggeration. The Dutch at this time traded to England with 600 ships; England to Holland with sixty only.<sup>j</sup>

A catalogue of the manufactures, for which the English were then eminent, would appear very contemptible, in comparison of those which flourish among them at present. Almost all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building, and the founding of iron cannon, were the sole in which the English excelled. They seem, indeed, to have possessed alone the secret of the latter, and great complaints were made every parliament against the exportation of English ordnance.

Nine-tenths of the commerce of the kingdom consisted in woollen goods.<sup>k</sup> Wool, however, was allowed to be exported, till the nineteenth of the king. Its exportation was then forbidden by proclamation, though that edict was never strictly executed. Most of the cloth was exported raw, and was dyed and dressed by the Dutch; who gained, it is pretended, 700,000 pounds a-year by this manufacture.<sup>l</sup> A proclamation issued by the king against exporting cloth in that condition, had succeeded so ill during one year, by the refusal of the Dutch to buy the dressed cloth, that great murmurs arose against it; and this measure was retracted by the king, and complained of by the nation, as if it had been the most impolitic in the world. It seems, indeed, to have been premature.

In so little credit was the fine English cloth even at home, that the king was obliged to seek expedients by which he might engage the people of fashion to wear it.<sup>m</sup> The manufacture of fine linen was totally unknown in the kingdom.<sup>n</sup>

The company of merchant-adventurers, by their patent, possessed the sole commerce of woollen goods, though the staple commodity of the kingdom. An attempt made, during the reign of Elizabeth, to lay open this important trade, had been attended with bad consequences for a time, by a conspiracy of the merchant-adventurers, not to make any purchases of cloth; and the queen immediately restored them their patent.

It was the groundless fear of a like accident, that enslaved the nation to those exclusive companies, which confined so much every branch of commerce and industry. The parliament, however, annulled, in the third of the king, the patent of the Spanish company; and the trade to Spain, which was at first very insignificant, soon became the most considerable in the kingdom. It is strange that they were not thence encouraged to abolish all the other companies, and that they went no further than obliging them to enlarge their bottom, and to facilitate the admission of new adventurers.

A board of trade was erected by the king in 1622.<sup>o</sup> One of the reasons assigned in the commission, is to remedy the low price of wool, which begat complaints of the decay of the woollen manufacture. It is more probable, however, that this fall of prices proceeded from the increase of wool. The king likewise recommends it to the commissioners to inquire and examine, whether a greater freedom of trade, and an exemption from the restraint of exclusive companies, would not be beneficial. Men were then fettered by their own prejudices; and the king was justly afraid of embracing a bold measure, whose consequences might be uncertain. The digesting of a navigation act, of a like nature with the famous one executed afterwards by the republican parliament, is likewise recommended to the commissioners. The arbitrary powers then commonly assumed by the privy-council, appear evidently through the whole tenor of the commission.

The silk manufacture had no footing in England: but, by James's direction, mulberry-trees were planted, and silk-worms introduced.<sup>p</sup> The climate seems unfavourable to the success of this project. The planting of hops increased much in England during this reign.

Greenland is thought to have been discovered about this period; and the whale fishery was carried on with success: but the industry of the Dutch, in spite of all opposition, soon deprived the English of this source of riches. A company was erected for the discovery of the north-west passage; and many fruitless attempts were made for that purpose. In such noble projects, despair ought never to be admitted till the absolute impossibility of success be fully ascertained.

The passage to the East Indies had been opened to the English during the reign of Elizabeth; but the trade to those parts was not entirely established till this reign, when the East India company received a new patent, enlarged their stock to 1,500,000 pounds,<sup>q</sup> and fitted out several ships on these adventures. In 1609, they built a vessel of 1200 tons, the largest merchant ship that England had ever known. She was unfortunate, and perished by shipwreck. In 1611, a large ship of the company, assisted by a pinnace, maintained five several engagements with a squadron of Portuguese, and gained a complete

<sup>a</sup> By Raleigh's account, in his Discourse of the first Invention of Shipping, the fleet, in the twenty-fourth of the queen, consisted only of thirteen ships and was augmented afterwards eleven. He probably reckoned some to be pinnaces, which Cole called ships.

<sup>b</sup> Journ. 11th March, 1623. Sir William Monson makes the number amount only to nine new ships, p. 253.

<sup>c</sup> Stowe.

<sup>d</sup> Rymer, tom. xvii. p. 413.

<sup>e</sup> That of the honest historian Stowe seems not to have been of this nature. "That great blessings of God," says he, "through increase of wealth in the common subjects of this land, especially upon the citizens of London, such within men's memory and chiefly within these few years of peace, that, except there were now due mention of some sort made thereof, 't would in time to come be held incredible.'" &c. In another place, "Amongst the manifold tokens and signs of the infinite blessings of Almighty God bestowed upon this kingdom, by the wondrous and merciful establishment of peace within ourselves, and the full benefit of concord with all Christian nations and others; of all which graces let no man dare to presume he can speak too much, wherein in truth there can never be enough said, neither was there ever any people less considerate and less

thankful than at this time, being not willing to endure the memory of their present happiness, as well as in the universal increase of commerce and trade throughout the kingdom, great building of royal ships and by private merchants, the re-peopleing of cities, towns, and villages, beside the discernible and sudden increase of fair and costly buildings, as well within the city of London as the suburbs thereof, especially within these twelve years;" &c.

<sup>f</sup> The trade's increase, in the Harleian Misc. vol. iii.

<sup>g</sup> Remarks on his Travels, Harl. Misc. vol. ii. p. 349.

<sup>h</sup> Naval Trade, p. 329, 350.

<sup>i</sup> Journ. 6th May, 1621.

<sup>j</sup> Journ. 20th May, 1614. Raleigh, in his Observations, computes the last at 400,000 pounds to the nation. There are about 80,000 undressed cloths, says he, exported yearly. He computes, besides, that about 100,000 pounds a-year had been lost by kerseys: not to mention other articles. The account of 500,000 cloths a-year exported in Elizabeth's reign seems to be exaggerated.

<sup>k</sup> Rymer, tom. xvii. p. 415.

<sup>l</sup> Id. ibid.

<sup>m</sup> Thib. p. 410.

<sup>n</sup> Journ. 26th Nov. 1621.

<sup>o</sup> Stowe.

victory over forces much superior. During the following years, the Dutch company was guilty of great injuries towards the English, in expelling many of their factors, and destroying their settlements: but these violences were resented with a proper spirit by the court of England. A naval force was equipped under the Earl of Oxford,<sup>p</sup> and lay in wait for the return of the Dutch East India fleet. By reason of cross-winds, Oxford failed of his purpose, and the Dutch escaped. Some time after one rich ship was taken by Vice-admiral Merwin; and it was stipulated by the Dutch to pay 70,000 pounds to the English company, in consideration of the losses which that company had sustained.<sup>q</sup> But neither this stipulation, nor the fear of reprisals, nor the sense of that friendship which subsisted between England and the States, could restrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the sole possession of the spice trade, which the English then shared with them, they assumed a jurisdiction over a factory of the latter in the island of Amboyna; and on very improbable and even absurd pretences, seized all their factors with their families, and put them to death with the most inhuman tortures. This dismal news arrived in England at the time when James, by the prejudices of his subjects, and the intrigues of his favourite, was constrained to make a breach with Spain; and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was now become necessary to him. It is remarkable, that the nation, almost without a murmur, submitted to this injury from their protestant confederates; an injury which, besides the horrid enormity of the action, was of much deeper importance to national interest, than all those which they were so impatient to resent from the house of Austria.

The exports of England from Christmas 1612 to Christmas 1613, are computed at 2,487,435 pounds: the imports at 2,141,151; so that the balance in favour of England was 346,284.<sup>r</sup> But, in 1622, the exports were 2,320,436 pounds; the imports 2,619,315; which makes a balance of 298,879 pounds against England.<sup>s</sup> The coinage of England, from 1599 to 1619, amounted to 4,779,314 pounds 13 shillings and 4 pence: <sup>t</sup> a proof that the balance in the main was considerably in favour of the kingdom. As the annual imports and exports together rose to near five millions, and the customs never yielded so much as 200,000 pounds a-year, of which tonnage made a part, it appears that the new rates affixed by James did not, on the whole, amount to one shilling in the pound, and consequently were still inferior to the intention of the original grant of parliament. The East India company usually carried out a third of their cargo in commodities.<sup>u</sup> The trade to Turkey was one of the most gainful to the nation.<sup>w</sup> It appears that copper half-pence and farthings began to be coined in this reign.<sup>x</sup> Tradesmen had commonly carried on their retail business chiefly by means of leaden tokens. The small silver penny was soon lost, and at this time was no where to be found.

What chiefly renders the reign of James memorable, is the commencement of the English colonies in America; colonies established on the noblest footing that has been known in any age or nation. The Spaniards, being the first discoverers of the New World, immediately took possession of the precious mines which they found there; and, by the allurements of great riches, they were tempted to depopulate their own country, as well as that which they conquered; and added the vice of sloth to those of avidity and barbarity, which had attended their adventurers in those renowned enterprises. That fine coast was entirely neglected, which reaches from St. Augustin to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile soil, but nothing more, to the industrious planter. Peopled gradually from England by the necessitous and indigent, who at home increased neither wealth nor populousness, the colonies which were planted along that tract have promoted the navigation, encouraged the industry, and even

perhaps multiplied the inhabitants of their mother-country. The spirit of independency, which was reviving in England, here shone forth in its full lustre, and received new accession from the aspiring character of those who, being discontented with the established church and monarchy, had sought for freedom amidst those savage deserts.

Queen Elizabeth had done little more than given a name to the continent of Virginia; and after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprises against Spain, and left ambitious spirits no hopes of making any longer such rapid advances towards honour and fortune, the nation began to second the pacific intentions of its monarch, and to seek a surer, though slower, expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a settlement, which the company, erected by patent for that purpose in London and Bristol, took care to supply with yearly recruits of provisions, utensils, and new inhabitants. About 1609, Argal discovered a more direct and shorter passage to Virginia, and left the tract of the ancient navigators, who had first directed their course southwards to the tropic, sailed westward by means of the trade-winds, and then turned northward, till they reached the English settlements. The same year five hundred persons under Sir Thomas Gates and Sir George Somers were embarked for Virginia. Somers's ship, meeting with a tempest, was driven into the Bermudas, and laid the foundation of a settlement in those islands. Lord Delawar afterwards undertook the government of the English colonies: but notwithstanding all his care, seconded by supplies from James, and by money raised from the first lottery ever known in the kingdom, such difficulties attended the settlement of these countries, that in 1614 there were not alive more than 400 men, of all that had been sent thither. After supplying themselves with provisions more immediately necessary for the support of life, the new planters began the cultivating of tobacco; and James, notwithstanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health,<sup>y</sup> gave them permission to enter it in England; and he inhibited by proclamation all importation of it from Spain.<sup>z</sup> By degrees new colonies were established in that continent, and gave new names to the places where they settled, leaving that of Virginia to the province first planted. The island of Barbadoes was also planted in this reign.

Speculative reasoners, during that age, raised many objections to the planting of those remote colonies; and foretold that, after draining their mother-country of inhabitants, they would soon shake off her yoke, and erect an independent government in America: but time has shown that the views entertained by those who encouraged such generous undertakings, were more just and solid. A mild government and great naval force have preserved, and may still preserve during some time, the dominion of England over her colonies. And such advantages have commerce and navigation reaped from these establishments, that more than a fourth of the English shipping is at present computed to be employed in carrying on the traffic with the American settlements.

Agriculture was anciently very imperfect in England. The sudden transitions, so often mentioned by historians, from the lowest to the highest price of grain, and the prodigious inequality of its value in different years, are sufficient proofs that the produce depended entirely on the seasons, and that art had as yet done nothing to fence against the injuries of the heavens. During this reign considerable improvements were made, as in most arts, so in this, the most beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of husbandry, which were written about this time. The nation, however, was still dependent on foreigners for daily bread; and though its exportation of grain now forms a considerable branch of its commerce, notwithstanding its probable increase of people, there was in that period a regular importation from the Baltic, as well as from France; and if it

<sup>p</sup> In 1622.

<sup>q</sup> Misselden's Circle of Commerce, p. 121.

<sup>r</sup> *Ibid.* ibid.

<sup>s</sup> Happy future State of England, p. 78.

<sup>t</sup> Munn's Discourse on the East India Trade.

<sup>u</sup> Johnston, Hist. lib. 19.

<sup>v</sup> *Ibid.* ibid.

<sup>w</sup> Happy future State of England, p. 78.

<sup>x</sup> Munn's Discourse on the East India Trade.

<sup>y</sup> Munn's Discourse on the East India Trade, p. 17.

<sup>z</sup> Anderson, vol. i. p. 477.

<sup>z</sup> Rymer, tom. xvi. p. 621.

<sup>z</sup> *Ibid.* tom. xviii. p. 621. 613.



ever stopped, the bad consequences were sensibly felt by the nation. Sir Walter Raleigh, in his *Observations*, computes, that two millions went out at one time for corn. It was not till the fifth of Elizabeth, that the exportation of corn had been allowed in England; and Camden observes, that agriculture, from that moment, received new life and vigour.

The endeavours of James, or, more properly speaking, those of the nation, for promoting trade, were attended with greater success than those for the encouragement of learning. Though the age was by no means destitute of eminent writers, a very bad taste in general prevailed during that period; and the monarch himself was not a little infected with it.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was distinguished by an amiable simplicity, which, whatever rudeness may sometimes attend it, is so fitted to express the genuine movements of nature and passion, that the compositions possessed of it must ever appear valuable to the discerning part of mankind. The glaring figures of discourse, the pointed antithesis, the unnatural conceit, the jingle of words; such false ornaments were not employed by early writers; not because they were rejected, but because they scarcely ever occurred to them. An easy unforced strain of sentiment runs through their compositions; though at the same time we may observe, that amidst the most elegant simplicity of thought and expression, one is sometimes surprised to meet with a poor conceit, which had presented itself unsought for, and which the author had not acquired critical observation enough to condemn.<sup>a</sup> A bad taste seizes with avidity these frivolous beauties, and even perhaps a good taste, ere surfeited by them: they multiply every day more and more in the fashionable compositions: nature and good sense are neglected: laboured ornaments studied and admired: and a total degeneracy of style and language prepares the way for barbarism and ignorance. Hence the Asiatic manner was found to depart so much from the simple purity of Athens: hence that tinsel eloquence which is observable in many of the Roman writers, from which Cicero himself is not wholly exempted, and which so much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

On the revival of letters, when the judgment of the public is yet raw and uninformed, this false glitter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of solid sense and lively passion. The reigning genius is then diametrically opposite to that which prevails on the first origin of arts. The Italian writers, it is evident, even the most celebrated, have not reached the proper simplicity of thought and composition; and in Petrarch, Tasso, Guarini, frivolous witticisms and forced conceits are but too predominant. The period during which letters were cultivated in Italy, was so short as scarcely to allow leisure for correcting this adulterated relish.

The more early French writers are liable to the same reproach. Voiture, Balzac, even Corneille, have too much affected those ambitious ornaments, of which the Italians in general, and the least pure of the ancients, supplied them with so many models. And it was not till late, that observation and reflection gave rise to a more natural turn of thought and composition among that elegant people.

A like character may be extended to the first English writers; such as flourished during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this island, was attired in the same unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the English writers were possessed of great genius before they were endowed with any degree of taste, and by that means gave a kind of sanction to those forced turns and sentiments which they so much affected. Their distorted conceptions and expressions are attended with such vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judg-

ment which gave them admittance. To enter into an exact criticism of the writers of that age would exceed our present purpose. A short character of the most eminent, delivered with the same freedom which history exercises over kings and ministers, may not be improper. The national prepossessions, which prevail, will perhaps render the former liberty not the least perilous for an author.

If Shakspeare be considered as a MAN, born in a rude age, and educated in the lowest manner, without any instruction, either from the world or from books, he may be regarded as a prodigy: if represented as a POET, capable of furnishing a proper entertainment to a refined or intelligent audience, we must abate much of this eulogy. In his compositions, we regret that many irregularities, and even absurdities, should so frequently disfigure the animated and passionate scenes intermixed with them; and at the same time, we perhaps admire the more those beauties, on account of their being surrounded with such deformities. A striking peculiarity of sentiment, adapted to a single character, he frequently hits, as it were, by inspiration; but a reasonable propriety of thought he cannot for any time uphold. Nervous and picturesque expressions as well as descriptions abound in him; but it is in vain we look either for purity or simplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect; yet, as it affects the spectator, rather than the reader, we can more easily excuse, than that want of taste which often prevails in his productions, and which gives way only by intervals to the irradiations of genius. A great and fertile genius he certainly possessed, and one enriched equally with a tragic and comic vein; but he ought to be cited as a proof, how dangerous it is to rely on these advantages alone for attaining an excellence in the finer arts.<sup>b</sup> And there may even remain a suspicion that we overrate, if possible, the greatness of his genius; in the same manner as bodies often appear more gigantic, on account of their being disproportioned and misshapen. He died in 1616, aged 53 years.

Jonson possessed all the learning which was wanting to Shakspeare, and wanted all the genius of which the other was possessed. Both of them were equally deficient in taste and elegance, in harmony and correctness. A servile copyist of the ancients, Jonson translated into bad English the beautiful passages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipsed by that of Shakspeare, whose rude genius prevailed over the rude art of his contemporary. The English theatre has ever since taken a strong tincture of Shakspeare's spirit and character; and thence it has proceeded, that the nation has undergone, from all its neighbours, the reproach of barbarism, from which its valuable productions, in some other parts of learning, would otherwise have exempted it. Jonson had a pension of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged 63.

Fairfax has translated Tasso with an elegance and ease, and at the same time with an exactness, which for that age are surprising. Each line in the original is faithfully rendered by a correspondent line in the translation. Harrington's translation of Ariosto is not likewise without its merit. It is to be regretted, that these poets should have imitated the Italians in their stanza, which has a prolixity and uniformity in it that displeases in long performances. They had otherwise, as well as Spenser, who went before them, contributed much to the polishing and refining of English versification.

In Donne's satires, when carefully inspected, there appear some flashes of wit and ingenuity; but these are totally suffocated and buried, by the hardest and most uncouth expression that is any where to be met with.

If the poetry of the English was so rude and imperfect during that age, we may reasonably expect that their prose would be liable to still greater objections. Though the latter appears the more easy, as it is the more natural method of composition, it has ever, in practice, been found

<sup>a</sup> The name of Polynece, one of Oenipus's sons, means in the original much quarrelling. In the altercation between the two brothers, in *Ætoliæ*, Sophocles, and Turpinus, this conceit is employed, and it is remarkable, that so poor a conceit could not be rejected by any of these three poets, so justly celebrated for their taste and simplicity. What could

Shakspeare have done worse? *Terence* has *incepto est autumum, non autumum*. Many similar instances will occur to be heard. It is well known, that Aristotle treats very seriously of puns, divides them into several clauses, and recommends the use of them to orators.

<sup>b</sup> *Invenire etiam barbari solent, dissonante et rursus non sensu cœnosa.* Plin.

the more rare and difficult; and there scarcely is an instance, in any language, that it has reached a degree of perfection before the refinement of poetical numbers and expression. English prose, during the reign of James, was written with little regard to the rules of grammar, and with a total disregard to the elegance and harmony of the period. Stuffed with Latin sentences and quotations, it likewise imitated those inversions which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the English. I shall, indeed, venture to affirm, that whatever uncouth phrases and expressions occur in old books, they were chiefly owing to the unformed taste of the author; and that the language spoken in the courts of Elizabeth and James was very little different from that which we meet with at present in good company. Of this opinion, the little scraps of speeches which are found in the parliamentary journals, and which carry an air so opposite to the laboured orations, seem to be a sufficient proof; and there want not productions of that age, which, being written by men who were not authors by profession, retain a very natural manner, and may give us some idea of the language which prevailed among men of the world. I shall particularly mention Sir John Davis's *Discovery*, Throgmorton's, Essex's, and Nevil's *Letters*. In a more early period, Cavendish's *Life of Cardinal Wolsey*, the pieces that remain of Bishop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this island, during the reign of James, was Lord Bacon. Most of his performances were composed in Latin; though he possessed neither the elegance of that, nor of his native tongue. If we consider the variety of talents displayed by this man; as a public speaker, a man of business, a wit, a courtier, a companion, an author, a philosopher; he is justly the object of great admiration. If we consider him merely as an author and philosopher, the light in which we view him at present, though very estimable, he was yet inferior to his contemporary Galileo, perhaps even to Kepler. Bacon pointed out at a distance the road to true philosophy: Galileo both pointed it out to others, and made himself considerable advances in it. The Englishman was ignorant of geometry: the Florentine revived that science, excelled in it, and was the first that applied it, together with experiment, to natural philosophy. The former rejected, with the most positive disdain, the system of Copernicus: the latter fortified it with new proofs, derived both from reason and the senses. Bacon's style is stiff and rigid: his wit, though often brilliant, is also often unnatural and far-fetched; and he seems to be the original of those pointed similes and long-spun allegories which so much distinguish the English authors: Galileo is a lively and agreeable, though somewhat a prolix, writer. But Italy, not united in any single government, and perhaps satiated with that literary glory which it has possessed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to so great a man. That national spirit which prevails among the English, and which forms their great happiness, is the cause why they bestow on all their eminent writers, and on Bacon among the rest, such praises and acclamations as may often appear partial and excessive. He died in 1626, in the 66th year of his age.

If the reader of Raleigh's *History* can have the patience to wade through the Jewish and Rabbinical learning which compose the half of the volume, he will find, when he comes to the Greek and Roman story, that his pains are not unrewarded. Raleigh is the best model of that ancient style which some writers would affect to revive at present. He was beheaded in 1618, aged 66 years.

Camden's *History of Queen Elizabeth* may be esteemed good composition, both for style and matter. It is written with simplicity of expression, very rare in that age, and

with a regard to truth. It would not, perhaps, be too much to affirm, that it is among the best historical productions which have yet been composed by any Englishman. It is well known that the English have not much excelled in that kind of literature. He died in 1623, aged 73 years.

We shall mention the king himself, at the end of these English writers; because that is *his* place, when considered as an author. It may safely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taste, is one cause of that contempt under which his memory labours, and which is often carried by party writers to a great extreme. It is remarkable, how different from ours were the sentiments of the ancients with regard to learning. Of the first twenty Roman emperors, counting from Cæsar to Severus, above the half were authors; and though few of them seem to have been eminent in that profession, it is always remarked to their praise, that by their example, they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, persons so nearly allied to the throne, the greater part of the classic writers, whose works remain, were men of the highest quality. As every human advantage is attended with inconveniences, the change of men's ideas in this particular may probably be ascribed to the invention of printing; which has rendered books so common, that even men of slender fortunes can have access to them.

That James was but a middling writer may be allowed: that he was a contemptible one, can by no means be admitted. Whoever will read his *Basiliicon Doron*, particularly the two last books, the *True Law of free monarchies*, his answer to Cardinal Perron, and almost all his speeches and messages to parliament, will confess him to have possessed no mean genius. If he wrote concerning witches and apparitions; who in that age did not admit the reality of these fictitious beings? If he has composed a commentary on the Revelations, and proved the Pope to be antichrist; may not a similar reproach be extended to the famous Napier; and even to Newton, at a time when learning was much more advanced than during the reign of James? From the grossness of its superstitions, we may infer the ignorance of an age; but never should pronounce concerning the folly of an individual, from his admitting popular errors, consecrated by the appearance of religion.

Such a superiority do the pursuits of literature possess above every other occupation, that even he who attains but a mediocrity in them, merits the pre-eminence above those that excel the most in the common and vulgar professions. The speaker of the House of Commons is usually an eminent lawyer; yet the harangue of his majesty will always be found much superior to that of the speaker, in every parliament during his reign.

Every science, as well as polite literature, must be considered as being yet in its infancy. Scholastic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a salary to the mathematical and astronomical professors in Oxford, says, that geometry was almost totally abandoned and unknown in England.<sup>c</sup> The best learning of that age was the study of the ancients. Casaubon, eminent for this species of knowledge, was invited over from France by James, and encouraged by a pension of 300*l.* a-year, as well as by church preferments.<sup>d</sup> The famous Antonio di Dominis, Archbishop of Spalatro, no despicable philosopher, came likewise into England, and afforded great triumph to the nation, by their gaining so considerable a proselyte from the papists. But the mortification followed soon after: the archbishop, though advanced to some ecclesiastical preferments,<sup>e</sup> received not encouragement sufficient to satisfy his ambition; he made his escape into Italy, where he died in confinement.

<sup>a</sup> Rymer, tom. xvii. p. 217.

<sup>d</sup> Ibid. p. 702.

<sup>e</sup> Rymer, tom. xvii. p. 95.

THE  
HISTORY OF ENGLAND,

FROM THE REVOLUTION, TO THE DEATH OF GEORGE THE SECOND.

DESIGNED AS A CONTINUATION OF MR. HUME'S HISTORY.

BY T. SMOLLETT, M. D.

WITH THE AUTHOR'S LAST CORRECTIONS AND IMPROVEMENTS.



## ADVERTISEMENT.

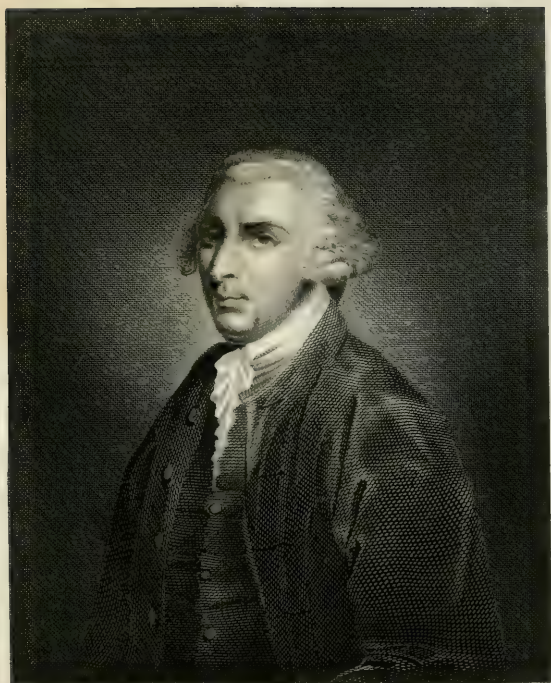
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THE purchasers of D. Hume's History of England having been long desirous of a continuation; the proprietor of Dr. Smollett's History (being in possession of a copy with the author's last corrections) has been induced to reprint that work from the Revolution, where Hume's History ends, to the death of George II. in the year 1760.

To make this work more acceptable, the Sections and other divisions are given in a manner correspondent with those observed by Hume; so that any gentleman possessed of the latter may take up his History at the Revolution, where Hume breaks off, and find a regular connexion in this complete History given by Smollett.

In the latter part only of this work has the present Editor found it necessary to make any alterations. The war before the last had its source in America, and thereby drew forth our settlements there into consequence. This, with the loss of most of those settlements since to Great Britain, had brought with it so many changes, that what was found politics and good sense then, is now totally deranged: even facts themselves are become changed, and the very state of the two countries has undergone a metamorphosis which was impossible to be foreseen by the shrewdest politician. To assist the views of so eminent a writer as Smollett, as well as to gratify the expectations of the judicious reader, a few, very few, alterations have been made on those heads. To have proceeded further would have been a kind of sacrilege, and no less a fraud upon the original author, than upon the public.







## HISTORY OF ENGLAND,

FROM THE REVOLUTION, TO THE DEATH OF GEORGE THE SECOND.

## BOOK I.

## CHAPTER I.

§ I. State of the nation immediately after the revolution. § II. Account of the new ministry. § III. The convention converted into a parliament. § IV. Mutiny in the army. § V. The coronation, and abolition of hearth-money. § VI. The unanimous vote a sum of money to indemnify the Dutch. § VII. William's efforts in favour of the dissenters. § VIII. Act for a toleration. § IX. Violent disputes about the bill for a comprehension. § X. The Commons address the king to summon a convocation of the clergy. § XI. Settlement of the revenue. § XII. The king takes umbrage at the proceedings of the whig-party. § XIII. Heats and animosities about the bill of indemnity recommended by the king. § XIV. Ruth of the Duke of Gloucester. § XV. Affairs of the continent. § XVI. War declared against France. § XVII. Proceedings in the convocation of Scotland, of which the Duke of Hamilton is chosen president. § XVIII. Letters to the convention from King William and King James. § XIX. They recognise the authority of King William. § XX. They vote the crown vacant, and pass an act of settlement in favour of William and Mary. § XXI. They appoint commissioners to make a tender of the crown to William, who receives it on the conditions they propose. § XXII. Enumeration of their grievances. The convention is declared a parliament, and the Duke of Hamilton king's commissioner. § XXIII. Prelacy abolished in that kingdom. The Scots dissatisfied with the king's conduct. § XXIV. Violent disputes in the Scottish parliament. § XXV. Which is adjourned. A remonstrance presented to the king. § XXVI. The castle of Edinburgh besieged and taken. § XXVII. The troops of King William defeated at Killycrankie. § XXVIII. King James cordially received by the French king. § XXIX. Tyroneel temporizes with King William. § XXX. James arrives in Ireland. § XXXI. Issues five proclamations at Dublin. § XXXII. Siege of Londonderry. § XXXIII. The inhabitants defend themselves with surprising courage and perseverance. § XXXIV. Cruelty of Rosene, the French general. § XXXV. The place is relieved by Burke. § XXXVI. The Muskinnillins sieged and take General Macarty. § XXXVII. Meeting of the Irish parliament. § XXXVIII. They repeal the act of settlement. § XXXIX. Pass an act of attainder against absentees. § XL. James coins base money. The protestants of Ireland cruelly oppressed. § XLI. Their churches are seized by the catholics, and they are forbid to assemble on pain of death. § XLII. Admiral Herbert worsted by the French fleet, in an engagement near Ballybay. § XLIII. Divers sentences and attainders reversed in parliament. § XLIV. Inquiry into the cause of miscarriages in Ireland. § XLV. Bills passed in this session of parliament.

§ I. THE constitution of England had now assumed a new aspect. The maxim of hereditary, indefeasible right was at length renounced by a free parliament. The power of the crown was acknowledged to flow from no other fountain than that of a contract with the people. Allegiance and protection were declared reciprocal ties depending upon each other. The representatives of the nation made a regular claim of rights in behalf of their constituents; and William III. ascended the throne in consequence of an express capitulation with the people. Yet, on this occasion, the zeal of the parliament towards their deliverer seems to have overshot their attachment to their own liberty and privileges: or at least they neglected the fairest opportunity that ever occurred, to retrench those prerogatives of the crown to which they imputed all the late and former calamities of the kingdom. Their new monarch retained the old regal power over parliaments in its full extent. He was left at liberty to convoke, adjourn, prorogue, and dissolve them at his pleasure. He was enabled to influence elections, and oppress corporations. He possessed the right of choosing his own

council; of nominating all the great officers of the state, and of the household, of the army, the navy, and the church. He reserved the absolute command of the militia: so that he remained master of all the instruments and engines of corruption and violence, without any other restraint than his own moderation, and prudent regard to the claim of rights, and principle of resistance, on which the revolution was founded. In a word, the settlement was finished with some precipitation, before the plan had been properly digested and matured; and this will be the case in every establishment formed upon a sudden emergency in the face of opposition. It was observed, that the king, who was made by the people, had it in his power to rule without them; to govern *jure divino*, though he was created *jure humano*; and that, though the change proceeded from a republican spirit, the settlement was built upon tory maxims; for the execution of his government continued still independent of his commission, while his own person remained sacred and inviolable. The Prince of Orange had been invited to England by a coalition of parties, united by a common sense of danger: but this tie was no sooner broken than they flew asunder, and each resumed its original bias. Their mutual jealousy and rancour revived, and was heated by dispute into intemperate zeal and enthusiasm. Those who at first acted from principles of patriotism were insensibly warmed into partisans; and King William soon found himself at the head of a faction. As he had been bred a Calvinist, and always expressed an abhorrence of spiritual persecution, the presbyterians, and other protestant dissenters, considered him as their peculiar protector, and entered into his interests with the most zealous fervour and assiduity. For the same reasons, the friends of the church became jealous of his proceedings, and employed all their influence, first in opposing his elevation to the throne, and afterwards in thwarting his measures. Their party was espoused by all the friends of the lineal succession; by the Roman Catholics; by those who were personally attached to the late king; and by such as were disgusted by the conduct and personal deportment of William since his arrival in England. They observed, that, contrary to his declaration, he had plainly aspired to the crown; and treated his father-in-law with insolence and rigour: that his army contained a number of foreign papists, almost equal to that of the English Roman catholics whom James had employed: that the reports so industriously circulated about the birth of the Prince of Wales, the treaty with France for enslaving England, and the murder of the Earl of Essex, reports countenanced by the Prince of Orange, now appeared to be without foundation: that the Dutch troops remained in London, while the English forces were distributed in remote quarters: that the prince declared the first should be kept about his person, and the latter

sent to Ireland: that the two Houses, out of complaisance to William, had denied their late sovereign the justice of being heard in his own defence; and, that the Dutch had lately interfered with the trade of London, which was already sensibly diminished. These were the sources of discontent, swelled up by the resentment of some noblemen, and other individuals, disappointed in their hopes of profit and preferment.

§ II. William began his reign with a proclamation, Heresby, Burnet. the offices which they enjoyed on the first day of December: then he chose the members of his council, who were generally stanch to his interest, except the Archbishop of Canterbury and the Earl of Nottingham,<sup>a</sup> and these were admitted in complaisance to the church-party, which it was not thought advisable to provoke. Nottingham and Shrewsbury were appointed secretaries of state: the privy seal was bestowed upon the Marquis of Halifax: the Earl of Danby was created president of the council. These two noblemen enjoyed a good share of the king's confidence, and Nottingham was considerable, as head of the church-party: but the chief favourite was Bentinck, first commoner on the list of privy-counsellors, as well as groom of the stole and privy purse. D'Auverquerque was made master of the horse, Zuytlestein of the robes, and Schomberg of the ordnance: the treasury, admiralty, and chancery were put in commission; twelve able judges were chosen;<sup>b</sup> and the diocese of Salisbury being vacated by the death of Dr. Ward, the king, of his own free motion, filled it with Burnet, who had been a zealous stickler for his interest; and in a particular manner instrumental in effecting the revolution. Sancroft, Archbishop of Canterbury, refused to consecrate this ecclesiastic, though the reasons of his refusal are not specified; but, being afraid of incurring the penalties of a prebunre, he granted a commission to the Bishop of London, and three other suffragans, to perform that ceremony. Burnet was a prelate of some parts, and great industry; moderate in his notions of church-discipline, inquisitive, meddling, vain, and credulous. In consequence of having incurred the displeasure of the late king, he had retired to the continent, and fixed his residence in Holland, where he was naturalized, and attached himself to the interest of the Prince of Orange, who consulted him about the affairs of England. He assisted in drawing up the prince's manifesto, and wrote some other papers and pamphlets in defence of his design. He was demanded of the States, by the English ambassador, as a British fugitive outlawed by King James, and excepted in the act of indemnity: nevertheless, he came over with William, in quality of his chaplain; and, by his intrigues, contributed in some measure to the success of that expedition. The principal individuals that composed this ministry have been characterized in the history of the preceding reigns. We have had occasion to mention the fine talents, the vivacity, the flexibility of

Halifax; the plausibility, the enterprising genius, the obstinacy of Danby; the pompous eloquence, the warmth, and ostentation of Nottingham; the probity and popularity of Shrewsbury. Godolphin, now brought into the treasury, was modest, silent, sagacious, and upright. Mordaunt, appointed first commissioner of that board, and afterwards created Earl of Monmouth, was open, generous, and a republican in his principles. Delamere, chancellor of the exchequer, promoted in the sequel to the rank of Earl of Warrington, was close and mercenary. Obsequiousness, fidelity, and attachment to his master, composed the character of Bentinck, whom the king raised to the dignity of Earl of Portland. The English favourite, Sidney, was a man of wit and pleasure, possessed of the most engaging talents for conversation and private friendship, but rendered unfit for public business by indolence and inattention. He was ennobled, and afterwards created Earl of Romney; a title which he enjoyed with several successive posts of profit and importance. The stream of honour and preferment ran strong in favour of the whigs, and this appearance of partiality confirmed the suspicion and resentment of the opposite party.

§ III. The first resolution taken in the new council was to convert the convention into a parliament, that the new settlement might be strengthened by a legal sanction, which was now supposed to be wanting, as the assembly had not been convoked by the king's writ of summons. The experiment of a new election was deemed too hazardous; therefore, the council determined that the king should, by virtue of his own authority, change the convention into a parliament, by going to the House of Peers with the usual state of a sovereign, and pronouncing a speech from the throne to both Houses. This expedient was accordingly practised.<sup>c</sup> He assured them he should never take any step that would diminish the good opinion they had conceived of his integrity. He told them that Holland was in such a situation as required their immediate attention and assistance; that the posture of affairs at home likewise demanded their serious consideration; that a good settlement was necessary, not only for the establishment of domestic peace, but also for the support of the protestant interest abroad: that the affairs of Ireland were too critically situated to admit of the least delay in their deliberations: he, therefore, begged they would be speedy and effectual in concerting such measures as should be judged indispensably necessary for the welfare of the nation. The Commons returning to their House, immediately passed a vote of thanks to his majesty, and made an order that his speech should be taken into consideration. After the throne had been declared vacant by a small majority of the Peers, those who opposed that measure had gradually withdrawn themselves from the House, so that very few remained but such as were devoted to the new monarch. These, therefore, brought in a bill for preventing all disputes concerning the present parliament. In the mean

<sup>a</sup> The council consisted of the Prince of Denmark, the Archbishop of Canterbury, the Duke of Norfolk, the Marquises of Halifax and Winchester, the Earls of Danby, Lindsey, Devonshire, Dorset, Middlesex, Oxford, Shrewsbury, Bedford, Bath, Mareschall, and Nottingham; the Viscounts Fauconberg, Mordaunt, Newbury, Lumley; the Lords Wharton, Montagu, Delamere, Churchill; Mr. Bentinck, Mr. Sidney, Sir Robert Howard, Sir Henry Capel, Mr. Powle, Mr. Russel, Mr. Hambden, and Mr. Boscaawen.

<sup>b</sup> Sir John Holt was appointed lord chief justice of the king's bench, and Sir Henry Pollexfen of the common pleas; the Earl of Devonshire was made lord steward of the household, and the Earl of Dorset lord chamberlain.—Ralph.

<sup>c</sup> This expedition was attended with an unaccountable absurdity. If the majority of the convention could not grant a legal sanction to the establishment they had made, they could never invest the Prince of Orange with a just right to ascend the throne, for they could not give what they had no right to bestow; and if he ascended the throne without a just title, he could have no right to sanctify that assembly to which he owed his elevation. When the people are obliged, by tyranny, or other accidents, to have recourse to the first principles of society, namely, their own preservation, and consent, it will deserve consideration, whether that choice is to be effected by the majority of a parliament which has been dissolved, or by any parliament whatsoever, or by the body of the nation, assembled in communities, corporations, by tribes, or by counties, to whom their assent is dissent with respect to the person proposed, as their sovereign. This kind of election might be attended with great inconvenience and difficulty, but these cannot possibly be avoided when the constitution is dissolved by setting aside the legal succession to the throne. The constitution of England is composed of the crown, the lords, and the commons; but when there is no longer a king, the parliament is defective, and the constitution impaired; the members of the lower House are representatives of the people, expressly chosen to maintain the constitution; but the lords and states cannot support the rights of the crown, as well as the liberties of the nation, but though they are elected to maintain, they have no power to alter, the constitution. When the king forfeits the allegiance of his subjects, and it becomes necessary to dethrone him, the power of so doing cannot possibly reside in the representatives who

are chosen, under certain limitations, for the purposes of a legislature which no longer exists; their power is of course at an end, and they are reduced to a level with other individuals that constitute the community. The right of altering the constitution, therefore, or of deviating from the established practice of inheritance in regard to the succession, is inherent in the body of the people, and every individual has an equal right to his share in the general determination, whether his opinion be signified *in person*, or by a representative whom he appoints and instructs for the purpose. It may be suggested, that the Prince of Orange was raised to the throne without any convulsion, or any such difficulties and inconveniences as we have affirmed to be the necessary consequences of a measure of that nature. To this remark we answer, that since the revolution, these convulsions have been divided and harassed by violent and unprincipled factions, that eagerly seek the destruction of each other; that they have been exposed to plots, conspiracies, insurrections, civil wars, and successive rebellions, which have not been detected and quelled without vast effusion of blood, infinite misbehaviour, calamity, and expense to the nation; that they are still subjected to all those alarms and dangers which are engendered by a disputed title to the throne, and the efforts of an artful intriguer, that they are necessarily wedded to the affairs of the continent, and that the interests of the public money, in which the nation has been disengaged. Perhaps all these calamities might have been prevented by the interposition of the Prince of Orange. King James, without forfeiting the crown, might have been laid under such restrictions that it would not have been in his power to tyrannize either by violence or oppression, or temporals. The power of the militia might have been vested in the two Houses of Parliament, as well as the nomination of persons to fill the great offices of the church and state, and superintend the economy of the administration in the disposal of the public money;—a law might have been passed for annual parliaments, and the king might have been deprived of his power to convolve, adjourn, prorogue, and dissolve them at his pleasure. Had these measures been taken, the king might have been naturally disabled from employing any other force excepting in the execution of arbitrary designs, and the people must have been fairly represented in a rotation of parliaments, whose power and influence would have been but of one year's duration.

time, Mr. Hambden, in the lower House, put the question, Whether a king elected by the Lords spiritual and temporal, and the Commons assembled at Westminster, coming to and consulting with the said Lords and Commons, did not make as complete a parliament, and legislative power and authority, as if the said king should cause new elections to be made by writ? Many members affirmed that the king's writ was as necessary as his presence to the being of a legal parliament, and, as the convention was defective in this particular, it could not be vested with a parliamentary authority by any management whatsoever. The whigs replied, That the essence of a parliament consisted in the meeting and co-operation of the king, Lords, and Commons; and that it was not material whether they were convoked by writ or by letter: they proved this assertion by examples deduced from the History of England: they observed, that a new election would be attended with great trouble, expense, and loss of time; and that such delay might prove fatal to the protestant interest in Ireland, as well as to the allies on the continent. In the midst of this debate, the bill was brought down from the Lords, and being read, a committee was appointed to make some amendments. These were no sooner made than the Commons sent it back to the upper House, and it immediately received the royal assent. By this act the Lords and Commons, assembled at Westminster, were declared the two Houses of parliament to all intents and purposes: it likewise ordained, That the present act, and all other acts to which the royal assent should be given before the next prorogation, should be understood and adjudged in law to begin on the thirteenth day of February: that the members, instead of the old oaths of allegiance and supremacy, should take the new oath incorporated in this act, under the ancient penalty; and, that the present parliament should be dissolved in the usual manner. Immediately after this transaction, a warm debate arose in the House of Commons about the revenue, which the courtiers alleged had devolved with the crown upon William, at least during the life of James; for which term the greater part of it had been granted. The members in the opposition affirmed, that these grants were vacated with the throne; and at length it was voted, That the revenue had expired. Then a motion was made, That a revenue should be settled on the king and queen; and the House resolved it should be taken into consideration. While they deliberated on this affair, they received a message from his majesty, importing that the late king had set sail from Brest with an armament to invade Ireland. They forthwith resolved to assist his majesty with their lives and fortunes: they voted a temporary aid of four hundred and twenty thousand pounds, to be levied by monthly assessments; and both Houses waited on the king to signify this resolution. But this unanimity did not take place till several Lords spiritual as well as temporal had, rather than take their oaths, absented themselves from parliament. The nonjuring prelates were Sancroft, Archbishop of Canterbury; Turner, Bishop of Ely; Lake, of Chichester; Ken, of Bath and Wells; White, of Peterborough; Lloyd, of Norwich; Thomas, of Worcester; and Frampton, of Gloucester. The temporal Peers who refused the oath were the Duke of Newcastle, the Earls of Clarendon, Lichfield, Exeter, Yarmouth, and Stafford; the Lords Griffin and Stawell. Five of the bishops withdrew themselves from the House at one time; but, before they retired, one of the number moved for a bill of toleration, and another of comprehension, by which moderate dissenters might be reconciled to the church, and admitted into ecclesiastical benefices. Such bills were actually prepared and presented by the Earl of Nottingham, who received the thanks of the House for the pains he had taken. From this period, the party averse to the government of William were distinguished by the appellation of Nonjurors. They rejected the notion of a king *de facto*, as well as all other distinctions and limitations; and

declared for the absolute power, and divine hereditary indefeasible right, of sovereigns.

§ IV. This faction had already begun to practise against the new government. The king having received some intimation of their designs from intercepted letters, ordered the Earl of Arran, Sir Robert Hamilton, and some other gentlemen of the Scottish nation, to be apprehended and sent prisoners to the Tower. Then he informed the two Houses of the step he had taken, and even craved their advice with regard to his conduct in such a delicate affair, which had compelled him to trespass upon the law of England. The Lords thanked him for the care he took of their liberties, and desired he would secure all disturbers of the peace; but the Commons empowered him by a bill to dispense with the habeas corpus act till the seventeenth day of April next ensuing. This was a stretch of confidence in the crown which had not been made in favour of the late king, even while Argyle and Monmouth were in open rebellion. A spirit of discontent had by this time diffused itself through the army, and become so formidable to the court, that the king resolved to detain the Dutch troops in England, and send over to Holland in their room such regiments as were most tainted with disaffection. Of these the Scottish regiment of Dumbarton, commanded by Mareschal Schomberg, mutinied on its march to Ipswich, seized the military chest, disarmed the officers who opposed their design, declared for King James, and with four pieces of cannon began their march for Scotland. William, being informed of this revolt, ordered General Ginckel to pursue them with three regiments of Dutch dragoons, and the mutineers surrendered at discretion. As the delinquents were natives of Scotland, which had not yet submitted in form to the new government, the king did not think proper to punish them as rebels, but ordered them to proceed for Holland, according to his first intention. Though this attempt proved abortive, it made a strong impression upon the ministry, who were divided among themselves, and wavered in their principles. However, they seized this opportunity to bring in a bill for punishing mutiny and desertion, which in a little time passed both Houses, and received the royal assent.

§ V. The coronation-oath<sup>4</sup> being altered and explained, that ceremony was performed on the eleventh day of April, the Bishop of London officiating, at the king's desire, in the room of the metropolitan, who was a malcontent; and next day the Commons, in a body, waited on the king and queen at Whitehall, with an address of congratulation. William, with a view to conciliate the affection of his new subjects, and check the progress of clamour and discontent, signified, in a solemn message to the House of Commons, his readiness to acquiesce in any measure they should think proper to take for a new regulation or total suppression of the hearth-money, which he understood was a grievous imposition on his subjects; and this tax was afterwards abolished. He was gratified with an address of thanks, couched in the warmest expressions of duty, gratitude, and affection, declaring they would take such measures in support of his crown, as would convince the world that he reigned in the hearts of his people.

§ VI. He had, in his answer to the former address, assured them of his constant regard to the rights and prosperity of the nation: he had explained the exhausted state of the Dutch; expatiated upon the zeal of that republic for the interest of Britain, as well as the maintenance of the protestant religion; and expressed his hope that the English parliament would not only repay the sums they had expended in his expedition, but likewise further support them to the utmost of their ability against the common enemies of their liberties and religion. He had observed that a considerable army and fleet would be necessary for the reduction of Ireland, and the protection of Britain; and he desired they would settle the revenue in such a manner, that it might be collected without diffi-

<sup>4</sup> The new form of the coronation oath consisted in the following questions and answers. "Will you solemnly promise and swear to govern the people of this kingdom of England, and the dominions thereto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same?" "I solemnly promise so to do."

"Will you, to the utmost of your power, cause law and justice in mercy to be executed in all your judgments?" "I will." "Will you, to the utmost of your power, maintain the laws of God, the true profession of the

gospel, and the protestant reformed religion as by law established: and will you preserve unto the bishops and clergy, of this realm, and to the churches committed to their charge, all such rights and privileges as, by law, do or shall appertain unto them, or any of them?"

"All this I promise to do."

Then the king or queen, laying his or her hand upon the gospels, shall say, "The things which I have here before promised I will perform and keep. So help me God."



culty and dispute. The sum total of the money expended by the States-general in William's expedition amounted to seven millions of guilders, and the Commons granted six hundred thousand pounds for the discharge of this debt, incurred for the preservation of their rights and religion. They voted funds for raising and maintaining an army of two-and-twenty thousand men, as well as for equipping a numerous fleet: but, they provided for no more than half a year's subsistence of the troops, hoping the reduction of Ireland might be finished in that term; and this instance of frugality the king considered as a mark of their diffidence of his administration. The whigs were resolved to supply him gradually, that he might be the more dependent upon their zeal and attachment: but he was not at all pleased with their precaution.

§ VII. William was naturally biassed to Calvinism, and averse to persecution. Whatever promises he had made, and whatever sentiments of respect he had entertained for the church of England, he seemed now in a great measure alienated from it, by the opposition he had met with from its members, particularly from the bishops, who had thwarted his measures. By absenting themselves from parliament, and refusing the oath, they had plainly disowned his title, and renounced his government. He therefore resolved to mortify the church, and gratify his own friends at the same time, by removing the obstacles affixed to nonconformity, that all protestant dissenters should be rendered capable of enjoying and exercising civil employments. When he gave his assent to the bill for suspending the habeas corpus act, he recommended the establishment of a new oath in lieu of those of allegiance and supremacy: he expressed his hope that they would leave room for the admission of all his protestant subjects who should be found qualified for the service; he said, such a conjunction would unite them the more firmly among themselves, and strengthen them against their common adversaries. In consequence of this hint, a clause was inserted in the bill for abrogating the old and appointing the new oaths, by which the sacramental test was declared unnecessary in rendering any person capable of enjoying any office or employment. It was, however, rejected by a great majority in the House of Lords. Another clause for the same purpose, though in different terms, was proposed by the king's direction, and met with the same fate, though in both cases several noblemen entered a protest against the resolution of the House. These fruitless efforts, in favour of dissenters, augmented the prejudice of the churchmen against King William, who would have willingly compromised the difference, by excusing the clergy from the oaths, provided the dissenters might be exempted from the sacramental test: but this was deemed the chief bulwark of the church, and therefore the proposal was rejected. The church party in the House of Lords moved, that instead of inserting a clause, obliging the clergy to take the oaths, the king should be empowered to tender them; and, in case of their refusal, they should incur the penalty, because deprivation, or the apprehensions of it, might make them desperate, and excite them to form designs against the government. This argument had no weight with the Commons, who thought it was indispensably necessary to exact the oaths of the clergy, as their example influenced the kingdom in general, and the youth of the nation were formed under their instruction. After a long and warm debate, all the mitigation that could be obtained, was a clause empowering the king to indulge any twelve clergymen, deprived by virtue of this act, with a third part of their benefices during pleasure. Thus the ancient oaths of allegiance and supremacy were abrogated; the declaration of non-resistance in the act of uniformity was repealed: the new oath of allegiance was reduced to its primitive simplicity, and the coronation-oath rendered more explicit. The clergy were enjoined to take the new oaths before the first day of August, on pain of being suspended from their office for six months, and of entire deprivation, in case they should not take them before the expiration of this term. They generally complied, though with such reservations and distinctions as were not much for the honour of their sincerity.

§ VIII. The king, though baffled in his design against the sacramental test, resolved to indulge the dissenters

with a toleration; and a bill for this purpose being prepared by the Earl of Nottingham, was, after some debate, passed into a law, under the title of An Act for exempting their majesties' protestant subjects dissenting from the church of England from the penalties of certain laws. It enacted, That none of the penal laws should be construed to extend to those dissenters who should take the oaths to the present government, and subscribe the declaration of the thirtieth year of the reign of Charles II., provided that they should hold no private assemblies or conventicles with the doors shut; That nothing should be construed to exempt them from the payment of tithes, or other parochial duties; That, in case of being chosen into the offices of constable, church-warden, overseer, &c., and of scrupling to take the oaths annexed to such offices, they should be allowed to execute the employment by deputy; That the preachers and teachers in congregations of dissenting protestants, who should take the oaths, subscribe the declaration, together with all the articles of religion, except the thirty-fourth and the two succeeding articles, and part of the twentieth, should be exempted from the penalties decreed against nonconformists, as well as from serving upon juries, or acting in parish offices: yet all justices of the peace were empowered to require such dissenters to subscribe the declaration, and take the oaths; and in case of refusal, to commit them to prison, without bail or mainprize. The same indulgence was extended to anabaptists, and even to quakers, on their solemn promise, before God, to be faithful to the king and queen, and their assenting by profession and asseveration to those articles which the others ratified upon oath. They were likewise required to profess their belief in the Trinity and the Holy Scriptures. Even the papists felt the benign influence of William's moderation in spiritual matters. He rejected the proposals of some zealots, who exhorted him to enact severe laws against popish recusants. Such a measure, he observed, would alienate all the papists of Europe from the interests of England, and might produce a new catholic league, which would render the war a religious quarrel; besides, he could not pretend to screen the protestants of Germany and Hungary, while he himself should persecute the catholics of England. He therefore resolved to treat them with lenity; and though they were not comprehended in the act, they enjoyed the benefit of the toleration.

§ IX. We have observed, that, in consequence of the motion made by the bishops when they withdrew from parliament, a bill was brought into the House of Lords for uniting their majesties' protestant subjects. This was extremely agreeable to the king, who had the scheme of comprehension very much at heart. In the progress of the bill, a warm debate arose about the posture of kneeling at the sacrament, which was given up in favour of the dissenters. Another, no less violent, ensued upon the subsequent question, "Whether there should be an addition of laity in the commission to be given by the king to the bishops and others of the clergy, for preparing such a reformation of ecclesiastical affairs as might be the means of healing divisions, and correcting whatever might be erroneous or defective in the constitution." A great number of the temporal Lords insisted warmly on this addition, and when it was rejected, four peers entered a formal protest. Bishop Burnet was a warm stickler for the exclusion of the laity; and, in all probability, manifested this warmth in hopes of ingratiating himself with his brethren, among whom his character was very far from being popular. But the merit of this sacrifice was destroyed by the arguments he had used for dispensing with the posture of kneeling at the sacrament; and by his proposing in another proviso of the bill, that the subscribers, instead of expressing assent and consent, should only submit, with a promise of conformity.

§ X. The bill was with difficulty passed in the House of Lords: but the Commons treated it with neglect. By this time, a great number of malcontent members, who had retired from parliament, were returned, with a view to thwart the administration, though they could not prevent the settlement. Instead of proceeding with the bill, they presented an address to the king, thanking him for his gracious declaration, and repeated assurances, that he

would maintain the church of England as by law established; a church whose doctrine and practice had evinced its loyalty beyond all contradiction. They likewise humbly besought his majesty to issue writs for calling a convocation of the clergy, to be consulted in ecclesiastical matters, according to the ancient usage of parliaments; and they declared they would forthwith take into consideration proper methods for giving ease to protestant dissenters. Though the king was displeased at this address, in which the Lords also had concurred, he returned a civil answer, by the mouth of the Earl of Nottingham, professing his regard for the church of England, which should always be his peculiar care, recommending the dissenters to their protection, and promising to summon a convocation as soon as such a measure should be convenient. This message produced no effect in favour of the bill, which lay neglected on the table. Those who moved for it, had no other view than that of displaying their moderation; and now they excited their friends to oppose it with all their interest. Others were afraid of espousing it, lest they should be stigmatized as enemies to the church; and a great number of the most eminent presbyterians were averse to a scheme of comprehension, which diminished their strength, and weakened the importance of the party. Being, therefore, violently opposed on one hand, and but faintly supported on the other, no wonder it miscarried. The king, however, was so bent upon the execution of his design, that it was next session revived in another form, though with no better success.

§ XI. The next object that engrossed the attention of the parliament, was the settlement of a revenue for the support of the government. Hitherto there had been no distinction of what was allotted for the king's use, and what was assigned for the service of the public; so that the sovereign was entirely master of the whole supply. As the revenue in the late reigns had been often embezzled and misapplied, it was now resolved that a certain sum should be set apart for the maintenance of the king's household, and the support of his dignity; and that the rest of the public money should be employed under the inspection of parliament. Accordingly, since this period, the Commons have appropriated the yearly supplies to certain specified services; and an account of the application has been constantly submitted to both Houses at the next session. At this juncture, the prevailing party, or the whigs, determined that the revenue should be granted from year to year, or at least for a small term of years; that the king might find himself dependent upon the parliament, and merit a renewal of the grant by a just and popular administration. In pursuance of this maxim, when the revenue fell under consideration, they, on pretence of charges and anticipations which they had not time to examine, granted it by a provisional act for one year only. The civil list was settled at six hundred thousand pounds, chargeable with the appointments of the queen dowager, the Prince and Princess of Denmark, the judges, and Mareschal Schomberg, to whom the parliament had already granted one hundred thousand pounds, in consideration of his important services to the nation. The Commons also voted, that a constant revenue of twelve hundred thousand pounds should be established for the support of the crown in time of peace.

§ XII. The king took umbrage at these restraints laid upon the application of the public money, which were the most salutary fruits of the revolution. He considered them as marks of diffidence, by which he was distinguished from his predecessors; and thought them an ungrateful return for the services he had done the nation. The Tories perceived his disgust, and did not fail to foment his jealousy against their adversaries, which was confirmed by a fresh effort of the whigs, in relation to a militia. A bill was brought into the House, for regulating it in such a manner as would have rendered it in a great measure independent both of the king and the lords-lieutenant of counties; these being generally peers. The bill was suffered to lie neglected on the table; but the attempt confirmed the suspicion of the king, who began to think himself in danger of being enslaved by a republican party. The Tories had, by the channel of Nottingham, made professions of service to his majesty; but complained

at the same time, that as they were in danger of being prosecuted for their lives and fortunes, they could not, without an act of indemnity, exert themselves in favour of the crown, lest they should incur a persecution from their implacable enemies.

§ XIII. These remonstrances made such impression on the king, that he sent a message to the House by Mr. Hambden, recommending a bill of indemnity as the most effectual means for putting an end to all controversies, distinctions, and occasions of discord. He desired it might be prepared with all convenient expedition, and with such exceptions only as should seem necessary for the vindication of public justice, the safety of him and his consort, and the settlement and welfare of the nation. An address of thanks to his majesty was unanimously voted. Nevertheless, his design was frustrated by the backwardness of the whigs, who proceeded so slowly in the bill, that it could not be brought to maturity before the end of the session. They wanted to keep the scourge over the heads of their enemies, until they should find a proper opportunity for revenge; and in the mean time, restrain them from opposition, by the terror of impending vengeance. They affected to insinuate that the king's design was to raise the prerogative as high as it had been in the preceding reigns; and that he for this purpose pressed an act of indemnity, by virtue of which he might legally use the instruments of the late tyranny. The Earls of Monmouth and Warrington industriously infused these jealousies into the minds of their party: on the other hand, the Earl of Nottingham inflamed William's distrust of his old friends; both sides succeeded in kindling an animosity, which had like to have produced confusion, notwithstanding the endeavours used by the Earls of Shrewsbury and Devonshire to allay those heats, and remove the suspicions that mutually prevailed.

§ XIV. It was now judged expedient to pass an act for settling the succession of the crown, according to the former resolution of the convention. A bill for this purpose was brought into the Lower House, with a clause disabling papists from succeeding to the throne: to this the Lords added, "Or such as should marry papists," absolving the subject in that case from allegiance. The Bishop of Salisbury, by the king's direction, proposed that the Princess Sophia, Duchess of Hanover, and her posterity, should be nominated in the act of succession, as the next protestant heirs, failing issue of the king, and Anne Princess of Denmark. These amendments gave rise to warm debates in the Lower House, where they were vigorously opposed, not only by those who wished well in secret to the late king and the lineal succession; but likewise by the republican party, who hoped to see monarchy altogether extinguished in England, by the death of the three persons already named in the bill of succession. The Lords insisted upon their amendments, and several fruitless conferences were held between the two Houses. At length the bill was dropt for the present, in consequence of an event which in a great measure dissipated the fears of a popish successor. This was the delivery of the Princess Anne, who, on the twenty-seventh day of July, brought forth a son, christened by the name of William, and afterwards created Duke of Gloucester.

§ XV. In the midst of these domestic disputes, William did not neglect the affairs of the continent. He retained all his former influence in Holland, as his countrymen had reason to confide in his repeated assurances of inviolable affection. The great scheme which he had projected of a confederacy against France began at this period to take effect. The princes of the empire, assembled in the diet, solemnly exhorted the emperor to declare war against the French king, who had committed numberless infractions of the treaties of Munster, Osnabruck, Nimeguen, and the truce; invaded their country without provocation, and evinced himself an inveterate enemy of the holy Roman empire. They, therefore, besought his imperial majesty to conclude a treaty of peace with the Turks, who had offered advantageous terms, and proceed to an open rupture with Louis: in which case, they would consider it as a war of the empire, and support their head in the most effectual manner. The States-general published a declaration against the common enemy, taxing him with mani-

fold infractions of the treaty of commerce; with having involved the subjects of the republic in the persecution which he had raised against the protestants; with having cajoled and insulted them with deceitful promises and insolent threats; with having plundered and oppressed the Dutch merchants and traders in France; and finally, with having declared war against the States, without any plausible reason assigned. The Elector of Brandenburg denounced war against France, as a power whose perfidy, cruelty, and ambition it was the duty of every prince to oppose. The Marquis de Castauna, governor of the Spanish Netherlands, issued a counter declaration to that of Louis, who had declared against his master. He accused the French king of having laid waste the empire, without any regard to the obligations of religion and humanity, or even to the laws of war; of having countenanced the most barbarous acts of cruelty and oppression; and of having intrigued with the enemies of Christ for the destruction of the empire. The emperor negotiated an alliance offensive and defensive with the States-general, binding the contracting parties to co-operate with their whole power against France and her allies. It was stipulated, that neither side should engage in a separate treaty, on any pretence whatsoever; that no peace should be admitted, until the treaties of Westphalia, Osnabruck, Munster, and the Pyrenees, should have been vindicated: that, in case of a negotiation for a peace or truce, the transactions on both sides should be communicated *bona fide*: and that Spain and England should be invited to accede to the treaty. In a separate article, the contracting powers agreed that in case of the Spanish king's dying without issue, the States-general should assist the emperor with all their forces to take possession of that monarchy; that they should use their friendly endeavours with the princes electors, their allies, towards elevating his son Joseph to the dignity of King of the Romans; and employ their utmost force against France, should she attempt to oppose his elevation.

§ XVI. William, who was the soul of this confederacy, found no difficulty in persuading the English to undertake a war against their old enemies and rivals. On the sixteenth day of April, Mr. Hambden made a motion for taking into consideration the state of the kingdom with respect to France, and foreign alliances; and the Commons unanimously resolved, that, in case his majesty should think fit to engage in war with France, they would, in a parliamentary way, enable him to carry it on with vigour. An address was immediately drawn up, and presented to the king, desiring he would seriously consider the destructive methods taken of late years by the French king against the trade, quiet, and interest of the nation, particularly his present invasion of Ireland, and supporting the rebels in that kingdom. They did not doubt but the alliances already made, and those that might hereafter be concluded by his majesty, would be sufficient to reduce the French king to such a condition, that it should not be in his power to violate the peace of Christendom, nor prejudice the trade and prosperity of England; in the mean time they assured his majesty he might depend upon the assistance of his parliament, according to the vote which had passed in the House of Commons. This was a welcome address to King William. He assured them that no part of the supplies which they might grant for the prosecution of the war should be misapplied; and, on the seventh day of May, he declared war against the French monarch. On this occasion, Louis was charged with having ambitiously invaded the territories of the emperor, and denounced war against the allies of England, in violation of the treaties confirmed under the guarantee of the English crown: with having encroached upon the fishery of Newfoundland, invaded the Caribbee islands, taken forcible possession of New York and Hudson's Bay, made depredations on the English at sea, prohibited the importation of English manufactures, disputed the right of the flag, persecuted many English subjects on account of religion, contrary to express treaties and the law of nations, and sent an armament to Ireland, in support of the rebels of that kingdom.

§ XVII. Having thus described the progress of the revolution in England, we shall now briefly explain the

measures that were prosecuted in Scotland, towards the establishment of William on the throne of that kingdom. The meeting of the Scottish convention was fixed for the fourteenth day of March; and both parties employed all their interest to influence the election of members. The Duke of Hamilton, and all the presbyterians, declared for William. The Duke of Gordon maintained the castle of Edinburgh for his old master; but, as he had neglected to lay in a store of provisions, he depended entirely upon the citizens for subsistence. The partisans of James were headed by the Earl of Balcarrais, and Graham Viscount Dundee, who employed their endeavours to preserve union among the individuals of their party; to confirm the Duke of Gordon, who began to waver in his attachment to their sovereign; and to manage their intrigues in such a manner as to derive some advantage to their cause from the transactions of the ensuing session. When the Lords and Commons assembled at Edinburgh, the bishop of that diocese, who officiated as chaplain to the convention, prayed for the restoration of King James. The first dispute turned upon the choice of a president. The friends of the late king set up the Marquis of Athol in opposition to the Duke of Hamilton; but this last was elected by a considerable majority; and a good number of the other party, finding their cause the weakest, deserted it from that moment. The Earls of Lothian and Tweeddale were sent as deputies to require the Duke of Gordon, in the name of the estates, to quit the castle in four-and-twenty hours, and leave the charge of it to the protestant officer next in command. The Duke, though in himself irresolute, was animated by Dundee to demand such conditions as the convention would not grant. The negotiation proving ineffectual, the states ordered the heralds, in all their formalities, to summon him to surrender the castle immediately, on pain of incurring the penalties of high treason; and he refusing to obey their mandate, was proclaimed a traitor. All persons were forbid, under the same penalties, to aid, succour, or correspond with him; and the castle was blocked up with the troops of the city.

§ XVIII. Next day an express arrived from London, with a letter from King William to the estates; and, at the same time, another from James was presented by one Crane, an English domestic of the abdicated queen. William observed, that he had called a meeting of their estates at the desire of the nobility and gentry of Scotland assembled at London, who requested that he would take upon himself the administration of their affairs. He exhorted them to concert measures for settling the peace of the kingdom upon a solid foundation; and to lay aside animosities and factions, which served only to impede that salutary settlement. He professed himself sensible of the good effects that would arise from a union of the two kingdoms; and assured them he would use his best endeavours to promote such a coalition. A committee being appointed to draw up a respectful answer to these assurances, a debate ensued about the letter from the late King James. This they resolved to favour with a reading, after the members should have subscribed an act, declaring, that notwithstanding any thing that might be contained in the letter for dissolving the convention or impeding their procedure, they were a free and lawful meeting of the states, and would continue undissolved, until they should have settled and secured the protestant religion, the government, laws, and liberties of the kingdom. Having taken this precaution, they proceeded to examine the letter of the late sovereign, who conjured them to support his interest as faithful subjects, and eternize their names by a loyalty suitable to their former professions. He said he would not fail to give them such speedy and powerful assistance as would enable them to defend themselves from any foreign attempt; and even to assert his right against those enemies who had depressed it by the blackest usurpations and unnatural attempts, which the Almighty God would not allow to pass unpunished. He offered pardon to all those who should return to their duty before the last day of the month; and threatened to punish rigorously such as should stand out in rebellion against him and his authority.

§ XIX. This address produced very little effect in favour of the unfortunate exile, whose friends were greatly out-numbered in this assembly. His messenger was



ordered into custody, and afterwards dismissed with a pass instead of an answer. James foreseeing this contempt, had, by an instrument dated in Ireland, authorized the Archbishop of Glasgow, the Earl of Balcarras, and the Viscount Dundee, to call a convention of the estates at Stirling. These three depended on the interest of the Marquis of Athol and the Earl of Mar, who professed the warmest affection for the late king; and they hoped a secession of their friends would embarrass the convention, so as to retard the settlement of King William. Their expectations, however, were disappointed. Athol deserted their cause; and Mar suffered himself to be intercepted in his retreat. The rest of their party were, by the vigilance of the Duke of Hamilton, prevented from leaving the convention, except the Viscount Dundee, who retreated to the mountains with about fifty horse, and was pursued by order of the estates. This design being frustrated, the convention approved and recognised, by a solemn act, the conduct of the nobility and gentlemen who had entreated the King of England to take upon him the administration. They acknowledged their obligation to the Prince of Orange, who had prevented the destruction of their laws, religion, and fundamental constitution: they besought his highness to assume the reins of government for that kingdom: they issued a proclamation, requiring all persons, from sixteen to sixty, to be in readiness to take arms when called upon for that purpose: they conferred the command of their horse-militia upon Sir Patrick Hume, who was formerly attainted for having been concerned in Argyle's insurrection: they levied eight hundred men for a guard to the city of Edinburgh, and constituted the Earl of Leven their commander: they put the militia all over the kingdom into the hands of those on whom they could rely: they created the Earl of Mar governor of Stirling castle: they received a reinforcement of five regiments from England, under the command of Mackay, whom they appointed their general: and they issued orders for securing all disaffected persons. Then they despatched Lord Ross, with an answer to King William's letter, professing their gratitude to their deliverer, and congratulating him upon his success. They thanked him for assuming the administration of their affairs, and assembling a convention of their estates. They declared they would take effectual and speedy measures for securing the protestant religion, as well as for establishing the government, laws, and liberties of the kingdom. They assured him they would, as much as lay in their power, avoid disputes and animosities; and desired the continuance of his majesty's care and protection.

§ XX. After the departure of Lord Ross, they appointed a committee, consisting of eight lords, eight knights, and as many burgesses, to prepare the plan of a new settlement: but this resolution was not taken without a vigorous opposition from some remaining adherents of the late king, headed by the Archbishop of Glasgow; all the other prelates, except he of Edinburgh, having already deserted the convention. After warm debates, the committee agreed in the following vote: "The estates of the kingdom of Scotland find and declare, That King James VII. being a profest papist, did assume the royal power, and act as a king, without ever taking the oath required by law; and had, by the advice of evil and wicked counsellors, invaded the fundamental constitution of this kingdom, altered it from a legal and limited monarchy to an arbitrary despotic power, and had governed the same to the subversion of the protestant religion, and violation of the laws and liberties of the nation, inverting all the ends of government; whereby he had forfeited the right of the crown, and the throne was become vacant." When this vote was reported, the Bishop of Edinburgh argued strenuously against it, as containing a charge of which the king was innocent; and he proposed that his majesty should be invited to return to his Scottish dominions. All his arguments were defeated or overruled, and the House confirmed the vote, which was immediately enacted into a law by a great majority. The lord president declared the throne vacant, and proposed that it might be filled with William and Mary, King and Queen of England. The committee was ordered to prepare an act for settling the crown upon their majesties, together

with an instrument of government for securing the subjects from the grievances under which they laboured.

§ XXI. On the eleventh day of April, this act, with the conditions of inheritance, and the instrument, were reported, considered, unanimously approved, and solemnly proclaimed at the market-cross of Edinburgh, in presence of the lord president, assisted by the lord provost and magistracy of the city, the Duke of Queensberry, the Marquises of Athol and Douglas, together with a great number of the nobility and gentry. At the same time they published another proclamation, forbidding all persons to acknowledge, obey, assist, or correspond with the late King James; or, by word, writing, or sermon, to dispute or disown the royal authority of King William and Queen Mary; or to misconstrue the proceedings of the estates, or create jealousies or misapprehensions with regard to the transactions of the government, on pain of incurring the most severe penalties. Then, having settled the coronation-oath, they granted a commission to the Earl of Argyle for the lords, to Sir James Montgomery for the knights, and to Sir John Dalrymple for the boroughs, empowering them to repair to London, and invest their majesties with the government. This affair being discussed, the convention appointed a committee to take care of the public peace, and adjourned to the twenty-first day of May. On the eleventh day of that month, the Scottish commissioners being introduced to their majesties at Whitehall, presented first a preparatory letter from the estates, then the instrument of government, with a paper containing a recital of the grievances of the nation; and an address, desiring his majesty to convert the convention into a parliament. The king having graciously promised to concur with them in all just measures for the interest of the kingdom, the coronation-oath was tendered to their majesties by the Earl of Argyle. As it contained a clause, importing, that they should root out heresy, the king declared, that he did not mean by these words, that he should be under an obligation to act as a persecutor: the commissioners replying, that such was not the meaning or import of the oath, he desired them, and others present, to bear witness to the exception he had made.

§ XXII. In the mean time, Lord Dundee exerted himself with uncommon activity in behalf of his master. He had been summoned by a trumpet to return to the convention, refused to obey the citation, on pretence that the whigs had made an attempt upon his life; and that the deliberations of the estates were influenced by the neighbourhood of English troops, under the command of Mackay. He was forthwith declared a fugitive, outlaw, and rebel. He was rancorously hated by the presbyterians, on whom he had exercised some cruelties, as an officer under the former government; and for this reason the states resolved to inflict upon him exemplary punishment. Parties were detached in pursuit of him and Balcarras. This last fell into their hands, and was committed to a common prison; but Dundee fought his way through the troops that surrounded him, and escaped to the highlands, where he determined to take arms in favour of James, though that prince had forbid him to make any attempt of this nature, until he should receive a reinforcement from Ireland. While this officer was employed in assembling the clans of his party, King William appointed the Duke of Hamilton commissioner to the convention parliament. The post of secretary for Scotland was bestowed upon Lord Melvil, a weak and servile nobleman, who had taken refuge in Holland from the violences of the late reigns: but the king depended chiefly for advice upon Dalrymple Lord Stair, president of the college of justice, an old crafty fanatic, who for fifty years had complied in all things with all governments. Though these were rigid presbyterians, the king, to humour the opposite party, admitted some individuals of the episcopal nobility to the council board: and this intermixture, instead of allaying animosities, served only to sow the seed of discord and confusion. The Scottish convention, in their detail of grievances, enumerated the lords of the articles; the act of parliament in the reign of Charles II. by which the king's supremacy was raised so high that he could prescribe any mode of religion according to his pleasure; and the superiority of any office in the church

above that of presbyters. The king in his instructions to the lord commissioner, consented to the regulation of the lords of the articles, though he would not allow the institution to be abrogated; he was contented that the act relating to the king's supremacy should be rescinded, and that the church government should be established in such a manner as would be most agreeable to the inclinations of the people.

§ XXIII. On the seventeenth day of June, Duke Hamilton opened the Scottish parliament, after the convention had assumed this name, in consequence of an act passed by his majesty's direction; but the members in general were extremely chagrined when they found the commissioners so much restricted in the affair of the lords of the articles, which they considered as their chief grievance.<sup>a</sup> The king permitted that the estates should choose the lords by their own suffrages; and that they should be at liberty to re-consider any subject which the said lords might reject. He afterwards indulged the three estates with the choice of eleven delegates each, for this committee, to be elected monthly, or oftener, if they should think fit: but even these concessions prove unsatisfactory, while the institution itself remained. Their discontents were not even appeased by the passing of an act abolishing prelacy. Indeed their resentment was inflamed by another consideration; namely, that of the king's having given seats in the council to some individuals attached to the hierarchy. They manifested their sentiments on this subject by bringing in a bill, excluding from any public trust, place, or employment under their majesties, all such as had been concerned in the encroachments of the late reign, or had discovered disaffection to the late happy change, or in any way retarded or obstructed the designs of the convention. This measure was prosecuted with great warmth; and the bill passed through all the forms of the House, but proved ineffectual, for want of the royal assent.

§ XXIV. Nor were they less obstinate in the affair of the judges, whom the king had ventured to appoint by virtue of his own prerogative. The malcontents brought in a bill declaring the bench vacant, as it was at the restoration; asserting their own right to examine and approve those who should be appointed to fill it; providing, that if in time to come any such total vacancy should occur, the nomination should be in the king or queen, or regent, for the time being, and the parliament retain the right of approbation; and that all the clauses in the several acts relating to the admission of the ordinary lords of session, and their qualifications for that office, should be ratified and confirmed for perpetual observation. Such was the interest of this party, that the bill was carried by a great majority, notwithstanding the opposition of the ministers, who resolved to maintain the king's nomination, even in defiance of a parliamentary resolution. The majority, exasperated at this open violation of their privileges, forbade the judges, whom the king had appointed, to open their commissions, or hold a session, until his majesty's further pleasure should be known: on the other hand, they were compelled to act by the menaces of the privy-council. The dispute was carried on with great acrimony on both sides, and produced such a ferment, that before the session opened, the ministry thought proper to draw a great number of forces into the neighbourhood of Edinburgh, to support the judges in the exercise of their functions.

§ XXV. The lord commissioner, alarmed at this scene of tumult and confusion, adjourned the House till the eighth day of October; a step which, added to the other unpopular measures of the court, incensed the opposition to a violent degree. They drew up a remonstrance to the king, complaining of this adjournment while the nation was yet unsettled, recapitulating the several instances in which they had expressed their zeal and affection for his majesty; explaining their reasons for dissenting from the ministry in some articles; beseeching him to consider what they had represented, to give his royal assent to the

acts of parliament which they had prepared, and take measures for redressing all the other grievances of the nation. This address was presented to the king at Hampton-court. William was so touched with the reproaches it implied, as if he had not fulfilled the conditions on which he accepted the crown of Scotland, that he, in his own vindication, published his instructions to the commissioner; and by these it appeared, that the duke might have proceeded to greater lengths in obliging his countrymen. Before the adjournment, however, the parliament had granted the revenue for life; and raised money for maintaining a body of forces, as well as for supporting the incidental expense of the government for some months; yet part of the troops in that kingdom were supplied and subsisted by the administration of England. In consequence of these disputes in the Scottish parliament, their church was left without any settled form of government; for, though the hierarchy was abolished, the presbyterian discipline was not yet established, and ecclesiastical affairs were occasionally regulated by the privy-council, deriving its authority from that very act of supremacy, which, according to the claim of rights, ought to have been repealed.

§ XXVI. The session was no sooner adjourned than Sir John Lanier converted the blockade of Edinburgh castle into a regular siege, which was prosecuted with such vigour, that in a little time the fortifications were ruined, and the works advanced at the foot of the walls, in which the besiegers had made several large breaches. The Duke of Gordon, finding his ammunition expended, his defences destroyed, his intelligence entirely cut off, and despairing of relief from the adherents of his master, desired to capitulate, and obtained very favourable terms for his garrison: but he would not stipulate any conditions for himself, declaring, that he had so much respect for all the princes descended from King James VI. that he would not affront any of them so far as to insist upon terms for his own particular; he therefore, on the thirteenth day of June, surrendered the castle and himself at discretion. All the hopes of James and his party were now concentrated in the Viscount Dundee, who had assembled a body of highlanders, and resolved to attack Mackay, on an assurance he had received by message, that the regiment of Scottish dragoons would desert their officer, and join him in the action. Mackay, having received intimation of this design, decamped immediately, and by long marches retired before Dundee, until he was reinforced by Ramsey's dragoons, and another regiment of English infantry: then he faced about, and Dundee in his turn retreated into Lochabar. Lord Murray, son of the Marquis of Athol, assembled his vassals to the number of twelve hundred men for the service of the regency; but he was betrayed by one of his own dependants, who seized the castle of Blair for Dundee, and prevailed upon the Athol men to disperse, rather than fight against James their lawful sovereign.

§ XXVII. The viscount was by this time reduced to great difficulty and distress. His men had not for many weeks tasted bread or salt, or any drink but water: instead of five hundred infantry, three hundred horse, with a supply of arms, ammunition, and provision, which James had promised to send from Ireland, he received a reinforcement of three hundred naked recruits; but the transports with the stores fell into the hands of the English. Though this was a mortifying disappointment, he bore it without repining: and, far from abandoning himself to despair, began his march to the castle of Blair, which was threatened with a siege by General Mackay. When he reached this fortress, he received intelligence that the enemy had entered the pass of Killycrankie, and he resolved to give them battle without delay. He accordingly advanced against them, and a furious engagement ensued, though it was not of long duration. The highlanders having received and returned the fire of the English, fell in among them sword in hand with such impetuosity, that the foot were utterly broke in seven minutes. The dragoons fled at the first charge in the utmost consternation: Dundee's

<sup>a</sup> The lords of the articles, by the gradual usurpation of the crown, actually constituted a grievance intolerable in a free nation. The king empowered the commissioner to choose eight bishops, who were authorized to nominate eight noblemen: these together chose eight barons, and eight burghesses; and this whole number, in conjunction with the officers of state

as supernumeraries, constituted the lords of the articles. This committee possessed the sole exclusive right and liberty of forming resolutions, making overtures for redressing wrongs, and proposing treaties and expédients for the relief, safety, and benefit of the subjects. *Proceedings of the Scots Parliament imitated.*

horse, not exceeding one hundred, broke through Mackay's own regiment; the Earl of Dumbarton, at the head of a few volunteers, made himself master of the artillery: twelve hundred of Mackay's forces were killed on the spot, five hundred taken prisoners, and the rest fled with great precipitation for some hours, until they were rallied by their general, who was an officer of approved courage, conduct, and experience. Nothing could be more complete or decisive than the victory which the highlanders obtained; yet it was dearly purchased with the death of their beloved chieftain the Viscount Dundee, who fell by a random shot in the engagement, and his fate produced such confusion in his army as prevented all pursuit. He possessed an enterprising spirit, undaunted courage, inviolable fidelity, and was peculiarly qualified to command the people who fought under his banner. He was the life and soul of that cause which he espoused, and after his death it daily declined into ruin and disgrace. He was succeeded in command by Colonel Cannon, who landed the reinforcement from Ireland; but all his designs miscarried: so that the clans, wearied with repeated misfortunes, laid down their arms by decrees, and took the benefit of a pardon, which King William offered to those who should submit, within the time specified in his proclamation.

§ XXVIII. After this sketch of Scottish affairs, it will be necessary to take a retrospective view of James, and relate the particulars of his expedition to Ireland. That unfortunate prince and his queen were received with the most cordial hospitality by the French monarch, who assigned the castle of St. Germain for the place of their residence, supported their household with great magnificence, enriched them with presents, and undertook to re-establish them on the throne of England. James, however, conducted himself in such a manner as conveyed no favourable idea of his spirit and understanding. He seems to have been emasculated by religion: he was deserted by that courage and magnanimity for which his youth had been distinguished. He did not discover great sensibility at the loss of his kingdom. All his faculties were swallowed up in bigotry. Instead of contriving plans for retrieving his crown, he held conferences with the Jesuits on topics of religion. The pity which his misfortunes excited in Louis was mingled with contempt. The Pope supplied him with indulgences, while the Romans laughed at him in pasquinades: "There is a pious man, (said the Archbishop of Rheims, ironically,) who has sacrificed three crowns for a mass." In a word, he subjected himself to the ridicule and railery of the French nation.

§ XXIX. All the hope of re-ascending the British throne depended upon his friends in Scotland and Ireland. Tyrconnel, who commanded in this last kingdom, was confirmed in his attachment to James, by the persuasions of Hamilton, who had undertaken for his submission to the Prince of Orange. Nevertheless, he disguised his sentiments, and temporized with William, until James should be able to supply him with reinforcements from France, which he earnestly solicited by private messages. In the mean time, with a view to cajole the protestants of Ireland, and amuse King William with hope of his submission, he persuaded the Lord Mountjoy, in whom the protestants chiefly confided, and Baron Rice, to go in person with a commission to James, representing the necessity of yielding to the times, and of waiting a fitter opportunity to make use of his Irish subjects. Mountjoy, on his arrival at Paris, instead of being favoured with an audience by James, to explain the reasons which Tyrconnel had suggested touching the inability of Ireland to restore his majesty, was committed prisoner to the Bastille, on account of the zeal with which he had espoused the protestant interest. Although Louis was sincerely disposed to assist James effectually, his intentions were obstructed by the disputes of his ministry. Louvois possessed the chief credit in council; but, Seignelay enjoyed a greater share of personal

favour, both with the king and Madame de Maintenon, the favourite concubine. To this nobleman, as secretary for marine affairs, James made his chief application; and he had promised the command of the troops destined for his service to Lausun, whom Louvois hated. For these reasons this minister thwarted his measures, and retarded the assistance which Louis had promised toward his restoration.

§ XXX. Yet, notwithstanding all his opposition, the succours were prepared, and the fleet ready to put to sea by the latter end of February. The French king is said to have offered an army of fifteen thousand natives of France to serve in this expedition; but James replied, that he would succeed by the help of his own subjects, or perish in the attempt. Accordingly, he contented himself with about twelve hundred British subjects<sup>c</sup> and a good number of French officers, who were embarked in the fleet at Brest, consisting of fourteen ships of the line, seven frigates, three fire-ships, with a good number of transports. The French king also supplied him with a considerable quantity of arms for the use of his adherents in Ireland: accommodated him with a large sum of money, superb equipages, store of plate, and necessities of all kinds for the camp and the household. At parting, he presented him with his own cuirass, and embracing him affectionately, "The best thing I can wish you (said he) is, that I may never see you again." On the seventh day of March, James embarked at Brest, together with the Count D'Avaux, who accompanied him in quality of ambassador, and his principal officers. He was detained in the harbour by contrary winds till the seventeenth day of the month, when he set sail, and on the twenty-second landed at Kinsale in Ireland. By this time King William, perceiving himself amused by Tyrconnel, had published a declaration, requiring the Irish to lay down their arms, and submit to the new government. On the twenty-second day of February, thirty ships of war had been put in commission, and the command of them conferred upon Admiral Herbert; but the armament was retarded in such a manner, by the disputes of the council, and the king's attention to the affairs of the continent, that the admiral was not in a condition to sail till the beginning of April, and then with part of his fleet only. James was received with open arms at Kinsale, and the whole country seemed to be at his devotion: for, although the protestants in the North had declared for the new government, their strength and number was deemed inconsiderable when compared with the power of Tyrconnel. This minister had disarmed all the other protestant subjects in one day, and assembled an army of thirty thousand foot, and eight thousand cavalry, for the service of his master.

§ XXXI. In the latter end of March, James made his public entry into Dublin, amidst the acclamations of the inhabitants. He was met at the castle-gate by a procession of popish bishops and priests in their pontificals, bearing the host, which he publicly adored. He dismissed from the council-board the Lord Granard, Judge Keating, and other protestants, who had exhorted the lord-lieutenant to an accommodation with the new government. In their room he admitted the French ambassador, the Bishop of Chester, Colonel Dorington, and, by degrees, the principal noblemen who accompanied him in the expedition. On the second day after his arrival in Dublin, he issued five proclamations: the first recalled all the subjects of Ireland who had abandoned the kingdom, by a certain time, on pain of outlawry and confiscation, and requiring all persons to join him against the Prince of Orange. The second contained expressions of acknowledgment to his catholic subjects for their vigilance and fidelity, and an injunction to such as were not actually in his service, to retain and lay up their arms until it should be found necessary to use them for his advantage. By the third he invited the subjects to supply his army with provisions; and prohibited the soldiers to take any thing without payment. By

<sup>c</sup> James in this expedition was attended by the Duke of Perwick and by his brother Mr. Fitzmaurice, grand prior, the Duke of Powis, the Earls of Down, Merford, Arescorn, and Seafort, the Lords Henry and Thomas Howard, the Lords Drummond, Duncan, Frendraught, Buchan, Hanston, Justice Herbert, the Bishops of Chester and Galway, the late Lord Chief Justice, the Marquis D'Estrades, M. de Rosee, Marshal de Champ, Mance, Pusignan, and Lori, Lieutenant-generals; Frontee, En-

gineer-general, the Marquis d'Abbeville, Sir John Sparrow, Sir Roger Streetland, Sir William Jennings, Sir Henry Ford, Sir Charles Cary, Sir Lewis and Vaudrey, Sir Charles Murray, Sir Robert Parker, Sir Alington, Sir Samuel Pown, and Sir William Wallis, by the Colonel's Porter, Warfield, Anthony, and John Handley, Simon and Henry Luttrell, Ramsay, Dorington, Sutherland, Clifford, Parker, Porcup, Cannon, and Fielding, with about two and twenty other officers of inferior rank.



the fourth he raised the value of the current coin; and in the fifth he summoned a parliament to meet on the seventh day of May at Dublin. Finally, he created Tyrconnel a duke, in consideration of his eminent services.

§ XXXII. The adherents of James in England pressed him to settle the affairs of Ireland immediately, and bring over his army either to the north of England, or the west of Scotland, where it might be joined by his party, and act without delay against the usurper; but his council dissuaded him from complying with their solicitations, until Ireland should be totally reduced to obedience. On the first alarm of an intended massacre, the protestants of Londonderry had shut their gates against the regiment commanded by the Earl of Antrim, and resolved to defend themselves against the lord-lieutenant. They transmitted this resolution to the government of England, together with an account of the danger they incurred by such a vigorous measure, and implored immediate assistance. They were accordingly supplied with some arms and ammunition, but did not receive any considerable reinforcement till the middle of April, when two regiments arrived in Loughfoyl, under the command of Cunningham and Richards. By this time, King James had taken Coleraine, invested Killmore, and was almost in sight of Londonderry. George Walker, rector of Donaghmore, who had raised a regiment for the defence of the protestants, conveyed this intelligence to Lundy, the governor. This officer directed him to join Colonel Craffon, and take post at the Long-causey, which he maintained a whole night against the advanced guard of the enemy; until being overpowered by numbers, he retreated to Londonderry, and exhorted the governor to take the field, as the army of King James was not yet completely formed. Lundy assembling a council of war, at which Cunningham and Richards assisted, they agreed, that as the place was not tenable, it would be imprudent to land the two regiments; and that the principal officers should withdraw themselves from Londonderry, the inhabitants of which would obtain the more favourable capitulation in consequence of their retreat. An officer was immediately despatched to King James, with proposals of a negotiation; and Lieutenant-General Hamilton agreed that the army should halt at the distance of four miles from the town. Notwithstanding this preliminary, James advanced at the head of his troops; but met with such a warm reception from the besieged, that he was fain to retire to St. John's Town in some disorder. The inhabitants and soldiers in garrison at Londonderry were so incensed at the members of the council of war, who had resolved to abandon the place, that they threatened immediate vengeance. Cunningham and Richards retired to their ships, and Lundy locked himself in his chamber. In vain did Walker and Major Baker exhort him to maintain his government. Such was his cowardice or treachery, that he absolutely refused to be concerned in the defence of the place, and he was suffered to escape in disguise, with a load of match upon his back; but he was afterwards apprehended in Scotland, from whence he was sent to London to answer for his perfidy or misconduct.

§ XXXIII. After his retreat the townsmen chose Mr. Walker and Major Baker for their governors, with joint authority; but this office they would not undertake, until it had been offered to Colonel Cunningham, as the officer next in command to Lundy. He rejected the proposal, and with Richards returned to England, where they were immediately cashiered. The two new governors, thus abandoned to their fate, began to prepare for a vigorous defence: indeed their courage seems to have transcended the bounds of discretion, for the place was very ill-fortified: their cannon, which did not exceed twenty pieces, were wretchedly mounted: they had not one engineer to direct their operations: they had a very small number of horse: the garrison consisted of people unacquainted with military discipline: they were destitute of provisions: they were besieged by a king in person, at the head of a formidable army, directed by good officers, and supplied with all the necessary implements for a siege or battle. This town was invested on the twentieth day of April: the batteries were soon opened, and several attacks were made with great impetuosity; but the besiegers were

always repulsed with considerable loss. The townsmen gained divers advantages in repeated sallies, and would have held their enemies in the utmost contempt, had they not been afflicted with a contagious distemper, as well as reduced to extremity, by want of provision. They were even tantalized in their distress; for they had the mortification to see some ships which had arrived with supplies from England, prevented from sailing up the river by the batteries the enemy had raised on both sides, and a boom with which they had blocked up the channel. At length, a reinforcement arrived in the Lough, under the command of General Kirke, who had deserted his master, and been employed in the service of King William. He found means to convey intelligence to Walker, that he had troops and provisions on board for their relief, but found it impracticable to sail up the river: he promised, however, that he would land a body of forces at the Inch, and endeavour to make a diversion in their favour, when joined by the troops at Inniskillin, which amounted to five thousand men, including two thousand cavalry. He said he expected six thousand men from England, where they were embarked before he set sail. He exhorted them to persevere in their courage and loyalty, and assured them he would come to their relief at all hazards. These assurances enabled them to bear their miseries a little longer, though their numbers daily diminished. Major Baker dying, his place was filled with Colonel Michellburn, who now acted as colleague to Mr. Walker.

§ XXXIV. King James having returned to Dublin, to be present at the parliament, the command of his army devolved to the French general Rosene, who was exasperated at such an obstinate opposition by a handful of half-starved militia. He threatened to raze the town to its foundations, and destroy the inhabitants, without distinction of age or sex, unless they would immediately submit themselves to their lawful sovereign. The governors treated his menaces with contempt, and published an order that no person, on pain of death, should talk of surrendering. They had now consumed the last remains of their provision, and supported life by eating the flesh of horses, dogs, cats, rats, mice, tallow, starch, and salted hides, and even this loathsome food began to fail. Rosene finding them deaf to all his proposals, threatened to wreak his vengeance on all the protestants of that country, and drive them under the walls of Londonderry, where they should be suffered to perish by famine. The Bishop of Meath, being informed of this design, complained to King James of the barbarous intention, entreating his majesty to prevent its being put in execution. That prince assured him that he had already ordered Rosene to desist from such proceedings. Nevertheless, the Frenchman executed his threats with the utmost rigour. Parties of dragoons were detached on this cruel service: after having stripped all the protestants for thirty miles round, they drove these unhappy people before them like cattle, without even sparing the enfeebled old men, nurses with infants at their breasts, tender children, women just delivered, and some even in the pangs of labour. Above four thousand of these miserable objects were driven under the walls of Londonderry. This expedient, far from answering the purpose of Rosene, produced a quite contrary effect. The besieged were so exasperated at this act of inhumanity, that they resolved to perish rather than submit to such a barbarian. They erected a gibbet in sight of the enemy, and sent a message to the French general, importing, that they would hang all the prisoners they had taken during the siege, unless the protestants whom they had driven under the walls should be immediately dismissed. This threat produced a negotiation, in consequence of which the protestants were released, after they had been detained three days without tasting food. Some hundreds died of famine or fatigue; and those who lived to return to their own habitations found them plundered and sacked by the papists, so that the greater number perished for want, or were murdered by the straggling parties of the enemy; yet these very people had for the most part obtained protections from King James, to which no respect was paid by his general.

§ XXXV. The garrison of Londonderry was now reduced from seven to five thousand seven hundred men,

and these were driven to such extremity of distress, that they began to talk of killing the popish inhabitants, and feeding on their bodies. In this emergency, Kirke, who had hitherto lain inactive, ordered two ships laden with provisions to sail up the river, under convoy of the Dartmouth frigate. One of these, called the Mountjoy, broke the enemy's boom: and all the three, after having sustained a very hot fire from both sides of the river, arrived in safety at the town, to the inexpressible joy of the inhabitants. The army of James were so dispirited by the success of this enterprise, that they abandoned the siege in the night, and retired with precipitation, after having lost about nine thousand men before the place. Kirke no sooner took possession of the town, than Walker was prevailed upon to embark for England, with an address of thanks from the inhabitants to their majesties for the seasonable relief they had received.

§ XXXVI. The Inniskillerners were no less remarkable than the people of Londonderry for the valour and perseverance with which they opposed the papists. They raised twelve companies, which they regimented under the command of Gustavus Hamilton, whom they chose for their governor. They proclaimed William and Mary on the eleventh day of March; and resolved in a general council to maintain their title against all opposition. The Lord Gilroy invested the castle of Crom belonging to the protestants in the neighbourhood of Inniskillin, the inhabitants of which threw succours into the place, and compelled Gilroy to retire to Belurbet. A detachment of the garrison, commanded by Lieutenant-Colonel Lloyd, took and demolished the castle of Aughour, and they gained the advantage in several skirmishes with the enemy. On the day that preceded the relief of Londonderry, they defeated six thousand Irish papists at a place called Newton-Butler, and took their commander, Macarty, commonly called Lord Moncashel.

§ XXXVII. The Irish parliament being assembled at Dublin, according to the proclamation of King James, he, in a speech from the throne, thanked them for the zeal, courage, and loyalty they had manifested; extolled the generosity of the French king, who had enabled him to visit them in person; insisted upon executing his design of establishing liberty of conscience as a step equally agreeable to the dictates of humanity and discretion, and promised to concur with them in enacting such laws as would contribute to the peace, affluence, and security of his subjects. Sir Richard Neagle, being chosen speaker of the Commons, moved for an address of thanks to his majesty, and that the Count D'Avaux should be desired to make their acknowledgments to the most christian king, for the generous assistance he had given to their sovereign. These addresses being drawn up, with the concurrence of both Houses, a bill was brought in to recognise the king's title, to express their abhorrence of the usurpation by the Prince of Orange, as well as of the defection of the English. Next day James published a declaration, complaining of the calumnies which his enemies had spread to his prejudice; expatiating upon his own impartiality in preferring his protestant subjects; his care in protecting them from their enemies, in redressing their grievances, and in granting liberty of conscience; promising that he would take no step but with the approbation of parliament; offering a free pardon to all persons who should desert his enemies, and join with him in four-and-twenty days after his landing in Ireland, and charging all the blood that might be shed, upon those who should continue in rebellion.

§ XXXVIII. His conduct, however, very ill agreed with his declaration; nor can it be excused on any other supposition, but that of his being governed, in some cases, against his own inclination, by the Count D'Avaux, and the Irish catholics, on whom his whole dependance was placed. As both Houses were chiefly filled with members of that persuasion, we ought not to wonder at their bringing in a bill for repealing the act of settlement, by which the protestants of the kingdom had been secured in the possession of their estates. These were by this law divested of their lands, which reverted to the heirs of those catholics to whom they belonged before their rebellion. This iniquitous bill was framed in such a manner, that no

negard was paid to such protestant owners as had purchased estates for valuable considerations: no allowance was made for improvements, nor any provision for protestant widows: the possessor and tenants were not even allowed to remove their stock and corn. When the bill was sent up to the Lords, Dr. Dopping, Bishop of Meath, opposed it with equal courage and ability: and an address in behalf of the purchasers under the act of settlement was presented to the king by the Earl of Granard: but notwithstanding these remonstrances, it received the royal assent: and the protestants of Ireland were mostly ruined.

§ XXXIX. Yet, in order to complete their destruction, an act of attainder was passed against all protestants, whether male or female, whether of high or low degree, who were absent from the kingdom, as well as against all those who retired into any part of the three kingdoms, who did not own the authority of King James, or correspond with rebels, or were any ways aiding, abetting, or assisting to them from the first day of August in the preceding year. The number of protestants attainted by name in this act amounted to about three thousand, including two archbishops, one duke, seventeen earls, seven countesses, as many bishops, eighteen barons, three-and-thirty baronets, one-and-fifty knights, eighty-three clergymen, who were declared traitors, and adjudged to suffer the pains of death and forfeiture. The individuals subjected to this dreadful proscription were even cut off from all hope of pardon, and all benefit of appeal; for, by a clause in the act, the king's pardon was deemed null, unless enrolled before the first day of December. A subsequent law was enacted, declaring Ireland independent of the English parliament. This assembly passed another act, granting twenty thousand pounds per annum, out of the forfeited estates, to Tyrconnel, in acknowledgment of his signal services; they imposed a tax of twenty thousand pounds per month for the service of the king: the royal assent was given to an act for liberty of conscience; they enacted that the tithes payable by papists should be delivered to priests of that communion; the maintenance of the protestant clergy in cities and corporations was taken away; and all dissenters were exempted from ecclesiastical jurisdictions. So that the established church was deprived of all power and prerogative; notwithstanding the express promise of James, who had declared immediately after his landing, that he would maintain the clergy in their rights and privileges.

§ XL. Nor was the king less arbitrary in the executive part of his government, if we suppose that he countenanced the grievous acts of oppression that were daily committed upon the protestant subjects of Ireland: but the tyranny of his proceedings may be justly imputed to the temper of his ministry, consisting of men abandoned to all sense of justice and humanity, who acted from the dictates of rapacity and revenge, inflamed with all the acrimony of religious rancour. Soldiers were permitted to live upon free quarter: the people were robbed and plundered: licences and protections were abused, in order to extort money from the trading part of the nation. The king's old stores were ransacked: the shops of tradesmen, and the kitchens of burghers, were pillaged to supply the mint with a quantity of brass, which was converted into current coin for his majesty's occasions: an arbitrary value was set upon it, and all persons were required and commanded to take it in payment under the severest penalties, though the proportion between its intrinsic worth and currency was nearly as one to three hundred. A vast sum of this counterfeited coin was issued in the course of one year, and forced upon the protestants in payment of merchandise, provision, and necessities, for the king's service. James, not content with the supply granted by parliament, imposed by his own authority a tax of twenty thousand pounds per month on chattels, as the former was laid upon lands. This seems to have been a temporary expedient during the adjournment of the two Houses, as the term of the assessment was limited to three months; it was, however, levied by virtue of a commission under the seals: and seems to have been a stretch of prerogative, the less excusable, as he might have obtained the money in a parliamentary way. Understanding that the protestants had laid out all their brass money in purchasing great

quantities of hides, tallow, wood, and corn, he assumed the despotic power of fixing the prices of these commodities, and then bought them for his own use. One may see, his ministers were bent upon the utter destruction of those unhappy people.

§ XLII. All vacancies in public schools were supplied with popish teachers. The pension allowed from the exchequer to the university of Dublin was cut off: the vice-provost, fellows, and scholars were expelled: their furniture, plate, and public library, were seized, without the least shadow of pretence, and in direct violation of a promise the king had made to preserve their privileges and immunities. His officers converted the college into a garrison; the chapel into a magazine, and the apartments into prisons: a popish priest was appointed provost: one Maccarty of the same persuasion was made library-keeper; and the whole foundation was changed into a catholic seminary. When bishoprics and benefices in the gift of the crown became vacant, the king ordered the profits to be lodged in the exchequer, and suffered the cures to be totally neglected. The revenues were chiefly employed in the maintenance of Romish bishops and priests, who grew so insolent under this indulgence, that in several places they forcibly seized the protestant churches. When complaint was made of this outrage, the king promised to do justice to the injured: and in some places actually ordered the churches to be restored: but the popish clergy refused to comply with this order, alleging that in spirituals they owed obedience to no earthly power but the holy see; and James found himself unable to protect his protestant subjects against a powerful body which he durst not disoblige. Some ships appearing in the bay of Dublin, a proclamation was issued, forbidding the protestants to assemble in any place of worship, or elsewhere, on pain of death. By a second they were commanded to bring in their arms, on pain of being treated as rebels and traitors. Luttrell, governor of Dublin, published an ordinance by beat of drum, requiring the farmers to bring in their corn for his majesty's horses within a certain day, otherwise he would order them to be hanged before their own doors. Brigadier Sarsfield commanded all protestants of a certain district to retire to the distance of ten miles from their habitations, on pain of death; and, in order to keep up the credit of the brass money, the same penalty was denounced, in a proclamation, against any person who should give more than one pound eighteen shillings for a guinea.

§ XLIII. All the revenues of Ireland, and all the schemes contrived to bolster up the credit of the base coin, would have proved insufficient to support the expenses of the war, had not James received occasional supplies from the French monarch. After the return of the fleet which had conveyed him to Ireland, Louis sent another strong squadron, commanded by Chateau Renault, as a convoy to some transports laden with arms, ammunition, and a large sum of money for the use of King James. Before they sailed from Brest, King William, being informed of their destination, detached Admiral Herbert from Spithead with twelve ships of the line, one fire-ship, and four tenders, in order to intercept the enemy. He was driven by stress of weather into Milford-haven, from whence he steered his course to Kinsale, on the supposition that the French fleet had sailed from Brest; and that, in all probability, he should fall in with them on the coast of Ireland. On the first day of May he discovered them at anchor in Bantrey Bay, and stood in to engage them, though they were greatly superior to him in number. They no sooner perceived him at day-break, than they weighed, stood out to windward, formed their line, bore down, and began the action, which was maintained for two hours with equal valour on both sides, though the English fleet sustained considerable damage from the superior fire of the enemy. Herbert tacked several times, in hope of gaining the weather-gage; but the French admiral kept his wind with uncommon skill and perseverance. At length the English squadron stood off to sea, and maintained a running fight till five in the afternoon, when Chateau Renault tacked about, and returned into the bay, content with the honour he had gained. The loss of men was inconsiderable on both sides: and, where the odds were so great, the victor could

not reap much glory. Herbert retired to the isles of Scilly, where he expected a reinforcement; but being disappointed in this expectation, he returned to Portsmouth in very ill humour, with which his officers and men were infected. The common sailors still retained some attachment to James, who had formerly been a favourite among them; and the officers complained that they had been sent upon this service with a force so much inferior to that of the enemy, King William, in order to appease their discontent, made an excursion to Portsmouth, where he dined with the admiral on board the ship Elizabeth, declared his intention of creating him an earl, in consideration of his good conduct and services, conferred the honour of knighthood on the Captains Ashby and Shovel, and bestowed a donation of ten shillings on every private sailor.

§ XLIII. The parliament of England thought it incumbent upon them, not only to raise supplies for the maintenance of the war in which the nation was involved, but also to do justice with respect to those who had been injured by illegal or oppressive sentences in the late reigns. The attainers of Lord Russel, Algernon Sidney, Alderman Cornish, and Lady Lisle, were now reversed. A committee of privileges was appointed by the Lords to examine the case of the Earl of Devonshire, who in the late reign had been fined thirty thousand pounds, for assaulting Colonel Culpepper in the presence-chamber. They reported that the court of king's bench, in overruling the earl's plea of privilege of parliament, had committed a manifest breach of privilege: that the fine was excessive and exorbitant, against the great charter, the common right of the subject, and the law of the realm. The sentence pronounced upon Samuel Johnson, chaplain to Lord Russel, in consequence of which he had been degraded, fined, scourged, and set in the pillory, was now annulled, and the Commons recommended him to his majesty for some ecclesiastical preferment. He received one thousand pounds in money, with a pension of three hundred pounds for his own life and that of his son, who was moreover gratified with a place of one hundred pounds a-year: but the father never obtained any ecclesiastical benefice. Titus Oates seized this opportunity of petitioning the House of Lords for a reversal of the judgment given against him on his being convicted of perjury. The opinions of all the judges and counsel at the bar were heard on this subject, and a bill of reversal passed the Commons: but the Peers having inserted some amendments and a proviso, a conference was demanded, and violent heats ensued. Oates, however, was released from confinement; and the Lords, with the consent of the Commons, recommended him to his majesty for a pardon, which he obtained, together with a comfortable pension. The committee appointed to inquire into the cases of the state prisoners, found Sir Robert Wright, late lord chief-justice, to have been concerned in the cruelties committed in the West after the insurrection of Monmouth; as also one of the ecclesiastical commissioners; and guilty of manifold enormities. Death had by this time delivered Jeffries from the resentment of the nation. Graham and Burton had acted as solicitors in the illegal prosecutions carried on against those who opposed the court in the reign of Charles II.; these were now reported guilty of having been instrumental in taking away the lives and estates of those who had suffered the loss of either under colour of law for eight years last past; of having, by malicious indictments, informations, and prosecutions of *Quo Warranto*, endeavoured the subversion of the protestant religion, and the government of the realm; and of having wasted many thousand pounds of the public revenue in the course of their infamous practices.

§ XLIV. Nor did the misconduct of the present ministry escape the animadversion of the parliament. The Lords having addressed the king to put the Isle of Wight, Jersey, Guernsey, Scilly, Dover castle, and the other fortresses of the kingdom, in a posture of defence, and to disarm the papists, empowered a committee to inquire into the miscarriages in Ireland, which were generally imputed to the neglect of the Marquises of Caermarthen and Halifax. They presented an address to the king, desiring that the minute-book of the committee for Irish affairs might be



put into their hands; but his majesty declined granting them in this particular: then the Commons voted, that those persons who had advised the king to delay this satisfaction were enemies to the kingdom. William, alarmed at this resolution, allowed them to inspect the book, in which they found very little for their purpose. The House resolved that an address should be presented to his majesty, declaring, that the succour of Ireland had been retarded by the unnecessary delays; that the transports prepared were not sufficient to convey the forces to that kingdom; and that several ships had been taken by the enemy, for want of proper convoy. At the same time the question was put, whether or not they should address the king against the Marquis of Halifax: but it was carried in the negative by a small majority. Before this period, How, Vice-chamberlain to the queen, had moved for an address against such counsellors as had been impeached in parliament, and betrayed the liberties of the nation.—This motion was levelled at Caermarthen and Halifax, the first of whom had been formerly impeached of high treason under the title of Earl of Danby; and the other was charged with all the misconduct of the present administration. Warm debates ensued, and in all probability the motion would have been carried in the affirmative, had not those who spoke warmly in behalf of it suddenly cooled in the course of the dispute. Some letters from King James to his partisans being intercepted, and containing some hints of an intended invasion, Mr. Hambden, chairman of the committee of the whole House, enlarged upon the imminent danger to which the kingdom was exposed, and moved for a further supply to his majesty. In this unexpected motion he was not seconded by one member. The House, however, having taken the letters into consideration, resolved to draw up an address to the king, desiring him to secure and disarm all papists of note; and they brought in a bill for attainting several persons in rebellion against their majesties: but it was not finished during this session.

§ XLV. Another bill being prepared in the House of Lords, enjoining the subjects to wear the woollen manufacture at certain seasons of the year, a petition was presented against it by the silk-weavers of London and Canterbury, assembled in a tumultuous manner at Westminster. The Lords refused their petition, because this was an unusual manner of application. They were persuaded to return to their respective places of abode; precautions were taken against a second-riot; and the bill was unanimously rejected in the upper House. This parliament passed an act, vesting in the two universities the presentations belonging to papists; those of the southern counties being given to Oxford; and those of the northern to Cambridge, on certain specified conditions. Courts of conscience were erected at Bristol, Gloucester, and Newcastle; and that of the marches of Wales was abolished, as an intolerable oppression. The protestant clergymen, who had been forced to leave their benefices in Ireland, were rendered capable of holding any living in England, without forfeiting their title to their former preferment, with the proviso that they should resign their English benefices when restored to those they had been obliged to relinquish. The statute of Henry IV. against multiplying gold and silver was now repealed: the subjects were allowed to melt and refine metals and ores, and extract gold and silver from them, on condition that it should be brought to the Mint, and converted into money, the owner receiving its full value in current coin. These, and several other bills of smaller importance being passed, the two Houses adjourned to the twentieth day of September, and afterwards to the nineteenth day of October.

## CHAP. II.

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§ I. Though the affairs of Ireland were extremely pressing, and the protestants of that country had made repeated application for relief, the succours were retarded either by disputes among the ministers, or the neglect of those who had the management of the expedition, in such a manner that King James had been six months in Ireland before the army was embarked for that kingdom. At length eighteen regiments of infantry, and five of dragoons, being raised for that service, a train of artillery provided, and transports prepared, the Duke of Schomberg, on whom King William had conferred the chief command of this armament, set out for Chester, after he had in person thanked the Commons for the uncommon regard they had paid to his services, and received assurances from the House, that they would pay particular attention to him and his army. On the thirteenth day of August he landed in the neighbourhood of Carrickfergus with about ten thousand foot and dragoons, and took possession of Belfast, from whence the enemy retired at his approach to Carrickfergus, where they resolved to make a stand. The duke having refreshed his men, marched thither, and invested the place: the siege was carried on till the twenty-sixth day of the month, when the breaches being practicable, the besieged capitulated, on condition of marching out with their arms, and as much baggage as they could carry on their backs; and of their being conducted to the next Irish garrison, which was at Newry. During this siege the duke was joined by the rest of his army from England: but he had left orders for conveying the greater part of the artillery and stores from Chester directly to Carlinsford. He now began his march through Lisburne and Hillsborough, and encamped at Drummore, where the protestants of the North had been lately routed by Hamilton: thence he proceeded to Loughbrillane, where he was joined by the horse and dragoons of Inniskillin. Then the enemy abandoned Newry and Dundalk, in the neighbourhood of which Schomberg encamped on a low damp ground, having the town and river on the south, and surrounded on every other part by hills, bogs, and mountains.

§ II. His army, consisting chiefly of new raised men little inured to hardship, began to flag under the fatigue of marching, the inclemency of the weather, and scarcity of provision. Here he was re-inforced by the regiments of Kirke, Hammer, and Stuart; and would have continued his march to Drogheda, where he understood Rosene lay with about twenty thousand men, had he not been obliged to wait for the artillery, which was not yet arrived at Carlinsford. King James, having assembled all his forces, advanced towards Schomberg, and appeared before his intrenchments in order of battle; but the duke, knowing they were greatly superior in number of horse, and that his own army was undisciplined, and weakened by death and sickness, restrained his men within the lines, and in a little time the enemy retreated. Immediately after their departure, a conspiracy was discovered in the English camp, hatched by some French papists, who had insinuated themselves into the protestant regiments. One of

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these, whose name was Du Plessis, had written a letter to the Ambassador D'Avaux, promising to desert with all the papists of the French regiments in Schomberg's army. This letter being found, Du Plessis and five accomplices were tried by a court-martial and executed. About two hundred and fifty papists being discovered in the French regiments, they were sent over to England, from thence to Holland. While Schomberg remained in this situation, the Inniskillins made excursions in the neighbourhood, under the command of Colonel Lloyd; and on the twenty-seventh day of September they obtained a complete victory over five times their number of the Irish. They killed seven hundred on the spot, and took O'Kelly their commander, with about fifty officers, and a considerable booty of cattle. The duke was so pleased with their behaviour on this occasion, that they received a very honourable testimony of his approbation.

§ III. Meanwhile the enemy took possession of James-Town, and reduced Sligo, one of the forts of which was gallantly defended by St. Sauver, a French captain, and his company of grenadiers, until he was obliged to capitulate for want of water and provision. A contagious distemper still continued to rage in Schomberg's camp, and swept off a great number of officers and soldiers; so that in the beginning of next spring, not above half the number of those who went over with the general remained alive. He was censured for his inactivity, and the king, in repeated letters, desired him to hazard an engagement, provided any opportunity should occur; but he did not think proper to run the risk of a battle, against an enemy that was above thrice his number, well disciplined, healthy, and conducted by able officers. Nevertheless, he was certainly blamable for having chosen such an unwholesome situation. At the approach of winter he retired into quarters, in hopes of being re-inforced with seven thousand Danes, who had already arrived in Britain. These auxiliaries were stipulated in a treaty which William had just concluded with the King of Denmark. The English were not more successful at sea than they had proved in their operations by land. Admiral Herbert, now created Earl of Torrington, having sailed to Ireland with the combined squadrons of England and Holland, made a fruitless attempt upon Cork, and lost a great number of seamen by sickness, which was imputed to bad provision. The Dartmouth ship of war fell into the hands of the enemy, who infested the channel with such a number of armed ships and privateers, that the trade of England sustained incredible damage.

§ IV. The affairs of France were but a gloomy aspect on the continent, where all the powers of Europe seemed to have conspired her destruction. King William had engaged in a new league with the States-general, in which former treaties of peace and commerce were confirmed. It was stipulated, that in case the King of Great Britain should be attacked, the Dutch should assist him with six thousand infantry and twenty ships of the line; and that provided hostilities should be committed against the States-general, England should supply them with ten thousand infantry and twenty ships of war. This treaty was no sooner ratified than King William despatched the Lord Churchill, whom he had by this time created Earl of Marlborough, to Holland, in order to command the British auxiliaries in that service, to the number of eleven thousand, the greater part of which had been in the army of King James when the Prince of Orange landed in England. The earl forthwith joined the Dutch army, under the command of Prince Waldeck, who had fixed his rendezvous in the county of Liege, with a view to act against the French army commanded by the Mareschal D'Humières; while the Prince of Vaudemont headed a little army of observation, consisting of Spaniards, Dutch, and Germans, to watch the motions of Calvo in another part of the Low Countries. The city of Liege was compelled to renounce the neutrality, and declare for the allies. Mareschal D'Humières attacked the foragers belonging to the army of the States of Walcourt, in the month of August;

an obstinate engagement ensued, and the French were obliged to retreat in confusion with the loss of two thousand men, and some pieces of artillery. The army of observation levelled part of the French lines on the side of Courtray, and raised contributions on the territories of the enemy.

§ V. The French were almost entire masters of the three ecclesiastical electorates of Germany. They possessed Mentz, Triers, Bonne, Keiserswaert, Philippsburgh, and Landau. They had blown up the castle of Heidelberg, in the palatinate, and destroyed Mannheim. They had reduced Worms and Spiers to ashes, and demolished Frankendahl, together with several other fortresses. These conquests, the fruits of sudden invasion, were covered with a numerous army, commanded by the Mareschal de Duras; and all his inferior generals were officers of distinguished courage and ability. Nevertheless, he found it difficult to maintain his ground against the different princes of the empire. The Duke of Lorraine, who commanded the imperial troops, invested Mentz, and took it by capitulation: the Elector of Brandenburg, having reduced Keiserswaert, undertook the siege of Bonne, which the garrison surrendered, after having made a long and vigorous defence. Nothing contributed more to the union of the German princes than their resentment of the shocking barbarity with which the French had plundered, wasted, and depopulated their country. Louis having, by his intrigues in Poland, and at Constantinople, prevented a pacification between the emperor and the Ottoman Porte, the campaign was opened in Croatia, where five thousand Turks were defeated by a body of Croats between Vihitz and Novi. The Prince of Baden, who commanded the imperialists on that side, having thrown a bridge over the Morava at Passarowitz, crossed that river, and marched in quest of the Turkish army, amounting to fifty thousand men, headed by a Seraskier. On the thirtieth day of August he attacked the enemy in the entrenchments near Patochin, and forced their lines, routed them with great slaughter, and took possession of their camp, baggage, and artillery. They retreated to Nissa, where the general, finding them still more numerous than the imperialists, resolved to make a stand; and encamped in a situation that was inaccessible in every part except the rear, which he left open for the convenience of a retreat. Through this avenue he was, on the twenty-fourth day of September, attacked by the Prince of Baden, who, after a desperate resistance, obtained another complete victory, enriched his troops with the spoils of the enemy, and entered Nissa without opposition. There he found above three thousand horses and a vast quantity of provision. Having reposed his army for a few days in this place, he resumed his march against the Turks, who had chosen an advantageous post at Widen, and seemed ambitious of retrieving the honour they had lost in the two former engagements. The Germans attacked their lines without hesitation; and though the Mussulmen fought with incredible fury, they were a third time defeated with great slaughter. This defeat was attended with the loss of Widen, which being surrendered to the victor, he distributed his troops in winter-quarters, and returned to Vienna, covered with laurels.

§ VI. The French were likewise baffled in their attempt upon Catalonia, where the Duke de Noailles had taken Campredon, in the month of May. Leaving a garrison in this place, he retreated to the frontiers of France, while the Duke de Villa Hermosa, at the head of a Spanish army, blocked up the place, and laid Roussillon under contribution. He afterwards undertook the siege in form, and Noailles marched to its relief; but he was so hard pressed by the Spaniards, that he withdrew the garrison, dismantled the place, and retreated with great precipitation. The French king hoped to derive some considerable advantage from the death of Pope Innocent XI. which happened on the twelfth day of August. That pontiff had been an inveterate enemy to Louis ever since the affair of the franchises, and the seizure of Avignon.<sup>a</sup>

<sup>a</sup> The franchises were privileges of asylum, annexed not only to the houses of cardinals at Rome, but even to the whole district in which any ambassador resided. This privilege was become a terrible nuisance, inasmuch as it afforded protection to the most atrocious criminals, and filled the city with rapine and murder. Innocent XI. resolving

to remove this evil, published a bull, abolishing the franchises, and almost all the catholic powers of Europe acquiesced in what he had done, upon being duly informed of the measure. Louis XIV. however, from a spirit of pride and insolence, refused to part with anything that looked like a prerogative of his crown. He said the King of France was not the man to

Cabals were immediately formed at Rome by the French faction against the Spanish and imperial interest. The French Cardinals de Bouillon and Bonzi, accompanied by Furstemberg, repaired to Rome with a large sum of money. Peter Ottoboni, a Venetian, was elected pope, and assumed the name of Alexander VIII. The Duke de Chaulnes, ambassador from France, immediately signified, in the name of his master, that Avignon should be restored to the patrimony of the church; and Louis renounced the franchises, in a letter written by his own hand to the new pontiff. Alexander received these marks of respect with the warmest acknowledgments; but, when the ambassador and Furstemberg besought him to re-examine the election of the Bishop of Cologne, which had been the source of so much calamity to the empire, he lent a deaf ear to their solicitations. He even confirmed the dispensations granted by his predecessor to the Prince of Bavaria, who was thus empowered to take possession of the electorate, though he had not yet attained the age required by the canons. Furstemberg retired in disgust to Paris, where Louis immediately gratified him with the Abbey of St. Germain.

§ VII. King William found it an easier task to unite the councils of Europe against the common enemy, than to conciliate and preserve the affections of his own subjects, among whom he began visibly to decline in point of popularity. Many were dissatisfied with his measures; and a great number even of those who exerted themselves for his elevation, had conceived a disgust from his personal deportment, which was very unsuitable to the manners and disposition of the English people. Instead of mingling with his nobility in social amusements and familiar conversation, he maintained a disagreeable reserve, which had all the air of sullen pride; he seldom or never spoke to his courtiers or attendants; he spent his time chiefly in the closet, retired from all communication; or among his troops, in a camp he had formed at Hounslow; or in the exercise of hunting, to which he was immoderately addicted. This had been prescribed to him by physicians as necessary to improve his constitution, which was naturally weak, and by practice had become so habitual, that he could not lay it aside. His ill health, co-operating with his natural aversion to society, produced a peevishness which could not fail of being displeasing to those who were near his person; this was increased by the disputes in his cabinet, and the opposition of those who were professed enemies to his government, as well as by the alienation of his former friends. As he could not breathe without difficulty in the air of London, he resided chiefly at Hampton-court, and expended considerable sums in beautifying and enlarging that palace; he likewise purchased the house at Kensington of the Earl of Nottingham; and such profusion, in the beginning of an expensive war, gave umbrage to the nation in general. Whether he was advised by his counsellors, or his own sagacity pointed out the expediency of conforming with the English humour, he now seemed to change his disposition, and in some measure adopt the manners of his predecessors. In imitation of Charles II. he resorted to the races at Newmarket; he accepted an invitation to visit Cambridge, where he behaved himself with remarkable affability to the members of the university; he afterwards dined with the Lord Mayor of London, accepted the freedom of the city, and condescended so far as to become sovereign-master of the company of grocers.

§ VIII. While William thus endeavoured to remove the prejudices which had been conceived against his person, the period arrived which the parliament had prescribed for taking the oaths to the new government. Some individuals of the clergy sacrificed their benefices to their scruples of conscience; and absolutely refused to take oaths that were contrary to those they had already sworn in favour of their late sovereign. These were distinguished by the epithet of Nonjurors; but their number bore a very small proportion to that of others, who took them with such reservations and distinctions as rounded very

little to the honour of their integrity. Many of those who had been the warmest advocates for non-resistance and passive obedience made no scruple of renouncing their allegiance to King James, and complying with the present act, after having declared that they took the oaths in no other sense than that of a peaceable submission to the powers that were. They even affirmed that the legislature itself had allowed the distinction between a king *de facto* and a king *de jure*, as they had dropped the word "rightful," when the form was under debate. They alleged that as prudence obliged them to conform to the letter of the oath, so conscience required them to give it their own interpretation. Nothing could be more infamous and of worse tendency, than this practice of equivocating in the most sacred of all obligations. It introduced a general disregard of oaths, which had been the source of universal perjury and corruption. Though this set of temporizers were bitterly upbraided both by the nonjurors and the papists, they all concurred in representing William as an enemy to the church; as a prince educated in the doctrines of Calvin, which he plainly espoused by limiting his favour and preferment to such as were latitudinarians in religion, and by his abolishing episcopacy in Scotland. The presbyterians of that kingdom now tyrannised in their turn. They were headed by the Earl of Crawford, a nobleman of a violent temper and strong prejudices. He was chosen president of the parliament by the interest of Melvil, and oppressed the episcopalians in such a manner, that the greater part of them, from resentment, became well-wishers to King James. Every circumstance of the hardships they underwent was reported in England; and the Earl of Clarendon, as well as the suspended bishops, circulated these particulars with great assiduity. The oaths being rejected by the Archbishop of Canterbury, the Bishops of Ely, Chichester, Bath and Wells, Peterborough, and Gloucester, they were suspended from their functions, and threatened with deprivation. Lake of Chichester, being seized with a dangerous distemper, signed a solemn declaration, in which he professed his adherence to the doctrine of non-resistance and passive obedience, which he believed to be the distinguishing characteristic of the church of England. After his death this paper was published, industriously circulated, and extolled by the party as an inspired oracle pronounced by a martyr to religious truth and sincerity.

§ IX. All the clamour that was raised against the king could not divert him from prosecuting the scheme of comprehension. He granted a commission under the great seal to ten bishops, and twenty dignitaries of the church, authorizing them to meet from time to time in the Jerusalem chamber, to prepare such alteration of the liturgy and the canons, and such proposals for the reformation of ecclesiastical courts, as might most conduce to the good order, edification, and uniting of the church, and tend to reconcile all religious differences among the protestant subjects of the kingdom. A cry was immediately raised against this commission, as an ecclesiastical court illegal and dangerous. At their first meeting, the authority of the commission was questioned by Sprat, Bishop of Rochester, who retired in disgust, and was followed by Mew of Winchester, and the doctors Jane and Aldrich. These were averse to any alteration of the forms and constitution of the church in favour of an insolent and obstinate party, which ought to have been satisfied with the toleration they enjoyed. They observed, that an attempt to make such alteration would divide the clergy, and bring the liturgy into disesteem with the people, as it would be a plain acknowledgment that it wanted correction. They thought they should violate the dignity of the church, by condescending to make offers which the dissenters were at liberty to refuse: and they suspected some of their colleagues of a design to give up episcopal ordination—a step inconsistent with their honour, duty, oaths, and subscriptions.

§ X. The commissioners, notwithstanding this secession, proceeded to debate with moderation on the abuses of

but a pattern and example for other princes. He rejected with disdain the bold representations of the Pope; he sent the Marquis de Lavater as his ambassador to Rome, with a formidable train, to insult him, and even to his country. That nobleman swaggered through the streets of Rome like a bravo, taking all opportunities to affront the Pope, who excommu-

nated him in revenge. On the other hand, the parliament of Paris appealed from the Pope's bull to a future council. Louis caused the Pope's nuncios to be put under arrest, took possession of Avignon, which belonged to the see of Rome, and set the holy father at defiance.



which the dissenters had complained, and corrected every article that seemed liable to any just objection; but the opposite party employed all their art and industry to inflame the minds of the people. The two universities declared against all alterations, and those who promoted them. The king himself was branded as an enemy to the hierarchy; and they bestirred themselves so successfully in the election of members for the convocation, that they procured a very considerable majority. At their first meeting, the friends of the comprehension scheme proposed Dr. Tillotson, clerk of the closet to his Majesty, as prolocutor; but the other party carried it in favour of Dr. Jane, who was counted the most violent churchman in the whole assembly. In a Latin speech to the Bishop of London as president, he, in the name of the lower House, asserted that the liturgy of England needed no amendment, and concluded with the old declaration of the barons, "*Nolumus leges Angliæ mutari*. We will not suffer the laws of England to be changed." The bishop, in his reply, exhorted them to moderation, charity, and indulgence towards their brethren the dissenters, and to make such abatements in things indifferent as might serve to open a door of salvation to multitudes of straying Christians. His injunctions, however, produced no favourable effect. The lower House seemed to be animated by a spirit of opposition. Next day the president prorogued them, on pretence that the royal commission, by which they were to act, was defective for want of being sealed, and that a prorogation was necessary until that sanction should be obtained. In this interval means were used to mollify their non-compliant tempers; but all endeavours proved ineffectual. When they met again, the Earl of Nottingham delivered the king's commission to both Houses, with a speech of his own, and a message from his majesty, importing, that he had summoned them out of a pious zeal to do every thing that might tend to the best establishment of the church of England, which should always enjoy his favour and protection. He exhorted them to lay aside all prejudice, and consider calmly and impartially whatever should be proposed: he assured them he would offer nothing but what should be for the honour, peace, and advantage of the protestant religion in general, and particularly of the church of England.

§ XI. The bishops, adjoining to the Jerusalem chamber, prepared a zealous address of thanks to his majesty, which, being sent to the lower House for their concurrence, met with violent opposition. Amendments were proposed; a conference ensued, and after warm debates, they agreed upon a cold address, which was accordingly presented. The majority of the lower House, far from taking any measures in favour of dissenters, converted all their attention to the relief of their nonjuring brethren. Zealous speeches were made in behalf of the suspended bishops; and Dr. Jane proposed that something might be done to qualify them to sit in the convocation. This, however, was such a dangerous point as they would not venture to discuss; yet, rather than proceed upon the business for which they had been assembled, they began to take cognizance of some pamphlets lately published, which they conceived to be of dangerous consequence to the Christian religion. The president and his party, perceiving the disposition of the House, did not think proper to communicate any proposal touching the intended reformation, and the king suffered the session to be discontinued by repeated prorogations.

§ XII. The parliament meeting on the nineteenth day of October, the king, in a speech of his own composing, explained the necessity of a present supply to carry on the war. He desired that they might be speedy in their determinations on this subject, for these would in a great measure influence the deliberations of the princes and states concerned in the war against France, as a general meeting of them was appointed to be held next month at the Hague, to settle the operations of the ensuing campaign. He concluded with recommending the despatch of a bill of indemnity, that the minds of his subjects might be quieted, and that they might unanimously concur in promoting the honour and welfare of the kingdom. As several inflammatory bills and disputes, which had produced heats and animosities in the last session, were still

depending, the king, after having consulted both Houses, resolved to put an end to those disputes, by a prorogation. He accordingly went to the House of Lords, and prorogued the parliament till the twenty-first day of October, by the mouth of the new speaker, Sir Robert Atkins, the Marquis of Halifax having resigned that office. When they re-assembled, the king referred them to his former speech; then the Commons unanimously resolved to assist his majesty in reducing Ireland, and in joining with his allies abroad for a vigorous prosecution of the war against France: for these purposes they voted a supply of two millions.

§ XIII. During this session the whigs employed all their influence and intrigues in obstructing the bill of indemnity, which they knew would open a door for favour and preferment to the opposite party, which began to gain ground in the king's good graces. With this view they revived the prosecution of the state prisoners. A committee was appointed to prepare a charge against Burton and Graham. The Commons resolved to impeach the Earls of Peterborough, Salisbury, and Castlemain, Sir Edward Hales, and Obadiah Walker, of high treason, for having been reconciled to the church of Rome, contrary to the laws of the realm. A bill was ordered to be brought in, to declare the estate of the late Lord Chancellor Jefferies forfeited to the crown, and attain his blood; but it met with such opposition that the measure was dropped; the House however agreed, that the pecuniary penalties incurred by those persons who had exercised offices contrary to the laws against popish recusants should be speedily levied, and applied to the public service. The Lord Griffin, being detected in maintaining a correspondence with King James and his partisans, was committed to the Tower; but, as no other evidence appeared against him than written letters, found in the false bottom of a pewter bottle, they could not help consenting to his being released upon bail, as they had lately resolved that Algernon Sidney was unjustly condemned in the reign of Charles II. because nothing but writings had been produced against him at his trial. The two Houses concurred in appointing a committee to inquire who were the advisers and prosecutors in taking away the lives of Lord Russel, Colonel Sydney, Sir Thomas Armstrong, Alderman Cornish, and others; and who were chiefly concerned in the arbitrary practices touching the writs of *Quo Warranto*, and the surrender of charters. This inquiry was levelled at the Marquis of Halifax, who had concurred with the ministry of Charles in all these severities. Though no proof appeared, upon which votes or addresses could be founded, that nobleman saw it was necessary for him to withdraw himself from the administration; he therefore resigned the privy-seal, which was put in commission, and reconciled himself to the Tories, of whom he became the patron and protector.

§ XIV. The Commons likewise resumed the examinations of the miscarriages in Ireland, and desired the king would appoint commissioners, to go over and inquire into the condition of the army in that kingdom. Schomberg, understanding that he had been blamed in the House of Commons for his inactivity, transmitted to the king a satisfactory vindication of his own conduct; and it appeared that the miscarriages in Ireland were wholly owing to John Shales, purveyor-general to the army. The Commons immediately presented an address to his majesty, praying that Shales might be taken into custody; that all his papers, accounts, and stores should be secured; and that Duke Schomberg might be empowered to fill his place with a more able purveyor. The king gave them to understand that he had already sent orders to the general for that purpose. Nevertheless, they in another petition requested his majesty to name those who had recommended Shales to his service, as he had exercised the same office under King James, and was suspected of treasonable practices against the government. William declined gratifying their request; but he afterwards sent a message to the House, desiring them to recommend a certain number of commissioners to superintend such provisions and preparations as might be necessary for that service, as well as to nominate certain persons to go over and examine the state of the army in Ireland. The Commons were so mollified by this instance of his condescension, that they left the whole affair to his own direction, and pro-

ceeded to examine other branches of misconduct. Instances of mismanagement appeared so numerous and so flagrant, that they resolved upon a subsequent address, to explain the ill conduct and success of his army and navy; to desire he would find out the authors of these miscarriages, and for the future intrust unsuspected persons with the management of affairs. They ordered the victuallers of the fleet to be taken into custody, on suspicion of their having furnished the navy with unwholesome provisions, and new commissioners were appointed. Bitter reproaches were thrown out against the ministry. Mr. Hambden expressed his surprise that the administration should consist of those very persons whom King James had employed when his affairs were desperate, to treat with the Prince of Orange, and moved that the king should be petitioned in an address to remove such persons from his presence and councils. This was a stroke aimed at the Earl of Nottingham, whose office of secretary Hambden desired to possess; but his motion was not seconded, the court-members observing that James did not depute those lords to the Prince of Orange because they were attached to his own interest, but for a very different reason, namely, that they were well known to disapprove of his measures, and therefore would be the more agreeable to his highness. The House, however, voted an address to the king, desiring that the authors of the miscarriages might be brought to condign punishment.

§ XV. In the sequel, the question was proposed, Whether a placeman ought to have a seat in the House? and a very warm debate ensued; but it was carried in the affirmative, on the supposition that by such exclusion the commonwealth would be deprived of some of the ablest senators of the kingdom. But what chiefly irritated William against the whigs was their backwardness in promoting the public service, and their disregard of the earnest desire he expressed to see his revenue settled for life. He said his title was no more than a pageant, and the worst of all governments was that of a king without treasure. Nevertheless, they would not grant the civil list for a longer term than one year. They began to think there was something arbitrary in his disposition. His stullen behaviour, in all probability, first infused this opinion, which was strengthened and confirmed by the insinuations of his enemies. The Scots, who had come up to London to give an account of the proceedings in their parliament, were infected with the same notion. One Simpson, a presbyterian of that country, whom the Earl of Portland employed as a spy, had insinuated himself into the confidence of Nevil Payne, an active and intelligent partisan and agent of King James; by which means he supplied the earl with such intelligence as raised him to some degree of credit with that minister. This he used in prepossessing the earl against the king's best friends, and infusing jealousies which were soon kindled into mutual distrust and animosity.

§ XVI. Sir James Montgomery, who had been a warm advocate for the revolution, received advice that the court suspected him and others of disaffection, and was employed in seeking evidence by which they might be prosecuted. They were equally alarmed and incensed at this intimation, and Payne seized the opportunity of seducing them into a correspondence with the exiled king. They demanded the settlement of presbytery in Scotland, and actually engaged in a treaty for his restoration. They reconciled themselves to the Duke of Queensberry, and the other noblemen of the episcopal party: they wrote to James for a supply of money, arms, and ammunition, together with a reinforcement of three thousand men from Dunkirk. Montgomery had acquired great interest among the whigs of England, and this he employed in animating them against the king and the ministry. He represented them as a set of wicked men, who employed infamous spies to insure and ruin the fast friends of the government, and found means to alienate them so much from William, that they began to think in earnest of recalling their banished prince. The Duke of Bolton, and the Earl of Monmouth, were almost persuaded into a conspiracy for this purpose; they seemed to think James was now so well convinced of his former errors, that they might trust him without scruple. Montgomery and Payne were the chief managers of the scheme, and they admitted Ferguson into their councils,

as a veteran in the arts of treason. In order to blast William's credit in the city, they circulated a report that James would grant a full indemnity, separate himself entirely from the French interest, and be contented with a secret connivance in favour of the Roman catholics. Montgomery's brother assured the Bishop of Salisbury, that a treaty with King James was absolutely concluded, and an invitation subscribed by the whole cabal. He said this paper would be sent to Ireland by the way of France, as the direct communication was difficult; and he proposed a method for seizing it before it should be conveyed out of the kingdom. Williamson, the supposed bearer of it, had obtained a pass for Flanders, and a messenger being sent in pursuit of him, secured his clothes and portmanteau: but, after a very strict examination, nothing appeared to justify the intelligence. Williamson had previously delivered the papers to Simpson, who hired a boat at Deal, and arrived in safety at France. He returned with large assurances, and twelve thousand pounds were remitted to the Scottish undertakers. Montgomery, the informer, seeing his intelligence falsified, lost his credit with the bishop, and dreading the resentment of the other party, retired to the continent. The conspirators loudly complained of the false imputations they had incurred. The pretended discoveries were looked upon as fictions of the ministry, and the king on this occasion suffered greatly in the opinion of his subjects.

§ XVII. The Tories still continued to carry on a secret negotiation with the court. They took advantage of the ill-humour subsisting between the king and the whigs; and promised large supplies of money provided this parliament should be dissolved, and another immediately convoked. The opposite party, being apprised of their intention, brought a bill into the House of Commons for restoring corporations to their ancient rights and privileges. They knew their own strength at elections consisted in these corporations: and they inserted two additional severe clauses against those who were in any shape concerned in surrendering charters. The whole power of the Tories was exerted against this clause; and now the whigs vied with them in making court to his majesty, promising to manifest the most submissive obedience should this bill be enacted into a law. The strength of the Tories was now become so formidable in the House, that they outvoted the other party, and the clauses were rejected; but the bill passed in its original form. The Lords debated upon the point, Whether a corporation could be forfeited or surrendered: Lord Chief Justice Holt and two other judges declared their opinion in the affirmative: the rest thought otherwise, as no precedents could be produced further back than the reign of Henry VIII. when the abbey were surrendered: and this instance seemed too violent to authorize such a measure in a regular course of administration. The bill, however, passed by one voice only. Then both parties quickened their applications to the king, who found himself so perplexed and distracted between two factions which he equally feared, that he resolved to leave the government in the queen's hands, and retire to Holland. He communicated this design to the Marquis of Caermarthen, the Earl of Shrewsbury, and some other noblemen, who pressed him to lay aside his resolution, and even mingled tears with their remonstrances.

§ XVIII. He at length complied with their request, and determined to finish the Irish war in person. This design was far from being agreeable to the parliament. His friends dreaded the climate of that country, which might prove fatal to his weak constitution. The well-wishers of James were afraid of that prince's being hard pressed, should William take the field against him in person: both Houses, therefore, began to prepare an address against this expedition. In order to prevent this remonstrance, the king went to the parliament, and formally signified his resolution. After his speech they were prorogued to the second day of April. On the sixth day of February they were dissolved by proclamation, and a new parliament was summoned to meet on the twentieth day of March. During this session the Commons, in an address to the king, desired that a revenue of fifty thousand pounds might be settled upon the Prince and Princess of Denmark, out of the civil list; and his majesty gratified them in this

particular; yet, the warmth and industry with which the friends of the princess exerted themselves in promoting the settlement, produced a coldness and misunderstanding between the two sisters; and the subsequent disgrace of the Earl of Marlborough was imputed to the part which his wife acted on the occasion. She was lady of the bed-chamber and chief confidant of the princess, whom she strenuously advised to insist upon the settlement, rather than depend upon the generosity of the king and queen.

§ XIX. About this period, General Ludlow, who at the restoration had been excepted from the act of indemnity, as one of those who sat in judgment upon Charles I. arrived in England, and offered his service in reducing Ireland, where he had formerly commanded. Though a rigid republican, he was reputed a conscientious man, and a good officer. He had received some encouragement to come over, and probably would have been employed, had not the Commons interposed. Sir Edward Seymour, who enjoyed by grant an estate in Wiltshire, which had formerly belonged to Ludlow, began to be in pain for his possession. He observed in the House, that the nation would be disgraced, should one of the patriots be suffered to live in the kingdom. An address was immediately presented to the king, desiring a proclamation might be issued, promising a reward for apprehending General Ludlow. This was accordingly published; but not before he had landed in Holland, from whence he returned to Vevey in Switzerland, where he wrote the memoirs of his life, and died after an exile of thirty years.

§ XX. While King William fluctuated between two parties in England, his interest in Scotland had well nigh given way to a coalition between the original Jacobites and Montgomery's party of discontented presbyterians. Colonel Cannon, who succeeded the Viscount Dundee in command, after having made several unsuccessful efforts in favour of the late king's interest, retired into Ireland; and the highlanders chose Sir Hugh Cameron for their leader. Under him they renewed their incursions with the better prospect of success, as several regiments of the regular troops had been sent to reinforce the army of Schomberg. James assisted them with clothes, arms, and ammunition, together with some officers, amongst whom was Colonel Bucan, appointed to act as their chief commander. This officer, at the head of fifteen hundred men, advanced into the shire of Murray, in hope of being joined by other malcontents: but he was surprised and routed by Sir Thomas Livingstone, while Major Ferguson destroyed the places they possessed in the Isle of Mull; so that the highlanders were obliged to retire, and conceal themselves among their hills and fastnesses. The friends of James, despairing of doing any thing effectual for his service in the field, converted all their attention to the proceedings in parliament; where they imagined their interest was much stronger than it appeared to be upon trial. They took the oaths without hesitation, and hoped, by the assistance of their new allies, to embroil the government in such a manner that the majority of the people would declare for a restoration. But the views of these new-cemented parties were altogether incompatible; and their principles diametrically opposite. Notwithstanding their concurrence in parliament, the Earl of Melvil procured a small majority. The opposition was immediately discouraged: some individuals retracted, rather than fall with a sinking cause; and mutual jealousies began to prevail. The leaders of the coalition treated separately with King James; made inconsistent demands; reciprocally concealed their negotiations: in a word, they distrusted and hated one another with the most implacable resentment.

§ XXI. The Earls of Argyle, Annandale, and Braidalbin, withdrew from their councils, and repaired to England. Montgomery, terrified at their defection, went privately to London, after he had hinted something of the plot to Melvil, and solicited a pass from the queen, which was refused. Annandale, having received information that Montgomery had disclosed all the particulars of the negotiation, threw himself upon the queen's mercy, and disclosed all he knew of the conspiracy. As he had not treated with any of the malcontents in England, they remained secure from his evidence; but he informed against

Nevil Payne, who had been sent down as their agent to Scotland, where he now resided. He was immediately apprehended by the council of that kingdom, in consequence of a letter from the Earl of Nottingham; and twice put to the torture, which he resolutely bore, without discovering his employers. Montgomery still absconded in London, soliciting a pardon; but, finding he could not obtain it, except on condition of making a full discovery, he abandoned his country, and chose to die in exile, rather than betray his confederates. This disunion of the conspirators, and discovery of the plot, left the Earl of Melvil in possession of a greater majority; though even this he was fain to secure by overstraining his instructions in the articles of patronage, and the supremacy of the crown, which he yielded up to the fury of the fanatic presbyterians, contrary to the intention of King William. In lieu of these, however, they indulged him with the tax of chimney or hearth-money: as well as with a test to be imposed upon all persons in office and parliament, declaring William and Mary their lawful sovereigns, and renouncing the pretended title of King James. All the laws in favour of episcopacy were repealed. Threescore of the presbyterian ministers, who had been ejected at the restoration, were still alive; and these the parliament declared the only sound part of the church. The government of it was lodged in their hands; and they were empowered to admit such as they should think proper to their assistance. A few furious fanatics being thus associated, proceeded with ungovernable violence to persecute the episcopal party, exercising the very same tyranny against which they themselves had so loudly exclaimed.

§ XXII. While the presbyterian interest A. D. 1690. thus triumphed in Scotland, the two parties that divided England employed their whole influence and attention in managing the elections for a new parliament; and the Tories obtained the victory. The king seemed gradually falling into the arms of this party. They complained of their having been totally excluded from the lieutenancy of London at the king's accession to the crown; and now a considerable number of the most violent Tories in the city were admitted into the commission by the interest and address of the Bishop of London, the Marquis of Caermarthen, and the Earl of Nottingham. To gratify that party, the Earls of Monmouth and Warrington were dismissed from their employments: nay, when the parliament met on the twentieth day of March, the Commons chose for their speaker Sir John Trevor, a violent partisan of that faction, who had been created Master of the Rolls by the late king. He was a bold, artful man, and undertook to procure a majority to be at the devotion of the court, provided he should be supplied with the necessary sums for the purposes of corruption. William, finding there was no other way of maintaining his administration in peace, thought proper to countenance the practice of purchasing votes, and appointed Trevor first commissioner of the great seal. In his speech to the new parliament, he gave them to understand, that he still persisted in his resolution of going in person to Ireland. He desired they would make a settlement of the revenue, or establish it for the present, as a fund of credit, upon which the necessary sums for the service of the government might be immediately advanced: he signified his intention of sending to them an act of grace, with a few exceptions, that he might manifest his readiness to extend his protection to all his subjects, and leave no colour of excuse for raising disturbances in his absence, as he knew how busy some ill-affected men were in their endeavours to alter the established government; he recommended a union with Scotland, the parliament of which had appointed commissioners for that purpose: he told them he should leave the administration in the hands of the queen, and desired they would prepare an act to confirm her authority: he exhorted them to despatch the business for which they were assembled, to avoid debates, and expressed his hope that they should soon meet again, to finish what might be now left imperfect.

§ XXIII. The Commons, in compliance with his request, voted a supply of twelve hundred thousand pounds, one million of that sum to be raised by a clause of credit



in the revenue bills; but he could not prevail upon them to settle the revenue for life. They granted, however, the hereditary excise for that term, but the customs for four years only. They considered this short term as the best security the kingdom could have for frequent parliaments; though this precaution was not at all agreeable to their sovereign. A poll-bill was likewise passed; other supplies were granted, and both parties seemed to court his majesty, by advancing money on those funds of credit. The whigs, however, had another battery in reserve. They produced, in the upper House, a bill for recognising their majesties as the rightful and lawful sovereigns of these realms, and for declaring all the acts of the last parliament to be good and valid. The Tories were now reduced to a very perplexed situation. They could not oppose the bill without hazarding the interest they had so lately acquired, nor assent to it without solemnly renouncing their former arguments and distinctions. They made no great objections to the first part, and even proposed to enact, That those should be deemed good laws for the time to come; but they refused to declare them valid for that which was past. After a long debate, the bill was committed; yet the whigs lost their majority on the report; nevertheless, the bill was recovered, and passed with some alteration in the words; in consequence of a nervous, spirited protest, signed by Bolton, Macclesfield, Stamford, Newport, Bedford, Herbert, Suffolk, Monmouth, Delamere, and Oxford. The whole interest of the court was thrown into the scale with this bill, before it could preponderate against the Tories, the chiefs of whom, with the Earl of Nottingham at their head, protested in their turn. The same party in the House of Commons were determined upon a vigorous opposition; and in the mean time some trifling objections were made, that it might be committed for amendment; but their design was prematurely discovered by one of the faction, who chanced to question the legality of the convention, as it was not summoned by the king's writ. This insinuation was answered by Somers, the solicitor-general, who observed, that if it was not a legal parliament, they who were then met, and who had taken the oaths enacted by that parliament, were guilty of high-treason: the laws repealed by it were still in force: it was their duty, therefore, to return to King James; and all concerned in collecting and paying the money levied by the acts of that parliament were highly criminal. The Tories were so struck with these arguments, that the bill passed without further opposition, and immediately received the royal assent. Thus the settlement was confirmed by those very people who had so loudly exclaimed against it as illegal; but the whigs, with all their management, would not have gained their point, had not the court been interested in the dispute.

§ XXIV. There was another violent contest between the two parties, on the import of a bill requiring all subjects in office to abjure King James, on pain of imprisonment. Though the clergy were at first exempted from this test, the main body of the Tories opposed it with great vehemence; while the whigs, under countenance of the ministry, supported it with equal vigour. It produced long and violent debates; and the two factions seemed pretty equally balanced. At length, the Tories represented to the king, that a great deal of precious time would be lost in fruitless altercation; that those who declared against the bill would grow sullen and intractable, so as to oppose every other motion that might be made for the king's service; that, in case of its being carried, his majesty must fall again into the hands of the whigs, who would renew their former practices against the prerogative; and many individuals, who were now either well affected to him, or at least neutral, would become Jacobites from resentment. These suggestions had such weight with King William, that he sent an intimation to the Commons, desiring they would drop the debate, and proceed to matters that were more pressing. The whigs in general were disgusted at this interposition; and the Earl of Shrewsbury, who interested himself warmly in behalf of the bill, resented it so deeply,

that he insisted on resigning his office of secretary of state. The king, who revered his talents and integrity, employed Dr. Tillotson and others, who were supposed to have credit with the Earl, to dissuade him from quitting his employment: but he continued deaf to all their remonstrances, and would not even comply with the request of his majesty, who pressed him to keep the seals until he should return from Ireland. Long debates were likewise managed in the House of Lords, upon the bill of abjuration, or rather an oath of special fidelity to William, in opposition to James. The Tories professed themselves willing to enter into a negative engagement against the late king and his adherents; but they opposed the oath of abjuration with all their might; and the House was so equally divided that neither side was willing to hazard a decision: so that all the fruit of their debates was a prolongation of the session.

§ XXV. An act was prepared for investing the queen with the administration during the king's absence: another for reversing the judgment on a *Quo Warranto* against the city of London, and restoring it to its ancient rights and privileges; and at length, the bill of indemnity so cordially recommended by the king passed both Houses.<sup>b</sup> On the twenty-first day of May, the king closed the session with a short speech, in which he thanked them for the supplies they had granted; and recommended to them a punctual discharge of their duties in their respective counties, that the peace of the nation might not be interrupted in his absence. The Houses were adjourned to the seventh day of July; when the parliament was prorogued and adjourned successively. As a further security for the peace of the kingdom, the deputy-lieutenants were authorized to raise the militia in case of necessity. All papists were prohibited to stir above five miles from their respective places of abode: a proclamation was published for apprehending certain disaffected persons: Sir John Cochran and Ferguson were actually arrested on suspicion of treasonable practices. On the fourth day of June the king set out for Ireland, attended by Prince George of Denmark, the Duke of Ormond, the Earls of Oxford, Scarborough, Manchester, and many other persons of distinction; on the fourteenth day of the month he landed at Carrickfergus, from whence he immediately proceeded to Belfast, where he was met by the Duke of Schomberg, the Prince of Wirtemberg, Major-General Kirke, and other officers. By this time Colonel Wolsey, at the head of a thousand men, had defeated a strong detachment of the enemy near Belturbat; Sir John Lanier had taken Bedloe-castle; and that of Charlemont, a strong post of great importance, together with Balingargy, near Cavan, had been reduced. King William having reposed himself for two or three days at Belfast, visited the duke's head quarters at Lisburne: then advanced to Hillsborough, published an order against pressing horses, and committing violence on the country people. When some of his general officers proposed cautious measures, he declared he did not come to Ireland to let the grass grow under his feet. He ordered the army to encamp and be reviewed at Loughbrillan, when he found it amount to six-and-thirty thousand effective men well appointed. Then he marched to Dundalk; and afterwards advanced to Ardee, which the enemy had just abandoned.

§ XXVI. King James trusted so much to the disputes in the English parliament, that he did not believe his son-in-law would be able to quit that kingdom; and William had been six days in Ireland, before he received intimation of his arrival. This was no sooner known than he left Dublin under the guard of the militia commanded by Luttrell, and with a reinforcement of six thousand infantry, which he had lately received from France, joined the rest of his forces, which now almost equalled William's army in number, exclusive of about fifteen thousand men who remained in different garrisons. He occupied a very advantageous post on the bank of the Boyne, and, contrary to the advice of his general officers, resolved to stand battle. They proposed to strengthen their garrisons, and retire to the Shannon, to wait the effect of the operations at sea.

<sup>b</sup> The following persons were excepted from the benefit of this act, William, Marquis of Powis; Theophilus, Earl of Huntingdon, Robert, Earl of Salisbury, John, Earl of Mecklenburg, Roger, Earl of Castleham, Nathaniel, Lord Delamere, Purton, Thomas, Lord Bishop of St. David's, Henry, Lord Dover, Lord Thomas Howard, Sir Edward Hales, Sir Francis Withers, Sir Edward Luttrell, Sir Thomas Jenner, Sir Nicholas

Butler, Sir William Herbert, Sir Richard Holloway, Sir Richard Heath, Sir Roger T. Strange, William, Marquis, Thomas Lyndesley, Colonel Dowley, Colonel Landy, Robert Fragar, Edward Motzian, Philip Burton, Francis Fortescue, Edward Peter, Obadiah Walker, Matthew Clone, and George, Lord Delamere, deceased.

Louis had promised to equip a powerful armament against the English fleet, and send over a great number of small frigates to destroy William's transports as soon as their convoy should be returned to England. The execution of this scheme was not at all difficult, and must have proved fatal to the English army; for their stores and ammunition were still on board; the ships sailed along the coast as the troops advanced in their march; and there was not one secure harbour into which they could retire on any emergency. James, however, was bent upon hazarding an engagement; and expressed uncommon confidence and alacrity. Besides the river, which was deep, his front was secured by a morass and a rising ground; so that the English army could not attack him without manifest disadvantage.

§ XXVII. King William marched up to the opposite bank of the river, and, as he reconnoitred their situation, was exposed to the fire of some field-pieces, which the enemy purposely planted against his person. They killed a man and two horses close by him; and the second bullet rebounding from the earth, grazed upon his right shoulder, so as to carry off part of his clothes and skin, and produce a considerable contusion. This accident, which he bore without the least emotion, created some confusion among his attendants, which the enemy perceiving, concluded he was killed, and shouted aloud in token of their joy. The whole camp resounded with acclamation; and several squadrons of their horse were drawn down towards the river, as if they had intended to pass it immediately and attack the English army. The report was instantly communicated from place to place, until it reached Dublin; from thence it was conveyed to Paris, where, contrary to the custom of the French court, the people were encouraged to celebrate the event with bonfires and illuminations. William rode along the line to show himself to the army after this narrow escape. At night he called a council of war, and declared his resolution to attack the enemy in the morning. Schomberg at first opposed his design; but finding the king determined, he advised that a strong detachment of horse and foot should that night pass the Boyne at Slane-bridge, and take post between the enemy and the place of Duleck, that the action might be the more decisive. This council being rejected, the king determined, that, early in the morning, Lieutenant-General Douglas, with the right wing of infantry, and young Schomberg, with the horse, should pass at Slane-bridge, while the main body of foot should force their passage at Old-bridge, and the left at certain fords between the enemy's camp and Drogheda. The duke, perceiving his advice was not relished by the Dutch generals, retired to his tent, where the order of the battle being brought to him, he received it with an air of discontent, saying it was the first that had ever been sent him in that manner. The proper dispositions being made, William rode quite through the army by torch-light, and then retired to his tent, after having given orders for the soldiers to distinguish themselves from the enemy, by wearing green boughs in their hats during the action.

§ XXVIII. At six o'clock in the morning, General Douglas, with young Schomberg, the Earl of Portland, and Auverquerque, marched towards Slane-bridge, and passed the river with very little opposition. When they reached the further bank, they perceived the enemy drawn up in two lines, to a considerable number of horse and foot, with a morass in their front; so that Douglas was obliged to wait for a reinforcement. This being arrived, the infantry was led on to the charge through the morass, while Count Schomberg rode round it with his cavalry, to attack the enemy in flank. The Irish, instead of waiting the assault, faced about and retreated towards Duleck with some precipitation; yet not so fast, but that Schomberg fell in among their rear, and did considerable execution. King James, however, soon reinforced his left wing from the centre; and the count was in his turn obliged to send for assistance. At this juncture, King William's main body, consisting of the Dutch guards, the French regiments, and some battalions of English, passed the river, which was waist high, under a general discharge of artillery. King James had imprudently removed his cannon from the other side; but he had posted a strong body of musqueteers

along the bank, behind hedges, houses, and some works raised for the occasion. These poured in a close fire upon the English troops before they reached the shore; but it produced very little effect; then the Irish gave way; and some battalions landed without further opposition. Yet, before they could form, they were charged with great impetuosity by a squadron of the enemy's horse; and a considerable body of their cavalry and foot, commanded by General Hamilton, advanced from behind some little hillocks to attack those that were landed, as well as to prevent the rest from reaching the shore. His infantry turned their backs and fled immediately; but the horse charged with incredible fury, both upon the bank and in the river, so as to put the uniformed regiments in confusion. Then the Duke of Schomberg passed the river in person, put himself at the head of the French protestants, and pointing to the enemy; "Gentlemen," said he, "those are your persecutors;" with these words he advanced to the attack, where he himself sustained a violent onset from a party of the Irish horse, which had broke through one of the regiments, and were now on their return. They were mistaken for English, and allowed to gallop up to the duke, who received two severe wounds in the head: but the French regiments being now sensible of their mistake, rashly threw in their fire upon the Irish while they were engaged with the duke; and instead of saving, shot him dead upon the spot. The fate of this general had well nigh proved fatal to the English army, which was immediately involved in tumult and disorder; while the infantry of King James rallied, and returned to their posts with a face of resolution. They were just ready to fall upon the centre, when King William having passed with the left wing, composed of the Danish, Dutch, and Inniskillin horse, advanced to attack them on the right. They were struck with such a panic at his appearance, that they made a sudden halt, and then facing about, retreated to the village of Dunmore. There they made such a vigorous stand, that the Dutch and Danish horse, though headed by the king in person, recoiled; even the Inniskilliners gave way; and the whole wing would have been routed, had not a detachment of dragoons, belonging to the regiments of Cunningham and Levison, dismounted, and lined the hedges on each side of the defile through which the fugitives were driven. There they did such execution upon the pursuers, as soon checked their ardour. The horse, which were broken, had now time to rally, and, returning to the charge, drove the enemy before them in their turn. In this action General Hamilton, who had been the life and soul of the Irish during the whole engagement, was wounded and taken: an incident which discouraged them to such a degree, that they made no further efforts to retrieve the advantage they had lost. He was immediately brought to the king, who asked him if he thought the Irish would make any further resistance; and he replied, "Upon my honour, I believe they will; for they have still a good body of horse entire." William, eyeing him with a look of disdain, repeated, "Your honour! your honour!" but took no other notice of his having acted contrary to his engagement, when he was permitted to go to Ireland, on promise of persuading Tyrconnel to submit to the new government. The Irish now abandoned the field with precipitation: but the French and Swiss troops, that acted as their auxiliaries, under Lauzun, retreated in good order, after having maintained the battle for some time with intrepidity and perseverance.

§ XXIX. As King William did not think proper to pursue the enemy, the carnage was not great. The Irish lost fifteen hundred men, and the English about one-third of that number; though the victory was dearly purchased, considering the death of the gallant Duke of Schomberg, who fell in the eighty-second year of his age, after having rivalled the best generals of the time in military reputation. He was descended of a noble family in the palatinate, and his mother was an English woman, daughter of Lord Dudley. Being obliged to leave his country, on account of the troubles by which it was agitated, he commenced a soldier of fortune, and served successively in the armies of Holland, England, France, Portugal, and Brandenburg. He attained to the dignities of Mareschal in France, Grandee in Portugal, Generalissimo in Prussia,

and Duke in England. He professed the protestant religion; was courteous and humble in his deportment; cool, penetrating, resolute, and sagacious; nor was his probity inferior to his courage. This battle likewise proved fatal to the brave Caillemote, who had followed the duke's fortunes, and commanded one of the protestant regiments. After having received a mortal wound, he was carried back through the river by four soldiers, and though almost in the agonies of death, he with a cheerful countenance encouraged those who were crossing to do their duty, exclaiming, "*A la gloire, mes enfans; a la gloire! To glory, my lads; to glory!*" The third remarkable person who lost his life on this occasion, was Walker the clergyman, who had so valiantly defended Londonderry against the whole army of King James. He had been very graciously received by King William, who gratified him with a reward of five thousand pounds, and a promise of further favour; but his military genius still predominating, he attended his royal patron in this battle, and, being shot in the belly, died in a few minutes. The persons of distinction who fell on the other side were the Lords Dongan and Carlingford; Sir Neile O'Neill, and the Marquis of Hocquincourt. James himself stood aloof during the action, on the hill of Dunmore, surrounded with some squadrons of horse; and seeing victory declare against him, retired to Dublin, without having made the least effort to re-assemble his broken forces. Had he possessed either spirit or conduct, his army might have been rallied and reinforced from his garrisons, so as to be in a condition to keep the field, and even act upon the offensive: for his loss was inconsiderable, and the victor did not attempt to molest his troops in their retreat—an omission which has been charged upon him as a flagrant instance of misconduct. Indeed, through the whole of this engagement, William's personal courage was much more conspicuous than his military skill.

§ XXX. King James no sooner arrived at Dublin, than he assembled the magistrates and council of the city, and in a short speech resigned them to the fortune of the victor. He complained of the cowardice of the Irish; signified his resolution of leaving the kingdom immediately; forbade them, on their allegiance, to burn or plunder the city after his departure; and assured them, that though he was obliged to yield to force, he would never cease to labour for their deliverance. Next day he set out for Waterford, attended by the Duke of Berwick, Tyrconnel, and the Marquis of Powis. He ordered all the bridges to be broken down behind him, and embarked in a vessel which had been prepared for his reception. At sea he fell in with the French squadron, commanded by the *Sieur de Foran*, who persuaded him to go on board one of his frigates, which was a prime sailer. In this he was safely conveyed to France, and returned to the place of his former residence at St. Germain's. He had no sooner quitted Dublin, than it was also abandoned by the papists. The protestants immediately took possession of the arms belonging to the militia, under the conduct of the Bishops of Meath and Limerick. A committee was formed to take charge of the administration: and an account of these transactions was transmitted to King William, together with a petition, that he would honour the city with his presence.

§ XXXI. On the morning after the battle of the Boyne, William sent a detachment of horse and foot, under the command of M. Mellionere, to Drogheda, the governor of which surrendered the place without opposition. The king, at the head of the army, began his march for Dublin, and halted the first night at Bally-Breghan, where, having received advice of the enemy's retreat from the capital, he sent the Duke of Ormond, with a body of horse, to take possession. These were immediately followed by the Dutch guards, who secured the castle. In a few days the king encamped at Finglas, in the neighbourhood of Dublin, where he was visited by the Bishops of Meath and Limerick, at the head of the protestant clergy, whom he assured of his favour and protection. Then he published a declaration of pardon to all the common people who had served against him, provided they should return to their dwellings, and surrender their arms by the first day of August. Those that rented lands of popish proprietors,

who had been concerned in the rebellion, were required to retain their rents in their own hands, until they should have notice from the commissioners of the revenue to whom they should be paid. The desperate leaders of the rebellion, who had violated the laws of the kingdom, called in the French, authorized depredations which had been committed upon protestants, and rejected the pardon offered to them on the king's first proclamation, were left to the event of war, unless by evident demonstrations of repentance they should deserve mercy, which would never be refused to those who were truly penitent. The next step taken by King William was to issue a proclamation, reducing the brass money to nearly its intrinsic value. In the mean time, the principal officers in the army of James, after having seen him embark at Waterford, returned to their troops, determined to prosecute the war as long as they could be supplied with means to support their operations.

§ XXXII. During these transactions, the queen, as regent, found herself surrounded with numberless cares and perplexities. Her council was pretty equally divided into whigs and Tories, who did not always act with unanimity. She was distracted between her apprehensions for her father's safety and her husband's life: she was threatened with an invasion by the French from abroad, and with an insurrection by the Jacobites at home. Nevertheless, she disguised her fears, and behaved with equal prudence and fortitude. Advice being received that a fleet was ready to sail from Brest, Lord Torrington hoisted his flag in the Downs, and sailed round to St. Helen's, in order to assemble such a number of ships as would enable him to give them battle. The enemy being discovered off Plymouth, on the twentieth day of June, the English admiral, reinforced with a Dutch squadron, stood out to sea, with a view to intercept them at the back of the Isle of Wight, should they presume to sail up the channel: not that he thought himself strong enough to cope with them in battle. Their fleet consisted of seventy-eight ships of war, and two-and-twenty fireships; whereas, the combined squadrons of England and Holland did not exceed six-and-fifty; but he had received orders to hazard an engagement, if he thought it might be done with any prospect of success. After the hostile fleets had continued five days in sight of each other, Lord Torrington bore down upon the enemy off Beachy-head on the thirtieth day of June, at day-break. The Dutch squadron which composed the van, began the engagement about nine in the morning; in about half an hour the blue division of the English were close engaged with the rear of the French: but the red, which formed the centre, under the command of Torrington in person, did not fill the line till ten o'clock, so that the Dutch were almost surrounded by the enemy, and though they fought with great valour, sustained considerable damage. At length, the admiral's division drove between them and the French, and in that situation the fleet anchored about five in the afternoon, when the action was interrupted by a calm. The Dutch had suffered so severely, that Torrington thought it would be imprudent to renew the battle; he, therefore, weighed anchor in the night, and with the tide of flood retired to the eastward. The next day the disabled ships were destroyed, that they might not be retarded in their retreat. They were pursued as far as Rye; an English ship of seventy guns being stranded near Winchelsea, was set on fire and deserted by the captain's command. A Dutch ship of sixty-four guns met with the same accident, and some French frigates attempted to burn her; but the captain defended her so vigorously that they were obliged to desist, and he afterwards found means to carry her safe to Holland. In this engagement the English lost two ships, two sea-captains, and about four hundred men; but the Dutch were more unfortunate: six of their great ships were destroyed. Dick and Brackel, rear-admirals, were slain, together with a great number of inferior officers and seamen. Torrington retreated without further interruption into the mouth of the Thames; and, having taken precautions against any attempts of the enemy in that quarter, returned to London, the inhabitants of which were overwhelmed with consternation.

§ XXXIII. The government was infected with the



same panic. The ministry pretended to believe that the French acted in concert with the malcontents of the nation, that insurrections in the different parts of the kingdom had been projected by the Jacobites; and that there would be a general revolt in Scotland. These insinuations were circulated by the court-agents, in order to justify, in the opinion of the public, the measures that were deemed necessary at this juncture; and they produced the desired effect. The apprehensions thus artfully raised among the people inflamed their aversion to nonjurors and Jacobites. Addresses were presented to the queen by the Cornish tinnerns, by the lieutenancy of Middlesex, and by the mayor, aldermen, and lieutenancy of London, filled with professions of loyalty, and promises of supporting their majesties, as their lawful sovereigns, against all opposition. The queen, at this crisis, exhibited remarkable proofs of courage, activity, and discretion. She issued out proper orders and directions for putting the nation in a posture of defence, as well as for refitting and augmenting the fleet: she took measures for appeasing the resentment of the States-general, who exclaimed against the Earl of Torrington for his behaviour in the late action. He was deprived of his command and sent prisoner to the Tower; and commissioners were appointed to examine the particular circumstances of his conduct. A camp was formed in the neighbourhood of Torbay, where the French seemed to threaten a descent. Their fleet which lay at anchor in the bay, cannonaded a small village called Tingmouth. About a thousand of their men landed without opposition, set fire to the place, and burned a few coasting vessels; then they re-embarked and returned to Brest, so vain of this achievement, that they printed a pompous account of their invasion. Some of the whig partisans published pamphlets, and diffused reports, implying, that the suspended bishops were concerned in the conspiracy against the government; and these arts proved so inflammatory among the common people, that the prelates thought it necessary to print a paper, in which they asserted their innocence in the most solemn protestations. The court seems to have harboured no suspicion against them, otherwise they would not have escaped imprisonment. The queen issued a proclamation for apprehending the Earls of Lichfield, Aylesbury, and Castlemain; Viscount Preston; the Lords Montgomery and Bellasis; Sir Edward Hales, Sir Robert Tharold, Sir Robert Hamilton, Sir Theophilus Oglethorpe, Colonel Edward Sackville, and some other officers. These were accused of having conspired with other disaffected persons to disturb and destroy the government, and of a design to concur with her majesty's enemies in the intended invasion. The Earl of Torrington continued a prisoner in the Tower till next session, when he was brought into the House of Commons, and made a speech in his own defence. His case produced long debates in the Upper House, where the form of his commitment was judged illegal: at length he was tried by a court-martial, appointed by the commissioners of the admiralty, though not before an act had passed, declaring the power of a lord high-admiral vested in those commissioners. The president of the court was Sir Ralph Delaval, who had acted as vice-admiral of the blue in the engagement. The earl was acquitted, but the king dismissed him from the service: and the Dutch exclaimed against the partiality of his judges.

§ XXXIV. William is said to have intercepted all the papers of his father-in-law and Tyrconnel, and to have learned from them, not only the design projected by the French to burn the English transports, but likewise the undertaking of one Jones, who engaged to assassinate King William. No such attempt, however, was made, and, in all probability, the whole report was a fiction, calculated to throw an odium on James's character. On the ninth day of July, William detached General Douglas with a considerable body of horse and foot towards Athlone, while he himself, having left Trelawney to command at Dublin, advanced with the rest of his army to Inchiquin, in his way to Kilkenny. Colonel Grace, the governor of Athlone for King James, being summoned to surrender, fired a pistol at the trumpeter, saying, "These are my terms." Then Douglas resolved to undertake the siege of the place, which was naturally very strong, and

defended by a resolute garrison. An considerable breach was made, when Douglas receiving intelligence that Sarsfield was on his march to the relief of the besieged, abandoned the enterprise, after having lost above four hundred men in the attempt. The king continued his march to the westward; and, by dint of severe examples, established such order and discipline in his army, that the peasants were secure from the least violence. At Carlow he detached the Duke of Ormond to take possession of Kilkenny, where that nobleman regaled him in his own castle, which the enemy had left undamaged. While the army encamped at Carrick, Major General Kirke was sent to Waterford, the garrison of which, consisting of two regiments, capitulated, upon condition of marching out with their arms and baggage; and being conducted to Mallow. The fort of Duncannon was surrendered on the same terms. Here the Lord Dover and the Lord George Howard were admitted to the benefit of the king's mercy and protection.

§ XXXV. On the first day of August, William being at Chapel-Isard, published a second declaration of mercy, confirming the former, and even extending it to persons of superior rank and station, whether natives or foreigners, provided they would, by the twenty-fifth day of the month, lay down their arms, and submit to certain conditions. This offer of indemnity produced very little effect; for the Irish were generally governed by their priests, and the news of the victory which the French fleet had obtained over the English and Dutch was circulated with such exaggerations as elevated their spirits, and effaced all thoughts of submission. The king had returned to Dublin, with a view to embark for England; but receiving notice that the designs of his domestic enemies were discovered and frustrated, that the fleet was repaired, and the French navy retired to Brest, he postponed his voyage, and resolved to reduce Limerick; in which Monsieur Boisseleau commanded as governor, and the Duke of Berwick and Colonel Sarsfield acted as inferior officers. On the ninth day of August, the king having called in his detachment, and advanced into the neighbourhood of the place, summoned the commander to deliver the town; and Boisseleau answered, that he imagined the best way to gain the good opinion of the Prince of Orange would be a vigorous defence of the town which his majesty had committed to his charge. Before the place was fully invested, Colonel Sarsfield, with a body of horse and dragoons, passed the Shannon in the night, intercepted the king's train of artillery on its way to the camp, routed the troops that guarded it, disabled the cannon, destroyed the carriages, wagons, and ammunition, and returned in safety to Limerick. Notwithstanding this disaster, the trenches were opened on the seventeenth day of the month, and a battery was raised with some cannon brought from Waterford. The siege was carried on with vigour, and the place defended with great resolution. At length the king ordered his troops to make a lodgment in the covered way or counterscarp, which was accordingly assaulted with great fury: but the assailants met with such a warm reception from the besieged, that they were repulsed with the loss of twelve hundred men, either killed on the spot or mortally wounded. This disappointment concurring with the badness of the weather, which became rainy and unwholesome, induced the king to renounce his undertaking. The heavy baggage and cannon being sent away, the army decamped, and marched towards Clonmel. William having constituted the Lord Sydney and Thomas Coningsby lords justices of Ireland, and left the command of the army with Count Solmes, embarked at Duncannon with Prince George of Denmark, on the fifth of September, and next day arrived in King-Road, near Bristol, from whence he repaired to Windsor.

§ XXXVI. About the latter end of this month the Earl of Marlborough arrived in Ireland, with five thousand English troops, to attack Cork and Kinsale, in conjunction with a detachment from the great army, according to a scheme he had proposed to King William. Having landed his soldiers without much opposition in the neighbourhood of Cork, he was joined by five thousand men, under the Prince of Wirtemberg, between whom and the earl a dispute arose about the command: but this was

compromised by the interposition of La Melloinere. The place being invested, and the batteries raised, the besiegers proceeded with such rapidity that a breach was soon effected. Colonel Mackillicut, the governor, demanded a parley, and hostages were exchanged; but he rejected the conditions that were offered, and hostilities recommenced with redoubled vigour. The Duke of Grafton, who served on this occasion as a volunteer, was mortally wounded in one of the attacks, and died regretted as a youth of promising talents. Preparations being made for a general assault, the besieged thought proper to capitulate, and surrendered themselves prisoners of war. Besides the governor and Colonel Ricaut, the victor found the Earls of Clancarte and Tyrone among the individuals of the garrison. Marlborough having taken possession of Cork, detached Brigadier Villiers with a body of horse and dragoons to summon the town and forts of Kinsale, and next day advanced with the rest of the forces. The old fort was immediately taken by assault; but Sir Edward Scott, who commanded the other, sustained a regular siege, until the breach was practicable, and then obtained an honourable capitulation. These maritime places being reduced, all communication between France and the enemy, on this side of the island, was cut off, and the Irish were confined to Ulster, where they could not subsist without great difficulty. The Earl of Marlborough having finished this expedition in thirty days, returned with his prisoners to England, where the fame of this exploit added greatly to his reputation.

§ XXXVII. During these transactions, Count de Lauzun, commander of the French auxiliaries in Ireland, lay inactive in the neighbourhood of Galway, and transmitted such a lamentable account of his situation to the court of France, that transports were sent over to bring home the French forces. In these he embarked with his troops, and the command of the Irish forces devolved to the Duke of Berwick, though it was afterwards transferred to M. St. Ruth. Lauzun was disgraced at Versailles for having deserted the cause before it was desperate: Tyrconnel, who accompanied him in his voyage, solicited the French court for a further supply of officers, arms, clothes, and ammunition for the Irish army, which he said would continue firm to the interest of King James, if thus supported. Meanwhile they formed themselves into separate bodies of freebooters, and plundered the country, under the appellation of Rapparees: while the troops of King William either enjoyed their ease in quarters, or imitated the rapine of the enemy; so that, between both, the poor people were miserably harassed.

§ XXXVIII. The affairs of the continent had not yet undergone any change of importance, except in the conduct of the Duke of Savoy, who renounced his neutrality, engaged in an alliance with the Emperor and King of Spain; and, in a word, acceded to the grand confederacy. He had no sooner declared himself than Catinat, the French general, entered his territories at the head of eighteen thousand men, and defeated him in a pitched battle near Saluces, which immediately surrendered to the conqueror. Then he reduced Savillana, Villa Franca, with several other places, pursued the Duke to Carignan, surprised Suza, and distributed his forces in winter-quarters, partly in Provence, and partly in the duchy of Savoy, which St. Ruth had lately reduced under the dominion of France. The duke finding himself disappointed in the succours he expected from the emperor and the King of Spain, demanded assistance of the States-general and King William; to this last he sent an ambassador, to congratulate him upon his accession to the throne of England. The confederates in their general congress at the Hague, had agreed that the army of the States under Prince Waldeck should oppose the forces of France, commanded by the Duke of Luxembourg in Flanders; while the Elector of Brandenburg should observe the Marquis de Boufflers on the Moselle; but, before the troops of Brandenburg could be assembled, Boufflers encamped between the Sambre and the Meuse, and maintained a free communication with Luxembourg.

§ XXXIX. Prince Waldeck understanding that this general intended to cross the Sambre between Namur and Charleroy, in order to lay the Spanish territories

under contribution, decamped from the river Pieton, and detached the Count of Berlo, with a great body of horse, to observe the motions of the enemy. He was encountered by the French army near Fleurus, and slain; and his troops, though supported by two other detachments, were hardly able to rejoin the main body, which continued all night in order of battle. Next day they were attacked by the French, who were greatly superior to them in numbers: after a very obstinate engagement the allies gave way, leaving about five thousand men dead upon the field of battle. The enemy took about four thousand prisoners, and the greatest part of their artillery; but the victory was dearly bought. The Dutch infantry fought with surprising resolution and success. The Duke of Luxembourg owned, with surprise, that they had surpassed the Spanish foot, at the battle of Rocroy. "Prince Waldeck (said he) ought always to remember the French horse; and I shall never forget the Dutch infantry." The Dutch general exerted himself with such activity, that the French derived very little advantage from their victory. The prince being reinforced with the five English regiments, nine thousand Hanoverians, ten thousand from the Bishopric of Liege and Holland, joined the Elector of Brandenburg; so that the confederate army amounted to five-and-fifty thousand men, and they marched by the way of Genap to Bois-Seigneur-Isaac. They were now superior to Luxembourg, who thought proper to fortify his camp, that he might not be obliged to fight, except with considerable advantage. Nevertheless, Prince Waldeck would have attacked him in his entrenchments, had he not been prohibited from hazarding another engagement, by an express order of the States-general; and, when this restriction was removed, the elector would not venture a battle.

§ XL. By this time the emperor's son Joseph was by the electoral college chosen King of the Romans; but his interest sustained a rude shock in the death of the gallant Duke of Lorraine, who was suddenly seized with a quinsy, at a small village near Lintz, and expired, not without suspicion of having fallen a sacrifice to the fears of the French king, against whom he had formerly declared war, as a sovereign prince unjustly expelled from his territories. He possessed great military talents, and had threatened to enter Lorraine, at the head of forty thousand men, in the course of the ensuing summer. The court of France, alarmed at this declaration, is said to have had recourse to poison, for preventing the execution of the Duke's design. At his death the command of the imperial army was conferred upon the Elector of Bavaria. This prince, having joined the Elector of Saxony, advanced against the dauphin, who had passed the Rhine at Fort-Louis, with a considerable army, and intended to penetrate into Wirtemberg; but the Duke of Bavaria checked his progress, and he acted on the defensive during the remaining part of the campaign. The emperor was less fortunate in his efforts against the Turks, who rejected the conditions of peace he had offered, and took the field, under a new visir. In the month of August, Count Tekeli defeated a body of imperialists near Cronstadt, in Transylvania; then convoking the states of that province at Albajulia, he compelled them to elect him their sovereign; but his reign was of short duration. Prince Louis, of Baden, having taken the command of the Austrian army, detached four regiments into Belgrade, and advanced against Tekeli, who retired into Valachia, at his approach. Meanwhile, the grand visir invested Belgrade, and carried on his attacks with surprising resolution. At length, a bomb falling upon a great tower, in which the powder-magazine of the besieged was contained, the place blew up with a dreadful explosion. Seventeen hundred soldiers of the garrison were destroyed; the walls and ramparts were overthrown; the ditch was filled up, and so large a breach was opened, that the Turks entered by squadrons and battalions, cutting in pieces all that fell in their way. The fire spread from magazine to magazine until eleven were destroyed; and, in the confusion, the remaining part of the garrison escaped to Peterwaradin. By this time the imperialists were in possession of Transylvania, and cantoned at Cronstadt and Clausenburgh. Tekeli undertook to attack the province on one side, while

a body of Turks should invade it on the other: these last were totally dispersed by Prince Louis of Baden: but Prince Augustus, of Hanover, whom he had detached against the count, was slain in a narrow defile, and his troops were obliged to retreat with precipitation. Tekeli, however, did not improve this advantage. Being apprized of the fate of his allies, and afraid of seeing his retreat cut off by the snow, that frequently chokes up the passes of the mountains, he retreated again to Valachia, and Prince Louis returned to Vienna.

§ XLII. King William having published a proclamation, requiring the attendance of the members on the second day of October, both Houses met accordingly, and he opened the session with a speech to the usual purport. He mentioned what he had done towards the reduction of Ireland; commended the behaviour of the troops; told them the supplies were not equal to the necessary expense; represented the danger to which the nation would be exposed, unless the war should be prosecuted with vigour; conjured them to clear his revenue, which was mortgaged for the payment of former debts, and enable him to pay off the arrears of the army; assured them that the success of the confederacy abroad would depend upon the vigour and despatch of their proceedings; expressed his resentment against those who had been guilty of misconduct in the management of the fleet; recommended unanimity and expedition; and declared, that whoever should attempt to divert their attention from those subjects of importance which he had proposed, could neither be a friend to him, nor a well-wisher to his country. The late attempt of the French upon the coast of England, the rumours of a conspiracy by the Jacobites, the personal valour which William had displayed in Ireland, and the pusillanimous behaviour of James, concurred in warming the resentment of the nation against the adherents of the late king, and in raising a tide of loyalty in favour of the new government. Both Houses presented separate addresses of congratulation to the king and queen, upon his courage and conduct in the field, and her fortitude and sagacity at the helm, in times of danger and disquiet. The Commons, pursuant to an estimate laid before them of the next year's expenses, voted a supply of four millions for the maintenance of the army and navy, and settled the funds for that purpose.

§ XLIII. They proposed to raise one million by the sale of forfeited estates in Ireland: they resolved that a bill should be brought in for confiscating those estates, with a clause, empowering the king to bestow a third part of them on those who had served in the war, as well as to grant such articles and capitulations to those who were in arms, as he should think proper. This clause was rejected; and a great number of petitions were offered against the bill, by creditors and heirs, who had continued faithful to the government. These were supposed to have been suggested by the court, in order to retard the progress of the bill; for the estates had been already promised to the king's favourites: nevertheless, the bill passed the lower House, and was sent up to the Lords, among whom it was purposely delayed by the influence of the ministry. It was at this juncture that Lord Torrington was tried and acquitted, very much to the dissatisfaction of the king, who not only dismissed him from the service, but even forbade him to appear in his presence. When William came to the House of Lords, to give the royal assent to a bill for doubling the excise, he told the parliament, that the posture of affairs required his presence at the Hague; that, therefore, they ought to lose no time in perfecting such other supplies as were still necessary for the maintenance of the army and navy; and he reminded them of making some provision for the expense of the civil government. Two bills were accordingly passed for granting to their majesties the duties on goods imported, for five years; and these, together with the mutiny bill, received the royal assent: upon which occasion the king observed, that if some annual provision could be made for augmenting the navy, it would greatly conduce

to the honour and safety of the nation. In consequence of this hint, they voted a considerable supply for building additional ships of war,<sup>c</sup> and proceeded with such alacrity and expedition, as even seemed to anticipate the king's desires. This liberality and despatch were in a great measure owing to the management of Lord Godolphin, who was now placed at the head of the treasury, and Sir John Somers, the solicitor-general. The place of secretary of state, which had remained vacant since the resignation of the Earl of Shrewsbury, was now filled with Lord Sidney; and Sir Charles Porter was appointed one of the justices of Ireland, in the room of this nobleman.

§ XLIII. Notwithstanding the act for revising the proceedings against the city charter, the whigs had made shift to keep possession of the magistracy: Pilkington continued mayor, and Robinson retained the office of chamberlain. The Tories of the city, presuming upon their late services, presented a petition to the House of Commons, complaining, That the intent of the late act of parliament, for reversing the judgment on the *Quo Warranto*, was frustrated by some doubtful expression; so that the old aldermen elected by commission under the late king's great seal still acted by virtue of that authority: that Sir Thomas Pilkington was not duly returned as mayor by the common hall; and that he and the aldermen had imposed Mr. Leonard Robinson upon them as chamberlain, though another person was duly elected into that office; that divers members of the common council were illegally excluded, and others, duly elected, were refused admittance. They specified other grievances, and petitioned for relief. Pilkington and his associates undertook to prove that those allegations were either false or frivolous; and represented the petition as a contrivance of the Jacobites, to disturb the peace of the city, that the supply might be retarded, and the government distressed. In the late panic which overspread the nation, the whigs had appeared to be the monied men, and subscribed largely for the security of the settlement they had made, while the Tories kept aloof with a suspicious caution. For this reason the court now interposed its influence in such a manner, that little or no regard was paid to their remonstrance.

§ XLIV. The Marquis of Carmarthen, lord president, who was at the head of the Tory interest in the ministry, and had acquired great credit with the king and queen, now fell under the displeasure of the opposite faction; and they resolved, if possible, to revive his old impeachment. The Earl of Shrewsbury, and thirteen other leading men, had engaged in this design. A committee of Lords was appointed to examine precedents, and inquire whether impeachments continued *in statu quo* from parliament to parliament. Several such precedents were reported; and violent debates ensued: but the Marquis eluded the vengeance of his enemies, in consequence of the following question: "Whether the Earls of Salisbury and Peterborough, who had been impeached in the former parliament, for being reconciled to the church of Rome, shall be discharged from their bail?" The House resolved in the affirmative, and several lords entered a protest. The Commons having finished a bill for appointing commissioners to take and state the public accounts, and having chosen the commissioners from among their own members, sent it up to the House of Lords. There the Earl of Rochester moved, That they should add some of their number to those of the Commons: they accordingly chose an equal number by ballot; but Rochester himself being elected, refused to act: the others followed his example, and the bill passed without alteration. On the fifth day of January, the king put an end to the session with a speech, in which he thanked them for the repeated instances they had exhibited of their affection to his person and government. He told them, it was high time for him to embark for Holland; recommended unanimity; and assured them of his particular favour and protection. Then Lord Chief Baron Atkins signified his majesty's

<sup>c</sup> This supply was raised by the additional duties upon beer, ale, and other liquors. This also provided in the bill, that the impositions on wines, vinegar, and tobacco, should be made a fund of credit: that the surplus of the grants they had made, after the current expenses pro-

vided for, should be applicable to the payment of the debts contracted by the crown; and that it should be lawful for their majesties to make use of five hundred thousand pounds, out of the said grants, on condition of that sum being repaid from the revenue. — Ralph



pleasure, that the two Houses should adjourn themselves to the thirty-first day of March.<sup>a</sup>

§ XLV. William, having settled the affairs of the nation, set out for Margate on the sixth day of January; but the ship in which he proposed to embark being detained by an easterly wind and hard frost, he returned to Kensington. On the sixteenth, however, he embarked at Gravesend with a numerous retinue, and set sail for Holland, under convoy of twelve ships of war, commanded by Admiral Rooke. Next day, being informed by a fisherman that he was within a league and a half of Goree, he quitted the yacht, and went into an open boat, attended by the Duke of Ormond, the Earls of Devonshire, Dorset, Portland, and Monmouth, with Auverquerque and Zuysestein. Instead of landing immediately, they lost sight of the fleet, and, night coming on, were exposed in very severe weather to the danger of the enemy and the sea, which ran very high for eighteen hours, during which the king and all his attendants were drenched with sea water. When the sailors expressed their apprehensions of perishing, the king asked if they were afraid to die in his company? At day-break, he landed on the Isle of Goree, where he took some refreshment in a fisherman's hut: then he committed himself to the boat again, and was conveyed to the shore in the neighbourhood of Measlandsduys. A deputation of the States received him at Hounsardryke: about six in the evening he arrived at the Hague, where he was immediately complimented by the States-general, the States of Holland, the council of state, the other colleges, and the foreign ministers. He afterwards, at the request of the magistrates, made his public entry with surprising magnificence; and the Dutch celebrated his arrival with bonfires, illuminations, and other marks of tumultuous joy. He assisted at their different assemblies; informed them of his successes in England and Ireland; and assured them of his constant zeal and affection for his native country.

§ XLVI. At a solemn congress of the confederate princes, he represented, in a set speech, the dangers to which they were exposed from the power and ambition of France; and the necessity of acting with vigour and despatch. He declared he would spare neither his credit, forces, nor person, in concurring with their measures; and that in the spring he would come at the head of his troops to fulfil his engagements. They forthwith resolved to employ two hundred and twenty-two thousand men against France in the ensuing campaign. The proportions of the different princes and states were regulated; and the King of England agreed to furnish twenty thousand. He supplied the Duke of Savoy so liberally, that his affairs soon assumed a more promising aspect. The plan of operations was settled, and they transacted their affairs with such harmony, that no dispute interrupted their deliberations. In the beginning of March, immediately after the congress broke up, the siege of Mons was undertaken by the French king in person, accompanied by the dauphin, the Dukes of Orleans and Chartres. The garrison consisted of about six thousand men, commanded by the Prince of Berghie: but the besiegers carried on their works with such rapidity as they could not withstand. King William no sooner understood that the place was invested, than he ordered Prince Waldeck to assemble the army, determined to march against the enemy in person. Fifty thousand men were soon collected at Halle, near Brussels; but when he went thither, he found the Spaniards had neglected to provide carriages, and other necessities for the expedition. Meanwhile, the burghers of Mons, seeing their town in danger of being utterly destroyed by the bombs and cannon of the enemy, pressed the governor to capitulate, and even threatened to introduce the besiegers: so that he was forced to comply, and obtained very honourable conditions. William, being apprized of this event, returned to the Hague, embarked for England, and arrived at Whitehall on the thirteenth day of April.<sup>b</sup>

## CHAP. III.

§ I. Conspiracy against the government by Lord Preston and others. § II. The king his up the vacant bishoprics. § III. Affairs of Scotland. § IV. Campaign in Flanders. § V. Progress of the French in Piedmont. § VI. Election of a new Pope. § VII. The emperor's success against the Turks. § VIII. Affairs of Ireland. § IX. General council reduces Athlone. § X. Defeats the Irish at Aughrim. § XI. Under-takes the siege of Limerick. § XII. The French and Irish obtain an honourable capitulation. § XIII. Twelve thousand Irish Catholics are transported to France. § XIV. Meeting of the English parliament. § XV. Discontent of the nation. § XVI. Transactions in parliament. § XVII. Disputes concerning the bill for regulating trials in cases of high treason. § XVIII. The English and Dutch fleets visited by the French in an engagement off Beachy head. § XIX. The king strengthens the garrisons of Scotland. § XX. The Earl of Breadalbane undertakes for the submission of the highlanders. § XXI. Massacre of Gleneloch. § XXII. Preparations for a descent upon England. § XXIII. Declaration of King James. § XXIV. Efforts of his friends in England. § XXV. Precautions taken by the queen for the defence of the nation. § XXVI. Admiral Russel puts to sea. § XXVII. He obtains a complete victory over the French fleet off La Hogue. § XXVIII. Troops embarked at St. Helen's for a descent upon France. § XXIX. The queen laid aside. The troops landed at Ostend. § XXX. The French king takes Namur in sight of King William. § XXXI. The allies are defeated at Steenkirk. § XXXII. Extravagant rejoicings in France on account of this victory. § XXXIII. Conspiracy against the life of King William, hatched by the French ministry. § XXXIV. A miscarriage of a design upon Dunkirk. § XXXV. The campaign is active on the Rhine and in Hungary. § XXXVI. The Duke of Savoy invades Dauphine. § XXXVII. The Duke of Hanover created an elector of the empire.

§ I. A CONSPIRACY against the government A. D. 1691. had been lately discovered. In the latter end of December, the master of a vessel who lived at Barking, in Essex, informed the Marquis of Caermarthen, that his wife had let out one of his boats to carry over some persons to France; and that they would embark on the thirteenth day of the month. This intelligence being communicated to the king and council, an order was sent to Captain Billop, to watch the motion of the vessel, and secure the passengers. He accordingly boarded her at Gravesend, and found in the hold Lord Preston, Mr. Ashton, a servant of the late queen, and one Elliot. He likewise seized a bundle of papers, some of which were scarce intelligible: among the rest, two letters, supposed to be written by Turner, Bishop of Ely, to King James and his queen, under fictitious names. The whole amounted to an invitation to the French king, to assist King James in re-ascending the throne upon certain conditions, while William should be absent from the kingdom; but the scheme was ill laid, and countenanced but by a very few persons of consideration, among whom, the chiefs were the Earl of Clarendon, the Bishop of Ely, Lord Preston, his brother, Mr. Graham, and Penn, the famous quaker. Notwithstanding the outcries which had been made against the severities of the late government, Preston, and his accomplice Ashton, were tried at the Old Bailey for compassing the death of their majesties King William and Queen Mary, and their trials were hurried on, without any regard to their petitions for delay. Lord Preston alleged, in his defence, that the treasons charged upon him were not committed in the county of Middlesex, as laid in the indictment: that none of the witnesses declared he had any concern in hiring the vessel: that the papers were not found upon him: that there ought to be two credible witnesses to every fact; whereas, the whole proof against him rested on similitude of hands, and mere supposition. He was, nevertheless, found guilty. Ashton behaved with great intrepidity and composure. He owned his purpose of going to France, in pursuance of a promise he had made to General Wordon, who, on his death-bed, conjured him to go thither, and finish some affairs of consequence which he had left there depending: as well as with a view to recover a considerable sum of money due to himself. He denied that he was privy to the contents of the papers found upon him; he complained of his having been denied time to prepare for his trial: and called several persons to prove him a protestant of exemplary piety and irreproachable morals. These circumstances had no weight with the court. He was brow-beaten by the bench, and found guilty by the jury, as he had the papers in his custody: yet there was no privy proved; and the whig party themselves had often expressly declared that of all sorts of evidence, that of finding papers in a person's pos-

<sup>a</sup> In this year the English planters re-possessed themselves of part of the Island of St. Christopher's, from which they had been driven by the French.

<sup>b</sup> A few days before his arrival, great part of the palace of Whitehall was consumed by fire, through the negligence of a female servant.

session is the weakest, because no man can secure himself from such danger. Ashton suffered with equal courage and decorum. In a paper which he delivered to the sheriff, he owned his attachment to King James; he witnessed to the birth of the Prince of Wales; denied his knowledge of the contents of the papers that were committed to his charge; complained of the hard measure he had met with from the judges and the jury, but forgave them in the sight of heaven. This man was celebrated by the non-

<sup>Burnet.</sup>  
<sup>State trials.</sup>  
<sup>Burchett.</sup>  
<sup>indul.</sup>  
<sup>Ralph.</sup> jurors as a martyr to loyalty; and they boldly affirmed, that his chief crime in the eyes of the government, was his having among his baggage an account of such evidence as would have been convincing to all the world, concerning the birth of the Prince of Wales, which by a great number of people was believed supposititious.<sup>a</sup> Lord Preston obtained a pardon: Elliot was not tried, because no evidence appeared against him: the Earl of Clarendon was sent to the Tower, where he remained some months, and he was afterwards confined to his own house in the country; an indulgence, which he owed to his consanguinity with the queen, who was his first cousin. The Bishop of Ely, Graham, and Penn, absconded; and a proclamation was issued for apprehending them as traitors.

§ II. This prelate's being concerned in a conspiracy, furnished the king with a plausible pretence for filling up the vacant bishoprics. The deprived bishops had been given to understand, that an act of parliament might be obtained to excuse them from taking the oaths, provided they would perform their episcopal functions: but, as they declined this expedient, the king resolved to fill up their places at his return from Holland. Accordingly, the archbishopric of Canterbury was conferred upon Dr. Tillotson,<sup>b</sup> one of the most learned, moderate, and virtuous ecclesiastics of the age, who did not accept of this promotion without great reluctance, because he foresaw that he should be exposed to the slander and malevolence of that party which espoused the cause of his predecessor. The other vacant sees were given to divines of unblemished character; and the public in general seemed very well satisfied with this exertion of the king's supremacy. The deprived bishops at first affected all the meekness of resignation. They remembered those shouts of popular approbation, by which they had been animated in the persecution they suffered under the late government; and they hoped the same cordial would support them in their present affliction: but, finding the nation cold in their concern, they determined to warm it by argument and declamation. The press groaned with the efforts of their learning and resentment; and every essay was answered by their opponents. The nonjurors affirmed, that Christianity was a doctrine of the cross; that no pretence whatever could justify an insurrection against the sovereign; that the primitive Christians thought it their indispensable duty to be passive under every invasion of their rights; and, that non-resistance was the doctrine of the English church, confirmed by all the sanctions that could be derived from the laws of God and man. The other party not only supported the natural rights of mankind, and explained the use that might be made of the doctrine of non-resistance, in exciting fresh commotions, but they also argued, that if passive obedience was right in any instance, it was conclusively so with regard to the present government; for the obedience required by Scripture was indiscriminate, "the powers that be, are ordained of God—let every soul be subject to the higher powers." From these texts they inferred, that the new oaths ought to be taken without scruple; and that those who refused them, concealed party under the cloak of conscience. On the other hand, the fallacy and treachery of this argument were demonstrated. They said, it levelled all distinctions of justice and duty; that those who taught such doctrines, attached themselves solely to possession, however unjustly acquired; that, if twenty different usurpers should succeed one another, they would recognise the last, notwithstanding the allegiance

they had so solemnly sworn to his predecessor, like the fawning spaniel that followed the thief who mounted his master's horse, after having murdered the right owner. They also denied the justice of a lay-deprivation, and with respect to church-government started the same distinctions "*De jure* and *De facto*," which they had formerly made in the civil administration. They had even recourse to all the bitterness of invective against Tillotson and the new bishops, whom they reviled as intruders and usurpers: their acrimony was chiefly directed against Dr. Sherlock, who had been one of the most violent sticklers against the revolution, but thought proper to take the oaths upon the retreat of King James from Ireland. They branded him as an apostate, who had betrayed his cause, and published a review of his whole conduct, which proved a severe satire upon his character. Their attacks upon individuals were mingled with their vengeance against the government; and indeed the great aim of their divines, as well as of their politicians, was to sap the foundation of the new settlement. In order to alienate the minds of the people from the interest of the reigning prince, they ridiculed his character: inveighed against his measures: they accused him of sacrificing the concerns of England to the advantage of his native country; and drew invidious comparisons between the wealth, the trade, the taxes, of the last and of the present reign. To frustrate these efforts of the malcontents, the court employed their engines to answer and re-criminate; all sorts of informers were encouraged and caressed: in a proclamation issued against papists and other disaffected persons, all magistrates were enjoined to make search, and apprehend those who should, by seditious discourses and libels, presume to defame the government. Thus the revolutioners commenced the professed enemies of those very arts and practices which had enabled them to bring their scheme to perfection.

§ III. The presbyterians in Scotland acted with such folly, violence, and tyranny, as rendered them equally odious and contemptible. The transactions in their general assembly were carried on with such peevishness, partiality, and injustice, that the king dissolved it by an act of state, and convoked another from the month of November in the following year. The episcopal party promised to enter heartily into the interests of the new government, to keep the highlanders quiet, and induce the clergy to acknowledge and serve King William, provided he would balance the power of Melvil and his partisans, in such a manner, as would secure them from violence and oppression; provided the episcopal ministers should be permitted to perform their functions among those people by whom they were beloved; and that such of them as were willing to mix with the presbyterians in their judicatories, should be admitted without any severe imposition in point of opinion. The king, who was extremely disgusted at the presbyterians, relished the proposal; and young Dalrymple, son of Lord Stair, was appointed joint secretary of state with Melvil. He undertook to bring over the majority of the Jacobites, and a great number of them took the oaths; but at the same time they maintained a correspondence with the court of St. Germain's, by the connivance of which they submitted to William, that they might be in a condition to serve James the more effectually. The Scottish parliament was adjourned by proclamation to the sixteenth day of September. Precautions were taken to prevent any dangerous communication with the continent: a committee was appointed to put the kingdom in a posture of defence; to exercise the powers of the regency, in securing the enemies of the government; and the Earl of Home with Sir Peter Fraser and Sir Æneas Macpherson, were apprehended and imprisoned.

§ IV. The king, having settled the operations of the ensuing campaign in Ireland, where General Ginkel exercised the supreme command, manned his fleet by dint of pressing sailors, to the incredible annoyance of commerce: then leaving the queen as before at the helm of government in England, he returned to Holland, accompanied by Lord

<sup>a</sup> To one of the pamphlets published on this occasion, is annexed a petition to the present government, in the name of King James's adherents, reporting, that some grave and learned persons should be authorized to compile a treatise, showing the grounds of William's title, and observing, that in case the petitioners should carry conviction along with it, they would submit to that title, as they had hitherto opposed it from principle.

of conscience. The best answer that could be made to this summons was, *Let us be upon government, which appeared at this time.* <sup>b</sup> *Edinburgh.* <sup>c</sup> *Edinburgh.* <sup>d</sup> *Edinburgh.* <sup>e</sup> *Edinburgh.* <sup>f</sup> *Edinburgh.* <sup>g</sup> *Edinburgh.* <sup>h</sup> *Edinburgh.* <sup>i</sup> *Edinburgh.* <sup>j</sup> *Edinburgh.* <sup>k</sup> *Edinburgh.* <sup>l</sup> *Edinburgh.* <sup>m</sup> *Edinburgh.* <sup>n</sup> *Edinburgh.* <sup>o</sup> *Edinburgh.* <sup>p</sup> *Edinburgh.* <sup>q</sup> *Edinburgh.* <sup>r</sup> *Edinburgh.* <sup>s</sup> *Edinburgh.* <sup>t</sup> *Edinburgh.* <sup>u</sup> *Edinburgh.* <sup>v</sup> *Edinburgh.* <sup>w</sup> *Edinburgh.* <sup>x</sup> *Edinburgh.* <sup>y</sup> *Edinburgh.* <sup>z</sup> *Edinburgh.*

Sydney, secretary of state, the Earls of Marlborough and Portland, and began to make preparations for taking the field in person. On the thirtieth day of May, the Duke of Luxembourg having passed the Scheldt at the head of a large army, took possession of Halle, and gave it up to plunder in sight of the confederates, who were obliged to throw up entrenchments for their preservation. At the same time the Marquis de Boufflers, with a considerable body of forces, entrenched himself before Liege, with a view to bombard that city. In the beginning of June, King William took upon himself the command of the allied army, by this time reinforced in such a manner as to be superior to the enemy. He forthwith detached the Count de Tilly, with ten thousand men, to the relief of Liege, which was already reduced to ruins and desolation by the bombs, bullets, and repeated attacks of Boufflers, who now thought proper to retreat to Dinant. Tilly, having thus raised the siege, and thrown a body of troops into Huy, rejoined the confederate army, which had been augmented ever since his departure with six thousand men from Brandenburg, and ten thousand Hessians, commanded by the landgrave in person. Such was the vigilance of Luxembourg, that William could not avail himself of his superiority. In vain he exhausted his invention in marches, counter-marches, and stratagems, to bring on a general engagement: the French marshal avoided it with such dexterity, as baffled all his endeavours. In the course of this campaign, the two armies twice confronted each other: but they were situated in such a manner that neither could begin the attack without a manifest disadvantage. While the king lay encamped at Court-sur-heure, a soldier, corrupted by the enemy, set fire to the fuses of several bombs, the explosion of which might have blown up the whole magazine, and produced infinite confusion in the army, had not the mischief been prevented by the courage of the men who guarded the artillery; even while the fuses were burning they disengaged the waggons from the line, and overturned them down the side of a hill: so that the communication of the fire was intercepted. The person who made this treacherous attempt being discovered, owned he had been employed for this purpose by the Duke of Luxembourg. He was tried by a court-martial, and suffered the death of a traitor. Such perfidious practices not only fix an indelible share of infamy on the French general, but prove how much the capacity of William was dreaded by his enemies. King William, quitting Court-sur-heure, encamped upon the plain of St. Girard, where he remained till the fourth day of September, consuming the forage, and exhausting the country. Then he passed the Sambre near Jemeppe, while the French crossed it at La Busiere, and both armies marched towards Enghien. The enemy, perceiving the confederates were at their heels, proceeded to Gramont, passed the Dender, and took possession of a strong camp between Aeth and Oudenarde: William followed the same route, and encamped between Aeth and Leuse. While he continued in his post, the Hessian forces and those of Liege, amounting to about eighteen thousand men, separated from the army, and passed the Meuse at Namur: then the king returned to the Hague, leaving the command to Prince Waldeck, who forthwith removed to Leuse, and on the twentieth day of the month began his march to Cambrun. Luxembourg, who watched his motion with a curious eye, found means to attack him in his retreat so suddenly, that his rear was surprised and defeated, though the French were at last obliged to retire; the prince continued his route to Cambrun, and in a little time both armies retired into winter-quarters. In the mean time, the Duke de Noailles besieged and took Urgel in Catalonia, while a French squadron, commanded by the Count D'Etrées, bombarded Barcelona and Alicant.

§ V. The confederates had proposed to act vigorously in Italy against the French: but the season was far advanced before they were in a condition to take the field. The emperor and Spain had undertaken to furnish troops

to join the Duke of Savoy; and the maritime powers contributed their proportion in money. The Elector of Bavaria was nominated to the supreme command of the imperial forces in that country; the Marquis de Leganez, governor of the Milanese, acted as trustee for the Spanish monarch: Duke Schomberg, son of that great general who lost his life at the Boyne, lately created Duke of Leinster, managed the interest of William, as King of England and stadtholder, and commanded a body of the Vaudois paid by Great Britain. Before the German auxiliaries arrived, the French had made great progress in their conquest. Catinat besieged and took Villa-Franca, Nice, and some other fortifications; then he reduced Villana and Carmagnola, and detached the Marquis de Feuquieres to invest Coni, a strong fortress garrisoned by the Vaudois and French refugees. The Duke of Savoy was now reduced to the brink of ruin. He saw almost all his places of strength in the possession of the enemy: Coni was besieged; and La Hogue, another French general, had forced the passes of the valley of Aoste, so that he had free admission into the Vercellois, and the frontiers of the Milanese. Turin was threatened with a bombardment; the people were dispirited and clamorous, and their sovereign lay with his little army encamped on the hill of Montcalier, from whence he beheld his towns taken, and his palace of Rivoli destroyed. Duke Schomberg exhorted him to act on the offensive, and give battle to Catinat, while that officer's army was weakened by detachments, and Prince Eugene supported his remonstrance: but this proposal was vehemently opposed by the Marquis de Leganez, who foresaw that, if the duke should be defeated, the French would penetrate into the territories of Milan. The relief of Coni, however, was undertaken by Prince Eugene, who began his march for that place with a convoy guarded by two-and-twenty hundred horse: at Magliano, he was reinforced by five thousand militia; Bulonde, who commanded at the siege, no sooner heard of his approach than he retired with the utmost precipitation, leaving behind some pieces of cannon, mortars, bombs, arms, ammunition, tents, provisions, utensils, with all his sick and wounded. When he joined Catinat, he was immediately put under arrest, and afterwards cashiered with disgrace. Hogue abandoned the valley of Aoste: Feuquieres was sent with a detachment to change this garrison of Casal: and Catinat retired with his army towards Villa Nova D'Aste.

§ VI. The miscarriage of the French before Coni affected Louvois, the minister of Louis, so deeply, that he could not help shedding tears when he communicated the event to his master, who told him, with great composure, that he was spoiled by good fortune. But the retreat of the French from Piedmont had a still greater influence over the resolutions of the conclave at Rome, then sitting for the election of a new Pope, in the room of Alexander VIII. who died in the beginning of February. Notwithstanding the power and intrigues of the French faction, headed by Cardinal D'Etrées, the affairs of Piedmont had no sooner taken this turn, than the Italians joined the Spanish and imperial interest, and Cardinal Pignatelli, a Neapolitan, was elected pontiff. He assumed the name of Innocent in honour of the late Pope known by that appellation, and adopted all his maxims against the French monarch. When the German auxiliaries arrived, under the command of the Elector of Bavaria, the confederates resolved to give battle to Catinat: but he repassed the Po, and sent couriers to Versailles, to solicit a reinforcement. Then Prince Eugene invested Carmagnola, and carried on the siege with such vigour, that in eleven days the garrison capitulated. Meanwhile the Marquis de Hoquincourt undertook the conquest of Montmelian, and reduced the town without much resistance. The castle, however, made such a vigorous defence, that Catinat marched thither in person; and, notwithstanding all his efforts, the place held out till the second day of December, when it surrendered on honourable conditions.

§ VII. This summer produced nothing of importance on

Prince Eugene of Savoy, who in the sequel rivalled the fame of the greatest warriors of antiquity, was descended on the father's side from the House of Savoy, and on the mother's from the family of Savoy-Carignan, a branch of the illustrious Bourbons. His father was Eugene Maurice, of Savoy, Count of Salinas, Colonel of the Swissers, and Governor of Chamagney and Bugey: his mother was the celebrated Olympia de Mazarin, niece of Cardinal

Mazarin. Prince Eugene, finding himself neglected at the court of France, engaged as a soldier of fortune in the service of the emperor, and soon distinguished himself by his great valour at Blenheim, La Bassa, and other battles. He was afterwards promoted to the rank of lieutenant-general, knight of the order of St. Louis, and a peer of France. He was a generous enemy, an invincible hero, a consummate politician.



the Rhine. The French endeavoured to surprise Mentz, by maintaining a correspondence with one of the emperor's commissioners; but this being discovered, their design was frustrated. The imperial army, under the Elector of Saxony, passed the Rhine in the neighbourhood of Mannheim; and the French crossing the same river at Philipsburgh, reduced the town of Portzheim in the marquisate of Baden-Dourlach. The execution of the scheme, projected by the emperor for this campaign, was prevented by the death of his general, the Elector of Saxony, which happened on the second day of September. His affairs wore a more favourable aspect in Hungary, where the Turks were totally defeated by Prince Louis of Baden on the banks of the Danube. The imperialists afterwards undertook the siege of Great Waradin in Transylvania; but this was turned into a blockade, and the place was not surrendered till the following spring. The Turks were so dispirited by the defeat by which they had lost the grand vizir, that the emperor might have made peace upon very advantageous terms; but his pride and ambition overshot his success. He was weak, vain, and superstitious; he imagined that now the war of Ireland was almost extinguished, King William, with the rest of his allies, would be able to humble the French power, though he himself should not co-operate with heretics, whom he abhorred; and that in the mean time he should not only make an entire conquest of Transylvania, but also carry his victorious arms to the gates of Constantinople, according to some ridiculous prophecy by which his vanity had been flattered. The Spanish government was become so feeble, that the ministry, rather than be at the expense of defending the Netherlands, offered to deliver the whole country to King William, either as monarch of England, or stadtholder of the United Provinces. He declined this offer, because he knew the people would never be reconciled to a protestant government; but he proposed that the Spaniards should confer the administration of Flanders upon the Elector of Bavaria, who was ambitious of signaling his courage, and able to defend the country with his own troops and treasure. This proposal was relished by the court of Spain: the emperor imparted it to the elector, who accepted the office without hesitation; and he was immediately declared governor of the Low Countries by the council of state at Madrid. King William, after his return from the army, continued some time at the Hague, settling the operations of the ensuing campaign. That affair being discussed, he embarked in the Maese, and landed in England on the nineteenth day of October.

§ VIII. Before we explain the proceedings in parliament, it will be necessary to give a detail of the late transactions in Ireland. In the beginning of the season, the French king had sent a large supply of provisions, clothes, and ammunition for the use of the Irish at Lime-  
rick, under the conduct of Monsieur St. Ruth, accompanied by a great number of French officers furnished with commissions from King James, though St. Ruth issued all his orders in the name of Louis. Tyrconnel had arrived in January, with three frigates and nine vessels, laden with succours of the same nature: otherwise the Irish could not have been so long kept together. Nor, indeed, could these supplies prevent them from forming separate and independent bands of Rapparees, who plundered the country, and committed the most shocking barbarities. The lords justices, in conjunction with General Ginckel, had taken every step their prudence could suggest, to quiet the disturbance of the country, and prevent such violence and rapine of which the soldiers in King William's army were not entirely innocent. The justices had issued proclamations denouncing severe penalties against those who should countenance or conceal such acts of cruelty and oppression; they promised to protect all papists who should live quietly with a certain frontier line; and Ginckel gave the catholic rebels to understand, that he was authorized to treat with them, if they were inclined to return to their duty. Before the armies took the field, several skirmishes had been fought between parties; and these had always turned out so unfortunate to the enemy, that their spirits were quite depressed, while the confidence of the English rose in the same proportion.

§ IX. St. Ruth and Tyrconnel were joined by the Rapparees, and General Ginckel was reinforced by Mackay, with those troops which had reduced the highlanders in Scotland. Thus strengthened, he, in the beginning of June, marched from Mullingar to Ballymore, which was garrisoned by a thousand men under Colonel Bourke, who, when summoned to surrender, returned an evasive answer. But when a breach was made in the place, and the besiegers began to make preparations for a general assault, his men laid down their arms, and submitted at discretion. The fortifications of this place being repaired and augmented, the general left a garrison for its defence, and advanced to Athlone, situated on the other side of the Shannon, and supported by the Irish army, encamped almost under its walls. The English town, on the hither side of the river, was taken sword in hand, and the enemy broke down an arch of the bridge in their retreat. Batteries were raised against the Irish town, and several unsuccessful attempts were made to force the passage of the bridge, which was defended with great vigour. At length, it was resolved, in the council of war, that a detachment should pass at a ford a little to the left of the bridge, though the river was deep and rapid, the bottom foul and stony, and the pass guarded by a ravelin, erected for that purpose. The forlorn hope consisted of sixty grenadiers in armour, headed by Captain Sands and two lieutenants. They were seconded by another detachment, and this was supported by six battalions of infantry. Never was a more desperate service, nor was ever exploit performed with more valour and intrepidity. They passed twenty abreast, in the face of the enemy, through an incessant shower of balls, bullets, and grenades. Those who followed them took possession of the bridge, and laid planks over the broken arch. pontoons were fixed at the same time, that the troops might pass in different places. The Irish were amazed, confounded, and abandoned the town in the utmost consternation; so that, in half an hour, it was wholly secured by the English, who did not lose above fifty men in the attack. Mackay, Tetteau, and Ptolemache, exhibited proofs of the most undaunted courage in passing the river: and General Ginckel, for his conduct, intrepidity, and success, on this occasion, was created Earl of Athlone. When St. Ruth was informed by express, that the English had entered the river, he said it was impossible they should pretend to take a town which he covered with his army, and that he would give a thousand pistoles they would attempt to force a passage. Sarsfield insisted upon the truth of the intelligence, and pressed him to send succours to the town: he ridiculed this officer's fears, and some warm expostulation passed between them. Being at length convinced that the English were in possession of the place, he ordered some detachments to drive them out again: but the cannon of their own works being turned against them, they found the task impracticable, and that very night their army decamped. St. Ruth, after a march of ten miles, took post at Aghrim, and having, by draughts from garrisons, augmented his army to five-and-twenty thousand men, resolved to hazard a decisive engagement.

§ X. Ginckel having put Athlone in a posture of defence, passed the Shannon, and marched up to the enemy, determined to give them battle; though his forces did not exceed eighteen thousand, and the Irish were posted in a very advantageous situation. St. Ruth had made an admirable disposition, and taken every precaution that military skill could suggest. His centre extended along a rising ground, uneven in many places, intersected with banks and ditches, joined by lines of communication, and fronted by a large bog almost impassable. His right was fortified with entrenchments, and his left secured by the castle of Aghrim. He harangued his army in the most pathetic strain, conjuring them to exert their courage in defence of their holy religion, in the extirpation of heresy, in recovering their ancient honours and estates, and in restoring a pious king to the throne, from whence he had been expelled by an unnatural usurper. He employed the priests to enforce his exhortations; to assure the men that they might depend upon the prayers of the church: and that in case they should fall in battle, the saints and angels would convey their souls to heaven. They are said to

have sworn upon the sacrament that they would not desert their colours, and to have received an order that no quarter should be given to the French heretics in the army of the Prince of Orange. Ginckel had encamped on the Roscommon side of the river Sue, within three miles of the enemy; after having reconnoitred their posture, he resolved, with the advice of a council of war, to attack them on Sunday the twelfth day of July. The necessary orders being given, the army passed the river at two fords and a stone bridge, and, advancing to the edge of the great bog, began about twelve o'clock to force the two passages, in order to possess the ground on the other side. The enemy fought with surprising fury, and the horse were several times repulsed; but at length, the troops upon the right carried their point by means of some field pieces. The day was now so far advanced, that the general determined to postpone the battle till next morning; but perceiving some disorder among the enemy, and fearing they would decamp in the night, he altered his resolution, and ordered the attack to be renewed. At six o'clock in the evening the left wing of the English advanced to the right of the Irish, from whom they met with such a warm and obstinate reception, that it was not without the most surprising efforts of courage and perseverance that they at length obliged them to give ground; and even then they lost it by inches. St. Ruth, seeing them in danger of being overpowered, immediately detached succours to them from his centre and left wing. Mackay no sooner perceived them weakened by these detachments, than he ordered three battalions to skirt the bog, and attack them on the left, while the centre advanced through the middle of the morass, the men wading up to the waist in mud and water. After they had reached the other side, they found themselves obliged to ascend a rugged hill, fenced with hedges and ditches; and these were lined with musketeers, supported at proper intervals with squadrons of cavalry. They made such a desperate resistance, and fought with such impetuosity, that the assailants were repulsed into the middle of the bog with great loss, and St. Ruth exclaimed—"Now will I drive the English to the gates of Dublin." In this critical conjuncture Ptolemache came up with a fresh body to sustain them, rallied the broken troops, and renewed the charge with such vigour, that the Irish gave way in their turn, and the English recovered the ground they had lost, though they found it impossible to improve the advantage. Mackay brought a body of horse and dragoons to the assistance of the left wing, and first turned the tide of battle in favour of the English. Major-general Rouvigny, who had behaved with great gallantry during the whole action, advanced with five regiments of cavalry to support the centre, when St. Ruth, perceiving his design, resolved to fall upon him in a dangerous hollow way, which he was obliged to pass. For this purpose, he began to descend Kircommodon-hill with his whole reserve of horse; but in his way was killed by a cannon-ball. His troops immediately halted, and his guards retreated with his body. His fate dispirited the troops, and produced such confusion as Sarsfield could not remedy; for though he was next in command, he had been at variance with St. Ruth since the affair at Athlone, and was ignorant of the plan he had concerted. Rouvigny, having passed the hollow way without opposition, charged the enemy in flank, and bore down all before him with surprising impetuosity: the centre redoubled their efforts, and pushed the Irish to the top of the hill; and then the whole line giving way at once from right to left, threw down their arms. The foot fled towards a bog in their rear, and their horse took the route by the highway to Loughneagh: both were pursued by the English cavalry, who for four miles made a terrible slaughter. In the battle, which lasted two hours, and in the pursuit, above four thousand of the enemy were slain, and six hundred taken, together with all their baggage, tents, provision, ammunition, and artillery, nine-and-twenty pair of colours, twelve standards, and almost all the arms of the infantry. In a word, the victory was decisive, and not above eight hundred of the English were killed upon the field of battle. The vanquished retreated in great confusion to Limerick, where they resolved to make a final stand, in hope of receiving such succours from France, as

would either enable them to retrieve their affairs, or obtain good terms from the court of England. There Tyrconnel died of a broken heart, after having survived his authority and reputation. He had incurred the contempt of the French, as well as the hatred of the Irish, whom he had advised to submit to the new government, rather than totally ruin themselves and their families.

§ XI. Immediately after the battle, detachments were sent to reduce Portumny, Bonnachar, and Moor-castle, considerable passes on the Shannon, which were accordingly secured. Then Ginckel advanced to Galway, which he summoned to surrender; but he received a defiance from Lord Dillon and General D'Ussone, who commanded the garrison. The trenches were immediately opened; a fort which commanded the approaches to the town was taken by assault; six regiments of foot, and four squadrons of horse, passed the river on pontoons; and the place being wholly invested, the governor thought proper to capitulate. The garrison marched out with the honours of war, and was allowed safe conduct to Limerick. Ginckel directed his march to the same town, which was the only post of consequence that now held out for King James. Within four miles of the place he halted, until the heavy cannon could be brought from Athlone. Hearing that Luttrell had been seized by the French general D'Ussone, and sentenced to be shot for having proposed to surrender, he sent a trumpet, to tell the commander, that if any person should be put to death for such a proposal, he would make retaliation on the Irish prisoners. On the twenty-fifth day of August the enemy were driven from all their advanced posts; Captain Cole, with a squadron of ships, sailed up the Shannon, and his frigates anchored in sight of the town. On the twenty-sixth day of the month the batteries were opened, and a line of contravallation was formed; the Irish army lay encamped on the other side of the river, on the road to Killaloe, and the fords were guarded with four regiments of their dragoons. On the fifth day of September, after the town had been almost laid in ruins by the bombs, and large breaches made in the walls by the battering cannon, the guns were dismounted, the out-forts evacuated, and such other motions made as indicated a resolution to abandon the siege. The enemy expressed their joy in loud acclamations; but this was of short continuance. In the night the besiegers began to throw a bridge of pontoons over the river, about a mile higher up than the camp; and this work was finished before morning. A considerable body of horse and foot had passed when the alarm was given to the enemy, who were seized with such consternation that they threw down their arms, and betook themselves to flight, leaving behind them their tents, baggage, two pieces of cannon, and one standard. The bridge was immediately removed nearer the town, and fortified; all the fords and passes were secured, and the batteries continued firing incessantly till the twenty-second day of the month, when Ginckel passed over with a division of the army, and fourteen pieces of cannon. About four in the afternoon the grenadiers attacked the forts that commanded Thomond-bridge, and carried them sword in hand, after an obstinate resistance. The garrison had made a sally from the town to support them; and this detachment was driven back with such precipitation, that the French officer on command in that quarter, fearing the English would enter pell-mell with the fugitives, ordered the bridge to be drawn up, leaving his own men to the fury of a victorious enemy. Six hundred were killed, two hundred taken prisoners, including many officers, and a great number were drowned in the Shannon.

§ XII. Then the English made a lodgment within ten paces of the bridge-foot; and the Irish, seeing themselves surrounded on all sides, determined to capitulate. General Sarsfield and Colonel Wahop signified their resolution to Scravenmore and Rouvigny: hostages were exchanged; a negotiation was immediately begun, and hostilities ceased on both sides of the river. The lords justices arrived in the camp on the first day of October, and on the fourth the capitulation was executed, extending to all the places in the kingdom that were still in the hands of the Irish. The Roman catholics were restored to the enjoyment of such liberty in the exercise of religion as was consistent with the laws of Ireland, and conformable with that which they

possessed in the reign of Charles II. All persons whatever were entitled to the protection of these laws, and restored to the possession of their estates, privileges, and immunities, upon their submitting to the present government, and taking the oath of allegiance to their majesties King William and Queen Mary, excepting, however, certain persons who were forfeited or exiled. This article even extended to all merchants of Limerick, or any other garrison possessed by the Irish, who happened to be abroad, and had not borne arms since the declaration in the first year of the present reign, provided they should return within the term of eight months. All the persons comprised in this and the foregoing article were indulged with a general pardon of all attainders, outlawries, treasons, misprisions of treason, premunures, felonies, trespasses, and other crimes and misdemeanors whatsoever, committed since the beginning of the reign of James II. and the lords justices promised to use their best endeavours towards the reversal of such attainders and outlawries as had passed against any of them in parliament. In order to allay the violence of party, and extinguish private animosities, it was agreed, that no person should be sued or impleaded on either side for any trespass, or made accountable for the rents, tenements, lands, or houses he had received or enjoyed since the beginning of the war. Every nobleman and gentleman comprised in these articles was authorized to keep a sword, a case of pistols, and a gun for his defence or amusement. The inhabitants of Limerick and other garrisons were permitted to remove their goods and chattels, without search, visitation, or payment of duty. The lords justices promised to use their best endeavours, that all persons comprehended in this capitulation should for eight months be protected from all arrests and executions for debt or damage: they undertook, that their majesties should ratify these articles within the space of eight months, and use their endeavours that they might be ratified and confirmed in parliament. The subsequent article was calculated to indemnify Colonel John Brown, whose estate and effects had been seized for the use of the Irish army by Tyrconnel and Sarsfield, which last had been created Lord Lucan by King James, and was now mentioned by that title. All persons were indulged with free leave to remove with their families and effects to any other country except England and Scotland. All officers and soldiers in the service of King James, comprehending even the Rapparees, willing to go beyond sea, were at liberty to march in bodies to the place of embarkation, to be conveyed to the continent with the French officers and troops. They were furnished with passports, convoys, and carriages by land and water; and General Ginckel engaged to provide seventy ships if necessary for their transportation, with two men of war for the accommodation of their officers, and to serve as a convoy to the fleet. It was stipulated, That the provisions and forage for their subsistence should be paid for on their arrival in France: that hostages should be given for this indemnification, as well as for the return of the ships: that all the garrisons should march out of their respective towns and fortresses with the honours of war: that the Irish should have liberty to transport nine hundred horses: that those who should choose to stay behind, might dispose of themselves according to their own fancy, after having surrendered their arms to such commissioners as the general should appoint: that all prisoners of war should be set at liberty on both sides: that the general should provide two vessels to carry over two different persons to France, with intimation of this treaty; and that none of those who were willing to quit the kingdom should be detained on account of debt, or any other pretence.—This is the substance of the famous treaty of Limerick, which the Irish Roman catholics considered as the great charter of their civil and religious liberties. The town of Limerick was surrendered to Ginckel; but both sides agreed, that the two armies should entrench themselves till the Irish could embark, that no disorders might arise from a communication.

§ XIII. The protestant subjects of Ireland were extremely disgusted at these concessions made in favour of vanquished rebels, who had exercised such acts of cruelty and rapine. They complained, that they themselves, who had suffered for their loyalty to King William, were

neglected, and obliged to sit down with their losses, while their enemies, who had shed so much blood in opposing his government, were indemnified by the articles of the capitulation, and even favoured with particular indulgences. They were dismissed with the honours of war; they were transported, at the government's expense, to fight against the English in foreign countries; an honourable provision was made for the Rapparees, who were professed banditti: the Roman catholic interest in Ireland obtained the sanction of regal authority: attainders were overlooked, forfeitures annulled, pardons extended, and laws set aside, in order to effect a pacification. Ginckel had received orders to put an end to the war at any rate, that William might convert his whole influence and attention to the affairs of the continent. When the articles of capitulation were ratified, and hostages exchanged for their being duly executed, about two thousand Irish foot, and three hundred horse, began their march for Cork, where they proposed to take shipping for France, under the conduct of Sarsfield: but three regiments, refusing to quit the kingdom, delivered up their arms, and dispersed to their former habitation. Those who remained at Limerick embarked on the seventh day of November, in French transports; and sailed immediately to France, under the convoy of a French squadron, which had arrived in the bay of Dingle immediately after the capitulation was signed. Twelve thousand men chose to undergo exile from their native country, rather than submit to the government of King William. When they arrived in France, they were welcomed by a letter from James, who thanked them for their loyalty; assured them they should still serve under his commission and command; and that the king of France had already given orders for their being new clothed, and put into quarters of refreshment.

§ XIV. The reduction of Ireland being thus completed, Baron Ginckel returned to England, where he was solemnly thanked by the House of Commons for his great services, after he had been created Earl of Athlone by his majesty. When the parliament met on the twenty-second day of October, the king, in his speech, insisted upon the necessity of sending a strong fleet to sea early in the season, and of maintaining a considerable army, to annoy the enemy abroad, as well as to protect the kingdom from insult and invasion; for which purposes, he said, sixty-five thousand men would be barely sufficient. Each House presented an address of congratulation upon his majesty's safe return to England, and on the reduction of Ireland: they promised to assist him, to the utmost of their power, in prosecuting the war with France; and, at the same time, drew up addresses to the queen, acknowledging her prudent administration during his majesty's absence. Notwithstanding this appearance of cordiality and complaisance, a spirit of discontent had insinuated itself into both Houses of parliament, and even infected great part of the nation.

§ XV. A great number of individuals, who wished well to their country, could not, without anxiety and resentment, behold the interest of the nation sacrificed to foreign connexions, and the king's favour so partially bestowed upon Dutchmen, in prejudice to his English subjects. They observed that the number of forces he demanded was considerably greater than that of any army which had ever been paid by the public, even when the nation was in the most imminent danger; that, instead of contributing as allies to the maintenance of the war upon the continent, they had embarked as principals, and bore the greatest part of the burden, though they had the least share of the profit. They even insinuated, that such a standing army was more calculated to make the king absolute at home, than to render him formidable abroad; and the secret friends of the late king did not fail to enforce these insinuations. They renewed their animadversions upon the disagreeable part of his character; they dwelt upon his proud reserve, his sullen silence, his imperious disposition, and his base ingratitude, particularly to the Earl of Marlborough, whom he had dismissed from all his employments, immediately after the signal exploits he had performed in Ireland. The disgrace of this nobleman was partly ascribed to the freedom with which he had complained of the king's undervaluing his services, and partly to the intrigues of his wife, who had gained an



ascendancy over the Princess Anne of Denmark, and is said to have employed her influence in fomenting a jealousy between the two sisters. The malcontents of the whiggish faction, enraged to find their credit declining at court, joined in the cry which the Jacobites had raised against the government. They scrupled not to say, that the arts of corruption were shamefully practised, to secure a majority in parliament; that the king was as tender of the prerogative as any of his predecessors had ever been; and that he even ventured to admit Jacobites into his council, because they were the known tools of arbitrary power. These reflections alluded to the Earls of Rochester and Ranelagh, who, with Sir Edward Seymour, had been lately created privy-councillors. Rochester entertained very high notions of regal authority; he proposed severity as one of the best supports of government; was clear in his understanding, violent in his temper, and incorrupt in his principles. Ranelagh was a man of parts and pleasure, who possessed the most plausible and winning address; and was capable of transacting the most important and intricate affairs, in the midst of riot and debauchery. He had managed the revenue of Ireland in the reign of Charles II. He enjoyed the office of pay-master in the army of King James; and now maintained the same footing under the government of William and Mary. Sir Edward Seymour was the proudest commoner in England, and the boldest orator that ever filled the speaker's chair. He was intimately acquainted with the business of the House, and knew every individual member so exactly, that with one glance of his eye he could prognosticate the fate of every motion. He had opposed the court with great acrimony, questioned the king's title, censured his conduct, and reflected upon his character. Nevertheless, he now became a proselyte, and was brought into the treasury.

§ XVI. The Commons voted three millions, four hundred and eleven thousand, six hundred and seventy-five pounds, for the use of the ensuing year: but the establishment of funds for raising these supplies was retarded, partly by the ill-humour of the opposition, and partly by intervening affairs, that diverted the attention of the Commons. Several eminent merchants presented a petition to the House against the East India company, charging them with manifold abuses; at the same time, a counter-petition was delivered by the company, and the affair referred to the examination of a committee appointed for that purpose. After a minute inquiry into the nature of the complaints, the Commons voted certain regulations with respect to the stock and the traffic; and resolved to petition his majesty, that, according to the said regulations, the East India company should be incorporated by charter. The committee was ordered to bring in a bill for this establishment: but divers petitions being presented against it, and the company's answers proving unsatisfactory, the House addressed the king to dissolve it, and grant a charter to a new company. He said it was an affair of great importance to the trade of the kingdom; therefore, he would consider the subject, and in a little time return a positive answer. The parliament was likewise amused by a pretended conspiracy of the papists in Lancashire, to raise a rebellion, and restore James to the throne. Several persons were seized, and some witnesses examined: but nothing appeared to justify the information. At length one Fuller, a prisoner in the king's bench, offered his evidence, and was brought to the bar of the House of Commons, where he produced some papers. He obtained a blank pass from the king for two persons, who, he said, would come from the continent to give evidence. He was afterwards examined at his own lodgings, where he affirmed, that Colonel Thomas Delaval, and James Hayes, were the witnesses for whom he had procured the pass and the protection. Search was made for them, according to his direction; but no such persons were found. Then the House declared Fuller a notorious impostor, cheat, and false accuser. He was, at the request of the Commons, prosecuted by the attorney general, and sentenced to stand in the pillory; a disgrace which he accordingly underwent.

§ XVII. A bill for regulating trials in cases of high treason, having been laid aside by the Lords in the preceding session, was now again brought upon the carpet, and passed the lower House. The design of this bill was to secure the subject from the rigours to which he had been exposed in the late reigns: it provided, that the prisoner should be furnished with a copy of his indictment, as also of the pannel, ten days before his trial: and, that his witnesses should be examined upon oath, as well as those of the crown. The Lords in their own behalf, added a clause, enacting, that upon the trial of any peer or peeress, for treason or misprision of treason, all the peers who have a right to sit and vote in parliament should be duly summoned to assist at the trial: that this notice should be given twenty days before the trial: and, that every peer so summoned, and appearing, should vote upon the occasion. The Commons rejected this amendment: and a free conference ensued. The point was argued with great vivacity on both sides, which served only to inflame the dispute, and render each party the more tenacious of their own opinion. After three conferences that produced nothing but animosity, the bill was dropped: for the Commons resolved to bear the hardships of which they complained, rather than be relieved at the expense of purchasing a new privilege to the Lords; and without this advantage the Peers would not contribute to their relief.

§ XVIII. The next object that engrossed the attention of the lower House, was the miscarriage of the fleet during the summer's expedition. Admiral Russel, who commanded at sea, having been joined by a Dutch squadron, sailed in quest of the enemy; but as the French king had received undoubted intelligence, that the combined squadrons were superior to his navy in number of ships and weight of metal, he ordered Tourville to avoid an engagement. This officer acted with such vigilance, caution, and dexterity, as baffled all the endeavours of Russel, who was, moreover, perplexed with obscure and contradictory orders. Nevertheless, he cruised all summer, either in the channel or in soundings, for the protection of the trade, and, in particular, secured the homeward-bound Smyrna fleet, in which the English and Dutch had a joint concern, amounting to four millions sterling. Having scoured the channel, and sailed along great part of the French coast, he returned to Torbay in the beginning of August, and received fresh orders to put to sea again, notwithstanding his repeated remonstrances against exposing large ships to the storms that always blow about the time of the equinox. He therefore sailed back to soundings, where he continued cruising till the second day of September, when he was overtaken by a violent tempest, which drove him into the channel, and obliged him to make for the port of Plymouth. The weather being hazy, he reached the Sound with great difficulty: the Coronation, a second-rate, foundered at anchor off the Ram-head: the Harwich, a third-rate, bulged upon the rocks and perished; two others ran ashore, but were got off with little damage: but the whole fleet was scattered and distressed. The nation murmured at the supposed misconduct of the admiral, and the Commons subjected him to an inquiry: but, when they examined his papers, orders, and instructions, they perceived he had adhered to them with great punctuality, and thought proper to drop the prosecution out of tenderness to the ministry. Then the House took into consideration some letters which had been intercepted in a French ship taken by Sir Ralph Delaval. Three of these are said to have been written by King James, and the rest sealed with his seal. They related to the plan of an insurrection in Scotland, and in the northern parts of England: Legge, Lord Dartmouth, with one Crew, being mentioned in them as agents and abettors in the design, warrants were immediately issued against them; Crew absconded, but Lord Dartmouth was committed to the Tower. Lord Preston was examined touching some cyphers which they could not explain, and pretending ignorance, was imprisoned in Newgate, from whence, however, he soon obtained his release. The funds for the supplies for the ensuing year being established, and several acts\* passed relating to do-

\* The laws enacted in this session were these: an act for abrogating the oath of supremacy in Ireland, and appointing other oaths; an act for taking

away clerks from some offenders, and bringing others to punishment; an act against desertion; an act for repairing the highway; and setting

mestic regulations, the king, on the twenty-fourth day of February, closed the session with a short speech, thanking the parliament for their demonstrations of affection in the liberal supplies they had granted, and communicating his intention of repairing speedily to the continent. Then the two Houses, at his desire, adjourned themselves to the twelfth day of April, and the parliament was afterwards prorogued to the twenty-ninth of May by proclamation.<sup>1</sup>

§ XIX. The king had suffered so much in his reputation by his complaisance to the presbyterians of Scotland, and was so displeased with the conduct of that stubborn sect of religionists, that he thought proper to admit some prelatists into the administration. Johnston, who had been sent envoy to the Elector of Brandenburg, was recalled, and with the Master of Stair, made joint secretary of Scotland; Melvill, who had declined in his importance, was made lord privy-seal of that kingdom: Tweedale was constituted lord chancellor; Crawford retained the office of president of the council; and Lothian was appointed high commissioner to the general assembly. The parliament was adjourned to the fifteenth day of April, because it was not yet compliant enough to be assembled with safety; and the episcopal clergy were admitted to a share of the church-government. These measures, instead of healing the divisions, served only to inflame the animosity of the two parties. The episcopalians triumphed in the king's favour, and began to treat their antagonists with insolence and scorn: the presbyterians were incensed to see their friends disgraced, and their enemies distinguished by the royal indulgence. They insisted upon the authority of the law, which happened to be upon their side: they became more than ever sour, surly, and implacable; they refused to concur with the prelatists, or abate in the least circumstance of discipline; and the assembly was dissolved, without any time or place assigned for the next meeting. The presbyterians pretended an independent right of assembling annually, even without a call from his majesty; they therefore adjourned themselves, after having protested against the dissolution. The king resented this measure, as an insolent invasion of the prerogative, and conceived an aversion to the whole sect, who, in their turn, began to lose all respect for his person and government.

§ XX. As the highlanders were not yet totally reduced, the earl of Breadalbane undertook to bring them over, by distributing sums of money among their chiefs; and fifteen thousand pounds were remitted from England for this purpose. The clans being informed of this remittance, suspected that the earl's design was to appropriate to himself the best part of the money, and when he began to treat with them, made such extravagant demands, that he found his scheme impracticable. He was therefore obliged to refund the sum he had received; and he resolved to wreak his vengeance with the first opportunity, on those who had frustrated his intention. He who chiefly thwarted his negotiation, was Macdonald of Glencoe, whose opposition rose from a private circumstance, which ought to have had no effect upon a treaty that regarded the public weal. Macdonald had plundered the lands of Breadalbane during the course of hostilities; and this nobleman insisted upon being indemnified for his losses, from the other's share of the money which he was employed to distribute. The highlander not only refused to acquiesce in these terms, but, by his influence among the clans, defeated the whole scheme, and the earl in revenge devoted him to destruction. King William had by proclamation offered an indemnity to all those who had been in arms against him, provided they would submit, and take the oaths by a certain day; and this was prolonged to the close of the present year, with a denunciation of military execution against those who should hold out after the end of December. Macdonald, intimidated by this declaration, repaired on the very last day of the month to Fort-William, and desired that the oaths might be tendered to him by Colonel

Hill, governor of that fortress. As this officer was not vested with the power of a civil magistrate, he refused to administer them; and Macdonald set out immediately for Inverary, the county-town of Argyle. Though the ground was covered with snow, and the weather intensely cold, he travelled with such diligence, that the term prescribed by the proclamation was but one day elapsed when he reached the place, and addressed himself to Sir John Campbell, sheriff of the county, who, in consideration of his disappointment at Fort-William, was prevailed upon to administer the oaths to him and his adherents. Then they returned to their own habitations in the valley of Glencoe, in full confidence of being protected by the government, to which they had so solemnly submitted.

§ XXI. Breadalbane had represented Macdonald at court as an incorrigible rebel, as a ruffian inured to bloodshed and rapine, who would never be obedient to the laws of his country; nor live peaceably under any sovereign. He observed that he had paid no regard to the proclamation, and proposed that the government should sacrifice him to the quiet of the kingdom, in extirpating him, with his family and dependents, by military execution. His advice was supported by the suggestions of the other Scottish ministers: and the king, whose chief virtue was not humanity, signed a warrant for the destruction of those unhappy people, though it does not appear that he knew of Macdonald's submission. An order for this barbarous execution, signed and counter-signed by his majesty's own hand, being transmitted to the Master of Stair, secretary for Scotland, this minister sent particular directions to Livingstone, who commanded the troops in that kingdom, to put the inhabitants of Glencoe to the sword, charging him to take no prisoners, that the scene might be more terrible. In the month of February, Captain Campbell, of Glenlyon, by virtue of an order from Major Duncanson, marched into the valley of Glencoe, with a company of soldiers belonging to Argyle's regiment, on pretence of levying the arrears of the land-tax and hearth-money. When Macdonald demanded whether they came as friends or enemies, he answered, as friends, and promised, upon his honour, that neither he nor his people should sustain the least injury. In consequence of this declaration, he and his men were received with the most cordial hospitality, and lived fifteen days with the men of the valley, in all the appearance of the most unreserved friendship. At length the fatal period approached. Macdonald and Campbell having passed the day together, parted about seven in the evening, with mutual professions of the warmest affection. The younger Macdonald, perceiving the guards doubled, began to suspect some treachery, and communicated his suspicion to his brother; but neither he nor the father would harbour the least doubt of Campbell's sincerity; nevertheless, the two young men went forth privately, to make further observations. They overheard the common soldiers say they liked not the work; that though they would have willingly fought the Macdonalds of the Glen fairly in the field, they held it base to murder them in cold blood, but that their officers were answerable for the treachery. When the youths hasted back to apprise their father of the impending danger, they saw the house already surrounded; they heard the discharge of muskets, the shrieks of women and children; and being destitute of arms, secured their own lives by immediate flight. The savage ministers of vengeance had entered the old man's chamber and shot him through the head. He fell down dead in the arms of his wife, who died next day distracted by the horror of her husband's fate. The Laird of Auchintrinken, Macdonald's guest, who had three months before this period submitted to the government, and at this very time had a protection in his pocket, was put to death without question. A boy of eight years, who fell at Campbell's feet, imploring mercy, and offering to serve him for life, was stabled to the heart by one Drummond,

<sup>1</sup> the rates of carriage of goods; an act for the relief of creditors against fraudulent debtors; an act for explaining and supplying the defects of former laws for the settlement of the poor; an act for the encouragement of the breeding and feeding of cattle; and an act for ascertaining the titles of lands and fees.

<sup>2</sup> In the course of this session, Dr. Welwood, a Scottish physician, was taken dangerously ill, and recommended at the bar of the House of Commons, for having relied upon that House in a weekly paper entitled *Memoirs Medicinarius*, but, as it was written in defence of the government, the king

appointed him one of his physicians in ordinary. At this period, Charles Montagu, afterwards Earl of Halifax, distinguished himself in the House of Commons by his fine talents and eloquence. The privy-seal was committed to the Earl of Pembroke. Lord Viscount Sydney was created Lord Lieutenant of Ireland. Sir John Sommers appointed attorney general; and the see of Lincoln, vacant by the death of Barlow, conferred upon Dr. Thomas Tenison, who had been recommended to the king as a divine remarkable for his piety and moderation.

a subordinate officer. Eight-and-thirty persons suffered in this manner, the greater part of whom were surprised in their beds, and hurried into eternity before they had time to implore the divine mercy. The design was to butcher all the males under seventy that lived in the valley, the number of whom amounted to two hundred; but some of the detachments did not arrive soon enough to secure the passes, so that one hundred and sixty escaped. Campbell, having perpetrated this brutal massacre, ordered all the houses to be burned, made a prey of all the cattle and effects that were found in the valley, and left the helpless women and children, whose fathers and husbands he had murdered, naked and forlorn, without covering, food, or shelter, in the midst of the snow that covered the whole face of the country, at the distance of six long miles from any inhabited place. Distracted with grief and horror, surrounded with the shades of night, shivering with cold, and appalled with the apprehension of immediate death from the swords of those who had sacrificed their friends and kinsmen, they could not endure such a complication of calamities, but generally perished in the waste before they could receive the least comfort or assistance. This barbarous massacre, performed under the sanction of King William's authority, answered the immediate purpose of the court, by striking terror into the hearts of the Jacobite highlanders: but at the same time excited the horror of all those who had not renounced every sentiment of humanity, and produced such an aversion to the government as all the arts of a ministry could never totally surmount. A detail of the particulars was published at Paris, with many exaggerations, and the Jacobites did not fail to expatiate upon every circumstance, in domestic libels and private conversation. The king, alarmed at the outcry which was raised upon this occasion, ordered an inquiry to be set on foot, and dismissed the Master of Stair from his employment of secretary; he likewise pretended that he had subscribed the order amidst a heap of other papers, without knowing the purport of it; but as he did not severely punish those who had made his authority subservient to their own cruel revenge, the imputation stuck fast to his character; and the highlanders, though terrified into silence and submission, were inspired with the most implacable resentment against his person and administration.

§ XXII. A great number in both kingdoms waited impatiently for an opportunity to declare in behalf of their exiled monarch, who was punctually informed of all these transactions, and endeavoured to make his advantage of the growing discontent. King William having settled the domestic affairs of the nation, and exerted uncommon care and assiduity in equipping a formidable fleet, embarked for Holland on the fifth day of March, and was received by the States-general with expressions of the most cordial regard. While he was here employed in promoting the measures of the grand confederacy, the French king resolved to invade England in his absence, and seemed heartily engaged in the interest of James, whose emissaries in Britain began to bestir themselves with uncommon assiduity, in preparing the nation for his return. One Lant, who was imprisoned on suspicion of distributing his commissions, had the good fortune to be released, and the papists of Lancashire despatched him to the court of St. Germain's, with an assurance that they were in a condition to receive their old sovereign. He returned with advice that King James would certainly land in the spring; and that Colonel Parker and other officers should be sent over with full instructions, touching their conduct at and before the king's arrival. Parker accordingly repaired to England, and made the Jacobites acquainted with the whole scheme of a descent, which Louis had actually concerted with the late king. He assured them that their lawful sovereign

would once more visit his British dominions, at the head of thirty thousand effective men, to be embarked at La Hogue; that the transports were already prepared, and a strong squadron equipped for their convoy; he, therefore, exhorted them to be speedy and secret in their preparations, that they might be in readiness to take arms, and co-operate in effecting his restoration. This officer, and one Johnson, a priest, are said to have undertaken the assassination of King William; but, before they could execute their design, his majesty set sail for Holland.

§ XXIII. Meanwhile, James addressed a letter to several lords who had been formerly members of his council, as well as to divers ladies of quality and distinction, intimating the pregnancy of his queen, and requiring them to attend as witnesses at the labour. He took notice of the injury his family and honour had sustained, from the cruel aspersions of his enemies concerning the birth of his son, and as Providence had now favoured him with an opportunity of refuting the calumny of those who affirmed that the queen was incapable of child-bearing, he assured them, in the name of his brother, the French king, as well as upon his own royal word, that they should have free leave to visit his court, and return after the labour. This invitation, however, no person would venture to accept. He afterwards employed his emissaries in circulating a printed declaration, importing that the King of France had enabled him to make another effort to retrieve his crown; and that, although he was furnished with a number of troops sufficient to untie the hands of his subjects, he did not intend to deprive them of their share in the glory of restoring their lawful king and their ancient government. He exhorted the people to join his standard. He assured them that the foreign auxiliaries should behave with the most regular discipline, and be sent back immediately after his re-establishment. He observed, that when such a number of his subjects were so infatuated as to concur with the unnatural design of the Prince of Orange, he had chosen to rely upon the fidelity of his English army, and refused considerable succours that were offered to him by his most christian majesty; that when he was ready to oppose force with force, he nevertheless offered to give all reasonable satisfaction to his subjects who had been misled, and endeavoured to open their eyes, with respect to the vain pretences of his adversary, whose aim was not the reformation but the subversion of the government: that when he saw himself deserted by his army, betrayed by his ministers, abandoned by his favourites, and even his own children, and at last rudely driven from his own palace by a guard of insolent foreigners, he had, for his personal safety, taken refuge in France: that his retreat from the malice and cruel designs of the usurper had been construed into an abdication, and the whole constitution of the monarchy destroyed by a set of men illegally assembled, who in fact had no power to alter the property of the meanest subject. He expressed his hope that by this time the nation had fairly examined the account, and from the losses and enormous expense of the three last years, were convinced that the remedy was worse than the disease; that the beginning, like the first years of Nero's reign, would, in all probability, be found the mildest part of the usurpation, and the instruments of the new establishment live to suffer severely by the tyranny they had raised; that even though the usurpation should continue during his life, an indisputable title would survive in his issue, and expose the kingdom to all the miseries of a civil war. He not only solicited but commanded his good subjects to join him, according to their duty and the oaths they had taken. He forbade them to pay taxes or any part of the revenue to the usurper. He promised pardon, and even rewards, to all those who should return to their duty, and to procure in his first parliament an act of indemnity, with an exception of certain persons<sup>b</sup> whom he

<sup>a</sup> The latter was directed not only to privy counsellors, but also to the Bishops of Worcester and Exeter, the Marchioness of Halifax, the Countess of Derby, Melgrave, Rutland, Leicesters, Nottingham, Lincolns, and Dorset; the Ladies Fitzharding, and Treville, those of Sir John Trevor, speaker of the House of Commons, Sir Edward Seymour, Sir Christopher Mordaunt, the viscounts Peter, He, and Somers, Lord Mayor of London, Sir William Ashurst, and Sir Edmund Lovett, the sheriffs, and, partly, to the Duke of Beaufort, the famous parliamentarian in matters of religion.

<sup>b</sup> Those exempted were the Duke of Devon, the Marquis of Winchester, the Lords Sunderland, Bath, Darnley, and Nottingham, the Lords New-

port, Delamere, Wilsnre, Colchester, Cornbury, Dunblain, and Churchill; the Bishops of London and St. Asaph, Sir Robert Howard, Sir John Wren, Sir Samuel Gregson, Sir Stephen Fox, Sir George Treby, Sir Basil Dixwell, Sir James Oxlenden, Dr. John Tillson, Dr. Gilbert Burnett, Francis Russell, Richard Twiss, John Trevellick, Charles Dancourt, officers of London, Exeter, Wexham, and Hunt, Fishemere, and all others who had offered personal indignities to him at Faversham; or had been concerned in the barbarous murder of John Ashton Cross, or any others who had suffered death for their loyalty; and all spies, or such as had betrayed his council during his late absence from England.



now enumerated. He declared that all soldiers who should quit the service of the usurper, and enlist under his banners, might depend upon receiving their pardon and arrears; and that the foreign troops, upon laying down their arms, should be paid and transported to their respective countries. He solemnly protested that he would protect and maintain the church of England, as by law established, in all her rights, privileges, and possessions; he signified his resolution to use influence with the parliament for allowing liberty of conscience to all his subjects, as an indulgence agreeable to the spirit of the Christian religion, and conducive to the wealth and prosperity of the nation. He said his principal care should be to heal the wounds of the late distractions; to restore trade by observing the act of navigation, which had been lately so much violated in favour of strangers; to put the navy in a flourishing condition: and to take every step that might contribute to the greatness of the monarchy and the happiness of the people. He concluded with professions of resignation to the divine will, declaring that all who should reject his offers of mercy and appear in arms against him, would be answerable to Almighty God for all the blood that should be spilt, and all the miseries in which these kingdoms might be involved by their desperate and unreasonable opposition.

§ XXIV. While this declaration operated variously on the minds of the people, Colonel Parker, with some other officers, enlisted men privately for the service of James in the counties of York, Lancaster, and in the bishopric of Durham: at the same time, Fountaine and Holman were employed in raising two regiments of horse at London, that they might join their master immediately after his landing. His partisans sent Captain Lloyd with an express to Lord Melfort, containing a detail of these particulars, with an assurance that they had brought over Rear-Admiral Carter to the interest of his majesty. They likewise transmitted a list of the ships that composed the English fleet, and exhorted James to use his influence with the French king, that the Count de Tourville might be ordered to attack them before they should be joined by the Dutch squadron. It was in consequence of this advice, that Louis commanded Tourville to fall upon the English fleet, even without waiting for the Toulon squadron, commanded by the Marquis D'Étrées. By this time James had repaired to La Hogue, and was ready to embark with his army, consisting of a body of French troops, together with some English and Scotch refugees, and the regiments which had been transported from Ireland by virtue of the capitulation of Limerick.

§ XXV. The ministry of England was informed of all these particulars, partly by some agents of James, who betrayed his cause, and partly by Admiral Carter, who gave the queen to understand he had been tampered with; and was instructed to amuse the Jacobites with a negotiation. King William no sooner arrived in Holland, than he hastened the naval preparations of the Dutch, so that their fleet was ready for sea sooner than was expected; and when he received the first intimation of the projected descent, he detached General Ptolemaiche with three of the English regiments from Holland. These, reinforced with other troops remaining in England, were ordered to encamp in the neighbourhood of Portsmouth. The queen issued a proclamation, commanding all papists to depart from London and Westminster: the members of both Houses of parliament were required to meet on the twenty-fourth day of May, that she might avail herself of their advice in such a perilous conjuncture. Warrants were expedited for apprehending divers disaffected persons; and they withdrawing themselves from their respective places of abode, a proclamation was published for discovering and bringing them to justice. The Earls of Scarsdale, Litchfield, and Newburgh; the Lords Griffin, Forbes, Sir John Fenwick, Sir Theophilus Ozlethorp, and others; found means to elude the search. The Earls of Huntingdon and Marlborough were sent to the Tower; Edward Ridley, Knevitt, Hastings, and Robert Ferguson, were imprisoned in Newgate. The Bishop of Rochester was confined to his own house: the Lords Brudenel and Fanshawe were secured; the Earls of Dunmore, Middleton, and Sir Andrew Forrester, were discovered in a quaker's house,

and committed to prison, with several other persons of distinction. The trainbands of London and Westminster were armed by the queen's direction, and she reviewed them in person: Admiral Russel was ordered to put to sea with all possible expedition; and Carter, with a squadron of eighteen sail, continued to cruise along the French coast to observe the motions of the enemy.

§ XXVI. On the eleventh day of May, Russel sailed from Rye to St. Helen's, where he was joined by the squadrons under Delaval and Carter. There he received a letter from the Earl of Nottingham, intimating that a report having been spread of the queen's suspecting the fidelity of the sea officers, her majesty had ordered him to declare in her name, that she reposed the most entire confidence in their attachment; and believed the report was raised by the enemies of the government. The flag officers and captains forthwith drew up a very loyal and dutiful address, which was graciously received by the queen, and published for the satisfaction of the nation. Russel, being reinforced by the Dutch squadrons, commanded by Allemonde, Callembergh, and Vandergoes, set sail for the coast of France on the eighteenth day of May, with a fleet of ninety-nine ships of the line, besides frigates and fire-ships. Next day, about three o'clock in the morning, he discovered the enemy, under the Count de Tourville, and threw out the signal for the line of battle, which by eight o'clock was formed in good order, the Dutch in the van, the blue division in the rear, and the red in the centre. The French fleet did not exceed sixty-three ships of the line, and, as they were to windward, Tourville might have avoided an engagement: but he had received a positive order to fight, on the supposition that the Dutch and English squadrons had not joined. Louis, indeed, was apprized of their junction before they were descried by his admiral, to whom he despatched a countermanding order by two several vessels: but one of them was taken by the English, and the other did not arrive till the day after the engagement.

§ XXVII. Tourville, therefore, in obedience to the first mandate, bore down along side of Russel's own ship, which he engaged at a very small distance. He fought with great fury till one o'clock, when his rigging and sails being considerably damaged, his ship, the *Rising Sun*, which carried one hundred and four cannon, was towed out of the line in great disorder. Nevertheless the engagement continued till three, when the fleets were parted by a thick fog. When this abated, the enemy were descried flying to the northward; and Russel made the signal for chasing. Part of the blue squadron came up with the enemy about eight in the evening, and engaged them half an hour, during which Admiral Carter was mortally wounded. Finding himself in extremity, he exhorted his captain to fight as long as the ship could swim; and expired with great composure. At length the French bore away for Conquest-Road, having lost four ships in this day's action. Next day, about eight in the morning, they were discovered crowding away to the westward, and the combined fleets chased with all the sail they could carry, until Russel's fore-topmast came by the board. Though he was retarded by this accident, the fleet still continued the pursuit, and anchored near Cape La Hogue. On the twenty-second of the month, about seven in the morning, part of the French fleet was perceived near the Race of Alderney, some at anchor, and some driven to the eastward with the tide of flood. Russel, and the ships nearest him, immediately slipped their cables and chased. The *Rising Sun*, having lost her masts, ran ashore near Cherbourg, where she was burnt by Sir Ralph Delaval, together with the *Admirable*, another first-rate, and the *Conquerant* of eighty guns. Eighteen other ships of their fleet ran into La Hogue, where they were attacked by Sir George Rooke, who destroyed them, and a great number of transports laden with ammunition, in the midst of a terrible fire from the enemy, and in sight of the Irish camp. Sir John Ashby, with his own squadron and some Dutch ships, pursued the rest of the French fleet, which escaped through the Race of Alderney, by such a dangerous passage as the English could not attempt, without exposing their ships to the most imminent hazard. This was a very mortifying defeat to the French king, who had been so

long flattered with an uninterrupted series of victories: it reduced James to the lowest ebb of despondence, as it frustrated the whole scheme of his embarkation, and overwhelmed his friends in England with grief and despair. Some historians allege, that Russel did not improve his victory with all advantages that might have been obtained, before the enemy recovered of their consternation. They say his affection to the service was in a good measure cooled by the disgrace of his friend the Earl of Marlborough: that he hated the Earl of Nottingham, by whose channel he received his orders; and, that he adhered to the letter rather than to the spirit of his instructions. But this is a malicious imputation; and a very ungrateful return for his manifold services to the nation. He acted in this whole expedition with the genuine spirit of a British admiral. He plied from the Nore to the Downs with a very scanty wind, through the dangerous sands, contrary to the advice of all his pilots; and by this bold passage effected a junction of the different squadrons, which otherwise the French would have attacked singly, and perhaps defeated. He behaved with great gallantry during the engagement; and destroyed about fifteen of the enemy's capital ships; in a word, he obtained such a decisive victory, that during the remaining part of the war the French would not hazard another battle by sea with the English.

§ XXVIII. Russel having ordered Sir John Ashby, and the Dutch admiral Callemberg, to steer towards Havre de Grace, and endeavour to destroy the remainder of the French fleet, sailed back to St. Helen's, that the damaged ships might be refitted, and the fleet furnished with fresh supplies of provision and ammunition: but his principal motive was, to take on board a number of troops provided for a descent upon France, which had been projected by England and Holland, with a view to alarm and distract the enemy in their own dominions. The queen was so pleased with the victory, that she ordered thirty thousand pounds to be distributed among the sailors. She caused medals to be struck in honour of the action; and the bodies of Admiral Carter and Captain Hastings, who had been killed in the battle, to be interred with great funeral pomp. In the latter end of July, seven thousand men, commanded by the Duke of Leinster, embarked on board transports, to be landed at St. Maloes, Brest, or Rochefort; and the nation conceived the most sanguine hopes of this expedition. A council of war, consisting of land and sea officers, being held on board the Breda, to deliberate upon the scheme of the ministry, the members unanimously agreed, that the season was too far advanced to put it in execution. Nevertheless, the admiral having detached Sir John Ashby with a squadron, to intercept the remains of the French fleet, in their passage from St. Maloes to Brest, set sail for La Hague with the rest of the fleet and transports: but in a few days the wind shifting, he was obliged to return to St. Helen's.

§ XXIX. The queen immediately despatched the Marquis of Caermarthen, the Earls of Devonshire, Dorset, Nottingham, and Rochester, together with the Lords Sidney and Cornwallis, to consult with the admiral, who demonstrated the impracticability of making an effectual descent upon the coast of France at that season of the year. The design was therefore laid aside; and the forces were transported to Flanders. The higher the hopes of the nation had been raised by this armament, the deeper they felt their disappointment. A loud clamour was raised against the ministry, as the authors of this miscarriage. The people complained that they were plundered and abused: that immense sums were extorted from them by the most grievous impositions: that, by the infamous expedient of borrowing upon established funds, their taxes were perpetuated; that their burthens would daily increase; that their treasure was either squandered away in chimerical projects, or expended in foreign connexions, of which England was naturally independent. They were the more excusable for exclaiming in this manner, as their trade had suffered grievously by the French privateers, which swarmed in the channel. In vain the merchants had recourse to the admiralty, which could not spare particular convoys, while large fleets were required for the defence of the nation. The French king having nothing further to apprehend from the English armament, with-

draw his troops from the coast of Normandy; and James returned in despair to St. Germain's, where his queen had been in his absence delivered of a daughter, who was born in the presence of the Archbishop of Paris, the keeper of the seals, and other persons of distinction.

§ XXX. Louis had taken the field in the latter end of May. On the twentieth day of that month he arrived at his camp in Flanders, with all the effeminate pomp of an Asiatic emperor, attended by his women and parasites, his band of music, his dancers, his opera, and in a word, by all the ministers of luxury and sensual pleasure. Having reviewed his army, which amounted to about one hundred and twenty thousand men, he undertook the siege of Namur, which he invested on both sides of the Sambre, with about one half of his army, while the other covered the siege under the command of Luxembourg. Namur is situated on the conflux of the Meuse and the Sambre. The citadel was deemed one of the strongest forts in Flanders, strengthened with a new work contrived by the famous engineer Coehorn, who now defended it in person. The Prince de Barbason commanded the garrison, consisting of nine thousand men. The place was well supplied; and the governor knew that King William would make strong efforts for its relief; so that the besieged were animated with many concurring considerations. Notwithstanding these advantages, the assailants carried on their attacks with such vigour, that in seven days after the trenches were opened the town capitulated, and the garrison retired into the citadel. King William being joined by the troops of Brandenburg and Liege, advanced to the Meuse, at the head of one hundred thousand effective men, and encamped within cannon shot of Luxembourg's army, which lay on the other side of the river. That general, however, had taken such precautions, that the King of England could not interrupt the siege, nor attack the French lines without great disadvantage. The besiegers, encouraged by the presence of their monarch, and assisted by the superior abilities of Vauban their engineer, repeated their attacks with such impetuosity, that the fort of Coehorn was surrendered after a very obstinate defence, in which he himself had been dangerously wounded. The citadel being thus left exposed to the approaches of the enemy, could not long withstand the violence of their operations. The two covered ways were taken by assault: on the twentieth of May the governor capitulated, to the unspeakable mortification of King William, who saw himself obliged to lie inactive at the head of a powerful army, and be an eye-witness of the loss of the most important fortress in the Netherlands. Louis having taken possession of the place, returned in triumph to Versailles, where he was flattered with all the arts of adulation; while William's reputation suffered a little from his miscarriage, and the Prince of Barbason incurred the suspicion of treachery or misconduct.

§ XXXI. Luxembourg having placed a strong garrison in Namur, detached Boufflers with a body of troops to La Bassiere: and with the rest of his army encamped at Soignies. The King of England sent off detachments towards Liege and Ghent; and on the sixth day of July posted himself at Genap, resolved to seize the first opportunity of retrieving his honour by attacking the enemy. Having received intelligence that the French general was in motion, and intended to take post between Steenkerke and Enghien, he passed the river Senne, in order to anticipate his purpose: but, in spite of all his diligence, Luxembourg gained his point: and William encamped at Lembeck, within six miles of the French army. Here he resolved, in a council of war, to attack the enemy; and every disposition was made for that purpose. The heavy baggage he ordered to be conveyed to the other side of the Senne; and one Millevoix, a detected spy, was compelled by menaces to mislead Luxembourg with false intelligence, importing that he need not be alarmed at the motions of the allies, who intended the next day to make a general forage. On the twenty-fourth day of July the army began to move from the left, in two columns, as the ground would not admit of their marching in an extended front. The Prince of Wirtemberg began the attack on the right of the enemy, at the head of ten battalions of English, Danish, and Dutch infantry: he was supported by a considerable

body of British horse and foot, commanded by Lieutenant-General Mackay. Though the ground was intersected by hedges, ditches, and narrow defiles, the prince marched with such diligence, that he was in a condition to begin the battle about two in the afternoon, when he charged the French with such impetuosity that they were driven from their posts, and their whole camp became a scene of tumult and confusion. Luxembourg, trusting to the intelligence he had received, allowed himself to be surprised; and it required the full exertions of his superior talents, to remedy the consequences of his neglect. He forthwith forgot a severe indisposition under which he then laboured; he rallied his broken battalions; he drew up his forces in order of battle, and led them to the charge in person. The Duke de Chartres, who was then in the fifteenth year of his age, the Dukes of Bourbon and Vendome, the Prince of Conti, and a great number of volunteers of the first quality, put themselves at the head of the household troops, and fell with great fury upon the English, who were very ill supported by Count Solmes, the officer who commanded the centre of the allies. The Prince of Wirtemberg had taken one of the enemy's batteries, and actually penetrated into their lines; but finding himself in danger of being overpowered by numbers, he sent an aide-de-camp twice, to demand succours from Solmes, who derided his distress, saying, "Let us see what sport these English bulldogs will make." At length when the king sent an express order, commanding him to sustain the left wing, he made a motion with his horse, which could not act, while his infantry kept their ground; and the British troops, with a few Dutch and Danes, bore the whole brunt of the engagement. They fought with surprising courage and perseverance against dreadful odds; and the event of the battle continued doubtful, until Boufflers joined the French army with a great body of dragoons. The allies could not sustain the additional weight of this reinforcement, before which they gave way, though the retreat was made in tolerable order; and the enemy did not think proper to prosecute the advantage they had gained. In this action the confederates lost the Earl of Angus, General Mackay, Sir John Lanier, Sir Robert Douglas, and many other gallant officers, together with about three thousand men left dead on the spot, the same number wounded or taken, a great many colours and standards, and several pieces of cannon.

§ XXXII. The French, however, reaped no solid advantage from this victory, which cost them about three thousand men, including the Prince of Turenne, the Marquis de Bellefond, Tilladet, and Fernacon, with many officers of distinction: as for Millevoix the spy, he was hanged on a tree, on the right wing of the allied army. King William retired unmolested to his own camp; and notwithstanding all his overthrows, continued a respectable enemy, by dint of invincible fortitude, and a genius fruitful in resources. That he was formidable to the French nation, even in the midst of his ill success, appears from divers undeniable testimonies, and from none more than from the extravagance of joy expressed by the people of France, on occasion of this unimportant victory. When the princes who served in the battle returned to Paris, the roads through which they passed were almost blocked up with multitudes; and the whole air resounded with acclamation. All the ornaments of the fashion peculiar to both sexes adopted the name of Steenkerke: every individual who had been personally engaged in the action was revered as a being of a superior species; and the transports of the women rose almost to a degree of frenzy.

§ XXXIII. The French ministry did not entirely depend upon the fortune of the war for the execution of their revenge against King William. They likewise employed assassins to deprive him of life, in the most treacherous manner. When Louvois died, his son, the Marquis de Barbesieux, who succeeded him in his office of secretary, found, among his papers, the draft of a scheme for this purpose, and immediately revived the design, by means of the Chevalier de Grandval, a captain of dragoons in the service. He and Colonel Parker engaged one Dumont, who undertook to assassinate King William. Madame de Maintenon, and Paparel, paymaster to the French army, were privy to the scheme, which they encouraged: the

conspirators are said to have obtained an audience of King James, who approved of their undertaking, and assured them of his protection; but that unfortunate monarch was unjustly charged with the guilt of countenancing the intended murder, as they communicated nothing to him but an attempt to seize the person of the Prince of Orange. Dumont actually enlisted in the confederate army, that he might have the better opportunity to shoot the King of England when he should ride out to visit the lines, while Grandval and Parker repaired to the French camp, with orders to Luxembourg, to furnish them with a party of horse for the rescue of Dumont, after the blow should be struck. Whether this man's heart failed him, or he could not find the opportunity he desired, after having resided some weeks in the camp of the allies, he retired to Hanover; but still corresponded with Grandval and Barbesieux. This last admitted one Leefdale, a Dutch baron, into the secret, and likewise imparted it to Monsieur Chnlas, quarter-master-general of the French army, who animated Grandval and Leefdale with the promise of a considerable reward, and promised to co-operate with Parker for bringing off Dumont, for this assassin still persisted in his undertaking. Leefdale had been sent from Holland, on purpose to dive to the bottom of this conspiracy, in consequence of advice given by the British envoy at Hanover, where Dumont had dropped some hints that alarmed his suspicion. The Dutchman not only insinuated himself into the confidence of the conspirators, but likewise inveigled Grandval to Eindhoven, where he was apprehended. Understanding that Dumont had already discovered the design to the Duke of Zell, and that he himself had been betrayed by Leefdale, he freely confessed all the particulars without enduring the torture; and, being found guilty by a court-martial, was executed as a traitor.

§ XXXIV. About this period the Duke of Leinster arrived at Ostend, with the troops which had been embarked at St. Helen's. He was furnished with cannon sent down the Meuse from Maestricht; and reinforced by a large detachment from the king's camp at Gramont, under the command of General Ptolemache. He took possession of Furnes, was joined by the Earl of Portland and M. D'Auverquerque, and a disposition was made for investing Dunkirk; but, on further deliberation, the enterprise was thought very dangerous, and therefore laid aside. Furnes and Dixmuyde, lately reduced by Brigadier Ramsay, were strengthened with new works, and secured by strong garrisons. The cannon were sent back, and the troops, returned to Ostend, re-embarked for England. This fruitless expedition, added to the inglorious issue of the campaign, increased the ill-humour of the British nation. They taxed William with having lain inactive at Gramont with an army of one hundred thousand men, while Luxembourg was posted at Courtray with half that number. They said, if he had found the French lines too strong to be forced, he might have passed the Scheldt higher up, and not only laid the enemy's conquests under contribution, but even marched into the bowels of France: and they complained that Furnes and Dixmuyde were not worth the sums expended in maintaining their garrisons. On the twenty-sixth day of September, King William left the army under the command of the Elector of Bavaria, and repaired to his house at Loo: in two days after his departure the camp at Gramont was broke up; the infantry marched to Marienkerke, and the horse to Caure. On the sixteenth day of October, the king receiving intelligence that Boufflers had invested Charleroy, and Luxembourg taken post in the neighbourhood of Condé, ordered the troops to be instantly re-assembled between the village of Ixells and Halle, with design to raise the siege, and repaired to Brussels, where he held a council of war, in which the proper measures were concerted. He then returned to Holland, leaving the command with the Elector of Bavaria, who forthwith began his march for Charleroy. At his approach Boufflers abandoned the siege, and moved towards Philipville. The elector having reinforced the place and thrown supplies into Aeth, distributed his forces into winter-quarters. Then Luxembourg, who had cantoned his army between Condé, Leuze, and Tournay, returned to Paris, leaving Boufflers to command in his absence.

§ XXXV. The allies had been unsuccessful in Flanders,



and they were not fortunate in Germany. The Landgrave of Hesse-Cassel undertook the siege of Ehrenburg, which, however, he was obliged to abandon. The Duke de Lorges, who commanded the French forces on the Rhine, surprised, defeated, and took the Duke of Wintemburg, who had posted himself with four thousand horse near Eidelshelm, to check the progress of the enemy. Count Tallard having invested Rhinefeld, the landgrave marched to its relief with such expedition, that the French were obliged to desist, and retreat with considerable damage. The Elector of Saxony had engaged to bring an army into the field; but he complained that the emperor left the burden of the war with France upon the princes, and converted his chief power and attention to the campaign in Hungary. A jealousy and misunderstanding ensued: Schoening, the Saxon general, in his way to the hot-baths at Dabltitz in Bohemia, was seized by the emperor's order on suspicion of having maintained a private correspondence with the enemy, and very warm expostulations on this subject passed between the courts of Vienna and Dresden. Schoening was detained two years in custody; and at length released, on condition that he should never be employed again in the empire. The war in Hungary produced no event of importance. The ministry of the Ottoman Porte was distracted by factions, and the seraglio threatened with tumults. The people were tired of maintaining an unsuccessful war: the visir was deposed; and in the midst of this confusion, the garrison of Great Waradin, which had been blocked up by the imperialists during the whole winter, surrendered on capitulation. Lord Paget, the English ambassador at Vienna, was sent to Constantinople, with powers to mediate a peace: but the terms offered by the emperor were rejected at the Porte: the Turkish army lay upon the defensive, and the season was spent in a fruitless negotiation.

§ XXXVI. The prospect of affairs in Piedmont was favourable for the allies; but the court of France had brought the Pope to an accommodation, and began to tamper with the Duke of Savoy. M. Chanlais was sent to Turin, with advantageous proposals, which, however, the duke would not accept, because he thought himself entitled to better terms, considering that the allied army in Piedmont amounted to fifty thousand effective men, while Catinat's forces were not sufficient to defend his conquests in that country. In the month of July the duke marched into Dauphiné, where he plundered a number of villages, and reduced the fortress of Guillestre; then passing the river Durance, he invested Ambrun, which, after a siege of nine days, surrendered on capitulation: he afterwards laid all the neighbouring towns under contribution. Here Duke Schomberg, who commanded the auxiliaries in the English pay, published a declaration, in the name of King William, inviting the people to join his standard, assuring them that his master had no other design in ordering his troops to invade France, but that of restoring the noblesse to their ancient splendour, their parliaments to their former authority, and the people to their just privileges. He even offered his protection to the clergy, and promised to use his endeavours for reviving the edict of Nantes, which had been guaranteed by the King of England. These offers, however, produced little effect; and the Germans ravaged the whole country, in revenge for the cruelties which the French had committed in the palatinate. The allied army advanced from Ambrun to Gap, on the frontiers of Provence, and this place submitted without opposition. The inhabitants of Grenoble, the capital of Dauphiné, and even of Lyons, were overwhelmed with consternation; and a fairer opportunity of humbling France could never occur, as that part of the kingdom had been left almost quite defenceless; but this was fatally neglected, either from the spirit of dissension which began to prevail in the allied army, or from the indisposition of the Duke of Savoy, who was seized with the small-pox in the midst of this expedition; or, lastly, from his want of sincerity, which was shrewdly suspected. He is said to have maintained a constant correspondence with the court of Versailles, in

compliance to which he retarded the operations of the confederates. Certain it is, he evacuated all his conquests, and about the middle of September quitted the French territories, after having pillaged and laid waste the country through which he had penetrated.<sup>1</sup> In Catalonia the French attempted nothing of importance during this campaign, and the Spaniards were wholly inactive in that province.

§ XXXVII. The protestant interest in Germany acquired an accession of strength, by the creation of a ninth electorate in favour of Ernest Augustus, Duke of Hanover. He had, by this time, renounced all his connexions with France, and engaged to enter heartily into the interest of the allies, in consideration of obtaining the electoral dignity. King William exerted himself so vigorously in his behalf at the court of Vienna, that the emperor agreed to the proposal in case the consent of the other electors could be procured. This assent, however, was extorted by the importunities of the King of England, whom he durst not disoblige. Leopold was blindly bigoted to the religion of Rome, and consequently averse to a new creation that would weaken the catholic interest in the electoral college. He, therefore, employed his emissaries to thwart the duke's measures. Some protestant princes opposed him from motives of jealousy, and the French king used all his artifice and influence, to prevent the elevation of the House of Hanover. When the duke had surmounted all this opposition, so far as to gain over a majority of the electors, new objections were started. The emperor suggested that another popish electorate should be created to balance the advantage which the Lutherans would reap from that of Hanover: and he proposed that Austria should be raised to the same dignity: but violent opposition was made to this expedient, which would have vested the emperor with a double vote in the electoral college. At length, after a tedious negotiation, the Duke of Hanover, on the nineteenth day of December, was honoured with the investiture, as Elector of Brunswick; created Great Marshal of the empire, and did homage to the emperor: nevertheless, he was not yet admitted into the college, because he had not been able to procure the unanimous consent of all the electors.<sup>2</sup>

## CHAP. IV.

§ I. False information against the Earl of Marlborough, the Bishop of Rochester, and others. § II. Sources of national discontent. § III. Dissension between the queen and the Princess Anne of Denmark. § IV. The House of Lords vindicate their privileges in behalf of their imprisoned members. § V. The Commons present addresses to the king and queen. § VI. They acquit Admiral Russel, and resolve to advise his majesty. § VII. They comply with all the demands of the ministry. § VIII. The Lords present an address of advice to the king. § IX. Dispute between the Lords and Commons concerning Admiral Russel. § X. The Commons address the king. They establish the land-tax and other impositions. § XI. Burnet's pastoral letter burned by the hangman. § XII. Forceings of the lesser House against the practice of kidnapping men for the service. § XIII. The two Houses address the king on the grievances of Ireland. § XIV. An account of the peace-bill, and that for triennial parliaments. § XV. The Commons petition his majesty that he would dissolve the East India company. § XVI. Trial of Lord Mahon for murder. Alterations in the ministry. § XVII. The king returns to the continent, and assembles the confederate army in Flanders. § XVIII. The French reduce Huy. § XIX. Luxembourg resolves to attack the allies. § XX. Who are defeated at Landen. § XXI. Charleroi is besieged and taken by the enemy. § XXII. Campaign on the Rhine. The Duke of Savoy is defeated by Catinat in the plan of Marsaglia. § XXIII. Treatations in Hungary and Catalonia. § XXIV. Naval affairs. § XXV. A fleet of merchant ships, under convoy of Sir George Rooke, attacked, and partly destroyed by the French squadrons. § XXVI. Wheeler's expedition to the West Indies. § XXVII. Bombardments at Malaga. § XXVIII. The French king has recourse to the mediation of Denmark. § XXIX. Severity of the government against the dissenters. § XXX. Complaisance of the Scottish Parliament. § XXXI. The king returns to England, makes some changes in the ministry, and opens the session of parliament. § XXXII. Both Houses inquire into the miscarriages by sea. § XXXIII. The Commons grant a vast sum for the services of the ensuing year. § XXXIV. The king rejects the bill against free and impartial proceedings in parliament: and the lower House remonstrates on this subject. § XXXV. Establishment of the Bank of England. § XXXVI. The East India company obtains a new charter. § XXXVII. Sir Francis Wheeler perishes in a storm. § XXXVIII. The English attempt to make a descent in Cambray bay, but are repulsed with loss. § XL. The Countess Dupleix, Hester de Graze, Dunkirk, and Calais. § XLI. Admiral Russel sails for the Mediterranean, relieves Barcelona, and winters at Cadix. § XLII. Campaign in

<sup>1</sup> At this period Queen Mary, understanding that the protestant Vindictes were disparted to ministers to preach in French the gospel, established a fund from her own private purse, to maintain ten preachers, and as many schoolmasters, in the valleys of Piedmont.

<sup>2</sup> In the beginning of September the shock of an earthquake was felt in

London, and many other parts of England, as well as in France, Germany, and the Netherlands. Violent agitations of the same kind had happened about two months before in Sicily and Malta: and the town of Port-Royal, in Jamaica, was almost totally ruined by an earthquake: the place was so suddenly overflowed, that about fifteen hundred persons perished.

Flanders. § XLIII. The allies reduce Huy. § XLIV. The Prince of Flanders passes the Rhine, but is obliged to retreat that river. Operations in Hungary. § XLV. Progress of the French in Catalonia. State of the war in Piedmont. § XLVI. The king returns to England. The parliament meets. The bill for triennial parliaments receives the royal assent. § XLVII. Death of Archbishop Tillotson and of Queen Mary. § XLVIII. Reconciliation between the king and the Princess of Denmark.

A. D. 1692.

§ I. WHILE King William seemed wholly engrossed by the affairs of the continent, England was distracted by domestic dissension, and overspread with vice, corruption, and profaneness. Over and above the Jacobites, there was a set of malcontents, whose number daily increased. They not only murmured at the grievances of the nation, but composed and published elaborate dissertations upon the same subject. These made such impressions upon the people, already irritated by heavy burthens, distressed in their trade, and disappointed in their sanguine expectations, that the queen thought it necessary to check the progress of those writers, by issuing out a proclamation, offering a reward to such as would discover seditious libellers. The Earl of Marlborough had been committed to the Tower, on the information of one Robert Young, a prisoner in Newgate, who had forged that nobleman's hand-writing, and contrived the scheme of an association in favour of King James, to which he affixed the names of the Earls of Marlborough and Salisbury, Sprat, Bishop of Rochester, the Lord Cornbury, and Sir Basil Firebrace. One of his emissaries had found means to conceal this paper in a certain part of the bishop's house, at Bromley in Kent, where it was found by the king's messengers, who secured the prelate in consequence of Young's information. But he vindicated himself to the satisfaction of the whole council; and the forgery of the informer was detected by the confession of his accomplice. The bishop obtained his release immediately, and the Earl of Marlborough was admitted to bail in the court of king's bench.

§ II. So many persons of character and distinction had been imprisoned during this reign, upon the slightest suspicion, that the discontented part of the nation had some reason to insinuate, they had only exchanged one tyrant for another. They affirmed, that the habeas-corpus act was either insufficient to protect the subject from false imprisonment, or had been shamefully misused. They expatiated upon the loss of ships, which had lately fallen a prey to the enemy; the consumption of seamen; the neglect of the fisheries; the interruption of commerce, in which the nation was supplanted by her allies, as well as invaded by her enemies; the low ebb of the kingdom's treasure, exhausted in hiring foreign bottoms, and paying foreign troops to fight foreign quarrels; and the slaughter of the best and bravest of their countrymen, whose blood had been lavishly spilt in support of connexions with which they ought to have had no concern. They demonstrated the mischiefs that necessarily arose from the unsettled state of the nation. They observed that the government could not be duly established, until a solemn declaration should confirm the legality of that tenure by which their majesties possessed the throne; that the structure of parliaments was deficient in point of solidity, as they existed entirely at the pleasure of the crown, which would use them no longer than they should be found necessary in raising supplies for the use of the government. They exclaimed against the practice of quartering soldiers in private houses, contrary to the ancient laws of the land, the petition of rights, and the subsequent act on that subject passed in the reign of the second Charles. They enumerated among their grievances the violation of property, by pressing transport ships into the service without setting any fund of payment for the owners: the condition of the militia, which was equally burthensome and useless; the flagrant partiality in favour of allies, who carried on an open commerce with France, and supplied the enemy with necessities, while the English laboured under the severest prohibitions, and were in effect the dupes of those very powers whom they protected. They dwelt upon the ministry's want of conduct, foresight, and intelligence, and inveighed against their ignorance, insolence, and neglect, which were as pernicious to the nation as if they had formed a design of reducing it to the lowest ebb of disgrace and destruction. By this time, indeed,

public virtue was become the object of ridicule, and the whole kingdom was overspread with immorality and corruption; towards the increase of which, many concurring circumstances happened to contribute. The people were divided into three parties, namely, the Williamites, the Jacobites, and the discontented revolutioners; these factions took all opportunities to thwart, to expose, and to ridicule the measures and principles of each other: so that patriotism was laughed out of doors, as an hypocritical pretence. This contention established a belief that every man consulted his own private interest at the expense of the public; a belief that soon grew into a maxim almost universally adopted. The practice of bribing a majority in parliament had a pernicious influence upon the morals of all ranks of people, from the candidate to the lowest borough-elect. The expedient of establishing funds of credit for raising supplies to defray the expenses of government threw large premiums and sums of money into the hands of low, sordid usurers, brokers, and jobbers, who distinguished themselves by the name of the Monied-Interest. Intoxicated by this flow of wealth, they affected to rival the luxury and magnificence of their superiors; but being destitute of sentiment and taste, to conduct them in their new career, they ran into the most absurd and illiberal extravagances. They laid aside all decorum; became lewd, insolent, intemperate, and riotous. Their example was caught by the vulgar. All principle, and even decency, was gradually banished; talent lay uncultivated, and the land was deluged with a tide of ignorance and profligacy.

§ III. King William having ascertained the winter-quarters of the army, and concerted the operations of the ensuing campaign with the States-general, and the ministers of the allies, set sail for England on the fifteenth day of October: on the eighteenth landed at Yarmouth, was met by the queen at Newhall, and passed through the city of London to Kensington, amidst the acclamations of the populace. He received a congratulatory address from the lord mayor and aldermen, with whom he dined in public by invitation. A day of thanksgiving was appointed for the victory obtained at sea. The lutestring company was established by patent, and the parliament met on the fourth day of November. The House of Lords was deeply infected with discontent, which in some measure proceeded from the dissension between the queen and her sister the Princess of Denmark, which last went under every mortification that the court could inflict. Her guards were taken away: all honours which had been paid to her rank by the magistrates of Bath, where she sometimes resided, and even by the ministers of the church where she attended at divine service, were discontinued, by the express order of his majesty. Her cause was naturally espoused by those noblemen who had adhered to her in her former contest with the king, about an independent settlement; and these were now reinforced by all the friends of the Earl of Marlborough, united by a double tie; for they resented the disgrace and confinement of that lord, and thought it their duty to support the Princess Anne under a persecution incurred by an attachment to his countess. The Earl of Shrewsbury lived in friendship with Marlborough, and thought he had been ungratefully treated by the king: the Marquis of Halifax befriended him, from opposition to the ministry: the Earl of Mulgrave, for an opportunity to display his talents, and acquire that consideration which he thought due to his merit. Devonshire, Montague, and Bradford, joined in the same cause from principle: the same pretence was used by the Earls of Stamford, Monmouth, Warrington, and other whigs, though in effect they were actuated by jealousy and resentment against those by whom they had been supplanted. As for the Jacobites, they gladly contributed their assistance to promote any scheme that had a tendency to embroil the administration.

§ IV. The king, in his speech to parliament, thanked them for their last supplies, congratulated them upon the victory obtained at sea, condoled them upon the bad success of the campaign by land, magnified the power of France, represented the necessity of maintaining a great force to oppose it, and demanded subsidies equal to the occasion. He expressed his reluctance to load them with

additional burthens, which, he said, could not be avoided, without exposing his kingdom to inevitable destruction. He desired their advice towards lessening the inconvenience of exporting money for the payment of the forces. He intimated a design of making a descent upon France; declared he had no aim but to make his subjects a happy people; and that he would again cheerfully expose his life for the welfare of the nation. The Lords, after an adjournment of three days, began with great warmth to assert their privileges, which they conceived had been violated in the cases of the Earl of Marlborough, and the other noblemen, who had been apprehended, committed to prison, and afterwards admitted to bail by the court of king's bench. These circumstances being fully discussed in a violent debate, the House ordered Lord Lucas, constable of the Tower, to produce the warrants of commitment, and the clerk of the king's bench to deliver the affidavit of Aaron Smith, the court solicitor, upon which the lords had been remanded to prison. At the same time the whole affair was referred to a committee, empowered to send for persons, papers, and records. The judges were ordered to attend: Aaron Smith was examined, touching the evidence against the committed lords. The committee reported their general resolution, which produced a vehement dispute. The opinion of the judges was unsatisfactory to both parties: the debate was referred to a committee of the whole House, in which it was resolved, and declared, as the sense of that assembly, that in pursuance of the habeas corpus act, it was the duty of the judges and gaol-delivery to discharge the prisoner on bail, if committed for high treason, unless it be made appear, upon oath, that there are two witnesses against the said prisoner, who cannot be produced in that term, session, or general gaol-delivery. They likewise resolved it was the intention of the said statute, that in case there should be more than one prisoner to be bailed or remanded, there must be oath made that there are two witnesses against each prisoner, otherwise he cannot be remanded to prison. These resolutions were entered in the books, as standing directions to all future judges, yet not without great opposition from the court-members. The next debate turned upon the manner in which the imprisoned lords should be set at liberty. The contest became so warm, that the courtiers began to be afraid, and proposed an expedient, which was put in practice. The House adjourned to the seventeenth day of the month, and at its next meeting was given to understand, that the king had discharged the imprisoned noblemen. After another warm debate, a formal entry was made in the journals, importing, That the House being informed of his majesty's having given directions for discharging the lords under bail in the king's bench, the debate about that matter ceased. The resentment of the Peers being thus allayed, they proceeded to take his majesty's speech into consideration.

§ V. The Commons having voted an address of thanks, and another praying that his majesty's foreign alliances should be laid before them, determined on a bill for regulating trials in cases of high treason. They passed a vote of thanks to Admiral Russel, his officers, and seamen, for the victory they had obtained, and then proceeded to an inquiry, why that victory had not been pursued; why the descent had not been made; and why the trade had not been better protected from the enemy's cruisers. The admiral having justified his own conduct, they commanded the lords of the admiralty to produce copies of all the letters and orders which had been sent to the admiral; they ordered Russel to lay before them his answers, and the commissioners of the transports, victuallers, and office of ordnance to deliver in an account of their proceedings. Then they presented addresses to the king and queen, acknowledging the favour of God in restoring him to his people; congratulating him upon his deliverance from the snares of his open and secret enemies; and assuring him they would, according to his majesty's desire in his most gracious speech, be always ready to advise and assist him in the support of his government. The queen was thanked for her gracious and prudent administration during his majesty's absence; they congratulated her on their signal deliverance from a bold and cruel design formed for their destruction, as well as on the glorious victory which her

fleet had gained; and they assured her that the grateful sense they had of their happiness under her government, should always be manifested in constant returns of duty and obedience.

§ VI. After this formal compliment, the House, instead of proceeding to the supplies, insisted upon pursuing the treaties, public accounts, and estimates, that they might be in a condition to advise as well as to assist his majesty. Being indulged with those papers, they passed a previous vote, that a supply should be given; then they began to concert their articles of advice. Some of the members loudly complained of partiality to foreign generals, and particularly reflected upon the insolence of Count Solmes, and his misconduct at Steenkerke. After some warm altercation, the House resolved one article of their advice should be, That his majesty would be pleased to fill up the vacancies that should happen among the general officers, with such only as were natives of his dominions, and that the commander-in-chief of the English should be an Englishman. Their next resolution implied, That many of the great affairs of the government having been for some time past unsuccessfully managed, the House should advise his majesty to prevent such mischiefs for the future, by employing men of knowledge, ability, and integrity. Individual members inveighed bitterly against cabinet councils, as a novelty in the British system of government, by which the privy-council was jostled out of its province. They complained that all the grievances of the nation proceeded from the vicious principles of the ministry: they observed that he who opposed the establishment could not be expected to support it with zeal. The Earl of Nottingham was mentioned by name, and the House resolved that his majesty should be advised to employ in his councils such persons only whose principles obliged them to support his rights against the late king, and all other pretenders. Marlborough's interest still predominated among the Commons. His friend Russel acquitted himself to the satisfaction of the House, and shifted the blame of the miscarriage upon his enemy the Earl of Nottingham, by declaring that twenty days elapsed between his first letter to that nobleman and his lordship's answer. The earl's friends, of whom there was a great number in the House, espoused his cause with great vigour, and even recriminated upon Russel; so that a very violent debate ensued. Both parties agreed that there had been mismanagement in the scheme of a descent. It was moved, that one cause of the miscarriage was the want of giving timely and necessary orders, by those to whom the management of the affair was committed. The House divided, and it was carried in the affirmative by one voice only. At the next sitting of the committee, Sir Richard Temple proposed they should consider how to pay the forces abroad, by means of English manufactures, without exporting money. They resolved that the House should be moved to appoint a committee to take this expedient into consideration. Sir Francis Winnington was immediately called upon to leave the chair, and the speaker resumed his place. All that had been done was now void, as no report had been made; and the committee was dissolved. The House, however, revived it, and appointed a day for its sitting; but before it could resume its deliberations, Admiral Russel moved for its being adjourned, and all its purposes were defeated.

§ VII. The court agents had by this time interposed, and secured a majority by the infamous arts of corruption. The Commons no longer insisted upon their points of advice. Their whole attention was now centred in the article of assistance. They granted about two millions for the maintenance of three-and-thirty thousand seamen, the building of some additional ships of war, and the finishing of Plymouth dock; and seven hundred and fifty thousand pounds to supply the deficiency of the quarterly poll. The estimates of the land-service were not discussed without tedious debates, and warm disputes. The ministry demanded fifty-four thousand men, twenty thousand of whom should be kept at home for the defence of the nation, while the rest should serve abroad in the allied army. Many members declared their aversion to a foreign war, in which the nation had no immediate concern, and so little prospect of success. Others agreed that the allies should be assisted on the continent with a proportion of



British forces ; but that the nation should act as an auxiliary, not as a principal, and pay no more than what the people would cheerfully contribute to the general expense. These reflections, however, produced no other effect than that of prolonging the debate. Ministerial influence had surmounted all opposition. The House voted the number of men demanded. Such was their servile complaisance, that when they examined the treaties by which the English and Dutch contracted equally with the German princes, and found that, notwithstanding these treaties, Britain bore two-thirds of the expense, they overlooked this flagrant instance of partiality, and enabled the king to pay the proportion. Nay, their maxims were so much altered, that instead of prosecuting their resentment against foreign generals, they assented to a motion that the Prince of Wirtemberg, the Major-Generals Tetteau and La Forest, who commanded the Danish troops in the pay of the States-general, should be indulged with such an addition to their appointments as would make up the difference between the pay of England and that of Holland. Finally, they voted above two millions for the subsistence of the land forces, and for defraying extraordinary expenses attending the war upon the continent, including subsidies to the Electors of Saxony and Hanover.

§ VIII. The House of Lords meanwhile was not free from animosity and contention. The Marlborough faction exerted themselves with great vivacity. They affirmed, it was the province of their House to advise the sovereign : like the Commons they insisted upon the king's having asked their advice, because he had mentioned that word in his speech, though he never dreamed that they would catch at it with such eagerness. They moved that the task of digesting the articles of advice should be undertaken by a joint committee of both Houses ; but all the dependents of the court, including the whole bench of bishops, except Watson of St. David's, were marshalled to oppose this motion, which was rejected by a majority of twelve ; and this victory was followed with a protest of the vanquished. Notwithstanding this defeat, they prosecuted their scheme of giving advice ; and after much wrangling and declamation, the House agreed in an address or remonstrance, advising and beseeching his majesty that the commanding officer of the British forces should be an Englishman : that English officers might take rank of those in the confederate armies who did not belong to crowned heads : that the twenty thousand men to be left for the defence of the kingdom should be all English, and commanded by an English general : that the practice of pressing men for the fleet should be remedied : that such officers as were guilty of this practice should be cashiered and punished : and, lastly, that no foreigners should sit at the board of ordnance. This address was presented to the king, who received it coldly, and said he would take it into consideration.

§ IX. Then the Lords resolved to inquire into the miscarriage of the purposed descent, and called for all the papers relating to that affair : but the aim of the majority was not so much to rectify the errors of the government as to screen Nottingham, and censure Russel. That nobleman produced his own book of entries, together with the whole correspondence between him and the admiral, whom he verbally charged with having contributed to the miscarriage of the expedition. This affair was referred to a committee. Sir John Ashby was examined. The House directed the earl to draw up the substance of his charge ; and these papers were afterwards delivered to a committee of the Commons, at a conference by the lord-president, and the rest of the committee above. They were offered for the inspection of the Commons, as they concerned some members of that House, by whom they might be informed more fully of the particulars they contained. At another conference, which the Commons demanded, their committee declared, in the name of the House, that they had read and well considered the papers which their lordships had sent them, and which they now returned : that, finding Mr. Russel, one of their members, often mentioned in the said papers, they had unanimously resolved, that Admiral Russel, in his command of the fleets, during the

last summer's expedition, had behaved with fidelity, courage, and conduct. The lords, irritated at this declaration, and disappointed in their resentment against Russel, desired a free conference between the committees of both Houses. The Earl of Rochester told the Commons, he was commanded by the House of Lords to inform them, that their lordships looked upon the late vote and proceedings of the lower House, in returning their papers, to be irregular and unparliamentary, as they had not communicated to their lordships the lights they had received, and the reasons upon which their vote was founded. A paper to the same purport was delivered to Colonel Granville, who promised to present it to the Commons, and make a faithful report of what his lordship had said. Thus the conference ended, and the inquiry was discontinued.

§ X. The lower House seemed to be as much exasperated against the Earl of Nottingham as the Lords were incensed at Russel. A motion was made that his majesty should be advised to appoint such commissioners of the board of admiralty, as were of known experience in maritime affairs. Although this was overruled, they voted an address to the king, praying, that for the future, all orders for the management of the fleet might pass through the hands of the said commissioners ; a protest by implication against the conduct of the secretary. The consideration of ways and means was the next object that engrossed the attention of the lower House. They resolved that a rate of four shillings in the pound, for one year, should be charged upon all lands, according to their yearly value : as also upon all personal estates, and upon all offices and employments of profit, other than military offices in the army or navy. The act founded on this resolution empowered the king to borrow money on the credit of it, at seven per cent. They further enabled him to raise one million on the general credit of the exchequer, by granting annuities. They laid several new duties on a variety of imports. They renewed the last quarterly poll, providing, that in case it should not produce three hundred thousand pounds, the deficiencies might be made up by borrowing on the general credit of the exchequer. They continued the impositions on wine, vinegar, tobacco, and sugar, for five years ; and those on East India goods for four years. They laid a new imposition of eight per cent. on the capital stock of the East India company, estimated at seven hundred and forty-four thousand pounds ; of one per cent. on the African ; of five pounds on every share of the stock belonging to the Hudson's Bay company ; and they empowered his majesty to borrow five hundred thousand pounds on these funds, which were expressly established for maintaining the war with vigour.<sup>a</sup>

§ XI. The money bills were retarded in the upper House, by the arts of Halifax, Mulgrave, and other malcontents. They grafted a clause on the land-tax bill, importing, that the Lords should tax themselves. It was adopted by the majority, and the bill sent with this amendment to the Commons, by whom it was unanimously rejected as a flagrant attempt upon their privileges. They demanded a conference, in which they declared that the clause in question was a notorious encroachment upon the right the Commons possessed, of regulating all matters relating to supplies granted by parliament. When this report was debated in the House of Lords, the Earl of Mulgrave displayed uncommon powers of eloquence and argument, in persuading the House, that by yielding to this claim of the Commons, they would divest themselves of their true greatness, and nothing would remain but the name and shadow of a peer, which was but a pageant. Notwithstanding all his oratory, the Lords relinquished their clause, declaring, at the same time, that they had agreed to pass the bill without alteration, merely in regard to the present urgent state of affairs, as being otherwise of opinion, that they had a right to insist upon their clause. A formal complaint being made in the House of Commons against the pamphlet, entitled, "King William and Queen Mary Conquerors," as containing assertions of dangerous consequence to their majesties, to the liberty of the subject, and the peace of the kingdom, the licenser and printer were taken into custody. The book

<sup>a</sup> The French king hearing how liberally William was supplied, exclaimed with some emotion, "My little cousin the Prince of Orange is

fixed in the saddle—but, no matter, the last Louis d'or must carry it."

being examined, they resolved that it should be burned by the hands of the common hangman; and, that the king should be moved to dismiss the licenser from his employment. The same sentence they pronounced upon a pastoral letter of Bishop Burnet, in which this notion of conquest had been at first asserted. The Lords, in order to manifest their sentiments on the same subject, resolved, That such an assertion was highly injurious to their majesties, inconsistent with the principles on which the government was founded, and tending to the subversion of the rights of the people. Bohun, the licenser, was brought to the bar of the House, and discharged upon his own petition, after having been reprimanded on his knees by the speaker.

§ XII. Several members having complained that their servants had been kidnapped, and sent to serve as soldiers in Flanders, the House appointed a committee to inquire into the abuses committed by press-masters; and a suitable remonstrance was presented to the king, who expressed his indignation at this practice, and assured the House that the delinquents should be brought to exemplary punishment. Understanding, however, in the sequel, that the methods taken by his majesty for preventing this abuse had not proved effectual, they resumed their inquiry, and proceeded with uncommon vigour on the information they received. A great number of persons who had been pressed were discharged by order of the House; and Captain Winter, the chief undertaker of this method of recruiting the army, was carried by the serjeant before the lord chief justice, that he might be prosecuted according to law.

§ XIII. Before the heats occasioned by this unpopular expedient were allayed, the discontent of the nation was further inflamed by complaints from Ireland, where Lord Sidney was said to rule with despotic authority. These complaints were exhibited by Sir Francis Brewster, Sir William Gore, Sir John Macgill, Lieutenant Stafford, Mr. Stone, and Mr. Kerne. They were examined at the bar of the House, and delivered an account of their grievances in writing. Both Houses concurred in this inquiry, which being finished, they severally presented addresses to the king. The Lords observed, That there had been great abuses in disposing of the forfeited estates: that protections had been granted to the Irish not included in the articles of Limerick; so that protestants were deprived of the benefit of the law against them: that the quarters of the army had not been paid according to the provision made by parliament: that a mayor had been imposed upon the city of Dublin for two years successively, contrary to the ancient privileges and charter: that several persons accused of murder had been executed without proof: and one Sweetnam, the most guilty, discharged without prosecution. The Commons spoke more freely in their address: they roundly explained the abuses and mismanagement of that government, by exposing the protestant subjects to the free quarter and violence of a licentious army; by recruiting the troops with Irish papists, who had been in open rebellion against his majesty; by granting protections to Irish Roman catholics, whereby the course of the law was stopped: by reversing outlawries for high treason, not comprehended in the articles of Limerick; by letting the forfeited estates at under value, to the prejudice of his majesty's revenue; by embezzling the stores left in the towns and garrisons by the late King James, as well as the effects belonging to the forfeited estate, which might have been employed for the better preservation of the kingdom; and, finally, by making additions to the articles of Limerick, after the capitulation was signed, and the place surrendered. They most humbly besought his majesty to redress these abuses, which had greatly encouraged the papists, and weakened the protestant interest in Ireland. The king graciously received both addresses, and promised to pay a particular regard to all remonstrances that should come from either House of parliament: but no material step was taken against the Lords Sidney, Athlone, and Coningsby, who appeared to have engrossed great part of the forfeitures by grants from the crown; and even Commissioner Culliford, who had been guilty of the most grievous acts of oppression, escaped with impunity.

§ XIV. The old whig principle was not yet wholly ex-

pelled from the lower House. The undue influence of the court was exerted in such an open, scandalous manner, as gave offence to the majority of the Commons. In the midst of all their condescension, Sir Edward Hussey, member for Lincoln, brought in a bill touching free and impartial proceedings in parliament. It was intended to disable all members of parliament from enjoying places of trust and profit, and particularly levelled against the officers of the army and navy, who had insinuated themselves into the House in such numbers, that this was commonly called the Officers' Parliament. The bill passed the House of Commons, and was sent up to the Lords, by whom it was read a second time, and committed: but the ministry employing their whole strength against it, on the report it was thrown out by a majority of two voices. The Earl of Mulgrave again distinguished himself by his elocution, in a speech that was held in great veneration by the people: and among those who entered a protest in the journals of the House, when the majority rejected the bill, was Prince George of Denmark, Duke of Cumberland. The court had not recollected themselves from the consternation produced by such a vigorous opposition, when the Earl of Shrewsbury produced another bill for triennial parliaments, providing that there should be an annual session: that if, at the expiration of three years, the crown should not order the writs to be issued, the lord chancellor, or keeper, or commissioner of the great seal, should issue them *ex officio*, and by authority of this act, under severe penalties. The immediate object of this bill was the dissolution of the present parliament, which had already sat three sessions, and began to be formidable to the people from its concessions to the ministry. The benefits that would accrue to the constitution from the establishment of triennial parliaments were very well understood, as these points had been frequently discussed in former reigns. The courtiers now objected, that frequent elections would render the freeholders proud and insolent, encourage faction among the electors, and entail a continual expense upon the member, as he would find himself obliged, during the whole time of his sitting, to behave like a candidate, conscious how soon the time of election would revolve. In spite of the ministerial interest in the upper House, the bill passed, and contained a proviso, that the present parliament should not continue any longer than the month of January next ensuing. The court renewed its efforts against it in the House of Commons, where, nevertheless, it was carried, with some little alterations, which the Lords approved. But all these endeavours were frustrated by the prerogative of the king, who, by refusing his assent, prevented its being enacted into a law.

§ XV. It was at the instigation of the ministry, that the Commons brought in a bill for continuing and explaining certain temporary laws then expiring or expired. Among these was an act for restraining the liberty of the press, which owed its original to the reign of Charles II. and had been revived in the first year of the succeeding reign. The bill passed the lower House without difficulty, but met with warm opposition in the House of Lords; a great number of whom protested against it, as a law that subjected all learning and true information to the arbitrary will of a mercenary, and, perhaps, ignorant licenser, destroyed the properties of authors, and extended the evil of monopolies. The bill for regulating trials was dropped, and, in lieu of it, another produced for the preservation of their majesties' sacred persons and government: but this too was rejected by the majority, in consequence of the ministry's secret management. The East India company narrowly escaped dissolution. Petitions and counter-petitions were delivered into the House of Commons: the pretensions on both sides were carefully examined: a committee of the whole House resolved that there should be a new subscription of a joint-stock, not exceeding two millions five hundred thousand pounds, to continue for one-and-twenty years. The report was made and received, and the public expected to see the affair brought to a speedy issue: but the company had recourse to the same expedients which had lately proved so successful in the hands of the ministry. Those who had been the most warm in detecting their abuses suddenly cooled; and the prosecution of the affair began

to languish. Not but that the House presented an address to his majesty, praying that he would dissolve the company upon three years' warning, according to the condition of their charter. He told them he would consider their address; and they did not further urge their remonstrance. The bill for ascertaining the commissions and salaries of the judges, to which the king had refused the royal assent in the last session, was revived, twice read, and rejected; and another, for preventing the exportation and melting of the coin, they suffered to lie neglected on the table. On the fourteenth day of March, the king put an end to the session, after having thanked the parliament for so great testimonies of their affection, and promised the supplies should not be misapplied. He observed, that the posture of affairs called him abroad; but that he would leave a sufficient number of troops for the security of the kingdom: he assured them he would expose his person upon all occasions for the advantage of these kingdoms; and use his utmost endeavours to make them a flourishing nation.<sup>b</sup>

§ XVI. During the course of this session, Lord Mohun was indicted and tried by his Peers, in Westminster-hall, as an accomplice in the murder of one Montford, a celebrated comedian, the Marquis of Caermarthen acting as lord-steward upon this occasion. The judges having been consulted, the Peers proceeded to give their judgments *seriatim*, and Mohun was acquitted by a great majority. The king, who, from his first accession to the throne, had endeavoured to trim the balance between the whigs and tories, by mingling them together in his ministry, made some alterations at this period, that savoured of the same policy. The great seal, with the title of lord-keeper, was bestowed upon Sir John Somers, who was well skilled in the law, as in many other branches of polite and useful literature. He possessed a remarkable talent for business, in which he exerted great patience and assiduity; was gentle, candid, and equitable: a whig in principles, yet moderate, pacific, and conciliating. Of the same temper was Sir John Trenchard, now appointed secretary of state. He had been concerned with the Duke of Monmouth, and escaped to the continent, where he lived some years; was calm, sedate, well acquainted with foreign affairs, and considered as a leading man in his party. These two are said to have been promoted at the recommendation of the Earl of Sunderland, who had by this time insinuated himself into the king's favour and confidence; though his success confirmed the opinion which many entertained, of his having betrayed his old master. The leaders of the opposition were Sir Edward Seymour, again become a malcontent, and Sir Christopher Musgrave, a gentleman of Cumberland, who, though an extravagant tory from principle, had refused to concur with all the designs of the late king. He was a person of a grave and regular deportment, who had rejected many offers of the ministry, which he opposed

Burnet. History of K. W. Bur-  
chet. Lives of the Admirals.  
Slone's Nar.  
Fenquiers.  
Voltaire.  
Ralph. Tindal.  
State Tracts.

with great violence: yet on some critical occasions, his patriotism gave way to his avarice, and he yielded up some important points, in consideration of large sums which he received from the court in secret. Others declared war against the administration, because they thought their own talents were not sufficiently considered. Of these the chief were Paul Foley and Robert Harley. The first was a lawyer of good capacity, extensive learning, and virtuous principles, but peevish, obstinate, and morose. He entertained a very despicable opinion of the court; and this he propagated with equal assiduity and success. Harley possessed a good fund of learning; was capable of uncommon application, particularly turned to politics. He knew the forms of parliament, had a particular dexterity at protracting and perplexing debates; and cherished the most aspiring ambition. Admiral Russel was created treasurer of the household; but the command of the fleet was vested in the hands of Killigrew, Delaval, and Shovel. Sir George

Rooke was declared vice-admiral of the red, and Lord John Berkeley of the blue division; their rear-admirals were Matthew Aylmer and David Mitchell.

§ XVII. The king having visited the fleet and fortifications at Portsmouth, given instructions for annoying the enemy by sea, and left the administration in the hands of the queen, embarked on the last day of March, near Gravesend, and arrived in Holland on the third of April. The troops of the confederates were forthwith ordered to assemble: but while he was employed in making preparations for the campaign, the French king actually took the field, attended by Madame de Maintenon, and all the court ladies. His design was supposed to be upon some town in Brabant: his army amounted to one hundred and twenty thousand men, completely armed, and abundantly supplied with all necessaries for every sort of military operation. King William immediately took possession of the strong camp at Parke near Louvain, a situation which enabled him to cover the places that were most exposed. Understanding that the French emissaries had sown the seeds of dissension between the Bishop and Chapter of Liege, he sent the Duke of Wirtemberg thither, to reconcile the different parties, and concert measures for the further security of the place. He reinforced the garrison with nine battalions; and the elector palatine lay with his troops in readiness to march to its relief. William likewise threw reinforcements into Maestricht, Huy, and Charleroy; and he himself resolved to remain on the defensive, at the head of sixty thousand men, with a numerous train of artillery.

§ XVIII. Louis having reviewed his army at Gemblours, and seen his designs upon Brabant defeated by the diligence of his antagonist, detached Boufflers with twenty thousand men to the Upper Rhine, to join the dauphin, who commanded in that quarter: then leaving the conduct of his forces in the Netherlands to the Duke of Luxembourg, he returned with his court to Versailles. Immediately after his departure, Luxembourg fixed his headquarters at Mildert: and King William strengthened his camp on that side with ten battalions, and eight-and-twenty pieces of cannon. The enemy's convoys were frequently surprised by detachments from the garrison of Charleroy; and a large body of horse, foot, and dragoons, being drafted out of Liege and Maestricht, took post at Huy, under the command of the Count de Tilly, so as to straiten the French in their quarters. These, however, were dislodged by Luxembourg in person, who obliged the count to pass the Jaar with precipitation, leaving behind three squadrons and all his baggage, which fell into the hands of the enemy. This check, however, was balanced by the success of the Duke of Wirtemberg, who, at the head of thirteen battalions of infantry, and twenty squadrons of horse, forced the French lines between the Scheldt and the Lys; and laid the whole country as far as Lisle under contribution. On that very day, which was the eighteenth of July, Luxembourg marched towards Huy, which was next morning invested by M. de Villeroi. The other covered the siege, and secured himself from the allies by lines of contravallation. Before the batteries began to play the town capitulated. On the twenty-third day of the month, the garrison mutinied; the castles were surrendered; the governor remained a prisoner; and his men were conducted to Liege. The confederate army advanced in order to relieve the town: but the king being apprized of its fate, detached ten battalions to reinforce the garrison of Liege, and next day returned to Neer-Hespen.

§ XIX. Luxembourg made a motion towards Liege, as if he had intended to besiege the place; and encamped at Hellecheim, about seven leagues from the confederates. Knowing how much they were weakened by the different detachments which had been made from their army, he resolved to attack them in their camp, or at least fall upon their rear, should they retreat at his approach. On the twenty-eighth day of July he began his march in four columns, and passed the Jaar near its source with an army

Greenland trade. An Act to prevent malicious informations in the court of king's bench, and for the more easy reversal of outlawries in that court. An Act for the better recovery of judgments in the courts of law. An Act for delivering declarations to prisoners for debt. An Act for regulating proceedings in the chancery office. An Act for the more easy discovery and conviction of such as should destroy the game of this kingdom. And an Act for continuing the Acts for prohibiting all trade and commerce with France, and for the encouragement of privateers.

<sup>b</sup> The other laws made in this session were these that follow:—An Act for preventing suits against such as had acted for their masters' service in defence of this kingdom. An Act for raising the militia in the year 1694. An Act authorizing the judges to empower such persons, other than common attorneys and solicitors, as they shall think fit, to take special bail, except in London, Westminster, and a mile round it. An Act to encourage the apprehending of highwaymen. An Act for preventing clandestine marriages. An Act for the regulating, encouraging, and settling the



superior to the allies by five-and-thirty thousand men. The King of England, at first, looked upon this motion as a feint to cover the design upon Liege; but receiving intelligence that the whole army was in full march to attack him in his camp, he resolved to keep his ground; and immediately drew up his forces in order of battle. His general officers advised him to repass the Geete; but he chose to risk a battle, rather than expose the rear of his army in repassing that river. His right wing extended as far as Neer-Winden, along the Geete, covered with hedges, hollow ways, and a small rivulet; the left reached to Neer-Landen; and these two villages were joined by a slight entrenchment, which the king ordered to be thrown up in the evening. Brigadier Ramsey, with the regiments of O'Farrel, Mackay, Lauder, Leven, and Monroe, were ordered to the right of the whole army, to line some hedges and hollow ways on the further side of the village of Lare. Six battalions of Brandenburg were posted to the left of this village; and General Dumont, with the Hanoverian infantry, possessed the village of Neer-Winden, which covered part of the camp, between the main body and the right wing of the cavalry. Neer-Landen on the left, was secured by six battalions of English, Danes, and Dutch. The remaining infantry was drawn up in one line behind the entrenchment. The dragoons upon the left guarded the village of Dormal upon the brook of Beck; and from thence the left wing of horse extended to Neer-Landen, where it was covered by this rivulet.

§ XX. The king having visited all the posts on horseback, and given the necessary orders, reposed himself about two hours in his coach; and early in the morning sent for his chaplain, whom he joined in prayer with great devotion. At sun-rising the enemy appeared drawn up in order of battle; and the allies began to play their cannon with good success. About eight in the morning they attacked the villages of Lare and Neer-Winden with great fury; and twice made themselves masters of these posts, from whence they were as often repulsed. The allies still kept their ground; and the Duke of Berwick was taken by his uncle Brigadier Churchill. Then the French made an attack upon the left wing of the confederates at Neer-Landen; and after a very obstinate dispute were obliged to give way, though they still kept possession of the avenues. The Prince of Conti, however, renewed the charge with the flower of the French infantry; and the confederates being overpowered, retreated from the village, leaving the camp in that part exposed. Villeroi marching this way with a body of horse, was encountered and repulsed by the Count D'Arco, general of the Bavarian cuirassiers; and the Duke de Chartres narrowly escaped being taken. Meanwhile, Luxembourg, the Prince of Conti, the Count de Marsin, and the Marshal de Joyeuse, charged on the right, and in different parts of the line, with such impetuosity as surmounted all resistance. The camp of the confederates was immediately filled with French troops: the villages of Lare and Neer-Winden were taken, after a long and desperate dispute. The Hanoverian and Dutch horse being broken, the king in person brought the English cavalry to their assistance. They fought with great gallantry; and for some time retarded the fate of the day. The infantry were rallied, and stood firm until all their ammunition was expended. In a word, they were scarce able to sustain the weight of such a superiority in point of number, when the Marquis d'Harcourt joined the enemy from Huy, with two-and-twenty fresh squadrons, which immediately turned the scale in their favour. The Elector of Bavaria, after having made extraordinary efforts, retreated with great difficulty over the bridge to the other side of the river, where he rallied the troops, in order to favour the retreat of those who had not passed. The king seeing the battle lost, and the whole army in confusion, retired with the infantry to Dormal on the brook of Beck, where the dragoons of the left wing were posted, and then ordered the regiments of Wyndham, Lumley, and Galway, to cover his retreat over the bridge at Neer-Hespen, which he effected with great difficulty. Now all was tumult, rout, and consternation; and a great number of the fugitives threw themselves into the river, where they were

drowned. This had like to have been the fate of the brave Earl of Athlone: the Duke of Ormond was wounded in several places, and taken prisoner by the enemy; and the Count de Solmes was mortally wounded. Ptolemache brought off the greater part of the English infantry with great gallantry and conduct; as for the baggage, it had been sent to Liege before the engagement; but the confederates lost sixty pieces of cannon, and nine mortars, a great number of standards and colours, with about seven thousand men killed and wounded in the action. It must be owned that the allies fought with great valour and perseverance; and that King William made prodigious efforts of courage and activity to retrieve the fortune of the day. He was present in all parts of the battle; he charged in person both on horseback and on foot, where the danger was most imminent. His peruke, the sleeve of his coat, and the knot of his scarf were penetrated by three different musket bullets; and he saw a great number of soldiers fall on every side of him. The enemy bore witness to his extraordinary valour. The Prince of Conti, in a letter to his princess, which was intercepted, declared that he saw the Prince of Orange exposing himself to the greatest dangers; and that such valour richly deserved the peaceable possession of the crown he wore. Yet here, as in every other battle he fought, his conduct and disposition were severely censured. Luxembourg having observed the nature of his situation immediately before the engagement, is said to have exclaimed, "Now, I believe, Waldeck is really dead;" alluding to that general's known sagacity in choosing ground for an encampment. Be that as it will, he paid dear for his victory. His loss in officers and men exceeded that of the allies; and he reaped no solid advantage from the battle. He remained fifteen days inactive at Waren, while King William, recalling the Duke of Wirtemberg, and drafting troops from Liege and other garrisons, was in a few days able to hazard another engagement.

§ XXI. Nothing remarkable happened during the remaining part of the campaign, until Luxembourg being rejoined by Boufflers with a strong reinforcement for the Rhine, invested Charleroy. He had taken his measures with such caution and dexterity, that the allies could not frustrate his operations, without attacking his lines at a great disadvantage. The king detached the Elector of Bavaria and the Duke of Wirtemberg, with thirty battalions and forty squadrons, to make a diversion in Flanders; but they returned in a few days, without having attempted any thing of consequence. The garrison of Charleroy defended the place with surprising valour, from the tenth of September to the eleventh of October, during which period they had repulsed the assailants in several attacks; but, at length, despairing of relief, the governor capitulated on the most honourable conditions; the reduction of the place was celebrated with a *Te Deum*, and other rejoicings, at Paris. Louis, however, in the midst of all his glory, was extremely mortified when he reflected upon the little advantage he had reaped from all his late victories. The allies had been defeated successively at Fleurus, Steenkerke, and Landen; yet in a fortnight after each of those battles, William was always in a condition to risk another engagement. Formerly, Louis had conquered half of Holland, Flanders, and Franche-Comté, without a battle; whereas, now he could not with his utmost efforts, and after the most signal victories, pass the frontiers of the United Provinces. The conquest of Charleroy concluded the campaign in the Netherlands, and both armies went into winter quarters.

§ XXII. The French army on the Rhine, under De Lorges, passed that river in the month of May at Philipsburgh, and invested the city of Heidelberg, which they took, plundered, and reduced to ashes. This general committed numberless barbarities in the palatinate, which he ravaged without even sparing the tombs of the dead. The French soldiers, on this occasion, seem to have been actuated by the most brutal inhumanity. They butchered the inhabitants, violated the women, plundered the houses, rifled the churches, and murdered the priests at the altar. They broke open the electoral vault, and scattered the ashes

§ The Duke of Luxembourg sent such a number of standards and ensigns to Paris, during the course of this war, that the Prince of Conti called

him the upholder of Notre Dame, a church in which those trophies were displayed.

of that illustrious family about the streets. They set fire to different quarters of the city; they stripped about fifteen thousand of the inhabitants, without distinction of age or sex, and drove them naked into the castle, that the garrison might be the sooner induced to capitulate. There they remained like cattle in the open air, without food or covering, tortured between the horrors of their fate and the terrors of a bombardment. When they were set at liberty, in consequence of the fort's being surrendered, a great number of them died along the banks of the Neckar, from cold, hunger, anguish, and despair. These enormous cruelties, which would have disgraced the arms of a Tartarian freebooter, were acted by the express command of Louis XIV. of France, who had been celebrated by so many venal pens, not only as the greatest monarch, but also as the most polished prince of Christendom. De Lorges advanced towards the Neckar against the Prince of Baden, who lay encamped on the other side of the river; but in attempting to pass, he was twice repulsed with considerable damage. The dauphin joining the army, which now amounted to seventy thousand men, crossed without opposition: but found the Germans so advantageously posted, that he would not hazard an attack: having, therefore, repassed the river, he secured Stutzgard with a garrison, sent detachments into Flanders and Piedmont, and returned in August to Versailles. In Piedmont the allies were still more unfortunate. The Duke of Savoy and his confederates seemed bent upon driving the French from Casal and Pignerol. The first of these places was blocked up, and the other actually invested. The fort of St. Bridget, that covered the place, was taken, and the town bombarded. Meanwhile Catinat being reinforced, descended into the plains. The duke was so apprehensive of Turin, that he abandoned the siege of Pignerol, after having blown up the fort, and marched in quest of the enemy to the plain of Marsaglia, in the neighbourhood of his capital. On the fourth day of October, the French advanced upon them from the hills, between Orbasson and Prosasque; and a desperate engagement ensued. The enemy charged the left wing of the confederates sword in hand with incredible fury: though they were once repulsed, they renewed the attack with such impetuosity, that the Neapolitan and Milanese horse were obliged to give way, and disordered the German cavalry. These falling upon the foot, threw the whole wing into confusion. Meanwhile, the main body and the other wing sustained the charge without flinching, until they were exposed in flank by the defeat of the cavalry; then the whole front gave way. In vain the second side was brought up to sustain them: the horse turned their backs, and the infantry was totally routed. In a word, the confederates were obliged to retire with precipitation, leaving their cannon, and about eight thousand men killed or wounded on the field of battle. The Duke of Schomberg having been denied the post which was his due, insisted upon fighting at the head of the troops maintained by the King of Great Britain, who were posted in the centre, and behaved with great gallantry under the eye of their commander. When the left wing was defeated, the Count de los Torres desired he would take upon him the command, and retreat with the infantry and the right wing: but he refused to act without the order of his highness, and said, things were come to such a pass, that they must either conquer or die. He continued to animate his men with his voice and example, until he received a shot in the thigh. His valet seeing him fall, ran to his assistance, and called for quarter, but was killed by the enemy before he could be understood. The duke being taken at the same instant, was afterwards dismissed upon his parole, and in a few days died at Turin, universally lamented on account of his great and amiable qualities. The Earl of Warwick and Holland, who accompanied him as a volunteer, shared his fate in being wounded and taken prisoner: but he soon recovered his health and liberty. This victory was as unsubstantial as that of Landen, and almost as dear in the purchase; for the confederates made an obstinate defence, and yielded solely to superior numbers. The Duke of Savoy retreated to Moncalier, and threw a reinforcement into Coni, which Catinat did not venture to besiege, so severely had he been handled in the battle. He therefore contented him-

self with laying the country under contribution, reinforcing the garrisons of Casal, Pignerol, and Susa, and making preparations for repassing the mountains. The news of the victory no sooner reached Paris, than Louis despatched M. de Chanlais to Turin, with proposals for detaching the Duke of Savoy from the interest of the allies; and the Pope, who was now become a partisan of France, supported the negotiation with his whole influence: but the French king had not yet touched upon the right string. The duke continued deaf to all his addresses.

§ XXXIII. France had been alike successful in her intrigues at the courts of Rome and Constantinople. The visir at the Porte had been converted into a pensionary and creature of Louis; but the war in which the Turks had been so long and unsuccessfully engaged rendered him so odious to the people, that the grand signor deposed him, in order to appease their clamours. The English and Dutch ambassadors at Constantinople forthwith renewed their mediation for a peace with the emperor; but the terms they proposed were still rejected with disdain. In the mean time General Heusler, who commanded the imperialists in Transylvania, reduced the fortresses of Jenö and Villagüswar. In the beginning of July the Duc de Croy assumed the chief command of the German army, passed the Danube and the Saave, and invested Belgrade. The siege was carried on for some time with great vigour; but, at length, abandoned at the approach of the visir, who obliged the imperialists to repass the Saave, and sent out parties which made incursions into Upper Hungary. The power of France had never been so conspicuous as at this juncture, when she maintained a formidable navy at sea, and four great armies in different parts of Europe. Exclusive of the operations in Flanders, Germany, and Piedmont, the Count de Noailles invested Roses in Catalonia, about the latter end of May, while at the same time it was blocked up by the French fleet, under the command of the Count d'Étrées. In a few days the place was surrendered by capitulation, and the castle of Ampurias met with the same fate. The Spanish power was reduced to such a degree, that Noailles might have proceeded in his conquests without interruption, had not he been obliged to detach part of his army to reinforce Catinat in Piedmont.

§ XXIV. Nothing could be more inglorious for the English than their operations by sea in the course of this summer. The king had ordered the admirals to use all possible despatch in equipping the fleets, that they might block up the enemy in their own ports, and protect the commerce, which had suffered severely from the French privateers. They were, however, so dilatory in their proceedings, that the squadrons of the enemy sailed from their harbours before the English fleet could put to sea. About the middle of May it was assembled at St. Helen's, and took on board five regiments, intended for a descent on Brest; but this enterprise was never attempted. When the English and Dutch squadrons joined so as to form a very numerous fleet, the public expected they would undertake some expedition of importance: but the admirals were divided in opinion, nor did their orders warrant their executing any scheme of consequence. Killigrew and Delaval did not escape the suspicion of being disaffected to the service: and France was said to have maintained a secret correspondence with the malcontents in England. Louis had made surprising efforts to repair the damage which his navy had sustained. He had purchased several large vessels, and converted them into ships of war: he had laid an embargo on all the shipping of his kingdom, until his squadrons were manned; he had made a grand naval promotion to encourage the officers and seamen; and this expedient produced a wonderful spirit of activity and emulation. In the month of May his fleet sailed to the Mediterranean, in three squadrons, consisting of seventy-one capital ships, besides bomb-ketches, fire-ships, and tenders.

§ XXV. In the beginning of June, the English and Dutch fleets sailed down the channel. On the sixth, Sir George Rooke was detached to the Straits with a squadron of three-and-twenty ships, as convoy to the Mediterranean trade. The grand fleet returned to Torbay, while he pursued his voyage, having under his protection about four hundred merchant ships belonging to England, Holland,

Denmark, Sweden, Hamburgh, and Flanders. On the sixteenth, his scouts discovered part of the French fleet under Cape St. Vincent: next day their whole navy appeared, to the amount of eighty sail. Sixteen of these plied up to the English squadron, while the vice-admiral of the white stood off to sea, to intercept the ships under convoy. Sir George Rooke, by the advice of the Dutch vice-admiral Vandergoes, resolved, if possible, to avoid an engagement, which could only tend to their absolute ruin. He forthwith sent orders to the small ships that were near the land, to put into the neighbouring ports of Faro, St. Lucar, and Cadiz, while he himself stood off with an easy sail for the protection of the rest. About six in the evening ten sail of the enemy came up with two Dutch ships of war, commanded by the Captains Schrijver, and Vander-Poel, who seeing no possibility of escaping, tacked in shore: and, thus drawing the French after them, helped to save the rest of the fleet. When attacked they made a most desperate defence, but at last were overpowered by numbers and taken. An English ship of war and a rich pinnace were burned; nine-and-twenty merchant vessels were taken, and about fifty destroyed by the Counts de Tourville and D'Étrées. Seven of the largest Smyrna ships fell into the hands of M. de Coetlegon, and four he sunk in the bay of Gibraltar. The value of the loss sustained on this occasion amounted to one million sterling. Meanwhile Rooke stood off with a fresh gale, and on the nineteenth sent home the Lark ship of war with the news of his misfortune; then he bore away for the Madeiras, where having taken in wood and water, he set sail for Ireland, and on the third day of August arrived at Cork, with fifty sail, including ships of war and trading vessels. He detached Captain Fairborne to Kinsale, with all his squadron, except six ships of the line, with which, in pursuance of orders, he joined the great fleet then cruising in the chops of the channel. On the twenty-fifth day of August, they returned to St. Helen's, and the four regiments were landed. On the nineteenth day of September, fifteen Dutch ships of the line, and two frigates, set sail for Holland; and twenty-six sail, with seven fire-ships, were assigned as guard-ships during the winter.

§ XXVI. The French admirals, instead of pursuing Rooke to Madeira, made an unsuccessful attempt upon Cadiz, and bombarded Gibraltar, where the merchants sunk their ships, that they might not fall into the hands of the enemy. Then they sailed along the coasts of Spain, destroyed some English and Dutch vessels at Malaga, Alicante, and other places; and returned in triumph to Toulon. About this period, Sir Francis Wheeler returned to England with his squadron, from an unfortunate expedition in the West Indies. In conjunction with Colonel Codrington, governor of the Leeward Islands, he made unsuccessful attempts upon the islands of Martinique and Dominique. Then he sailed to Boston in New England, with a view to concert an expedition against Quebec, which was judged impracticable. He afterwards steered for Placentia in Newfoundland, which he would have attacked without hesitation, but the design was rejected by a majority of voices in the council of war. Thus disappointed, he set sail for England, and arrived at Portsmouth in a very shattered condition, the greater part of his men having died in the course of his voyage.

§ XXVII. In November another effort was made to annoy the enemy. Commodore Benbow sailed with a squadron of twelve capital ships, four bomb-ketches, and ten brigantines, to the coast of St. Maloes, and anchoring within half a mile of the town, cannonaded and bombarded it for three days successively. Then his men landed on an island, where they burned a convent. On the nineteenth they took the advantage of a dark night, a fresh gale, and a strong tide, to send in a fire-ship of a particular contrivance, styled the Infernal, in order to burn the town: but she struck upon a rock before she arrived at the place, and the engineer was obliged to set her on fire, and retreat. She continued burning for some time, and at last blew up, with such an explosion as shook the whole town like an earthquake, unroofed three hundred houses, and broke all the glass and earthenware for three leagues around. A capstan that weighed two hundred pounds was transported into the place, and falling upon a

house, levelled it to the ground: the greatest part of the wall towards the sea tumbled down; and the inhabitants were overwhelmed with consternation: so that a small number of troops might have taken possession without resistance; but there was not a soldier on board. Nevertheless, the sailors took and demolished Quince-fort, and did considerable damage to the town of St. Maloes, which had been a nest of privateers that infested the English commerce. Though this attempt was executed with great spirit, and some success, the clamours of the people became louder and louder. They scrupled not to say, that the councils of the nation were betrayed; and their suspicions rose even to the secretary's office. They observed, that the French were previously acquainted with all the motions of the English, and took their measures accordingly for their destruction. They collected and compared a good number of particulars, that seemed to justify their suspicion of treachery. But the misfortunes of the nation, in all probability, arose from a motley ministry, divided among themselves, who, instead of acting in concert for the public good, employed all their influence to thwart the views and blacken the reputations of each other. The people in general exclaimed against the Marquis of Caermarthen, the Earls of Nottingham and Rochester, who had acquired great credit with the queen, and from their hatred to the whigs, betrayed the interests of the nation.

§ XXVIII. But if the English were discontented, the French were miserable, in spite of all their victories. That kingdom laboured under a dreadful famine, occasioned partly from unfavourable seasons, and partly from the war, which had not left hands sufficient to cultivate the ground. Notwithstanding all the diligence and providence of their ministry, in bringing supplies of corn from Sweden and Denmark, their care in regulating the price, and furnishing the markets, their liberal contributions for the relief of the indigent; multitudes perished of want, and the whole kingdom was reduced to poverty and distress. Louis pined in the midst of his success. He saw his subjects exhausted by a ruinous war, in which they had been involved by his ambition. He tampered with the allies apart, in hopes of dividing and detaching them from the grand confederacy; he solicited the northern crowns to engage as mediators for a general peace. A memorial was actually presented by the Danish minister to King William, by which it appears, that the French king would have been contented to purchase a peace with some considerable concessions: but the terms were rejected by the King of England, whose ambition and revenge were not yet gratified; and whose subjects, though heavily laden, could still bear additional burthens.

§ XXIX. The Jacobites had been very attentive to the progress of dissatisfaction in England, which they fomented with their usual assiduity. The late declaration of King James had been couched in such imperious terms, as gave offence even to some of those who favoured his interest. The Earl of Middleton, therefore, in the beginning of the year repaired to St. Germain, and obtained another, which contained the promise of a general pardon without exception, and every other concession that a British subject could demand of his sovereign. About the latter end of May, two men, named Canning and Dormer, were apprehended for dispersing copies of this paper, tried at the Old Bailey, found guilty of not only dispersing, but also of composing a false and seditious libel, sentenced to pay five hundred marks a-piece, to stand three times in the pillory, and to find sureties for their good behaviour. But no circumstance reflected more disgrace on this reign, than the fate of Anderton, the supposed printer of some tracts against the government. He was brought to trial for high treason: he made a vigorous defence, in spite of the insults and discouragement he sustained from a partial bench. As nothing but presumptions appeared against him, the jury scrupled to bring in a verdict that would affect his life, until they were reviled and reprimanded by Judge Treby; then they found him guilty. In vain recourse was had to the queen's mercy: he suffered death at Tyburn: and left a paper protesting solemnly against the proceedings of the court, which he affirmed was appointed, not to try, but to convict him; and peti-



tioning Heaven to forgive his penitent jury. The severity of the government was likewise exemplified in the case of some adventurers, who, having equipped privateers to cruise upon the English, under joint commissions from the late King James and Louis XIV., happened to be taken by the English ships of war. Dr. Oldys, the king's advocate, being commanded to proceed against them as guilty of treason and piracy, refused to commence the prosecution; and gave his opinion in writing, that they were neither traitors nor pirates. He supported this opinion by arguments before the council: these were answered by Dr. Littleton, who succeeded him in the office, from which he was dismissed; and the prisoners were executed as traitors. The Jacobites did not fail to retort those arts upon the government, which their adversaries had so successfully practised in the late reign. They inveighed against the vindictive spirit of the administration, and taxed it with encouraging informers and false witnesses: a charge for which there was too much foundation.

§ XXX. The friends of James in Scotland still continued to concert designs in his favour: but their correspondence was detected, and their aims defeated, by the vigilance of the ministry in that kingdom. Secretary Johnston not only kept a watchful eye over all their transactions, but by a dexterous management of court liberality and favour, appeased the discontents of the presbyterians so effectually, that the king ran no risk in assembling the parliament. Some offices were bestowed upon the leaders of the kirk party; and the Duke of Hamilton being reconciled to the government, was appointed commissioner. On the eighteenth day of April, the session was opened, and the king's letter, replete with the most cajoling expressions, being read, the parliament proceeded to exhibit undeniable specimens of their good humour. They drew up a very affectionate answer to his majesty's letter: they voted an addition of six new regiments to the standing forces of the kingdom; they granted a supply of above one hundred and fifty thousand pounds sterling to his majesty: they enacted a law for levying men to serve on board the royal navy: they fined all absentees, whether lords or commons; and vacated the seats of all those commissioners who refused to take the oath of assurance, which was equivalent to an abjuration of King James: they set on foot an inquiry about an intended invasion: they published some intercepted letters, supposed to be written to King James by Neville Payne, whom they committed to prison, and threatened with a trial for high treason; but he eluded the danger, by threatening in his turn to impeach those who had made their peace with the government: they passed an act for the comprehension of such of the episcopal clergy as should condescend to take the oaths by the tenth day of July. All that the general assembly required of them was an offer to subscribe the confession of faith, and to acknowledge presbytery as the only government of the Scottish church; but they neither submitted to these terms, nor took the oaths within the limited time, so that they forfeited all legal right to their benefices. Nevertheless, they continued in possession, and even received private assurances of the king's protection. It was one of William's political maxims, to court his domestic enemies; but it was never attended with any good effect. This indulgence gave offence to the presbyterians, and former distractions began to revive.

§ XXXI. The king having prevailed upon the States-general to augment their land forces and navy for the service of the ensuing campaign, embarked for England, and arrived at Kensington on the thirtieth day of October. Finding the people clamorous and discontented, the trade of the nation decayed, the affairs of state mismanaged, and the ministers recriminating upon one another, he perceived the necessity of changing hands, and resolved to take his measures accordingly. Sunderland, his chief counsellor, represented that the Tories were averse to the continuance of a war, which had been productive of nothing but damage and disgrace; whereas the Whigs were much more tractable, and would bleed freely, partly from the terrors of invasion and popery, partly from the ambition of being courted by the crown, and partly from the prospect of advantage, in advancing money to the government on the funds established by parliament: for that sort of traffic

which obtained the appellation of the monied interest, was altogether a Whiggish institution. The king revolved these observations in his own mind; and, in the mean time, the parliament met on the seventh day of November, pursuant to the last prorogation. In his speech he expressed his resentment against those who were the authors of the miscarriages at sea; represented the necessity of increasing the land forces and the navy; and demanded a suitable supply for these purposes. In order to pave the way to their condescension, he had already dismissed from his council the Earl of Nottingham, who, of all his ministers, was the most odious to the people. His place would have been immediately filled with the Earl of Shrewsbury; but that nobleman suspecting this was a change of men rather than of measures, stood aloof for some time, until he received such assurances from the king as quieted his scruples, and then he accepted the office of secretary. The lieutenant for the city of London, and all other commissions over England, were altered with a view to favour the Whig interest; and the individuals of that party were indulged with many places of trust and profit: but the Tories were too powerful in the House of Commons to be exasperated, and therefore a good number of them were retained in office.

§ XXXII. On the sixth day of the session, the Commons unanimously resolved to support their majesties and their government; to inquire into miscarriages; and to consider of means for preserving the trade of the nation. The Turkey company were summoned to produce the petitions they had delivered to the commissioners of the admiralty for convoy; Lord Falkland, who sat at the head of that board, gave in copies of all the orders and directions sent to Sir George Rooke concerning the Straits' fleet, together with a list of all the ships at that time in commission. It appeared, in the course of this inquiry, that the miscarriage of Rooke's fleet was in a great measure owing to the misconduct of the admirals, and neglect of the victualling-office; but they were screened by a majority. Mr. Harley, one of the commissioners for taking and stating the public accounts, delivered a report, which contained a charge of peculation against Lord Falkland. Rainsford, receiver of the rights and perquisites of the navy, confessed that he had received and paid more money than that which was charged in the accounts; and, in particular, that he had paid four thousand pounds to Lord Falkland, by his majesty's order. This lord had acknowledged before the commissioners, that he had paid one half of the sum, by the king's order, to a person who was not a member of either House; and that the remainder was still in his hands. Rainsford owned he had the original letter which he received from Falkland, demanding the money; and this nobleman desiring to see it, detained the voucher; a circumstance that incensed the Commons to such a degree, that a motion was made for committing him to the Tower, and debated with great warmth, but at last overruled by the majority. Nevertheless, they agreed to make him sensible of their displeasure, and he was reprimanded in his place. The House of Lords having also inquired into the causes of the miscarriage at sea, very violent debates arose, and at length the majority resolved, that the admirals had done well in the execution of the orders they had received. This was a triumph over the Whig lords, who had so eagerly prosecuted the affair, and now protested against the resolution, not without great appearance of reason. The next step of the Lords, was to exculpate the Earl of Nottingham, as the blame seemed to lie with him, on the supposition that the admirals were innocent. With a view, therefore, to transfer this blame to Trenchard, the Whiggish secretary, the earl gave the House to understand, that he had received intelligence from Paris in the beginning of June, containing a list of the enemy's fleet, and the time of their sailing; that this was communicated to a committee of the council, and particularly imparted to Secretary Trenchard, whose province it was to transmit instructions to the admirals. Two conferences passed on this subject between the Lords and Commons. Trenchard delivered in his defence in writing; and was in his turn screened by the whole efforts of the ministry, in which the Whig influence now predominated. Thus an inquiry of such national consequence, which took its rise from the

king's own expression of resentment against the delinquents, was stifled by the arts of the court, because it was likely to affect one of its creatures: for, though there was no premeditated treachery in the case, the interest of the public was certainly sacrificed to the mutual animosity of the ministers. The charge of Lord Falkland being resumed in the House of Commons, he appeared to have begged and received of the king the remaining two thousand pounds of the money which had been paid by Rainsford: he was therefore declared guilty of a high misdemeanor, and breach of trust, and committed to the Tower; from whence, however, he was in two days discharged upon his petition.

§ XXXIII. Harley, Foley, and Harcourt, presented to the House a state of the receipts and issues of the revenue, together with two reports from the commissioners of accounts concerning sums issued for secret services, and to members of parliament. This was a discovery of the most scandalous practices in the mystery of corruption, equally exercised on the individuals of both parties, in occasional bounties, grants, places, pensions, equivalents, and additional salaries. The malcontents, therefore, justly observed, the House of Commons was so managed that the king could baffle any bill, quash all grievances, stifle accounts, and rectify the articles of Limerick. When the Commons took into consideration the estimates and supplies of the ensuing year, the king demanded forty thousand men for the navy, and above one hundred thousand for the purposes of the land-service. Before the House considered these enormous demands, they granted four hundred thousand pounds by way of advance, to quiet the clamours of the seamen who were become mutinous and desperate for want of pay, upwards of one million being due to them for wages. Then the Commons voted the number of men required for the navy: but they were so ashamed of that for the army, that they thought it necessary to act in such a manner as should imply that they still retained some regard for their country. They called for all the treaties subsisting between the king and his allies: they examined the different proportions of the troops furnished by the respective powers: they considered the intended augmentations, and fixed the establishment of the year at fourscore and three thousand one hundred and twenty-one men, including officers. For the maintenance of these they allotted the sum of two millions five hundred and thirty thousand five hundred and ninety pounds. They granted two millions for the navy, and about five hundred thousand pounds to make good the deficiencies of the annuity and poll bills; so that the supplies of the year amounted to about five millions and a half, raised by a land-tax of four shillings in the pound, by two more lives in the annuities, a further excise on beer, a new duty on salt, and a lottery.

§ XXXIV. Though the malcontents in parliament could not withstand this torrent of profusion, they endeavoured to distress the court interest, by reviving the popular bills of the preceding session; such as that for regulating trials in cases of high treason, the other for the more frequent calling and meeting of parliaments, and that concerning free and impartial proceedings in parliament. The first was neglected in the House of Lords; the second was rejected; the third was passed by the Commons, on the supposition that it would be defeated in the other House. The Lords returned it with certain amendments, to which the Commons would not agree; a conference ensued; the peers receded from their corrections, and passed the bill, to which the king, however, refused his assent. Nothing could be more unpopular and dangerous than such a step at this juncture. The Commons, in order to recover some credit with the people, determined to disapprove of his majesty's conduct. The House formed itself into a committee, to take the state of the kingdom into consideration. They resolved that whoever advised the king to refuse the royal assent to that bill, was an enemy to their majesties and the kingdom. They likewise presented an address, expressing their concern that he had not given his consent to the bill, and beseeching his majesty to hearken for the future to the advice of his parliament, rather than to the councils of particular persons, who might have private interests of their own, separate from those of his majesty

and his people. The king thanked them for their zeal, professed a warm regard for their constitution, and assured them he would look upon all parties as enemies, who should endeavour to lessen the confidence subsisting between the sovereign and people. The members in the opposition were not at all satisfied with this general reply. A day being appointed to take it into consideration, a warm debate was maintained with equal eloquence and acrimony. At length the question being put, that an address should be made for a more explicit answer, it was passed in the negative by a great majority.

§ XXXV. The city of London petitioned that a parliamentary provision might be made for the orphans, whose fortunes they had scandalously squandered away. Such an application had been made in the preceding session, and rejected with disdain, as an imposition on the public: but now those scruples were removed, and the House passed a bill for this purpose, consisting of many clauses, extending to different charges on the city lands, aqueducts, and personal estates; imposing duties on binding apprentices, constituting freemen, as also upon wines and coals imported into London. On the twenty-third day of March these bills received the royal assent: and the king took that opportunity of recommending despatch, as the season of the year was far advanced, and the enemy diligently employed in making preparations for an early campaign. The scheme of a national bank, like those of Amsterdam and Genoa, had been recommended to the ministry, as an excellent institution, as well for the credit and security of the government, as for the increase of trade and circulation. One project was invented by Dr. Hugh Chamberlain, proposing the circulation of tickets on land security; but William Paterson was author of that which was carried into execution by the interest of Michael Godfrey, and other active projectors. The scheme was founded on the notion of a transferable fund, and a circulation by bill on the credit of a large capital. Forty merchants subscribed to the amount of five hundred thousand pounds, as a fund, of ready money, to circulate one million at eight per cent. to be lent to the government; and even this fund of ready money bore the same interest. When it was properly digested in the cabinet, and a majority in parliament secured for its reception, the undertakers for the court introduced it into the House of Commons, and expatiated upon the national advantages that would accrue from such a measure. They said it would rescue the nation out of the hands of extortioners and usurers, lower interest, raise the value of land, revive and establish public credit, extend circulation, consequently improve commerce, facilitate the annual supplies, and connect the people the more closely with the government. The project was violently opposed by a strong party, who affirmed that it would become a monopoly, and engross the whole money of the kingdom; that, as it must infallibly be subservient to government views, it might be employed to the worst purposes of arbitrary power; that, instead of assisting, it would weaken commerce, by tempting people to withdraw their money from trade, and employ it in stock-jobbing; that it would produce a swarm of brokers and jobbers to prey upon their fellow-creatures, encourage fraud and gaming, and further corrupt the morals of the nation. Notwithstanding these objections, the bill made its way through the two Houses, establishing the funds for the security and advantage of the subscribers; empowering their majesties to incorporate them by the name of The Governor and Company of the Bank of England, under a proviso, that at any time after the first day of August, in the year one thousand seven hundred and five, upon a year's notice, and the repayment of the twelve hundred thousand pounds, the said corporation should cease and determine. The bill likewise contained clauses of appropriation for the service of the public. The whole subscription was filled in ten days after its being opened; and the court of directors completed the payment before the expiration of the time prescribed by the act, although they did not call in more than seven hundred and twenty thousand pounds of the money subscribed. All these funds proving inadequate to the estimates, the Commons brought in a bill to impose stamp duties upon all vellum, parchment, and paper, used in almost every kind of intercourse

between man and man; and they crowned the oppressions of the year with another grievous tax upon carriages, under the name of a bill for licensing and regulating hackney and stage coaches.

§ XXXVI. The Commons, in a clause of the bill for taxing several joint-stocks, provided, that in case of a default in the payment of that tax, within the time limited by the act, the charter of the company so failing should be deemed void and forfeited. The East India company actually neglected their payment, and the public imagined the ministry would seize this opportunity of dissolving a monopoly against which so many complaints had been made; but the directors understood their own strength; and instead of being broken, obtained the promise of a new charter. This was no sooner known, than the controversy between them and their adversaries was revived with such animosity, that the council thought proper to indulge both parties with a hearing. As this produced no resolution, the merchants who opposed the company petitioned, that, in the mean while, the new charter might be suspended. Addresses of the same kind were presented by a great number of clothiers, linen-drappers, and other dealers. To these a written answer was published by the company; the merchants printed a reply, in which they undertook to prove, that the company had been guilty of unjust and unwarrantable actions, tending to the scandal of religion, the dishonour of the nation, the reproach of our laws, the oppression of the people, and the ruin of trade. They observed, that two private ships had exported in one year three times as many cloths as the company had exported in three years. They offered to send more cloth and English merchandise to the Indies in one year, than the company had exported in five; to furnish the government with five hundred tons of saltpetre for less than one half of the usual price; and they represented, that the company could neither lade the ships they petitioned for in England, nor relate them in the East Indies. In spite of all these remonstrances, the new charter passed the great seal; though the grants contained in it were limited in such a manner, that they did not amount to an exclusive privilege, and subjected the company to such alterations, restrictions, and qualifications, as the king should direct before the twenty-ninth day of September. This indulgence and other favours granted to the company were privately purchased of the ministry, and became productive of a loud outcry against the government. The merchants published a journal of the whole transaction, and petitioned the House of Commons that their liberty of trading to the East Indies might be confirmed by parliament. Another petition was presented by the company, praying that their charter might receive a parliamentary sanction. Both parties employed all their address in making private application to the members. The House having examined the different charters, the book of their new subscriptions, and every particular relating to the company, resolved that all the subjects of England had an equal right to trade to the East Indies, unless prohibited by act of parliament.

§ XXXVII. But nothing engrossed the attention of the public more than a bill which was brought into the House for a general naturalization of all foreign protestants. The advocates for this measure alleged, that great part of the lands of England lay uncultivated; that the strength of a nation consisted in the number of inhabitants; that the people were thinned by the war and foreign voyages, and required an extraordinary supply; that a great number of protestants, persecuted in France and other countries, would gladly remove to a land of freedom, and bring along with them their wealth and manufactures; that the community had been largely repaid for the protection granted to those refugees who had already settled in the kingdom. They had introduced several new branches of manufacture, promoted industry, and lowered the price of labour; a circumstance of the utmost importance to trade, oppressed as it was with taxes, and exposed to uncommon hazard from the enemy. The opponents of the bill urged with great vehemence, that it would cheapen the birthright of Englishmen; that the want of culture was owing to the oppression of the times; that foreigners being admitted

into the privileges of the British trade, would grow wealthy at the expense of their benefactors, and transfer the fortunes they had gained into their native country; that the reduction in the price of labour would be a national grievance, while many thousands of English manufacturers were starving for want of employment, and the price of provisions continued so high, that even those that were employed could scarce supply their families with bread: that the real design of the bill was to make such an accession to the dissenters as would render them an equal match in the body-politic for those of the church of England; to create a greater dependence on the crown, and, in a word, to supply a foreign head with foreign members. Sir John Knight, a member of the House, in a speech upon this subject, exaggerated the bad consequences that would attend such a bill, with all the wit and virulence of satire: it was printed and dispersed through the kingdom, and raised such a flame among the people as had not appeared since the revolution. They exclaimed, that all offices would be conferred upon Dutchmen, who would become lord-danes, and prescribe the modes of religion and government; and they extolled Sir John Knight, as the saviour of the nation. The courtiers, incensed at the progress of this clamour, complained in the House of the speech which had been printed; and Sir John was threatened with expulsion and imprisonment. He therefore thought proper to disown the paper, which was burned by the hands of the common hangman. This sacrifice served only to increase the popular disturbance, which rose to such a height of violence, that the court party began to tremble; and the bill was dropped for the present.

§ XXXVIII. Lord Coningsby and Mr. Porter had committed the most flagrant acts of oppression in Ireland. These had been explained during the last session, by the gentlemen who appealed against the administration of Lord Sidney; but they were screened by the ministry; and therefore the Earl of Bellamont now impeached them in the House of Commons, of which he and they were members. After an examination of the articles exhibited against them, the Commons, who were by this time at the devotion of the court, declared, that, considering the state of affairs in Ireland, they did not think them fit grounds for an impeachment. In the course of this session, the nation sustained another misfortune in the fate of Sir Francis Wheeler, who had been appointed commander-in-chief of the Mediterranean squadron. He received instructions to take under his convoy the merchant ships bound to Turkey, Spain, and Italy; to cruize thirty days in a certain latitude, for the protection of the Spanish Plate-fleet homeward bound; to leave part of his squadron at Cadiz, as convoy to the trade for England; to proceed with the rest to the Mediterranean; to join the Spanish fleet in his return; and to act in concert with them, until he should be joined by the fleet from Turkey and the Straits, and accompany them back to England. About the latter end of October he set sail from St. Helen's, and in January arrived at Cadiz with the ships under his convoy. There leaving Rear-Admiral Hopson, he proceeded for the Mediterranean. In the bay of Gibraltar he was overtaken by a dreadful tempest, under a lee-shore, which he could not possibly weather, and where the ground was so foul that no anchor would hold. This expedient, however, was tried. A great number of ships were driven ashore, and many perished. The admiral's ship foundered at sea, and he and all his crew were buried in the deep, except two Moors, who were miraculously preserved. Two other ships of the line, three ketches, and six merchant ships, were lost. The remains of the fleet were so much shattered, that instead of prosecuting their voyage, they returned to Cadiz, in order to be refitted, and sheltered from the attempts of the French squadrons, which were still at sea, under the command of Chateau-Renaud and Gabaret. On the twenty-fifth day of April the king closed the session with a speech in the usual style, and the parliament was prorogued to the eighteenth day of September.<sup>d</sup>

§ XXXIX. Louis of France being tired of the war, race ship-building—a third for the better disciplining the navy—the usual militia act—and an act enabling his majesty to make grants and leases in

<sup>d</sup> Besides the bills already mentioned, the parliament in this session passed several bills for raising and settling the public accounts, another to con-

Bornet. Feugu-  
eres. Life of K.  
William. Tind-  
al. State-  
Tracts. Ralph  
Voltaire.



which had impoverished his country, continued to tamper with the Duke of Savoy, and, by the canal of the Pope, made some offers to the King of Spain, which were rejected. Meanwhile he resolved to stand upon the defensive during the ensuing campaign, in every part but Catalonia, where his whole naval force might co-operate with the Count de Noailles, who commanded the land army. King William having received intelligence of the design upon Barcelona, endeavoured to prevent the junction of the Brest and Toulon squadrons, by sending Russel to sea as early as the fleet could be in a condition to sail; but before he arrived at Portsmouth, the Brest squadron had quitted that harbour. On the third day of May the admiral sailed from St. Helen's with the combined squadrons of England and Holland, amounting to ninety ships of the line, besides frigates, fire-ships, and tenders. He detached Captain Pritchard of the Monmouth with two fire-ships, to destroy a fleet of French merchant-ships near Conquet-bay; and this service being performed, he returned to St. Helen's, where he had left Sir Cloudesley Shovel with a squadron, to take on board a body of land forces, intended for a descent upon the coast of France. These being embarked, under the command of General Ptole-mache, the whole fleet sailed again on the twenty-ninth of May. The land and sea officers, in a council of war, agreed that part of the fleet designed for this expedition should separate from the rest, and proceed to Camaret-bay, where the forces should be landed. On the fifth day of June, Lord Berkeley, who commanded this squadron, parted with the grand fleet, and on the seventh anchored between the bays of Camaret and Bertaume. Next day the Marquis of Caermarthen, afterwards Duke of Leeds, who served under Berkeley, as rear-admiral of the blue, entered Camaret-bay with two large ships and six frigates, to cover the troops in landing. The French had received intelligence of the design, and taken such precautions, under the conduct of the celebrated engineer, Vauban, that the English were exposed to a terrible fire from new-erected batteries, as well as from a strong body of troops; and though the ships cannonaded them with great vigour, the soldiers could not maintain any regularity in landing. A good number were killed in the open boats before they reached the shore; and those who landed were soon repulsed, in spite of all the endeavours of General Ptole-mache, who received a wound in the thigh,

A. D. 1694.

which proved mortal. Seven hundred soldiers are said to have been lost on this occasion, besides those who were killed on board of the ships. The Monk ship of war was towed off with great difficulty; but a Dutch frigate of thirty guns fell into the hands of the enemy.

§ XL. After this unfortunate attempt, Lord Berkeley, with the advice of a council of war, sailed back for England, and at St. Helen's received orders from the queen to call a council, and deliberate in what manner the ships and forces might be best employed. They agreed to make some attempt upon the coast of Normandy. With this view they set sail on the fifth day of July. They bombarded Dieppe, and reduced the greatest part of the town to ashes. Thence they steered to Havre-de-Grace, which met with the same fate. They harassed the French troops, who marched after them along-shore. They alarmed the whole coast, and filled every town with such consternation, that they would have been abandoned by the inhabitants, had not they been detained by military force. On the twenty-sixth day of July, Lord Berkeley returned to St. Helen's, where he quitted the fleet, and the command devolved upon Sir Cloudesley Shovel. This officer having received instructions to make an attempt upon Dunkirk, sailed round to the Downs, where he was joined by M. Meesters, with six-and-twenty Dutch pilots. On the twelfth of September he appeared before Dunkirk; and next day sent in the Charles galley, with two bomb-ketches,

and as many of the machines called infernals. These were set on fire without effect, and the design miscarried: then Shovel steered to Calais, which having bombarded with little success, he returned to the coast of England; and the bomb-ketches and machines were sent into the river Thames.

§ XLI. During these transactions, Admiral Russel, with the grand fleet, sailed to the Mediterranean; and being joined by Rear-Admiral Neville from Cadiz, together with Callenbergh and Evertzen, he steered towards Barcelona, which was besieged by the French fleet and army. At his approach, Tourville retired with precipitation into the harbour of Toulon; and Noailles abandoned his enterprise. The Spanish affairs were in such a deplorable condition, that without this timely assistance the kingdom must have been undone. While he continued in the Mediterranean, the French admiral durst not venture to appear at sea; and all his projects were disconcerted. After having asserted the honour of the British flag in those seas during the whole summer, he sailed in the beginning of November to Cadiz, where, by an express order of the king, he passed the winter, during which, he took such precautions for preventing Tourville from passing the Straits, that he did not think proper to risk the passage.

§ XLII. It will now be necessary to describe the operations on the continent. In the middle of May King William arrived in Holland, where he consulted with the States-general. On the third day of June he repaired to Bethlehem-abbey near Louvain, the place appointed for the rendezvous of the army; and there he was met by the Electors of Bavaria and Cologne. In a few days a numerous army was assembled; and every thing seemed to promise an active campaign. On the third day of June the dauphin assumed the command of the French forces, with which Luxembourg had taken post between Mons and Maubeuge; and passing the Sambre, encamped at Fleurus: but on the eighteenth, he removed from thence, and took up his quarters between St. Tron and Wanheim: while the confederates lay at Roosbeck. On the eleventh of July, the dauphin marched in four columns to Oerle upon the Jaar, where he pitched his camp. On the twenty-second, the confederates marched to Bomale; then the dauphin took the route to Vignamont, where he secured his army by entrenchments, as his forces were inferior in number to those of the allies; and he had been directed by his father to avoid an engagement. In this situation both armies remained till the fifteenth day of August, when King William sent the heavy baggage to Louvain; and on the eighteenth made a motion to Sombref. This was no sooner known to the enemy, than they decamped; and having marched all night, posted themselves between Temploux and Masv, within a league and a half of the confederates. The King of England resolved to pass the Scheldt; and with this view marched, by the way of Nivelle and Soignes, to Chievres: from thence he detached the Duke of Wirtemberg, with a strong body of horse and foot, to pass the river at Oudenarde, while the Elector of Bavaria advanced with another detachment to pass it at Pont de Espieres. Notwithstanding all the expedition they could make, their purpose was anticipated by Luxembourg, who being apprized of their route, had detached four thousand horse, with each a foot soldier behind the trooper, to reinforce M. de Valette, who commanded that part of the French line. These were sustained by a choice body of men, who travelled with great expedition, without observing the formalities of a march. Mareschal de Villeroy followed the same route, with all the cavalry of the right wing, the household troops, and twenty field-pieces; and the rest of the army was brought up by the dauphin in person. They marched with such incredible diligence, that the Elector of Bavaria could scarce believe his own eyes, when he arrived in sight of the Scheldt, and saw them en-

the Duchy of Cornwall. One was also passed for renewing a clause in an old statute, limiting the number of justices of the peace in the principality of Wales. The Duke of Norfolk brought an action in the court of king's bench against Mr. Germaine for criminal conversation with his duchess. The cause was tried, and the jury brought in their verdict for one hundred marks, and costs of suit, in favour of the plaintiff.

Before the king embarked, he gratified a good number of his friends with promotions. Lord Charles Butler, brother to the Duke of Ormond, was created Lord Butler of Weston in England, and Earl of Arran in Ireland. The Earl of Shrewsbury was honoured with the title of Duke. The Earl of Mulgrave, being reconciled to the court measures, was gratified with a

ension of three thousand pounds, and the title of Marquis of Normandy. Henry Herbert was ennobled by the title of Baron Herbert of Cherbury. The Earls of Bedford, Devonshire, and Clare, were promoted to the rank of dukes. The Marquis of Caermarthen was made Duke of Leeds. Lord Viscount Sidney, created Earl of Romney, and Viscount Newport, Earl of Bedford. Russel was advanced to the head of the admiralty-board, Sir George Rooke and Sir John Houbton were appointed joint commissioners, in the room of Killgrew and Delaval. Charles Montague was made chancellor of the exchequer, and Sir William Tremblay and John Smith, commissioners of the treasury, in the room of Sir Edward Seymour and Mr. Hamblen.

trenching themselves on the other side of the river. King William having reconnoitred their disposition, thought it impracticable to pass at that place; and the reform marched down the river to Oudenarde, where a passage had been already effected by the Duke of Wirtemberg. Here the confederates passed the Scheldt on the twenty-seventh day of the month; and the king fixed his head-quarters at Wannehem. His intention was to have taken possession of Courtray, and established winter-quarters for a considerable part of his army in that district; but Luxembourg having posted himself between that place and Menin, extended his lines in such a manner, that the confederates could not attempt to force them, nor even hinder him from subsisting his army at the expense of the Castellany of Courtray, during the remainder of the campaign. This surprising march was of such importance to the French king, that he wrote with his own hand a letter of thanks to his army: and ordered that it should be read to every particular squadron and battalion.

§ XLIII. The King of England, though disappointed in his scheme upon Courtray, found means to make some advantage of his superiority in number. He drafted troops from the garrison of Liege and Maestricht; and on the third day of September reinforced his body with a large detachment from his own camp, conferring the command upon the Duke of Holstein-Ploen, with orders to undertake the siege of Huy. Next day the whole confederate forces passed the Lys, and encamped at Wouterghem. From thence the king, with part of the army, marched to Roselaer: this diversion obliged the dauphin to make considerable detachments, for the security of Ypres and Menin on one side, and to cover Furnes and Dunkirk on the other. At this juncture, a Frenchman being seized in the very act of setting fire to one of the ammunition waggons in the allied army, confessed he had been employed for this purpose by some of the French generals, and suffered death as a traitor. On the sixteenth day of the month, the Duke of Holstein-Ploen invested Huy, and carried on the siege with such vigour, that in ten days the garrison capitulated. The king ordered Dixmuyde, Deynese, Ninove, and Tirlemont, to be secured for winter-quarters to part of the army: the dauphin returned to Versailles: William quitted the camp on the last day of September; and both armies broke up about the middle of October.

§ XLIV. The operations on the Rhine were preconcerted between King William and the Prince of Baden, who had visited London in the winter. The dispute between the emperor and the Elector of Saxony was compromised; and this young prince dying during the negotiation, the treaty was perfected by his brother and successor, who engaged to furnish twelve thousand men yearly, in consideration of a subsidy from the court of Vienna. In the beginning of June, Mareschal de Lorges passed the Rhine at Philipsburg, in order to give battle to the imperialists, encamped at Hailbron. The Prince of Baden, who was not yet joined by the Saxons, Hessians, nor by the troops of Munster and Paderborn, despatched couriers to quicken the march of these auxiliaries, and advanced to Eppingen, where he proposed to wait till they should come up; but, on the fifteenth, receiving undoubted intelligence that the enemy were in motion towards him, he advanced to meet them in order of battle. De Lorges concluded that this was a desperate effort, and immediately halted, to make the necessary preparations for an engagement. This pause enabled Prince Louis to take possession of a strong pass near Sintzheim, from which he could not easily be dislodged. Then the Mareschal proceeded to Viseloch, and ravaged the adjacent country, in hopes of drawing the imperialists from their entrenchments. The prince being joined by the Hessians, resolved to beat up the quarters of the enemy, and the French general being apprized of his design, retreated at midnight with the utmost precipitation. Having posted himself at Ruth, he sent his heavy baggage to Philipsburg: then he moved to Gonsbergh, in the neighbourhood of Mannheim, repassed the Rhine, and encamped between Spiers and Worms. The Prince of Baden being joined by the allies, passed the river by a bridge of boats near Hagenbach, in the middle of Septem-

ber; and laid the country of Alsace under contribution. Considering the advanced season of the year, this was a rash undertaking; and the French general resolved to profit by his enemy's temerity. He forthwith advanced against the imperialists, foreseeing that should they be worsted in battle, their whole army would be ruined. Prince Louis, informed of his intention, immediately passed the Rhine; and this retreat was no sooner effected, than the river swelled to such a degree, that the island in the middle, and great part of the camp he had occupied, was overflowed. Soon after this incident both armies retired into winter-quarters. The campaign in Hungary produced no effect of importance. It was opened by the new visir, who arrived at Belgrade in the middle of August; and about the same time Caprara assembled the imperial army in the neighbourhood of Peterwaradin. The Turks passed the Saave, in order to attack their camp, and carried on their approaches with five hundred pieces of cannon; but made very little progress. The imperialists received reinforcements; the season wasted away; a feud arose between the visir and the cham of the Tartars; and the Danube being swelled by heavy rains, so as to interrupt the operations of the Turks, their general decamped in the night of the first of October. They afterwards made an unsuccessful attempt upon Titul, while the imperial general made himself master of Giula. In the course of this summer, the Venetians, who were also at war with the Turks, reduced Cylcut, a place of importance on the river Naranta, and made a conquest of the island of Scio in the Archipelago.

§ XLV. We have already observed, that the French king had determined to act vigorously in Catalonia. In the beginning of May, the Duke de Noailles advanced at the head of eight-and-twenty thousand men to the river Ter, on the opposite bank of which the viceroy of Catalonia was encamped with sixteen thousand Spaniards. The French general passed the river in the face of this army, and attacked their entrenchments with such impetuosity, that in less than an hour they were totally defeated. Then he marched to Palamos, and undertook the siege of that place, while at the same time it was blocked up by the combined squadrons of Brest and Toulon. Though the besieged made an obstinate defence, the town was taken by storm, the houses were pillaged, and the people put to the sword, without distinction of age, sex, or condition. Then he invested Gironne, which in a few days capitulated. Ostalic met with the same fate, and Noailles was created viceroy of Catalonia by the French king. In the beginning of August he distributed his forces into quarters of refreshment, along the river Terdore, resolving to undertake the siege of Barcelona, which was saved by the arrival of Admiral Russel. The war languished in Piedmont, on account of a secret negotiation between the King of France and the Duke of Savoy; notwithstanding the remonstrances of Rouvigny, Earl of Galway, who had succeeded the Duke of Schomberg in the command of the British forces in that country. Casal was closely blocked up by the reduction of Fort St. George, and the Vaudois gained the advantage in some skirmishes in the valley of Ragelas: but no design of importance was executed.\*

§ XLVI. England had continued very quiet under the queen's administration, if we except some little commotions occasioned by the practices, or pretended practices, of the Jacobites. Prosecutions were revived against certain gentlemen of Lancashire and Cheshire, for having been concerned in the conspiracy formed in favour of the late king's projected invasion from Normandy. These steps were owing to the suggestions of infamous informers, whom the ministry countenanced. Colonel Parker and one Crosby were imprisoned, and bills of treason found against them: but Parker made his escape from the Tower, and was never retaken, though a reward of four hundred pounds was set upon his head. The king having settled the affairs of the confederacy at the Hague, embarked for England on the eighth of November, and next day landed at Margate. On the twelfth he opened the session of parliament, with a speech, in which he observed that the

\* In the course of the year, M. du Casse, governor of St. Domingo, made an unsuccessful attempt upon the island of L'Anapim, and St. St.

Clair, with four men of war, formed a design against St. John's, Newfoundland; but he was repulsed with loss, by the valour of the inhabitants.

posture of affairs was improved both by sea and land since they last parted; in particular, that a stop was put to the progress of the French arms. He desired they would continue the act of tonnage and poundage, which would expire at Christmas; he reminded them of the debt for the transport ships employed in the direction of Ireland; and exhorted them to prepare some good bill for the encouragement of seamen. A majority in both Houses was already secured; and in all probability he bargained for their condescension, by agreeing to the bill for triennial parliaments. This Mr. Harley brought in by order of the lower House, immediately after their first adjournment; and it kept pace with the consideration of the supplies. The Commons having examined the estimates and accounts, voted four millions seven hundred sixty-four thousand seven hundred and twelve pounds for the service of the army and navy. In order to raise this sum, they continued the land-tax; they renewed the subsidy of tonnage and poundage for five years, and imposed new duties on different commodities.<sup>f</sup> The triennial bill enacted, That a parliament should be held once in three years at least: That within three years at furthest after the dissolution of the parliament then subsisting, and so from time to time, for ever after, legal writs under the great seal should be issued, by the direction of the crown, for calling, assembling, and holding another new parliament: That no parliament should continue longer than three years at furthest, to be accounted from the first day of the first session: and, That the parliament then subsisting should cease and determine on the first day of November next following, unless their majesties should think fit to dissolve it sooner. The Duke of Devonshire, the Marquis of Halifax, the Earls of Weymouth and Aylesbury, protested against this bill, because it tended to the continuance of the present parliament longer than, as they apprehended, was agreeable to the constitution of England.

§ XLVII. While this bill was depending, Dr. John Tillotson, Archbishop of Canterbury, was seized with a fit of the dead palsy, in the chapel of Whitehall, and died on the 22d day of November, deeply regretted by the king and queen, who shed tears of sorrow at his decease; and sincerely lamented by the public, as a pattern of elegance, ingenuity, meekness, charity, and moderation. These qualities he must be allowed to have possessed, notwithstanding the invectives of his enemies, who accused him of puritanism, flattery, and ambition; and charged him with having conduced to a dangerous schism in the church, by accepting the archbishopric during the life of the deprived Sancroft. He was succeeded in the metropolitan see by Dr. Tennison, Bishop of Lincoln, recommended by the whig party, which now predominated in the cabinet. The queen did not long survive her favourite prelate. In about a month after his decease, she was taken ill of the small-pox, and the symptom proving dangerous, she prepared herself for death with great composure. She spent some time in exercises of devotion, and private conversation with the new archbishop: she received the sacrament with all the bishops who were in attendance; and expired on the twenty-eighth day of December, in the thirty-third year of her age and in the sixth of her reign, to the inexpressible grief of the king, who for some weeks after her death could neither see company nor attend to the business of state. Mary was in her person tall and well-proportioned, with an oval visage, lively eyes, agreeable features, a mild aspect, and an air of dignity. Her apprehension was clear, her memory tenacious, and her judgment solid. She was a zealous protestant, scrupulously exact in all the duties of devotion, of an even temper, and of a calm and mild conversation. She was ruffled by no passion, and seems to have been a stranger to the emotions of natural affection: for she ascended, without compunction, the throne from which her father had been deposed, and treated her sister as

an alien to her blood. In a word, Mary seems to have imbibed the cold disposition and apathy of her husband; and to have centred all her ambition in deserving the epithet of an humble and obedient wife.<sup>g</sup>

§ XLVIII. The Princess Anne being informed of the queen's dangerous indisposition, sent a lady of her bed-chamber to desire she might be admitted to her majesty; but this request was not granted. She was thanked for her expression of concern; and given to understand that the physicians had directed that the queen should be kept as quiet as possible. Before her death, however, she sent a forgiving message to her sister; and after her decease, the Earl of Sunderland effected a reconciliation between the king and the princess, who visited him at Kensington, where she was received with uncommon civility. He appointed the palace of St. James's for her residence, and presented her with the greater part of the queen's jewels. But a mutual jealousy and disgust subsisted under these exteriors of friendship and esteem. The two Houses of parliament waited on the king at Kensington, with consolatory addresses on the death of his consort: their example was followed by the regency of Scotland, the city and clergy of London, the dissenting ministers, and almost all the great corporations in England.<sup>h</sup>

## CHAP. V.

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§ I. The kingdom now resounded with the complaints of the papists and malcontents, who taxed the ministry with subordination of perjury, in the case of the Lancashire gentlemen who had been prosecuted for the conspiracy. One Lunt, an Irishman, had informed Sir John Trenchard, secretary of state, that he had been sent from Ireland, with commissions from King James to divers gentlemen in Lancashire and Cheshire: that he had assisted in buying arms and enlisting men to serve that king in his projected invasion of England; that he had been twice despatched by those gentlemen to the court of St. Germain, assisted many Jacobites in repairing

her majesty on her death bed to repent of the share she had in the revolution. This was answered by another pamphlet. One of the Jacobite clergy insulted the queen's memory, by preaching on the following text: "God now see this cursed woman, and bury her: for she is a king's daughter." On the other hand, the lord mayor, aldermen, and common-council of London, came to a resolution to erect her statue, with that of the king, in the Royal Exchange.

§ II. The Earls of Chester and Nottingham are said to have started a doubt, whether the parliament was not dissolved by the queen's death; but this dangerous motion met with no countenance.

<sup>f</sup> They imposed certain rates and duties upon marriages, births, and burials, bachelors, and widows. They passed an act for laying additional duties upon coffee, tea, and chocolate, towards paying the debt due for the transport ships; and another imposing duties on glass ware, stone, and earthen ware, coal, and culm.

<sup>g</sup> Her obsequies were performed with great magnificence. The body was attended from Whitehall to Westminster-abbey by all the judges, sergeants at law, the lord mayor and aldermen of the city of London, and both Houses of parliament; and the funeral sermon was preached by Dr. Tennison, Archbishop of Canterbury. Dr. Kenn, the deprived Bishop of Bath and Wells, reproached him in a letter, for not having called upon



to France, helped to conceal others that came from that kingdom; and that all those persons told him they were furnished with money by Sir John Friend to defray the expense of their expeditions. His testimony was confirmed by other infamous emissaries, who received but too much countenance from the government. Blank warrants were issued, and filled up occasionally with such names as the informers suggested. These were delivered to Aaron Smith, solicitor to the treasury, who, with messengers, accompanied Lunt and his associates to Lancashire, under the protection of a party of Dutch horse guards, commanded by one Captain Baker. They were empowered to break open houses, seize papers, and apprehend persons according to their pleasure; and they committed many acts of violence and oppression. The persons, against whom these measures were taken, being apprized of the impending danger, generally retired from their own habitations. Some, however, were taken and imprisoned: a few arms were secured; and, in the house of Mr. Standish, at Standish-hall, they found the draft of a declaration to be published by King James at his landing. As this prosecution seemed calculated to revive the horror of a stale conspiracy, and the evidences were persons of abandoned characters, the friends of those who were persecuted found no great difficulty in rendering the scheme odious to the nation. They even employed the pen of Ferguson, who had been concerned in every plot that was hatched since the Rye-house conspiracy. This veteran, though appointed housekeeper to the excise-office, thought himself poorly recompensed for the part he had acted in the revolution, became dissatisfied, and upon this occasion, published a letter to Sir John Trenchard on the abuse of power. It was replete with the most bitter invectives against the ministry, and contained a great number of flagrant instances, in which the court had countenanced the vilest corruption, perfidy, and oppression. This production was in every body's hand, and had such an effect upon the people, that when the prisoners were brought to trial at Manchester, the populace would have put the witnesses to death had they not been prevented by the interposition of those who were friends to the accused persons, and had already taken effectual measures for their safety. Lunt's chief associate in the mystery of information was one Taaffe, a wretch of the most profligate principles, who finding himself disappointed in his hope of reward from the ministry, was privately gained over by the agents for the prisoners. Lunt, when desired in court to point out the persons whom he had accused, committed such a mistake as greatly invalidated his testimony; and Taaffe declared before the bench, that the pretended plot was no other than a contrivance between himself and Lunt, in order to procure money from the government. The prisoners were immediately acquitted, and the ministry incurred a heavy load of popular odium, as the authors or abettors of knavish contrivances to insnare the innocent. The government, with a view to evince their abhorrence of such practices, ordered the witnesses to be prosecuted for a conspiracy against the lives and estates of the gentlemen who had been accused; and at last the affair was brought into the House of Commons. The Jacobites triumphed in their victory. They even turned the battery of corruption upon the evidence for the crown, not without making a considerable impression. But the cause was now debated before judges who were not at all propitious to their views. The Commons having set on foot an inquiry, and examined all the papers and circumstances relating to the pretended plot, resolved, That there was sufficient ground for the prosecution and trials of the gentlemen at Manchester; and that there was a dangerous conspiracy against the king and government. They issued an order for taking Mr. Standish into custody; and the messenger reporting that he was not to be found, they presented an address to the king, desiring a proclamation might be published, offering a reward for apprehending his person. The Peers concurred with the Commons in their sentiments of this affair; for complaints having been laid before their House also, by the persons who thought themselves aggrieved, the question was put, whether the government had cause to prosecute them; and carried in the affirmative; though a protest was entered against this vote by the Earls of

Rochester and Nottingham. Notwithstanding these decisions, the accused gentlemen prosecuted Lunt and two of his accomplices for perjury, at the Lancaster assizes; and all three were found guilty. They were immediately indicted by the crown, for a conspiracy against the lives and liberties of the persons they had accused. The intention of the ministry, in laying this indictment, was to seize the opportunity of punishing some of the witnesses for the gentlemen, who had prevaricated in giving their testimony; but the design being discovered, the Lancashire men refused to produce their evidence against the informers: the prosecution dropped of consequence, and the prisoners were discharged.

§ II. When the Commons were employed in examining the state of the revenue, and taking measures for raising the necessary supplies, the inhabitants of Royston presented a petition, complaining, that the officers and soldiers of the regiment belonging to Colonel Hastings, which was quartered upon them, exacted subsistence-money, even on pain of military execution. The House was immediately kindled into a flame by this information. The officers, and Pouncefort, agent for the regiment, were examined; then it was unanimously resolved, that such a practice was arbitrary, illegal, and a violation of the rights and liberties of the subject. Upon further inquiry, Pouncefort and some other agents were committed to the custody of the sergeant, for having neglected to pay the subsistence-money they had received for the officers and soldiers. He was afterwards sent to the Tower, together with Henry Guy, a member of the House, and secretary to the treasury, the one for giving, and the other for receiving, a bribe to obtain the king's bounty. Pouncefort's brother was likewise committed, for being concerned in the same commerce. Guy had been employed, together with Trevor, the speaker, as the court-agent for securing a majority in the House of Commons: for that reason he was obnoxious to the members in the opposition, who took this opportunity to brand him; and the courtiers could not with any decency screen him from their vengeance. The House having proceeded in this inquiry, drew up an address to the king, enumerating the abuses which had crept into the army, and demanding immediate redress. He promised to consider the remonstrance, and redress the grievances of which they complained. Accordingly, he cashiered Colonel Hastings; appointed a council of officers to sit weekly and examine all complaints against any officer and soldier; and published a declaration for the maintenance of strict discipline, and the due payment of quarters. Notwithstanding these concessions the Commons prosecuted their examinations: Purnet. Boyer. Oldmixon. State Tracts. Tindal. Ralph. Lives of the Admirals. Daniel. Voltaire. they committed Mr. James Craggs, one of the contractors for clothing the army, because he refused to answer upon oath to such questions as might be put to him by the commissioners of accounts. They brought in a bill for obliging him and Mr. Richard Harnage, the other contractor, together with the two Pounceforts, to discover how they had disposed of the sums paid into their hands on account of the army; and for punishing them, in case they should persist in their refusal. At this period they received a petition against the commissioners A. D. 1695. for licensing hackney-coaches. Three of them, by means of an address to the king, were removed with disgrace, for having acted arbitrarily, corruptly, and contrary to the trust reposed in them by act of parliament.

§ III. Those who encouraged this spirit of reformation introduced another inquiry about the orphans' bill, which was said to have passed into an act, by virtue of undue influence. A committee being appointed to inspect the chamberlain's books, discovered that bribes had been given to Sir John Trevor, speaker of the House, and Mr. Hungerford, chairman of the grand committee. The first being voted guilty of a high crime and misdemeanor, abdicated the chair, and Paul Foley was appointed speaker in his room. Then Sir John and Hungerford were expelled the House: one Nois, a solicitor for the bill, was taken into custody, because he had scandalized the Commons, in pretending he was engaged to give great sums to several members, and denying this circumstance on his examination. The reformers in the

House naturally concluded that the same arts had been practised in obtaining the new charter of the East India company, which had been granted so much against the sense of the nation. Their books were subjected to the same committee that carried on the former inquiry, and a surprising scene of venality and corruption was soon disclosed. It appeared that the company, in the course of the preceding year, had paid near ninety thousand pounds in secret services; and that Sir Thomas Cooke, one of the directors, and a member of the House, had been the chief manager of this infamous commerce. Cooke, refusing to answer, was committed to the Tower, and a bill of pains and penalties brought in, obliging him to discover how the sum mentioned in the report of the committee had been distributed. The bill was violently opposed in the upper House by the Duke of Leeds, as being contrary to law and equity, and furnishing a precedent of a dangerous nature. Cooke being, agreeably to his own petition, brought to the bar of the House of Lords, declared he was ready and willing to make a full discovery, in case he might be favoured with an indemnifying vote, to secure him against all actions and suits, except those of the East India company, which he had never injured. The Lords complied with his request, and passed a bill for this purpose, to which the Commons added a penal clause; and the former was laid aside.

§ IV. When the king went to the House, to give the royal assent to the money bills, he endeavoured to discourage this inquiry, by telling the parliament that the season of the year was far advanced, and the circumstances of affairs extremely pressing: he therefore desired they would despatch such business as they should think of most importance to the public, as he should put an end to the session in a few days. Notwithstanding this shameful interposition, both Houses appointed a joint committee to lay open the complicated scheme of fraud and iniquity. Cooke, on his first examination, confessed, that he had delivered tallies for ten thousand pounds to Francis Tyssen, deputy-governor, for the special service of the company; an equal sum to Richard Acton, for employing his interest in preventing a new settlement, and endeavouring to establish the old company; besides two thousand pounds by way of interest, and as a further gratuity; a thousand guineas to Colonel Fitzpatrick, five hundred to Charles Bates, and three hundred and ten to Mr. Molineux, a merchant, for the same purposes; and he owned that Sir Basil Firebrace had received forty thousand pounds on various pretences. He said, he believed that the thousand pounds paid to Tyssen had been delivered to the king by Sir Josiah Child, as a customary present which former kings had received; and that the sums paid to Acton were distributed among some members of parliament. Firebrace being examined, affirmed that he had received the whole forty thousand pounds for his own use and benefit; but that Bates had received sums of money, which he understood were offered to some persons of the first quality. Acton declared that ten thousand pounds of the sum which he had received was distributed among persons who had interest with members of parliament; and that great part of the money passed through the hands of Craggs, who was acquainted with some colonels in the House, and northern members. Bates owned he had received the money, in consideration of using his interest with the Duke of Leeds in favour of the company: that this nobleman knew of the gratuity; and that the sum was reckoned by his Grace's domestic, one Robart, a foreigner, who kept it in his possession until this inquiry was talked of, and then it was returned. In a word, it appeared by this man's testimony, as well as by

that of Firebrace on his second examination, that the Duke of Leeds was not free from corruption, and that Sir John Trevor was a hiring prostitute.

§ V. The report of the committee produced violent alterations, and the most severe strictures upon the conduct of the lord president. At length, the House resolved, that there was sufficient matter to impeach Thomas Duke of Leeds of high crimes and misdemeanors; and that he should be impeached thereupon. Then it was ordered, that Mr. Comptroller Warton should impeach him before the Lords in the name of the House, and of all the Commons in England. The Duke was actually in the middle of a speech for his own justification, in which he assured the House, upon his honour, that he was not guilty of the corruptions laid to his charge, when one of his friends gave him intimation of the votes which had passed in the Commons. He concluded his speech abruptly, and repairing to the lower House, desired he might be indulged with a hearing. He was accordingly admitted, with the compliment of a chair, and leave to be covered. After having sat a few minutes, he took off his hat, and addressed himself to the Commons in very extraordinary terms. Having thanked them for the favour of indulging him with a hearing, he said that House would not have been then sitting but for him. He protested his own innocence, with respect to the crime laid to his charge. He complained that this was the effect of a design which had been long formed against him. He expressed a deep sense of his being under the displeasure of the parliament and nation, and demanded speedy justice. They forthwith drew up the articles of impeachment, which being exhibited at the bar of the upper House, he pleaded Not guilty, and the Commons promised to make good their charge; but, by this time, such arts had been used, as all at once checked the violence of the prosecution. Such a number of considerable persons were involved in this mystery of corruption, that a full discovery was dreaded by both parties. The duke sent his domestic, Robart, out of the kingdom, and his absence furnished a pretence for postponing the trial. In a word, the inquiry was dropped; but the scandal stuck fast to the duke's character.

§ VI. In the midst of these deliberations, the king went to the House on the third day of May, when he thanked the parliament for the supplies they had granted; signified his intention of going abroad; assured them he would place the administration of affairs in persons of known care and fidelity; and desired that the members of both Houses would be more than ordinarily vigilant in preserving the public peace. The parliament was then prorogued to the eighteenth of June.<sup>a</sup> The king immediately appointed a regency to govern the kingdom in his absence; but neither the Princess of Denmark nor her husband were intrusted with any share in the administration; a circumstance that evinced the king's jealousy, and gave offence to a great part of the nation.<sup>b</sup>

§ VII. A session of parliament was deemed necessary in Scotland, to provide new subsidies for the maintenance of the troops of that kingdom, which had been so serviceable in the prosecution of the war. But, as a great outcry had been raised against the government, on account of the massacre of Glencoe, and the Scots were tired of contributing towards the expense of a war from which they could derive no advantage, the ministry thought proper to cajole them with the promise of some national indulgence. In the mean time, a commission passed the great seal, for taking a pre cognition of the massacre, as a previous step to the trial of the persons concerned in that perfidious transaction. On the ninth of May, the session was opened by

<sup>a</sup> In the course of this session, the Lords had inquired into the particulars of the Mediterranean expedition, and presented an address to the king, declaring, that the fleet in those seas had conducted to the honour and advantage of the nation. On the other hand, the Commons, in an address, besought in majesty to take care that the kingdom might be put on an equal footing and proportion with the allies, in delaying the expense of the war.

The count of the ransom being greatly diminished and adulterated, the House of Lords, and an act was passed, containing severe penalties against rippers; but this produced no good effect. The value of money to the exchange to such a degree, that a guinea was reckoned adequate to forty shillings, and this public disgrace lowered the credit of the funds of the government. The nation was alarmed by the circulation of fictitious wealth, instead of gold and silver, such as bankbills, exchequer tallies, and government securities. The malcontents took this opportunity to exclaim against the bank, and even attempted to shake the credit of it in parliament.

but their endeavours proved abortive: the monied-interest preponderated in both Houses.

<sup>b</sup> The regency was composed of the Archbishop of Canterbury; Somers, lord keeper of the great seal; the Earl of Pembroke, lord-privy-seal; the Duke of Devonshire, lord steward of the household, the Duke of Shrewsbury, secretary of state, the Earl of Dorset, lord chamberlain; and the lord Godolphin, first commissioner of the treasury. Sir John Trenchard dying, his place of secretary was filled with Sir William Trumbull, an eminent civilian, learned, diligent, and virtuous, who had been envoy at Paris and Constantinople. William Nassau de Zuylestein, son of the king's natural uncle, was created Baron of Enfield, Viscount Unbriidge, and Earl of Rochford. For, Lord Grey of Werke, was made Viscount Glendale, and the death of the famous George Savile, Marquis of Halifax, who had survived in a good measure his talents and reputation.



the Marquis of Tweeddale, appointed commissioner, who, after the king's letter had been read, expatiated on his majesty's care and concern for their safety and welfare; and his firm purpose to maintain the presbyterian discipline in the church of Scotland. Then he promised, in the king's name, that if they would pass an act for establishing a colony in Africa, America, or any other part of the world where a colony might be lawfully planted, his majesty would indulge them with such rights and privileges as he had granted in like cases to the subjects of his other dominions. Finally, he exhorted them to consider ways and means to raise the necessary supplies for maintaining their land forces, and for providing a competent number of ships of war to protect their commerce. The parliament immediately voted an address of condolence to his majesty on the death of the queen; and they granted one hundred and twenty thousand pounds sterling for the services of the ensuing year, to be raised by a general poll-tax, a land-tax, and an additional excise.

§ VII. Their next step was to desire the commissioner would transmit their humble thanks to the king, for his care to vindicate the honour of the government and the justice of the nation, in ordering a precognition to be taken with respect to the slaughter of Glencoe. A motion was afterwards made that the commissioners should exhibit an account of their proceedings in this affair: accordingly, a report, consisting of the king's instructions, Dalrymple's letters, the depositions of witnesses, and the opinion of the committee, was laid before the parliament. The motion is said to have been privately influenced by Secretary Johnston, for the disgrace of Dalrymple, who was his rival in power and interest. The written opinion of the commissioners, who were creatures of the court, imported, That Macdonald of Glencoe had been perfidiously murdered; That the king's instructions contained nothing to warrant the massacre; and that Secretary Dalrymple had exceeded his orders. The parliament concurred with this report. They resolved, that Livingston was not to blame, for having given the orders contained in his letters to Lieut. Col. Hamilton: that this last was liable to prosecution: that the king should be addressed to give orders, either for examining Major Duncanson in Flanders, touching his concern in this affair; or for sending him home to be tried in Scotland: as also, that Campbell of Glenlyon, Captain Drummond, Lieutenant Lindsey, Ensign Lundy, and Serjeant Barber, should be sent to Scotland, and prosecuted according to law, for the parts they had acted in that execution. In consequence of these resolutions, the parliament drew up an address to the king, in which they laid the whole blame of the massacre upon the excess in the Master of Stair's letters concerning that transaction. They begged that his majesty would give such orders about him, as he should think fit for the vindication of his government; that the actors in that barbarous slaughter might be prosecuted by the king's advocate, according to law; and that some reparation might be made to the men of Glencoe who escaped the massacre, for the losses they had sustained in their effects upon that occasion, as their habitations had been plundered and burned, their lands wasted, and their cattle driven away; so that they were reduced to extreme poverty. Notwithstanding this address to the Scottish parliament, by which the king was so solemnly exculpated, his memory is still loaded with the suspicion of having concerted, countenanced, and enforced this barbarous execution, especially as the Master of Stair escaped with impunity, and the other actors in the tragedy, far from being punished, were preferred in the service. While the commissioners were employed in the inquiry, they made such discoveries concerning the conduct of the Earl of Breadalbane, as amounted to a charge of high treason: and he was committed prisoner to the castle of Edinburgh; but it seems he had dissembled with the highlanders, by the king's permission, and now sheltered himself under the shadow of a royal pardon.

§ IX. The committee of trade, in pursuance of the powers granted by the king to his commissioner, prepared an act for establishing a company trading to Africa and the Indies, empowering them to plant colonies, hold cities, towns, or forts, in places uninhabited, or in others, with the consent of the natives; vesting them with an exclusive

right, and an exemption for one-and-twenty years from all duties and impositions. This act was likewise confirmed by letters-patent under the great seal, directed by the parliament, without any further warrant from the crown. Patterson, the projector, had contrived the scheme of a settlement upon the Isthmus of Darien in such a manner as to carry on a trade in the South Sea, as well as in the Atlantic: nay, even to extend it as far as the East Indies: a great number of London merchants, allured by the prospect of gain, were eager to engage in such a company, exempted from all manner of imposition and restriction. The Scottish parliament likewise passed an act in favour of the episcopal clergy, decreeing, That those who should enter into such engagements to the king, as were by law required, might continue in their benefices under his majesty's protection, without being subject to the power of presbytery. Seventy of the most noted ministers of that persuasion took the benefit of this indulgence. Another law was enacted, for raising nine thousand men early, to recruit the Scottish regiments abroad: and an act for erecting a public bank; then the parliament was adjourned to the seventh day of November.

§ X. Ireland began to be infected with the same factions which had broke out in England since the revolution: Lord Capel, the lord-deputy, governed in a very partial manner, oppressing the Irish papists, without any regard to equity or decorum. He undertook to model a parliament in such a manner, that they should comply with all the demands of the ministry; and he succeeded in his endeavours, by making such arbitrary changes in offices as best suited his purpose. These precautions being taken, he convoked a parliament for the twenty-seventh day of August, when he opened the session with a speech, expatiating upon their obligations to King William, and exhorting them to make suitable returns to such a gracious sovereign. He observed, that the revenue had fallen short of the establishment; so that both the civil and military lists were greatly in debt: that his majesty had sent over a bill for an additional excise, and expected they would find ways and means to answer the demands of the service. They forthwith voted an address of thanks, and resolved to assist his majesty to the utmost of their power, against all his enemies foreign and domestic. They passed the bill for an additional excise, together with an act for taking away the writs "*De heretico comburendo*;" another annulling all attainders and acts passed in the late pretended parliament of King James: a third to prevent foreign education: a fourth for disarming papists: and a fifth for settling the estates of intestates. Then they resolved, That a sum not exceeding one hundred and sixty-three thousand three hundred and twenty-five pounds, should be granted to his majesty, to be raised by a poll-bill, additional customs, and a continuation of the additional excise. Sir Charles Porter, the chancellor, finding his importance diminished, if not entirely destroyed, by the assuming disposition and power of the lord-deputy, began to court popularity by espousing the cause of the Irish, against the severity of the administration; and actually formed a kind of tory interest, which thwarted Lord Capel in all his measures. A motion was made in parliament to impeach the chancellor for sowing discord and division among his majesty's subjects: but being indulged with a hearing by the House of Commons, he justified himself so much to their satisfaction, that he was voted clear of all imputation by a great majority. Nevertheless, they, at the end of the session, sent over an address, in which they bore testimony to the mild and just administration of their lord-deputy.

§ XI. King William having taken such steps as were deemed necessary for preserving the peace of England in his absence, crossed the sea to Holland in the middle of May, fully determined to make some great effort in the Netherlands, that might aggrandize his military character, and humble the power of France, which was already on the decline. That kingdom was actually exhausted in such a manner, that the haughty Louis found himself obliged to stand upon the defensive against enemies over whom he had been used to triumph with uninterrupted success. He heard the clamours of his people, which he could not quiet; he saw his advances to peace rejected; and to crown his misfortunes, he sustained an irreparable



loss in the death of Francis de Montmorency, Duke of Luxembourg, to whose military talents he owed the greatest part of his glory and success. That great officer died in January at Versailles, in the sixty-seventh year of his age; and Louis lamented his death the more deeply, as he had not another general left, in whose understanding he could confide. The conduct of the army in Flanders was intrusted to Mareschal Villeroi; and Boufflers commanded a separate army, though subject to the other's orders. As the French king took it for granted, that the confederates would have a superiority of numbers in the field, and was well acquainted with the enterprising genius of their chief, he ordered a new line to be drawn between the Lys and the Scheldt; he caused a disposition to be made for covering Dunkirk, Ypres, Tournay, and Namur; and laid injunctions on his generals to act solely on the defensive. Meanwhile the confederates formed two armies in the Netherlands. The first consisted of seventy battalions of infantry, and eighty-two squadrons of horse and dragoons, chiefly English and Scots, encamped at Aerssele, Caneghem, and Wouterghem, between Thieltd and Deynse, to be commanded by the king in person, assisted by the old Prince of Vaudemont. The other army, composed of sixteen battalions of foot, and one hundred and thirty squadrons of horse, encamped at Zellech and Hamme, on the road from Brussels to Dendermonde, under the command of the Elector of Bavaria, seconded by the Duke of Holstein-Ploen. Major-General Ellemberg was posted near Dixmuyde with twenty battalions and ten squadrons, and another body of Brandenburg and Dutch troops, with a reinforcement from Liege, lay encamped on the Meuhaigne, under the conduct of the Baron de Heyden, lieutenant-general of Brandenburg, and the Count de Berlo, general of the Liege cavalry. King William arrived in the camp on the fifth day of July; and remained eight days at Aerssele. Then he marched to Bekelar, while Villeroi retired behind his lines between Menin and Ypres, after having detached ten thousand men to reinforce Boufflers, who had advanced to Point d'Espieres: but he too retreating within his lines, the Elector of Bavaria passed the Scheldt, and took post at Kirkhoven: at the same time the body under Heyden advanced towards Namur.

§ XII. The King of England having by his motions drawn the forces of the enemy on the side of Flanders, directed the Baron de Heyden and the Earl of Athlone, who commanded forty squadrons from the camp of the Elector of Bavaria, to invest Namur; and this service was performed on the third day of July: but, as the place was not entirely surrounded, Mareschal Boufflers threw himself into it, with such a reinforcement of dragoons as augmented the garrison to the number of fifteen thousand chosen men. King William and the elector brought up the rest of the forces, which encamped on both sides of the Sambre and the Maese; and the lines of circumvallation were begun on the sixth day of July, under the direction of the celebrated engineer, General Coehorn. This place was formerly very strong, both by situation and art; but the French since its last reduction, had made such additional works, that both the town and citadel seemed impregnable. Considering the number of the garrison, and the quality of the troops, commanded by a mareschal of France, distinguished by his valour and conduct, the enterprise was deemed an undeniable proof of William's temerity. On the eleventh the trenches were opened, and next day the batteries began to play with incredible fury. The king receiving intelligence of a motion made by a body of French troops, with a view to intercept the convoys, detached twenty squadrons of horse and dragoons to observe the enemy.

§ XIII. Prince Vaudemont, who was left at Roselaer with fifty battalions, and the like number of squadrons, understanding that Villeroi had passed the Lys, in order to attack him, took post with his left near Grammen, his right by Aerssele and Caneghem, and began to fortify his camp, with a view to expect the enemy. Their vanguard appearing on the evening of the thirteenth at Dentreghem, he changed the disposition of his camp, and entrenched himself on both sides. Next day, however, perceiving Villeroi's design was to surround him, by means of an-

other body of troops commanded by M. Montal, who had already passed the Thieltd for that purpose, he resolved to avoid an engagement, and effected a retreat to Ghent, which is celebrated as one of the most capital efforts of military conduct. He forthwith detached twelve battalions and twelve pieces of cannon, to secure Newport, which Villeroi had intended to invest; but that general now changed his resolution, and undertook the siege of Dixmuyde, garrisoned by eight battalions of foot, and a regiment of dragoons, commanded by Major-General Ellemberg, who, in six-and-thirty hours after the trenches were opened, surrendered himself and his soldiers prisoners of war. This scandalous example was followed by Colonel Ofarrel, who yielded up Deynse on the same shameful conditions, even before a battery was opened by the besiegers. In the sequel they were both tried for their misbehaviour: Ellemberg suffered death, and Ofarrel was broke with infamy. The Prince of Vaudemont sent a message to the French general, demanding the garrisons of those two places, according to a cartel which had been settled between the powers at war; but no regard was paid to this remonstrance. Villeroi, after several marches and countermarches, appeared before Brussels on the thirteenth day of August, and sent a letter to the Prince of Berghem, governor of that city, importing that the king his master had ordered him to bombard the town, by way of making reprisals for the damage done by the English fleet to the maritime towns of France: he likewise desired to know in what part the Electress of Bavaria resided, that he might not fire into that quarter. After this declaration, which was no more than an unmeaning compliment, he began to bombard and cannonade the place with red-hot bullets, which produced conflagrations in many different parts of the city, and frightened the electress into a mis-carriage. On the fifteenth, the French discontinued their firing, and retired to Enghien.

§ XIV. During these transactions the siege of Namur was prosecuted with great ardour, under the eye of the King of England; while the garrison defended the place with equal spirit and perseverance. On the eighteenth day of July, Major-General Ramsay and Lord Cutts, at the head of five battalions, English, Scots, and Dutch, attacked the enemy's advanced works, on the right of the counterscarp. They were sustained by six English battalions, commanded by Brigadier-General Fitzpatrick: while eight foreign regiments, with nine thousand pioneers, advanced on the left, under Major-General Salisch. The assault was desperate and bloody, the enemy maintaining their ground for two hours with undaunted courage: but at last they were obliged to give way, and were pursued to the very gates of the town, though not before they had killed or wounded twelve hundred men of the confederate army. The king was so well pleased with the behaviour of the British troops, that during the action he laid his hand upon the shoulder of the Elector of Bavaria, and exclaimed with emotion, "See my brave English." On the twenty-seventh the English and Scots, under Ramsay and Hamilton, assaulted the counterscarp, where they met with prodigious opposition from the fire of the besieged. Nevertheless, being sustained by the Dutch, they made a lodgement on the foremost covered-way before the gate of St. Nicholas, as also upon part of the counterscarp. The valour of the assailants on this occasion was altogether unprecedented, and almost incredible; while, on the other hand, the courage of the besieged was worthy of praise and admiration. Several persons were killed in the trenches at the side of the king, and among these Mr. Godfrey, deputy-governor of the Bank of England, who had come to the camp, to confer with his majesty about remitting money for the payment of the army. On the thirtieth day of July the Elector of Bavaria attacked Vauban's line that surrounded the works of the castle. General Coehorn was present in this action, which was performed with equal valour and success. They not only broke through the line, but even took possession of Coehorn's fort, in which, however, they found it impossible to effect a lodgment. On the second day of August, Lord Cutts, with four hundred English and Dutch grenadiers, attacked the saillant-angle of a demi-bastion, and lodged himself on the second counterscarp.

The breaches being now practicable, and preparations made for a general assault, Count Guiscard, the governor, capitulated for the town on the fourth of August; and the French retired into the citadel, against which twelve batteries played upon the thirteenth. The trenches, meanwhile, were carried on with great expedition, notwithstanding all the efforts of the besieged, who fired without ceasing, and exerted amazing diligence and intrepidity in defending and repairing the damage they sustained. At length, the annoyance became so dreadful from the unintermitting showers of bombs and red-hot bullets, that Boufflers, after having made divers furious sallies, formed a scheme for breaking through the confederate camp with his cavalry. This, however, was prevented by the extreme vigilance of King William.

§ XV. After the bombardment of Brussels, Villeroy being reinforced with all the troops that could be drafted from garrisons, advanced towards Namur, with an army of ninety thousand men; and Prince Vaudemont being joined by the Prince of Hesse, with a strong body of forces from the Rhine, took possession of the strong camp at Masy, within five English miles of the besieging army. The king, understanding that the enemy had reached Fleurus, where they discharged ninety pieces of cannon, as a signal to inform the garrison of their approach, left the conduct of the siege to the Elector of Bavaria, and took upon himself the command of the covering army, in order to oppose Villeroy, who, being further reinforced by a detachment from Germany, declared, that he would hazard a battle for the relief of Namur. But, when he viewed the posture of the allies near Masy, he changed his resolution, and retired in the night without noise. On the thirtieth day of August, the besieged were summoned to surrender, by Count Horne, who, in a parley with the Count de Lamont, general of the French infantry, gave him to understand, that Mareschal Villeroy had retired towards the Meuse; so that the garrison could not expect to be relieved. No immediate answer being returned to this message, the parley was broke off, and the king resolved to proceed without delay to a general assault, which he had already planned with the elector and his other generals. Between one and two in the afternoon, Lord Cutts, who desired the command, though it was not in his turn of duty, rushed out of the trenches of the second line, at the head of three hundred grenadiers, to make a lodgment in the breach of Terra-nova, supported by the regiments of Coulthorp, Buchan, Hamilton, and Mackay; while Colonel Marsely, with a body of Dutch, the Bavarians, and Brandenburgers, attacked at two other places. The assailants met with such a warm reception, that the English grenadiers were repulsed, even after they had mounted the breach, Lord Cutts being for some time disabled by a shot in the head. Marsely was defeated, taken, and afterwards killed by a cannon-ball from the batteries of the besiegers. The Bavarians, by mistaking their way, were exposed to a terrible fire, by which their general, Count Rivera, and a great number of their officers, were slain: nevertheless, they fixed themselves on the outward entrenchment, on the point of the Coehorn next to the Sambre, and maintained their ground with amazing fortitude. Lord Cutts, when his wound was dressed, returned to the scene of action, and ordered two hundred chosen men of Mackay's regiment, commanded by Lieutenant Cockle, to attack the face of the saillant-angle next to the breach, sword in hand, while the ensigns of the same regiment should advance, and plant their colours on the pallisadoes. Cockle and his detachment executed the command he had received with admirable intrepidity. They broke through the pallisadoes, drove the French from the covered-way, made a lodgment in one of the batteries, and turned the cannon against the enemy. The Bavarians, being thus sustained, made their post good. The Major-Generals La Cave and Schwerin lodged themselves at the same time on the covered-way; and though the general assault did not succeed in its full extent, the confederates remained masters of a very considerable lodgment, nearly an English mile in length. Yet this was dearly purchased with the lives of two thousand men, including many officers of great rank and reputation. During the action the Elector of Bavaria signalized his courage in a very re-

markable manner, riding from place to place through the hottest of the fire, giving his directions with notable presence of mind, according to the emergency of circumstances, animating the officers with praise and promise of preferment, and distributing handfuls of gold among the private soldiers.

§ XVI. On the first day of September, the besieged having obtained a cessation of arms, that their dead might be buried, the Count de Guiscard appearing on the breach, desired to speak with the Elector of Bavaria. His highness immediately mounting the breach, the French governor offered to surrender the fort of Coehorn; but was given to understand, that if he intended to capitulate, he must treat for the whole. This reply being communicated to Boufflers, he agreed to the proposal: the cessation was prolonged, and that very evening the capitulation was finished. Villeroy, who lay encamped at Gemblours, was no sooner apprized of this event, by a triple discharge of all the artillery, and a running fire along the lines of the confederate army, than he passed the Sambre near Charleroy, with great precipitation; and having reinforced the garrison of Dinant, retreated towards the lines in the neighbourhood of Mons. On the fifth day of September, the French garrison, which was now reduced from fifteen to five thousand five hundred men, evacuated the citadel of Namur. Boufflers, in marching out, was arrested in the name of his Britannic majesty, by way of reprisal for the garrisons of Dixmuyde and Deynse, which the French king had detained, contrary to the cartel subsisting between the two nations. The mareschal was not a little discomposed at this unexpected incident, and expostulated warmly with Mr. Dyckvelt, who assured him the King of Great Britain entertained a profound respect for his person and character. William even offered to set him at liberty, provided he would pass his word that the garrisons of Dixmuyde and Deynse should be sent back, or that he himself would return in a fortnight. He said, that he could not enter into any such engagement, as he did not know his master's reasons for detaining the garrisons in question. He was, therefore, reconveyed to Namur; from thence removed to Maestricht, and treated with great reverence and respect, till the return of an officer whom he had despatched to Versailles with an account of his captivity. Then he engaged his word, that the garrisons of Dixmuyde and Deynse should be sent back to the allied army. He was immediately released, and conducted in safety to Dinant. When he repaired to Versailles, Louis received him with very extraordinary marks of esteem and affection. He embraced him in public with the warmest expressions of regard; declared himself perfectly well satisfied with his conduct; created him a duke and peer of France; and presented him with a very large sum, in acknowledgment of his signal services.

§ XVII. After the reduction of Namur, which greatly enhanced the military character of King William, he retired to his house at Loo, which was his favourite place of residence, leaving the command to the Elector of Bavaria; and about the latter end of September both armies began to separate. The French forces retired within their lines. A good number of the allied troops were distributed in different garrisons: and a strong detachment marched towards Newport, under the command of the Prince of Wirtemberg, for the security of that place. Thus ended the campaign in the Netherlands. On the Rhine nothing of moment was attempted by either army. The Mareschal de Logres, in the beginning of June, passed the Rhine at Philipsburg; and posting himself at Brucksal, sent out parties to ravage the country. On the eleventh of the same month, the Prince of Baden joined the German army at Steppach, and on the eighth of July was reinforced by the troops of the other German confederates, in the neighbourhood of Wiselock. On the nineteenth, the French retired without noise, in the night, towards Mannheim, where they repassed the river, without any interruption from the imperial general: then he sent off a large detachment to Flanders. The same step was taken by the Prince of Baden; and each army lay inactive in their quarters for the remaining part of the campaign. The command of the Germans in Hungary was conferred upon the Elector of Saxony; but the court of Vienna

was so dilatory in their preparations, that he was not in a condition to act till the middle of August. Lord Paget had been sent ambassador from England to the Ottoman Porte, with instructions relating to a pacification: but before he could obtain an audience, the sultan died, and was succeeded by his nephew, Mustapha, who resolved to prosecute the war in person. The warlike genius of this new emperor afforded but an uncomfortable prospect to his people, considering that Peter, the Czar of Muscovy, had taken the opportunity of the war in Hungary, to invade the Crimea, and besiege Azoph; so that the Tartars were too much employed at home to spare the succours which the sultan demanded. Nevertheless, Mustapha and his vizir took the field before the imperialists could commence the operations of the campaign, passed the Danube, took Lippa and Titul by assault, stormed the camp of General Veterani, who was posted at Lugos with seven thousand men, and who lost his life in the action. The infantry were cut to pieces, after having made a desperate defence: but the horse retreated to Carosebes, under the conduct of General Trushes. The Turks, after this exploit, retired to Orsowa. Their navy, meanwhile, surprised the Venetian fleet at Scio, where several ships of the republic were destroyed, and they recovered that island, which the Venetians thought proper to abandon; but, in order to balance this misfortune, these last obtained a complete victory over the Bashaw of Negropont in the Morea.

§ XVIII. The French king still maintained a secret negotiation with the Duke of Savoy, whose conduct had been for some time mysterious and equivocal. Contrary to the opinion of his allies, he undertook the siege of Casal, which was counted one of the strongest fortifications in Europe, defended by a numerous garrison, abundantly supplied with ammunition and provision. The siege was begun about the middle of May; and the place was surrendered by capitulation in about fourteen days, to the astonishment of the confederates, who did not know that this was a sacrifice by which the French court obtained the duke's forbearance during the remaining part of the campaign. The capitulation imported, that the place should be restored to the Duke of Mantua, who was the rightful proprietor: that the fortifications should be demolished at the expense of the allies: that the garrison should remain in the fort till that work should be completed: and hostages were exchanged for the performance of these conditions. The duke understood the art of procrastination so well, that September was far advanced before the place was wholly dismantled; and then he was seized with an ague, which obliged him to quit the army.

§ XIX. In Catalonia the French could hardly maintain the footing they had gained. Admiral Russel, who wintered at Cadiz, was created admiral, chief-commander, and captain-general of all his majesty's ships employed, or to be employed, in the narrow seas, and in the Mediterranean. He was reinforced by four thousand five hundred soldiers, under the command of Brigadier-General Stewart; and seven thousand men, imperialists as well as Spaniards, were drafted from Italy for the defence of Catalonia. These forces were transported to Barcelona, under the convoy of Admiral Nevil, detached by Russel for that purpose. The affairs of Catalonia had already changed their aspect. Several French parties had been defeated. The Spaniards had blocked up Ostalric and Castel-Folli: Noailles had been recalled, and the command devolved upon the Duke de Vendome, who no sooner understood that the forces from Italy were landed, than he dismantled Ostalric and Castel-Folli, and retired to Palamos. The Viceroy of Catalonia, and the English admiral, having resolved to give battle to the enemy, and reduce Palamos, the English troops were landed on the ninth day of August, and the allied army advanced to Palamos. The French appeared in order of battle; but the viceroy declined an engagement. Far from attacking the enemy, he withdrew his forces, and the town was bombarded by the admiral. The miscarriage of this expedition was in a great measure owing to a misunderstanding between Russel and the court of Spain. The admiral complained that his catholic majesty had made no preparations for the campaign; that he had neglected to fulfil his engagements with respect to

the Spanish squadron, which ought to have joined the fleets of England and Holland: that he had taken no care to provide tents and provisions for the British forces. On the twenty-seventh day of August he sailed for the coast of Provence, where the fleet was endangered by a terrible tempest: then he steered down the Straits, and towards the latter end of September arrived in the bay of Cadiz. There he left a number of ships under the command of Sir David Mitchell, until he should be joined by Sir George Rooke, who was expected from England, and returned home with the rest of the combined squadrons.

§ XX. While Admiral Russel asserted the British dominion in the Mediterranean, the French coasts were again insulted in the channel by a separate fleet under the command of Lord Berkeley of Stratton, assisted by the Dutch admiral Allemonde. On the fourth day of July they anchored before St. Maloes, which they bombarded from nine ketches covered by some frigates, which sustained more damage than was done to the enemy. On the sixth, Granville underwent the same fate, and then the fleet returned to Portsmouth. The bomb vessels being refitted, the fleet sailed round to the Downs, where four hundred soldiers were embarked for an attempt upon Dunkirk, under the direction of Meesters the famous Dutch engineer, who had prepared his infernals, and other machines for the service. On the first day of August the experiment was tried without success. The bombs did some execution; but two smoke ships miscarried. The French had secured the Rissbank and wooden forts with piles, bombs, chains, and floating batteries, in such a manner, that the machine-vessels could not approach near enough to produce any effect. Besides, the councils of the assailants were distracted by violent animosities. The English officers hated Meesters, because he was a Dutchman, and had acquired some credit with the king; he, on the other hand, treated them with disrespect. He retired with his machines in the night, and refused to co-operate with Lord Berkeley in his design upon Calais, which was now put in execution. On the sixteenth he brought his batteries to bear upon this place, and set fire to it in different quarters; but the enemy had taken such precautions as rendered his scheme abortive.

§ XXI. A squadron had been sent to the West Indies under the joint command of Captain Robert Wilmot and Colonel Lilington, with twelve hundred land forces. They had instructions to co-operate with the Spaniards in Hispaniola, against the French settlements on that island, and to destroy their fisheries on the banks of Newfoundland, in their return. They were accordingly joined by seventeen hundred Spaniards raised by the President of St. Domingo; but instead of proceeding against Petit-Guavas, according to the directions they had received, Wilmot took possession of Port Francois, and plundered the country for his own private advantage, notwithstanding the remonstrances of Lilington, who protested against his conduct. In a word, the sea and land officers lived in a state of perpetual dissension; and both became extremely disagreeable to the Spaniards, who soon renounced all connexion with them and their designs. In the beginning of September the commodore set sail for England, and lost one of his ships in the gulf of Florida. He himself died in his passage; and the greater part of the men being swept off by an epidemical distemper, the squadron returned to Britain in a most miserable condition. Notwithstanding the great efforts the nation had made to maintain such a number of different squadrons for the protection of commerce, as well as to annoy the enemy, the trade suffered severely from the French privateers, which swarmed in both channels, and made prize of many rich vessels. The Marquis of Caermarthen, being stationed with a squadron off the Scilly islands, mistook a fleet of merchant ships for the Brest fleet, and retired with precipitation to Milford-Haven. In consequence of this retreat, the privateers took a good number of ships from Barbadoes, and five from the East Indies, valued at a million sterling. The merchants renewed their clamour against the commissioners of the admiralty, who produced their orders and instructions in their own defence. The Marquis of Caermarthen had been guilty of flagrant misconduct on this occasion; but the chief source of those



national calamities was the circumstantial intelligence transmitted to France, from time to time, by the malcontents of England; for they were actuated by a scandalous principle, which they still retain, namely, that of rejoicing in the distress of the country.

§ XXII. King William, after having conferred with the states of Holland, and the Elector of Brandenburg, who met him at the Hague, embarked for England on the nineteenth day of October, and arrived in safety at Margate, from whence he proceeded to London, where he was received as a conqueror, amidst the rejoicings and acclamations of the people. On the same day, he summoned a council at Kensington, in which it was determined to convoke a new parliament. While the nation was in good humour, it was supposed that they would return such members only as were well affected to the government; whereas the present parliament might proceed in its inquiries into corruption and other grievances, and be the less influenced by the crown, as their dependence was of such short duration. The parliament was, therefore, dissolved by proclamation, and a new one summoned to meet at Westminster on the twenty-second day of November. While the whole nation was occupied in the elections, William, by the advice of his chief confidants, laid his own disposition under restraint, in another effort to acquire popularity. He honoured the diversions of Newmarket with his presence, and there received a compliment of congratulation from the University of Cambridge. Then he visited the Earls of Sunderland, Northampton, and Montague, at their different houses in the country; and proceeded with a splendid retinue to Lincoln, from whence he repaired to Welbeck, a seat belonging to the Duke of Newcastle in Nottinghamshire, where he was attended by Dr. Sharpe, Archbishop of York, and his clergy. He lodged one night with Lord Brooke, at Warwick castle, dined with the Duke of Shrewsbury at Eyefort, and by the way of Woodstock, made a solemn entry into Oxford, having been met at some distance from the city by the Duke of Ormond, as chancellor of the university, the vice-chancellor, the doctors in their habits, and the magistrates in their formalities. He proceeded directly to the theatre, where he was welcomed in an elegant Latin speech: he received from the chancellor on his knees the usual presents of a large English Bible, and book of Common-Prayer, the cuts of the university, and a pair of gold-fringed gloves. The conduits ran with wine, and a magnificent banquet was prepared; but an anonymous letter being found in the street, importing that there was a design to poison his majesty, William refused to eat or drink in Oxford, and retired immediately to Windsor. Notwithstanding this abrupt departure, which did not savour much of magnanimity, the university chose Sir William Trumbal, secretary of state, as one of their representatives in parliament.

§ XXIII. The whig interest generally prevailed in the elections, though many even of that party were malcontents; and when the parliament met, Foley was again chosen speaker of the Commons. The king, in his first speech, extolled the valour of the English forces; expressed his concern at being obliged to demand such large supplies from his people; observed that the funds had proved very deficient, and the civil list was in a precarious condition; recommended to their compassion the miserable situation of the French protestants; took notice of the bad state of the coin; desired they would form a good bill for the encouragement and increase of seamen; and contrive laws for the advancement of commerce. He mentioned the great preparations which the French were making for taking the field early: entreated them to use despatch; expressed his satisfaction at the choice which his people had made of their representatives in the House of Commons; and exhorted them to proceed with temper and unanimity. Though the two Houses presented addresses of congratulation to the king upon his late success, and promised to assist him in prosecuting the war with vigour, the nation loudly exclaimed against the intolerable burthens and losses to which they were subjected, by a foreign scheme of politics, which, like an unfathomable abyss, swallowed up the wealth and blood of the kingdom. All the king's endeavours to cover the disgusting side of

his character had proved ineffectual; he was still dry, reserved, and forbidding: and the malcontents inveighed bitterly against his behaviour to the Princess Anne of Denmark. When the news of Namur being reduced arrived in England, this lady congratulated him upon his success in a dutiful letter, to which he would not deign to send a reply, either by writing or message; nor had she or her husband been favoured with the slightest mark of regard since his return to England. The members in the lower House, who had adopted opposing maxims, either from principle or resentment, resolved that the crown should purchase the supplies with some concession in favour of the people. They therefore brought in the so long contested bill for regulating trials in cases of high treason and misprision of treason; and, considering the critical juncture of affairs, the courtiers were afraid of obstructing such a popular measure. The Lords inserted a clause, enacting, that the peer should be tried by the whole peerage; and the Commons, at once, assented to this amendment. The bill provided, that persons indicted for high treason, or misprision of treason, should be furnished with a copy of the indictment five days before the trial; and indulged with counsel to plead in their defence; that no person should be indicted but upon the oath of two lawful witnesses swearing to overt acts; that in two or more distinct treasons of divers kinds, alleged in one bill of indictment, one witness to one, and another witness to another, should not be deemed two witnesses: that no person should be prosecuted for any such crime, unless the indictment be found within three years after the offence committed, except in case of a design to attempt to assassinate or poison the king, where this limitation should not take place: that persons indicted for treason, or misprision of treason, should be supplied with copies of the panel of the jurors, two days at least before the trial, and have process to compel their witnesses to appear: that no evidence should be admitted of any overt act not expressly laid in the indictments: that this act should not extend to any impeachment, or other proceedings in parliament; nor to any indictment, for counterfeiting his majesty's coin, his great seal, privy seal, sign manual, or signet.

§ XXIV. This important affair being discussed, the Commons proceeded to examine the accounts and estimates, and voted above five millions for the service of the ensuing year. The state of the coin was by this time become such a national grievance as could not escape the attention of parliament. The Lords prepared an address to the throne, for a proclamation to put a stop to the currency of diminished coin; and to this they desired the concurrence of the Commons. The lower House, however, determined to take this affair under their own inspection. They appointed a committee of the whole House, to deliberate on the state of the nation with respect to the currency. Great opposition was made to a recoinage, which was a measure strenuously recommended and supported by Mr. Montague, who acted on this occasion by the advice of the great mathematician Sir Isaac Newton. The enemies of this expedient argued, that should the silver coin be called in, it would be impossible to maintain the war abroad, or prosecute foreign trade, in as much as the merchant could not pay his bills of exchange, nor the soldier receive his subsistence: that a stop would be put to all mutual payment; and this would produce universal confusion and despair. Such a reformation could not be effected without some danger and difficulty; but it was become absolutely necessary, as the evil daily increased, and in a little time must have terminated in national anarchy. After long and vehement debates, the majority resolved to proceed with all possible expedition to a new coinage. Another question arose, Whether the new coin in its different denominations should retain the original weight and purity of the old; or the established standard be raised in value. The famous Locke engaged in this dispute against Mr. Lowndes, who proposed that the standard should be raised; the arguments of Mr. Locke were so convincing, that the committee resolved the established standard should be preserved with respect to weight and fineness. They likewise resolved, that the loss accruing to the revenue from clipped money, should be borne by the public. In order to prevent a total stagnation, they further resolved,

that after an appointed day, no clipped money should pass in payment, except to the collectors of the revenue and taxes, or upon loans or payment into the exchequer: that, after another day to be appointed, no clipped money of any sort should pass in payment whatsoever: and that a third day should be fixed for all persons to bring in their clipped money to be recoined, after which they should have no allowance upon what they might offer. They addressed the king to issue a proclamation agreeably to these resolutions; and on the nineteenth day of December, it was published accordingly. Such were the fears of the people, augmented and inflamed by the enemies of the government, that all payment immediately ceased, and a face of distraction appeared through the whole community. The adversaries of the bill seized this opportunity to aggravate the apprehensions of the public. They inveighed against the ministry, as the authors of this national grievance; they levelled their satire particularly at Montague; and it required uncommon fortitude and address to avert the most dangerous consequences of popular discontent. The House of Commons agreed to the following resolutions: that twelve hundred thousand pounds should be raised by a duty on glass windows, to make up the loss on the clipped money: that the recompence for supplying the deficiency of clipped money should extend to all silver coin, though of a coarser alloy than the standard: that the collectors and receivers of his majesty's aids and revenues should be enjoined to receive all such monies: that a reward of five per cent. should be given to all such persons as should bring in either milled or broad unclipped money, to be applied in exchange of the clipped money throughout the kingdom: that a reward of three-pence per ounce should be given to all persons who should bring in wrought plate to the mint to be coined: that persons might pay in their whole next year's land-tax in clipped money, at one convenient time to be appointed for that purpose: that commissioners should be appointed in every county, to pay and distribute the milled and broad unclipped money, and the new coined money, in lieu of that which was diminished. A bill being prepared agreeably to these determinations, was sent up to the House of Lords, who made some amendments, which the Commons rejected; but, in order to avoid cavils and conferences, they dropped the bill, and brought in another without the clauses which the Lords had inserted. They were again proposed in the upper House, and overruled by the majority: and, on the twenty-first day of January, the bill received the royal assent, as did another bill, enlarging the time for purchasing annuities, and continuing the duties on low wines. At the same time, the king passed the bill of trials for high treason, and an act to prevent mercenary elections. Divers merchants and traders petitioned the House of Commons, that the losses in their trade and payments, occasioned by the rise of guineas, might be taken into consideration. A bill was immediately brought in for taking off the obligation and encouragement for coining guineas for a certain time: and then the Commons proceeded to lower the value of this coin: a task in which they met with great opposition from some members, who alleged that it would foment the popular disturbances. At length, however, the majority agreed, that a guinea should be lowered from thirty to eight-and-twenty shillings, and afterwards to six-and-twenty: at length a clause was inserted in the bill for encouraging people to bring plate to the mint, settling the price of a guinea at two-and-twenty shillings, and it naturally sunk to its original value of twenty shillings and sixpence. Many persons, however, supposing that the price of gold would be raised the next session, hoarded up their guineas; and, upon the same supposition, encouraged by the malcontents, the new coined silver money was reserved, to the great detriment of commerce. The king ordered mints to be erected in York, Bristol, Exeter, and Chester, for the purpose of the recoinage, which was executed with unexpected success; so that in less than a year the currency of England, which had been the worst, became the best, coin in Europe.

§ XXV. At this period the attention of the Commons was diverted to an object of a more private nature. The Earl of Portland, who enjoyed the greatest share of the king's favour, had obtained a grant of some lordships in

Derbyshire. While the warrant was depending, the gentlemen of that county resolved to oppose it with all their power. In consequence of a petition, they were indulged with a hearing by the lords of the treasury. Sir William Williams, in the name of the rest, alleged that the lordships in question were the ancient demesnes of the Prince of Wales, absolutely unalienable; that the revenues of those lordships supported the government of Wales, in paying the judges' and other salaries: that the grant was of too large an extent for any foreign subject; and that the people of the county were too great to be subject to any foreigner. Sundry other substantial reasons were used against the grant, which, notwithstanding all their remonstrances, would have passed through the offices, had not the Welch gentlemen addressed themselves by petition to the House of Commons. Upon this occasion, Mr. Price, a member of the House, harangued with great severity against the Dutch in general, and did not even abstain from sarcasms upon the king's person, title, and government. The objections started by the petitioners being duly considered, were found so reasonable, that the Commons presented an address to the king, representing, that those manors had been usually annexed to the principality of Wales, and settled on the Princes of Wales for their support: that many persons in those parts held their estates by royal tenure, under great and valuable compositions, rents, royal payments, and services to the crown and Princes of Wales; and enjoyed great privileges and advantages under such tenure. They, therefore, besought his majesty to recall the grant, which was in diminution of the honour and interest of the crown; and prayed, that the said manors and lands might not be alienated without the consent of parliament. This address met with a cold reception from the king, who promised to recall the grant which had given such offence to the Commons: and said he would find some other way of showing his favour to the Earl of Portland.

§ XXVI. The people in general entertained a national aversion to this nobleman: the malcontents inculcated a notion that he made use of his interest and intelligence to injure the trade of England, that the commerce of his own country might flourish without competition. To his suggestions they imputed the act and patent in favour of the Scottish company, which was supposed to have been thrown in as a bone of contention between the two kingdoms. The subject was first started in the House of Lords, who invited the Commons to a conference; a committee was appointed to examine into the particulars of the act for erecting the Scottish company; and the two Houses presented a joint address against it, as a scheme that would prejudice all the subjects concerned in the wealth and trade of the English nation. They represented, that, in consequence of the exemption from taxes, and other advantages granted to the Scottish company, that kingdom would become a free port for all East and West India commodities: that the Scots would be enabled to supply all Europe at a cheaper rate than the English could afford to sell their merchandise for: therefore England would lose the benefit of its foreign trade: besides, they observed that the Scots would smuggle their commodities into England, to the great detriment of his majesty and his customs. To this remonstrance the king replied, that he had been ill served in Scotland; but that he hoped some remedies would be found to prevent the inconveniences of which they were apprehensive. In all probability he had been imposed upon by the ministry of that kingdom; for, in a little time, he discarded the Marquis of Tweedale, and dismissed both the Scottish secretaries of state, in lieu of whom he appointed Lord Murray, son to the Marquis of Athol. Notwithstanding the king's answer, the committee proceeded on the inquiry, and in consequence of their report, confirming a petition from the East India company, the House resolved, that the directors of the Scottish company were guilty of a high crime and misdemeanor, in administering and taking an oath de *fideli* in this kingdom; and that they should be impeached for the same. Meanwhile, Roderick Mackenzie, from whom they had received their chief information, began to retract his evidence, and was ordered into custody; but he made his escape and could not be retaken, although the king, at their request, issued a proclamation for that purpose. The Scots were

extremely incensed against the king, when they understood he had disowned their company, from which they had promised themselves such wealth and advantage. The settlement of *Darien* was already planned, and afterwards put in execution, though it miscarried in the sequel, and had like to have produced abundant mischief.

§ XXVII. The complaints of the English merchants who had suffered by the war were so loud at this juncture, that the Commons resolved to take their case into consideration. The House resolved itself into a committee to consider the state of the nation with regard to commerce, and having duly weighed all circumstances, agreed to the following resolutions: that a council of trade should be established by act of parliament, with powers to take measures for the more effectual preservation of commerce; that the commissioners should be nominated by parliament, but none of them have seats in the House; that they should take an oath, acknowledging the title of King William as rightful and lawful; and abjuring the pretensions of James, or any other person. The king considered these resolutions as an open attack upon his prerogative, and signified his displeasure to the Earl of Sunderland, who patronized this measure; but it was so popular in the House, that in all probability it would have been put in execution, had not the attention of the Commons been diverted from it at this period by the detection of a new conspiracy. The friends of King James had, upon the death of Queen Mary, renewed their practices for effecting a restoration of that monarch, on the supposition that the interest of William was considerably weakened by the decease of his consort. Certain individuals, whose zeal for James overshot their discretion, formed a design to seize the person of King William, and convey him to France, or put him to death in case of resistance. They had sent emissaries to the court of St. Germain's, to demand a commission for this purpose, which was refused. The Earl of Aylesbury, Lord Montgomery, son to the Marquis of Powis, Sir John Fenwick, Sir John Friend, Captain Charnock, Captain Porter, and one Mr. Goodman, were the first contrivers of this project. Charnock was detached with a proposal to James, that he should procure a body of horse and foot from France, to make a descent in England, and they would engage not only to join him at his landing, but even to replace him on the throne of England. These offers being declined by James, on pretence that the French king could not spare such a number of troops at that juncture, the Earl of Aylesbury went over in person, and was admitted to a conference with Louis, in which the scheme of an invasion was actually concerted. In the beginning of February, the Duke of Berwick repaired privately to England, where he conferred with the conspirators, assured them that King James was ready to make a descent with a considerable number of French forces, distributed commissions, and gave directions for providing men, arms, and horses, to join him at his arrival. When he returned to France, he found every thing prepared for the expedition. The troops were drawn down to the sea-side; a great number of transports were assembled at Dunkirk: Monsieur Gabaret had advanced as far as Calais with a squadron of ships, which, when joined by that of Du Bart at Dunkirk, was judged a sufficient convoy; and James had come as far as Calais in his way to embark. Meanwhile, the Jacobites in England were assiduously employed in making preparations for a revolt. Sir John Friend had very near completed a regiment of horse. Considerable progress was made in levying another by Sir William Perkins. Sir John Fenwick had enlisted four troops. Colonel Tempest had undertaken for one regiment of dragoons: Colonel Parker was preferred to the command of another: Mr. Curzon was commissioned for a third; and the malcontents intended to raise a fourth in Suffolk, where their interest chiefly prevailed.

§ XXVIII. While one part of the Jacobites proceeded against William in the usual way of exciting an insurrection, another, consisting of the most desperate conspirators, had formed a scheme of assassination. Sir George Barclay, a native of Scotland, who had served as an officer in the army of James, a man of undaunted courage, a furious bigot in the religion of Rome, yet close, circumspect, and determined, was landed with other officers, in Rom-

ney-marsh, by one Captain Gill, about the beginning of January, and is said to have undertaken the task of seizing or assassinating King William. He imparted his design to Harrison, alias Johnston, a priest, Charnock, Porter, and Sir William Perkins, by whom it was approved; and he pretended to have a particular commission for this service. After various consultations, they resolved to attack the king on his return from Richmond, where he commonly hunted on Saturdays; and the scene of their intended ambushade was a lane between Brentford and Tarnham-Green. As it would be necessary to charge and disperse the guards that attended the coach, they agreed that their number should be increased to forty horsemen, and each conspirator began to engage proper persons for the enterprise. When their complement was full, they determined to execute their purpose on the fifteenth day of February. They concerted the manner in which they should meet in small parties without suspicion, and waited with impatience for the hour of action. In this interval, some of the underling actors, seized with horror at the reflection of what they had undertaken, or captivated with the prospect of reward, resolved to prevent the execution of the design by a timely discovery. On the eleventh day of February one Fisher informed the Earl of Portland of the scheme, and named some of the conspirators; but his account was imperfect. On the thirteenth, however he returned with a circumstantial detail of all the particulars. Next day, the earl was accosted by one Pendergrass, an Irish officer, who told his lordship he had just come from Hampshire, at the request of a particular friend, and understood that he had been called up to town with a view of engaging him in a design to assassinate King William. He said, he had promised to embark in the undertaking, though he detested it in his own mind, and took this first opportunity of revealing the secret, which was of such consequence to his majesty's life. He owned himself a Roman catholic, but declared, that he did not think any religion could justify such a treacherous purpose. At the same time he observed, that as he lay under obligations to some of the conspirators, his honour and gratitude would not permit him to accuse them by name; and that he would upon no consideration appear as an evidence. The king had been so much used to fictitious plots, and false discoveries, that he paid little regard to the information, until they were confirmed by the testimony of another conspirator called La Rue, a Frenchman, who communicated the same particulars to Brigadier Levison, without knowing the least circumstance of the other discoveries. Then the king believed there was something real in the conspiracy; and Pendergrass and La Rue were severally examined in his presence. He thanked Pendergrass in particular for this instance of his probity; but observed, that it must prove ineffectual, unless he would discover the names of the conspirators; for, without knowing who they were, he should not be able to secure his life against their attempts. At length Pendergrass was prevailed upon to give a list of those he knew, yet not before the king had solemnly promised that he should not be used as an evidence against them, except with his own consent. As the king did not go to Richmond on the day appointed, the conspirators postponed the execution of their design till the Saturday following. They accordingly met at different houses on the Friday, when every man received his instructions. There they agreed, that after the perpetration of the parricide, they should ride in a body as far as Hammersmith, and then dispersing, enter London by different avenues. But, on the morning, when they understood that the guards were returned to their quarters, and the king's coaches sent back to the Mews, they were seized with a sudden damp, on the suspicion that their plot was discovered. Sir George Barclay withdrew himself, and every one began to think of providing for his own safety. Next night, however, a great number of them were apprehended, and then the whole discovery was communicated to the privy council. A proclamation was issued against those that absconded; and great diligence was used to find Sir George Barclay, who was supposed to have a particular commission from James for assassinating the Prince of Orange; but he made good his retreat, and it was never proved that any such commission had been granted.



§ XXIX. This design and the projected invasion proved equally abortive. James had scarce reached Calais, when the Duke of Wirtemberg despatched his and-de-camp from Flanders to King William, with an account of the purpose and descent. Expresses with the same tidings arrived from the Elector of Bavaria and the Prince de Vaude-mont. Two considerable squadrons being ready for sea, Admiral Russel embarked at Spithead, and stood over to the French coast with about fifty sail of the line. The enemy were confounded at his appearance, and hauled in their vessels under the shore, in such shallow water that he could not follow and destroy them: but he absolutely ruined their design, by cooping them up in their harbours. King James, after having tarried some weeks at Calais, returned to St. Germain's. The forces were sent back to the garrisons from which they had been drafted: the people of France exclaimed that the malignant star which ruled the destiny of James, had blasted this and every other project formed for his restoration. By means of the reward offered in the proclamation, the greater part of the conspirators were betrayed or taken. George Harris, who had been sent from France, with orders to obey Sir George Barclay, surrendered himself to Sir William Trumball, and confessed the scheme of assassination in which he had been engaged. Porter and Pendergrass were apprehended together. This last insisted upon the king's promise, that he should not be compelled to give evidence; but, when Porter owned himself guilty, the other observed, he was no longer bound to be silent, as his friend had made a confession; and they were both admitted as evidences for the crown.

§ XXX. After their examination, the king, in a speech to both Houses, communicated the nature of the conspiracy against his life, as well as the advices he had received touching the invasion: he explained the steps he had taken to defeat the double design, and professed his confidence in their readiness and zeal to concur with him in every thing that should appear necessary for their common safety. That same evening the two Houses waited upon him at Kensington, in a body, with an affectionate address, by which they expressed their abhorrence of the villanous and barbarous design which had been formed against his sacred person, of which they besought him to take more than ordinary care. They assured him they would to the utmost defend his life, and support his government against the late King James, and all other enemies; and declared, that, in case his majesty should come to a violent death, they would revenge it upon his adversaries and their adherents. He was extremely well pleased with this warm address, and assured them, in his turn, he would take all opportunities of recommending himself to the continuance of their loyalty and affection. The Commons forthwith empowered him, by bill, to secure all persons suspected of conspiring against his person and government. They brought in another, providing, that, in case of his majesty's death, the parliament then in being should continue until dissolved by the next heir in succession to the crown, established by act of parliament: that if his majesty should chance to die between two parliaments, that which had been last dissolved should immediately re-assemble, and sit for the despatch of national affairs. They voted an address, to desire that his majesty would banish by proclamation all papists to the distance of ten miles from the cities of London and Westminster; and give instructions to the judges going on the circuits, to put the laws in execution against Roman Catholics and nonjurors. They drew up an association, binding themselves to assist each other in

support of the king and his government, and to revenge any violence that should be committed on his person. This was signed by all the members then present: but, as some had absented themselves on frivolous pretences, the House ordered, that in sixteen days the absentees should either subscribe or declare their refusal. Several members neglecting to comply with this injunction within the limited time, the speaker was ordered to write to those who were in the country, and demand a peremptory answer; and the clerk of the House attended such as pretended to be ill in town. The absentees, finding themselves pressed in this manner, thought proper to sail with the stream, and sign the association, which was presented to the king by the Commons in a body, with a request that it might be lodged among the records in the Tower, as a perpetual memorial of their loyalty and affection. The king received them with uncommon complacency: declared, that he heartily entered into the same association; that he should be always ready to venture his life with his good subjects, against all who should endeavour to subvert the religion, laws, and liberties of England; and he promised that this, and all other associations, should be lodged among the records of the Tower of London. Next day the Commons resolved, that whoever should affirm an association was illegal, should be deemed a promoter of the designs of the late King James, and an enemy to the laws and liberties of the kingdom. The Lords followed the example of the lower House in drawing up an association; but the Earl of Nottingham, Sir Edward Seymour, and Mr. Finch, objected to the words rightful and lawful, as applied to his majesty. They said, as the crown and its prerogatives were vested in him, they would yield obedience, though they could not acknowledge him as their rightful and lawful king. Nothing could be more absurd than this distinction, started by men who had actually constituted part of the administration; unless they supposed that the right of King William expired with Queen Mary. The Earl of Rochester proposed an expedient in favour of such tender consciences, by altering the words that gave offence; and this was adopted accordingly. Fifteen of the Peers, and ninety-two Commons, signed the association with reluctance. It was, however, subscribed by all sorts of people in different parts of the kingdom; and the bishops drew up a form for the clergy, which was signed by a great majority. The Commons brought in a bill, declaring all men incapable of public trust, or of sitting in parliament, who would not engage in this association. At the same time, the council issued an order for renewing all the commissions in England, that those who had not signed it voluntarily should be dismissed from the service as disaffected persons.

§ XXXI. After these warm demonstrations of loyalty, the Commons proceeded upon ways and means for raising the supplies. A new bank was constituted as a fund, upon which the sum of two millions five hundred and sixty-four thousand pounds should be raised; and it was called the land bank, because established on land-securities. This scheme, said to have been projected by the famous Dr. Chamberlain, was patronized by the Earl of Sunderland, and managed by Foley and Harley; so that it seemed to be a Tory plan, which Sunderland supported, in order to reconcile himself to that party.<sup>a</sup> The Bank of England petitioned against this bill, and were heard by their counsel; but their representations produced no effect, and the bill having passed through both Houses, received the royal assent. On the twenty-

Burnet. Old-nation. Burnet. Inoud. Ralph. Lives of the Admirals.

<sup>a</sup> The Commons resolved, That a fund redeemable by parliament be settled in a national land bank, to be raised by new subscriptions; That no persons be concerned in both banks at the same time. That the duties upon wool, tallow, and tallow of slugs be taken off, from the seventeenth day of March; That the sum of two millions five hundred and sixty-four thousand pounds be raised on this perpetual fund, redeemable by parliament. That the new bank should be restrained from lending money, but upon land securities, or to the government in the exchequer. That for making up the fund of interest for the capital stock, certain duties upon glass, wines, stone and earthen bottles, granted before to the king for a term of years, be continued to his majesty, his heirs and successors; That a further duty be laid upon stone and earthen ware, and another upon tobacco pipes. This bank was to lend out five hundred thousand pounds a year upon land securities, at three pounds ten shillings per cent. per annum, to be raised and determine, unless the subscription should be full, by the first day of August next ensuing.

The most remarkable laws enacted in this session were these. An act for voiding all the elections of parliament men, at which time listed had been

at any expense in meat, drink, or money, to procure votes. Another against unlawful and double returns. A third, for the more easy recovery of small tithes. A fourth, to prevent marriages, without licence or banns. A fifth, for enabling the inhabitants of Wales to dispose of all their personal estates as they should think fit: this law was a far of a constitutional precedent in that country: the widows and younger children claimed a share of the effects, called the reasonable part, although the effects had otherwise been disposed of by will or death. The parliament likewise passed an Act, for preventing the exportation of wool, and encouraging the importation thereof from Ireland. An Act for encouraging the linen manufactures of Ireland. An Act for regulating tithes. An Act for encouraging the Greenland trade. An Act of indulgence to the quakers, that their solemn affirmation should be accepted instead of an oath. And an Act for continuing certain other acts that were near expiring. Another bill had passed for the better regulating elections for members of parliament; but the royal assent was withheld. The question was put in the House of Commons, that who-soever advised his majesty not to give his assent to that bill was an enemy to his country; but it was rejected by a great majority.

seventh day of April the king closed the session with a short but gracious speech; and the parliament was prorogued to the sixteenth day of June.

XXXII. Before this period some of the conspirators had been brought to trial. The first who suffered was Robert Charnock, one of the two fellows of Magdalen College, who, in the reign of James, had renounced the protestant religion: the next were Lieutenant King and Thomas Keys, which last had been formerly a trumpeter, but of late servant to Captain Porter. They were found guilty of high treason, and executed at Tyburn. They delivered papers to the sheriff, in which they solemnly declared, that they had never seen or heard of any commission from King James for assassinating the Prince of Orange: Charnock, in particular, observed, that he had received frequent assurances of the king's having rejected such proposals when they had been offered; and that there was no other commission but that for levying war in the usual form. Sir John Friend and Sir William Perkins were tried in April. The first, from mean beginnings, had acquired great wealth and credit, and always firmly adhered to the interest of King James. The other was likewise a man of fortune, violently attached to the same principles, though he had taken the oaths to the present government, as one of the six clerks in chancery. Porter, and Blair, another evidence, deposed that Sir John Friend had been concerned in levying men under a commission from King James; and that he knew of the assassination plot, though not engaged in it as a personal actor. He endeavoured to invalidate the testimony of Blair, by proving him guilty of the most shocking ingratitude. He observed, that both the evidences were reputed papists. The curate of Hackney, who officiated as chaplain in the prisoner's house, declared upon oath that after the revolution he used to pray for King William, and that he had often heard Sir John Friend say, that though he could not comply with the present government, he would live peaceably under it, and never engage in any conspiracy. Mr. Hoadly, father of the present Bishop of Winchester, added, that the prisoner was a good protestant, and frequently expressed his detestation of king-killing principles. Friend himself owned he had been with some of the conspirators at a meeting in Leadenhall-street, but heard nothing of raising men, or any design against the government. He likewise affirmed, that a consultation to levy war was not treason; and that his being at a treasonable consult could amount to no more than a misprision of treason. Lord Chief Justice Holt declared, that although a bare conspiracy, or design to levy war, was not treason within the statute of Edward III., yet if the design or conspiracy be to kill, or depose, or imprison the king, by the means of levying war, then the consultation and conspiracy to levy war becomes high treason, though no war be actually levied. The same inference might have been drawn against the authors and instruments of the revolution. The judge's explanation influenced the jury, who, after some deliberation, found the prisoner guilty. Next day Sir William Perkins was brought to the bar, and upon the testimony of Porter, Ewebank, his own groom, and Haywood, a notorious informer, was convicted of having been concerned not only in the invasion, but also in the design against the king's life. The evidence was scanty, and the prisoner, having been bred to the law, made an artful but vigorous defence; but the judge acted as counsel for the crown; and the jury decided by the hints they received from the bench. He and Sir John Friend underwent the sentence of death, and suffered at Tyburn on the third day of April. Friend protested before God, that he knew of no immediate descent purposed by King James, and therefore had made no preparations; that he was utterly ignorant of the assassination scheme: that he died in the communion of the church of England, and laid down his life cheerfully in the cause for which he suffered. Perkins declared, upon the word of a dying man, that the tenour of the king's commission, which he saw, was general, directed to all his loving subjects, to raise and levy war against the Prince of Orange and his adherents, and to seize all forts, castles, &c. but that he neither saw nor heard of any commission particularly levelled against the person of the Prince of Orange. He owned, however, that he was privy

to the design: but believed it was known to few or none but the immediate undertakers. These two criminals were in their last moments attended by Collier, Snatt, and Cook, three nonjuring clergymen, who absolved them in the view of the populace with an imposition of hands; a public insult on the government, which did not pass unnoticed. Those three clergymen were presented by the grand jury, for having countenanced the treason by absolving the traitors, and thereby encouraged other persons to disturb the peace of the kingdom. An indictment being preferred against them, Cook and Snatt were committed to Newgate; but Collier absconded, and published a vindication of their conduct, in which he affirmed, that the imposition of hands was the general practice of the primitive church. On the other hand, the two metropolitans and twelve other bishops subscribed a declaration, condemning the administration of absolution without a previous confession made, and abhorrence expressed by the prisoners, of the heinous crimes for which they suffered.

In the course of the same month, Rookwood, Cranborne, and Lowick, were tried as conspirators, by a special commission, in the king's bench: and convicted on the joint testimony of Porter, Harris, La Rue, Bertram, Fisher, and Pendergrass. Some favourable circumstances appeared in the case of Lowick. The proof of his having been concerned in the design against the king's life was very defective; many persons of reputation declared he was an honest, good-natured, inoffensive man: and he himself concluded his defence with the most solemn protestation of his own innocence. Great intercession was made for his pardon by some noblemen: but all their interest proved ineffectual. Cranborne died in a transport of indignation, leaving a paper which the government thought proper to suppress. Lowick and Rookwood likewise delivered declarations to the sheriff, the contents of which, as being less inflammatory, were allowed to be published. Both solemnly denied any knowledge of a commission from King James, to assassinate the Prince of Orange; the one affirming, that he was incapable of granting such an order; and the other asserting that he, the best of kings, had often rejected proposals of that nature. Lowick owned that he would have joined the king at his landing; but declared, he had never been concerned in any bloody affair during the whole course of his life. On the contrary, he said, he had endeavoured to prevent bloodshed as much as lay in his power; and that he would not kill the most miserable creature in the world, even though such act would save his life, restore his sovereign, and make him one of the greatest men in England. Rookwood alleged, he was engaged by his immediate commander, whom he thought it was his duty to obey, though the service was much against his judgment and inclination. He professed his abhorrence of treachery even to an enemy. He forgave all mankind, even the Prince of Orange, who as a soldier, he said, ought to have considered his case before he signed his death-warrant: he prayed God would open his eyes, and render him sensible of the blood that was from all parts crying against him, so that he might avert a heavier execution than that which he now ordered to be inflicted. The next person brought to trial, was Mr. Cooke, son of Sir Miles Cooke, one of the six clerks in chancery. Porter and Goodman deposed, that he had been present at two meetings at the King's Head tavern in Leadenhall-street, with the Lords Aylesbury and Montgomery, Sir William Perkins, Sir John Fenwick, Sir John Friend, Charnock, and Porter. The evidence of Goodman was invalidated by the testimony of the landlord and two drawers belonging to the tavern, who swore that Goodman was not there while the noblemen were present. The prisoner himself solemnly protested, that he was ever averse to the introduction of foreign forces; that he did not so much as hear of the intended invasion, until it became the common topic of conversation; and that he had never seen Goodman at the King's Head. He declared his intention of receiving the blessed sacrament, and wished he might perish in the instant, if he now spoke untruth. No respect was paid to these asseverations. The Solicitor General Hawkes, and Lord Chief Justice Treby, treated him with great severity in the prosecution and charge to the jury, by whom he was capitally convicted. After his

condemnation the court-agents tampered with him to make further discoveries; and after his fate had been protracted by divers short reprieves, he was sent into banishment. From the whole tenour of these discoveries and proceedings, it appears that James had actually meditated an invasion: that his partisans in England had made preparations for joining him on his arrival; that a few desperadoes of that faction had concerted a scheme against the life of King William; that in prosecuting the conspirators, the court had countenanced informers; that the judges had strained the law, wrested circumstances, and even deviated from the function of their office, to convict the prisoners: in a word, that the administration had used the same arbitrary and unfair practices against those unhappy people, which they themselves had in the late reigns numbered among the grievances of the kingdom.

§ XXXIII. The warmth, however, manifested on this occasion may have been owing to national resentment of the purposed invasion. Certain it is, the two Houses of parliament, and the people in general, were animated with extraordinary indignation against France at this juncture. The Lords besought his majesty, in a solemn address, to appoint a day of thanksgiving to Almighty God, for having defeated the barbarous purpose of his enemies; and this was observed with uncommon zeal and devotion. Admiral Russel, leaving a squadron for observation on the French coast, returned to the Downs; but Sir Cloudesley Shovel, being properly prepared for the expedition, subjected Calais to another bombardment, by which the town was set on fire in different parts, and the inhabitants were overwhelmed with consternation. The generals of the allied army in Flanders resolved to make some immediate retaliation upon the French for their unmanly design upon the life of King William, as they took it for granted that Louis was accessory to the scheme of assassination. That monarch, on the supposition that a powerful diversion would be made by the descent on England, had established a vast magazine at Givet, designing, when the allies should be enfeebled by the absence of the British troops, to strike some stroke of importance early in the campaign. On this the confederates now determined to wreak their vengeance. In the beginning of March the Earl of Athlone and Monsieur de Coehorn, with the concurrence of the duke of Holstein-Ploen, who commanded the allies, sent a strong detachment of horse, drafted from Brussels and the neighb'ring garrisons, to amuse the enemy on the side of Charleroy; while they assembled forty squadrons, thirty battalions, with fifteen pieces of cannon, and six mortars, in the territory of Namur. Athlone with part of this body invested Dinant, while Coehorn, with the remainder, advanced to Givet. He forthwith began to batter and bombard the place, which in three hours was on fire, and by four in the afternoon wholly destroyed, with the great magazine it contained. Then the two generals joining their forces, returned to Namur without interruption. Hitherto the republic of Venice had deferred acknowledging King William; but now they sent an extraordinary embassy for that purpose, consisting of Signiors Soranzo and Venier, who arrived in London, and on the first day of May had a public audience. The king, on this occasion, knighted Soranzo as the senior ambassador, and presented him with the sword according to custom. On that day, too, William declared in council, that he had appointed the same regency which had governed the kingdom during his last absence: and embarking on the seventh at Margate, arrived at Orange-Polder in the evening, under convoy of Vice-Admiral Aylmer. This officer had been ordered to attend with a squadron, as the famous Du Bart still continued at Dunkirk, and some attempt of importance was apprehended from his enterprising genius.<sup>d</sup>

§ XXXIV. The French had taken the field before the allied army could be assembled: but no transaction of consequence distinguished this campaign, either upon the Rhine or in Flanders. The scheme of Louis was still defensive on the side of the Netherlands, while the active

plans of King William were defeated for want of money. All the funds for this year proved defective: the land bank failed, and the national bank sustained a rude shock in its credit. The loss of the nation upon the re-coinage amounted to two millions two hundred thousand pounds; and though the different mints were employed without interruption, they could not for some months supply the circulation, especially as great part of the new money was kept up by those who received it in payment, or disposed of it at an unreasonable advantage. The French king, having exhausted the wealth and patience of his subjects, and greatly diminished their number in the course of this war, began to be diffident of his arms, and employed all the art of private negotiation. While his minister D'Avaux pressed the King of Sweden to offer his mediation, he sent Callieres to Holland, with proposals for settling the preliminaries of a treaty. He took it for granted, that as the Dutch were a trading people, whose commerce had greatly suffered in the war, they could not be averse to a pacification; and he instructed his emissaries to tamper with the malcontents of the republic, especially with the remains of the Louvestein faction, which had always opposed the schemes of the stadtholder. Callieres met with a favourable reception from the states, which began to treat with him about the preliminaries, though not without the consent and concurrence of King William and the rest of the allies. Louis, with a view to quicken the effect of this negotiation, pursued offensive measures in Catalonia, where his general, the Duke de Vendome, attacked and worsted the Spaniards in their camp near Ostalrick, though the action was not decisive; for that general was obliged to retreat, after having made vigorous efforts against their entrenchments. On the twentieth day of June, Mareschal de Lorges passed the Rhine at Philipsburgh, and encamped within a league of Eppingen, where the imperial troops were obliged to entrench themselves, under the command of the Prince of Baden, as they were not yet joined by the auxiliary forces. The French general, after having faced him about a month, thought proper to re-pass the river. Then he detached a body of horse to Flanders, and cantoned the rest of his troops at Spire, Franckendahl, Worms, and Ostofen. On the last day of August, the Prince of Baden retaliated the insult, by passing the Rhine at Mentz and Cocksheim. On the tenth he was joined by General Thungen, who commanded a separate body, together with a militia of Suabia and Franconia, and advanced to the camp of the enemy, who had re-assembled; but they were posted in such a manner, that he would not hazard an attack. Having therefore cannonaded them for some days, scoured the adjacent country by detached parties, and taken the little castle of Wiezenzen, he re-passed the river at Worms, on the seventh day of October: the French likewise crossed at Philipsburgh in hopes of surprising General Thungen, who had taken post in the neighbourhood of Strasburgh; but he retired to Eppingen before their arrival, and in a little time both armies were distributed in winter-quarters. Peter, the Czar of Muscovy, carried on the siege of Azoph with such vigour, that the garrison was obliged to capitulate, after the Russians had defeated a great convoy sent to its relief. The court of Vienna forthwith engaged in an alliance with the Muscovite emperor: but they did not exert themselves in taking advantage of the disaster which the Turks had undergone. The imperial army, commanded by the Elector of Saxony, continued inactive on the river Marosch till the nineteenth day of July, then they made a feint of attacking Temiswaer: but they marched towards Betzkerch, in their route to Belgrade, on receiving advice that the grand signor intended to besiege Titul. On the twenty-first day of August the two armies were in sight of each other. The Turkish horse attacked the imperialists in a plain near the river Begue; but were repulsed. The Germans next day made a show of retreating, in hopes of drawing the enemy from their entrenchments. The stratagem succeeded. On the twenty-sixth, the Turkish army was in motion. A detachment of the imperialists attacked them in flank, as they marched

<sup>d</sup> Some promotions were made before the king left England. George Haughton, third son of the duke of that name, was, for his military services in Ireland and Flanders, created Earl of Orkney. Sir John Lowther was

ennobled by the title of Baron Lowther, and Viscount Lonsdale: Sir John Thompson made baron of Havesham, and the celebrated John Locke appointed one of the commissioners of trade and plantation.



through a wood. A very desperate action ensued, in which the Generals Heustler, and Poland, with many other gallant officers, lost their lives. At length the Ottoman horse were routed : but the Germans were so roughly handled, that on the second day after the engagement they retreated at midnight, and the Turks remained quiet in their entrenchments.

§ XXXV. In Piedmont the face of affairs underwent a strange alteration. The Duke of Savoy, who had for some time been engaged in a secret negotiation with France, at length embraced the offers of that crown, and privately signed a separate treaty of peace at Loretto, to which place he repaired on a pretended pilgrimage. The French king engaged to present him with four millions of livres, by way of reparation for the damage he had sustained ; to assist him with a certain number of auxiliaries against all his enemies ; and to effect a marriage between the Duke of Burgundy and the Princess of Piedmont, as soon as the parties should be marriageable. The treaty was guaranteed by the Pope and the Venetians, who were extremely desirous of seeing the Germans driven out of Italy. King William being apprized of this negotiation, communicated the intelligence to the Earl of Galway, his ambassador at Turin, who expostulated with the duke upon this defection ; but he persisted in denying any such correspondence, until the advance of the French army enabled him to avow it, without fearing the resentment of the allies whom he had abandoned. Catinat marched into the plains of Turin, at the head of fifty thousand men ; an army greatly superior to that of the confederates. Then the duke imparted to the ministers of the allies the proposals which France had made ; represented the superior strength of her army ; the danger to which he was exposed ; and finally his inclination to embrace her offers. On the twelfth of July a truce was concluded for a month, and afterwards prolonged till the fifteenth of September. He wrote to all the powers engaged in the confederacy, except King William, expatiating on the same topics, and soliciting their consent. Though each in particular refused to concur, he on the twenty-third day of August signed the treaty in public, which he had before concluded in private. The emperor was no sooner informed of his design, than he took every step which he thought could divert him from his purpose. He sent the Count Mansfelt to Turin, with proposals for a match between the King of the Romans and the Princess of Savoy, as well as with offers to augment his forces and his subsidy ; but the duke had already settled his terms with France, from which he would not recede. Prince Eugene, though his kinsman, expressed great indignation at his conduct. The young Prince de Commercy was so provoked at his defection, that he challenged him to single combat, and the duke accepted his challenge : but the quarrel was compromised by the intervention of friends, and they parted in an amicable manner. He had concealed the treaty until he should receive the remaining part of the subsidies due to him from the confederates. A considerable sum had been remitted from England to Genoa for his use : but Lord Galway no sooner received intimation of his new engagement, than he put a stop to the payment of this money, which he employed in the Milanese, for the subsistence of those troops that were in the British service. King William was encamped at Glombours when the duke's envoy notified the separate peace which his master had concluded with the King of France. Though he was extremely chagrined at the information, he dissembled his anger, and listened to the minister without the least emotion. One of the conditions of this treaty was, that within a limited time the allies should evacuate the duke's dominions, otherwise they should be expelled by the joint forces of France and Savoy. A neutrality was offered to the confederates ; and this being rejected, the contracting powers resolved to attack the Milanese. Accordingly, when the truce expired, the duke, as generalissimo of the French king, entered that duchy, and undertook the siege of Valentinia : so that, in one campaign, he commanded two contending armies. The garrison of Valentinia, consisting of seven thousand men, Germans, Spaniards, and French protestants, made an obstinate defence ; and the Duke of Savoy prosecuted the siege with uncommon impetuosity. But, after the

trenches had been opened for thirteen days, a courier arrived from Madrid, with an account of his catholic majesty's having agreed to the neutrality for Italy. The agreement imported, that there should be a suspension of arms until a general peace could be effected ; and, that the imperial and French troops should return to their respective countries. Christendom had well nigh been embroiled anew by the death of John Sobieski King of Poland, who died at the age of seventy, in the course of this summer, after having survived his faculties and reputation. As the crown was elective, a competition arose for the succession. The kingdom was divided by factions ; and the different powers of Europe interested themselves warmly in the contention.

§ XXXVI. Nothing of consequence had been lately achieved by the naval force of England. When the conspiracy was first discovered, Sir George Rooke had received orders to return from Cadiz ; and he arrived in the latter end of April. While he took his place at the board of admiralty, Lord Berkeley succeeded to the command of the fleet ; and in the month of June set sail towards Ushant in order to insult the coast of France. He pillaged and burned the villages on the islands Grouais, Houat, and Heydic ; made prize of about twenty vessels ; bombarded St. Marin's on the isle of Rhé, and the town of Olonne, which was set on fire in fifteen different places with the shells and carcasses. Though these appear to have been enterprises of small import, they certainly kept the whole coast of France in perpetual alarm. The ministry of that kingdom were so much afraid of invasion, that between Brest and Goulet they ordered above one hundred batteries to be erected, and above sixty thousand men were continually in arms for the defence of the maritime places. In the month of May, Rear-Admiral Benbow sailed with a small squadron, in order to block up Du Bart in the harbour of Dunkirk : but that famous adventurer found means to escape in a fog, and steering to the eastward, attacked the Dutch fleet in the Baltic, under a convoy of five frigates. These last he took, together with half the number of the trading ships : but, falling in with the outward-bound fleet, convoyed by thirteen ships of the line, he was obliged to burn four of the frigates, turn the fifth adrift, and part with all his prizes, except fifteen, which he carried into Dunkirk.

§ XXXVII. The parliament of Scotland met on the eighth day of September : and Lord Murray, secretary of state, now Earl of Tullibardine, presided as king's commissioner. Though that kingdom was exhausted by the war, and two successive bad harvests, which had driven a great number of the inhabitants into Ireland, there was no opposition to the court measures. The members of parliament signed an association like that of England. They granted a supply of one hundred and twenty thousand pounds for maintaining their forces by sea and land. They passed an act for securing their religion, lives, and properties, in case his majesty should come to an untimely death. By another, they obliged all persons in public trust to sign the association : and then the parliament was adjourned to the eighth day of December. The disturbances of Ireland seemed now to be entirely appeased. Lord Capel dying in May, the council, by virtue of an act passed in the reign of Henry VIII. elected the chancellor, Sir Charles Porter, to be lord justice and chief governor of that kingdom, until his majesty's pleasure should be known. The parliament met in June : the Commons expelled Mr. Sanderson, the only member of that House who had refused to sign the association ; and adjourned to the fourth day of August. By that time Sir Charles Porter, and the Earls of Montrath and Drogheda, were appointed lords justices, and signified the king's pleasure that they should adjourn. In the beginning of December the chancellor died of an apoplexy.

§ XXXVIII. King William being tired of an inactive campaign, left the army under the command of the Elector of Bavaria, and about the latter end of August repaired to his palace at Loo, where he enjoyed his favourite exercise of stag-hunting. He visited the court of Brandenburg at Cleves ; conferred with the States of Holland at the Hague ; and embarking for England, landed at Margate on the sixth day of October. The domestic economy of

the nation was extremely perplexed at this juncture, from the sinking of public credit, and the stagnation that necessarily attended a reconage. These grievances were with difficulty removed by the clear apprehension, the enterprising genius, the unshaken fortitude of Mr. Montagu, chancellor of the exchequer, operating upon the national spirit of adventure, which the monied interest had produced. The king opened the session of parliament on the twentieth day of October, with a speech importing, that overtures had been made for a negotiation : but that the best way of treating with France would be sword in hand. He, therefore, desired they would be expeditious in raising the supplies for the service of the ensuing year, as well as for making good the funds already granted. He declared that the civil list could not be supported without their assistance. He recommended the miserable condition of the French protestants to their compassion. He desired they would contrive the best expedients for the recovery of the national credit. He observed, that unanimity and despatch were now more than ever necessary for the honour, safety, and advantage of England. The Commons having taken this speech into consideration, resolved that they would support his majesty and his government, and assist him in the prosecution of the war : that the standard of gold and silver should not be altered : and, that they would make good all parliamentary funds. Then they presented an address, in a very spirited strain, declaring, that notwithstanding the blood and treasure of which the nation had been drained, the Commons of England would not be diverted from their firm resolutions of obtaining by war a safe and honourable peace. They, therefore, renewed their assurances, that they would support his majesty against all his enemies at home and abroad. The House of Lords delivered another to the same purpose, declaring, that they would never be wanting or backward, on their parts, in what might be necessary to his majesty's honour, the good of his kingdoms, and the quiet of Christendom. The Commons, in the first transports of their zeal, ordered two seditious pamphlets to be burned by the hands of the common hangman. They deliberated upon the estimates, and granted above six millions for the service of the ensuing year. They resolved that a supply should be granted for making good the deficiency of parliamentary funds ; and appropriated several duties for this purpose.

§ XXXIX. With respect to the coin, they brought in a bill, repealing an act for taking off the obligation and encouragement of coining guineas for a certain time, and for importing and coining guineas and half guineas, as the extravagant price of those coins, which occasioned this act, was now fallen. They passed a second bill for remedying the ill state of the coin ; and a third, explaining an act in the preceding session, for laying duties on low wines and spirits of the first extraction. In order to raise the supplies of the year, they resolved to tax all persons according to the true value of their real and personal estates, their stock upon land and in trade, their income offices, pensions, and professions. A duty of one penny per week, for one year, was laid upon all persons not receiving alms. A further imposition of one farthing in the pound per week was fixed upon all servants receiving four pounds per annum, as wages, and upwards, to eight pounds a-year, inclusive. Those who received from eight to sixteen pounds were taxed at one halfpenny per pound. An aid of three shillings in the pound for one year was laid upon all lands, tenements, and hereditaments, according to their true value. Without specifying the particulars of those impositions, we shall only observe, that in the general charge, the Commons did not exempt one member of the commonwealth that could be supposed able to bear any part of the burthen. Provision was made, that hammered money should be received in payment of these duties, at the rate of five shillings and eight-pence per ounce. All the deficiencies on annuities and monies borrowed on the credit of the exchequer were transferred to this aid. The treasury was enabled to borrow a million and a half at eight per cent. and to circulate exchequer bills to the amount of as much more. To cancel these debts, the surplus of all the supplies, except the three-shilling aid, was appropriated. The Commons voted one hundred and

twenty-five thousand pounds for making good the deficiency in reconing the hammered money, and the recompence for bringing in plate to the mint. This sum was raised by a tax or duty upon wrought plate, paper, paste-board, vellum, and parchment, made or imported. Taking into consideration the services, and the present languishing state of the bank, whose notes were at twenty per cent. discount, they resolved, that it should be enlarged by new subscriptions, made by four-fifths in tallies struck on parliamentary funds, and one-fifth in bank-bills or notes : that effectual provision should be made by parliament for paying the principal of all such tallies, as should be subscribed in the bank, out of the funds agreed to be continued : that an interest of eight per cent. should be allowed on all such tallies : and, that the continuance of the bank should be prolonged to the first day of August, in the year one thousand seven hundred and ten. That all assignment of orders on tallies subscribed into the bank, should be registered in the exchequer : that, before the day should be fixed for the beginning of the new subscriptions, the old should be made one hundred per cent. and what might exceed that value should be divided among the old members : that all the interest due on those tallies which might be subscribed in the bank-stock, at that time appointed for subscriptions, to the end of the last preceding quarter on each tally, should be allowed as principal : that liberty should be given by parliament to enlarge the number of bank-bills, to the value of the sum that should be so subscribed, over and above the twelve hundred thousand pounds ; provided they should be obliged to answer such bills and demands : and in default thereof, be answered by the exchequer out of the first money due to them : that no other bank should be erected or allowed by act of parliament, during the continuance of the bank of England : that this should be exempted from all tax or imposition : that no act of the corporation should forfeit the particular interest of any person concerned therein : that provision should be made to prevent the officers of the exchequer, and all other officers and receivers of the revenue, from diverting, delaying, or obstructing the course of payments to the bank ; that care should be taken to prevent the altering, counterfeiting, or forging any bank-bills or notes : that the estate and interest of each other in the stock of the corporation should be made a personal estate : that no contract made for any bank-stock to be bought or sold should be valid in law or equity, unless actually registered in the bank-books within seven days, and actually transferred within fourteen days after the contract should be made. A bill upon these resolutions was brought in, under the direction of the chancellor of the exchequer : it related to the continuation of tonnage and poundage upon wine, vinegar, and tobacco ; and comprehended a clause for laying an additional duty upon salt, for two years and three quarters. All the several branches constituted a general fund, since known by the name of the General Mortgage, without prejudice to their former appropriations. The bill also provided, that the tallies should bear eight per cent. interest : that from the tenth of June for five years they should bear no more than six per cent. interest : and, that no premium or discount upon them should be taken. In case of the general funds proving insufficient to pay the whole interest, it was provided, that every proprietor should receive his proportion of the product, and the deficiency be made good from the next aid : but should the fund produce more than the interest, the surplus was destined to operate as a sinking fund for the discharge of the principal. In order to make up a deficiency of above eight hundred thousand pounds, occasioned by the failure of the land bank, additional duties were laid upon leather : the time was enlarged for persons to come in and purchase the annuities payable by several former acts, and to obtain more certain interest in such annuities.

§ XL. Never were more vigorous measures taken to support the credit of the government ; and never was the government served by such a set of enterprising undertakers. The Commons having received a message from the king, touching the condition of the civil list, resolved, that a sum not exceeding five hundred and fifteen thousand pounds shall be granted for the support of the civil list for the ensuing year, to be raised by a malt-tax, and

additional duties upon mum, sweets, cyder, and perry. They likewise resolved, that an additional aid of one shilling in the pound should be laid upon land, as an equivalent for the duty of ten per cent. upon mixed goods. Provision was made for raising one million four hundred thousand pounds by a lottery. The treasury was empowered to issue an additional number of exchequer bills, to the amount of twelve hundred thousand pounds, every hundred pounds bearing interest at the rate of five-pence a day, and ten per cent. for circulation: finally, in order to liquidate the transport debt, which the funds established for that purpose had not been sufficient to defray, a money-bill was brought in, to oblige pedlars and hawkers to take out licences, and pay for them at certain stated prices. One cannot without astonishment reflect upon the prodigious efforts that were made upon this occasion, or consider without indignation the enormous fortunes that were raised up by usurers and extortioners from the distresses of their country. The nation did not seem to know its own strength, until it was put to this extraordinary trial: and the experiment of mortgaging funds succeeded so well, that later ministers have proceeded in the same system, imposing burthen upon burthen, as if they thought the sinews of the nation could never be overstrained.

§ XLI. The public credit being thus bolstered up by the singular address of Mr. Montagu, and the bills passed for the supplies of the ensuing year, the attention of the Commons was transferred to the case of Sir John Fenwick, who had been apprehended in the month of June at New Romney, in his way to France. He had, when taken, written a letter to his lady by one Webber, who accompanied him; but this man being seized, the letter was found, containing such a confession as plainly evinced him guilty. He then entered into a treaty with the court for turning evidence, and delivered a long information in writing, which was sent abroad to his majesty. He made no discoveries that could injure any of the Jacobites, who, by his account, and other concurring testimonies, appeared to be divided into two parties, known by the names of compounders and noncompounders. The first, headed by the Earl of Middleton, insisted upon receiving security from King James, that the religion and liberties of England should be preserved: whereas, the other party, at the head of which was the Earl of Melfort, resolved to bring him in without conditions, relying upon his own honour and generosity. King William having sent over an order for bringing Fenwick to trial, unless he should make more material discoveries, the prisoner, with a view to amuse the ministry, until he could take other measures for his own safety, accused the Earls of Shrewsbury, Marlborough, and Bath, the Lord Godolphin, and Admiral Russel, of having made their peace with King James, and engaged to act for his interest. Meanwhile his lady and relations tampered with the two witnesses, Porter and Goodman. The first of these discovered those practices to the government; and one Clancey, who acted as agent for Lady Fenwick, was tried, convicted of subordination, fined, and set in the pillory: but they had succeeded better in their attempts upon Goodman, who disappeared; so that one witness only remained, and Fenwick began to think his life was out of danger. Admiral Russel acquainted the House of Commons, that he and several persons of quality had been reflected upon in some informations of Sir John Fenwick; he therefore desired, that he might have an opportunity to justify his own character. Mr. Secretary Trumbull produced the papers, which having been read, the Commons ordered, that Sir John Fenwick should be brought to the bar of the House. There he was exhorted by the speaker to make an ample discovery; which, however, he declined, except with the proviso that he should first receive some security that what he might say should not prejudice himself. He was ordered to withdraw, until they should have deliberated on his request. Then he was called in again, and the speaker told him, he might deserve the favour of the House, by making a full discovery. He desired he might be indulged with a little time to recollect himself, and promised to obey the command of the House. This favour being denied, he again insisted upon having security; which they refusing to grant, he chose to be silent, and was dismissed from the bar. The House

voted, that his informations, reflecting upon the fidelity of several noblemen, members of the House, and others, upon hearsay, were false and scandalous, contrived to undermine the government, and create jealousies between the king and his subjects, in order to stifle the conspiracy.

§ XLII. A motion being made for leave to bring in a bill to attain him of high treason, a warm debate ensued, and the question being put, was carried in the affirmative by a great majority. He was furnished with a copy of the bill, and allowed the use of pen, ink, paper, and counsel. When he presented a petition, praying that his counsel might be heard against passing the bill, they made an order, that his counsel should be allowed to make his defence at the bar of the House: so that he was surprised into an irregular trial, instead of being indulged with an opportunity of offering objections to their passing the bill of attainder. He was accordingly brought to the bar of the House; and the bill being read in his hearing, the speaker called upon the king's counsel to open the evidence. The prisoner's counsel objected to their proceeding to trial, alleging, that their client had not received the least notice of their purpose, and therefore could not be prepared for his defence; but that they came to offer their reasons against the bill. The House, after a long debate, resolved, that he should be allowed further time to produce witnesses in his defence: that the counsel for the king should likewise be allowed to produce evidence to prove the treasons of which he stood indicted; and an order was made for his being brought to the bar again in three days. In pursuance of this order he appeared, when the indictment which had been found against him by the grand jury was produced; and Porter was examined as an evidence. Then the record of Clancey's conviction was read; and one Roe testified, that Dighton, the prisoner's solicitor, had offered him an annuity of one hundred pounds, to discredit the testimony of Goodman. The king's counsel moved, that Goodman's examination, as taken by Mr. Vernon, clerk of the council, might be read. Sir J. Powis, and Sir Bartholomew Shower, the prisoner's counsel, warmly opposed this proposal: they affirmed, that a deposition, taken when the party affected by it was not present to cross-examine the depositor, could not be admitted in a case of five shillings value: that though the House was not bound by the rules of inferior courts, it was nevertheless bound by the eternal and unalterable rules of justice: that no evidence, according to the rules of law, could be admitted in such a case, but that of living witnesses; and that the examination of a person who is absent was never read to supply his testimony. The dispute between the lawyers on this subject gave rise to a very violent debate among the members of the House. Sir Edward Seymour, Sir Richard Temple, Mr. Harley, Mr. Harcourt, Mr. Manly, Sir Christopher Musgrave, and all the leaders of the Tory party, argued against the hardship and injustice of admitting this information as an evidence. They demonstrated, that it would be a step contrary to the practice of all courts of judicature, repugnant to the common notions of justice and humanity, diametrically opposite to the last act for regulating trials in cases of high treason, and of dangerous consequences to the lives and liberties of the people. On the other hand, Lord Cutts, Sir Thomas Littleton, Mr. Montagu, Mr. Smith of the treasury, and Trevor, the attorney-general, affirmed, that the House was not bound by any form of law whatsoever: that this was an extraordinary case, in which the safety of the government was deeply concerned: that though the common law might require two evidences in cases of treason, the House had a power of deviating from those rules in extraordinary cases: that there was no reason to doubt of Sir John Fenwick's being concerned in the conspiracy: that he or his friends had tampered with Porter: and that there were strong presumptions to believe the same practices had induced Goodman to abscond. In a word, the Tories, either from party or patriotism, strenuously asserted the cause of liberty and humanity, by those very arguments which had been used against them in the former reigns; while the Whigs, with equal violence and more success, espoused the dictates of arbitrary power and oppression, in the face of their former principles, with which they were now upbraided. At length the question was put,



whether or not the information of Goodman should be read, and was carried in the affirmative by a majority of seventy-three voices. Then two of the grand jury who had found the indictment, recited the evidence which had been given to them by Porter and Goodman: lastly, the king's counsel insisted upon producing the record of Cooke's conviction, as he had been tried for the same conspiracy. The prisoner's counsel objected, That, if such evidence was admitted, the trial of one person in the same company would be the trial of all; and it could not be expected that they who came to defend Sir John Fenwick only, should be prepared to answer the charge against Cooke. This article produced another vehement debate among the members; and the whigs obtained a second victory. The record was read, and the king's counsel proceeded to call some of the jury who served on Cooke's trial, to affirm, that he had been convicted on Goodman's evidence. Sir Bartholomew Shower said, he would submit it to the consideration of the House, whether it was just that the evidence against one person should conclude against another standing at a different bar, in defence of his life? The parties were again ordered to withdraw; and from this point arose a third debate, which ended, as the two former, to the disadvantage of the prisoner. The jury being examined, Mr. Sergeant Gould moved, that Mr. Vernon might be desired to produce the intercepted letter from Sir John Fenwick to his lady. The prisoner's counsel warmly opposed this motion, insisting upon their proving it to be his hand-writing before it could be used against him; and no further stress was laid on this evidence. When they were called upon to enter on his defence, they pleaded incapacity to deliver matters of such importance after they had been fatigued with twelve hours attendance.

§ XLIII. The House resolved to hear such evidence as the prisoner had to produce that night. His counsel declared, that they had nothing then to produce but the copy of a record; and the second resolution was, that he should be brought up again next day at noon. He accordingly appeared at the bar, and Sir J. Powis proceeded on his defence. He observed, that the bill under consideration affected the lives of the subjects; and such precedents were dangerous: that Sir John Fenwick was forthcoming, in order to be tried by the ordinary methods of justice: that he was actually under process, had pleaded and was ready to stand trial: that if there was sufficient clear evidence against him, as the king's serjeant had declared, there was no reason for his being deprived of the benefit of such a trial as was the birthright of every British subject; and if there was a deficiency of legal evidence, he thought this was a very odd reason for the bill. He took notice that even the regicides had the benefit of such a trial: that the last act for regulating trials in cases of treason proved the great tenderness of the laws which affected the life of the subject: and he expressed his surprise that the very parliament which had passed that law, should enact another for putting a person to death without any trial at all. He admitted that there had been many bills of attainder, but they were generally levelled at outlaws and fugitives: and some of them had been reversed in the sequel as arbitrary and unjust. He urged, that this bill of attainder did not allege or say, that Sir John Fenwick was guilty of the treason for which he had been indicted; a circumstance which prevented him from producing witnesses to that and several matters upon which the king's counsel had expatiated. He said they had introduced evidence to prove circumstances not alleged in the bill, and defective evidence of those that were: that Porter was not examined upon oath: that nothing could be more severe than to pass sentence of death upon a man, corrupt his blood, and confiscate his estate, upon parole evidence; especially of such a wretch, who, by his own confession, had been engaged in a crime of the blackest nature, not a convert to the dictates of conscience, but a coward, shrinking from the danger by which he had been environed, and even now drudging for a pardon. He invalidated the evidence of Goodman's examination. He observed, that the indictment mentioned a conspiracy to call in a foreign power; but, as this conspiracy had not been put in practice, such an agreement was not a sufficient overt-act of

treason, according to the opinion of Hawles, the solicitor-general, concerned in this very prosecution. So saying, he produced a book of remarks, which that lawyer had published on the cases of Lord Russel, Colonel Sidney, and others, who had suffered death in the reign of Charles II. This author (said he) takes notice, that a conspiracy or agreement to levy war is not treason without actually levying war; a sentiment on which he concurred with Lord Coke, and Lord Chief Justice Hales. He concluded with saying, "We know at present on what ground we stand; by the statute of Edward III. we know what treason is: by the two statutes of Edward VI. and the late act, we know what is proof; by the Magna Charta we know we are to be tried *per legem terræ et per iudicium parium*, by the law of the land and the judgment of our peers; but, if bills of attainder come into fashion, we shall neither know what is treason, what is evidence, nor how nor where we are to be tried."—He was seconded by Sir Bartholomew Shower, who spoke with equal energy and elocution; and their arguments were answered by the king's counsel. The argument in favour of the bill imported, that the parliament would not interpose, except in extraordinary cases; that here the evidence necessary in inferior courts being defective, the parliament, which was not tied down by legal evidence, had a right to exert their extraordinary power in punishing an offender, who would otherwise escape with impunity: that as the law stood, he was but a sorry politician that could not ruin the government, and yet elude the statute of treason; that if a plot, after being discovered, should not be thoroughly prosecuted, it would strengthen and grow upon the administration, and probably at length subvert the government: that it was notorious that parties were forming for King James; persons were plotting in every part of the kingdom, and an open invasion was threatened; therefore this was a proper time for the parliament to exert their extraordinary power; that the English differed from all other nations, in bringing the witnesses and the prisoner face to face, and requiring two witnesses in cases of treason: nor did the English law itself require the same proof in some cases, as in others; for one witness was sufficient in felony, as well as for the treason of coining: that Fenwick was notoriously guilty, and deserved to feel the resentment of the nation; that he would have been brought to exemplary punishment in the ordinary courts of justice, had he not eluded it by corrupting evidence, and withdrawing a witness. If this reasoning be just, the House of Commons has a right to act in diametrical opposition to the laws in being; and is vested with a despotic power over the lives and fortunes of their constituents, for whose protection they are constituted. Let us, therefore, reflect upon the possibility of a parliament debauched by the arts of corruption into servile compliance with the designs of an arbitrary prince, and tremble for the consequence. The debate being finished, the prisoner was, at the desire of Admiral Russel, questioned with regard to the imputations he had fixed upon that gentleman and others, from hearsay: but he desired to be excused on account of the risk he ran while under a double prosecution, if any thing which should escape him might be turned to his prejudice.

§ XLIV. After he was removed from the bar, Mr. Vernon, at the desire of the House, recapitulated the arts and practices of Sir John Fenwick and his friends, to prostrate the trial. The bill was read a second time; and the speaker asking, if the question should be put for its being committed? the House was immediately kindled into a new flame of contention. Hawles, the solicitor-general, affirmed, that the House in the present case should act both as judge and jury. Mr. Harcourt said, he knew no trial for treason but what was confirmed by *Magna Charta*, by a jury, the birthright and darling privilege of an Englishman, or *per legem terræ*, which includes impeachments in parliament: that it was a strange trial where the person accused had a chance to be hanged, but none to be saved: that he never heard of a jurymen who was not on his oath, nor of a judge who had not power to examine witnesses upon oath, and who was not empowered to save the innocent as well as to condemn the guilty. Sir Thomas Lyttleton was of opinion, that the parliament ought not to stand upon little niceties and forms of other courts, when the government was at stake. Mr. Howe asserted, that to do

a thing of this nature, because the parliament had power to do it, was a strange way of reasoning: that what was justice and equity at Westminster-hall, was justice and equity every where: that one bad precedent in parliament was of worse consequence than a hundred in Westminster-hall, because personal or private injuries did not foreclose the claims of original right; whereas the parliament could ruin the nation beyond redemption, because it could establish tyranny by law. Sir Richard Temple, in arguing against the bill, observed, that the power of parliament is to make any law, but the jurisdiction of parliament is to govern itself by the law: to make a law, therefore, against all the laws of England, was the *ultimum remedium et pessimum*, never to be used but in case of absolute necessity. He affirmed, that by this precedent the House overthrew all the laws of England; first, in condemning a man upon one witness; secondly, in passing an act without any trial. The Commons never did nor can assume a jurisdiction of trying any person: they may, for their own information, hear what can be offered; but it is not a trial where witnesses are not upon oath. All bills of attainder have passed against persons that were dead or fled, or without the compass of the law: some have been brought in after trials in Westminster-hall; but none of those have been called trials, and they were generally reversed. He denied that the parliament had power to declare any thing treason which was not treason before. When inferior courts were dubious, the case might be brought before the parliament, to judge whether it was treason or felony; but then they must judge by the laws in being; and this judgment was not in the parliament by bill, but only in the House of Lords. Lord Digby, Mr. Harley, and Colonel Granville, spoke to the same purpose. But their arguments and remonstrances had no effect upon the majority, by whom the prisoner was devoted to destruction. The bill was committed, passed, and sent up to the House of Lords, where it produced the longest and warmest debates which had been known since the restoration. Bishop Burnet signalized his zeal for the government, by a long speech in favour of the bill, contradicting some of the fundamental maxims which he had formerly avowed in behalf of the liberties of the people. At length it was carried by a majority of seven voices; and one-and-forty lords, including eight prelates, entered a protest, couched in the strongest terms, against the decision.

§ XLV. When the bill received the royal assent, another act of the like nature passed against Barclay, Holmes, and nine other conspirators who had fled from justice, in case they should not surrender themselves on or before the twenty-fifth day of March next ensuing. Sir John Fenwick solicited the mediation of the Lords in his behalf, while his friends implored the royal mercy. The Peers gave him to understand, that the success of his suit would depend upon the fulness of his discoveries. He would have previously stipulated for a pardon; and they insisted upon his depending on their favour. He hesitated some time between the fears of infamy and the terrors of death, which last he at length chose to undergo, rather than incur the disgraceful character of an informer. He was complimented with the axe, in consideration of his rank and alliance with the house of Howard, and suffered on Tower-hill with great composure. In the paper which he delivered to the sheriff, he took God to witness, that he knew not of the intended invasion, until it was the common subject of discourse; nor was he engaged in any shape for the service of King James. He thanked those noble and worthy persons who had opposed his attainder in parliament; protested before God, that the information he gave to the ministry he had received in letters and messages from France; and observed that he might have expected mercy from the Prince of Orange, as he had been instrumental in saving his life, by preventing the execution of a design which had been formed against it; a circumstance which in all probability induced the late conspirators to conceal their purpose of assassination from his knowledge. He professed his loyalty to King James, and prayed Heaven for his speedy restoration.

§ XLVI. While Fenwick's affair was in agitation, the Earl of Monmouth had set on foot some practices against the Duke of Shrewsbury.

One Matthew Smith, nephew to Sir William Perkins, had been entertained as a spy by this nobleman, who finding his intelligence of very little use or importance, dismissed him as a troublesome dependant. Then he had recourse to the Earl of Monmouth, into whom he infused unfavourable sentiments of the duke; insinuating, that he had made great discoveries, which from sinister motives were suppressed. Monmouth communicated those impressions to the Earl of Portland, who enlisted Smith as one of his intelligencers. Copies of the letters he had sent to the Duke of Shrewsbury were delivered to Secretary Trumbull, sealed up for the perusal of his majesty at his return from Flanders. When Fenwick mentioned the Duke of Shrewsbury in his discoveries, the Earl of Monmouth resolved to seize the opportunity of ruining that nobleman. He, by the channel of the Duchess of Norfolk, exhorted Lady Fenwick to prevail upon her husband to persist in his accusation, and even dictated a paper of directions. Fenwick rejected the proposal with disdain, as a scandalous contrivance; and Monmouth was so incensed at his refusal, that when the bill of attainder appeared in the House of Lords, he spoke in favour of it with peculiar vehemence. Lady Fenwick, provoked at this cruel outrage, prevailed upon her nephew, the Earl of Carlisle, to move the House that Sir John might be examined touching any advices that had been sent to him, with relation to his discoveries. Fenwick being interrogated accordingly, gave an account of all the particulars of Monmouth's scheme, which was calculated to ruin the Duke of Shrewsbury, by bringing Smith's letters on the carpet. The Duchess of Norfolk and a confidant were examined, and confirmed the detection. The House called for Smith's letters, which were produced by Sir William Trumbull. The Earl of Monmouth was committed to the Tower, and dismissed from all his employments. He was released, however, at the end of the session; and the court made up all his losses in private, lest he should be tempted to join the opposition.

§ XLVII. The whigs, before they were glutted with the sacrifice of Fenwick, had determined to let loose their vengeance upon Sir George Rooke, who was a leader in the opposite interest. Sir Cloudesley Shovel had been sent with a squadron to look into Brest, where, according to the intelligence which the government had received, the French were employed in preparing for a descent upon England: but this information was false. They were busy in equipping an armament for the West Indies, under the command of M. Pointis, who actually sailed to the coast of New Spain, and took the city of Carthagen. Rooke had been ordered to intercept the Toulon squadron in its way to Brest; but his endeavours miscarried. The Commons, in a committee of the whole House, resolved to inquire why this fleet was not intercepted; Rooke underwent a long examination, and was obliged to produce his journal, orders, and letters. Shovel and Mitchell were likewise examined; but nothing appearing to the prejudice of the admiral, the House thought proper to desist from their prosecution. After they had determined on the fate of Fenwick, they proceeded to enact several laws for regulating the domestic economy of the nation: among others, they passed an act for the more effectual relief of creditors, in cases of escape, and for preventing abuses in prisons and pretended privileged places. Ever since the Reformation, certain places in and about the city of London, which had been sanctuaries during the prevalence of the Popish religion, afforded asylums to debtors, and were become receptacles of desperate persons, who presumed to set the law at defiance. One of these places, called White-Friars, was filled with a crew of ruffians, who every day committed acts of violence and outrage; but this law was so vigorously put in execution, that they were obliged to abandon the district, which was soon filled with more creditable inhabitants. On the sixteenth day of April, the king closed the session with a short speech, thanking the parliament for the great supplies they had so cheerfully granted, and expressing his satisfaction at the measures they had taken for retrieving the public credit. Before he quitted the kingdom, he ventured to produce upon the scene the Earl of Sunderland, who had

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hitherto promoted his councils behind the curtain. That politician was now sworn of the privy-council, and gratified with the office of lord-chamberlain, which had been resigned by the Earl of Dorset, a nobleman of elegant talents and invincible indolence; severe and poignant in his writings and remarks upon mankind in general, but humane, good-natured, and generous to excess, in his commerce with individuals.

§ XLVIII. William having made some promotions,<sup>e</sup> and appointed a regency, embarked on the twenty-sixth day of April for Holland, that he might be at hand to manage the negotiation for a general peace. By this time the preliminaries were settled, between Callieres the French minister, and Mr. Dykvelt, in behalf of the States-general, who resolved, in consequence of the concessions made by France, that, in concert with their allies, the mediation of Sweden might be accepted. The emperor and the court of Spain, however, were not satisfied with those concessions: yet his imperial majesty declared he would embrace the proffered mediation, provided the treaty of Westphalia should be re-established; and provided the King of Sweden would engage to join his troops with those of the allies, in case France should break through this stipulation. This proposal being delivered, the ministers of England and Holland at Vienna presented a joint memorial, pressing his imperial majesty to accept the mediation without reserve, and name a place at which the congress might be opened. The emperor complied with reluctance. On the fourteenth day of February, all the ministers of the allies, except the ambassador of Spain, agreed to the proposal; and next day signified their assent in form to M. Lillienroth the Swedish plenipotentiary. Spain demanded, as a preliminary, that France should agree to restore all the places mentioned in a long list which the minister of that crown presented to the assembly. The emperor proposed, that the congress should be held at Aix-la-Chapelle, or Frankfort, or some other town in Germany. The other allies were more disposed to negotiate in Holland. At length the French king suggested, that no place would be more proper than a palace belonging to King William, called Newbourg-house, situated between the Hague and Delft, close to the village of Ryswick; and to this proposition the ministers agreed. Those of England were the Earl of Pembroke, a virtuous, learned, and popular nobleman, the Lord Villiers, and Sir Joseph Williamson; France sent Harley and Crecy to the assistance of Callieres. Louis was not only tired of the war, on account of the misery in which it had involved his kingdom; but in desiring a peace, he was actuated by another motive. The King of Spain had been for some time in a very ill state of health, and the French monarch had an eye to the succession. This aim could not be accomplished while the confederacy subsisted; therefore he eagerly sought a peace, that he might at once turn his whole power against Spain, as soon as Charles should expire. The emperor harboured the same design upon the Spanish crown, and for that reason interested himself in the continuance of the grand alliance. Besides, he foresaw he should in a little time be able to act against France with an augmented force. The Czar of Muscovy had engaged to find employment for the Turks and Tartars. He intended to raise the Elector of Saxony to the throne of Poland; and he had made some progress in a negotiation with the circles of the Rhine, for a considerable body of auxiliary troops. The Dutch had no other view but that of securing a barrier in the Netherlands. King William insisted upon the French king's acknowledging his title; and the English nation wished for nothing so much as the end of a ruinous war. On the tenth day of February, Callieres, in the name of his master, agreed to the following preliminaries: That the treaties of Westphalia and Nimeguen should be the basis of this negotiation; that Strasbourg should be restored to the empire, and Luxembourg to the Spaniards, together with Mons, Charleroy, and all places taken by the French in Catalonia since the treaty of Nimeguen; that Dinant should be ceded to the Bishop of Liege, and all re-union since the treaty of Nimeguen be made void: that

the French king should make restitution of Lorraine, and, upon conclusion of the peace, acknowledge the Prince of Orange as King of Great Britain, without condition or reserve. The conferences were interrupted by the death of Charles XI. King of Sweden, who was succeeded by his son Charles, then a minor: but the queen and five senators, whom the late king had by will appointed administrators of the government, resolved to pursue the mediation, and sent a new commission to Lillienroth for that purpose. The ceremonials being regulated with the consent of all parties, the plenipotentiaries of the emperor delivered their master's demands to the mediator, on the twenty-second day of May, and several German ministers gave in the pretensions of the respective princes whom they represented.

§ XLIX. Meanwhile, the French king, in the hope of procuring more favourable terms, resolved to make his last effort against the Spaniards in Catalonia and in the Netherlands, and to elevate the Prince of Conti to the throne of Poland; an event which would have greatly improved the interest of France in Europe. Louis had got the start of the confederates in Flanders, and sent thither a very numerous army, commanded by Catinat, Villeroi, and Boufflers. The campaign was opened with the siege of Aeth, which was no sooner invested, than King William, having recovered of an indisposition, took the field, and had an interview with the Duke of Bavaria, who commanded a separate body. He did not think proper to interrupt the enemy in their operations before Aeth, which surrendered in a few days after the trenches were opened; but contented himself with taking possession of an advantageous camp, where he covered Brussels, which Villeroi and Boufflers had determined to besiege. In Catalonia, the Duke of Vendome invested Barcelona, in which there was a garrison of ten thousand regular soldiers, besides five thousand burghers, who had voluntarily taken arms on this occasion. The governor of the place was the Prince of Hesse d'Armstadt, who had served in Ireland, and been vested with the command of the imperial troops which were sent into Spain. The French general being reinforced from Provence and Languedoc, carried on his approaches with surprising impetuosity; and was repulsed in several attacks by the valour of the defendants. At length the enemy surprised and routed the Viceroy of Catalonia; and, flushed with this victory, stormed the outworks, which had been long battered with their cannon. The dispute was very bloody and obstinate; but the French, by dint of numbers, made themselves masters of the covered-way and two bastions. There they erected batteries of cannon and mortars, and fired furiously on the town, which, however, the Prince of Hesse resolved to defend to the last extremity. The court of Madrid, however, unwilling to see the place entirely ruined, as in all probability it would be restored at the peace, despatched an order to the prince to capitulate; and he obtained very honourable terms, after having made a glorious defence for nine weeks; in consideration of which he was appointed viceroy of the province. France was no sooner in possession of this important place, than the Spaniards became as eager for peace as they had been before averse to a negotiation.

§ L. Their impatience was not a little inflamed by the success of Pointis in America, where he took Carthagena, in which he found a booty amounting to eight millions of crowns. Having ruined the fortifications of the place, and received advice that an English squadron under Admiral Nevil had arrived in the West Indies, with a design to attack him in his return, he bore away for the Straits of Bahama. On the twenty-second day of May he fell in with the English fleet, and one of his fly-boats was taken; but such was his dexterity or good fortune, that he escaped after having been pursued five days, during which the English and Dutch rear-admirals sprang their fore-top-masts, and received other damage, so that they could not proceed. Then Nevil steered to Carthagena, which he found quite abandoned by the inhabitants, who, after the departure of Pointis, had been rifled a second time by the

<sup>e</sup> Smiers was created a baron, and appointed lord-chancellor of England. Admiral Russell was dignified with the title of the Earl of Orford. In February the Earl of Aylesbury, who had been committed on account of

the conspiracy, was released upon bail; but this privilege was denied to Lord Montgomerie, who had been imprisoned in Newgate on the same account.



buccaneers, on pretence that they had been defrauded of their share of the plunder. This was really the case: they had in a great measure contributed to the success of Pointis, and were very ill rewarded. In a few days the English admiral discovered eight sail of their ships, two of which were forced on shore and destroyed, two taken, and the rest escaped. Then he directed his course to Jamaica, and, by the advice of the governor, Sir William Beeston, detached Rear-Admiral Meeze with some ships and forces to attack Petit-Guavas, which he accordingly surprised, burned, and reduced to ashes. After this small expedition, Nevil proceeded to the Havannah on purpose to take the galleons under his convoy for Europe, according to the instructions he had received from the king: but the governor of the place, and the general of the Plate-fleet, suspecting such an offer, would neither suffer him to enter the harbour, nor put the galleons under his protection. He now sailed through the gulf of Florida to Virginia, where he died of chagrin, and the command of the fleet devolved on Captain Dilkes, who arrived in England on the twenty-fourth day of October, with a shattered squadron, half manned, to the unspeakable mortification of the people, who flattered themselves with the hopes of wealth and glory from this expedition. Pointis, steering to the banks of Newfoundland, entered the bay of Conceptione, at a time when a stout English squadron, commanded by Commodore Norris, lay at anchor in the bay of St. John. This officer being informed of the arrival of a French fleet, at first concluded, that it was the squadron of M. Nesmond come to attack him, and exerted his utmost endeavours to put the place in a posture of defence: but, afterwards, understanding that it was Pointis returning with the spoil of Carthage, he called a council of war, and proposed to go immediately in quest of the enemy. He was, however, overruled by a majority, who gave it as their opinion that they should remain where they were, without running unnecessary hazard. By virtue of this scandalous determination, Pointis was permitted to proceed on his voyage to Europe; but he had not yet escaped every danger. On the fourteenth day of August he fell in with a squadron under the command of Captain Harlow, by whom he was boldly engaged till night parted the combatants. He was pursued next day; but his ships sailing better than those of Harlow, he accomplished his escape, and on the morrow entered the harbour of Brest. That his ships, which were foul, should out sail the English squadron, which had just put to sea, was a mystery which the people of England could not explain. They complained of having been betrayed through the whole course of the West Indian expedition. The king owned he did not understand marine affairs, the entire conduct of which he abandoned to Russel, who became proud, arbitrary, and unpopular, and was supposed to be betrayed by his dependants. Certain it is, the service was greatly obstructed by faction among the officers, which with respect to the nation had all the effects of treachery and misconduct.

§ LI. The success of the French in Catalonia, Flanders, and the West Indies, was balanced by their disappointment in Poland. Louis, encouraged by the remonstrances of the Abbé de Polignac, who managed the affairs of France in that kingdom, resolved to support the Prince of Conti as a candidate for the crown, and remitted great sums of money, which were distributed among the Polish nobility. The emperor had at first declared for the son of the late king: but, finding the French party too strong for his competitor, he entered into a negotiation with the Elector of Saxony, who agreed to change his religion, to distribute eight millions of florins among the Poles, to confirm their privileges, and advance with his troops to the frontiers of that kingdom. Having performed these articles, he declared himself a candidate, and was publicly espoused by the imperialists: The Duke of Lorraine, the Prince of Baden, and Don Livio Odeschalchi, nephew to Pope Innocent, were likewise competitors; but finding their interest insufficient, they united their influence with that of the elector, who was proclaimed King of Poland. He forthwith took the oath required, procured an attestation from the imperial court of his having changed his religion, and marched with his army to Cracow, where he

was crowned with the usual solemnity. Louis persisted in maintaining the pretensions of the Prince of Conti, and equipped a fleet at Dunkirk for his convoy to Dantzick in his way to Poland. But the magistrates of that city, who had declared for the new king, would not suffer his men to land, though they offered to admit himself with a small retinue. He, therefore, went on shore at Marienburgh, where he was met by some chiefs of his own party; but the new King Augustus acted with such vigilance, that he found it impracticable to form an army: besides, he suspected the fidelity of his own Polish partisans: he, therefore, refused to part with the treasure he had brought, and in the beginning of winter returned to Dunkirk.

§ LII. The establishment of Augustus on the throne of Poland was in some measure owing to the conduct of Peter the Czar of Muscovy, who having formed great designs against the Ottoman Porte, was very unwilling to see the crown of Poland possessed by a partisan of France, which was in alliance with the grand signor. He, therefore, interested himself warmly in the dispute, and ordered his general to assemble an army on the frontiers of Lithuania, which, by overawing the Poles that were in the interest of the Prince of Conti, considerably influenced the election. This extraordinary legislator, who was a strange compound of heroism and barbarity, conscious of the defects in his education, and of the gross ignorance that overspread his dominions, resolved to extend his ideas, and improve his judgment, by travelling; and that he might be the less restricted by forms, or interrupted by officious curiosity, he determined to travel in disguise. He was extremely ambitious of becoming a maritime power, and in particular of maintaining a fleet in the Black sea; and his immediate aim was to learn the principles of ship-building. He appointed an embassy for Holland, to regulate some points of commerce with the States-general. Having intrusted the care of his dominions to persons in whom he could confide, he now disguised himself, and travelled as one of their retinue. He first disclosed himself to the Elector of Brandenburg in Prussia, and afterwards to King William, with whom he conferred in private at Utrecht. He engaged himself as a common labourer with a ship-carpenter in Holland, whom he served for some months with wonderful patience and assiduity. He afterwards visited England, where he amused himself chiefly with the same kind of occupation. From thence he set out for Vienna, where receiving advices from his dominions, that his sister was concerned in managing intrigues against his government, he returned suddenly to Moscow, and found the machinations of the conspirators were already baffled by the vigilance and fidelity of the foreigners to whom he had left the care of the administration. His savage nature, however, broke out upon this occasion; he ordered some hundreds to be hanged all round his capital; and a good number were beheaded, he himself with his own hand performing the office of executioner.

§ LIII. The negotiations at Ryswick proceeded very slowly for some time. The imperial minister demanded, that France should make restitution of all the places and dominions she had wrested from the empire since the peace of Munster, whether by force of arms or pretence of right. The Spaniards claimed all they could demand by virtue of the peace of Nimeguen and the treaty of the Pyrenees. The French affirmed, that if the preliminaries offered by Callieres were accepted, these propositions could not be taken into consideration. The imperialists persisted in demanding a circumstantial answer, article by article. The Spaniards insisted upon the same manner of proceeding, and called upon the mediator and Dutch ministers to support their pretensions. The plenipotentiaries of France declared, they would not admit any demand or proposition, contrary to the preliminary articles: but were willing to deliver in a project of peace, in order to shorten the negotiations, and the Spanish ambassadors consented to this expedient. During these transactions, the Earl of Portland held a conference with Marschal Boufflers, near Halle, in sight of the two opposite armies, which was continued in five successive meetings. On the second day of August they retired together to a house in the suburbs of Halle, and mutually signed a

paper, in which the principal articles of the peace between France and England were adjusted. Next day King William quitted the camp, and retired to his house at Loo, confident of having taken such measures for a pacification as could not be disappointed. The subject of this field negotiation is said to have turned upon the interest of King James, which the French monarch promised to abandon; others, however, suppose that the first foundation of the partition treaty was laid in this conference. But, in all probability, William's sole aim was to put an end to an expensive and unsuccessful war, which had rendered him very unpopular in his own dominions, and to obtain from the court of France an acknowledgment of his title, which had since the queen's death become the subject of dispute. He perceived the emperor's backwardness towards a pacification, and foresaw numberless difficulties in discussing such a complication of interests by the common method of treating: he, therefore, chose such a step as he thought would alarm the jealousy of the allies, and quicken the negotiation at Ryswick. Before the congress was opened, King James had published two manifestoes, addressed to the catholic and protestant princes of the confederacy, representing his wrongs, and craving redress; but his remonstrances being altogether disregarded, he afterwards issued a third declaration, solemnly protesting against all that might or should be negotiated, regulated, or stipulated with the usurper of his realms, as being void of all rightful and lawful authority. On the twentieth day of July the French ambassadors produced their project of a general peace, declaring at the same time, that should it not be accepted before the last day of August, France would not hold herself bound for the conditions she now offered: but Caunitz, the emperor's plenipotentiary, protested he would pay no regard to this limitation. On the thirtieth of August, however, he delivered to the mediators an ultimatum, importing, That he adhered to the treaties of Westphalia and Nimeguen, and accepted of Strasbourg with its appurtenances: That he insisted upon the restitution of Lorraine to the prince of that name; and demanded, That the church and chapter of Liege should be re-established in the possession of their incontestable rights. Next day the French plenipotentiaries declared, That the month of August being now expired, all their offers were vacated: That, therefore, the King of France would reserve Strasbourg, and unite it, with its dependences, to his crown for ever: That in other respects he would adhere to the project, and restore Barcelona to the crown of Spain; but that these terms must be accepted in twenty days, otherwise he should think himself at liberty to recede. The ministers of the electors and princes of the empire joined in a written remonstrance to the Spanish plenipotentiaries, representing the inconveniences and dangers that would accrue to the Germanic body from France's being in possession of Luxembourg, and exhorting them in the strongest terms to reject all offers of an equivalent for that province. They likewise presented another to the States-general, requiring them to continue the war, according to their engagements, until France should have complied with the preliminaries. No regard, however, was paid to either of these addresses. Then the imperial ambassadors demanded the good offices of the mediator, on certain articles: but all that he could obtain of France was, that the term for adjusting the peace between her and the emperor should be prolonged till the first day of November, and in the mean time an armistice be punctually observed. Yet even these concessions were made, on condition that the treaty with England, Spain, and Holland should be signed on that day, even though the emperor and empire should not concur.

§ LIV. Accordingly, on the twentieth day of September, the articles were subscribed by the Dutch, English, Spanish, and French ambassadors, while the imperial ministers protested against the transaction, observing, this was the second time that a separate peace had been concluded with France, and that the states of the empire, who had been imposed upon through their own credulity, would not for the future be so easily persuaded to engage in confederacies. In certain preparatory articles settled between England and France, King William promised to pay a yearly pension to Queen Mary D'Este, of fifty thousand pounds, or

such sum as should be established for that purpose by act of parliament. The treaty itself consisted of seventeen articles. The French king engaged, that he would not disturb or disquiet the King of Great Britain in the possession of his realms or government; nor assist his enemies, nor favour conspiracies against his person. This obligation was reciprocal. A free commerce was restored. Commissaries were appointed to meet at London, and settle the pretensions of each crown to Hudson's Bay, taken by the French during the late peace, and retaken by the English in the course of the war; and to regulate the limits of the places to be restored, as well as the exchanges to be made. It was likewise stipulated, That, in case of a rupture, six months should be allowed to the subjects of each power for removing their effects: That the separate articles of the treaty of Nimeguen, relating to the principality of Orange, should be entirely executed: and, That the ratifications should be exchanged in three weeks from the day of signing. The treaty between France and Holland imported a general armistice, a perpetual amity, a mutual restitution, a reciprocal renunciation of all pretensions upon each other, a confirmation of the peace with Savoy, a re-establishment of the treaty concluded between France and Brandenburg, in the year one thousand six hundred and seventy-nine, a comprehension of Sweden, and all those powers that should be named before the ratification, or in six months after the conclusion of the treaty. Besides, the Dutch ministers concluded a treaty of commerce with France, which was immediately put in execution. Spain had great reason to be satisfied with the pacification, by which she recovered Gironne, Roses, Barcelona, Luxembourg, Charleroy, Mons, Courtray, and all the towns, fortresses, and territories taken by the French, in the province of Luxembourg, Namur, Brabant, Flanders, and Hainault, except eighty-two towns and villages claimed by the French: this dispute was left to the decision of commissaries; or in case they should not agree, to the determination of the States-general. A remonstrance in favour of the French protestant refugees in England, Holland, and Germany, was delivered by the Earl of Pembroke to the mediators, in the name of the protestant allies, on the day that preceded the conclusion of the treaty; but the French plenipotentiaries declared, in the name of their master, that as he did not pretend to prescribe rules to King William about the English subjects, he expected the same liberty with respect to his own. No other effort was made in behalf of those conscientious exiles; the treaties were ratified, and the peace proclaimed at Paris and London.

§ LV. The emperor still held out, and perhaps was encouraged to persevere in his obstinacy by the success of his arms in Hungary, where his general, Prince Eugene of Savoy, obtained a complete victory at Zenta over the forces of the grand signor, who commanded his army in person. In this battle, which was fought on the eleventh day of September, the grand visir, the aga of the janissaries, seven-and-twenty bashaws, and about thirty thousand men, were killed or drowned in the river Theyse; six thousand were wounded or taken, together with their artillery, tents, baggage, provision, and ammunition, the grand signor himself escaping with difficulty; a victory the more glorious and acceptable, as the Turks had a great superiority in point of number, and as the imperialists did not lose a thousand men during the whole action. The emperor, perceiving that the event of this battle had no effect in retarding the treaty, thought proper to make use of the armistice, and continued the negotiation after the forementioned treaties had been signed. This was likewise the case with the princes of the empire; though those of the protestant persuasion complained, that their interest was neglected. In one of the articles of the treaty, it was stipulated, That in the places to be restored by France, the Roman catholic religion should continue as it had been re-established. The ambassadors of the protestant princes joined in a remonstrance, demanding, That the Lutheran religion should be restored in those places where it had formerly prevailed; but this demand was rejected, as being equally disagreeable to France and the emperor. Then they refused to sign the treaty, which was now concluded between France, the emperor, and the catholic

princes of the empire. By this pacification, Tires, the palatinate, and Lorraine, were restored to their respective owners. The countries of Spanheim and Veldentz, together with the duchy of Deux Ponts, were ceded to the King of Sweden. Francis Louis Palatine was confirmed in the electorate of Cologne; and Cardinal Fürstenberg restored to all his rights and benefices. The claims of the Duchess of Orleans upon the palatinate were referred to the arbitration of France and the emperor; and in the mean time the elector palatine agreed to supply her highness with an annuity of one hundred thousand florins. The ministers of the protestant princes published a formal declaration against the clause relating to religion, and afterwards solemnly protested against the manner in which the negotiation had been conducted. Such was the issue of a long and bloody war, which had drained England of her wealth and people, almost entirely ruined her commerce, debauched her morals, by encouraging venality and corruption, and entailed upon her the curse of foreign connexions, as well as a national debt, which was gradually increased to an intolerable burthen. After all the blood and treasure which had been expended, William's ambition and revenge remained unsatisfied. Nevertheless, he reaped the solid advantage of seeing himself firmly established on the English throne; and the confederacy, though not successful in every instance, accomplished their great aim of putting a stop to the encroachments of the French monarch. They mortified his vanity, they humbled his pride and arrogance, and compelled him to disgorge the acquisitions which, like a robber, he had made in violation of public faith, justice, and humanity. Had the allies been true to one another; had they acted from genuine zeal for the common interest of mankind; and prosecuted with vigour the plan which was originally concerted, Louis would in a few campaigns have been reduced to the most abject state of disgrace, despondence, and submission; for he was destitute of true courage and magnanimity. King William having finished this important transaction, returned to England about the middle of November, and was received in London amidst the acclamations of the people, who now again hailed him as their deliverer from a war, by the continuance of which they must have been infallibly beggared.

## CHAP. VI.

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§ I. WHEN the king opened the session A. D. 1697. of parliament on the third day of December, he told them the war was brought to the end they all proposed, namely, an honourable peace. He gave them to understand there was a considerable debt on account of the fleet and army: that the revenues of the crown had been anticipated: he expressed his hope, that they would provide for him during his life, in such a manner as would conduce to his own honour and that of the government. He recommended the maintenance of a considerable navy; and gave it as his opinion, that for the present England could not be safe without a standing army. He promised to rectify such corruptions and abuses as might have crept into any part of the administration during the war; and effectually to discourage profaneness and immorality. Finally, he assured them, that as he had rescued their religion, laws, and liberties, when they were in the extremest danger, so he should place the glory of his reign in preserving and leaving them entire to latest posterity. To this speech the Commons replied in an address by a compliment of congratulation upon the peace, and an assurance, that they would be ever ready to assist and support his majesty, who had confirmed them in the quiet possession of their rights and liberties, and by putting an end to the war, fully completed the work of their deliverance. Notwithstanding these appearances of good humour, the majority of the House, and indeed of the whole nation, were equally alarmed and exasperated at a project for maintaining a standing army, which was countenanced at court, and even recommended by the king, in his speech to the parliament. William's genius was altogether military. He could not bear the thoughts of being a king without power. He could not without reluctance dismiss those officers who had given so many proofs of their courage and fidelity. He did not think himself safe upon the naked throne, in a kingdom that swarmed with malcontents, who had so often conspired against his person and government. He dreaded the ambition and known perfidy of the French king, who still retained a powerful army. He foresaw that a reduction of the forces would lessen his importance both at home and abroad; diminish the dependence upon his government; and disperse those foreigners in whose attachment he chiefly confided. He communicated his sentiments on this subject to his confidant, the Earl of Sunderland, who knew by experience the aversion of the people to a standing army; nevertheless, he encouraged him with hope of success, on the supposition that the Commons would see the difference between an army raised by the king's private authority, and a body of veteran troops, maintained by consent of parliament for the security of the kingdom. This was a distinction to which the people paid no regard. All the jealousy of former parliaments seemed to be roused by the bare proposal; and this was inflamed by a natural prejudice against the refugees, in whose favour the king had betrayed repeated marks of partial indulgence. They were submissive, tractable, and wholly dependent upon his will and generosity. The Jacobites failed not to cherish the seeds of disaffection and reproach the whigs who countenanced this measure. They branded that party with apostasy from their former principles. They observed, that the very persons who in the late reigns endeavoured to abridge the prerogative, and deprive the king of that share of power which was absolutely necessary to actuate the machine of government, were now become advocates for maintaining a standing army in time of peace; nay, and impudently avowed, that their complaisance to the court in this particular was owing to their desire of excluding from all share in the administration a faction disaffected to his majesty, which might mislead him into more pernicious measures. The



majority of those who really entertained revolution principles opposed the court, from apprehensions that a standing army once established would take root, and grow into an habitual maxim of government: that should the people be disarmed, and the sword left in the hands of mercenaries, the liberties of the nation must be entirely at the mercy of him by whom those mercenaries should be commanded. They might overawe elections, dictate to parliaments, and establish a tyranny, before the people could take any measures for their own protection. They could not help thinking it was possible to form a militia, that with the concurrence of a fleet might effectually protect the kingdom from the dangers of an invasion. They firmly believed, that a militia might be regularly trained to arms, so as to acquire the dexterity of professed soldiers; and they did not doubt they would surpass those hirelings in courage, considering that they would be animated by every concurring motive of interest, sentiment, and affection. Nay, they argued, that Britain, surrounded as it was by a boisterous sea, secured by floating bulwarks, abounding with stout and hardy inhabitants, did not deserve to be free, if her sons could not protect their liberties without the assistance of mercenaries, who were indeed the only slaves of the kingdom. Yet, among the genuine friends of their country, some individuals espoused the opposite maxims. They observed, that the military system of every government in Europe was now altered, that war was become a trade, and discipline a science not to be learned but by those who made it their sole profession: that, therefore, while France kept up a large standing army of veterans, ready to embark on the opposite coast, it would be absolutely necessary for the safety of the nation, to maintain a small standing force, which should be voted in parliament from year to year. They might have suggested another expedient, which in a few years would have produced a militia of disciplined men. Had the soldiers of this small standing army been enlisted for a term of years, at the expiration of which they might have claimed their discharge, volunteers would have offered themselves from all parts of the kingdom, even from the desire of learning the use and exercise of arms, the ambition of being concerned in scenes of actual service, and the chagrin of little disappointments or temporary disgusts, which yet would not have impelled them to enlist as soldiers on the common terms of perpetual slavery. In consequence of such a succession, the whole kingdom would soon have been stocked with members of a disciplined militia, equal, if not superior, to any army of professed soldiers. But this scheme would have defeated the purpose of the government, which was more afraid of domestic foes than of foreign enemies; and industriously avoided every plan of this nature, which could contribute to render the malcontents of the nation more formidable.

§ II. Before we proceed to the transactions of parliament in this session, it may not be amiss to sketch the outlines of the ministry, as it stood at this juncture. The king's affection for the Earl of Portland had begun to abate, in proportion as his esteem for Sunderland increased, together with his consideration for Mrs. Villiers, who had been distinguished by some particular marks of his majesty's favour. These two favourites are said to have supplanted Portland, whose place in the king's bosom was now filled by Van Keppel, a gentleman of Guelderland, who had first served his majesty as a page, and afterwards acted as private secretary. The Earl of Portland growing troublesome, from the jealousy of this rival, the king resolved to send him into honourable exile, in quality of an ambassador extraordinary to the court of France; and Trumbull, his friend and creature, was dismissed from the office of secretary, which the king conferred upon Vernon, a plodding man of business, who had acted as under-secretary to the Duke of Shrewsbury. This nobleman rivalled the Earl of Sunderland, in his credit at the council-board, and was supported by Somers, lord chancellor of England, by Russel, now Earl of Orford, first Lord of the admiralty, and Montagu, chancellor of the exchequer. Somers was an upright judge, a plausible statesman, a consummate courtier, affable, mild, and insinuating. Orford appears to have been rough, turbulent, factious, and shallow. Montagu had distinguished himself early by his

poetical genius; but he soon converted his attention to the cultivation of more solid talents. He rendered himself remarkable for his eloquence, discernment, and knowledge of the English constitution. To a delicate taste, he united an eager appetite for political studies. The first catered for the enjoyments of fancy; the other was subservient to his ambition. He, at the same time, was the distinguished encourager of the liberal arts, and the professed patron of projectors. In his private deportment he was liberal, easy, and entertaining: as a statesman, bold, dogmatical, and aspiring.

§ III. The terrors of a standing army had produced such a universal ferment in the nation, that the dependents of the court in the House of Commons durst not openly oppose the reduction of the forces; but they shifted the battery, and employed all their address in persuading the House to agree, that a very small number should be retained. When the Commons voted, That all the forces raised since the year one thousand six hundred and eighty should be disbanded, the courtiers desired the vote might be recommitted, on pretence that it restrained the king to the old toy regiments, on whose fidelity he could not rely. This motion, however, was overruled by a considerable majority. Then they proposed an amendment, which was rejected, and afterwards moved, That the sum of five hundred thousand pounds per annum should be granted for the maintenance of guards and garrisons. This provision would have maintained a very considerable number; but they were again disappointed, and fain to embrace a composition with the other party, by which three hundred and fifty thousand pounds were allotted for the maintenance of ten thousand men; and they afterwards obtained an addition of three thousand marines. The king was extremely mortified at these resolutions of the Commons: and even declared to his particular friends, that he would never have intermeddled with the affairs of the nation, had he foreseen they would make such returns of ingratitude and distrust. His displeasure was aggravated by the resentment expressed against Sunderland, who was supposed to have advised the unpopular measure of retaining a standing army. This nobleman, dreading the vengeance of the Commons, resolved to avert the fury of the impending storm, by resigning his office, and retiring from court, contrary to the entreaties of his friends, and the earnest desire of his majesty.

§ IV. The House of Commons, in order to sweeten the unpalatable cup they had presented to the king, voted the sum of seven hundred thousand pounds per annum for the support of the civil list, distinct from all other services. Then they passed an act prohibiting the currency of silver hammered coin, including a clause for making out new exchequer bills, in lieu of those which were or might be filled up with indorsements: they framed another to open the correspondence with France, under a variety of provisos: a third for continuing the imprisonment of certain persons who had been concerned in the late conspiracy: a fourth granted further time for administering oaths with respect to tallies and orders in the exchequer and bank of England. These bills having received the royal assent, they resolved to grant a supply, which, together with the funds already settled for that purpose, should be sufficient to answer and cancel all exchequer bills, to the amount of two millions seven hundred thousand pounds. Another supply was voted for the payment and reduction of the army, including half-pay to such commissioned officers as were natural-born subjects of England. They granted one million four hundred thousand pounds, to make good deficiencies. They resolved, that the sum of two millions three hundred and forty-eight thousand one hundred and two pounds was necessary to pay off arrears, subsistence, contingencies, general officers, guards, and garrisons; of which sum eight hundred and fifty-five thousand five hundred and two pounds remained in the hands of the paymaster. Then they took into consideration the subsidies due to foreign powers, and the sums owing to contractors for bread and forage. Examining further the debts of the nation, they found the general debt of the navy amounted to one million three hundred and ninety-two thousand seven hundred and forty-two pounds. That of the ordnance was equal to two hundred and four thousand one

hundred and fifty-seven pounds. The transport debt contracted for the reduction of Ireland, and other services, did not fall short of four hundred and sixty-six thousand four hundred and ninety-three pounds; and they owed nine-and-forty thousand nine hundred and twenty-nine pounds, for quartering and clothing the army, which had been raised by one act of parliament in the year 1677, and disbanded by another in the year 1679. As this enormous load of debt could not be discharged at once, the Commons passed a number of votes for raising sums of money by which it was considerably lightened; and settled the funds for those purposes by the continuation of the land-tax, and other impositions. With respect to the civil list, it was raised by a new subsidy of tonnage and poundage, the hereditary and temporary excise, a weekly portion from the revenue of the post office, the first-fruits and tenths of the clergy, the fines in the alienation office, and post fines, the revenue of the wine licence, money arising by sheriffs, proffers, and compositions in the exchequer, and seizures, the income of the duchy of Cornwall, the rents of all other crown lands in England or Wales, and the duty of four and a half per cent. upon specie from Barbadoes and the Leeward Islands. The bill imported, That the overplus arising from these funds should be accounted for to parliament. Six hundred thousand pounds of this money was allotted for the purposes of the civil list; the rest was granted for the jointure of fifty thousand pounds per annum, to be paid to Queen Mary d'Esté, according to the stipulation at Ryswick; and to maintain a court for the Duke of Gloucester, son of the Princess Anne of Denmark, now in the ninth year of his age; but the jointure was never paid; nor would the king allow above fifteen thousand pounds per annum for the use of the Duke of Gloucester, to whom Burnet, Bishop of Salisbury, was appointed preceptor.

§ V. The Commons having discussed the ways and means for raising the supplies of the ensuing year, which rose almost to five millions, took cognizance of some fraudulent endorsements of exchequer bills, a species of forgery which had been practised by a confederacy, consisting of Charles Duncomb, receiver-general of the excise, Bartholomew Burton, who possessed a place in that branch of the revenue, John Knight, treasurer of the customs, and Reginald Marriot, a deputy-teller of the exchequer. This last became evidence, and the proof turning out very strong and full, the House resolved to make examples of the delinquents. Duncomb and Knight, both members of parliament, were expelled, and committed to the Tower:

Burnet, Kennet, Burton was sent to Newgate: and bills of pains and penalties were ordered to be brought in against them. The first, levelled at Duncomb, passed the lower House, though not without great opposition: but was rejected in the House of Lords by the majority of one voice. Duncomb, who was extremely rich, is said to have paid dear for his escape. The other two bills met with the same fate. The Peers discharged Duncomb from his confinement: but he was recommitted by the Commons, and remained in custody till the end of the session. While the Commons were employed on ways and means, some of the members in the opposition proposed, that one fourth part of the money arising from improper grants of the crown should be appropriated to the service of the public, but this was a very unpalatable expedient, as it affected not only the whigs of King William's reign, but also the Tories who had been gratified by Charles II. and his brother. A great number of petitions were presented against this measure, and so many difficulties raised, that both parties agreed to lay it aside. In the course of this inquiry, they discovered that one Ralston had a grant in trust for Mr. Montagu, chancellor of the exchequer. A motion was immediately made that he should withdraw; but passed in the negative by a great majority. Far from prosecuting this minister, the House voted it was their opinion, That Mr. Montagu, for his good services to the government, did deserve his majesty's favour.

§ VI. This extraordinary vote was a sure presage of success in the execution of a scheme which Montagu had concerted against the East India company. They had been sounded about advancing a sum of money for the public service, by way of loan in

consideration of a parliamentary settlement; and they offered to raise seven hundred thousand pounds on that condition: but before they formed this resolution, another body of merchants, under the auspices of Montagu, offered to lend two millions at eight per cent. provided they might be gratified with an exclusive privilege of trading to the East Indies. This proposal was very well received by the majority in the House of Commons. A bill for this purpose was brought in, with additional clauses of regulation. A petition was presented by the old company, representing their rights and claims under so many royal charters; the regard due to the property of above a thousand families interested in the stock, as also to the company's property in India, amounting to forty-four thousand pounds of yearly revenue. They alleged they had expended a million in fortifications: that during the war they had lost twelve great ships, worth fifteen hundred thousand pounds: that since the last subscription they had contributed two hundred and ninety-five thousand pounds to the customs, with above eighty-five thousand pounds in taxes: that they had furnished six thousand barrels of gunpowder on a very pressing occasion; and eighty thousand pounds for the circulation of exchequer-bills, at a very critical juncture, by desire of the lords of the treasury, who owned that their compliance was a very important service to the government. No regard being paid to their remonstrances, they undertook to raise the loan of two millions, and immediately subscribed two hundred thousand pounds as the first payment. The two proposals being compared and considered by the House, the majority declared for the bill, which was passed, and sent up to the House of Lords. There the old company delivered another petition, and was heard by counsel; nevertheless, the bill made its way though not without opposition, and a formal protestation by one-and-twenty lords, who thought it was a hardship upon the present company; and doubted whether the separate trade allowed in the bill, concurrent with a joint stock, might not prove such an inconsistency as would discourage the subscription. This act, by which the old company was dissolved, in a great measure blasted the reputation of the whigs, which had for some time been on the decline with the people. They had stood up as advocates for a standing army; they now unjustly superseded the East India company; they were accused of having robbed the public by embezzling the national treasure, and amassing wealth by usurious contracts, at the expense of their fellow-subjects, groaning under the most oppressive burthens. Certain it is, they were at this period the most mercenary and corrupt undertakers that ever had been employed by any king or administration since the first establishment of the English monarchy.

§ VII. The Commons now transferred their attention to certain objects in which the people of Ireland were interested. Colonel Michelborne, who had been joint governor of Londonderry with Dr. Walker, during the siege of that place, petitioned the House in behalf of himself, his officers, and soldiers, to whom a considerable sum of money was due for subsistence; and the city itself implored the mediation of the Commons with his majesty, that its services and sufferings might be taken into consideration. The House having examined the allegations contained in both petitions, presented an address to the king, recommending the citizens of Londonderry to his majesty's favour: that they might no longer remain a ruinous spectacle to all, a scorn to their enemies, and a discouragement to well-affected subjects: they likewise declared, that the governor and garrison did deserve some special marks of royal favour, for a lasting monument to posterity. To this address the king replied, that he would consider them according to the desire of the Commons. William Molineux, a gentleman of Dublin, having published a book to prove that the kingdom of Ireland was independent of the parliament of England, the House appointed a committee to inquire into the cause and nature of this performance. An address was voted to the king, desiring he would give directions for the discovery and punishment of the author. Upon the report of the committee, the Commons in a body presented an address to his majesty, representing the dangerous attempts which had been lately made by some of his subjects in Ireland, to shake off their subjection and

dependence upon England: attempts which appeared not only from the bold and pernicious assertions contained in a book lately published, but more fully and authentically by some votes and proceedings of the Commons in Ireland. These had, during their last session, transmitted an act for the better security of his majesty's person and government, whereby an English act of parliament was pretended to be re-enacted, with alterations obligatory on the courts of justice and the great seal of England. The English Commons, therefore, besought his majesty to give effectual orders for preventing any such encroachments for the future, and the pernicious consequences of what was past, by punishing those who had been guilty thereof: that he would take care to see the laws which direct and restrain the parliament of Ireland punctually observed, and discourage every thing which might have a tendency to lessen the dependence of Ireland upon England. This remonstrance was graciously received, and the king promised to comply with their request.

§ VIII. The jealousy which the Commons entertained of the government in Ireland, animated them to take other measures, that ascertained the subjection of that kingdom. Understanding that the Irish had established divers woollen manufactories, they, in another address, entreated his majesty to take measures for discouraging the woollen manufactories in Ireland, as they interfered with those of England, and promote the linen manufacture, which would be profitable to both nations. At the same time, receiving information that the French had seduced some English manufacturers, and set up a great work for cloth-making in Picardy, they brought in a bill for explaining and better executing former acts for preventing the exportation of wool, fullers-earth, and scouring clay; and this was immediately passed into a law. A petition being presented to the House, by the lusting company, against certain merchants who had smuggled alamodes and lustrings from France, even during the war, the committee of trade was directed to inquire into the allegations; and all the secrets of this traffic were detected. Upon the report the House resolved, that the manufactures of alamodes and lustrings set up in England had been beneficial to the kingdom: that there had been a destructive and illegal trade carried on during the war, for importing these commodities, by which the king had been defrauded of his customs, and the English manufacturers greatly discouraged: that, by the smuggling vessels employed in this trade, intelligence had been carried into France during the war, and the enemies of the government conveyed from justice. Stephen Seignoret, Rhene, Baudoin, John Goodet, Nicholas Santini, Peter de Hearse, John Pierce, John Dumaitre, and David Barreau, were impeached at the bar of the House of Lords; and pleading guilty, the Lords imposed fines upon them, according to their respective circumstances. They were in the mean time committed to Newgate, until those fines should be paid: and the Commons addressed the king, that the money might be appropriated to the maintenance of Greenwich hospital. The House having taken cognizance of this affair, and made some new regulations in the prosecution of the African trade, presented a solemn address to the king, representing the general degeneracy and corruption of the age, and beseeching his majesty to command all his judges, justices, and magistrates, to put the laws in execution against profaneness and immorality. The king professed himself extremely well pleased with this remonstrance, promised to give immediate directions for a reformation, and expressed his desire that some more effectual provision might be made for suppressing impious books, containing doctrines against the Trinity; doctrines which abounded at this period, and took their origin from the licentiousness and profligacy of the times.

§ IX. In the midst of such immorality, Dr. Thomas Bray, an active divine, formed a plan for propagating the gospel in foreign countries. Missionaries, catechisms, liturgies, and other books for the instruction of ignorant people, were sent to the English colonies in America. This laudable design was supported by voluntary contribution; and the bill having been brought into the House of

Commons, for the better discovery of estates given to superstitious uses, Dr. Bray presented a petition, praying, that some part of these estates might be set apart for the propagation of the reformed religion in Maryland, Virginia, and the Leeward Islands. About this period, a society for the reformation of manners was formed under the king's countenance and encouragement. Considerable collections were made for maintaining clergymen to read prayers at certain hours in places of public worship, and administer the sacrament every Sunday. The members of this society resolved to inform the magistrates of all vice and immorality that should fall under their cognizance; and with that part of the fines allowed by law to the informer constitute a fund of charity. The business of the session being terminated, the king, on the third day of July, prorogued the parliament, after having thanked them, in a short speech, for the many testimonies of their affection he had received: and in two days after the prorogation it was dissolved.<sup>a</sup>

§ X. In the month of January, the Earl of Portland had set out on his embassy to France, where he was received with very particular marks of distinction. He made a public entry into Paris with such magnificence, as is said to have astonished the French nation. He interceded for the protestants in that kingdom, against whom the persecution had been renewed with redoubled violence; he proposed that King James should be removed to Avignon, in which case his master would supply him with an honourable pension: but his remonstrances on both subjects proved ineffectual. Louis, however, in a private conference with him at Marli, is supposed to have communicated his project of the partition treaty. The Earl of Portland, at his return to England, finding himself totally eclipsed in the king's favour, by Keppel, now created Earl of Albemarle, resigned his employments in disgust; nor could the king's solicitations prevail upon him to resume any office in the household; though he promised to serve his majesty in any other shape, and was soon employed to negotiate the treaty of partition. If this nobleman miscarried in the purposes of his last embassy at the court of Versailles, the agents of France were equally unsuccessful in their endeavours to retrieve their commerce with England, which the war had interrupted. Their commissary, sent over to London with powers to regulate the trade between the two nations, met with insuperable difficulties. The parliament had burdened the French commodities with heavy duties which were already appropriated to different uses; and the channel of trade was in many respects entirely altered. The English merchants supplied the nation with wines from Italy, Spain, and Portugal; with linen from Holland and Silesia: and manufactures of paper, hats, stuffs, and silks, had been set up and successfully carried on in England, by the French refugees.

§ XI. By this time a ferment had been raised in Scotland, by the opposition and discouragements their new company had sustained. They had employed agents in England, Holland, and Hamburg, to receive subscriptions. The adventurers in England were intimidated by the measures which had been taken in parliament against the Scottish company. The Dutch East India company took the alarm, and exerted all their interest to prevent their countrymen from subscribing; and the king permitted his resident at Hamburg to present a memorial against the Scottish company to the senate of that city. The parliament of Scotland being assembled by the Earl of Marchmont as king's commissioner, the company presented it with a remonstrance, containing a detail of their grievances, arising from the conduct of the English House of Commons, as well as from the memorial presented by the king's minister at Hamburg, in which he actually disowned the act of parliament and letters patent which had passed in their favour, and threatened the inhabitants of that city with his majesty's resentment, in case they should join the Scots in their undertaking. They represented, that such instances of interposition had put a stop to the subscriptions in England and Hamburg, hurt the credit of the company, discouraged the adventurers, and

<sup>a</sup> On the fifth day of January, a fire breaking out at Whitehall, through the carelessness of a laundress, the whole body of the palace, together with

the new gallery, council-chamber, and several adjoining apartments, were entirely consumed, but the banqueting-house was not affected.



threatened the entire ruin of a design, in which all the most considerable families of the nation were deeply engaged. The parliament having taken their case into consideration, sent an address to his majesty, representing the hardships to which the company had been exposed, explaining how far the nation in general was concerned in the design, and entreating that he would take such measures as might effectually vindicate the undoubted rights and privileges of the company. This address was seconded by a petition from the company itself, praying that his majesty would give some intimation to the senate of Hamburgh, permitting the inhabitants of that city to renew the subscriptions they had withdrawn: that, as a gracious mark of his royal favour to the company, he would bestow upon them two small frigates, then lying useless in the harbour of Burntisland; and that, in consideration of the obstructions they had encountered, he would continue their privileges and immunities for such longer time as should seem reasonable to his majesty. Though the commissioner was wholly devoted to the king, who had actually resolved to ruin this company, he could not appease the resentment of the nation; and the heats in parliament became so violent, that he was obliged to adjourn it to the fifth day of November. In this interval, the directors of the company, understanding from their agent at Hamburgh, that the address of the parliament, and their own petition, had produced no effect in their favour; they wrote a letter of complaint to the Lord Seafield, secretary of state, observing, that they had received repeated assurances of the king's having given orders to his resident at Hamburgh touching their memorial; and entreating the interposition of his lordship, that justice might be done to the company. The secretary, in his answer, promised to take the first convenient opportunity of representing the affair to his majesty; but he said this could not be immediately expected, as the king was much engaged in the affairs of the English parliament. This declaration the directors considered, as it really was, a mere evasion, which helped to alienate the minds of that people from the king's person and government.

§ XII. King William at this time revolved in his own mind a project of far greater consequence to the interest of Europe; namely, that of settling the succession to the throne of Spain, which in a little time would be vacated by the death of Charles II. whose constitution was already exhausted. He had been lately reduced to extremity, and his situation was no sooner known in France, than Louis detached a squadron towards Cadiz, with orders to intercept the Plate-fleet, in case the King of Spain should die before its arrival. William sent another fleet to protect the galleons; but it arrived too late for that service, and the nation loudly exclaimed against the tardiness of the equipment. His catholic majesty recovered from his disorder, contrary to the expectation of his people: but continued in such an enfeebled and precarious state of health, that a relapse was every moment apprehended. In the latter end of July, King William embarked for Holland, on pretence of enjoying a recess from business, which was necessary to his constitution. He was glad of an opportunity to withdraw himself for some time from a kingdom in which he had been exposed to such opposition and chagrin. But the real motive of his voyage was a design of treating with the French king, remote from the observation of those who might have penetrated into the nature of his negotiation. He had appointed a regency to govern the kingdom in his absence, and, as one of the number, nominated the Earl of Marlborough, who had regained his favour, and been constituted governor of the Duke of Gloucester. At his majesty's departure, sealed orders were left with the ministry, directing, that sixteen thousand men should be retained in the service, notwithstanding the vote of the Commons, by which the standing army was limited to ten thousand. He alleged, that the apprehension of troubles which might arise at the death of King Charles, induced him to transgress this limitation; and he hoped that the new parliament would be more favourable. His enemies, however, made a fresh handle of this step, to depreciate his character in the eyes of the people.

§ XIII. Having assisted at the assembly of the States-

general, and given audience to divers ambassadors at the Hague, he repaired to his house at Loo, attended by the Earls of Essex, Portland, and Selkirk. There he was visited by Count Tallard, the French minister, who had instructions to negotiate the treaty concerning the Spanish succession. The Earl of Portland, by his majesty's order, had communicated to Secretary Vernon the principal conditions which the French king proposed: he himself wrote a letter to Lord Chancellor Somers, desiring his advice with regard to the propositions, and full powers under the great seal, with blanks to be filled up occasionally, that he might immediately begin the treaty with Count Tallard. At the same time, he strictly enjoined secrecy. The purport of Portland's letter was imparted to the Duke of Shrewsbury and Mr. Montagu, who consulted with the chancellor and Vernon upon the subject: and the chancellor wrote an answer to the king, as the issue of their joint deliberation: but, before it reached his majesty, the first treaty of partition was signed by the Earl of Portland and Sir Joseph Williamson. The contracting powers agreed, That, in case the King of Spain should die without issue, the kingdom of Naples and Sicily, with the places depending on the Spanish monarchy, and situated on the coast of Tuscany, or the adjacent islands, the marquise of Final, the province of Guipuscoa, all places on the French side of the Pyrennees, or the other mountains of Navarre, Alva, or Biscay, on the other side of the province of Guipuscoa, with all the ships, vessels, and stores, should devolve upon the dauphin, in consideration of his right to the crown of Spain, which, with all its other dependences, should descend to the Electoral Prince of Bavaria, under the guardianship of his father: that the duchy of Milan should be settled on the emperor's second son, the Archduke Charles: that this treaty should be communicated to the emperor and the Elector of Bavaria by the King of England and the States-general: that if either should refuse to agree to this partition, his proportion should remain in sequestration, until the dispute could be accommodated: that in case the Electoral Prince of Bavaria should die before his father, then the elector and his other heirs should succeed him in those dominions: and, should the archduke reject the duchy of Milan, they agreed that it should be sequestered, and governed by the Prince of Vaudemont. It may be necessary to observe, that Philip IV. father to the present King of Spain, had settled his crown by will on the emperor's children: that the dauphin was son to Maria-Theresa, daughter of the same monarch, whose right to the succession Louis had renounced in the most solemn manner: as for the Electoral Prince of Bavaria, he was grandson to a daughter of Spain. This treaty of partition was one of the most impudent schemes of encroachment that tyranny and injustice ever planned. Louis, who had made a practice of sacrificing all ties of honour and good faith to the interest of his pride, vanity, and ambition, foresaw that he should never be able to accomplish his designs upon the crown of Spain, while William was left at liberty to form another confederacy against them. He therefore resolved to amuse him with a treaty, in which he should seem to act as umpire in the concerns of Europe. He knew that William was too much of a politician to be restricted by notions of private justice; and that he would make no scruple to infringe the laws of particular countries, or even the rights of a single nation, when the balance of power was at stake. He judged right in this particular. The King of England lent a willing ear to his proposals, and engaged in a plan for dismembering a kingdom, in despite of the natives, and in violation of every law human or divine.

§ XIV. While the French king cajoled William with this negotiation, the Marquis d'Harcourt, his ambassador to Spain, was engaged in a game of a different nature at Madrid. The Queen of Spain, suspecting the designs of France, exerted all her interest in behalf of the King of the Romans, to whom she was nearly related. She remodelled the council, bestowed the government of Milan on Prince Vaudemont, and established the Prince of Hesse d'Armstadt as viceroy of Catalonia. Notwithstanding all her efforts, she could not prevent the French minister from acquiring some influence in the Spanish

councils. He was instructed to procure the succession of the crown for one of the dauphin's sons, or at least to hinder it from devolving upon the emperor's children. With a view to give weight to his negotiations, the French king ordered an army of sixty thousand men to advance towards the frontiers of Catalonia and Navarre, while a great number of ships and galleys cruised along the coast and entered the harbours of Spain. Harcourt immediately began to form his party; he represented that Philip IV. had no power to dispose of his crown against the laws of nature and the constitution of the realm: that, by the order of succession, the crown ought to descend to the children of his daughter, in preference to more distant relations: that, if the Spaniards would declare in favour of the dauphin's second son, the Duke of Anjou, they might train him up in the manners and customs of their country. When he found them averse to this proposal, he assured them his master would approve of the Electoral Prince of Bavaria, rather than consent to the succession's devolving upon a son of the emperor. Nay, he hinted, that if they would choose a sovereign among themselves, they might depend upon the protection of his most christian majesty, who had no other view than that of preventing the house of Austria from becoming too formidable to the liberties of Europe. The Queen of Spain, having discovered the intrigues of this minister, conveyed the king to Toledo, on pretence that the air of Madrid was prejudicial to his health. Harcourt immediately took the alarm. He supposed her intention was to prevail upon her husband, in his solitude, to confirm the last will of his father; and his doubts were all removed, when he understood that the Count de Harach, the imperial ambassador, had privately repaired to Toledo. He forthwith took the same road, pretending to have received a memorial from his master, with a positive order to deliver it into the king's own hand. He was given to understand, that the management of foreign affairs had been left to the care of Cardinal Corduba at Madrid, and that the king's health would not permit him to attend business. The purport of the memorial was, an offer of French force to assist in raising the siege of Ceuta in Barbary, which the Moors had lately undertaken: but this offer was civilly declined. Harcourt, not yet discouraged, redoubled his efforts at Madrid, and found means to engage Cardinal Portocarrero in the interests of his master. In the mean time Louis concluded an alliance with Sweden, under the pretext of preserving and securing the common peace, by such means as should be adjudged most proper and convenient. During these transactions, King William was not wanting in his endeavours to terminate the war in Hungary, which had raged fifteen years without intermission. About the middle of August, Lord Paget and Mr. Colliers, ambassadors from England and Holland, arrived in the Turkish camp near Belgrade; and a conference being opened under their mediation, the peace of Carlowitz was signed on the twenty-sixth day of January. By this treaty, the emperor remained in possession of all his conquests: Caminick was restored to the Poles: all the Morea, with several fortresses in Dalmatia, were ceded to the Venetians; and the Czar of Muscovy retained Azoph during a truce of two years; so that the Turks, by this pacification, lost great part of their European dominions. The cardinal primate of Poland, who had strenuously adhered to the Prince of Conti, was prevailed upon to acknowledge Augustus: and the commotions in Lithuania being appeased, peace was established through all Christendom.

§ XV. In the beginning of December the king arrived in England, where a new parliament had been chosen, and prorogued on account of his majesty's absence, which was prolonged by contrary winds and tempestuous weather. His ministry had been at very little pains to influence the elections, which generally fell upon men of revolution principles, though they do not seem to have been much devoted to the person of their sovereign: yet their choice of Sir Thomas Lyttleton for speaker seemed to presage a session favourable to the ministry. The two Houses being convened on the sixth day of December, the king in his speech observed, That the safety, honour, and happiness of the kingdom would in a great measure depend upon the strength which they should think proper to maintain by

sea and land. He desired they would make some further progress in discharging the national debt; contrive effectual expedients for employing the poor; pass good bills for the advancement of trade, and the discouragement of profaneness: and act with unanimity and despatch. The Commons of this new parliament were so irritated at the king's presuming to maintain a greater number of troops than their predecessors had voted, that they resolved he should feel the weight of their displeasure. They omitted the common compliment of an address: they resolved that all the forces of England, in English pay, exceeding seven thousand men, should be forthwith disbanded; and also those in Ireland, exceeding twelve thousand; and that those retained should be his majesty's natural-born subjects. A bill was brought in on these resolutions, and prosecuted with peculiar eagerness, to the unspeakable mortification of King William, who was not only extremely sensible of the affront, but also particularly chagrined to see himself disabled from maintaining his Dutch guards, and the regiments of French refugees, to which he was uncommonly attached. Before the meeting of the parliament, the ministry gave him to understand, that they should be able to procure a vote for ten or twelve thousand; but they would not undertake for a greater number. He professed himself dissatisfied with the proposal, observing, that they might as well disband the whole as leave so few. The ministers would not run the risk of losing all their credit, by proposing a greater number; and, having received no directions on this subject, sat silent when it was debated in the House of Commons.

§ XVI. Such was the indignation of William, kindled by this conduct of his ministry and his parliament, that he threatened to abandon the government; and had actually penned a speech to be pronounced to both Houses on that occasion: but he was diverted from this purpose by his ministry and confidants, and resolved to pass the bill by which he had been so much offended. Accordingly, when it was ready for the royal assent, he went to the House of Peers, where having sent for the Commons, he told them, that although he might think himself unkindly used, in being deprived of his guards, which had constantly attended him in all his actions; yet, as he believed nothing could be more fatal to the nation than any distrust or jealousy between him and his parliament, he was come to pass the bill, according to their desire. At the same time, for his own justification, and in discharge of the trust reposed in him, he declared, that in his own judgment the nation was left too much exposed; and that it was incumbent upon them to provide such a strength as might be necessary for the safety of the kingdom. They thanked him, in an address, for this undeniable proof of his readiness to comply with the desires of his parliament. They assured him, he should never have reason to think the Commons were ungrateful or unkind: for they would, on all occasions, stand by and assist him in the preservation of his sacred person, and in the support of his government, against all his enemies whatsoever. The Lords presented an address to the same effect; and the king assured both Houses, he entertained no doubts of their loyalty and affection. He forthwith issued orders for reducing the army to the number of seven thousand men, to be maintained in England under the name of guards and garrisons; and, hoping the hearts of the Commons were now mollified, he made another effort in favour of his Dutch guards, whom he could not dismiss without the most sensible regret. Lord Ranelagh was sent with a written message to the Commons, giving them to understand, that the necessary preparations were made for transporting the guards who came with him into England, and that they should embark immediately, unless out of consideration to him, the House should be disposed to find a way for continuing them longer in the service; a favour which his majesty would take very kindly. The Commons, instead of complying with his inclination, presented an address, in which they professed unspeakable grief, that he should propose any thing to which they could not consent with due regard to the constitution, which he had come over to restore, and so often hazarded his royal person to preserve. They reminded him of the declaration, in which he had promised that all the foreign forces should be sent out of the kingdom. They observed, that nothing

conducted more to the happiness and welfare of the nation, than an entire confidence between the king and people, which could no way be so firmly established as by intrusting his sacred person with his own subjects, who had so eminently signalized themselves during the late long and expensive war. They received a soothing answer to this address, but remained firm to their purpose, in which the king was fain to acquiesce; and the Dutch guards were transported to Holland. At a time when they declared themselves so well pleased with their deliverer, such an opposition, in an affair of very little consequence, savoured more of clownish obstinacy than of patriotism. In the midst of all their professions of regard, they entertained a national prejudice against himself, and all the foreigners in his service. Even in the House of Commons his person was treated with great disrespect in virulent insinuations. They suggested that he neither loved nor trusted the English nation: that he treated the natives with the most disagreeable reserve; and chose his confidants from the number of strangers that surrounded him: that, after every session of parliament, he retired from the kingdom, to enjoy an indolent and inglorious privacy with a few favourites. These suggestions were certainly true. He was extremely disgusted with the English, whom he considered as malicious, ignorant, and ungrateful, and he took no pains to disguise his sentiments.

§ XVII. The Commons having effected a dissolution of the army, voted fifteen thousand seamen, and a proportionable fleet, for the security of the kingdom: they granted one million four hundred and eighty-four thousand fifteen pounds, for the services of the year, to be raised by a tax of three shillings in the pound upon lands, personal estates, pensions, and offices. A great number of priests and Roman catholics, who had been frightened away by the revolution, were now encouraged, by the treaty of Ryswick, to return, and appeared in all public places of London and Westminster, with remarkable effrontery. The enemies of the government whispered about, that the treaty contained a secret article in favour of those who professed that religion; and some did not even scruple to insinuate, that William was a papist in his heart. The Commons, alarmed at the number and insolence of those religionists, desired the king, in an address, to remove by proclamation all papists and non-jurors from the city of London and parts adjacent, and put the laws in execution against them, that the wicked designs they were always hatching might be effectually disappointed. The king gratified them in their request of a proclamation, which was not much regarded: but a remarkable law was enacted against papists in the course of the ensuing session. The old East India company, about this period, petitioned the lower House, to make some provision that their corporation might subsist for the residue of the term of twenty-one years, granted by his majesty's charter: that the payment of the five pounds per cent. by the late act for settling the trade to the East-Indies, might be settled and adjusted in such a manner, as not to remain a burden on the petitioners; and that such further considerations might be had for their relief, and for the preservation of the East India trade, as should be thought reasonable. A bill was brought in upon the subject of this petition; but rejected at the second reading.

Discontents had risen to such a height, that some members began to assert, they were not bound to maintain the votes and credit of the former parliament; and upon this maxim would have contributed their interest towards a repeal of the act made in favour of the new company; but such a scheme was of too dangerous consequence to the public credit, to be carried into execution.

§ XVIII. That spirit of peevishness which could not be gratified with this sacrifice, produced an inquiry into the management of naval affairs, which was aimed at the Earl of Orford, a nobleman whose power gave umbrage,

and whose wealth excited envy. He officiated both as treasurer of the navy, and lord commissioner of the admiralty, and seemed to have forgot the sphere from which he had risen to title and office. The Commons A. D. 1699. drew up an address, complaining of some A. D. 1699. unimportant articles of mismanagement in the conduct of the navy; and the earl was wise enough to avoid further prosecution, by resigning his employments. On the fourth day of May the king closed the session, with a short speech, hinting dissatisfaction at their having neglected to consider some points which he had recommended to their attention; and the parliament was prorogued to the first of June.<sup>b</sup> In a little time after this prorogation, his majesty appointed a regency;<sup>c</sup> and on the second day of June embarked for Holland.

§ XIX. In Ireland nothing of moment was transacted. The parliament of that kingdom passed an act for raising one hundred and twenty thousand pounds on lands, tenements, and hereditaments, to defray the expense of maintaining twelve thousand men, who had been voted by the Commons of England, when the assembly was prorogued. A new commission afterwards arrived at Dublin, constituting the Duke of Bolton, the Earls of Berkeley and Galway, lords-justices of Ireland. The clamour in Scotland increased against the ministry, who had disowned their company, and in a great measure defeated the design from which they had promised themselves such heaps of treasure. Notwithstanding the discouragements to which their company had been exposed, they fitted out two of four large ships which had been built at Hamburg for their service. These were laden with a cargo for traffic, with some artillery and military stores; and the adventurers embarking, to the number of twelve hundred, they sailed from the frith of Edinburgh, with some tenders, on the seventeenth day of July in the preceding year. At Madeira they took in a supply of wine, and then steered to Crab-Island in the neighbourhood of St. Thomas, lying between Santa-Cruz and Porto-Rico. Their design was to take possession of this little island; but, when they entered the road, they saw a large tent pitched upon the strand, and the Danish colours flying. Finding themselves anticipated in this quarter, they directed their course to the coast of Darien, where they treated with the natives for the establishment of their colony, and taking possession of the ground, to which they gave the name of Caledonia, began to execute their plan of erecting a town under the appellation of New Edinburgh, by the direction of their council, consisting of Paterson the projector, and six other directors. They had no sooner completed their settlement, than they wrote a letter to the king, containing a detail of their proceedings. They pretended they had received undoubted intelligence that the French intended to make a settlement on that coast; and that their colony would be the means of preventing the evil consequences which might arise to his majesty's kingdom and dominions from the execution of such a scheme. They acknowledged his goodness in granting those privileges by which their company was established; they implored the continuance of his royal favour and protection, as they had punctually adhered to the conditions of the act of parliament, and the patent they had obtained.

§ XX. By this time, however, the king was resolved to crush them effectually. He understood that the greater part of their provisions had been consumed before they set sail from Scotland, and foresaw that they must be reduced to a starving condition, if not supplied from the English colonies. That they might be debarred of all such assistance, he sent orders to the governors of Jamaica, and the other English settlements in America, to issue proclamations, prohibiting, under the severest penalties, all his majesty's subjects from holding any correspondence with the Scottish colony, or assisting it in any shape, with arms, ammunition, or provision: on pretence that they had not communicated their design to his majesty, but had peo-

<sup>b</sup> About the latter end of March the Earl of Warwick, and Lord Mohun, were tried by the peers in Westminster hall for the murder of Captain Richard Coote, who had been killed in a midnight combat of three on each side. Warwick was found guilty of manslaughter, and Mohun acquitted.

<sup>c</sup> Villiers, Earl of Jersey, who had been sent ambassador to France, was appointed secretary of state, in the room of the Duke of Shrewsbury. This nobleman was created lord chamberlain: the Earl of Manchester

was sent ambassador extraordinary to France: the Earl of Pembroke was declared lord president of the council; and Lord Viscount Tondale keeper of the privy seal.

<sup>d</sup> Consisting of the lord chancellor, the lord president, the lord privy seal, the lord steward of the household, the Earl of Bridgewater, first commissioner of the admiralty, the Earl of Malborough, the Earl of Jersey, and Mr. Montagu.



pled Darien, in violation of the peace subsisting between him and his allies. Their colony was, doubtless, a very dangerous encroachment upon the Spaniards, as it would have commanded the passage between Porto-Bello and Panama, and divided the Spanish empire in America. The French king complained of the invasion, and offered to supply the court of Madrid with a fleet to dislodge the interlopers. Colonna, Marquis de Canales, the Spanish ambassador at the court of London, presented a memorial to King William, remonstrating against the settlement of this colony, as a mark of disregard, and a breach of the alliance between the two crowns; and declaring that his master would take proper measures against such hostilities. The Scots affirmed, that the natives of Darien were a free people, whom the Spaniards had in vain attempted to subdue: that, therefore, they had an original and incontrovertible right to dispose of their own lands, part of which the company had purchased for a valuable consideration. But there was another cause more powerful than the remonstrances of the Spanish court, to which this colony fell a sacrifice; and that was the jealousy of the English traders and planters. Darien was said to be a country abounding with gold, which would in a little time enrich the adventurers. The Scots were known to be an enterprising and pertinacious people; and their harbour near Golden Island was already declared a free port. The English apprehended that their planters would be allured into this new colony; by the double prospect of finding gold, and plundering the Spaniards: that the buccaners in particular would choose it as their chief residence: that the plantations of England would be deserted: that Darien would become another Algiers; and that the settlement would produce a rupture with Spain, in consequence of which the English effects in that kingdom would be confiscated. The Dutch, too, are said to have been jealous of a company, which in time might have proved their competitors in the illicit commerce to the Spanish main; and to have hardened the king's heart against the new settlers, whom he abandoned to their fate, notwithstanding the repeated petitions and remonstrances of their constituents. Famine compelled the first adventurers to quit the coast: a second recruit of men and provisions was sent thither from Scotland: but one of their ships, laden with provision, being burnt by accident, they likewise deserted the place: another reinforcement arrived, and being better provided than the two former, might have maintained their footing; but they were soon divided into factions that rendered all their schemes abortive. The Spaniards advanced against them; when, finding themselves incapable of withstanding the enemy, they solicited a capitulation, by virtue of which they were permitted to retire. Thus vanished all the golden dreams of the Scottish nation, which had engaged in this design with incredible eagerness, and even embarked a greater sum of money than ever they had advanced upon any other occasion. They were now not only disappointed in their expectations of wealth and affluence, but a great number of families were absolutely ruined by the miscarriage of the design, which they imputed solely to the conduct of King William. The whole kingdom of Scotland seemed to join in the clamour that was raised against their sovereign, taxed him with double dealing, inhumanity, and base ingratitude, to a people who had lavished their treasure and best blood in support of his government, and in the gratification of his ambition: and had their power been equal to their animosity, in all probability a rebellion would have ensued.

§ XXI. William, meanwhile, enjoyed himself at Loo, where he was visited by the Duke of Zell, with whom he had long cultivated an intimacy of friendship. During his residence in this place, the Earl of Portland and the grand pensionary of Holland frequently conferred with the French ambassador, Count Tallard, upon the subject of the Spanish succession. The first plan of the partition being defeated by the death of the young Prince of Bavaria, they found it necessary to concert another, and began a private negotiation for that purpose. The court of Spain, apprized of their intention, sent a written remonstrance to Mr. Stanhope, the English minister at Madrid, expressing their resentment at this unprecedented method of proceeding, and desiring that a stop might be put to those

intrigues, seeing the King of Spain would of himself take the necessary steps for preserving the public tranquillity, in case he should die without heirs of his body. A representation of the same kind was made to the ministers of France and Holland: the Marquis de Canales, the Spanish ambassador at London, delivered a memorial to the lords-justices, couched in the most virulent terms, against this transaction, and even appealing from the king to the parliament. This Spaniard was pleased with an opportunity to insult King William, who hated his person, and had forbid him the court, on account of his appearing covered in his majesty's presence. The regency had no sooner communicated this paper to the king, than he ordered the ambassador to quit the kingdom in eighteen days, and to remain within his own house till the time of his departure. He was likewise given to understand, that no writing would be received from him or any of his domestics. Mr. Stanhope was directed to complain at Madrid of the affront offered to his master, which he styled an insolent and saucy attempt to stir up sedition in the kingdom, by appealing to the people and parliament of England against his majesty. The court of Spain justified what their minister had done, and in their turn ordered Mr. Stanhope to leave their dominions. Don Bernardo de Quiros, the Spanish ambassador in Holland, prepared a memorial on the same subject, to the States-general; which, however, they refused to accept. These remonstrances did not interrupt the negotiation, in which Louis was so eager, that he complained of William, as if he had not employed his whole influence in prevailing upon the Dutch to signify their accession to the articles agreed upon by France and England: but his Britannic majesty found means to remove his jealousy.

§ XXII. About the middle of October, William returned to England, and conferred upon the Duke of Shrewsbury the office of chamberlain, vacant since the resignation of Sunderland. Mr. Montagu at the same period resigned his seat at the treasury-board, together with the chancellorship of the exchequer; either foreseeing uncommon difficulty in managing a House of Commons, after they had been dismissed in ill humour, or dreading the interest of his enemies, who might procure a vote that his two places were inconsistent. The king opened the session of parliament, on the sixteenth day of November, by a long speech, advising a further provision for the safety of the kingdom by sea and land, as well as the repairs of ships and fortifications; exhorting the Commons to make good the deficiencies of the funds, discharge the debts of the nation, and provide the necessary supplies. He recommended some good bill for the more effectual preventing and punishing unlawful and clandestine trading; and expressed a desire, that some method should be taken for employing the poor, which were become a burthen to the kingdom. He assured them, his resolutions were to countenance virtue and discourage vice: and that he would decline no difficulties and dangers, where the welfare and prosperity of the nation might be concerned. He concluded with these words: "Since then, our aims are only for the general good, let us act with confidence in one another; which will not fail, with God's blessing, to make me a happy king, and you a great and flourishing people."

—The Commons were now become wanton in their disgust. Though they had received no real provocation, they resolved to mortify him with their proceedings. They affected to put odious interpretations on the very harmless expression of, "Let us act with confidence in one another." Instead of an address of thanks, according to the usual custom, they presented a sullen remonstrance, complaining that a jealousy and disgust had been raised of their duty and affection; and desiring he would show marks of his high displeasure towards all persons who had presumed to misrepresent their proceedings to his majesty. He declared, in his answer, that no person had ever dared to misrepresent their proceedings, and, that if any should presume to impose upon him by such calumnies, he would treat them as his worst enemies.

§ XXIII. The House was not in a humour to be appeased with soothing promises and protestations: they determined to distress him, by prosecuting his ministers. During the war, the colonies of North America had grown

rich by piracy. One Kidd, the master of a sloop, undertook to suppress the pirates, provided the government would furnish him with a ship of thirty guns, well manned. The board of admiralty declaring that such a number of seamen could not be spared from the public service, Kidd was equipped by the private subscription of the lord chancellor, the Duke of Shrewsbury, the Earls of Romney, Orford, and Bellmont, Sir Edward Harrison, and Colonel Livingstone, of New York. The king promised to contribute one half of the expense, and reserved to himself one tenth of the profits; but he never advanced the money. Kidd, being thus equipped, and provided with a commission to act against the French, as well as to make war on certain pirates therein mentioned by name, set sail from Plymouth: but, in-tead of cruising on the coast of America, he directed his course to the East Indies, where he himself turned pirate, and took a rich ship belonging to the Moors. Having divided his booty with his crew, ninety of whom left him, in order to join other adventurers, he burned his own ship, and sailed with his prize to the West Indies. There he purchased a sloop, in which he steered from North America, leaving part of his men in the prize, to remain in one of the Leeward Islands, until they should receive further instructions. Arriving on the coast of New York, he sent one Emmet to make his peace with the Earl of Bellmont, the governor of that province, who inveigled him into a negotiation, in the course of which he was apprehended. Then his lordship sent an account of his proceedings to the secretary of state, desiring that he would send for the prisoners to England, as there was no law in that colony for punishing piracy with death, and the majority of the people favoured that practice. The admiralty, by order of the lords-justices, despatched the ship Rochester to bring home the prisoners and their effects; but, after having been tossed for some time with tempestuous weather, this vessel was obliged to return to Plymouth in a shattered condition. This incident furnished the malcontents with a colour to paint the ministry as the authors and abettors of a piratical expedition, which they wanted to screen from the cognizance of the public. The old East India company had complained to the regency of the capture made by Kidd in the East Indies, apprehending, as the vessel belonged to the Moors, they should be exposed to the resentment of the Mogul. In the beginning of December, this subject being brought abruptly into the House of Commons, a motion was made, That the letters patent granted to the Earl of Bellmont and others, of pirates' goods, were dishonourable to the king, against the laws of nations, contrary to the laws and statutes of the land, invasive of property, and destructive of trade and commerce. A warm debate ensued, in the course of which, some members declaimed with great bitterness against the chancellor and the Duke of Shrewsbury, as partners in a piratical scheme; but these imputations were refuted, and the motion was rejected by a great majority. Not but they might have justly stigmatized the expedition as a little mean adventure, in which those noblemen had embarked with a view to their own private advantage.

§ XXIV. While this affair was in agitation among the Commons, the attention of the upper House was employed upon the case of Dr. Watson, Bishop of St. David's. This prelate was supposed to have paid a valuable consideration for his bishopric: and, after his elevation, had sold the preferments in his gift, with a view of being reimbursed. He was accused of simony; and, after a solemn hearing before the Archbishop of Canterbury and six suffragans, convicted and deprived. Then he pleaded his privilege: so that the affair was brought into the House of Lords, who refused to own him as a peer after he had ceased to be a bishop. Thus disappointed, he had recourse to the court of delegates, by whom the archbishop's sentence was confirmed. The next effort that the Commons made, with a view of mortifying King William, was to raise a clamour against Dr. Burnet, Bishop of Sarum. He was re;resented in the House as a very unfit preceptor for the Duke of Gloucester, both as a Scottish man, and author of that pastoral letter which had been burned by order of the parliament, for asserting that William had a right to the crown from conquest. A motion

was made for addressing his majesty that this prelate might be dismissed from his employment, but rejected by a great majority. Burnet had acted with uncommon integrity in accepting the trust. He had declined the office which he was in a manner forced to accept. He had offered to resign his bishopric, thinking the employment of a tutor would interfere with the duty of a pastor. He insisted upon the duke's residence all the summer at Windsor, which is in the diocese of Sarum; and added to his private charities the whole income of his new office.

§ XXV. The circumstance on which the anti-courtiers built their chief hope of distressing or disgracing the government, was the inquiry into the Irish forfeitures which the king had distributed among his own dependants. The commissioners appointed by parliament to examine these particulars, were Annesley, Trenchard, Hamilton, Langford, the Earl of Drogheda, Sir Francis Brewster, and Sir Richard Leving. The first four were actuated by all the virulence of faction: the other three were secretly guided by ministerial influence. They began their inquiry in Ireland, and proceeded with such severity as seemed to flow rather from resentment to the court, than from a love of justice and abhorrence of corruption. They in particular scrutinized the grant of an estate which the king had made to Mrs. Villiers, now Countess of Orkney, so as to expose his majesty's partiality for that favourite, and subject him to an additional load of popular odium. In the course of their examination, the Earl of Drogheda, Leving, and Brewster, opposed the rest of the commissioners in divers articles of the report, which they refused to sign, and sent over a memorial to the House of Commons, explaining their reasons for dissenting from their colleagues. By this time, however, they were considered as hirelings of the court, and no regard was paid to their representations. The others delivered their report, declaring that a million and a half of money might be raised from the sale of the confiscated estates; and a bill was brought in for applying them to the use of the public. A motion being made to reserve a third part for the king's disposal, it was overruled: then the Commons passed an extraordinary vote, importing, that they would not receive any petition from any person whatsoever concerning the grants; and that they would consider the great services performed by the commissioners appointed to inquire into the forfeited estates. They resolved, That the four commissioners who had signed the report had acquitted themselves with understanding, courage, and integrity; and, That Sir Richard Leving, as author of groundless and scandalous aspersions cast upon his four colleagues, should be committed prisoner to the Tower. They afterwards came to the following resolution, which was presented to the king in form of an address: That the procuring and passing those grants had occasioned great debts upon the nation, and heavy taxes upon the people, and highly reflected upon the king's honour; and, That the officers and instruments concerned in the same had highly failed in the performance of their trust and duty. The king answered, That he was not only led by inclination, but thought himself obliged in justice to reward those who had served well in the reduction of Ireland, out of the estates forfeited to him by the rebellion in that kingdom. He observed, that as the long war had left the nation much in debt, their taking just and effectual ways for lessening that debt, and supporting public credit, was what, in his opinion, would best contribute to the honour, interest, and safety of the kingdom. This answer kindled a flame of indignation in the House. They forthwith resolved, That the adviser of it had used his utmost endeavours to create a misunderstanding and jealousy between the king and his people.

§ XXVI. They prepared, finished, and passed a bill of resumption. They ordered the report of the commissioners, together with the king's promise and speeches, and the former resolutions of the House touching the forfeited estates in Ireland, to be printed and published for their justification; and they resolved, that the procuring or passing exorbitant grants by any member, now of the privy-council, or by any other that had been a privy-councillor, in this or any former reign, to his use or benefit, was a high crime and misdemeanor. That justice might be done to purchasers and creditors in the act of resump-

tion, thirteen trustees were authorized and empowered to hear and determine all claims relating to those estates; to sell them to the best purchasers; and the money arising from the sale was appropriated to pay the arrears of the army. It passed under the title of a bill for granting an aid to his majesty, by the sale of forfeited and other estates and interests in Ireland; and that it might undergo no alteration in the House of Lords, it was consolidated with the money bill for the service of the year. In the House of Lords it produced warm debates; and some alterations were made, which the Commons unanimously rejected. They seemed to be now more than ever exasperated against the ministry, and ordered a list of the privy council to be laid before the House. The Lords demanded conferences, which served only to exasperate the two Houses against each other; for the Peers insisted upon their amendments, and the Commons were so provoked at their interfering in a money bill, that they determined to give a loose to their resentment. They ordered all the doors of their House to be shut, that no member should go forth. Then they took into consideration the report of the Irish forfeitures, with the list of the privy counsellors: and a question was moved, That an address should be made to his majesty, to remove John Lord Somers, Chancellor of England, from his presence and councils for ever. This, however, was carried in the negative by a large majority. The king was extremely chagrined at the bill,

which he considered as an invasion of his prerogative, an insult on his person, and an injury to his friends and servants: and he at first resolved to hazard all the consequences of refusing to pass it into a law: but he was diverted from his purpose by the remonstrances of those in whom he chiefly confided. He could not, however, dissemble his resentment. He became sullen, peevish, and morose, and his enemies did not fail to make use of this additional ill humour, as a proof of his aversion to the English people. Though the motion against the chancellor had miscarried, the Commons resolved to address his majesty, that no person who was not a native of his dominions, except his royal highness Prince George of Denmark, should be admitted into his majesty's councils in England or Ireland. This resolution was levelled against the Earls of Portland, Albemarle, and Galway; but before the address could be presented, the king went to the House of Peers, and having passed the bill which had produced such a ferment, with some others, commanded the Earl of Bridgewater, speaker of the House, in the absence of the chancellor, who was indisposed, to prorogue the parliament to the twenty-third day of May.

§ XXVII. In the course of this session, the Commons having prosecuted their inquiry into the conduct of Kidd, brought in a bill for the more effectual suppressing of piracy, which passed into a law: understanding afterwards, that Kidd was brought over to England, they presented an address to the king, desiring that he might not be tried, discharged, or pardoned, till the next session of parliament: and his majesty complied with their request. Boiling still with indignation against the lord chancellor, who had turned many disaffected persons out of the commission of the peace, the House ordered a bill to be prepared for qualifying justices of the peace; and appointed a committee to inspect the commissions. This, reporting that many dissenters, and men of small fortunes, depending on the court, were put into those places, the Commons declared in an address, That it would much conduce to the service of his majesty, and the good of this kingdom, that gentlemen of quality and good estates should be restored, and put into the commissions of the peace and lieutenancy: and that men of small estates be neither continued, nor put into the said commissions. The king assured them he was of the same opinion; and that he would give directions accordingly. They were so mollified by this instance of his condescension, that they thanked him in a body for his gracious answer. They passed a bill to exculpate such as had neglected to sign the association, either through mistake, or want of opportunity. Having received a petition from the Lancashire clergy, complaining of the insolence and attempts of popish priests, they appointed a committee to in-

quire how far the laws against popish refugees had been put in execution; and upon the report, a bill was brought in, complying with the prayer of the petition. It decreed a further reward to such persons as should discover and convict popish priests and Jesuits; and perpetual imprisonment for those convicted on the oath of one or more witnesses. It enacted, That no person born after the twenty-fifth day of March next ensuing, being a papist, should be capable of inheriting any title of honour or estate within the kingdom of England, dominion of Wales, or town of Berwick-upon-Tweed; and, That no papist should be capable of purchasing any lands, tenements, or hereditaments, either in his own name or in the name of any other person in trust for him. Several alterations were made in this first draft, before it was finished and sent up to the Lords, some of whom proposed amendments: these, however, were not adopted; and the bill obtained the royal assent, contrary to the expectation of those who prosecuted the measure, on the supposition that the king was a favourer of the papists. After all, the bill was deficient in necessary clauses to enforce execution; so that the law was very little regarded in the sequel.

§ XXVIII. The court sustained another insult from the old East India company, who petitioned the House that they might be continued by parliamentary authority during the remaining part of the time prescribed in their charter. They, at the same time, published a state of their case, in which they expatiated upon the equity of their claims, and magnified the injuries they had undergone. The new company drew up an answer to this remonstrance, exposing the corrupt practices of their adversaries. But the influence of their great patron, Mr. Montague, was now vanished; the supply was not yet discussed, and the ministry would not venture to provoke the Commons, who seemed propitious to the old company, and actually passed a bill in their favour. This, meeting with no opposition in the upper House, was enacted into a law, renewing their establishment: so that now there were two rival companies of merchants trading to the East Indies. The Commons, not yet satisfied with the vexations to which they had exposed their sovereign, passed a bill to appoint commissioners for taking and examining the public accounts. Another law was made to prohibit the use of India silks and stuffs which interfered with the English manufactures; a third, to take off the duties on the exportation of woollen manufactures, corn, grain, meal, bread, and biscuit; and a fourth, in which provision was made for punishing governors or commanders in chief of plantations and colonies, in case they should commit any crimes or acts of injustice and oppression in the exercise of their administration.

§ XXIX. The people of Scotland still continued in violent agitation. They published a pamphlet, containing a detail of their grievances, which they in a great measure ascribed to his majesty. A complaint being preferred to the House of Commons against this performance, it was voted a false, scandalous, and traitorous libel, and ordered to be burned by the hands of the common hangman. The Commons addressed his majesty, to issue his royal proclamation for apprehending the author, printer, and publisher of the said libel: and he complied with their request. The Scottish company had sent up an address to the king, in behalf of some adventurers who were wrongfully detained prisoners in Carthage: but Lord Basil Hamilton, who undertook the charge of this petition, was refused admittance to his majesty, on pretence of his being suspected of disaffection to the government. The king, however, wrote to his council for Scotland, that he would demand the enlargement of the prisoners, and countenance any laudable measure that could advance the trade of that kingdom. The directors of the company, not content with this declaration, importuned their lord chancellor, who was in London, to procure access for Lord Basil Hamilton: and the ministry took shelter from their solicitations behind a parliamentary inquiry. The subject of the Scottish colony being introduced into the House of Lords, where the ministerial influence preponderated, a vehement debate arose, not from any regard to the interest of Scotland, but from mere opposition to the court, which, however, triumphed in the issue. A motion was made, that the settlement of the Scottish colony at Darien was incon-

Burnet. Oldmixon. Cole's Mem. State Tracts. Lamb. Tindal. Ralph.

A. D. 1700.



sistent with the good of the plantation trade of England; and passed in the affirmative by a small majority. Then they presented an address, declaring their sympathy with the losses of their fellow-subjects, and their opinion that a prosecution of the design must end, not only in far greater disappointments to themselves, but also prove very inconvenient to the trade and quiet of the kingdom. They reminded him of the address of both Houses, touching that settlement; and they expressed their approbation of the orders he had sent to the governors of the plantations on this subject. The king, in his answer to the address, in which the Commons refused to concur, took the opportunity of exhorting them to consider of a union between the two kingdoms as a measure, than which nothing could more contribute to their mutual security and advantage. The Lords, in pursuance of this advice, prepared a bill, appointing certain commissioners of the realm of England to treat with commissioners of Scotland for the weal of both kingdoms; but it was obstructed in the House of Commons, who were determined to thwart every step that might tend to lessen the disgust or appease the animosity of the Scottish nation. The malcontents insinuated, that the king's opposition to the Scottish company flowed neither from his regard to the interest of England, nor from his punctual observance of treaties with Spain; but solely from his attachment to the Dutch, who maintained an advantageous trade from the island of Curacao to the Spanish plantations in America, and were apprehensive that the Scottish company would deprive them of this commerce. This interpretation served as fuel to the flame already kindled in Scotland, and industriously blown up by the calumnies of the Jacobites. Their parliament adopted the company as a national concern, by voting, That the colony of Caledonia in Darien was a legal and rightful settlement, which the parliament would maintain and support. On account of this resolution the session was for some time discontinued: but when the Scots understood their new settlement was totally abandoned, their capital lost, and all their hope entirely vanished, the whole nation was seized with a transport of fury. They loudly exclaimed, that they had been sacrificed and basely betrayed in that quarter where they were entitled to protection. They concerted an address to the king, couched in a very high strain, representing the necessity of an immediate parliament. It was circulated about the kingdom for subscriptions, signed by a great number of those who sat in parliament, and presented to the king by Lord Ross, who with some others was deputed for that purpose. The king told them, they should know his intention in Scotland; and in the mean time adjourned their parliament by proclamation. The people exasperated at this new provocation, began to form the draft of a second national address, to be signed by the shires and boroughs of the kingdom; but, before this could be finished, the king wrote a letter to the Duke of Queensberry, and the privy council of that nation, which was published for the satisfaction of the people. He professed himself grieved at the nation's loss, and willing to grant what might be needful for the relief and ease of the kingdom. He assured them, he had their interest at heart; and that his good subjects should have convincing proofs of his sincere inclination to advance the wealth and prosperity of that his ancient kingdom. He said he hoped this declaration would be satisfactory to all good men; that they would not suffer themselves to be misled; nor give advantage to enemies, and ill-designing persons, ready to seize every opportunity of embroiling the government. He gave them to understand that his necessary absence had occasioned the late adjournment; but as soon as God should bring him back, their parliament should be assembled. Even this explanation, seconded by all the credit and address of his ministers, failed in allaying the national ferment, which rose to the very verge of rebellion.

§ XXX. The king, who, from his first accession to the throne, had veered occasionally from one party to another, according to the circumstances of his affairs, and the opposition he encountered, was at this period so incensed and embarrassed by the caprice and insolence of the Commons, that he willingly lent an ear to the leaders of the Tories, who undertook to manage the parliament according

to his pleasures, provided he would part with some of his ministers, who were peculiarly odious to the Commons. The person against whom their anger was chiefly directed, was the Lord Chancellor Somers, the most active leader of the whig party. They demanded his dismissal, and the king exhorted him to resign his office; but he refusing to take any step that might indicate a fear of his enemies, or a consciousness of guilt, the king sent a peremptory order for the seals by the Lord Jersey, to whom Somers delivered them without hesitation. They were successively offered to Lord Chief Justice Holt, and Trevor, the attorney-general, who declined accepting such a precarious office. Meanwhile, the king granted a temporary commission to three judges to sit in the court of chancery; and at length bestowed the seals, with the title of lord keeper, on Nathan Wright, one of the sergeants at law, a man but indifferently qualified for the office to which he was now preferred. Though William seemed altogether attached to the Tories, and inclined to a new parliament, no person appeared to take the lead in the affairs of government; and, indeed, for some time the administration seemed to be under no particular direction.

§ XXXI. During the transactions of the last session, the negotiation for a second partition treaty had been carried on in London by the French minister, Tallard, in conjunction with the Earls of Portland and Jersey, and was soon brought to perfection. On the twenty-first day of February the treaty was signed in London; and on the twenty-fifth of the next month it was subscribed at the Hague by Briord, the French envoy, and the plenipotentiaries of the States-general. By this convention the treaty of Ryswick was confirmed. The contracting parties agreed, that, in case of his catholic majesty's dying without issue, the dauphin should possess, for himself and his heirs, the kingdoms of Naples and Sicily, the islands of St. Stephano, Porto Hercole, Orbitello, Telamone, Porto Longone, Piombino, the city and marquise of Final, the province of Guipuscoa, the duchies of Lorraine and Bar, in exchange for which last the Duke of Lorraine should enjoy the duchy of Milan; but that the county of Biche should remain in sovereignty to the Prince of Vaudemont: that the Archduke Charles should inherit the kingdom of Spain and all its dependences in and out of Europe; but in case of his dying without issue, it should devolve to some other child of the emperor, excepting him who might succeed as emperor or King of the Romans: that this monarchy should never descend to a king of France or dauphin; and that three months should be allowed to the emperor, to consider whether or not he would accede to this treaty. Whether the French king was really sincere in his professions at this juncture, or proposed this treaty with a view to make a clandestine use of it at the court of Spain for more interested purposes, it is not easy to determine; at first, however, it was concealed from the notice of the public, as if the parties had resolved to take no step in consequence of it, during the life of his catholic majesty.

§ XXXII. In the beginning of July the king embarked for Holland, after having appointed a regency to govern the kingdom in his absence. On the twenty-ninth day of the same month, the young Duke of Gloucester, the only remaining child of seventeen which the Princess Anne had borne, died of a malignant fever, in the eleventh year of his age. His death was much lamented by the greater part of the English nation, not only on account of his promising talents and gentle behaviour, but also, as it left the succession undetermined, and might create disputes of fatal consequence to the nation. The Jacobites openly exulted in an event which they imagined would remove the chief bar to the interest of the Prince of Wales; but the protestants generally turned their eyes upon the Princess Sophia, Electress Dowager of Hanover, and grand-daughter of James I. It was with a view to concert the establishment of her succession, that the court of Brunswick now returned the visit of King William. The present state of affairs in England, however, afforded a very uncomfortable prospect. The people were generally alienated from the person and government of the reigning king, upon whom they seem to have surfeited. The vigour of their minds was destroyed by luxury and sloth; the severity of their morals was relaxed by a long habit of venality and corrup-

tion. The king's health began to decline, and even his faculties decayed apace. No person was appointed to ascend the throne when it should become vacant. The Jacobite faction alone was eager, vigilant, enterprising, and elate. They despatched Mr. Graham, brother of Lord Preston, to the court of St. Germain's immediately after the death of the Duke of Gloucester: they began to bestir themselves all over the kingdom. A report was spread that the Princess Anne had privately sent a message to her father; and Britain was once more threatened with civil war, confusion, anarchy, and ruin.

§ XXXIII. In the mean time, King William was not inactive. The Kings of Denmark and Poland, with the Elector of Brandenburg, had formed a league to crush the young King of Sweden, by invading his dominions on different sides. The Poles actually entered Livonia, and undertook the siege of Riga; the King of Denmark, having demolished some forts in Holstein, the duke of which was connected with Sweden, invested Tonningen. The Swedish minister in England demanded that assistance of William which had been stipulated in a late renewal of the ancient treaty between England and Sweden. The States of Holland were solicited to the same purpose. Accordingly, a fleet of thirty sail, English and Dutch, was sent to the Baltic, under the command of Sir George Rooke, who joined the Swedish squadron, and bombarded Copenhagen, to which the Danish fleet had retired. At the same time, the Duke of Lunenburg, with the Swedish forces, which happened to be at Bremen, passed the Elbe, and marched to the assistance of the Duke of Holstein. The Danes immediately abandoned the siege of Tonningen; and a body of Saxons, who had made an irruption into the territories of the Duke of Brunswick, were obliged to retreat in disorder. By the mediation of William, a negotiation was begun for a treaty between Sweden and Denmark, which, in order to quicker, Charles the young King of Sweden made a descent upon the isle of Zealand. This was executed with great success. Charles was the first man who landed: and here he exhibited such marks of courage and conduct, far above his years, as equally astonished and intimidated his adversaries. Then he determined to besiege Copenhagen; a resolution that struck such terror into the Danes, that they proceeded with redoubled diligence in the treaty, which was brought to a conclusion, between Denmark, Sweden, and Holstein, about the middle of August. Then the Swedes retired to Schonen, and the squadrons of the maritime powers returned from the Baltic.

§ XXXIV. When the new partition treaty was communicated by the ministers of the contracting parties to the other powers of Europe, it generally met with a very unfavourable construction. Saxony and the northern crowns were still embroiled with their own quarrels, consequently could not give much attention to such a remote transaction. The Princes of Germany appeared cautious and dilatory in their answers, unwilling to be concerned in any plan that might excite the resentment of the House of Austria. The Elector of Brandenburg, in particular, had set his heart upon the real dignity, which he hoped to obtain from the favour and authority of the emperor. The Italian states were averse to the partition treaty, from their apprehension of seeing France in possession of Naples, and other districts of their country. The Duke of Savoy affected a mysterious neutrality, in hopes of being able to barter his consent for some considerable advantage. The Swiss cantons declined acceding as guarantees. The emperor expressed his astonishment that any disposition should be made of the Spanish monarchy without the consent of the present possessor, and the states of the kingdom. He observed, that neither justice nor decorum could warrant the contracting powers to compel him, who was the rightful heir, to accept a part of his inheritance within three months, under penalty of forfeiting even that share to a third person not yet named; and he declared, that he could take no final resolution, until he should know the sentiments of his catholic majesty, on an affair in which their mutual interest was so nearly concerned. Leopold was actually engaged in a negotiation with the King of Spain, who signed a will in favour of his second son Charles; yet he took no measures to support the dis-

position, either by sending the archduke with a sufficient force to Spain, or by detaching troops into Italy.

§ XXXV. The people of Spain were exasperated at the insolence of the three foreign powers who pretended to parcel out their dominions. Their pride took the alarm, at the prospect of their monarchy being dismembered: and their grandees repined at the thoughts of losing so many lucrative governments which they now enjoyed. The king's life became every day more and more precarious, from frequent returns of his disorder. The ministry was weak and divided, the nobility factious, and the people discontented. The hearts of the nation had been alienated from the House of Austria, by the insolent carriage and rapacious disposition of the Queen Mariana. The French had gained over to their interests the Cardinal Portocarrero, the Marquis de Monterey, with many other noblemen and persons of distinction. These, perceiving the sentiments of the people, employed their emissaries to raise a general cry that France alone could maintain the succession entire: that the House of Austria was feeble and exhausted, and any prince of that line must owe his chief support to detestable heretics. Portocarrero tampered with the weakness of his sovereign. He repeated and exaggerated all the suggestions: he advised him to consult Pope Innocent XII. on this momentous point of regulating the succession. That pontiff, who was a creature of France, having taken the advice of a college of cardinals, determined that the renunciation of Maria Theresa was invalid and null, as being founded upon compulsion, and contrary to the fundamental laws of the Spanish monarchy. He, therefore, exhorted King Charles to contribute to the propagation of the faith, and the repose of Christendom, by making a new will in favour of a grandson of the French monarch. This admonition was seconded by the remonstrances of Portocarrero; and the weak prince complied with the proposal. In the mean time, the King of France seemed to act heartily, as a principal in the treaty of partition. His ministers at foreign courts co-operated with those of the maritime powers, in soliciting the accession of the different potentates in Europe. When Count Zinzendorf, the imperial ambassador at Paris, presented a memorial desiring to know what part France would act, should the King of Spain voluntarily place a grandson of Louis upon the throne, the Marquis de Torcy answered in writing, that his most christian majesty would by no means listen to such a proposal: nay, when the emperor's minister gave them to understand that his master was ready to begin a separate negociation with the Court of Versailles, touching the Spanish succession, Louis declared he could not treat on that subject without the concurrence of his allies.

§ XXXVI. The nature of the partition treaty was no sooner known in England, than condemned by the most intelligent part of the nation. They first of all complained, that such an important affair should be concluded without the advice of parliament. They observed, that the scheme was unjust, and the execution of it hazardous: that, in concerting the terms, the maritime powers seemed to have acted as partisans of France; for the possession of Naples and the Tuscan ports would subject Italy to her dominion, and interfere with the English trade to the Levant and Mediterranean; while Guipuscoa, on any future rupture, would afford another inlet into the heart of the Spanish dominions; they, for these reasons, pronounced the treaty destructive of the balance of power, and prejudicial to the interest of England. All these arguments were trumpeted by the malcontents, so that the whole kingdom echoed with the clamour of disaffection. Sir Christopher Musgrave, and others of the tory faction, began to think in earnest of establishing the succession of the English crown upon the person of the Prince of Wales. They are said to have sent over Mr. Graham to St. Germain's with overtures to this purpose, and an assurance that a motion would be made in the House of Commons, to pass a vote that the crown should not be supported in the execution of the partition treaty. King William was not ignorant of the censure he had undergone, and not a little alarmed to find himself so unpopular among his own subjects. That he might be the more able to bestow his attention effectually upon the affairs of England, he resolved to take some measures for the satisfaction of the

Scottish nation. He permitted the parliament of that kingdom to meet on the twenty-eighth day of October, and wrote a letter to them from his house at Lou, containing an assurance that he would concur in every thing that could be reasonably proposed for maintaining and advancing the peace and welfare of their kingdom. He promised to give his royal assent to such acts as they should frame for the better establishment of the presbyterian discipline; for preventing the growth of popery, suppressing vice and immorality, encouraging piety and virtue, preserving and securing personal liberty, regulating and advancing trade, retrieving the losses and promoting the interest of their African and Indian companies. He expressed his concern that he could not assert the company's right of establishing a colony at Darien, without disturbing the peace of Christendom, and entailing a ruinous war on that his ancient kingdom. He recommended unanimity and despatch in raising competent taxes for their own defence; and told them he had thought fit to continue the Duke of Queensberry in the office of high-commissioner. Notwithstanding this soothing address, the national resentment continued to rage, and the parliament seemed altogether intractable. By this time the company had received certain tidings of the entire surrender of their settlement; and on the first day of the session, they represented to parliament, that for want of due protection abroad, some persons had been encouraged to break in upon their privileges even at home. This remonstrance was succeeded by another national address to the king, who told them he could not take any further notice of that affair, since the parliament was now assembled; and he had already made a declaration with which he hoped all his faithful subjects would be satisfied. Nevertheless, he found it absolutely necessary to practise other expedients for allaying the ferment of that nation. His ministers and their agents bestirred themselves so successfully, that the heats in parliament were entirely cooled, and the outcry of the people subsided into unavailing murmurs. The parliament resolved, that in consideration of their great deliverance by his majesty, and as, next under God, their safety and happiness wholly depended on his preservation and that of his government, they would support both to the utmost of their power, and maintain such forces as should be requisite for those ends. They passed an act for keeping on foot three thousand men for two years, to be maintained by a land-tax. Then the commissioner produced the king's letter, desiring to have eleven hundred men on his own account to the first day of June following: they forthwith complied with his request, and were prorogued to the sixth of May. The supernumerary troops were sent over to the States-general; and the Earl of Argyll was honoured with the title of duke, as a recompence for having concurred with the commissioners in managing the session of parliament.

§ XXXVII. King William had returned to England on the eighteenth day of October, not a little chagrined at the perplexities in which he found himself involved; and in the beginning of the next month he received advice that the King of Spain was actually dead. He could not be surprised at this event, which had been so long expected; but it was attended with a circumstance which he had not foreseen. Charles, by his last will, had declared the Duke of Anjou, second son of the dauphin, the sole heir of the Spanish monarchy. In case this prince should die without issue, or inherit the crown of France, he willed that Spain should devolve to the Duke of Berry; in default of him, and children, to the Archduke Charles and his heirs; failing of whom, to the Duke of Savoy and his posterity. He likewise recommended a match between the Duke of Anjou and one of the archduchesses. When this testament was first notified to the French court, Louis seemed to hesitate between his inclination and engagements to William and the States-general. Madame de Maintenon is said to have joined her influence to that of the dauphin, in persuading the king to accept of the will; and Pontchartrain was engaged to support the same measure. A cabinet council was called in her apartment. The rest of the ministry declared for the treaty of partition; the king affected a kind of neutrality. The dauphin spoke for his son, with an air of resolution he had never

assumed before: Pontchartrain seconded his argument: Madame de Maintenon asked what the Duke of Anjou had done to provoke the king, that he should be barred of his right to that succession? Then the rest of the members espoused the dauphin's opinion; and the king owned himself convinced by their reasons. In all probability, the decision of this council was previously settled in private. After the will was accepted, Louis closeted the Duke of Anjou, to whom he said, in presence of the Marquis des Rois, "Sir, the King of Spain has made you a king. The grandes demand you: the people wish for you, and I give my consent. Remember only you are a prince of France. I recommend to you to love your people, to gain their affection by the lenity of your government, and to render yourself worthy of the throne you are going to ascend." The new monarch was congratulated on his elevation by all the princes of the blood; nevertheless, the Duke of Orleans and his son protested against the will, because the archduke was placed next in succession to the Duke of Berry, in bar of their right as descendants of Anne of Austria, whose renunciation could be of no more force than that of Maria-Theresa. On the fourth day of December, the new king set out for Spain, to the frontiers of which he was accompanied by his two brothers.

§ XXXVIII. When the will was accepted, the French minister, de Torcy, endeavoured to justify his master's conduct to the Earl of Manchester, who resided at Paris in the character of ambassador from the court of London. He observed, That the treaty of partition was not likely to answer the end for which it had been concerted: That the emperor had refused to accede: That it was relished by none of the princes to whom it had been communicated: That the people of England and Holland had expressed their discontent at the prospect of France's being in possession of Naples and Sicily: That if Louis had rejected the will, the archduke would have had a double title derived from the former will, and that of the late king: That the Spaniards were so averse to the division of their monarchy, there would be a necessity for conquering the whole kingdom before the treaty could be executed: That the ships to be furnished by Great Britain and Holland would not be sufficient for the purposes of such a war; and it was doubtful whether England and the States-general would engage themselves in a greater expense. He concluded with saying, That the treaty would have been more advantageous to France than the will, which the king accepted purely from a desire of preserving the peace of Europe. His master hoped, therefore, that a good understanding would subsist between him and the King of Great Britain. The same reasons were communicated by Briod, the French ambassador at the Hague, to the States-general. Notwithstanding this address, they ordered their envoy at Paris to deliver a memorial to the French king, expressing their surprise at his having accepted the will; and their hope, that as the time specified for the emperor's acceding to the treaty was not expired, his most christian majesty would take the affair again into his consideration, and adhere to his engagements in every article. Louis, in his answer to this memorial, which he despatched to all the courts of Europe, declared, That what he chiefly considered, was the principal design of the contracting parties, namely, the maintenance of peace in Europe: and that true to his principle, he only departed from the words, that he might the better adhere to the spirit of the treaty.

§ XXXIX. With this answer he sent a letter to the States, giving them to understand, that the peace of Europe was so firmly established by the will of the King of Spain, in favour of his grandson, that he did not doubt their approbation of his succession to the Spanish crown. The States observed, That they could not declare themselves upon an affair of such consequence, without consulting their respective provinces. Louis admitted the excuse, and assured them of his readiness to concur with whatever they should desire for the security of the Spanish Netherlands. The Spanish ambassador at the Hague presented them with a letter from his new master, who likewise notified his accession to all the powers of Europe, except the King of England. The emperor loudly ex-



claimed against the will, as being more iniquitous than the treaty of partition; and threatened to do himself justice by force of arms. The Spaniards apprehending that a league would be formed between his imperial majesty and the maritime powers, for setting aside the succession of the Duke of Anjou, and conscious of their own inability to defend their dominions, resigned themselves entirely to the protection of the French monarch. The towns in the Spanish Netherlands and the duchy of Milan admitted French garrisons; a French squadron anchored in the port of Cadiz; and another was detached to the Spanish settlements in the West Indies. Part of the Dutch army that was quartered in Luxembourg, Mons, and Namur, were made prisoners of war, because they would not own the King of Spain, whom their masters had not yet acknowledged. The States were overwhelmed with consternation by this event, especially when they considered their own naked situation, and reflected that the Spanish garrisons might fall upon them before they could assemble a body of troops for their defence. The danger was so imminent, that they resolved to acknowledge the King of Spain without further hesitation, and wrote a letter to the French king for that purpose: this was no sooner received, than orders were issued for sending back their battalions.

§ XL. How warmly soever King William resented the conduct of the French king, in accepting the will so diametrically opposite to his engagements, he dissembled his chagrin; and behaved with such reserve and apparent indifference, that some people naturally believed he had been privy to the transaction. Others imagined that he was discouraged from engaging in a new war by his bodily infirmities, which daily increased, as well as by the opposition in parliament, to which he should be inevitably exposed. But his real aim was to conceal his sentiments, until he should have sounded the opinions of other powers in Europe, and seen how far he could depend upon his new ministry. He now seemed to repose his chief confidence in the Earl of Rochester, who had undertaken for the Tories, and was declared Lord-Lieutenant of Ireland. Lord Godolphin was appointed first commissioner of the treasury, Lord Tankerville succeeded Lord Londale, lately deceased, as keeper of the privy seal, and Sir Charles Hedges was declared secretary of state, in the room of the Earl of Jersey; but the management of the Commons was intrusted to Mr. Robert Harley, who had hitherto opposed the measures of the court with equal virulence and ability. These new undertakers, well knowing they should find it very difficult, if not impossible, to secure a majority in the present parliament, prevailed on the king to dissolve it by proclamation: then the sheriffs were changed according to their nomination, and writs issued for a new parliament to meet on the sixth day of February. During this interval, Count Wratisslaw arrived in England, as ambassador from the emperor, to explain Leopold's title to the Spanish monarchy, supported by repeated entails and renunciations, confirmed in the most solemn treaties. This minister met with a very cold reception from those who stood at the helm of affairs. They sought to avoid all connexions that might engage their country as a principal in another war upon the continent; smarting as they were from the losses and encumbrances which the last had entailed upon them and their posterity. They seemed to think that Louis, rather than involve himself in fresh troubles, would give all the security that could be desired for maintaining the peace of Europe; or even, should this be refused, they saw no reason for Britain's exhausting her wealth and strength to support a chimerical balance, in which her interest was but remotely concerned. It was their opinion, that, by keeping aloof, she might render herself more respectable. Her reserve would over-awe contending powers: they would in their turn sue for her assistance, and implore her good offices; and, instead of declaring herself a party, she would have the honour to decide as arbiter of their disputes. Perhaps

they extended this idea too far; and in all probability, their notions were inflamed by a spirit of faction. They hated the whigs as their political adversaries, and detested the war, because it had been countenanced and supported by the interest of that party. The king believed, that a conjunction of the two monarchies of France and Spain would prove fatal to the liberties of Europe; and that this could not be prevented by any other method than a general union of the other European powers. He certainly was an enthusiast in his sentiments of this equilibrium; and fully convinced that he himself, of all the potentates in Christendom, was the only prince capable of adjusting the balance. The imperial ambassador could not, therefore, be long ignorant of his real purpose, as he conversed with the Dutch favourites, who knew and approved of their master's design, though he avoided a declaration, until he should have rendered his ministers more propitious to his aim. The true secret, however, of that reserve with which Count Wratisslaw was treated at his first arrival, was a private negotiation which the king had set on foot with the regency of Spain, touching a barrier in the Netherlands. He proposed, that certain towns should be garrisoned with English and Dutch troops, by way of security against the ambitious designs of France; but the regency were so devoted to the French interest, that they refused to listen to any proposal of this nature. While this affair was in agitation, William resolved to maintain a wary distance from the emperor; but, when his effort miscarried, the ambassador found him much more open and accessible.<sup>d</sup>

§ XLI. The parliament meeting on the sixth, was prorogued to the tenth day of February, when Mr. Harley was chosen speaker by a great majority in opposition to Sir Richard Onslow. The king had previously told Sir Thomas Lyttleton, it would be for his service that he should yield his pretensions to Harley at this juncture; and that gentleman agreed to absent himself from the House on the day of election. The king observed, in his speech, that the nation's loss, in the death of the Duke of Gloucester, had rendered it absolutely necessary for them to make further provision for the succession of the crown in the protestant line: that the death of the King of Spain had made such an alteration in the affairs of the continent, as required their mature deliberation. The rest of his harangue turned upon the usual topics of demanding supplies for the ensuing year, reminding them of the deficiencies and public debts, recommending to their inquiry the state of the navy and fortifications: exhorting them to encourage commerce, employ the poor, and proceed with vigour and unanimity in all their deliberations. Though the elections had been generally carried in favour of the tory interest, the ministry had secured but one part of that faction. Some of the most popular leaders, such as the Duke of Leeds, the Marquis of Normandy, the Earls of Nottingham, Seymour, Musgrave, How, Finch, and Showers, had been either neglected, or found refractory, and resolved to oppose the court measures with all their influence. Besides, the French king, knowing that the peace of Europe would in a great measure depend on the resolutions of the English parliament, is said to have distributed great sums of money in England, by means of his minister Tallard, in order to strengthen the opposition in the House of Commons. Certain it is, the nation abounded at this period with the French coins called Louis-d'ors and pistoles; but whether this redundancy was owing to a balance of trade in favour of England, or to the largesses of Louis, we shall not pretend to determine. We may likewise observe, that the infamous practice of bribing electors had never been so flagrant as in the choice of representatives for this parliament. This scandalous traffic had been chiefly carried on by the whig party, and, therefore, their antagonists resolved to spare no pains in detecting their corruption. Sir Edward Seymour distinguished himself by his zeal and activity; he

<sup>d</sup> This year was distinguished by a glorious victory which the young King of Sweden obtained in the nineteenth year of his age. Re-continued invested by the King of Poland, while Peter the Great of Moscow made his approaches to Narva, at the head of a prodigious army, prepared, in violation of all national justice, to share the spoils; the youthful monarch, Charles landed at Revel, compelled the Saxons to abandon the siege of Riga, and having supplied the place, marched with a handful of troops

against the Muscovites who had undertaken the siege of Narva. The czar quitted his army with some precipitation, as if he had been afraid of leaving his person, while Charles advanced through swamps that were thought impracticable, and surprised the enemy. He broke into their camp before they had the least intimation of his approach, and totally routed them, after a short resistance. He took a great number of prisoners, with all their baggage, tents, and artillery, and entered Narva in triumph.

brought some of these practices to light, and, in particular, stigmatized the new East India company, for having been deeply concerned in this species of venality. An inquiry being set on foot in the House of Commons, several elections were declared void; and divers persons who had been illegally returned, were first expelled the House, and afterwards detained in prison. Yet these prosecutions were carried on with such partiality, as plainly indicated that they flowed rather from party zeal than from patriotism.

§ XLII. A great body of the Commons had resolved to present an address to his majesty, desiring he would acknowledge the King of Spain; and the motion, in all probability, would have been carried by a considerable majority, had not one bold and lucky expression given such a turn to the debate, as induced the anticourtiers to desist. One Mr. Monckton, in the heat of his declamation against this measure, said, he expected the next vote would be for owning the pretended Prince of Wales. Though there was little or no connexion between these two subjects, a great many members were startled at the information, and deserted the measure, which was dropped accordingly. The king's speech being taken into consideration, the House resolved to support his majesty and his government; to take such effectual measures as might best conduce to the interest and safety of England, and the preservation of the protestant religion. This resolution was presented in an address to the king, who received it favourably. At the same time, he laid before them a memorial he had received from the States-general, and desired their advice and assistance in the points that constituted the substance of this remonstrance. The States gave him to understand, that they had acknowledged the Duke of Anjou as King of Spain: that France had agreed to a negotiation, in which they might stipulate the necessary conditions for securing the peace of Europe; and that they were firmly resolved to do nothing without the concurrence of his majesty and their other allies. They therefore begged he would send a minister to the Hague, with necessary powers and instructions to co-operate with them in this negotiation; they told him that, in case it should prove ineffectual, or Holland be suddenly invaded by the troops which Louis had ordered to advance towards their frontiers, they relied on the assistance of England, and hoped his majesty would prepare the succours stipulated by treaty, to be used, should occasion require. The memorial was likewise communicated to the House of Lords. Meanwhile, the Commons desired that the treaties between England and the States-general should be laid before their House. These being perused, they resolved upon an address, to desire his majesty would enter into such negotiations with the States-general, and other potentates, as might most effectually conduce to the mutual safety of Great Britain and the United Provinces, as well as to the preservation of the peace of Europe, and to assure him of their support and assistance, in performance of the treaty subsisting between England and the States-general. This resolution, however, was not carried without great opposition from those who were averse to the nation's involving itself in another war upon the continent. The king professed himself extremely well pleased with this address, and told them he would immediately order his ministers abroad to act in concert with the States-general and other powers, for the attainment of those ends they proposed.

§ XLIII. He communicated to the Commons a letter written by the Earl of Melfort to his brother the Earl of Perth, governor to the pretended Prince of Wales. It had been mislaid by accident, and came to London in the French mail. It contained a scheme for another invasion of England, together with some reflections on the character of the Earl of Middleton, who had supplanted him at the court of St. Germain. Melfort was a mere projector, and seems to have had no other view than that of recommending himself to King James, and bringing his rival into disgrace. The House of Lords, to whom the letter was also imparted, ordered it to be printed. Next day they presented an address, thanking his majesty for his care of the protestant religion; desiring all the treaties made since the last war might be laid before them; requesting him to engage in such alliances as he should

think proper for preserving the balance of power in Europe; assuring him of their concurrence, expressing their acknowledgment for his having communicated Melfort's letter; desiring he would give orders for seizing the horses and arms of disaffected persons; for removing papists from London; and for searching after those arms and provisions of war mentioned in the letter: finally, they requested him to equip speedily a sufficient fleet for the defence of himself and his kingdom. They received a gracious answer to this address, which was a further encouragement to the king to put his own private designs in execution: towards the same end the letter contributed not a little, by inflaming the fears and resentment of the nation against France, which in vain disclaimed the Earl of Melfort as a fantastical schemer, to whom no regard was paid at the court of Versailles. The French ministry complained of the publication of this letter, as an attempt to sow jealousy between the two crowns; and, as a convincing proof of their sincerity, banished the Earl of Melfort to Angers.

§ XLIV. The credit of exchequer-bills was so lowered by the change of the ministry, and the lapse of the time allotted for their circulation, that they fell near twenty per cent. to the prejudice of the revenue, and the discredit of the government in foreign countries. The Commons having taken this affair into consideration, voted, that provision should be made from time to time for making good the principal and interest due on all parliamentary funds; and afterwards passed a bill for renewing the bills of credit, commonly called exchequer-bills. This was sent up to the Lords on the sixth day of March, and on the thirteenth received the royal assent. The next object that engrossed the attention of the Commons was the settlement of the succession to the throne, which the king had recommended to their consideration in the beginning of the session. Having deliberated on this subject they resolved, that for the preservation of the peace and happiness of the kingdom, and the security of the protestant religion, it was absolutely necessary that a further declaration should be made of the limitation and succession of the crown in the protestant line, after his majesty and the princess, and the heirs of their bodies respectively: and, that further provision should be first made for the security of the rights and liberties of the people. Mr. Harley moved, that some conditions of government might be settled as preliminaries, before they should proceed to the nomination of the persons, that their security might be complete. Accordingly, they deliberated on this subject, and agreed to the following resolutions: That whoever shall hereafter come to the possession of this crown, shall join in communion with the church of England as by law established: That, in case the crown and imperial dignity of this realm shall hereafter come to any person, not being a native of this kingdom of England, this nation be not obliged to engage in any war for the defence of any dominions or territories which do not belong to the crown of England, without the consent of parliament: That no person who shall hereafter come to the possession of the crown shall go out of the dominions of England, Scotland, or Ireland, without consent of parliament: That, from and after the time that the further limitation by this act shall take effect, all matters and things relating to the well-governing of this kingdom, which are properly cognizable in the privy council, by the laws and customs of the realm, shall be transacted there, and all resolutions taken thereupon shall be signed by such of the privy council as shall advise and consent to the same: That, after the limitation shall take effect, no person born out of the kingdom of England, Scotland, or Ireland, or the dominions thereunto belonging, although he be naturalized, and made a denizen, (except such as are born of English parents,) shall be capable to be of the privy council, or a member of either House of parliament, or to enjoy any office or place of trust either civil or military, or to have any grant of lands, tenements, or hereditaments from the crown to himself, or to any others in trust for him: That no person who has an office or place of profit under the king, or receives a pension from the crown, shall be capable of serving as member of the House of Commons: That, after the limitation shall take effect, judges' commissions be made *quandiu se bene gesserint*,

and their salaries ascertained and established: but upon the address of both Houses of parliament, it may be lawful to remove them: That no pardon under the great seal of England be pleadable to an impeachment by the Commons in parliament. Having settled these preliminaries, they resolved, That the princess Sophia, Duchess Dowager of Hanover, be declared the next in succession to the crown of England, in the protestant line, after his majesty and the princess, and the heirs of their bodies respectively: and, That the further limitation of the crown be to the said Princess Sophia and the heirs of her body, being protestants. A bill being formed on these resolutions, was sent up to the House of Lords, where it met with some opposition from the Marquis of Normandy: a protest was likewise entered against it by the Earls of Huntingdon and Plymouth, and the Lords Guilford and Jeffries. Nevertheless, it passed without amendments, and on the twelfth day of June received the royal assent: the king was extremely mortified at the preliminary limitations, which he considered as an open insult on his own conduct and administration: not but that they were necessary precautions, naturally suggested by the experience of those evils to which the nation had been already exposed, in consequence of raising a foreign prince to the throne of England. As the Tories lay under the imputation of favouring the late king's interest, they exerted themselves zealously on this occasion, to wipe off the aspersion, and insinuate themselves into the confidence of the people; hoping, that in the sequel they should be able to restrain the nation from engaging too deep in the affairs of the continent, without incurring the charge of disaffection to the present king and government. The act of settlement being passed, the Earl of Macclesfield was sent to notify the transaction to the Electress Sophia, who likewise received from his hands the order of the Garter.

§ XLV. The act of succession gave umbrage to all the popish princes who were more nearly related to the crown than this lady, whom the parliament had preferred to all others. The Duchess of Savoy, grand-daughter to King Charles I. by her mother, ordered her ambassador, Count Maffei, to make a protestation to the parliament of England, in her name, against all resolutions and decisions contrary to her title, as sole daughter to the Princess Henrietta, next in succession to the crown of England, after King William and the Princess Anne of Denmark. Two copies of this protest Maffei sent in letters to the lord-keeper and the speaker of the lower House, by two of his gentlemen, and a public notary to attest the delivery: but no notice was taken of the declaration. The Duke of Savoy, while his minister was thus employed in England, engaged in an alliance with the crowns of France and Spain, on condition that his catholic majesty should espouse his youngest daughter without a dowry. That he himself should command the allied army in Italy, and furnish eight thousand infantry, with five-and-twenty hundred horse, in consideration of a monthly subsidy of fifty thousand crowns.

§ XLVI. During these transactions, Mr. Stanhope, envoy extraordinary to the States-general, was empowered to treat with the ministers of France and Spain, according to the addresses of both Houses of parliament. He represented, that though his most christian majesty had thought fit to deviate from the partition treaty, it was not reasonable that the King of England should lose the effect of that convention; he therefore expected some security for the peace of Europe; and for that purpose insisted upon certain articles, importing, that the French king should immediately withdraw his troops from the Spanish Netherlands: that, for the security of England, the cities of Ostend and Nieupoort should be delivered into the hands of his Britannic majesty: that no kingdom, provinces, cities, lands, or places, belonging to the crown of Spain, should ever be yielded or transferred to the crown of France, on any pretence whatever: that the subjects of his Britannic majesty should retain all the privileges, rights, and immunities, with regard to their navigation and commerce in the dominions of Spain, which they enjoyed at the death of his late catholic majesty; and also all such immunities, rights, and franchises, as the subjects of France, or any other power, either possess for the present, or may enjoy

for the future: that all treaties of peace and conventions between England and Spain should be renewed: and, that a treaty formed on these demands should be guaranteed by such powers as one or other of the contractors should solicit and prevail upon to accede. Such likewise were the proposals made by the States-general, with this difference, that they demanded, as cautionary towns, all the strongest places in the Netherlands. Count D'Avaux, the French minister, was so surprised at these exorbitant demands, that he could not help saying, They could not have been higher, if his master had lost four successive battles. He assured them, that his most christian majesty would withdraw his troops from the Spanish Netherlands as soon as the King of Spain should have forces of his own sufficient to guard the country: with respect to the other articles, he could give no other answer, but that he would immediately transmit them to Versailles. Louis was filled with indignation at the insolent strain of those proposals, which he considered as a sure mark of William's hostile intentions. He refused to give any other security for the peace of Europe, than a renewal of the treaty of Ryswick; and he is said to have tampered, by means of his agents and emissaries, with the members of the English parliament, that they might oppose all steps tending to a new war on the continent.

§ XLVII. King William certainly had no expectation that France would close with such proposals; but he was not without hope, that her refusal would warm the English nation into a concurrence with his designs. He communicated to the House of Commons the demands which had been made by him and the States-general; and gave them to understand, that he would from time to time make them acquainted with the progress of the negotiation. The Commons, suspecting that his intention was to make them parties in a congress which he might conduct to a different end from that which they proposed, resolved to signify their sentiments in the answer to this message. They called for the treaty of partition, which being read, they voted an address of thanks to his majesty, for his most gracious declaration, that he would make them acquainted with the progress of the negotiation: but they signified their disapprobation of the partition treaty, signed with the great seal of England, without the advice of the parliament, which was then sitting, and productive of ill consequences to the kingdom, as well as to the peace of Europe, as it assigned over to the French king such a large portion of the Spanish dominion. Nothing could be more mortifying to the king than this open attack upon his own conduct: yet he suppressed his resentment, and without taking the least notice of their sentiments with respect to the partition treaty, assured them, that he should be always ready to receive their advice on the negotiation which he had set on foot, according to their desire. The debates in the House of Commons upon the subject of the partition treaty rose to such violence, that divers members in declaiming against it, transgressed the bounds of decency. Sir Edward Seymour compared the division which had been made of the Spanish territories to a robbery on the highway; and Mr. Howe did not scruple to say it was a felonious treaty: an expression which the king resented to such a degree, that he declared he would have demanded personal satisfaction with his sword, had he not been restrained by the disparity of condition between himself and the person who had offered such an outrageous insult to his honour: whether the Tories intended to alienate the minds of the nation from all foreign connexions, or to wreak their vengeance on the late ministers, whom they hated as the chiefs of the whig party, certain it is, they now raised a universal outcry against the partition treaty, which was not only condemned in public pamphlets and private conversation, but even brought into the House of Lords as an object of parliamentary censure. In the month of March a warm debate on this subject was begun by Sheffield Marquis of Normandy, and carried on with great vehemence by other noblemen of the same faction. They exclaimed against the article by which so many territories were added to the crown of France: they complained that the emperor had been forsaken: that the treaty was not communicated to the privy council or ministry, but clandestinely transacted by the Earls of Portland and



Jersey : that the sanction of the great seal had been unjustly and irregularly applied, first to blank powers, and afterwards to the treaty itself. The courtiers replied, that the king had engaged in a treaty of partition at the desire of the emperor, who had agreed to every article, except that relating to the duchy of Milan, and afterwards desired, that his majesty would procure for him the best terms he could obtain ; above all things recommending secrecy, that he might not forfeit his interest in Spain, by seeming to consent to the treaty : that foreign negotiations being intrusted to the care of the crown, the king lay under no legal obligation to communicate such secrets of state to his council ; far less was he obliged to follow their advice ; and that the keeper of the great seal had no authority for refusing to apply it to any powers or treaty which the king should grant or conclude, unless they were contrary to law, which had made no provision for such an emergency.<sup>e</sup> The Earl of Portland apprehending that this tempest would burst upon his head, declared on the second day of the debate, that he had by the king's order communicated the treaty, before it was concluded, to the Earls of Pembroke and Marlborough, the Lords Lonsdale, Somers, Hallifax, and Secretary Vernon. These noblemen owned, that they had been made acquainted with the substance of it : that when they excepted to some particulars, they were told, his majesty had carried the matter as far as it could be advanced, and that he could obtain no better terms ; thus assured that every article was already settled, they said they no longer insisted upon particulars, but gave their advice that his majesty should not engage himself in any measure that would produce a new war, seeing the nation had been so uneasy under the last. After long debates, and great variety as well as virulence of altercation, the House agreed to an address, in which they disapproved of the partition treaty, as a scheme inconsistent with the peace and safety of Europe, as well as prejudicial to the interest of Great Britain. They complained, that neither the instructions given to his plenipotentiaries, nor the draft of the treaty itself, had been laid before his majesty's council. They humbly besought him that, for the future, he would in all matters of importance, require and admit the advice of his natural-born subjects of known probity and fortune ; and that he would constitute a council of such persons, to whom he might impart all affairs which should any way concern him and his dominions. They observed, that interest and natural affection to their country would incline them to every measure that might tend to its welfare and prosperity ; whereas strangers could not be so much influenced by these considerations : that their knowledge of the country would render them more capable than foreigners could be of advising his majesty touching the true interests of his kingdom : that they had exhibited such repeated demonstrations of their duty and affection, as must convince his majesty of their zeal in his service ; nor could he want the knowledge of persons fit to be employed in all his secret and arduous affairs : finally, as the French king appeared to have violated the treaty of partition, they advised his majesty, in future negotiations with that prince, to proceed with such caution as might imply a real security.

§ XLVIII. The king received this severe remonstrance with his usual phlegm ; saying, it contained matter of very great moment : and he would take care that all treaties he made should be for the honour and safety of England. Though he deeply felt this affront, he would not alter his conduct towards the new ministers : but he plainly perceived their intention was to thwart him in his favourite measure, and humble him into a dependence upon their

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March, he imparted to the Commons the French king's declaration, that he would grant no other security than a renewal of the treaty of Ryswick : so that the negotiation seemed to be at an end. He likewise communicated two resolutions of the States-general, with a memorial from their envoy in England, relating to the ships they had equipped with a view to join the English

fleet, and the succours stipulated, in the treaty concluded in the year 1677, which they desired might be sent over with all convenient expedition. The House having considered this message, unanimously resolved to desire his majesty would carry on the negotiations in concert with the States-general, and take such measures therein as might most conduce to their safety : they assured him, they would effectually enable him to support the treaty of 1677, by which England was bound to assist them with ten thousand men, and twenty ships of war, in case they should be attacked. Though the king was nettled at that part of this address, which, by confining him to one treaty, implied their disapprobation of a new confederacy, he discovered no signs of emotion : but thanked them for the assurance they had given, and told them he had sent orders to his envoy at the Hague, to continue the conference with the courts of France and Spain. On the nineteenth day of April, the Marquis de Torcy delivered to the Earl of Manchester, at Paris, a letter from the new king of Spain to his Britannic majesty, notifying his accession to that throne, and expressing a desire of cultivating a mutual friendship with the king and crown of England. How averse soever William might have been to any correspondence of this sort, the Earl of Rochester and the new ministers importuned him in such a manner to acknowledge Philip, that he at length complied with their entreaties, and wrote a civil answer to his most catholic majesty. This was a very alarming incident to the emperor, who was bent upon a war with the two crowns, and had determined to send Prince Eugene with an army into Italy, to take possession of the duchy of Milan, as a fief of the empire. The new Pope, Clement XI. who had succeeded to the papacy in the preceding year, was attached to the French interest : the Venetians favoured the emperor ; but they refused to declare themselves at this juncture.

§ XLIX. The French king consented to a renewal of the negotiations at the Hague ; but, in the mean time, tampered with the Dutch deputies, to engage them in a separate treaty. Finding them determined to act in concert with the King of England, he protracted the conferences, in order to gain time, while he erected fortifications, and drew lines on the frontiers of Holland, divided the princes of the empire by his intrigues, and endeavoured to gain over the states of Italy. The Dutch, meanwhile, exerted themselves in providing for their own security. They re-inforced their garrisons, purchased supplies, and solicited succours from foreign potentates. The States wrote a letter to King William, explaining the danger of their situation, professing the most inviolable attachment to the interest of England, and desiring that the stipulated number of troops should be sent immediately to their assistance. The three Scottish regiments which he had retained in his own pay were immediately transported from Scotland. The letter of the States-general he communicated to the House of Commons, who having taken it into consideration, resolved to assist his majesty to support his allies in maintaining the liberty of Europe ; and to provide immediate succours for the States-general, according to the treaty of 1677. The House of Peers, to whom the letter was also communicated, carried their zeal still further. They presented an address, in which they desired his majesty would not only perform the articles of any former treaty with the States-general, but also engage with them in a strict league offensive and defensive, for their common preservation ; and invite into it all the princes and states that were concerned in the present visible danger arising from the union of France and Spain. They exhorted him to enter into such alliances with the emperor, as his majesty should think necessary, pursuant to the ends of the treaty concluded in the year 1689. They assured him of their hearty and sincere assistance, not doubting that Almighty God would protect his sacred person in so righteous a cause ; and that the unanimity, wealth, and courage of his subjects, would carry him with honour and success through all the difficulties of a just war. Lastly, they took leave humbly to represent, that the dangers to which his

<sup>e</sup> In the course of this debate, the Earl of Rochester reprehended some lords for speaking disrespectfully of the French king, observing, that it was peculiarly incumbent on peers to treat monarchs with decorum and respect, as they derived their dignity from the crown. Another affirming, that the

French king was not only to be respected, but likewise to be feared, a certain lord replied, " He hoped to man in England need to be afraid of the French king ; much less the peer who spoke last, who was too much a friend to that monarch to leave any thing to his resentment."

kingdom and allies had been exposed, were chiefly owing to the fatal counsels that prevented his majesty's sooner meeting his people in parliament.

§ L. These proceedings of both Houses could not but be very agreeable to the king, who expressed his satisfaction in his answer to each apart. They were the more remarkable, as at this very time considerable progress was made in a design to impeach the old ministry. This deviation, therefore, from the tenour of their former conduct, could be owing to no other motive than a sense of their own danger, and resentment against France, which, even during the negotiation, had been secretly employed in making preparations to surprise and distress the States-general. The Commons having expressed their sentiments on this subject, resumed the consideration of the partition treaty. They had appointed a committee to examine the journals of the House of Lords, and to report their proceedings in relation to the treaty of partition. When the report was made by Sir Edward Seymour, the House resolved itself into a committee, to consider the state of the nation: after warm debates, they resolved, That William Earl of Portland, by negotiating and concluding the treaty of partition, was guilty of a high crime and misdemeanor. They ordered Sir John Leveson Gower to impeach him at the bar of the House of Lords: and named a committee to prepare the articles of his impeachment. Then, in a conference with the Lords, they desired to know the particulars of what had passed between the Earl of Portland and Secretary Vernon, in relation to the partition treaty, as also what other information they had obtained concerning negotiations or treaties of partition of the Spanish monarchy. The Lords demurring to this demand, the lower House resolved to address the king, That copies of both treaties of partition, together with all the powers and instructions for negotiating those treaties, should be laid before them. The copies were accordingly produced, and the Lords sent down to the Commons two papers, containing the powers granted to the Earls of Portland and Jersey, for signing both treaties of partition. The House afterwards ordered, That Mr. Secretary Vernon should lay before them all the letters which had passed between the Earl of Portland and him, in relation to those treaties: and he thought proper to obey their command. Nothing could be more scandalously partial than the conduct of the Commons on this occasion. They resolved to screen the Earl of Jersey, Sir Joseph Williamson, and Mr. Vernon, who had been as deeply concerned as any others in that transaction; and pointed all their vengeance against the Earls of Portland and Orford, and the Lords Somers and Halifax. Some of the members even tampered with Kidd, who was now a prisoner in Newgate, to accuse Lord Somers as having encouraged him in his piracy. He was brought to the bar of the House, and examined: but he declared that he had never spoke to Lord Somers; and that he had no order from those concerned in the ship, but that of pursuing his voyage against the pirates in Madagascar. Finding him unfit for their purpose, they left him to the course of law; and he was hanged, with some of his accomplices.

§ LI. Lord Somers, understanding that he was accused in the House of Commons of having consented to the partition treaty, desired that he might be admitted and heard in his own defence. His request being granted, he told the House, that when he received the king's letter concerning the partition treaty, with an order to send over the necessary powers in the most secret manner, he thought it would have been taking too much upon him to put a stop to a treaty of such consequence, when the life of the King of Spain was so precarious; for had the king died before the treaty was finished, and he been blamed for delaying the necessary powers, he could not have justified his own conduct, since the king's letter was really a warrant: that, nevertheless, he had written a letter to his majesty, objecting to several particulars in the treaty, and proposing other articles which he thought were for the interest of his country: that he thought himself bound to put the great seal to the treaty when it was concluded: that as a privy counsellor he had offered his best advice, and as chancellor, executed his office according to his duty. After he had withdrawn, his justification gave rise

to a long debate, which ended in a resolution carried by a majority of seven voices, That John Lord Somers, by advising his majesty to conclude the treaty of partition, whereby large territories of the Spanish monarchy were to be delivered up to France, was guilty of a high crime and misdemeanor. Votes to the same effect were passed against Edward Earl of Orford, and Charles Lord Halifax; and all three were impeached at the bar of the upper House. But the Commons knowing that those impeachments would produce nothing in the House of Lords, where the opposite interest predominated, they resolved to proceed against the accused noblemen in a more expeditious and effectual way of branding their reputation. They voted and presented an address to the king, desiring he would remove them from his councils and presence forever, as advisers of a treaty so pernicious to the trade and welfare of England. They concluded, by repeating their assurance, that they would always stand by and support his majesty to the utmost of their power, against all his enemies both at home and abroad. The king in his answer, artfully overlooked the first part of the remonstrance. He thanked them for their repeated assurances; and told them he would employ none in his service but such as should be thought most likely to improve that mutual trust and confidence between him and his people, which was so necessary at that conjuncture, both for their own security and the preservation of their allies.

§ LII. The Lords, incensed at this step of the Commons, which they considered as an insult upon their tribunal, and a violation of common justice, drew up and delivered a counter-address, humbly beseeching his majesty, that he would not pass any censure upon the accused lords until they should be tried on the impeachments, and judgments be given according to the usage of parliament. The king was so perplexed by these opposite representations, that he knew not well what course to follow. He made no reply to the counter-address; but allowed the names of the impeached lords to remain in the council-books. The Commons having carried their point, which was to stigmatize those noblemen, and prevent their being employed for the future, suffered the impeachments to be neglected, until they themselves moved for trial. On the fifth day of May the House of Lords sent a message to the Commons, importing, That no articles had as yet been exhibited against the noblemen whom they had impeached. The charge was immediately drawn up against the Earl of Orford: him they accused of having received exorbitant grants from the crown: of having been concerned with Kidd the pirate: of having committed abuses in managing and victualling the fleet, when it lay on the coast of Spain: and lastly, of having advised the partition treaty. The earl in his own defence declared that he had received no grant from the king, except a very distant reversion, and a present of ten thousand pounds, after he had defeated the French at La Hogue: that in Kidd's affair he had acted legally, and with a good intention towards the public, though to his own loss: that his accounts with regard to the fleet which he commanded had been examined and passed: yet he was ready to waive the advantage, and justify himself in every particular; and he absolutely denied that he had given any advice concerning the treaty of partition. Lord Somers was accused of having set the seals to the powers, and afterwards to the treaties: of having accepted some grants: of having been an accomplice with Kidd; and of having some guilt of partial and dilatory proceedings in chancery. He answered every article in the charge; but no replication was made by the Commons, either to him or to the Earl of Orford. When the Commons were stimulated by another message from the Peers, relating to the impeachments of the Earl of Portland and Lord Halifax, they declined exhibiting articles against the former on pretence of respect for his majesty; but on the fourteenth of June the charge against Halifax was sent up to the Lords. He was taxed with possessing a grant in Ireland, without paying the produce of it, according to the law lately enacted concerning those grants: with enjoying another grant out of the forest of Deane, to the waste of the timber and the prejudice of the navy: with having held places that were incompatible, by being at the same time commissioner of

the treasury, and chancellor of the exchequer; and with having advised the two treaties of partition. He answered, that this grant in Ireland was of debts and sums of money, and within the act concerning confiscated estates; that all he had ever received from it did not exceed four hundred pounds, which, if he was bound to repay, a common action would lie against him; but every man was not to be impeached who did not discharge his debts at the very day of payment. He observed, that as his grant in the forest of Deane extended to woodings only, it could occasion no waste of timber, nor prejudice to the navy: that the auditor's place was held by another person, until he obtained the king's leave to withdraw from the treasury: that he never saw the first treaty of partition, nor was his advice asked upon the subject: that he had never heard of the second but once before it was concluded; and then he spoke his sentiments freely on the subject. This answer, like the others, would have been neglected by the Commons, whose aim was now to evade the trials, had not the Lords pressed them by messages to expedite the articles. They even appointed a day for Orford's trial, and signified their resolution to the Commons. These desired that a committee of both Houses should be named for settling preliminaries, one of which was, That the lord to be tried should not sit as a peer; and the other imported, That those Lords impeached for the same matter should not vote on the trial of each other. They likewise desired, that Lord Somers should be first tried. The Lords made no objection to this last demand; but they rejected the proposal of a committee consisting of both Houses, alleging, that the Commons were parties, and had no title to sit in equality with the judges, or to settle matters relating to the trial: that this was a demand contrary to the principles of law and rules of justice, and never practised in any court or nation. The Lords, indeed, had yielded to this expedient in the popish plot, because it was a case of treason, in which the king's life and safety of the kingdom were concerned, while the people were jealous of the court, and the whole nation was in a ferment; but at present the times were quiet, and the charge amounted to nothing more than misdemeanors; therefore, the Lords could not assent to such a proposal as was derogatory from their jurisdiction. Neither would they agree to the preliminaries; but on the twelfth day of June, resolved, That no peer impeached for high crimes and misdemeanors, should, upon his trial, be without the bar: and, That no peer impeached could be precluded from voting on any occasion, except in his own trial. Divers messages passed between the two Houses; the Commons still insisting upon a committee to settle preliminaries: at length the dispute was brought to a free conference.

§ LIII. Meanwhile the king going to the House of Peers gave the royal assent to the bill of succession. In this speech he expressed his warm acknowledgments for their repeated assurances of supporting him in such alliances as should be most proper for the preservation of the liberty of Europe, and for the security of England and the States-general. He observed, that the season of the year, was advanced; that the posture of affairs absolutely required his presence abroad: and he recommended despatch of the public business, especially of those matters which were of the greatest importance. The Commons thanked him in an address for having approved of their proceedings: they declared they would support him in such alliances as he should think fit to make in conjunction with the emperor and the States-general, for the peace of Europe, and reducing the exorbitant power of France. Then they resumed their dispute with the upper House. In the free conference, Lord Haversham happened to tax the Commons with partiality, in impeaching some Lords, and screening others who were equally guilty of the same misdemeanors. Sir Christopher Musgrave, and the managers for the Commons, immediately withdrew: this unguarded sally being reported to the House, they immediately resolved, That John Lord Haversham had uttered most scandalous reproaches and false expressions, highly reflecting upon the honour and justice of the House of Commons, tending to a breach in the good correspondence between the two Houses, and to the interruption of the public justice of the nation: that the said Lord Haversham

should be charged before the Lords for the said words: that the Lords should be desired to proceed in justice against him, and to inflict upon him such punishment as so high an offence against the Commons did deserve. The Commons had now found a pretence to justify their delay; and declared they would not renew the conference until they should have received satisfaction. Lord Haversham offered to submit to a trial; but insisted on their first proving the words which he was said to have spoken. When this declaration was imparted to the Commons, they said, the Lords ought to have censured him in a summary way, and still refused to renew the conference. The Lords, on the other hand, came to a resolution, That there should not be a committee of both Houses concerning the trial of the impeached lords. Then they resolved, That Lord Somers should be tried at Westminster-hall on Tuesday the seventeenth day of June, and signified this resolution to the lower House; reminding them, at the same time, of the articles against the Earl of Portland. The Commons refused to appear, alleging, they were the only judges, and that the evidence was not yet prepared. They sent up the reasons of their non-appearance to the House of Lords, where they were supported by the new ministry and all the malcontents, and produced very warm debates. The majority carried their point piecemeal, by dint of different votes, against which very severe protests were entered. On the day appointed for the trial, they sent a message to the Commons, that they were going to Westminster-hall. The other impeached lords asked leave, and were permitted to withdraw. The articles of impeachment against Lord Somers, and his answers, being read in Westminster-hall, and the Commons not appearing to prosecute, the Lords adjourned to their own House, where they debated concerning the question that was to be put. This being settled, they returned to Westminster-hall; and the question being put, "That John Lord Somers be acquitted of the articles of impeachment against him, exhibited by the House of Commons, and all things therein contained; and, that the impeachment be dismissed," it was carried by a majority of thirty-five. The Commons, exasperated at these proceedings, resolved, That the Lords had refused justice to the Commons: That they had endeavoured to overturn the right of impeachment lodged in the Commons by the ancient constitution of the kingdom: That all the ill consequences which might attend the delay of the supplies given for the preservation of the public peace, and the maintenance of the balance of Europe, would be owing to those who, to procure an indemnity for their own crimes, had used their utmost endeavours to make a breach between the two Houses. The Lords sent a message to the Commons, giving them to understand that they had acquitted Lord Somers, and dismissed the impeachment, as nobody had appeared to support the articles; and that they had appointed next Monday for the trial of the Earl of Orford. They resolved, That unless the charge of Lord Haversham should be prosecuted by the Commons before the end of the session, the Lords would adjudge him innocent: That the resolutions of the Commons on their late votes contained most unjust reflections on the honour and justice of the Peers: That they were contrived to cover their affected and unreasonable delays in prosecuting the impeached lords: That they manifestly tended to the destruction of the judicature of the lords; to the rendering trials on impeachments impracticable for the future, and to the subverting the constitution of the English government: That, therefore, whatever ill consequences might arise from the so long deferring the supplies for this year's service, were to be attributed to the fatal counsel of the putting off the meeting of a parliament so long, and to the unnecessary delays of the House of Commons. On the twenty-third day of June, the articles of impeachment against Edward Earl of Orford were read in Westminster-hall: but the House of Commons having previously ordered that none of the members should appear at this pretended trial, those articles were not supported; so that his lordship was acquitted, and the impeachment dismissed. Next day, the impeachments against the Duke of Leeds, which had lain seven years neglected, together with those against the Earl of Portland and Lord Halifax, as well as the charge against Lord Haversham, were dismissed for want of



prosecution. Each House ordered a narrative of these proceedings to be published; and their mutual animosity had proceeded to such a degree of rancour, as seemed to preclude all possibility of reconciliation. The Commons, in the whole course of this transaction, had certainly acted from motives of faction and revenge: for nothing could be more unjust, frivolous, and partial, than the charge exhibited in the articles of impeachment, their anticipatory address to the king, and their affected delay in the prosecutions. Their conduct on this occasion was so flagrant as to attract the notice of the common people, and inspire the generality of the nation with disgust. This the whigs did not fail to augment by the arts of calumny, and in particular, by insinuating that the court of Versailles had found means to engage the majority of the Commons in its interest.

§ LIV. This faction had, since the beginning of this session, employed their emissaries in exciting a popular aversion to the tory ministers and members, and succeeded so well in their endeavours, that they formed a scheme of obtaining petitions from different counties and corporations, that should induce the Commons to alter their conduct, on the supposition that it was contrary to the sense of the nation. In execution of this scheme, a petition signed by the deputy-lieutenants, above twenty justices of the peace, the grand jury and freeholders of the county of Kent, had been presented to the House of Commons on the eighteenth day of May, by five gentlemen of fortune and distinction. The purport of this remonstrance was, to recommend union among themselves and confidence in his majesty, whose great actions for the nation could never be forgotten without the blackest ingratitude: to beg they would have regard to the voice of the people; that their religion and safety might be effectually provided for; that their loyal addresses might be turned into bills of supply; and that his most sacred majesty might be enabled powerfully to assist his allies before it should be too late. The House was so incensed at the petulance of the petition, that they voted it scandalous, insolent, and seditious; and ordered the gentlemen who had presented it to be taken into custody. They were afterwards committed to the Gatehouse, where they remained till the prorogation of parliament; but they had no reason to repine at their imprisonment, which recommended them to the notice and esteem of the public. They were visited and caressed by the chiefs of the whig interest, and considered as martyrs to the liberties of the people. Their confinement gave rise to a very extraordinary paper, entitled, "A memorial from the gentlemen, freeholders, and inhabitants, of the counties of —, in behalf of themselves, and many thousands of the good people of England." It was signed *Legion*, and sent to the speaker in a letter, commanding him, in the name of two hundred thousand Englishmen, to deliver it to the House of Commons. In this strange expostulation, the House was charged with illegal and unwarrantable practices, in fifteen particulars; a new claim of right was ranged under seven heads; and the Commons were admonished to act according to their duty, as specified in this memorial, on pain of incurring the resentment of an injured nation. It was concluded in these words: "For Englishmen are no longer to be slaves to parliaments than to kings—our name is Legion, and we are many." The Commons were equally provoked and intimidated by this libel, which was the production of one Daniel de Foe, a scurrilous party writer, in very little estimation. They would not, however, deign to take notice of it in the House; but a complaint being made of endeavours to raise tumults and seditions, a committee was appointed to draw up an address to his majesty, informing him of those seditious endeavours, and beseeching him to provide for the public peace and security.

§ LV. The House, however, perceiving plainly that they had incurred the odium of the nation, which began to clamour for a war with France, and dreading the popular resentment, thought fit to change their measures with respect to this object, and present the address we have already mentioned, in which they promised to support him in the alliances he should contract with the emperor and other states, in order to bridle the exorbitant power of France. They likewise proceeded in earnest upon the

supply, and voted funds for raising about two millions seven hundred thousand pounds to defray the expense of the ensuing year. They voted thirty thousand seamen, and resolved that ten thousand troops should be transported from Ireland to Holland, as the auxiliaries stipulated in the treaty of 1677 with the States-general. The funds were constituted of a land tax, certain duties on merchandise, and a weekly deduction from the excise, so as to bring down the civil list to six hundred thousand pounds; as the Duke of Gloucester was dead, and James's queen refused her allowance. They passed a bill for taking away all privileges of parliament in legal prosecutions, during the intermediate prorogations; their last struggle with the Lords was concerning a bill for appointing commissioners to examine and state the public accounts. The persons nominated for this purpose were extremely obnoxious to the majority of the Peers, as violent partisans of the tory faction: when the bill, therefore, was sent up to the Lords, they made some amendments, which the Commons rejected. The former animosity between the two Houses began to revive, when the king interrupted their disputes, by putting an end to the session, on the twenty-fourth day of June, after having thanked the parliament for their zeal in the public service, and exhorted them to a discharge of their duties in their several counties. He was, no doubt, extremely pleased with such an issue of a session that had begun with a very inauspicious aspect. His health daily declined; but he concealed the decay of his constitution, that his allies might not be discouraged from engaging in a confederacy of which he was deemed the head and chief support. He conferred the command of the ten thousand troops destined for Holland upon the Earl of Marlborough, and appointed him at the same time his plenipotentiary to the States-general: a choice that evinced his discernment and discretion; for that nobleman surpassed all his contemporaries, both as a general and a politician. He was cool, penetrating, intrepid, and persevering, plausible, insinuating, artful, and dissembling.

§ LVI. A regency being established, the king embarked for Holland in the beginning of July. On his arrival at the Hague he assisted at an assembly of the States-general, whom he harangued in very affectionate terms, and was answered with great cordiality; then he made a progress round the frontiers, to examine the state of the garrisons; and gave such orders and directions as he judged necessary for the defence of the country. Meanwhile, the French minister, D'Avauz, being recalled from the Hague, delivered a letter to the States from the French king, who complained that they had often interrupted the conferences, from which no good fruits were to be expected: but he assured them it wholly depended upon themselves, whether they should continue to receive marks of his ancient friendship for their republic. The letter was accompanied by an insolent memorial, to which the States-general returned a very spirited answer. As they expected nothing now but hostilities from France, they redoubled their diligence in making preparations for their own defence. They repaired their fortifications, augmented their army, and hired auxiliaries. King William and he had already engaged in an alliance with the King of Denmark, who undertook to furnish a certain number of troops, in consideration of a subsidy; and they endeavoured to mediate a peace between Sweden and Poland; but this they could not effect. France had likewise offered her mediation between those powers in hopes of bringing over Sweden to her interest; and the court of Vienna had tampered with the King of Poland; but he persisted in his resolution to prosecute the war. The Spaniards began to be very uneasy under the dominion of their new master. They were shocked at the insolence of his French ministers and attendants, and much more at the manners and fashions which they introduced. The grandees found themselves very little considered by their sovereign, and resented his economy; for he had endeavoured to retrench the expense of the court, which had used to support their magnificence. Prince Eugene, at the head of the imperial army, had entered Italy by Vicenza, and passed the Adige near Carpi, where he defeated a body of five thousand French forces. The enemy were commanded by the Duke of Savoy, assisted by

Maréchal Catinat and the Prince of Vaudemont, who did not think proper to hazard an engagement : but Maréchal Villeroi arriving in the latter end of August with orders to attack the imperialists, Catinat retired in disgust. The new general marched immediately towards Chiari, where Prince Eugene was entrenched, and attacked his camp : but met with such a reception that he was obliged to retire with the loss of five thousand men. Towards the end of the campaign the prince took possession of all the Mantuan territories, except Mantua itself, and Goito, the blockade of which he formed. He reduced all the places on the Oglio, and continued in the field during the whole winter, exhibiting repeated marks of the most invincible courage, indefatigable vigilance, and extensive capacity in the art of war. In January he had well nigh surprised Cremona, by introducing a body of men through an old aqueduct. They forced one of the gates, by which the prince and his followers entered ; Villeroi being wakened by the noise, ran out into the street, where he was taken ; and the town must have been infallibly reduced, had Prince Eugene been joined by another body of troops, which he had ordered to march from the Parmesan, and secure the bridge. These not arriving at the time appointed, an Irish regiment in the French service took possession of the bridge, and the prince was obliged to retire with his prisoner.

§ LVII. The French king, alarmed at the activity and military genius of the imperial general, sent a reinforcement to his army in Italy, and the Duke of Vendôme to command his forces in that country ; he likewise importuned the Duke of Savoy to assist him effectually ; but that prince having obtained all he could expect from France, became cold and backward. His second daughter was by this time married to the new King of Spain, who met her at Barcelona, where he found himself involved in disputes with the states of Catalonia, who refused to pay a tax he had imposed, until their privileges should be confirmed : and he was obliged to gratify them in this particular.—The war continued to rage in the north. The young King of Sweden routed the Saxons upon the river Danube : thence he marched into Courland, and took possession of Mittau without opposition : while the King of Poland retired into Lithuania. In Hungary the French emissaries endeavoured to sow the seeds of a new revolt. They exerted themselves with indefatigable industry in almost every court of Christendom. They had already gained over the Elector of Bavaria, and his brother, the Elector of Cologne, together with the Dukes of Wolfenbuttle and Saxa-Gotha, who professed neutrality, while they levied troops, and made such preparations for war, as plainly indicated that they had received subsidies from France. Louis had also extorted a treaty of alliance from the King of Portugal, who was personally attached to the Austrian interest : but this weak prince was a slave to his ministers, whom the French king had corrupted. During this summer, the French coasts were overawed by the combined fleets of England and Holland, under the command of Sir George Rooke, who sailed down the Channel in the latter end of August, and detached Vice-Admiral Benbow with a strong squadron to the West Indies. In order to deceive the French king, with regard to the destination of this fleet, King William demanded the free use of the Spanish harbours, as if his design had been to send a squadron to the Mediterranean : but he met with a repulse, while the French ships were freely admitted. About this period the king revoked his letters-patent to the commissioners of the admiralty, and constituted the Earl of Pembroke lord high admiral of England, in order to avoid the factions, the disputes, and divided counsels of a board. The earl was no sooner promoted to this office, than he sent Captain Loades with three frigates to Cadiz, to bring home the sea stores and effects belonging to the English in that place, before the war should commence ; and this piece of service was successfully performed. The French king, in order to enjoy all the advantages that could be derived from his union with Spain, established a company to open a trade with Mexico and Peru ; and concluded a new Assiento treaty, for supplying the Spanish plantations with negroes. At the same time, he sent a strong squadron to the port of Cadiz. The French dress was introduced into the court of Spain ;

and, by a formal edict, the *grandees* of that kingdom and the peers of France were put on a level in each nation. There was no vigour left in the councils of Spain : her finances were exhausted, and her former spirit seemed to be quite extinguished ; the nobility were beggars, and the common people overwhelmed with indigence and distress. The condition of France was not much more prosperous. She had been harassed by a long war, and now saw herself on the eve of another, which in all probability would render her completely miserable.

§ LVIII. These circumstances were well known to the emperor and the maritime powers, and served to animate their negotiations for another grand alliance. Conferences were opened at the Hague ; and, on the seventh day of September, a treaty was concluded between his imperial majesty, England, and the States-general. The objects proposed, were to procure satisfaction to the emperor in the Spanish succession, and sufficient security for the dominions and commerce of the allies. They engaged to use their endeavours for recovering the Spanish Netherlands, as a barrier between Holland and France ; and for putting the emperor in possession of the duchy of Milan, Naples, and Sicily, with the lands and islands upon the coast of Tuscany belonging to the Spanish dominions. They agreed, that the King of England, and the States-general, should keep and possess whatever lands and cities they should conquer from the Spaniards in the Indies : that the confederates should faithfully communicate their designs to one another : that no party should treat of peace, or truce, but jointly with the rest : that they should concur in preventing the union of France and Spain under the same government ; and hinder the French from possessing the Spanish Indies : that, in concluding a peace, the confederates should provide for the maintenance of the commerce carried on by the maritime powers to the dominions taken from the Spaniards, and secure the States by a barrier : that they should, at the same time, settle the exercise of religion in the new conquests : that they should assist one another with all their forces, in case of being invaded by the French king, or any other potentate, on account of this alliance : that a defensive alliance should remain between them, even after the peace : that all kings, princes, and states, should be at liberty to engage in this alliance. They determined to employ two months, to obtain, by amicable means, the satisfaction and security which they demanded ; and stipulated, that within six weeks the treaty should be ratified.

§ LIX. On the sixteenth day of September, King James expired at St. Germain's, after having laboured under a tedious indisposition. This unfortunate monarch, since the miscarriage of his last attempt for recovering his throne, had laid aside all thoughts of worldly grandeur, and devoted his whole attention to the concerns of his soul. Though he could not prevent the busy genius of his queen from planning new schemes of restoration, he was always best pleased when wholly detached from such chimerical projects. Hunting was his chief diversion ; but religion was his constant care. Nothing could be more harmless than the life he led ; and, in the course of it, he subjected himself to uncommon penance and mortification. He frequently visited the poor monks of La Trappe, who were much edified by his humble and pious deportment. His pride and arbitrary temper seem to have vanished with his greatness. He became affable, kind, and easy to all his dependants ; and his religion certainly opened and improved the virtues of his heart, though it seemed to impair the faculties of his soul. In his last illness he conformed his son to prefer his religion to every worldly advantage, and even to renounce all thoughts of a crown, if he could not enjoy it without offering violence to his faith. He recommended to him the practice of justice and Christian forgiveness ; he himself declaring, that he heartily forgave the Prince of Orange, the emperor, and all his enemies. He died with great marks of devotion, and was interred, at his own request, in the church of the English Benedictines in Paris, without any funeral solemnity.

§ LX. Before his death he was visited by the French king, who seemed touched with his condition, and declared, that, in case of his death, he would own his son as King of England. This promise James's queen had

already extorted from him, by the interest of Madame de Maintenon and the dauphin. Accordingly, when James died, the pretended Prince of Wales was proclaimed King of England at St. Germain's, and treated as such at the court of Versailles. His title was likewise recognised by the King of Spain, the Duke of Savoy, and the Pope. William was no sooner informed of this transaction, than he despatched a courier to the King of Sweden, as guarantee of the treaty of Ryswick, to complain of this manifest violation. At the same time, he recalled the Earl of Manchester from Paris, and ordered him to return without taking an audience of leave. That nobleman immediately withdrew, after having intimated to the Marquis de Torcy the order he had received. Louis, in vindication of his own conduct, dispersed through all the courts of Europe a manifesto, in which he affirmed that, in owning the Prince of Wales as King of England he had not infringed any article of the treaty of Ryswick. He confessed, that in the fourth article he had promised that he would not disturb the King of Great Britain in the peaceable possession of his dominions; and he declared his intention was to observe that promise punctually. He observed, that his generosity would not allow him to abandon the Prince of Wales or his family: that he could not refuse him a title which was due to him by birth: that he had more reason to complain of the King of Great Britain, and the States-general, whose declarations and preparations in favour of the emperor might be regarded as real contraventions to treaties; finally, he quoted some instances from history, in which the children enjoyed the titles of kingdoms which their fathers had lost. These reasons, however, would hardly have induced the French king to take such a step, had he not perceived that a war with England was inevitable; and that he should be able to reap some advantages in the course of it, from espousing the cause of the pretender.

§ LXI. The substance of the French manifesto was published in London, by Poussin, the Secretary of Tallard, who had been left in England, as agent for the court of Versailles. He was now ordered to leave the kingdom, which was filled with indignation at Louis, for having pretended to declare who ought to be their sovereign. The city of London presented an address to the lords justices, expressing the deepest resentment of the French king's presumption; assured his majesty that they would, at all times, exert the utmost of their abilities for the preservation of his person, and the defence of his just rights, in opposition to all invaders of his crown and dignity. Addresses of the same nature were sent up from all parts of the kingdom, and could not but be agreeable to William. He had now concerted measures for acting with vigour against France; and he resolved to revisit his kingdom, after having made a considerable progress in a treaty of perpetual alliance between England and the States-general, which was afterwards brought to perfection by his plenipotentiary, the Earl of Marlborough. The king's return, however, was delayed a whole month by a severe indisposition, during which, the Spanish minister De Quiros hired certain physicians, to consult together upon the state and nature of his distemper. They declared, that he could not live many weeks; and this opinion was transmitted to Madrid. William, however, baffled the prognostic, though his constitution had sustained such a rude shock, that he himself perceived that his end was near. He told the Earl of Portland he found himself so weak, that he could not expect to live another summer: but charged him to conceal this circumstance until he should be dead. Notwithstanding this near approach to dissolution, he exerted himself with surprising diligence and spirit in establishing the confederacy, and settling the plan of operations. A subsidiary treaty was concluded with the King of Prussia, who engaged to furnish a certain number of troops. The emperor agreed to maintain ninety thousand men in the field against France: the proportion of the States was limited to one hundred and two thousand: and that of England did not exceed forty thousand, to act in conjunction with the allies.

§ LXII. On the fourth day of November the king arrived in England, which he found in a strange ferment, produced from the mutual animosity of the two factions.

They reviled each other in words and writing with all the falsehood of calumny, and all the bitterness of rancour; so that truth, candour, and temperance, seemed to be banished by consent of both parties. The king had found himself deceived in his new ministers, who had opposed his measures with all their influence. He was particularly disgusted with the department of the Earl of Rochester, who proved altogether imperious and untractable; and, instead of moderating, inflamed the violence of his party. The king declared, the year in which that nobleman directed his councils was the uneasiest of his whole life. He could not help expressing his displeasure in such a coldness of reserve, that Rochester told him he would serve his majesty no longer, since he did not enjoy his confidence. William made no answer to this expostulation, but resolved he should see him no more. The Earl, however, at the desire of Mr. Harley, became more pliant and submissive; and, after the king's departure for Holland, repaired to his government of Ireland, in which he now remained, exerting all his endeavours to acquire popularity. William foreseeing nothing but opposition from the present spirit of the House of Commons, closeted some of their leaders, with a view to bespeak their compliance: but finding them determined to pursue their former principles, and to insist upon their impeachments, he resolved, with the advice of his friends, to dissolve the parliament. This step he was the more easily induced to take, as the Commons were become extremely odious to the nation in general, which breathed nothing but war and defiance against the French monarch. The parliament was accordingly dissolved by proclamation, and another summoned to meet on the thirtieth day of December.

§ LXIII. Never did the two parties proceed with such heat and violence against each other, as in their endeavours to influence the new elections. The whigs, however, obtained the victory, as they included the monied-interest, which will always prevail among the borough-electors. Corruption was now reduced into an open and avowed commerce; and, had not the people been so universally venal and profligate, that no sense of shame remained, the victors must have blushed for their success. Though the majority thus obtained was staunch to the measures of the court, the choice of speaker fell upon Mr. Harley, contrary to the inclination of the king, who favoured Sir Thomas Lyttleton: but his majesty's speech was received with universal applause. It was so much admired by the well-wishers to the revolution, that they printed it with decorations, in the English, Dutch, and French languages. It appeared as a piece of furniture in all their houses, and as the king's last legacy to his own and all protestant people. In this celebrated harangue, he expatiated upon the indignity offered to the nation by the French king's acknowledging the pretended Prince of Wales: he explained the dangers to which it was exposed, by his placing his grandson on the throne of Spain: he gave them to understand he had concluded several alliances, according to the encouragement given him by both Houses of parliament, which alliances should be laid before them, together with other treaties still depending. He observed, that the eyes of all Europe were upon this parliament; and all matters at a stand, until their resolution should be known: therefore, no time ought to be lost. He told them, they had yet an opportunity to secure for themselves and their posterity the quiet enjoyment of their religion and liberties, if they were not wanting to themselves, but would exert the ancient vigour of the English nation; but he declared his opinion was, that should they neglect this occasion, they had no reason to hope for another. He said, it would be necessary to maintain a great strength at sea, and a force on land proportionable to that of their allies. He pressed the Commons to support the public credit, which could not be preserved without keeping sacred that maxim, That they shall never be losers who trust to the parliamentary security. He declared, that he never asked aids from his people without regret; that what he desired was for their own safety and honour, at such a critical time; and that the whole should be appropriated to the purposes for which it was intended. He expressed his willingness that the accounts should be yearly submitted to the inspection of parliament. He again recommended despatch, together



with good bills for employing the poor, encouraging trade, and suppressing vice. He expressed his hope that they were come together, determined to avoid disputes and differences, and to act with a hearty concurrence for promoting the common cause. He said, he should think it as great a blessing as could befall England, if they were as much inclined to lay aside those unhappy fatal animosities which divided and weakened them, as he was disposed to make all his subjects safe and easy, as to any, even the highest, offences committed against his person. He conjured them to disappoint the hopes of their enemies by their unanimity. As he had always shown, and always would show, how desirous he was to be the common father of all his people, he desired they would lay aside parties and divisions, so as that no distinction should be heard of amongst them, but of those who were friends to the protestant religion and present establishment, and of those who wished for a popish prince and a French government. He concluded by affirming, that if they, in good earnest, desired to see England hold the balance of Europe, and be indeed at the head of the protestant interest, it would appear by their improving the present opportunity. The Lords immediately drew up a warm and affectionate address, in which they expressed their resentment of the proceedings of the French king, in owning the pretended Prince of Wales for King of England. They assured his majesty, they would assist him to the utmost of their power against all his enemies : and when it should please God to deprive them of his majesty's protection, they would vigorously assist and defend against the pretended Prince of Wales, and all other pretenders whatsoever, every person and persons who had right to succeed to the crown of England, by virtue of the acts of parliament for establishing and limiting the succession. On the fifth day of January, an address to the same effect was presented by the Commons, and both met with a very gracious reception from his majesty. The Lords, as a further proof of their zeal, having taken into consideration the dangers that threatened Europe, from the accession of the Duke of Anjou to the crown of Spain, drew up another address, explaining their sense of that danger; stigmatizing the French king as a violator of treaties; declaring their opinion that his majesty, his subjects, and allies, could never be safe and secure, until the House of Austria should be restored to their rights, and the invader of the Spanish monarchy brought to reason; and assuring his majesty that no time should be lost, nor any thing wanting on their parts, which might answer the reasonable expectations of their friends abroad; not doubting but to support the reputation of the English name, when engaged under so great a prince, in the glorious cause of maintaining the liberty of Europe.

§ LXIV. The king, in order to acquire the confidence of the Commons, ordered Mr. Secretary Vernon to lay before them copies of the treaties and conventions he had lately concluded, which were so well approved, that the House unanimously voted the supply. By another vote, they authorized the exchequer to borrow six hundred thousand pounds at six per cent. for the service of the fleet, and fifty thousand pounds for the subsistence of guards and garrisons. They deliberated upon the state of the navy, with the debt due upon it, and examined an estimate of what would be necessary for extraordinary repairs. They called for an account of that part of the national debt for which no provision had been made. They ordered the speaker to write to the trustees for the forfeited estates in Ireland, to attend the House with a full detail of their proceedings in the execution of that act of parliament. On the ninth day of January, they unanimously resolved, That leave be given to bring in a bill for securing his majesty's person, and the succession of the crown in the protestant line, for extinguishing the hopes of the pretended Prince of Wales, and all other pretenders, and their open and secret abettors. They resolved to address his majesty, that he would insert an article in all his treaties of alliance, importing That no peace should be made with France, until his majesty and the nation have reparation for the great indignity offered by the French king, in owning and declaring the pretended Prince of Wales, King of England, Scotland, and Ireland. They agreed to maintain

forty thousand men for the sea service, and a like number by land, to act in conjunction with the forces of the allies, according to the proportions settled by the contracting powers. The supplies were raised by an imposition of four shillings in the pound upon lands, annuities, pensions, and stipends, and on the profits arising from the different professions : by a tax of two and one-half per cent. on all stock in trade, and money at interest; of five shillings in the pound on all salaries, fees, and perquisites; a capitation tax of four shillings : an imposition of one per cent. on all shares in the capital stock of any corporation or company which should be bought, sold, or bargained for; a duty of sixpence per bushel on malt, and a further duty on mum, cyder, and perry.

§ LXV. The Commons seemed to vie with the Lords in their zeal for the government. They brought in a bill for attainting the pretended Prince of Wales, which being sent up to the other House, passed with an additional clause of attainder against the queen, who acted as regent for the pretender. This, however, was not carried without great opposition in the House of Lords. When the bill was sent back to the Commons, they excepted to the amendment as irregular. They observed, that attainders by bill constituted the most rigorous part of the law; and that the stretching of it ought to be avoided. They proposed, that the queen should be attainted by a separate bill. The Lords assented to the proposal; and the bill against the pretended Prince of Wales passed. The Lords passed another for attainting the queen; however, it was neglected in the House of Commons. But the longest and warmest debates of this session were produced by a bill, which the Lords brought in, for abjuring the pretended Prince of Wales, and swearing to the king by the title of rightful and lawful king, and his heirs, according to the act of settlement. It was proposed, that this oath should be voluntary, tendered to all persons, and their subscription or refusal recorded without any other penalty. This article was violently opposed by the Earl of Nottingham, and other lords of the tory interest. They observed, that the government was first settled with another oath, which was like an original contract: so that there was no occasion for a new imposition: that oaths relating to men's opinions had been always considered as severe impositions; and that a voluntary oath was in its own nature unlawful. During these disputes, another bill of abjuration was brought into the House of Commons by Sir Charles Hedges, that should be obligatory on all persons who enjoyed employments in church or state; it likewise included an obligation to maintain the government in King, Lords, and Commons, and to maintain the church of England, together with the toleration for dissenters. Warm debates arose upon the question, Whether the oath should be imposed or voluntary; and at length it was carried for imposition, by the majority of one voice. They agreed to insert an additional clause, declaring it equally penal to compass or imagine the death of her royal highness the Princess Anne of Denmark, as it was to compass or imagine the death of the king's eldest son and heir. In the House of Peers this bill was strenuously opposed by the tories; and, when after long debates it passed on the twenty-fourth day of February, ten lords entered a protest against it, as an unnecessary and severe imposition.

§ LXVI. The whole nation now seemed to join in the cry for a war with France. Party heats began to abate: the factions in the city of London were in a great measure moderated by the union of the two companies trading to the East Indies, which found their mutual interest required a coalition. The tories in the House of Commons, having concurred so heartily with the inclinations of the people, resolved, as far as it lay in their power, to justify the conduct of their party in the preceding parliament. They complained of some petitions and addresses which had reflected upon the proceedings of the last House of Commons, and particularly of the Kentish petition. The majority, however, determined, that it was the undoubted right of the people of England to petition or address the king, for the calling, sitting, or dissolving of parliaments, and for the redressing of grievances; and that every subject under any accusation, either by impeachment or otherwise, had a right to be brought to a speedy trial. A complaint

being likewise made, that the Lords had denied the Commons justice in the matter of the late impeachments, a furious debate ensued; and it was carried by a very small majority that justice had not been denied. In some points, however, they succeeded: in the case of a controverted election at Maidstone, between Thomas Blisse and Thomas Culpepper, the House resolved, That the latter had been not only guilty of corrupt, scandalous, and indirect practices, in endeavouring to procure himself to be elected a burgess; but likewise, being one of the instruments in promoting and presenting the scandalous, insolent, and seditious petition, commonly called the Kentish petition, to the last House of Commons, was guilty of promoting a scandalous, villanous, and groundless reflection upon that House, by aspersing the members with receiving French money, or being in the interest of France; for which offence he was ordered to be committed to Newgate, and to be prosecuted by his majesty's attorney-general. They also resolved, That to assert that the House of Commons is not the only representative of the Commons of England, tends to the subversion of the rights and privileges of the House of Commons, and the fundamental constitution of the government of this kingdom: That to assert, that the House of Commons have no power of commitment, but of their own members, tends to the subversion of the constitution of the House of Commons: That to print or publish any books, or libels, reflecting upon the proceedings of the House of Commons, or any member thereof, for or relating to his service therein, is a high violation of the rights and privileges of the House of Commons. Notwithstanding these transactions, they did not neglect the vigorous prosecution of the war. They addressed his majesty to interpose with his allies, that they might increase their quotas of land forces, to be put on board the fleet in proportion to the numbers his majesty should embark. When they had settled the sums appropriated to the several uses of the war, they presented a second address, desiring he would provide for the half-pay officers, in the first place, in the recruits and levies to be made. The king assured them, it was always his intention to provide for those officers. He went to the House of Peers, and gave the royal assent to an act, appointing commissioners to take, examine, and determine the debts due to the army, navy, and the transport service; and also to take an account of prizes taken during the war.

§ LXVII. The affairs of Ireland were not a little embarrassed by the conduct of the trustees appointed to take cognizance of the forfeited estates. Their office was extremely odious to the people, as well as to the court, and their deportment was arbitrary and imperious. Several individuals of that kingdom, provoked by the insolence of the trustees on one hand, and encouraged by the countenance of the courtiers on the other, endeavoured, by a circular letter, to spirit up the grand jury of Ireland against the act of resumption; petitions were presented to the king, couched in very strong terms, affirming, that it was injurious to the protestant interest, and had been obtained by gross misinformations. The king having communicated these addresses to the House, they were immediately voted scandalous, false, and groundless: and the Commons resolved, That, notwithstanding the complaints and clamours against the trustees, it did not appear to the House but those complaints were groundless: nevertheless they afterwards received several petitions, imploring relief against the said act; and they ordered that the petitioners should be relieved accordingly. Proposals were delivered in for incorporating such as should purchase the said forfeitures, on certain terms therein specified, according to the rent-roll, when verified and made good to the purchasers; but, whereas in this rent-roll, the value of the estates had been estimated at something more than seven hundred and sixteen thousand pounds, those who undertook to make the purchase affirmed, they were not worth five hundred thousand pounds: and thus the affair remained in suspense.

§ LXVIII. With respect to Scotland, the clamours of that kingdom had not yet subsided. When the bill of abjuration passed in the House of Peers, the Earl of Nottingham had declared, that although he differed in opinion from the majority in many particulars relating to that bill,

yet he was a friend to the design of it: and in order to secure a protestant succession, he thought a union of the whole island was absolutely necessary. He therefore moved for an address to the king, that he would dissolve the parliament of Scotland now sitting, as the legality of it might be called in question, on account of its having been originally a convention; and that a new parliament should be summoned, that they might treat about a union of the two kingdoms. The king had this affair so much at heart, that even when he was disabled from going to the parliament in person, he sent a letter to the Commons, expressing an eager desire that a treaty for this purpose might be set on foot, and earnestly recommending this affair to the consideration of the House: but, as a new parliament in Scotland could not be called without a great risk, while the nation was in such a ferment, the project was postponed to a more favourable opportunity.

§ LXIX. Before the king's return from Holland, he had concerted with his allies the operations of the ensuing campaign. He had engaged in a negotiation with the Prince of Hesse-D'Armstadt, who assured him, that if he would besiege and take Cadiz, the Admiral of Castile, and divers other grandees of Spain, would declare for the House of Austria. The allies had also determined upon the siege of Keiserswaert, which the Elector of Cologne had delivered into the hands of the French: the Elector of Hanover had resolved to disarm the Princes of Wolfenbottle: the King of the Romans, and Prince Louis of Baden, undertook to invest Landau: and the emperor promised to send a powerful reinforcement to Prince Eugene in Italy: but William did not live to see these schemes put in execution. His constitution was by this time almost exhausted, though he endeavoured to conceal the effects of his malady, and to repair his health by exercise. On the twenty-first day of February, in riding to Hampton-court from Kensington, his horse fell under him, and he himself was thrown upon the ground with such violence, as produced a fracture in his collar-bone. His attendants conveyed him to the palace of Hampton-court, where the fracture was reduced by Ronjat, his serjeant-surgeon. In the evening he returned to Kensington in his coach, and the two ends of the fractured bone having been disunited by the jolting of the carriage, were replaced under the inspection of Bidloo, his physician. He seemed to be in a fair way of recovering till the first day of March, when his knee appeared to be inflamed, with great pain and weakness. Next day he granted a commission under the great seal to several peers, for passing the bills to which both Houses of parliament had agreed; namely, the act of attainder against the pretended Prince of Wales, and another in favour of the quakers, enacting, That their solemn affirmation and declaration should be accepted instead of an oath in the usual form.

§ LXX. On the fourth day of March the king was so well recovered of his lameness, that he took several turns in the gallery at Kensington; but, sitting down on a couch where he fell asleep, he was seized with a shivering, which terminated in a fever and diarrhoea. He was attended by Sir Thomas Millington, Sir Richard Blackmore, Sir Theodore Colledon, Dr. Bidloo, and other eminent physicians: but their prescriptions proved ineffectual. On the sixth he granted another commission for passing the bill for the malt-tax, and the bill of abjuration; and, being so weak that he could not write his name, he, in presence of the lord-keeper and the clerks of parliament, applied a stamp prepared for the purpose. The Earl of Albemarle arriving from Holland, conferred with him in private on the posture of affairs abroad; but he received his informations with great coldness, and said, "*Je tire vers ma fin*—I approach the end of my life." In the evening he thanked Dr. Bidloo for his care and tenderness, saying, "I know that you and the other learned physicians have done all that your art can do for my relief; but, finding all means ineffectual, I submit." He received spiritual consolation from Archbishop Tension, and Burnet, Bishop of Salisbury; on Sunday morning the sacrament was administered to him. The Lords of the privy council and divers noblemen attended in the adjoining apartments, and to some of them who were admitted he spoke a little. He thanked Lord Averquerque for his long and faithful ser-

vice; he delivered to Lord Albemarle the keys of his closet and scutoire, telling him he knew what to do with them. He inquired for the Earl of Portland; but, being speechless before that nobleman arrived, he grasped his hand, and laid it to his heart, with marks of the most tender affection. On the eighth day of March he expired, in the fifty-second year of his age, after having reigned thirteen years. The Lords Lexington and Scarborough, who were in waiting, no sooner perceived the king was dead, than they ordered Ronjat to untie from his left arm a black ribbon, to which was affixed a ring, containing some hair of the late Queen Mary. The body, being opened and embalmed, lay in state for some time at Kensington; and on the twelfth day of April was deposited in a vault of Henry's chapel in Westminster-abbey. In the beginning of May, a will which he had intrusted with Monsieur Schuylenberg was opened at the Hague. In this he had declared his cousin Prince Frison of Nassau, Stadtholder of Friesland, his sole and universal heir, and appointed the States-general his executors. By a codicil annexed, he had bequeathed the Lordship of Breveert, and a legacy of two hundred thousand guilders, to the Earl of Albemarle.

§ LXXI. William III. was in his person of the middle stature, a thin body, a delicate constitution, subject to an asthma and continual cough from his infancy. He had an aquiline nose, sparkling eyes, a large forehead, and a grave solemn aspect. He was very sparing of speech: his conversation was dry, and his manner disgusting, except in battle, when his deportment was free, spirited, and animating. In courage, fortitude, and equanimity, he rivalled the most eminent warriors of antiquity: and his natural sagacity made amends for the defects in his education, which had not been properly superintended. He was religious, temperate, generally just and sincere, a stranger to violent transports of passion, and might have passed for one of the best princes of the age in which he lived, had he never ascended the throne of Great Britain. But the distinguishing criterion of his character was ambition. To this he sacrificed the punctilios of honour and decorum, in deposing his own father-in-law and uncle; and this he gratified at the expense of the nation that raised him to sovereign authority. He aspired to the honour of acting as umpire in all the contests of Europe; and the second object of his attention was, the prosperity of that country to which he owed his birth and extraction. Whether he really thought the interests of the continent and Great Britain were inseparable, or sought only to drag England into the confederacy as a convenient ally, certain it is, he involved these kingdoms in foreign connexions, which, in all probability, will be productive of their ruin. In order to establish this favourite point, he scrupled not to employ all the engines of corruption, by which the morals of the nation were totally debauched. He procured a parliamentary sanction for a standing army, which now seems to be interwoven in the constitution. He introduced the pernicious practice of borrowing upon remote funds; an expedient that necessarily hatched a brood of usurers, brokers, contractors, and stockjobbers, to prey upon the vitals of their country. He entailed upon the nation a growing debt, and a system of politics big with misery, despair, and destruction. To sum up his character in a few words—William was a fatalist in religion, indefatigable in war, enterprising in politics, dead to all the warm and generous emotions of the human heart, a cold relation, an indifferent husband, a disagreeable man, an ungracious prince, and an imperious sovereign.

Purnet. Old-  
mixon. Boyer.  
Lamberty.  
State Tracts.  
Tindal. Ralph.  
Voltaire.

## CHAP. VII.

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§ I. WILLIAM was succeeded as sovereign A. D. 1701.  
of England by Anne Princess of Denmark, who ascended the throne in the thirty-eighth year of her age, to the general satisfaction of all parties. Even the Jacobites seemed pleased with her elevation, on the supposition, that as in all probability she would leave no heirs of her own body, the dictates of natural affection would induce her to alter the succession in favour of her own brother. She had been taught to cherish warm sentiments of the Tories, whom she considered as the friends of monarchy, and the true sons of the church; and they had always professed an inviolable attachment to her person and interest; but her conduct was wholly influenced by the Countess of Marlborough, a woman of an imperious temper and intriguing genius, who had been intimate with the princess from her tender years, and gained a surprising ascendancy over her. Anne had undergone some strange vicissitudes of fortune in consequence of her father's expulsion, and sustained a variety of mortifications in the late reign, during which she conducted herself with such discretion, as left little or no pretences for censure or resentment. Such conduct, indeed, was in a great measure owing to a natural temperance of disposition, not easily ruffled or inflamed. She was zealously devoted to the church of England, from which her father had used some endeavours to detach her before the revolution; and she lived in great harmony with her husband, to whom she bore six children, all of whom she had already survived. William had no sooner yielded up his breath, than the privy-council in a body waited on the new queen, who, in a short but sensible speech, assured them, that no pains nor diligence should be wanting on her part, to preserve and support the religion, laws, and liberties of her country, to maintain the succession in the protestant line, and the government in church and state as by law established. She declared her resolution to carry on the preparations for opposing the exorbitant power of France, and to assure the allies that she would pursue the true interest of England, together with theirs, for the support of the common cause. The members of the privy council having taken the oaths, she ordered a proclamation to be published, signifying her pleasure, that all persons in office of authority or government at the decease of the late king, should so continue till further directions. By virtue of an act passed in the late reign, the parliament continued sitting even after the king's death. Both Houses met immediately, and unanimously voted an address of condolence and congratulation; and, in the afternoon, the queen was proclaimed. Next day the Lords and Commons severally attended her with an address, congratulating her majesty's accession to the throne; and assuring her of their firm resolution to support her against all her enemies whatsoever. The Lords acknowledged, that their great loss was no otherwise to be repaired but by a vigorous adherence to her majesty and her allies, in the prosecution of those measures already concerted to reduce the exorbitant power of France. The Commons declared, they would maintain the succession of the crown in the protestant line, and effectually provide for the public credit of the nation. These addresses were graciously received by the queen,



who, on the eleventh day of March, went to the House of Peers with the usual solemnity, where, in a speech to both Houses, she expressed her satisfaction at their unanimous concurrence with her opinion, that too much could not be done for the encouragement of their allies in humbling the power of France; and desired they would consider of proper methods towards obtaining a union between England and Scotland. She observed to the Commons, that the revenue for defraying the expenses of the civil government was expired; and that she relied entirely on their affection for its being supplied in such a manner as should be most suitable to the honour and dignity of the crown. She declared it should be her constant endeavour to make them the best return for their duty and affection, by a careful and diligent administration for the good of all her subjects. "And as I know my own heart to be entirely English, (continued she,) I can very sincerely assure you, there is not any thing you can expect or desire from me, which I shall not be ready to do for the happiness and prosperity of England; and you shall always find me a strict and religious observer of my word." These assurances were extremely agreeable to the parliament; and she received the thanks of both Houses. Addresses of congratulation were presented by the bishop and clergy of London: by the dissenters in and about that city; and by all the counties, cities, towns, and corporations of England. She declared her attachment to the church: she promised her protection to the dissenters; and received the compliments of all her subjects with such affability as insured their affection.

§ II. William's death was no sooner known at the Hague, than all Holland was filled with consternation. The States immediately assembled, and, for some time, gazed at each other in silent fear and astonishment. They sighed, wept, and interchanged embraces and vows, that they would act with unanimity, and expend their dearest blood in defence of their country. Then they despatched letters to the cities and provinces, informing them of this unfortunate event, and exhorting them to union and perseverance. The express from England having brought the queen's speech to her privy council, it was translated and published, to revive the drooping spirits of the people. Next day Pensionary Fagel imparted to the States of Holland a letter which he had received from the Earl of Marlborough, containing assurances, in the queen's name, of union and assistance. In a few days, the queen wrote a letter in the French language to the States, confirming these assurances: it was delivered by Mr. Stanhope, whom she had furnished with fresh credentials as envoy from England. Thus animated, the States resolved to prosecute vigorous measures: their resolutions were still more inspired by the arrival of the Earl of Marlborough, whom the queen honoured with the order of the Garter, and invested with the character of ambassador extraordinary and plenipotentiary to the States-general: he was likewise declared captain-general of her forces both at home and abroad. He assured the States, that her Britannic majesty would maintain the alliances which had been concluded by the late king, and do every thing that the common concerns of Europe required. The speech was answered by Dickvelt, president of the week, who, in the name of the States, expressed their hearty thanks to her majesty, and their resolutions of concurring with her in a vigorous prosecution of the common interest.

§ III. The importance of William's life was evinced by the joy that diffused itself through the kingdom of France at the news of his decease. The person who first brought the tidings to Calais was imprisoned by the governor, until his information was confirmed. The court of Versailles could hardly restrain their transports so as to preserve common decorum: the people of Paris openly rejoiced at the event: all decency was laid aside at Rome, where this incident produced such indecent raptures, that Cardinal Grimani, the imperial minister, complained of them to the Pope, as an insult on his master the emperor, who was William's friend, confederate, and ally. The French king despatched credentials to Barre, whom the Count d'Avaux had left at the Hague to manage the affairs of France, together with instructions to renew the negotiation with the States, in hope of detaching them from the alliance. This

minister presented a memorial implying severe reflections on King William, and the past conduct of the Dutch; and insinuating, that now they had recovered their liberty, the court of France hoped they would consult their true interest. The Count de Goes, envoy from the emperor, animadverted on these expressions in another memorial, which was likewise published: the States produced in public an answer to the same remonstrance, expressing their resentment at the insolence of such insinuations, and their veneration for the memory of their late stadtholder. The Earl of Marlborough succeeded in every part of his negotiation. He animated the Dutch to a full exertion of their vigour: he concerted the operations of the campaign: he agreed with the States-general and the imperial minister, that war should be declared against France on the same day, at Vienna, London, and the Hague: and on the third of April embarked for England, after having acquired the entire confidence of those who governed the United Provinces.

§ IV. By this time the House of Commons in England had settled the civil list A. D. 1702. upon the queen for her life. When the bill received the royal assent, she assured them that one hundred thousand pounds of this revenue should be applied to the public service of the current year: at the same time, she passed another bill for receiving and examining the public accounts. A commission for this purpose was granted in the preceding reign, but had been for some years discontinued; and, indeed, always proved ineffectual to detect and punish those individuals who shamefully pillaged their country. The villany was so complicated, the vice so general, and the delinquents so powerfully screened by artifice and interest, as to elude all inquiry. On the twenty-fourth day of March, the oath of abjuration was taken by the speaker and members, according to an act for the further security of her majesty's person, and the succession of the crown in the protestant line, and for extinguishing the hopes of the pretended Prince of Wales. The queen's inclination to the Tories plainly appeared in her choice of ministers. Doctor John Sharp, Archbishop of York, became her ghostly director and counsellor in all ecclesiastical affairs. The Earl of Rochester was continued lord-lieutenant of Ireland, and enjoyed a great share of her majesty's confidence: the privy-seal was intrusted to the Marquis of Normanby: the Earl of Nottingham and Sir Charles Hedges were appointed secretaries of state: the Earl of Abingdon, Viscount Weymouth, Lord Dartmouth, Sir Christopher Musgrave, Grenville, Howe, Gower, and Harcourt, were admitted as members of the privy council, together with Sir Edward Seymour, now declared comptroller of the household. The Lord Godolphin declined accepting the office of lord high-treasurer, until he was overruled by the persuasions of Marlborough, to whose eldest daughter his son was married. This nobleman refused to command the forces abroad, unless the treasury should be put into the hands of Godolphin, on whose punctuality in point of remittances he knew he could depend. George, Prince of Denmark, was invested with the title of generalissimo of all the queen's forces by sea and land; and afterwards created lord high-admiral, the Earl of Pembroke having been dismissed from this office with the offer of a large pension, which he generously refused. Prince George, as admiral, was assisted by a council, consisting of Sir George Rooke, Sir David Mitchel, George Churchill, and Richard Hill. Though the legality of this board was doubted, the parliament had such respect and veneration for the queen, that it was suffered to act without question.

§ V. A rivalry for the queen's favour already appeared between the Earls of Rochester and Marlborough. The former, as first cousin to the queen, and chief of the Tory faction, maintained considerable influence in the council; but even there the interest of his rival predominated. Marlborough was not only the better courtier, but by the canal of his countess, actually directed the queen in all her resolutions. Rochester proposed in council, that the English should avoid a declaration of war with France, and act as auxiliaries only. He was seconded by some other members: but the opinion of Marlborough preponderated. He observed, that the honour of the nation was

concerned to fulfil the late king's engagements: and affirmed that France could never be reduced within due bounds, unless the English would enter as principals in the quarrel. This allegation was supported by the Dukes of Somerset and Devonshire, the Earl of Pembroke, and the majority of the council. The queen being resolved to declare war, communicated her intention to the House of Commons, by whom it was approved: and on the fourth day of May the declaration was solemnly proclaimed. The king of France was, in this proclamation, taxed with having taken possession of great part of the Spanish dominions; with designing to invade the liberties of Europe, and obstruct the freedom of navigation and commerce; with having offered an unpardonable insult to the queen, and her throne, by taking upon him to declare the pretended Prince of Wales King of England, Scotland, and Ireland. The three declarations of the emperor, England, and the states-general, which were published in one day, did not fail to disconcert, as well as to provoke, the French monarch. When his minister De Torcy recited them in his hearing, he spoke of the queen with some acrimony; but with respect to the States-general, he declared with great emotion, that "Messieurs the Dutch merchants should one day repent of their insolence and presumption, in declaring war against so powerful a monarch;" he did not, however, produce his declaration till the third day of July.

§ VI. The House of Commons, in compliance with the queen's desire, brought in a bill, empowering her majesty to name commissioners to treat with the Scots for a union of the two kingdoms. It met with warm opposition from Sir Edward Seymour, and other tory members, who discharged abundance of satire and ridicule upon the Scottish nation: but the measure seemed so necessary at that juncture, to secure the protestant succession against the practices of France, and the claims of the pretender, that the majority espoused the bill, which passed through both Houses, and on the sixth day of May received the royal assent, together with some bills of less importance. The enemies of the late king continued to revile his memory.<sup>a</sup> They even charged him with having formed a design of excluding the Princess Anne from the throne, and of introducing the Elector of Hanover as his own immediate successor. This report had been so industriously circulated, that it began to gain credit all over the kingdom. Several peers interested themselves in William's character; and a motion was made in the upper House, that the truth of this report should be inquired into. The House immediately desired that those Lords who had visited the late king's papers would intimate whether or not they had found any among them relating to the queen's succession, or to the succession of the house of Hanover. They forthwith declared, that nothing of that sort appeared. Then the House resolved, that the report was groundless, false, villanous, and scandalous; to the dishonour of the late king's memory, and highly tending to the disservice of her present majesty, whom they besought to give order that the authors or publishers of such scandalous reports should be prosecuted by the attorney-general. The same censure was passed upon some libels and pamphlets, tending to inflame the factions of the kingdom, and to propagate a spirit of irreligion.<sup>b</sup> On the twenty-first day of May, the Commons, in an address, advised her majesty to engage the emperor, the States-general, and her other allies, to join with her in prohibiting all intercourse with France and Spain; and to concert such methods with the States-general as might most effectually secure the trade of her subjects and allies. The Lords presented another address, desiring the queen would encourage her subjects to equip privateers, as the preparations of the enemy seemed to be made for a piratical war, to the interruption of commerce: they likewise exhorted her majesty to grant commissions or charters to all persons who should make such acqui-

sitions in the Indies, as she in her great wisdom should judge most expedient for the good of her kingdoms. On the twenty-fifth day of May, the queen having passed several public and private bills,<sup>c</sup> dismissed the parliament by prorogation, after having, in a short speech, thanked them for their zeal, recommended unanimity, and declared she would carefully preserve and maintain the act of toleration.

§ VII. In Scotland a warm contest arose between the revolutioners and those in the opposition, concerning the existence of the present parliament. The queen had signified her accession to the throne, in a letter to her privy council for Scotland; desiring they would continue to act in that office, until she should send a new commission. Meanwhile she authorized them to publish a proclamation, ordaining all officers of state, counsellors, and magistrates, to act in all things conformably to the commissions and instructions of his late majesty, until new commissions should be prepared. She likewise assured them of her firm resolution to protect them in their religion, laws, and liberties, and in the established government of the church. She had already, in presence of twelve Scottish counsellors, taken the coronation-oath for that kingdom: but those who wanted to embroil the affairs of their country affirmed that this was an irregular way of proceeding, and that the oath ought to have been tendered by persons deputed for that purpose, either by the parliament or the privy-council of the kingdom. The present ministry, consisting of the Duke of Queensberry, the Earls of Marchmont, Melvil, Seafield, Hynford, and Selkirk, were devoted to revolution principles, and desirous that the parliament should continue, in pursuance of a late act for continuing the parliament that should be then in being, six months after the death of the king; and that it should assemble in twenty days after that event. The queen had, by several adjournments, deferred the meeting almost three months after the king's decease: and therefore the anti-revolutioners affirmed that it was dissolved. The Duke of Hamilton was at the head of this party, which clamoured loudly for a new parliament. This nobleman, together with the Marquis of Tweedale, the Earls Marshal and Rothes, and many other noblemen, repaired to London, in order to make the queen acquainted with their objections to the continuance of the present parliament. She admitted them to her presence, and calmly heard their allegations: but she was determined by the advice of her privy council for that kingdom, who were of opinion that the nation was in too great a ferment to hazard the convocation of a new parliament. According to the queen's last adjournment, the parliament met at Edinburgh on the ninth day of June, the Duke of Queensberry having been appointed high-commissioner. Before the queen's commission was read, the Duke of Hamilton, for himself and his adherents, declared their satisfaction at her majesty's accession to the throne, not only on account of her undoubted right by descent, but likewise because of her many personal virtues and royal qualities. He said they were resolved to sacrifice their lives and fortunes in defence of her majesty's right against all her enemies whatever: but, at the same time, they thought themselves bound in duty to give their opinion, that they were not warranted by law to sit and act as a parliament. He then read a paper to the following effect: that forasmuch as, by the fundamental laws and constitution of this kingdom, all parliaments do dissolve on the death of their sovereign, except in so far as innovated by an act in the preceding reign, that the parliament in being at his majesty's decease should meet, and act what might be needful for the defence of the true protestant religion as by law established, and for the maintenance of the succession to the crown, as settled by the claim of right, and for the preservation and security of the public peace; and seeing these ends are fully answered by her majesty's succession to

<sup>a</sup> In their hours of debauch they drank to the health of *Sorrel*, meaning the house that fell with the king; and, under the appellation of the little gentleman in silver, toasted the mole that raised the bill over which the horse had stumbled. As the beast had formerly belonged to Sir John Fenwick, they insinuated that William's late was a judgment upon him, for his cruelty to that gentleman: and a Latin epigram was written on the occasion.

<sup>b</sup> Doctor Buickes, in a sermon preached before the convocation, on the thirtieth day of January, drew a parallel between the sufferings of Christ

and those of King Charles, to which last he gave the preference, in point of right, character, and station.

<sup>c</sup> During this short session, the queen gave her assent to an act for laying a duty upon land: to another for enlarging the Greenland trade; to a third for making good the deficiencies and the public credit; to a fourth for continuing the imprisonment of Coumter, and other conspirators against King William; to a fifth for the relief of protestant purchasers of the forfeited estates of Ireland; to a sixth enlarging the time for taking the oath of abjuration, to a seventh obliging the Jews to maintain and provide for their protestant children.

the throne; we conceive ourselves not now warranted by law to meet, sit, or act; and therefore do dissent from any thing that shall be done or acted. The duke having recited this paper, and formally protested against the proceedings of the parliament, withdrew with seventy-nine members amidst the acclamations of the people.

§ VIII. Notwithstanding their secession, the commissioner, who retained a much greater number, produced the queen's letter, signifying her resolution to maintain and protect her subjects in the full possession of their religion, laws, liberties, and the presbyterian discipline. She informed them of her having declared war against France; she exhorted them to provide competent supplies for maintaining such a number of forces as might be necessary for disappointing the enemy's designs, and preserving the present happy settlement; and she earnestly recommended to their consideration a union of the two kingdoms. The Duke of Queensberry and the Earl of Marchmont having enforced the different articles of this letter, committees were appointed for the security of the kingdom, for controverted elections, for drawing up an answer to her majesty's letter, and for revising the minutes. Meanwhile, the Duke of Hamilton and his adherents sent the Lord Blantyre to London, with an address to the queen, who refused to receive it, but wrote another letter to the parliament, expressing her resolution to maintain their dignity and authority against all opposers. They, in answer to the former, had assured her, that the groundless secession of some members should increase and strengthen their care and zeal for her majesty's service. They expelled Sir Alexander Bruce, for having given vent to some reflections against presbytery. The lord advocate prosecuted the faculty of advocates before the parliament, for having passed a vote among themselves in favour of the protestation and address of the dissenting members. The faculty was severely reprimanded: but the whole nation seemed to resent the prosecution. The parliament passed an act for recognising her majesty's royal authority: another for adjourning the court of judicature called the session: a third declaring this meeting of parliament legal: and forbidding any person to disown, quarrel with, or impugn the dignity and authority thereof, under the penalty of high treason: a fourth for securing the true protestant religion and presbyterian church government: a fifth for a land-tax: and a sixth enabling her majesty to appoint commissions for a union between the two kingdoms.

§ IX. The Earl of Marchmont, of his own accord, and even contrary to the advice of the high-commissioner, brought in a bill for abjuring the pretended Prince of Wales: but this was not supported by the court party, as the commissioner had no instructions how to act on the occasion. Perhaps the queen and her English ministry resolved to keep the succession open in Scotland, as a check upon the whigs and house of Hanover. On the thirtieth day of June, the commissioner adjourned the parliament after having thanked them for their cheerfulness and unanimity in their proceedings; and the chiefs of the opposite parties hastened to London, to make their different representations to the queen and her ministry. In the mean time she appointed commissioners for treating about the union; and they met at the Cockpit on the twenty-second day of October. On the twentieth day of the next month, they adjusted preliminaries, importing, that nothing agreed on among themselves should be binding, except ratified by her majesty and the respective parliaments of both nations; and that, unless all the heads proposed for the treaty were agreed to, no particular thing agreed on should be binding. The queen visited them in December, in order to quicken their mutual endeavours. They agreed, that the two kingdoms should be inseparably united into one monarchy, under her majesty, her heirs, and successors, and under the same limitations, according to the acts of settlement: but, when the Scottish commissioners proposed, that the rights and privileges of their company trading to Africa and the Indies, should be preserved and maintained, such a difficulty arose as could not be surmounted, and no further progress was made in this commission. The tranquillity of Ireland was not interrupted by any new commotion. That kingdom was ruled by justices whom the Earl of Rochester

had appointed; and the trustees for the forfeited estates maintained their authority.

§ X. While Britain was engaged in these civil transactions, her allies were not idle on the continent. The old Duke of Zell, and his nephew, the Elector of Brunswick, surprised the Dukes of Wolfenbuttle and Saxe-Gotha, whom they compelled to renounce their attachments to France, and concur in the common councils of the empire. Thus the north of Germany was re-united to the interests of the confederates; and the princes would have been in a condition to assist them effectually, had not the neighbourhood of the war in Poland deterred them from parting with their forces. England and the States-general endeavoured in vain to mediate a peace between the Kings of Sweden and Poland. Charles was become enamoured of war, and ambitious of conquest. He threatened to invade Saxony through the dominions of Prussia. Augustus retired to Cracow, while Charles penetrated to Warsaw, and even ordered the cardinal-primate to summon a diet for choosing a new king. The situation of affairs at this juncture was far from being favourable to the allies. The court of Vienna had tampered in vain with the Elector of Bavaria, who made use of this negotiation to raise his terms with Louis. His brother, the Elector of Cologne, admitted French garrisons into Liege, and all his places on the Rhine. The Elector of Saxony was too hard pressed by the King of Sweden, to spare his full proportion of troops to the allies: the King of Prussia was over-awed by the vicinity of the Swedish conqueror: the Duke of Savoy had joined his forces to those of France, and overruled the whole state of Milan; and the Pope, though he professed a neutrality, evinced himself strongly biassed to the French interests.

§ XI. The war was begun in the name of the elector-palatine with the siege of Keiserswaert, which was invested in the month of April by the Prince of Nassau-Saarburgh, mareschal-du-camp to the emperor: under this officer the Dutch troops served as auxiliaries, because war had not yet been declared by the States-general. The French garrisons made a desperate defence. They worsted the besiegers in divers sallies, and maintained the place until it was reduced to a heap of ashes. At length the allies made a general attack upon the counterscarp and ravelin, which they carried after a very obstinate engagement, with the loss of two thousand men. Then the garrison capitulated on honourable terms, and the fortifications were razed. During this siege, which lasted from the eighteenth day of April to the middle of June, Count Tallard posted himself on the opposite side of the Rhine, from whence he supplied the town with fresh troops and ammunition, and annoyed the besiegers with his artillery; but finding it impossible to save the place, he joined the grand army, commanded by the Duke of Burgundy, in the Netherlands. The siege of Keiserswaert was covered by a body of Dutch troops under the Earl of Athlone, who lay encamped in the Duchy of Cleve. Meanwhile General Coehorn, at the head of another detachment, entered Flanders, demolished the French lines between the forts of Donat and Isabelle, and laid the châtellanie of Bruges under contribution: but a considerable body of French troops advancing under the Marquis de Bedmar, and the Count de la Motte, he overflowed the country, and retired under the walls of Sluys. The Duke of Burgundy, who had taken the command of the French army under Boufflers, encamped at Zanten, near Cleve, and laid a scheme for surprising Nimeguen; in which, however, he was baffled by the vigilance and activity of Athlone, who, guessing his design, marched thither, and encamped under the cannon of the town. In the beginning of June, Landau was invested by Prince Louis of Baden; in July, the King of the Romans arrived in the camp of the besiegers, with such pomp and magnificence as exhausted his father's treasury. On the ninth day of September, the citadel was taken by assault: and then the town surrendered.

§ XII. When the Earl of Marlborough arrived in Holland, the Earl of Athlone, in quality of Veldt mareschal, insisted upon an equal command with the English general; but the States obliged him to yield this point in favour of Marlborough, whom they declared generalissimo of all their forces. In the beginning of July he repaired to the



camp at Nimeguen, where he soon assembled an army of sixty thousand men, well provided with all necessaries: then he convoked a council of the general officers, to concert the operations of the campaign. On the sixteenth day of the month he passed the Maese, and encamped at Overasselt, within two leagues and a half of the enemy, who had entrenched themselves between Goch and Gedap. He afterwards repassed the river below the Grave, and removed to Gravenbroeck, where he was joined by the British train of artillery from Holland. On the second day of August, he advanced to Petit Brugel, and the French retired before him, leaving Spanish Guelderland to his discretion. He had resolved to hazard an engagement, and issued orders accordingly: but he was restrained by the Dutch deputies, who were afraid of their own interest, in case the battle should have proved unfortunate. The Duke of Burgundy, finding himself obliged to retreat before the allied army, rather than expose himself longer to such a mortifying indignity, returned to Versailles, leaving the command to Boufflers, who lost the confidence of Louis by the ill success of this campaign. The deputies of the States-general having represented to the Earl of Marlborough the advantages that would accrue to Holland, from his dispossessing the enemy of the places they maintained in the Spanish Guelderland, by which the navigation of the Maese was obstructed, and the important town of Maestricht in a manner blocked up, he resolved to deliver them from such a troublesome neighbourhood. He detached General Schultz with a body of troops to reduce the town and castle of Werk, which were surrendered after a slight resistance. In the beginning of September, he undertook the siege of Venlo, which capitulated on the twenty-fifth day of the month, after fort St. Michael had been stormed and taken by Lord Cutts and the English volunteers, among whom the young Earl of Huntingdon distinguished himself by very extraordinary acts of valour. Then the general invested Ruremonde, which he reduced after a very obstinate defence, together with the fort of Stevensuaert, situated on the same river. Boufflers, confounded at the rapidity of Marlborough's success, retired towards Liege, in order to cover that city: but, at the approach of the confederates, he retired with precipitation to Tongeren, from whence he directed his route towards Brabant, with a view to defend such places as the allies had no design to attack. When the Earl of Marlborough arrived at Liege, he found the suburbs of St. Walburgh had been set on fire by the French garrison, who had retired to the citadel and the Chartreux. The allies took immediate possession of the city; and in a few days opened the trenches against the citadel, which was taken by assault. On this occasion, the hereditary Prince of Hesse-Cassel charged at the head of the grenadiers, and was the first person who mounted the breach. Violani the governor, and the Duke of Charost, were made prisoners. Three hundred thousand florins in gold and silver were found in the citadel, besides notes for above one million, drawn upon substantial merchants in Liege, who paid the money. Immediately after this exploit, the garrison of the Chartreux capitulated on honourable terms, and were conducted to Antwerp. By the success of this campaign, the Earl of Marlborough raised his military character above all censure, and confirmed himself in the entire confidence of the States-general; who in the beginning of the season had trembled for Nimeguen, and now saw the enemy driven hack into their own domains.

§ XIII. When the army broke up in November, the general repaired to Maestricht, from whence he proposed to return to the Hague by water. Accordingly he embarked in a large boat with five-and-twenty soldiers, under the command of a lieutenant. Next morning he was joined at Ruremonde by Coehorn, in a large vessel with sixty men; and they were moreover escorted by fifty troopers, who rode along the bank of the river. The large boat outsailed the other, and the horsemen mistook their way in the dark. A French partisan, with five-and-thirty men from Guelders, who lurked among the rushes in wait for prey, seized the rope by which the boat was drawn, hauled it ashore, discharged their small arms and hand-grenades, then rushing into it secured the soldiers before they could put themselves in a posture of defence. The Earl of

Marlborough was accompanied by General Opdam, and Mynheer Gueldermalsen, one of the deputies, who were provided with passports. The Earl had neglected this precaution: but recollecting he had an old passport for his brother General Churchill, he produced it without any emotion: and the partisan was in such confusion that he never examined the date. Nevertheless, he rifled their baggage, carried off the guard as prisoners, and allowed the boat to proceed. The Governor of Venlo receiving information that the Earl was surprised by a party, and conveyed to Guelders, immediately marched out with his whole garrison to invest that place. The same imperfect account being transmitted to Holland, filled the whole province with consternation. The States forthwith assembling, resolved that all their forces should march immediately to Guelders, and threaten the garrison of the place with the utmost extremities, unless they would immediately deliver the general. But before these orders could be despatched, the Earl arrived at the Hague, to the inexpressible joy of the people, who already looked upon him as their saviour and protector.

§ XIV. The French arms were not quite so unfortunate on the Rhine as in Flanders. The Elector of Bavaria surprised the city of Ulm in Suabia, by a stratagem, and then declared for France, which had by this time complied with all his demands. The diet of the empire, assembled at Ratisbon, were so incensed at his conduct in seizing the city of Ulm by perfidy, that they presented a memorial to his imperial majesty, requesting he would proceed against the elector, according to the constitutions of the empire. They resolved, by a plurality of voices, to declare war in the name of the empire against the French king and the Duke of Anjou, for having invaded several fields of the empire in Italy, the archbishopric of Cologne, and the diocese of Liege; and they forbade the ministers of Bavaria and Cologne to appear in the general diet. In vain did these powers protest against their proceedings. The empire's declaration of war was published and notified, in the name of the diet, to the Cardinal of Limberg, the emperor's commissioner. Meanwhile the French made themselves masters of Neuburg, in the circle of Suabia, while Louis Prince of Baden, being weakened by sending off detachments, was obliged to lie inactive in his camp near Fredlinguen. The French army was divided into two bodies, commanded by the Marquis de Villars and the Count de Guiscard; and the prince thinking himself in danger of being enclosed by the enemy, resolved to decamp. Villars immediately passed the Rhine, to fall upon him in his retreat, and an obstinate engagement ensuing, the imperialists were overpowered by numbers. The prince, having lost two thousand men, abandoned the field of battle to the enemy, together with his baggage, artillery, and ammunition, and retired towards Stauffen, without being pursued. The French army, even after they had gained the battle, were unaccountably seized with such a panic, that if the imperial general had faced them with two regiments, he would have snatched the victory from Villars, who was upon this occasion saluted Mareschal of France by the soldiers; and next day the town of Fredlinguen surrendered. The prince being joined by some troops under General Thunigen, and other reinforcements, resolved to give battle to the enemy; but Villars declined an engagement, and repassed the Rhine. Towards the latter end of October, Count Tallard, and the Marquis de Lomarie, with a body of eighteen thousand men, reduced Triers and Traerbach: on the other hand, the Prince of Hesse-Cassel, with a detachment from the allied army at Liege, retook from the French the towns of Zinz, Lintz, Brisach, and Andernach.

§ XV. In Italy, Prince Eugene laboured under a total neglect of the imperial court, where his enemies, on pretence of supporting the King of the Romans in his first campaign, weaned the emperor's attention entirely from his affairs on the other side of the Alps, so that he left his best army to moulder away for want of recruits and reinforcements. The prince, thus abandoned, could not prevent the Duke de Vendome from relieving Mantua, and was obliged to relinquish some other places he had taken. Philip King of Spain, being inspired with the ambition of putting an end to the war in this country, sailed in

person for Naples, where he was visited by the cardinal-legate, with a compliment from the Pope; yet he could not obtain the investiture of the kingdom from his holiness. The emperor, however, was so disgusted at the embassy which the Pope had sent to Philip, that he ordered his ambassador at Rome to withdraw. Philip proceeded from Naples to Final, under convoy of the French fleet, which had brought him to Italy: here he had an interview with the Duke of Savoy, who began to be alarmed at the prospect of the French king's being master of the Milanese: and, in a letter to the Duke of Vendome, he forbade him to engage Prince Eugene until he himself should arrive in the camp. Prince Eugene, understanding that the French army intended to attack Luzzara and Guastalla, passed the Po, with an army of about half the number of the enemy, and posted himself behind the dyke of Zero, in such a manner that the French were ignorant of his situation. He concluded, that on their arrival at the ground they had chosen, the horse would march out to forage, while the rest of the army would be employed in pitching tents, and providing for their refreshment. His design was to seize that opportunity of attacking them, not doubting that he should obtain a complete victory: but he was disappointed by mere accident. An adjutant, with an advanced guard, had the curiosity to ascend the dyke, in order to view the country, when he discovered the imperial infantry lying on their faces, and their horse in the rear, ranged in order of battle. The French camp was immediately alarmed; and as the intermediate ground was covered with hedges, which obliged the assailants to defile, the enemy were in a posture of defence before the imperialists could advance to action: nevertheless, the prince attacked them with great vivacity, in hopes of disordering their line, which gave way in several places: but night interposing, he was obliged to desist: and in a few days the French reduced Luzzara and Guastalla. The prince, however, maintained his post, and Philip returned to Spain, without having obtained any considerable advantage.

§ XVI. The French king employed all his artifice and intrigues in raising up new enemies against the confederates. He is said to have bribed Count Mansfield, president of the council of war at Vienna, to withhold the supplies from Prince Eugene in Italy. At the Ottoman Porte he had actually gained over the visir, who engaged to renew the war with the emperor. But the mufti and all the other great officers were averse to this design, and the visir fell a sacrifice to their resentment. Louis continued to embroil the kingdom of Poland by means of the cardinal primate. The young King of Sweden advanced to Lissau, where he defeated Augustus. Then he took possession of Cracow, and raised contributions: nor could he be persuaded to retreat, although the Muscovites and Lithuanians had ravaged Livonia, and even made an irruption into Sweden.

§ XVII. The operations of the combined squadrons at sea did not fully answer the expectation of the public. On the twelfth day of May, Sir John Munden sailed with twelve ships to intercept a French squadron appointed as a convoy to a new viceroy of Mexico, from Corunna to the West Indies. On the twenty-eighth day of the month, he chased fourteen sail of French ships into Corunna. Then he called a council of war, in which it was agreed, that as the place was strongly fortified, and that seventeen of the enemy's ships of war rode at anchor in the harbour, it would be expedient for them to follow the latter part of their instructions, by which they were directed to cruise in soundings for the protection of the trade. They returned accordingly, and being distressed by want of provisions, came into port, to the general discontent of the nation. For the satisfaction of the people, Sir John Munden was tried by a court-martial, and acquitted; but as this miscarriage had rendered him very unpopular, Prince George dismissed him from the service. We have already hinted, that King William had projected a scheme to reduce Cadiz, with intention to act afterwards against the Spanish settlements in the West Indies. This design Queen Anne resolved to put in execution. Sir George Rooke commanded the fleet, and the Duke of Ormond was appointed general of the land-forces destined for this expedition.

The combined squadrons amounted to fifty ships of the line, exclusive of frigates, fire-ships, and smaller vessels; and the number of soldiers embarked was not far short of fourteen thousand. In the latter end of June the fleet sailed from St. Helen's: on the twelfth of August they anchored at the distance of two leagues from Cadiz. Next day the Duke of Ormond summoned the Duke of Brancaccio, who was governor, to submit to the house of Austria; but that officer answered, he would acquit himself honourably of the trust reposed in him by the king. On the fifteenth the Duke of Ormond landed with his forces in the bay of Bulls, under cover of a smart fire from some frigates, and repulsed a body of Spanish cavalry; then he summoned the governor of Fort St. Catharine's to surrender; and received an answer, importing, that the garrison was prepared for his reception. A declaration was published in the Spanish language, intimating, that the allies did not come as enemies to Spain; but only to free them from the yoke of France, and assist them in establishing themselves under the government of the house of Austria. These professions produced very little effect among the Spaniards, who were either cooled in their attachment to that family, or provoked by the excesses of the English troops. These having taken possession of Fort St. Catharine, and Port St. Mary's, instead of protecting, plundered the natives, notwithstanding the strict orders issued by the Duke of Ormond, to prevent this scandalous practice: even some general officers were concerned in the pillage. A battery was raised against Montagorda fort opposite to the Puntal: but the attempt miscarried, and the troops were re-embarked.

§ XVIII. Captain Hardy having been sent to water in Lagos bay, received intelligence that the galleons from the West Indies had put into Vigo, under convoy of a French squadron. He sailed immediately in quest of Sir George Rooke, who was now on his voyage back to England, and falling in with him on the sixth day of October, communicated the substance of what he had learned. Rooke immediately called a council of war, in which it was determined to alter their course, and attack the enemy at Vigo. He forthwith detached some small vessels for intelligence, and received a confirmation, that the galleons, and the squadron commanded by Chateau Renault, were actually in the harbour. They sailed thither, and appeared before the place on the eleventh day of October. The passage into the harbour was narrow, secured by batteries, forts, and breast-works on each side: by a strong boom, consisting of iron chains, topmasts, and cables, moored at each end to a seventy-gun ship; and fortified within by five ships of the same strength lying athwart the channel, with their broad-sides to the offing. As the first and second rates of the combined fleets were too large to enter, the admirals shifted their flags into smaller ships; and a division of five-and-twenty English and Dutch ships of the line with their frigates, fire-ships, and ketches, were destined for the service. In order to facilitate the attack, the Duke of Ormond landed with five-and-twenty hundred men, at the distance of six miles from Vigo, and took by assault a fort and platform of forty pieces of cannon, at the entrance of the harbour. The British ensign was no sooner seen flying at the top of this fort, than the ships advanced to the attack. Vice-Admiral Hopson, in the Torbay, crowding all his sail, ran directly against the boom, which was broken by the first shock; then the whole squadron entered the harbour, through a prodigious fire from the enemy's ships and batteries. These last, however, were soon stormed and taken by the grenadiers who had been landed. The great ships lay against the forts at each side of the harbour, which in a little time they silenced; though Vice-Admiral Hopson narrowly escaped from a fresh fire by which he was boarded. After a very vigorous engagement, the French, finding themselves unable to cope with such an adversary, resolved to destroy their ships and galleons, that they might not fall into the hands of the victors. They accordingly burned and ran ashore eight ships and as many advice-boats; but ten ships of war were taken, together with eleven galleons. Though they had secured the best part of their plate and merchandise before the English fleet arrived, the value of fourteen millions of pieces of eight, in plate and rich commodities, was de-

stroyed in six galleons that perished; and about half that value was brought off by the conquerors: so that this was a dreadful blow to the enemy, and a noble acquisition to the allies. Immediately after this exploit, Sir George Rooke was joined by Sir Cloudesley Shovel, who had been sent out with a squadron to intercept the galleons. This officer was left to bring home the prizes, and dismantle the fortifications, while Rooke returned in triumph to England.

§ XIX. The glory which the English acquired in this expedition was in some measure tarnished by the conduct of some officers in the West Indies. Thither Admiral Benbow had been detached with a squadron of ten sail, in the course of the preceding year. At Jamaica he received intelligence, that Monsieur Du Casse was in the neighbourhood of Hispaniola, and resolved to beat up to that island. At Leogane he fell in with a French ship of fifty guns, which her captain ran ashore and blew up. He took several other vessels, and having alarmed Petit-Guavas, bore away for Donna Maria bay, where he understood that Du Casse had sailed for the coast of Carthagena. Benbow resolved to follow the same course, and on the nineteenth of August discovered the enemy's squadron near St. Martha, consisting of ten sail, steering along shore. He formed the line, and an engagement ensued, in which he was very ill seconded by some of his captains. Nevertheless, the battle continued till night, and he determined to renew it next morning, when he perceived all his ships at the distance of three or four miles astern, except the Ruby, commanded by Captain George Walton, who joined him in plying the enemy with chase-guns. On the twenty-first these two ships engaged the French squadron; and the Ruby so disabled, that the admiral was obliged to send her back to Jamaica. Next day the Greenwich, commanded by Wade, was five leagues astern; and the wind changing, the enemy had the advantage of the weather gage. On the twenty-third the admiral renewed the battle with his single ship, unsupported by the rest of his squadron. On the 24th his leg was shattered by a chain-shot; notwithstanding which accident, he remained on the quarter-deck in a cradle, and continued the engagement. One of the largest ships of the enemy lying like a wreck upon the water, four sail of the English squadron poured their broadsides into her and then ran to leeward, without paying any regard to the signal for battle. Then the French bearing down upon the admiral with their whole force, shot away his main top-sail-yard, and damaged his rigging in such a manner, that he was obliged to lie by and reef, while they took their disabled ship in tow. During this interval, he called a council of his captains, and expostulated with them on their behaviour. They observed, that the French were very strong, and advised him to desist. He plainly perceived that he was betrayed, and with the utmost reluctance returned to Jamaica, having not only lost a leg, but also received a large wound on his face, and another on his arm, while he in person attempted to board the French admiral. Exasperated at the treachery of his captains, he granted a commission to Rear-Admiral Whetstone, and other officers, to hold a court-martial, and try them for cowardice. Hudson of the *Pendennis* died before his trial: Kirby and Wade were convicted, and sentenced to be shot: Constable, of the *Windsor*, was cashiered and imprisoned: Vincent, of the *Falmouth*, and Fogg, the admiral's own captain of the *Breda*, were convicted of having signed a paper, that they would not fight under Benbow's command; but, as they behaved gallantly in the action, the court inflicted upon them no other punishment than that of a provisional suspension. Captain Walton had likewise joined in the conspiracy, while he was heated with the fumes of intoxication; but he afterwards renounced the engagement, and fought with admirable courage until his ship was disabled. The boisterous manner of Benbow had produced this base confederacy. He was a rough seaman; but remarkably brave, honest, and experienced.<sup>d</sup> He took this miscarriage

so much at heart that he became melancholy, and his grief co-operating with the fever occasioned by his wounds, put a period to his life. Wade and Kirby were sent home in the *Bristol*; and on their arrival at Plymouth, shot on board of the ship, by virtue of a dead warrant for their immediate execution, which had lain there for some time. The same precaution had been taken in all the western ports, in order to prevent applications in their favour.

§ XX. During these transactions, the queen seemed to be happy in the affection of her subjects. Though the continuance of the parliament was limited to six months after the king's decease, she dissolved it by proclamation before the term was expired: and issued writs for electing another, in which the tory interest predominated. In the summer the queen gave audience to the Count de Platens, envoy-extraordinary from the Elector of Hanover; then she made a progress with her husband to Oxford, Bath, and Bristol, where she was received with all the marks of the most genuine affection. The new parliament meeting on the twentieth day of October, Mr. Harley was chosen speaker. The queen in her speech declared, she had summoned them to assist her in carrying on the just and necessary war in which the nation was engaged. She desired the Commons would inspect the accounts of the public receipts and payments, that if any abuses had crept into the management of the finances, they might be detected, and the offenders punished. She told them that the funds assigned in the last parliament had not produced the sums granted; and that deficiency was not supplied even by the hundred thousand pounds which she had paid from her own revenue for the public service. She expressed her concern for the disappointment at Cadiz, as well as for the abuses committed at Port St. Mary's, which had obliged her to give directions for the strictest examination of the particulars. She hoped they would find time to consider of some better and more effectual method to prevent the exportation of wool, and improve that manufacture, which she was determined to encourage. She professed a firm persuasion, that the affection of her subjects was the surest pledge of their duty and obedience. She promised to defend and maintain the church as by law established; and to protect her subjects in the full enjoyment of all their rights and liberties. She protested that she relied on their care of her; she said her interest and theirs were inseparable; and that her endeavours should never be wanting to make them all safe and happy. She was presented with a very affectionate address from either House, congratulating her upon the glorious success of her arms, and those of her allies, under the command of the Earl of Marlborough: but that of the Commons was distinguished by an implicated reproach on the late reign, importing that the wonderful progress of her majesty's arms under the Earl of Marlborough had signally "retrieved" the ancient honour and glory of the English nation. This expression had excited a warm debate in the House, in the course of which many severe reflections were made on the memory of King William. At length, the question was put, whether the word "retrieved" should remain? and carried in the affirmative, by a majority of one hundred.

§ XXI. The strength of the tories appeared in nothing more conspicuous than in their inquiry concerning controverted elections. The borough of Hindon, near Salisbury, was convicted of bribery, and a bill brought in for disfranchising the town: yet no vote passed against the person who exercised this corruption, because he happened to be a tory. Mr. Howe was declared duly elected for Gloucestershire, though the majority of the electors had voted for the other candidate. Sir John Packington exhibited a complaint against the Bishop of Worcester and his son, for having endeavoured to prevent his election: the Commons having taken it into consideration, resolved that the proceedings of William Lord Bishop of Worcester, and his son, had been malicious, unchristian, and arbitrary, in high violation of the liberties and privileges of the Commons of England. They voted an address to the queen, desiring

<sup>d</sup> When one of his lieutenants expressed his sorrow for the loss of the admiral's leg, "I am sorry for it too," (replied the captain Benbow,) "but I had rather lose them both than have seen this dishonour brought upon the English nation. But do you hear? If another shot should take me off, behave like brave men, and fight it out." When Du Casse arrived at Carthagena, he wrote a letter to Benbow to this effect:

"SIR,  
"I had little hope on Monday last but to have supped in your cabin; but it pleased God to order it otherwise. I am thankful for it. As for those cowardly captains who deserted you, hang them up, for, by God, they deserve it."

"Yours,

DU CASSE."



her to move the father from the office of lord-almoner; and they ordered the attorney-general to prosecute the son, after his privilege as member of the convocation should be expired. A counter address was immediately voted, and presented by the Lords, beseeching her majesty would not remove the Bishop of Worcester from the place of lord-almoner, until he should be found guilty of some crime by due course of law; as it was the undoubted right of every lord of parliament, and of every subject of England, to have an opportunity to make his defence before he suffers any sort of punishment. The queen said she had not as yet received any complaint against the Bishop of Worcester: but she looked upon it as her undoubted right to continue or displace any servant attending upon her own person, when she should think proper. The Peers having received this answer, unanimously resolved, That no lord of their House ought to suffer any sort of punishment by any proceedings of the House of Commons, otherwise than according to the known and ancient rules and methods of parliament. When the Commons attended the queen with their address against the bishop, she said she was sorry there was any occasion for such a remonstrance, and that the Bishop of Worcester should no longer continue to supply the place of her almoner. This regard to their address was a flagrant proof of her partiality to the tories, who seemed to justify her attachment by their compliance and liberality.

§ XXII. In deliberating on the supplies, they agreed to all the demands of the ministry. They voted forty thousand seamen, and the like number of land forces, to act in conjunction with those of the allies. For the maintenance of these last, they granted eight hundred and thirty-three thousand eight hundred and twenty-six pounds; besides three hundred and fifty thousand pounds for guards and garrisons; seventy thousand nine hundred and seventy-three pounds for ordnance; and fifty-one thousand eight hundred and forty-three pounds for subsidies to the allies. Lord Shannon arriving with the news of the success at Vigo, the queen appointed a day of thanksgiving for the signal success of her arms under the Earl of Marlborough, the Duke of Ormond, and Sir George Rooke; and on that day, which was the twelfth of November, she went in state to St. Paul's church, attended by both Houses of parliament. Next day the Peers voted the thanks of their House to the Duke of Ormond for his services at Vigo; and, at the same time, drew up an address to the queen, desiring she would order the Duke of Ormond and Sir George Rooke to lay before them an account of their proceedings; a request with which her majesty complied. Those two officers were likewise thanked by the House of Commons: Vice-Admiral Hopson was knighted, and gratified with a considerable pension. The Duke of Ormond, at his return from the expedition, complained openly of Rooke's conduct, and seemed determined to subject him to a public accusation; but that officer was such a favourite among the Commons, that the court was afraid to disoblige them by an impeachment, and took great pains to mitigate the duke's resentment. This nobleman was appointed lord-lieutenant of Ireland, and Rooke was admitted into the privy council. A motion, however, being made in the House of Lords, that the admiral's instructions and journals relating to the last expedition might be examined, a committee was appointed for that purpose, and prepared an unfavourable report: but it was rejected by a majority of the House; and they voted, that Sir George Rooke had done his duty, pursuant to the councils of war, like a brave officer, to the honour of the British nation.

§ XXIII. On the twenty-first day of November, the queen sent a message to the House of Commons by Mr. Secretary Hedges, recommending further provisions for the prince her husband, in case he should survive her. This message being considered, Mr. Howe moved, that the yearly sum of one hundred thousand pounds should be settled on the prince, in case he should survive her majesty. No opposition was made to the proposal: but warm debates were excited by a clause in the bill, exempting the prince from that part of the act of succession by which strangers, though naturalized, were rendered incapable of holding employments. This clause related only to those who should be naturalized in a future reign; and indeed was

calculated as a restriction upon the house of Hanover. Many members argued against the clause of exemption, because it seemed to imply, from employments in the next reign, though already possessed of the right of natural-born subjects, a consequence plainly contradictory to the meaning of the act. Others opposed it, because the Lords had already resolved by a vote, That they would never pass any bill sent up from the Commons, to which a clause foreign to the bill should be tacked; and this clause they affirmed to be a tack, as an incapacity to hold employments was a circumstance altogether distinct from a settlement in money. The queen expressed uncommon eagerness in behalf of this bill; and the court influence was managed so successfully, that it passed through both Houses, though not without an obstinate opposition, and a formal protest by seven-and-twenty Peers.

§ XXIV. The Earl of Marlborough, arriving in England about the latter end of November, received the thanks of the Commons for his great and signal services, which were so acceptable to the queen, that she created him a duke, gratified him with a pension of five thousand pounds upon the revenue of the post-office, during his natural life; and, in a message to the Commons, expressed a desire that they would find some method to settle it on the heirs-male of his body. This intimation was productive of warm debates, during which Sir Christopher Musgrave observed, that he would not derogate from the duke's eminent services; but he affirmed his Grace had been very well paid for them, by the profitable employments which he and his duchess enjoyed. The duke, understanding that the Commons were heated by the subject, begged her majesty would rather forego her gracious message in his behalf, than create any uneasiness on his account, which might embarrass her affairs and be of ill consequence to the public. Then she sent another message to the House, signifying, that the Duke of Marlborough had declined her interposition. Notwithstanding this declaration, the Commons in a body presented an address, acknowledging the eminent services of the Duke of Marlborough, yet expressing their apprehension of making a precedent to alienate the revenue of the crown, which had been so much reduced by the exorbitant grants of the late reign, and so lately settled and secured by her majesty's unparalleled grace and goodness. The queen was satisfied with their apology; but their refusal in all probability helped to alienate the duke from the tories, with whom he had been hitherto connected.

§ XXV. In the beginning of January, the queen gave the House of Commons to understand, that the States-general had pressed her to augment her forces, as the only means to render ineffectual the great and early preparations of the enemy. The Commons immediately resolved, That ten thousand men should be hired, as an augmentation of the forces to act in conjunction with the allies; but on condition that an immediate stop should be put to all commerce and correspondence with France and Spain on the part of the States-general. The Lords presented an address to the queen on the same subject, and to the same effect; and she owned that the condition was absolutely necessary for the good of the whole alliance. The Dutch, even after the declaration of war, had carried on a traffic with the French; and, at this very juncture, Louis found it impossible to make remittances of money to the Elector of Bavaria in Germany, and to his forces in Italy, except through the channel of English, Dutch, and Geneva merchants. The States-general, though shocked at the imperious manner in which the parliament of England prescribed their conduct, complied with the demand without hesitation, and published a prohibition of all commerce with the subjects of France and Spain.

§ XXVI. The Commons of this parliament had nothing more at heart than a bill against occasional conformity. The tories affected to distinguish themselves as the only true friends to the church and monarchy; and they hated the dissenters with a mixture of spiritual and political disgust. They looked upon these last as an intruding sect, which constituted great part of the whig faction that extorted such immense sums of money from the nation in the late reign, and involved it in pernicious engagements, from whence it had no prospect of deliverance. They

considered them as encroaching schismatics that disgraced and endangered the hierarchy; and those of their own communion who recommended moderation, they branded with the epithets of lukewarm Christians, betrayers, and apostates. They now resolved to approve themselves zealous sons of the church, by seizing the first opportunity that was in their power to distress the dissenters. In order to pave the way to this persecution, sermons were preached, and pamphlets were printed, to blacken the character of the sect, and inflame the popular resentment against them. On the fourth day of November, Mr. Bromley, Mr. St. John, and Mr. Annesley, were ordered by the House of Commons to bring in a bill for preventing occasional conformity. In the preamble, all persecution for conscience-sake was condemned: nevertheless, it enacted, That all those who had taken the sacrament and test for offices of trust, or the magistracy of corporations, and afterwards frequented any meeting of dissenters, should be disabled from holding their employments, pay a fine of one hundred pounds, and five pounds for every day in which they continued to act in their employments after having been at any such meeting: they were also rendered incapable of holding any other employment, till after one whole year's conformity; and, upon a relapse, the penalties and time of incapacity were doubled. The promoters of the bill alleged, that an established religion and national church were absolutely necessary, when so many impious men pretended to inspiration, and deluded such numbers of the people: that the most effectual way to preserve this national church, would be the maintenance of the civil power in the hands of those who expressed their regard to the church in their principles and practice: that the parliament, by the corporation and test acts, thought they had raised a sufficient barrier to the hierarchy, never imagining that a set of men would rise up, whose consciences would be too tender to obey the laws, but hardened enough to break them: that, as the last reign began with an act in favour of dissenters, so the Commons were desirous that in the beginning of her majesty's auspicious government, an act should pass in favour of the church of England: that this bill did not intrrench on the act of toleration, or deprive the dissenters of any privileges they enjoyed by law, or add any thing to the legal rights of the church of England: that occasional conformity was an evasion of the law, by which the dissenters might insinuate themselves into the management of all corporations: that a separation from the church, to which a man's conscience will allow him occasionally to conform, is a mere schism, which in itself was sinful, without the superaddition of a temporal law to make it an offence: that the toleration was intended only for the ease of tender consciences, and not to give a licence for occasional conformity: that conforming and non-conforming were contradictions; for nothing but a firm persuasion that the terms of communion required are sinful and unlawful could justify the one; and this plainly condemns the other. The members who opposed the bill argued, that the dissenters were generally well affected to the present constitution: that to bring any real hardship upon them, or give rise to jealousies and fears at such a juncture, might be attended with dangerous consequences: that the toleration had greatly contributed to the security and reputation of the church, and plainly proved, that liberty of conscience and gentle measures were the most effectual means for increasing the votaries of the church, and diminishing the number of dissenters: that the dissenters could not be termed schismatics without bringing a heavy charge upon the church of England, which had not only tolerated such schism, but even allowed communion with the reformed churches abroad: that the penalties of this bill were more severe than those which the laws imposed on papists, for assisting at the most solemn act of their religion: in a word, that toleration and tenderness had been always productive of peace and union, whereas persecution had never failed to excite disorder, and extend superstition. Many alterations and mitigations were proposed, without effect. In the course

of the debates, the dissenters were mentioned and reviled with great acrimony; and the bill passed the lower House by virtue of a considerable majority.

§ XXVII. The Lords, apprehensive that the Commons would tack it to some money bill, voted, That the annexing any clause to a money bill was contrary to the constitution of the English government, and the usage of parliament. The bill met with a very warm opposition in the upper House, where a considerable portion of the whig interest still remained. These members believed that the intention of the bill was to model corporations, so as to eject all those who would not vote in elections for the Tories. Some imagined this was a preparatory step towards a repeal of the toleration; and others concluded that the promoters of the bill designed to raise such disturbances at home as would discourage the allies abroad, and render the prosecution of the war impracticable. The majority of the bishops, and among these Burnet of Sarum, objected against it on the principles of moderation, and from motives of conscience. Nevertheless, as the court supported this measure with its own power and influence, the bill made its way through the House, though not without alterations and amendments, which were rejected by the Commons. The lower House pretended, that the Lords had no right to alter any fines and penalties that the Commons should fix in bills sent up for their concurrence, on the supposition, that those were matters concerning money, the peculiar province of the lower House: the Lords ordered a minute inquiry to be made into all the rolls of parliament since the reign of Henry the Seventh; and a great number of instances were found, in which the Lords had begun the clauses imposing fines and penalties, altered the penalties which had been fixed by the Commons, and even changed the uses to which they were applied. These precedents were entered in the books: but the Commons resolved to maintain their point without engaging in any dispute upon the subject. After warm debates, and a free conference between the two Houses, the Lords adhered to their amendments, though this resolution was carried by a majority of one vote only: the Commons persisted in rejecting them: the bill miscarried, and both Houses published their proceedings by way of appeal to the nation.\* A bill was now brought into the lower House, granting another year's consideration to those who had not taken the oath abjuring the pretended Prince of Wales. The Lords added three clauses, importing, that those persons who should take the oath within the limited time might return to their benefices and employments unless they should be already legally filled; that any person endeavouring to defeat the succession to the crown, as now limited by law, should be deemed guilty of high treason; and that the oath of abjuration should be imposed upon the subjects in Ireland. The Commons made some opposition to the first clause; but at length, the question being put, Whether they should agree to the amendments, it was carried in the affirmative by one voice.

§ XXVIII. No object engrossed more time, or produced more violent debates, than did the inquiry into the public accounts. The commissioners appointed for this purpose pretended to have made great discoveries. They charged the Earl of Ranelagh, paymaster-general of the army, with flagrant mismanagement. He acquitted himself in such a manner as screened him from all severity of punishment: nevertheless, they expelled him from the House for a high crime and misdemeanor, in misapplying several sums of the public money; and he thought proper to resign his employment. A long address was prepared and presented to the queen, attributing the national debt to mismanagement of the funds; complaining that the old methods of the exchequer had been neglected; and that iniquitous frauds had been committed by the commissioners of the prizes. Previous to this remonstrance, the House, in consequence of the report of the committee, had passed several severe resolutions, particularly against Charles Lord Halifax, auditor of the receipt of the exchequer, as having neglected his duty, and been guilty of a breach

\* While this bill was depending, Daniel de Foe published a pamphlet entitled, "The shortest Way, with the Dissenters; or Proposals for the Establishment of the church." The piece was a severe satire on the violence of the church party. The Commons ordered it to be burned by the

hands of the common hangman, and the author to be prosecuted. He was accordingly committed to Newgate, tried, condemned to pay a fine of two hundred pounds, and stand in the pillory.

of trust. For these reasons they actually besought the queen, in an address, that she would give directions to the attorney-general, to prosecute him for the said offences; and she promised to comply with their request. On the other hand, the Lords appointed a committee to examine all the observations which the commissioners of accounts had offered to both Houses. They ascribed the national debt to deficiencies in the funds. They acquitted Lord Halifax, the lords of the treasury, and their officers, whom the Commons had accused; and represented these circumstances in an address to the queen, which was afterwards printed with the vouchers to every particular. This difference blew up a fierce flame of discord between the two Houses, which manifested their mutual animosity in speeches, votes, resolutions, and conferences. The Commons affirmed, that no cognizance the Lords could take of the public accounts would enable them to supply any deficiency, or appropriate any surplussage of the public money; that they could neither acquit nor condemn any person whatsoever, upon any inquiry arising originally in their own House; and that their attempt to acquit Charles Lord Halifax was unpatriotic. The Lords insisted upon their right to take cognizance originally of all public accounts: they affirmed, that in their resolutions, with respect to Lord Halifax, they had proceeded according to the rules of justice. They owned, however, that their resolutions did not amount to any judgment or acquittal; but that finding a vote of the Commons reflected upon a member of their House, they thought fit to give their opinion in their legislative capacity. The queen interposed by a message to the Lords, desiring they would despatch the business in which they were engaged. The dispute continued even after this intimation: one conference was held after another, till at length both sides despaired of an accommodation. The Lords ordered their proceedings to be printed, and the Commons followed their example. On the twenty-seventh day of February the queen, having passed all the bills that were ready for the royal assent, ordered the lord-keeper to prorogue the parliament, after having pronounced a speech, in the usual style. She thanked them for their zeal, affection, and despatch; declared she would encourage and maintain the church as by law established; desired they would consider some further laws for restraining the great licence assumed for publishing scandalous pamphlets and libels; and assured them that all her share of the prizes which might be taken in the war should be applied to the public service. By this time the Earl of Rochester was entirely removed from the queen's councils. Finding himself out-weighted by the interest of the Duke of Marlborough and Lord Godolphin, he had become sullen and intractable; and, rather than repair to his government of Ireland, chose to resign the office, which, as we have already observed, was conferred upon the Duke of Ormond, an accomplished nobleman, who had acquired great popularity by the success of the expedition to Vigo. The parties in the House of Lords were so nearly matched, that the queen, in order to ascertain an undoubted majority in the next session, created four new peers,<sup>f</sup> who had signalized themselves by the violence of their speeches in the House of Commons.

§ XXIX. The two houses of convocation, which were summoned with the parliament, bore a strong affinity with this assembly by the different interests that prevailed in the upper and lower. The last, in imitation of the Commons, was desirous of branding the preceding reign; and it was with great difficulty that they concurred with the prelates in an address of congratulation to her majesty. Then their former contest was revived. The lower House desired, in an application to the Archbishop of Canterbury and his suffragans, that the matters in dispute concerning the manner of synodical proceedings, and the right of the lower House to hold intermediate assemblies, might be taken into consideration, and speedily determined. The Bishops proposed, that in the intervals of sessions, the lower House might appoint committees to prepare matters; and when business should be brought regularly before

them, the archbishop would regulate the prorogations in such a manner, that they should have sufficient time to sit and deliberate on the subject. This offer did not satisfy the lower House, which was imboldened to persist in its demand by a vote of the Commons. These, in consequence of an address of thanks from the clergy, touching Mr. Lloyd, son to the Bishop of Worcester, whom they ordered to be prosecuted after his privilege as member of the convocation should be expired, had resolved, that they would on all occasions assert the just rights and privileges of the lower House of convocation. The prelates refused to depart from the archbishop's right of proroguing the whole convocation with consent of his suffragans. The lower House proposed to refer the controversy to the queen's decision. The bishops declined this expedient, as inconsistent with the episcopal authority, and the presidency of the archbishop. The lower House having incurred the imputation of favouring presbytery, by this opposition to the bishops, entered in their books a declaration, acknowledging the order of bishops as superior to presbyters, and to be a divine apostolical institution. Then they desired the bishops, in an address, to concur in settling the doctrine of the divine apostolical right of episcopacy, that it might be a standing rule of the church. They likewise presented a petition to the queen, complaining, that in the convocation called in the year 1700, after interruption of ten years, several questions having arisen concerning the rights and liberties of the lower House, the bishops had refused a verbal conference; and afterwards declined a proposal to submit the dispute to her majesty's determination: they, therefore, fled for protection to her majesty, begging she would call the question into her own royal audience. The queen promised to consider their petition, which was supported by the Earl of Nottingham; and ordered their council to examine the affair, how it consisted with law and custom. Whether their report was unfavourable to the lower House, or the queen was unwilling to encourage the division, no other answer was made to their address. The archbishop replied to their request presented to the upper House, concerning the divine right of presbytery, that the preface to the form of ordination contained a declaration of three orders of ministers from the times of the apostles; namely, bishops, priests, and deacons, to which they had subscribed: but he and his brethren conceived, that, without a royal licence, they had not authority to attempt, enact, promulge, or execute any canon, which should concern either doctrine or discipline. The lower House answered this declaration in very petulant terms; and the dispute subsisted when the parliament was prorogued. But these contests produced divisions through the whole body of the clergy, who ranged themselves in different factions, distinguished by the names of high-church and low-church. The first consisted of ecclesiastical Tories; the other included those who professed revolution principles, and recommended moderation towards the dissenters. The high-church party reproached the other as time-servers, and presbyterians in disguise; and were, in their turn, stigmatized as the friends and abettors of tyranny and persecution. At present, however, the Tories both in church and state triumphed in the favour of their sovereign. The right of parliaments, the memory of the late king, and even the act limiting the succession of the house of Hanover, became the subjects of ridicule. The queen was flattered as possessor of the prerogatives of the ancient monarchy: the history written by her grandfather, the Earl of Clarendon, was now for the first time published, to inculcate the principles of obedience, and inspire the people with an abhorrence of opposition to an anointed sovereign. Her majesty's hereditary right was deduced from Edward the Confessor, and, as heir of his pretended sanctity and virtue, she was persuaded to touch persons afflicted with the king's evil, according to the office inserted in the liturgy for this occasion.

§ XXX. The change of the ministry in Scotland seemed favourable to the episcopalians and anti-revolutioners of that kingdom. The Earls of Marchmont, Melvil, Selkirk,

<sup>f</sup> These were John Granville, created Baron Granville of Potheridge in the county of Devon; Heneage Finch, Baron of Guernsey in the county of Southampton; Sir John Leveson Gower, Baron Gower of Sutherland in Yorkshire; and Francis Seymour Conway, youngest son of Sir Edward

Seymour, made Baron Conway of Ragley in the county of Warwick. At the same time, however, John Harley, of the opposite faction, was created Baron of Ickworth in the county of Suffolk; and the Marquis of Normandy was honoured with the title of Duke of Buckinghamshire.



Leven, and Hyndford, were laid aside: the Earl of Seafield was appointed chancellor: the Duke of Queensberry, and the Lord Viscount Tarbat, were declared secretaries of state: the Marquis of Annandale was made president of the council, and the Earl of Tullibardin lord privy-seal. A new parliament having been summoned, the Earl of Seafield employed his influence so successfully, that a great number of anti-revolutioners were returned as members. The Duke of Hamilton had obtained from the queen a letter to the privy council in Scotland, in which she expressed her desire that the presbyterian clergy should live in brotherly love and communion with such dissenting ministers of the reformed religion as were in possession of benefices, and lived with decency, and submission to the law. The episcopal clergy, encouraged by these expressions in their favour, drew up an address to the queen, imploring her protection; and humbly beseeching her to allow those parishes in which there was a majority of episcopal freeholders, to bestow the benefice on ministers of their principles. This petition was presented by Dr. Sken and Dr. Scott, who were introduced by the Duke of Queensberry to her majesty. She assured them of her protection and endeavours to supply their necessities; and exhorted them to live in peace and Christian love with the clergy, who were by law invested with the church-government in her ancient kingdom of Scotland. A proclamation of indemnity having been published in March, a great number of Jacobites returned from France and other countries, pretended to have changed their sentiments, and took the oaths, that they might be qualified to sit in parliament. They formed an accession to the strength of the anti-revolutioners and episcopalians, who now hoped to outnumber the presbyterians, and outweigh their interest. But this confederacy was composed of dissonant parts, from which no harmony could be expected. The presbyterians and revolutioners were headed by the Duke of Argyll. The country party of malcontents, which took its rise from the disappointments of the Darien settlement, acted under the auspices of the Duke of Hamilton and Marquis of Tweedale; and the Earl of Hume appeared as chief of the anti-revolutioners.

The different parties, who now united, pursued the most opposite ends. The majority of the country party were friends to the revolution, and sought only redress of the grievances which the nation had sustained in the late reign. The anti-revolutioners considered the accession and government of King William as an extraordinary event, which they were willing to forget, believing that all parties were safe under the shelter of her majesty's general indemnity. The Jacobites submitted to the queen, as tutrix or regent for the Prince of Wales, whom they firmly believed she intended to establish on the throne. The whigs under Argyll, alarmed at the coalition of all their enemies, resolved to procure a parliamentary sanction for the revolution.

A. D. 1703. § XXXI. The parliament being opened on the sixth day of May at Edinburgh, by the Duke of Queensberry as commissioner, the queen's letter was read, in which she demanded a supply for the maintenance of the forces, advised them to encourage trade, and exhorted them to proceed with wisdom, prudence, and unanimity. The Duke of Hamilton immediately offered the draft of a bill for recognising her majesty's undoubted right and title to the imperial crown of Scotland, according to the declaration of the estates of the kingdom, containing the claim of right. It was immediately received; and, at the second reading, the queen's advocate offered an additional clause, denouncing the penalties of treason against any person who should question her majesty's right and title to the crown, or her exercise of the government, from her actual entry to the same. This, after a long and warm debate, was carried by the concurrence of the anti-revolutioners. Then the Earl of Hume produced the draft of a bill for the supply: immediately after it was read, the Marquis of Tweedale made an overture, that, before all other business, the parliament would proceed to make such conditions of government, and regulations in the constitution of the king-

dom, to take place after the decease of her majesty and the heirs of her body, as should be necessary for the preservation of their religion and liberty. This overture and the bill were ordered to lie upon the table, and in the mean time, the commissioner found himself involved in great perplexity. The Duke of Argyll, the Marquis of Annandale, and the Earl of Marchmont, gave him to understand in private, that they were resolved to move for an act, ratifying the revolution; and for another, confirming the presbyterian government: that they would insist upon their being discussed before the bill of supply, and that they were certain of carrying the points at which they aimed. The commissioner now found himself reduced to a very disagreeable alternative. There was a necessity for relinquishing all hope of a supply, or abandoning the anti-revolutioners, to whom he was connected by promises of concurrence. The whigs were determined to oppose all schemes of supply that should come from the cavaliers; and these last resolved to exert their whole power in preventing the confirmation of the revolution and the presbyterian discipline. He foresaw that on this occasion the whigs would be joined by the Duke of Hamilton and his party, so as to preponderate against the cavaliers. He endeavoured to cajole both parties: but found the task impracticable. He desired in parliament, that the act for the supply might be read, promising that they should have full time afterwards to deliberate on other subjects. The Marquis of Tweedale insisted upon his overture: and after warm debates, the House resolved to proceed with such acts as might be necessary for securing the religion, liberty, and trade of the nation, before any bill for supply or other business should be discussed. The Marquis of Athol offered an act for the security of the kingdom, in case of her majesty's decease: but, before it was read, the Duke of Argyll presented his draft of a bill for ratifying the revolution, and all the acts following thereupon.

An act for limiting the succession after the death of her majesty, and the heirs of her body, was produced by Mr. Fletcher of Saltoun. The Earl of Rothes recommended another, importing, that, after her majesty's death, and failing heirs of her body, no person coming to the crown of Scotland, being at the same time King or Queen of England, should, as King or Queen of Scotland, have power to make peace or war without the consent of parliament. The Earl of Marchmont recited the draft of an act for securing the true protestant religion and presbyterian government: one was also suggested by Sir Patrick Johnson, allowing the importation of wines, and other foreign liquors. All these bills were ordered to lie on the table. Then the Earl of Strathmore produced an act for toleration to all protestants in the exercise of religious worship. But against this the general assembly presented a most violent remonstrance; and the promoters of the bill foreseeing that it would meet with great opposition, allowed it to drop for the present. On the third day of June, the parliament passed the act for preserving the true reformed protestant religion, and confirming presbyterian church government, as agreeable to the word of God, and the only government of Christ's church within the kingdom. The same party enjoyed a further triumph in the success of Argyll's act, for ratifying and perpetuating the first act of King William's parliament: for declaring it high treason to disown the authority of that parliament, or to alter or renovate the claim of right, or any article thereof. This last clause was strenuously opposed; but at last the bill passed, with the concurrence of all the ministry, except the Marquis of Athol and the Viscount Tarbat, who began at this period to correspond with the opposite party.

§ XXXII. The cavaliers thinking themselves betrayed by the Duke of Queensberry, who had assented to these acts, first expostulated with him on his breach of promise, and then renounced his interest, resolving to separate themselves from the court, and jointly pursue such measures as might be for the interest of their party. But of all the bills that were produced in the course of this remarkable session, that which produced the most violent altercation was the act of security, calculated to abridge the prerogative of the crown, limit the successor, and throw a vast additional power into the hands of the par-

Burnet, Oldmixon, Torcy's Mem. Lamberth's Mem. Feuquieres, Hist. chet, Imperial, Lochart's Mem. Lives of the Admirals, Hist. of the Duke of Marlborough, Duchess of Marlborough's Apol.

liament. It was considered paragraph by paragraph: many additions and alterations were proposed, and some adopted: inflammatory speeches were uttered; bitter sarcasms retorted from party to party; and different votes passed on different clauses. At length, in spite of the most obstinate opposition from the ministry and the cavaliers, it was passed by a majority of fifty-nine voices. The commissioner was importuned to give it the royal assent; but declined answering their entreaties till the tenth day of September. Then he made a speech in parliament, giving them to understand that he had received the queen's pleasure, and was empowered to give the royal assent to all the acts voted in this session, except to the act for the security of the kingdom. A motion was made to solicit the royal assent in an address to her majesty; but the question being put, it was carried in the negative by a small majority. On the sixth day of the same month, the Earl of Marchmont had produced a bill to settle the succession of the house of Hanover. At first the import of it was not known; but, when the clerk in reading it mentioned the Princess Sophia, the whole House was kindled into a flame. Some proposed that the overture should be burned: others moved that the Earl might be sent prisoner to the castle: and a general dissatisfaction appeared in the whole assembly. Not that the majority in parliament were averse to the succession in the House of Hanover: but they resolved to avoid a nomination without stipulating conditions; and they had already provided in the act of security, that it should be high treason to own any person as king or queen after her majesty's decease, until he or she should take the coronation-oath, and accept the terms of the claim of right, and such conditions as should be settled in this or any ensuing parliament.

§ XXXIII. Andrew Fletcher, of Saltoun, a man of undaunted courage and inflexible integrity, who professed republican principles, and seemed designed by nature as a member of some Grecian commonwealth, after having observed that the nation would be enslaved, should it submit, either willingly or by commission, to the successors of England, without such conditions of government as should secure them against the influence of an English ministry, offered the draft of an act, importing, That after the decease of her majesty, without heirs of her body, no person being successor to the English throne should succeed to the crown of Scotland, but under the following limitations, which, together with the coronation-oath and claim of right, they should swear to observe: namely, That all offices and places, civil and military, as well as pensions, should for the future be conferred by a parliament, to be chosen at every Michaelmas head-court, to sit on the first day of November, and adjourn themselves from time to time, till the ensuing Michaelmas: That they should choose their own president: That a committee of six-and-thirty members, chosen out of the whole parliament, without distinction of estates, should, during the intervals of parliament, be vested, under the king, with the administration of the government, act as his council, be accountable to parliament, and call it together on extraordinary occasions. He proposed that the successor should be nominated by the majority: declaring for himself that he would rather concur in nominating the most rigid papist with those conditions than the truest protestant without them. The motion was seconded by many members; and though postponed for the present, in favour of an act of trade under the consideration of the House, it was afterwards resumed with great warmth. In vain the lord-treasurer represented that no funds were as yet provided for the army, and moved for a reading of the act presented for that purpose: a certain member observed, that this was a very unreasonable juncture to propose a supply, when the House had so much to do for the security of the nation: he said they had very little encouragement to grant

supplies, when they found themselves frustrated of all their labour and expense for these several months; and when the whole kingdom saw that supplies served for no other use but to gratify the avarice of some insatiable ministers. Mr. Fletcher expatiated upon the good consequences that would arise from the act which he had proposed. The chancellor answered, That such an act was laying a scheme for a commonwealth, and tending to innovate the constitution of the monarchy. The ministry proposed a state of a vote, whether they should first give a reading to Fletcher's act or to the act of subsidy. The country party moved that the question might be, "Overtures for subsidies, or overtures for liberty." Fletcher withdrew his act, rather than people should pervert the meaning of laudable designs. The House resounded with the cry of "Liberty or Subsidy." Bitter invectives were uttered against the ministry. One member said it was now plain the nation was to expect no other return for their expense and toil, than that of being loaded with a subsidy, and being obliged to bend their necks under the yoke of slavery, which was prepared for them from that throne: another observed, that as their liberties were suppressed, so the privileges of parliament were like to be torn from them; but that he would venture his life in defence of his birthright, and rather die a freeman than live a slave. When the vote was demanded, and declined by the commissioner, the Earl of Roxburgh declared, that if there was no other way of obtaining so natural and undeniable a privilege of parliament, they would demand it with their swords in their hands. The commissioner, foreseeing this spirit of freedom and contradiction, ordered the foot-guard to be in readiness, and placed a strong guard upon the eastern gate of the city. Notwithstanding these precautions, he ran the risk of being torn in pieces; and, in this apprehension, ordered the chancellor to inform the House, that the parliament should proceed upon overtures for liberty, at their next sitting. This promise allayed the ferment which had begun to rise. Next day the members prepared an overture, implying, That the elective members should be chosen for every seat at the Michaelmas head-courts: That a parliament should be held once in two years at least: That the short adjournments *de die in diem* should be made by the parliaments themselves, as in England: and that no officer in the army, customs, or excise, nor any gratuitous pensioner, should sit as an elective member. The commissioner being apprised of their proceedings, called for such acts as he was empowered to pass, and having given the royal assent to them, prorogued the parliament to the twelfth day of October.<sup>a</sup> Such was the issue of this remarkable session of the Scottish parliament, in which the Duke of Queensberry was abandoned by the greatest part of the ministry; and such a spirit of ferocity and opposition prevailed, as threatened the whole kingdom with civil war and confusion. The queen conferred titles upon those who appeared to have influence in the nation, and attachment to her government, and revived the order of the thistle, which the late king had dropped.

§ XXXIV. Ireland was filled with discontent, by the behaviour and conduct of the trustees for the forfeited estates. The Earl of Rochester had contributed to foment the troubles of the kingdom, by encouraging the factions which had been imported from England. The Duke of Ormond was received with open arms, as heir to the virtues of his ancestors, who had been the bulwarks of the protestant interest in Ireland. He opened the parliament on the twenty-first day of September, with a speech to both Houses, in which he told them, that his inclination, his interest, and the examples of his progenitors, were indispensable obligations upon him, to improve every opportunity to the advantage and prosperity of his native country. The Commons having chosen Allen Broderick to be their speaker, proceeded to draw up very affectionate ad-

<sup>a</sup> Though the queen refused to pass the act of security, the royal assent was granted to an act of limitation on the successor, in which it was declared, that no king or queen of Scotland should have power to make war or peace without consent of parliament. Another law was enacted, allowing French wines and other liquors to be imported in neutral bottoms: without this expedient, it was alleged that the revenue would have been insufficient to maintain the government. An act passed in favour of the Company of Merchants and the Indies, another for a commission concerning the public accounts, a third for punishing slanderous speeches and writings. The commission for treating of a union with Ireland was vacated, with a prohibition to grant any other commission for that purpose.

without consent of parliament: and no supply having been provided before the adjournment, the army and expense of government were maintained upon credit.

<sup>b</sup> The Marquis of Athol, and the Marquis of Douglas, though this last was a minor, were created dukes: Lord Tarbat was invested with the title of Earl of Cromarty; the Viscounts Stair and Roseberry were promoted to the same dignity. Lord Boyle was created Earl of Glasgow; James Stewart, of Bute, Earl of Bute; Charles Hope, of Hopetoun, Earl of Hopetoun; John Crawford, of Kilbirnie, Viscount Garrock; and Sir James Primrose, of Carrington, Viscount Primrose.

dresses to the queen and the lord-lieutenant. In that to the queen they complained, that their enemies had misrepresented them, as desirous of being independent of the crown of England: they, therefore, to vindicate themselves from such false aspersions, declared and acknowledged, that the kingdom of Ireland was annexed and united to the imperial crown of England. In order to express their hatred of the trustees, they resolved, That all the protestant freeholders of that kingdom had been falsely and maliciously misrepresented, traduced, and abused, in a book entitled, "The Report of the Commissioners appointed to inquire into the Irish Forfeitures;" and it appearing that Francis Annesley, member of the House, John Trenchard, Henry Langford, and James Hamilton, were authors of that book, they further resolved, That these persons had scandalously and maliciously misrepresented and traduced the protestant freeholders of that kingdom, and endeavoured to create a misunderstanding and jealousy between the people of England and the protestants of Ireland. Annesley was expelled the House, Hamilton was dead, and Trenchard had returned to England. They had finished the inquiry before the meeting of this parliament; and sold, at an under-value, the best of the forfeited estates to the sword-blade company of England. This, in a petition to the Irish parliament, prayed that heads of a bill be brought in for enabling them to take conveyance of lands in Ireland: but the parliament was very little disposed to confirm the bargains of the trustees, and the petition lay neglected on the table. The House expelled John Asgill, who, as agent to the sword-blade company, had offered to lend money to the public in Ireland, on condition that the parliament would pass an act to confirm the company's purchase of the forfeited estates. His constituents disowned his proposal; and when he was summoned to appear before the House, and answer for his prevarication, he pleaded his privilege, as member of the English parliament. The Commons, in a representation of the state and grievances of the nation, gave her majesty to understand, that the constitution of Ireland had been of late greatly shaken; and their lives, liberties, and estates called into question, and tried in a manner unknown to their ancestors: that the expense to which they had been unnecessarily exposed by the late trustees for the forfeited estates, in defending their just rights and titles, had exceeded in value the current cash of the kingdom: that their trade was decayed, their money exhausted; and that they were hindered from maintaining their own manufactures: that many protestant families had been constrained to quit the kingdom, in order to earn a livelihood in foreign countries: that the want of frequent parliaments in Ireland had encouraged evil-minded men to oppress the subjects: that many civil officers had acquired great fortunes in that impoverished country, by the exercise of corruption and oppression: that others, in considerable employments, resided in another kingdom, neglecting personal attendance on their duty, while their offices were ill-executed, to the detriment of the public, and the failure of justice. They declared, that it was from her majesty's gracious interposition alone they proposed to themselves relief from those their manifold grievances and misfortunes. The Commons afterwards voted the necessary supplies, and granted one hundred and fifty thousand pounds to make good the deficiencies of the necessary branches of the establishment.

§ XXXV. They appointed a committee to inspect the public accounts, by which they discovered, that above one hundred thousand pounds had been falsely charged as a debt upon the nation. The committee was thanked by the House for having saved this sum, and ordered to examine what persons were concerned in such a misrepresentation, which was generally imputed to those who acted under the Duke of Ormond. He himself was a nobleman of honour and generosity, addicted to pleasure, and fond of popular applause: but he was surrounded by people of more sordid principles, who had ingratiated themselves into his confidence by the arts of adulation. The Commons voted a provision for the half-pay officers; and abolished pensions to the amount of seventeen thousand

pounds a-year, as unnecessary branches of the establishment. They passed an act settling the succession of the crown, after the pattern set them by England: but the most important transaction of this session was a severe bill to prevent the growth of popery. It bore a strong affinity to that which had passed three years before in England: but contained more effectual clauses. Among others, it enacted, that all estates of papists should be equally divided among the children, notwithstanding any settlement to the contrary, unless the persons to whom they might be settled should qualify themselves by taking the oaths, and communicating with the church of England. The bill was not at all agreeable to the ministry in England, who expected large presents from the papists, by whom a considerable sum had been actually raised for this purpose. But as they did not think proper to reject such a bill while the English parliament was sitting, they added a clause which they hoped the parliament of Ireland would refuse: namely, that no persons in that kingdom should be capable of any employment, or of being in the magistracy of any city, who did not qualify themselves by receiving the sacrament, according to the test act passed in England. Though this was certainly a great hardship on the dissenters, the parliament of Ireland sacrificed this consideration to their common security against the Roman catholics, and accepted the amendment without hesitation. This affair being discussed, the Commons of Ireland passed a vote against a book entitled, "Memoirs of the late King James II." as a seditious libel. They ordered it to be burnt by the hands of the common hangman; and the bookseller and printer to be prosecuted. When this motion was made, a member informed the House, that in the county of Limerick, the Irish papists had begun to form themselves into bodies; to plunder the protestants of their arms and money; and to maintain a correspondence with the disaffected in England. The House immediately resolved, that the papists of the kingdom still retained hopes of the accession of the person known by the name of the Prince of Wales in the life-time of the late King James, and now by the name of James III. In the midst of this zeal against popery and the pretender, they were suddenly adjourned by the command of the lord-lieutenant, and broke up in great animosity against that nobleman.<sup>1</sup>

§ XXXVI. The attention of the English ministry had been for some time chiefly engrossed by the affairs of the continent. The emperor agreed with the allies, that his son the Archduke Charles should assume the title of King of Spain, demand the Infanta of Portugal in marriage, and undertake something of importance, with the assistance of the maritime powers. Mr. Methuen, the English minister at Lisbon, had already made some progress in a treaty with his Portuguese majesty; and the court of Vienna promised to send such an army into the field as would in a little time drive the Elector of Bavaria from his dominions. But they were so dilatory in their preparations, that the French king broke all their measures, by sending powerful reinforcements to the elector, in whose ability and attachment Louis reposed great confidence. Mareschal Villars, who commanded an army of thirty thousand men at Strasburg, passed the Rhine, and reduced Fort Kehl, the garrison of which was conducted to Philippsburgh. The emperor, alarmed at this event, ordered Count Schlick to enter Bavaria on the side of Saltzburg, with a considerable body of forces; and sent another under Count Stirum, to invade the same electorate by the way of Newmark, which was surrendered to him after he had routed a party of Bavarians: the city of Amberg met with the same fate. Meanwhile Count Schlick defeated a body of militia that defended the lines of Saltzburg, and made himself master of Riedt, and several other places. The elector assembling his forces near Brenau, diffused a report that he intended to besiege Passau, to cover which place Schlick advanced with the greatest part of his infantry, leaving behind his cavalry and cannon. The elector having by this feint divided the imperialists, passed the bridge of Seardingen with twelve thousand men, and, after an obstinate engagement, compelled the imperialists to abandon the field of

<sup>1</sup> They had besides the bills already mentioned passed an act for an additional excise on beer, ale, and other liquors: another encouraging the transportation of men and slaves: a third for preventing popery: pensions from

coming into the kingdom: a fourth securing the liberty of the subject: and for prevention of imprisonment beyond seas: and a fifth for naturalizing all protestant strangers.



battle: then he marched against the Saxon troops which guarded the artillery; and attacked them with such impetuosity, that they were entirely defeated. In a few days after these actions he took Newburgh on the Inn by capitulation. He obtained another advantage over an advanced post of the imperialists near Burgenfelt, commanded by the young Prince of Brandenburg Anspach, who was mortally wounded in the engagement. He advanced to Ratisbon, where the diet of the empire was assembled, and demanded that he should be immediately put in possession of the bridge and gate of the city. The burghers immediately took to their arms, and planted cannon on the ramparts: but when they saw a battery erected against them, and the elector determined to bombard the place, they thought proper to capitulate, and comply with his demands. He took possession of the town on the eighth day of April, and signed an instrument obliging himself to withdraw his troops, as soon as the emperor should ratify the diet's resolution for the neutrality of Ratisbon. Marschal Villars having received orders to join the elector at all events, and being reinforced by a body of troops under Count Tallard, resolved to break through the lines which the Prince of Baden had made at Stolhofen. This general had been luckily joined by eight Dutch battalions, and received the French army, though double his number, with such obstinate resolution, that Villars was obliged to retreat with great loss, and directed his rout towards Offingen. Nevertheless, he penetrated through the Black Forest, and effected a junction with the elector. Count Sturk endeavoured to join Prince Louis of Baden: but being attacked near Schwemmingen, retired under the cannon of Nortlingen.

§ XXXVII. The confederates were more successful on the lower Rhine and in the Netherlands. The Duke of Marlborough crossed the sea in the beginning of April; and assembling the allied army, resolved that the campaign should be begun with the siege of Bonne, which was accordingly invested on the twenty-fourth day of April. Three different attacks were carried on against this place; one by the hereditary Prince of Hesse-Cassel; another by the celebrated Coehorn; and a third by Lieutenant-general Fagel. The garrison defended themselves vigorously till the fourteenth day of May, when the fort having been taken by assault, and the breaches rendered practicable, the Marquis d'Alegre, the governor, ordered a parley to be beat: hostages were immediately exchanged; on the sixteenth the capitulation was signed; and in three days the garrison evacuated the place, in order to be conducted to Luxemburg. During the siege of Bonne, the Marshals Boufflers and Villeroi advanced with an army of forty thousand men towards Tongeren; and the confederate army, commanded by M. D'Auverquerque was obliged at their approach to retreat under the cannon of Maestrich. The enemy having taken possession of Tongeren, made a motion against the confederate army, which they found already drawn up in order of battle, and so advantageously posted, that notwithstanding their great superiority in point of number, they would not hazard an attack; but retired to the ground from whence they had advanced. Immediately after the reduction of Bonne, the Duke of Marlborough, who had been present at the siege, returned to the confederate army in the Netherlands, now amounting to one hundred and thirty squadrons, and fifty-nine battalions. On the twenty-fifth day of May, the Duke having passed the river Jecker, in order to give battle to the enemy, they marched with precipitation to Boekwern, and abandoned Tongeren, after having blown up the walls of the place with gunpowder. The duke continued to follow them to Thys, where he encamped, while they retreated to Hannye, retiring as he advanced. Then he resolved to force their lines: this service was effectually performed by Coehorn, at the point of Callo, and by Baron Spaar, in the county of Waes, near Stoken. The duke had formed the design of reducing Antwerp, which was garrisoned by Spanish troops under the command of the Marquis de Bedmar. He intended with the grand army to attack the enemy's lines on the side of Louvaine and Mechlin; he detached Coehorn with his flying camp to the right of the Scheldt, towards Dutch Flanders, to amuse the Marquis de Bedmar on that side; and he ordered the Baron Op-

dam, with twelve thousand men, to take post between Eckeren and Capelle, near Antwerp, that he might act against that part of the lines which was guarded by the Spanish forces.

§ XXXVIII. The French generals, in order to frustrate the scheme of Marlborough, resolved to cut off the retreat of Opdam. Boufflers, with a detachment of twenty thousand men from Villeroi's army, surprised him at Eckeren, where the Dutch were put in disorder; and Opdam, believing all was lost, fled to Breda. Nevertheless, the troops rallying under General Schlagenburgh, maintained their ground with the most obstinate valour, till night, when the enemy was obliged to retire, and left the communication free with Fort Lillo, to which place the confederates marched without further molestation, having lost about fifteen hundred men in the engagement. The damage sustained by the French was more considerable. They were frustrated in their design, and had actually abandoned the field of battle: yet Louis ordered *Te Deum* to be sung for the victory: nevertheless, Boufflers was censured for his conduct on this occasion, and in a little time, totally disgraced. Opdam presented a justification of his conduct to the States-general: but by this oversight he forfeited the fruits of a long service, during which he had exhibited repeated proofs of courage, zeal, and capacity. The States honoured Schlagenburgh with a letter of thanks for the valour and skill he had manifested in this engagement: but in a little time they dismissed him from his employment, on account of his having given umbrage to the Duke of Marlborough, by censuring his Grace for exposing such a small number of men to this disaster. After this action, Villeroi, who lay encamped near St. Job, declared he would wait for the Duke of Marlborough, who forthwith advanced to Hoogstraat, with a view to give him battle: but, at his approach, the French general, setting fire to his camp, retired within his lines with great precipitation. Then the Duke invested Huy, the garrison of which, after a vigorous defence, surrendered themselves prisoners of war, on the twenty-seventh day of August. At a council of war held in the camp of the confederates, the duke proposed to attack the enemy's lines between the Mehaigne and Leuwe, and was seconded by the Danish, Hanoverian, and Hessian generals: but the scheme was opposed by the Dutch officers, and the deputies of the States, who alleged that the success was dubious, and the consequences of forcing the lines would be inconceivable: they therefore recommended the siege of Limburg, by the reduction of which they would acquire a whole province, and cover their own country, as well as Juliers and Gueldres, from the designs of the enemy. The siege of Limburg was accordingly undertaken. The trenches were opened on the five-and-twentieth day of September, and in two days the place was surrendered; the garrison remaining prisoners of war. By this conquest the allies secured the country of Liege, and the electorate of Cologne, from the incursions of the enemy: before the end of the year, they remained masters of the whole Spanish Guelderland, by the reduction of Gueldres, which surrendered on the seventeenth day of September, after having been long blockaded, bombarded, and reduced to a heap of ashes by the Prussian general, Lottum. Such was the campaign in the Netherlands, which in all probability would have produced events of greater importance, had not the Duke of Marlborough been restricted by the deputies of the States-general, who began to be influenced by the intrigues of the Louvestein faction, ever averse to a single dictator.

§ XXXIX. The French king redoubled his efforts in Germany. The Duke of Vendome was ordered to march from the Milanese to Tyrol, and there join the Elector of Bavaria, who had already made himself master of Inspruck. But the boors rising in arms, drove him out of the country before he could be joined by the French general, who was, therefore, obliged to return to the Milanese. The imperialists in Italy were so ill supplied by the court of Vienna, that they could not pretend to act offensively. The French invested Ostiglia, which, however, they could not reduce: but the fortress of Barsillo, in the duchy of Reggio, capitulating after a long blockade, they took possession of the Duke of Modena's country. The Elector of Bavaria rejoining Villars, resolved to attack Count Stirum, whom

Prince Louis of Baden had detached from his army. With this view, they passed the Danube at Donawert, and discharged six guns, as a signal for the Marquis D'Usson, whom they had left in the camp at Lavingen, to fall upon the rear of the imperialists, while they should charge them in front. Stirum no sooner perceived the signal, than he guessed the intention of the enemy, and instantly resolved to attack D'Usson, before the elector and the mareschal should advance. He accordingly charged him at the head of some select squadrons with such impetuosity, that the French cavalry were totally defeated; and all his infantry would have been killed and taken, had not the elector and Villars come up in time to turn the fate of the day. The action continued from six in the morning till four in the afternoon, when Stirum being overpowered by numbers, was obliged to retreat to Norlingen, with the loss of twelve thousand men, and all his baggage and artillery. In the mean time the Duke of Burgundy, assisted by Tallard, undertook the siege of Old Brisac, with a prodigious train of artillery. The place was very strongly fortified, though the garrison was small, and ill provided with necessaries. In fourteen days, the governor surrendered the place, and was condemned to lose his head, for having made such a slender defence. The Duke of Burgundy returned in triumph to Versailles, and Tallard was ordered to invest Landau. The Prince of Hesse-Cassel being detached from the Netherlands, for the relief of the place, joined the Count of Nassau-Weilbourg, general of the palatine forces, near Spire, where they resolved to attack the French in their lines. But by this time Mons. Pracontal, with ten thousand men, had joined Tallard, and enabled him to strike a stroke which proved decisive. He suddenly quitted his lines, and surprised the prince at Spirebach, where the French obtained a complete victory, after a very obstinate and bloody engagement, in which the Prince of Hesse distinguished himself by uncommon marks of courage and presence of mind. Three horses were successively killed under him, and he slew a French officer with his own hand. After incredible efforts, he was fain to retreat with the loss of some thousands. The French paid dear for their victory, Pracontal having been slain in the action. Nevertheless, they resumed the siege, and the place was surrendered by capitulation. The campaign in Germany was finished with the reduction of Augsburg by the Elector of Bavaria, who took it in the month of December, and agreed to its being secured by a French garrison.

§ XL. The emperor's affairs at this juncture were a very unpromising aspect. The Hungarians were fleeced, and barbarously oppressed, by those to whom he intrusted the government of their country. They derived courage from despair. They seized this opportunity, when the emperor's forces were divided, and his councils distracted, to exert themselves in defence of their liberties. They ran to arms, under the auspices of Prince Ragotzki. They demanded that their grievances should be redressed, and their privileges restored. Their resentment was kept up by the emissaries of France and Bavaria, who likewise encouraged them to persevere in their revolt, by repeated promises of protection and assistance. The emperor's prospect, however, was soon mended, by two incidents of very great consequence to his interest. The Duke of Savoy, foreseeing how much he should be exposed to the mercy of the French king, should that monarch become master of the Milanese, engaged in a secret negotiation with the emperor, which, notwithstanding all his caution, was discovered by the court of Versailles. Louis immediately ordered the Duke of Vendome to disarm the troops of Savoy that were in his army, to the number of two-and-twenty thousand men: to insist upon the duke's putting him in possession of four considerable fortresses; and demand that the number of his troops should be reduced to the establishment stipulated in the treaty of 1696. The duke, exasperated at these insults, ordered the French ambassador, and several officers of the same nation, to be arrested. Louis endeavoured to intimidate him by a menacing letter, in which he gave him to understand, that since neither religion, honour, interest, nor alliances, had been able to influence his conduct, the Duke de Vendome should make known the intentions of the French monarch,

and allow him four-and-twenty hours to deliberate on the measures he should pursue. This letter was answered by a manifesto: in the meantime, the duke concluded a treaty with the court of Vienna; acknowledged the Archduke Charles as King of Spain; and sent envoys to England and Holland. Queen Anne, knowing his importance, as well as his selfish disposition, assured him of her friendship and assistance; and both she and the States sent ambassadors to Turin. He was immediately joined by a body of imperial horse under Visconti, and afterwards by Count Staremberg, at the head of fifteen thousand men, with whom that general marched from the Modenese, in the worst season of the year, through an enemy's country, and roads that were deemed impassable. In vain the French forces harassed him in his march, and even surrounded him in many different places on the route: he surmounted all these difficulties with incredible courage and perseverance, and joined the Duke of Savoy at Canelli, so as to secure the country of Piedmont. The other incident which proved so favourable to the imperial interest, was a treaty by which the King of Portugal acceded to the grand alliance. His ministry perceived, that should Spain be once united to the crown of France, their master would sit very insecure upon his throne. They were intimidated by the united fleets of the maritime powers, which maintained the empire of the sea; and they were allured by the splendour of a match between their infanta and the Archduke Charles, to whom the emperor and King of the Romans promised to transfer all their pretensions to the Spanish crown. By this treaty, concluded at Lisbon, between the emperor, the Queen of Great Britain, the King of Portugal, and the States-general, it was stipulated, that King Charles should be conveyed to Portugal by a powerful fleet, having on board twelve thousand soldiers, with a great supply of money, arms, and ammunition; and that he should be joined immediately upon his landing by an army of eight-and-twenty thousand Portuguese.

§ XLI. The confederates reaped very little advantage from the naval operations of this summer. Sir George Rooke cruised in the channel, in order to alarm the coast of France, and protect the trade of England. On the first day of July, Sir Cloudesley Shovel sailed from St. Helen's, with the combined squadrons of England and Holland; he directed his course to the Mediterranean, and being reduced to great difficulty by want of water, steered to Altea, on the coast of Valencia, where Brigadier Seymour landed, and encamped with five-and-twenty hundred marines. The admiral published a short manifesto, signifying that he was not come to disturb, but to protect, the good subjects of Spain, who would swear allegiance to their lawful monarch, the Archduke Charles, and endeavour to shake off the yoke of France. This declaration produced little or no effect; and the fleet being watered, Sir Cloudesley sailed to Leghorn. One design of this armament was to assist the Cevennois, who had in the course of the preceding year been persecuted into a revolt on account of religion, and implored the assistance of England and the States-general. The admiral detached two ships into the gulf of Narbonne, with some refugees and French pilots, who had concerted signals with the Cevennois: but the Mareschal de Montrevil having received intimation of their design, took such measures as prevented all communication; and the English captains having repeated their signals to no purpose, rejoined Sir Cloudesley at Leghorn. This admiral, having renewed the peace with the piratical states of Barbary, returned to England, without having taken one effectual step for annoying the enemy, or attempted any thing that looked like the result of a concerted scheme for that purpose. The nation naturally murmured at the fruitless expedition, by which it had incurred such a considerable expense. The merchants complained that they were ill supplied with convoys. The ships of war were victualled with damaged provision; and every article of the marine being mismanaged, the blame fell upon those who acted as council to the lord high-admiral.

§ XLII. Nor were the arms of England by sea much more successful in the West Indies. Sir George Rooke, in the preceding year, had detached from the Mediterranean

Captain Hovenden Walker, with six ships of the line and transports, having on board four regiments of soldiers, for the Leeward Islands. Being joined at Antigua by some troops under Colonel Codrington, they made a descent upon the island of Guadaloupe, where they razed the fort, burned the town, ravaged the country, and reembarked with precipitation, in consequence of a report that the French had landed nine hundred men on the back of the island. They retired to Nevis, where they must have perished by famine, had not they been providentially relieved by Vice-Admiral Graydon, in his way to Jamaica. This officer had been sent out with three ships to succeed Benbow, and was convoyed about one hundred and fifty leagues by two other ships of the line. He had not sailed many days, when he fell in with part of the French squadron, commanded by Du Casse, on their return from the West Indies, very foul, and richly laden. Captain Cleland, of the Montagu, engaged the sternmost; but he was called off by a signal from the admiral, who proceeded on his voyage, without taking further notice of the enemy. When he arrived at Jamaica, he quarrelled with the principal planters of the island; and his ships beginning to be crazy, he resolved to return to England. He accordingly sailed through the gulf of Florida, with a view to attack the French at Placentia, in Newfoundland; but his ships were dispersed in a fog that lasted thirty days; and afterwards the council of war which he convoked, were of opinion that he could not attack the convoked with any prospect of success. At his return to England, the House of Lords, then sitting, set on foot an inquiry into his conduct. They presented an address to the queen, desiring she would remove him from his employments; and he was accordingly dismissed. The only exploit that tended to distress the enemy was performed by Rear-Admiral Dilkes, who, in the month of July, sailed to the coast of France, with a small squadron; and in the neighbourhood of Granville, took or destroyed about forty ships and their convoy. Yet this damage was inconsiderable, when compared to that which the English navy sustained from the dreadful tempest that began to blow on the twenty-seventh day of November, accompanied with such flashes of lightning, and peals of thunder, as overwhelmed the whole kingdom with consternation. The houses in London shook from their foundations, and some of them falling, buried the inhabitants in their ruins. The water overflowed several streets, and rose to a considerable height in Westminster-hall. London-bridge was almost choked up with the wrecks of vessels that perished in the river. The loss sustained by the capital was computed at a million sterling; and the city of Bristol suffered to a prodigious amount; but the chief national damage fell upon the navy. Thirteen ships of war were lost, together with fifteen hundred seamen, including Rear-Admiral Beaumont, who had been employed in observing the Dunkirk squadron, and was then at anchor in the Downs, where his ship foundered. This great loss, however, was repaired with incredible diligence, to the astonishment of all Europe. The queen immediately issued orders for building a greater number of ships than that which had been destroyed, and she exercised her bounty for the relief of the shipwrecked seamen, and the widows of those who were drowned, in such a manner as endeared her to all her subjects.

§ XLIII. The emperor having declared his second son Charles, King of Spain, that young prince set out from Vienna to Holland, and at Dusseldorp was visited by the Duke of Marlborough, who in the name of his mistress, congratulated him upon his accession to the crown of Spain. Charles received him with the most obliging courtesy. In the course of their conversation, taking off his sword, he presented it to the English general, with a very gracious aspect, saying, in the French language, "I am not ashamed to own myself a poor prince. I possess nothing but my cloak and sword; the latter may be of use to your Grace; and I hope you will not think it the worse for my wearing it one day." "On the contrary," (replied the duke,) "it will always put me in mind of your majesty's just right and title, and of the obligations I lie under to hazard my life in making you the greatest prince in Christendom." This nobleman returned to England in October: and King Charles embarking for the same kingdom,

under convoy of an English and Dutch squadron, arrived at Spithead on the twenty-sixth day of November. There he was received by the Dukes of Somerset and Marlborough, who conducted him to Windsor; and on the road he was met by Prince George of Denmark. The queen's deportment towards him was equally noble and obliging; and he expressed the most profound respect and veneration for this illustrious princess. He spoke but little; yet what he said was judicious: and he behaved with such politeness and affability as conciliated the affection of the English nobility. After having been magnificently entertained for three days, he returned to Portsmouth, from whence, on the fourth of January, he sailed for Portugal, with a great fleet commanded by Sir George Rooke, having on board a body of land-forces, under the Duke of Schomberg. When the admiral had almost reached Cape Finisterre, he was driven back by a storm to Spithead, where he was obliged to remain till the middle of February. Then being favoured with a fair wind, he happily performed the voyage to Lisbon, where King Charles was received with great splendour, though the court of Portugal was over-spread with sorrow, excited by the death of the infant, whom the King of Spain intended to espouse. In Poland, all hope of peace seemed to vanish. The cardinal-primate, by the instigation of the Swedish king, whose army lay encamped in the neighbourhood of Dantzic, assembled a diet at Warsaw, which solemnly deposed Augustus, and declared the throne vacant. Their intention was to elect young Sobieski, son of their late monarch, who resided at Breslau, in Silesia: but their scheme was anticipated by Augustus, who retired hastily into his Saxon dominions, and seizing Sobieski, with his brother, secured them as prisoners at Dresden.

## CHAP. VIII.

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§ I. WHEN the parliament met in October, A. D. 1703, the queen in her speech took notice of the declaration by the Duke of Savoy, and the treaty with Portugal, as circumstances advantageous to the alliance. She told them, that although no provision was made for the expedition to Lisbon, and the augmentation of the land-forces, the funds had answered so well, and the produce of prizes been so considerable, that the public had not run in debt by those additional services: that she had contributed out of her own revenue to the support of the circle of Suabia, whose firm adherence to the interest of the allies deserved her seasonable assistance. She said, she would not engage in any unnecessary expense of her



own, that she might have the more to spare towards the case of her subjects. She recommended despatch and union, and earnestly exhorted them to avoid any heats or divisions that might give encouragement to the common enemies of the church and state. Notwithstanding this admonition, and the addresses of both Houses, in which they promised to avoid all divisions, a motion was made in the House of Commons for renewing the bill against occasional conformity, and carried by a great majority. In the new draft, however, the penalties were lowered, and the severest clauses mitigated. As the court no longer interested itself in the success of this measure, the House was pretty equally divided with respect to the speakers, and the debates on each side were maintained with equal spirit and ability : at length it passed and was sent up to the Lords, who handled it still more severely. It was opposed by a small majority of the bishops, and particularly by Burnet of Sarum, who declaimed against it, as a scheme of the papists to set the church and protestants at variance. It was successively attacked by the Duke of Devonshire, the Earl of Pembroke, the Lords Haversham, Mohun, Ferrars, and Wharton. Prince George of Denmark absented himself from the House ; and the question being put for a second reading, it was carried in the negative ; yet the Duke of Marlborough and Lord Godolphin entered their dissent against its being rejected, though the former had positively declared, that he thought the bill unseasonable. The Commons having perused a copy of the treaty with Portugal, voted forty thousand men, including five thousand marines, for the sea service of the ensuing year ; and a like number of land-forces, to act in conjunction with the allies, besides the additional ten thousand : they likewise resolved, That the proportion to be employed in Portugal should amount to eight thousand. Sums were granted for the maintenance of these great armaments, as well as for the subsidies payable to her majesty's allies ; and funds appointed equal to the occasion. Then they assured the queen, in an address, that they would provide for the support of such alliances as she had made, or should make, with the Duke of Savoy.

§ II. At this period the nation was alarmed by the detection of a conspiracy said to be hatched by the Jacobites of Scotland. Simon Fraser, Lord Lovat, a man of desperate enterprise, profound dissimulation, abandoned morals, and ruined fortune, who had been outlawed for having ravished a sister of the Marquis of Athol, was the person to whom the plot seems to have owed its origin. He repaired to the court of St. Germain's, where he undertook to assemble a body of twelve thousand highlanders to act in favour of the pretender, if the court of France would assist them with a small reinforcement of troops, together with officers, arms, ammunition, and money. The French king seemed to listen to the proposal ; but, as Fraser's character was infamous, he doubted his veracity. He was, therefore, sent back to Scotland with two other persons, who were instructed to learn the strength and sentiments of the clans, and endeavour to engage some of the nobility in the design of an insurrection. Fraser no sooner returned, than he privately discovered the whole transaction to the Duke of Queensberry, and undertook to make him acquainted with the whole correspondence between the pretender and the Jacobites. In consequence of this service he was provided with a pass, to secure him from all prosecution ; and made a progress through the highlands to sound the inclination of the chieftains. Before he set out on this circuit, he delivered to the duke a letter from the queen dowager at St. Germain's, directed to the Marquis of Athol : it was couched in general terms, and superscribed in a different character ; so that, in all probability, Fraser had forged the direction, with a view to ruin the marquis, who had prosecuted him for the injury done to his sister. He proposed a second journey to France, where he should be able to discover other more material circumstances : and the Duke of Queensberry procured a pass for him to go to Holland from the Earl of Nottingham, though it was expedited under a borrowed name. The duke had communicated his discovery to the queen, without disclosing his name, which he desired might be concealed :

her majesty believed the particulars, which were confirmed by her spies at Paris, as well as by the evidence of Sir John Maclean, who had lately been conveyed from France to England in an open boat, and apprehended at Folkstone. This gentleman pretended at first, that his intention was to go through England to his own country, in order to take the benefit of the queen's pardon ; and this, in all probability, was his real design ; but being given to understand that he would be treated in England as a traitor, unless he should merit forgiveness, by making important discoveries, he related all he knew of the proposed insurrection. From his informations the ministry gave directions for apprehending one Keith, whose uncle had accompanied Fraser from France, and knew all the intrigues of the court of St. Germain's. He declared, that there was no other design on foot, except that of paving the way for the pretender's ascending the throne after the queen's decease. Ferguson, that veteran conspirator, affirmed that Fraser had been employed by the Duke of Queensberry to decoy some persons whom he hated into a conspiracy, that he might have an opportunity to effect their ruin ; and by the discovery establish his own credit, which began to totter. Perhaps there was too much reason for this imputation. Among those who were seized at this time was a gentleman of the name of Lindsay, who had been under-secretary to the Earl of Middleton. He had returned from France to Scotland, in order to take the benefit of the queen's pardon, under the shelter of which he came to England, thinking himself secure from prosecution. He protested he knew of no designs against the queen or her government ; and that he did not believe she would ever receive the least injury or molestation from the court of St. Germain's. The House of Lords having received intimation of this conspiracy, resolved, That a committee should be appointed to examine into the particulars : and ordered, that Sir John Maclean should be next day brought to their House. The queen, who was far from being pleased with this instance of their officious interposition, gave them to understand by message, that she thought it would be inconvenient to change the method of examination already begun ; and that she would in a short time inform the House of the whole affair. On the seventeenth day of December the queen went to the House of Peers, and having passed the bill for the land-tax, made a speech to both Houses, in which she declared, that she had unquestionable information of ill practices and designs carried on by the emissaries of France in Scotland. The Lords persisting in their resolution to bring the inquiry into their own House, chose their select committee by ballot ; and, in an address, thanked her majesty for the information she had been pleased to communicate.

§ III. The Commons taking it for granted that the queen was disobliged at these proceedings of the upper House, which, indeed, implied an insult upon her ministry, if not upon herself, presented an address, declaring themselves surprised to find, that when persons suspected of treasonable practices were taken into custody by her majesty's messengers, in order to be examined, the Lords, in violation of the known laws of the land, had wrested them out of her hands, and arrogated the examination solely to themselves ; so that a due inquiry into the evil practices and designs against her majesty's person and government might, in a great measure, be obstructed. They earnestly desired, that she would suffer no diminution of the prerogative ; and they assured her they would, to the utmost of their power, support her in the exercise of it at home, as well as in asserting it against all invasions whatsoever. The queen thanked them for their concern and assurances ; and was not ill pleased at the nature of the address, though the charge against the Peers was not strictly true ; for there were many instances of their having assumed such a right of inquiry. The upper House deeply resented the accusation. They declared, that by the known laws and customs of parliament, they had an undoubted right to take examinations of persons charged with criminal matters, whether those persons were or were not in custody. They resolved, That the address of the Commons was unparliamentary, groundless, without precedent, highly injurious to the House of Peers, tending to

interrupt the good correspondence between the two Houses, to create an ill opinion in her majesty of the House of Peers, of dangerous consequence to the liberties of the people, the constitution of the kingdom, and privileges of parliament. They presented a long remonstrance to the queen, justifying their own conduct, explaining the steps they had taken, reprimanding upon the Commons, and expressing the most fervent zeal, duty, and affection to her majesty. In her answer to this representation, which was drawn up with elegance, propriety, and precision, she professed her sorrow for the misunderstanding which had happened between the two Houses of parliament, and thanked them for the concern they had expressed for the rights of the crown and the prerogative: which she should never exert so willingly as for the good of her subjects, and the protection of their liberties.

§ IV. Among other persons seized on the coast of Sussex, on their landing from France, was one Boucher, who had been aide-de-camp to the Duke of Berwick. This man, when examined, denied all knowledge of any conspiracy: he said, that being weary of living so long abroad, and having made some unsuccessful attempts to obtain a pass, he had chosen rather to cast himself on the queen's mercy, than to remain longer in exile from his native country. He was tried and condemned for high treason, yet continued to declare himself ignorant of the plot. He proved, that in the war of Ireland, as well as in Flanders, he had treated the English prisoners with great humanity. The Lords desisted from the prosecution; he obtained a reprieve, a

of January the queen papers con the conspiracy in Scotland; but that there was one circumstance which could not yet be properly communicated, without running the risk of preventing a discovery of greater importance. They forthwith drew up and presented an address, desiring that all the papers might be immediately submitted to their inspection. The queen said she did not expect to be pressed in this manner immediately after the declaration she had made: but in a few days the Earl of Nottingham delivered the papers, sealed, to the House, and all the lords were summoned to attend on the eighth day of February, that they might be opened and perused. Nottingham was suspected of a design to stifle the conspiracy. Complaint was made in the House of Commons, that he had discharged an officer belonging to the late King James, who had been seized by the governor of Berwick. A warm debate ensued, and at length ended in a resolve, That the Earl of Nottingham, one of her majesty's principal secretaries of state, for his great ability and diligence in the execution of his office, for his unquestionable fidelity to the queen and her government, and for his steady adherence to the church of England as by law established, highly merited the trust her majesty had reposed in him. They ordered the speaker to present this resolution to the queen, who said she was glad to find them so well satisfied with the Earl of Nottingham, who was trusted by her in so considerable an office. They perused the examinations of the witnesses which were laid before them, without passing judgment, or offering advice on the subject: but they thanked her majesty for having communicated those particulars, as well as for her wisdom and care of the nation. While the lords proceeded with uncommon eagerness in their inquiry, the lower House, in another address, renewed their complaints against the conduct of the Peers, which they still affirmed was without a precedent. But this was the language of irritated faction, by which indeed both sides were equally actuated.

§ V. The select committee of the Lords prosecuted the inquiry, and founded their report chiefly on the confession of Sir John Maclean, who owned that the court of St. Germain's had listened to Lovat's proposal; that several councils had been held at the pretender's court on the subject of an invasion; and that persons were sent over to sound some of the nobility in Scotland. But the nature of their private correspondence and negotiation could not be discovered. Keith had tampered with his uncle to disclose the whole secret; and this was the circumstance

which the queen declined imparting to the Lords, until she should know the success of his endeavours, which proved ineffectual. The uncle stood aloof; and the ministry did not heartily engage in the inquiry. The House of Lords having finished these examinations, and being warmed with violent debates, voted, That there had been dangerous plots between some persons in Scotland and the courts of France and St. Germain's; and, That the encouragement for this plotting arose from the not settling the succession to the crown of Scotland in the house of Hanover. These votes were signified to the queen in an address; and they promised, that when the succession should be thus settled, they would endeavour to promote the union of the two kingdoms upon just and reasonable terms. Then they composed another representation, in answer to the second address of the Commons, touching their proceedings. They charged the lower House with want of zeal in the whole progress of this inquiry. They produced a great number of precedents, to prove that their conduct had been regular and parliamentary; and they, in their turn, accused the Commons of partiality and injustice in not ing legal elections. The queen, in answer to this strance, said, she looked upon any mis between the two Houses as a very gre kingdom; and that she should her power to prevent all

§ VI. The Lord by such opposite pro quantity of thwarting each other. A and been brought by one Mat- in the last election, the cause was tried at the and the constables were cast with damages. But an order was given in the queen's bench to quash all the proceedings, since no action had ever been brought on that account. The cause being moved by writ of error into the House of Lords, was argued with great warmth: at length it was carried by a great majority, that the order of the queen's bench should be set aside, and judgment pronounced according to the verdict given at the assizes. The Commons considered these proceedings as encroaching on their privileges. They passed five different resolutions, importing That the Commons of England in parliament assembled had the sole right to examine and determine all matters relating to the right of election of their own members: That the practice of determining the qualifications of electors in any court of law would expose all mayors, bailiffs, and returning officers, to a multiplicity of vexatious suits, and insupportable expenses, and subject them to different and independent jurisdictions, as well as to inconsistent determinations in the same case, without relief: That Matthew Ashby was guilty of a breach of privilege, as were all attorneys, solicitors, counsellors, and serjeants-at-law, soliciting, prosecuting, or pleading in any case of the same nature. These resolutions, signed by the clerk, were fixed upon the gate of Westminster-hall. On the other hand, the Lords appointed a committee to draw up a state of the case: and, upon their report, resolved, That every person being wilfully hindered to exercise his right of voting, might maintain an action in the queen's courts against the officer by whom his vote should be refused, to assert his right, and recover damages for the injury: That an assertion to the contrary was destructive of the property of the subjects, against the freedom of elections, and manifestly tended to the encouragement of partiality and corruption: That the declaring of Matthew Ashby guilty of a breach of privilege of the House of Commons, was an unprecedented attempt upon the judicature of parliament, and an attempt to subject the law of England to the votes of the House of Commons. Copies of the case, and these resolutions, were sent by the lord-keeper to all the sheriffs of England, to be circulated through all the boroughs of their respective counties.

§ VII. On the seventh day of February, the queen ordered Secretary Hedges to tell the House of Commons, that she had remitted the arrears of the tenths to the poor clergy; that she would grant her whole revenue arising out of the first-fruits and tenths, as far as it should become free from encumbrance, as an augmentation of their maintenance: that if the House of Commons could find any

method by which her intentions to the poor clergy might be made more effectual, it would be an advantage to the public, and acceptable to her majesty. The Commons immediately brought in a bill, enabling her to alienate this branch of the revenue, and create a corporation by charter, to direct the application of it to the uses proposed: they likewise repealed the statute of mortmain, so far as to allow all men to bequeath by will, or grant by deed, any sum they should think fit to give towards the augmentation of benefices. Addresses of thanks and acknowledgment from all the clergy of England were presented to the queen for her gracious bounty: but very little regard was paid to Burnet, Bishop of Sarum, although the queen declared that prelate author of the project. He was generally hated, either as a Scot, a low-churchman, or a meddling partisan.

§ VIII. In March an inquiry into the condition of the navy was begun in the House of Lords. They desired the queen, in an address, to give speedy and effectual orders, that a number of ships sufficient for the home service should be equipped and manned with all possible expedition. They resolved, That Admiral Graydon's not attacking the four French ships in the channel had been a prejudice to the queen's service, and a disgrace to the nation: That his pressing men in Jamaica, and his severity towards masters of merchant vessels and transports, had been a great discouragement to the inhabitants of that island, as well as prejudicial to her majesty's service; and they presented an address against him, in consequence of which he was dismissed. They examined the accounts of the Earl of Orford, against which great clamour had been raised: and taking cognizance of the remarks made by the commissioners of the public accounts, found them false in fact, ill-grounded, and of no importance. The Commons besought the queen to order a prosecution on account of ill practices in the Earl of Ranelagh's office: and they sent up to the Lords a bill for continuing the commission on the public accounts. Some alterations were made in the upper House, especially in the nomination of commissioners; but these were rejected by the Commons. The Peers adhering to their amendments, the bill dropped, and the commission expired. No other bill of any consequence passed in this session, except an act for raising recruits, which empowered justices of the peace to impress idle persons for soldiers and marines. On the third day of April the queen went to the House of Peers, and having made a short speech on the usual topics of acknowledgment, unity, and moderation, prorogued the parliament to the fourth day of July. The division still continued between the two houses of convocation; so that nothing of moment was transacted in that assembly, except their address to the queen upon her granting the first-fruits and tenths for the augmentation of small benefices. At the same time, the lower House sent their prolocutor with a deputation to wait upon the speaker of the House of Commons, to return their thanks to that honourable House for having espoused the interest of the clergy; and to assure them that the convocation would pursue such methods as might best conduce to the support, honour, interest, and security of the church as now by law established. They sent up to the archbishop and prelates divers representations, containing complaints, and proposing canons and articles of reformation: but very little regard was paid to their remonstrances.

§ IX. About this period the Earl of Nottingham, after having ineffectually pressed the queen to discard the Dukes of Somerset and Devonshire, resigned the seals. The Earl of Jersey and Sir Edward Seymour were dismissed: the Earl of Kent was appointed chamberlain, Harley secretary of state, and Henry St. John secretary of war. The discovery of the Scottish conspiracy was no sooner known in France, than Louis ordered Fraser to be imprisoned in the Bastille. In England, Lindsay being sentenced to die, for having corresponded with France, was given to understand that he had no mercy to expect, unless he would discover the conspiracy. He persisted in denying all knowledge of any such conspiracy; and scorned to save his life by giving false information. In order to intimidate him into a confession, the ministry ordered him to be conveyed to Tyburn, where he still rejected life

upon the terms proposed: then he was carried back to Newgate, where he remained some years: at length he was banished, and died of hunger in Holland. The ministers had been so lukewarm and languid in the investigation of the Scottish conspiracy, that the whigs loudly exclaimed against them as disguised Jacobites, and even whispered insinuations, implying, that the queen herself had a secret bias of sisterly affection for the court of St. Germain's. What seemed to confirm this allegation, was the disgrace of the Duke of Queensberry, who had exerted himself with remarkable zeal in the detection; but the decline of his interest in Scotland was the real cause of his being laid aside at this juncture.

§ X. The design of the court was to procure in the Scottish parliament the nomination of a successor to the crown, and a supply for the forces, which could not be obtained in the preceding session. Secretary Johnston, in concert with the Marquis of Tweeddale, undertook to carry these points, in return for certain limitations on the successor, to which her majesty agreed. The marquis was appointed commissioner. The office of lord-register was bestowed upon Johnston; and the parliament met on the sixth day of July. The queen in her letter expressed her concern, that these divisions should have risen to such a height, as to encourage the enemies of the nation to employ their emissaries for debauching her good subjects from their allegiance. She declared her resolution to grant whatever could in reason be demanded for quieting the minds of the people. She told them, she had empowered the Marquis of Tweeddale to give unquestionable proofs of her determination to maintain the government in church and state as by law established in that kingdom; to consent to such laws as should be found wanting for the further security of both, and for preventing all encroachments for the future. She earnestly exhorted them

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to settle the succession in the protestant line, as a step absolutely necessary for their own peace and happiness, the quiet and security of all her dominions, the reputation of her affairs abroad, and the improvement of the protestant interest through all Europe. She declared, that she had authorized the commissioners to give the royal assent to whatever could be reasonably demanded, and was in her power to grant, for securing the sovereignty and liberties of that her ancient kingdom. The remaining part of the letter turned upon the necessity of their granting a supply, the discouragement of vice, the encouragement of commerce, and the usual recommendation of moderation and unanimity.

§ XI. The Duke of Hamilton presented a resolve, That the parliament would not name a successor to the crown, until the Scots should have concluded a previous treaty with England, in relation to commerce and other concerns. This motion produced a warm debate, in the course of which Fletcher of Saltoun expatiated upon the hardships and miseries which the Scots had sustained since the union of the two crowns under one sovereign, and the impossibility of bettering their condition, unless they should take care to anticipate any design that tended to a continuation of the same calamities. Another resolve was produced by the Earl of Rothes, importing, That the parliament should proceed to make such limitations and conditions of the government as might be judged proper for rectifying the constitution; for vindicating and securing the sovereignty and independency of the nation; and that then parliament would take into consideration the other resolve offered by the Duke of Hamilton, for a treaty previous to the nomination of a successor. This proposal was seconded by the court party, and violent heats ensued. At length, Sir James Falconer, of Phesdo, offered an expedient, which neither party could refuse with any show of moderation. He suggested a resolve, That the parliament would not proceed to the nomination of a successor, until the previous treaty with England should be discussed; and that it would make the necessary limitations and conditions of government, before the successor should be nominated. This joint resolve, being put to the vote, was carried by a great majority. The treaty with England was neglected, and the affair of the succession consequently postponed.

Burnet, Hist. of Q. Anne, Feudal Rights, Lockhart, History of the Admirals, Voltaire, Hist. of Europe, History of the Duke of Marlborough.



The Duke of Athol moved, that her majesty should be desired to send down the witnesses and all the papers relating to the conspiracy, that after due examination, those who were unjustly accused might be vindicated, and the guilty punished according to their demerits. The commissioner declared, that he had already written, and would write again, to the queen on that subject. The intention of the cavaliers was to convict the Duke of Queensberry of malice and calumny in the prosecution of that affair, that they might wreak their vengeance upon him for that instance of his animosity, as well as for his having deserted them in the former session. He found means, however, to persuade the queen, that such an inquiry would not only protract the session, but also divert them from the settlement of the succession, and raise such a ferment as might be productive of tragical consequences. Alarmed at these suggestions, she resolved to prevent the examination; and gave no answer to the repeated applications made by her parliament and ministers. Meanwhile the Duke of Queensberry appeased his enemies in Scotland, by directing all his friends to join in the opposition.

§ XII. The Duke of Hamilton again moved, that the parliament should proceed to the limitations, and name commissioners to treat with England, previous to all other business, except an act for a land-tax of two months, necessary for the immediate subsistence of the forces. The Earl of Marchmont proposed an act to exclude all popish successors; but this was warmly opposed, as unseasonable, by Hamilton and his party. A bill of supply being offered by the Lord Justice Clerk, the cavaliers tacked to it great part of the act of security, to which the royal assent had been refused in the former session. Violent debates arose; so that the House was filled with rage and tumult. The national spirit of independence had been wrought up to a dangerous pitch of enthusiasm. The streets were crowded with people of all ranks, exclaiming against English influence; and threatening to sacrifice as traitors to their country, all who should embrace measures that seemed to favour a foreign interest. The commissioner and his friends were confounded and appalled. Finding it impossible to stem the torrent, he, with the concurrence of the other ministers, wrote a letter to the queen, representing the uncomfortable situation of affairs, and advising her majesty to pass the bill, encumbered as it was with the act of security. Lord Godolphin, on whose counsel she chiefly relied, found himself involved in great perplexity. The Tories had devoted him to destruction. He foresaw that the queen's concession to the Scots in an affair of such consequence, would furnish his enemies with a plausible pretence to arraign the conduct of her minister: but he chose to run that risk, rather than see the army disbanded for want of a supply, and the kingdom left exposed to an invasion. He, therefore, seconded the advice of the Scottish ministers; and the queen authorized the commissioner to pass the bill that was depending. The act provided, That in case of the queen's dying without issue, a parliament should immediately meet, and declare the successor to the crown, different from the person possessing the throne of England, unless before that period a settlement should be made in parliament of the rights and liberties of the nation, independent of English councils: by another clause, they were empowered to arm and train the subjects, so as to put them in a posture of defence. The Scottish parliament having, by a laudable exertion of spirit, obtained this act of security, granted the supply without further hesitation; but, not yet satisfied with this sacrifice, they engaged in debates about the conspiracy, and the proceedings of the House of Lords in England, which they termed an officious intermeddling in their concerns, and an encroachment upon the sovereignty and independency of the nation. They drew up an address to the queen, desiring that the evidence and papers relating to the plot might be subjected to their examination in the next session. Meanwhile, the commissioner, dreading the further progress of such an ungovernable ferocity, prorogued the parliament to the seventh day of October. The act of security being transmitted to England, copies of it were circulated by the enemies of Godolphin, who represented it as a measure of that minister; and the kingdom was filled with murmurs and discontent. People openly declared, that the two

kingdoms were now separated by law, so as never to be rejoined. Reports were spread, that great quantities of arms had been conveyed to Scotland, and that the natives were employed in preparations to invade England. All the blame of these transactions was imputed to Lord Godolphin, whom the Tories determined to attack, while the other party resolved to exert their whole influence for his preservation: yet, in all probability, he owed his immediate support to the success of his friend the Duke of Marlborough.

§ XIII. Nothing could be more deplorable than the situation to which the emperor was reduced in the beginning of the season. The malcontents in Hungary had rendered themselves formidable by their success: the Elector of Bavaria possessed all the places on the Danube, as far as Passau, and even threatened the city of Vienna, which must have been infallibly lost, had the Hungarians and Bavarians acted in concert. By the advice of Prince Eugene, the emperor implored the assistance of her Britannic majesty; and the Duke of Marlborough explained to her the necessity of undertaking his relief. This nobleman in the month of January had crossed the sea to Holland, and concerted a scheme with the deputies of the States-general for the operations of the ensuing campaign. They agreed, that General Auverquerque should lie upon the defensive with a small body of troops in the Netherlands: while the main army of the allies should act upon the Rhine, under the command of the Duke of Marlborough. Such was the pretext under which this consummate general concealed another plan, which was communicated to a few only, in whose discretion he could confide. It was approved by the pensionary and some leading men, who secured its favourable reception with the States-general, when it became necessary to impart the secret to that numerous assembly. In the mean time, the preparations were made, on pretence of carrying the war to the banks of the Moselle.

§ XIV. In the month of April, the duke, accompanied by his brother General Churchill, Lieutenant-General Lumley, the Earl of Orkney, and other officers of distinction, embarked for Holland, where he had a long conference with a deputation of the States, concerning a proposal of sending a large army towards the Moselle. The deputies of Zealand opposed this measure of sending their troops to such a distance so strenuously, that the duke was obliged to tell them, in plain terms, he had received orders to march thither with the British forces. He accordingly assembled his army at Maestricht; and on the eighth day of May began his march into Germany. The French imagined his intention was to begin the campaign with the siege of Traerbach, and penetrate into France along the Moselle. In this persuasion they sent a detachment to that river; and gave out that they intended to invest Huy, a pretence to which the duke paid no regard. He continued his route by Bedburgh, Kerpenoord, Kalsseken: he visited the fortifications of Bonne, where he received certain advice, that the recruits and reinforcements for the French army in Bavaria had joined the elector at Villengen. He redoubled his diligence, passed the Neckar on the third of June, and halted at Ladenburgh; from thence he wrote a letter to the States-general, giving them to understand, that he had the queen's orders to march to the relief of the empire; and expressing his hope that they would approve the design, and allow their troops to share the honour of the expedition. By the return of a courier he received their approbation, and full power to command their forces. He then proceeded to Mildenheim, where he was visited by Prince Eugene; and these two great men, whose talents were congenial, immediately contracted an intimacy of friendship. Next day Prince Louis of Baden arrived in the camp at Great Hippach. He told the duke, his Grace was come to save the empire, and to give him an opportunity of vindicating his honour, which he knew was at the last stake in the opinion of some people. The duke replied, he was come to learn of him how to serve the empire: that they must be ignorant indeed, who did not know that the Prince of Baden, when his health permitted him, had preserved the empire, and extended its conquests.

§ XV. Those three celebrated generals agreed that the

two armies should join: that the command should be alternately vested in the Duke and Prince Louis from day to day; and that Prince Eugene should command a separate army on the Rhine. Prince Louis returned to his army on the Danube: Prince Eugene set out for Philippsburgh; the Duke of Marlborough being joined by the imperial army under Prince Louis of Baden, at Wastertellen, prosecuted his march by Elchingen, Gingen, and Landshausen. On the first day of July he was in sight of the enemy's entrenchments at Dillengen, and encamped with his right at Amerdighem, and his left at Onderingen. Understanding that the Elector of Bavaria had detached the best part of his infantry to reinforce the Count D'Arco, who was posted behind strong lines at Schellenberg near Donaüwert, he resolved to attack their entrenchments without delay. On the second day of July he advanced towards the enemy, and passed the river Wermitz: about five o'clock in the afternoon the attack was begun by the English and Dutch infantry, supported by the horse and dragoons. They were very severely handled, and even obliged to give way, when Prince Louis of Baden marching up, at the head of the imperialists, to another part of the line, made a diversion in their favour. After an obstinate resistance they forced his entrenchments, and the horse entering with the infantry, fell so furiously upon the enemy, already disordered, that they were routed with great slaughter. They fled with the utmost trepidation to Donaüwert and the Danube, leaving six thousand men dead on the field of battle. The confederates took sixteen pieces of cannon, thirteen pair of colours, with all the tents and baggage. Yet the victory was dearly purchased; some thousands of the allies were slain in the attack, including many gallant officers, among whom were the Generals Goor and Beinhelm, and Count Stirum was mortally wounded. Next day the Bavarian garrison abandoned Donaüwert, of which the confederates took immediate possession, while the elector passed the Danube in his march to the river Leche, lest the victors should cut off his retreat to his own country. The confederates having crossed the Danube on several bridges of pontoons, a detachment was sent to pass the Leche, and take post in the country of the elector, who had retired under the cannon of Augsburg. The garrison of Neuburg retiring to Ingoldstadt, the place was secured by the confederates; and the Count de Frize was detached with nine battalions and fifteen squadrons to invest the town of Rain. Advice arriving from Prince Eugene, that the Marshalls Villeroi and Tallard had passed the Rhine at Fort Kehl, with an army of five-and-forty thousand men, to succour the Elector of Bavaria, the generals of the allies immediately detached Prince Maximilian of Hanover with thirty squadrons of horse, as a reinforcement to the prince. In a few days Rain surrendered, and Aicha was taken by assault. The emperor no sooner received a confirmation of the victory of Schellenberg, than he wrote a letter of acknowledgment to the Duke of Marlborough, and ordered Count Wratislaw to intimate his intention of investing him with the title of prince of the empire, which the duke declined accepting, until the queen interposed her authority at the desire of Leopold.

§ XVI. The allies advanced within a league of Augsburg, and though they found the Elector of Bavaria too securely posted under the cannon of that city to be dislodged or attacked with any prospect of success, they encamped with Friedburgh in their centre, so as to cut off all communication between him and his dominions. The Duke of Marlborough having reduced him to this situation, proposed very advantageous terms of peace, provided he would abandon the French interest, and join the imperialists in Italy. His subjects, seeing themselves at the mercy of the allies, pressed him to comply with these offers rather than expose his country to ruin and desolation. A negotiation was begun, and he seemed ready to sign the articles, when hearing that Mareschal Tallard had passed the Black Forest, to join him with a great body of forces, he declared that since the King of France had made such powerful efforts to support him, he thought himself obliged in honour to continue firm in the alliance. The generals of the allies were so exasperated at this disappointment, that they sent out detachments to ravage the country of

Bavaria, as far as Munich: upwards of three hundred towns, villages, and castles, were inhumanly destroyed, to the indelible disgrace of those who countenanced and conducted such barbarous practices. The elector, shocked at these brutal proceedings, desired, in a letter to the Duke of Marlborough, that a stop might be put to acts of violence so opposite to true glory. The answer he received implied, that it was in his own power to put an end to them by a speedy accommodation. Incensed at this reply, he declared, that since they had obliged him to draw the sword, he would throw away the scabbard. The duke and Prince Louis, finding it impossible to attack the elector in his strong camp, resolved to undertake the siege of Ingoldstadt, and for that purpose passed the Paer near the town of Schrobenhausen, where they encamped, with their left at Closterburgh. On the fifth day of August the Elector of Bavaria marched to Biberach, where he was joined by Tallard. He resolved to pass the Danube at Lawingen, to attack Prince Eugene, who had followed the French army from the lines of Bichi, and lay encamped at Hochstadt. Next day, however, he made a motion that disappointed the enemy. Nevertheless, they persisted in their design of passing the Danube, and encamping at Blenheim. The allies resolved that Prince Louis should undertake the siege of Ingoldstadt, whilst Prince Eugene and the duke should observe the Elector of Bavaria. Advice being received that he had actually crossed the Danube at Lawingen, the Duke of Marlborough joined the forces of Prince Eugene at the camp of Munster on the eleventh day of August, Prince Louis having by this time marched off towards the place he intended to besiege. Next day the Duke of Marlborough and Prince Eugene observed the posture of the enemy, who were advantageously posted on a hill near Hochstadt, their right being covered by the Danube and the village of Blenheim, their left by the village of Lutzingen, and their front by a rivulet, the banks of which were steep, and the bottom marshy.

§ XVII. Notwithstanding these difficulties, the generals resolved to attack them immediately, rather than lie inactive until their forage and provision should be consumed. They were moreover stimulated to this hazardous enterprise, by an intercepted letter to the Elector of Bavaria from Mareschal Villeroi, giving him to understand, that he had received orders to ravage the country of Wirtemberg, and intercept all communication between the Rhine and the allied army. The dispositions being made for the attack, and the orders communicated to the general officers, the forces advanced into the plain on the thirteenth day of August, and were ranged in order of battle. The cannonading began about nine in the morning, and continued on both sides till one in the afternoon. The French and Bavarians amounted to about sixty thousand men. Mareschal Tallard commanded on the right, and posted seven-and-twenty battalions, with twelve squadrons, in the village of Blenheim, supposing that there the allies would make their chief effort: their left was conducted by the Elector of Bavaria, assisted by Marsin, a French general of experience and capacity. The number of the confederates did not exceed five-and-fifty: their right was under the direction of Prince Eugene, and their left commanded by the Duke of Marlborough. At noon the action was begun by a body of English and Hessians under Major-General Wilkes, who having passed the rivulet with difficulty, and filed off to the left in the face of the enemy, attacked the village of Blenheim with great vigour; but were repulsed after three successive attempts. Meanwhile the troops in the centre, and part of the right wing, passed the rivulet on planks in different places; and formed on the other side without any molestation from the enemy. At length, however, they were charged by the French horse with such impetuosity, and so terribly galled in flank by the troops posted at Blenheim, that they fell in disorder, and part of them repassed the rivulet: but a reinforcement of dragoons coming up, the French cavalry were broke in their turn, and driven to the very edges of the village of Blenheim. The left wing of the confederates, being now completely formed, ascended the hill in a firm compacted body, charging the enemy's horse, which could no longer stand their ground, but rallied

several times as they gave way. Tallard, in order to make a vigorous effort, ordered ten battalions to fill up the intervals of his cavalry. The Duke, perceiving his design, sent three battalions of the troops of Zell to sustain his horse. Nevertheless, the line was a little disordered by the prodigious fire from the French infantry, and even obliged to recoil about sixty paces; but the confederates advancing to the charge with redoubled ardour, routed the French horse; and their battalions being thus abandoned were cut in pieces. Tallard, having rallied his broken cavalry behind some tents that were still standing, resolved to draw off the troops he had posted in the village of Blenheim, and sent an *aid-de-camp* to Marsin, who was with the Elector of Bavaria on the left, to desire he would face the confederates with some troops to the right of the village of Oberklau, so as to keep them in play, and favour the retreat of the forces from Blenheim. That officer assured him, he was so far from being in a condition to spare troops, that he could hardly maintain his ground. The fate of the day was now more than half decided. The French cavalry, being vigorously attacked in flank, were totally defeated. Part of them endeavoured to gain the bridge which they had thrown over the Danube between Hochstadt and Blenheim; but they were so closely pursued, that those who escaped the slaughter threw themselves into the river, where they perished. Tallard, being surrounded, was taken near a mill behind the village of Sondern, together with the Marquis de Montperouz, general of horse, the Major-Generals de Seppville, de Silly, de la Valiere, and many other officers of distinction. Whilst these occurrences passed on the left wing, Marsin's quarters at the village of Oberklau, in the centre, were attacked by ten battalions, under the Prince of Holsteinbeck, who passed the rivulet with undaunted resolution: but, before he could form his men on the other side, he was overpowered by numbers, mortally wounded, and taken prisoner. His battalions, being supported by some Danish and Hanoverian cavalry, renewed the charge, and were again repulsed: at length the Duke of Marlborough in person brought up some fresh squadrons from the body of reserve, and compelled the enemy to retire. By this time Prince Eugene had obliged the left wing of the enemy to give ground, after having surmounted a great number of difficulties, sustained a very obstinate opposition, and seen his cavalry, in which his chief strength seemed to lie, three times repulsed. The Duke of Marlborough had no sooner defeated the right wing, than he made a disposition to reinforce the prince, when he understood from an *aid-de-camp*, that his highness had no occasion for assistance; and that the elector, with Monsieur de Marsin, had abandoned Oberklau and Luttingen. They were pursued as far as the villages of Morselingen and Teissenhoven, from whence they retreated to Dillingen and Lavingen. The confederates, being now masters of the field of battle, surrounded the village of Blenheim, in which, as we have already observed, seven-and-twenty battalions and twelve squadrons were posted. These troops, seeing themselves cut off from all communication with the rest of their army, and despairing of being able to force their way through the allies, capitulated about eight in the evening, laid down their arms, delivered their colours and standards, and surrendered themselves prisoners of war, on condition that the officers should not be rifled. This was one of the most glorious and complete victories that ever was obtained. Ten thousand French and Bavarians were left dead on the field of battle: the greater part of thirty squadrons of horse and dragoons perished in the river Danube: thirteen thousand were made prisoners; one hundred pieces of cannon were taken, with twenty-four mortars, one hundred and twenty-nine colours, one hundred and seventy-one standards, seventeen pair of kettle-drums, three thousand six hundred tents, four and thirty coaches, three hundred laden mules, two bridges of boats, fifteen pontoons, fifteen barrels and eight casks filled with silver. Of the allies, about four thousand five hundred men were killed, and about eight thousand wounded or taken. The loss of the battle was imputed to two capital errors committed by Mareschal Tallard; namely, his weakening the centre, by detaching such a number of troops to the village of Blenheim, and his suffering the confederates to pass the rivu-

let, and form unmolested. Certain it is, these circumstances contributed to the success of the Duke of Marlborough, who rode through the hottest of the fire with the calmest intrepidity, giving his orders with that presence of mind and deliberation which were so peculiar to his character. When he next day visited Tallard, he told that general, he was sorry such a misfortune should happen personally to one for whom he had a profound esteem. The mareschal congratulated him on having vanquished the best troops in the world; a compliment to which the duke replied, That he thought his own the best troops in the world, seeing they had conquered those upon whom the mareschal had bestowed such an encomium.

§ XVIII. The victorious generals having by this decisive stroke saved the House of Austria from entire ruin, and entirely changed the face of affairs in the empire, signified their opinion to Prince Louis of Baden, that it would be for the advantage of the common cause to join all their forces, and drive the French out of Germany, rather than lose time at the siege of Ingoldstadt, which would surrender of course. This opinion was confirmed by the conduct of the French garrison at Augsburg, who quitted that place on the sixteenth day of August. The magistrates sent a deputation craving the protection of the Duke of Marlborough, who forthwith ordered a detachment to take possession of that important city. The duke having sent Mareschal de Tallard under a guard of dragoons to Frankfurt, and disposed of the other prisoners of distinction in the adjacent places, encamped at Sefflingen, within half a league of Ulm. Here he held a conference with the Princes Eugene and Louis of Baden, in which they agreed that, as the enemy retreated towards the Rhine, the confederate army should take the same route, excepting three-and-twenty battalions and some squadrons, to be left for the siege of Ulm, under General Thungen. They began their march on the twenty-sixth day of August, by different routes, to the general rendezvous at Bruschal, near Philippsburgh. Then they resolved, that Prince Louis of Baden should undertake the siege of Landau, in order to secure the circle of Suabia from the incursions of that garrison. Considering the consternation that prevailed all over France, nothing could be more impolitic than this measure, which gave the enemy time for recollection, and recruiting their forces. It was a proposal on which the Prince of Baden insisted with uncommon obstinacy. He was even suspected of corruption. He was jealous of the glory which the Duke of Marlborough had acquired, and such a bigoted papist, that he repined at the success of an heretical general. On the twelfth day of September he marched towards Landau with the troops destined for the siege, and the Duke of Marlborough, with Prince Eugene, encamped at Croon Weissenburgh, to cover the enterprise. By this time Ulm had surrendered to Thungen even before the trenches were opened. Villeroi advanced with his army towards Landau, as if he had intended to attack the confederates; but retired without having made any attempt for the relief of the place, which was defended with the most obstinate valour till the twenty-third day of November, when the besiegers having lodged themselves on the counterscarp, the breaches being practicable, and the dispositions made for a general assault, the garrison capitulated upon honourable conditions. The King of the Romans had arrived in the camp, that he might have the credit of taking the place, the command of which he bestowed on the Count de Frize, who had before defended it with equal courage and ability.

§ XIX. The next enterprise which the confederates undertook, was the siege of Traerbach. The hereditary Prince of Hesse Cassel, being intrusted with the direction of the attacks, invested the castle in the beginning of November. Though it was strongly fortified, and well defended, he carried on his operations with such spirit and assiduity, that in about six weeks the garrison surrendered the place on honourable terms. In the mean time the Duke of Marlborough repaired to Berlin, where he negotiated for a reinforcement of eight thousand Prussians, to serve under Prince Eugene in Italy during the next campaign. Thence he proceeded to the court of Hanover, where, as in all other places, he was received with particular marks of distinction. When he arrived at the Hague,



he was congratulated by the States-general on his victories at Schellenberg and Blenheim, and as much considered in Holland as if he had been actually stadtholder. He had received a second letter from the emperor, couched in the warmest terms of acknowledgment, and was declared prince of the empire. In December he embarked for England, where he found the people in a transport of joy, and was welcomed as a hero who had retrieved the glory of the nation.

§ XX. In Flanders, nothing of moment was executed, except the bombardment of Bruges and Namur by Baron Spaar, with nine thousand Dutch troops; and two attempts upon the French lines, which were actually penetrated by Auverquerque, though he was not able to maintain the footing he had gained. The Elector of Bavaria, who had retired to Brussels after his defeat, formed a scheme for surprising the Dutch general at the end of the campaign, and assembled all his troops at Tirlmont: but the French court, apprehensive of his temerity, sent Villeroi to watch his conduct, and prevent his hazarding an engagement, except with a fair prospect of advantage. The mareschal, finding him determined to give battle at all events, represented the improbability of succeeding against an enemy so advantageously posted, and the ill consequences of a repulse; but, finding the elector deaf to all his remonstrances, he flatly refused to march, and produced the king's order to avoid an engagement. In Italy the French met with no opposition. The Duke of Savoy, being unable to face the enemy in the field, was obliged to lie inactive. He saw the Duke de Vendome reduce Vercelli and Ivrea, and undertake the siege of Verac: while he posted his little army on the other side of the Po, at Crescentino, where he had a bridge of communication, by which he supplied the place occasionally with fresh troops and provision. The place held out five months, against all the efforts of the French general: at length, the communication being cut off, the Duke of Savoy retired to Chivas. He bore his misfortunes with great equanimity; and told the English minister, that though he was abandoned by the allies, he would never abandon himself. The emperor had neglected Italy, that he might act with more vigour against Ragotski and the Hungarian malcontents, over whom he obtained several advantages; notwithstanding which they continued formidable, from their number, bravery, and resolution. The ministers of the allies pressed Leopold to enter into a negotiation for a peace with those rebels; and conferences were opened: but he was not sincerely disposed to an accommodation, and Ragotski aimed at the principality of Transylvania, which the court of Vienna would not easily relinquish. The emperor was not a little alarmed by a revolution at the Ottoman Porte, until the new sultan despatched a chiaus to Vienna, with an assurance that he would give no assistance to the malcontents of Hungary. In Poland, the diet being assembled by the cardinal-primate, Stanislaus Lesinski, Palatine of Posnania, was elected and proclaimed king, and recognised by Charles of Sweden, who still maintained his army by contributions in that country, more intent upon the ruin of Augustus than upon the preservation of his own dominions; for he paid no regard to the progress of the Muscovites, who had ravaged Livonia, reduced Narva, and made incursions into Sweden. Augustus retreated into his Saxon dominions, which he impoverished, in order to raise a great army, with which he might return to Poland; the Pope espoused the interest of this new convert, so far as to cite the cardinal-primate to appear at Rome, and give an account of the share he had in the Polish troubles. The protestants of the Conventiois, deriving courage from despair, became so troublesome to the government of France, that Louis was obliged to treat them with lenity: he sent Mareschal Villars against them with a fresh reinforcement; but at the same time furnished him with instructions to treat for an accommodation. This officer immediately commenced a negotiation with Cavalier, the chief of the revolvers; and a formal treaty was concluded, by which they were indulged with liberty of conscience: but these articles were very ill observed by the French ministry.

§ XXI. In Portugal, the interest of King Charles wore a very melancholy aspect. When he arrived at Lisbon, he

found no preparations made for opening the campaign. The Portuguese ministry favoured the French in secret; the people were averse to heretics; the Duke of Schomberg was on ill terms with Fagel, the Dutch general: the Portuguese forces consisted of raw undisciplined peasants; and the French ambassador had bought up the best horses in the kingdom; so that the troopers could not be properly mounted. The King of Portugal had promised to enter Spain with Charles by the middle of May: but he was not ready till the beginning of June, when they reached Santarem. By this time they had published their respective manifestoes; Charles displaying his title to the crown of Spain, and promising pardon to all his subjects who would in three months join his army; and the King of Portugal declaring, that his sole aim in taking up arms was to restore the liberty of the Spanish nation, oppressed by the power of France, as well as to assert the right of Charles to that monarchy. The present possessor, whom they mentioned by the name of the Duke of Anjou, had already anticipated their invasion. His general, the Duke of Berwick, entering Portugal, took the town of Segura by stratagem. The governor of Salva-terra surrendered at discretion: Cebreros was reduced without much opposition: Zebredo was abandoned by the inhabitants; and the town of Lhana la Viella was taken by assault. Portugal was at the same time invaded in different parts by the Marquis de Jeoffreville, Prince Tserclaes de Tilly, and the Marquis de Villadarias. Two Dutch battalions were attacked and taken by the Duke of Berwick at Sodreira Formosa. Then he passed the Tagus, and joined Prince Tserclaes. King Philip arriving in the army, invested Portalegre; and the garrison, including an English regiment of foot, commanded by Colonel Stanhope, were made prisoners of war. The next place he besieged was Castle Davide, which met with the same fate. On the other hand, the Marquis Das Minas, in order to make a diversion, entered Spain with fifteen thousand men, took Fuente Grimaldo, in Castile, by assault, defeated a body of French and Spaniards commanded by Don Ronquillo, and made himself master of Manseinto. The weather growing excessively hot, Philip sent his troops into quarters of refreshment: and the allies followed his example. Duke Schomberg finding his advice very little regarded by the Portuguese ministry, and seeing very little prospect of success, desired leave to resign his command, which the queen bestowed upon the Earl of Galway, who, with a reinforcement of English and Dutch troops, arrived at Lisbon on the thirtieth day of July. About the latter end of September, the two kings repaired to the camp near Almeda, resolving to invade Castile: but they found the river Agueda so well guarded by the Duke of Berwick, that they would not attempt a passage. They, therefore, retired into the territories of Portugal, and the army was put into winter-quarters. The Spaniards were now so weakened, by detachments sent with the Marquis de Villadarias towards Gibraltar, that the Duke of Berwick could not execute any scheme of importance during the remaining part of the campaign.

§ XXII. The arms of England were not less fortunate by sea than they had been upon the Danube. Sir George Rooke, having landed King Charles at Lisbon, sent a squadron to cruise off Cape Spartel, under the command of Rear-Admiral Dilkes, who, on the twelfth of March, engaged and took three Spanish ships of war, bound from St. Sebastian's to Cadiz. Rooke received orders from the queen to sail to the relief of Nice and Villa Franca, which were threatened with a siege by the Duke de Vendome: at the same time he was pressed by King Charles to execute a scheme upon Barcelona, projected by the Prince of Hesse d'Armstadt, who declared his opinion, that the Catalonians would declare for the house of Austria, as soon as they should be assured of proper support and protection. The ministry of England understanding that the French were employed in equipping a strong squadron at Brest, and judging it was destined to act in the Mediterranean, sent Sir Cloudesley Shovel with a considerable fleet, to watch the motions of the Brest squadron; and he was provided with instructions how to act, in case it should be sailed to the Mediterranean. Meanwhile, Sir George Rooke, in compliance with the

entreaties of King Charles, sailed with the transports under his convoy to Barcelona, and on the eighteenth of May appeared before the city. Next day, the troops were landed by the Prince of Hesse, to the number of two thousand, and the Dutch ketches bombarded the place: but by this time the governor had secured the chiefs of the Austrian party; and the people exhibiting no marks of attachment to King Charles, the prince re-embarked his soldiers, from an apprehension of their being attacked and overpowered by superior numbers. On the sixteenth day of June Sir George Rooke, being joined by Sir Cloudesley Shovel, resolved to proceed up the Mediterranean in quest of the French fleet, which had sailed thither from Brest, and which Rooke had actually discovered, in the preceding month, on their voyage to Toulon. On the seventeenth day of July the admiral called a council of war in the Road of Tetuan, when they resolved to make an attempt upon Gibraltar, which was but slenderly provided with a garrison. Thither they sailed, and on the twenty-first day of the month the Prince of Hesse landed on the isthmus with eighteen hundred marines: then he summoned the governor to surrender, and was answered, that the place would be defended to the last extremity. Next day the admiral gave orders for cannonading the town: perceiving that the enemy were driven from their fortifications at the south mole-head, he commanded Captain Whitaker to arm all the boats, and assault that quarter. The Captains Hicks and Jumper, who happened to be nearest the mole, immediately manned their pinnaces, and entered the fortifications sword in hand. The Spaniards sprung a mine, by which two lieutenants, and about a hundred men, were killed or wounded. Nevertheless, the two captains took possession of a platform, and kept their ground until they were sustained by Captain Whitaker, and the rest of the seamen, who took by storm a redoubt between the mole and the town. Then the governor capitulated; and the Prince of Hesse entered the place, amazed at the success of this attempt, considering the strength of the fortifications, which might have been defended by fifty men against a numerous army.

§ XXIII. A sufficient garrison being left with his highness, the admiral returned to Tetuan, to take in wood and water; and when he sailed, on the ninth day of August, he despatched the French fleet, to which he gave chase with all the sail he could spread. On the thirteenth he came up with it, as it lay in a line off Malaga ready to receive him, to the number of two-and-fifty great ships and four-and-twenty galleys, under the command of the Count de Thoulouse, high-admiral of France, with the inferior flags of the white and blue divisions. The English fleet consisted of three-and-fifty ships of the line, exclusive of frigates, but they were inferior to the French in number of guns and men, as well as in weight of metal, and altogether unprovided of galleys, from which the enemy reaped great advantage during the engagement. A little after ten in the morning the battle began, with equal fury on both sides, and continued to rage with doubtful success till two in the afternoon, when the van of the French gave way; nevertheless, the fight was maintained till night, when the enemy bore away to leeward. The wind shifting before morning, the French gained the weather-gage; but they made no use of this advantage: for two successive days the English admiral endeavoured to renew the engagement, which the Count de Thoulouse declined, and at last he disappeared. The loss was pretty equal on both sides, though not a single ship was taken or destroyed by either: but the honour of the day certainly remained with the English. Over and above the disadvantages we have enumerated, the bottoms of the British fleet were foul, and several large ships had expended all their shot long before the battle ceased: yet the enemy were so roughly handled, that they did not venture another engagement during the whole war. The French king, in order to raise the drooping spirits of his people, claimed the victory, and published an account of the action, which, at this distance of time, plainly proves that he was reduced to the mean shift of imposing upon his subjects, by false and partial representations. Among other exaggerations in this detail, we find mention made of mischief done to French ships by English bombs: though nothing is more certain than that

there was not one bomb vessel in the combined fleet. The French academy, actuated by a servile spirit of adulation, caused a medal to be struck on the occasion, which instead of perpetuating the glory of their prince, served only to transmit their own shame to posterity. After the battle, Sir George Rooke sailed to Gibraltar to refit, and leaving a squadron with Sir John Leake, set sail for England on the twenty-fourth day of August. He arrived in September, and was received by the ministry, and the people in general, with those marks of esteem and veneration which were due to his long services and signal success: but he was still persecuted with a spirit of envy and detraction. Philip, King of Spain, alarmed at the reduction of Gibraltar, sent the Marquis de Villadarias with an army to retake it. The siege lasted four months, during which the Prince of Hesse exhibited many shining proofs of courage and ability. The place was supplied with men and provisions by convoys from Lisbon, until Monsieur de Pointis put a stop to that communication, by entering the bay with a strong squadron, but he was obliged to retire at the approach of Sir John Leake and Admiral Vanderdussen: and the Marquis de Villadarias, having made little or no progress on land, thought proper to abandon the enterprise.

§ XXIV. The parliament of England meeting on the twenty-ninth day of October, the queen, in her speech, observed, that the great and remarkable success with which God had blessed her arms produced unanimous joy and satisfaction through all parts of the kingdom; and that a timely improvement of the present advantages would enable her to procure a lasting foundation of security for England, as well as a firm support for the liberty of Europe. She declared her intention was to be kind and indulgent to all her subjects. She expressed her hope that they would do nothing to endanger the loss of this opportunity; and that there would be no contention among them, but an emulation to promote the public welfare. Congratulatory addresses were voted and presented by both Houses. They were equal in their professions of duty and affection to the queen; but the addresses imbibed a very different colour from the different sanctions by which the two Houses were influenced. The Lords congratulated her on the great and glorious success of her arms under the command of the Duke of Marlborough, without deigning to mention Sir George Rooke, who had defeated the French navy at sea, and added the important fortress of Gibraltar to the British conquests. On the other hand, the Commons affected to mention the battle of Blenheim, and Rooke's naval victory, as events of equal glory and importance. However they might be warped by prejudice against individuals, they did not suffer the war to languish for want of supplies. Having taken into consideration the services of the army and navy, they voted that the queen should be desired to bestow her bounty on the seamen and land-forces who had behaved themselves so gallantly. They then deliberated upon the different articles of national expense, and granted four millions six hundred and seventy thousand nine hundred and thirty-one pounds for the occasions of the ensuing year, to be raised by a land-tax, by the sale of annuities, and other expedients. These measures were taken with such expedition, that the land-tax received the royal assent on the ninth day of December: when the queen, in a short speech, thanked the Commons for their despatch, which she considered a sure pledge of their affection.

§ XXV. The high-church party took this occasion to promote the bill against occasional conformity, which was revived and brought into the House on a new model, by Mr. William Bromley, who moved that it might be tacked to the land-tax bill, and sent up to the Lords for their concurrence. The court no longer espoused this measure, and the violent party was weakened by defection. After a warm and tedious debate, the tack was rejected by a great majority. The bill, however, passed the House of Commons, and was sent up to the Lords on the fourteenth day of December, when it would hardly have excited a debate, had not the queen been present, and desirous of hearing what could be said on both sides of the question. For the information and satisfaction of her majesty the subject was again discussed, and all the arguments being re-

peated, the bill was rejected by a majority of one-and-twenty voices. The next subject on which the House of Lords employed their attention, was the late conduct of the Scottish parliament. The Lord Haversham in a set speech observed, that the settlement of the succession in Scotland had been postponed, partly because the ministry for that kingdom were weak and divided; partly from a received opinion that the succession was never sincerely and cordially intended by those who managed the affairs of Scotland in the cabinet council. He expatiated on the bad consequences that might attend the act of security, which he styled a bill of exclusion; and particularly mentioned that clause by which the heritors and boroughs were ordained to exercise their fencible men every month. He said the nobility and gentry of Scotland were as learned and brave as any nation in Europe, and generally discontented; that the common people were very numerous, very stout, and very poor; and he asked who was the man that could tell what such a multitude, so armed, and so disciplined, might do under such leaders, could opportunities suit their intention. He recommended these circumstances to the consideration of the House, and concluded with these words of Lord Bacon, "Let men beware how they neglect or suffer matter of troubles to be prepared; for no man can forbid the sparks that may set all on fire." The Lords resolved to consider these subjects on the twenty-ninth day of November, when the queen repaired to the House of Peers to hear the debates, and by her presence moderate the heat of both parties. The Earl of Nottingham reflected so severely on the memory of King William, that he would have been sent to the Tower, had not the Lords declined any such motion out of respect to her majesty. After much declamation on the Scottish act of security, the grand committee of the Peers, by the advice of Lord Wharton, resolved, That the queen should be enabled by act of parliament on the part of England, to name commissioners to treat about a union with Scotland, provided that the parliament of Scotland should first appoint commissioners on their part for the same purpose: That no Scotsmen should enjoy the privileges of Englishmen, except such as were settled in England, Ireland, and the plantations, and such as were or might be in the sea or land-service, until a union could be effected, or the succession settled as in England: That the traffic by cattle from Scotland to England should be prevented: That the lord admiral should issue orders for taking such vessels as should be found trading from Scotland to France, or to the ports of any of her majesty's enemies; and that care should be taken to prevent the exportation of English wool into Scotland. On these resolutions a bill was formed for an entire union, and passed the House on the twentieth day of December. The Lords presented an address to the queen, representing that they had duly weighed the dangerous and pernicious effects that were likely to be produced by divers acts of parliament lately passed in Scotland: That they were of opinion the safety of the kingdom required that speedy and effectual orders should be given to put Newcastle in a posture of defence, to secure the port of Timmouth, and repair the fortifications of Hull and Carlisle. They likewise advised her majesty to give directions for disciplining the militia of the four northern counties; for providing them with arms and ammunition; for maintaining a competent number of regular troops on the northern borders of England, as well as in the north of Ireland; and for putting the laws in execution against papists. The queen promised that a survey should be made of the places they had mentioned, and laid before the parliament; and that she would give the necessary directions upon the other articles of the address. The Commons seemed to concur with the Lords in their sentiments of the Scottish act of security. They resolved, That a bill should be brought in for the effectual securing the kingdom of England from the apparent dangers that might arise from several acts lately passed in the parliament of Scotland: and this was formed on nearly the same resolutions which had been taken in the upper House. The bill sent down by the Lords was thrice read, and ordered to lie upon the table: but they passed their own, to take effect at Christmas, provided before that time the Scots should not settle the succession. When it was of-

ferred to the Lords, they passed it without any amendment, contrary to the expectation and even to the hope of some members who were no friends to the house of Hanover, and firmly believed the Lords would have treated this bill with the same contempt which had been manifested for that which they had sent down to the Commons.

§ XXVI. The Duke of Marlborough, at his first appearance in the House after his return to England, was honoured with a very extraordinary eulogium, pronounced by the lord keeper, in the name of the peers of England; and a compliment of the same nature was presented to him by a committee of the House of Commons. Doctor Delaune, vice-chancellor of Oxford, accompanied by the principal members of the university, attended the queen with an address of congratulation upon the success of her arms in Germany, under the admirable conduct and invincible courage of the Duke of Marlborough; and at sea, under the most brave and faithful admiral Sir George Rooke. He received a civil answer from her majesty, though now she took umbrage at Rooke's being raised upon a level with the Duke of Marlborough, whose great victories had captivated her administration, and whose wife had alienated her affection from the Tories. The Commons perceiving how high he stood in her majesty's esteem, and having been properly tutored for the purpose, took into consideration the great services of the duke; and, in an address, besought her majesty to consider some proper means to perpetuate the memory of such noble actions. In a few days she gave them to understand by a message, that she was inclined to grant the interest of the crown in the honour and manor of Woodstock and hundred of Wootton to the Duke of Marlborough and his heirs; and that as the lieutenancy and tangership of the parks, with the rents and profits of the manors and hundreds, were granted for two lives, she wished that encumbrance could be removed. A bill was immediately brought in, enabling the queen to bestow these honours and manors on the Duke of Marlborough and his heirs; and the queen was desired to advance the money for clearing the encumbrances. She not only complied with this address, but likewise ordered the comptroller of her works to build in Woodstock park a magnificent palace for the duke, upon a plan much more solid than beautiful. By this time Sir George Rooke was laid aside, and the command of the fleet bestowed upon Sir Cloudesley Shovel, now declared rear-admiral of England. Mareschal de Tallard, with the other French generals taken at Hochstadt, arrived on the sixteenth of December in the river Thames, and were immediately conveyed to Nottingham and Litchfield, attended by a detachment of the royal regiment of horse-guards. They were treated with great respect, and allowed the privilege of riding ten miles around the places of their confinement.

§ XXVII. While the House of Commons, in two successive addresses, thanked the queen for the treaty which the Duke of Marlborough had concluded with Prussia, concerning the troops to be sent to the Duke of Savoy, and desired she would use her interest with the allies, that they might next year furnish their complete proportions of men by sea and land: the Lords examined into all the proceedings at sea, and all the instructions of the admiralty; and presented an address to the queen, explaining all the different articles of mismanagement. She promised to consider them particularly, and give such directions upon them as might be most for the advantage of the public service. The remaining part of the session was consumed in disputes and alterations between the two Houses on the subject of the Aylesbury constables, who were sued by five other inhabitants for having denied them the right of voting at the election. These five persons were committed to Newgate by order of the House of Commons. They moved for a habeas corpus in the king's bench; but the court would take no cognizance of the affair. Two of the prisoners petitioned the queen that their case might be brought before her majesty in parliament. The Commons, in an address, besought the queen to refuse granting a writ of error in this case, which would tend to the overthrowing the undoubted rights and privileges of the Commons of England. She assured them she would not do any thing to give them just cause of complaint; but this matter relating to the course of judicial



proceedings, being of the highest importance, she thought it necessary to weigh and consider very carefully what might be proper for her to do in a thing of so great concern. They voted all the lawyers who had pleaded on the return of the *habeas corpus* in behalf of the prisoners, guilty of a breach of privilege, and ordered them to be taken into custody. They likewise ordered the prisoners to be removed from Newgate into the custody of their sergeant-at-arms, lest they should have been discharged by the queen's granting writs of error. The prisoners, finding themselves at the mercy of the exasperated Commons, petitioned the Lords for relief. The upper House passed six different resolutions against the conduct of the Commons, as being an obstruction to justice, and contrary to *Magna Charta*. The lower House demanded a conference, in which they insisted upon the sole right of determining elections; they affirmed, that they only could judge who had a right of voting; and that they were judges of their own privileges, in which the Lords could not intermeddle.

§ XXVIII. The upper House demanded a free conference, which proved ineffectual. New resolutions were taken by the Commons, diametrically opposite to those of the Peers, who, on the other hand, attended the queen with a long representation of all the particulars relating to this affair. They affirmed, that the proceedings of the House of Commons against the Aylesbury men were wholly new and unprecedented; that it was the birthright of every Englishman, who apprehended himself injured, to seek for redress in her majesty's courts of justice: that if any power could control this right, and prescribe when he should, and when he should not, be allowed the benefit of the laws, he ceased to be a freeman, and his liberty and property were precarious. They requested, therefore, that no consideration whatever should prevail with her majesty to suffer an obstruction to the known course of justice: but that she should be pleased to give effectual orders for the immediate issuing of the writs of error. The queen assured them that she would have complied with their request; but, finding an absolute necessity for putting an immediate end to the session, she knew there could be no further proceedings on that matter. On the very day, which was the fourteenth of March, she went to the House of Lords, and passed the bills that were ready for the royal assent. Then she thanked the parliament for having despatched the public business: she warned them to avoid the fatal effects of animosity and dissension; and ordered the lord keeper to prorogue them to Thursday the 1st of

Portrait, Hist. of Europe, Tindall. Hist. of the Duke of Marlborough. Lockhart. European Lives of the Admirals, Guiney, Felton, &c.

May; but on the fifth of April they were dissolved by proclamation, and another was published for calling a new parliament. The queen, accompanied by the Prince of Denmark, made an excursion to Newmarket, and afterwards dined by invitation with the University of Cambridge, where she conferred the honour of knighthood upon Dr. Ellis the vice-chancellor, upon James Montague counsel for the university, and upon the celebrated Isaac Newton mathematical professor. The two Houses of convocation still continued at variance. The lower House penned petulant representations; and the archbishop answered them by verbal reprehension and admonition. The tory interest was now in the wane. The Duke of Buckinghamshire was deprived of the privy seal, and that office conferred upon the Duke of Newcastle, a nobleman of powerful influence with the whig party. The Earl of Montague was created Marquis of Mounthermer and Duke of Montague; the Earl of Peterborough and Lord Cholmondeley were chosen of the privy council; and Lord Cutts was sent to command the troops in Ireland, under the Duke of Ormond.

§ XXIX. The ministry of Scotland was now entirely changed. The Marquis of Tweedale and Johnstone, having been found unequal to the undertaking, were dismissed. The Duke of Queensberry resumed the management of affairs in that kingdom under the title of lord privy seal; and the office of commissioner was conferred upon the young Duke of Argyle, who succeeded to his father's influence among the presbyterians. He was a nobleman possessed of good natural talents, which had not been neglected; candid, open, and sincere; brave, passionate,

and aspiring: had he been endued with a greater share of liberality, his character would have been truly heroic. At this juncture he was instructed to procure an act of the Scottish parliament, settling the protestant succession: or to set on foot a treaty for the union of the two kingdoms. At the opening of the session in June, the members were divided into three parties, namely, the Cavaliers or Jacobites, the Revolutioners, the *Squadron Volante*, or Flying Squadron, headed by the Marquis of Tweedale, who disclaimed the other two factions, and pretended to act from the dictates of conscience alone. The parliament was adjourned to the third day of July, when her majesty's letter was read, earnestly recommending the settlement of the succession in the protestant line, and an act for a commission to treat of a union between the two kingdoms. The Marquis of Annandale proposed that the parliament should proceed on the limitations and conditions of government; that a committee should be appointed to consider the condition of the coin and the commerce of the nation. The Earl of Mar moved, that the House would, preferable to all other business, consider the means for engaging in a treaty with England. After a long debate they resolved to proceed on the coin and the commerce. Schemes for supplying the nation with money by a paper credit were presented by Dr. Hugh Chamberlayne and John Law; but rejected. The House resolved, That any kind of paper credit, by the circulation of bills, was an improper expedient; and appointed a council to put the laws relating to trade in execution. The Duke of Hamilton proposed that the parliament should not proceed to the nomination of a successor, until the treaty with England should be discussed, and the limitations settled. This proposal being approved, a draft of an answer to her majesty's letter was presented by the Marquis of Tweedale. Two different forms of an act for a treaty with England were offered by the Earl of Mar and the Marquis of Lothian: others were produced concerning the elections of officers of state, and the regulation of commerce.

§ XXX. The chief aim of the cavaliers was to obstruct the settlement of the succession; and with that view they pressed the project of limitations, to which they knew the court would never assent. A motion being made, to grant the first reading to an act of commission for a treaty with England, the Duke of Hamilton insisted on the limitations, and a vote being stated in these terms, "Proceed to consider the act for a treaty of limitation," the latter was carried in favour of the cavaliers. On the twenty-second day of August an act for this purpose was approved: and next day an act for a triennial parliament, which the courtiers were enabled to defeat. They likewise passed an act, ordaining, That the Scottish ambassadors representing Scotland, should be present when the sovereign might have occasion to treat with foreign princes and states, and be accountable to the parliament of Scotland. Fletcher, of Saltoun, presented a scheme of limitations that savoured strongly of republican principles. He afterwards enlarged upon every article, endeavouring to prove that they were absolutely necessary to prevent the consequences of English influence; to enable the nation to defend its rights and liberties: to deter ministers of state from giving bad advice to their sovereign; to preserve the courts of judicature from corruption, and screen the people from tyranny and oppression. The Earl of Stair having argued against these limitations, Fletcher replied, "It was no wonder he opposed the scheme; for, had such an act subsisted, his lordship would have been hanged for the bad counsel he had given to King James; for the concern he had in the massacre of Glencoe; and for his conduct since the revolution." The next subject on which the parliament deliberated was the

A. D. 1705.

conspiracy. A motion being made that the House might know what answer the queen had returned to their address in the last session, the chancellor delivered to the clerk register the papers relating to the plot, that they might be perused by the members: but these being copies, and the evidences remaining at London, no further progress was made in the affair. Yet the Duke of Athol, in a distinct narrative of the pretended conspiracy, boldly accused the Duke of

Queensberry of having endeavoured to mislead the queen by false accusations against her good subjects. When the act for a treaty of union fell under consideration, a draft for that purpose, presented by the Earl of Mar, was compared with the English act, importing, That the queen should name and appoint not only the commissioners for England, but likewise those for Scotland. Fletcher did not fail to inveigh against the imperious conduct of the English parliament in this affair. He exhorted the House to resent such treatment, and offered the draft of an address to her majesty on the subject; but this the House rejected. Duke Hamilton proposed that a clause might be added to the act, importing, That the union should no ways derogate from any fundamental laws, ancient privileges, offices, rights, liberties, and dignities of the Scottish nation. This occasioned a long debate; and the question being put, was carried in the negative. Another clause was proposed, that the Scottish commissioners should not begin to treat until the English parliament should have rescinded their clause, enacting, That the subjects of Scotland should be adjudged and taken as aliens after the twenty-fifth day of December. The courtiers, considering the temper of the House, would not venture to oppose this motion directly, but proposed that the clause should be formed into a separate act; and the expedient was approved. Though the Duke of Athol entered a vigorous protest, to which the greater part of the cavaliers and all the squadrons adhered, comprehending four-and-twenty peers, seven-and-thirty barons, and eighteen boroughs, the act for the treaty of union was, after much altercation, finished, empowering commissioners to meet and treat of a union; but restraining them from treating of any alterations of the church government as by law established. Whilst this important subject was under consideration, the Duke of Hamilton, to the amazement of his whole party, moved that the nomination of the commissioners should be left to the queen. Fourteen or fifteen of the cavaliers ran out of the House in a transport of indignation, exclaiming that they were deserted and basely betrayed by the Duke of Hamilton. A very hot debate ensued, in the course of which the duke was severely handled by those whom he had hitherto conducted; but, at length, the question being put, Whether the nomination should be left to the queen or to the parliament, the duke's motion was approved by a very small majority. He afterwards excused himself for his defection, by saying, he saw it was in vain to contend; and that since the court had acquired a great majority, he thought he might be allowed to pay that compliment to his sovereign. He was desirous of being in the commission, and the Duke of Argyle promised he should be nominated. The queen refusing to honour him with that mark of distinction, Argyle would not suffer himself to be named, and threatened to oppose the union; but means were found to appease his resentment. Two drafts of an address being presented by the Earl of Sutherland and Fletcher of Saltoun, beseeching her majesty to use her endeavours with the parliament of England to rescind that part of their act which declared the subjects of Scotland aliens; and an overture of a bill being offered, ordaining that the Scottish commissioners should not enter upon the treaty of union until that clause should be repealed; the courtiers moved, that the parliament should proceed by way of order to their commissioners, and by address to her majesty. After some debate, the House assenting to this proposal, the order and address were drawn up and approved. The great and weighty affair of the treaty being at length happily transacted, though not without a protest by Athol and his adherents, the parliament granted a supply of fifty thousand pounds, and the House was adjourned to the twentieth day of December: then the queen declaring the Earl of Mar secretary of state in the room of the Marquis of Annandale, who was appointed lord president of the council.

§ XXXI. In Ireland the parliament met at Dublin on the fifth day of March, and voted one hundred and fifty thousand pounds for the support of the necessary branches of the establishment. A dispute arose between the Commons and the lower house of convocation, relating to the tithes of hemp and flax, ascertained in a clause of a bill for the better improvement of the hempen and flaxen

manufactures of the kingdom. The lower house of convocation presented a memorial against this clause as prejudicial to the rights and properties of the clergy. The Commons voted the person who brought it in guilty of a breach of privilege; and ordered him to be taken into custody. Then they resolved, That the convocation were guilty of a contempt and breach of the privileges of that House. The convocation presuming to justify their memorial, the Commons voted, that all matters relating to it should be raised out of the journals and books of convocation. The Duke of Ormond, dreading the consequences of such heats, adjourned the parliament to the first day of May, when the Houses meeting again, came to some resolutions that reflected obliquely on the convocation, as enemies to her majesty's government and the protestant succession. The clergy, in order to acquit themselves of all suspicion, resolved in their turn, That the church and nation had been happily delivered from popery and tyranny by King William at the revolution: That the continuance of these blessings were due (under God) to the auspicious reign and happy government of her majesty Queen Anne: That the future security and preservation of the church and nation depended wholly (under God) on the succession of the crown as settled by law in the protestant line: That if any clergyman should by word or writing declare any thing in opposition to these resolutions, they should look upon him as a sower of divisions among the protestants, and an enemy to the constitution. They levelled another resolution against the presbyterians, importing, That to teach or to preach against the doctrine, government, rites, or ceremonies of the church, or to maintain schools or seminaries for the education of youth, in principles contrary to those of the established church, was a contempt of the ecclesiastical laws of the kingdom; of pernicious consequence; and served only to continue and widen the unhappy schisms and divisions in the nation. In June the parliament was prorogued to the same month of the following year: then the Duke of Ormond embarked for England, leaving the administration in the hands of Sir Richard Cox, lord chancellor, and Lord Cutts, the commander in chief of the queen's forces, who were appointed lords justices during the duke's absence.

§ XXXII. During these transactions in Great Britain and Ireland, the allies had not been remiss in their preparations for the ensuing campaign. The Duke of Marlborough had fixed upon the Moselle for the scene of action; and magazines of all sorts were formed at Triers. On the thirteenth day of March the duke embarked for Holland, where he prevailed upon the States-general to contribute their troops for the execution of his project. Having concerted with the deputies of the States and the Dutch generals the necessary measures for opening the campaign, he set out for Maëstricht, in order to assemble his army. On the fifth day of May the Emperor Leopold died at Vienna, and was succeeded on the imperial throne by his eldest son Joseph, King of the Romans, a prince who resembled his father in meekness of disposition, narrowness of intellect, and bigotry to the Romish religion. On the fifteenth of June the English troops passed the Maese, and continued their march towards the Moselle, under the command of General Churchill; and the duke set out for Cruetznach, to confer with Prince Louis of Baden, who excused himself on pretence of being much indisposed. Marlborough visited him at Rastadt, where in a conference they resolved that a sufficient number of German troops should be left for the security of the lines of Lauterburg and Stolhoffen, under the command of General Thungen, and that Prince Louis of Baden should march with a large detachment towards the Saar, to act in concert with the Duke of Marlborough. The confederate army passed the Moselle and the Saar in the beginning of June, and encamped at Elft in sight of the enemy, who retired with great precipitation, and entrenched themselves in the neighbourhood of Coningsmarcheren. The duke's design was to besiege Saar-Louis; but Prince Louis failed in the performance of his engagement: he feigned himself sick, and repaired to the bath at Schlagenbade, leaving the small number of imperial troops he conducted as far as Cruetznach, under the command of the Count de Frize

He was suspected of treachery; but probably acted from envy of the duke's military reputation.<sup>a</sup>

§ XXXIII. While this nobleman sustained such a mortifying disappointment on the Moselle, the French did not fail to make advantage of their superiority in the Netherlands, where General D'Auverquerque was obliged to stand on the defensive. They invested Huy, and carried on their operations so vigorously, that in a few days the garrison were obliged to surrender themselves prisoners of war; then Villeroi undertook the reduction of Liege, and actually began his works before the citadel. Marlborough was no sooner informed of the enemy's progress than he marched to Triers, where, in a council, it was resolved that the army should return to the Netherlands. The troops were in motion on the nineteenth of June, and marched with such expedition, that they passed the Maese on the first day of July. Villeroi having received advice of the duke's approach, abandoned his enterprise, and retired to Tongeren, from whence he retreated within his lines, that reached from Marche aux Dames on the Meuse, along the Mehaigne as far as Lenuive. Marlborough having joined D'Auverquerque, sent General Scholten with a detachment to invest Huy, and in a few days the garrison surrendered at discretion. The English general, resolving to strike some stroke of importance that should atone for his disappointment on the Moselle, sent General Hompesch to the States, with a proposal for attacking the French lines, and obtained their permission to do whatever he should think proper for the good of the common cause. Then he explained the scheme in two successive councils of war, by which, at length, it was approved and resolved upon, though some Dutch generals declared themselves against the undertaking. The enemy were posted along the lines, amounting to one hundred battalions and one hundred and forty-six squadrons. The allied army did not much exceed that number. In order to divide them, D'Auverquerque made a false motion and passed the Mehaigne, as if he had intended to attack the lines about Masselin. The stratagem succeeded. The French weakened the other parts by strengthening that which was on the side of the Gerbise towards Namur. The Duke of Marlborough having made the disposition, the army began to march in the night between the seventeenth and eighteenth of July, in order to force a passage of the French lines at Heylesem, the castle of Wauge, and villages of Wauge, Neerhespen, and Oostmalen. These posts were taken with very little difficulty; but before the infantry could come up, the enemy advanced with fifty squadrons and twenty battalions, and began to fire from eight pieces of cannon with triple barrels, which did considerable execution. The duke perceiving that they were continually reinforced from the other parts of the lines, ordered the horse to charge their cavalry, which were soon broken and routed; but rallying behind their infantry, interlined with foot, and joined by fresh squadrons, they advanced again toward the allies, who were now sustained by their infantry, and moved forward to renew the charge. After a warm though short engagement, the enemy's horse were defeated with great slaughter. The infantry, seeing themselves abandoned in the plain, retreated in great disorder, between the villages of Heylesem and Golsteven, where they were joined by the rest of their army, and formed again in order of battle. Meanwhile the Duke of Marlborough ordered all his troops to enter the lines; and extended his right towards the great Geete before Tirlemont, where the enemy had left the battalion of Montluc, which surrendered at discretion. In this action the confederates took the Marquis D'Alegre and the Count de Horn, lieutenant-generals, one major-general, two brigadier-generals, with many other officers, and a great number of common soldiers; a large heap of standards, four colours, one pair of kettle-drums, and ten pieces of cannon. In the action, as the Duke of Marlborough advanced to the charge at the head of several squadrons, a Bavarian officer rode up to attack him sword in hand; but in raising himself on his stirrups to strike with the greater advantage, he fell from his horse, and was immediately slain.

§ XXXIV. The body of troops commanded by Mon-

sieur D'Alegre being thus defeated with little or no loss to the confederates, the Elector of Bavaria and the Mareschal de Villeroi passed the great Geete and the Deule, with great expedition, and took possession of the strong camp at Parck, their left extending to Rooselaer, and their right to Wineselen against the height of Louvain. Next day the Duke of Marlborough marching through the plain of Parck, took twelve hundred prisoners, who could not keep pace with the rest of the enemy's forces; and in the evening he encamped with the right at the abbey at Vliersbeck, and the left before Bierbeck, under the cannon of Louvain. He detached Lieutenant-General Henkelum, the Duke of Wirtemberg, and Count Oxienstern, with a considerable body of forces, to attack some posts on the Deule, which were slenderly guarded. Their advanced guard accordingly passed the river, and repulsed the enemy; but for want of timely support, they were obliged to pass it and retire. On the third of August Baron Spaar, with a body of Dutch troops, marched to Raboth on the canal of Bruges, forced the French lines at Lovendegen, and took four forts by which they were defended; but receiving advice that the enemy were on their march towards him, he retired to Mildegem, and carried with him several hostages, as security for the payment of the contributions he had raised. On the fifteenth the duke moved from Mildert to Corbais; next day continued his march to Genap, from whence he advanced to Fischermont. On the seventeenth General D'Auverquerque took the post of Waterloo; and next day the confederate army was drawn up in order of battle before the enemy, who extended from Overysche, near the wood of Soignies, to Neerysche, with the little river Ysche in their front, so as to cover Brussels and Louvain. The Duke of Marlborough proposed to attack them immediately, before they could recollect themselves from their consternation: and D'Auverquerque approved of the design; but it was opposed by General Schlagenburg, and other Dutch officers, who represented it in such a light to the deputies of the States, that they refused to concur in the execution. The duke being obliged to relinquish the scheme, wrote an expostulatory letter to the States-general, complaining of their having withdrawn that confidence which they had reposed in him while he acted in Germany. This letter being published at the Hague, excited murmurs among the people, and the English nation were incensed at the presumption of the deputies, who wrote several letters in their own justification to the States-general: but these had no effect upon the populace, by whom the duke was respected even to a degree of adoration. The States being apprized of the resentment that prevailed over all England, and that the Earl of Pembroke, lord president of the council, was appointed as envoy extraordinary to Holland, with instructions to demand satisfaction, thought proper to anticipate his journey, by making submissions to the duke, and removing Schlagenburg from his command. The confederate army returned to Corbais, from whence it marched to Perwitz, where it encamped. The little town of Sout-Leeuwe, situated in the middle of a morass, and constituting the chief defence of the enemy's lines, being taken by a detachment under the command of Lieutenant-General Dedem, the duke ordered the lines from this place to Wasseigne to be levelled, and the town of Tirlemont to be dismantled; then passing the Demer, he encamped on the nineteenth day of September at Aerschot. About the latter end of the month he marched to Heventhals; from hence the duke repaired to the Hague, where he had several conferences with the pensionary. In a few days he returned to the army, which, decamping from Heventhals, marched to Clamphouth. On the twenty-fourth day of October, the Count de Noyelles invested Santriet, which surrendered before the end of the month.

§ XXXV. At this period the duke, in consequence of pressing letters from the emperor, set out for Vienna, in order to concert the operations of the ensuing campaign, and other measures of importance, in which the concerns of the allies were interested. In his way he was magnificently entertained by the elector palatine, and him of Triers, and complimented by the magistracy of Frankfort, where

to the failure of the Prince of Baden, but that my esteem for you is still greater than my resentment of your conduct.<sup>b</sup>

<sup>a</sup> The Duke of Marlborough finding himself obliged to retreat, sent a note with a transcript to Villars, containing an apology for departing —  
<sup>b</sup> Do not the justice (said he) to believe that my retreat is entirely owing



he conferred with Prince Louis of Baden. On the twelfth of November he arrived at Vienna, where he was treated with the highest marks of distinction and cordial friendship by their imperial majesties. His son-in-law, the Earl of Sunderland, had been sent thither as envoy extraordinary; and now they conferred together with the emperor and his ministers. They resolved to maintain the war with redoubled vigour. The treaties were renewed, and provision made for the security of the Duke of Savoy. The emperor, in consideration of the duke's signal service to the house of Austria, presented him with a grant of the lordship of Mindelheim in Suabia, which was now erected into a principality of the Roman empire. In his return with the Earl of Sunderland he visited the courts of Berlin and Hanover, where he was received with that extraordinary respect which was due to his character, and arrived at the Hague on the fourteenth day of December. There he settled the operations of the next campaign with the States-general, who consented to join England in maintaining an additional body of ten thousand men, as a reinforcement to the army of Prince Eugene in Italy. While the allies were engaged in the siege of Santvliet, the Elector of Bavaria sent a detachment, under the command of Don Marcello de Grimaldi, to invest Diest, the garrison of which were made prisoners of war.

§ XXXVI. On the Upper Rhine Mareschal Villars besieged and took Homburg, and passed the Rhine at Strasburg on the sixth day of August. Prince Louis of Baden arriving in the camp of the imperialists at Stohofen, not only obliged him to retire, but having passed the river, forced the French lines at Hagenau; then he reduced Drusenheim and Hagenau, but attempted no enterprise equal to the number of his army, although the emperor had expostulated with him severely on his conduct, and he had now a fair opportunity of emulating the glory of Marlborough, upon whom he looked with the eyes of an envious rival. In Italy a battle was fought at Casano, between Prince Eugene and the Duke de Vendome, with dubious success. The Duke de Feuillade reduced Chivas, and invested Nice, which, after an obstinate defence, surrendered in December. All the considerable places belonging to the Duke of Savoy were now taken, except Coni and Turin; and his little army was reduced to twelve thousand men, whom he could hardly support. His duchess, his clergy, and his subjects in general, pressed him to submit to the necessity of his affairs: but he adhered to the alliance with surprising fortitude. He withstood the importunities of his duchess, excluded all the bishops and clergy from his councils; and when he had occasion for a confessor, chose a priest occasionally, either from the Dominicans or Franciscans. The campaign in Portugal began with a very promising aspect. The allies invaded Spain by the different frontiers of Beyra and Alentejo. Their army, under the command of the Conde das Galveas, undertook the siege of Valencia D'Alcantara in May, and took it by assault: Albuquerque surrendered upon articles: and then the troops were sent into quarters of refreshment. The Marquis de las Minas, who commanded the Portuguese in the province of Beyra, reduced the town of Salva-terra, plundered and burned Sarcia: but was obliged to retire to Panamacas at the approach of the enemy. Towards the end of September the confederates being reassembled, invested Badajox, by the advice of the Earl of Galway, who lost his right hand by a cannon-ball, and was obliged to be carried off; so that the conduct of the siege was left to General Fagel. He had made considerable progress towards the reduction of the place, when the Marquis de Thessé found means to throw in a powerful reinforcement; and then the confederates abandoned the enterprise. The war continued to rage in Hungary with various success. Ragotski, though frequently worsted, appeared still in arms, and ravaged the country, which became a scene of misery and desolation. In Poland the old cardinal primate owned Stanislaus, but died before the coronation, which was performed by the Bishop of Cujavia. In the beginning of the winter King Augustus had passed through Poland in disguise to the Muscovite army, which was put under his command in Lithuania; and the campaign was protracted through the whole winter season, notwithstanding the severity of

the weather in that northern climate. In the spring the Swedish general, Reinchild, obtained a complete victory over the Saxon army, which was either cut in pieces or taken, with their camp, baggage, and artillery: yet the war was not extinguished. The King of Sweden continued obstinately deaf to all proposals of peace, and was become as savage in his manners, as brutal in his revenge.

§ XXXVII. At sea the arms of the allies were generally prosperous. Philip of Spain being obstinately bent upon retaking Gibraltar, sent Mareschal de Thessé to renew the siege, while De Pointis was ordered to block up the place by sea with his squadron. These French officers carried on the siege with such activity, that the Prince of Hesse despatched an express to Lisbon with a letter, desiring Sir John Leake to sail immediately to his assistance. This admiral having been reinforced from England by Sir Thomas Dilkes, with five ships of the line and a body of troops, set sail immediately; and on the tenth day of March descried five ships of war hauling out of the bay of Gibraltar. These were commanded by De Pointis in person, to whom the English admiral gave chase. One of them struck, after having made a very slight resistance; and the rest ran ashore to the westward of Marbella, where they were destroyed. The remaining part of the French squadron had been blown from their anchors, and taken shelter in the bay of Malaga; but now they slipped their cables, and made the best of their way to Toulon. The Mareschal de Thessé, in consequence of this disaster, turned the siege of Gibraltar into a blockade, and withdrew the greater part of his forces. While Sir John Leake was employed in this expedition, Sir George Byng, who had been ordered to cruise in soundings for the protection of trade, took a ship of forty guns from the enemy, together with twelve privateers, and seven vessels richly laden from the West Indies.

§ XXXVIII. But the most eminent achievement of this summer, was the reduction of Barcelona, by the celebrated Earl of Peterborough and Sir Cloudesley Shovel, who sailed from St. Helen's in the latter end of May with the English fleet, having on board a body of five thousand land forces; and on the twentieth of June arrived at Lisbon; where they were joined by Sir John Leake and the Dutch admiral, Allemonde. In a council of war, they determined to put to sea with eight-and-forty ships of the line, which should be stationed between Cape Sparte and the bay of Cadiz, in order to prevent the junction of the Toulon and Brest squadrons. The Prince of Hesse Darmstadt arriving from Gibraltar, assured King Charles, that the province of Catalonia and the kingdom of Valencia were attached to his interest; and his majesty being weary of Portugal, resolved to accompany the Earl of Peterborough to Barcelona. He accordingly embarked with him on board of the Ranelagh; and the fleet sailed on the twenty-eighth day of July, the Earl of Galway having reinforced them with two regiments of English dragoons. At Gibraltar they took on board the English guards, and three old regiments, in lieu of which they left two new-raised battalions. On the eleventh day of August they anchored in the bay of Altea, where the Earl of Peterborough published a manifesto in the Spanish language, which had such an effect, that all the inhabitants of the place, the neighbouring villages, and adjacent mountains, acknowledged King Charles as their lawful sovereign. They seized the town of Denia for this service; and he sent thither a garrison of four hundred men under the command of Major-General Ramos. On the twenty-second they arrived in the bay of Barcelona: the troops were disembarked to the eastward of the city, where they encamped in a strong situation, and were well received by the country people. King Charles landed amidst the acclamations of an infinite multitude from the neighbouring towns and villages, who threw themselves at his feet, exclaiming, "Long live the king!" and exhibited all the marks of the most extravagant joy. The inhabitants of Barcelona were well affected to the house of Austria, but overawed by a garrison of five thousand men under the Duke de Popoli, Velasco, and other officers devoted to the interest of King Philip. Considering the strength of such a garrison, and the small number of Dutch and English troops, nothing could appear more desperate and dangerous than the de-

sign of besieging the place: yet this was proposed by the Prince of Hesse-Darmstadt, who served in the expedition as a volunteer, strongly urged by King Charles, and approved by the Earl of Peterborough and Sir Cloudesley Shovel. The city was accordingly invested on one side; but as a previous step to the reduction of it, they resolved to attack the fort of Montjuic, strongly situated on a hill that commanded the city. The outworks were taken by storm, with the loss of the gallant Prince of Hesse, who was shot through the body, and expired in a few hours: then the Earl of Peterborough began to bombard the body of the fort; and a shell chancing to fall into the magazine of powder, blew it up, together with the governor and some of the best officers: an accident which struck such a terror into the garrison, that they surrendered without further resistance.

§ XXXIX. This great point being gained, the English general erected his batteries against the town, with the help of the Miquelets and seamen: the bomb-ketches began to fire with such execution, that in a few days the governor capitulated, and on the fourth day of October King Charles entered in triumph.<sup>b</sup> All the other places in Catalonia declared for him, except Roses; so that the largest and richest province of Spain was conquered with an army scarce double the number of the garrison of Barcelona. King Charles wrote a letter with his own hand to the Queen of England, containing a circumstantial detail of his affairs, the warmest expressions of acknowledgment, and the highest encomiums on her subjects, particularly the Earl of Peterborough. In a council of war it was determined that the king and the earl should continue in Catalonia with the land forces: that Sir Cloudesley Shovel should return to England: that five-and-twenty English and fifteen Dutch ships of war should winter at Lisbon, under the command of Sir John Leake and the Dutch Rear-Admiral, Wassenaar; and that four English and two Dutch frigates should remain at Barcelona. Don Francisco de Velasco was transported to Malaga with about a thousand men of his garrison: the rest voluntarily engaged in the service of King Charles, and six other regiments were raised by the states of Catalonia. The Count de Cifuentes, at the head of the Miquelets and Catalans attached to the house of Austria, secured Tarragona, Tortosa, Lerida, San-Mattheo, Gironne, and other places. Don Raphael Nevat, revolting from Philip with his whole regiment of horse, joined General Ramos at Denia, and made themselves masters of several places of importance in the kingdom of Valencia. Flushed with such unexpected success they penetrated to the capital of the same name, which they surprised, together with the Marquis de Villa-Garcia, the viceroy, and the archbishop. These advantages, however, were not properly improved. The court of Charles was divided into factions, and so much time lost in disputes, that the enemy sent a body of six thousand men into the kingdom of Valencia, under the command of the Conde de las Torres, who forthwith invested San-Mattheo, guarded by Colonel Jones at the head of five hundred Miquelets. This being a place of great consequence, on account of its situation, the Earl of Peterborough marched thither with one thousand infantry, and two hundred dragoons; and by means of feigned intelligence artfully conveyed to the Conde, induced that general to abandon the siege with precipitation, in the apprehension of being suddenly attacked by a considerable army. Peterborough afterwards took possession of Nules, and purchasing horses at Castillon de la Plana, began to form a body of cavalry, which did good service in the sequel. Having assembled a little army, consisting of ten squadrons of horse and dragoons, and four battalions of regular troops, with about three thousand militia, he marched to Molvedro, which was surrendered to him by the governor, Brigadier Mahoni. Between this officer and the Duke d'Arcos, the Spanish general, he excited such jealousies

by dint of artifices, not altogether justifiable even in war, that the duke was more intent upon avoiding the supposed treachery of Mahoni than upon interrupting the earl's march to Valencia, where the inhabitants expressed uncommon marks of joy at his arrival. About this period a very obstinate action happened at St. Isevan de Litera, where the Chevalier D'Asfeld, with nine squadrons of horse and dragoons, and as many battalions of French infantry, attacked Colonel Wills at the head of a small detachment: but this last being supported by Lieutenant-General Cunningham, who was mortally wounded in the engagement, repulsed the enemy though three times his number, with the loss of four hundred men killed upon the spot. The troops on both sides fought with the most desperate valour, keeping up their fire until the muzzles of their pieces met, and charging each other at the point of the bayonet. The only misfortune that attended the English arms in the course of this year, was the capture of the Baltic fleet homeward-bound, with their convoy of three ships of war, which were taken by the Dunkirk squadron under the command of the Count de St. Paul, though he himself was killed in the engagement. When an account of this advantage was communicated to the French king, he replied with a sigh, "Very well, I wish the ships were safe again in any English port, provided the Count de St. Paul could be restored to life." After the death of the famous Du Bart, this officer was counted the best seaman in France.

§ XL. The kingdom of England was now wholly engrossed by the election of members for the new parliament. The Tories exerted themselves with great industry, and propagated the cry of the church's being in danger; a cry in which the Jacobites joined with great fervour: but, notwithstanding all their efforts in words and writing, a majority of whigs was returned: and now the Lord Godolphin, who had hitherto maintained a neutrality, thought proper openly to countenance that faction. By his interest co-operating with the influence of the Duchess of Marlborough, Sir Nathan Wright was deprived of the great seal, which was committed to Mr. William Cowper, with the title of lord keeper. This was a lawyer of good extraction, superior talents, engaging manners, and eminence in his profession. He was stanch to whig principles, and for many years had been considered as one of their best speakers in the House of Commons. The new parliament meeting on the twenty-fifth day of October, a violent contest arose about the choice of a speaker. Mr. Bromley was supported by the Tories, and the whigs proposed Mr. John Smith, who was elected by a majority of forty-three voices. The queen in her speech represented the necessity of acting vigorously against France, as a common enemy to the liberties of Europe: she commended the fortitude of the Duke of Savoy, which she said was without example: she told them her intention was to expedite commissions for treating of a union with Scotland; she earnestly recommended a union of minds and affections among her people: she observed, that some persons had endeavoured to foment animosities, and even suggested in print, that the established church was in danger: she affirmed that such people were enemies to her and to the kingdom, and meant only to cover designs which they durst not publicly own, by endeavouring to distract the nation with unreasonable and groundless distrusts and jealousies: she declared she would always affectionately support and countenance the church of England, as by law established: that she would inviolately maintain the toleration: that she would promote religion and virtue, encourage trade, and every thing else that might make them a happy and flourishing people.

§ XLI. The majority in both Houses now professed the same principles, and were well disposed to support the queen in all her designs. They first presented the usual addresses, in the warmest terms of duty and affection.

<sup>b</sup> Voltaire, upon what authority we know not, tells us, that during the capitulation, the German and Catalan troops found means to climb over the ramparts into the city, and began to commit the most barbarous excesses. The viceroy complained to Peterborough that his soldiers had taken an unfair advantage of the treaty, and were actually employed in burning, plundering, murdering, and violating the inhabitants. The earl replied, "They must then be the troops of the Prince of Hesse, allow me to enter the city with my English forces. I will save it from ruin; oblige the Germans to retire, and march back again to our present situation."

The viceroy trusted his honour, and forthwith admitted the earl with his troops. He soon drove out the Germans and Catalans, after having obliged them to quit the plunder they had taken: and by accident he rescued the Duchess of Popoli from the hands of two brutal soldiers, and delivered her to her husband. Having thus appeased the tumult, and dispelled the horrors of the citizens, he returned to his former station, leaving the inhabitants of Barcelona amazed at such an instance of magnanimity and moderation in a people whom they had been taught to consider as the most savage barbarians.

Then the Commons drew up a second, assuring her they would, to the utmost of their power, assist her in bringing the treaty of union to a happy conclusion. They desired that the proceedings of the last session of parliament, relating to the union and succession, might be laid before the House. The Lords had solicited the same satisfaction; and her majesty promised to comply with their request. The lower House having heard and decided in some cases of controverted elections, proceeded to take into consideration the estimates for the service of the ensuing year, and granted the supplies without hesitation. In the House of Lords while the queen was present, Lord Haversham, at the end of a long speech, in which he reflected upon the conduct of the Duke of Marlborough, both on the Moselle and in Brabant, moved for an address to desire her majesty would invite the presumptive heir to the crown of England to come and reside in the kingdom. This motion was earnestly supported by the Duke of Buckingham, the Earls of Rochester, Nottingham, and Anglosea. They said there was no method so effectual to secure the succession, as that of the successor's being upon the spot, ready to assume and maintain his or her right against any pretender; and they observed, that in former times, when the throne of England was vacant, the first comer had always succeeded in his pretensions. The proposal was vehemently opposed by the whigs, who knew it was disagreeable to the queen, whom they would not venture to disoblige. They argued, that a rivalry between the two courts might produce distractions, and be attended with very ill consequences, and observed, that the Princess Sophia had expressed a full satisfaction in the assurances of the queen, who had promised to maintain her title. The question being put, was carried in the negative by a great majority. The design of the Tories in making this motion was, to bring the other party into disgrace either with the queen or with the people. Their joining in the measure would have given umbrage to their sovereign; and, by opposing it, they ran the risk of incurring the public odium, as enemies to the protestant succession: but the pretence of the Tories was so thin, the nation saw through it: and the sole effect the motion produced, was the queen's resentment against the whole party. Burnet, Bishop of Sarum, proposed, that provision might be made for maintaining the public quiet in the interval between the queen's decease, and the arrival of her successor: the motion was seconded by the lord treasurer; and a bill brought in for the better security of her majesty's person and government, and of the succession to the crown of England. By this act a regency was appointed, of the seven persons that should possess the offices of Archbishop of Canterbury, lord chancellor or lord keeper, lord treasurer, lord president, lord privy-seal, lord high-admiral, and the lord chief-justice of the queen's bench. Their business was to proclaim the next successor through the kingdom of England, and join with a certain number of persons named as regents by the successor, in three lists to be sealed up and deposited with the Archbishop of Canterbury, the lord keeper, and the minister residuary of Hanover. It was enacted, That these joint regencies should conduct the administration: that the last parliament, even though dissolved, should reassemble, and continue sitting for six months after the decease of her majesty. The bill met with a warm opposition from the Tories, and did not pass the upper House without a protest. It was still further obstructed in the House of Commons, even by some of the whig party, who were given to understand that the Princess Sophia had expressed an inclination to reside in England. Exceptions were likewise taken to that clause in the bill, enacting, that the last parliament should be reassembled. They affirmed that this was inconsistent with part of the act by which the succession was at first settled; for, among other limitations, the parliament had provided, that when the crown should devolve to the house of Hanover, no man, who had either place or pension, should be capable of sitting in the House of Commons. After tedious disputes and zealous altercations, they agreed that a certain number of offices should be specified as disqualifying places. This self-denying clause, and some other amendments, produced conferences between the two Houses, and at length the bill passed by their mutual assent. Lord Haversham

moved for an inquiry into the miscarriages of the last campaign, hoping to find some foundation for censure in the conduct of the Duke of Marlborough: but the proposal was rejected as invidious; and the two Houses presented an address to the queen, desiring she would preserve a good correspondence among all the confederates. They likewise concurred in repealing the act by which the Scots had been alienated, and all the northern counties alarmed with the apprehension of a rupture between the two nations. The Lord Shannon and Brigadier Stanhope arriving with an account of the expedition to Catalonia, the queen communicated the good news in a speech to both Houses, expressing her hope that they would enable her to prosecute the advantages which her arms had acquired. The Commons were so well pleased with the tidings, that they forthwith granted two hundred and fifty thousand pounds for her majesty's proportion in the expense of prosecuting the success already gained by King Charles III. for the recovery of the monarchy of Spain to the house of Austria. On the fifteenth day of November, the queen gave the royal assent to an act for exhibiting a bill to naturalize the Princess Sophia, and the issue of her body.

§ XLII. These measures being taken, the sixth day of December was appointed for inquiring into those dangers to which the Tories affirmed the church was exposed; and the queen attended in person, to hear the debates on this interesting subject. The Earl of Rochester compared the expressions in the queen's speech at the beginning of the session to the law enacted in the reign of Charles II. denouncing the penalties of treason against those who should call the king a papist: for which reason, he said, he always thought him of that persuasion. He affirmed that the church's danger arose from the act of security in Scotland, the absence of the successor to the crown, and the practice of occasional conformity. He was answered by Lord Halifax, who, by way of recrimination, observed that King Charles II. was a Roman catholic, at least his brother declared him a papist after his death: that his brother and successor was a known Roman catholic, yet the church thought herself secure; and those patriots who stood up in its defence were discountenanced and punished; nay, when the successor ascended the throne, and the church was apparently in the most imminent danger, by the high-commission court and otherwise, the nation was then indeed generally alarmed; and every body knew who sat in that court, and entered deeply into the measures which were then pursued. Compton, Bishop of London, declared that the church was in danger, from profaneness, irreligion, and the licentiousness of the press. He complained, that sermons were preached wherein rebellion was countenanced, and resistance to the higher powers encouraged. He alluded to a sermon preached before the lord mayor, by Mr. Hoadly, now Bishop of Winchester. Burnet of Sarum said, the Bishop of London was the last man who ought to complain of that sermon; for if the doctrine it contained was not good, he did not know what defence his lordship could make for his appearing in arms at Nottingham. He affirmed the church would be always subject to profaneness and irreligion, but that they were not now so flagrant as they usually had been: he said, the society set up for reformation in London, and other cities, had contributed considerably to the suppression of vice: he was sure the corporation for propagating the gospel had done a great deal towards instructing men in religion, by giving great numbers of books in practical divinity: by erecting libraries in country parishes: by sending many able divines to the foreign plantations, and founding schools to breed up children in the Christian knowledge; though to this expense very little had been contributed by those who appeared so wonderfully zealous for the church. The Archbishop of York expressed his apprehension of danger from the increase of dissenters; particularly from the many academies they had instituted: he moved, that the judges might be consulted with respect to the laws that were in force against such seminaries, and by what means they might be suppressed. Lord Wharton moved, that the judges might also be consulted about means of suppressing schools and seminaries held by nonjurors: in one of which the sons of a noble lord in that House had been educated. To this sarcasm the archbishop replied,



that his sons were indeed taught by Mr. Ellis, a sober, virtuous man; but that when he refused the oath of abjuration, they were immediately withdrawn from his instructions. Lord Wharton proceeded to declare, that he had carefully perused a pamphlet entitled "The Memorial," which was said to contain a demonstration that the church was in danger; but all he could learn was, that the Duke of Buckingham, the Earls of Rochester and Nottingham, were out of place: that he remembered some of these noblemen sat in the high-commission court, and then made no complaint of the church's being in danger. Patrick, Bishop of Ely, complained of the heat and passion manifested by the gentlemen belonging to the universities, and of the undutiful behaviour of the clergy towards their bishops. He was seconded by Hough of Lichfield and Coventry, who added, that the inferior clergy calumniated their bishops, as if they were in a plot to destroy the church, and had compounded to be the last of their order. Hooper of Bath and Wells expatiated on the invidious distinction implied in the terms "high-church," and "low-church." The Duke of Leeds asserted, that the church could not be safe, without an act against occasional conformity. Lord Somers recapitulated all the arguments which had been used on both sides of the question: he declared his own opinion was, that the nation was happy under a wise and just administration: that for men to raise groundless jealousies at that juncture, could mean no less than an intention to embroil the people at home, and defeat the glorious designs of the allies abroad. The debate being finished, the question was put, Whether the church of England was in danger, and carried in the negative by a great majority: then the House resolved, That the church of England as by law established, which was rescued from the extremest danger by King William III. of glorious memory, is now, by God's blessing, under the happy reign of her majesty, in a most safe and flourishing condition; and that whoever goes about to suggest or insinuate that the church is in danger under her majesty's administration, is an enemy to the queen, the church, and the kingdom. Next day the Commons concurred in this determination, and joined the Lords in an address to the queen, communicating this resolution, beseeching her to take effectual measures for making it public; and also for punishing the authors and spreaders of the seditious and scandalous reports of the church's being in danger. She accordingly issued a proclamation, containing the resolution of the two Houses, and offering a reward for discovering the author of the Memorial of the Church of England, and for apprehending David Edwards, a professed papist, charged upon oath to be the printer and publisher of that libel.

§ XLIII. After a short adjournment, a committee of the lower House presented the thanks of the Commons to the Duke of Marlborough, for his great services performed to her majesty and the nation in the last campaign, and for his prudent negotiations with her allies. This nobleman was in such credit with the people, that when he proposed a loan of five hundred thousand pounds to the emperor, upon a branch of his revenue in Silesia, the money was advanced immediately by the merchants of London. The kingdom was blessed with plenty: the queen was universally beloved: the people in general were zealous for the prosecution of the war: the forces were well paid: the treasury was punctual: and though a great quantity of coin was exported for the maintenance of the war, the paper currency supplied the deficiency so well, that no murmurs were heard, and the public credit flourished both at home and abroad. All the funds being

established, one in particular for two millions and a half by way of annuities for ninety-nine years, at six and a half per cent. and all the bills having received the royal assent, the queen went to the House of Peers on the nineteenth day of March, where, having thanked both Houses for the repeated instances of their affection which she had received, she prorogued the parliament to the twenty-first day of May following.<sup>c</sup> The new convocation, instead of imitating the union and harmony of the parliament, revived the divisions by which the former had been distracted, and the two Houses seemed to act with more determined rancour against each other. The upper House having drawn up a warm address of thanks to the queen for her affectionate care of the church, the lower House refused to concur; nor would they give any reason for their dissent. They prepared another in a different strain, which was rejected by the archbishop. Then they agreed to divers resolutions, asserting their right of having what they offered to the upper House received by his Grace and their lordships. In consequence of this dissension the address was dropped, and a stop put to all further communication between the two Houses. The Dean of Peterborough protested against the irregularities of the lower House. The queen, in a letter to the archbishop, signified her resolution to maintain her supremacy, and the due subordination of presbyters to bishops. She expressed her hope that he and his suffragans would act conformably to her resolution, in which case they might be assured of the continuance of her favour and protection: she required him to impart this declaration to the bishops and clergy, and to prorogue the convocation to such time as should appear most convenient. When he communicated this letter to the lower House, the members were not a little confounded; nevertheless, they would not comply with the prorogation, but continued to sit, in defiance of her majesty's pleasure.

§ XLIV. The eyes of Great Britain were now turned upon a transaction of the utmost consequence to the whole island: namely, the treaty for a union of the two kingdoms of England and Scotland. The queen having appointed the commissioners<sup>d</sup> on both sides, they met on the sixteenth day of April, in the council-chamber of the Cockpit near Whitehall, which was the place appointed for the conferences. Their commissions being opened and read by the respective secretaries, and introductory speeches being pronounced by the lord keeper of England, and the lord chancellor of Scotland, they agreed to certain preliminary articles, importing, That all the proposals should be made in writing; and every point, when agreed, reduced to writing: That no points should be obligatory, till all matters should be adjusted in such a manner as would be proper to be laid before the queen and the two parliaments for their approbation: That a committee should be appointed from each commission, to revise the minutes of what might pass, before they should be inserted in the books by the respective secretaries; and that all the proceedings during the treaty should be kept secret. The Scots were inclined to a federal union, like that of the United Provinces; but the English were bent upon an incorporation, so that no Scottish parliament should ever have power to repeal the articles of the treaty. The lord keeper proposed that the two kingdoms of England and Scotland should be forever united into one realm, by the name of Great Britain: that it should be represented by one and the same parliament; and, that the succession of this monarchy, failing

<sup>c</sup> Among other bills passed during this session, was an act for abridging and reforming some proceedings in the common law and in chancery, &c. <sup>d</sup> The English commissioners were, Thomas Lord Archbishop of Canterbury; William Cowper, lord keeper of the great seal; John Lord Archbishop of York; Sydney Lord Godolphin, lord high treasurer of England; Thomas Earl of Pembroke and Montgomerie, president of the council; John Duke of Newcastle, keeper of the privy seal; William Duke of Devonshire, steward of the household; Charles Duke of Somerset, master of the house; Charles Duke of Bolton, Charles Earl of Sunderland, Evelyn Earl of Kingston, Charles Earl of Carlisle, Edward Earl of Oxford, Charles Viscount Townshend, Thomas Lord Wharton, Ralph Lord Grey, John Lord Powlett, John Lord Somers, Charles Lord Halifax, William Cavendish Marquis of Harrington, John Manners Marquis of Granby; Sir Isaac Hedges and Robert Harley, principal secretaries of state; John Smith, Henry Boyle, chancellor of the exchequer; John Holt, chief justice of the queen's bench; Sir Thomas Trevor, chief justice of the common pleas; Sir Edward Northey, attorney general; Sir Simon Harcourt,

solicitor general; Sir John Cooke; and Stephen Waller, doctor of laws, and the Scottish commissioners were, James Earl of Seaford, lord chancellor of Scotland; James Duke of Queensberry, lord privy seal; John Earl of Mar, and Hugh Earl of Loudon, principal secretaries of state; John Earl of Sutherland, John Earl of Argyll, David Earl of Argyll, John Earl of Leven, John Earl of Stair, Archibald Earl of Rosburgh, David Earl of Glasgow, John Archibald Campbell, Thomas Viscount Duplin, Lord William Ross, Sir Hugh Dalrymple, president of the session; Adam Cockburn, of Ormiston, lord justice clerk; Sir Robert Dundas, of Arncliffe, Robert Strath of Tulliburgh, lords of the session; Mr. James Menzies, one of the commissioners of the treasury; Sir David Dalrymple, one of her majesty's solicitors; Sir Alexander Ogilvie, receiver general; Sir John Johnston, provost of Edinburgh; Sir James Bowler, of Bonhill, George Earl of Greenwich, William Morrison, of Preston-gate, Alexander Grant, William Seton, of Pitmedden; John Clerk, of Pennycook; Hugh Montgomery, Daniel Stuart, and Daniel Campbell.

of heirs of her majesty's body, should be according to the limitations mentioned in the act of parliament passed in the reign of King William, intituled, An Act for the further limitation of the crown, and the better securing the rights and liberties of the subject. The Scottish commissioners, in order to comply in some measure with the popular clamour of their nation, presented a proposal, implying, that the succession to the crown of Scotland should be established upon the same persons mentioned in the act of King William's reign: that the subjects of Scotland should for ever enjoy all the rights and privileges of the natives in England, and the dominions thereunto belonging; and, that the subjects of England should enjoy the like rights and privileges in Scotland: that there should be a free communication and intercourse of trade and navigation between the two kingdoms, and plantations thereunto belonging; and that all laws and statutes in either kingdom, contrary to the terms of this union, should be repealed. The English commissioners declined entering into any considerations upon these proposals, declaring themselves fully convinced that nothing but an entire union could settle a perfect and lasting friendship between the two kingdoms. The Scots acquiesced in this reply, and both sides proceeded in the treaty, without any other intervening dispute. They were twice visited by the queen, who exhorted them to accelerate the articles of a treaty that would prove so advantageous to both kingdoms. At length they were finished, arranged, and mutually signed, on the twenty-second of July, and next day presented to her majesty, at the palace of St. James's, by the lord keeper in the name of the English commissioners: at the same time a sealed copy of the instrument was likewise delivered by the lord chancellor of Scotland; and each made a short oration on the subject, to which the queen returned a very gracious reply. That same day she dictated an order of council, that whoever should be concerned in any discourse or libel, or in laying wagers relating to the union, should be prosecuted with the utmost rigour of the law.

§ XLV. In this famous treaty it was stipulated, That the succession to the united kingdom of Great Britain should be vested in the Princess Sophia, and her heirs, according to the acts already passed in the parliament of England: that the united kingdom should be represented by one and the same parliament: that all the subjects of Great Britain should enjoy a communication of privileges and advantages: that they should have the same allowances, encouragements, and drawbacks; and be under the same prohibitions, restrictions, and regulations, with respect to commerce and customs: that Scotland should not be charged with the temporary duties on some certain commodities: that the sum of three hundred ninety-eight thousand and eighty-five pounds, ten shillings, should be granted to the Scots, as an equivalent for such parts of the customs and excise charged upon that kingdom, in consequence of the union, as would be applicable to the payment of the debts of England according to the proportion which the customs and excise of Scotland bore to those of England: that, as the revenues of Scotland might increase, a further equivalent should be allowed for such proportion of the said increase, as should be applicable to the payment of the debts of England: that the sum to be paid at present, as well as the monies arising from the future equivalents, should be employed in reducing the coin of Scotland to the standard and value of the English coin; in paying-off the capital stock and interest due to the proprietors of the African company, which should be immediately dissolved; in discharging all the public debts of the kingdom of Scotland; in promoting and encouraging manufactures and fisheries, under the direction of commissioners to be appointed by her majesty, and accountable to the parliament of Great Britain: that the laws concerning public right, policy, and civil government, should be the same throughout the whole united kingdom; but that no alteration should be made in laws which concerned private right, except for evident utility of the subjects within Scotland: that the Court of Session, and all other courts of judicature in Scotland, should remain as then constituted by the laws of that kingdom, with the same authority and privileges as before the union; sub-

ject, nevertheless, to such regulations as should be made by the parliament of Great Britain: that all heritable offices, superiorities, heritable jurisdictions, offices for life, and jurisdictions for life, should be reserved to the owners, as rights and property, in the same manner as then enjoyed by the laws of Scotland: that the rights and privileges of the royal boroughs in Scotland should remain entire after the union: that Scotland should be represented in the parliament of Great Britain by sixteen peers and forty-five commoners, to be elected in such a manner as should be settled by the present parliament of Scotland: that all peers of Scotland, and the successors to their honours and dignities, should, from and after the union, be peers of Great Britain, and should have rank and precedence next and immediately after the English peers of the like orders and degrees at the time of the union; and before all peers of Great Britain of the like orders and degrees, who might be created after the union: that they should be tried as peers of Great Britain, and enjoy all privileges of peers, as fully as enjoyed by the peers of England, except the right and privilege of sitting in the House of Lords, and the privileges depending thereon, and particularly the right of sitting upon the trials of peers: that the crown, sceptre, and sword of state, the records of parliament, and all other records, rolls, and registers whatsoever, should still remain as they were, within that part of the United Kingdom called Scotland: that all laws and statutes in either kingdom, so far as might be consistent with the terms of these articles, should cease and be declared void by the respective parliaments of the two kingdoms. Such is the substance of that treaty of union which was so eagerly courted by the English ministry, and proved so unpalatable to the generality of the Scottish nation.

## CHAP. IX.

§ I. Battle of Ramillies, in which the French are defeated. § II. The siege of Barcelona raised by the English fleet. § III. Prince Eugene obtains a complete victory over the French at Turin. § IV. Sir Cloudesley Shovel sails with a reinforcement to Charles King of Sicily. § V. The King of Sweden matches into Saxony. § VI. The French king demands conferences for a peace. § VII. Meeting of the Scottish parliament. § VIII. Violent opposition to the union. § IX. The Scots in general assent to the treaty. § X. Which is nevertheless continued in their parliament. § XI. Proceedings in the English parliament. § XII. The Commons approve of the articles of union. § XIII. The Lords pass a bill for the security of the church of England. Arguments used against the articles of the union. § XIV. Which, however, are confirmed by act of parliament. § XV. The parliament revived by proclamation. § XVI. The queen gives audience to a Muscovite ambassador. § XVII. Proceedings in convocation. § XVIII. France threatened with total ruin. § XIX. The allies are defeated at Almanza. § XX. Unsuccessful attempt upon Toulon. § XXI. Sir Cloudesley Shovel wrecked on the rocks of Scilly. Weakness of the emperor on the Upper Rhine. § XXII. Interview between the King of Sweden and the Duke of Marlborough. § XXIII. Inactive campaign in the Netherlands. § XXIV. Harley begins to form a party against the Duke of Marlborough. § XXV. The nation discontented with the whig ministry. § XXVI. Meeting of the first British parliament. § XXVII. Inquiry into the state of the war in Spain. § XXVIII. Greig, a clerk in the French secretary's office, detected in a correspondence with the French ministry. § XXIX. Harley resigns his employments. § XXX. The pretender embarks at Dunkirk for Scotland. § XXXI. His design is defeated. § XXXII. State of the nation at that period. § XXXIII. Parliament dissolved. § XXXIV. The French surprise Ghent and Bruges. § XXXV. They are routed at Oudenarde. § XXXVI. The allies invest Lille. § XXXVII. They defeat a large body of French forces. § XXXVIII. The Elector of Bavaria attacks Brussels. § XXXIX. Lille surrendered, Ghent taken, and Bruges abandoned. § XL. Conquest of Minorca by General Stanhope. § XLI. Rupture between the Pope and the emperor. § XLII. Death of Prince George of Denmark. § XLIII. The new parliament assembled. § XLIV. Naturalization bill. § XLV. Act of grace. § XLVI. Disputes about the Muscovite ambassador compromised.

§ I. WHILE this treaty was on the carpet at home, the allied arms prospered surprisingly in the Netherlands, in Spain, and in Piedmont. The French king had resolved to make very considerable efforts in these countries; and, indeed, at the beginning of the campaign, his armies were very formidable. He hoped that, by the reduction of Turin and Barcelona, the war would be extinguished in Italy and Catalonia. He knew that he could out-number any body of forces that Prince Louis of Baden should assemble on the Rhine: and he resolved to reinforce his army in Flanders, so as to be in a condition to act offensively against the Duke of Marlborough. This nobleman repaired to Holland in the latter

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end of April; and conferred with the States-general. Then he assembled the army between Borschloen and Groes-Waren, and found it amounted to seventy-four battalions of foot, and one hundred and twenty-three squadrons of horse and dragoons, well furnished with artillery and pontoons. The court of France having received intelligence that the Danish and Prussian troops had not yet joined the confederates, ordered the Elector of Bavaria and the Mareschal de Villeroy to attack them before the junction could be effected. In pursuance of this order they passed the Deule on the nineteenth day of May, and posted themselves at Tirlemont, being superior in number to the allied army. There they were joined by the horse of the army commanded by Mareschal Marsin, and encamped between Tirlemont and Judoigne. On Whitsunday, early in the morning, the Duke of Marlborough advanced with his army in eight columns towards the village of Ramillies, being by this time joined by the Danes; and he learned that the enemy were in march to give him battle. Next day the French generals perceiving the confederates so near them, took possession of a strong camp, the right extending to the tomb of Hautemont, on the side of the Mehaigne; their left to Anderkirk; and the village of Ramillies being near their centre. The confederate army was drawn up in order of battle, with the right wing near Foltz on the brook of Yause, and the left by the village of Franquencies, which the enemy had occupied. The duke ordered Lieutenant-General Schultz, with twelve battalions and twenty pieces of cannon, to begin the action, by attacking Ramillies, which was strongly fortified with artillery. At the same time Velt-Mareschal D'Auverquerque, on the left, commanded Colonel Wurtmuller, with four battalions and two pieces of cannon, to dislodge the enemy's infantry posted among the hedges of Franquencies. Both these orders were successfully executed. The Dutch and Danish horse of the left wing charged with great vigour and intrepidity, but were so roughly handled by the troops of the French king's household, that they began to give way, when the Duke of Marlborough sustained them with the body of reserve, and twenty squadrons drawn from the right, where a morass prevented them from acting. In the mean time, he in person rallied some of the broken squadrons, in order to renew the charge, when his own horse falling, he was surrounded by the enemy, and must have been either killed or taken prisoner, had not a body of infantry come seasonably to his relief. When he remounted his horse, the head of Col. Brienfield, his gentleman of the horse, was carried off by a cannon-ball while he held the duke's stirrup. Before the reinforcement arrived, the best part of the French mousquetaires were cut in pieces. All the troops posted in Ramillies were either killed or taken. The rest of the enemy's infantry began to retreat in tolerable order, under cover of the cavalry on their left wing, which formed themselves in three lines between Ossuz and Anderkirk; but the English horse having found means to pass the rivulet which divided them from the enemy, fell upon them with such impetuosity, that they abandoned their foot, and were terribly slaughtered in the village of Anderkirk. They now gave way on all sides. The horse fled three different ways; but were so closely pursued that very few escaped. The Elector of Bavaria, and the Mareschal de Villeroy, saved themselves with the utmost difficulty. Several waggons of the enemy's van-guard breaking down in a narrow pass, obstructed the way in such a manner, that the baggage and artillery could not proceed; nor could their troops defile in order. The victorious horse being informed of this accident pressed on them so vigorously, that great numbers threw down their arms and submitted. The pursuit was followed through Judoigne till two o'clock in the morning, five leagues from the field of battle, and within two of Louvaine. In a word, the confederates obtained a complete victory. They took the enemy's baggage and artillery, about one hundred and twenty colours, or standards, six hundred officers, six thousand private soldiers; and about eight thousand were killed or wounded.<sup>a</sup> Prince Maximilian and Prince Monbason lost their

lives; the Major-Generals Palavicini and Mezieres were taken, together with the Marquisses de Bar, de Nonant, and de la Beaume, this last the son of the Mareschal de Tallard, Monsieur de Montmorency, nephew to the Duke of Luxembourg, and many other persons of distinction. The loss of the allies did not exceed three thousand men, including Prince Louis of Hesse, and Mr. Bentinck, who were slain in the engagement. The French generals retired with precipitation to Brussels, while the allies took possession of Louvaine, and next day encamped at Bethlem. The battle of Ramillies was attended with the immediate conquest of all Brabant. The cities of Louvaine, Mechlin, Brussels, Antwerp, Ghent, and Bruges, submitted without resistance, and acknowledged King Charles. Ostend, though secured by a strong garrison, was surrendered after a siege of ten days. Menin, esteemed the most finished fortification in the Netherlands, and guarded by six thousand men, met with the same fate. The garrison of Den-dermonde surrendered themselves prisoners of war; and Aeth submitted on the same conditions. The French troops were dispirited. The city of Paris was overwhelmed with consternation. Louis affected to bear his misfortunes with calmness and composure: but the constraint had such an effect upon his constitution that his physicians thought it necessary to prescribe frequent bleeding, which he accordingly underwent. At his court no mention was made of military transactions: all was solemn, silent, and reserved.

§ II. Had the issue of the campaign in Catalonia been such as the beginning seemed to prognosticate, the French king might have in some measure consoled himself for his disgraces in the Netherlands. On the sixth day of April King Philip, at the head of a numerous army, undertook the siege of Barcelona, while the Count de Thoulouse blocked it up with a powerful squadron. The inhabitants, animated by the presence of King Charles, made a vigorous defence: and the garrison was reinforced with some troops from Gironne and other places. But, after the fort of Montjuic was taken, the place was so hard pressed, that Charles ran the utmost risk of falling into the hands of the enemy; for the Earl of Peterborough, who had marched from Valencia with two thousand men, found it impracticable to enter the city. Nevertheless, he maintained his post upon the hills: and with surprising courage and activity, kept the besiegers in continual alarm. At length, Sir John Leake sailed from Lisbon with thirty ships of the line; and on the eighth day of May arrived in sight of Barcelona. The French admiral no sooner received intelligence of his approach, than he set sail for Toulon. In three days after his departure, King Philip abandoned the siege, and retired in great disorder, leaving behind his tents, with the sick and wounded. On the side of Portugal, the Duke of Berwick was left with such an inconsiderable force as proved insufficient to defend the frontiers. The Earl of Galway, with an army of twenty thousand men, undertook the siege of Alcantara; and in three days the garrison, consisting of four thousand men, were made prisoners of war. Then he marched to Placentia, and advanced as far as the bridge of Almaris; but the Portuguese would penetrate no further until they should know the fate of Barcelona. When they understood the siege was raised, they consented to proceed to Madrid. Philip, guessing their intention, posted to that capital, and sent his queen with all his valuable effects to Burgos, whither he followed her in person, after having destroyed every thing that he could not carry away. About the latter end of June the Earl of Galway entered the city without resistance; but the Spaniards were extremely mortified to see an army of Portuguese, headed by a heretic, in possession of their capital. King Charles loitered away his time in Barcelona, until his competitor recovered his spirits, and received such reinforcements as enabled him to return to Madrid, with an army equal to that commanded by the Earl of Galway. This general made a motion towards Arragon, in order to facilitate his conjunction with Charles, who had set out by the way of Saragossa, where he was acknowledged as sovereign of

<sup>a</sup> The French impute the loss of this battle to the misconduct of Villeroy, who, it must be owned, made a most wretched disposition. When he returned to Versailles, where he expected to meet with nothing but re-

proaches, Louis received him without the least mark of displeasure saying, "Mr. Mareschal, you and I are too old to be fortunate."



Arragon and Valencia. In the beginning of August this prince arrived at the Portuguese camp, with a small reinforcement; and in a few days was followed by the Earl of Peterborough, at the head of five hundred dragoons. The two armies were now pretty equal in point of number; but as each expected further reinforcements, neither chose to hazard an engagement. The Earl of Peterborough, who aspired to the chief command, and hated the Prince of Lichtenstein, who enjoyed the confidence of King Charles, retired in disgust; and embarking on board an English ship of war, set sail for Genoa. The English fleet continued all the summer in the Mediterranean: they secured Carthage, which had declared for Charles; they took the town of Alicante by assault, and the castle by capitulation. Then sailing out of the straits, one squadron was detached to the West Indies, another to lie at Lisbon, and the rest were sent home to England.

§ III. Fortune was not more propitious to the French in Italy than in Flanders. The Duke de Vendome having been recalled to assume the command in Flanders after the battle of Ramillies, the Duke of Orleans was placed at the head of the army in Piedmont, under the tutorage and direction of the Mareschal de Marsin. They were ordered to besiege Turin, which was accordingly invested in the month of May: and the operations carried on till the beginning of September. Great preparations had been made for this siege. It was not undertaken until the Duke of Savoy had rejected all the offers of the French monarch, which were sufficient to have shaken a prince of less courage and fortitude. The Duke de la Feuillade having finished the lines of circumvallation and contravallation, sent his quarter-master-general with a trumpet, to offer passports and a guard for the removal of the duchess and her children. The Duke of Savoy replied, that he did not intend to remove his family, and that the mareschal might begin to execute his master's orders whenever he should think fit; but, when the siege began with uncommon fury, and the French fired red-hot balls into the place, the two duchesses, with the young prince and princesses, quitted Turin, and retired to Quierasco, from whence they were conducted through many dangers into the territories of Genoa. The duke himself forsook his capital, in order to put himself at the head of his cavalry; and was pursued from place to place by five-and-forty squadrons under the command of the Count D'Aubeterre. Notwithstanding the very noble defence which was made by the garrison of Turin, which destroyed fourteen thousand of the enemy during the course of the siege, the defences were almost ruined, their ammunition began to fail, and they had no prospect of relief but from Prince Eugene, who had numberless difficulties to encounter before he could march to their assistance. The Duke de Vendome, before he left Italy, had secured all the fords of the Adige, the Mincio, and the Oglio, and formed such lines and entrenchments as he imagined would effectually hinder the imperial general from arriving in time to relieve the city of Turin. But the prince surmounted all opposition; passed four great rivers in despite of the enemy; and reached the neighbourhood of Turin on the thirteenth day of August. There, being joined by the Duke of Savoy, he passed the Po between Montcalier and Cavignan. On the fifth day of September they took a convoy of eight hundred loaded mules: next day they passed the Doria, and encamped with the right on the bank of that river before Pianessa, and the left on Stura before the Veneria. The enemy were entrenched, having the Stura on their right, the Doria on their left, and the convent of Capuchins, called Notre Dame de la Campagne, in their centre. When Prince Eugene approached Turin, the Duke of Orleans proposed to march out of the entrenchments, and give him battle; and this proposal was seconded by all the general officers, except Marsin, who, finding the duke determined, produced an order from the French king commanding the duke to follow the Mareschal's advice. The court of Versailles was now become afraid of hazarding an engagement against those who had so often defeated their armies; and this officer had private instructions to keep within the trenches. On the seventh day of September the confederates marched up to the entrenchments of the French, in eight columns, through a terrible fire from forty pieces of artillery, and were formed

in order of battle within half cannon shot of the enemy. Then they advanced to the attack with surprising resolution, and met with such a warm reception as seemed to stop their progress. Prince Eugene perceiving this check, drew his sword, and putting himself at the head of the battalions on the left, forced the entrenchments at the first charge. The Duke of Savoy met with the same success in the centre, and on the right near Lucengo. The horse advanced through the intervals of the foot, left for that purpose; and breaking in with vast impetuosity, completed the confusion of the enemy, who were defeated on all hands, and retired with precipitation to the other side of the Po, while the Duke of Savoy entered his capital in triumph. The Duke of Orleans exhibited repeated proofs of the most intrepid courage: and received several wounds in the engagement. Mareschal de Marsin fell into the hands of the victors, his thigh being shattered with a ball, and died in a few hours after the amputation. Of the French army about five thousand men were slain on the field of battle; a great number of officers, and upwards of seven thousand men, were taken, together with two hundred and fifty-five pieces of cannon, one hundred and eighty mortars, an incredible quantity of ammunition, all the tents and baggage, five thousand beasts of burthen, ten thousand horses belonging to thirteen regiments of dragoons, and the mules of the commissary-general, so richly laden, that this part of the booty alone was valued at three millions of livres. The loss of the confederates did not exceed three thousand men killed or disabled in the action, besides about the same number at the garrison of Turin, which had fallen since the beginning of the siege. This was such a fatal stroke to the interest of Louis, that Madame de Maintenon would not venture to make him fully acquainted with the state of his affairs. He was told that the Duke of Orleans had raised the siege of Turin at the approach of Prince Eugene; but he knew not that his own army was defeated and ruined. The spirits of the French were a little comforted in consequence of an advantage gained about this time, by the Count de Medavi-grancey, who commanded a body of troops left in the Mantuan territories. He surprised the Prince of Hesse in the neighbourhood of Castiglione, and obliged him to retire to the Adige, with the loss of two thousand men: but this victory was attended with no consequence in their favour. The Duke of Orleans retreated into Dauphiné, while the French garrisons were driven out of every place they occupied in Piedmont and Italy, except Cremona, Valenza, and the castle of Milan, which were blocked up by the confederates.

§ IV. Over and above these disasters, which the French sustained in the course of this campaign, they were miserably alarmed by the project of an invasion from Britain, formed by the Marquis de Guiscard, who, actuated by a family disgust, had abandoned his country, and become a partisan of the confederates. He was declared a lieutenant-general in the emperor's army, and came over to London, after having settled a correspondence with the malcontents in the southern parts of France. He insinuated himself into the friendship of Henry St. John, secretary of war, and other persons of distinction. His scheme of invading France was approved by the British ministry, and he was promoted to the command of a regiment of dragoons destined for that service. About eleven thousand men were embarked under the conduct of Earl Rivers, with a large train of artillery; and the combined squadrons, commanded by Sir Cloudesley Shovel, set sail from Plymouth on the thirteenth day of August. Next day they were forced into Torbay by contrary winds, and there they held a council of war to concert their operation, when they discovered that Guiscard's plan was altogether chimerical, or at least founded upon such slight assurances and conjectures, as could not justify their proceeding to execution. An express was immediately despatched to the admiralty, with the result of this council; and in the mean time, letters arrived at court from the Earl of Galway, after his retreat from Madrid to Valencia, soliciting succours with the most earnest entreaties. The expedition to France was immediately postponed, and Sir Cloudesley Shovel was ordered to make the best of his way for Lisbon, there to take such measures as the state of the war in Spain should

render necessary. Guiscard and his officers being set on shore, the fleet sailed with the first fair wind, and towards the latter end of October arrived at Lisbon. On the twenty-eighth day of the next month the King of Portugal died, and his eldest son and successor being but eighteen years of age, was even more than his father influenced by a ministry which had private connexions with the court of Versailles. Nevertheless, Sir Cloudesley Shovel and Earl Rivers, being pressed by letters from King Charles and the Earl of Galway, sailed to their assistance in the beginning of January; and on the twenty-eighth arrived at Alicante, from whence the Earl of Rivers proceeded by land to Valencia, in order to assist at a general council of war. The operations of the ensuing campaign being concerted, and the army joined by the reinforcement from England, Earl Rivers, disliking the country, returned with the admiral to Lisbon.

§ V. Poland was at length delivered from the presence of the King of Sweden, who in the beginning of September suddenly marched through Lusatia into Saxony; and in a little time laid that whole electorate under contribution. Augustus being thus cut off from all resource, resolved to obtain peace on the Swede's own terms, and engaged in a secret treaty for this purpose. In the mean time the Poles and Muscovites attacked the Swedish forces at Kalish in Great Poland; and by dint of numbers routed them with great slaughter. Notwithstanding this event, Augustus ratified the treaty, by which he acknowledged Stanislaus as true and rightful King of Poland, reserving to himself no more than the empty title of sovereign. The confederates were not a little alarmed to find Charles in the heart of Germany, and the French court did not fail to court his alliance; but he continued on the reserve against all their solicitations. Then they implored his mediation for a peace; and he answered, that he would interpose his good offices, as soon as he should know they would be agreeable to the powers engaged in the grand alliance.

§ VI. The pride of Louis was now humbled to such a degree as might have excited the compassion of his enemies. He employed the Elector of Bavaria to write letters in his name to the Duke of Marlborough and the deputies of the States-general, containing proposals for opening a congress. He had already tampered with the Dutch, in a memorial presented by the Marquis d'Alegré. He likewise besought the Pope to interpose in his behalf. He offered to cede either Spain and the West Indies, or Milan, Naples, and Sicily, to King Charles; to give up a barrier for the Dutch in the Netherlands; and to indemnify the Duke of Savoy for the ravages that had been committed in his dominions. Though his real aim was peace, yet he did not despair of being able to excite such jealousies among the confederates as might shake the basis of their union. His hope was not altogether disappointed. The court of Vienna was so much alarmed at the offers he had made, and the reports circulated by his emissaries, that the emperor resolved to make himself master of Naples before the allies should have it in their power to close with the proposals of France. This was the true motive of his concluding a treaty with Louis in the succeeding winter, by which the Milanese was entirely evacuated, and the French king at liberty to employ those troops in making strong efforts against the confederates in Spain and the Netherlands. The Dutch were intoxicated with success, and their pensionary, Heinsius, entirely influenced by the Duke of Marlborough, who found his account in the continuance of the war, which at once gratified his avarice and ambition: for all his great qualities were obscured by the sordid passion of accumulating wealth. During the whole war the allies never had such an opportunity as they now enjoyed to bridle the power of France effectually, and secure the liberties of the empire; and indeed, if their real design was to establish an equal balance between the houses of Austria and Bourbon, it could not have been better effected than by dividing the Spanish monarchy between these two potentates. The accession of Spain, with all its appendages, to either, would have destroyed the equilibrium which the allies proposed to establish. But other motives contributed to a continuation of the war. The powers of the confederacy

were fired with the ambition of making conquests; and England in particular thought herself entitled to an indemnification for the immense sums she had expended. Animated by these concurring considerations, Queen Anne and the States-general rejected the offers of France; and declared that they would not enter into any negotiation for peace, except in concert with their allies.

§ VII. The Tories of England began to meditate schemes of opposition against the Duke of Marlborough. They looked upon him as a selfish nobleman, who sacrificed the interest of the nation, in protracting a ruinous war for his own private advantage. They saw their country oppressed with an increasing load of taxes, which they apprehended would in a little time become an intolerable burthen; and they did not doubt but at this period such terms might be obtained as would fully answer the great purpose of the confederacy. This, indeed, was the prevailing opinion among all the sensible people of the nation who were not particularly interested in the prosecution of the war, either by being connected with the general, or in some shape employed in the management of the finances. The Tories were likewise instigated by a party-spirit against Marlborough, who, by means of his wife, was in full possession of the queen's confidence, and openly patronized the Whig faction. But the attention of people in general was now turned upon the Scottish parliament, which took into consideration the treaty of union lately concluded between the commissioners of both kingdoms. On the third day of October, the Duke of Queensberry, as high-commissioner, produced the queen's letter, in which she expressed her hope, that the terms of the treaty would be acceptable to her parliament of Scotland. She said, an entire and perfect union would be the solid foundation of a lasting peace; it would secure their religion, liberty, and property, remove the animosity that prevailed among themselves, and the jealousies that subsisted between the two nations: it would increase their strength, riches, and commerce: the whole island would be joined in affection, and free from all apprehensions of different interests; it would be enabled to resist all its enemies, support the protestant interest every where, and maintain the liberties of Europe. She renewed her assurance of maintaining the government of their church; and told them, that now they had an opportunity of taking such steps as might be necessary for its security after the union. She demanded the necessary supplies. She observed, that the great success with which God Almighty had blessed her arms afforded the nearer prospect of a happy peace with which they would enjoy the full advantages of this union: that they had no reason to doubt that the parliament of England would do all that should be necessary on their part to confirm the union: finally, she recommended calmness and unanimity in deliberating on this great and weighty affair, of such consequence to the whole island of Great Britain.

§ VIII. Hitherto the articles of the union had been industriously concealed from the knowledge of the people: but the treaty being recited in parliament, and the particulars divulged, such a flame was kindled through the whole nation, as had not appeared since the restoration. The cavaliers or Jacobites had always foreseen that this union would extinguish all their hopes of a revolution in favour of a pretender. The nobility found themselves degraded in point of dignity and influence, by being excluded from their seats in parliament. The trading part of the nation beheld their commerce saddled with heavy duties and restrictions, and considered the privilege of trading to the English plantations as a precarious and uncertain prospect of advantage. The barons, or gentlemen, were exasperated at a coalition, by which their parliament was annihilated, and their credit destroyed. The people in general exclaimed, that the dignity of their crown was betrayed; that the independency of their nation had fallen a sacrifice to treachery and corruption; that whatever conditions might be speciously offered, they could not expect they would be observed by a parliament in which the English had such a majority. They exaggerated the dangers to which the constitution of their church would be exposed from a bench of bishops, and a parliament of episcopalians. This consideration alarmed the presbyterian ministers to such a degree, that they employed all their power and credit in

waking the resentment of their hearers against the treaty, which produced a universal ferment among all ranks of people. Even the most rigid puritans joined the cavaliers in expressing their detestation of the union; and, laying aside their mutual animosities, promised to co-operate in opposing a measure so ignominious and prejudicial to their country. In parliament the opposition was headed by the Dukes of Hamilton and Athol, and the Marquis of Annandale. The first of these noblemen had wavered so much in his conduct, that it is difficult to ascertain his real political principles. He was generally supposed to favour the claim of the pretender; but he was afraid of embarking too far in his cause, and avoided violent measures in the discussion of this treaty, lest he should incur the resentment of the English parliament, and forfeit the estate he possessed in that kingdom. Athol was more forward in his professions of attachment to the court of St. Germain's; but he had less ability, and his zeal was supposed to have been inflamed by resentment against the ministry. The debates upon the different articles of the treaty were carried on with great heat and vivacity; and many shrewd arguments were used against this scheme of an incorporating union. One member affirmed, that it would furnish a handle to any aspiring prince to overthrow the liberties of all Britain; for if the parliament of Scotland could alter, or rather subvert, its constitution, this circumstance might be a precedent for the parliament of Great Britain to assume the same power: that the representatives for Scotland would, from their poverty, depend upon those who possessed the means of corruption: and having expressed so little concern for the support of their own constitution, would pay very little regard to that of any other. "What! (said the Duke of Hamilton) shall we in half an hour give up what our forefathers maintained with their lives and fortunes for many ages? Are here none of the descendants of those worthy patriots, who defended the liberty of their country against all invaders; who assisted the great King Robert Bruce to restore the constitution and revenge the falsehood of England, and the usurpation of Baliol? Where are the Douglasses and Campbells? Where are the peers, where are the barons, once the bulwark of the nation? Shall we yield up the sovereignty and independency of our country, when we are commanded by those we represent to preserve the same, and assured of their assistance to support us?" The Duke of Athol protested against an incorporating union, as contrary to the honour, interest, fundamental laws, and constitution of the kingdom of Scotland, the birthright of the peers, the rights and privileges of the barons and boroughs, and to the claim of right, property, and liberty of the subjects. To this protest nineteen peers and forty-six commoners adhered. The Earl Marischal entered a protest, importing, that no person being successor to the crown of England should inherit that of Scotland, without such previous limitations as might secure the honour and sovereignty of the Scottish crown and kingdom, the frequency and power of parliament, the religion, liberty, and trade of the nation, from English or any foreign influence. He was seconded by six-and-forty members. With regard to the third article of the union, stipulating, that both kingdoms should be represented by one and the same parliament, the country party observed, that, by assenting to this expedient, they did in effect sink their own constitution, while that of England underwent no alteration: that in all nations there are fundamentals which no power whatever can alter: that the rights and privileges of parliament being one of these fundamentals among the Scots, no parliament, or any other power, could ever legally prohibit the meeting of parliaments, or deprive any of the three estates of its right of sitting or voting in parliament, or give up the rights and privileges of parliament; but that by this treaty the parliament of Scotland was entirely abrogated, its rights and privileges sacrificed, and those of the English parliament substituted in their place. They argued, that though the legislative power in parliament was regulated and determined by a majority of voices; yet the giving up the constitution with the rights and privileges of the nation, was not subject to suffrage, being founded on dominion and property; and therefore could not be legally surrendered without the consent of every person who had

a right to elect and to be represented in parliament. They affirmed that the obligation laid on the Scottish members to reside so long in London, in attendance on the British parliament, would drain Scotland of all its money, impoverish the members, and subject them to the temptation of being corrupted. Another protest was entered by the Marquis of Annandale against an incorporating union, as being odious to the people, subversive of the constitution, sovereignty, and claim of right, and threatening ruin to the church as by law established. Fifty-two members joined in this protestation. Almost every article produced the most inflammatory disputes. The Lord Belhaven enumerated the mischiefs which would attend the union, in a pathetic speech, that drew tears from the audience, and is at this day looked upon as a prophecy by great part of the Scottish nation. Addresses against the treaty were presented to parliament by the convention of boroughs, the commissioners of the general assembly, the company trading to Africa and the Indies, as well as from several shires, stewardries, boroughs, towns, and parishes, in all the different parts of the kingdom, without distinction of whig or tory, episcopalian or presbyterian. The Earl of Buchan for the peers, Lockhart of Carnwath for the barons, Sir Walter Stuart in behalf of the peers, barons, and boroughs, the Earls of Errol and Marischal for themselves, as high-constable and earl-marshal of the kingdom, protested severally against the treaty of union.

§ IX. While this opposition raged within doors, the resentment of the people rose to transports of fury and revenge. The more rigid presbyterians, known by the name of Cameronians, chose officers, formed themselves into regiments, provided horses, arms, and ammunition, and marching to Dumfries, burned the articles of the union at the market-cross, justifying their conduct in a public declaration. They made a tender of their attachment to Duke Hamilton, from whom they received encouragement in secret. They reconciled themselves to the episcopalians and the cavaliers; they resolved to take the route to Edinburgh, and dissolve the parliament: while the Duke of Athol undertook to secure the pass of Stirling with his highlanders, so as to open the communication between the western and northern parts of the kingdom. Seven or eight thousand men were actually ready to appear in arms at the town of Hamilton, and march directly to Edinburgh, under the duke's command, when that nobleman altered his opinion, and despatched private couriers through the whole country, requiring the people to defer their meeting till further directions. The more sanguine cavaliers accused his Grace of treachery; but in all likelihood he was actuated by prudent motives. He alleged, in his own excuse, that the nation was not in a condition to carry on such an enterprise, especially as the English had already detached troops to the border, and might in a few days have wafted over a considerable reinforcement from Holland. During this commotion among the Cameronians, the cities of Edinburgh and Glasgow were filled with tumults. Sir Patrick Johnston, provost of Edinburgh, who had been one of the commissioners for the union, was besieged in his own house by the populace, and would have been torn in pieces, had not the guards dispersed the multitude. The privy council issued a proclamation against riots, commanding all persons to retire from the streets whenever the drum should beat: ordering the guards to fire upon those who should disobey this command, and indemnifying them for all prosecution for maiming or slaying the lieges. These guards were placed all round the house in which the Peers and Commons were assembled, and the council received the thanks of the parliament, for having thus provided for their safety. Notwithstanding these precautions of the government, the commissioner was constantly saluted with the curses and imprecations of the people as he passed along; his guards were pelted, and some of his attendants wounded with stones as they sat by him in the coach, so that he was obliged to pass through the streets on full gallop.

§ X. Against all the national fury, the Duke of Queensberry and Argyle, the Earls of Montrose, Seafield, and Star, and the other noblemen attached to the union, acted with equal prudence and resolution. They argued strenuously against the objections that were started in the House.



They magnified the advantages that would accrue to the kingdom from the privileges of trading to the English plantations, and being protected in their commerce by a powerful navy; as well as from the exclusion of a popish pretender, who they knew was odious to the nation in general. They found means, partly by their promises, and partly by corruption, to bring over the Earls of Roxburgh and Marchmont, with the whole squadron who had hitherto been unpropitious to the court. They disarmed the resentment of the clergy, by promoting an act to be inserted in the union, declaring the presbyterian discipline to be the only government of the church of Scotland, unalterable in all succeeding times, and a fundamental article of the treaty. They soothed the African company with the prospect of being indemnified for the losses they had sustained. They amused individuals with the hope of sharing the rest of the equivalent. They employed emissaries to allay the ferment among the Cameronomians, and disunite them from the cavaliers, by canting, praying, and demonstrating the absurdity, sinfulness, and danger of such a coalition. These remonstrances were reinforced by the sum of twenty thousand pounds, which the queen privately lent to the Scottish treasury, and which was now distributed by the ministry in such a manner as might best conduce to the success of the treaty. By these practices they diminished, though they could not silence, the clamour of the people, and obtained a considerable majority in parliament, which outvoted all opposition. Not but that the Duke of Queensberry at one time despaired of succeeding, and being in continual apprehension for his life, expressed a desire of adjourning the parliament, until by time and good management he should be able to remove those difficulties that then seemed to be insurmountable. But the Lord-Treasurer Godolphin, who foresaw that the measure would be entirely lost by delay, and was no judge of the difficulties, insisted upon his proceeding. It was at this period that he remitted the money, and gave directions for having forces ready at a call, both in England and Ireland. At length the Scottish parliament approved and ratified all the articles of the union, with some small variation. They then prepared an act for regulating the election of the sixteen peers and forty-five commoners to represent Scotland in the British parliament. This being touched with the sceptre, the three estates proceeded to elect their representatives. The remaining part of the session was employed in making regulations concerning the coin, in examining the accounts of their African company, and providing for the due application of the equivalent, which was scandalously misapplied. On the twenty-fifth day of March the commissioner adjourned the parliament, after having, in a short speech, taken notice of the honour they had acquired in concluding an affair of such importance to their country. Having thus accomplished the great purpose of the court, he set out for London, in the neighbourhood of which he was met by above forty noblemen in their coaches, and about four hundred gentlemen on horseback. Next day he waited upon the queen at Kensington, from whom he met with a very gracious reception. Perhaps there is not another instance upon record, of a ministry's having carried a point of this importance against such a violent torrent of opposition, and contrary to the general sense and inclination of a whole exasperated people. The Scots were persuaded that their trade would be destroyed, their nation oppressed, and their country ruined, in consequence of the union with England; and indeed their opinion was supported by very plausible arguments. The majority of both nations believed that the treaty would produce violent convulsions, or, at best, prove ineffectual. But we now see it has been attended with none of the calamities that were prognosticated; that it quietly took effect, and fully answered all the purposes for which it was intended. Hence we may learn, that many great difficulties are surmounted, because they are not seen by those who direct the execution of any great project; and that many schemes, which theory deems impracticable, will yet succeed in the experiment.

§ XI. The English parliament assembling on the third day of December, the queen, in her speech to both Houses, congratulated them on the glorious successes of her arms. She desired the Commons would grant such supplies as

might enable her to improve the advantages of this successful campaign. She told them that the treaty of union, as concluded by the commissioners of both kingdoms, was at that time under the consideration of the Scottish parliament; and she recommended despatch in the public affairs, that both friends and enemies might be convinced of the firmness and vigour of their proceedings. The parliament was perfectly well disposed to comply with all her majesty's requests. Warm addresses were presented by both Houses. Then they proceeded to the consideration of the supply, and having examined the estimates in less than a week, voted near six millions for the service of the ensuing year. Nevertheless, in examining the accounts, some objections arose. They found that the extraordinary supplies for the support of King Charles of Spain, amounted to eight hundred thousand pounds more than the sums provided by parliament. Some members argued that very ill consequences might ensue, if a ministry could thus run the nation in debt, and expect the parliament should pay the money. The courtiers answered, that if any thing had been raised without necessity, or ill applied, it was reasonable that those who were in fault should be punished: but, as this expense was incurred to improve advantages, at a time when the occasion could not be communicated to parliament, the ministry was rather to be applauded for their zeal, than condemned for their liberality. The question being put, the majority voted that those sums had been expended for the preservation of the Duke of Savoy, for the interest of King Charles against the common enemy, and for the safety and honour of the nation. When the speaker presented the money bills, he told her, that as the glorious victory obtained by the Duke of Marlborough at Ramillies was fought before it could be supposed the armies were in the field, so it was no less surprising that the Commons had granted supplies to her majesty before the enemy could well know that the parliament was sitting. The general was again honoured with the thanks of both Houses. The Lords in an address, besought the queen to settle his honours on his posterity. An act was passed for this purpose; and in pursuance of another address from the Commons, a pension of five thousand pounds out of the post-office was settled upon him and his descendants. The Lords and Commons having adjourned themselves to the last day of December, the queen closed the year with triumphal processions. As the standards and colours taken at Blenheim had been placed in Westminster-hall, so now those that had been brought from the field of Ramillies were put up in Guildhall, as trophies of that victory. About this time, the Earls of Kent, Lindsey, and Kingston, were raised to the rank of marquises. The Lords Wharton, Paulet, Godolphin, and Cholmondeley, were created earls. Lord Walden, son and heir apparent to the Earl of Suffolk, obtained the title of Earl of Bindon: the Lord-Keeper Cowper, and Sir Thomas Pelham, were ennobled as barons.

§ XII. The parliament being assembled after their short recess, the Earl of Nottingham moved for an address to the queen, desiring her majesty would order the proceedings of the commissioners for the union, as well as those of the Scottish parliament on the said subject, to be laid before them. He was seconded by the Duke of Buckingham and the Earl of Rochester; and answered by the Earl of Godolphin, who told them they needed not doubt but that her majesty would communicate those proceedings, as soon as the Scottish parliament should have discussed the subject of the union. The Lords Wharton, Somers, and Halifax, observed, that it was for the honour of the nation that the treaty of union should first come ratified from the parliament of Scotland; and that then, and not before, it would be a proper time for the Lords to take it into consideration. On the twenty-eighth day of January, the queen in person told both Houses, that the treaty of union, with some additions and alterations, was ratified by an act of the Scottish parliament: that she had ordered it to be laid before them; and hoped it would meet with their concurrence and approbation. She desired the Commons would provide for the payment of the equivalent, in case the treaty should be approved. She observed to both Houses, that now they had an opportunity of putting the last hand to a happy union of the two king-

doms; and that she should look upon it as a particular happiness, if this great work, which had been so often attempted without success, could be brought to perfection in her reign. When the Commons formed themselves into a committee of the whole House, to deliberate on the articles of the union, and the Scottish Act of Ratification, the tory party, which was very weak in that assembly, began to start some objections. Sir John Packington disapproved of this incorporating union, which he likened to a marriage with a woman against her consent. He said it was a union carried on by corruption and bribery within doors, by force and violence without; that the promoters of it had basely betrayed their trust, in giving up their independent constitution, and he would leave it to the judgment of the House, to consider whether or no men of such principles were fit to be admitted into their House of representatives. He observed that her majesty, by the coronation-oath, was obliged to maintain the church of England as by law established; and likewise bound by the same oath to defend the presbyterian kirk of Scotland in one and the same kingdom. Now, said he, after this union is in force, who shall administer this oath to her majesty? It is not the business of the Scots, who are incapable of it, and no well-wishers to the church of England. It is then only the part of the bishops to do it; and can it be supposed that those reverend persons will or can act a thing so contrary to their own order and institution, as thus to promote the establishment of the presbyterian church-government in the united kingdom? He added, that the church of England being established *jure divino*, and the Scots pretending that the kirk was also *jure divino*, he could not tell how two nations that clashed in so essential an article could unite; he, therefore, thought it proper to consult the convocation about this critical point. A motion was made that the first article of the treaty, which implies a peremptory agreement to an incorporating union, should be postponed; and that the House should proceed to the consideration of the terms of the intended union, contained in the other articles. This proposal being rejected, some tory members quitted the House; and all the articles were examined and approved without further opposition. The whigs were so eager in the prosecution of this point, that they proceeded in a very superficial manner, and with such precipitation as furnished their enemies with a plausible pretence to affirm that they had not considered the treaty with the coolness and deliberation which an affair of this importance required.

§ XIII. Before the Lords began to investigate the articles of the union, they, at the instance of the Archbishop of Canterbury, brought in a bill for the security of the church of England, to be inserted as a fundamental and essential part of that treaty. It passed through both Houses without opposition, and received the royal assent. On the fifteenth day of February, the debates concerning the union began in the House of Lords, the queen being present, and the Bishop of Sarum chairman of the committee. The Earls of Rochester, Anglesey, and Nottingham, argued against the union; as did the Bishop of Bath and Wells. Lord Haversham, in a premeditated harangue, said the question was, Whether two nations independent in their sovereignties, that had their distinct laws and interests, their different forms of worship, church-government, and order, should be united into one kingdom? He supposed it a union made up of so many mismatched pieces, of such jarring, incongruous ingredients, that should it ever take effect, it would carry the necessary consequences of a standing power and force, to keep them from falling asunder and breaking in pieces every moment. He repeated what had been said by Lord Bacon, that a unity pieced up by direct admission of contrarieties in the fundamental points of it, is like the toes of Nebuchadnezzar's image, which were made of iron and clay, they may cleave together, but would never incorporate. He dissented from the union for the sake of the good old English constitution, in which he dreaded some alteration from the additional weight of sixty-one Scottish members, and these too returned by a Scottish privy council. He took notice, that above one hundred Scottish peers, and as many commoners, were excluded from sitting and voting in parliament, though they had as much right of inheritance to sit

there, as an English peer had of sitting in the parliament of England. He expressed his apprehension of this precedent: and asked what security any peer of England had for his right and privilege of peerage, which those lords had not. He said, if the bishops would weaken their own cause, so far as to give up the two great points of episcopal ordination and confirmation; if they would approve and ratify the act for securing the presbyterian church-government in Scotland, as the true protestant religion and purity of worship; they must give up that which had been contended for between them and the presbyterians for thirty years, and been defended by the greatest and most learned men in the church of England. He objected to the exempting articles, by which heritable offices and superiorities were reserved. He affirmed that the union was contrary to the sense of the Scottish nation: that the murmurs of the people had been so loud as to fill the whole kingdom; and so hold as to reach even to the doors of the parliament: that the parliament itself had suspended their beloved clause in the act of security for arming the people: that the government had issued a proclamation pardoning all slaughter, bloodshed, and maiming committed upon those who should be found in tumults. From these circumstances he concluded, that the Scottish nation was averse to an incorporating union, which he looked upon as one of the most dangerous experiments to both nations. Lords North and Grey complained of the small and unequal proportion of the land-tax imposed upon Scotland. The Earl of Nottingham said it was highly unreasonable that the Scots, who were by the treaty let into all the branches of the English trade, and paid so little towards the expense of the government, should moreover have such a round sum by way of equivalent. The same topics were insisted upon by the Lords North and Grey, Guernsey, Granville, Stawell, and Abingdon. The Earl of Nottingham, after having opposed every article separately, concluded with words to this effect: "As Sir John Maynard said to the late king at the revolution, that having buried all his contemporaries in Westminster-hall, he was afraid, if his majesty had not come in that very juncture of time, he might have likewise outlived the very laws; so, if this union do pass, as I have no reason to doubt but it will, I may justly affirm I have outlived all the laws, and the very constitution of England: I, therefore, pray to God to avert the dire effects which may probably ensue from such an incorporating union."

§ XIV. These arguments and objections were answered by the Lord-Treasurer Godolphin, the Earls of Sunderland and Wharton, the Lords Townshend, Halifax, and Somers, the Bishops of Oxford, Norwich, and Sarum. They observed, that such an important measure could not be effected without some inconveniences; but that these ought to be borne, in consideration of the greatness of the advantage: that the chief dangers to which the church was exposed arose from France and popery; and that this union would effectually secure it against these evils: that Scotland lay on the weakest side of England, which could not be defended but by an expensive army. Should a war break out between the two nations, and Scotland be conquered, yet even in that case it would be necessary to keep it under with a standing army, which any enterprising prince might model for his ambitious purposes, and joining with the Scots, enslave his English dominion: that any union after a conquest would be compulsive, consequently of short duration; whereas now it was voluntary, it would be lasting: that with regard to ecclesiastical affairs, all heats and animosities might be allayed by soft and gentle management. The cantons of Switzerland, though they professed different religions, were yet united in one general body; and the diet of Germany was composed of princes and states, among whom three different persuasions prevailed: so that two sorts of discipline might very well subsist under one legislature. If there was any danger on either side, it threatened the Scots much more than the English, as five hundred and thirteen members could certainly be too hard for forty-five; and in the House of Lords, six-and-twenty bishops would always preponderate against sixteen peers from Scotland. Notwithstanding all the opposition made by the lords of the tory interest, every article was approved by a great majority, though not with-

out a good number of protestations; and a bill of ratification was prepared in the lower House by Sir Simon Harcourt, the solicitor-general, in such an artful manner as to prevent all debates. All the articles, as they passed in Scotland, were recited by way of preamble, together with the acts made in both parliaments for the security of the several churches; and in conclusion there was one clause, by which the whole was ratified and enacted into a law. By this contrivance, those who were desirous of starting new difficulties found themselves disabled from pursuing their design. They could not object to the recital, which was barely matter of fact; and they had not strength sufficient to oppose the general enacting clause. On the other hand, the whigs promoted it with such zeal that it passed by a majority of one hundred and fourteen, before the others had recollected themselves from the surprise which the structure of the bill had occasioned. It made its way through the House of Lords with equal despatch; and, when it received the royal sanction, the queen expressed the utmost satisfaction. She said she did not doubt but it would be remembered and spoke of hereafter, to the honour of those who had been instrumental in bringing it to such a happy conclusion. She desired that her subjects of both kingdoms should from henceforward behave with all possible respect and kindness towards one another, that so it might appear to all the world they had hearts disposed to become one people.

A. D. 1707. § XV. As the act of union did not take place till the first of May, a great number of traders in both kingdoms resolved to make advantage of this interval. The English proposed to export into Scotland such commodities as entitled them to drawback, with a view to bring them back after the first of May. The Scots on the other hand, as their duties were much lower than in England, intended to import great quantities of wine, brandy, and other merchandise, which they could sell at a greater advantage in England after the union, when there would be a free-intercourse between the two nations. Some of the ministers had embarked in this fraudulent design, which alarmed the merchants of England to such a degree, that they presented a remonstrance to the Commons. Resolutions were immediately taken in the House against these practices, and a bill was prepared; but the Lords apprehending that it in some measure infringed the articles of the Union, and that it might give umbrage to the Scottish nation, it was dropped. The frauds had been in a good measure prevented by the previous resolutions of the House; and the first day of May was now at hand; so that the bill was thought unnecessary. On the twenty-fourth day of April the queen prorogued the parliament, after having given them to understand, that she would continue by proclamation the Lords and Commons already assembled, as members in the first British parliament on the part of England, pursuant to the powers vested in her by the acts of parliament of both kingdoms, ratifying the treaty of union. The parliament was accordingly revived by proclamation, and another issued to convoke the first parliament of Great Britain for the twenty-third day of October. The Scots repaired to London, where they were well received by the queen, who bestowed the title of duke on the Earls of Roxburgh and Montrose. She likewise granted a commission for a new privy council in that kingdom, to be in force till the next session of parliament, that the nation might not be disgusted by too sudden an alteration of outward appearances. The first of May was appointed as a day of public thanksgiving; and congratulatory addresses were sent up from all parts of England: but the university of Oxford prepared no compliment; and the Scots were wholly silent on this occasion.

§ XVI. In the course of this session the Commons, in an address to the queen, desired she would re-settle the islands of St. Christopher's and Nevis in the West Indies, which had been ravaged by the enemy. They likewise resolved, That an humble address should be presented to her majesty, praying, she would concert measures for suppressing a body of pirates who had made a settlement

on the island of Madagascar, as also for recovering and preserving the ancient possession, trade, and fishery in Newfoundland. The French refugees likewise delivered a remonstrance to the queen, recapitulating the benefits which the persecuted protestants in France had reaped from the assistance of her royal progenitors, acknowledging their own happiness in living under her gentle government, among a people by whom they had been so kindly entertained when driven from their native country; and imploring her majesty's interposition and good offices in favour of their distressed and persecuted brethren abroad. She graciously received this address, declaring, she had always great compassion for the unhappy circumstances of the protestants in France: that she would communicate her thoughts on this subject to her allies; and she expressed her hope that such measures might be taken as should effectually answer the intent of their petition. In the month of May she granted an audience to an ambassador extraordinary from the Czar of Muscovy, who delivered a letter from his master, containing complaints of King Augustus, who had maltreated the Russian troops sent to his assistance, concluded a dishonourable peace with Charles King of Sweden, without the knowledge of his allies, and surrendered Count Patkul, the Muscovite minister, as a deserter, to the Swedish monarch, contrary to the law of nations, and even to the practice of barbarians. He, therefore, desired her Britannic majesty would use her good offices for the enlargement of the count, and the other Russian prisoners detained at Stockholm; and that she would take into her protection the remains of the Russian auxiliaries upon the Rhine, that they might either enter into the service of the allies, or be at liberty to return in safety to their own country. The queen actually interposed in behalf of Patkul: but her intercession proved ineffectual, and that unhappy minister was put to death with all the circumstances of wanton barbarity. As many severe and sarcastic writings had lately appeared, in which the whigs and ministry were reviled, and reflections hinted to the prejudice of the queen's person, the government resolved to make examples of the authors and publishers of these licentious productions. Dr. Joseph Browne was twice pilloried for a copy of verses entitled, "The Country Parson's Advice to the Lord Keeper," and a letter which he afterwards wrote to Mr. Secretary Harley. William Stephens, rector of Sutton in Surrey, underwent the same sentence, as author of a pamphlet, called, "A Letter to the Author of the Memorial of the Church of England." Edward Ward was fined and set in the pillory, for having written a burlesque poem on the times, under the title of "Hudibras Redivivus;" and the same punishment was inflicted upon William Pittes, author of a performance, entitled, "The Case of the Church of England's Memorial fairly stated."

§ XVII. The lower house of convocation still continued to wrangle with their superiors; and though they joined the upper house in a congratulatory address to the queen on the success of her arms, they resolved to make application to the Commons against the union. The queen being apprized of their design, desired the archbishop to prorogue them for three weeks, before the expiration of which the act of union had passed in parliament. The lower house delivered a representation to the bishops, in which they affirmed, no such prorogation had ever been ordered during the session of parliament. The bishops found in their records seven or eight precedents of such prorogations, and above thirty instances of the convocation having sat sometimes before, and sometimes after, a session of parliament: nay, sometimes even when the parliament was dissolved. The queen, informed of these proceedings, wrote a letter to the archbishop, intimating, that she looked upon the lower house as guilty of an invasion of her royal supremacy; and that if any thing of the same nature should be attempted for the future, she would use such means for punishing offenders as the law warranted. The prolocutor absenting himself from the convocation, the archbishop pronounced sentence of contumacy against him. The lower house, in a protestation, declared this sentence unlawful and altogether null. Nevertheless, the prolocutor made a full submission, with which the archbishop was satisfied, and the sentence was



repelled. About this period the Earl of Sunderland was appointed one of the secretaries of state, in the room of Sir Charles Hedges. This change was not effected without great opposition from Harley, who was in his heart an enemy to the Duke of Marlborough, and all his adherents; and had already, by his secret intrigues, made considerable progress in a scheme for superseding the influence of the duchess.

§ XVIII. The French king at this juncture seemed to be entirely abandoned by his former good fortune. He had sustained such a number of successive defeats as had drained his kingdom of people, and his treasury was almost exhausted. He endeavoured to support the credit of his government by issuing mint-bills, in imitation of the bank notes of England; but notwithstanding all his precautions, they passed at a discount of three-and-fifty per cent. The lands lay uncultivated; the manufactures could be no longer carried on; and the subjects perished with famine. The allies, on the other hand, seemed to prosper in every quarter. They had become masters of the greatest part of the Netherlands, in consequence of the victory at Ramillies: the army of King Charles was considerably reinforced: a scheme was formed for the conquest of Toulon, by the troops of the emperor and the Duke of Savoy, supplied with a large sum of money by Queen Anne, and assisted by the combined fleets of England and Holland, under the command of Sir Cloudesley Shovel. In a word, France seemed to be reduced to the verge of destruction, from which nothing in all probability could have saved her but the jealousy and misconduct of the confederates. Louis, by virtue of his capitulation with the emperor in Italy, was enabled to send such reinforcements into Spain, as turned the fortune of the war in that country; while the distractions in the council of King Charles prevented that unanimity and concurrence, without which no success can be expected. The Earl of Peterborough declared against an offensive war, on account of the difficulty of finding subsistence in Castile; and advised Charles to trust to the expedition against Toulon. This opinion he sent from Italy, to which he had withdrawn.

§ XIX. Charles, however, was persuaded to penetrate once more to Madrid, and give battle to the enemy wherever they should appear. On the thirteenth day of March the army was assembled at Caudela, to the number of sixteen thousand men; under the auspices of the Marquis das Minas, to whom the Earl of Galway was second in command. They marched towards Yecla, and undertook the siege of Vileña; but, having received intelligence that the Duke of Berwick was in the neighbourhood, they advanced on the fourteenth day of April in four columns towards the town of Almanza, where the enemy were drawn up in order of battle, their number being considerably superior to that of the confederates. The battle began about two in the afternoon, and the whole front of each army was fully engaged. The English and Dutch squadrons on the left, sustained by the Portuguese horse of the second line, were overpowered after a gallant resistance. The centre, consisting chiefly of battalions from Great Britain and Holland, obliged the enemy to give way, and drove their first upon their second line: but the Portuguese cavalry on the right being broken at their first charge, their foot betook themselves to flight; so that the English and Dutch troops being left naked on the flanks, were surrounded and attacked on every side. In this dreadful emergency they formed themselves into a square, and retired from the field of battle. By this time the men were quite spent with fatigue, and all their ammunition exhausted: they were ignorant of the country, abandoned by their horse, destitute of provision, and cut off from all hope of supply. Moved by these dismal considerations they capitulated, and surrendered themselves prisoners of war, to the amount of thirteen battalions. The Portuguese, and part of the English horse, with the infantry that guarded the baggage, retreated to Alcira, where they were

joined by the Earl of Galway, with about five-and-twenty hundred dragoons which he had brought from the field of battle. About three thousand men of the allied army were killed upon the spot, and among that number Brigadier Killigrew, with many officers of distinction. The Earl of Galway, who charged in person at the head of Guiscard's dragoons, received two deep cuts in the face. The Marquis das Minas was run through the arm, and saw his concubine, who fought in the habit of an Amazon, killed by his side: the Lords Tyrawley, Mark Ker, and Colonel Clayton, were wounded: all their artillery, together with a hundred and twenty colours and standards, and about ten thousand men, were taken; so that no victory could be more complete: yet it was not purchased without the loss of two thousand men slain in the action, including some officers of eminence. The Duke of Berwick, who commanded the troops of King Philip, acquired a great addition of fame by his conduct and behaviour before and during the engagement; but his authority was superseded by the Duke of Orleans, who arrived in the army immediately after the battle. This prince seemed to entertain some private views of his own; for he took no effectual step to improve the victory. He began a private negotiation with the Earl of Galway, during which the two armies lay inactive on the banks of the Cinca; and he concluded the campaign with the siege of Lerida, which was surrendered by capitulation on the second day of November: then the troops on both sides went into winter quarters. The Earl of Galway and the Marquis das Minas embarked at Barcelona for Lisbon, and General Carpenter remained commander of the English forces quartered in Catalonia, which was now the only part of Spain that remained to King Charles.

§ XX. The attempt upon Toulon by the Duke of Savoy and Prince Eugene might have succeeded, if the emperor, notwithstanding the repeated remonstrances of the maritime powers, had not divided his army in Italy, by detaching a considerable body through the ecclesiastical state towards Naples, of which he took possession without any difficulty. Besides, ten thousand recruits destined for the imperial forces in Italy were detained in Germany, from apprehension of the King of Sweden, who remained in Saxony, and seemed to be upon very indifferent terms with the emperor. With the assistance of the English and Dutch fleets, the Duke of Savoy and Prince Eugene passed the Var<sup>b</sup> on the eleventh day of July, at the head of an army of thirty thousand men, and marched directly towards Toulon, whither the artillery and ammunition were conveyed on board of the combined squadrons. The French king was extremely alarmed at this attempt, as five thousand pieces of cannon, vast magazines, and the best part of his fleet, were in the harbour of Toulon, and ran the greatest risk of being entirely taken or destroyed. The whole kingdom of France was filled with consternation, when they found their enemies were in the bosom of their country. The monarch resolved to leave no stone unturned for the relief of the place, and his subjects exerted themselves in a very extraordinary manner for its preservation. The nobility of the adjacent provinces armed their servants and tenants, at the head of whom they marched into the city: they coined their plate, and pawned their jewels for money to pay the workmen employed upon the fortifications; and such industry was used, that in a few days the town and harbour, which had been greatly neglected, were put in a good posture of defence. The allies took possession of the eminences that commanded the city, and the ordnance being landed, erected batteries. From these they began to cannonade and bombard the city, while the fleet attacked and reduced two forts at the entrance of the mole, and co-operated in the siege with their great guns and bomb-ketches. The garrison was numerous, and defended the place with great vigour. They sunk ships in the entrance to the mole: they kept up a prodigious fire from the ramparts: they made desperate

<sup>b</sup> This passage was effected to the astonishment of the French, who thought the worst they had raised on that river were impregnable. The success of the enterprise was in a great measure owing to the gallantry of Sir John Norris and the English seamen. That brave officer, embarking in boats with his hundred sailors and marines, entered the river, and were rowed within musket shot of the enemy's works, where they made such a vigorous and unexpected attack, that the French were immediately driven

from part of their entrenchments: then Sir John landed with his men, clambered over the works, that were deemed inaccessible, and attacking the assailants secured in hand, compelled them to fly with the utmost precipitation. This defeat was sustained by Sir Cloudesley Shovel in person. The Duke of Savoy, taking advantage of the enemy's consternation, passed the river almost without opposition.

salices, and even drove the besiegers from one of their posts with great slaughter. The French king, alarmed at this design of his enemies, ordered troops to march towards Toulon from all parts of his dominions. He countermanded the forces that were on their route to improve the victory of Almuza: a great part of the army under Villars on the Rhine was detached to Provence, and the court of Versailles declared, that the Duke of Burgundy should march at the head of a strong army to the relief of Toulon. The Duke of Savoy being apprized of these preparations, seeing no hope of reducing the place, and being apprehensive that his passage would be intercepted, resolved to abandon his enterprise. The artillery being re-embarked, with the sick and wounded, he decamped in the night, under favour of a terrible bombardment and cannonading from the English fleet, and retreated to his own country without molestation.<sup>c</sup> Then he undertook the reduction of Suza, the garrison of which surrendered at discretion. By this conquest he not only secured the key to his own dominions, but also opened to himself a free passage into Dauphiné.

§ XXI. Sir Cloudesley Shovel having left a squadron with Sir Thomas Dilkes for the Mediterranean service, set sail for England with the rest of the fleet, and was in soundings on the twenty-second day of October. About eight o'clock at night his own ship, the Association, struck upon the rocks of Scilly, and perished with every person on board. This was likewise the fate of the Eagle and the Romney: the Firebrand was dashed to pieces on the rocks; but the captain and four-and-twenty men saved themselves in the boat: the Phœnix was driven on shore: the Royal Anne was saved by the presence of mind and uncommon dexterity of Sir George Byng and his officers: the St. George, commanded by Lord Dursley, struck upon the rocks, but a wave set her afloat again. The admiral's body being cast ashore, was stripped and buried in the sand; but afterwards discovered and brought into Plymouth, from whence it was conveyed to London, and interred in Westminster Abbey. Sir Cloudesley Shovel was born of mean parentage in the county of Suffolk; but raised himself to the chief command at sea, by his industry, valour, skill, and integrity. On the Upper Rhine the allies were unprosperous.<sup>a</sup> The Prince of Baden was dead, and the German army so inconsiderable, that it could not defend the lines of Buhl against the Mareschal de Villars, who broke through this work, esteemed the rampart of Germany, reduced Rastadt, defeated a body of horse, laid the duchy of Wirtemberg under contribution, took Stuttgart and Schondorf; and routed three thousand Germans entrenched at Lorch, under the command of General Janus, who was made prisoner. In all probability, this active officer would have made great progress towards the restoration of the Elector of Bavaria, had not he been obliged to stop in the middle of his career, in consequence of his army's being diminished by sending off detachments to Provence. The imperial army retired towards Hailbron, and the command of it was, at the request of the emperor and allies, assumed by the Elector of Hanover, who restored military discipline, and acted with uncommon prudence and circumspection: but he had not force sufficient to undertake any enterprise of importance.

c Had the Duke of Savoy marched with expedition from the Var, he would have found London defenceless, but he lingered in such a manner as gives reason to believe he was not hearty in the enterprise, and his operations were retarded by a difference between him and his kinsman, Prince Eugene.

ed. In the month of May three ships of the line, namely, the Royal Oak, of seventy-six guns, commanded by Commodore Karny Wyldre; the Graf, of seventy guns, Captain George Cleeve; and the Amazon court, of seventy guns, Captain George Cleeve, were at anchor off the coast of India and Portugal fleet of merchant ships, amounting to five-and-fifty sail, fell in with the Linnæus squadron, consisting of ten ships of war, one of which, the *Albatross*, was a frigate. A furious action immediately ensued, and notwithstanding the vast superiority in point of number, was maintained by the English commodore with great gallantry, until Captain Abner was killed. Captain Clements, who was in command of the *Albatross*, was afterwards killed, and the *Albatross* herself sunk the *Salisbury*, at that time in the hands of the French; then the commodore, having eleven feet water in his hold, disengaged himself, and fled to the northward, pursued by the French frigates, and the *Albatross* near Dauphine; but she afterwards floated, and he brought safe into the Downs. In the mean time the French frigates and privateers with the *Gratton* and *Harlequin*, two English merchant ships of great value, which were the *Gratton* and *Harlequin*, were taken by the French frigates, and Dunkirk. In July the same action officer took a fifth ship belonging to the Russian company, off the coast of Lapland; in September he captured the *Albatross*, and in the month of October he captured the *Albatross*, and the *M. du Guat* from which, these attacked, off the Lizard, the convoy of the

§ XXII. In the month of April, the Duke of Marlborough set out from the Hague for Leipsic with a letter from the queen to Charles XII. of Sweden, whose designs were still so mysterious, that the confederates could not help being alarmed at his being in the heart of Germany. The duke was pitched upon as the most proper ambassador, to soothe his vanity and penetrate into his real intention.<sup>6</sup> He found this original character, not simple, but sordid in his appearance and economy, savage in his deportment, ferocious, illiterate, stubborn, implacable, and reserved. The English general assailed him on the side of his vanity, the only part by which he was accessible. "Sire," said he, "I present to your majesty a letter, not from the chancery, but from the heart of the queen my mistress, and written with her own hand. Had not her sex prevented her from taking so long a journey, she would have crossed the sea to see a prince admired by the whole universe. I esteem myself happy in having the honour of assuring your majesty of my regard; and should think it a great happiness, if my affairs would allow me, to learn under so great a general as your majesty what I want to know in the art of war." Charles was pleased with this overstrained compliment, which seems to have been calculated for a raw, unintelligent barbarian, unacquainted with the characters of mankind. He professed particular veneration for Queen Anne, as well as for the person of her ambassador, and declared he would take no steps to the prejudice of the grand alliance. Nevertheless, the sincerity of this declaration has been questioned. The French court is said to have gained over his minister, Count Piper, to their interest. Certain it is, he industriously sought occasion to quarrel with the emperor, and treated him with great insolence, until he submitted to all his demands. The treaty being concluded upon the terms he thought proper to impose, he had no longer the least shadow of pretence to continue his disputes with the court of Vienna: and therefore began his march for Poland, which was by this time overrun by the Czar of Muscovy.

§ XXIII. The Duke of Marlborough returning from Saxony, assembled the allied army at Anderlach near Brussels, about the middle of May; and, understanding that the Elector of Bavaria and the Duke de Vendôme who commanded the French forces, had quitted their lines, he advanced to Soignies, with a design to engage them in the plain of Fleurus. But receiving certain intelligence that the enemy were greatly superior to the allies in number, by the help of drafts from all the garrisons, he retreated towards Brussels, and took post at Mildert; while the French advanced to Gembloirs. Both armies lay inactive until the enemy sent off a large detachment towards Provence. Then the Duke of Marlborough and General D'Auverquerque resolved to attack them in their fortified camp at Gembloirs. But they retreated with such celerity from one post to another, that the confederates could not come up with them until they were safely encamped with the right at Pont-a-Tresin, and their left under the cannon of Lisle, covered with the river Schelde, and secured by entrenchments. The allies chose their camp at Helchin, and foraged under the cannon of Tournay, within a league of the enemy: but nothing could in-

Portugal fleet, consisting of the Cumberland, Captain Richard Edwards, of eighty guns; the Desborough, of eighty; the Royal Oak, of seventy-six; the Chester and Ruby, of fifty guns each. Though the French squadron did not fall short of twelve sail of the line, the English captains maintained the action for many hours with surprising valour. At length the Desborough, the Cumberland, the Royal Oak, the Chester and the Ruby were taken, the Royal Oak found its way through the mist of her enemies, and arrived safe in the harbour of Kinshale; and the Lisbon fleet saved themselves, by making the best of their way during the evening, and were not seen till the morning of the 12th. The French endeavoured to keep the sea with a large fleet, but were on a wind of pitiful rate on this sort in order to distress the trade of England. He was more encouraged to pursue these measures, by the correspondence which his ministers carried on with some of the French ministers, who were endeavouring to seduce their country in transmitting to France such intelligence concerning the convoys appointed for the protection of commerce, as enabled the enemy to attack them at advantage. In the course of this year the French frigate, the *Arcturion*, was captured, and the *Albatross*, a French privateer, was burnt, and destroyed, by Captain John Underwood, of the Falkland.

e. When the duke arrived in his coach at the quarters of Count Piper, of whom he had demanded an audience, he was given to understand that the count was busy, and obliged to wait half an hour before the Swedish minister came down to receive him. When he appeared at last, the duke alighted from his coach, put on his hat, passed the count without saluting him, and went aside to the wall, where, having stood some time, he returned, and accused him with the best polite address.

duce them to hazard an engagement; and both armies went into winter quarters in the latter end of October. The Duke of Marlborough set out for Frankfort, where he conferred with the Electors of Mentz, Hanover, and Palatine, about the operations of the next campaign; then he returned to the Hague, and having concerted the necessary measures with the deputies of the States-general, embarked for England the beginning of November.

§ XXIV. The queen's private favour was now shifted to a new object. The Duchess of Marlborough was supplanted by Mrs. Masham, her own kinswoman, whom she had rescued from indigence and obscurity. This favourite succeeded to that ascendancy over the mind of her sovereign which the duchess had formerly possessed. She was more humble, pliable, and obliging, than her first patroness, who had played the tyrant, and thwarted the queen in some of her most respected maxims. Her majesty's prepossession in favour of the Tories and high-churchmen was no longer insolently condemned and violently opposed. The new confidante conformed to all her prejudices, and encouraged all her designs with assent and approbation. In political intrigues she acted as associate, or rather auxiliary, to Mr. Secretary Harley, who had insinuated himself into the queen's good graces; and determined to sap the credit of the Duke of Marlborough and Earl of Godolphin. His aim was to unite the Tory interest under his own auspices, and expel the Whigs from the advantages they possessed under the government. His chief coadjutor in this scheme, was Henry St. John, afterwards Lord Bolingbroke, a man of warm imagination and elegant taste, penetrating, eloquent, ambitious, and enterprising, whose talents were rather specious than solid, and whose principles were loose and fluctuating. He was at first contented to act in an inferior capacity, subservient to the designs of the secretary; but when he understood the full extent of his own parts and influence, he was fired with the ambition of eclipsing his principal, and from the sphere of his minister raised himself to the character of his rival. These politicians, with the assistance of Sir Simon Harcourt, a colleague of uncommon ability and credit, exerted their endeavours to rally and reconcile the disunited Tories, who were given to understand, that the queen could no longer bear the tyranny of the Whigs: that she had been always a friend in her heart to the Tory and high-church party; and that she would now exhibit manifest proof of her inclination. She accordingly bestowed the bishoprics of Chester and Exeter upon Sir William Dawes and Dr. Blackall, who, though otherwise of unblemished characters, had openly condemned the revolution.

§ XXV. The people in general began to be sick of the Whig ministry, which they had formerly caressed. To them they imputed the burthens under which they groaned; burthens which they had hitherto been animated to bear by the pomp of triumph, and uninterrupted success. At present they were discouraged by the battle of Almanza, the miscarriage of the expedition against Toulon, the loss of Sir Cloudesley Shovel, and the fate of four ships of the line, destroyed or taken by a squadron under the command of Messieurs Forbin and Du Guai Trouin, two of the most enterprising sea-officers in the French service. No new advantage had been obtained in the Netherlands: France, instead of sinking under the weight of the confederacy, seemed to rise with fresh vigour from every overthrow: the English traders had lately sustained repeated losses for want of proper convoys; the coin of the nation was visibly diminished; and the public credit began to decline. The Tories did not fail to inculcate and exaggerate these causes of discontent, and the ministry were too remiss in taking proper steps for the satisfaction of the nation. Instead of soothing by gentle measures, and equal administration, the Scots, who had expressed such aversion to the union, they treated them in such a manner, as served to exasperate the spirits of that people. A stop was put to their whole commerce for two months before it was diverted into the new channel. Three months elapsed before the equivalent was remitted to that kingdom, and it was afterwards applied to the most shameful partiality. Seizures of wines and other merchandise imported from thence into England, were made in all the northern parts with an affectation of severity and disdain:

so that the generality of the Scottish nation loudly exclaimed against the union and the government. The Jacobites were again in commotion. They held conferences: they maintained a correspondence with the court of St. Germain's: a great number of the most rigid Whigs entered so far into their measures, as to think a revolution was absolutely necessary to retrieve the liberties, independence, and commerce of their country; the pretender's birth-day was publicly celebrated in many different parts of the kingdom: and every thing seemed to portend a universal revolt. Ireland continued quiet under the administration of the Earl of Pembroke, whom the queen had appointed lord-lieutenant of that kingdom. A parliament having met at Dublin in the month of July, presented addresses of congratulation to her majesty on the late union of the two kingdoms. The Commons having inspected the public accounts, resolved, That the kingdom had been put to excessive charge, by means of great arrears of rent returned by the late trustees, as due out of the forfeited estates, which returns were false and unjust; and, That an humble representation should be laid before her majesty on this subject. They passed another laudable resolution in favour of their own manufactures. They granted the necessary supplies, and having finished several bills for the royal assent, were prorogued on the twenty-ninth day of October.

§ XXVI. It was on the twenty-third of the same month, that the first parliament of Great Britain assembled at Westminster, when the queen, in her speech to both Houses, palliated the miscarriages in Provence and in Spain; represented the necessity of making further efforts against the common enemy; and exhorted them to be upon their guard against those who endeavoured to sow jealousies in the commonwealth. The Commons, in their address, expressed the continuance of their former zeal and devotion to her majesty's government: but in the House of Lords, the Earl of Wharton expatiated upon the scarcity of money, the decay of trade, and the mismanagement of the navy. He was seconded by Lord Somers, and the leaders of the Tory party, who proposed, that, previous to every measure, they should consider the state of the nation. The design of Wharton and Somers was to raise the Earl of Orford once more to the head of the admiralty; and the Tories, who did not perceive their drift, hoped, in the course of the inquiry, to fix the blame of all mismanagement upon the Whig ministers. A day being fixed for this examination, the House received a petition from the sheriffs and merchants of London, complaining of great loss by sea, for want of cruisers and convoys; and these complaints were proved by witnesses. The report was sent to the lord admiral, who answered all the articles separately: then the Tories moved for an address, in which the blame of the miscarriages might be laid upon the ministry and cabinet council; but the motion was overruled: the queen was presented with a bare representation of the facts, and desired that she would take the proper measures for preventing such evils for the future. The Commons made some progress in an inquiry of the same nature; and brought in a bill for the better securing the trade of the kingdom. They cheerfully granted the supplies for the service of the ensuing year. They prepared another bill for repealing the Scottish act of security, and that about peace and war, which had excited such jealousy in the English nation. They resolved, That there should be but one privy council in the kingdom of Great Britain: that the militia of Scotland should be put on the same footing with that of England: that the powers of the justices of the peace should be the same, through the whole island: that the lords of justiciary in Scotland should go circuits twice in the year: that the writs for electing Scottish members to serve in the House of Commons should be directed, and returns made, in the same manner as practised in England. An act being formed on these resolutions, they brought in a bill for preserving the trade with Portugal: then they considered the state of the war in Spain.

§ XXVII. When the queen passed these bills, she recommended an augmentation in the aids and auxiliaries granted to the King of Spain and the Duke of Savoy. This intimation produced a debate in the House of Lords, on the affairs of Spain. The services of the Earl of



Peterborough were extolled by the Earl of Rochester and Lord Haversham, who levelled some oblique reflections at the Earl of Galway. Several lords enlarged upon the necessity of carrying on the war until King Charles should be fully established upon the throne of Spain. The Earl of Peterborough said they ought to contribute nine shillings in the pound rather than make peace on any other terms: he declared himself ready to return to Spain, and serve even under the Earl of Galway. The Earl of Rochester repeated a maxim of the old Duke of Schomberg, That attacking France in the Netherlands was like taking a bull by the horns. He therefore proposed, that the allies should stand on the defensive in Flanders, and detach from thence fifteen or twenty thousand men into Catalonia. He was seconded by the Earl of Nottingham; but warmly opposed by the Duke of Marlborough, who urged, that the great towns in Brabant which he had conquered could not be preserved without a considerable number of men; and that if the French should gain any advantage in Flanders from their superiority in point of number, the discontented party in Holland, which was very numerous, and bore with impatience the burthen of the war, would not fail crying aloud for peace. Being challenged by Rochester to show how troops could be procured for the service in Italy and Spain, he assured the House, that measures had been already concerted with the emperor, for forming an army of forty thousand men under the Duke of Savoy, for sending powerful succours to King Charles. This declaration finished the debate, which issued in an affectionate address to her majesty. The Lords resolved, That no peace could be safe and honourable for her majesty and her allies, if Spain and the Spanish West Indies were suffered to continue in the power of the House of Bourbon. They presented an address, in which they desired she would press the emperor to send powerful succours to Spain under the command of Prince Eugene, with all possible expedition to make good his contract with the Duke of Savoy, and strengthen the army on the Rhine, which was now happily put under the conduct of that wise and valiant prince, the Elector of Hanover. The Commons concurred in this remonstrance, in consequence of which the queen desired the emperor to bestow the command in Spain upon Prince Eugene. The court of Vienna, however, did not comply with this request; but sent thither Count Staremberg, who, of all the German generals, was next to the prince in military reputation. The Commons now proceeded to consider of ways and means, and actually established funds for raising the supply, which amounted to the enormous sum of six millions.

§ XXVIII. At this period Mr. Harley's character incurred suspicion, from the treachery of William Gregg, an inferior clerk in his office, who was detected in a correspondence with Monsieur Chamillard, the French king's minister. When his practices were detected he made an ample confession, and pleading guilty to his indictment at the Old Bailey, was condemned to death for high treason. At the same time, John Bara and Alexander Valiere were committed to Newgate, for corresponding with the enemy; and Claude Baude, secretary to the Duke of Savoy's minister, was, at the request of his master, apprehended for traitorous practices against her majesty and her government. A committee of seven lords being appointed to examine these delinquents, made a report to the House, which was communicated to the queen, in an address, importing, that Gregg had discovered secrets of state to the French minister: that Alexander Valiere and John Bara had managed a correspondence with the governors and commissaries of Calais and Boulogne; and, in all probability, discovered to the enemy the stations of the British cruisers, the strength of their convoys, and the times at which the merchant ships proceeded on their voyages: that all the papers in the office of Mr. Secretary Harley had been for a considerable time exposed to the view of the meanest clerks; and that the perusal of all the letters to and from the French prisoners had been chiefly trusted to Gregg, a person of a very suspicious character, and known to be extremely indigent. The queen granted a reprieve to this man, in hope of his making some important discovery: but he really knew nothing of consequence to

the nation. He was an indigent Scot, who had been employed as a spy in his own country, and now offered his services to Chamillard, with a view of being rewarded for his treachery; but he was discovered before he had reaped any fruits from his correspondence. As he had no secrets of importance to impart, he was executed at Tyburn, where he delivered a paper to the sheriff, in which he declared Mr. Harley entirely ignorant of all his treasonable connexions, notwithstanding some endeavours that were made to engage him in an accusation of that minister.

§ XXIX. The queen had refused to admit the Earl of Peterborough into her presence, until he should have vindicated his conduct, of which King Charles had complained in divers letters. He was eagerly desirous of a parliamentary inquiry. His military proceedings, his negotiations, his disposal of the remittances, were taken into consideration by both Houses: but he produced such a number of witnesses and original papers to justify every transaction, that his character triumphed in the inquiry, which was dropped before it produced any resolution in parliament. Then they took cognizance of the state of affairs in Spain, and found there had been a great deficiency in the English troops at the battle of Almanza. This, however, was explained so much to their satisfaction, that they voted an address to the queen, thanking her for having taken measures to restore the affairs in Spain, and provide foreign troops for that service. The bill for rendering the union more complete met with a vigorous opposition in the House of Lords from the court party, on account of the clause enacting, That, after the first of May, there should be but one privy council in the kingdom of Great Britain. The ministry finding it strenuously supported by all the tories, and a considerable number of the other faction, would have compromised the difference, by proposing that the privy council of Scotland should continue to the first day of October. They hinted this expedient, in hope of being able to influence the ensuing elections; but their design being palpable, the motion was overruled, and the bill received the royal assent: a court of exchequer, however, was erected in Scotland upon the model of that in England. The execution of Gregg, and the examination of Valiere and Bara who had acted as smugglers to the coast of France, under the protection of Harley, to whom they engaged for intelligence, affected the credit of that minister, who was reviled and traduced by the emissaries of the whig party. The Duke of Marlborough and the Earl of Godolphin, being apprized of his secret practices with Mrs. Masham, wrote to the queen, that they could serve her no longer, should Mr. Harley continue in the post of secretary. Being summoned to the cabinet council, they waited on her person and expostulated on the same subject. She endeavoured to appease their resentment with soft persuasion, which had no effect; and when they retired from court, to the astonishment of all the spectators, she repaired in person to the council. There Mr. Secretary Harley began to explain the cause of their meeting, which was some circumstance relating to foreign affairs. The Duke of Somerset said he did not see how they could deliberate on such matters while the general and treasurer were absent: the other members observed a sullen silence; so that the council broke up, and the queen found herself in danger of being abandoned by her ministers. Next day her majesty sent for the Duke of Marlborough, and told him that Harley should immediately resign his office, which was conferred upon Mr. Henry Boyle, chancellor of the exchequer: but she deeply resented the deportment of the duke and the Earl of Godolphin, from whom she entirely withdrew her confidence. Sir Simon Harcourt, attorney-general, Sir Thomas Mansel, comptroller of the household, and Mr. St. John, relinquished their several posts upon the disgrace of Harley.

§ XXX. The kingdom was at this period alarmed with a threatened invasion from France. The court of St. Germain's had sent over one Colonel Hook with credentials to Scotland, to learn the situation, number, and ability of the pretender's friends in that country. This minister, by his misconduct, produced a division among the Scottish Jacobites. Being a creature of the Duke of Perth, he attached himself wholly to the Duke of Athol, and those other zealous partisans who were bent upon receiving the

pretender without conditions: and he neglected the Duke of Hamilton, the Earl Marischal, and other adherents of that house, who adopted the more moderate principles avowed by the Earl of Middleton. At his return to France, he made such a favourable report of the disposition and power of the Scottish nation, that Louis resolved to equip an armament, and send over the pretender to that kingdom. His pretence was to establish that prince on the throne of his ancestors: but his real aim was to make a diversion from the Netherlands, and excite a revolt in Great Britain, which should hinder Queen Anne from exerting herself against France on the continent. He began to make preparations for this expedition at Dunkirk, where a squadron was assembled under the command of the Chevalier de Fourbin; and a body of land forces were embarked with Monsieur de Gage, afterwards known by the appellation of the Mareschal de Matignon. The pretender, who had assumed the name of the Chevalier de St. George, was furnished with services of gold and silver plate, sumptuous tents, rich clothes for his life-guards, splendid liveries, and all sorts of necessaries even to profusion. Louis at parting presented him with a sword studded with valuable diamonds, and repeated what he had formerly said to this adventurer's father: "He hoped he should never see him again." The Pope contributed to the expense of this expedition, and accommodated him with divers religious inscriptions, which were wrought upon his colours and standards. Queen Anne being informed of these preparations, and the design of the French monarch, communicated to the Commons the advices which she had received from Holland and the Netherlands, touching the destination of the Dunkirk armament: both Houses concurred in an address, assuring her they would assist her majesty with their lives and fortunes against the pretended Prince of Wales, and all her other enemies. Then they passed a bill, enacting, That the oath of abjuration should be tendered to all persons, and such as refused to take it should be in the condition of convicted recusants. By another, they suspended the *habeas corpus* act till October, with relation to persons apprehended by the government on suspicion of treasonable practices. The pretender and his adherents were proclaimed traitors and rebels; and a bill was passed, discharging the clans of Scotland from all vassalage to those chiefs who should take up arms against her majesty. Transports were hired to bring over ten British battalions from Ostend: a large fleet being equipped with incredible diligence, sailed from Deal towards Dunkirk, under the conduct of Sir John Leake, Sir George Byng, and Lord Dursley. The French imagined that Leake had sailed to Lisbon, and that Britain was unprovided of ships of war; so that they were amazed and confounded when this fleet appeared off Mardyke: a stop was immediately put to the embarkation of their troops: frequent expresses were despatched to Paris: the Count de Fourbin represented to the French king the little probability of succeeding in this enterprise, and the danger that would attend the attempt: but he received positive orders to embark the forces, and set sail with the first favourable wind.

§ XXXI. The British fleet being forced from their station by severe weather on the fourteenth day of March, the French squadron sailed on the seventeenth from the road of Dunkirk; but the wind shifting, it anchored in Newport-pits till the nineteenth in the evening, when they set sail again with a fair breeze, steering their course for Scotland. Sir George Byng having received advice of their departure, from an Ostend vessel sent out for that purpose by Major-General Cadogan, gave chase to the enemy, after having detached a squadron, under Admiral Baker, to convoy the troops that were embarked at Ostend for England. On the tenth day of March, the queen went to the House of Peers, where, in a speech to both Houses, she told them that the French fleet had sailed; that Sir George Byng was in pursuit of them; and that ten battalions of her troops were expected every day in England. This intimation was followed by two very warm addresses from the Lords and Commons, in which they repeated their assurances of standing by her against all her enemies. They exhorted her to persevere in supporting the common

cause, notwithstanding this petty attempt to disturb her dominions; and levelled some severe insinuations against those who endeavoured to foment jealousies between her majesty and her most faithful servants. Addresses on the same occasion were sent up from different parts of the kingdom; so that the queen seemed to look with contempt upon the designs of the enemy. Several regiments of foot, with some squadrons of cavalry, began their march for Scotland: the Earl of Leven, the commander in chief of the forces in that country, and governor of the castle of Edinburgh, hastened thither to put that fortress in a posture of defence, and to make the proper dispositions to oppose the pretender at his landing. But the vigilance of Sir George Byng rendered all these precautions unnecessary. He sailed directly to the frith of Edinburgh, where he arrived almost as soon as the enemy, who immediately took the advantage of a land breeze, and bore away with all the sail they could carry. The English admiral gave chase; and the Salisbury, one of their ships, was boarded and taken. At night Monsieur de Fourbin altered his course, so that next day they were out of reach of the English squadron. The pretender desired they would proceed to the northward, and land him at Inverness, and Fourbin seemed willing to gratify his request: but the wind changing, and blowing in their teeth with great violence, he represented the danger of attempting to prosecute the voyage; and, with the consent of the Chevalier de St. George and his general, returned to Dunkirk, after having been tossed about a whole month in very tempestuous weather. In the mean time, Sir George Byng sailed up to Leith road, where he received the freedom of the city of Edinburgh in a golden box, as a testimony of gratitude for his having delivered them from the dreadful apprehensions under which they laboured.

§ XXXII. Certain it is, the pretender could not have chosen a more favourable opportunity for making a descent upon Scotland. The people in general were disaffected to the government on account of the union: the regular troops under Leven did not exceed five-and-twenty hundred men, and even great part of these would in all probability have joined the invader: the castle of Edinburgh was destitute of ammunition, and would in all appearance have surrendered at the first summons; in which case the Jacobites must have been masters of the equivalent money lodged in that fortress: a good number of Dutch ships loaded with cannon, small arms, ammunition, and a large sum of money, had been driven on shore in the shire of Angus, where they would have been seized by the friends of the pretender, had the French troops been landed; and all the adherents of that house were ready to appear in arms. In England, such a demand was made upon the bank, by those who favoured the invasion, and those who dreaded a revolution, that the public credit seemed to be in danger. The Commons resolved, that whoever designedly endeavoured to destroy or lessen the public credit, especially at a time when the kingdom was threatened with an invasion, was guilty of a high crime and misdemeanor, and an enemy to her majesty and the kingdom. The lord treasurer signified to the directors of the bank, that her majesty would allow for six months an interest of six per cent. upon their bills, which was double the usual rate; and considerable sums of money were offered to them by this nobleman, as well as by the Dukes of Marlborough, Newcastle, and Somerset. The French, Dutch, and Jewish merchants, whose interest was in a peculiar manner connected with the safety of the bank, exerted themselves for its support; and the direct rs, having called in twenty per cent. upon their capital stock, were enabled to answer all the demands of the timorous and disaffected. All the noblemen and persons of distinction in Scotland, suspected of an attachment to the court of St. Germain's, were apprehended, and either imprisoned in the castle of Edinburgh, or brought up to London, to be confined in the Tower or in Newgate. Among these was the Duke of Hamilton, who found means to make his peace with the whig ministers; and, in a little time, the other prisoners were admitted to bail,†

Burchet, Hare, Boyer, Lockhart, Fequiquet, Daniel, Hist. of the Duke of Marlborough's Conduct in the Dutchess of Marlborough's Memoirs, Burchet's Memoirs, Lives of the Admirals, &c. Voltaire.

† Three Catholics, or protestants, from the Cevennois, having made

their escape, and repaired to London, acquired about this time the appl-

A. D. 1708.

§ XXXIII. On the first day of April, the parliament was prorogued, and afterwards dissolved by proclamation. Writs were issued out for new elections, together with a proclamation, commanding all the peers of North Britain to assemble at Holyrood-house in Edinburgh, on the seventeenth day of June, to elect sixteen peers to represent them in the ensuing British parliament, pursuant to the twenty-second article of the treaty of union. After the dissolution of the parliament, the Lords Griffin, Clermont, two sons of the Earl of Middleton, and several Scottish and Irish officers, who had been taken on board the Salisbury, were brought to London, and imprisoned in the Tower, or in Newgate. Lord Griffin being attainted by outlawry, for high treason committed in the reign of King William, was brought to the bar of the court of king's bench, and a rule made for his execution; but he was reprieved from month to month, until he died of a natural death in prison. The privy council of Scotland was dissolved; the Duke of Queensberry was created a British peer, by the title of Baron of Rippon, Marquis of Beverley, and Duke of Dover; and the office of secretary at war, vacant by the resignation of Henry St. John, was bestowed upon Robert Walpole, a gentleman who had rendered himself considerable in the House of Commons, and whose conduct we shall have occasion to mention more at large in the sequel. About the same time, a proclamation was issued for distributing prizes, in certain proportions, to the different officers and seamen of the royal navy; a regulation that still prevails.

§ XXXIV. The French king, not at all discouraged by the miscarriage of his projected invasion, resolved to improve the advantages he had gained on the continent during the last campaign, and indeed he made efforts that were altogether incredible, considering the consumptive state of his finances.<sup>6</sup> He assembled a prodigious army in the Netherlands under the command of the Duke of Burgundy, assisted by Vendome, and accompanied by the Duke of Berry and the Chevalier de St. George. The Elector of Bavaria was destined to the command of the troops upon the Rhine, where he was seconded by the Duke of Berwick; and the Mareschal de Villeroi was sent to conduct the forces in Dauphiné. About the latter end of March, the Duke of Marlborough repaired to the Hague, where he was met by Prince Eugene; these two celebrated generals conferred with the Pensionary Heinsius, and the deputies of the States-general. Then they made an excursion to Hanover, where they prevailed upon the elector to be satisfied with acting upon the defensive in his command on the Rhine, and spare part of his forces, that the confederates might be enabled to make vigorous efforts in the Netherlands. The prince proceeded to Vienna, and the duke immediately returned to Flanders, where he assembled the army towards the latter end of May. On the twenty-fifth day of that month, the Duke de Vendome marched to Soignies, and posted himself within three leagues of the confederates, who were encamped at Billighem and Halle. The Duke of Marlborough having received intelligence that the enemy were on their march by Bois-Seigneur-Isaac to Braine-la-Leuwe, concluded their intention was to take post on the banks

of the Duele, to hinder the allies from passing that river, and to occupy Louvaine. He, therefore, commanded the army to march all night, and on the third day of June encamped at Terbank, General D'Auverquerque fixing his quarters in the suburbs of Louvaine, while the French advanced no further than Genap and Braine-la-Leuwe. As they were more numerous than the confederates, and headed by a prince of the blood, the generals of the allies at first expected that they would hazard a battle; but their scheme was to retrieve by stratagem the places they had lost in Flanders. The Elector of Bavaria had rendered himself extremely popular in the great towms: the Count de Bergeyck, who had considerable interest among them, was devoted to the House of Bourbon: the inhabitants of the great cities were naturally inconstant and mutinous, and particularly dissatisfied with the Dutch government. The French generals resolved to profit by these circumstances. A detachment of their troops, under the Brigadiers La Faille and Pasteur, surprised the city of Ghent, in which there was no garrison: at the same time the Count de la Motte, with a strong body of forces, appeared before Bruges, which was surrendered to him without opposition: then he made a fruitless attempt upon Damme, and marched to the little fort of Plessendihall, which he took by assault. The Duke of Marlborough was no sooner apprized of the enemy's having sent a strong detachment towards Tubize, than he marched from Terbank, passed the canal, and encamped at Anderlech. The French crossed the Senne at Halle and Tubize, and the allies resolved to attack them next morning: but the enemy passed the Dender in the night with great expedition; and the Duke of Marlborough next day encamped at Asche, where he was joined by Prince Eugene, who had marched with a considerable reinforcement of Germans from the Moselle. The enemy understanding that this general was on his march, determined to reduce Oudenarde, the only pass on the Schelde possessed by the confederates: and invested it on the ninth day of July, hoping to subdue it before the allies could be reinforced. The Duke of Marlborough was immediately in motion, and made a surprising march from Asche, as far as Herselingen, where he was joined by the reinforcement. Then he took possession of the strong camp at Lessines, which the French had intended to occupy, in order to cover the siege of Oudenarde.

§ XXXV. Thus disappointed, the French generals altered their resolution, abandoned Oudenarde, and began to pass the Schelde at Garre. The two generals of the confederates were bent upon bringing them to an engagement. Cadogan was sent with sixteen battalions and eight squadrons to repair the roads, and throw bridges over the Schelde below Oudenarde. The army was in motion at eight o'clock, and marched with such expedition, that by two in the afternoon the horse had reached the bridges over which Cadogan and his detachment were passing. The enemy had posted seven battalions in the village of Heynem, situated on the banks of the Schelde, and the French household troops were drawn up in order of battle on the adjacent plain, opposite to a body of troops under Major-General Rantzau, who were posted behind a rivulet

lation of the French prophets, from their enthusiastic gesticulations, effusions, and convulsions; and even formed a sect for their countrymen. The French figures, standing as if their robes out, and authorized by the Bishop of London, as superior of the French congregations, resolved to inquire into the mission of these pretended prophets, whose names were Flus, Marcon, Jean Cavalier, and Durand Face. They were declared impostors and counterfeiters. Notwithstanding this declaration, which was confirmed by the bishops, they continued their assemblies in Soho, under the countenance of Sir Richard Bulkley and John Lacy. They reviled the ministers of the established church; they denounced judgments against the City of London, and the whole British nation, and published their predictions, composed of unmitigated jargon. Then they were prosecuted at the expense of the French churches, as disturbers of the public peace, and false prophets. They were sentenced to pay a fine of twenty marks each, and were ordered to scaffold with cinders, their heads being put in their offense. A sentence which was executed accordingly at Charing Cross, and the Royal Exchange.

In the course of this year, Mr. Stanhope, who was resident from the queen at the court of Charles, concluded a treaty of commerce with this monarch, which would have proved extremely advantageous to Great Britain, had been firmly established on the throne of Spain. It was stipulated that the English merchants should enjoy the privilege of importing all kinds of merchandise from the coast of Barbary into the maritime places of Spain, without paying any higher duty than that which merchandise had formerly produced at Great Britain, and that even those of necessity should be paid till six months after the merchandise should be landed and sold, to the merchants giving security for the customs. It was agreed that the whole commerce of the Spanish West Indies should be carried on by a joint company of Spanish and British merchants, and in the interim, as

the greater part of that country was in the hands of Philip, his competitor consented that the British subjects should trade freely in all the ports of the West Indies, with ten ships of five hundred tons each, under such convey as her Britannic majesty should think fit to appoint.

§ Before the opening of the campaign, a very daring enterprise was formed by one Colonel Queimera, a partisan in the imperial army. This daring laid a scheme for carrying off the Dauphin of France from the court of Versailles. He selected thirty men of approved valour for this undertaking. He procured passes for them, and they travelled over to the neighbourhood of Paris. On the twenty-third day of June, they arrived at the Louvres, but, being little acquainted with the castle, they did not reach the family till next morning, when they heard the alarm, or alarm-bell, and thence concluded that detachments were sent out in pursuit of them. Nevertheless, they proceeded boldly, and would certainly have carried the point, had not Queimera halted three hours for the refreshment of his prisoner, who complained of his being indisposed. He likewise procured a chair, and carried the Dauphin to the house of his acquaintance, M. de la Motte, a French nobleman, who was then residing in London. He carried him to a place of safety, Louvaine himself accompanied by the Count de Bergeyck, and M. de Bertrange, treated him with great goodness, but was unwilling he should experience all his faults. He carried him back to Versailles, and lodged him in his own apartments. Madame de Bertrange made him a considerable present, and the king ordered him and his companions to be discharged, on account of the courage and humanity they had displayed.



that ran into the river. The Duke de Vendome intended to attack the confederates when one half of their army should have passed the Schelde; but he was thwarted by the Duke of Burgundy, who seemed to be perplexed and irresolute. This prince had ordered the troops to halt in their march to Gavre, as if he had not yet formed any resolution; and now he recalled the squadrons from the plain, determined to avoid a battle. Vendome remonstrated against this conduct, and the dispute continued till three in the afternoon, when the greater part of the allied army had passed the Schelde without opposition. Then the Duke of Burgundy declared for an engagement, and Vendome submitted to his opinion with great reluctance, as the opportunity was now lost, and the army unformed. Major-General Grimaldi was ordered to attack Rantzaw with the horse of the king's household, who, finding the rivulet marshy, refused to charge, and retired to the right. Meanwhile Cadogan attacked the village of Heynem, which he took with three of the seven battalions by which it was guarded. Rantzaw, passing the rivulet, advanced into the plain, and drove before him several squadrons of the enemy. In this attack the electoral Prince of Hanover, his late majesty George II. charged at the head of Bulau's dragons with great intrepidity. His horse was shot under him, and Colonel Laschky killed by his side. Divers French regiments were entirely broken, and a good number of officers and standards fell into the hands of the Hanoverians. The confederates continued still passing the river; but few or none of the infantry were come up till five in the afternoon, when the Duke of Argyle arrived with twenty battalions, which immediately sustained a vigorous assault from the enemy. By this time the French were drawn up in order of battle; and the allies being formed as they passed the river, both armies were engaged through the whole extent of their lines about seven in the evening. Europe had not many years produced two such noble armies: above one hundred general officers appeared in the field, and two hundred and fifty colonels fought at the head of their respective regiments. The number of the French exceeded that of the allies by twelve thousand: but their generals were divided; their forces ill-disposed; and the men dispirited by the uninterrupted success of their adversaries. They seemed from the beginning averse to an engagement, and acted in hurry and trepidation. Nevertheless, the action was maintained until General D'Auverquerque and Count Tilly, who commanded on the left of the allies, obliged the right of the enemy to give ground; and the Prince of Orange with Count Oxienstern attacked them in flank with the Dutch infantry. Then they began to give way, and retired in great confusion. The Duke de Vendome, alighting from his horse, rallied the broken battalions, called the officers by name, conjured them to maintain the honour of their country, and animated the men with his voice and example. But notwithstanding all his endeavours, they were forced back among the enclosures in great confusion. Some regiments were cut in pieces; others desired to capitulate; and if the darkness had not interposed, their whole army would have been ruined. The night coming on, so that it became impossible to distinguish friends from enemies, the two generals ordered the troops to cease firing, and the enemy took this opportunity of escaping by the road which leads from Oudenarde to Ghent. The Duke de Vendome seeing the French forces flying in the utmost terror and precipitation, formed a rear-guard of about five-and-twenty squadrons, and as many battalions, with which he secured the retreat. To this precaution the safety of their army was entirely owing; for at day-break the Duke of Marlborough sent a large detachment of horse and foot, under the Lieutenant-Generals Bulau and Lumley, to pursue the fugitives: but the hedges and ditches that skirted the road were lined with the French grenadiers in such a manner, that the cavalry could not form, and they were obliged to desist. The French reached Ghent about eight in the morning, and marching through the city, encamped at Lovendegen on the canal. There they thought proper to cast up entrenchments, upon which they planted their artillery, which they

had left at Gavre with their heavy baggage. About three thousand were slain on the field of battle; two thousand deserted; and about seven thousand were taken, including a great number of officers, together with ten pieces of cannon, above a hundred standards and colours, and four thousand horses. The loss of the allies did not amount to two thousand men; nor was one officer of distinction killed on their side during the whole engagement.<sup>h</sup> After the confederates had rested two days on the field of battle, a detachment was ordered to level the French lines between Ypres and the Lys: another was sent to raise contributions as far as Arras: they ravaged the country, and struck terror even into the city of Paris. While the allies plundered the province of Picardy, a detachment from the French army, under the Chevalier de Rozen, made an irruption into Dutch Flanders, broke through the lines of Berville, which had been left unguarded, and made a descent upon the island of Cadsand, which they laid under contribution.

§ XXXVI. The generals of the allies now undertook an enterprise, which, in the opinion of the French generals, savoured of rashness and inconsiderate self-sufficiency. This was the siege of Lisle, the strongest town in Flanders, provided with all necessaries, store of ammunition, and a garrison reinforced with one-and-twenty battalions of the best troops in France, commanded by Mareschal de Boufflers in person. But these were not the principal difficulties which the allies encountered. The enemy had cut off the communication between them and their magazines at Antwerp and Sas-Fan-Ghent: so that they were obliged to bring their convoys from Ostend along a narrow causeway, exposed to the attack of an army more numerous than that with which they sat down before Lisle. On the thirteenth of August it was invested on one side by Prince Eugene, and on the other by the Prince of Orange-Nassau Stadtholder of Friesland: while the Duke of Marlborough encamped at Helchin, to cover the siege. The trenches were opened on the twenty-second day of August, and carried on with that vigour and alacrity which is always inspired by victory and success. The Dukes of Burgundy and Vendome being now joined by the Duke of Berwick, resolved, if possible, to relieve the place; and made several marches and counter-marches for this purpose. Marlborough being apprized of their intention, marched out of his lines to give them battle, being reinforced by a considerable body of troops from the siege, including Augustus King of Poland, and the Landgrave of Hesse, as volunteers: but the enemy declined an engagement, and the allies returned to their camp, which they fortified with an entrenchment. On the seventh day of September, the besiegers took by assault the counterscarp of Lisle, after an obstinate action, in which they lost a thousand men. The French generals continued to hover about the camp of the confederates, which they actually cannonaded; and the Duke of Marlborough again formed his army in order of battle: but their design was only to harass the allies with continual alarms, and interrupt the operations of the siege. They endeavoured to surprise the town of Aeth, by means of a secret correspondence with the inhabitants: but the conspiracy was discovered before it took effect. Then they cut off all communication between the besiegers and the Schelde, the banks of which they fortified with strong entrenchments, and a prodigious number of cannon; so that now all the stores and necessities were sent to the camp of the confederates from Ostend. On the twenty-first day of September, Prince Eugene, who was in the trenches, seeing the troops driven by the enemy from a lodgement they had made on the counterscarp of the tenaille, rallied and led them back to the charge: but being wounded over the left eye with a musket-shot, he was obliged to retire, and for some days the Duke of Marlborough sustained the whole command, both in the siege and of the covering army. On the twenty-third the tenaille was stormed, and a lodgement made along the covered way. Mareschal Boufflers having found means to inform the Duke de Vendome that his ammunition was almost expended, this general detached the Chevalier de Luxembourg, with a body of horse and dragons, to supply the place with gunpowder, every man carrying a bag of extraordinary valour and activity.

<sup>h</sup> Among the officers who were engaged in this battle, old General D'Auverquerque and the Duke of Argyle distinguished themselves by the most

forty pounds upon the crupper. They were discovered in passing through the camp of the allies, and pursued to the barrier of the town into which about three hundred were admitted: but a great number were killed by the confederates, or miserably destroyed by the explosion of the powder which they carried.

§ XXXVII. The next attempt of the French generals was to intercept a convoy from Ostend. The Count de la Motte marched from Ghent, with about two-and-twenty thousand men, to attack this convoy, which was guarded by six thousand of the allies, commanded by Major-General Webb. This officer made such an admirable disposition by the wood of Wynendale, and received the enemy with such a close fire, that, after a very warm action, that lasted two hours, they retired in the utmost confusion, notwithstanding their great superiority in numbers, leaving six thousand men killed upon the field of battle; the loss of the allies not exceeding nine hundred and twelve officers and soldiers. This was the most honourable exploit performed during the whole war, and of such consequence to the confederates, that if the convoy had been taken, the siege must have been raised. The Duke de Vendome ordered the dykes between Bruges and Newport to be cut, so as to lay the whole country under water, in hopes of destroying the communication between Ostend and the camp of the confederates; and, after a regular siege, he took Colonel Caulfield, and a body of British troops posted in the village of Leffinghen, by whose means the convoys had been forwarded to the Duke of Marlborough. On the twenty-second of October, Mareschal Boufflers desired to capitulate for the town of Lisle: next day the articles were signed: on the twenty-fifth the allies took possession of the place, and the mareschal retired into the citadel with the remains of his garrison, which, from twelve thousand, was reduced to less than the half of that number. A negotiation was begun for the surrender of the citadel: but Boufflers made such extravagant demands as were rejected with disdain. Hostilities were renewed on the twenty-ninth day of the month: and the Earl of Stair was detached to provide corn for the army in the districts of Furnes and Dixmude. During these transactions, Velt-Mareschal D'Auverquerque died at Rousselaer, in the sixty-seventh year of his age, after having, in above thirty campaigns, exhibited innumerable proofs of uncommon courage, ability, and moderation. The Duke de Vendome did not despair of obliging the confederates to abandon their enterprise: the French ministers at Rome and Venice publicly declared the allied army was cooped up in such a manner, that it must either raise the siege or be famished. The Elector of Bavaria, with a detachment of ten thousand men, marched to Brussels, and attacked the counterscarp with incredible fury; but was repulsed by the garrison, under the command of General Paschal, and retired with precipitation, when he understood that the Duke of Marlborough was in motion to relieve the place. This nobleman and Prince Eugene no sooner understood the danger to which Brussels was exposed, than they marched with the covering army to the Schelde, which they passed on pontoons without opposition, notwithstanding the formidable works which the French had raised. They now abandoned them with precipitation, to the surprise of the confederates, who had laid their account with the loss of a thousand men in the attack. Having passed the river between Eskenaffe and Hauterive, as well as at other places, they marched to Oudenarde, where they received intelligence that the elector had retreated. Then Prince Eugene returned to Lisle, and the Duke of Marlborough proceeded to Brussels, where he was received with joy and acclamation. He afterwards took post at Oudenarde, so as to maintain a communication with Prince Eugene.

§ XXXVIII. The besiegers having made lodgements and raised batteries on the second counterscarp of the citadel, sent a message to Boufflers, intimating, that if he would surrender before the opening of the batteries, he should have an honourable capitulation; otherwise he and his garrison must be made prisoners of war. He chose to avoid the last part of the alternative: hostages were exchanged on the eighth day of December, and the articles signed on the tenth; when the mareschal and his garrison marched

out with the honours of war, and were conducted to Douay. In this great enterprise, spirit and perseverance made amends for want of foresight and skill, which was flagrant on the side of the confederates: yet their success was owing in a great measure to the improvidence and misconduct of the besieged. The French generals never dreamed that the allies would attempt any thing of consequence after the reduction of Lisle, considering the advanced season of the year, and therefore they returned to Paris, after having distributed their army into winter-quarters. But their indefatigable antagonists were determined to strike another stroke of importance before their forces should separate. On the twentieth day of December they invested the city of Ghent on all sides; and on the thirtieth, when the batteries were ready to open, the Count de la Motte, who commanded the garrison, desired to capitulate. On the third day of the next month he marched out with thirty battalions and sixteen squadrons, which were conducted to Tournay; while the Duke of Argyle, with six British battalions, took possession of the town and citadel. Then the enemy abandoned Bruges, Plassendahl, and Leffinghen: and the generals of the allies, having settled the plan of winter-quarters, repaired to Holland, leaving the forces under the command of Count Tilly. The French king was confounded and dismayed at these conquests in the Netherlands. Nor was he easy on the side of Dauphiné: in spite of all the vigilance and activity of Villars, the Duke of Savoy made himself master of the important fortresses of Exilles, La Perouse, the valley of St. Martin, and Fenestrells; so that by the end of the campaign he had secured a barrier to his own frontiers; and opened a way into the French provinces, after having made a diversion in favour of King Charles, by obliging the enemy to send a strong detachment from Rousillon to the assistance of Villars.

§ XXXIX. The campaign in Catalonia was productive of a great event. Count Guido de Staremberg arrived at Barcelona on the last day of April: but the imperial troops brought from Italy by Admiral Leake did not land in time to relieve Tortosa, which the Duke of Orleans besieged and took, together with Denia, the garrison of which were made prisoners of war, contrary to the articles of capitulation. These losses, however, were abundantly made up to the allies by the conquest of Sardinia and Minorca. Sir John Leake having taken on board a handful of troops, under the conduct of the Marquis D'Alconzel, set sail for Cagliari, and summoned the viceroy to submit to King Charles. As he did not send an immediate answer, the admiral began to bombard the city, and the inhabitants compelled him to surrender at discretion. The greater part of the garrison enlisted themselves in the service of Charles. The deputies of the States being assembled by the Marquis D'Alconzel, acknowledged that prince as their sovereign, and agreed to furnish his army with thirty thousand sacks of corn, which were accordingly transported to Catalonia, where there was a great scarcity of provision. Major-General Stanhope having planned the conquest of Minorca, and concerted with the admiral the measures necessary to put it in execution, obtained from Count Staremberg a few battalions of Spaniards, Italians, and Portuguese: at the head of these he embarked at Barcelona with a fine train of British artillery, accompanied by Brigadier Wade and Colonel Petit, an engineer of great reputation. They landed on the island about two miles from St. Philip's fort, on the twenty-sixth of August, with about eight hundred marines, which augmented their number to about three thousand. Next day they erected batteries; and General Stanhope ordered a number of arrows to be shot into the place, to which papers were affixed, written in the Spanish and French languages, containing threats, that all the garrison should be sent to the mines, if they would not surrender before the batteries were finished. The garrison consisted of a thousand Spaniards and six hundred French marines, commanded by Colonel la Jonquiere, who imagined that the number of the besiegers amounted to at least ten thousand, so artfully had they been drawn up in sight of the enemy. The batteries began to play, and in a little time demolished four towers that served as outworks to the fort: then they made a breach in the outward wall, through which Briga-

dier Wade, at the head of the grenadiers, stormed a redoubt with such extraordinary valour as struck the besieged with consternation. On the second or third day they thought proper to beat a parley, and capitulate, on condition, That they should march out with the honours of war: that the Spaniards should be transported to Murcia, and the French to Toulon. These last, however, were detained by way of reprisal for the garrison of Denia. The Spanish governor was so mortified when he learned the real number of the besiegers, that on his arrival at Murcia, he threw himself out of a window in despair, and was killed upon the spot. La Jonquiere was confined for life, and all the French officers incurred their master's displeasure. Fort St. Philip being thus reduced, to the amazement of all Europe, and the garrison of Port Fornelles having surrendered themselves prisoners to the Admirals Leake and Whitaker, the inhabitants gladly submitted to the English government, for King Philip had oppressed and deprived them of their privileges; General Stanhope appointed Colonel Petit governor of Fort St. Philip, and deputy-governor of the whole island. After this important conquest he returned to the army in Spain, where an unsuccessful attempt to surprise Tortosa finished the operations of the campaign.

§ XL. The British fleet not only contributed to the reduction of Minorca, but likewise overawed the Pope, who had endeavoured to form a league of the princes in Italy against the emperor. This pontiff had manifested his partiality to the house of Bourbon, in such a palpable manner, that his imperial majesty ordered Monsieur de Bonneval to march with the troops that were in Italy, reinforced by those belonging to the Duke of Modena, and invade the duchy of Ferrara. He accordingly took possession of Comachio and some other places, pretending they were allodial estates belonging to the Duke of Modena, and fiefs of the emperor, to which the holy see had no lawful claim. The Viceroy of Naples was forbid to remit any money to Rome; and the council of the kingdom drew up a long memorial, containing the pretensions of his catholic majesty, which struck at the very foundation of the Pope's temporal power. His holiness wrote a long remonstrance to the emperor, on the injustice of those proceedings, and declared that he would assert his cause though he should lose his life in the contest. He forthwith began to raise an army, and revived a plan of forming a league among the princes and states of Italy for their mutual defence. Sir John Leake had received orders to bombard Civita-Vecchia, in resentment for the Pope's having countenanced the pretender's expedition to Great Britain: but as the emperor and Duke of Savoy hoped to effect an accommodation with the court of Rome, they prevailed upon the English admiral to suspend hostilities until they should have tried the method of negotiation. The Marquis de Prie, a Piedmontese nobleman, was sent as ambassador to Rome; but the Pope would not receive him in that quality. Elated with the promises of France, he set the emperor at defiance; and his troops having surprised a body of imperialists, were so barbarous as to cut them all in pieces. The Duke of Savoy having ended the campaign, the troops of the emperor, which had served under that prince, were ordered to march into the papal territories, and drove the forces of his holiness before them, without any regard to number. Bologna capitulated: and Rome began to tremble with the apprehension of being once more sacked by a German army. Then the Pope's courage failed: he was glad to admit the Marquis de Prie as envoy from the emperor. He consented to disband his new levies; to accommodate the imperial troops with winter-quarters in the papal territories; to grant the investiture of Naples to King Charles; and to allow at all times a passage to the imperial troops through his dominions. On the Upper Rhine the Electors of Bavaria and Hanover were so weak, that they could not undertake anything of consequence against each other. In Hungary the disputes still continued between the emperor and the malcontents. Poland was at length delivered from the oppression exercised by the King of Sweden, who marched into the Ukraine against the Czar of Muscovy, notwithstanding the submission with which that monarch endeavoured to appease his indignation. During the course of

this year the English merchants sustained no considerable losses by sea: the cruisers were judiciously stationed, and the trade was regularly supplied with convoys. In the West Indies Commodore Wager destroyed the admiral of the galleons, and took the rear-admiral on the coast of Carthagea. Had the officers of his squadron done their duty, the greatest part of the fleet would have fallen into his hands. At his return to Jamaica two of his captains were tried by a court-martial, and dismissed from the service.

§ XLI. The court of England was about this time not a little disquieted, by the consequences of an outrage committed on the person of the Count de Matueof, the Muscovite ambassador. He was publicly arrested at the suit of a laceman, and maltreated by the bailiffs, who dragged him to prison, where he continued until he was bailed by the Earl of Feversham. Incensed at this insult, he demanded redress of the government, and was seconded in his remonstrances by the ministers of the emperor, the King of Prussia, and several other foreign potentates. The queen expressed uncommon indignation against the authors of this violence, who were immediately apprehended, and orders were given to prosecute them with the utmost severity of the law. Matueof repeated his complaints with great acrimony; and Mr. Secretary Boyle assured him, in the queen's name, that he should have ample satisfaction. Notwithstanding this assurance, he demanded a pass for himself and family; refused the ordinary presents at his departure; and retired to Holland. From thence he transmitted a memorial, with a letter from the Czar to the queen, insisting upon her punishing with death all the persons concerned with violating the law of nations upon the person of his ambassador. Such punishment being altogether inconsistent with the laws of England, the queen and her ministry were extremely perplexed, and held several councils, to deliberate upon the measures proper to be taken on such an occasion. On the twenty-eighth day of October, Prince George of Denmark died of an asthma and dropsy, with which he had been long afflicted. He was a prince of an amiable rather than a shining character, brave, good-natured, modest, and humane, but devoid of great talents and ambition. He had always lived in harmony with the queen, who during the whole term of their union, and especially in his last illness, approved herself a pattern of conjugal truth and tenderness. At his death the Earl of Pembroke was created lord high-admiral, the Earl of Wharton promoted to the government of Ireland, and Lord Somers appointed president of the council. Notwithstanding these promotions of the whig noblemen, the Duke of Marlborough declined apace in his credit with the queen, who privately consulted and reposed her chief confidence in Mr. Harley, though he had no visible concern in the administration.

§ XLII. The new parliament, in which the whig interest still preponderated, was assembled on the sixteenth day of November, when they were given to understand, by a commission under the great seal, that the Archbishop of Canterbury, the chancellor, the lord treasurer, the lord steward, and the master of the horse, were appointed to represent the person of her majesty, whom decency would not permit to appear in the House so soon after the death of her consort. Sir Richard Onslow being chosen speaker of the lower House with the queen's approbation, the chancellor, in a speech to both Houses, recommended the vigorous prosecution of the war, telling them her majesty hoped they would enable her to make a considerable augmentation for preserving and improving the advantages which the allies had gained in the Netherlands: that she desired they would prepare such bills as might confirm and render the union effectual; and that if they would propose means for the advancement of trade and manufacture, she would take pleasure in enacting such provisions. Both Houses having presented addresses of condolence and congratulation, on the death of Prince George, and the success of her majesty's arms during the last campaign, the Commons took cognizance of controverted elections, which were decided with shameful partiality for the whig faction. Then they proceeded to consider the different branches of the supply: they approved of an augmentation of ten thousand men which was judged necessary for the more vigorous prosecution of the war; and they voted above seven



millions for the service of the ensuing year. The bank agreed to circulate two millions five hundred thousand pounds in exchequer bills for the government, on condition that the term of their continuance should be prolonged for one-and-twenty years; and that their stock of two millions two hundred and one thousand one hundred and seventy-one pounds should be doubled by a new subscription. The two-thirds subsidy was appropriated for the interest of the money raised by this expedient.

§ XLIII. Great debates having arisen about Scottish elections, the House considered the petitions and representations that were delivered, touching the incapacity of the eldest sons of Scottish peers, excluded from sitting in the parliament of Great Britain. Counsel being heard upon the subject, that incapacity was confirmed, and new writs were issued, that new members might be elected for the shires of Aberdeen and Linlithgow, in the room of William Lord Haddo, and James Lord Johnstoun. Petitions were likewise presented to the House of Lords by some Scottish peers, concerning their right of voting, and signing proxies. After warm debates, the House, upon a division, determined that a Scottish Lord, created a peer of Great Britain, should no longer retain his vote in Scotland; and that the noblemen who were in the castle of Edinburgh had a right to sign proxies, after having taken the oaths to the government. The Scottish peers and commoners that sat in the British parliament were divided into two factions. The Duke of Queensberry was in great credit with the queen and the lord treasurer, by whose interest he was appointed secretary of state for Scotland. His influence in elections was so great, that all offices in that kingdom were bestowed according to his recommendation. He was opposed by the Dukes of Hamilton, Montrose, and Roxburgh, who were supported by the Earl of Sunderland and Lord Somers; so that the whole interest in that country was engrossed by one or other member of the ministry. A bill for a general naturalization of all protestants was brought into the House, and notwithstanding violent opposition from the Tories, both among the Lords and Commons, was enacted into a law. The Whigs argued for this bill, as a measure that would encourage industry, improve trade and manufacture, and repair the waste of men which the war had occasioned: but one of their chief motives was to throw an addition of foreigners into the balance against the landed interest. The Tories pleaded that a conflux of aliens might prove dangerous to the constitution; that they would retain a fondness for their native countries, and, in times of war, act as spies and enemies: that they would insinuate themselves into places of trust and profit; become members of parliament; and by frequent intermarriages contribute to the extinction of the English race: that they would add to the number of the poor, already so expensive; and share the bread of the labourers and tradesmen of England.

§ XLIV. An inquiry being set on foot in both Houses, concerning the late intended invasion of Scotland, Lord Haversham and the other Tory members endeavoured to demonstrate, that proper precautions had not been taken for the security of that kingdom, even after the ministry had received undoubted intelligence of the pretender's design: that since the attempt had miscarried, many persons of quality had been apprehended, and severely used by the government, on pretended suspicion of high treason; though, in all probability, the aim of the ministry, in confining those persons, was to remove all possibility of their opposing the court at the ensuing elections for members of parliament. These assertions were supported by many inconsistent facts and shrewd arguments, notwithstanding which, the majority were so little disposed to find fault, that the inquiry issued in a joint address to the queen, containing resolutions, that timely and effectual care had been taken to disappoint the designs of her majesty's enemies, both at home and abroad. A bill, however, was brought into the House of Lords, under the title of "An Act for improving the Union of the two kingdoms." It related to trials for treason in Scotland, which by this law were regulated according to the manner of proceeding in England, with some small variation. The Scottish members opposed it as an encroachment upon the form of their laws: and they were joined by those

who had laid it down as a maxim to oppose all the court measures: nevertheless, the bill passed through both Houses, and received the royal assent. Yet in order to sweeten this unpalatable medicine, the queen consented to an act of grace, by which all treasons were pardoned, except those committed on the high seas: an exception levelled at those who had embarked with the pretender. Major-General Webb, who had been defrauded of his due honour, in a partial representation of the battle of Wynendale, transmitted by Cardonnel, secretary to the Duke of Marlborough, was now thanked by the House of Commons for the great and eminent services which he had performed in that engagement. This motion was made by the Tories; and the Whigs did not fail to procure a compliment of the same nature to the Duke of Marlborough, even before he returned to England. When the news of Ghent's being taken arrived, the Lords and Commons congratulated the queen on this last effort of a glorious campaign; and the duke, at his arrival, was thanked, in the name of the Peers, by the lord chancellor. As he was supposed to have brought over proposals of peace, the two Houses, in an address, desired the queen would insist on the demolition of Dunkirk, which was a nest of pirates that infested the ocean, and did infinite prejudice to the commerce of England. The queen promised to comply with their request. But she was not a little surprised at the next address they presented, humbly entreating, that she would have such indulgence to the hearty desires of her subjects, as to entertain thoughts of a second marriage. She told them, that the provision she had made for the protestant succession would always be a proof how much she had at heart the future happiness of the kingdom; but the subject of this address was of such a nature, that she was persuaded they did not expect a particular answer.

§ XLV. The laws having been found insufficient to punish capitally the authors of the insult offered to the Muscovite ambassador, a bill was brought into the House of Commons for preserving the privileges of ambassadors and other foreign ministers; and passed through both Houses: as did another, to prevent the laying of wagers relating to the public, a practice which had been carried to a degree of infatuation: and by which many unwary persons fell a sacrifice to crafty adventurers.

A. D. 1709.  
On the fourteenth day of March the Commons voted the sum of one hundred and three thousand two hundred and three pounds, for the relief of the inhabitants of Nevis and St. Christopher's, who had suffered by the late invasion: and on the twenty-first day of April the parliament was prorogued. The Muscovite ambassador continued to write expostulatory letters to Mr. Secretary Boyle, who at last owned, that the laws of the kingdom did not admit of such punishment as he demanded. An information was tried in the court of king's bench for her majesty against Thomas Morton, laceman, and thirteen other persons concerned in the insult, of which they were found guilty; and the special matter of the privileges of ambassadors was to be argued next term before the judges. Meanwhile, the queen, by way of satisfaction to the czar, condescended to make solemn excuses by her ambassador: to repair Matueof's honour by a letter, and indemnify him for all his costs and damages: concessions with which the czar and his ambassador declared themselves well satisfied. The convocation had been summoned, chosen, and returned with the new parliament: but as the old spirit was supposed to prevail in the lower House, the queen, by writ to the archbishop, ordered him to prorogue it from time to time, until the session of parliament was finished.

Bornet, Daniel  
Hist. of the  
Duke of Marl-  
borough. Mil.  
Hist. final.  
Conduct of the  
Duchess of  
Marlborough.  
Peuquieres.  
Quincy. Lives  
of the Admir-  
als. Hare. Vol-  
taire.

## CHAP. X.

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A. D. 1709. § I. THE French king was by this time reduced to such a state of humiliation by the losses of the last campaign, and a severe winter, which completed the misery of his subjects, that he resolved to sacrifice all the considerations of pride and ambition, as well as the interest of his grandson, to his desire of peace, which was now become so necessary and indispensable. He despatched the president Rouillé privately to Holland, with general proposals of peace, and the offer of a good barrier to the States-general, still entertaining hopes of being able to detach them from the confederacy. This minister conferred in secret with Buys and Vanderdussen, the pensionaries of Amsterdam and Gouda, at Moerdyk, from whence he was permitted to proceed to Woerden, between Leyden and Utrecht. The States immediately communicated his proposals to the courts of Vienna and Great Britain. Prince Eugene and the Duke of Marlborough arrived at the Hague in April, and conferred with the grand pensionary Heinsius, Buys, and Vanderdussen, on the subject of the French proposals, which were deemed unsatisfactory. Rouillé immediately despatched a courier to Paris, for further instructions; and the Duke of Marlborough returned to England, to make the queen acquainted with the progress of the negotiation. Louis, in order to convince the States of his sincerity, sent the Marquis de Torcy, his secretary for foreign affairs, to the Hague, with fresh offers, to which the deputies would make no answer until they knew the sentiments of the Queen of Great Britain. The Duke of Marlborough crossed the seas a second time, accompanied by the Lord Viscount Townshend, as ambassador extraordinary, and joint plenipotentiary: Prince Eugene being likewise at the Hague, the conferences were begun. The French minister declared that his master would consent to the demolition of Dunkirk: that he would abandon the pretender, and dismiss him from his dominions: that he would acknowledge the queen's title and the protestant succession: that he would renounce all pretensions to the Spanish monarchy, and cede the places in the Netherlands which the States-general demanded for their barrier: that he would treat with the emperor on the footing of the treaty concluded at Ryswick, and even demolish the fortifications at Strasburg. The ministers of the allies, rendered proud and wanton by success, and seeing their own private interest in the continuation of the war, insisted upon the restitution of the Upper and Lower Alsace to the empire; upon the French monarch's restoring Strasburg in its present condition; upon his ceding the town and castellany of Lisle, demolishing Dunkirk, New Brisac, Fort Louis, and Hunningen. In a word, their demands were so insolent, that Louis would not have suffered them to be mentioned in his hearing, had not he been reduced to the last degree of distress. One can hardly read them without feeling a sentiment of compassion for that monarch, who had once given law to Europe, and been so long accustomed to victory and conquest. Notwithstanding the discouraging despatches he had received from the President Rouillé, after his first conferences with the deputies, he could not believe that the Dutch would be so blind to their own interest, as to

reject the advantages in commerce, and the barrier which he had offered. He could not conceive that they would choose to bear the burden of excessive taxes in prosecuting a war, the events of which would always be uncertain, rather than enjoy the blessings of peace, security, and advantageous commerce: he flattered himself, that the allies would not so far deviate from their purposed aim of establishing a balance of power, as to throw such an enormous weight into the scale of the house of Austria, which cherished all the dangerous ambition and arbitrary principles without the liberality of sentiment peculiar to the House of Bourbon. In proportion as they rose in their demands, Louis fell in his condescension. His secretary of state, the Marquis de Torcy, posted in disguise to Holland, on the faith of a common blank passport. He solicited, he soothed, he supplicated, and made concessions in the name of his sovereign. He found the States were wholly guided by the influence of Prince Eugene and the Duke of Marlborough. He found these generals elated, haughty, overbearing, and implacable. He in private attacked the Duke of Marlborough on his weakest side: he offered to that nobleman a large sum of money, provided he would effect a peace on certain conditions. The proposal was rejected. The duke found his enemies in England increasing, and his credit at court in the wane; and he knew that nothing but a continuation of the war, and new victories, could support his influence in England. Torcy was sensible that his country was utterly exhausted: that Louis dreaded nothing so much as the opening of the campaign; and he agreed to those articles upon which they insisted as preliminaries. The French king was confounded at these proposals: he felt the complicated pangs of grief, shame, and indignation. He rejected the preliminaries with disdain. He even deigned to submit his conduct to the judgment of his subjects. His offers were published, together with the demands of the allies. His people interested themselves in the glory of their monarch. They exclaimed against the cruelty and arrogance of his enemies. Though impoverished and half starved by the war, they resolved to expend their whole substance in his support: and rather to fight his battles without pay, than leave him in the dire necessity of complying with such dishonourable terms. Animated by these sentiments, they made such efforts as amazed the whole world. The preliminaries being rejected by the French king, Rouillé was ordered to quit Holland in four-and-twenty hours; and the generals of the confederates resolved to open the campaign without further hesitation.

§ II. Prince Eugene and the Duke of Marlborough proceeded to Flanders, and towards the end of June the allied army encamped in the plain of Lisle, to the number of one hundred and ten thousand fighting men. At the same time, the Mareschal Villars, accounted the most fortunate general in France, assembled the French forces in the plain of Lens, where he began to throw up entrenchments. The confederate generals having observed his situation, and perceiving he could not be attacked with any probability of success, resolved to undertake the siege of Tournay, the garrison of which Villars had imprudently weakened. Accordingly, they made a feint upon Ypres, in order to deceive the enemy, and convert all their attention to that side, while they suddenly invested Tournay on the twenty-seventh day of June. Though the garrison did not exceed twelve weakened battalions and four squadrons of dragoons, the place was so strong, both by art and nature, and Lieutenant de Surville, the governor, possessed such admirable talents, that the siege was protracted, contrary to the expectation of the allies, and cost them a great number of men, notwithstanding all the precautions that could be taken for the safety of the troops. As the besiegers proceeded by the method of sap, their miners frequently met with those of the enemy under ground, and fought with bayonet and pistol. The volunteers on both sides presented themselves to these subterraneous combats, in the midst of mines and countermines ready primed for explosion. Sometimes they were kindled by accident, and sometimes sprung by design; so that great numbers of those brave men were stifled below, and whole battalions blown into the air, or buried in the rubbish. On the twenty-eighth day of July, the besiegers having effected

a practicable breach, and made the necessary dispositions for a general assault, the enemy offered to capitulate; the town was surrendered upon conditions, and the garrison retired to the citadel. Surville likewise entered into a treaty about giving up the citadel: the articles being sent to the court of Versailles, Louis would not ratify them, except upon condition that there should be a general cessation in the Netherlands till the fifth day of September. Hostilities were renewed on the eighth day of August, and prosecuted with uncommon ardour and animosity. On the thirtieth, Surville desired to capitulate on certain articles, which were rejected by the Duke of Marlborough, who gave him to understand that he had no terms to expect, but must surrender at discretion. At length his provision being quite exhausted, he was obliged to surrender himself and his garrison prisoners of war, though they were permitted to return to France, on giving their parole that they would not act in the field until a like number of the allies should be released.

§ III. The next object that attracted the eyes of the confederates was the city of Mons, which they resolved to besiege with all possible expedition. They passed the Scheldt on the third day of September, and detached the Prince of Hesse to attack the French lines from the Hainse to the Sombre, which were abandoned at his approach. On the seventh day of September, Mareschal de Boufflers arrived in the French camp at Queivrain, content to act in an inferior capacity to Villars, although his superior in point of seniority. The Duke of Marlborough having received advice that the French were on their march to attack the advanced body under the Prince of Hesse, decamped from Havre, in order to support that detachment. On the ninth the allies made a motion to the left, by which the two armies were brought so near each other, that a mutual cannonading ensued. The French army, amounting to one hundred and twenty thousand men, were posted behind the woods of La Merte and Tanieres, in the neighbourhood of Malplaquet. The confederates, nearly of the same number, encamped with the right near Sart and Bleron, and the left on the edge of the wood of Lagnerie; the head-quarters being at Blaregnies. The enemy, instead of attacking the allies, began to fortify their camp, which was naturally strong, with triple entrenchments. In a word, they were so covered with lines, hedges, entrenchments, cannon, and trees laid across, that they seemed to be quite inaccessible. Had the confederates attacked them on the ninth, the battle would not have been so bloody, and the victory would have proved more decisive, for they had not then begun to secure the camp; but Marlborough postponed the engagement until they should be reinforced by eighteen battalions which had been employed in the siege of Tournay; and in the mean time the French fortified themselves with incredible diligence and despatch. On the eleventh day of September, early in the morning, the confederates, favoured by a thick fog, erected batteries on each wing, and in the centre: and about eight o'clock, the weather clearing up, the attack began. Eighty-six battalions on the right, commanded by General Schuylemburgh, the Duke of Argyle, and other generals, and supported by two-and-twenty battalions under Count Lottum, attacked the left of the enemy with such vigour, that notwithstanding their lines and barricades, they were in less than an hour driven from their entrenchments into the woods of Sart and Tanieres. The Prince of Orange and Baron Fagel, with six-and-thirty Dutch battalions, advanced against the right of the enemy, posted in the wood of La Merte, and covered with three entrenchments. Here the battle was maintained with the most desperate courage on both sides. The Dutch obliged the French to quit the first entrenchment; but were repulsed from the second with great slaughter. The Prince of Orange persisted in his efforts with incredible perseverance and intrepidity, even after two horses had been killed under him, and the greater part of his officers either slain or disabled. The French fought with an obstinacy of courage that bordered on despair, till seeing their lines forced, their left wing and centre giving way, and their general, Villars, dangerously wounded, they made an excellent retreat towards Bavay, under the conduct of Boufflers, and took post between Quesnoy and Valenciennes.

The field of battle they abandoned to the confederates, with about forty colours and standards, sixteen pieces of artillery, and a good number of prisoners: but this was the dearest victory the allies had ever purchased. About twenty thousand of their best troops were killed in the engagement; whereas the enemy did not lose half that number, and retired at leisure, perfectly recovered of that apprehension with which they had been for some years inspired and overawed by the successes of their adversaries. On the side of the allies, Count Lottum, General Tettau, Count Oxienstern, and the Marquis of Tullibardine were killed, with many other officers of distinction. Prince Eugene was slightly wounded on the head: Lieutenant-General Webb received a shot in the groin. The Duke of Argyle, who distinguished himself by extraordinary feats of valour, escaped unhurt; but several musket-balls penetrated through his clothes, his hat, and periwig. In the French army the Chevalier de St. George charged twelve times with the household troops, and in the last was wounded with a sword in the arm. The Mareschal de Villars confidently asserted, that if he himself had not been disabled, the confederates would certainly have been defeated.

§ IV. Considering the situation of the French, the number of their troops, and the manner in which they were fortified, nothing could be more rash and imprudent than the attack, which cost the lives of so many gallant men, and was attended with so little advantage to the conquerors. Perhaps the Duke of Marlborough thought a victory was absolutely necessary to support his sinking interest at the court of Great Britain. His intention was to have given battle before the enemy had entrenched themselves; but Prince Eugene insisted upon delaying the action until the reinforcement should arrive from Tournay. The extraordinary carnage is imputed to the impetuosity of the Prince of Orange, whose aim through this whole war was to raise himself into consideration with the States-general, by signal acts of military prowess. The French having retired to Valenciennes, the allies were left at liberty to besiege Mons, which capitulated about the end of October; and both armies were distributed in winter-quarters. The campaign on the Rhine produced nothing but one sharp action, between a detachment of the French army commanded by the Count de Borgh, and a body of troops under Count Merci, who had passed the Rhine, in order to penetrate into Franche-comté. The imperial officer was worsted in this encounter, with the loss of two thousand men; obliged to repass the river, and retire to Fribourg. In Piedmont, Velt-Mareschal Thaur commanded the confederates, in the room of the Duke of Savoy, who refused to take the field until some differences, which had arisen between the emperor and him, should be adjusted. Thaur's design was to besiege Briançon: but the Duke of Berwick had taken such precautions as frustrated his intention, though part of the troops under the French general were employed in suppressing an insurrection of the Camisars, and other malcontents in the Vivarez. They were entirely defeated in a pitched battle; and Abraham, one of their leaders, being taken, was broke alive upon the wheel; three-and-twenty were hanged, and the other prisoners sent to the galleys. The Pope delayed acknowledging King Charles, under various pretences, in hopes that the campaign would prove favourable to the House of Bourbon; till at length the emperor giving him to understand that his army should take up their winter-quarters in the Ecclesiastical State, his holiness solemnly owned Charles as King of Spain, Naples, and Sicily.

§ V. The military operations in Spain and Portugal were unfavourable to the allies. On the seventh of May, the Portuguese and English were defeated at Caya, by the Spaniards, under the command of the Mareschal de Bay. The castle of Alicante, guarded by two English regiments, had been besieged, and held out during a whole winter. At length the Chevalier d'Asfeldt ordered the rock to be undermined, and having lodged two hundred barrels of gunpowder, gave Syburg, the governor, to understand, that two of his officers might come out and see the condition of the works. This offer being accepted, Asfeldt in person accompanied them to the mine; he told



them he could not bear the thoughts of seeing so many brave men perish in the ruins of a place they had so gallantly defended; and allowed them four-and-twenty hours to consider on the resolution they should take. Syburg continued deaf to his remonstrances; and, with an obstinacy that savoured more of stupidity than of valour, determined to stand the explosion. When the sentinels that were posted on the side of the hill gave notice, by a preconcerted signal, that fire was set to the mine, the governor ordered the guard to retire, and walked out to the parade accompanied by several officers. The mine being sprung, the rock opened under their feet, and they falling into the chasm, it instantly closed, and crushed them to death. Notwithstanding this dreadful incident, Colonel d'Albon, who succeeded to the command, resolved to defend the place to the last extremity. Sir Edward Whitaker sailed from Barcelona to the relief of the place; but the enemy had erected such works as effectually hindered the troops from landing. Then General Stanhope, who commanded them, capitulated with the Spanish general for the garrison, which marched out with all the honours of war, and was transported to Minorca, where the men were put into quarters of refreshment. On the frontiers of Catalonia, General Staremberg maintained his ground, and even annoyed the enemy. He passed the Segra, and reduced Balaguer: having left a strong garrison in the place, he repassed the river, and sent his forces into winter-quarters. The most remarkable event of this summer was the battle of Pultowa, in which the King of Sweden was entirely defeated by the Czar of Muscovy, and obliged to take refuge at Bender, a town of Moldavia, in the Turkish dominions. Augustus immediately marched into Poland against Stanislaus, and renounced his own resignation, as if it had been the effect of compulsion. He formed a project with the Kings of Denmark and Prussia, to attack the Swedish territories in three different places: but the emperor and maritime powers prevented the execution of this scheme, by entering into a guarantee for preserving the peace of the empire. Nevertheless, the King of Denmark declared war against Sweden, and transported an army over the Sound to Schonen; but they were attacked and defeated by the Swedes, and obliged to re-embark with the utmost precipitation. The war still continued to rage in Hungary, where, however, the revolvers were routed in many petty engagements.

§ VI. Though the events of the summer had been less unfavourable to France than Louis had reason to expect, he saw that peace was as necessary as ever to his kingdom; but he thought he might now treat with some freedom and dignity. His minister, Torcy, maintained a correspondence with Mr. Petkum, resident of the Duke of Holstein at the Hague: he proposed to this minister, that the negotiation should be renewed; and demanded passes by virtue of which the French plenipotentiaries might repair in safety to Holland. In the mean time, the French king withdrew his troops from Spain, on pretence of demonstrating his readiness to oblige the allies in that particular: though this measure was the effect of necessity, which obliged him to recall those troops for the defence of his own dominions. The States-general refused to grant passes to the French ministers; but they allowed Petkum to make a journey to Versailles. In the interim King Philip published a manifesto, protesting against all that should be transacted at the Hague to his prejudice. Far from yielding Spain and the Indies to his competitor, he declared his intention of driving Charles from those places that were now in his possession. He named the Duke of Alba and Count Berghyck for his plenipotentiaries, and ordered them to notify their credentials to the maritime powers: but no regard was paid to their intimation. Philip tampered likewise with the Duke of Marlborough; and the Marquis de Torcy renewed his attempts upon that general: but all his application and address proved ineffectual. Petkum brought back from Versailles a kind of memorial, importing, that those motives which influenced the French before the campaign was opened, no longer subsisted; that the winter season naturally produced a cessation of arms, during which he would treat of a general and reasonable peace, without restricting himself to the form of the preliminaries which the

allies had pretended to impose: that, nevertheless, he would still treat on the foundation of those conditions to which he had consented, and send plenipotentiaries to begin the conferences with those of the allies on the first day of January. The States-general inveighed against this memorial, as a proof of the French king's insincerity; though he certainly had a right to retract those offers they had formerly rejected. They came to a resolution, that it was absolutely necessary to prosecute the war with vigour; and they wrote pressing letters on the subject to all their allies.

§ VII. The parliament of Great Britain being assembled on the fifteenth day of November, the queen in her speech told both Houses, That the enemy had endeavoured, by false appearances and deceitful insinuations of a desire after peace, to create jealousies among the allies: that God Almighty had been pleased to bless the arms of the confederates with a most remarkable victory, and other successes, which had laid France open to the impression of the allied arms, and consequently rendered peace more necessary to that kingdom than it was at the beginning of the campaign. She insisted upon the expediency of prosecuting the advantages she had gained, by reducing that exorbitant and oppressive power which had so long threatened the liberties of Europe. The parliament were as eager and compliant as ever. They presented congratulatory addresses: they thanked the Duke of Marlborough for his signal services; while great part of the nation reproached him with having wantonly sacrificed so many thousand lives to his own private interest and reputation. In less than a month, the Commons granted upwards of six millions for the service of the ensuing year; and established a lottery, with other funds, to answer this enormous supply. On the thirteenth day of December, Mr. Dolben, son to the late Archbishop of York, complained to the House of two sermons preached and published by Dr. Henry Sacheverel, rector of St. Saviour's in Southwark, as containing positions contrary to revolution principles, to the present government, and the protestant succession. Sacheverel was a clergyman of narrow intellects, and an over-heated imagination. He had acquired some popularity among those who distinguished themselves by the name of high-churchmen; and took all occasions to vent his animosity against the dissenters. At the summer assizes at Derby, he had held forth in that strain before the judges; on the fifth day of November, in St. Paul's church, he, in a violent declamation, defended the doctrine of non-resistance; inveighed against the toleration and dissenters; declared the church was dangerously attacked by her enemies, and slightly defended by her false friends: he sounded the trumpet for the church, and exhorted the people to put on the whole armour of God. Sir Samuel Garrad, the lord mayor, countenanced this harangue, which was published under his protection, extolled by the Tories, and circulated all over the nation. The complaint of Mr. Dolben against Sacheverel was seconded in the House of Commons by Sir Peter King, and other members. The most violent paragraphs were read: the sermons were voted scandalous and seditious libels. Sacheverel, being brought to the bar of the House, acknowledged himself the author of both, and mentioned the encouragement he had received from the lord mayor to print that which was entitled, "The Perils of False Brethren." Sir Samuel, who was a member, denied he had ever given him such encouragement. The Doctor being ordered to withdraw, the House resolved he should be impeached of high crimes and misdemeanors; and Mr. Dolben was ordered to impeach him at the bar of the House of Lords, in the name of all the Commons of England. A committee was appointed to draw up articles, and Sacheverel was taken into custody. At the same time, in order to demonstrate their own principles, they resolved, That the Reverend Mr. Benjamin Hoadly, rector of St. Peter-le-Poor, for having often justified the principles on which her majesty and the nation proceeded in the late happy revolution, had justly merited the favour and recommendation of the House; and they presented an address to the queen, beseeching her to bestow some dignity in the church on Mr. Hoadly, for his eminent services both to the church and state. The queen returned a civil

answer, though she paid no regard to their recommendation. Headly was a clergyman of sound understanding, unblemished character, and uncommon moderation, who, in a sermon preached before the Lord Mayor of London, had demonstrated the lawfulness of resisting wicked and cruel governors; and vindicated the late revolution. By avowing such doctrines, he incurred the resentment of the high-churchmen, who accused him of having preached up rebellion. Many books were written against the maxims he professed. These he answered; and in the course of the controversy, acquitted himself with superior temper, judgment, and solidity of argument. He, as well as Bishop Burnet, and several other prelates, had been treated with great virulence in Sacheverel's sermon; and the lord treasurer was scurrilously abused under the name of Volpone.

§ VIII. The doctor being impeached at the bar of the upper House, petitioned that he might be admitted to bail; but this indulgence was refused, and the Commons seemed bent upon prosecuting him with such severity as gave disgust to men of moderate principles. Meanwhile the Tories were not idle. They boldly affirmed that the whigs had formed a design to pull down the church; and that this prosecution was intended to try their strength, before they should proceed openly to the execution of their project. These assertions were supported, and even credited, by great part of the clergy, who did not fail to alarm and inflame their hearers; while emissaries were employed to raise a ferment among the populace, already prepared with discontent arising from a scarcity which prevailed in almost every country of Europe. The ministers magnified the dangers to which the church was exposed, from dissenters, whigs, and lukewarm prelates. These they represented as the authors of a ruinous war, which, in a little time, would produce universal famine; and as the immediate encouragers of those Palatine refugees who had been brought over, to the number of six thousand, and maintained by voluntary contributions until they could be conveniently transported into Ireland, and the plantations in America. The charity bestowed upon those unhappy strangers exasperated the poor of England, who felt severely the effects of the dearth, and helped to fill up the measure of popular discontent. The articles against Dr. Sacheverel being exhibited, his person was committed to the deputy-usher of the black rod; but, afterwards, the Lords admitted him to bail. Then he drew up an answer to the charge, in which he denied some articles, and others he endeavoured to justify or extenuate. The Commons having sent up a replication, declaring they were ready to prove the charge, the Lords appointed the twenty-seventh day of February for the trial, in Westminster-hall.

§ IX. The eyes of the whole kingdom were turned upon this extraordinary trial. It lasted three weeks, during which all other business was suspended; and the queen herself was every day present, though in quality of a private spectator. The managers for the Commons were Sir Joseph Jekyll, Mr. Eyre, solicitor-general, Sir Peter King, recorder of the city of London, Lieutenant-General Stanhope, Sir Thomas Parker, and Mr. Robert Walpole, treasurer of the navy. The doctor was defended by Sir Simon Harcourt and Mr. Phipps, and assisted by Dr. Atterbury, Dr. Smallridge, and Dr. Friend. A vast multitude attended him every day to and from Westminster-hall, striving to kiss his hand, and praying for his deliverance, as if he had been a martyr and confessor. The queen's sedan was beset by the populace, exclaiming, "God bless your majesty and the church. We hope your majesty is for Dr. Sacheverel." They compelled all persons to lift their hats to the doctor, as he passed in his coach to the temple, where he lodged; and among these some members of parliament, who were abused and insulted. They destroyed several meeting-houses; plundered the dwelling-houses of eminent dissenters; and threatened to pull down those of the lord chancellor, the Earl of Wharton, and the Bishop of Sarum. They even proposed to attack the bank; so that the directors were obliged to send to Whitehall for assistance. The horse and foot guards were immediately sent to disperse the rioters, who fled at their approach. Next day the guards

were doubled at Whitehall, and the train-bands of Westminster continued in arms during the whole trial. The Commons entreated the queen, in an address, to take effectual measures for suppressing the present tumults, set on foot and fomented by papists, nonjurors, and other enemies to her title and government. She expressed a deep sense of their care and concern, as well as a just resentment at these tumultuous and violent proceedings. She published a proclamation for suppressing the tumults; and several persons being apprehended, were afterwards tried for high treason. Two of them were convicted, and sentenced to die; but neither suffered. The Commons presented another address of thanks to her majesty, for her gracious answer to their first remonstrance. They took this occasion to declare that the prosecution of the Commons against Dr. Henry Sacheverel proceeded only from the indispensable obligation they lay under to vindicate the late happy revolution, the glory of their royal deliverer, her own title and administration, the present established and protestant succession, together with the toleration and the quiet of the government. When the doctor's counsel had finished his defence, he himself recited a speech, wherein he solemnly justified his intentions towards the queen and her government; and spoke in the most respectful terms of the revolution, and the protestant succession. He maintained the doctrine of non-resistance in all cases whatsoever, as a maxim of the church in which he was educated: and by many pathetic expressions endeavoured to excite the compassion of the audience. He was surrounded by the queen's chaplains, who encouraged and extolled him as the champion of the church; and he was privately favoured by the queen herself, who could not but relish a doctrine so well calculated for the support of regal authority.

§ X. On the tenth day of March, the Lords being adjourned to their own House, the Earl of Nottingham proposed the following question, "Whether, in prosecutions by impeachments for high crimes and misdemeanors, by writing or speaking, the particular words supposed to be criminal, are necessary to be expressly specified in such impeachments?" The judges being consulted, were unanimously of opinion, that, according to law, the grounds of an indictment or impeachment ought to be expressly mentioned in both. One of the lords having suggested, that the judges had delivered their opinions according to the rules of Westminster-hall, and not according to the usage of parliament, the House resolved, that in impeachments they should proceed according to the laws of the land, and the law and usage of parliament. On the sixteenth day of the month, the queen being in the House incognito, they proceeded to consider whether or not the Commons had made good the articles exhibited against Dr. Sacheverel. The Earl of Wharton observed, that the doctor's speech was a full confutation and condemnation of his sermon: that all he had advanced about non-resistance and unlimited obedience was false and ridiculous: that the doctrine of passive obedience, as urged by the doctor, was not reconcilable to the practice of churchmen: that if the revolution was not lawful, many in that House, and vast numbers without, were guilty of blood, murder, rapine, and injustice; and that the queen herself was no lawful sovereign, since the best title she had to the crown, was her parliamentary title, founded upon the revolution. He was answered by the Lord Haversham in a long speech. Lord Ferrars said, if the doctor was guilty of some foolish unguarded expressions, he ought to have been tried at common law. The Earl of Scarborough observed, the revolution was a nice point, and above the law: he moved that they should adjourn the debate, and take time to consider before they gave judgment. Doctor Hooper, Bishop of Bath and Wells, allowed the necessity and legality of resistance in some extraordinary cases; but was of opinion that this maxim ought to be concealed from the knowledge of the people, who are naturally too apt to resist: that the revolution was not to be boasted of or made a precedent; but that a mantle ought to be thrown over it, and it should be called a vacancy or abdication. He said the original compact were dangerous words, not to be mentioned without great caution; that those who examined the revolution too nicely were no friends to it;

and that there seemed to be a necessity for preaching up non-resistance and passive obedience at that time, when resistance was justified. The Duke of Argyle affirmed, that the clergy in all ages had delivered up the rights and privileges of the people, preaching up the king's power, in order to govern him the more easily; and therefore they ought not to be suffered to meddle with politics. The Earl of Anglesey owned the doctor had preached nonsense; but said, that was no crime. The Duke of Leeds distinguished between resistance and revolution; for had not the last succeeded, it would have certainly been rebellion, since he knew of no other but hereditary right. The Bishop of Salisbury justified resistance from the Book of Maccabees: he mentioned the conduct of Queen Elizabeth, who assisted the Scots, the French, and the States-general, in resisting their different sovereigns, and was supported in this practice both by her parliaments and her convocations. He observed that King Charles I. had assisted the citizens of Rochelle in their rebellion; that Mainwaring incurred a severe censure from the parliament for having broached the doctrine of the divine right of kings; and that though this became a favourite maxim after the restoration, yet its warmest asserters were the first who pleaded for resistance when they thought themselves oppressed. The Archbishop of York, the Duke of Buckingham, and other leaders of the tory interest, declared that they never read such a piece of madness and nonsense as Sacheverel's sermon; but they did not think him guilty of a misdemeanor. Next day, Dr. Wake, Bishop of Lincoln, accused Sacheverel of having made a strange and false representation of the design for a comprehension, which had been set on foot by Archbishop Sancroft, and promoted by the most eminent divines of the church of England. He was of opinion that some step should be taken for putting a stop to such preaching, as, if not timely corrected, might kindle heats and animosities that would endanger both church and state. Dr. Trimnel, Bishop of Norwich, expatiated on the insolence of Sacheverel, who had arraigned Archbishop Grindal, one of the eminent reformers, as a perfidious prelate, for having favoured and tolerated the discipline of Geneva. He enlarged upon the good effects of the toleration. He took notice of Sacheverel's presumption in publishing inflammatory prayers, declaring himself under persecution, while he was prosecuted for offending against the law, by those who in common justice ought to be thought the fairest accusers, and before their lordships, who were justly acknowledged to be the most impartial judges. In discussing the fourth article, the Bishop of Salisbury spoke with great vehemence against Sacheverel, who, by inveighing against the revolution, toleration, and union, seemed to arraign and attack the queen herself; since her majesty had so great a share in the first; had often declared she would maintain the second; and that she looked upon the third as the most glorious event of her reign. He affirmed that nothing could be more plain than the doctor's reflecting upon her majesty's ministers; and that he had so well marked out a noble peer there present, by an ugly and scurrilous epithet which he would not repeat, that it was not possible to mistake his meaning. Some of the younger peers could not help laughing at this undesigned sarcasm upon the lord treasurer, whom Sacheverel had reviled under the name of Volpone: they exclaimed, "Name him, name him;" and in all probability, the zealous bishop, who was remarkable for absence of mind and unguarded expressions, would have gratified their request, had not the chancellor, interposing, declared that no peer was obliged to say more than he should think proper.

§ XI. After obstinate disputes, and much virulent altercation, Sacheverel was found guilty by a majority of seventeen voices; and four-and-thirty peers entered a protest against this decision. He was prohibited from preaching for the term of three years; his two sermons were ordered to be burnt by the hands of the common hangman, in presence of the lord mayor and the two sheriffs of London and Middlesex. The Lords likewise voted, that the executioner should commit to the same fire the famous decree passed in the convocation of the university of Oxford, asserting the absolute authority and indefeasible right of princes. A like sentence was denounced by the Com-

mons upon a book entitled, "Collections of Passages referred to by Dr. Sacheverel, in his Answer to the Articles of Impeachment." These he had selected from impious books lately published, and they were read by his counsel, as proofs that the church was in danger. The lenity of the sentence passed upon Sacheverel, which was in a great measure owing to the dread of popular resentment, his friends considered as a victory obtained over a whig faction, and they celebrated their triumph with bonfires and illuminations. On the fifth day of April, the queen ordered the parliament to be prorogued, after having, in her speech to both Houses, expressed her concern for the necessary occasion which had taken up great part of their time towards the latter end of the session. She declared that no prince could have a more true and tender concern for the welfare and prosperity of the church than she had, and should always have; and she said it was very injurious to take a pretence from wicked and malicious libels, to insinuate that the church was in danger by her administration.

§ XII. The French king, seeing the misery of his people daily increase, and all his resources fail, humbled himself again before the allies, and by the means of Petkum, who still corresponded with his ministers, implored the States-general, that the negotiation might be resumed. In order to facilitate their consent, he despatched a new project of pacification, in which he promised to renounce his grandson, and to comply with all their other demands, provided the Electors of Cologne and Bavaria should be re-established in their estates and dignities. These overtures being rejected, another plan was offered, and communicated to the plenipotentiaries of the emperor and queen of Great Britain. Then Petkum wrote a letter to the Marquis de Torcy, intimating, that the allies required his most Christian majesty should declare, in plain and expressive terms, that he consented to all the preliminaries, except the thirty-seventh article, which stipulated a cessation of arms, in case the Spanish monarchy should be delivered to King Charles in the space of two months. He said, the allies would send passports to the French ministers, to treat of an equivalent for that article. Louis was even forced to swallow this bitter draught. He signified his consent, and appointed the Mareschal D'Uxelles and the Abbé Polignac his plenipotentiaries. They were not suffered, however, to enter Holland, but were met by the deputies Buys and Vanderdussen at Gertruydenburgh. Meanwhile the States desired the Queen of England to send over the Duke of Marlborough, to assist them with his advice in these conferences. The two Houses of parliament seconded their request in a joint address to her majesty, who told them she had already given directions for his departure; and said she was glad to find they concurred with her in a just sense of the duke's eminent services. Both the letter and addresses were procured by the interest of Marlborough, to let the queen see how much that nobleman was considered both at home and abroad. But she was already wholly alienated from him in her heart, and these expedients served only to increase her distrust.

§ XIII. The French ministers were subjected to every species of mortification. They were in a manner confined to a small fortified town, and all their conduct narrowly watched. Their accommodation was mean; their letters were opened; and they were daily insulted by injurious libels. The Dutch deputies would hear of no relaxation, and no expedient for removing the difficulties that retarded the negotiation. In vain the plenipotentiaries declared, that the French king could not with decency, or the least regard to his honour, wage war against his own grandson: the deputies insisted upon his effecting the cession of Spain and the Indies to the house of Austria; and submitting to every other article specified in the preliminaries. Nay, they even reserved to themselves a power of making ulterior demands after the preliminaries should be adjusted. Louis proposed that some small provision should be made for the Duke of Anjou, which might induce him to relinquish Spain the more easily. He mentioned the kingdom of Aragon; and this hint being disagreeable to the allies, he demanded Naples and Sicily. When they urged that

A. D. 1710.  
Burnet. Hare.  
Torcy.  
Fouquieres.  
Hist. of the  
Duke of  
Marlborough.  
Tindal.  
Voltaire.



Naples was in possession of the house of Austria, he restricted the provision to Sicily and Sardinia. He offered to deliver up four cautionary towns in Flanders, as a security for Philip's evacuating Spain; and even promised to supply the confederates with a monthly sum of money, to defray the expense of expelling that prince from his dominions, should he refuse to resign them with a good grace. The substance of all the conferences was communicated to Lord Townshend, and Count Zinzendorf, the imperial plenipotentiary; but the conduct of the deputies was regulated by the Pensionary Heinsius, who was firmly attached to Prince Eugene and the Duke of Marlborough, more averse than ever to a pacification. The negotiation lasted from the nineteenth day of March to the twenty-fifth of July, during which term the conferences were several times interrupted, and a great many despatches and new proposals arrived from Versailles. At length, the plenipotentiaries returned to France, after having sent a letter to the pensionary, in which they declared, that the proposals made by the deputies were unjust and impracticable; and complained of the unworthy treatment to which they had been exposed. Louis resolved to hazard another campaign, not without hope, that there might be some lucky incident in the events of war, and that the approaching revolution in the English ministry, of which he was well apprized, would be productive of a more reasonable pacification. The States-general resolved, That the enemy had departed from the foundation on which the negotiation had begun, and studied pretences to evade the execution of the capital points, the restitution of Spain and the Indies; and, in short, that France had no other view than to sow and create jealousy and disunion among the allies. Lord Townshend, in a memorial, assured them, that the queen entirely approved their resolution, and all the steps they had taken in the course of the negotiation; and that she was firmly resolved to prosecute the war with all possible vigour, until the enemy should accept such terms of peace as might secure the tranquillity of the Christian world.

§ XIV. The conferences did not retard the operations of the campaign. Prince Eugene and the Duke of Marlborough set out from the Hague on the fifteenth day of March for Tournay, in order to assemble the forces which were quartered on the Maese, in Flanders, and Brabant. On the twentieth of April, they suddenly advanced to Pont-a-Vendin, in order to attack the lines upon which the French had been at work all the winter, hoping by these to cover Douay and other frontier towns, which were threatened by the confederates. The troops left for the defence of the lines retired without opposition. The allies having laid bridges over the scarp, the Duke of Marlborough with his division passed the river, and encamped at Vitri. Prince Eugene remained on the other side, and invested Douay, the enemy retiring towards Cambray. Mareschal Villars still commanded the French army, which was extremely numerous and well appointed, considering the distress of that kingdom. Indeed, the number was augmented by this distress; for many thousands saved themselves from dying of hunger, by carrying arms in the service. The mareschal having assembled all his forces, passed the Scheldt, and encamped at Bouchan, declaring that he would give battle to the confederates: an alteration was immediately made in the disposition of the allies, and proper precautions taken for his reception. He advanced in order of battle; but having viewed the situation of the confederates, he marched back to the heights of St. Lawrence, where he fixed his camp. His aim was, by continual alarms, to interrupt the siege of Douay, which was vigorously defended by a numerous garrison, under the command of Monsieur Albergotti, who made a number of successful sallies, in which the besiegers lost a great number of men. They were likewise repulsed in several assaults; but still proceeded with unremitted vigour, until the besieged, being reduced to the last extremity, were obliged to capitulate on the twenty-sixth of June, fifty days after the trenches had been opened. The generals finding it impracticable to attack the enemy, who were posted within strong lines from Arras towards Miramont, resolved to besiege Bethune, which was invested on the fifteenth day of July, and surrendered on the twenty-ninth of August. Villars marched out of his entrenchments with a view to

raise the siege; but he did not think proper to hazard an engagement; some warm skirmishes, however, happened between the foragers of the two armies. After the reduction of Bethune, the allies besieged at one time the towns of Aire and St. Venant, which were taken without much difficulty. Then the armies broke up, and marched into winter-quarters.

§ XV. The campaign on the Rhine was productive of no military event; nor was any thing of consequence transacted in Piedmont. The Duke of Savoy being indisposed and out of humour, the command of the forces still continued vested in Count Thaur, who endeavoured to pass the Alps, and penetrated into Dauphiné; but the Duke of Berwick had cast up entrenchments in the mountains, and taken such precautions to guard them, as baffled all the attempts of the imperial general. Spain was much more fruitful of military incidents. The horse and dragoons in the army of King Charles, headed by General Stanhope, attacked the whole cavalry of the enemy at Almenara. Stanhope charged in person, and with his own hand slew General Amessaga, who commanded the guards of Philip. The Spanish horse were entirely routed, together with nine battalions that escaped by favour of the darkness; and the main body of the army retired with precipitation to Lerida. General Staremberg pursued them to Saragossa, where he found them drawn up in order of battle; and an engagement ensuing on the ninth day of August, the enemy were totally defeated; five thousand of their men were killed, seven thousand taken, together with all their artillery, and a great number of colours and standards. King Charles entered Saragossa in triumph, while Philip with the wreck of his army retreated to Madrid. Having sent his queen and son to Victoria, he retired to Valladolid, in order to collect his scattered forces, so as to form another army. The good fortune of Charles was of a short duration. Stanhope proposed that he should immediately secure Pampeluna, the only pass by which the French king could send troops to Spain; but this salutary scheme was rejected. King Charles proceeded to Madrid, which was deserted by all the garrisons; and he had the mortification to see that the Castilians were universally attached to his competitor.

§ XVI. While his forces continued cantoned in the neighbourhood of Toledo, the King of France, at the request of Philip, sent the Duke de Vendome to take the command of the Spanish army, which was at the same time reinforced by detachments of French troops. Vendome's reputation was so high, and his person so beloved by the soldiery, that his presence was almost equivalent to an army. A great number of volunteers immediately assembled to signalize themselves under the eye of this renowned general. The Castilians were inspired with fresh courage, and made surprising efforts in favour of their sovereign; so that in less than three months after his defeat at Saragossa, he was in a condition to go in quest of his rival. Charles, on the other hand, was totally neglected by the courts of Vienna and Great Britain, which took no steps to supply his wants, or enable him to prosecute the advantages he had gained. In the beginning of November his army marched back to Saragossa, and was cantoned in the neighbourhood of Cifuentes, where Staremberg established his head-quarters. General Stanhope, with the British forces, was quartered in the little town of Brihuega, where, on the twenty-seventh day of the month, he found himself suddenly surrounded by the whole Spanish army. As the place was not tenable, and he had very little ammunition, he was obliged, after a short but vigorous resistance, to capitulate, and surrender himself and all his forces prisoners of war, to the amount of two thousand men, including three lieutenant-generals, one major-general, one brigadier, with all the colonels and officers of the respective regiments. He was greatly censured for having allowed himself to be surprised; for if he had placed a guard upon the neighbouring hills, according to the advice of General Carpenter, he might have received notice of the enemy's approach time enough to retire to Cifuentes. Thither he had detached his aide-de-camp, with an account of his situation, on the appearance of the Spanish army; and Staremberg immediately assembled his forces. About eleven in the forenoon they began to

march towards Brihuega; but the roads were so bad, that night overtook them before they reached the heights in the neighbourhood of that place. Staremberg is said to have loitered away his time unnecessarily from motives of envy to the English general, who had surrendered before his arrival. The troops lay all night on their arms near Villaviciosa, and on the twenty-ninth were attacked by the enemy, who doubled their number. Staremberg's left wing was utterly defeated, all the infantry that composed it having been either cut in pieces or taken; but the victors, instead of following the blow, began to plunder the baggage; and Staremberg with his right wing fought their left with surprising valour and perseverance till night. Then they retired in disorder, leaving him master of the field of battle and of all their artillery. Six thousand of the enemy were killed on the spot: but the allies had suffered so severely, that the general could not maintain his ground. He ordered the cannon to be nailed up, and marched to Saragossa, from whence he retired to Catalonia. Thither he was pursued by the Duke de Vendome, who reduced Balaguer, in which he had left a garrison, and compelled him to take shelter under the walls of Barcelona. At this period the Duke de Noailles invested Gironne, which he reduced notwithstanding the severity of the weather; so that Philip, from a fugitive, became in three months absolute master of the whole Spanish monarchy, except the province of Catalonia, and even that lay open to his incursions. Nothing of consequence was achieved on the side of Portugal, from whence the Earl of Galway returned to England by the queen's permission. The operations of the British fleet, during this summer, were so inconsiderable as scarcely to deserve notice. Sir John Norris commanded in the Mediterranean, and with a view to support the Camisars, who were in arms in the Cevennes, sailed to Port Cette, within a league of Marseilles, and at the distance of fifteen from the insurgents. The place surrendered, without opposition, to about seven hundred men that landed under the command of Major-General Saissan, a native of Languedoc. He likewise made himself master of the town and castle of Ayde; but the Duke de Noailles advancing with a body of forces to join the Duke de Roquelaure, who commanded in those parts, the English abandoned their conquests, and re-embarked with precipitation. After the battle of Pultowa the Czar of Muscovy reduced all Livonia; but he and King Augustus agreed to a neutrality for Pomerania. The King of Sweden continued at Bender, and the grand signor interested himself so much in favour of that prince, as to declare war against the Emperor of Russia. Hostilities were carried on between the Swedish and Danish fleets, with various success. The malcontents in Hungary sustained repeated losses during the summer: but they were encouraged to maintain the war by the rupture between the Ottoman Porte and Russia. They were flattered with hopes of auxiliaries from the Turks: and expected engines and money from the French monarch.

§ XVII. In England, the effects of those intrigues which had been formed against the whig ministers began to appear. The trial of Sacheverel had excited a popular spirit of aversion to those who favoured the dissenters. From all parts of the kingdom addresses were presented to the queen, censuring all resistance as a rebellious doctrine, founded upon anti-monarchical and republican principles. At the same time counter addresses were procured by the whigs extolling the revolution, and magnifying the conduct of the present parliament. The queen began to express her attachment to the Tories, by mortifying the Duke of Marlborough. Upon the death of the Earl of Essex she wrote to the general, desiring that the regiment which had been commanded by that nobleman should be given to Mr. Hill, brother to Mrs. Masham, who had supplanted the Duchess of Marlborough in the queen's friendship, and was, in effect, the source of this political revolution. The duke represented to her majesty, in person, the prejudice that would redound to the service from the promotion of such a young officer over the heads of a great many brave men, who had exhibited repeated proofs of valour and capacity. He expostulated with his sovereign on this extraordinary mark of partial regard to the brother of Mrs. Masham, which he could not help considering as a de-

claration against himself and his family, who had so much cause to complain of that lady's malice and ingratitude. To this remonstrance the queen made no other reply, but that he would do well to consult his friends. The Earl of Godolphin enforced his friend's arguments, though without effect; and the duke in disgust retired to Windsor. The queen appeared at council without taking the least notice of his absence, which did not fail to alarm the whole whig faction. Several noblemen ventured to speak to her majesty on the subject, and explain the bad consequences of dis-obliging a man who had done such eminent services to the nation. She told them his services were still fresh in her memory: and that she retained all her former kindness for his person. Hearing, however, that a popular clamour was raised, and that the House of Commons intended to pass some votes that would be disagreeable to her and her new counsellors, she ordered the Earl of Godolphin to write to the duke, to dispose of the regiment as he should think proper, and return to town immediately. Before he received this intimation he had sent a letter to the queen; desiring she would permit him to retire from business. In answer to this petition, she assured him his suspicions were groundless, and insisted upon his coming to council. The duchess demanded an audience of her majesty, on pretence of vindicating her own character from some aspersions. She hoped to work upon the queen's tenderness, and retrieve the influence she had lost. She protested, argued, wept, and supplicated; but the queen was too well pleased with her own deliverance from the tyranny of the other's friendship, to incur such slavery for the future. All the humiliation of the duchess served only to render herself the more contemptible. The queen heard her without exhibiting the least sign of emotion, and all she would vouchsafe, was a repetition of these words, "You desired no answer, and you shall have none:" alluding to an expression in a letter she had received from the duchess. As an additional mortification to the ministry, the office of lord chamberlain was transferred from the Duke of Kent to the Duke of Shrewsbury, who had lately voted with the Tories, and maintained an intimacy of correspondence with Mr. Harley. The interest of the Duke of Marlborough was not even sufficient to prevent the dismission of his own son-in-law, the Earl of Sunderland, from the post of secretary of state, in which he was succeeded by Lord Dartmouth.

§ XVIII. The queen was generally applauded for thus asserting her just prerogative, and setting herself free from an arbitrary cabal, by which she had been so long kept in dependence. The Duke of Beaufort went to court on this occasion, and told her majesty he was extremely glad that he could now salute her queen in reality. The whole whig party were justly alarmed at these alterations. The directors of the bank represented to her majesty the prejudice that would undoubtedly accrue to public credit from a change of the ministry. The emperor and the States-general interposed in this domestic revolution. Their ministers at London presented memorials, explaining in what manner foreign affairs would be influenced by an alteration in the British ministry. The queen assured them, that, whatever changes might be made, the Duke of Marlborough should be continued in his employments. In the month of August the Earl of Godolphin was divested of his office, and the treasury put in commission, subjected to the direction of Harley, appointed chancellor of the exchequer and under-treasurer. The Earl of Rochester was declared president of the council, in the room of Lord Somers: the staff of lord steward being taken from the Duke of Devonshire, was given to the Duke of Buckingham; and Mr. Boyle was removed from the secretary's office, to make way for Mr. Henry St. John. The lord chancellor having resigned the great seal, it was first put in commission, and afterwards given to Sir Simon Harcourt. The Earl of Wharton surrendered his commission of lord lieutenant of Ireland, which the queen conferred on the Duke of Ormond. The Earl of Orford withdrew himself from the board of admiralty; and Mr. George Granville was appointed secretary of war, in the room of Mr. Robert Walpole. The command of the forces in Portugal was bestowed upon the Earl of Portmore: the Duke of Hamilton was appointed lord-lieutenant of the county-palatine of Lancas-

ter. In a word, there was not one whig left in any office of state, except the Duke of Marlborough, who would have renounced his command, had he not been earnestly dissuaded by his particular friends from taking such a step as might have been prejudicial to the interest of the nation. That the triumph of the Tories might be complete, the queen dissolved the whig parliament, after such precautions were taken as could not fail to influence the new election in favour of the other party.

§ XIX. To this end nothing so effectually contributed as did the trial of Sacheverel, who was used as an instrument and tool to wind and turn the passions of the vulgar. Having been presented to a benefice in North Wales, he went in procession to that country, with all the pomp and magnificence of a sovereign prince. He was sumptuously entertained by the University of Oxford, and different noblemen, who, while they worshipped him as the idol of their faction, could not help despising the object of their adoration. He was received in several towns by the magistrates of the corporation in their formalities, and often attended by a body of a thousand horse. At Bridgenorth he was met by Mr. Creswell, at the head of four thousand horse, and the like number of persons on foot, wearing white knots edged with gold, and three leaves of gilt laurel in their hats. The hedges were for two miles dressed with garlands of flowers, and lined with people; and the steeples covered with streamers, flags, and colours. Nothing was heard but the cry of "The church and Dr. Sacheverel." The clergy were actuated by a spirit of enthusiasm, which seemed to spread like a contagion through all ranks and degrees of people, and had such effect upon the elections for a new parliament, that very few were returned as members but such as had distinguished themselves by their zeal against the whig administration. Now the queen had the pleasure to see all the offices of state, the lieutenancy of London, the management of corporations, and the direction of both Houses of parliament, in the hands of the Tories. When these met on the twenty-fifth day of November, Mr. Bromley was chosen speaker without opposition. The queen, in her speech, recommended the prosecution of the war with vigour, especially in Spain. She declared herself resolved to support the church of England; to preserve the British constitution according to the union; to maintain the indulgence by law allowed to scrupulous consciences; and to employ none but such as were heartily attached to the protestant succession in the House of Hanover. The Lords in their address promised to concur in all reasonable measures towards procuring an honourable peace. The Commons were more warm and hearty in their assurances, exhorting her majesty to discountenance all such principles and measures as had lately threatened her royal crown and dignity; measures which, whenever they might prevail, would prove fatal to the whole constitution, both in church and state. After this declaration they proceeded to consider the estimates, and cheerfully granted the supplies for the ensuing year, part of which was raised by two lotteries. In the House of Peers, the Earl of Scarborough moved that the thanks of the House should be returned to the Duke of Marlborough; but the Duke of Argyle made some objections to the motion, and the general's friends, dreading the consequence of putting the question, postponed the consideration of this proposal until the duke should return from the continent. The Earl of Peterborough was appointed ambassador extraordinary to the imperial court: the Earl of Rivers was sent in the same quality to Hanover: Mr. Richard Hill was nominated envoy extraordinary to the United Provinces, as well as to the council of state appointed for the government of the Spanish Netherlands, in the room of Lieutenant-General Cadogan. Meredith, Macartney, and Honeywood, were deprived of their regiments, because in their cups they had drank confusion to the enemies of the Duke of Marlborough.

§ XX. This nobleman arrived in England towards the latter end of December. He conferred about half an hour in private with the queen, and next morning assisted at a committee of the privy council. Her majesty gave him to understand, that he needed not to expect the thanks of the parliament as formerly: and told him she hoped he would live well with her ministers. He expressed no resentment

at the alterations which had been made; but resolved to acquiesce in the queen's pleasure, and retain the command of the army on her own terms. On the second day of January, the queen sent a message to both Houses, intimating that there had been an action in Spain to the disadvantage of King Charles: that the damage having fallen particularly on the English forces, she had given directions for sending and procuring troops to repair the loss, and hoped the parliament would approve her conduct. Both Houses seized this opportunity of venting their spleen against the old ministry. The history of England is disgraced by the violent conduct of two turbulent factions, which, in their turn, engrossed the administration and legislative power. The parliamentary strain was quite altered. One can hardly conceive how resolutions so widely different could be taken on the same subject, with any shadow of reason and decorum. Marlborough, who but a few months before had been so highly extolled and caressed by the representatives of the people, was now become the object of parliamentary hatred and censure, though no sensible alteration had happened in his conduct or success. That hero, who had retrieved the glory of the British arms, won so many battles, subdued such a number of towns and districts, humbled the pride and checked the ambition of France, secured the liberty of Europe, and, as it were, chained victory to his chariot wheels, was in a few weeks dwindled into an object of contempt and derision. He was ridiculed in public libels, and reviled in private conversation. Instances were every where repeated of his fraud, avarice, and extortion; his insolence, cruelty, ambition, and misconduct: even his courage was called in question: and this consummate general was represented as the lowest of mankind. So unstable is the popularity of every character that fluctuates between two opposite tides of faction.

§ XXI. The Lords, in their answer to the queen's message, declared, that as the misfortune in Spain might have been occasioned by some preceding mismanagement, they would use their utmost endeavour to discover it, so as to prevent the like for the future. They set on foot an inquiry concerning the affairs of Spain; and the Earl of Peterborough being examined before the committee, imputed all the miscarriages in the course of that war, to the Earl of Galway and General Stanhope. Notwithstanding the defence of Galway, which was clear and convincing, the House resolved, That the Earl of Peterborough had given a faithful and an honourable account of the councils of war in Valencia; that the Earl of Galway, Lord Trymley, and General Stanhope, in advising an offensive war, had been the unhappy occasion of the battle at Almanza, the source of our misfortunes in Spain, and one great cause of the disappointment of the expedition to Toulon, concerted with her majesty. They voted that the prosecution of an offensive war in Spain was approved and directed by the ministers, who were, therefore, justly blamable, as having contributed to all our misfortunes in Spain, and to the disappointment of the expedition against Toulon: that the Earl of Peterborough, during his command in Spain, had performed many great and eminent services; and, if his opinion had been followed, it might have prevented the misfortunes that ensued. Then the Duke of Buckingham moved, That the thanks of the House should be given to the Earl, for his remarkable and eminent services: and these he actually received from the mouth of the Lord-keeper Harcourt, who took this opportunity to drop some oblique reflections upon the mercenary disposition of the Duke of Marlborough. The House, proceeding in the inquiry, passed another vote, importing, That the late ministry had been negligent in managing the Spanish war, to the great prejudice of the nation. Finding that the Portuguese troops were posted on the right of the English at the battle of Almanza, they resolved, That the Earl of Galway, in yielding this point, had acted contrary to the honour of the imperial crown of Great Britain. These resolutions they included in an address to the queen, who had been present during the debates, which were extremely violent; and to every separate vote was attached a severe protest. These were not the proceedings of candour and national justice, but the ebullitions of party zeal and rancorous animosity.



§ XXII. While the Lords were employed in this inquiry, the Commons examined certain abuses which had crept into the management of the navy; and some censures were passed upon certain persons concerned in contracts for victualling the seamen. The inhabitants of St. Olave's and other parishes presented a petition, complaining that a great number of Palatines, inhabiting one house, might produce among them a contagious distemper; and in time become a charge to the public, as they were destitute of all visible means of subsistence. This petition had been procured by the Tories, that the House of Commons might have another handle for attacking the late ministry. A committee was appointed to inquire upon what invitation or encouragement those Palatines had come to England. The papers relating to this affair being laid before them by the queen's order, and perused, the House resolved, That the inviting and bringing over the poor Palatines of all religions, at the public expense, was an extravagant and unreasonable charge to the kingdom, and a scandalous misapplication of the public money, tending to the increase and oppression of the poor, and of dangerous consequence to the constitution in church and state; and, that whoever advised their being brought over was an enemy to the queen and kingdom. Animated by the heat of this inquiry, they passed the bill to repeal the act for a general naturalization of all protestants: but this was rejected in the House of Lords. Another bill was enacted into a law, importing, That no person should be deemed qualified for representing a county in parliament, unless he possessed an estate of six hundred pounds a-year; and restricting the qualification of a burgess to half that sum. The design of this bill was to exclude trading people from the House of Commons, and to lodge the legislative power with the land-owners. A third act passed, permitting the importation of French wine in neutral bottoms: a bill against which the Whigs loudly exclaimed, as a national evil, and a scandalous compliment to the enemy.

§ XXIII. A violent party in the House of Commons began to look upon Harley as a lukewarm Tory, because he would not enter precipitately into all their factious measures: they even began to suspect his principles, when his credit was re-established by a very singular accident. Guiscard, the French partisan, of whom mention hath already been made, thought himself very ill rewarded for his services, with a precarious pension of four hundred pounds, which he enjoyed from the queen's bounty. He had been renounced by St. John, the former companion of his pleasures: he had in vain endeavoured to obtain an audience of the queen, with a view to command more considerable appointments. Harley was his enemy, and all access to her majesty was denied. Enraged at these disappointments, he attempted to make his peace with the court of France, and offered his services, in a letter to one Moreau, a banker, in Paris. This packet, which he endeavoured to transmit by the way of Portugal, was intercepted, and a warrant issued out to apprehend him for high treason. When the messenger disarmed him in St. James's Park, he exhibited marks of guilty confusion and despair, and begged that he would kill him directly. Being conveyed to the Cockpit, in a sort of frenzy, he perceived a penknife lying upon a table, and took it up without being perceived by the attendants. A committee of council was immediately summoned, and Guiscard brought before them to be examined. Finding that his correspondence with Moreau was discovered, he desired to speak in private with Secretary St. John, whom, in all probability, he had resolved to assassinate. His request being refused, he said, "That's hard! not one word!" St. John being out of his reach, he stepped up to Mr. Harley, and exclaiming, "Have at thee, then!" stabbed him in the breast with the penknife which he had concealed. The instrument broke upon the bone without penetrating into the cavity: nevertheless, he repeated the blow with such force, that the chancellor of the exchequer fell to the ground. Secretary St. John, seeing him fall, cried out, "The villain has killed Mr. Harley!" and drew his sword. Several other members followed his example, and wounded Guiscard in several places. Yet he made a desperate defence, until he was overpowered by the messengers and servants, and conveyed from the council-chamber, which he had filled with

terror, tumult, and confusion. His wounds, though dangerous, were not mortal: but he died of a gangrene occasioned by the bruises he had sustained. This attempt upon the life of Harley by a person who wanted to establish a traitorous correspondence with France, extinguished the suspicions of those who began to doubt that minister's integrity. The two Houses of parliament, in an address to the queen, declared their belief, that Mr. Harley's fidelity to her majesty, and zeal for her service, had drawn upon him the hatred of all the abettors of popery and faction. They besought her majesty to take all possible care of her sacred person; and, for that purpose, to give directions for causing papists to be removed from the cities of London and Westminster. A proclamation was published, ordering the laws to be strictly put in execution against papists. When Harley appeared in the House of Commons after his recovery, he was congratulated upon it by the speaker, in a florid and fulsome premeditated speech. An act was passed, decreeing, That an attempt upon the life of a privy counsellor should be felony without benefit of clergy. The Earl of Rochester dying, Harley became sole minister, was created Baron of Wigmore, and raised to the rank of earl, by the noble and ancient title of Oxford and Mortimer: to crown his prosperity, he was appointed lord treasurer, and vested with the supreme administration of affairs.

§ XXIV. The Commons empowered certain persons to examine all the grants made A. D. 1711. by King William, and report the value of them, as well as the considerations upon which they were made. Upon their report a bill was formed and passed that House; but the Lords rejected it at the first reading. Their next step was to examine the public accounts, with a view to fix an imputation on the Earl of Godolphin. They voted, That above five-and-thirty millions of the money granted by parliament remained unaccounted for. This sum, however, included some accounts in the reigns of King Charles and King William. One half of the whole was charged to Mr. Bridges, the paymaster, who had actually accounted for all the money he had received, except about three millions, though these accounts had not passed through the auditor's office. The Commons afterwards proceeded to inquire into the debts of the navy, that exceeded five millions, which, with many other debts, were thrown into one stock, amounting to nine millions four hundred and seventy-one thousand three hundred and twenty-five pounds. A fund was formed for paying an interest or annuity of six per cent. until the principal should be discharged; and with this was granted a monopoly of a projected trade in the South Sea, vested in the proprietors of navy-bills, debentures, and other public securities, which were incorporated for this purpose. Such was the origin of the South Sea company, founded upon a chimerical supposition, that the English would be permitted to trade upon the coast of Peru in the West Indies. Perhaps, the new ministry hoped to obtain this permission, as an equivalent for their abandoning the interest of King Charles, with respect to his pretensions upon Spain. By this time the Emperor Joseph had died of the small-pox, without male issue; so that his brother's immediate aim was to succeed him on the imperial throne. This event was on the twentieth day of April communicated by a message from the queen to both Houses. She told them that the States-general had concurred with her in a resolution to support the house of Austria; and that they had already taken such measures as would secure the election of Charles as head of the empire.

§ XXV. The House of Commons, in order to demonstrate their attachment to the church, in consequence of an address from the lower house of convocation, and a quickening message from the queen, passed a bill for building fifty new churches in the suburbs of London and Westminster, and appropriated for this purpose the duty upon coals, which had been granted for the building of St. Paul's, now finished. This imposition was continued until it should raise the sum of three hundred and fifty thousand pounds. At the close of the session, the Commons presented a remonstrance or representation to the queen, in

Burnet, Quincy, Feuquieres, Torcy, Barchet. Hist. of the Duke of Marlborough. Mil. Hist. Conduct of the Duchess of Marlborough. Tindal. Lives of the Admirals. Voltaire.

which they told her, that they had not only raised the necessary supplies, but also discharged the heavy debts of which the nation had so long and justly complained. They said, that, in tracing the causes of this debt, they had discovered fraud, embezzlement, and misapplication of the public money: that they who of late years had the management of the treasury were guilty of notorious breach of trust and injustice to the nation, in allowing above thirty millions to remain unaccounted for; a purposed omission that looked like a design to conceal embezzlements. They begged her majesty would give immediate directions for compelling the several imprest accountants speedily to pass their accounts. They expressed their hope, that such of the accountants as had neglected their duty in prosecuting their accounts, ought no longer to be intrusted with the public money. They affirmed, that from all these evil practices and worse designs of some persons, who had, by false professions of love to their country, insinuated themselves into her royal favour, irreparable mischief would have accrued to the public, had not her majesty, in her great wisdom, seasonably discovered the fatal tendency of such measures, and removed from the administration those who had so ill answered her majesty's favourable opinion, and in so many instances grossly abused the trust reposed in them. They observed that her people could with greater patience have suffered the manifold injuries done to themselves, by the frauds and depredations of such evil ministers, had not the same men proceeded to treat her sacred person with undutifulness and disregard. This representation being circulated through the kingdom, produced the desired effect of inflaming the minds of the people against the late ministry. Such expedients were become necessary for the execution of Oxford's project, which was to put a speedy end to a war that had already subjected the people to grievous oppression, and even accumulated heavy burthens to be transmitted to their posterity. The nation was inspired by extravagant ideas of glory and conquest, even to a rage of war-making; so that the new ministers, in order to dispel those dangerous chimeras, were obliged to take measures for exciting their indignation and contempt against those persons whom they had formerly idolized as their heroes and patriots. On the twelfth day of June, the queen, having given the royal assent to several public and private bills, made an affectionate speech to both Houses. She thanked the Commons, in the warmest expressions, for having complied with all her desires; for having baffled the expectations of her enemies in finding supplies for the service of the ensuing year; in having granted greater sums than were ever given to any prince in one session; and in having settled funds for the payment of the public debts, so that the credit of the nation was restored. She expressed her earnest concern for the succession of the house of Hanover; and her fixed resolution to support and encourage the church of England as by law established. Then the parliament was prorogued.

§ XXVI. Of the convocation which was assembled with the new parliament, the lower house chose Dr. Atterbury their prolocutor. He was an enterprising ecclesiastic, of extensive learning, acute talents, violently attached to party principles, and intimately connected with the prime minister, Oxford: so that he directed all the proceedings in the lower house of convocation, in concert with that minister. The queen, in a letter to the archbishop, signified her hope, that the consultations of the clergy might be of use to repress the attempts of loose and profane persons. She sent a licence under the broad seal, empowering them to sit and do business in as ample a manner as ever had been granted since the Reformation. They were ordered to lay before the queen an account of the excessive growth of infidelity and heresy, as well as of other abuses, that necessary measures might be taken for a reformation. The bishops were purposely slighted and overlooked, because they had lived in harmony with the late ministers. A committee being appointed to draw up a representation of the present state of the church and religion, Atterbury undertook the task, and composed a remonstrance that contained the most keen and severe strictures upon the administration, as it had been exercised since the time of the revolution. Another was penned by the bishops in more moderate terms: and several regula-

tions were made, but in none of these did the two houses agree. They concurred, however, in censuring some tenets favouring Arianism, broached and supported by Mr. Whiston, mathematical professor in Cambridge. He had been expelled the university, and wrote a vindication of himself, dedicated to the convocation. The archbishop doubted whether this assembly could proceed against a man for heresy: the judges were consulted, and the majority of them gave in their opinion, that the convocation had a jurisdiction. Four of them professed the contrary sentiment, which they maintained from the statutes made at the Reformation. The queen, in a letter to the bishops, said, that as there was now no doubt of their jurisdiction, she expected they would proceed in the matter before them. Fresh scruples arising, they determined to examine the book, without proceeding against the author, and this was censured accordingly. An extract of the sentence was sent to the queen; but she did not signify her pleasure on the subject, and the affair remained in suspense. Whiston published a work in four volumes, justifying his doctrine, and maintaining that the apostolical constitutions were not only canonical, but also preferable in point of authority to the Epistles and the Gospel.

§ XXVII. The new ministry had not yet determined to supersede the Duke of Marlborough in the command of the army. This was a step which could not be taken without giving umbrage to the Dutch and other allies. He, therefore, set out for Holland in the month of February, after the queen had assured him, that he might depend upon the punctual payment of the forces. Having conferred with the deputies of the States about the operations of the campaign, he, about the middle of April, assembled the army at Orchies, between Lisle and Douay; while Mareschal de Villars drew together the French troops in the neighbourhood of Cambray and Arras. Louis had by this time depopulated as well as impoverished his kingdom; yet his subjects still flocked to his standard with surprising spirit and attachment. Under the pressure of extreme misery they uttered not one complaint of their sovereign, but imputed all their calamities to the pride and obstinacy of the allies. Exclusive of all the other impositions that were laid upon that people, they consented to pay the tenth penny of their whole substance; but all their efforts of loyalty and affection to their prince would have been ineffectual, had not the merchants of the kingdom, by the permission of Philip, undertaken repeated voyages to the South Sea, from whence they brought home immense treasures; while the allies took no steps for intercepting these supplies, though nothing could have been more easy for the English than to deprive the enemy of this great resource, and convert it to their own advantage. Had a squadron of ships been annually employed for this purpose, the subjects of France and Spain must have been literally starved, and Louis obliged to submit to such terms as the confederates might have thought proper to impose. Villars had found means to assemble a very numerous army, with which he encamped behind the river Sanset, in such an advantageous post as could not be attacked with any prospect of success. Meanwhile the Duke of Marlborough passed the scarp, and formed his camp between Douay and Bouchain, where he was joined by Prince Eugene on the twenty-third day of May. This general, however, did not long remain in the Netherlands. Understanding that detachments had been made from the army of Villars to the Rhine, and that the Elector of Bavaria intended to act in the empire, the prince, by order from the court of Vienna, marched towards the Upper Rhine with the imperial and palatine troops, to secure Germany. The Duke of Marlborough repassing the scarp, encamped in the plains of Lens, from whence he advanced towards Aire, as if he had intended to attack the French lines in that quarter. These lines beginning at Bouchain on the Schelde, were continued along the Sanset and the scarp to Arras, and thence along the upper scarp to Cauché. They were defended by redoubts and other works, in such a manner, that Villars judged they were impregnable, and called them the *Ne plus ultra* of Marlborough.

§ XXVIII. This nobleman advancing within two leagues of the French lines, ordered a great number of fascines to

be made, declaring he would attack them the next morning; so that Villars drew all his forces on that side, in full expectation of an engagement. The duke, on the supposition that the passages of the Samsat by Arleux would be left unguarded, had ordered the Generals Cadogan and Hompesch to assemble twenty battalions and seventeen squadrons from Douay and the neighbouring garrisons, to march to Arleux, where they should endeavour to pass the Samsat. Brigadier Sutton was detached with the artillery and pontoons, to lay bridges over the canal near Goulezén, and over the Scarpe at Vitry, while the duke, with the whole confederate army, began his march for the same place about nine in the evening. He proceeded with such expedition, that by five in the morning he passed the river at Vitry. There he received intelligence that Hompesch had taken possession of the passes on the Samsat and Schelde without opposition, the enemy having withdrawn their detachments from that side, just as he had imagined. He himself, with his vanguard of fifty squadrons, hastened his march towards Arleux, and before eight of the clock arrived at Bacâ-Bachuel, where in two hours he was joined by the heads of the columns into which he had divided his infantry. Villars being certified of his intention, about two in the morning, decamped with his whole army, and putting himself at the head of the king's household troops, marched all night with such expedition, that about eleven in the forenoon he was in sight of the Duke of Marlborough, who had by this time joined Count Hompesch. The French general immediately retreated to the main body of his army, which had advanced to the high road between Arras and Cambrai, while the allies encamped upon the Schelde, between Ois and Estrun, after a march of ten leagues without halting, scarcely to be paralleled in history. By this plan, so happily executed, the Duke of Marlborough fairly outwitted Villars, and, without the loss of one man, entered the lines which he had pronounced impregnable. This stroke of the English general was extolled as a master-piece of military skill, while Villars was exposed to the ridicule even of his own officers. The field-deputies of the States-general proposed that he should give battle to the enemy, who passed the Schelde at Crevecoeur, in order to cover Bouchain: but the duke would not hazard an engagement, considering how much the army was fatigued by the long march; and that any misfortune, while they continued within the French lines, might be fatal. His intention was to besiege Bouchain; an enterprise that was deemed impracticable, inasmuch as the place was situated in a morass, strongly fortified, and defended by a numerous garrison, in the neighbourhood of an army superior in number to that of the allies. Notwithstanding these disadvantages, and the dissuasions of his own friends, he resolved to undertake the siege: and, in the mean time, despatched Brigadier Sutton to England, with an account of his having passed the French lines; which was not at all agreeable to his enemies. They had prognosticated that nothing would be done during this campaign, and began to insinuate that the duke could strike no stroke of importance without the assistance of Prince Eugene. They now endeavoured to lessen the glory of his success; and even taxed him with having removed his camp from a convenient situation to a place where the troops were in danger of starving. Nothing could be more provoking than this scandalous malevolence to a great man who had done so much honour to his country, and was then actually exposing his life in her service.

§ XXIX. On the tenth day of August Bouchain was invested, and the Duke of Marlborough exerted himself to the utmost extent of his vigilance and capacity, well knowing the difficulties of the undertaking, and how much his reputation would depend upon his success. Villars had taken every precaution that his skill and experience could suggest, to baffle the endeavours of the English general. He had reinforced the garrison to the number of six thousand chosen men, commanded by officers of known courage and ability. He made some efforts to raise the siege; but they were rendered ineffectual by the consummate prudence and activity of the Duke of Marlborough. Then he laid a scheme for surprising Douay, which likewise miscarried. If we consider that the English general, in the execution of his plan, was obliged to form lines,

erect regular forts, raise batteries, throw bridges over a river, make a causeway through a deep morass, provide for the security of convoys against a numerous army on one side, and the garrisons of Condé and Valenciennes on the other, we must allow this was the boldest enterprise of the whole war: that it required all the fortitude, skill, and resolution of a great general, and all the valour and intrepidity of the confederate troops, who had scarce ever exhibited such amazing proofs of courage upon any other occasion as they now displayed at the siege of Bouchain. In twenty days after the trenches were opened, the garrison were obliged to surrender themselves prisoners of war; and this conquest was the last military exploit performed by the Duke of Marlborough: the breaches of Bouchain were no sooner repaired than the opposite armies began to separate, and the allied forces were quartered in the frontier towns, that they might be at hand to take the field early in the spring. They were now in possession of the Maese, almost as far as the Sambre; of the Schelde from Tournay; and of the Lys as far as it is navigable. They had reduced Spanish Guelderland, Limburg, Brabant, Flanders, and the greatest part of Hainault: they were masters of the Scarpe; and, by the conquest of Bouchain, they had opened to themselves a way into the very bowels of France. All these acquisitions were owing to the valour and conduct of the Duke of Marlborough, who now returned to the Hague, and arrived in England about the middle of November.

§ XXX. The queen had conferred the command of her forces in Spain upon the Duke of Argyle, who was recalled from the service in Flanders for that purpose. He had long been at variance with the Duke of Marlborough; a circumstance which recommended him the more strongly to the ministry. He landed at Barcelona on the twenty-ninth of May, and found the British troops in the utmost distress for want of subsistence. The treasurer had promised to supply him liberally; the Commons had granted one million five hundred thousand pounds for that service. All their hopes of success were fixed on the campaign in that kingdom; and indeed the army commanded by the Duke de Vendôme was in such a wretched condition, that if Staremberg had been properly supported by the allies, he might have obtained signal advantages. The Duke of Argyle, having waited in vain for the promised remittances, was obliged to borrow money on his own credit, before the British troops could take the field. At length, Staremberg advanced towards the enemy, who attacked him at the pass of Prato del Rey, where they were repulsed with considerable damage. After this action the Duke of Argyle was seized with a violent fever, and conveyed back to Barcelona. Vendôme invested the castle of Cardona, which was vigorously defended till the end of December, when a detachment being sent to the relief of the place, defeated the besiegers, killed two thousand on the spot, and took all their artillery, ammunition, and baggage. Staremberg was unable to follow the blow: the Duke of Argyle wrote pressing letters to the ministry, and loudly complained that he was altogether unsupported: but all his remonstrances were ineffectual: no remittances arrived: and he returned to England without having been able to attempt any thing of importance. In September, King Charles, leaving his queen at Barcelona, set sail for Italy, and at Milan had an interview with the Duke of Savoy, where all disputes were compromised. That prince had forced his way into Savoy, and penetrated as far as the Rhine: but he suddenly halted in the middle of his career, and after a short campaign repassed the mountains. Prince Eugene, at the head of the German forces, protected the Electors at Frankfort from the designs of the enemy, and Charles was unanimously chosen emperor: the Electors of Cologne and Bavaria having been excluded from voting, because they lay under the ban of the empire. The war between the Ottoman Porte and the Muscovites was of short duration. The czar advanced so far into Moldavia that he was cut off from all supplies, and altogether in the power of his enemy. In this emergency, he found means to corrupt the grand vizir in private, while in public he proposed articles of peace that were accepted. The King of Sweden, who was in the Turkish army, charged the vizir with treachery, and that minister was ac-



tually disgraced. The grand signor threatened to renew the war; but he was appeased by the czar's surrendering Asoph.

§ XXXI. The English ministry had conceived great expectations from an expedition against Quebec and Placentia, in North America, planned by Colonel Nicholson, who had taken possession of Nova Scotia, and garrisoned *Porte-Royal*, to which he gave the name of *Anapolis*. He had brought four Indian chiefs to England, and represented the advantages that would redound to the nation in point of commerce, should the French be expelled from North America. The ministers relished the proposal. A body of five thousand men was embarked in transports, under the command of Brigadier Hill, brother to Mrs. Masham; and they sailed from Plymouth in the beginning of May, with a strong squadron of ships commanded by Sir Hovenden Walker. At Boston in New England they were joined by two regiments of Provincials; and about four thousand men, consisting of American planters, Palatines, and Indians, rendezvoused at Albany, in order to march by land into Canada, while the fleet sailed up the river of that name. On the twenty-first day of August, they were exposed to a violent storm, and driven among rocks, where eight transports perished, with about eight hundred men. The admiral immediately sailed back to Spanish-River bay, where it was determined in a council of war, that as the fleet and forces were victualled for ten weeks only, and they could not depend upon a supply of provisions from New England, they should return home, without making any further attempt. Such was the issue of this paltry expedition, intrusted to the direction of an officer without talents and experience.

§ XXXII. In the Irish parliament held during the summer, the Duke of Ormond and the majority of the Peers supported the tory interest, while the Commons expressed the warmest attachment to revolution principles. The two Houses made strenuous representations, and passed severe resolutions against each other. After the session, Sir Constantine Phipps, the chancellor, and General Ingoldsbv, were appointed justices in the absence of the Duke of Ormond, who returned to England in the month of November. In Scotland the Jacobites made no scruple of professing their principles and attachments to the pretender. The Duchess of Gordon presented the faculty of advocates with a silver medal, representing the Chevalier de St. George; and on the reverse the British islands, with the motto "*Reddite*." After some debate, it was voted by a majority of sixty-three voices against twelve, that the duchess should be thanked for this token of her regard. This task was performed by Dundas of Arnistoun, who thanked her Grace for having presented them with a medal of their sovereign lord the king; hoping, and being confident, that her Grace would very soon have an opportunity to compliment the faculty with a second medal, struck upon the restoration of the king and royal family, upon the finishing rebellion, usurping tyranny, and whiggery. An account of this transaction being laid before the queen, the lord advocate was ordered to inquire into the particulars. Then the faculty were so intimidated, that they disowned Dundas, and Horne his accomplice. They pretended that the affair of the medal had been transacted by a party at an occasional meeting, and not by general consent; and by a solemn act they declared their attachment to the queen and the protestant succession. The court was satisfied with this atonement; but the resident from Hanover having presented a memorial to the queen, desiring that Dundas and his associates might be prosecuted, the government removed Sir David Dalrymple from his office of lord advocate, on pretence of his having been too remiss in prosecuting those delinquents; and no further inquiry was made into the affair.

§ XXXIII. For some time a negotiation for peace had been carrying on between the court of France and the new ministers, who had a double aim in this measure: namely, to mortify the whigs and the Dutch, whom they detested, and to free their country from a ruinous war, which had all the appearance of becoming habitual to the constitution. They foresaw the risk they would run by entering into such measures, should ever the opposite faction regain the ascendancy: they knew the whigs would employ all their art and influence, which was very power-

ful, in obstructing the peace, and in raising a popular clamour against the treaty. But their motives for treating were such as prompted them to undervalue all those difficulties and dangers. They hoped to obtain such advantages in point of commerce for the subjects of Great Britain, as would silence all detraction. They did not doubt of being able to maintain the superiority which they had acquired in parliament; and perhaps some of them cherished views in favour of the pretender, whose succession to the crown would have effectually established their dominion over the opposite party. The Earl of Jersey, who acted in concert with Oxford, sent a private message to the court of France, importing the queen's earnest desire of peace, representing the impossibility of a private negotiation, as the ministry was obliged to act with the utmost circumspection, and desiring that Louis would propose to the Dutch a renewal of the conferences, in which case the English plenipotentiaries should have such instructions, that it would be impossible for the States-general to prevent the conclusion of the treaty. This intimation was delivered by one Gualtier, an obscure priest, who acted as chaplain to Count Gallas, the imperial ambassador, and had been employed as a spy by the French ministry, since the commencement of hostilities. His connexion with Lord Jersey was by means of that nobleman's lady, who professed the Roman catholic religion. His message was extremely agreeable to the court of Versailles. He returned to London, with a letter of compliment from the Marquis de Torcy to the Earl of Jersey, in which that minister assured him of his master's sincere inclination for peace, though he was averse to a renewal of the conferences with the States-general. Gualtier wrote a letter to Versailles, desiring, in the name of the English ministry, that his most christian majesty would communicate to them his proposals for a general peace, which they would communicate to the States-general, that they might negotiate in concert with their allies. A general answer being made to this intimation, Gualtier made a second journey to Versailles, and brought over a memorial, which was immediately transmitted to Holland. In the mean time, the pensionary endeavoured to renew the conferences in Holland. Petkum wrote to the French ministry, that if his majesty would resume the negotiation, in concert with the Queen of Great Britain, he should certainly have reason to be satisfied with the conduct of the Dutch deputies. This proposal Louis declined, at the desire of the English ministers.

§ XXXIV. The States-general having perused the memorial, assured Queen Anne that they were ready to join with her in contributing to the conclusion of a durable peace; but they expressed a desire that the French king would communicate a more particular plan for securing the interests of the allied powers, and for settling the repose of Europe. Gualtier was once more sent to Versailles, accompanied by Mr. Prior, who had resided in France, as secretary to the embassies of the Earls of Portland and Jersey. This gentleman had acquired some reputation by his poetical talents; was a man of uncommon ability, insinuating address, and perfectly devoted to the tory interest. He was empowered to communicate the preliminary demands of the English; to receive the answer of the French king; and demand whether or not King Philip had transmitted a power of treating to his grandfather. He arrived incognito at Fontainebleau, and presented the queen's memorial, in which she demanded a barrier for the Dutch in the Netherlands, and another on the Rhine for the empire; a security for the Dutch commerce, and a general satisfaction to all her allies. She required that the strong places taken from the Duke of Savoy should be restored; and that he should possess such towns and districts in Italy as had been ceded to him in treaties between him and his allies: that Louis should acknowledge Queen Anne and the protestant succession; demolish the fortifications of Dunkirk; and agree to a new treaty of commerce: that Gibraltar and Port-Mahon should be yielded to the crown of England; that the Negro trade in America, at that time carried on by the French, should be ceded to the English, together with some towns on that continent, where the slaves might be refreshed. She expected security that her subjects trading

to Spain should enjoy all advantages granted by that crown to the most favoured nation; that she should be put in possession of Newfoundland and Hudson's Bay, either by way of restitution or cession; and that both nations should continue to enjoy whatever territories they might be possessed of in North America at the ratification of the treaties. She likewise insisted upon a security that the crowns of France and Spain should never be united on the same head. Her majesty no longer insisted upon Philip's being expelled from the throne of Spain by the arms of his own grandfather. She now perceived that the exorbitant power of the house of Austria would be as dangerous to the liberty of Europe, as ever that of the family of Bourbon had been in the zenith of its glory. She might have remembered the excessive power, the insolence, the ambition of Charles V. and Philip II. who had enslaved so many countries, and enbroiled all Europe. She was sincerely desirous of peace, from motives of humanity and compassion to her subjects and fellow-creatures: she was eagerly bent upon procuring such advantages to her people, as would enable them to discharge the heavy load of debt under which they laboured, and recompense them in some measure for the blood and treasure they had so lavishly expended in the prosecution of the war. These were the sentiments of a Christian princess; of an amiable and pious sovereign, who bore a share in the grievances of her subjects, and looked upon them with the eyes of maternal affection. She thought she had the better title to insist upon those advantages, as they had been already granted to her subjects in a private treaty with King Charles.

§ XXXV. As Prior's powers were limited in such a manner that he could not negotiate, Mr. Menager, a deputy from the city of Rouen to the board of trade, accompanied the English minister to London, with full powers to settle the preliminaries of the treaty. On his arrival in London, the queen immediately commissioned the Duke of Shrewsbury, the Earls of Jersey, Dartmouth, Oxford, and Mr. St. John, to treat with him; and the conferences were immediately begun. After long and various disputes, they agreed upon certain preliminary articles, which, on the eighth day of October, were signed by the French minister, and by the two secretaries of state, in consequence of a written order from her majesty. Then Menager was privately introduced to the queen at Windsor. She told him she was averse to war: that she should exert all her power to conclude a speedy peace: that she should be glad to live upon good terms with the King of France, to whom she was so nearly allied in blood: she expressed her hope that there would be a closer union after the peace between them, and between their subjects, cemented by a perfect correspondence and friendship. The Earl of Strafford, who had been lately recalled from the Hague, where he resided as ambassador, was now sent back to Holland, with orders to communicate to the pensionary the proposals of peace which France had made; to signify the queen's approbation of them, and propose a place where the plenipotentiaries should assemble. The English ministers now engaged in an intimate correspondence with the court of Versailles; and Mareschal Tallard being released from his confinement at Nottingham, was allowed to return to his own country on his parole. After the departure of Menager, the preliminaries were communicated to Count Gallas, the emperor's minister, who, in order to inflame the minds of the people, caused them to be translated, and inserted in one of the daily papers. This step was so much resented by the queen, that she sent a message, desiring he would come no more to court; but that he might leave the kingdom as soon as he should think proper. He took the hint, and retired accordingly; but the queen gave the emperor to understand, that any other minister he should appoint would be admitted by her without hesitation.

§ XXXVI. The States of Holland, alarmed at the preliminaries, sent over Buys, an envoy extraordinary, to intercede with the queen, that she would alter her resolutions; but she continued steady to her purpose; and the Earl of Strafford demanded the immediate concurrence of the States, declaring in the queen's name, that she would look upon any delay, on their part, as a refusal to comply

with her propositions. Intimidated by this declaration, they agreed to open the general conferences at Utrecht on the first day of January. They granted passports to the French ministers; while the queen appointed Robinson, Bishop of Bristol, and the Earl of Strafford, her plenipotentiaries at the congress. Charles, the new emperor, being at Milan when he received a copy of the preliminaries, wrote circular letters to the electors and the princes of the empire, exhorting them to persist in their engagements to the grand alliance. He likewise desired the States-general to join councils with him in persuading the Queen of England to reject the proposals of France, and prosecute the war; or at least to negotiate on the foundation of the first preliminaries, which had been signed by the Marquis de Torcy. He wrote a letter to the same purpose to the Queen of Great Britain, who received it with the most mortifying indifference. No wonder that he should zealously contend for the continuance of a war, the expense of which she and the Dutch had hitherto almost wholly defrayed. The new preliminaries were severely attacked by the whigs, who ridiculed and reviled the ministry in word and writing. Pamphlets, libels, and lampoons were to-day published by one faction, and to-morrow answered by the other. They contained all the insinuations of malice and contempt, all the bitterness of reproach, and all the rancour of recrimination. In the midst of this contention the queen despatched the Earl of Rivers to Hanover, with an assurance to the elector, that his succession to the crown should be effectually ascertained in the treaty. The earl brought back an answer in writing; but, at the same time, his electoral highness ordered Baron de Bothmar, his envoy in England, to present a memorial to the queen, representing the pernicious consequences of Philip's remaining in possession of Spain and the West Indies. This remonstrance the baron published, by way of appeal to the people, and the whigs extolled it with the highest encomiums: but the queen and her ministers resented this step as an officious and inflammatory interposition.

§ XXXVII. The proposals of peace made by the French king were disagreeable even to some individuals of the tory party, and certain peers, who had hitherto adhered to that interest, agreed with the whigs to make a remonstrance against the preliminary articles. The court being apprized of their intention, prorogued the parliament till the seventh day of December, in expectation of the Scottish peers, who could cast the balance in favour of the ministry. In her speech at the opening of the session, she told them, that, notwithstanding the arts of those who delighted in war, the place and time were appointed for a congress: and that the States-general had expressed their entire confidence in her conduct. She declared her chief concern should be to secure the succession of the crown in the house of Hanover; to procure all the advantages to the nation which a tender and affectionate sovereign could procure for a dutiful and loyal people; and to obtain satisfaction for all her allies. She observed, that the most effectual way to procure an advantageous peace, would be to make preparations for carrying on the war with vigour. She recommended unanimity, and prayed God would direct their consultations. In the House of Lords, the Earl of Nottingham, who had now associated himself with the whigs, inveighed against the preliminaries as captious and insufficient, and offered a clause to be inserted in the address of thanks, representing to her majesty, that, in the opinion of the House, no peace could be safe or honourable to Great Britain or Europe, if Spain and the West Indies should be allotted to any branch of the house of Bourbon. A violent debate ensued, in the course of which the Earl of Anglesey represented the necessity of easing the nation of the burthens incurred by an expensive war. He affirmed that a good peace might have been procured immediately after the battle of Ramillies, if it had not been prevented by some persons who prolonged the war for their own private interest. This insinuation was levelled at the Duke of Marlborough, who made a long speech in his own vindication. He bowed to the place where the queen sat incognito; and appealed to her, whether, while he had the honour to serve her majesty as general and plenipotentiary, he had not constantly informed her and her coun-

cil of all the proposals of peace which had been made; and had not desired instructions for his conduct on that subject. He declared, upon his conscience, and in presence of the Supreme Being, before whom he expected soon to appear, that he was ever desirous of a safe, honourable, and lasting peace; and that he was always very far from entertaining any design of prolonging the war for his own private advantage, as his enemies had most falsely insinuated. At last the question being put, Whether the Earl of Nottingham's advice should be part of the address: it was carried in the affirmative by a small majority. The address was accordingly presented, and the queen, in her answer, said, she should be very sorry any one should think she would not do her utmost to recover Spain and the West Indies from the house of Bourbon. Against this advice, however, several peers protested, because there was no precedent for inserting a clause of advice in an address of thanks; and because they looked upon it as an invasion of the royal prerogative. In the address of the Commons there was no such article; and, therefore, the answer they received was warm and cordial.

§ XXXVIII. The Duke of Hamilton claiming a seat in the House of Peers, as Duke of Brandon, a title he had lately received, was opposed by the anti-courtiers, who pretended to foresee great danger to the constitution for admitting into the House a greater number of Scottish peers than the act of union allowed. Counsel was heard upon the validity of his patent. They observed that no objection could be made to the queen's prerogative in conferring honours: and that all the subjects of the United Kingdom were equally capable of receiving honour. The House of Lords had already decided the matter, in admitting the Duke of Queensberry upon his being created Duke of Dover. The debate was managed with great ability on both sides. The Scottish peers united in defence of the duke's claim; and the court exerted its whole strength to support the patent. Nevertheless, the question being put, Whether Scottish peers, created peers of Great Britain since the union, had a right to sit in that House; it was carried in the negative by a majority of five voices; though not without a protest signed by the Lords in the opposition. The Scottish peers were so incensed at this decision, that they drew up a representation to the queen, complaining of it as an infringement of the union, and a mark of disgrace put upon the whole peerage of Scotland. The bill against occasional conformity was revived by the Earl of Nottingham, in more moderate terms than those that had been formerly rejected; and it passed both Houses by the connivance of the whigs, upon the earl's promise, that if they would consent to this measure, he would bring over many friends to join them in matters of great consequence. On the twenty-second day of December, the queen being indisposed, granted a commission to the lord keeper, and some other peers, to give the royal assent to this bill, and another for the land-tax. The Duke of Devonshire obtained leave to bring in a bill for giving precedence of all peers to the electoral prince of Hanover, as the Duke of Cambridge. An address was presented to the queen, desiring she would give instructions to her plenipotentiaries, to consult with the ministers of the allies in Holland before the opening of the congress; that they might concert the necessary measures for proceeding with unanimity, the better to obtain the great ends proposed by her majesty.

§ XXXIX. The commissioners for examining the public accounts, having discovered that the Duke of Marlborough had received an annual present of five or six thousand pounds from the contractors of bread to the army, the queen declared in council, that she thought fit to dismiss him from all his employments, that the matter might be impartially examined. This declaration was imparted to him in a letter under her own hand, in which she took occasion to complain of the treatment she had received. She probably alluded to the insolence of his duchess; the

subjection in which she had been kept by the late ministry; and the pains lately taken by the whigs to depreciate her conduct, and thwart her measures with respect to the peace. The duke wrote an answer to her majesty, vindicating himself from the charge which had been brought against his character; and his two daughters, the Countess of Sunderland and the Lady Railton, resigned their places of ladies in the bed-chamber. The ministry, in order to ascertain a majority in the House of Lords, persuaded the queen to take a measure which nothing but necessity could justify. She created twelve peers at once,<sup>a</sup> and on the second of January they were introduced into the upper House without opposition. The lord keeper delivered to the House a message from the queen, desiring they would adjourn to the fourteenth day of the month. The anti-courtiers alleged, that the queen could not send a message to any one House to adjourn, but ought to have directed it to both Houses. This objection produced a debate which was terminated in favour of the court by the weight of the twelve new peers.

§ XL. At this period Prince Eugene arrived in England, with a letter to the queen from the emperor, and instructions to propose a new scheme for prosecuting the war. His errand was far from being agreeable to the ministry; and they suspected that his real aim was to manage intrigues among the discontented party, who opposed the peace. Nevertheless, he was treated with that respect which was due to his quality and eminent talents. The ministers, the nobility, and officers of distinction, visited him at his arrival. He was admitted to an audience of the queen, who received him with great complacency. Having perused the letter which he delivered, she expressed her concern that her health did not permit her to speak with his highness as often as she could wish; but that she had ordered the treasurer and Secretary St. John to receive his proposals, and confer with him as frequently as he should think proper. He expressed extraordinary respect for the Duke of Marlborough, notwithstanding his disgrace. The lord treasurer, while he entertained him at dinner, declared that he looked upon that day as the happiest in the whole course of his life, since he had the honour to see in his house the greatest captain of the age. The prince is said to have replied, "If I am, it is owing to your lordship." Alluding to the disgrace of Marlborough, whom the earl's intrigues had deprived of all military command. When Bishop Burnet conversed with him about the scandalous libels that were every day published against the duke, and in particular mentioned one paragraph, in which the author allowed he had been once fortunate, the prince observed it was the greatest commendation that could be bestowed upon him, as it implied that all his other successes were owing to his courage and conduct. While the nobility of both parties vied with each other in demonstrations of respect for this noble stranger; while he was adored by the whigs, and admired by the people, who gazed at him in crowds when he appeared in public: even in the midst of all these caresses, party riots were excited to insult his person, and some scandalous reflections upon his mother were inserted in one of the public papers. The queen treated him with distinguished marks of regard; and, on her birth-day, presented him with a sword worth five thousand pounds. Nevertheless, she looked upon him as a patron and friend of that turbulent faction to which she owed so much disquiet. She knew he had been pressed to come over by the whig noblemen, who hoped his presence would inflame the people to some desperate attempt upon the new ministry: she was not ignorant that he held private conferences with the Duke of Marlborough, the Earl of Sunderland, the Lords Somers, Halifax, and all the chiefs of that party; and that he entered into a close connexion with the Baron de Bothmar, the Hanoverian envoy, who had been very active in fomenting the disturbances of the people.

<sup>a</sup> These Compton and Lord Bruce, sons of the Earls of Northampton and Arundel, were called in by writ to the House of Peers. The other three were these: Lord Duplin, of the kingdom of Scotland, created Baron Hay; Lord Warrington, in the county of Hereford; Lord Viscount Windsor, of Ireland; sons. Baron Newry, in the Isle of Wight; Henry Paer, son of Lord Paer, created Baron Burton, in the county of Stafford; Sir Thomas Mansel, Baron Mansel of Margam, in the county of Glamorgan; Sir Thomas Wilmoughby, Baron Middleton, of Newcastle, in the county

of Warwick; Sir Thomas Trevor, Baron Trevor, of Promham, in the county of Bedford; George Granville, Baron Lansdown, of Piddelford, in the county of Devon; Samuel Masham, Baron Masham, of Oats, in the county of Essex. Thomas Foley, Baron Foley, of Kidderminster, in the county of Worcester; and Allen Paterson, Earl of Bathurst, in the county of Bedford—On the first day of their being introduced, when the question was put about adjourning, the Earl of Wharton asked one of them, "Whether they voted by their remain?"



§ XLII. Her majesty, who had been for some time afflicted with the gout, sent a message to both Houses, on the seventeenth day of January, signifying that the plenipotentiaries were arrived at Utrecht, and that she was employed in making preparations for an early campaign: she hoped, therefore, that the Commons would proceed in giving the necessary despatch to the supplies. The lord treasurer, in order to demonstrate his attachment to the protestant succession, brought in a bill which had been proposed by the Duke of Devonshire, giving precedence to the whole electoral family, as children and nephews to the crown; and, when it was passed into an act, he sent it over to Hanover by Mr. Thomas Harley. The sixteen peers for Scotland were prevailed upon, by promise of satisfaction, to resume their seats in the upper House, from which they had absented themselves since the decision against the patent of the Duke of Hamilton: but whatever pecuniary recompence they might have obtained from the court, on which they were meantly dependent, they received no satisfaction from the parliament. The Commons, finding Mr. Walpole very troublesome in their House, by his talents, activity, and zealous attachment to the whig interest, found means to discover some clandestine practices in which he was concerned as secretary at war, with regard to the forage contract in Scotland. The contractors, rather than admit into their partnership a person whom he had recommended for that purpose, chose to present his friend with five hundred pounds. Their bill was addressed to Mr. Walpole, who indorsed it, and his friend touched the money.<sup>b</sup> This transaction was interpreted into a bribe. Mr. Walpole was voted guilty of corruption, imprisoned in the Tower, and expelled the House. Being afterwards re-chosen by the same borough of Lynn-Regis, which he had before represented, a petition was lodged against him, and the Commons voted him incapable of being elected a member to serve in the present parliament.

§ XLIII. Their next attack was upon the Duke of Marlborough, who was found to have received a yearly sum from Sir Solomon Medina, a Jew, concerning a contract for furnishing the army with bread; to have been gratified by the queen with ten thousand pounds a-year to defray the expense of intelligence; and to have pocketed a deduction of two and a half per cent. from the pay of the foreign troops maintained in England. It was alleged, in his justification, that the present from the Jews was a customary perquisite, which had always been enjoyed by the general of the Dutch army: that the deduction of two and a half per cent. was granted to him by an express warrant from her majesty: that all the articles of the charge joined together did not exceed thirty thousand pounds, a sum much inferior to that which had been allowed to King William for contingencies: that the money was expended in procuring intelligence, which was so exact, that the duke was never surprised: that none of his parties were ever intercepted or cut off; and all the designs were by these means so well concerted, that he never once miscarried. Notwithstanding these representations, the majority voted that his practices had been unwarrantable and illegal; and that the deduction was to be accounted for as public money. These resolutions were communicated to the queen, who ordered the attorney-general to prosecute the duke for the money he had deducted by virtue of her own warrant. Such practices were certainly mean and mercenary, and greatly tarnished the glory which the duke had acquired by his military talents, and other shining qualities.

§ XLIII. The Commons now directed the stream of their resentment against the Dutch, who had certainly exerted all their endeavours to overwhelm the new ministry, and retard the negotiations for peace. They maintained an intimate acquaintance with the whigs of England.

<sup>b</sup> The commissioners appointed for taking, stating, and examining the public accounts, having made their report touching the conduct of Mr. Walpole, the House, after a long debate, came to the following resolutions: 1. That Robert Walpole, Esq. a member of this House, in receiving the sum of five hundred guineas, and in taking a note for five hundred more, on account of two contracts for forage for her majesty's troops quartered in North Britain, made by him when secretary at war, pursuant to a power granted to him by the late lord treasurer, is guilty of a high breach of trust and notorious corruption. 2. That the said Robert Walpole, Esq. be for the said offence committed prisoner to the Tower of London, during

They diffused the most invidious reports against Oxford and Secretary St. John. Buys, their envoy at London, acted the part of an incendiary, in suggesting violent measures to the malcontents, and caballing against the government. The ministers, by way of reprisal, influenced the House of Commons to pass some acrimonious resolutions against the States-general. They alleged that the States had been deficient in their proportion of troops, both in Spain and in the Netherlands, during the whole course of the war; and that the queen had paid above three millions of crowns in subsidies, above what she was obliged to advance by her engagements. They attacked the barrier-treaty, which had been concluded with the States by Lord Townshend, after the conferences at Gertruydenberg. By this agreement, England guaranteed a barrier in the Netherlands to the Dutch; and the States bound themselves to maintain, with their whole force, the queen's title and the protestant succession. The Tories affirmed that England was disgraced by engaging any other State to defend a succession which the nation might see cause to alter: that, by this treaty, the States were authorized to interpose in British councils: that, being possessed of all those strong towns, they might exclude the English from trading to them, and interfere with the manufactures of Great Britain. The House of Commons voted, That in the barrier-treaty there were several articles destructive to the trade and interest of Great Britain, and therefore highly dishonourable to her majesty: that the Lord Viscount Townshend was not authorized to conclude several articles in that treaty: that he and all those who advised its being ratified were enemies to the queen and kingdom. All their votes were digested into a long representation presented to the queen, in which they averred that England, during the war, had been overcharged nineteen millions; a circumstance that implied mismanagement or fraud in the old ministry. The States, alarmed at these resolutions, wrote a respectful letter to the queen, representing the necessity of a barrier, for the mutual security of England and the United Provinces. They afterwards drew up a large memorial in vindication of their proceedings during the war; and it was published in one of the English papers. The Commons immediately voted it a false, scandalous, and malicious libel, reflecting upon the resolutions of the House; and the printer and publisher were taken into custody, as guilty of a breach of privilege.

§ XLIV. They now repealed the naturalization act. They passed a bill granting a toleration to the episcopal clergy in Scotland, without paying the least regard to a representation from the general assembly to the queen, declaring that the act for securing the presbyterian government was an essential and fundamental condition of the treaty of union. The House, notwithstanding this remonstrance, proceeded with the bill, and inserted a clause prohibiting civil magistrates from executing the sentences of the kirk-judicatories. The episcopal as well as the presbyterian clergy, were required to take the oaths of abjuration, that they might be upon an equal footing in case of disobedience; for the Commons well knew that this condition would be rejected by both from very different motives. In order to exasperate the presbyterians with further provocations, another act was passed for discontinuing the courts of judicature, during the Christmas holidays, which had never been kept by persons of that persuasion. When this bill was read for the third time, Sir David Dalrymple said, "Since the House is resolved to make no toleration on the body of this bill, I acquiesce; and only desire it may be intituled, A bill for establishing Jacobinism and immorality." The chagrin of the Scottish presbyterians was completed by a third bill, restoring the right of patronage, which had been taken

Burnet, Boyer. Lamberty. Quincy, Rousset, Jorcy, Haddad, Hist. of the Duke of Marlborough, Mil. Hist. Voltaire.

the pleasure of this House, and that Mr. Speaker do issue his warrant accordingly. 3. That the said Robert Walpole, Esq. be for the said offence also expelled the House, and that the report of the commissions of public accounts be taken into further consideration that day so ensuing. It appeared from the depositions of witnesses, that the public had been defrauded considerably by these contracts—a very severe speech was made in the House, and next day published, reflecting upon Mr. Walpole, as guilty of the worst kind of corruption; and Sir Peter King declared in the House, that he deserved hanging as well as he deserved imprisonment and expulsion.

away when the discipline of the kirk was last established. Prince Eugene having presented a memorial to the queen, touching the conduct of the emperor during the war, and containing a proposal with relation to the affairs of Spain, the queen communicated the scheme to the House of Commons, who treated it with the most contemptuous neglect. The prince, finding all his efforts ineffectual, retired to the continent, as much displeased with the ministry, as he had reason to be satisfied with the people of England. The Commons having settled the funds for the supplies of the year, amounting to six millions, the treasurer formed the plan of a bill appointing commissioners to examine the value and consideration of all the grants made since the revolution. His design was to make a general resumption; but as the interest of so many noblemen was concerned, the bill met with a very warm opposition; notwithstanding which it would have certainly passed, had not the Duke of Buckingham and the Earl of Strafford absented themselves from the House during the debate.

## CHAP. XI.

§ 1. The conferences opened at Utrecht. § II. The queen's measures obstructed by the allies. § III. The death of the dauphin and his son. § IV. The queen demands Philip's renunciation of the crown of France. § V. The Duke of Ormond takes the command of the British forces in Flanders. § VI. He is restricted from acting against the enemy. § VII. Debate in the House of Lords on this subject. § VIII. A loyal address of the Commons. § IX. Philip promises to renounce the crown of France. § X. The queen communicates the plan of the peace in a speech to both Houses of parliament. § XI. Exceptions taken to some of the articles, in the House of Lords. § XII. A motion for the guaranty of the protestant succession by the allies rejected in the House of Commons. § XIII. The Duke of Ormond declares to Prince Eugene, that he can furnish no cover for the siege of Quenoy. § XIV. Irruption into France by General Grovetein. § XV. The foreign troops in British pay refuse to march with the Duke of Ormond. § XVI. Who proclaims a cessation of arms, and besieges Ghent and Bruges. § XVII. The allies defeated at Denain. § XVIII. Progress of the conferences at Utrecht. § XIX. The Duke of Hamilton and Lord Mohun are killed in a duel. The Duke of Marlborough retires to the continent. § XX. The States-general sign the barrier treaty. § XXI. The other allies become more tractable. § XXII. The peace with France signed at Utrecht. § XXIII. Both Houses of parliament congratulate the queen on the peace. § XXIV. Substance of the treaty with France. § XXV. Objections to the treaty of commerce. § XXVI. Debates in the House of Lords on the malt tax for Scotland. The Scottish lords move for a bill to dissolve the union. § XXVII. Address of the Commons about Dunkirk. § XXVIII. Violence of parties in England. § XXIX. Proceedings of the parliament of Ireland. § XXX. New parliament in England. Writers employed by both parties. § XXXI. Treaty of Rastadt between the emperor and France. § XXXII. Principal articles in the treaty between Great Britain and Spain. Meeting of the parliament. § XXXIII. The House of Lords take cognizance of a libel against the queen. § XXXIV. The parliament expelled the House of Commons. § XXXV. Precautions by the whigs for the security of the protestant succession. § XXXVI. Debates in the House of Lords concerning the pretender and the Catalaps. § XXXVII. They address the queen to set a price on the head of the pretender. § XXXVIII. A writ of Habeas Corpus for the Duke of Cambridge. § XXXIX. Death of the Princess Sophia. Bill to prevent the growth of schism. § XL. Another against all who should list, or be enlisted, in a foreign service. § XLI. The parliament requested. § XLII. The treasurer disgraced. § XLIII. Precautions taken for securing the peace of the kingdom. § XLIV. Death and character of Queen Anne.

A. D. 1712. § 1. In the month of January the conferences for peace began at Utrecht. The Earl of Jersey would have been appointed the plenipotentiary for England, but he dying after the correspondence with the court of France was established, the queen conferred that charge upon Robinson, Bishop of Bristol, lord privy-seal, and the Earl of Strafford. The chief of the Dutch deputies named for the congress were Buys and Vanderdussen; the French king granted his powers to the Maréchal D'Uxelles, the Abbot (afterwards Cardinal) de Polignac, and Menager, who had been in England. The ministers of the emperor and Savoy likewise assisted at the conferences, to which the empire and the other allies likewise sent their plenipotentiaries, though not without reluctance. As all these powers, except France, entertained sentiments very different from those of her Britannic majesty, the conferences seemed calculated rather to retard than accelerate a pacification. The Queen of England had foreseen and provided against these difficulties. Her great end was to free her subjects from the miseries attending an unprofitable war, and to restore peace to Europe; and this aim she was resolved to accomplish, in spite of all opposition. She had also determined to procure reasonable terms of accommodation for her allies, without, however, continuing to lavish the blood and treasure of her people in supporting

their extravagant demands. The emperor obstinately insisted upon his claim to the whole Spanish monarchy, refusing to give up the least tittle of his pretensions; and the Dutch adhered to the old preliminaries which Louis had formerly rejected. The queen saw that the liberties of Europe would be exposed to much greater danger from an actual union of the imperial and Spanish crowns in one head of the house of Austria, than from a bare possibility of Spain's being united with France in one branch of the house of Bourbon. She knew by experience the difficulty of dethroning Philip, rooted as he was in the affections of a brave and loyal people; and that a prosecution of this design would serve no purpose but to protract the war, and augment the grievances of the British nation. She was well acquainted with the distresses of the French, which she considered as pledges of their monarch's sincerity. She sought not the total ruin of that people, already reduced to the brink of despair. The dictates of true policy dissuaded her from contributing to further conquest in that kingdom, which would have proved the source of contention among the allies, depressed the house of Bourbon below the standard of importance which the balance of Europe required it should maintain, and aggrandize the States-general at the expense of Great Britain. As she had borne the chief burthen of the war, she had a right to take the lead, and dictate a plan of pacification; at least, she had a right to consult the welfare of her own kingdom, in delivering, by a separate peace, her subjects from those enormous loads which they could no longer sustain; and she was well enough aware of her own consequence, to think she could not obtain advantageous conditions.

§ II. Such were the sentiments of the queen; and her ministers seem to have acted on the same principles, though perhaps party motives may have helped to influence their conduct. The allies concurred in opposing with all their might any treaty which could not gratify their different views of avarice, interest, and ambition. They practised a thousand little artifices to intimidate the queen, to excite a jealousy of Louis, to blacken the characters of her ministers, to raise and keep up a dangerous ferment among her people, by which her life and government were endangered. She could not fail to resent these efforts, which greatly perplexed her measures, and obstructed her design. Her ministers were sensible of the dangerous predicament in which they stood. The queen's health was much impaired; and the successor countenanced the opposite faction. In case of their sovereign's death, they had nothing to expect but prosecution and ruin for obeying her commands; they saw no hope of safety, except in renouncing their principles, and submitting to their adversaries; or else in taking such measures as would hasten the pacification, that the troubles of the kingdom might be appeased, and the people be satisfied with their conduct, before death should deprive them of their sovereign's protection. With this view they advised her to set on foot a private negotiation with Louis to stipulate certain advantages for her own subjects in a concerted plan of peace; to enter into such mutual confidence with that monarch, as would anticipate all clandestine transactions to her prejudice, and in some measure enable her to prescribe terms for her allies. The plan was judiciously formed; but executed with too much precipitation. The stipulated advantages were not such as she had a right to demand and insist upon; and without all doubt, better might have been obtained, had not the obstinacy of the allies abroad, and the violent conduct of the whig faction at home, obliged the ministers to relax in some material points, and hasten the conclusion of the treaty.

§ III. The articles being privately regulated between the two courts of London and Versailles, the English plenipotentiaries at Utrecht were furnished with general powers and instructions, being ignorant of the agreement which the queen had made with the French monarch, touching the kingdom of Spain, which was indeed the basis of the treaty. This secret plan of negotiation, however, had well nigh been destroyed by some unforeseen events that were doubly afflicting to Louis. The dauphin had died of the small-pox in the course of the preceding year, and his title had been conferred upon his son, the Duke of Burgundy, who now expired on the last day of February, six days

after the death of his wife, Mary Adelaide of Savoy. The parents were soon followed to the grave by their eldest offspring, the Duke of Bretagne, in the sixth year of his age; so that the Duke of Burgundy's children none remained alive but the Duke of Anjou, the late French king, who was at that time a sickly infant. Such a series of calamities could not fail of being extremely shocking to Louis in his old age; but they were still more alarming to the Queen of England, who saw that nothing but the precarious life of an unhealthy child divided the two monarchies of France and Spain, the union of which she resolved by all possible means to prevent. She therefore sent the Abbé Gualtier to Paris, with a memorial, representing the danger to which the liberty of Europe would be exposed, should Philip ascend the throne of France; and demanding, that his title should be transferred to his brother, the Duke of Berry, in consequence of his pure, simple, and voluntary renunciation.

§ IV. Meanwhile the French plenipotentiaries at Utrecht were prevailed upon to deliver their proposals in writing under the name of specific offers, which the allies received with indignation. They were treated in England with universal scorn. Lord Halifax, in the House of Peers, termed them trifling, arrogant, and injurious to her majesty and her allies. An address was presented to the queen, in which they expressed their resentment against the insolence of France, and promised to assist her with all their power in prosecuting the war, until a safe and honourable peace should be obtained. The plenipotentiaries of the allies were not less extravagant in their specific demands than the French had been arrogant in their offers. In a word, the ministers seemed to have been assembled at Utrecht, rather to start new difficulties, and widen the breach, than to heal animosities, and concert a plan of pacification. They amused one another with fruitless conferences, while the Queen of Great Britain endeavoured to engage the States-general in her measures, that they might treat with France upon moderate terms, and give law to the rest of the allies. She departed from some of her own pretensions, in order to gratify them with the possession of some towns in Flanders. She consented to their being admitted into participation of some advantages in commerce; and ordered the English ministers at the congress to tell them, that she would take her measures according to the return they should make on this occasion. Finding them still obstinately attached to their first chimerical preliminaries, she gave them to understand, that all her offers for adjusting the differences were founded upon the express condition, That they should come into her measures, and co-operate with her openly and sincerely; but they had made such bad returns to all her condescension towards them, that she looked upon herself as released from all engagements. The ministers of the allies had insisted upon a written answer to their specific demands; and this the French plenipotentiaries declined, until they should receive fresh instructions from their master. Such was the pretence for suspending the conferences; but the real bar to a final agreement between England and France, was the delay of Philip's renunciation, which at length, however, arrived, and produced a cessation of arms.

§ V. In the meantime the Duke of Ormond, who was now invested with the supreme command of the British forces, received a particular order, that he should not hazard an engagement. Louis had already undertaken for the compliance of his grandson. Reflecting on his own great age, he was shocked at the prospect of leaving his kingdom involved in a pernicious war during a minority, and determined to procure a peace at all events. The queen, knowing his motives, could not help believing his protestations, and resolved to avoid a battle, the issue of which might have considerably altered the situation of affairs, and consequently retarded the conclusion of the treaty. Preparations had been made for an early campaign. In the beginning of March, the Earl of Albemarle, having assembled a body of thirty-six battalions, marched towards Arras, which he reduced to a heap of ashes by a most terrible cannonading and bombardment. In May, the Duke of Ormond conferred with the deputies of the States-general at the Hague, and assured them that he had

orders to act vigorously in the prosecution of the war. He joined Prince Eugene at Tournay; and, on the twenty-sixth day of May, the allied army, passing the Scheide, encamped at Haspre and Solemmes. The imperial general proposed that they should attack the French army under Villars; but by this time the duke was restrained from hazarding a siege or battle; a circumstance well known to the French commander, who therefore abated of his usual vigilance. It could not be long concealed from Prince Eugene and the deputies, who forthwith despatched an express to their principals on this subject, and afterwards presented a long memorial to the duke, representing the injury which the grand alliance would sustain from his obedience of such an order. He seemed to be extremely uneasy at his situation: and in a letter to Secretary St. John, expressed a desire that the queen would permit him to return to England.

§ VI. Prince Eugene, notwithstanding the queen's order, which Ormond had not yet formally declared, invested the town of Quesnoy, and the duke furnished towards this enterprise seven battalions and nine squadrons of the foreign troops maintained by Great Britain. The Dutch deputies at Utrecht expostulating with the Bishop of Bristol on the duke's refusing to act against the enemy, that prelate told them, that he had lately received an express, with a letter from her majesty, in which she complained, that as the States-general had not properly answered her advances, they ought not to be surprised, if she thought herself at liberty to enter into separate measures in order to obtain a peace for her own convenience. When they remonstrated against such conduct as contradictory to all the alliances subsisting between the queen and the States-general, the bishop declared his instructions further imported that, considering the conduct of the States towards her majesty, she thought herself disengaged from all alliances and engagements with their high mightinesses. The States and the ministers of the allies were instantly in commotion. Private measures were concerted with the Elector of Hanover, the Landgrave of Hesse-Cassel, and some other princes of the empire, concerning the troops belonging to those powers in the pay of Great Britain. The States-general wrote a long letter to the queen, and ordered their envoy at London to deliver it into her own hand. Count Zinzendorf, the emperor's plenipotentiary, despatched expresses to his master, to Prince Eugene, and to the imperial ambassador at London. The queen held a council at Kensington upon the subject of the letter; and a fresh order was sent to the Duke of Ormond, directing him to concur with the general of the allies in a siege.

§ VII. On the twenty-eighth day of May, Lord Halifax, in the House of Peers, descended upon the ill consequences of the duke's refusing to co-operate with Prince Eugene, and moved for an address, desiring her majesty would order the general to act offensively, in concert with her allies. The treasurer observed it was prudent to avoid a battle on the eve of a peace, especially considering they had to do with an enemy so apt to break his word. The Earl of Wharton replied, this was a strong reason for keeping no measures with such an enemy. When Oxford declared, that the Duke of Ormond had received orders to join the allies in a siege, the Duke of Marlborough affirmed it was impossible to carry on a siege without either hazarding a battle, in case the enemy should attempt to relieve the place, or shamefully abandoning the enterprise. The Duke of Argyle having declared his opinion, that since the time of Julius Cæsar there had not been a greater captain than Prince Eugene of Savoy, observed, that, considering the different interests of the house of Austria and of Great Britain, it might not consist with prudence to trust him with the management of the war, because a battle won or lost might entirely break off a negotiation of peace, which in all probability was near being concluded. He added, that two years before, the confederates might have taken Arras and Cambray, instead of amusing themselves with the insignificant conquests of Aire, Bethune, and St. Venant. The Duke of Devonshire said he was, by proximity of blood, more concerned than any other in the reputation of the Duke of Ormond: and, therefore, could not help expressing his surprise, that any one would dare to make a nobleman of the first rank, and



of so distinguished a character, the instrument of such proceedings. Earl Paulet answered, that nobody could doubt the Duke of Ormond's courage; but he was not like a certain general, who led troops to the slaughter, to cause a great number of officers to be knocked on the head, that he might fill his pockets by disposing of their commissions. The Duke of Marlborough was so deeply affected by this reflection, that though he suppressed his resentment in the House, he took the first opportunity to send Lord Mohun to the earl with a message, informing, that he should be glad to come to an explanation with his lordship about some expressions he had used in that day's debate, and desiring his company to take the air in the country. The earl understood his meaning; but could not conceal his emotion from the observation of his lady, by whose means the affair was communicated to the Earl of Dartmouth, secretary of state. Two sentinels were immediately placed at his lordship's gate: the queen, by the channel of Lord Dartmouth, desired the Duke of Marlborough would proceed no further in the quarrel; and he assured her he would punctually obey her majesty's commands. The Earl of Oxford assured the House, that a separate peace was never intended; that such a peace would be so base, so knavish, and so villainous, that every one who served the queen knew they must answer it with their heads to the nation: but that it would appear to be a safe and glorious peace, much more to the honour and interest of the nation, than the first preliminaries insisted upon by the allies. The question being put for adjourning, was, after a long debate, carried in the affirmative; but twenty lords entered a protest. The Earl of Strafford, who had returned from Holland, proposed, that they should examine the negotiations of the Hague and Gertruydenberg, before they considered that of Utrecht. He observed, that in the former negotiations the French ministers had conferred only with the pensionary, who communicated no more of it to the ministers of the allies than what was judged proper to let them know; so that the Dutch were absolute masters of the secret. He asserted that the States-general had consented to give Naples and Sicily to King Philip; a circumstance which proved that the recovery of the whole Spanish monarchy was looked upon as impracticable. He concluded with a motion for an address to her majesty, desiring that the papers relating to the negotiations of the Hague and Gertruydenberg should be laid before the House. This was carried without a division.

§ VIII. In the House of Commons Mr. Pulteney moved for an address, acquainting her majesty that her faithful Commons were justly alarmed at the intelligence received from abroad, that her general in Flanders had declined acting offensively against France in concurrence with her allies; and beseeching her majesty, that he might receive speedy instructions to prosecute the war with the utmost vigour. This motion was rejected by a great majority. A certain member having insinuated, that the present negotiation had been carried on in a clandestine and treacherous manner, Mr. Secretary St. John said, he hoped it would not be accounted treachery to act for the good and advantage of Great Britain: that he gloried in the small share he had in the transaction; and whatever censure he might undergo for it, he bore satisfaction of acting in that view would be a sufficient recompence and comfort to him during the whole course of his life. The House resolved that the Commons had an entire confidence in her majesty's promise, to communicate to her parliament the terms of the peace before it should be concluded; and, That they would support her against all such persons, either at home or abroad, as should endeavour to obstruct the pacification. The queen thanked them heartily for this resolution, as being dutiful to her, honest to their country, and very seasonable at a time when so many artifices were used to obstruct a good peace, or to force one disadvantageous to Britain. They likewise presented an address, desiring they might have an account of the negotiations and transactions at the Hague and Gertruydenberg, and know who were then employed as her majesty's plenipotentiaries.

§ IX. The ministry foreseeing that Philip would not willingly resign his hopes of succeeding to the crown of France, proposed an alternative, that, in case of his preferring his expectation of the crown of France to the

present possession of Spain, this kingdom, with the Indies, should be forthwith ceded to the Duke of Savoy; that Philip, in the mean time, should possess the duke's hereditary dominions, and the kingdom of Sicily, together with Montserrat and Mantua; all which territories should be annexed to France at Philip's succession to that crown, except Sicily, which should revert to the House of Austria. Louis seemed to relish this expedient, which, however, was rejected by Philip, who chose to make the renunciation, rather than quit the throne upon which he was established. The queen demanded, that the renunciation should be ratified in the most solemn manner by the states of France: but she afterwards waved this demand, in consideration of its being registered in the different parliaments. Such forms are but slender securities against the power, ambition, and interest of princes. The Marquis de Torcy frankly owned, that Philip's renunciation was of itself void, as being contrary to the fundamental laws and constitution of the French monarchy; but it was found necessary for the satisfaction of the English people. Every material article being now adjusted between the two courts, particularly those relating to the King of Spain, the commerce of Great Britain, and the delivery of Dunkirk, a suspension of arms prevailed in the Netherlands, and the Duke of Ormond acted in concert with Mareschal de Villars.

§ X. On the sixth day of June the queen, going to the House of Peers, communicated the plan of peace to her parliament, according to the promise she had made. After having premised, that the making peace and war was the undoubted prerogative of the crown, and hinted at the difficulties which had arisen both from the nature of the affair, and numberless obstructions contrived by the enemies of peace, she proceeded to enumerate the chief articles to which both crowns had agreed, without, however, concluding the treaty. She told them she had secured the protestant succession which France had acknowledged in the strongest terms: and that the pretender would be removed from the French dominions; that the Duke of Anjou should renounce for himself and his descendants all claim to the crown of France; so that the two monarchies would be for ever divided. She observed, that the nature of this proposal was such as would execute itself: that it would be the interest of Spain to support the renunciation; and in France, the persons entitled to the succession of that crown upon the death of the dauphin, were powerful enough to vindicate their own right. She gave them to understand that a treaty of commerce between England and France had been begun, though not yet adjusted: but provision was made, that England should enjoy the same privileges that France granted to the most favoured nation; that the French king had agreed to make an absolute cession of the island of St. Christopher's, which had hitherto been divided between the two nations: that he had also consented to restore the whole bay and straits of Hudson; to deliver the island of Newfoundland, with Placentia; to cede Annapolis, with the rest of Acadia or Nova Scotia; to demolish the fortifications of Dunkirk; to leave England in possession of Gibraltar, Port-Mahon, and the whole island of Minorca; to let the trade of Spain in the West Indies be settled as it was in the reign of his late catholic majesty: she signified that she had obtained for her subjects the assiento, or contract, for furnishing the Spanish West Indies with negroes, for the term of thirty years, in the same manner as it had been enjoyed by the French. With respect to the allies, she declared, that France offered to make the Rhine the barrier of the empire; to yield Brisac, Fort Kehl, and Landau, and raze all the fortresses both on the other side of the Rhine, and in the islands of that river; that the protestant interest in Germany would be re-settled on the footing of the treaty of Westphalia: that the Spanish Netherlands, the kingdoms of Naples and Sardinia, the duchy of Milan, and the places belonging to Spain on the coast of Tuscany, might be yielded to his imperial majesty; but the disposition of Sicily was not yet determined: that the demands of the States-general with relation to commerce, and the barrier in the Low Countries, would be granted with a few exceptions, which might be compensated by other expedients; that no great progress had yet been made upon the pre-

tensions of Portugal; but that those of Prussia would be admitted by France without much difficulty; that the difference between the barrier demanded by the Duke of Savoy in the year one thousand seven hundred and nine, and that which France now offered, was very inconsiderable: that the elector palatine should maintain his present rank among the electors; and that France would acknowledge the electoral dignity in the house of Hanover. Such were the conditions which the queen hoped would make some amends to her subjects, for the great and unequal burthen they had borne during the whole course of the war. She concluded with saying, she made no doubt but they were fully persuaded, that nothing would be neglected on her part, in the progress of this negotiation, to bring the peace to a happy and speedy issue; and she expressed her dependence upon the entire confidence and cheerful concurrence of her parliament.

§ XI. An address of thanks and approbation was immediately voted, drawn up, and presented to the queen by the Commons in a body. When the House of Lords took the speech into consideration, the Duke of Marlborough asserted, that the measures pursued for a year past were directly contrary to her majesty's engagements with the allies: that they sullied the triumphs and glories of her reign, and would render the English name odious to all nations. The Earl of Strafford said, that some of the allies would not have shown such backwardness to a peace, had they not been persuaded and encouraged to carry on the war by a member of that illustrious assembly, who maintained a secret correspondence with them, and fed them with hopes that they would be supported by a strong party in England. In answer to this insinuation against Marlborough, Lord Cowper observed, that it could never be suggested as a crime in the meanest subject, much less in any member of that august assembly, to hold correspondence with the allies of the nation; such allies, especially, whose interest her majesty had declared to be inseparable from her own, in her speech at the opening of the session; whereas it would be a hard matter to justify and reconcile either with our laws, or with the laws of honour and justice, the conduct of some persons, in treating clandestinely with the common enemy, without the participation of the allies. This was a frivolous argument. A correspondence with any persons whatsoever becomes criminal, when it tends to foment the divisions of one's country, and arm the people against their sovereign. If England had it not in her power, without infringing the laws of justice and honour, to withdraw herself from a confederacy which she could no longer support, and treat for peace on her own bottom, then was she not an associate but a slave to the alliance. The Earl of Godolphin affirmed, that the trade of Spain was such a trifle as deserved no consideration: and that it would continually diminish, until it should be entirely engrossed by the French merchants. Notwithstanding these remonstrances against the plan of peace, the majority agreed to an address, in which they thanked the queen for her extraordinary condescension in communicating those conditions to her parliament; and expressed an entire satisfaction with her conduct. A motion was made for a clause in the address, desiring her majesty would take such measures, in concert with her allies, as might induce them to join with her in a mutual guarantee. A debate ensued, the question was put, and the clause rejected. Several noblemen entered a protest, which was expunged from the journals of the House by the decision of the majority.

§ XII. In the House of Commons, a complaint was exhibited against Bishop Fleetwood, who, in a preface to four sermons which he had published, took occasion to extol the last ministry, at the expense of the present administration. This piece was voted malicious and factious, tending to create discord and sedition among her majesty's subjects, and condemned to be burned by the hands of the common hangman. They presented an address to the queen, assuring her of the just sense they had of the indignity offered to her, by printing and publishing a letter from the States-general to her majesty; and desiring she would so far resent such insults as to give no answer for the future to any letters or memorial that should be thus ushered into the world as inflammatory appeals to the public. Mr.

Hampden moved for an address to her majesty, that she would give particular instructions to her plenipotentiaries, that in the conclusion of the treaty of peace, the several powers in alliance with her majesty might be guaranties for the protestant succession in the illustrious house of Hanover. The question being put, was carried in the negative. Then the House resolved, That they had such confidence in the repeated declarations her majesty had made of her concern for assuring to these kingdoms the protestant succession as by law established, that they could never doubt of her taking the proper measures for the security thereof: that the House would support her against faction at home and her enemies abroad; and did humbly beseech her, that she would be pleased to discountenance all those who should endeavour to raise jealousies between her majesty and her subjects, especially by misrepresenting her good intentions for the welfare of her people. The queen was extremely pleased with this resolution. When it was presented, she told them that they had shown themselves honest asserters of the monarchy, zealous defenders of the constitution, and real friends to the protestant succession. She thought she had very little reason to countenance a compliment of supererogation to a prince who had caballed with the enemies of her administration. On the twenty-first day of June the queen closed the session with a speech, expressing her satisfaction at the addresses and supplies she had received: she observed, that should the treaty be broke off, their burthens would be at least continued, if not increased; that Britain would lose the present opportunity of improving her own commerce, and establishing a real balance of power in Europe; and that though some of the allies might be gainers by the continuance of the war, the rest would suffer in the common calamity. Notwithstanding the ferment of the people, which was now risen to a very dangerous pitch, addresses, approving the queen's conduct, were presented by the city of London, and all the corporations in the kingdom that espoused the tory interest. At this juncture the nation was so wholly possessed by the spirit of party, that no appearance of neutrality or moderation remained.

§ XIII. During these transactions the trenches were opened before Quesnoy, and the siege carried on with uncommon vigour under cover of the forces commanded by the Duke of Ormond. This nobleman, however, having received a copy of the articles signed by the Marquis de Torcy, and fresh instructions from the queen, signified to Prince Eugene and the Dutch deputies, that the French king had agreed to several articles demanded by the queen, as the foundation of an armistice: and among others to put the English troops in immediate possession of Dunkirk; that he could therefore no longer cover the siege of Quesnoy, as he was obliged by his instructions to march with the British troops, and those in the queen's pay, and declare a suspension of arms as soon as he should be possessed of Dunkirk. He expressed his hope, that they would readily acquiesce in these instructions, seeing their concurrence would act as the most powerful motive to induce the queen to take all possible care of their interests at the congress: and he endeavoured to demonstrate, that Dunkirk, as a cautionary town, was a place of greater consequence to the allies than Quesnoy. The deputies desired he would delay his march five days, that they might have time to consult their principals, and he granted three days without hesitation. Prince Eugene observed, that his marching off with the British troops, and the foreigners in the queen's pay, would leave the allies at the mercy of the enemy; but he hoped these last would not obey the duke's order. He and the deputies had already tampered with their commanding officers, who absolutely refused to obey the Duke of Ormond, alleging, that they could not separate from the confederacy without express directions from their masters, to whom they had despatched couriers. An extraordinary assembly of the states was immediately summoned to meet at the Hague. The ministers of the allies were invited to the conferences. At length, the princes whose troops were in the pay of Britain assured them, that they would maintain them under the command of Prince Eugene for one month at their own expense, and afterwards sustain half the charge, provided the other half should be defrayed by the emperor and States-general.

§ XIV. The Bishop of Bristol imparted to the other plenipotentiaries at Utrecht the concessions which France would make to the allies; and proposed a suspension of arms for two months, that they might treat in a friendly manner, and adjust the demands of all the confederates. To this proposal they made no other answer, but that they had no instructions on the subject. Count Zinzendorf, the first imperial plenipotentiary, presented a memorial to the States-general, explaining the danger that would result to the common cause from a cessation of arms; and exhorting them to persevere in their generous and vigorous resolutions. He proposed a renewal of the alliance for recovering the Spanish monarchy to the house of Austria, and a certain plan for prosecuting the war with redoubled ardour. Prince Eugene, in order to dazzle the confederates with some bold enterprise, detached Major-General Grovestein, with fifteen hundred cavalry, to penetrate into the heart of France. This officer, about the middle of June, advanced into Champagne, passed the Noire, the Maese, the Moselle, and the Saar, and retired to Trarbach with a rich booty, and a great number of hostages, after having extorted contributions as far as the gates of Metz, ravaged the country, and reduced a great number of villages and towns to ashes. The consternation produced by this irruption reached the city of Paris: the King of France did not think himself safe at Versailles with his ordinary guards: all the troops in the neighbourhood of the capital were assembled about the palace. Villars sent a detachment after Grovestein, as soon as he understood his destination: but the other had gained a day's march of the French troops, which had the mortification to follow him so close, that they found the flames still burning in the villages he had destroyed. By way of retaliation, Major-General Pasteur, a French partisan, made an excursion beyond Bergen-op-zoom, and ravaged the island of Tortola belonging to Zealand.

§ XV. The Earl of Strafford having returned to Holland, proposed a cessation of arms to the States-general, by whom it was rejected. Then he proceeded to the army of the Duke of Ormond, where he arrived in a few days after the reduction of Quesnoy, the garrison of which were made prisoners of war on the fourth day of July. The officers of the foreign troops had a second time refused to obey a written order of the duke; and such a spirit of animosity began to prevail between the English and allies, that it was absolutely necessary to effect a speedy separation. Prince Eugene resolved to undertake the siege of Landrecy: a design is said to have been formed by the German generals to confine the duke, on pretence of the arrears that were due to them; and to disarm the British troops, lest they should join the French army. In the mean time a literary correspondence was maintained between the English general and the Mareschal de Villars. France having consented to deliver up Dunkirk, a body of troops was transported from England, under the command of Brigadier Hill, who took possession of the place on the seventh day of July; the French garrison retired to Winoxberg. On the sixteenth of the same month Prince Eugene marched from his camp at Haspre, and was followed by all the auxiliaries in the British pay, except a few battalions of the troops of Holstein-Gottorp, and Wales's regiment of dragoons, belonging to the State of Liege.

§ XVI. Landrecy was immediately invested: while the Duke of Ormond, with the English forces, removed from Chateau Cambresis, and encamping at Ayvensne-le-Secq, proclaimed by sound of trumpet a cessation of arms for two months. On the same day the like armistice was declared in the French army. The Dutch were so exasperated at the secession of the English troops, that the governors would not allow the Earl of Strafford to enter Bouchain, nor the British army to pass through Douay, though in that town they had left a great quantity of stores, together with their general hospital. Prince Eugene and the Dutch deputies, understanding that the Duke of Ormond had begun his march towards Ghent, began to be in pain for that city, and sent Count Nassau Woodenburgh to him with a written apology, condemning and disavowing the conduct and commandants of Bouchain and Douay; but, notwithstanding these excuses, the English troops afterwards met with the same treatment at Tournay, Ou-

denarde, and Lisle: insults which were resented by the whole British nation. The duke, however, pursued his march, and took possession of Ghent and Bruges for the Queen of England: then he reinforced the garrison of Dunkirk, which he likewise supplied with artillery and ammunition. His conduct was no less agreeable to his sovereign, than mortifying to the Dutch, who never dreamed of leaving Ghent and Bruges in the hands of the English, and were now fairly outwitted and anticipated by the motions and expeditions of the British general.

§ XVII. The loss of the British forces was soon severely felt in the allied army. Villars attacked a separate body of their troops, encamped at Denain, under the command of the Earl of Albemarle. Their entrenchments were forced, and seventeen battalions either killed or taken. The earl himself and all the surviving officers were made prisoners. Five hundred waggons loaded with bread, twelve pieces of brass cannon, a large quantity of ammunition and provisions, a great number of horses, and considerable booty, fell into the hands of the enemy; this advantage they gained in sight of Prince Eugene, who advanced on the other side of the Schelde to sustain Albemarle: but the bridge over that river was broke down by accident; so that he was prevented from lending the least assistance. Villars immediately invested Merchiennes, where the principal stores of the allies were lodged. The place was surrendered on the last day of July: and the garrison, consisting of five thousand men, were conducted prisoners to Valenciennes. He afterwards undertook the siege of Douay; an enterprise, in consequence of which Prince Eugene abandoned his design on Landrecy, and marched towards the French, in order to hazard an engagement. The States, however, would not run the risk; and the prince had the mortification to see Douay reduced by the enemy. He could not even prevent their retaking Quesnoy and Bouchain, of which places they were in possession before the tenth day of October. The allies enjoyed no other compensation for their great losses, but the conquest of Fort Knoque, which was surprised by one of their partisans.

§ XVIII. The British ministers at the congress continued to press the Dutch and other allies to join in the armistice; but they were deaf to the proposal, and concerted measures for a vigorous prosecution of the war. Then the Earl of Strafford insisted upon their admitting to the congress the plenipotentiaries of King Philip: but he found them equally averse to this expedient. In the beginning of August, Secretary St. John, now created Lord Viscount Bolingbroke, was sent to the court of Versailles incognito, to remove all obstructions to the treaty between England and France. He was accompanied by Mr. Prior, and the Abbé Gualtier, treated with the most distinguished marks of respect, caressed by the French king and the Marquis de Torcy, with whom he adjusted the principal interests of the Duke of Savoy and the Elector of Bavaria. He settled the time and manner of the renunciation, and agreed to a suspension of arms by sea and land for four months between the crowns of France and England: this was accordingly proclaimed at Paris and London. The negotiation being finished in a few days, Bolingbroke returned to England, and Prior remained as resident at the court of France. The States-general breathed nothing but war: the Pensionary Heinsius pronounced an oration in their assembly, represented the impossibility of concluding a peace without losing the fruits of all the blood and treasure they had expended. The conferences at Utrecht were interrupted by a quarrel between the domestics of Menager and those of the Count de Rechteren, one of the Dutch plenipotentiaries. The populace insulted the Earl of Strafford and the Marquis del Borgo, minister of Savoy, whose master was reported to have agreed to the armistice. These obstructions being removed, the conferences were renewed, and the British plenipotentiaries exerted all their rhetoric, both in public and private, to engage the allies in the queen's measures. At length the Duke of Savoy was prevailed upon to acquiesce in the offers of France. Mr. Thomas Harley had been sent ambassador to Hanover, with a view to persuade the elector that it would be for his interest to co-operate with her majesty: but that prince's resolution was already taken. "Whenever it shall please



God (said he) to call me to the throne of Britain, I hope to act as becomes me for the advantage of my people; in the mean time, speak to me as to a German prince, and a prince of the empire." Nor was she more successful in her endeavours to bring over the King of Prussia to her sentiments. In the mean time, Lord Lexington was appointed ambassador to Madrid, where King Philip solemnly swore to observe the renunciation, which was approved and confirmed by the Cortez. The like renunciation to the crown of Spain was afterwards made by the Princes of France; and Philip was declared incapable of succeeding to the crown of that realm. The court of Portugal held out against the remonstrances of England, until the Marquis de Bay invaded that kingdom at the head of twenty thousand men, and undertook the siege of Campo-Major, and they found they had no longer any hope of being assisted by her Britannic majesty. The Portuguese minister at Utrecht signed the suspension of arms on the seventh day of November, and excused this step to the allies, as the pure effect of necessity. The English troops in Spain were ordered to separate from the army of Count Staremberg, and march to the neighbourhood of Barcelona, where they were embarked on board an English squadron, commanded by Sir John Jennings, and transported to Minorca.

§ XIX. The campaign being at an end in the Netherlands, the Duke of Ormond returned to England, where the party disputes were become more violent than ever. The whigs affected to celebrate the anniversary of the late king's birthday, in London, with extraordinary rejoicings. Mobs were hired by both factions; and the whole city was filled with riot and uproar. A ridiculous scheme was contrived to frighten the lord treasurer with some squibs in a band-box, which the ministers magnified into a conspiracy. The Duke of Hamilton having been appointed ambassador extraordinary to the court of France, the whigs were alarmed on the supposition that this nobleman favoured the pretender. Some dispute arising between the duke and Lord Mohun, on the subject of a law-suit, furnished a pretence for a quarrel. Mohun, who had been twice tried for murder, and was counted a mean tool, as well as the hector of the whig party, sent a message by General Macartney to the duke, challenging him to single combat. The principals met by appointment in Hyde Park, attended by Macartney and Colonel Hamilton. They fought with such fury, that Mohun was killed upon the spot, and the duke expired before he could be conveyed to his own house. Macartney disappeared and escaped in disguise to the continent. Colonel Hamilton declared upon oath before the privy council, that when the principals engaged, he and Macartney followed their example; that Macartney was immediately disarmed; but the colonel seeing the duke fall upon his antagonist, threw away the swords, and ran to lift him up: that while he was employed in raising the duke, Macartney having taken up one of the swords, stabbed his grace over Hamilton's shoulder, and retired immediately. A proclamation was issued, promising a reward of five hundred pounds to those who should apprehend or discover Macartney, and the Duchess of Hamilton offered three hundred pounds for the same purpose. The Tories exclaimed against this event as a party duel: they treated Macartney as a cowardly assassin; and affirmed that the whigs had posted others of the same stamp, all round Hyde Park, to murder the Duke of Hamilton, in case he had triumphed over his antagonist, and escaped the treachery of Macartney. The whigs on the other hand affirmed, that it was altogether a private quarrel: that Macartney was entirely innocent of the perfidy laid to his charge: that he afterwards submitted to a fair trial, at which Colonel Hamilton prevaricated in giving his evidence, and was contradicted by the testimony of divers persons, who saw the combat at a distance. The Duke of Marlborough, hearing himself accused as the author of those party mischiefs, and seeing his enemies grow every day more and more implacable, thought proper to retire to the continent, where he was followed by his duchess. His friend Godolphin had died in September, with the general character of an able, cool, dispassionate minister, who had rendered himself necessary to four successive sovereigns, and managed the finances with

equal skill and integrity. The Duke of Shrewsbury was nominated ambassador to France, in the room of the Duke of Hamilton: the Duke d'Aumont arrived at London in the same quality from the court of Versailles; and about the same time the queen granted an audience to the Marquis de Monteleone, whom Philip had appointed one of his plenipotentiaries at the congress.

§ XX. In vain had the British ministers in Holland endeavoured to overcome the obstinacy of the States-general, by alternate threats, promises, and arguments. In vain did they represent, that the confederacy against France could be no longer supported with any prospect of success: that the queen's aim had been to procure reasonable terms for her allies; but that their opposition to her measures prevented her from obtaining such conditions as she would have a right to demand in their favour, were they unanimous in their consultations. In November, the Earl of Strafford presented a new plan of peace, in which the queen promised to insist upon France's ceding to the States the city of Tournay, and some other places which they could not expect to possess, should she conclude a separate treaty. They now began to waver in their councils. The first transports of their resentment having subsided, they plainly perceived that the continuation of the war would entail upon them a burden which they could not bear, especially since the Duke of Savoy and the King of Portugal had deserted the alliance: besides they were staggered by the affair of the new barrier, so much more advantageous than that which France had proposed in the beginning of the conferences. They were influenced by another motive: namely, the apprehension of new mischiefs to the empire from the King of Sweden, whose affairs seemed to take a favourable turn at the Ottoman Porte, through the intercession of the French monarch. The czar and King Augustus had penetrated into Pomerania: the King of Denmark had taken Staden, reduced Bremen, and laid Hamburg under contribution; but Count Steenbock, the Swedish general, defeated the Danish army in Mecklenburgh, ravaged Holstein with great barbarity, and reduced the town of Altena to ashes. The grand signor threatened to declare war against the czar, on pretence that he had not performed some essential articles of the late peace; but his real motive was an inclination to support the King of Sweden. This disposition, however, was defeated by a powerful party at the Porte, who were averse to war. Charles, who still remained at Bender, was desired to return to his own kingdom, and given to understand, that the sultan would procure him a safe passage. He treated the person who brought this intimation with the most outrageous insolence; rejected the proposal; fortified his house, and resolved to defend himself to the last extremity. Being attacked by a considerable body of Turkish forces, he and his attendants fought with the most frantic valour. They slew some hundreds of the assailants; but at last the Turks set fire to the house: so that he was obliged to surrender himself and his followers, who were generally sold for slaves. He himself was conveyed under a strong guard to Adrianople. Meanwhile the czar landed with an army in Finland, which he totally reduced. Steenbock maintained himself in Tonningen until all his supplies were cut off, and then he was obliged to deliver himself and his troops prisoners of war. But this reverse was not foreseen when the Dutch dreaded a rupture between the Porte and the Muscovites, and were given to understand that the Turks would revive the troubles in Hungary. In that case, they knew the emperor would recall great part of his troops from the Netherlands, where the burthen of the war must lie upon their shoulders. After various consultations in their different assemblies, they came into the queen's measures, and signed the barrier treaty.

§ XXI. Then the plenipotentiaries of the four associated circles presented a remonstrance to the British ministers at Utrecht, imploring the queen's interposition in their favour, that they might not be left in the miserable condition to which they had been reduced by former treaties. They were given to understand, that if they should not obtain what they desired, they themselves would be justly blamed as the authors of their own dis-appointment: that they had been deficient in furnishing

their proportion of troops and other necessities : and left the whole burthen of the war to fall upon the queen and the States in the Netherlands : that when a cessation was judged necessary, they had deserted her majesty to follow the chimerical projects of Prince Eugene ; that while she prosecuted the war with the utmost vigour, they had acted with coldness and indifference ; but when she inclined to peace they began to exert themselves in prosecuting hostilities with uncommon eagerness ; that, nevertheless, she would not abandon their interests, but endeavour to procure for them as good conditions as their preposterous conduct would allow her to demand. Even the emperor's plenipotentiaries began to talk in more moderate terms. Zinzendorf declared that his master was very well disposed to promote a general peace, and no longer insisted on a cession of the Spanish monarchy to the house of Austria. Philip's ministers, together with those of Bavaria and Cologne, were admitted to the congress ; and now the plenipotentiaries of Britain acted as mediators for the rest of the allies.

§ XXII. The pacification between France and England was retarded, however, by some unforeseen difficulties that arose in adjusting the commerce and the limits of the countries possessed by both nations in North America. A long dispute ensued ; and the Duke of Shrewsbury and Prior held many conferences with the French ministry : at length it was compromised, though not much to the advantage of Great Britain ; and the English plenipotentiaries received an order to sign a separate treaty. They declared to the ministers of the other powers, that they and some other plenipotentiaries were ready to sign their respective treaties on the eleventh day

of April. Count Zinzendorf endeavoured to postpone this transaction until he should be furnished with fresh instructions from Vienna ; and even threatened that if the States-  
Burnet, Boyer.  
Hare, Lamb.  
Berry, Quincy.  
Rousset, Jercy.  
Bolingbroke, Voltaire.  
Faulx, English.  
M<sup>r</sup>. Hist. Hist.  
of the Duke of Marlborough.  
 should sign the peace contrary to his desire, the emperor would immediately withdraw his troops from the Netherlands. The ministers of Great Britain agreed with those of France, that his imperial majesty should have time to consider whether he would or would not accept the proposals : but this time was extended no further than the first day of June ; nor would they agree to a cessation of arms during that interval. Meanwhile the peace with France was signed in different treaties by the plenipotentiaries of Great Britain, Savoy, Prussia, Portugal, and the States-general. On the fourteenth day of the month the British plenipotentiaries delivered to Count Zinzendorf, in writing, "Offers and demands of the French king for making peace with the house of Austria and the empire." The count and the ministers of the German princes exclaimed against the insolence of France, which had not even bestowed the title of emperor on Joseph : but wanted to impose terms upon them, with relation to the Electors of Cologne and Bavaria.

§ XXIII. The treaties of peace and commerce between England and France being ratified by the Queen of England, the parliament was assembled on the ninth day of April. The queen told them the treaty was signed, and that in a few days the ratifications would be exchanged. She said, what she had done for the protestant succession, and the perfect friendship subsisting between her and the house of Hanover, would convince those who wished well to both, and desired the quiet and safety of their country, how vain all attempts were to divide them. She left it entirely to the House of Commons to determine what force might be necessary for the security of trade by sea, and for guards and garrisons. "Make yourselves safe (said she) and I shall be satisfied. Next to the protection of the Divine Providence, I depend upon the loyalty and affection of my people. I want no other guarantee." She recommended to their protection those brave men who had exposed their lives in the service of their country, and could not be employed in time of peace. She desired they would concert proper measures for easing the foreign trade of the kingdom, for improving and encouraging manufactures and the fishery, and for employing the hands of idle people. She expressed her displeasure at the scandalous and seditious libels which had been lately published. She exhorted them to consider

of new laws to prevent this licentiousness, as well as for putting a stop to the impious practice of duelling. She conjured them to use their utmost endeavours to calm the minds of men at home, that the arts of peace might be cultivated : and that groundless jealousies, contrived by a faction, and fomented by party rage, might not effect that which their foreign enemies could not accomplish. This was the language of a pious, candid, and benevolent sovereign, who loved her subjects with a truly parental affection. The parliament considered her in that light. Each House presented her with a warm address of thanks and congratulation, expressing, in particular, their inviolable attachment to the protestant succession in the illustrious house of Hanover. The ratifications of the treaty being exchanged, the peace was proclaimed on the fifth of May, with the usual ceremonies, to the inexpressible joy of the nation in general. It was about this period that the Chevalier de St. George conveyed a printed remonstrance to the ministers at Utrecht, solemnly protesting against all that might be stipulated to his prejudice. The Commons, in a second address, had besought her majesty to communicate to the House in due time the treaties of peace and commerce with France ; and now they were produced by Mr. Benson, chancellor of the exchequer.

§ XXIV. By the treaty of peace the French king obliged himself to abandon the pretender, and acknowledge the queen's title and the protestant succession ; to raze the fortifications of Dunkirk within a limited time, on condition of receiving an equivalent ; to cede Newfoundland, Hudson's Bay, and St. Christopher's to England ; but the French were left in possession of Cape Breton, and at liberty to dry their fish in Newfoundland. By the treaty of commerce a free trade was established, according to the tariff of the year one thousand six hundred and sixty-four, except in some commodities that were subjected to new regulations in the year sixteen hundred and ninety-nine. It was agreed, That no other duties should be imposed on the productions of France, imported into England, than those that were laid on the same commodities from other countries ; and, that commissioners should meet at London, to adjust all matters relating to commerce ; as for the tariff with Spain, it was not yet finished. It was stipulated, That the emperor should possess the kingdom of Naples, the duchy of Milan, and the Spanish Netherlands : that the Duke of Savoy should enjoy Sicily, with the title of king : that the same title, with the island of Sardinia, should be allotted to the Elector of Bavaria, as an indemnification for his losses : that the States-general should restore Lisle and its dependences : that Namur, Charleroy, Luxembourg, Ypres, and Newport should be added to the other places they already possessed in Flanders ; and, that the King of Prussia should have Upper Gueldre, in lieu of Orange and the other states belonging to that family in Franche Comté. The King of Portugal was satisfied : and the first day of June was fixed as the period of time granted to the emperor for consideration.

§ XXV. A day being appointed by the Commons to deliberate upon the treaty of commerce, very just and weighty objections were made to the eighth and ninth articles, importing, That Great Britain and France should mutually enjoy all the privileges in trading with each other that either granted to the most favoured nation ; and that no higher customs should be exacted from the commodities of France, than those that were drawn from the same productions of any other people. The balance of trade having long inclined to the side of France, severe duties had been laid on all the productions and manufactures of that kingdom, so as almost to amount to a total prohibition. Some members observed, that by the treaty between England and Portugal, the duties charged upon the wines of that country were lower than those laid upon the wines of France : that should they now be reduced to an equality, the difference of freight was so great, that the French wines would be found much cheaper than those of Portugal ; and, as they were more agreeable to the taste of the nation in general, there would be no market for the Portuguese wines in England : that should this be the case, the English would lose their trade with Portugal, the most advantageous of any traffic which they now carried on ; for it consumed a great quantity of their manu-

factures, and returned a yearly sum of six hundred thousand pounds in gold. Mr. Nathaniel Gould, formerly governor of the bank, affirmed, that as France had, since the revolution, encouraged woollen manufactures, and prepared at home several commodities which formerly they drew from England; so the English had learned to make silk stuffs, paper, and all manner of toys, formerly imported from France: by which means an infinite number of artificers were employed, and a vast sum annually saved to the nation: but these people would now be reduced to beggary, and that money lost again to the kingdom, should French commodities of the same kind be imported under ordinary duties, because labour was much cheaper in France than in England, consequently the British manufactures would be under-sold and ruined. He urged, that the ruin of the silk manufacture would be attended with another disadvantage. Great quantities of woollen cloths were vended in Italy and Turkey, in consequence of the raw silk which the English merchants bought up in those countries; and, should the silk manufacture at home be lost, those markets for British commodities would fail of course. Others alleged, that if the articles of commerce had been settled before the English troops separated from those of the confederates, the French king would not have presumed to insist upon such terms, but have been glad to comply with more moderate conditions. Sir William Wyndham reflected on the late ministry, for having neglected to make an advantageous peace when it was in their power. He said that Portugal would always have occasion for the woollen manufactures and the corn of England, and be obliged to buy them at all events. After a violent debate, the House resolved, by a great majority, That a bill should be brought in to make good the eighth and ninth articles of the treaty of commerce with France. Against these articles, however, the Portuguese minister presented a memorial, declaring, that should the duties on French wines be lowered to the same level with those that were laid on the wines of Portugal, his master would renew the prohibition of the woollen manufactures, and other products of Great Britain. Indeed, all the trading part of the nation exclaimed against the treaty of commerce, which seems to have been concluded in a hurry, before the ministers fully understood the nature of the subject. This precipitation was owing to the fears that their endeavours after peace would miscarry, from the intrigues of the whig faction, and the obstinate opposition of the confederates.

§ XXVI. The Commons having granted an aid of two shillings in the pound, proceeded to renew the duty on malt for another year, and extended this tax to the whole island, notwithstanding the warm remonstrances of the Scottish members, who represented it as a burthen which their country could not bear. They insisted upon an express article of the union, stipulating, That no duty should be laid on the malt in Scotland during the war, which they affirmed was not yet finished, inasmuch as the peace with Spain had not been proclaimed. During the adjournment of the parliament, on account of the Whitsun-holidays, the Scots of both Houses, laying aside all party distinctions, met and deliberated on this subject. They deputed the Duke of Argyre, the Earl of Mar, Mr. Lockhart, and Mr. Cockburn to lay their grievances before the queen. They represented, that their countrymen bore with impatience the violation of some articles of the union; and that the imposition of such an insupportable burthen as the malt-tax would, in all probability, prompt them to declare the union dissolved. The queen, alarmed at this remonstrance, answered, that she wished they might not have cause to repent of such a precipitate resolution; but she would endeavour to make all things easy. On the first day of June, the Earl of Findlater, in the House of Peers, represented that the Scottish nation was aggrieved in many instances: that they were deprived of a privy-council, and subjected to the English laws in cases of treason: that their nobles were rendered incapable of being created British peers; and that now they were oppressed with the insupportable burthen of a malt-tax, when they had reason to expect they should reap the benefit of peace: he therefore moved, that leave might be given to bring in a bill for dissolving the union, and se-

curing the protestant succession to the House of Hanover. Lord North and Grey affirmed, that the complaints of the Scots were groundless; that the dissolution of the union was impracticable; and he made some sarcastic reflections on the poverty of that nation. He was answered by the Earl of Eglinton, who admitted the Scots were poor, and therefore unable to pay the malt-tax. The Earl of Hay, among other pertinent remarks upon the union, observed, that when the treaty was made, the Scots took it for granted, that the parliament of Great Britain would never load them with any imposition that they had reason to believe grievous. The Earl of Peterborough compared the union to a marriage. He said, that though England, who must be supposed the husband, might in some instances prove unkind to the lady, she ought not immediately to sue for a divorce, the rather because she had very much mended her fortune by the match. Hay replied, that marriage was an ordinance of God, and the union no more than a political expedient. The other affirmed, that the contract could not have been more solemn, unless, like the ten commandments, it had come from heaven: he inveighed against the Scots, as a people that would never be satisfied: that would have all the advantages resulting from the union, but would pay nothing by their good will although they had received more money from England than the amount of all their estates. To these animadversions the Duke of Argyre made a very warm reply. "I have been reflected on by some people (said he) as if I was disgusted, and had changed sides: but I despise their persons, as much as I undervalue their judgment." He urged, that the malt-tax in Scotland was like taxing land by the acre throughout England, because land was worth five pounds an acre in the neighbourhood of London, and would not fetch so many shillings in the remote counties. In like manner, the English malt was valued at four times the price of that which was made in Scotland: therefore the tax in this country must be levied by a regiment of dragoons. He owned he had a great share in making the union, with a view to secure the protestant succession; but he was now satisfied this end might be answered as effectually if the union was dissolved; and, if this step should not be taken, he did not expect long to have either property left in Scotland, or liberty in England. All the whig members voted for the dissolution of that treaty which they had so eagerly promoted; while the Tories strenuously supported the measure against which they had once argued with such vehemence. In the course of the debate, the lord treasurer observed, that although the malt-tax was imposed, it might be afterwards remitted by the crown. The Earl of Sunderland expressed surprise at hearing that noble lord broach a doctrine which tended to establish a despotic dispensing power, and arbitrary government. Oxford replied, his family had never been famous, as some others had been, for promoting and advising arbitrary measures. Sunderland considering this expression as a sarcasm levelled at the memory of his father, took occasion to vindicate his conduct, adding, that in those days the other lord's family was hardly known. Much violent altercation was discharged. At length the motion for the bill was rejected by a small majority, and the malt-bill afterwards passed with great difficulty.

§ XXVII. Another bill being brought into the House of Commons, for rendering the treaty of commerce effectual, such a number of petitions were delivered against it, and so many solid arguments advanced by the merchants who were examined on the subject, that even a great number of Tory members were convinced of the bad consequence it would produce to trade, and voted against the ministry on this occasion; so that the bill was rejected by a majority of nine voices. At the same time, however, the House agreed to an address, thanking her majesty for the great care she had taken of the security and honour of her kingdom in the treaty of peace; as also for having laid so good a foundation for the interest of her people in trade. They likewise besought her to appoint commissioners to treat with those of France, for adjusting such matters as should be necessary to be settled on the subject of commerce, that the treaty might be explained and perfected for the good and welfare of her people. The queen inter-



puted this address into a full approbation of the treaties of peace and commerce, and thanked them accordingly in the warmest terms of satisfaction and acknowledgment. The Commons afterwards desired to know what equivalent should be given for the demolition of Dunkirk; and she gave them to understand, that this was already in the hands of his most christian majesty: then they besought her, that she would not evacuate the towns of Flanders that were in her possession, until those who were entitled to the sovereignty of the Spanish Netherlands should agree to such articles for regulating trade as might place the subjects of Great Britain upon an equal footing with those of any other nation. The queen made a favourable answer to all their remonstrances. Such were the steps taken by the parliament during this session with relation to the famous treaty of Utrecht, against which the whigs exclaimed so violently, that many well-meaning people believed it would be attended with the immediate ruin of the kingdom; yet under the shadow of this very treaty, Great Britain enjoyed a long term of peace and tranquillity. Bishop Burnet was heated with an enthusiastic terror of the house of Bourbon. He declared to the queen in private, that any treaty by which Spain and the West Indies were left in the hands of King Philip, must in a little time deliver all Europe into the hands of France: that, if any such peace was made, the queen was betrayed, and the people ruined: that in less than three years she would be murdered, and the fires would blaze again in Smithfield. This prelate lived to see his prognostic disappointed; therefore, he might have suppressed this anecdote of his own conduct.

§ XXVIII. On the twenty-fifth day of June, the queen signified in a message to the House of Commons, that her civil list was burdened with some debts incurred by several articles of extraordinary expense; and that she hoped they would empower her to raise such a sum of money upon the funds for that provision, as would be sufficient to discharge the encumbrances, which amounted to five hundred thousand pounds. A bill was immediately prepared for raising this sum on the civil-list revenue, and passed through both Houses with some difficulty. Both Lords and Commons addressed the queen concerning the Chevalier de St. George, who had repaired to Lorraine. They desired she would press the duke of that name, and all the princes and States in amity with her, to exclude from their dominions the pretender to the imperial crown of Great Britain. A public thanksgiving for the peace was appointed and celebrated with great solemnity; and on the sixteenth day of July the queen closed the session with a speech which was not at all agreeable to the violent whigs, because it did not contain one word about the pretender and the protestant succession. From these omissions they concluded, that the dictates of natural affection had biased her in favour of the Chevalier de St. George. Whatever sentiments of tenderness and compassion she might feel for that unfortunate exile, the acknowledged son of her own father, it does not appear that she ever entertained a thought of altering the succession as by law established. The term of Sacheverel's suspension being expired, extraordinary rejoicings were made upon the occasion. He was desired to preach before the House of Commons, who thanked him for his sermon; and the queen promoted him to the rich benefice of St. Andrew's, Holborn. On the other hand the Duke d'Aumont, ambassador from France, was insulted by the populace. Scurrilous ballads were published against him both in the English and French languages. He received divers anonymous letters, containing threats of setting fire to his house, which was accordingly burned to the ground, though whether by accident or design he could not well determine. The magistracy of Dunkirk, having sent a deputation with an address to the queen, humbly imploring her majesty to spare the port and harbour of that town, and representing that they might be useful to her own subjects, the memorial was printed and dispersed, and the arguments it contained were answered and refuted by Addison, Steele, and Mafnwaring. Commissioners were sent to see the fortifications of Dunkirk demolished. They were accordingly razed to the ground; the harbour was filled up; and the Duke d'Aumont returned to Paris in the month of November. The

queen, by her remonstrances to the court of Versailles, had procured the enlargement of one hundred and thirty-six protestants from the galleys: understanding afterwards that as many more were detained on the same account, she made such application to the French ministry, that they too were released. Then she appointed General Ross her envoy extraordinary to the King of France.

§ XXIX. The Duke of Shrewsbury being nominated Lord-lieutenant of Ireland, assembled the parliament of that kingdom on the twenty-fifth day of November, and found the two Houses still at variance, on the opposite principles of whig and tory. Allan Broderick being chosen speaker of the Commons, they ordered a bill to be brought in to attain the pretender and all his adherents. They prosecuted Edward Lloyd, for publishing a book entitled, "Memoirs of the Chevalier de St. George;" and they agreed upon an address to the queen, to remove from the chancellorship Sir Constantine Phipps, who had countenanced the tories of that kingdom. The Lords, however, resolved, that Chancellor Phipps had, in his several stations, acquitted himself with honour and integrity. The two houses of convocation presented an address to the same purpose. They likewise complained of Mr. Molesworth, for having insulted them, by saying, when they appeared in the castle of Dublin, "That they have turned the world upside down are come hither also;" and he was removed from the privy council. The Duke of Shrewsbury received orders to prorogue this parliament, which was divided against itself, and portended nothing but domestic broils. Then he obtained leave to return to England, leaving Chancellor Phipps, with the Archbishop of Armagh and Tuam, justices of the kingdom.

§ XXX. The parliament of England had been dissolved; and the elections were managed in such a manner as to retain the legislative power in the hands of the tories; but the meeting of the new parliament was delayed, by repeated prorogations, to the tenth day of December; a delay partly owing to the queen's indisposition, and partly to the contests among her ministers. Oxford and Bolingbroke were competitors for power, and rivals in reputation for ability. The treasurer's parts were deemed the more solid, the secretary's more shining; but both ministers were aspiring and ambitious. The first was bent upon maintaining the first rank in the administration, which he had possessed since the revolution in the ministry; the other disdained to act as a subaltern to the man whom he thought he excelled in genius, and equalled in importance. They began to form separate cabals, and adopt different principles. Bolingbroke insinuated himself into the confidence of Lady Masham, to whom Oxford had given some cause of disgust. By this communication he gained ground in the good opinion of his sovereign, while the treasurer lost it in the same proportion. Thus she, who had been the author of his elevation, was now used as the instrument of his disgrace. The queen was sensibly affected with these dissensions, which she interposed her advice and authority, by turns, to appease: but their mutual animosity continued to rankle under an exterior accommodation. The interest of Bolingbroke was powerfully supported by Sir Simon Harcourt, the chancellor, Sir William Wyndham, and Mr. Secretary Bromley. Oxford perceived his own influence was on the wane, and began to think of retirement. Meanwhile the Earl of Peterborough was appointed ambassador to the King of Sicily, and set out for Turin. The queen retired to Windsor, where she was seized with a very dangerous inflammatory fever. The hopes of the Jacobites visibly rose: the public funds immediately fell: a great ruin was made upon the bank, the directors of which were overwhelmed with consternation, which was not a little increased by the report of an armament equipped in the ports of France. They sent one of their members to represent to the treasurer the danger that threatened the public credit. The queen being made acquainted with these occurrences, signed a letter to Sir Samuel Stancer, lord mayor of London, declaring, that now she was recovered of her late indisposition, she would return to the place of her usual residence, and open the parliament on the sixteenth day of February. This intimation she sent to her loving subjects of the city of London, to the intent that all of them, in their several stations, might discounte-

nance those malicious rumours, spread by evil-minded persons, to the prejudice of credit, and the imminent hazard of the public peace and tranquillity. The queen's recovery, together with certain intelligence that the armament was a phantom, and the pretender still in Lorraine, helped to assuage the ferment of the nation, which had been industriously raised by party writings. Mr. Richard Steele published a performance, entitled, "The Crisis," in defence of the revolution and the protestant establishment, and enlarging upon the danger of a popish successor. On the other hand, the hereditary right to the crown of England was asserted in a large volume, supposed to be written with a view to pave the way for the pretender's accession. One Bedford was apprehended, tried, convicted, and severely punished, as the publisher of this treatise.

§ XXXI. While England was harassed by these intestine commotions, the emperor, rejecting the terms of peace proposed by France, resolved to maintain the war at his own expense, with the assistance of the empire. His forces on the Rhine, commanded by Prince Eugene, were so much outnumbered by the French under Villars, that they could not prevent the enemy from reducing the two important fortresses of Landau and Fribourg. His imperial majesty hoped that the death of Queen Anne, or that of Louis XIV. would produce an alteration in Europe that might be favourable to his interest; and he depended upon the conduct and fortune of Prince Eugene for some lucky event in war. But finding himself disappointed in all these expectations, and absolutely unable to support the expense of another campaign, he hearkened to overtures of peace that were made by the Electors of Cologne and Palatine; and conferences were opened at the castle of Al-Rastadt, between Prince Eugene and Mareschal de Villars, on the twenty-sixth day of November. In the beginning of February these ministers separated, without seeming to have come to any conclusion: but all the articles being settled between the two courts of Vienna and Versailles, they met again the latter end of the month: the treaty was signed on the third day of March; and orders were sent to the governors and commanders on both sides to desist from all hostilities. By this treaty, the French king yielded to the emperor Old Brisac, with all its dependences, Fribourg, the forts in the Brisgau and Black Forest, together with Fort Kehl. He engaged to demolish the fortifications opposite to Huningen, the fort of Selligen, and all between that and Fort Louis. The town and fortress of Landau were ceded to the King of France, who acknowledged the Elector of Hanover. The Electors of Bavaria and Cologne were restored to all their dignities and dominions. The emperor was put in immediate possession of the Spanish Netherlands, and the King of Prussia was permitted to retain the high quarters of Guelders. Finally, the contracting parties agreed that a congress should be opened on the first of May, at Baden in Switzerland, for terminating all differences; and Prince Eugene and Mareschal de Villars were appointed their first plenipotentiaries.

§ XXXII. The ratifications of the treaty between Great Britain and Spain being exchanged, the peace was proclaimed on the first day of March, in London, and the articles were not disagreeable to the English nation. The kingdoms of France and Spain were separated for ever. Philip acknowledged the protestant succession, and renounced the pretender. He agreed to a renewal of the treaty of navigation and commerce concluded in the year one thousand six hundred and sixty-seven. He granted an exclusive privilege to the English for furnishing the Spanish West Indies with negroes, according to the *asiento* contract.\* He ceded Gibraltar to England, as well as the island of Minorca, on condition that the Spanish inhabitants should enjoy their estates and religion. He obliged himself to grant a full pardon to the Catalonians, with the possession of their estates, honours, and privileges, and to yield the kingdom of Sicily to the Duke of Savoy. The new parliament was opened by commission in February, and Sir Thomas Hanmer was chosen speaker of the House of Commons. On the second day of March,

the queen being carried in a sedan to the House of Lords, signified to both Houses, that she had obtained an honourable and advantageous peace for her own people, and for the greatest part of her allies; and she hoped her interposition might prove effectual to complete the settlement of Europe. She observed, that some persons had been so malicious as to insinuate that the protestant succession, in the house of Hanover, was in danger under her government; but that those who endeavoured to distract the minds of men with imaginary dangers could only mean to disturb the public tranquillity. She said, that after all she had done to secure the religion and liberties of her people, she could not mention such proceedings without some degree of warmth; and she hoped her parliament would agree with her, that attempts to weaken her authority, or to render the possession of the crown uneasy to her, could never be proper means to strengthen the protestant succession. Affectionate addresses were presented by the Lords, the Commons, and the convocation: but the ill humour of party still subsisted, and was daily inflamed by new pamphlets and papers. Steele, supported by Addison and Halifax, appeared in the front of those who drew their pens in defence of whig principles; and Swift was the champion of the ministry.

§ XXXIII. The Earl of Wharton complained in the House of Lords, of a libel, entitled, "The public spirit of the whigs set forth in their generous encouragement of the author of the Crisis." It was a sarcastic performance, imputed to Lord Bolingbroke and Swift, interspersed with severe reflections upon the union, the Scottish nation, and the Duke of Argyle in particular. The lord treasurer disclaimed all knowledge of the author, and readily concurred in an order for taking into custody John Morphew, the publisher, as well as John Barber, printer of the Gazette, from whose house the copies were brought to Morphew. The Earl of Wharton said it highly concerned the honour of that august assembly, to find out the villain who was author of that false and scandalous libel, that justice might be done to the Scottish nation. He moved that Barber and his servants might be examined: but, next day, the Earl of Mar, one of the secretaries of state, declared, that, in pursuance to her majesty's command, he had directed John Barber to be prosecuted. Notwithstanding this interposition, which was calculated to screen the offenders, the lords presented an address, beseeching her majesty to issue out her royal proclamation, promising a reward to any person who should discover the author of the libel, which they conceived to be false, malicious, and factious, highly dishonourable and scandalous to her majesty's subjects of Scotland, most injurious to her majesty, and tending to the ruin of the constitution. In compliance with their request, a reward of three hundred pounds was offered: but the author remained safe from all detection.

§ XXXIV. The Commons, having granted the supplies, ordered a bill to be brought in for securing the freedom of parliaments, by limiting the number of officers in the House of Commons, and it passed through both Houses with little difficulty. In March, a complaint was made of several scandalous papers, lately published, under the name of Richard Steele, Esquire, a member of the House. Sir William Wyndham observed, that some of that author's writings contained insolent, injurious reflections on the queen herself, and were dictated by the spirit of rebellion. Steele was ordered to attend in his place: some paragraphs of his works were read; and he answered them with an affected air of self-confidence and unconcern. A day being appointed for his trial, he acknowledged the writings, and entered into a more circumstantial defence. He was assisted by Mr. Addison, General Stanhope, and Mr. Walpole: and attacked by Sir William Wyndham, Mr. Foley, and the attorney-general. Whatever could be urged in his favour was but little regarded by the majority, which voted, that two pamphlets, entitled, "The Englishman," and "The Crisis," written by Richard Steele, Esquire, were scandalous and seditious libels; and that he should be expelled the House of Commons.

§ XXXV. The Lords, taking into consideration the state

\* The *asiento* contract stipulated, that from the first day of May, 1713, to the first of May, 1743, the company should transport into the West Indies, one hundred forty-four thousand negroes, at the rate of four thousand

eight hundred negroes a year; and pay for each negro thirty-three pence of eight and one third, in full for all royal duties.

of the nation, resolved upon addresses to the queen, desiring they might know what steps had been taken for removing the pretender from the dominions of the Duke of Lorraine: that she would impart to them a detail of the negotiations for peace, a recital of the instances which had been made in favour of the Catalans, and an account of the monies granted by parliament since the year one thousand seven hundred and ten, to carry on the war in Spain and Portugal. They afterwards agreed to other addresses, beseeching her majesty to lay before them the debts and state of the navy, the particular writs of *noli prosequi* granted since her accession to the throne, and a list of such persons as, notwithstanding sentence of outlawry or attainder, had obtained licences to return into Great Britain, or other of her majesty's dominions, since the revolution. Having voted an application to the queen in behalf of the distressed Catalans, the House adjourned itself to the last day of March. As the minds of men had been artfully irritated by false reports of a design undertaken by France in behalf of the pretender, the ambassador of that crown at the Hague disowned it in a public paper, by command of his most christian majesty. The suspicions of many people, however, had been too deeply planted by the arts and insinuations of the whig leaders, to be eradicated by this or any other declaration; and what served to rivet their apprehensions, was a total removal of the whigs from all the employments, civil and military, which they had hitherto retained. These were now bestowed upon professed Tories, some of whom were attached at bottom to the supposed heir of blood. At a time when the queen's views were maliciously misrepresented; when the wheels of her government were actually impeded, and her servants threatened with proscription, by a powerful, turbulent, and implacable faction; no wonder that she discharged the partisans of that faction from her service, and filled their places with those who were distinguished by a warm affection

Boyer, Burnet,  
Tindal, Torcy,  
Bolingbroke,  
Voltaire.

to the House of Stuart, and by a submissive respect for the regal authority. Those were steps which her own sagacity must have suggested; and which her ministers would naturally advise as necessary for their own preservation. The whigs were all in commotion, either apprehending, or affecting to apprehend, that a design was formed to secure the pretender's succession to the throne of Great Britain. Their chiefs held secret consultations with Baron Schutz, the resident from Hanover. They communicated their observations to the elector: they received his instructions: they maintained a correspondence with the Duke of Marlborough; and they concerted measures for opposing all efforts that might be made against the protestant succession upon the death of the queen, whose health was by this time so much impaired, that every week was believed to be the last of her life. This conduct of the whigs was resolute, active, and would have been laudable, had their zeal been confined within the bounds of truth and moderation: but they, moreover, employed all their arts to excite and encourage the fears and jealousies of the people.

§ XXXVI. The House of Peers resounded with debates upon the Catalans, the pretender, and the danger that threatened the protestant succession. With respect to the Catalonians, they represented, that Great Britain had prevailed upon them to declare for the House of Austria, with promise of support; and that these engagements ought to have been made good. Lord Bolingbroke declared that the queen had used all her endeavours in their behalf: and that the engagements with them subsisted no longer than King Charles resided in Spain. They agreed, however, to an address, acknowledging her majesty's endeavours in favour of the Catalans, and requesting she would continue her interposition in their behalf. With respect to the pretender, the whig lords expressed such a spirit of persecution and rancorous hate, as would have disgraced the members of any, even the lowest, assembly of Christians. Not contented with hunting him from one country to another, they seemed eagerly bent upon extirpating him from the face of the earth, as if they had thought it was a crime in him to be born. The Earl of Sunderland declared, from the information of the minister of Lorraine, that, notwithstanding the application of both Houses to her majesty,

during the last session, concerning the pretender's being removed from Lorraine, no instances had yet been made to the Duke for that purpose. Lord Bolingbroke affirmed that he himself had made those instances, in the queen's name, to that very minister before his departure from England. The Earl of Wharton proposed a question; "Whether the protestant succession was in danger under the present administration?" A warm debate ensued, in which the Archbishop of York and the Earl of Anglesey joined in the opposition to the ministry. The Earl pretended to be convinced and converted by the arguments used in the course of the debate. He owned he had given his assent to the cessation of arms, for which he took shame to himself, asking pardon of God, his country, and his conscience. He affirmed that the honour of his sovereign, and the good of his country, were the rules of his actions; but that, without respect of persons, should he find himself imposed upon, he durst pursue an evil minister from the queen's closet to the Tower, and from the Tower to the scaffold. This conversion, however, was much more owing to a full persuasion, that a ministry divided against itself could not long subsist, and that the protestant succession was firmly secured. He therefore resolved to make a merit of withdrawing himself from the interests of a tottering administration, in whose ruin he might be involved. The Duke of Argyre charged the ministers with maladministration, both within those walls and without: he offered to prove that the lord treasurer had yearly remitted a sum of money to the highland clans of Scotland, who were known to be entirely devoted to the pretender. He affirmed that the new-modelling of the army, the practice of disbanding some regiments out of their turn, and removing a great number of officers, on account of their affection to the House of Hanover, were clear indications of the ministry's designs: that it was a disgrace to the nation to see men, who had never looked an enemy in the face, advanced to the posts of several brave officers, who, after they had often exposed their lives for their country, were now starving in prison for debt, on account of their pay being detained. The treasurer, laying his hand upon his breast, said, he had on so many occasions given such signal proofs of affection to the protestant succession, that he was sure no member of that august assembly did call it in question. He owned he had remitted, for two or three years past, between three and four thousand pounds to the highland clans; and he hoped the House would give him an opportunity to clear his conduct in that particular: with respect to the reformed officers, he declared he had given orders for their being immediately paid. The protestant succession was voted out of danger, by a small majority.

§ XXXVII. Lord Halifax proposed an address to the queen, that she would renew her instances for the speedy removing the pretender out of Lorraine; and that she would, in conjunction with the States-general, enter into the guarantee of the protestant succession in the house of Hanover. The Earl of Wharton moved, that in the address her majesty should be desired to issue a proclamation, promising a reward to any person who should apprehend the pretender dead or alive. He was seconded by the Duke of Bolton; and the House agreed that an address should be presented. When it was reported by the committee, Lord North and Grey expatiated upon the barbarity of setting a price on any one's head: he proved it was an encouragement to murder and assassination; contrary to the precepts of Christianity; repugnant to the law of nature and nations; inconsistent with the dignity of such an august assembly, and with the honour of a nation famed for lenity and mercy. He was supported by Lord Trevor, who moved that the reward should be promised for apprehending and bringing the pretender to justice, in case he should land, or attempt to land, in Great Britain or Ireland. The cruelty of the first clause was zealously supported and vindicated by the Lords Cowper and Halifax; but by this time the Earl of Anglesey and some others, who had abandoned the ministry, were brought back to their former principles, by promise of profitable employments; and the mitigation was adopted by a majority of ten voices. To this address, which was delivered by the chancellor and the whig lords only, the queen replied in



these words: "My Lords, it would be a real strengthening to the succession in the house of Hanover, as well as a support to my government, that an end were put to those groundless fears and jealousies which have been so industriously promoted. I do not at this time see any occasion for such a proclamation. Whenever I judge it to be necessary, I shall give my orders for having it issued. As to the other particulars of this address, I will give proper directions therein." She was likewise importuned, by another address, to issue out a proclamation against all Jesuits, popish priests, and bishops, as well as against all such as were outlawed for adhering to the late King James and the pretender. The House resolved, that no person, not included in the articles of Limerick, and who had borne arms in France and Spain, should be capable of any employment civil or military; and that no person, a natural-born subject of her majesty, should be capable of sustaining the character of a public minister from any foreign potentate. These resolutions were aimed at Sir Patrick Lawless, an Irish papist, who had come to England with a credential letter from King Philip, but now thought proper to quit the kingdom.

§ XXXVIII. Then the Lords in the opposition made an attack upon the treasurer, concerning the money he had remitted to the highlanders; but Oxford silenced his opposers, by asserting, that in so doing he had followed the example of King William, who, after he had reduced that people, thought fit to allow yearly pensions to the heads of clans, in order to keep them quiet. His conduct was approved by the House; and Lord North and Grey moved, that a day might be appointed for considering the state of the nation, with regard to the treaties of peace and commerce. The motion was seconded by the Earl of Clarendon; and the thirteenth day of April fixed for this purpose. In the mean time, Baron Schütz demanded of the chancellor a writ for the Electoral Prince of Hanover, to sit in the House of Peers as Duke of Cambridge, intimating that his design was to reside in England. The writ was granted with reluctance: but the prince's design of coming to England was so disagreeable to the queen, that she signified her disapprobation of such a step in a letter to the Princess Sophia. She observed, that such a method of proceeding would be dangerous to the succession itself, which was not secure any other way, than as the prince who was in actual possession of the throne maintained her authority and prerogative: she said a great many people in England were seditiously disposed; so she left her highness to judge what tumults they might be able to raise, should they have a pretext to begin a commotion; she, therefore, persuaded herself that her aunt would not consent to any thing which might disturb the repose of her and her subjects. At the same time she wrote a letter to the electoral prince, complaining that he had formed such a resolution, without first knowing her sentiments on the subject, and telling him plainly, that nothing could be more dangerous to the tranquillity of her dominions, to the right of succession in the Hanoverian line, or more disagreeable to her, than such conduct at this juncture. A third letter was written to the elector, his father: and the treasurer took this opportunity to assure that prince of his inviolable attachment to the family of Hanover.

§ XXXIX. The whig lords were dissatisfied with the queen's answer to their address concerning the pretender: and they moved for another address on the same subject, which was resolved upon, but never presented. They took into consideration the treaties of peace and commerce, to which many exceptions were taken; and much sarcasm was expended on both sides of the dispute: but at length the majority carried the question in favour of an address, acknowledging her majesty's goodness in delivering them, by a safe, honourable, and advantageous peace with France, from the burthen of a consuming land war, unequally carried on, and become at last impracticable. The House of Commons concurred in this address, after having voted that the protestant succession was out of danger: but these resolutions were not taken without violent opposition, in which General Stanhope, Mr. Lechmere, and Mr. Walpole, chiefly distinguished themselves. The letters which the queen had written to the electoral

house of Hanover were printed and published in England, with a view to inform the friends of that family of the reasons which prevented the Duke of Cambridge from executing his design of residing in Great Britain. The queen considered this step as a personal insult, as well as an attempt to prejudice her in the opinion of her subjects; she therefore ordered the publisher to be taken into custody. At this period the Princess Sophia died, in the eighty-fourth year of her age: and her death was intimated to the queen by Baron Bothmar, who arrived in England with the character of envoy extraordinary from the Elector of Hanover. This princess was the fourth and youngest daughter of Frederick, Elector Palatine, King of Bohemia, and Elizabeth, daughter of King James I. of England. She enjoyed from nature an excellent capacity, which was finely cultivated; and was in all respects one of the most accomplished princesses of the age in which she lived. At her death the court of England appeared in mourning; and the Elector of Brunswick was prayed for by name in the liturgy of the church of England. On the twelfth day of May, Sir William Wyndham made a motion for a bill to prevent the growth of schism, and for the further security of the church of England, as by law established. The design of it was to prohibit dissenters from teaching in schools and academies. It was accordingly prepared, and eagerly opposed in each House as a species of persecution. Nevertheless, it made its way through both, and received the royal assent; but the queen dying before it took place, this law was rendered ineffectual.

§ XL. Her majesty's constitution was now quite broken: one fit of sickness succeeded another; what completed the ruin of her health was the anxiety of her mind, occasioned partly by the discontents which had been raised and fomented by the enemies of her government; and partly by the dissensions among her ministers, which were now become intolerable. The council-chamber was turned into a scene of obstinate dispute and bitter altercation. Even in the queen's presence the treasurer and secretary did not abstain from mutual obloquy and reproach. Oxford advised moderate measures, and is said to have made advances towards a reconciliation with the leaders of the whig party. As he foresaw it would soon be their turn to domineer, such precautions were necessary for his own safety. Bolingbroke affected to set the whigs at defiance: he professed a warm zeal for the church: he soothed the queen's inclinations with the most assiduous attention. He and his coadjutrix insinuated that the treasurer was biassed in favour of the dissenters, and even that he acted as a spy for the house of Hanover. In the midst of these disputes and commotions the Jacobites were not idle. They flattered themselves that the queen in secret favoured the pretensions of her brother; and they depended on Bolingbroke's attachment to the same interest. They believed the same sentiments were cherished by the nation in general. They held private assemblies both in Great Britain and in Ireland. They concerted measures for turning the dissensions of the kingdom to the advantage of their cause. They even proceeded so far as to enlist men for the service of the pretender. Some of these practices were discovered by the Earl of Wharton, who did not fail to sound the alarm. A proclamation was immediately published, promising a reward of five thousand pounds for apprehending the pretender, whenever he should land or attempt to land in Great Britain. The Commons voted an address of thanks for the proclamation; and assured her majesty, that they would cheerfully aid and assist her, by granting the sum of a hundred thousand pounds, as a further reward to any who should perform so great a service to her majesty and her kingdoms. The Lords likewise presented an address on the same subject. Lord Bolingbroke proposed a bill, decreeing the penalties of high treason against those who should list or be enlisted in the pretender's service. The motion was approved, and the penalty extended to all those who should list or be enlisted in the service of any foreign prince or state, without a licence under the sign manual of her majesty, her heirs, and successors.

§ XLI. On the second day of July, the Lords took into consideration the treaty of commerce with Spain;

and a great number of merchants being examined at the bar of the House, declared that unless the explanation of the third, fifth, and eighth articles, as made at Madrid after the treaty was signed, were rescinded, they could not carry on their commerce without losing five-and-twenty per cent. After a long debate, the House resolved to address the queen for all the papers relating to the negotiation of the treaty of commerce with Spain, with the name of the person who advised her majesty to that treaty. To this address she replied, that understanding the three explanatory articles of the treaty were not detrimental to the trade of her subjects, she had consented to their being ratified with the treaty. The Earl of Wharton represented, that if so little regard was shown to the addresses of that august assembly to the sovereign, they had no business in that House. He moved for a remonstrance, to lay before her majesty the insuperable difficulties that attended the Spanish trade on the footing of the late treaty, and the House agreed to his motion. Another member moved, that the House should insist on her majesty's naming the person who advised her to ratify the three explanatory articles. This was a blow aimed at Arthur Moore, a member of the lower House, whom Lord Bolingbroke had consulted on the subject of the treaty. He was screened by the majority in parliament; but a general court of the South Sea company resolved, upon a complaint exhibited by Captain Johnston, that Arthur Moore, while a director, was privy to and encouraged the design of carrying on a clandestine trade, to the prejudice of the corporation, contrary to his oath, and in breach of the trust reposed in him: that, therefore, he should be declared incapable of being a director of, or having any employment in, this company. The queen had reserved to herself the quarter part of the assiento contract, which she now gave up to the company, and received the thanks of the upper House; but she would not discover the names of those who advised her to ratify the explanatory articles. On the ninth day of July she thought proper to put an end to the session, with a speech on the usual subjects. After having assured them, that her chief concern was to preserve the protestant religion, the liberty of her subjects, and to secure the tranquillity of her kingdoms, she concluded in these words: "But I must tell you plainly, that these desirable ends can never be obtained, unless you bring the same dispositions on your parts; unless all groundless jealousies, which create and foment divisions among you, be laid aside; and unless you show the same regard for my just prerogative, and for the honour of my government, as I have already expressed for the rights of my people."

§ XLII. After the peace had thus received the sanction of the parliament, the ministers, being no longer restrained by the tie of common danger, gave a loose to their mutual animosity. Oxford wrote a letter to the queen, containing a detail of the public transactions; in the course of which he endeavoured to justify his own conduct, and expose the turbulent and ambitious spirit of his rival. On the other hand, Bolingbroke charged the treasurer with having invited the Duke of Marlborough to return from his voluntary exile, and maintained a private correspondence with the house of Hanover. The Duke of Shrewsbury likewise complained of his having presumed to send orders to him in Ireland, without the privity of her majesty and the council. In all probability his greatest crime was his having given umbrage to the favourite, Lady Masham. Certain it is, on the twenty-seventh day of July, a very acrimonious dialogue passed between that lady, the chancellor, and Oxford, in the queen's presence. The treasurer affirmed he had been wronged, and abused by lies and misrepresentations, but he threatened vengeance, declaring he would leave some people as low as he had found them when they first attracted his notice. In the mean time he was removed from his employment; and Bolingbroke seemed to triumph in the victory he had obtained. He laid his account with being admitted as chief minister into the administration of affairs; and is said to have formed a design of a coalition with the Duke of Marlborough, who at this very time embarked at Ostend for England. Probably, Oxford had tried to play the same game, but met with a repulse from the Duke, on

account of the implacable resentment which the duchess had conceived against that minister.

§ XLIII. Whatever schemes might have been formed, the fall of the treasurer was so sudden, that no plan was established for supplying the vacancy occasioned by his disgrace. The confusion that incessantly ensued at court, and the fatigue of attending a long cabinet council on this event, had such an effect upon the queen's spirit and constitution, that she declared she should not outlive it, and was immediately seized with a lethargic disorder. Notwithstanding all the medicines which the physicians could prescribe, the distemper gained ground so fast, that next day, which was the thirtieth of July, they despaired of her life. Then the committee of the council assembled at the Cockpit, adjourned to Kensington. The Dukes of Somerset and Argyle, informed of the desperate situation in which she lay, repaired to the palace; and, without being summoned, entered the council-chamber. The members were surprised at their appearance; but the Duke of Shrewsbury thanked them for their readiness to give their assistance at such a critical juncture, and desired they would take their places. The physicians having declared that the queen was still sensible, the council unanimously agreed to recommend the Duke of Shrewsbury as the fittest person to fill the place of lord treasurer. When this opinion was intimated to the queen, she said, they could not have recommended a person she liked better than the Duke of Shrewsbury. She delivered to him the white staff, bidding him use it for the good of her people. He would have returned the lord chamberlain's staff, but she desired he would keep them both; so that he was at one time possessed of the three greatest posts in the kingdom, under the titles of lord treasurer, lord chamberlain, and lord-lieutenant of Ireland. No nobleman in England better deserved such distinguishing marks of his sovereign's favour. He was modest, liberal, disinterested, and a warm friend to his country. Bolingbroke's ambition was defeated by the vigour which the Dukes of Somerset and Argyle exerted on this occasion. They proposed, that all privy counsellors in and about London should be invited to attend, without distinction of party. The motion was approved; and Lord Somers, with many other whig members, repaired to Kensington. The council being thus reinforced, began to provide for the security of the kingdom. Orders were immediately despatched to four regiments of horse and dragoons quartered in remote counties, to march up to the neighbourhood of London and Westminster. Seven of the ten British battalions in the Netherlands were directed to embark at Ostend for England, with all possible expedition: an embargo was laid upon all shipping; and directions given for equipping all the ships of war that could be soonest in a condition for service. They sent a letter to the Elector of Brunswick, signifying that the physicians had despaired of the queen's life; informing him of the measures they had taken; and desiring he would, with all convenient speed, repair to Holland, where he should be attended by a British squadron, to convey him to England, in case of her majesty's decease. At the same time they despatched instructions to the Earl of Strafford, to desire the States-general would be ready to perform the guarantee of the protestant succession. The heralds-at-arms were kept in waiting with a troop of horse-guards, to proclaim the new king as soon as the throne should become vacant. Precautions were taken to secure the sea-ports; to overawe the Jacobites in Scotland; and the command of the fleet was bestowed upon the Earl of Berkley.

§ XLIV. The queen continued to doze in a lethargic insensibility, with very short intervals, till the first day of August in the morning, when she expired, in the fiftieth year of her age, and in the thirteenth of her reign. Anne Stuart, Queen of Great Britain, was in her person of the middle size, well proportioned. Her hair was of the dark brown colour, her complexion ruddy; her features were regular, her countenance was rather round than oval, and her aspect more comely than majestic. Her voice was clear and melodious, and her presence engaging. Her capacity was naturally good, but not much cultivated by learning; nor did she exhibit any marks of extraordinary genius, or personal ambition. She was certainly deficient

in that vigour of mind by which a prince ought to preserve his independence, and avoid the snares and fetters of sycophants and favourites; but whatever her weakness in this particular might have been, the virtues of her heart were never called in question. She was a pattern of conjugal affection and fidelity, a tender mother, a warm friend, an indulgent mistress, a munificent patron, a mild and merciful prince, during whose reign no subject's blood was shed for treason. She was zealously attached to the church of England from conviction rather than from prepossession, unaffectedly pious, just, charitable, and compassionate. She felt a mother's fondness for her people, by whom she was universally beloved with a warmth of affection which even the prejudice of party could not abate. In a word, if she was not the greatest, she was certainly one of the best and most unblemished sovereigns that ever sat upon the throne of England; and well deserved the expressive though simple epithet of "The good Queen Anne."

## BOOK II.

### CHAP. I.

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A. D. 1714. § I. It may be necessary to remind the reader of the state of party at this important juncture. The Jacobites had been fed with hopes of seeing the succession altered by the Earl of Oxford. These hopes he had conveyed to them in a distant, undetermined, and mysterious manner, without any other view than that of preventing them from taking violent measures to embarrass his administration. At least, if he actually entertained at one time any other design, he had, long before his disgrace, laid it wholly aside, probably from an apprehension of the danger with which it must have been attended, and seemed bent upon making a merit of his zeal for the house of Hanover: but his conduct was so equivocal and unsteady, that he ruined himself in the opinion of one party, without acquiring the confidence of the other. The friends of the pretender derived fresh hopes from the ministry of Bolingbroke. Though he had never explained himself on this subject, he was supposed to favour the heir of blood, and known to be an implacable enemy to the whigs, who were the most zealous advocates for the protestant succession. The Jacobites promised themselves much from his affection, but more from his resentment; and they believed the majority of the Tories would join them on the same maxims. All Bolingbroke's schemes of power were defeated by the promotion of the Duke of Shrewsbury to the office of treasurer; and all his

hopes blasted by the death of the queen, on whose personal favour he depended. The resolute behaviour of the Dukes of Somerset and Argyll, together with the diligence and activity of a council in which the whig interest had gained the ascendancy, completed the confusion of the Tories, who found themselves without a head, divided, distracted, and irresolute. Upon recollection, they saw nothing so eligible as silence, and submission to those measures which they could not oppose with any prospect of success. They had no other objection to the succession in the house of Hanover, but the fear of seeing the whig faction once more predominate; yet they were not without hope that their new sovereign, who was reputed a prince of sagacity and experience, would cultivate and conciliate the affection of the Tories, who were the landholders and proprietors of the kingdom, rather than declare himself the head of a faction which leaned for support on those who were enemies to the church and monarchy, on the bank and the monied-interest, raised upon usury, and maintained by corruption. In a word, the whigs were elated and overbearing; the Tories abashed and humble; the Jacobites eager, impatient, and alarmed at a juncture which, with respect to them, was truly critical.

§ II. The queen had no sooner resigned her last breath than the privy council met, and the Archbishop of Canterbury, the lord chancellor, and the Hanoverian resident, Kreyenberg, produced the three instruments in which the Elector of Brunswick had nominated the persons to be added as lords justices to the seven great offices of the realm. Orders were immediately issued for proclaiming King George, in England, Scotland, and Ireland. The regency appointed the Earl of Dorset to carry to Hanover the intimation of his majesty's accession, and attend him in his journey to England. They sent the general officers in whom they could confide to their respective posts: they reinforced the garrison of Portsmouth: they appointed Mr. Addison their secretary: while Bolingbroke was obliged to stand at the door of the council-chamber with his bag and papers, and underwent every species of mortification. On the whole, King George ascended the throne of Great Britain in the fifty-fifth year of his age, without the least opposition, tumult, or sign of popular discontent: and the unprejudiced part of the nation was now fully persuaded that no design had ever been concerted by Queen Anne and her ministry in favour of the pretender. The mayor of Oxford received a letter, requiring him to proclaim the pretender. This being communicated to the vice-chancellor, a copy of it was immediately transmitted to Mr. Secretary Bromley, member of parliament for the University; and the vice-chancellor offered a reward of one hundred pounds to any person who should discover the author. It was either the production of some lunatic, or weak contrivance to fix an odium on that venerable body.

§ III. The parliament having assembled, pursuant to the act which regulated the succession, the lord chancellor, on the fifth day of August, made a speech to both Houses in the name of the regency. He told them, that the privy council appointed by the Elector of Brunswick had proclaimed that prince under the name of King George, as the lawful and rightful sovereign of these kingdoms; and that they had taken the necessary care to maintain the public peace. He observed, that the several branches of the public revenue were expired by the demise of her late majesty; and recommended to the Commons the making such provision, in that respect, as might be requisite to support the honour and dignity of the crown. He likewise expressed his hope, that they would not be wanting in any thing that might conduce to the establishing and advancing of the public credit. Both Houses immediately agreed to addresses, containing the warmest expressions of duty and affection to their new sovereign, who did not fail to return such answers as were very agreeable to the parliament of Great Britain. In the mean time the lower House prepared and passed a bill, granting to his majesty the same civil list which the queen had enjoyed; with additional clauses for the payment of arrears due to the troops of Hanover, which had been in the ser-

a. These were the Dukes of Shrewsbury, Somerset, Bolton, Devonshire, Kent, Argyll, Montagu, and Roxburgh—the Earls of Pomfret, Annesley,

Carlisle, Nottingham, Abingdon, Scarborough, and Oxford—Lord Viscount Cambridgeshire, and Lords Hallifax and Cowper.



vice of Great Britain; and for a reward of one hundred thousand pounds, to be paid by the treasury to any person who should apprehend the pretender in landing, or attempting to land, in any part of the British dominions. Mr. Craggs, who had been despatched to Hanover before the queen died, returning on the thirteenth day of August, with letters from the king to the regency, they went to the House of Peers; then the chancellor, in another speech to both Houses, intimated his majesty's great satisfaction in the loyalty and affection which his people had universally expressed at his accession. Other addresses were voted on this occasion. The Commons finished the bill for the civil list, and one for making some alterations in an act for a state lottery, which received the royal assent from the lords justices.—Then the parliament was prorogued.

§ IV. Mr. Prior having notified the queen's death to the court of Versailles, Louis declared that he would inviolably maintain the treaty of peace concluded at Utrecht, particularly with relation to the settlement of the British crown in the house of Hanover. The Earl of Strafford, having signified the same event to the States of Holland, and the resident of Hanover having presented them with a letter, in which his master claimed the performance of their guarantee, they resolved to perform their engagements, and congratulated his electoral highness on his succession to the throne of Great Britain. They invited him to pass through their dominions, and assured him that his interests were as dear to them as their own. The Chevalier de St. George no sooner received the news of the queen's death, than he posted to Versailles, where he was given to understand, that the King of France expected he should quit his territories immediately; and he was accordingly obliged to return to Lorraine. By this time Mr. Murray had arrived in England from Hanover, with notice that the king had deferred his departure for some days. He brought orders to the regency to prepare a patent for creating the prince-royal Prince of Wales; and for removing Lord Bolingbroke from his post of secretary. The seals were taken from this minister by the Dukes of Shrewsbury and Somerset, and Lord Cowper, who at the same time sealed up all the doors of his office.

§ V. King George having vested the government of his German dominions in a council, headed by his brother Prince Ernest, set out with the electoral prince from Hrehnhausen on the thirty-first day of August; and in five days arrived at the Hague, where he conferred with the States-general. On the sixteenth day of September he embarked at Orange Poldar, under convoy of an English and Dutch squadron, commanded by the Earl of Berkley; and next day arrived at the Hope. In the afternoon the yacht sailed up the river; and his majesty, with the prince, were landed from a barge at Greenwich, about six in the evening. There he was received by the Duke of Northumberland, captain of the life-guards, and the lords of the regency. From the landing place he walked to his house in the park, accompanied by a great number of the nobility, and other persons of distinction, who had the honour to kiss his hand as they approached. When he retired to his bed-chamber, he sent for those of the nobility who had distinguished themselves by their zeal for his succession: but the Duke of Ormond, the lord chancellor, and Lord Trevor, were not of the number. Next morning, the Earl of Oxford presented himself with an air of confidence, as if he had expected to receive some particular mark of his majesty's favour: but he had the mortification to remain a considerable time undistinguished among the crowd; and then was permitted to kiss the king's hand, without being honoured with any other notice. On the other hand, his majesty expressed uncommon regard for the Duke of Marlborough, who had lately arrived in England, as well as for all the leaders of the whig party.

§ VI. It was the misfortune of this prince, as well as a very great prejudice to the nation, that he had been misled into strong prepossessions against the tories, who constituted such a considerable part of his subjects. They were

now excluded from all share of the royal honours, which was wholly engrossed by their enemies: these early marks of aversion, which he was at no pains to conceal, alienated the minds of many from his person and government, who would otherwise have served him with fidelity and affection. An instantaneous and total change was effected in all offices of honour and advantage. The Duke of Ormond was dismissed from his command, which the king restored to the Duke of Marlborough, whom he likewise appointed colonel of the first regiment of foot-guards, and master of the ordnance. The great seal was given to Lord Cowper; the privy seal to the Earl of Wharton; the government of Ireland to the Earl of Sunderland. The Duke of Devonshire was made steward of the household: Lord Townshend and Mr. Stanhope were appointed secretaries of state: the post of secretary for Scotland was bestowed upon the Duke of Montrose. The Duke of Somerset was constituted master of the horse; the Duke of St. Alban's captain of the band of pensioners; and the Duke of Argyle commander in chief of the forces in Scotland. Mr. Pulteney became secretary at war; and Mr. Walpole, who had already undertaken to manage the House of Commons, was gratified with the double place of paymaster to the army and to Chelsea hospital. A new privy council was appointed, and the Earl of Nottingham declared president: but all affairs of consequence were concerted by a cabinet council, or junto, composed of the Duke of Marlborough, the Earls of Nottingham and Sunderland, the Lords Halifax, Townshend, and Somers, and General Stanhope. The regency had already removed Sir Constantine Phipps and the Archbishop of Armagh from the office of lords justices of Ireland, and filled their places in the regency of that kingdom with the Archbishop of Dublin and the Earl of Kildare. Allen Broderick was appointed chancellor; another privy council was formed, and the Duke of Ormond was named as one of the members. The treasury and admiralty were put into commission: all the governments were changed: and, in a word, the whole nation was delivered into the hands of the whigs. At the same time, the prince-royal was declared Prince of Wales, and took his place in council. The king was congratulated on his accession in addresses from the two universities, and from all the cities and corporations in the kingdom. He expressed particular satisfaction at these expressions of loyalty and affection. He declared in council his firm purpose to support and maintain the churches of England and Scotland as they were by law established: an aim which he imagined might be effectually accomplished, without impairing the toleration allowed by law to protestant dissenters, and so necessary to the trade and riches of the kingdom: he, moreover, assured them he would earnestly endeavour to render property secure; the good effects of which were no where so clearly seen as in this happy nation. Before the coronation he created some new peers, and others were promoted to higher titles.<sup>b</sup> On the twentieth day of October, he was crowned in Westminster with the usual solemnity, at which the Earl of Oxford and Lord Bolingbroke assisted.<sup>c</sup> On that very day, the university of Oxford, in full convocation, unanimously conferred the degree of doctor of civil law on Sir Constantine Phipps, with particular marks of honour and esteem. As the French king was said to protract the demolition of Dunkirk, Mr. Prior received orders to present a memorial to hasten this work, and to prevent the canal of Mardyke from being finished. The answer which he received being deemed equivocal, this minister was recalled, and the Earl of Stair appointed ambassador to the court of France, where he prosecuted this affair with uncommon vigour. About the same time General Cadogan was sent as plenipotentiary to Antwerp, to assist at the barrier treaty, negotiated there between the emperor and the States-general.

§ VII. Meanwhile, the number of the malcontents in England was considerably increased by the king's attachment to the whig faction. The clamour of the church's

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Pennet, Lord Sterrard, in Ireland, Baron of Harborough, Gervase, late, in Ireland, Peter, Pierpont, in a County of Wales, Henry, Poynt, Baron of Carlisle, the County of York, Sir Edward Gendle, Baron of Colchester, Henry, the Pigot, Bishop of Exeter.

temple, Baton Rouge, Louisiana. Fieldy, Ted. Page 7, Baton Rouge  
in the month of October, the P... of W... to England  
... ..

being in danger was revived: jealousies were excited: seditious libels dispersed: and dangerous tumults raised in different parts of the kingdom. Birmingham, Bristol, Cluppenham, Norwich, and Reading were filled with licentious riot. The party cry was "Down with the whigs! Sacheverel for ever!" Many gentlemen of the whig faction were abused; magistrates in towns and justices in the country were reviled and insulted by the populace in the execution of their office. The pretender took this opportunity to transmit, by the French mail, copies of a printed manifesto to the Dukes of Shrewsbury, Marlborough, Argyle, and other noblemen of the first distinction. In this declaration he mentioned the good intentions of his sister towards him, which were prevented by her deplorable death. He observed that his people, instead of doing him and themselves justice, had proclaimed for their king a foreign prince, contrary to the fundamental and incontestable laws of hereditary right, which their pretended acts of settlement could never abrogate. These papers being delivered to the secretaries of state, the king refused an audience to the Marquis de Lambert, minister from the Duke of Lorraine, on the supposition that this manifesto could not have been prepared or transmitted without the knowledge and countenance of his master. The marquis having communicated this circumstance to the duke, that prince absolutely denied his having been privy to the transaction, and declared that the Chevalier de St. George came into Lorraine by the directions of the French king, whom the duke could not disoblige without exposing his territories to invasion. Notwithstanding this apology, the marquis was given to understand that he could not be admitted to an audience until the pretender should be removed from the dominions of his master: he, therefore, quitted the kingdom without further hesitation. Religion was still mingled with all political disputes. The high-churchmen complained that impiety and heresy daily gained ground from the connivance, or at least the supine negligence, of the whig prelates. The lower house of convocation had, before the queen's death, declared that a book published by Dr. Samuel Clarke under the title of "The Scripture Doctrine of the Trinity," contained assertions contrary to the catholic faith. They sent up extracts from this performance to the bishops: and the doctor wrote an answer to their objections. He was prevailed upon to write an apology, which he presented to the upper house; but apprehending it might be published separately, and misunderstood, he afterwards delivered an explanation to the Bishop of London. This was satisfactory to the bishops; but the lower house resolved, that it was no recantation of his heretical assertions. The disputes about the Trinity increasing, the archbishop and bishops received directions, which were published, for preserving unity in the church, the purity of the Christian faith concerning the Holy Trinity, and for maintaining the peace and quiet of the state. By these every preacher was restricted from delivering any other doctrine than what is contained in the Holy Scriptures with respect to the Trinity; and from intermeddling in any affairs of state or government. The like prohibition was extended to those who should write, harangue, or dispute on the same subjects.

§ VIII. The parliament being dissolved, another was called by a very extraordinary proclamation, in which the king complained of the evil designs of men disaffected to his succession; and of their having misrepresented his conduct and principles. He mentioned the perplexity of public affairs, the interruption of commerce, and the heavy debts of the nation. He expressed his hope that his loving subjects would send up to parliament the fittest persons to redress the present disorders, and that in the elections they would have a particular regard to such as had expressed a firm attachment to the protestant succession when it was in danger. It does not appear that the protestant succession was ever in danger. How then was this declaration to be interpreted? People in general construed it into a design to maintain party distinctions, and encourage the whigs to the full exertion of their influence in the elections; into a renunciation of the Tories; and as the first flash of that vengeance which afterwards was seen to burst upon the heads of the late ministry. When the

Earl of Strafford returned from Holland, all his papers were seized by an order from the secretary's office. Mr. Prior was recalled from France, and promised to discover all he knew relating to the conduct of Oxford's administration. Uncommon vigour was exerted on both sides in the elections; but, by dint of the monied interest, which prevailed in most of the corporations through the kingdom, and the countenance of the ministry, which will always have weight with needy and venal electors, a great majority of whigs was returned both in England and Scotland.

§ IX. When this new parliament assembled on the seventeenth day of March at Westminster, Mr. Spencer Compton was chosen speaker of the Commons. On the twenty-first day of the month, the king appeared in the House of Lords, and delivered to the chancellor a written speech, which was read in the presence of both Houses. His majesty thanked his faithful and loving subjects for that zeal and firmness they had shown in defence of the protestant succession, against all the open and secret practices which had been used to defeat it. He told them that some conditions of the peace, essential to the security and trade of Great Britain, were not yet duly executed; and that the performance of the whole might be looked upon as precarious, until defensive alliances should be formed to guarantee the present treaties. He observed, that the pretender boasted of the assistance he expected in England, to repair his former disappointment; that great part of the national trade was rendered impracticable; and that the public debts were surprisingly increased even since the fatal cessation of arms. He gave the Commons to understand, that the branches of the revenue formerly granted for the support of the civil government, were so far encumbered and alienated, that the produce of the funds which remained, and had been granted to him, would fall short of what was at first designed for maintaining the honour and dignity of the crown; that as it was his and their happiness to see a Prince of Wales who might in due time succeed him on the throne, and to see him blest with many children; these circumstances would naturally occasion an expence to which the nation had not been for many years accustomed; and, therefore, he did not doubt but they would think of it with that affection which he had reason to hope from his Commons. He desired that no unhappy divisions of parties might divert them from pursuing the common interest of their country. He declared that the established constitution in church and state should be the rule of his government; and that the happiness, ease, and prosperity of his people, should be the chief care of his life. He concluded with expressing his confidence, that with their assistance he should disappoint the designs of those who wanted to deprive him of that blessing which he most valued—the affection of his people.

§ X. Speeches suggested by a vindictive ministry better became the leader of an incensed party, than the father and sovereign of a divided people. This declaration portended measures which it was the interest of the crown to avoid, and suited the temper of the majority in both Houses, which breathed nothing but destruction to their political adversaries. The Lords, in their address of thanks, professed their hope that his majesty, assisted by the parliament, would be able to recover the reputation of the kingdom in foreign parts, the loss of which they hoped to convince the world by their actions was by no means to be imputed to the nation in general. The Tories said this was an invidious reflection, calculated to mislead and inflame the people; for the reputation of the kingdom had never been so high as at this very juncture. The Commons pretended astonishment to find that any conditions of the late peace should not yet be duly executed; and that care was not taken to form such alliances as might have rendered the peace not precarious. They declared their resolution to inquire into these fatal miscarriages; to trace out those measures whereon the pretender placed his hopes, and bring the authors of them to condign punishment. These addresses were not voted without opposition. In the House of Lords, the Dukes of Buckingham and Shrewsbury, the Earl of Anglesey, the Archbishop of York, and other peers, both secular and ecclesiastical, observed, that their address was injurious to the late queen's memory, and would serve only to increase those

unhappy divisions that distracted the kingdom. In the lower House, Sir William Wyndham, Mr. Brounley, Mr. Shippin, General Ross, Sir William Whitelock, and other members, took exceptions to passages of the same nature, in the address which the Commons had prepared. They were answered by Mr. Walpole, Mr. Pulteney, and Mr. Secretary Stanhope. These gentlemen took occasion to declare, that notwithstanding the endeavours which had been used to prevent a discovery of the late mismanagements, by conveying away several papers from the secretary's office, yet the government had sufficient evidence left, to prove the late ministry the most corrupt that ever sat at the helm; that those matters would soon be laid before the House, when it would appear that a certain English general had acted in concert with, if not received orders from, Mareschal de Villars. Lord Bolingbroke, who had hitherto appeared in public, as usual, with remarkable serenity, and spoke in the House of Lords with great freedom and confidence, thought it was now high time to consult his personal safety. He accordingly withdrew

Boyer, Torcy, personal safety. He accordingly withdrew Tindal, Boling- to the continent, leaving a letter which was broke, Voltairé afterwards printed in his justification. In this paper, he declared he had received certain and repeated informations, that a resolution was taken to pursue him to the scaffold; that if there had been the least reason to hope for a fair and open trial, after having been already pre-judged, unheard, by the two Houses of parliament, he should not have declined the strictest examination. He challenged the most inveterate of his enemies to produce any one instance of criminal correspondence, or the least corruption in any part of the administration in which he was concerned. He said, if his zeal for the honour and dignity of his royal mistress, and the true interest of his country, had any where transported him to let slip a warm and unguarded expression, he hoped the most favourable interpretation would be put upon it. He affirmed, that he had served her majesty faithfully and dutifully in that especially which she had most at heart, relieving her people from a bloody and expensive war; and that he had always been too much an Englishman to sacrifice the interest of his country to any foreign ally whatsoever.

§ XI. In the midst of all this violence against the late ministers, friends were not wanting to espouse their cause in the face of opposition; and even in some addresses to the king their conduct was justified. Nay, some individuals had courage enough to attack the present administration. When a motion was made in the House of Commons, to consider the king's proclamation for calling a new parliament, Sir William Whitelock, member for the university of Oxford, boldly declared it was unprecedented and unwarrantable. Being called upon to explain himself, he made an apology. Nevertheless, Sir William Wyndham rising up, said, the proclamation was not only unprecedented and unwarrantable, but even of dangerous consequence to the very being of parliaments. When challenged to justify his charge, he observed, that every member was free to speak his thoughts. Some exclaimed, "The Tower! the Tower!" A warm debate ensued; Sir William being ordered to withdraw, was accompanied by one hundred and twenty-nine members; and those who remained in the House resolved, that he should be reprimanded by the speaker. He was accordingly rebuked, for having presumed to reflect on his majesty's proclamation, and having made an unwarrantable use of the freedom of speech granted by his majesty. Sir William said, he was not conscious of having offered any indignity to his majesty, or of having been guilty of a breach of privilege: that he acquiesced in the determination of the House; but had no thanks to give to those gentlemen who, under pretence of lenity, had subjected him to this censure.

§ XII. On the ninth day of April, General Stanhope delivered to the House of Commons fourteen volumes, consisting of all the papers relating to the late negotiations of peace and commerce, as well as to the cessation of arms; and moved that they might be referred to a select committee of twenty persons, who should digest the substance of them under proper heads, and report them, with their observations, to the House. One more was added to the number of this secret committee, which was chosen by

ballot, and met that same evening. Mr. Robert Walpole, original chairman, being taken ill, was succeeded in that place by Mr. Stanhope. The whole number was subdivided into three committees: to each a certain number of books was allotted; and they carried on the inquiry with great eagerness and expedition. Before this measure was taken, Dr. Gilbert Burnet, Bishop of Sarum, died of a pleuritic fever, in the seventy-second year of his age. Immediately after the committee had begun to act, the whig party lost one of their warmest champions, by the death of the Marquis of Wharton, a nobleman possessed of happy talents for the cabinet, the senate, and the common scenes of life; talents which a life of pleasure and libertinism did not prevent him from employing with surprising vigour and application. The committee of the lower House taking the civil list into consideration, examined several papers relating to that revenue. The Tories observed, that from the seven hundred thousand pounds granted annually to King William, fifty thousand pounds were allotted to the late queen, when Princess of Denmark; twenty thousand pounds to the Duke of Gloucester; and twice that sum, as a dowry, to James's queen: that near two hundred thousand pounds had been yearly deducted from the revenues of the late queen's civil list, and applied to other uses; notwithstanding which deduction, she had honourably maintained her family, and supported the dignity of the crown. In the course of the debate some warm altercation passed between Lord Guernsey and one of the members, who affirmed that the late ministry had used, the whigs, and, indeed, the whole nation, in such a manner, that nothing they should suffer could be deemed hardship. At length the House agreed that the sum of seven hundred thousand pounds clear should be granted for the civil list during his majesty's life. A motion being made for an address against pensions, it was opposed by Mr. Walpole, and overruled by the majority. The Lords passed the bill for regulating the land forces, with some amendments.

§ XIII. On the eighteenth day of May, Sir John Norris sailed with a strong squadron to the Baltic, in order to protect the commerce of the nation, which had suffered from the King of Sweden, who caused all ships trading to those parts to be seized and confiscated. That prince had rejected the treaty of neutrality concerted by the allies for the security of the empire; and considered the English and Dutch as his enemies. The ministers of England and the States-general had presented memorials to the regency of Sweden; but finding no redress, they resolved to protect their trade by force of arms. After the Swedish general, Steenboch, and his army, were made prisoners, Count Wollen concluded a treaty with the administration of Holstein-Gottorp, by which the towns of Stetin and Wismar were sequestered into the hands of the King of Prussia; the administrator engaged to secure them, and all the rest of Swedish Pomerania, from the Poles and Muscovites; but, as the governor of Pomerania refused to comply with this treaty, those allies marched into the province, subdued the island of Rugen, and obliged Stetin to surrender. Then the governor consented to the sequestration, and paid to the Poles and Muscovites four hundred thousand six-dollars, to indemnify them for the expense of the siege. The King of Sweden returning from Turkey, rejected the treaty of sequestration, and insisted upon Stetin's being restored, without his repaying the money. As this monarch likewise threatened to invade the electorate of Saxony, and chastise his false friend; King George, for the security of his German dominions, concluded a treaty with the King of Denmark, by which the duchies of Bremen and Verden, which had been taken from the Swedes in his absence, were made over to his Britannic majesty, on condition that he should immediately declare war against Sweden. Accordingly, he took possession of the duchies in October; published a declaration of war against Charles in his German dominions; and detached six thousand Hanoverians to join the Danes and Prussians in Pomerania. These allies reduced the islands of Rugen and Uledon, and attacked the towns of Wismar and Stralsund, from which last place Charles was obliged to retire in a vessel to Schonen. He assembled a body of troops, with which he proposed to pass the Sound upon the ice, and attack Copenhagen: but was disappointed by a sudden



thaw. Nevertheless, he refused to return to Stockholm, which he had not seen for sixteen years; but remained at Carlscroon, in order to hasten his fleet for the relief of Wismar.

§ XIV. The spirit of discontent and disaffection seemed to gain ground every day in England. Notwithstanding proclamations against riots, and orders of the justices for maintaining the peace, repeated tumults were raised by the malcontents in the cities of London and Westminster. Those who celebrated the anniversary of the king's birthday with the usual marks of joy and festivity, were insulted by the populace: but next day, which was the anniversary of the restoration, the whole city was lighted up with bonfires and illuminations, and echoed with the sound of mirth and tumultuous rejoicing. The people even obliged the life-guards, who patrolled through the streets, to join in the cry of "High—church and Ormond" and in Southfield they burned the picture of King William. Thirty persons were imprisoned for being concerned in these riots. One Bournois a schoolmaster, who affirmed that King George had no right to the crown, was tried, and scourged through the city, with such severity, that in a few days he expired in the utmost torture. A frivolous incident served to increase the popular ferment. The shirts allowed to the first regiment of guards, commanded by the Duke of Marlborough, were so coarse, that the soldiers could hardly be persuaded to wear them. Some were thrown into the garden of the king's palace, and into that which belonged to the Duke of Marlborough. A detachment, in marching through the city, produced them to the view of the shopkeepers and passengers, exclaiming, "These are the Hanover shirts." The court being informed of this clamour, ordered those new shirts to be burned immediately; but even this sacrifice, and an advertisement published by the Duke of Marlborough in his own vindication, did not acquit that general of suspicion that he was concerned in this mean species of pecculation. A reward of fifty pounds was offered by the government to any person that would discover one Captain Wright, who, by an intercepted letter, appeared to be disaffected to King George; and Mr. George Jefferies was seized at Dublin, with a packet, directed to Dr. Jonathan Swift, Dean of St. Patrick's. Several treasonable papers being found in this packet, were transmitted to England; Jefferies was obliged to give bail for his appearance; and Swift thought proper to abscond.

§ XV. The House of Lords, to demonstrate their abhorrence of all who should engage in conspiracies against their sovereign, rejected with indignation a petition presented to them in behalf of Blackburn, Casils, Barnarde, Meldrum, and Chambers, who had hitherto continued prisoners for having conspired against the life of King William. On the ninth day of June, Mr. Walpole, as chairman of the secret committee, declared to the House of Commons, that the report was ready; and in the meantime moved, That a warrant might be issued by Mr. Speaker, for apprehending several persons, particularly Mr. Matthew Prior and Mr. Thomas Harley, who, being in the House, were immediately taken into custody. Then he recited the report, ranged under these different heads: the clandestine negotiation with Monsieur Menager: the extraordinary measures pursued to form the congress at Utrecht: the trifling of the French plenipotentiaries, by the connivance of the British ministers: the negotiation about the renunciation of the Spanish monarchy: the fatal suspension of arms: the seizure of Ghent and Bruges, in order to distress the allies and favour the French: the Duke of Ormond's acting in concert with the French general: the Lord Bolingbroke's journey to France, to negotiate a separate peace: Mr. Prior's and the Duke of Shrewsbury's negotiations in France: the precipitate conclusion of the peace at Utrecht. The report being read, Sir Thomas Hammer moved, That the consideration of it should be adjourned to a certain day; and that in the meantime the report should be printed for the perusal of the members: he was seconded by the Tories: a debate ensued; and the motion was rejected by a great majority.

§ XVI. This point being gained, Mr. Walpole impeached Henry Lord Viscount Bolingbroke of high treason, and other high crimes and misdemeanors. Mr. Hungerford declared his opinion, that nothing mentioned in the report,

in relation to Lord Bolingbroke, amounted to high treason; and General Ross expressed the same sentiment. Then Lord Coninsby standing up, "The worthy chairman (said he) has impeached the hand, but I impeach the head: he has impeached the clerk, and I the justice: he has impeached the scholar, and I the master. I impeach Robert Earl of Oxford and Earl Mortimer of high treason, and other crimes and misdemeanors." Mr. Auditor Harley, the Earl's brother, spoke in vindication of that minister. He affirmed he had done nothing but by the immediate command of his sovereign; that the peace was a good peace, and approved as such by two parliaments; and that the facts charged to him in the report amounted only to misdemeanors; if the sanction of a parliament, which is the representative and legislature of the nation, be not sufficient to protect a minister from the vengeance of his enemies, he can have no security. Mr. Auditor Foley, the Earl's brother-in-law, made a speech to the same purpose: Sir Joseph Jekyll, a staunch whig, and member of the secret committee, expressed his doubt, whether they had sufficient matter or evidence to impeach the earl of high treason. Nevertheless, the House resolved to impeach him, without a division. When he appeared in the House of Lords next day, he found himself deserted by his brother peers, as infectious; and retired with signs of confusion. Prior and Harley having been examined by such of the committee as were justices of the peace for Middlesex, Mr. Walpole informed the House that matters of such importance appeared in Prior's examination, that he was directed to move them for that member's being closely confined. Prior was accordingly imprisoned, and cut off from all communication. On the twenty-first day of June, Mr. Secretary Stanhope impeached James, Duke of Ormond, of high-treason and other high crimes and misdemeanors. Mr. Archibald Hutchinson, one of the commissioners of trade, spoke in favour of the duke. He expatiated on his noble birth and qualifications: he enumerated the great services performed to the crown and nation by his Grace and his ancestors: he observed, that in the whole course of his late conduct, he had only obeyed the queen's commands; and he affirmed that all allegations against him could not, in the rigour of the law, be construed into high treason. Mr. Hutchinson was seconded by General Lumley, who urged that the Duke of Ormond had on all occasions given signal proofs of his affection for his country, as well as of personal courage; and that he had generously expended the best part of his estate, by living abroad in a most noble and splendid manner, for the honour of his sovereign. Sir Joseph Jekyll said if there was room for mercy, he hoped it would be shown to that noble, generous, and courageous peer, who had in a course of many years exerted those great accomplishments for the good and honour of his country; that as the statute of Edward III. on which the charge of high treason against him was to be grounded, had been mitigated by subsequent acts, the House ought not, in his opinion, to take advantage of that act against the duke, but only impeach him of high crimes and misdemeanors. General Ross, Sir William Wyndham, and the speakers of that party, did not abandon the duke in this emergency; but all their arguments and eloquence were lost upon the other faction, by which they were greatly outnumbered. The question being put, was carried for the impeachment of the Duke of Ormond, who perceiving every thing conducted by a furious spirit of revenge, and that he could not expect the benefit of an impartial trial, consulted his own safety, by withdrawing himself from the kingdom. On the twenty-second day of June, the Earl of Strafford was likewise impeached by Mr. Aislaby, for having advised the fatal suspension of arms, and the seizing of Ghent and Bruges; as well as for having treated the most serene house of Hanover with insolence and contempt. He was also defended by his friends, but overpowered by his enemies.

§ XVII. When the articles against the Earl of Oxford were read in the House, a warm debate arose upon the eleventh, by which he was charged with having advised the French king in what manner Tournay might be gained from the States-general. The question being put, Whether this article amounted to high treason, Sir Robert Raymond, formerly solicitor-general, maintained the negative, and

was supported not only by Sir William Wyndham and the Tories, but also by Sir Joseph Jekyll. This honest patriot said it was ever his principle to do justice to every body from the highest to the lowest; and that it was the duty of an honest man never to act by the spirit of party: that he hoped he might pretend to have some knowledge of the laws of the kingdom; and would not scruple to declare, that, in his judgment, the charge in question did not amount to high treason. Mr. Walpole answered with great warmth, that there were several persons both in and out of the committee, who did not in the least yield to that member in point of honesty, and who were superior to him in the knowledge of the laws, yet were satisfied that the charge specified in the eleventh article amounted to high treason. This point being decided against the earl, and the other articles approved by the House, Lord Coninsby, attended by the whig members, impeached the Earl of Oxford at the bar of the House of Lords, demanding at the same time, that he might be sequestered from parliament, and committed to safe custody. A motion was made, that the consideration of the articles might be adjourned. After a short debate the articles were read; then the Tory lords moved that the judges might be consulted. The motion being rejected, another was made, that the earl should be committed to safe custody; this occasioned another debate, in which he himself spoke to the following purpose: That the whole charge might be reduced to the negotiations and conclusions of the peace; that the nation wanted a peace, he said, nobody would deny; that the conditions of the peace were as good as could be expected, considering the backwardness and reluctance which some of the allies showed to come into the queen's measures; that the peace was approved by two successive parliaments; that he had no share in the affair of Tournay, which was wholly transacted by that unfortunate nobleman who has thought fit to step aside; that, for his own part, he always acted by the immediate directions and commands of the late queen, without offending against any known law; and being justified by his own conscience, was unconcerned for the life of an insignificant old man; that, if ministers of state, acting by the immediate commands of their sovereign, are afterwards to be made accountable for their proceedings, it might one day or other be the case with all the members of that august assembly: that he did not doubt their lordships, out of regard to themselves, would give him an equitable hearing; and that in the prosecution of the inquiry it would appear he had merited not only the indulgence, but even the favour of his government. "My lords, (said he,) I am now to take my leave of your lordships, and of this honourable House, perhaps for ever; I shall lay down my life with pleasure in a cause favoured by my late dear royal mistress. When I consider that I am to be judged by the justice, honour, and virtue of my peers, I shall acquiesce, and retire with great content; and, my lords, God's will be done." The Duke of Shrewsbury having acquainted the House that the earl was very much indisposed with the gravel, he was suffered to remain at his own house, in custody of the black rod; in his way thither he was attended by a great multitude of people, crying, "High-church, Ormond, and Oxford, for ever!" Next day he was brought to the bar; where he received a copy of the articles, and was allowed a month to prepare his answer. Though Dr. Mead declared, that if the earl should be sent to the Tower his life would be in danger, it was carried on a division, that he should be conveyed thither, on the sixteenth day of July. During the debate, the Earl of Anglesey observed that these impeachments were disagreeable to the nation; and that it was to be feared such violent measures would make the sceptre shake in the king's hands. This expression kindled the whole House into a flame. Some members cried "To the Tower!" some, "To order!" The Earl of Sunderland declared, that if these words had been spoken in another place, he would have called the person that spoke them to an account; in the mean time, he moved that the noble Lord should explain himself. Anglesey, dreading the resentment of the House, was glad to make an apology; which was accepted. The Earl of Oxford was attended to the Tower by a prodigious concourse of people, who did

not scruple to exclaim against his persecutors. Tumults were raised in Staffordshire, and other parts of the kingdom, against the whig party, which had depressed the friends of the church, and embroiled the nation. The House of Commons presented an address to the king, desiring that the laws might be vigorously executed against the rioters. They prepared the proclamation act, decreeing, that if any persons, to the number of twelve, unlawfully assembled, should continue together one hour after having been required to disperse by a justice of peace or other officer, and heard the proclamation against riots read in public, they should be deemed guilty of felony without benefit of clergy.

§ XVIII. When the king went to the House of Peers, on the twentieth day of July, to give the royal assent to this, and some other bills, he told both Houses that a rebellion was actually begun at home, and that the nation was threatened with an invasion from abroad. He, therefore, expected that the Commons would not leave the kingdom in a defenceless condition, but enable him to take such measures as should be necessary for the public safety. Addresses in the usual style were immediately presented by the parliament, the convocation, the common-council and lieutenantancy of London, and the two universities: but that of Oxford was received in the most contemptuous manner: and the deputies were charged with disloyalty, on account of a fray which had happened between some recruiting officers and the scholars of the university. The addresses from the Kirk of Scotland, and the dissenting ministers of London and Westminster, met with a much more gracious reception. The parliament forthwith passed a bill, empowering the king to secure suspected persons, and to suspend the *habeas corpus* act in that time of danger. A clause was added to a money bill, offering a reward of one hundred thousand pounds to such as should seize the pretender dead or alive. Sir George Byng was sent to take the command of the fleet: General Earle repaired to his government of Portsmouth: the guards were encamped in Hyde Park: Lord Irwin was appointed governor of Hull, in the room of Brigadier Sutton, who, together with Lord Windsor, the Generals Ross, Webb, and Stuart, were dismissed from the service. Orders were given for raising thirteen regiments of dragoons, and eight of infantry; and the trained bands were kept in readiness to suppress tumults. In the midst of these transactions the Commons added six articles to those exhibited against the Earl of Oxford. Lord Bolingbroke was impeached at the bar of the House of Lords by Mr. Walpole. Bills being brought in to summon him and the Duke of Ormond to surrender themselves by the tenth of September, or, in default thereof, to attain them of high treason, they passed both Houses, and received the royal assent. On the last day of August, the Commons agreed to the articles against the Earl of Strafford, which being presented to the House of Lords, the earl made a speech in his own vindication. He complained that his papers had been seized in an unprecedented manner. He said, if he had in his letters or discourse dropped any unguarded expressions against some foreign ministers while he had the honour to represent the crown of Great Britain, he hoped they would not be accounted criminal by a British House of Peers: he desired he might be allowed a competent time to answer the articles brought against him, and have duplicates of all the papers which had either been laid before the committee of secrecy, or remained in the hands of government, to be used occasionally in his justification. This request was vehemently opposed by the leaders of the other party, until the Earl of Hly represented that, in all civilized nations, all courts of judicature, except the inquisition, allowed the persons arraigned all that was necessary for their justification; and that the House of Peers of Great Britain ought not, in this case, to do any thing contrary to that honour and equity for which they were so justly renowned throughout all Europe. This observation made an impression on the House, which resolved that the Earl should be indulged with copies of such papers as he might have occasion to use in his defence.

§ XIX. On the third day of September, Oxford's answer was delivered to the House of Lords, who transmitted it to the Commons. Mr. Walpole, having heard it read,

said it contained little more than a repetition of what had been suggested in some pamphlets and papers which had been published in vindication of the late ministry: that it was a false and malicious libel, laying upon his royal mistress the blame of all the pernicious measures he had led her into, against her own honour, and the good of her country: that it was likewise a libel on the proceedings of the Commons, since he endeavoured to clear those persons who had already confessed their guilt by flight. After some debate, the House resolved. That the answer of Robert Earl of Oxford should be referred to the committee appointed to draw up articles of impeachment, and prepare evidence against the impeached Lords; and that the committee should prepare a replication to the answer. This was accordingly prepared, and sent up to the Lords. Then the committee reported, that Mr. Prior had grossly prevaricated on his examination, and behaved with great contempt of their authority. The Duke of Ormond and Lord Viscount Bolingbroke having omitted to surrender themselves within the time limited, the House of Lords ordered the earl-marshal to raise out of the list of peers their names and armorial bearings. Inventories were taken of their personal estates; and the duke's achievement, as knight of the Garter, was taken down from St. George's chapel at Windsor. A man of candour cannot, without an emotion of grief and indignation, reflect upon the ruin of the noble family of Ormond, in the person of a brave, generous, and humane nobleman, to whom no crime was imputed, but that of having obeyed the commands of his sovereign. About this period, the royal assent was given to an act for encouraging loyalty in Scotland. By this law the tenant who continued peaceable while his lord took arms in favour of the pretender, was invested with the property of the lands he rented: on the other hand, it was decreed that the lands possessed by any person guilty of high treason should revert to the superior of whom they were held, and be consolidated with the superiority; and that all entails and settlements of estates, since the first day of August, in favour of children, with a fraudulent intent to avoid the punishment of the law due to the offence of high treason, should be null and void. It likewise contained a clause for summoning suspected persons to find bail for their good behaviour, on pain of being denounced rebels. By virtue of this clause all the heads of the Jacobite clans, and other suspected persons, were summoned to Edinburgh: and those who did not appear were declared rebels.

§ XX. By this time the rebellion was actually begun in Scotland. The dissensions occasioned in that country by the union had never been wholly appeased. Even since the queen's death, addresses were prepared in different parts of Scotland against the union, which was deemed a national grievance; and the Jacobites did not fail to encourage this aversion. Though their hopes of dissolving that treaty were baffled by the industry and other arts of the revolutioners, who secured a majority of whigs in parliament, they did not lay aside their designs of attempting something of consequence in favour of the pretender: but maintained a correspondence with the malcontents of England, a great number of whom were driven by apprehension, hard usage, and resentment, into a system of politics, which otherwise they would not have espoused. The tories finding themselves totally excluded from any share in the government and legislature, and exposed to the insolence and fury of a faction which they despised, began to wish in earnest for a revolution. Some of them held private consultations, and communicated with the Jacobites, who conveyed their sentiments to the Chevalier de St. George, with such exaggerations as were dictated by their own eagerness and extravagance. They assured the pretender that the nation was wholly disaffected to the new government; and, indeed, the clamours, tumults, and conversation of the people in general countenanced this assertion. They promised to take arms without further delay in his favour; and engaged that the tories should join him at his first landing in Great Britain. They, therefore, besought him to come over with all possible expedition, declaring that his appearance would produce an immediate revolution. The chevalier resolved to take the advantage of this favourable disposition. He had recourse

to the French king, who had always been the refuge of his family. Louis favoured him in secret; and, notwithstanding his late engagements with England, cherished the ambition of raising him to the throne of Great Britain. He supplied him privately with sums of money, to prepare a small armament in the port of Havre, which was equipped in the name of Depine d'Anicaut; and without all doubt, his design was to assist him more effectually, in proportion as the English should manifest their attachment to the House of Stuart. The Duke of Ormond and Lord Bolingbroke, who had retired to France, finding themselves condemned unheard, and attainted, engaged in the service of the chevalier, and corresponded with the tories of England.

§ XXI. All these intrigues and machinations were discovered and communicated to the court of London by the Earl of Stair, who then resided as English ambassador at Paris. He was a nobleman of unquestioned honour and integrity, generous, humane, discerning, and resolute. He had signalized himself by his valour, intrepidity, and other military talents, during the war in the Netherlands; and he now acted in another sphere with uncommon vigour, vigilance, and address. He detected the chevalier's scheme while it was yet in embryo, and gave such early notice of it as enabled the King of Great Britain to take effectual measures for defeating the design. All the pretender's interest in France expired with Louis XIV. that ostentatious tyrant, who had for above half a century sacrificed the repose of Christendom to his insatiate vanity and ambition. At his death, which happened on the first day of September, the regency of the kingdom devolved to the Duke of Orleans, who adopted a new system of politics, and had already entered into engagements with the King of Great Britain. Instead of assisting the pretender, he amused his agents with mysterious and equivocal expressions, calculated to frustrate the design of the expedition. Nevertheless, the more violent part of the Jacobites in Great Britain believed he was at bottom a friend to their cause, and depended upon him for succour. They even extorted from him a sum of money by dint of importunities, and some arms; but the vessel was shipwrecked, and the cargo lost upon the coast of Scotland.

§ XXII. The partisans of the pretender had proceeded too far to retreat with safety; and, therefore, resolved to try their fortune in the field. The Earl of Mar repaired to the highlands, where he held consultations with the Marquises of Huntley and Tullibardine; the Earls Marischal and Southesk, the Generals Hamilton and Gordon, with the chiefs of the Jacobite clans. Then he assembled three hundred of his own vassals; proclaimed the pretender at Castletown, and set up his standard at Braemar, on the sixth day of September. By this time the Earls of Home, Wigton, and Kinnoul, Lord Deskford, and Lockhart, of Carnwath, with other persons suspected of disaffection to the present government, were committed prisoners to the castle of Edinburgh; and Major-General Whetham marched with the regular troops which were in that kingdom to secure the bridge at Stirling. Before these precautions were taken, two vessels had arrived at Arbroath from Havre, with arms, ammunition, and a great number of officers, who assured the Earl of Mar, that the pretender would soon be with them in person. The death of Louis XIV. struck a general damp upon their spirits; but they laid their account with being joined by a powerful body in England. The Earl of Mar, by letters and messages, pressed the chevalier to come over without further delay. He, in the meantime, assumed the title of lieutenant-general of the pretender's forces, and published a declaration, exhorting the people to take arms for their lawful sovereign. This was followed by a shrewd manifesto, explaining the national grievances, and assuring the people of redress. Some of his partisans attempted to surprise the castle of Edinburgh; but were prevented by the vigilance and activity of Colonel Stuart, lieutenant-governor of that fortress. The Duke of Argyle set out for Scotland, as commander-in-chief of the forces in North Britain: the Earl of Sunderland set sail in the Queensborough ship of war for the north, where he proposed to raise his vassals for the service of government; and many other Scottish peers returned to their own country, in order to signalize their loyalty to King George.



§ XXIII. In England the practices of the Jacobites did not escape the notice of the ministry. Lieutenant-Colonel Paul was imprisoned in the Gate-house for enlisting men in the service of the pretender. The titular Duke of Powis was committed to the Tower: Lords Lansdowne and Duplin were taken into custody; and a warrant was issued for apprehending the Earl of Jersey. The king desired the consent of the lower House to seize and detain Sir William Wyndham, Sir John Packington, Mr. Edward Harvey of Comb, Mr. Thomas Forster, Mr. John Anstis, and Mr. Corbet Kynaston, who were members of the House, and suspected of favouring the invasion. The Commons unanimously agreed to the proposal, and presented an address, signifying their approbation. Harvey and Anstis were immediately secured. Forster, with the assistance of some popish lords, assembled a body of men in Northumberland: Sir John Packington being examined before the council, was dismissed for want of evidence: Mr. Kynaston absconded: Sir William Wyndham was seized at his own house in Somersetshire by Colonel Huske and a messenger, who secured his papers: he found means, however, to escape from them; but afterwards surrendered himself, and, having been examined at the council-board, was committed to the Tower. His father-in-law, the Duke of Somerset, offered to become bound for his appearance; and being rejected as bail, expressed his resentment so warmly, that the king thought proper to remove him from the office of master of the horse. On the twenty-first day of September, the king went to the House of Lords, and passed the bills that were ready for the royal assent. Then the chancellor read his majesty's speech expressing his acknowledgment and satisfaction, in consequence of the uncommon marks of their affection he had received: and the parliament adjourned to the sixth day of October.

§ XXIV. The friends of the house of Stuart were very numerous in the western counties, and began to make preparations for an insurrection. They had concealed some arms and artillery at Bath, and formed a design to surprise Bristol: but they were betrayed and discovered by the emissaries of the government; which baffled all their schemes, and apprehended every person of consequence suspected of attachment to that cause. The university of Oxford felt the rod of power on this occasion. Major-General Pepper, with a strong detachment of dragoons, took possession of the city at day-break, declaring he would use military execution on all students who should presume to appear without the limits of their respective colleges. He seized ten or eleven persons, among whom was one Jloyd, a coffeeman; and made prize of some horses and furniture belonging to Colonel Owen, and other gentlemen. With this booty he retreated to Abingdon; and Handasyde's regiment of foot was afterwards quartered in Oxford, to overawe the university. The ministry found it more difficult to suppress the insurgents in the northern counties. In the month of October the Earl of Derwentwater and Mr. Forster took the field with a body of horse, and being joined by some gentlemen from the borders of Scotland, proclaimed the pretender in Warkworth, Morpeth, and Alnwick. Their first design was to seize the town of Newcastle, in which they had many friends: but they found the gates shut upon them, and retired to Hexham; while General Carpenter, having assembled a body of dragoons, resolved to march from Newcastle, and attack them before they should be reinforced. The rebels retiring northward to Woolter, were joined by two hundred Scottish horse under the Lord Viscount Kenmuir, and the Earls of Carnwath and Wintoun, who had set up the pretender's standard at Moffat, and proclaimed him in different parts of Scotland. The rebels thus reinforced advanced to Kelso, having received advice that they would be joined by Mackintosh, who had crossed the Forth with a body of highlanders.

§ XXV. By this time the Earl of Mar was at the head of ten thousand men well armed. He had secured the pass of the Tay at Perth, where his head-quarters were established, and made himself master of the whole fruitful province of Fife, and all the sea-coast on that side of the frith of Edinburgh. He selected two thousand five hundred men, commanded by Brigadier Mackintosh, to make a descent upon the Lothian side, and join the Jaco-

bites in that county, or such as should take arms on the borders of England. Boats were assembled for this purpose: and notwithstanding all the precautions that could be taken by the king's ships in the frith, to prevent the design, above fifteen hundred chosen men made good their passage in the night, and landed on the coast of Lothian, having crossed an arm of the sea about sixteen miles broad, in open boats that passed through the midst of the king's cruisers. Nothing could be better concerted, or executed with more conduct and courage, than was this hazardous enterprise. They amused the king's ships with marches and counter-marches along the coast, in such a manner that they could not possibly know where they intended to embark. The Earl of Mar, in the mean time, marched from Perth to Dumblain, as if he had intended to cross the Forth at Stirling bridge; but his real design was to divert the Duke of Argyle from attacking his detachment which had landed in Lothian. So far the scheme succeeded. The Duke, who had assembled some troops in Lothian, returned to Stirling with the utmost expedition, after having secured Edinburgh, and obliged Mackintosh to abandon his design on that city. This partisan had actually taken possession of Leith, from whence he retired to Seaton-house, near Preston-Pans, which he fortified in such a manner that he could not be forced without artillery. Here he remained until he received an order across the frith from the Earl of Mar, to join Lord Kenmuir and the English at Kelso, for which place he immediately began his march, and reached it on the twenty-second day of October, though a good number of his men had deserted on the route.

§ XXVI. The Lord Kenmuir, with the Earls of Wintoun, Nithsdale, and Carnwath, the Earl of Derwentwater and Mr. Forster, with the English insurgents, arriving at the same time, a council of war was immediately called. Wintoun proposed that they should march immediately into the western parts of Scotland and join General Gordon, who commanded a strong body of highlanders in Argyleshire. The English insisted upon crossing the Tweed, and attacking General Carpenter, whose troops did not exceed nine hundred dragoons. Neither scheme was executed. They took the route to Jedburgh, where they resolved to leave Carpenter on one side, and penetrate into England by the western border. The highlanders declared they would not quit their own country; but were ready to execute the scheme proposed by the Earl of Wintoun. Means, however, were found to prevail upon one half of them to advance, while the rest returned to the highlands. At Brampton, Forster opened his commission of general, which had been sent to him from the Earl of Mar, and proclaimed the pretender. They continued their march to Penrith, where the sheriff, assisted by Lord Lonsdale and the Bishop of Carlisle, had assembled the whole posse comitatus of Cumberland, amounting to twelve thousand men, who dispersed with the utmost precipitation at the approach of the rebels. From Penrith, Forster proceeded by the way of Kendal and Lancaster to Preston, from whence Stanhope's regiment of dragoons, and another of militia, immediately retired; so that he took possession of the place without resistance. General Willis marched against the enemy with six regiments of horse and dragoons, and one battalion of foot commanded by Colonel Preston. They had advanced to the bridge of Ribbles before Forster received intelligence of their approach. He forthwith began to raise barricadoes, and put the place in a posture of defence. On the twelfth day of November, the town was briskly attacked in two different places: but the king's troops met with a very warm reception, and were repulsed with considerable loss. Next day General Carpenter arrived with a reinforcement of three regiments of dragoons; and the rebels were invested on all sides. The highlanders declared they would make a sally sword in hand, and either cut their way through the king's troops, or perish in the attempt; but they were overruled. Forster sent Colonel Oxburgh with a trumpet to General Willis, to propose a capitulation. He was given to understand, that the general would not treat with rebels; but in case of their surrendering at discretion, he would prevent his soldiers from putting them to the sword, until he should receive further orders. He granted them time to

consider till next morning, upon their delivering the Earl of Derwentwater and Mackintosh as hostages. When Forster submitted, this highlander declared he could not promise the Scots would surrender in that manner. The general desired him to return to his people, and he would forthwith attack the town, in which case every man of them should be cut to pieces. The Scottish noblemen did not choose to run the risk; and persuaded the highlanders to accept the terms that were offered. They accordingly laid down their arms, and were put under a strong guard. All the noblemen and leaders were secured. Major Nairn, Captain Lockhart, Captain Shaftoe, and Ensign Erskine, were tried by a court-martial as deserters, and executed. Lord Charles Murray, son of the Duke of Athol, was likewise condemned for the same crime, but reprieved. The common men were imprisoned at Chester and Liverpool, the noblemen and considerable officers were sent to London, conveyed through the streets pinioned like malefactors, and committed to the Tower and to Newgate.

§ XXVII. The day on which the rebels surrendered at Preston was remarkable for the battle of Dumblain, fought between the Duke of Argyle and the Earl of Mar, who commanded the pretender's forces. This nobleman had retreated to his camp at Perth, when he understood the duke was returned from Lothian to Stirling. But being now joined by the northern clans under the Earl of Seaforth, and those of the west commanded by General Gordon, who had signalized himself in the service of the Czar of Muscovy, he resolved to pass the Forth, in order to join his southern friends, that they might march together into England. With this view he advanced to Auchterarder, where he reviewed his army, and rested on the eleventh day of November. The Duke of Argyle, apprized of his intention, and being joined by some regiments of dragoons from Ireland, determined to give him battle in the neighbourhood of Dumblain. On the twelfth day of the month, Argyle passed the Forth at Stirling, and encamped with his left at the village of Dumblain, and his right towards Sheriff-moor. The Earl of Mar advanced within two miles of his camp, and remained till day-break in order of battle; his army consisting of nine thousand effective men, cavalry as well as infantry. In the morning, the duke, understanding they were in motion, drew up his forces, which did not exceed three thousand five hundred men, on the heights to the north-east of Dumblain: but he was outflanked both on the right and left. The clans that formed part of the centre and right wing of the enemy, with Glengary and Clanronald at their head, charged the left of the king's army sword in hand, with such impetuosity, that in seven minutes both horse and foot were totally routed with great slaughter; and General Whetham, who commanded them, fled at full gallop to Stirling, where he declared that the royal army was totally defeated. In the mean time, the Duke of Argyle, who commanded in person on the right, attacked the left of the enemy, at the head of Stair's and Evan's dragoons, and drove them two miles before him, as far as the water of Allan: yet in that space they wheeled about, and attempted to rally ten times; so that he was obliged to press them hard, that they might not recover from their confusion. Brigadier Wightman followed, in order to sustain him with three battalions of infantry; while the victorious right wing of the rebels, having pursued Whetham a considerable way, returned to the field, and formed in the rear of Wightman, to the amount of five thousand men. The Duke of Argyle, returning from the pursuit, joined Wightman, who had faced about, and taken possession of some enclosures and mud-walls, in expectation of being attacked. In this posture both armies fronted each other till the evening, when the duke drew off towards Dumblain, and the rebels retired to Ardoch, without mutual molestation. Next day the duke marching back to the field of battle, carried off the wounded, with four pieces of cannon left by the enemy, and retreated to Stirling. Few prisoners were taken on either side: the number of the slain might be about five hundred of each army, and both generals claimed the victory. This battle was not so fatal to the highlanders as the loss of Inverness, from which Sir John Mackenzie was driven by Simon Frazer Lord Lovat, who, contrary to

the principles he had hitherto professed, secured this important post for the government; by which means a free communication was opened with the north of Scotland, where the Earl of Sutherland had raised a considerable body of vassals. The Marquis of Huntley and the Earl of Seaforth were obliged to quit the rebel army in order to defend their own territories: and in a little time submitted to King George: a good number of the Frasers declared with their chief against the pretender: the Marquis of Tullibardine withdrew from the army, to cover his own country: and the clans, seeing no likelihood of another action, began to disperse, according to custom.

§ XXVIII. The government was now in a condition to send strong reinforcements to Scotland. Six thousand men that were claimed of the States-general, by virtue of the treaty, landed in England, and began their march for Edinburgh: General Cadogan set out for the same place, together with Brigadier Petit, and six other engineers: and a train of artillery was shipped at the Tower for that country, the Duke of Argyle resolving to drive the Earl of Mar out of Perth, to which town he had retired with the remains of his forces. The pretender having been amused with the hope of seeing the whole kingdom of England rise up as one man in his behalf; and the Duke of Ormond having made a fruitless voyage to the western coast, to try the disposition of the people, he was now convinced of the vanity of his expectation in that quarter; and, as he knew not what other course to take, he resolved to hazard his person among his friends in Scotland, at a time when his affairs in that kingdom were absolutely desperate. From Bretagne he posted through part of France in disguise, and embarking in a small vessel at Dunkirk, hired for that purpose, arrived on the twenty-second day of December at Peterhead with six gentlemen in his retinue, one of whom was the Marquis of Tinnmouth, son to the Duke of Berwick. He passed through Aberdeen incognito, to Fetterosse, where he was met by the Earls of Mar and Marischal, and about thirty noblemen and gentlemen of the first quality. Here he was solemnly proclaimed: his declaration, dated at Commerce, was printed and circulated through all the parts in that neighbourhood; and he received addresses from the episcopal clergy, and the laity of that communion in the diocese of Aberdeen. On the fifth day of January, he made his public entry into Dundee; and on the seventh arrived at Scone, where he seemed determined to stay until the ceremony of his coronation should be performed. From thence he made an excursion to Perth, where he reviewed his forces. Then he formed a regular council; and published six proclamations; one for a general thanksgiving, on account of his safe arrival; another enjoining the ministers to pray for him in churches; a third establishing the currency of foreign coins; a fourth summoning the meeting of the convention of estates; a fifth ordering all sensible men to repair to his standard; and a sixth, fixing the twenty-third day of January for his coronation. He made a pathetic speech in a grand council, at which all the chiefs of his party assisted. They determined, however, to abandon the enterprise, as the king's army was reinforced by the Dutch auxiliaries, and they themselves were not only reduced to a small number, but likewise destitute of money, arms, ammunition, forage, and provision; for the Duke of Argyle had taken possession of Burnt-island, and transported a detachment to Fife, so as to cut off Mar's communication with that fertile country.

§ XXIX. Notwithstanding the severity of the weather, and a prodigious fall of snow, which rendered the roads almost impassable, the duke, on the twenty-ninth of January, began his march to Dumblain, and next day reached Tullibardine, where he received intelligence that the pretender and his forces had, on the preceding day, retired towards Dundee. He forthwith took possession of Perth; and then began his march to Aberbrothick in pursuit of the enemy. The Chevalier de St. George, being thus hotly pursued, was prevailed upon to embark on board a small French ship that lay in the harbour of Montrose. He was accompanied by the Earls of Mar and Melford, the Lord Drummond, Lieutenant-General Bulkley, and other persons of distinction, to the number of seventeen. In order to avoid the English cruisers, they

stretched over to Norway, and coasting along the German and Dutch shores, arrived in five days at Graveline. General Gordon, whom the pretender had left commander in chief of the forces, assisted by the Earl Marischal, proceeded with them to Aberdeen, where he secured three vessels to sail northward, and take on board the persons who intended to make their escape to the continent. Then they continued their march through Strathspey and Strathdown, to the hills of Badenock, where the common people were quietly dismissed. This retreat was made with such expedition, that the Duke of Argyle, with all his activity, could never overtake their rear-guard, which consisted of a thousand horse, commanded by the Earl Marischal. Such was the issue of a rebellion that proved fatal to many noble families: a rebellion which, in all probability, would never have happened, had not the violent measures of a whig ministry kindled such a flame of discontent in the nation, as encouraged the partisans of the pretender to hazard a revolt.

§ XXX. The parliament of Ireland, which met at Dublin on the twelfth day of November, seemed even more zealous, if possible, than that of England, for the present administration. They passed bills for recognising the king's title; for the security of his person and government; for setting a price on the pretender's head; and for attainting the Duke of Ormond. They granted the supplies without opposition. All those who had addressed the late queen in favour of Sir Constantine Phipps, then lord chancellor of Ireland, were now brought upon their knees, and censured as guilty of a breach of privilege. They desired the lords justices would issue a proclamation against the popish inhabitants of Limerick and Galway, who, presuming upon the capitulation signed by King William, claimed an exemption from the penalties imposed upon other papists. They engaged in an association against the pretender, and all his abettors. They voted the Earl of Anglesey an enemy to the king and kingdom, because he advised the queen to break the army, and prorogue the late parliament; and they addressed the king to remove him from his council and service. The lords justices granted orders for apprehending the Earls of Antrim and Westmeath, the Lords Netterville, Cahir, and Dillon, as persons suspected of disaffection to the government. Then they adjourned the two Houses.

§ XXXI. The king, in his speech to the English parliament, which met on the ninth of January, told them he had reason to believe the pretender was landed in Scotland: he congratulated them on the success of his arms in suppressing the rebellion: on the conclusion of the barrier treaty between the emperor and the States-general, under his guarantee: on a convention with Spain that would deliver the trade of England to that kingdom from the new impositions and hardships to which it was subjected in consequence of the late treaties. He likewise gave them to understand, that a treaty for renewing all former alliances between the crown of Great Britain and the States-general was almost concluded; and he assured the Commons he would freely give up all the estates that should become forfeited to the crown by this rebellion, to be applied towards defraying the extraordinary expense incurred on this occasion. The Commons, in their address of thanks, declared that they would prosecute, in the most vigorous and impartial manner, the authors of those destructive councils which had drawn down such miseries upon the nation. Their resolutions were speedy, and exactly conformable to this declaration. They expelled Mr. Forster from the House. They forthwith impeached the Earls of Derwentwater, Nithsdale, Carnwath, and Wintoun; Lords Widdrington, Kenmuir, and Nairn. These noblemen being brought to the bar of the House of Lords, heard the articles of impeachment read on the tenth day of January, and were ordered to put in their answers on the sixteenth. The impeachments being lodged, the lower House ordered a bill to be brought in for continuing the suspension of the habeas corpus act: then they prepared another to attain the Marquis of Tullibardine, the Earls of Mar and Linlithgow, and Lord John Drummond. On the twenty-first day of January, the king gave the royal assent to the bill for continuing the suspension of the habeas corpus act. He told the parlia-

ment that the pretender was actually in Scotland, heading the rebellion, and assuming the style and title of king of these realms; he demanded of the Commons such supply as might discourage any foreign power from assisting the rebels. On Thursday the nineteenth day of January, all the impeached lords pleaded guilty to the articles exhibited against them, except the Earl of Wintoun, who petitioned for a longer time, on various pretences. The rest received sentence of death on the ninth day of February, in the court erected in Westminster-hall, where the Lord Chancellor Cowper presided as lord high-steward on that occasion. The Countess of Nithsdale and Lady Nairn threw themselves at the king's feet, as he passed through the apartments of the palace, and implored his mercy in behalf of their husbands: but their tears and entreaties produced no effect. The council resolved that the sentence should be executed, and orders were given for that purpose to the lieutenant of the Tower, and the sheriffs of London and Middlesex.

§ XXXII. The Countess of Derwentwater, with her sister, accompanied by the Duchesses of Cleveland and Bolton, and several other ladies of the first distinction, was introduced by the Dukes of Richmond and St. Alban's into the king's bed-chamber, where she invoked his majesty's clemency for her unfortunate consort. She afterwards repaired to the lobby of the House of Peers, attended by the ladies of the other condemned lords and above twenty others of the same quality, and begged the intercession of the House: but no regard was paid to their petition. Next day, they petitioned both Houses of parliament. The Commons rejected their suit. In the upper House, the Duke of Richmond delivered a petition from the Earl of Derwentwater to whom he was nearly related, at the same time declaring that he himself should oppose his solicitation. The Earl of Derby expressed some compassion for the numerous family of Lord Nairn. Petitions from the rest were presented by other lords, moved with pity and humanity. Lord Townshend and others vehemently opposed their being read. The Earl of Nottingham thought this indulgence might be granted: the House assented to his opinion, and agreed to an address, praying his majesty would reprieve such of the condemned lords as should seem to deserve his mercy. To this petition the king answered, that on this, and all other occasions, he would do what he thought most consistent with the dignity of his crown and the safety of his people. The Earl of Nottingham, president of the council, his brother the Earl of Aylesbury, chancellor of the duchy of Lancaster, his son Lord Finch, one of the lords of the treasury, his kinsman Lord Guernsey, master of the jewel-office, were altogether dismissed from his majesty's service. Orders were despatched for executing the Earls of Derwentwater and Nithsdale, and the Viscount of Kenmuir, immediately; the others were respited to the seventh day of March. Nithsdale made his escape in woman's apparel, furnished and conveyed to him by his own mother. On the twenty-fourth day of February, Derwentwater and Kenmuir were beheaded on Tower-hill. The former was an amiable youth, brave, open, generous, hospitable, and humane. His fate drew tears from the spectators, and was a great misfortune to the country in which he lived. He gave bread to multitudes of people whom he employed on his estate; the poor, the widow, and the orphan rejoiced in his bounty. Kenmuir was a virtuous nobleman, calm, sensible, resolute, and resigned. He was a devout member of the English church; but the other died in the faith of Rome: both adhered to their political principles. On the fifteenth day of March, Wintoun was brought to trial, and being convicted received sentence of death.

§ XXXIII. When the king passed the land-tax bill, which was ushered in with a very extraordinary preamble, he informed both Houses of the pretender's flight from Scotland. In the beginning of April, a commission for trying the rebels met in the court of common pleas, when bills of high treason were found against Mr. Forster, Mackintosh, and twenty of their confederates. Forster escaped from Newgate, and reached the continent in safety: the rest pleaded not guilty, and were

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indulged with time to prepare for their trials. The judges, appointed to try the rebels at Liverpool, found a considerable number guilty of high treason. Two-and-twenty were executed at Preston and Manchester: about a thousand prisoners submitted to the king's mercy, and petitioned for transportation. Pitts, the keeper of Newgate, being suspected of having connived at Forster's escape, was tried for his life at the Old Bailey, and acquitted. Notwithstanding this prosecution, which ought to have redoubled the vigilance of the jailers, Brigadier Mackintosh, and several other prisoners, broke from Newgate, after having mastered the keeper and turnkey, and disarmed the sentinel. The court proceeded with the trials of those that remained; and a great number were found guilty: four or five were hanged, drawn, and quartered at Tyburn: and among these was one William Paul, a clergyman, who, in his last speech, professed himself a true and sincere member of the church of England, but not of the revolution schismatical church, whose bishops had abandoned the king, and shamefully given up their ecclesiastical rights, by submitting to the unlawful, invalid, lay deprivations authorized by the Prince of Orange.

§ XXXIV. Though the rebellion was extinguished, the flame of national dissatisfaction still continued to rage; the severities exercised against the rebels increased the general discontent: for now the danger was blown over their humane passions began to prevail. The courage and fortitude with which the condemned persons encountered the pains of death in its most dreadful form, prepossessed many spectators in favour of the cause by which those unhappy victims were animated. In a word, persecution, as usual, extended the heresy. The ministry, perceiving this universal disaffection, and dreading the revolution of a new parliament, which might wrest the power from their faction, and retort upon them the violence of their own measures, formed a resolution equally odious and effectual to establish their administration. This was no other than a scheme to repeal the triennial act, and by a new law to extend the term of parliaments to seven years. On the tenth day of April, the Duke of Devonshire represented, in the House of Lords, that triennial elections served to keep up party divisions; to raise and foment feuds in private families; to produce ruinous expenses, and give occasion to the cabals and intrigues of foreign princes: that it became the wisdom of such an august assembly, to apply proper remedies to an evil that might be attended with the most dangerous consequences, especially in the present temper of the nation, as the spirit of rebellion still remained unconquered. He, therefore, proposed a bill for enlarging the continuance of parliaments. He was seconded by the Earls of Dorset and Rockingham, the Duke of Argyle, Lord Townshend, and the other chiefs of that party. The motion was opposed by the Earls of Nottingham, Abingdon, and Paulet. They observed, that frequent parliaments were required by the fundamental constitution of the kingdom, ascertained in the practice of many ages; that the members of the lower House were chosen by the body of the nation, for a certain term of years, at the expiration of which they could be no longer representatives of the people, who, by the parliament's protracting its own authority, would be deprived of the only remedy which they have against those who, through ignorance or corruption, betrayed the trust reposed in them: that the reasons in favour of such a bill were weak and frivolous: that, with respect to foreign alliances, no prince or state could reasonably depend upon a people to defend their liberties and interests, who should be thought to have given up so great a part of their own: nor would it be prudent in them to wish for a change in that constitution under which Europe had of late been so powerfully supported: on the contrary, they might be deterred from entering into any engagements with Great Britain, when informed by the preamble of the bill, that the popish faction was so dangerous as to threaten destruction to the government: they would apprehend that the administration was so weak as to want so extraordinary a provision for its safety: that the gentlemen of Britain were not to be trusted; and that the good affections of the people were restrained within the limits of the House of Commons. They affirmed that this bill, far from preventing

the expense of elections, would rather increase it, and encourage every species of corruption; for the value of a seat would always be in proportion to the duration of a parliament; and the purchase would rise accordingly: that a long parliament would yield a greater temptation, as well as a better opportunity to a vicious ministry, to corrupt the members, than they could possibly have when the parliaments were short and frequent: that the same reasons urged for passing the bill to continue this parliament for seven years would be at least as strong, and, by the conduct of the ministry, might be made much stronger before the end of that term, for continuing, and even perpetuating their legislative power, to the absolute subversion of the third estate of the realm. These arguments served only to form a decent debate, after which the bill for septennial parliaments passed by a great majority; though twenty peers entered a protest. It met with the same fate in the lower House, where many strong objections were stated to no purpose. They were represented as the effects of party spleen; and, indeed, this was the great spring of action on both sides. The question for the bill was carried in the affirmative; and in a little time it received the royal sanction.

§ XXXV. The rebellion being utterly quelled, and all the suspected persons of consequence detained in safe custody, the king resolved to visit his German dominions, where he foresaw a storm gathering from the quarter of Sweden. Charles XII. was extremely exasperated against the Elector of Hanover, for having entered into the confederacy against him in his absence, particularly for his having purchased the duchies of Bremen and Verden, which constituted part of his dominions; and he breathed nothing but revenge against the King of Great Britain. It was with a view to avert this danger, or prepare against it, that the king now determined upon a voyage to the continent. But as he was restricted from leaving his British dominions, by the act for the further limitation of the crown, this clause was repealed in a new bill that passed through both Houses without the least difficulty. On the twenty-sixth day of June, the king closed the session with a speech upon the usual topics, in which, however, he observed, that the numerous instances of mercy he had shown, served only to encourage the faction of the pretender, whose partisans acted with such insolence and folly, as if they intended to convince the world that they were not to be reclaimed by gentle methods. He intimated his purpose of visiting his dominions in Germany; and gave them to understand, that he had constituted his beloved son, the Prince of Wales, guardian of the kingdom in his absence. About this period, General Macartney, who had returned to England at the accession of King George, presented himself to trial for the murder of the Duke of Hamilton. The deposition of Colonel Hamilton was contradicted by two park-keepers: the general was acquitted of the charge, restored to his rank in the army, and gratified with the command of a regiment. The king's brother, Prince Ernest, Bishop of Osnabruck, was created Duke of York and Albany, and Earl of Ulster. The Duke of Argyle, and his brother the Earl of Ilay, to whom his majesty owed, in a great measure, his peaceable accession to the throne, as well as the extinction of the rebellion in Scotland, were now dismissed from all their employments. General Carpenter succeeded the Duke in the chief command of the forces in North Britain, and in the government of Port Malon; and the Duke of Montrose was appointed lord register of Scotland in the room of the Earl of Ilay.

§ XXXVI. On the seventh day of July, the king embarked at Gravesend, landed on the ninth in Holland, through which he passed incognito to Hanover, and from thence set out for Pymont. His aim was to secure his German dominions from the Swede, and Great Britain from the pretender. These two princes had already begun to form a design, in conjunction, of invading his kingdom. He knew the Duke of Orleans was resolved to ascend the throne of France, in case the young king, who was a sickly child, should die without male issue. The regent was not ignorant that Philip of Spain would powerfully contest that succession, notwithstanding this renunciation; and he was glad of an opportunity to strengthen his interest

by an alliance with the maritime powers of England and Holland. The King of England sounded him on this subject, and found him eager to engage in such an association. The negotiation was carried on by General Cadogan for England, the Abbé du Bois for France, and the Pensionary Heinsius for the States-general. The regent readily complied with all their demands. He engaged that the pretender should immediately depart from Avignon to the other side of the Alps, and never return to Lorraine or France on any pretence whatsoever: that no rebellious subjects of Great Britain should be allowed to reside in that kingdom: and that the treaty of Utrecht, with respect to the demolition of Dunkirk, should be fully executed to the satisfaction of his Britannic majesty. The treaty contained a mutual guarantee of all the places possessed by the contracting powers: of the protestant succession on the throne of England, as well as of that of the Duke of Orleans to the crown of France: and a defensive alliance, stipulating the proportion of ships and forces to be furnished to that power which should be disturbed at home or invaded from abroad. The English people murmured at this treaty. They said an unnecessary umbrage was given to Spain, with which the nation had great commercial connexions; and that on pretence of an invasion, a body of foreign troops might be introduced to enslave the kingdom.

§ XXXVII. His majesty was not so successful in his endeavours to appease the King of Sweden, who refused to listen to any overtures until Bremen and Verden should be restored. These the Elector of Hanover resolved to keep as a fair purchase; and he engaged in a confederacy with the enemies of Charles, for the maintenance of this acquisition. Meanwhile his rupture with Sweden was extremely prejudicial to the commerce of England, and had well nigh entailed upon the kingdom another invasion, much more formidable than that which had so lately miscarried. The ministers of Sweden resident at London, Paris, and the Hague, maintained a correspondence with the disaffected subjects of Great Britain. A scheme was formed for the Swedish king's landing on this island with a considerable body of forces, where he should be joined by the malcontents of the united kingdom. Charles relished the enterprise, which flattered his ambition and revenge: nor was it disagreeable to the Czar of Muscovy, who resented the elector's offer of joining the Swede against the Russians, provided he would ratify the cession of Bremen and Verden. King George having received intimation of these intrigues, returned to England towards the end of January; and ordered a detachment of foot guards to secure Count Gyllenborg, the Swedish minister, with all his papers. At the same time, Sir Jacob Bancks and Mr. Charles Cæsar were apprehended. The other foreign ministers took the alarm, and remonstrated to the ministry upon this outrage committed against the law of nations. The two secretaries, Stanhope and Methuen, wrote circular letters to them, assuring them that in a day or two they should be acquainted with the reasons that induced the king to take such an extraordinary step. They were generally satisfied with this intimation; but the Marquis de Monteleone, ambassador from Spain, expressed his concern, that no other way could be found to preserve the peace of the kingdom without arresting the person of a public minister, and seizing all his papers; which were the sacred repositories of his master's secrets: he observed, that in whatever manner these two facts might seem to be understood, they very sensibly wounded the law of nations. About the same time Baron Gortz, the Swedish resident in Holland, was seized with his papers at Arnheim, at the desire of King George, communicated to the States by Mr. Leathes, his minister at the Hague. The baron owned he had projected the invasion, a design that was justified by the conduct of King George, who had joined the princes in confederacy against the King of Sweden, without having received the least provocation: who had assisted the King of Denmark in subduing the duchies of Bremen and Verden, and then purchased them of the usurper; and who had, in the course of this very summer, sent a strong squadron of ships to the Baltic, where it joined the Danes and Russians against the Swedish fleet.

§ XXXVIII. When the parliament of Great Britain met on the twentieth day of February, the king informed them of the triple alliance he had concluded with France and Holland. He mentioned the projected invasion; told them he had given orders for laying before them copies of the letters which had passed between the Swedish ministers on that subject; and he demanded of the Commons such supplies as should be found necessary for the defence of the kingdom. By those papers it appeared that the scheme projected by Baron Gortz was very plausible, and even ripe for execution; which, however, was postponed until the army should be reduced, and the Dutch auxiliaries sent back to their own country. The letters being read in parliament, both Houses presented addresses, in which they extolled the king's prudence in establishing such conventions with foreign potentates as might repair the gross defects, and prevent the pernicious consequences, of the treaty of Utrecht, which they termed a treacherous and dishonourable peace; and they expressed their horror and indignation at the malice and ingratitude of those who had encouraged an invasion of their country. He likewise received an address of the same kind from the convention; another from the dissenting ministers; a third from the university of Cambridge; but Oxford was not so lavish of her compliments. At a meeting of the vice-chancellor and heads of that university, a motion was made for an address to the king, on the suppression of the late unnatural rebellion, his majesty's safe return, and the favour lately shown to the university, in omitting, at their request, the ceremony of burning in effigy the devil, the Pope, the pretender, the Duke of Ormond, and the Earl of Mar, on the anniversary of his majesty's accession. Dr. Smalldridge, Bishop of Bristol, observed, that the rebellion had been long suppressed: that there would be no end of addresses, should one be presented every time his majesty returned from his German dominions; that the late favour they had received was overbalanced by a whole regiment now quartered upon them: and that there was no precedent for addressing a king upon his return from his German dominions. The university thought they had reason to complain of the little regard paid to their remonstrance, touching a riot raised in that city by the soldiers there quartered, on pretence that the anniversary of the prince's birth-day had not been celebrated with the usual rejoicings. Affidavits had been sent up to the council, which seemed to favour the officers of the regiment. When the House of Lords deliberated upon the mutiny-bill, by which the soldiers were exempted from arrests for debts, complaint was made of their licentious behaviour at Oxford; and a motion was made, that they should inquire into the riot. The Lords presented an address to the queen, desiring that the papers relating to that affair might be laid before the House. These being perused, were found to be recriminations between the Oxonians and the officers of the regiment. A warm debate ensued, during which the Earl of Abingdon offered a petition from the vice-chancellor of the university, the mayor and magistrates of Oxford, praying to be heard. One of the court members observing that it would be irregular to receive a petition while the House was in a grand committee, a motion was made, that the chairman should leave the chair; but this being carried in the negative, the debate was resumed, and the majority agreed to the following resolutions: That the heads of the university, and mayor of the city, neglected to make public rejoicings on the prince's birth-day; that the officers having met to celebrate that day, the house in which they had assembled was assaulted, and the windows were broken by the rabble; that this assault was the beginning and occasion of the riots that ensued; that the conduct of the major seemed well justified by the affidavits produced on his part; that the printing and publishing the depositions, upon which the complaints relating to the riots at Oxford were founded, while that matter was under the examination of the lords of the committee of the council, before they had time to come to any resolution touching the same, was irregular, disrespectful to his royal highness, and tending to sedition. An inquiry of this nature, so managed, did not much redound to the honour of such an august assembly.

Annals, State Trials, Deb. in Parliament. Hist. du Voltaire.



A. D. 1717. § XXXIX. The Commons passed a bill, prohibiting all commerce with Sweden, a branch of trade which was of the utmost consequence to the English merchants. They voted ten thousand *sterling* for the ensuing year; granted about a million for the maintenance of guards, garrisons, and land-forces; and passed the bill relating to mutiny and desertion. The House likewise voted four-and-twenty thousand pounds for the payment of four battalions of Munster and two of Saxe-Gotha, which the king had taken into his service, to supply the place of such as might be, during the rebellion, drawn from the garrisons of the States-general to the assistance of England. This vote, however, was not carried without a violent debate. The demand was inveighed against as an imposition, seeing no troops had ever served. A motion was made for an address, desiring that the instructions of those who concluded the treaties might be laid before the House; but this was overruled by the majority.<sup>4</sup> The supplies were raised by a land tax of three shillings in the pound, and a malt tax. What the Commons had given was not thought sufficient for the expense of the year; therefore Mr. Secretary Stanhope brought a message from his majesty, demanding an extraordinary supply, that he might be the better enabled to secure his kingdoms against the danger with which they were threatened from Sweden; and he moved that a supply should be granted to his majesty for this purpose. Mr. Shippen observed it was a great misfortune that the king was as little acquainted with the parliamentary proceedings as with the language of the country: that the message was unparliamentary and unprecedented; and, in his opinion, penned by some foreign minister: he said he had been often told that his majesty had retrieved the honour and reputation of the nation; a truth which appeared in the flourishing condition of trade; but that the supply demanded seemed to be inconsistent with the glorious advantages which his majesty had obtained for the people. He was seconded by Mr. Hungerford, who declared that for his part he could not understand what occasion there was for new alliances; much less that they should be purchased with money. He expressed his surprise that a nation so lately the terror of France and Spain, should now seem to fear so inconsiderate an enemy as the King of Sweden. The motion was supported by Mr. Boscawen, Sir Gilbert Heathcote, and others; but some of the whigs spoke against it; and Mr. Robert Walpole was silent. The speaker, and Mr. Smith, one of the tellers of the exchequer, opposed this unparliamentary way of demanding the supply: the former proposed that part of the army should be disbanded, and the money applied towards the making good such new engagements as were deemed necessary. After several successive debates, the resolution for a supply was carried by a majority of four voices.

§ XL. The ministry was now divided within itself. Lord Townshend had been removed from the office of secretary of state, by the intrigues of the Earl of Sunderland; and he was now likewise dismissed from the place of lord-lieutenant of Ireland. Mr. Robert Walpole resigned his posts of first commissioner of the treasury and chancellor of the exchequer: his example was followed by Mr. Pulteney, secretary at war, and Mr. Methuen, secretary of state. When the affair of the supply was resumed in the House of Commons, Mr. Stanhope made a motion for granting two hundred and fifty thousand pounds for that purpose. Mr. Pulteney observed, that having resigned his place, he might now act with the freedom becoming an Englishman: he declared against the manner of granting the supply, as unparliamentary and unprecedented. He said he could not persuade himself that any Englishman advised his majesty to send such a message; but he doubted not the resolution of a British parliament would make a German ministry tremble. Mr. Stanhope having harangued the House in vindication of the ministry, Mr. Smith answered every article of his speech: he affirmed that if an estimate of the conduct of the ministry in relation to affairs abroad was to be made from a comparison

of their conduct at home, they would not appear altogether so faultless as they were represented. "Was it not a mistake (said he) not to preserve the peace at home, after the king had ascended the throne with the universal applause and joyful acclamations of all his subjects? Was it not a mistake, upon the breaking out of the rebellion, not to issue a proclamation, to offer pardon to such as should return home peaceably, according to the custom on former occasions of the same nature? Was it not a mistake, after the suppression of the rebellion and the trial and the execution of the principal authors of it, to keep up animosities, and drive people to despair, by not passing an act of indemnity, by keeping so many persons under hard and tedious confinement, and by granting pardons to some, without leaving them any means to subsist? Is it not a mistake, not to trust a vote of parliament for making good such engagements as his majesty should think proper to enter into; and instead of that, to insist on the granting this supply in such an extraordinary manner? Is it not a mistake, to take this opportunity to create divisions, and render some of the king's best friends suspected and obnoxious? Is it not a mistake, in short, to form parties and cabals, in order to bring in a bill to repeal the act of occasional conformity?" A great number of members had agreed to this measure in private, though at this period it was not brought into the House of Commons. After a long debate the sum was granted. These were the first fruits of Britain's being wedded to the interests of the continent. The Elector of Hanover quarrelled with the King of Sweden; and England was not only deprived of a necessary branch of commerce, but even obliged to support him in the prosecution of the war. The ministry now underwent a new revolution. The Earl of Sunderland and Mr. Addison were appointed secretaries of state: Mr. Stanhope became first commissioner of the treasury and chancellor of the exchequer.

§ XLI. On the sixth day of May, the king going to the House of Peers, gave the parliament to understand, that the fleet under Sir George Byng, which had sailed to the Baltic, to observe the motions of the Swedes, was safely arrived in the Sound. He said he had given orders for the immediate reduction of ten thousand soldiers, as well as directions to prepare an act of indemnity. He desired they would take proper measures for reducing the public debts with a just regard to parliamentary credit; and that they would go through the public business with all possible despatch and unanimity. Some progress had already been made in deliberations upon the debt of the nation, which was comprehended under the two heads of redeemable and irredeemable encumbrances. The first had been contracted with a redeemable interest; and these the public had a right to discharge: the others consisted of long and short annuities granted for a greater or lesser number of years, which could not be altered without the consent of the proprietors. Mr. Robert Walpole had rejected a scheme for lessening the interest, and paying the capital of those debts, before he resigned his place in the exchequer. He proposed, in the House of Commons, to reduce the interest of redeemable funds, and offer an alternative to the proprietors of annuities. His plan was approved; but, when he resigned his places, the minister made some small alterations in it, which furnished him with a pretence for opposing the execution of the scheme. In the course of the debate, some warm altercation passed between him and Mr. Stanhope, by which it appeared they had made a practice of selling places and reversions. Mr. Hungerford standing up, said he was sorry to see two such great men running foul of one another; that, however, they ought to be looked upon as patriots and fathers of their country; and since they had by mischance discovered their nakedness, the other members ought, according to the custom of the East, to turn their backs upon them, that they might not be seen in such a shameful condition. Mr. Boscawen moved that the House would lay their commands upon them, that no further notice should be taken of what had passed. He was seconded by Mr. Methuen: the House approved the motion; and the

<sup>4</sup> This year was rendered famous by a complete victory which Prince Eugene obtained over the Turks at Peterwaradin upon the Danube. The battle was fought on the fifth day of August. The imperial army did not exceed sixty thousand men: that of the Turks amounted to one hundred

and fifty thousand, commanded by the grand vizier, who was mortally wounded in the engagement. The Turks were totally defeated, with the loss of all their tents, artillery, and baggage, so that the victors obtained an immense booty.



speaker took their word and honour that they should not prosecute their resentment. The money-corporations having agreed to provide cash for such creditors as should be willing to receive their principal, the House came to certain resolutions, on which were founded the three bills that passed into laws, under the names of "The South Sea Act, the Bank Act, and the General Fund Act." The original stock of the South Sea company did not exceed nine millions four hundred and seventy-one thousand three hundred and twenty-five pounds; but the funds granted being sufficient to answer the interest of ten millions at six per cent. the company made up that sum to the government, for which they received six hundred thousand pounds yearly, and eight thousand pounds a year, for management. By this act they declared themselves willing to receive five hundred thousand pounds, and the eight thousand for management. It was enacted, That the company should continue a corporation until the redemption of their annuity, towards which not less than a million should be paid at a time. They were likewise required to advance a sum not exceeding two millions, towards discharging the principal and interest due on the four lottery funds of the ninth and tenth years of Queen Anne. By the bank act the governors and company declared themselves willing to accept an annuity of eighty-eight thousand seven hundred and fifty-one pounds, seven shillings, and ten pence halfpenny, or the principal of one million seven hundred and seventy-five thousand twenty-seven pounds, seventeen shillings, and ten pence halfpenny, in lieu of the present annuity, amounting to one hundred and six thousand five hundred and one pounds, thirteen shillings, and five pence. They likewise declared themselves willing to discharge, and deliver up to be cancelled, as many exchequer bills as amounted to two millions, and to accept of an annuity of one hundred thousand pounds, being after the rate of five per cent. redeemable after one year's notice; to circulate the remaining exchequer bills at three per cent. and one penny per day. It was enacted, That the former allowances should be continued to Christmas, and then the bank should have for circulating the two millions five hundred and sixty-one thousand and twenty-five pounds remaining exchequer bills, an annuity of seventy-six thousand eight hundred and thirty pounds fifteen shillings at the rate of three pounds per cent. till redeemed, over and above the one penny a day for interest. By the same act the bank was required to advance a sum not exceeding two millions five hundred thousand pounds, towards discharging the national debt, if wanted, on condition that they should have five pounds per cent. for as much as they might advance, redeemable by parliament. The general fund act recited the several acts of parliaments, for establishing the four lotteries in the ninth and tenth years of the late queen, and stated the annual produce of the several funds, amounting in all to seven hundred twenty-four thousand eight hundred forty-nine pounds, six shillings, and ten pence one-fifth. This was the general fund; the deficiency of which was to be made good annually, out of the first aids granted by parliament. For the regular payment of all such annuities as should be made payable by this act, it was enacted, That all the duties and revenues mentioned therein should continue for ever, with the proviso, however, that the revenues rendered by this act perpetual should be subject to redemption. This act contained a clause by which the sinking fund was established. The reduction of interest to five per cent. producing a surplus or excess upon the appropriated funds, it was enacted, That all the monies arising from time to time, as well for the surplus, by virtue of the acts for redeeming the funds of the bank and of the South Sea company, as also for the surplus of the duties and revenues by this act appropriated to make good the general fund, should be appropriated and employed for the discharging the principal and interest of such national debt as was incurred before the twenty-fifth of December of the preceding year, in such manner as should be directed and appointed by any future act of parliament, to be discharged out of the same, and for none other use, intent, or purpose whatsoever.

§ XLII. The Earl of Oxford, who had now remained almost two years a prisoner in the Tower, presented a

petition to the House of Lords, praying that his imprisonment might not be indefinite. Some of the tory lords affirmed that the impeachment was destroyed and determined by the prorogation of parliament, which superseded the whole proceedings; but the contrary was voted by a considerable majority. The thirteenth day of June was fixed for the trial; and the House of Commons made acquainted with this determination. The Commons appointed a committee to inquire into the state of the earl's impeachment; and, in consequence of their report, sent a message to the Lords, demanding longer time to prepare for trial. Accordingly, the day was prolonged to the twenty-fourth of June, and the Commons appointed the committee, with four other members, to be managers for making good the articles of impeachment. At the appointed time, the Peers repaired to the court in Westminster-hall, where Lord Cowper presided as lord steward. The Commons were assembled as a committee of the whole House: the king, the rest of the royal family, and the foreign ministers, assisted at the solemnity: the Earl of Oxford was brought from the Tower: the articles of impeachment were read, with his answers, and the replication of the Commons. Sir Joseph Jekyll standing up to make good the first article, Lord Harcourt signified to their lordships that he had a motion to make, and they adjourned to their own House. There he represented, that a great deal of time would be unnecessarily consumed in going through all the articles of the impeachment: that if the Commons would make good the two articles for high treason, the Earl of Oxford would forfeit both life and estate, and there would be an end of the matter: whereas, to proceed on the method proposed by the Commons, would draw the trial on to a prodigious length. He therefore moved that the Commons might not be permitted to proceed, until judgment should be first given upon the articles of high treason. He was supported by the Earls of Anglesey and Nottingham, the Lord Trevor, and a considerable number of both parties; and though opposed by the Earl of Sunderland, the Lords Coningsby and Parker, the motion was carried in the affirmative. It produced a dispute between the two Houses. The Commons, at a conference, delivered a paper, containing their reasons for asserting it as their undoubted right to impeach a peer either for treason or for high crimes and misdemeanors; or, should they see occasion, to mix both in the same accusation. The House of Lords insisted on their former resolution; and in another conference delivered a paper, wherein they asserted it to be a right inherent in every court of justice to order and direct such methods of proceedings as it should think fit to be observed in all causes that fall under its cognizance. The Commons demanded a free conference, which was refused. The dispute grew more and more warm. The Lords sent a message to the lower House, importing, that they intended presently to proceed on the trial of the Earl of Oxford. The Commons paid no regard to this intimation, but adjourned to the third day of July. The Lords, repairing to Westminster-hall, took their places, ordered the earl to be brought to the bar, and made proclamation for his accusers to appear. Having waited a quarter of an hour, they adjourned to their own House, where, after some debate, the earl was acquitted upon a division: then returning to the hall they voted, That he should be set at liberty. Oxford owed his safety to the dissensions among the ministers, and to the late change in the administration. In consequence of this he was delivered from the persecution of Walpole; and numbered among his friends the Dukes of Devonshire and Argyle, the Earls of Nottingham and Ilay, and Lord Townshend. The Commons, in order to express their sense of his merit, presented an address to the king, desiring he might be excepted out of the intended act of grace. The king promised to comply with their request; and in the mean time forbade the earl to appear at court. On the fifteenth day of July the Earl of Sunderland delivered in the House of Peers the act of grace, which passed through both Houses with great expedition. From this indulgence were excepted the Earl of Oxford, Mr. Prior, Mr. Thomas Harley, Mr. Arthur Moore, Crisp, Nodes, Obrvan, Redmarne the printer, and Thompson; as also the assassins in Newgate, and the clan of Macgregor

in Scotland. By virtue of this act, the Earl of Carnwath, the Lords Widdrington and Nairn, were immediately discharged, together with all the gentlemen under sentence of death in Newgate, and those that were confined on account of the rebellion in the Fleet, the Marshalsea, and other prisons of the kingdom. The act of grace being prepared for the royal assent, the king went to the House of Peers on the fifteenth day of July, and having given his sanction to all the bills that were ready, closed the session with a speech on the usual topics.

§ XLIII. The proceedings in the convocation turned chiefly upon two performances of Dr. Hoadley, Bishop of Bangor. One was entitled, "A Preservative against the Principles and Practices of the Nonjurors:" the other was a sermon preached before the king, under the title of, "The Nature of the Kingdom of Christ." An answer to this discourse was published by Dr. Snape, master of Eton college, and the convocation appointed a committee to examine the bishop's two performances. They drew up a representation, in which the preservative and the sermon were censured, as tending to subvert all government and discipline in the church of Christ; to reduce his kingdom to a state of anarchy and confusion: to impugn and impeach the royal supremacy in causes ecclesiastical, and the authority of the legislature to enforce obedience in matters of religion by civil sanctions. The government thought proper to put a stop to these proceedings by a pro rogation; which, however, inflamed the controversy. A great number of pens were drawn against the bishop: but his chief antagonists were Dr. Snape and Dr. Sherlock, whom the king removed from the office of his chaplains: and the convocation has not been permitted to sit and do business since that period.

## CHAP. II.

§ I. Difference between King George and the Czar of Muscovy. § II. The king of Sweden is killed at Frederickstadt. § III. No association for the quadruple alliance. § IV. Proceedings in parliament. § V. James Shepherd executed for a design against the king's life. Parliament prorogued. § VI. Nature of the quadruple alliance. § VII. Admiral Byng sails to the Mediterranean. § VIII. He destroys the Spanish fleet off Cape Passaro. § IX. Remonstrances of the Spanish ministry. § X. Disputes in parliament touching the admiral's attacking the Spanish fleet. § XI. Act for strengthening the protestant interest. § XII. War declared against Spain. § XIII. Conspiracy against the Regent of France. § XIV. Intended invasion by the Duke of Ormond. § XV. Three hundred Spaniards land and are taken in Scotland. § XVI. Account of the pirate bill. § XVII. Count Mercl assumes the command of the imperial army in Sicily. § XVIII. Activity of Admiral Byng. § XIX. The Spanish troops evacuate Sicily. § XX. Philip obliged to accede to the quadruple alliance. § XXI. Bill for securing the dependency of Ireland upon the crown of Great Britain. § XXII. South Sea act. § XXIII. Charles is granted to the Royal and London assurance offices. § XXIV. Treaty of alliance with Sweden. § XXV. The Prince of Hesse elected King of Sweden. § XXVI. Effects of the South Sea scheme. § XXVII. The bubble breaks. § XXVIII. A select committee appointed of the House of Commons. § XXIX. Inquiry carried on by both Houses. § XXX. Death of Earl Stanhope and Mr. Craigs, both secretaries of state. § XXXI. The estates of the directors of the South Sea company are confiscated. § XXXII. Proceedings of the Commons with respect to the stock of the South Sea company.

A. D. 1717. § I. DURING these transactions, the negotiations of the north were continued against the King of Sweden, who had penetrated into Norway, and advanced towards Christianstadt, the capital of that kingdom. The czar had sent five-and-twenty thousand Russians to assist the allies in the reduction of Wisnar, which he intended to bestow upon his niece, lately married to the Duke of Mecklenburgh-Schwerin: but, before his troops arrived, the place had surrendered, and the Russians were not admitted into the garrison, a circumstance which increased the misunderstanding between him and the King of Great Britain. Nevertheless, he consented to a project for making a descent upon Schonen, and actually took upon him the command of the allied fleet; though he was not at all pleased to see Sir John Norris in the Baltic, because he had formed designs against Denmark, which he knew the English squadron would protect. He suddenly desisted from the expedition against Schonen, on pretence that the season was too far advanced; and the King of Denmark published a manifesto, remonstrating against his conduct on this occasion. By this time Baron Gortz had planned a pacification between his master and the czar,

who was discontented with all his German allies, because they opposed his having any footing in the empire. This monarch arrived at Amsterdam in December, whither he was followed by the czarina; and he actually resided at the Hague when King George passed through it, in returning to his British dominions; but he declined an interview with the King of England. When Gyllenburgh's letters were published in London, some passages seemed to favour the supposition of the czar's being privy to the conspiracy. His minister at the English court presented a long memorial, complaining that the king had caused to be printed the malicious insinuations of his enemies. He denied his having the least concern in the design of the Swedish king. He charged the court of England with having privately treated of a separate peace with Charles, and even with having promised to assist him against the czar, on condition that he would relinquish his pretensions to Bremen and Verden. Nevertheless he expressed an inclination to re-establish the ancient good understanding, and to engage in vigorous measures for prosecuting the war against the common enemy. The memorial was answered by the King of Great Britain, who assured the czar he should have reason to be fully satisfied, if he would remove the only obstacle to their mutual good understanding: in other words, withdraw the Russian troops from the empire. Notwithstanding these professions, the two monarchs were never perfectly reconciled.

§ II. The czar made an excursion to the court of France, where he concluded a treaty of friendship with the regent, at whose earnest desire he promised to recall his troops from Mecklenburgh. At his return to Amsterdam, he had a private interview with Gortz, who, as well as Gyllenburgh, had been set at liberty. Gortz undertook to adjust all difference between the czar and the King of Sweden within three months; and Peter engaged to suspend all operations against Sweden, until that term should be expired. A congress was opened at Abo, between the Swedish and Russian ministers; but the conferences were afterwards removed to Aland. By this convention, the czar obliged himself to assist Charles in the conquest of Norway; and they promised to unite all their forces against the King of Great Britain, should he presume to interpose. Both were incensed against that prince; and one part of their design was to raise the pretender to the throne of England. Baron Gortz set out from Aland for Frederickstadt in Norway, with the plan of peace, but, before he arrived, Charles was killed by a cannon-ball from the town, as he visited the trenches, on the thirtieth of November. Baron Gortz was immediately arrested, and brought to the scaffold by the nobles of Sweden, whose hatred he had incurred by his insolence of behaviour. The death of Charles was fortunate for King George. Sweden was now obliged to submit: while the czar, the King of Denmark, and the Elector of Hanover, kept possession of what they had acquired in the course of the war.

§ III. Thus Bremen and Verden were secured to the house of Hanover: an acquisition towards which the English nation contributed by her money, as well as by her arms: an acquisition made in contradiction to the engagements into which England entered when King William became guarantee for the treaty of Travendahl: an acquisition that may be considered as the first link of a political chain by which the English nation was dragged back into expensive connexions with the continent. The king had not yet received the investiture of the duchies; and until that should be procured, it was necessary to espouse with warmth the interest of the emperor. This was another source of misunderstanding between Great Britain and Spain. Prince Eugene gained another complete victory over a prodigious army of the Turks at Belgrade, which was surrendered to him after the battle. The emperor had engaged in this war as an ally of the Venetians, whom the Turks had attacked, and driven from the Morea. The Pope considered it as a religious war against the infidels; and obtained repeated assurances from the King of Spain, that he would not undertake any thing against the emperor, while he was engaged in such a laudable quarrel. Philip had even sent a squadron of ships and galleys to the assistance of the Venetians. In the course of this year, however, he

equipped a strong armament, the command of which he bestowed on the Marquis de Lede, who sailed from Barcelona in July, and landing at Cagliari in Sardinia, which belonged to the emperor, made a conquest of the whole island. At the same time the King of Spain endeavoured to justify these proceedings by a manifesto, in which he alleged that the archduke, contrary to the faith of treaties, encouraged and supported the rebellion of his subjects in Catalonia, by frequent succours from Naples, and other places; and that the great inquisitor of Spain had been seized, though furnished with a passport from his holiness. He promised, however, to proceed no further, and suspend all operations, that the powers of Europe might have time and opportunity to contrive expedients for reconciling all differences, and securing the peace and balance of power in Italy: nay, he consented that this important affair should be left to the arbitration of King George and the States-general. These powers undertook the office. Conferences were begun between the ministers of the emperor, France, England, and Holland; and these produced, in the course of the following year, the famous quadruple alliance. In this treaty it was stipulated, that the emperor should renounce all pretensions to the crown of Spain, and exchange Sardinia for Sicily, with the Duke of Savoy; that the succession to the duchies of Tuscany, Parma, and Placentia, which the Queen of Spain claimed by inheritance, as princess of the house of Farnese, should be settled on her eldest son, in case the present possessors should die without male issue. Philip, dissatisfied with this partition, continued to make formidable preparations by sea and land. The King of England and the Regent of France interposed their admonitions to no purpose. At length his Britannic majesty had recourse to more substantial arguments, and ordered a strong squadron to be equipped with all possible expedition.<sup>a</sup>

§ IV. On the third day of November, the Princess of Wales was delivered of a prince, the ceremony of whose baptism was productive of a difference between the grandfather and father. The Prince of Wales intended that his uncle, the Duke of York, should stand godfather. The king ordered the Duke of Newcastle to stand for himself. After the ceremony, the prince expressed his resentment against this nobleman in very warm terms. The king ordered the prince to confine himself within his own apartments; and afterwards signified his pleasure that he should quit the palace of St. James. He retired with the princess to a house belonging to the Earl of Grantham; but the children were detained at the palace. All peers and peeresses, and all privy-counsellors and their wives, were given to understand, that in case they visited the prince and princess, they should have no access to his majesty's presence; and all who enjoyed posts and places under both king and prince were obliged to quit the service of one or other, at their option. When the parliament met on the twenty-first day of November, the king, in his speech, told both Houses that he had reduced the army to very near one half, since the beginning of the last session: he expressed his desire that all those who were friends to the present happy establishment might unanimously concur in some proper method for the greater strengthening the protestant interest, of which, as the church of England was unquestionably the main support and bulwark, so would she reap the principal benefit of every advantage accruing from the union and mutual charity of all protestants. After the addresses of thanks, which were couched in the usual style, the Commons proceeded to take into consideration the estimates and accounts, in order to settle the establishment of the army, navy, and ordnance. Ten thousand men were voted for the sea-service. When the supply for the army fell under deliberation, a very warm debate ensued, upon the number of troops necessary to be maintained. Sir William Wyndham, Mr. Shippen, and Mr. Walpole, in a long

elaborate harangue, insisted upon its being reduced to twelve thousand. They were answered by Mr. Craggs, secretary at war, and Sir David Dalrymple. Mr. Shippen, in the course of the debate, said the second paragraph of the king's speech seemed rather to be calculated for the meridian of Germany than for Great Britain; and it was a great misfortune that the king was a stranger to our language and constitution. Mr. Lechmere affirmed this was a scandalous invective against the king's person and government; and moved that he who uttered it should be sent to the Tower. Mr. Shippen, refusing to retract or excuse what he had said, was voted to the Tower by a great majority; and the number of standing forces was fixed at sixteen thousand three hundred and forty-seven effective men.

§ V. On account of the great scarcity of silver coin, occasioned by the exportation of silver, and the importation of gold, a motion was made to put a stop to this growing evil by lowering the value of gold specie. The Commons examined a representation which had been made to the treasury by Sir Isaac Newton, master of the mint, on this subject. Mr. Caswell explained the nature of a clandestine trade carried on by the Dutch and Hamburgers, in concert with the Jews of England and other traders, for exporting the silver coin and importing gold, which being coined at the mint, yielded a profit of fifteen pence upon every guinea. The House, in an address to the king, desired that a proclamation might be issued, forbidding all persons to utter or receive guineas at a higher rate than one-and-twenty shillings each. His majesty complied with their request: but people hoarding up their silver, in hopes that the price of it would be raised, or in apprehension that the gold would be lowered still further, the two Houses resolved that the standard of the gold and silver coins of the kingdoms should not be altered in fineness, weight, or denomination; and they ordered a bill to be brought in, to prevent the melting down of the silver coin. At this period, one James Shepherd, a youth of eighteen, apprentice to a coach-maker, and an enthusiast in Jacobitism, sent a letter to a nonjuring clergyman, proposing a scheme for assassinating King George. He was immediately apprehended, owned the design, was tried, condemned, and executed at Tyburn. This was likewise the fate of the Marquis de Palleotti, an Italian nobleman, brother to the Duchess of Shrewsbury. He had, in a transport of passion, killed his own servant; and seemed indeed to be disordered in his brain. After he had received sentence of death, the king's pardon was earnestly solicited by his sister, the duchess, and many other persons of the first distinction: but the common people became so clamorous, that it was thought dangerous to rescue him from the penalties of the law, which he accordingly underwent in the most ignominious manner. No subject produced so much heat and altercation in parliament during this session, as did the bill for regulating the land forces, and punishing mutiny and desertion: a bill which was looked upon as an encroachment upon the liberties and constitution of England, inasmuch as it established martial law, which wrested from the civil magistrate the cognizance of crimes and misdemeanors committed by the soldiers and officers of the army: a jurisdiction inconsistent with the genius and disposition of the people. The dangers that might accrue from such a power were explained in the lower House by Mr. Hutchinson, Mr. Harley, and Mr. Robert Walpole, which last, however, voted afterwards for the bill. In the House of Lords, it was strenuously opposed by the Earls of Oxford, Stafford, and Lord Harcourt. Their objections were answered by Lord Cartaret. The bill passed by a great majority; but divers Lords entered a protest. This affair being discussed, a bill was brought in for vesting in trustees the forfeited estates in Britain and Ireland, to be sold for the use of the public; for giving relief to lawful creditors, by determining

<sup>a</sup> The pretender, who resided at Urbino, having received intelligence from Paris, that there was a design formed against his life, Pope Clement XI. gave directions that all foreigners in that neighbourhood, especially English, should be arrested. The Earl of Peterborough arriving at Bologna, with a few armed followers, was seized, with all his papers. Being interrogated, he said he came to pass some time in Italy, for the benefit of his health. He was close confined for a whole month in Fort Urbino, and his attendants were sent to prison. Nothing appearing to justify the suspicion, he was dismissed with uncommon civility. The king demanding repara-

tion for this insult, the Pope wrote with his own hand a letter to an ally of Great Britain, declaring that the legate of Bologna had violently and unjustly, without the knowledge of his holiness, caused the Earl of Peterborough to be seized upon suspicion which proved to be ill grounded. The cardinal legate sent a declaration to the English admiral in the Mediterranean, that he had asked forgiveness of his holiness, and now begged pardon of his Britannic majesty, for having unadvisedly arrested a peer of Great Britain on his travels.



the claims, and for the more effectual bringing into the respective exchequers the rents and profits of the estates till sold. The time of claiming was prolonged: the sum of twenty thousand pounds was reserved out of the sale of the estates in Scotland, for erecting schools; and eight thousand pounds for building barracks in that kingdom.

The king having signified, by a message to the House of Commons, that he had lately received such information from abroad, as gave reason to believe that a naval force, employed where it should be necessary, would give weight to his endeavours; he therefore thought fit to acquaint the House

with this circumstance, not doubting but that in case he should be obliged, at this critical juncture, to exceed the number of men granted this year for the sea-service, the House would provide for such exceeding. The Commons immediately drew up and presented an address, assuring his majesty that they would make good such exceedings of seamen as he should find necessary to preserve the tranquillity of Europe. On the twenty-first day of March, the king went to the House of Peers, and having passed the bills that were ready for the royal assent, ordered the parliament to be prorogued.<sup>b</sup>

§ VI. The king of Spain, by the care and indefatigable diligence of his prime minister, Cardinal Alberoni, equipped a very formidable armament, which, in the beginning of June, set sail from Barcelona towards Italy; but the destination of it was not known. A strong squadron having been fitted out in England, the Marquis de Monteleone, ambassador from Spain, presented a memorial to the British ministry, importing that so powerful an armament in time of peace could not but give umbrage to the king his master, and alter the good intelligence that subsisted between the two crowns. In answer to this representation, the ministers declared that the king intended to send Admiral Byng with a powerful squadron into the Mediterranean, to maintain the neutrality in Italy. Meanwhile, the negotiations between the English and French ministers produced the quadruple alliance, by which King George and the regent prescribed a peace between the emperor, the King of Spain, and the King of Sicily, and undertook to compel Philip and the Savoyard to submit to such conditions as they had concerted with his imperial majesty. These powers were allowed only three months to consider the articles, and declare whether they would reject them, or acquiesce in the partition. Nothing could be more contradictory to the true interest of Great Britain than this treaty, which destroyed the balance in Italy, by throwing such an accession of power into the hands of the house of Austria. It interrupted the commerce with Spain, involved the kingdom in an immediate war with that monarchy, and gave rise to all the quarrels and disputes which have arisen between England and Spain in the sequel. The States-general did not approve of such violent measures, and for some time kept aloof: but at length they acceded to the quadruple alliance, which indeed was no other than a very expensive compliment to the emperor, who was desirous of adding Sicily to his other Italian dominions.

§ VII. The King of England had used some endeavours to compromise the difference between his imperial majesty and the Spanish branch of the house of Bourbon. Lord Stanhope had been sent to Madrid, with a plan of pacification, which being rejected by Philip as partial and iniquitous, the king determined to support his mediation by force of arms. Sir George Byng sailed from Spithead on the fourth day of June, with twenty ships of the line, two fire-ships, two bomb-vessels, and ample instructions how to act on all emergencies. He arrived off Cape St. Vincent on the thirtieth day of the month, and despatched his secretary to Cadiz, with a letter to Colonel Stanhope, the British minister at Madrid, desiring him to inform his most catholic majesty of the admiral's arriving in those parts, and lay before him this article of his instructions: "You are to make instances with both parties to cease from using any further acts of hostility: but in case the

Spaniards do still insist, with their ships of war and forces, to attack the kingdom of Naples, or other the territories of the emperor in Italy, or to land in any part of Italy, which can only be with a design to invade the emperor's dominions, against whom only they have declared war by invading Sardinia; or if they should endeavour to make themselves masters of the kingdom of Sicily, which must be with a design to invade the kingdom of Naples; in which case you are, with all your power, to hinder and obstruct the same. If it should so happen, that at your arrival, with our fleet under your command, in the Mediterranean, the Spaniards should already have landed any troops in Italy in order to invade the emperor's territories, you shall endeavour amicably to dissuade them from persevering in such an attempt, and offer them your assistance, to help them to withdraw their troops, and put an end to all further acts of hostility. But in case these your friendly endeavours should prove ineffectual, you shall, by keeping company with, or intercepting their ships or convoy; or if it be necessary, by openly opposing them, defend the emperor's territories from any further attempt." When Cardinal Alberoni perused these instructions, he told Colonel Stanhope with some warmth, that his master would run all hazards, and even suffer himself to be driven out of Spain, rather than recall his troops, or consent to a suspension of arms. He said the Spaniards were not to be frightened; and he was so well convinced that the fleet would do their duty, that in case of their being attacked by Admiral Byng, he should be in no pain for the success. Mr. Stanhope presenting him with a list of the British squadron, he threw it upon the ground with great emotion. He promised, however, to lay the admiral's letter before the king, and to let the envoy know his majesty's resolution. Such an interposition could not but be very provoking to the Spanish minister, who had laid his account with the conquest of Sicily, and for that purpose prepared an armament, which was altogether surprising, considering the late shattered condition of the Spanish affairs. But he seems to have put too much confidence in the strength of the Spanish fleet. In a few days he sent back the admiral's letter to Mr. Stanhope, with a note under it, importing, that the Chevalier Byng might execute the orders he had received from the king his master.

§ VIII. The admiral, in passing by Gibraltar, was joined by Vice-Admiral Cornwall, with two ships. He proceeded to Minorca, where he relieved the garrison of Port-Mahon. Then he sailed for Naples, where he arrived on the first day of August, and was received as a deliverer; for the Neapolitans had been under the utmost terror of an invasion from the Spaniards. Sir George Byng received intelligence from the viceroy, Count Daun, who treated him with the most distinguishing marks of respect, that the Spanish army, amounting to thirty thousand men, commanded by the Marquis de Lede, had landed in Sicily, reduced Palermo and Messina, and were then employed in the siege of the citadel belonging to this last city; that the Piedmontese garrison would be obliged to surrender, if not speedily relieved: that an alliance was upon the carpet between the emperor and the King of Sicily, which last had desired the assistance of the imperial troops, and agreed to receive them into the citadel of Messina. The admiral immediately resolved to sail thither, and took under his convoy a reinforcement of two thousand Germans for the citadel, under the command of General Wetzel. He forthwith sailed from Naples, and on the ninth day of August was in sight of the Faro of Messina. He despatched his own captain with a polite message to the Marquis de Lede, proposing a cessat on of arms in Sicily for two months, that the powers of Europe might have time to concert measures for restoring a lasting peace; and declaring, that should this proposal be rejected, he would, in pursuance of his directions, use all his force to prevent further attempts to disturb the dominions his master had engaged to defend. The Spanish general answered, that he had no power to treat, and consequently could not agree to an armistice, but should obey his orders, which directed him to reduce Sicily for his master the King of

<sup>b</sup> Earl Cowper, lord chancellor, resigned the great seal, which was at first put in commission, but afterwards given to Lord Parker, as his chancellor. The Earl of Sunderland was made president of the council, and

first commissioner of the treasury; Lord Stanhope and Mr. Craze were appointed secretaries of state: Lord Stanhope and Lord Cadogan were afterwards created earls.

Spain. The Spanish fleet had sailed from the harbour of Messina on the day before the English squadron appeared. Admiral Byng supposed they had retired to Malta, and directed his course towards Messina, in order to encourage and support the garrison in the citadel. But, in doubling the point of Faro, he descried two Spanish scouts, and learned from the people of a felucca from the Calabrian shore, that they had seen from the hills the Spanish fleet lying-to in order of battle. The admiral immediately detached the German troops to Reggio, under convoy of two ships of war. Then he stood through the Faro after the Spanish scouts that led him to their main fleet, which before noon he descried in line of battle, amounting to seven-and-twenty sail, large and small, besides two fire-ships, four bomb-vessels, and seven galleys. They were commanded in chief by Don Antonio de Castanita, under whom were the four rear-admirals, Chacon, Mari, Guevara, and Cammock. At sight of the English squadron, they stood away large, and Byng gave chase all the rest of the day. In the morning, which was the eleventh of August, Rear-Admiral de Mari, with six ships of war, the galleys, fire-ships, and bomb-ketches, separated from the main fleet, and stood in for the Sicilian shore. The English admiral detached Captain Walton with five ships in pursuit of them; and they were soon engaged. He himself continued to chase their main fleet; and about ten o'clock the battle began. The Spaniards seemed to be distracted in their councils, and acted in confusion. They made a running fight: yet the admirals behaved with courage and activity, in spite of which they were all taken, except Cammock, who made his escape with three ships of war, and three frigates. In this engagement, which happened off Cape Passaro, Captain Haddock, of the *Grafton*, signalized his courage in an extraordinary manner. On the eighteenth the admiral received a letter from Captain Walton, dated off Syracuse, intimating that he had taken four Spanish ships of war, together with a bomb-ketch, and a vessel laden with arms; and that he had burned four ships of the line, a fire-ship, and a bomb-vessel.<sup>c</sup> Had the Spaniards followed the advice of Rear-Admiral Cammock, who was a native of Ireland, Sir George Byng would not have obtained such an easy victory. That officer proposed that they should remain at anchor in the road of Paradise, with their broadsides to the sea; in which case the English admiral would have found it a very difficult task to attack them: for the coast is so bold, that the largest ships could ride with a cable ashore; whereas further out the currents are so various and rapid, that the English squadron could not have come to anchor, or lie near them in order of battle; besides, the Spaniards might have been reinforced from the army on shore, which would have raised batteries to annoy the assailants. Before King George had received an account of this engagement from the admiral, he wrote him a letter with his own hand, approving his conduct. When Sir George's eldest son arrived in England, with a circumstantial account of the action, he was graciously received, and sent back with plenipotentiary powers to his father, that he might negotiate with the several princes and states of Italy, as he should see occasion. The son likewise carried the king's royal grant to the officers and seamen, of the prizes they had taken from the Spaniards. Notwithstanding this victory, the Spanish army carried on the siege of the citadel of Messina with such vigour, that the governor surrendered the place by capitulation on the twenty-ninth day of September. A treaty was now concluded at Vienna between the emperor and the Duke of Savoy. They agreed to form an army for the conquest of Sardinia in behalf of the duke; and in the mean time this prince engaged to evacuate Sicily; but until his troops could be conveyed from that island, he consented that they should co-operate with the Germans against the common enemy. Admiral Byng continued to assist the imperialists in Sicily during the best part of the winter, by scouring the seas of the Spaniards, and keeping the communication open between the German forces and the Calabrian shore, from whence they were supplied with provisions. He

acted in this service with equal conduct, resolution, and activity. He conferred with the Viceroy of Naples and the other imperial generals about the operations of the ensuing campaign, and Count Hamilton was despatched to Vienna, to lay before the emperor the result of their deliberations: then the admiral set sail for Mahon, where the ships might be refitted, and put in a condition to take the sea in the spring.

§ IX. The destruction of the Spanish fleet was a subject that employed the deliberations and conjectures of all the politicians in Europe. Spain exclaimed against the conduct of England, as inconsistent with the rules of good faith, for the observation of which she had always been so famous. The Marquis de Monteleone wrote a letter to Mr. Secretary Craggs, in which he expostulated with him upon such an unprecedented outrage. Cardinal Alberoni, in a letter to that minister, inveighed against it as a base unworthy action. He said the neutrality of Italy was a weak pretence, since every body knew that neutrality had long been at an end; and that the prince's guarantees of the treaty of Utrecht were entirely discharged from their engagements, not only by the scandalous infringements committed by the Austrians in the evacuation of Catalonia and Majorca; but also because the guarantee was no longer binding than till a peace was concluded with France. He taxed the British ministry with having revived and supported this neutrality, not by an amicable mediation, but by open violence, and artfully abusing the confidence and security of the Spaniards. This was the language of disappointed ambition. Nevertheless it must be owned, that the conduct of England, on this occasion, was irregular, partial, and precipitate.

§ X. The parliament meeting on the eleventh day of November, the king, in his speech, declared that the court of Spain had rejected all his amicable proposals, and broke through their most solemn engagements, for the security of the British commerce. To vindicate, therefore, the faith of his former treaties, as well as to maintain those he had lately made, and to protect and defend the trade of his subjects, which had in every branch been violently and unjustly oppressed, it became necessary for his naval forces to check their progress: that notwithstanding the success of his arms, that court had lately given orders at all the ports of Spain and of the West Indies to fit out privateers against the English. He said he was persuaded, that a British parliament would enable him to resent such treatment; and he assured them that his good brother, the Regent of France, was ready to concur with him in the most vigorous measures. A strong opposition was made in both Houses to the motion for an address of thanks and congratulation proposed by Lord Carteret. Several peers observed, that such an address was, in effect, to approve a sea-fight which might be attended with dangerous consequences, and to give the sanction of that august assembly to measures which, upon examination, might appear either to clash with the law of nations or former treaties, or to be prejudicial to the trade of Great Britain: that they ought to proceed with the utmost caution and maturest deliberation, in an affair wherein the honour, as well as the interest, of the nation were so highly concerned. Lord Stafford moved for an address, that Sir George Byng's instructions might be laid before the House. Earl Stanhope replied, that there was no occasion for such an address, since by his majesty's command he had already laid before the House the treaties, of which the late sea-fight was a consequence: particularly the treaty for a defensive alliance between the emperor and his majesty, concluded at Westminster on the twenty-fifth day of May, in the year one thousand seven hundred and sixteen: and the treaty of alliance for restoring and settling the public peace, signed at London on the twenty-second day of July. He affirmed, that the court of Spain had violated the treaty of Utrecht, and acted against the public faith in attacking the emperor's dominions, while he was engaged in a war against the enemies of Christendom; that they had rejected his majesty's friendly offices and offers for mediating an accommodation. He explained the cause of

<sup>c</sup> This letter is justly deemed a curious specimen of the lacini style.

<sup>d</sup> Sir,

We have taken and destroyed all the Spanish ships and vessels which

were upon the coast, the number as per margin I am, &c.

G. WALTON."

his journey to Spain, and his negotiations at Madrid. He added, it was high time to check the growth of the naval power of Spain, in order to protect and secure the trade of the British subjects which had been violently oppressed by the Spaniards. After a long debate, the motion was carried by a considerable majority. The same subject excited disputes of the same nature in the House of Commons, where Lord Hinchinbroke moved, that in their address of thanks they should declare their entire satisfaction in those measures which the king had already taken for strengthening the protestant succession, and establishing a lasting tranquillity in Europe. The members in the opposition urged, that it was unparliamentary and unprecedented, on the first day of the session, to enter upon particulars: that the business in question was of the highest importance, and deserved the most mature deliberation: that before they approved the measures which had been taken, they ought to examine the reasons on which those measures were founded. Mr. Robert Walpole affirmed, that the giving sanction, in the manner proposed, to the late measures, could have no other view than that of screening ministers, who were conscious of having begun a war against Spain, and now wanted to make it the parliament's war. He observed, that instead of an entire satisfaction, they ought to express their entire dissatisfaction, with such conduct as was contrary to the law of nations, and a breach of the most solemn treaties. Mr. Secretary Craggs, in a long speech, explained the nature of the quadruple alliance, and justified all the measures which had been taken. The address, as moved by Lord Hinchinbroke, was at length carried, and presented by his majesty. Then the Commons proceeded to consider the supply. They voted thirteen thousand five hundred sailors; and twelve thousand four hundred and thirty-five men for the land service. The whole estimate amounted to two millions two hundred and fifty-seven thousand five hundred eighty-one pounds, nineteen shillings. The money was raised by a land tax, malt tax, and lottery.

§ XI. On the thirteenth day of December, Earl Stanhope declared, in the House of Lords, that, in order to unite the hearts of the well-affected to the present establishment, he had a bill to offer under the title of "An Act for strengthening the protestant interest in these kingdoms." It was accordingly read, and appeared to be a bill repealing the acts against occasional conformity, the growth of schism, and some clauses in the corporation and test acts. This had been concerted by the ministry in private meetings with the most eminent dissenters. The tory lords were astonished at this motion, for which they were altogether unprepared. Nevertheless, they were strenuous in their opposition. They alleged that the bill, instead of strengthening, would certainly weaken, the church of England, by plucking off her best feathers, investing her enemies with power, and sharing with churchmen the civil and military employments of which they were then wholly possessed. Earl Cowper declared himself against that part of the bill by which some clauses of the test and corporation acts were repealed: because he looked upon those acts as the main bulwark of our excellent constitution in church and state, which ought to be inviolably preserved. The Earl of Ilay opposed the bill, because, in his opinion, it infringed the *pacta conventa* of the treaty of union, by which the bounds, both of the church of England and of the church of Scotland, were fixed and settled; and he was apprehensive, if the articles of the union were broke with respect to one church, it might afterwards be a precedent to break them with respect to the other. The Archbishop of Canterbury said the acts which by this bill would be repealed were the main bulwark and supporters of the English church: he expressed all imaginable tenderness for well-meaning conscientious dissenters: but he could not forbear saying, some among that sect made a wrong use of the favour and indulgence shown to them at the revolution, though they had the least share in that happy event: it was, therefore, thought necessary for the legislature to interpose, and put a stop to the scandalous practice of occasional conformity. He added, that it would be needless to repeal the act against schism, since no advantage had been taken of it to the prejudice of the

dissenters. Dr. Hoadley, Bishop of Bangor, endeavoured to prove, that the occasional and schism acts were in effect persecuting laws; and that by admitting the principle of self-defence and self-preservation, in matters of religion, all the persecutions maintained by the heathens against the professors of Christianity, and even the popish inquisition, might be justified. With respect to the power of which many clergymen appeared so fond and so zealous, he owned the desire of power and riches was natural to all men; but that he had learned, both from reason and from the gospel, that this desire must be kept within due bounds, and not intrench upon the rights and liberties of their fellow-creatures and countrymen. After a long debate, the House agreed to leave out some clauses concerning the test and corporation acts: then the bill was committed, and afterwards passed. In the lower House it met with violent opposition, in spite of which it was carried by the majority.

§ XII. The king, on the seventeenth day of December, sent a message to the Commons, importing, that all his endeavours to procure redress for the injuries done to his subjects by the King of Spain having proved ineffectual, he had found it necessary to declare war against that monarch. When a motion was made for an address, to assure the king they would cheerfully support him in the prosecution of the war, Mr. Shippen and some other members said, they did not see the necessity of involving the nation in a war, on account of some grievances of which the merchants complained, as these might be amicably redressed. Mr. Stanhope assured the House, that he had presented five-and-twenty memorials to the ministry of Spain on that subject, without success. Mr. Methuen accounted for the dilatory proceedings of the Spanish court in commercial affairs, by explaining the great variety of regulations in the several provinces and ports of that kingdom. It was suggested, that the ministry paid very little regard to the trade and interest of the nation; inasmuch as it appeared by the answers from a secretary of state to the letter of the Marquis de Monteleone, that they would have overlooked the violation of the treaties of commerce, provided Spain had accepted the conditions stipulated in the quadruple alliance; for it was there expressly said, that his majesty, the King of Great Britain, did not seek to aggrandize himself by any new acquisitions, but was rather inclined to sacrifice something of his own to procure the general quiet and tranquillity of Europe. A member observed, that nobody could tell how far that sacrifice would have extended: but certainly it was a very uncommon stretch of condescension. This sacrifice was said to be the cession of Gibraltar and Port-Mahon, which the Regent of France had offered to the King of Spain, provided he would accede to the quadruple alliance. Horatio Walpole observed, that the disposition of Sicily in favour of the emperor was an infraction of the treaty of Utrecht; and his brother exclaimed against the injustice of attacking the Spanish fleet before a declaration of war. Notwithstanding all these arguments and objections, the majority agreed to the address; and such another was carried in the upper House without a division. The declaration of war against Spain was published with the usual solemnities; but this war was not a favourite of the people, and therefore did not produce those acclamations that were usual on such occasions.

§ XIII. Meanwhile Cardinal Alberoni employed all his intrigues, power, and industry, for the gratification of his revenge. He caused new ships to be built, the sea-ports to be put in a posture of defence, succours to be sent to Sicily, and the proper measures to be taken for the security of Sardinia. He, by means of the Prince de Cellamare, the Spanish ambassador at Paris, caballed with the malcontents of that kingdom, who were numerous and powerful. A scheme was actually formed for seizing the regent, and securing the person of the king. The Duke of Orleans owed the first intimation of this plot to King George, who gave him to understand, that a conspiracy was formed against his person and government. The regent immediately took measures for watching the conduct of all suspected persons; but the whole intrigue was discovered by accident. The Prince de Cellamare intrusted his despatches to the Abbé Portocarrero, and to a son of



the Marquis de Monteleone. These emissaries set out from Paris in a post-chaise, and were overturned. The postillion overheard Portocarrero say, he would not have lost his portmanteau for a hundred thousand pistoles. The man, at his return to Paris, gave notice to the government of what he had observed. The Spaniards, being pursued, were overtaken and seized at Poitiers, with the portmanteau, in which the regent found two letters that made him acquainted with the particulars of the conspiracy. The Prince de Cellamare was immediately conducted to the frontiers; the Duke of Maine, the Marquis de Pompadour, the Cardinal de Polignac, and many other persons of distinction, were committed to different prisons. The regent declared war against Spain, on the twenty-ninth day of December; and an army of six-and-thirty thousand men began its march towards that kingdom in January, under the command of the Duke of Berwick.

§ XIV. Cardinal Alberoni had likewise formed a scheme in favour of the pretender. The Duke of Ormond, repairing to Madrid, held conferences with his eminence; and measures were concerted for exciting another insurrection in Great Britain. The Chevalier de St. George quitted Urbino by stealth; and embarking at Nettuno, landed at Cagliari in March. From thence he took his passage to Roses in Catalonia, and proceeded to Madrid, where he was received with great cordiality, and treated as King of Great Britain. An armament had been equipped of ten ships of war and transports, having on board six thousand regular troops, with arms for twelve thousand men. The command of this fleet was bestowed on the Duke of Ormond, with the title of captain-general of his most catholic majesty. He was provided with declarations in the name of that king, importing, that for many good reasons he had sent part of his land and sea forces into England and Scotland, to act as auxiliaries to King James. His Britannic majesty, having received from the regent of France timely notice of this intended invasion, offered, by proclamation, rewards to those that should apprehend the Duke of Ormond, or any gentleman embarked in that expedition. Troops were ordered to assemble in the north, and in the west of England: two thousand men were demanded of the States-general: a strong squadron was equipped to oppose the Spanish armament; and the Duke of Orleans made a proffer to King George of twenty battalions for his service.

§ XV. His majesty having communicated to both Houses of parliament the repeated advices he had received touching this projected descent, they promised to support him against all his enemies. They desired he would augment his forces by sea and land; and assured him they would make good the extraordinary expense. Two thousand men were landed from Holland, and six battalions of imperialists from the Austrian Netherlands. The Duke of Ormond sailed from Cadiz, and proceeded as far as Cape Finisterre, where his fleet was dispersed and disabled by a violent storm, which entirely defeated the purposed expedition. Two frigates, however, arrived in Scotland, with the Earls Marischal and Seaforth, the Marquis of Tullibardine, some field-officers, three hundred Spaniards, and arms for two thousand men. They were joined by a small body of highlanders, and possessed themselves of Douan castle. Against these adventurers General Wightman marched with a body of regular troops from Inverness. They had taken possession of the pass at Glenshiel: but, at the approach of the king's forces, retired to the pass at Strathell, which they resolved to defend. They were attacked and driven from one eminence to another till night, when the highlanders dispersed; and next day the Spaniards surrendered themselves prisoners of war. Marischal, Seaforth, and Tullibardine, with some officers, retired to one of the western isles, in order to wait an opportunity of being conveyed to the continent.

§ XVI. On the last day of February the Duke of Somerset represented in the House of Lords, that the number of peers being very much increased, especially since the union of the two kingdoms, it seemed absolutely necessary to take effectual measures for preventing the inconveniences that might attend the creation of a great number of peers, to serve a present purpose: an expedient which had been actually taken in the late reign. He therefore moved that

a bill should be brought in, to settle and limit the peerage, in such a manner, that the number of English peers should not be enlarged beyond six above the present number, which, upon failure of male issue, might be supplied by new creations: that instead of the sixteen elective peers from Scotland, twenty-five should be made hereditary on the part of that kingdom; and that this number, upon failure of the heirs male, should be supplied from the other members of the Scottish peerage. This bill was intended as a restraint upon the Prince of Wales, who happened to be at variance with the present ministry. The motion was supported by the Duke of Argyle, now lord steward of the household, the Earls of Sunderland and Carlisle. It was opposed by the Earl of Oxford, who said, that although he expected nothing from the crown, he would never give his vote for lopping off so valuable a branch of the prerogative, which enabled the king to reward merit and virtuous actions. The debate was adjourned to the second day of March, when Earl Stanhope delivered a message from the king, intimating, that as they had under consideration the state of the British peerage, he had so much at heart the settling it upon such a foundation, as might secure the freedom and constitution of parliaments in all future ages, that he was willing his prerogative should not stand in the way of so great and necessary a work. Another violent debate ensued between the two factions. The question here, as in almost every other dispute, was not, Whether the measure proposed was advantageous to the nation? but, Whether the tory or the whig interest should predominate in parliament? Earl Cowper affirmed, that the part of the bill relating to the Scottish peerage was a manifest violation of the treaty of union, as well as a flagrant piece of injustice, as it would deprive persons of their right, without being heard, and without any pretence of forfeiture on their part. He observed, that the Scottish peers excluded from the number of the twenty-five would be in a worse condition than any other subjects in the kingdom; for they would be neither electing nor elected, neither representing nor represented. These objections were overruled: several resolutions were taken agreeably to the motion; and the judges were ordered to prepare and bring in the bill. This measure alarmed the generality of Scottish peers, as well as many English commoners, who saw in the bill the avenues of dignity and title shut up against them: and they did not fail to exclaim against it, as an encroachment upon the fundamental maxims of the constitution. Treatises were written and published on both sides of the question: and a national clamour began to arise, when Earl Stanhope observed, in the House, that as the bill had raised strange apprehensions, he thought it advisable to postpone the further consideration of it till a more proper opportunity. It was accordingly dropped, and the parliament prorogued on the eighteenth day of April, on which occasion his majesty told both Houses, that the Spanish king had acknowledged the pretender.

§ XVII. The king, having appointed lords justices to rule the kingdom in his absence, embarked in May for Holland, from whence he proceeded to Hanover, where he concluded a peace with Ulrica, the new Queen of Sweden. By this treaty Sweden yielded for ever to the royal and electoral house of Brunswick, the duchies of Bremen and Verden, with all their dependencies: King George obliged himself to pay a million of six-dollars to the Queen of Sweden; and to renew, as King of Great Britain and Elector of Hanover, the alliances formerly subsisting between his predecessors and that kingdom. He likewise mediated a peace between Sweden and his former allies, the Danes and Prussians, and the Poles. The czar, however, refused to give up his schemes of conquest. He sent his fleet to the Scheuron or Bates of Sweden, where his troops landing, to the number of fifteen thousand, committed dreadful outrages: but Sir John Norris, who commanded an English squadron in those seas, having orders to support the negotiations, and oppose any hostilities that might be committed, the czar, dreading the fate of the Spanish navy, thought proper to recall his fleet. In the Mediterranean, Admiral Byng acted with unwearied vigour in assisting the imperialists to finish the conquest of

Annals, Corbet  
Tindal, Hist.  
Reer, Deb. in  
Parliam. Lives  
of the Admirals.

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Sicily. The court of Vienna had agreed to send a strong body of forces to finish the reduction of that island; and the command in this expedition was bestowed upon the Count de Merci, with whom Sir George Byng conferred at Naples. This admiral supplied them with ammunition and artillery from the Spanish prizes. He took the whole reinforcement under his convoy, and saw them safely landed in the bay of Patti, to the number of three thousand five hundred horse, and ten thousand infantry. Count Merci thinking himself more than a match for the Spanish forces commanded by the Marquis de Lede, attacked him in a strong camp at Franca-Villa: and was repulsed with the loss of five thousand men, himself being dangerously wounded in the action. Here his army must have perished for want of provision, had not they been supplied by the English navy.

§ XVIII. Admiral Byng no sooner learned the bad success of Franca-Villa, than he embarked two battalions from the garrison of Melazzo, and about a thousand recruits, whom he sent under a convoy through the Faro to Schesobay, in order to reinforce the imperial army. He afterwards assisted at a council of war with the German generals, who, in consequence of his advice, undertook the siege of Messina. Then he repaired to Naples, where he proposed to Count Gallas, the new viceroy, that the troops destined for the conquest of Sardinia should be first landed in Sicily, and co-operate towards the conquest of that island. The proposal was immediately despatched to the court of Vienna. In the mean time, the admiral returned to Sicily, and assisted at the siege of Messina. The town surrendered; the garrison retired into the citadel; and the remains of the Spanish navy, which had escaped at Passaro, were now destroyed in the Mole. The emperor approved of the scheme proposed by the English admiral, to whom he wrote a very gracious letter, intimating that he had despatched orders to the governor of Milan, to detach the troops designed for Sardinia to Vado, in order to be transported into Italy. The admiral charged himself with the performance of this service. Having furnished the imperial army before Messina with another supply of cannon, powder, and shot, upon his own credit, he set sail for Vado, where he surmounted numberless difficulties, started by the jealousy of Count Bonneval, who was unwilling to see his troops, destined for Sardinia, now diverted to another expedition, in which he could not enjoy the chief command. At length, Admiral Byng saw the forces embarked, and conveyed them to Messina, the citadel of which surrendered in a few days after their arrival. By this time the Marquis de Lede had fortified a strong post at Castro-Giovanne, in the centre of the island: and cantoned his troops about Aderno, Palermo, and Catanea. The imperialists could not pretend to attack him in this situation, nor could they remain in the neighbourhood of Messina, on account of the scarcity of provisions. They would, therefore, have been obliged to quit the island during the winter, had not the admiral undertaken to transport them by sea to Trapani, where they could extend themselves in a plentiful country. He not only executed this enterprise, but even supplied them with corn from Tunis, as the harvest of Sicily had been gathered into the Spanish magazines. It was the second day of March before the last embarkation of the imperial troops were landed at Trapani.

§ XIX. The Marquis de Lede immediately retired with his army to Alcamo, from whence he sent his mareschal-de-camp to Count Merci and the English admiral, with overtures for evacuating Sicily. The proposals were not disagreeable to the Germans; but Sir George Byng declared that the Spaniards should not quit the island while the war continued, as he foresaw that these troops would be employed against France or England. He agreed, however, with Count Merci, in proposing, that if the Marquis would surrender Palermo, and retire into the middle part of the island, they would consent to an armistice for six weeks, until the sentiments of their different courts should be known. The marquis offered to surrender Palermo, in consideration of a suspension of arms for three months; but, while this negotiation was depending, he received advice from Madrid, that a general peace was concluded. Nevertheless, he broke off the treaty, in obedience to a

secret order for that purpose. The King of Spain hoped to obtain the restitution of St. Sebastian's, Fontarabia, and other places taken in the course of the war, in exchange for the evacuation of Sicily. Hostilities were continued until the admiral received advice from the Earl of Stair at Paris, that the Spanish ambassador at the Hague had signed the quadruple alliance. By the same courier packets were delivered to the Count de Merci and the Marquis de Lede, which last gave the admiral and imperial general to understand that he looked upon the peace as a thing concluded; and was ready to treat for a cessation of hostilities. They insisted upon his delivering up Palermo; on the other hand, he urged, that as their masters were in treaty, for settling the terms of evacuating Sicily and Sardinia, he did not think himself authorized to agree to a cessation, except on condition that each party should remain on the ground they occupied, and expect further orders from their principals. After a fruitless interview between the three chiefs at the Cassine de Rossignola, the imperial general resolved to undertake the siege of Palermo: with this view he decamped from Alcamo on the eighteenth day of April, and followed the Marquis de Lede, who retreated before him, and took possession of the advantageous posts that commanded the passes into the plain of Palermo: but Count Merci, with indefatigable diligence, marched over the mountains, while the admiral coasted along shore, attending the motions of the army. The Spanish general perceiving the Germans advancing into the plain, retired under the cannon of Palermo, and fortified his camp with strong entrenchments. On the second day of May the Germans took one of the enemy's redoubts by surprise, and the Marquis de Lede ordered all his forces to be drawn out to retake this fortification: both armies were on the point of engaging, when a courier arrived in a felucca, with a packet for the Marquis, containing full powers to treat and agree about the evacuation of the island, and the transportation of the army to Spain. He forthwith drew off his army; and sent a trumpet to the general and admiral, with letters, informing them of the orders he had received. Commissioners were appointed on each side, the negotiations begun, and the convention signed in a very few days. The Germans were put in possession of Palermo, and the Spanish army marched to Taormini, from whence they were transported to Barcelona.

§ XX. The admiral continued in the Mediterranean until he had seen the islands of Sicily and Sardinia evacuated by the Spaniards, and the mutual cessions executed between the emperor and the Duke of Savoy; in consequence of which, four battalions of Piedmontese troops were transported from Palermo to Sardinia, and took possession of Cagliari in the name of their master. In a word, Admiral Byng bore such a considerable share in this war of Sicily, that the fate of the island depended wholly on his courage, vigilance, and conduct. When he waited on his majesty at Hanover, he met with a very gracious reception. The king told him he had found out the secret of obliging his enemies as well as his friends; for the court of Spain had mentioned him in the most honourable terms, with respect to his candid and friendly deportment, in providing transports and other necessities for the embarkation of their troops, and in protecting them from oppression. He was appointed treasurer of the navy, and rear-admiral of Great Britain: in a little time the king ennobled him, by the title of Viscount Torrington: he was declared a privy counsellor; and afterwards made Knight of the Bath, at the revival of that order. During these occurrences in the Mediterranean, the Duke of Berwick advanced with the French army to the frontiers of Spain, where he took Fort-Passage, and destroyed six ships of war that were on the stocks: then he reduced Fontarabia and St. Sebastian's, together with Port Antonio in the bottom of the bay of Biscay. In this last exploit the French were assisted by a detachment of English seamen, who burned two large ships unfinished, and a great quantity of naval stores. The King of England, with a view to indemnify himself for the expense of the war, projected the conquest of Corunna in Biscay, and of Peru in South America. Four thousand men, commanded by Lord Cobham, were embarked at the isle of Wight, and sailed

on the twenty-first day of September, under convoy of five ships of war, conducted by Admiral Mighels. Instead of making an attempt upon Corunna, they reduced Vigo with very little difficulty; and Point-a-Vedra submitted without resistance; here they found some brass artillery, small arms, and military stores, with which they returned to England. In the meantime, Captain Johnson, with two English ships of war, destroyed the same number of Spanish ships in the port of Ribadeo, to the eastward of Cape Ortegas; so that the naval power of Spain was totally ruined. The expedition to the West Indies was prevented by the peace. Spain being oppressed on all sides, and utterly exhausted, Philip saw the necessity of a speedy pacification. He now perceived the madness of Alberoni's ambitious projects. That minister was personally disagreeable to the emperor, the King of England, and the Regent of France, who had declared they would hearken to no proposals while he should continue in office: the Spanish monarch, therefore, divested him of his employment, and ordered him to quit the kingdom in three weeks. The Marquis de Beretti Landi, minister from the court of Madrid at the Hague, delivered a plan of pacification to the States: but it was rejected by the allies; and Philip was obliged at last to accede to the quadruple alliance.

§ XXI. On the fourteenth day of November, King George returned to England, and on the twenty-third opened the session of parliament with a speech, in which he told them, that all Europe, as well as Great Britain, was on the point of being delivered from the calamities of war, by the influence of British arms and councils. He exhorted the Commons to concert proper means for lessening the debts of the nation; and concluded with a panegyric upon his own government. It must be owned he had acted with equal vigour and deliberation in all the troubles he had encountered since his accession to the throne. The addresses of both Houses were as warm as he could desire. They in particular extolled him for having interposed in behalf of the protestants of Hungary, Poland, and Germany, who had been oppressed by the practices of the Popish clergy, and presented to him memorials, containing a detail of their grievances. He and all the other protestant powers warmly interceded in their favour; but the grievances were not redressed. The peerage bill was now revived by the Duke of Buckingham; and in spite of all opposition, passed through the House of Lords. It had been projected by Earl Stanhope, and eagerly supported by the Earl of Sunderland; therefore, Mr. Robert Walpole attacked it in the House of Commons with extraordinary vehemence. Here too it was opposed by a considerable number of whig members; and, after warm debates, rejected by a large majority. The next object that engrossed the attention of the parliament was a bill for better securing the dependency of Ireland upon the crown of Great Britain. Maurice Annesley had appealed to the House of Peers in England, from a decree of the House of Peers in Ireland, which was reversed. The British Peers ordered the barons of the exchequer in Ireland to put Mr. Annesley in possession of the lands he had lost by the decree in that kingdom. The barons obeyed this order; and the Irish House of Peers passed a vote against them, as having acted in derogation to the king's prerogative in his high court of parliament in Ireland, as also of the rights and privileges of that kingdom, and of the parliament thereof; they, likewise, ordered them to be taken into custody of the usher of the black rod; they transmitted a long representation to the king, demonstrating their right to the final judicature of causes: and the Duke of Leeds, in the upper House, urged fifteen reasons to support the claim of the Irish Peers. Notwithstanding these arguments, the House of Lords in England resolved that the barons of the exchequer in Ireland had acted with courage, according to law, in support of his majesty's prerogative, and with fidelity to the crown of Great Britain. They addressed the king to confer on them some marks of his royal favour, as a recompence for the ill usage they had undergone. Finally, they prepared the bill, by which the Irish House of Lords was deprived of all right to pass sentence, affirm, or reverse any judgment or decree, given or made, in any court within that kingdom. In the House of Commons it was opposed by

Mr. Pitt, Mr. Hungerford, Lords Molesworth and Tyrconnel; but was carried by the majority and received the royal assent.

§ XXII. The king having recommended to the Commons the consideration of proper means for lessening the national debt, was a prelude to the famous South Sea act, which became productive of so much mischief and infatuation. The scheme was projected by Sir John Blunt, who had been bred a scrivener, and was possessed of all the cunning, plausibility, and boldness requisite for such an undertaking. He communicated his plan to Mr. Aislabie, the chancellor of the exchequer, as well as to one of the secretaries of state. He answered all their objections; and the project was adopted. They foresaw their own private advantage in the execution of the design, which was imparted in the name of the South Sea company, of which Blunt was a director, who influenced all their proceedings. The pretence for the scheme was to discharge the national debt, by reducing all the funds into one. The bank and South Sea company outbid each other. The South Sea company altered their original plan, and offered such high terms to government, that the proposals of the bank were rejected; and a bill was ordered to be brought into the House of Commons, formed on the plan presented by the South Sea company. While this affair was in agitation, the stock of that company rose from one hundred and thirty to near four hundred, in consequence of the conduct of the Commons, who had rejected a motion for a clause in the bill, to fix what share in the capital stock of the company should be vested in those proprietors of the annuities who might voluntarily subscribe; or how many years' purchase in money they should receive in subscribing, at the choice of the proprietors. In the House of Lords, the bill was opposed by

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Lord North and Grey, Earl Cowper, the Dukes of Wharton, Buckingham, and other peers. They affirmed it was calculated for enriching a few and impoverishing a great number; that it countenanced the fraudulent and pernicious practice of stock-jobbing, which diverted the genius of the people from trade and industry; that it would give foreigners the opportunity to double and treble the vast sums they had in the public funds; and they would be tempted to realize and withdraw their capital and immense gains to other countries; so that Great Britain would be drained of its gold and silver; that the artificial and prodigious rise of the South Sea stock was a dangerous bait, which might decoy many unwary people to their ruin, alluring them by a false prospect of gain to part with the fruits of their industry, to purchase imaginary riches; that the addition of above thirty millions capital would give such power to the South Sea company, as might endanger the liberties of the nation; for by their extensive interest they would be able to influence most if not all the elections of the members; and consequently overrule the resolutions of the House of Commons. Earl Cowper urged, that in all public bargains the individuals in the administration ought to take care, that they should be more advantageous to the state than to private persons; but that a contrary method had been followed in the contract made with the South Sea company; for, should the stocks be kept at the advanced price to which they had been raised by the oblique arts of stock-jobbing, either that company or its principal members would gain above thirty millions, of which no more than one fourth part would be given towards the discharge of the national debts. He apprehended that the re-purchase of annuities would meet with insuperable difficulties: and, in such case, none but a few persons who were in the secret, who had bought stocks at a low rate, and afterwards sold them at a high price, would in the end be gainers by the project. The Earl of Sunderland answered their objections. He declared that those who countenanced the scheme of the South Sea company, had nothing in view but the advantage of the nation. He owned that the managers for that company had undoubtedly a prospect of private gain, either to themselves or to their corporation; but, he said, when the scheme was accepted, neither the one nor the other could foresee that the stocks would have risen to such a height; that if they had con-

Annals Corbet.  
Hist. Reg. Tindal.  
Lives of the Admirals.



tinued as they were, the public would have had the far greater share of the advantage accruing from the scheme; and should they be kept up to the present high price, it was but reasonable that the South Sea company should enjoy the profits procured to it by the wise management and industry of the directors, which would enable it to make large dividends, and thereby accomplish the purpose of the scheme. The bill passed without amendment or division; and on the seventh day of April, received the royal assent. By this act the South Sea company was authorized to take in, by purchase or subscription, the irredeemable debts of the nation, stated at sixteen millions five hundred forty-six thousand four hundred eighty-two pounds, seven shillings, one penny farthing, at such times as they should find it convenient before the first day of March of the ensuing year, and without any compulsion on any of the proprietors, at such rates and prices as should be agreed upon between the company and the respective proprietors. They were likewise authorized to take in all the redeemable debts, amounting to the same sum as that of the irredeemables, either by purchase, by taking subscriptions, or by paying off the creditors. For the liberty of taking in the national debts, and increasing their capital stock accordingly, the company consented that their present, and to be increased, annuity, should be continued at five per cent. till Midsummer, in the year one thousand seven hundred and twenty-seven; from thence to be reduced to four per cent. and be redeemable by parliament. In consideration of this and other advantages expressed in the act, the company declared themselves willing to make such payments into the receipt of the exchequer as were specified for the use of the public, to be applied to the discharge of the public debts incurred before Christmas, in the year one thousand seven hundred and sixteen. The sums they were obliged to pay for the liberty of taking in the redeemable debts, four years and a half's purchase for all long and short annuities that should be subscribed, and one year's purchase for such long annuities as should not be subscribed, amounted on the execution of the act to about seven millions. For enabling the company to raise this sum, they were empowered to make calls for money from their members; to open books of subscription; to grant annuities redeemable by the company; to borrow money upon any contract or bill under their common seal, or on the credit of their capital stock; to convert the money demanded of their members into additional stock, without, however, making any addition to the company's annuities, payable out of the public duties. It was enacted, that out of the first monies arising from the sums paid by the company into the exchequer, such public debts, carrying interest at five per cent. incurred before the twenty-fifth day of December, in the year one thousand seven hundred and sixteen, founded upon any former act of parliament, as were now redeemable, or might be redeemed before the twenty-fifth day of December, in the year one thousand seven hundred and twenty-two, should be discharged in the first place; that then all the remainder should be applied towards paying off so much of the capital stock of the company as should then carry an interest of five per cent. It was likewise provided, that after Midsummer, in the year one thousand seven hundred and twenty-seven, the company should not be paid off in any sums being less than one million at a time.

§ XXIII. The heads of the Royal Assurance and London Assurance companies, understanding that the civil list was considerably in arrears, offered to the ministry six hundred thousand pounds towards the discharge of that debt, on condition of their obtaining the king's charter, with a parliamentary sanction, for the establishment of their respective companies. The proposal was embraced; and the king communicated it in a message to the House of Commons, desiring their concurrence. A bill was immediately passed, enabling his majesty to grant letters of incorporation to the two companies. It soon obtained the royal assent: and, on the eleventh day of June, an end was put to the session. This was the age of interested projects, inspired by a venal spirit of adventure, the natural consequence of that avarice, fraud, and profligacy, which the monied corporations had introduced. This of all others is the most unfavourable era for an historian. A

reader of sentiment and imagination cannot be entertained or interested by a dry detail of such transactions as admit of no warmth, no colouring, no embellishment; a detail which serves only to exhibit an inanimate picture of tasteless vice and mean degeneracy.

§ XXIV. By this time an alliance offensive and defensive was concluded at Stockholm between King George and the Queen of Sweden, by which his majesty engaged to send a fleet into the Baltic, to act against the Czar of Muscovy, in case that monarch should reject reasonable proposals of peace. Peter loudly complained of the insolent interposition of King George, alleging that he had failed in his engagements, both as Elector of Hanover and King of Great Britain. His resident at London presented a long memorial on this subject, which was answered by the British and Hanoverian ministry. These recriminations served only to inflame the difference. The czar continued to prosecute the war, and at length concluded a peace without a mediator. At the instances, however, of King George and the Regent of France, a treaty of peace was signed between the Queen of Sweden and the King of Prussia, to whom that princess ceded the city of Stettin, the district between the rivers Oder and Pehanne, with the isles of Wollin and Usedom. On the other hand, he engaged to join the King of Great Britain in his endeavours to effect a peace between Sweden and Denmark, on condition that the Danish king should restore to Queen Ulrica that part of Pomerania which he had seized: he likewise promised to pay to that queen two millions of rix-dollars, in consideration of the cessions she had made. The treaty between Sweden and Denmark was signed at Frederickstadt in the month of June, through the mediation of the King of Great Britain, who became guarantee for the Dane's keeping possession of Sleswick. He consented, however, to restore the Upper Pomerania, the isle of Rugen, the city of Wismar, and whatever he had taken from Sweden during the war, in consideration of Sweden's renouncing the exemption from toll in the Sound, and the two Belts: and paying to Denmark six hundred thousand rix-dollars.

§ XXV. Sir John Norris had again sailed to the Baltic with a strong squadron, to give weight to the king's mediation. When he arrived at Copenhagen he wrote a letter to Prince Dolgorouki, the czar's ambassador at the court of Denmark, signifying that he and the king's envoy at Stockholm were vested with full powers to act jointly or separately in quality of plenipotentiaries, in order to effect a peace between Sweden and Muscovy, in the way of mediation. The prince answered that the czar had nothing more at heart than peace and tranquillity; and in case his Britannic majesty had any proposals to make to that prince, he hoped the admiral would excuse him from receiving them, as they might be delivered in a much more compendious way. The English fleet immediately joined that of Sweden as auxiliaries; but they had no opportunity of acting against the Russian squadron, which secured itself in Revel. Ulrica, Queen of Sweden, and sister to Charles XII. had married the Prince of Hesse, and was extremely desirous that he should be joined with her in the administration of the regal power. She wrote a separate letter to each of the four states, desiring they would confer on him the sovereignty; and after some opposition from the nobles, he was actually elected King of Sweden. He sent one of his general officers to notify his elevation to the czar, who congratulated him upon his accession to the throne; this was the beginning of a negotiation which ended in peace, and established the tranquillity of the north. In the midst of these transactions, King George set out from England for his Hanoverian dominions; but, before he departed from Great Britain, he was reconciled to the Prince of Wales, through the endeavours of the Duke of Devonshire and Mr. Walpole, who, with Earl Cowper, Lord Townshend, Mr. Methuen, and Mr. Pulteney, were received into favour, and re-united with the ministry. The Earls of Dorset and Bridgewater were promoted to the title of dukes: Lord Viscount Castleton was made an earl; Hugh Boscawen was created a baron, and Viscount Falkmouth; and John Wallop, baron, and Viscount of Lynton.

§ XXVI. While the king was involved at Hanover in a

labyrinth of negotiations, the South Sea scheme produced a kind of national delirium in his English dominions. Blunt, the projector, had taken the hint of his plan from the famous Mississippi scheme formed by Law, which in the preceding year had raised such a ferment in France, and entailed ruin upon many thousand families of that kingdom. In this scheme of Law, there was something substantial. An exclusive trade to Louisiana promised some advantage: though the design was defeated by the frantic eagerness of the people. Law himself became the dupe of the regent, who transferred the burthen of fifteen hundred millions of the king's debts to the shoulders of the subject; while the projector was sacrificed as the scape-goat of political iniquity. The South Sea scheme promised no commercial advantage of any consequence. It was buoyed up by nothing but the folly and rapaciousness of individuals, which became so blind and extravagant, that Blunt, with moderate talents, was able to impose upon the whole nation, and make tools of the other directors, to serve his own purposes, and those of a few associates. When this projector found that the South Sea stock did not rise according to his expectation upon the bill's being passed, he circulated a report, that Gibraltar and Port-Mahon would be exchanged for some places in Peru; by which means the English trade to the South Sea would be protected and enlarged. This rumour, diffused by his emissaries, acted like a contagion. In five days the directors opened their books for a subscription of one million, at the rate of three hundred pounds for every hundred pounds capital. Persons of all ranks crowded to the house in such a manner, that the first subscription exceeded two millions of original stock. In a few days this stock advanced to three hundred and forty pounds; and the subscriptions were sold for double the price of the first payment. Without entering into a detail of the proceedings, or explaining the scandalous arts that were practised to enhance the value of the stock, and decoy the unwary, we shall only observe, that by the promise of prodigious dividends, and other infamous arts, the stock was raised to one thousand; and the whole nation infected with the spirit of stock-jobbing to an astonishing degree. All distinctions of party, religion, sex, character, and circumstances, were swallowed up in this universal concern, or in some such pecuniary project. Exchange-alley was filled with a strange concourse of statesmen and clergymen, churchmen and dissenters, whigs and Tories, physicians, lawyers, tradesmen, and even with multitudes of females. All other professions and employments were utterly neglected; and the people's attention wholly engrossed by this and other chimerical schemes, which were known by the denomination of bubbles. New companies started up every day, under the countenance of the prime nobility. The Prince of Wales was constituted governor of the Welch copper company: the Duke of Chandos appeared at the head of the York-buildings company: the Duke of Bridgewater formed a third, for building houses in London and Westminster. About a hundred such schemes were projected and put in execution, to the ruin of many thousands. The sums proposed to be raised by these expedients amounted to three hundred millions sterling, which exceeded the value of all the lands in England. The nation was so intoxicated with the spirit of adventure, that people became a prey to the grossest delusion. An obscure projector, pretending to have formed a very advantageous scheme, which, however, he did not explain, published proposals for a subscription, in which he promised, that in one month the particulars of his project should be disclosed. In the mean time he declared that every person paying two guineas should be entitled to a subscription for one hundred pounds, which would produce that sum yearly. In one forenoon this adventurer received a thousand of these subscriptions; and in the evening set out for another kingdom. The king, before his departure, had issued a proclamation against these unlawful projects; the lords justices afterwards dismissed all the petitions that had been presented for charters and patents; and the Prince of Wales renounced the company of which he had been elected governor. The South Sea scheme raised such a flood of eager avidity and extravagant hope, that the majority of the directors were swept along with it,

even contrary to their own sense and inclination; but Blunt and his accomplices still directed the stream.

§ XXVII. The infatuation prevailed till the eighth day of September, when the stock began to fall. Then did some of the adventurers awake from their delirium. The number of the sellers daily increased. On the twenty-ninth day of the month the stock had sunk to one hundred and fifty: several eminent goldsmiths and bankers, who had lent great sums upon it, were obliged to stop payment, and abscond. The ebb of this portentous tide was so violent, that it bore down every thing in its way; and an infinite number of families were overwhelmed with ruin. Public credit sustained a terrible shock: the nation was thrown into a dangerous ferment; and nothing was heard but the ravings of grief, disappointment, and despair. Some principal members of the ministry were deeply concerned in these fraudulent transactions: when they saw the price of stock sinking daily, they employed all their influence with the bank to support the credit of the South Sea company. That corporation agreed, though with reluctance, to subscribe into the stock of the South Sea company, valued at four hundred per cent. three millions five hundred thousand pounds, which the company was to repay to the bank on Lady-day and Michaelmas of the ensuing year. This transaction was managed by Mr. Robert Walpole, who, with his own hand, wrote the minute of agreement, afterwards known by the name of the bank contract. Books were opened at the bank, to take in a subscription for the support of public credit: and considerable sums of money were brought in. By this expedient the stock was raised at first, and those who contrived it seized the opportunity to realize. But the bankruptcy of goldsmiths and the sword-blade company, from the fall of South Sea stock, occasioned such a run upon the bank, that the money was paid away faster than it could be received from the subscription. Then the South Sea stock sunk again; and the directors of the bank, finding themselves in danger of being involved in that company's ruin, renounced the agreement, which, indeed, they were under no obligation to perform, for it was drawn up in such a manner, as to be no more than the rough draft of a subsequent agreement, without due form, penalty, or clause of obligation. All expedients having failed, and the clamours of the people daily increasing, expresses were despatched to Hanover, representing the state of the nation, and pressing the king to return. He accordingly shortened his intended stay in Germany, and arrived in England on the eleventh day of November.

§ XXVIII. The parliament being assembled on the eighth day of December, his majesty expressed his concern for the unhappy turn of affairs, which had so deeply affected the public credit at home: he earnestly desired the Commons to consider of the most effectual and speedy methods to restore the national credit, and fix it upon a lasting establishment. The lower House was too much interested in the calamity, to postpone the consideration of that subject. The members seemed to lay aside all party distinctions, and vie with each other in promoting an inquiry, by which justice might be done to the injured nation. They ordered the directors to produce an account of all their proceedings. Sir Joseph Jekyll moved, that a select committee might be appointed, to examine the particulars of this transaction. Mr. Walpole, now paymaster of the forces, observed, that such a method would protract the inquiry while the public credit lay in a bleeding condition. He told the House he had formed a scheme for restoring public credit; but before he would communicate this plan, desired to know whether the subscriptions of public debts and encumbrances, money subscriptions, and other contracts made with the South Sea company, should remain in the present state. After a warm debate, the question was carried in the affirmative, with this addition, "Unless altered for the ease and relief of the proprietors, by a general court of the South Sea company, or set aside in due course of law." Next day Walpole produced his scheme, to infract nine millions of South Sea stock into the bank of England, and the like sum into the East India company, on certain conditions. The House voted, that proposals should be received from the bank, and those two companies, on this subject. These being de-

livered, the Commons resolved, that an engrossment of nine millions of the capital stock of the South Sea company, into the capital stock of the bank and East India company as proposed by these companies, would contribute very much to the restoring public credit. A bill upon this resolution was brought in, passed through both Houses, and received the royal assent. Another bill was enacted into a law, for restraining the sub-governor, deputy-governor, directors, treasurer, under-treasurer, cashier, secretary, and accomptants, of the South Sea company, from quitting the kingdom, till the end of the next session of parliament; and for discovering their estates and effects, so as to prevent them from being transported or alienated. A committee of secrecy was chosen by ballot, to examine all the books, papers, and proceedings, relating to the execution of the South Sea act.

§ XXIX. The Lords were not less eager than the Commons to prosecute this inquiry, though divers members in both Houses were deeply involved in the guilt and infamy of the transaction. Earl Stanhope said the estates of the criminals, whether directors or not directors, ought to be confiscated, to repair the public losses. He was seconded by Lord Cartaret, and even by the Earl of Sunderland. The Duke of Wharton declared he would give up the best friend he had, should he be found guilty. He observed, that the nation had been plundered in a most flagrant and notorious manner; therefore, they ought to find out and punish the offenders severely, without respect to persons. The sub and deputy governors, the directors and officers of the South Sea company, were examined at the bar of the House. Then a bill was brought in, disabling them to enjoy any office in that company, or in the East India company, or in the bank of England. Three brokers were likewise examined, and made great discoveries. Knight, the treasurer of the South Sea company, who had been intrusted with the secrets of the whole affair, thought proper to withdraw himself from the kingdom. A proclamation was issued to apprehend him; and another for preventing any of the directors from escaping out of the kingdom. At this period the secret committee informed the House of Commons, that they had already discovered a train of the deepest villany and fraud that hell ever contrived to ruin a nation, which in due time they would lay before the House: in the meanwhile, they thought it highly necessary to secure the persons of some of the directors and principal officers of the South Sea company, as well as to seize their papers. An order was made to secure the books and papers of Knight, Surman, and Turner. The persons of Sir George Caswell, Sir John Blunt, Sir John Lambert, Sir John Fellowes, and Mr. Grigsby were taken into custody. Sir Theodore Jansen, Mr. Sawbridge, Sir Robert Chaplain, and Mr. Eyles were expelled the House, and apprehended. Mr. Aislable resigned his employments of chancellor of the exchequer and lord of the treasury; and orders were given to remove all directors of the South Sea company from the places they possessed under the government.

§ XXX. The Lords, in the course of their examination, discovered that large portions of South Sea stock had been given to several persons in the administration and House of Commons, for promoting the passing of the South Sea act. The House immediately resolved, that this practice was a notorious and most dangerous species of corruption: that the directors of the South Sea company having ordered great quantities of their stock to be bought for the service of the company, when it was at a very high price, and on pretence of keeping up the price of stock, and at the same time several of the directors, and other officers belonging to the company, having, in a clandestine manner, sold their own stock to the company, such directors and officers were guilty of a notorious fraud and breach of trust, and their so doing was one great cause of the unhappy turn of affairs, that had so much affected public credit. Many other resolutions were taken against that infamous confederacy, in which, however, the innocent were confounded with the guilty. Sir John Blunt, refusing to answer certain interrogations, a violent debate arose about the manner in which he should be treated. The Duke of Wharton observed, that the government of the best princes was sometimes rendered intolerable to

their subjects by bad ministers: he mentioned the example of Sejanus, who had made a division in the imperial family, and rendered the reign of Claudius hateful to the Romans. Earl Stanhope conceiving this reflection was aimed at him, was seized with a transport of anger. He undertook to vindicate the ministry; and spoke with such vehemence as produced a violent head-ache, which obliged him to retire. He underwent proper evacuations, and seemed to recover: but next day, in the evening, became lethargic, and being seized with a suffocation, instantly expired. The king deeply regretted the death of this favourite minister, which was the more unfortunate as it happened at such a critical conjuncture; and he appointed Lord Townshend to fill his place of secretary. Earl Stanhope was survived but a few days by the other secretary, Mr. Craggs, who died of the small-pox on the sixteenth day of February. Knight, the cashier of the South Sea company, being seized at Trierlemont, by the vigilance of Mr. Gandot, secretary to Mr. Leathes, the British resident at Brussels, was confined in the citadel of Antwerp. Application was made to the court of Vienna, that he should be delivered to such persons as might be appointed to receive him: but he had found means to interest the states of Brabant in his behalf. They insisted upon their privilege granted by charter, that no person apprehended for any crime in Brabant should be tried in any other country. The House of Commons expressed their indignation at this frivolous pretence: instances were renewed to the emperor; and in the mean time Knight escaped from the citadel of Antwerp.

§ XXXI. The committee of secrecy found, that, before any subscription could be made, a fictitious stock of five hundred and seventy-four thousand pounds had been disposed of by the directors, to facilitate the passing the bill. Great part of this was distributed among the Earl of Sunderland, Mr. Craggs, senior, the Duchess of Kendal, the Countess of Platen, and her two nieces, Mr. Secretary Craggs, and Mr. Aislable, chancellor of the exchequer. In consequence of the committee's report, the House came to several severe though just resolutions against the directors and officers of the South Sea company; and a bill was prepared for the relief of the unhappy sufferers. Mr. Stanhope, one of the secretaries of the treasury, charged in the report with having large quantities of stock and subscriptions, desired that he might have an opportunity to clear himself. His request was granted; and the affair being discussed, he was cleared by a majority of three voices. Fifty thousand pounds in stock had been taken by Knight for the use of the Earl of Sunderland. Great part of the House entered eagerly into this inquiry; and a violent dispute ensued. The whole strength of the ministry was mustered in his defence. The majority declared him innocent: the nation in general was of another opinion. He resigned his place of first commissioner in the treasury, which was bestowed upon Mr. Robert Walpole; but he still retained the confidence of his master. With respect to Mr. Aislable, the evidence appeared so strong against him, that the Commons resolved, he had promoted the destructive execution of the South Sea scheme, with a view to his own exorbitant profit, and combined with the directors in their pernicious practices, to the ruin of public credit. He was expelled the House, and committed to the Tower. Mr. Cragg, senior, died of the lethargy, before he underwent the censure of the House. Nevertheless, they resolved that he was a notorious accomplice with Robert Knight, and some of the directors in carrying on their scandalous practices; and therefore, that all the estate of which he was possessed, from the first day of December in the preceding year, should be applied towards the relief of the unhappy sufferers in the South-sea company. The directors, in obedience to the order of the House, delivered in inventories of their estates, which were confiscated by act of parliament, towards making good the damages sustained by the company, after a certain allowance was deducted for each, according to his conduct and circumstances.

§ XXXII. The delinquents being thus punished by the forfeiture of their fortunes, the House converted their attention to means for repairing

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the mischiefs which the scheme had produced. This was a very difficult task, on account of the contending interests of those engaged in the South Sea company, which rendered it impossible to relieve some but at the expense of others. Several wholesome resolutions were taken, and presented with an address to the king, explaining the motives of their proceedings. On the twenty-ninth day of July the parliament was prorogued for two days only. Then his majesty going to the House of Peers, declared that he had called them together again so suddenly, that they might resume the consideration of the state of public credit. The Commons immediately prepared a bill upon the resolutions they had taken. The whole capital stock, at the end of the year one thousand seven hundred and twenty, amounted to about thirty-seven millions eight hundred thousand pounds. The stock allotted to all the proprietors did not exceed twenty-four millions five hundred thousand pounds: the remaining capital stock belonged to the company in their corporate capacity. It was the profit arising from the execution of the South Sea scheme; and out of this the bill enacted, that seven millions should be paid to the public. The present act likewise directed several additions to be made to the stock of the proprietors, out of that possessed by the company in their own right; it made a particular distribution of stock, amounting to two millions two hundred thousand pounds; and upon remitting five millions of the seven to be paid to the public, annihilated two millions of their capital. It was enacted, that after these distributions, the remaining capital stock should be divided among all the proprietors. This dividend amounted to thirty-three pounds six shillings and eight pence per cent. and deprived the company of eight millions nine hundred thousand pounds. They had lent above eleven millions on stock unredeemed: of which the parliament discharged all the debtors, upon their paying ten per cent. Upon this article the company's loss exceeded six millions nine hundred thousand pounds; for many debtors refused to make any payment. The proprietors of the stock loudly complained of their being deprived of two millions; and the parliament in the sequel revived that sum which had been annihilated. While this affair was in agitation, petitions from counties, cities, and boroughs, in all parts of the kingdom, were presented to the House, crying for justice against the villany of the directors. Pamphlets and papers were daily published on the same subject; so that the whole nation was exasperated to the highest pitch of resentment. Nevertheless, by the wise and vigorous resolutions of the parliament, the South Sea company was soon in a condition to fulfil their engagements with the public; the ferment of the people subsided; and the credit of the nation was restored.

### CHAP. III.

§ I. Bill against atheism and immorality postponed. § II. Session closed. § III. Alliance between Great Britain, France, and Spain. § IV. Plague at Marseilles. § V. Debates in the House of Lords about Mr. T. the printer. § VI. Sentiments of some Lords touching the war with Spain. § VII. Petition of the quakers. The parliament dissolved. § VIII. Rumours of a conspiracy. The Bishop of Rochester is committed to the Tower. § IX. New parliament. § X. Declaration of the pretender. § XI. Report of the secret committee. § XII. Bill of pains and penalties against the Bishop of Rochester. § XIII. Who is executed, and others into perpetual exile. § XIV. Proceedings against those concerned in the letters of Hendburgh. § XV. Affairs of the court. § XVI. Calamity in Ireland on account of Wood's exaction. § XVII. Death of the Duke of Orleans. § XVIII. Amist for lessening the public debts. § XIX. Philip, King of Spain, declares the throne vacant in chancery. § XXI. Trial of the Earl of Manchester. § XXII. Debates about the debts of the civil list. § XXIII. A bill in favour of the late Lord Bolingbroke. § XXIV. Treaty of alliance between Great Britain, Prussia, and Madrid. § XXV. Treaty of Hanover. § XXVI. Approved in parliament. § XXVII. Riots in Scotland on account of the salt tax. § XXVIII. A small squadron sent to the Baltic. § XXIX. Admiral Hester's expedition to the West Indies. § XXX. Presence of the Duke de Enghien. § XXXI. Substance of the king's speech to parliament. § XXXII. Debate in the House of Lords upon the approaching rupture with the emperor and Spain. § XXXIII. Memorial of Mr. Palao, the imperial resident at London. § XXXIV. Conventions with Sweden, and Hesse-Cassel. § XXXV. Treaty of commerce. § XXXVI. Siege of Gibraltar by the Spaniards. § XXXVII. Preliminaries of peace. § XXXVIII. Death and character of George I. King of Great Britain.

A. D. 1721. § I. DURING the infatuation produced by this infamous scheme, luxury, vice, and profligacy, increased to a shocking degree of extravagance. The adventurers, intoxicated by their imaginary wealth,

paupered themselves with the rarest dainties, and the most expensive wines that could be imported: they purchased the most sumptuous furniture, equipage, and apparel, though without taste or discernment: they indulged their criminal passions to the most scandalous excess: their discourse was the language of pride, insolence, and the most ridiculous ostentation: they affected to scoff at religion and morality: and even to set Heaven at defiance. The Earl of Nottingham complained in the House of Lords of the growth of atheism, profaneness, and immorality; and a bill was brought in for suppressing blasphemy and profaneness. It contained several articles seemingly calculated to restrain the liberty granted to nonconformists by the laws of the last session; for that reason it met with violent opposition. It was supported by the Archbishop of Canterbury, the Earl of Nottingham, Lord Bathurst and Trevor, the Bishops of London, Winchester, and Litchfield and Coventry. One of these said, he verily believed the present calamity occasioned by the South Sea project was a judgment of God on the blasphemy and profaneness of the nation. Lord Onslow replied, "That noble peer must then be a great sinner, for he has lost considerably by the South Sea scheme." The Duke of Wharton, who had rendered himself famous by his wit and profligacy, said he was not insensible of the common opinion of the town concerning himself, and gladly seized this opportunity of vindicating his character, by declaring he was far from being a patron of blasphemy, or an enemy to religion. On the other hand, he could not but oppose the bill, because he conceived it to be repugnant to the Holy Scripture. Then pulling an old family Bible from his pocket, he quoted several passages from the Epistles of St. Peter and St. Paul; concluding with a desire that the bill might be thrown out. The Earl of Peterborough declared, that though he was for a parliamentary king, yet he did not desire to have a parliamentary God, or a parliamentary religion; and should the House declare for one of this kind, he would go to Rome, and endeavour to be chosen a cardinal; for he had rather sit in the conclave than with their lordships upon those terms. After a vehement debate, the bill was postponed to a long day, by a considerable majority.

§ II. The season was far advanced before the supplies were granted: and at length they were not voted with that cheerfulness and good humour which the majority had hitherto manifested on such occasions. On the sixteenth day of June, the king sent a message to the House of Commons, importing, that he had agreed to pay a subsidy to the crown of Sweden, and he hoped they would enable him to make good his engagements. The leaders of the opposition took fire at this intimation. They desired to know whether this subsidy, amounting to seventy-two thousand pounds, was to be paid to Sweden over and above the expense of maintaining a strong squadron in the Baltic; Lord Molesworth observed that, by our late conduct, we were become the allies of the whole world, and the bubbles of all our allies: for we were obliged to pay them well for their assistance. He affirmed that the treaties which had been made with Sweden, at different times, were inconsistent and contradictory: that our late engagements with that crown were contrary to the treaties subsisting with Denmark, and directly opposite to the measures formerly concerted with the Czar of Muscovy. He said, that in order to engage the czar to yield what he had gained in the course of the war, the King of Prussia ought to give up Stetin, and the Elector of Hanover restore Bremen and Verden: that, after all, England had no business to intermeddle with the affairs of the empire: that we reaped little or no advantage by our trade to the Baltic, but that of procuring naval stores; he owned that hemp was a very necessary commodity, particularly at this juncture; but he insisted, that if due encouragement were given to some of our plantations in America, we might be supplied from thence at a much cheaper rate than from Sweden and Norway. Notwithstanding these arguments, the Swedish supply was granted; and, in about three weeks, their complaisance was put to another proof. They were given to understand, by a second message, that the debts of the civil list amounted to five hundred and fifty thousand pounds; and his majesty hoped they would empower him to raise that sum upon the revenue, as he

proposed it should be repaid to the civil list, and reimbursed by a deduction from the salaries and wages of all officers, as well as from the pensions and other payments from the crown. A bill was prepared for this purpose, though not without warm opposition; and, at the same time, an act passed for a general pardon. On the tenth day of August, the king closed the session with a speech, in which he expressed his concern for the sufferings of the innocent, and a just indignation against the guilty, with respect to the South Sea scheme. These professions were judged necessary to clear his own character, which had incurred the suspicion of some people, who whispered that he was not altogether free from connexions with the projectors of that design; that the emperor had, at his desire, refused to deliver up Knight; and that he favoured the directors and their accomplices.

§ III. Lords Townshend and Cartaret were now appointed secretaries of state; and the Earl of Ilay was vested with the office of lord privy seal of Scotland. In June the treaty of peace between Great Britain and Spain was signed at Madrid. The contracting parties engaged to restore mutually all the effects seized and confiscated on both sides. In particular, the King of England promised to restore all the ships of the Spanish fleet which had been taken in the Mediterranean, or the value of them, if they were sold. He likewise promised, in a secret article, that he would no longer interfere in the affairs of Italy; and the King of Spain made an absolute cession of Gibraltar and Port-Mahon. At the same time, a defensive alliance was concluded between Great Britain, France, and Spain. All remaining difficulties were referred to a congress at Cambray, where they hoped to consolidate a general peace, by determining all differences between the emperor and his catholic majesty. In the mean time, the powers of Great Britain, France, and Spain, engaged, by virtue of the present treaty, to grant to the Duke of Parma a particular protection for the preservation of his territories and rights, and for the support of his dignity. It was also stipulated, that the States-general should be invited to accede to this alliance. The congress at Cambray was opened: but the demands on both sides were so high, that it proved ineffectual. In the mean time, the peace between Russia and Sweden was concluded on condition that the czar should retain Livonia, Ingria, Estonia, part of Carelia, and of the territory of Wyburg, Riga, Revel, and Narva, in consideration of his restoring part of Finland, and paying two millions of rix-dollars to the King of Sweden. The personal animosity subsisting between King George and the czar seemed to increase. Bastagif, the Russian resident at London, having presented a memorial that contained some unguarded expressions, was ordered to quit the kingdom in a fortnight. The czar published a declaration at Petersburg, complaining of this outrage, which, he said, ought naturally to have engaged him to use reprisals; but, as he perceived it was done without any regard to the concerns of England, and only in favour of the Hanoverian interest, he was unwilling that the English nation should suffer for a piece of injustice in which they had no share. He therefore granted to them all manner of security, and free liberty to trade in all his dominions. To finish this strange tissue of negotiations, King George concluded a treaty with the Moors of Africa, against which the Spaniards loudly exclaimed.

§ IV. In the course of this year, Pope Clement XI. died; and the Princess of Wales was delivered of a prince, baptized by the name of William Augustus, the late Duke of Cumberland. A dreadful plague raging at Marseilles, a proclamation was published, forbidding any person to come into England, from any part of France between the bay of Biscay and Dunkirk, without certificates of health. Other precautions were taken to guard against contagion. An act of parliament had passed in the preceding session, for the prevention of infection, by building pest-houses, to which all the infected persons, and all persons of an infected family, should be conveyed: and, by drawing trenches and lines round any city, town, or place infected. The king, in his speech at opening the session of parliament, on the nineteenth day of October, intimated the pacification of the North, by the conclusion of the treaty between Muscovy and Sweden. He desired the House

of Commons to consider of means for easing the duties upon the imported commodities used in the manufactures of the kingdom. He observed, that the nation might be supplied with naval stores from our own colonies in North America; and that their being employed in this useful and advantageous branch of commerce would divert them from setting up manufactures which directly interfered with those of Great Britain. He expressed a desire that, with respect to the supplies, his people might reap some immediate benefit from the present circumstances of affairs abroad: and he earnestly recommended to their consideration means for preventing the plague, particularly by providing against the practice of smuggling.

§ V. One of the first objects that attracted the attention of the upper House, was the case of John Law, the famous projector. The resentment of the people on account of his Mississippi scheme had obliged him to leave France. He retired to Italy; and was said to have visited the pretender at Rome. From thence he repaired to Hanover; and returned to England from the Baltic, in the fleet commanded by Sir John Norris. The king favoured him with a private audience: he kept open house, and was visited by great numbers of persons of the first quality. Earl Coningsby represented in the House of Lords, that he could not but entertain some jealousy of a person who had done so much mischief in a neighbouring kingdom; who, being immensely rich, might do a great deal more hurt here, by tampering with those who were grown desperate, in consequence of being involved in the calamity occasioned by the fatal imitation of his pernicious projects. He observed, that this person was the more dangerous, as he had renounced his natural affection to his country, his allegiance to his lawful sovereign, and his religion, by turning Roman catholic. Lord Carteret replied, that Mr. Law had, many years ago, the misfortune to kill a gentleman in a duel; but, having at last received the benefit of the king's clemency, and the appeal lodged by the relations of the deceased being taken off, he was come over to plead his majesty's pardon. He said there was no law to keep an Englishman out of his country; and, as Mr. Law was a subject of Great Britain, it was not even in the king's power to hinder him from coming over. After some dispute, the subject was dropped, and this great projector pleaded his pardon in the king's bench, according to the usual form.

§ VI. The ministry had by this time secured such a majority in both Houses, as enabled them to carry any point without the least difficulty. Some chiefs of the opposition they had brought over to their measures, and among the rest Lord Harcourt, who was created a viscount, and gratified with a pension of four thousand pounds. Nevertheless they could not shut the mouths of the minority, who still preserved the privilege of complaining. Great debates were occasioned by the navy debt, which was increased to one million seven hundred thousand pounds. Some members in both Houses affirmed that such extraordinary expense could not be for the immediate service of Great Britain; but, in all probability, for the preservation of foreign acquisitions. The ministers answered, that near two-thirds of the navy debts were contracted in the late reign; and the parliament acquiesced in this declaration: but in reality, the navy debt had been unnecessarily increased, by keeping seamen in pay during the winter, and sending fleets to the Mediterranean and Baltic, in order to support the interests of Germany. The Duke of Wharton moved that the treaty with Spain might be laid before the House. The Earl of Sunderland said it contained a secret article which the King of Spain desired might not be made public, until after the treaty of Cambray should be discussed. The question was put, and the duke's motion rejected. The Earl of Strafford asserted, that as the war with Spain had been undertaken without necessity or just provocation, so the peace was concluded without any benefit or advantage: that, contrary to the law of nations, the Spanish fleet had been attacked without any declaration of war; even while a British minister and a secretary of state were treating amicably at Madrid; that the war was neither just nor politic, since it interrupted one of the most valuable branches of the English commerce, at a time when the

nation groaned under the pressure of heavy debts, incurred by the former long, expensive war. He, therefore, moved for an address to his majesty, desiring that the instructions given to Sir George Byng, now Lord Torrington, should be laid before the House. This motion being likewise, upon the question, rejected, a protest was entered. They voted an address, however, to know in what manner the king had disposed of the ships taken from the Spaniards. Disputes arose also from the bill to prevent infection. Earl Cowper represented, that the removal of persons to a lazaret, or pest-house, by order of the government, and the drawing lines and trenches round places infected, were powers unknown to the British constitution; inconsistent with the lenity of a free government; such as could never be wisely or usefully put in practice; the more odious, because copied from the arbitrary government of France; and impracticable, except by military compulsion. These obnoxious clauses were accordingly repealed, though not without great opposition. Indeed, nothing can be more absurd than a constitution that will not admit of just and necessary laws and regulations to prevent the dire consequences of the worst of all calamities. Such restrictions, instead of favouring the lenity of a free government, would be the most cruel imposition that could be laid on a free people, as it would act in diametrical opposition to the great principle of society, which is the preservation of the individual.

§ VII. The quakers having presented a petition to the House of Commons, praying that a bill might be brought in for omitting, in their solemn affirmation, the words, "In the presence of Almighty God," the House complied with their request: but the bill gave rise to a warm debate among the Peers. Dr. Atterbury, Bishop of Rochester, said he did not know why such a distinguishing mark of indulgence should be allowed to a set of people who were hardly Christians. He was supported by the Archbishop of York, the Earl of Strafford, and Lord North and Grey. A petition was presented against the bill by the London clergy, who expressed a serious concern lest the minds of good men should be grieved and wounded, and the enemies of Christianity triumph, when they should see such condescensions made by a Christian legislature, to a set of men who renounce the divine institutions of Christ; particularly that by which the faithful are initiated into his religion, and denominated Christians. The petition, though presented by the Archbishop of York, was branded by the ministry as a seditious libel, and rejected by the majority. Then, upon a motion by the Earl of Sunderland, the House resolved that such lords as might enter protestations with reason should do it before two o'clock on the next sitting day, and sign them before the House rises.

The supplies being granted, and the business of the session despatched as the court was pleased to dictate, on the seventh day of March the parliament was prorogued. In a few days it was dissolved, and another convoked by a proclamation. In the election of members for the new parliament the ministry exerted itself with such success, as returned a great majority in the House of Commons, extremely well adapted for all the purposes of administration.<sup>a</sup>

A. D. 1722. § VIII. In the beginning of May, the king is said to have received from the Duke of Orleans full and certain information of a fresh conspiracy formed against his person and government. A camp was immediately formed in Hyde Park. All military officers were ordered to repair to their respective commands. Lieutenant-General Macartney was despatched to Ireland to bring over some troops from that kingdom. Some suspected persons were apprehended in Scotland: the States of Holland were desired to have their auxiliary or guarantee troops in readiness to be embarked; and Colonel Churchill was sent to the court of France with a private commission. The apprehension raised by this supposed plot affected the public credit. South Sea stock began to fall; and crowds of people called in their money from the bank. Lord

Townshend wrote a letter to the mayor of London, by the king's command, signifying his majesty's having received unquestionable advices, that several of his subjects had entered into a wicked conspiracy, in concert with traitors abroad, for raising a rebellion in favour of a popish pretender; but that he was firmly assured the authors of it neither were nor would be supported by any foreign power. This letter was immediately answered by an affectionate address from the court of aldermen; and the example of London was followed by many other cities and boroughs. The king had determined to visit Hanover, and actually settled a regency, in which the Prince of Wales was not included: but now this intended journey was laid aside; the court was removed to Kensington, and the prince retired to Richmond. The Bishop of Rochester having been seized, with his papers, was examined before a committee of the council, who committed him to the Tower for high treason. The Earl of Orrery, Lord North and Grey, Mr. Cockran, and Mr. Smith, from Scotland, and Mr. Christopher Layer, a young gentleman of the Temple, were confined in the same place. Mr. George Kelly, an Irish clergyman, Mr. Robert Cotton of Huntingdonshire, Mr. Bingley, Mr. Fleetwood, Neynoe, an Irish priest, and several persons, were taken into custody; and Mr. Shippen's house was searched. After Bishop Atterbury had remained a fortnight in the Tower, Sir Constantine Phipps presented a petition to the court at the Old Bailey, in the name of Mrs. Morris, that prelate's daughter, praying, that, in consideration of the bishop's ill state of health, he might be either brought to a speedy trial, bailed, or discharged: but this was overruled. The churchmen through the whole kingdom were filled with indignation at the confinement of a bishop, which they said, was an outrage upon the church of England, and the episcopal order. Far from concealing their sentiments on this subject, the clergy ventured to offer up public prayers for his health, in almost all the churches and chapels of London and Westminster. In the meantime the king, attended by the Prince of Wales, made a summer progress through the western counties.

§ IX. The new parliament being assembled on the ninth day of October, his majesty made them acquainted with the nature of the conspiracy. He said the conspirators had, by their emissaries, made the strongest instances for succours from foreign powers; but were disappointed in their expectations. That, nevertheless, confiding in their numbers, they had resolved once more upon their own strength, to attempt the subversion of his government. He said they had provided considerable sums of money; engaged great number of officers from abroad; secured large quantities of arms and ammunition; and had not the plot been timely discovered, the whole nation, and particularly the city of London, would have been involved in blood and confusion. He exalted upon the mildness and integrity of his own government; and inveighed against the ingratitude, the implacability, and madness of the disaffected, concluding with an assurance, that he would steadily adhere to the constitution in church and state, and continue to make the laws of the realm the rule and measure of all his actions. Such addresses were presented by both Houses as the fears and attachment of the majority may be supposed to have dictated on such an occasion. A bill was brought into the House of Lords, for suspending the habeas corpus act for a whole year; but they were far from being unanimous in agreeing to such an unusual length of time. By this suspension they, in effect, vested the ministry with a dictatorial power over the liberties of the people.

§ X. The opposition in the House of Commons was so violent, that Mr. Robert Walpole found it necessary to alarm their apprehensions by a dreadful story of a design to seize the bank and exchequer, and to proclaim the pretender on the Royal Exchange. Their passions being inflamed by this ridiculous artifice, they passed the bill, which immediately received the royal assent. The Duke of Norfolk being brought from Bath, was examined before

<sup>a</sup> The Earl of Sunderland died in April, after having incurred a great deal of popular odium, from his supposed connexions with the directors of the South Sea company. He was a minister of abilities, but violent, impetuous, and headstrong. His death was soon followed by that of his father-in-law, the great Duke of Marlborough, whose faculties had been for some

time greatly impaired. He was interred in Westminster abbey, with such profusion of funeral pomp, as evinced the pride and ostentation, much more than the taste and concern, of those who directed his obsequies. He was succeeded as master of the ordnance, and colonel of the first regiment of foot guards, by Earl Cadogan.



the council, and committed to the Tower, on suspicion of high treason. On the sixteenth day of November, the king sent to the House of Peers the original and printed copy of a declaration signed by the pretender. It was dated at Lucca, on the twentieth day of September, in the present year, and appeared to be a proposal addressed to the subjects of Great Britain and Ireland, as well as to all foreign princes and states. In this paper, the Chevalier de St. George, having mentioned the late violation of the freedom of elections, conspiracies invented to give a colour to new oppressions, infamous informers, and the state of proscription in which he supposed every honest man to be, very gravely proposed, that if King George would relinquish to him the throne of Great Britain, he would, in return, bestow upon him the title of king in his native dominions, and invite all other states to confirm it: he likewise promised to leave to King George his succession to the British dominions secure, whenever, in due course, his natural right should take place. The Lords unanimously resolved, that this declaration was a false, insolent, and traitorous libel: and ordered it to be burned at the Royal Exchange. The Commons concurred in these resolutions. Both Houses joined in an address, expressing their utmost astonishment and indignation at the surprising insolence of the pretender; and assuring his majesty, they were determined to support his title to the crown with their lives and fortunes. The Commons prepared a bill for raising one hundred thousand pounds upon the real and personal estates of all papists, or persons educated in the popish religion, towards defraying the expenses occasioned by the late rebellion and disorders. The bill, though strenuously opposed by some moderate members, as a species of persecution, was sent up to the House of Lords, together with another, obliging all persons, being papists, in Scotland, and all persons in Great Britain refusing or neglecting to take the oaths appointed for the security of the king's person and government, to register their names and real estates. Both these bills passed through the upper House without amendments, and received the royal sanction.

§ XI. Mr. Laver, being brought to his trial at the King's Bench, on the twenty-first day of November, was convicted of having enlisted men for the pretender's service, in order to stir up a rebellion, and received sentence of death. He was reprieved for some time, and examined by a committee of the House of Commons: but he either could not, or would not, discover the particulars of the conspiracy, so that he suffered death at Tyburn, and his head was fixed up at Temple-Bar. Mr. Pulteney, chairman of the committee, reported to the House, that, from the examination of Laver and others, a design had been formed by persons of figure and distinction at home, in conjunction with traitors abroad, for placing the pretender on the throne of these realms: that their first intention was to procure a body of foreign troops to invade the kingdom at the time of the late elections; but that the conspirators being disappointed in this expectation, resolved to make an attempt at the time that it was generally believed the king intended to go to Hanover, by the help of such officers and soldiers as could pass into England unobserved, from abroad, under the command of the late Duke of Ormond, who was to have landed in the river with a great quantity of arms, provided in Spain for that purpose; at which time the Tower was to have been seized. That this scheme being also defeated by the vigilance of the government, they deferred their enterprise till the breaking up of the camp; and, in the meantime, employed their agents to corrupt and seduce the officers and soldiers of the army: that it appeared from several letters and circumstances, that the late Duke of Ormond, the Duke of Norfolk, the Earl of Orrery, Lord North and Grey, and the Bishop of Rochester, were concerned in this conspiracy; that their acting agents were Christopher Laver and John Plunket, who travelled together to Rome; Dennis Kelly, George Kelly, and Thomas Carte, nonjuring clergymen, Neynoe the Irish priest, who by this time was drowned in the river Thames, in attempting to make his escape from the messenger's house, Mrs. Spilman, alias Yallop, and John Sample.

§ XII. This pretended conspiracy, in all likelihood, ex-

tended no further than the first rudiments of a design that was never digested into any regular form; otherwise the persons said to be concerned in it must have been infatuated to a degree of frenzy: for they were charged with having made application to the Regent of France, who was well known to be intimately connected with the King of Great Britain. The House of Commons however resolved, that it was a detestable and horrid conspiracy for raising a rebellion, seizing the Tower and the city of London, laying violent hands upon the persons of his most sacred majesty and the Prince of Wales, in order to subvert our present happy establishment in church and state, by placing a popish pretender upon the throne; that it was formed and carried on by persons of figure and distinction, and their agents and instruments, in conjunction with traitors abroad. Bills were brought in, and passed, for inflicting pains and penalties against John Plunket and George Kelly, who were by these acts to be kept in close custody during his majesty's pleasure, in any prison in Great Britain; and that they should not attempt to escape on pain of death, to be inflicted upon them and their assistants. Mr. Yonge made a motion for a bill of the same nature against the Bishop of Rochester. This was immediately brought into the House, though Sir William Wyndham affirmed there was no evidence against him but conjectures and hearsay. The bishop Annals. Tindal. Deb. in Parliament. Pol. State. wrote a letter to the speaker, importing, that though conscious of his own innocence, he should decline giving the House any trouble that day, contenting himself with the opportunity of making his defence before another, of which he had the honour to be a member. Counsel being heard for the bill, it was committed to a grand committee on the sixth day of April, when the majority of the tory members quitted the House. It was then moved, that the bishop should be deprived of his office and benefice, and banished the kingdom for ever. Mr. Lawson and Mr. Oglethorpe spoke in his favour.

§ XIII. The bill when passed and sent up A. D. 1723. to the Lords, the bishop was brought to his trial before them on the ninth of May. Himself and his counsel having been heard, the Lords proceeded to consider the articles of the bill. When they read it a third time, a motion was made to pass it, and then a long and warm debate ensued. Earl Paulet demonstrated the danger and injustice of swerving in such an extraordinary manner from the fixed rules of evidence. The Duke of Wharton, having summoned up the depositions, and proved the insufficiency of them, concluded with saying, that, let the consequences be what they would, he hoped such a hellish stain would never sully the lustre and glory of that illustrious House, as to condemn a man without the least evidence. Lord Bathurst spoke against the bill with equal strength and eloquence. He said, if such extraordinary proceedings were countenanced, he saw nothing remaining for him and others to do, but to retire to their country-houses, and there, if possible, quietly enjoy their estates within their own families, since the least correspondence, the least intercepted letter, might be made criminal. He observed, that Cardinal Mazarin boasted, that if he had but two lines of any man's writing, he could, by means of a few circumstances, attested by witnesses, deprive him of his life at his pleasure. Turning to the bench of bishops, who had been generally unfavourable to Dr. Atterbury, he said he could hardly account for the inveterate hatred and malice some persons bore the learned and ingenious Bishop of Rochester, unless they were intoxicated with the infatuation of some savage Indians, who believed they inherited not only the spoils, but even the abilities, of any great enemy whom they had killed in battle. The bill was supported by the Duke of Aryle, the Earl of Seafield, and Lord Lechmere, which last was answered by Earl Cowper. This nobleman observed that the strongest argument urged in behalf of the bill was necessity: but that, for his part, he saw no necessity that could justify such unprecedented and such dangerous proceedings, as the conspiracy had above twelve months before been happily discovered, and the effects of it prevented: that besides the intrinsic weight and strength of the government, the hands of those at the helm had been still further fortified by the suspension of the habeas corpus act, and the additional troops which

had been raised. He said the known rules of evidence, as laid down at first, and established by the law of the land, were the birth-right of every subject in the nation, and ought to be constantly observed, not only in the inferior courts of judicature, but also in both Houses of parliament, till altered by the legislature; that the admitting of the precarious and uncertain evidence of the clerks of the post-office was a very dangerous precedent. In former times (said he) it was thought very grievous that in capital cases a man should be affected by similitude of hands; but here the case is much worse, since it is allowed that the clerks of the post-office should carry the similitude of hands four months in their minds. He applauded the bishop's noble deportment, in declining to answer before the House of Commons, whose proceedings in this unprecedented manner, against a lord of parliament, was such an encroachment on the prerogative of the peerage, that if they submitted to it, by passing the bill, they might be termed the last of British peers, for giving up their ancient privileges. The other party were not so solicitous about answering reasons, as eager to put the question, when the bill passed, and a protest was entered. By this act the bishop was deprived of all offices, benefices, and dignities, and rendered incapable of enjoying any for the future: he was banished the realm, and subjected to the pains of death in case he should return, as were all persons who should correspond with him during his exile. Dr. Friend, the celebrated physician, who was a member of the House, and had exerted himself strenuously in behalf of the bishop, was now taken into custody, on suspicion of treasonable practices.

§ XIV. The next object that excited the resentment of the Commons was the scheme of a lottery, to be drawn at Harbrough, in the king's German dominions. The House appointed a committee to inquire into this and other lotteries at that time on foot in London. The scheme was published, on pretence of raising a subscription for maintaining a trade between Great Britain and the king's territories on the Elbe: but it was a mysterious scene of iniquity, which the committee, with all their penetration, could not fully discover. They reported, however, that it was an infamous, fraudulent undertaking, whereby many unhappy persons had been drawn in, to their great loss: that the manner of carrying it on had been a manifest violation of the laws of the kingdom: that the managers and agents of this lottery had, without any authority for so doing, made use of his majesty's royal name, thereby to give countenance to the infamous project, and induce his majesty's subjects to engage or be concerned therein. A bill was brought in to suppress this lottery, and to oblige the managers of it to make restitution of the money they had received from the contributors. At the same time the House resolved, That John Lord Viscount Barrington had been notoriously guilty of promoting, abetting, and carrying on that fraudulent undertaking; for which offence he should be expelled the House. The court of Vienna having erected an East India company at Ostend, upon a scheme formed by one Colebrook, an English merchant, Sir Nathaniel Gould represented to the House of Commons the great detriment which the English East India company had already received, and were likely further to sustain, by this Ostend company. The House immediately resolved, that for the subjects of this kingdom to subscribe, or be concerned, in encouraging any subscription, to promote an East India company now erecting in the Austrian Netherlands, was a high crime and misdemeanor; and a law was enacted for preventing British subjects from engaging in that enterprise. By another act, relating to the South-Sea company, the two millions of stock which had been annihilated were revived, added to the capital, and divided among the proprietors. A third law passed, for the more effectual execution of justice in a part of Southwark, called the mint, where a great number of debtors had taken sanctuary, on the supposition that it was a privileged place. On the twenty-seventh day of May the session was closed, with a speech that breathed nothing but panegyric, acknowledgment, and affection to a parliament which had complied with all his majesty's wishes.

§ XV. His majesty, having ennobled the son of Mr. Robert Walpole, in consideration of the father's services, made a good number of church promotions. He admitted

the imprisoned lords and gentlemen to bail; granted a pardon to Lord Bolingbroke; and ordered the Bishop of Rochester to be conveyed to the continent. Then he himself set out for Hanover, leaving the administration of his kingdoms in the hands of a regency, Lord Harcourt being one of the justices. The king was attended by the two secretaries, Lords Townshend and Carteret, who were counted able negotiators. The affairs of the continent had begun to take a new turn. The interests and connexions of the different princes were become perplexed and embarrassed; and King George resolved to unravel them by dint of negotiation. Understanding that a treaty was on the carpet between the czar and the King of Sweden, favourable to the Duke of Holstein's pretensions to Sleswick, the possession of which the Elector of Hanover had guaranteed to Denmark, his majesty began to be in pain for Bremen and Verden. The Regent of France and the King of Spain had now compromised all differences; and their reconciliation was cemented by a double marriage between Philip's sons and the regent's daughters. The former proposed new treaties to England; but insisted upon the restitution of Gibraltar and Port-Mahon, as well as upon the king's openly declaring against the Ostend company. His Britannic majesty was apprehensive that, should the emperor be hard pressed on that subject, he might join the czar and the King of Sweden, and promote their designs in favour of the Duke of Holstein. On the other hand, all the Italian powers exclaimed against the treaty of London. The Pope had protested against any thing that might have been decided at Cambray to the prejudice of his right. Memorials to the same effect had been presented by the King of Sardinia, the Dukes of Tuscany, Parma, and Modena. France and Spain were inclined to support these potentates against the House of Austria. Europe seemed to be on the eve of a new war. King George was entangled in such a variety of treaties and interests, that he knew not well how to extricate himself from the troublesome engagements he had contracted. By declaring for the emperor, he must have countenanced the new establishment at Ostend, which was so prejudicial to his British subjects, and incurred the resentment of France, Spain, and their allies of Italy. In renouncing the interest of the emperor, he would have exposed his German dominions. In vain he exhorted the emperor to relax in his disputes with Spain, and give up the Ostend company, which was so detrimental and disagreeable to his faithful allies: the court of Vienna proposed in general to observe the treaties which it had concluded, but declined entering into any particular discussion; so that all his majesty's endeavours issued in contracting closer connexions with Prussia and Denmark. All those negotiations carried on, all those treaties concluded by King George, with almost every prince and state in Christendom, which succeeded one another so fast, and appear, at first view, so intricate and unaccountable, were founded upon two simple and natural principles, namely, the desire of ascertaining his acquisitions as Elector of Hanover, and his resolution to secure himself against the disaffection of his British subjects, as well as the efforts of the pretender.

§ XVI. Great Britain at this period enjoyed profound tranquillity. Ireland was a little ruffled by an incident which seemed to have been misrepresented to the people of that kingdom. William Wood had obtained a patent for furnishing Ireland with copper currency, in which it was deficient. A great clamour was raised against this coin. The parliament of that kingdom, which met in September, resolved, That it would be prejudicial to the revenue, destructive of trade, and of dangerous consequence to the rights of the subject: that the patent had been obtained by misrepresentation: that the half-pence wanted weight: that, even if the terms of the patent had been complied with, there would have been a great loss to the nation: that granting the power of coinage to a private person had ever been highly prejudicial to the kingdom, and would at all times be of dangerous consequence. Addresses from both Houses were presented to the king on this subject. The affair was referred to the lords of the privy council of England. They justified the conduct of the patentee, upon the report of Sir Isaac Newton and other officers of the Mint, who had made the

assay and trial of Wood's half-pence, and found he had complied with the terms of the patent. They declared that this currency exceeded in goodness, fineness, and value of metal, all the copper money which had been coined for Ireland, in the reigns of King Charles II. King James II. King William and Queen Mary. The privy council likewise demonstrated, that his majesty's predecessors had always exercised the undoubted prerogative of granting patents for copper coinage in Ireland to private persons : that none of these patents had been so beneficial to the kingdom as this granted to William Wood, who had not obtained it in an unprecedented manner, but after a reference to the attorney and solicitor-general, and after Sir Isaac Newton had been consulted in every particular: finally, they proved, by a great number of witnesses, that there was such a real want of money in Ireland. Notwithstanding this decision, the ferment of the Irish nation was industriously kept up by clamour, pamphlets, papers, and lampoons, written by Dean Swift and other authors; so that Wood voluntarily reduced his coinage from the value of one hundred thousand to that of forty thousand pounds. Thus the noise was silenced. The Commons of Ireland passed an act, for accepting the affirmation of the quakers instead of an oath; and voted three hundred and forty thousand pounds towards discharging the debt of the nation, which amounted to about double that sum.

§ XVII. In the month of October, England lost a worthy nobleman in the death of Earl Cowper, who had twice discharged the office of lord chancellor, with equal discernment and integrity. He was profoundly skilled in the laws of his country; in his apprehension quick and penetrating; in his judgment clear and determinate. He possessed a manly eloquence: his manner was agreeable, and his deportment graceful. This year was likewise remarkable for the death of the Duke of Orleans, Regent of France, who, since the decease of Louis XIV. had ruled that nation with the most absolute authority. He was a prince of taste and spirit, endowed with shining talents for empire, which he did not fail to display, even in the midst of effeminate pursuits and idle debauchery. From the infirm constitution of the infant king, he had conceived hopes of ascending the throne, and taken his measures accordingly; but the young monarch's health began to be established, and all the duke's schemes were defeated by an apoplexy, of which he died, in the fiftieth year of his age, after having nominated the Duke of Bourbon as prime minister. King George immediately received assurances of the good disposition of the French court to cultivate and even improve the good understanding so happily established between France and Great Britain. The king arrived in England on the eighteenth day of December: and on the ninth day of January the parliament was assembled. His majesty, in his speech, recommended to the Commons the care of the public debts; and he expressed his satisfaction at seeing the sinking fund improved and augmented, so as to put the debt of the nation into a method of being speedily and gradually discharged.

§ XVIII. This was the repeated theory of patriotism, which, unhappily for the subjects, was never reduced to practice: not but that a beginning of such a laudable work was made in this very session, by an act for lessening the public debts. This law provided that the annuities at five per cent. charged on the general fund by a former act, except such as had been subscribed into the South Sea, together with the unsubscribed blanks of the lottery in the year one thousand seven hundred and fourteen, should be paid off at Lady-day of the year next ensuing, with the money arising from the sinking fund. The ministry, however, did not persevere in this path of prudent economy. The Commons granted all the supplies that were demanded. They voted ten thousand seamen; and the majority, though not without violent opposition, agreed to maintain four thousand additional troops, which had

been raised in the preceding year; so that the establishment of the land forces amounted to eighteen thousand two hundred and sixty-four. The expense of the year was defrayed by a land tax and malt tax. The Commons having despatched the supply, took into consideration a grievance arising from protections granted by foreign ministers, peers, and members of parliament, under which profligate persons used to screen themselves from the prosecution of their just creditors. The Commons resolved, That all protections granted by members of that House should be declared void, and immediately withdrawn. The Lords made a declaration to the same purpose, with an exception of menial servants, and those necessarily employed about the estates of peers.<sup>b</sup> On the twenty-fourth day of April, his majesty closed the session in the usual manner, made some alterations in the disposition of the great offices of state, and sent Mr. Horatio Walpole as ambassador-extraordinary to the court of France.

§ XIX. In the beginning of this year, Philip King of Spain, retiring with his queen to the monastery of St. Ildefonso, sent the Marquis of Grimaldi, his principal secretary of state, to his son Louis, Prince of Asturias, with a solemn renunciation of the crown, and a letter of advice, in which he exhorted him to cultivate the blessed Virgin with the warmest devotion; and put himself and his kingdoms under her protection. The renunciation was published through the whole monarchy of Spain; and the council of Castile resolved, That Louis might assume the reins of government without assembling the Cortez. The English minister at Paris was instructed to interpose in behalf of the French protestants, against whom a severe edict had been lately published; but his remonstrances produced no effect. England, in the meantime, was quite barren of such events as deserve a place in history. The government was now firmly established on the neck of opposition, and commerce flourished even under the load of grievous impositions.

§ XX. The next parliament, which met on the twelfth day of November, seemed to be assembled for no other purpose than that of establishing funds for the expense of the ensuing year: yet the session was distinguished by a remarkable incident; namely, the trial of the Earl of Macclesfield, lord chancellor of England. This nobleman had connived at certain venal practices touching the sale of places, and the money of suitors deposited with the masters of chancery, so as to incur the general reproach of the nation. He found it necessary to resign the great seal in the beginning of January. On the ninth day of the ensuing month, the king sent a message to the Commons, importing, that his majesty, having reason to apprehend that the suitors in the court of chancery were in danger of losing a considerable sum of money, from the insufficiency of some of the masters, thought himself obliged, in justice and compassion to the said sufferers, to take the most speedy and proper method the law would allow for inquiring into the state of the masters' accounts, and securing their effects for the benefit of the suitors; and his majesty having had several reports laid before him in pursuance of the directions he had given, had ordered the reports to be communicated to the House, that they might have as full and as perfect a view of this important affair as the shortness of the time, and the circumstances and nature of the proceedings, would admit.

§ XXI. These papers being taken into consideration, Sir George Oxenden observed, that enormous abuses had crept into the high court of chancery: that the crimes and misdemeanors of the late lord chancellor were many and various, but might be reduced to the following heads: that he had embezzled the estates and effects of many widows; orphans, and lunatics: that he had raised the offices of masters in chancery to an exorbitant price; trusting in their hands large sums of money belonging to suitors, that

<sup>b</sup> The Duke of Newcastle was now appointed secretary of state, the Duke of Grafton, lord chamberlain; and Lord Carteret, lord lieutenant of Ireland.

The king instituted a professorship for the modern languages in each university.

In the month of May died Robert Harley, Earl of Oxford and Earl Mortimer, who had been a munificent patron of genius and literature; and completed a very valuable collection of manuscripts.

The practice of inoculation for the small-pox was by this time introduced into England from Turkey. Prince Frederick, the two Princesses Amelia and Carolina, the Duke of Bedford and his sister, with many other persons of distinction, underwent this operation with success.

Dr. Henry Sacheverell died in June, after having bequeathed five hundred pounds to the late Bishop of Rochester.

Oldmixon. Pol. State. Hist. Reg. Annals of K. George. Mem. Hist. Tindal.

A. D. 1724.



they might be enabled to comply with his exorbitant demands : and that in several cases he had made divers irregular orders. He therefore moved, that Thomas Earl of Macclesfield should be impeached of high crimes and misdemeanors. Mr. Pulteney moved, that this affair might be left to the consideration of a select committee. Sir

William Wyndham asserted, that in proceeding by way of impeachment upon reports from above, they should make a dangerous precedent ; and seem to give up the most valuable of their privileges, the inquest after state criminals. The question being put, it was carried for the impeachment. The earl was accordingly impeached at the bar of the upper House : a committee was appointed to prepare articles ; and a bill was brought in, to indemnify the masters in chancery from the penalties of the law, upon discovering what consideration they had paid for their admission to their respective offices. The trial lasted twenty days : the earl was convicted of fraudulent practices ; and condemned in a fine of thirty thousand pounds, with imprisonment until that sum should be paid. He was immediately committed to the Tower, where he continued about six weeks ; but upon producing the money he was discharged : and Sir Peter King, now created Baron of Oakham, succeeded him in the office of chancellor.

§ XXII. His majesty on the eighth day of

A. D. 1725. April gave the House of Commons to understand, that having been engaged in some extraordinary expenses, he hoped he should be enabled to raise a sum of money, by making use of the funds lately established for the payment of the civil list annuities, in order to discharge the debts contracted in the civil government. Mr. Pulteney, cofferer of the household, moved for an address, That an account should be laid before the House of all monies paid for secret service, pensions, and bounties, from the twenty-fifth day of March, in the year one thousand seven hundred and one, and to the twenty-fifth of the same month in the present year. This address being voted, a motion was made to consider the king's message. Mr. Pulteney urged that this consideration should be postponed until the House should have examined the papers that were the subject of the address. He expressed his surprise, that a debt amounting to above five hundred thousand pounds should be contracted in three years ; he said, he did not wonder that some persons should be so eager to make good the deficiencies of the civil list, since they and their friends enjoyed such a share of that revenue ; and he desired to know whether this was all that was due, or whether they should expect another reckoning ? This gentleman began to be dissatisfied with the measures of the ministry ; and his sarcasms were aimed at Mr. Walpole, who undertook to answer his objections. The Commons took the message into consideration, and passed a bill enabling his majesty to raise a sum, not exceeding one million, by exchequer bills, loans, or otherwise, on the credit of the deductions of sixpence per pound, directed by an act of parliament, of the seventh year of his majesty, and of the civil list revenues, at an interest not exceeding three pounds per cent. till re-payment of the principal.

§ XXIII. On the twentieth day of April, a petition was presented to the House by Lord Finch, in behalf of Henry St. John, late Viscount Bolingbroke, praying that the execution of the law with respect to his forfeitures might be suspended, as a pardon had suspended it with respect to his life. Mr. Walpole signified to the House, by his majesty's command, that, seven years before, the petitioner had made his humble application and submission to the king, with assurances of duty, allegiance, and fidelity : that, from his behaviour since that time, his majesty was convinced of his being a fit object of his mercy ; and consented to his petitioning the House. The petition being read, Mr. Walpole declared himself fully satisfied, that the petitioner had sufficiently atoned for his past offences ; and therefore deserved the favour of that House, so far as to enable him to enjoy the family inheritance that was settled upon him, which he could not do by virtue of his

majesty's pardon, without an act of parliament. Lord Finch moved that a bill might be brought in for this purpose, and was warmly opposed by Mr. Methuen, comptroller of the household, who represented Bolingbroke as a monster of iniquity. His remonstrance was supported by Lord William Paulet, and Mr. Onslow ; nevertheless, the bill was prepared, passed through both Houses, and received the royal assent. An act being passed for disarming the highlanders of Scotland ; another for regulating elections within the city of London ; a third for reducing the interest of several bank annuities, together with some bills of a private nature ; the parliament was prorogued in May, after the king had in the warmest terms of acknowledgment, expressed his approbation of their conduct. Then he appointed lords justices to govern the nation in his absence : and set out in June for his German dominions.

§ XXIV. The tide of political interests on the continent had begun to flow in a new channel, so as to render ineffectual the mounds which his Britannic majesty had raised by his multiplicity of negotiations. Louis, the Spanish monarch, dying soon after his elevation to the throne, his father Philip resumed the crown which he had resigned ; and gave himself up implicitly to the conduct of his queen, who was a princess of indefatigable intrigue and insatiate ambition. The infanta, who had been married to Louis XV. of France, was so disagreeable to her husband, that the whole French nation began to be apprehensive of a civil war, in consequence of his dying without male issue ; he therefore determined, with the advice of his council, to send back the infanta, as the nuptials had not been consummated : and she was attended to Madrid by the Marquis de Monteleone. The Queen of Spain resented this insult offered to her daughter ; and in revenge, dismissed Mademoiselle de Beaujolais, one of the regent's daughters, who had been betrothed to her son Don Carlos. As the congress at Cambray had proved ineffectual, she offered to adjust her differences with the emperor, under the sole mediation of Great Britain. This was an honour which King George declined. He was averse to any undertaking that might interrupt the harmony subsisting between him and the court of Versailles ; and he had taken umbrage at the emperor's refusing to grant the investiture of Bremen and Verden except upon terms which he did not choose to embrace. The peace between the courts of Vienna and Madrid which he refused to mediate was effected by a private negotiation, under the management of the Duke de Ripperda, a native of the States-general, who had renounced the protestant religion, and entered into the service of his catholic majesty. By two treaties, signed at Vienna in the month of April, the emperor acknowledged Philip as King of Spain and the Indies, promised that he would not molest him in the possession of those dominions that were secured to him by the treaty of Utrecht. Philip renounced all pretensions to the dominions in Italy and the Netherlands, adjudged to the emperor by the treaty of London : Charles granted the investiture of the dukedoms of Tuscany, Parma, and Placentia to the eldest son of the Queen of Spain, in default of heirs in the present possessors, as masculine fiefs of the empire. Spain became guarantee of the Austrian succession, according to the pragmatic sanction, by which the dominions of that house were settled on the emperor's heirs general, and declared to be a perpetual, indivisible, and inseparable fief to the primogeniture. By the commercial treaty of Vienna, the Austrian subjects were entitled to advantages in trade with Spain, which no other nation enjoyed. His catholic majesty guaranteed the Ostend East India company ; and agreed to pay an annual subsidy of four millions of piastres to the emperor. Great sums were remitted to Vienna : the imperial forces were augmented to a formidable number ; and other powers were solicited to engage in this alliance, to which the court of Petersburg actually acceded.

§ XXV. The King of Great Britain took the alarm. The emperor and he had for some time treated each other with manifest coolness. He had reason to fear some attempts upon his German dominions ; and projected a

On the fifth day of December the Princess of Wales was delivered of a princess, christened by the name of Louisa, and afterwards married to the King of Denmark. She died December the nineteenth, one thousand seven hundred and fifty one.

Immediately after the session of parliament, the King revived the order of the Bath, thirty eight in number, including the sovereign. William Bateman was created Baron of Calmore in Ireland, and Viscount Bateman, and Sir Robert Walpole, who had been one of the revived knights of the Bath, was now honoured with the order of the Garter.

defensive treaty with France and Prussia. This alliance, limited to the term of fifteen years, was negotiated and concluded at Hanover in the month of September. It implied a mutual guarantee of the dominions possessed by the contracting parties, their rights and privileges, those of commerce in particular, and an engagement to procure satisfaction to the protestants of Thorn, who had lately been oppressed by the catholics, contrary to the treaty at Oliva. The king, having taken these precautions at Hanover, set out on his return for England; embarked at Helvoetsluis in the middle of December; and after having been exposed to the fury of a dreadful storm, was landed with great difficulty at Rye, from whence he proceeded by land to London. The parliament meeting on the twentieth day of the next month, he gave them to understand that the distressed condition of some of their protestant brethren abroad, and the negotiations and engagements contracted by some foreign powers, which seemed to have laid the foundation of new troubles and disturbances in Europe, and to threaten his subjects with the loss of several of the most advantageous branches of their trade, had obliged him to concert with other powers such measures as might give a check to the ambitious views of those who were endeavouring to render themselves formidable; and put a stop to the further progress of such dangerous designs. He told them, that the enemies of his government were already very busy, by their instruments and emissaries in those courts whose measures seemed most to favour their purposes, in soliciting and promoting the cause of the pretender. One sees at first sight, that the interests of Germany dictated the treaty of Hanover; but, in order to secure the approbation of Great Britain, upon which the support of this alliance chiefly depended, it was judged necessary to insert the articles relating to commerce and the protestant religion, as if the engagement had been contracted purely for the advantage and glory of England. In a word, the ministry began now to ring the changes upon a few words that have been repeated ever since, like cabalistical sounds by which the nation has been enchanted into a very dangerous connexion with the concerns of the continent. They harangued, they insisted upon the machinations of the disaffected, the designs of a popish pretender, the protestant interest, and the balance of power, until these expressions became absolutely terms of ridicule with every person of common sense and reflection. The people were told, that the emperor and the King of Spain, exclusive of the public treaties concluded at Vienna, had entered into private engagements, importing, that the imperialists should join the Spaniards in recovering Gibraltar and Port-Mahon by force of arms, in case the King of England should refuse to restore them amicably, according to a solemn promise he had made: that a double marriage should take place between the two Infants of Spain and the two Archduchesses of Austria; and that means should be taken to place the pretender on the throne of Great Britain.

§ XXVI. When the treaties of Vienna and Hanover fell under consideration of the House of Commons, Horatio Walpole, afterwards termed, in derision, "the balance master," opened the debate with a long unanimous oration, giving a detail of the affairs of Europe since the treaty of Utrecht. He enumerated the barrier treaty, the convention for executing that treaty, the defensive alliance with the emperor, the other with the most christian king and the States-general, another convention, the quadruple alliance, the congress at Cambray, the treaty at Hanover, and that of Vienna. He explained the nature of each engagement. He said, the main design of the treaty of commerce concluded between the emperor and Spain was to countenance and support the East India company established at Ostend, which interfered so essentially with the East India companies of England and Holland, and was directly contrary to several solemn treaties still in force. He enlarged upon the danger to which the balance of power would be exposed, should the issue-male of this projected marriage between the houses of Austria and Spain ever possess the imperial dignity and the kingdom of Spain together. The reader will take notice, that this

very man was one of those who exclaimed against that article of the treaty of Utrecht, which prevented the power of those two houses from being immediately united in the person of the emperor. He did not forget to expatiate upon the pretended secret engagement concerning Gibraltar and Minorca, and the king's pious concern for the distressed protestants of Thorn in Poland. In vain did Mr. Shippen urge, that the treaty of Hanover would engage the British nation in a war for the defence of the king's German dominions, contrary to an express provision made in the act of limitation. These arguments had lost all weight. The opposition was so inconsiderable, that the ministry had no reason to be in pain about any measure they should propose. An address was voted and delivered to his majesty, approving the alliance he had concluded at Hanover, in order to obviate and disappoint the dangerous views and consequences of the treaty of peace between the emperor and the King of Spain: and promising to support his majesty against all insults and attacks that should be made upon any of his territories, though not belonging to the crown of Great Britain. An address of the same kind was presented by the House of Lords in a body. A bill was brought in, empowering the commissioners of the treasury to compound with Mr. Richard Hampden, late treasurer of the navy, for a debt he owed to the crown, amounting to eight and forty thousand pounds. This deficiency was occasioned by his embarking in the South Sea scheme. The king recommended his petition; and the House complied with his request, in consideration of his great-grandfather, the famous John Hampden, who made such a noble stand against the arbitrary measures of the first Charles.

§ XXVII. The malt tax was found so grievous to Scotland, that the people refused to pay it, and riots were excited in different parts of the kingdom. At Glasgow, the populace, armed with clubs and staves, rifled the house of Daniel Campbell, their representative in parliament, who had voted for the bill; and maltreated some excisemen, who attempted to take an account of the malt. General Wade, who commanded the forces in Scotland, had sent two companies of soldiers, under the command of Captain Bushel, to prevent or appease a disturbance of this nature. That officer drew up his men in the street, where they were pelted with stones by the multitude, which he endeavoured to disperse by firing among them without shot. This expedient failing, he ordered his men to load their pieces with ball, and at a time when the magistrates were advancing towards him in a body, to assist him with their advice and influence, he commanded the soldiers to fire four different ways, without the sanction of the civil authority. About twenty persons were killed or wounded on this occasion. The people seeing so many victims fall, were exasperated beyond all sense of danger. They began to procure arms, and breathed nothing but defiance and revenge. Bushel thought proper to retreat to the Castle of Dumbarton; and was pursued above five miles by the enraged multitude. General Wade being informed of this transaction, assembled a body of forces; and being accompanied by Duncan Forbes, lord-advocate, took possession of Glasgow. The magistrates were apprehended, and conveyed prisoners to Edinburgh, where the lords justiciary, having taken cognizance of the affair, declared them innocent; so that they were immediately discharged. Bushel was tried for murder, convicted, and condemned; but instead of undergoing the penalties of the law, he was indulged with a pardon, and promoted in the service. Daniel Campbell having petitioned to the House of Commons, that he might be indemnified for the damage he had sustained from the rioters, a bill passed in his favour, granting him a certain sum to be raised from an imposition laid upon all the beer and ale brewed in the city of Glasgow. The malt tax was so sensibly felt in Scotland, that the convention of the royal burghs presented a remonstrance against it, as a grievous burthen, which their country could not bear: petitions to the same purpose were delivered to the Commons from different shires of that kingdom.<sup>d</sup> On the twenty-fourth day of March, the

<sup>d</sup> The Duke of Wharton having consumed his fortune in riot and extravagance, repaired to the court of Vienna, from whence he proceeded to

Rome, and collected his adherents to the pretender. There he received the order of the Garter, and the title of Duke of Northumberland. He was sent

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king sent a message to the House by Sir Paul Methuen, desiring an extraordinary supply, that he might be able to augment his maritime force, and concert such other measures as should be necessary in the present conjuncture. A debate ensued; but the majority complied with the demand. Some members in the upper House complained that the message was not sent to both Houses of parliament, and this suggestion gave rise to another debate, in which Lord Bathurst and others made some melancholy reflections upon the state of insignificance to which the peers of England were reduced. Such remarks, however, were very little minded by the ministry; who had obtained a complete victory over all opposition. The supplies, ordinary and extraordinary, being granted, with every thing else which the court thought proper to ask, and several bills passed for the regulation of civil economy, the king dismissed the parliament on the twenty-fourth day of May.

§ XXVIII. By this time Peter the Czar of Muscovy was dead, and his Empress Catharine had succeeded him on the Russian throne. The princess had begun to assemble forces in the neighbourhood of Petersburg, and to prepare a formidable armament for a naval expedition. King George, concluding that her design was against Sweden, sent a strong squadron into the Baltic, under the command of Sir Charles Wager, in order to anticipate her views upon his allies. The English fleet being joined at Copenhagen by a Danish squadron, alarmed the court of Russia, which immediately issued orders for reinforcing the garrisons of Wibourg, Cronstot, Revel, and Riga. The English admiral, having had an audience of his Swedish majesty, steered towards Revel, and sent thither a lieutenant, with a letter from the King of Great Britain to the czarina. This was an expostulation, in which his majesty observed, that he and his allies could not fail of being alarmed at her great preparations by sea and land. He complained that measures had been taken at her court in favour of the pretender: that his repeated instances for establishing a lasting friendship with the crown of Russia had been treated with neglect: and he gave her to understand, that he had ordered his admiral to prevent her ships from coming out of her harbours, should she persist in her resolution to execute the designs she had projected. The czarina, in her answer to the king, expressed her surprise, that she had not received his majesty's letter until his fleet was at anchor before Revel, since it would have been more agreeable to the custom established among sovereigns, and to the amity which had so long subsisted between her kingdoms and the crown of Great Britain, to expostulate with her on her armament, and expect her answer, before he had proceeded to such an offensive measure. She assured him that nothing was further from her thoughts than any designs to disturb the peace of the north; and with regard to the pretender, it was a frivolous and stale accusation, which had been frequently used as a pretext to cover all the unkind steps lately taken against the Russian empire. Sir Charles Wager continued in this station until he received certain intelligence that the Russian galleys were laid up in their winter harbour: then he set sail for the coast of Denmark, from whence he returned to England in the month of November.

§ XXIX. King George, that he might not seem to convert all his attention to the affairs of the north, had equipped two other squadrons: one of which was destined for the West Indies, under the command of Admiral Hosier: the other conducted by Sir John Jennings, having on board a body of land-forces, sailed from St. Helen's on the twentieth day of July, entered the bay of St. Antonio, then visited Lisbon, from whence he directed his course to the bay of Bulls near Cadiz, and cruised off Cape St. Mary's, so as to alarm the coast of Spain, and fill Madrid with consternation. Yet he committed no act of hostility: but was treated with great civility by the Spanish governor of Cadiz, who supplied him with refreshments. Rear-Admiral Hosier, with seven ships of war, had sailed in April for the Spanish West Indies, with instructions to block up the galleons in the ports of that country; or should they presume to come out, to seize and bring them to England. Before his arrival at the Bastimentos, near

Porto-Bello, the treasure, consisting of above six millions sterling, had been unloaded, and carried back to Panama, in pursuance of an order sent by an advice-boat which had the start of Hosier. This admiral lay inactive on that station, until he became the jest of the Spaniards. He returned to Jamaica, where he found means to reinforce his crews; then he stood over to Carthagena. The Spaniards had by this time seized the English South Sea ship at La Vera-Cruz, together with all the vessels and effects belonging to that company. Hosier in vain demanded restitution: he took some Spanish ships by way of reprisal, and continued cruising in those seas until the greater part of his men perished deplorably by the diseases of that unhealthy climate, and his ships were totally ruined by the worms. This brave officer being restricted by his orders from obeying the dictates of his courage, seeing his best officers and men daily swept off by an outrageous distemper, and his ships exposed to inevitable destruction, is said to have died of a broken heart; while the people of England loudly clamoured against this unfortunate expedition, in which so many lives were thrown away, and so much money expended, without the least advantage to the nation. It seems to have been a mean piratical scheme to rob the court of Spain of its expected treasure, even while a peace subsisted between the two nations. The ministry of Great Britain indeed alleged, that the Spanish king had entered into engagements in favour of the pretender.

§ XXX. The Dukes of Ormoud and Wharton, and the Earl Marischal, were certainly at Madrid; and the Duke de Ripperda, now prime minister of Spain, dropped some expressions to the English envoy, that implied some such design, which, however, the court of Madrid positively denied. Ripperda, as a foreigner, fell a sacrifice to the jealousy of the Spanish ministers. He was suddenly dismissed from his employments, with a pension of three thousand pistoles. He forthwith took refuge in the house of Vandermeer, the Dutch ambassador, who was unwilling to be troubled with such a guest. He therefore conveyed the duke in his coach to the house of Colonel Stanhope, the British minister, whose protection he craved and obtained. Nevertheless, he was dragged from thence by force, and committed prisoner to the castle of Segovia. He afterwards made his escape, and sheltered himself in England, from the resentment of his catholic majesty. Colonel Stanhope complained of this violation of the law of nations, which the Spanish minister endeavoured to excuse. Memorials and letters passed between the two courts; and every thing tended to a rupture. The King of Spain purchased ships of war; began to make preparations for some important undertaking; and assembled an army of twenty thousand men at St. Roch, on pretence of rebuilding the old castle of Gibraltar. Meanwhile the States-general and the King of Sweden acceded to the treaty of Hanover; but the King of Prussia, though his majesty's son-in-law, was detached from the alliance by the emperor, with whom he contracted new engagements.

§ XXXI. On the seventeenth day of January, the British parliament was opened with a long, elaborate speech, importing that the proceedings and transactions of the emperor and King of Spain, and the secret offensive alliances concluded between them, had laid the foundations of a most exorbitant and formidable power: that they were directly levelled against the most valuable and darling interests and privileges of the English nation, which must either give up Gibraltar to Spain, and acquiesce in the emperor's usurped exercise of commerce, or resolve vigorously to defend their undoubted rights against those reciprocal engagements, contracted in defiance and violation of all national faith, and the most solemn treaties. He assured them, that one of those secret articles was, the placing the pretender on the throne of Great Britain: and another the conquest of Gibraltar and Port-Mahon. He affirmed that those combinations extended themselves into Russia; and that the English fleet seasonably prevented such designs as would have opened a way to the invasion of these kingdoms. He exhorted the Commons to grant such supplies as should be necessary for the defence of their country, and for making

by the Chevalier de St. George with credentials to the court of Madrid, where he abjured the protestant religion, married a lady of the Queen of

Spain's bed chamber, and obtained the rank and appointment of a lieutenant-colonel in the Spanish service.



good his engagements with the allies of Great Britain. He told them, that the King of Spain had ordered his minister residing in England to quit the kingdom; and that he had left a memorial little short of a declaration, in which he insisted upon the restitution of Gibraltar. He did not fail to touch the energetic strings which always moved their passions: the balance of power in Europe, the security of the British commerce, the designs of a popish pretender, the present happy establishment, the religion, liberties, and properties of a protestant people. Such addresses of thanks were penned in both Houses as the ministers were pleased to dictate: yet not without opposition from a minority, which was far from being formidable, though headed by chiefs of uncommon talents and resolution. The Commons voted twenty thousand seamen, besides six-and-twenty thousand three hundred and eighty-three men for the land-service; and, to defray the extraordinary expense, a land-tax of four shillings in the pound was granted.

§ XXXII. The House of Lords having taken into consideration the letters and memorials between the ministers of Great Britain, France, and Spain, and the papers relating to the accession of the States-general to the treaty of Hanover, a warm debate ensued. Lord Bathurst took notice, that the accession of the States-general to the treaty was upon condition that this their act should be approved and ratified by the King of Great Britain, the Most Christian King, and the King of Prussia; but that the minister of his Prussian majesty had refused to sign the act of accession, which was therefore of no effect: that if the court of France should, for the same reason, think itself disengaged from the Hanover alliance, Britain alone would be obliged to bear the burthen of an expensive war against two of the greatest potentates of Europe. He said he could not see any just reason for a rupture with Spain: that indeed the Duke de Ripperda might have dropped some indiscreet expressions; he was known to be a man of violent temper: and he had been solemnly disavowed by his catholic majesty; that, in the memorial left by the Spanish ambassador, he imputed the violent state of affairs between the two crowns to the ministers of England; and mentioned a positive promise made by the King of Great Britain for the restitution of Gibraltar: that methods of accommodation might be tried, before the kingdom engaged in a war which must be attended with dangerous consequences: that the nation was loaded with a debt of fifty millions; and, in order to maintain such a war, would be obliged to raise seven millions yearly; an annual sum by which the people would soon be exhausted. He observed, that in some papers laid before the House, mention was made of great sums distributed in divers places, to bring certain measures to bear. He declared, that for his own part, he had touched neither Spanish nor English gold: he was neither a Spaniard nor a Frenchman, but a true Englishman, and so long as he had the honour to sit in that House, he would speak and act for the good of his country. He, therefore, desired their lordships seriously to consider the matter before them, which was of the last consequence and importance to the whole nation. He said nothing could be gained by the war, should it prove successful: and every thing would be lost should it be unprosperous. He was answered by Lord Townshend, who affirmed that his majesty had received positive and certain information with respect to the secret article of alliance between the courts of Vienna and Madrid, in favour of the pretender, though the safety of the state did not permit him to lay these advices before the parliament. After much altercation, the majority resolved, that the measures his majesty thought fit to take were honourable, just, and necessary for preventing the execution of the dangerous engagements entered into in favour of the pretender: for preserving the dominions belonging to the crown of Great Britain by solemn treaties, and particularly those of Gibraltar and the island of Minorca; and for maintaining to his people their most valuable rights and privileges of commerce, and the peace and tranquillity of Europe. Seventeen lords entered a protest against this resolution. Disputes of the same nature arose from the same subject in the lower House. Lord Townshend had affirmed in the House of Peers, that no

promise of restoring Gibraltar had been made: Sir Robert Walpole owned such a promise in the House of Commons: a motion was made for an address, desiring these engagements might be laid before the House; another member moved for a copy of the memorial presented by Mr. Pointz to the King of Sweden, and for the secret offensive article between the courts of Vienna and Madrid: a third motion was made to address the king for such memorials and representations from the courts of Sweden and Denmark, as induced him, in the course of the preceding year, to send a squadron to the Baltic. In the account of the money granted for the service of the last year, there was an article of one hundred and twenty-five thousand pounds charged in general terms, as issued out for other engagements and expenses, over and above such as were specified. Mr. Pulteney moved for an address on this subject; but each of these motions was rejected on a division: and the majority concurred in an address of thanks to his majesty, for the great wisdom of his conduct. They expressed the most implicit confidence in his goodness and discretion, they promised to support him in all such further measures as he should find necessary and expedient for preventing a rupture, as well as for consulting the honour and advantage of these kingdoms.

§ XXXIII. His majesty's speech gave such umbrage to the court of Vienna, that Mr. Palms, the imperial resident at London, was ordered to present a warm memorial to the king, and afterwards to publish it to the whole nation. In this bold remonstrance, the king was charged with having declared from the throne, as certain and undoubted facts, several things that were either wrested, misrepresented, or void of all foundation. The memorialist affirmed, that the treaty of Vienna was built on the quadruple alliance; that the treaty of commerce was calculated to promote the mutual and lawful advantages of the subjects of both parties, agreeably to the law of nations, and in no respect prejudicial to the British nation. He declared, that there was no offensive alliance concluded between the two crowns: that the supposed article relating to the pretender was an absolute falsehood: that the insinuation with respect to the siege of Gibraltar was equally untrue, his master having made no engagements with the King of Spain but such as were specified in the treaty communicated to his Britannic majesty. He said, however, the hostilities notoriously committed in the West Indies, and elsewhere, against the King of Spain, in violation of treaties, seemed to justify that prince's undertaking the siege of Gibraltar. Finally, he demanded, in the name of his imperial majesty, suitable reparation for the injury his honour had sustained from such calumnious imputations. Both Houses of parliament expressed their indignation at the insolence of this memorial, in an address to his majesty; and Mr. Palms was ordered to depart the kingdom. Virulent declarations were presented by the ministers of the emperor and the King of Great Britain to the diet of the empire at Ratisbon; and such personal reflections retorted between these two potentates, that all hope of reconciliation vanished.

§ XXXIV. King George, in order to secure himself against the impending storm, entered into more strict engagements with the French king; and agreed to pay fifty thousand pounds for three years to the King of Sweden, in consideration of that prince's holding in readiness a body of ten thousand troops for the occasions of the alliance. He concluded a fresh treaty with the King of Denmark, who promised to furnish a certain number of auxiliaries, on account of a large subsidy granted by the King of France. The proportions of troops to be sent into the field in case of a rupture, were ascertained. His Britannic majesty engaged for four-and-twenty thousand men, and a strong squadron to be sent into the Baltic. He made a convention with the Prince of Hesse-Cassel, who undertook to provide eight thousand infantry and four thousand horse, in consideration of seventy-four thousand pounds, to be paid by Great Britain immediately, and fifty thousand pounds more in case the troops should be required, besides their pay and subsistence. Such was the fruit of all the alliances so industriously planted since the accession of King George to the throne of Great Britain. In the day of

his trouble, the King of Prussia, who had espoused his daughter, deserted his interest; and the States-general stood aloof. For the security of his German dominions, he had recourse to the King of France, who was a precarious ally: to the Kings of Sweden and Denmark, and the principality of Hesse Cassel: but none of these powers would contribute their assistance without being gratified with exorbitant subsidies, though the danger was common, and the efforts ought to have been equal. Instead of allies, they professed themselves mercenaries. Great Britain paid them for the defence of their own dominions: she, moreover, undertook to maintain a powerful fleet for their safety. Is there any Briton so weak as to think, or so fool-hardy as to affirm, that this was a British quarrel?

§ XXXV. For the support of those extensive treaties, Mr. Scroope, secretary of the treasury, moved in the House of Commons, that in the malt tax bill they should insert a clause of appropriation, empowering the king to apply such sums as should be necessary for defraying the expenses and engagements which had been, or should be, made before the twenty-fifth day of September, in concerting such measures as he should think most conducive to the security of trade, and restoring the peace of Europe. To little purpose did the members in the opposition urge, that this method of asking and granting supplies was unparliamentary: that such a clause would render ineffectual that appropriation of the public money, which the wisdom of all parliaments had thought a necessary security against misapplication, which was the more to be feared, as no provision was made to call any person to account for the money that should be disposed of by virtue of this clause: that great sums had already been granted: that such an unlimited power ought never to be given in a free government: that such a confidence in the crown might, through the influence of evil ministers, be attended with the most dangerous consequences: that the constitution could not be preserved, but by a strict adherence to those essential parliamentary forms of granting supplies upon estimates, and of appropriating these supplies to services and occasions publicly avowed and judged necessary: that such clauses, if not seasonably checked, would become so frequent, as in time to lodge in the crown and in the ministers, an absolute and uncontrollable power of raising money upon the people, which by the constitution is, and with safety can only be, lodged in the whole legislature. The motion was carried, the clause added, and the bill passed through the other House without amendment, though not without opposition. Notwithstanding this vote of credit, Sir William Yonge moved, that towards the supply granted to the king, the sum of three hundred and seventy thousand pounds should be raised by loans on exchequer bills, to be charged on the surplus of the duties on coal and culm, which was reserved for the parliament's disposal. Though this motion was vigorously opposed by Sir Joseph Jekyll and Mr. Pulteney, as a dangerous deviation from several votes and acts of parliament, by which the exceedings of the public funds were appropriated to the discharge of the national debt, or to the increase of the sinking funds, it was carried by the majority.

§ XXXVI. On the fifteenth day of May the parliament was prorogued, after the king had acknowledged their zeal, liberality, and despatch: and given them to understand that the siege of Gibraltar was actually begun. The trenches were opened before this fortress on the eleventh

day of February, by the Condé de las Torres, at the head of twenty thousand men. The place was well provided for a defence; and the old Earl of Portmore, who was governor, embarked with a reinforcement from England, under convoy of a fleet commanded by Sir Charles Wager. He arrived at Gibraltar in the beginning of April, where he landed the troops, with a great quantity of ammunition, warlike stores, and four-and-twenty pieces of cannon. At the same time, five hundred men arrived from Minorca: so that the garrison amounted to six thousand, plentifully supplied with fresh provision from the coast of Barbary, and treated the efforts of the besiegers with great contempt. The States-general, being apprehensive of an attempt upon their barrier in the Netherlands, desired the king would hold in readiness the ten thousand auxiliaries stipulated in the treaty. These were immediately prepared for embarkation, and the forces of England were augmented with thirty new-raised companies. Sir John Norris set sail with a powerful fleet from the Baltic, and was joined by a Danish squadron: but the scurvy dying on the seventeenth day of May, he had no occasion to commit hostilities, as the Russian armament was laid aside.

§ XXXVII. Meanwhile the powers at variance, though extremely irritated against each other, were all equally averse to a war that might again embroil all Europe. The King of France interposed his mediation, which was conducted by the Duke de Richlieu, his ambassador at Vienna. Plans and counterplans of pacification were proposed between the two crowns and the allies. At length, all parties agreed to twelve preliminary articles, which were signed in May at Paris, by the ministers of the Hanover alliance, and afterwards at Vienna, by the imperial and Spanish ambassadors. These imported, that hostilities should immediately cease: that the charter of the Ostend company should be suspended for seven years: and that a congress should in four months be opened at Aix-la-Chapelle, for adjusting all differences, and consolidating the peace of Europe. This congress was afterwards transferred to Soissons, for the convenience of the French minister, whose presence was necessary at court. The siege of Gibraltar was raised, after it had lasted four months, during which the Spaniards lost a great number of men by sickness, while the garrison sustained very little damage. The court of Madrid, however, started some new difficulties, and for some time would not consent to the restitution of the South Sea ship, which had been detained at La Vera Cruz, in the West Indies; so that Sir Charles Wager continued to cruise on the coast of Spain: but these objections were removed in the sequel.

§ XXXVIII. King George, having appointed a regency, embarked at Greenwich, on the third day of June, and landing in Holland, on the seventh, set out on his journey to Hanover. He was suddenly seized with a paralytic disorder on the road: he forthwith lost the faculty of speech, became lethargic, and was conveyed in a state of insensibility to Osnabruck. There he expired on Sunday the eleventh day of June, in the sixty-eighth year of his age, and in the thirteenth of his reign.—George I. was plain and simple in his person and address; grave and composed in his deportment, though easy, familiar, and facetious in his hours of relaxation. Before he ascended the throne of Great Britain, he had acquired the character of a circumspect general, a just and merciful prince, a wise politician, who perfectly understood, and steadily pursued, his own interest. With these qualities, it cannot be doubted but that he came to England extremely well dis-

and fire, though with far less art and precision—Steele, who in his comedies successfully ingrafted modern characters on the ancient drama—Farquhar, who drew his pictures from fancy rather than from nature, and whose chief merit consisted in the agreeable prettiness and vivacity of his dialogue—Addison, whose taste as a poet greatly exceeded his genius, which was cold and enervate; though he yielded to nature in the character of an essayist, either in style or matter. Swift, whose muse seems to have been mere misanthropy, he was a cynic rather than a poet, and his natural vivacity and sarcastic severity would have been unimproved, had not he qualified them, by adopting the extravagant humour of Lucian and Rabelais. Prior, lively, familiar, and amusing—Rowe, solemn, florid, and declamatory—Pope, the prince of lyric poetry, unrivalled in satire, ethics, and polished versification—the agreeable Parnell—the wild, the witty, and the whimsical Gulliver—Goldsmith, whose fables may vie with those of La Fontaine in native humour, ease, and simplicity, and whose genius for pastoral was truly original. Dr. Bentley stood foremost in the list of critics and commentators. Sir Christopher Wren raised some noble monuments of architecture. The most remarkable political writers were Blackstone, Hales, Swift, Steele, Addison, Bolingbroke, and Trenchard.

\* George I. married the Princess Sophia Dorothy, daughter and heiress of the Duke of Zell, by whom he had King George II. and the late Queen Anne. The king's body was conveyed to Hanover, and interred among his ancestors. From the death of Charles II. to this period, England had made a considerable figure in every branch of literature. Dr. Atterbury and Dr. Clarke distinguished themselves in divinity. Mr. Locke, whose influence of Atomism—John Locke shone forth the great restorer of human reason—the Earl of Shaftesbury raised an elegant, though feeble, experimental natural philosophy—Bersley, afterwards Bishop of Cloyne in Ireland, surpassed all his contemporaries in sublimity and variety in metaphysical arguments, as well as in the art of education. Lord Bolingbroke's philosophical scepticism never been questioned, since his posthumous works appeared—great progress was made in mathematics and astronomy, by Wallis, Halley, and I have said—the art of medicine almost some valuable improvements in the classical Dr. Friend, and the elegant Dr. Mead.—Among the poets of this era we number John Philips, author of a didactic poem, called Cyder, a performance of real merit; he lived and died in obscurity—William Congreve, celebrated for his comedies, which are not famous for strength of character and power of language, as for wit, elegance, and regularity—Vanburgh, who wrote with more nature

posed to govern his new subjects according to the maxims of the British constitution, and the genius of the people; and if ever he seemed to deviate from these principles, we may take it for granted, that he was misled by the venal suggestions of a ministry whose power and influence were founded on corruption.

#### CHAP. IV.

§ I. George II. ascends the throne of Great Britain. § II. Characters of the principal persons concerned in the ministry. § III. Debates in parliament concerning the civil list. § IV. Changes and promotions. § V. New parliament. § VI. Violent dispute concerning the national debt. § VII. Vote of credit. § VIII. A double marriage between the houses of Spain and Portugal. § IX. Liberty of the Commons. § X. Debates on the subsidies of Hesse Cassel and Wolfenbuttel. § XI. Committee for inspecting the galls. § XII. Address touching the Spanish depredations. § XIII. A sum voted to the king on account of arrears due on the civil list revenue. § XIV. Proceedings in the House of Lords. § XV. Ane confut of the Irish parliament. § XVI. Abolition of the king of Sardinia. Death of Pope Benedict XIII. § XVII. Substance of the king's speech to both Houses. § XVIII. Objections to the treaty of Seville in the House of Lords. § XIX. Opposition in the lower House to a standing army. § XX. Bill prohibiting loans to foreign princes or states. § XXI. Charter of the East India company prolonged. § XXII. The emperor renounces the treaty of Seville. § XXIII. Seven Indian cloths arrive in England. Revolution at Constantinople. § XXIV. England interdict with robbers, assassins, and incendiaries. § XXV. Bill against pensioners sitting as members in the House of Commons. § XXVI. Treaty of Vienna. § XXVII. Death of the Duke of Parma. § XXVIII. Don Carlos takes possession of his territories. § XXIX. France distracted by religious disputes. § XXX. The ministry violently opposed in parliament. § XXXI. Debate on a standing army. § XXXII. Account of the charitable corporation. § XXXIII. Revival of the salt tax. § XXXIV. Mr. Pulteney's name struck out of the list of privy councilors. § XXXV. The king sets out for Hanover.

A. D. 1727. § I. At the accession of George II. the nation had great reason to wish for an alteration of measures. The public debt, notwithstanding the boasted economy and management of the ministers; notwithstanding the sinking fund, which had been extolled as a growing treasure sacred to the discharge of national encumbrances, was now increased to fifty millions two hundred sixty-one thousand two hundred and six pounds, nineteen shillings, eight pence three farthings. The kingdom was bewildered in a labyrinth of treaties and conventions, by which it stood engaged in pecuniary subsidies to many powers upon the continent, with whom its real interest could never be connected. The wealth of the nation had been lavished upon those foreign connexions, upon unnecessary wars and fruitless expeditions. Dangerous encroachments had been made upon the constitution, by the repeal of the act for triennial parliaments; by frequent suspensions of the *habeas corpus* act upon frivolous occasions; by repealing clauses in the act of settlement; by votes of credit; by habituating the people to a standing army; and, above all, by establishing a system of corruption, which at all times would secure a majority in parliament. The nature of prerogative, by which the liberties of the nation had formerly been often endangered, was now so well understood, and so securely restrained, that it could no longer be used for the same oppressive purposes: besides, an avowed extension of the prerogative required more ability, courage, and resolution, than the present ministry could exert. They understood their own strength, and had recourse to a more safe and effectual expedient. The vice, luxury, and prostitution of the age, the almost total extinction of sentiment, honour, and public spirit, had prepared the minds of men for slavery and corruption. The means were in the hands of the ministry; the public treasure was at their devotion; they multiplied places and pensions, to increase the number of their dependants: they squandered away the money of the nation without taste, discernment, decency, or remorse; they enlisted an army of the most abandoned emissaries, whom they employed to vindicate the worst measures, in the face of truth, common sense, and common honesty; and they did not fail to stigmatize as Jacobites, and enemies to the government, all those who presumed to question the merit of their administration.

§ II. The supreme direction of affairs was not yet engrossed by a single minister. Lord Townshend had the reputation of conducting the external transactions relating to treaties and negotiations. He is said to have understood that province, though he did not always follow the dictates of his own understanding. He possessed an ex-

tensive fund of knowledge; and was well acquainted with the functions of his office. The Duke of N. his colleague, was not remarkable for any of these qualifications; he owed his promotion to his uncommon zeal for the illustrious house of Hanover, and to the strength of his interest in parliament, rather than to his judgment, precision, or any other intellectual merit. Lord C. who may be counted an auxiliary, though not immediately concerned in the administration, had distinguished himself in the character of envoy at several courts in Europe. He had attained an intimate knowledge of all the different interests and connexions subsisting among the powers of the continent; and he infinitely surpassed all the ministers in learning and capacity. He was, indeed, the only man of genius employed under this government. He spoke with ease and propriety; his conceptions were just and lively; his inferences bold, his counsels vigorous and warm. Yet he depreciated his talents, by acting in a subordinate character to those whom he despised; and seemed to look upon the pernicious measures of a bad ministry with silent contempt rather than with avowed detestation. The interior government of Great Britain was chiefly managed by Sir Robert W. a man of extraordinary talents, who had from low beginnings raised himself to the head of the treasury. Having obtained a seat in the lower House, he declared himself one of the most forward partisans of the whig faction. He was endued with a species of eloquence, which, though neither nervous nor eloquent, flowed with great facility, and was so plausible on all subjects, that even when he misrepresented the truth, whether from ignorance or design, he seldom failed to persuade that part of his audience for whose hearing his harangue was chiefly intended. He was well acquainted with the nature of the public funds, and understood the whole mystery of stock-jobbing. This knowledge produced a connexion between him and the money-corporations, which served to enhance his importance. He perceived the bulk of mankind were actuated by a sordid thirst of lucre; he had sagacity enough to convert the degeneracy of the times to his own advantage; and on this, and this alone, he founded the whole superstructure of his subsequent administration. In the late reign he had by dint of speaking decisively to every question, by boldly impeaching the conduct of the tory ministers, by his activity in elections, and engaging as a projector in the schemes of the monied interest, become a leading member in the House of Commons. By his sufferings under the tory parliament, he attained the rank of martyr to his party; his interest, his reputation, and his presumption daily increased: he opposed Sunderland as his rival in power, and headed a dangerous defection from the ministry, which evinced the greatness of his influence and authority. He had the glory of being principally concerned in effecting a reconciliation between the late king and the Prince of Wales; then he was re-associated in the administration with additional credit; and, from the death of the Earls of Sunderland and Stanhope, he had been making long strides towards the office of prime minister. He knew the maxims he had adopted would subject him to the hatred, the ridicule, and reproach of some individuals, who had not yet resigned all sentiments of patriotism, nor all views of opposition; but the number of these was inconsiderable, when compared to that which constituted the body of the community; and he would not suffer the consideration of such antagonists to come in competition with his schemes of power, affluence, and authority. Nevertheless, low as he had humbled anti-ministerial association, it required all his artifice to elude, all his patience and natural phlegm to bear, the powerful arguments that were urged, and the keen satire that was exercised, against his measures and management, by a few members in the opposition. Sir William Wyndham possessed all the energy of elocution: Mr. Shippen was calm, intrepid, shrewd, and sarcastic: Mr. W. P. inherited from nature a good understanding, which he had studiously cultivated. He was one of the most learned members in the House of Commons, extremely well qualified to judge of literary productions: well read in history and politics; deeply skilled in the British constitution, the detail of government, and the nature of the finances. He spoke with freedom, fluency, and uncommon warmth of declamation, which was said to be



the effect of personal animosity to Sir R. W. with whom he had been formerly connected.

§ III. An express arriving on the fourteenth day of June, with an account of the king's death, his late majesty King George II. repaired from Richmond, where he received this intelligence, to Leicester House; and the members of the privy council being assembled, were sworn anew. The king declared his firm purpose to preserve the constitution in church and state, and to cultivate those alliances which his father had made with foreign princes. At the same time, he took and subscribed the oath for the security of the church of Scotland, as required by the act of union. Next day he was proclaimed King of Great Britain. The parliament assembled in pursuance of the act made for that purpose; but was immediately prorogued by commission to the twenty-seventh day of the month. All the great officers of state continued in their places: Sir Robert Walpole kept possession of the treasury; and the system of politics which the late king had established underwent no sort of alteration. The king, in his speech to both Houses at the opening of the session, professed a fixed resolution to merit the love and affection of his people, by maintaining them in the full enjoyment of their religious and civil rights. He promised to lessen the public expense as soon as the circumstances of affairs would permit: he observed to the Commons, that the grant of the greatest part of the civil-list revenues was now determined; and that it would be necessary for them to make a new provision for the support of him and his family: lastly, he recommended it to both Houses to despatch the business that should be necessarily brought before them, as the season of the year and the circumstances of time required their presence in the country. Addresses of condolence and congratulation being drawn up and presented, the Commons, in a committee of the whole House, took into consideration a motion for a supply to his majesty. Sir Robert Walpole having observed, that the annual sum of seven hundred thousand pounds granted to, and settled on, the late king, had fallen short every year; and that his present majesty's expenses were likely to increase, by reason of the largeness of his family, moved, that the entire revenues of the civil-list, which produced about eight hundred thousand pounds per annum, should be settled on the king during his life. Mr. Shippen opposed this motion, as inconsistent with the trust reposed in them as representatives of the people, who ought to be very frugal in exercising the right of giving away the public money. He said the sum of seven hundred thousand pounds was not obtained for his late majesty without a long and solemn debate; and every member who contended for it at that time, allowed it to be an ample royal revenue: that, although his majesty's family should be enlarged, a circumstance which had been urged as one reason for the motion, he presumed the appointments of Prince Frederick would be much inferior to those settled on his present majesty when he was Prince of Wales: besides, it was to be hoped that many personal, many particular expenses in the late reign, especially those for frequent journeys to Hanover, would be discontinued, and entirely cease. He observed, that the civil-list branches in the queen's reign did not often exceed the sum of five hundred and fifty thousand pounds: nevertheless, she called upon her parliament but once, in a reign of thirteen years, to pay the debts contracted in her civil government; and these were occasioned by the unparalleled instances of her piety and generosity. She gave the first fruits and tenths, arising to nineteen thousand pounds a year, as an augmentation of the maintenance of the poor clergy. She bestowed five thousand pounds per annum out of the post-office, on the Duke of Marlborough: she suffered seven hundred pounds to be charged weekly on the same office for the service of the public: she expended several hundred thousand pounds in building the castle of Blenheim: she allowed four thousand pounds annually to Prince Charles of Denmark: she sustained great losses by the tin contract: she supported the poor Palatines: she exhibited many other proofs of royal bounty: and immediately before her death she had formed a plan of retrenchment, which would have reduced her yearly expenses to four hundred and fifty-nine thousand nine hundred and forty-one pounds. He affirmed,

that a million a-year would not be sufficient to carry on the exorbitant expenses, so often and so justly complained of in the House of Commons: that over and above the yearly allowance of seven hundred thousand pounds, many occasional taxes, many excessive sums were raised, and all sunk in the bottomless gulf of secret service. Two hundred and fifty thousand pounds were raised in defiance of the ancient parliamentary methods, to secure the kingdom from a Swedish invasion: then the two insurance offices were erected, and paid near three hundred thousand pounds for their charters: our enmity with Sweden being changed into alliance, a subsidy of seventy-two thousand pounds was implicitly granted, to fulfil some secret engagement with that crown; four-and-twenty thousand pounds were given for burning merchant ships arrived from infected places, though the goods, which ought to have been destroyed for the public safety, were afterwards privately sold: a sum of five hundred thousand pounds was demanded, and granted, for paying the debts of the civil list; and his majesty declared, by message, he was resolved to retrench his expenses for the future. Notwithstanding this resolution, in less than four years, a new demand of the like sum was made and granted, to discharge new encumbrances: the Spanish ships of war which Admiral Byng took in the Mediterranean, were sold for a considerable sum of money: one hundred and twenty-five thousand pounds were granted in the last session, to be secretly disposed of for the public utility; and there was still a debt in the civil government, amounting to above six hundred thousand pounds. He took notice, that this amazing extravagance happened under the conduct of persons pretending to surpass all their predecessors in the knowledge and care of the public revenue; that as none of these sums had been accounted for, they were, in all probability, employed in services not fit to be owned. He said, he heartily wished that time, the greatest discoverer of hidden truths, and concealed iniquities, might produce a list of all such as had been perverted from their public duty by private pensions: who had been the hired slaves and the corrupt instruments of a profuse and vain-glorious administration. He proposed, that instead of granting an addition to the civil list, they should restrict that revenue to a certain sum, by concluding the question with these words, "in like manner as they were granted and continued to his late majesty, so as to make up the clear yearly sum of seven hundred thousand pounds." To these particulars, which were indeed unanswerable, no reply was made. Even this mark of decency was laid aside as idle and superfluous. The House agreed to the motion; and a bill was brought in for the better support of his majesty's household. The Commons having received a message from the king, desiring they would make a further provision for the queen his consort, resolved, That in case she should survive his majesty, the sum of one hundred thousand pounds should be settled upon her for life, charged upon the revenues of the civil list, together with his majesty's palace of Somerset House, and Richmond Old Park. A bill was formed on this resolution, which, as well as the other, passed both Houses; and received the royal assent on the seventeenth day of July, when the king, in a speech to both Houses, expressed his satisfaction with their conduct; and congratulated them upon the wealth and glory of the nation, by which they had acquired such weight in holding the balance of Europe. Then the lord chancellor prorogued the parliament to the twenty-ninth day of August: but on the seventh of that month a proclamation was issued for dissolving this, and convoking another.

§ IV. In the interim some changes were made in different departments of civil economy. Lord Viscount Torrington was placed at the head of the admiralty: the Earl of Westmoreland was appointed first lord-commissioner of trade and plantations. Philip Dormer Stanhope, Earl of Chesterfield, a nobleman remarkable for his wit, eloquence, and polished manners, was nominated ambassador to the Hague. The privy council being dissolved, another was appointed of the members then present. The Duke of Devonshire was dignified with the place of president; and the Duke of St. Albans was appointed master of the horse. On the eleventh day of October the coronation of the king and queen was performed at Westminster Abbey, with the

usual solemnity.<sup>a</sup> By this time the courts of France and Spain were perfectly reconciled: all Europe was freed from the calamities of war; and the peace of Great Britain suffered no interruption, except from some transient tumults among the tanners of Cornwall, who being provoked by a scarcity of corn, rose in arms and plundered the granaries of that county.

§ V. The elections in England and Scotland for the parliament having succeeded on the new system according to the wishes of the ministry, the two Houses met on the twenty-third day of January, when the Commons unanimously chose for their speaker Arthur Onslow, Esquire, knight of the shire for Surrey, a gentleman of extensive knowledge, worth, and probity; grave, eloquent, venerable, and every way qualified for the discharge of that honourable and important office. The king, in his speech to this new parliament, declared, that by the last advices from abroad, he had reason to hope the difficulties which had hitherto retarded the execution of the preliminaries, and the opening of the congress, would soon be entirely removed; in the meantime he represented the absolute necessity of continuing the preparation which had hitherto secured the nation, and prevented an open rupture in Europe. He promised, that his first care should be to reduce, from time to time, the expense of the public, as often, and as soon as the interest and safety of his people would permit such reduction. He expressed an earnest desire of seeing the foundation laid for an effectual scheme for the increase and encouragement of seamen in general, that they might be invited rather than compelled into the service of their country. Finally, he recommended unanimity, zeal, and despatch of the public business. Those speeches, penned by the minister, were composed with a view to soothe the minds of the people into an immediate concurrence with the measures of the government; but without any intention of performing those promises of economy, reformation, and national advantage. The two houses seemed to vie with each other in expressions of applause and affection to his majesty. The Lords, in their address, hailed him as the best of kings, and true father of his country. The Commons expressed the warmest sense of gratitude for the blessings they enjoyed in his reign, though it was not yet eight months old. They approved of all his transactions; promised to support him in all his undertakings; and declared they would cheerfully grant whatever supplies should be wanted for the public service. Having considered the estimates which were laid before them by order of his majesty, they voted two-and-twenty thousand nine hundred and fifty-five men for guards and garrisons; and fifteen thousand seamen for the service of the ensuing year. They granted two hundred and thirty thousand nine hundred and twenty-three pounds for the maintenance of twelve thousand Hessian troops; a subsidy of fifty thousand pounds to the King of Sweden; and half that sum to the Duke of Brunswick Wolfenbützel.<sup>b</sup> The expense of the year amounted to four millions, raised by a land tax of three shillings in the pound, a malt tax, and by borrowing of the bank one million seven hundred and fifty thousand pounds, for which, annuities to the amount of seventy thousand pounds, to be raised by duties on coals imported in the city of London, were granted to that corporation.

§ VI. All these sums, however, were not granted without question. The number of land forces occasioned a debate; and the Hessian auxiliaries were not allowed without dispute and opposition. When they deliberated on the loan of the bank, Mr. W. Pulteney observed, that the shifting of funds was but perpetuating taxes, and putting off the evil day: that notwithstanding the great merit which some persons had built on the sinking fund, it appeared that the national debt had been increased since the setting up that pompous project. Some warm altercation passed between him and Sir Robert Walpole on this subject. The lord mayor, aldermen, and common council of London, presented a petition setting forth, that the duties

already laid upon coals and culm, imported into London, affected the trade of that city only; that the inequality of the burthen was a great discouragement to their manufactures, and a hardship upon all the trading inhabitants. The petition was rejected, and the tax imposed. The House having addressed the king for a particular and distinct account of the distribution of two hundred and fifty thousand pounds, charged to have been issued for securing the trade and navigation of the kingdom, and preserving and restoring the peace of Europe, he declined granting their request, but signified in general, that part of the money had been issued and disbursed by his late majesty, and the remainder by himself, for carrying on the same necessary services, which required the greatest secrecy. Such a message in the reign of King William would have raised a dangerous flame in the House of Commons. Mr. W. Pulteney inveighed against such a vague

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and general way of accounting for the public money, as tending to render parliaments altogether insignificant, to cover embezzlements, and to screen corrupt and rapacious ministers. The Commons having taken into consideration the state of the national debt, examined the accounts, and interrogated the proper officers. A motion was made by a court member, that it appeared the monies already issued and applied towards discharging the national debts, together with a sum to be issued at Lady-day, amounted to six millions six hundred and forty-eight thousand seven hundred and sixty-two pounds, five shillings, one penny, one farthing. In vain did the leaders of the opposition expose the fallacious tendency of this motion. In vain did they demonstrate the fraudulent artifice used in drawing up the accounts; the motion was carried; and several resolutions were taken on the state of the national debts. In the particular account of these debts, upon which the House resolved to form a representation to his majesty, an article of three hundred thousand pounds relating to the duty upon wrought plate was totally omitted. This extraordinary omission being discovered, gave rise to a very warm debate, and to very severe reflections against those who superintended the public accounts. This error being rectified, a committee appointed for the purpose drew up the representations, containing a particular detail of the national debts discharged and incurred since the twenty-fifth day of December, in the year one thousand seven hundred and sixteen, with a state of the sinking fund and of the public credit. The draft, being approved by the House, was presented to the king, who received it graciously. He took this opportunity of saying, that the provision made for gradually discharging the national debt was now become so certain and considerable, that nothing but some unforeseen event could alter or diminish it: a circumstance that afforded the fairest prospect of seeing the old debts discharged without any necessity of incurring new encumbrances.

§ VII. This answer, fraught with many other expressions of fatherly tenderness for his people, paved the way for a message to the House, demanding a vote of credit to fulfil certain engagements entered into, and concerted, with the advice and concurrence of the last parliament, for securing the trade and navigation of this kingdom, and for restoring and preserving the peace of Europe. Though a debate ensued upon this message, the majority resolved, that an address should be presented to his majesty, declaring the duty and fidelity of the Commons, their entire confidence in his royal care and goodness, and their readiness to enable his majesty to fulfil his engagements. A vote of credit passed accordingly. During this session, the Peers were chiefly employed in examining copies of several treaties and alliances which the king submitted to their perusal; they likewise prepared a bill for amending the statute of limitation, which, however, did not pass into a law; they considered the state of the national debt, a subject fruitful of debates; they passed the mutiny bill, and those that were sent up from the Commons, touching

May, and was afterwards delivered of Louisa, married in the sequel to the King of Denmark.

<sup>b</sup> Nothing could be a greater burlesque upon negotiation than this treaty of alliance concluded with the petty Duke of Wolfenbützel, who very gravely guaranteed to his Britannic majesty the possession of his three kingdoms, and obliges himself to supply his majesty with five thousand men, in consideration of an annual subsidy of five-and-twenty thousand pounds for four years.

<sup>a</sup> King George II. ascended the throne in the forty-fourth year of his age, on the second day of September, 1727, he espoused the Princess Wilhelmina Charlotte Caroline, daughter to John Frederick, Marquis of Brandenburg Ansbach, by whom he had two sons, Frederick King, Prince of Wales, born at Hanover, on the thirty-first day of January, 1727, and William Augustus, born at London, on the fifteenth day of April, 1728. She had likewise born four princesses, namely, Anne, Amelia, Carolina,

the supplies; together with an act, obliging ships arriving from infected places to perform quarantine; and some others of a more private nature. These bills having received the royal assent, the king closed the session on the twenty-eighth day of May, when he thanked the Commons for the effectual supplies they had raised, and in particular, for having empowered him to borrow five hundred thousand pounds for the discharge of wages due to the seamen employed in the navy.

§ VIII. England was at this period quite barren of remarkable events. The king's uncle, Ernest Augustus, Prince of Brunswick, Duke of York, and Bishop of Osnabruck, died on the third day of August, and was succeeded in the bishopric by the Elector of Cologne, according to the pactum by which Osnabruck is alternately possessed by the house of Brunswick and that elector. In the beginning of December, his majesty's eldest son Prince Frederick arrived in England from Hanover, where he had hitherto resided, was introduced into the privy council, and created Prince of Wales. Signior Como, resident from the Duke of Parma, was ordered to quit the kingdom, because his master paid to the pretender the honours due to the King of Great Britain. The congress opened at Soissons, for determining all disputes among the powers of Europe, proved ineffectual. Such difficulties occurred in settling and reconciling so many different pretensions and interests, that the contracting parties in the alliance of Hanover proposed a provisional treaty, concerning which no definitive answer was given as yet by the courts of Vienna and Madrid. The fate of Europe, therefore, continued in suspense: the English fleet lay inactive and rotting in the West Indies: the sailors perishing miserably, without daring to avenge their country's wrongs; while the Spanish cruisers committed depredations with impunity on the commerce of Great Britain. The court of Spain, at this juncture, seemed cold and indifferent with regard to a pacification with England. It had renewed a good understanding with France, and now strengthened its interest by a double alliance of marriage with the royal family of Portugal. The infanta of this house was betrothed to the Prince of Asturias; while the Spanish infanta, formerly affianced to the French king, was now matched with the Prince of Brazil, eldest son of his Portuguese majesty. In the month of January, the two courts met in a wooden house built over the little river Coia, that separates the two kingdoms, and there the princesses were exchanged.

§ IX. The parliament of Great Britain meeting according to their last prorogation on the twenty-first day of January, the king in his speech communicated the nature of the negotiation at the congress. He demanded such supplies as might enable him to act vigorously in concert with his allies, provided his endeavours to establish an advantageous peace should miscarry; and he hinted that the dilatory conduct of the courts of Vienna and Madrid proceeded in a great measure from the hopes that were given of creating discontents and divisions among the subjects of Great Britain. This suggestion was a ministerial artifice to inflame the zeal and resentment of the nation, and intimidate the members in the opposition. Accordingly the hint was pursued, and in the address from both Houses, that could not fail of being agreeable, considering the manner in which they were dictated, particular notice was taken of this article: both Peers and Commons expressed their detestation and abhorrence of those, who, by such base and unnatural artifices, suggested the means of distressing their country, and clamoured at the inconveniences which they themselves had occasioned. In these addresses, likewise, the parliament congratulated his majesty on the arrival of the Prince of Wales in his British dominions: and the Commons sent a particular compliment to his royal highness on that occasion. The estimates having been examined in the usual form, the House voted fifteen thousand seamen for the ensuing year; but the motion for continuing the same number of land forces which had been allowed in the preceding year, was not carried without dispute. All the arguments against a standing army in time of peace, as inconsistent with the British constitution, and dangerous to the liberties of the people, were repeated with great

vivacity by Mr. Shippen and Mr. W. Pulteney. These, however, were answered, and represented as absurd, by Mr. Horatio Walpole and Mr. D. two staunch adherents of the minister. The first had, in despite of nature, been employed in different negotiations: he was blunt, awkward, and slovenly: an orator without eloquence, an ambassador without dignity, and a plenipotentiary without address. The other had natural parts and acquired knowledge; spoke with confidence; and in dispute was vain, sarcastic, petulant, and verbose.

§ X. The subsidies to Sweden, Hesse-Cassel, and Wolfenbuttel, were continued, notwithstanding the remonstrances of Sir Joseph Jekyll, Mr. Lutwyche, and Mr. Pulteney: which last observed, that as the Landgrave of Hesse-Cassel, and the Duke of Brunswick Wolfenbuttel, usually maintained a certain number of troops in their pay, it was but reasonable that Great Britain should defray no more than the expense of the additional forces which those powers had raised in consequence of their conventions with the King of England. Sir Robert Walpole perceiving that this remark made an impression on the House, thought it necessary to vindicate his measure. He expatiated upon the wisdom of the late king, in concluding the Hanover alliance. He affirmed, that the convention with Hesse-Cassel had prevented a war in the empire, for which the court of Vienna had made great preparations: that the emperor had not only augmented his own forces by the help of Spanish subsidies, but also retained the troops of three electors; and if he had not been overawed by the Hessians, would certainly have rejected the preliminaries, and all other advances towards a pacification: that, therefore, they ought not to grudge an expense which had already proved so beneficial to the tranquillity of Europe. Sir Joseph Jekyll replied, that whatever gloss might be put upon such measures, they were repugnant to the maxims by which England in former times had steered and squared its conduct with relation to its interest abroad: that the navy was the natural strength of Great Britain—its best defence and security: but if, in order to avoid a war, they should be so free-hearted as to buy and maintain the forces of foreign princes, they were never like to see an end of such extravagant expenses. This gentleman, who exercised the office of master of the rolls, had approved himself a zealous defender of whig principles, was an able lawyer, a sensible speaker, and a conscientious patriot. The supplies were raised by a continuation of the land tax, the duties upon malt, cider, and perry, an additional imposition on unmalted corn used in distilling, and by sale of annuities to the bank not exceeding fifty thousand pounds per annum.

§ XI. Petitions were delivered to the House of Commons from the merchants of London, Liverpool, and Bristol, complaining of the interruptions they had suffered in their trade for several years, by the depredations of the Spaniards in the West Indies. These being considered, the House ordered the lords of the admiralty to produce the other memorials of the same kind which they had received, that they might be laid before the congress at Soissons: then they addressed his majesty for copies of all the letters and instructions which had been sent to Admiral Hosier, and those who succeeded him in the command of the West India squadron. Mr. Ogilthorpe having been informed of shocking cruelties and oppressions exercised by gaolers upon their prisoners, moved for an examination into these practices, and was chosen chairman of a committee appointed to inquire into the state of the gaols of the kingdom. They began with the Fleet-prison, which they visited in a body: there they found Sir William Rich, baronet, loaded with irons, by order of Bamberge the warden, to whom he had given some slight cause of offence. They made a discovery of many inhuman barbarities, which had been committed by that ruffian, and detected the most iniquitous scenes of fraud, villany, and extortion. When the report was made by the committee, the House unanimously resolved, that Thomas Bamberge, acting warden of the Fleet, had wilfully permitted several debtors to escape; had been guilty of the most notorious breaches of trust, great extortions, and the highest crimes and misdemeanors in the execution of his office; that he had arbitrarily and unlawfully loaded with irons, put



into dungeons, and destroyed prisoners for debt, under his charge, treating them in the most barbarous and cruel manner, in high violation and contempt of the laws of the kingdom. John Huggins, Esquire, who had been warden of the Fleet-prison, was subjected to a resolution of the same nature. The House presented an address to the king, desiring he would direct his attorney-general forthwith to prosecute these persons and their accomplices, who were committed prisoners to Newgate. A bill was brought in, disabling Bamberge to execute the office of warden; another for the better regulating the prison of the Fleet; and for the more effectually preventing and punishing arbitrary and illegal practices of the warden of the said prison.<sup>c</sup>

§ XII. Other merchants complained by petition of the losses sustained by the Spaniards. The House, in a grand committee, deliberated on this subject, inquired into the particulars, examined evidence, and drew up an address to the king, desiring his majesty would be graciously pleased to use his utmost endeavours for preventing such depredations; for procuring just and reasonable satisfaction; and for securing to his subjects the free exercise of commerce and navigation to and from the British colonies in America. The king assured them he would use his best endeavours to answer the desires and expectations of his people, in an affair of so much importance; and they, in another address, thanked him for his gracious answer. They did not, however, receive such a satisfactory reply to a former address, touching the sum of sixty thousand pounds that had been stated in the public account, without specification of the particular uses to which it was applied. His majesty gave them to understand that the money had been issued and disbursed for secret services; and that a distinct and particular account of the distribution of it could not be given without a manifest prejudice to the public. A bill was prepared for the more effectual preventing bribery and corruption in elections for members of parliament; and it passed through the House without opposition: but their attention was chiefly employed upon the Spanish depredations, which had raised a great clamour through the whole kingdom, and excited very warm disputes in parliament; for they were generally reputed the fruits of negligence, incapacity, or want of vigour in the ministers. The Commons having made further progress in the inquiry, and received fresh petitions from the merchants, passed some resolutions, in which the Spaniards were accused of having violated the treaties subsisting between the two crowns; and with having treated inhumanly the masters and crews of the ships belonging to Great Britain. They justified the instructions given to Admiral Hosier, to seize and detain the fleets and galleons of Spain, until justice and satisfaction should be rendered to his majesty and his allies; nay, even declared that such seizure would have been just, prudent, and necessary, tending to prevent an open rupture, and to preserve the peace and tranquillity of Europe. They again addressed the king to use his endeavours to procure satisfaction; and he promised to comply with their request.

§ XIII. Mr. Scroope, member for Bristol, moved for an address entreating his majesty to order an account of the produce of the civil-list revenues for one year to be laid before the House. The address was presented, the account produced, and the House in a grand committee, took this affair into consideration. The courtiers affirmed that they fell short of the eight hundred thousand pounds settled upon his majesty; and Mr. Scroope proposed that the sum of one hundred and fifteen thousand pounds should be granted to the king, on account of those deficiencies and arrears. The motion was vigorously opposed by Mr. Pulteney and other members. They expressed their surprise that it should be made so late in the session, when no further demand of money could be reasonably expected; and they said it was the more extraordinary, because it appeared in the former session, from the examination of the accounts then before the House, that the revenues of the civil list produced yearly a much greater sum than that

for which they were given. Mr. Pulteney moved, that the accounts and papers should be referred to the examination of a select committee, properly empowered to investigate the truth. The ministers opposed this motion; and the question being put, it passed in the negative. The majority voted the sum demanded; and in a bill for settling the price of imported corn, they inserted the resolution for granting to his majesty the sum of one hundred and fifteen thousand pounds, on account of arrears due on the civil-list revenues.

§ XIV. The House of Lords having prepared a bill for the more effectual punishment of forgery, which was passed into a law, and ordered the judges to bring in another on the report of a committee appointed to consider the case of imprisoned debtors, at length deliberated upon the state of the nation, particularly the positive demands made by the court of Spain for the restitution of Gibraltar, grounded in a letter written by the late king to his catholic majesty. From a copy of the letter laid before the House, it plainly appeared that King George I. had consented to this restitution. A motion being made for a resolution, importing, that for the honour of his majesty, and the preservation and security of the trade and commerce of the kingdom, effectual care should be taken in the present treaty that the King of Spain should renounce all claim and pretension to Gibraltar and Minorca, in plain and strong terms: a debate ensued, and the question being put, passed in the negative, though not without a protest. Then the majority resolved, that the House did entirely rely upon his majesty, that he would, for maintaining the honour and securing the trade of this kingdom, take effectual care in the present treaty to preserve his undoubted right to Gibraltar and Minorca. When the House examined the papers relating to the Spanish depredations, many severe reflections were uttered against the conduct of the ministry; and the motion was made, to resolve that Hossie's expedition was an unreasonable burthen on the nation: but this too was rejected, and occasioned another protest. Nor did the clause in the corn bill, for granting one hundred and fifteen thousand pounds to his majesty, pass through the House of Peers without warm opposition. Divers lords alleged, that, instead of a deficiency in the civil-list revenues, there was a considerable surplus; that this was a new grant, and a new burthen on the people: that the nation was loaded, not to complete, but to augment, the sum designed for the civil list; and this at a time when the public debts were increased; when the taxes were heavily felt in all parts of the country; when the foreign trade of Britain was encumbered and diminished; when her manufactures were decayed, her poor multiplied, and she was surrounded by many other national calamities. They observed, that if the produce of the civil-list revenues should not amount to the yearly sum of eight hundred thousand pounds, the deficiency must be made good to his majesty by the public; whereas no provision was made, by which, if the produce of these revenues should exceed that sum, the surplus could accrue to the benefit of the public; that, by this precedent, not only real deficiencies were to be made good, but also supplies were to be given for arrears standing out at the end of the year, which should come on before the supplies could be granted, though the supply given to make good arrears in one year would certainly increase the surpluses in another: that the revenues of the civil list were variable in their own nature: and even when there is a deficiency in the produce, there might be arrears in the receipt: these might be easily increased by the management of designing ministers, by private directions to receivers, and by artful methods of stating accounts. All these arguments, and other objections equally strong and plausible, against this unconscionable and unparliamentary motion, served only to evince the triumph of the ministry over shame and sentiment, their contempt of public spirit, and their defiance of the national reproach.<sup>d</sup>

§ XV. The king had, on the twenty-fourth day of March, given the royal assent to A. D. 1729.

<sup>c</sup> It afterwards appeared that some of the members of this inquest were actuated by other motives than those they professed; and the committee was ordered to sink into oblivion.

<sup>d</sup> The peers that distinguished themselves in the opposition were Beau-

fort, Stafford, Craven, Folex, Litchfield, Scarsdale, Gower, Mountjoy, Plymouth, Richmond, Northampton, Coventry, Oxford and Mortimer, Willoughby de Broke, Boyle, and Warrington.

five bills; and on the fourteenth day of May, the same sanction was given to thirty other bills, including an act, enabling the queen to be regent in the kingdom during his majesty's absence, without taking the oaths: and another for the relief of insolvent debtors. At the same time two-and-thirty private bills were passed: then the king expressed his approbation of the parliament, signified his intention to visit his German dominions, and ordered the chancellor to prorogue both Houses. His majesty having appointed the queen regent of the realm, set out for Hanover, on the seventeenth day of May, in order to remove a petty misunderstanding which had happened between that electorate and the court of Berlin. Some Hanoverian subjects had been pressed or decoyed into the service of Prussia: and the regents of Hanover had seized certain Prussian officers, by way of reprisal. The whole united kingdom of Great Britain at this juncture enjoyed uninterrupted repose; and commerce continued to increase, in spite of all restriction and discouragement. The people of Ireland found themselves happy under the government of Lord Carteret; and their parliament, assembling in the month of September, approved themselves the fathers of their country. They established funds for the charge of their national debt, and for maintaining the expense of government: they enacted wholesome laws for the encouragement of manufactures, trade, and agriculture; and they formed wise regulations in different branches of civil economy. Some time after this session, which was conducted with so much harmony and patriotism, Lord Carteret returned to England; and was succeeded by the Duke of Dorset in the government of that kingdom. In the month of May, Charles Lord Townshend resigned the seals, which were given to Colonel Stanhope, now created Earl of Harrington; so that Sir R. W. now reigned without a rival. James Earl of Waldegrave was appointed ambassador to the court of France, which, about that time was filled with joy by the birth of a dauphin.

§ XVI. In the month of September, Victor Amadeus, King of Sardinia, resigned his crown to his son Charles Emanuel, Prince of Piedmont. The father reserved to himself a revenue of one hundred thousand pistoles per annum, retired to the castle of Chambery, and espoused the Countess Dowager of St. Sebastian, who declined the title of queen, but assumed that of Marchioness of Somerive. Though the congress at Soissons proved abortive, conferences were begun at Seville, between the plenipotentiaries of England, France, and Spain; and a treaty was concluded on the ninth day of November, not only without the concurrence of the emperor, but even contrary to his right, as established by the quadruple alliance. On this subject he communicated an imperial commissarial decree to the states of the empire assembled in the diet at Ratisbon, which was answered by the French minister de Chavigny. In October, Peter II. Czar of Muscovy, and grandson of Peter I. died in the fifteenth year of his age, at Moscow, and was succeeded on the Russian throne by the Princess Anne Ivanowna, second daughter of John Alexowitz, elder brother of the first Peter, and widow of Frederick William Duke of Courland. The following month was rendered remarkable by the death of Pope Benedict XIII. in whose room Cardinal Laurence Corsini was raised to the pontificate, and assumed the name of Clement XII.

§ XVII. The British parliament assembling on the thirtieth day of January, the king gave them to understand, that the peace of Europe was now established by the treaty of Seville, built upon the foundation of former treaties, and tending to render more effectual what the contracting powers in the quadruple alliance were before engaged to see performed. He assured them, that all former conventions made with Spain in favour of the British trade and navigation were renewed and confirmed: that the free, uninterrupted exercise of their commerce was restored: that the court of Spain had agreed to an ample restitution and reparation for unlawful seizures and depredations: that all rights, privileges, and possessions, belonging to him and his allies, were solemnly re-established, confirmed, and guaranteed; and that not one concession was made to the prejudice of his subjects. He told them he had

given orders for reducing a great number of his land forces, and for laying up great part of the fleet: and observed that there would be a considerable saving in the expense of the current year. After both Houses had presented their addresses of thanks and congratulation to the king on the peace of Seville, the Lords took that treaty into consideration, and it did not pass inquiry without severe animadversion.

§ XVIII. The lords in the opposition excepted to the article by which the merchants of Great Britain were obliged to make proof of their losses at the court of Spain. They said this stipulation was a hardship upon British subjects, and dishonourable to the nation: that few would care to undertake such a troublesome and expensive journey, especially as they had reason to apprehend their claims would be counterbalanced by the Spaniards; and, after all, they would have no more than the slender comfort of hoping to obtain that redress by commissaries which they had not been able to procure by plenipotentiaries. They thought it very extraordinary, that Great Britain should be bound to ratify and guarantee whatever agreement should be made between the King of Spain and the Duke of Parma and Tuscany, concerning the garrisons once established in their countries; that the English should be obliged to assist in effectuating the introduction of six thousand Spanish troops into the towns of Tuscany and Parma without any specification of the methods to be taken, or the charge to be incurred in giving that assistance; that they should guarantee for ever, not only to Don Carlos, but even all his successors, the possession of the estates of Tuscany and Parma; a stipulation which in all probability would involve Great Britain in endless quarrels and disputes, about a country with which they had no concern. They affirmed that the treaty of Seville, instead of confirming other treaties, was contradictory to the quadruple alliance, particularly in the article of introducing Spanish troops into Tuscany and Parma, in the room of neutral forces stipulated by the former alliance; and agreeing that they should there remain until Don Carlos and his successors should be secure and exempt from all events. They complained that these alterations, from the tenor of the quadruple alliance, were made without the concurrence of the emperor, and even without inviting him to accede; an affront which might alienate his friendship from England, and hazard the loss of such an ancient, powerful, and faithful ally: they declared that throughout the whole treaty there seemed to be an artful omission of any express stipulation, to secure Great Britain in her right to Gibraltar and Minorca. Such was the substance of the objections made to the peace: then Lord Bathurst moved for a resolution, that the agreement on the treaty of Seville, to secure the succession of Don Carlos to the duchies of Tuscany, Parma, and Placentia, with Spanish troops, was a manifest violation of the fifth article of the quadruple alliance, tending to involve the nation in a dangerous and expensive war, and to destroy the balance of power in Europe. The question was put, and the motion rejected. Such too was the fate of two other motions, to resolve that Great Britain's right of sovereignty, dominion, possession, and claim to Gibraltar and Minorca, were not ascertained by the treaty of Seville: and that the stipulations in that treaty for repairing the losses of the British merchants were insufficient and precarious. The majority, far from stigmatizing this transaction, resolved, that the treaty did contain all necessary stipulations for maintaining and securing the honour, dignity, rights, and possessions of the crown: that all due care was taken therein for the support of the trade of the kingdom, and for repairing the losses sustained by the British merchants. On these resolutions an address of approbation was founded: but when a motion was made for an address to his majesty, that he would order to be laid before the House a list of all pensions payable to the crown, it was immediately resolved in the negative. Divers contests of the same kind arose upon the mutiny bill, the pension bill, and the maintenance of the twelve thousand Hessians; but the ministry bore down all opposition, though their triumphs were clogged with vigorous protests, which did not fail to make impression upon the body of the people.

§ XIX. Nor was the success of the court interest in the

House of Commons altogether pure, and free from exception and dispute. When the charge of the land forces fell under the consideration of the Commons, and Mr. Henry Pelham, secretary at war, moved that the number of effective men for the land-service of the ensuing year should be fixed at seventeen thousand seven hundred and nine, Mr. Pulteney insisted upon its being reduced to twelve thousand. Mr. Shippen affirmed, that Mr. Pelham's motion was a flat negative to the address for which he voted on the first day of the session, as it plainly implied a distrust of the validity of the late treaty, which he then assured the House would immediately produce all the blessings of an absolute peace, and deliver the kingdom from the apprehensions and inconveniences of a war. He said the motion tended directly towards the establishment of an army in Great Britain, which he hoped would never be so far Germanized, as tamely to submit to a military government. He observed, that the nation could have no occasion for all the troops that were demanded, considering the glorious scene of affairs which was now opened to all Europe. "They are not necessary (said he) to awe Spain into a firm adherence to its own treaty; they are not necessary to force the emperor into an immediate accession; nor are they in any sort necessary for the safety of his majesty's person and government. Force and violence are the resort of usurpers and tyrants only; because they are, with good reason, distrustful of the people whom they oppress; and because they have no other security for the continuance of their unlawful and unnatural dominion than what depends entirely on the strength of their armies." The motion, however, was carried in the affirmative.

§ XX. Another warm debate was excited by a bill which the courtiers brought in, to prevent any subjects of Great Britain from advancing sums of money to foreign princes or states, without having obtained licence from his majesty, under his privy-seal, or some great authority. The minister pretended that this law was proposed to disable the emperor, who wanted to borrow a great sum of the English merchants, from raising and maintaining troops to disturb the tranquillity of Europe. The bill contained a clause, empowering the king to prohibit by proclamation all such loans of money, jewels, or bullion: the attorney-general was empowered to compel, by English bill, in the court of exchequer, the effectual discovery, on oath, of any such loans; and it was enacted, that in default of an answer to any such bill the court should decree a limited sum against the person refusing to answer. Mr. Daniel Pulteney, a gentleman of uncommon talents and ability, and particularly acquainted with every branch of commerce, argued strenuously against this bill, as a restraint upon trade that would render Holland the market of Europe, and the mart of money to the nations of the continent. He said that by this general prohibition, extending to all princes, states, or potentates, the English were totally disabled from assisting their best allies: that among others, the King of Portugal frequently borrowed money of the English merchants residing within his dominions; that while the licensing power remained in the crown, the licenses would be issued through the hands of the minister, who by this new trade might gain twenty, thirty, or forty thousand a-year: that the bill would render the exchequer a court of inquisition: and that whilst it restrained our merchants from assisting the princes and powers of Europe, it permitted our stock-jobbers to trade in their funds without interruption. Other arguments of equal weight were enforced by Mr. Barnard, a merchant of London, who perfectly understood trade in all its branches, spoke with judgment and precision, and upon all occasions steadily adhered to the interest and liberties of his country. After having explained his reasons, he declared he should never consent to a bill which he deemed a violation of our fundamental laws, a breach of our dearest liberties, and a very terrible hardship on mankind. Sir William Wyndham distinguished himself on the same side of the question: the bill was vindicated by

Sir Robert Walpole, Mr. Pelham, and Sir Philip York, attorney-general; and being supported by the whole weight of ministerial influence, not only passed through the House, but was afterwards enacted into a law.

§ XXI. The subsidies were continued to the Landgrave of Hesse-Cassel and the Duke of Brunswick-Wolfenbuttel, in spite of all that could be urged against these extraordinary encumbrances; and the supply for the ensuing year was granted according to the estimates which the ministry thought proper to produce, amounting to about two millions two hundred and eighty thousand pounds. It must be owned, however, for the credit of this session, that the House appropriated one million of the surplusses arising from the sinking fund towards the discharge of the national debt; and by another act extinguished the duties upon salt, by which expedient the subject was eased of a heavy burthen, not only in being freed from the duty, but also from a considerable charge of salaries given to a great number of officers employed to collect this imposition. They likewise encouraged the colony of Carolina with an act, allowing the planters and traders of that province to export rice directly to any part of Europe southward of Cape Finestere; and they permitted salt from Europe to be imported into the colony of New York. The term of the exclusive trade granted by act of parliament to the East India company drawing towards a period, many considerable merchants and others made application for being incorporated and vested with the privilege of trading to those countries, proposing to lay that branch of trade open to all the subjects of Great Britain, on certain conditions. In consideration of an act of parliament for this purpose, they offered to advance three millions two hundred thousand pounds, for redeeming the fund and trade of the present East India company. This proposal was rejected; and the exclusive privilege vested in the company was, by act of parliament, protracted to the year one thousand seven hundred and sixty-six, upon the following conditions: That they should pay into the exchequer the sum of two hundred thousand pounds towards the supplies of the year, without interest or addition to their capital stock: that the annuity or yearly fund of one hundred and sixty thousand pounds, payable to them from the public, should be reduced to one hundred and twenty-eight thousand: that after the year one thousand seven hundred and sixty-six, their right to the exclusive trade should be liable to be taken away by parliament, on three years' notice, and repayment of their capital.

§ XXII. On the fifteenth day of May, A. D. 1730. the king went to the House of Peers, and closed the session. In his speech he expressed his joy, that notwithstanding all the clamours which were raised, the parliament had approved of those matters which fell under their consideration; a circumstance which, he said, could not fail to inspire all mankind with a just detestation of those incendiaries, who, by scandalous libels, laboured to alienate the affections of his people; to fill their minds with groundless jealousies and unjust complaints, in dishonour of him and his government, and in defiance of the sense of both Houses of parliament.<sup>a</sup> The emperor was so much incensed at the insult offered him in the treaty of Seville, with respect to the garrisons of Tuscany and Parma, that he prohibited the subjects of Great Britain from trading in his dominions; he began to make preparations for war, and actually detached bodies of troops to Italy, with such despatch as had been very seldom exerted by the House of Austria. Yet the article of which he complained was not so much a real injury as an affront put upon the head of the empire: for the eventual succession to those Italian duchies had been secured to the Infant Don Carlos, by the quadruple alliance; and all that the emperor required was, that this prince should receive the investiture of them as fiefs of the empire.

§ XXIII. In Great Britain, this year was not distinguished by any transaction of great moment. Seven chiefs of the Cherokee nations of Indians, in America, were brought to England by Sir Alexander Cumin. Being

<sup>a</sup> To take the oath therein mentioned. In all probability this bill would not have made its way through the House of Commons, had not the minister been well assured it would stick with the upper House, where it was rejected at the second reading, though not without violent opposition.

<sup>b</sup> In the course of this session the Commons passed a bill for making more effectual the laws in being for disabling persons from being chosen for members of parliament who enjoyed any pension during pleasure, or for any number of years, or any offices holden in trust for them, by obliging all persons hereafter to be chosen to serve for the Commons in parliament,



introduced to the king they laid their crown and regalia at his feet: and by an authentic deed acknowledged themselves subjects to his dominion, in the name of all their compatriots, who had vested them with full power for this purpose. They were amazed and confounded at the riches and magnificence of the British court: they compared the king and queen to the sun and moon, the princes to the stars of heaven, and themselves to nothing. They gave their assent in the most solemn manner to articles of friendship and commerce, proposed by the lords commissioners for trade and plantations: and being loaded with presents of necessaries, arms, and ammunition, were reconveyed to their own country, which borders on the province of South Carolina. In the month of September a surprising revolution was effected at Constantinople, without bloodshed or confusion. A few mean janissaries displayed a flag in the streets, exclaiming that all true Musselmens ought to follow them, and assist in reforming the government. They soon increased to the number of one hundred thousand, marched to the seraglio, and demanded the grand vizir, the *kiaja*, and captain pacha. These unhappy ministers were immediately strangled. Their bodies being delivered to the insurgents, were dragged through the streets, and afterwards thrown to the dogs to be devoured. Not contented with this sacrifice, the revolvers despoiled the Grand Signior Achmet, who was confined to the same prison from whence they brought his nephew Machmut, and raised this last to the throne, after he had lived seven-and-twenty years in confinement.

§ XXIV. England was at this period infested with robbers, assassins, and incendiaries, the natural consequences of degeneracy, corruption, and the want of police in the interior government of the kingdom. This defect, in a great measure, arose from an absurd notion, that laws necessary to prevent those acts of cruelty, violence, and rapine, would be incompatible with the liberty of British subjects; a notion that confounds all distinctions between liberty and brutal licentiousness, as if that freedom was desirable, in the enjoyment of which people find no security for their lives or effects. The peculiar depravity of the times was visible even in the conduct of those who preyed upon the commonwealth. Thieves and robbers were now become more desperate and savage than ever they had appeared since mankind was civilized. In the exercise of their rapine, they wounded, maimed, and even murdered the unhappy sufferers, through a wantonness of barbarity. They circulated letters demanding sums of money from certain individuals, on pain of reducing their houses to ashes, and their families to ruin; and even set fire to the house of a rich merchant in Bristol, who had refused to comply with their demand. The same species of villany was practised in different parts of the kingdom: so that the government was obliged to interpose, and offer a considerable reward for discovering the ruffians concerned in such execrable designs.

§ XXV. In the speech with which the king opened the session of parliament on the twenty-first day of January, he told them, that the present critical juncture seemed in a very particular manner to deserve their attention: that as the transactions then depending in the several courts of Europe were upon the point of being determined, the great event of peace or war might be very much affected by their first resolutions, which were expected by different powers with great impatience. He said, the continuance of that zeal and vigour with which they had hitherto supported him and his engagements, must at this time be of the greatest weight and importance, both with regard to his allies, and to those who might be disposed, before the season of action, to prevent, by an accommodation, the fatal consequences of a general rupture. The former scene was repeated. Both Houses, in their addresses, promised to support his majesty, in all his engagements; yet the members in the opposition demonstrated the absurdity of promising to fulfil engagements, before they could possibly

know whether or not they were for the service of Great Britain. Another bill was brought into the House of Commons, to prevent pensioners from sitting as members of parliament; and after a third reading, carried up to the Lords for their concurrence. When the supply fell under consideration, the debates were renewed upon the subsidies to the Landgrave of Hesse-Cassel and the Duke of Wolfenbüttele, which however were continued; and every article was granted according to the estimates given in for the expense of the ensuing year. Two petitions being presented to the Commons, representing the delays of justice, occasioned by the use of the Latin tongue in proceedings at law, a bill was brought in for changing this practice, and enacting that all those processes and pleadings should be entered in the English language. Though one would imagine that very little could be advanced against such a regulation, the bill met with warm opposition, on pretence that it would render useless the ancient records which were written in that language, and introduce confusion and delay of justice, by altering the established form and method of pleading: in spite of these objections it passed through both Houses and obtained the royal assent. A great number of merchants from different parts of the kingdom having repeated their complaints of depredations and cruelties committed by the Spaniards in the West Indies, their petitions were referred to the consideration of a grand committee. Their complaints upon examination appeared to be well founded. The House presented an address to the king, desiring his majesty would be graciously pleased to continue his endeavour to prevent such depredations for the future; to procure full satisfaction for the damages already sustained; and to secure to the British subjects the full and uninterrupted exercise of their trade and navigation to and from the British colonies in America. The bill against pensions produced a warm debate in the House of Lords, where it was violently opposed by the Dukes of Newcastle and Argyle; the Earl of Ilay, and Dr. Sherlock, Bishop of Bangor. This prelate, in a remarkable speech, represented it as a scheme to enlarge the power of the House of Commons, and to break the balance between the powers essential to the constitution, so as, sooner or latter, to prove the ruin of the whole. The great barrier providing against bribery and corruption by this bill consisted in an oath to be imposed on all members of the lower House, by which they must have solemnly sworn and declared, that they had not directly, nor indirectly, any pension during pleasure, or for any number of years, or any office in part or in the whole, held for them, or for their benefit by any persons whatsoever; and that they would not accept any such pensions or offices, without signifying the same to the House within fourteen days after they should be received or accepted. The bill was vindicated as just and necessary by the Earls of Winchelsea and Strafford, Lord Bathurst, and Lord Carteret, who had by this time joined as an auxiliary in the opposition.

§ XXVI. The House of Peers proceeded A. D. 1731. to consider the state of the national debt: they read a bill for the free importation of wool from Ireland into England, which was fiercely opposed and laid aside, contrary to all the rules of sound policy. They passed the bill for carrying on proceedings at law in the English language; and a fruitless motion was made by Lord Bathurst for an address, to desire his majesty would give directions for discharging the Hessian troops that were in the pay of Great Britain. On the seventh day of May the parliament was prorogued, after the king had given them to understand, that all apprehensions of war were now happily removed by a treaty signed at Vienna between him and the emperor. He said it was communicated to the courts of France and Spain, as parties to the treaty of Seville, the execution of which it principally regarded; and that it was likewise submitted to the consideration of the States-general. He observed, that the

Nothing was heard within doors in parliament but sarcastic repartee and violent declamation between the two parties, who did not confine their altercation to these debates, but took the field against each other in periodical papers, and occasional pamphlets. The paper called the Craftsman had already risen into high reputation all over England, for the wit, humour, and solid reasoning it contained. Some of the best writers in the opposition, including Lord Bolingbroke and Mr. P. made use of this vehicle

to convey their animadversions upon the minister, who, on his side, employed the most wretched scribbles to defend his conduct. It was in consequence of two political pamphlets, written in opposition to each other, by Lord Hervey and Mr. P. and some reprimand they produced in the House of Commons, that his lordship challenged the other to single combat, and had well nigh lost his life in the duel, which was fought in Hyde Park.

conditions and engagements into which he had entered on this occasion were agreeable to that necessary concern which the British nation must always have for the security and preservation of the balance of power in Europe: and that this happy turn, duly improved with a just regard to former alliances, yielded a favourable prospect of seeing the public tranquillity re-established.

§ XXVII. In the month of January the Duke of Parma died, after having made a will in which he declared his duchess was three months advanced in her pregnancy; entreating the allied powers of Europe to have compassion upon his people, and defer the execution of their projects until his consort should be delivered. In case the child should be still-born, or die after the birth, he bequeathed his dominions and allodial estates to the Infant Don Carlos of Spain; and appointed five regents to govern the duchy. Notwithstanding this disposition, a body of imperial troops immediately took possession of Parma and Placentia, under the command of General Stampa, who declared they should conduct themselves with all possible regularity and moderation, and leave the administration entirely to the regents whom the duke had appointed. They publicly proclaimed in the market-place, that they took possession of these duchies for the Infant Don Carlos: and that if the duchess dowager should not be delivered of a prince, the said infant might receive the investiture from the emperor whenever he would, provided he should come without an army. Though these steps seemed to threaten an immediate war, the King of Great Britain and the States-general interposed their mediation so effectually with the court of Vienna, that the emperor desisted from the prosecution of his design; and on the sixteenth day of March concluded at Vienna a treaty with his Britannic majesty, by which he consented to withdraw his troops from Parma and Placentia. He agreed, that the King of Spain might take possession of these places in favour of his son Don Carlos, according to the treaty of Seville. He likewise agreed, that the Ostend company, which had given such umbrage to the maritime powers, should be totally dissolved, on condition that the contracting powers concerned in the treaty of Seville should guarantee the pragmatic sanction, or succession of the Austrian hereditary dominions to the heirs female of the emperor, in case he should die without male issue. The Dutch minister residing at the imperial court did not subscribe this treaty, because by the maxims received in that republic, and the nature of her government, he could not be vested with full powers so soon as it would have been necessary: nevertheless the States-general were, by a separate article, expressly named as a principal contracting party.

§ XXVIII. On the twenty-second day of July a new treaty was signed at Vienna between the emperor and the Kings of Great Britain and Spain, tending to confirm the former. In August a treaty of union and defensive alliance between the electorates of Saxony and Hanover was executed at Dresden. The court of Spain expressing some doubts with regard to the pregnancy of the Duchess of Parma, she underwent a formal examination by five midwives of different nations, in presence of the elder duchess dowager, several ladies of quality, three physicians, and a surgeon: and was declared with child: nevertheless, after having kept all Europe in suspense for six months, she owned she had been deceived; and General Stampa, with the imperial forces, took formal possession of the duchies of Parma and Placentia. Spain and the Great Duke of Tuscany having acceded to the last treaty of Vienna, the crown of Great Britain engaged to equip an armament that should convoy Don Carlos to his new dominions. Accordingly, Sir Charles Wager sailed with a strong squadron from Portsmouth on the twenty-sixth day of August; and in September arrived at Barcelona, where, being joined by the Spanish fleet and transports, they sailed together to Leghorn: from whence the admiral returned to England. Don Carlos passed through part of France, and embarking at Antibes on board of the Spanish galleys, arrived at Leghorn in December. Then the imperial general withdrew his forces into the Milanese; and the infant took possession of his new territories.

§ XXIX. During these transactions France was dis-

tracted by religious disputes, occasioned by the bull Unigenitus thundered against the doctrines of Jansenius; a bull which had produced a schism in the Gallican church, and well nigh involved that country in civil war and confusion. It was opposed by the parliaments and lay tribunals of the kingdom; but many bishops, and the Jesuits in general, were its most strenuous assertors. All the artifices of priestcraft were practised on both sides to inflame the enthusiasm, and manage the superstition, of the people. Pretended miracles were wrought at the tomb of Abbe Paris, who had died without accepting the bull, consequently was declared damned by the abettors of that constitution. On the other hand, the Jesuits exerted all their abilities and industry in preaching against the Jansenists; in establishing an opinion of their superior sanctity; and in inspiring a spirit of quietism among their votaries, who were transported into the delirium of possession, illumination, and supernatural converse. These arts were often used for the most infamous purposes. Female enthusiasts were brought up to such a violence of agitation, that nature fainted under the struggle, and the pseudo-saint seized this opportunity of violating the chastity of his penitent. Such was said to be the case of Mademoiselle la Cadiere, a young gentlewoman of Toulon, abused in this manner by the lust and villany of Pere Guitard, a noted Jesuit, who underwent a trial before the parliament of Aix, and very narrowly escaped the stake.

§ XXX. The parliament of Great Britain meeting on the thirteenth day of January, the king in his speech declared, that the general tranquillity of Europe was restored and established by the last treaty of Vienna; and Don Carlos was actually possessed of Parma and Placentia: that six thousand Spaniards were quietly admitted and quartered in the duchy of Tuscany, to secure, by the express consent and agreement of the great duke, the reversion of his dominions; and that a family convention was made between the courts of Spain and Tuscany, for preserving mutual peace and friendship in the two houses. He told the Commons, that the estimates for the service of the current year would be considerably less than those of former years. He recommended unanimity: he observed that his government had no security but what was equally conducive to their happiness, and to the protection of his people: that their prosperity had no foundation but in the defence and support of his government. "Our safety, (said he,) is mutual, and our interests are inseparable." The opposition to the court measures appears to have been uncommonly spirited during the course of this session. The minister's motions were attacked with all the artillery of elocution. His principal emissaries were obliged to task their faculties to their full exertion, to puzzle and perplex where they could not demonstrate and convince, to misrepresent what they could not vindicate, and to elude the arguments which they could not refute. In the House of Commons Lord Hervey, lately appointed vice-chamberlain of his majesty's household, made a motion for an address of thanks, in which they should declare their entire approbation of the king's conduct, acknowledge the blessings they enjoyed under his government, express their confidence in the wisdom of his councils, and declare their readiness to grant the necessary supplies. This member, son to the Earl of Bristol, was a nobleman of some parts, which, however, were more specious than solid. He condescended to act as a subaltern to the minister, and approved himself extremely active in forwarding all his designs, whether as a secret emissary or public orator; in which last capacity he appears to have been pert, frivolous, and frothy. His motion was seconded by Mr. Clutterbuck, and opposed by Sir Wilfred Lawson, Mr. Shippen, Mr. W. Pulteney, Sir William Wyndham, and Mr. Oglethorpe. They did not argue against a general address of thanks; but exposed the absurdity and bad tendency of expressions which implied a blind approbation of all the measures of the ministry. Sir Wilfred Lawson observed, that notwithstanding the great things we had done for the crown of Spain, and the favours we had procured for the royal family of that kingdom, little or no satisfaction had as yet been received for the injuries our merchants had sustained from that nation. Mr. Pulteney took notice, that the nation, by becoming guarantee to the

pragmatic sanction, laid itself under an obligation to assist the Austrian family when attacked by any potentate whatever, except the grand signior: that they might be attacked when it would be much against the interest of the kingdom to engage itself in a war upon any foreign account: that it might one day be for the interest of the nation to join against them, in order to preserve the balance of Europe, the establishing of which had already cost England such immense sums of money. He insisted upon the absurdity of concluding such a number of inconsistent treaties; and concluded with saying, that if affairs abroad were now happily established, the ministry which conducted them might be compared to a pilot, who, though there was a clear, safe, and straight channel into port, yet took it in his head to carry the ship a great way about, through sands, rocks, and shallows; who, after having lost a great number of seamen, destroyed a great deal of tackle and rigging, and subjected the owners to an enormous expense, at last by chance hits the port, and triumphs in his good conduct. Sir William Wyndham spoke to the same purpose. Mr. Oglethorpe, a gentleman of unblemished character, brave, generous, and humane, affirmed that many other things related more nearly to the honour and interest of the nation than did the guarantee of the pragmatic sanction. He said he wished to have heard that the new works at Dunkirk had been entirely raised and destroyed: that the nation had received full and complete satisfaction for the depredations committed by the natives of Spain: that more care was taken in disciplining the militia, on whose valour the nation must chiefly depend in case of an invasion; and that some regard had been shown to the oppressed protestants in Germany. He expressed his satisfaction to find that the English were not so closely united to France as formerly; for he had generally observed, that when two dogs were in a leash together, the stronger generally ran away with the weaker: and this he was afraid had been the case between France and Great Britain. The motion was vigorously defended by Mr. Pelham, paymaster of the forces, and brother to the Duke of Newcastle, a man whose greatest fault was his being concerned in supporting the measures of a corrupt ministry. In other respects he was liberal, candid, benevolent, and even attached to the interest of his country, though egregiously mistaken in his notions of government. On this occasion he asserted, that it was no way inconsistent with the honour or dignity of that House, to thank his majesty in the most particular terms for every thing he had been pleased to communicate in his speech from the throne: that no expressions of approbation in the address could be any way made use of to prevent an inquiry into the measures which had been pursued, when the treaties should be laid before the House. He said, at the opening of a session the eyes of all Europe were turned towards Great Britain, and from the parliament's first resolves all the neighbouring powers judged of the unanimity that would ensue between his majesty and the representatives of his people: that their appearing jealous or diffident of his majesty's conduct would weaken his influence upon the councils of foreign states or potentates, and perhaps put it out of his power to rectify any false step that might have been made by his ministers. His arguments were reinforced by a long speech from Mr. H. Walpole. The question was put, the motion carried, and the address presented.

§ XXXI. The next subject of debate was the number of land forces. When the supply fell under consideration, Sir W. Strickland, secretary at war, moved that the same number which had been maintained in the preceding year should be continued in pay. On the other hand, Lord Morpeth, having demonstrated the danger to which the liberties of the nation might be exposed, by maintaining a numerous standing army in time of peace, made a motion that the number should be reduced to twelve thousand. A warm debate ensuing, was managed in favour of the first motion by Lord Hervey, Sir Robert Walpole, and his brother, Mr. Pelham, and Sir Philip York, attorney-general. This gentleman was counted a better lawyer than a politician, and shone more as an advocate at the bar than as an orator in the House of Commons. The last partisan of the ministry was Sir William Yonge, one of the lords com-

missioners of the treasury; a man who rendered himself serviceable and necessary, by stooping to all compliances, running upon every scent, and haranguing on every subject with an even, uninterrupted, tedious flow of dull declamation, composed of assertions without veracity, conclusions from false premises, words without meaning, and language without propriety. Lord Morpeth's motion was espoused by Mr. Watkin Williams Wynne, a gentleman of an ancient family and opulent fortune in Wales, brave, open, hospitable, and warmly attached to the ancient constitution and hierarchy; he was supported by Mr. Walter Plumer, who spoke with weight, precision, and severity, by Sir W. Wyndham, Mr. Shippen, Mr. W. Pulteney, and Mr. Barnard. The courtiers argued that it was necessary to maintain such a number of land forces as might defeat the designs of malcontents, secure the interior tranquillity of the kingdom, defend it from external assaults, overawe its neighbours, and enable it to take vigorous measures in case the peace of Europe should be re-embroiled. They affirmed, the science of war was so much altered, and required so much attention, that no dependence was to be placed upon a militia: that all nations were obliged to maintain standing armies, for their security against the encroachments of neighbouring powers: that the number of troops in Great Britain was too inconsiderable to excite the jealousy of the people even under an ambitious monarch: that his majesty never entertained the least thoughts of infringing the liberties of his subjects; that it could not be supposed that the officers, among whom were many gentlemen of family and fortune, would ever concur in a design to enslave their country; and that the forces now in pay could not be properly deemed a standing army, inasmuch as they were voted and maintained from year to year by the parliament, which was the representative of the people. To these arguments the members in the opposition replied, that a standing force in time of peace was unconstitutional, and had been always thought dangerous; that a militia was as capable of discipline as a standing army, and would have more incentives to courage and perseverance: that the civil magistrate was able to preserve the peace of the country: that the number of the malcontents was altogether contemptible, though it might be considerably augmented by maintaining a standing army, and other such arbitrary measures: that other nations had been enslaved by standing armies; and howsoever they might find themselves necessitated to depend upon a military force for security against encroaching neighbours, the case was very different with regard to Great Britain, for the defence of which nature had provided in a peculiar manner: that this provision was strengthened and improved by a numerous navy, which secured her dominion on the sea; and, if properly disposed, would render all invasion impracticable, or at least ineffectual: that the land army of Great Britain, though sufficient to endanger the liberties of an unarmed people, could not possibly secure such an extent of coast, and therefore could be of very little service in preventing an invasion: that though they had all imaginable confidence in his majesty's regard for the liberty of his subjects, they could not help apprehending, that should a standing army become part of the constitution, another prince of more dangerous talents, and more fatal designs, might arise, and employ it for the worst purposes of ambition: that though many officers were gentlemen of honour and probity, these might be easily discarded, and the army gradually moulded into a quite different temper. By these means, practised in former times, an army had been new modelled to such a degree, that they turned their swords against the parliament, for whose defence they had been raised, and destroyed the constitution both in church and state; that with respect to its being wholly dependent on the parliament, the people of England would have reason to complain of the same hardship, whether a standing army should be declared at once indispensable; or regularly voted from year to year, according to the direction of the ministry; that the sanction of the legislature, granted to measures which in themselves are unconstitutional, burthensome, odious, and repugnant to the genius of the nation, instead of yielding consolation, would serve only to demonstrate, that the most effectual method of forging the



claims of national slavery, would be that of ministerial influence operating upon a venal parliament. Such were the reasons urged against a standing army, of what number severer it might be composed; but the expediency of reducing the number from about eighteen thousand to twelve thousand, was insisted upon as the natural consequence of his majesty's declaration, by which they were given to understand that the peace of Europe was established; and that he had nothing so much at heart as the ease and prosperity of his people. It was suggested, that eighteen thousand men were sufficient on the supposed eve of a general war in Europe; it was surely reasonable to think that a less number would suffice when peace was perfectly re-established. Whatever effect these reasons had upon the body of the nation, they made no converts in the House, where the majority resolved that the standing army should be maintained without reduction. Mr. Plumer complained, that the country was oppressed by an arbitrary method of quartering soldiers, in an undue proportion, upon those publicans who refused to vote in elections according to the direction of the ministry. Mr. Pulteney asserted, that the money raised for the subsistence of eighteen thousand men in England, would maintain sixty thousand French or Germans, or the same number of almost any other people on the continent. Sir William Wyndham declared, that eighteen thousand of the English troops in the late war were maintained on less than two-thirds of the sum now demanded for the like number; but no regard was paid to these allegations.

§ XXXII. The next object of importance that attracted the notice of the House, was the state of the charitable corporation. This company was first erected in the year one thousand seven hundred and seven. Their professed intention was to lend money at legal interest to the poor, upon small pledges; and to persons of a better rank upon an indubitable security of goods impawned. Their capital was at first limited to thirty thousand pounds; but, by licenses from the crown, they increased it to six hundred thousand pounds, though their charter was never confirmed by act of parliament. In the month of October, George Robinson, Esquire, member for Marlow, the cashier, and John Thompson, warehouse-keeper of the corporation, disappeared in one day. The proprietors, alarmed at this incident, held several general courts, and appointed a committee to inspect the state of their affairs. They reported, that for a capital of above five hundred thousand pounds no equivalent was found; inasmuch as their effects did not amount to the value of thirty thousand, the remainder having been embezzled by means which they could not discover. The proprietors, in a petition to the House of Commons, represented that by the most notorious breach of trust in several persons to whom the care and management of their affairs were committed, the corporation had been defrauded of the greatest part of their capital; and that many of the petitioners were reduced to the utmost degree of misery and distress; they, therefore, prayed, that as they were unable to detect the combinations of those who had ruined them, or to bring the delinquents to justice, without the aid of the power and authority of parliament, the House would vouchsafe to inquire into the state of the corporation; and the conduct of their managers; and give such relief to the petitioners as to the House should seem meet. The petition was graciously received, and a secret committee appointed to proceed on the inquiry. They soon discovered a most iniquitous scene of fraud, which had been acted by Robinson and Thompson, in concert with some of the directors, for embezzling the capital, and cheating the proprietors. Many persons of rank and quality were concerned in this infamous conspiracy: some of the first characters in the nation did not escape suspicion and censure. Sir Robert Sutton and Sir Archibald Grant were expelled the House of Commons, as having had a considerable share in those fraudulent practices: a bill was brought in to restrain them and other delinquents from leaving the kingdom, or alienating their effects. In the mean time, the committee received a letter from Signior John Angelo Belloni, an eminent banker at Rome, giving them to understand, that Thompson was secured in that city, with all his papers, and confined to the castle of St. Angelo; and that the papers were transmitted to his cor-

respondent at Paris, who would deliver them up, on certain conditions stipulated in favour of the prisoner. This letter was considered as an artifice to insinuate a favourable opinion of the pretender, as if he had taken measures for securing Thompson, from his zeal for justice, and affection for the English people. On this supposition, the proposals were rejected with disdain; and both Houses concurred in an order that the letter should be burned at the Royal Exchange, by the hands of the common hangman. The lower House resolved, that it was an insolent and audacious libel, absurd and contradictory; that the whole transaction was a scandalous artifice, calculated to delude the unhappy, and to disguise and conceal the wicked practices of the professed enemies to his majesty's person, crown, and dignity.

§ XXXIII. No motion, during this session, produced such a warm contest as did that of Sir Robert Walpole, when, after a long preamble, he proposed that the duties on salt, which about two years before had been abolished, should now be revived, and granted to his majesty, his heirs and successors, for the term of three years. In order to sweeten this proposal, he declared that the land tax for the ensuing year should be reduced to one shilling in the pound. All the members of the country party were immediately in commotion. They expressed their surprise at the grossness of the imposition. They observed that two years had scarce elapsed since the king, in a speech from the throne, had exhorted them to abolish some of the taxes that were the most burthensome to the poor: the House was then of opinion, that the tax upon salt was the most burthensome and the most pernicious to the trade of the kingdom, of all the impositions to which the poor were subjected, and therefore it was taken off: but that no good reason could be produced for altering their opinions so suddenly, and resolving to grind the faces of the poor, in order to ease a few rich men of the landed interest. They affirmed, that the most general taxes are not always the least burthensome: that after a nation is obliged to extend their taxes further than the luxuries of their country, those taxes that can be raised with the least charge to the public are the most convenient and easiest to the people: but they ought carefully to avoid taxing those things which are necessary for the subsistence of the poor. The price of all necessaries being thus enhanced, the wages of the tradesman and manufacturer must be increased; and where these are high, the manufacturers will be undersold by those of cheaper countries. The trade must of consequence be ruined; and it is not to be supposed that the landed gentleman would choose to save a shilling in the pound from the land tax, by means of an expedient that would ruin the manufactures of his country, and decrease the value of his own fortune. They alleged that the salt tax particularly affected the poor, who could not afford to eat fresh provisions; and that, as it formerly occasioned murmurs and discontents amongst the lower class of people, the revival of it would, in all probability, exasperate them into open sedition. They observed, that while it was exacted in England, a great number of merchants sent their ships to Ireland, to be victualled for their respective voyages; that, since it had been abolished, many experiments had been successfully tried with salt for the improvement of agriculture, which would be entirely defeated by the revival of this imposition. They suggested that the land tax was raised at a very small expense, and subject to no fraud, whereas that upon salt would employ a great number of additional officers in the revenue, wholly depending upon the ministry, whose influence in elections they would proportionably increase. They even hinted, that this consideration was one powerful motive for proposing the revival of an odious tax; which was in effect an excise, and would be deemed a step towards a general excise upon all sorts of provisions. Finally, they demonstrated that the salt tax introduced numberless frauds and perjuries in different articles of traffic. Sir Robert Walpole endeavoured to obviate all these objections in a long speech, which was minutely answered and refuted in every article by Mr. Pulteney. Nevertheless, the question being put, the minister's motion was carried in the affirmative, and the duty revived: yet, before the bill passed, divers motions were made, and additional clauses proposed by the

members in the opposition. New debates were raised on every new objection, and the courtiers were obliged to dispute their ground by inches.

§ XXXIV. The pension bill was revived, and for the third time rejected in the House of Lords. A bill for the encouragement of the sugar colonies passed through the lower House with great difficulty, but was lost among the Peers; another, for the better securing the freedom of parliaments, by further qualifying members to sit in the House of Commons, was read the third time, and thrown out upon the question. A committee had been appointed to inquire into a sale of the estates which had belonged to the late Earl of Derwentwater. It appeared by the report, that the sale had been fraudulent: a bill was prepared to make it void: Dennis Bond, Esquire, and Sergeant Birch, commissioners for the sale of the forfeited estates, were declared guilty of notorious breach of trust, and expelled the House, of which they were members: George Robinson, Esquire, underwent the same sentence, on account of the part he acted in the charitable corporation, as he and Thompson had neglected to surrender themselves, according to the terms of a bill which had passed for that purpose. During this session, five members of parliament were expelled for the most sordid acts of knavery; a sure sign of national degeneracy and dishonour. All the supplies were granted, and among other articles, the sum of two-and-twenty thousand six hundred and ninety-four pounds seven shillings and sixpence, for the agio or difference of the subsidies payable to the crown of Denmark, in pursuance of the treaty subsisting between the late king and that monarch: but this was not obtained without a violent dispute. Mr. Pulteney, who bore a considerable share in all these debates, became in a little time so remarkable as to be thought worthy of a very particular mark of his majesty's displeasure. The king, on the first day of July, called for the council book, and with his own hand struck the name of William Pulteney, Esquire, out of the list of privy councillors: his majesty further ordered him to be put out of all the commissions of the peace. The several lord-lieutenants, from whom he had received deputations, were commanded to revoke them: and the lord chancellor and secretaries of state were directed to give the necessary orders for that purpose.

§ XXXV. Nor did the House of Peers tamely and unanimously submit to the measures of the ministry. The pension bill being read, was again rejected, and a protest entered. A debate arose about the number of standing forces: and the Earl of Chesterfield argued for the court motion. The Earl of Oxford moved that they might be reduced to twelve thousand effective men. The Earl of Winchelsea observed, that a standing army rendered ministers of state more daring than otherwise they would be, in contriving and executing projects that were grievous to the people: schemes that never could enter into the heads of any but those who were drunk with excess of power. The Marquis of Tweedale, in reasoning against such a number as the ministry proposed, took occasion to observe that not one shilling of the forfeited estates was ever applied to the use of the public: he likewise took notice, that the eighteen thousand men, demanded as a standing force, were modelled in such a manner, that they might be speedily augmented to forty thousand men on any emergency. The Duke of Argyll endeavoured to demonstrate the danger of depending for the safety of the kingdom upon an undisciplined militia, a fleet, or an army of auxiliaries. Then he represented the necessity of having recourse to a regular army in case of invasion; and after all, acknowledged, that the number proposed was no way sufficient for that purpose. All his arguments were answered and refuted in an excellent speech by Lord Carteret: nevertheless, victory declared for the minister. The parliament having granted every branch of the supply, towards the payment of which they borrowed a sum from the sinking-fund, and passed divers other acts for the encouragement of commerce and agriculture, the king, on the first day of June, gave the royal assent to the bills that were prepared, and closed the session, after having informed both Houses that the States-general had acceded to the treaty of Vienna: that he had determined to visit his German dominions, and to leave the queen regent in his absence. He

accordingly set out for Hanover in the beginning of June. By this time the pragmatic sanction was confirmed by the diet of the empire, though not without a formal protest by the Electors Palatine, Bavaria, and Saxony.

## CHAP. V.

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§ I. THE most remarkable incident that distinguished this year in England was a very uncommon instance of suicide: an act of despair so frequent among the English, that in other countries it is objected to them as a national reproach. Though it may be generally termed the effect of lunacy proceeding from natural causes operating on the human body, in some few instances it seems to have been the result of cool deliberation. Richard Smith, a bookbinder, and prisoner for debt within the liberties of the king's bench, persuaded his wife to follow his example in making away with herself, after they had murdered their little infant. This wretched pair were in the month of April found hanging in their bed-chamber, at about a yard's distance from each other; and in a separate apartment the child lay dead in a cradle. They left two papers enclosed in a short letter to their landlord, whose kindness they implored in favour of their dog and cat. They even left money to pay the porter who should carry the enclosed papers to the person for whom they were addressed. In one of these the husband thanked that person for the marks of friendship he had received at his hands: and complained of the ill offices he had undergone from a different quarter. The other paper, subscribed by the husband and wife, contained the reasons which induced them to act such a tragedy on themselves and their offspring. This letter was altogether surprising for the calm resolution, the good humour, and the propriety, with which it was written. They declared, that they withdrew themselves from poverty and rags; evils that, through a train of unlucky accidents, were become inevitable. They appealed to their neighbours for the industry with which they had endeavoured to earn a livelihood. They justified the murder of their child, by saying it was less cruelty to take her with them, than to leave her friendless in the world, exposed to ignorance and misery. They professed their belief and confidence in an Almighty God, the fountain of goodness and beneficence, who could not possibly take delight in the misery of his creatures; they, therefore, resigned up their lives to him without any terrible apprehensions; submitting themselves to those ways which, in his goodness, he should appoint after death. These unfortunate suicides had been always industrious and frugal, invincibly honest, and remarkable for conjugal affection.

§ II. Trustees having been appointed by charter to

superintend a new settlement in Georgia, situated to the southward of Carolina in America, Mr. Oglethorpe, as general, and governor of the province, embarked at Gravesend, with a number of poor families to plant that colony. The King of Spain having equipped a very powerful armament, the fleet sailed on the fourth day of June from the road of Alicante, under the command of the Count de Montemar, and arrived on the coast of Barbary in the neighbourhood of Oran, where a considerable body of troops was landed without much opposition. Next day, however, they were attacked by a numerous army of Moors, over whom they obtained a complete victory. The bey or governor of Oran immediately retired with his garrison, and the Spaniards took possession of the place, from which they had been driven in the year one thousand seven hundred and eight. The strong fort of Mazalquivir was likewise surrendered to the victors at the first summons; so that this expedition answered all the views with which it had been projected. Victor Amadeus, the abdicated King of Sardinia, having, at the instigation of his wife, engaged in some intrigues, in order to re-ascend the throne, his son, the reigning king, ordered his person to be seized at Montcalier, and conveyed to Rivoli, under a strong escort. His wife, the Marchioness de Spigno, was conducted to Serva. The old king's confessor, his physician, and eight-and-forty persons of distinction, were imprisoned. The citadel of Turin was secured with a strong garrison; and new instructions were given to the governor and senate of Chambery. The dispute which had long subsisted between the King of Prussia and the young Prince of Orange, touching the succession to the estates possessed by King William III. as head of the house of Orange, was at last accommodated by a formal treaty signed at Berlin and Dierin. The Dutch were greatly alarmed about this time with an apprehension of being overwhelmed by an inundation, occasioned by worms, which were said to have consumed the piles and timber-work that supported their dykes. They prayed and fasted with uncommon zeal, in terror of this calamity, which they did not know how to avert in any other manner. At length they were delivered from their fears by a hard frost, which effectually destroyed those dangerous animals. About this time, Mr. Dieden, plenipotentiary from the Elector of Hanover, received, in the name of his master, the investiture of Bremen and Verden from the hands of the emperor.

§ III. The history of England at this period cannot be very interesting, as it chiefly consists in an annual revolution of debates in parliament. Debates, in which the same arguments perpetually recur on the same subjects. When the session was opened on the sixteenth day of January, the king declared, that the situation of affairs both at home and abroad, rendered it unnecessary for him to lay before the two Houses any other reasons for calling them together, but the ordinary despatch of the public business, and his desire of receiving their advice in such affairs as should require the care and consideration of parliament. The motion made in the House of Commons for an address of thanks implied, that they should express their satisfaction at the present situation of affairs both at home and abroad. The motion was carried, notwithstanding the opposition of those who observed, that the nation had very little reason to be pleased with the present posture of affairs; that the French were employed in fortifying and restoring the harbour of Dunkirk, contrary to the faith of the most solemn treaties; that the British merchants had received no redress for the depredations committed by the Spaniards; that the commerce of England daily decreased; that no sort of trade thrived but the traffic of 'Change Alley, where the most abominable frauds were practised; and that every session of parliament opened a new scene of villany and imposition.

§ IV. The pension bill was once more revived, and lost again in the House of Peers. All the reasons formerly advanced against a standing army were now repeated; and a reduction of the number insisted upon with such warmth, that the ministerial party were obliged to have recourse to the old phantom of the pretender. Sir Archer Croft said a continuation of the same number of forces was the more necessary, because, to his knowledge,

popery was increasing very fast in the country; for, in one parish which he knew, there were seven popish priests; and that the danger from the pretender was the more to be feared, because they did not know but he was then breeding his son a protestant. Sir Robert Walpole observed, that a reduction of the army was the chief thing wished for and desired by all the Jacobites in the kingdom; that no reduction had ever been made but what gave fresh hopes to that party, and encouraged them to raise tumults against the government; and he did not doubt but that, if they should resolve to reduce any part of the army, there would be post-horses employed that very night to carry the good news beyond sea to the pretender. His brother Horatio added, that the number of troops then proposed was absolutely necessary to support his majesty's government, and would be necessary as long as the nation enjoyed the happiness of having the present illustrious family on the throne. The futility, the self-contradiction, and the ridiculous absurdity of these suggestions were properly exposed: nevertheless, the army was voted without any reduction. Sir Wilfred Lawson having made a motion for an address to the king, to know what satisfaction had been made by Spain for the depredations committed on the British merchants, it was after a violent debate approved, and the address presented. The king in answer to this remonstrance gave them to understand, that the meeting of the commissioners of the two crowns had been so long delayed by unforeseen accidents, that the conferences were not opened till the latter end of the preceding February; and that as the courts of London and Madrid had agreed that the term of three years stipulated for finishing the commission should be computed from their first meeting, a perfect account of their proceedings could not as yet be laid before the House of Commons. A bill had been long depending for granting encouragement to the sugar colonies in the West Indies; but as it was founded upon a prohibition that would have put a stop to all commerce between the French islands and the British settlements in North America, it met with a very warm opposition from those who had the prosperity of those northern colonies at heart. But the bill being patronized and supported by the court interest, surmounted all objections: and afterwards passed into a law. While the Commons deliberated upon the supply, Sir Robert Walpole moved, that five hundred thousand pounds should be issued out of the sinking fund for the service of the ensuing year. Sir William Wyndham, Mr. Pulteney, and Sir John Barnard, expatiated upon the iniquity of pillaging a sacred deposit, solemnly appropriated to the discharge of the national debt. They might have demonstrated the egregious folly of a measure, by which the public, for a little temporary ease, lost the advantage of the accumulating interest which would have arisen from the sinking fund if properly managed and reserved. All objections vanished before the powers of ministerial influence, which nothing now could check but the immediate danger of popular commotion. Such hazardous interposition actually defeated a scheme which had been adopted by the minister, and even before its appearance alarmed all the trading part of the nation.

§ V. The House having resolved itself into a committee, to deliberate upon the most proper methods for the better security and improvement of the duties and revenues charged upon tobacco and wines, all the papers relating to these duties were submitted to the perusal of the members: the commissioners of the customs and excise were ordered to attend the House, the avenues of which were crowded with multitudes of people; and the members in the opposition waited impatiently for a proposal in which they thought the liberties of their country so deeply interested. In a word, there had been a call of the House on the preceding day. The session was frequent and full; and both sides appeared ready and eager for the contest when Sir Robert Walpole broached his design. He took notice of the arts which had been used to prejudice the people against his plan before it was known. He affirmed that the clamours occasioned by these prejudices had originally risen from smugglers and fraudulent dealers, who had enriched themselves by cheating the public; and that these had been strenuously as-



sisted and supported by another set of men, fond of every opportunity to stir up the people of Great Britain to mutiny and sedition. He expatiated on the frauds that were committed in that branch of the revenue arising from the duties on tobacco; upon the hardships to which the American planters were subjected by the heavy duties payable on importation, as well as by the ill usage they had met with from their factors and correspondents in England, who, from being their servants, were now become their masters; upon the injury done to the fair trader; and the loss sustained by the public with respect to the revenue. He asserted that the scheme he was about to propose would remove all these inconveniences, prevent numberless frauds, perjuries, and false entries, and add two or three hundred thousand pounds per annum to the public revenue. He entered into a long detail of frauds practised by the knavish dealers in those commodities; he recited the several acts of parliament that related to the duties on wine and tobacco: he declared he had no intention to promote a general excise: he endeavoured to obviate some objections that might be made to his plan, the nature of which he at length explained. He proposed to join the laws of excise to those of the customs: that the further subsidy of three farthings per pound charged upon imported tobacco should be still levied at the custom house, and payable to his majesty's civil list as heretofore: that then the tobacco should be lodged in warehouses, to be appointed for that purpose by the commissioners of the excise: that the keeper of each warehouse, appointed likewise by the commissioners, should have one lock and key, and the merchant-importer have another: and that the tobacco should be thus secured until the merchant should find vent for it, either by exportation or home consumption: that the part designed for exportation should be weighed at the custom house, discharged of the three farthings per pound which had been paid at its first importation, and then exported without further trouble: that the portion destined for home consumption should, in presence of the warehouse keeper, be delivered to the purchaser, upon his paying the inland duty of four-pence per pound weight to the proper officer appointed to receive it; by which means the merchant would be eased of the inconvenience of paying the duty upon importation, or of granting bonds and finding sureties for the payment, before he had found a market for the commodity; that all penalties and forfeitures, so far as they formerly belonged to the crown, should for the future be applied to the use of the public: that appeals in this, as well as in all other cases relating to the excise, should be heard and determined by two or three of the judges, to be named by his majesty; and in the country, by the judge of assize upon the next circuit, who should hear and determine such appeals in the most summary manner, without the formality of proceedings in courts of law or equity.

§ VI. Such was the substance of the famous excise scheme, in favour of which Sir Robert Walpole moved, that the duties and subsidies on tobacco should from and after the twenty-fourth day of June cease and determine. The debate which ensued was managed and maintained by all the able speakers on both sides of the question. Sir Robert Walpole was answered by Mr. Perry, member for the city of London. Sir Paul Methuen joined in the opposition. Sir John Barnard, another representative of London, distinguished himself in the same cause. He was supported by Mr. Pulteney, Sir William Wyndham, and other patriots. The scheme was espoused by Sir Philip Yorke, appointed lord chief-justice of the king's bench, and ennobled in the course of the ensuing year. Sir Joseph Jekyll approved of the project, which was likewise strenuously defended by Lord Hervey, Sir Thomas Robinson, Sir William Yonge, Mr. Pelham, and Mr. Winnington, which last excelled all his contemporaries of the ministry in talents and address. Those who argued against the scheme accused the minister of having misrepresented the frauds, and made false calculations. With respect to the supposed hardships under which the planters were said to labour, they affirmed that no planter had ever dreamed of complaining, until instigated by letters and applications from London: that this scheme, far from relieving the planters, would expose the factors to such

grievous oppression, that they would not be able to continue the trade, consequently the planters would be entirely ruined; and, after all, it would not prevent those frauds against which it was said to be provided; that from the examination of the commissioners of the customs, it appeared that those frauds did not exceed forty thousand pounds per annum, and might in a great measure be abolished, by a due execution of the laws in being; consequently this scheme was unnecessary, would be ineffectual in augmenting the revenue, destructive to trade, and dangerous to the liberties of the subject, as it tended to promote a general excise, which was in all countries considered as a grievous oppression. They suggested that it would produce an additional swarm of excise officers, and warehouse keepers, appointed and paid by the treasury, so as to multiply the dependants on the crown, and enable it still further to influence the freedom of elections; that the traders would become slaves to excisemen and warehouse keepers, as they would be debarred all access to their commodities, except at certain hours, when attended by those officers: that the merchant, for every quantity of tobacco he could sell, would be obliged to make a journey, or send a messenger to the office for a permit, which could not be obtained without trouble, expense, and delay; and that should a law be enacted in consequence of this motion, it would in all probability be sometime or other used as a precedent for introducing excise laws into every branch of the revenue; in which case the liberty of Great Britain would be no more. In the course of this debate, Sir Robert Walpole took notice of the multitudes which had beset all the approaches to the House. He said it would be an easy task for a designing seditious person to raise a tumult and disorder among them; that gentlemen might give them what name they should think fit, and affirm they were come as humble suppliants: but he knew whom the law called sturdy beggars: and those who brought them to that place could not be certain but that they might behave in the same manner. This insinuation was resented by Sir John Barnard, who observed that merchants of character had a right to come down to the court of requests, and lobby of the House of Commons, in order to solicit their friends and acquaintance against any scheme or project which they might think prejudicial to their commerce: that when he came into the House, he saw none but such as deserved the appellation of sturdy beggars as little as the honourable gentleman himself, or any gentleman whatever. After a warm

A. D. 1733.

dispute the motion was carried by a majority of sixty-one voices. Several resolutions were founded on the proposal: and to these the House agreed, though not without another violent contest. The resolutions produced a bill, against which petitions were preferred by the lord mayor, aldermen, and common-council of London, the cities of Coventry and Nottingham. A motion was made that counsel should be heard for the city of London; but it was rejected by the majority, and the petitions were ordered to lie upon the table. Had the minister encountered no opposition but that which appeared within-doors, his project would have certainly been carried into execution: but the whole nation was alarmed, and clamoured loudly against the excise-bill. The populace still crowded against Westminster-hall, blocking up all the avenues to the House of Commons. They even insulted the persons of those members who had voted for the ministry on this occasion; and Sir Robert Walpole began to be in fear of his life. He, therefore, thought proper to drop the design by moving that the second reading of the bill might be postponed till the twelfth day of June. Then, complaint being made of the insolence of the populace, who had maltreated several members, divers resolutions were taken against those tumultuous crowds, and their abettors; these resolves were communicated to the lord mayor of London, the sheriff of Middlesex, and the high bailiff of Westminster. Some individuals were apprehended in the court of requests, as having fomented the disturbances; but they were soon released. The miscarriage of the bill was celebrated with public rejoicings in London and Westminster; and the minister was burned in effigy by the populace. After the miscarriage of the excise scheme, the House unanimously

resolved to inquire into the frauds and abuses in the customs; and a committee of twenty-one persons was chosen by ballot for this purpose.

§ VII. The subsequent debates of this session were occasioned by a bill to prevent the infamous practice of stock-jobbing, which with great difficulty made its way to the House of Lords, who proposed some amendments, in consequence of which it was laid aside; and succeeded by another bill establishing a lottery, to raise five hundred thousand pounds for the relief of those who had suffered by the charitable corporation. After having undergone some alterations it passed through both Houses, and obtained the royal assent. The king, by a message to parliament, had signified his intention to give the princess royal in marriage to the Prince of Orange, promising himself their concurrence and assistance, that he might be enabled to bestow such a portion with his eldest daughter as should be suitable to the occasion. The Commons immediately resolved, that out of the monies arising from the sale of lands in the island of St. Christopher, his majesty should be empowered to apply fourscore thousand pounds, as a marriage dower for his daughter; and a clause for this purpose was inserted in the bill, for enabling his majesty to apply five hundred thousand pounds out of the sinking-fund for the service of the current year.

§ VIII. The opposition in the House of Lords was still more animated, though ineffectual. The debates chiefly turned upon the pension bill, the number of land forces, and a motion was made by Lord Bathurst, for an account of the produce of the forfeited estates which had belonged to the directors of the South Sea company. The trustees for these estates had charged themselves with a great sum of money, and the Lords in the opposition thought they had a right to know how it had been disposed. The ministry had reason to stifle this inquiry; and, therefore, opposed it with all their vigour. Nevertheless, the motion was carried, after a warm dispute, and the directors of the South Sea company were ordered to lay the account before the House. From this it appeared that the large sums of money arising from the forfeited estates had been distributed among the proprietors by way of dividend, even before recourse was had to parliament for directions in what manner that produce should be applied: Lord Bathurst, therefore, moved for a resolution of the House, that the disposal of this money by way of dividend, without any order or direction of a general court for that purpose, was a violation of the act of parliament made for the disposal thereof, and a manifest injustice done to the proprietors of that stock. The Duke of Newcastle, in order to gain time, moved, that as the account was confused, and almost unintelligible, the present directors of the company might be ordered to lay before the House a further and more distinct account of the manner in which the money had been disposed. A violent contest ensued, in the course of which the House divided, and of fifty-seven peers who voted for the delay, forty-six were such as enjoyed preferment in the church, commissions in the army, or civil employments under the government. At length Lord Bathurst waved his motion for that time: then the House ordered that the present and former directors of the South Sea company, together with the late inspectors of their accounts, should attend and be examined. They were accordingly interrogated, and gave so little satisfaction, that Lord Bathurst moved for a committee of inquiry; but the question being put, was carried in the negative: yet a very strong protest was entered by the Lords in the opposition. The next subject of altercation was the bill for misapplying part of the produce of the sinking-fund. It was attacked with all the force of argument, wit, and declamation, by the Earl of Strafford, Lords Bathurst and Carteret, and particularly by the Earl of Chesterfield, who had by this time resigned his staff of lord steward of the household, and renounced all connexion with the ministry. Lord Bathurst moved for a resolution, importing that, in the opinion of the House, the sinking-fund ought for the future to be applied, in time of peace and public tranquillity, to the redemption of those taxes which were most prejudicial to the trade, most burthensome on the manufactures, and most oppressive on the poor of the nation. This motion was overruled, and the bill adopted

by the majority. On the eleventh day of June, the king gave the royal assent to the bills that were prepared, and closed the session with a speech, in which he took notice of the wicked endeavours that had been lately used to inflame the minds of the people, by the most unjust misrepresentations.

§ IX. Europe was now re-involved in fresh troubles by a vacancy on the throne of Poland. Augustus died at Warsaw in the end of January, and the neighbouring powers were immediately in commotion. The Elector of Saxony, son to the late king, and Stanislaus, whose daughter was married to the French monarch, declared themselves candidates to the Polish throne. The emperor, the czarina, and the King of Prussia, espoused the interest of the Saxon: the King of France supported the pretensions of his father-in-law. The foreign ministers at Warsaw forthwith began to form intrigues among the electors: the Marquis de Monti, ambassador from France, exerted himself so successfully that he soon gained over the primate, and a majority of the catholic dietines, to the interests of Stanislaus; while the imperial and Russian troops hovered on the frontiers of Poland. The French king no sooner understood that a body of the emperor's forces was encamped at Silesia, than he ordered the Duke of Berwick to assemble an army on the Rhine, and take measures for entering Germany, in case the imperialists should march into Poland. A French fleet set sail for Dantzic, while Stanislaus travelled through Germany in disguise to Poland, and concealed himself in the house of the French ambassador at Warsaw. As the day of election approached, the imperial, Russian, and Prussian ministers delivered in their several declarations, by way of protest against the contingent election of Stanislaus, as a person proscribed, disqualified, depending upon a foreign power, and connected with the Turks, and other infidels. The Russian general Lascki entered Poland at the head of fifty thousand men: the diet of the election was opened with the usual ceremony on the twenty-fifth day of August. Prince Viesazowski, chief of the Saxon interest, retired to the other side of the Vistula, with three thousand men, including some of the nobility who adhered to that party. Nevertheless, the primate proceeded to the election: Stanislaus was unanimously chosen king; and appeared in the electoral field, where he was received with loud acclamations. The opposite party soon increased to ten thousand men; protested against the election, and joined the Russian army, which advanced by speedy marches. King Stanislaus finding himself unable to cope with such adversaries, retired with the primate and French ambassador to Dantzic, leaving the Palatine of Kiow at Warsaw. This general attacked the Saxon palace, which was surrendered upon terms: then the soldiers and inhabitants plundered the houses belonging to the grantees who had declared for Augustus, as well as the hotel of the Russian minister. In the mean time, the Poles, who had joined the Muscovites, finding it impracticable to pass the Vistula before the expiration of the time fixed for the session of the diet, erected a kelo at Cracow, where the Elector of Saxony was chosen and proclaimed, by the Bishop of Cracow, King of Poland, under the name of Augustus III. on the sixth day of October. They afterwards passed the river, and the Palatine of Kiow retiring towards Cracow, they took possession of Warsaw, where in their turn they plundered the palaces and houses belonging to the opposite party.

§ X. During these transactions, the French king concluded a treaty with Spain and Sardinia, by which those powers agreed to declare war against the emperor. Manifestos were published reciprocally by all the contracting powers. The Duke of Berwick passed the Rhine in October, and undertook the siege of Fort Kehl, which in a few days was surrendered on capitulation: then he repassed the river, and returned to Versailles. The King of Sardinia having declared war against the emperor, joined a body of French forces commanded by Marechal de Villars, and drove the imperialists out of the Milanese. His imperial majesty, dreading the effects of such a powerful confederacy against him, offered to compromise all differences with the crown of Spain, under the mediation of the King of Great Britain; and Mr. Keen, the British mini-

ter at Madrid, proposed an accommodation. Philip expressed his acknowledgments to the King of England, declaring, however, that the emperor's advances were too late; and that his own resolutions were already taken. Nevertheless, he sent orders to the Count de Montijo, his ambassador at London, to communicate to his Britannic majesty the motives which had induced him to take these resolutions. In the meantime he detached a powerful armament to Italy, where they invested the imperial fortress of Aulæ, the garrison of which was obliged to surrender themselves prisoners of war. The republic of Venice declared she would take no share in the disputes of Italy: the States-general signed a neutrality with the French king for the Austrian Netherlands, without consulting the emperor or the King of Great Britain; and the English councils seemed to be altogether pacific.

§ XI. In November the Prince of Orange arrived at Greenwich, in order to espouse the princess royal: but the marriage was postponed on account of his being taken ill; and he repaired to Bath in Somersetshire, to drink the water for the recovery of his strength. Henrietta, the young Duchess of Marlborough, dying about this time, the title devolved to her sister's son, the Earl of Sunderland. Lord King resigning his office of chancellor, it was conferred upon Mr. Talbot, solicitor-general, together with the title of baron; a promotion that reflected honour upon those by whom it was advised. He possessed the spirit of a Roman senator, the elegance of an Atticus, and the integrity of a Cato. At the meeting of the parliament in January, the king told them, in his speech, that though he was no way engaged in the war which had begun to rage in Europe, except by the good offices he had employed among the contending powers, he could not sit regardless of the present events, or be unconcerned for the consequences of a war undertaken and supported by such a powerful alliance. He said, he had thought proper to take time to examine the facts alleged on both sides, and to wait the result of the councils of those powers that were more immediately interested in the consequences of the rupture. He declared he would concert with his allies, more particularly with the States-general of the United Provinces, such measures as should be thought most advisable for their common safety, and for restoring the peace of Europe. In the meantime, he expressed his hope that they would make such provisions as should secure his kingdom, rights, and possessions from all dangers and insults, and maintain the respect due to the British nation. He said, that whatever part it might in the end be most reasonable for him to act, it would in all views be necessary, when all Europe was preparing for arms, to put his kingdom in a posture of defence. The motion for an address of thanks produced, as usual, a debate in both Houses, which, it must be owned, appears to have proceeded from a spirit of cavilling, rather than from any reasonable cause of objection.

§ XII. The House of Commons resolved to address his majesty for a copy of the treaty of Vienna. Sir John Rushout moved for another, desiring that the letters and instructions relating to the execution of the treaty of Seville, should be submitted to the inspection of the Commons; but, after a hard struggle, it was overruled. The next motion was made by Mr. Sandys, a gentleman who had for some time appeared strenuous in the opposition, and wrangled with great perseverance. He proposed that the House should examine the instructions which had been given to the British minister in Poland, some years before the death of King Augustus, that they might be the better able to judge of the causes which produced this new rupture among the powers of Europe. The motion being opposed by all the court members, a contest ensued, in the course of which Mr. Pulteney compared the ministry to an empiric, and the constitution of England to his patient. "This pretender in physic (said he) being consulted, tells the distempered person, there were but two or three ways of treating his disease: and he was afraid that none of them would succeed. A vomit might throw him into convulsions that would occasion immediate death; a purge might bring on a diarrhæa that would carry him off in a short time: and he had been already bled so much, and so often, that he could bear it no longer. The

unfortunate patient, shocked at this declaration, replies, Sir, you have always pretended to be a regular doctor, but now I find you are an arrant quack. I had an excellent constitution when I first fell into your hands, but you have quite destroyed it; and now I find I have no other chance for saving my life, but by calling for the help of some regular physician." In the debate, the members on both sides seemed to wander from the question, and indulge themselves with ludicrous personalities. Mr. H. Walpole took occasion to say, that the opposition treated the ministry as he himself was treated by some of his acquaintance with respect to his dress. "If I am in plain clothes, (said he,) then they call me a slovenly, dirty fellow; and if by chance I wear a laced suit, they cry, What, shall such an awkward fellow wear fine clothes?" He continued to sport in this kind of idle buffoonery. He compared the present administration to a ship at sea. As long as the wind was fair, and proper for carrying us to our destined port, the word was, "Steady! steady!" but when the wind began to shift and change, the word was necessarily altered to, "Thus, thus, and no nearer." The motion was overpowered by the majority; and this was the fate of several other proposals made by the members in the opposition. Sir John Barnard presented a petition from the druggists, and other dealers in tea, complaining of the insults and oppression to which they were subjected by the excise laws, and imploring relief. Sir John and Mr. Perry, another of the city members, explained the grievous hardships which those traders sustained, and moved that the petition might be referred to the consideration of the whole House. They were opposed by Mr. Winnington, Sir W. Yonge, and other partisans of the ministry; and these skirmishes brought on a general engagement of the two parties, in which every weapon of satire, argument, reason, and truth, was wielded against that odious, arbitrary, and oppressive method of collecting the public revenue. Nevertheless, the motion in favour of the sufferers was rejected.

§ XIII. When the Commons deliberated upon the supply, Mr. Andrews, deputy-paymaster of the army, moved for an addition of eighteen hundred men to the number of land forces which had been continued since the preceding year. The members in the opposition disputed this small augmentation with too much heat and eagerness. It must be acknowledged, they were by this time irritated into such personal animosity against the minister, that they resolved to oppose all his measures, whether they might or might not be necessary for the safety and advantage of the kingdom. Nor indeed were they altogether blamable for acting on this maxim, if their sole aim was to remove from the confidence and councils of their sovereign, a man whose conduct they thought prejudicial to the interest and liberties of their country. They could not, however, prevent the augmentation proposed; but they resolved, if they could not wholly stop the career of the ministry, to throw in such a number of rubs as should at least retard their progress. The Duke of Bolton and Lord Cobham had been deprived of the regiments they commanded, because they refused to concur in every project of the administration. It was in consequence of their dismissal, that Lord Morpeth moved for a bill to prevent any commission-officer, not above the rank of a colonel, from being removed, unless by a court-martial, or by address of either House of parliament. Such an attack on the prerogative might have succeeded in the latter part of the reign of the first Charles; but at this juncture could not fail to miscarry: yet it was sustained with great vigour and address. When the proposal was set aside by the majority, Mr. Sandys moved for an address to the king, desiring to know who advised his majesty to remove the Duke of Bolton and Lord Cobham from their respective regiments. He was seconded by Mr. Pulteney and Sir William Wyndham: but the ministry foreseeing another tedious dispute, called for the question, and the motion was carried in the negative. The next source of contention was a bill for securing the freedom of parliament, by limiting the number of officers in the House of Commons. It was read a first and second time: but when a motion was made for its being committed, it met with a powerful opposition, and produced a warm debate that



issued in a question, which, like the former, passed in the negative. A clergyman having insinuated in conversation that Sir William Milner, baronet, member for York, received a pension from the ministry, the House took cognizance of this report: the clergyman acknowledged at the bar that he might have dropped such a hint from hearsay. The accused member protested, upon his honour, that he never did, or ever would, receive place, pension, gratuity, or reward from the court, either directly or indirectly, for voting in parliament, or upon any other account whatever. The accusation was voted false and scandalous, and the accuser taken into custody: but in a few days he was discharged upon his humble petition, and his begging pardon of the member whom he had calumniated. The duty upon salt was prolonged for eight years; and a bill passed against stock-jobbing.

§ XIV. But the subject which of all others employed the eloquence and abilities on both sides to the most vigorous exertion, was a motion made by Mr. Bromley, who proposed that a bill should be brought in for repealing the septennial act, and for the more frequent meeting and calling of parliaments. The arguments for and against septennial parliaments have already been stated. The ministry now insisted upon the increase of papists and Jacobites, which rendered it dangerous to weaken the hands of the government: they challenged the opposition to produce one instance in which the least encroachment had been made on the liberties of the people since the septennial act took place: and they defied the most ingenious malice to prove that his present majesty had ever endeavoured to extend any branch of the prerogative beyond its legal bounds. Sir John Hinde Cotton affirmed, that in many parts of England the papists had already begun to use all their influence in favour of those candidates who were recommended by the ministers as members in the ensuing parliament. With respect to his majesty's conduct, he said he would not answer one word: but as to the grievances introduced since the law was enacted for septennial parliaments, he thought himself more at liberty to declare his sentiments. He asserted, that the septennial law itself was an encroachment on the rights of the people: a law passed by a parliament that made itself septennial. He observed, that the laws of treason with regard to trials were altered since that period; that in former times a man was tried by a jury of his neighbours, within the county where the crimes alleged against him were said to be committed; but by an act of a septennial parliament he might be removed and tried in any place where the crown, or rather the ministry, could find a jury proper for their purpose; where the prisoner could not bring any witness in his justification, without an expense which perhaps his circumstances would not bear. He asked, if the riot act was not an encroachment on the rights of the people? An act by which a little dirty justice of the peace, the meanest and vilest tool a minister can use, who perhaps subsists by his being in the commission, and may be deprived of that subsistence at the pleasure of his patron, had it in his power to put twenty or thirty of the best subjects in England to immediate death, without any trial or form but that of reading a proclamation. "Was not the fatal South Sea scheme (said he) established by the act of a septennial parliament? And can any man ask, whether that law was attended with any inconvenience? To the glorious catalogue I might have added the late excise bill, if it had passed into a law; but, thank Heaven, the septennial parliament was near expiring before that famous measure was introduced."

§ XV. Sir William Wyndham concluded an excellent speech, that spoke him the unrivalled orator, the uncorrupted Briton, and the unshaken patriot, in words to this effect: "Let us suppose a man abandoned to all notions of virtue and honour, of no great family, and but a mean fortune, raised to be chief minister of state, by the concurrence of many whimsical events: afraid, or unwilling, to trust any but creatures of his own making; lost to all sense of shame and reputation; ignorant of his country's true interest; pursuing no aim but that of aggrandizing himself and his favourites: in foreign affairs trusting none but those who, from the nature of their education, cannot possibly be qualified for the service of their country, or

give weight and credit to their negotiations. Let us suppose the true interest of the nation, by such means, neglected or misunderstood, her honour tarnished, her importance lost, her trade insulted, her merchants plundered, and her sailors murdered: and all these circumstances overlooked, lest his administration should be endangered. Suppose him next possessed of immense wealth, the plunder of the nation, with a parliament chiefly composed of members whose seats are purchased, and whose votes are bought at the expense of the public treasure. In such a parliament, suppose all attempts made to inquire into his conduct, or to relieve the nation from the distress which has been entailed upon it by his administration. Suppose him screened by a corrupt majority of his creatures, whom he retains in daily pay, or engages in his particular interest by distributing among them those posts and places which ought never to be bestowed upon any but for the good of the public. Let him plume himself upon his scandalous victory, because he has obtained a parliament like a packed jury, ready to acquit him at all adventures. Let us suppose him domineering with insolence over all the men of ancient families, over all the men of sense, figure, or fortune in the nation; as he has no virtue of his own, ridiculing it in others, and endeavouring to destroy or corrupt it in all. With such a minister, and such a parliament, let us suppose a case which I hope will never happen: a prince upon the throne, uninformed, ignorant, and unacquainted with the inclinations and true interest of his people, weak, capricious, transported with unbounded ambition, and possessed with insatiable avarice. I hope such a case will never occur; but as it possibly may, could any greater curse happen to a nation, than such a prince on the throne, advised, and solely advised, by such a minister, and that minister supported by such a parliament. The nature of mankind cannot be altered by human laws: the existence of such a prince or such a minister we cannot prevent by act of parliament; but the existence of such a parliament I think we may prevent: as it is much more likely to exist, and may do more mischief while the septennial law remains in force, than if it were repealed: therefore, I am heartily for its being repealed." Notwithstanding the most warm, the most nervous, the most pathetic remonstrances in favour of the motion, the question was put, and it was suppressed by mere dint of number.

§ XVI. The triumph of the ministry was still more complete in the success of a measure delivered from the crown in the latter end of the session, when a great many members of the other party had retired to their respective habitations in the country. Sir Robert Walpole delivered this commission to the House, importing that his majesty might be enabled to augment his forces, if occasion should require such an augmentation, between the dissolution of this parliament and the election of another. Such an important point, that was said to strike at the foundation of our liberties, was not tamely yielded; but, on the contrary, contested with uncommon ardour. The motion for taking the message into consideration was carried in the affirmative; and an address presented to the king, signifying their compliance with his desire. In consequence of a subsequent message, they prepared and passed a bill, enabling his majesty to settle an annuity of five thousand pounds for life on the princess royal, as a mark of his parental favour and affection.

§ XVII. The opposition in the House of Peers kept pace with that in the House of Commons, and was supported with equal abilities, under the auspices of the Lords Bathurst and Carteret, the Earls of Chesterfield and Abingdon. The Duke of Marlborough made a motion for a bill to regulate the army, equivalent to that which had been rejected in the lower House: and it met with the same fate after a warm dispute. Then Lord Carteret moved for an address to the king, that he would be graciously pleased to acquaint the House who advised his majesty to remove the Duke of Bolton and Lord Viscount Cobham from their respective regiments; and what crimes were laid to their charge. This proposal was likewise rejected, at the end of a debate in which the Duke of Argyll observed, that two lords had been removed, but only one

soldier lost his commission. Such a great majority of the Scottish representatives had always voted for the ministry, since the accession of the late king, and so many of these enjoyed places and preferments in the gift of the crown, that several attempts were made by the Lords in the opposition to prevent for the future the ministerial influence from extending itself to the elections of North Britain. Accordingly two motions for this purpose were made by the Earl of Marchmont and the Duke of Bedford; and sustained by the Earls of Chesterfield, Winchelsea, and Stair, Lords Willoughby de Broke, Bathurst, and Carteret. They were opposed by the Dukes of Newcastle and Argyle, the Earl of Cholmondeley, Earl Paulet, Lord Hervey, now called up by writ to the House of Peers, and Lord Talbot. The question being put on both, they were of course defeated; and the Earl of Stair was deprived of his regiment of dragoons, after having performed the most signal services to the royal family, and exhausted his fortune in supporting the interest and dignity of the crown. Strenuous protests were entered against the decision of the majority concerning the king's message, demanding a power to augment his forces during the recess of parliament; as also against a bill for enabling his majesty to apply the sum of one million two hundred thousand pounds out of the sinking fund, for the services of the current year. The business of the session being despatched, the king repaired to the House of Lords on the sixteenth day of April, and having passed all the bills that were ready for the royal assent, took leave of this parliament, with the warmest acknowledgment of their zeal, duty, and affection. It was at first prorogued, then dissolved, and another convoked by the same proclamation. On the fourteenth day of March, the nuptials of the Prince of Orange and the princess royal were solemnized with great magnificence; and this match was attended with addresses of congratulation to his majesty from different parts of the kingdom.

§ XVIII. The powers at war upon the continent acted with surprising vigour. The Russian and Saxon army invested the city of Dantzic, in hopes of securing the person of King Stanislaus. The town was strong, the garrison numerous, and, animated by the examples of the French and Poles, made a very obstinate defence. For some time they were supplied by sea with recruits, arms, and ammunition. On the eleventh day of May a reinforcement of fifteen hundred men was landed from two French ships of war and some transports, under Fort Wechseldunde, which was so much in want of provisions, that they were not admitted; they therefore re-embarked, and sailed back to Copenhagen. But afterwards a larger number were landed in the same place, and attacked the Russian entrenchment, in order to force their way into the city. They were repulsed in this attempt, but retired in good order. At length the Russian fleet arrived, under the command of Admiral Gordon; and now the siege was carried on with great fury. Fort Wechseldunde was surrendered: the French troops capitulated, and were embarked in the Russian ships, to be conveyed to some port in the Baltic. Stanislaus escaped in the disguise of a peasant to Marienwarden in the Prussian territories. The city of Dantzic submitted to the dominions of Augustus III. King of Poland, and was obliged to defray the expense of the war to the Russian General Count de Munich, who had assumed the command after the siege was begun. The Polish lords at Dantzic signed an act of submission to King Augustus, who, on the tenth day of July, arrived at the convent of Oliva. There a council was held in his presence. The recusant nobleman took the oath which he proposed. Then a general amnesty was proclaimed; and the king set out on his return to Dresden.

§ XIX. On the Rhine the French arms bore down all resistance. The Count de Belleisle besieged and took Traerback. The Duke of Berwick, at the head of sixty thousand men, invested Philipsburgh, while Prince Eugene was obliged to remain on the defensive, in the strong camp at Heilbronn, waiting for the troops of the empire. On the twelfth day of June, the Duke of Berwick, in visiting the trenches, was killed by a cannon-ball, and the command devolved upon the Marquis d'Asfeldt, who carried on the operations of the siege with equal vigour and capacity. Prince Eugene being joined by the different reinforce-

ments he expected, marched towards the French lines; but found them so strong that he would not hazard an attack; and such precautions taken, that with all his military talents he could not relieve the besieged. At length General Watgenau, the governor, capitulated, after having made a noble defence, and obtained the most honourable conditions. Prince Eugene retired to Heidelberg; and the campaign ended about the beginning of October. The imperial arms were not more successful in Italy. The Infant Don Carlos had received so many invitations from the Neapolitan nobility, that he resolved to take possession of that kingdom. He began his march in February, at the head of the Spanish forces: published a manifesto, declaring he was sent by his father to relieve the kingdom of Naples from the oppression under which it groaned; and entered the capital amidst the acclamations of the people; while the Count de Visconti, the German viceroy, finding himself unable to cope with the invaders, thought proper to retire, after having thrown succours into Gaeta and Capua. When he arrived at Nocera, he began to assemble the militia, with intent to form a camp at Barletta. The Count de Montemar marched with a body of forces against this general, and obtained over him a complete victory at Bitonto in Apuglia, on the twenty-fifth of May, when the imperialists were entirely routed, and a great number of principal officers taken prisoners. Don Carlos, being proclaimed, and acknowledged King of Naples, created the Count de Montemar Duke of Bitonto; reduced Gaeta, and all other parts of the kingdom which were garrisoned with imperial troops; and resolved to subdue the island of Sicily. About twenty thousand troops being destined for this expedition, were landed in the road of Solanto in August, under the command of the new Duke of Bitonto, who being favoured by the natives, proceeded in his conquests with great rapidity. The people acknowledged Don Carlos as their sovereign, and took arms in support of his government: so that the imperial troops were driven before them, and the Spaniards possessed the whole kingdom, except Messina, Syracuse, and Trepani, when the infant determined to visit the island in person.

§ XX. While Don Carlos was thus employed in the conquest of Naples and Sicily, the imperialists were hard pressed in Lombardy by the united forces of France and Piedmont, commanded by the King of Sardinia and the old Mareschal Duke de Villars. In the month of January they undertook the siege of Tortona, which they reduced; while the troops of the emperor began to pour in great numbers into the Mantuan. In the beginning of May, Count Merzi, who commanded them, passed the Po in the face of the allies, notwithstanding all the skill of Villars, obliged him to retreat from the banks of that river, and took the Castle of Colorno. The old French general, being taken ill, quitted the army, and retired to Turin, where in a little time he died; and the King of Sardinia retiring to the same place, the command of the allied forces devolved upon the Mareschal de Coigny. The confederates were posted at Sanguina, and the imperialists at Sorbola, when the Count de Merzi made a motion to San Prospero, as if he intended either to attack the enemy, or take possession of Parma. The Mareschal de Coigny forthwith made a disposition for an engagement; and, on the twenty-ninth day of June, the imperial general having passed the Parma, began the attack with great impetuosity. He charged in person at the head of his troops, and was killed soon after the battle began. Nevertheless, the Prince of Wirtemberg assuming the command, both armies fought with great obstinacy, from eleven in the forenoon till four in the afternoon, when the imperialists retired towards Monte Cirugalo, leaving five thousand men dead on the field of battle, and among these many officers of distinction. The loss of the allies was very considerable, and they reaped no solid fruits from their victory.

§ XXI. The imperial forces retreated to Reggio, and from thence moved to the plains of Carpi, on the right of Secchia, where they received some reinforcements: then General Count Konigsegg arriving in the camp, took upon himself the command of the army. His first step was to take post at Quinentolo, by which motion he secured Mirandola, that was threatened with a siege. On the

fifteenth of February, he forded the river Secchia, and surprised the quarters of Mareschal de Broglie, who escaped in his shirt with great difficulty. The French retired with such precipitation, that they left all their baggage behind, and above two thousand were taken prisoners. They posted themselves under Guastalla, where, on the nineteenth day of the month, they were vigorously attacked by the imperialists, and a general engagement ensued. Königsegg made several desperate efforts to break the French cavalry, upon which, however, he could make no impression. The infantry on both sides fought with uncommon ardour for six hours, and the field was covered with carnage. At length, the imperial general retreated to Lazara, after having lost above five thousand men, including the Prince of Wirtemberg, the Generals Valperez and Colminero, with many other officers of distinction: nor was the damage sustained by the French greatly inferior to that of the Germans, who repassed the Po, and took post on the banks of the Oglio. The allies crossed the same river, and the Marquis de Maillibois was sent with a detachment to attack Mirandola; but the imperialists marching to the relief of the place, compelled him to abandon the enterprise: then he rejoined his army, which retired under the walls of Cremona, to wait for succours from Don Carlos. So little respect did the French court pay to the British nation at this juncture, that in the month of November, an edict was published at Paris, commanding all the British subjects in France, who were not actually in employment, from the age of eighteen to fifty, to quit the kingdom in fifteen days, or enlist in some of the Irish regiments, on pain of being treated as vagabonds, and sent to the galleys. This edict was executed with the utmost rigour. The prisons of Paris were crowded with the subjects of Great Britain, who were surprised and cut off from all communication with their friends, and must have perished by cold and hunger, had not they been relieved by the active charity of the Jansenists. The Earl of Waldegrave, who then resided at Paris, as ambassador from the King of Great Britain, made such vigorous remonstrances to the French ministry upon this unheard-of outrage against a nation with which they had been so long in alliance, that they thought proper to set the prisoners at liberty, and publish another edict, by which the meaning of the former was explained away.

§ XXII. While these transactions occurred on the continent, the King of Great Britain augmented his land-forces; and warm contests were maintained through the whole united kingdom in electing representatives for the new parliament. But in all these struggles the ministerial power predominated; and the new members appeared with the old complexion. The two Houses assembled on the fourteenth day of January, and Mr. Onslow was re-elected speaker. The leaders of both parties in all debates were the self-same persons who had conducted those of the former parliament; and the same measures were pursued in the same manner. The king, in his speech at the opening of the session, gave them to understand, that he had concerted with the States-general of the United Provinces such measures as were thought most advisable for their common safety, and for restoring the peace of Europe: that they had considered on one side the pressing applications made by the imperial court both in England and Holland for obtaining succours against the powers at war with the house of Austria; and, on the other side, the repeated professions made by the allies of their sincere disposition to put an end to the present troubles upon honourable and solid terms; that he and the States-general had concurred in a resolution to employ their joint and earnest instances to bring matters to a speedy and happy accommodation: that their good offices were at length accepted; and in a short time a plan would be offered to the consideration of all parties engaged in the war, as a basis for a general negotiation for peace. He told them he had used the power vested in him by the last parliament with great moderation; and concluded a treaty with the crown of Denmark of great importance in the present conjuncture. He observed, that whilst many of the principal powers of Europe were actually engaged in a war, Great Britain must be more or less affected with the consequences; and as the best concerted measures are liable

to uncertainty, the nation ought to be prepared against all events. He, therefore, expressed his hope, that his good subjects would not repine at the necessary means of procuring the blessings of peace and universal tranquillity, or of putting him in a condition to act that part which it might be necessary and incumbent upon him to take. The address of thanks produced a dispute as usual, which ended with an acquiescence in the motion. The House, in a grand committee on the supply, resolved, that thirty thousand seamen should be employed for the service of the ensuing year; and that the land forces should be augmented to the number of twenty-five thousand seven hundred and forty-four effective men. But these resolutions were not taken without dispute and division. The minister's opponents not only re-produced all the reasons which had been formerly advanced against a standing army, but they opposed this augmentation with extraordinary ardour, as a huge stride towards the establishment of arbitrary power. They refuted those fears of external broils on which the ministry pretended to ground the necessity of such an augmentation: and they exposed the weak conduct of the administration in having contributed to destroy the balance of power, by assisting Spain against the emperor in Italy, so as to aggrandize the house of Bourbon.

§ XXIII. Sir William Wyndham moved, that the estimate of the navy for the ensuing year might be referred to a select committee. He expressed his surprise, that notwithstanding the vast sums which had been yearly raised, and the long continuance of the peace, the people had not been quite delivered of any one tax incurred in the preceding war. He said, he could not comprehend how it was possible to find pretences for exposing the nation to such exorbitant charges; and he took notice of some unconscionable articles in the account of the navy-debt that lay upon the table. He was seconded by Mr. Sandys, and supported by Sir Joseph Jekyll and Mr. Pulteney: but after some debate, the motion was carried in the negative. When the new treaty with Denmark fell under consideration in a grand committee, Mr. H. Walpole moved, that the sum of fifty-six thousand two hundred and fifty pounds should be granted to his majesty, as a subsidy to the Dane, pursuant to the said treaty, for the service of the ensuing year. The demand did not meet with immediate compliance. All the leaders in the opposition exclaimed against the subsidy as unnecessary and unreasonable. They observed, that as the English had no particular interest of their own for inducing them to engage in the present war, but only the danger to which the balance of power might be exposed by that event; and as all the powers of Europe were as much, if not more, interested than the English in the preservation of that balance, should it ever be really endangered, they would certainly engage in its defence, without receiving any valuable consideration from Great Britain; but should the English be always the first to take the alarm upon any rupture, and offer bribes and pensions to all the princes in Europe, the whole charge of preserving that balance would fall upon Great Britain: every state would expect a gratification from her, for doing that which it would otherwise be obliged to do for its own preservation: even the Dutch might at last refuse to assist in trimming this balance, unless Britain should submit to make the grand pensionary of Holland a pensionary of England, and take a number of their forces into English pay. The debate having had its free course, the question was put, and the motion approved by the majority. The ministry allowed a bill to be brought in for limiting the number of officers in the House of Commons; but at the second reading it was rejected upon a division, after a learned debate, in which it appeared that the opposition had gained a valuable auxiliary in the person of Lord Polwarth, son to the Earl of Marchmont, a nobleman of elegant parts, keen penetration, and uncommon vivacity, who spoke with all the fluency and fervour of elocution.

§ XXIV. The minority in the House of Lords were not less vigilant and resolute in detecting and opposing every measure which they thought would redound to the prejudice of their country. But the most remarkable object that employed their attention during this session was a very extraordinary petition, subscribed by the Dukes of Hamilton, Queensberry, and Montrose, the Earls of Dun-



donald, Marchmont, and Stair, representing that undue influence had been used for carrying on the election of the sixteen peers for Scotland. The Duke of Bedford, who delivered their petition to the House, proposed a day for taking it into consideration; and to this they agreed. It was afterwards moved, that the consideration of it should be adjourned to a short day, before which the petitioners should be ordered to declare whether they intended to controvert the last election of the sixteen peers, or the election of any, and which of them. This affair was of such an unprecedented nature, that the House seemed to be divided in opinion about the manner in which they ought to proceed. The partisans of the ministry would have willingly stifled the inquiry in the beginning; but the petitioners were so strenuously supported in their claim to some notice, by the Earls of Chesterfield, Abingdon, and Strafford, the Lords Bathurst and Carteret, that they could not dismiss it at once with any regard to decorum. The order of the House, according to the motion explained above, being communicated by the lord chancellor to the petitioners, they waited on him with a declaration, importing that they did not intend to controvert the election or return of the sixteen peers for Scotland; but they thought it their duty to lay before their lordships the evidence of such facts and undue methods as appeared to them to be dangerous to the constitution: and might in future elections equally affect the right of the present sixteen peers, as that of the other peers of Scotland, if not prevented by a proper remedy. This declaration being repeated to the House, the Duke of Devonshire made a motion, that the petitioners might be ordered to lay before the House in writing, instances of those undue methods and illegal practices upon which they intended to proceed, and the names of the persons they suspected to be guilty. He was warmly opposed by the country party; and a long debate ensued; after which the question was carried in favour of the motion, and the order signified to the petitioners. Next day their answer was read to the House to this effect: That as they had no intention to state themselves accusers, they could not take upon them to name particular persons who might have been concerned in those illegal practices; but who they were would undoubtedly appear to their lordships upon their taking the proper examination: nevertheless, they did humbly acquaint their lordships, that the petition was laid before them upon information, that the list of the sixteen peers of Scotland had been framed previous to the election, by persons in high trust under the crown; that this list was shown to peers, as a list approved by the crown; and was called the king's list, from which there was to be no variation, unless to make way for one or two particular peers, on condition they should conform to measures: that peers were solicited to vote for this list, without the liberty of making any alteration: that endeavours were used to engage peers to vote for this list by promise of pensions, and offices civil and military to themselves and relations, as well as by offers of money: that sums were given for this purpose: that pensions, offices, and releases of debts owing to the crown, were actually granted to peers who concurred in voting for this list, and to their relations: that on the day of election a battalion of his majesty's troops were drawn up in the Abbey-court of Edinburgh, contrary to custom, and without any apparent cause but that of overawing the electors. This answer gave rise to another violent dispute; but the majority voted it unsatisfactory, and the petition was rejected, though the resolution was clogged with a vigorous protest.

§ XXV. Notwithstanding this discouragement, the Earl of Abingdon moved, that although the petition was dismissed, an inquiry might be set on foot touching an affair of such consequence to the liberties of the kingdom. The Earl of Ilay declaring his belief that no such illegal methods had been practised, the other produced a pamphlet, entitled, *The Protests of a great number of noble lords, entered by them at the last election of peers for Scotland*. Exceptions being taken to a pamphlet, as an object unworthy of their notice, Lord Bathurst exhibited an authentic copy of those protests, extracted from the journal of that election, signed by the two principal clerks, and witnessed by two gentlemen then attending in the lobby. These were accordingly read, and

plainly demonstrated the truth of the allegations contained in the petition. Nothing could be more scandalous, arrogant, and shamefully flagrant than the conduct and deportment of those who acted the part of understrappers to the ministry on this occasion. But all this demonstration, adorned and enforced by the charms and energy of eloquence, was like preaching in a desert. A motion was made for adjourning, and carried in the affirmative: a protest was entered, and the whole affair consigned to oblivion. Divers other motions were made successively by the lords in the opposition, and rejected by the invincible power of a majority. The uninterrupted success of the ministry did not, however, prevent them from renewing the struggle as often as an opportunity offered. They disputed the continuation of the salt tax, and the bill for enabling the king to apply the sum of one million out of the sinking fund for the service of the current year, though success did not attend their endeavours. They supported with all their might a bill sent up from the Commons, explaining and amending an act of the Scottish parliament, for preventing wrongous imprisonment, and against undue delays in trials. This was all the natives of Scotland had in lieu of the *habeas corpus* act; though it did not screen them from oppression. Yet the Earl of Ilay undertook to prove they were on a footing with their neighbours of England in this respect; and the bill was thrown out on a division. The session was closed on the fifteenth of May, when the king in his speech to both Houses declared, that the plan of pacification concerted between him and the States-general had not produced the desired effect. He thanked the Commons for the supplies they had granted with such cheerfulness and despatch. He signified his intention to visit his German dominions; and told them he should constitute the queen regent of the realm in his absence. Immediately after the prorogation his majesty embarked for Holland, in his way to Hanover.

§ XXVI. By this time the good understanding between the courts of Madrid and Lisbon was destroyed by a remarkable incident. The Portuguese ambassador at Madrid having allowed his servants to rescue a criminal from the officers of justice, all the servants concerned in that rescue were dragged from his house to prison by the Spanish king's order, with circumstances of rigour and disgrace. His Portuguese majesty being informed of this outrage, ordered reprisals to be made upon the servants of the Spanish ambassador at Lisbon. The two ministers withdrew abruptly to their respective courts. The two monarchs expressed their mutual resentment. The King of Spain assembled a body of troops on the frontiers of Portugal; and his Portuguese majesty had recourse to the assistance of King George. Don Marcos Antonio d'Alzeveda was despatched to London, with the character of envoy extraordinary; and succeeded in his commission according to his wish. In a little time after the king's departure from England, Sir John Norris sailed from Spithead with a powerful squadron, in order to protect the Portuguese against the Spaniards; and on the ninth day of June arrived at Lisbon, where he was welcomed as a deliverer. Mr. Keene, the British envoy at the court of Spain, had communicated to his catholic majesty the resolution of his master to send a powerful squadron to Lisbon, with orders to guard that coast from insults, and secure the Brazil fleet, in which the merchants of Great Britain were deeply interested. Don Joseph Patinho, minister of his catholic majesty, delivered a memorial to Mr. Keene, representing that such an expedition would affect the commerce of Spain, by intimidating foreign merchants from embarking their merchandise in the flota. But, in all probability, it prevented a rupture between the two crowns, and disposed the King of Spain to listen to terms of accommodation.

§ XXVII. The powers in alliance against the House of Austria, having rejected the plan of pacification concerted by the King of Great Britain and the States-general, Mr. Walpole, ambassador at the Hague, presented a memorial to their high mightinesses, desiring they would, without loss of time, put themselves in a posture of defence by an augmentation of their forces at sea and land: that they might take such vigorous steps in concert with Great Britain, as the future conjuncture of affairs might require.

But before they would subject themselves to such expense, they resolved to make further trial of their influence with the powers in alliance against the emperor; and conferences were renewed with the ministers of those allies. The affairs of Poland became more and more unfavourable to the interest of Stanislaus; for though a great number of the Polish nobility engaged in a confederacy to support his claim, and made repeated efforts in his behalf, the Palatine of Kioo submitted to Augustus; and even his brother the primate, after having sustained a long imprisonment, and many extraordinary hardships, was obliged to acknowledge that prince his sovereign. In Italy the arms of the allies still continued to prosper. Don Carlos landed in Sicily, and reduced the whole island, almost without opposition; while the imperialists were forced to abandon all the territories they possessed in Italy, except the Mantua. The emperor being equally unable to cope with the French armies on the Rhine, implored succours of the czarina, who sent thirty thousand men to his assistance. This vigorous interposition, and the success of Augustus in Poland, disposed the court of Versailles to a pacification. A secret negotiation was begun between France and the house of Austria; and the preliminaries were signed without the concurrence or knowledge of Spain, Sardinia, and the maritime powers. In these articles it was stipulated, that France should restore all the conquests she had made in Germany: that the reversion of the dukedom of Tuscany should be vested in the Duke of Lorraine; that Lorraine should be allotted to King Stanislaus; and after his death be united to the crown of France: that the emperor should possess the Milanese, the Mantuan, and Parma: that the King of Sardinia should enjoy Vizevano and Novara: that Don Carlos should be acknowledged king of Naples and Sicily, and retain the island of Elba, with all the Spanish territories on the coast of Tuscany; and that France should guarantee the pragmatic sanction.

§ XXVIII. The King of Great Britain returned from Hanover to England in the month of November; and on the fifteenth day of January opened the session of parliament. On this occasion he congratulated them on the near prospect of a general peace in Europe, in consequence of the preliminary articles in which the emperor and the King of France had agreed; and of which he had expressed his approbation, as they did not differ in any essential point from the plan of pacification which he and the States-general had offered to the belligerent powers. He told them that he had already ordered a considerable reduction to be made in his forces both by sea and land; but at the same time observed it would be necessary to continue some extraordinary expense, until a more perfect reconciliation should be established among the several powers of Europe. An address of thanks was unanimously voted, presented, and graciously received. After the House had received several petitions from different counties and gentlemen, complaining of undue influence in elections for members of parliament, it proceeded to consider of the supply, and Sir Charles Wager moving that fifteen thousand seamen should be employed for the service of the ensuing year, the proposal was approved without opposition. But this was not the case with a motion made by Mr. Pulteney, "That the ordinary estimate of the navy should be referred to a select committee." The ministry discouraged all such prying measures: a debate was produced, the House divided, and the motion was rejected. Such was the fate of a motion for raising the supplies within the year, made by Mr. Sandys, and supported by Sir John Barnard, Mr. Willmot, and other patriots, who demonstrated, that this was a speedy and practicable expedient for discharging the national debt, lowering the interest of money, reducing the price of labour, and encouraging a spirit of commerce.

§ XXIX. The bill for limiting the number of officers in the House of Commons was again revived. The king was empowered to borrow six hundred thousand pounds, chargeable on the sinking fund, for the service of the ensuing year, though this power was not easily granted; and the House resolved to lay a duty of twenty shillings per gallon on all spirituous liquors, after it had appeared to the committee appointed for that purpose, that those spirits were pernicious to the health and morals of the

people. To this resolution was added another, which amounted to a total prohibition, namely, that fifty pounds should be yearly paid to his majesty for a licence to be annually taken out by every person who should vend, barter, or utter any such spirituous liquors. Mr. Walter Plumer, in a well-concerted speech, moved for the repeal of some clauses in the test act: these he represented as a species of persecution, in which protestant dissenters were confounded with the Roman catholics and enemies to the establishment. He was sustained by Lord Polworth and Mr. Heathcote; but Sir Robert Walpole was joined by Mr. Shippen against the motion as dangerous to the established church: and the question being put, it was carried in the negative. When Sir Joseph Jekyll A. D. 1736. presented to the House, according to order, a bill founded on the resolutions they had taken against spirituous liquors, Sir Robert Walpole acquainted them, by his majesty's command, that as the alterations proposed to be made by that bill in the duties charged upon all spirituous liquors might, in a great degree, affect some part of the civil-list revenues, his majesty, for the sake of remedying so great an evil as was intended by that bill to be prevented, did consent to accept any other revenue of equal value, to be settled and appropriated in lieu of his interest in the said duties. The bill was read a second time, and consigned to a committee of the whole House; but that for limiting the number of officers in the House of Commons was thrown out at the second reading. Petitions against the bill touching the retail of spirituous liquors, were presented by the traders to the British sugar colonies, by the merchants of Bristol and Liverpool, respecting the hardships to which they would be exposed by a law which amounted to a prohibition of rum and spirits distilled from molasses. In consequence of these remonstrances, a mitigating clause was inserted in favour of the composition known by the name of punch, and distillers were permitted to exercise any other employment. The sum of seventy thousand pounds was voted for making good the deficiencies that might happen in the civil list by this bill, which at length passed through the House, though not without reiterated disputes and warm altercation. Violent opposition was likewise made to a bill for the relief of the people called quakers, who offered a petition, representing, that though from motives of conscience they refused the payment of tithes, church-rates, oblations, and ecclesiastical dues, they were exposed to grievous sufferings by prosecution in the exchequer, ecclesiastical, and other courts, to the imprisonment of their persons, and the ruin of them and their families. A bill being prepared for their relief, was read and printed: then petitions were preferred against it by the clergy of Middlesex, and of many other parts of the kingdom. Counsel was heard in behalf of those petitioners, and several alterations proposed in the bill, which after long and repeated debates surmounted all opposition, and was sent up to the Lords.

§ XXX. In the month of February the king had sent two members of the privy council to the Prince of Wales, with a message, proposing a marriage between his royal highness and the Princess of Saxegotha. The proposal being agreeable to the prince, the marriage was celebrated on the twenty-seventh day of April. Upon this occasion Mr. Pulteney moved for an address of congratulation to his majesty, and was supported by Mr. George Lyttleton and Mr. William Pitt, who seized this opportunity of pronouncing elegant panegyrics on the Prince of Wales and his amiable consort. These two young members soon distinguished themselves in the House by their eloquence and superior talents. The attention of the House was afterwards converted to a bill for the preventing of smuggling; and another for explaining the act for the more effectual preventing bribery and corruption in the election of members to serve in parliament. Both made their way through the lower House, and were sent to the Lords for their concurrence. The number of land forces voted for the service of the current year was reduced to seventeen thousand seven hundred and four effective men. The supplies were raised by the malt tax and land tax at two shillings in the pound, additional duties on mum, cider, and perry, stamped vellum, parchment, and paper; and by an act empowering his majesty to borrow six hundred

thousand pounds from the sinking fund. In this session the parliament repealed the old statutes of England and Scotland against conjuration, witchcraft, and dealing with evil spirits. The Commons likewise prepared a bill to restrain the disposition of lands in mortmain, whereby they became unalienable. Against this measure petitions were presented by the two universities, the colleges of Eton, Winchester, and Westminster, and divers hospitals that subsisted by charitable donations. In favour of the universities and colleges a particular exempting clause was inserted. Several other amendments were made in the bill, which passed through both Houses and obtained the royal assent. Among the acts passed in this session, was one for naturalizing her royal highness the Princess of Wales; and another for building a bridge across the Thames from New Palace-yard, in the city of Westminster, to the opposite shore in the county of Surrey. The points chiefly debated in the House of Lords, were the address of thanks for his majesty's speech, the mortmain bill, the quakers' bill, which was thrown out, and that for the prevention of smuggling, which did not pass without division and protest. On the twentieth day of May the king closed the session with a speech, in which he told both Houses, that a further convention, touching the execution of the preliminaries, had been made and communicated to him by the emperor and most christian king; and that negotiations were carrying on by the several powers engaged in the late war, in order to settle a general pacification. He expressed great concern at seeing such seeds of dissatisfaction sown among his people: he protested it was his desire, and should be his care, to preserve the present constitution in church and state, as by law established: he recommended harmony and mutual affection among all protestants of the nation, as the great security of that happy establishment; and signified his intention to visit his German dominions. Accordingly the parliament was no sooner prorogued than he set out for Hanover, after having appointed the queen regent in his absence.

§ XXXI. Such a degree of licentiousness prevailed over the whole nation, that the kingdom was filled with tumult and riots, which might have been prevented by proper regulations of the civil government in the due execution of the laws. The most remarkable of these disturbances happened at Edinburgh, on the seventh day of September. John Porteous, who commanded the guard paid by that city, a man of brutal disposition and abandoned morals, had, at the execution of a smuggler, been provoked by some insults from the populace to order his men, without using the previous formalities of the law, to fire with shot among the crowd; by which precipitate order several innocent persons lost their lives. Porteous was tried for murder, convicted, and received sentence of death; but the queen, as guardian of the realm, thought proper to indulge him with a reprieve. The common people of Edinburgh resented this lenity shown to a criminal, who was the object of their detestation. They remembered that pardons had been granted to divers military delinquents in that country, who had been condemned by legal trial. They seemed to think those were encouragements to oppression; they were fired by a national jealousy; they were stimulated by the relations and friends of those who had been murdered; and they resolved to wreak their vengeance on the author of that tragedy, by depriving him of life on the very day which the judges had fixed for his execution. Thus determined they assembled in different bodies, about ten o'clock at night. They blocked up the gates of the city, to prevent the admission of the troops that were quartered in the suburbs. They surprised and disarmed the town guard: they broke open the prison doors; dragged Porteous from thence to the place of execution; and, leaving him hanging by the neck on a dyer's pole, quietly dispersed to their several habitations. This exploit was performed with such conduct and deliberation as seemed to be the result of a plan formed by some persons of consequence; it, therefore, became the object of a very severe inquiry.

§ XXXII. During this summer a rupture happened between the Turks and the Russians, which last reduced the city of Asoph on the Black sea, and overran the great

part of Crim Tartary. The czarina declared war against the Ottoman Porte, because her Tartars of the Crimea had made incursions upon her frontiers; and when she complained of these disorders to the vizir, she received no satisfaction; besides, a large body of Tartars had, by order of that minister, marched through the Russian provinces in despite of the empress, and committed terrible havoc in their route. The emperor was obliged to engage as a party in this war, by a treaty offensive and defensive, which he had many years before concluded with the czarina. Yet, before he declared himself, he joined the maritime powers in offering his mediation to the sultan, who was very well disposed to peace; but the czarina insisted upon her retaining Asoph, which her forces had reduced; and this preliminary article being rejected, as dishonourable to the Ottoman empire, the court of Vienna began to make preparations for war. By this time all the belligerent powers in Italy had agreed to the preliminaries of peace concluded between the emperor and France. The Duke of Lorraine had espoused the emperor's eldest daughter, the Archduchess Maria Theresa, and ceded Lorraine to France, even before he succeeded to Tuscany. Don Carlos was crowned King of Sicily: Stanislaus abdicated the crown of Poland; and Augustus was universally acknowledged sovereign of that kingdom. The preliminaries were approved and accepted by the diet of the empire: the King of Spain sent orders for his troops to evacuate Tuscany; and the provinces in Italy yielded to the house of Austria. Prince Eugene, who had managed the interest of the emperor on this occasion, did not live to see the happy fruits of his negotiation. He died at Vienna in April, at the age of seventy-three, leaving behind him the character of an invincible hero and consummate politician. He was not long survived by Count Staremberg, another imperial general, who ranked next to the prince in military reputation. About the same time Great Britain sustained a national loss in the death of Lord Chancellor Talbot, who, by his worth, probity, and acquired accomplishments, had dignified the great office to which he had been raised. He died universally lamented, in the month of February, at the age of fifty-two, and was succeeded on the bench by Lord Hardwicke.

§ XXXIII. The king being indisposed, in consequence of having been fatigued by a very tempestuous passage from Holland, the parliament was prorogued from the twenty-first day of January to the first of February, and then the session was opened by commission. The lord chancellor, as one of the peers authorized by this commission, made a speech in his majesty's name to both Houses. With respect to foreign affairs, he told them, that the respective acts of cession being exchanged, and orders given for the evacuation and possession of the several countries and places by the powers concerned, according to the allotment and disposition of the preliminary articles, the great work of re-establishing the general tranquillity was far advanced: that, however, common prudence called upon them to be very attentive to the final conclusion of the new settlement. He said, his majesty could not without surprise and concern observe the many contrivances and attempts carried on, in various shapes and in different parts of the nation, tumultuously to resist and obstruct the execution of the laws, and to violate the peace of the kingdom. He observed, that the consideration of the height to which these audacious practices might rise, if not timely suppressed, afforded a melancholy prospect, and required particular attention, lest they should affect private persons in the quiet enjoyment of their property, as well as the general peace and good order of the whole. After the Commons had agreed to an address, and heard counsel on some controverted elections, they proceeded to take the supply into consideration. They voted ten thousand men for the sea-service. They continued for the land-service the same number they had maintained in times of tranquillity, amounting to seventeen thousand seven hundred and four; but this measure was not adopted without opposition: the money was raised by the land and malt taxes, reinforced with one million granted out of the sinking fund.

§ XXXIV. The chief subject of contention that presented itself in the course of this session, was a motion which Mr. Pulteney made for an address to his majesty, that he



would be pleased to settle one hundred thousand pounds a-year upon the Prince of Wales. He represented that such provision was conformable to the practice of ancient time: that what he proposed had been enjoyed by his present majesty in the life-time of his father; and that a settlement of this nature was reasonable and necessary to ascertain the independency of the apparent heir to the crown. The motion was vigorously opposed by Sir Robert Walpole, as an encroachment on the prerogative; as an officious intermeddling in the king's family affairs; and as an effort to set his majesty and the prince at variance. But a misunderstanding, it seems, had already happened in the royal family. The minister in the midst of his harangue told the House, by his majesty's command, that on the preceding day the king had sent a message to the prince by several noblemen of the first quality, importing that his majesty had given orders for settling a jointure upon the Princess of Wales, suitable to her high rank and dignity, which he would in a proper time lay before parliament, in order to be rendered more certain and effectual; that although his royal highness had not thought fit, by any application to his majesty, to desire that his allowance of fifty thousand pounds might be rendered less precarious, the king, to prevent the bad consequences which he apprehended might follow from the unprofitable measures which his majesty was informed the prince had been advised to pursue, would grant to his royal highness for his majesty's life, the said fifty thousand pounds per annum, to be issued out of the civil-list revenues, over and above the prince's revenues arising from the duchy of Cornwall, which his majesty thought a very competent allowance, considering his own numerous issue, and the great expense which did and must necessarily attend an honourable provision for the whole royal family; that the prince, by a verbal answer, desired their lordships to lay him with all humility at his majesty's feet: to assure him that he did, and ever should, retain the utmost duty for his royal person: that he was very thankful for any instance of his majesty's goodness to him or to the princess, and particularly for his majesty's gracious intention of settling a jointure upon her royal highness; but that, as to the message, the affair was now out of his hands, and therefore, he could give no answer to it; that his royal highness afterwards used many dutiful expressions towards his majesty; adding, "Indeed, my lords, it is in other hands, and I am sorry for it," or words to that effect. Sir Robert Walpole then endeavoured to demonstrate, that the annual sum of fifty thousand pounds was as much as the king could afford to allow for the prince's maintenance; and he expatiated upon the bad consequences that might ensue, if the son should be rendered altogether independent of the father.

§ XXXV. These suggestions did not pass unanswered. Sir Robert Walpole had asserted, that the parliament had no right to interfere in the creation or maintenance of a Prince of Wales; and that in the case of Richard II. who, upon the death of his father the Black Prince, was created Prince of Wales, in consequence of an address or petition from parliament, that measure was in all probability directed by the king himself. In answer to this assertion it was observed, that probably the king would not have been so forward in creating his grandson Prince of Wales, if he had not been forced into this step by his parliament; for Edward in his old age fell into a sort of love dotage, and gave himself entirely up to the management of his mistress, Alice Pierce, and his second son, the Duke of Lancaster; a circumstance that raised a most reasonable jealousy in the Black Prince, at that time on his death-bed, who could not but be anxious about the safety and right of his only son, whom he found he was soon to leave a child in the hands of a dotting grandfather, and an ambitious, aspiring uncle. The supporters of the motion observed, that the allowance of fifty thousand pounds was not sufficient to defray the prince's yearly expense, without allotting one shilling for acts of charity and munificence; and that the several deductions for land taxes and fees reduced it to forty-three thousand pounds. They affirmed, that his whole income, including the revenues of the duchy of Cornwall, did not exceed fifty-two thousand pounds a-year, though, by his majesty's own regulation, the expense of the prince's household amounted to sixty-three thousand. They proved

that the produce of the civil list exceeded nine hundred thousand pounds, a sum above one hundred thousand pounds a-year more than was enjoyed by his late majesty; and that, in the first year of the late king, the whole expense of his household and civil government did not much exceed four hundred and fifty thousand pounds a-year. They observed, that the parliament added one hundred and forty thousand pounds annually for acts of charity and bounty, together with the article of secret-service money; and allowed one hundred thousand pounds for the maintenance of the Prince of Wales; that the article of secret-service money had prodigiously increased in the late reign; by an account which happened to be laid before the parliament, it appeared that vast sums of money had been given for purposes which nobody understood, and to persons whom nobody knew. In the beginning of the following session several members proposed that this extraordinary account should be taken into consideration; but the inquiry was warded off by the other party, who declared that the parliament could not examine any account which had been presented to a former session. The debate was fierce and long; and ended in a division, by which the motion was rejected. A motion of the same nature was made by Lord Carteret in the House of Peers, and gave rise to a very keen dispute, maintained by the same arguments, and issuing in the same termination.

§ XXXVI. The next remarkable contest was occasioned by a motion of Sir R. Walpole, who proposed the sum of one million should be granted to his majesty, towards redeeming the like sum of the increased capital of the South Sea company, commonly called South Sea annuities. Several members argued for the expediency of applying this sum to the payment of the debt due to the bank, as a part of that encumbrance was saddled with an interest of six per cent. whereas the interest paid for the other sums that constituted the public debt did not exceed four per cent. Many plausible arguments were offered on both sides of the question; and at length the motion was carried in the affirmative. The House having resolved itself into a committee to consider of the national debt, Sir John Barnard made a motion, for enabling his majesty to raise money either by the sale of annuities, or by borrowing at an interest not exceeding three per cent. to be applied towards redeeming the South Sea annuities; and that such of the said annuitants as should be inclined to subscribe their respective annuities, should be preferred to all others. He said, that even those public securities which bore an interest of three per cent. only were sold at a premium in Change Alley; he was, therefore, persuaded, that all those who were willing to give a premium for a three per cent. security would gladly lend their money to the government at the same interest, should books of subscription be opened for that purpose, with an assurance that no part of the principal should be paid off for fourteen years. He expatiated upon the national advantages that would accrue from a reduction of interest. From easy and obvious calculations he inferred, that in a very little time the interest upon all the South Sea annuities would be reduced from four to three per cent. without any danger to public credit, or breach of public faith: that then the produce of the sinking fund would amount to fourteen hundred thousand pounds per annum, to be applied only towards redeeming the capital of the several trading companies; he proved that this measure would bring every one of them so much within the power of parliament, that they would be glad to accept of three per cent. interest on any reasonable terms: in which case the sinking fund would rise to one million six hundred thousand pounds per annum. Then the parliament might venture to annihilate one half of it, by freeing the people from the taxes upon coals, candles, soap, leather, and such other impositions as lay heavy upon the poor labourers and manufacturers; the remaining part of the sinking fund might be applied towards the discharge of those annuities and public debts which bore an interest of three per cent. only, and afterwards towards diminishing the capitals of the several trading companies till the term of fourteen years should be expired; then the sinking fund would again amount to above a million yearly, which would be sufficient for paying them off, and freeing the nation entirely from all its

encumbrances. This salutary scheme was violently opposed by Alderman Heathcote, and other partisans of the ministry: yet all their objections were refuted; and, in order to defeat the project, they were obliged to have recourse to artifice. Mr. Winnington moved, that all the public creditors, as well as the South Sea annuitants, should be comprehended. Sir John Barnard demonstrated, that it might be easy for the government to borrow money at three per cent. sufficient for paying off such of the proprietors of four-and-twenty millions as were not willing to accept of that interest, but it would be extremely difficult to borrow enough to satisfy the proprietors of four-and-forty millions, who might choose to have their principal rather than such an interest. Nevertheless, resolutions were founded on this and other alterations of the original scheme; and a bill was immediately prepared. It produced many other debates, and was at last postponed by dint of ministerial influence. The same venerable patriot, who projected this scheme, moved that as soon as the interest of all the national redeemable debt should be reduced to three per cent. the House would take off some of the heavy taxes which oppressed the poor and the manufacturers: but this motion was rejected by the majority.

A. D. 1737. § XXXVII. The last disputes of this session were excited by a bill sent down from the Lords for punishing the magistrates and city of Edinburgh, on account of the murder of John Porteous. In the beginning of the session Lord Carteret recapitulated the several tumults and riots which had lately happened in different parts of the kingdom. He particularly insisted upon the atrocious murder of Captain Porteous, as a flagrant insult upon the government, and a violation of the public peace, so much the more dangerous, as it seemed to have been concerted and executed with deliberation and decency. He suspected that some citizens of Edinburgh had been concerned in the murder, not only from this circumstance, but likewise because, notwithstanding the reward of two hundred pounds, which had been offered by proclamation for the discovery of any person who acted in that tragedy, not one individual had as yet been detected. He seemed to think that the magistrates had encouraged the riot, and that the city had forfeited its charter: and he proposed a minute inquiry into the particulars of the affair. He was seconded by the Duke of Newcastle and the Earl of Ilay: though this last nobleman differed in opinion from him with respect to the charter of the city, which, he said, could not be justly forfeited by the fault of the magistracy. The Lords resolved, That the magistrates and other persons from whom they might obtain the necessary information concerning this riot should be ordered to attend; and, That an address should be presented to his majesty desiring that the different accounts and papers relating to the murder of Captain Porteous might be submitted to the perusal of the House. These documents being accordingly examined, and all the witnesses arrived, including three Scottish judges, a debate arose about the manner in which these last should be interrogated, whether at the bar, at the table, or on the woolsacks. Some Scottish lords asserted that they had a right to be seated next to the judges of England; but after a long debate this claim was rejected, and the judges of Scotland appeared at the bar in their robes. A bill was brought in to disable Alexander Wilson, Esquire, Lord Provost of Edinburgh, from enjoying any office or place of magistracy in the city of Edinburgh, or elsewhere in Great Britain; for imprisoning the said Alexander Wilson; for abolishing the guard of that city; and for taking away the gates of the Nether-Bow port, so as to open a communication between the city and suburbs, in which the king's troops are quartered. The Duke of Argyll, in arguing against this bill, said he could not think of a proceeding more harsh or unprecedented than the present, as he believed there was no instance of the whole weight of parliamentary indignation, for such he called a proceeding by a bill *ex post facto*, falling upon any single person, far less upon any community, for crimes that were within the reach of the inferior courts of justice; for this reason he observed, that if the lord provost and citizens of Edinburgh should suffer in the

terms of the present bill, they would suffer by a cruel, unjust, and fantastical proceeding; a proceeding of which the worst use might be made, if ever the nation should have the misfortune to fall under a partial, self-interested administration. He told them he sat in the parliament of Scotland when that part of the treaty of union relating to the privileges of the royal burghs was settled on the same footing as religion, that is, they were made unalterable by any subsequent parliament of Great Britain. Notwithstanding the eloquence and warmth of his remonstrance, the bill was sent down to the House of Commons, where it produced a violent contest. The Commons set on foot a severe scrutiny into the particular circumstances that preceded and attended the murder of Porteous: from the examination of the witnesses, it appeared that no freeman or citizen of Edinburgh was concerned in the riot, which was chiefly composed of country people, excited by the relations of some unhappy persons whom Porteous and his men had slain at the execution of the smuggler; and these were assisted by 'prentice boys, and the lowest class of vagabonds that happened to be at Edinburgh; that the lord provost had taken all the precautions to prevent mischief that his reflection suggested; that he even exposed his person to the rage of the multitude, in his endeavour to disperse them; and that if he had done amiss he erred from want of judgment, rather than from want of inclination to protect the unhappy Porteous. It likewise appeared that Mr. Lindsay, member for the city of Edinburgh, had gone in person to General Moyle, commander of the forces in North Britain, informed him of the riot, implored his immediate assistance, and promised to conduct his troops into the city; and that his suit was rejected, because he could not produce a written order from the magistracy, which he neither could have obtained in such confusion, nor ventured to carry about his person through the midst of an enraged populace. The Scottish members exerted themselves with uncommon vivacity in defence of that capital. They were joined by Sir John Barnard, Lord Cornbury, Mr. Shippen, and Mr. Ogleshorpe. Lord Polwarth declared, that if any gentleman would show where one argument in the charge against the lord provost and the city of Edinburgh had been proved, he would that instant give his vote for the commitment of the bill. He said, if gentlemen would lay their hands upon their hearts, and ask themselves whether they would have voted in this manner had the case of Edinburgh been that of the city of Bristol, York, or Norwich, he was persuaded they would have required that every title of the charge against them should have been fully and undeniably proved. Some amendments and mitigations being inserted in the bill, it passed the House, was sent back to the Lords, who agreed to the alterations, and then received the royal assent.

§ XXXVIII. The next effort of the minister was obliquely levelled at the liberty of the press, which it was much for his interest to abridge. The errors of his conduct, the mystery of that corruption which he had so successfully reduced to a system, and all the blemishes of his administration, had been exposed and ridiculed, not only in political periodical writings produced by the most eminent hands, but likewise in a succession of theatrical pieces, which met with uncommon success among the people. He either wanted judgment to distinguish men of genius, or could find none that would engage in his service; he, therefore, employed a set of wretched authors, void of understanding and ingenuity. They undertook the defence of his ministry, and answered the animadversions of his antagonists. The match was so extremely unequal, that, instead of justifying his conduct, they exposed it to additional ridicule and contempt: and he saw himself in danger of being despised by the whole nation. He resolved to seize the first opportunity to choke those canals through which the torrent of censure had flowed upon his character. The manager of a playhouse communicated to him a manuscript farce, entitled, the Golden Rump, which was fraught with treason and abuse upon the government, and had been presented to the stage for exhibition. This performance was produced in the House of Commons. The minister descanted upon the insolence, the malice, the immorality, and the seditious calumny,

which had been of late propagated in theatrical pieces. A bill was brought in to limit the number of playhouses; to subject all dramatic writers to the inspection of the lord chamberlain; and to compel them to take out a license for every production before it could appear on the stage. Notwithstanding a vigorous opposition, this bill passed through both Houses with extraordinary despatch, and obtained the royal sanction. In this debate the Earl of Chesterfield distinguished himself by an excellent speech, that will ever endear his character to all the friends of genius and literature, to all those who are warmed with zeal for the liberties of their country. "Our stage (said he) ought certainly to be kept within due bounds; but, for this purpose, our laws as they stand at present are sufficient. If our stage-players at any time exceed those bounds, they ought to be prosecuted; they may be punished. We have precedents, we have examples of persons punished for things less criminal than some pieces which have been lately represented: a new law must, therefore, be unnecessary; and in the present case it cannot be unnecessary without being dangerous. Every unnecessary restraint is a fetter upon the legs, is a shackle upon the hands, of liberty. One of the greatest blessings we enjoy, one of the greatest blessings a people can enjoy, is liberty. But every good in this life has its alloy of evil. Licentiousness is the alloy of liberty. It is an ebullition, an ex-crescence; it is a speck upon the eye of the political body, which I can never touch but with a gentle, with a trembling hand; lest I destroy the body, lest I injure the eye upon which it is apt to appear. If the stage becomes at any time licentious, if a play appears to be a libel upon the government, or upon any particular man, the king's courts are open: the law is sufficient to punish the offender. If poets and players are to be restrained, let them be restrained as other subjects are, by the known laws of their country: if they offend, let them be tried as every Englishman ought to be, by God and their country. Do not let us subject them to the arbitrary will and pleasure of any one man. A power lodged in the hands of a single man to judge and determine without limitation, control, or appeal, is a sort of power unknown to our laws, inconsistent with our constitution. It is a higher, a more absolute power than we trust even to the king himself; and, therefore, I must think we ought not to vest any such power in his majesty's lord chamberlain." His arguments had no effect, though the House admired his elocution; and the playhouse bill passed into a law. On the twenty-first day of June the king made a short speech to both Houses, and the lord chancellor prorogued the parliament.

## CHAP. VI.

§ I. The Russians take Oczakow. § II. Death of Gaston de Medicis, Duke of Tuscany. § III. Death of Caroline, Queen Consort of England. § IV. Dispute in parliament about the standing army. § V. Spanish depredations. § VI. Motives of the minister for avoiding a war. § VII. Address to the king on the subject of the depredations. § VIII. Bill for securing the trade of his majesty's subjects in America. § IX. Debates in the House of Lords. § X. Birth of Prince George. Admiral Haddock sails with a squadron to the Mediterranean. § XI. Progress of the war against the Turks. § XII. Dispute and rupture between Hanover and Denmark. § XIII. Sir Robert Walpole extols the convention in the House of Commons. § XIV. Motion for an address, that the representations, letters, &c. relating to the Spanish depredations should be laid before the House. § XV. Petitions against the convention. § XVI. Substance of that agreement. § XVII. Debate in the House of Commons on the convention. § XVIII. Resession of the chief members in the opposition. § XIX. Debate in the House of Lords upon an address to his majesty touching the convention. § XX. Message from the throne touching a subsidy to Denmark, and a power to augment the forces of the kingdom. § XXI. Parliament prorogued. § XXII. The King of Spain publishes a manifesto. § XXIII. The emperor and czarina conclude a peace with the Turks. § XXIV. Preparations for war in England. § XXV. Apology in the House of Commons for the seceding members. § XXVI. Pension bill revived and lost. § XXVII. Points taken by Admiral Vernon. § XXVIII. Hard frost. § XXIX. Marriage of the Princess Mary to the Prince of Hesse. § XXX. Strong armament sent to the West Indies. § XXXI. Death of the emperor and czarina. § XXXII. Proceedings in parliament. § XXXIII. Seamen's bill. § XXXIV. Discontents against the ministry. § XXXV. Motion for removing Sir Robert Walpole from his majesty's council and precedence forever. § XXXVI. Debate on the mutiny bill. § XXXVII. Proceedings in the House of Lords. § XXXVIII. Close of the last session of this parliament.

A. D. 1737. § I. A CONGRESS had been opened at Niemerow in Poland to compromise the differences between the czarina and the grand signor; but this proving ineffectual, the emperor declared war

against the Turks, and demanded assistance from the diet of the empire. He concerted the operations of the campaign with the Empress of Muscovy. It was agreed that the imperialists, under Count Seckendorf, should attack Widin in Servia, while the Russians, commanded by Count de Munich, should penetrate to the Ukraine, and besiege Oczakow, on the Boristhenes. They accordingly advanced against this place, which was garrisoned by twenty thousand men; and on the side of the Boristhenes defended by eighteen galleys. The Muscovites carried on their approaches with such impetuosity and perseverance, that the Turks were terrified at their valour, and in a few days capitulated. Among those who signalized themselves by uncommon marks of prowess in these attacks, was General Keith, now field-marshal in the Prussian service, who was dangerously wounded on this occasion. Meanwhile Count Seckendorf, finding it impossible to reduce Widin without a squadron of ships on the Danube, turned his arms against Nissa, which was surrendered to him on the eight-and-twentieth day of July; but this was the furthest verge of his good fortune. The Turks attacked the post which the imperialists occupied along the Danube. They took the fort of Padulit, burned the town of Ilas in Wallachia, and plundered the neighbouring villages. The Prince of Saxe-Hildburghausen, who had invested Bagnalack in Bosnia, was defeated, and obliged to repossess the Saave. Count Seckendorf was recalled to Vienna: and the command of the army devolved upon Count Philipp. Count Kevenhuller was obliged to retreat from Servia; and Nissa was retaken by the Mussulmen. The conferences at Niemerow were broken off; and the Turkish plenipotentiaries returned to Constantinople.

§ II. The kingdom of Poland now enjoyed the most perfect repose under the dominion of Augustus. Ferdinand, the old Duke of Courland, dying without issue, the succession was disputed by the Teutonic order and the kingdom of Poland, while the States of Courland claimed a right of election, and sent deputies to Petersburg, imploring the protection of the czarina. A body of Russian troops immediately entered that country; and the States elected the Count de Biron, high-chamberlain to the Empress of Muscovy. The Elector of Cologne, as grand-master of the Teutonic order, protested against this election; but the King of Poland agreed to it, on certain conditions settled at Dantzic with the commissaries of the new duke and those of the czarina. In the month of July, John Gaston de Medicis, Great Duke of Tuscany, died at Florence; and the Prince de Craon took possession of his territories, in the name of the Duke of Lorraine, to whom the emperor had already granted the eventual investiture of that duchy.

§ III. In England, the attention of the public was attracted by an open breach in the royal family. The Princess of Wales had advanced to the very last month of her pregnancy before the king and queen were informed of her being with child. She was twice conveyed from Hampton-court to the palace of St. James's, when her labour pains were supposed to be approaching; and at length was delivered of a princess in about two hours after her arrival. The king being apprized of this event, sent a message by the Earl of Essex to the prince, expressing his displeasure at the conduct of his royal highness, as an indignity offered to himself and the queen. The prince deprecated his majesty's anger in several submissive letters, and implored the queen's mediation. The princess joined her entreaties to those of his royal highness; but all their humility and supplication proved ineffectual. The king in another message sent by the Duke of Grafton, observed, that the prince had removed the princess twice in the week immediately preceding the day of her delivery, from the place of his majesty's residence, in expectation of her labour; and both times, on his return, industriously concealed from the knowledge of the king and queen every circumstance relating to this important affair: that at last, without giving any notice to their majesties, he had precipitately hurried the princess from Hampton-court, in a condition not to be named: that the whole tenour of his conduct, for a considerable time, had been so entirely void of all real duty to the king, that his majesty had reason to



be highly offended with him. He gave him to understand, that until he should withdraw his regard and confidence from those by whose instigation and advice he was directed and encouraged in his unwarrantable behaviour to his majesty and the queen, and return to his duty, he should not reside in the palace: he, therefore, signified his pleasure that he should leave St. James's, with all his family, when it could be done without prejudice or inconvenience to the princess. In obedience to this order the prince retired to Kew, and made other efforts to be re-admitted into his majesty's favour, which, however, he could not retrieve. Whatever might have been his design in concealing so long from the king and queen the pregnancy of the princess, and afterwards hurrying her from place to place in such a condition, to the manifest hazard of her life, his majesty had, certainly cause to be offended at this part of his conduct: though the punishment seems to have been severe, if not rigorous; for he was not even admitted into the presence of the queen his mother, to express his duty to her, in her last moments, to implore her forgiveness, and receive her last blessing. She died of a mortification of her bowels, on the twentieth day of November, in the fifty-fifth year of her age, regretted as a princess of uncommon sagacity, and as a pattern of conjugal virtue.

§ IV. The king opened the session of parliament on the twenty-fourth day of January, with a short speech recommending the despatch of the public business with prudence and unanimity. Each House presented a warm address of condolence on the queen's death, with which he seemed to be extremely affected. Though the House of Commons unanimously sympathized with the king in his affliction, the minister still met with contradiction in some of his favourite measures. One would imagine that all the arguments for and against a standing army in time of peace had been already exhausted; but, when it was moved that the same number of land-forces which they had voted in the preceding year should be continued in pay for the ensuing year, the dispute was renewed with surprising vivacity, and produced some reasons which had not been suggested before. The adherents of the minister fairly owned, that if the army should be disbanded, or even considerably reduced, they believed the tory interest would prevail: that the present number of forces was absolutely necessary to maintain the peace of the kingdom, which was filled with clamour and discontent, as well as to support the whig interest; and that they would vote for keeping up four times the number, should it be found expedient for that purpose. The members in the opposition replied, that this declaration was a severe satire on the ministry, whose conduct had given birth to such a spirit of discontent. They said it was in effect a tacit acknowledgment, that what they called the whig interest was no more than an inconsiderable party, which had engrossed the administration by indirect methods; which acted contrary to the sense of the nation; and depended for support upon a military power, by which the people in general were overawed, and consequently enslaved. They affirmed, that the discontent of which the ministry complained was in a great measure owing to that very standing army, which perpetuated their taxes, and hung over their heads as the instruments of arbitrary power and oppression. Lord Polwarth explained the nature of whig principles, and demonstrated that the party which distinguished itself by this appellation, no longer retained the maxims by which the whigs were originally characterized. Sir John Hynde Cotton, who spoke with the courage and freedom of an old English baron, declared he never knew a member of that House, who acted on true whig principles, vote for a standing army in time of peace: "I have heard of whigs (said he) who opposed all unlimited votes of credit: I have heard of whigs who looked upon corruption as the greatest curse that could befall any nation: I have heard of whigs who esteemed the liberty of the press to be the most valuable privilege of a free people, and triennial parliaments as the greatest bulwark of their liberties; and I have heard of a whig administration which has resented injuries done to the trade of the nation, and revenged insults offered to the British flag." The ministry triumphed as usual, and the same number of forces was continued.

§ V. Ever since the treaty of Seville, the Spaniards in America had almost incessantly insulted and distressed the commerce of Great Britain. They disputed the right of English traders to cut logwood in the bay of Campeachy, and gather salt on the island of Tortugas; though that right was acknowledged by implication in all the treaties which had been lately concluded between the two nations. The captains of their armed vessels, known by the name of guarda-costas, had made a practice of boarding and plundering British ships, on pretence of searching for contraband commodities, on which occasions they had behaved with the utmost insolence, cruelty, and rapine. Some of their ships of war had actually attacked a fleet of English merchant ships at the island of Tortugas, as if they had been at open enmity with England. They had seized and detained a great number of British vessels, imprisoned their crews, and confiscated their cargoes, in violation of treaties, in defiance of common justice and humanity. Repeated memorials were presented to the court of Spain, by the British ambassador at Madrid. He was amused with evasive answers, vague promises of inquiry, and cedulas of instructions sent to the Spanish governors in America, to which they paid no sort of regard. Not but that the Spaniards had reason to complain, in their turn, of the illicit commerce which the English traders from Jamaica and other islands carried on with their subjects on the continent of South America: though this could not justify the depredations and cruelties which the commanders of the guarda-costas had committed, without provocation or pretence.

§ VI. The merchants of England loudly complained of these outrages; the nation was fired with resentment, and cried for vengeance; but the minister appeared cold, phlegmatic, and timorous. He knew that a war would involve him in such difficulties as must of necessity endanger his administration. The treasure which he now employed for domestic purposes must in that case be expended in military armaments: the wheels of that machine on which he had raised his influence would no longer move: the opposition would of consequence gain ground, and the imposition of fresh taxes, necessary for the maintenance of the war, would fill up the measure of popular resentment against his person and ministry. Moved by these considerations, he industriously endeavoured to avoid a rupture, and to obtain some sort of satisfaction by dint of memorials and negotiations, in which he betrayed his own fears to such a degree, as animated the Spaniards to persist in their depredations, and encouraged the court of Madrid to disregard the remonstrances of the British ambassador. But this apprehension of war did not proceed from Spain only: the two branches of the House of Bourbon were now united by politics, as well as by consanguinity; and he did not doubt that in case of a rupture with Spain, they would join their forces against Great Britain. Petitions were delivered to the House by merchants from different parts of the kingdom, explaining the repeated violences to which they had been exposed, and imploring relief of the parliament. These were referred to a committee of the whole House; and an order was made to admit the petitioners, if they should think fit, to be heard by themselves or by counsel. Sir John Barnard moved for an address to the king, that all the memorials and papers relating to the Spanish depredations should be laid before the House; and this, with some alteration proposed by Sir Robert Walpole, was actually presented. In compliance with the request, an enormous multitude of letters and memorials was produced.

§ VII. The House, in a grand committee, proceeded to hear counsel for the merchants, and examine evidence: by which it appeared that amazing acts of wanton cruelty and injustice had been perpetrated by Spaniards on the subjects of Great Britain. Mr. Pulteney expatiated upon these circumstances of barbarity. He demonstrated, from treaties, the right of the British traders to the logwood of Campeachy, and to the salt of Tortugas; he exposed the pusillanimity of the minister, and the futility of his negotiations: he moved for such resolutions as would evince the resentment of an injured nation, and the vigour of a British parliament. These were warmly combated by Sir Robert Walpole, who affirmed, they would cramp the

ministers in their endeavours to compromise these differences: that they would frustrate their negotiations, intrench upon the king's prerogative, and precipitate the nation into an unnecessary and expensive war. Answers produced replies, and a general debate ensued. A resolution was reported; but the question being put for recommending it, was carried in the negative. The House, however, agreed to an address, beseeching his majesty to use his endeavours to obtain effectual relief for his injured subjects, to convince the court of Spain that his majesty could no longer suffer such constant and repeated insults and injuries to be carried on, to the dishonour of his crown, and to the ruin of his trading subjects; and assuring him, that in case his royal and friendly instances with the catholic king should miscarry, the House would effectually support his majesty in taking such measures as honour and justice should make it necessary for him to pursue. To this address the king made a favourable answer.

§ VIII. The next important subject on which both sides exercised their talents, was a bill prepared and brought in by Mr. Pulteney, for the more effectual securing the trade of his majesty's subjects in America. This was no other than the revival of part of two acts passed in the reign of Queen Anne, by which the property of all prizes taken from the enemy was vested in the captors: while the sovereign was empowered to grant commissions or charters to any persons or societies, for taking any ships, goods, harbours, lands, or fortifications of the nation's enemies in America, and for holding and enjoying the same as their own property and estate for ever. The ministry endeavoured to evade the discussion of this bill, by amusing the House with other business, until an end should be put to the session. A mean artifice was practised with this view; and some severe altercation passed between Sir Robert Walpole and Mr. Pulteney. At length the bill was read, and gave rise to a very long and warm contest, in which the greatest orators of both sides found opportunities to display their eloquence and satire. Mr. Pulteney defended the bill with all the ardour of paternal affection; but, notwithstanding his warmest endeavours, it was rejected upon a division.

§ IX. When the mutiny bill was sent up to the House of Lords, a long debate arose upon the number of troops voted for the ensuing year. Lord Carteret explained the situation of affairs in almost every nation of Europe with great conciseness and precision. He demonstrated the improbability of a rupture between Great Britain and any power against which a land army could be of any service. He examined the domestic circumstances of the nation; and proved, that whatever discontents there might be in the kingdom, there was little or no disaffection, and no seeming design to overturn or disturb the government. In answer to an argument, that such a number of regular forces was necessary for preventing or quelling tumults, and for enabling the civil magistrate to execute the laws of his country, he expressed his hope that he should never see the nation reduced to such unfortunate circumstances: he said, a law which the civil power was unable to execute, must either be in itself oppressive, or such a one as afforded a handle for oppression. In arguing for a reduction of the forces, he took notice of the great increase of the national expense. He observed, that before the revolution, the people of England did not raise above two millions for the whole of the public charge; but now what was called the current expense, for which the parliament annually provided, exceeded that sum; besides the civil list, the interest due to the public creditors, and the sinking fund, which, added together, composed a burthen of six millions yearly. The Earl of Chesterfield, on the same subject, affirmed, that slavery and arbitrary power were the certain consequences of keeping up a standing army for any number of years. It is the machine by which the chains of slavery are rivetted upon a free people. They may be secretly prepared by corruption; but, unless a standing army protected those that forged them, the people would break them asunder, and chop off the polluted hands by which they were prepared. By degrees a free people must be accustomed to be governed by an army; by degrees that army must be made strong enough to hold them in subjection. England had for many years been accus-

tomed to a standing army, under pretence of its being necessary to assist the civil power; and by degrees the number and strength of it have been increasing. At the accession of the late king it did not exceed six thousand: it soon amounted to double that number, which has been since augmented under various pretences. He therefore concluded, that slavery, under the disguise of an army for protecting the liberties of the people, was creeping in upon them by degrees: if no reduction should be made, he declared he should expect in a few years to hear some minister, or favourite of a minister, terrifying the House with imaginary plots and invasions, and making the tour of Europe in search of possible dangers, to show the necessity of keeping up a mercenary standing army, three times as numerous as the present. In spite of these suggestions, the standing army maintained its ground. The same noblemen, assisted by Lord Bathurst, distinguished themselves in a debate upon the Spanish depredations, which comprehended the same arguments that were used in the House of Commons. They met with the same success in both. Resolutions equivalent to those of the lower House were taken: an address was presented; and his majesty assured them he would repeat, in the most pressing manner, his instances at the court of Spain in order to obtain satisfaction and security for his subjects trading to America. This assurance was renewed in his speech at the close of the session, on the twentieth of May, when the parliament was prorogued.

§ X. At this period the Princess of Wales was delivered of a son, who was baptized by the name of George, now King of Great Britain. His birth was celebrated with uncommon rejoicings: addresses of congratulation were presented to the king by the two universities, and by almost all the cities and communities of the kingdom. But the Prince of Wales still laboured under the displeasure of his majesty, who had ordered the lord chamberlain to signify in the Gazette, that no person who visited the prince should be admitted to the court of St. James's. His royal highness was divested of all the external marks of royalty, and lived like a private gentleman, cultivating the virtues of a social life, and enjoying the best fruits of conjugal felicity. In the latter end of this month, Rear-Admiral Haddock set sail with a strong squadron for the Mediterranean, which it was hoped would give weight to the negotiation of the British minister at the court of Madrid. The act to discourage the retail of spirituous liquors had incensed the populace to such a degree as occasioned numberless tumults in the cities of London and Westminster. They were so addicted to the appellation of gin or geneva, that they ran all risks rather than forego it entirely; and so little regard was paid to the law by which it was prohibited, that in less than two years twelve thousand persons within the bills of mortality were convicted of having sold it illegally. Nearly one half of that number were cast in the penalty of one hundred pounds: and three thousand persons paid ten pounds each, for an exemption from the disgrace of being committed to the house of correction.

§ XI. The war maintained by the emperor and the czarina against the Ottoman Porte, had not yet produced any decisive event. Count Seckendorf was disgraced and confined on account of his ill success of the last campaign. General Doxat was tried by a council of war at Belgrade, and condemned to death for having surrendered to the enemy the town of Nissa, in which he commanded. The diet of the empire granted a subsidy of fifty Roman months to the emperor, who began to make vigorous preparations for the ensuing campaign: but in the meantime, Ragotski, Vaivode of Transylvania, revolted against the house of Austria, and brought a considerable army into the field, under the protection of the grand signor. He was immediately proclaimed a rebel, and a price set upon his head by the court of Vienna. The Turks taking the field early, reduced the fort of Usitz and Meadia, and undertook the siege of Orsova, which, however, they abandoned at the approach of the imperial army, commanded by the Grand Duke of Tuscany, assisted by Count Konigsberg. The Turks, being reinforced, marched back, and attacked the imperialists, by whom they were repulsed after an obstinate engagement. The Germans,

notwithstanding this advantage, repassed the Danube; and then the infidels made themselves masters of Orsova, where they found a fine train of artillery, designed for the siege of Widin. By the conquest of this place, the Turks laid the Danube open to their galleys and vessels; and the Germans retired under the cannon of Belgrade. In the Ukraine, the Russians under General Count Munich obtained the advantage over the Turks in two engagements; and General Lacy routed the Tartars of the Crimea; but they returned in greater numbers, and harassed the Muscovites in such a manner, by intercepting their provisions, and destroying the country, that they were obliged to abandon the lines of Precops.

§ XII. In the month of October, an affair of very small importance produced a rupture between the King of Denmark and the Elector of Hanover. A detachment of Hanoverians took by assault the castle of Steinhorst, belonging to the privy counsellor Wederkop, and defended by thirty Danish dragoons, who had received orders to repel force by force. Several men were killed on both sides before the Hanoverians could enter the place, when the garrison was disarmed and conducted to the frontiers. This petty dispute about a small territory, which did not yield the value of one thousand pounds a-year, had well nigh involved Hanover in a war, which, in all probability, Great Britain must have maintained; but this dispute was compromised by a convention between the Kings of England and Denmark.

§ XIII. The session of parliament was opened on the first day of February, when the king in his speech to both Houses gave them to understand, that a convention was concluded and ratified between him and the King of Spain, who had obliged himself to make reparation to the British subjects for their losses by certain stipulated payments: the plenipotentiaries were named and appointed for regulating, within a limited time, all those grievances and abuses which had hitherto interrupted the commerce of Great Britain in the American seas: and for settling all matters of dispute, in such a manner as might for the future prevent and remove all new causes and pretences of complaint. The motion for an address of approbation was disputed as usual. Though the convention was not yet laid before the House, the nature of it was well known to the leaders of the opposition. Sir William Wyndham observed, that if the ministry had made the resolutions taken by the parliament in the last session the foundation of their demands; if they had discovered a resolution to break off all treating, rather than depart from the sense of parliament, either a defensive treaty might have been obtained, or by this time the worst would have been known: but, by what appeared from his majesty's speech, the convention was no other than a preliminary; and, in all probability, a very bad preliminary. He supposed the minister had ventured to clothe some of his creatures with full powers to give up the rights of the nation; for they might do it if they durst. Sir Robert Walpole, in answer to these suggestions, affirmed, that the ministry had on this occasion obtained more than ever on like occasions was known to be obtained: that they had reconciled the peace of their country with her true interest: that this peace was attended with all the advantages that the most successful arms could have procured: that future ages would consider this as the most glorious period of our history, and do justice to the councils that produced the happy event, which every gentleman divested of passion and prejudice was ready to do; and which, he believed, the present age, when rightly informed, would not refuse. In a word, he extolled his own convention with the most extravagant encomiums.

§ XIV. The House resolved to address the king, that copies of all the memorials, representations, letters, and papers, presented to his majesty, or his secretary of state, relating to depredations, should be submitted to the perusal of the House: but some members in the opposition were not contented with this resolution. Then Mr. Sandys, who may be termed the "Motion-maker," moved for an address, desiring that the House might inspect all letters written, and instructions given by the secretaries of state, or commissioners of the admiralty, to any of the British governors in America, or any commander-in-chief, or captains of

his majesty's ships of war, or his majesty's minister at the court of Spain, or any of his majesty's consuls in Europe, since the treaty of Seville, relating to the losses which the British subjects had sustained by means of depredations committed by the subjects of Spain in Europe and America. This was an unreasonable proposal, suggested by the spirit of animosity and faction. Mr. H. Walpole justly observed, that a compliance with such an address might lay open the most private transactions of the cabinet, and discover secrets that ought, for the good of the kingdom, to be concealed. It would discover to the court of Spain the *ultimatum* of the king's demands and concessions, and the nation would thereby be deprived of many advantages which it might reap, were no such discovery made. He said, that so soon as the differences betwixt the two courts should arrive at such a crisis, and not before, the consuls were instructed to give notice to the merchants, that they might retire in time with their effects; but should such instruction come to the knowledge of the Spaniards, it would be a kind of watch-word to put them on their guard, and unavoidably occasion the ruin of many thousands of British subjects. Certain it is, no government could act either in external or domestic affairs with proper influence, dignity, and despatch, if every letter and instruction relating to an unfinished negotiation should be exposed to the view of such a numerous assembly, composed of individuals actuated by motives in themselves diametrically opposite. The motion being rejected by the majority, the same gentleman moved again for an address, that his majesty would give directions for laying before the House copies of such memorials or representations as had been made, either to the King of Spain or to his ministers, since the treaty of Seville, relating to the depredations committed in Europe or America. A debate ensued; and, upon a division, the question passed in the negative.

§ XV. The House, in a committee of supply, voted twelve thousand seamen for the service of the ensuing year, and the standing army was continued without reduction, though powerfully attacked by the whole strength of the opposition. The Commons likewise ordered an address to his majesty, for the copies of several memorials since the treaty of Seville, touching the rights of Great Britain, or any infraction of treaties which had not been laid before them. These were accordingly submitted to the inspection of the House. By this time the convention itself was not only presented to the Commons, but also published for the information of the people. Divers merchants, planters, and others trading to America, the cities of London and Bristol, the merchants of Liverpool, and owners of sundry ships which had been seized by the Spaniards, offered petitions against the convention, by which the subjects of Spain were so far from giving up their groundless and unjustifiable practice of visiting and searching British ships sailing to and from the British plantations, that they appeared to have claimed the power of doing it as a right: for they insisted that the differences which had arisen concerning it should be referred to plenipotentiaries, to be discussed by them without even agreeing to abstain from such visitation and search during the time that the discussion of this affair might last. They, therefore, prayed that they might have an opportunity of being heard, and allowed to represent the great importance of the British trade to and from the plantations in America; the clear indisputable right which they had to enjoy it, without being stopped, visited, or searched by the Spaniards, on any pretence whatsoever; and the certain inevitable destruction of all the riches and strength derived to Great Britain from that trade, if a search of British ships sailing to and from their own plantations should be tolerated upon any pretext, or under any restrictions, or even if the freedom of this navigation should continue much longer in a state of uncertainty. These petitions were referred to the committee appointed to consider of the convention. Another remonstrance was likewise presented by the trustees for establishing the colony of Georgia, setting forth, that the King of Spain claimed that colony as part of his territories; and that by the convention, the regulation of the limits of Carolina and Florida was referred to the determination of plenipotentiaries; so that the colony of Georgia, which undoubtedly belonged to the crown of Great Britain, was left



in dispute, while the settlers remained in the most precarious and dangerous situation. It was moved, that the merchants should be heard by their counsel: but the proposal was strenuously opposed by the ministry, and rejected upon a division.

§ XVI. This famous convention concluded at the Pardo on the fourteenth day of January, imported, That within six weeks, to be reckoned from the day on which the ratifications were exchanged, two ministers plenipotentiaries should meet at Madrid, to confer, and finally regulate the respective pretensions of the two crowns, with relation to the trade and navigation in America and Europe, and to the limits of Florida and Carolina, as well as concerning other points which remained likewise to be adjusted, according to the former treaties subsisting between the two nations: That the plenipotentiaries should finish their conferences within the space of eight months: That in the meantime no progress should be made in the fortifications of Florida and Carolina: That his catholic majesty should pay to the King of Great Britain the sum of ninety-five thousand pounds, for a balance due to the crown and subjects of Great Britain, after deduction made of the demands of the crown and subjects of Spain: That this sum should be employed for the satisfaction, discharge, and payment of the demands of the British subjects upon the crown of Spain: That this reciprocal discharge, however, should not extend or relate to the accounts and differences which subsisted and were to be settled between the crown of Spain and the Assiento company, nor to any particular or private contracts that might subsist between either of the two crowns, or their ministers, with the subjects of the other; or between the subjects and subjects of each nation respectively: That his catholic majesty should cause the sum of ninety-five thousand pounds to be paid at London within four months, to be reckoned from the day on which the ratifications were exchanged. Such was the substance of that convention, which alarmed and provoked the merchants and traders of Great Britain, excited the indignation of all those who retained any regard for the honour of their country, and raised a general cry against the minister who stood at the helm of administration.

§ XVII. The eyes of the whole kingdom were now turned upon the House of Commons. The two contending parties summoned their whole force for the approaching dispute; on the day appointed for considering the convention, four hundred members had taken their seats by eight in the morning. In a committee of the whole House, certain West India merchants and planters were heard against the convention: so that this and the following day were employed in reading papers, and obtaining information. On the eighth day of March, Mr. H. Walpole having launched out in the praise of that agreement, moved for an address of approbation to his majesty. He was seconded by Mr. Campbell, of Pembroke-shire; and the debate began with extraordinary ardour. He who first distinguished himself in the lists was Sir Thomas Sanderson, at that time treasurer to the Prince of Wales, afterwards Earl of Scarborough. All the officers and adherents of his royal highness had joined the opposition; and he himself on this occasion sat in the gallery, to hear the debate on such an important transaction. Sir Thomas Sanderson observed, that the Spaniards by the convention, instead of giving us reparation, had obliged us to give them a general release. They had not allowed the word satisfaction to be so much as once mentioned in the treaty. Even the Spanish pirate who had cut off the ear of Captain Jenkins,<sup>a</sup> and used the most insulting expression towards the person of the king—an expression which no British subject should decently repeat—an expression which no man that had a regard for his sovereign could ever forgive—even this fellow lived to enjoy the fruits of his rapine, and remained a living testimony of the cowardly tameness and mean submission of Great

Britain; of the triumphant haughtiness and stubborn pride of Spain. Lord Gage, one of the most keen, spirited, and sarcastic orators in the House, stated in this manner the account of the satisfaction obtained from the court of Spain by the convention: the losses sustained by the Spanish depredations amounted to three hundred and forty thousand pounds; the commissary, by a stroke of his pen, reduced this demand to two hundred thousand pounds; then forty-five thousand were struck off for prompt payment: he next allotted sixty thousand pounds as the remaining part of a debt pretended to be due to Spain, for the destruction of her fleet by Sir George Byng, though it appeared by the instructions on the table, that Spain had been already amply satisfied on that head: these deductions reduced the balance to ninety-five thousand pounds; but the King of Spain insisted upon the South Sea company's paying immediately the sum of sixty-eight thousand pounds, as a debt due to him on one head of accounts, though in other articles, his catholic majesty was indebted to the company a million over and above the demand: the remainder to be paid by Spain did not exceed seven-and-twenty thousand pounds, from which she insisted upon deducting whatever she might have already given in satisfaction for any of the British ships that had been taken; and on being allowed the value of the St. Theresa, a Spanish ship which had been seized in the port of Dublin. Mr. W. Pitt, with an energy of argument and diction peculiar to himself, declaimed against the convention, as insecure, unsatisfactory, and dishonourable to Great Britain. He said the great national objection, the searching of British ships, was not admitted, indeed, in the preamble; but stood there as the reproach of the whole, as the strongest evidence of the fatal submission that followed: on the part of Spain, an usurpation, an inhuman tyranny claimed and exercised over the American seas; on the part of England, an undoubted right by treaties, and from God and nature, declared and asserted in the resolutions of parliament; were now referred to the discussion of plenipotentiaries, upon one and the same equal foot. This undoubted right was to be discussed and regulated; and if to regulate be to prescribe rules, as in all construction it is, that right was, by the express words of the convention, to be given up and sacrificed: for it must cease to be any thing from the moment it is submitted to limitation. Mr. Lyttelton, with equal force and fluency, answered the speech of Mr. H. Walpole. "After he had used many arguments to persuade us to peace, (said he), to any peace, good or bad, by pointing out the dangers of a war, dangers I by no means allow to be such as he represents them, he crowned all those terrors with the name of the pretender. It would be the cause of the pretender. The pretender would come. Is the honourable gentleman sensible what this language imports? The people of England complain of the greatest wrongs and indignities: they complain of the interruption, the destruction of their trade; they think the peace has left them in a worse condition than before: and, in answer to all these complaints, what are they told? Why, that their continuing to suffer all this, is the price they must pay to keep the king and his family on the throne of these realms. If this were true, it ought not to be owned; but it is far from truth; the very reverse is true. Nothing can weaken the family; nothing shake the establishment, but such measures as these, and such language as this." He affirmed that if the ministers had proceeded conformably to the intentions of parliament, they would either have acted with vigour, or have obtained a real security in an express acknowledgment of our right not to be searched as a preliminary, *sine qua non*, to our treating at all. Instead of this, they had referred it to plenipotentiaries. "Would you, Sir, (said he), submit to a reference, whether you may travel unmolested from your house in town to your house in the country? Your right

himself in the hands of such barbarians? "I recommended my soul to God," said he, "and my cause to my country." The behaviour of this brave seaman, the sight of his ear, which was produced, with his account of the indignities which had been offered to the nation and sovereign of Great Britain, filled the whole House with indignation. Jenkins was afterwards employed in the service of the East India company. He proved himself worthy of his good fortune in a long engagement with the pirate Anson, during which he behaved with extraordinary courage and conduct; and saved his own ship, with three others that were under his

<sup>a</sup> Captain Jenkins was master of a Scottish merchant ship. He was boarded by the captain of a Spanish guarda-costas, who treated him in the most barbarous manner. The Spaniards, after having ruined his vessel for what they called contraband commodities, without finding any thing to justify their search, insulted Jenkins with the most opprobrious invectives. They tore off one of his ears, bidding him carry it to his king, and tell him they would serve him in the same manner should an opportunity offer. They tortured him with the most shocking cruelty, and threatened him with an immediate death. This man was examined at the bar of the House of Commons, and was questioned by a member what he thought when he found

is clear and undeniable, why would you have it discussed? but much less would you refer it, if two of your judges belonged to a gang which has often stopped and robbed you in your way thither before."—The ministers, in vindication of the convention, asserted, that the satisfaction granted by Spain was adequate to the injury received: that it was only the preliminary of a treaty which would remove all causes of complaint: that war was always expensive and detrimental to a trading nation, as well as uncertain in its events: that France and Spain would certainly join their forces in case of a rupture with Great Britain: that there was not one power in Europe upon which the English could depend for effectual assistance; and that war would favour the cause and designs of a popish pretender. The House upon a division, agreed to the address; but when a motion was made for its being recommitted, the two parties renewed the engagement with redoubled eagerness and impetuosity. Sir William Wyndham and Mr. Pulteney poured all the thunder of their eloquence against the insolence of Spain, and the concessions of the British ministry. Sir Robert Walpole exerted all his fortitude and dexterity in defence of himself and his measures, and the question being put, the resolutions for the address were carried by a small majority.

§ XVIII. Then Sir William Wyndham, standing up, made a pathetic remonstrance upon this determination. "This address (said he) is intended to convince mankind, that the treaty under our consideration is a reasonable and an honourable treaty. But if a majority of twenty-eight in such a full House should fail of that success; if the people should not implicitly resign their reason to a vote of this House, what will be the consequence? Will not the parliament lose its authority? Will it not be thought, that even in the parliament we are governed by a faction? and what the consequence of this may be, I leave to those gentlemen to consider, who are now to give their vote for this address: for my own part, I will trouble you with no more, but with these my last words, I sincerely pray to Almighty God, who has so often wonderfully protected these kingdoms, that he will graciously continue his protection over them, by preserving us from that impending danger which threatens the nation from without, and likewise from that impending danger which threatens our constitution from within." The minister was on this occasion deserted by his usual temper, and even provoked into personal abuse. He declared, that the gentleman who was now the mouth of his opponents had been looked upon as the head of those traitors, who twenty-five years before conspired the destruction of their country and of the royal family, in order to set a popish pretender upon the throne; that he was seized by the vigilance of the then government, and pardoned by its clemency: but all the use he had ungratefully made of that clemency, was to qualify himself according to law, that he and his party might some time or other have an opportunity to overthrow all law. He branded them all as traitors, and expressed his hope that their behaviour would unite all the true friends of the present happy establishment. To such a degree of mutual animosity were both sides inflamed, that the most eminent members of the minority actually retired from parliament; and were by the nation in general revered as martyrs to the liberty of the people.

§ XIX. The dispute occasioned by the convention in the House of Lords, was maintained with equal warmth, and perhaps with more abilities. After this famous treaty had been considered, Lord Carteret suggested that possibly one of the contracting powers had presented a protest or declaration, importing that she acceded to such or such a measure, only upon condition that the terms of that protest or declaration should be made good. He said, that until his mind should be free from the most distant suspicion that such a paper might exist in the present case, he could not form a just opinion of the transaction himself, or communicate to their lordships any light which might be necessary for that purpose. The adherents to the ministry endeavoured to evade his curiosity in this particular, by general assertions: but he insisted on his suspicion with such perseverance, that at length the ministry produced the copy of a declaration made by the King of Spain before he ratified the convention, signifying that

his catholic majesty reserved to himself, in its full force, the right of being able to suspend the assiento of negroes, in case the company should not pay within a short time the sum of sixty-eight thousand pounds sterling, owing to Spain on the duty of negroes, or on the profit of the ship *Caroline*; that under the validity and force of this protest, the signing of the said convention might be proceeded on, and in no other manner. In the debate that ensued, Lord Carteret displayed a surprising extent of political knowledge, recommended by all the graces of elocution, chaste, pure, dignified, and delicate. Lord Bathurst argued against the articles of convention with his usual spirit, integrity, and good sense, particularly animated by an honest indignation which the wrongs of his country had inspired. The Earl of Chesterfield attacked this inglorious measure with all the weight of argument, and all the poignancy of satire. The Duke of Argyle, no longer a partisan of the ministry, inveighed against it as infamous, treacherous, and destructive, with all the fire, impetuosity, and enthusiasm of declamation. It was defended with unequal arms by the Duke of Newcastle, the Earl of Cholmondeley, Lord Hervey, the lord chancellor, the Bishop of Salisbury, and in particular by the Earl of Ilay, a nobleman of extensive capacity and uncommon erudition; remarkable for his knowledge of the civil law, and seemingly formed by nature for a politician; cool, discerning, plausible, artful, and enterprising, staunch to the minister, and invariably true to his own interest. The dispute was learned, long, and obstinate: but ended as usual in the discomfiture of those who had stigmatized the treaty. The House agreed to an address, in which they thanked his majesty for his gracious condescension in laying before them the convention. They acknowledged his great prudence in bringing the demands of his subjects for their past losses, which had been so long depending, to a final adjustment; in procuring an express stipulation for a speedy payment; and in laying a foundation for accomplishing the great and desirable ends of obtaining future security: and preserving the peace between the two nations. They declared their confidence in his royal wisdom, that in the treaty to be concluded, in pursuance of the convention, proper provisions would be made for the redress of the grievances of which the nation had so justly complained: they assured his majesty, that in case his just expectations should not be answered, the House would heartily and zealously concur in all such measures as should be necessary to vindicate his majesty's honour, and to preserve to his subjects the full enjoyment of all those rights to which they were entitled by treaty and the law of nations. This was a hard-won victory. At the head of those who voted against the address we find the Prince of Wales. His example was followed by six dukes, two-and-twenty earls, four viscounts, eighteen barons, four bishops; and their party was reinforced by sixteen proxies. A spirited protest was entered and subscribed by nine-and-thirty peers, comprehending all the noblemen of the kingdom who were most eminent for their talents, integrity, and virtue.

§ XX. A message having been delivered to the House from his majesty, importing, A. D. 1739: that he had settled nine-and-thirty thousand pounds per annum on the younger children of the royal family; and desiring their lordships would bring in a bill to enable his majesty to make that provision good, out of the hereditary revenues of the crown, some lords in the opposition observed, that the next heir to the crown might look upon this settlement as a mortgage of his revenue, which a parliament had no power to make: that formerly no daughter of the royal family was ever provided for by parliament, except the eldest, and that never was by way of annuity, but an express provision of a determinate sum of money paid by way of dowry. These objections were overruled; and the House complied with his majesty's request. Then the Duke of Newcastle produced a subsidy treaty, by which his majesty obliged himself to pay to the King of Denmark seventy thousand pounds per annum, on condition of the Danes furnishing to his Britannic majesty a body of six thousand men when demanded. At the same time, his Grace delivered a message from the king, desiring the House would enable him to fulfil his engagement: and also to raise what money and troops the exigency of

affairs, during the approaching recess, might require. Another vehement dispute arose from this proposal. With respect to the treaty, Lord Carteret observed, that no use could be made of the Danish troops in any expedition undertaken against Spain, because it was stipulated in the treaty, that they should not be used either in Italy, or on board of the fleet, or be transported in whole or in part beyond sea, after they should have marched out of the territories of Denmark, except for the defence of the kingdoms of Great Britain and Ireland: nay, should France join against the English, the Danes could not act against that power or Spain, except as part of an army formed in Germany or Flanders. This body of Danes may be said, therefore, to have been retained for the defence and protection of Hanover: or if the interest of Britain was at all consulted in the treaty, it must have been in preventing the Danes from joining their fleets to those of France and Spain. Then he argued against the second part of the message with great vivacity. He said nothing could be more dangerous to the constitution than a general and unlimited vote of credit. Such a demand our ancestors would have heard with amazement, and rejected with scorn. He affirmed that the practice was but of modern date in England: that it was never heard of before the revolution; and never became frequent until the nation was blessed with the present wise administration. He said, if ever a general vote of credit and confidence should become a customary compliment from the parliament to the crown at the end of every session, or as often as the minister might think fit to desire it, parliaments would grow despicable in the eyes of the people: then a proclamation might be easily substituted in its stead, and happy would it be for the nation if that should be sufficient; for when a parliament ceases to be a check upon ministers, it becomes a useless and unnecessary burthen on the people. The representatives must always be paid some way or other: if their wages are not paid openly and surely by their respective constituents, as they were formerly, a majority of them may in future times be always ready to accept of wages from the administration, and these must come out of the pockets of the people. The Duke of Argyle and the Earl of Chesterfield enlarged upon the same topics. Nevertheless, the House complied with the message: and presented an address in which they not only approved of the treaty with Denmark, but likewise assured his majesty they would concur with his measures, and support him in fulfilling his engagements, as well as in making such further augmentation of his forces by sea and land, as he should think necessary for the honour, interest, and safety of these kingdoms.

§ XXI. The same message being communicated to the Commons, they voted seventy thousand five hundred and eighty-three pounds, for the subsidy to Denmark, and five hundred thousand pounds for augmenting the forces on any emergency. As Great Britain stood engaged by the convention to pay the crown of Spain the sum of sixty thousand pounds in consideration of the ships taken and destroyed by Sir George Byng, which sum was to be applied to the relief of the British merchants who had suffered by the Spanish depredations, the Commons inserted in a bill a clause, providing for this sum to be paid by the parliament. When the bill was read in the House of Lords a motion was made by Lord Bathurst for an address, to know, whether Spain had paid the money stipulated by the convention, as the time limited for the payment of it was now expired. The Duke of Newcastle, by his majesty's permission, acquainted the House that it was not paid; and that Spain had as yet given no reason for the non-payment. Then a day was appointed to consider the state of the nation, when Lord Carteret moved for a resolution, that the failure of Spain in this particular was a breach of the convention, a high indignity to his majesty, and an injustice to the nation; but, after a warm debate, this motion was overruled by the majority. The minister, in order to

atone in some measure for the unpopular step he had taken in the convention, allowed a salutary law to pass for the encouragement of the woollen manufacture; and two bills in behalf of the sugar colonies, one permitting them for a limited time to export their produce directly to foreign parts, under proper restrictions: and the other making more effectual provisions for securing the duties laid upon the importation of foreign sugars, rum, and molasses into Great Britain, and his majesty's plantations in America. The supplies being voted, the funds established, and the crown gratified in every particular, the king closed the session with a speech on the fourteenth day of June, when the chancellor in his majesty's name prorogued the parliament.<sup>b</sup>

§ XXII. Letters of marque and reprisal were granted against the Spaniards: a promotion was made of general officers; the troops were augmented; a great fleet was assembled at Spithead; a reinforcement sent out to Admiral Haddock; and an embargo laid on all merchant ships outward bound. Notwithstanding these preparations of war, Mr. Keen, the British minister at Madrid, declared to the court of Spain, that his master, although he had permitted his subjects to make reprisals, would not be understood to have broken the peace; and that this permission would be recalled as soon as his catholic majesty should be disposed to make the satisfaction which had been so justly demanded. He was given to understand, that the King of Spain looked upon those reprisals as acts of hostility; and that he hoped, with the assistance of Heaven and his allies, he should be able to support a good cause against his adversaries. He published a manifesto in justification of his own conduct, complaining that Admiral Haddock had received orders to cruise with his squadron between the capes St. Vincent and St. Mary, in order to surprise the Assogue ships; that letters of reprisal had been published at London in an indecent style, and even carried into execution in different parts of the world. He excused his non-payment of the ninety-five thousand pounds stipulated in the convention, by affirming that the British court had first contravened the articles of that treaty, by the orders sent to Haddock; by continuing to fortify Georgia; by reinforcing the squadron at Jamaica; and by eluding the payment of the sixty-eight thousand pounds due to Spain from the South Sea company, on the assiento for negroes. The French ambassador at the Hague declared that the king his master was obliged by treaties to assist his catholic majesty by sea and land, in case he should be attacked; he dissuaded the States-general from espousing the quarrel of Great Britain; and they assured him they would observe a strict neutrality, though they could not avoid furnishing his Britannic majesty with such succours as he could demand, by virtue of the treaties subsisting between the two powers. The people of England were inspired with uncommon alacrity at the near prospect of war, for which they had so long clamoured; and the ministry, seeing it unavoidable, began to be earnest and effectual in their preparations.

§ XXIII. The events of war were still unfavourable to the emperor. He had bestowed the command of his army upon Velt-Mareschal Count Wallis, who assembled his forces in the neighbourhood of Belgrade; and advanced towards Crotksa, where he was attacked by the Turks with such impetuosity and perseverance, that he was obliged to give ground, after a long and obstinate engagement, in which he lost above six thousand men. The Earl of Crawford, who served as a volunteer in the imperial army, signalized his courage in an extraordinary manner on this occasion, and received a dangerous wound, of which he never perfectly recovered. The Turks were afterwards worsted at Jabouka; nevertheless, their grand army invested Belgrade on the side of Servia, and carried on the operations of the siege with extraordinary vigour. The emperor, dreading the loss of this place, seeing his finances exhausted, and his army considerably diminished, consented to a negotiation for peace, which was transacted

<sup>b</sup> Among the laws enacted in the course of this session was an act against graveness, which had become universal through all ranks of people, and likely to prove destructive of all morals, industry, and settlement. Another bill passed, for granting a reward to Joanna Stevens, on her discovering, for the benefit of the public, a nostrum for the cure of persons afflicted with the stone; a medicine which has by no means answered the expectations of the legislature.

In the House of Lords complaint was made by Lord Delaware of a sa-

ties, entitled *Manners*, written by Mr. Whitehead; in which some characters of distinction were severely lashed, in the true spirit of poetry. It was offered a libel; a motion was made to take the author into custody; but he having withdrawn himself, the resentment of the House fell upon R. Dodsley, the publisher of the work, who was committed to the usher of the black rod, though Lord Carteret, the Earl of Abington, and Lord Talbot, spoke in his behalf.



under the mediation of the French ambassador at the Ottoman Porte. The Count de Neuperg, as imperial plenipotentiary, signed the preliminaries on the first day of September. They were ratified by the emperor, though he pretended that his minister had exceeded his powers. By this treaty the house of Austria ceded to the grand signor Belgrade, Sabatz, Servia, Austrian Wallachia, the isle and fortress of Orsova, with the fort of St. Elizabeth; and the contracting powers agreed that the Danube and the Saave should serve as boundaries to the two empires. The emperor published a circular letter, addressed to his ministers at all the courts in Europe, blaming Count Wallis for the bad success of the last campaign, and disowning the negotiations of Count Neuperg; nay, these two officers were actually disgraced, and confined in different castles. This, however, was no other than a sacrifice to the resentment of the czarina, who loudly complained, that the emperor had concluded a separate peace, contrary to his engagements with the Russian empire. Her general, Count Munich, had obtained a victory over the Turks at Choczim, in Moldavia, and made himself master of that place, in which he found two hundred pieces of artillery: but the country was so ruined by the incursions of the Tartars, that the Muscovites could not subsist in it during the winter. The czarina, finding herself abandoned by the emperor, and unable to cope with the whole power of the Ottoman empire, took the first opportunity of putting an end to the war upon honourable terms. After a short negotiation, the conferences ended in a treaty, by which she was left in possession of Azoph, on condition that its fortifications should be demolished: and the ancient limits were re-established between the two empires.

§ XXIV. A rupture between Great Britain and Spain was now become inevitable. The English squadron in the Mediterranean had already made prize of two rich Caracca ships. The king had issued orders for augmenting his land forces, and raising a body of marines: and a great number of ships of war were put in commission. Admiral Vernon had been sent to the West Indies, to assume the command of the squadron in those seas; and to annoy the trade and settlements of the Spaniards. This gentleman had rendered himself considerable in the House of Commons, by loudly condemning all the measures of the ministry, and bluntly speaking his sentiments, whatever they were, without respect of persons, and sometimes without any regard to decorum. He was counted a good officer, and this boisterous manner seemed to enhance his character. As he had once commanded a squadron in Jamaica, he was perfectly well acquainted with those seas; and in a debate upon the Spanish depredations, he chanced to affirm, that Porto Bello, on the Spanish main, might be easily taken: nay, he even undertook to reduce it with six ships only. This offer was echoed from the mouths of all the members in the opposition. Vernon was extolled as another Drake or Raleigh: he became the idol of a party, and his praise resounded from all corners of the kingdom. The minister, in order to appease the clamours of the people on this subject, sent him as commander-in-chief to the West Indies. He was pleased with an opportunity to remove such a troublesome censor from the House of Commons; and, perhaps, he was not without hope, that Vernon would disgrace himself and his party, by failing in the exploit he had undertaken. His catholic majesty having ordered all the British ships in his harbours to be seized and detained, the King of England would keep measures with him no longer, but denounced war against him on the twenty-third day of October. Many English merchants began to equip privateers, and arm their trading vessels; to protect their own commerce, as well as to distress that of the enemy. The session of parliament was opened in November, when the king, in his speech to both Houses, declared that he had augmented his forces by sea and land, pursuant to the power vested in him by parliament for the security of his dominions, the protection of trade, and the annoyance of the enemy; and he expressed his apprehension, that the heats and animosities, which had been industriously fomented throughout the kingdom, encouraged Spain to act in such a manner as rendered it necessary for him to have recourse to arms. In answer to

this speech, affectionate addresses were presented by both Houses, without any considerable opposition.

§ XXV. The seceding members had again resumed their seats in the House of Commons; and Mr. Pulteney thought proper to vindicate the extraordinary step which they had taken. He said, they thought that step was necessary, as affairs then stood, for clearing their characters to posterity from the imputation of sitting in an assembly, where a determined majority gave a sanction to measures evidently to the disgrace of his majesty and the nation. He observed, that their conduct was so fully justified by the declaration of war against Spain, that any further vindication would be superfluous; for every assertion contained in it had been almost in the same words insisted upon by those who opposed the convention: "Every sentence in it (added he) is an echo of what was said in our reasonings against that treaty: every positive truth which the declaration lays down, was denied with the utmost confidence by those who spoke for the convention; and since that time there has not one event happened which was not then foreseen and foretold." He proposed, that in maintaining the war, the Spanish settlements in the West Indies should be attacked; and that the ministry should not have the power to give up the conquests that might be made. He said he heartily wished, for his majesty's honour and service, that no mention had been made of heats and animosities in the king's speech; and gave it as his opinion, that they should take no notice of that clause in their address. He was answered by Sir Robert Walpole, who took occasion to say, he was in no great concern lest the service of his majesty or the nation should suffer by the absence of those members who had quitted the House: he affirmed, the nation was generally sensible, that the many useful and popular acts which passed towards the end of the last session, were greatly forwarded and facilitated by the secession of those gentlemen; and, if they were returned only to oppose and perplex, he should not be at all sorry to see them secede again.

§ XXVI. Mr. Pulteney revived the bill which he had formerly prepared for the encouragement of seamen. After a long dispute, and eager opposition by the ministry, it passed both Houses, and obtained the royal assent. Mr. Sandys having observed that there could be no immediate use for a great number of forces in the kingdom; and explained how little service could be expected from raw and undisciplined men; proposed an address to the king, desiring that the body of marines should be composed of drafts from the old regiments: that as few officers should be appointed as the nature of the case would permit; and he expressed his hope, that the House would recommend this method to his majesty, in tender compassion to his people, already burthened with many heavy and grievous taxes. This scheme was repugnant to the intention of the ministry, whose aim was to increase the number of their dependants, and extend their parliamentary interest, by granting a great number of commissions. The proposal was, therefore, after a long debate, rejected by the majority. Motions were made for an inquiry into the conduct of those who concluded the convention, but they were overruled. The pension bill was revived, and so powerfully supported by the eloquence of Sir William Wyndham, Mr. Pulteney, and Mr. Lyttleton, that it made its way through the Commons to the upper House, where it was again lost upon a division, after a very long debate. As the seamen of the kingdom expressed uncommon aversion to the service of the government, and the fleet could not be manned without great difficulty, the ministry prepared a bill, which was brought in by Sir Charles Wager, for registering all seamen, watermen, fishermen, and lightermen, throughout his majesty's dominions. Had this bill passed into a law, a British sailor would have been reduced to the most abject degree of slavery: had he removed from a certain district allotted for the place of his residence, he would have been deemed a deserter, and punished accordingly; he must have appeared, when summoned, at all hazards, whatever might have been the circumstances of his family, or the state of his private affairs: had he been encumbered with debt, he must either have incurred the penalties of this law, or lain at the mercy of his creditors: had he acquired by industry, or received by

inheritance, an ample fortune, he would have been able to be torn from his possessions, and subjected to hardships which no man would endure but from the sense of fear or indignance. The bill was so vigorously opposed by Sir John Barnard and others, as a flagrant encroachment on the liberties of the people, that the House rejected it on the second reading.

§ XXVII. The king having by message communicated to the House his intention of disposing the Princess Mary in marriage to Prince Frederick of Hesse; and expressing his hope, that the Commons would enable him to give a suitable portion to his daughter, they unanimously resolved to grant forty thousand pounds for that purpose; and presented an address of thanks to his majesty, for having communicated to the House this intended marriage. On the thirteenth day of March a ship arrived from the West Indies, despatched by Admiral Vernon with an account of his having taken Porto Bello, on the isthmus of Darien, with six ships only, and demolished all the fortifications of the place. The Spaniards acted with such pusillanimity on this occasion, that their forts were taken almost without bloodshed. The two Houses of parliament joined in an address of congratulation upon this success of his majesty's arms; and the nation in general was wonderfully elated by an exploit which was magnified much above its merit. The Commons granted every thing the crown thought proper to demand. They provided for eight-and-twenty thousand land forces, besides six thousand marines. They enabled his majesty to equip a very powerful navy: they voted the subsidy to the King of Denmark; and they empowered their sovereign to defray certain extraordinary expenses not specified in the estimates. To answer these uncommon grants, they imposed a land tax of four shillings in the pound; and enabled his majesty to deduct twelve hundred thousand pounds from the sinking fund; in a word, the expense of the war, during the course of the ensuing year, amounted to about four millions. The session was closed on the twenty-ninth day of April, when the king thanked the Commons for the supplies they had so liberally granted, and recommended union and moderation to both Houses.

A. D. 1740. § XXVIII. During the greatest part of this winter, the poor had been grievously afflicted in consequence of a severe frost, which began at Christmas, and continued till the latter end of February. The river Thames was covered with such a crust of ice that a multitude of people dwelt upon it in tents, and a great number of booths were erected for the entertainment of the populace. The navigation was entirely stopped; the watermen and fishermen were disabled from earning a livelihood: the fruits of the earth were destroyed by the cold, which was so extreme that many persons were chilled to death; and this calamity was the more deeply felt, as the poor could not afford to supply themselves with coals and fuel, which were advanced in price, in proportion to the severity and continuance of the frost. The lower class of labourers, who worked in the open air, were now deprived of all means of subsistence: many kinds of manufacture were laid aside, because it was found impracticable to carry them on. The price of all sorts of provision rose almost to a dearth; even water was sold in the streets of London. In this season of distress, many wretched families must have perished by cold and hunger, had not those of opulent fortunes been inspired with a remarkable spirit of compassion and humanity. Nothing can more redound to the honour of the English nation, than did those instances of benevolence and well-conducted charity which were then exhibited. The liberal hand was not only opened to the professed beggar, and the poor that owned their distress; but uncommon pains were taken to find out and relieve those more unhappy objects, who from motives of false pride, or ingenuous shame, endeavoured to conceal their misery. These were assisted almost in their own despite. The solitary habitations of the widow, the fatherless, and the unfortunate, were visited by the beneficent, who felt for the woes of their fellow-creatures; and, to such as refused to receive a portion of the public charity, the necessities of life were privately conveyed, in such a manner as could least shock the delicacy of their dispositions.

§ XXIX. In the beginning of May the King of Great

Britain set out for Hanover, after having appointed a regency, and concerted vigorous measures for distressing the enemy. In a few days after his departure, the espousals of the Princess Mary were celebrated by proxy, the Duke of Cumberland representing the Prince of Hesse; and in June the princess embarked for the continent. About the same time, a sloop arrived in England with despatches from Admiral Vernon, who, since his adventure at Porto Bello, had bombarded Carthagen, and taken the fort of San Lorenzo, on the river of Chagre, in the neighbourhood of his former conquest. This month was likewise marked by the death of his Prussian majesty, a prince by no means remarkable for great or amiable qualities. He was succeeded on the throne by Frederick his eldest son, the late king of that realm, who has so eminently distinguished himself as a warrior and legislator. In August, the King of Great Britain concluded a treaty with the Landgrave of Hesse, who engaged to furnish him with a body of six thousand men for four years, in consideration of an annual subsidy of two hundred and fifty thousand crowns.

§ XXX. Meanwhile, preparations of war were vigorously carried on by the ministry in England. They had wisely resolved to annoy the Spaniards in their American possessions. Three ships of war, cruising in the bay of Biscay, fell in with a large Spanish ship of the line strongly manned, and took her after a very obstinate engagement: but the assogue ships arrived, with the treasure, in Spain, notwithstanding the vigilance of the English commanders, who were stationed in a certain latitude to intercept that fleet. One camp was formed on Hounslow heath; and six thousand marines lately levied were encamped on the Isle of Wight, in order to be embarked for the West Indies. Intelligence being received, that a strong squadron of Spanish ships of war waited at Ferrol for orders to sail to their American settlement, Sir John Norris sailed with a powerful fleet from Spithead, to dispute their voyage: and the Duke of Cumberland served in person as a volunteer in this expedition: but, after divers fruitless efforts, he was, by contrary winds, obliged to lie inactive for the greatest part of the summer in Torbay: and, upon advice that the French and Spanish squadrons had sailed to the West Indies in conjunction, the design against Ferrol was wholly laid aside. In September, a small squadron of ships commanded by Commodore Anson, set sail for the South Sea, in order to act against the enemy on the coast of Chili and Peru, and co-operate occasionally with Admiral Vernon across the isthmus of Darien. The scheme was well laid, but ruined by unnecessary delays, and unforeseen accidents. But the hopes of the nation centred chiefly in a formidable armament designed for the northern coast of New Spain, and his catholic majesty's other settlements on that side of the Atlantic. Commissions had been issued for raising a regiment of four battalions in the English colonies of North America, that they might be transported to Jamaica, and join the forces from England. These, consisting of the marines, and detachments from some old regiments, were embarked in October at the Isle of Wight, under the command of Lord Cathcart, a nobleman of approved honour, and great experience in the art of war; and they sailed under convoy of Sir Chaloner Ogle, with a fleet of seven-and-twenty ships of the line, besides frigates, fire-ships, bomb-ketches, and tenders. They were likewise furnished with hospital ships, and store ships, laden with provision, ammunition, all sorts of warlike implements, and every kind of convenience. Never was an armament more completely equipped; and never had the nation more reason to hope for extraordinary success.

§ XXXI. On the twentieth day of October, Charles VI. Emperor of Germany, the last prince of the house of Austria, died at Vienna, and was succeeded in his hereditary dominions by his eldest daughter, the Archduchess Maria Theresa, married to the grand Duke of Tuscany. Though this princess succeeded as Queen of Hungary, by virtue of the pragmatic sanction guaranteed by all the powers in Europe, her succession produced such contests as kindled a cruel war in the empire. The young King of Prussia was no sooner informed of the emperor's death, than he entered Silesia at the head of twenty thousand men; seized certain fiefs to which his family laid claim; and published a manifesto, declaring that he had no in-

tention to contravene the pragmatic sanction. The Elector of Bavaria refused to acknowledge the archduchess as Queen of Hungary and Bohemia; alleging, that he himself had pretensions to those countries, as the descendant of the Emperor Ferdinand I. who was head of the German branch of the house of Austria. Charles VI. was survived but a few days by his ally, the Czarina Anne Iwanowna, who died in the forty-fifth year of her age, after having bequeathed her crown to Iwan, or John, the infant son of her niece, the Princess Anne of Mecklenburgh, who had been married to Anthony Ulrick, Duke of Brunswick Lunenbourg-Bevern. She appointed the Duke of Courland regent of the empire, and even guardian of the young czar, though his own parents were alive: but this disposition was not long maintained.

§ XXXII. The King of Great Britain having returned to England from his German dominions, the session of parliament was opened in November. His majesty assured them, on this occasion, that he was determined to prosecute the war vigorously, even though France should espouse the cause of Spain, as her late conduct seemed to favour this supposition. He took notice of the emperor's death, as an event which in all likelihood would open a new scene of affairs in Europe: he therefore recommended to their consideration the necessary supplies for putting the nation in such a posture that it should have nothing to fear from any emergency. Finally, he desired them to consider of some proper regulations for preventing the exportation of corn, and for more effectual methods to man the fleet at this conjuncture. The Commons, after having voted an address of thanks, brought in a bill for prohibiting the exportation of corn and provisions, for a limited time, out of Great Britain, Ireland, and the American plantations. This was a measure calculated to distress the enemy, who were supposed to be in want of these necessities. The French had contracted for a very large quantity of beef and pork in Ireland for the use of their own and of the Spanish navy; and an embargo had been laid upon the ships of that kingdom. The bill met with a vigorous opposition: yet the House unanimously resolved, that his majesty should be addressed to lay an immediate embargo upon all ships laden with corn, grain, starch, rice, beef, pork, and other provisions, to be exported to foreign parts. They likewise resolved, that the thanks of the House should be given to Vice-Admiral Vernon, for the services he had done to his king and country in the West Indies. One William Cooley was examined at the bar of the House, and committed to prison, after having owned himself author of a paper, entitled, "Considerations upon the Embargo on Provision of Victual." The performance contained many shrewd and severe animadversions upon the government, for having taken a step which, without answering the purpose of distressing the enemy, would prove a grievous discouragement to trade, and ruin all the graziers of Ireland. Notwithstanding the arguments used in this remonstrance, and several petitions that were presented against the corn bill, it passed by mere dint of ministerial influence. The other party endeavoured by various motions, to set on foot an inquiry into the orders, letters, and instructions, which had been sent to Admiral Vernon and Admiral Haddock; but all such investigations were carefully avoided.

§ XXXIII. A very hot contest arose from a bill which the ministry brought in under the specious title of, A bill for the encouragement and increase of seamen, and for the better and speedier manning his majesty's fleet. This was a revival of the oppressive scheme which had been rejected in the former session; a scheme by which the justices of the peace were empowered to issue warrants to constables and headboroughs, to search by day or night for such seafaring men as should conceal themselves within their respective jurisdictions. Those searchers were vested with authority to force open doors, in case of resistance; and encouraged to this violence by reward for every seaman they should discover; while the unhappy wretches so discovered were dragged into the service, and their names entered in a register to be kept at the navy or the

admiralty office. Such a plan of tyranny did not pass uncensured. Every exceptionable clause produced a warm debate, in which Sir John Barnard, Mr. Pulteney, Mr. Sandys, Lord Gage, Mr. Pitt, and Mr. Lyttleton, signalized themselves nobly in defending the liberties of their fellow-subjects. Mr. Pitt having expressed a laudable indignation at such a large stride towards despotic power, in justification of which nothing could be urged but the plea of necessity, Mr. H. Walpole thought proper to attack him with some personal sarcasms. He reflected upon his youth; and observed that the discovery of truth was very little promoted by pompous diction and theatrical emotion. These insinuations exposed him to a severe reply. Mr. Pitt standing up again, said, "He would not undertake to determine whether youth could be justly imputed to any man as a reproach; but he affirmed, that the wretch, who after having seen the consequences of repeated errors, continues still to blunder, and whose age has only added obstinacy to stupidity, is surely the object of either abhorrence or contempt, and deserves not that his grey head should secure him from insults: much more is he to be abhorred, who, as he has advanced in age, has receded from virtue, and becomes more wicked with less temptation; who prostitutes himself for money which he cannot enjoy; and spends the remains of his life in the ruin of his country." —Petitions were presented from the city of London, and county of Gloucester, against the bill, as detrimental to the trade and navigation of the kingdom, by discouraging rather than encouraging sailors, and destructive to the liberties of the subject: but they were both rejected as insults upon the House of Commons. After very long debates, maintained on both sides with extraordinary ardour and emotion, the severe clauses were dropped, and the bill passed with amendments.

§ XXXIV. But the most remarkable incident of this session, was an open and personal attack upon the minister, who was become extremely unpopular all over the kingdom. The people were now more than ever sensible of the grievous taxes under which they groaned; and saw their burthens daily increasing. No effectual attempt had as yet been made to annoy the enemy. Expensive squadrons had been equipped, had made excursions, and returned without striking a blow. The Spanish fleet had sailed first from Cadiz, and then from Ferrol, without any interruption from Admiral Haddock, who commanded the British squadron in the Mediterranean, and who was supposed to be restricted by the instructions he had received from the ministry, though in fact his want of success was owing to accident. Admiral Vernon had written from the West Indies to his private friends, that he was neglected, and in danger of being sacrificed. Notwithstanding the numerous navy which the nation maintained, the Spanish privateers made prize of the British merchant ships with impunity. In violation of treaties, and in contempt of that intimate connexion which had been so long cultivated between the French and English ministry, the King of France had ordered the harbour and fortifications of Dunkirk to be repaired: his fleet had sailed to the West Indies, in conjunction with that of Spain; and the merchants of England began to tremble for Jamaica: finally, commerce was in a manner suspended, by the practice of pressing sailors into the service, and by the embargo which had been laid upon ships, in all the ports of Great Britain and Ireland. These causes of popular discontent, added to other complaints which had been so long repeated against the minister, exaggerated and inculcated by his enemies with unwearied industry, at length rendered him so universally odious, that his name was seldom or never mentioned with decency, except by his own dependants.

§ XXXV. The country party in parliament seized this opportunity of vengeance. Mr. Sandys went up to Sir Robert Walpole in the House, and told him, that on Friday next he should bring a charge against him in public. The minister seemed to be surprised at this unexpected intimation: but, after a short pause, thanked him politely for this previous notice, and said he desired no favour, but fair play.<sup>c</sup> Mr. Sandys, at the time which

<sup>c</sup> Upon this occasion he misquoted Horace, "As I am not conscious of any crime, said he, I do not doubt of being able to make a proper defence. *Nil conscius, nulli pollicere culpa.*" He was corrected by Mr. Pulteney.

ney, but insisted upon his being in the right, and actually laid a wager on the justness of his quotation.



he had appointed for this accusation, stood up, and in a studied speech entered into a long deduction of the minister's misconduct. He insisted upon the discontents of the nation, in consequence of the measures which had been for many years pursued at home and abroad. He professed his belief that there was not a gentleman in the House who did not know that one single person in the administration was the chief, if not the sole, adviser and promoter of all those measures. "This (added he) is known without doors, as well as within; therefore, the discontents, the reproaches, and even the curses of the people, are all directed against that single person. They complain of present measures: they have suffered by past measures: they expect no redress: they expect no alteration or amendment, whilst he has a share in directing or advising our future administration. These, Sir, are the sentiments of the people in regard to that minister: these sentiments we are in honour and duty bound to represent to his majesty; and the proper method for doing this, as established by our constitution, is to address his majesty to remove him from his councils." He then proceeded to explain the particulars of the minister's misconduct in the whole series of his negotiations abroad. He charged him with having endeavoured to support his own interest, and to erect a kind of despotic government, by the practice of corruption; with having betrayed the interest and honour of Great Britain in the late convention; with having neglected to prosecute the war against Spain; and he concluded with a motion for an address to the king, that he would be pleased to remove Sir Robert Walpole from his presence and councils for ever. He was answered by Mr. Pelham, who undertook to defend or excuse all the measures which the other had condemned; and acquitted himself as a warm friend and unshaken adherent. Against this champion Sir John Barnard entered the lists, and was sustained by Mr. Pulteney, who, with equal spirit and precision, pointed out and exposed all the material errors and mal-practices of the administration. Sir Robert Walpole spoke with great temper and deliberation in behalf of himself. With respect to the article of bribery and corruption, he said, if any one instance had been mentioned; if it had been shown that he ever offered a reward to any member of either House, or even threatened to deprive any member of his office or employment, in order to influence his voting in parliament, there might have been some ground for this charge; but when it was so generally laid, he did not know what he could say to it, unless to deny it as generally and as positively as it had been asserted.—Such a declaration as this, in the hearing of so many persons, who not only knew, but subsisted by his wages of corruption, was a strong proof of the minister's being dead to all sense of shame, and all regard to veracity. The debate was protracted by the court members till three o'clock in the morning, when about sixty of the opposite party having retired, the motion was rejected by a considerable majority.

§ XXXVI. A bill was brought in for prohibiting the practice of insuring ships belonging to the enemies of the nation: but it was vigorously opposed by Sir John Barnard and Mr. Willmot, who demonstrated that this kind of traffic was advantageous to the kingdom; and the scheme was dropped. Another warm contest arose upon a clause of the mutiny bill, relating to the quartering of soldiers upon innkeepers and publicans, who complained of their being distressed in furnishing those guests with provisions and necessaries at the rates prescribed by law or custom. There were not wanting advocates to expatiate upon the nature of this grievance, which, however, was not redressed. A new trade was at this time opened with Persia, through the dominions of the czar, and vested with an exclusive privilege in the Russian company, by an act of parliament. The Commons voted forty thousand seamen for the service of the ensuing year, and about thirty thousand men for the establishment of land forces. They provided for the subsidies granted to the King of Denmark and the Landgrave of Hesse-Cassel; and took every step which was suggested for the ease and the convenience of the government.

§ XXXVII. The parties in the House of Lords were influenced by the same motives which actuated the Com-

mons. The Duke of Argyle, who had by this time resigned all his places, declared open war against the ministry. In the beginning of the session, the king's speech was no sooner reported by the chancellor, than this nobleman stood up, and moved that a general address of thanks should be presented to his majesty, instead of a recapitulation of every paragraph of the king's speech, received from the parliament to the throne, with expressions of blind approbation, implying a general concurrence with all the measures of the minister. He spoke on this subject with an astonishing impetuosity of eloquence, that rolled like a river which had overflowed its banks and deluged the whole adjacent country. The motion was supported by Lord Bathurst, Lord Carteret, the Earl of Chesterfield, and Lord Gower, who, though they displayed all the talents of oratory, were outvoted by the opposite party, headed by the Duke of Newcastle, the Earl of Cholmondeley, Lord Harvey, and the lord chancellor. The motion was rejected, and the address composed in the usual strain. The same motions for an inquiry into orders and instructions which had miscarried in the lower House, were here repeated with the same bad success: in the debates which ensued, the young Earls of Halifax and Sandwich acquired a considerable share of reputation, for the strength of argument and elocution with which they contended against the adherents of the ministry. When the House took into consideration the state of the army, the Duke of Argyle, having harangued with equal skill and energy on military affairs, proposed that the forces should be augmented by adding new levies to the old companies, without increasing the number of officers; as such an augmentation served only to debase the dignity of the service, by raising the lowest of mankind to the rank of gentlemen; and to extend the influence of the minister, by multiplying his dependants. He, therefore, moved for a resolution, that the augmenting the army by raising regiments, as it is the most unnecessary and most expensive method of augmentation, was also the most dangerous to the liberties of the nation. This proposal was likewise overruled, after a short though warm contention. This was the fate of all the other motions made by the Lords in the opposition, though the victory of the courtiers was always clogged with a nervous and spirited protest. Two days were expended in the debate produced by Lord Carteret's motion for an address, beseeching his majesty to remove Sir Robert Walpole from his presence and councils for ever. The speech that ushered in this memorable motion would not have disgraced a Cicero. It contained a retrospect of all the public measures which had been pursued since the revolution. It explained the nature of every treaty, whether right or wrong, which had been concluded under the present administration. It described the political connexions subsisting between the different powers in Europe. It exposed the weakness, the misconduct, and the iniquity of the minister, both in his foreign and domestic transactions. It was embellished with all the ornaments of rhetoric, and warmed with a noble spirit of patriotic indignation. The Duke of Argyle, Lord Bathurst, and his other colleagues, seemed to be animated with uncommon fervour, and even inspired by the subject. A man of imagination, in

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reading their speeches, will think himself transported into the Roman senate, before the ruin of that republic. Nevertheless, the minister still triumphed by dint of numbers; though his victory was dearly purchased. Thirty peers entered a vigorous protest: and Walpole's character sustained such a rude shock from this opposition, that his authority seemed to be drawing near a period. Immediately after this contest was decided, the Duke of Marlborough moved for a resolution, that any attempt to inflict any kind of punishment on any person without allowing him an opportunity to make his defence, or without any proof of any crime or misdemeanor committed by him, is contrary to natural justice, the fundamental laws of the realm, and the ancient established usage of parliament; and is a high infringement of the liberties of the subject. It was seconded by the Duke of Devonshire and Lord Lovel; and opposed by Lord Gower, as an intended censure on the proceedings of the day. This sentiment was so warmly espoused by Lord Talbot, who had

distinguished himself in the former debate, that he seemed to be transported beyond the bounds of moderation. He was interrupted by the Earl of Cholmondeley, who charged him with having violated the order and decorum which ought to be preserved in such an assembly. His passion was inflamed by this rebuke: he declared himself an independent lord; a character which he would not forfeit for the smiles of a court, the profit of an employment, or the reward of a pension: he said, when he was engaged on the side of truth, he would trample on the insolence that should command him to suppress his sentiments.—On a division, however, the motion was carried.

§ XXXVIII. In the beginning of April, the king repairing to the House of Peers, passed some acts that were ready for the royal assent. Then, in his speech to both Houses, he gave them to understand, that the Queen of Hungary had made a requisition of the twelve thousand men stipulated by treaty; and that he had ordered the subsidy-troops of Denmark and Hesse-Cassel to be in readiness to march to her assistance. He observed, that in this complicated and uncertain state of affairs, many incidents might arise, and render it necessary for him to incur extraordinary expenses for maintaining the pragmatic sanction, at a time when he could not possibly have recourse to the advice and assistance of his parliament. He, therefore, demanded of the Commons such a supply as might be requisite for these ends; and promised to manage it with all possible frugality. The lower House, in their address, approved of all his measures; declared they would effectually support him against all insults and attacks that might be made upon any of his territories, though not belonging to the crown of Great Britain; and that they would enable him to contribute, in the most effectual manner, to the support of the Queen of Hungary. Sir Robert Walpole moved, that an aid of two hundred thousand pounds should be granted to that princess. Mr. Shippen protested against any interposition in the affairs of Germany. He expressed his dislike of the promise which had been made to defend his majesty's foreign dominions; a promise, in his opinion, inconsistent with that important and inviolable law, the act of settlement; a promise which, could it have been foreknown, would perhaps have for ever precluded from the succession that illustrious family to which the nation owed such numberless blessings, such continued felicity. The motion however passed, though not without further opposition; and the House resolved, that three hundred thousand pounds should be granted to his majesty, to enable him effectually to support the Queen of Hungary. Towards the expense of this year, a million was deducted from the sinking fund; and the land tax continued at four shillings in the pound. The preparations for this war had already cost five millions. The session was closed on the twenty-fifth day of April, when the king took his leave of this parliament, with warm expressions of tenderness and satisfaction. Henry Bromley, Stephen Fox, and John Howe, three members of the lower House, who had signalized themselves in defence of the minister, were now ennobled, and created Barons of Montford, Ilchester, and Chedworth. A camp was formed near Colchester: and the king having appointed a regency, set out in May for his German dominions.<sup>a</sup>

## CHAP. VII.

<sup>a</sup> The army under Lord Cathcart and Sir Chaloner Ogle proceeds to the West Indies. § I. Nature of the climate on the Spanish islands. § III. Admiral Vernon sails to Cartagena. § IV. Attack of Port Lacer. § V. Expedition to Cuba. § VI. Rupture between the Queen of Hungary and the King of Prussia. § VII. Battle of Molwitz. § VIII. The King of Great Britain concludes a treaty of neutrality with France for the electorate of Hanover. § IX. A body of French forces join the Elector of Bavaria. § X. He is crowned King of Bohemia at Prague. § XI. Fidelity of the Hungarians. § XII. War between Russia and Sweden. § XIII. Revolution in Russia. § XIV. The Spanish and French squadrons pass unmolested by the English admiral

§ d Sir William Wyndham died the preceding year deeply regretted as an orator, a patriot, and a man, the constant assessor of British liberty, and one of the chief ornaments of the English nation. In the course of the same year, General Oglethorpe, Governor of Georgia, had, with some succours obtained from the colony of Carolina, and a small squadron of king's ships, made an attempt upon Port Augustine, the capital of Spanish Flo-

rida; and actually reduced some small forts in the neighbourhood of the place: but the Carolinians withdrawing in disgust, dissensions prevailing among the sea officers, the hurricane winds approaching, and the ships having received a supply and reinforcement, he abandoned the enterprise, and returned to Georgia.

in the Mediterranean. § XV. Inactivity of the naval power of Great Britain. § XVI. Obstinate struggle in electing members to the new parliament. § XVII. Remarkable motion in the House of Commons by Lord Noel Somerset. § XVIII. The country party obtain a majority in the House of Commons. § XIX. Sir Robert Walpole created Earl of Orford. § XX. Change in the ministry. § XXI. Inquiry into the administration of Sir Robert Walpole. § XXII. Obstructed by the new ministry. § XXIII. Reports of the secret committee. § XXIV. The electoral college chooses an emperor. § XXV. The King of Prussia gains the battle of Czaulau. § XXVI. Treaty at Breslau. § XXVII. The French troops retire under the cannon of Prague. A fresh body sent with the Marschal de Mailbois to bring them off. § XXVIII. Extraordinary retreat of M. de Belleisle. § XXIX. The King of Great Britain forms an army in Flanders. § XXX. Progress of the war between Russia and Sweden. § XXXI. The King of Sardinia declares for the House of Austria. § XXXII. Motions of the Spaniards in Italy and Savoy. § XXXIII. Conduct of Admiral Matthews in the Mediterranean. § XXXIV. Operations in the West Indies. § XXXV. The attention of the ministry turned chiefly on the affairs of the continent. § XXXVI. Extraordinary motion in the House of Lords by Earl Stanhope. § XXXVII. Warm and obstinate debate on the repeal of the gin act. § XXXVIII. Bill for quieting corporations. § XXXIX. Convention between the emperor and the Queen of Hungary. § XL. Difference between the King of Prussia and the Elector of Hanover. § XLI. The King of Great Britain obtains a victory over the French at Dettingen. § XLII. Treaty of Worms. § XLIII. Conclusion of the campaign. § XLIV. Affairs in the North. § XLV. Battle of Campo-Santo. § XLVI. Transactions of the British fleet in the Mediterranean. § XLVII. Unsuccessful attempts upon the Spanish settlements in the West Indies.

### § I. THE British armament had by this time proceeded to action in the West In-

Indies. Sir Chaloner Ogle, who sailed from Spithead, had been overtaken by a tempest in the bay of Biscay, by which the fleet, consisting of about one hundred and seventy sail, were scattered and dispersed. Nevertheless, he prosecuted his voyage, and anchored with a view to provide wood and water, in the neutral island of Dominica, where the intended expedition sustained a terrible shock in the death of the gallant Lord Cathcart, who was carried off by a dysentery. The loss of this nobleman was the more severely felt, as the command of the land forces devolved upon General Wentworth, an officer without experience, authority, and resolution. As the fleet sailed along the island of Hispaniola, in its way to Jamaica, four large ships of war were discovered; and Sir Chaloner detached an equal number of his squadron to give them chase, while he himself proceeded on his voyage. As those strange ships refused to bring to, Lord Augustus Fitzroy, the commodore of the four British ships, saluted one of them with a broadside, and a smart engagement ensued. After they had fought during the best part of the night, the enemy hoisted their colours in the morning, and appeared to be part of the French squadron, which had sailed from Europe, under the command of the Marquis d'Antin, with orders to assist the Spanish Admiral de Torres, in attacking and distressing the English ships and colonies. War was not yet declared between France and England; therefore hostilities ceased: the English and French commanders complimented each other; excused themselves mutually, for the mistake which had happened; and parted as friends with a considerable loss of men on both sides.

§ II. In the meantime Sir Chaloner Ogle arrived at Jamaica, where he joined Vice-Admiral Vernon, who now found himself at the head of the most formidable fleet and army that ever visited those seas, with full power to act at discretion. The conjoined squadrons consisted of nine-and-twenty ships of the line, with almost an equal number of frigates, fire-ships, and bomb-ketches, well manned, and plentifully supplied with all kinds of provisions, stores, and necessaries. The number of seamen amounted to fifteen thousand; that of the land forces, including the American regiment of four battalions, and a body of negroes enlisted at Jamaica, did not fall short of twelve thousand. Had this armament been ready to act in the proper season of the year, under the conduct of wise, experienced officers, united in councils, and steadily attached to the interest and honour of their country, the Havannah, and whole island of Cuba, might have been easily reduced: the whole treasure of the Spanish West Indies would have been intercepted; and Spain must have been humbled into the most abject submission. But several unfavourable circumstances concurred to frustrate the hopes of the public. The ministry had detained Sir

rida; and actually reduced some small forts in the neighbourhood of the place: but the Carolinians withdrawing in disgust, dissensions prevailing among the sea officers, the hurricane winds approaching, and the ships having received a supply and reinforcement, he abandoned the enterprise, and returned to Georgia.

Chaloner Ogle at Spithead without any visible cause, until the season for action was almost exhausted: for on the continent of New Spain, the periodical rains begun about the end of April; and this change in the atmosphere is always attended\* with epidemical distempers which render the climate extremely unhealthy; besides, the rain is so excessive, that for the space of two months no army can keep the field.

§ III. Sir Chaloner Ogle arrived at Jamaica on the ninth day of January; and Admiral Vernon did not sail on his intended expedition till towards the end of the month. Instead of directing his course to the Havannah, which lay to leeward, and might have been reached in less than three days, he resolved to beat up against the wind to Hispaniola, in order to observe the motion of the French squadron commanded by the Marquis d'Antin. The fifteenth day of February had elapsed before he received certain information that the French admiral had sailed for Europe, in great distress, for want of men and provisions, which he could not procure in the West Indies. Admiral Vernon, thus disappointed, called a council of war, in which it was determined to proceed for Carthagena. The fleet being supplied with wood and water at Hispaniola, set sail for the continent of New Spain, and on the fourth of March anchored in Plava Grande, to the windward of Carthagena. Admiral de Torres had already sailed to the Havannah: but Carthagena was strongly fortified, and the garrison reinforced by the crews of a small squadron of large ships, commanded by Don Blas de Leso, an officer of experience and reputation. Here the English admiral lay inactive till the ninth, when the troops were landed on the island of Tierra Bomba, near the mouth of the harbour, known by the name of Boca-chica, or Little-mouth, which was surprisingly fortified with castles, batteries, booms, chains, cables, and ships of war. The British forces erected a battery on shore, with which they made a breach in the principal fort, while the admiral sent in a number of ships to divide the fire of the enemy, and co-operate with the endeavours of the army. Lord Aubrey Beauclerc, a gallant officer, who commanded one of these ships, was slain on this occasion. The breach being deemed practicable, the forces advanced to the attack: but the forts and batteries were abandoned: the Spanish ships that lay athwart the harbour's mouth were destroyed or taken: the passage was opened, and the fleet entered without further opposition. Then the forces were re-embarked with the artillery, and landed within a mile of Carthagena, where they were opposed by about seven hundred Spaniards, whom they obliged to retire. The admiral and general had contracted a hearty contempt for each other, and took all opportunities of expressing their mutual dislike: far from acting vigorously in concert, for the advantage of the community, they maintained a mutual reserve, and separate cabals: and each proved more eager for the disgrace of his rival, than zealous for the honour of the nation.

§ IV. The general complained that the fleet lay idle while his troops were harassed and diminished by hard duty and distemper. The admiral affirmed, that his ships could not lie near enough to batter the town of Carthagena: he upbraided the general with inactivity and want of resolution to attack the fort of St. Lazar, which commanded the town, and might be taken by escalade. Wentworth, stimulated by these reproaches, resolved to try the experiment. His forces marched up to the attack: but the guides being slain, they mistook their route, and advanced to the strongest part of the fortification, where they were moreover exposed to the fire of the town. Colonel Grant, who commanded the grenadiers, was mortally wounded: the scaling-ladders were found too short: the officers were perplexed for want of orders and directions: yet the soldiers sustained a severe fire for several hours with surprising intrepidity, and at length retreated, leaving about six hundred killed or wounded on the spot. Their number was now so much reduced, that they could no longer maintain their footing on shore: besides, the rainy season had begun with such violence, as rendered it impossible for them to live in camp. They were, therefore, re-embarked: and all hope of further success immediately vanished. The admiral, however, in order to demonstrate the impracticability of taking the place by sea, sent in the

Gallicia, one of the Spanish ships which had been taken at Boca-chica, to cannonade the town, with sixteen guns mounted on one side, like a floating battery. This vessel, manned by detachments of volunteers from different ships, and commanded by Captain Hore, was warped into the inner harbour, and moored before day, at a considerable distance from the walls, in a very shallow water. In this position she stood the fire of several batteries for some hours, without doing or sustaining much damage: then the admiral ordered the men to be brought off in boats, and the cables to be cut; so that she drove with a sea-breeze upon a shoal, where she was soon filled with water. This exploit was absurd, and the inference which the admiral drew from it altogether fallacious. He said it plainly proved, that there was not depth of water in the inner harbour sufficient to admit large ships near enough to batter the town with any prospect of success. This, indeed, was the case in that part of the harbour to which the Gallicia was conducted: but a little further to the left, he might have stationed four or five of his largest ships a-breast, within pistol-shot of the walls; and if this step had been taken, when the land forces marched to the attack of St. Lazar, in all probability the town would have been surrendered.

§ V. After the re-embarkation of the troops, the distempers peculiar to the climate and season began to rage with redoubled fury; and great numbers of those who escaped the vengeance of the enemy perished by a more painful and inglorious fate. Nothing was heard but complaints and execrations: the groans of the dying, and the service for the dead: nothing was seen but objects of woe, and images of dejection. The conductors of this unfortunate expedition agreed in nothing but the expediency of a speedy retreat from this scene of misery and disgrace. The fortifications of the harbour were demolished, and the fleet returned to Jamaica.—The miscarriage of this expedition, which had cost the nation an immense sum of money, was no sooner known in England, than the kingdom was filled with murmurs and discontent, and the people were depressed in proportion to that sanguine hope by which they had been elevated. Admiral Vernon, instead of undertaking any enterprise which might have retrieved the honour of the British arms, set sail from Jamaica with the forces in July, and anchored at the south-east part of Cuba, in a bay, on which he bestowed the appellation of Cumberland Harbour. The troops were landed, and encamped at the distance of twenty miles further up the river, where they remained totally inactive, and subsisted chiefly on salt and damaged provisions, till the month of November, when, being considerably diminished by sickness, they were put on board again, and re-conveyed to Jamaica. He was afterwards reinforced from England by four ships of war, and about three thousand soldiers: but he performed nothing worthy of the reputation he had acquired; and the people began to perceive that they had mistaken his character.

§ VI. The affairs on the continent of Europe were now more than ever embroiled. The King of Prussia had demanded of the court of Vienna part of Silesia, by virtue of old treaties of co-fraternity, which were either obsolete or annulled: and promised to assist the queen with all his forces, in case she should comply with his demand: but this being rejected with disdain, he entered Silesia at the head of an army, and prosecuted his conquests with great rapidity. In the meantime the Queen of Hungary was crowned at Presburgh, after having signed a capitulation, by which the liberties of that kingdom were confirmed; and the grand duke her consort was, at her request, associated with her for ten years in the government. At the same time the States of Hungary refused to receive a memorial from the Elector of Bavaria. During these transactions, his Prussian majesty made his public entrance into Breslau, and confirmed all the privileges of the inhabitants. One of his generals surprised the town and fortress of Jablunka, on the confines of Hungary: Prince Leopold of Anhalt-Dessau, who commanded another army, which formed the blockade of Great Glogau on the Oder, took the place by escalade, made the Generals Wallis and Reyski prisoners, with a thousand men that were in garrison: here, likewise, the victor found the military



chest, fifty pieces of brass cannon, and a great quantity of ammunition.

§ VII. The Queen of Hungary had solicited the maritime powers for assistance, but found them fearful and backward. Being obliged, therefore, to exert herself with the more vigour, she ordered Count Neuperg to assemble a body of forces, and endeavour to stop the progress of the Prussians in Silesia. The two armies encountered each other in the neighbourhood of Neiss, at a village called Molwitz, and, after an obstinate dispute, the Austrians were obliged to retire, with the loss of four thousand men, killed, wounded, or taken. The advantage was dearly purchased by the King of Prussia. His kinsman, Frederick Margrave of Brandenburg, and Lieutenant-General Schuylemmer, were killed in the engagement, together with a great number of general officers, and about two thousand soldiers. After this action, Brieg was surrendered to the Prussian, and he forced the important pass of Fryewalde, which was defended by four thousand Austrian hussars. The English and Dutch ministers, who accompanied him in his progress, spared no pains to effect an accommodation: but the two sovereigns were too much irritated against each other to acquiesce in any terms that could be proposed. The Queen of Hungary was incensed to find herself attacked, in the day of her distress, by a prince to whom she had given no sort of provocation; and his Prussian majesty charged the court of Vienna with a design either to assassinate, or carry him off by treachery: a design which was disowned with expressions of indignation and disdain. Count Neuperg being obliged to abandon Silesia, in order to oppose the Bavarian arms in Bohemia, the King of Prussia sent thither a detachment to join the elector, under the command of Count Deslau, who, in his route, reduced Glatz and Neiss, almost without opposition: then his master received the homage of the Silesian States at Breslau, and returned to Berlin. In December, the Prussian army was distributed in winter-quarters in Moravia, after having taken Olmutz, the capital of that province; and in March his Prussian majesty formed a camp of observation in the neighbourhood of Magdeburgh.

§ VIII. The Elector of Hanover was alarmed at the success of the King of Prussia, in apprehension that he would become too formidable a neighbour. A scheme was said to have been proposed to the court of Vienna, for attacking that prince's electoral dominions, and dividing the conquest: but it never was put in execution. Nevertheless, the troops of Hanover were augmented: the auxiliary Danes and Hessians in the pay of Great Britain were ordered to be in readiness to march; and a good number of British forces encamped and prepared for embarkation. The subsidy of three hundred thousand pounds granted by parliament, was remitted to the Queen of Hungary; and every thing seemed to presage the vigorous interposition of his Britannic majesty. But in a little time after his arrival at Hanover, that spirit of action seemed to flag even while her Hungarian majesty tottered on the verge of ruin. France resolved to seize this opportunity of crushing the House of Austria. In order to intimidate the Elector of Hanover, Mareschal Mallebois was sent with a numerous army into Westphalia; and this expedient proved effectual. A treaty of neutrality was concluded; and the King of Great Britain engaged to vote for the Elector of Bavaria at the ensuing election of an emperor. The design of the French court was to raise this prince to the imperial dignity, and furnish him with such succours as should enable him to deprive the Queen of Hungary of her hereditary dominions.

§ IX. While the French ministry at Vienna endeavoured to amuse the queen with the strongest assurances of his master's friendship, a body of five-and-thirty thousand men began their march for Germany, in order to join the Elector of Bavaria: another French army was assembled upon the Rhine; and the Count de Belleisle, being provided with large sums of money, was sent to negotiate with different electors. Having thus secured a majority of voices, he proceeded to Munich, where he presented the Elector of Bavaria with a commission, appointing him generalissimo of the French troops marching to his assistance: and now the treaty of Nymphenburgh was con-

cluded. The French king engaged to assist the elector with his whole power, towards raising him to the imperial throne: the elector promised, that after his elevation he would never attempt to recover any of the towns or provinces of the empire which France had conquered: that he would in his imperial capacity, renounce the barrier-treaty; and agree that France should irrevocably retain whatever places she should subdue in the Austrian Netherlands. The next step of Belleisle was to negotiate another treaty between France and Prussia, importing, That the Elector of Bavaria should possess Bohemia, Upper Austria, and the Tyrolese: that the King of Poland should be gratified with Moravia and Upper Silesia, and that his Prussian majesty should retain Lower Silesia, with the town of Neiss and the county of Glatz. These precautions being taken, the Count de Belleisle repaired to Frankfort in quality of ambassador and plenipotentiary from France, at the imperial diet of election. It was in this city that the French king published a declaration, signifying, that as the King of Great Britain had assembled an army to influence the approaching election of an emperor, his most christian majesty, as guarantee of the treaty of Westphalia, had ordered some troops to advance towards the Rhine, with a view to maintain the tranquillity of the Germanic body, and secure the freedom of the imperial election.

§ X. In July, the Elector of Bavaria being joined by the French forces under Mareschal Broglie, surprised the imperial city of Passau, upon the Danube; and entering Upper Austria, at the head of seventy thousand men, took possession of Linz, where he received the homage of the states of that country. Understanding that the garrison of Vienna was very numerous, and that Count Palfi had assembled thirty thousand Hungarians in the neighbourhood of this capital, he made no further progress in Austria, but marched into Bohemia, where he was reinforced by a considerable body of Saxons, under the command of Count Rutowski, natural son to the late King of Poland. By this time his Polish majesty had acceded to the treaty of Nymphenburgh, and declared war against the Queen of Hungary, on the most frivolous pretences. The Elector of Bavaria advanced to Prague, which was taken in the night by escalade: an achievement in which Maurice Count of Saxe, another natural son of the King of Poland, distinguished himself at the head of the French forces. In December the Elector of Bavaria made his public entry into his capital, where he was proclaimed King of Bohemia, and inaugurated with the usual solemnities; then he set out for Frankfort, to be present at the diet of election.

§ XI. At this period the Queen of Hungary saw herself abandoned by all her allies, and seemingly devoted to destruction. She was not, however, forsaken by her courage, nor destitute of good officers, and an able ministry. She retired to Presburgh, and in a pathetic Latin speech to the States, expressed her confidence in the loyalty and valour of her Hungarian subjects. The nobility of that kingdom, touched with her presence and distress, assured her, unanimously, that they would sacrifice their lives and fortunes in her defence. The ban being raised, that brave people crowded to her standard; and the diet expressed their sentiments against her enemy by a public edict, excluding for ever the electoral house of Bavaria from the succession to the crown of Hungary: yet, without the subsidy she received from Great Britain, their courage and attachment would have proved ineffectual. By this supply she was enabled to pay her army, erect magazines, complete her warlike preparations, and put her strong places in a posture of defence. In December, her generals, Berenclau and Mentzel, defeated Count Thoring, who commanded eight thousand men, at the pass of Scardingen, and opening their way into Bavaria, laid the whole country under contribution: while Count Khevenhuller retook the city of Linz, and drove the French troops out of Austria. The grand signor assured the Queen of Hungary, that far from taking advantage of her troubles, he should seize all opportunities to convince her of his friendship; the Pope permitted her to levy a tenth on the revenues of the clergy within her dominions; and even to use all the church-plate for the support of the war.

§ XII. As the czarina expressed an inclination to assist this unfortunate princess, the French court resolved to find her employment in another quarter. They had already gained over to their interest Count Gyllenburgh, prime minister and president of the chancery in Sweden. A dispute happening between him and Mr. Burnaby, the British resident at Stockholm, some warm altercation passed: Mr. Burnaby was forbid the court, and published a memorial in his own vindication; on the other hand, the King of Sweden justified his conduct in a rescript sent to all the foreign ministers. The King of Great Britain had proposed a subsidy-treaty to Sweden, which, from the influence of French councils, was rejected. The Swedes having assembled a numerous army in Finland, and equipped a large squadron of ships, declared war against Russia, upon the most trifling pretences; and the fleet putting to sea, commenced hostilities by blocking up the Russian ports in Livonia. A body of eleven thousand Swedes commanded by General Wrangle, having advanced to Willmenstrand, were, in August, attacked and defeated by General Lasci, at the head of thirty thousand Russians. Count Lewenhaupt, who commanded the main army of the Swedes, resolved to take vengeance for his disgrace, after the Russian troops had retired into winter-quarters. In December he marched towards Wybourg: but receiving letters from the Prince of Hesse-Hombourg and the Marquis de la Chetardie, the French ambassador at Petersburg, informing him of the surprising revolution which had just happened in Russia, and proposing a suspension of hostilities; he retreated with his army, in order to wait for further instructions; and the two courts agreed to a cessation of arms for three months.

§ XIII. The Russians had been for some time discontented with their government. The late czarina was influenced chiefly by German councils, and employed a great number of foreigners in her service. These causes of discontent produced factions and conspiracies; and when they were discovered, the empress treated the authors of them with such severity as increased the general dissatisfaction. Besides, they were displeased at the manner in which she had settled the succession. The Prince of Brunswick Lunenburg-Bevern, father to the young czar, was not at all agreeable to the Russian nobility, and his consort, the Princess Anne of Mecklenburgh, having assumed the reins of government during her son's minority, seemed to follow the maxims of her aunt the late czarina. The Russian grandes and generals, therefore, turned their eyes upon the Princess Elizabeth, who was daughter of Peter the Great, and the darling of the empire. The French ambassador gladly concurred in a project for deposing a princess who was well affected to the House of Austria. General Lasci approved of the design, which was chiefly conducted by the Prince of Hesse-Hombourg, who, in the reigns of the Empress Catherine and Peter II. had been generalissimo of the Russian army. The goodwill and concurrence of the troops being secured, two regiments of guards took possession of all the avenues of the imperial palace at Petersburg. The Princess Elizabeth, putting herself at the head of one thousand men, on the fifth day of December entered the winter palace, where the Princess of Mecklenburgh and the infant czar resided. She advanced into the chamber where the princess and her consort lay, and desired them to rise and quit the palace, adding that their persons were safe; and that they could not justly blame her for asserting her right. At the same time, the Counts Osterman, Golofhairkin, Mingden, and Munich, were arrested; their papers and effects were seized, and their persons conveyed to Schisselbourg, a fortress on the Neva. Early in the morning the senate assembling, declared all that had passed since the reign of Peter II. to be usurpation: and that the imperial dignity belonged of right to the Princess Elizabeth; she was immediately proclaimed Empress of all the Russias, and recognised by the army in Finland. She forthwith published a general

act of indemnity; she created the Prince of Hesse-Hombourg, generalissimo of her armies; she restored the Dolgorucki family to their honours and estates: she recalled and rewarded all those who had been banished for favouring her pretensions: she mitigated the exile of the Duke of Courland, by indulging him with a maintenance more suitable to his rank; she released General Wrangle, Count Wasaburg, and the other Swedish officers, who had been taken at the battle of Willmenstrand: and the Princess Anne of Mecklenburgh, with her consort and children, were sent under a strong guard to Riga, the capital of Livonia.

§ XIV. Amidst these tempests of war and revolution, the States-general wisely determined to preserve their own tranquillity. It was, doubtless, their interest to avoid the dangers and expenses of a war, and to profit by that stagnation of commerce which would necessarily happen among their neighbours that were at open enmity with each other: besides, they were overawed by the declarations of the French monarch on one side; by the power, activity, and pretensions of his Prussian majesty on the other; and they dreaded the prospect of a stadtholder at the head of their army. These at least were the sentiments of many Dutch patriots, reinforced by others that acted under French influence. But the Prince of Orange numbered among his partisans and adherents many persons of dignity and credit in the commonwealth: he was adored by the populace, who loudly exclaimed against their governors, and clamoured for a war without ceasing. This national spirit, joined to the remonstrances and requisitions made by the courts of Vienna and London, obliged the States to issue orders for an augmentation of their forces: but these were executed so slowly, that neither France nor Prussia had much cause to take umbrage at their preparations. In Italy the King of Sardinia declared for the house of Austria: the republic of Genoa was deeply engaged in the French interest: the Pope, the Venetians, and the dukedom of Tuscany were neutral: the King of Naples resolved to support the claim of his family to the Austrian dominions in Italy, and began to make preparations accordingly. His mother, the Queen of Spain, had formed a plan for erecting these dominions into a monarchy for her second son Don Philip; and a body of fifteen thousand men being embarked at Barcelona, were transported to Orbitello, under the convoy of the united squadrons of France and Spain. While Admiral Haddock, with twelve ships of the line, lay at anchor in the bay of Gibraltar, the Spanish fleet passed the straits in the night, and was joined by the French squadron from Toulon. The British admiral sailing from Gibraltar, fell in with them in a few days, and found both squadrons drawn up in line of battle. As he bore down upon the Spanish fleet, the French admiral sent a flag of truce, to inform him that as the French and Spaniards were engaged in a joint expedition, he should be obliged to act in concert with his master's allies. This interposition prevented an engagement. The combined fleets amounting to double the number of the English squadron, Admiral Haddock was obliged to desist; and proceeded to Port Mahon, leaving the enemy to prosecute their voyage without molestation. The people of England were incensed at this transaction, and did not scruple to affirm, that the hands of the British admiral were tied up by the neutrality of Hanover.<sup>a</sup>

§ XV. The court of Madrid seemed to have shaken off that indolence and phlegm which had formerly disgraced the councils of Spain. They no sooner learned the destination of Commodore Anson, who had sailed from Spithead in the course of the preceding year, than they sent Don Pizarro, with a more powerful squadron, upon the same voyage, to defeat his design. He accordingly steered the same course, and actually fell in with one or two ships of the British armament, near the straits of Magellan; but he could not weather a long and furious tempest through which Mr. Anson proceeded into the South sea.

<sup>a</sup> In the month of July two ships of Haddock's squadron falling in with three French ships of war, Captain Patnet, the English commodore, supposing them to be Spanish register ships, fired a shot in order to bring them to, and then refusing to comply with the signal, a sharp engagement ensued, after they had fought several hours, the French commodore ceased firing, and thought proper to come to an explanation, when he and Patnet parted with mutual apologies.

In the course of this year a dangerous conspiracy was discovered at New York, in North America. One Hewson, a low politician, had engaged several blacks in a design to destroy the town, and massacre the people. Fire was set to several parts of the city: nine or ten negroes were apprehended, convicted, and burnt alive. Hewson with his wife, and a servant, attended the plot, were found guilty and hanged, though they cried protesting their innocence.

One of the Spanish ships perished at sea; another was wrecked on the coast of Brazil; and Pizarro bore away for the Rio de la Plate, where he arrived with the three remaining ships, in a shattered condition, after having lost twelve hundred men by sickness and famine. The Spaniards exerted the same vigilance and activity in Europe. Their privateers were so industrious and successful, that in the beginning of this year they had taken, since the commencement of the war, four hundred and seven ships belonging to the subjects of Great Britain, valued at near four millions of piastres. The traders had, therefore, too much cause to complain, considering the formidable fleets which were maintained for the protection of commerce. In the course of the summer Sir John Norris had twice sailed towards the coast of Spain, at the head of a powerful squadron, without taking any effectual step for annoying the enemy, as if the sole intention of the ministry had been to expose the nation to the ridicule and contempt of its enemies. The inactivity of the British arms appears the more inexcusable, when we consider the great armaments which had been prepared. The land forces of Great Britain, exclusive of the Danish and Hessian auxiliaries, amounted to sixty thousand men; and the fleet consisted of above one hundred ships of war, manned by fifty-four thousand sailors.

§ XVI. The general discontent of the people had a manifest influence upon the election of members for the new parliament, which produced one of the most violent contests between the two parties, which had happened since the revolution. All the adherents of the Prince of Wales concurred with the country party in opposition to the minister; and the Duke of Argyll exerted himself so successfully among the shires and boroughs of Scotland, that the partisans of the ministry could not secure six members out of the whole number returned from North Britain. They were, however, much more fortunate in the election of the sixteen peers, who were chosen literally according to the list transmitted from court. Instructions were delivered by the constituents to a great number of members returned for cities and counties, exhorting and requiring them to oppose a standing army in time of peace: to vote for the mitigation of excise laws, for the repeal of septennial parliaments; and for the limitation of placemen in the House of Commons. They, likewise, insisted upon their examining into the particulars of the public expense, and endeavouring to redress the grievances of the nation. Obstinate struggles were maintained in all parts of the united kingdom with uncommon ardour and perseverance; and such a national spirit of opposition prevailed, that, notwithstanding the whole weight of ministerial influence, the country interest seemed to preponderate in the new parliament.

§ XVII. The king returned to England in the month of October; and on the first day of December the session was opened. Mr. Onslow being re-chosen speaker was approved of by his majesty, who spoke in the usual style to both Houses. He observed, that the former parliament had formed the strongest resolution in favour of the Queen of Hungary, for the maintenance of the pragmatic sanction; for the preservation of the balance of power, and the peace and liberties of Europe; and that if the other powers which were under the like engagements with him had answered the just expectations so solemnly given, the support of the common cause would have been attended with less difficulty. He said, he had endeavoured, by the most proper and early applications, to induce other powers that were united with him by the ties of common interest to concert such measures as so important and critical a conjuncture required: that where an accommodation seemed necessary, he had laboured to reconcile princes whose union would have been the most effectual means to prevent the mischiefs which had happened, and the best security for the interest and safety of the whole. He owned his endeavours had not hitherto produced the desired effect; though he was not without hope, that a just sense of approaching danger would give a more favourable turn to the councils of other nations. He represented the necessity of putting the kingdom in such a posture of defence, as would enable him to improve all opportunities of maintaining the liberties of Europe, and defeat any attempts that should be made

against him and his dominions; and he recommended unanimity, vigour, and despatch. The House of Commons having appointed their several committees, the speaker reported the king's speech; and Mr. Herbert moved for an address of thanks, including an approbation of the means by which the war had been prosecuted. The motion being seconded by Mr. Trevor, Lord Noel Somerset stood up and moved, that the House would in their address desire his majesty not to engage these kingdoms in a war for the preservation of his foreign dominions. He was supported by that incorruptible patriot, Mr. Shippen, who declared he was neither ashamed nor afraid to affirm, that thirty years had made no change in any of his political opinions. He said he was grown old in the House of Commons; that time had verified the predictions he had formerly uttered; and that he had seen his conjectures ripened into knowledge.

"If my country (added he) has been so unfortunate as once more to commit her interest to men who propose to themselves no advantage from their trust but that of selling it, I may, perhaps, fall once more under censure for declaring my opinion, and be once more treated as a criminal, for asserting what they who punish me cannot deny; for maintaining that Hanoverian maxims are inconsistent with the happiness of this nation; and for preserving the caution so strongly inculcated by those patriots who framed the act of settlement, and conferred upon the present royal family their title to the throne." He particularized the instances in which the ministry had acted in diametrical opposition to that necessary constitution: and he insisted on the necessity of taking some step to remove the apprehensions of the people, who began to think themselves in danger of being sacrificed to the security of foreign dominions. Mr. Gibbon, who spoke on the same side of the question, expatiated upon the absurdity of returning thanks for the prosecution of a war which had been egregiously mismanaged. "What! (said he) are our thanks to be solemnly returned for defeats, disgrace, and losses, the ruin of our merchants, the imprisonment of our sailors, idle shows of armaments, and useless expenses?" Sir Robert Walpole having made a short speech in defence of the first motion for an address, was answered by Mr. Pulteney, who seemed to be animated with a double proportion of patriot indignation. He asserted, that from a review of that minister's conduct since the beginning of the dispute with Spain, it would appear that he had been guilty not only of single errors, but of deliberate treachery: that he had always cooperated with the enemies of his country, and sacrificed to his private interest the happiness and honour of the British nation. He then entered into a detail of that conduct against which he had so often declaimed; and being transported by an over-heated imagination, accused him of personal attachment and affection to the enemies of the kingdom. A charge that was doubtless the result of exaggerated animosity, and served only to invalidate the other articles of imputation that were much better founded. His objections were overruled; and the address, as at first proposed, was presented to his majesty.

§ XVIII. This small advantage, however, the minister did not consider as a proof of his having ascertained an undoubted majority in the House of Commons. There was a great number of disputed elections; and the discussion of these was the point on which the people had turned their eyes, as the criterion of the minister's power and credit. In the first which was heard at the bar of the House, he carried his point by a majority of six only; and this he looked upon as a defeat rather than a victory. His enemies exulted in their strength; as they knew they should be joined in matters of importance, by several members who voted against them on this occasion. The inconsiderable majority that appeared on the side of the administration plainly proved that the influence of the minister was greatly diminished, and seemed to prognosticate his further decline. This consideration induced some individuals to declare against him as a setting sun, from whose beams they could expect no further warmth. His adherents began to tremble; and he himself had occasion for all his art and equanimity. The court-interest was not sufficient to support the election of their own members for Westminster. The high bailiff had been guilty of some illegal practices at the poll; and three justices of the peace had, on pretence



of preventing riots, sent for a military force to over-awe the election. A petition presented by the electors of Westminster was taken into consideration by the House; and the election was declared void by a majority of four voices. The high bailiff was taken into custody; the officers who ordered the soldiers to march, and the three justices who signed the letter, in consequence of which he acted, were reprimanded on their knees at the bar of the House.

§ XIX. The country party maintained the advantage they had gained in deciding upon several other controverted elections; and Sir Robert Walpole tottered on the brink of ruin. He knew that the majority of a single vote would at any time commit him prisoner to the Tower, should ever the motion be made: and he saw that his safety could be effected by no other expedient but that of dividing the opposition. Towards the accomplishment of this purpose he employed all his credit and dexterity. His emissaries did not fail to tamper with those members of the opposite party who were the most likely to be converted by their arguments. A message was sent by the Bishop of Oxford to the Prince of Wales, importing, that if his royal highness would write a letter of condescension to the king, he and all his counsellors should be taken into favour; that fifty thousand pounds should be added to his revenue; four times that sum be disbursed immediately for the payment of his debts; and suitable provision be made in due time for all his followers. The prince declined this proposal. He declared that he would accept no such conditions, while Sir Robert Walpole continued to direct the public affairs: that he looked upon him as a bar between his majesty and the affections of his people; as the author of the national grievances both at home and abroad; and as the sole cause of that contempt which Great Britain had incurred in all the courts of Europe. His royal highness was now chief of this formidable party, revered by the whole nation—a party which had gained the ascendancy in the House of Commons; which professed to act upon the principles of public virtue; which demanded the fall of an odious minister, as a sacrifice due to an injured people; and declared that no temptation could shake their virtue, that no art could dissolve the cement by which they were united. Sir Robert Walpole, though repulsed in this attempt upon the Prince of Wales, was more successful in his other endeavours. He resolved to try his strength once more in the House of Commons, in another disputed election; and had the mortification to see the majority augmented to sixteen voices. He declared he would never more sit in that House; and next day, which was the third of February, the king adjourned both Houses of parliament to the eighteenth day of the same month. In this interim, Sir Robert Walpole was created Earl of Orford, and resigned all his employments.

§ XX. At no time of his life did he acquit himself with such prudential policy as he now displayed. He found means to separate the parts that composed the opposition, and to transfer the popular odium from himself to those who had professed themselves his keenest adversaries. The country party consisted of the tories, reinforced by discontented whigs, who had either been disappointed in their own ambitious views, or felt for the distresses of their country, occasioned by a weak and worthless administration. The old patriots, and the whigs whom they had joined, acted upon very different, and, indeed, upon opposite principles of government; and therefore they were united only by the ties of convenience. A coalition was projected between the discontented whigs and those of the same denomination who acted in the ministry. Some were gratified with titles and offices; and all were assured, that in the management of affairs a new system would be adopted, according to the plan they themselves should propose. The court required nothing of them, but that the Earl of Orford should escape with impunity. His place of chancellor of the exchequer was bestowed upon Mr. Sandys, who was likewise appointed a lord of the treasury; and the Earl of Wilmington succeeded him as first commissioner of that board. Lord Harrington being dignified with the title of earl, was declared president of the council; and in his room Lord Carteret became secretary of state. The Duke of Argyll was made master-general of the ordnance, colonel of his majesty's royal regiment of

horse guards, field-marshal and commander-in-chief of all the forces in South Britain: but, finding himself disappointed in his expectations of the coalition, he, in less than a month, renounced all these employments. The Marquis of Tweedale was appointed secretary of state for Scotland, a post which had been long suppressed; Mr. Pulteney was sworn of the privy council, and afterwards created Earl of Bath. The Earl of Winchelsea and Nottingham was preferred to the head of the admiralty, in the room of Sir Charles Wager; and, after the resignation of the Duke of Argyll, the Earl of Stair was appointed field-marshal of all his majesty's forces, as well as ambassador extraordinary to the States-general. On the seventeenth day of February the Prince of Wales, attended by a numerous retinue of his adherents, waited on his majesty, who received him graciously, and ordered his guards to be restored. Lord Carteret and Mr. Sandys were the first who embraced the offers of the court, without the consent or privacy of any other leaders in the opposition, except that of Mr. Pulteney: but they declared to their friends, they would still proceed upon patriot principles; that they would concur in promoting an inquiry into past measures; and in enacting necessary laws to secure the constitution from the practices of corruption. These professions were believed, not only by their old coadjutors in the House of Commons, but also by the nation in general. The reconciliation between the king and the Prince of Wales, together with the change in the ministry, were celebrated with public rejoicings all over the kingdom: and immediately after the adjournment nothing but concord appeared in the House of Commons.

§ XXI. But this harmony was of short duration. It soon appeared, that those who had declaimed the loudest for the liberties of their country, had been actuated solely by the most sordid, and even the most ridiculous, motives of self-interest. Jealousy and mutual distrust ensued between them and their former confederates. The nation complained, that, instead of a total change of men and measures, they saw the old ministry strengthened by this coalition; and the same interest in parliament predominating with redoubled influence. They branded the new converts as apostates and betrayers of their country; and in the transport of their indignation, they entirely overlooked the old object of their resentment. That a nobleman of pliant principles, narrow fortune, and unbounded ambition, should forsake his party for the blandishment of affluence, power, and authority, will not appear strange to any person acquainted with the human heart; but the sensible part of mankind will always reflect with amazement upon the conduct of a man, who seeing himself idolized by his fellow-citizens as the first and firmest patriot in the kingdom, as one of the most shining ornaments of his country, could give up all his popularity, and incur the contempt or detestation of mankind, for the wretched consideration of an empty title, without office, influence, or the least substantial appendage. One cannot, without an emotion of grief, contemplate such an instance of infatuation—One cannot but lament, that such glory should have been so weakly forfeited; that such talents should have been lost to the cause of liberty and virtue. Doubtless he flattered himself with the hope of one day directing the councils of his sovereign; but this was never accomplished, and he remained a solitary monument of blasted ambition. Before the change in the ministry, Mr. Pulteney moved that the several papers relating to the conduct of the war, which had been laid before the House, should be referred to a select committee, who should examine strictly into the particulars, and make a report to the House of their remarks and objections. The motion introduced a debate; but upon a division, was rejected by a majority of three voices. Petitions having been presented by the merchants of London, Bristol, Liverpool, Glasgow, and almost all the trading towns in the kingdom, complaining of the losses they had sustained by the bad conduct of the war, the House resolved itself into a committee, to deliberate on these remonstrances. The articles of the London petition were explained by Mr. Glover, an eminent merchant of that city. Six days were spent in perusing papers and examining witnesses: then the same gentleman summed up the evidence, and in a pathetic speech endeavoured to demonstrate, that the commerce of Great Britain had been ex-

posed to the insults and rapine of the Spaniards, not by inattention or accident, but by one uniform and continued design. This inquiry being resumed after the adjournment, copies of instructions to admirals and captains of cruising ships were laid before the House; the Commons passed several resolutions, upon which a bill was prepared for the better protecting and securing the trade and navigation of the kingdom. It made its way through the lower House; but was thrown out by the Lords. The pension-bill was revived, and sent up to the Peers, where it was again rejected; Lord Carteret voting against that very measure which he had so lately endeavoured to promote. On the ninth day of March, Lord Limerick made a motion for appointing a committee to inquire into the conduct of affairs for the last twenty years: he was seconded by Sir John St. Aubyn, and supported by Mr. Velters Cornwall, Mr. Philips, Mr. W. Pitt, and Lord Percival, the new member for Westminster, who had already signalized himself by his eloquence and capacity. The motion was opposed by Sir Charles Wager, Mr. Pelham, and Mr. Henry Fox, surveyor-general to his majesty's works, and brother to Lord Ilchester. Though the opposition was faint and frivolous, the proposal was rejected by a majority of two voices. Lord Limerick not yet discouraged, made a motion, on the twenty-third day of March, for an inquiry into the conduct of Robert Earl of Orford for the last ten years of his administration; and, after a sharp debate, it was carried in the affirmative, the House resolved to choose a secret committee by ballot; and in the mean time presented an address to the king, assuring him of their fidelity, zeal, and affection.

§ XXII. Sir Robert Godschall having moved for leave to bring in a bill to repeal the act for septennial parliaments, he was seconded by Sir John Barnard; but warmly opposed by Mr. Pulteney and Mr. Sandys; and the question passed in the negative. The committee of secrecy being chosen, began to examine evidence, and Mr. Paxton, solicitor to the treasury, refusing to answer such questions as were put to him, Lord Limerick, chairman of the committee, complained to the House of his obstinacy. He was first taken into custody; and still persisting in his refusal, committed to Newgate. Then his lordship moved, that leave should be given to bring in a bill for indemnifying evidence against the Earl of Orford: and it was actually prepared by a decision of the majority. In the House of Lords it was vigorously opposed by Lord Carteret; and as strenuously supported by the Duke of Argyle: but fell upon a division, by the weight of superior numbers. Those members in the House of Commons who heartily wished that the inquiry might be prosecuted, were extremely incensed at the fate of this bill. A committee was appointed to search the journals of the lords for precedents: their report being read, Lord Strange, son of the Earl of Derby, moved for a resolution, "That the lords refusing to concur with the Commons of Great Britain, in an indemnification necessary to the effectual carrying on the inquiry, now depending in parliament, is an obstruction to justice, and may prove fatal to the liberties of this nation."—This motion, which was seconded by Lord Quarendon, son of the Earl of Lichfield, gave rise to a warm debate; and Mr. Sandys declaimed against it, as a step that would bring on an immediate dissolution of the present form of government. It is really amazing to see with what effrontery some men can shift their maxims, and openly contradict the whole tenor of their former conduct. Mr.

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Sandys did not pass uncensured: he sustained some severe sarcasms on his apostasy, from Sir John Hynde Cotton, who refuted all his objections: nevertheless, the motion passed in the negative. Notwithstanding this great obstruction, purposely thrown in the way of the inquiry, the secret committee discovered many flagrant instances of fraud and corruption in which the Earl of Orford had been concerned. It appeared that he had granted fraudulent contracts for paying the troops in the West Indies: that he had employed iniquitous arts to influence elections: that for secret service, during the last ten years, he had touched one million four hundred fifty-three thousand four hundred pounds of the public money: that above fifty thousand pounds of this sum had been paid to authors and printers

of newspapers and political tracts written in defence of the ministry: that on the very day which preceded his resignation, he had signed orders on the civil list revenues for above thirty thousand pounds: but as the cash remaining in the exchequer did not much exceed fourteen thousand pounds, he had raised the remaining part of the thirty thousand by pawning the orders to a banker. The committee proceeded to make further progress in their scrutiny, and had almost prepared a third report, when they were interrupted by the prorogation of parliament.

§ XXIII. The ministry finding it was necessary to take some step for conciliating the affection of the people, gave way to a bill for excluding certain officers from seats in the House of Commons. They passed another for encouraging the linen manufacture; a third for regulating the trade of the plantations; and a fourth to prevent the marriage of lunatics. They voted forty thousand seamen and sixty-two thousand five hundred landmen for the service of the current year. They provided for the subsidies to Denmark and Hesse Cassel, and voted five hundred thousand pounds to the Queen of Hungary. The expense of the year amounted to near six millions, raised by the land tax at four shillings in the pound, by the malt tax, by one million from the sinking fund, by annuities granted upon it for eight hundred thousand pounds, and a loan of one million six hundred thousand pounds from the bank. In the month of July, John Lord Gower was appointed keeper of his majesty's privy seal; Allen Lord Bathurst was made captain of the band of pensioners; and on the fifteenth day of the month, Mr. Pulteney took his seat in the House of Peers as Earl of Bath. The king closed the session in the usual way, after having given them to understand, that a treaty of peace was concluded between the Queen of Hungary and the King of Prussia, under his mediation, and that the late successes of the Austrian arms were in a great measure owing to the generous assistance afforded by the British nation.

§ XXIV. By this time great changes had happened in the affairs of the continent. The Elector of Bavaria was chosen Emperor of Germany at Frankfort on the Maine, and crowned by the name of Charles VII. on the twelfth day of February. Thither the imperial diet was removed from Ratisbon; they confirmed his election, and indulged him with a subsidy of fifty Roman months, amounting to about two hundred thousand pounds sterling. In the meantime, the Austrian General Khevenhuller ravaged his electorate, and made himself master of Munich, the capital of Bavaria: he likewise laid part of the palatinate under contribution, in resentment for that elector's having sent a body of his troops to reinforce the imperial army. In March, Count Saxe, with a detachment of French and Bavarians, reduced Egra; and the Austrians were obliged to evacuate Bavaria, though they afterwards returned. Khevenhuller took post in the neighbourhood of Passau, and detached General Bernclau to Dinglesing on the Iser, to observe the motions of the enemy, who were now become extremely formidable. In May, a detachment of French and Bavarians advanced to the castle of Hilkersbergh on the Danube, with a view to take possession of a bridge over the river: the Austrian garrison immediately marched out to give them battle, and a severe action ensued, in which the imperialists were defeated.

§ XXV. In the beginning of the year the Queen of Hungary had assembled two considerable armies in Moravia and Bohemia. Prince Charles of Lorraine, at the head of fifty thousand men, advanced against the Saxons and Prussians, who thought proper to retire with precipitation from Moravia, which they had invaded. Then the prince took the route to Bohemia; and Mareschal Broglio, who commanded the French forces in that country, must have fallen a sacrifice, had not the King of Prussia received a strong reinforcement, and entered that kingdom before his allies could be attacked. The two armies advanced towards each other; and on the seventeenth of May joined battle at Czaslaw, where the Austrians at first gained a manifest advantage, and penetrated as far as the Prussian baggage: then the irregulars began to plunder so eagerly, that they neglected every other consideration. The Prussian infantry took this opportunity to rally: the battle was renewed, and after a very obstinate contest, the victory was snatched out of the hands of the Austrians, who were

obliged to retire, with the loss of five thousand men killed, and twelve hundred taken by the enemy. The Prussians paid dear for the honour of remaining on the field of battle : and from the circumstances of this action the king is said to have conceived a disgust to the war. When the Austrians made such progress in the beginning of the engagement, he rode off with great expedition, until he was recalled by a message from his general, the Count de Schwerin, assuring his majesty that there was no danger of a defeat. Immediately after this battle, he discovered an inclination to accommodate all differences with the Queen of Hungary. The Earl of Hindford, ambassador from the court of Great Britain, who accompanied him in this campaign, and was vested with full powers by her Hungarian majesty, did not fail to cultivate this favourable disposition : and on the first day of June, a treaty of peace between the two powers was concluded at Breslau. The queen ceded to his Prussian Majesty the Upper and Lower Silesia, with the county of Glatz in Bohemia ; and he charged himself with the payment of the sum lent by the merchants of London to the late emperor, on the Silesian revenues. He likewise engaged to observe a strict neutrality during the war, and to withdraw his forces from Bohemia in fifteen days after the ratification of the treaty, in which were comprehended the King of Great Britain, Elector of Hanover, the Czarina, the King of Denmark, the States-general, the House of Wolfenbuttle, and the King of Poland, Elector of Saxony, on certain conditions, which were accepted.

§ XXVI. The King of Prussia recalled his troops ; while Mareschal Broglie, who commanded the French auxiliaries in that kingdom, and the Count de Belleisle, abandoned their magazines and baggage, and retired with precipitation under the cannon of Prague. There they entrenched themselves in an advantageous situation : and Prince Charles being joined by the other body of Austrians, under Prince Lobkowitz, encamped in sight of them, on the hills of Grimsnitz. The Grand Duke of Tuscany arrived in the Austrian army, of which he took the command ; and the French generals offered to surrender Prague, Egra, and all the other places they possessed in Bohemia, provided they might be allowed to march off with their arms, artillery, and baggage. The proposal was rejected, and Prague invested on all sides about the end of July. Though the operations of the siege were carried on in an awkward and slovenly manner, the place was so effectually blocked up, that famine must have compelled the French to surrender at discretion, had not very extraordinary efforts been made for their relief. The emperor had made advances to the Queen of Hungary. He promised that the French forces should quit Bohemia, and evacuate the empire ; and he offered to renounce all pretensions to the kingdom of Bohemia, on condition that the Austrians would restore Bavaria ; but these conditions were declined by the court of Vienna. The King of France was no sooner apprized of the condition to which the Generals Broglie and Belleisle were reduced, than he sent orders to Marshal Maillebois, who commanded his army on the Rhine, to march to their relief. His troops were immediately put in motion : and when they reached Amberg in the Upper Palatinate, were joined by the French and imperialists from Bavaria. Prince Charles of Lorraine having received intelligence of their junction and design, left eighteen thousand men to maintain the blockade of Prague, under the command of General Festiütz, while he himself, with the rest of his army, advanced to Haydon on the frontiers of Bohemia. There he was joined by Count Khevenhuller, who from Bavaria had followed the enemy, now commanded by Count Seckendorff, and the Count de Saxe. Seckendorff, however, was sent back to Bavaria, while Marshal Maillebois entered Bohemia on the twenty-fifth day of September. But he marched with such precaution, that Prince Charles could not bring him to an engagement. Meanwhile Festiütz, for want of sufficient force, was obliged to abandon the blockade of Prague ; and the French generals being now at liberty, took post at Leutmaritz. Maillebois advanced as far as Kadan ; but seeing the Austrians possessed of all the passes of the mountains, he marched back to the palatinate, and was miserably harassed in his retreat by Prince Charles, who had left a strong body with Prince Lobkowitz, to watch the motions of Belleisle and Broglie.

§ XXVII. These generals seeing themselves surrounded on all hands, returned to Prague, from whence Broglie made his escape in the habit of a courier, and was sent to command the army of Maillebois, who was by this time disgraced. Prince Lobkowitz, who now directed the blockade of Prague, had so effectually cut off all communication between that place and the adjacent country, that in a little time the French troops were reduced to great extremity, both from the severity of the season, and the want of provision. They were already reduced to the necessity of eating horse-flesh, and unclean animals : and they had no other prospect but that of perishing by famine or war, when their commander formed the scheme of a retreat, which was actually put in execution. Having taken some artful precautions to deceive the enemy, he, in the middle of December, departed from Prague at midnight, with about fourteen thousand men, thirty pieces of artillery, and some of the principal citizens as hostages for the safety of nine hundred soldiers whom he had left in garrison. Notwithstanding the difficulties he must have encountered at that season of the year, in a broken and unfrequented road, which he purposely chose, he marched with such expedition, that he had gained the passes of the mountains, before he was overtaken by the horse and hussars of Prince Lobkowitz. The fatigue and hardships which the miserable soldiers underwent are inexpressible. A great number perished in the snow, and many hundreds, fainting with weariness, cold, and hunger, were left to the mercy of the Austrian irregulars, consisting of the most barbarous people on the face of the earth. The Count de Belleisle, though tortured with the hip-gout, behaved with surprising resolution and activity. He caused himself to be carried in a litter to every place where he thought his presence was necessary, and made such dispositions, that the pursuers never could make an impression upon the body of his troops : but all his artillery, baggage, and even his own equipage, fell into the hands of the enemy. On the twenty-ninth day of December, he arrived at Egra, from whence he proceeded to Alsace without further molestation : but, when he returned to Versailles, he met with a very cold reception, notwithstanding the gallant exploit which he had performed. After his escape, Prince Lobkowitz returned to Prague, and the small garrison which Belleisle had left in that place surrendered upon honourable terms ; so that this capital reverted to the house of Austria.

§ XXVIII. The King of Great Britain resolving to make a powerful diversion in the Netherlands, had in the month of April ordered sixteen thousand effective men to be embarked for that country : but, as this step was taken without any previous concert with the States-general, the Earl of Stair, destined to the command of the forces in Flanders, was in the meantime appointed ambassador extraordinary and plenipotentiary to their high mightynesses, in order to persuade them to co-operate vigorously in the plan which his Britannic majesty had formed : a plan, by which Great Britain was engaged as a principal in a foreign dispute, and entailed upon herself the whole burden of an expensive war, big with ruin and disservice. England, from being the umpire, was now become a party, in all continental quarrels ; and instead of trimming the balance of Europe, lavished away her blood and treasure in supporting the interest and allies of a puny electorate in the north of Germany. The King of Prussia had been at variance with the Elector of Hanover. The duchy of Mecklenburgh was the avowed subject of dispute : but his Prussian majesty is said to have had other more provoking causes of complaint, which, however, he did not think proper to divulge. The King of Great Britain found it convenient to accommodate these differences. In the course of this summer, the two powers concluded a convention, in consequence of which the troops of Hanover evacuated Mecklenburgh, and three regiments of Brandenburgh took possession of those bailiwicks that were mortgaged to the King of Prussia. The Elector of Hanover being now secured from danger, sixteen thousand troops of that country, together with the six thousand auxiliary Hessians, began their march for the Netherlands ; and about the middle of October arrived in the neighbourhood of Brussels, where they encamped. The Earl of Stair repaired to Ghent, where the British forces were quar-



ered: a body of Austrians was assembled; and though the season was far advanced, he seemed determined upon some expedition: but all of a sudden the troops were sent into winter-quarters. The Austrians retired to Luxembourg: the English and Hessians remained in Flanders; and the Hanoverians marched into the county of Liege, without paying any regard to the bishop's protestation.

§ XXXIX. The States-general had made a considerable augmentation of their forces by sea and land; but, notwithstanding the repeated instances of the Earl of Stair, they resolved to adhere to their neutrality: they dreaded the neighbourhood of the French; and they were far from being pleased to see the English get footing in the Netherlands. The friends of the house of Orange began to exert themselves: the States of Groningen and West Friesland protested, in favour of the prince, against the promotion of foreign generals which had lately been made; but his interest was powerfully opposed by the provinces of Zealand and Holland, which had the greatest weight in the republic. The revolution in Russia did not put an end to the war with Sweden. These two powers had agreed to an armistice of three months, during which the czarina augmented her forces in Finland. She likewise ordered the Counts Osterman and Munich, with their adherents, to be tried: they were condemned to death, but pardoned on the scaffold, and sent in exile to Siberia. The Swedes, still encouraged by the intrigues of France, refused to listen to any terms of accommodation, unless Carelia, and the other conquests of the Czar Peter, should be restored. The French court had expected to bring over the new empress to their measures: but they found her as well disposed as her predecessor to assist the house of Austria. She remitted a considerable sum of money to the Queen of Hungary: and at that same time congratulated the Elector of Bavaria on his elevation to the imperial throne. The ceremony of her coronation was performed in May, with great solemnity, at Moscow; and in November she declared her nephew, the Duke of Holstein-Gottorp, her successor, by the title of Grand Prince of all the Russias. The cessation of arms being expired, General Lasci reduced Fredricksheim, and obliged the Swedish army, commanded by Count Lewenhaupt, to retire before him, from one place to another, until at length they were quite surrounded near Helsingfors. In this emergency, the Swedish general submitted to a capitulation, by which his infantry were transported by sea to Sweden; his cavalry marched by land to Abo; and his artillery and magazines remained in the hands of the Russians. The King of Sweden being of an advanced age, the diet assembled in order to settle the succession; and the Duke of Holstein-Gottorp, as grandson to the eldest sister to Charles XII. was declared next heir to the crown. A courier was immediately despatched to Moscow, to notify to the Duke this determination of the diet; and this message was followed by a deputation: but when they understood that he had embraced the religion of the Greek church, and been acknowledged successor to the throne of Russia, they annulled his election for Sweden, and resolved that the succession should not be re-established, until a peace should be concluded with the czarina. Conferences were opened at Abo for this purpose. In the meantime, the events of the war had been so long unfortunate for Sweden, that it was absolutely necessary to appease the indignation of the people with some sacrifice. The Generals Lewenhaupt and Bodenbrock were tried by a court-martial for misconduct: being found guilty and condemned to death, they applied to the diet, by which the sentence was confirmed. The term of the subsidy treaty between Great Britain and Denmark expiring, his Danish majesty refused to renew it; nor would he accede to the peace of Breslau. On the other hand, he became subsidiary to France, with which also he concluded a new treaty of commerce.

§ XXX. The court of Versailles were now heartily tired of maintaining the war in Germany, and had actually made equitable proposals of peace to the Queen of Hungary, by whom they were rejected. Thus repulsed, they redoubled their preparations; and endeavoured by advantageous offers, to detach the King of Sardinia from the interest of the house of Austria. This prince had espoused a sister to the grand duke, who pressed him to declare for

her brother, and the Queen of Hungary promised to gratify him with some territories in the Milanese: besides, he thought the Spaniards had already gained too much ground in Italy: but, at the same time, he was afraid of being crushed between France and Spain, before he could be properly supported. He therefore temporized, and protracted the negotiation, until he was alarmed at the progress of the Spanish arms in Italy, and fixed in his determination by the subsidies of Great Britain. The Spanish army assembled at Rimini, under the Duke de Montemar; and being joined by the Neapolitan forces, amounted to sixty thousand men, furnished with a large train of artillery. About the beginning of May, they entered the Bolognese: then the King of Sardinia declaring against them, joined the Austrian army commanded by Count Traun; marched into the duchy of Parma; and understanding that the Duke of Modena had engaged in a treaty with the Spaniards, dispossessed that prince of his dominions. The Duke de Montemar, seeing his army diminished by sickness and desertion, retreated to the kingdom of Naples, and was followed by the King of Sardinia, as far as Rimini.

§ XXXI. Here he received intelligence, that Don Philip, third son of his catholic majesty, had made an irruption into Savoy with another army of Spaniards, and already taken possession of Chamberri, the capital. He forthwith began his march for Piedmont. Don Philip abandoned Savoy at his approach, and retreating into Dauphiné, took post under the cannon of Fort Barreaux. The king pursued him thither, and both armies remained in sight of each other till the month of December, when the Marquis de Minas, an active and enterprising general, arrived from Madrid, and took upon him the command of the forces under Don Philip. This general's first exploit was against the castle of Aspremont, in the neighbourhood of the Sardinian camp. He attacked it so vigorously, that the garrison was obliged to capitulate in four-and-fifty hours. The loss of this important post compelled the king to retire into Piedmont, and the Spaniards marched back into Savoy, where they established their winter-quarters. In the meantime, the Duke de Montemar, who directed the other Spanish army, though the Duke of Modena was nominal generalissimo, resigned his command to Count Gages, who attempted to penetrate into Tuscany; but was prevented by the vigilance of Count Traun, the Austrian general. In December he quartered his troops in the Bolognese and Romagna; while the Austrians and Piedmontese were distributed in the Modenese and Parmesan. The Pope was passive during the whole campaign: the Venetians maintained their neutrality, and the King of the Two Sicilies was overawed by the British fleet in the Mediterranean.

§ XXXII. The new ministry in England had sent out Admiral Matthews to assume the command of this squadron, which had been for some time conducted by Lestock, an inferior officer, as Haddock had been obliged to resign his commission, on account of his ill state of health. Matthews was likewise invested with the character of minister-plenipotentiary to the King of Sardinia and the states of Italy. Immediately after he had taken possession of his command, he ordered Captain Norris to destroy five Spanish galleys which had put into the bay of St. Tropez; and this service was effectually performed. In May he detached Commodore Rowley, with eight sail, to cruise off the harbour of Toulon; and a great number of merchant ships belonging to the enemy fell into his hands. In August he sent Commodore Martin with another squadron into the bay of Naples, to bombard that city, unless his Sicilian majesty would immediately recall his troops which had joined the Spanish army, and promise to remain neuter during the continuance of the war. Naples was immediately filled with consternation; the king subscribed to these conditions; and the English squadron rejoined the admiral on the road of Hieres, which he had chosen for his winter station. Before this period he had landed some men at St. Remo, in the territories of Genoa, and destroyed the magazines that were erected for the use of the Spanish army. He had likewise ordered two of his cruisers to attack a Spanish ship of the line, which lay at anchor in the port of Ajaccio, in the island of Corsica:

but the Spanish captain sent his men on shore, and blew up his ship, rather than she should fall into the hands of the English.

§ XXXIII. In the course of this year Admiral Vernon and General Wentworth made another effort in the West Indies. They had in January received a reinforcement from England, and planned a new expedition, in concert with the governor of Jamaica, who accompanied them in their voyage. Their design was to disembark the troops at Porto Bello, and march across the isthmus of Darien, to attack the rich town of Panama. They sailed from Jamaica on the ninth day of March, and on the twenty-eighth arrived at Porto Bello. There they held a council of war, in which it was resolved, that as the troops were sickly, the rainy season begun, and several transports not yet arrived, the intended expedition was become impracticable. In pursuance of this determination the argument immediately returned to Jamaica, exhibiting a ridiculous spectacle of folly and irresolution.<sup>b</sup> In August, a ship of war was sent from thence, with about three hundred soldiers, to the small island of Rattan, in the bay of Honduras, of which they took possession. In September, Vernon and Wentworth received orders to return to England with such troops as remained alive: these did not amount to a tenth part of the number which had been sent abroad in that inglorious service. The inferior officers fell ignobly by sickness and despair, without an opportunity of signaling their courage, and the commanders lived to feel the scorn and reproach of their country. In the month of June the new colony of Georgia was invaded by an armament from St. Augustine, commanded by Don Marinel de Montano, governor of that fortress. It consisted of six-and-thirty ships, from which four thousand men were landed at St. Simon's; and began their march for Frederica. General Oglethorpe, with a handful of men, took such wise precautions for opposing their progress, and harassed them in their march with such activity and resolution, that after two of their detachments had been defeated, they retired to their ships, and totally abandoned the enterprise.

§ XXXIV. In England the merchants still complained that their commerce was not properly protected, and the people clamoured against the conduct of the war. They said, their burthens were increased to maintain quarrels with which they had no concern: to defray the enormous expense of inactive fleets and pacific armies. Lord C. had by this time insinuated himself into the confidence of his sovereign, and engrossed the whole direction of public affairs. The war with Spain was now become a secondary consideration, and neglected accordingly; while the chief attention of the new minister was turned upon the affairs of the continent. The dispute with Spain concerned Britain only. The interests of Hanover were connected with the troubles of the empire. By pursuing this object he soothed the wishes of his master, and opened a more ample field for his own ambition. He had studied the policy of the continent with peculiar eagerness. This was the favourite subject of his reflection, upon which he thought and spoke with a degree of enthusiasm. The intolerable taxes, the poverty, the ruined commerce of his country, the iniquity of standing armies, votes of credit, and foreign connexions, upon which he had so often expatiated, were now forgotten, or overlooked. He saw nothing but glory, conquest, or acquired dominion. He set the power of France at defiance; and as if Great Britain had felt no distress, but teemed with treasure which she could not otherwise employ, he poured forth her millions with a rash and desperate hand, in purchasing beggarly allies, and maintaining mercenary armies. The Earl of Stair had arrived in England towards the end of August, and conferred with his majesty. A privy council was summoned; and in a few days that nobleman returned to Holland. Lord Carteret was sent with a commission to the Hague in September; and when he returned, the baggage of the king and the Duke of Cumberland, which had been shipped for Flanders, was ordered to be brought on shore. The parliament met on the sixteenth day of November,

when his majesty told them, that he had augmented the British forces in the Low Countries with sixteen thousand Hanoverians and the Hessian auxiliaries, in order to form such a force, in conjunction with the Austrian troops, as might be of service to the common cause at all events. He extolled the magnanimity and fortitude of the Queen of Hungary, as well as the resolute conduct of the King of Sardinia, and that prince's strict adherence to his engagements, though attacked in his own dominions. He mentioned the requisition made by Sweden, of his good offices for procuring a peace between that nation and Russia; the defensive alliances which he had concluded with the czarina, and with the King of Prussia; as events which could not have been expected, if Great Britain had not manifested a seasonable spirit and vigour, in defence and assistance of her ancient allies, and in maintaining the liberties of Europe. He said, the honour and interest of his crown and kingdoms, the success of the war with Spain, the re-establishment of the balance and tranquillity of Europe, would greatly depend on the prudence and vigour of their resolutions. The Marquis of Tweedale moved for an address of thanks, which was opposed by the Earl of Chesterfield, for the reason so often urged on the same occasion; but supported by Lord C. on his new adopted maxims, with those specious arguments which he could at all times produce, delivered with amazing serenity and assurance. The motion was agreed to, and the address presented to his majesty. About this period a treaty of mutual defence and guarantee between his majesty and the King of Prussia was signed at Westminster. In the House of Commons Mr. Lyttleton made a motion for reviving the place-bill; but it was opposed by a great number of members who had formerly been strenuous advocates for this measure, and rejected upon a division. This was also the fate of a motion made to renew the inquiry into the conduct of Robert Earl of Orford. As many strong presumptions of guilt had appeared against him in the reports of the secret committee, the nation had reason to expect that this proposal would have been embraced by a great majority; but several members, who in the preceding session had been loud in their demands of justice, now shamefully contributed their talents and interest in stifling the inquiry.

§ XXXV. When the House of Lords took into consideration the several estimates of the expense occasioned by the forces in the pay of Great Britain, Earl Stanhope, at the close of an elegant speech, moved for an address, to beseech and advise his majesty, that in compassion to his people, loaded already with such numerous and heavy taxes, such large and growing debts, and greater annual expenses than the nation at any time before had ever sustained, he would exonerate his subjects of the charge and burthen of those mercenaries who were taken into the service last year, without the advice or consent of parliament. The motion was supported by the Earl of Sandwich, who took occasion to speak with great contempt of Hanover, and, in mentioning the royal family, seemed to forget that decorum which the subject required. He had, indeed, reason to talk with asperity on the contract by which the Hanoverians had been taken into the pay of Great Britain. Levy-money was charged to the account, though they were engaged for one year only, and though not a single regiment had been raised on this occasion: they had been levied for the security of the electorate; and would have been maintained if England had never engaged in the affairs of the continent. The Duke of Bedford enlarged upon the same subject. He said it had been suspected, nor was the suspicion without foundation, that the measures of the English ministry had long been regulated by the interest of his majesty's electoral territories; that these had been long considered as a gulf into which the treasures of Great Britain had been thrown: that the state of Hanover had been changed, without any visible cause, since the accession of its princes to the throne of England: affluence had begun to wanton in their towns, and gold to glitter in their cottages, without the discovery

<sup>b</sup> In May, two English frigates, commanded by Captain Smith and Captain Stuart, fell in with three Spanish ships of war, near the island of Christendom. They hotly were engaged, and the action continued till night, by the favour of which the enemy retired to Porto Rico, in a shattered condition.

In the month of September the Tilbury ship of war, of sixty tons, was accidentally set on fire, and destroyed, off the island of Hispaniola, on which occasion one hundred and twenty persons were perished, the rest were saved by Captain Hare, of the Defiance, and assigned to live on the same coast.

of mines, or the increase of their commerce; and new dominions had been purchased, of which the value was never paid from the revenues of Hanover. The motion was hunted down by the new minister, the patriot Lord Bathurst, and the Earl of Bath, which last nobleman declared, that he considered it as an act of cowardice and meanness, to fall passively down the stream of popularity, to suffer his reason and integrity to be overborne by the noise of vulgar clamours, which had been raised against the measures of government by the low arts of exaggeration, fallacious reasonings, and partial representations. This is the very language which Sir Robert Walpole had often used against Mr. Pulteney and his confederates in the House of Commons. The associates of the new secretary pleaded the cause of Hanover, and insisted upon the necessity of a land war against France, with all the vehemence of declamation. Their suggestions were answered; their conduct was severely stigmatized by the Earl of Chesterfield, who observed, that the assembling an army in Flanders, without the concurrence of the States-general, or any other power engaged by treaty, or bound by interest, to support the Queen of Hungary, was a rash and ridiculous measure: the taking sixteen thousand Hanoverians into British pay, without consulting the parliament, seemed highly derogatory to the rights and dignity of the great council of the nation, and a very dangerous precedent to future times: that these troops could not be employed against the emperor, whom they had already recognised: that the arms and wealth of Britain alone were altogether insufficient to raise the house of Austria to its former strength, dominion, and influence: that the assembling an army in Flanders would engage the nation as principals in an expensive and ruinous war, with a power which it ought not to provoke, and could not pretend to withstand in that manner: that while Great Britain exhausted herself almost to ruin, in pursuance of schemes founded on engagements to the Queen of Hungary, the Electorate of Hanover, though under the same engagements, and governed by the same prince, did not appear to contribute any thing as an ally to her assistance, but was paid by Great Britain for all the forces it had sent into the field, at a very exorbitant price: that nothing could be more absurd and iniquitous than to hire these mercenaries, while a numerous army lay inactive at home, and the nation groaned under such intolerable burthens. "It may be proper (added he) to repeat what may be forgotten in the multitude of other objects, that this nation, after having exalted the Elector of Hanover from a state of obscurity to the crown, is condemned to hire the troops of that electorate to fight their own cause: to hire them at a rate which was never demanded before: and to pay levy-money for them, though it is known to all Europe that they were not raised for this occasion." All the partisans of the old ministry joined in the opposition to Earl Stanhope's motion, which was rejected by the majority. Then the Earl of Scarborough moved for an address, to approve of the measures which had been taken on the continent; and this was likewise carried by dint of numbers. It was not however a very eligible victory: what they gained in parliament they lost with the people. The new ministers became more odious than their predecessors; and the people began to think public virtue was an empty name.

§ XXXVI. But the most severe opposition they underwent was in their endeavours to support a bill which they had concerted, and which had passed through the House of Commons with great precipitation: it repealed certain duties on spirituous liquors and licences for retailing the liquors; and imposed others at an easy rate. When those severe duties, amounting almost to a prohibition, were imposed, the populace of London were sunk into the most brutal degeneracy, by drinking to excess the pernicious spirit called gin, which was sold so cheap that the lowest class of the people could afford to indulge themselves in one continued state of intoxication, to the destruction of all morals, industry, and order. Such a shameful degree of profligacy prevailed, that the retailers of this poisonous compound set up painted boards in public, inviting people to be drunk for the small expense of one penny; assuring them they might be dead drunk for two-pence, and have straw for nothing. They

accordingly provided cellars and places strewed with straw, to which they conveyed those wretches, who were overwhelmed with intoxication. In these dismal caverns they lay until they had recovered some use of their faculties, and then they had recourse to the same mischievous potion; thus consuming their health, and ruining their families, in hideous receptacles of the most filthy vice, resounding with riot, execration, and blasphemy. Such beastly practices too plainly denoted a total want of all policy and civil regulation, and would have reflected disgrace upon the most barbarous community. In order to restrain this evil, which was become intolerable, the legislature enacted that law which we have already mentioned. But the populace soon broke through all restraint. Though no licence was obtained, and no duty paid, the liquor continued to be sold in all corners of the streets; informers were intimidated by the threats of the people; and the justices of the peace, either from indolence or corruption, neglected to put the law in execution. The new ministers foresaw that a great revenue would accrue to the crown from a repeal of this act; and this measure they thought they might the more decently take, as the law had proved ineffectual; but it appeared that the consumption of gin had considerably increased every year since those heavy duties were imposed. They, therefore, pretended, that should the price of the liquor be moderately raised, and licences granted at twenty shillings each to the retailers, the lowest class of people would be debarred the use of it to excess; their morals would of consequence be mended; and a considerable sum of money might be raised for the support of the war, by mortgaging the revenue arising from the duty and the licences. Upon these maxims the new bill was founded, and passed through the lower House without opposition: but among the Peers it produced the most obstinate dispute which had happened since the beginning of this parliament. The first assault it sustained was from Lord Hervey, who had been divested of his post of privy seal, which was bestowed on Lord Gower; and these two noblemen exchanged principles from that instant. The first was hardened into a sturdy patriot; the other supplanted into an obsequious courtier. Lord Hervey on this occasion made a florid harangue upon the pernicious effects of that destructive spirit they were about to let loose upon their fellow-creatures. Several prelates expatiated on the same topics; but the Earl of Chesterfield attacked the bill with the united powers of reason, wit, and ridicule. Lord Carteret, Lord Bathurst, and the Earl of Bath, were numbered among its advocates; and shrewd arguments were advanced on both sides of the question. After very long, warm, and repeated debates, the bill passed without amendments, though the whole bench of bishops voted against it; and we cannot help owning, that it has not been attended with those dismal consequences which the lords in the opposition foretold. When the question was put for committing this bill, and the Earl of Chesterfield saw the bishops join in his division, "I am in doubt (said he) whether I have not got on the other side of the question; for I have not had the honour to divide with so many lawn sleeves for several years."

§ XXXVII. By the report of the secret committee it appeared that the then minister had commenced prosecutions against the mayors of boroughs who, opposed his influence in the elections of members of parliament. These prosecutions were founded on ambiguities in charters, or trivial informalities in the choice of magistrates. An appeal on such a process was brought into the House of Lords; and this evil falling under consideration, a bill was prepared for securing the independency of corporations: but as it tended to diminish the influence of the ministry, they argued against it with their usual eagerness and success; and it was rejected on a division. The mutiny bill and several others passed through both Houses. The Commons granted supplies to the amount of six millions, raised by the land tax, the malt tax, duties on spirituous liquors and licences, and a loan from the sinking fund. In two years the national debt had suffered an increase of two millions four hundred thousand pounds. On the twenty-first day of April the session was closed in the usual manner. The



king in his speech to both Houses, told them that at the requisition of the Queen of Hungary, he had ordered his army, in conjunction with the Austrians, to pass the Rhine for her support and assistance: that he continued one squadron of ships in the Mediterranean, and another in the West Indies. He thanked the Commons for the ample supplies they had granted; and declared it was the fixed purpose of his heart to promote the true interest and happiness of his kingdoms. Immediately after the prorogation of parliament he embarked for Germany, accompanied by the Duke of Cumberland, Lord Carteret, and other persons of distinction.

§ XXXVIII. At this period the Queen of Hungary seemed to triumph over all her enemies. The French were driven out of Bohemia and part of the upper palatinate; and their forces under Mareschal Broglie were posted on the Danube. Prince Charles of Lorraine, at the head of the Austrian army, entered Bavaria; and in April obtained a victory over a body of Bavarians at Braunau: at the same time, three bodies of Croats penetrating through the passes of the Tyrolese, ravaged the whole country to the very gates of Munich. The emperor pressed the French general to hazard a battle; but he refused to run the risk, though he had received a strong reinforcement from France. His imperial majesty, thinking himself unsafe in Munich, retired to Augsburg: Mareschal Seckendorf retreated with the Bavarian troops to Ingoldstadt, where he was afterwards joined by Mareschal Broglie, whose troops had in this retreat been pursued and terribly harassed by the Austrian cavalry and hussars. Prince Charles had opened a free communication with Munich, which now for the third time fell into the hands of the Queen of Hungary. Her arms likewise reduced Friedberg and Landsperg, while Prince Charles continued to pursue the French to Donauwert, where they were joined by twelve thousand men from the Rhine. Broglie still avoided an engagement, and retreated before the enemy to Hailbron. The emperor being thus abandoned by his allies, and stripped of all his dominions, repaired to Frankfort, where he lived in indigence and obscurity. He now made advances towards an accommodation with the Queen of Hungary. His general, Seckendorf, had an interview with Count Khevenhuller at the convent of Lowersconfield, where a convention was signed. This treaty imported, That the emperor should remain neuter during the continuance of the present war: and, that his troops should be quartered in Franconia: that the Queen of Hungary should keep possession of Bavaria till the peace: that Braunau and Scarding should be delivered up to the Austrians: that the French garrison of Ingoldstadt should be permitted to withdraw, and be replaced by Bavarians; but that the Austrian generals should be put in possession of all the artillery, magazines, and warlike stores belonging to the French, which should be found in the place. The governors of Egra and Ingoldstadt refusing to acquiesce in the capitulation, the Austrians had recourse to the operations of war; and both places were reduced. In Ingoldstadt they found all the emperor's domestic treasure, jewels, plate, pictures, cabinets, and curiosities, with the archives of the house of Bavaria, the most valuable effects belonging to the nobility of that electorate, a prodigious train of artillery, and a vast quantity of provisions, arms, and ammunition.

§ XXXIX. The French king, baffled in all the efforts he had hitherto made for the support of the emperor, ordered his minister at Frankfort to deliver a declaration to the diet, professing himself extremely well pleased to hear they intended to interpose their mediation for terminating the war. He said, he was no less satisfied with the treaty of neutrality which the emperor had concluded with the Queen of Hungary; an event of which he was no sooner informed, than he had ordered his troops to return to the frontiers of his dominions, that the Germanic body might be convinced of his equity and moderation. To this declaration the Queen of Hungary answered in a rescript, that the design of France was to embarrass her affairs, and deprive her of the assistance of her allies: that the Elector of Bavaria could not be considered as a neutral party in his own cause: that the mediation of the empire could only produce a peace either with or without the concur-

rence of France: that in the former case no solid peace could be expected; in the latter, it was easy to foresee, that France would pay no regard to a peace in which she should have no concern. She affirmed, that the aim of the French king was solely to gain time to repair his losses, that he might afterwards revive the troubles of the empire. The Elector of Mentz, who had favoured the emperor, was now dead, and his successor inclined to the Austrian interest. He allowed this rescript to be entered in the journal of the diet, together with the protests which had been made when the vote of Bohemia was suppressed in the late election. The emperor complained in a circular letter of this transaction, as a stroke levelled at his imperial dignity; and it gave rise to a warm dispute among the members of the Germanic body. Several princes resented the haughty conduct, and began to be alarmed at the success, of the House of Austria; while others pitied the deplorable situation of the emperor. The Kings of Great Britain and Prussia, as Electors of Hanover and Brandenburg, espoused opposite sides in this contest. His Prussian majesty protested against the investiture of the duchy of Saxe Lawenburgh, claimed by the King of Great Britain: he had an interview with General Seckendorf at Aspach; and was said to have privately visited the emperor at Frankfort.

§ XL. The troops which the King of Great Britain had assembled in the Netherlands, began their march for the Rhine in the latter end of February; and in May they encamped near Hoech on the river Mayne, under the command of the Earl of Stair. This nobleman sent Major-General Bland to Frankfort, with a compliment to the emperor, assuring him, in the name of his Britannic majesty, that the respect owing to his dignity should not be violated, nor the place of his residence disturbed. Notwithstanding this assurance, the emperor retired to Munich, though he was afterwards compelled to return, by the success of the Austrians in Bavaria. The French king, in order to prevent the junction of the British forces with Prince Charles of Lorraine, ordered the Mareschal de Noailles to assemble sixty thousand men upon the Mayne; while Coigny was sent into Alsace with a numerous army, to defend that province, and oppose Prince Charles, should he attempt to pass the Rhine. The Mareschal de Noailles, having secured the towns of Spire, Worms, and Oppenheim, passed the Rhine in the beginning of June, and posted himself on the east side of that river, above Frankfort. The Earl of Stair advanced towards him, and encamped at Killenbach, between the river Mayne and the forest of D'Armstadt; from this situation he made a motion to Aschaffenburgh, with a view to secure the navigation of the Upper Mayne; but he was anticipated by the enemy, who lay on the other side of the river, and had taken possession of the posts above, so as to intercept all supplies. They were posted on the other side of the river, opposite to the allies, whose camp they overlooked; and they found means by their parties and other precautions, to cut off the communication by water between Frankfort and the confederates. The Duke of Cumberland had already come to make his first campaign, and his majesty arrived in the camp on the ninth day of June. He found his army, amounting to above forty thousand men, in danger of starving; he received intelligence, that a reinforcement of twelve thousand Hanoverians and Hessians had reached Hanau; and he resolved to march thither, both with a view to effect a junction, and to procure provision for his forces. With this view he decamped on the twenty-sixth day of June. He had no sooner quitted Aschaffenburgh, than it was seized by the French general: he had not marched above three leagues, when he perceived the enemy, to the number of thirty thousand, had passed the river further down; at Selingenstadt, and were drawn up in order of battle at the village of Dettingen, to dispute his passage. Thus he found himself cooped up in a very dangerous situation. The enemy had possessed themselves of Aschaffenburgh behind, so as to prevent his retreat: his troops were confined in a narrow plain, bounded by hills and woods on the right, flanked on the left by the river Mayne, on the opposite side of which the French had erected batteries that annoyed the allies on their march: in the front a considerable part of the French army

was drawn up, with a narrow pass before them, the village of Dettingen on their right, a wood on their left, and a morass in the centre. Thus environed, the confederates must either have fought at a very great disadvantage, or surrendered themselves prisoners of war, had not the Duke de Gramont, who commanded the enemy, been instigated by the spirit of madness to forego these advantages. He passed the defile, and advancing towards the allies, a battle ensued. The French horse charged with great impetuosity, and some regiments of British cavalry were put in disorder: but the infantry of the allies behaved with such intrepidity and deliberation, under the eye of their sovereign, as soon determined the fate of the day: the French were obliged to give way, and repass the Mayne with great precipitation, having lost above five thousand men killed, wounded, or taken. Had they been properly pursued before they recollected themselves from their first confusion, in all probability they would have sustained a total overthrow. The Earl of Stair proposed that a body of cavalry should be detached on this service; but his advice was overruled. The loss of the allies in this action amounted to two thousand men. The Generals Clayton and Monroy were killed: the Duke of Cumberland, who exhibited uncommon proofs of courage, was shot through the calf of the leg: the Earl of Albemarle, General Huske, and several other officers of distinction, were wounded. The king exposed his person to a severe fire of cannon as well as musketry: he rode between the first and second lines with his sword drawn, and encouraged the troops to fight for the honour of England. Immediately after the action he continued his march to Hanau, where he was joined by the reinforcement. The Earl of Stair sent a trumpeter to Mareschal de Noailles, recommending to his protection the sick and wounded that were left on the field of battle: and these the French general treated with great care and tenderness. Such generosity softens the rigours of war, and does honour to humanity.

§ XLI. The two armies continued on different sides of the river till the twelfth day of July, when the French general receiving intelligence that Prince Charles of Lorraine had approached the Neckar, he suddenly retired, and repassed the Rhine between Worms and Oppenheim. The King of Great Britain was visited by Prince Charles and Count Khevenhüller at Hanau, where the future operations of the campaign were regulated. On the twenty-seventh day of August, the allied army passed the Rhine at Mentz, and the king fixed his head-quarters in the episcopal palace at Worms. Here the forces lay encamped till the latter end of September, when they advanced to Spire, where they were joined by twenty thousand Dutch auxiliaries from the Netherlands. Mareschal Noailles having retreated into Upper Alsace, the allies took possession of Germersheim, and demolished the entrenchments which the enemy had raised on the Queich; then they returned to Mentz, and in October were distributed into winter-quarters, after an inactive campaign that redounded very little to the honour of those by whom the motions of the army were conducted. In September a treaty had been concluded at Worms between his Britannic Majesty, the King of Sardinia, and the Queen of Hungary. She engaged to maintain thirty thousand men in Italy: the King of Sardinia obliged himself to employ forty thousand infantry and five thousand horse, in consideration of his commanding the combined army, and receiving an annual subsidy of two hundred thousand pounds from Great Britain. As a further gratification, the queen yielded to him the city of Placentia, with several districts in the duchy of Pavi, and in the Novarese: and all her right and pretensions to Final, at present possessed by the republic of Genoa, which they hoped would give it up, on being repaid the purchase-money, amounting to three hundred thousand pounds. This sum the King of England promised to disburse; and moreover to maintain a strong squadron in the Mediterranean, the commander of which should act in concert with his Sardinian majesty. Finally, the contracting powers agreed, that Final should be constituted a free port, like that of Leghorn. Nothing could be more unjust than this treaty, by which the Genoese were negotiated out of their property. They had purchased the marquise of Final of the late emperor for a valuable consideration, and the pur-

chase had been guaranteed by Great Britain. It could not, therefore, be expected that they would part with this acquisition to a prince whose power they thought already too formidable; especially on condition of its being made a free port, to the prejudice of their own commerce. They presented remonstrances against this article by their ministers at the courts of London, Vienna, and Turin; and, as very little regard was paid to their representations, they threw themselves into the arms of France and Spain for protection.

§ XLII. After the battle of Dettingen, Colonel Mentzel, at the head of a large body of irregulars belonging to the Queen of Hungary, made an irruption into Lorraine, part of which they ravaged without mercy. In September Prince Charles, with the Austrian army, entered the Brigaw, and attempted to pass the Rhine; but Mareschal Coigny had taken such precautions for guarding it on the other side, that he was obliged to abandon his design, and marching back into the upper palatinate, quartered his troops in that country, and in Bavaria. By this time the Earl of Stair had solicited and obtained leave to resign his command. He had for some time thought himself neglected; and was unwilling that his reputation should suffer on account of measures in which he had no concern. In October the King of Great Britain returned to Hanover, and the army separated. The troops in British pay marched back to the Netherlands, and the rest took their route to their respective countries. The States-general still wavered between their own immediate interest and their desire to support the house of Austria. At length, however, they supplied her with a subsidy, and ordered twenty thousand men to march to her assistance, notwithstanding the intrigues of the Marquis de Fenelon, the French ambassador at the Hague, and the declaration of the King of Prussia, who disapproved of this measure, and refused them a passage through his territories to the Rhine.

§ XLIII. Sweden was filled with discontents, and divided into factions. The generals Bodenbrock and Lewenhaupt were beheaded, having been sacrificed as scape-goats for the ministry. Some unsuccessful efforts by the sea and land were made against the Russians. At last the peace of Abo was concluded; and the Duke of Holstein-Utten, uncle to the successor to the Russian throne, was chosen as next heir to the crown of Sweden. A party had been formed in favour of the Prince of Denmark; and the order of the peasants actually elected him as successor. The debates in the college of nobles rose to a very dangerous degree of animosity, and were appeased by an harangue in Swedish verse, which one of the senators pronounced. The peasants yielded the point, and the succession was settled on the Duke of Holstein. Denmark, instigated by French councils, began to make preparations of war against Sweden: but a body of Russian auxiliaries arriving in that kingdom, under the command of General Keith, and the czarina declaring she would assist the Swedes with her whole force, the King of Denmark thought proper to disarm. It had been an old maxim of French policy to embroil the courts of the North, that they might be too much employed at home to intermeddle in the affairs of Germany, while France was at war with the house of Austria. The good understanding between the czarina and the Queen of Hungary was at this period destroyed, in consequence of a conspiracy which had been formed by some persons of distinction at the court of Petersburg, for removing the Empress Elizabeth, and recalling the Princess Anne to the administration. This design being discovered, the principal conspirators were corporally punished, and sent in exile to Siberia. The Marquis de Botta, the Austrian minister, who had resided at the court of the czarina, was suspected of having been concerned in the plot; though the grounds of this suspicion did not appear till after he was recalled, and sent as ambassador to the court of Berlin. The empress demanded satisfaction of the Queen of Hungary, who appointed commissioners to inquire into his conduct, and he was acquitted: but the czarina was not at all satisfied of his innocence. In February a defensive treaty of alliance was concluded between this princess and the King of Great Britain.

§ XLIV. By this time France was deprived of her ablest minister in the death of the Cardinal de Fleury, who

had for many years managed the affairs of that kingdom. He is said to have possessed a lively genius, and an insinuating address; to have been regular in his deportment, and moderate in his disposition; but at the same time he has been branded as deceitful, dissembling, and vindictive. His scheme of politics was altogether pacific: he endeavoured to accomplish his purposes by raising and fomenting intrigues at foreign courts: he did not seem to pay much regard to the military glory of France: and he too much neglected the naval power of that kingdom. Since Broglio was driven out of Germany, the French court affected uncommon moderation. They pretended that their troops had only acted as auxiliaries while they remained in the empire; being, however, apprehensive of an irruption into their own dominions, they declared, that those troops were no longer to be considered in that light, but as subjects acting in the service of France. The campaign in Italy proved unfavourable to the Spaniards. In the beginning of February Count Gages, who commanded the Spanish army in the Bolognese, amounting to four-and-twenty thousand men, passed the Penaro, and advanced to Campo-Santo, where he encountered the imperial and Piedmontese forces, commanded by the Counts Traun and Aspremont. The strength of the two armies was nearly equal. The action was obstinate and bloody, though indecisive. The Spaniards lost about four thousand men killed, wounded, or taken. The damage sustained by the confederates was not quite so great. Some cannon and colours were taken on both sides; and each claimed the victory. Count Gages repassed the Penaro; retreated suddenly from Bologna, and marched to Rimini in the ecclesiastical state, where he fortified his camp in an advantageous situation, after having suffered severely by desertion. Count Traun remained inactive in the Modenese till September, when he resigned his command to Prince Lobkowitz. This general entered the Bolognese in October, and then advanced towards Count Gages, who with his forces, now reduced to seven thousand, retreated to Fano; but afterwards took possession of Pesaro, and fortified all the passes of the river Foglia. The season was far advanced before the Spanish troops, commanded by Don Philip, in Savoy, entered upon action. In all probability, the courts of Versailles and Madrid carried on some private negotiation with the King of Sardinia. This expedient failing, Don Philip decamped from Chamberri in the latter end of August, and defiling through Dauphiné towards Briançon, was joined by the Prince of Conti, at the head of twenty thousand French auxiliaries. Thus reinforced, he attacked the Piedmontese lines at Chateau-Dauphiné; but was repulsed in several attempts, and obliged to retreat with considerable loss. The French established their winter-quarters in Dauphiné and Provence; and the Spaniards maintained their footing in Savoy.

§ XLV. The British fleet, commanded by Admiral Matthews, overawed all the states that bordered on the Mediterranean. This officer, about the end of June, understanding that fourteen xebecs, laden with artillery and ammunition for the Spanish army, had arrived at Genoa, sailed thither from the road of Hieres, and demanded of the republic that they would either oblige these vessels with the stores to quit their harbour, or sequester their lading until a general peace should be established. After some dispute it was agreed that the cannon and stores should be deposited in the castle of Bonifacio, situated on a rock at the south-end of Corsica; and that the xebecs should have leave to retire without molestation. The Corsicans had some years before revolted, and shaken off the dominion of the Genoese, under which their island had remained for many centuries. They found themselves oppressed, and resolved

to assert their freedom. They conferred the sovereign authority on a German adventurer, who was solemnly proclaimed by the name of King Theodore. He had supplied them with some arms and ammunition, which he had brought from Tunis; and amused them with promises of being assisted by foreign powers in retrieving their independence: but as these promises were not performed, they treated him so roughly, that he had thought proper to quit the island, and they submitted again to their old masters. The troubles of Corsica were now revived. Theodore revisited his kingdom, and was recognised by the principal chiefs of the island. He published a manifesto: he granted a general pardon to all his subjects who should return to their obedience: he pretended to be countenanced and supported by the King of Great Britain and the Queen of Hungary. He was certainly thought a proper instrument to perplex and harass the Genoese, and was supplied at this juncture with a sum of money to purchase arms for the Corsicans: but a change soon happened in the British ministry, and then he was suffered to relapse into his original obscurity. Admiral Matthews, though he did not undertake any expedition of importance against the maritime towns of Spain, continued to assert the British empire at sea through the whole extent of the Mediterranean. The Spanish army under Don Philip was no sooner in motion, than the English admiral ordered some troops and cannon to be disembarked for the security of Villa-Franca. Some stores having been landed at Civita-Vecchia, for the use of the Spanish forces under Count Gages, Matthews interpreted this transaction into a violation of the neutrality which the pope had professed; and sent thither a squadron to bombard the place. The city of Rome was filled with consternation; and the pope had recourse to the good offices of his Sardinian majesty, in consequence of which the English squadron was ordered to withdraw. The captains of single cruising ships, by their activity and vigilance, wholly interrupted the commerce of Spain; cannonaded and burned some towns on the sea-side; and kept the whole coast in continual alarm.

§ XLVI. In the West Indies some unsuccessful efforts were made by an English squadron, commanded by Commodore Knowles. He attacked La Gueira on the coast of Caracas, in the month of February: but met with such a warm reception, that he was obliged to desist, and make the best of his way for the Dutch island Curacao, where he repaired the damage he had sustained. His ships being refitted, he made another attempt upon Porto Cavallo in April, which like the former miscarried. Twelve hundred marines being landed in the neighbourhood of that place, were seized with such a panic that it was found necessary to re embark them without delay. Then the commodore abandoned the enterprise, and sailed back to his station at the Leeward Islands, without having added much to his reputation, either as to conduct or resolution. On the continent of America the operations of the war were very inconsiderable. General Oglethorp having received intelligence that the Spaniards prepared for another invasion from St. Augustine, assembled a body of Indians, as a reinforcement to part of his own regiment, with the highlanders and rangers, and in the spring began his march, in order to anticipate the enemy. He camped for some time in the neighbourhood of St. Augustine, by way of defiance: but they did not think proper to hazard an engagement; and as he was in no condition to undertake a siege he returned to Georgia. In October the Princess Louisa, youngest daughter of his Britannic majesty, was married by proxy, at Hanover, to the Prince-royal of Denmark, who met her at Altona, and conducted her to Copenhagen.

c In May a dreadful plague broke out at Messina in Sicily. It was imported in cotton and other commodities brought to the shore; and swept off such a multitude of people that the city was almost depopulated: all the galley slaves, who were employed in burying the dead, perished by the contagion; and thus was the fate of many priests and monks who administered to those who were infected. The dead bodies lay in heaps in the streets, corrupting the air and adding fresh fuel to the rage of the pestilence. Numbers died miserably, for want of proper attendance and necessaries, and all was horror and desolation. At the begin-

ning of winter it ceased, after having destroyed near fifty thousand inhabitants of Messina, and of the garrisons in the citadel and castle. It was prevented from spreading in Sicily by a strong barrier drawn from Melazzo to Taormina; but it was conveyed to Reggio in Calabria, by the assistance of a broker of that place, who bought some goods at Messina. The King of Naples immediately ordered lines to be formed, together with a chain of troops, which cut off all communication between that place and the rest of the continent.



## CHAP. VIII.

§ I. Debate in parliament against the Hanoverian troops. § II. Supplies granted. § III. Projected invasion of Great Britain. § IV. A French squadron sails up the English channel. § V. The king's son is put in a posture of defence. § VI. The death of the French defeated. War between France and England. § VII. Bill against those who should correspond with the sons of the pretender. § VIII. Naval engagement off Toulon. § IX. Advances towards peace made by the emperor. § X. Treaty of Frankfurt. § XI. Progress of the French king in the Netherlands. § XII. Prince Charles of Lorraine passes the Rhine. § XIII. The King of Prussia makes an irruption into Bohemia. § XIV. Campaigns in Bavaria and Lorraine. § XV. The King of Naples joins Count Gages in Italy. § XVI. Battle of Coni. § XVII. Return of Commodore Anson. Sir John Balchen perishes at sea. § XVIII. Revolution in the British ministry. Session of parliament. § XIX. Death of the Emperor Charles VII. Accommodation between the Queen of Hungary and the young Elector of Bavaria. § XX. The King of Prussia gains two successive battles at Friedberg and Soler, over the Austrian and Saxon forces. § XXI. Treaty of Dresden. The Grand Duke of Tuscany elected Emperor of Germany. § XXII. The allies are defeated at Fontenoy. § XXIII. The King of Saraguna is almost stripped of his dominions. § XXIV. The English forces take Cape Breton. § XXV. The importance of this conquest. § XXVI. Project of an insurrection in Great Britain. § XXVII. The eldest son of the Chevalier De St. George lands in Scotland. § XXVIII. Takes possession of Edinburgh. § XXIX. Defeats Sir John Cope at Preston Pass. § XXX. Efforts of the friends of government in Scotland. § XXXI. Precautions taken in England. § XXXII. The prince pretender reduces Carlisle, and penetrates as far as Derby. Consternation of the Londoners. § XXXIII. The rebels retreat into Scotland. § XXXIV. They invest the castle of Edinburgh. § XXXV. The king's troops under Hawley are worsted at Falkirk. § XXXVI. The Duke of Cumberland assumes the command of the forces in Scotland. § XXXVII. The rebels undertake the siege of Fort William.

A. D. 1743. § I. THE discontents of England were actually inflamed by anti-ministerial writers, who not only exaggerated the burdens of the people, and drew frightful pictures of the distress and misery which, they said, impended over the nation, but also employed the arts of calumny and misrepresentation, to excite a jealousy and national quarrel between the English and Hanoverians. They affirmed that in the last campaign the British general had been neglected and despised: while the councils of foreign officers, greatly inferior to him in capacity, quality, and reputation, had been followed, to the prejudice of the common cause; that the British troops sustained daily insults from their own mercenaries, who were indulged with particular marks of royal favour: that the sovereign himself appeared at Dettingen in a Hanoverian scarf; and that his electoral troops were of very little service in that engagement. Though the most material of these assertions were certainly false, they made a strong impression on the minds of the people, already irritated by the enormous expense of a continental war maintained for the interest of Germany. When the parliament met in the beginning of December, a motion was made in the House of Peers by the Earl of Sandwich, for an address beseeching his majesty to discontinue the Hanoverian troops in British pay, in order to remove the popular discontent, and stop the murmurs of the English troops abroad. He was supported by the Duke of Bedford, the Earl of Chesterfield, and all the leaders in the opposition, who did not fail to enumerate and insist upon all the circumstances we have mentioned. They moreover observed, that better troops might be hired at a smaller expense; that it would be a vain and endless task to exhaust the national treasure, in enriching a hungry and barren electorate; that the popular dissatisfaction against these mercenaries was so general, and raised to such violence, as nothing but their dismissal could appease; that if such hirelings should be thus continued from year to year, they might at last become a burden entailed upon the nation, and be made subservient, under some ambitious prince, to purposes destructive of the British liberty. These were the suggestions of spleen and animosity; for, granting the necessity of a land war, the Hanoverians were the most natural allies and auxiliaries which Great Britain could engage and employ. How insolent soever some few individual generals of that electorate might have been in their private deportment, certain it is, their troops behaved with great sobriety, discipline, and decorum; and in the day of battle did their duty with as much courage and alacrity as any body of men ever displayed on the like occasion. The motion was rejected by the majority; but, when the term for keeping them in the British pay was nearly expired, and the estimates for their being continued the ensuing year were laid before the House, the Earl of Sandwich renewed his motion. The lord chancellor, as speaker

of the House, interposing, declared, that by their rules a question once rejected could not be revived during the same session. A debate ensued, and the second motion was overruled. The Hanoverian troops were voted in the House of Commons; nevertheless, the same nobleman moved in the upper House that the continuing sixteen thousand Hanoverians in British pay was prejudicial to his majesty's true interest, useless to the common cause, and dangerous to the welfare and tranquillity of the nation. He was seconded by the Duke of Marlborough, who had resigned his commission in disgust; and the proposal gave birth to another warm dispute: but victory declared, as usual, for the ministry.

§ II. In the House of Commons they sustained divers attacks. A motion was made for laying a duty of eight shillings in the pound on all places and pensions. Mr. Grenville moved for an address, to beseech his majesty, that he would not engage the British nation any further in the war on the continent, without the concurrence of the States-general on certain stipulated proportions of force and expense, as in the late war. These proposals begat vigorous debates, in which the country party were always foiled by dint of superior numbers. Such was the credit and influence of the ministry in parliament, that although the national debt was increased by above six millions since the commencement of the war, the Commons indulged them with an enormous sum for the expense of the ensuing year. The grants specified in the votes amounted to six millions and a half: to this sum were added three millions and a half paid to the sinking fund in perpetual taxes; so that this year's expense rose to ten millions. The funds established for the annual charge were the land and malt taxes, one million paid by the East India company for the renewal of their charter, twelve hundred thousand pounds by annuities, one million from the sinking fund, six-and-thirty thousand pounds from the coinage, and six hundred thousand pounds by a lottery; an expedient which for some time had been annually repeated; and which, in a great measure, contributed to debauch the morals of the public, by introducing the spirit of gaming, destructive of all industry and virtue.

§ III. The dissensions of the British parliament were suddenly suspended by an event that seemed to unite both parties in the prosecution of the same measures. This was the intelligence of an intended invasion. By the parliamentary disputes, the loud clamours, and the general dissatisfaction of the people in Great Britain, the French ministry were persuaded that the nation was ripe for a revolt. This belief was corroborated by the assertions of their emissaries in different parts of Great Britain and Ireland. These were papists and Jacobites of strong prejudices and warm imaginations, who saw things through the medium of passion and party, and spoke rather from extravagant zeal than from sober conviction. They gave the court of Versailles to understand, that if the Chevalier de St. George, or his eldest son, Charles Edward, should appear at the head of a French army in Great Britain, a revolution would instantly follow in his favour. This intimation was agreeable to Cardinal de Tencin, who, since the death of Fleury, had borne a share in the administration of France. He was of a violent enterprising temper. He had been recommended to the purple by the Chevalier de St. George, and was seemingly attached to the Stuart family. His ambition was flattered with the prospect of giving a king to Great Britain; of performing such eminent service to his benefactor, and of restoring to the throne of their ancestors a family connected by the ties of blood with all the greatest princes of Europe. The ministry of France foresaw, that even if this aim should miscarry, a descent upon Great Britain would make a considerable diversion from the continent in favour of France, and embroil and embarrass his Britannic majesty, who was the chief support of the house of Austria and all its allies. Actuated by these motives, he concerted measures with the Chevalier de St. George at Rome, who, being too much advanced in years to engage personally in such an expedition, agreed to delegate his pretensions and authority to his son Charles, a youth of promising talents, sage, secret, brave, and enterprising, amiable in his person, grave, and even reserved in his de-

portment. He approved himself in the sequel composed and moderate in success, wonderfully firm in adversity: and though tenderly nursed in all the delights of an effeminate country, and gentle climate, patient, almost beyond belief, of cold, hunger, and fatigue. Such was the adventurer now destined to fill the hope which the French ministry had conceived, from the projected invasion of Great Britain.

§ IV. Count Saxe was appointed by the French king commander of the troops designed for this expedition, which amounted to fifteen thousand men. They began their march to Picardy, and a great number of vessels was assembled for their embarkation at Dunkirk, Calais, and Boulogne. It was determined that they should be landed at Kent, under convoy of a strong squadron equipped at Brest, and commanded by Monsieur de Roquefeuille, an officer of experience and capacity. The Chevalier de St. George is said to have required the personal service of the Duke of Ormond, who excused himself on account of his advanced age: be that as it will, Prince Charles departed from Rome about the end of December, in the disguise of a Spanish courier, attended by one servant only, and furnished with passports by Cardinal Aquaviva. He travelled through Tuscany to Genoa, from whence he proceeded to Savona, where he embarked for Antibes, and prosecuting his journey to Paris, was indulged with a private audience of the French king: then he set out incognito for the coast of Picardy. The British ministry being apprized of his arrival in France, at once comprehended the destination of the armaments prepared at Brest and Boulogne. Mr. Thomson, the English resident at Paris, received orders to make a remonstrance to the French ministry, on the violation of those treaties by which the pretender to the crown of Great Britain was excluded from the territories of France. But he was given to understand, that his most christian majesty would not explain himself on that subject, until the King of England should have given satisfaction on the repeated complaints which had been made to him touching the infractions of those very treaties, which had been so often violated by his orders. In the month of January, M. de Roquefeuille sailed from Brest, directing his course up the English channel with twenty ships of war. They were immediately discovered by an English cruiser, which ran into Plymouth; and the intelligence was conveyed by land to the Board of Admiralty. Sir John Norris was forthwith ordered to take the command of the squadron at Spithead, with which he sailed round to the Downs, where he was joined by some ships of the line from Chatham, and then he found himself at the head of a squadron considerably stronger than that of the enemy.

§ V. Several regiments marched to the southern coast of England; all governors and commanders were ordered to repair immediately to their respective posts: the forts at the mouth of the Thames and Medway were put in a posture of defence; and directions were issued to assemble the Kentish militia, to defend the coast in case of an invasion. On the fifteenth day of February, the king sent a message to both Houses of Parliament, intimating the arrival of the pretender's son in France, the preparations at Dunkirk, and the appearance of a French fleet in the English channel. They joined in an address, declaring their indignation and abhorrence of the design formed in favour of a popish pretender; and assuring his majesty, that they would, with the warmest zeal and unanimity, take such measures as would enable him to frustrate and defeat so desperate and insolent an attempt. Addresses of the same kind were presented by the city of London, both universities, the principal towns of Great Britain, the clergy, the dissenting ministers, the quakers, and almost all the corporations and communities of the kingdom. A requisition was made of the six thousand auxiliaries, which the States-general were by treaty obliged to furnish on such occasions; and these were granted with great alacrity and expedition. The Earl of Stair, forgetting his wrongs, took this opportunity of offering his services to government, and was invested with the chief command of the forces in Great Britain. His example was followed by several noblemen of the first rank. The Duke of Montague was permitted to raise a regiment of horse: and

orders were sent to bring over six thousand of the British troops from Flanders, in case the invasion should actually take place. His majesty was, in another address from parliament, exhorted to augment his forces by sea and land: the *habeas corpus* act was suspended for six months, and several persons of distinction were apprehended on suspicion of treasonable practices: a proclamation was issued for putting the laws in execution against papists and nonjurors, who were commanded to retire ten miles from London; and every precaution was taken which seemed necessary for the preservation of the public tranquillity.

§ VI. Meanwhile the French court proceeded with their preparations at Boulogne and Dunkirk, under the eye of the young pretender; and seven thousand men were actually embarked. M. de Roquefeuille sailed up the channel as far as Dungeness, a promontory on the coast of Kent, after having detached M. de Barreil, with five ships, to hasten the embarkation at Dunkirk. While the French admiral anchored off Dungeness, he perceived, on the twenty-fourth day of February, the British fleet, under Sir John Norris, doubling the South Foreland from the Downs; and though the wind was against him, taking the opportunity of the tide to come up and engage the French squadron. Roquefeuille, who little expected such a visit, could not be altogether composed, considering the great superiority of his enemies: but the tide failing, the English admiral was obliged to anchor two leagues short of the enemy. In this interval, M. de Roquefeuille called a council of war, in which it was determined to avoid an engagement, weigh anchor at sunset, and make the best of their way to the place from whence they had set sail. This resolution was favoured by a very hard gale of wind, which began to blow from the north-east, and carried them down the channel with incredible expedition. But the same storm which, in all probability, saved their fleet from destruction, utterly disconcerted the design of invading England. A great number of their transports were driven ashore and destroyed, and the rest were so damaged that they could not be speedily repaired. The English were now masters at sea, and their coast was so well guarded, that the enterprise could not be prosecuted with any probability of success. The French generals nominated to serve in this expedition returned to Paris, and the young pretender resolved to wait a more favourable opportunity. In the meantime he remained in Paris, or that neighbourhood, incognito, and almost totally neglected by the court of France. Finding himself in this disagreeable situation, and being visited by John Murray of Broughton, who magnified the power of his friends in Great Britain, he resolved to make some bold effort, even without the assistance of Louis, in whose sincerity he had no faith, and forthwith took proper measures to obtain exact information touching the number, inclinations, and influence of his father's adherents in England and Scotland. The French king no longer preserved any measures with the court of London: the British resident at Paris was given to understand, that a declaration of war must ensue; and this was actually published on the twentieth day of March. The King of Great Britain was taxed with having dissuaded the court of Vienna from entertaining any thoughts of an accommodation; with having infringed the convention of Hanover; with having exercised piracy upon the subjects of France, and with having blocked up the harbour of Toulon. On the thirty-first day of March, a like denunciation of war against France was published at London, amidst the acclamations of the people.

§ VII. The Commons of England, in A. D. 1744. order to evince their loyalty, brought in a bill, denouncing the penalties of high treason against those who should maintain correspondence with the sons of the pretender. In the upper House, Lord Hardwicke, the chancellor, moved, that a clause should be inserted, extending the crime of treason to the posterity of the offenders, during the lives of the pretender's sons. The motion, which was supported by the whole strength of the ministry, produced a warm debate, in which the Duke of Bedford, the Earl of Chesterfield, the Lords Talbot and Hervey, argued against it in the most pathetic manner as

an illiberal expedient, contrary to the dictates of humanity, the law of nature, the rules of common justice, and the precepts of religion : an expedient that would involve the innocent with the guilty, and tend to the augmentation of ministerial power, for which purpose it was undoubtedly calculated. Notwithstanding these suggestions, the clause was carried in the affirmative, and the bill sent back to the Commons, where the amendment was vigorously opposed by Lord Strange, Lord Guernsey, Mr. W. Pitt, and other members, by whom the original bill had been countenanced :<sup>a</sup> the majority, however, declared for the amendment, and the bill obtained the royal assent. The session of parliament was closed in May, when the king told them, that the French had made vast preparations on the side of the Netherlands ; and that the States-general had agreed to furnish the succours stipulated by treaties.

§ VIII. By this time an action had happened in the Mediterranean, between the British fleet commanded by Admiral Matthews, and the combined squadrons of France and Spain, which had been for some time blockaded up in the harbour of Toulon. On the ninth day of February they were perceived standing out of the road, to the number of four-and-thirty sail : the English admiral immediately weighed from Hieres bay : and on the eleventh, part of the fleets engaged. Matthews attacked the Spanish admiral, Don Navarro, whose ship, the *Real*, was a first rate, mounted with above an hundred guns. Rear-Admiral Rowley singled out M. de Court, who commanded the French squadron ; and a very few captains followed the example of their commanders : but Vice-Admiral Lestock, with his whole division, remained at a great distance astern : and several captains who were immediately under the eye of Matthews, behaved in such a manner as reflected disgrace upon their country. The whole transaction was conducted without order or deliberation. The French and Spaniards would have willingly avoided an engagement, as the British squadron was superior to them in strength and number. M. de Court, therefore, made the best of his way towards the Straits' mouth, probably with intention to join the Brest squadron : but he had orders to protect the Spanish fleet ; and as they sailed heavily, he was obliged to wait for them, at the hazard of maintaining a battle with the English. Thus circumstanced he made sail and lay-to by turns ; so that the British admiral could not engage them in proper order ; and as they outailed his ships, he began to fear they would escape him altogether, should he wait for Vice-Admiral Lestock, who was so far astern. Under this apprehension he made the signal for engaging, while that for the line of battle was still displayed ; and this inconsistency naturally introduced confusion. The fight was maintained with great vivacity by the few who engaged. The *Real* being quite disabled, and lying like a wreck upon the water, Mr. Matthews sent a fire-ship to destroy her ; but the expedient did not take effect. The ship ordered to cover this machine did not obey the signal ; so that the captain of the fire-ship was exposed to the whole fire of the enemy. Nevertheless he continued to advance until he found the vessel sinking : and being within a few yards of the *Real*, he set fire to the fuses. The ship was immediately in flames, in the midst of which he and his lieutenant, with twelve men, perished. This was likewise the fate of the Spanish launch, which had been manned with fifty sailors, to prevent the fire-ship from running on board the *Real*. One ship of the line belonging to a Spanish squadron struck to Captain Hawke, who sent a lieutenant to take possession of her : she was afterwards taken by the French squadron ; but was found so disabled, that they left her deserted, and she was next day burned by order of Admiral Matthews. At night the action ceased : and the admiral found his own ship so much damaged, that he moved his flag into another. Captain Cornwall fell in the engagement, after having exhibited a remarkable proof of courage and intrepidity : but the loss of men was very inconsiderable. Next day the enemy appeared to leeward, and the admiral gave chase till night, when he brought to,

that he might be joined by the ships a-stern. They were perceived again on the thirteenth at a considerable distance, and pursued till the evening. In the morning of the fourteenth, twenty sail of them were seen distinctly, and Lestock with his division had gained ground of them considerably by noon ; but Admiral Matthews displayed the signal for leaving off chase, and bore away for Port-Mahon, to repair the damage he had sustained. Meanwhile the combined squadrons continued their course toward the coast of Spain. M. de Court, with his division, anchored in the road of Alicant ; and Don Navarro sailed into the harbour of Carthagena. Admiral Matthews, on his arrival at Minorca, accused Lestock of having misbehaved on the day of action ; suspended him from his office, and sent him prisoner to England, where, in his turn, he accused his accuser. Long before the engagement, these two officers had expressed the most virulent resentment against each other. Matthews was brave, open, and undisguised ; but proud, imperious, and precipitate. Lestock had signalized his courage on many occasions, and perfectly understood the whole discipline of the navy ; but he was cool, cunning, and vindictive. He had been treated superciliously by Matthews, and in revenge took advantage of his errors and precipitation. To gratify this passion he betrayed the interest and glory of his country ; for it is not to be doubted, but that he might have come up in time to engage ; and, in that case, the fleets of France and Spain would in all likelihood have been destroyed : but he entrenched himself within the punctilios of discipline, and saw with pleasure his antagonist expose himself to the hazard of death, ruin, and disgrace. Matthews himself, in the sequel, sacrificed his duty to his resentment, in restraining Lestock from pursuing and attacking the combined squadrons on the third day after the engagement, when they appeared disabled, and in manifest disorder, and would have fallen an easy prey, had they been vigorously attacked. One can hardly, without indignation, reflect upon these instances, in which a community has so severely suffered from the personal animosity of individuals. The miscarriage off Toulon became the subject of a parliamentary inquiry in England. The Commons, in an address to the throne, desired that a court-martial might be appointed to try the delinquents. By this time Lestock had accused Matthews, and all the captains of his division who misbehaved on the day of battle. The court-martial was constituted, and proceeded to trial. Several commanders of ships were cashiered : Vice-Admiral Lestock was honourably acquitted ; and Admiral Matthews rendered incapable of serving for the future in his majesty's navy. All the world knew that Lestock kept aloof, and that Matthews rushed into the hottest part of the engagement. Yet the former triumphed on his trial, and the latter narrowly escaped the sentence of death for cowardice and misconduct. Such decisions are not to be accounted for, except from prejudice and faction.

§ IX. The war in Germany, which had been almost extinguished in the last campaign, began to revive, and raged with redoubled violence. The emperor had to solicit the mediation of his Britannic majesty, for compromising the differences between him and the court of Vienna. Prince William of Hesse Cassel had conferred with the King of England on this subject ; and a negotiation was begun at Hanau. The emperor offered to dismiss the French auxiliaries, provided the Austrians would evacuate his hereditary dominions. Nay, Prince William and Lord Carteret, as plenipotentiaries, actually agreed to preliminaries, by which his imperial majesty engaged to renounce the alliance of France, and throw himself into the arms of the maritime powers ; to resign all pretensions to the succession of the house of Austria ; and to revive the vote of Bohemia in the electoral college ; on condition of his being re-established in the possession of his dominions, recognised as emperor by the Queen of Hungary, and accommodated with a monthly subsidy for his maintenance, as his own territories were exhausted and impoverished by the war. By a separate article, the King of Great Britain promised to furnish him with three hundred thousand

<sup>a</sup> The opposition had sustained a heavy blow in the death of the Duke of Arzely, a nobleman of shining qualifications for the senate and the field, whose character would have been still more illustrious, had not some parts

of his conduct subjected him to the suspicion of selfishness and inconstancy. He was succeeded in that title by his brother, Archibald, Earl of Hlay.



crowns, and to interpose his good offices with the Queen of Hungary, that his electoral dominions should be favourably treated. These preliminaries, though settled, were not signed. The court of Vienna was unwilling to part with their conquests in Bavaria and the upper palatinate. The queen trusted too much to the valour of her troops, and the wealth of her allies, to listen to such terms of accommodation; and whatever arguments were used with the King of Great Britain, certain it is the negotiation was dropped, on pretence that the articles were disapproved by the ministry of England. The emperor, envied with distress, renewed his application to the King of Great Britain; and even declared that he would refer his cause to the determination of the maritime powers; but all his advances were discountenanced: and the treaty of Worms dispelled all hope of accommodation. In this manner did the British ministry reject the fairest opportunity that could possibly occur of terminating the war in Germany with honour and advantage, and of freeing their country from that insufferable burthen of expense under which she groaned.

§ X. The inflexibility of the house of Austria and its chief ally proved serviceable to the emperor. The forlorn situation of this unfortunate prince excited the compassion of divers princes: they resented the insolence with which the head of the empire had been treated by the court of Vienna; and they were alarmed at the increasing power of a family noted for pride, tyranny, and ambition. These considerations gave rise to the treaty of Frankfort, concluded in May between the emperor, the King of Prussia, the King of Sweden as Landgrave of Hesse Cassel, and the Elector Palatine. They engaged to preserve the constitution of the empire, according to the treaty of Westphalia, and to support the emperor in his rank and dignity. They agreed to employ their good offices with the Queen of Hungary, that she might be induced to acknowledge the emperor, to restore his hereditary dominions, and give up the archives of the empire that were in her possession. They guaranteed to each other their respective territories: the disputes about the succession of the late emperor they referred to the decision of the states of the empire: they promised to assist one another in case of being attacked; and they invited the King of Poland, the Elector of Cologne, and the Bishop of Liege, to accede to this treaty. Such was the confederacy that broke all the measures which had been concerted between the King of Great Britain and her Hungarian majesty, for the operations of the campaign. In the meantime, the French king declared war against this princess, on pretence that she was obstinately deaf to all terms of accommodation, and determined to carry the war into the territories of France. In her counter-declarations she taxed Louis with having infringed the most solemn engagement, with respect to the pragmatic sanction; with having spirited up different pretenders, to lay claim to the succession of the late emperor; with having endeavoured to instigate the common enemy of Christendom against her: and with having acted the incendiary in the north of Europe, that the czarina might be prevented from assisting the House of Austria, while his numerous armies over-spread the empire and desolated her hereditary countries. These recriminations were literally true. The houses of Bourbon and Austria have, for many centuries, been the common disturbers and plagues of Europe.

§ XI. The King of France, though in himself pacific and unenterprising, was stimulated by his ministry to taste the glory of conquest in the Netherlands, where he had assembled an army of one hundred and twenty thousand men, provided with a very formidable train of artillery. The chief command was vested in the Mareschal Count de Saxe, who possessed great military talents, and proved to be one of the most fortunate generals of the age in which he lived. The allied forces, consisting of English, Hanoverians, Dutch, and Austrians, to the number of seventy thousand effective men, were in the month of May assembled in the neighbourhood of Brussels, from whence they marched toward Oudenard, and posted themselves behind the Schelde, being unable to retard the progress of the enemy. The French monarch, attended by his favourite ladies, with all the pomp of eastern luxury, arrived at Lisle on the twelfth day of the same month; and in the adjacent plain reviewed his army. The State's-general, alarmed

at his preparations, had, in a conference with his ambassador at the Hague, expressed their apprehensions, and entreated his most christian majesty would desist from his design of attacking their barrier. Their remonstrances having proved ineffectual, they now sent a minister to wait upon that monarch, to enforce their former representations, and repeat their entreaties: but no regard was paid to his request. The French king told him, he was determined to prosecute the war with vigour, as his moderation hitherto had served to no other purpose but that of rendering his enemies more intractable. Accordingly, his troops invested Menin, which was in seven days surrendered upon capitulation. Ypres, Fort Knock, and Furnes, underwent the same fate; and on the twenty-ninth day of June the King of France entered Dunkirk in triumph.

§ XII. He had taken such precautions for the defence of Alsace, which was guarded by considerable armies under the command of Coigny and Seckendorf, that he thought he had nothing to fear from the Austrians from that quarter: besides, he had received secret assurances that the King of Prussia would declare for the emperor; so that he resolved to pursue his conquest in the Netherlands. But all his measures were defeated by the activity of Prince Charles of Lorraine, and his officers, who found means to pass the Rhine, and oblige the French and Bavarian generals to retire to Lampertheim, that they might cover Strasburgh. The Austrians made themselves masters of Haguenau and Saverne; they secured the passes of Lorraine; and laid all the country of Lower Alsace under contribution. The King of France was no sooner apprized of the prince's having passed the Rhine, and penetrated into this province, than he sent off a detachment of thirty thousand men from his army in Flanders to reinforce that under the Mareschal de Coigny; and he himself began his journey from the Rhine, that he might in person check the progress of the enemy: but this design was anticipated by a severe distemper that overtook him at Mentz in Lorraine. The physicians despaired of his life. The queen, with her children, and all the princes of the blood, hastened from Versailles, to pay their last duties to their dying sovereign, who, as a true penitent, dismissed his concubines, and began to prepare himself for death: yet the strength of his constitution triumphed over the fever, and his recovery was celebrated all over his dominions with uncommon marks of joy and affection.

§ XIII. In the meantime the schemes of the Austrian general were frustrated by the King of Prussia, who, in the month of August, entered the electorate of Saxony, at the head of a numerous army. There he declared, in a public manifesto, that his aims were only to re-establish the peace of the empire, and to support the dignity of its head. He assured the inhabitants that they might depend upon his protection, in case they should remain quiet: but threatened them with fire and sword should they presume to oppose his arms. In a rescript, addressed to his ministers at foreign courts, he accused the Queen of Hungary of obstinacy, in refusing to acknowledge the emperor, and restore his hereditary dominions: he said he had engaged in the league of Frankfort, to hinder the head of the empire from being oppressed: that he had no intention to violate the peace of Breslau, or enter as a principal into this war: he affirmed, that his design was to act as auxiliary to the emperor, and establish the quiet of Germany. He penetrated into Bohemia and undertook the siege of Prague, the governor of which surrendered himself and his garrison prisoners of war on the sixteenth day of September. He afterwards reduced Tabor, Bodweis, and Teyn, and, in a word, subdued the greatest part of the kingdom; the Austrian forces in that country being in no condition to stop his progress. Nevertheless, he was soon obliged to relinquish his conquests. Prince Charles of Lorraine was recalled from Alsace, and repassed the Rhine in the face of the French army, commanded by the Mareschals de Coigny, Noailles, and Belleisle. Then he marched to the Danube, laid the upper palatinate under contribution, and entering Bohemia, joined the troops under Bathiani and Merotitz. The King of Poland, Elector of Saxony, at this juncture, declared in favour of her Hungarian majesty. A convention for the mutual guarantee of their dominions had been signed between those two

powers in December; and now Prince Charles of Lorraine was reinforced by twenty thousand Saxon troops, under the conduct of the Duke of Saxe-Wesensfelds. The combined army was superior to that of his Prussian majesty, whom they resolved to engage. But he retired before them, and having evacuated all the places he had garrisoned in Bohemia, retreated with precipitation into Silesia. There his troops were put into winter-quarters; and he himself returned to Berlin, extremely mortified at the issue of the campaign.

§ XIV. During these transactions, Count Seckendorf marched into Bavaria, at the head of a strong army, drove the Austrians out of that electorate, and the emperor regained possession of Munich, his capital, on the twenty-second day of October. In August, the French army passed the Rhine at Fort Louis, and invested the strong and important city of Fribourg, defended by General Demnitz, at the head of nine thousand veterans. The King of France arrived in the camp on the eleventh day of October; and the siege was carried on with uncommon vigour. The Austrian governor made incredible efforts in the defence of the place, which he maintained until it was reduced to a heap of ruins, and one half of the garrison destroyed. At length, however, they were obliged to surrender themselves prisoners of war, after the trenches had been open five-and-forty days, during which they had killed above fifteen thousand of the besiegers. With this conquest the French king closed the campaign, and his army was cantoned along the Rhine, under the inspection of the Count de Maillebois. By the detachments drawn from the French army in Flanders, Count Saxe had found himself considerably weaker than the confederates: he threw up strong entrenchments behind the Lys, where he remained on the defensive, until he was reinforced by the Count de Clermont, who commanded a separate body on the side of Newport. The allies, to the number of seventy thousand, passed the Schelde, and advanced towards Helchin: but the enemy being so advantageously posted, that they could not attack him with any prospect of advantage, they filed on in sight of Tournay; and on the eighth day of August encamped in the plains of Lisle, in hope of drawing Count Saxe from the situation in which he was so strongly fortified. Here they foraged for several days, and laid the open country under contribution: however, they made no attempt on the place itself, which in all probability would have fallen into their hands, had they invested it at their first approach; for then there was no other garrison but two or three battalions of militia: but Count Saxe soon threw in a considerable reinforcement. The allies were unprovided with a train of battering cannon: and their commanders would not deviate from the usual form of war. Besides, they were divided in their opinions, and despised one another. General Wade, who commanded the English and Hanoverians, was a vain, weak man, without confidence, weight, or authority; and the Austrian general, the Duke d'Arenberg, was a proud, rapacious glutton, devoid of talents and sentiment. After having remained for some time in sight of Lisle, and made a general forage without molestation, they retired to their former camp on the Schelde, from whence they soon marched into winter-quarters. Count Saxe at length quitted his lines; and by way of retaliation sent out detachments to ravage the Low Countries to the very gates of Ghent and Bruges. The conduct of the allied generals was severely censured in England, and ridiculed in France, not only in private conversation, but also on their public theatres, where it became the subject of farces and pantomimes.

§ XV. The campaign in Italy produced divers vicissitudes of fortune. The King of Naples having assembled an army joined Count Gages, and published a manifesto in vindication of his conduct, which was a direct violation of the neutrality he had promised to observe. He maintained that his moderation had been undervalued by the courts of London and Vienna: that his frontiers were threatened with the calamities of war; and that the Queen of Hungary made no secret of her intention to invade his dominions. This charge was not without foundation. The emissaries of the house of Austria endeavoured to excite a rebellion in Naples, which Prince Lobkowitz had

orders to favour by an invasion. This general was encamped at Monte Rotundo, in the neighbourhood of Rome, when, in the month of June, the confederates advanced to Velletri. While the two armies remained in sight of each other, Prince Lobkowitz detached a strong body of forces, under Count Soro and General Gorani, who made an irruption into the province of Abruzzo, and took the city of Aquila, where they distributed a manifesto, in which the Queen of Hungary exhorted the Neapolitans to shake off the Spanish yoke, and submit again to the house of Austria. This step, however, produced little or no effect; and the Austrian detachment retired at the approach of the Duke of Vieuville, with a superior number of forces. In August, Count Brown, at the head of an Austrian detachment, surprised Velletri in the night; and the King of the Two Sicilies, with the Duke of Modena, were in the utmost danger of being taken. They escaped by a postern with great difficulty, and repaired to the quarters of Count Gages, who performed the part of a great general on this occasion. He rallied the fugitives, dispelled the panic and confusion which had begun to prevail in his camp, and made a disposition for cutting off the retreat of the Austrians. Count Brown, finding himself in danger of being surrounded, thought proper to secure his retreat, which he effected with great art and gallantry, carrying off a prodigious booty. Three thousand Spaniards are said to have fallen in this action; and eight hundred men were taken, with some standards and colours. Count Mariani, a Neapolitan general, was among the prisoners. The Austrians lost about six hundred men; and General Novati fell into the hands of the enemy; but the exploit produced no consequence of importance. The heats of autumn proved so fatal to the Austrians, who were not accustomed to the climate, that Prince Lobkowitz saw his army mouldering away, without any possibility of its being recruited: besides the country was so drained that he could no longer procure subsistence. Impelled by these considerations, he meditated a retreat. On the eleventh day of November, he decamped from Faiola, marched under the walls of Rome, passed the Tiber at Ponte Molle, formerly known by the name of Pons Milvius, which he had just time to break down behind him, when the vanguard of the Spaniards and Neapolitans appeared. Part of his rear-guard, however, was taken, with Count Soro who commanded it, at Nocera; and his army suffered greatly by desertion. Nevertheless, he continued his retreat with equal skill and expedition, passed the mountains of Gubio, and by the way of Viterbo reached to Bolognese. The Pope was altogether passive. In the beginning of the campaign he had caressed Lobkowitz; and now he received the King of the Two Sicilies with marks of the warmest affection. That prince having visited the chief curiosities of Rome, returned to Naples, leaving part of his troops under the command of Count Gages.

§ XVI. Fortune likewise favoured his brother Don Philip, in Savoy and Piedmont. He was, early in the season, joined at Antibes by the French army, under the conduct of the Prince of Conti. In the latter end of March the combined forces passed the Var, reduced the castle of Aspremont, and entered the city of Nice, without opposition. In April, they attacked the King of Sardinia, who, with twenty thousand men, was strongly entrenched among the mountains of Villa Franca. The action was obstinate and bloody; but their numbers and perseverance prevailed. He was obliged to abandon his posts, and embark on board of the British squadron, which transported him and his troops to Vado. The intention of Don Philip was to penetrate through the territories of Genoa into the Milanese; but Admiral Matthews, who hovered with a strong squadron on that coast, sent a message to the republic, declaring, that should the combined army be suffered to pass through her dominions, the King of Great Britain would consider such a step as a breach of their neutrality. The senate, intimidated by this intimation, entreated the princes to desist from their design, and they resolved to choose another route. They defiled towards Piedmont, and assaulted the strong post of Chateau Dauphiné, defended by the King of Sardinia in person. After a desperate attack, in which they lost four thousand

men, the place was taken: the garrison of Demont surrendered at discretion, and the whole country of Piedmont was laid under contribution. His Sardinian majesty was not in a condition to hazard a battle: and, therefore, posted himself at Saluzzes, in order to cover his capital. The combined army advanced to the strong and important town of Coni, which was invested in the beginning of September. Baron Leutrum the governor made an obstinate defence, and the situation of the place was such as rendered the siege difficult, tedious, and bloody. The King of Sardinia being reinforced by ten thousand Austrians, under General Pallavicini, advanced to its relief, and a battle ensued. The action was maintained with great vigour on both sides, till night, when his majesty finding it impracticable to force the enemy's entrenchments, retired in good order to his camp at Murasso. He afterwards found means to throw a reinforcement and supply of provisions into Coni; and the heavy rains that fell at this period not only retarded, but even dispirited, the besiegers. Nevertheless, the princes persisted in their design, notwithstanding a dearth of provisions, and the approach of winter, till the latter end of November, when the Chevalier de Soto entered the place with six hundred fresh men. This incident was no sooner known than the princes abandoned their enterprise; and leaving their sick and wounded to the mercy of the Piedmontese, marched back to Demont. Having dismantled the fortifications of this place, they retreated with great precipitation to Dauphiné, and were dreadfully harassed by the Vaudois and light troops in the service of his Sardinian majesty, who now again saw himself in possession of Piedmont. The French troops were quartered in Dauphiné, but Don Philip still maintained his footing in Savoy, the inhabitants of which he fleeced without mercy.

§ XVII. After the action at Toulon, nothing of consequence was achieved by the British squadron in the Mediterranean; and indeed the naval power of Great Britain was, during the summer, quite inactive. In the month of June, Commodore Anson returned from his voyage of three years and nine months, in which he had surrounded the terraqueous globe. We have formerly observed, that he sailed with a small squadron to the South Sea, in order to annoy the Spanish settlements of Chili and Peru. Two of his large ships having been separated from him in a storm before he weathered Cape Horn, had put in at Rio de Janeiro, on the coast of Brazil, from whence they returned to Europe. A frigate commanded by Captain Cheap, was shipwrecked on a desolate island in the South Sea. Mr. Anson having undergone a dreadful tempest, which dispersed his fleet, arrived at the island of Juan Fernandez, where he was joined by the Gloucester, a ship of the line, a sloop, and a pink loaded with provisions. These were the remains of his squadron. He made prize of several vessels; took and burned the little town of Payta; set sail from the coast of Mexico, for the Philippine Isles: and in this passage the Gloucester was abandoned and sunk: the other vessels had been destroyed for want of men to navigate them, so that nothing now remained but the commodore's own ship, the Centurion, and that but very indifferently manned; for the crews had been horribly thinned by sickness. Incredible were the hardships and misery they sustained from the shattered condition of the ships and the scorbutic disorder, when they reached the plentiful island of Tinian, where they were supplied with the necessary refreshments. Thence they prosecuted their voyage to the river of Canton in China, where the commodore ordered the ship to be sheathed, and found means to procure a reinforcement of sailors. The chief object of his attention was the rich annual ship that sails between Acapulco in Mexico, and Manila one of the Philippine islands. In hopes of intercepting her, he set sail from Canton, and steered his course back to the straits of Manila, where she actually fell into his hands, after a short but vigorous engagement. The prize was called *Neustra Señora de Cabodonga*, mounted with forty guns, manned with six hundred sailors, and loaded with treasure and effects to the value of three hundred and thirteen thousand pounds sterling:

with this windfall he returned to Canton, from whence he proceeded to the Cape of Good Hope, and prosecuted his voyage to England, where he arrived in safety. Though this fortunate commander enriched himself by an occurrence that may be termed almost accidental, the British nation was not indemnified for the expense of the expedition; and the original design was entirely defeated. Had the Manila ship escaped the vigilance of the English Commodore, he might have been, at his return to England, laid aside as a superannuated captain, and died in obscurity: but his great wealth invested him with considerable influence, and added lustre to his talents. He soon became the oracle which was consulted in all naval deliberations; and the king raised him to the dignity of a peerage. In July, Sir John Balchen, an admiral of approved valour and great experience, sailed from Spithead with a strong squadron, in quest of an opportunity to attack the French fleet at Brest, under the command of M. de Rochambault. In the bay of Biscay he was overtaken by a violent storm, that dispersed the ships, and drove them up the English Channel. Admiral Stewart, with the greater part of them, arrived at Plymouth; but Sir John Balchen's own ship, the Victory, which was counted the most beautiful first-rate in the world, foundered at sea; and this brave commander perished, with all his officers, volunteers, and crew, amounting to eleven hundred choice seamen. On the fourth day of October, after the siege of Fribourg, the Marshal Duke de Belleisle and his brother happened, in their way to Berlin, to halt at a village in the forest of Hartz, dependent on the Electorate of Hanover. There they were apprehended by the bailiff of the place, and conducted as prisoners to Osterode; from whence they were removed to Stade on the Elbe, where they embarked for England. They resided at Windsor till the following year, when they were allowed the benefit of the cartel which had been established between Great Britain and France at Frankfort, and released accordingly, after they had been treated by the British nobility with that respect and hospitality which was due to their rank and merit.<sup>b</sup>

§ XVIII. The dissensions in the British cabinet were now ripened into another revolution in the ministry. Lord Carteret, who was by this time Earl Granville in consequence of his mother's death, had engrossed the royal favour so much, that the Duke of N—— and his brother are said to have taken umbrage at his influence and greatness. He had incurred the resentment of those who were distinguished by the appellation of patriots, and entirely forfeited his popularity. The two brothers were very powerful by their parliamentary interest: they knew their own strength, and engaged in a political alliance with the leading men in the opposition, against the prime minister and his measures. This coalition was dignified with the epithet of "The Broad Bottom," as if it had been established on a true constitutional foundation, comprehending individuals of every class, without distinction of party. The appellation, however, which they assumed was afterward converted into a term of derision. The Earl of Granville perceiving the gathering storm, and foreseeing the impossibility of withstanding such an opposition in parliament, wisely avoided the impending danger and disgrace, by a voluntary resignation of his employments. The Earl of Harrington succeeded him as secretary of state. The Duke of Bedford was appointed first Lord of the Admiralty, and the Earl of Chesterfield declared Lord-Lieutenant of Ireland. The Lords Gower and Cobham were re-established in the offices they had resigned: Mr. Lyttelton was admitted as a commissioner of the treasury: even Sir John Hynde Cotton accepted of a place at court; and Sir John Phillips sat at the board of trade and plantations, though he soon renounced this employment. This was rather a change of men than of measures, and turned out to the ease and advantage of the sovereign; for his views were no longer thwarted by an obstinate opposition in parliament. The session was opened on the twenty-eighth day of November, in the usual manner. The Commons unanimously granted about six millions and a half for the service of the ensuing year, to be raised

<sup>b</sup> Mr. Pope, the celebrated poet, died in the month of June, in October, the old Duchess of Marlborough resigned her breath, in the eighty-

fifth year of her age; immensely rich, and very little regretted, either by her own family, or the world in general.



by the land, the malt, and the salt taxes, the sinking fund, and the additional duty on wines. In January, the Earl of Chesterfield set out for the Hague, with the character of ambassador extraordinary, to persuade, if possible, the States-general to engage heartily in the war. About the same time, a treaty of quadruple alliance was signed at Warsaw, by the Queen of Hungary, the King of Poland, and the maritime powers. This was a mutual guarantee of the dominions belonging to the contracting parties: but his Polish majesty was paid for his concurrence with an annual subsidy of one hundred and fifty thousand pounds, two-thirds of which were defrayed by England, and the remainder was disbursed by the United Provinces.<sup>c</sup>

§ XIX. The business of the British parliament being discussed, the session was closed in the beginning of May; and, immediately after the prorogation, the king set out for Hanover. The death of the Emperor Charles VII. which happened in the month of January, had entirely changed the face of affairs in the empire, and all the princes of Germany were in commotion. The Grand Duke of Tuscany, consort to her Hungarian majesty, was immediately declared a candidate for the imperial crown; while his pretensions were warmly opposed by the French king and his allies. The court of Vienna, taking advantage of the late emperor's death, sent an army to invade Bavaria in the month of March, under the conduct of General Bathiani, who routed the French and palatine troops at Pfaffenhoven; took possession of Rain; surrounded and disarmed six thousand Hessians in the neighbourhood of Ingolstadt; and drove the Bavarian forces out of the electorate. The young elector was obliged to abandon his capital, and retire to Augsburg, where he found himself in danger of losing all his dominions. In this emergency he yielded to the earnest solicitations of the empress his mother, enforced by the advice of his uncle, the Elector of Cologne, and of his general, Count Seckendorf, who exhorted him to be reconciled to the court of Vienna. A negotiation was immediately begun at Fuesen, where, in April, the treaty was concluded. The queen consented to recognise the imperial dignity, as having been vested in the person of his father; to acknowledge his mother as empress dowager; to restore his dominions, with all the fortresses, artillery, stores, and ammunition which she had taken: on the other hand, he renounced all claim to the succession of her father, and became guarantee of the pragmatic sanction: he acknowledged the validity of the electoral vote of Bohemia in the person of the queen; and engaged to give his voice for the grand duke, at the ensuing election of the King of the Romans. Until that should be determined, both parties agreed that Ingolstadt should be garrisoned by neutral troops; and that Braunau and Scharding, with all the country lying between the Inn and the Saltz, should remain in the queen's possession, though without prejudice to the civil government, or the elector's revenue. In the mean time he dismissed the auxiliaries that were in his pay, and they were permitted to retire without molestation.

§ XX. The court of Vienna had now secured the votes of all the electors, except those of Brandenburg and the palatinate. Nevertheless, France assembled a powerful army in the neighbourhood of Frankfort, in order to influence the election. But the Austrian army, commanded by the grand duke in person, marched thither from the Danube; and the Prince of Conti was obliged to repossess the Rhine at Nordlingen. Then the grand duke repaired to Frankfort, where, on the second day of September, he was by a majority of voices declared King of the Romans, and Emperor of Germany. Meanwhile the King of Prussia had made great progress in the conquest of Silesia. The campaign began in January, when the Hungarian insurgents were obliged to retire into Moravia. In the following month the Prussian General Lehwald defeated a body of twelve thousand Austrians, commanded by General Hellsrich; the town of Ratibor was taken by assault; and the king entered Silesia, in May, at the

head of seventy thousand men. Prince Charles of Lorraine, being joined by the Duke of Saxe Wessensfels and twenty thousand Saxons, penetrated into Silesia by the defiles of Landshut, and were attacked by his Prussian majesty in the plains of Striegan, near Friedberg. The battle was maintained from morning till noon, when the Saxons giving way, Prince Charles was obliged to retire with the loss of twelve thousand men, and a great number of colours, standards, and artillery. This victory, obtained on the fourth day of June, complete as it was, did not prove decisive; for though the victor transferred the seat of the war into Bohemia, and maintained his army by raising contributions in that country, the Austrians resolved to hazard another engagement. Their aim was to surprise him in his camp at Sohr, which they attacked on the thirtieth of September, at day-break, but they met with such a warm reception, that notwithstanding their repeated efforts during the space of four hours, they were repulsed with considerable damage, and retreated to Jaromire, leaving five thousand killed upon the spot, besides two thousand that were taken, with many standards, and twenty pieces of cannon. The loss of this battle was in a great measure owing to the avarice of the irregulars, who having penetrated into the Prussian camp, began to pillage with great eagerness, giving the king an opportunity to rally his disordered troops, and restore the battle: nevertheless, they retired with the plunder of his baggage, including his military chest, the officers of his chancery, his own secretary, and all the papers of his cabinet.

§ XXI. After this action, his Prussian majesty returned to Berlin, and breathed nothing but peace and moderation. In August he had signed a convention with the King of Great Britain, who became guarantee of his possessions in Silesia, as yielded by the treaty of Breslau; and he promised to vote for the Grand Duke of Tuscany at the election of an emperor. This was intended as the basis of a more general accommodation. But he now pretended to have received undoubted intelligence, that the King of Poland and the Queen of Hungary had agreed to invade Brandenburg with three different armies; and that, for this purpose, his Polish majesty had demanded of the czarina the succours stipulated by treaty between the two crowns. Alarmed, or seemingly alarmed, at this information, he solicited the maritime powers to fulfil their engagements, and interpose their good offices with the court of Petersburg. Yet, far from waiting for the result of these remonstrances, he made a sudden irruption in Lusatia, took possession of Gorlitz, and obliged Prince Charles of Lorraine to retire before him into Bohemia. Then he entered Leipsic, and laid Saxony under contribution. The King of Poland, unable to resist the torrent, quitted his capital, and took refuge in Prague. His troops, reinforced by a body of Austrians, were defeated at Pirna on the fifteenth day of December; and his Prussian majesty became master of Dresden without further opposition. The King of Poland, thus deprived of his hereditary dominions, was fain to acquiesce in such terms as the conqueror thought proper to impose; and the treaty of Dresden was concluded under the mediation of his Britannic majesty. By this convention the King of Prussia retained all the contributions he had levied in Saxony; and was entitled to a million of German crowns, to be paid to his Polish majesty at the next fair of Leipsic. He and the Elector Palatine consented to acknowledge the grand duke as Emperor of Germany; and this last confirmed to his Prussian majesty certain privileges *de non evocando*, which had been granted by the late emperor with regard to some territories possessed by the King of Prussia, though not belonging to the electorate of Brandenburg. Immediately after the ratification of this treaty, the Prussian troops evacuated Saxony; and the peace of Germany was restored.

§ XXII. Though the French king could not prevent the elevation of the grand duke to the imperial throne, he resolved to humble the house of Austria, by making a conquest of the Netherlands. A prodigious army was

<sup>c</sup> Robert Earl of Orford, late prime minister, died in March, after having for a very short time enjoyed a pension of four thousand pounds granted by the crown, in consideration of his past services. Though he had for such a length of time directed the application of the public treasure, his circum-

stances were not affluent: he was liberal in his disposition, and had such a number of rapacious dependants to gratify, that little was left for his own private occasions.

there assembled, under the auspices of Mareschal Count de Saxe; and his most christian majesty, with the dauphin, arriving in the camp, they invested the strong town of Tournay, on the thirtieth day of April. The Dutch garrison consisted of eight thousand men, commanded by the old Baron Dorth, who made a vigorous defence. The Duke of Cumberland assumed the chief command of the allied army assembled at Soignies: he was assisted with the advice of the Count Konigseg, an Austrian general, and the Prince of Waldeck, commander of the Dutch forces. Their army was greatly inferior in number to that of the enemy; nevertheless, they resolved to march to the relief of Tournay. They accordingly advanced to Leuse: and on the twenty-eighth day of April took post at Maulbre in sight of the French army, which was encamped on an eminence, from the village of Antoine to a large wood beyond Vezon, having Fontenoy in their front. Next day was employed by the allies in driving the enemy from some outposts, and clearing the defiles through which they were obliged to advance to the attack; while the French completed their batteries, and made the most formidable preparations for their reception. On the thirtieth day of April, the Duke of Cumberland, having made the proper dispositions, began his march to the enemy at two o'clock in the morning: a brisk cannonade ensued; and about nine both armies were engaged. The British infantry drove the French beyond their lines; but the left wing failing in the attack on the village of Fontenoy, and the cavalry forbearing to advance on the flanks, they measured back their ground with some disorder, from the prodigious fire of the French batteries. They rallied, however, in returning to the charge with redoubled ardour, repulsed the enemy to their camp with great slaughter; but, being wholly unsupported by the other wing, and exposed both in front and flank to a dreadful fire, which did great execution, the duke was obliged to make the necessary dispositions for a retreat about three o'clock in the afternoon; and this was effected in tolerable order. The battle was fought with great obstinacy, and the carnage on both sides was very considerable. The allies lost about twelve thousand men, including a good number of officers; among these were Lieutenant-General Campbell, and Major-General Ponsonby. The victory cost the French almost an equal number of lives: and no honour was lost by the vanquished. Had the allies given battle on the preceding day, before the enemy had taken their measures, and received all their reinforcements, they might have succeeded in their endeavours to relieve Tournay. Although the attack was generally judged rash and precipitate, the British and Hanoverian troops fought with such intrepidity and perseverance, that if they had been properly sustained by the Dutch forces, and their flanks covered by the cavalry, the French, in all likelihood, would have been obliged to abandon their enterprise. The Duke of Cumberland left his sick and wounded to the humanity of the victors; and retiring to Aeth, encamped in an advantageous situation at Lessines. The garrison of Tournay, though now deprived of all hope of succour, maintained the place to the twenty-first day of June, when the governor obtained an honourable capitulation. After the conquest of this frontier, which was dismantled, the Duke of Cumberland, apprehending the enemy had a design upon Ghent, sent a detachment of four thousand men to reinforce the garrison of that city: but they fell into an ambuscade at Pas-du-mêle; and were killed or taken, except a few dragoons that escaped to Ostend: on that very night, which was the twelfth of June, Ghent was surprised by a detachment of the French army. Then they invested Ostend, which, though defended by an English garrison, and open to the sea, was, after a short siege, surrendered by capitulation on the fourteenth day of August. Dendermonde, Oudenarde, Newport, and Aeth, underwent the same fate: while the allied army lay entrenched beyond the canal of Antwerp. The French king having subdued the greatest part of the Austrian Netherlands, returned to Paris, which he entered in triumph.

§ XXIII. The campaign in Italy was unpropitious to the Queen of Hungary and the King of Sardinia. Count Gages passed the Apennines, and entered the State of Lucca; from thence he proceeded by the eastern coast of

Genoa to Lestride-Levante. The junction of the two armies was thus accomplished, and reinforced with ten thousand Genoese: meanwhile Prince Lobkowitz decamped from Modena and took post at Parma; but he was soon succeeded by Count Schuylemberg, and sent to command the Austrians to Bohemia. The Spaniards entered the Milanese without further opposition. Count Gages, with thirty thousand men, took possession of Seravalle; and advancing towards Placentia, obliged the Austrians to retire under the cannon of Tortona: but when Don Philip, at the head of forty thousand troops, made himself master of Acqui, the King of Sardinia and the Austrian general, unable to stem the torrent, retreated behind the Tanaro. The strong citadel of Tortona was taken by the Spaniards, who likewise reduced Parma and Placentia; and forcing the passage of the Tanaro, compelled his Sardinian majesty to take shelter on the other side of the Po. Then Pavia was won by scalade; and the city of Milan submitted to the infant, though the Austrian garrison still maintained the citadel; all Piedmont, on both sides of the Po, as far as Turin, was reduced, and even that capital threatened with a siege; so that by the month of October the territories belonging to the house of Austria, in Italy, were wholly subdued; and the King of Sardinia stripped of all his dominions: yet he continued firm and true to his engagements, and deaf to all proposals of a separate accommodation.

§ XXIV. The naval transactions of Great Britain were in the course of this year remarkably spirited. In the Mediterranean, Admiral Rowley had succeeded Mathews in the command; Savona, Genoa, Final, St. Remo, with Bastia, the capital of Corsica, were bombarded; several Spanish ships were taken; but he could not prevent the safe arrival of their rich Havannah squadron at Corunna. Commodore Barret, in the East Indies, made prize of several French ships, richly laden; and Commodore Townshend, in the latitude of Martinico, took about thirty merchant ships belonging to the enemy, under convoy of four ships of war, two of which were destroyed. The English privateers likewise met with uncommon success. But the most important achievement was the conquest of Louisbourg on the isle of Cape Breton, in North America: a place of great consequence, which the French had fortified at a prodigious expense. The scheme of reducing this fortress was planned in Boston, recommended by their general assembly, and approved by his majesty, who sent instructions to Commodore Warren, stationed off the Leeward Islands, to sail for the northern parts of America, and cooperate with the forces of New England in this expedition. A body of six thousand men was formed under the conduct of Mr. Pepperel, a trader of Piscataway, whose influence was extensive in that country: though he was a man of little or no education, and utterly unacquainted with military operations. In April Mr. Warren arrived at Canso with ten ships of war; and the troops of New England being embarked in transports, sailed immediately for the isle of Cape Breton, where they landed without opposition. The enemy abandoned their grand battery, which was detached from the town: and the immediate seizure of it contributed in a good measure to the success of the enterprise. While the American troops, reinforced by eight hundred marines, carried on their approaches by land, the squadron blocked up the place by sea in such a manner, that no succours could be introduced. A French ship of the line, with some smaller vessels destined for the relief of the garrison, were intercepted and taken by the British cruisers: and, indeed, the reduction of Louisbourg was chiefly owing to the vigilance and activity of Mr. Warren, one of the bravest and best officers in the service of England. The operations of the siege were wholly conducted by the engineers and officers who commanded the British marines: and the Americans being ignorant of war, were contented to act under their directions. The town being considerably damaged by the bombs and bullets of the besiegers, and the garrison despairing of relief, the governor capitulated on the seventeenth day of June, when the city of Louisbourg, and the isle of Cape Breton, were surrendered to his Britannic majesty. The garrison and inhabitants engaged that they would not bear arms for twelve months against Great

Britain or her allies; and being embarked in fourteen cartel ships, were transported to Rochefort. In a few days after the surrender of Louisbourg, two French East India ships, and another from Peru, laden with treasure, sailed into the harbour, on the supposition that it still belonged to France, and were taken by the English squadron.

§ XXV. The news of this conquest being transmitted to England, Mr. Pepperel was preferred to the dignity of a baronet of Great Britain, and congratulatory addresses were presented to the king on the success of his majesty's arms. The possession of Cape Breton was doubtless a valuable acquisition to Great Britain. It not only distressed the French in their fishery and navigation, but removed all fears of encroachment and rivalry from the English fishers on the banks of Newfoundland. It freed New England from the terrors of a dangerous neighbour; overawed the Indians of that country; and secured the possession of Acadia to the crown of Great Britain. The plan of this conquest was originally laid by Mr. Auchmuty, judge-advocate of the court of admiralty in New England. He demonstrated, that the reduction of Cape Breton would put the English in sole possession of the fishery of North America, which would annually return to Great Britain two millions sterling for the manufactures yearly shipped to the plantations; employ many thousand families that were otherwise unserviceable to the public; increase the shipping and mariners; extend navigation; cut off all communication between France and Canada by the river St. Lawrence; so that Quebec would fall of course into the hands of the English, who might expel the French entirely from America, open a correspondence with the remote Indians, and render themselves masters of the profitable fur trade, which was now engrossed by the enemy. The natives of New England acquired great glory from the success of this enterprise. Britain, which had in some instances behaved like a step-mother to her own colonies, was now convinced of their importance; and treated those as brethren whom she had too long considered as aliens and rivals. Circumstanced as the nation is, the legislature cannot too tenderly cherish the interests of the British plantations in America. They are inhabited by a brave, hardy, industrious people, animated with an active spirit of commerce; inspired with a noble zeal for liberty and independence. The trade of Great Britain, clogged with heavy taxes and impositions, has for some time languished in many valuable branches. The French have undersold our cloths, and spoiled our markets in the Levant. Spain is no longer supplied as usual with the commodities of England: the exports to Germany must be considerably diminished by the misunderstanding between Great Britain and the house of Austria; consequently, her greatest resource must be in her communication with her own colonies, which consume her manufactures, and make immense returns in sugar, rum, tobacco, fish, timber, naval stores, iron, furs, drugs, rice, and indigo. The southern plantations likewise produce silk; and, with due encouragement, might furnish every thing that could be expected from the most fertile soil and the happiest climate. The continent of North America, if properly cultivated, will prove an inexhaustible fund of wealth and strength to Great Britain; and perhaps it may become the last asylum of British liberty. When the nation is enslaved by domestic despotism or foreign dominion; when her substance is wasted, her spirit broke, and the laws and constitution of England are no more; then those colonies, sent off by our fathers, may receive and entertain their sons as hapless exiles, and ruined refugees.

§ XXVI. While the continent of Europe and the isles of America were thus exposed to the ravages of war, and subjected to such vicissitudes of fortune, Great Britain underwent a dangerous convulsion in her own bowels. The son of the Chevalier de St. George, fired with ambition, and animated with the hope of ascending the throne of his ancestors, resolved to make an effort for that purpose, which, though it might not be crowned with success, should at least astonish all Christendom. The Jacobites in England and Scotland had promised, that if he would land in Britain at the head of a regular army, they would

supply him with provisions, carriages, and horses, and a great number of them declared they would take up arms, and join his standard: but they disapproved of his coming over without forces, as a dangerous enterprise, that would in all probability end in the ruin of himself and all his adherents. This advice, including an exact detail of his father's interest, with the dispositions of his particular friends in every town and country, was transmitted to London in January, in order to be forwarded to Prince Charles; but the person with whom it was intrusted could find no safe means of conveyance; so that he sent it back to Scotland, from whence it was despatched to France, but before it reached Paris, Charles had left that kingdom. Had the paper come to his hands in due time, perhaps he would not have embarked in the undertaking, though he was stimulated to the attempt by many concurring motives. Certain it is, he was cajoled by the sanguine misrepresentations of a few adventurers, who hoped to profit by the expedition. They assured him, that the whole nation was disaffected to the reigning family; that the people could no longer bear the immense load of taxes, which was daily increasing; and that the most considerable persons of the kingdom would gladly seize the first opportunity of crowding to his standard. On the other hand, he knew the British government had taken some effectual steps to alienate the friends of his house from the principles they had hitherto professed. Some of them had accepted posts and pensions: others were preferred in the army; and the parliament were so attached to the reigning family that he had nothing to hope from their deliberations. He expected no material succour from the court of France; he foresaw that delay would diminish the number of his adherents in Great Britain; and, therefore, resolved to seize the present occasion, which in many respects was propitious to his design. Without doubt, had he been properly supported, he could not have found a more favourable opportunity of exciting an intestine commotion in Great Britain: for Scotland was quite unfurnished with troops; King George was in Germany; the Duke of Cumberland, at the head of the British army, was employed in Flanders, and a great part of the highlanders were keen for insurrection. Their natural principles were on this occasion stimulated by the suggestions of revenge. At the beginning of the war a regiment of those people had been formed, and transported with the rest of the British troops to Flanders. Before they were embarked a number of them deserted with their arms, on pretence that they had been decoyed into the service, by promises and assurances that they should never be sent abroad; and this was really the case. They were overtaken by a body of horse, persuaded to submit, brought back to London pinioned like malefactors, and tried for desertion. Three were shot to death *in terrorem*; and the rest were sent in exile to the plantations. Those who suffered were persons of some consequence in their own country; and their fate was deeply resented by the clans to which they belonged. It was considered as a national outrage; and the highlanders, who are naturally vindictive, waited impatiently for an opportunity of vengeance.

§ XXVII. The young pretender being furnished with a sum of money, and a supply of arms, on his private credit, without the knowledge of the French court, wrote letters to his friends in Scotland, explaining his design and situation, intimating the place where he intended to land, communicating a private signal, and assuring them he should be with them by the middle of June. These precautions being taken, he embarked on board of a small frigate at Port St. Nazaire, accompanied by the Marquis of Tullibardine, Sir Thomas Sheridan, Sir John Macdonald, with a few other Irish and Scottish adventurers; and setting sail on the fourteenth of July was joined off Belleisle by the Elizabeth, a French ship of war, mounted with sixty-six guns, as his convoy.<sup>4</sup> Their design was to sail round Ireland, and land in the western part of Scotland; but falling in with the Lion, an English ship of the line, a very obstinate and bloody action ensued. The Elizabeth was so disabled that she could not prosecute the voyage, and with difficulty reached the harbour of Brest; but the Lion

French young gentlemen embarked as volunteers.

<sup>4</sup> The Elizabeth, a king's ship, was procured as a convoy, by the interest of Mr. Walsh, an Irish merchant at Nantes; and on board of her fifty



was shattered to such a degree, that she floated like a wreck upon the water. The disaster of the *Elizabeth* was a great misfortune to the adventurer, as by her being disabled he lost a great quantity of arms, and about one hundred able officers, who were embarked on board of her for the benefit of his expedition. Had this ship arrived in Scotland, she could easily have reduced Fort William, situate in the midst of the clans attached to the Stuart family. Such a conquest, by giving lustre to the prince's arms, would have allured many to his standard, who were indifferent in point of principle; and encouraged a great number of highlanders to join him, who were restricted by the apprehension, that their wives and families would be subject to insults from the English garrison of this fortress. Prince Charles, in the frigate, continued his course to the western isles of Scotland. After a voyage of eighteen days he landed on a little island between Barra and South Inst, two of the Hebrides; then he re-embarked, and in a few days arrived at Borodale in Arnsay, on the confines of Loch-rannach, where he was in a little time joined by a considerable number of hardy mountaineers, under their respective chiefs or leaders. On the nineteenth day of August, the Marquis of Tullibardine erected the pretender's standard at Glensinnan. Some of those, however, on whom Charles principally depended, now stood aloof, either fluctuating in their principles, astonished at the boldness of the undertaking, or startled at the remonstrances of their friends, who did not fail to represent, in aggravated colours, all the dangers of embarking in such a desperate enterprise. Had the government acted with proper vigour when they received intelligence of his arrival, the adventurer must have been crushed in embryo, before any considerable number of his adherents could have been brought together: but the lords of the regency seemed to slight the information, and even to suspect the integrity of those by whom it was conveyed. They were soon convinced of their mistake. Prince Charles having assembled above twelve hundred men, encamped in the neighbourhood of Fort William; and immediately hostilities were commenced. A handful of Keppoch's clan, commanded by Major Donald Macdonald, even before they joined the pretender, attacked two companies of new raised soldiers, who, with their officer, were disarmed after an obstinate dispute: another captain of the king's forces, falling into their hands, was courteously dismissed with one of the pretender's manifestoes, and a passport for his personal safety. The administration was now effectually alarmed. The lords of the regency issued a proclamation, offering a reward of thirty thousand pounds to any person who should apprehend the prince adventurer. The same price was set upon the head of the Elector of Hanover, in a proclamation published by the pretender. A courier was despatched to Holland, to hasten the return of his majesty, who arrived in England about the latter end of August. A requisition was made of six thousand Dutch auxiliaries; and several British regiments were recalled from the Netherlands. A loyal address was presented to the king by the city of London; and the merchants of this metropolis resolved to raise two regiments at their own expense. Orders were issued to keep the trained-bands in readiness; to array the militia of Westminster; and instructions to the same effect were sent to all the lords-lieutenants of the counties throughout the kingdom. The principal noblemen of the nation made a tender of their services to their sovereign; and some of them received commissions to levy regiments towards the suppression of the rebellion. Bodies of volunteers were incorporated in London, and many other places; associations were formed, large contributions raised in different towns, counties, and communities; and a great number of eminent merchants in London agreed to support the public credit, by receiving, as usual, bank notes in payment for the purposes of traffic. The protestant clergy of all denominations exerted themselves with extraordinary ardour, in preaching against the religion of Rome and the pretender; and the friends of the government were encouraged, animated, and confirmed in their principles, by several spiritual productions published for the occasion.

§ XXVIII. In a word, the bulk of the nation seemed unanimously bent upon opposing the enterprise of the

pretender, who, nevertheless, had already made surprising progress. His arrival in Scotland was no sooner confirmed, than Sir John Cope, who commanded the troops in that kingdom, assembled what force he could bring together, and advanced against the rebels. Understanding, however, that they had taken possession of a strong pass, he changed his route, and proceeded northwards as far as Inverness, leaving the capital and the southern parts of North Britain wholly exposed to the incursions of the enemy. The highlanders forthwith marched to Perth, where the Chevalier de St. George was proclaimed King of Great Britain, and the public money seized for his use: the same steps were taken at Dundee and other places. Prince Charles was joined by the nobleman who assumed the title of Duke of Perth, the Viscount Strathallan, Lord Nairn, Lord George Murray, and many persons of distinction, with their followers. The Marquis of Tullibardine, who had accompanied him from France, took possession of Athol, as heir of blood to the titles and estates which his younger brother enjoyed in consequence of his attainer; and met with some success in arming the tenants for the support of that cause which he avowed. The rebel army being considerably augmented, though very ill provided with arms, crossed the Forth in the neighbourhood of Stirling, and advanced towards Edinburgh, where they were joined by Lord Elcho, son of the Earl of Wemyss, and other persons of some distinction. On the sixteenth day of September Charles summoned the town to surrender. The inhabitants were divided by faction, and distracted by fear; the place was not in a posture of defence, and the magistrates would not expose the people to the uncertain issue of an assault. Several deputations were sent from the town to the pretender, in order to negotiate terms of capitulation. In the meantime, one of the gates being opened for the admission of a coach, Cameron of Lochiel, one of the most powerful of the highland chiefs, rushed into the place with a party of his men, and secured it without opposition. Next morning the whole rebel army entered, and their prince took possession of the royal palace of Holyrood-house in the suburbs. Then he caused his father to be proclaimed at the market-cross: there also the manifesto was read, in which the Chevalier de St. George declared his son Charles regent of his dominions, promised to dissolve the union, and redress the grievances of Scotland. His being in possession of the capital encouraged his followers, and added reputation to his arms: but the treasure belonging to the two banks of that kingdom had been previously conveyed into the castle, a strong fortress, with a good garrison, under the command of General Guest, an old officer of experience and capacity.

§ XXIX. During these transactions, Sir John Cope marched back from Inverness to Aberdeen, where he embarked with his troops, and on the seventeenth day of September landed at Dunbar, about twenty miles to the eastward of Edinburgh. Here he was joined by two regiments of dragoons, which had retired with precipitation from the capital at the approach of the highland army. With this reinforcement, his troops amounted to near three thousand men: and he began his march to Edinburgh, in order to give battle to the enemy. On the twentieth day of the month, he encamped in the neighbourhood of Preston Pans, having the village of Tranent in his front, and the sea in his rear. Early next morning he was attacked by the young pretender, at the head of about two thousand four hundred highlanders half armed, who charged him sword in hand with such impetuosity, that in less than ten minutes after the battle began, the king's troops were broken and totally routed. The dragoons fled in the utmost confusion at the first onset; the general officers having made some unsuccessful efforts to rally them, thought proper to consult their own safety by an expeditious retreat towards Coldstream on the Tweed. All the infantry were either killed or taken; and the colours, artillery, tents, baggage, and military chest, fell into the hands of the victor, who returned in triumph to Edinburgh. Never was victory more complete, or obtained at a smaller expense; for not above fifty of the rebels lost their lives in the engagement. Five hundred of the king's troops were killed on the field of battle; and among these Colonel

Gardiner, a gallant officer, who disdained to save his life at the expense of his honour. When abandoned by his own regiment of dragoons, he alighted from his horse, joined the infantry, and fought on foot, until he fell covered with wounds, in sight of his own threshold. Prince Charles bore his good fortune with moderation. He prohibited all rejoicings for the victory he had obtained: the wounded soldiers were treated with humanity: and the officers were sent into Fife and Angus, where they were left at liberty on their parole, which the greater part of them shamefully broke in the sequel. From this victory the pretender reaped manifold and important advantages. His followers were armed, his party encouraged, and his enemies intimidated. He was supplied with a train of field-artillery, a considerable sum of money, and saw himself possessed of all Scotland, except the fortresses, the reduction of which he could not pretend to undertake without proper implements and engineers. After the battle, he was joined by a small detachment from the highlands; and some chiefs, who had hitherto been on the reserve, began to exert their influence in his favour. But he was not yet in a condition to take advantage of that consternation which his late success had diffused through the kingdom of England.

§ XXX. Charles continued to reside in the palace of Holyrood-house; and took measures for cutting off the communication between the castle and the city. General Guest declared that he would demolish the city, unless the blockade should be raised, so that that provision might be carried into the castle. After having waited the return of an express which he had found means to despatch to court, he began to put his threats into execution, by firing upon the town. Some houses were beaten down, and several persons killed even at the market-cross. The citizens, alarmed at this disaster, sent a deputation to the prince, entreating him to raise the blockade; and he complied with their request. He levied a regiment in Edinburgh and the neighbourhood. He imposed taxes; seized the merchandise that was deposited in the king's warehouses at Leith, and other places; and compelled the city of Glasgow to accommodate him with a large sum, to be repaid when the peace of the kingdom should be re-established. The number of his followers daily increased: and he received considerable supplies of money, artillery, and ammunition, by single ships that arrived from France, where his interest seemed to rise in proportion to the success of his arms. The greater and richer part of Scotland was averse to his family and pretensions; but the people were unarmed and undisciplined, consequently passive under his dominion. By this time, however, the prince pretender was joined by the Earl of Kilmarnock, the Lords Elcho, Balmerino, Ogilvie, Pitsligo; and the eldest son of Lord Lovat had begun to assemble his father's clan, in order to reinforce the victor, whose army lay encamped at Duddingstone, in the neighbourhood of Edinburgh. Kilmarnock and Balmerino were men of broken and desperate fortune: Elcho and Ogilvie were sons to the Earls of Wemyss and Airlie; so that their influence was far from being extensive. Pitsligo was a nobleman of very amiable character, as well as of great personal interest: and great dependence was placed upon the power and attachment of Lord Lovat, who had entered into private engagements with the Chevalier de St. George, though he still wore the mask of loyalty to the government, and disavowed the conduct of his son when he declared for the pretender. This old nobleman is the same Simon Fraser whom we have had occasion to mention as a partisan and emissary of the court of St. Germain's, in the year one thousand seven hundred and three. He had renounced his connexions with that family, and in the rebellion immediately after the accession of King George I. approved himself a warm friend to the protestant succession. Since that period he had been induced, by disgust and ambition, to change his principles again, and was, in secret, an enthusiast in Jacobitism. He

had greatly augmented his estate, and obtained a considerable interest in the highlands, where, however, he was rather dreaded than beloved. He was bold, enterprising, vain, arbitrary, rapacious, cruel, and deceitful: but his character was chiefly marked by a species of low cunning and dissimulation, which, however, overshot his purpose, and contributed to his own ruin. While Charles resided at Edinburgh, the Marquis de Guilles arrived at Montrose, as envoy from the French king, with several officers, some cannon, and a considerable quantity of small arms for the use of that adventurer.<sup>f</sup>

§ XXXI. While the young pretender endeavoured to improve the advantages he had gained, the ministry of Great Britain took every possible measure to retard his progress. Several powerful chiefs in the highlands were attached to the government, and exerted themselves in its defence. The Duke of Argyre began to arm his vassals; but not before he had obtained the sanction of the legislature. Twelve hundred men were raised by the Earl of Sutherland: the Lord Rae brought a considerable number to the field: the Grants and Monroes appeared under their respective leaders for the service of his majesty: Sir Alexander Macdonald declared for King George, and the Laird of Macleod sent two thousand hardy islanders from Skie, to strengthen the same interest. These gentlemen, though supposed to be otherwise affected, were governed and directed by the advice of Duncan Forbes, president of the college of justice at Edinburgh; a man of extensive knowledge, agreeable manners, and unblemished integrity. He procured commissions for raising twenty independent companies, and some of these he bestowed upon individuals who were either attached by principle, or engaged by promise, to the pretender. He acted with indefatigable zeal for the interest of the reigning family; and greatly injured an opulent fortune in their service. He confirmed several chiefs who began to waver in their principles: some he actually converted by the energy of his arguments, and brought over to the assistance of the government which they had determined to oppose: others he persuaded to remain quiet without taking any share in the present troubles. Certain it is, this gentleman, by his industry and address, prevented the insurrection of ten thousand highlanders, who would otherwise have joined the pretender; and, therefore, he may be said to have been one great cause of that adventurer's miscarriage. The Earl of Loudon repaired to Inverness, where he completed his regiment of highlanders; directed the conduct of the clans who had taken arms in behalf of his majesty; and, by his vigilance, overawed the disaffected chieftains of that country, who had not yet openly engaged in the rebellion. Immediately after the defeat of Cope, six thousand Dutch troops<sup>g</sup> arrived in England, and three battalions of guards, with seven regiments of infantry, were recalled from Flanders, for the defence of the kingdom. They forthwith began their march to the north, under the command of General Wade, who received orders to assemble an army, which proceeded to Newcastle. The parliament meeting on the sixteenth day of October, his majesty gave them to understand that an unnatural rebellion had broke out in Scotland, towards the suppression of which he craved their advice and assistance. He found both Houses cordial in their addresses, and zealous in their attachment to his person and government. The Commons forthwith suspended the habeas corpus act; and several persons were apprehended on suspicion of treasonable practices. Immediately after the session was opened, the Duke of Cumberland arrived from the Netherlands, and was followed by another detachment of dragoons and infantry. The train-bands of London were reviewed by his majesty: the country regiments were completed; the volunteers, in different parts of the kingdom, employed themselves industriously in the exercise of arms; and the whole English nation seemed to rise up as one man against this formidable invader. The government being apprehensive of a descent from France, appointed

<sup>f</sup> He solicited, and is said to have obtained of the Chevalier de St. George, the patent of a duke, and a commission for being lord-lieutenant of all the highlands.

<sup>g</sup> They were composed of the forces who had been in garrison at Tournay and Dendermonde, when those places were taken, and engaged by capitulation, that they should not perform any military function before the first day of January, in the year 1747. So they could not have acted in England without the infringement of a solemn treaty.

Admiral Vernon to command a squadron in the Downs, to observe the motions of the enemy by sea, especially in the harbours of Dunkirk and Boulogne; and his cruisers took several ships laden with soldiers, officers, and ammunition, destined for the service of the pretender in Scotland.

§ XXXII. This enterprising youth, having collected about five thousand men, resolved to make an irruption into England, which he according entered by the west border on the sixth day of November. Carlisle was invested, and in less than three days surrendered; the keys were delivered to him at Brampton, by the mayor and aldermen on their knees. Here he found a considerable quantity of arms: his father was proclaimed King of Great Britain, and himself Regent, by the magistrates in their formalities. General Wade being apprized of his progress, decamped from Newcastle, and advanced across the country as far as Hexham, though the fields were covered with snow, and the roads almost impassable. There he received intelligence that Carlisle was reduced, and forthwith returned to his former station. In the meantime, orders were issued for assembling another army in Staffordshire, under the command of Sir John Ligonier. Prince Charles, notwithstanding this formidable opposition, determined to proceed. He had received assurances from France, that a considerable body of troops would be landed on the southern coast of Britain, to make a diversion in his favour; and he never doubted but that he should be joined by all the English malcontents, as soon as he could penetrate into the heart of the kingdom. Leaving a small garrison in the castle of Carlisle, he advanced to Penrith, marching on foot in the highland garb, at the head of his forces; and continued his route through Lancaster and Preston to Manchester, where, on the twenty-ninth day of the month, he established his head-quarters. There he was joined by about two hundred Englishmen, who were formed into a regiment, under the command of Colonel Townley. The inhabitants seemed to receive him with marks of affection, and his arrival was celebrated by illuminations, and other public rejoicings. His supposed intention was to prosecute his march by the way of Chester into Wales, where he hoped to find a great number of adherents: but all the bridges over the river Mersey being broken down, he chose the route to Stockport, and forded the river at the head of his division, though the water rose to his middle. He passed through Macclesfield and Congleton; and on the fourth day of December entered the town of Derby, in which his army was quartered, and his father proclaimed with great formality. He had now advanced within one hundred miles of the capital, which was filled with terror and confusion. Wade lingered in Yorkshire: the Duke of Cumberland had assumed the command of the other army assembled in the neighbourhood of Lichfield. He had marched from Stafford to Stone; so that the rebels, in turning off from Ashborne to Derby, had gained a march between him and London. Had Charles proceeded in his career with that expedition which he had hitherto used, he might have made himself master of the metropolis, where he would have been certainly joined by a considerable number of his well-wishers, who waited impatiently for his approach: yet this exploit could not have been achieved without hazarding an engagement, and running the risk of being enclosed within three armies, each greatly superior to his own in number and artillery. Orders were given for forming a camp on Finchley-common, where the king resolved to take the field in person, accompanied by the Earl of Stair, field-mareschal, and commander-in-chief of the forces in South Britain. Some Romish priests were apprehended: the militia of London and Middlesex were kept in readiness to march: double watches were posted at the city gates, and signals of alarm appointed. The volunteers of the city were incorporated into a regiment: the practitioners of the law, headed by the judges, weavers of Spitalfields, and other communities, engaged in associations; and even the managers of the theatres offered to raise a body of their dependants for the service of the government. Notwithstanding these precarious and appearances of unanimity, the trading part of the city, and those concerned in the money corporations, were overwhelmed with fear and dejection. They reposed a very little confidence in the

courage or discipline of their militia and volunteers: they had received intelligence that the French were employed in making preparations at Dunkirk and Calais for a descent upon England: they dreaded an insurrection of the Roman catholics, and other friends of the house of Stuart; and they reflected that the highlanders, of whom by this time they had conceived a most terrible idea, were within four days' march of the capital. Alarmed by these considerations, they prognosticated their own ruin in the approaching revolution: and their countenances exhibited the plainest marks of horror and despair. On the other hand, the Jacobites were elevated to an insolence of hope, which they were at no pains to conceal; while many people who had no private property to lose, and thought no change would be for the worse, waited the issue of this crisis with the most calm indifference.

§ XXXIII. This state of suspense was of short duration. The young pretender found himself miserably disappointed in his expectations. He had now advanced into the middle of the kingdom, and except a few that joined him at Manchester, not a soul appeared in his behalf: one would have imagined that all the Jacobites of England had been annihilated. The Welch took no step to excite an insurrection in his favour: the French made no attempt towards an invasion: his court was divided into factions: the highland chiefs began to murmur, and their clans to be unruly: he saw himself with a handful of men, hemmed in between two considerable armies, in the middle of winter, and in a country disaffected to his cause. He knew he could not proceed to the metropolis without hazarding a battle, and that a defeat would be attended with the inevitable destruction of himself and all his adherents: and he had received information that his friends and officers had assembled a body of forces in the north, superior in number to those by whom he was attended. He called a council at Derby; and proposed to advance towards London: the proposal was supported by Lord Nairn with great vehemence; but, after violent disputes, the majority determined that they should retreat to Scotland with all possible expedition. Accordingly, they abandoned Derby on the sixth day of December, early in the morning, and measured back the route by which they had advanced. On the ninth their vanguard arrived at Manchester: on the twelfth they entered Preston, and continued their march northwards. The Duke of Cumberland, who was encamped at Meriden, when first apprized of their retreat, detached the horse and dragoons in pursuit of them; while General Wade began his march from Ferrybridge in Lancashire, with a view of intercepting them in their route: but at Wakefield he understood that they had already reached Wigan; he, therefore, repaired to his old post at Newcastle, after having detached General Oglethorpe, with his horse and dragoons, to join those who had been sent off from the duke's army. They pursued with such alacrity, that they overtook the rear of the rebels, with which they skirmished, in Lancashire. The militia of Cumberland and Westmoreland were raised and armed by the duke's order, to harass them in their march. The bridges were broken down, the roads damaged, and the beacons lighted to alarm the country. Nevertheless, they retreated regularly with their small train of artillery. They were overtaken at the village of Clifton, in the neighbourhood of Penrith, by two regiments of dragoons. These alighted and lined the hedges, in order to harass part of the enemy's rearguard, commanded by Lord John Murray, who, at the head of the Macphersons, attacked the dragoons sword in hand, and repulsed them with some loss. On the nineteenth day of the month, the highland army reached Carlisle, where the majority of the English in the service of the pretender were left, at their own desire. Charles, having reinforced the garrison of the place, crossed the rivers Eden and Solway into Scotland, having thus accomplished one of the most surprising retreats that ever was performed. But the most remarkable circumstance of this expedition, was the moderation and regularity with which those ferocious people conducted themselves in a country abounding with plunder. No violence was offered; no outrage committed; and they were effectually restrained from the exercise of rapine. Notwithstanding the excessive cold, the hunger, and fa-



tigue to which they must have been exposed, they left behind no sick, and lost a very few stragglers; but retired with deliberation, and carried off their cannon in the face of their enemy. The Duke of Cumberland invested Carlisle with his whole army on the twenty-first day of December, and on the thirtieth the garrison surrendered on a sort of capitulation made with the Duke of Richmond. The prisoners, amounting to about four hundred, were imprisoned in different gaols in England, and the Duke returned to London.

§ XXXIV. The pretender proceeded by the way of Dumfries to Glasgow, from which last city he exacted severe contributions, on account of its attachment to the government, for whose service it had raised a regiment of nine hundred men under the command of the Earl of Howe. Having continued several days at Glasgow, he advanced towards Stirling, and was joined by some forces which had been assembled in his absence by Lords Lewis Gordon and John Drummond, brothers to the Dukes of Gordon and Perth. This last nobleman had arrived from France in November, with a small reinforcement of French and Irish, and a commission as general of these auxiliaries. He fixed his head-quarters at Perth, where he was reinforced by the Earl of Cromartie, and other clans, to the number of two thousand, and he was accommodated with a small train of artillery. They had found means to surprise a sloop of war at Montrose, with the guns of which they fortified that harbour. They had received a considerable sum of money from Spain. They took possession of Dundee, Dumblain, Downcastle, and laid Fife under contribution. The Earl of Loudon remained at Inverness, with about two thousand highlanders in the service of his majesty. He conveyed provisions to Fort Augustus and Fort William: he secured the person of Lord Lovat, who still temporized, and at length this cunning veteran accomplished his escape. The Laird of Macleod, and Mr. Monro of Culcairn, being detached from Inverness towards Aberdeenshire, were surprised and routed by Lord Lewis Gordon at Inverary: and that interest seemed to preponderate in the north of Scotland. Prince Charles being joined by Lord John Drummond, invested the castle of Stirling, in which General Blakeney commanded: but his people were so little used to enterprises of this kind, that they made very little progress in their operations.

§ XXXV. By this time, a considerable body of forces were assembled at Edinburgh, under the conduct of General Hawley, who determined to relieve Stirling castle, and advanced to Linlithgow on the thirteenth day of January: next day his whole army rendezvoused at Falkirk, while the rebels were cantoned about Bannockburn. On the seventeenth day of the month, they began their march in two columns to attack the king's forces, and had forded the water of Carven, within three miles of Hawley's camp, before he discovered their intention. Such was his obstinacy, self-conceit, or contempt of the enemy, that he slighted the repeated intelligence he had received of their motions and design, firmly believing they durst not hazard an engagement. At length, perceiving they had occupied the rising ground to the southward of Falkirk, he ordered his cavalry to advance, and drive them from the eminence; while his infantry formed, and were drawn up in order of battle. The highlanders kept up their fire, and took aim so well, that the assailants were broke by the first volley: they retreated with precipitation, and fell in amongst the infantry, which were likewise discomposed by the wind and rain beating with great violence in their faces, wetting their powder and disturbing their eye-sight. Some of the dragoons rallied, and advanced again to the charge, with part of the infantry which had not been engaged: then the pretender marched up at the head of his corps-de-reserve, consisting of the regiment of Lord John Drummond, and the Irish piquets. These reinforcing the Camerons and the Stuarts in the front line, immediately obliged the dragoons to give way a second time: and they again disordered the foot in their retreat. They set fire to their camp, and abandoned Falkirk with their baggage and train, which last had never reached the field of battle. The rebels followed their first blow, and

great part of the royal army, after one irregular discharge, turned their backs, and fled in the utmost consternation. In all probability few or none of them would have escaped, had not General Huske, and Brigadier Cholmondeley, rallied part of some regiments, and made a gallant stand, which favoured the retreat of the rest to Falkirk, from whence they retired in confusion to Edinburgh, leaving the field of battle, with part of their tents and artillery, to the rebels: but their loss of men did not exceed three hundred, including Sir Robert Monro, Colonel Whitney, and some other officers of distinction. It was at this period, that the officers who had been taken at the battle of Preston Pans, and conveyed to Angus and Fife, finding themselves unguarded, broke their parole, and returned to Edinburgh, on pretence of their having been forcibly released by the inhabitants of those parts.<sup>b</sup>

§ XXXVI. General Hawley, who had boasted that, with two regiments of dragoons, he would drive the rebel army from one end of the kingdom to the other, incurred abundance of censure for the disposition he made, as well as for his conduct before and after the action: but he found means to vindicate himself to the satisfaction of his sovereign. Nevertheless, it was judged necessary that the army in Scotland should be commanded by a general in whom the soldiers might have some confidence; and the Duke of Cumberland was chosen for this purpose. Over and above his being beloved by the army, it was suggested, that the appearance of a prince of the blood in Scotland might have a favourable effect upon the minds of people in that kingdom: he, therefore, began to prepare for his northern expedition. Meanwhile the French minister at the Hague having represented to the States-general, that the auxiliaries which they had sent into Great Britain were part of the garrisons of Tournay and Dendermonde, and restricted by the capitulation from bearing arms against France for a certain term, the States thought proper to recall them, rather than come to an open rupture with his most christian majesty. In the room of those troops six thousand Hessians were transported from Flanders to Leith, where they arrived in the beginning of February, under the command of their prince, Frederick of Hesse, son-in-law to his Britannic majesty. By this time the Duke of Cumberland had put himself at the head of the troops in Edinburgh, consisting of fourteen battalions of infantry, two regiments of dragoons, and twelve hundred highlanders from Argyleshire, under the command of Colonel Campbell.

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On the last day of January, his royal highness began his march to Linlithgow; and the enemy, who had renewed the siege of Stirling castle, not only abandoned that enterprise, but crossed the river Forth with precipitation. Their prince found great difficulty in maintaining his forces, that part of the country being quite exhausted. He hoped to be reinforced in the highlands, and to receive supplies of all kinds from France and Spain: he, therefore, retired by Badenoch towards Inverness, which the Earl of Loudon abandoned at his approach. The fort was surrendered to him almost without opposition, and here he fixed his head-quarters. His next exploit was the siege of Fort Augustus, which he in a little time reduced. The Duke of Cumberland having secured the important posts of Stirling and Perth, with the Hessian battalions, advanced with the army to Aberdeen, where he was joined by the Duke of Gordon, the Earls of Aberdeen and Findlater, the Laird of Grant, and other persons of distinction.

§ XXXVII. While he remained in this place, refreshing his troops and preparing magazines, a party of the rebels surprised a detachment of Kingston's horse, and about seventy Argyleshire highlanders, at Keith, who were either killed or taken. Several advanced parties of that militia met with the same fate in different places. Lord George Murray invested the castle of Blair, which was defended by Sir Andrew Agnew, until a body of Hessians marched to its relief, and obliged the rebels to retire. The prince pretender ordered all his forces to assemble, in order to begin their march for Aberdeen, to attack the Duke of Cumberland: but, in consequence of a remon-

and their conduct was approved by his majesty.

<sup>b</sup> Sir Peter Halket, Captain Lucy Scot, Lieutenants Farquharson and Cumming, with a few other gentlemen, adhered punctually to their parole.

strance from the clans, who declined leaving their families at the mercy of the king's garrison in Fort William, he resolved previously to reduce that fortress, the siege of which was undertaken by Brigadier Stapleton, an engineer in the French service: but the place was so vigorously maintained by Captain Scott, that in the beginning of April they thought proper to relinquish the enterprise. The Earl of Loudon had retired into Sutherland, and taken post at Dornoch, where his quarters were beat up by a strong detachment of the rebels, commanded by the Duke of Perth: a major and sixty men were taken prisoners; and the earl was obliged to take shelter in the Isle of Skie. These little checks were counterbalanced by some advantages which his majesty's arms obtained. The sloop of war which the rebels had surprised at Montrose was retaken in Sutherland, with a considerable sum of money, and a great quantity of arms on board, which she had brought from France for the use of the pretender. In the same county the Earl of Cromartie fell into an ambuscade, and was taken by the militia of Sutherland, who likewise defeated a body of the rebels at Goldspie. This action happened on the very day which has been rendered famous by the victory obtained at Culloden.

## CHAP. IX.

§ I. The rebels are totally defeated at Culloden. § II. The Duke of Cumberland takes possession of Inverness, and afterwards encamps at Fort Augustus. § III. The prince pretender escapes to France. § IV. Convulsion in the ministry. § V. Liberty of the Commons. § VI. Trial of the rebels, Kilmarnock, Balmerino, Lovat, and Mr. Ratcliffe are beheaded on Tower hill. § VII. The States-general alarmed at the progress of the French in the Netherlands. § VIII. Count Saxe subdues all Flanders, Brabant, and Hainault. § IX. Reduces the strong fortress of Namur, and defeats the allied army at Raucourt. § X. The French and Spaniards are compelled to abandon Piedmont and the Milanese. § XI. Don Philip is worsted at Cotonago, and afterwards at Porto Fredon. § XII. The Austrians take possession of Genoa. Count Trossen penetrates into Provence. § XIII. The Genoese expel the Austrians from their city. § XIV. Madras in the East Indies taken by the French. § XV. Expedition to the coast of Breizague, and attempt upon Port l'Orient. § XVI. Naval transactions in the West Indies. Conference at Breda. § XVII. Vast supplies granted by the Commons of England. § XVIII. Parliament dissolved. § XIX. The French and allies take the field in Flanders. § XX. Prince of Orange elected Stadtholder, Captain-general, and Admiral of the United Provinces. § XXI. The confederates defeated at Ladefeldt. § XXII. Siege of Bergen-op-Zoom. § XXIII. The Austrians undertake the siege of Genoa, which, however, they abandon. § XXIV. The Chevalier de Fellenstein slain in the attack of Exiles. § XXV. A French squadron defeated and taken by the Admirals Anson and Warren. § XXVI. Admiral Hawke obtains another victory over the French at sea. § XXVII. Other naval transactions. § XXVIII. Congress of Aix-la-Chapelle. § XXIX. Complaint temper of the new parliament. Preliminaries signed. § XXX. Preparations for the campaign in the Netherlands. § XXXI. Sieges of Maastricht. Cession of arms. § XXXII. Transactions in the East and West Indies. § XXXIII. Conclusion of the definitive treaty at Aix-la-Chapelle.

A. D. 1746.

§ I. In the beginning of April, the Duke of Cumberland began his march from Aberdeen, and on the twelfth passed the deep and rapid river Spey, without opposition from the rebels, though a detachment of them appeared on the opposite side. Why they did not dispute the passage is not easy to be conceived; but, indeed, from this instance of neglect, and their subsequent conduct, we may conclude they were under a total infatuation. His royal highness proceeded to Nairn, where he received intelligence, that the enemy had advanced from Inverness to Culloden, about the distance of nine miles from the royal army, with intention to give him battle. The design of Charles was to march in the night from Culloden, and surprise the duke's army at day-break: for this purpose the English camp had been reconnoitred: and on the night of the fifteenth the highland army began to march in two columns. Their design was to surround the enemy, and attack them at once on all quarters: but the length of the columns embarrassed the march, so that the army was obliged to make many halts: the men had been under arms during the whole preceding night, were faint with hunger and fatigue, and many of them overpowered with sleep. Some were unable to proceed; others dropped off unperceived in the dark; and the march was retarded in such a manner, that it would have been impossible to reach the duke's camp before sun-rise. The design being thus frustrated, the prince pretender was with great reluctance prevailed upon by his general officers to measure back his way to Culloden: at which place he had no sooner arrived, than great numbers of his followers dispersed in quest of provision; and many, overcome

with weariness and sleep, threw themselves down on the heath, and along the park walls. Their repose, however, was soon interrupted in a very disagreeable manner. Their prince, receiving intelligence that his enemies were in full march to attack him, resolved to hazard an engagement, and ordered his troops to be formed for that purpose. On the sixteenth day of April, the Duke of Cumberland having made the proper dispositions decamped from Nairn early in the morning, and after a march of nine miles perceived the highlanders drawn up in order of battle, to the number of four thousand men, in thirteen divisions, supplied with some pieces of artillery. The royal army, which was much more numerous, the duke immediately formed into three lines, disposed in excellent order: and about one o'clock in the afternoon the cannonading began. The artillery of the rebels was ill served, and did very little execution; but that of the king's troops made dreadful havoc among the enemy. Impatient of this fire, their front line advanced to the attack, and about five hundred of the clans charged the duke's left wing with their usual impetuosity. One regiment was disordered by the weight of this column; but two battalions advancing from the second line, sustained the first, and soon put a stop to their career, by a severe fire, that killed a great number. At the same time, the dragons under Hawley, and the Argyllshire militia, pulled down a park wall that covered their right flank, and the cavalry falling in among the rebels sword in hand, completed their confusion. The French picquets on their left covered the retreat of the highlanders by a close and regular fire; and then retired to Inverness, where they surrendered themselves prisoners of war. An entire body of the rebels marched off the field in order, with their pipes playing, and the pretender's standard displayed; the rest were routed with great slaughter; and their prince was with reluctance prevailed upon to retire. In less than thirty minutes they were totally defeated, and the field covered with the slain. The road, as far as Inverness, was strewn with dead bodies: and a great number of people, who, from motives of curiosity, had come to see the battle, were sacrificed to the undistinguishing vengeance of the victors. Twelve hundred rebels were slain or wounded on the field, and in the pursuit. The Earl of Kilmarnock was taken; and in a few days Lord Balmerino surrendered to a country gentleman, at whose house he presented himself for this purpose. The glory of the victory was sullied by the barbarity of the soldiers. They had been provoked by their former disgraces to the most savage thirst of revenge. Not contented with the blood which was so profusely shed in the heat of the action, they traversed the field after the battle, and massacred those miserable wretches who lay maimed and expiring: nay, some officers acted a part in this cruel scene of assassination, the triumph of low illiberal minds uninspired by sentiment, untinctured by humanity. The vanquished adventurer rode off the field, accompanied by the Duke of Perth, Lord Elcho, and a few horsemen; he crossed the water to Nairn, and retired to the house of a gentleman in Strutharick, where he conferred with old Lord Lovat; then he dismissed his followers, and wandered about, a wretched and solitary fugitive, among the isles and mountains for the space of five months, during which he underwent such a series of dangers, hardships, and misery, as no other person ever outlived. Thus, in one short hour all his hope vanished, and the rebellion was entirely extinguished. One would almost imagine, the conductors of this desperate enterprise had conspired their own destruction, as they certainly neglected every step that might have contributed to their safety or success. They might have opposed the Duke of Cumberland at the passage of the Spey; they might, by proper conduct, have afterwards attacked his camp in the night, with a good prospect of success. As they were greatly inferior to him in number, and weakened with hunger and fatigue, they might have retired to the hills and fastnesses, where they would have found plenty of live cattle for provision, recruited their regiments, and been joined by a strong reinforcement, which was actually in full march to their assistance. But they were distracted by dissensions and jealousies; they obeyed the dictates of despair, and wilfully devoted themselves to ruin and death. When the

news of the battle arrived in England, the nation was transported with joy, and extolled the Duke of Cumberland as a hero and deliverer. Both Houses of parliament congratulated his majesty on the auspicious event. They decreed, in the most solemn manner, their public thanks to his royal highness, which were transmitted to him by the speakers; and the Commons, by bill, added five-and-twenty thousand pounds per annum to his former revenue.

§ II. Immediately after the decisive action at Culloden, the duke took possession of Inverness, where six-and-thirty deserters, convicted by a court-martial, were ordered to be executed; then he detached several parties to ravage the country. One of these apprehended the Lady Mackintosh, who was sent prisoner to Inverness. They did not plunder her house, but drove away her cattle, though her husband was actually in the service of government. The castle of Lord Lovat was destroyed. The French prisoners were sent to Carlisle and Penrith: Kilmarnock, Balmorino, Cromartie, and his son the Lord Macleod, were conveyed by sea to London; and those of an inferior rank were confined in different prisons. The Marquis of Tullibardine, together with a brother of the Earl of Dunmore, were seized and transported to the Tower of London, to which the Earl of Traquair had been committed on suspicion: in a few months after the battle of Culloden, Murray, the pretender's secretary, was apprehended; and the eldest son of Lord Lovat having surrendered himself, was imprisoned in the castle of Edinburgh. In a word, all the gaols of Great Britain, from the capital northwards, were filled with those unfortunate captives; and great numbers of them were crowded together in the holds of ships, where they perished in the most deplorable manner, for want of necessaries, air, and exercise. Some rebel chiefs escaped in two French frigates, which had arrived on the coast of Lochaber about the end of April, and engaged three vessels belonging to his Britannic majesty, which they obliged to retire. Others embarked on board of a ship on the coast of Buchan; and were conveyed to Norway, from thence they travelled to Sweden. In the month of May, the Duke of Cumberland advanced with the army into the highlands, as far as Fort Augustus, where he encamped; and sent off detachments on all hands, to hunt down the fugitives, and lay waste the country with fire and sword. The castles of Glengary and Lochiel were plundered and burned: every house, hut, or habitation, met with the same fate, without distinction: all the cattle and provision were carried off; the men were either shot upon the mountains, like wild beasts, or put to death in cold blood, without form of trial: the women, after having seen their husbands and fathers murdered, were subjected to brutal violation, and then turned out naked, with their children, to starve on the barren heaths. One whole family was enclosed in a barn, and consumed to ashes. Those ministers of vengeance were so alert in the execution of their office, that in a few days there was neither house, cottage, man, nor beast, to be seen in the compass of fifty miles: all was ruin, silence, and desolation.

§ III. The humane reader cannot reflect upon such a scene without grief and horror: what then must have been the sensation of the fugitive prince, when he beheld these spectacles of woe, the dismal fruit of his ambition? He was now surrounded by armed troops, that chased him from hill to dale, from rock to cavern, and from shore to shore. Sometimes he lurked in caves and cottages, without attendants, or any other support but that which the poorest peasant could supply. Sometimes he was rowed in fisher-boats from isle to isle, among the Hebrides, and often in sight of his pursuers. For some days he appeared in women's attire, and even passed through the midst of his enemies unknown. But, understanding his disguise was discovered, he assumed the habit of a travelling mountaineer, and wandered about among the woods and heaths, with a matted beard and squalid looks, exposed to hunger, thirst, and weariness, and in continual danger of being apprehended. He was obliged to trust his life to the fidelity of above fifty individuals, and many of these were in the lowest paths of fortune. They knew that a price of thirty thousand pounds was set upon his head; and that, by betraying him, they should enjoy wealth and

affluence: but they detested the thought of obtaining riches on such infamous terms, and ministered to his necessities, with the utmost zeal and fidelity, even at the hazard of their own destruction. In the course of these peregrinations, he was more than once hemmed in by his pursuers, in such a manner as seemed to preclude all possibility of escaping: yet he was never abandoned by his hope and recollection: he still found some expedient that saved him from captivity and death; and through the whole course of his distresses maintained the most amazing equanimity and good humour. At length a privateer of St. Malo, hired by the young Sheridan and some other Irish adherents, arrived in Lochrannach; and on the twentieth day of September, this unfortunate prince embarked in the habit which he wore for disguise. His eye was hollow, his visage wan, and his constitution greatly impaired by famine and fatigue. He was accompanied by Cameron of Lochiel, and his brother, with a few other exiles. They set sail for France, and after having passed unseen, by means of a thick fog, through a British squadron commanded by Admiral Lestock, and been chased by two English ships of war, arrived in safety at Roscau, near Morlaix, in Bretagne. Perhaps he would have found it still more difficult to escape, had not the vigilance and eagerness of the government been relaxed, in consequence of a report, that he had already fallen among some persons that were slain by a volley from one of the duke's detachments.

§ IV. Having thus explained the rise, progress, and extinction of the rebellion, it will be necessary to take a retrospective view of the proceedings in parliament. The necessary steps being taken for quieting the intestine commotions of the kingdom, the two Houses began to convert their attention to the affairs of the continent. On the fourteenth day of January, the king repaired to the House of Peers, and in a speech from the throne gave his parliament to understand, that the States-general had made pressing instances for his assistance in the present conjuncture, when they were in such danger of being oppressed by the power of France in the Netherlands; that he had promised to co-operate with them towards opposing the further progress of their enemies; and even concerted measures for that purpose. He declared it was with regret that he asked any further aids of his people: he exhorted them to watch over the public credit; and expressed his entire dependence on their zeal and unanimity. He was favoured with loyal addresses, couched in the warmest terms of duty and affection: but the supplies were retarded by new convulsions in the ministry. The Earl of Granville had made an effort to retrieve his influence in the cabinet, and his sovereign favoured his pretensions. The two brothers, who knew his aspiring genius, and dreaded his superior talents, refused to admit such a colleague into the administration: they even resolved to strengthen their party, by introducing fresh auxiliaries into the office of state. Some of these were personally disagreeable to his majesty, who accordingly rejected the suit by which they were recommended. The Duke of Newcastle and his brother, with all their adherents, immediately resigned their employments. The Earl of Granville was appointed secretary of state, and resumed the reins of administration: but finding himself unequal to the accumulated opposition that preponderated against him; foreseeing that he should not be able to secure the supplies in parliament; and dreading the consequences of that confusion which his restoration had already produced, he, in three days, voluntarily quitted the helm; and his majesty acquiesced in the measures proposed by the opposite party. The seals were re-delivered to the Duke of Newcastle and the Earl of Harrington: Mr. Pelham, and all the rest who had resigned, were reinstated in their respective employments; and offices were conferred on several individuals who had never before been in the service of the government. William Pitt, Esq. was appointed vice-treasurer of Ireland, and soon promoted to the place of paymaster-general of the forces; at the same time the king declared him a privy counsellor. This gentleman had been originally designed for the army, in which he actually bore a commission; but fate reserved him a more important station. In point of fortune he was



barely qualified to be elected member of parliament, when he obtained a seat in the House of Commons, where he soon outshone all his compatriots. He displayed a surprising extent and precision of political knowledge, an irresistible energy of argument, and such power of elocution, as struck his hearers with astonishment and admiration. It flashed like the lightning of heaven against the ministers and sons of corruption, blasting where it smote, and withering the nerves of opposition; but his more substantial praise was founded upon his disinterested integrity, his incorruptible heart, his unconquerable spirit of independence, and his invariable attachment to the interest and liberty of his country.

§ V. The quiet of the ministry being re-established, the House of Commons provided for forty thousand seamen, nearly the same number of land forces, besides fifteen regiments raised by the nobility, on account of the rebellion, and about twelve thousand marines. They settled funds for the maintenance of the Dutch and Hessian troops that were in England, as well as for the subsidy to the landgrave. They granted three hundred thousand pounds to the King of Sardinia; four hundred thousand pounds to the Queen of Hungary; three hundred and ten thousand pounds to defray the expense of eighteen thousand Hanoverians; about three-and-thirty thousand pounds in subsidies to the Electors of Mentz and Cologne; and five hundred thousand pounds in a vote of credit and confidence to his majesty. The whole charge of the current year amounted to seven millions two hundred and fifty thousand pounds, which was raised by the land and malt taxes, annuities on the additional duties imposed on glass and spirituous liquors, a lottery, a deduction from the sinking fund, and exchequer bills, chargeable on the first aids that should be granted in the next session of parliament.

§ VI. The rebellion being quelled, the legislature resolved to make examples of those who had been concerned in disturbing the peace of their country. In June, an act of attainder was passed against the principal persons who had embarked in that desperate undertaking; and courts were opened in different parts of England, for the trial of the prisoners. Seventeen persons who had borne arms in the rebel army were executed at Kennington-common, in the neighbourhood of London, and suffered with great constancy under the dreadful tortures which their sentence prescribed: nine were put to death, in the same manner, at Carlisle; six at Brumpton, seven at Penrith, eleven at York: of these a considerable number were gentlemen, and had acted as officers; about fifty had been executed as deserters in different parts of Scotland; eighty-one suffered the pains of the law as traitors. A few obtained pardons, and a considerable number were transported to the plantations. Bills of indictment for high treason were found by the county of Surry against the Earls of Kilmarnock and Cromartie, and Lord Balmerino. These noblemen were tried by their peers in Westminster-hall, the lord chancellor presiding as lord high-steward for the occasion. The two earls confessed their crimes, and in pathetic speeches recommended themselves to his majesty's mercy. Lord Balmerino pleaded not guilty: he denied his having been at Carlisle at the time specified in the indictment, but this exception was overruled: then he moved a point of law in arrest of judgment, and was allowed to be heard by his counsel. They might have expatiated on the hardship of being tried by an *ex post facto* law, and claimed the privilege of trial in the county where the act of treason was said to have been committed. The same hardship was imposed upon all the imprisoned rebels: they were dragged in captivity to a strange country, far from their friends and connexions, destitute of means to produce evidence in their favour, even if they had been innocent of this charge. Balmerino waved this plea, and submitted to the court, which pronounced sentence of death upon him and his two associates. Cromartie's life was spared: but the other two were beheaded, in the month of August, on Tower-hill. Kilmarnock was a nobleman of fine personal accomplishments; he had been educated in revolution principles, and engaged in the rebellion, partly from the desperate situation of his fortune, and partly from resentment to the government, on his being deprived of a pension which he had for some time

enjoyed. He was convinced of his having acted criminally, and died with marks of penitence and contrition. Balmerino had been bred up to arms, and acted upon principle: he was gallant, brave, rough, and resolute; he eyed the implements of death with the most careless familiarity, and seemed to triumph in his sufferings. In November, Mr. Radcliffe, the titular Earl of Derwentwater, who had been taken in a ship bound to Scotland, was arraigned on a former sentence, passed against him in the year one thousand seven hundred and sixteen: he refused to acknowledge the authority of the court, and pleaded that he was a subject of France, honoured with a commission in the service of his most christian majesty. The identity of his person being proved, a rule was made for his execution; and on the eighth day of December he suffered decapitation, with the most perfect composure and serenity. Lord Lovat, now turned of fourscore, was impeached by the Commons, and tried in Westminster-hall before the lord high-steward. John Murray, secretary to the prince pretender, and some of his own domestics, appearing against him, he was convicted of high treason, and condemned. Notwithstanding his age, infirmities, and the recollection of his conscience, which was supposed to be not altogether void of offence, he died like an old Roman, exclaiming, "*dulce et decorum est pro patria mori.*" He surveyed the crowd with attention, examined the axe, jested with the executioner, and laid his head upon the block with the utmost indifference. From this last scene of his life, one would have concluded, that he had approved himself a patriot from his youth, and never deviated from the paths of virtue.

§ VII. The flame of war on the continent did not expire at the election of an emperor, and the re-establishment of peace among the princes of the empire. On the contrary, it raged with double violence in consequence of these events; for the force that was before divided being now united in one body, exerted itself with great vigour and rapidity. The States-general were overwhelmed with consternation. Notwithstanding the pains they had taken to avoid a war, and the condescension with which they had soothed and supplicated the French monarch in repeated embassies and memorials, they saw themselves stripped of their barrier, and once more in danger of being overwhelmed by that ambitious nation. The city of Brussels had been reduced during the winter; so that the enemy were in possession of all the Austrian Netherlands, except a few fortresses. Great part of the forces belonging to the republic were restricted from action by capitulations, to which they had subscribed. The States were divided in their councils between the two factions which had long subsisted. They trembled at the prospect of seeing Zealand invaded in the spring. The Orange party loudly called for an augmentation of their forces by sea and land, that they might prosecute the war with vigour. The common people, fond of novelty, dazzled by the splendour of greatness, and fully persuaded that nothing but a chief was wanting to their security, demanded the Prince of Orange as their stadtholder; and even mingled menaces with their demands. The opposite faction dreaded alike the power of a stadtholder, the neighbourhood of a French army, and the seditious disposition of the populace. An ambassador was sent to London with representations of the imminent dangers which threatened the republic, and he was ordered to solicit in the most pressing terms the assistance of his Britannic majesty, that the allies might have a superiority in the Netherlands by the beginning of the campaign. The king was very well disposed to comply with their request; but the rebellion in his kingdom, and the dissensions in his cabinet, had retarded the supplies, and embarrassed him so much, that he found it impossible to make those early preparations that were necessary to check the career of the enemy.

§ VIII. The King of France, with his general, the Count de Saxe, took the field in the latter end of April, at the head of one hundred and twenty thousand men, and advanced towards the allies, who, to the number of four-and-forty thousand, were entrenched behind the Demer, under the conduct of the Austrian general Bathiani, who retired before them, and took post in the neighbourhood of Breda, the capital of Dutch Brabant. Mareschal

Saxe immediately invested Antwerp, which in a few days was surrendered. Then he appeared before the strong town of Mons in Hainault, with an irresistible train of artillery, an immense quantity of bombs and warlike implements. He carried on his approaches with such unabating impetuosity, that, notwithstanding a very vigorous defence, the garrison was obliged to capitulate on the twenty-seventh day of June, in about eight-and-twenty days after the place had been invested. Sieges were not now carried on by the tedious method of sapping. The French king found it much more expeditious and effectual to bring into the field a prodigious train of battering cannon and enormous mortars, that kept up such a fire as no garrison could sustain, and discharged such an incessant hail of bombs and bullets, as in a very little time reduced to ruins the place, with all its fortifications. St. Guislain and Charleroy met with the fate of Mons and Antwerp, so that by the middle of July the French king was absolute master of Flanders, Brabant, and Hainault.

§ IX. Prince Charles of Lorraine had by this time assumed the command of the confederate army at Terheyde, which being reinforced by the Hessian troops from Scotland, and a fresh body of Austrians under Count Palfi, amounted to eighty-seven thousand men, including the Dutch forces commanded by the Prince of Waldeck. The generals, supposing the next storm would fall upon Namur, marched towards that place, and took post in an advantageous situation on the eighteenth day of July, in sight of the French army, which was encamped at Gemblours. Here they remained till the eighth day of August, when a detachment of the enemy, commanded by Count Lowendahl, took possession of Huy, where he found a large magazine belonging to the confederates; and their communication with Maestricht was cut off. Mareschal Saxe, on the other side, took his measures so well, that they were utterly deprived of all subsistence. Then Prince Charles, retiring across the Maese, abandoned Namur to the efforts of the enemy, by whom it was immediately invested. The trenches were opened on the second day of September; and the garrison, consisting of seven thousand Austrians, defended themselves with equal skill and resolution; but the cannonading and bombardment were so terrible, that in a few days the place was converted into a heap of rubbish; and on the twenty-third day of the month the French monarch took possession of this strong fortress, which had formerly sustained such dreadful attacks. Meanwhile the allied army encamped at Maestricht were joined by Sir John Ligonier, with some British and Bavarian battalions; and Prince Charles resolved to give the enemy battle. With this view he passed the Maese on the thirteenth day of September, and advanced towards Mareschal Saxe, whom he found so advantageously posted at Tongres, that he thought proper to march back to Maestricht. On the twenty-sixth day of September he crossed the Jaar in his retreat; and his rear was attacked by the enemy, who were repulsed. But Count Saxe being reinforced by a body of troops, under the Count de Clermont, determined to bring the confederates to an engagement. On the thirteenth day of the month he passed the Jaar; while he took possession of the villages of Liers, Warem, and Roucoux, they drew up their forces in order of battle, and made preparations for giving him a warm reception. On the first day of October the enemy advanced in three columns; and a terrible cannonading began about noon. At two o'clock Prince Waldeck on the left was charged with great fury; and after an obstinate defence was overpowered by numbers. The villages were attacked in columns, and as one brigade was repulsed another succeeded; so that the allies were obliged to abandon these posts, and retreat towards Maestricht, with the loss of five thousand men, and thirty pieces of

artillery. The victory, however, cost the French general a much greater number of lives; and was attended with no solid advantage. Sir John Ligonier, the Earls of Crawford<sup>a</sup> and Rothes, Brigadier Douglas, and other officers of the British troops, distinguished themselves by their gallantry and conduct on this occasion. This action terminated the campaign. The allies passing the Maese, took up their winter-quarters in the duchies of Limburgh and Luxembourg; while the French cantoned their troops in the places which they had newly conquered.

§ X. The campaign in Italy was altogether unfavourable to the French and Spaniards. The house of Austria being no longer pressed on the side of Germany, was enabled to make the stronger efforts in this country; and the British subsidy encouraged the King of Sardinia to act with redoubled vivacity. Mareschal Maillebois occupied the greater part of Piedmont with about thirty thousand men. Don Philip and the Count de Gages were at the head of a greater number in the neighbourhood of Milan; and the Duke of Modena, with eight thousand, secured his own dominions. The King of Sardinia augmented his forces to six-and-thirty thousand; and the Austrian army, under the Prince of Lichtenstein, amounted to a much greater number; so that the enemy were reduced to the necessity of acting on the defensive, and retired towards the Mantua. In February, Baron Leutrum, the Piedmontese general, invested and took the strong fortress of Aste. He afterwards relieved the citadel of Alexandria, which the Spaniards had blocked up in the winter, reduced Casal, recovered Valencia, and obliged Maillebois to retire to the neighbourhood of Genoa. On the other side, Don Philip and Count Gages abandoned Milan, Pavia, and Parma, retreating before the Austrians with the utmost precipitation to Placentia, where they were joined on the third of June by the French forces under Maillebois.

§ XI. Before this junction was effected, the Spanish general, Pignatelli, had passed the river Po in the night with a strong detachment, and beaten up the quarters of seven thousand Austrians posted at Codogno. Don Philip, finding himself at the head of two-and-fifty thousand men by his junction with the French general, resolved to attack the Austrians in their camp at San Lazzaro, before they should be reinforced by his Sardinian majesty. Accordingly, on the fourth day of June in the evening, he marched with equal silence and expedition, and entered the Austrian trenches about eleven, when a desperate battle ensued. The Austrians were prepared for the attack, which they sustained with great vigour till morning. Then they quitted their entrenchments, and charged the enemy in their turn with such fury, that after an obstinate resistance the combined army was broke, and retired with precipitation to Placentia, leaving on the field fifteen thousand men killed, wounded, and taken, together with sixty colours, and ten pieces of artillery. In a few weeks the Austrians were joined by the Piedmontese: the King of Sardinia assumed the chief command; and Prince Lichtenstein being indisposed, his place was supplied by the Marquis de Botta. Don Philip retired to the other side of the Po, and extended his conquests in the open country of the Milanese. The King of Sardinia called a council of war, in which it was determined that he should pass the river with a strong body of troops, in order to straiten the enemy on one side; while the Marquis de Botta should march up the Tydone, to cut off their communication with Placentia. They forthwith quitted all the posts they had occupied between the Lambro and the Adda, resolving to repass the Po, and retreat to Tortona. With this view they threw bridges of boats over that river, and began to pass on the ninth day of August in the evening. They were attacked at Rotto Freddo by a detachment of Austrians, under General Serbelloni, who maintained the

<sup>a</sup> This nobleman, remarkable for his courage and thirst of glory, expressing a very extraordinary instance of pride, on the morning that preceded this battle. He and some volunteers, accompanied by his own domestics, and attended by two orderly dragoons, had rode out before the commencement of the action, and fell in upon one of their adversary's quarters. The sergeant who commanded it immediately killed him, and his two pages were presented upon the Earl's first patrol of camp. When instructing the least mark of insubordination, he rode up to the sergeant, and demanded the character of a French general told him in that language, that there was no occasion for such ceremony. Then he asked if the sergeant perceived any of the enemy's parties? and being answered in the negative, "Very well," said he, be upon your guard; and if you should

be attacked, I will take care, that you shall be sustained." So saying, he and his company retired, before the sergeant could recover himself from the surprise occasioned by this unexpected address. In all probability he was soon sensible of his mistake; for the incident was that very day publicly mentioned in the French army. The Prince of Frinay, an officer in the Austrian service, having been taken prisoner in the battle that ensued, died with Mareschal Count Saxe, who commended him on his parole, and desired he would charge himself with a taciturnity, and commitment to his lord from the Earl of Crawford. He wished his lord's title of being a French general, and said he could not help being displeased with the sergeant, as he had not procured him the honour of his lordship's company at dinner.



engagement till ten in the morning, when Botta arrived: the battle was renewed with redoubled rage, and lasted till four in the afternoon, when the enemy retired in great disorder to Tortona, with the loss of eight thousand men, a good number of colours and standards, and eighteen pieces of cannon. This victory cost the Austrians four thousand men killed upon the spot, including the gallant General Bernclau. The victors immediately summoned Placentia to surrender; and the garrison, consisting of nine thousand men, were made prisoners of war: Don Philip continued his retreat, and of all his forces brought six-and-twenty thousand only into the territories of Genoa.

§ XII. The Piedmontese and Austrians rejoicing in the neighbourhood of Pavia, advanced to Tortona, of which they took possession without resistance, while the enemy sheltered themselves under the cannon of Genoa. They did not long continue in this situation: for on the twenty-second day of August they were again in motion, and retired into Provence. The court of Madrid imputing the bad success of this campaign to the misconduct of Count Gages, recalled that general, and sent the Marquis de las Minas to resume the command of the forces. In the meantime, the victorious confederates appeared before Genoa on the fourth day of December: and the senate of that city thinking it incapable of defence, submitted to a very mortifying capitulation, by which the gates were delivered up to the Austrians, together with all their arms, artillery, and ammunition; and the city was subjected to the most cruel contributions. The Marquis de Botta being left at Genoa with sixteen thousand men, the King of Sardinia resolved to pass the Var, and pursue the French and Spaniards into Provence; but, that monarch being seized with the small-pox, the conduct of this expedition was intrusted to Count Brown, an Austrian general of Irish extract, who had given repeated proofs of uncommon valour and capacity. He was on this occasion assisted by Vice-Admiral Medley, who commanded the British squadron in the Mediterranean. The French forces had fortified the passes of the Var, under the conduct of the Mareschal de Belleisle, who thought proper to abandon his posts at the approach of Count Brown; and this general, at the head of fifty thousand men, passed the river, without opposition, on the ninth day of November. While he advanced as far as Druguignan, laying the open country under contribution, Baron Roth, with four-and-twenty battalions, invested Antibes, which was at the same time bombarded on the side of the sea by the British squadron. The trenches were opened on the twentieth day of September; but Belleisle having assembled a numerous army, superior to that of the confederates, and the Genoese having expelled their Austrian guests, Count Brown abandoned the enterprise, and repossessed the Var, not without some damage from the enemy.

§ XIII. The court of Vienna, which has always patronized oppression, exacted such heavy contributions from the Genoese, and its exactions were so rigorously put into execution, that the people were reduced to despair; and resolved to make a last effort for the recovery of their liberty and independence. Accordingly, they took arms in secret, seized several important posts of the city; surprised some battalions of the Austrians; surrounded others, and cut them in pieces; and, in a word, drove them out with great slaughter. The Marquis de Botta acted with caution and spirit; but being overpowered by numbers, and apprehensive of the peasants in the country, who were in arms, he retreated to the pass of the Brochetta on the side of Lombardy, where he secured himself in an advantageous situation, until he could receive reinforcements. The loss he had sustained at Genoa did not hinder him from reducing Savona, a sea-port town belonging to that republic; and he afterwards made himself master of Gavi. The Genoese, on the contrary, exerted themselves with wonderful industry in fortifying their city, raising troops, and in taking other measures for a vigorous defence in case they should again be insulted.

§ XIV. The naval transactions of this year reflected very little honour on the British nation. Commodore Peyton, who commanded six ships of war in the East Indies, shamefully declined a decisive engagement with a French squadron of inferior force; and abandoned the im-

portant settlement of Madras on the coast of Coromandel, which was taken without opposition in the month of September by the French commodore, De la Bourdonnais. Fort St. David, and the other British factories in India, would probably have shared the same fate, had not the enemy's naval force in that country been shattered and partly destroyed by a terrible tempest. No event of consequence happened in America, though it was a scene that seemed to promise the greatest success to the arms of England. The reduction of Cape Breton had encouraged the ministry to project the conquest of Quebec, the capital of Canada, situated upon the river St. Lawrence. Commissioners were sent to the governors of the British colonies in North America, empowering them to raise companies to join the armament from England; and eight thousand troops were actually raised in consequence of these directions; while a powerful squadron and transports, having six regiments on board, were prepared at Portsmouth for this expedition. But their departure was postponed by unaccountable delays, until the season was judged too far advanced to risk the great ships on the boisterous coast of North America. That the armament, however, might not be wholly useless to the nation, it was employed in making a descent upon the coast of Bretagne, on the supposition that Port L'Orient, the repository of all the stores and ships belonging to the French East India company, might be surprised; or, that this invasion would alarm the enemy, and, by making a diversion, facilitate the operations of the Austrian general in Provence.

§ XV. The naval force intended for the service consisted of sixteen great ships, and eight frigates, besides bomb-ketches and store ships, commanded by Richard Lestock, appointed admiral of the blue division. Six battalions of land troops, with a detachment of matrosses and bombardiers, were embarked in thirty transports, under the conduct of Lieutenant-General Sinclair; and the whole fleet set sail from Plymouth on the fourteenth day of September. On the twentieth the troops were landed in Quimperlay-bay, at the distance of ten miles from Port L'Orient. The militia, reinforced by some detachments from different regiments, were assembled to the number of two thousand, and seemed resolved to oppose the disembarkation; but, seeing the British troops determined to land at all events, they thought proper to retire. Next day General Sinclair advanced into the country, skirmishing with the enemy in his route; and arriving at the village of Plémure, within half a league from Port L'Orient, summoned that place to surrender. He was visited by a deputation from the town, which offered to admit the British forces, on condition that they should be restrained from pillaging the inhabitants, and touching the magazines; and that they should pay a just price for their provisions. These terms being rejected, the inhabitants prepared for a vigorous defence; and the English general resolved to besiege the place in form, though he had neither time, artillery, nor forces sufficient for such an enterprise. This strange resolution was owing to the declaration of the engineers, who promised to lay the place in ashes in the space of four-and-twenty hours. All his cannon amounted to no more than a few field pieces; and he was obliged to wait for two iron guns, which the sailors dragged up from the shipping. Had he given the assault on the first night after his arrival, when the town was filled with terror and confusion, and destitute of regular troops, in all probability it would have been easily taken by scale: but the reduction of it was rendered impracticable by his delay. The ramparts were mounted with cannon from the ships in the harbour: new works were raised with great industry; the garrison was reinforced by several bodies of regular troops; and great numbers were assembling from all parts; so that the British forces were in danger of being surrounded in an enemy's country. Notwithstanding these discouragements, they opened a small battery against the town, which was set on fire in several places by their bombs and red-hot bullets; they likewise repulsed part of the garrison which had made a sally to destroy their works; but their cannon producing no effect upon the fortifications, the fire from the town daily increasing, the engineers owning they could not perform their promise, and Admiral Lestock declaring in repeated messages, that he could no longer



expose the ships on an open coast at such a season of the year, General Sinclair abandoned the siege. Having caused the two iron pieces of cannon and the mortars to be spiked, he retreated in good order to the sea-side, where his troops were re-embarked, having sustained very inconsiderable damage since their first landing. He expected reinforcements from England, and was resolved to wait a little longer for their arrival, in hopes of being able to annoy the enemy more effectually. In the beginning of October the fleet sailed to Quiberon bay, where they destroyed the *Ardent*, a French ship of war of sixty-four guns; and a detachment of the forces being landed, took possession of a fort on the peninsula; while the little islands of Houat and Heydic were reduced by the sailors. In this situation the admiral and general continued till the seventeenth day of the month, when the forts being dismantled, and the troops re-embarked, the fleets sailed from the French coast: the admiral returned to England, and the transports with the soldiers proceeded to Ireland, where they arrived in safety.

§ XVI. This expedition, weak and frivolous as it may seem, was resented by the French nation as one of the greatest insults they had ever sustained; and demonstrated the possibility of hurting France in her tenderest parts by means of an armament of this nature, well-timed, and vigorously conducted. Indeed, nothing could be more absurd or precipitate than an attempt to distress the enemy by landing a handful of troops, without draft horses, tents, or artillery, from a fleet of ships lying on an open beach, exposed to the uncertainty of weather in the most tempestuous season of the year, so as to render the retreat and re-embarkation altogether precarious. The British squadrons in the West Indies performed no exploit of consequence in the course of the year. The commerce was but indifferently protected. Commodore Lee, stationed off Martinico, allowed a French fleet of merchant ships, and their convoy, to pass by his squadron unmolested; and Commodore Mitchel behaved scandalously in a rencounter with the French squadron, under the conduct of Monsieur de Conflans, who in his return to Europe took the *Severn*, an English ship of fifty guns. The cruisers on all sides, English, French, and Spaniards, were extremely alert; and though the English lost the greater number of ships, this difference was more than overbalanced by the superior value of the prizes taken from the enemy. In the course of this year two-and-twenty Spanish privateers, and sixty-six merchant vessels, including ten register ships, fell into the hands of the British cruisers; from the French they took seven ships of war, ninety privateers, and about three hundred ships of commerce. The new King of Spain,<sup>b</sup> being supposed well-affected to the British nation, an effort was made to detach him from the interest of France, by means of the Marquis de Tabernaga, who had formerly been his favourite, and resided many years as a refugee in England. This nobleman proceeded to Lisbon, where a negotiation was set on foot with the court of Madrid. But his efforts miscarried; and the influence of the queen-mother continued to predominate in the Spanish councils. The States-general had for some years endeavoured to promote a pacification by remonstrances, and even entreaties, at the court of Versailles: the French king at length discovered an inclination to peace, and in September a congress was opened at Breda, the capital of Dutch Brabant, where the plenipotentiaries of the emperor, Great Britain, France, and Holland, were assembled: but the French were so insolent in their demands, that the conferences were soon interrupted.

§ XVII. The parliament of Great Britain meeting in November, the king exhorted them to concert with all possible expedition the proper measures for pursuing the war with vigour, that the confederate army in the Netherlands might be seasonably augmented; he, likewise, gave them to understand, that the funds appropriated for the support of his civil government had for some years past fallen short of the revenue intended and granted by parliament; and said he relied on their known affection to find out some method

to make good this deficiency. As all those who had conducted the opposition were now concerned in the administration, little or no objection was made to any demand or proposal of the government and its ministers. The Commons having considered the estimates, voted forty thousand seamen for the service of the ensuing year, and about sixty thousand land-forces, including eleven thousand five hundred marines. They granted four hundred and thirty-three thousand pounds to the Empress Queen of Hungary; three hundred thousand pounds to the King of Sardinia; four hundred and ten thousand pounds for the maintenance of eighteen thousand Hanoverian auxiliaries; one hundred and sixty-one thousand six hundred and seven pounds for six thousand Hessians; subsidies to the Electors of Cologne, Mentz, and Bavaria; and the sum of five hundred thousand pounds to enable his majesty to prosecute the war with advantage. In a word, the supplies amounted to nine millions four hundred twenty-five thousand two hundred and fifty-four pounds; a sum almost incredible, if we consider how the kingdom had been already drained of its treasure. It was raised by the usual taxes, reinforced with new impositions on windows, carriages, and spirituous liquors, a lottery, and a loan from the sinking fund. The new taxes were mortgaged for four millions by transferable annuities, at an interest of four, and a premium of ten per centum. By reflecting on these enormous grants, one would imagine the ministry had been determined to impoverish the nation: but from the eagerness and expedition with which the people subscribed for the money, one would conclude that the riches of the kingdom were inexhaustible. It may not be amiss to observe, that the supplies of this year exceeded, by two millions and a half, the greatest annual sum that was raised during the reign of Queen Anne, though she maintained as great a number of troops as was now in the pay of Great Britain, and her armies and fleets acquired every year fresh harvests of glory and advantage; whereas this war had proved an almost uninterrupted series of events big with disaster and dishonour. During the last two years, the naval expense of England had exceeded that of France about five millions sterling; though her fleets had not obtained one signal advantage over the enemy at sea, nor been able to protect her commerce from their depredations. She was at, once a prey to her declared adversaries and professed friends. Before the end of summer she numbered among her mercenaries two empresses, five German princes, and a more powerful monarch, whom she hired to assist her in trimming the balance of Europe, in which they themselves were immediately interested, and she had no more than a secondary concern. Had these fruitless subsidies been saved; had the national revenue been applied with economy to national purposes; had it been employed in liquidating gradually the public encumbrances; in augmenting the navy, improving manufactures, encouraging and securing the colonies, and extending trade and navigation: corruption would have become altogether unnecessary, and disaffection would have vanished: the people would have been eased of their burthens, and ceased to complain: commerce would have flourished, and produced such affluence as must have raised Great Britain to the highest pinnacle of maritime power, above all rivalry or competition. She would have been dreaded by her enemies; revered by her neighbours: oppressed nations would have crept under her wings for protection; contending potentates would have appealed to her decision; and she would have shone the universal arbitress of Europe. How different is her present situation! her debts are enormous, her taxes are intolerable, her people discontented, and the sinews of her government relaxed. Without conduct, confidence, or concert, she engages in blundering negotiations: she involves herself rashly in foreign quarrels, and lavishes her substance with the most dangerous precipitation; she is even deserted by her wonted vigour, steadiness, and intrepidity: she grows vain, fantastical, and pusillanimous: her arms are despised by her enemies; and her councils ridiculed through all Christendom.

<sup>b</sup> In the month of July, Philip King of Spain dying, in the sixty-third year of his age, was succeeded by his eldest son Ferdinand, born of Maria-Louise of Savoy, sister to the late King of Sardinia. He espoused Donna Maria Magdalena, Infanta of Portugal, but had no issue. Philip was but

two days survived by his daughter, the Dauphiness of France. The same month was remarkable for the death of Christian VI. King of Denmark, succeeded by his son Frederick V., who had married the Princess Louise, youngest daughter to the King of Great Britain.

§ XVIII. The king, in order to exhibit a specimen of his desire to diminish the public expense, ordered the third and fourth troops of his life-guards to be disbanded, and reduced three regiments of horse to the quality of dragoons. The House of Commons presented an address of thanks for this instance of economy, by which the annual sum of seventy thousand pounds was saved to the nation. Notwithstanding this seeming harmony between the king and the great council of the nation, his majesty resolved, with the advice of his council, to dissolve the present parliament, though the term of seven years was not yet expired since its first meeting. The ministry affected to insinuate, that the States-general was unwilling to concur with his majesty in vigorous measures against France, during the existence of a parliament which had undergone such a vicissitude of complexion. The allies of Great Britain, far from being suspicious of this assembly, which had supplied them so liberally, saw with concern, that according to law, it would soon be dismissed; and they doubted whether another could be procured equally agreeable to their purposes. In order to remove this doubt, the ministry resolved to surprise the kingdom with a new election, before the malcontents should be prepared to oppose the friends of the government. Accordingly, when the business of the session was despatched, the king having given the royal assent to the several acts they had prepared, dismissed them in the month of June, with an affectionate speech, that breathed nothing but tenderness and gratitude. The parliament was immediately dissolved by proclamation, and new writs were issued for convoking another. Among the laws passed in this session, was an act abolishing the heritable jurisdictions, and taking away the tenure of warholdings in Scotland, which were reckoned among the principal sources of those rebellions that had been excited since the revolution. In the highlands they certainly kept the common people in subjection to their chiefs, whom they implicitly followed and obeyed in all their undertakings. By this act these mountaineers were legally emancipated from slavery; but as the tenants enjoyed no leases, and were at all times liable to be ejected from their farms, they still depended on the pleasure of their lords, notwithstanding this interposition of the legislature, which granted a valuable consideration in money to every nobleman and petty baron, who was thus deprived of one part of his inheritance. The forfeited estates, indeed, were divided into small farms, and let by the government on leases at an under-value; so that those who had the good fortune to obtain such leases tasted the sweets of independence; but the highlanders in general were left in their original indigence and incapacity, at the mercy of their superiors. Had manufactures and fisheries been established in different parts of their country, they would have seen and felt the happy consequences of industry, and in a little time been effectually detached from all their slavish connexions.

§ XIX. The operations of the campaign had been concerted in the winter at the Hague, between the Duke of Cumberland and the States-general of the United Provinces, who were by this time generally convinced of France's design to encroach upon their territories. They, therefore, determined to take effectual measures against that restless and ambitious neighbour. The allied powers agreed to assemble a vast army in the Netherlands; and it was resolved that the Austrians and Piedmontese should once more penetrate into Provence. The Dutch patriots, however, were not roused into this exertion, until all their remonstrances had failed at the court of Versailles; until they had been urged by repeated memorials of the English ambassador, and stimulated by the immediate danger to which their country was exposed; for France was by this time possessed of all the Austrian Netherlands, and seemed bent upon penetrating into the territories of the United Provinces. In February, the Duke of Cumberland began to assemble the allied forces; and in the latter end of March they took the field in three separate bodies. His royal highness, with the English, Hanoverians, and Hessians, fixed his head-quarters at the village of Tiberg; the Prince of Waldeck was posted with the Dutch troops at

Breda; and Mareschal Bathiani collected the Austrians and Bavarians in the neighbourhood of Venlo. The whole army amounted to one hundred and twenty thousand men, who lay inactive six weeks, exposed to the inclemency of the weather, and almost destitute of forage and provision. Count Saxe, by this time created Mareschal-general of France, continued his troops within their cantonment at Bruges, Antwerp, and Brussels, declaring, that when the allied army should be weakened by sickness and mortality, he would convince the Duke of Cumberland, that the first duty of a general is to provide for the health and preservation of his troops. In April this fortunate commander took the field, at the head of one hundred and forty thousand men: and the Count de Clermont commanded a separate body of nineteen battalions and thirty squadrons. Count Lowendahl was detached on the sixteenth day of the month, with seven-and-twenty thousand men, to invade Dutch Flanders: at the same time, the French minister at the Hague presented a memorial to the States, intimating that his master was obliged to take this step by the necessity of war; but that his troops should observe the strictest discipline, without interfering with the religion, government, or commerce of the republic; he likewise declared, that the countries and places of which he might be obliged to take possession should be detained no otherwise than as a pledge, to be restored as soon as the United Provinces should give convincing proofs that they would no longer furnish the enemies of France with succours.

§ XX. While the States deliberated upon this declaration, Count Lowendahl entered Dutch Brabant, and invested the town and fortress of Sluys, the garrison of which surrendered themselves prisoners of war on the nineteenth day of April. This was likewise the fate of Sas-van Ghent, while the Marquis de Contades, with another detachment, reduced the forts Perle and Leifkenshoek, with the town of Philippine, even within hearing of the confederate army. The fort of Sanberg was vigorously defended by two English battalions: but they were overpowered, and obliged to retire to Welsthoorden; and Count Lowendahl undertook the siege of Hulst, which was shamefully surrendered by La Roque, the Dutch governor, though he knew that a reinforcement of nine battalions was on the march to his relief. Then the French general took possession of Axel and Terneuse, and began to prepare flat-bottomed boats for a descent on the island of Zealand. The Dutch people were now struck with consternation. They saw the enemy at their doors, and owed their immediate preservation to the British squadron stationed at the Swin, under the command of Commodore Mitchell, who, by means of his sloops, tenders, and small craft, took such measures as defeated the intention of Lowendahl. The common people in Zealand being reduced to despair, began to clamour loudly against their governors, as if they had not taken the proper measures for their security. The friends of the Prince of Orange did not neglect this opportunity of promoting his interest. They encouraged their discontent, and exaggerated the danger; they reminded them of the year one thousand six hundred and seventy-two, when the French king was at the gates of Amsterdam, and the republic was saved by the choice of a stadtholder: they exhorted them to turn their eyes on the descendant of those heroes who had established the liberty and independence of the United Provinces; they extolled his virtue and ability; his generosity, his justice, his unshaken love to his country. The people in several towns, inflamed by such representations to tumult and sedition, compelled their magistrates to declare the Prince of Orange stadtholder. He himself, in a letter to the States of Zealand, offered his services for the defence of the province. On the twenty-eighth day of April he was nominated Captain-General and Admiral of Zealand. Their example was followed by Rotterdam and the whole province of Holland; and on the second day of May, the Prince of Orange was, in the assembly of the States-general, invested with the power and dignity of Stadtholder, Captain-general, and Admiral of the United Provinces. The vigorous consequences of this resolution immediately appeared. All commerce and contracts with the French were prohibited:

c Not the person who commanded in the West Indies.

the peasants were armed and exercised : a resolution passed for making a considerable augmentation of the army : a council of war was established for inquiring into the conduct of the governors who had given up the frontier places ; and orders were issued to commence hostilities against the French, both by sea and land.

§ XXI. Meanwhile, the Duke of Cumberland took post with his whole army between the two Nethe, to cover Bergen-op-Zoom and Maestricht ; and Mareschal Saxe called in his detachments, with a view to hazard a general engagement. In the latter end of May, the French king arrived at Brussels ; and his general resolved to undertake the siege of Maestricht. For this purpose he advanced towards Louvain ; and the confederates perceiving his drift, began their march to take post between the town and the enemy. On the twentieth day of June, they took possession of their ground, and were drawn up in order of battle, with their right at Bilsen, and their left extending to Wirle, within a mile of Maestricht, having in the front of their left wing the village of Laffeldt, in which they posted several battalions of British infantry. The French had taken possession of the heights of Herdeeren, immediately above the allies ; and both armies cannonaded each other till the evening. In the morning, the enemy's infantry marched down the hill, in a prodigious column, and attacked the village of Laffeldt, which was well fortified, and defended with amazing obstinacy. The assailants suffered terribly in their approach, from the cannon of the confederates, which was served with surprising dexterity and success ; and they met with such a warm reception from the British musquetry as they could not withstand : but, when they were broken and dispersed, fresh brigades succeeded with astonishing perseverance. The confederates were driven out of the village : yet being sustained by three regiments, they measured back their ground, and repulsed the enemy with great slaughter. Nevertheless, Count Saxe continued pouring in other battalions, and the French regained and maintained their footing in the village, after it had been three times lost and carried. The action was chiefly confined to this post, where the field exhibited a horrible scene of carnage. At noon the Duke of Cumberland ordered the whole left wing to advance against the enemy, whose infantry gave way : Prince Waldeck led up the centre : Mareschal Bathiani made a motion with the right wing towards Herdeeren, and victory seemed ready to declare for the confederates, when the fortune of the day took a sudden turn to their prejudice. Several squadrons of Dutch horse, posted in the centre, gave way, and flying at full gallop, overthrew five battalions of infantry that were advancing from the body of reserve. The French cavalry charged them with great impetuosity, increasing the confusion that was already produced, and penetrating through the lines of the allied army, which was thus divided about the centre. The Duke of Cumberland, who exerted himself with equal courage and activity in attempting to remedy this disorder, was in danger of being taken ; and the defeat would in all probability have been total, had not Sir John Ligonier taken the resolution of sacrificing himself and a part of the troops to the safety of the army. At the head of three British regiments of dragoons, and some squadrons of imperial horse, he charged the whole line of the French cavalry with such intrepidity and success, that he overthrew all that opposed him, and made such a diversion as enabled the Duke of Cumberland to effect an orderly retreat to Maestricht. He himself was taken by a French carabineer, after his horse had been killed ; but the regiments he commanded retired with deliberation. The confederates retreated to Maestricht, without having sustained much damage from the pursuit, and even brought off all their artillery, except sixteen pieces of cannon. Their loss did not exceed six thousand men killed and taken ; whereas the French general purchased the victory at a much greater expense. The common cause of the confederate powers is said to have suffered from the pride and ignorance of their generals. On the eve of the battle, when the detachment of the Count de Clermont appeared on the hill of Herdeeren, Mareschal Bathiani asked permission of the commander-in-chief to attack them before they should be reinforced, declaring he would answer for the success of the enterprise. No regard

was paid to this proposal : but the superior asked in his turn, where the mareschal would be in case he should be wanted ? He replied, " I shall always be found at the head of my troops," and retired in disgust : the subsequent disposition has likewise been blamed, inasmuch as not above one half of the army could act, while the enemy exerted their whole force.

§ XXII. The confederates passed the Maese, and encamped in the duchy of Limburgh, so as to cover Maestricht ; while the French king remained with his army in the neighbourhood of Tongres. Mareschal Saxe, having amused the allies with marches and countermarches, at length detached Count Lowendahl with six-and-thirty thousand men to besiege Bergen-op-Zoom, the strongest fortification of Dutch Brabant, the favourite work of the famous engineer Coehorn, never conquered, and generally esteemed invincible. It was secured with a garrison of three thousand men, and well provided with artillery, ammunition, and magazines. The enemy appeared before it on the twelfth day of July, and summoned the governor to surrender. The Prince of Saxe Hildburghausen was sent to its relief, with twenty battalions and fourteen squadrons of the troops that could be most conveniently assembled ; he entered the lines of Bergen-op-Zoom, where he remained in expectation of a strong reinforcement from the confederate army ; and the old Baron Cronstrom, whom the stadtholder had appointed governor of Brabant, assumed the command of the garrison. The besiegers carried on their operations with great vivacity : and the troops in the town defended it with equal vigour. The eyes of all Europe were turned upon this important siege : Count Lowendahl received divers reinforcements ; and a considerable body of troops was detached from the allied army, under the command of Baron Schwartzemberg, to co-operate with the Prince of Saxe Hildburghausen. The French general lost a great number of men by the close and continual fire of the besieged ; while he, in his turn, opened such a number of batteries, and plied them so warmly, that the defences began to give way. From the sixteenth day of July to the fifteenth of September, the siege produced an unintermitting scene of horror and destruction : desperate sallies were made, and mines sprung with the most dreadful effects : the works began to be shattered ; the town was laid in ashes ; the trenches were filled with carnage ; nothing was seen but fire and smoke ; nothing heard but one continued roar of bombs and cannon. But still the damage fell chiefly on the besiegers, who were slain in heaps ; while the garrison suffered very little, and could be occasionally relieved or reinforced from the lines. In a word, it was generally believed that Count Lowendahl would be baffled in his endeavours ; and by this belief the governor of Bergen-op-Zoom seems to have been lulled into a blind security. At length, some considerable breaches were made in one ravelin and two bastions, and these the French general resolved to storm, though Cronstrom believed they were impracticable : and on that supposition presumed that the enemy would not attempt an assault. For this very reason Count Lowendahl resolved to hazard the attack, before the preparations should be made for his reception. He accordingly regulated his dispositions, and at four o'clock in the morning on the sixteenth day of September, the signal was made for the assault. A prodigious quantity of bombs being thrown into the ravelin, his troops threw themselves into the fossé, mounted the breaches, forced open a sally-port, and entered the place, almost without resistance. In a word, they had time to extend themselves along the curtains, and form in order of battle, before the garrison could be assembled. Cronstrom was asleep, and the soldiers upon duty had been surprised by the suddenness and impetuosity of the attack. Though the French had taken possession of the ramparts, they did not gain the town without opposition. Two battalions of the Scottish troops, in the pay of the States-general, were assembled in the market-place, and attacked them with such fury, that they were driven from street to street, until fresh reinforcements arriving, compelled the Scots to retreat in their turn ; yet they disputed every inch of ground, and fought until two-thirds of them were killed on the spot. Then they brought off the old governor, abandoning the town to the enemy : the troops that



were encamped in the lines retreating with great precipitation, all the forts in the neighbourhood immediately surrendered to the victors, who now became masters of the whole navigation of the Schelde. The French king was no sooner informed of Lowendahl's success, than he promoted him to the rank of Mareschal of France; appointed Count Saxe governor of the conquered Netherlands; and returned in triumph to Versailles. In a little time after this transaction, both armies were distributed into winter-quarters, and the Duke of Cumberland embarked for England.

§ XXIII. In Italy, the French arms did not triumph with equal success, though the Mareschal de Belleisle saw himself at the head of a powerful army in Provence. In April he passed the Var without opposition, and took possession of Nice. He met with little or no resistance in reducing Montalban, Villafranca, and Ventimiglia; while General Brown, with eight-and-twenty thousand Austrians, retired towards Final and Savona. In the meantime, another large body, under Count Schuylenberg, who had succeeded the Marquis de Botta, co-operated with fifteen thousand Piedmontese in an attempt to recover the city of Genoa. The French king had sent them supplies, succours, and engineers, with the Duke de Boufflers, as ambassador to the republic, who likewise acted as commander-in-chief of the forces employed for its defence. The Austrian general assembled his troops in the Milanese: having forced the passage of the Bochetta on the thirteenth of January, he advanced into the territories of Genoa, and the Riviera was ravaged without mercy. On the last day of March he appeared before the city at the head of forty thousand men, and summoned the revolvers to lay down their arms. The answer he received was, that the republic had fifty-four thousand men in arms, two hundred and sixty cannon, thirty-four mortars, with abundance of ammunition and provision; that they would defend their liberty with their last blood, and be buried in the ruins of their capital, rather than submit to the clemency of the court of Vienna, except by an honourable capitulation, guaranteed by the Kings of Great Britain and Sardinia, the republic of Venice, and the United Provinces. In the beginning of May, Genoa was invested on all sides; a furious sally was made by the Duke de Boufflers, who drove the besiegers from their posts; but the Austrians rallying, he was repulsed in his turn with the loss of seven hundred men. General Schuylenberg carried on his operations with such skill, vigour, and intrepidity, that he made himself master of the suburbs of Bisagno; and in all probability, would have reduced the city, had he not been obliged to desist, in consequence of the repeated remonstrances made by the King of Sardinia and Count Brown, who represented the necessity of his abandoning his enterprise, and drawing off his army, to cover Piedmont and Lombardy from the efforts of Mareschal de Belleisle. Accordingly, he raised the siege on the tenth day of June, and returned into the Milanese, in order to join his Sardinian majesty; while the Genoese made an irruption into the Parmesan and Placentin, where they committed terrible outrages, in revenge for the mischiefs they had undergone.

§ XXIV. While the Mareschal de Belleisle remained at Ventimiglia, his brother, at the head of four-and-thirty thousand French and Spaniards, attempted to penetrate into Piedmont: on the sixth day of July he arrived at the pass of Exilles, a strong fortress on the frontiers of Dauphiné, situated on the north side of the river Doria. The defence of this important post the King of Sardinia had committed to the care of the Count de Brigueas, who formed an encampment behind the lines, with fourteen battalions of Piedmontese and Austrians, while divers detachments were posted along the passes of the Alps. On the eighth day of the month the Piedmontese entrenchments were attacked by the Chevalier de Belleisle, with incredible intrepidity; but the columns were repulsed with great loss in three successive attacks. Impatient of this obstinate opposition, and determined not to survive a miscarriage, this impetuous general seized a pair of colours, and advancing at the head of his troops, through a prodigious fire, pitched them with his own hand on the enemy's entrenchments. At that instant he fell dead, having received

two musquet balls and the thrust of a bayonet in his body. The assailants were so much dispirited by the death of their commander, that they forthwith gave way, and retreated with precipitation towards Sesteries, having lost near five thousand men in the attack. The mareschal was no sooner informed of his brother's misfortune, than he retreated towards the Var, to join the troops from Exilles, while the King of Sardinia, having assembled an army of seventy thousand men, threatened Dauphiné with an invasion; but the excessive rains prevented the execution of his design. General Leutrum was detached with twenty battalions, to drive the French from Ventimiglia; but Belleisle marching back, that scheme was likewise frustrated; and thus ended the campaign.

§ XXV. In this manner was the French king baffled in his projects upon Italy; nor was he more fortunate in his naval operations. He had, in the preceding year, equipped an expensive armament, under the command of the Duke d'Anville, for the recovery of Cape Breton: but it was rendered ineffectual by storms, distempers, and the death of the commander. Not yet discouraged by these disasters, he resolved to renew his efforts against the British colonies in North America, and their settlements in the East Indies. For these purposes, two squadrons were prepared at Brest, one to be commanded by the *Commodore de la Jonquiere*; and the other destined for India, by *Monsieur de St. George*. The ministry of Great Britain, being apprized of these measures, resolved to intercept both squadrons, which were to set sail together. For this purpose, Vice-Admiral Anson and Rear-Admiral Warren took their departure from Plymouth with a formidable fleet, and steered their course to Cape Finisterre on the coast of Galicia. On the third day of May they fell in with the French squadrons, commanded by *La Jonquiere* and *St. George*, consisting of six large ships of war, as many frigates, and four armed vessels equipped by their East India company, having under their convoy about thirty ships laden with merchandise. Those prepared for war immediately shortened sail, and formed a line of battle; while the rest, under the protection of the six frigates, proceeded on their voyage with all the sail they could carry. The British squadron was likewise drawn up in line of battle; but Mr. Warren, perceiving that the enemy began to sheer off, now their convoy was at a considerable distance, advised Admiral Anson to haul in the signal for the line, and hoist another for giving chase and engaging, otherwise the French would, in all probability, escape by favour of the night. The proposal was embraced; and in a little time the engagement began with great fury, about four o'clock in the afternoon. The enemy sustained the battle with equal conduct and valour, until they were overpowered by numbers, and then they struck their colours. The admiral detached three ships in pursuit of the convoy, nine sail of which were taken; but the rest were saved by the intervening darkness. About seven hundred of the French were killed and wounded in the action. The English lost about five hundred; and among these Captain Granville, commander of the ship *Defiance*. He was nephew to the Lord Viscount Cobham, a youth of the most amiable character and promising genius, animated with the noblest sentiments of honour and patriotism. Eager in the pursuit of glory, he rushed into the midst of the battle, where both his legs were cut off by a cannon ball. He submitted to his fate with the most heroic resignation, and died universally lamented and beloved. The success of the British arms in this engagement was chiefly owing to the conduct, activity, and courage of the rear-admiral. A considerable quantity of bullion was found in the prizes, which was brought to Spithead in triumph; and the treasure being landed, was conveyed in twenty waggons to the bank of London. Admiral Anson was ennobled, and Mr. Warren honoured with the order of the Bath.

§ XXVI. About the middle of June, Commodore Fox, with six ships of war, cruising in the latitude of Cape Ortegal in Galicia, took above forty French ships, richly laden from St. Domingo, after they had been abandoned by their convoy. But the French king sustained another more important loss at sea, in the month of October. Real-Admiral Hawke sailed from Plymouth in the begin-

ning of August, with fourteen ships of the line, to intercept a fleet of French merchant-ships bound for the West Indies. He cruised for some time on the coast of Bretagne; and at length the French fleet sailed from the isle of Aix, under convoy of nine ships of the line, besides frigates, commanded by Monsieur de Letendur. On the fourteenth day of October the two squadrons were in sight of each other, in the latitude of Belleisle. The French commodore immediately ordered one of his great ships, and the frigates, to proceed with the trading ships, while he formed the line of battle, and waited the attack. At eleven in the forenoon Admiral Hawke displayed the signal to chase, and in half an hour both fleets were engaged. The battle lasted till night, when all the French squadron, except the *Intrepide* and *Tonant*, had struck to the English flag. These two capital ships escaped in the dark, and returned to Brest in a shattered condition. The French captains sustained the unequal fight with uncommon bravery and resolution; and did not yield until their ships were disabled. Their loss in men amounted to eight hundred: the number of English killed in this engagement did not exceed two hundred, including Captain Saumarez, a gallant officer, who had served under Lord Anson in his expedition to the Pacific ocean. Indeed, it must be owned, for the honour of that nobleman, that all the officers formed under his example, and raised by his influence, approved themselves in all respects worthy of the commands to which they were preferred. Immediately after the action, Admiral Hawke despatched a sloop to Commodore Legge, whose squadron was stationed at the Leeward Islands, with intelligence of the French fleet of merchant ships, outward-bound, that he might take the proper measures for intercepting them in their passage to Martinique, and the other French islands. In consequence of this advice, he redoubled his vigilance, and a good number of them fell into his hands. Admiral Hawke conducted his prizes to Spithead; and in his letter to the board of admiralty declared, that all his captains behaved like men of honour during the engagement, except Mr. Fox, whose conduct he desired might be subjected to an inquiry. That gentleman was accordingly tried by a court-martial, and suspended from his command, for having followed the advice of his officers, contrary to his own better judgment: but he was soon restored, and afterwards promoted to the rank of admiral; while Mr. Matthews, whose courage never incurred suspicion, still laboured under a suspension for that which had been successfully practised in both these late actions, namely, engaging the enemy without any regard to the line of battle.

§ XXVII. In the Mediterranean, Vice-Admiral Medley blocked up the Spanish squadron in Carthagea; assisted the Austrian general on the coast of Villafranca; and intercepted some of the succours sent from France to the assistance of the Genoese. At his death, which happened in the beginning of August, the command of that squadron devolved upon Rear-Admiral Byng, who proceeded on the same plan of operation. In the summer, two British ships of war, having under their convoy a fleet of merchant ships bound to North America, fell in with the *Glorioso*, a Spanish ship of eighty guns, in the latitude of the Western Isles. She had sailed from the Havannah, with an immense treasure on board, and must have fallen a prize to the English ships, had each captain done his duty. Captain Erskine, in the *Warwick* of sixty guns, attacked her with great intrepidity, and fought until his ship was entirely disabled; but being unsustained by his consort, he was obliged to haul off, and the *Glorioso* arrived in safety at Ferrol: there the silver was landed, and she proceeded on her voyage to Cadiz, which, however, she did not reach. She was encountered by the *Dartmouth*, a British frigate of forty guns, commanded by Captain Hamilton, a gallant youth, who, notwithstanding the inequality of force, engaged her without hesitation: but in the heat of the action, his ship being set on fire by accident, was blown up, and he perished with all his crew, except a midshipman and ten or eleven sailors, who were taken up alive by a privateer that happened to be in sight. Favourable as this accident may seem to the *Glorioso*, she did not escape. An English ship of eighty guns, under the command of Captain Buckle, came up, and obliged the Spaniards to

surrender, after a short, but vigorous engagement. Commodore Griffin had been sent, with a reinforcement of ships, to assume the command of the squadron in the East Indies; and although his arrival secured Fort St. David's and the other British settlements in that country, from the insults of Monsieur de la Bourdonnais, his strength was not sufficient to enable him to undertake any enterprise of importance against the enemy; the ministry of England, therefore, resolved to equip a fresh armament, that when joined by the ships in India, should be in a condition to besiege Pondicherry, the principal settlement belonging to the French on the coast of Coromandel. For this service a good number of independent companies was raised, and set sail, in the sequel, with a strong squadron under the conduct of Rear-Admiral Boscawen, an officer of unquestioned valour and capacity. In the course of this year the British cruisers were so alert and successful, that they took six hundred and forty-four prizes from the French and Spaniards; whereas the loss of Great Britain in the same time did not exceed five hundred and fifty.

§ XXVIII. All the belligerent powers were by this time heartily tired of a war which had consumed an immensity of treasure, had been productive of so much mischief, and in the events of which all, in their turns, had found themselves disappointed. Immediately after the battle of Laffeldt, the King of France had, in a personal conversation with Sir John Ligonier, expressed his desire of a pacification; and afterwards his minister at the Hague presented a declaration on the same subject to the deputies of the States-general. The signal success of the British arms at sea confirmed him in these sentiments, which were likewise reinforced by a variety of other considerations. His finances were almost exhausted, and his supplies from the Spanish West Indies rendered so precarious by the vigilance of the British cruisers, that he could no longer depend upon their arrival. The trading part of his subjects had sustained such losses, that his kingdom was filled with bankruptcies; and the best part of the navy now contributed to strengthen the fleets of his enemies. The election of a stadtholder had united the whole power of the States-general against him, in taking the most resolute measures for their own safety: his views in Germany were entirely frustrated by the elevation of the grand duke to the imperial throne, and the re-establishment of peace between the houses of Austria and Brandenburg: the success of his arms in Italy had not at all answered his expectation; and Genoa was become an expensive ally. He had the mortification to see the commerce of Britain flourish in the midst of war, while his own people were utterly impoverished. The parliament of England granted, and the nation paid, such incredible sums as enabled their sovereign not only to maintain invincible navies and formidable armies, but likewise to give subsidies to all the powers of Europe. He knew that a treaty of this kind was actually upon the anvil between his Britannic majesty and the czarina, and he began to be apprehensive of seeing an army of Russians in the Netherlands. His fears from this quarter were not without foundation. In the month of November, the Earl of Hyndford, ambassador from the King of Great Britain at the court of Russia, concluded a treaty of subsidy, by which the czarina engaged to hold in readiness thirty thousand men, and forty galleys, to be employed in the service of the confederates, on the first requisition. The States-general acceded to this agreement, and even consented to pay one-fourth of the subsidy. His most christian majesty, moved by these considerations, made further advances towards an accommodation both at the Hague and in London; and the contending powers agreed to another congress, which was actually opened in March at Aix-la-Chapelle, where the Earl of Sandwich and Sir Thomas Robinson assisted as plenipotentiaries from the King of Great Britain.

§ XXIX. The elections for the new parliament in England had been conducted so as fully to answer the purposes of the Duke of Newcastle, and his brother Mr. Pelham, who had for some time wholly engrossed the administration. Both Houses were assembled on the tenth day of November, when Mr. Onslow was unanimously re-elected speaker of the Commons. The session was opened as usual, by a speech from the throne, congratulating

them on the signal successes of the British navy, and the happy alteration in the government of the United Provinces. His majesty gave them to understand that a congress would be speedily opened at Aix-la-Chapelle, to concert the means for effecting a general pacification; and reminded them that nothing would more conduce to the success of this negotiation than the vigour and unanimity of their proceedings. He received such addresses as the ministers were pleased to dictate. Opposition now languished at their feet. The Duke of Bedford was become a courtier, and in a little time appointed secretary of state, in the room of the Earl of Chesterfield, who had lately executed that office, which he now resigned; and the Earl of Sandwich no longer harangued against the administration. This new House of Commons, in imitation of the liberality of their predecessors, readily gratified all the requests of the government. They voted forty thousand seamen, forty-nine thousand land forces, beside eleven thousand five hundred marines; the subsidies for the Queen of Hungary, the czarina, the King of Sardinia, the Electors of Mentz and Bavaria, the Hessians, and the Duke of Wolfenbuttle: the sum of two hundred thirty-five thousand seven hundred and forty-nine pounds was granted to the provinces of New England, to reimburse them for the expense of reducing Cape Breton: five hundred thousand pounds were given to his majesty for the vigorous prosecution of the war; and about one hundred and fifty-two thousand pounds to the Scottish claimants in lieu of their jurisdiction. The supplies for the ensuing year fell very little short of nine millions, of which the greater part was raised on a loan by subscription, chargeable on a new subsidy of poundage exacted from all merchandise imported into Great Britain. Immediately after the rebellion was suppressed the legislature had established some regulations in Scotland, which were thought necessary to prevent such commotions for the future. The highlanders were disarmed, and an act passed for abolishing their peculiarity of garb, which was supposed to keep up party distinctions, to encourage their martial disposition, and to preserve the memory of the exploits achieved by their ancestors. In this session a bill was brought in to enforce the execution of that law, and passed with another act for the more effectual punishment of high treason in the highlands of Scotland. The practice of insuring French and Spanish ships at London being deemed the sole circumstance that prevented a total stagnation of commerce in those countries, it was prohibited by law under severe penalties; and this step of the British parliament accelerated the conclusion of the treaty. Several other prudent measures were taken in the course of this session for the benefit of the public; and among these we may reckon an act for encouraging the manufacture of indigo in the British plantations of North America; an article for which Great Britain used to pay two hundred thousand pounds yearly to the subjects of France. The

A. D. 1748. session was closed on the thirteenth day of May, when the king declared to both Houses, that the preliminaries of a general peace were actually signed at Aix-la-Chapelle by the ministers of Great Britain, France, and the United Provinces; and that the basis of this accommodation was a general restitution of the conquests which had been made during the war. Immediately after the prorogation of parliament his majesty set out for his German dominions, after having appointed a regency to rule the realm in his absence.

§ XXX. The articles might have been made much less unfavourable to Great Britain and her allies, had the ministry made a proper use of the treaty with the czarina; and if the confederates had acted with more vigour and expedition in the beginning of the campaign. The Russian auxiliaries might have been transported by sea to Lubeck before the end of the preceding summer, in their own galleys, which had been lying ready for use since the month of July. Had this expedient been used, the Russian troops would have joined the confederate army before the conclusion of the last campaign. But this easy and expeditious method of conveyance was rejected for a march by land, of incredible length and difficulty, which could not be begun before the month of January, nor accomplished till Midsummer. The operations of the

campaign had been concerted at the Hague, in January, by the respective ministers of the allies, who resolved to bring an army of one hundred and ninety thousand men into the Netherlands, in order to compel the French to abandon the barrier which they had conquered. The towns of Holland became the scenes of tumult and insurrection. The populace plundered the farmers of the revenue, abolished the taxes, and insulted the magistrates; so that the States-general, seeing their country on the brink of anarchy and confusion, authorized the Prince of Orange to make such alterations as he should see convenient. They presented him with a diploma, by which he was constituted hereditary Stadtholder and Captain-general of Dutch Brabant, Flanders, and the upper quarter of Guelderland; and the East India company appointed him director and governor-general of their commerce and settlements in the Indies. Thus invested with authority unknown to his ancestors, he exerted himself with equal industry and discretion in new modelling, augmenting, and assembling, the troops of the republic. The confederates knew that the Count de Saxe had a design upon Maestricht; the Austrian General Bathiani made repeated remonstrances to the British ministry, entreating them to take speedy measures for the preservation of that fortress. He in the month of January proposed that the Duke of Cumberland should cross the sea, and confer with the Prince of Orange on this subject: he undertook, at the peril of his head, to cover Maestricht with seventy thousand men, from all attacks of the enemy; but his representations seemed to have made very little impression on those to whom they were addressed. The Duke of Cumberland did not depart from England till towards the latter end of February: part of March was elapsed before the transports sailed from the Nore with the additional troops and artillery; and the last drafts from the foot guards were not embarked till the middle of August.

§ XXXI. The different bodies of the confederate forces joined each other, and encamped in the neighbourhood of Ruremond, to the number of one hundred and ten thousand men; and the French army invested Maestricht, without opposition, on the third day of April. The garrison consisted of imperial and Dutch troops, under the conduct of the governor, Baron d'Aylva, who defended the place with extraordinary skill and resolution. He annoyed the besiegers in repeated sallies; but they were determined to surmount all opposition, and prosecuted their approaches with incredible ardour. They assaulted the covered way, and there effected a lodgment, after an obstinate dispute, in which they lost two thousand of their best troops; but next day they were entirely dislodged by the gallantry of the garrison. These hostilities were suddenly suspended, in consequence of the preliminaries signed at Aix-la-Chapelle. The plenipotentiaries agreed, that, for the glory of his christian majesty's arms, the town of Maestricht should be surrendered to his general, on condition that it should be restored with all the magazines and artillery. He accordingly took possession of it on the third day of May, when the garrison marched out with all the honours of war: and a cessation of arms immediately ensued. By this time the Russian auxiliaries, to the number of thirty-seven thousand, commanded by Prince Reppin, had arrived in Moravia, where they were reviewed by their imperial majesties; then they proceeded to the confines of Franconia, where they were ordered to halt, after they had marched seven hundred miles since the beginning of the year. The French king declared, that should they advance hither, he would demolish the fortifications of Maestricht and Bergen-op-Zoom. This dispute was referred to the plenipotentiaries, who, in the beginning of August, concluded a convention, importing, that the Russian troops should return to their own country; and that the French king should disband an equal number of his forces. The season being far advanced, the Russians were provided with winter-quarters in Bohemia and Moravia, where they continued till the spring, when they marched back to Livonia. In the meantime seven-and-thirty thousand French troops were withdrawn from Flanders into Picardy, and the two armies remained quiet till the conclusion of the definitive treaty. The suspension of arms was proclaimed at London, and in all the capitals



of the contracting powers : orders were sent to the respective admirals in different parts of the world to refrain from hostilities ; and a communication of trade and intelligence was again opened between the nations which had been at variance. No material transaction distinguished the campaign in Italy. The French and Spanish troops who had joined the Genoese in the territories of the republic, amounted to thirty thousand men, under the direction of the Duke de Richelieu, who was sent from France to assume that command on the death of the Duke de Boufflers ; while Mareschal de Belleisle, at the head of fifty thousand men, covered the western Riviera, which was threatened with an invasion by forty thousand Austrians and Piedmontese, under General Leutrum. At the same time General Brown, with a more numerous army, prepared to re-enter the eastern Riviera, and recommence the siege of Genoa. But these intended operations were prevented by an armistice, which took place as soon as the belligerent powers had acceded to the preliminaries.

§ XXXII. In the East Indies, Rear-Admiral Boscawen undertook the siege of Pondicherry, which, in the month of August, he blockaded up by sea with his squadron, and invested by land with a small army of four thousand Europeans, and about two thousand natives of that country. He prosecuted the enterprise with great spirit, and took the fort of Area Coupan, at the distance of three miles from the town ; then he made his approaches to the place, against which he opened batteries, while it was bombarded and cannonaded by the shipping. But the fortifications were so strong, the garrison so numerous, and the engineers of the enemy so expert in their profession, that he made very little progress, and sustained considerable damage. At length, his army being diminished by sickness, and the rainy season approaching, he ordered the artillery and stores to be re-embarked ; and raising the siege on the sixth day of October returned to Fort St. David, after having lost about a thousand men in this expedition. In the sequel, several ships of his squadron, and above twelve hundred sailors, perished in a hurricane. The naval force of Great Britain was more successful in the West Indies. Rear-Admiral Knowles, with a squadron of eight ships, attacked Fort Louis, on the south side of Hispaniola, which after a warm action of three hours was surrendered on capitulation, and dismantled. Then he made an abortive attempt upon St. Jago de Cuba, and returned to Jamaica, extremely chagrined at his disappointment, which he imputed to the misconduct of Captain Dent, who was tried in England by a court-martial, and honourably acquitted. On the first day of October, the same admiral cruising in the neighbourhood of the Havannah, with eight ships of the line, encountered a Spanish squadron of nearly the same strength, under the command of the Admirals Reggio and Spinola. The engagement began between two and three o'clock in the afternoon, and continued with intervals till eight in the evening, when the enemy retired to the Havannah, with the loss of two ships ; one of which struck to the British admiral, and the other was, two days after, set on fire by her own commander, that she might not fall into the hands of the English. Mr. Knowles taxed some of his captains with misbehaviour, and they recriminated on his conduct. On their return to England, a court-martial was the consequence of the mutual accusations. Those who adhered to the commander, and the others whom he impeached, were inflamed against each other, with the most rancorous resentment. The admiral himself did not escape unscathed : two of his captains were reprimanded : but Captain Holmes, who had displayed uncommon courage, was honourably acquitted. Their animosities did not end with the court-martial. A bloodless encounter happened between the admiral and Captain Powlett : but Captain Innes and Captain Clarke, meeting by appointment in Hyde Park with pistols, the former was mortally wounded, and died next morning ; the latter was tried, and condemned for murder, but indulged with his majesty's pardon. No naval transaction of any consequence happened

in the European seas, during the course of this summer. In January, indeed, the *Magnanime*, a French ship of the line, was taken in the channel by two English cruisers, after an obstinate engagement : and the privateers took a considerable number of merchant ships from the enemy.

§ XXXIII. The plenipotentiaries still continued at Aix-la-Chapelle, discussing all the articles of the definitive treaty, which was at length concluded and signed on the seventh day of October. It was founded on former treaties, which were now expressly confirmed, from that of Westphalia to the last concluded at London and Vienna. The contracting parties agreed, That the prisoners on each side should be mutually released without ransom, and all conquests restored : that the duchies of Parma, Placentia, and Guastalla, should be ceded as a settlement to the Infant Don Philip, and the heirs male of his body ; but in case of his ascending the throne of Spain, or of the two Sicilies, or his dying without male issue, that they should revert to the house of Austria : that the King of Great Britain should, immediately after the ratification of this treaty, send two persons of rank and distinction, to reside in France, as hostages, until restitution should be made of Cape Breton, and all the other conquests which his Britannic majesty should have achieved in the East or West Indies, before or after the preliminaries were signed : that the assiento contract, with the article of the annual ship, should be confirmed for four years, during which the enjoyment of that privilege was suspended since the commencement of the present war ; that Dunkirk should remain fortified on the land side, and towards the sea continuing on the footing of former treaties. All the contracting powers became guarantees to the King of Prussia for the duchy of Silesia and the county of Glatz, as he at present possessed them ; and they likewise engaged to secure the Empress-Queen of Hungary and Bohemia in possession of her hereditary dominions, according to the pragmatic sanction. The other articles regulated the forms and times fixed for this mutual restitution, as well as for the termination of hostilities in different parts of the world. But the right of English subjects to navigate in the American seas, without being subject to search, was not once mentioned, though this claim was the original source of the differences between Great Britain and Spain : nor were the limits of Acadia ascertained. This and all other disputes were left to the discussion of commissaries. We have already observed, that after the troubles of the empire began, the war was no longer maintained on British principles. It became a continental contest, and was prosecuted on the side of the allies without conduct, spirit, or unanimity. In the Netherlands they were outnumbered and outwitted by the enemy. They never hazarded a battle without sustaining a defeat. Their vast armies, paid by Great Britain, lay inactive, and beheld one fortress reduced after another, until the whole country was subdued ; and as their generals fought, their plenipotentiaries negotiated. At a time when their affairs began to wear the most promising aspect, when the arrival of the Russian auxiliaries would have secured an undoubted superiority in the field ; when the British fleets had trampled on the naval power of France and Spain, intercepted their supplies of treasure, and cut off all their resources of commerce ; the British ministers seemed to treat without the least regard to the honour and advantage of their country. They left her most valuable and necessary rights of trade unowned and undecided : they subscribed to the insolent demand of sending the nobles of the realm to grace the court and adorn the triumphs of her enemy ; and they tamely gave up her conquests in North America, of more consequence to her traffic than all the other dominions for which the powers at war contended : they gave up the important isle of Cape Breton, in exchange for a petty factory in the East Indies, belonging to a private company, whose existence had been deemed prejudicial to the commonwealth. What then were the fruits which Britain reaped from this long and desperate war ? A dreadful expense of blood and treasure,<sup>d</sup> disgrace

<sup>d</sup> Such an expensive war could not be maintained without a very extraordinary exertion of a commercial spirit : accordingly we find that Great Britain, since the death of King William, has risen under her pressures with increased vigour and perseverance. Whether it be owing to the natural progression of trade extending itself from its origin to its acme, or

*ne plus ultra*, or to the encouragement given by the administration to mankind men of all denominations, or to necessity, compelling those who can no longer live on small incomes to risk their capitals in traffic, that they may have a chance for bettering their fortunes ; or, lastly, to a concurrence of all these causes, certain it is, the national exports and imports

upon disgrace, an additional load of grievous imposition, and the national debt accumulated to the enormous sum of eighty millions sterling.

## BOOK III.

### CHAP. I.

§ I. Reflections on the peace. § II. The Prince of Wales's adherents join the opposition. § III. Character of the ministry. § IV. Session opened. § V. Debate on the address. § VI. Supplies granted. § VII. Exorbitant demand of the empress queen proposed. § VIII. Violent contest concerning the assent's bill. § IX. Objections to the mutiny bill. § X. Bill for limiting the term of a soldier's service. § XI. Measures taken with respect to the African trade. § XII. Scheme for improving the British fisheries. § XIII. Attempt to open the commerce to Hudson's bay. § XIV. Plan for manning the navy. § XV. Fruitless motions made by the opposition. § XVI. Severities exercised upon some students at Oxford. § XVII. Duke of Newcastle chosen chancellor of the university of Cambridge. § XVIII. Unrests in different parts of the kingdom. § XIX. Scheme for a settlement in Nova Scotia. § XX. Town of Halifax founded. § XXI. French attempt to settle the island of St. Pierre. § XXII. Remonstrances for the peace of Aix-la-Chapelle. § XXIII. Pretender's eldest son arrested at Paris. § XXIV. Appearance of a rupture between Russia and Sweden. § XXV. Intrusion of the King of Prussia. § XXVI. Measures taken by the French ministry. § XXVII. Conduct of the different European powers. § XXVIII. Insolence of the Barbary corsairs. § XXIX. Disturbances in England. § XXX. Session opened. § XXXI. Subject of debate. § XXXII. Scheme for reducing the interest of the national debt. § XXXIII. Act passed for that purpose. § XXXIV. New mutiny bill. § XXXV. Bill for encouraging the importation of iron from America. § XXXVI. Erection of the British herring fishery. § XXXVII. New African company. § XXXVIII. Westminster election. § XXXIX. Famine in London. § XL. Pestilential fever at the session in the Old Bailey. § XLI. Disputes between Russia and Sweden. § XLII. Plan for electing the Archduke Joseph King of the Romans. § XLIII. Opposition of the King of Prussia. § XLIV. Disputes with the French about the limits of Nova Scotia. § XLV. Treaty with Spain. § XLVI. Session opened. § XLVII. Debate on the address. § XLVIII. Supplies granted. § XLIX. Death and character of the Prince of Wales. § L. Settlement of a regency in case of a minor sovereign. § LI. General neutralization bill. § LII. Censure passed upon a paper entitled *Constitutional Queries*. § LIII. Proceedings of the Commons on the Westminster election. § LIV. Mr. Murray sent prisoner to Newcastle. § LV. The session closed. Style altered.

A. D. 1748. § I. THE peace of Aix-la-Chapelle, however unstable or inglorious it might appear to those few who understood the interests, and felt for the honour, of their country, was nevertheless not unwelcome to the nation in general. The British ministry will always find it more difficult to satisfy the people at the end of a successful campaign, than at the conclusion of an unfortunate war. The English are impatient of miscarriage and disappointment, and too apt to be intoxicated with victory. At this period they were tired of the burthens, and sick of the disgraces, to which they had been exposed in the course of seven tedious campaigns. They had suffered considerable losses and interruption in the article of commerce, which was the source of their national opulence and power; they knew it would necessarily be clogged with additional duties for the maintenance of a continental war, and the support of foreign subsidaries; and they drew very faint presages of future success either from the conduct of their allies, or the capacity of their commanders. To a people influenced by these considerations, the restoration of a free trade, the respite from that anxiety and suspense which the prosecution of a war never fails to engender, and the prospect of a speedy deliverance from discouraging restraint and oppressive impositions, were advantages that sweetened the bitter draught of a dishonourable treaty, and induced the majority of the nation to acquiesce in the peace, not barely without murmuring, but even with some degree of satisfaction and applause.

§ II. Immediately after the exchange of ratifications at Aix-la-Chapelle the armies were broken up; the allies in the Netherlands withdrew their several proportions of troops; the French began to evacuate Flanders; and the English forces were re-embarked for their own country. His Britannic majesty returned from his German dominions in November, having landed near Margate in Kent, after a dangerous passage; and on the twenty-ninth of the same month he opened the session of parliament. By this time the misunderstanding between the first two per-

sonages of the royal family had been increased by a fresh succession of matter. The Prince of Wales had held a court of Stannary, in quality of Duke of Cornwall; and revived some claims attached to that dignity, which, had they been admitted, would have greatly augmented his influence among the Cornish boroughs. These efforts roused the jealousy of the administration, which had always considered them as an interest wholly dependent on the crown; and, therefore, the pretensions of his royal highness were opposed by the whole weight of the ministry. His adherents, resenting these hostilities as an injury to their royal master, immediately joined the remnant of the former opposition in parliament, and resolved to counteract all the ministerial measures that should fall under their cognizance; at least they determined to seize every opportunity of thwarting the servants of the crown, in every scheme or proposal that had not an evident tendency to the advantage of the nation. This band of auxiliaries was headed by the Earl of E—t, Dr. Lee, and Mr. N—t. The first possessed a species of eloquence rather plausible than powerful: he spoke with fluency and fire; his spirit was bold and enterprising, his apprehension quick, and his repartee severe. Dr. Lee was a man of extensive erudition, and irreproachable morals, particularly versed in the civil law, which he professed, and perfectly well acquainted with the constitution of his country. Mr. N—t was an orator of middling abilities who harangued upon all subjects indiscriminately, and supplied with confidence what he wanted in capacity: he had been at some pains to study the business of the House, as well as to understand the machine of government; and was tolerably well heard, as he generally spoke with an appearance of good humour, and hazarded every whimsical idea, as it rose in his imagination. But Lord Bolingbroke is said to have been the chief spring, which, in secret, actuated the deliberations of the prince's court. That nobleman, seemingly sequestered from the tumults of a public life, resided at Battersea, where he was visited like a sainted shrine by all the distinguished votaries of wit, eloquence, and political ambition. There he was cultivated and admired for the eloquence of his manners, and the charms of his conversation. The prince's curiosity was first captivated by his character, and his esteem was afterwards secured by the irresistible address of that extraordinary personage, who continued in a regular progression to insinuate himself still further and further into the good graces of his royal patron. How far the conduct of his royal highness was influenced by the private advice of this nobleman we shall not pretend to determine: but, certain it is, the friends of the ministry propagated a report, that he was the dictator of those measures which the prince adopted; and that, under the specious pretext of attachment to the heir apparent of the crown, he concealed his real aim, which was to perpetuate the breach in the royal family. Whatever his sentiments and motives might have been, this was no other than a revival of the old ministerial clamour, that a man cannot be well affected to the king, if he pretends to censure any measure of the administration.

§ III. The weight which the opposition derived from these new confederates in the House of Commons was still greatly overbalanced by the power, influence, and ability that sustained every ministerial project. Mr. Pelham, who chiefly managed the helm of affairs, was generally esteemed as a man of honesty and candour, actuated by a sincere love for his country, though he had been educated in erroneous principles of government, and in some measure obliged to prosecute a fatal system, which descended to him by inheritance. At this time he numbered Mr. Pitt among his fellow-ministers, and was moreover supported by many other individuals of distinguished abilities; among whom the first place in point of genius was due to Mr. M. who executed the office of solicitor-general. This gentleman, the son of a noble family in North Britain, had raised himself to a great eminence at the bar, by a most keen intuitive spirit of apprehension, that seemed to seize every object at first glance; an innate sagacity, that saved the trouble of intense application; and

have been sensibly increasing for these forty years: the yearly medium of wooden exports, from the year 1718 to 1743 inclusive, amounted to about three millions and a half, which was a yearly increase on the medium, of

five hundred thousand pounds above the medium from 1718 to 1724. From this article, the reader will conceive the prodigious extent and importance of the British commerce.

and an irresistible stream of eloquence, that flowed pure and classical, strong and copious, reflecting, in the most conspicuous point of view, the subjects over which it rolled, and sweeping before it all the slime of formal hesitation, and all the entangling weeds of chicanery. Yet, the servants of the crown were not so implicitly attached to the first minister as to acquiesce in all his plans, and dedicate their time and talents to the support of every court measure indiscriminately. This was one material point in which Mr. Pelham deviated from the maxims of his predecessor, who admitted of no contradiction from any of his adherents or fellow-servants, but insisted on sacrificing their whole perception and faculties to his conduct and disposal. That sordid deference to a minister no longer characterized the subordinate instruments of the administration. It was not unusual to see the great officers of the government divided in a parliamentary debate, and to hear the secretary at war opposing with great vehemence a clause suggested by the chancellor of the exchequer. After all, if we coolly consider those arguments which have been bandied about, and retorted with such eagerness and acrimony in the House of Commons, and divest them of those passionate tropes and declamatory metaphors which the spirit of opposition alone had produced, we shall find very little left for the subject of dispute, and sometimes be puzzled to discover any material source of disagreement.

§ IV. In the month of November his majesty opened the session of parliament with a speech, acquainting them, That the definitive treaty of peace was at length signed by all the parties concerned: That he had made the most effectual provision for securing the rights and interests of his own subjects; and procured for his allies the best conditions, which in the present situation of affairs could be obtained. He said, he had found a general good disposition in all the parties to bring the negotiation to a happy conclusion: and observed, that we might promise ourselves a long enjoyment of the blessings of peace. Finally, after having remarked that times of tranquillity were the proper seasons for lessening the national debt, and strengthening the kingdom against future events, he recommended to the Commons the improvement of the public revenue, the maintenance of a considerable naval force, the advancement of commerce, and the cultivation of the arts of peace. This speech, as usual, was echoed back by an address to the throne from both Houses, containing general expressions of the warmest loyalty and gratitude to his majesty, and implying the most perfect satisfaction and acquiescence in the articles of the treaty of Aix-la-Chapelle.

§ V. The members in the opposition, according to custom, cavilled at the nature of this address. They observed, that the late pacification was the worst and most inglorious of all the bad treaties to which the English nation had ever subscribed: that it was equally disgraceful, indefinite, and absurd: they said, the British navy had gained such an ascendancy over the French at sea, that the sources of their wealth were already choked up; that the siege of Maestricht would have employed their arms in the Low Countries till the arrival of the Russians; and that the accession of these auxiliaries would have thrown the superiority into the scale of the allies. They did not fail to take notice, that the most important and original object of the war was left wholly undecided; and demonstrated the absurdity of their promising, in the address, to make good such engagements as his majesty had entered into with his allies, before they knew what those engagements were. In answer to these objections, the ministers replied, That the peace was in itself rather better than could be expected; and that the smallest delay might have proved fatal to the liberties of Europe. They affirmed, that the Dutch were upon the point of concluding a neutrality, in consequence of which their troops would have been withdrawn from the allied army; and in that case, even the addition of the Russian auxiliaries would not have rendered it a match for the enemy. They asserted, that if the war had been prolonged another year, the national credit of Great Britain must have been entirely ruined, many of the public funds having sunk below par in the preceding season, so that the ministry had begun to

despair of seeing the money paid in on the new subscription. With respect to the restoration of Cape Breton, the limits of Nova Scotia, and the right of navigating without search in the American seas, which right had been left unestablished in the treaty, they declared, that the first was an unnecessary expense, of no consequence to Great Britain; and that the other two were points in dispute, to be amicably settled in private conferences by commissaries duly authorized; but by no means articles to be established by a general treaty.

§ VI. What the opposition wanted in strength, it endeavoured to make up with spirit and perseverance. Every ministerial motion and measure was canvassed, sifted, and decied with uncommon art and vivacity: but all this little availed against the single article of superior numbers; and accordingly this was the source of certain triumph in all debates in which the servants of the crown were united. The nation had reason to expect an immediate mitigation in the article of annual expense, considering the number of troops and ships of war which had been reduced at the ratification of the treaty; but they were disagreeably undeceived in finding themselves again loaded with very extraordinary impositions, for the payment of a vast debt which government had contracted in the course of the war, notwithstanding the incredible aids granted by parliament. The committee of supply established four points of consideration, in their deliberations concerning the sums necessary to be raised; namely, for fulfilling the engagements which the parliament had entered into with his majesty, and the services undertaken for the success of the war; for discharging debts contracted by government for making good deficiencies; and for defraying the current expense of the year. It appeared, that the nation owed four-and-forty thousand pounds to the Elector of Bavaria; above thirty thousand to the Duke of Brunswick; the like sum to the Landgrave of Hesse-Cassel; and near nine thousand pounds to the Elector of Mentz. The Queen of Hungary claimed an arrear of one hundred thousand pounds. The city of Glasgow, in North Britain, presented a petition, praying to be reimbursed the sum of ten thousand pounds, extorted from that corporation by the son of the pretender, during the rebellion. One hundred and twelve thousand pounds were owing to the forces in North America and the East Indies; besides near half a million due on extraordinary expenses incurred by the land forces in America, Flanders, and North Britain, by the office of ordnance, and other services of the last year, to which the parliamentary provision did not extend. The remaining debt of the ordnance amounted to above two hundred and thirty thousand pounds: but the navy bills could not be discharged for less than four millions. An addition of two millions three hundred and seventy-four thousand three hundred thirty-three pounds fifteen shillings and two pence was also required for the current service of the year. In a word, the whole annual supply exceeded eight millions sterling—a sum at which the whole nation expressed equal astonishment and disgust. It was charged upon the duties on malt, mummy, cyder, and perry, the land tax at four shillings in the pound, annuities on the sinking fund, an application of one million from that deposit, and the loan of the like sum to be charged on the first aids of next session. The number of seamen was reduced to seventeen thousand, and that of the land forces to eighteen thousand eight hundred and fifty-seven, including guards and garrisons.

§ VII. Every article of expense, however, was warmly disputed by the anti-courtiers; especially the demand of the Queen of Hungary, which was deemed unreasonably exorbitant and rapacious, considering the seas of blood which we had shed, and the immensity of treasure we had exhausted, for her benefit: and surely the subjects of this nation had some reason to complain of an indulgence of this nature, granted to a power which they had literally snatched from the brink of ruin—a power whose quarrel they had espoused with a degree of enthusiasm that did much more honour to their gallantry than to their discretion—a power that kept aloof, with a stateliness of pride peculiar to herself and family; and beheld her British auxiliaries fighting her battles at their own expense: while



she squandered away, in the idle pageantry of barbarous magnificence, those ample subsidies which they advanced in order to maintain her armies, and furnish out her proportion of the war. The leaders of the opposition neglected no opportunity of imbittering the triumphs of their adversaries; they inveighed against the extravagance of granting sixteen thousand pounds for the pay of general staff officers, during a peace that required no such establishment, especially at a juncture when the national encumbrances rendered it absolutely necessary to practise every expedient of economy. They even combated the request of the city of Glasgow, to be indemnified for the extraordinary exaction it underwent from the rebels, though it appeared from unquestionable evidence, that this extraordinary contribution was exacted on account of that city's peculiar attachment to the reigning family: that it had always invariably adhered to revolution principles; and, with an unequalled spirit of loyalty and zeal for the protestant succession, distinguished itself both in the last and preceding rebellion.

§ VIII. But the most violent contest arose on certain regulations which the ministry wanted to establish in two bills, relating to the sea and land service. The first, under the title of a bill for amending, explaining, and reducing into one act of parliament the laws relating to the navy, was calculated solely with a view of subjecting half-pay officers to martial law—a design which not only furnished the opposition with a plausible handle for accusing the ministers, as intending to encroach upon the constitution, in order to extend the influence of the crown; but also alarmed the sea-officers to such a degree, that they assembled to a considerable number, with a view to deliberate upon the proper means of defending their privileges and liberties from invasion. The result of their consultations was a petition to the House of Commons, subscribed by three admirals and forty-seven captains, not members of parliament, representing, That the bill in agitation contained several clauses, tending to the injury and dishonour of all naval officers, as well as to the detriment of his majesty's service; and that the laws already in force had been always found effectual for securing the service of officers on half-pay upon the most pressing occasions: they, therefore, hoped, that they should not be subjected to new hardships and discouragements; and begged to be heard by their counsel, before the committee of the whole House, touching such parts of the bill as they apprehended would be injurious to themselves and the other officers of his majesty's navy. This petition was presented to the House by Sir John Norris, and the motion for its being read was seconded by Sir Peter Warren, whose character was universally esteemed and beloved in the nation. This measure had like to have produced very serious consequences. Many commanders and subalterns had repaired to the admiralty, and threatened, in plain terms, to throw up their commissions in case the bill should pass into a law; and a general ferment was begun among all the subordinate members of the navy. A motion was made, That the petitioners, according to their request, should be heard by their counsel; and this proposal was strongly urged by the first orators of the anti-ministerial association; but the minister, confiding in his own strength, reinforced by the abilities of Mr Pitt, Mr. Littleton, and Mr. Fox the secretary at war, strenuously opposed the motion, which, upon a division, was thrown out by a great majority. The several articles of the bill were afterwards separately debated with great warmth; and though Mr. Pelham had, with the most disinterested air of candour, repeatedly declared that he required no support even from his own adherents, but that which might arise from reason unrestrained, and full conviction, he, on this occasion, reaped all the fruit from their zeal and attachment which could be expected from the most implicit complaisance. Some plausible amendments of the most exceptionable clauses were offered, particularly of that which imposed an oath upon the members of every court-martial, that they should not, on any account, disclose the opinions or transactions of any such tribunal. This was considered as a sanction, under which any court-martial might commit the most flagrant acts of injustice and oppression, which even parliament itself could not redress, because it would be impossible to ascertain the truth,

eternally sealed up by this absurd obligation. The amendment proposed was, that the members of a court-martial might reveal the transactions and operations of it, in all cases wherein the courts of justice, as the law now stands, have a right to interfere, if required thereto by either House of parliament: a very reasonable mitigation, which, however, was rejected by the majority. Nevertheless, the suspicion of an intended encroachment had raised such a clamour without doors, and diffused the odium of this measure so generally, that the minister thought proper to drop the projected article of war, subjecting the reformed officers of the navy to the jurisdictions of courts-martial; and the bill being also softened in other particulars, during its passage through the upper House, at length received the royal assent.

§ IX. The flame which this act had kindled, was rather increased than abated on the appearance of a new mutiny bill replete with divers innovations, tending to augment the influence of the crown, as well as the authority and power of a military jurisdiction. All the articles of war established since the reign of Charles the Second, were submitted to the inspection of the Commons; and in these appeared a gradual spirit of encroachment, almost imperceptibly deviating from the civil institutes of the English constitution, towards the establishment of a military dominion. By this new bill a power was vested in any commander-in-chief, to revise and correct any legal sentence of a court-martial, by which the members of such a court, corresponding with the nature of a civil jury, were rendered absolutely useless, and the commander in a great measure absolute; for he had not only the power of summoning such officers as he might choose to sit on any trial, a prerogative unknown to any civil court of judicature; but he was also at liberty to review and alter the sentence; so that a man was subject to two trials for the same offence, and the commander-in-chief was judge both of the guilt and the punishment. By the final clause of this bill, martial law was extended to all officers on half-pay; and the same arguments which had been urged against this article in the navy bill, were now repeated and reinforced with double fervour. Many reasons were offered to prove that the half-pay was allotted as a recompence for past services; and the opponents of the bill affirmed, that such an article, by augmenting the dependants of the crown, might be very dangerous to the constitution. On the other hand, the partisans of the ministry asserted, that the half-pay was granted as a retaining fee, and that originally all those who enjoyed this indulgence were deemed to be in actual service, consequently subject to martial law. Mr. Pitt, who at this time exercised the office of paymaster-general with a rigour of integrity unknown to the most disinterested of all his predecessors in that department, espoused the clause in dispute, as a necessary extension of military discipline, which could never be attended with any bad consequence to the liberty of the nation. The remarks which he made on this occasion implied an opinion, that our liberties wholly existed in dependence upon the direction of the sovereign, and the virtue of the army. "To that virtue (said he) we trust even at this hour, small as our army is; to that virtue we must have trusted, had this bill been modelled as its warmest opposers could have wished: and without this virtue, should the Lords, the Commons, and the people of England, entrench themselves behind parchment up to the teeth, the sword will find a passage to the vitals of the constitution." All the disputed articles of the bill being sustained on the shoulders of a great majority, it was conveyed to the upper House, where it excited another violent contest. Upon the question whether officers on half-pay had not been subject to martial law, the judges were consulted and divided in their sentiments. The Earl of Bath declared his opinion, that martial law did not extend to reformed officers: and opened all the sluices of his ancient eloquence. He admitted a case which was urged, of seven officers on half-pay, who, being taken in actual rebellion at Preston, in the year 1745, had been executed on the spot by martial law, in consequence of the king's express order. He candidly owned, that he himself was secretary at war at that period; that he had approved of this order, and even transmitted it to General Carpenter, who commanded at Preston; but

now his opinion was entirely changed. He observed, that when the fore-mentioned rebellion first broke out, the House presented an address to the king, desiring his majesty would be pleased to employ all half-pay officers, and gratify them with whole pay; and, indeed, all such officers were voted on whole pay by the House of Commons. They were afterwards apprized of this vote, by an advertisement in the Gazette, and ordered to hold themselves in readiness to repair to such places as should be appointed; and finally commanded to repair by such a day to those places on pain of being struck off the half-pay list. These precautions would have been unnecessary, had they been deemed subject to martial law; and the penalty for non-obedience would not have been merely a privation of their pensions, but they would have fallen under the punishment of death, as deserters from the service. His lordship distinguished, with great propriety and precision, between a step which had been precipitately taken in a violent crisis, when the public was heated with apprehension and resentment, and a solemn law concerted at leisure, during the most profound tranquillity. Notwithstanding the spirited opposition of this nobleman, and some attempts to insert additional clauses, the bill having undergone a few inconsiderable amendments, passed by a very considerable majority.

§ X. Immediately after the mutiny bill had passed the lower House, another fruitless effort was made by the opposition. The danger of a standing army, on whose virtue the constitution of Great Britain seemed to depend, did not fail to alarm the minds of many who were zealously attached to the liberties of their country, and gave birth to a scheme, which, if executed, would have enabled the legislature to establish a militia that must have answered many national purposes, and acted as a constitutional bulwark against the excesses and ambition of a military standing force, under the immediate influence of government. The scheme which patriotism conceived, was, in all probability, adopted by party. A bill was brought in, limiting the time beyond which no soldier, or non-commissioned officer, should be compelled to continue in the service. Had this limitation taken place, such a rotation of soldiers would have ensued among the common people, that in a few years every peasant, labourer, and inferior tradesman in the kingdom would have understood the exercise of arms: and perhaps the people in general would have concluded that a standing army was altogether unnecessary. A project of this nature could not, for obvious reasons, be agreeable to the administration, and therefore the bill was rendered abortive; for, after having been twice read, it was postponed from time to time, till the parliament was prorogued, and never appeared in the sequel. Such were the chief subjects of debate between the ministry and the opposition, composed, as we have already observed, of the prince's servants and the remains of the country party, this last being headed by Lord Strange, son of the Earl of Derby, and Sir Francis Dashwood; the former a nobleman of distinguished abilities, keen, penetrating, eloquent, and sagacious; the other frank, spirited, and sensible.

§ XI. It must be owned, however, for the honour of the ministry, that if they carried a few unpopular measures with a high hand, they seemed earnestly desirous of making amends to the nation, by promoting divers regulations for the benefit and improvement of commerce, which actually took place in the ensuing session of parliament. One of the principal objects of this nature which fell under their cognizance, was the trade to the coast of Guinea: a very important branch of traffic, whether considered as a market of British manufactures, or as the source that supplied the English plantations with negroes. This was originally monopolized by a joint-stock company, which had from time to time derived considerable sums from the legislature, for enabling them the better to support certain forts or castles on the coast of Africa, to facilitate the commerce and protect the merchants. In the sequel, however, the exclusive privilege having been judged prejudicial to the national trade, the coast was laid open to all British subjects, indiscriminately, on condition of their paying a certain duty towards defraying the expense of the forts and factories. This expedient did not answer the purposes for which it had been contrived. The separate traders, instead

of receiving any benefit from the protection of the company, industriously avoided their castles, as the receptacles of tyranny and oppression. The company, whether from the misconduct or knavery of their directors, contracted such a load of debts as their stock was unable to discharge. They seemed to neglect the traffic, and allowed their castles to decay. In a word, their credit being exhausted, and their creditors growing clamorous, they presented a petition to the House of Commons, disclosing their distresses, and imploring such assistance as should enable them not only to pay their debts, but also to maintain the forts in a defensible condition. This petition recommended to the House in a message from his majesty, was corroborated by another in behalf of the company's creditors. Divers merchants of London, interested in the trade of Africa and the British plantations in America, petitioned the House, that, as the African trade was of the utmost importance to the nation, and could not be supported without forts and settlements, some effectual means should be speedily taken for protecting and extending this valuable branch of commerce. A fourth was offered by the merchants of Liverpool, representing that the security and protection of the trade of Africa must always principally depend upon his majesty's ships of war being properly stationed on that coast, and seasonably relieved; and that such forts and settlements as might be judged necessary, for marks of sovereignty and possession, would prove a nuisance and burthen to the trade, should they remain in the hands of any joint-stock company, whose private interest always had been, and ever would be, found incompatible with the interest of the separate and open trader. They therefore prayed, that the said forts might either be taken into his majesty's immediate possession, and supported by the public, or committed to the merchants trading on that coast, in such a manner as the House should judge expedient, without vesting in them any other advantage, or right to the commerce, but what should be common to all his majesty's subjects. This remonstrance was succeeded by another, to the same effect, from the master, wardens, assistants, and commonalty of the society of merchant adventurers within the city of Bristol. All these petitions were referred to a committee appointed to deliberate on this subject; who agreed to certain resolutions, implying that the trade to Africa should be free and open; that the British forts and settlements on that coast ought to be maintained, and put under proper direction; and that, in order to carry on the African trade in the most beneficial manner to these kingdoms, all the British subjects trading to Africa should be united in one open company, without any joint stock, or power to trade as a corporation. A bill was immediately founded on these resolutions, which alarmed the company to such a degree, that they had recourse to another petition, demonstrating their right to the coast of Africa, and expressing their reliance on the justice of the House, that they should not be deprived of their property without an adequate consideration. In a few days, a second address was offered by their creditors, complaining of the company's mismanagement, promising to surrender their right, as the wisdom of parliament should prescribe; praying that their debts might be inquired into; and that the equivalent to be granted for the company's possessions might be secured and applied, in the first place, for their benefit. The Commons, in consequence of this petition, ordered the company to produce a list of their debts, together with a copy of their charter, and two remonstrances, which their creditors had presented to them before this application to parliament. A committee of the whole House, having deliberated on these papers and petitions, and heard the company by their counsel, resolved to give them a reasonable compensation for their charter, lands, forts, settlements, slaves, and effects, to be, in the first place, applied towards the payment of their creditors. A bill being formed accordingly, passed the Commons, and was conveyed to the upper House, where a great many objections were started; and for the present it was dropped until a more unexceptionable plan should be concerted. In the meantime, their lordships addressed his majesty, that the lords commissioners for trade and plantations might be directed to prepare a scheme on this subject, to be laid before both Houses of parliament

at the beginning or next session: that instant orders should be given for the preserving and securing the forts and settlements on the coast of Guinea belonging to Great Britain; and, that proper persons should be appointed to examine into the condition of those forts, as well as of the military stores, slaves, and vessels belonging to the African company, so as to make a faithful report of these particulars, with all possible expedition.

§ XII. The ministry having professed an inclination, and indeed shown a disposition, to promote and extend the commerce of the kingdom, the Commons resolved to take some steps for encouraging the white fishery along the northern coast of the island, which is an inexhaustible source of wealth to our industrious neighbours the Dutch, who employ annually a great number of hands and vessels in this branch of commerce. The sensible part of the British people, reflecting on this subject, plainly foresaw that a fishery under due regulations, undertaken with the protection and encouragement of the legislature, would not only prove a fund of national riches, and a nursery of seamen; but likewise, in a great measure, prevent any future insurrections in the highlands of Scotland, by diffusing a spirit of industry among the natives of that country, who finding it in their power to become independent, on the fruits of their own labour, would soon enfranchise themselves from that slavish attachment, by which they had been so long connected with their landlords the chieftains. Accordingly, a committee was appointed to deliberate on the state of the British fishery; and upon their report a bill was founded for encouraging the whale fishery on the coast of Spitzbergen, by a bounty of forty shillings per ton for every ship equipped for that undertaking. The bill having made its way through both Houses, and obtained the royal assent, the merchants in different parts of the kingdom, particularly in North Britain, began to build and fit out ships of great burthen, and peculiar structure, for the purposes of that fishery, which ever since hath been carried on with equal vigour and success. Divers merchants and traders of London having presented to the House of Commons a petition, representing the benefits that would accrue to the community from a herring and cod fishery, established on proper principles, and carried on with skill and integrity, this remonstrance was referred to a committee, upon whose resolutions a bill was formed; but, before this could be discussed in the House, the parliament was prorogued, and of consequence this measure proved abortive.

§ XIII. The next regulation proposed in favour of trade, was that of laying open the commerce of Hudson's bay, in the most northern parts of America, where a small monopoly maintained a few forts and settlements, and prosecuted a very advantageous fur trade with the Indians of that continent. It was suggested, that the company had long ago enriched themselves by their exclusive privilege; that they employed no more than four annual ships; that, contrary to an express injunction in their charter, they discouraged all attempts to discover a north-west passage to the East Indies; that they dealt cruelly and perfidiously with the poor Indians, who never traded with them, except when compelled by necessity, so that the best part of the fur trade had devolved to the enemies of Great Britain; and that their exclusive patent restricted to very narrow limits a branch of commerce, which might be cultivated to a prodigious extent, as well as to the infinite advantage of Great Britain. Petitions, that the trade of Hudson's bay might be laid open, were presented to the House by the merchants of London, Great Yarmouth, and Wolverhampton; and a committee was appointed to deliberate upon this subject. On the other hand, the company exerted themselves in petitions and private applications, for their own preservation. The committee examined many papers and records: and the report was taken into consideration by the whole House. Many evidences were interrogated, and elaborate speeches made, on both sides of the question. At length a majority seemed satisfied that the traffic on the coast of Hudson's bay could not be preserved without forts and settlements, which must be maintained either by an exclusive company, or at the public expense; and as this was not judged a proper juncture to encumber the nation with any charge of that kind, the design of dis-

solving the company was laid aside till a more favourable opportunity.

§ XIV. The government had, during the war, found great difficulty in pressing men for the service of the navy—a practice, which, however sanctioned by necessity, is nevertheless a flagrant encroachment on the liberty of the subject, and a violent outrage against the constitution of Great Britain. The ministry, therefore, had employed some of their agents to form a scheme for retaining in time of peace, by means of a certain allowance, a number of seamen who should be registered for the purpose, and be ready to man a squadron upon any emergency. Such a plan, properly regulated, would have been a great advantage to commerce, which is always distressed by the practice of pressing seamen: and at the same time, a great security to the kingdom in dangerous conjunctures, when it may be necessary to equip an armament at a minute's warning. The House of Commons being moved upon this subject, agreed to divers resolutions, as a foundation for the bill: but the members in the opposition affecting to represent this measure in an odious light, as an imitation of the French method of registering seamen without their own consent, Mr. Pelham dropped it, as an unpopular project.

§ XV. Information having been received, that the French intended to settle the neutral islands of St. Lucia, Dominica, St. Vincent, and Tobago, in the West Indies, the nation had taken the alarm in the beginning of the year; and a motion was made in the House of Commons to address his majesty, that he would be graciously pleased to give directions for laying before the House copies of the instructions given to the governors of Barbadoes for ten years last past, so far as they related to these neutral islands; but whether the minister was conscious of a neglect in this particular, or thought such inquiries trenchant upon the prerogative, he opposed the motion with all his might; and after some debate, the previous question passed in the negative. This was also the fate of another motion made by the Earl of E—t for an address, entreating his majesty would submit to the inspection of the House all the proposals of peace that had been made by the French king since the year which preceded the last rebellion, to that in which the definitive treaty was concluded at Aix-la-Chapelle. This they proposed as a previous step to the parliament's forming any opinion concerning the utility or necessity of the peace which had been established. Violent debates ensued, in which the opposition was as much excelled in oratory as out-numbered in votes. Such were the material transactions of this session, which in the month of June was closed as usual with a speech from the throne; in which his majesty signified his hope, that the parliament, at their next meeting, would be able to perfect what they had now begun for advancing the trade and navigation of the kingdom. He likewise expressed his satisfaction at seeing public credit flourish at the end of an expensive war: and recommended unanimity as the surest bulwark of national security.

§ XVI. While the ministry, on some occasions, exhibited all the external signs of moderation and good humour; they, on others, manifested a spirit of jealous and resentment, which seems to have been childish and illiberal. Two or three young riotous students at Oxford, trained up in prejudice, and heated with intemperance, uttered some expressions, over their cups, implying their attachment to the family of the pretender. The report of this indiscretion was industriously circulated by certain worthless individuals, who, having no reliance on their own intrinsic merit, hoped to distinguish themselves as the tools of party, and to obtain favour with the ministry by acting as volunteers in the infamous practice of information. Though neither the rank, age, nor connexions of the delinquents were such as ought to have attracted the notice of the public, the vice-chancellor, heads of houses, and proctors of the university, knowing the invidious scrutiny to which their conduct was subjected, thought proper to publish a declaration, signifying their abhorrence of all seditious practices, their determined resolution to punish all offenders to the utmost severity and rigour of the statutes; and containing preperatory orders for the regulation of the university. Notwithstanding these wise and salutary precautions, the three boys, who, in the



heat of their intoxication, had drank the pretender's health, were taken into custody by a messenger of state; and two of them being tried in the court of king's bench, and found guilty, were sentenced to walk through the courts of Westminster with a specification of their crime fixed to their foreheads; to pay a fine of five nobles each; to be imprisoned for two years, and find security for their good behaviour for the term of seven years after their enlargement. Many people thought they saw the proceedings of the star-chamber revived in the severity of this punishment. The administration, not yet satisfied with the vengeance which had been taken on these three striplings, seemed determined to stigmatize the university to which they belonged. The cry of Jacobitism was loudly trumpeted against the whole community. The address of the university congratulating his majesty on the establishment of the peace was rejected with disdain, and an attempt was made to subject their statutes to the inspection of the king's council; but this rule, being argued in the court of king's bench, was dismissed, in consequence of the opinions given by the judges. Finally, the same tribunal granted an information against Dr. Purnel, the vice-chancellor, for his behaviour in the case of the rioters above mentioned: but this was countermanded in the sequel, his conduct appearing unexceptional upon a more cool and impartial inquiry.

§ XVII. In proportion as Oxford declined, her sister university rose in the favour of the administration, which she at this period cultivated by an extraordinary mark of compliance and attachment. The dignity of chancellor of the university being vacated by the death of the Duke of Somerset, the nation in general seemed to think it would naturally devolve upon the Prince of Wales, as a complement at all times due to that rank; but more especially to the then heir apparent, who had eminently distinguished himself by the virtues of a patriot and a prince. He had even pleased himself with the hope of receiving this mark of attachment from a seminary for which he entertained a particular regard. But the ruling members, seeing no immediate prospect of advantage in glorifying even a prince who was at variance with the ministry, wisely turned their eyes upon the illustrious character of the Duke of Newcastle, whom they elected without opposition, and installed with great magnificence; learning, poetry, and eloquence, joining their efforts in celebrating the shining virtues and extraordinary talents of their new patron.

§ XVIII. Although opposition lay gasping at the feet of power in the House of Commons, the people of England did not yet implicitly approve all the measures of the administration; and the dregs of faction, still agitated by an internal ferment, threw up some ineffectual bubbles in different parts of the kingdom. Some of those who made no secret of their disaffection to the reigning family, determined to manifest their resentment and contempt of certain noblemen and others, who were said to have abandoned their ancient principles, and to have sacrificed their consciences to their interest. Many individuals, animated by the fumes of inebriation, now loudly extolled that cause which they durst not avow when it required their open approbation and assistance; and, though they industriously avoided exposing their lives and fortunes to the chance of war in promoting their favourite interest when there was a possibility of success, they betrayed no apprehensions in celebrating the memory of its last effort, amidst the tumult of a riot, and the clamours of intemperance. In the neighbourhood of Lichfield the sportsmen of the party appeared in the highland taste of variegated drapery; and their zeal descending to a very extraordinary exhibition of practical ridicule, they hunted, with hounds clothed in plaid, a fox dressed in a red uniform. Even the females at their assembly, and the gentlemen at the races, affected to wear the checkered stuff by which the prince's retender and his followers had been distinguished. Divers noblemen on the course were insulted as apostates; and one personage, of high rank, is said to have undergone a very disagreeable flagellation.

§ XIX. As the public generally suffers at the end of a war, by the sudden dismissal of a great number of soldiers and seamen, who having contracted a habit of idleness, and finding themselves without employment and the means

of subsistence, engage in desperate courses, and prey upon the community, it was judged expedient to provide an opening, through which these unquiet spirits might exhale without damage to the commonwealth. The most natural was that of encouraging them to become members of a new colony in North America, which, by being properly regulated, supported, and improved, might be the source of great advantages to its mother country. Many disputes had arisen between the subjects of England and France, concerning the limits of Nova Scotia, which no treaty had as yet properly ascertained. A fort had been raised, and a small garrison maintained, by the King of Great Britain, at a part of this very country, called Annapolis Royal, to overawe the French neutrals settled in the neighbourhood: but this did not answer the purpose for which it was intended. Upon every rupture or dispute between the two crowns, these planters, forgetting their neutrality, intrigued with the Indians, communicated intelligence to their own countrymen, settled at St. John's and Cape Breton, and did all the ill offices their hatred could suggest against the colonies and subjects of Great Britain. A scheme was now formed for making a new establishment on the same peninsula, which should further confirm and extend the property and dominion of the crown of Great Britain in that large tract of country, clear the uncultivated grounds, constitute communities, diffuse the benefits of population and agriculture, and improve the fishery of that coast, which might be rendered a new source of wealth and commerce to Old England. The particulars of the plan being duly considered, it was laid before his majesty, who approved of the design, and referred the execution of it to the board of trade and plantations, over which the Earl of Halifax presided. This nobleman, endued by nature with an excellent capacity, which had been diligently and judiciously cultivated, animated with liberal sentiments, and fired with an eager spirit of patriotism, adopted the plan with the most generous ardour, and cherished the infant colony with paternal affection. The commissioners for trade and plantations immediately advertised, under the sanction of his majesty's authority, that proper encouragement would be given to such of the officers and private men, lately dismissed from the land and sea service, as were willing to settle with or without families, in the province of Nova Scotia: that the fee-simple, or perpetual property, of fifty acres of land should be granted to every private soldier or seaman, free from the payment of any quit-rents or taxes, for the term of ten years: at the expiration of which no person should pay more than one shilling per annum for every fifty acres so granted: that, over and above these fifty, each person should receive a grant of ten acres for every individual, including women and children, of which his family should consist: that further grants should be made to them as the number should increase, and in proportion as they should manifest their abilities in agriculture: that every officer, under the rank of ensign in the land service, or lieutenant in the navy, should be gratified with fourscore acres on the same conditions: that two hundred acres should be bestowed upon ensigns, three hundred upon lieutenants, four hundred upon captains, and six hundred on every officer above that degree, with proportionable considerations for the number and increase of every family: that the lands should be parcelled out as soon as possible after the arrival of the colonists, and a civil government established; by virtue of which they should enjoy all the liberties and privileges of British subjects, with proper security and protection: that the settlers, with their families, should be conveyed to Nova Scotia, and maintained for twelve months after their arrival at the expense of the government; which should also supply them with arms and ammunition, as far as should be judged necessary for their defence, with proper materials and utensils for clearing and cultivating their land, erecting habitations, exercising the fishery, and such other purposes as should be judged necessary for their support.

§ XX. The scheme was so feasible, and the encouragement so inviting, that in a little time about four thousand adventurers, with their families, were entered, according to the directions of the board of trade, who in the beginning of May set sail from England, under the command of Colonel Cornwallis, whom the king had appointed their

governor, and towards the latter end of June arrived at the place of their destination, which was the harbour of Chibuctou, on the sea-coast of the peninsula, about midway between Cape Canceau and Cape Sable. It is one of the most secure and commodious havens in the whole world, and well situated for the fishery; yet the climate is cold, the soil barren, and the whole country covered with woods, of birch, fir, pine, and some oak, unfit for the purposes of timber; but at the same time extremely difficult to remove and extirpate. Governor Cornwallis no sooner arrived in this harbour than he was joined by two regiments of infantry from Cape Breton, and a company of rangers from Annapolis. Then he pitched upon a spot for the settlement, and employed his people in clearing the ground for laying the foundations of a town; but some inconveniences being discovered in this situation, he chose another to the northward, hard by the harbour, on an easy ascent, commanding a prospect of the whole peninsula, and well supplied with rivulets of fresh and wholesome water. Here he began to build a town on a regular plan, to which he gave the name of Halifax, in honour of the nobleman who had the greatest share in founding the colony; and before the approach of winter above three hundred comfortable wooden houses were built, the whole surrounded by a strong palisade. This colony, however, has by no means answered the sanguine expectations of the projectors; for notwithstanding the ardour with which the interests of it were promoted by its noble patron, and the repeated indulgence it has reaped from the bounty of the legislature, the inhabitants have made little or no progress in agriculture: the fishery is altogether neglected, and the settlement entirely subsists on the sums expended by the individuals of the army and navy, whose duty obliges them to reside in this part of North America.

§ XXI. The establishment of such a powerful colony in Nova Scotia could not fail giving umbrage to the French in that neighbourhood, who, though they did not think proper to promulgate their jealousy and disgust, nevertheless employed their emissaries clandestinely in stimulating and exciting the Indians to harass the colonists with hostilities, in such a manner as should effectually hinder them from extending their plantations, and perhaps induce them to abandon the settlement. Nor was this the only part of America in which the French court countenanced such perfidious practices. More than ever convinced of the importance of a considerable navy, and an extensive plantation trade, they not only exerted uncommon industry in re-establishing their marine, which had suffered so severely during the war; but they resolved, if possible, to extend their plantations in the West Indies, by settling the neutral islands, which we have already mentioned. In the beginning of the year the governor of Barbadoes, having received intelligence that the French had begun to settle the island of Tobago, sent Captain Tyrrel thither in a frigate, to learn the particulars. That officer found above three hundred men already landed, secured by two batteries and two ships of war, and in daily expectation of a further reinforcement from the Marquis de Caylus, governor of Martinique; who had published an ordonnance, authorizing the subjects of the French king to settle the island of Tobago, and promising to defend them from the attempts of all their enemies. This assurance was in answer to a proclamation issued by Mr. Grenville, governor of Barbadoes, and stuck up in the different parts of the island, commanding all the inhabitants to remove, in thirty days, on pain of undergoing military execution. Captain Tyrrel, with a spirit that became a commander in the British navy, gave the French officers to understand, that his most christian majesty had no right to settle in the island, which was declared neutral by treaties; and that, if they would not desist, he should be obliged to employ force in driving them from their new settlement. Night coming on, and Mr. Tyrrel's ship falling to leeward, the French captain seized that opportunity of sailing to Martinique; and next day the English commander returned to Barbadoes, having no power to commit hostilities. These tidings, with a copy of the French governor's ordonnance, were no sooner transmitted to the ministry, than they despatched a courier to the English envoy at Paris, with directions to make representations to the court of Versailles on this subject. The

ministry of France, knowing they were in no condition to support the consequences of an immediate rupture, and understanding how much the merchants and people of Great Britain were alarmed and incensed at their attempts to possess these islands, thought proper to disown the proceedings of the Marquis de Caylus, and to grant the satisfaction that was demanded, by sending him orders to discontinue the settlement, and evacuate the island of Tobago. At the same time, however, that the court of Versailles made this sacrifice for the satisfaction of England, the Marquis de Puyseux, the French minister, observed to the English resident, that France was undoubtedly in possession of that island towards the middle of the last century. He ought in candour to have added, that although Louis XIV. made a conquest of this island from the Hollanders, during his war with that republic, it was restored to them by the treaty of Nimeguen, and since that time France could not have the least shadow of a claim to number it among her settlements. It was before this answer could be obtained from the court of Versailles, that the motion, of which we have already taken notice, was made in the House of Commons, relating to the subject of the neutral islands; a motion discouraged by the court, and defeated by the majority.

§ XXII. The peace of Aix-la-Chapelle was celebrated by fire-works, illuminations, and rejoicings, in which the English, French, and Dutch, seemed to display a spirit of emulation in point of taste and magnificence; and in all probability, these three powers were sincerely pleased at the cessation of the war. England enjoyed a respite from intolerable supplies, exorbitant insurance, and interrupted commerce; Holland was delivered from the brink of a French invasion; and France had obtained a breathing time for re-establishing her naval power, for exerting that spirit of intrigue, by dint of which she hath often embroiled her neighbours, and for executing plans of insensible encroachment, which might prove more advantageous than the progress of open hostilities. In the affair of Tobago the French king had manifested his inclination to avoid immediate disputes with England; and had exhibited another proof of the same disposition in his behaviour to the prince pretender, who had excited such a dangerous rebellion to the island of Great Britain.

§ XXIII. Among those princes and powers who excepted against different articles of the treaty of Aix-la-Chapelle, the Chevalier de St. George, foreseeing that none of the plenipotentiaries would receive his protest, employed his agents to fix it up in the public places of Aix-la-Chapelle; a precaution of very little service to his cause, which all the States of Christendom seemed now to have abandoned. So little was the interest of his family considered in this negotiation, that the contracting powers agreed, without reserve, to a literal insertion of the fifth article of the quadruple alliance; by which it was stipulated, that neither the pretender nor any of his descendants should be allowed to reside within the territories belonging to any of the subscribing parties. At the same time the plenipotentiaries of France promised those of Great Britain that Prince Charles Edward should be immediately obliged to quit the dominions of his most christian majesty. Notice of this agreement was accordingly given by the court of Versailles to the young adventurer, and as he had declared he would never return to Italy, Mons. de Courteille, the French envoy to the cantons of Switzerland, was directed by his sovereign to demand an asylum for Prince Edward in the city of Fribourg. The regency having complied in this particular with the earnest request of his most christian majesty, Mr. Barnaby, the British minister to the Helvetic body, took the alarm, and presented the magistracy of Fribourg with a remonstrance, couched in such terms as gave offence to that regency, and drew upon him a severe answer. In vain had the French king exerted his influence in procuring this retreat for the young pretender, who, being pressed with repeated messages to withdraw, persisted in refusing to quit the place, to which he had been so cordially invited by his cousin the King of France, and where he said that monarch had solemnly promised, on the word of a king, that he would never forsake him in his distress, nor abandon the interests of his family. Louis was not a little perplexed at this obstinacy of Prince Ed-

ward, which was the more vexatious, as that youth appeared to be the darling of the Parisians; who not only admired him for his own accomplishments, and pitied him for his sufferings, but also revered him, as a young hero lineally descended from their renowned Henry the Fourth. At length, the two English noblemen arriving at Paris, as hostages for the performance of the treaty, and seeing him appear at all public places of diversion, complained of this circumstance, as an insult to their sovereign, and an infringement of the treaty so lately concluded. The French king, after some hesitation between punctilio and convenience, resolved to employ violence upon the person of this troublesome stranger, since milder remonstrances had not been able to influence his conduct: but this resolution was not taken till the return of a courier whom he despatched to the Chevalier de St. George; who being thus informed of his son's deportment, wrote a letter to him, laying strong injunctions upon him, to yield to the necessity of the times, and acquiesce with a good grace in the stipulations which his cousin of France had found it necessary to subscribe, for the interest of his realm. Edward, far from complying with this advice and injunction, signified his resolution to remain in Paris; and even declared, that he would pistol any man who should presume to lay violent hands on his person. In consequence of this bold declaration, an extraordinary council was held at Versailles, when it was determined to arrest him without further delay, and the whole plan of this enterprise was finally adjusted. That same evening, the prince entering the narrow lane that leads to the opera, the barrier was immediately shut, and the serjeant of the guard called "To arms;" on which Monsieur de Vaudreuil, exempt of the French guards, advancing to Edward, "Prince, (said he,) I arrest you in the king's name, by virtue of this order." At that instant the youth was surrounded by four grenadiers, in order to prevent any mischief he might have done with a case of pocket-pistols which he always carried about him; and a guard was placed at all the avenues and doors of the opera-house, lest any tumult should have ensued among the populace. These precautions being taken, Vaudreuil, with an escort, conducted the prisoner through the garden of the palais royal to a house where the Duke de Biron waited with a coach and six to convey him to the castle of Vincennes, whither he was immediately accompanied by a detachment from the regiment of French guards, under the command of that nobleman. He had not remained above three days in his confinement when he gave the French ministry to understand, that he would conform himself to the king's intentions: and was immediately enlarged upon giving his word and honour that he would, without delay, retire from the dominions of France. Accordingly, he set out in four days from Fontainebleau, attended by three officers, who conducted him as far as Pont-Bauvosin on the frontiers, where they took their leave of him, and returned to Versailles. He proceeded for some time in the road to Chamberi; but soon returned into the French dominions, and, passing through Dauphiné, repaired to Avignon, where he was received with extraordinary honours by the Pope's legate. In the meantime, his arrest excited great murmurings at Paris; the inhabitants blaming, without scruple, their king's conduct in this instance, as a scandalous breach of hospitality, as well as a mean proof of condescension to the King of England; and many severe pasquinades relating to this transaction, were fixed up in the most public places in that metropolis.

§ XXIV. Although peace was now re-established among the principal powers of the continent, yet another storm seemed ready to burst upon the northern parts of Europe, in a fresh rupture between Russia and Sweden. Whether the czarina had actually obtained information that the French faction meditated some revolution of government at Stockholm, or she wanted a pretence for annexing Finland to her empire; certain it is, she affected to apprehend that the Prince-succesor of Sweden waited only for the decease of the reigning king, who was very old and infirm, to change the form of government, and resume that absolute authority which some of the monarchs, his predecessors, had enjoyed. She seemed to think that a prince thus vested with arbitrary power, and guided by the councils of France and Prussia, with which Sweden had lately en-

gaged in close alliance, might become a very troublesome and dangerous neighbour to her in the Baltic; she, therefore, recruited her armies, repaired her fortifications, filled her magazines, ordered a strong body of troops to advance towards the frontiers of Finland, and declared in plain terms to the court of Stockholm, that if any step should be taken to alter the government, which she had bound herself by treaty to maintain, her troops should enter the territory of Sweden, and she would act up to the spirit of her engagements. The Swedish ministry, alarmed at these peremptory proceedings, had recourse to their allies; and, in the meantime, made repeated declarations to the court of Petersburg, that there was no design to make the least innovation in the nature of their established government: but little or no regard being paid to these representations, they began to put the kingdom in a posture of defence; and the old king gave the czarina to understand, that if, notwithstanding the satisfaction he had offered, her forces should pass the frontiers of Finland, he would consider their march as an hostile invasion, and employ the means which God had put in his power for the defence of his dominions.

§ XXV. This declaration in all probability did not produce such effect as the interposition of his Prussian majesty, the most enterprising prince of his time, at the head of one hundred and forty thousand of the best troops that Germany ever trained. Perhaps he was not sorry that the Empress of Muscovy furnished him with a plausible pretence for maintaining such a formidable army, after the peace of Europe had been ascertained by a formal treaty, and all the surrounding states had diminished the number of their forces. He now wrote a letter to his uncle the King of Great Britain, complaining of the insults and menaces that had been offered by the czarina to Sweden, declaring, that he was bound by a defensive alliance, to which France had acceded, to defend the government at present established in Sweden; and that he would not sit still, and tamely see that kingdom attacked by any power whatsoever without acting up to his engagements: he therefore entreated his Britannic majesty to interpose his good offices, in conjunction with France and him, to compromise the disputes which threatened to embroil the northern parts of Europe. By this time the Russian army had approached the frontiers of Finland: the Swedes had assembled their troops, replenished their magazines, and repaired their marine: and the King of Denmark, jealous of the czarina's designs with regard to the duchy of Sleswick, which was contested with him by the Prince-succesor of Russia, kept his army and navy on the most respectable footing. At this critical juncture, the courts of London, Versailles, and Berlin co-operated so effectually by remonstrances and declarations at Petersburg and Stockholm, that the Empress of Russia thought proper to own herself satisfied, and all those clouds of trouble were immediately dispersed. Yet, in all probability, her real aim was disappointed; and, however she might dissemble her sentiments, she never heartily forgave the King of Prussia for the share he had in this transaction. That monarch, without relaxing in his attention to the support of a very formidable military power, exerted very extraordinary endeavours in cultivating the civil interests of his country. He reformed the laws of Brandenburg, and rescued the administration of justice from the frauds of chicanery. He encouraged the arts of agriculture and manufacture; and even laid the foundation of naval commerce, by establishing an East India company in the port of Embden.

§ XXVI. Nor did the French ministry neglect any measure that might contribute to repair the damage which the kingdom had sustained in the course of the war. One half of the army was disbanded: the severe imposition of the tenth penny was suspended by the king's edict: a scheme of economy was proposed, with respect to the finances; and the utmost diligence used in procuring materials, as well as workmen, for ship-building, that the navy of France might speedily retrieve its former importance. In the midst of these truly patriotic schemes, the court of Versailles betrayed a littleness of genius, and spirit of tyranny, joined to fanaticism, in quarrelling with their parliament about superstitious forms of religion. The sacraments had been denied to a certain person on his death-



bed, because he refused to subscribe to the bull *Unigenitus*. The nephew of the defunct preferred a complaint to the parliament, whose province it was to take cognizance of the affair; a deputation of that body attended the king with the report of the resolutions; and his majesty commanded them to suspend all proceedings relating to a matter of such consequence, concerning which he would take an opportunity of signifying his royal pleasure. This interposition was the source of disputes between the crown and parliament, which had like to have filled the whole kingdom with intestine troubles.

§ XXVII. At Vienna the empress-queen was not more solicitous in promoting the trade and internal manufactures of her dominions, by sumptuary regulations, necessary restrictions on foreign superfluities, by opening her ports in the Adriatic, and giving proper encouragement to commerce, than she was careful and provident in reforming the economy of her finances, maintaining a respectable body of forces, and guarding, by defensive alliances, against the enterprises of his Prussian majesty, on whose military power she looked with jealousy and distrust. In Holland, all the authority and influence of the stadtholder were scarcely sufficient to allay the ferments excited among the people, by the provisional taxation which had succeeded the abolition of the *pachters*, and was indeed very grievous to the subject. As this was no more than a temporary expedient, the Prince of Orange proposed a more equitable plan, which was approved by the States, and established with great difficulty. In Italy the system of politics seemed to change its complexion. The King of Sardinia effected a match between one of the Infantas of Spain and the Prince of Piedmont; and whether irritated by the conduct of the Austrians in the last war, or apprehensive of such a powerful neighbour in the Milanese, he engaged with the Kings of France and Spain in a defensive alliance, comprehending the King of the Two Sicilies, the Republic of Genoa, and the Dukes of Modena and Parma. His most catholic majesty, sincerely disposed to cultivate the arts of peace, and encourage every measure that could contribute to the advantage of his country, was no sooner released from the embarrassments of war, than he began to execute plans of internal economy; to reduce unnecessary pensions, discharge the debts contracted in the war, replenish his arsenals, augment his navy, promote manufactures, and encourage an active commerce by sea, the benefits of which the kingdom of Spain had not known since the first discovery and conquest of the West Indies.

§ XXVIII. The preparations for refitting and increasing the navy of Spain were carried on with such extraordinary vigour, that other nations believed an expedition was intended against the corsairs of Algiers, who had for some time grievously infested the trade and coasts of the Mediterranean. The existence of this and other predatory republics, which entirely subsist upon piracy and rapine, petty states of barbarous ruffians, maintained as it were in the midst of powerful nations, which they insult with impunity, and of which they even exact an annual contribution, is a flagrant reproach upon Christendom: a reproach the greater, as it is founded upon a low, selfish, illiberal maxim of policy. All the powers that border on the Mediterranean, except France and Tuscany, are at perpetual war with the Moors of Barbary, and for that reason obliged to employ foreign ships for the transportation of their merchandise. This employment naturally devolves to those nations, whose vessels are in no danger from the depredations of the barbarians; namely, the subjects of the maritime powers, who for this puny advantage, not only tolerate the piratical states of Barbary, but even supply them with arms and ammunition, solicit their passes, and purchase their forbearance with annual presents, which are, in effect, equivalent to a tribute: whereas, by one vigorous exertion of their power, they might destroy all their ships, lay their towns in ashes, and totally extirpate those pernicious broods of desperate banditti. Even all the condescension of those who disgrace themselves with the title of allies to these miscreants is not always sufficient to restrain them from acts of cruelty and rapine. At this very period four cruisers from Algiers made a capture of an English packet-boat, in her voyage from Lisbon, and conveyed her to their city, where she was plundered

of money and effects to the amount of one hundred thousand pounds, and afterwards dismissed. In consequence of this outrage, Commodore Keppel was sent with seven ships of war to demand satisfaction, as well as to compromise certain differences which had arisen on account of arrears claimed of the English by the Dey of Algiers. The Musselman frankly owned that the money, having been divided among the captors, could not possibly be refunded. The commodore returned to Gibraltar; and in the sequel, an Algerine ambassador arrived in London with some presents of wild beasts for his Britannic majesty. This transaction was succeeded by another injurious affront offered by the governor or alcaide of Tetuan to Mr. Latton, an English ambassador, sent thither to redeem the British subjects, who had been many years enslaved in the dominions of the King of Morocco. A revolution having lately happened in this empire, Muley Abdallah, the reigning ruffian, insisted upon the ambassador's paying a pretended balance for the ransom of the captives, as well as depositing a considerable sum, which had already been paid to a deceased bashaw; alleging, that as he (the emperor) received no part of it, the payment was illegal. Mr. Latton refusing to comply with this arbitrary demand, his house was surrounded by a detachment of soldiers, who violently dragged his secretary from his presence, and threw him into a dismal subterranean dungeon, where he continued twenty days. The English slaves, to the number of twenty-seven, were condemned to the same fate; the ambassador himself was degraded from his character, deprived of his allowance, and sequestered from all communication. All the letters directed to him were intercepted, and interpreted to the alcaide: two negro porters were intrusted with the keys of all his apartments, and a couple of soldiers posted at his chamber-door; nay, this Moorish governor threatened to load him with irons, and violently seized part of the presents designed by his Britannic majesty for the emperor. At length, finding that neither Mr. Latton nor the governor of Gibraltar to whom he had written, would deposit the money, without fresh instructions from the court of London, the barbarian thought proper to relax in his severity: the prisoners were enlarged, the restrictions removed from the person of the ambassador, and, after all these indignities offered to the honour of the British nation, the balance was paid, and the affair quietly adjusted.

§ XXIX. Britain, in the meanwhile, was altogether barren of events which might deserve a place in a general history. Commerce and manufacture flourished again to such a degree of increase as had never been known in the island: but this advantage was attended with an irresistible tide of luxury and excess, which flowed through all degrees of the people, breaking down all the bounds of civil policy, and opening a way for license and immorality. The highways were infested with rapine and assassination; the cities teemed with the brutal votaries of lewdness, intemperance, and profligacy. The whole land was overspread with a succession of tumult, riot, and insurrection, excited in different parts of the kingdom by the erection of new turnpikes, which the legislature judged necessary for the convenience of inland carriage. In order to quell these disturbances, recourse was had to the military power; several individuals were slain, and some were executed as examples.

§ XXX. In the month of November the session of parliament was opened with a speech from the throne, in which his majesty expressed a particular pleasure in meeting them at a time when the perfect re-establishment of a general peace had restored to his people the blessing of quiet and tranquillity. He said, the good effects of these already appeared in the flourishing condition of national commerce, and in the rise of public credit, which were the foundations of strength and prosperity to these kingdoms. He declared, that, during the summer, he had used every opportunity of cementing and securing the peace; that it was his firm resolution to do every thing in his power for the preservation of it, and religiously adhere to the engagements into which he had entered. Finally, he took notice of the good disposition he had found in the other contracting parties in the treaty of Aix-la-Chapelle to cherish the public tranquillity of Europe; and he

earnestly recommended to the two Houses the maintenance of a strong naval power, as the bulwark of national security.

§ XXXI. When the motion was made for an address of thanks in the House of Commons, the first paragraph of his majesty's speech furnished the opposition with a handle to declaim against the late treaty. Sir John Hynde Cotton observed, That the peace could not be properly styled complete, as nothing had been stipulated with respect to the article of "no search;" alluding to the interruption our commerce had sustained from the Spaniards in the West Indies; a stipulation, without which both Houses of parliament had formerly voted that there should be no

peace with that kingdom. In the present conjuncture of affairs such an objection savoured rather of party than of patriotism: and indeed Sir John declared, that the remarks he made upon the occasion were rather in discharge of the duty he owed to his country, than in hope of seeing his sentiments espoused by the majority. Some sharp altercation was used in the debate which arose on this subject; and many severe invectives were levelled at those who negotiated, as well as at those who approved and confirmed, the treaty. But Mr. Pelham, who sustained the whole weight of the debate on the side of administration, answered every objection with equal candour and ability; and if he failed in proving that the terms of peace were as favourable as could be expected, considering the unfortunate events of the war, and the situation of the contending powers; he at least demonstrated, that it would be the interest of the kingdom to acquiesce for the present in the treaty which had been concluded, and endeavoured to remedy its imperfections by subsequent conventions, amicably opened among those powers between whom any cause of dispute remained. With respect to the vote of both Houses, mentioned by Sir John Hynde Cotton, he declared that he had never approved of that step when it was first taken; or, if he had, times and circumstances, which could not be foreseen, would have justified his deviating from it in the re-establishment of peace. He reminded them, that a parliament of Great Britain had once voted "no peace while any part of the West Indies should remain in possession of the Spanish king;" yet a train of incidents, which they could not possibly foresee, afterwards rendered it expedient to adopt a peace, without insisting upon the accomplishment of that condition. In a word, we must own, that in the majority of debates, excited in the course of this session, the ministry derived their triumphs from the force of reason, as well as from the weight of influence. We shall always, however, except the efforts that were made for reducing the number of land forces to fifteen thousand, and maintaining a greater number of seamen than the ministry proposed. On these constitutional points the Earl of Egmont, and the other chiefs of the opposition, expatiated with all the energy of eloquence, which, however, was frustrated by the power of superior numbers. Ten thousand seamen were voted for the services of the ensuing year, notwithstanding his majesty's injunction to maintain a considerable navy; and the number of land forces was continued at eighteen thousand eight hundred and fifty-seven. The sums granted for making good his majesty's engagements with the Electors of Bavaria and Mentz, and the Duke of Brunswick Wolfenbuttle, amounted to fifty-three thousand two hundred and twenty-five pounds sterling. The services done by the colonies in North America, during the war, were gratified with the sum of one hundred twenty-two thousand two hundred forty-six pounds. The expense incurred by the new colony of Nova Scotia exceeded seventy-six thousand pounds. A small sum was voted for the improvement of Georgia; and ten thousand pounds were granted towards the support of the British forts and

settlements on the coast of Africa. The sum total granted in this session arose to four millions one hundred forty-one thousand six hundred sixty-one pounds nine shillings and eleven pence half-penny, to be raised by the land-tax, at three shillings in the pound; the malt and other duties, the surplus of divers impositions remaining in the bank and exchequer; one million by annuities, at three per cent. charged on the sinking fund, until redeemed by parliament; and nine hundred thousand pounds out of the excess or overplus of monies denominated the sinking fund.

§ XXXII. But the capital measure which distinguished this session of parliament was the reduction of the interest on the public funds; a scheme which was planned and executed by the minister, without any national disturbance or disquiet, to the astonishment of all Europe; the different nations of which could not comprehend how it would be possible for the government, at the close of a long and expensive war, which had so considerably drained the country, and augmented the enormous burthen of national debt, to find money for paying off such of the public creditors as might choose to receive the principal, rather than submit to a reduction of the interest. It was not very much for the honour of the opposition, that some of its leading members endeavoured to impede this great machine of civil economy by taking opportunities of affirming in parliament, in opposition to his majesty's speech, that the nation, far from being in a flourishing condition, was almost entirely exhausted; that commerce drooped and declined; that public credit stood tottering on the brink of ruin; and that all the treaties lately concluded among the different powers of Europe were, in effect, disadvantageous and prejudicial to the interests of Great Britain. In answer to these assertions, Mr. Pelham undertook to prove, from the register of exports and imports, that the commerce of the kingdom was more extensive at this than at any former period; and that the public credit was strong enough to admit of an experiment, which he would not presume to hazard, except upon a moral certainty of its being firmly rooted, beyond the power of accident and faction to shake or overturn. He declared, that his design of reducing the interest upon the funds was the result of the love he bore his country, and an opinion that it was the duty of the servants of the crown to ease the burthens of the people. He said he had conferred on this subject with persons of the most approved knowledge and undoubted experience: and chose to promulgate the method proposed for alleviating the load of the national debt, that the public, in knowing the particulars of the scheme, might have time to consider them at leisure, and start such objections as should occur to their reflection, before it might be too late to adopt amendments. He observed, that nothing could more clearly demonstrate the vigour of public credit, and the augmentation of national commerce, than the price of stock, which had within three years risen to a very considerable increase; and the duties on imports, which in nine months had added one million to the sinking fund, notwithstanding a very extraordinary sum which had been paid as bounties for exported corn. He expressed great tenderness and regard for the interests of those who had advanced their money for the service of the government; declaring that his aim was to contrive a fair, honest, and equitable method for lessening the national encumbrances, by lowering the interest, conformable to parliamentary faith, and agreeable to the rules of eternal justice. His plan was accordingly communicated, canvassed, and approved in the House of Commons, and an act passed for reducing the interest of the funds which constitute the national debt.<sup>a</sup> In pursuance of this act, for the reduction of the interest, the greater part of the creditors complied

<sup>a</sup> The resolutions of the Commons on this head were printed by authority in the London Gazette, signifying, That those who were, or should be, concerned in any part of the public debt, redeemable by law, incurred before Michaelmas, in the year one thousand seven hundred and forty-nine, enjoying an interest of four per centum per annum, who should, on the first of January next, or February next, have received ten names, should, before that instant, transferred an interest of three pounds per centum, to continue from the twenty-fifth day of December, in the year one thousand seven hundred and forty-seven, subject to the same provisions, tables, and laws, as before, in which their respective several four per centum were then liable, should, in lieu of their present interest, be entitled to four per centum till the twenty-fifth day of December, in the year

one thousand seven hundred and fifty; and after that day to three pounds ten shillings per centum per annum, till the twenty-fifth day of December next, and then to two pounds ten shillings per centum per annum, and so of part of that debt, except what was due to the East India company, should be redeemable to this point, that if any part of the national debt, incurred before last Michaelmas, redeemable by law, and carrying an interest of four per centum, should remain unpaid, until on or before the thirtieth day of May, the government should pay off the principal. For this purpose his majesty was enabled to borrow of any person or persons, bodies politic or corporate, any sum or sums of money not exceeding the part of the national debt which might remain unpaid, and to be charged on the sinking fund, upon any terms not exceeding the rate of interest in the foregoing proposal.

with the terms proposed, and subscribed their respective annuities before the end of February; but the three great companies at first kept aloof, and refused to subscribe any part of their capital.

A. D. 1750. § XXXIII. About the middle of March the Commons ordered the proper officers to lay before them an account of the sums which had been subscribed, and these were taken into consideration by a committee of the whole House. It was then that Mr. Pelham, as chancellor of the exchequer, observed, that besides the debts due to the three great companies in their corporate capacity, all the rest, carrying four per centum interest, had been subscribed, except about eight or nine millions, the proprietors of which had forfeited the favour designed them by parliament; but as many of these had been misled by evil counsellors, who perhaps were more intent on distressing the government, than solicitous to serve their friends; and as many were foreigners, residing beyond sea, who had not time to take proper advice, and give the necessary instructions; and as these could not possibly be distinguished from such as refuse to subscribe from mere obstinacy or disaffection, it might be thought cruel to take the most rigorous advantage of the forfeiture they had incurred. With respect to the proprietors of the stock or capital belonging to the three great companies, he asserted, that many of them would willingly have subscribed their properties within the time limited, but were necessarily excluded by the majority on the ballot; and as it was equally impossible to know those who were against the question on the ballot, he thought that some tenderness was due even to the proprietors of those three companies: his opinion, therefore, was, that they and the uncomplying annuitants should be indulged with further time to complete their subscriptions; but, in order to preserve the authority of parliament, and the respect due to that august assembly, they ought not to be gratified with such advantageous terms as were allowed to the annuitants who at first cheerfully complied with the proposals offered by the legislature. For these reasons he proposed, that although the term of subscribing should be protracted till the thirtieth day of May, the encouragement of three pounds ten shillings per centum per annum should not be continued to the second subscribers longer than till the fifth day of December, in the year one thousand seven hundred and fifty-five. The proposal being approved, a bill was framed for this purpose, as well as for redeeming such annuities as should not be subscribed, which passed through both Houses, and was enacted into a law, after having received an additional clause, empowering the East India company, in case they should subscribe all their stock bearing an interest of four per centum, to borrow, with the consent of the treasury, any sums not exceeding four millions two hundred thousand pounds, after the several rates of interest before proposed to be paid by the public, and one million more at three per centum per annum. They were also vested with a power to raise money by bonds as formerly; yet so as the whole, including the annuities, should not exceed what they were by former acts empowered to borrow. The objections to the execution of this project, which by many were deemed insurmountable, entirely vanished before the fortitude, perseverance, and caution of the minister; who had secured, among the monied men of the nation, the promise of such sums as would have been sufficient to pay off the capital belonging to those creditors who might refuse to accept the interest thus reduced. The second subscription had the desired effect. The three great companies acquiesced, and their example was followed by the other scrupulous annuitants; the national burthen was com-

fortably lightened, and the sinking fund considerably increased, without producing the least perplexity or disturbance in the commonwealth; a circumstance that could not fail to excite the admiration and envy of all Christendom.

§ XXXIV. The mutiny bill for the ensuing year was mitigated with an essential alteration, relating to the oath of secrecy imposed upon the members of every court-martial who were now released from this reserve, if required to give evidence, by due course of law, in any court of judicature; and whereas, by the former mutiny bill, a general was empowered to order the reversal of and sentence by a court-martial as often as he pleased, and, on that pretence, to keep in confinement a man who had been acquitted upon a fair trial, it was now enacted that no sentence pronounced by any court-martial and signed by the president, should be more than once liable to reversal. Colonel George Townshend, son of Lord Viscount Townshend, who had equally distinguished himself by his civil and military accomplishments, proposed another clause, for preventing any non-commissioned officer being broke or reduced into the ranks; or any soldier being punished, but by the sentence of a court-martial. He gave the House to understand, that certain persons attended at the door, who from the station of non-commissioned officers had been broke, and reduced into the ranks, without trial, or any cause assigned; and he expatiated not only upon the iniquity of such proceedings, but also upon the danger of leaving such arbitrary power in the hands of an individual officer. A warm debate was the consequence of this motion, which, however, was overruled by the majority.

§ XXXV. Among other regulations made in the course of this session for the encouragement of the British manufactures, a large duty was laid upon Irish sail-cloth, which being sold at an under price, was found to interfere with the same species of commodity fabricated in the island of Great Britain; and, for the further benefit of this last, the bounty upon the exportation of it, which had been deducted from a defective fund, was now made payable out of the customs. This measure, however, was not of such importance to the nation, as the act which they passed for encouraging the importation of pig and bar-iron from the British colonies in North America. Every well-wisher to his country reflected with concern on the nature of the British trade with Sweden, from which kingdom the subjects of his Britannic majesty imported more iron and steel than all the other countries in Europe. For this article they paid a very great balance in ready money, which the Swedes again expended in purchasing from the French, and other mercantile powers, those necessities and superfluities with which they might have been as cheaply furnished by Great Britain. In the meantime the English colonies in America were restricted by severe duties from making advantage of their own produce, in exchanging their iron for such commodities as they were under the necessity of procuring from their mother-country. Such restriction was not only a cruel grievance upon our own settlements, but also attended with manifest prejudice to the interest of Great Britain, annually drained of great sums, in favour of an ungrateful nation, from which no part of them returned; whereas the iron imported from America must of necessity come in exchange for our own manufactures. The Commons having appointed a day for taking this affair into consideration, carefully examined into the state of the British commerce carried on with Sweden, as well as into the accounts of iron imported from the plantations in America; and a committee of the whole House having resolved, that the duties on American pig and bar-iron should be removed, a bill<sup>a</sup> was brought in

<sup>a</sup> All the duties appropriated to the payment of the interest were still continued, and the surplus of these incorporated with the sinking fund for the discharge of the principal. Books were ordered for the subscription at the exchequer, the bank of England, and the South Sea house, and copies of these resolutions transmitted to the directors of all the monied corporations.

<sup>b</sup> The most remarkable circumstance attending the progress of this bill, which made its way through both Houses, and obtained the royal assent, was the number of emendatory petitions in favour and in prejudice of it, while it remained under consideration. The petitioners of leather in and about the town of Sheffield in Yorkshire, represented, that if the bill should pass, the English iron would be undersold, consequently a great number of turners and hammers would be discontinued; in that case the petitioners for iron would stand unemployed, and the turners be deprived of stock sufficient for the maintenance and support of their occupation. They were nevertheless owned, that should the duty be removed from pig iron only,

no such consequences could be apprehended; because, should the number of turners be lessened, that of forges would be increased. This was likewise the plea urged in divers remonstrances by masters of iron works, gentlemen, and freeholders, who had tracts of woodland in their possession. The owners, proprietors, and farmers of turners and iron forges, belonging to Sheffield and its neighbourhood, valuing upon the great expense they had incurred in erecting and supporting iron works, by means of which great numbers of his majesty's subjects were comfortably supported. They expressed their apprehension, that should the bill pass into a law, it could not in any degree lessen the consumption of Swedish iron, which was used for the purpose which neither the American nor British iron would answer; but that the proposed encouragement, considering the plenty and cheapness of wood in America, would enable the colonies to undersell the British iron, a branch of trade which would be totally destroyed, to the ruin of many thousand labourers, who would be compelled to seek their livelihood in foreign countries.



for that purpose, containing a clause, however, to prevent his majesty's subjects from making steel, and establishing mills for slitting and rolling iron within the British colonies of America; this precaution being taken, that the colonists might not interfere with the manufactures of their mother-country.

§ XXXVI. The next commercial improvement, of which we shall take notice, was the bill for the encouragement of the British white herring and cod fisheries. This was likewise the result of mature deliberation, importing, that a bounty of thirty shillings per ton should be granted, and paid out of the customs to all new vessels from twenty to fourscore tons burthen, which should be built for that purpose, and actually employed in the fishery; that a society should be incorporated, under the name of the Free British Fishery, by a charter, not exclusive, with power to raise a capital not exceeding five hundred thousand pounds; and that three pounds ten shillings per centum per annum should be granted and paid out of the customs to the proprietors for fourteen years, for so much of the capital as should be actually employed in the said fisheries. Corresponding chambers were proposed to be erected in remote parts of North Britain, for taking in subscriptions, and prosecuting the trade, under the directions of the company at London; and the nation in general seemed eager to dispute this branch of commerce with the subjects of Holland, whom they considered as ungrateful interlopers. In the House of Peers, however, the bill met with a formidable opposition from the Earl of Winchelsea and Lord Sandys, who justly observed, that it was a crude, indigested scheme, which, in the execution, would never answer the expectations of the people: that in contending with the Dutch, who are the patterns of unwearied industry, and the most rigid economy, nothing could be more absurd than a joint-stock company, which is always clogged with extraordinary expense: and the resolution of fitting out vessels at the port of London, where all sorts of materials, labour, and seamen are so much dearer than in any other part of the united kingdom, exclusive of the great distance and dangerous voyage between the metropolis and the sound of Brassa in Shetland, the rendezvous at which all the herring busses were to assemble in the beginning of the fishing season. They likewise took notice of the heavy duty on salt, used in curing the fish for sale, and the beef for provision to the mariners; a circumstance of itself sufficient to discourage adventurers from embarking in a commerce, which, at best, yields but very slender profits to the trade in particular, how important soever it might prove to the community in general. These objections were answered by the Duke of Argyll and the Earl of Granville, who seemed to think that this branch of trade could not be fairly set on foot, without such a considerable sum of money as no single individual would care to advance; that a joint-stock company would be able to prosecute the fishery at a smaller expense than that which particular traders must necessarily incur; that the present spirit of the nation, which was eagerly bent upon trying the experiment, ought not to be balked by delay, lest it should evaporate; and that though the plan was not unexceptionable, the defects of it might in the sequel be remedied by the legislature. In a word, the bill was adopted by the majority, with a small amendment in the title, which produced some disquiets in the lower House: but this dispute was compromised, and it was enacted into a law towards the close of the session. Nothing could be more agreeable to the public than the sanction of the legislature to this favourite plan, which was ardently promoted, and patronized by men of the greatest eminence for wealth and popularity. The company chose for their governor the Prince of Wales, who received this proof of

their attachment and respect with particular marks of satisfaction: the president and vice-president were both aldermen of London; and the council was composed of thirty gentlemen, the majority of whom were members of parliament. Great pains were taken, and some artifice was used, to learn the Dutch method of curing the fish. People crowded with their subscriptions; a number of hands were employed in building and equipping the busses or vessels used in the fishery; and the most favourable consequences were expected from the general vigour and alacrity which animated these preparations. But the success did not gratify the sanguine hopes of the projectors and adventurers. The objections made in the House of Lords soon appeared to have been well founded; these co-operating with mismanagement in the directors, the spirit of the company began to flag, the natural consequences of commercial disappointment, and now the British fishery seems to languish under the neglect of the legislature.

§ XXXVII. Touching the trade to the coast of Africa, petitions were renewed by the company and its creditors, the merchants of Bristol, Liverpool, and Lancaster; and a remonstrance was presented by the planters and merchants interested in the British sugar settlements in America: but the Commons adhered to their former resolutions of laying open the trade, maintaining the forts at the public expense, and regulating the commerce by a committee of merchants, representing the chief trading towns in the kingdom, to be superintended by the board of trade and plantations. The bill was accordingly framed and presented, and having proceeded through both Houses without opposition, obtained the royal assent. Over and above these wise, salutary, and patriotic measures for the improvement of commerce, they encouraged the importation of raw silk by an act, reducing the duties formerly payable on that which was the growth of China to the same that is raised on the raw silk from Italy, and allowing the same draw-back upon the exportation of the one which had been usually granted on the other. A second bill was brought in for the encouragement of the growth and culture of silk in Carolina and Georgia, where it had been lately produced with extraordinary success, by freeing from all duties that which should be imported from his majesty's dominions in America; and a third was framed, permitting raw silk of the growth or produce of Persia, purchased in Russia, to be imported into Great Britain, from any port or place belonging to the empire of Russia. Divers efforts were made by different members in the opposition, to rectify certain abuses in the army and administration: some bills were brought in, and several petitions were left on the table; but all of them proved abortive from the power and influence of the minister, who seemed resolved that no benefit should flow upon the nation through any channel but his own. Nevertheless it must be acknowledged for the honour of his memory, that there is no session on record so productive as this was of measures advantageous to the community.

§ XXXVIII. The people, however, were not entirely satisfied with the conduct of the administration, if we may judge from the ferment and commotions raised during the progress of an election for a citizen to represent the city of Westminster in parliament. The seat which had been filled by Lord Trentham, eldest son of Earl Gower, having become vacant in consequence of that nobleman's accepting a place at the board of admiralty, he again declared himself a candidate, and met with a violent opposition. Those who styled themselves the independent electors of Westminster, being now incensed to an uncommon degree of turbulence by the interposition of ministerial influence, determined to use their utmost endeavours to baffle the

This law was suggested, that if all the iron manufactures of Great Britain should be obliged to depend upon a supply of iron from the plantations, which must ever be rendered precarious by the hazard of the seas and the enmity, the manufactures would probably decay for want of materials, and many thousand families be reduced to want and misery. On the other hand, the iron-works and forges, belonging to the flourishing town of Birmingham in Warwickshire, presented a petition, declaring, that the bill would be of great benefit to the trade of the nation, as it would enable the colonists to make larger returns of their own produce, and encourage them to raise a greater quantity of the British manufactures. They affirmed, that all the iron-works in the island of Great Britain did not supply half the quantity of that metal sufficient to carry on the manufacture; that if this deficiency could be supplied from the colonies in America, the importation would cease,

and considerable sums of money be saved to the nation. They observed, that the importation of iron from America could no more effect the iron-works and forges of the kingdom than the like quantity imported from any other country; but they prayed that the people of America might be restrained from erecting slitting or rolling mills, or forges for plating iron, as they would interfere with the manufactures of Great Britain.

Many remonstrances to the same effect were presented from different parts of the kingdom, and it appeared, upon the most exact inquiry, that the encouragement of American iron would prove extremely beneficial to the kingdom, as it had been found, upon trial, applicable to all the uses of Swedish iron, and as good in every respect as the produce of that country.

designs of the court, and at the same time take vengeance on the family of Earl Gower, who had entirely abandoned the opposition, of which he was formerly one of the most respected leaders. With this view they held consultations, agreed to resolutions, and set up a private gentleman, named Sir George Vandeput, as the competitor of Lord Trentham, declaring that they would support his pretensions at their own expense, being the more encouraged to this enterprise by the countenance and assistance of the Prince of Wales and his adherents. They accordingly opened houses of entertainment for their partisans, solicited votes, circulated remonstrances, and propagated abuse: in a word, they canvassed, with surprising spirit and perseverance, against the whole interest of St. James's. Mob were hired and processions made on both sides, and the city of Westminster was filled with tumult and uproar. The mutual animosity of the parties seemed every day to increase during the election, and a great number of unqualified votes were presented on both sides: all the powers of insinuation, obloquy, and ridicule, were employed to vilify and depreciate both candidates. At length the poll being closed, a majority of votes appeared in behalf of Lord Trentham: but a scrutiny being demanded by the other side, the returning officer complied with their request. The speaker of the lower House had issued his warrant for a new writ of election about the middle of November; and towards the end of February Mr. Fox, secretary at war, standing up, and observing that no return had yet been made, thought proper to move, that the clerk of the crown, the messenger extraordinary attending the great seal, the under sheriff of Middlesex, and the high bailiff of Westminster, should attend next morning, and give an account of their issuing, delivering, and executing the writ of election. These being examined, and the high bailiff declaring that he would proceed with all possible despatch in the scrutiny, which had been demanded and was begun, Mr. Speaker explained to him some particulars of his duty; in the discharge of which, he was given to understand he might depend upon the protection of the House, should he meet with any obstruction which he could not otherwise surmount. By the violence and caprice with which a great number of votes were contested on both sides, the scrutiny was protracted a long time, and the return attended with some extraordinary consequences, which shall be particularized among the transactions of the next year. In the meantime, the present session of parliament was closed on the twelfth day of April, with a speech from the throne, commending the Commons for having seized the very first opportunity of reducing the interest of the national debt, without the least infringement upon the faith of parliament; and congratulating them on the flourishing state of the public credit, which could not fail to add strength and reputation to the government, both at home and abroad. Immediately after the rising of the parliament, his majesty appointed a regency to govern the kingdom in his absence, and embarked for the continent, in order to visit his German dominions.

§ XXXIX. The month of January and the beginning of February were distinguished, the first day, by a very remarkable Aurora Borealis, appearing at night to the north-east, of a deep and dusky red colour, like the reflection of some great fire, for which it was by many people mistaken; and the coruscations, unlike those that are generally observed, did not meet in the zenith, but in a point some degrees to the southward. February was ushered in by terrible peals of thunder, flashes of lightning, and such a tempest of wind, hail, and rain, as overwhelmed with fear and consternation the inhabitants of Bristol, where it chiefly raged. On the eighth day of the same month, between twelve and one in the afternoon, the people of London were still more dreadfully alarmed by the shock of an earthquake, which shook all the houses with such violence, that the furniture rocked on the floors, the pewter and porcelain rattled on the shelves, the chamber bells rang, and the whole of this commotion was attended with a clap or noise resembling that produced by the fall of some heavy piece of furniture. The shock extended through the cities of London and Westminster, and was felt on both sides the river Thames, from Greenwich to the westward of London; but not perceptible at a con-

siderable distance. On the very same day of the next month, between five and six o'clock in the morning, the inhabitants of the metropolis were again affrighted by a second shock, more violent than the first, and abundantly more alarming, as it waked the greater part of the people from their repose. It was preceded by a succession of thick low flashes of lightning, and a rumbling noise, like that of a heavy carriage rolling over a hollow pavement. The shock itself consisted of repeated vibrations, which lasted some seconds, and violently shook every house from top to bottom. Again the chairs rocked, the shelves clattered, the small bells rang, and in some places public clocks were heard to strike. Many persons roused by this terrible visitation, started naked from their beds, and ran to their doors and windows in distraction: yet no life was lost, and no house overthrown by this concussion, though it was so dreadful as to threaten an immediate dissolution of the globe. The circumstance, however, did not fail to make a deep impression upon ignorant, weak, and superstitious minds, which were the more affected by the consideration that the two shocks were periodical; that the second which happened exactly one month after the first, had been the more violent; and that the next increasing in proportion, might be attended with the most dismal consequences. This general notion was confirmed, and indeed propagated, among all ranks of people, by the admonitions of a fanatic soldier, who publicly preached up repentance, and boldly prophesied that the next shock would happen on the same day in April, and totally destroy the cities of London and Westminster. Considering the infectious nature of fear and superstition, and the emphatic manner in which the imagination had been prepared and prepossessed, it was no wonder that the prediction of this illiterate enthusiast should have contributed, in a great measure, to augment the general terror. The churches were crowded with penitent sinners: the sons of riot and profligacy were overawed into sobriety and decorum. The streets no longer resounded with execrations, or the noise of brutal licentiousness; and the hand of charity was liberally opened. Those, whom fortune had enabled to retire from the devoted city, fled to the country with hurry and precipitation, inasmuch that the highways were encumbered with horses and carriages. Many who had, in the beginning, combated these groundless fears with the weapons of reason and ridicule, began insensibly to imbibe the contagion, and felt their hearts fail, in proportion as the hour of probation approached: even science and philosophy were not proof against the unaccountable effects of this communication. In after-ages it will hardly be believed, that on the evening of the eighth day of April, the open fields that skirted the metropolis were filled with an incredible number of people assembled in chairs, in chaises, and coaches, as well as on foot, who waited in the most fearful suspense until morning, and the return of day, disproved the truth of the dreaded prophecy. Then their fears vanished: they returned to their respective habitations in a transport of joy; and were soon reconciled to their abandoned vices, which they seemed to resume with redoubled affection, and once more bade defiance to the vengeance of Heaven.

§ XL. By this time all the gaols in England were filled with the refuse of the army and navy, which having been dismissed at the peace, and either averse to labour, or excluded from employment, had naturally preyed upon the commonwealth. Great numbers of those wretches who, by proper regulations, might have been rendered serviceable to the community, were executed as examples; and the rest perished miserably, amidst the stench and horrors of noisome dungeons. Even the prison of Newgate was rendered so infectious by the uncommon crowds of confined felons, stowed together in close apartments, that the very air they breathed acquired a pestilential degree of putrefaction. It was this putrefied air, which adhering to the clothes of the malefactors brought to trial at the bar of the Old Bailey in May, produced among the audience a pestilential fever, which infected and proved fatal to the Lord Mayor of London, to one alderman, two of the judges, divers lawyers who attended the session, the greatest part of the jury, and a considerable number of the spectators. In order to prevent such disasters for the

future, the gaols were cleansed, and accommodated with ventilators, which exhaust the foul and supply a circulation of fresh air; and other humane precautions were taken for the benefit of the prisoners.

§ XLI. The affairs of the continent underwent no remarkable alteration. An ambassador extraordinary being sent to Petersburg from the court of London, declared to the czarina's minister, that in case of a rupture between Russia and Sweden, occasioned by the hostilities committed by the former power, his Britannic majesty would consider Russia as the aggressor, and the czarina could not expect that he would supply her with the succours which he was engaged by treaty to furnish for her defence, in case she should be attacked. A declaration of the same nature was made by the ambassador of her imperial majesty the Queen of Hungary, while the ministers of France and Prussia, who were in strict alliance with Sweden, gave her to understand, that they would punctually fulfil their engagements with the court of Stockholm, should she actually invade the Swedish territories of Finland. The spirit with which the King of Prussia exerted himself on this occasion, gave infinite umbrage to the czarina, who, indeed, expressed her resentment, by treating the minister of Brandenburg with contemptuous neglect, and even refused to favour him with an audience, till he should be vested with the character of ambassador. Thus were sown the seeds of misunderstanding between those two powers, which, in the sequel, grew up to the most bitter animosity, and served to inflame those dissensions, which have desolated the fairest provinces of Germany. The remonstrance of his Prussian majesty with respect to the troubles of the North, was couched in such terms as gave dissatisfaction to the court of Petersburg. The Russian minister retired from Berlin, without the ceremony of taking leave, and the Prussian ambassador Warendorf was recalled from the court of the czarina.

§ XLII. The attention of his Britannic majesty was not wholly engrossed by the disputes between Russia and Sweden. He had another object in view, which more nearly concerned the interest of his German dominions; and had set on foot two negotiations of the utmost importance to the commerce and advantage of Great Britain. His first and principal aim was, in conjunction with the court of Vienna, to take such measures as would secure the succession of the imperial dignity to the Archduke Joseph, eldest son and heir to the reigning emperor. As the previous step to that elevation, it was proposed to elect this young prince King of the Romans; and for this purpose it was necessary to procure a majority not only of the electors, but also in the diet of the empire, through which the proposal must have passed. No stone was left unturned to reconcile this expedient to the German princes. Subsidies were offered to the maritime powers of England and the States-general, to the Electors of Mentz and Cologne; and a treaty of the same nature was concluded with the Elector of Bavaria, who, in consideration of an annual subsidy, amounting to forty thousand pounds sterling, two-thirds to be paid by Great Britain, and the rest by the States-general, engaged to keep in readiness a body of six thousand infantry, as auxiliaries to the maritime powers, though not to act against the emperor or empire; and to join the interest of his Britannic majesty in the diet, as well as in the electoral college. In order to render the King of Poland, Elector of Saxony, propitious to this design, he was accommodated with the loan of a very considerable sum upon the mortgage of certain bailiwicks and lordships belonging to the Saxon dominions. Thus a majority of the electors was secured, and such foundations were laid for the success of this project, that it was generally believed it would be accomplished in his Britannic majesty's next visit to his German dominions. Hopes, it was said, were given to the King of Sweden, that his concurrence would be gratified by erecting the house of Hesse Cassel, of which he was head, into a tenth electorate. Arguments of an interesting nature were used with the King of Prussia, and the Elector Palatine, that if possible, the diet might unanimously approve of this measure, so necessary for establishing the peace of the empire, and preventing such troubles as arose from a disputed succession at the death

of Charles the Sixth. These endeavours, however, did not succeed in their full extent.

§ XLIII. The King of Prussia, as Elector of Brandenburg, opposed the elections as unnecessary and improper, on account of the health and vigour of the reigning emperor, and the tender years of the archduke. This monarch had set himself up as a balance to the power of the house of Austria, which had long aspired to absolute dominion over its co-estates, and endeavoured to establish an hereditary right of succession to the empire; he, therefore, employed all his influence to frustrate the measure proposed, either actuated by a spirit of pure patriotism, or inspired with designs which he had not yet thought proper to declare. The opposition was joined by the Elector Palatine, and countenanced by the French king; who protested, that, for the sake of peace, he would not oppose this election, though contrary to the golden bull, provided it should be confirmed by the unanimous consent of the electoral college: but should any one member signify his dissent, and he or any state of the empire claim the protection and assistance of his most christian majesty, he could not dispense with granting both, in consequence of his being guarantee of the treaty of Westphalia: an engagement by which he was obliged to succour those princes and states of the empire who might have recourse to him, in case of any grievance they suffered contrary to what was stipulated in that constitution. This declaration co-operating with the known character of his Prussian majesty, whose great army overawed Hanover and Bohemia, in all probability damped that vigour with which the courts of Vienna and Herenhausen had hitherto prosecuted this important negotiation.

§ XLIV. The second object that employed the attention of the British ministry was the establishment of the precise limits of Acadia or Nova Scotia, where the new colony had suffered great mischief and interruption from the incursions of the Indians, excited to these outrages by the subjects and emissaries of France. Commissaries had been appointed by both crowns, to meet at Paris, and compromise these disputes; but the conferences were rendered abortive by every act of cavilling, chicanery, and procrastination, which the French commissioners opposed to the justice and perspicuity of the English claims. They not only misinterpreted treaties, though expressed with the utmost precision, and perplexed the conferences with difficulties and matter foreign to the subject, but they carried the finesse of perfidy so far as to produce false charts and maps of the country, in which the rivers and boundaries were misplaced and misrepresented. At this time also the insincerity of the French court appeared in affected delays and artful objections, with respect to the evacuation of the neutral islands in the West Indies; and the governors of the British plantations, in different parts of North America, transmitted intelligence, that the French had begun to make encroachments on the banks of the English colonies.

§ XLV. Perhaps the precarious footing on which the peace stood between Great Britain and France at this juncture, and the critical situation of affairs in Germany, determined the ministry of England to compromise all differences with Spain, upon such terms as at any other time they would hardly have embraced. In order to discuss those points between the two nations, which had not been settled by the treaty of Aix-la-Chapelle, conferences were also begun at Madrid, and carried on by Mr. Keene, plenipotentiary to his Britannic majesty, and Don Joseph de Carvajal and Lancastro, the Spanish king's minister. At length a treaty was concluded on these conditions: The King of Spain engaged to pay, in three months, to the South Sea company of England, one hundred thousand pounds sterling, as an indemnification for all claims upon his crown by virtue of the *Assiento*. In other respects, the trade and navigation of the English to the ports of Spain were regulated by former treaties. It was stipulated, That they should pay no other duties than those that were exacted of them in the reign of Charles II. of Spain: That they should be treated on the footing of the most favoured nations; and continue to enjoy the privilege of taking salt at the island of Tortuga. But there was no article restricting the Spanish guarda costas from searching the British vessels on the high seas: although, as we have already observed, this insolent prerogative, assumed without right,



and exercised without humanity, was, in effect, the original and sole cause of the late rupture, which had been attended with such enormous expense to the nation. It must be owned, however, that his catholic majesty was at this period extremely well disposed to live upon good terms with Great Britain. He was resolved to indulge his people with the blessings of peace, to propagate a spirit of industry throughout his dominions, and in particular, to encourage commerce, which he foresaw would prove a much more certain and inexhaustible source of wealth, power, and influence, than all the treasures he could drain from the mines of Mexico and Peru. His resolutions on this interesting subject were chiefly directed by Don Ricardo AVAL, who now acted as his minister at London: a gentleman of Irish extract, who had distinguished himself in the field as well as in the cabinet, and possessed the joint qualifications of a general and a statesman. He had, by virtue of a passport, come over privately to England before the peace, in order to pave the way for the treaty, by a secret negotiation with the English ministers; but immediately after the peace was proclaimed, he appeared in the character of ambassador. He was possessed of the most insinuating address, shrewd, penetrating, and inquisitive. While he resided in London, he spared no pains in learning the nature of those manufactures and that commerce, by which Great Britain had been so remarkably aggrandized; and on his return to Spain, where in a little time he was placed at the helm of affairs, he turned the knowledge he had thus acquired to the advantage of his country. He not only promoted the useful arts within the kingdom of Spain, but demonstrated the infinite advantage that would accrue from an active trade, which the Spaniards had for many ages neglected; and in a few years their ships were seen to swarm in all the commercial ports of Europe. Of other foreign events which distinguished this summer, the most remarkable was the death of John, King of Portugal, who perfectly understood, and steadily pursued, the true interest of his country, and in whom many princely qualities were debased by a cruel spirit of bigotry and superstition. He was succeeded by his eldest son Joseph, who, if he has fallen short of his father in some respects, cannot be justly charged with having inherited this paternal weakness.

§ XLVI. The King of Great Britain having returned to England, opened the session of parliament in January with a speech, importing, that he had concluded a treaty with the King of Spain, and amicably adjusted such differences as could not be so properly compromised with a general treaty: that the true commerce of this nation with that country was re-established upon the most advantageous and sure foundations; and that there was the greatest reason to hope the ancient friendship between Great Britain and Spain would, from mutual inclination as well as interest, be now effectually restored. He told them, that in conjunction with the empress queen and the States-general he had concluded a treaty with the Elector of Bavaria; and was employed in taking such further measures as might best tend to strengthen and secure the tranquillity of the empire, support its system, and timely anticipate such events as had been found by experience to endanger the common cause, involve Europe in the calamities of war, and occasion the loss of much blood and treasure to these kingdoms. He promised, that both these treaties should be subjected to their perusal; he gave them to understand, that he had received from all the other contracting powers in the definitive treaty of Aix-la-Chapelle, the most full and clear declarations of their resolution to preserve the general peace; and that he had taken care to consolidate the ties of union and friendship between him and his allies, the better to secure their mutual interests, maintain the peace already subsisting, and prevent the occasion of any future rupture. Finally, he recommended unanimity, the improvement of commerce, and the effectual suppression of such outrages and violences as are inconsistent with good order and government, and endanger the lives and properties of the subject, whose happiness and flourishing condition he had at heart.

§ XLVII. When the motion was made for an address of thanks, couched in terms that savoured of the most implicit complaisance, approbation, and acquiescence in the mea-

sures which the crown had taken, the Earl of Egmont, and some other anti-courtiers, affirmed, that such an address would be equally servile and absurd. They observed, that nothing could be more preposterous than a blind approbation of measures which they did not know: that nothing could be more ridiculous than their congratulations on the present happy tranquillity, when almost every day's newspapers informed them of some British ships being seized by the Spaniards, or some new attack made by the French on our infant colony in Nova Scotia. With respect to the continent of Europe, they affirmed, that the tranquillity of Germany would have been upon a much more solid foundation, had England never interposed in the affairs of the empire: in that case the princes would of themselves have supported the constitution of their own country: that the election of an infant for the King of the Romans was much more likely to disturb than establish the tranquillity of Europe; because it would help to overturn the constitution of the empire, by rendering the imperial dignity hereditary in one house, instead of being the result of a free election. They took notice, that the constitution had provided vicars to govern the empire during the vacancy of the imperial throne; but had made no provision of regents, protectors, or guardians for a minor emperor, because it was never supposed that a minor would be chosen. They inveighed against the late treaty with Spain; in which, they said, the ministry, for the paltry sum of one hundred thousand pounds, had given up the claims of the South Sea company, and other British merchants, who had suffered from depredations to the amount of one million three hundred thousand pounds; and bartered away the freedom of our trade and navigation, by leaving untouched that prerogative which the Spaniards have assumed of searching the British ships in the open seas, and confiscating them should they find on board the least particle of what they called contraband merchandise. They produced an instance of an English ship, lately driven by stress of weather into one of the ports of the Spanish West Indies, where she was searched, seized, and condemned, under this pretence. They recapitulated the conduct of the French, who, in the midst of their declarations of peace and moderation, were still employed in fortifying their settlements on the neutral islands, as well as in harassing and encroaching upon our plantations in North America. They exclaimed against the treaty of subsidy with the Elector of Bavaria, or any other prince in time of peace; observing, that for some years the nation had paid such pensions to the Danes and the Hessians; but, in the course of the late war, the former abandoned our interests, and the latter actually took arms against Great Britain. They affirmed, that the subsidy was greater than the nation could spare; for, unless the land tax should be continued at four shillings in the pound, they could not afford a shilling to any prince in Germany, without encroaching upon the sinking fund. "At such a juncture (said a certain member) will any gentleman presume to propose the continuation of such an imposition on the land-holder, for the sake of bribing the princes of Germany to do what?—to preserve the freedom and independency of their native country. I say, princes of Germany, because this subsidy to Bavaria will signify nothing unless we take half a score more of them into our pay; and when we have thus indulged them for seven years of peace, they may give us the slip, as others have done, whenever another war should be declared." Against these objections the motion was supported by William Pitt, at this time an advocate for the ministry. He observed, that the address was no more than the usual compliment to the throne, which did not imply an obligation on the parliament to approve of measures which they might find cause to censure upon further inquiry. He said, the trivial disputes still subsisting between this nation and the Spaniards, or France, would soon be terminated amicably, and could never affect the general tranquillity of Europe, which was to be established upon a firm alliance between his majesty and such a confederacy upon the continent as would be an over-match for the house of Bourbon. He expatiated upon his majesty's wisdom in taking off from the French interest such a powerful prince as the Elector of Bavaria, and con-

certing other salutary measures for preserving the balance of power on the continent. He defended the articles of the late treaty with Spain : observing, that what remained of the Assiento contract was a matter of very little consequence to the South Sea company ; that the demands of this company, and other British merchants, were all cancelled by the rupture with Spain, and more than recompensed to the nation by a great balance of captures during the war, as well as by the great traffic carried on with the Spanish settlements in the West Indies, after it had been laid open by the demolition of their fortresses. He asserted that by this treaty the court of Spain had made many important concessions ; they had condescended to pay a great sum to the South Sea company ; they had consented to the re-establishment of the British trade in Spain, upon a very advantageous and solid footing, by agreeing that the subjects of Great Britain should pay no other duties on merchandise than those exacted of his catholic majesty's own subjects, and to abolish all innovations that had been introduced into the commerce. He affirmed, that the article of No Search was a stipulation which it would have been ridiculous to insist upon ; and thought proper to obviate a reproach which he foresaw the opposition would throw upon him, from the circumstance of his having, upon a former occasion, heartily concurred in a motion for an address, That no treaty of peace with Spain should be admitted, unless such a stipulation should be first obtained as a preliminary. He owned he had strenuously contended for such a motion, because at that time, being very young and sanguine, he thought it right and reasonable : but he was now ten years older, had considered matters more coolly, and was convinced that the privilege of No Search, with respect to British vessels sailing near the American shore, would never be obtained, unless Spain should be brought so low as to acquiesce in any terms we, as victors, might propose. He likewise signified his conviction, that all addresses from the House of Commons, during the course of a war, for prescribing terms of peace, were in themselves ridiculous ; and that every such address was an encroachment on the king's prerogative, which had always been attended with unlucky consequences. How far these arguments are satisfactory, conclusive, and consistent, we shall leave to the reader's determination. Certain it is, they were adopted by the majority, and the address was presented without further opposition.

§ XLVIII. The two grand committees appointed to discuss the supplies for the ensuing year, and the funds upon which they were to be raised, proceeded, as usual, under the direction of the ministry ; yet not without some vehement opposition, in which certain servants of the crown expressed the most hearty concurrence. When a motion was made for reducing the number of seamen to eight thousand, Mr. W. Pitt, Mr. Lyttelton, and Mr. G. Grenville, opposed it with all their might of argument and elocution ; but they were overruled. Annual debates were also revived, with the same success, upon the number of troops constituting the standing army ; but the other resolutions of the grand committees met with little or no opposition. The number of seamen for the ensuing year was limited to eight thousand ; and that of the standing forces continued at eighteen thousand eight hundred and fifty-seven effective men, including one thousand eight hundred and fifteen invalids. The Commons granted a considerable sum of money for paying off the principal of such redeemable stocks as had not been subscribed, in pursuance of two acts passed in the last session for reducing the interest of annuities. Thirty thousand pounds were given for fulfilling the king's engagement with the Elector of Bavaria : large grants were made for supplying deficiencies, and replacing sums borrowed from the sinking fund. The expense incurred by the new colony in Nova Scotia, not provided by parliament, exceeded fifty-seven thousand pounds ; and the maintenance of it for the ensuing year was fixed at fifty-three thousand nine hundred and twenty-seven pounds, fourteen shillings, and four pence. An enormous charge ! if we consider to how little purpose all this bounty was bestowed. A fund was established under the sanction of parliament for the relief and maintenance of the widows of sea-officers,

by allowing, upon the books of every ship of war in sea-pay, the wages and victuals of one man for every hundred of which the complement shall consist, for such time only as the number of men employed in the service of the royal navy shall not exceed twenty thousand. This was an additional indulgence, over and above the allowance of one man granted by a former act of parliament. On the whole, the provisions of this year amounted to five millions one hundred twenty-five thousand twenty-three pounds, eleven shillings, and seven pence, to be raised by the usual duties : the sum of one million twenty-five thousand four hundred seventy-six pounds, four shillings, and sixpence, advanced by the bank of England, to pay off their own unsubscribed annuities, for which they accepted exchequer-bills at three per cent. interest ; by the land tax at three shillings in the pound ; a lottery and annuities, at the rate of three per cent. per ann. to be charged on the sinking fund, redeemable by parliament. The annual measure called the mutiny bill was not passed without dispute and altercation : some alterations were proposed, but not adopted : and the sentences of court-martials still subjected to one revision.

§ XLIX. In the midst of these deliberations the kingdom was alarmed with an event which overwhelmed the people with grief and consternation. His royal highness the Prince of Wales, in consequence of a cold caught in his garden at Kew, was seized with a pleuritic disorder ; and, after a short illness, expired on the twentieth day of March, to the unspeakable affliction of his royal consort, and the unfeigned sorrow of all who wished well to their country. This excellent prince, who now died in the forty-fifth year of his age, was possessed of every amiable quality which could engage the affection of the people ; a tender and obliging husband, a fond parent, a kind master, liberal, generous, candid, and humane ; a munificent patron of the arts, an unwearied friend to merit ; well disposed to assert the rights of mankind in general, and warmly attached to the interest of Great Britain. The nation could not but be afflicted at seeing a prince of such expectations ravished from their hopes ; and their grief was the better founded, as the king had already attained to an advanced age, and the heir-apparent, George, now Prince of Wales, was a minor.

§ L. His majesty, foreseeing all the inconveniences which might arise from A. D. 1751. minority, deliberated with his council on this subject, and resolved to obtain a parliamentary sanction for the measures judged necessary to secure the succession. With this view he sent a message to both Houses on the twenty-sixth day of April, importing, That nothing could conduce so much to the preservation of the protestant succession in his royal family as proper provisions for the tuition of the person of his successor, and for the regular administration of the government, in case the successor should be of tender years : his majesty, therefore, earnestly recommended this weighty affair to the deliberation of parliament ; and proposed, that when the imperial crown of these realms should descend to any of the late prince's sons, being under the age of eighteen years, his mother, the Princess Dowager of Wales, should be guardian of his person, and regent of these kingdoms, until he should attain the age of majority, with such powers and limitations as should appear necessary and expedient for these purposes. This message produced a very affectionate address, promising to take the affair into their serious consideration ; and in the beginning of May the Duke of Newcastle presented to the House of Peers a bill to provide for the administration of government, in case the crown should descend to a minor. The bill was read a second time, and committed, when a second message arrived from his majesty, recommending to their consideration the settlement of such a council of regency as the bill proposed, consisting of his royal highness the Duke of Cumberland, who at that time commanded the army, the Archbishop of Canterbury, the lord chancellor, the lord high treasurer, or first lord commissioner of the treasury, the president of the council, the lord privy seal, the lord high admiral of Great Britain, or first commissioner of the admiralty, the two principal secretaries of state, and the lord chief justice of the king's bench ; all these great officers, except his



royal highness the duke, for the time being. This bill did not pass through the lower House without violent debate and bitter sarcasms. The council of regency, though espoused by all the ministry, including the paymaster-general, met with fierce opposition, as an unnecessary and fatal restriction, that would impede the machine of government, and, as the council was constituted, might be productive of the most pernicious consequence. Some of the members ventured even to insinuate the danger of leaving at the head of a large standing army a prince of the blood vested with a share of the regency, possessed of great personal influence, the darling of the soldiery, brave, popular, and enterprising; supposed not wholly devoid of ambition, and not at all remarkable for any symptoms of extraordinary affection towards the person of the heir-apparent. The history of England was ransacked with invidious instances of royal uncles and regents, who had injured the sovereigns, and distressed the government, by their pride, cruelty, and ambition. The characters of John Lackland, and John of Gaunt, Humphrey and Richard Dukes of Gloucester, were called in review, canvassed, compared, and quoted, with some odious applications: but the majority, being convinced of the loyalty, virtue, integrity, and great abilities of his royal highness, to whom the nation owed obligations of the most important nature, passed the bill with a few amendments, in which the Lords acquiesced; and in a little time it received the royal sanction.

§ LI. The death of the Prince of Wales was fatal to a bill which had been brought into the House of Commons, for naturalizing all foreign protestants who should settle within the dominions of Great Britain. Political arithmeticians have generally taken it for granted, that to every commercial nation an increase of people is an increase of opulence; and this maxim is certainly true, on the supposition that every individual is industrious, and that there is a sufficient field for employment; but all these general maxims ought to be received under certain qualifications. When all branches of manufacture are overstocked, an addition of workmen will doubtless be an additional encumbrance on the community. In the debates which this bill produced, the members of the ministry were divided among themselves. The measure was enforced by the chancellor of the exchequer, Mr. W. Pitt, and Mr. Lyttelton; and in opposing it the Earl of Egmont was joined by Mr. Fox, secretary at war. Petitions and counter-petitions were presented by the merchants of London, Bristol, and other trading towns of the kingdom. All merchants and traders of foreign extraction exerted themselves vigorously in its behalf, and it was without doubt countenanced by the administration; but the project was odious to the people in general. The lord mayor, aldermen, and commons of London, in common council assembled, composed a remonstrance to the lower House, setting forth the danger and inutility of a general naturalization of foreign protestants. A petition of the merchants and principal inhabitants of Bristol represented that such a law would be prejudicial to the trade and commerce of this kingdom, by preventing many industrious artificers from procuring a sufficient support for themselves and their families, and of consequence increasing the rates of the poor: that the introduction of such a number of foreigners, instead of being a support to the present happy establishment, might endanger the very basis of our constitution: that it would greatly tend to the diminution of our manufactures, as many strangers would doubtless come and reside in England for a time, in order to learn the methods and management of our manufacturers and artificers; and, after having obtained this instruction, return to their native countries, where they would establish and carry on works of the same nature. The twentieth day of March being appointed for the third reading of the bill, it was postponed, in consequence of the unfortunate death of the Prince of Wales; and other petitions from different cities of the kingdom being mustered against it in the sequel, the ministry did not think proper to persist in any unpopular measure at such a delicate conjuncture; so the bill was no more brought upon the carpet. Divers other regulations relating to civil policy as well as to the commerce of Great Britain, were propounded in the House of Commons; but these

proposals proved abortive, either because they appeared crude and indigested in themselves, or the House could not obtain proper information touching the allegations they contained.

§ LII. There were no other transactions in this session, except the concurrence of both Houses in stigmatizing a printed paper, entitled, "Constitutional Queries, earnestly recommended to the serious consideration of every true Briton;" and the steps taken by the Commons, in consequence of the commotions occasioned by the Westminster election. The above-mentioned paper, which had been conveyed by letter to the majority of both Houses, was communicated to the Lords in the month of January by the Duke of Marlborough, who moved for resolutions against it as a seditious libel, and that the concurrence of the Commons might be desired. A conference accordingly ensued, and both Houses concurred in voting the paper a false, malicious, scandalous, infamous, and seditious libel, containing the most false, audacious, and abominable calumnies and indignities upon his majesty, and the most presumptuous and wicked insinuations that our laws, liberties, and properties, and the excellent constitution of this kingdom, were in danger under his majesty's legal, mild, and gracious government, with intent to instil groundless suspicions and jealousies into the minds of his majesty's good subjects, and to alienate their affections from his majesty and the royal family. It was therefore resolved by the Lords Spiritual and Temporal and Commons in parliament assembled; that in abhorrence and detestation of such abominable and seditious practices, the paper should be burnt by the hands of the common hangman in the new palace yard of Westminster; and this sentence was executed accordingly. Then they presented an address to his majesty, desiring that the most effectual means might be taken for discovering the author, printer, or publisher, that he or they might be brought to condign punishment. Directions were given for this purpose; but without effect. Those concerned in writing, printing, and circulating the paper, had acted with such caution, that not one of them was ever discovered.

§ LIII. The proceedings of the Commons with respect to the election of a Burgess for Westminster were attended with some extraordinary circumstances, which we shall now record for the edification of those who pique themselves on the privileges of a British subject. We have already observed that a majority appearing on the poll for Lord Trentham, the adherents of the other candidate, Sir George Vandeput, demanded a scrutiny, which was granted by the high-bailiff of Westminster, the returning officer. During this tedious investigation, which rolled chiefly on the qualifications of voters, he acted with such address and seeming candour as gave entire satisfaction to both parties, till at length he determined in favour of Lord Trentham, whom he returned as duly elected. Those who styled themselves the independent electors did not acquiesce in this determination without clamour, reproach, menaces, and riot. They taxed Mr. Leigh, the high-bailiff, with partiality and injustice: they loudly affirmed, that ministerial influence had been used in the most scandalous manner; and, finally, joined Sir George Vandeput in a petition to the lower House, complaining of an undue election and return of a member for the city of Westminster. The Commons, instead of inquiring into the merits of these petitions, ordered them to lie upon the table; and without any complaint from any person whatever, a motion was made that Leigh, the high-bailiff, should attend the House immediately, in order to make them acquainted with what he had done in pursuance of the directions he had formerly received from that House, touching the execution of the writ for electing a new member to represent the city of Westminster. As this motion had been preconceived, Leigh was attending in the lobby, and immediately called into the House to be examined on this subject. Having, in the course of his examination, alleged that the election had been protracted by affected delays, he was asked by whom, and by what means; but, before he could answer, the Earl of Egmont, interposing, objected to the question as improper, and moved for the order of the day. A debate immediately ensued, in which the impropriety of the question was demonstrated by Mr. Henly, now lord



keeper, Dr. Lee, and some others, the most sensible and moderate members of the House : but they were opposed with great violence by Lord Viscount Corke, Henry Fox, Esq. Sir William Young, Colonel Lyttelton, and the weight of the ministry ; so that the motion for the order of the day was carried in the negative, and the high-bailiff required to answer the question. Thus interrogated, he declared that he had been impeded in the scrutiny, and maltreated, by Mr. Crowle, who had acted as counsel for Sir George Vandeput, by the Honourable Alexander Murray, brother to Lord Elibank, and one Gibson, an upholsterer, who had been very active, zealous, and turbulent in his endeavours to promote the interest of Sir George Vandeput, or rather to thwart the pretensions of the other candidate, who was supposed to be countenanced by the ministry. These three persons, thus accused, were brought to the bar of the House, notwithstanding the strenuous remonstrances of several members, who opposed this method of proceeding as a species of oppression equally arbitrary and absurd. They observed, that, as no complaint had been preferred, they had no right to take cognizance of the affair : that if any undue influence had been used, it would naturally appear when the merits of the election should fall under their inquiry : that a complaint having been lodged already against the returning officer, it was their duty to investigate his conduct, and punish him, if he should be found delinquent ; but that nothing could be more flagrantly unjust, and apparently partial, than their neglecting the petitions of the other candidate and electors, and encouraging the high-bailiff, who stood charged with iniquity, to recriminate upon his accusers, that they might be disabled from giving evidence on the inquiry into the merits of the election. What difference is it to the subject, whether he is oppressed by an arbitrary prince, or by the despotic insolence of a ministerial majority ? Mr. Crowle alleged, in his own vindication, that he had been employed as counsel by the electors of Westminster, and attended the scrutiny in that character ; that after the high-bailiff had, in the course of the last session, received the order of the House to expedite the election, he hurried on the scrutiny with such precipitation as, he apprehended, was unjust, and prejudicial to his clients ; that, in this apprehension, he (Mr. Crowle) insisted upon the high-bailiff's proceeding with more deliberation, and in so doing he thought he did his duty to his employers. Some evidence being examined against him, declared he had not only protracted the scrutiny, but also spoke disrespectful words of the House of Commons : he was, therefore, reprimanded on his knees by the speaker, and discharged.

§ LIV. Mr. Murray being charged with having uttered some threatening and affronting expressions, the House adjourned the consideration of this affair for some days, at the expiration of which Mr. Murray was to be heard by his counsel : but, in the meantime, they ordered him to be taken into custody by the serjeant-at-arms attending the House. This step, however, was not taken without a warm opposition by some of the most sedate and intelligent members of the House, who considered it as a cruel act of oppression. They observed, that in cases of breach of privilege no person complained of was ever taken into custody, until after he had been fully heard in his defence ; that this was literally prejudging the cause before it had been examined ; and the oppression was the greater, as the alleged offence consisted entirely of words, of which no complaint or information had been made for above eight months after the supposed offence had been committed ; and, even then, not till an accusation had been lodged against the informant, upon the trial of which accusation the persons informed against might very probably be the most material witnesses. They observed, that in one of the highest offences which can be committed by words, namely, that of denying the king's right to the crown, or renouncing the Trinity, the information must be brought in three or four days after the words are spoken ; the words must be proved to have been spoken maliciously, directly, and advisedly, and the prosecution must commence in three months after the information. These suggestions made no more impression than if they had been

uttered in a desert. Those who were secure in their number asserted that the House of Commons was not restricted by the forms of proceedings at common law ; and that it was necessary to vindicate their own honour and dignity, by making examples of those who seemed to hold them in contempt. Mr. Murray was committed to the custody of the serjeant-at-arms, and found bail ; and Gibson was sent prisoner to Newgate, from whence he was in a few days released, upon presenting a humble petition, professing his sorrow for having incurred the displeasure of the House, to the bar of which he was brought, and received a reprimand on his knees from the speaker. In the meantime divers witnesses being examined before the House, declared, that Mr. Murray had been seen, about the time of the return of a member for Westminster, heading and exciting a tumult to acts of violence against the high-bailiff. The majority, therefore, after a long and warm debate, agreed, That for his dangerous and seditious practices, in violation and contempt of the privileges of the House, and of the freedom of elections, he should be committed close prisoner to Newgate. Then, in the close of another violent debate, they resolved, That he should be brought to the bar of the House, to receive that sentence on his knees. He accordingly appeared, and being directed by the speaker to kneel, refused to comply. He knew that he could not be discharged from Newgate during the session, without petitioning, acknowledging his offence, and making such concessions as he thought would imply a consciousness of guilt : he considered this whole transaction as an oppressive exertion of arbitrary power, and being apprized of the extent of their authority, determined to bear the brunt of their indignation, rather than make submission which he deemed beneath the dignity of his character. When he refused to humble himself, the whole House was in commotion ; he was no sooner removed from the bar than they resolved, That his having in a most insolent and audacious manner refused to be on his knees at the bar of that House, in consequence of their former resolution, was a high and most dangerous contempt of the authority and privilege of the Commons : it was therefore ordered, that he should be committed close prisoner to Newgate, debarred the use of pen, ink, and paper ; and that no person should have access to him without the leave of the House. Finally, a committee was appointed to consider what methods might be proper to be taken by them, in relation to this instance of contempt. Meanwhile the petitioners against the return made by the high-bailiff, perceiving the temper of the House, and the complexion of the majority, withdrew their petition ; and the order which had passed for hearing the merits of the election was discharged. Mr. Murray being taken dangerously ill in Newgate, application was made to the Commons by some of his relations, that he might be removed to a more convenient situation : and his physician, being examined, gave it as his opinion that he was infected with the gaol distemper. Upon this representation the House agreed that the speaker should issue a warrant for removing him from Newgate to the custody of the serjeant-at-arms, but this favour he refused to accept, and expressed the warmest resentment against those relations who had applied to the Commons in his behalf. Thus he remained sequestered even from his own brother and sister, under the displeasure of the Commons of England, who condescended so far as to make resolutions touching the physician, apothecary, and nurse who attended this prisoner. But the prorogation of parliament having put an end to their authority for that session, Mr. Murray was discharged of course, and conducted by the sheriffs from Newgate to his own house, in procession, with flags and streamers exhibiting the emblems of liberty.

§ LV. In the month of June the session was closed with a speech from the throne, in which his majesty thanked both Houses for the zeal and affection they had manifested towards him and his government ; and congratulated the Commons in particular, upon their firmness and prudence in reducing the interest of the national debt, a measure as agreeable to him as essential to the strength and welfare of the kingdom.—The interior economy of

\* One of the most remarkable acts which passed in the course of this session, was that for regulating the commencement of the year, and correcting the calendar, according to the Gregorian computation, which had been adopted by all other nations in Europe. By this new law it was de-

Great Britain produced within the circle of this year nothing else worthy of historical regard, except a series of enormous crimes, arising from the profligacy of individuals, which reflected disgrace upon the morals and the polity of the nation. Rapine and robbery had domineered without intermission ever since the return of peace, which was attended with a reduction of the army and navy; but now crimes of a deeper dye seemed to lift up their heads in contempt of law and humanity.<sup>d</sup> Every day almost produced fresh instances of perjury, forgery, fraud, and circumvention; and the kingdom exhibited a most amazing jumble of virtue and vice, honour and infamy, compassion and obduracy, sentiment and brutality.

## CHAP. II.

§ I. Death of the Queen of Denmark and Prince of Orange. § II. Misunderstanding between the czarina and King of Prussia. § III. Measures for electing a King of the Romans. § IV. Death of the King of Sweden. § V. Session opened. Amity of the Commons towards Mr. Murray. § VI. Proceedings upon a pamphlet, entitled *The Case of Mr. Murray*. § VII. Supplies granted. § VIII. Civil resolutions. § IX. Law relating to the forfeited estates in Scotland. § X. New consolidations of tithes. § XI. Two ports opened for the importation of Irish wool. § XII. The king sets out for Hanover. § XIII. Affairs of the continent. § XIV. Dispute between Hanover and Prussia, concerning East Friseland. § XV. Misunderstanding between the courts of London and Berlin. § XVI. Improve ment of Pomerania. § XVII. Treaty with the Elector Palatine. § XVIII. Session opened. § XIX. Supplies granted. § XX. Game-act. § XXI. Act for performing quarantine. § XXII. And for preventing the plundering of shipwrecked vessels. § XXIII. Bill relating to the bounty upon exported. § XXIV. Turkey trade interrupted. § XXV. Naturalization of the Jews. § XXVI. Marriage act. § XXVII. Considerations concerning the sugar colonies. § XXVIII. Fate of the prisoner bill. § XXIX. Sir Hans Sloane's Museum purchased by parliament. § XXX. Story of Elizabeth Canine. § XXXI. Execution of Dr. Cameron. § XXXII. Tumults in different parts of the kingdom. § XXXIII. Disturbances in France. § XXXIV. Proceedings of the Diet relative to East Frisia. § XXXV. Treaty between the court of Vienna and the Duke of Modena. § XXXVI. Conferences with respect to Nova scotia broke up. § XXXVII. Description of Nova Scotia. § XXXVIII. Disputes concerning its limits.

A. D. 1751.

§ I. THE royal family of England had sustained three severe shocks in the compass of a few months. Besides the loss of the Prince of Wales, which the nation lamented as irreparable, his majesty was deeply afflicted by the untimely death of his youngest daughter, the Queen of Denmark, who died at Copenhagen, on the nineteenth day of December, in the prime of youth. She was one of the most amiable princesses of the age in which she lived, whether we consider the virtues of her heart, or the accomplishments of her person; generous, mild, and tender hearted; beloved even almost to adoration by her royal consort, to whom she had borne a prince and two princesses; and universally admired and revered by the subjects of his Danish majesty. Her death had been preceded about two months by that of her brother-in-law, the Prince of Orange, no less regretted by the natives of the United Provinces, for his candour, integrity, and hereditary love to his country. Though he had not distinguished himself by the lustre of a superior genius, he had been at great pains to cultivate his understanding, and study the true interest of that community of which he was a member. He had always approved himself a good and zealous citizen, and since his elevation to the stadtholdership, taken many salutary steps for the advantage of his country. Among other excellent schemes which he suggested, he left a noble plan with the States-general for restoring their commerce to its former lustre, and lived long enough to receive their warmest acknowledgments for this last proof of his prudence and patriotism. His son and daughter being both infants, the administration of the government devolved upon the princess, as governante during her son's minority; and as such she succeeded to all the power which her husband had enjoyed.

§ II. With respect to the affairs of the continent, the

ereed that the new year should begin on the first day of January, and that eleven intercalary uninal days between the second and fourteenth days of September, 1752, should for that time be omitted, so that the day succeeding the second should be denominated the fourteenth of that month. By this establishment of the new style, the equinoxes and solstices will happen nearly at the same time of day, which they fell in the year 1600, at the council of Nice; and the correspondence between the English merchants and those of foreign countries will be greatly facilitated, with respect to the dates of letters and accounts.

§ An indulgent parent solicited to be by his only daughter, on whom, besides other marks of tenderness and parental affection, he had bestowed

peace of the north seemed still as precarious as ever; for though the difference between Russia and Sweden had been compromised, the mutual disgust between the czarina and the King of Prussia had gained such accession from reciprocal insults, ill offices, and inflammatory declarations, that those two powers seemed to be on the eve of a rupture, and each was employed in making extraordinary preparations for war. The courts of Vienna and Great Britain, foreseeing that such a rupture would embroil the empire, and raise insurmountable obstructions to their favourite scheme of electing the Archduke Joseph King of the Romans, resolved to employ all their influence, in order to effect a reconciliation between the courts of Petersburg and Berlin. His Prussian majesty had signified to the King of Great Britain, and the States-general, the situation in which he stood with the czarina, and solicited their interposition, that the difference might be amicably accommodated. At the same time he sent an envoy extraordinary to Versailles, to negotiate with the French king for a very considerable body of auxiliaries, in case he should be attacked. These circumstances induced the maritime powers, and the court of Vienna, to use their utmost endeavours for the prevention of a rupture: and accordingly they made reinonstrances on this subject by their ministers at Petersburg, proposing that the quarrel should be terminated without bloodshed, and all causes of animosity be buried in oblivion.

§ III. In the meantime, they eagerly prosecuted the design of the election; and the imperial minister at Berlin not only communicated to his Prussian majesty the sentiments of the King of England on this expedient, but even solicited his vote for the Archduke Joseph, when the election of a King of the Romans should be proposed in the electoral college. To this proposal he replied, That he was extremely well disposed to manifest his regard for their imperial majesties, and to give the most genuine proofs of it, even in the proposed election of a King of the Romans, considering the great merit of the present candidate, the Archduke Joseph: but he left it to the consideration of their imperial majesties, whether the election would not be a little premature, if transacted at a time when his imperial majesty was in the flower of his age; enjoying perfect health; and when all Europe, particularly the empire, was hushed in the bosom of tranquillity, so that no circumstance seemed to prognosticate the necessity of such an election; or of putting in execution the motives mentioned in the capitulation of the reigning emperor's election; especially as the examination of these motives belonged to the whole empire, and ought to precede the election, by virtue of the eighth article of the treaty of Westphalia. He observed, that, in case of the emperor's death, Germany would find herself in a very disagreeable situation, under the government of a minor. For these reasons, he said, he could not help advising their imperial majesties to wait until the archduke should be of age, when his election might be carried on more conformably to the laws and constitutions of the empire, and more suitable to the majesty of the whole Germanic body. This reply he circulated among the electors, and in particular transmitted it to the King of Great Britain, desiring they would deliberate maturely on this subject, and confer together in a body, as well as in private, that they might proceed according to the ancient custom of the electoral college, and take such measures as should be judged expedient for the honour and advantage of the community. This circular letter was answered both by the King of England and the Elector of Bavaria, who demonstrated, that it was the privilege of the electoral college only, without any participation of the other princes of the empire, to elect a King of the Romans during the life of the emperor, in order to maintain the peace and preserve the liberties of Germany; and that the neglect of this wise precaution had produced bloody wars, and many

a liberal education, which greatly aggravated her guilt and ingratitude. Another young woman was concerned in the assassination of her own uncle, who had been her constant benefactor and sole guardian. A poor wretch, who had been the ignorance and superstition of her neighbours, incurred the suspicion of sorcery and witchcraft, was murdered in Hertfordshire by the populace, with all the wantonness of barbarity. Rape and murder were perpetrated upon an unfortunate woman in the neighbourhood of London, and an innocent man suffered death for this criminal outrage, while the real criminals assisted at his execution, heartily in appeal to Heaven for his innocence, and in the character of friends embraced him, while he stood on the brink of eternity.

fatal consequences to the empire. They observed, that nothing could more contribute to the establishment of the public-tranquillity than this measure, so ardently desired by the majority of the German princes; and that, although the Archduke Joseph wanted a few years of being of age, and it might possibly happen that the reigning emperor should die during that prince's minority, yet it would be much less prejudicial to the empire to have a minor chief, than to see the succession altogether unsettled. His Prussian majesty received a declaration to the same purpose from the Elector of Mentz; and understanding that this prince, as arch-chancellor of the empire, intended to convoke an electoral diet, in order to propose the election of a King of the Romans, he wrote an elaborate letter to his electoral highness, explaining at more length his reasons for postponing the election. He quoted that sentence of the treaty of Westphalia which expressly declares, that the election of a King of the Romans shall be discussed and ordained by the common consent of the states of the empire; and, therefore, he could not conceive what right the electoral college had to arrogate this privilege to themselves, excluding the other state of the empire. He observed, that the imperial capitulations, which were the only laws of the empire that treated of this subject, mentioned only three cases in which it was lawful to proceed to such an election; namely, the emperor's leaving, and long absence from Germany; his advanced age, or an indisposition, rendering him incapable of managing the reins of government; and any case of emergency in which the preservation of the empire's prosperity is interested. He affirmed, that none of these motives at present existed: that, in case the imperial crown should devolve to a minor, many mischiefs and disorders must ensue, as the constitutions of the empire have established no regulations nor regency in that event: that an election of this nature, carried on under the power, influence, and authority of the head of the empire, would strike at the fundamental privileges of the princes and states; consequently, in time overturn the constitution of the empire, which, from being an elective dignity, conferred by the free and independent suffrages of the electoral college and states of Germany, under certain capitulations, obliging the prince thus chosen to govern according to law, would become an hereditary succession, perpetuated in one family, which, of course, must be agrandized to the prejudice of its co-estates and the ruin of the Germanic liberties. In a word, all Germany in general, and Ratisbon in particular, was filled with writings published on both sides: by the emperor and his adherents, to demonstrate that the election of a King of the Romans during the life of the emperor, had often happened, and at this present time was necessary, and would be advantageous to the empire: while the King of Prussia and his friends laboured to prove that such an election, at the present juncture, would be ill-timed, irregular, and of dangerous consequence. Perhaps, if the truth was known, this enterprising prince had projected some great scheme, with the execution of which this proposed establishment would have interfered. Certain it is, he exerted himself with that spirit and perseverance which were peculiar to his character, to frustrate the intention of the courts of Vienna and London in this particular, and was assisted with all the intrigue of the French ministry. Their joint endeavours were so effectual, that the Elector of Cologne renounced his subsidiary treaty with the maritime powers, and once more threw himself into the arms of France. The Elector Palatine being solicited by the empress-queen and his Britannic majesty to co-operate with their views, insisted, as a preliminary article, upon being indemnified by the court of Vienna for the ravages committed in his territories by the Austrian troops, during the course of the last war: the King of Poland, Elector of Saxony, made the same demand of the like indemnification, which was granted by the mediation of King George: and then he subscribed to a subsidy treaty, obliging himself to furnish a body of six thousand auxiliaries, in case they should be required by the maritime powers; and to act as elector, in concert with the house of Austria, in every thing relating to the welfare of his country that should square with the fundamental laws of the empire. The courts of London and Vienna had this

election so much at heart, that they sounded almost all the powers of Europe to know how they stood affected towards the measure proposed. The King of Spain declined intermeddling in a domestic affair of the empire. The French king returned an ambiguous answer; from whence it was concluded, that nothing but opposition could be expected from that quarter. The Swedish monarch was rendered propitious to the project, by assurances that the house of Hesse-Cassel, of which he was the head, should be elevated into an electorate. They even endeavoured to soften his Prussian majesty, by consenting, at last, that the treaty of Dresden, confirming to him the possession of Silesia, should be guaranteed by the diet of the empire; a sanction which he now actually obtained, together with the ratification of his imperial majesty. Notwithstanding this indulgence, he still persisted in raising fresh objections to the favourite project, on pretence of concerting measures for preventing the inconveniences that might result from a minority; for regulating the capitulations to be agreed on with the King of the Romans; securing the freedom of future elections, and preserving the prerogatives and privileges of the Germanic body in all its members. In consequence of these obstacles, joined to the apostasy of the Elector of Cologne, the obstinacy of the Elector Palatine, and the approaching diet of Hungary, at which their imperial majesties were obliged personally to preside, the measures for the election were suspended till next summer, when his Britannic majesty was expected at Hanover, to put the finishing stroke to this great event in favour of the house of Austria.

§ IV. Another disappointment, with respect to this election, the promoters of it sustained in the death of his Swedish majesty, who expired in a good old age, and was succeeded by Adolphus Frederick, Duke of Holstein Eutin, Bishop of Lubeck, upon whom the succession had been settled for some years, by the unanimous concurrence of the states of the kingdom. This prince ascended the throne of Sweden without the least disturbance; and, of his own accord, took an oath in full senate, that he would never attempt to introduce a despotic authority; but maintain their liberties with his blood, and govern his subjects in all respects according to the laws and the form of government established in Sweden. This public act, which was communicated to all the foreign ministers, and particularly to the envoy from Petersburg, met with such a favourable reception from the czarina, that she expressed her satisfaction in a public declaration; and the good understanding between the two courts was perfectly restored.

§ V. When the parliament of England was opened, in the month of November, the king, in his speech from the throne, gave them to understand, that for the same purposes which suggested the treaty with the Elector of Bavaria, he had now, in conjunction with the States-General, concluded another with the King of Poland, Elector of Saxony. He told them, that the unfortunate death of the Prince of Orange had made no alteration in the state of affairs in Holland; and that he had received the strongest assurances from the States, of their firm resolution to maintain the intimate union and friendship happily subsisting between his majesty and those ancient and natural allies of his crown. He exhorted both Houses to consider seriously of some effectual provisions, to suppress those audacious crimes of robbery and violence, grown so frequent about the capital, proceeding in a great measure from that profligate spirit of irreligion, idleness, gaming, and extravagance, which had of late extended itself in an uncommon degree, to the dishonour of the nation, and the great offence and prejudice of the sober and industrious part of the people. The paragraphs of this speech were, as usual, echoed back to the throne in addresses, replete with expressions of loyalty, affection, and approbation. Opposition was by this time almost extinguished; and the proceedings of both Houses took place with such unanimity as was hardly ever known before this period in a British parliament. The Commons, however, seem to have assembled with such sentiments as did no great honour to their temper and magnanimity. In a few days after the session opened, Lord Viscount C——e, a young nobleman, whose character entitled him to very



little regard or influence among men of sense and probity, made a motion, that Mr. Murray, who had been so severely persecuted in the last session for refusing to humble himself on his knees before them, should be again committed close prisoner to Newgate for the same offence. This proposal, which supposed a power that the Commons had never before exercised, was sharply disputed by the Earl of Egmont, and others, who had not resigned all sense of moderation; but the majority adopted the measure with great eagerness, and the speaker was ordered to issue his warrant accordingly. Then the House resolved, That the said Alexander Murray should receive the sentence, for his now being committed close prisoner to his majesty's gaol of Newgate, at the bar of the House, upon his knees; and the serjeant-at-arms was commanded to take him into custody for this purpose. Their indignation, however, was eluded by the caution of the delinquent, who, having foreseen the effects of their resentment, had prudently retired to another country. They determined, nevertheless, to proceed against him as a person of some consequence in the commonwealth; for, being informed of his retreat, they condescended so far as to present an address to his majesty, desiring that his royal proclamation might be issued for apprehending the said Mr. Murray, promising a reward to him who should have the good fortune to apprehend this fugitive—a request with which his majesty most graciously complied.

§ VI. Nor was this the only address presented to the king upon such an important subject. A pamphlet, entitled, "The Case of the Hon. Alexander Murray, Esquire, in an Appeal to the People of Great Britain," was first stigmatized in a complaint to the House, and was afterwards produced, and read at the table. The piece was written with great acrimony, and abounded with severe animadversions, not only upon the conduct of the returning officer, but also on the proceedings of the Commons. The violent members immediately took fire, and the flame extended itself to the majority. Nay, the House unanimously resolved, That the pamphlet was an impudent, malicious, scandalous, and seditious libel, falsely and most injuriously reflecting upon, and aspersing the proceedings of the House, tending to create misapprehensions in the minds of the people, to the great dishonour of the said House, and in violation of the privileges thereof. They furthermore presented an address to the king, desiring his majesty would be graciously pleased to give directions to his attorney-general to prosecute the authors or author, the printers or printer, and the publishers or publisher of the said scandalous libel, that they might be brought to condign punishment. Directions were accordingly given for this purpose, and a prosecution commenced against the publisher, who had some reason to be dismayed, considering the great weight of influence he was doomed to encounter—influence arising from a prosecution of the crown instituted at the request, and founded on a vote, of the House of Commons. Nevertheless, when the cause was heard before the lord chief justice of England, a jury of free-born Englishmen, citizens of London, asserted their privileges of judging the law as well as the fact, and acquitted the defendant with a truly admirable spirit of independency. They considered the pamphlet as an appeal against oppression; and, convinced that the contents were true, they could not in conscience adjudge it a false libel, even though it had been so declared by one of the branches of the legislature.

§ VII. The Commons, in regulating the supplies of the ensuing year, voted the continuation of eighteen thousand eight hundred and fifty-seven men for the land service, though not without some opposition from certain patriots, who, rather from a sense of duty than from any hope of influencing the majority, affirmed that sixteen thousand men in time of peace would answer all the ends proposed by a standing army. The number of seamen was fixed at ten thousand: large sums were granted to make up deficiencies, and fulfil the engagements of the crown with the

Electors of Bavaria and Saxony, as well as for the maintenance of Nova Scotia and Georgia, and the castles on the coast of Guinea; and one hundred and twelve thousand one hundred and fifty-two pounds three shillings, and three pence were voted, as a full compensation to the old Royal African company for their exclusive charter and property, to be applied for the relief of their creditors.<sup>a</sup>

§ VIII. The laws enacted for the encouragement of traffic and the regulations of civil polity, consisted in an act for licensing pawnbrokers, and for the more effectual preventing the receiving of stolen goods: another for preventing thefts and robberies, by which places of entertainment, dancing, and music in London, Westminster, and within twenty miles of the capital, were suppressed and prohibited, unless the proprietors of them could obtain licences from the justices of the peace, empowered for that purpose: a third for annexing the forfeited estates in Scotland unalienably in the crown, after having made satisfaction to the lawful creditors; establishing a method of leasing these estates, and applying the rents and profits of them for the better civilizing and improving the highlands, and preventing future disorders in that part of the united kingdom. Nothing could be more salutary than the purposes of these regulations. The suburbs of the metropolis abounded with an incredible number of public houses, which continually resounded with the noise of riot and intemperance: they were the haunts of idleness, fraud, and rapine; and the seminaries of drunkenness, debauchery, extravagance, and every vice incident to human nature: yet the suppression of these receptacles of infamy was attended with an inconvenience, which, in some cases, arose even to a degree of oppression. The justices being vested by the legislature with the power of granting or refusing licences, were constituted, in effect, the arbiters on whose decision the fortunes and livelihood of many individuals absolutely depended. Many of those who exercised this species of magistracy within the bills of mortality were, to the reproach of government, men of profligate lives, needy, mean, ignorant, and rapacious, and often acted from the most scandalous principles of selfish avarice.

§ IX. The law relating to the highlands of Scotland was well calculated for promoting, among the inhabitants of that country, such a spirit of industry as might detach them from their dangerous connexions, and gradually supersede that military genius which had been so productive of danger and alarm to the southern parts of Great Britain. The king, by this act, was empowered to appoint commissioners for managing the forfeited estates; who were enabled to grant leases of small farms, not above twenty pounds a-year, to individuals, who should take an oath to government to reside upon and cultivate the lands thus let. It was also provided, that no lease should be granted for a longer term than twenty-one years; and that the lessees should not pay above three-fourths of the annual value. Although these forfeited estates were generally encumbered with claims beyond their real value, and the act directed that they should be disposed of by public sale; yet, as they lay in the most disaffected parts of the highlands, it was thought necessary that they should remain in the possession of the crown, because, in case of their being publicly sold, they might be purchased in trust for the families of the persons by whom they were forfeited, and thus the spirit of disaffection would still survive. A valuation, therefore, was made by the court of session in Scotland, at the joint suit of the crown and the creditors; and the value being ascertained, the just claimants were paid out of the next aids granted by parliament. The bill met with considerable opposition in the House of Peers from the Duke of Bedford and the Earl of Bath, who probably foresaw that the good effects of this scheme, so laudable in itself, would be frustrated in the execution: and that the act, instead of answering the purposes for which it was intended, would serve only as a job to gratify the rapacious retainers to the government, and their emis-

<sup>a</sup> These expenses were defrayed by a continuation of the duties on malt, &c. a land tax at three shillings in the pound; a duty on licences, to be yearly paid by pawnbrokers and dealers in second-hand goods, within the bills of mortality; the sum of one million four hundred thousand pounds advanced by the bank, according to a proposal made for that purpose; five hundred thousand pounds to be issued by the sinking fund: a

duty laid on gum senega, and the continuation of divers other occasional impositions. The grants for the year amounted to something less than four millions, and the provisions made for this expense exceeded it in the sum of two hundred seventy-one thousand twenty-four pounds, ten shillings, and sixpence halfpenny.

saries, in that country. After a warm debate, however, it was adopted by a great majority, and obtained the royal assent.

§ X. A third law related to certain articles of the national debt, which was now converted into several joint stocks of annuities, transferable at the bank of England, to be charged on the sinking fund. A great number of different funds for annuities, established at different times, and by different acts, subsisted at this period, so that it was necessary to keep many different accounts, which could not be regulated without considerable trouble and expense, for the removal of which the bill was calculated.

§ XI. In consequence of petitions from the woollen manufacturers of Westmoreland and Yorkshire, two bills were brought in, and passed through both Houses, by which the ports of Lancaster and Great Yarmouth were opened for the importation of wool and woollen yarn from Ireland; but why this privilege was not extended to all the frequented ports of the kingdom it is not easy to conceive, without supposing a little national jealousy on one hand, and a great deal of grievous restraint on the other. Over and above these new laws, some unsuccessful endeavours were used in behalf of commerce and police. A bill was offered for laying further restrictions on pawnbrokers and brokers, that they might no longer suck the blood of the poor, and act as the accessories of theft and robbery, which was canvassed, debated, and made its way through the lower House; but the Lords rejected it as a crude scheme, which they could not amend, because it was a money bill, not cognizable by their House, without engaging in a dispute with the Commons. Another bill was prepared, for giving power to change the punishment of felony, in certain cases, to confinement and hard labour in dock-yards or garrisons. It was the opinion of many who wished well to their country, and were properly qualified to prosecute such inquiries, that the practice of consigning such a number of wretches to the hands of the executioner served only, by its frequency, to defeat the purpose of the law, in robbing death of all its terror, and the public of many subjects, who might, notwithstanding their delinquency, be in some measure rendered useful to society. Such was the motive that influenced the promoters of this bill; by which it was proposed, in imitation of that economy practised in other countries, to confine felons convicted under certain circumstances to hard labour upon the public works of the kingdom. The scheme was adopted by the lower House, but rejected by the Lords, who seemed apprehensive of its bringing such discredit upon his majesty's dock-yards, as would discourage persons who valued their reputation from engaging in such employment. Of still greater importance to the nation was the next measure proposed, in a bill for making the militia of England more useful, presented by Mr. Thornton, a gentleman of Yorkshire, who had distinguished himself by his loyalty and patriotism. It was canvassed in a committee of the whole House, and underwent divers amendments: but miscarried, through the aversion of the ministry to any project tending to remove or lessen the necessity of maintaining a standing army. A considerable number of petitions for different regulations, in respect to commerce and convenience of traffic, were presented, considered, and left upon the table. A remonstrance from the prisoners confined in the gaol of the king's bench, complaining of their miserable situation arising from want of room and other conveniences, being taken into consideration by a committee, among other evidences, they examined that remarkable personage who had signalized himself in different parts of Christendom, under the name of Theodore, King of Corsica. Though formerly countenanced and even treated as a sovereign prince by the British ministry, he was now reduced to the forlorn condition of a confined debtor; and, to the reproach of this kingdom, died in prison, surrounded with all the misery of indigence, and overwhelmed with the infirmities of old age. But the most remarkable circumstance of the parliamentary transactions that distinguished this session, was a motion made in both Houses for an address to the king, beseech-

ing his majesty, that in time of public tranquillity he would be graciously pleased to avoid entering into subsidiary treaties with foreign princes, which are so burthensome to this nation. This extraordinary proposal was made and strenuously urged by the Duke of B—, and a vehement debate ensued, in which the Earls of G—, S—, and H—, opposed it with an exertion of superior abilities, and the question being put, was carried in the negative without a division. The same fate attended it in the House of Commons, where it was introduced by Lord H—, and supported by some distinguished orators. The session ended in the latter end of March, when his majesty, having given his assent to ninety-five public and private bills, barangued both Houses, and prorogued the parliament.<sup>5</sup>

§ XII. Immediately after the prorogation the king appointed a regency, and set out for Hanover, in order to complete the great scheme he had projected for electing a King of the Romans. Great Britain, in the meantime, produced no event of importance, or any transaction that deserves historical mention, except the ratification of two treaties of peace and commerce with the states of Tripoli and Tunis on the coast of Barbary, concluded by the British consuls in those cities, under the influence and auspices of an English squadron, commanded by Commodore Keppel, son to the Earl of Albermarle. The tide of luxury still flowed with an impetuous current, bearing down all the mounds of temperance and decorum; while fraud and profligacy struck out new channels, through which they eluded the restrictions of the law, and all the vigilance of civil policy. New arts of deception were invented, in order to insnare and ruin the unwary; and some infamous practices in the way of commerce were countenanced by persons of rank and importance in the commonwealth. A certain member of parliament was obliged to withdraw himself from his country, in consequence of a discovery, by which it appeared that he had contrived and executed schemes for destroying his own ships at sea, with a view to defraud the insurers.

§ XIII. In the course of this year the affairs of the continent did not undergo any material alteration. In France, the religious dispute concerning the doctrine of Jansenius still subsisted between the clergy and the parliament; and seemed to acquire additional fury from the violence of the Archbishop of Paris, a haughty, turbulent prelate, whose pride and bigotry were sufficient to embroil one half of Christendom. The northern powers enjoyed a perfect tranquillity: the States-general of the United Provinces were engrossed by plans of national economy. Spain was intent upon extending her commerce, bringing her manufactures to perfection, and repressing the insolence of the Barbary corsairs. His Portuguese majesty endeavoured, by certain peremptory precautions, to check the exportation of gold coin from his dominions; and insisted upon inspecting the books of the British merchants settled at Lisbon: but they refused to comply with this demand, which was contrary to a treaty subsisting between the two crowns; and he thought proper to acquiesce in their refusal. He was much better employed, in obtaining from the Pope an abolition of the annual procession called the *Auto da fe*, one of the most horrid triumphs of spiritual tyranny. The peace of Italy was secured by an offensive treaty concluded at Madrid between the emperor, his catholic majesty, the King of the Two Sicilies, and the Duke of Parma: to which treaty the King of Sardinia afterwards acceded.

§ XIV. With respect to the great scheme of electing the Arch-duke Joseph King of the Romans, fresh objections seemed to rise from different quarters. The good understanding between the courts of Berlin and Hanover received an additional shock, from a dispute concerning the property of East Friesland, which his Prussian majesty had secured as heir to the last possessor. His Britannic majesty, as Elector of Hanover, having pretensions to the same inheritance, his minister delivered a memorial to the diet of the empire, assembled at Ratisbon, demanding that the King of Prussia, as Elector of Brandenburg,

<sup>5</sup> Among the proceedings of this session, it may not be improper to mention a new act for the prevention of murders, which had been shockingly frequent of late, importing, that every criminal convicted of this

horrid crime should be executed in one day after his sentence, and his body delivered to the surgeons for dissection—an expedient which had been found productive of very salutary consequences.

should be referred to the decision of the Aulic council, in regard to his claim to the estates of East Frizeland; but the king being already in possession, refused to submit his right to the determination of that or any other tribunal; and when the diet presumed to deliberate on this affair, his envoy entered a strong protest against their proceedings. At the same time he presented the other ministers with a memorial, tending to refute the Elector of Hanover's pretensions to the principality in question.

§ XV. At this juncture his Prussian majesty made no scruple of expressing his resentment against the court of London, which he seemed to consider as an officious cabal, that had no right to intermeddle in the affairs of Germany. His resident at London complained to the British ministry, that divers ships, sailing under the Prussian flag, had been stopped at sea, and even seized by English cruisers: and that his subjects had been ill treated and oppressed: he therefore demanded reparation in a peremptory tone; and in the meantime, discontinued the payment of the Silesian loan, which he had charged himself with, by an article in the treaty of Breslau. This was a sum of money amounting to two hundred and fifty thousand pounds, which the Emperor Charles VI. father of the reigning empress, had borrowed of the subjects of Great Britain, on condition of paying an interest of six per cent. and mortgaging the silver mines of Silesia for the repayment of the principal. These devolved to the King of Prussia with this encumbrance, and he continued to pay the interest punctually till this juncture, when the payment was stopped; and he published a paper, entitled, "An Exposition of the Motives which influenced his Conduct on this Occasion." In his memorial to the ministry of Great Britain he alleged, that eighteen Prussian ships, and thirty-three neutral vessels, in which the subjects of Prussia were concerned, had been unjustly seized by English privateers: his account of damages amounted to a very considerable sum; and he demanded, in the most dogmatic terms, that the affair should be finally discussed in the term of three months from the date of his remonstrance. The exposition and memorial were subjected to the examination of the ablest civilians in England, who refuted every article of the charge with equal precision and perspicuity. They proved, that captures by sea fell properly under the cognizance of those powers under whose jurisdiction the seizures were made; and, therefore, his Prussian majesty could not, consistent with the laws of nations, determine these disputes in his own tribunals. They demonstrated, by undoubted evidence, the falsity of many facts alleged in the memorial, as well as the fairness of the proceedings by which some few of the Prussian vessels had been condemned; and made it appear, that no insult or injury had been offered to the subjects of Prussia. Finally, they observed, that the Silesian loan was a private transaction of such a nature, that, even if a war had happened between the Emperor Charles VI. and his Britannic majesty, this must have been held sacred and inviolable: that when the empress queen ceded Silesia to the King of Prussia, this monarch charged himself with the repayment of the loan, which, being a private debt and transferable, was now diffused into different countries, and become the property of many others besides the subjects of Great Britain. They wound up their chain of reasoning by observing, that, according to agreement with the emperor, the whole of this loan should have been repaid in the year one thousand seven hundred and forty-five: whereas the complaints specified in the Prussian memorial were founded on facts posterior to that period. Whether his Prussian majesty was convinced by these reasons, and desisted from principle, or thought proper to give up his claim upon other political considerations; certain it is, he no longer insisted upon satisfaction, but ordered the payments of the Silesian loan to be continued without further interruption: a report, indeed, was circulated, that advantage had been taken of the demur by a certain prince, who employed his agents to buy up great part of the loan at a considerable discount.

§ XVI. How much soever the King of Prussia may be the subject of censure on this occasion, it must be allowed that, with regard to his own subjects, he acted as a wise legislator, and the father of his country. He peopled the deserts of Pomerania; by encouraging with royal bounties,

a great number of industrious emigrants to settle in that province; the face of which, in a very few years, underwent the most agreeable alterations. Above sixty new villages arose amidst a barren waste, and every part of the country exhibited marks of successful cultivation. Those solitary and desolate plains, where no human footsteps had for many ages been seen, were now converted into fields of corn. The farms were regularly parcelled out: the houses multiplied, and teemed with population: the happy peasants, sheltered in a peculiar manner under their king's protection, sowed their grounds in peace and reaped their harvest in security. The same care and indulgence were extended to the unpeopled parts of other provinces within the Prussian dominions, and extraordinary encouragement was granted to all French protestants who should come and settle under the government of this political sage.

§ XVII. The courts of Vienna and Hanover still employed their chief attention upon the scheme of electing a King of the Romans; and the Elector of Mentz, influenced by the majority of the college, had convoked an electoral diet for that purpose: but strong protests against this convocation were entered by the Electors of Cologne and Palatine, inasmuch that it was thought expedient to conciliate this last, by taking some steps in his favour, with respect to the satisfaction he demanded from the empress queen and his Britannic majesty. His claim upon the court of Vienna amounted to three millions of florins, by way of indemnification for the losses he had sustained during the war. He demanded of the King of England twenty thousand pounds sterling, for provision and forage furnished to the British troops while they acted on the Maine; and the like sums for the like purposes from the States-general of the United Provinces. The empress queen could not help remonstrating against this demand as exorbitant in itself, and the more unreasonable, as the Elector Palatine, at the death of her father, had openly declared against the pragmatic sanction, which he had guaranteed in the most solemn manner: she, therefore, observed, that the damage he had sustained, in consequence of that declaration, ought to be considered as the common fate of war. These reasons, though conclusive and irrefragable in the usual way of arguing, made no impression upon the Palatine, who perfectly well understood his own importance, and was determined to seize this opportunity of turning it to the best advantage. The court of Vienna, and the maritime powers, finding him thus obstinately attached to his own interest, resolved to bring him over to their views at any rate, and commenced a negotiation with him, which produced a formal treaty. By this convention his demands in money were fixed at twelve hundred thousand Dutch florins, to be paid at three instalments, five hundred thousand by the empress queen, and the remaining seven hundred thousand by the King of Great Britain and the States-general, according to the proportion established in former treaties. The privilege of *Non appellando*, for the duchy of Deux-ponts, was confirmed to his electoral highness, together with some other rights and pretensions, in consideration of his concurring with the other electors in the choice of a King of the Romans, to be elected according to the customs prescribed by the laws and constitutions of the empire. He likewise engaged to join them in settling the articles of the capitulation with the King of the Romans, emperor *in futuro*. Yet, even after the concurrence of this prince was secured, the purposed election proved abortive from the strong objections that were started, and the strenuous opposition which was made, by his Prussian majesty, who perhaps aspired in secret at the imperial dignity, which the empress queen took all this pains to perpetuate in her own family.

§ XVIII. The King of Great Britain, returning from the continent, opened the session of parliament on the eleventh day of January with a speech, implying, That all his views and negotiations had been conducted and directed to preserve and secure the duration of the general peace, so agreeable and necessary to the welfare of all Europe: that he had the satisfaction to be assured of a good disposition in all the powers that were his allies, to adhere to the same salutary object. He exhorted them to continue their attention to the reduction of the national debt, the augmentation of the sinking fund,

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and the improvement of the public revenue. He recommended to their serious consideration what further laws and regulations might be necessary for suppressing those crimes and disorders, of which the public had so justly complained : and concluded with an assurance, that his hearty concurrence and endeavours should never be wanting in any measure that might promote their welfare and prosperity. The addresses in answer to this speech were couched in the usual form of implicit approbation : but that of the Commons did not pass without question. The Earl of E—— took exceptions to one paragraph, in which they acknowledged his majesty's wisdom, as well as goodness, in pursuing such measures as must contribute to maintain and render permanent the general tranquillity of Europe ; and declared their satisfaction at the assurance his majesty had received from his allies, that they were all attached to the same salutary object. His lordship expatiated on the absurdity of these compliments at such a juncture, when the peace of Europe was so precarious, and the English nation had so much cause of complaint and dissatisfaction. He was seconded by some other individuals, who declaimed with great vivacity against continental connexions ; and endeavoured to expose the weakness and folly of the whole system of foreign measures which our ministry had lately pursued. It must be owned, indeed, that they might have chosen a better opportunity to compliment their sovereign on the permanency of the peace than at this juncture, when they must have seen themselves on the very brink of a new rupture with the most formidable power in Europe. But the truth is, these addresses to the throne had been long considered as compliments of course, implying no more than a respectful attachment to their sovereign : accordingly, both Houses agreed to their respective addresses without division. The two grand committees of supply and of ways and means being established, the business of the House was transacted without much alteration ; and the people had great reason to be satisfied with their moderate proceedings. Ten thousand seamen, and the usual number of land forces, were retained for the service of the ensuing year. They provided for the maintenance of the new colony in Nova Scotia, the civil establishment of Georgia, the support of the castles on the coast of Guinea, and the erection of a new fort at Anamaboa, where the French had attempted to make a settlement ; and they enabled his majesty to fulfil his engagements with the King of Poland and the Elector of Bavaria.

§ XIX. The supplies, including grants for former deficiencies and services, for which no provision had been made in the course of the last year, did not exceed two millions one hundred thirty-two thousand seven hundred and seven pounds, seventeen shillings, and two pence half-penny ; in order to defray which expense they assigned the duty on malt, &c. the land tax at two shillings in the pound, the surplus of certain funds in the exchequer, and the sum of four hundred and twenty thousand pounds out of the sinking fund ; so that the exceedings amounted to near three hundred thousand pounds.<sup>c</sup> As for the national debt, it now stood at the enormous sum of seventy-four millions three hundred sixty-eight thousand four hundred and fifty-one pounds, fifteen shillings, and one penny ; and the sinking fund produced one million seven hundred thirty-five thousand five hundred and twenty-nine pounds, six shillings, and ten pence farthing.

§ XX. One of the first measures brought upon the carpet, in the course of this session, was an act containing regulations for the better preservation of the game, of which so great havoc had been made by poachers, and other persons unqualified to enjoy that diversion, that the total extirpation of it was apprehended.

§ XXI. The next step taken by the Commons was an affair of much greater consequence to the community, being a bill for obliging ships the more effectually to perform quarantine, in order to prevent the plague from being

imported from foreign countries into Great Britain. For this purpose, it was ordained, that if this dreadful visitation should appear in any ship to the northward of Cape Finisterre, the master or commander should immediately proceed to the harbour of New Grimsby, in one of the islands of Scilly, and there communicate the discovery to some officer of the customs ; who should with the first opportunity transmit this intelligence to another custom-house officer in the nearest port of England, to be by him forwarded to one of his majesty's principal secretaries of state. In the meantime the ship should remain at the said island, and not an individual presume to go ashore, until his majesty's pleasure should be known. It was also provided, that in case the master of a ship thus infected should not be able to make the islands of Scilly, or be forced up either channel by violent winds, she should not enter any frequented harbour : but remain in some open road, until he could receive orders from his majesty, or the privy council : that, during this interval, he should avoid all intercourse with the shore, or any person or vessel whatsoever, on pain of being deemed guilty of felony, and suffering death without benefit of clergy.

§ XXII. In order the more effectually to repress the barbarous practice of plundering ships which have the misfortune to suffer shipwreck ; a practice which prevailed upon many different parts of the British coast, to the disgrace of the nation, and the scandal of human nature ; a bill was prepared, containing clauses to enforce the laws against such savage delinquents, who prowl along the shore, like hungry wolves, in hope of preying upon their fellow-creatures ; and certain provisions for the relief of the unhappy sufferers.<sup>d</sup> When the mutiny bill fell under deliberation, the Earl of Egmont proposed a new clause for empowering and requiring regimental courts-martial to examine witnesses upon oath in all their trials. The proposal occasioned a debate, in which the ministry were pretty equally divided ; but the clause was disapproved by the majority, and this annual bill was enacted into a law without any alteration.

§ XXIII. The next bill was framed in consequence of divers petitions presented by the exporters of corn, who complained that the bounties were not paid, and prayed that the House would make proper provision for that purpose. A bill was accordingly brought in, importing, That interest after the rate of three per cent. should be allowed upon every debenture for the bounty on the exportation of corn, payable by the receiver-general or cashier of the customs, until the principal could be discharged out of such customs or duties as are appropriated for the payment of this bounty. This premium on the exportation of corn ought not to be granted, except when the lowness of the market price in Great Britain proves that there is a superabundance in the kingdom ; otherwise the exporter will find his account in depriving our own labourers of their bread, in order to supply our rivals at an easier rate : for example, suppose wheat in England should sell at twenty shillings a quarter, the merchants might export into France, and afford it to the people of that kingdom for eighteen shillings, because the bounty on exportation would, even at that rate, afford him a considerable advantage.

§ XXIV. A great number of merchants having presented petitions from different parts of the kingdom, representing that the trade of Turkey was greatly decreased, ascribing this diminution to the exclusive charter enjoyed by a monopoly, and praying that the trade might be laid open to all his majesty's subjects, one of the members for Liverpool moved for leave to bring in a bill for this purpose. Such a measure had been twice before proposed without success ; but now it was adopted without opposition. A bill was immediately introduced ; and, notwithstanding all the interest and efforts of the Turkey company, who petitioned the House against it, and were heard by their counsel, it passed through both Houses,

<sup>c</sup> Several duties on salt, as well as on red and white herrings delivered out for home consumption, were rendered perpetual, though subject to be released by parliament ; and it was provided, that the debt contracted upon these duties being discharged, all the after-produce of them should become part of the sinking fund.

<sup>d</sup> By the new law, the clerk of the peace in the county where the crime shall be committed is obliged, upon receiving proper information, to pro-

secute the offenders at the expense of the county. It was likewise proposed, that in case no prosecution of this nature should be commenced within a certain limited time after the information should have been legally given, in that case the county might be sued by the person who had sustained the damage, and obliged to indemnify him for his loss : but this clause was rejected by the majority ; and the bill, having made its way through both Houses, received the royal assent.

and received the royal sanction. By this regulation any British subject may obtain the freedom of the Turkey company, by paying or rendering a fine of twenty pounds; and all the members are secured from the tyranny of oppressive by-laws, contrived by any monopolizing cabal.<sup>e</sup>

§ XXV. But this session was chiefly distinguished by an act for naturalizing Jews, and a bill for the better preventing clandestine marriages. The first of these, which passed without much opposition in the House of Lords, from which it descended to the Commons, was entitled, "An act to permit persons professing the Jewish religion to be naturalized by parliament, and for other purposes therein mentioned." It was supported by some petitions of merchants and manufacturers, who, upon examination, appeared to be Jews, or their dependants; and countenanced by the ministry, who thought they foresaw, in the consequences of such naturalization, a great accession to the monied interest, and a considerable increase of their own influence among the individuals of that community. They boldly affirmed, that such a law would greatly conduce to the advantage of the nation, that it would encourage persons of wealth to remove with their effects from foreign parts into Great Britain, increase the commerce and the credit of the kingdom, and set a laudable example of industry, temperance, and frugality. Such, however, were not the sentiments of the lord mayor, aldermen, and commons of the city of London in common council assembled, who in a petition to parliament, expressed their apprehension that the bill, if passed into a law, would tend greatly to the dishonour of the Christian religion, endanger the excellent constitution, and be highly prejudicial to the interest and trade of the kingdom in general, and of the city of London in particular. Another petition to the same purpose was next day presented to the House, subscribed by merchants and traders of the city of London; who, among other allegations, observed, that the consequences of such a naturalization would greatly affect their trade and commerce with foreign nations, particularly with Spain and Portugal. Counsel was heard, evidence examined, and the bill produced violent debates, in which there seemed to be more passion than patriotism, more declamation than argument. The adversaries of the bill affirmed, that such a naturalization would deluge the kingdom with brokers, usurers, and beggars; that the rich Jews, under the shadow of this indulgence, would purchase lands, and even advowsons; so as not only to acquire an interest in the legislature, but also to influence the constitution of the church of Christ, to which they were the inveterate and professed enemies: that the lower class of that nation, when thus admitted to the right of denizens, would interfere with the industrious natives who earn their livelihood by their labour; and by dint of the most parsimonious frugality, to which the English are strangers, work at an under-price; so as not only to share, but even in a manner to exclude them from all employment: that such an adoption of vagrant Jews into the community from all parts of the world, would rob the real subjects of their birth-right, disgrace the character of the nation, expose themselves to the most dishonourable participation and intrusion, endanger the constitution both in church and state, and be an indelible reproach upon the established religion of the country. Some of these orators seemed transported even to a degree of enthusiasm. They prognosticated that the Jews would multiply so much in number, engross such wealth, and acquire so great power and influence in Great Britain, that their persons would be revered, their customs imitated, and Judaism become the fashionable religion of the English. Finally, they affirmed that such an act was directly flying in the face of the prophecy, which declares that the Jews shall be a scattered people, without country or fixed habitation, until they shall be converted from their infidelity, and gathered together in the land of their forefathers. These arguments and apprehensions, which were in reality frivolous and chimerical, being industriously circulated among the vulgar, naturally prejudiced against the Jewish people, ex-

cited such a ferment throughout the nation, as ought to have deterred the ministry from the prosecution of such an unpopular measure; which, however, they had courage enough to maintain against all opposition. The bill passed the ordeal of both Houses, and his majesty vouchsafed the royal sanction to this law in favour of the Hebrew nation. The truth is, it might have increased the wealth, and extended the commerce, of Great Britain, had it been agreeable to the people; and as the naturalized Jews would still have been excluded from all civil and military offices, as well as from other privileges enjoyed by their Christian brethren, in all probability they would have gradually forsaken their own unprofitable and obstinate infidelity, opened their eyes to the shining truths of the gospel, and joined their fellow-subjects in embracing the doctrines of Christianity. But no ministry ought to risk an experiment, how plausible soever it may be, if they find it, as this was, an object of the people's unconquerable aversion. What rendered this unpopular measure the more impolitic, was the unseasonable juncture at which it was carried into execution; that is, at the eve of a general election for a new parliament, when a minister ought carefully to avoid every step which may give umbrage to the body of the people. The Earl of Egmont, who argued against the bill with equal power and vivacity, in describing the effect it might have upon that occasion, "I am amazed (said he) that this consideration makes no impression.—When that day, which is not far off, shall arrive, I shall not fear to set my foot upon any ground of election in the kingdom, in opposition to any one man among you, or any new Christian, who has voted or appeared in favour of this naturalization."

§ XXVI. Another bill, transmitted from the upper House, met with a reception equally unfavourable among the Commons, though it was sustained on the shoulders of the majority, and thus forced its way to the throne, where it obtained the royal approbation. The practice of solemnizing clandestine marriages, so prejudicial to the peace of families, and so often productive of misery to the parties themselves thus united, was an evil that prevailed to such a degree as claimed the attention of the legislature. The sons and daughters of great and opulent families, before they had acquired knowledge and experience, or attained to the years of discretion, were every day seduced in their affections, and inveigled into matches big with infamy and ruin; and these were greatly facilitated by the opportunities that occurred of being united instantaneously by the ceremony of marriage, in the first transport of passion, before the destined victim had time to cool or deliberate on the subject. For this pernicious purpose, there was a band of profligate miscreants, the refuse of the clergy, dead to every sentiment of virtue, abandoned to all sense of decency and decorum, for the most part prisoners for debt or delinquency, and indeed the very outcasts of human society, who hovered about the verge of the Fleet-prison to intercept customers, plying like porters for employment, and performed the ceremony of marriage without license or question, in cellars, garrets, or alehouses, to the scandal of religion, and the disgrace of that order which they professed. The ease with which this ecclesiastical sanction was obtained, and the vicious disposition of those wretches, open to the practices of fraud and corruption, were productive of polygamy, indigence, conjugal infidelity, prostitution, and every curse that could infect the married state. A remarkable case of this nature having fallen under the cognizance of the Peers, in an appeal from an inferior tribunal, that House ordered the judges to prepare a new bill for preventing such abuses; and one was accordingly framed, under the auspices of Lord Hardwicke, at that time Lord High Chancellor of England. In order to anticipate the bad effects of clandestine marriages, this new statute enacted, That the banns should be regularly published, three successive Sundays, in the church of the parish where the parties dwell: that no license should be granted to marry in any place, where one of the parties has not dwelt at least a month, except

<sup>e</sup> Several other bills were passed—one for regulating the number of public houses, and the more easy conviction of persons selling ale and strong liquors without a license; another which empowered the justices of peace to tyrannize over their fellow-subjects.—A second, enabling the magistrates of Edinburgh to improve, enlarge, and adorn, the avenues and streets of

that city, according to a concerted plan, to be executed by voluntary subscription. A third, allowing the exportation of wool and woollen yarn from Ireland into any part of Great Britain. And a fourth, prescribing the breadth of the wheels belonging to heavy carriages, that the high roads of the kingdom might be the better preserved.

a special license by the archbishop: That if any marriage should be solemnized in any other place than a church or a chapel, without a special license, or in a public chapel, without having published the banns, or obtained a license of some person properly qualified, the marriage should be void, and the person who solemnized it transported for seven years: That marriages, by license, of parties under age, without consent of parent or guardian, should be null and void, unless the party under age be a widow, and the parent refusing consent, a widow married again: That when the consent of a mother or guardian is refused from caprice, or such parent or guardian be *non compos mentis*, or beyond sea, the minor should have recourse for relief to the court of chancery: That no suit should be commenced to compel a celebration of marriage, upon pretence of any contract: That all marriages should be solemnized before two witnesses, and an entry be made in a book kept for that purpose, whether it was by banns or license, whether either of the parties were under age, or the marriage celebrated with the consent of parent or guardian; and this entry to be signed by the minister, the parties, and the witnesses: That a false license, or certificate, or destroying register books, should be deemed felony, either in principal or accessory, and punished with death. The bill, when first considered in the lower House, gave rise to a variety of debates: in which the members appeared to be divided rather according to their real sentiments, than by the rules of any political distinction: for some principal servants of the government freely differed in opinion from the minister, who countenanced the bill; while, on the other hand, he was, on this occasion, supported by certain chiefs of the opposition, and the disputes were maintained with extraordinary eagerness and warmth. The principal objections imported, that such restrictions on marriage would damp the spirit of love and propagation; promote mercenary matches, to the ruin of domestic happiness, as well as to the prejudice of posterity and population; impede the circulation of property by preserving the wealth of the kingdom among a kind of aristocracy of opulent families, who would always intermarry within their own pale; subject the poor to many inconveniences and extraordinary expense, from the nature of the forms to be observed; and throw an additional power into the hands of the chancellor. They affirmed, that no human power had a right to dissolve a vow solemnly made in the sight of heaven: and that, in proportion as the bill prevented clandestine marriages, it would encourage fornication and debauchery, inasmuch as the parties restrained from indulging their mutual passions in an honourable manner, would be tempted to gratify them by stealth, at the hazard of their reputation. In a word, they foresaw a great number of evils in the train of this bill, which have not yet been realized. On the other side, its advocates endeavoured to refute these arguments, and some of them spoke with great strength and precision. The bill underwent a great number of alterations and amendments; which were not effected without violent contest and altercation. At length however, it was floated through both Houses on the tide of a great majority, and steered into the safe harbour of royal approbation. Certain it is, the abuse of clandestine marriage might have been removed upon much easier terms than those imposed upon the subject by this bill, which, after all, hath been found ineffectual, as it may be easily eluded by a short voyage to the continent, or a moderate journey to North Britain, where the indissoluble knot may be tied without scruple or interruption.

§ XXVII. Over and above these new statutes, there were some other subjects which occasionally employed the attention of the Commons; such as the state of the British sugar colonies, which was considered in consequence of petitions presented by the sugar refiners and grocers of London, Westminster, and Bristol, complaining of the exorbitant price demanded and given for sugars imported from Jamaica; desiring that the proprietors of land in Jamaica might be obliged to cultivate greater quantities of ground for raising sugar canes, or that they (the petitioners) might have leave to import muscovado sugars from other countries, when the price of those imported from Jamaica should exceed a certain rate. This remonstrance was taken into consideration by a committee

of the whole House; and a great number of evidences and papers being examined, they resolved, that the peopling of Jamaica with white inhabitants, and cultivating the lands thereof, would be the most proper measure for securing that island, and increasing the trade and navigation between it and Great Britain, and other parts of his majesty's dominions: that the endeavours hitherto used by the legislature of Jamaica to increase the number of white inhabitants, and enforce the cultivation of lands, in the manner that might best conduce to the security and defence of that island, had not been effectual for these purposes. The House ordered a bill to be founded on these resolutions; but this was postponed, until the ministry should receive more full information touching the true state of that island. The planters of Jamaica laboured under many grievances and hardships, from divers heavy impositions and restrictions; and a detail of these was transmitted in a representation to his majesty, which was referred to the consideration of the commissioners of trade and plantations. The cause of the planters was defended vigorously, and managed in the House of Commons by Alderman Beckford, a gentleman of vast possessions in the island of Jamaica, who perfectly well understood, and strenuously supported, the interest of that his native country.

§ XXVIII. Abortive also proved the attempt to establish a law for keeping an annual register of marriages, births, deaths, the individuals who received alms, and the total number of people in Great Britain. A bill for this purpose was presented by Mr. Potter, a gentleman of pregnant parts, and spirited elocution: who enumerating the advantages of such a law, observed, that it would ascertain the number of the people, and the collective strength of the nation; consequently point out those places where there is a defect or excess of population, and certainly determine whether a general naturalization would be advantageous or prejudicial to the community; that it would decide what number of men might, on any sudden emergency, be levied for the defence of the kingdom; and whether the nation is gainer or loser by sending its natives to settle, and our troops to defend distant colonies; that it would be the means of establishing a local administration of civil government, or a police upon certain fixed principles, the want of which hath been long a reproach to the nation, a security to vice, and an encouragement to idleness; that in many cases where all other evidence is wanting, it would enable suitors to recover their right in courts of justice, facilitate an equal and equitable assessment in raising the present taxes, and laying future impositions; specify the lineal descents, relations, and alliances of families; lighten the intolerable burthens incurred by the public, from innumerable and absurd regulations relating to the poor; provide for them by a more equal exertion of humanity, and effectually screen them from all risk of perishing by hunger, cold, cruelty, and oppression. Whether such a law would have answered the sanguine expectations of its patron, we shall not pretend to determine; though, in our opinion, it must have been attended with very salutary consequences, particularly in restraining the hand of robbery and violence, in detecting fraud, bridling the ferocity of a licentious people, and establishing a happy system of order and subordination. At first the bill met with little opposition, except from Mr. Thornton, member for the city of York, who inveighed against it with great fervour, as a measure that savoured of French policy, to which the English nation ever had the utmost aversion. He affirmed, that the method in which it was proposed this register should be kept, would furnish the enemies of Great Britain with continual opportunities of knowing the strength or weakness of the nation; that it would empower an ill-designing minister to execute any scheme subversive of public liberty, invest parish and petty officers of the peace with exorbitant powers, and cost the nation about fifty thousand pounds a-year to carry the scheme into execution. These arguments, which we apprehend are extremely frivolous and inconclusive, had a great weight with a considerable number who joined in the opposition, while the ministry stood neutral. Nevertheless, after having undergone some amendments, it was conveyed to the Lords, by whom it was, at the second reading, thrown out, as a scheme of very dangerous tendency. The



legislature of Great Britain have, on some occasions, been more startled at the distant shadow of a bare possibility, than at the real approach of the most dangerous innovation.

§ XXIX. From the usual deliberations on civil and commercial concerns, the attention of the parliament, which had seldom or never turned upon literary avocations, was called off by an extraordinary subject of this nature. Sir Hans Sloane, the celebrated physician and naturalist, well known through all the civilized countries of Europe for his ample collection of rarities, culled from the animal, vegetable, and mineral kingdoms, as well as of antiquities and curiosities of art, had directed in his last will, that his valuable museum, together with his numerous library, should be offered to the parliament, for the use of the public, in consideration of their paying a certain sum, in compensation, to his heirs. His terms were embraced by the Commons, who agreed to pay twenty thousand pounds for the whole, supposed to be worth four times that sum; and a bill was prepared for purchasing this museum, together with the Harleian collection of manuscripts, so denominated from its founder, Robert Harley Earl of Oxford, lord high treasurer of England, and now offered to the public by his daughter, the Duchess of Portland. It was proposed that these purchases should be joined to the famous Cottonian library, and a suitable repository provided for them and the king's library, which had long lain neglected and exposed to the injuries of the weather in the old dormitory at Westminster. Accordingly, trustees and governors, consisting of the most eminent persons of the kingdom, were appointed, and regulations established for the management of this noble museum, which was deposited in Montagu-house, one of the most magnificent edifices in England, where it is subjected, without reserve, to the view of the public, under certain necessary restrictions, and exhibits a glorious monument of national taste and liberality.<sup>f</sup> In the beginning of June the session of parliament was closed by his majesty, who mentioned nothing particular in his speech, but that the state of foreign affairs had suffered no alteration since their meeting.

§ XXX. The genius of the English people is perhaps incompatible with a state of perfect tranquillity; if it is not ruffled by foreign provocations, or agitated by unpopular measures of domestic administration, it will undergo temporary fermentations from the turbulent ingredients inherent in its own constitution. Tumults are excited, and faction kindled into rage and inveteracy, by incidents of the most frivolous nature. At this juncture the metropolis of England was divided and discomposed in a surprising manner, by a dispute in itself of so little consequence to the community, that it would not deserve a place in a general history, if it did not serve to convey a characteristic idea of the English nation. In the beginning of the year an obscure damsel, of low degree, whose name was Elizabeth Canning, promulgated a report, which in a little time attracted the attention of the public. She affirmed, that on the first day of the new year, at night, she was seized under Bedlam-wall by two ruffians, who having stripped her of her upper apparel, secured her mouth with a gag, and threatened to murder her should she make the least noise; that they conveyed her on foot about ten miles, to a place called Enfield-wash, and brought her to the house of one Mrs. Wells, where she was pillaged of her stays; and, because she refused to turn prostitute, confined in a cold, damp, separate, and unfurnished apartment; where she remained a whole month, without any other sustenance than a few stale crusts, of bread, and about a gallon of water; till at length she forced her way through a window, and ran home to her mother's house, almost naked, in the night of the twenty-ninth of January. This story, improbable and unsupported, operated so strongly on the passions of the people in the neighbourhood of Aldermanbury, where Canning's mother lived, and particularly among fanatics of all denominations, that they raised voluntary contributions,

with surprising eagerness, in order to bring the supposed delinquents to justice. Warrants were granted for apprehending Wells, who kept the house at Enfield-wash, and her accomplices, the servant-maid, whose name was Virtue Hall, and one Squires, an old gipsy-woman, which last was charged by Canning of having robbed her of her stays. Wells, though acquitted of the felony, was punished as a bawd. Hall turned evidence for Canning, but afterwards recanted. Squires, the gipsy, was convicted of the robbery, though she produced undoubted evidence to prove that she was at Abbotsbury in Dorsetshire that very night in which the felony was said to be committed, and Canning and her friends fell into divers contradictions during the course of the trial. By this time the prepossession of the common people in her favour had risen to such a pitch of enthusiasm, that the most palpable truths which appeared on the other side, had no other effect than that of exasperating them to the most dangerous degree of rage and revenge. Some of the witnesses for Squires, though persons of unblemished character, were so intimidated, that they durst not enter the court; and those who had resolution enough to give evidence in her behalf, ran the risk of assassination from the vulgar that surrounded the place. On this occasion, Sir Crisp Gascoyne, Lord Mayor of London, behaved with that laudable courage and humanity which ought ever to distinguish the chief magistrate of such a metropolis. Considering the improbability of the charge, the heat, partiality, and blind enthusiasm with which it was prosecuted, and being convinced of the old woman's innocence by a great number of affidavits, voluntarily sent up from the country by persons of unquestionable credit, he, in conjunction with some other worthy citizens, resolved to oppose the torrent of vulgar prejudice. Application was made to the throne for mercy: the case was referred to the attorney and solicitor-general, who, having examined the evidences on both sides, made their report in favour of Squires to the king and council; and this poor old creature was indulged with his majesty's pardon. This affair was now swelled up into such a faction as divided the greater part of the kingdom, including the rich as well as the poor, the high as well as the humble. Pamphlets and pasquinades were published on both sides of the dispute, which became the general topic of conversation in all assemblies, and people of all ranks espoused one or other party with as much warmth and animosity as had ever inflamed the whigs and tories, even at the most rancorous period of their opposition. Subscriptions were opened, and large sums levied, on one side, to prosecute for perjury the persons on whose evidence the pardon had been granted. On the other hand, those who had interested themselves for the gipsy, resolved to support her witnesses, and, if possible, detect the imposture of Canning. Bills of perjury were preferred on both sides. The evidence for Squires were tried and acquitted; at first Canning absconded; but afterwards surrendered to take her trial, and being, after a long hearing, found guilty, was transported to the British colonies. The zeal of her friends, however, seemed to be inflamed by her conviction; and those who carried on the prosecution against her were insulted, even to the danger of their lives. They supplied her with necessities of all sorts, paid for her transportation in a private ship, where she enjoyed all the comforts and conveniences that could be afforded in that situation, and furnished her with such recommendations as secured to her a very agreeable reception in New England.

§ XXXI. Next to this very remarkable transaction, the incident that principally distinguished this year in England, was the execution of Dr. Archibald Cameron, a native of North Britain, and brother to Cameron of Lochiel, chief of that numerous and warlike tribe, who had taken the field with the prince pretender. After the battle of Culloden, where he was dangerously wounded, he found means to escape to the continent. His brother,

<sup>f</sup> The library of Sir Hans Sloane consisted of above fifty thousand volumes, including about three hundred and fifty books of drawings, and three thousand five hundred and sixteen manuscripts, besides a multitude of prints. The museum comprehended an infinite number of medals, coins, urns, utensils, seals, canons, intaglios, precious stones, vessels of agate and jasper, crystals, spars, fossils, metals, minerals, ores, catfish, tatoes, salts, bitumens, sulphurs, amber, ambergrise, fates, mice, testacea,

corals, sponges, ectini, echentes, asteria, trochi, crustacea, stellig marine, fishes, birds, eggs, and nests, vipers, serpents, quadrupeds, insects, human calculi, anatomical preparations, seeds, gums, roots, dried plants, pictures, drawings, and mathematical instruments. All these articles, with a short account of each, are specified in thirty-eight volumes in folio, and eight in quarto.

the doctor, had accompanied him in all his expeditions, though not in a military capacity, and was included with him in the act of attainder passed against those who had been concerned in the rebellion. Notwithstanding the imminent danger attending such an attempt, the doctor returned privately to Scotland, in order (as it was reported) to recover a sum of money belonging to the pretender, which had been embezzled by his adherents in that country. Whatever may have been his inducement to re-visit his native country under such a predicament, certain it is, he was discovered, apprehended, conducted to London, confined in the Tower, examined by the privy council, and produced in the court of king's bench, where his identity being proved by several witnesses, he received sentence of death, and was executed at Tyburn. The terror and resentment of the people, occasioned by the rebellion, having by this time subsided, their humane passions did not fail to operate in favour of this unfortunate gentleman: their pity was mingled with esteem, arising from his personal character, which was altogether unblemished, and his deportment on this occasion, which they could not help admiring, as the standard of manly fortitude and decorum. The populace, though not very subject to tender emotions, were moved to compassion, and even to tears, by his behaviour at the place of execution; and many sincere well-wishers to the present establishment thought that the sacrifice of this victim, at such a juncture, could not redound either to its honour or security.

§ XXXII. The turbulent spirit, which is never totally extinguished in this island, manifested itself in sundry tumults that broke out in different parts of South Britain. The price of provisions, and bread in particular, being raised to an exorbitant rate, in consequence of an absurd exportation of corn, for the sake of the bounty, a formidable body of colliers, and other labouring people, raised an insurrection at Bristol, began to plunder the corn-vessels in the harbour, and commit such outrages in the city, that the magistrates were obliged to have recourse to the military power. A troop of dragoons were sent to their assistance, and the insurgents were quelled, though not without some blood-shed. Commotions of the same kind were excited in Yorkshire, Manchester, and several other places in the northern counties. At Leeds a detachment of the king's troops were obliged in their own defence to fire upon the rioters, eight or nine of whom were killed on the spot; and, indeed, so little care had been taken to restrain the licentious insolence of the vulgar by proper laws and regulations, duly executed under the eye of civil magistracy, that a military power was found absolutely necessary to maintain the peace of the kingdom.

§ XXXIII. The tranquillity of the continent was not endangered by any new contest or disturbance: yet the breach between the clergy and the parliament of Paris was every day more and more widened, and the people were pretty equally divided between superstition and a regard for civil liberty. The parliament having caused divers ecclesiastics to be apprehended, for having refused to administer the sacraments to persons in extremity, who refused to subscribe to the bull *Unigenitus*, all of them declared they acted according to the direction of the Archbishop of Paris. Application being made to this haughty prelate, he treated the deputies of the parliament with the most supercilious contempt, and even seemed to brave the power and authority of that body. They, on the other hand, proceeded to take cognizance of the recusant clergy, until their sovereign ordered them to desist. Then they presented remonstrances to his majesty, reminding him of their privileges, and the duty of their station, which obliged them to do justice on all delinquents. In the meantime, they continued to perform their functions, and even commenced a prosecution against the Bishop of Orleans, whom they summoned to attend their tribunal. Next day they received from Versailles a *lettre de cachet*, accompanied by letters patent, commanding them to suspend all prosecutions relating to the refusal of the sacraments; and ordering the letters patent to be registered. Instead of obeying these commands, they presented new remonstrances, for answers to which they were referred to the king's former declarations. In consequence of this intimation, they had spirit enough to resolve, "that whereas certain evil-minded

persons had prevented truth from reaching the throne, the chambers remained assembled, and all other business should be suspended." The affair was now become very serious. His majesty, by fresh letters patent, renewed his orders, and commanded them to proceed with their ordinary business, on pain of incurring his displeasure. They forthwith came to another resolution, importing, that they could not obey this injunction without a breach of their duty and their oath. Next day *lettres de cachet* were issued, banishing to different parts of the kingdom all the members, except those of the great chamber, which the court did not find more tractable than their brethren. They forthwith resolved to abide by the two resolutions mentioned above; and, as an instance of their unshaken fortitude, ordered an ecclesiastic to be taken into custody for refusing the sacraments. This spirited measure involved them in the fate of the rest; for they were also exiled from Paris, the citizens of which did not fail to extol their conduct with the loudest encomiums, and at the same time to express their resentment against the clergy, who could not stir abroad without being exposed to violence or insult. The example of the parliament of Paris was followed by that of Rouen, which had courage enough to issue orders for apprehending the Bishop of Evreux, because he had refused to appear when summoned to their tribunal. Their decrees on this occasion being annulled by the king's council of state, they presented a bold remonstrance, which, however, had no other effect than that of exasperating the ministry. A grand deputation being ordered to attend the king, they were commanded to desist from intermeddling in disputes relating to the refusal of the sacraments, and to register this injunction. At their return they had recourse to a new remonstrance: and one of their principal counsellors, who had spoken freely in the debates on this subject, was arrested by a party of dragoons, who carried him prisoner to the castle of Dourlens. In a word, the body of the people declared for the parliament, in opposition to ecclesiastical tyranny; and, had they not been overawed by a formidable standing army, would certainly have taken up arms in defence of their liberties; while the monarch weakly suffered himself to be governed by priestly delusions; and, secure in his military appointment, seemed to set the rest of his subjects at defiance. Apprehensive, however, that these disputes would put an entire stop to the administration of justice, he, by letters patent, established a royal chamber for the prosecution of suits civil and criminal, which was opened with a solemn mass performed in the queen's chapel at the Louvre, where all the members assisted. On this occasion another difficulty occurred. The letters patent, constituting this new court, ought to have been registered by the parliament, which was now no more. To remedy this defect, application was made to the inferior court of the Chatelet; which refusing to register them, one of its members was committed to the Bastille, and another absconded. Intimidated by this exertion of despotic power, they allowed the king's officers to enter the letters in their registers; but afterwards adopted more vigorous resolutions. The lieutenant civil appearing in their court, all the counsellors rose up and retired, leaving him alone, and on the table an arret, importing, that whereas the confinement of one of their members, the prosecution of another who durst not appear, and the present calamities of the nation, gave them just apprehension for their own persons, they had, after mature deliberation, thought proper to retire. Thus a dangerous ferment was excited by the king's espousing the cause of spiritual insolence and oppression against the general voice of his people, and the plainest dictates of reason and common sense.

§ XXXIV. The property of East Friesland continued still to be the source of contention between the Electors of Brandenburg and Hanover. The interest of his Britannic majesty being powerfully supported by the house of Austria, the minister of that power at the diet proposed that the affair should be taken into immediate consideration. He was seconded by the minister of Brunswick; but the envoy from Brandenburg, having protested in form against this procedure, withdrew from the assembly, and the Brunswick minister made a counter protestation, after which he also retired. Then a motion being made, that this dispute should be referred to the decision of the Aulic council at



Vienna, it was carried in the affirmative by a majority of fourteen voices. His Prussian majesty's final declaration with regard to this affair was afterwards presented to the diet, and answered in the sequel by a memorial from his Britannic majesty as Elector of Hanover. Some other petty disputes likewise happened between the regency of Hanover and the city of Munster; and the former claiming some bailiwicks in the territories of Bremen, sequestered certain revenues belonging to this city, in Stade and Ferden, till these claims should be satisfied.

§ XXXV. The court of Vienna having dropped for the present the scheme for electing a King of the Romans, concluded a very extraordinary treaty with the Duke of Modena, stipulating that his serene highness should be appointed perpetual governor of the duchy of Milan, with a salary of ninety thousand florins, on condition that he should maintain a body of four thousand men, to be at the disposal of the empress queen; that her imperial majesty should have a right to place garrisons in the citadels of Mirandola and Reggio, as well as in the castle of Massa Carrara: that the Archduke Peter Leopold, third son of their imperial majesties, should espouse the daughter of the hereditary Prince of Modena, by the heiress of Massa Carrara; and in case of her dying without heirs male, the estates of that house and the duchy of Mirandola should devolve to the Archduke; but in case of her having male issue, that she should enjoy the principality of Fermia, and other possessions in Hungary, claimed by the Duke of Modena, for her fortune: finally, that on the extinction of the male branch of the house of Este, all the dominions of the Duke of Modena should devolve to the house of Austria.

§ XXXVI. While the powers on the continent of Europe were thus employed in strengthening their respective interests, and concerting measures for preventing any interruption of the general tranquility, matters were fast ripening to a fresh rupture between the subjects of Great Britain and France, in different parts of North America. We have already observed that commissaries had been appointed, and conferences opened at Paris, to determine the disputes between the two crowns, relating to the boundaries of Nova Scotia; and we took notice in general of the little arts of evasion practised by the French commissaries to darken and perplex the dispute, and elude the pretensions of his Britannic majesty. They persisted in employing these arts of chicanery and cavil with such perseverance, that the negotiation proved abortive, the conferences broke up, and every thing seemed to portend approaching hostilities. But, before we proceed to a detail of the incidents which were the immediate forerunners of the war, we will endeavour to convey a just idea of the dispute concerning Nova Scotia; which, we apprehend, is but imperfectly understood, though of the utmost importance to the interest of Great Britain.

§ XXXVII. Nova Scotia, called by the French Acadia, lies between the forty-fourth and fiftieth degrees of north latitude, having New England and the Atlantic ocean to the south and south-west, and the river and gulf of St. Lawrence to the north and north-east. The winter, which continues near seven months in this country, is intensely cold; and without the intervention of any thing that can be called spring, it is immediately succeeded by a summer, the heat of which is almost insupportable, but of no long continuance. The soil in general is thin and barren, though some parts of it are said to be equal to the best land in England. The whole country is covered with a perpetual fog, even after the summer has commenced. It was first possessed by the French, before they made any establishment in Canada; who, by dint of industry and indefatigable perseverance, in struggling with the many difficulties they necessarily laboured under in the infancy of this settlement, subsisted tolerably well, and increased considerably, with very little assistance from Europe: whilst we, even now, should lose the immense expense we have already been at to settle a colony there, and should see all our endeavours to that end defeated, if the support of the royal hand was withdrawn but for a moment. This country, by the possession of which an enemy would be enabled greatly to annoy all our other colonies, and, if in the hands of the French, would be of singular service both to their fishery and their sugar-islands, has frequently changed

hands from the French to the English, and from the English back again to the French, till our right to it was finally settled by the twelfth article of the treaty of Utrecht, by which all the country included within the ancient limits of what was called Nova Scotia or Acadia, was ceded to the English. This article was confirmed by the treaty of Aix-la-Chapelle: but, for want of ascertaining distinctly what were the bounds intended to be fixed by the two nations with respect to this province, disputes arose, and commissaries, as we have observed, were appointed by both sides, to adjust the litigation.

§ XXXVIII. The commissaries of the King of Great Britain conformed themselves to the rule laid down by the treaty itself, and assigned those as the ancient limits of this country, which had always passed as such, from the very earliest time of any certainty, down to the conclusion of the treaty; which the two crowns had frequently declared to be such, and which the French had often admitted and allowed. These limits are, the southern bank of the river St. Lawrence to the north, and Pentagoet to the west: the country situated between these boundaries is that which the French received by the treaty of St. Germain's, in the year one thousand six hundred and thirty-two, under the general name of Acadia. Of this country, thus limited, they continued in possession from that period to the year one thousand six hundred and fifty-four, when a descent was made upon it, under the command of Colonel Sedgwick. That these were then the undisputed limits of Acadia, his Britannic majesty's commissaries plainly proved, by a letter of Louis XIII. to the Sieurs Charnisay and La Tour, regulating their jurisdictions in Acadia; by the subsequent commissions of the French king to the same persons, as governors of Acadia, in the sequel; and by that which was afterwards granted to the Sieur Denys, in the year one thousand six hundred and fifty-four; all of which extend the bounds of this country from the river St. Lawrence to Pentagoet and New England. That these were the notions of the French with respect to the ancient limits of this province was further confirmed by the demand made by their ambassador, in the course of that same year, for the restitution of the forts Pentagoet, St. John's, and Port Royal, as forts situated in Acadia. In the year one thousand six hundred and sixty-two, upon the revival of the claim of France to the country of Acadia, which had been left undecided by the treaty of Westminster, the French ambassador, then at the court of London, assigned Pentagoet as the western, and the river St. Lawrence as the northern, boundary of that country; and alleged the restitution of Acadia in the year one thousand six hundred and thirty-two, and the possession taken by France in consequence thereof, as well as the continuation of that possession, with the same limits, to the year one thousand six hundred and fifty-four, as proofs of the equity and validity of the claim he then made: in which claim, and in the manner of supporting it, he was particularly approved of by the court of France. The same court afterwards thought it so clear, upon former determinations, and her own former possessions, that the true ancient boundaries of Acadia were Pentagoet to the west, and the river St. Lawrence to the north, that she desired no specification of limits in the treaty of Breda, but was contented with the restitution of Acadia; generally named: and, upon a dispute which arose in the execution of this treaty, France re-asserted, and Great Britain, after some discussion, agreed to the above-mentioned limits of Acadia; and France obtained possession of that country, so bounded, under the treaty of Breda. The sense of France upon this subject, in the year one thousand six hundred and eighty-five, and one thousand six hundred and eighty-seven, was also clearly manifested, in the memorials delivered at that time by the French ambassador at the court of London, complaining of some encroachments made by the English upon the coast of Acadia: he described the country as extending from isle Percée, which lies at the entrance of the river St. Lawrence, to St. George's island: and again, in a subsequent complaint, made by Mons. Barillon and Mons. de Bonrepas to the court of Great Britain, against the judge of Pemaquid, for having seized the effects of a French merchant at Pentagoet, which, said they, was situated in Acadia, as restored to France by the treaty of



Breda. To explain the sense of France, touching the bounds of Acadia in the year one thousand seven hundred, the British commissaries produced a proposal of the French ambassador, then residing in Great Britain, to restrain the limits of that country to the river St. George. They also instanced the surrender of Port Royal in the year one thousand seven hundred and ten, in which Acadia is described with the same limits with which France had received it in the years one thousand six hundred and thirty-two, and one thousand six hundred and sixty-seven. And further to ascertain the sense of both crowns, even at the treaty of Utrecht itself, they produced the Queen of Great Britain's instructions to her ambassadors in the year one thousand seven hundred and eleven, in which they were directed to insist, "That his most christian majesty should quit all claim or title, by virtue of any former treaty, or otherwise, to the country called Nova Scotia, and expressly to Port Royal, otherwise Annapolis Royal." To these they added a manifest demonstration, founded on indisputable facts, proving that the recital of the several sorts of right which France had ever pretended to this country, and the specification of both terms, Acadia or Nova Scotia, were intended by Great Britain to obviate all doubts which had ever been made concerning the limits of Acadia, and to comprehend with more certainty all that country which France had ever received as such: finally, to specify what France considered as Acadia. During the treaty they referred to the offers of the crown in the year one thousand seven hundred and twelve, in which she proposed to restrain the boundary of Acadia to the river St. George, as a departure from its real boundary, in case Great Britain would restore to her the possession of that country. From all these facts it plainly appears that Great Britain demanded nothing but what the fair construction of the words of the treaty of Utrecht necessarily implies: and that it is impossible for any thing to have more evident marks of candour and fairness in it, than the demand of the English on this occasion. From the variety of evidence brought in support of this claim, it evidently results, that the English commissaries assigned no limits as the ancient limits of Acadia, but those which France herself determined to be such in the year one thousand six hundred and thirty-two; and which she possessed, in consequence of that determination, till the year one thousand six hundred and fifty-four; and that in one thousand six hundred and sixty-two France claimed, and received in one thousand six hundred and sixty-nine, the country which Great Britain now claims as Acadia, restored to France by the treaty of Breda under that general denomination: that France never considered Acadia as having any other limits than those which were assigned to it from the year one thousand six hundred and thirty-two, to the year one thousand seven hundred and ten; and that, by the treaty of Utrecht, she engaged to transfer that very same country as Acadia, which France had always asserted and possessed, and Great Britain now claims, as such. Should the crown of France, therefore, be ever willing to decide what are the ancient limits of Acadia, by her own declarations so frequently made in like discussions upon the same point, by her possessions of this country for almost a century, and by her description of Acadia, during the negotiation of that very treaty upon which this doubt is raised, she cannot but admit the claim of Great Britain to be conformable to the treaty of Utrecht, and to the description of the country transferred to Great Britain by the twelfth article of that treaty. There is a consistency in the claim of the English, and a completeness in the evidence brought in support of it, which is seldom seen in discussions of this sort; for it rarely happens in disputes of such a nature between two crowns, that either of them can safely offer to have its pretensions decided by the known and repeated declarations, or the possessions, of the other. To answer the force of this detail of conclusive historical facts, and to give a new turn to the real question in dispute, the French commissaries, in their memorial, laid it down as a distinction made by the treaty of Utrecht, that the ancient limits of Acadia, referred to by that treaty, are different from any with which that country may have passed under the treaties of St. Germain's and Breda; and then endeavoured to show, upon the testimonies of maps and historians, that

Acadia and its limits were anciently confined to the south-eastern part of the peninsula. In support of this system, the French commissaries had recourse to ancient maps and historians, who, as they asserted, had ever confined Acadia to the limits they assigned. They alleged that those commissions of the French government over Acadia, which the English cited as evidence of the limits they claimed, were given as commissions over Acadia and the country around it, and not over Acadia only: that the whole of the country claimed by the English as Acadia, could not possibly be supposed ever to be considered as such, because many parts of that territory always did, and still do, preserve particular and distinct names. They affirmed New France to be a province in itself; and argued that many parts of what we claim as Acadia can never have been in Acadia, because historians and the French commissions of government expressly place them in New France. They asserted that no evidence can be drawn of the opinion of any crown, with respect to the limits of any country, from its declaration during the negotiation of a treaty; and, in the end, relying upon maps and historians for the ancient limits of Acadia, they pretended that the express restitution of St. Germain's and the possession taken by France in consequence of the treaty of Breda, after a long discussion of the limits, and the declaration of France during the negotiation of the treaty of Utrecht, were foreign to the point in question. In refutation of these maxims, the English commissaries proved, from an examination of the maps and historians cited by the French in support of their system, that if this question was to be decided, upon the authorities which they themselves allowed to belong and to be applicable to this discussion, the limits which they assigned were utterly inconsistent with the best maps of all countries, which are authorities in point for almost every part of the claim of Great Britain. They showed that the French historians, Champlain and Denys, and particularly this last, with his commission in the year one thousand six hundred and fifty-five, assigned the same northern and western limits to Acadia which they did; and that Escarbot, another of their historians, as far as any evidence can be drawn from his writings, agrees entirely with the former two. They observed, that all these evidences fall in with and confirm the better authorities of treaties, and the several transactions between the two crowns for near a century past; and that the French commissaries, by deviating from treaties, and the late proceeding of the two crowns, to ancient historians and maps, only made a transition from an authentic to an insufficient sort of evidence, and led the English commissaries into an inquiry, which proved that both the proper and the improper, the regular and the foreign evidence, upon which this matter had been rested, equally confuted the limits alleged by the French commissaries as the ancient limits of Acadia.

### CHAP. III.

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A. D. 1753. § I. While the British ministry depended upon the success of the conferences between the commissaries of the two crowns at Paris, the French were actually employed in executing their plans of encroachment upon the British colonies in North America. The scheme was to engross the whole fur-trade of that continent, and they had already made great progress in extending a chain of forts, connecting their settlements on the river Mississippi with their possessions in Canada, along the great lakes of Erie and Ontario, which last issues into the river St. Lawrence. By these means they hoped to exclude the English from all communication and traffic with the Indian nations, even those that lay contiguous to the British settlements, and confine them within a line of their drawing, beyond which they should neither extend their trade nor plantations. Their commercial spirit did not keep pace with the gigantic strides of their ambition: they could not supply all those Indians with the necessities they wanted, so that many of the natives had recourse to the English settlements; and this commerce produced a connexion, in consequence of which the British adventurers ventured to travel with merchandise as far as the banks of the river Ohio, that runs into the Mississippi, a great way on the other side of the Apalachian mountains, beyond which none of our colonists had ever attempted to penetrate. The tract of country lying along the Ohio is so fertile, pleasant, and inviting, and the Indians, called *Twightees*, who inhabit those delightful plains, were so well disposed towards a close alliance with the English, that, as far back as the year one thousand seven hundred and sixteen, Mr. Spotswood, Governor of Virginia, proposed a plan for erecting a company to settle such lands upon this river as should be ceded to them by treaty with the natives; but the design was at that time frustrated, partly by the indolence and timidity of the British ministry, who were afraid of giving umbrage to the French, and partly by the jealousies and divisions subsisting between the different colonies of Great Britain. The very same circumstances encouraged the French to proceed in their progress of invasion. At length, they penetrated to the banks of the river St. Lawrence, across lake Champlain, and upon the territory of New York built with impunity, and indeed without opposition, the fort of Crown Point, the most insolent and dangerous encroachment that they had hitherto carried into execution.

§ II. Governor Spotswood's scheme for an Ohio company was revived immediately after the peace of Aix-la-Chapelle, when certain merchants of London who traded to Maryland and Virginia, petitioned the government on this subject, and were indulged not only with a grant of a great tract of ground to the southward of Pennsylvania, which they promised to settle, but also with an exclusive privilege of trading with the Indians on the banks of the river Ohio. This design no sooner transpired than the French governor of Canada took the alarm, and wrote letters to the Governors of New York and Pennsylvania, giving them to understand, that as the English inland traders had encroached on the French territories and privileges, by trading with the Indians under the protection of his sovereign, he would seize them wherever they could be found, if they did not immediately desist from that illicit practice. No regard being paid to this intimation, he next year caused three British traders to be arrested. Their effects were confiscated, and they themselves conveyed to Quebec, from whence they were sent prisoners to Rochelle in France, and there detained in confinement. In this situation they presented a remonstrance to the Earl of Albemarle, at that time English ambassador at Paris, and he claiming them as British subjects, they were set at liberty. Although, in answer to his lordship's memorial, the court of Versailles promised to transmit orders to the French governors in America to use all their endeavours for preventing any disputes that might have a tendency to alter the good correspondence established between the two nations: in all probability the directions given were seemingly the very reverse of these professions, for the French commanders, partisans, and agents in America, took every step their busy genius could suggest, to strengthen their own power and weaken the influence of the English by embroiling them with the Indian nations.

This task they found the more easy, as the natives had taken offence against the English, when they understood that their lands were given away without their knowledge, and that there was a design to build forts in their country, without their consent and concurrence. Indeed the person whom the new company employed to survey the banks of the Ohio concealed his design so carefully, and behaved in other respects in such a dark mysterious manner, as could not fail to rouse the jealousy of a people naturally inquisitive, and very much addicted to suspicion. How the company proposed to settle this acquisition in despite of the native possessors it is not easy to conceive, and it is still more unaccountable that they should have neglected the natives, whose consent and assistance they might have procured at a very small expense. Instead of acting such a fair, open, and honourable part, they sent a Mr. Gist to make a clandestine survey of the country, as far as the falls of the river Ohio: and, as we have observed above, his conduct alarmed both the French and Indians. The erection of this company was equally disagreeable to the separate traders of Virginia and Pennsylvania, who saw themselves on the eve of being deprived of a valuable branch of traffic, by the exclusive charter of a monopoly; and therefore they employed their emissaries to foment the jealousy of the Indians.

§ III. The French having in a manner commenced hostilities against the English, and actually built forts on the territories of the British allies at Niagara, and on the lake Erie, Mr. Hamilton, Governor of Pennsylvania, communicated this intelligence to the assembly of the province, and represented the necessity of erecting trunk-houses, or places of strength and security, on the river Ohio, to which the traders might retire, in case of insult or molestation. The proposal was approved, and money granted for the purpose; but the assembly could not agree about the manner in which they should be erected; and in the meantime the French fortified themselves at leisure, and continued to harass the traders belonging to the British settlements. Repeated complaints of these encroachments and depredations being represented to Mr. Dinwiddie, Governor of Virginia, he towards the latter end of this very year, sent Major Washington with a letter to the commanding officer of a fort which the French had built on the *Riviere-au-Bœuf*, which falls into the Ohio, not far from the lake Erie. In this letter Mr. Dinwiddie expressed his surprise that the French should build forts and make settlements on the river Ohio, in the western part of the colony of Virginia, belonging to the crown of Great Britain. He complained of these encroachments, as well as of the injuries done to the subjects of Great Britain, in open violation of the law of nations, and of the treaties actually subsisting between the two crowns. He desired to know by whose authority and instructions his Britannic majesty's territories had been invaded; and required him to depart in peace, without further prosecuting a plan which must interrupt the harmony and good understanding which his majesty was desirous to continue and cultivate with the most christian king. To this spirited intimation the officer replied, That it was not his province to specify the evidence, and demonstrate the right of the king his master to the lands situated on the river Ohio; but he would transmit the letter to the Marquis du Quesne, and act according to the answer he should receive from that nobleman. In the meantime, he said he did not think himself obliged to obey the summons of an English governor; that he commanded the fort by virtue of an order from his general, to which he was determined to conform with all the precision and resolution of a good officer. Mr. Dinwiddie expected no other reply, and therefore had projected a fort to be erected near the forks of the river. The province undertook to defray the expense, and the stores for that purpose were already provided; but by some fatal oversight, the concurrence of the Indians was neither obtained nor solicited, and therefore they looked upon this measure with an evil eye, as a manifest invasion of their property.

§ IV. While the French thus industriously extended their encroachments to the southward, they were not idle in the gulf of St. Lawrence, but seized every opportunity of distressing the English settlement of Nova Scotia. We



have already observed, that the town of Halifax was no sooner built, than they spirited up the Indians of that neighbourhood to commit hostilities against the inhabitants, some of whom they murdered, and others they carried prisoners to Louisbourg, where they sold them for arms and ammunition, the French pretending that they maintained this traffic from motives of pure compassion, in order to prevent the massacre of the English captives, whom, however, they did not set at liberty without exacting an exorbitant ransom. As these skulking parties of Indians were generally directed and headed by French commanders, repeated complaints were made to the governor of Louisbourg, who still answered, that his jurisdiction did not extend over the Indians, and that their French conductors were chosen from the inhabitants of Annapolis, who thought proper to remain in that country after it was ceded to the English, and were, in fact, the subjects of Great Britain. Even while the conferences were carried on for ascertaining the limits of Nova Scotia, the Governor of Canada detached M. La Corne, with some regular troops, and a body of militia, to fortify a post on the bay of Chignecto, on pretence that this and a great part of the peninsula belonged to his government. The possession of this post not only secured to the Indians of the continent a free entrance into the peninsula, and a safe retreat in case of pursuit; but also encouraged the French inhabitants of Annapolis to rise in open rebellion against the English government.

§ V. In the spring of the year one thousand seven hundred and fifty, General Cornwallis, Governor of Halifax, detached Major Laurence with a few men to reduce them to obedience. At his approach they burned their towns to ashes, forsook their possessions, and threw themselves under the protection of M. La Corne, who, thus reinforced, found himself at the head of fifteen hundred men, well provided with arms and ammunition. Major Laurence being unable to cope with him in the field, demanded an interview, at which he desired to know for what cause the French inhabitants of Nova Scotia had shaken off their allegiance to the crown of Great Britain, and violated the neutrality which they had hitherto affected to profess. The French officer, without pretending to account for their behaviour, gave him to understand in general terms, that he had orders to defend his post, and these orders he was determined to obey. The English major finding himself too weak to attack their united force, and having no orders to commit hostilities against any but the Indians and their open abettors, returned to Halifax, without having been able to fulfil the purpose of his expedition. Immediately after his retreat, the French neutrals (so they were called) returned to the habitations which they had abandoned; and, in conjunction with the Indians, renewed their depredations upon the inhabitants of Halifax and its dependent settlements. The English governor, justly incensed at these outrages, and seeing they would neither submit to the English government themselves, nor allow others to enjoy it with tranquillity, resolved to expel them effectually from the country they so ill deserved to possess. Major Laurence was again detached with a thousand men, transported by sea to Chignecto, where he found the French and Indians intrenched, in order to dispute his landing. Notwithstanding this opposition, he made a descent with a few companies, received and returned a smart fire, and rushing into their intrenchments, obliged them to fly with the utmost precipitation, leaving a considerable number killed and wounded on the spot. The fugitives saved themselves by crossing a river, on the further bank of which La Corne stood at the head of the troops, drawn up in order to receive them as friends and dependents. He had by this time erected a fort, which he denominated Beau Sejour; and now the English built another on the opposite side of the river, which was called after its founder St. Laurence. This being provided with a good garrison, served as a check upon the French, and in some measure restrained the incursions of their barbarians. Not that it effectually answered this purpose; for the Indians and neutrals still seized every opportunity of attacking the English in the interior parts of the peninsula. In the course of the succeeding year they surprised the little town of Dartmouth,

on the other side of Halifax bay, where they killed and scalped a great number of people, and carried off some prisoners. For these expeditions the French always supplied them with boats, canoes, arms, and ammunition; and indeed they were conducted with such care and secrecy, that it was almost impossible to prevent their success. One sure remedy against the sudden and stolen incursions of those savages might have been found in the use of stanch hounds, which would have run upon the foot, detected the skulking parties of the Indians, and frustrated all their ambushes: but this expedient, so easy and practicable, was never tried, though frequently recommended in public to the attention of the government, and the consideration of the colonists. The Indians continued to plunder and massacre the British subjects with impunity, and were countenanced by the French government in that country, who now strengthened their lodgment on the neck of the peninsula with an additional fort, distinguished by the name of Bay-verte; and built a third at the mouth of St. John's river, on the north side of the bay of Fundy.

§ VI. All these previous steps to a rupture with England were taken with great deliberation, while the commissaries of both nations were disputing about the limits of the very country which they thus arrogantly usurped; and they proceeded to perfect their chain of forts to the southward, without paying the least regard to the expostulations of the English governors, or to a memorial presented at Versailles by the Earl of Albemarle, the British minister. He demanded that express orders should be sent to M. De la Jonquiere, the commander for the French in America, to desist from violence against the British subjects in that country; that the fort of Niagara should be immediately razed; that the subjects of Great Britain, who had been made prisoners, should be set at liberty, and indemnified for the losses they had sustained; and that the persons who had committed these excesses should be punished in an exemplary manner. True it is, six Englishmen, whom they had unjustly taken, were immediately dismissed; and the ambassador amused with general promises of sending such instructions to the French governor in America, as should anticipate any cause of complaint for the future; but, far from having any intention to perform these promises, the court of Versailles, without all doubt, exhorted La Jonquiere to proceed in bringing its ambitious schemes to perfection.

§ VII. Every incident in America seemed to prognosticate war, when the session of parliament was opened on the fifteenth day of November; yet his majesty, on this occasion, told them, that the events of the year had not made it necessary for him to offer any thing in particular to their consideration relating to foreign affairs. He even declared, that the continuance of the public tranquillity, and the general state of Europe, remained upon the same footing as when they last parted; and assured them of his steadiness in pursuing the most effectual measures to preserve to his people the blessings of peace. He expressed uncommon concern, that the horrid crimes of robbery and of murder were of late rather increased than diminished, and earnestly recommended this important object to their serious attention. Affectionate addresses were presented by both Houses in answer to this harangue; and, what was very remarkable, they were proposed and passed without question or debate.

§ VIII. The Commons continued the same number of seamen and land-forces for the ensuing year, which had been granted in the last session, and made suitable provision for all the exigencies of the state. The whole supply amounted to two millions seven hundred ninety-seven thousand nine hundred and sixteen pounds, ten shillings, and two pence, to be raised by a land tax of two shillings in the pound, a malt tax, a continuation of certain duties on wine, vinegar, cyder, and beer imported, a sum taken from the sinking fund, and the overplus of certain grants, funds, and duties. The provisions made considerably exceeded the grants; but this excess was chargeable with the interest of what should be borrowed upon the credit in the land or malt tax, there being a clause of credit in both, as also with the deficiency (if any should happen) in the sums they were computed to produce. The House



agreed to all these resolutions almost unanimously: indeed, no opposition was made to any of them, but that for continuing the same number of land-forces, which was carried by a great majority.

§ IX. The act permitting Jews to be naturalized, which had, during the last session, triumphed over such an obstinate opposition, was by this time become the subject of national horror and execration. Every part of the kingdom resounded with the reproach of the ministry who had enforced such an odious measure; and the two brothers, who engrossed the greater part of the administration, trembled at the prospect of what this clamour might produce at the general election, this being the last session of the present parliament. So eager were the ministers to annul this unpopular measure, that, immediately after the Peers had agreed to the nature and form of an address to his majesty, the Duke of Newcastle, with that precipitation so peculiar to his character, poured forth an abrupt harangue in that House, importing, that the disaffected had made a handle of the act passed last session in favour of the Jews, to raise discontents among many of his majesty's good subjects; and as the act was in itself of little importance, he was of opinion it ought to be repealed; for this purpose he presented a bill ready framed, which was read and committed, though not without some debate. The naturalization bill, now devoted as a sacrifice to the resentment of the people, contained a clause disabling all naturalized Jews from purchasing, inheriting, or receiving any advowson or presentation, or right to any ecclesiastical benefice or promotion, school, hospital, or donative; and by the first draft of the bill, which his Grace now presented, it was intended that this clause should not be repealed. It was the opinion, however, of the majority, that such a clause standing unrepealed might imply, that the Jews, by being thus expressly excluded from the possession of any ecclesiastical right of presentation, would be considered as having the power and privilege of purchasing and inheriting any lay-property in the kingdom. On this consideration an amendment was made in the bill, the clause in question was left out, and the whole act of naturalization repealed without exception.<sup>a</sup> Though the Lords in general concurred in the expediency of the repeal, it was opposed by some few, as too great a sacrifice to the idle and unfounded clamours of the multitude; and upon this side of the debate a great power of elocution was displayed by Earl Temple, who had lately succeeded to this title on the death of his mother, a nobleman of distinguished abilities and the most amiable disposition, frank, liberal, humane, and zealously attached to the interest and honour of his country. In the lower House, the members of both parties seemed to vie with each other in demonstrations of aversion to this unpopular act. On the very first day of the session, immediately after the motion for an address to his majesty, Sir James Dashwood, an eminent leader in the opposition, gave the Commons to understand, that he had a motion of very great importance to make, which would require the attention of every member, as soon as the motion for the address should be discussed; he therefore desired they would not quit the House, until he should have an opportunity to explain his proposal. Accordingly, they had no sooner agreed to the motion for an address of thanks to his majesty, than he stood up again; and having expatiated upon the just and general indignation which the act of the preceding session, in favour of the Jews, had raised among the people, he moved to order that the House should be called over on Tuesday the fourth day of December, for taking that act into consideration: but being given to understand, that it was not usual to appoint a call of the House for any particular purpose, he agreed that the motion should be general. It was seconded by Lord Parker, his opposite in political interests; the House agreed to it without opposition, and the call was ordered accordingly. They were anticipated, however, by the Lords, who framed and transmitted to them a bill on the same subject, to the purport of which the Commons made no objection; for every member, having the fear of the general election

before his eyes, carefully avoided every expression which could give umbrage to his constituents; but violent opposition was made to the preamble, which ran in the following strain:—"Whereas an act of parliament was made and passed in the twenty-fifth year of his majesty's reign, intituled, 'An act to permit persons professing the Jewish religion to be naturalized by parliament, and for other purposes therein mentioned; and whereas occasion has been taken, from the said act, to raise discontents and disquiets in the minds of his majesty's subjects, be it enacted, &c.'" This introduction was considered as an unjust reflection upon the body of the people in general, and in particular upon those who had opposed the bill in the course of the preceding session. Sir Roger Newdigate therefore moved, that the expression should be varied to this effect: "Whereas great discontents and disquietudes had from the said act arisen." The consequence of this motion was an obstinate debate, in which it was supported by the Earl of Egmont, and divers other able orators; but Mr. Pelham and Mr. Pitt were numbered among its opponents. The question being put for the proposed alteration, it was of course carried in the negative: the bill, after the third reading, passed *nemine contradicente*, and in due time obtained the royal assent.

§ X. Even this concession of the ministry did not allay the resentment of the people, and their apprehensions of encroachment from the Jews. Another act still subsisted, by virtue of which any person professing the Jewish religion might become a free denizen of Great Britain, after having resided seven years in any of his majesty's colonies in America; and this was now considered as a law, having the same dangerous tendency, of which the other was now in a fair way of being convicted. It was moved, therefore, in the lower House, that part of this former act might be read: then the same member made a motion for an address to his majesty, desiring that the House might have the perusal of the lists transmitted from the American colonies to the commissioners for trade and plantations, containing the names of all such persons professing the Jewish religion, as had entitled themselves to the benefit of the said act, since the year one thousand seven hundred and forty. These lists were accordingly presented, and left upon the table for the perusal of the members: but as this act contained no limitation of time within which the benefit of it should be claimed, and as this claim was attended with a good deal of trouble and some expense, very few persons had availed themselves of it in that period. Nevertheless, as a great number of Jews were already entitled to claim this indulgence, and as it remained an open channel through which Great Britain might be deluged with those people, all of whom the law would hold as natural-born subjects, and their progeny as freed from all the restrictions contained in the act with respect to naturalized foreigners, Lord Harley moved for leave to bring in a bill to repeal so much of the said act as related to persons professing the Jewish religion, who should come to settle in any British colony after a certain time. The motion was seconded by Sir James Dashwood, and supported by the Earl of Egmont; but being found unequal to the interest and elocution of Mr. Pelham and Mr. Pitt, was rejected by the majority.

§ XI. The next object that claimed the A. D. 1754. attention of the Commons, was a bill for improving the regulations already made to prevent the spreading of a contagious distemper which raged among the horned cattle in different parts of the kingdom. The last bill of this session that had the good fortune to succeed, was brought in for punishing mutiny and desertion of officers and soldiers in the service of the East India company, and for the punishment of offences committed in the East Indies and the island of St. Helena. This being a measure of a very extraordinary nature, all the members were ordered to attend the House on the day affixed for the second reading; at the same time all charters, commissions, and authorities, by which any powers relative to a military jurisdiction, or the exercise of martial law, had been granted or derived from the crown to the

<sup>a</sup> The reverend bench of bishops had, with a laudable spirit of Christian meekness and philanthropy, generally approved of the indulgence granted to their Hebrew brethren, and now they acquiesced in the proposed repeal

with the same passive discretion, though one of the number contended for the saving clause which the Duke of N——— had recommended.

said company, were submitted to the perusal of the members. The bill was by many considered as a dangerous extension of military power, to the prejudice of the civil rights enjoyed by British subjects, and as such violently contested by the Earl of Egmont, Lord Strange, and Mr. Alderman Beckford. Their objections were answered by the solicitor-general and Mr. Yorke. The bill, after some warm debates, being espoused by the ministry, was enacted into a law, and despatched to the East Indies by the first opportunity.

§ XII. Some other motions were made, and petitions presented on different subjects, which, as they miscarried, it will be unnecessary to particularize. It may not be amiss, however, to record an exemplary act of justice done by the Commons on a person belonging to a public office, whom they detected in the practice of fraud and imposition. Notwithstanding the particular care taken in the last session, to prevent the monopolizing of tickets in the state lottery, all those precautions had been eluded in a scandalous manner by certain individuals, intrusted with the charge of delivering the tickets to the contributors, according to the intent of the act, which expressly declared that not more than twenty should be sold to any one person. Instead of conforming to these directions of the legislature, they and their friends engrossed great numbers, sheltering themselves under a false list of feigned names for the purpose; by which means they not only defeated the equitable intention of the Commons; but in some measure injured the public credit; inasmuch as their avarice had prompted them to subscribe for a greater number than they had cash to purchase, so that there was a deficiency in the first payment, which might have had a bad effect on the public affairs. These practices were so flagrant and notorious as to attract the notice of the lower House, where an inquiry was begun, and prosecuted with a spirit of real patriotism, in opposition to a scandalous cabal, who endeavoured with equal eagerness and perseverance to screen the delinquents. All their efforts, however, proved abortive; and a committee, appointed to examine particulars, agreed to several severe resolutions against one Le—, who had amassed a large fortune by this and other kinds of speculation. They voted him guilty of a breach of trust, and a direct violation of the lottery act: and an address was presented to his majesty, desiring he might be prosecuted by the attorney-general for these offences. He was accordingly sued in the court of king's bench, and paid a fine of one thousand pounds, for having committed frauds by which he had gained forty times that sum: but he was treated with such gentleness as remarkably denoted the clemency of that tribunal.

§ XIII. The session ended in the beginning of April, when the king gave the parliament to understand that he should say nothing at present on foreign affairs; but assured them of his fixed resolution to exert his whole power in maintaining the general tranquillity, and adhering to such measures for that purpose as he had hitherto pursued in conjunction with his allies. He in very affectionate terms thanked both Houses for the repeated proofs they had given of their zealous attachment and loyalty to his person and government. He enumerated the salutary measures they had taken for lessening the national debt, and augmenting the public credit, extending navigation and commerce, reforming the morals of the people, and improving the regulations of civil economy. He concluded with declaring, that he securely relied upon the loyalty and good affection of his people, and had no other aim than their permanent happiness. In a little time after the close of this session they were dissolved by proclamation, and new writs issued by the lord chancellor for convoking a new parliament. The same ceremonies were practised with respect to the convocations of Canterbury and York; though they no longer retained their former importance; nor, indeed, were they suffered to sit and deliberate upon the subjects which formerly fell under their cognizance and discussion.

§ XIV. In the beginning of March, the ministry of Great Britain had been left without a head by the death of Mr. Pelham, which was not only sincerely lamented by his sovereign, but also regretted by the nation in general, to whose affection he had powerfully recommended him-

self by the candour and humanity of his conduct and character, even while he pursued measures which they did not entirely approve. The loss of such a minister was the more deeply felt by the government at this juncture, being the eve of a general election for a new parliament, when every administration is supposed to exert itself with redoubled vigilance and circumspection. He had already concerted the measures for securing a majority, and his plan was faithfully executed by his friends and adherents, who still engrossed the administration. His brother, the Duke of Newcastle, was appointed first lord commissioner of the treasury, and succeeded as secretary of state by Sir Thomas Robinson, who had long resided as ambassador at the court of Vienna. The other department of this office was still retained by the Earl of Holderness; and the function of chancellor of the exchequer was performed as usual by the lord chief justice of the king's bench, until a proper person could be found to fill that important office; but in the course of the summer it was bestowed upon Mr. Legge, who acquitted himself with equal honour and capacity. Divers other alterations were made, of less importance to the public, Sir George Lyttleton was appointed cofferer, and the Earl of Hillsborough, comptroller of the household. Mr. George Grenville, brother to Earl Temple, became treasurer of the navy: and Mr. Charles Townsend, of whom we shall have occasion to speak in the sequel, took place as a commissioner at the board of admiralty, in the room of Lord Barrington, made master of the wardrobe. Lord Hardwicke, the chancellor, was promoted to the dignity of an Earl. The place of lord chief justice of the king's bench becoming vacant by the death of Sir William Lee, was filled with Sir Dudley Rider, and he was succeeded by Mr. Murray in the office of attorney-general.

§ XV. The elections for the new parliament generally succeeded according to the wish of the ministry; for opposition was now dwindled down to the lowest state of imbecility. It had received a mortal wound by the death of the late Prince of Wales, whose adherents were too wise to pursue an *ignis fatuus*, without any prospect of success or advantage. Some of them had prudently sung their palinodia to the ministry, and been gratified with profitable employments; while others, setting too great a price upon their own importance, kept aloof till the market was over, and were left to pine in secret over their disappointed ambition. The maxims of torism had been relinquished by many, as the barren principles of a losing game; the body of the people were conciliated to the established government; and the harmony that now, for the first time, subsisted among all the branches of the royal family, had a wonderful effect in acquiring a degree of popularity which they had never before enjoyed. The writs being returned, the new parliament was opened on the last day of May, by the Duke of Cumberland, and some other peers, who acted by virtue of a commission from his majesty. The Commons having chosen for their speaker the Right Hon. Arthur Onslow, who had honourably filled that high office in four preceding parliaments, he was presented and approved by the commissioners. Then the lord high chancellor harangued both Houses, giving them to understand, that his majesty had indulged them with this early opportunity of coming together, in order to complete without loss of time certain parliamentary proceedings which he judged would be for the satisfaction of his good subjects: but he did not think proper to lay before them any points of general business, reserving every thing of that nature to the usual time of their assembling in the winter. On the fifth day of June this short session was closed, and the parliament prorogued by the lords commissioners.

§ XVI. In the beginning of this year violent disputes arose between the government and the House of Commons in Ireland, on the almost forgotten subjects of privilege and prerogative. The Commons conceived they had an undoubted right to apply the surplus of their revenue towards national purposes, without the consent of their sovereign; and, accordingly, in the year one thousand seven hundred and forty-nine, prepared a bill with this preamble: "Whereas, on the twenty-fifth day of March last a considerable balance remained in the hands of the vice-treasurers

or receivers-general of the kingdom, or their deputy or deputies, unapplied: and it will be for your majesty's service, and for the ease of your faithful subjects in this kingdom, that so much thereof as can be conveniently spared should be paid, agreeably to your majesty's most gracious intentions, in discharge of part of the national debt." This appropriation gave great offence to the advocates for prerogative in England, who affirmed that the Commons had no right to apply any part of the unappropriated revenue, or even to take any such affair into consideration, without the previous consent of the crown expressed in the most explicit terms. It was in consequence of this doctrine, that the Duke of Dorset, lord-lieutenant of Ireland, told them in the next session of parliament, held in the year one thousand seven hundred and fifty-one, he was commanded by the king to acquaint them, that his majesty, ever attentive to the ease and happiness of his subjects, would graciously consent, and recommended it to them, that such a part of the money then remaining in his treasury, as should be thought consistent with the public service, be applied towards the further reduction of the national debt. This declaration alarmed the Commons, zealous as they were for the preservation of their privileges; and in their address of thanks, which like that of the parliament of Great Britain, used always to echo back the words of the speech, they made no mention of his majesty's consent; but only acknowledged his gracious attention to their ease and happiness, in recommending to them the application of the surplus. They accordingly resolved to apply one hundred and twenty thousand pounds of that overplus towards the discharge of the national debt; and, in the preamble of the bill, framed for this purpose, made no mention of his majesty's consent, though before they had acknowledged his goodness in recommending this application. The ministry in England were highly offended at this purposed omission, which they construed into a wilful encroachment on the prerogative; and the bill was sent back with an alteration in the preamble, signifying his majesty's consent as well as recommendation. The Irish House of Commons being at that time deeply engaged in a minute inquiry into the conduct of a gentleman, a servant of the crown, and a member of their own House, accused of having misapplied a large sum of money, with which he had been intrusted, for rebuilding or repairing the barracks, were now unwilling to embroil themselves further with the government, until this affair should be discussed. They, therefore, passed the bill with the alteration, and proceeded with their inquiry. The person was convicted of having misapplied the public money, and ordered to make the barracks fit for the reception and accommodation of the troops at his own expense. They did not, however, neglect to assert what they thought their rights and privileges, when the next opportunity occurred. The Duke of Dorset, when he opened the session of this year, repeated the expression of his majesty's gracious consent, in mentioning the surplus of the public money. They again omitted that word in their address: and resolved, in their bill of application, not only to sink this odious term, but likewise to abate in their complaisance to the crown, by leaving out that expression of grateful acknowledgment which had met with such a cold reception above. By this time the contest had kindled up two violent factions, and diffused a general spirit of resentment through the whole Irish nation. The committee who prepared the bill, instead of inserting the usual compliments in the preamble, mentioned nothing but a recital of facts, and sent it over in a very plain dress, quite destitute of all embroidery. The ministry, intent upon vindicating the prerogative from such an unmannerly attack, filled up the omissions of the committee, and sent it back with this alteration: "And your majesty, ever attentive to the ease and happiness of your faithful subjects, has been graciously pleased to signify that you would consent, and to recommend it to us, that so much of the money remaining

in your majesty's treasury as should be necessary to be applied to the discharge of the national debt, or such part thereof as should be thought expedient by parliament." This then being the crisis, which was to determine a constitutional point of such importance, namely, whether the people in parliament assembled have a right to deliberate upon and vote the application of any part of the unappropriated revenue, without the previous consent of the crown; those who were the most zealously attached to the liberties of their country resolved to exert themselves in opposing what they conceived to be a violation of those liberties; and the bill, with its alterations, was rejected by a majority of five voices. The success of their endeavours was celebrated with the most extravagant rejoicings, as a triumph of patriotism over the arts of ministerial corruption: and, on the other hand, all the servants of the crown, who had joined the popular cry on this occasion, were in a little time dismissed from their employments. The rejection of the bill was a great disappointment to the creditors of the public, and the circulation of cash was almost stagnated. These calamities were imputed to arbitrary designs in the government; and the people began to be inflamed with an enthusiastic spirit of independency, which might have produced mischievous effects, had not artful steps been taken to bring over the demagogues, and thus divert the stream of popular clamour from the ministry to those very individuals who had been the idols of popular veneration. The speaker of the House of Commons was promoted to the dignity of an earl; and some other patriots were gratified with lucrative employments. His majesty's letter arrived for paying off seventy-five thousand five hundred pounds of the national debt. The circulation was thus animated, and the resentment of the populace subsiding, the kingdom retrieved its former tranquillity.

§ XVII. The ambition and intrigues of the French court, by which the British interest was invaded and disturbed on the continent of America, had also extended itself to the East Indies, where they endeavoured to embroil the English company with divers nabobs, or princes, who governed different parts of the peninsula intra Gangem. That the reader may have a clear and distinct idea of these transactions, we shall exhibit a short sketch of the English forts and settlements in that remote country. The first of these we shall mention is Surat,<sup>b</sup> in the province so called, situated between the twenty-first and twenty-second degrees of north latitude: from hence the peninsula stretches into the Indian ocean as far as the latitude of eight north, ending in a point at Cape Comorin, which is the southern extremity. To the northward this peninsula joins to Indostan, and at its greatest breadth extends seven hundred miles. Upon the west, east, and south it is washed by the sea. It comprehends the kingdoms of Malabar, Decan, Golconda, and Bisnagar, with the principalities of Gingi, Tanjour, and Madura. The western side is distinguished by the name of the Malabar coast; the eastern takes the denomination of Coromandel; and, in different parts of this long sweep, from Surat round Cape Comorin to the bottom of the bay of Bengal, the English and other European powers have, with the consent of the Mogul, established forts and trading settlements. All these kingdoms, properly speaking, belong to the Mogul; but his power was so weakened by the last invasion of Kouli Khan, that he has not been able to assert his empire over this remote country; the tributary princes of which, and even the nabobs, who were originally governors appointed under their authority, have rendered themselves independent, and exert an absolute dominion over their respective territories, without acknowledging his superiority either by tribute or homage. These princes, when they quarrel among themselves, naturally have recourse to the assistance of such European powers as are settled in or near their dominions; and in the same manner the East Indian companies of the European powers

<sup>b</sup> His annual, *the upper part* of a colony of coffees, or black, a revenue of the Lanka, to the value of three lacks of rupees, amounting to above thirty-seven thousand pounds, arising partly from the adjacent lands, and partly from the revenues of Surat, which were paid him yearly by the governor of the castle, who is appointed by the Mogul to keep the city under proper subjection, without, however, interfering with the government of it.

<sup>b</sup> Several European nations had settlements at Surat, which was one of the most frequented cities of the East, from the great concourse of Mahomedan pilgrims, who make it their route from India, in their visits to the tomb of their prophet at Mecca. In order to keep the free trade of voyages between Surat and the gulf of Arabia and Persia, the Mogul had been at the annual expense of a large ship fitted out on purpose to carry the pilgrims to Mecca, which is within a small distance of Mecca. For the security of this ship, as well as to protect the trade of Surat, he granted to



which happen to be at war with each other, never fail to interest the nabobs in the dispute.

§ XVIII. The next English settlement to Surat, on the coast of the peninsula, is Bombay, in the kingdom of Decan, a small island, with a very convenient harbour, about five-and-forty leagues to the south of Surat. The town is very populous: but the soil is barren, and the climate unhealthy; and the commerce was rendered very precarious by the neighbourhood of the famous corsair Angria, until his port of Geriah was taken, and his fortifications demolished. The English company likewise carry on some traffic at Dabul, about forty leagues further to the south, in the province of Cuncan. In the same southerly progression, towards the point of the peninsula, we arrive at Carwar, in the latitude of fifteen degrees, where there is a small fort and factory, belonging to the company, standing on the south side of a bay, with a river, capable of receiving ships of pretty large burthen. The climate here is remarkably salubrious; the country abounds with provisions of all sorts, and the best pepper of India grows in this neighbourhood. The next English settlement we find at Tillicherry, where the company has erected a fort, to defend their commerce of pepper and cardamoms from the insults of the rajah, who governs this part of Malabar. Hither the English trade was removed from Calicut, a large town, that stands fifteen leagues to the southward of Tillicherry, and was as well frequented as any port on the coast of the Indian peninsula. The most southerly settlement which the English possess on the Malabar coast is that of Anjengo, between the eighth and ninth degrees of latitude. It is defended by a regular fort, situated on a broad river, which falls into the sea, and would be very commodious for trade, were not the water on the bar too shallow to admit ships of considerable burthen. Then turning the cape, and passing through the strait of Chilao, formed by the island of Ceylon, we arrive on the coast of Coromandel, which forms the eastern side of the isthmus. Prosecuting our course in the northern direction, the first English factory we reach is that of Fort St. David's, formerly called Tegapatam, situated in the latitude of eleven degrees forty minutes north, within the kingdom of Gingi. It was about six-and-twenty years ago sold by a Mahratta prince to the East India company, and, next to Bombay, is the most considerable settlement we have yet mentioned. Its territory extends about eight miles along the coast, and half that space up the country, which is delightfully watered by a variety of rivers: the soil is fertile and the climate healthy. The fort is regular, well provided with cannon, ammunition, and a numerous garrison, which is the more necessary, on account of the neighbourhood of the French settlement at Pondicherry.<sup>c</sup> But the chief settlement belonging to the company on this coast is that of Madras, or Fort St. George, standing further to the northward, between the thirteenth and fourteenth degrees of latitude, and not a great way from the diamond mines of Golconda. It is seated on a flat, barren, scorching sand, so near the sea, that in bad weather the walls are endangered by the mighty surges rolled in from the ocean. As the soil is barren, the climate is so intensely hot, that it would be altogether uninhabitable, were not the heat mitigated by the sea breezes. On the land side it is defended by a salt-water river, which, while it contributes to the security of the place, robs the inhabitants of one great comfort, by obstructing the springs of fresh water. The fort is a regular square, the town surrounded with walls well mounted with artillery, and the place, including the Black Town, is very populous. Madras, with several villages in the neighbourhood, was purchased of the King of Golconda, before the Mogul became sovereign of this country. The governor of this place is not only president of Fort St. George, but also of all the other settlements on the coasts of Malabar and Coromandel, as far as the islands of Sumatra. He lives in great pomp, having inferior judges, who pass sentence of death occasionally on malefactors of any nation, except the subjects of Great Britain. All the company's affairs are directed by him and his council, who are invested with the power of inflicting corporal punishment, short of life and

member, upon such Europeans as are in the service, and dispose of all places of trust and profit. By virtue of an act passed in the course of this very session, the military officers belonging to the company were permitted to hold courts-martial, and punish their soldiers according to the degree of their delinquency. In a word, Madras is of the utmost importance to the company for its strength, wealth, and the great returns it makes in calicoes and muslins. Towards the latter end of the last century the English company had a flourishing factory at Masulipatam, standing on the north side of the river Nagundi, which separates the provinces of Golconda and Bisnagar, in the latitude of sixteen degrees and thirty minutes; but now there is no European settlement here, except a Dutch factory, maintained for carrying on the chintz commerce. At Visagapatam, situated still further to the northward, the English possess a factory, regularly fortified, on the side of a river, which, however, a dangerous bar has rendered unfit for navigation. The adjacent country affords cotton cloths, and the best striped muslins of India. It is chiefly for the use of this settlement that the company maintains a factory at Ganjam, the most eastern town in the province or kingdom of Golconda, situated in a country abounding with rice and sugar canes. Still further to the north coast, in the latitude of twenty-two degrees, the company maintains a factory at Balasore, which was formerly very considerable; but hath been of very little consequence since the navigation of the river Huguely was improved. At this place every European ship bound for Bengal and the Ganges takes in a pilot. The climate is not counted very salubrious; but the adjacent country is fruitful to admiration, and here are considerable manufactures of cotton and silk. Without skilful pilots, the English would find it very difficult to navigate the different channels through which the river Ganges discharges itself into the sea at the bottom of the bay of Bengal. On the southern branch is a town called Pipely, where there was formerly an English factory; but this was removed to Huguely, one hundred and sixty miles further up the river; a place which together with the company's settlement at Calcutta, were the emporiums of their commerce for the whole kingdom of Bengal. Indeed Huguely is now abandoned by the English, and their whole trade centres at Calcutta or Fort William, which is a regular fortification, containing lodgings for the factors and writers, store-houses for the company's merchandise, and magazines for their ammunition. As for the governor's house, which likewise stands within the fort, it is one of the most regular structures in all India. Besides these settlements along the sea-coast of the peninsula, and on the banks of the Ganges, the English East India company possess certain inland factories and posts for the convenience and defence of their commerce, either purchased of the nabobs and rajahs, or conquered in the course of the war. As the operations we propose to record were confined to the coasts of Malabar and Coromandel, or the interior countries which form the peninsula intra Gangem, it will be unnecessary to describe the factory at Bancoolen, on the island of Sumatra, or any settlement which the English possess in other parts of the East Indies.

§ XIX. In order to understand the military transactions of the English company in India, the reader will take notice, that immediately after the peace of Aix-la-Chapelle, Monsieur Dupleix, who commanded for the French in that country, began by his intrigues to sow the seeds of dissension among the nabobs, that he might be the better able to fish in troubled waters. Nizam Almuluck, the Mogul's Viceroy of Decan, having the right of nominating a governor of the Carnatic, now more generally known by the name of the Nabob of Arcot, appointed Anaverdy Khan to that office in the year one thousand seven hundred and forty-five. The viceroy dying was succeeded in his viceroyalty or subaship, by his second son Nazirizing, whom the Mogul confirmed. He was opposed in his pretensions by his own cousin Muzapherzing, who had recourse to the assistance of M. Dupleix, and obtained from him a reinforcement of Europeans and artillery, in consideration of many presents and promises which he

<sup>c</sup> The trade, consists of long cloths of different colours, sallampottes,

mores, dimities, muslins, and serications.

fulfilled in the sequel. Thus reinforced and joined by one Chunda Saib, an active Indian chief, he took the field against his kinsman Nazirizing, who was supported by a body of English troops under Colonel Laurence. The French, dreading an engagement, retired in the night; and Muzaperizing, seeing himself abandoned by all his own troops, appealed to the clemency of his cousin, who spared his life, but detained him as a state prisoner. In this situation he formed a conspiracy against his kinsman's life with Nazirizing's prime minister, and the Nabobs of Cadupab and Condaneor, then in his camp; and the conspirators were encouraged in the scheme by Dupleix and Chunda Saib, who had retired to Pondicherry. Thus stimulated, they murdered Nazirizing in his camp, and proclaimed Muzaperizing Viceroy of Decan. In the tents of the murdered viceroy they found an immense treasure, of which a great share fell to M. Dupleix, whom Muzaperizing the usurper at this time associated in the government. By virtue of this association the Frenchman assumed the state and formalities of an eastern prince; and he and his colleague Muzaperizing appointed Chunda Saib Nabob of Arcot; Anaverdy Khan, the late nabob, had been, in the year one thousand seven hundred and forty-nine, defeated and slain by Muzaperizing and Chunda Saib, with the assistance of their French auxiliaries; and his son Mohammed Ali Khan had put himself under the protection of the English at Madras, and was confirmed by Nazirizing, as his father's successor in the nabobship, or government of Arcot. This government, therefore, was disputed between Mohammed Ali Khan, appointed by the legal Viceroy Nazirizing, supported by the English company, and Chunda Saib, nominated by the usurper Muzaperizing, and protected by Dupleix, who commanded at Pondicherry. Muzaperizing did not long survive his usurpation. In the year one thousand seven hundred and fifty-one, the same nabobs who had promoted him to his kinsman's place, thinking themselves ill rewarded for their services, fell upon him suddenly, routed his troops, and put him to death; and next day the chiefs of the army proclaimed Sallabatzing, brother to Nazirizing, Viceroy of Decan: on the other hand, the Mogul appointed Gauzedy Khan, who was the elder brother of Sallabatzing; and this prince confirmed Mohammed Ali Khan in the government of Arcot: but the affairs of the Mogul's court were then in such confusion, that he could not spare an army to support the nomination he had made. Chunda Saib, Nabob of Arcot, having been deposed by the Great Mogul, who placed Anaverdy Khan in his room, he resolved to recover his government by force, and had recourse to the French general at Pondicherry, who reinforced him with two thousand sepoy, or soldiers of the country, sixty caffees, and four hundred and twenty French troops, on condition that, if he proved successful in his enterprise, he should cede to the French the town of Velur, in the neighbourhood of Pondicherry, with its dependencies, consisting of forty-five villages. Thus reinforced, he defeated his rival Anaverdy Khan, who lost his life in the engagement, re-assumed the government of Arcot, and punctually performed the conditions which had been stipulated by his French allies.

§ XX. Mohammed Ali Khan, at the death of his father, had fled to Tiruchirapalli,<sup>d</sup> and solicited the assistance of the English, who favoured him with a reinforcement of money, men, and ammunition, under the conduct of Major Laurence, a brave and experienced officer. By dint of this supply he gained some advantages over the enemy, who were obliged to retreat; but no decisive blow was given. Mohammed afterwards repaired in person to Fort St. David's to demand more powerful succours, alleging that his fate was connected with the interest of the English company, which in time would be obliged to abandon the whole coast, should they allow the enemy to proceed in their conquests. In consequence of these representations, he received another strong reinforcement under the command of Captain Cope; but nothing of importance was attempted, and the English auxiliaries retired. Then

Mahommed was attacked by the enemy, who obtained a complete victory over him. Finding it impossible to maintain his footing by his own strength, he entered into a close alliance with the English, and ceded to them some commercial points, which had been long in dispute. Then they detached Captain Cope to put Tiruchirapalli in a posture of defence; while Captain de Gingins, a Swiss officer, marched at the head of four hundred Europeans to the nabob's assistance. The two armies being pretty equal in strength, lay encamped in sight of each other a whole month; during which nothing happened but a few skirmishes, which generally terminated to the advantage of the English auxiliaries. In order to make a diversion, and divide the French forces, the company resolved to send a detachment into the province of Arcot; and this was one of the first occasions upon which the extraordinary talents of Mr. Clive were displayed. He had entered into the service of the East India company as a writer, and was considered as a person very indifferently qualified for succeeding in any civil station of life. He now offered his service in a military capacity, and actually began his march to Arcot, at the head of two hundred and ten Europeans with five hundred sepoys.<sup>e</sup>

§ XXI. Such was the resolution, secrecy, and despatch with which he conducted this enterprise, that the enemy knew nothing of his motions until he was in possession of the capital, which he took without opposition. The inhabitants, expecting to be plundered, offered him a large sum to spare their city; but they derived their security from the generosity and discretion of the conqueror. He refused the proffered ransom, and issued a proclamation, intimating, that those who were willing to remain in their houses should be protected from insult and injury, and the rest have leave to retire with all their effects except provisions, for which he promised to pay the full value. By this sage conduct he conciliated the affections of the people so entirely, that even those who quitted the place supplied him with exact intelligence of the enemy's designs, when he was besieged in the sequel. The town was in a little time invested by Raja Saib, son of Chunda Saib, at the head of a numerous army, and the operations of the siege were conducted by European engineers. Though their approaches were retarded by the repeated and resolute sallies of Mr. Clive, they at length effected two breaches supposed to be practicable; and on the fourteenth day of October, in the year one thousand seven hundred and fifty-one, gave a general assault. Mr. Clive, having received intimation of their design, had made such preparations for their reception, that they were repulsed in every quarter with great loss, and obliged to raise the siege with the utmost precipitation.

§ XXII. This gallant Englishman, not contented with the reputation he had acquired from his noble defence, was no sooner reinforced by a detachment under Captain Kirkpatrick, from Trichinopoly, than he marched in pursuit of the enemy, whom he overtook in the plains of Arani. There, on the third day of December, he attacked them with irresistible impetuosity; and after an obstinate dispute, obtained a complete victory at a very small expense. The forts of Timery, Caujeveram, and Aranie, surrendered to the terror of his name, rather than to the force of his arms; and he returned to Fort St. David's in triumph. He had enjoyed a very few weeks of repose, when he was summoned to the field by fresh incursions of the enemy. In the beginning of the year one thousand seven hundred and fifty-two he marched with a small detachment to Madras, where he was joined by a reinforcement from Bengal, the whole number not exceeding three hundred Europeans, and assembled a body of the natives, that he might have at least the appearance of an army. With these he proceeded to Koveripauk, about fifteen miles from Arcot, where he found the French and Indians, consisting of fifteen hundred sepoys, seventeen hundred horse, a body of natives, and one hundred and fifty Europeans, with eight pieces of cannon. Though they were advantageously posted and intrenched, and the day was already

<sup>d</sup> Tiruchirapalli, commonly called Trichinopoly, situated near the river Cauvery, above two hundred miles to the southward of Madras, is the capital of a small kingdom belonging to the government of Arcot, and bounded on the east by the kingdom of Tanjore.

<sup>e</sup> The sepoys are the mercenaries of the country, who are hired as soldiers occasionally by all parties.

far advanced, Mr. Clive advanced against them with his usual intrepidity; but the victory remained for some time in suspense. It was now dark, and the battle doubtful, when Mr. Clive sent round a detachment to fall in the rear of the French battery. This attack was executed with great resolution, while the English in front entered the intrenchments with their bayonets fixed; and though very little tintured with discipline, displayed the spirit and activity of hardy veterans. This double attack disconcerted the enemy in such a manner, that they soon desisted from all opposition. A considerable carnage ensued; yet the greater part of the enemy, both horse and foot, saved themselves by flight, under cover of the darkness. The French, to a man, threw down their arms, and surrendered themselves prisoners of war: and all the cannon and baggage fell into the hands of the victor.

§ XXIII. The province of Arcot being thus cleared of the enemy, Mr. Clive with his forces returned to Fort St. David's, where he found Major Laurence just arrived from England,<sup>f</sup> to take upon him the command of the troops in the company's service. On the eighteenth day of March this officer, accompanied by Mr. Clive, took the field, and was joined by Captain de Gingsins at Tiruchirappalli. From hence he detached Mr. Clive with four hundred European soldiers, a few Mahratta horse, and a body of sepoys, to cut off the enemy's retreat to Pondicherry. In the course of this expedition he dislodged a strong body of the foe posted at Samiavaram, and obliged Chunda Saib to throw a body of troops into a strong fortified temple, or pagoda, upon the river Koleroon, which was immediately invested. The commanding officer, in attempting to escape, was slain with some others, and the rest surrendered at discretion. They were still in possession of another fortified temple, which he also besieged in form, and reduced by capitulation. Having subdued these forts, he marched directly to Volconda, whither he understood the French commander D'Anteuil had retired. He found that officer intrenched in a village, from whence he drove him with precipitation, and made himself master of the French cannon. The enemy attempted to save themselves in the neighbouring fort; but the gates being shut against them by the governor, who was apprehensive that they would be followed pell-mell by the English, Mr. Clive attacked them with great fury, and made a considerable slaughter: but his humanity being shocked at this carnage, he sent a flag of truce to the vanquished, with terms of capitulation, which they readily embraced. These articles imported, that D'Anteuil, and three other officers, should remain prisoners on parole for one year, that the garrison should be exchanged, and the money and stores be delivered to the nabob whom the English supported.

§ XXIV. During these transactions Chunda Saib lay encamped with an army of thirty thousand men at Syrinham, an island in the neighbourhood of Tiruchirappalli, which he longed eagerly to possess. Hither Major Laurence marched with his Indian allies,<sup>g</sup> and took his measures so well, that the enemy's provisions were entirely intercepted. Chunda Saib, in attempting to fly, was taken prisoner by the Nabob of Tanjore, an ally of the English company, who ordered his head to be struck off, in order to prevent the disputes which otherwise would have arisen among the captors.<sup>h</sup> The main body of the army being attacked by Major Laurence, and totally defeated, the island of Syrinham was surrendered, and about a thousand European French soldiers, under the command of Mr. Law, nephew to the famous Law who schemed the Mississippi company, fell into the hands of the conquerors, including thirty officers, with forty pieces of cannon, and ten mortars. Mr. Dupleix, though exceedingly mortified by this disaster, resolved to maintain the cause which he had espoused. He proclaimed Rajah Saib, the son of Chunda Saib, Nabob of Arcot; and afterwards pretended that he himself had received from the Mogul sanids or commissions, appointing him governor of all the Carnatic, from

the river Kristnah, to the sea: but these sanids appeared in the sequel to be forged. In order to complete the comedy, a supposed messenger from Delhi was received at Pondicherry as ambassador from the Mogul. Dupleix, mounted on an elephant, preceded by music and dancing women, in the oriental manner, received in public his commission from the hands of the pretended ambassador. He affected the eastern state, kept his darbar or court, where he appeared sitting cross-legged on a sofa, and received presents as prince of the country from his own council, as well as from the natives. In the meantime, hostilities continued between the forces of the two companies, as auxiliaries to the contending nabobs. The English, under Major Kinriener, made an unsuccessful attempt upon Gingee, a strong town situated to the west of Pondicherry. Major Laurence defeated a strong body of French and natives, commanded by Dupleix's nephew, M. de Kerjean, in the neighbourhood of Pondicherry, and took him prisoner, together with fifteen officers: after this success, Mr. Clive reduced the forts of Covelong and Chengalput, the last very strong, situated about forty miles to the southward of Madras. On the other hand, M. Dupleix intercepted at sea Captain Schaub, with his whole Swiss company, whom he detained prisoners at Pondicherry, although the two nations were not at war with each other. During these transactions Sallabatzing, with a body of French under M. D. Bussy, advanced towards Aurengabad, which was the seat of government; but he was opposed by a chief of the Mahrattas, at the head of a numerous army. In the meantime Gawdzey Khan, the elder brother of Sallabatzing, whom the Mogul had appointed Viceroy of Decan, took possession of his government at Aurengabad, where, in fourteen days after his arrival, he was poisoned by his own sister. The Mogul immediately appointed his son Schah Abadin Khan to succeed his father; and this prince actually raised an army to come and take possession; but the Mogul's affairs requiring his presence at Delhi, he was obliged to postpone his design, so that Sallabatzing was left without a competitor, and made a present to the French of all the English settlements to the northward. Thus concluded the year one thousand seven hundred and fifty-two. Next campaign was chiefly confined to the neighbourhood of Trichinopoly, where Major Laurence made several vigorous attacks upon the enemy's army, and obtained many advantages, which, however, did not prove decisive, because he was so much out-numbered that he could never follow his blow.

§ XXV. In the course of this year, the Mogul was deposed by his general Schah Abadin Khan, the Viceroy of Decan, who raised to the throne Allum Geer, another prince of the blood. In the succeeding year, a negotiation was set on foot by Mr. Saunders, Governor of Madras, and M. Dupleix; and conferences were opened at Sadrass, a Dutch settlement between Pondicherry and Fort St. George: but this proved abortive: and many other gallant efforts were made by Major Laurence in the territory of Trichinopoly, which still continued to be the scene of action. In the course of this year Admiral Watson arrived on the coast of Coromandel with a squadron of ships of war, having on board a regiment commanded by Colonel Aldercoorn: at the same time the ships from France brought over to Pondicherry the Sieur Godeheu, commissary-general and governor-general of all their settlements, at whose arrival Dupleix departed for Europe. The new governor immediately wrote a letter to Mr. Saunders, professing the most pacific inclinations, and proposing a suspension of arms between the two companies until their disputes could be amicably adjusted. This proposal was very agreeable to the governor and council at Madras, and a cessation of arms actually took place in the month of October, in the year one thousand seven hundred and fifty-four. Deputies being sent to Pondicherry, a provisional treaty and truce were concluded, on condition that neither of the two companies should for the future interfere in any difference that might

<sup>f</sup> Major Laurence had sailed from England in the year 1750.

<sup>g</sup> His army consisted of twelve hundred Europeans and Ipossasins battalions, two thousand sepoys, with the forces of the nabob, the kings of Tanjore, Muisack, and the Mahrattas; amounting to fifteen hundred horse and ten thousand infantry. Ipossasins are descendants from the Portuguese. The Mahrattas are native Indians of a very numerous and powerful nation, which hath more than once given law to the Mogul.

<sup>h</sup> Chunda Saib demanded leave of the Tanjore general to pass through his camp to Tanjore, and this request was granted; but instead of being allowed to pass, he was detained prisoner, and as the allies could not agree about the manner in which he should be disposed of, some of the Tanjore officers, of their own accord, ended the dispute by cutting off his head.



arise between the princes of the country. The other articles related to the places and settlements that should be retained or possessed by the respective companies, until fresh orders relating to this agreement should arrive from the courts of London and Versailles, transmitted by the two East India companies of France and England. Until such orders should arrive, it was stipulated that neither nation should be allowed to procure any new grant or cession, or to build forts for the defence of new establishments; and that they should not proceed to any cession, retrocession, or evacuation of what they then possessed; but every thing should remain on the footing of *uti possidetis*. How pacific soever the sentiments of the French subjects might have been at this period in the East Indies, certain it is, the designs of the French governors in America were altogether hostile, and their conduct hastening towards a rupture, which kindled up a bloody war in every division of the globe.

§ XXVI. As this war may be termed a native of America, and the principal scenes of it were acted on that continent, we shall, for the information of the reader, sketch out the situation of the then British colonies as they bordered on each other, and extended along the sea-coast, from the gulf of St. Lawrence as far south as the country of Florida. We shall enumerate the Indian nations that lie scattered about their confines, and delineate the manner in which the French hemmed them in by a surprising line of fortifications. Should we comprehend Hudson's bay, with the adjacent countries, and the banks of Newfoundland, in this geographical detail, we might affirm that Great Britain at that time possessed a territory along the sea-coast, extending seventeen hundred miles in a direct line, from the sixtieth to the thirty-first degree of northern latitude; but as these two countries were not concerned in this dispute, we shall advance from the northward to the southern side of the gulf of St. Lawrence; and beginning with Acadia or Nova Scotia, describe our settlements as they lie in a southerly direction, as far as the gulf of Florida. This great tract of country, stretching fifteen degrees of latitude, is washed on the east by the Atlantic Ocean: the southern boundary is Spanish Florida; but to the westward the limits are uncertain, some affirming that the jurisdiction of the colonies penetrates through the whole continent, as far as the South sea; while others with more moderation, think they are naturally bounded by the river Illinois that runs into the Mississippi, and in a manner connects that river with the chain of lakes known by the names of Michigan, Huron, Erie, and Ontario, the three first communicating with each other, and the last discharging itself into the river St. Lawrence, which running by Montreal and Quebec issues into the bay of the same denomination, forming the northern boundary of Nova Scotia. The French, who had no legal claim to any lands on the south side of this river, nevertheless, with an insolence of ambition peculiar to themselves, not only extended their forts from the source of St. Lawrence, through an immense tract of that country, as far as the Mississippi, which disembogues itself into the gulf of Florida; but also by a series of unparalleled encroachments, endeavoured to contract the English colonies within such narrow limits as would have cut off almost one half of their possessions. As we have already given a geographical description of Nova Scotia, and mentioned the particulars of the new settlement of Halifax, we shall now only observe, that it is surrounded on three sides by the sea, the gulf, and river of St. Lawrence; that its original boundary to the west was the river Pentagoet; but it is now contracted within the river St. Croix, because the crown of Great Britain did, in the year one thousand six hundred and sixty-three, grant to the Duke of York the territory of Sagadahack, stretching from St. Croix to the river of this name; which was in the sequel, by an express charter from the crown, annexed to the province of Massachusetts's-bay, one of the four governments of New England. This country, situate next to Nova Scotia, lies between the forty-first and forty-fifth degrees of north latitude, extending near three hundred miles in length, and about two hundred in breadth, if we bound it by those tracts which the French possessed: no part of the settlements of this country, however, stretches above sixty miles from the sea. The summer is here intensely

hot, and the winter proportionably severe; nevertheless the climate is healthy, and the sky generally serene. The soil is not favourable to any of the European kinds of grain; but produces great plenty of maize, which the people bake into bread, and brew into beer, though their favourite drink is made of molasses hopped, and impregnated with the tops of the spruce-fir, which is a native of this country. The ground raises good flax and tolerable hemp. Here are great herds of black cattle, some of them very large in size, a vast number of excellent hogs, a breed of small horses, graceful, swift, and hardy; and large flocks of sheep, whose wool, though not so fine as that of England, is manufactured with great success.

§ XXVII. New England is composed of the four provinces known by the names of New Hampshire, Massachusetts's-bay, Rhode island, and Connecticut. It is bounded on the south by New York, extending northerly on both sides of the river Hudson, about two hundred miles into the country possessed by the Indians of the five nations, whom the French distinguish by the name of the Iroquois; but in breadth this province does not exceed fifty miles, though it comprehends Long-island, lying to the southward of Connecticut. The capital, which derives from the province the name of New York, is situated on an excellent harbour in the island of Manahaton, extending fourteen miles in length, and five in breadth, at the mouth of the noble river Hudson, which is navigable for above two hundred miles. At the distance of one hundred and fifty miles from New York stands the town of Albany, upon the same river. In this place all the treaties and other transactions were negotiated between the English and the Iroquois, a confederacy of five Indian nations, who, by their union, courage, and military skill, had reduced a great number of other Indian tribes, and subdued a territory more extensive than the whole kingdom of France. They were about fourscore years ago able to bring ten thousand warriors into the field: but now their number is so greatly diminished by wars, epidemical diseases, and the use of spirituous liquors, that they cannot raise above fifteen hundred men, even though they have admitted into their confederacy the nation of the Tuscaroras, whom the English drove from the confines of Carolina. The Mohock Indians inhabit the country advanced from Albany. The northern extremities of New Hampshire and New York are divided by the lakes Champlain and Sacrament, between which the French had raised the fort of Crown Point.

§ XXVIII. Contiguous to New York, and lying along the coast, in a southerly direction, is the small province of New Jersey, bounded on the west by the river Delaware, which divides it from Pennsylvania, extending about one hundred and fifty miles in length, but in breadth not more than one third of that extent. The climate, soil, and produce of these two provinces, as well as of Pennsylvania, are similar. They yield great quantities of grain, sheep, horses, hogs, and horned cattle; all kinds of poultry and game in great abundance; vegetables of every sort in perfection, and excellent fruit, particularly peaches and melons. Their vast forests abound with oak, ash, beech, chesnut, cedar, walnut-tree, eypress, hickery, sassafras, and pine; but the timber is not counted so fit for shipping as that of New England and Nova Scotia. These provinces produce great quantities of flax and hemp. New York affords mines of iron, and very rich copper ore is found in New Jersey.

§ XXIX. Pennsylvania, lying to the southward of New York and New Jersey, is bounded on the other side by Maryland, stretching two hundred and fifty miles in length, two hundred in breadth, and having no communication with the sea, except by the mouth of the river Delaware. This province was originally settled by quakers, under the auspices of the celebrated William Penn, whose descendants are still proprietaries of the country. Philadelphia, the capital, stands on a tongue of land, at the confluence of the two navigable rivers, the Delaware and the Schuyl, disposed in the form of a regular oblong, and designed by the original plan to extend from the one to the other. The streets, which are broad, spacious, and uniform, cross each other at right angles, leaving proper spaces for churches, markets, and other public edifices. The houses are neatly

built of brick, the quays spacious and magnificent, the warehouses large and numerous, and the docks commodious and well contrived for ship-building. Pennsylvania is understood to extend as far northerly as the banks of the lake Erie, where the French erected a fort. They also raised another at some distance to the southward of the Riviere-au-Bœuf, and made other encroachments on this colony.

§ XXX. Adjoining to part of Pennsylvania, on the sea-coast, lies the province of Maryland, a tract of land situated along the bay of Chesapeake, in length about one hundred and forty miles, and nearly of the same breadth, bounded on the north by Pennsylvania, on the east by the Atlantic ocean, and by the river Potomack on the south. This country was first planted with Roman catholics by Lord Baltimore, to whom Charles II. granted it by patent. In the sequel, however, people of all religions were admitted into this settlement, and indulged with liberty of conscience, and at present the reigning religion is that of the English church. The climate is very sultry in summer, and not very salubrious. The soil is fruitful, and produces a great quantity of tobacco, which the people cultivate as their staple commodity. The seat of government is established at Annapolis, a small town beautifully situated on the river Patuxent.

§ XXXI. Tracing the sea-coast still southerly, the next settlement is Virginia, watered on the north by the river Potomack, which is the boundary between this and the colony last described, having the bay of Chesapeake to the east, bounded on the south by Carolina, and extending westward without any prescribed limits, though the plantations have reached no further than the great Alleghany mountains; so that the province as now possessed, stretches in length above two hundred and forty miles, and in breadth not above two hundred, lying between the fifty-fifth and fortieth degrees of latitude. In sailing to Virginia, navigators steer through a strait formed by two points, called the Capes, into the bay of Chesapeake, a large inlet that runs three hundred miles into the country from south to north, covered from the Atlantic ocean by the eastern side of Maryland, and a small portion of Virginia on the same peninsula. This noble bay is about eighteen miles broad for a considerable space, and seven at its narrowest part, yielding generally nine fathoms depth of water: on both sides it receives many navigable rivers, those on the Virginia side being known by the name of James river, York river, the Rappahannock, and Potomack. This country, especially towards the sea, lies very low and swampy, and the soil is extremely fertile. The air and weather are variable, the heats of summer excessive, the frosts of winter sudden and intensely cold; so that, upon the whole, the climate is neither very agreeable nor healthy, the people being particularly subject to agues and pleuritic disorders. The province abounds with vast forests of timber; the plains are covered with a surprising luxuriance of vegetables, flowers, and flowering shrubs, diffusing the most delicious fragrance. The ground yields plenty of corn, and every sort of fruit in great abundance and perfection. Horned cattle and hogs have here multiplied to admiration since they were first imported from Europe. The animals, natives of this and the neighbouring countries, are deer, panthers or tigers, bears, wolves, foxes, squirrels, racoons, and creatures called opossums, with an infinite variety of beautiful birds, and a diversity of serpents, among which the rattle-snake is the most remarkable.

§ XXXII. Virginia is bounded to the south by the two Carolinas, situated between the forty-sixth and thirty-first degrees of latitude; the length amounting to upwards of four hundred miles, and the breadth extending near three hundred, as far as the Indian nations called the Catawbas, the Creeks, and Cherokees. The country of Carolina is divided into two governments, of which the most northern is the most inconsiderable. The climate in both is the same, as well as the soil; the first is warm, though not unhealthy; the last extremely fertile, yielding every thing in plenty which is produced in Virginia, besides abundance of excellent oranges, and some commodities which are not found to the northward. North Carolina, though not so opulent, is more populous than the southern part.

The colonists of North Carolina carry on a considerable traffic in tar, pitch, turpentine, staves, shingles, lumber, corn, peas, pork and beef, tobacco, deer-skins, indigo, wheat, rice, bees-wax, tallow, bacon and hog's lard, cotton, and squared timber, live cattle, with the skins of beaver, racoon, fox, minx, wild-cat, and otter. South Carolina is much better cultivated; the people are more civilized, and the commerce more important. The capital of this province, called Charles town, is finely situated at the confluence of two navigable rivers, having the advantage of a commodious harbour. Their trade, exclusive of the articles we have already mentioned as common to this government and that of North Carolina, consists of two chief staple commodities, rice and indigo, which they cultivate with great success; and they have likewise made some progress in the culture of silk.

§ XXXIII. The most southern of all our settlements on this coast is Georgia, extending about sixty miles from north to south, along the sea-shore; but widening in the inland parts to above one hundred and fifty, and stretching almost three hundred from the sea to the Apalachian mountains. This country differs very little from that of South Carolina, with which it borders; yet the summer is here more hot, and the soil not so fertile. Savannah, the capital, stands commodiously for trade, about ten miles from the sea, on a river of the same name, navigable with large boats two hundred miles further up, to the second town, called Augusta, a place that flourishes by the Indian trade of skins, which the inhabitants carry on with their neighbours the Creeks, the Chickesaws, and the Cherokees, who are the most numerous and powerful tribes in America. Georgia is bounded on the south by the river Attamaha, at no great distance from the Spanish fort of St. Augustine.

§ XXXIV. Having thus exhibited a succinct view of the British colonies in North America, for the information of the reader, we shall now resume the thread of our history, and particularize the transactions by which the present year was distinguished on this extensive continent. The government of England having received nothing but evasive answers from the court of France, touching the complaints that were made of the encroachments of America, dispatched orders to all the governors of that country to repel force by force, and drive the French from their settlements on the river Ohio. Accordingly the provinces of Virginia and Pennsylvania took this important affair into their consideration; but, while they deliberated, the French vigorously prosecuted their designs on the other side of the mountains: they surprised Log's-town, which the Virginians had built upon the Ohio; made themselves masters of the Block-house, and Truck-house, where they found skins and other commodities to the amount of twenty thousand pounds, and destroyed all the British traders, except two who found means to escape. At the same time, M. de Contreœur, with a thousand men, and eighteen pieces of cannon, arrived in three hundred canoes from Venango, a fort they had raised on the banks of the Ohio, and reduced by surprise a British fort which the Virginians had built on the forks of the Monangahela, that runs into the same river.

§ XXXV. These hostilities were followed by divers skirmishes between the people of the two nations, which were fought with various success. At length the governors of the English settlements received orders from England to form a political confederacy, for their mutual defence; and the Governor of New York was directed to confer with the chiefs of the six nations, with a view to detach them from the French interest by dint of promises and presents of value, sent over for that purpose. A congress was accordingly appointed at Albany, to which place the governor of New York repaired, accompanied by commissioners from all the other British settlements: but a very small number of Indians arrived, and even these seemed to be indifferent to the advances and exhortations that were made by the English orator. The truth is, the French had artfully weaned them from their attachment to the subjects of Great Britain. Nevertheless, they accented the presents, renewed their treaties with the King of England, and even demanded his assistance in driving the French from the posts and possessions they had usurped

within the Indian territories. It was in consequence of the measures here taken, that Colonel Washington was detached from Virginia with four hundred men, and occupied a post on the banks of the river Ohio, where he threw up some works, and erected a kind of occasional fort, in hopes of being able to defend himself in that situation, until he should be joined by a reinforcement from New York, which, however, did not arrive.

§ XXXVI. While he remained in this situation, De Viller, a French commander, at the head of nine hundred men, being on his march to dislodge Washington, detached one Jamonville, an inferior officer, with a small party, and a formal summons to Colonel Washington, requiring him to quit the fort, which he pretended was built on ground belonging to the French or their allies. So little regard was paid to this intimation, that the English fell upon this party, and, as the French affirm, without the least provocation, either slew or took the whole detachment. De Viller, incensed at these unprovoked hostilities, marched up to the attack, which Washington for some time sustained under manifold disadvantages. At length, however, he surrendered the fort upon capitulation, for the performance of which he left two officers as hostages in the hands of the French; and in his retreat was terribly harassed by the Indians, who plundered his baggage and massacred his people. This event was no sooner known in England, than the British ambassador at Paris received directions to complain of it to the French ministry, as an open violation of the peace; but this representation had no effect.

§ XXXVII. Both nations by this time foresaw that a rupture would be inevitable, and each resolved to make suitable preparations. France continued to send reinforcements of men, and supplies of ammunition, to Quebec, for the prosecution of her ambitious projects; and the ministry of Great Britain transmitted salutary cautions to the governors of the provinces of North America, exhorting them to join their endeavours for repelling the incursions of the enemy. Such a union as seemed necessary for their common preservation was not easily effected. The different colonies were divided by different views and interests, both religious and political: besides every settlement was distracted into factions, formed by the governor and the demagogues of the assembly; in other words, an opposition like that in parliament, and a continual struggle between the liberties of the people and the prerogative of the proprietor, whether sovereign or subject. Mr. Dinwiddie, Governor of Virginia, having demanded a certain perquisite or fee for every patent he should pass for land, the assembly voted his demand illegal, arbitrary, and oppressive. They declared that every man who paid it should be deemed an enemy to his country; and sent over an agent to London, to solicit the suppression of this imposition. The representatives of the people in Pennsylvania wasted the time in vain deliberations and violent disputes with their proprietors, while the enemy infested their frontiers. The colony of New York was filled with discontent and animosity. Sir Danvers Osborne, who had been appointed governor of this province, died immediately after his arrival at New York, and the instructions he had received were exposed to public censure. The preamble inveighed severely against the want of duty, allegiance, loyalty, and unanimity, which had lately appeared so notorious in the assembly of that province, who had violated the royal commission and instructions, by assuming to themselves the power to dispose of public money in the laws which they had occasionally passed. This gentleman was therefore directed to insist upon the reformation of all those public abuses, and upon the establishment of a certain supply for the service of the government, as well as upon the settlement of a salary for himself. Moreover, his majesty, in these instructions, signified his will and pleasure, that all money raised for the supply and support of government, or upon any emergency for immediate service, should be disposed and applied properly to the use for which it might be granted, by warrant from the governor, by and with the advice and consent of the council of the province, and no otherwise: that, nevertheless, the assembly should be permitted, from time to time, to view and examine the accounts of money disposed of,

by virtue of laws which they had enacted: that if any member of the council, or officer holding place of trust or profit within the government, should, in any manner whatever, give his assent to, or in any way advise or concur with the assembly in passing any act or vote, whereby the royal prerogative might be lessened or impaired, or any money be raised or disposed of for the public service, contrary to, or inconsistent with, the method prescribed by these instructions, the governor should forthwith remove or suspend such counsellor or officer so offending, and give an immediate account of his proceedings to the commissioners of trade and plantations. These were peremptory injunctions, which plainly proved that the ministry was determined to support the prerogative with a high hand; but it must be owned at the same time, that abundance of provocation had been given by the insolent opposition of some turbulent individuals, who had exerted all their influence in disturbing and distressing the views and designs of the government. While the British colonies in America were, by these divisions, in a great measure disabled from making vigorous efforts against the common enemy, the administration at home began to exert itself for their defence. Officers were appointed for two regiments, consisting of two battalions each, to be raised in America, and commanded by Sir William Pepperel and Governor Shirley, who had enjoyed the same command in the last war, and a body of troops was destined for the same service.

§ XXXVIII. The most remarkable incident that marked this year, on the continent of Europe, was the conversion of the hereditary Prince of Hesse-Cassel, who had espoused the Princess Mary of England. He now declared himself a Roman Catholic, and was supposed to have been cajoled to this profession by the promises of certain powers, who flattered his ambition, in order to weaken the protestant interest in Germany. His father, though deeply affected by his son's apostasy, did not fail to take immediate measures for preventing the evil consequences which might otherwise have flowed from his defection. He forthwith assembled the states of the Landgraviate, in order to take such measures as might appear necessary to maintain the religion, laws, and constitution of the country; and the prince was laid under certain restrictions which he did not find it an easy task to set aside. It was enacted, that when the regency should devolve to him by succession, he should not have it in his power to alter the established laws, or grant any church to persons of the Roman communion, for the public exercise of their religion: and that he should be excluded from all share in the education of his sons, the eldest of whom should be put in possession of the country of Hanau upon his father's accession to the regency of the Landgraviate. These resolutions were guaranteed by the Kings of Prussia and Denmark, by the maritime powers, and the evangelic body of the empire.

§ XXXIX. The exile of the parliament of Paris, far from having intimidated the other tribunals from performing what they apprehended to be their duty, served only to inflame the discontents of the people, and to animate all the courts of justice to a full exertion of their authority. The Châtelot continued to prosecute those priests, who refused the sacrament to persons whose consciences would not allow them to subscribe to the bull *Unigenitus*, even after three of their members were sent to the Bastille. The same prosecutions were carried on, and bold remonstrances published by the parliaments of Aix and Rouen. In a word, the whole kingdom was filled with such confusion as threatened a total suppression of justice, in a general spirit of disaffection and universal anarchy. The prelates, meanwhile, seemed to triumph in the combustion they had raised. They entered into associations to support each other: they intrigued at court, and harassed the king with insolent declarations, till he grew tired of their proceedings, and opened his eyes to the fatal consequences of their pride and obstinacy. He even took an opportunity of exhorting the Archbishop of Paris to act more suitably to the character of a clergyman. He recalled the parliament from exile, and they returned in triumph, amidst the acclamations of the people, who celebrated their arrival at Paris with the most extravagant demonstrations of joy;



and the archbishop, notwithstanding the king's express declaration to the contrary, still persisting in countenancing the recusant priests, was banished to Confians-sous-Charenton.

§ XL. In Spain, the interest of Great Britain was warmly espoused and so powerfully supported by Mr. Wall, who had been resident in England, that the French party, though countenanced by the queen-mother, and sustained with all the influence of the Marquis de la Ensenada, the prime minister, was totally defeated. The king being convinced, that it would be for the interest of his subjects to live on good terms with England, and well apprized of Ensenada's intrigues, ordered the minister to be arrested and confined, and bestowed upon Mr. Wall the best part of his employments. Nevertheless, the Spaniards in the West Indies continued to oppress the subjects of Great Britain, employed in cutting logwood in the bay of Honduras; and representations on this head being made to the court of Madrid, the dispute was amicably adjusted between Mr. Wall and Sir Benjamin Keene, the British ambassador. While the interest of Britain thus triumphed in Spain, it seemed to lose ground at the court of Lisbon. His Portuguese majesty had formed vast projects of an active commerce, and even established an East India company: in the meantime he could not help manifesting his chagrin at the great quantities of gold which were yearly exported from his dominions, as the balance due from his subjects on English commodities. In his endeavours to check this traffic, which he deemed so detrimental to his subjects, he inflicted hardships on the British merchants settled at Lisbon: some were imprisoned on frivolous pretences; others deprived of their property, and obliged to quit the kingdom. He insisted upon laying an imposition of two per cent. on all the Portuguese gold that should be exported; but the profits of the trade would not bear such an exaction. Meanwhile, there being a scarcity of corn in Portugal, the kingdom was supplied from England; and the people having nothing but gold to purchase this necessary supply, the king saw the necessity of conniving at the exportation of his coin, and the trade reverted into its former channel.

§ XLI. On the fourteenth day of November, the King of Great Britain opened the session of parliament with an harangue, which intimated nothing of an approaching rupture. He said, that the general state of affairs in Europe had undergone very little alteration since their last meeting; that he had lately received the strongest assurances from his good brother the King of Spain of friendship and confidence, which he would cultivate with harmony and good faith. He declared his principal view should be to strengthen the foundation, and secure the duration, of a general peace; to improve the present advantages of it for promoting the trade of his good subjects, and protecting those possessions which constituted one great source of their wealth and commerce. Finally, he exhorted them to complete their plan for appropriating the forfeited estates in the highlands to the service of the public. He probably avoided mentioning the encroachments of France, that he might supply no handle for debates on the address, which was carried in both Houses almost without opposition. The government seemed determined to humble the insolence of the French councils; and this disposition was so agreeable to the people in general, that they grudged no expense, and heartily concurred with the demands of the ministry.

§ XLII. The Commons granted for the service of the ensuing year four millions seventy-three thousand seven hundred and twenty-nine pounds; one million of that sum expressly given for enabling his majesty to augment his forces by land and sea. Thirty-two thousand pounds were allotted as a subsidy to the King of Poland, and twenty thousand to the Elector of Bavaria. These gratifications met with little or no opposition in the committee of supply; because it was taken for granted, that, in case of a rupture, France would endeavour to avail herself of her superiority by land, by invading his Britannic majesty's German dominions; and, therefore, it might be necessary to secure the assistance of such allies on the continent. That they prognosticated aright, with respect to the designs of that ambitious power, will soon appear in the course of

this history; which will also demonstrate how little dependence is to be placed upon the professed attachment of subsidiary princes. The supplies were raised by the standing branches of the revenue, the land tax and malt tax, and a lottery for one million; one hundred thousand pounds of it to be deducted for the service of the public, and the remaining nine hundred thousand to be charged on the produce of the sinking fund, at the rate of three per cent. per annum, to commence from the fifth day of January, in the year one thousand seven hundred and fifty-six. The civil transactions of this session were confined to a few objects. Divers new regulations were made for encouraging and improving the whale and white herring fishery, as well as for finishing and putting in a proper state of defence a new fort, lately built at Anamaboe on the coast of Africa.

§ XLIII. Mr. Pitt, the paymaster-general of the forces, brought in a bill, which will ever remain a standing monument of his humanity. The poor disabled veterans who enjoyed the pension of Chelsea hospital, were so iniquitously oppressed by a set of miscreants, who supplied them with money per advance, at the most exorbitant rates of usury, that many of them, with their families, were in danger of starving; and the intention of government in granting such a comfortable subsistence was, in a great measure, defeated. Mr. Pitt, perceiving that this evil originally flowed from the delay of the first payment, which the pensioner could not touch till the expiration of a whole year after he had been put upon the list, removed this necessity of borrowing, by providing in the bill, that half a year's pension should be advanced half a year before it is due; and the practice of usury was effectually prevented by a clause, enacting that all contracts should be void by which any pension might be mortgaged. This humane regulation was unanimously approved, and having passed through both Houses with uncommon expedition, received the royal assent.

§ XLIV. Notwithstanding the unanimity manifested by the Commons, in every thing relating to the measures for acting vigorously against the common enemy of the nation, they were remarkably disturbed and divided by a contested election of members for Oxfordshire. In the course of this dispute, the strength and influence of what they called the old and new interest, or, to speak more intelligibly, of the tories and whigs in that county, were fully displayed. The candidates sustained on the shoulders of the old interest, were Lord Viscount Wenman and Sir James Dashwood: their competitors, whom the new interest supported, and of consequence the ministry countenanced, were Lord Parker and Sir Edward Turner. Never was any contention of this kind maintained with more spirit and animosity, or carried on at a greater expense. One would have imagined that each side considered it as a dispute which must have determined, whether the nation should enjoy its ancient liberty, or tamely submit to the fetters of corruption. Noblemen and gentlemen, clergymen and ladies, employed all their talents and industry in canvassing for either side, throughout every township and village in the county. Scandal emptied her whole quiver of insinuation, calumny, and lampoon: corruption was not remiss in promises and presents: houses of entertainment were opened: and nothing was for some time to be seen but scenes of tumult, riot, and intoxication. The revenue of many an independent prince on the continent would not have been sufficient to afford such sums of money as were expended in the course of this dispute. At length they proceeded to election, and the sheriff made a double return of all the four candidates, so that not one of them could sit, and the county remained without a representative until this ambiguous affair could be decided in the House of Commons. About the middle of November, petitions being presented by the four candidates, as well as by the gentlemen, clergy, and other freeholders of the county, complaining of an undue election, and double return, the matter of these petitions was heard at the bar of the House on the third day of December. The counsel for Lord Wenman and Sir James Dashwood alleged, that they had the majority of votes upon the poll, and this circumstance was admitted by the counsel on the other side; then they proceeded to prove by evidence,

that, after closing the poll, the sheriff declared the majority of votes to be in favour of these two candidates, and adjourned the court from the twenty-third day of April to the eighth of May; so that the scrutiny demanded, and granted on the behalf of Lord Parker and Sir Edward Turner, could not be discussed before the last day in the month, when the writ was returnable; that the scrutiny did not begin till the ninth day of May, when the time was protracted by disputes about the manner in which it should be carried on: that Lord Parker and Sir Edward Turner were allowed to object, through the whole poll, to the votes on the other side, on pretence that their competitors should be permitted to answer these objections, and, in their turn, object through the whole poll to the votes for Lord Parker and Sir Edward Turner, who should, in the last place, have leave to answer: that Lord Wenman and Sir James Dashwood had disapproved of this method, because they apprehended it might induce their competitors to make such a number of frivolous objections, that they should not have time to answer one half of them, much less to make objections of their own, before the writ should be returned: that they foresaw such a number of frivolous objections were made, as engrossed the attention of the court till the twenty-seventh day of May; so that they could not begin to answer any of these objections till the twenty-eighth; and on the thirtieth the sheriff, having closed the scrutiny, made the double return. The proof being exhibited, the counsel insisted, that, as they had established a majority on the poll, and demonstrated that this majority neither was nor could be overthrown by such an unfinished scrutiny, it was incumbent on the other side to proceed upon the merits of the election, by endeavouring to overthrow that majority of which their clients were in possession. A question in the House being carried to the same purpose, Lord Wenman and Sir James Dashwood objected to five hundred and thirty voters on the other side, whom they proposed to disqualify. Their counsel examined several witnesses, to prove the partiality of the sheriff in favour of Lord Parker and Sir Edward Turner, and to detect these candidates in the practice of bribery; for which purpose they produced a letter in their own hand-writing. They afterwards proceeded to disqualify particular voters, and summed up their evidence

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on the twenty-first day of January. Then the counsel for the other side began to refute the charge of partiality and corruption; and to answer the objections that had been made to particular voters. They produced evidence to prove, that customary freeholders, or customary holdings, had voted at elections in the counties of Glamorgan, Monmouth, Gloucester, Wells, and Hereford; and that the customary tenants of the manor of Woodstock, in Oxfordshire, had been reputed capable of voting, and even voted at elections for that county. In a word, they continued to examine evidences, argue and refute, prove and disprove, until the twenty-third day of April, when, after some warm debates and divisions in the House, Lord Parker and Sir Edward Turner were declared duly elected: and the clerk of the crown was ordered to amend the return, by erasing the names of Lord Wenman and Sir James Dashwood. Many, who presumed to think for themselves, without recollecting the power and influence of the administration, were astonished at the issue of this dispute; which, however, might have easily been foreseen; inasmuch as, during the course of the proceedings, most, if not all, of the many questions debated in the House were determined by a great majority in favour of the new interest. A great number of copyholders had been admitted to vote at this election, and the sheriff incurred no censure for allowing them to take the oath appointed by law to be taken by freeholders: nevertheless, the Commons carefully avoided determining the question, Whether copyholders possessed of the yearly value of forty shillings, clear of all deductions, have not a right to vote for knights to represent the shire within which their copyhold estates are situated? This point

being left doubtful by the legislature, puts it often in the power of the sheriff to return which of the candidates he pleases to support; for if the majority of the voting copyholders adheres to the interest of his favourites, he will admit their votes both on the poll and the scrutiny; whereas, should they be otherwise disposed, he will reject them as unqualified. What effect this practice may have upon the independency of parliament, every person must perceive who reflects, that in almost all the counties of England the high sheriffs are annually appointed by the minister for the time being.

§ XLV. The attention of the legislature was chiefly turned upon the conduct of France, which preserved no medium, but seemed intent upon striking some important blow, that might serve as a declaration of war. At Brest, and other ports in that kingdom, the French were employed in equipping a powerful armament, and made no scruple to own it was intended for North America. Towards the latter end of March, Sir Thomas Robinson, secretary of state, brought a message from the king to the parliament, intimating, that his majesty having, at the beginning of the session, declared his principal object was to preserve the public tranquillity, at the same time to protect those possessions which constitute one great source of the commerce and wealth of his kingdoms, he now found it necessary to acquaint the House of Commons, that the present situation of affairs made it requisite to augment his forces by sea and land, and to take such other measures as might best tend to preserve the general peace of Europe, and to secure the just rights and possessions of his crown in America, as well as to repel any attempts whatsoever that might be made to support or countenance any designs which should be formed against his majesty and his kingdoms; and his majesty doubted not but his faithful Commons, on whose affection and zeal he entirely relied, would enable him to make such augmentations, and to take such measures for supporting the honour of his crown, and the true interest of his people, and for the security of his dominions in the present critical conjuncture, as the exigency of affairs might require; in doing which his majesty would have as much regard to the ease of his good subjects as should be consistent with their safety and welfare. In answer to this message a very warm and affectionate address was presented to his majesty; and it was on this occasion that the million was granted for augmenting his forces by sea and land.<sup>1</sup> The court of Versailles, notwithstanding the assiduity and despatch which they were exerting in equipping armaments and embarking troops, for the support of their ambitious schemes in America, still continue to amuse the British ministry with general declarations, that no hostility was intended, nor the least infringement of the treaty.

§ XLVI. The Earl of Albemarle, the English ambassador at Paris, having lately died in that city, these assurances were communicated to the court of London by the Marquis de Mirepoix, who resided in England with the same character, which he had supported since his first arrival with equal honour and politeness. On this occasion he himself was so far imposed upon by the instructions he had received, that he believed the professions of his court were sincere, and seriously endeavoured to prevent a rupture between the two nations. At length, however, their preparations were so notorious that he began to suspect the consequence; and the English ministry produced such proofs of their insincerity and double dealing, that he seemed to be struck with astonishment and chagrin. He repaired to France, and upbraided the ministry of Versailles for having made him the tool of their dissimulation. They referred him to the king, who ordered him to return to London, with fresh assurances of his pacific intentions: but his practice agreed so ill with his professions, that the ambassador had scarce obtained an audience to communicate them, when undoubted intelligence arrived, that a powerful armament was ready to sail from Brest and Rochefort. The government of Great

<sup>1</sup> The ministry having resolved to send a body of forces to America, to act in conjunction with the provincial troops raised on that continent, it became necessary that the militia of England should be reviewed, in order that they might be better acquainted with the manner of their service, and that they might be better acquainted with the manner of their service, and that they might be better acquainted with the manner of their service.

of the British forces in America, by authority of the respective governments of each country, to be of all, at all times and in all places, when they are employed in conjunction with his majesty's French forces, he had been required to be and discipline, in like manner, to all intents and purposes, as the French forces are, and shall be subject to the same trial, penalties, and punishment.

Britain, roused by this information, immediately took the most expeditious methods for equipping a squadron; and towards the latter end of April, Admiral Boscawen sailed with eleven ships of the line and one frigate, having on board a considerable number of land forces, to attend the motions of the enemy; but more certain and particular intelligence arrived soon after, touching the strength of the French fleet, which consisted of twenty-five ships of the line, besides frigates and transports, with a great quantity of warlike stores, and four thousand regular troops, commanded by the Baron Dieskau. Admiral Holbourne was detached with six ships of the line, and one frigate, to reinforce Mr. Boscawen; and a great number of capital ships were put in commission. In the beginning of May, the French fleet, commanded by Mr. Macnamara, an officer of Irish extraction, sailed from Brest, directing his course to North America: but, after having proceeded beyond the chops of the English Channel, he returned with nine of the capital ships, while the rest of the armament continued their course, under the direction of M. Bois de la Mothe.

§ XLVII. On the twenty-fifth day of April, the king went to the House of Lords, where, after giving the royal assent to the bills then depending; for granting a certain sum out of the sinking fund, for the relief of insolvent debtors, for the better regulation of marine forces on shore, for the better raising of marines and seamen, and to several other public and private bills: his majesty put an end to the session of parliament by a speech, in which he acquainted the two Houses, That the zeal they had shown for supporting the honour, rights, and possessions of his crown, had afforded him the greatest satisfaction: That his desire to preserve the public tranquillity had been sincere and uniform: That he had religiously adhered to the stipulations of the treaty of Aix-la-Chapelle, and made it his care not to injure or offend any power whatsoever; but that he never could entertain a thought of purchasing the name of peace at the expense of suffering encroachments upon, or of yielding up, what justly belonged to Great Britain either by ancient possession or by solemn treaties: That the vigour and firmness of his parliament, on this important occasion, had enabled him to be prepared for such contingencies as might happen: That, if reasonable and honourable terms of accommodation could be agreed upon, he would be satisfied, and, at all events, rely on the justice of his cause, the effectual support of his people, and the protection of Divine Providence. The parliament was then prorogued to the twenty-seventh of May.

## CHAP. IV.

[illegible]

A. D. 1755. § I. WHILST all Europe was in suspense about the fate of the English and French squadrons,

preparations for a vigorous sea war were going forward in England with an unparalleled spirit and success. Still the French court flattered itself that Great Britain, out of tenderness to his majesty's German dominions, would abstain from hostilities. Mirepoix continued to have frequent conferences with the British ministry, who made no secret that their admirals, particularly Boscawen, had orders to attack the French ships wherever they should meet them; on the other hand, Mons. de Mirepoix declared, that his master would consider the first gun fired at sea in a hostile manner as a declaration of war. This menace, far from intimidating the English, animated them to redouble their preparations for war. The press for seamen was carried on with extraordinary vigour in all parts of this kingdom, as well as in Ireland; and great premiums were given not only by the government, but also, over and above his majesty's bounty, by almost all the considerable cities and towns in England, to such as should enlist voluntarily for sailors or soldiers. Other branches of the public service went on with equal alacrity: and such was the eagerness of the people to lend their money to the government, that instead of one million, which was to be raised by way of lottery, three millions eight hundred and eighty thousand pounds were subscribed immediately.

§ II. The situation of affairs requiring his majesty to go to Germany this summer, great apprehensions arose in the minds of many, lest the French should either intercept him in his journey, or prevent his return. Earl Paulet had made a motion in the House of Lords, humbly to represent to his majesty, "That it was an article in the original act of settlement by which the succession of these kingdoms devolved to his electoral house, that the king should not go to his foreign dominions without the consent of parliament; and that this was a principal article in the compact between the crown and the people: that though this article was repealed in the late reign, yet, till of late, it had always been the custom for his majesty to acquaint the parliament with his intended departure to his German dominions, both in regard to the true sense and spirit of the act that placed him on the throne, as well as for the paternal kindness of his royal heart, and the condescension he had been so good to show to his parliament on all occasions; but that his majesty's declaration of his design to visit his electoral estates had always come on the last day of a session, when it was too late for the great constitutional council of the crown to offer such advice as might otherwise have been expedient and necessary: that his majesty's leaving his kingdoms in a conjuncture so pregnant with distress, so denunciative of danger, would not only give the greatest advantage to such as might be disposed to stir up disaffection and discontent, and to the constitutional and national enemies of England: but would also fill his loyal subjects with the most affecting concern, and most gloomy fears, as well for their own safety, as for that of their sovereign, whose invaluable life, at all times of the utmost consequence to his people, was then infinitely so, by reason of his great experience, the affection of every one to his royal person, and the minority of the heir-apparent." Such was the purport of this motion; but it was not seconded by any of the other lords.

§ III. The general uneasiness, on account of his majesty's departure, was greatly increased by an apprehension that there would, during his absence, be no good agreement amongst the regency, which consisted of the following persons: his Royal Highness William, Duke of Cumberland; Thomas, Lord Archbishop of Canterbury; Philip, Earl of Hardwicke, lord high chancellor; John, Earl of Granville, president of the council; Charles, Duke of Marlborough, lord privy seal; John, Duke of Rutland, steward of the household; Charles, Duke of Grafton, lord chamberlain; Archibald, Duke of Argyll; the Duke of Newcastle, first commissioner of the treasury; the Duke of Dorset, master of the horse; the Earl of Holderness, one of the secretaries of state; the Earl of Rochford, groom of the stole; the Marquis of Hartington, lord-lieutenant of Ireland; Lord Anson, first commissioner of the admiralty; Sir Thomas Robinson, secretary of state; and Henry Fox, Esq. secretary at war. His majesty set out from St. James's on the twenty-eighth of April early in the morning, embarked at Harwich in the afternoon, landed



the next day at Helvoetsluys, and arrived at Hanover on the second of May.

§ IV. Admiral Boscawen, with eleven ships of the line and a frigate, having taken on board two regiments at Plymouth, sailed from thence on the twenty-seventh of April for the banks of Newfoundland, and in a few days after his arrival there, the French fleet from Brest came to the same station, under the command of M. Bois de la Mothe. But the thick fogs which prevail upon these coasts, especially at that time of the year, kept the two armaments from seeing each other; and part of the French squadron escaped up the river St. Lawrence, whilst another part of them went round, and got into the same river, through the straits of Belleisle, by a way which was never known to be attempted before by ships of the line. However, whilst the English fleet lay off Cape Race, which is the southernmost point of Newfoundland, and was thought to be the most proper situation for intercepting the enemy, two French ships, the *Alcide*, of sixty-four guns, and four hundred and eighty men, and the *Lys* pierced for fifty-four guns, but mounting only twenty-two, having eight companies of land forces on board, being separated from the rest of their fleet in the fog, fell in with the *Dunkirk*, Captain Howe, and the *Defiance*, Captain Andrews, two sixty-gun ships of the English squadron; and after a smart engagement which lasted some hours, and in which Captain (afterwards Lord) Howe behaved with the greatest skill and intrepidity, were both taken, with several considerable officers and engineers, and about eight thousand pounds in money. Though the capture of these ships, from which the commencement of the war may in fact be dated, fell greatly short of what was hoped for from this expedition; yet, when the news of it reached England, it was of infinite service to the public credit of every kind, and animated the whole nation, who now saw plainly that the government was determined to keep no further measures with the French, but justly to repel force by force, and put a stop to their sending more men and arms to invade the property of the English in America, as they had hitherto done with impunity. The French, who, for some time, did not even attempt to make reprisals on our shipping, would gladly have chosen to avoid a war at that time, and to have continued extending their encroachments on our settlements till they had executed their grand plan of securing a communication from the Mississippi to Canada, by a line of forts, many of which they had already erected.

§ V. Upon the arrival of the news of this action at Paris, the French ambassador, M. de Mirepoix, was recalled from London, and M. de Bussy from Hanover, where he had just arrived, to attend the King of England in a public character. They complained loudly of Boscawen's attacking the ships, as a breach of national faith; but it was justly retorted on the part of England, that their encroachments in America had rendered reprisals both justifiable and necessary. The resolution of making them was the effect of mature deliberation in the English council. The vast increase of the French marine of late years, which in all probability would soon be employed against Great Britain, occasioned an order for making reprisals general in Europe as well as in America; and that all French ships, whether outward or homeward bound, should be stopped, and brought into British ports. To give the greater weight to these orders, it was resolved to send out those admirals who had distinguished themselves most towards the end of the last war. Accordingly on the twenty-first of July, Sir Edward Hawke sailed on a cruise to the westward, with eighteen ships of the line, a frigate and a sloop; but, not meeting with the French fleet, these ships returned to England about the latter end of September and the beginning of October; on the fourteenth of which last month another fleet, consisting of twenty-two ships of the line, two frigates, and two sloops, sailed again on a cruise to the westward, under Admiral Byng, in hopes of intercepting the French squadron under Duguay, and likewise that commanded by La Mothe, in case of its return from America. But this fleet likewise returned to Spithead on the twenty-second of November, without having been able to effect any thing, though it was allowed by all, that the admiral had acted judiciously in the choice of his stations.

§ VI. While these measures were pursued, for the general security of the British coasts and trade in Europe, several new ships of war were begun, and finished with the utmost expedition, in his majesty's docks: twelve frigates or sloops, contracted for in private yards, were completed by the month of August: and twenty-four ships and twelve colliers were then taken into the service of the government, to be fitted out as vessels of war, to carry twenty guns, and one hundred and twenty men each. In the meantime the French trade was so annoyed by the English cruisers, that before the end of this year three hundred of their merchant ships, many of which, from St. Domingo and Martinico, were extremely rich, and eight thousand of their sailors, were brought into English ports. By these captures the British ministry answered many purposes: they deprived the French of a great body of seamen, and withheld from them a very large property, the want of which greatly distressed their people and ruined many of their traders. Their outward-bound merchant ships were insured at the rate of thirty per cent. whilst the English paid no more than the common insurance. This intolerable burden was felt by all degrees of people amongst them: their ministry was publicly reviled, even by their parliaments: and the French name, from being the terror, began to be the contempt of Europe. Their uneasiness was also not a little heightened by new broils between their king and the parliament of Paris, occasioned by the obstinacy of the clergy of that kingdom, who seemed determined to support the church, in all events, against the secular tribunals, and, as much as possible, to enforce the observance of the bull *Unigenitus*, which had long been the occasion of so many despatches among them. However, the parliament continuing firm, and the French king approving of its conduct, the ecclesiastics thought proper to submit for the present; and in their general assembly this year granted him a free gift of sixteen millions of livres, which he demanded of them—a greater sum than they had ever given before, even in time of war.

§ VII. In the beginning of this year the assembly of Massachusset's Bay in New England passed an act, prohibiting all correspondence with the French at Louisbourg; and early in the spring they raised a body of troops, which was transported to Nova Scotia, to assist Lieutenant-Governor Laurence in driving the French from the encroachments they had made upon that province. Accordingly, towards the end of May, the governor sent a large detachment of troops, under the command of Lieutenant-Colonel Monckton, upon this service; and three frigates and a sloop were despatched up the bay of Fundy, under the command of Captain Rous, to give their assistance by sea. The troops, upon their arrival at the river Massagush, found the passage stopped by a large number of regular forces, rebel neutrals, or Acadians, and Indians, four hundred and fifty of whom occupied a block-house, with cannon mounted on their side of the river; and the rest were posted with a strong breast-work of timber, thrown up by way of outwork to the block-house. The English provincials attacked this place with such spirit, that the enemy was obliged to fly, and leave them in possession of the breast-work; then the garrison in the block-house deserted it, and left the passage of the river free. From thence Colonel Monckton advanced to the French fort of Beausejour, which he invested, as far at least as the small number of his troops would permit, on the twelfth of June; and after four days' bombardment obliged it to surrender, though the French had twenty-six pieces of cannon mounted, and plenty of ammunition, and the English had not yet placed a single cannon upon their batteries. The garrison was sent to Louisbourg, on condition of not bearing arms in America for the space of six months; and the Acadians, who had joined the French, were pardoned, in consideration of their having been forced into that service. Colonel Monckton, after putting a garrison into this place, and changing its name to that of Cumberland, the next day attacked and reduced the other French fort upon the river Gasperau, which runs into Bay Verte; where he likewise found a large quantity of provisions and stores of all kinds, that being the chief magazine for supplying the French Indians and Acadians with arms, ammunition, and other necessities. He then disarmed these last, to the

number of fifteen thousand; and in the meantime, Captain Rous with his ships sailed to the mouth of the river St. John, to attack the new fort the French had erected there; but they saved him that trouble, by abandoning it upon his appearance, after having burst their cannon, blown up their magazine, and destroyed, as far as they had time, all the works they had lately raised. The English had but twenty men killed, and about the same number wounded, in the whole of this expedition, the success of which secured the tranquillity of Nova Scotia.

§ VIII. While the New Englanders were thus employed in reducing the French in Nova Scotia, preparations were made in Virginia for attacking them upon the Ohio. A fort was built, which was likewise called Fort-Cumberland, and a camp formed at Will's Creek. On the fourteenth of January of this year, Major-General Braddock, with Colonel Dunbar's and Colonel Halket's regiments of foot, sailed from Cork, in Ireland, for Virginia, where they all landed safe before the end of February. This general might consequently have entered upon action early in the spring, had he not been unfortunately delayed by the Virginian contractors for the army, who, when he was ready to march, had neither provided a sufficient quantity of provisions for his troops, nor a competent number of carriages for his army. This accident was foreseen by almost every person who knew any thing of our plantations upon the continent of America; for the people of Virginia, who think of no produce but their tobacco, and do not raise corn enough for even their own subsistence, being by the nature of their country well provided with the convenience of water conveyance, have but few wheel carriages or beasts of burthen; whereas Pennsylvania, which abounds in corn, and most other sorts of provisions, has but little water carriage, especially in its western settlements, where its inhabitants have great numbers of carts, waggons, and horses. Mr. Braddock should, therefore, certainly, in point of prudence, have landed in Pennsylvania: the contract for supplying his troops should have been made with some of the chief planters there, who could easily have performed their engagements: and if his camp had been formed near Frank's town or somewhere upon the south-west borders of that province, he would not have had eighty miles to march from thence to Fort du Quesne, instead of a hundred and thirty miles that he had to advance from Will's Creek, where he did encamp, through roads neither better nor more practicable than the other would have been. The error in the very beginning of the expedition, whether owing to an injudicious preference fondly given to the Virginians in the lucrative job of supplying these troops, or to any other cause, delayed the march of the army for some weeks, during which it was in the utmost distress for necessities of all kinds; and would probably have defeated the expedition entirely for that summer, had not the contractors found means to procure some assistance from the back settlements of Pennsylvania. But even when these supplies did arrive, they consisted of only fifteen waggons and a hundred draft horses, instead of a hundred and fifty waggons and three hundred horses, which the Virginian contractors had engaged to furnish, and the provisions were so bad that they could not be used. However, some gentlemen in Pennsylvania, being applied to in this exigency, amply made up for these deficiencies, and the troops were by this means supplied with every thing they wanted. Another and still more fatal error was committed, in the choice of the commander for this expedition. Major-General Braddock, who was appointed to it, was undoubtedly a man of courage, and expert in all the punctilios of a review, having been brought up in the English guards; but he was naturally very haughty, positive, and difficult of access; qualities ill suited to the temper of the people amongst whom he was to command. His extreme severity in matters of discipline had rendered him unpopular among the soldiers; and the strict military education in which he had been trained from his youth, and which he prided himself on scrupulously following, made him hold the American militia in great contempt, because they could not go through their exercise with the same dexterity and regularity as a regiment of guards in Hyde-Park: little knowing, or indeed being able to form any idea of the difference between the European manner of fighting, and an Ameri-

can expedition through woods, deserts, and morasses. Before he left England, he received, in the hand-writing of Colonel Napier, a set of instructions from the Duke of Cumberland. By these the attempt upon Niagara was, in a great measure, referred to him, and the reduction of Crown-Point was to be left chiefly to the provincial forces. But above all, his royal highness, both verbally and in this writing, frequently cautioned him carefully to beware of an ambush or surprise. Instead of regarding this salutary caution, his conceit of his own abilities made him disdain to ask the opinion of any under his command; and the Indians, who would have been his safest guards against this danger in particular, were so disgusted by the haughtiness of his behaviour, that most of them forsook his banners. Under these disadvantages he began his march from Fort Cumberland on the tenth of June, at the head of about two thousand two hundred men, for the Meadows, where Colonel Washington was defeated the year before. Upon his arrival there, he was informed that the French at Fort du Quesne, which had lately been built on the same river, near its confluence with the Monongahela, expected a reinforcement of five hundred regular troops: therefore, that he might march with a greater despatch, he left Colonel Dunbar, with eight hundred men, to bring up the provisions, stores, and heavy baggage, as fast as the nature of the service would permit; and with the other twelve hundred, together with ten pieces of cannon, and the necessary ammunition and provisions, he marched on with so much expedition, that he seldom took any time to reconnoitre the woods or thickets he was to pass through; as if the nearer he approached the enemy, the further he was removed from danger.

§ IX. On the eighth of July, he encamped within ten miles of Fort du Quesne. Though Colonel Dunbar was then near forty miles behind him, and his officers, particularly Sir Peter Halket, earnestly entreated him to proceed with caution, and to employ the friendly Indians who were with him, by way of advanced guard, in case of ambuscades; yet he resumed his march the next day, without so much as endeavouring to obtain any intelligence of the situation or disposition of the enemy, or even sending out any scouts to visit the woods and thickets on both sides of him, as well as in front. With this carelessness he was advancing, when, about noon, he was saluted with a general fire upon his front, and all along his left flank, from an enemy so artfully concealed behind the trees and bushes, that not a man of them could be seen. The vanguard immediately fell back upon the main body, and in an instant the panic and confusion became general; so that most of the troops fled with great precipitation, notwithstanding all that their officers, some of whom behaved very gallantly, could do to stop their career. As to Braddock himself, instead of scouring the thickets and bushes from whence the fire came, with grape-shot from the ten pieces of cannon he had with him, or ordering flanking parties of the Indians to advance against the enemy, he obstinately remained upon the spot where he was, and gave orders for the few brave officers and men who staid with him, to form regularly, and advance. Meanwhile his men fell thick about him, and almost all his officers were singled out, one after another, and killed or wounded; for the Indians, who always take aim when they fire, and aim chiefly at the officers, distinguished them by their dress. At last, the general, whose obstinacy seemed to increase with the danger, after having had some horses shot under him, received a musket shot through the right arm and lungs, of which he died in a few hours, having been carried off the field by the bravery of Lieutenant-Colonel Gage, and another of his officers. When he dropped, the confusion of the few that remained turned into a downright and very disorderly flight across a river which they had just passed, though no enemy appeared, or attempted to attack them. All the artillery, ammunition, and baggage of the army were left to the enemy, and, among the rest, the general's cabinet, with all his letters and instructions, which the French court afterwards made great use of in their printed memorials or manifestoes. The loss of the English in this unhappy affair amounted to seven hundred men. Their officers, in particular, suffered much more than in the ordinary proportion of battles in Europe, Sir

Peter Halket fell by the very first fire, at the head of his regiment; and the general's secretary, son to Governor Shirley, was killed soon after. Neither the number of men which the enemy had in this engagement, nor the loss which they sustained, could be so much as guessed at: but the French afterwards gave out, that their number did not, in the whole, exceed four hundred men, mostly Indians; and that their loss was quite inconsiderable, as it probably was, because they lay concealed in such a manner that the English knew not whither to point their muskets. The panic of these last continued so long, that they never stopped till they met the rear division; and even then they infected those troops with their terrors; so that the army retreated without stopping, till they reached Fort Cumberland, though the enemy did not so much as attempt to pursue, nor even to appear in sight, either in the battle, or after the defeat. On the whole, this was perhaps the most extraordinary victory that ever was obtained, and the furthest flight that ever was made.

§ X. Had the shattered remains of this army continued at Fort Cumberland, and fortified themselves there, as they might easily have done, during the rest of the summer, they would have been such a check upon the French and their scalping Indians, as would have prevented many of those ravages that were committed in the ensuing winter upon the western borders of Virginia and Pennsylvania; but, instead of taking that prudent step, their commander left only the sick and wounded at that fort, under the protection of two companies of the provincial militia, posted there by way of garrison, and began his march on the second of August, with about sixteen hundred men, from Philadelphia; where those troops could be of no immediate service. From thence they were ordered away to Albany, in New York, by General Shirley, on whom the chief command of the troops in America had devolved by the death of Major-General Braddock. Virginia, Maryland, and Pennsylvania, were by these means left entirely to take care of themselves, which they might have done effectually, had they been united in their councils: but the usual disputes, between their governors and assemblies, defeated every salutary plan that was proposed. Pennsylvania, the most powerful of the three, was rendered quite impotent, either for its own defence, or that of its neighbours, by these unhappy contests; though, at last, the assembly of that province, sensible of the danger to which they were exposed, and seeing the absolute necessity of providing a standing military force, and of erecting some forts to defend their western frontier, passed a bill for raising fifty thousand pounds. But even this sum, small as it was, even to a degree of ridicule, considering the richness of the province, and the extent of its frontier, could not be obtained; the governor positively refusing to give his assent to the act of the assembly, because they had taxed the proprietaries' estates equally with those of the inhabitants, which, he said, he was ordered by his instructions not to consent to, nor indeed any new tax upon the proprietaries; and the assembly, consisting chiefly of members whose estates lay in the eastern or interior parts of the province, as positively refusing to alter their bill. One would be apt to think, that, in a case of such urgent necessity, the governor might have ventured to give his assent to the bill under a protest, that it should not prejudice the rights of the proprietaries upon any future occasion: but as he did not, the bill was dropped, and the province left defenceless: by which means it afterwards suffered severely, to the destruction of many of the poor inhabitants upon the western frontier, and to the impressing the Indians with a contemptible opinion of the English, and the highest esteem of the French.

§ XI. Our colonies to the north of Pennsylvania were more active, and more successful in their preparations for war. New York, following the example of New England, passed an act to prohibit the sending of provisions to any French port or settlement on the continent of North America, or any of the adjacent islands; and also for raising forty-five thousand pounds, on estates real and personal, for the better defence of their colony, which lay more exposed than any other to a French invasion from Crown-Point. However, this sum, great as it might seem to them, was far from being sufficient; nor, indeed, could

they have provided properly for their security, without the assistance of our other colonies to the east of them; but with their help, and the additional succour of the small body of regular troops expected under Colonel Dunbar, they boldly resolved upon offensive measures, which, when practicable, are always the safest; and two expeditions, one against the French fort at Crown-Point, and the other against their fort at Niagara, between the lakes Ontario and Erie, were set on foot at the same time. The former of these expeditions was appointed to be executed under the command of General Johnson, a native of Ireland, who had long resided upon the Mohock river, in the western parts of New York, where he had acquired a considerable estate, and was universally beloved, not only by the inhabitants but also by the neighbouring Indians, whose language he had learnt, and whose affections he had gained by his humanity towards them. The expedition against Niagara was commanded by General Shirley himself.

§ XII. The rendezvous of the troops for both these expeditions was appointed to be at Albany, where most of them arrived before the end of June: but the artillery, batteaux, provisions, and other necessities for the attempt upon Crown-Point, could not be prepared till the eighth of August, when General Johnson set out with them from Albany for the Carrying-place from Hudson's river to Lake George. There the troops had already arrived under the command of Major-General Lyman, and consisted of between five and six thousand men, besides Indians, raised by the governments of Boston, Connecticut, New Hampshire, Rhode-Island, and New York. Every thing was then prepared as fast as possible for a march; and towards the end of the month, General Johnson advanced about fourteen miles forward with his troops, and encamped in a very strong situation, covered on each side by a thick wooded swamp, by Lake George in his rear, and by a breast-work of trees, cut down for that purpose, in his front. Here he resolved to wait the arrival of his batteaux, and afterwards to proceed to Ticonderoga, at the other end of the lake, from whence it was about fifteen miles to the fort at the south end of Lake Corlaer, or Champlain, called Fort Frederick by the French, and by us Crown-Point. Whilst he was thus encamped, some of his Indian scouts, of which he took care to send out numbers along both sides, and to the further end of Lake George, brought him intelligence that a considerable number of the enemy were then on their march from Ticonderoga, by the way of the south bay, towards the fortified encampment, since called Fort Edward, which General Lyman had built at the Carrying-place; and in which four or five hundred of the New Hampshire and New York men had been left as a garrison. Upon this information General Johnson sent two expresses, one after the other, to Colonel Blanchard, their commander, with orders to call in all his out-parties, and to keep his whole force within the intrenchments. About twelve o'clock at night, those who had been sent upon the second express returned with an account of their having seen the enemy within four miles of the camp at the Carrying-place, which they scarcely doubted their having by that time attacked. Important as the defence of this place was for the safety of the whole army, and imminent as the danger seemed to be, it does not appear that the general then called any council of war, or resolved upon any thing for its relief; but early the next morning he called a council, wherein it was unadvisedly resolved to detach a thousand men, with a number of Indians, to intercept, or, as the general's expression was in his letter, to catch the enemy in their retreat, either as victors, or as defeated in their design. This expedient was resolved on, though no one knew the number of the enemy, nor could obtain any information in that respect from the Indian scouts, because the Indians have no words or signs for expressing any large number, which, when it exceeds their reckoning, they signify by pointing to the stars in the firmament, or to the hair of their head; and this they often do to denote a number less than a thousand, as well as to signify ten thousand, or any greater number.

§ XIII. Between eight and nine o'clock in the morning a thousand men, with two hundred Indians, were detached under the command of Colonel Williams: but they had



not been gone two hours, when those in the camp began to hear a close firing, at about three or four miles' distance, as they judged : as it approached nearer and nearer, they rightly supposed that the detachment was overpowered, and retreating towards the camp ; which was soon confirmed by some fugitives, and presently after by whole companies, who fled back in great confusion. In a very short time after, the enemy appeared marching in regular order up to the centre of the camp, where the consternation was so great, that, if they had attacked the breast-work directly, they might probably have thrown all into confusion, and obtained an easy victory ; but, fortunately for the English, they halted for some time about a hundred and fifty yards' distance, and from thence began their attack with platoon firing, too far off to do much hurt, especially against troops who were defended by a strong breast-work. On the contrary, this ineffectual fire served only to raise the spirits of these last, who, having prepared their artillery during the time that the French halted, began to play it so briskly upon the enemy, that the Canadians and Indians in their service fled immediately into the woods on each side of the camp, and there squatted under bushes, or skulked behind trees, from whence they continued firing with very little execution, most of their shot being intercepted by the brakes and thickets ; for they never had the courage to advance to the verge of the wood. Baron Dieskau, who commanded the French, being thus left alone, with his regular troops, at the front of the camp, finding he could not make a close attack upon the centre with his small number of men, moved first to the left, and then to the right, at both which places he endeavoured to force a passage, but was repulsed, being unsupported by the irregulars. Instead of retreating, as he ought in prudence to have done, he still continued his platoon and bush-firing till four o'clock in the afternoon, during which time his regular troops suffered greatly by the fire from the camp, and were at last thrown into confusion ; which was no sooner perceived by General Johnson's men, than they, without waiting for orders, leaped over their breast-work, attacked the enemy on all sides, and, after killing and taking a considerable number of them, entirely dispersed the rest. The French, whose numbers, at the beginning of this engagement, amounted to about two thousand men, including two hundred grenadiers, eight hundred Canadians, and the rest, Indians of different nations, had between seven and eight hundred men killed, and thirty taken prisoners : among the latter was Baron Dieskau himself, whom they found at a little distance from the field of battle, dangerously wounded, and leaning on the stump of a tree for his support. The English lost about two hundred men, and those chiefly of the detachment under Colonel Williams ; for they had very few either killed or wounded in the attack upon their camp, and not any of distinction, except Colonel Titcomb, killed, and the general himself and Major Nichols wounded. Among the slain of the detachment, which would probably have been entirely cut off, had not Lieutenant-Colonel Cole been sent out from the camp with three hundred men, with which he stopped the enemy's pursuit, and covered the retreat of his friends, were Colonel Williams, Major Ashley, six captains, and several subalterns ; besides private men : and the Indians reckoned that they had lost forty men, besides the brave old Hendrick, the Mohock Sachem, or chief captain.

§ XIV. When Baron Dieskau set out from Ticonderoga, his design was only to surprise and cut off the intrenched camp, now called Fort Edward, at the Carrying-place, where there were but four or five hundred men. If he had executed this scheme, our army would have been thrown into great difficulties ; for it could neither have proceeded further, nor have subsisted where it was, and he might have found an opportunity to attack it with great advantage in its retreat. But when he was within four or five miles of that fort, his people were informed that there were several cannon there, and none at the camp ; upon which they all desired to be led on to this last, which he the more readily consented to, as he himself had been told by an English prisoner, who had left this camp but a few days before, that it was quite defenceless, being without any lines, and destitute of cannon ; which, in effect, was true at that

time : for the cannon did not arrive, nor was the breast-work erected, till about two days before the engagement. To this misinformation, therefore, must be imputed this step, which would otherwise be inconsistent with the general character and abilities of Baron Dieskau. A less justifiable error seems to have been committed by General Johnson, in not detaching a party to pursue the enemy when they were defeated and fled. Perhaps he was prevented from so doing by the ill fate of the detachment he had sent out in the morning under Colonel Williams. However that may be, his neglect, in this respect, had like to have been fatal the next day to a detachment sent from Fort Edward, consisting of a hundred and twenty men of the New Hampshire regiment, under Captain M'Ginnes, as a reinforcement to the army at the camp. This party fell in with between three and four hundred men of Dieskau's troops, near the spot where Colonel Williams had been defeated the day before ; but M'Ginnes having timely notice, by his scouts, of the approach of an enemy, made such a disposition, that he not only repulsed the assailants, but defeated and entirely dispersed them, with the loss only of two men killed, eleven wounded, and five missing. He himself unfortunately died of the wounds he received in this engagement, a few days after he arrived at the camp with his party.

§ XV. It was now judged too late in the year to proceed to the attack of Crown-Point, as it would have been necessary, in that case, to build a strong fort in the place where the camp then was, in order to secure a communication with Albany, from whence only the troops could expect to be reinforced, or supplied with fresh stores of ammunition or provisions. They, therefore, set out upon their return soon after this engagement, having first erected a little stockaded fort, at the hither end of Lake George, in which they left a small garrison, as a future prey for the enemy : a misfortune which might easily have been foreseen, because this whole army, being country militia, was to be disbanded, and return to their respective homes, as they actually did soon after their retreat to Albany. This was all the glory, this all the advantage, that the English nation acquired by such an expensive expedition. But so little had the English been accustomed of late to hear of victory, that they rejoiced at this advantage, as if it had been an action of the greatest consequence. The general was highly applauded for his conduct, and liberally rewarded ; for he was created a baronet by his majesty, and presented with five thousand pounds by the parliament.

§ XVI. The preparations for General Shirley's expedition against Niagara were not only deficient, but shamefully slow ; though it was well known that even the possibility of his success must, in a great measure, depend upon his setting out early in the year, as will appear to any person who considers the situation of our fort at Oswego, this being the only way by which he could proceed to Niagara. Oswego lies on the south-east side of the lake Ontario, near three hundred miles almost due west from Albany in New York. The way to it from thence, though long and tedious, is the more convenient, as the far greatest part of it admits of water-carriage, by what the inhabitants called *batteaux*, which are a kind of light flat-bottomed boats, widest in the middle, and pointed at each end, of about fifteen hundred weight burden, and managed by two men, called *batteaux men*, with paddles and setting poles, the rivers being in many places too narrow to admit of oars. From Albany to the village of Shenectady, about sixteen miles, is a good waggon road. From thence to the little falls in the Mohock river, being sixty-five miles, the passage is by water-carriage up that river, and consequently against the stream, which, in many places, is somewhat rapid, and in others so shallow, that, when the river is low, the watermen are obliged to get out, and draw their *batteaux* over the rifts. At the little Falls is a postage, or land carriage, for about a mile, over a ground so marshy, that it will not bear any wheel carriage : but a colony of Germans settled there attend with sledges, on which they draw the loaded *batteaux* to the next place of embarkation upon the same river. From thence they proceed by water up that river, for fifty miles, to the Carrying-place, near the head of it, where there is another postage, the length of which depends upon the dryness or wetness

of the season, but is generally above six or eight miles over in the summer months. Here the batteaux are again carried upon sledges, till they come to a narrow river called Wood's Creek, down which they are waited on a gentle stream, for about forty miles, into the lake Onewayda, which stretches from east to west about thirty miles, and is passed with great ease and safety in calm weather. At the western end of the lake is the river Onondaga, which, after a course of between twenty and thirty miles, unites with the river Cayuga, or Seneca, and their united streams run into the lake Ontario, at the place where Oswego fort is situated. But this river is so rapid as to be sometimes dangerous, besides its being full of rifts and rocks: and about twelve miles on this side of Oswego there is a fall of eleven feet perpendicular, where there is consequently a postage, which, however, does not exceed forty yards. From thence the passage is easy, quite to Oswego. The lake Ontario, on which this fort stands, is near two hundred and eighty leagues in circumference: its figure is oval, and its depth runs from twenty to twenty-five fathoms. On the north side of it are several little gulfs. There is a communication between this lake and that of the Hurons by the river Tanasuate, from whence it is a land carriage of six or eight leagues to the river Toronto, which falls into it. The French have two forts of consequence on this lake: Frontenac, which commands the river St. Lawrence, where the lake communicates with it; and Niagara, which commands the communication between the lake Ontario and the lake Erie. But of these forts, and this last lake, which is one of the finest in the world, we shall have occasion to speak hereafter.

§ XVII. Though we had long been in possession of fort Oswego, and though it lay greatly exposed to the French, particularly to those of Canada, upon any rupture between the two nations, we had never taken care to render it tolerably defensible, or even to build a single vessel fit for navigating the lake: nor was this strange neglect ever taken effectual notice of, till the beginning of this year, when, at a meeting which General Braddock had in April with the governors and chief gentlemen of several of our colonies at Alexandria, in Virginia, it was resolved to strengthen both the forts and garrison at Oswego, and to build some large vessels at that place. Accordingly a number of shipwrights and workmen were sent thither in May and June. At the same time, Captain Bradstreet marched thither with two companies of an hundred men each, to reinforce the hundred that were there before under Captain King, to which number the garrison had been increased since our contests with France began to grow serious. For a long time before, not above twenty-five men were left to defend this post, which, from its great importance, and the situation of affairs at this juncture, most certainly required a much stronger garrison than was put into it even at this period: but economy was the chief thing consulted in the beginning of this war, and to that, in a great measure, was owing its long duration.

§ XVIII. From the above description of the passage from Albany to Oswego, it is plain how necessary it was, that the troops intended for this expedition should have set out early in the spring. But instead of that, the very first of them, Colonel Schuyler's New-Jersey regiment, did not begin their march till after the beginning of July, and just as Shirley's and Pepperell's regiments were preparing to follow, the melancholy account of Braddock's disaster arrived at Albany, where it so damped the spirits of the people, and spread such a terror, that many of the troops deserted, and most of the batteaux men dispersed, and ran home, by which means even all the necessary stores could not be carried along with the troops. Notwithstanding this disappointment, General Shirley set out from Albany before the end of July, with as many of the troops and stores as he could procure a conveyance for, hoping to be joined in his route by great numbers of the Indians of the six nations, to whom he sent invitations to that effect as he passed by their settlements: but they, instead of complying with his desire, absolutely declared against all hostilities on that side of the country; and insisted that Oswego, being a place of traffic and peace, ought not to be disturbed either by the English or the French, as if

they could have persuaded both parties to agree to such a local truce. Upon this refusal, Mr. Shirley proceeded forward, being joined by very few Indians, and arrived at Oswego on the seventeenth or eighteenth of August; but the rest of the troops and artillery did not arrive till the last day of that month; and even then, their store of provisions was not sufficient to enable them to proceed against Niagara, though some tolerably good vessels had by this time been built and got ready for that purpose. The general now resolved to take but six hundred men with him for the attack of Niagara, and to leave the rest of his army, consisting of about fourteen hundred more, at Oswego, to defend that place, in case the French should attack it in his absence, which there was reason to apprehend they might, as they then had a considerable force at Fort Frontenac, from whence they could easily cross over the lake Ontario to Oswego. However, he was still obliged to wait at Oswego for provisions, of which at length a small supply arrived on the twenty-sixth of September, barely sufficient to support his men during their intended expedition, and to allow twelve days' short subsistence for those he left behind. But by this time the rainy boisterous season had begun, on which account most of his Indians had already left him, and were returned home; and the few that remained with him declared that there was no crossing the lake Ontario in batteaux at that season, or any time before the next summer. In this perplexity he called a council of war, which, after weighing all circumstances, unanimously resolved to defer the attempt upon Niagara till the next year, and to employ the troops, whilst they remained at Oswego, in building barracks, and erecting, or at least beginning to erect, two new forts, one on the east side of the river Onondaga, four hundred and fifty yards distant from the old fort, which it was to command, as well as the entrance of the harbour, and to be called Ontario fort; and the other, four hundred and fifty yards west of the old fort, to be called Oswego new fort.

§ XIX. These things being agreed on, General Shirley, with the greatest part of the troops under his command, set out on his return to Albany on the twenty-fourth of October, leaving Colonel Mercer with a garrison of about seven hundred men at Oswego; though repeated advice had been received, that the French had then at least a thousand men at their fort of Frontenac, upon the same lake; and what was still worse, the new forts were not yet near completed; but left to be finished by the hard labour of Colonel Mercer and his little garrison, with the addition of this melancholy circumstance, that, if besieged by the enemy in the winter, it would not be possible for his friends to come to his assistance. Thus ended this year's unfortunate campaign, during which the French, with the assistance of their Indian allies, continued their murders, scalping, captivating, and laying waste the western frontiers of Virginia and Pennsylvania, during the whole winter.

§ XX. The ministers of the two jarring powers were very busily employed this year at most of the courts of Europe; but their transactions were kept extremely secret. The French endeavoured to inspire the Spaniards with a jealousy of the strength of the English by sea, especially in America; and the Spanish court seemed inclined to accept of the office of mediator: but Mr. Wall, who was perfectly well acquainted with the state of affairs between England and France, seconded the representations of the British ministry, which demonstrated, that, however willing Great Britain might be to accept of the mediation of Spain, she could not agree to any suspension of arms in America, which France insisted on as a preliminary condition, without hazarding the whole of her interest there; and that the captures which had been made by the English were the necessary consequences of the encroachments and injustice of the French, particularly in that country. Upon this remonstrance, all further talk of the mediation of Spain was dropped, and the ministry of Versailles had recourse to the princes of Germany; amongst whom the Elector of Cologne was soon brought over to their party, so as to consent to their forming magazines in his territories in Westphalia. This was a plain indication of their design against Hanover, which they soon after made his Britannic

majesty, who was then at Hanover, an offer of sparing, if he would agree to certain conditions of neutrality for that electorate, which he rejected with disdain. Then the Count D'Aubeterre, envoy extraordinary from France at the court of Vienna, proposed a secret negotiation with the ministers of the empress-queen. The secret articles of the treaty of Petersburg, between the two empresses, had stipulated a kind of partition of the Prussian territories, in case that prince should infringe the treaty of Dresden; but his Britannic majesty, though often invited, had always refused to agree to any such stipulation: and the King of Poland, whoever he might be inclined to favour the scheme, did not dare to avow it formally, till matters should be more ripe for carrying it into execution. The court of Vienna, whose favourite measure this was, began to listen to D'Aubeterre's insinuations, and by degrees entered into negotiations with him, which, in the end, were productive of that unnatural confederacy between the empress-queen and the King of France, of which further notice will be taken in the occurrences of the next year, when the treaty between them, into which they afterwards found means secretly to bring the Empress of Russia, was concluded at Versailles.

§ XXI. The King of England, taking it for granted that the French would invade Hanover, in consequence of their rupture with Great Britain, which seemed to be near at hand, began to take measures for the defence of that electorate. To this end, during his stay at Hanover, he concluded, on the eighteenth of June, a treaty with the Landgrave of Hesse-Cassel, by which his serene highness engaged to hold in readiness, during four years, for his majesty's service, a body of eight thousand men, to be employed, if required, upon the continent, or in Britain or Ireland; but not on board the fleet or beyond the seas; and also, if his Britannic majesty should judge it necessary or advantageous for his service, to furnish and join to this body of eight thousand men, within six months after they should be demanded, four thousand more, of which seven hundred were to be horse or dragoons, and each regiment of infantry to have two field pieces of cannon.<sup>a</sup> Another treaty was begun with Russia about the same time; but this did not take effect during his majesty's residence at Hanover: that others were not concluded was the more surprising, as our subsidy treaty with Saxony had then expired, and that with Bavaria was near expiring, and as the securing of these two princes in our interest was at least as necessary towards forming a sufficient confederacy upon the continent for the defence of Hanover, as it was to secure the Landgrave of Hesse-Cassel. If the reason of their not being engaged, and no other seems so probable, was, that they refused to renew their treaties with England upon any terms, all that can be said is that they were guilty of flagrant ingratitude, as they had both received a subsidy from this kingdom for many years in time of peace, when they neither were nor could be of any service to the interest of Great Britain.

§ XXII. On the fifteenth of July an express arrived from Admiral Boscawen, with an account of his having taken the two French ships of war, the Alcide and the Lys. This was certainly contrary to the expectation of the court of France; for had they apprehended any such attack, they would not have ordered Mr. M'Namara to return to Brest with the chief part of their squadron; nor was it, perhaps, less contrary to the expectation of some of our own ministry: but as matters had been carried so far, it was then too late to retreat; and, therefore, orders were soon after given to all our ships of war to make reprisals upon the French, by taking their ships wherever they should meet them. Sir Edward Hawke sailed from Portsmouth on the twenty-first of July, with eighteen ships of war, to watch the return of the French fleet from America, which, however, escaped him, and arrived at

Brest on the third day of September. Commodore Frankland sailed from Spithead for the West Indies on the thirteenth of August with four ships of war, furnished with orders to commit hostilities, as well as to protect our trade and sugar islands from any insult that the French might offer: and the Duke de Mirepoix, their ambassador at the court of London, set out for Paris on the twenty-second of July, without taking leave.

§ XXIII. A war being thus in some measure begun, his majesty thought proper, perhaps for that reason, to return to his British dominions sooner than usual; for he left Hanover on the eighth of September, and arrived on the fifteenth at Kensington, where the treaty of alliance between him and the Empress of Russia, which he had begun during his absence, was concluded on the thirtieth of the same month. By this treaty her Russian majesty engaged to hold in readiness in Livonia, upon the frontiers of Lithuania, a body of troops consisting of forty thousand infantry, with the necessary artillery, and fifteen thousand cavalry; and also on the coast of the same province, forty or fifty galleys, with the necessary crews; to be ready to act upon the first order, in his majesty's service, in case, said the fifth article, which was the most remarkable, that the dominions of his Britannic majesty in Germany should be invaded on account of the interests or disputes which regard his kingdoms: her imperial majesty declaring that she would look upon such an invasion as a case of the alliance of the year one thousand seven hundred and forty-two; and that the said dominions should be therein comprised in this respect; but neither these troops nor galleys were to be put in motion, unless his Britannic majesty, or his allies, should be somewhere attacked; in which case the Russian general should march, as soon as possible after requisition, to make a diversion with thirty thousand infantry and fifteen thousand cavalry; and should embark on board the galleys the other ten thousand infantry, to make a descent according to the exigency of the affair. On the other side, his Britannic majesty engaged to pay to her Russian majesty an annual subsidy of an hundred thousand pounds sterling a-year, each year to be paid in advance, and to be reckoned from the day of the exchange of the ratifications, to the day that these troops should upon requisition march out of Russia; from which day the annual subsidy to her imperial majesty was to be five hundred thousand pounds sterling, to be paid always four months in advance, until the troops should return into the Russian dominions, and for three months after their return. His Britannic majesty, who was to be at liberty to send once every year into the said province of Livonia a commissary to see and examine the number and condition of the said troops, further engaged, that in case her Russian majesty should be disturbed in this diversion, or attacked herself, he would furnish immediately the succour stipulated in the treaty of one thousand seven hundred and forty-two; and that in case a war should break out, he would send into the Baltic a squadron of his ships, of a force suitable to the circumstances. This was the chief substance of the treaty, which, by agreement of both parties, was to subsist for four years from the exchange of the ratifications: but in the seventh article these words were unluckily inserted: "Considering also the proximity of the countries wherein the diversion in question will probably be made, and the facility her troops will probably have of subsisting immediately in an enemy's country, she takes upon herself alone, during such a diversion, the subsistence and treatment of the said troops by sea and land." And in the eleventh article it was stipulated, that all the plunder the Russian army should take from the enemy, should belong to them. That his Britannic majesty, who now knew enough of the court of Vienna to be sensible that he could expect no assistance from thence, in case his German dominions were invaded, should enter

<sup>a</sup> The King, on his side, promised to pay to the landgrave for these succours, eight crowns bounty, by way of levy-money, for every troop or dragoon duly armed and mounted, and thirty crowns bounty for every foot soldier, the crown to be reckoned at fifty-three shillings of Holland, or at four shillings and ninepence three farthings English money; and also to pay to his serene highness, for the eight thousand men, an annual subsidy of an hundred and fifty thousand crowns bance, during the four years, to commence from the day of signing the treaty, which subsidy was to be increased to three hundred thousand crowns yearly, from the time of requiring the troops, to the time of their entering into British pay; and in case of

their being dismissed, the said subsidy of three hundred thousand crowns was then to resume and be continued during the residue of the term; but, if twelve thousand men were demanded and furnished, the subsidy was then to be increased in proportion; and in case the King of Great Britain should at any time think fit to send back these troops, before the expiration of the treaty, notice thereof was to be given to his serene highness three months beforehand; one month's pay was to be allowed them for their return, and they were to be furnished gratis with the necessary transport vessels.



into this convention with the Empress of Russia, in order to strengthen his defence upon the continent, was extremely natural: especially as he had lately lived in great friendship with her, and her transactions with the court of France had been so secret by passing through only that of Vienna, that he had not yet been informed of them; neither had the project of the treaty of Versailles then come to his knowledge, or to that of the King of Prussia, nor had either of these princes yet made any formal advances to the other.

§ XXIV. The first intimation that appeared publicly of the negotiations of France with the Empress of Germany, was, when the French minister, Count d'Aubeterre, declared at Vienna, "That the warlike designs with which the king his master was charged, were sufficiently confuted by his great moderation, of which all Europe had manifold proofs: that his majesty was persuaded this groundless charge had given as much indignation to their imperial majesties as to himself: that he was firmly resolved to preserve to Christendom that tranquillity which it enjoyed through his good faith, in religiously observing the treaty of Aix-la-Chapelle: but that if his Britannic majesty's allies should take part in the war which was kindled in America, by furnishing succours to the English, his majesty would be authorized to consider and treat them as principals in it." France likewise made the same declaration to other courts.

§ XXV. The words and stipulation in the above-recited clause, in the seventh article of the treaty of Great Britain with Russia, were looked on as a menace levelled at the King of Prussia, who, having some time found means to procure a copy of this treaty, and seeing it in that light, boldly declared, by his ministers at all the courts of Europe, that he would oppose, with his utmost force, the entrance of any foreign troops into the empire, under any pretence whatever. This declaration was particularly displeasing to the French, who had already marched large bodies of troops towards the frontiers of the empire, and erected several great magazines in Westphalia, with the permission of the Elector of Cologne, for which the English minister at his court was, in August, ordered to withdraw from thence without taking leave. However, as soon as this declaration of the King of Prussia was notified to the court of Versailles, they sent an ambassador extraordinary, the Duke de Nivernois, to Berlin, to try to persuade his majesty to retract his declaration, and enter into a new alliance with them. His Prussian majesty received this ambassador in such a manner, as seemed to denote a disposition to agree to every thing he had to propose. This awakened in England a jealousy that his declaration alone was not to be relied on, but that it was necessary to bring him under some solemn engagement; especially as the French had by this time a numerous army near the Lower Rhine, with magazines provided for their march all the way to Hanover; and if the King of Prussia suffered them to pass through his dominions, that electorate must be swallowed up before the Russian auxiliaries could possibly be brought thither, or any army be formed for protecting it.<sup>b</sup> For this reason a negotiation was set on foot by Great Britain at Berlin; but as it was not concluded before the beginning of the next year, we shall defer entering into the particulars of it, till we come to that period.

§ XXVI. Meanwhile the French made another attempt upon the court of Madrid, loudly complaining of the taking of their two men of war by Boscawen's squadron, before any declaration of war was made, representing it as a most unjustifiable proceeding, which threatened a dissolution of all faith amongst nations. This produced a strong memorial from Sir Benjamin Keene, our minister at that court, importing, "That it was well known that the French fleet carried troops, ammunition, and every thing necessary for defending the countries which the French had unjustly usurped in America, and of which the English claimed the property; that the rules of self-defence authorize every nation to render fruitless any attempt that may tend to its prejudice; that this right had been made use of only in taking the two French ships of war; and that the distinction of place might be interpreted in favour of the English,

seeing the two ships were taken on the coasts of the countries where the contest arose." In answer to this observation, the French minister represented the vast number of ships that had been taken in the European seas; for in fact the English ports soon began to be filled with them in consequence of the general orders for making reprisals. But the court of Madrid was so far from being persuaded by any thing he could say, that it gave his Britannic majesty the strongest assurances of its friendship, and of its intention to take no part in the differences between him and France, but such as should be conciliatory, and tending to restore the public tranquillity.

§ XXVII. On the other hand his Britannic majesty required, as King of Great Britain, the auxiliaries stipulated to him by treaty from the empress-queen. But these were refused, under pretence, that as the contest between him and France related to America only, it was not a case of the alliance; though at the same time the French made no scruple of owning, that they intended to make a powerful descent on Great Britain early in the spring. When, a little while after, France being employed in making great preparations for a land war in Europe, the King of England required her to defend her own possessions, the barrier in the Low Countries, with the number of men stipulated by treaty, which countries, acquired by English blood, and English treasure, had been given to her on that express condition, she declared that she could not spare troops for that purpose, on account of her dangerous enemy, the King of Prussia; and afterwards, when he was secured by his treaty with England, she urged that as a reason for her alliance with France. It must be owned, however, for the sake of historical truth, that this was no bad reason, considering the power, the genius, and the character of that prince, who hovered over her dominions with an army of one hundred and fifty thousand veterans. It must likewise be owned, that she undertook to procure the French king's consent to a neutrality for Hanover, which would have effectually secured that electorate from the invasion of every other power but Prussia itself: and it is no strained conjecture to suppose, that the dread of this very power was the true source of those connexions in Germany, which entailed such a ruinous continental war upon Great Britain.

§ XXVIII. Though the English continued to make reprisals upon the French, not only in the seas of America, but also in those of Europe, by taking every ship they could meet with, and detaining them, their cargoes, and crews; yet the French, whether from a consciousness of their want of power by sea, or that they might have a more plausible plea to represent England as the aggressor, were so far from returning these hostilities, that their fleet, which escaped Sir Edward Hawke, having, on the thirteenth of August, taken the Blandford ship of war with Governor Lyttleton on board, going to Carolina, they set the governor at liberty, as soon as the court was informed of the ship's being brought into Nantes, and shortly after released both the ship and crew. However, at the same time, their preparations for a land war still went on with great diligence, and their utmost arts and efforts were fruitlessly exerted to persuade the Spaniards and Dutch to join with them against Great Britain.

§ XXIX. In England, the preparations by sea became greater than ever, several new ships of war were put in commission, and many others taken into the service of the government: the exportation of gunpowder was forbid: the bounties to seamen were continued, and the number of those that either entered voluntarily, or were pressed, increased daily, as did also the captures from the French, among which was the *Esperance*, of seventy guns, taken as she was going from Rochefort to Brest to be manned. The land forces of Great Britain were likewise ordered to be augmented; several new regiments were raised, and all half-pay officers, and the out-pensioners belonging to Chelsea hospital, were directed to send in their names, ages, and time of service, in order that such of them as were yet able to serve might be employed again if wanted. The English navy, so early as in the month of September of this year, consisted of one ship of

<sup>b</sup> Perhaps the Elector of Hanover was more afraid of the Prussian invasion than of the most Christian king, knowing with what ease and rapidity

this enterprising neighbour could, in a few days, subdue the whole electorate.

a hundred and ten guns, five of a hundred guns each, thirteen of ninety, eight of eighty, five of seventy-four, twenty-nine of seventy, four of sixty-six, one of sixty-four, thirty-three of sixty, three of fifty-four, twenty-eight of fifty, four of forty-four, thirty-five of forty, and forty-two of twenty, four sloops of war, of eighteen guns each, two of sixteen, eleven of fourteen, thirteen of twelve, and one of ten, besides a great number of bomb-ketches, fire-ships, and tenders; a force sufficient to oppose the united maritime strength of all the powers in Europe; whilst that of the French, even at the end of this year, and including the ships then upon the stocks, amounted to no more than six ships of eighty guns, twenty-one of seventy-four, one of seventy-two, four of seventy, thirty-one of sixty-four, two of sixty, six of fifty, and thirty-two frigates.

§ XXX. Such was the situation of the two kingdoms, when, on the thirteenth of November, the parliament met, and his majesty opened the session with a speech from the throne, in which he acquainted them—"That the most proper measures had been taken to protect our possessions in America, and to regain such parts thereof as had been encroached upon, or invaded; that to preserve his people from the calamities of war, as well as to prevent a general war from being lighted up in Europe, he had been always ready to accept reasonable and honourable terms of accommodation, but that none such had been proposed by France: that he had also confined his views and operations to hinder France from making new encroachments, or supporting those already made; to exert his people's right to a satisfaction for hostilities committed in time of profound peace, and to disappoint such designs, as, from various appearances and preparations, there was reason to think had been formed against his kingdoms and dominions: that the King of Spain earnestly wished the preservation of the public tranquillity, and had given assurances of his intention to continue in the same pacific sentiments: that he himself had greatly increased his naval armaments, and augmented his land forces in such a manner as might be least burdensome; and, finally, that he had concluded a treaty with the Empress of Russia, and another with the Landgrave of Hesse-Cassel, which should be laid before them."

§ XXXI. In answer to this speech, both Houses voted most loyal addresses, but not without a warm opposition, in each, to some of the particular expressions; for it having been proposed in the House of Lords, to insert in their address the words following, viz. "That they looked upon themselves as obliged, by the strongest ties of duty, gratitude, and honour, to stand by and support his majesty in all such wise and necessary measures and engagements as his majesty might have taken in vindication of the rights of his crown, or to defeat any attempts which might be made by France, in resentment for such measures, and to assist his majesty in disappointing or repelling all such enterprises as might be formed, not only against his kingdoms, but also against any other of his dominions (though not belonging to the crown of Great Britain) in case they should be attacked on account of the part which his majesty had taken for maintaining the essential interests of his kingdoms;" the inserting of these words in their address was opposed by Earl Temple, and several other lords; because, by the first part of them, they engaged to approve of the treaties with Russia and Hesse-Cassel, neither of which they had ever seen; nor could it be supposed that either of them could be of any advantage to this nation; and by the second part of these words it seemed to be resolved, to engage this nation in a continental connexion for the defence of Hanover, which it was impossible for England to support, and which would be so far from being of any advantage to it at sea, or in America, that it might at last disable the nation from defending itself in either of those parts of the world. But upon putting the question, the inserting of these words was agreed to by a great majority, and accordingly they stand as part of the address of the House upon that occasion.

§ XXXII. To this remarkable address his majesty returned the following as remarkable answer:—"My Lords, I give you my hearty thanks for this dutiful and affectionate address. I see, with the greatest satisfaction, the

zeal you express for my person and government, and for the true interest of your country, which I am determined to adhere to. The assurances which you give me for the defence of my territories abroad, are a strong proof of your affection for me, and regard for my honour. Nothing shall divert me from pursuing those measures which will effectually maintain the possessions and rights of my kingdoms, and procure reasonable and honourable terms of accommodation."—The address of the House of Commons breathed the same spirit of zeal and gratitude, and was full of the warmest assurances of a ready support of his majesty, and of his foreign dominions, if attacked in resentment of his maintaining the rights of his crown and kingdom; and his majesty's answer to it was to the same effect as that to the House of Lords. The same, or nearly the same words, relating to the treaties concluded by his majesty, and to the defence of his foreign dominions, were proposed to be inserted in this address, which was opposed by William Pitt, Esq. then paymaster of his majesty's forces; the Right Hon. Henry Legge, Esq. then chancellor and under-treasurer of his majesty's exchequer, and one of the commissioners of the treasury; and by several other gentlemen in high posts under the government, as well as by many others; but, upon putting the question, it was by a considerable majority agreed to insert the words objected to; and very soon after, Mr. Pitt, Mr. Legge, and most, if not all, of the gentlemen who had appeared in the opposition, were dismissed from their employments. In the meantime, a draft came over from Russia for part of her new subsidy stipulated to that crown; but some of the ministry, who were then at the head of the finances, refused to pay it, at least before the treaty should be approved of by parliament.

§ XXXIII. Sir Thomas Robinson had not been long in possession of the office of secretary of state, before it was generally perceived, that, though an honest, well meaning man, and a favourite with the king, his abilities were not equal to the functions of that post. Much less were they so at this juncture, when the nation was on the point of being engaged in a difficult and expensive war, and plunged into foreign measures and connexions, which would require the utmost skill of an able politician to render them palatable to the people. Mr. Pitt and Mr. Fox, though they scarce ever agreed in any other particular, had generally united in opposing his measures, and their superior influence in the House of Commons, and universally acknowledged abilities, though of very different kinds, had always prevailed, uncommon as it was, to see two persons who held considerable places under the government, one of them being paymaster-general, and the other secretary at war, oppose, upon almost every occasion, a secretary of state, who was supposed to know and speak the sentiments of his master. Sir Thomas himself soon grew sensible of his want of sufficient weight in the senate of the nation; and therefore, of his own accord, on the tenth of November, wisely and dutifully resigned the seals of his office to his majesty, who delivered them to Mr. Fox, and appointed Sir Thomas master of the wardrobe, with a pension to him during his life, and after his death to his sons. Lord Barrington succeeded Mr. Fox as secretary at war; and soon after Sir George Lyttelton was made chancellor of the exchequer, and a lord of the treasury, in the room of Mr. Legge, who had declared himself against the new continental system. However, notwithstanding these changes in the ministry, very warm debates arose in both Houses, when the treaties of Russia and Hesse-Cassel came to be considered by them: some of the members were for referring them to a committee; but this motion was overruled, in consideration of his majesty's having engaged in them to guard against a storm that seemed ready to break upon his electoral dominions, merely on account of our quarrel with the French. They were at length approved of by a majority of three hundred and eighteen against one hundred and twenty-six, in the House of Commons; and by eighty-four against eleven, in the House of Lords.

§ XXXIV. The House of Commons then proceeded to provide for the service of the ensuing year, and for the deficiencies of the provisions for the former. Fifty thousand seamen, including nine thousand one hundred and thirty-

eight marines, were voted, on the twenty-fourth of November, for the service of the year one thousand seven hundred and fifty-six, together with two millions six hundred thousand pounds for their maintenance, and thirty-four thousand two hundred and sixty-three land soldiers, with nine hundred and thirty thousand six hundred and three pounds, six shillings, and nine pence for their support. An hundred thousand pounds were voted as a subsidy to the Empress of Russia; fifty-four thousand one hundred and forty pounds, twelve shillings, and sixpence, to the Landgrave of Hesse-Cassel; and ten thousand pounds to the Elector of Bavaria.

§ XXXV. During these transactions, the public was overwhelmed with consternation, by the tidings of a dreadful earthquake, which, on the first of November, shook all Spain and Portugal, and many other places in Europe, and laid the city of Lisbon in ruins. When the news of this great calamity first reached England, it was feared the consequences of it might affect our public credit, considering the vast interest which the English merchants had in the Portuguese trade: but fortunately, it afterwards proved inconsiderable, in comparison of what had been apprehended: the quarter in which the English chiefly lived, and where they had their warehouses, having suffered the least of any part of the city; and most of the English merchants then residing there, together with their families, being at their country-houses to avoid the insults to which they might have been exposed from the Portuguese populace, during the celebration of their *auto-da-fé*, which was kept that very day. The two first shocks of this dreadful visitation continued near a quarter of an hour, after which the water of the river Tagus rose perpendicularly above twenty feet, and subsided to its natural bed in less than a minute. Great numbers of houses, of which this city then contained about thirty-six thousand, extending in length near six miles, in form of a crescent, on the ascent of a hill, upon the north shore of the mouth of the river Tagus, within nine miles from the ocean, were thrown down by the repeated commotions of the earth, together with several magnificent churches, monasteries, and public buildings. But what entirely completed the ruin of this then most opulent capital of the Portuguese dominions, was a devouring conflagration, partly fortuitous or natural, but chiefly occasioned by a set of impious villains, who, unawed by the tremendous scene at that very instant passing before their eyes, with a wickedness scarcely to be credited, set fire even to the falling edifices in different parts of the city, to increase the general confusion, that they might have the better opportunity to rob and plunder their already desolated fellow-citizens. Out of three hundred and fifty thousand inhabitants, which Lisbon was then supposed to contain, about ten thousand perished by this calamity; and the survivors, deprived of their habitations, and destitute even of the necessities of life, were forced to seek for shelter in the open fields.

§ XXXVI. As soon as his majesty received an account of this deplorable event, from his ambassador at the court of Madrid, he sent a message to both Houses of parliament, on the twenty-eighth of November, acquainting them therewith, and desiring their concurrence and assistance towards speedily relieving the unhappy sufferers; and the parliament thereupon, to the honour of British humanity, unanimously voted, on the eighth of December, a gift of an hundred thousand pounds for the distressed people of Portugal. A circumstance which enhances the merit of this action is, that though the English themselves were, at that very time, in great want of grain, a considerable part of the sum was sent in corn, flour, rice, and a large quantity of beef from Ireland: supplies which came very seasonably for the poor Portuguese, who were in actual want of the necessities of life. Their king was so affected by this instance of British generosity, that, to show his gratitude for the timely relief, he ordered Mr. Castres, the British resident at his court, to give the preference, in the distribution of these supplies, to the British subjects who had suffered by the earthquake: accordingly, about a thirtieth part of the provisions, and two thousand pounds in money, were set apart for that purpose: and his Portuguese majesty returned his thanks, in very warm terms, to the British crown and nation.

§ XXXVII. The report of an intended invasion of these kingdoms by the French increasing daily, on the twenty-second day of January Lord Barrington, as secretary of war, laid before the House an estimate for defraying the charge of ten new regiments of foot, over and above the thirty-four thousand two hundred and sixty-three land soldiers before ordered to be raised; and a sum of ninety-one thousand nine hundred and nineteen pounds, ten shillings, was voted for these additional forces: upon another estimate presented a little after by the same lord, and founded upon the same reasons, for raising, for the further defence of the kingdom, eleven troops of light dragoons, forty-nine thousand six hundred and twenty-eight pounds, eleven shillings, and three pence, were voted for the ensuing year: together with eighty-one thousand one hundred and seventy-eight pounds, sixteen shillings, for a regiment of foot to be raised in North America; two hundred and ninety-eight thousand five hundred and thirty-four pounds, seventeen shillings, and ten pence halfpenny, for the maintenance of our forces already established in our American colonies: and seventy-nine thousand nine hundred and fifteen pounds, six shillings, for six regiments of foot from Ireland, to serve in North America and the East Indies. Besides all these supplies, Mr. Fox, on the twenty-eighth of January, presented to the House a message from the king, desiring them to take into consideration the faithful services of the people of New England, and of some other parts of North America; upon which one hundred and fifteen thousand pounds more were voted, and five thousand pounds as a reward to Sir William Johnson in particular. In short, including several other sums, as well for defraying the expense of the army and navy, as for a subsidy of twenty thousand pounds to the King of Prussia, and one hundred and twenty-one thousand four hundred and forty-seven pounds, two shillings, and sixpence, for Hanoverian troops, of which two last articles further notice will be taken hereafter, the whole of the supplies granted by parliament in this session amounted to seven millions two hundred and twenty-nine thousand one hundred and seventeen pounds, four shillings, and sixpence three farthings. For raising this sum, besides the malt tax, and the land tax of four shillings in the pound, the whole produce of the sinking fund, from the fifth of January one thousand seven hundred and fifty-six, till it should amount to one million five hundred and fifty-five thousand nine hundred and fifty-five pounds, eleven shillings, and eleven pence halfpenny, was ordered to be applied thereunto; together with a million to be raised by loans or exchequer bills, at three per cent. interest: one million five hundred thousand pounds to be raised by the sale of redeemable annuities at three and a half per cent. and five hundred thousand pounds to be raised by a lottery, at three per cent. All which sums, with eighty-three thousand four hundred and twelve pounds, two shillings, and five pence halfpenny, then remaining in the exchequer, amounted to seven millions four hundred and twenty-seven thousand two hundred and sixty-one pounds, five shillings, and seven pence.

§ XXXVIII. The clause inserted in the mutiny bill last year, subjecting all officers and soldiers raised in America, by authority of the respective governors or governments there, to the same rules, and articles of war, and the same penalties and punishments, as the British forces were liable to; the act passed at the same time for regulating the marine forces, while on shore, and that for the most speedy and effectual manning of his majesty's navy; were not only confirmed now; but it was further enacted, with respect to this last, as well as for the more speedy and effectual recruiting of his majesty's land forces, that the commissioners appointed by the present act should be empowered to raise and levy within their respective jurisdictions, such able-bodied men as did not follow any lawful calling or employment; or had not some other lawful and sufficient support; and might order, wherever and whenever they pleased, a general search to be made for such persons, in order to their being brought before them to be examined; nay, that the parish or town officers might, without any such order, search for and secure such persons, in order to convey them before the said commissioners to be examined; that if any three



commissioners should find any person, so brought before them, to be within the above description, and if the recruiting officer attending should judge him to be a man fit for his majesty's service, they should cause him to be delivered to such officer, who might secure him in any place of safety provided by the justices of peace for that purpose, or even in any public prison; and that every such man was from that time to be deemed a listed soldier, and not to be taken out of his majesty's service by any process, other than for some criminal matter. Nothing could more plainly show either the zeal of the parliament for a vigorous prosecution of the war, or their confidence in the justice and moderation of our ministry, than their agreeing to this act, which was to continue in force till the end of the next session; and which, in the hands of a wicked and enterprising administration, might have been made such a use of, as would have been inconsistent with that security which is provided by our happy constitution for the liberty of the subject.

§ XXXIX. The next object of the immediate attention of parliament in this session was the raising of a new regiment of foot in North America; for which purpose the sum of eighty-one thousand one hundred and seventy-eight pounds, sixteen shillings, to which the estimate thereof amounted, was voted. This regiment, which was to consist of four battalions of a thousand men each, was intended to be raised chiefly out of the Germans and Swiss, who, for many years past, had annually transported themselves in great numbers to the British plantations in America, where waste lands had been assigned them upon the frontiers of the provinces; but, very injudiciously, no care had been taken to intermix them with the English inhabitants of the place. To this circumstance it is owing, that they have continued to correspond and converse only with one another; so that very few of them, even of those who have been born there, have yet learned to speak or understand the English tongue. However, as they were all zealous protestants, and in general strong hardy men, and accustomed to the climate, it was judged that a regiment of good and faithful soldiers might be raised out of them, particularly proper to oppose the French: but to this end it was necessary to appoint some officers, especially subalterns, who understood military discipline, and could speak the German language; and as a sufficient number of such could not be found among the English officers, it was necessary to bring over and grant commissions to several German and Swiss officers and engineers; but as this step, by the act of settlement, could not be taken without the authority of parliament, an act was now passed for enabling his majesty to grant commissions to a certain number of foreign protestants, who had served abroad as officers or engineers, to act and rank as officers or engineers in America only. An act was likewise passed in this session, strictly forbidding, under pain of death, any of his majesty's subjects to serve as officers under the French king, or to enlist as soldiers in his service, without his majesty's previous license; and also for obliging such of his majesty's subjects as should, in time to come, accept of commissions in the Scotch brigade in the Dutch service, to take the oaths of allegiance and abjuration, on pain of forfeiting five hundred pounds.

§ XL. As it had been resolved in the beginning of the preceding summer, to build vessels of force upon the lake Ontario, an act was now passed for extending the maritime laws of England, relating to the government of his majesty's ships and forces by sea, to such officers, seamen, and others, as should serve on board his majesty's ships or vessels employed upon the lakes, great waters, or rivers in North America: and also, but not without opposition to this last, for the better recruiting of his majesty's forces upon the continent of America: to which end, by a new clause now added to a former act, a recruiting officer was empowered to enlist and detain an indentured servant, even though his master should reclaim him, upon paying to the master such a sum as two justices of peace, within the precinct, should adjudge to be a reasonable

equivalent for the original purchase-money, and the remaining time such servant might have to serve.

§ XLI. The intestine broils of Ireland were happily composed this year, by the prudent management of the Marquis of Hartington, lord-lieutenant of that kingdom. By his steady and disinterested conduct, his candour and humanity, the Irish were not only brought to much better temper, even among themselves, than they were before their late outrageous riots and dangerous dissensions happened: but also prevailed upon to acquiesce in the measures of England, without this last being obliged to give up any one point of her superiority. The leading men in the parliament of Ireland were the first that conformed: and though the ferment continued very high for some time after, among the middling and lower ranks of people, it was at length entirely allayed by the wisdom of the lord-lieutenant, and the excellent law, which he encouraged and passed for the benefit of that nation.<sup>6</sup> The P— of Ireland, who had been very busy in fomenting many of the late disturbances, was, by his majesty's command, struck off the list of privy-councillors: and the greatest part of those patriots whom faction had turned out of their employments there were reinstated with honour.

§ XLII. The parliament of England, which had adjourned on the twenty-third of December, met again: the House of Commons on the thirteenth of A. D. 1756. January, and the Lords on the nineteenth.

On the sixteenth of the same month, the treaty between his Britannic majesty and the King of Prussia was signed, importing, that, for the defence of their common country, Germany, and in order to preserve her peace and tranquillity, which it was feared was in danger of being disturbed on account of the disputes in America, the two kings, for that end only, entered into a convention of neutrality, by which they reciprocally bound themselves not to suffer foreign troops of any nation whatsoever to enter into Germany, or pass through it, during the troubles aforesaid, and the consequences that might result from them; but to oppose the same with their utmost might, in order to secure Germany from the calamities of war, maintain her fundamental laws and constitutions, and preserve her peace uninterrupted. Thus, the late treaty with Russia was virtually renounced. Their majesties, moreover, seized this favourable opportunity to adjust the differences that had subsisted between them, in relation to the remainder of the Silesia loan, due to the subjects of his Britannic majesty, and the indemnification claimed by the subjects of his Prussian majesty for their losses by sea during the late war; so that the attachment laid on the said debt was agreed to be taken off, as soon as the ratification of this treaty should be exchanged.

§ XLIII. On the twenty-first of January the House took into consideration the laws then in being relating to the militia of this kingdom; and finding them insufficient, ordered a new bill to be prepared, and brought in, for the better regulating of the militia forces in the several counties of England. A bill was accordingly prepared to that effect, and presented to the House on the twelfth of March by the Hon. Charles Townshend, Esq. who, to his honour, was one of the chief promoters of it. After receiving many amendments in the House of Commons, it was on the tenth of May passed, and sent to the Lords: but several objections being made to it by some of the peers, and it seeming to them that some further amendments were still necessary, which they thought they could not in that session spare time to consider so maturely as the importance of the subject required, a negative of fifty-nine against twenty-three was put upon the motion for passing the bill; though every one must have been sensible, not only of the propriety, but even of the absolute necessity, of such a law, which was ardently desired by the whole nation.

§ XLIV. On the twenty-seventh of May his majesty went to the House of Peers, and, after having given the royal assent to the bills then depending, thanked his parliament, in a speech from the throne, for their vigorous and effectual support. He acquainted them, that the injuries

<sup>6</sup> Among other objects of the attention of the legislature of the country, ten thousand pounds were granted for making the river St. Lawrence navigable from the city of Albany to the town of Innesdale, twenty thousand pounds towards carrying on an inland navigation from the city of Dublin to the river Shannon, four thousand pounds for making the river Newry navigable, a thousand pounds a year for two years, for the

encouragement of English protestant schools: several sums to be distributed in premiums, for the encouragement of the amber, soap, and flaxen manufactures, and three hundred thousand pounds to his majesty, towards supporting the several branches of the establishment, and defraying the expenses of the government for two years.

and hostilities which had been for some time committed by the French against his dominions and subjects, were then followed by the actual invasion of the island of Minorca, though guaranteed to him by all the great powers in Europe, and particularly by the French king: that he had, therefore, found himself obliged, in vindication of the honour of his crown, and of the rights of his people, to declare war in form against France; and that he relied on the divine protection, and the vigorous assistance of his faithful subjects, in so just a cause. The parliament was then adjourned to the eighteenth of June; and from thence afterwards to the eighteenth of July, and then it was prorogued.

## CHAP. V

§ I. Letter from M. Rouillé to the secretary of state. § II. The two nations recommit on each other. § III. The French threaten Great Britain with invasion. § IV. Requisition of six thousand Dutch troops according to treaty. § V. Message from the king to the parliament. § VI. A party of Hessians and Hanoverians transported into England. § VII. French preparations at Toulon. § VIII. Admiral Byng sails for the Mediterranean. § IX. He arrives at Gibraltar. § X. Engages M. de Castillon on the 16th. § XI. And returns to Gibraltar. § XII. The rest of the people at home. § XIII. Admiral Byng suspected, and sent home prisoner. § XIV. Account of the siege of St. Philip's fort, in Minorca. § XV. Precautions taken by General Blakeney. § XVI. Siege commenced. § XVII. The ship squadron appears. § XVIII. General attack of the works. § XIX. The garrison capitulates. § XX. Sir Edward Hawke sails to Minorca. § XXI. Rejoicings in France, and clamours in England. § XXII. Gallantry of Fortunatus Wright. § XXIII. General Blakeney created a baron. § XXIV. Measures taken for the defence of Great Britain. § XXV. Proclamation. § XXVI. Earl of Loudoun appointed commander-in-chief in America. § XXVII. His Britannic majesty's declaration of war. § XXVIII. Substance of the French king's declaration. § XXIX. Address of the city of London. § XXX. Trial of General Towne. § XXXI. Affairs of America. § XXXII. Colonel Bradstreet defeats a body of French on the river Onondaga. § XXXIII. Earl of Loudoun arrives at New York. § XXXIV. Oswego reduced by the enemy. § XXXV. Further proceedings in America. § XXXVI. Naval operations in that country. § XXXVII. Transactions in the East Indies. § XXXVIII. Calcutta besieged by the Viceroy of Bengal. § XXXIX. Deploable fate of those who perished in the dungeon there. § XL. Additional cruelties exercised on Mr. Holwell. § XLI. Resolution against Angra. § XLII. Fort of Geria taken by Admiral Watson and Mr. Clive. § XLIII. Their subsequent proceedings in the river Ganges.

A. D. 1756. § I. In the month of January Mr. Fox, lately appointed secretary of state, received a letter from M. Rouillé, minister and secretary of state for foreign affairs to the King of France, expostulating in the name of his sovereign, upon the orders and instructions for committing hostilities, which his Britannic majesty had given to General Braddock and Admiral Boscawen, in diametrical opposition to the most solemn assurances so often repeated by word of mouth as well as in writing. He complained of the insult which had been offered to his master's flag in attacking and taking two of his ships in the open sea, without any previous declaration of war; as also by committing depredations on the commerce of his most christian majesty's subjects, in contempt of the law of nations, the faith of treaties, and the usages established among civilized nations. He said, the sentiments and character of his Britannic majesty gave the king his master room to expect that at his return to London he would disavow the conduct of his admiralty; but seeing that, instead of punishing, he rather encouraged those who had been guilty of such depredations, his most christian majesty would be deemed deficient in what he owed to his own glory, the dignity of his crown, and the defence of his people, if he deferred any longer demanding a signal reparation for the outrage done to the French flag, and the damage sustained by his subjects. He, therefore, demanded immediate and full restitution of all the French ships which, contrary to law and decorum, had been taken by the English navy, together with the officers, soldiers, mariners, guns, stores, and merchandise. He declared, that should this restitution be made, he should be willing to engage in a negotiation for what further satisfaction he might claim, and continue desirous to see the differences relating to America determined by a solid and equitable accommodation; but if, contrary to all hopes, these demands should be rejected, he would consider such a denial of justice as the most authentic declaration of war, and as a formed design in the court of London to disturb the peace of Europe. To this peremptory remonstrance the British secretary was directed

to answer, That though the King of England would readily consent to an equitable and solid accommodation; he would not comply with the demand of immediate and full restitution as a preliminary condition; for his majesty had taken no steps but such as were rendered just and indispensable by the hostilities which the French began in time of profound peace, and a proper regard for his own honour, the rights and possessions of his crown, and the security of his kingdoms.

§ II. Without all doubt the late transactions had afforded specious arguments for both nations to impeach the conduct of each other. The French court, conscious of their encroachments in Nova Scotia, affected to draw a shade over these, as particulars belonging to a disputed territory, and to divert the attention to the banks of the Ohio, where Jamonville and his detachment had been attacked and massacred by the English, without the least provocation. They likewise inveighed against the capture of their ships before any declaration of war, as flagrant acts of piracy; and some neutral powers of Europe seemed to consider them in the same point of view. It was certainly high time to check the insolence of the French by force of arms, and surely this might have been as effectually and expeditiously exerted under the usual sanction of a formal declaration; the omission of which exposed the administration to the censure of our neighbours, and fixed the imputation of fraud and freebooting on the beginning of the war. The ministry was said to have delayed the ceremony of pronouncing war from political considerations, supposing that, should the French be provoked into the first declaration of this kind, the powers of Europe would consider his most christian majesty as the aggressor, and Great Britain would reap all the fruits of the defensive alliances in which she had engaged. But nothing could be more weak and frivolous than such a conjecture. The aggressor is he who first violates the peace: and every ally will interpret the aggression according to his own interest and convenience. The administration maintained the appearance of candour in the midst of their hostilities. The merchant ships, of which a great number had been taken from the French, were not sold and divided among the captors, according to the practice of war; but carefully sequestered with all their cargoes and effects, in order to be restored to their right owners, in case the disputes between the two nations should not be productive of an open rupture. In this particular, however, it was pity that a little common sense had not been blended with their honourable intention. Great part of the cargoes consisted of fish, and other perishable commodities, which were left to rot and putrefy, and afterwards thrown overboard to prevent contagion; so that the owners and captors were equally disappointed, and the value of them lost to both nations.

§ III. The court of Versailles, while they presented remonstrances which they knew would prove ineffectual, and exclaimed against the conduct of Great Britain with all the arts of calumny and exaggeration at every court in Christendom, continued nevertheless to make such preparations as denoted a design to prosecute the war with uncommon vigour. They began to repair and fortify Dunkirk: orders were published, that all British subjects should quit the dominions of France: many English vessels were seized in the different ports of that kingdom, and their crews sent to prison. At the same time an edict was issued, inviting the French subjects to equip privateers, offering a premium of forty livres for every gun, and as much for every man they should take from the enemy; and promising, that, in case a peace should be speedily concluded, the king would purchase the privateers at prime cost. They employed great numbers of artificers and seamen in equipping a formidable squadron of ships at Brest; and assembling a strong body of land forces, as well as a considerable number of transports, threatened the island of Great Britain with a dangerous invasion.

§ IV. The English people were seized with consternation: the ministry were alarmed and perplexed. Colonel Yorke, the British resident at the Hague, was ordered by his majesty to make requisition of the six thousand men whom the States-general are obliged by treaty to furnish, when Great Britain shall be threatened with an invasion; and in February he presented a memorial for this purpose.

Monsieur d'Affry, the French king's minister at the Hague, having received intimation of his demand, produced a counter-memorial from his master, charging the English as the aggressor, and giving the States-general plainly to understand, that, should they grant the succours demanded by Great Britain, he would consider their compliances as an act of hostility against himself. The Dutch, though divided among themselves by faction, were unanimously averse to any measure that might involve them in the approaching war. Their commerce was in a great measure decayed, and their finances were too much exhausted to admit of an immediate augmentation of their forces, which for many other reasons they strove to avoid. They foresaw a great increase of trade in their adhering to a punctual neutrality: they were afraid of the French by land, and jealous of the English by sea; and, perhaps, enjoyed the prospect of seeing these two proud and powerful nations humble and impoverish each other. Certain it is, the States-general protracted their answer to Mr. Yorke's memorial by such affected delays, that the court of London perceived their intention, and, in order to avoid the mortification of a flat denial, the king ordered his resident to acquaint the princess regent, that he would not insist upon this demand. The States, thus freed from their perplexity, at length delivered an answer to Mr. Yorke, in which they expatiated on the difficulties they were laid under, and thanked his Britannic majesty for having freed them by his declaration from that embarrassment into which they were thrown by his first demand and the counter-memorial of the French minister. The real sentiments of those people, however, more plainly appeared in the previous resolution delivered to the States of Holland by the towns of Amsterdam, Dort, Haerlem, Gouda, Rotterdam, and Enckhuysen, declaring flatly that England was uncontrovertibly the aggressor in Europe, by seizing a considerable number of French vessels; that the threatened invasion of Great Britain did not affect the republic's guarantee of the protestant succession, inasmuch as it was only intended to obtain reparation for the injury sustained by the subjects of his most christian majesty; finally, that the succours demanded could be of no advantage to the King of England; as it appeared by the declaration of his most christian majesty, that their granting these succours would immediately lay them under a necessity of demanding, in their turn, assistance from Great Britain. From this way of arguing, the English may perceive what they have to expect in cases of emergency from the friendship of their nearest allies, who must always be furnished with the same excuse, whenever they find it convenient or necessary to their own interest. Such a consideration, joined to other concurring motives, ought to induce the British legislature to withdraw its dependence from all foreign connexions, and provide such a constitutional force within itself, as will be fully sufficient to baffle all the efforts of an external enemy. The apprehensions and distraction of the people at this juncture plainly evinced the expediency of such a national force; but different parties were divided in their opinions about the nature of such a provision. Some of the warmest friends of their country proposed a well regulated militia, as an institution that would effectually answer the purpose of defending a wide extended sea-coast from invasion; while, on the other hand, this proposal was ridiculed and refuted as impracticable or useless by all the retainers to the court, and all the officers of the standing army. In the meantime, as the experiment could not be immediately tried, and the present juncture demanded some instant determination, recourse was had to a foreign remedy.

§ V. Towards the latter end of March, the king sent a written message to parliament, intimating, that he had received repeated advices, from different persons and places, that a design had been formed by the French court to invade Great Britain or Ireland; and the great preparations of forces, ships, artillery, and warlike stores, then notoriously making in the ports of France opposite to the British coasts, together with the language of the French ministers in some foreign courts, left little room to doubt the reality of such a design: that his majesty had augmented his forces both by sea and land, and taken proper measures and precautions for putting his kingdom in a posture of

defence: that, in order further to strengthen himself, he had made a requisition of a body of Hessian troops, pursuant to the late treaty, to be forthwith brought over, and for that purpose ordered transports to be prepared; that he doubted not of being enabled and supported by his parliament in taking such measures as might be conducive to an end so essential to the honour of his crown, the preservation of the protestant religion, and the laws and liberties of these kingdoms. This message was no sooner received, than both Houses voted, composed, and presented, very warm and affectionate addresses, in which his majesty was thanked for the requisition he had made of the Hessian troops; a measure which, at any other time, would have been stigmatized with all the satire and rhetoric of the opposition.

§ VI. Even this precaution was not thought sufficient to secure the island, and quiet the terrors of the people. In a few days Mr. Fox, the new minister, encouraged by the unanimity which had appeared so conspicuous in the motions for the late addresses, ventured to move again, in the House of Commons, that another address should be presented to the king, beseeching his majesty, that for the more effectual defence of this island, and for the better security of the religion and liberties of his subjects, against the threatened attack by a foreign enemy, he would be graciously pleased to order twelve battalions of his electoral troops, together with the usual detachment of artillery, to be forthwith brought into this kingdom. There was a considerable party in the House, to whom such a motion was odious and detestable: but considering the critical situation of affairs, they were afraid that a direct opposition might expose them to a more odious suspicion: they, therefore, moved for the order of the day, and insisted on the question's being put upon that motion; but it was carried in the negative by a considerable majority, which also agreed to the other proposal. The resolution of the House was communicated to the Lords, who unanimously concurred: and their joint address being presented, his majesty assured them he would immediately comply with their request. Accordingly, such expedition was used, that in the course of the next month both Hanoverians and Hessians arrived in England, and encamped in different parts of the kingdom.—As the fears of an invasion subsided in the minds of the people, their antipathy to these foreign auxiliaries emerged. They were beheld with the eyes of jealousy, suspicion, and disdain. They were treated with contempt, reserve, and rigour. The ministry was execrated for having reduced the nation to such a low circumstance of disgrace, as that they should owe their security to German mercenaries. There were not wanting some incendiaries, who circulated hints and insinuations, that the kingdom had been purposely left unprotected; and that the natives of South Britain had been formerly subdued and expelled by a body of Saxon auxiliaries, whom they had hired for their preservation. In a word, the doubts and suspicions of a people naturally blunt and jealous were inflamed to such a degree of animosity, that nothing would have restrained them from violent acts of outrage, but the most orderly, modest, and inoffensive behaviour by which both the Hanoverians and Hessians were distinguished.

§ VII. Under the cloak of an invading armament, which engrossed the attention of the British nation, the French were actually employed in preparations for an expedition, which succeeded according to their wish. In the beginning of the year, advice was received that a French squadron would soon be in a condition to sail from Toulon: this was afterwards confirmed by repeated intelligence, not only from foreign gazettes, but also from English ministers and consuls residing in Spain and Italy. They affirmed that the Toulon squadron consisted of twelve or fifteen ships of the line, with a great number of transports; that they were supplied with provisions for two months only, consequently could not be intended for America; and that strong bodies of troops were on their march from different parts of the French dominions to Dauphiné and Provence in order to be embarked. Notwithstanding these particulars of information, which plainly pointed out Minorca as the object of their expedition; notwithstanding the extensive and important commerce carried on by the subjects of Great Britain in the Mediterranean; no care was taken to



send thither a squadron of ships capable to protect the trade, and frustrate the designs of the enemy. That great province was left to a few inconsiderable ships and frigates, which could serve no other purpose than that of carrying intelligence from port to port, and enriching their commanders, by making prize of merchant vessels. Nay, the ministry seemed to pay little or no regard to the remonstrance of General Blakeney, deputy governor of Minorca, who, in repeated advices, represented the weakness of the garrison which he commanded in St. Philip's castle, the chief fortress on the island. Far from strengthening the garrison with a proper reinforcement, they did not even send thither the officers belonging to it, who were in England upon leave of absence, nor give directions for any vessel to transport them, until the French armament was ready to make a descent upon that island.<sup>a</sup>

§ VIII. At length, the destination of the enemy's fleet being universally known, the ministry seemed to rouse from their lethargy, and, like persons suddenly waking, acted with hurry and precipitation. Instead of detaching a squadron that in all respects should be superior to the French fleet in the Mediterranean, and bestowing the command of it upon an officer of approved courage and activity, they allotted no more than ten ships of the line for this service, vesting the command of them in Admiral Byng, who had never met with any occasion to signalize his courage, and whose character was not very popular in the navy; but Mr. West, the second in command, was a gentleman universally respected for his probity, ability, and resolution. The ten ships destined for this expedition, were but in very indifferent order, poorly manned, and unprovided with either hospital or fire-ship. They sailed from Spithead on the seventh day of April, having on board, as part of their complement, a regiment of soldiers to be landed at Gibraltar, with Major-General Stewart, Lord Effingham, and Colonel Cornwallis, whose regiments were in garrison at Minorca; about forty inferior officers, and near one hundred recruits, as a reinforcement to St. Philip's fortress.

§ IX. After all the intelligence which had been received, one would imagine the government of England was still ignorant of the enemy's force and destination; for the instructions delivered to Admiral Byng imported, that, on his arrival at Gibraltar, he should inquire whether any French squadron had passed through the straits; and that being certified in the affirmative, as it was probably designed for North America, he should immediately detach Rear-Admiral West to Louisbourg, on the island of Cape-Breton, with such a number of ships as, when joined with those at Halifax, would constitute a force superior to the armament of the enemy. On the second day of May, Admiral Byng arrived at Gibraltar, where he found Captain Edgecumbe, with the Princess Louisa ship of war, and a sloop, who informed him that the French armament, commanded by M. de la Galissonniere, consisting of thirteen ships of the line, with a great number of transports, having on board a body of fifteen thousand land forces, had sailed from Toulon on the tenth day of April, and made a descent upon the island of Minorca, from whence he (Captain Edgecumbe) had been obliged to retire at their approach. General Fowke, who commanded at Gibraltar, had received two successive orders from the secretary at war with respect to his sparing a battalion of troops to be transported by Mr. Byng, as a reinforcement to Minorca; but as the two orders appeared inconsistent or equivocal, a council of war was consulted, and the majority were of opinion that no troops should be sent from thence to Minorca, except a detachment to supply the deficiency in the little squadron of Captain Edgecumbe, who

had left a good number of his seamen and marines under the command of Captain Scrope, to assist in the defence of Fort St. Philip's. These articles of intelligence the admiral despatched by an express to the lords of the admiralty, and in his letter made use of some impolitic expressions, which, in all probability, it would have been well for him had he omitted. He said, if he had been so happy as to have arrived at Mahon before the French had landed, he flattered himself he should have been able to prevent their getting a footing on that island. He complained, that there were no magazines in Gibraltar for supplying the squadron with necessities; that the careening wharfs, pits, and storehouses were entirely decayed, so that he should find the greatest difficulty in cleaning the ships that were foul; and this was the case with some of those he carried out from England, as well as with those which had been for some time cruising in the Mediterranean. He signified his opinion, that, even if it should be found practicable, it would be very impolitic to throw any men into St. Philip's castle, which could not be saved without a land force sufficient to raise the siege; therefore, a small reinforcement would only add so many men to the number which must fall into the hands of the enemy. He observed, that such engineers and artillery-men in Gibraltar, as had been at Minorca, were of opinion, that it would be impossible to throw any number of men into St. Philip's if the French had erected batteries on the two shores near the entrance of the harbour, so as to bar all passage up to the Sally-port of the fortress; and with this opinion he signified the concurrence of his own sentiments. The first part of this letter was downright impeachment of the ministry, for having delayed the expedition, for having sent out ships unfit for service, and for having neglected the magazines and wharfs at Gibraltar. In the latter part he seemed to prepare them for the subsequent account of his misconduct and miscarriage. It cannot be supposed that they underwent this accusation without apprehension and resentment; and as they foresaw the loss of Minorca, which would not fail to excite a national clamour, perhaps they now began to take measures for gratifying their resentment, and transferring the blame from themselves to the person who had presumed to hint a disapprobation of their conduct; for this purpose they could not have found a fairer opportunity than Mr. Byng's subsequent behaviour afforded.

§ X. The admiral being strengthened by Mr. Edgecumbe, and reinforced by a detachment from the garrison, set sail from Gibraltar on the eighth day of May, and was joined off Majorca by his majesty's ship the *Phoenix*, under the command of Captain Hervey, who confirmed the intelligence he had already received, touching the strength and destination of the French squadron. When he approached Minorca, he descried the British colours still flying at the castle of St. Philip's, and several bomb batteries playing upon it from different quarters where the French banners were displayed. Thus informed, he detached three ships a-head, with Captain Hervey, to reconnoitre the harbour's mouth, and land, if possible, a letter for General Blakeney, giving him to understand the fleet was come to his assistance. Before this attempt could be made, the French fleet appearing to the south-east, and the wind blowing strong off shore, he recalled his ships, and formed the line of battle. About six o'clock in the evening, the enemy, to the number of seventeen ships, thirteen of which appeared to be very large, advanced in order: but about seven tacked, with a view to gain the weather-gage. Mr. Byng, in order to preserve that advantage, as well as to make sure of the land-wind in the morning, followed their example, being then about five leagues from Cape Mola.

<sup>a</sup> It is with pleasure we seize this opportunity of recording an instance of gallantry and patriotism in a British officer, who would have done himself the character of a Roman tribune. Captain Cunningham, an accomplished young gentleman, who acted as engineer on board at Minorca, being promoted to a majority at home, and ready to join his regiment by an express order, had remained with his family to Nice, in Italy, where he waited for the opportunity of a ship bound for England, when he received certain intelligence that the French armament was destined for the place he had quitted. He, who, when he tenderly loved, was just delivered, and found his children were dangerously ill of the small-pox. He resolutely left the chief concern of Minorca was trifling, and indeed justified by the gait, and that many things were wanting for the defence of the fortress. His zeal for the honour and service of his country immediately triumphed over the calls of tenderness and of nature. He expended a considerable sum of money in purchasing timber for the platforms, and other necessary

ries for the garrison; hired a ship for transporting them thither; and tearing himself from his wife and children, thus left among strangers in a foreign country, embarked again for Minorca, where he knew he should be, in a peculiar manner, exposed to all the dangers of a furious siege. In the course of this desperate service he acquitted himself with that vigilance, self, and active courage, which he has on other former occasions displayed, until the assault was given to the queen's bastion; when mixing with the enemy, sword in hand, he was, killed in his right arm by the shot of a musket and the thrust of a bayonet. His behaviour was so acceptable to his sovereign, that when he returned to England he was promoted to the rank of colonel in the guards. He afterwards acted as chief engineer in the attempts and descents which were made on the French coast. Though grievously maimed, he accepted of the same office in the expedition to Guadeloupe, where he died universally regretted.

At day-light the enemy could not be descried ; but two tartanes appearing close to the rear of the English squadron, they were immediately chased by signal. One escaped, and the other being taken, was found to have on board two French captains, two lieutenants, and about one hundred private soldiers, part of six hundred who had been sent out in tartanes the preceding day, to reinforce the enemy's squadron. This soon re-appearing, the line of battle was formed on each side, and about two o'clock Admiral Byng threw out a signal to bear away two points from the wind and engage. At this time his distance from the enemy was so great, that Rear-Admiral West, perceiving it impossible to comply with both orders, bore away with his division seven points from the wind, and closing down upon the enemy, attacked them with such impetuosity, that the ships which opposed him were in a little time driven out of the line. Had he been properly sustained by the van, in all probability the British fleet would have obtained a complete victory ; but the other division did not bear down, and the enemy's centre keeping that station, Rear-Admiral West could not pursue his advantage without running the risk of seeing his communication with the rest of the line entirely cut off. In the beginning of the action, the *Intrepid*, in Mr. Byng's division, was so disabled in her rigging, that she could not be managed, and drove on the ship that was next in position ; a circumstance which obliged several others to throw all a-back, in order to avoid confusion, and for some time retarded the action. Certain it is, that Mr. Byng, though accommodated with a noble ship of ninety guns, made little or no use of his artillery, but kept aloof, either from an overstrained observance of discipline, or timidity. When his captain exhorted him to bear down upon the enemy, he very coolly replied, that he would avoid the error of Admiral Matthews, who, in his engagement with the French and Spanish squadrons off Toulon, during the preceding war, had broke the line by his own precipitation, and exposed himself singly to a fire that he could not sustain. Mr. Byng, on the contrary, was determined against acting, except with the line entire ; and, on pretence of rectifying this disorder, which had happened among some of the ships, hesitated so long, and kept at such a wary distance, that he never was properly engaged, though he received some few shots in his hull. *M. de la Galissonniere* seemed equally averse to the continuance of the battle ; part of his squadron had been fairly obliged to quit the line ; and though he was rather superior to the English in number of men and weight of metal, he did not choose to abide the consequence of a closer fight with an enemy so expert in naval operation : he, therefore, took advantage of Mr. Byng's hesitation, and edged away with an easy sail to join his van, which had been discomfited. The English admiral gave chase ; but the French ships being clean, he could not come up and close them again ; so they retired at their leisure. Then he put his squadron on the other tack, in order to keep the wind of the enemy ; and next morning they were altogether out of sight.

§ XI. While he lay-to with the rest of his fleet, at the distance of ten leagues from Mahon, he detached cruisers to look for some missing ships, which joined him accordingly, and made an inquiry into the condition of the squadron. The number of killed amounted to forty-two, including Captain Andrews, of the *Defiance* ; and about one hundred and sixty-eight were wounded. Three of the capital ships were so damaged in their masts, that they could not keep the sea, with any regard to their safety ; a great number of the seamen were ill, and there was no vessel which could be converted into an hospital for the sick and wounded. In this situation Mr. Byng called a council of war, at which the land officers were present. He represented to them, that he was much inferior to the enemy in weight of metal and number of men ; that they had the advantage of sending their wounded to Minorca, from whence at the same time they were refreshed and reinforced occasionally ; that in his opinion, it was impracticable to relieve St. Philip's fort, and, therefore, they ought to make the best of their way back to Gibraltar, which might require immediate protection. They unanimously concurred with his sentiments, and thither he di-

rected his course accordingly. How he came to be so well acquainted with the impracticability of relieving General Blakeney, it is not easy to determine, as no experiment was made for that purpose. Indeed, the neglect of such a trial seems to have been the least excusable part of his conduct : for it afterwards appeared, that the officers and soldiers belonging to the garrison might have been landed at the Sally-port, without running any great risk ; and a gentleman, then in the fort, actually passed and re-passed in a boat, unhurt by any of the enemy's batteries.

§ XII. Mr. Byng's letter to the admiralty, containing a detail of the action, is said to have arrived some days before it was made public ; and when it appeared, was curtailed of divers expressions, and whole paragraphs, which either tended to his own justification, or implied a censure on the conduct of his superiors. Whatever use might have been made of his letter while it remained a secret to the public, we shall not pretend to explain : but sure it is, that on the sixteenth day of June, Sir Edward Hawke and Admiral Saunders sailed from Spithead to Gibraltar, to supersede the admirals Byng and West, in their commands of the Mediterranean squadron ; and Mr. Byng's letter was not published till the twenty-sixth day of the same month, when it produced all the effect which that gentleman's bitterest enemies could have desired. The populace took fire like a train of the most hasty combustibles, and broke out into such a clamour of rage and indignation against the devoted admiral, as could not have been exceeded if he had lost the whole navy of England, and left the coasts of the kingdom naked to invasion. This animosity was carefully fomented and maintained by artful emissaries, who mingled with all public assemblies, from the drawing-room at St. James's to the mob at Charing-cross. They expatiated upon the insolence, the folly, the cowardice, and misconduct, of the unhappy admiral. They even presumed to make their sovereign in some measure an instrument of their calumny, by suggesting, that his majesty had prognosticated Byng's misbehaviour from the contents of his first letter, dated at Gibraltar. They ridiculed and refuted the reasons he had given for returning to that fortress, after his scandalous rencounter with the French squadron ; and, in order to exasperate them to the most implacable resentment, they exaggerated the terrible consequences of losing Minorca, which must now be subdued through his treachery or want of resolution. In a word, he was devoted as the scape-goat of the ministry, to whose supine negligence, ignorance, and misconduct, the loss of that important fortress was undoubtedly owing. Byng's miscarriage was thrown out like a barrel to the whale, in order to engage the attention of the people, that it might not be attracted by the real cause of the national misfortune. In order to keep up the flame which had been kindled against the admiral, recourse was had to the lowest artifices. Agents were employed to vilify his person in all public places of vulgar resort ; and mobs were hired at different parts of the capital, to hang and burn him in effigy.

§ XIII. The two officers who succeeded to the command in the Mediterranean, were accompanied by Lord Travley, whom his majesty had appointed to supersede General Fowke in the government of Gibraltar, that gentleman having incurred the displeasure of the ministry, for not having understood an order which was unintelligible. By the same conveyance, a letter from the secretary to the admiralty was transmitted to Mr. Byng, giving him notice that he was recalled. To this intimation he replied in such a manner as denoted a consciousness of having done his duty, and a laudable desire to vindicate his own conduct. His answer contained a further account of the engagement in which he was supposed to have misbehaved, intermixed with some puerile calculations of the enemy's superiority in weight of metal, which served no other purpose than that of exposing his character still more to ridicule and abuse ; and he was again so impolitic as to hazard certain expressions, which added fresh fuel to the resentment of his enemies. Directions were immediately despatched to Sir Edward Hawke, that Byng should be sent home in arrest ; and an order to the same purport was lodged at every port in the kingdom : precautions, which, however unnecessary to secure the person of a man who longed ardently to justify his character by a

public trial, were yet productive of considerable effect in augmenting the popular odium. Admiral Byng immediately embarked in the ship which had carried out his successor, and was accompanied by Mr. West, General Fowke, and several other officers of that garrison, who were also recalled, in consequence of having subscribed to the result of the council of war, which we have mentioned above. When they arrived in England, Mr. West met with such a gracious reception from his majesty as was thought due to his extraordinary merit; but Mr. Byng was committed close prisoner in an apartment of Greenwich hospital.

§ XIV. In the meantime, the siege of St. Philip's fort in Minorca was prosecuted with unremitting vigour. The armament of Toulon, consisting of the fleet commanded by M. de la Galissonniere, and the troops under the Duke de Richelieu, arrived on the eighteenth day of April at the port of Ciudadella, and that part of the island opposite to Mahon, or St. Philip's, and immediately began to disembark their forces. Two days before they reached the island, General Blakeney had, by a packet-boat, received certain intelligence of their approach, and began to make preparations for the defence of the castle. The fort which he commanded was very extensive, surrounded with numerous redoubts, ravelins, and other outworks; and provided with subterranean galleries, mines, and traverses, cut out of the solid rock with incredible labour. Upon the whole, this was one of the best fortified places in Europe, well supplied with artillery, ammunition, and provision; and, without all doubt, might have sustained the most desperate siege, had it been defended by a numerous garrison, conducted by able engineers, under the eye and auspices of an active and skilful commander. All these advantages, however, did not occur on this occasion. The number of troops in Minorca did not exceed four regiments, whereas the nature of the works required at least double the number; and, even of these, above forty officers were absent. The chief engineer was rendered lame by the gout, and the general himself oppressed with the infirmities of old age. The natives of the island might have been serviceable as pioneers, or day labourers, but, from their hatred to the protestant religion, they were generally averse to the English government, although they had lived happily and grown wealthy under its influence.

§ XV. The governor ordered his officers to beat up for volunteers in the adjacent town of St. Philip's; but few or none would enlist under his banners, and it seems he would not venture to compel them into the service. He recalled all his advanced parties; and, in particular, a company posted at Fornelles, where a small redoubt had been raised, and five companies at Ciudadella, a post fortified with two pieces of cannon, which were now withdrawn as soon as the enemy began to disembark their forces. At the same time Major Cunningham was detached with a party to break down the bridges, and break up the roads between that place and St. Philip's; but the task of destroying the roads could not be performed in such a hurry, on account of the hard rock which runs along the surface of the ground through this whole island; nor was there time to demolish the town of St. Philip's, which stood so near the fort, that the enemy could not fail to take advantage of its neighbourhood. The streets served them for trenches, which otherwise could not have been dug through the solid rock. Here they made a lodgment close to the works; here they found convenient barracks and quarters of refreshment, masks for their batteries, and an effectual cover for their mortars and bombardiers. The general has been blamed for leaving the town standing; but if we consider his uncertainty concerning the destination of the French armament, the odious nature of such a precaution, which could not fail to exasperate the inhabitants, and the impossibility of executing such a scheme after the first appearance of the enemy, he will be found excusable, if not altogether blameless. Some houses and windmills were actually demolished, so as to clear the esplanade and the approaches. All the wine in the cellars of St. Philip's town was destroyed, and the butts were carried into the castle, where they might serve for gabions and traverses. Five-and-twenty Minorquin bakers were hired, and a large number of cattle brought

into the fort, for the benefit of the garrison. The ports were walled up, the posts assigned, the sentinels placed, and all the different guards appointed. Commodore Edgecombe, who then anchored in the harbour of Mahon, close under the walls of the castle, sailed away with his little squadron, consisting of the Chesterfield, Princess Louisa, Portland, and Dolphin, after having left all his marines, a detachment from Gibraltar, the whole crew of the Porcupine sloop, and the greater part of the Dolphin's, as a reinforcement to the fort, under the immediate direction and command of Captain Scroop, of the Dolphin, who, with great gallantry, offered himself for this severe duty, and bravely signaled himself during the whole siege. The French admiral might certainly have blocked up this harbour in such a manner, as would have prevented the escape of these ships, and divers other rich merchant vessels, which happened then to be at Mahon; but, in all probability, they purposely allowed them to abandon the place, which, on any emergency or assault, their crews and officers would have considerably reinforced. The enemy were perfectly acquainted with the great extent of the works, and the weakness of the garrison, from which circumstance they derived the most sanguine hopes that the place might be suddenly taken, without the trouble of a regular siege. After Mr. Edgecombe had sailed for Gibraltar, and General Blakeney had ordered a sloop to be sunk in the channel that leads to the harbour, the French squadron made its appearance at this part of the island; but, without having attempted any thing against the fort, fell to leeward of Cape Mola. Next day they came in sight again, but soon bore away, and never afterwards, during the whole course of the siege, approached so near as to give the garrison the least disturbance.

§ XVI. On the twenty-second day of April, the governor sent a drummer to the French general with a letter, desiring to know his reasons for invading the island. To this an answer was returned by the Duke de Richelieu, declaring he was come with intention to reduce the island under the dominion of his most christian majesty, by way of retaliation for the conduct of his master, who had seized and detained the ships belonging to the King of France and his subjects. If we may judge from the first operations of this nobleman, he was but indifferently provided with engineers: for, instead of beginning his approaches on the side of St. Philip's town, close by the outworks, where he might have been screened from the fire of the garrison, his batteries were erected at Cape Mola, on the other side of the harbour, where they were more exposed, their fire much less effectual, and indeed at too great a distance to be of any service. The fire of St. Philip's was so severe, and the cannon so well served on this quarter, that in a little time the enemy thought proper to change their plan of attack, and advance on the side of St. Philip's town, which ought to have been the first object of their consideration, especially as they could find little or no earth to fill their gabions, and open their trenches in the usual form. On the twelfth of May, about nine at night, they opened two bomb batteries near the place where the windmills had been destroyed; and from that period an incessant fire was kept up on both sides, from mortars and cannon, the French continuing to raise new batteries in every situation from whence they could annoy the besieged.

§ XVII. On the seventeenth day of the month, the garrison were transported with joy at sight of the British squadron, commanded by Admiral Byng; and Mr. Boyd, commissary of the stores, ventured to embark in a small boat, with six oars, which passed from St. Stephen's cove, a creek on the west side of the fortification, through a shower of cannon and musketry from the enemy's post on the other side, and actually reached the open sea, his design being to join the squadron; but this being at a great distance, stretching away to the southward, and Mr. Boyd perceiving himself chased by two of the enemy's light vessels, he returned by the same route to the garrison, without having sustained the least damage. A circumstance which plainly confutes the notion of Mr. Byng, that it was impracticable to open a communication with the garrison of St. Philip's. Next day the hopes of the besieged, which had prognosticated a naval victory to the



British squadron, a speedy relief to themselves, and no less than captivity to the assailants, were considerably damped by the appearance of the French fleet, which quietly returned to their station off the harbour of Mahon. That same evening they were told by a deserter that the English fleet had been worsted in an engagement by M. de la Galissonniere; and this information was soon confirmed by a general discharge, or *feu de joie*, through the whole French camp, to celebrate the victory they pretended to have obtained. How little soever they had reason to boast of any advantage in the action, the retreat of the English squadron was undoubtedly equivalent to a victory; for had Mr. Byng acquired and maintained the superiority at sea, the French forces, which had been disembarked in Minorca, would, in all probability, have been obliged to surrender prisoners of war to his Britannic majesty. The case was now much altered in their favour: their squadron cruised about the island without molestation; and they daily received, by means of their transports, reinforcements of men and ammunition, as well as constant supplies of provisions.

§ XVII. The English garrison, however mortified at finding themselves thus abandoned, resolved to acquit themselves with gallantry in the defence of the place, not without some remaining hope that the English squadron would be reinforced, and return to their relief. In the meantime, they sustained and retorted the enemy's fire with undaunted resolution. They remounted cannon, the carriages of which had been disabled; they removed them occasionally to places from whence it was judged they could do the greatest execution: they repaired breaches, restored merons, and laboured with surprising alacrity, even when they were surrounded by the numerous batteries of the foe; when their embrasures, and even the parapets, were demolished, and they stood exposed not only to the cannon and mortars, but also to the musketry, which fired upon them, without ceasing, from the windows of the houses in the town of St. Philip. By this time they were invested with an army of twenty thousand men, and plied incessantly from sixty-two battering cannon, twenty-one mortars, and four howitzers, besides the small arms: nevertheless, the loss of men within the fortress was very inconsiderable, the garrison being mostly secured in the subterranean works, which were impetrable to shells or shot. By the twenty-seventh day of June they had made a practicable breach in one of the ravelins, and damaged the other outworks to such a degree, that they determined this night to give a general assault. Accordingly, between the hours of ten and eleven, they advanced to the attack from all quarters on the land side. At the same time a strong detachment, in armed boats, attempted to force the harbour, and penetrated into the creek, called St. Stephen's Cove, to storm Fort Charles, and second the attack upon Fort Marlborough, on the farther side of the creek, the most detached of all the outworks. The enemy advanced with great intrepidity, and their commander, the Duke de Richelieu, is said to have led them up to the works in person. Such an assault could not but be attended with great slaughter; they were mowed down as they approached, with grape shot and musketry; and several mines were sprung with great effect, so that the glacis was almost covered with the dying and the dead. Nevertheless, they persevered with uncommon resolution; and though repulsed on every other side, at length made a lodgement in the Queen's Redoubt, which had been greatly damaged by their cannon. Whether their success in this quarter was owing to the weakness of the place, or the timidity of the defender, certain it is, the enemy were in possession before it was known to the officers of the garrison: for Lieutenant-Colonel Jeffries, the second in command, who had acquitted himself since the beginning of the siege with equal courage, skill, and activity, in his visitation of this post, was suddenly surrounded and taken by a file of French grenadiers, at a time when he never dreamed they had made a lodgement. Major Cunningham, who accompanied him, met with a severer fate, though he escaped captivity: he was run through the arm with a bayonet, and the piece being discharged at the same time, shattered the bones of his hand in such a manner, that he was maimed for life. In this shocking condition he retired behind a traverse, and

was carried home to his quarters. Thus the governor was deprived of his two principal assistants, one being taken, and the other disabled.

§ XIX. The enemy having made themselves masters of Anstruther's and the Queen's Redoubts, from which perhaps they might have been dislodged, had a vigorous effort been made for that purpose, before they had leisure to secure themselves, the Duke de Richelieu ordered a parley to be beat, in order to obtain permission to bury the dead, and remove the wounded. This request was granted with more humanity than discretion, inasmuch as the enemy took this opportunity to throw a reinforcement of men privately into the places where the lodgements had been made, and these penetrated into the gallery of the mines which communicated with all the other outworks. During this short cessation, General Blakeney summoned a council of war to deliberate upon the state of the fort and garrison; and the majority declared for a capitulation. The works were in many places ruined; the body of the castle was shattered; many guns were dismounted, the embrasures and parapets demolished, the pallisades broke in pieces, the garrison exhausted with hard duty and incessant watching, and the enemy in possession of the subterranean communications. Besides, the governor had received information from prisoners, that the Duke de Richelieu was alarmed by a report that the Marshal Duke de Belleisle would be sent to supersede him in the command, and for that reason would hazard another desperate assault, which it was the opinion of the majority the garrison could not sustain. These considerations, added to the despair of being relieved, induced him to demand a capitulation. But this measure was not taken with the unanimous consent of the council. Some officers observed, that the garrison was very little diminished, and still in good spirits: that no breach was made in the body of the castle, nor a single cannon erected to batter in breach: that the loss of an outwork was never deemed a sufficient reason for surrendering such a fortress: that the counterscarp was not yet taken, nor, on account of the rocky soil, could be taken, except by assault, which would cost the enemy a greater number than they had lost in their late attempt: that they could not attack the ditch, or batter in breach before the counterscarp should be taken, and even then they must have recourse to galleries before they could pass the fossé, which was furnished with mines and countermines: finally, they suggested, that in all probability the British squadron would be reinforced, and sail back to their relief; or, if it should not return, it was the duty of the governor to defend the place to extremity, without having any regard to the consequences. These remarks being overruled, the chamade was beat, a conference ensued, and very honourable conditions were granted to the garrison, in consideration of the gallant defence they had made. This, it must be owned, was vigorous while it lasted, as the French general was said to have lost five thousand men in the siege; whereas the loss of the garrison, which at first fell short of three thousand men, did not exceed one hundred. The capitulation imported, that the garrison should march out with all the honours of war, and be conveyed by sea to Gibraltar. The French were put in possession of one gate, as well as Fort Charles and Marlborough redoubt; but the English troops remained in the other works till the seventh day of July, when they embarked. In the meantime reciprocal civilities passed between the commanders and officers of both nations.

§ XX. The articles of capitulation were no sooner executed, than Monsieur de la Galissonniere sailed back to Toulon with all the prizes which had laid at anchor in the harbour of Mahon, since the fort of St. Philip was first invested. In all probability, the safety of himself and his whole squadron was owing to this expeditious retreat; for, in a few days after the surrender of the fort, Sir Edward Hawke's fleet, augmented by five ships of the line, which had been sent from England, when the first tidings arrived of Minorca's being invaded, now made its appearance off the island; but by this time Galissonniere was retired, and the English admiral had the mortification to see the French colours flying upon St. Philip's castle. What, perhaps, chagrined this gallant officer still more, he was not provided with frigates, sloops, and small craft to cruise round

the island, and intercept the supplies which were daily sent to the enemy. Had he reached Minorca sooner, he might have discomfited the French squadron; but he could not have raised the siege of St. Philip's, because the Duke de Richelieu had received his reinforcements, and such a train of artillery as no fortification could long withstand. Indeed, if the garrison had been considerably reinforced, and the communication with it opened by sea, the defence would have been protracted, and so many vigorous sallies might have been made, that their assailants would have had cause to repent of their enterprise.

§ XXI. When the news of this conquest was brought to Versailles, by the Count of Egmont, whom the Duke de Richelieu had despatched for that purpose, the people of France were transported with the most extravagant joy. Nothing was seen but triumphs and processions: nothing heard but anthems, congratulations, and hyperbolic encomiums upon the conqueror of Minorca, who was celebrated in a thousand poems and studied orations; while the conduct of the English was vilified and ridiculed in ballads, farces, and pasquinades. Nothing more argues the degeneracy of a warlike nation than the pride of such mean triumph, for an advantage, which, in more vigorous times, would scarce have been distinguished by the ceremony of a *Te Deum laudamus*. Nor is this childish exultation, that disgraces the laurels of victory, confined to the kingdom of France. Truth obliges us to own, that even the subjects of Great Britain are apt to be elevated by success into an illiberal insolence of self-applause and contemptuous comparison. This must be condemned, as a proof of unmanly arrogance and absurd self-conceit, by all those who coolly reflect, that the events of war generally, if not always, depend upon the genius or misconduct of one individual. The loss of Minorca was severely felt in England, as a national disgrace; but, instead of producing dejection and despondence, it excited a universal clamour of rage and resentment, not only against Mr. Byng, who had retreated from the French squadron; but also in reproach of the administration, which was taxed with having neglected the security of Minorca. Nay, some politicians were inflamed into a suspicion, that this important place had been negatively betrayed into the hands of the enemy, that, in case the arms of Great Britain should prosper in other parts of the world, the French king might have some sort of equivalent to restore for the conquests which should be abandoned at the peace. This notion, however, seems to have been conceived from prejudice and party, which now began to appear with the most acrimonious aspect, not only throughout the united kingdoms in general, but even in the sovereign's councils.

§ XXII. Sir Edward Hawke, being disappointed in his hope of encountering La Galissonniere, and relieving the English garrison of St. Philip's, at least asserted the empire of Great Britain in the Mediterranean, by annoying the commerce of the enemy, and blocking up the squadron in the harbour of Toulon. Understanding that the Austrian government at Leghorn had detained an English privateer, and imprisoned the captain, on pretence that he had violated the neutrality of the port, he detached two ships of war, to insist, in a peremptory manner, on the release of the ship, effects, crew, and captain; and they thought proper to comply with his demand, even without waiting for orders from the court of Vienna. The person in whose behalf the admiral thus interposed, was one Fortunatus Wright, a native of Liverpool; who, though a stranger to a sea-life, had, in the last war, equipped a privateer, and distinguished himself in a such a manner, by his uncommon vigilance and valour, that, if he had been indulged with a command suitable to his genius, he would have deserved as honourable a place in the annals of the navy, as that which the French have bestowed upon their boasted Guai Trouin, Du Bart, and Thurot. An uncommon exertion of spirit was the occasion of his being detained at this juncture. While he lay at anchor in the harbour of Leghorn, commander of the St. George privateer of Liverpool, a small ship of twelve guns and eighty men, a large French xebecque, mounted with sixteen cannon, and nearly three times the number of his complement, chose for station in view of the harbour, in order

to interrupt the British commerce. The gallant Wright could not endure this insult: notwithstanding the enemy's superiority in metal and number of men, he weighed anchor, hoisted his sails, engaged him within sight of the shore, and after a very obstinate dispute, in which the captain, lieutenant, and above threescore of the men belonging to the xebecque were killed on the spot, he obliged them to sheer off, and returned to the harbour in triumph. This brave corsair would, no doubt, have signalized himself by many other exploits, had he not, in the sequel, been overtaken in the midst of his career by a dreadful storm, in which the ship foundering, he and all his crew perished.

§ XXIII. Sir Edward Hawke, having scoured the Mediterranean, and insulted the enemy's ports, returned with the homeward-bound trade to Gibraltar; from whence, about the latter end of the year, he set sail for England with part of his squadron, leaving the rest in that bay, for the protection of our commerce, which, in those parts, soon began to suffer extremely from French privateers, that now swarmed in the Mediterranean. General Blakeney had arrived with the garrison of Minorca, at Portsmouth, in the month of November, and been received with expressions of tumultuous joy: every place through which he passed celebrated his return with bonfires, illuminations, bell-ringing, and acclamations; every mouth was opened in his praise, extolling him for the gallant defence he had made in the castle of St. Philip. In a word, the people's veneration for Blakeney increased in proportion to their abhorrence of Byng: the first was lifted into an idol of admiration, while the other sunk into an object of reproach; and they were viewed at different ends of a false perspective, through the medium of prejudice and passion; of a perspective artfully contrived, and applied by certain ministers for the purposes of self-interest and deceit. The sovereign is said to have been influenced by the prepossession of the s—t. Mr. Blakeney met with a gracious reception from his majesty, who raised him to the rank of an Irish baron, in consideration of his faithful services, while some malcontents murmured at this mark of favour, as an unreasonable sacrifice to popular misapprehension.

§ XXIV. In the beginning of the year, the measures taken by the government in England seem to have been chiefly dictated by the dread of an invasion, from which the ministers did not think themselves secured by the guard ships and cruisers on different parts of the coast, or the standing army of the kingdom, though reinforced by the two bodies of German auxiliaries. A considerable number of new troops was levied; the success in recruiting was not only promoted by the landholders throughout the kingdom, who thought their estates were at stake, and for that reason encouraged their dependants to engage in the service; but also in a great measure owing to a dearth of corn, which reduced the lower class of labourers to such distress, that some insurrections were raised, and many enlisted with a view to obtain a livelihood, which otherwise they could not earn. New ships of war were built, and daily put in commission; but it was found impracticable to man them, without having recourse to the odious and illegal practice of impressing sailors, which must always be a reproach to every free people. Notwithstanding large bounties, granted by the government to volunteers, it was found necessary to lay an embargo upon all shipping, and impress all the seamen that could be found, without any regard to former protections: so that all the merchant ships were stripped of their hands, and foreign commerce for some time wholly suspended. Nay, the expedient of compelling men into the service was carried to an unusual degree of oppression; for rewards were publicly offered to those who should discover where any seamen lay concealed: so that those unhappy people were in some respects treated like felons, dragged from their families and connexions to confinement, mutilation, and death, and totally cut off from the enjoyment of that liberty, which, perhaps, at the expense of their lives, their own arms had helped to preserve, in favour of their ungrateful country.<sup>b</sup>

§ XXV. About eighty ships of the line and threescore London, and others, formed themselves into a very laudable association,

<sup>b</sup> At this juncture, a number of public-spirited merchants of the city of

frigates were already equipped, and considerable bodies of land forces assembled, when, on the third day of February, a proclamation was issued, requiring all officers, civil and military, upon the first appearance of any hostile attempt to land upon the coasts of the kingdom, immediately to cause all horses, oxen, or cattle, which might be fit for draught or burden, and not actually employed in the king's service, or in the defence of the country, and also (so far as might be practicable) all other cattle and provisions, to be driven and removed twenty miles at least from the place where such hostile attempt should be made, and to secure the same, so as that they might not fall into the hands or power of those who should make such attempt: regard being had, however, that the respective owners should suffer as little damage as might be consistent with the public safety.

§ XXVI. As the ministry were determined to make their chief efforts against the enemy in North America, where the first hostilities had been committed, and where the strongest impression could be made, a detachment of two regiments was sent thither, under the conduct of General Abercrombie, appointed as successor to General Shirley, whom they had recalled, as a person no ways qualified to conduct military operations: nor, indeed, could any success in war be expected from a man who had not been trained to arms, nor ever acted but in a civil capacity. But the command-in-chief of all the forces in America was conferred upon the Earl of Loudoun, a nobleman of an amiable character, who had already distinguished himself in the service of his country. Over and above this command, he was now appointed governor of Virginia, and colonel of a royal American regiment, consisting of four battalions, to be raised in that country, and disciplined by officers of experience, invited from foreign service. Mr. Abercrombie set sail for America in March; but the Earl of Loudoun, who directed in chief the plan of operations, and was vested with power and authority little inferior to those of a viceroy, did not embark till the latter end of May.

§ XXVII. All these previous measures being taken, his majesty, in the course of the same month, thought proper to publish a declaration of war against the French king, importing, that, since the treaty of Aix-la-Chapelle, the usurpations and encroachments made upon the British territories in America had been notorious: that his Britannic majesty had, in divers serious representations to the court of Versailles, complained of these repeated acts of violence, and demanded satisfaction; but notwithstanding the repeated assurances given by the French king, that every thing should be settled agreeably to the treaties subsisting between the two crowns, and particularly that the evacuation of the four neutral islands in the West Indies should be effected, the execution of these assurances, and of the treaties on which they were founded, had been evaded under the most frivolous pretences: that the unjustifiable practices of the French governors, and officers acting under their authority, were still continued, until they broke out in open acts of hostility in the year one thousand seven hundred and fifty-four; when, in time of profound peace, without any declaration of war, without any previous notice given, or application made, a body of French troops, commanded by an officer bearing the French king's commission, attacked in a hostile manner,

and took possession of an English fort on the river Ohio, in North America: that great naval armaments were prepared in the ports of France, and a considerable body of French troops embarked for that country: that although the French ambassador was sent back to England with specious professions of a desire to accommodate those differences, it appeared their real design was only to amuse and gain time for the passage of these supplies and reinforcements, which they hoped would secure the superiority of the French forces in America, and enable them to carry their ambitious and oppressive projects into execution: that in consequence of the just and necessary measures taken by the King of Great Britain for preventing the success of such a dangerous design, the French ambassador was immediately recalled from England, the fortifications of Dunkirk were enlarged, great bodies of troops marched down to the sea-coasts of France, and the British dominions threatened with an invasion: that though the King of England, in order to frustrate such intentions, had given orders for seizing at sea the ships of the French king and his subjects, yet he had hitherto contented himself with detaining those ships which had been taken, and preserving their cargoes entire, without proceeding to confiscation; but it being at last evident, from the hostile invasion of Minorca, that the court of Versailles was determined to reject all proposals of accommodation, and carry on the war with the utmost violence, his Britannic majesty could no longer, consistently with the honour of his crown, and the welfare of his subjects, remain within those bounds, which from a desire of peace he had hitherto observed. A denunciation of war followed in the usual form, and was concluded with an assurance, that all the French subjects residing in Great Britain and Ireland, who should demean themselves dutifully to the government, might depend upon its protection, and be safe in their persons and effects.

§ XXVIII. In the beginning of June the French king declared war in his turn against his Britannic majesty, and his declaration was couched in terms of uncommon asperity. He artfully threw a shade over the beginning of hostilities in North America, referring to a memorial which had been delivered to the several courts of Europe, containing a summary of those facts which related to the present war, and the negotiations by which it had been preceded. He insisted on the attack made by the King of England, in the year one thousand seven hundred and fifty-four, on the French possessions in North America; and afterwards by the English navy on the navigation and commerce of the French subjects, in contempt of the law of nations, and direct violation of treaties. He complained that the French soldiers and sailors underwent the harshest treatment in the British isles, exceeding those bounds which are prescribed to the most rigorous rights of war, by the law of nature, and common humanity. He affirmed, that while the English ministry, under the appearance of sincerity, imposed upon the French ambassador with false protestations, others diametrically opposite to these deceitful assurances of a speedy accommodation were actually carrying into execution in North America: that while the court of London employed every caballing art, and squandered away the subsidies of England, to instigate other powers against France, his most christian majesty did not even ask of these powers the succours which guarantee

under the name of the marine society, and contributed considerable sums of money for equipping such orphans, friendless, and forlorn boys, as were willing to engage in the service of the navy. In consequence of this excellent plan, which was executed with equal zeal and discretion, many thousands were rescued from misery, and rendered use to members of that society, of which they must have been the bane and reproach, without this humane interposition.

When the French ambassador returned to London, he proposed that orders should be immediately despatched to the English governors in America, with express orders to desist from any new undertaking, and all acts of hostility; but with regard to the lands on the Ohio, to put, without delay, matters on the same footing in which they stood before the late war, that the respective claims of both nations might be referred to the commissioners at Paris. The British court agreed to the cessation of hostilities, and the discussion of the disputes by the ministers of the two crowns, on condition that all the possessions in America should be previously put in the situation prescribed by the treaty of Utrecht, confirmed by that of Aix-la-Chapelle. The French ministry, instead of complying with this condition, produced an evasive draft of a preliminary convention, in which was answered by a counter-proposal. At length the ambassador of France demanded, as preliminary conditions, that Great Britain would renounce all claim to the south coast of the river St. Lawrence, and the lakes that discharge themselves into that river: cede to the French twenty leagues of country lying along the river of Fundy, which divides Acadia,

or Nova Scotia, and all the land between the rivers Ohio and Oudabache. A memorial was afterwards presented on the same subject, including the claim of the neutral islands in the West Indies; but this was amply refuted in another piece, in which the British ministry observed, that even at this very opening of the commission established at Paris, for terminating amicably the disputes in North America, the French invaded Nova Scotia, erected three forts in the heart of that province, and would have destroyed the English settlement at Halifax, had they not been prevented; that the like hostilities were committed upon his Britannic majesty's subjects on the Ohio and Indian lakes, where the governors appointed by the French king, without any shadow of right, prohibited the English from trading; seized their traders by force, and sent them prisoners to France; invaded the territories of Virginia, attacked a fort that covered its frontier, and to secure their usurpations, erected, with an armed force, a chain of forts on the lands which they had invaded: that his Britannic majesty had complained of these hostilities to the court of Versailles, but without effect, so that he found himself obliged to provide for the security of his subjects, and as the encroachments made by France were hostile, it could never be unlawful, or irreconcilable with the assurance of his majesty's peaceable disposition, to repel an aggressor; and that the same motives of self defence had forced him to seize the French ships and sailors, in order to deprive that court of the means of making an invasion, with which their ministers in all the courts of Europe had menaced England.



and defensive treaties authorized him to demand; but recommended to them such measures only as tended to their own peace and security: that while the English navy, by the most odious violences, and sometimes by the vilest artifices, made captures of French vessels, navigating in full security under the safeguard of public faith, his most christian majesty released an English frigate taken by a French squadron; and British vessels traded to the ports of France without molestation: that the striking contrast formed by these different methods of proceeding would convince all Europe, that one court was guided by motives of jealousy, ambition, and avarice, and that the conduct of the other was founded on principles of honour, justice, and moderation: that the vague imputations contained in the King of England's declaration, had in reality no foundation; and the very manner in which they were set forth would prove their futility and falsehood: that the mention made of the works at Dunkirk, and the troops assembled on the coasts of the ocean, implied the most gross attempts to deceive mankind into a belief that these were the points which determined the King of England to issue orders for seizing the French vessels; whereas the works at Dunkirk were not begun till after two French ships of war had been taken by an English squadron; and depredations had been committed six months upon the subjects of France before the first battalions began their march for the sea-side. In a word, the most christian king, laying aside that politeness and decorum which his people value themselves above all the nations upon the face of the earth, very roundly taxes his brother monarch's administration with piracy, perfidy, inhumanity, and deceit. A charge conveyed in such reproachful terms, against one of the most respectable crowned heads in Europe, will appear the more extraordinary and injurious, if we consider that the accusers were well acquainted with the falsity of their own imputations, and, at the same time, conscious of having practised those very arts which they affected so much to decry. For after all, it must be allowed, that nothing could be justly urged against the English government, with respect to France, except the omission of a mere form, which other nations might interpret into an irregularity, but could not construe into perfidious dealing, as the French had previously violated the peace by their insolence and encroachments.

§ XXIX. Whatever might have been the opinion of other nations, certain it is, the subjects of Great Britain heartily approved of the hostilities committed and intended against a people, whom they have always considered as their natural enemies, and the incendiaries of Europe. They cheerfully contributed to the expense of armaments,<sup>d</sup> and seemed to approve of their destination, in hopes of being able to wipe off the disgraces they had sustained in the defeat of Braddock, and the loss of Minorca. The last event made a deep impression upon the minds of the community. An address was presented to the king by the lord mayor, aldermen, and common council of London, containing strong hints to the disadvantage of the ministry. They expressed their apprehension that the loss of the important fortress of St. Philip and island of Minorca, possessions of the utmost consequence to the commerce

and naval strength of Great Britain, without any attempt by timely and effectual succours to prevent or defeat an attack, after such early notice of the enemy's intentions, and when his majesty's navy was so evidently superior to theirs, would be an indelible reproach on the honour of the British nation. They expatiated upon the imminent danger to which the British possessions in America were exposed, by the mismanagement and delays which had attended the defence of those invaluable colonies, the object of the present war, the principal source of the wealth and strength of these kingdoms. They lamented the want of a constitutional well regulated militia, the most natural and certain defence against all invaders whatsoever. They signified their hope, that the authors of the late losses and disappointments would be detected, and brought to condign punishment: that his majesty's known intentions of protecting and defending his subjects in their rights and possessions might be faithfully and vigorously carried into execution; and the large supplies so necessarily demanded, and so cheerfully granted, might be religiously applied to the defence of these kingdoms, their colonies, and their commerce, as well as to the annoyance of their inveterate and perfidious enemies, the only sure means of obtaining a lasting and honourable peace. In answer to this address the king assured them, that he would not fail to do justice upon any persons who should have been wanting in their duty to him and their country; to enforce obedience and discipline in his fleets and armies; and to support the authority and respect due to his government. Remonstrances of the same kind were presented by different counties and corporations; and the populace clamoured aloud for inquiry and justice.

§ XXX. The first victim offered to the enraged multitude was the unfortunate General Fowke, who had been deputy-governor of Gibraltar, and behaved with remarkable conduct and integrity in the exercise of that important office, till that period, when he fell under the displeasure of the government. He was now brought to trial before a board of general officers, and accused of having disobeyed the orders he had received from the secretary at war, in three successive letters,<sup>e</sup> touching the relief of Minorca. Mr. Fowke alleged in his own defence that the orders were confused and contradictory, and implied a discretionary power: that the whole number of his garrison did not exceed two thousand six hundred men, after he had spared two hundred and seventy-five to the ships commanded by Mr. Edgcombe: that the ordinary duty of the garrison requiring eight hundred men, the whole number was not sufficient for three reliefs: that, if he had detached a battalion on board the fleet, he should not have had above two reliefs, at a time when he believed the place was in danger of being attacked, for good reasons, which he did not think himself at liberty to mention; that his orders being doubtful, he held a council of war, which was of opinion, that as undoubted intelligence was received of the French army's being landed at Minorca, to the number of between thirteen and sixteen thousand men, and that a French squadron of sixteen ships was stationed off the harbour, the sending a detachment equal to a battalion from

<sup>d</sup> Immediately after the declaration of war, the French ships and carcozes which had been taken, were tried, and condemned as legal prizes, exposed to public sale, and their produce lodged in the bank: but in what manner this money, amounting to a large sum, was distributed or employed, we have not been able to discover.

<sup>e</sup> To *Lieut. Gen. Fowke, or, in his absence, to the commander-in-chief in his majesty's garrison at Gibraltar.*

SIR,

*War-office, March 21, 1756.*

I am commanded to acquaint you, that it is his majesty's pleasure that you receive into your garrison Lord Robert Bertie's regiment, to do duty there; and in case you should apprehend that the French intend to make any attempt upon his majesty's island of Minorca, it is his majesty's pleasure, that you make a detachment out of the troops in your garrison equal to a battalion, to be commanded by a lieutenant-colonel and major, such lieutenant-colonel and major to be the eldest in your garrison, to be put on board the fleet for the relief of Minorca, as the admiral shall think expedient, who is to carry them to the said island.

I am,

Your humble servant,

B.

To *Lieut. Gen. Fowke, or, in his absence, to the commander-in-chief at Gibraltar.*

SIR,

*War-office, March 26, 1756.*

I am commanded to acquaint you, that it is his majesty's pleasure, in case the island of Minorca should be in any likelihood of being attacked, that you make a detachment from the troops in your garrison equal to a

battalion, commanded by a lieutenant-colonel and major, for the relief of that place, to be put on board the fleet, at the disposition of the admiral, such lieutenant-colonel and major to be the eldest in your garrison.

To *Lieut. Gen. Fowke, or, in his absence, to the commander-in-chief in his majesty's garrison at Gibraltar.*

SIR,

*War-office, April 1, 1756.*

It is his majesty's pleasure, that you receive into your garrison the women and children belonging to Lord Robert Bertie's regiment.

To *Lieut. Gen. Fowke, or, the commander-in-chief at Gibraltar.*

SIR,

*War-office, May 19, 1756.*

I wrote to you by General Steward: if that order is not complied with, then you are now to make a detachment of seven hundred men out of your own regiment and Guise's; and also another detachment out of Putney's and Panmure's regiments, and send them on board the fleet for the relief of Mahon. But if that order has been complied with, then you are to make only one detachment of seven hundred men, to be commanded by another lieutenant-colonel and major, and to send it to Mahon; and you are also to detain all such empty vessels as shall come into your harbour, and to keep them in readiness for any farther transportation of troops. I have also his royal highness the Duke of Cumberland's commands, to desire that you will keep your garrison as alert as possible, during this critical time, and give such other assistance as may be in your power, for the relief of Minorca; taking care, however, not to fatigue or endanger your own garrison.

Gibraltar would be an ineffectual supply for the relief of the place, and a weakening of the garrison from which they must be sent. He observed, that supposing the orders to have been positive, and seven hundred men detached to Minorca, the number remaining at Gibraltar would not have exceeded one thousand five hundred and fifty-six: a deduction of seven hundred more, according to the order of May the twelfth, would have left a remainder of eight hundred and fifty-six: that the men daily on duty in the garrison, including artificers and labourers in the king's works, amounted to eight hundred and thirty-nine; so that if he had complied with the orders as they arrived, he would not have had more than seventeen men over and above the number necessary for the daily work of the garrison: thus the important fortress of Gibraltar must, at this critical conjuncture, have been almost left naked and defenceless to the attempts of the enemy; and had those detachments been actually sent abroad, it afterwards appeared that they could not have been landed on the island of Minorca. The order transmitted to General Fowke to detain all empty vessels, for a further transportation of troops, seems to have been superfluous; for it can hardly be supposed he could have occasion for them, unless to embark the whole garrison and abandon the place. It seems likewise to have been unnecessary to exhort the general to keep the garrison as alert as possible, during that critical time; inasmuch as it would have been impossible for the men to have enjoyed the least repose or intermission of duty, had the orders been punctually and literally obeyed. What other assistance it might have been in the governor's power to give for the relief of Minorca, or in what manner he could avoid fatiguing his garrison, while there was an impossibility of relieving the guards, it is not easy to comprehend. Be that as it may, when the trial was finished, and the question put to acquit or suspend for one year, the court was equally divided; and in such cases the casting vote being vested in the president, he threw it into the scale against the prisoner, whom his majesty thought fit to dismiss from his service.

§ XXXI. The expectation of the public was now eagerly turned towards America, the chief if not the sole scene of our military operations. On the twenty-fifth day of June, Mr. Abercrombie arrived at Albany, the frontier of New York, and assumed the command of the forces there assembled, consisting of two regiments which had served under Braddock, two battalions raised in America, two regiments now transported from England, four independent companies which had been many years maintained in New York, the New Jersey regiment, four companies levied in North Carolina, and a body of provincial forces raised by the government of New England. Those to the southward, including Pennsylvania, Maryland, and Virginia, had not yet determined on any regular plan of operation, and were moreover hard pressed in defending their western frontiers from the French and Indians, who, in skulking parties, made sudden irruptions upon their unguarded settlements, burning, plundering, and massacring with the most savage inhumanity. As for South Carolina, the proportion of negro slaves to the number of white inhabitants was so great in that colony, that the government could not, with any regard to the safety of the province, spare any reinforcement for the general enterprise. The plan of this undertaking had been settled in the preceding year in a council of war, held at New York. There it was resolved to attack the fort of Niagara, situated between the lakes Ontario and Erie, in order to cut off the communication between Canada and Louisiana, and prevent the French from supporting their new fortresses on the Ohio: to reduce Ticonderoga and Crown Point, so that the frontier of New York might be delivered from the danger of an invasion, and Great Britain become master of the lake Champlain, over which the forces might be transported in any future attempt: to besiege Fort Du Quesne, upon the Ohio: and to detach a body of troops by the river Kennebec, to alarm the capital of Canada. This plan was too extensive for the number of troops which had been prepared: the season was too far advanced before the regiments arrived from England, the different colonies were divided in their opinions, and Mr. Abercrombie postponed the execution of any important scheme till the arrival of Lord Loudoun,

who was daily expected. The reasons that delayed the reinforcement, and detained his lordship so long, we do not pretend to explain, though we may be allowed to observe, that many fair opportunities have been lost, by the neglect and procrastination of an English ministry. Certain it is, the unaccountable delay of this armament rendered it useless for a whole year, afforded time and leisure to the enemy to take their precautions against any subsequent attack, and, in the meantime, to proceed unmolested in distressing the British settlements. Even before this period, they had attacked and reduced a small post in the country of the Five Nations, occupied by twenty-five Englishmen, who were cruelly butchered to a man, in the midst of those Indians whom Great Britain had long numbered among her allies.

§ XXXII. Soon after this expedition, having received intelligence that a considerable convoy of provisions and stores for the garrison of Oswego, would in a little time set out for Schenectady, and be conveyed in batteaux up the river Onondaga, they formed an ambuscade among the woods and thickets on the north side of that river; but understanding the convoy had passed before they reached the place, they resolved to wait the return of the detachment. Their design, however, was frustrated by the vigilance and valour of Colonel Bradstreet, who expected such an attempt, and had taken his measures accordingly. On the third day of July, while he stemmed the stream of the river, with his batteaux formed into three divisions, they were saluted with the Indian war-whoop, and a general discharge of musketry from the north shore. Bradstreet immediately ordered his men to land on the opposite bank, and with a few of the foremost took possession of a small island, where he was forthwith attacked by a party of the enemy, who had forded the river for that purpose; but these were soon repulsed. Another body having passed a mile higher, he advanced to them at the head of two hundred men, and fell upon them, sword in hand, with such vigour, that many were killed on the spot, and the rest driven into the river with such precipitation, that a considerable number of them were drowned. Having received information that a third body of them had passed at a ford still higher, he marched thither without hesitation, and pursued them to the other side, where they were entirely routed and dispersed. In this action, which lasted near three hours, about seventy of the bateau men were killed or wounded, but the enemy lost double the number killed, and above seventy taken prisoners. In all probability the whole detachment of the French, amounting to seven hundred men, would have been cut off, had not a heavy rain interposed, and disabled Colonel Bradstreet from following his blow; for that same night he was joined by Captain Patten with his grenadiers, in his march from Oneida to Oswego, and next morning reinforced with two hundred men, detached to his assistance from the garrison of Oswego; but by this time the rivulets were so swelled by the rain, that it was found impracticable to pursue the enemy through the woods and thickets. Patten and his grenadiers accompanied the detachment to Oswego, while Bradstreet pursued his voyage to Schenectady, from whence he repaired to Albany, and communicated to General Abercrombie the intelligence he had received from the prisoners, that a large body of the enemy were encamped on the eastern side of the lake Ontario, provided with artillery, and all other implements to besiege the fort of Oswego.

§ XXXIII. In consequence of this information, Major-General Webb was ordered to hold himself in readiness to march with one regiment to the relief of that garrison: but, before they could be provided with necessaries, the Earl of Loudoun arrived at the head-quarters at Albany, on the twenty-ninth day of July. The army at this time is said to have consisted of regular troops to the number of two thousand six hundred, about seven thousand provincials, supposed to be in readiness to march from Fort William Henry, under the command of General Winslow, over and above a considerable number of bateau men at Albany and Schenectady. The garrison at Oswego amounted to fourteen hundred soldiers, besides three hundred workmen and sailors, either in the fort, or posted in small parties between the fort and place called Burnet's Field, to secure a passage through the country of the Six Nations, upon

whose friendship there was no longer any reliance. By the best accounts received of the enemy's force, they had about three thousand men at Crown Point and Ticonderoga, upon the lake Champlain: but their chief strength was collected upon the banks of the lake Ontario, where their purpose undoubtedly was to reduce the English fort at Oswego. The immediate object, therefore, of Lord Loudoun's attention was the relief of this place: but his design was strenuously opposed by the province of New York, and other northern governments, who were much more intent upon the reduction of Crown Point, and the security of their own frontiers, which they apprehended was connected with this conquest. They insisted upon Winslow's being joined by some regiments of regular troops before he should march against this fortress; and stipulated that a body of reserve should be detained at Albany, for the defence of that frontier, in case Winslow should fail in his enterprise, and be defeated. At length they agreed, that the regiment which Mr. Abercrombie had destined for that purpose should be detached for the relief of Oswego: and on the twelfth day of August, Major-General Webb began his march with it from Albany; but on his arrival at the Carrying-place, between the Mohock's river and Wood's creek, he received the disagreeable news that Oswego was taken, and the garrison made prisoners of war. Mr. Webb, apprehending himself in danger of being attacked by the besieging army, began immediately to render the creek impassable, even to canoes, by felling trees, and throwing them into the stream; while the enemy, ignorant of his numbers, and apprehensive of a like visitation from him, took the very same method of preventing his approach: in consequence of this apprehension, he was permitted to retire unmolested.

§ XXXIV. The loss of the two small forts, called Ontario and Oswego, was a considerable national misfortune. They were erected on the south side of the great lake Ontario, standing on the opposite sides, at the mouth of the Onondago river, that discharges itself into the lake, and constituted a post of great importance, where vessels had been built, to cruise upon the lake, which is a kind of inland sea, and interrupt the commerce as well as the motions and designs of the enemy. The garrison, as we have already observed, consisted of fourteen hundred men, chiefly militia and new-raised recruits, under the command of Lieutenant-Colonel Mercer, an officer of courage and experience; but the situation of the forts was very ill chosen; the materials mostly timber or logs of wood; the defences wretchedly contrived, and unfinished: and, in a word, the place altogether untenable against any regular approach. Such were the forts which the enemy wisely resolved to reduce. Being under no apprehension for Crown Point, they assembled a body of troops, consisting of thirteen hundred regulars, seventeen hundred Canadians, and a considerable number of Indian auxiliaries, under the command of the Marquis de Montcalm, a vigilant and enterprising officer, to whom the conduct of the siege was intrusted by the Marquis de Vaudreuil, governor and lieutenant-general of New France. The first step taken by Montcalm was to block up Oswego by water, with two large armed vessels, and post a strong body of Canadians on the road between Albany and the forts, to cut off all communication of succour and intelligence. In the meantime, he embarked his artillery and stores upon the lake, and landed them in the bay of Nixouri, the place of general rendezvous. At another creek, within half a league of Oswego, he erected a battery for the protection of his vessels; and on the twelfth day of August, at midnight, after his dispositions had been made, he opened the trenches before Fort Ontario. The garrison having fired away all their shells and ammunition, spiked up the cannon, and deserted the fort, retired next day across the river into Oswego, which was even more exposed than the other, especially when the enemy had taken possession of Ontario, from whence they immediately began to fire without intermission. Colonel Mercer being, on the thirteenth, killed by a cannon-ball, the fort destitute of all cover, the officers, divided in opinion, and the garrison in confusion, they next day demanded a capitulation, and surrendered prisoners of war, on condition that they should be exempted from plunder, conducted to Montreal, and treated with hu-

manity. These conditions, however, the marquis did not punctually observe. The British officers and soldiers were insulted by the savage Indians, who robbed them of their clothes and baggage, massacred several men as they stood defenceless on the parade, assassinated Lieutenant De la Court, as he lay wounded in his tent, under the protection of a French officer, and barbarously scalped all the sick people in the hospital: finally, Montcalm, in direct violation of the articles, as well as in contempt of common humanity, delivered up above twenty men of the garrison to the Indians, in lieu of the same number they had lost during the siege; and, in all probability, these miserable captives were put to death by those barbarians with the most excruciating tortures, according to the execrable custom of the country. Those who countenance the perpetration of cruelties, at which human nature shudders with horror, ought to be branded as infamous to all posterity. Such, however, were the trophies that, in the course of the American war, distinguished the operations of a people, who pique themselves upon politeness, and the virtues of humanity. The prisoners taken at Oswego, after having been thus barbarously treated, were conveyed in batteaux to Montreal, where they had no reason to complain of their reception: and before the end of the year, they were exchanged. The victors immediately demolished the two forts (if they deserved that denomination) in which they found one hundred and twenty-one pieces of artillery, fourteen mortars, with a great quantity of ammunition, warlike stores, and provision, besides two sloops, and two hundred batteaux, which likewise fell into their hands. Such an important magazine, deposited in a place altogether indefensible, and without the reach of immediate succour, was a flagrant proof of egregious folly, temerity, and misconduct.

§ XXXV. The Earl of Loudoun, finding the season too far advanced to admit of any enterprise against the enemy, exerted all his endeavours in making preparations for an early campaign in the spring, securing the frontiers of the English colonies, in forming an uniform plan of action, and promoting a spirit of harmony among the different governments, which had been long divided by jarring interests, and other sources of dissension. Meanwhile, the forts Edward and William Henry were put in a proper posture of defence, and secured with numerous garrisons; and the forces put into winter-quarters at Albany, where comfortable barracks were built for that purpose. Fort Granville, on the confines of Pennsylvania, an inconsiderable block-house, was surprised by a party of French and Indians, who made the garrison prisoners, consisting of two-and-twenty soldiers, with a few women and children. These they loaded with flour and provisions, and drove them into captivity; but the fort they reduced to ashes. Many shocking murders were perpetrated upon defenceless people, without distinction of age or sex, in different parts of the frontiers; but these outrages were, in some measure, balanced by the advantages resulting from a treaty of peace, which the Governor of Pennsylvania concluded with the Delaware Indians, a powerful tribe that dwell upon the river Sasquehanna, forming, as it were, a line along the southern skirts of the province. At the same time the governor of Virginia secured the friendship and alliance of the Cherokees and Catawbias, two powerful nations adjoining to that colony, who were able to bring three thousand fighting men into the field. All these circumstances considered, Great Britain had reason to expect that the ensuing campaign would be vigorously prosecuted in America, especially as a fresh reinforcement of troops, with a great supply of warlike stores, were sent to that country in fourteen transports, under convoy of two ships of war, which sailed from Cork, in Ireland, about the beginning of November.

§ XXXVI. No action of great importance distinguished the naval transactions of this year on the side of America. In the beginning of June, Captain Spry, who commanded a small squadron, cruising off Louisbourg, in the island of Cape Breton, took the *Arc en Ciel*, a French ship of fifty guns, having on board near six hundred men, with a large quantity of stores and provisions for the garrison. He likewise made prize of another French ship, with seventy soldiers, two hundred barrels of powder, two large brass



mortars, and other stores of the like destination. On the twenty-seventh day of July, Commodore Holmes, being in the same latitude, with two large ships and a couple of sloops, engaged two French ships of the line and four frigates, and obliged them to sheer off, after an obstinate dispute. A great number of privateers were equipped in this country, as well as in the West India islands belonging to the crown of Great Britain; and as those seas swarmed with French vessels, their cruises proved very advantageous to the adventurers.

§ XXXVII. Scenes of higher import were this year acted by the British arms in the East Indies. The cessation of hostilities between the English and French companies on the peninsula of Indus, though it encouraged Mr. Clive to visit his native country, was not of long duration; for in a few months both sides recommenced their operations, no longer as auxiliaries to the princes of the country, but as principals and rivals, both in arms and commerce. Major Lawrence, who now enjoyed the chief command of the English force, obtained divers advantages over the enemy; and prosecuted his success with such vigour, as, in all probability, would, in a little time, have terminated the war according to his own wish, when the progress of his arms was interrupted and suspended by an unfortunate event at Calcutta, the cause of which is not easily explained: for extraordinary pains have been taken to throw a veil over some transactions, from whence this calamity was immediately or remotely derived.

§ XXXVIII. The old Suba or Viceroy of Bengal, Bahar, and Orix, dying in the month of April, in the year one thousand seven hundred and fifty-six, was succeeded by his adopted son, Sur Raja al Dowlat, a young man of violent passions, without principle, fortitude, or good faith, who began his administration with acts of perfidy and violence. In all probability, his design against the English settlements was suggested by his rapacious disposition, on a belief that they abounded with treasure; as the pretences which he used for commencing hostilities were altogether inconsistent, false, and frivolous. In the month of May, he caused the English factory at Cassimbuzzar to be invested, and inviting Mr. Watts, the chief of the factory, to a conference, under the sanction of a safe conduct, detained him as prisoner; then, by means of fraud and force intermingled, made himself master of the factory. This exploit being achieved, he made no secret of his design to deprive the English of all their settlements. With this view he marched to Calcutta, at the head of a numerous army, and invested the place, which was then in no posture of defence.

§ XXXIX. The governor, intimidated by the number and power of the enemy, abandoned the fort, and, with some principal persons residing in the settlement, took refuge on board a ship in the river, carrying along with them their most valuable effects, and the books of the company. Thus the defence of the place devolved upon Mr. Holwell, the second in command, who, with the assistance of a few gallant officers, and a very feeble garrison, maintained it with uncommon courage and resolution against several attacks, until he was overpowered by numbers, and the enemy had forced their way into the castle. Then he was obliged to submit; and the suba, or viceroy, promised, on the word of a soldier, that no injury should be done to him or his garrison. Nevertheless, they were all driven, to the number of one hundred and forty-six persons of both sexes, into a place called the black-hole prison, a cube of about eighteen feet, walled up to the eastward and southward, the only quarters from which they could expect the least refreshing air, and open to the westward by two windows strongly barred with iron, through which there was no perceptible circulation. The humane reader will conceive with horror the miserable situation to which they must have been reduced, when thus stewed up in a close sultry night under such a climate as that of Bengal, especially when he reflects that many of them were wounded, and all of them fatigued with hard duty. Transported with rage to find themselves thus barbarously cooped up in a place where they must be exposed to suffocation, those hapless victims endeavoured to force open the door, that they might rush upon the swords of the barbarians by whom they were surrounded; but all

their efforts were ineffectual; the door was made to open inwards, and being once shut upon them, the crowd pressed upon it so strongly as to render all their efforts abortive: then they were overwhelmed with distraction and despair. Mr. Holwell, who had placed himself at one of the windows, accosted a Jemmatdaar, or serjeant of the Indian guard, and having endeavoured to excite his compassion, by drawing a pathetic picture of their sufferings, promised to gratify him with a thousand rupees in the morning, if he could find means to remove one half of them into a separate apartment. The soldier, allured by the promise of such a reward, assured them he would do his endeavour for their relief, and retired for that purpose; but in a few minutes returned and told him that the suba, by whose orders alone such a step could be taken, was asleep, and no person durst disturb his repose. By this time a profuse sweat had broke out on every individual, and this was attended with an insatiable thirst, which became the more intolerable as the body was drained of its moisture. In vain those miserable objects stripped themselves of their clothes, squatted down on their hams, and fanned the air with their hats, to produce a refreshing undulation. Many were unable to rise again from this posture, but falling down were trod to death, or suffocated. The dreadful symptom of thirst was now accompanied with a difficulty of respiration, and every individual gasped for breath. Their despair became outrageous: again they attempted to force the door, and provoke the guard to fire upon them by execration and abuse. The cry of "Water! Water!" issued from every mouth. Even the Jemmatdaar was moved to compassion at their distress. He ordered his soldiers to bring some skins of water, which served only to enrage the appetite, and increase the general agitation. There was no other way of conveying it through the windows but by hats, and this was rendered ineffectual by the eagerness and transports of the wretched prisoners, who, at sight of it, struggled and raved even in fits of delirium. In consequence of these contests, very little reached those who stood nearest the windows, while the rest at the further end of the prison were totally excluded from all relief, and continued calling upon their friends for assistance, and conjuring them by all the tender ties of pity and affection. To those who were indulged, it proved pernicious: for, instead of allaying their thirst, it enraged their impatience for more. The confusion became general and horrid: all was clamour and contest; those who were at a distance endeavoured to force their passage to the window, and the weak were pressed down to the ground, never to rise again. The inhuman ruffians without derived entertainment from their misery: they supplied the prisoners with more water, and held up lights close to the bars, that they might enjoy the inhuman pleasure of seeing them fight for the baneful indulgence. Mr. Holwell, seeing all his particular friends lying dead around him, and trampled upon by the living, finding himself wedged up so close as to be deprived of all motion, begged, as the last instance of their regard, that they would remove the pressure, and allow him to retire from the window, that he might die in quiet. Even in those dreadful circumstances, which might be supposed to have levelled all distinction, the poor delirious wretches manifested a respect for his rank and character: they forthwith gave way, and he forced his passage into the centre of the place, which was not crowded so much, because, by this time, about one-third of the number had perished, and lay in little compass on the floor, while the rest still crowded to both windows. He retired to a platform at the further end of the room, and laying down upon some of his dead friends, recommended his soul to Heaven. Here his thirst grew insupportable; his difficulty in breathing increased, and he was seized with a strong palpitation. These violent symptoms, which he could not bear, urged him to make another effort: he forced his way back to the window, and cried aloud, "Water! for God's sake!" He had been supposed already dead by his wretched companions, but finding him still alive, they exhibited another extraordinary proof of tenderness and regard to his person: "Give him water," they cried; nor would any of them attempt to touch it until he had drank. He now breathed more freely, and the palpitation ceased; but finding himself still more thirsty after

drinking, he abstained from water, and moistened his mouth from time to time, by sucking the perspiration from his shirt sleeve.<sup>1</sup> The miserable prisoners, perceiving the water-nearer aggravated than relieved their distress, grew clamorous for air, and repeated their insults to the guard, loading the suba and his governor with the most virulent reproach. From railing, they had recourse to prayer, beseeching Heaven to put an end to their misery. They now began to creep on all hands; but then a steam arose from the living and the dead, as pungent and volatile as spirits of hartshorn; so that all who could not approach the windows were suffocated. Mr. Holwell, being weary of life, retired once more to the platform, and stretched himself by the Rev. Mr. Jervis Bellamy, who, together with his son, a lieutenant, lay dead in each other's embrace. In this situation he was soon deprived of sense, and lay to all appearance dead till day broke, when his body was discovered, and removed by his surviving friends to one of the windows, where the fresh air revived him, and he was restored to his sight and senses. The suba, at last, being informed that the greater part of the prisoners were suffocated, inquired if the chief was alive; and being answered in the affirmative, sent an order for their immediate release, when no more than twenty-three survived of an hundred and forty-six who had entered alive.

§ XL. Nor was the late deliverance, even of these few, owing to any sentiment of compassion in the viceroi. He had received intimation that there was a considerable treasure secreted in the fort, and that Mr. Holwell knew the place where it was deposited. That gentleman, who, with his surviving companions, had been seized with a putrid fever, immediately upon their release, was dragged in that condition before the inhuman suba, who questioned him about the treasure, which existed no where but in his own imagination; and would give no credit to his protestations, when he solemnly declared he knew of no such deposit. Mr. Holwell and three of his friends were loaded with fetters, and conveyed three miles from the Indian camp, where they lay all night exposed to a severe rain; next morning they were brought back to town, still manacled, under the scorching beams of a sun intensely hot; and must infallibly have expired had not nature expelled the fever in large painful boils, that covered almost the whole body. In this piteous condition they were embarked in an open boat for Muxadav, the capital of Bengal, and underwent such cruel treatment and misery in their passage, as would shock the humane reader, should he peruse the particulars. At Muxadav they were led through the city in chains, as a spectacle to the inhabitants, lodged in an open stable, and treated for some days as the worst of criminals. At length the suba's grandmother interposed her mediation in their behalf; and as that prince was by this time convinced that there was no treasure concealed at Calcutta, he ordered them to be set at liberty. When some of his sycophants opposed the indulgence, representing that Mr. Holwell had still enough left to pay a considerable ransom, he replied, with some marks of compunction and generosity, "If he has any thing left, let him keep it; his sufferings have been great; he shall have his liberty." Mr. Holwell and his friends were no sooner unfettered, than they took water for the Dutch tanks or mint, in the neighbourhood of that city, where they were received with great tenderness and humanity. The reader, we hope, will excuse us for having thus particularized a transaction so interesting and extraordinary in all its circumstances. The suba having destroyed Calcutta, and dispersed the inhabitants, extorted large sums from the French and Dutch factories, that he might display a spirit of impartiality against all the Europeans, even in his oppression, and returned to his city of Muxadav in triumph. By the reduction of Calcutta, the English East India company's affairs were so much embroiled in that part of the world, that perhaps nothing could have retrieved them but the interposition of a national force, and the good fortune of a Clive, whose enterprises were always crowned with success.

§ XLI. As the English East India company had, for a whole century, been at a considerable expense in main-

taining a marine force at Bombay, to protect their ships from the piracies of the Angrias, who had rendered themselves independent princes, and fortified Geriah in that neighbourhood; many unsuccessful attempts had been made to destroy their naval power, and reduce the fortress, under which they always took shelter. In the year one thousand seven hundred and fifty-four, the fleet of Tullage Angria, the reigning prince, attacked three Dutch ships of force, which they either took or destroyed. Elated with this success, he boasted that he should in a little time sweep the seas of the Europeans, and began to build some large ships, to reinforce his grabs and gallivats, which were the vessels on which he had formerly depended. Next year his neighbours the Mahrattas, having signified to the presidency at Bombay, that they were disposed to join in the necessary service of humbling this common enemy, so formidable to the whole Malabar coast, Commodore James was detached with some ships of force to attack Angria, in conjunction with those allies. They accordingly joined him with seven grabs and sixty gallivats. They proceeded to the harbour of Severndroog, where Angria's fleet lay at anchor; but they no sooner received intelligence of his approach than they slipped their cables, and stood out to sea. He chased them with all the canvass he could carry; but their vessels being lighter than his, they escaped; and he returned to Severndroog, which is a fortress situated on an island within musket-shot of the main land, strongly but irregularly fortified, and mounted with fifty-four pieces of cannon. There were three other small forts on the continent, the largest of which was called Goa. On the second day of April, the commodore began to batter and bombard the island, fort, and fort Goa, at the same time. That of Severndroog was set on fire; one of the magazines blew up; a general conflagration ensued; the garrisons were overwhelmed with fire and confusion; the English seamen landed under cover of the fire from the ships, and took the place by storm with very little loss. The other forts were immediately surrendered, and all of these, by treaty, delivered to the Mahrattas. On the eighth of April, the commodore anchored off Bancote, now called Fort Victoria, one of the most northern parts of Angria's dominion, which surrendered without opposition, and still remains in the hands of the English East India company, by the consent of the Mahrattas. The harbour is good, and here is a great trade for salt and other commodities sent hither from Bombay.

§ XLII. It was in November following, that the squadron under Admiral Watson arrived at Bombay, where it was resolved to give Angria the finishing stroke, still in conjunction with the Mahrattas. Meanwhile Commodore James was sent to reconnoitre Geriah, the capital of his dominions, and to sound the depth of the harbour; a service which he successfully performed. The admiral being joined by a division of ships, fitted out at the company's expense, having on board a body of troops commanded by Colonel Clive, sailed on the seventh day of February, and found in the neighbourhood of Geriah the Mahratta fleet, consisting of four grabs, and forty smaller yessels, called gallivats, lying to the northward of the place, in a creek called Rajipore; and a land army of horse and foot, amounting to seven or eight thousand men, the whole commanded by Rhamagee Punt, who had already taken one small fort, and was actually treating about the surrender of Geriah. Angria himself had quitted the place, but his wife and family remained under the protection of his brother-in-law; who, being summoned to surrender by a message from the admiral, replied that he would defend the place to the last extremity. In consequence of this refusal, the whole English fleet, in two divisions, sailed on the twelfth day of February into the harbour, and sustained a warm fire from the enemy's batteries as they passed, as well as from the grabs posted in the harbour for that purpose; this, however, was soon silenced after the ships were brought to their stations, so as to return the salutation. Between the hours of four and five in the afternoon, a shell being thrown into one of Angria's armed vessels, set her on fire; and the flames communicating to the rest, they were all destroyed; between six and seven the fort

<sup>1</sup> In his desire of obtaining water, this unhappy gentleman had attempted to drink his own urine, but found it intolerably bitter, so that

the moisture that flowed from the pores of his body was not, however, so

was set on fire by another shell; and soon after the firing ceased on both sides. The admiral, suspecting that the governor of the place would surrender it to the Mahrattas rather than to the English, disembarked all the troops under Mr. Clive, that he might be at hand, in case of emergency, to take possession. In the meantime, the fort was bombarded; the line of battle ships were warped near enough to batter in breach; and then the admiral sent an officer, with a flag of truce, to the governor, requiring him to surrender. His proposal being again rejected, the English ships renewed their fire next day with redoubled vigour. About one o'clock the magazine of the fort blew up, and at four the garrison hung out a white flag for capitulation. The parley that ensued proving ineffectual, the engagement began again, and continued till fifteen minutes after five; when the white flag was again displayed, and now the governor submitted to the terms which were imposed. Angra's flag was immediately hauled down; and two English captains, taking possession of the fort with a detachment, forthwith hoisted the British ensign. To these captains, whose names were Buchanan and Forbes, the Mahrattas offered a bribe of fifty thousand rupees, if they would allow them to pass their guards, that they might take possession of the fort for themselves; but this offer was rejected with disdain, and immediately disclosed to Colonel Clive, who took effectual measures to frustrate their design. In this place, which was reduced with very inconsiderable loss, the conquerors found above two hundred cannon, six brass mortars, a large quantity of ammunition, with money and effects to the value of one hundred and thirty thousand pounds. The fleet which was destroyed consisted of eight galleys, one ship finished, two upon the stocks, and a good number of gallivats. Among the prisoners, the admiral found Angra's wife, children, and mother, towards whom he demeaned himself with great humanity. Three hundred European soldiers, and as many sepoys, were left to guard the fort; and four of the company's armed vessels remained in the harbour for the defence of the place, which was extremely well situated for commerce.

§ XLIII. The admiral and Mr. Clive sailed back to Madras in triumph, and there another plan was formed for restoring the company's affairs upon the Ganges, recovering Calcutta, and taking vengeance on the cruel Viceroy of Bengal. In October they set sail again for the bottom of the bay; and about the beginning of December arrived at Balasore, in the kingdom of Bengal. Having crossed the Braces, they proceeded up the river Ganges as far as Falta, where they found Governor Drake, and the other persons who had escaped on board of the ships when Calcutta was invested. Colonel Clive was disembarked with his forces to attack the fort of Busbudgia by land, while the admiral battered it by sea; but the place being ill provided with cannon, did not hold out above an hour after the firing began. This conquest being achieved at a very easy purchase, two of the greatest ships anchored between Tanny fort and a battery on the other side of the river, which were abandoned before one shot was discharged against either; thus the passage was laid open to Calcutta, the reduction of which we shall record among the transactions of the ensuing year.

## CHAP. VI.

§ I. Motives of the war in Germany. Conspiracy in Sweden. § II. Measures taken by the King of Prussia, and Elector of Hanover. § III. Endeavours of the court of Vienna to frustrate them. § IV. His Prussian majesty's accession to an expedition from the emperor. § V. Her answer. § VI. The Prussian army enters Saxony, and publishes a manifesto. Prince Ferdinand takes Leipzig. § VII. King of Prussia takes possession of Dresden, and blocks up the King of Poland at Pomm. § VIII. Prussian army retreats into Bohemia, and battles the Elector of Brandenburg. § IX. Saxony surrenders. § X. King of Prussia's memorial to the States-general. § XI. Imperial decrees publishing against the King of Prussia. § XII. Declarations of different powers. § XIII. His Prussian majesty's answer to the States-general. § XIV. And justification of his conduct. § XV. Remarks on both these pieces.

When the admiral entered their apartment, the whole family, consisting of three of his sons, and two of his daughters, were standing round the bed of the mother. Angra's first son, in a piteous tone, the poor lady, no longer, she said, her daughter no husband, their children no father. The admiral replying, "they must look upon him as their father and their friend."

§ XVI. Disputes between the parliament of Paris and the emperor. § XVII. Debate of corn in England. § XVIII. Disposition auxiliary troops. § XIX. Session opened. § XX. Debates on the address. § XXI. Bill passed for prohibiting the exportation of corn. Message to the House of Commons. § XXII. Bill for the improvement of the roads. § XXIII. Reflections on the continental war. § XXIV. Messages from the king to the parliament. § XXV. Measures taken to remove the anxiety of the king. § XXVI. Address to the king. § XXVII. Bill for and against it. § XXVIII. Address to the king. § XXIX. Bill for regulating the foreign troops, and for regulating the duties on wine and spirits. § XXX. Bill for the more speedy recruiting the land and sea forces. Act relating to pawnbrokers and gaming houses. § XXXI. Bill for regulating the wages of weavers, and for the improvement of the textile manufactures. § XXXII. Act for importing American iron duty free. § XXXIII. Regulation with respect to the importation of silk. § XXXIV. Single-ers encouraged to enter into his majesty's service. § XXXV. Inquiry into the security of the coin. § XXXVI. Investigation of the fiscal administration. § XXXVII. Investigation of the American contract. § XXXVIII. Inquiry into the conduct of Admiral Knowles, as Governor of Jamaica. § XXXIX. Resolutions concerning Miss Fildes. § XL. Session closed. § XLI. Trial of Admiral Byng. § XLII. Recommendation to mercy. § XLIII. Message from the king to the parliament, respecting the sentence. § XLIV. Bill to release the members of the court martial from their oath of secrecy. § XLV. Execution of Admiral Byng. § XLVI. Byng delivered by him to the marshal of the admiralty. § XLVII. Remarks on his fate.

§ I. HAVING thus, to the best of our power, given a faithful and exact detail of every material event, in which Great Britain was concerned either at home, or in her settlements abroad, during the greatest part of the year one thousand seven hundred and fifty-six, we shall now return to Europe, and endeavour to explain the beginning of a bloody war in Germany, which then seemed to have become the chief object of the British councils. On the eve of a rupture between France and England, it was natural for his Britannic majesty to provide for the safety of his electoral dominions, the only quarter by which he was at all accessible to the efforts of the enemy, who he foresaw would not fail to annoy him through that avenue. He, at that time, stood upon indifferent terms with the King of Prussia, who was considered as a partisan and ally of France; and he knew that the house of Austria alone would not be sufficient to support him against two such powerful antagonists. In this emergency, he had recourse to the Empress of Russia, who, in consequence of a large subsidy granted by England, engaged to furnish a strong body of forces for the defence of Hanover. His Prussian majesty, startled at the conditions of this treaty, took an opportunity to declare that he would not suffer foreign forces of any nation to enter the empire, either as principals or auxiliaries; a declaration which probably flowed from a jealousy and aversion he had conceived to the court of Petersburg, as well as from a resolution he had formed of striking some great stroke in Germany, without any risk of being restricted or controlled. He knew he should give umbrage to the French king, who had already made preparations for penetrating into Westphalia; but he took it for granted he should be able to exchange his connexions with France for the alliance with Great Britain, which would be much less troublesome, and much more productive of advantage; indeed, such an alliance was the necessary consequence of his declaration. Had his Britannic majesty made a requisition of the Russian auxiliaries, he must have exposed himself to the resentment of a warlike monarch, who hovered on the skirts of his electorate at the head of one hundred and forty thousand men, and could have subdued the whole country in one week; and if he forbore to avail himself of the treaty with the czarina, he did not know how soon the King of Prussia might be reconciled to his most christian majesty's design of invasion. As for the empress-queen, her attention was engrossed by schemes for her interest or preservation; and her hands so full, that she either could not, or would not, fulfil the engagements she had contracted with her former and firmest allies. In these circumstances the King of England sought and obtained the alliance of Prussia, which, to the best of our comprehension, entailed upon Great Britain the enormous burthen of extravagant subsidies, together with the intolerable expense of a continental war, without being productive of one advantage, either positive or negative, to England or Hanover. On the contrary, this connexion threw the empress-queen into the arms of France, whose friendship she sought at the expense of the barrier in the

the you must have, about six years of age, seized him by the hand, and called out, "O then you shall be my father." Mr. Watson was so affected with this pathetic address, that the tears trickled down his cheeks, and he reassured them they might depend upon his protection and friend-ship.



Netherlands, acquired with infinite labour, by the blood and treasure of the maritime powers : it gave birth to a confederacy of despotic princes ; sufficient, if their joint force was fully exerted, to overthrow the liberties of all the free states in Europe ; and, after all, Hanover has been overrun, and subdued by the enemy ; and the King of Prussia put to the ban of the empire. All these consequences are, we apprehend, fairly deducible from the resolution which his Prussian majesty took at this juncture, to precipitate a war with the house of Austria. The apparent motives that prompted him to this measure we shall presently explain. In the meantime, the defensive treaty between the empress-queen and France was no sooner ratified, than the czarina was invited to accede to the alliance, and a private minister sent from Paris to Petersburg, to negotiate the conditions of this accession, which the Empress of Russia accordingly embraced : a circumstance so agreeable to the court of Versailles, that the Marquis de L'Hopital was immediately appointed ambassador extraordinary and plenipotentiary to the court of Russia. Applications were likewise made to the courts of Madrid and Turin, soliciting their concurrence ; but their catholic and Sardinian majesties wisely resolved to observe a neutrality. At the same time, intrigues were begun by the French emissaries in the senate of Sweden, in order to kindle up a war between that nation and Prussia ; and their endeavours succeeded in the sequel, even contrary to the inclination of their sovereign. At present, a plot was discovered for altering the form of government, by increasing the power of the crown ; and several persons of rank being convicted upon trial, were beheaded as principals in this conspiracy. Although it did not appear that the king or queen were at all concerned in the scheme, his Swedish majesty thought himself so hardly treated by the diet, that he threatened to resign his royalty, and retire into his own hereditary dominions. This design was extremely disagreeable to the people in general, who espoused his cause in opposition to the diet, by whom they conceived themselves more oppressed than they should have been under an unlimited monarchy.

§ II. The King of Prussia, alarmed at these formidable alliances, ordered all his forces to be completed, and held in readiness to march at the first notice ; and a report was industriously circulated, that by a secret article in the late treaty between France and the house of Austria, these two powers had obliged themselves to destroy the protestant religion, and overturn the freedom of the empire, by a forced election of a King of the Romans. The cry of religion was no impolitic measure : but it no longer produced the same effect as in times past. Religion was made a pretence on both sides ; for the partisans of the empress-queen insinuated, on all occasions, that the ruin of the catholic faith in Germany was the principal object of the new alliance between the Kings of Great Britain and Prussia. It was in consequence of such suggestions, that his Britannic majesty ordered his electoral minister at the diet, to deliver a memorial to all the ministers at Ratisbon, expressing his surprise to find the treaty he had concluded with the King of Prussia industriously represented as a ground of apprehension and umbrage, especially for religion. He observed, that as France had made open dispositions for invading the electorate of Hanover, and disturbing the peace of the empire ; that as he had been denied, by the empress-queen, the succours stipulated in treaties of alliance ; and as he was refused assistance by certain states of the empire, who even seemed disposed to favour such a diversion : he had, in order to provide for the security of his own dominions, to establish peace and tranquillity in the empire, and maintain its system and privileges, without any prejudice to religion, concluded a defensive treaty with the King of Prussia : that, by this instance of patriotic zeal for the welfare of Germany, he had done an essential service to the empress-queen, and performed the part which the head of the empire, in dignity and duty, ought to have acted : that time would demonstrate how little it was the interest of the empress-queen to engage in a strict alliance with a foreign power, which, for upwards of two centuries, had ravaged the principal provinces of the empire, maintained repeated wars against the archducal house of Austria, and

always endeavoured, as it suited her views, to excite distrust and dissension among the princes and states that compose the Germanic body.

§ III. The court of Vienna formed two considerable armies in Bohemia and Moravia ; yet pretended that they had nothing in view but self-preservation, and solemnly disclaimed both the secret article, and the design which had been laid to their charge. His most christian majesty declared, by his minister at Berlin, that he had no other intention but to maintain the public tranquillity of Europe ; and this being the sole end of all his measures, he beheld, with surprise, the preparations and armaments of certain potentates : that, whatever might be the view with which they were made, he was disposed to make use of the power which God had put into his hands ; not only to maintain the public peace of Europe against all who should attempt to disturb it, but also to employ all his forces, agreeably to his engagements, for the assistance of his ally, in case her dominions should be attacked : finally, that he would act in the same manner in behalf of all the other powers with whom he was in alliance. This intimation made very little impression upon the King of Prussia, who had already formed his plan, and was determined to execute his purpose. What his original plan might have been, we shall not pretend to disclose ; nor do we believe he imparted it to any confidant or ally. It must be confessed, however, that the intrigues of the court of Vienna furnished him with a specious pretence for drawing the sword, and commencing hostilities. The empress-queen had some reason to be jealous of such a formidable neighbour. She remembered his irruption into Bohemia, in the year one thousand seven hundred and forty-four, at a time when she thought that country, and all her other dominions, secure from his invasion, by the treaty of Breslau, which she had in no particular contravened. She caballed against him in different courts of Europe : she concluded a treaty with the czarina, which, though seemingly defensive, implied an intention of making conquests upon this monarch : she endeavoured to engage the King of Poland, Elector of Saxony, as a contracting power in this confederacy ; and, if he had not been afraid of a sudden visit from his neighbour of Prussia, it cannot be supposed but he would have been pleased to contribute to the humiliation of a prince, who had once before, without the least provocation, driven him from his dominions, taken possession of his capital, routed his troops, and obliged him to pay a million of crowns to indemnify him for the expense of this expedition ; but he carefully avoided taking such a step as might expose him to another invasion, and even refused to accede to the treaty of Petersburg, though it was expressly defensive ; the *Cusus Foderis* being his Prussian majesty's attacking either of the contracting parties. It appears, however, that Count de Bruhl, prime minister and favourite of the King of Poland, had, in conjunction with some of the Austrian ministers, carried on certain scandalous intrigues, in order to embroil the King of Prussia with the Empress of Russia, between whom a misunderstanding had long subsisted.

§ IV. His Prussian majesty, perceiving the military preparations of the court of Vienna, and having obtained intelligence of their secret negotiations with different powers of Europe, ordered M. de Klingraefe, his minister at the imperial court, to demand whether all these preparations for war, on the frontiers of Silesia, were designed against him, and what were the intentions of her imperial majesty ? To this demand the empress replied, That in the present juncture she had found it necessary to make armaments, as well for her own defence, as for that of her allies ; but that they did not tend to the prejudice of any person or state whatever. The king, far from being satisfied with this general answer, sent fresh orders to Klingraefe, to represent, that after the king had dissembled, as long as he thought consistent with his safety and honour, the bad designs imputed to the empress would not suffer him longer to disguise his sentiments ; that he was acquainted with the offensive projects which the two courts had formed at Petersburg ; that he knew they had engaged to attack him suddenly with an army of two hundred thousand men ; a design which would have been executed

in the spring of the year, had not the Russian forces wanted recruits, their fleet mariners, and Livonia a sufficient quantity of corn for their support; that he constituted the empress arbiter of peace or war: if she desired the former, he required a clear and formal declaration, or positive assurance, that she had no intention to attack him, either this year or the next; but he should look upon an ambiguous answer as a declaration of war; and he called Heaven to witness, that the empress alone would be guilty of the innocent blood that should be spilt, and all the dismal consequences that would attend the commission of hostilities.

§ V. A declaration of this nature might have provoked a less haughty court than that of Vienna, and, indeed, seems to have been calculated on purpose to exasperate the pride of her imperial majesty, whose answer he soon received to this effect: that his majesty the King of Prussia had already been employed, for some time, in all kinds of the most considerable preparation of war, and the most disquieting with regard to the public tranquillity, when he thought fit to demand explanations of her majesty, touching the military dispositions that were making in her dominions; dispositions on which she had not resolved till after the preparations of his Prussian majesty had been made; that though her majesty might have declined explaining herself on those subjects, which required no explanation, she had been pleased to declare, with her own mouth, to M. de Klingraafe, that the critical state of public affairs rendered the measures she had taken absolutely necessary for her own safety, and that of her allies; but that, in other respects, they tended to the prejudice of no person whatsoever; that her imperial majesty had undoubtedly a right to form what judgment she pleased on the circumstances of the times; and likewise, that it belonged to none but herself to estimate her own danger; that her declaration was so clear; she never imagined it could be thought otherwise; that being accustomed to receive as well as to practise, the decorums which sovereigns owe to each other, she could not hear without astonishment and sensibility the contents of the memorial now presented by M. de Klingraafe; so extraordinary both in the matter and expressions, that she would find herself under the necessity of transgressing the bounds of that moderation which she had prescribed to herself, were she to answer the whole of its contents; nevertheless, she thought proper to declare, that the information communicated to his Prussian majesty, of an offensive alliance against him, subsisting between herself and the Empress of Russia, together with the circumstances and pretended stipulations of that alliance, was absolutely false and forged, for no such treaty did exist, or ever had existed. She concluded with observing, that this declaration would enable all Europe to judge of what weight and quality those dreadful events were which Klingraafe's memorial announced; and to perceive that, in any case, they could not be imputed to her imperial majesty. This answer, though seemingly explicit, was not deemed sufficiently categorical, or, at least, not suitable to the purposes of the King of Prussia, who, by his resident at Vienna, once more declared, that if the empress-queen would sign a positive assurance that she would not attack his Prussian majesty, either this year or the next, he would directly withdraw his troops, and let things be restored to their former footing. This demand was evaded, on pretence that such an assurance could not be more binding than the solemn treaty by which he was already secured; a treaty which the empress-queen had no intention to violate. But, before an answer could be delivered, the king had actually invaded Saxony, and published his declaration against the court of Vienna. The court of Vienna, believing that the King of Prussia was bent upon employing his arms some where; being piqued at the dictatorial manner in which his demands were conveyed; unwilling to lay themselves under further restrictions; apprehensive of giving umbrage to their allies, and confident of having provided for their own security, resolved to run the risk of his resentment, not without hopes of being indemnified, in the course of the war, for that part of Silesia which the queen had been obliged to cede in the treaty of Breslau.

§ VI. Both sides being thus prepared, and perhaps equally eager for action, the King of Prussia would no

longer suspend his operations, and the storm fell first upon Saxony. He resolved to penetrate through that country into Bohemia, and even to take possession of it as a frontier, as well as for the convenience of ingress and egress to and from the Austrian dominions. Besides, he had reason to believe the King of Poland, Elector of Saxony, was connected with the czarina and the empress-queen; therefore, he thought it would be impolitic to leave that prince in any condition to give him the least disturbance. His army entered the Saxon territory towards the latter end of August, when he published a declaration, importing that the unjust conduct and dangerous views of the court of Vienna against his majesty's dominions laid him under the necessity of taking proper measures for protecting his territories and subjects; that for this purpose he could not forbear taking the disagreeable resolution to enter with his troops the hereditary dominions of his majesty the King of Poland, Elector of Saxony; but he protested before God and man, that, on account of his personal esteem and friendship for that prince, he would not have proceeded to this extremity, had he not been forced to it by the laws of war, the fatality of the present conjuncture, and the necessity of providing for the defence and security of his subjects. He reminded the public of the tenderness with which he had treated the Elector of Saxony, during the campaign of the year one thousand seven hundred and forty-four, and of the bad consequences resulting to that monarch from his engagements with the enemies of Prussia. He declared that the apprehensions of being exposed again to such enterprises, had obliged him to take those precautions which prudence dictated: but he protested, in the most solemn manner, that he had no hostile views against his Polish majesty, or his dominions; that his troops did not enter Saxony as enemies, and he had taken care that they should observe the best order and the most exact discipline; that he desired nothing more ardently, than the happy minute that should procure to him the satisfaction of restoring to his Polish majesty his hereditary dominions, which he had seized only as a sacred depositum. By his minister at Dresden, he had demanded a free passage for his forces through the Saxon dominions; and this the King of Poland was ready to grant, with reasonable limitations, to be settled by commissaries appointed for that purpose. But these were formalities which did not at all suit with his Prussian majesty's disposition or design. Even before this requisition was made, a body of his troops, amounting to fifteen thousand, under the command of Prince Ferdinand, brother to the Duke of Brunswick, took possession of Leipsic, on the twentieth day of September. Here he published a declaration, signifying that it was his Prussian majesty's intention to consider and defend the inhabitants of that electorate as if they were his own subjects; and that he had given precise orders to his troops to observe the most exact discipline. As the first mark of his affection, he ordered them to provide the army with all sorts of provisions, according to a certain rate, on pain of military execution. That same evening notice was given to the corporation of merchants, that their deputies should pay all taxes and customs to the King of Prussia: then he took possession of the custom-house, and excise-office, and ordered the magazines of corn and meal to be opened for the use of his soldiers.

§ VII. The King of Poland, apprehensive of such a visitation, had ordered all the troops of his electorate to leave their quarters, and assemble in a strong camp marked out for them, between Pirna and Konigstein, which was entrenched, and provided with a numerous train of artillery. Thither the King of Poland repaired, with his two sons, Xaverius and Charles; but the queen and the rest of the royal family remained at Dresden. Of his capital his Prussian majesty, with the bulk of the army, took possession on the eighth day of September, when he was visited by Lord Stormont, the English ambassador at that court, accompanied by Count Salmour, a Saxon minister, who, in his majesty's name, proposed a neutrality. The King of Prussia professed himself extremely well pleased with the proposal; and, as the most convincing proof of his neutrality, desired the King of Poland would separate his army, by ordering his troops to return to their former

quarters. His Polish majesty did not like to be so tutored in his own dominions: he depended for his own safety more upon the valour and attachment of his troops thus assembled, than upon the friendship of a prince who had invaded his dominions, and sequestered his revenue without provocation; and he trusted too much to the situation of his camp at Pirna, which was deemed impregnable. In the meantime, the King of Prussia fixed his head-quarters at Seiditz, about half a German league distant from Pirna, and posted his army in such a manner, as to be able to intercept all convoys of provision designed for the Saxon camp: his forces extended on the right toward the frontiers of Bohemia, and the vanguard actually seized the passes that lead to the circles of Satzer and Leumeritz, in that kingdom; while Prince Ferdinand of Brunswick marched with a body of troops along the Elbe, and took post at this last place without opposition. At the same time, the king covered his own dominions, by assembling two considerable bodies in Upper and Lower Silesia, which occupied the passes that communicated with the circles of Buntzlau and Königsgratz. Hostilities were commenced on the thirteenth day of September, by a detachment of Prussian hussars, who attacked an Austrian escort to a convoy of provisions, designed for the Saxon camp; and having routed them, carried off a considerable number of loaded waggons. The magazines at Dresden were filled with an immense quantity of provision and forage for the Prussian army, and the lakes were ordered to prepare a vast quantity of bread, for which purpose thirty new ovens were erected. When the King of Prussia first arrived at Dresden, he lodged at the house of the Countess Moczinska, and gave orders that the Queen and royal family of Poland should be treated with all due veneration and respect;<sup>a</sup> even while the Saxon camp was blocked up on every side, he sometimes permitted a wagon, loaded with fresh provision and game, to pass unmolested, for the use of his Polish majesty.

§ VIII. During these transactions, the greatest part of the Prussian army advanced into Bohemia, under the command of Veldt-Mareschal Keith,<sup>b</sup> who reduced the town and palace of Tetschen, took possession of all the passes, and encamped near Aussig, a small town in Bohemia, at no great distance from the imperial army, amounting to fifty thousand men, commanded by Count Brown, an officer of Irish extract, who had often distinguished himself in the field by his courage, vigilance, and conduct. His Prussian majesty having left a considerable body of troops for the blockade of Pirna, assumed in person the command of Mareschal Keith's corps, and advanced to give battle to the enemy. On the twenty-ninth day of September he formed his troops in two columns, and in the evening arrived with his van at Wolmina, from whence he saw the Austrian army posted with its right at Lowoschutz, and its left towards the Egra. Having occupied with six battalions a hollow way, and some rising grounds, which commanded the town of Lowoschutz, he remained all night under arms at Wolmina; and on the first day of October, early in the morning, formed his whole army in order of battle: the first line, consisting of the infantry, occupying two hills, and a bottom betwixt them; the second line being formed of some battalions, and the third composed of the whole cavalry. The Austrian general had taken possession of Lowoschutz, with a great body of infantry, and placed a battery of cannon in front of the town: he had formed his cavalry chequerwise, in a line between Lowoschutz, and the village of Sanschutz; and posted about two thousand Croats and irregulars in the vineyards and avenues on his right. The morning was darkened with a thick fog, which vanished about seven:

then the Prussian cavalry advanced to attack the enemy's horse; but received such a fire from the irregulars, posted in vineyards and ditches, as well as from a numerous artillery, that they were obliged to retire for protection to the rear of the Prussian infantry and cannon. There being formed and led back to the charge, they made an impression on the Austrian cavalry, and drove the irregulars, and other bodies of infantry, from the ditches, defiles, and vineyards which they possessed; but they suffered so severely in this dangerous service, that the king ordered them to re-ascend the hill, and take post again behind the infantry, from whence they no more advanced. In the meantime, a furious cannonading was maintained on both sides with considerable effect. At length the left of the Prussian infantry was ordered to attack the town of Lowoschutz in flank; but met with a very warm reception, and in all likelihood, would have miscarried, had not Veldt-Mareschal Keith headed them in person; when he drew his sword, and told them he would lead them on, he was given to understand, that all their powder and shot were exhausted; he turned immediately to them with a cheerful countenance, said he was very glad they had no more ammunition, being well assured the enemy could not withstand them at push of bayonet; so saying, he advanced at their head, and, driving the Austrians from Lowoschutz, set the suburbs on fire. The infantry had been already obliged to quit the eminence on the right; and now their whole army retired to Budin, on the other side of the Egra. Some prisoners, colours, and pieces of cannon, were taken on both sides; and the loss of each might amount to two thousand five hundred killed and wounded: so that, on the whole, it was a drawn battle, though both generals claimed the victory. The detail of the action, published at Berlin, declares, that the King of Prussia not only gained the battle, but that same day established his head-quarters at Lowoschutz: whereas the Austrian Gazette affirms, that the Mareschal Count Brown obliged his Prussian majesty to retire, and remained all night on the field of battle; but next day, finding his troops in want of water, he repaired to the camp at Budin. If the battle was at all decisive, the advantage certainly fell to the Austrians; for his Prussian majesty, who, in all probability, had hoped to winter at Prague, was obliged, by the opposition he met with, to resign this plan, and retreat before winter into the electorate of Saxony.

§ IX. The Prussian army having rejoined that body which had been left to block up the Saxons at Pirna, his Polish majesty and his troops were reduced to such extremity of want, that it became indispensably necessary either to attempt an escape, or surrender to the King of Prussia. The former part of the alternative was chosen, and the plan concerted with Count Brown, the Austrian general, who, in order to facilitate the execution, advanced privately with a body of troops to Lichtendorf, near Schandau; but the junction could not be effected. On the fourteenth day of October the Saxons threw a bridge of boats over the Elbe, near Königstein, to which castle they removed all their artillery; then striking their tents in the night, passed the river undiscovered by the enemy. They continued to retreat with all possible expedition; but the roads were so bad, they made little progress. Next day, when part of them had advanced about half way up a hill opposite to Königstein, and the rest were entangled in a narrow plain, where there was no room to act, they perceived that the Prussians were in possession of all the passes, and found themselves surrounded on every side, fainting with hunger and fatigue, and destitute of every convenience. In this deplorable condition they remained, when the King of Poland, from the fortress of

<sup>a</sup> His majesty seems to have abated of this respect in the sequel, if we may believe the assertions of his Polish majesty's queen, and the count of Vienna, who affirmed, that several times posted within the palace where the queen and royal family resided, at about the door of the secret cabinet, where the papers relating to foreign transactions were deposited. The keys of this cabinet were seized, and all the writings demanded. The whole Saxon ministry were disengaged from their respective employments, and a new commission was established by the King of Prussia for the administration of affairs in general. When the queen entreated this prince to remove the sentinels posted within the palace and contiguous passages, agreeable to his assurances, that all due respect should be observed towards the royal family, the king ordered the guards to be doubled, and sent an officer to demand of her majesty the keys of the secret cabinet. The queen obtained the officer's consent, that the doors should be sealed up; but afterwards he returned with orders to break them open: then her majesty

plunged herself before the door, said, she trusted so much to the promise of the King of Prussia, that she could not believe he had given such orders. The officer declaring that his orders were positive, and that he must not disobey them, she continued in the same place, declaring, that if violence was to be used, he must begin with her. The officer returning to acquaint the king with what had passed, her majesty enquired the ministers of Prussia and England to renounce his majesty, or his promise; but her representations had no effect. The officer returned with fresh orders to use force, in spite of the opposition she might make against it in person. The queen, finding herself in danger of her life, at length withdrew; the doors were torn up, the chest broken open, and all the papers seized.

<sup>b</sup> Brother to the Earl Mareschal of Scotland, a gentleman who had signalized himself as a general in the Russian army, and was accounted one of the best officers of the time; not more admired for his warlike genius than amiable in his disposition.



Königstein, sent a letter to his general, the Veldt-Marschal Count Rutowski, vesting him with full and discretionary power to surrender, or take such other measures, as he should judge most conducive to the preservation of the officers and soldiers.<sup>c</sup> By this time Count Brown had retired to Budin, so that there was no choice left. A capitulation was demanded: but, in effect, the whole Saxon army was obliged to surrender at discretion: and the soldiers were afterwards, by compulsion, incorporated with the troops of Prussia. The King of Poland being thus deprived of his electoral dominions, his troops, arms, artillery, and ammunition, thought it high time to provide for his own safety, and retired with all expedition to Poland. His Prussian majesty cantoned his forces in the neighbourhood of Seidltz, and along the Elbe towards Dresden. His other army, which had entered Bohemia, under the command of the Count de Ichwerin, retired to the confines of the county of Glatz, where they were distributed in quarters of cantonment; so that this short campaign was finished by the beginning of November.

§ X. The King of Poland, in his distress, did not fail to implore the assistance and mediation of neutral powers. His minister at the Hague presented a memorial to the States-general, complaining, that the invasion of Saxony was one of those attacks against the law of nations, which, from the great respect due to this law, demanded the assistance of every power interested in the preservation of its own liberty and independency. He observed, that from the first glimpse of misunderstanding between the courts of Vienna and Berlin, he had expressly enjoined his ministers in all the courts of Europe, to declare, that it was his firm resolution, in the present conjuncture of affairs, to observe the strictest neutrality. He represented that a free and neutral state had been, in the midst of peace, invaded by an enemy, who disguised himself under the mask of friendship, without alleging the least complaint, on any pretension whatsoever; but founding himself solely on his own convenience, made himself master, by armed force, of all the cities and towns of the electorate, dismantling some, and fortifying others: that he had disarmed the burghers; carried off the magistrates as hostages for the payment of unjust and enormous contributions of provisions and forage; seized the coffers and confiscated the revenues of the electorate, broke open the arsenals, and transported the arms and artillery to his own town of Magdeburgh; abolished the privy council, and, instead of the lawful government, established a directory, which acknowledged no other law but his own arbitrary will. He gave them to understand, that all these proceedings were no other than preliminaries to the unheard-of treatment which was reserved for a queen, whose virtues ought to have commanded respect, even from her enemies: that from the hands of that august princess, the archives of the state were forced away by menaces and violences, notwithstanding the security which her majesty had promised herself under the protection of all laws human and divine; and notwithstanding the repeated assurances given by the King of Prussia, that not only her person, and the place of her residence, should be absolutely safe, but that even the Prussian garrison should be under her direction. He observed, that a prince who declared himself protector of the protestant religion had begun the war by crushing the very state to which that religion owes its establishment, and the preservation of its most invaluable rights: that he had broke through the most respectable laws which constitute the union of the Germanic body, under colour of a defence which the empire stood in no need of except against himself: that the King of Prussia, while he insists on having entered Saxony as a friend, demands his army, the administration of his dominions, and, in a word, the sacrifice of his whole electorate; and that the Prussian directory, in the declaration of motives, published under the nose of

a prince to whom friendship was pretended, thought it superfluous to allege even any pretext, to colour the usurpation of his territories and revenues.—Though this was certainly the case in his Prussian majesty's first exposition of motives, the omission was afterwards supplied, in a subsequent memorial to the States-general; in which he charged the King of Poland as an accomplice in, if not an accessory to, the treaty of Petersburg; and even taxed him with having agreed to a partition of some Prussian territories, when they should be conquered. This treaty of partition, however, appears to have been made in time of actual war, before all cause of dispute was removed by the peace of Dresden.

§ XI. While the Austrian and Prussian armies were in the field, their respective ministers were not idle at Ratisbon, where three imperial decrees were published against his Prussian majesty: the first, summoning that prince to withdraw his troops from the electorate of Saxony; the second, commanding all the vassals of the empire employed by the King of Prussia to quit that service immediately; and the third, forbidding the members of the empire to suffer any levies of soldiers, for the Prussian service, to be raised within their respective jurisdictions. The French minister declared to the diet, that the proceedings of his Prussian majesty having disclosed to the world the project concerted between that prince and the King of England, to excite in the empire a religious war, which might be favourable to their particular views, his most christian majesty, in consequence of his engagement with the empress-queen, and many other princes of the empire, being resolved to succour them in the most efficacious manner, would forthwith send such a number of troops to their aid, as might be thought necessary to preserve the liberty of the Germanic body. On the other hand, the Prussian minister assured the diet, that his master would very soon produce the proofs that were come to his hands of the plan concerted by the courts of Vienna and Dresden, for the subversion of his electoral house, and for imposing upon him a yoke, which seemed to threaten the whole empire.

§ XII. About the same time, the Russian resident at the Hague communicated to the States-general a declaration from his mistress, importing that her imperial majesty having seen a memorial presented at the court of Vienna by the King of Prussia's envoy extraordinary, was thereby convinced that his Prussian majesty's intention was to attack the territories of the empress-queen; in which case, she (the czarina) was inevitably obliged to succour her ally with all her forces; for which end she had ordered all her troops in Livonia to be forthwith assembled on the frontiers, and hold themselves in readiness to march: that, moreover, the Russian admiralty had been enjoined to provide immediately a sufficient number of galleys for transporting a large body of troops to Lubeck. The ministers of the empress-queen, both at the Hague and at London, delivered memorials to the States-general and his Britannic majesty, demanding the succours which these two powers were bound to afford the house of Austria by the treaty of Aix-la-Chapelle; but their high mightinesses kept warily aloof, by dint of evasion, and the King of Great Britain was far otherwise engaged. The invasion of Saxony had well nigh produced tragedies in the royal family of France. The dauphiness, who was far advanced in her pregnancy, no sooner learned the distressful circumstances of her parents, the King and Queen of Poland, than she was seized with violent fits which occasioned a miscarriage, and brought her life into the most imminent danger. The Prussian minister was immediately ordered to quit Versailles; and directions were despatched to the French minister at Berlin, to retire from that court without taking leave. Finally, the Emperor of Germany concluded a new convention with the French king, regulating the succours

<sup>c</sup> The letter was to the following effect:

"Veldt Marschal Count Rutowski,

"It is not without extreme sorrow I understand the deplorable situation, that a chain of misfortunes has reserved for you, the rest of my generals, and my whole army: but we must acquiesce in the dispensations of Providence, and console ourselves with the rectitude of our sentiments and intentions. They would force me, it seems, as you give me to understand by Major-General le Paon de Dyhern, to submit to conditions the more severe, in proportion as the circumstances become more necessitous. I cannot hear them mentioned. I am a free monarch; such I will live; such I will die, and will both live and die with honour. The law of my

arms, I leave wholly to your discretion. Let your council of war determine whether you must surrender prisoners of war, fall by the sword, or die by famine. May your resolution, if possible, be conducted by humanity, whatever they may be. I have no longer any share in them; and I declare you shall not be answerable for aught but one thing, namely, not to carry out against me or my allies. I pray God may have you, Mr. Marschal, in his holy keeping. Given at Königstein, the 14th of October, 1756.

"AUGUSTUS, Rex."

"To the Veldt Marschal the Count Rutowski."

to be derived from that quarter: he claimed, in all the usual forms, the assistance of the Germanic body, as guarantee of the pragmatic sanction and treaty of Dresden; and Sweden was also addressed on the same subject.

§ XIII. The King of Prussia did not passively bear all the imputations that were fixed upon his conduct. His minister at the Hague presented a memorial, in answer to that of the Saxon resident, in which he accused the court of Dresden of having adopted every part of the scheme which his enemies had formed for his destruction. He affirmed that the Saxon ministers had, in all the courts of Europe, played off every engine of unwarrantable politics, in order to pave the way for the execution of their project: that they had endeavoured to give an odious turn to his most innocent actions: that they had spared neither malicious insinuations, nor even the most atrocious calumnies, to alienate all the world from his majesty, and raise up enemies against him every where. He said he had received information that the court of Saxony intended to let his troops pass freely, and afterwards wait for events of which they might avail themselves, either by joining his enemies, or making a diversion in his dominions: that in such a situation he could not avoid having recourse to the only means which were left him for preventing his inevitable ruin, by putting it out of the power of Saxony to increase the number of his enemies. He asserted, that all the measures he had pursued in that electorate were but the necessary consequences of the first resolution he was forced to take for his own preservation; that he had done nothing but deprived the court of Saxony of the means of hurting him; and this had been done with all possible moderation: that the country enjoyed all the security and all the quiet which could be expected in the very midst of peace, the Prussian troops observing the most exact discipline: that all due respect was shown to the Queen of Poland, who had been prevailed upon, by the most suitable representations, to suffer some papers to be taken from the Paper Office, of which his Prussian majesty already had copies; and thought it necessary, to ascertain the dangerous design of the Saxon ministry against him, to secure the originals; the existence and reality of which might otherwise have been denied. He observed, that every man has a right to prevent the mischief with which he is threatened, and to retort it upon its author; and that neither the constitutions nor the laws of the empire could obstruct the exertion of a right so superior to all others as that of self-preservation and self-defence; especially when the depository of these laws is so closely united to the enemy, as manifestly to abuse his power in her favour.

§ XIV. But the most important step which his Prussian majesty took in his own justification, was that of publishing another memorial, specifying the conduct of the courts of Vienna and Saxony, and their dangerous designs against his person and interest, together with the original documents adduced as proofs of these sinister intentions. As a knowledge of these pieces is requisite to form a distinct idea of the motives which produced the dreadful war upon the continent, it will not be amiss to usher the substance of them to the reader's acquaintance. His Prussian majesty affirms, that to arrive at the source of the vast plan upon which the courts of Vienna and Saxony had been employed against him ever since the peace of Dresden, we must trace it as far back as the war which preceded this peace: that the fond hopes which the two allied courts had conceived upon the success of the campaign in the year one thousand seven hundred and forty-four, gave occasion to a treaty of eventual partition, stipulating that the court of Vienna should possess the duchy of Silesia and the county of Glatz; while the King of Poland, Elector of Saxony, should share the duchies of Magdeburgh and Croissen; the circles of Zullichow and Swibus, together with the Prussian part of Lusatia: that after the peace of Dresden, concluded in the year one thousand seven hundred and forty-five, there was no further room for a treaty of this nature: yet the court of Vienna proposed to that of Saxony a new alliance, in which the treaty of eventual partition should be renewed: but this last thought it necessary, in the first place, to give a greater consistency to their plan, by grounding it upon an alliance between the empress-queen and the czarina. Accordingly,

these two powers did, in fact, conclude a defensive alliance at Petersburg in the course of the ensuing year: but the body, or ostensible part of this treaty, was composed merely with a view to conceal from the knowledge of the public six secret articles, the fourth of which was levelled singly against Prussia, according to the exact copy of it, which appeared among the documents. In this article, the Empress-Queen of Hungary and Bohemia sets out with a protestation, that she will religiously observe the treaty of Dresden; but explains her real way of thinking upon the subject, a little lower, in the following terms: "If the King of Prussia should be the first to depart from the peace, by attacking either her majesty the Empress-Queen of Hungaria and Bohemia, or her majesty the Empress of Russia, or even the republic of Poland; in all these cases, the rights of the empress-queen to Silesia and the county of Glatz would again take place, and recover their full effect: the two contracting parties should mutually assist each other with sixty thousand men to achieve these conquests." The king observes upon this article, that every war which can arise between him and Russia, or the republic of Poland, would be looked upon as a manifest infraction of the peace of Dresden, and a revival of the rights of the house of Austria to Silesia; though neither Russia nor the republic of Poland is at all concerned in the treaty of Dresden; and though the latter, with which the king lived in the most intimate friendship, was not even in alliance with the court of Vienna: that according to the principles of the law of nature, received among all civilized nations, the most the court of Vienna could be authorized to do in such cases, would be to send those succours to her allies which are due to them by treaties, without her having the least pretence, on that account, to free herself from the particular engagements subsisting between her and the king: he appealed, therefore, to the judgment of the impartial world, whether in this secret article the contracting powers had kept within the bounds of a defensive alliance; or whether this article did not rather contain a plan of an offensive alliance against the King of Prussia. He affirmed it was obvious, from this article, that the court of Vienna had prepared three pretences for the recovery of Silesia; and that she thought to attain her end, either by provoking the king to commence hostilities against her, or to kindle a war between his majesty and Russia, by her secret intrigues and machinations; he alleged that the court of Saxony, being invited to accede to this alliance, eagerly acceded to the invitation; furnished its ministers at Petersburg with full powers for that purpose; and ordered them to declare that their master was not only ready to accede to the treaty itself, but also to the secret article against Prussia; and to join in the regulations made by the two courts, provided effectual measures should be taken, as well for the security of Saxony, as for its indemnification and recompence, in proportion to the efforts and progress that might be made: that the court of Dresden declared, if upon any fresh attack from the King of Prussia, the empress-queen should, by their assistance, not only re-conquer Silesia, and the country of Glatz, but also reduce him within narrow bounds, the King of Poland, as Elector of Saxony, would abide by the partition formerly stipulated between him and the empress-queen. He also declared that Count Loss, the Saxon minister at Vienna, was charged to open a private negotiation for settling an eventual partition of the conquest which might be made on Prussia, by laying down, as the basis of it, the treaty of Leipsic, signed on the eighteenth day of May, in the year one thousand seven hundred and forty-five, as would appear by the documents affixed. He owned it had been supposed, through the whole of this negotiation, that the King of Prussia should be the aggressor against the court of Vienna; but he insisted, that even in this case the King of Poland could have no right to make conquests on his Prussian majesty. He likewise acknowledged, that the court of Saxony had not yet acceded in form to the treaty of Petersburg; but he observed, its allies were given to understand again and again, that it was ready to accede without restriction, whenever this could be done without risk; and the advantages to be gained should be secured in its favour; circumstances proved by divers authentic documents, particularly by a

letter from Count Fleming to Count de Bruhl, informing him that Count Uhlefeld had charged him to represent afresh to his court, that they could not take too secure measures against the ambitious views of the King of Prussia: that Saxony in particular ought to be cautious, as being the most exposed: that it was of the highest importance to strengthen their old engagements, upon the footing proposed by the late Count de Harrach, in the year one thousand seven hundred and forty-five; a step which might be taken on occasion of his Polish majesty's accession to the treaty of Petersburg. The answer of Count Bruhl to this despatch imported, that the King of Poland was not averse to treat in the utmost secrecy with the court of Vienna about succours, by private and confidential declarations relating to the fourth secret article of the treaty of Petersburg, on condition of reasonable terms and advantages, which in this case ought to be granted to his majesty. He quoted other despatches to prove the unwillingness of his Polish majesty to declare himself, until the King of Prussia should be attacked, and his forces divided; and that this scruple was admitted by the allies of Saxony. From these premises he deduced this inference, that the court of Dresden, without having acceded in form to the treaty of Petersburg, was not less an accomplice in the dangerous designs which the court of Vienna had grounded upon this treaty; and that having been dispensed with from a formal concurrence, it had only waited for that moment when it might, without running any great risk, conquer in effect, and share the spoil, of its neighbour. In expectation of this period he said, the Austrian and Saxon ministers laboured in concert and underhand with the more ardour, to bring the *Casus Fœderis* into existence: for it being laid down as a principle in the treaty, that any war whatever between him and Russia would authorize the empress-queen to take Silesia, there was nothing more to be done but to kindle such a war; for which purpose no method was found more proper than that of embroiling the king with the Empress of Russia; and to provoke that princess with all sorts of false insinuations, impostures, and the most atrocious calumnies, in laying to his majesty's charge a variety of designs, sometimes against Russia, and even the person of the czarina; sometimes views upon Poland, and sometimes intrigues in Sweden. By these and other such contrivances, he affirmed they had kindled the animosity of the empress to such a degree, that in a council held in the month of October, in the year one thousand seven hundred and fifty-three, she had resolved to attack the King of Prussia, without any further discussion, whether he should fall upon any of the allies of Russia, or one of them should begin with him: a resolution which for that time was frustrated by their want of seamen and magazines; but the preparations were continued under pretence of keeping themselves in a condition to fulfil their engagements, contracted in the last subsidiary convention with England; and when all were finished, the storm would fall on the King of Prussia.

§ XV. This is the substance of that famous memorial published by his Prussian majesty, to which the justifying pieces or authentic documents were annexed; and to which a circumstantial answer was exhibited by the partisans of her imperial majesty. Specious reasons may, doubtless, be adduced on either side of almost any dispute, by writers of ingenuity: but, in examining this contest, it must be allowed that both sides adopted illicit practices. The empress-queen and the Elector of Saxony had certainly a right to form defensive treaties for their own preservation; and, without all doubt, it was their interest and their duty to secure themselves from the enterprises of such a formidable neighbour: but, at the same time, the contracting parties seem to have carried their views much further than defensive measures. Perhaps the court of Vienna considered the cession of Silesia as a circumstance altogether compulsive, and therefore, not binding against the rights of natural equity. She did not at all doubt that the King of Prussia would be tempted by his ambition and great warlike power, to take some step which might be justly interpreted into an infraction of the treaty of Dresden; and in that case she was determined to avail herself of the confederacy she had formed, that she might

retrieve the countries she had lost by the unfortunate events of the last war, as well as bridle the dangerous power and disposition of the Prussian monarch: and, in all probability, the King of Poland, over and above the same consideration, was desirous of some indemnification for the last irruption into his electoral dominions, and the great sums he had paid for the subsequent peace. Whether they were authorized by the law of nature and nations to make reprisals by an actual partition of the countries they might conquer, supposing him to be the aggressor, we shall not pretend to determine: but it does not at all appear, that his Prussian majesty's danger was such as entitled him to take those violent steps which he now attempted to justify. By this time the flame of war was kindled up to a blaze that soon filled the empire with ruin and desolation; and the King of Prussia had drawn upon himself the resentment of the three greatest powers in Europe, who laid aside their former animosities, and every consideration of that balance which it had cost such blood and treasure to preserve, in order to conspire his destruction. The king himself could not but foresee this confederacy, and know the power it might exert: but probably he confided so much in the number, the valour, and discipline of his troops; in the skill of his officers; in his own conduct and activity; that he hoped to crush the house of Austria by one rapid endeavour at the latter end of the season, or at least establish himself in Bohemia, before her allies could move to her assistance. In this hope, however, he was disappointed by the vigilance of the Austrian councils. He found the empress-queen in a condition to make head against him in every avenue to her dominions; and in a fair way of being assisted by the circles of the empire. He saw himself threatened with the vengeance of the Russian empress, and the sword of France gleaming over his head, without any prospect of assistance but that which he might derive from his alliance with Great Britain. Thus the King of England exchanged the alliance of Russia, who was his subsidiary, and the friendship of the empress-queen, his old and natural ally, for a new connexion with his Prussian majesty, who could neither act as an auxiliary to Great Britain, nor as a protector to Hanover: and for this connexion, the advantage of which was merely negative, such a price was paid by England as had never been given by any other potentate of Europe, even for services of the greatest importance.

§ XVI. About the latter end of November, the Saxon minister at Ratisbon delivered to the diet a new and ample memorial, explaining the lamentable state of that electorate, and imploring afresh the assistance of the empire. The King of Prussia had also addressed a letter to the diet, demanding succour of the several states, agreeable to their guarantees of the treaties of Westphalia and Dresden: but the minister of Mentz, as director of the diet, having refused to lay it before that assembly, the minister of Brandenburg ordered it to be printed, and sent to his court for further instructions. In the meantime his Prussian majesty thought proper to intimate to the King and senate of Poland, that should the Russian troops be permitted to march through that kingdom, they might expect to see their country made a scene of war and desolation. In France, the prospect of a general and sanguinary war did not at all allay the disturbance which sprang from the dissension between the clergy and parliament, touching the bull *Unigenitus*. The king being again brought over to the ecclesiastical side of the dispute, received a brief from the pope, laying it down as a fundamental article, that whosoever refuses to submit to the bull *Unigenitus*, is in the way of damnation: and certain cases are specified, in which the sacraments are to be denied. The parliament of Paris, considering this brief or bull as a direct attack upon the rights of the Gallican church, issued an arret or decree, suppressing the said bull; reserving to themselves the right of providing against the inconveniences with which it might be attended; as well as the privilege to maintain in their full force the prerogatives of the crown, the power and jurisdiction of the bishops, the liberties of the Gallican church, and the customs of the realm. The king, dissatisfied with their interposition, declared his design to hold a bed of justice in person at the palace. Accordingly, on the twelfth day of November, the whole body



of his guards, amounting to ten thousand men, took post in the city of Paris: and next day the king repaired with the usual ceremony to the palace, where the bed of justice was held: among other regulations, an edict was issued for suppressing the fourth and fifth chambers of inquests, the members of which had remarkably distinguished themselves by their opposition to the bull *Unigenitus*.

§ XVII. In England, the dearth of corn, arising in a great measure from the iniquitous practice of engrossing, was so severely felt by the common people, that insurrections were raised in Shropshire and Warwickshire by the populace, in conjunction with the colliers, who seized by violence all the provision they could find; pillaging without distinction the millers, farmers, grocers, and butchers, until they were dispersed by the gentlemen of the country, at the head of their tenants and dependants. Disorders of the same nature were excited by the colliers on the forest of Dean, and those employed in the works in Cumberland. The corporations, noblemen, and gentlemen, in different parts of the kingdom, exerted themselves for the relief of the poor, who were greatly distressed; and a grand council being assembled at St. James's on the same subject, a proclamation was published, for putting the laws in speedy and effectual execution against the forestallers and engrossers of corn.

§ XVIII. The fear of an invasion having now subsided, and Hanover being supposed in greater danger than Great Britain, the auxiliaries of that electorate were transported from England to their own country. At the latter end of the season, when the weather became severe, the innkeepers of England refused to admit the Hessian soldiers into winter-quarters, as no provision had been made for that purpose by act of parliament; so that they were obliged to hut their camp, and remain in the open fields till January: but the rigour of this uncomfortable situation was softened by the hand of generous charity, which liberally supplied them with all manner of refreshment, and other conveniences; a humane interposition, which rescued the national character from the imputation of cruelty and ingratitude.

§ XIX. On the second day of December, his majesty opened the session of parliament with a speech that seemed to be dictated by the genius of England. He expressed his confidence, that, under the guidance of Divine Providence, the union, fortitude, and affection of his people would enable him to surmount all difficulties, and vindicate the dignity of his crown against the ancient enemy of Great Britain. He declared, that the succour and preservation of America constituted a main object of his attention and solicitude; and observed, that the growing dangers to which the British colonies might stand exposed from late losses in that country, demanded resolutions of vigour and despatch. He said, an adequate and firm defence at home should maintain the chief place in his thoughts; and in this great view he had nothing so much at heart as to remove all grounds of dissatisfaction from his people: for this end, he recommended to the care and diligence of the parliament the framing of a national militia, planned and regulated with equal regard to the just rights of his crown and people; an institution which might become one good resource in time of general danger. He took notice that the unnatural union of councils abroad, the calamities which, in consequence of this unhappy conjunction, might, by irruptions of foreign armies into the empire, shake its constitution, overturn its system, and threaten oppression to the protestant interest on the continent, were events which must sensibly affect the minds of the British nation, and had fixed the eyes of Europe on this new and dangerous crisis. He gave them to understand that the body of his electoral troops, which were brought hither at the desire of his parliament, he had now directed to return to his dominions in Germany, relying with pleasure on the spirit and zeal of his people, in de-

fence of his person and realm. He told the Commons that he confided in their wisdom for preferring more vigorous efforts, though more expensive, to a less effectual and therefore less frugal plan of war; that he had placed before them the dangers and necessities of the public; and it was their duty to lay the burthens they should judge unavoidable in such a manner as would least disturb and exhaust his people. He expressed his concern for the sufferings of the poor, arising from the present dearth of corn, and for the disturbance to which it had given rise; and exhorted his parliament to consider of proper provisions for preventing the like mischiefs hereafter. He concluded with remarking, that unprosperous events of war in the Mediterranean had drawn from his subjects signal proofs how dearly they tendered the honour of his crown; therefore, they could not, on his part, fail to meet with just returns of unwearied care, and unceasing endeavours for the glory, prosperity, and happiness of his people.

§ XX. The king having retired from the House of Peers, the speech was read by Lord Sandys, appointed to act as speaker to that House; then Earl Gower moved for an address, which, however, was not carried without objection. In one part of it his majesty was thanked for having caused a body of electoral troops to come into England at the request of his parliament; and this article was disagreeable to those who had disapproved of the request in the last session. They said they wished to see the present address unanimously agreed to by the Lords; a satisfaction they could not have if such a paragraph should be inserted: for they still thought the bringing over Hanoverian troops a preposterous measure; because it had not only loaded the nation with an enormous expense, but also furnished the court of France with a plausible pretence for invading the electorate, which otherwise it would have no shadow of reason to attack; besides, the expedient was held in reprobation by the subjects in general, and such a paragraph might be considered as an insult on the people. Notwithstanding these exceptions, which did not seem to be very important, the address, including the paragraph, was approved by a great majority.

§ XXI. In the address of the Commons no such paragraph was inserted. As soon as the speaker had recited his majesty's speech, Mr. C. Townshend proposed the heads of an address, to which the House unanimously agreed; and it was presented accordingly. This necessary form was no sooner discussed, than the House, with a warmth of humanity and benevolence, suitable to such an assembly, resolved itself into a committee, to deliberate on that part of his majesty's speech which related to the dearth of corn that so much distressed the poorer class of people. A bill was immediately framed to prohibit, for a time limited, the exportation of corn, malt, meal, flour, bread, biscuit, and starch; and a resolution unanimously taken to address the sovereign, that an embargo might be forthwith laid upon all ships laden or to be laden with these commodities to be exported from the ports of Great Britain and Ireland. At the same time, Vice-Admiral Boscawen, from the board of admiralty, informed the House, that the king and the board having been dissatisfied with the conduct of Admiral Byng, in a late action with the French fleet in the Mediterranean, and for the appearance of his not having acted agreeably to his instructions for the relief of Minorca, he was then in custody of the marshal of the admiralty, in order to be tried by a court-martial: that although this was no more than what is usual in like cases, yet as Admiral Byng was then a member of the House, and as his confinement might detain him some time from his duty there, the board of admiralty thought it a respect due to the House to inform them of the commitment and detainer of the said admiral. This message being delivered, the journal of the House in relation to Rear-Admiral Knowles<sup>d</sup>

<sup>d</sup> Rear-Admiral Knowles being, in the month of December, one thousand seven hundred and forty nine, tried at Deptford, before a court-martial, for his behaviour in relating to an action which happened on the first day of October in the preceding year, between a British squadron under his command, and a squadron of Spain, the court was unanimously of opinion, that the said Knowles, while he was detaining for three weeks, by a different disposition of his squadron, have begun the attack with six ships as early in the day as four of them were engaged; and that, therefore, by neglecting so to do, he gave the enemy a manifest advan-

tage; that the said Knowles remained on board the ship Cornwall with his flag, after she was disabled, from continuing the action, though he might, upon her being disabled, have shifted his flag on board another ship; and the court were unanimously of opinion, he ought to have done so, in order to have conducted an ordered, during the whole action, the motions of the squadron intended to hasten and complete. Upon consideration of the whole conduct of the said Knowles, relating to that action, the court did unanimously agree that he fell under the force of the fourteenth article of the Articles of War, namely, the word negligence,

was read, and what Mr. Boscawen now communicated was also inserted.

§ XXII. The committees of supply, and of ways and means, being appointed, took into consideration the necessities of the state, and made very ample provision for enabling his majesty to maintain the war with vigour. They granted fifty-five thousand men for the sea service, including eleven thousand four hundred and nineteen marines; and for the land service forty-nine thousand seven hundred and forty-nine effective men, comprehending four thousand and eight invalids. The supply was granted for the maintenance of these forces, as well as for the troops of Hesse and Hanover; for the ordnance; the levy of new regiments; for assisting his majesty in forming and maintaining an army of observation, for the just and necessary defence and preservation of his electoral dominions, and those of his allies; and towards enabling him to fulfil his engagements with the King of Prussia; for the security of the empire against the irruption of foreign armies, as well as the support of the common cause; for building and repairs of ships, hiring of transports, payment of half-pay officers, and the pensions of widows; for enabling his majesty to discharge the like sum, raised in pursuance of an act passed in the last session of parliament, and charged upon the first aids or supplies to be granted in this session; for enabling the governors and guardians of the hospital for the maintenance and education of exposed and deserted young children, to receive all such children under a certain age, as should be brought to the said hospital within the compass of one year; for maintaining and supporting the new settlement of Nova Scotia; for repairing and finishing military roads; for making good his majesty's engagements with the Landgrave of Hesse-Cassel: for the expense of marching, recruiting, and remounting German troops in the pay of Great Britain; for empowering his majesty to defray any extraordinary expenses of the war, incurred or to be incurred for the service of the ensuing year, and to take all such measures as might be necessary to disappoint or defeat any enterprises or designs of his enemies, as the exigency of affairs should require; for the payment of such persons, in such a manner as his majesty should direct, for the use and relief of his subjects in the several provinces of the North and South Carolina and Virginia, in recompence for such services as, with the approbation of his majesty's commander-in-chief in America, they respectively had performed, or should perform, either by putting these provinces in a state of defence, or by acting with vigour against the enemy; for enabling the East India company to defray the expense of a military force in their settlements, to be maintained in them, in lieu of a battalion of his majesty's forces withdrawn from those forts and factories; for the maintenance and support of the forts on the coast of Africa; for widening the avenues, and rendering more safe and commodious the streets and passages, leading from Charing-cross to the two Houses of parliament, the courts of justice, and the new bridge at Westminster.<sup>5</sup> Such were the articles under which we may specify the supplies of this year, on the whole amounting to eight millions three hundred fifty thousand three hundred and twenty-five pounds, nine shillings, and three pence. It must be acknowledged, for the honour of the administration, that the House of Commons could not have exhibited stronger marks of their attachment to the crown and person of their sovereign, as well as of their desire to see the force of the nation exerted with becoming spirit. The sums granted by the committee of supply did not exceed eight millions three hundred fifty thousand three hundred twenty-five pounds, nine shillings, and three

pence; the funds established amounted to eight millions six hundred eighty-nine thousand fifty-one pounds, nineteen shillings, and seven pence; so that there was an overplus of three hundred thirty-eight thousand seven hundred and twenty-six pounds, ten shillings, and four pence; an excess which was thought necessary, in case the lottery, which was founded on a new plan, should not succeed.

§ XXIII. Some of these impositions were deemed grievous hardships by those upon whom they immediately fell; and many friends of their country exclaimed against the projected army of observation in Germany, as the commencement of a ruinous continental war, which it was neither the interest of the nation to undertake, nor in their power to maintain, without starving the operations by sea, and in America, founded on British principles; without contracting such an additional load of debts and taxes, as could not fail to terminate in bankruptcy and distress. To those dependants of the ministry, who observed that, as Hanover was threatened by France for its connexion with Great Britain, it ought, in common gratitude, to be protected, they replied, that every state, in assisting any ally, ought to have a regard to its own preservation: that, if the King of England enjoyed by inheritance, or succession, a province in the heart of France, it would be equally absurd and unjust, in case of a rupture with that kingdom, to exhaust the treasures of Great Britain in the defence of such a province: and yet the inhabitants of it would have the same right to complain that they suffered for their connexion with England. They observed, that other dominions, electorates, and principalities in Germany were secured by the constitutions of the empire, as well as by fair and equal alliances with their co-estates; whereas Hanover stood solitary, like a hunted deer avoided by the herd, and had no other shelter but that of shrinking under the extended shield of Great Britain: that the reluctance expressed by the German princes to undertake the defence of these dominions flowed from a firm persuasion, founded on experience, that England would interpose as a principal, and not only draw her sword against the enemies of the electorate, but concentrate her chief strength in that object, and waste her treasures in purchasing their concurrence; that exclusive of an ample revenue drained from the sweat of the people, great part of which had been expended in continental efforts, the whole national debt incurred, since the accession of the late king, had been contracted in pursuance of measures totally foreign to the interest of these kingdoms: that, since Hanover was the favourite object, England would save money, and great quantities of British blood, by allowing France to take possession of the electorate, paying its ransom at the peace, and indemnifying the inhabitants for the damage they might sustain; an expedient that would be productive of another good consequence; it would rouse the German princes from their affected indifference, and oblige them to exert themselves with vigour, in order to avoid the detested neighbourhood of such an enterprising invader.

§ XXIV. The article of the supply relating to the army of observation took rise from a message signed by his majesty, and presented by Mr. Pitt, now promoted to the office of principal secretary of state; a gentleman who had, upon sundry occasions, combated the gigantic plan of continental connexions with all the strength of reason, and all the powers of eloquence. He now imparted to the House an intimation, importing, It was always with reluctance that his majesty asked extraordinary supplies of his people; but as the united councils and formidable preparations of France and her allies threatened Europe in general with the most alarming consequences; and as these unjust and vindictive designs were particularly and

and no other, and also under the twenty-third article.—The court, therefore, unaccountably supposed, that he should be reprimanded for not bringing up the question in closer order, than he did, and not beginning the attack with as great force as he might have done, and also for not shifting his flag, upon the Cornwallis being disabled.

<sup>5</sup> Notwithstanding some extremely evasive and ungenerous expressions of a Prussian parliament, from this intimation proceeding, for detesting the liberties of Germany, in conjunction with two electors only against the sense of the other seven, and in direct opposition to the measures taken by the head of the empire, who, in the sequel, stigmatized these two princes as rebels, and treated one of them as an outlaw.

<sup>6</sup> If this charity established by voluntary contribution, might, under proper restrictions, prove beneficial to the commonwealth, by rescuing deserted children from misery and death, and qualifying them for being serviceable members of the community: but since the liberality

of parliament hath enabled the governors and corporation to receive all the children that are presented, without question or limitation, the yearly expense hath swelled into a national grievance, and the humane purposes of the original institution are, in a great measure, defeated. Instead of an asylum for poor children and orphans, as it abandoned foundlings, it is become a general receptacle for the offspring of the prostitute, who state not to work for the maintenance of their families. The hospital itself is a plain edifice, well contrived for economy and convenience, standing on the north side of the city, and a little detached from it, in an agreeable and salubrious situation. The hall is adorned with some good paintings, the chapel is elegant, and the regulations are admirable.

<sup>7</sup> The bridge at Westminster may be considered as a national ornament. It was built at the public expense, from the neighbourhood of Westminster-hall to the opposite side of the river, and consists of thirteen arches, constructed with equal elegance and simplicity.

immediately bent against his majesty's electoral dominions, and those of his good ally, the King of Prussia, his majesty confided in the experienced zeal and affection of his faithful Commons, that they would cheerfully assist him in forming and maintaining an army of observation, for the just and necessary defence and preservation of those territories, and enable him to fulfil his engagements with his Prussian majesty, for the security of the empire against the irruption of foreign armies, and for the support of the common cause. Posterity will hardly believe, that the emperor and all the Princes of Germany were in a conspiracy against their country, except the King of Prussia, the Elector of Hanover, and the Landgrave of Hesse-Cassel; and they will, no doubt, be surprised, that Great Britain, after all the treaties she had made, and the numberless subsidies she had granted, should not have an ally left, except one prince, so embarrassed in his own affairs, that he could grant her no succour, whatever assistance he might demand. The king's message met with as favourable a reception as he could have desired. It was read in the House of Commons, together with a copy of the treaty between his majesty and the King of Prussia, including the secret and separate article, and the declaration signed on each side by the plenipotentiaries at Westminster: the request was granted, and the convention approved. With equal readiness did they gratify his majesty's inclination, signified in another message, delivered on the seventeenth day of May, by Lord Bateman, intimating, that in this critical juncture, emergencies might arise of the utmost importance, and be attended with the most pernicious consequences, if proper means should not be immediately applied to prevent or defeat them; his majesty was therefore desirous that the House would enable him to defray any extraordinary expenses of the war, incurred or to be incurred for the service of the current year; and to take all such measures as might be necessary to disappoint or defeat any enterprises or designs of his enemies, as the exigency of affairs might require. The committee of supply forthwith granted a very large sum for these purposes, including the charge of German mercenaries. A like message being at the same time communicated to the upper House, their lordships voted a very loyal address upon the occasion; and when the article of supply, which it produced among the Commons, fell under their inspection, they unanimously agreed to it, by way of a clause of appropriation.

§ XXV. We have already observed, that the first bill which the Commons passed in this session, was for the relief of the poor, by prohibiting the exportation of corn; but this remedy not being judged adequate to the evil, another bill was framed, removing, for a limited time, the duty then payable upon foreign corn and flour imported; as also permitting, for a certain time, all such foreign corn, grain, meal, bread, biscuit, and flour, as had been or should be taken from the enemy, to be landed and expended in the kingdom, duty free. In order still more to reduce the high price of corn, and to prevent any supply of provisions from being sent to our enemies in America, a third bill was brought in, prohibiting, for a time therein limited, the exportation of corn, grain, meal, malt, flour, bread, biscuit, starch, beef, pork, bacon, or other victual, from any of the British plantations, unless to Great Britain or Ireland, or from one colony to another. To this act two clauses were added, for allowing those necessities, mentioned above, to be imported in foreign-built ships, and from any state in amity with his majesty, either into Great Britain or Ireland; and for exporting from Southampton or Exeter to the Isle of Man, for the use of the inhabitants, a quantity of wheat, barley, oats, meal, or flour, not exceeding two thousand five hundred quarters. The Commons would have still improved their humanity, had they contrived and established some effectual method to punish those unfeeling villains, who, by engrossing and hoarding up great quantities of grain, had created this artificial scarcity, and deprived their fellow-creatures of bread, with a view to their own private advantage. Upon a subsequent report of the committee, the House resolved, that, to prevent the high price of wheat and bread, no spirits should be distilled from wheat for a limited time. While the bill formed on this resolution was in embryo, a

petition was presented to the House by the brewers of London, Westminster, Southwark, and parts adjacent, representing, that, when the resolution passed, the price of malt, which was before too high, immediately rose to such a degree, that the petitioners found themselves utterly incapable of carrying on business at the price malt then bore, occasioned, as they conceived, from an apprehension of the necessity the distillers would be under to make use of the best pale malt, and substitute the best barley in lieu of wheat: that, in such a case, the markets would not be able to supply a sufficient quantity of barley for the demands of both professions, besides other necessary uses: they, therefore, prayed, that in regard to the public revenue, to which the trade of the petitioners so largely contributed, proper measures might be taken for preventing the public loss, and relieving their particular distress. The House would not lend a deaf ear to a remonstrance in which the revenue was concerned. The members appointed to prepare the bill immediately received instructions to make provision in it to restrain, for a limited time, the distilling of barley, malt, and all grain whatsoever. The bill was framed accordingly, but did not pass without strenuous opposition. To this prohibition it was objected that there are always large quantities of wheat and barley in the kingdom so much damaged, as to be unfit for any use but the distillery; consequently a restriction of this nature would ruin many farmers, and others employed in the trade of malting. Particular interests, however, must often be sacrificed to the welfare of the community; and the present distress prevailed over the prospect of this disadvantage. If they had allowed any sort of grain to be distilled, it would have been impossible to prevent the distilling of every kind. The prohibition was limited to two months: but at the expiration of that term, the scarcity still continuing, it was protracted by a new bill to the eleventh day of December, with a proviso, empowering his majesty to put an end to it at any time after the eleventh day of May, if such a step should be judged for the advantage of the kingdom.

§ XXVI. The next bill that engaged the attention of the Commons was a measure of the utmost national importance, though secretly disliked by many individuals of the legislature, who, nevertheless, did not venture to avow their disapprobation. The establishment of a militia was a very popular and desirable object, but attended with numberless difficulties, and a competition of interests which it was impossible to reconcile. It had formerly been an inexhaustible source of contention between the crown and the Commons; but now both apparently concurred in rendering it serviceable to the commonwealth, though some acquiesced in the scheme, who were not at all hearty in its favour. On the fourth day of December, a motion was made for the bill, by Colonel George Townshend, eldest son of Lord Viscount Townshend, a gentleman of courage, sense, and probity; endued with penetration to discern, and honesty to pursue, the real interest of his country, in defiance of power, in contempt of private advantages. Leave being given to bring in a bill for the better ordering of the militia forces in the several counties in England, the task of preparing it was allotted to Mr. Townshend, and a considerable number of the most able members in the House, comprehending his own brother, Mr. Charles Townshend, whose genius shone with distinguished lustre: he was keen, discerning, eloquent, and accurate; possessed of a remarkable vivacity of parts, with a surprising solidity of understanding; was a wit without arrogance, a patriot without prejudice, and a courtier without dependence.

§ XXVII. While the militia bill remained under consideration in the House, a petition for a constitutional and well regulated militia was presented by the mayor, jurats, and commonalty of the king's town and parish of Maidstone, in Kent, in common-council assembled. At the same time remonstrances were offered by the protestant dissenting ministers of the three denominations in and about the cities of London and Westminster; by the protestant dissenters of Shrewsbury; the dissenting ministers of Devonshire; the protestant dissenters, being freeholders and burgesses of the town and county of the town of Nottingham, joined with other inhabitants of the church of Eng-



land, expressing their apprehension, that, in the bill then depending, it might be proposed to enact, that the said militia should be exercised on the Lord's day, commonly called Sunday, and praying that no clause for such purpose might pass into a law. Though nothing could be more ridiculously fanatic and impertinent than a declaration of such a scruple against a practice so laudable and necessary, in a country where that day of the week is generally spent in merry-making, riot, and debauchery, the House paid so much regard to the squeamish consciences of those puritanical petitioners, that Monday was pitched upon for the day of exercise to the militia, though on such working days they might be much more profitably employed, both for themselves and their country: and that no religious pretence should be left for opposing the progress and execution of the bill, proper clauses were inserted for the relief of the quakers. Another petition and counter-petition were delivered by the magistrates, freeholders, and burgesses of the town of Nottingham, in relation to their particular franchise, which were accordingly considered in framing the bill.

§ XXVIII. After mature deliberation, and divers alterations, it passed the lower House, and was sent to the Lords for their concurrence: here it underwent several amendments, one of which was the reduction of the number of militia men to one half of what the Commons had promised; namely, to thirty-two thousand three hundred and forty men for the whole kingdom of England and Wales. The amendments being canvassed in the lower House, met with some opposition, and divers conferences with their lordships ensued: at length, however, the two Houses agreed to every article, and the bill soon received the royal sanction. No provision, however, was made for clothes, arms, accoutrements, and pay: had regulations been made for these purposes, the act would have become a money-bill in which the Lords could have made no amendment: in order, therefore, to prevent any difference between the two Houses, on a dispute of privileges not yet determined, and that the House of Peers might make what amendments they should think expedient, the Commons left the expense of the militia to be regulated in a subsequent bill, during the following session, when they could, with more certainty, compute what sum would be necessary for these purposes. After all, the bill seemed to be crude, imperfect, and ineffectual, and the promoters of it were well aware of its defects; but they were apprehensive that it would have been dropped altogether, had they insisted upon the scheme's being executed in its full extent. They were eager to seize this opportunity of trying an experiment, which might afterwards be improved to a greater national advantage; and therefore they acquiesced in many restrictions and alterations, which otherwise would not have been adopted.

§ XXIX. The next measure that fell under the consideration of the House was rendered necessary by the inhospitable perseverance of the publicans and innholders, who conceived themselves not obliged by law to receive or give quarters in their houses to any foreign troops, and accordingly refused admittance to the Hessian auxiliaries, who began to be dreadfully incommoded by the severity of the weather. This objection, implying an attack upon the prerogative, the government did not think fit, at this juncture, to dispute any other way, than by procuring a new law in favour of those foreigners. It was intitled, "A bill to make provision for quartering the foreign troops now in this kingdom;" prepared by Lord Barrington, the chancellor of the exchequer, and the solicitor-general, and immediately passed without opposition. This step being taken, another bill was brought in for the regulation of

the marine forces while on shore. This was almost a transcript of the mutiny act, with this material difference: it empowered the admiralty to grant commissions for holding general courts-martial, and to do every thing, and in the same manner, as his majesty is empowered to do by the usual mutiny bill; consequently, every clause was adopted without question.

§ XXX. The same favourable reception was given to a bill for the more speedy and effectual recruiting his majesty's land forces and marines; a law which threw into the hands of many worthless magistrates an additional power of oppressing their fellow-creatures: all justices of the peace, commissioners for the land tax, magistrates of corporations and boroughs, were empowered to meet by direction of the secretary at war, communicated in precepts issued by the high sheriffs, or their deputies, within their respective divisions, and at their usual places of meeting, to qualify themselves for the execution of the act: then they were required to appoint the times and places for their succeeding meetings; to issue precepts to the proper officers for the succeeding meetings; and to give notice of the time and place of every meeting to such military officers, as, by notice from the secretary at war, should be directed to attend that service. The annual bill for preventing mutiny and desertion, met with no objections, and indeed contained nothing essentially different from that which had passed in the last session. The next law enacted was, for further preventing embezzlement of goods, and apparel, by those with whom they are intrusted, and putting a stop to the practice of gaming in public-houses. By this bill a penalty was inflicted on pawnbrokers, in a summary way, for receiving goods, knowing them not to be the property of the pledger, and pawned without the authority of the owner.<sup>b</sup> With respect to gaming, the act ordained, that all publicans suffering journeymen, labourers, servants, or apprentices, to game with cards, dice, shuffle-boards, mississippi, or billiard-tables, skittles, nine-pins, &c. should forfeit forty shillings for the first offence, and for every subsequent offence ten pounds shall be levied by distress.

§ XXXI. Divers inconveniences having resulted from the interposition of justices, who, in pursuance of an act of parliament passed in the present reign, assumed the right of establishing rates for the payment of wages to weavers, several petitions were offered to the House of Commons, representing the evil consequences of such an establishment; and although these arguments were answered and opposed in counter-petitions, the Commons, actuated by a laudable concern for the interest of the woollen manufacture, after due deliberation removed the grievance by a new bill, repealing so much of the former act as empowered justices of the peace to make rates for the payment of wages.<sup>1</sup> The Commons were not more forward to provide supplies for prosecuting the war with vigour, than ready to adopt regulations for the advantage of trade and manufactures. The society of the free British fishery presented a petition, alleging, that they had employed the sum of one hundred thirty thousand three hundred and five pounds, eight shillings, and sixpence, together with the entire produce of their fish, and all the monies arising from the several branches allowed on the tonnage of their shipping, and on the exportation of their fish, in carrying on the said fishery; and that, from their being obliged, in the infancy of the undertaking, to incur a much larger expense than was at that time foreseen, they now found themselves so far reduced in their capital as to be utterly incapable of further prosecuting the fisheries with any hope of success, unless indulged with the further assistance of parliament. They prayed, therefore, that towards enabling them to carry on the said fisheries, they

<sup>a</sup> It was enacted, that persons pawning, exchanging, or disposing of goods, without leave of the owner, should suffer in the penalty of twenty shillings, and on non-payment, be committed for fourteen days to hard labour; afterwards, if the money could not then be paid, to be whipt publickly in the lanes of the city, or at such other place as the justice of the peace should appoint, on compulsion of the prosecutor; that every pawnbroker should make entries of the person's name and place of abode who pledges any goods with him, and the pledger, if he returned it, should have a double shilling for entry; that a pawnbroker, receiving linen or apparel intrusted to others to be washed or mended, should forfeit double the sum lent upon it and restore the goods: that upon oath of any person whose goods are unlawfully pawned or exchanged, the justice should issue a warrant to search the suspected person's house; and upon refusal of admittance the officer might break open the door; and goods pawned for any sum not exceeding ten pounds might be recovered within two years,

the owner making oath of the pawning, and tendering the principal, interest, and charges; that goods remaining undetermined for two years should be forfeited and sold, the overplus to be accounted for to the owner on demand.

<sup>b</sup> It likewise imported, that all contracts or agreements made between clothiers and weavers, in respect to wages, should, from and after the first of May, in the year one thousand seven hundred and fifty-seven, be valid, notwithstanding any rate established, or to be established; but that these contracts might be made only on the first of May, and only to the rated price of wages, and not to the payment thereof in any other manner or in money; and that if any clothier should refuse or neglect to pay the weaver his wages on the first of May, or in any other day, within two days after the rate should be performed and received, the said clothier being demanded, should forfeit five shillings for every such offence.

might have liberty to make use of such nets as they should find best adapted to the said fisheries; each buss, nevertheless, carrying to sea the same quantity and depth of netting, which, by the fishery-acts, they were then bound to carry; that the bounty of thirty shillings per ton, allowed by the said acts on the vessels employed in the fishery, might be increased; and inasmuch as many of the stock proprietors were unable to advance any further sum for prosecuting this branch of commerce; and others unwilling in the present situation, and under the present restraints, to risk any further sum in the undertaking; that the stock of the society, by the said acts made unalienable, except in case of death or bankruptcy, for a term of years, might forthwith be made transferable; and that the petitioners might be at liberty, between the intervals of the fishing-seasons, to employ the busses in such a manner as they should find for the advantage of the society. While the committee was employed in deliberating on the particulars of this remonstrance, another was delivered from the free British fishery-chamber of Whitehaven in Cumberland, representing, that as the law then stood, they went to Shetland, and returned, at a great expense and loss of time; and while the war continued, durst not stay there to fish, besides being obliged to run the most imminent risks, by going and returning without convoy: that ever since the institution of the present fishery, experience had fully shewn the fishery of Shetland not worth following, as thereby the petitioners had lost two months of a much better fishery in St. George's channel, within one day's sail of Whitehaven: they took notice, that the free British fishery society had applied to the House for further assistance and relief; and prayed that Campbelltown in Argyleshire might be appointed the place of rendezvous for the busses belonging to Whitehaven, for the summer as well as the winter fishery, that they might be enabled to fish with greater advantage. The committee, having considered the matter of both petitions, were of opinion that the petitioners should be at liberty to use such nets as they should find best adapted to the white herring fishery: that the bounty of thirty shillings per ton should be augmented to fifty: that the petitioners should be allowed, during the intervals of the fishing seasons, to employ their vessels in other lawful business, provided they should have been employed in the herring fishery during the proper seasons: that they might use such barrels for packing the fish as they then used, or might hereafter find best adapted for that purpose: that they should have liberty to make use of any waste or uncultivated land, one hundred yards at the least above high-water mark, for the purpose of drying their nets: and that Campbelltown would be the most proper and convenient place for the rendezvous of the busses belonging to Whitehaven. This last resolution, however, was not inserted in the bill which contained the other five, and in a little time received the royal assent.

§ XXXII. Such are the connexions, dependencies, and relations subsisting between the mechanical arts, agriculture, and manufactures of Great Britain, that it requires study, deliberation, and inquiry in the legislature to discern and distinguish the whole scope and consequences of many projects offered for the benefit of the commonwealth. The society of merchant adventurers in the city of Bristol alleged, in a petition to the House of Commons, that great quantities of bar-iron were imported into Great Britain from Sweden, Russia, and other parts, chiefly purchased with ready money, some of which iron was exported again to Africa and other places: and the rest wrought up by the manufacturers. They affirmed that bar-iron, imported from North America, would answer the same purposes; and the importation of it tend not only to the great advantage of the kingdom, by increasing its shipping and navigation, but also to the benefit of the British colonies: that by an act passed in the twenty-third year of his present majesty's reign, the importation of bar-iron from America into the port of London, duty free, was permitted: but its being carried coastways, or further by land than ten miles, had been prohibited; so that several very considerable manufacturing towns were deprived of the use of American iron, and the out-ports prevented from employing it in their export commerce: they requested, therefore, that bar-iron might be imported from North America into Great Britain

duty free, by all his majesty's subjects. This request being reinforced by many other petitions from different parts of the kingdom, other classes of men, who thought several interests would be affected by such a measure, took the alarm; and, in divers counter-petitions, specified many ill consequences which they alleged would arise from its being enacted into a law. Pamphlets were published on both sides of the question, and violent disputes were kindled upon the subject, which was justly deemed a matter of national importance. The opposers of the bill observed that large quantities of iron were yearly produced at home, and employed multitudes of poor people, there being no less than one hundred and nine forges in England and Wales, besides those erected in Scotland, the whole producing eighteen thousand tons of iron: that as the mines in Great Britain are inexhaustible, the produce would of late years have been considerably increased, had not the people been kept under continual apprehension of seeing American iron admitted duty free; a supposition which had prevented the traders from extending their works, and discouraged many from engaging in this branch of traffic: they alleged that the iron works, already carried on in England, occasioned a consumption of one hundred and ninety-eight thousand cords of wood, produced in coppices that grow upon barren lands, which could not otherwise be turned to any good account; that as the coppices afford shade, and preserve a moisture in the ground, the pasture is more valuable with the wood, than it would be if the coppices were grubbed up; consequently all the estates, where these now grow, would sink in their yearly value: that these coppices, now cultivated and preserved for the use of the iron-works, are likewise absolutely necessary for the manufacture of leather, as they furnish bark for the tanners; and that, according to the management of these coppices, they produced a great number of timber trees, so necessary for the purposes of building. They asserted, that neither the American iron, nor any that had yet been found in Great Britain, was so proper for converting into steel as that which comes from Sweden, particularly that sort called ore ground; but as there are mines in the northern parts of Britain, nearly in the same latitude with those of Sweden, furnished with sufficient quantities of wood, and rivers for mills and engines, it was hardly to be doubted but that people would find metal of the same quality, and, in a few years, be able to prevent the necessity of importing iron either from Sweden or Russia. They inferred that American iron could never interfere with that which Great Britain imported from Sweden, because it was not fit for edged tools, anchors, chain-plates, and other particulars necessary in ship-building; nor diminish the importation of Russian iron, which was not only harder than the American and British, but also could be afforded cheaper than that brought from our own plantations, even though the duty of this last should be removed. The importation of American iron, therefore, duty free, could interfere with no other sort but that produced in Britain, with which, by means of this advantage, it would class so much, as to put a stop in a little time to all the iron-works now carried on in the kingdom, and reduce to beggary a great number of families whom they support. To these objections the favourers of the bill solicited replied, that when a manufacture is much more valuable than the rough materials, and these cannot be produced at home in sufficient quantities, and at such a price as is consistent with the preservation of the manufacture, it is the interest of the legislature to admit a free importation of these materials, even from foreign countries, although it should put an end to the production of that material in this island: that as the neighbours of Great Britain are now more attentive than ever to their commercial interest, and endeavouring to manufacture their rough materials at home, this nation must take every method for lowering the price of materials, otherwise in a few years it will lose the manufacture; and, instead of supplying other countries, be furnished by them with all the fine toys and utensils made of steel and iron: that being in danger of losing not only the manufacture but the produce of iron, unless it can be procured at a cheaper rate than that for which it is sold at present, the only way of attaining this end is by diminishing the duty payable

upon the importation of foreign iron, or by rendering it necessary for the undertakers of the iron mines in Great Britain to sell their produce cheaper than it has been for some years afforded: that the most effectual method for this purpose is to raise up a rival, by permitting a free importation of all sorts of iron from the American plantations: that American iron can never be sold so cheap as that of Britain can be afforded; for, in the colonies, labour of all kinds is much dearer than in England: if a man employs his own slaves, he must reckon in his charge a great deal more than the common interest of their purchase-money, because, when one of them dies, or escapes from his master, he loses both interest and principal: that the common interest of money in the plantations is considerably higher than in England; consequently no man in that country will employ his money in any branch of trade by which he cannot gain considerably more per cent. than is expected in Great Britain, where the interest is low, and profit moderate; a circumstance which will always give a great advantage to the British miner, who likewise enjoys an exemption from freight and insurance, which lie heavy upon the American adventurer, especially in time of war. With respect to the apprehension of the leather tanners, they observed, that as the coppices generally grew on barren lands, not fit for tillage, and improved the pasturage, no proprietor would be at the expense of grubbing up the wood to spoil the pasture, as he could make no other use of the land on which it was produced. The wood must be always worth something, especially in counties where there is not plenty of coal, and the timber trees would produce considerable advantage: therefore, if there was not one iron mine in Great Britain, no coppices would be grubbed up, unless it grew on a rich soil, which would produce corn instead of cord wood; consequently, the tanners have nothing to fear, especially as planting hath become a prevailing taste among the landholders of the island. The committee appointed to prepare the bill seriously weighed and canvassed these arguments, examined disputed facts, and inspected papers and accounts relating to the produce, importation, and manufactory of iron. At length Mr. John Pitt reported to the House their opinion, implying that the liberty granted by an act passed in the twenty-third year of his majesty's reign, of importing bar-iron from the British colonies in America into the port of London, should be extended to all the other ports of Great Britain; and that so much of that act as related to this clause should be repealed. The House having agreed to these resolutions, and the bill being brought in accordingly, another petition was presented by several noblemen, gentlemen, freeholders, and other proprietors, owners, and possessors of coppices and woodlands, in the west-riding of Yorkshire, alleging, that a permission to import American bar-iron duty free, would be attended with numberless ill consequences both of a public and private nature; specifying certain hardships to which they in particular would be exposed; and praying, that, if the bill should pass, they might be relieved from the pressure of an act passed in the reign of Henry VIII. obliging the owners of coppice-woods to preserve them, under severe penalties; and be permitted to fell and grub up their coppice-woods, in order to a more proper cultivation of the soil, without being restrained by the fear of malicious and interested prosecutions. In consequence of this remonstrance, a clause was added to the bill, repealing so much of the act of Henry the Eighth as prohibited the conversion of coppice or underwoods into pasture or tillage; then it passed through both Houses, and received the royal sanction. As there was not time, after this affair came upon the carpet, to obtain any new accounts from America, and as it was thought necessary to know the quantities of iron made in that country, the House presented an address to his majesty, desiring he would be pleased to give directions that there should be laid before them, in the next session of parliament, an account of the quantity of iron made in the American colonies, from Christmas, in the year one thousand seven hundred and forty-nine, to the fifth day of January, in the year one thousand seven hundred and fifty-six, each year being distinguished.

§ XXXIII. From this important object, the parliament

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converted its attention to a regulation of a much more private nature. In consequence of a petition by the lord mayor, aldermen, and commons of the city of London, a bill was brought in, and passed into a law without opposition, for the more effectual preservation and improvement of the fry and spawn of fish in the river Thames, and waters of Medway, and for the better regulating the fishery in those rivers. The two next measures taken for the benefit of the public were, first, a bill to render more effectual the several laws then in being, for the amendment and preservation of the highways and turnpike roads of the kingdom; the other for the more effectual preventing the spreading of the contagious distemper which, at that time, raged among the horned cattle. A third arose from the distress of poor silk manufacturers, who were destitute of employment, and deprived of all means of subsisting through the interruption of the Levant trade, occasioned by war, and the delay of the merchant ships from Italy. In order to remedy this inconvenience, a bill was prepared, enacting, that any persons might import from any place, in any ship or vessel whatsoever, till the first day of December, one thousand seven hundred and fifty-seven, organzine thrown silk of the growth or production of Italy, to be brought to the custom-house of London, whosoever landed: but that no Italian thrown silk, coarser than Bologna, nor any tram of the growth of Italy, nor any other thrown silk of the growth or production of Turkey, Persia, East India, or China, should be imported by this act, under the penalty of the forfeiture thereof. Notwithstanding several petitions, presented by the merchants, owners, and commanders of ships, and others trading to Leghorn, and other ports of Italy, as well as by the importers and manufacturers of raw silks, representing the evil consequences that would probably attend the passing of such a bill, the parliament agreed to this temporary deviation from the famous act of navigation, for a present supply to the poor manufacturers.

§ XXXIV. The next civil regulation established in this session of parliament was in itself judicious, and, had it been more eagerly suggested, might have been much more beneficial to the public. In order to discourage the practice of smuggling, and prevent the desperadoes concerned therein from enlisting in the service of the enemy, a law was passed, enacting, that every person who had been, before the first of May in the present year, guilty of illegal running, concealing, receiving, or carrying any wool, or prohibited goods, or any foreign commodities liable to duties, the same not having been paid or secured; or of aiding therein, or had been found with fire-arms or weapons, in order to be aiding to such offenders; or had been guilty of receiving such goods after seizure; or of any act whatsoever, whereby persons might be deemed runners of foreign goods; or of hindering, wounding, or beating any officer in the execution of his duty, or assisting therein; should be indemnified from all such offences, concerning which no suit should then have been commenced, or composition made, on condition that he should, before being apprehended, or prosecuted, and before the first day of December, enter himself with some commissioned officer of his majesty's fleet, to serve as a common sailor; and should, for three years from such entry, unless sooner fully discharged, actually serve and do duty in that station, and register his name, &c. with the clerk of the peace of the county where he resided, as the act prescribes. An attempt was made in favour of the seamen employed in the navy, who had been very irregularly paid, and subject to grievous hardships in consequence of this irregularity; Mr. Grenville, brother to Earl Temple, moved for leave to bring in a bill for the encouragement of seamen employed in his majesty's navy, and for establishing a regular method for the punctual, speedy, and certain payment of their wages, as well as for rescuing them from the arts of fraud and imposition. The proposal was corroborated by divers petitions; the bill was prepared, read, printed, and, after it had undergone some amendment, passed into the House of Lords, where it was encountered with several objections and dropped for this session of parliament.

§ XXXV. The House of Commons being desirous of preventing, for the future, such distresses as the poor had lately undergone, appointed a committee to consider of



proper provisions to restrain the price of corn and bread within due bounds for the future. For this purpose they were empowered to send for persons, papers, and records; and it was resolved, that all who attended the committee should have voices. Having inquired into the causes of the late scarcity, they agreed to several resolutions, and a bill was brought in to explain and amend the laws against regraters, forestallers, and engrossers of corn. The committee also received instructions to inquire into the abuses of millers, mealmen, and bakers, with regard to bread, and to consider of proper methods to prevent them in the sequel; but no further progress was made in this important affair, which was the more interesting, as the lives of individuals, in a great measure, depended upon a speedy reformation; for the millers and bakers were said to have adulterated their flour with common whiting, lime, bone-ashes, alum, and other ingredients pernicious to the human constitution; a consumption of villany for which no adequate punishment could be inflicted. Among the measures proposed in parliament which did not succeed, one of the most remarkable was a bill prepared by Mr. Rose Fuller, Mr. Charles Townshend, and Mr. Banks, to explain, amend, and render more effectual a law passed in the reign of King William the Third, intitled, "An act to punish governors of plantations, in this kingdom, for crimes committed by them in the plantations." This bill was proposed in consequence of some complaints, specifying acts of cruelty, folly, and oppression, by which some British governors had been lately distinguished; but, before the bill could be brought in, the parliament was prorogued.

§ XXXVI. But no step, taken by the House of Commons in the course of this session, was more interesting to the body of the people than the inquiry into the loss of Minorca, which had excited such loud and universal clamour. By addresses to the king, unanimously voted, the Commons requested that his majesty would give directions for laying before them copies of all the letters and papers containing any intelligence received by the secretaries of state, the commissioners of the admiralty, or any other of his majesty's ministers, in relation to the equipment of the French fleet at Toulon, or the designs of the French on Minorca, or any other of his majesty's possessions in Europe, since the first day in January, in the year one thousand seven hundred and fifty-five, to the first day of August, 1756. They likewise desired to peruse a list of the ships of war that were equipped and made ready for sea, from the first of August, in the year one thousand seven hundred and fifty-five, to the thirtieth day of April, in the following year; with the copies of all sailing orders sent to the commanders during that period; as also the state and condition of his majesty's ships in the several ports of Great Britain at the time of Admiral Byng's departure, with the squadron under his command, for the relief of Fort St. Philip, during the period of time above mentioned, according to the monthly returns made by the admiralty, with the number of seamen mustered and borne on board the respective ships. They demanded copies of all orders and instructions given to that admiral, and of letters written to and received from him, during his continuance in that command, either by the secretaries of state, or lords of the admiralty, relating to the condition of his squadron, and to the execution of his orders. In a word, they required the inspection of all papers, which could in any manner tend to explain the loss of Minorca, and the miscarriage of Mr. Byng's squadron. His majesty complied with every article of their requests: the papers were presented to the House, ordered to lie upon the table for the perusal of the members, and finally referred to the consideration of a committee of the whole House. In the course of their deliberations they addressed his majesty for more information, till at length the truth seemed to be smothered under such an enormous burthen of papers, as the efforts of a whole session could not have properly removed. Indeed, many discerning persons without doors began to despair of seeing the mystery unfolded, as soon as the inquiry was undertaken by a committee of the whole House. They observed, that an affair of such a dark, intricate, and suspicious nature, ought to have been referred to a select and secret committee, chosen by ballot, em-

powered to send for persons, papers, and records, and to examine witnesses in the most solemn and deliberate manner; that the names of the committee ought to have been published for the satisfaction of the people, who could have judged, with some certainty, whether the inquiry would be carried on with such impartiality as the national misfortune required. They suspected that this reference to a committee of the whole House was a mal-concealment, to prevent a regular and minute investigation, to introduce confusion and contest, to puzzle, perplex, and obumbrate; to tease, fatigue, and disgust the inquirers, that the examination might be hurried over in a superficial and perfunctory manner; and the ministry, from this anarchy and confusion of materials, half explored and undigested, derive a general parliamentary approbation, to which they might appeal from the accusations of the people. A select committee would have probably examined some of the clerks of the respective offices, that they might certainly know whether any letters or papers had been suppressed, whether the extracts had been faithfully made, and whether there might not be papers of intelligence, which, though proper to be submitted to a select and secret committee, could not, consistently with the honour of the nation, be communicated to a committee of the whole House. Indeed, it does not appear that the ministers had any foreign intelligence or correspondence that could be much depended upon in any matter of national importance, and no evidence was examined on the occasion; a circumstance the less to be regretted, as, in times past, evil ministers have generally found means to render such inquiries ineffectual; and the same arts would at any rate have operated with the same efficacy, had a secret committee been employed at this juncture. Be that as it may, several resolutions were reported from the committee, though some of them were not carried by the majority without violent dispute and severe altercation. The first and last of their resolutions require particular notice. By the former, it appeared to the committee, that his majesty, from the twenty-seventh day of August, in the year one thousand seven hundred and fifty-five, to the twentieth day of April in the succeeding year, received such repeated and concurrent intelligence, as gave just reason to believe that the French king intended to invade his dominions of Great Britain or Ireland. In the latter they declare their opinion, that no greater number of ships of war could be sent into the Mediterranean, than were actually sent thither under the command of Admiral Byng: nor any greater reinforcement than the regiment which was sent, and the detachment, equal to a battalion, which was ordered to the relief of Fort St. Philip, consistently with the state of the navy, and the various services essential to the safety of his majesty's dominions, and the interests of his subjects. It must have been something more powerful than ordinary conviction that suggested these opinions. Whether reports might have been circulated by the French ministry, in order to amuse, intimidate, and detach the attention of the English government from America and the Mediterranean, where they really intended to exert themselves, yet, the circumstances of the two nations being considered, one would think there could have been no just grounds to fear an invasion of Great Britain or Ireland, especially when other intelligence seemed to point out much more probable scenes of action. But the last resolution is still more incomprehensible to those who know not exactly the basis on which it was raised. The number of ships of war in actual commission amounted to two hundred and fifty, having on board fifty thousand seamen and marines. Intelligence and repeated information of the French design upon Minorca had been conveyed to the ministry of England, about six months before it was put in execution. Is it credible, that in all this time the nation could not equip or spare above eleven ships of the line and six frigates, to save the important island of Minorca? Is it easy to conceive, that from a standing army of fifty thousand men, one regiment of troops could not have been detached to reinforce a garrison, well known to be insufficient for the works it was destined to defend? To persons of common intellects it appeared, that intelligence of the armament at Toulon was conveyed to the admiralty as early as the month of September, in the year one thousand seven hundred and

fifty-five, with express notice that it would consist of twelve ships of the line; that the design against Minorca was communicated as early as the twenty-seventh day of August, by Consul Banks, of Carthage; confirmed by letters from Consul Bertes, at Genoa, dated on the seventeenth and twenty-sixth of January, and received by Mr. Fox, secretary of state, on the fourth and eleventh of February, as well as by many subsequent intimations; that, notwithstanding these repeated advices, even after hostilities had commenced in Europe, when the garrison of Minorca amounted to no more than four incomplete regiments, and one company of artillery, forty-two officers being absent, and the place otherwise unprovided for a siege, when the Mediterranean squadron, commanded by Mr. Edgecumbe, consisted of two ships of the line, and five frigates; neither stores, ammunition, nor provision, the absent officers belonging to the garrison, recruits for the regiments, though ready raised, miners nor any additional troops were sent to the island, nor the squadron augmented, till Admiral Byng sailed from Spithead on the sixth day of April, with no more ships of the line than, by the most early and authentic intelligence, the government were informed would sail from Toulon, even when Mr. Byng should have been joined by Commodore Edgecumbe; a junction upon which no dependence ought to have been laid; that this squadron contained no troops but such as belonged to the four regiments in garrison, except one battalion to serve in the fleet as marines, unless we include the order for another to be embarked at Gibraltar; which order was neither obeyed nor understood; that, considering the danger to which Minorca was exposed, and the forwardness of the enemy's preparations at Toulon, Admiral Osborne, with thirteen ships of the line and one frigate, who returned on the sixteenth of February, after having convoyed a fleet of merchant ships, might have been detached to Minorca, without hazarding the coast of Great Britain; for at that time, exclusive of this squadron, there were eight ships of the line and thirty-two frigates ready manned, and thirty-two ships of the line and five frigates almost equipped; that Admiral Hawke was sent with fourteen ships of the line and one frigate, to cruise in the bay of Biscay, after repeated intelligence had been received that the French fleet had sailed for the West Indies, and the eleven ships remaining at Brest and Rochefort were in want of hands and cannon, so that they could never serve to cover any embarkation or descent, consequently Mr. Hawke's squadron might have been spared for the relief of Minorca: that instead of attending to this important object, the admiralty, on the eighth day of March, sent two ships of the line and three frigates to intercept a coasting convoy off Cape Barfeur; on the eleventh of the same month they detached two ships of the line to the West Indies, and on the nineteenth two more to North America, where they could be of little immediate service; on the twenty-third two of the line and three frigates a convoy-hunting off Cherbourg; and on the first of April five ships of the line, including three returned from this last service, to reinforce Sir Edward Hawke, already too strong for the French fleet bound to Canada: that all these ships might have been added to Mr. Byng's squadron, without exposing Great Britain or Ireland to any hazard of invasion: that at length Mr. Byng was detached with ten great ships only, and even denied a frigate to repeat signals, for which he petitioned; although at that very time there was in port, exclusive of his squadron, seventeen ships of the line and thirteen frigates ready for sea, besides eleven of the line and nineteen frigates almost equipped. From these and other circumstances, particularized and urged with great vivacity, many individuals inferred, that a greater number of ships might have been detached to the Mediterranean than were actually sent with Admiral Byng: that the not sending an earlier and stronger force was one great cause of Minorca's being lost, and co-operated with the delay of the ministry in sending further reinforcements of troops, their neglect in suffering the officers of the garrison to continue absent from their duty, and their omitting to give orders for raising miners to serve in the fortress of Mahon.

§ XXXVII. The next inquiry in which the House of Commons engaged, related to the contracts for victualling the forces in America, which were supposed by some patriots

to be fraudulent and unconscionable. This suspicion arose from an ambiguous expression, on which the contractor being interrogated by the committee appointed to examine the particulars, he prudently interpreted it in such a manner as to screen himself from the resentment of the legislature. The House, therefore, resolved that the contract entered into on the twenty-sixth day of March, in the year one thousand seven hundred and fifty-six, by the commissioners of the treasury, with William Baker, Christopher Kilby, and Richard Baker of London, merchants, for furnishing provisions to the forces under the command of the Earl of Loudoun, was prudent and necessary, and properly adapted to the securing a constant and effectual supply for those forces in America.

§ XXXVIII. The preceding session an address had been presented to the king by the House of Commons, desiring his majesty would give orders for laying before them several papers relating to disputes which had lately happened between his excellency, Charles Knowles, Esq. and some of the principal inhabitants of the island of Jamaica. This governor was accused of many illegal, cruel, and arbitrary acts, during the course of his administration: but these imputations he incurred by an exertion of power, which was in itself laudable, and well intended for the commercial interest of the island. This was his changing the seat of government, and procuring an act of assembly for removing the several laws, records, books, papers, and writings belonging to several offices in that island, from Spanish town to Kingston; and for obliging the several officers to keep their offices, and hold a supreme court of judicature at this last place, to which he had moved the seat of government. Spanish town, otherwise called St. Jago de la Vega, the old capital, was an inconsiderable inland place, of no security, trade, or importance; whereas, Kingston was the centre of commerce, situated on the side of a fine harbour filled with ships, well secured from the insults of an enemy, large, wealthy, and flourishing. Here the merchants dwell, and ship the greatest part of the sugars that grow upon the island. They found it extremely inconvenient and expensive to take out their clearance at Spanish town, which stands at a considerable distance; and the same inconvenience and expense being felt by the rest of the inhabitants, who had occasion to prosecute suits at law, or attend the assembly of the island, they joined in representations to the governor, requesting, that, in consideration of these inconveniences, added to that of the weakness of Spanish town and the importance of Kingston, the seat of government might be removed. He complied with their request, and in so doing entailed upon himself the hatred and resentment of certain powerful planters, who possessed estates in and about the old town of St. Jago de la Vega, thus deserted. This seems to have been the real source of the animosity and clamour incurred by Mr. Knowles, against whom a petition, signed by nineteen members of the assembly, had been sent to England, and presented to his majesty. In the two sessions preceding this year the affair had been brought into the House of Commons, where this governor's character was painted in frightful colours, and divers papers relating to the dispute were examined. Mr. Knowles having by this time returned to England, the subject of his administration was revived, and referred to a committee of the whole House. In the meantime, petitions were presented by several merchants of London and Liverpool, concerned in the trade to Jamaica, alleging, that the removal of the public courts, offices, and records of the island of Jamaica to Kingston, and fixing the seat of government there, had been productive of many important advantages, by rendering the strength of the island more formidable, the property of the traders and inhabitants more secure, and the prosecution of all commercial business more expeditious and less expensive than formerly; therefore, praying that the purposes of the act passed in Jamaica for that end might be carried into effectual execution, in such manner as the House should think proper. The committee having examined a great number of papers, agreed to some resolutions, importing, that a certain resolution of the assembly of Jamaica, dated on the twenty-ninth day of October, in the year one thousand seven hundred and fifty-three, implying a claim of right in that

assembly to raise and apply public money without the consent of the governor and council, was illegal, repugnant to the terms of his majesty's commission to his governor of the said island, and derogatory to the rights of the crown and people of Great Britain: that the last six resolutions taken in the assembly of Jamaica, on the twenty-ninth day of October, in the year one thousand seven hundred and fifty-three, proceeded on a manifest misapprehension of the king's instruction to his governor, requiring him not to give his assent to any bill of an unusual or extraordinary nature and importance, wherein his majesty's prerogative, or the property of his subjects, might be prejudiced, or the trade or shipping of the kingdom any ways affected, unless there should be a clause inserted, suspending the execution of such bill until his majesty's pleasure should be known; that such instruction was just and necessary, and no alteration of the constitution of the island, nor any way derogatory to the rights of the subjects in Jamaica. From these resolutions the reader may perceive the nature of the dispute which had arisen between the people of Jamaica and their governor, Vice-Admiral Knowles, whose conduct on this occasion seems to have been justified by the legislature. The parliament, however, forbore to determine the question, whether the removal of the courts of judicature from Spanish town to Kingston, was a measure calculated for the interest of the island in general.

§ XXXIX. The last subject which we shall mention as having fallen under the cognizance of the Commons during this session of parliament, was the state of Milford-haven on the coast of Wales, one of the most capacious, safe, and commodious harbours in Great Britain. Here the country affords many conveniences for building ships of war, and erecting forts, docks, quays, and magazines. It might be fortified at a very small expense, so as to be quite secure from any attempts of the enemy, and rendered by far the most useful harbour in the kingdom for fleets, cruisers, trading ships, and packet-boats, bound to and from the westward; for, from hence they may put to sea almost with any wind, and even at low water: they may weather Scilly and Cape Clear when no vessel can stir from the British channel, or out of the French ports of Brest and Rochefort; and as a post can travel from hence in three days to London, it might become the centre of very useful sea intelligence. A petition from several merchants in London was presented, and recommended to the House in a message from the king, specifying the advantages of this harbour, and the small expense at which it might be fortified, and praying that the House would take this important subject into consideration. Accordingly, a committee was appointed for this purpose, with power to send for persons, papers, and records: and every circumstance relating to it was examined with accuracy and deliberation. At length the report being made to the House by Mr. Charles Townshend, they unanimously agreed to an address, representing to his majesty, that many great losses had been sustained by the trade of the kingdom, in time of war, from the want of a safe harbour on the western coast of the island, for the reception and protection of merchant ships, and sending out cruisers: that the harbour of Milford-haven, in the county of Pembroke, is most advantageously situated, and if properly defended and secured, in every respect adapted to the answering those important purposes; they, therefore, humbly besought his majesty, that he would give immediate directions for erecting batteries, with proper cover, on the sides of the said harbour, in the most convenient places for guarding the entrance called Hubberstone-road, and also such other fortifications as might be necessary to secure the interior parts of the harbour, and that, until such batteries and fortifications could be completed, some temporary defence might be provided for the immediate protection of the ships and vessels lying in the said harbour; finally, they assured him the House would make good to his majesty all such expenses as should be incurred for these purposes. The address met with a gracious reception, and a promise that such directions should be given. The harbour was actually surveyed, the places were pitched upon for batteries, and the estimates prepared, but no further progress has since been made.

§ XL. We have now finished the detail of all the mate-

rial transactions of this session, except what relates to the fate of Admiral Byng, which now claims our attention. In the meantime, we may observe, that on the fourth day of July the session was closed with his majesty's harangue, the most remarkable and pleasing paragraph of which, turned upon his royal assurance, that the succour and preservation of his dominions in America had been his constant care, and, next to the security of his kingdoms, should continue to be his great and principal object. He told them he had taken such measures as, he trusted, by the blessing of God, might effectually disappoint the designs of the enemy in those parts: that he had no further view but to vindicate the just rights of his crown and subjects from the most injurious encroachments; to preserve tranquillity, as far as the circumstances of things might admit; to prevent the true friends of Britain, and the liberties of Europe, from being oppressed and endangered by any unprovoked and unnatural conjunction.

§ XLI. Of all the transactions that distinguished this year, the most extraordinary was the sentence executed on Admiral Byng, the son of that great officer who had acquired such honour by his naval exploits in the preceding reign, and was ennobled for his services by the title of Lord Viscount Torrington. His second son, John Byng, had from his earliest youth been trained to his father's profession; and was generally esteemed one of the best officers in the navy, when he embarked in that expedition to Minorca, which covered his character with disgrace, and even exposed him to all the horrors of an ignominious death. On the twenty-eighth day of December his trial began before a court-martial, held on board the ship *St. George*, in the harbour of Portsmouth, to which place Mr. Byng had been conveyed from Greenwich by a party of horseguards, and insulted by the populace in every town and village through which he passed. The court having proceeded to examine the evidences for the crown and the prisoner, from day to day, in the course of a long sitting, agreed unanimously to thirty-seven resolutions, implying their opinion, that Admiral Byng, during the engagement between the British and French fleets, on the twentieth day of May last, did not do his utmost endeavour to take, seize, and destroy the ships of the French king, which it was his duty to have engaged, and to assist such of his majesty's ships as were engaged, which it was his duty to have assisted; and that he did not exert his utmost power for the relief of *St. Philip's* castle. They, therefore, unanimously agreed that he fell under part of the twelfth article of an act of parliament passed in the twenty-second year of the present reign, for amending, explaining, and reducing into one act of parliament, the laws relating to the government of his majesty's ships, vessels, and forces by sea; and as that article positively prescribed death, without any alternative left to the discretion of the court under any variation of circumstances, they unanimously adjudged the said Admiral John Byng to be shot to death, at such time, and on board of such ship, as the lords commissioners of the admiralty should please to direct. But as it appeared, by the evidence of the officers who were near the admiral's person, that no backwardness was perceivable in him during the action, nor any mark of fear or confusion either in his countenance or behaviour; but that he delivered his orders coolly and distinctly, without seeming deficient in personal courage; and, from other circumstances, they believed his misconduct did not arise either from cowardice or disaffection, they unanimously and earnestly recommended him as a proper object of mercy. The admiral himself behaved through the whole trial with the most cheerful composure, seemingly the effect of conscious innocence, upon which, perhaps, he too much relied. Even after he had heard the evidence examined against him, and finished his own defence, he laid his account in being honourably acquitted; and ordered his coach to be ready for conveying him directly from the tribunal to London. A gentleman, his friend, by whom he was attended, having received intimation of the sentence to be pronounced, thought it his duty to prepare him for the occasion, that he might summon all his fortitude to his assistance, and accordingly made him acquainted with the information he had received. The admiral gave tokens of surprise and resentment, but betrayed no marks of fear or disorder, either then or in the



court when the sentence was pronounced. On the contrary, while divers members of the court-martial manifested grief, anxiety, and trepidation, shedding tears, and sighing with extraordinary emotion, he heard his doom denounced without undergoing the least alteration of feature, and made a low obeisance to the president and the other members of the court, as he retired.

§ XLII. The officers who composed this tribunal were so sensible of the law's severity, that they unanimously subscribed a letter to the board of admiralty, containing this remarkable paragraph:—"We cannot help laying the distresses of our minds before your lordships on this occasion, in finding ourselves under necessity of condemning a man to death, from the great severity of the twelfth article of war, part of which he falls under, which admits of no mitigation if the crime should be committed by an error in judgment; and, therefore, for our own consciences' sake, as well as in justice to the prisoner, we pray your lordships, in the most earnest manner, to recommend him to his majesty's clemency." The lords of the admiralty, instead of complying with the request of the court-martial, transmitted their letter to the king, with copies of their proceedings, and a letter from themselves to his majesty, specifying a doubt with regard to the legality of the sentence, as the crime of negligence, for which the admiral had been condemned, was not expressed in any part of the proceedings. At the same time, copies of two petitions from George Lord Viscount Torrington, in behalf of his kinsman Admiral Byng, were submitted to his majesty's royal wisdom and determination. All the friends and relations of the unhappy convict employed and exerted their influence and interest for his pardon; and as the circumstances had appeared so strong in his favour, it was supposed that the sceptre of royal mercy would be extended for his preservation: but infamous arts were used to whet the savage appetite of the populace for blood. The cry of vengeance was loud throughout the land; sullen clouds of suspicion and malevolence interposing, were said to obstruct the genial beams of the best virtue that adorns the throne; and the sovereign was given to understand, that the execution of Admiral Byng was a victim absolutely necessary to appease the fury of the people. His majesty, in consequence of the representation made by the lords of the admiralty, referred the sentence to the consideration of the twelve judges, who were unanimously of opinion, that the sentence was legal. This report being transmitted from the privy council to the admiralty, their lordships issued a warrant for executing the sentence of death on the twenty-eighth day of February. One gentleman at the board, however, refused to subscribe the warrant, assigning for his refusal the reasons which we have inserted by way of note, for the satisfaction of the reader.<sup>k</sup>

§ XLIII. Though mercy was denied to the criminal, the crown seemed determined to do nothing that should be thought inconsistent with law.—A member of parliament who had sat upon the court-martial at Portsmouth, rose up in his place, and made application to the House of Commons in behalf of himself and several other members of that tribunal, praying the aid of the legislature to

k Admiral F——'s reasons for not signing the warrant for Admiral Byng's execution.

"It may be thought strange, in me to differ from so great authority as that of the twelve judges, but when a man is called upon to sign his name to an act which is to give authority to the shedding of blood, he ought to be guided by his own conscience, and not by the opinions of other men."

"In the case before us, it is not the merit of Admiral Byng that I consider; whether he deserves death or not, is not a question for me to decide: be it whether or not his life can be taken away by the sentence, pronounced on him by the court-martial, and after having so clearly explained the motives for pronouncing such a sentence, is the point which alone has employed my serious consideration."

"The twelfth article of war, on which Admiral Byng's sentence is grounded, says, 'acting contrary to my understanding of its meaning.' This every person, who, in the time of action, shall withdraw, keep back, or not come into fight, to do his utmost, &c. through motives of cowardice, negligence, or disaffection, shall suffer death.' The court-martial does not enjoin, by the twelfth article, that the offender be executed by hanging, and does not name the word Negligence. Admiral Byng does not, as I conceive, fall up to the letter or description of the twelfth article of war. It may be said, that negligence is in fact, though the word is not mentioned, otherwise the court-martial would not have brought his offence under the twelfth article, having acquitted him of cowardice and disaffection. But it must be acknowledged that the negligence imputed to him is of a wilful nature, for he acted in ignorance in Admiral Byng's situation, must have perceived rather than considered or neglected, and he is expressly acquitted of both these crimes. Besides, these crimes, which are implied only, and not named, may induce justly suspicion and private opinion, but cannot affect the conscience in cases of blood."

"Admiral Byng's fate was referred to a court-martial, his life and death

be released from the oath of secrecy imposed on courts-martial, that they might disclose the grounds on which sentence of death had passed on Admiral Byng, and, perhaps, discover such circumstances as might show the sentence to be improper. Although this application produced no resolution in the House, the king, on the twenty-sixth day of February, sent a message to the Commons by Mr. Secretary Pitt, importing, that though he had determined to let the law take its course with relation to Admiral Byng, and resisted all solicitations to the contrary, yet, as a member of the House had expressed some scruples about the sentence, his majesty had thought fit to respite the execution of it, that there might be an opportunity of knowing, by the separate examination of the members of the court-martial, upon oath, what grounds there were for such scruples, and that his majesty was resolved still to let the sentence be carried into execution, unless it should appear from the said examination, that Admiral Byng was unjustly condemned. The sentence might be strictly legal, and at the same time very severe, according to the maxim, *summum jus summa injuria*. In such cases, and perhaps in such cases only, the rigour of the law ought to be softened by the lenient hand of the royal prerogative. That this was the case of Admiral Byng appears from the warm and eager intercession of his jury, a species of intercession which hath generally, if not always, prevailed at the foot of the throne, when any thing favourable to the criminal had appeared in the course of the trial. How much more then might it have been expected to succeed, when earnestly urged as a case of conscience in behalf of a man whom his judges had expressly acquitted of cowardice and treachery, the only two imputations that render him criminal in the eyes of the nation! Such an interposition of the crown in parliamentary transactions was irregular, unnecessary, and at another juncture might have been productive of violent heats and declamation. At present, however, it passed without censure, as the effect of inattention rather than a design to encroach upon the privileges of the House.

§ XLIV. The message being communicated, a bill was immediately brought in to release the members of the court-martial from the obligation of secrecy, and passed through the lower House without opposition: but in the House of Lords it appeared to be destitute of a proper foundation. They sent a message to the Commons, desiring them to give leave that such of the members of the court-martial as were members of that House might attend their lordships, in order to be examined on the second reading of the bill; accordingly they, and the rest of the court-martial, attended, and answered all questions without hesitation. As they did not insist upon any excuse, nor produce any satisfactory reason for showing that the man they had condemned was a proper object of mercy, their lordships were of opinion that there was no occasion for passing any such bill, which, therefore, they almost unanimously rejected. It is not easy to conceive what stronger reasons could be given for proving Mr. Byng an object of mercy, than those mentioned in the letter sent to the board of admiralty by the members of the court-martial, who were

were left to their opinions. The court-martial condemn him to death, because, as they expressly say, they were under a necessity of doing so by reason of the law, the severity of which they complained of, because it admits of no mitigation. The court-martial expressly say, that for the sake of their consciences, as well as in justice to the prisoner, they must expressly recommend him to his majesty for mercy; it is evident, then, that in the opinions and consciences of the judges, he was not deserving of death.

"The question then is, shall the opinions or necessities of the court-martial determine Admiral Byng's fate? If it should be the latter, he will be executed contrary to the intentions and meaning of his judges: if the former, his life is not forfeited. His judges declare him not deserving of death, but, mistaking either the meaning of the law, or the nature of his offence, they bring him under an article of war, which, according to the description of his offence, he does not, I conceive, fall under, and then they condemn him to death because, as they say, the law admits of no mitigation. Can a man's life be taken away by such a sentence? I would not willingly be his misdeed, and have it to be proved that I judge Admiral Byng's deserts, that was the business of a court martial, and it is my duty only to act according to my conscience, which, after deliberate consideration, assisted by the best light a just understanding can afford it, remains still in doubt, and therefore I cannot consent to such a warrant whereby the sentence of the court-martial may be carried into execution, for I cannot help thinking, that however criminal Admiral Byng may be, his life is not forfeited by that sentence. I do not mean to find fault with other men's opinions: all I understand, and do give reasons for my own, and all I desire or wish is, that I may not be misunderstood. I do not pretend to judge Admiral Byng's deserts, nor to give any opinion on the propriety of the act."

Signed, 6th Feb. 1757, at the Admiralty.

"J. F.—&c."

empowered to try the imputed offence, consequently must have been deemed well qualified to judge of his conduct.

§ XLV. The unfortunate admiral, being thus abandoned to the stroke of justice, prepared himself for death with resignation and tranquillity. He maintained a surprising cheerfulness to the last; nor did he, from his condemnation to his execution, exhibit the least sign of impatience or apprehension. During that interval he had remained on board of the *Monarque*, a third-rate ship of war, anchored in the harbour of Portsmouth, under a strong guard, in custody of the marshal of the admiralty. On the fourteenth of March, the day fixed for his execution, the boats belonging to the squadron at Spithead being manned and armed, containing their captains and officers, with a detachment of marines, attended this solemnity in the harbour, which was also crowded with an infinite number of other boats and vessels filled with spectators. About noon, the admiral having taken leave of a clergyman, and two friends who accompanied him, walked out of the great cabin to the quarter-deck, where two files of marines were ready to execute the sentence. He advanced with a firm deliberate step, a composed and resolute countenance, and resolved to suffer with his face uncovered, until his friends representing that his looks would possibly intimidate the soldiers, and prevent their taking aim properly, he submitted to their request, threw his hat on the deck, kneeled on a cushion, tied one white handkerchief over his eyes, and dropped the other as a signal for his executioners, who fired a volley so decisive, that five balls passed through his body, and he dropped down dead in an instant. The time in which this tragedy was acted, from his walking out of the cabin to his being deposited in the coffin, did not exceed three minutes.

§ XLVI. Thus fell, to the astonishment of all Europe, Admiral John Byng; who, whatever his errors and indiscretions might have been, seems to have been rashly condemned, meanly given up, and cruelly sacrificed to vile considerations. The sentiments of his own fate he avowed on the verge of eternity, when there was no longer any cause of dissimulation, in the following declaration, which, immediately before his death, he delivered to the marshal of the admiralty: "A few moments will now deliver me from the virulent persecution, and frustrate the further malice, of my enemies; nor need I envy them a life subject to the sensations my injuries, and the injustice done me, must create. Persuaded I am, that justice will be done to my reputation hereafter; the manner and cause of raising and keeping up the popular clamour and prejudice against me will be seen through. I shall be considered (as I now perceive myself) a victim destined to divert the indignation and resentment of an injured and deluded people from the proper objects. My enemies themselves must now think me innocent. Happy for me, at this my last moment, that I know my own innocence, and am conscious that no part of my country's misfortunes can be owing to me. I heartily wish the shedding of my blood may contribute to the happiness and service of my country; but cannot resign my just claim to a faithful discharge of my duty according to the best of my judgment, and the utmost exertion of my ability for his majesty's honour, and my country's service. I am sorry that my endeavours were not attended with more success, and that the armament under my command proved too weak to succeed in any expedition of such moment. Truth has prevailed over calumny and falsehood, and justice has wiped off the ignominious stain of my supposed want of personal courage, and the charge of disaffection. My heart acquits me of these crimes: but who can be presumptuously sure of his own judgment? If my crime is an error in judgment, or differing in opinion from my judges, and if yet the error in judgment should be on their side, God forgive them, as I do; and may the distress of their minds, and uneasiness of their consciences, which in justice to me they have represented, be relieved, and subside as my resentment has done. The Supreme Judge sees all hearts and motives, and to him I must submit the justice of my cause."

§ XLVII. Notwithstanding all that has been said in his favour, notwithstanding the infamous arts that were practised to keep up the cry against him, notwithstanding this

solemn appeal to Heaven in his last moments, and even self-conviction of innocence, the character of Admiral Byng, in point of personal courage, will still, with many people, remain problematical. They will still be of opinion, that if the spirit of a British admiral had been properly exerted, the French fleet would have been defeated, and Minorca relieved. A man's opinion of danger varies at different times, in consequence of an irregular tide of animal spirits, and he is actuated by considerations which he dares not avow. After an officer, thus influenced, has hesitated or kept aloof in the hour of trial, the mind, eager for its own justification, assembles, with surprising industry, every favourable circumstance of excuse, and broods over them with parental partiality, until it becomes not only satisfied, but even enamoured of their beauty and complexion, like a doating mother, blind to the deformity of her own offspring. Whatever Mr. Byng's internal feelings might have been, whatever consequences might have attended his behaviour on that occasion; as the tribunal before which he was tried acquitted him expressly of cowardice and treachery, he was without doubt a proper object for royal clemency; and so impartial posterity will judge him, after all those dishonourable motives of faction and of fear, by which his fate was influenced, shall be lost in oblivion, or remembered with disdain. The people of Great Britain, naturally fierce, impatient, and clamorous, have been too much indulged, upon every petty miscarriage, with trials, courts-martial, and dismissals, which tend only to render their military commanders rash and precipitate, the populace more licentious and intractable, and to disgrace the national character in the opinion of mankind.

## CHAP. VII.

§ I. Mr. Pitt and Mr. Legge taken into the administration. § II. Obligated to resign. § III. Restored to their employments. § IV. Coalition of parties. § V. Descent on the coast of France meditated. § VI. Command of the fleet given to Sir Edward Hawke, and of the land forces to Sir John Mordaunt. Fleet sails, September 6. § VII. Admiral Knowles sent to take Aix. § VIII. Attack and surrender of Aix. § IX. A descent resolved on. § X. The fleet returns to Spithead. His majesty appoints a board of inquiry into the reasons of the fleet's return. § XI. Proceedings of the court of inquiry. § XII. Report. § XIII. Sir John Mordaunt tried by a court-martial, and acquitted. § XIV. Fleet sent to the East and West Indies. § XV. Success of the English privateers. § XVI. Riots occasioned by the high price of sugar. § XVII. Operations in America. § XVIII. Lord Loudoun's conduct in America. § XIX. Fort William Henry taken by the French. § XX. Naval transactions in America. § XXI. Attempt of M. de Kerouan on Cape Cod castle, in Africa. § XXII. State of affairs in the East Indies. Calcutta recovered. The subsampled, and onus treaty concluded with him. § XXIII. Reduction of Chandernagore. § XXIV. Colonel Hely defeats the sitha at Plassey, who is afterwards deposed and put to death. § XXV. King of France assassinated. Tortures inflicted on the assassin. § XXVI. Changes in the French ministry. § XXVII. State of the confederacy against the King of Prussia. § XXVIII. Precautions taken by his Prussian majesty. § XXIX. Skirmishes between the Prussians and Austrians. § XXX. Neutrality of the emperor, and behaviour of the Dutch. § XXXI. The French take possession of several towns in the Low Countries belonging to the King of Prussia. § XXXII. Declaration of the emperor against the King of Prussia. Factions in Poland. § XXXIII. Fruitless endeavours of the English to restore the tranquillity of Germany. § XXXIV. King of Prussia enters Bohemia. Prince of Bevern defeats the Austrians at Richberg. § XXXV. King of Prussia gains a complete victory over the Austrians near Prague. Marshal Scherern killed. § XXXVI. Prague invested. § XXXVII. And beleaguered. The conference of the Diet at Ratisbon. § XXXVIII. Count Daun takes the command of the Austrian army. His character. § XXXIX. King of Prussia defeated at Kolin. § XL. He raises the siege of Prague and quits Bohemia. § XLI. Preparations for the defence of Hanover. Treacherous assembly assumes the name of the Committee. § XLII. Count Daun smites with the French, XLIII. Duke of Cumberland passes the Weser. The French follow him, and take Minden and Embden, and lay Hanover under contribution. § XLIV. Battle of Hastenbeck. § XLV. The French take Hameln. Duke de Broglie succeeds Marshal Daun. § XLVI. The French take the command of the French army. § XLVII. The French take possession of Hanover and Hesse-Cassel. § XLVIII. And reduce Verdun and Bremen. Duke of Cumberland dissolves the convention of Closter-Seven.

§ I. Though the parliament of Great Britain unanimously concurred in strengthening the hands of government for a vigorous prosecution of the war, these liberal supplies had like to have proved ineffectual through a want of harmony in her councils. In the course of the last year the clamorous voices of dissatisfaction had been raised by a series of disappointments and miscarriages, which were imputed to want of intelligence, sagacity, and vigour in the administration. The defeat of Braddock, the reduction of Oswego, and other forts in America, the delay of armaments, the neglect of

opportunities, ineffectual cruises, absurd dispositions of fleets and squadrons, the disgrace in the Mediterranean, and the loss of Minorca, were numbered among the misfortunes that flowed from the crude designs of a weak dispirited ministry; and the prospect of their acquiescing in a continental war brought them still further in contempt and detestation with the body of the people. In order to conciliate the good will of those whom their conduct had disobliged, to acquire a fresh stock of credit with their fellow-subjects, and remove from their own shoulders part of what future censure might ensue, they admitted into a share of the administration a certain set of gentlemen, remarkable for their talents and popularity, headed by Mr. Pitt and Mr. Legge, esteemed the two most illustrious patriots of Great Britain, alike distinguished and admired for their unconquerable spirit and untainted integrity. The former of these was appointed secretary of state, the other chancellor of the exchequer; and their friends were vested with other honourable though subordinate offices.

§ II. So far the people were charmed with the promotion of individuals, upon whose virtues and abilities they had the most perfect reliance; but these new ingredients would never thoroughly mix with the old leaven. The administration became an emblem of the image that Nebuchadnezzar saw in his dream, the leg was of iron, and the foot was of clay. The old junto found their new associates very unfit for their purposes. They could neither persuade, cajole, nor intimidate them into measures which they thought repugnant to the true interest of their country. The new ministers combated in council every such plan, however patronized: they openly opposed in parliament every design which they deemed unworthy of the crown, or prejudicial to the people, even though distinguished by the predilection of the sovereign. Far from bargaining for their places, and surrendering their principles by capitulation, they maintained in office their independency and candour with the most vigilant circumspection, and seemed determined to show, that he is the best minister to the sovereign who acts with the greatest probity towards the subject. Those who immediately surrounded the throne were supposed to have concealed the true characters of these faithful servants from the knowledge of their royal master; to have represented them as obstinate, imperious, ignorant, and even lukewarm in their loyalty; and to have declared, that with such colleagues it would be impossible to move the machine of government according to his majesty's inclination. These suggestions, artfully inculcated, produced the desired effect; and on the ninth day of April, Mr. Pitt, by his majesty's command, resigned the seals of secretary of state for the southern department. In the room of Mr. Legge, the king was pleased to grant the office of chancellor of the exchequer to the Right Honourable Lord Mansfield, chief justice of the court of king's bench, the same personage whom we have mentioned before under the name of Mr. Murray, solicitor-general, now promoted and ennobled for his extraordinary merit and important services. The fate of Mr. Pitt was extended to some of his principal friends: the board of admiralty was changed, and some other removals were made with the same intention.

§ III. What was intended as a disgrace to Mr. Pitt and Mr. Legge turned out one of the most shining circumstances of their characters. The whole nation seemed to rise up, as one man, in the vindication of their fame: every mouth was opened in their praise; and a great number of respectable cities and corporations presented them with the freedom of their respective societies, enclosed in gold boxes of curious workmanship, as testimonies of their peculiar veneration. What the people highly esteem, they in a manner idolize. Not contented with making offerings so flattering and grateful to conscious virtue, they conceived the most violent prejudices against those gentlemen who succeeded in the administration; fully convinced, that the same persons who had sunk the nation in the present distressful circumstances, who had brought on her dishonour, and reduced her to the verge of destruction, were by no means the fit instruments of her delivery and redemption. The whole kingdom caught fire at the late changes; nor could the power, the cunning, and the artifice of a faction, long support it against the united voice

of Great Britain, which soon pierced the ears of the sovereign. It was not possible to persuade the people that salutary measures could be suggested or pursued, except by the few, whose zeal for the honour of their country, and steady adherence to an upright disinterested conduct, had secured their confidence, and claimed their veneration. A great number of addresses, dutifully and loyally expressed, solicited the king, ever ready to meet half-way the wishes of his faithful people, to restore Mr. Pitt and Mr. Legge to their former employments. Upon this they rested the security and honour of the nation, as well as the public expectation of the speedy and successful issue of a war, hitherto attended with disgraces and misfortunes. Accordingly, his majesty was graciously pleased to re-deliver the seals to Mr. Pitt, appointing him secretary of state for the southern department, on the twenty-ninth day of June; and, five days after, the office of chancellor of the exchequer was restored to Mr. Legge: promotions that afforded universal satisfaction.

§ IV. It would not, perhaps, be possible to exclude, from a share in the administration, all who were not perfectly agreeable to the people: however unpopular the late ministry might appear, still they possessed sufficient influence in the privy council, and credit in the House of Commons, to thwart every measure in which they did not themselves partake. This consideration, and very recent experience, probably dictated the necessity of a coalition, salutary in itself, and prudent, because it was the only means of assuaging the rage of faction, and healing those divisions, more pernicious to the public than the most mistaken and blundering councils. Sir Robert Henley was made lord keeper of the great seal, and sworn of his majesty's privy council, on the thirteenth day of June: the custody of the privy seal was committed to Earl Temple: his grace the Duke of Newcastle, Mr. Legge, Mr. Nugent, Lord Viscount Duncannon, and Mr. Grenville, were appointed commissioners for executing the office of treasurer of his majesty's exchequer: Lord Anson, Admirals Boscawen and Forbes, Dr. Hay, Mr. West, Mr. Hunter, and Mr. Elliott, to preside at the board of admiralty: Mr. Fox was gratified with the office of receiver and paymaster-general of all his majesty's guards, garrisons, and land forces; and the Earl of Thomond was made treasurer of the king's household, and sworn of his majesty's privy council. Other promotions likewise took place with a design to gratify the adherents of either party; and so equally was the royal favour distributed, that the utmost harmony for a long time subsisted. Ingredients, seemingly heterogeneous, consolidated into one uniform mass, so as to produce effects far exceeding the most sanguine expectations; and this prudent arrangement proved displeasing only to those whom violent party attachment had inspired with a narrow and exclusive spirit.

§ V. The accumulated losses and disappointments of the preceding year made it absolutely necessary to retrieve the credit of the British arms and councils by some vigorous and spirited enterprise, which should, at the same time, produce some change in the circumstances of his Prussian majesty, already depressed by the repulse of Colin, and in danger of being attacked by the whole power of France, now ready to fall upon him, like a torrent, which had so lately swept before it the army of observation, now on the brink of disgrace. A well-planned and vigorous descent on the coast of France, it was thought, would probably give a decisive blow to the marine of that kingdom, and at the same time effect a powerful diversion in favour of the Prussian monarch and the Duke of Cumberland, driven from all his posts in the electorate of Hanover, by drawing a part of the French forces to the defence and protection of their own coasts. Both were objects of great concern, upon which the sovereign and ministry were sedulously bent. His royal highness the duke, in a particular manner, urged the necessity of some enterprise of this nature, as the only expedient to obviate the shameful convention now in agitation. The ministry foresaw, that, by destroying the enemy's shipping, all succours would be cut off from America, whither they were daily transporting troops; the British commerce secured, without those convoys so inconvenient to the board of admiralty, and to the merchants; and those ideal fears of an invasion, that had



had in some measure affected the public credit, wholly dispelled.

§ VI. From these considerations a powerful fleet was ordered to get in readiness to put to sea on the shortest notice, and ten regiments of foot were marched to the Isle of Wight. The naval armament, consisting of eighteen ships of the line, besides frigates, fire-ships, bomb-ketches, and transports, was put under the command of Sir Edward Hawke, an officer whose faithful services recommended him, above all others, to this command; and Rear-Admiral Knowles was appointed his subaltern. Sir John Mordaunt was preferred to take the command of the land forces; and both strictly enjoined to act with the utmost unanimity and harmony. Europe beheld with astonishment these mighty preparations. The destination of the armament was wrapped in the most profound secrecy: it exercised the penetration of politicians, and filled France with very serious alarms. Various were the impediments which obstructed the embarkation of the troops for several weeks, while Mr. Pitt expressed the greatest uneasiness at the delay, and repeatedly urged the commander-in-chief to expedite his departure; but a sufficient number of transports, owing to some blunder in the contractors, had not yet arrived. The troops expressed an eager impatience to signalize themselves against the enemies of the liberties of Europe; but the superstitious drew unfavourable presages from the dilatoriness of the embarkation. At last the transports arrived, the troops were put on board with all expedition, and the fleet got under sail on the eighth day of September, attended with the prayers of every man warmed with the love of his country, and solicitous for her honour. The public, big with expectation, dubious where the stroke would fall, but confident of its success, were impatient for tidings from the fleet; but it was not till the fourteenth, that even the troops on board began to conjecture that a descent was meditated on the coast of France, near Rochefort or Rochelle.

§ VII. On the twentieth, the fleet made the isle of Oleron, and then Sir Edward Hawke sent an order to Vice-Admiral Knowles, requiring him, if the wind permitted the fleet, to proceed to Basque road, to stand in as near to the isle of Aix as the pilot would carry him, with such ships of his division as he thought necessary for the service, and to batter the fort till the garrison should either abandon or surrender it. But the immediate execution of this order was frustrated by a French ship of war's standing in to the very middle of the fleet, and continuing in that station for some time before she discovered her mistake, or any of the captains had a signal thrown out to give chase. Admiral Knowles, when too late, ordered the Magnanime, Captain Howe, and Torbay, Captain Keppel, on that service, and thereby retarded the attack upon which he was immediately sent. A stroke of policy greatly to be admired, as from hence he gained time to assure himself of the strength of the fortifications of Aix, before he ran his majesty's ships into danger.

§ VIII. While the above ships, with the addition of the Royal William, were attending the French ship of war safe into the river Garonne, the remainder of the fleet was beating to windward off the isle of Oleron; and the commander-in-chief publishing orders and regulations which did credit to his judgment, and would have been highly useful, had there ever been occasion to put them in execution. On the twenty-third the van of the fleet, led by Captain Howe in the Magnanime, stood towards Aix, a small island situated in the mouth of the river Charente, leading up to Rochefort, the fortifications half finished, and mounted with about thirty cannon and mortars, the garrison composed of six hundred men, and the whole island about five miles in circumference. As the Magnanime approached the enemy fired briskly upon her; but Captain Howe, regardless of their faint endeavours, kept on his course without flinching, dropped his anchors close to the walls, and poured in so incessant a fire as soon silenced their artillery. It was, however, near an hour before the fort struck, when some forces were landed to take possession of so important a conquest, with orders to demolish the fortifications, the care of which was intrusted to Vice-Admiral Knowles.

§ IX. Inconsiderable as this success might appear, it greatly elated the troops, and was deemed a happy omen

of further advantages; but, instead of embarking the troops that night, as was universally expected, several successive days were spent in councils of war, soundings of the coast, and deliberations whether the king's express orders were practicable, or to be complied with. Eight days were elapsed since the first appearance of the fleet on the coast, and the alarm was given to the enemy. Sir Edward Hawke, indeed, proposed laying a sixty-gun ship against Fouras, and battering that fort, which it was thought would help to secure the landing of the troops, and facilitate the enterprise on Rochefort. This a French pilot on board (Thierry) undertook: but after a ship had been lightened for the purpose, Vice-Admiral Knowles reported that a bomb-ketch had run aground at above the distance of two miles from the fort; upon which, the project of battering or bombarding the fort was abandoned. The admiral likewise proposed to bombard Rochelle; but this overture was overruled, for reasons which we need not mention. It was at length determined, in a council of war held on the eighth, to make a descent and attack the forts leading to and upon the mouth of the river Charente. An order, in consequence of this resolution, was immediately issued for the troops to be ready to embark from the transports in the boats precisely at twelve o'clock at night. Accordingly, the boats were prepared, and filled with the men at the time appointed, and now they remained beating against each other, and the sides of the ships, for the space of four hours, while the council were determining whether, after all the trouble given, they should land; when, at length, an order was published for the troops to return to their respective transports, and all thoughts of a descent, to appearance, were wholly abandoned. The succeeding days were employed in blowing up and demolishing the fortifications of Aix; after which, the land-officers, in a council of war, took the final resolution of returning to England without any further attempts, fully satisfied they had done all in their power to execute the designs of the ministry, and choosing rather to oppose the frowns of an angry sovereign, the murmurs of an incensed nation, and the contempt of mankind, than fight a handful of dastardly militia. Such was the issue of an expedition that raised the expectation of all Europe, threw the coast of France into the utmost confusion, and cost the people of England little less than a million of money.

§ X. The fleet was no sooner returned than the whole nation was in a ferment. The public expectation had been wound up to the highest pitch, and now the disappointment was proportioned to the sanguine hopes conceived, that the pride of France would have been humbled by so formidable an armament. The ministry, and with them the national voice, exclaimed against the commanding officers, and the military men retorted the calumny, by laying the blame on the projectors of the enterprise, who had put the nation to great expense before they had obtained the necessary information. Certain it was, that blame must fall some where, and the ministry resolved to acquit themselves and fix the accusation, by requesting his majesty to appoint a board of officers of character and ability, to inquire into the causes of the late miscarriage. This alone it was that could appease the public clamours, and afford general satisfaction. The enemies of Mr. Pitt endeavoured to wrest the miscarriages of the expedition to his prejudice, but the whispers of faction were soon drowned in the voice of the whole people of England, who never could persuade themselves that a gentleman, raised to the height of power and popularity by mere dint of superior merit, integrity, and disinterestedness, would now sacrifice his reputation by a mock armament, or hazard incurring the derision of Europe, by neglecting to obtain all the necessary previous information, or doing whatever might contribute to the success of the expedition. It was asked, whether reason or justice dictated, that a late unfortunate admiral should be capitally punished for not trying and exerting his utmost ability to relieve Fort St. Philip, invested by a powerful army, and surrounded with a numerous fleet, while no charge of negligence or cowardice was brought against those who occasioned the miscarriage of a well-concerted and well appointed expedition? The people, they said, were not to be quieted with the resolutions of a council of war, composed of men whose activity might frame

excuses for declining to expose themselves to danger. It was publicly mentioned, that such backwardness appeared among the general officers before the fleet reached the isle of Oleron, as occasioned the admiral to declare, with warmth, that he would comply with his orders, and go into Basque road, whatever might be the consequence. It was asked why the army did not land on the night of the twenty-third or twenty-fourth, and whether the officers, sent out to reconnoitre, had returned with such intelligence as seemed to render a descent impracticable? It was asked, whether the commander in chief had complied with his majesty's orders, "To attempt, as far as should be found practicable, a descent on the coast of France, at or near Rochefort, in order to attack, and by a vigorous impression, force that place; and to burn and destroy, to the utmost of his power, all docks, magazines, arsenals, and shipping, as shall be found there?" Such rumours as these, every where propagated, rendered an inquiry no less necessary to the reputation of the officers on the expedition, than to the minister who had projected it. Accordingly, a board, consisting of three officers of rank, reputation, and ability, was appointed by his majesty to inquire into the reasons why the fleet returned without having executed his majesty's orders.

§ XI. The three general officers, who met on the twenty-first of the same month, were Charles Duke of Marlborough, lieutenant-general, Major-Generals, Lord George Sackville and John Waldegrave. To judge of the practicability of executing his majesty's orders, it was necessary to inquire into the nature of the intelligence upon which the expedition was projected. The first and most important was a letter sent to Sir John, afterwards Lord, Ligonier, by Lieutenant-Colonel Clarke. This letter had been frequently examined in the privy council, and contained in substance, that Colonel Clarke, in returning from Gibraltar, in the year one thousand seven hundred and fifty-four, had travelled along the western coast of France, to observe the condition of the fortifications, and judge how far a descent would be practicable in case of a rupture between Great Britain and France. On his coming to Rochefort, where he was attended by an engineer, he was surprised to find the greatest part of a good rampart, with a revetement, flanked only with redans; no outworks, no covered way, and in many places, no ditch, so that the bottom of the wall was seen at a distance. He remembered, that in other places, where the earth had been taken out to form the rampart, there was left round them a considerable height of ground, whence an enemy might draw a great advantage: that for above the length of a front of two or three hundred yards, there was no rampart, or even entrenchment, but only small ditches, in the low and marshy grounds next the river, which, however, were dry at low water; yet the bottom remained muddy and slimy. Towards the river no rampart, no batteries, no parapet, on either side, appeared, and on the land side he observed some high ground within the distance of one hundred and fifty or two hundred yards of the town; in which condition the colonel was told by the engineer the place had remained for above seventy years. To prevent giving umbrage, he drew no plan of the place, and even burnt the few sketches he had by him: however, as to utility, the colonel declared himself as much satisfied as if he had taken a plan. He could not ascertain the direct height of the rampart, but thought it could not exceed twenty-five feet, including the parapet. The river might be about one hundred and thirty feet broad, and the entrance defended by two or three small redoubts. As to forces, none are ever garrisoned at Rochefort, except marines, which, at the time the colonel was on the spot, amounted to about one thousand. This was the first intelligence the ministry received of the state of Rochefort, which afforded sufficient room to believe, that an attack by surprise might be attended with happy consequences. It was true that Colonel Clarke made his observations in time of peace; but it was likewise probable that no great alterations were made on account of the war, as the place had remained in the same condition during the two or three last wars with France, when they had the same reasons as now to expect their coasts would be insulted. The next information was obtained from Joseph Thierry, a

French pilot, of the protestant religion, who passed several examinations before the privy council. This person declared that he had followed the business of a pilot on the coast of France for the space of twenty years, and served as first pilot in several of the king's ships; that he had, in particular, piloted the *Magnanime*, before she was taken by the English, for about twenty-two months, and had often conducted her into the road of the isle of Aix; and that he was perfectly acquainted with the entrance, which, indeed, is so easy as to render a pilot almost unnecessary. The road, he said, afforded good anchorage in twelve or fourteen fathoms water as far as Bayonne; the channel between the islands of Oleron and Rhé was three leagues broad, and the banks necessary to be avoided lay near the land, except one called the Boiard, which is easily discerned by the breakers. He affirmed, that the largest vessels might draw up close to the fort of Aix, which he would undertake the *Magnanime* alone should destroy; that the largest ships might come up to the Vigerot, two miles distant from the mouth of the river, with all their cannon and stores: that men might be landed to the north of Fort Fouras, out of sight of the fort, upon a meadow, where the ground is firm and level, under cover of the cannon of the fleet. This landing-place he reckoned at about five miles from Rochefort, the way dry, and no way intercepted by ditches and morasses. He said great part of the city was encompassed by a wall, but towards the river, on both sides, for about sixty paces, it was enclosed only with palisades, without a fosse. To the intelligence of Col. Clarke and Thierry, the minister added a secret account obtained of the strength and distribution of the French forces, whence it appeared highly probable that no more than ten thousand men could be allowed for the defence of the whole coast, from St. Valéry to Bourdeaux. In consequence of the above information the secret expedition was planned; instructions were given to Sir John Mordaunt and Admiral Hawke, to make a vigorous impression on the French coast, and all the other measures projected, which it was imagined would make an effectual diversion, by obliging the enemy to employ a great part of their forces at home, disturb and shake the credit of their public loans, impair the strength and resources of their navy, disconcert their extensive and dangerous operations of war, and finally give life, strength, and lustre to the common cause and his majesty's arms. The board of inquiry took next into consideration the several letters and explanatory instructions sent to Sir John Mordaunt, in consequence of some difficulties which might possibly occur, stated by that general in letters to the minister, previous to his sailing. Then they examined the report made to Sir Edward Hawke by Admiral Broderick, and the captains of men of war sent to sound the French shore from Rochelle to Fort Fouras, dated September the twenty-ninth; the result of the councils of war of the twenty-fifth and twenty-eighth; Sir Edward Hawke's letter to Sir John Mordaunt on the twenty-seventh, and the general's answer on the twenty-ninth; after which Sir John Mordaunt was called upon to give his reasons for not putting his majesty's instructions and orders in execution. This he did in substance as follows: The attempt on Rochefort, he understood, was to have been on the footing of a *coup de main*, or surprise, which it would be impossible to execute, if the design was discovered or the alarm taken. He also understood that an attempt could not be made, nay, that his majesty did not require it should, unless a proper place for debarking, and a safe retreat for the troops was discovered, particularly where the ships could protect them; and a safe communication with the fleet, and conveyance of supplies from it were found. His sentiments, he said, were confirmed by a paper to this purpose, delivered to him by Sir John Ligonier, on his first being appointed to command the expedition. It was likewise probable, he thought, that although Rochefort should have remained in the situation which Colonel Clarke and the pilot Thierry had seen it three years before, yet that a few days' preparation could make it sufficiently defensible against a *coup de main*. Judging, therefore, the dependence on such an operation alone improper, he applied to the ministry for two more old battalions, and artillery for a regular attack to force the place, which, from its construction

appeared as difficult to be made defensible against the latter, as easily secured against the former. But this request being refused, he still thought it his duty to obey his orders on the footing on which the expedition was planned, especially as he understood his instructions were discretionary, regarding the circumstances of the time, the condition of the place, and the nature of the service. He recited the positive and credible intelligence received, as well before the embarkation as during the voyage, the alarm given to France, and the preparations made along the French coasts, from Brest and St. Maloes to Rochefort: the accidents that kept the fleet hovering along the coasts, and prevented the possibility of an attempt by surprise: the reports of all the gentlemen employed in sounding the coasts, so contrary to the intelligence given by Thierry, the pilot: the opinion of the council of war, by which he was enjoined to act, and with which his own judgment concurred: the endeavours used, after the twenty-sixth, to find out some expedient for annoying the enemy and executing his majesty's instructions: the attempt made to land, in consequence of the resolution of the second council of war, which was prevented by boisterous and stormy weather: and lastly, the reasons that determined him, in concert with the other land officers, to return to England.

§ XII. Having considered all these circumstances, and examined several officers who served in the expedition, the court of inquiry gave the following report to his majesty:—It appears to us, that one cause of the expedition having failed is, the not attacking Fort Fouras by sea, at the same time that it could have been attacked by land, agreeably to the first design, which certainly must have been of the greatest utility towards carrying your majesty's instructions into execution. It was at first resolved by Admiral Hawke, (Thierry, the pilot, having undertaken the safe conduct of a ship to Fort Fouras for that purpose,) but afterwards laid aside upon the representation of Vice-Admiral Knowles, that the *Barfleur*, the ship designed for that service, was aground, at the distance of between four and five miles from the shore: but as neither Sir Edward Hawke or the pilot could attend to give any information upon that head, we cannot presume to offer any certain opinion thereupon. We conceive another cause of the failure of the expedition to have been, that, instead of attempting to land, when the report was received, on the twenty-fourth of September, from Rear-Admiral Broderick, and the captains who had been out to sound and reconnoitre, a council of war was summoned, and held on the twenty-fifth, in which it was unanimously resolved not to land, as the attempt on Rochefort was neither advisable nor practicable: but it does not appear to us that there were then, or at any time afterwards, either a body of troops or batteries on shore sufficient to have prevented the attempting a descent, in pursuance of the instructions signed by your majesty: neither does it appear to us that there were any reasons sufficient to induce the council of war to believe that Rochefort was so changed in respect to its strength, or posture of defence, since the expedition was first resolved on in England, as to prevent all attempts of an attack upon the place, in order to burn and destroy the docks, magazines, arsenals, and shipping, in obedience to your majesty's commands. And we think ourselves obliged to remark, in the council of war on the twenty-eighth of September, that no reason could have existed sufficient to prevent the attempt of landing the troops, as the council then unanimously resolved to land with all possible despatch. We beg leave also to remark, that after its being unanimously resolved to land, in the council of war of the twenty-eighth of September, the resolution was taken of returning to England, without any regular or general meeting of the said council: but as the whole operation was of so inconsiderable a nature, we do not offer this to your majesty as a cause of the failure of the expedition: since we cannot but look upon the expedition to have failed from the time the great object of it was laid aside in the council of war of the twenty-fifth.

§ XIII. This report, signed by the general officers, Marlborough, Sackville, and Waldegrave, probably laid the foundation for the court-martial which sat soon after upon the conduct of the commander-in-chief in the expedition.

The enemies of the minister made a handle of the miscarriage to lessen him in the esteem of the public, by laying the whole blame on his forming a project so expensive to the nation, on intelligence not only slight at the first view, but false upon further examination. But the people were still his advocates; they discerned something mysterious in the whole conduct of the commander-in-chief. They plainly perceived that caution took place of vigour, and that the hours for action were spent in deliberations and councils of war. Had he debarked the troops, and made such an attack as would have distinguished his courage, the voice of the people would have acquitted him, however unsuccessful, though prudence, perhaps, might have condemned him. Even Braddock's rashness they deemed preferable to Mordaunt's inactivity; the loss of so many brave lives was thought less injurious and disgraceful to the nation, than the too safe return of the present armament. The one demonstrated that the British spirit still existed; the other seemed to indicate the too powerful influence of wealth, luxury, and those manners which tend to debauch and emasculate the mind. A public trial of the commander-in-chief was expected by the people, and it was graciously granted by his majesty. It is even thought that Sir John Mordaunt himself demanded to have his conduct scrutinized, by which method alone he was sensible his character could be re-established. His majesty's warrant for holding a court-martial was accordingly signed on the third day of December. The court was composed of nine lieutenant-generals, nine major-generals, and three colonels, who sat on the fourteenth, and continued by several adjournments to the twentieth. Lieutenant-General Sir John Mordaunt came prisoner before the court, and the following charge was exhibited against him: namely, That he being appointed by the king, commander-in-chief of his majesty's forces sent on an expedition to the coast of France, and having received orders and instructions relative thereto, from his majesty, under his royal sign-manual, and also by one of his principal secretaries of state, had disobeyed his majesty's said orders and instructions. The proceedings of this court were nearly similar to those of the court of inquiry. The same evidences were examined, with the addition of Sir Edward Hawke's deposition; and a defence, differing in no essential point from the former, made by the prisoner, but the judgment given was clear and explicit. Sir John Mordaunt was unanimously found, Not guilty, and therefore acquitted, while the public opinion remained unaltered, and many persons inveighed as bitterly against the lenity of the present court-martial, as they had formerly against the severity of the sentence passed upon a late unfortunate admiral. The evidence of one gentleman in particular drew attention: he was accused of tergiversation, and of showing that partial indulgence which his own conduct required. He publicly defended his character: his performance was censured, and himself dismissed the service of his sovereignty.

§ XIV. Besides the diversion intended by a descent on the coast of France, several other methods were employed to amuse the enemy, as well as to protect the trade of the kingdom, secure our colonies in the West Indies, and insure the continuance of the extraordinary success which had lately blessed his majesty's arms in the East Indies; but these we could not mention before without breaking the thread of our narration. On the ninth of February Admiral West sailed with a squadron of men of war to the westward, as did Admiral Coates with the fleet under his convoy to the West Indies, and Commodore Stevens with the trade to the East Indies, in the month of March. Admiral Holbourn and Commodore Holmes, with eleven ships of the line, a fire-ship, bomb-ketch, and fifty transports, sailed from St. Helen's for America in April. The Admiral had on board six thousand two hundred effective men, exclusive of officers, under the command of General Hopson, assisted by Lord Charles Hay. In May, Admiral Osborne, who had been forced back to Plymouth with his squadron by stress of weather, set sail for the Mediterranean, as did two ships of war sent to convoy the American trade.

§ XV. In the meantime, the privateers fitted out by private merchants and societies greatly annoyed the



French commerce. The Antigallican, a private ship of war, equipped by a society of men who assumed that name, took the Duke de Penthièvre Indianman, off the port of Corunna, and carried her into Cadiz. The prize was estimated worth two hundred thousand pounds, and immediate application was made by France to the court of Spain for restitution, while the proprietors of the Antigallican were squandering in mirth, festivity, and riot, the imaginary wealth so easily and unexpectedly acquired. Such were the remonstrances made to his catholic majesty with regard to the illegality of the prize, which the French East India company asserted was taken within shot of a neutral port, that the Penthièvre was first violently wrested out of the hands of the captors, then detained as a deposit, with sealed hatches, and a Spanish guard on board, till the claims of both parties could be examined, and at last adjudged to be an illegal capture, and consequently restored to the French, to the great disappointment of the owners of the privateer. Besides the success which attended a great number of other privateers, the lords of the admiralty published a list of above thirty ships of war and privateers taken from the enemy, in the space of four months, by the English sloops and ships of war, exclusive of the Duke d'Aquitaine Indianman, now fitted out as a ship of war, taken by the Eagle and Medway; the Pondichery Indianman, valued at one hundred and sixty thousand pounds, taken by the Dover man of war; and above six privateers brought into port by the diligent and brave Captain Lockhart, for which he was honoured with a variety of presents of plate by several corporations, in testimony of their esteem and regard. This run of good fortune was not, however, without some retribution on the side of the enemy, who, out of twenty-one ships, homeward-bound from Carolina, made prize of nineteen, whence the merchants sustained considerable damage, and a great quantity of valuable commodities, indigo in particular, was lost to this country.

§ XVI. Notwithstanding the large imports of grain from different parts of Europe and America, the artifice of engrossers still kept up the price of corn. So incensed were the populace at the iniquitous combinations entered into to frustrate the endeavours of the legislature, and to oppress the poor, that they rose in a tumultuous manner in several counties, sometimes to the number of five or six thousand, and seized upon the grain brought to market. Nor was it indeed to be wondered at, considering the distress to which many persons were reduced. The difficulty of obtaining the necessities of life raised the price of labour at the most unseasonable time, when all manufacturers were overstocked for want of a proper market, which obliged them to dismiss above half the hands before employed. Hence arose the most pitiable condition of several thousands of useful industrious subjects; a calamity attended only with one advantage to the public, namely, the facility with which recruits were raised for his majesty's service. At last, the plentiful crops with which it pleased Providence to bless these kingdoms, the prodigious quantities of corn imported from foreign countries, and the wise measures of the legislature, broke all the villainous schemes set on foot by the forestallers and engrossers, and reduced the price of corn to the usual standard. The public joy on this event was greatly augmented by the safe arrival of the fleet from the Leeward Islands, consisting of ninety-two sail, and of the Straits fleet, esteemed worth three millions sterling, whereby the silk manufacturers in particular were again employed, and their distresses relieved. About the same time the India company was highly elated with the joyful account of the safe arrival and spirited conduct of three of their captains, attacked on their passage homeward by two French men of war, one of sixty-four, the other of twenty-six guns. After a warm engagement, which continued for three hours, they obliged the French ships to sheer off, with scarce any loss on their own side. When the engagement began, the captains had promised a reward of a thousand pounds to the crews by way of incitement to their valour; and the company doubled the sum, in recompence of their fidelity and courage. His majesty having taken into consideration the incredible damage sustained by the commerce of these kingdoms, for want of proper harbours and forts on the

western coast to receive and protect merchant-men, was graciously pleased to order, that a temporary security should be provided for the shipping which might touch at Milford-haven, until the fortifications voted in parliament should be erected. How far his majesty's directions were complied with, the number of merchant-ships taken by the enemy's privateers upon that coast sufficiently indicated.

§ XVII. Whatever reasons the government had to expect the campaign should be vigorously pushed in America, almost every circumstance turned out contrary to expectation. Not all the endeavours of the Earl of Loudoun to quiet the dissensions among the different provinces, and to establish unanimity and harmony, could prevail. Circumstances required that he should act the part of a mediator, in order to raise the necessary supplies for prosecuting the war, without which it was impossible he could appear in the character of a general. The enemy, in the meantime, were pursuing the blow given at Oswego, and taking advantage of the distraction that appeared in the British councils. By their successes in the preceding campaign, they remained masters of all the lakes. Hence they were furnished with the means of practising on the Indians in all the different districts, and obliging them, by rewards, promises, and menaces, to act in their favour. Every accession to their strength was a real diminution of that of the British commander; but then the ignorance or pusillanimity of some of the inferior officers in our back settlements, was, in effect, more beneficial to the enemy than all the vigilance and activity of Montcalm. In consequence of the shameful loss of Oswego, they voluntarily abandoned to the mercy of the French general the whole country of the Five Nations, the only body of Indians who had inviolably performed their engagements, or indeed who had preserved any sincere regard for the British government. The communication with these faithful allies was now cut off, by the imprudent demolition of the forts we possessed at the great Carrying-place. A strong fort, indeed, was built at Winchester, and called Fort Loudoun, after the commander-in-chief; and four hundred Cherokee Indians joined the English forces at Fort Cumberland: but this reinforcement by no means counterbalanced the losses sustained in consequence of our having imprudently stopped up Wood-creek, and filled it with logs. Every person the least acquainted with the country, readily perceived the weakness of these measures, by which our whole frontier was left open, and exposed to the irruption of the savages in the French interest, who would not fail to profit by our blunders, too notorious to escape them. By the removal of these barriers, a path was opened to our fine settlements on those grounds called the German Flats, and along the Mohawk's river, which the enemy destroyed with fire and sword before the end of the campaign.

§ XVIII. In the meantime, Lord Loudoun was taking the most effectual steps to unite the provinces, and raise a force sufficient to give some decisive blow. The attack on Crown-Point, which had been so long meditated, was laid aside as of less importance than the intended expedition to Louisbourg, now substituted in its place, and undoubtedly a more considerable object in itself. Admiral Holbourn arrived at Halifax, with the squadron and transports under his command, on the ninth of July; and it was his lordship's intention to repair thither with all possible diligence, in order to take upon him the command of the expedition; but a variety of accidents interposed. It was with the utmost difficulty he at length assembled a body of six thousand men, with which he instantly began his march to join the troops lately arrived from England. When the junction was effected, the whole force amounted to twelve thousand men; an army that raised great expectations. Immediately some small vessels were sent out to examine and reconnoitre the condition of the enemy, and the intermediate time was employed in embarking the troops, as soon as the transports arrived. The return of the scouts totally altered the face of affairs: they brought the unwelcome news, that M. de Bois de la Mothe, who sailed in the month of May from Brest, with a large fleet of ships of war and transports, was now safe at anchor in the harbour of Louisbourg. Their intelligence was supported by the testimony of several deserters;

yet still it wanted confirmation, and many persons believed their account of the enemy's strength greatly magnified. Such advices, however, could not but occasion extraordinary fluctuations in the councils of war at Halifax. Some were for setting aside all thoughts of the expedition for that season; while others, more warm in their dispositions, and sanguine in their expectations, were for prosecuting it with vigour, in spite of all dangers and difficulties. Their disputes were carried on with great vehemence, when a packet, bound from Louisbourg in France, was taken by one of the English ships stationed at Newfoundland. She had letters on board which put the enemy's superiority beyond all doubt, at least by sea. It clearly appeared, there were at that time in Louisbourg six thousand regular troops, three thousand natives, and one thousand three hundred Indians, with seventeen ships of the line, and three frigates moored in the harbour; that the place was well supplied with ammunition, provision, and every kind of military stores; and that the enemy wished for nothing more than an attack, which it was probable would terminate to the disgrace of the assailants, and ruin of the British affairs in America. The commanders at Halifax were fully apprized of the consequences of an unsuccessful attempt; it was, therefore, almost unanimously resolved to postpone the expedition to some more convenient opportunity, especially as the season was now far advanced, which alone would be sufficient to frustrate their endeavours, and render the enterprise abortive. The resolution seems, indeed, to have been the most eligible in their circumstances, whatever constructions might afterwards be given, with intention to prejudice the public against the commander-in-chief.

§ XIX. Lord Loudoun's departure from New York, with all the forces he was able to collect, afforded the Marquis de Montcalm the fairest occasion of improving the successes of the former campaign. That general had, in the very commencement of the season, made three different attacks on Fort William Henry, in all of which he was repulsed by the vigour and resolution of the garrison. But his disappointment here was balanced by an advantage gained by a party of regulars and Indians at Ticonderoga. Colonel John Parker, with a detachment of near four hundred men, went by water, in whale and bay boats, to attack the enemy's advanced guard at that place. Landing at night on an island, he sent before dawn three boats to the main land, which the enemy waylaid and took. Having procured the necessary intelligence from the prisoners of the colonel's designs, they contrived their measures, placed three hundred men in ambush behind the point where he proposed landing, and sent three bateaux to the place of rendezvous. Colonel Parker mistaking these for his own boats, eagerly put to shore, was surrounded by the enemy, reinforced with four hundred men, and attacked with such impetuosity, that of the whole detachment, only two officers and seventy private men escaped. Flushed with this advantage, animated by the absence of the British commander-in-chief, then at Halifax, and fired with a desire to revenge the disgrace he had lately sustained before Fort Henry, Montcalm drew together all his forces, with intention to lay siege to that place. Fort William Henry stands on the southern coast of Lake George; it was built with a view to protect and cover the frontiers of the English colonies, as well as to command the lake: the fortifications were good, defended by a garrison of near three thousand men, and covered by an army of four thousand, under the conduct of General Webb, posted at no great distance. When the Marquis de Montcalm had assembled all his forces at Crown Point, Ticonderoga, and the adjacent posts, together with a considerable body of Canadians and Indians, amounting in the whole to near ten thousand men, he marched directly to the fort, made his approaches, and began to batter it with a numerous train of artillery. On the very day he invested the place, he sent a letter to Colonel Monro, the governor, telling him, he thought himself obliged, in humanity, to desire he would surrender the fort, and not provoke the great number of savages in the French army by a vain resistance. "A detachment of your garrison has lately," says he, "experienced their cruelty; I have it yet in my power to restrain them, and oblige them to observe a

capitulation, as none of them hitherto are killed. Your persisting in the defence of your fort can only retard its fate a few days, and must of necessity expose an unfortunate garrison, who can possibly receive no relief, considering the precautions taken to prevent it. I demand a decisive answer, for which purpose I have sent the Sieur Fontbrune, one of my aides-du-camp. You may credit what he will inform you of, from Montcalm." General Webb beheld his preparations with an indifference and security bordering on infatuation. It is credibly reported, that he had private intelligence of all the French general's designs and motions; yet either despising his strength, or discrediting the information, he neglected collecting the militia in time, which, in conjunction with his own forces, would probably have obliged Montcalm to relinquish the attempt, or, at least, have rendered his success very doubtful and hazardous. The enemy meeting with no disturbance from the quarter they most dreaded, prosecuted the siege with vigour, and were warmly received by the garrison, who fired with great spirit till they had burst almost all their cannon, and expended their ammunition. Neither Montcalm's promises or threats could prevail upon them to surrender while they were in a condition to defend themselves, or could reasonably expect assistance from General Webb. They even persisted to hold out after prudence dictated they ought to surrender. Colonel Monro was sensible of the importance of his charge, and imagined that General Webb, though slow in his motions, would surely make some vigorous efforts either to raise the siege, or force a supply of ammunition, provision, and other necessities, into the garrison. At length necessity obliged him, after sustaining a siege from the third to the ninth day of August, to hang out a flag of truce, which was immediately answered by the French commander. Hostages were exchanged, and articles of capitulation signed by both parties. It was stipulated, that the garrison of Fort William Henry, and the troops in the entrenched camp, should march out with their arms, the baggage of the officers and soldiers, and all the usual necessities of war, escorted by a detachment of French troops, and interpreters attached to the savages: that the gate of the fort should be delivered to the troops of the most christian king, immediately after signing the capitulation; and the entrenched camp, on the departure of the British forces: that the artillery, warlike stores, provision, and in general every thing, except the effects of soldiers and officers, should, upon honour, be delivered to the French troops; for which purpose it was agreed there should be delivered, with the capitulation, an exact inventory of the stores, and other particulars specified; that the garrison of the fort, and the troops in the entrenchment and dependencies, should not serve for the space of eighteen months from the date of the capitulation, against his most christian majesty, or his allies: that with the capitulation there should be delivered an exact state of the troops, specifying the names of the officers, engineers, artillery-men, commissaries, and all employed: that the officers and soldiers, Canadians, women and savages, made prisoners by land since the commencement of the war in North America, should be delivered in the space of three months at Carillon; in return for whom an equal number of the garrison of Fort William Henry should be incapacitated to serve agreeably to the return given by the English officer, and the receipt of the French commanding officers, of the prisoners so delivered: that an officer should remain as a hostage, till the safe return of the escort sent with the troops of his Britannic majesty: that the sick and wounded, not in a condition to be transported to Fort Edward, should remain under the protection of the Marquis de Montcalm; who engaged to use them with tenderness and humanity, and to return them as soon as recovered: that provision for two days should be issued out for the British troops: that in testimony of his esteem and respect for Colonel Monro and his garrison, on account of their gallant defence, the Marquis de Montcalm should return one cannon, a six-pounder.—Whether the Marquis de Montcalm was really assiduous to have these articles punctually executed we cannot pretend to determine; but certain it is, they were perfidiously broke, in almost every instance. The savages in the French interest either paid no regard to the

capitulation, or were permitted, from views of policy, to act the most treacherous, inhuman, and insidious part. They fell upon the British troops as they marched out, despoiled them of their few remaining effects, dragged the Indians in the English service out of their ranks, and assassinated them with circumstances of unheard-of barbarity. Some British soldiers, with their wives and children, are said to have been savagely murdered by those brutal Indians, whose ferocity the French commander could not effectually restrain. The greater part of the English garrison, however, arrived at Fort Edward, under the protection of the French escort. The enemy demolished the fort, carried off the effects, provision, artillery, and every thing else left by the garrison, together with the vessels preserved in the lake, and departed, without pursuing their success by any other attempt. Thus ended the third campaign in America, where, with an evident superiority over the enemy, an army of twenty thousand regular troops, a great number of provincial forces, and a prodigious naval power, not less than twenty ships of the line, we abandoned our allies, exposed our people, suffered them to be cruelly massacred in sight of our troops, and relinquished a large and valuable tract of country, to the eternal reproach and disgrace of the British name.

§ XX. As to the naval transactions in this country, though less infamous, they were not less unfortunate. Immediately on Lord Loudoun's departure from Halifax, Admiral Holbourn, now freed from the care of the transports, set sail for Louisbourg, with fifteen ships of the line, one ship of fifty guns, three small frigates, and a fire-ship. What the object of this cruise might have been, can only be conjectured. Some imagine curiosity was the admiral's sole motive, and the desire of informing himself with certainty of the enemy's strength, while others persuade themselves that he was in hopes of drawing M. de la Mothe to an engagement, notwithstanding his superiority in number of ships and weight of metal. Be this as it may, the British squadron appeared off Louisbourg on the twentieth day of August, and approaching within two miles of the batteries, saw the French admiral make the signal to unmoor. Mr. Holbourn was greatly inferior in strength, and it is obvious, that his design was not to fight the enemy, as he immediately made the best of his way to Halifax. About the middle of September, being reinforced with four ships of the line, he again proceeded to Louisbourg, probably with intention, if possible, to draw the enemy to an engagement; but he found De la Mothe too prudent to hazard an unnecessary battle, the loss of which would have greatly exposed all the French colonies. Here the English squadron continued cruising until the twenty-fifth, when they were overtaken by a terrible storm from the southward. When the hurricane began, the fleet were about forty leagues distant from Louisbourg; but were driven in twelve hours within two miles of the rocks and breakers on that coast, when the wind providentially shifted. The ship *Tilbury* was wrecked upon the rocks, and half her crew drowned. Eleven ships were dismantled, others threw their guns overboard, and all returned in a very shattered condition to England, at a very unfavourable season of the year. In this manner ended the expedition to Louisbourg, more unfortunate to the nation than the preceding designs upon Rochefort; less disgraceful to the commanders, but equally the occasion of ridicule and triumph to our enemies. Indeed, the unhappy consequences of the political disputes at home, the instability of the administration, and the frequent revolutions in our councils, were strongly manifested by that languor infused into all our military operations, and general unsteadiness in our pursuits. Faction, in the mother-country, produced divisions and misconduct in the colonies. No ambition to signalize themselves appeared among the officers, from the uncertainty whether their services were to be rewarded or condemned. Their attachment to particular persons weakened the love they ought to have entertained for their country in general, and destroyed that spirit of enterprise, that firmness and resolution, which constitutes the commander, and without which the best capacity, joined to the most incorruptible integrity, can effect nothing.

§ XXI. The French king not only exerted himself against the English in America, but even extended his

operations to their settlements in Africa, which he sent one of his naval commanders, with a small squadron, to reduce. This gentleman, whose name was Kersin, had scoured the coast of Guinea, and made prize of several English trading ships; but his chief aim was to reduce the castle at Cape-coast, of which he had gained possession, the other subordinate forts would have submitted without opposition. When Mr. Bell, the governor of this castle, received intelligence that M. de Kersin was a few leagues to windward, and certainly intended to attack Cape-coast, his whole garrison did not exceed thirty white men, exclusive of a few Mulatto soldiers: his stock of ammunition was reduced to half a barrel of gunpowder; and his fortifications were so crazy and inconceivable, that, in the opinion of the best engineers, they could not have sustained for twenty minutes the fire of one great ship, had it been properly directed and maintained. In these circumstances, few people would have dreamed of making any preparation for defence; but Mr. Bell entertained other sentiments, and acquitted himself with equal courage and discretion. He forthwith procured a supply of gunpowder, and a reinforcement of about fifty men, from certain trading vessels that happened to be upon that part of the coast. He mounted some spare cannon upon an occasional battery, and assembling a body of twelve hundred negroes, well armed, under the command of their chief, on whose attachment he could depend, he ordered them to take post at the place where he apprehended the enemy would attempt a landing. These precautions were hardly taken, when the French squadron, consisting of two ships of the line and a large frigate, appeared, and in a little time their attack began; but they met with such a warm reception, that in less than two hours they desisted, leaving the castle very little damaged, and immediately made sail for the West Indies, very much to the disappointment and mortification of the Dutch officers belonging to the fort of Elmina, in the same neighbourhood, who made no scruple of expressing their wishes publicly in favour of the French commodore, and at a distance viewed the engagement with the most partial eagerness and impatience. M. de Kersin was generally blamed for his want of conduct and resolution in this attempt: but he is said to have been deceived in his opinion of the real state of Cape-coast castle, by the vigorous and resolute exertions of the governor, and was apprehensive of losing a mast in the engagement; a loss which he could not have repaired on the whole coast of Africa. Had the fort of Cape-coast been reduced on this occasion, in all probability every petty republic of the negroes, settled under the protection of the forts on the Gold-coast, would have revolted from the British interest: for while the French squadron, in their progress along shore, hovered in the offing at Annamaboe, an English settlement a few leagues to leeward of Cape-coast, John Corraantee, the caboceiro, chief magistrate and general of the blacks on that part of the coast, whose adopted son had a few years before been caressed, and even treated as a prince in England, taking it for granted that this enterprise of the French would be attended with success, actually sent some of his dependants, with a present of refreshments for their commodore; the delivery of which, however, was prevented by Mr. Brew, the English chief of the fort, who shattered in pieces the canoe before it could be launched, and threatened with his cannon to level the black town with the dust. The caboceiro, though thus anticipated in his design, resolved to be among the first who should compliment M. de Kersin on his victory at Cape-coast; and, with this view, prepared an embassy or deputation to go there by land; but understanding that the French had failed in their attempt, he shifted his design, without the least hesitation, and despatched the same embassy to Mr. Bell, whom he congratulated on his victory, assuring him he had kept his men ready armed to march at the first summons to his assistance.

§ XXII. In the East Indies the scene was changed greatly to the honour and advantage of Great Britain. There the commanders acted with that harmony, spirit, and unanimity becoming Britons, zealous for the credit of their king and the interest of their country. We left Admiral Watson and Colonel Clive advancing to Calcutta,



to revenge the cruel tragedy acted upon their countrymen the preceding year. On the twenty-eighth of December, the fleet proceeded up the river; next day Colonel Clive landed, and, with the assistance of the squadron, in twenty-four hours made himself master of Bishudgia, a place of great strength, though very ill defended. On the first of January the admiral, with two ships, appeared before the town of Calcutta, and was received by a brisk fire from the batteries. This salute was returned so warmly, that the enemy's guns were soon silenced, and in less than two hours the place and fort were abandoned. Colonel Clive, on the other side, had invested the town, and made his attack with that vigour and intrepidity peculiar to himself, which greatly contributed to the sudden reduction of the settlement. As soon as the fort was surrendered, the brave and active Captain Coote, with his majesty's troops, took possession, and found ninety-one pieces of cannon, four mortars, abundance of ammunition, stores, and provisions, with every requisite for sustaining an obstinate siege. Thus the English were re-established in the two strongest fortresses in the Ganges, with the inconsiderable loss of nine seamen killed, and three soldiers. A few days after, Hughley, a city of great trade, situated higher up the river, was reduced with as little difficulty, but infinitely greater prejudice to the nabob, as here the storehouses of salt, and vast granaries for the support of his army, were burnt and destroyed. Incensed at the almost instantaneous loss of all his conquests, and demolition of the city of Hughley, the Viceroy of Bengal discouraged all advances to an accommodation which was proposed by the admiral and chiefs of the company, and assembled an army of twenty thousand horse and fifteen thousand foot, fully resolved to expel the English out of his dominions, and take ample vengeance for the disgraces he had lately sustained. He was seen marching by the English camp in his way to Calcutta on the second of February, where he encamped, about a mile from the town. Colonel Clive immediately made application to the admiral for a reinforcement, and six hundred men, under the command of Captain Warwick, were accordingly drafted from the different ships, and sent to assist his little army. Clive drew out his forces, advanced in three columns towards the enemy, and began the attack so vigorously, that the viceroy retreated, after a feeble resistance, with the loss of a thousand men killed, wounded, and taken prisoners, five hundred horses, great number of draft bullocks, and four elephants. Though this advantage was less decisive than could be wished, yet it sufficiently intimidated the nabob into concessions much to the honour and advantage of the company. Admiral Watson gave him to understand in a letter, that this was no more than a specimen of what the British arms, when provoked, could perform. The suba desired the negotiation might be renewed, and in a few days the treaty was concluded. He promised not to disturb the English in any of those privileges or possessions specified in the firman, granted by the Mogul: that all merchandise belonging to the company should pass and repass, in every part of the province of Bengal, free of duty: that all the English factories seized the preceding year, or since, should be restored, with the money, goods, and effects appertaining: that all damages sustained by the English should be repaired, and their losses repaid: that the English should have liberty to fortify Calcutta in whatever manner they thought proper without interruption: that they should have the liberty of coining all the gold and bullion they imported, which should pass current in the province: that he would remain in strict friendship and alliance with the English, use his utmost endeavours to heal up the late divisions, and restore the former good understanding between them. All which several articles were solemnly signed and sealed with the nabob's own hand.

§ XXIII. Such were the terms obtained for the company, by the spirit and gallant conduct of the two English commanders. They had, however, too much discernment to rely on the promises of a barbarian, who had so perfidiously broke former engagements; but they prudently dissembled their sentiments, until they had thoroughly reinstated the affairs of the company, and reduced the French power in this province. In order to adjust the points that required discussion, the select committee for

the company's affairs appointed Mr. Watts, who had been released from his former imprisonment, as their commissary at the court of the suba, to whom he was personally known, as well as to his ministers, among whom he had acquired a considerable influence. Nothing less could have balanced the interest which the French, by their art of intriguing, had raised among the favourites of the viceroy. While Mr. Watts was employed at Muxadavad, in counterworking those intrigues, and keeping the suba steady to his engagements, the admiral and Mr. Clive resolved to avail themselves of their armament in attacking the French settlements in Bengal. The chief object of their designs was the reduction of Chandernagore, situated higher up the river than Calcutta, of considerable strength, and the chief in importance of any possessed by that nation in the bay. Colonel Clive, being reinforced by three hundred men from Bombay, began his march to Chandernagore, at the head of seven hundred Europeans and one thousand six hundred Indians, where, on his first arrival, he took possession of all the out-posts, except one redoubt mounted with eight pieces of cannon, which he left to be silenced by the admiral. On the eighteenth of March the admirals, Watson and Pococke, arrived within two miles of the French settlement, with the Kent, Tiger, and Salisbury men of war, and found their passage obstructed by booms laid across the river, and several vessels sunk in the channel. These difficulties being removed, they advanced early on the twenty-fourth and drew up in a line before the fort, which they battered with great fury for three hours; while Colonel Clive was making his approaches on the land side, and playing vigorously from the batteries he had raised. Their united efforts soon obliged the enemy to submission. A flag of truce was waved over the walls, and the place surrendered by capitulation. The keys were delivered to Captain Latham, of the Tiger; and in the afternoon Colonel Clive, with the king's troops, took possession. Thus the reduction of a strong fortress, garrisoned by five hundred Europeans, and one thousand two hundred Indians, defended by one hundred and twenty-three pieces of cannon, and three mortars, well provided with all kinds of stores and necessaries, and of very great importance to the enemy's commerce in India, was accomplished with a loss not exceeding forty men on the side of the conquerors. By the treaty of capitulation, the director, counsellors, and inferior servants of the settlement, were allowed to depart with their wearing apparel; the Jesuits were permitted to take away their church ornaments, and the natives to remain in the full exertion of their liberties; but the garrison were to continue prisoners of war. The goods and money found in the place were considerable; but the principal advantage arose from the ruin of the head settlement of the enemy on the Ganges, which could not but interfere with the English commerce in these parts.

§ XXIV. Success had hitherto attended all the operations of the British commanders, because they were concerted with foresight and unanimity; and executed with that vigour and spirit which deservedly raised them in the high esteem of their country. They reduced the nabob to reasonable terms of accommodation before they alarmed the French; and now the power of the latter was destroyed, they entered upon measures to oblige the treacherous viceroy to a strict performance of the treaty he had so lately signed. However specious his promises were, they found him extremely dilatory in the execution of several articles of the treaty, which, in effect, was the same to the English commerce as if none had been concluded. The company's goods were loaded with high duties, and several other infractions of the peace committed, upon such frivolous pretences, as evidently demonstrated that he sought to come to an open rupture as soon as his projects were ripe for execution. In a word, he discovered all along a manifest partiality to the French, whose emissaries cajoled him with promises that he should be joined by such a body of their European troops, under M. de Bussy, as would enable him to crush the power of the English, whom they had taught him to fear and to hate. As recommencing hostilities against so powerful a prince was in itself dangerous, and, if possible, to be avoided, the affair was laid before the council of Calcutta, and canvassed with all the circumspection and caution that a measure required, on

which depended the fate of the whole trade of Bengal. Mr. Watts, from time to time, sent them intelligence of every transaction in the suba's cabinet; and although that prince publicly declared he would cause him to be impaled as soon as the English troops should be put in motion within the kingdom of Bengal, he bravely sacrificed his own safety to the interest of the company, and exhorted them to proceed with vigour in the military operations. During these deliberations, a most fortunate incident occurred, that soon determined the council to come to an open rupture. The leading persons in the viceroy's court found themselves oppressed by his haughtiness and insolence. The same spirit of discontent appeared among the principal officers of his army: they were well acquainted with his perfidy, saw his preparations for war, and were sensible that the peace of the country could never be restored, unless either the English were expelled, or the nabob deposed. In consequence, a plan was concerted for divesting him of all his power; and the conspiracy was conducted by Jaffer Ali Khan, his prime minister and chief commander, a nobleman of great influence and authority in the province. The project was communicated by Ali Khan to Mr. Watts, and so improved by the address of that gentleman, as in a manner to insure success. A treaty was actually concluded between this Meer Jaffer Ali Khan and the English company; and a plan concerted with this nobleman and the other malcontents for their defection from the viceroy. These previous measures being taken, Colonel Clive was ordered to take the field with his little army. Admiral Watson undertook the defence of Chandernagore, and the garrison was detached to reinforce the colonel, together with fifty seamen to be employed as gunners, and in directing the artillery. Then Mr. Watts, deceiving the suba's spies, by whom he was surrounded, withdrew himself from Muxadavad, and reached the English camp in safety. On the nineteenth of June, a detachment was sent to attack Cutwa fort and town, situated on that branch of the river forming the island of Cassimbuzar. This place surrendered at the first summons; and here the colonel halted with the army for three days, expecting advices from Ali Khan. Disappointed of the hoped-for intelligence, he crossed the river, and marched to Plaissey, where he encamped. On the twenty-third, at day-break, the suba advanced to attack him, at the head of fifteen thousand horse, and near thirty thousand infantry, with about forty pieces of heavy cannon, conducted and managed by French gunners, on whose courage and dexterity he placed great dependence. They began to cannonade the English camp about six in the morning; but a severe shower falling at noon they withdrew their artillery. Colonel Clive seized this opportunity to take possession of a tank and two other posts of consequence, which they in vain endeavoured to retake. Then he stormed an angle of their camp, covered with a double breastwork, together with an eminence which they occupied. At the beginning of this attack, some of their chiefs being slain, the men were so dispirited, that they soon gave way; but still Meer Jaffer Ali Khan, who commanded the left wing, forbore declaring himself openly. After a short contest the enemy were put to flight, the nabob's camp, baggage, and fifty pieces of cannon were taken, and a most complete victory obtained. The colonel, pursuing his advantage, marched to Muxadavad, the capital of the province, and was there joined by Ali Khan and the malcontents. It was before concerted, that this nobleman should be invested with the dignity of nabob; accordingly, the colonel proceeded solemnly to depose Surajah Dowlat, and with the same ceremony, to substitute Ali Khan in his room, who was publicly acknowledged by the people as suba, or viceroy, of the provinces of Bengal, Bahar, and Orixa. Soon after, the late viceroy was taken, and put to death by his successor, who readily complied with all the conditions of his elevation. He conferred on his allies very liberal rewards, and granted the company such extraordinary privileges, as fully demonstrated how justly he merited their assistance. By this alliance, and the reduction of Chandernagore, the French were entirely excluded the commerce of Bengal and its dependencies; the trade of the English company was restored, and increased beyond their most sanguine

hopes; a new ally was acquired, whose interest obliged him to remain firm to his engagements: a vast sum was paid to the company and the sufferers at Calcutta, to indemnify them for their losses; the soldiers and seamen were gratified with six hundred thousand pounds, as a reward for the courage and intrepidity they exerted; and a variety of other advantages gained, which it would be unnecessary to enumerate. In a word, in the space of fourteen days a great revolution was effected, and the government of a vast country, superior in wealth, fertility, extent, and number of inhabitants, to most European kingdoms, transferred by a handful of troops, conducted by an officer untutored in the art of war, and a general rather by intuition than instruction and experience. But the public joy at these signal successes was considerably diminished by the death of Admiral Watson, and the loss of Vizagapatam, an English settlement on the Coromandel coast. The admiral fell a victim to the unwholesomeness of the climate, on the sixteenth of August, universally esteemed and regretted; and the factory and fort at Vizagapatam were surrendered to the French, a few days after Colonel Clive had defeated the nabob.

§ XXV. We now turn our eyes to the continent of Europe, where we see the beginning of the year marked with a striking instance of the dreadful effects of frantic enthusiasm. France had long enjoyed a monarch, easy, complying, good-natured, and averse to all that wore the appearance of business or war. Contented with the pleasures of indolence, he sought no greatness beyond what he enjoyed, nor pursued any ambitious aim through the dictates of his own disposition. Of all men on earth, such a prince had the greatest reason to expect an exemption from plots against his person, and cabals among his subjects; yet was an attempt made upon his life by a man, who, though placed in the lowest sphere of fortune, had resolution to face the greatest dangers, and enthusiasm sufficient to sustain, without shrinking, all the tortures which the cruelty of man could invent, or his crimes render necessary. The name of this fanatic was Robert Francis Damien, born in the suburb of St. Catharine, in the city of Arras. He had lived in the service of several families, whence he was generally dismissed on account of the impatience, the melancholy, and sullenness of his disposition. So humble was the station of a person, who was resolved to step forth from obscurity, and, by one desperate effort, draw upon himself the attention of all Europe. On the fifth day of January, as the king was stepping into his coach, to return to Trianon, whence he had that day come to Versailles, Damien, mingling among his attendants, stabbed him with a knife on the right side, between the fourth and fifth ribs. His majesty, applying his hand immediately to his side, cried out, "I am wounded! Seize him; but do not hurt him." Happily, the wound was not dangerous; as the knife, taking an oblique direction, missed the vital parts. As for the assassin, he made no attempts to escape; but suffering himself quietly to be seized, was conveyed to the guard-room, where, being interrogated if he committed the horrid action, he boldly answered in the affirmative. A process against him was instantly commenced at Versailles: many persons, supposed accessories to the design upon the king's life, were sent to the Bastille; the assassin himself was put to the torture, and the most excruciating torments were applied, with intention to extort a confession of the reasons that could induce him to so execrable an attempt upon his sovereign. Incisions were made into the muscular parts of his legs, arms, and thighs, into which boiling oil was poured. Every refinement on cruelty, that human invention could suggest, was practised without effect; nothing could overcome his obstinacy; and his silence was construed into a presumption, that he must have had accomplices in the plot. To render his punishment more public and conspicuous, he was removed to Paris, there to undergo a repetition of all his former tortures, with such additional circumstances, as the most fertile and cruel dispositions could devise for increasing his misery and torment. Being conducted to the Conciergerie, an iron bed, which likewise served for a chair, was prepared for him, and to this he was fastened with chains. The torture was again applied, and a physician

ordered to attend to see what degree of pain he could support. Nothing, however, material was extorted; for what he one moment confessed, he recanted the next. It is not within our province (and we consider it as a felicity) to relate all the circumstances of this cruel and tragical event. Sufficient it is, that, after suffering the most exquisite torments that human nature could invent, or man support, his judges thought proper to terminate his misery by a death shocking to imagination, and shameful to humanity. On the twenty-eighth day of March he was conducted, amidst a vast concourse of the populace, to the Grève, the common place of execution, stripped naked, and fastened to the scaffold by iron gyves. One of his hands was then burnt in liquid flaming sulphur; his thighs, legs, and arms, were torn with red-hot pincers; boiling oil, melted lead, resin, and sulphur, were poured into the wounds; tight ligatures tied round his limbs to prepare him for dismemberment; young and vigorous horses applied to the draft, and the unhappy criminal pulled, with all their force, to the utmost extension of his sinews, for the space of an hour; during all which time he preserved his senses and constancy. At length the physician and surgeon attending declared, it would be impossible to accomplish the dismemberment, unless the tendons were separated; upon which orders were given to the executioner to cut the sinews at the joints of the arms and legs. The horses drew afresh: a thigh and an arm were separated, and after several pulls, the unfortunate wretch expired under the extremity of pain. His body and limbs were reduced to ashes under the scaffold; his father, wife, daughter, and family, banished the kingdom for ever; the name of Damien effaced and obliterated, and the innocent involved in the punishment of the guilty. Thus ended the procedure against Damien and his family, in a manner not very favourable to the avowed clemency of Louis, or the acknowledged humanity of the French nation. It appeared from undoubted evidence, that the attempt on the king's life was the result of insanity, and a disturbed imagination. Several instances of a disordered mind had before been observed in his conduct, and the detestation justly due to the enormity of his crime ought now to have been absorbed in the consideration of his misfortune, the greatest that can befall human nature.

§ XXVI. Another remarkable event in France, in the beginning of this year, was the change in the ministry of that nation, by the removal of M. de Machoult, keeper of the seals from the post of secretary of state for the marine; and of M. Argenson from that of secretary at war. Their dismissal was sudden and unexpected; nor was any particular reason assigned for this very unexpected alteration. The French king, to show the Queen of Hungary how judicious she had acted in forming an alliance with the house of Bourbon, raised two great armies; the first of which, composed of nearly eighty thousand men, the flower of the French troops, with a large train of artillery, was commanded by M. d'Etrées, a general of great reputation; under whom served M. de Contades, M. Chevert, and the Count de St. Germain, all officers of high character. This formidable army passed the Rhine early in the spring and marched by Westphalia, in order to invade the King of Prussia's dominions, in quality of allies to the empress-queen, and guardians of the liberties of the empire. But their real view was to invade Hanover, a scheme which they knew would make a powerful diversion of the British force from the prosecution of the war in other parts of the world, where the strength of France could not be fully exerted, and where their most valuable interests were at stake. They flattered themselves, moreover, that the same blow, by which they hoped to crush the King of Prussia, might likewise force his Britannic majesty into some concessions with regard to America. The other army of the French, commanded by the Prince de Soubise, was destined to strengthen the imperial army of execution, consisting of twenty-five thousand men, besides six thousand Bavarians, and four thousand Wirtembergers. But before these troops, under Soubise, passed the Rhine, they made themselves masters of several places belonging to the King of Prussia upon the borders of the Low Countries;<sup>a</sup> whilst

a detachment from d'Etrées' army seized upon the town of Embden, and whatever else belonged to the same monarch in East Friesland.

§ XXVII. At the close of the last campaign, the King of Prussia having gained a petty advantage over the imperialists under the command of Mareschal Brown, and incorporated into his own troops a great part of the Saxon army taken prisoners at Pirna, as was observed before, retired into winter-quarters until the season should permit him to improve these advantages. His majesty and Mareschal Keith wintered in Saxony, having their cantonments between Pirna and the frontier along the Elbe; and Mareschal Schwerin, returning into Silesia, took up his quarters in the country of Glatz. In the mean time, the empress-queen, finding the force which she had sent out against the King of Prussia, was not sufficient to prevent his designs, made the necessary requisition to her allies, for the auxiliaries they had engaged to furnish. In consequence of these requisitions, the czarina, true to her engagements, despatched above a hundred thousand of her troops, who began their march in the month of November, and proceeded to the borders of Lithuania, with design particularly to invade Ducal Prussia, whilst a strong fleet was equipped in the Baltic, to aid the operations of this numerous army. The Austrian army, assembled in Bohemia, amounted to upwards of fourscore thousand men, commanded by Prince Charles of Lorraine and Mareschal Brown. The Swedes had not yet openly declared themselves; but it was well known, that though their king was allied in blood and inclination to his Prussian majesty, yet the jealousy which the senate of Sweden entertained of their sovereign, and the hope of recovering their ancient possessions in Pomerania, by means of the present troubles, together with their old attachment to France, newly cemented by intrigues and subsidies, would certainly induce them to join the general confederacy. The Duke of Mecklenbourg took the same party, and agreed to join the Swedish army, when it should be assembled, with six thousand men. Besides all these preparations against the King of Prussia, he was, in his quality of elector to Brandenburg, put under the ban of the empire by the aulic council: declared deprived of all his rights, privileges, and prerogatives; his fiefs were escheated into the exchequer of the empire; and all the circles accordingly ordered to furnish their respective contingencies for putting this sentence in execution.

§ XXVIII. In this dangerous situation, thus menaced on all sides, and seemingly on the very brink of inevitable destruction, the Prussian monarch owed his preservation to his own courage and activity. The Russians, knowing that the country they were to pass through on their way to Lithuania, would not be able to subsist their prodigious numbers, had taken care to furnish themselves with provisions for their march, depending upon the resources they expected to find in Lithuania after their arrival in that country. These provisions were exhausted by the time they reached the borders of that province, where they found themselves suddenly and unexpectedly destitute of subsistence, either to return back or to proceed forward. The King of Prussia had, with great prudence and foresight, secured plenty to himself, and distress and famine to his enemies, by buying up all the corn and forage of the country which these last were entering. Notwithstanding these precautions, his Prussian majesty, to guard as much as could be against every possible event, sent a great number of gunners and matrosses from Pomerania to Memel, with three regiments of his troops, to reinforce the garrison of that place. He visited all the posts which his troops possessed in Silesia, and gave the necessary orders for their security. He repaired to Niess, where he settled with Mareschal Schwerin the general plan of the operations of the approaching campaign. There it was agreed, that the Mareschal's army in Silesia, which consisted of fifty thousand men, should have in constant view the motions of the royal army, by which its own were to be regulated, that they might both act in concert, as circumstances should require. At the same time, other armies were assembled by the King of Prussia in Lusatia and Voigt-

<sup>a</sup> The King of Prussia had withdrawn his garrison from Cleves, not without suspicion of having purposely left this door open to the enemy, that

their irruption into Germany might hasten the resolutions of the British ministry.



land; twenty thousand men were collected at Zwickaw, on the frontiers of Bohemia, towards Eggra, under the command of Prince Maurice of Anhalt-Dessau; and sixty thousand chosen troops began their march towards Great Zeidnitz, where their head-quarters were settled. In the meanwhile, the Austrian troops began to form on the frontiers of Saxony, where some of their detachments appeared, to watch the motions of the Prussians, who still continued to pursue their operations with great activity and resolution. All possible care was taken by the Prussians at Dresden to secure a retreat, in case of a defeat. As only one regiment of Prussians could be spared to remain there in garrison, the burghers were disarmed, their arms deposited in the arsenal, and a detachment was posted at Konigstein, to oblige that fortress to observe a strict neutrality. All correspondence with the enemy was strictly prohibited; and it having been discovered that the Countess of Ogilvie, one of the queen's maids of honour, had disobeyed his majesty's commands, she was arrested; but, on the queen's intercession, afterwards released. The Countess of Brühl, lady of the Saxon prime minister, was also arrested by his Prussian majesty's order; and, on her making light of her confinement, and resolving to see company, she was ordered to quit the court, and retire from Saxony. M. Henwin, the French minister, was told that his presence was unnecessary at Dresden; and on his replying, that his master had commanded him to stay, he was again desired to depart; on which he thought proper to obey. The Count de Wackerbach, minister of the cabinet, and grand master of the household of the Prince Royal of Poland, was arrested, and conducted to Custrin, by the express command of his majesty. The King of Prussia having thrown two bridges over the Elbe early in the spring, ordered the several districts of the electorate of Saxony to supply him with a great number of waggons, each drawn by four horses. The circles of Misnia and Leipzig were enjoined to furnish four hundred each, and the other circles in proportion.

§ XXIX. While the King of Prussia was taking these measures in Saxony, two skirmishes happened on the frontiers of Bohemia, between his troops and the Austrians. On the twentieth of February, a body of six thousand Austrians surrounded the little town of Hirschfeld, in Upper Lusatia, garrisoned by a battalion of Prussian foot. The first attack was made at four in the morning, on two redoubts without the gates, each of which was defended by two field-pieces: and though the Austrians were several times repulsed, they at last made themselves masters of one of the redoubts, and carried off the two pieces of cannon. In their retreat they were pursued by the Prussians, who fell upon their rear, killed some, and took many prisoners: this affair cost the Austrians at least five hundred men. About a fortnight after, the Prince of Bevern marched out of Zittau, with a body of near nine thousand men, in order to destroy the remaining strong holds possessed by the Austrians on the frontiers. In this expedition he took the Austrian magazine at Friedland in Bohemia, consisting of nine thousand sacks of meal, and great store of ammunition; and, after making himself master of Reichenberg, he returned to Zittau. The van of his troops, consisting of a hundred and fifty hussars of the regiment of Puttkammer, met with a body of six hundred Croats, sustained by two hundred Austrian dragoons of Bathiania, at their entering Bohemia; and immediately fell upon them sword in hand, killed about fifty, took thirty horses, and made ten dragoons prisoners. The Prussians, it is said, did not lose a single man on this occasion; and two soldiers only were slightly wounded, the Austrians having made but a slight resistance.

§ XXX. Whatever the conduct of the court of Vienna might have been to the allies of Great Britain, still, however, proper regard was shown to the subjects of this crown: for an edict was published at Florence on the thirteenth of February, wherein his imperial majesty, as Grand Duke of Tuscany, declared his intention of observing the most scrupulous neutrality in the then situation of affairs. All the ports in that duchy were accordingly enjoined to pay a strict regard to this declaration, in all cases relating to the French or English ships in the Mediterranean. The

good effects of this injunction soon appeared; for two prizes taken by the English having put into Porto Ferraro, the captains of two French privateers addressed themselves to the governor, alleging, that they were captures of a pirate, and requesting that they might be obliged to put to sea: but the governor prudently replied, that, as they came in under English colours, he would protect them; and forbade the privateers, at their peril, to commit any violence. They, however, little regarding the governor's orders, prepared for sailing, and sent their boats to cut out one of the prizes. The captain, firing at their boats, killed one of their men, which alarming the sentinels, notice was sent to the governor; and he, in consequence, ordered the two privateers immediately to depart. The conduct of the Dutch was rather cautious than spirited. Whilst his Prussian majesty was employed on the side of Bohemia and Saxony, the French auxiliaries began their march to harass his defenceless territories in the neighbourhood of the Low Countries. A free passage was demanded of the States-general through Namur and Maestricht, for the provisions, ammunition, and artillery belonging to this new army; and though the English ambassador remonstrated against their compliance, and represented it as a breach of the neutrality their high mightinesses declared they would observe, yet, after some hesitation, the demand was granted; and their inability to prevent the passage of the French troops, should it be attempted by force, pleaded in excuse of their conduct.

§ XXXI. Scarcely had the French army, commanded by the Prince de Soubise, set foot in the territories of Juliers and Cologne, when they found themselves in possession of the duchy of Cleves and the country of Marck, where all things were left open to them, the Prussians, who evacuated their posts, taking their route along the river Lippe, in order to join some regiments from Magdebourg, who were sent to facilitate their retreat. The distressed inhabitants, thus exposed to the calamities of war from an unprovoked enemy, were instantly ordered to furnish contributions, forage, and provisions for the use of their invaders; and, what was still more terrifying to them, the partisan Fischer, whose cruelties, the last war, they still remembered with horror, was again let loose upon them by the inhumanity of the empress-queen. Wesel was immediately occupied by the French: Emmerich and Maseyk soon shared the same fate; and the city of Guedres was besieged, the Prussians seeming resolved to defend this last place: to which end they opened the sluices, and laid the country under water. Those who retreated, filing off to the north-west of Paderborn, entered the country of Ritberg, the property of Count Canitz Ritberg, great chancellor to the empress-queen. After taking his castle, in which they found thirty pieces of cannon, they raised contributions in the district, to the amount of forty thousand crowns. As the Prussians retired, the French took possession of the country they quitted in the name of the empress-queen, whose commissary attended them for that purpose. The general rendezvous of these troops, under Prince Soubise, was appointed at Neuss, in the electorate of Cologne, where a large body of French was assembled by the first of April. The Austrians, in their turn, were not idle. Mareschal Brown visited the fortifications of Brinn and Konigsgratz; reviewed the army of the late Prince Piccolomini, now under the command of General Serbelloni; and put his own army in march for Kostlitz on the Elbe, where he proposed to establish his head-quarters.

§ XXXII. During the recess of the armies, while the rigours of winter forced them to suspend their hostile operations, and the greatest preparations were making to open the campaign with all possible vigour, Count Bestucheff, great chancellor of Russia, wrote a circular letter to the prime, senators, and ministers of the republic of Poland, setting forth, "That the Empress of Russia was extremely affected with the King of Poland's distress, which she thought could not but excite the compassion of all other powers, but more especially of his allies: that the fatal consequences which might result from the rash step taken by the King of Prussia, not only with respect to the tranquillity of Europe in general, but of each power in particular, and more especially of the neighbouring coun-

ties, were so evident, that the interest and safety of the several princes rendered it absolutely necessary they should make it a common cause; not only to obtain proper satisfaction for those courts whose dominions had been so unjustly attacked, but likewise to prescribe such bounds to the King of Prussia, as might secure them from any future apprehensions from so enterprising and restless a neighbour: that with this view, the empress was determined to assist the King of Poland with a considerable body of troops, which were actually upon their march,<sup>b</sup> under the command of General Apraxin: and that, as there would be an absolute necessity for their marching through part of the territories of Poland, her imperial majesty hoped the republic would not fail to facilitate their march as much as possible. She further recommended to the republic, to take some salutary measures for frustrating the designs of the King of Prussia, and restoring harmony among themselves as the most conducive measure to these good purposes. In this, however, the Poles were so far from following her advice, that though sure of being sacrificed in this contest, which side soever prevailed, they divided into parties with no less zeal, than if they had as much to hope from the prevalence of one side, as to fear from that of the other. Some of the Palatines were for denying a passage to the Russians, and others were for affording them the utmost assistance in their power. With this cause of contention, others of a more private nature fatally concurred, by means of a misunderstanding between the Prince Czartorinski and Count Minissec. Almost every inhabitant of Warsaw was involved in the quarrel; and the violence of these factions was so great, that scarce a night passed without bloodshed; many dead bodies, chiefly Saxons, being found in the streets every morning.

§ XXXIII. In the mean time, Great Britain, unsettled in her ministry and councils at home, unsuccessful in her attempts abroad, judging peace, if it could be obtained on just and honourable terms, more eligible than a continental war, proposed several expedients to the empress-queen for restoring the tranquillity of Germany; but her answer was, "That, whenever she perceived that the expedients proposed would indemnify her for the extraordinary expenses she had incurred in her own defence, repair the heavy losses sustained by her ally the King of Poland, and afford a proper security for their future safety, she would be ready to give the same proofs she had always given of her desire to restore peace; but it could not be expected she should listen to expedients, of which the King of Prussia was to reap the whole advantage, after having begun the war, and wasted the dominions of a prince, who relied for his security upon the faith of treaties, and the appearance of harmony between them." Upon the receipt of this answer, the court of London made several proposals to the czarina, to interpose as mediatrix between the courts of Vienna and Berlin; but they were rejected with marks of displeasure and resentment. When Sir Charles Hanbury Williams, the British ambassador, continued to urge his solicitations very strongly, and even with some hints of menaces, an answer was delivered to him by order of the empress, purporting, "That her imperial majesty was astonished at his demand, after he had already been made acquainted with the measures she had taken to effect a reconciliation between the courts of Vienna and Berlin. He might easily conceive, as matters were then situated, that the earnestness with which he now urged the same proposition must necessarily surprise her imperial majesty, as it showed but little regard to her former declaration. The empress, therefore, commanded his excellency to be told, that as her intentions contained in her first answer remained absolutely invariable, no ulterior propositions for a mediation would be listened to: and that as for the menaces made use of by his excellency, and particularly that the King of Prussia himself would soon attack the Russian army, such threats served only to weaken the ambassador's proposals; to confirm still more, were it possible, the empress in her resolutions; to justify them to the whole world, and to render the King of Prussia more blamable."

§ XXXIV. The season now drawing on in which the troops of the contending powers would be able to take the field, and the alarming progress of the Russians being happily stopped, his Prussian majesty, whose maxim it has always been to keep the seat of war as far as possible from his own dominions, resolved to carry it into Bohemia, and there to attack the Austrians on all sides. To this end he ordered his armies in Saxony, Misnia, Lusatia, and Silesia, to enter Bohemia in four different and opposite places, nearly at the same time. The first of these he commanded in person, assisted by Mareschal Keith; the second was led by Prince Maurice of Anhalt-Dessau, the third by Prince Ferdinand of Brunswick-Bevern, and the fourth by Mareschal Schwerin. In consequence of this plan, Mareschal Schwerin's army entered Bohemia on the eighteenth of April, in five columns at as many different places. The design was so well concerted, that the Austrians had not the least suspicion of their approach till they were past the frontiers, and then they filled the dangerous defile of Guldere-Oeise with pandours, to dispute that passage; but they were no sooner discovered, than two battalions of Prussian grenadiers attacked them with their bayonets fixed, and routed them. The Prince of Anhalt passed the frontiers, from Misnia, and penetrated into Bohemia on the twenty-first of April without any resistance. The Prince of Bevern, on the twentieth of the same month, having marched at the head of a body of the army, which was in Lusatia, from the quarters of cantonnement in Zittau, possessed himself immediately of the first post on the frontier of Bohemia, at Krouttau and Grasenstein, without the loss of a single man; drove away the enemy the same day from Krätzen, and proceeded to Machendorf, near Reichenberg. The same morning Puttkammer's hussars, who formed part of a corps, commanded by a colonel and major, routed some hundreds of the enemy's cuirassiers, posted before Cochlin, under the conduct of Prince Lichtenstein, took three officers and upwards of sixty horse prisoners, and so dispersed the rest, that they were scarcely able to rally near Krätzen. Night coming on, obliged the troops to remain in the open air till the next morning, when, at break of day, the Prussians marched in two columns by Habendorf, towards the enemy's army, amounting to twenty-eight thousand men, commanded by Count Konigsegg, and posted near Reichenberg. As soon as the troops were formed, they advanced towards the enemy's cavalry, drawn up in three lines of about thirty squadrons. The two wings were sustained by the infantry, which was posted among felled trees and intrenchments. The Prussians immediately cannonaded the enemy's cavalry, who received it with resolution, having on their right hand a village, and on their left a wood, where they had intrenched themselves. But the Prince of Bevern having caused fifteen squadrons of dragoons of the second line to advance, and the wood on his right to be attacked at the same time by the battalions of grenadiers of Kahlden and of Moellendorf, and by the regiment of the Prince of Prussia, his dragoons, who by clearing the ground, and possessing the intrenchment, had their flanks covered, entirely routed the enemy's cavalry. In the mean time Colonel Puttkammer and Major Schenfeld, with their hussars, though flanked by the enemy's artillery, gave the Austrian horse-grenadiers a very warm reception, whilst General Lestewitz, with the left wing of the Prussians, attacked the redoubts that covered Reichenberg. Though there were many defiles and rising grounds to pass, all occupied by the Austrians, yet the regiment of Darmstadt forced the redoubt, and put to flight and pursued the enemy, after some discharge of their artillery and small arms, from one eminence to another, for the distance of a mile, when they left off the pursuit. The action began at half an hour after six, and continued till eleven. About one thousand of the Austrians were killed and wounded, among the former were General Porporati and Count Hohenfelds, and among the latter Prince Lichtenstein and Count Mansfield. Twenty of their officers and four hundred soldiers were taken prisoners, and they also lost three standards. On the side of the Prussians seven subalterns, and about a hundred men, were killed, and

<sup>b</sup> This letter was written in December, and the Russians as yet

servd before, began their march in November.

sixteen officers and a hundred and fifty men wounded. After this battle Mareschal Schwerin joined the Prince of Bevern, made himself master of the greatest part of the circle of Buntzlau, and took a considerable magazine from the Austrians, whom he dislodged. The Prince Anhalt-Dessau, with his corps, drew near the King of Prussia's army; then the latter advanced as far as Budin, from whence the Austrians, who had an advantageous camp there, retired to Westwam, half-way between Budin and Prague; and his Prussian majesty having passed the Egra, his army and that of Mareschal Schwerin were so situated as to be able to act jointly.

§ XXXV. These advantages were but a prelude to a much more decisive victory, which the king himself gained a few days after. Preparing to enter Bohemia, at a distance from any of the corps commanded by his generals, he made a movement as if he had intended to march towards Egra. The enemy, deceived by this feint, and imagining he was going to execute some design, distinct from the object of other armies, detached a body of twenty thousand men to observe his motions; then he made a sudden and masterly movement to the left, by which he cut off all communication between that detachment and the main army of the Austrians, which having been reinforced by the army of Moravia, by the remains of the corps lately defeated by the Duke of Bevern, and by several regiments of the garrison of Prague, amounted to near a hundred thousand men. They were strongly intrenched on the banks of the Moldaw, to the north of Prague, in a camp so fortified by every advantage of nature, and every contrivance of art, as to be deemed almost impregnable. The left wing of the Austrians, thus situated, was guarded by the mountains of Zischka, and the right extended as far as Herboloh: Prince Charles of Lorraine and Mareschal Brown, who commanded them, seemed determined to maintain this advantageous post; but the King of Prussia overlooked all difficulties. Having thrown several bridges over the Moldaw on the fifth of May, he passed that river on the morning of the sixth, with thirty thousand men, leaving the rest of the army under the command of the Prince of Anhalt Dessau; and being immediately joined by the troops under Mareschal Schwerin and the Prince of Bevern, resolved to attack the enemy on the same day. In consequence of this resolution, his army filed off on the left by Potschernitz; and at the same time Count Brown wheeled to the right, to avoid being flanked. The Prussians continued their march to Bichwitz, traversing several defiles and morasses, which for a little time separated the infantry from the rest of the army. The foot began the attack too precipitately, and were at first repulsed, but they soon recovered themselves. While the King of Prussia took the enemy in flank, Mareschal Schwerin advanced to a marshy ground, which suddenly stopping his army, threatened to disconcert the whole plan of operation. In this emergency, he immediately dismounted, and taking the standard of the regiment in his hand, boldly entered the morass, crying out, "Let all brave Prussians follow me." Inspired by the example of this great commander, now eighty-two years of age, all the troops pressed forward, and though he was unfortunately killed by the first fire, their ardour abated not till they had totally defeated the enemy. Thus fell Mareschal Schwerin, loaded with years and glory, an officer whose superior talents in the military art had been displayed in a long course of faithful service. In the meantime, the Prussian infantry, which had been separated in the march, forming themselves afresh, renewed the attack on the enemy's right, and entirely broke it, while their cavalry, after three charges, obliged that of the Austrians to retire in great confusion, the centre being at the same time totally routed. The left wing of the Prussians then marched immediately towards Michely, and being there joined by the horse, renewed their attack, while the enemy were retreating hastily towards Saszawar. Meanwhile the troops on the right of the Prussian army attacked the remains of the left wing of the Austrians, and made themselves masters of three batteries. But the behaviour of the infantry in the last attack was so successful, as to leave little room for this part of the cavalry to act. Prince Henry of Prussia, and the Prince of Bevern, signalized themselves on this occa-

sion in storming two batteries; Prince Ferdinand of Brunswick took the left wing of the Austrians in flank, while the king with his left, and a body of cavalry, secured the passage of the Moldaw. In short, after a very long and obstinate engagement, and many signal examples of valour on both sides, the Austrians were forced to abandon the field of battle, leaving behind sixty pieces of cannon, all their tents, baggage, military chest, and, in a word, their whole camp. The weight of the battle fell upon the right wing of the Austrians, the remains of which, to the amount of ten or twelve thousand men, fled towards Beneschau, where they afterwards assembled under M. Priet-nach, general of horse. The infantry retired towards Prague, and threw themselves into that city with their commanders, Prince Charles of Lorraine and Mareschal Brown; but they were much harassed in their retreat by a detachment of the Prussians under Mareschal Keith. The Prussians took, on this occasion, ten standards, and upwards of four thousand prisoners, thirty of whom were officers of rank. Their loss amounted to about two thousand five hundred killed, and about three thousand wounded. Among the former were General d'Amstel, the Prince of Holstein-Beck, the Colonels Goltze and Manstein, and Lieutenant-Colonel Boke. Among the latter, the Generals Wenterfield, De la Mothe, Feauque, Haut-charmov, Blackensee, and Plettenberg. The number of the killed and wounded on the side of the Austrians was much greater. Among these last was Mareschal Brown, who received a wound, which, from the chagrin he suffered, rather than from its own nature, proved mortal. The day after the battle, Colonel Meyer was detached with a battalion of Prussian pandours, and four hundred hussars, to destroy a very considerable and valuable magazine of the Austrians at Pilsen, and this service he performed. He also completed the destruction of several others of less importance; by the loss of which, however, all possibility of subsistence was cut off from any succours the Austrians might have expected from the empire.

§ XXXVI. The Prussians, following their blow, immediately invested Prague on both sides of the river, the king commanding on one side, and Mareschal Keith on the other. In four days the whole city was surrounded with lines and intrenchments, by which all communication from without was entirely cut off: Prince Charles of Lorraine and Mareschal Brown, the two Princes of Saxony, the Prince of Modena, the Duke d'Aremberg, Count Lacy, and several other persons of great distinction, were shut up within the walls, together with above twenty thousand of the Austrian army, who had taken refuge in Prague after their defeat. Every thing continued quiet on both sides, scarce a cannon-shot being fired by either for some time after this blockade was formed: and in the meantime after this blockade made themselves masters of Cziscaberg, an eminence which commands the town, where the Austrians had a strong redoubt, continuing likewise to strengthen their works. Already they had made a sally, and taken some other ineffectual steps to recover this post; but a more decisive stroke was necessary. Accordingly, a design was formed of attacking the Prussian army in the night with a body of twelve thousand men, to be sustained by all the grenadiers, volunteers, pandours, and Hungarian infantry. In case an impression could be made on the king's lines, it was intended to open a way, sword in hand, through the camp of the besiegers, and to ease Prague of the multitude of forces locked up useless within the walls, serving only to consume the provisions of the garrison, and hasten the surrender of the place. Happily a deserter gave the Prince of Prussia intelligence of the enemy's design about eleven o'clock at night. Proper measures were immediately taken for their reception, and in less than a quarter of an hour the whole army was under arms. This design was conducted with so much silence, that though the Prussians were warned of it, they could discover nothing before the enemy had charged their advanced posts. Their attack was begun on the side of the little town, against Mareschal Keith's camp, and the left wing of the Prussian army encamped on the Moldaw. From hence it is probable the Austrians proposed not only to destroy the batteries that were raising, but to attack the bridges of communication which the Prussians threw over



the Moldaw, at about a quarter of a German mile above and below Prague, at Braug and Podbaba. The greatest alarm began about two o'clock, when the enemy hoped to have come silently and unexpectedly upon the inners, but they had left work about a quarter of an hour before. At the report of the first piece which they fired, the piquet of the third battalion of Prussian guards, to the number of a hundred men, who marched out of the camp to sustain the body which covered the works, was thrown into some confusion, from the darkness of the night, which prevented their distinguishing the Austrian troops from their own. Lieutenant Jork, detached with two platoons to reconnoitre the enemy, attempting to discover their disposition by kindling a fire, Captain Rodig, by the light of this fire, perceived the enemy's situation, immediately formed the design of falling upon them in flank, and gave orders to his men to fire in platoons, which they performed, mutually repeating the signal given by their commander. The enemy fled with the greater precipitation, as they were ignorant of the weakness of the piquet, and as the shouting of the Prussian soldiers made them mistake it for a numerous body. Many of them deserted, many took shelter in Prague, and many more were driven into the river and drowned. At the same time this attack began, a regiment of horse grenadiers fell upon a redoubt which the Prussians had thrown up, supported by the Hungarian infantry; they returned three times to the assault, and were as often beat back by the Prussians, whom they found it impossible to dislodge; though Prince Ferdinand of Brunswick's battalion, which guarded this post, suffered extremely. During this attack the enemy kept an incessant fire with their musketry upon the whole front of the Prussians, from the convent of St. Margaret to the river. At three in the morning the Prussians quitted their camp to engage the enemy. The battalion of Pannowitz attacked a building called the Red-house, situated at the bottom of the declivity before Wellastowitz. The pandours, who had taken possession of this house, fired upon them incessantly from all the doors and windows until they were dislodged; and the Prussian battalions were obliged to sustain the fire both of cannon and musketry for above two hours, when the enemy retired to the city, except the pandours, who again took possession of the Red-house, which the Prussians were forced to abandon, because the artillery of Prague kept a continued fire upon it from the moment it was known to be in their hands. The Austrians left behind them many dead and wounded; besides deserters; and the Prussians, notwithstanding the loss of several officers and private men, made some prisoners. Prince Ferdinand, the King of Prussia's youngest brother, had a horse killed under him, and was slightly wounded in the face.

§ XXXVII. The Prussian works being completed, and heavy artillery arrived, four batteries, erected on the banks of the Moldaw, began to play with great fury. Near three hundred bombs, besides an infinity of ignited balls, were thrown into the city in the space of twenty-four hours. The scene was lamentable: houses, men, and horses, wrapped in flames, and reduced to ashes. The confusion within, together with the want of proper artillery and ammunition, obliged the Austrians to cease firing, and furnished his Prussian majesty with all the opportunity he could wish of pouring destruction upon this unfortunate city. The horrors of war seemed to have extinguished the principles of humanity. No regard was paid to the distress of the inhabitants; the Austrians obstinately maintained possession, and the Prussians practised every stratagem, every barbarous refinement, that constitutes the military art, to oblige them to capitulate. After the conflagration had lasted three days, and consumed a prodigious number of buildings, the principal inhabitants, burghers, and clergy, perceiving their city on the point of being reduced to a heap of rubbish, besought the commander, in a body, to hearken to terms; but he was deaf to the voice of pity, and instead of being moved with their supplications, drove out twelve thousand persons, the least useful in defending the city. These, by order of his Prussian majesty, were again forced back, which soon produced so great a scarcity of provision within the walls, that the Austrians were reduced to the necessity of eating horse-

flesh, forty horses being daily distributed to the troops, and the same food sold at four-pence a pound to the inhabitants. However, as there still remained great abundance of corn, they were far from being brought to the last extremity. Two vigorous and well conducted sallies were made, but they proved unsuccessful. The only advantage resulting from them, was the perpetual alarm in which they kept the Prussian camp, and the vigilance required to guard against the attacks of a numerous, resolute, and desperate garrison.

§ XXXVIII. Whatever difficulties might have attended the conquest of Prague, certain it is, that the affairs of the empress-queen were in the most critical and desperate situation. Her grand army dispersed in parties, and flying for subsistence in small corps; their princes and commanders cooped up in Prague; that capital in imminent danger of being taken; the flourishing kingdom of Bohemia ready to fall into the hands of the conqueror; a considerable army on the point of surrendering prisoners of war; all the queen's hereditary dominions open and exposed; the whole fertile tract of country from Egra to the Moldaw in actual possession of the Prussians; the distance to the archduchy of Austria not very considerable, and secured only by the Danube; Vienna under the utmost apprehensions of a siege, and the imperial family ready to take refuge in Hungary; the Prussian forces deemed invincible, and the sanguine friends of that monarch already sharing with him, in imagination, the spoils of the ancient and illustrious house of Austria. Such was the aspect of affairs, and such the difficulties to be combated, when Leopold, Count Daun, was appointed to the command of the Austrian forces, to stem the torrent of disgrace, and turn the fortune of the war. This general, tutored by long experience under the best officers of Europe, and the particular favourite of the great Kevenhuller, was now, for the first time, raised to act in chief, at the head of an army, on which depended the fate of Austria and the empire. Born of a noble family, he relied solely upon his own merit, without soliciting court favour; he aspired after the highest preferment, and succeeded by mere dint of superior worth. His progress from the station of a subaltern was slow and silent; his promotion to the chief command was received with universal esteem and applause. Cautious, steady, penetrating, and sagacious, he was opposed as another Fabius to the modern Hannibal, to check the fire and vigour of that monarch by prudent foresight and wary circumspection. Arriving at Böhmischbrod, within a few miles of Prague, the day after the late defeat, he halted to collect the fugitive corps and broken remains of the Austrian army, and soon drew together a force so considerable, as to attract the notice of his Prussian majesty, who detached the Prince of Bevern, with twenty battalions, and thirty squadrons, to attack him before numbers should render him formidable. Daun was too prudent to give battle, with dispirited troops, to an army flushed with victory. He retired on the first advice that the Prussians were advancing, and took post at Kolin, where he intrenched himself strongly, opened the way for the daily supply of recruits sent to his army, and inspired the garrison of Prague with fresh courage, in expectation of being soon relieved. Here he kept close within his camp, divided the Prussian force, by obliging the king to employ near half his army in watching his designs, weakened his efforts against Prague, harassed the enemy by cutting off their convoys, and restored, by degrees, the languishing and almost desponding spirits of his troops. Perfectly acquainted with the ardour and discipline of the Prussian forces, with the enterprising and impetuous disposition of that monarch, and sensible that his situation would prove irksome and embarrassing to the enemy, he improved it to the best advantage, seemed to foresee all the consequences, and directed every measure to produce them. Thus he retarded the enemy's operations, and assiduously avoided precipitating an action until the Prussian vigour should be exhausted, their strength impaired by losses and desertion, the first fire and ardour of their genius extinguished by continual fatigue and incessant alarms, and until the impression made on his own men, by the late defeat, should, in some degree, be effaced. The event justified Daun's conduct. His army grew every day more

numerous, while his Prussian majesty began to express the utmost impatience at the length of the siege. When that monarch first invested Prague, it was on the presumption that the numerous forces within the walls would, by consuming all the provision, oblige it to surrender in a few days; but perceiving that the Austrians had still a considerable quantity of corn, that Count Daun's army was daily increasing, and would soon be powerful enough not only to cope with the detachment under the Prince of Bevern, but in a condition to raise the siege, he determined to give the count battle with one part of his army, while he kept Prague blocked up with the other. The Austrians, amounting now to sixty thousand men, were deeply intrenched, and defended by a numerous train of artillery, placed on redoubts and batteries erected on the most advantageous posts. Every accessible part of the camp was fortified with lines and heavy pieces of battering cannon, and the foot of the hills secured by difficult defiles. Yet, strong as this situation might appear, formidable as the Austrian forces certainly were, his Prussian majesty undertook to dislodge them with a body of horse and foot not exceeding thirty-two thousand men.

§ XXXIX. On the thirteenth day of June, the King of Prussia quitted the camp before Prague, escorted by four battalions and squadrons, with which he joined the Prince of Bevern at Milkowitz. Mareschal Keith, it is said, strenuously opposed this measure, and advised either raising the siege entirely, and attacking the Austrians with the united forces of Prussia, or postponing the attack on the camp at Kolin, until his majesty should either gain possession of the city, or some attempts should be made to oblige him to quit his posts. From either measure an advantage would have resulted. With his whole army he might probably have defeated Count Daun, or at least have obliged him to retreat. Had he continued within his lines at Prague, the Austrian general could not have constrained him to raise the siege without losing his own advantageous situation, and giving battle upon terms nearly equal. But the king, elated with success, impetuous in his valour, and confident of the superiority of his own troops in point of discipline, thought all resistance must sink under the weight of his victorious arm, and yield to that courage which had already surmounted such difficulties, disregarded the mareschal's sage counsel, and marched up to the attack undaunted, and even assured of success. By the eighteenth the two armies were in sight, and his majesty found that Count Daun had not only fortified his camp with all the heavy cannon of Olmutz, but was strongly reinforced with troops from Moravia and Austria, which had joined him after the king's departure from Prague. He found the Austrians drawn up in three lines upon the high grounds between Genlitz and St. John the Baptist. Difficult as it was to approach their situation, the Prussian infantry marched up with firmness, while shot was poured like hail from the enemy's batteries, and began the attack about three in the afternoon. They drove the Austrians with irresistible intrepidity from two eminences secured with heavy cannon, and two villages defended by several battalions; but, in attacking the third eminence, were flanked by the Austrian cavalry, by grape shot poured from the batteries; and, after a violent conflict, and prodigious loss of men, thrown into disorder. Animated with the king's presence, they rallied, and returned with double ardour to the charge, but were a second time repulsed. Seven times successively did Prince Ferdinand renew the attack, performing every duty of a great general and valiant soldier, though always with the same fortune. The inferiority of the Prussian infantry, the disadvantages of ground, where the cavalry could not act, the advantageous situation of the enemy, their numerous artillery, their intrenchments, numbers, and obstinacy, joined to the skill and conduct of their general, all conspired to defeat the

hopes of the Prussians, to surmount their valour, and oblige them to retreat. The king then made a last and furious effort, at the head of the cavalry, on the enemy's left wing, but with as little success as all the former attacks. Every effort was made, and every attempt was productive only of greater losses and misfortunes. At last, after exposing his person in the most perilous situations, his Prussian majesty drew off his forces from the field of battle, retiring in such good order, in sight of the enemy, as prevented a pursuit, or the loss of his artillery and baggage. Almost all the officers on either side distinguished themselves; and Count Daun, whose conduct emulated that of his Prussian majesty, received two slight wounds, and had a horse killed under him. The losses of both armies were very considerable: on that of the Prussians, the killed and wounded amounted to eight thousand; less pernicious, however, to his majesty's cause than the frequent desertions, and other innumerable ill consequences that ensued.

§ XL. When the Prussian army arrived at Nimburgh, his majesty, leaving the command with the Prince of Bevern, took horse, and, escorted by twelve or fourteen hussars, set out for Prague, where he arrived next morning, without halting, after having been the whole preceding day on horseback. Immediately he gave orders for sending off his artillery, ammunition, and baggage; these were executed with so much expedition, that the tents were struck, and the army on their march, before the garrison were informed of the king's defeat. Thus terminated the battle of Kolin and siege of Prague, in which the acknowledged errors of his Prussian majesty were, in some measure, atoned by the candour with which he owned his mistake, both in a letter to the Earl Mareschal, and in conversation with several of his general officers. Most people, indeed, imagined the king highly blamable for checking the ardour of his troops to stop and lay siege to Prague. They thought he should have pursued his conquests, overrun Austria, Moravia, and all the hereditary dominions, from which alone the empress-queen could draw speedy succours. A body of twenty or thirty thousand men would have blocked up Prague, while the remainder of the Prussian forces might have obliged the imperial family to retire from Vienna, and effectually prevented Count Daun from assembling another army. It was universally expected he would have bent his march straight to the capital; but he dreaded leaving the numerous army in Prague behind, and it was of great importance to complete the conquest of Bohemia. The Prince of Prussia marched all night with his corps to Nimburgh, where he joined the Prince of Bevern, and Mareschal Keith retreated next day. Count Brown having died before, of the wounds he received on the sixth of May, Prince Charles of Lorraine sallied out with a large body of Austrians, and attacked the rear of the Prussians; but did no further mischief than killing about two hundred of their men. The siege of Prague being thus raised, the imprisoned Austrians received their deliverer, Count Daun, with inexpressible joy, and their united forces became greatly superior to those of the King of Prussia, who was in a short time obliged to evacuate Bohemia, and take refuge in Saxony. The Austrians harassed him as much as possible in his retreat; but their armies, though superior in numbers, were not in a condition, from their late sufferings, to make any decisive attempt upon him, as the frontiers of Saxony abound with situations easily defended.

§ XLI. Having thus described the progress of the Prussians in Bohemia, we must cast our eyes on the transactions which distinguished the campaign in Westphalia. To guard against the storm which menaced Hanover in particular, orders were transmitted thither to recruit the troops that had been sent back from England, to augment each

\* The imperial grenadiers, says he, are an admirable corps; one hundred companies defended a rising ground, which my best infantry could not carry. Ferdinand, who commanded them, returned seven times, to the charge, but to no purpose. At first he mastered a battery, but could not hold it. The enemy had the advantage of a numerous and well-served artillery. It did honour to Liechtenstein, who bore the direction. Only the Prussian army can dispute it with him. My infantry were too few. All my cavalry were present and well-served, excepting a bold push by my horse-artillery, and some dragoons. Ferdinand acted with powder; the enemy, in return, were not sparing of theirs. They had the advantage of a rising ground, of intrenchments, and of a prodigious artillery. Several of my regiments were repulsed with musketry. Henry performed

wonders. I tremble for my worthy brothers: they are too brave. Fortune turned her back on me this day. I ought to have expected it, she is a female, and I am no gallant. In fact, I ought to have had more infantry. Success, my dear lord, often occasions destructive confidence. Twenty-four battalions were not sufficient to dislodge sixty thousand men from an advantageous post. Another time we will do better. What say you of this lecture, which has only the Marquis of Brandenburg for its object? The great elector would be surprised to see his grandson at war with the Russians, the Austrians, almost all Germany, and a hundred thousand French auxiliaries. I know not whether it would be disgrace in me to submit, but I am sure there will be no glory in vanquishing me.

company, to remount the cavalry with the utmost expedition; not to suffer any horses to be conveyed out of the electorate; to furnish the magazines in that country with all things necessary for fifty thousand men. Of these twenty-six thousand were to be Hanoverians; and, in consequence of engagements entered into for that purpose, twelve thousand Hessians, six thousand Brunswickers, two thousand Saxe Gothans, and a thousand Lunenburgers, to be joined by a considerable body of Prussians, the whole commanded by his royal highness the Duke of Cumberland. The King of England, having published a manifesto, dated at Hanover, specifying his motives for taking the field in Westphalia, the troops of the confederated states that were to compose the allied army, under the name of an army of observation, began to assemble with all possible diligence near Bielefeldt. Thither the generals, appointed to command the several divisions, repaired, to settle the plan of operations with their commander, the Duke of Cumberland, who, having left London on the ninth of April, arrived on the sixteenth at Hanover, and from thence repaired to the army, which, having been joined by three Prussian regiments that retired from Wesel, consisted of thirty-seven battalions and thirty-four squadrons. Of these six battalions and six squadrons were posted at Bielefeldt, under the command of Lieutenant-General Baron de Sporcken; six battalions, under Lieutenant-General de Block, at Hervorden; six battalions and four squadrons under Major-General Ledebour, between Hervorden and Minden; seven battalions and ten squadrons, under Lieutenant-General d'Oberg, in the neighbourhood of Hamelen; and five battalions and four squadrons, under Major-General de Hauss, near Nienburgh. The head-quarters of his royal highness were at Bielefeldt.

§ XLII. In the meantime the French on the Lower Rhine continued filing off incessantly. The siege of Guedres was converted into a blockade, occasioned by the difficulties the enemy found in raising batteries; and a party of Hanoverians having passed the Weser, as well to ravage the country of Paderbourn as to reconnoitre the French, carried off several waggons loaded with wheat and oats, destined for the territories of the Elector of Cologne. On the other hand, Colonel Fischer having had an engagement with a small body of Hanoverians, in the county of Mecklenburgh, routed them, and made some prisoners. After several other petty skirmishes between the French and the Hanoverians, the Duke of Cumberland altered the position of his camp, by placing it between Bielefeldt and Hervorden, in hopes of frustrating the design of the enemy; who, declining to attack him on the side of Bracwede, after having reconnoitred his situation several days, made a motion on their left, as if they meant to get between him and the Weser. This step was no sooner taken, than, on the thirteenth of June in the afternoon, having received advice that the enemy had caused a large body of troops, followed by a second, to march on the right to Burghotte, he ordered his army to march that evening towards Hervorden; and, at the same time, Major-General Hardenberg marched with four battalions of grenadiers, and a regiment of horse, to reinforce that post. Count Schulenberg covered the left of the march with a battalion of grenadiers, a regiment of horse, and the light troops of Buckeburgh. The whole army marched in two columns. The right, composed of horse, and followed by two battalions, to cover their passage through the enclosures and defiles, passed by the right of Bielefeldt; and the left, consisting of infantry, marched by the left of the same town. The van-guard of the French army attacked the rear-guard of the allies, commanded by Major-General Einsiedel, very briskly, and at first put them into some confusion, but they immediately recovered themselves. This was in the beginning of the night. At break of day the enemy's reinforcements returned to the charge, but were again repulsed, nor could they once break through Lieutenant-Colonel Alfeldt's Hanoverian guards, which closed the army's march with a detachment of regular troops, and a new raised corps of hunters.

§ XLIII. The allies encamped at Cofeldt the fourteenth, and remained there all the next day, when the enemy's detachments advanced to the gates of Hervorden, and made a feint as if they would attack the town, after having

summoned it to surrender; but they retired without attempting any thing further; in the meantime the troops that were posted at Hervorden, and formed the rear-guard, passed the Weser on the side of Remen, without any molestation, and encamped at Holtzysen. A body of troops which had been left at Bielefeldt, to cover the duke's retreat, after some skirmishes with the French, rejoined the army in the neighbourhood of Herfort; and a few days after, his royal highness drew near his bridges on the Weser, and sent over his artillery, baggage, and ammunition. At the same time some detachments passed the river on the right, between Minden and Oldendorp, and marked out a new camp advantageously situated, having the Weser in front, and the right and left covered with eminences and marshes. There the army under his royal highness reassembled, and the French fixed their head-quarters at Bielefeldt, which the Hanoverians had quitted, leaving in it only a part of a magazine, which had been set on fire. By this time the French were in such want of forage, that M. d'Étrées himself, the princes of the blood, and all the officers, without exception, were obliged to send back part of their horses. However, on the tenth of June their whole army, consisting of seventy battalions and forty squadrons, with fifty-two pieces of cannon, besides a body of cavalry left at Ruremonde for the convenience of forage, was put in motion. In spite of almost impassable forests, famine, and every other obstacle that could be thrown in their way by a vigilant and experienced general, they at length surmounted all difficulties, and advanced into a country abounding with plenty, and unused to the ravage of war. It was imagined that the passage of the Weser, which defends Hanover from foreign attacks, would have been vigorously opposed by the army of the allies; but whether, in the present situation of affairs, it was thought advisable to act only upon the defensive, and not to begin the attack in a country that was not concerned as a principal in the war, or the Duke of Cumberland found himself too weak to make head against the enemy, is a question we shall not pretend to determine. However that may have been, the whole French army passed the Weser on the tenth and eleventh of July, without the loss of a man. The manner of effecting this passage is thus related:—Mareschal d'Étrées, being informed that his magazines of provisions were well furnished, his ovens established, and the artillery and pontoons arrived at the destined places, ordered Lieutenant-General Broglie, with ten battalions, twelve squadrons, and ten pieces of cannon, to march to Enggheren; Lieutenant-General M. de Chevert, with sixteen battalions, three brigades of carabiniers, the royal hunters, and six hundred hussars, to march to Hervorden; and Lieutenant-General Marquis d'Armentieres, with twelve battalions, and ten squadrons, to march to Ulrickhausen. All these troops being arrived in their camp on the fourth of July, halted the fifth. On the sixth, twenty-two battalions and thirty-two squadrons, under the command of the Duke of Orleans, who was now arrived at the army, marched to Ulrickhausen, from whence M. d'Armentieres had set out early in the morning, with the troops under his command, and by hasty marches got on the seventh, by eleven at night, to Blankenhoven, where he found the boats which had gone from Ahrensberg. The bridges were built, the cannon planted, and the intrenchments at the head of the bridges completed in the night between the seventh and eighth. The mareschal having sent away part of his baggage from Bielefeldt on the sixth, went in person on the seventh at eleven o'clock to Horn, and on the eighth to Braket. On advice that M. d'Armentieres had thrown his bridges across without opposition, and was at work on his intrenchments, he went on the ninth to Blankenhoven, to see the bridges and intrenchments; and afterwards advanced to examine the first position he intended for this army, and came down to the right side of the Weser to the abbey of Corvey, where he forded the river, with the princes of the blood, and their attendants. On the tenth in the morning, he got on horseback by four o'clock, to see the Duke of Orleans's division file off, which arrived at Corvey at ten o'clock; as also that of M. d'Armentieres, which arrived at eleven, and that of M. Souvré, which arrived at noon. The mareschal having examined the course of the river,



caused the bridges of pontoons to be laid within gun-shot of the abbey, where the Viscount de Turenne passed that river in the year one thousand six hundred and seventy-three, and where the divisions under Broglie and Chevert now passed it on the twelfth and thirteenth. These two generals being informed of what was to be done upon the Upper Weser, attacked Minden, and carried it, whilst a detachment of the French entered the country of East Friesland, under the command of the Marquis d'Auvel; and after taking possession of Lier, marched on the right of the Ems to Embden, the only sea-port the King of Prussia had, which at first seemed determined to make a defence; but the inhabitants were not agreed upon the methods to be taken for that purpose. They, therefore, met to deliberate, but in the meantime, their gates being shut, M. d'Auvel caused some cannon to be brought to beat them down; and the garrison, composed of four hundred Prussians, not being strong enough to defend the town, the soldiers mutinied against their officers, whereupon a capitulation was agreed on, and the gates were opened to the French commander, who made his troops enter with a great deal of order, assured the magistrates that care should be taken to make them observe good discipline, and published two ordinances, one for the security of the religion and commerce of the city, and the other for prohibiting the exportation of corn and forage out of that principality. The inhabitants were, however, obliged to take an oath of allegiance to the French king.

§ XLIV. On Sunday, the twenty-fourth of July, the French, after having laid part of the electorate of Hanover under contribution, marched in three columns with their artillery, towards the village of Latford, when Major-General Fustenberg, who commanded the out-posts in the village, sent an officer to inform the Duke of Cumberland of their approach. His royal highness immediately reinforced those posts with a body of troops, under the command of Lieutenant-General Sporken; but finding it impossible to support the village, as it was commanded by the heights opposite to it, which were possessed by the enemy, and being sensible that it would be always in his power to retake it, from its situation in a bottom between two hills, he withdrew his post from Latford. The French then made two attacks, one at the point of the wood, and the other higher up in the same wood, opposite to the grenadiers commanded by Major-General Hardenberg, but they failed in both; and though the fire of their artillery was very hot, they were obliged to retire. The French army encamping on the heights opposite to the Duke of Cumberland's posts, the intelligence received, that M. d'Étrées had all his troops, and was furnished with a very considerable train of artillery, left his royal highness no room to doubt of his intending to attack him. He, therefore, resolved to change his camp for a more advantageous situation, by drawing up his army on the eminence between the Weser and the woods, leaving the Hamelen river on his right, the village of Hastenbeck in his front, and his left close to the wood, at the point of which his royal highness had a battery of twelve pounders and howitzers. There was a hollow way from the left of the village to the battery, and a morass on the other side of Hastenbeck to his right. Major-General Schulenberg, with the hunters, and two battalions of grenadiers, was posted in the corner of the wood upon the left of the battery; his royal highness ordered the village of Hastenbeck to be cleared to his front, to prevent its being in the power of the enemy to keep possession of it, and the ways by which the allies had a communication with that village during their encampment to be rendered impassable. In the evening he withdrew all his outposts, and in this position the army lay upon their arms all night. On the twenty-fifth, in the morning, the French army marched forward in columns, and began to cannonade the allies very severely, marching and counter-marching continually, and seeming to intend three attacks, on the right, the left, and the centre. In the evening their artillery appeared much superior to that of the allies. The army was again ordered to lay all night on their arms; his royal highness caused a battery at the end of the wood to be repaired; Count Schulenberg to be reinforced with a battalion of grenadiers, and two field pieces of cannon; and that battery to be also supported by four more batta-

lions of grenadiers under the command of Major-General Hardenberg. He likewise caused a battery to be erected of twelve six-pounders, behind the village of Hastenbeck, and took all the precautions he could think of to give the enemy a warm reception. As soon as it was day-light, he mounted on horseback to reconnoitre the position of the enemy, whom he found in the same situation as the day before. At a little after five, a very smart cannonading begun against the battery behind the village, which was supported by the Hessian infantry and cavalry, who stood a most severe fire with surprising steadiness and resolution. Between seven and eight the firing of small arms began on the left of the allies, when his royal highness ordered Major-General Behr, with three battalions of Brunswick, to sustain the grenadiers in the wood, if their assistance should be wanted. The cannonading continued above six hours, during which the troops, that were exposed to it, never once abated of their firmness. The fire of the small arms on the left increasing, and the French seeming to gain ground, his royal highness detached the colonels Darkenhausen and Bredenbach, with three Hanoverian battalions and six squadrons round the wood by Afferde, who, towards the close of the day, drove several squadrons of the enemy back to their army, without giving them any opportunity to charge. At length the grenadiers in the wood, apprehensive of being surrounded, from the great numbers of the enemy that appeared there, and were marching round on that side, though they repulsed every thing that appeared in their front, thought it advisable to retire nearer the left of the army, a motion which gave the enemy an opportunity of possessing themselves of that battery without opposition. Here the hereditary Prince of Brunswick distinguished himself at the head of a battalion of Wolfenbuttel guards, and another of Hanoverians, who attacked and repulsed, with their bayonets, a superior force of the enemy, and re-took the battery. But the French being in possession of an eminence which commanded and flanked both the lines of the infantry and the battery of the allies, and where they were able to support their attack under the cover of a hill, his royal highness, considering the superior numbers of the enemy, near double to his, and the impossibility of dislodging them from their post, without exposing his own troops too much, ordered a retreat; in consequence of which his army retired, first to Hamelen, where he left a garrison, then to Nienburg, and afterwards to Hoya; in the neighbourhood of which town, after sending away all the magazines, sick, and wounded, he encamped, in order to cover Bremen and Verden, and to preserve a communication with Stade, to which place the archives, and most valuable effects of Hanover, had been removed. In this engagement, Colonel Bredenbach attacked four brigades very strongly posted, with a battery of fourteen pieces of cannon, repulsed, and drove them down a precipice, and took all their artillery and ammunition; but preferring the care of his wounded to the glory of carrying away the cannon, he brought off only six, nailing up and destroying the rest. The loss of the allies in all the skirmishes, which lasted three days, was three hundred and twenty-seven men killed, nine hundred and seven wounded, and two hundred and twenty missing, or taken prisoners; whilst that of the French, according to their own accounts, amounted to fifteen hundred men.

§ XLV. The French, being left masters of the field, soon reduced Hamelen, which was far from being well fortified, obliged the garrison to capitulate, and took out of the town sixty brass cannon, several mortars, forty ovens, part of the equipage of the duke's army, and large quantities of provisions and ammunition, which they found in it, together with a great many sick and wounded, who, not being included in the capitulation, were made prisoners of war. Whether the court of France had any reason to find fault with the conduct of the Mareschal d'Étrées, or whether its monarch was blindly guided by the counsels of his favourite, the Marquis de Pompadour, who, desirous to testify her gratitude to the man who had been one of the chief instruments of her high promotion, was glad of an opportunity to retrieve his shattered fortunes, and, at the same time, to add to her own already immense treasures, we shall not pretend to determine;

though the event seems plainly to speak the last. Even at the time, no comparison was made between the military skill of the Mareschal d'Etrées, and that of the Duke de Richelieu; but, however that may have been, this last, who, if he had not shone in the character of a soldier, excelled all, or at least most of his contemporaries, in the more refined arts of a courtier, was, just before the battle we have been speaking of, appointed to supersede the former in the command of the French army in Lower Saxony, where he arrived on the sixth of August, with the title of Mareschal of France; and M. d'Etrées immediately resigned the command.

§ XLVI. Immediately after the battle of Hastenbeck, the French sent a detachment of four thousand men to lay under contribution the countries of Hanover and Brunswick-Wolfenbüttele, as well as the duchies of Bremen and Verden; and two days after the arrival of this new commander, the Duke de Chevreuse was detached with two thousand men to take possession of Hanover itself, with the title of governor of that city. He accordingly marched thither; and upon his arrival the Hanoverian garrison was disbanded, and left at liberty to retire where they pleased. About the same time M. de Contades, with a detachment from the French army, was sent to make himself master of the territories of Hesse Cassel, where he found no opposition. He was met at Warberg by that prince's master of the horse, who declared, that they were ready to furnish the French army with all the succours the country could afford; and accordingly the magistrates of Cassel presented him with the keys as soon as he entered their city. Gottingen was ordered by M. d'Armentières to prepare for him within a limited time, upon pain of military execution, four thousand pounds of white bread, two thousand bushels of oats, a greater quantity than could be found in the whole country, a hundred loads of hay, and other provisions.

§ XLVII. The Duke of Cumberland remained encamped in the neighbourhood of Hoya till the twenty-fourth of August, when, upon advice that the enemy had

laid two bridges over the Aller, in the night, and had passed that river with a large body of troops, he ordered his army to march to secure the important post and passage of Rothenbourg, lest they should attempt to march round on his left. He encamped that night at Hausen, having detached Lieutenant-General Oberg, with eight battalions and six squadrons, to Ottersberg, to which place he marched next day, and encamped between the Wummer in a very strong situation, between Ottersberg and Rothenberg. The French took possession of Verden on the twenty-sixth of August, and one of their detachments went on the twenty-ninth to Bremen where the gates were immediately opened to them. The Duke of Cumberland, now closely pressed on all sides, and in danger of having his communication with Stade cut off, which the enemy was endeavouring to effect by seizing upon all the posts round him, found it necessary to decamp again; to abandon Rothenbourg, of which the French immediately took possession; to retreat to Selsingen, where his head-quarters were, on the first of September; and from thence, on the third of the same month, to retire under the cannon of Stade. Here it was imagined that his army would have been able to maintain their ground between the Aller and the Elbe, till the severity of the season should put an end to the campaign. Accordingly, his royal highness, upon his taking this position, sent a detachment of his forces to Buck Schantz, with some artillery, and orders to defend that place to the utmost; but as it could not possibly have held out many days, and as the French, who now hemmed him in on all sides, by making themselves masters of a little fort at the mouth of the river Zwinga, would have cut off his communication with the Elbe, so that four English men of war, then in that river, could have been of no service to him, he was forced to accept of a mediation offered by the King of Denmark, by his minister the Count de Lynar, and to sign the famous convention of Closter-Seven,<sup>a</sup> by which thirty-eight thousand Hanoverians laid down their arms, and were dispersed into different quarters of cantonment.

<sup>a</sup> This remarkable capitulation, which we shall give here at full length, on account of the disputes that arose shortly after, concerning what the French call the interpretation of it, was to the following effect:

"His majesty the King of Denmark, touched with the distresses of the countries of Friesland and Verden, to which he has always granted his special protection, and being desirous, by preventing those countries from being any longer the theatre of war, to spare also the effusion of blood in the armies which are ready to dispute the possession thereof; hath employed his mediation for the amnesty of the Count de Lynar, his royal highness the Duke of Cumberland, general of the army of the allies, on the one part, and his excellency the Mareschal Duke de Richelieu, general of the King of France's forces in Germany, on the other, have, in consideration of the intervention of his Danish majesty, respectively engaged not to make any further use of force, but to be guided by the convention hereto stipulated; and by the Count de Lynar, correspondently to the magnanimity of the king his master's intention, obliges himself to procure the execution mentioned in the present convention; so that it shall be sent to him, with his full powers, which there was no time to make out, in the circumstances which hurried his departure.

Article I. Hostilities shall cease on both sides within twenty-four hours, or sooner, if possible. Orders for this purpose shall be immediately sent to the related corps.

Article II. The auxiliary troops of the army of the Duke of Cumberland, namely, those of Hesse, Brunswick, Saxe-Gotha, and even those of the Count de la Lippe, may be kept, shall be sent home, and as it is necessary to settle particularly their march to the respective countries, a general order of each nation shall be sent from the army of the allies, with whom shall be settled the route of those troops, the divisions they shall march in, their station on the frontiers, and their prospects to be granted them by his excellency the Duke of Cumberland to go to their own countries; and they shall be placed and distributed as shall be agreed upon between the court of France and their respective sovereigns.

Article III. His royal highness the Duke of Cumberland obliges himself to pass the Elbe, with a select part of his army, which shall not be able to place in the city of Stade; that a part of his forces which shall enter into garrison in the said city, and which it is supposed may amount to between four and five thousand men, shall remain there upon the sole title of his majesty the King of Denmark, without committing any act of hostility; nor, on the other hand, shall they be exposed to any from the French troops. In consequence thereof, communications, named on each side, of all agree upon the limits to be fixed upon, shall remain in the execution of the place; and which limits shall not exceed beyond half a league, or a league, from the place, according to the nature of the ground or circumstances, which shall be easily settled by the commissaries. The rest of the Hanoverian army shall remain in the place, and their prospects to be granted them by his excellency the Duke of Richelieu shall concert with a general order sent from the Hanoverian army, the terms they shall take, and themselves to give the necessary passports and security for the free passage of them and their baggage to the place, or their destination. His royal highness the Duke of Cumberland reserves to himself the liberty of negotiating between the two courts for an extension of those quarters. As to the French troops, they shall remain in the rest of the duchies of Bremen and Verden, till the definitive reconciliation of the two sovereigns.

Article IV. As the aforesaid articles are to be executed as soon as possible, the Hanoverian army, and the corps which are detached from it, particularly

that which is at Buck-Schantz, and the neighbourhood, shall retire under Stade in the space of eight-and-forty hours. The French army shall not pass the river Oste, in the duchy of Bremen, till the limits be regulated. It shall, besides, keep all the posts and countries of which it is in possession; and not to retard the regulation of the limits between the armies, commissaries shall be nominated and sent on the tenth instant to Bremen-warden, by his royal highness the Duke of Cumberland, and his excellency the Mareschal Duke de Richelieu, to regulate, as well the limits to be assigned to the French army, as those that are to be observed by the garrison at Stade, according to Art. III.

V. All the aforesaid articles shall be faithfully executed, according to their form and tenor, and under the faith of his majesty the King of Denmark's guarantee, which the Count de Lynar, his minister, engages to procure.

Done at the camp at Closter-Seven, Sept. 8. 1757.

(Signed) WILLIAM.

#### SEPARATE ARTICLES.

UPON the representation made by the Count de Lynar, with a view to explain some dispositions made by the present convention, the following articles have been added:

I. It is the intention of his excellency the Mareschal Duke de Richelieu, that the allied troops of his royal highness the Duke of Cumberland shall be sent back to their respective countries, according to the form mentioned in the second article; and that as to their separation and distribution in the country, it shall be regulated between the courts, those troops not being considered as prisoners of war.

II. Having been represented that the country of Lunenburg cannot accommodate more than fifteen battalions and six squadrons, and that the city of Stade cannot absolutely contain the garrison of six thousand men allotted to it, his excellency the Mareschal Duke de Richelieu, being pressed by M. de Lynar, who supported this representation by the guarantee of his Danish majesty, gives his consent; and his royal highness the Duke of Cumberland engages to cause the fifteen battalions and six squadrons to pass the Elbe, and the whole body of footmen, and the remaining ten battalions and twenty-eight squadrons shall be placed in the town of Stade, and the places nearest to it that are within the line, which shall be marked by posts from the mouth of the Liche in the Elbe, to the mouth of the Elmebeck in the river Oste, provided always, that the fifteen battalions and twenty-eight squadrons shall be quartered there as they are at the time of signing this convention, and shall not be quartered under any pretext, or argument in any case, and this clause is particularly guaranteed by the Count de Lynar in the name of his Danish majesty.

III. Upon the representation of his excellency the Duke of Cumberland, that the army and detached corps cannot both retire into Stade in eight-and-forty hours, agreeable to the convention, his excellency the Mareschal Duke de Richelieu hath signified, that he will grant them more time, provided the corps commanded by Buck-Schantz, as well as the army, encamped at Bremen-warden, begin their march to retire in four-and-twenty hours after signing the convention. The time necessary to other arrangements, and the execution of the articles concerning the respective limits, shall be settled before Lieutenant-General Winkler, and the Marquis de Villamar, first lieutenant-general of the king's army.

Done, &c.

CHAP. VIII.

§ I. The French enter the Prussian dominions, where they commit great disorders. § II. Reflections on the misconduct of the allied army. § III. Russian fleet blocks up the Prussian ports in the Baltic. § IV. Russians take Memel. § V. Declaration of the King of Prussia on that occasion. § VI. Army of the empire faced with difficulty. § VII. The Austrians take Gabel. § VIII. And destroy Zittau. § IX. The Prince of Prussia leaves the army. § X. Communications between England and Prussia. § XI. Conditions capitulated. § XII. Skirmishes between the Prussians and Austrians. And between the Prussians and Russians. § XIII. Marshal Lewald attacks the Russians in their intrenchments near Yorktown. § XIV. Treaty between the Russians and Prussia. § XV. French and imperialists take Grotto. § XVI. Action between the Prussians and Austrians near Grotto. § XVII. The French obliging the Austrians and Leipzig subjected to a military execution by the Prussians. § XVIII. Battle of Rossbach. § XIX. The Austrians take Schweidnitz, and defeat the Prince of Lieven near Pleskau. § XX. Marshal Keith lays Bohemia under contribution. King of Prussia attacks the Austrians at Lissa, releases Breslaw and Schweidnitz, and becomes master of all Silesia. § XXI. Hostilities of the Swedes in Pomerania. § XXII. Marshal Lewald forces the Swedes to retire. § XXIII. Memorial presented to the Diet by Col. York, relative to the Ostend and Nieuport. § XXIV. Demand of Prussia's debt to the King of Great Britain. His Britannic majesty's satisfaction. § XXV. Disputes concerning the convention of Closter Seven. § XXVI. Progress of the Hanoverian army. § XXVII. Death of the Queen of Poland. Treaty of Oliva. § XXVIII. Treaty of Oliva. § XXIX. Session opened. § XXX. Supplies granted. § XXXI. Funds for raising the supplies. § XXXII. Message from the king to the House of Commons. § XXXIII. Second treaty of the King of Prussia with the King of Poland. § XXXIV. Bill for the encouragement of seamen, and for explaining the militia act. § XXXV. Act for repairing London bridge. § XXXVI. Act for ascertaining the qualification of voting. § XXXVII. Bill for more effectually managing the tax. § XXXVIII. Amendments in the habeas corpus act. § XXXIX. Scheme in favour of the Foundling hospital. § XL. Proceedings relative to the African company. § XLI. Session closed. § XLII. Vigorous preparations for war. § XLIII. Expedition of Admiral Osborn. French fleet driven ashore in Basque road. § XLIV. Admiral Broderick's ship burnt at sea. § XLV. Treaty of Cateau-Cambrésis. § XLVI. Expedition against Cherbourg. § XLVII. Descent at St. Malo. § I. English detachment at St. Cas. § II. Captures from the enemy. § III. Clamours of the Dutch merchants, on account of the capture of their ships. § LIII. Their famous petition to the States general.

A. D. 1757. § I. THE Hanoverians being now quite subdued, and the whole force of the French let loose against the King of Prussia by this treaty, Marshal Richelieu immediately ordered Lieutenant-General Berchini to march with all possible expedition with the troops under his command, to join the Prince de Soubise: the gens-d'arms, and other troops that were in the land-graviate of Hesse-Cassel, received the same order; and sixty battalions of foot, and the greatest part of the horse belonging to the French army, were directed to attack the Prussian territories. Marshal Richelieu himself arrived at Brunswick on the fifteenth of September; and having, in a few days after, assembled a hundred and ten battalions, and a hundred and fifty squadrons, with a hundred pieces of cannon, near Wolfenbuttel, he entered the King of Prussia's dominions with his army on the 27th, 28th, and 29th of the same month, in three columns, which penetrated into Alberstadt and Brandenburg, plundering the towns, exacting contributions, and committing many enormities, at which their general is said to have connived. In the meantime the Duke of Cumberland returned to England, where he arrived on the 11th of October, and shortly after resigned all his military commands.

§ II. Had the allied army, after the battle of Hastenbeck, marched directly to the Leine, as it might easily have done, and then taken post on the other side of Wolfenbuttel, Halberstadt, and Magdebourg, it might have waited securely under the cannon of the latter place for the junction of the Prussian forces; instead of which, they injudiciously turned off to the Lower Weser, retiring successively from Hameln to Nienburgh, Verden, Rothenburgh, Buxtehude, and lastly to Stade, where, for want of subsistence and elbow-room, the troops were all made prisoners of war at large. They made a march of a hundred and fifty miles to be cooped up in a nook, instead of taking the other route, which was only about a hundred miles, and would have led them to a place of safety. By this unaccountable conduct, the King of Prussia was not only deprived of the assistance of nearly forty thousand good troops, which, in the close of the campaign, might have put him upon an equality with the French and the army of the empire; but also exposed to, and actually invaded by, his numerous enemies on all sides, inasmuch that his situation became now more dangerous than ever; and the

fate which seemed to have threatened the empress a few months before, through his means, was, to all appearance, turned against himself. His ruin was predicted, nor could human prudence foresee how he might be extricated from his complicated distress; for, besides the invasion of his territories by the French under the Duke de Richelieu, the Russians, who had made for a long time a dilatory march, and seemed uncertain of their own resolutions, all at once quickened their motions, and entered ducal Prussia under Mareschal Apraxin and General Fermor, marking their progress by every inhumanity that unbridled cruelty, lust, and rapine, can be imagined capable of committing. A large body of Austrians entered Silesia, and penetrated as far as Breslaw: then turning back, they laid siege to the important fortress of Schweidnitz, the key of that country. A second body entered Lusatia, another quarter of the Prussian territories, and made themselves masters of Zittau. Twenty-two thousand Swedes penetrated into Prussian Pomerania, took the towns of Anclam and Demmin, and laid the whole country under contribution. The army of the empire, reinforced by that of Prince Soubise, after many delays, was at last in full march to enter Saxony; and this motion left the Austrians at liberty to turn the greatest part of their forces to the reduction of Silesia. An Austrian general, penetrating through Lusatia, passed by the Prussian armies, and suddenly presenting himself before the gates of Berlin, laid the whole country under contribution; and though he retired on the approach of a body of Prussians, yet he still found means to interrupt the communication of these last with Silesia. The Prussians, it is true, exerted themselves bravely on all sides, and their enemies fled before them; but whilst one body was pursuing, another gained upon them in some other part. The winter approached, their strength decayed, and their adversaries multiplied daily. The king, harassed, and almost spent with incessant fatigue, both of body and of mind, was in a manner excluded from the empire. The greatest part of his dominions were either taken from him, or laid under contribution, and possessed by his enemies; who collected the public revenues, fattened on the contributions, and with the riches which they drew from the electorate of Hanover, and other conquests, defrayed the expenses of the war; and by the convention of Closter-Seven, he was deprived of his allies, and left without any assistance whatever, excepting what the British parliament might think fit to supply. How different is this picture from that which the King of Prussia exhibited when he took arms to enter Saxony! But, in order to form a clear idea of these events, of the situation of his Prussian majesty, and of the steps he took to defeat the designs of his antagonists, and extricate himself from his great and numerous distresses, it will be proper now to take a view of the several transactions of his enemies, as well during his stay in Bohemia, as from the time of his leaving it, down to that which we are now speaking of.

§ III. Whilst the King of Prussia was in Bohemia, the Empress of Russia ordered notice to be given to all masters of ships, that if any of them were found assisting the Prussians, by the transportation of troops, artillery, and ammunition, they should be condemned as legal prizes: and her fleet, consisting of fifteen men of war and frigates, with two bomb-ketches, was sent to block up the Prussian ports in the Baltic, where it took several ships of that nation, which were employed in carrying provisions and merchandise from one port to another. One of these ships of war appearing before Memel, a town of Poland, but subject to Prussia, the commandant sent an officer to the captain, to know whether he came as a friend or an enemy; to which interrogation the Russian captain replied, That, notwithstanding the dispositions of the Empress of both the Russias were sufficiently known, yet he would further explain them, by declaring that his orders, and those of the other Russian commanders, were, in conformity to the laws of war, to seize on all the Prussian vessels they met with on their cruise. Upon which the commandant of Memel immediately gave orders for pointing the cannon to fire upon all Russian ships that should approach that place.

§ IV. The land forces of the Russians had now lingered on their march upwards of six months; and it was pretty generally doubted, by those who were supposed to have



the best intelligence, whether they ever were really designed to pass into the Prussian territories, not only on account of their long stay on the borders of Lithuania, but also because several of their Cossacs had been severely punished for plundering the wagons of some Prussian peasants upon the frontiers of Courland, and the damage of the peasants compensated with money, though General Apraxin's army was at the same time greatly distressed by the want of provisions; when, on a sudden, they quickened their motions, and showed they were, in earnest, determined to accomplish the ruin of Prussia. Their first act of hostility was the attack of Memel, which surrendered; and, by the articles of capitulation, it was agreed, that the garrison should march out with all the honours of war, after having engaged not to serve against the empress, or any of her allies, for the space of one year.

§ V. His Prussian majesty, justly foreseeing the great enormities that were to be expected from these savage enemies, who were unaccustomed to make war, except upon nations as barbarous as themselves, who looked upon war only as an opportunity for plunder, and every country through which they happened to march as theirs by right of conquest, published the following declaration:—"It is sufficiently known, that the King of Prussia, after the example of his glorious predecessors, has, ever since his accession to the crown, laid it down as a maxim to seek the friendship of the imperial court of Russia, and cultivate it by every method. His Prussian majesty hath had the satisfaction to live, for several successive years, in the strictest harmony with the reigning empress; and this happy union would be still subsisting, if evil-minded potentates had not broke it by their secret machinations, and carried things to such a height, that the ministers on both sides have been recalled, and the correspondence broken off. However melancholy these circumstances might be for the king, his majesty was nevertheless most attentive to prevent any thing that might increase the alienation of the Russian court. He hath been particularly careful, during the disturbances of the war that now unhappily rages, to avoid whatever might involve him in a difference with that court, notwithstanding the great grievances he hath to allege against it; and that it was publicly known the court of Vienna had at last drawn that of Russia into its destructive views, and made it serve as an instrument for favouring the schemes of Austria. His majesty hath given the whole world incontestable proofs, that he was under an indispensable necessity of having recourse to the measures he hath taken against the courts of Vienna and Saxony, who forced him by their conduct to take up arms for his defence. Yet, even since things have been brought to this extremity, the king hath offered to lay down his arms, if proper securities should be granted to him. His majesty hath not neglected to expose the artifices by which the imperial court of Russia hath been drawn into measures so opposite to the empress's sentiments, and which would excite the utmost indignation of that great princess, if the truth could be placed before her without disguise. The king did more: he suggested to her imperial majesty sufficient means either to excuse her not taking any part in the present war, or to avoid upon the justest grounds the execution of those engagements which the court of Vienna claimed by a manifest abuse of obligations, which they employed to palliate their unlawful views. It wholly depended upon the Empress of Russia to extinguish the flames of the war, without unsheathing the sword, by pursuing the measures suggested by the king. This conduct would have immortalized her reign throughout all Europe. It would have gained her more lasting glory than can be acquired by the greatest triumphs. The king finds with regret, that all his precautions and care to maintain peace with the Russian empire are fruitless, and that the intrigues of his enemies have prevailed. His majesty sees all the considerations of friendship and good neighbourhood set aside by the imperial court of Russia, as well as the observance of its engagements with his majesty. He sees that court marching its troops through the territories of a foreign power, and, contrary to the tenor of treaties, in order to attack the king in his dominions: and thus taking part in a war, in which his enemies have involved the Russian empire. In such circumstances, the king hath no other part to take, but to

employ the power which God hath intrusted to him in defending himself, protecting his subjects, and repelling every unjust attack. His majesty will never lose sight of the rules which are observed, even in the midst of war, among civilized nations. But if, contrary to all hope and expectation, these rules should be violated by the troops of Russia, if they commit in the king's territories disorders and excesses disallowed by the laws of arms, his majesty must not be blamed if he makes reprisals in Saxony; and if, instead of that good order and rigorous discipline which have hitherto been observed by his army, avoiding all sorts of violence, he finds himself forced, contrary to his inclination, to suffer the provinces and subjects of Saxony to be treated in the same manner as his own territories shall be treated. As to the rest, the king will soon publish to the whole world the futility of the reasons alleged by the imperial court of Russia to justify its aggression; and as his majesty is forced upon making his defence, he has room to hope with confidence, that the Lord of hosts will bless his righteous arms: that he will disappoint the unjust enterprises of his enemies, and grant him his powerful assistance, to enable him to make head against them."

§ VI. When the King of Prussia was put under the ban of the empire, the several princes who compose that body were required, by the decree of the Aulick council, as we observed before, to furnish their respective contingents against him. Those who feared him looked upon this as a fair opportunity of reducing him; and those who stood in awe of the house of Austria were, through necessity, compelled to support that power, which they dreaded. Besides, they were accustomed to the influence of a family, in which the empire had, for a long time, been in a manner hereditary; and were also intimidated by the appearance of a confederacy, the most formidable, perhaps, that the world had ever seen. Yet, notwithstanding all this, the contingents, both of men and money, were collected slowly; the troops were badly composed: and many of those, not only of the protestant princes, but also of the catholics, showed the utmost reluctance to act against his Prussian majesty, which, indeed, none of them would have been able to do, had it not been for the assistance of the French under the Prince de Soubise. The Elector Palatine lost above a thousand men by desertion. Four thousand of the troops belonging to the Duke of Wirtemberg being delivered to the French commissary on the twenty-fourth of June, were immediately reviewed; but the review was scarcely finished, when they began to cry aloud, that they were sold. Next morning thirty of them deserted at once, and were soon followed by parties of twenty and thirty each, who forced their way through the detachments that guarded the gates of Stutgard, and in the evening the mutiny became general. They fired upon the officers in their barracks, and let their general know, that if he did not immediately withdraw, they would put him to death. Meanwhile, some of the officers having pursued the deserters, brought back a part of them prisoners, when the rest of the soldiers declared, that if they were not immediately released, they would set fire to the stadthouse and barracks; upon which the prisoners were set at liberty late in the evening. Next morning the soldiers assembled, and having seized some of the officers, three or four hundred of them marched out of the town at a time, with the music of the regiments playing before them; and in this manner near three thousand of them filed off, and the remainder were afterwards discharged.

§ VII. The King of Prussia, upon his leaving Bohemia, after the battle of Kolin, retired towards Saxony, as we observed before; and having sent his heavy artillery and mortars up the Elbe to Dresden, fixed his camp on the banks of that river, at Leitmeritz, where his main army was strongly intrenched, whilst Mareschal Keith, with the troops under his command, encamped on the opposite shore; a free communication being kept open by means of a bridge. At the same time detachments were ordered to secure the passes into Saxony. As this position of the King of Prussia prevented the Austrians from being able to penetrate into Saxony by the way of the Elbe, they moved, by slow marches, into the circle of Buntzlau, and, at last, with a detachment commanded by the Duke d'AreMBERG and M. Maguire, on the eighteenth of June fell

suddenly upon and took the important port at Gabel, situated between Boemish-Leypa and Zittau, after an obstinate defence made by the Prussian garrison, under Major-General Puttkammer, consisting of four battalions, who were obliged to surrender prisoners of war. The Austrians having by this motion gained a march towards Lusatia, upon a corps which had been detached under the command of the Prince of Prussia to watch them, his Prussian majesty thought proper to leave Leitmeritz on the twentieth in the morning, and lay that night at Lickowitz, a village opposite to Leitmeritz, of which a battalion of his troops still kept possession, while the rest of his army remained encamped in the plain before that place. Next morning, at break of day, Prince Henry decamped, and made so good a disposition for his retreat, that he did not lose a single man, though he marched in sight of the whole body of Austrian irregulars. He passed the bridge of Leitmeritz, after withdrawing the battalion that was in the town, and having burnt the bridge, the whole army united, and made a small movement towards the passes of the mountains; the king then lying at Sulowitz, near the field where the battle of Lowoschutz was fought on the first of October of the preceding year. The heavy baggage was sent on in the afternoon, with a proper escort; and in the morning of the twenty-second the army marched in two columns, and encamped on the high grounds at Lusechitz, a little beyond Lenai, where it halted the twenty-third. No attack was made upon the rear-guard, though great numbers of Austrian hussars, and other irregulars, had appeared the evening before within cannon-shot of the Prussian camp. On the twenty-fourth the army marched to Nellenдорff; on the twenty-fifth it encamped near Cotta; on the twenty-sixth near Pirna, where it halted the next day; and on the twenty-eighth it crossed the river near that place, and entered Lusatia, where, by the end of the month, it encamped near Bautzen.

§ VIII. The king's army made this retreat with all the success that could be wished; but the corps under the Prince of Prussia had not the same good fortune: for the Austrians, immediately after their taking Gabel, sent a strong detachment against Zittau, a trading town in the circle of Upper Saxony, where the Prussians had large magazines, and a garrison of six battalions, and, in his sight, attacked it with uncommon rage. Paying no regard to the inhabitants as being friends or allies, but determined to reduce the place before the King of Prussia could have time to march to its relief, they no sooner arrived before it, than they bombarded and cannonaded it with such fury, that most of the garrison finding themselves unable to resist, made their escape, and carried off as much as they could of the magazines, leaving only three or four hundred men in the town, under Colonel Diricke, to hold it out as long as possible; which he accordingly did, till the whole place was almost destroyed. The cannonading began on the twenty-third of July, at eleven in the morning, and lasted till five in the evening. In this space of time four thousand balls, many of them red hot, were fired into this unfortunate city with so little intermission, that it was soon set on fire in several places. In the confusion which the conflagration produced, the Austrians entered the town, and the inhabitants imagined that they had then nothing further to fear; and that their friends the Austrians would assist them in extinguishing the flames, and saving the place; but in this particular their expectations were disappointed. The pandours and Slavonians, who rushed in with the regular troops, made no distinction between the Prussians and the inhabitants of Zittau; instead of helping to quench the flames, they began to plunder the warehouses which the fire had not reached; so that all the valuable merchandise they contained was either carried off or reduced to ashes. Upwards of six hundred houses, and almost all the public buildings, the cathedral of St. John and St. James, the orphan-house, eight parsonage-houses, eight schools, the town-house, and every thing contained in it, the public weigh-house, the prison, the archives, and all

the other documents of the town-council, the plate, and other things of value, presented to the town, from time to time, by the emperors, kings, and other princes and noblemen, were entirely destroyed, and more than four hundred citizens were killed in this assault. Of the whole town there were left standing only one hundred and thirty-eight houses, two churches, the council, library, and the salt-works. The Queen of Poland was so affected by this melancholy account, that she is said to have fainted away upon hearing it. As this city belonged to their friend the King of Poland, the Austrians thought proper to publish an excuse for their conduct, ascribing it entirely to the necessity they were under, and the obstinate defence made by the Prussian garrison. But what excuses can atone for such barbarity?

§ IX. The corps under the Prince of Prussia, which had been witness to the destruction of this unhappy place, was, by the king's march to Bautzen, fortunately extricated from the danger of being surrounded by the Austrians, who, upon his majesty's approach, retired from their posts on the right. Soon after this event, the Prince of Prussia, finding his health much impaired by the fatigues of the campaign,<sup>a</sup> quitted the army, and returned to Berlin. In the mean time, Mareschal Keith, who had been left upon the frontier, to guard the passes of the mountains of Bohemia, arrived at Pirna, having been much harassed in his march by the enemy's irregular troops, and lost some waggons of provisions and baggage. After resting a day at Pirna, he pursued his march through Dresden with twenty battalions and forty squadrons, and encamped on the right of the Elbe, before the gate of the new city, from whence he joined the king between Bautzen and Goerlitz. The Prussian army, now re-assembled at this place, amounted to about sixty thousand men, besides twelve battalions and ten squadrons which remained in the famous camp at Pirna, under the Prince of Anhalt-Dessau, to cover Dresden, secure the gorges of the mountains, and check the incursions of the Austrian irregulars, with whom, as they were continually flying about the skirts of the Prussian army, as well in their encampments as on their marches, almost daily skirmishes happened, with various success. Though some of these encounters were very bloody, they cost the Prussians much fewer men than they lost by desertion since the battle of Kolin. The reason seems obvious:—The Prussian army had been recruited, in times of peace, from all parts of Germany: and though this way of recruiting may be very proper in such times, yet it cannot be expected to answer in a state of actual war, especially an unfortunate war: because the fidelity of such soldiers can never be so much depended on as that of natives, who serve their natural sovereign from principle, and not merely for pay, and who must desert their country, their parents, and their friends, at the same time that they desert their prince.

§ X. It will be proper here to take notice of some events which could not easily be mentioned before, without breaking through the order we have proposed to ourselves in the writing of this history.—The empress-queen, more imbittered than ever against the King of Prussia and his allies, recalled her ministers, Count Colorado, and Mons. Zohern from London, towards the beginning of July; and about the same time Count Kaunitz, great chancellor of the empire, informed Mr. Keith, the British minister at Vienna, that the court of London, by the succours it had given, and still continued to give, the King of Prussia, as well as by other circumstances relating to the present state of affairs, having broken the solemn engagements which united this crown with the house of Austria; her majesty, the empress-queen, had thought proper to recall her minister from England, and consequently to break off all correspondence. Mr. Keith, in pursuance of this notice, set out from Vienna on the twenty-ninth of July; as did also Mr. Desrolles, his Britannic majesty's minister at the court of Brussels, from this last place, about the same time. On the seventh of July, General Pisa, commandant of Ostend, Nieupoort, and the maritime ports of Flanders,

<sup>a</sup> This was the reason that was publicly assigned for his quitting the army. But a much more probable one, which was only whispered, seems to have been, that this prince, than whom none ever was more remarkable for humanity and the social virtues, disliking the violent proceedings of the king's brother, could not refrain from expostulating with him upon

that subject: upon which his majesty, with an air of great disapprobation, told him, "That the air of Berlin would be better for him than that of the camp." The prince accordingly retired to Berlin, where he died soon after, and contented for the welfare of his brother, and for the steps taken by him, having no small share in his death.

sent his adjutant to the English vice-consul at Ostend, at six o'clock in the morning, to tell him, that by orders from his court all communication with England was broke off; and desired the vice-consul to intimate to the packet-boats and British shipping at Ostend, Bruges, and Nieupoort, to depart in twenty-four hours, and not to return into any of the ports of the empress-queen till further disposition should be made. The reasons alleged by the court of Vienna for debarring the subjects of his Britannic majesty from the use of these ports, obtained for the house of Austria by the arms and treasures of Great Britain, were, "That her imperial majesty, the empress-queen, could not, with indifference, see England, instead of giving the succours due to her by the most solemn treaties, enter into an alliance with her enemy the King of Prussia, and actually afford him all manner of assistance, assembling armies to oppose those which the most christian king, her ally, had sent to her aid, and suffering privateers to exercise open violence in her roads, under the cannon of her ports and coasts, without giving the least satisfaction or answer to the complaints made on that account; and the King of Great Britain himself, at the very time she was offering him a neutrality for Hanover, publishing, by a message to his parliament, that she had formed, with the most christian king, dangerous designs against that electorate; therefore, her majesty, desirous of providing for the security of her ports, judged it expedient to give the fore-mentioned orders; and at the same time to declare, that she could no longer permit a free communication between her subjects and the English, which had hitherto been founded upon treaties that Great Britain had without scruple openly violated." Notwithstanding these orders, the English packet-boats, with letters, were allowed to pass as usual to and from Ostend; the ministers of her imperial majesty wisely considering how good a revenue the postage of English letters brings into the post-office of the Austrian Netherlands. Ostend and Nieupoort, by order of her imperial majesty, received each of them a French garrison; the former on the nineteenth of July, and the latter the next day, under the command of M. de la Motte, upon whose arrival the Austrian troops evacuated those places; though the empress-queen still reserved to herself, in both of them, the full and free exercise of all her rights of sovereignty; to which purpose an oath was administered to the French commandant by her majesty's minister-plenipotentiary for the government of the Low Countries. At the same time, their imperial and most christian majesties notified to the magistracy of Hamburg, that they must not admit any English men of war, or transports, into their port, on pain of having a French garrison imposed on them. The city of Guedres, which had been blocked up by the French ever since the beginning of summer, was forced by famine to capitulate on the twenty-fourth of August, and the garrison marched out with all the honours of war, in order to be conducted to Berlin; but so many of them deserted, that when they passed by Cologne, the whole garrison consisted only of the commandant and forty-seven men. By the surrender of this place the whole country lay open to the French and their allies quite up to Magdebourg; and the empress-queen immediately received two hundred thousand crowns from the revenues of Cleves and La Marcke alone.

§ XI. To return to the affairs more immediately relating to the King of Prussia. The advanced posts of the Prince of Anhalt-Dessau at Pirna were attacked on the tenth of August, by a body of hussars, and other irregular troops of the Austrians; but the Prussians soon obliged them to retire, with the loss of several men and two pieces of cannon. On the nineteenth of the same month, early in the morning, a great number of Austrian pandours surrounded a little town called Gottlebe, in which a Prussian garrison was quartered, with a design to take it by surprise. The pandours attacked it on all sides, and in the beginning killed twenty-three Prussians, and wounded many; but the Prussians having rallied, repulsed the assailants with great loss. These, however, were but a sort of preludes to much more decisive actions, which happened soon after. Silesia, which had hitherto been undisturbed this year, began now to feel the effects of war. Baron Jahnuis, an Austrian colonel, entering that country with only a hand-

ful of men, made himself master of Hirschberg, Waldenberg, Gottesburg, Frankenstein, and Landshut. They were, indeed, but open places; and he was repulsed in an attempt upon Strigau. On the side of Franconia the army of the empire was assembled with all speed, under the Prince of Saxe-Hildburghausen; the French were marching a second army from their interior provinces into Alsace, in order to join the imperialists; the first division of their troops had already entered the empire, and were advanced as far as Hanau. The Swedes were now preparing, with the utmost expedition, to send a numerous army into Pomerania; and the Russians, who since the taking of Memel had not done the King of Prussia much damage, besides that of obliging him to keep an army in Prussia to oppose them, and interrupting the trade of Königsberg by their squadrons, were again advancing with hasty strides towards Prussia, marking their steps with horrid desolation. Field-Mareschal Lehwald, who had been left in Prussia, with an army of thirty thousand men, to guard that kingdom during the absence of his master, was encamped near Velau, when the Russians, to the number of eighty thousand, after taking Memel, advanced against the territories of the Prussian king, whose situation now drew upon him the attention of all Europe. In the night between the seventh and eighth of August, Colonel Malachowski, one of Mareschal Lehwald's officers, marched to reconnoitre the position of the enemy, when a skirmish happened, which lasted near two hours, between his advanced ranks and a Russian detachment, three times stronger than the Prussians. The Russians were repulsed, and fled into the woods, after having fifty men killed, and a great number wounded. The Prussians lost but one man, and had fourteen wounded.

§ XII. Several other little skirmishes happened between straggling parties of the two armies; and the Russians went on pillaging and laying waste every thing before them, till at length the two armies having approached one another in Brandenburg Prussia, Mareschal Lehwald, finding it impossible to spare detachments from so small a number as his was, compared to that of the enemy, to cover the wretched inhabitants from the outrages committed on them by the Russian Cossacks, and other barbarians belonging to them, judged it absolutely necessary to attack their main army, and accordingly, notwithstanding his great disadvantage in almost every respect, he resolved to hazard a battle on the thirteenth of August. The Russians, consisting, as we before observed, of eighty thousand regulars, under the command of Mareschal Apraxin, avoiding the open field, were intrenched in a most advantageous camp near Norkitten in Prussia. Their army was composed of four lines, each of which was guarded by an intrenchment, and the whole was defended by two hundred pieces of cannon, batteries being placed upon all the eminences. Mareschal Lehwald's army scarcely amounted to thirty thousand men. The action began at five in the morning, and was carried on with so much vigour, that the Prussians entirely broke the whole first line of the enemy, and forced all their batteries. The Prince of Holstein-Gottorp, brother to the King of Sweden, at the head of his regiment of dragoons, routed the Russian cavalry, and afterwards fell upon a regiment of grenadiers, which was cut to pieces; but when the Prussians came to the second intrenchment, Mareschal Lehwald seeing that he could not attempt to carry it, without exposing his army too much, took the resolution to retire. The Prussians returned to their former camp at Velau, and the Russians remained in their present situation. The loss of the Prussians, little exceeding two thousand, killed and wounded, was immediately replaced out of the disciplined militia. The Russians lost a much greater number. General Lapuchin was wounded and taken prisoner, with a colonel of the Russian artillery; but the former was sent back on his parole. The Prussian army had, at first, made themselves masters of above eighty pieces of cannon; but were afterwards obliged to abandon them, with eleven of their own, for want of carriages. Three Russian generals were killed; but the Prussians lost no general or officer of distinction, of which rank Count Dohna was the only one that was wounded.

§ XIII. After this engagement, Mareschal Lehwald changed the position of his army, by drawing towards



Peterswald ; and the Russians, after remaining quite inactive till the thirtieth of September, on a sudden, to the great surprise of every one, retreated out of Prussia with such precipitation, that they left all their sick and wounded behind them, to the amount of fifteen or sixteen thousand men, together with eighty pieces of cannon, and a considerable part of their military stores. Mareschal Apraxin masked his design by advancing all his irregulars towards the Prussian army ; so that Mareschal Lehwald was not informed of it till the third day, when he detached Prince George of Holstein with ten thousand horse to pursue them ; but with little hopes of coming up with them, as they made forced marches, in order to be sooner in their own country. However, the Prussians took some of them prisoners, and many stragglers were killed by the country people in their flight towards Tilsit, which they abandoned, though they still kept Memel, and shortly after added some new fortifications to that place. They made their retreat in two columns, one of which directed its course towards Memel ; while the other took the nearest way through the bailiwick of Absterne, and threw bridges over the river Jura. Both columns burnt every village they passed through without distinction. The Prussians were obliged to desist from the pursuit of these barbarians, because the bridges thrown over the river Memel had been destroyed by the violence of the stream. The Russian army suffered greatly for want of bread, as all the countries were ruined through which it passed, so that they could procure no sort of subsistence but herbage and rye-bread. All the roads were strewn with dead bodies of men and horses. The real cause of this sudden retreat is as great a mystery as the reason of stopping so long, the year before, on the borders of Lithuania ; though the occasion of it is said to have been the illness of the czarina, who was seized with a kind of apoplectic fit, and had made some new regulations in case of a vacancy of the throne, which rendered it expedient that the regular forces should be at hand, to support the measures taken by the government.

§ XIV. The King of Prussia after remaining for some time encamped between Bautzen and Goerlitz, removed his head-quarters to Bernstedel ; and on the fifteenth of August his army came in sight of the Austrian camp, and within cannon shot of it : upon which the Austrians struck their tents, and drew up in order of battle before their camp. The king formed his army over against them, and immediately went to reconnoitre the ground between the armies ; but, as it was then late, he deferred the more exact examination of that circumstance till the next day. The two armies continued under arms all night. Next morning at break of day, the king found the Austrians encamped with their right at the river Weisse ; the rest of their army extended along a rising ground, at the foot of a mountain covered with wood, which protected their left ; and before their front at the bottom of the hill on which they were drawn up, was a small brook, passable only in three places, and for no more than four or five men abreast. Towards the left of their army was an opening, where three or four battalions might have marched in front ; but behind it they had placed three lines of infantry, and on a hill which flanked this opening, within musket-shot, were placed four thousand foot, with forty or fifty pieces of cannon : so that, in reality, this was the strongest part of their camp. The king left nothing undone to bring the Austrians to a battle ; but finding them absolutely bent on avoiding it, after lying four days before them, he and his army returned to their camp at Bernstedel. They were followed by some of the enemy's hussars and pandours, who, however, had not the satisfaction to take the smallest booty in this retreat. The Austrian army, which thus declined engaging, was, by their own account, a hundred and thirty thousand strong, more than double the number of the King of Prussia, who, the day he returned to Bernstedel, after he had retired about two thousand yards, again drew up his army in line of battle, and remained so upwards of an hour, but not a man stirred from the Austrian camp. The army of the empire, commanded by the Prince of Saxe-Hildburghausen, and that of the French under the Prince de Soubise, making together about fifty thousand men, half of which were French, had by this time joined, and advanced as far as Erfurth in Saxony ; upon which his

Prussian majesty, finding that all his endeavours could not bring the Austrians to an engagement, set out from Lusatia, accompanied by Mareschal Keith, with sixteen battalions and forty squadrons of his troops, and arrived at Dresden on the twenty-ninth of August, leaving the rest of the army in a strong camp, under the Prince of Bevern. With this detachment, which, by the junction of several bodies of troops, amounted to about forty thousand men, he made a quick march, by the way of Leipzig, towards Erfurth, to give battle to the united army of the French and the empire. But by the time he arrived at Erfurth, which was on the fourteenth of September, the enemy had retreated towards Gotha ; and upon his further approach, they retired to Eyesenach, where they intrenched themselves in a very strong camp. His majesty's head-quarters were at Kirschlaben, near Erfurth. While the two armies were thus situated, Major-General Seydelitz, who occupied the town of Gotha, being informed, on the nineteenth, that a large body of the enemy was coming towards him, and that it consisted of two regiments of Austrian hussars, one regiment of French hussars, and a detachment made up of French grenadiers, troops of the army of the empire, and a great number of Croats and pandours, retired, and posted himself at some distance. The enemy immediately took possession of the town and castle ; but General Seydelitz, having been reinforced, attacked the enemy with such vigour, that he soon obliged them to abandon this new conquest, and to retire with great precipitation ; a report having been spread, that the Prussian army was advancing against them, with the king himself in person. The Prussian hussars took a considerable booty on this occasion, and General Seydelitz sent prisoners to the camp, one lieutenant-colonel, three majors, four lieutenants, and sixty-two soldiers of the enemy, who had also about one hundred and thirty killed. After this action his Prussian majesty advanced near Eyesenach, with a design to attack the combined army ; but they were so strongly intrenched, that he found it impracticable. His provisions falling short, he was obliged to retire towards Erfurth, and soon after to Naumburg, on the river Sala : whereupon the combined army marched, and again took possession of Gotha, Erfurth, and Wieman : which last place, however, they soon after quitted.

§ XV. Upon the King of Prussia's leaving Bernstedel, the Austrians took possession of it on the sixth of September, and made prisoners a Prussian battalion which had been left there. The next day fifteen thousand Austrians attacked two battalions of General Winterfield's troops, being part of the Prince of Bevern's army, who were posted on a high ground on the other side of the Neiss, near Hendersdorff, in the neighbourhood of Goerlitz ; and, after being repulsed several times, at last made themselves masters of the eminence. The loss in this action was considerable on both sides, but greatest on that of the Prussians, not so much by the number of their slain, which scarcely exceeded that of the Austrians, as by the death of their brave General Winterfield, who, as he was leading up succours to the battalions that were engaged, received a shot from a cannon, of which he died the night following. The Generals Nadasti and Clerici, Count d'Arberg, Colonel Elrickhausen, and several other persons of distinction, were wounded, and the young Count of Groesbeck and the Marquis d'Asque killed, on the side of the Austrians, who took six pieces of the Prussian cannon, six pair of their colours, and made General Kemeke, the Count d'Anhalt, and some other officers, prisoners. After this skirmish, the Prince of Bevern, with the Prussian army under his command, retreated from Goerlitz to Rothenberg, then passed the Queiss at Sygersdorff, from whence he marched to Buntlau, in Silesia, and on the first of October, reached Breslaw, without suffering any loss, though the numerous army of the Austrians followed him for some days. Upon his arrival there, he chose a very strong camp on the other side of the Oder, in order to cover the city of Breslaw, to the fortifications of which he immediately added several new works. Though neither side had any very signal advantage in this engagement, more than that the Austrians remained masters of the field ; yet great rejoicings were made at Vienna on account of it. The death of General Winterfield was, indeed, an irrepa-

rable loss to his Prussian majesty, who received at the same time the news of this misfortune, and of the Swedes having now actually begun hostilities in Pomerania.

§ XVI. A body of the French, who, let loose against the King of Prussia, by the ever-memorable and shameful convention of Closter-Seven, had entered the territories of Halberstadt and Magdeburgh, were worsted at Eglen by a party of six hundred men, under the command of Count Horn, whom Prince Ferdinand of Brunswick had detached from a body of troops with which his Prussian majesty had sent him to defend those countries. The Prussians took prisoners the Count de Lusignan, colonel, eighteen other French officers, and four hundred soldiers, and made themselves masters of a considerable booty in baggage, &c. with the loss of only two men; and, moreover, a French officer, and forty men, were made prisoners at Halberstadt. Upon this check the French evacuated the country of Halberstadt for a little while, but returning again on the twenty-ninth of September, with a considerable reinforcement from Mareschal Richelieu's army, which he now could easily spare, Prince Ferdinand was obliged to retire to Winsleben, near the city of Magdeburgh. The dangers which had been hitherto kept at a distance from the Prussian dominions, by the surprising activity of their king, now drew nearer, and menaced them on all sides. Mareschal Richelieu, with eighty battalions, and a hundred squadrons, entered the country of Halberstadt, and levied immense contributions; whilst the allied army of the French and imperialists, being joined by six thousand men under General Laudohn, who had defeated a regiment of Prussian cavalry near Erfurth, marched to Wissenfels, a city in the very centre of Thuringia. The Swedes had actually taken some towns in Pomerania, and were advancing to besiege Stetin; and the Austrians, who had made themselves masters of Lignitz, and a considerable part of Silesia, had now laid siege to Schweidnitz, and were preparing to pass the Oder, in order to attack the Prince of Bevern in his camp near Breslaw. In the meantime they made frequent and most destructive incursions into Brandenburg; to oppose which his Prussian majesty ordered detachments from all his regiments in those parts to join the militia of the country, and sent the Prince of Anhalt-Dessau from Leipzig, with a body of ten thousand men, to guard Berlin, whilst he himself marched with the troops under his command to Interbeck, on the frontier of Lower Lusatia, to be the more at hand to cover Brandenburg, and preserve the communication with Silesia.

§ XVII. While these precautions were taking, General Haddick, with fifteen or sixteen thousand Austrians, entered Brandenburg on the sixteenth of October, and the next day arrived before Berlin, of which city he demanded a contribution of six hundred thousand crowns; but contented himself with two hundred and ten thousand. The Austrians pillaged two of the suburbs; but before they could do any further mischief, they were obliged to retire in great haste, at the approach of the Prince of Anhalt-Dessau, whose van-guard entered the city in the evening of their departure. This alarm, however, obliged the king and the royal family of Prussia to remove to Magdeburgh on the twenty-third; and the most valuable records were sent to the fort of Spandau, at the conflux of the Havel and the Sphe. On the other hand, the unfortunate inhabitants of Leipzig now felt more severely the cruel effects of the power of their new master.—The Prussian commandant in that city had, by order of the king, demanded of them three hundred thousand crowns, a sum far greater than it was in their power to raise. This truth they represented, but in vain. The short time allowed them to furnish their contingents being expired, and all their efforts to comply with this demand having proved ineffectual, they were subjected to the rigours of military execution; in consequence of which their houses were occupied by the soldiery, who seized upon the best apartments, and lived at discretion; but the sum demanded could not be found. Such was the situation of this distressed city, when, on the fifteenth of October, an express arrived, with advice that his Prussian majesty would soon be there; and accordingly he arrived a few minutes afterwards, attended by his life-guards. At the same time, a

rumour was spread that the city would be delivered up to pillage, which threw the inhabitants into the utmost consternation. Their fears, however, in that respect, were soon abated by his majesty's declaring, that he was willing to spare the place, upon condition that half the sum required should be immediately paid. All that could be done was to collect among the merchants, traders, and others, fifty thousand crowns; bills of exchange were drawn upon Amsterdam and London for seventy thousand crowns, and hostages were given by way of security, for the payment of thirty thousand more within a time which was agreed on. But still, notwithstanding this, the military execution was continued, even with greater rigour than before, and all the comfort the wretched inhabitants could obtain was, that it should cease whenever advice should be received that their bills were accepted.

§ XVIII. The King of Prussia had tried several times to bring the combined army under the Princes Saxe-Hilburghausen and Soubise to an engagement upon fair ground; but finding them bent on declining it, notwithstanding the superiority of their numbers, he had recourse to one of those strokes in war, by which a general is better seen than by the gaining of a victory. He made a feint, soon after the beginning of October, as if he intended nothing more than to secure his own dominions, and march his army into winter-quarters back to Berlin, leaving Mareschal Keith, with only seven or eight thousand men, to defend Leipzig. Upon this the enemy took courage, passed the Sala, and having marched up to the city, summoned the mareschal to surrender; to which he answered, That the king, his master, had ordered him to defend the place to the last extremity, that he would obey his orders. The enemy then thought of besieging the city; but, before they could prepare any one implement for that purpose, they were alarmed by the approach of the King of Prussia, who, judging that his feint would probably induce them to take the step they did, had, by previous and private orders, collected together all his distant detachments, some of which were twenty leagues asunder, and was advancing by long marches to Leipzig; upon notice of which the enemy repassed the Sala. The Prussian army was re-assembled on the twenty-seventh of October, and remained at Leipzig the twenty-eighth and twenty-ninth, when every body expected a battle would be fought in the plains of Lutzen. On the thirtieth, the king drew nigh to that place, and on the thirty-first, in his way through Weissenfels and Meresbourg, he made five hundred men prisoners of war. The combined army had repassed the Sala at Weissenfels, Meresbourg, and Halle, where they broke down the bridges; but these were soon repaired, and the whole Prussian army, amounting to no more than twenty thousand men, having passed that river, through these towns, in each of which they left a battalion, joined again on the third of November, in the evening, over against the enemy, whose forces consisted of forty thousand French, and twenty-five thousand imperialists. On the fifth, about nine o'clock in the morning, the Prussians received intelligence that the enemy were every where in motion. They likewise heard the drums beating the march, and so near were the two armies to each other, plainly perceived from their camp, that the whole infantry, which had drawn nearer upon the rising grounds over against them, was filing off towards their right. No certain judgment could, however, yet be formed of the enemy's real design, and as they were in want of bread, it was thought probable that they intended to repass the Unstrut; but it was soon perceived that their several motions were contradictory to each other. At the same time that some of their infantry were filing off towards their right, a large body of cavalry wheeled round towards their left, directing its march all along to the rising grounds with which the whole Prussian camp, that lay in a bottom between the villages of Rederow and Rosbach, was surrounded within the reach of large cannon. Soon after that the cavalry were seen to halt, and afterward to fall back to the right; though some of them still remained where they were, whilst the rest marched back. About two in the afternoon the doubts of the Prussians were cleared up; it plainly appearing then that the enemy intended to attack them, and that their dispositions were made with a view to surround

them, and to open the action by attacking them in the rear. A body of reserve was posted over against Rederow, to fall upon their routed troops, in case they should be defeated, and to prevent their retreating to Meresbourg, the only retreat which could then have been left them. In this situation the King of Prussia resolved to attack them. His majesty had determined to make the attack with one wing only, and the disposition of the enemy made it necessary that it should be the left wing. The very instant the battle was going to begin, his majesty ordered the general who commanded the right wing to decline engaging, to take a proper position in consequence thereof, and above all, to prevent his being surrounded. All the cavalry of the right wing of the Prussians, except two or three squadrons, had already marched to the left at full gallop; and being arrived at the place assigned them, they formed over against that of the enemy. They then moved on immediately, the enemy's advanced to meet them, and the charge was very fierce, several regiments of the French coming on with great resolution. The advantage, however, was entirely on the side of the Prussians. The enemy's cavalry being routed, were pursued for a considerable time with great spirit, but having afterwards reached an eminence, which gave them an opportunity of rallying, the Prussian cavalry fell upon them afresh, and gave them so total a defeat that they fled in the utmost disorder. This happened at four in the afternoon. Whilst the cavalry of the Prussians charged, their infantry opened. The enemy cannonaded them briskly during this interval, and did some execution, but the Prussian artillery was not idle. After this cannonading had continued on both sides a full quarter of an hour, without the least intermission, the fire of the infantry began. The enemy could not stand it, nor resist the valour of the Prussian foot, who gallantly marched up to their batteries. The batteries were carried one after another, and the enemy were forced to give way, which they did in great confusion. As the left wing of the Prussians advanced, the right changed its position, and having soon met with a small rising ground, they advanced themselves of it, by planting it with sixteen pieces of heavy artillery. The fire from thence was partly pointed at the enemy's right, to increase the disorder there, and took their left wing in front, which was excessively galled thereby. At five the victory was decided, the cannonading ceased, and the enemy fled on all sides. They were pursued as long as there was any light to distinguish them, and it may be said, that night alone was the preservation of this army, which had been so formidable in the morning. They took the benefit of the darkness to enter into Fryburgh, and there to repass the Unstrut, which they did on the morning of the sixth, after a whole night's march. The King of Prussia set out early in the morning to pursue them with all his cavalry, supported by four battalions of grenadiers, the infantry following them in two columns. The enemy had passed the Unstrut at Fryburgh, when the Prussians arrived on its banks, and as they had burnt the bridge, it became necessary to make another, which, however, was soon done. The cavalry passed first, but could not come up with the enemy till five in the evening, upon the hills of Eckersberg. It was then too late to force them there, for which reason the king thought proper to canton his army in the nearest villages, and to be satisfied with the success his hussars had in taking near three hundred baggage-waggons, and every thing they contained. The whole loss of the Prussians, in this important engagement, did not exceed five hundred men killed and wounded. Among the former was General Meincke, and among the latter Prince Henry and General Seydelitz. The enemy lost sixty-four pieces of cannon, a great many standards and colours, near three thousand men killed on the field of battle, and upwards of eight thousand taken prisoners, among whom were several generals, and other officers of distinction. Three hundred waggons were sent to Leipzig, laden with wounded French and Swiss. Upon the ap-

proach of the Prussians towards Eckersberg, the enemy retreated with great precipitation; and, after marching all night, arrived the next day at Erfurth, in the utmost want of every necessary of life, not having had a morsel of bread for two days, during which they had been obliged to live upon turnips, radishes, and other roots, which they dug out of the earth. The French, under the Duke de Richelieu, were preparing to go into winter-quarters; but, upon the news of this defeat of the combined army, they again put themselves in motion, and a large detachment of them advanced as far as Dunderstadt, to favour the retreat of their countrymen under the Prince de Soubise, who, with great precipitancy, made the best of their way from Erfurth to the county of Hohenstein, and from thence bent their march towards Halberstadt. Of the remains of the imperial army, which was now almost entirely dispersed, whole bodies deserted, and went over to the King of Prussia soon after this battle.

§ XIX. Whilst his Prussian majesty was thus successful against the French and imperialists, the Austrians, who had carefully avoided coming to an open engagement with him, gained ground apace in Silesia. A detachment of their army, under the command of Count Nadasti, had already invested Schweidnitz, and opened the trenches before it on the twenty-sixth of October. The Prussian garrison, commanded by General de la Motte Fouquet, determined to defend the place as long as possible; and accordingly on the thirtieth they made a sally, in which they killed, wounded, and took prisoners, eight hundred of the besiegers, and did some damage to their works; but on the sixth of November the Austrians began to cannonade the city furiously, and on the eleventh made themselves masters of the ramparts by assault. The garrison, however, having taken care, during the siege, to throw up a strong entrenchment in the market-place, retreated thither, and held out till the next day, when they surrendered themselves prisoners of war. After the reduction of this place, General Nadasti, leaving in it a sufficient garrison, marched with the remainder of his troops, and joined the main army of the Austrians, under the command of Prince Charles of Lorraine and Mareschal Daun, who, whilst he was busied in the siege of Schweidnitz, had invested Breslaw on the left of the Oder; the Prince of Bevern defending it on the right, where he was strongly encamped, with his little army, under the cannon of the city. The whole army of the Austrians being now re-assembled, and intelligence having been brought not only of the King of Prussia's late victory near Leipzig, but also that he was advancing to the relief of the Prince of Bevern, it was resolved immediately to attack the last in his intrenchments. Accordingly, on the twenty-second of November, about nine in the morning, the Austrians began a most furious discharge of their cannon, forty of which were twenty-four pounders, and thus continued without ceasing till one, when it was succeeded by a severe fire of their small arms, which lasted till five in the evening. The Prussians, with undaunted resolution, stood two of the most violent attacks that were ever made; but at the third, overpowered by numbers, and assailed on both sides, they began to lose ground, and were forced to retire from one intrenchment to another. In this extremity, night coming on, the Prussian generals fearing their intrenchments would be entirely forced, and that they should then be totally defeated, thought proper to retreat. The Prince of Bevern, with the greatest part of the army, retired to an eminence on the banks of the Oder, whilst the rest of the troops threw themselves into Breslaw, which they might have defended, in all probability, till the king had come to his relief. But on the twenty-fourth, their commander-in-chief, the Prince of Bevern, going to reconnoitre the enemy, with only a single groom to attend him, fell in among a party of Croats, who took him prisoner.<sup>b</sup> His army thus deprived of their general, retreated northward that night, leaving in Breslaw only four battalions, who, the next day, surrendered the

<sup>b</sup> We are told, that he mistook these Croats for Prussian hussars. But some of the circumstances of this mysterious affair were interpreted into a premeditated design in the prince to be taken prisoner. It cannot otherwise be supposed that a man of his rank, a prince, a commander-in-chief, should knowingly undertake the always dangerous task of reconnoitring the enemy with so slight an attendance as only one man, and that but a groom, even if he had judged it necessary to see things with his own eyes. Some secret

dissatisfaction, hitherto unknown to us, may possibly have been the cause of his taking this step, or, which seems still more probable, he might be ashamed, or, perhaps, even afraid, to see the king his master, after having so imprudently abandoned the defence of Breslaw, by quitting his lines, which it is asserted by Prussian history had sent him express orders not to quit on any account whatever, for that he would certainly be with him by the fifth of December, in which we shall find he kept his word.



place by capitulation, one of the articles of which was, that they should not serve against the empress, or her allies, for two years. All the magazines, chests, artillery, &c. remained in the hands of the Austrians. The garrison marched out with all military honours, conducted by General Leswitz, governor of Breslaw. Though the Austrians sung *Te Deum* for this victory, they owned that such another would put an end to their army; for it cost them the lives of twelve thousand men; a number almost equal to the whole of the Prussian army before the battle. They had four almost inaccessible intrenchments to force, planted thick with cannon, which fired cartridge shot from nine in the morning till the evening, and the Prussians, when attacked, were never once put into the least confusion. Among the slain on the side of the Austrians, were General Wurben, and several other officers of distinction. The loss of the Prussians did not much exceed three thousand men, in killed, wounded, and prisoners, of which last there were about sixteen hundred. Their general, Kleist, was found dead on the field of battle.

§ XX. The King of Prussia, who, like Cæsar, thought nothing was done while any thing was left undone, stayed no longer at Rosbach than till the routed forces of the French and imperialists, whom he had defeated there on the fifth of November, were totally dispersed. Then he marched directly with the greatest part of his army for Silesia, and on the twenty-fourth of that month arrived at Naumberg on the Queiss, a little river which runs into the Bobber, having in his route detached Mareschal Keith, with the rest of his army, to clear Saxony from all the Austrian parties, and then to make an irruption into Bohemia, a service which he performed so effectually, as to raise large contributions in the circles of Satz and Leitmeritz, and even to give an alarm to Prague itself. His majesty reserved for himself only fifteen thousand men, with whom he advanced, with his usual rapidity, to Barchwitz, where, notwithstanding all that had happened at Schweidnitz and at Breslaw, he was joined by twenty-four thousand more; part of them troops which he had ordered from Saxony, part the remains of the army lately commanded by the Prince of Bevern, and part the late garrison of Schweidnitz, which had found means to escape from the Austrians, and accidentally joined their king upon his march.<sup>c</sup> With this force, though greatly inferior in number to that of the enemy, he resolved to attack the Austrians, who were intrenched at Lissa near Breslaw. On the fourth of December he seized upon their ovens at Neumark, and upon a considerable magazine, guarded by two regiments of Croats, who retired to a rising ground, where his majesty ordered his hussars to surround them, and send a trumpet to summon them to surrender themselves prisoners of war. Upon their refusal, the hussars of Zithen fell upon them sabre in hand, and some hundreds of them having been cut in pieces, the rest threw down their arms, begging for quarter on their knees. After this seizure, and after having distributed to his army the bread prepared for his enemies, he began again the next morning his march towards Lissa. General Zithen, who led the vanguard of light-horse, about seven in the morning fell in with a body of Austrian hussars, and three regiments of Saxon dragoons, which were the very best cavalry the enemy had left after the battle of the twenty-second. They had been detached by the Austrians, in order to retard the king's march, and to conceal their own, till their batteries should be completed; for, as they held the small number of the Prussians in contempt, their intention was to have met the king two German miles from their intrenchments. The Austrian cavalry having been vigorously repulsed to a considerable distance, General Zithen perceived that their whole army was forming. He immediately acquainted the king with what he had discovered, and his majesty, after having himself observed the disposition of the enemy, made his own, with the sagacity and despatch for which he has always been remarkable. The action began by at-

tacking a battery of forty pieces of large cannon, which covered the right wing of the enemy. The two battalions of guards, with the regiments of the Margrave Charles and of Itzenplitz, marched up, amidst a most terrible fire, to the very mouths of the cannon, with their bayonets screwed. In this attack the Prussians sustained the greatest loss, though the battery was carried as soon almost as they could reach it: then the enemies' artillery, now turned against themselves, played furiously upon them with their own powder. From that instant the two wings and the centre of the Prussians continued to drive the enemy before them, advancing all the time with that firm and regular pace for which they have always been renowned, without ever halting or giving way. The ground which the Austrians occupied was very advantageous, and every circumstance that could render it more so had been improved to the utmost by the diligence and skill of Count Daun, who remembering his former success, was imboldened to enter the lists again with his royal antagonist. The Prussians, however, no way terrified by the enemy's situation, nor their numbers, went calmly and dreadfully forward. It was almost impossible, in the beginning, for the Prussian cavalry to act, on account of the impediments of fallen trees, which the enemy had cut down and laid in the field of battle, to retard their approach; but a judicious disposition which the king made overcame that disadvantage. When he first formed his army, he had placed four battalions behind the cavalry of his right wing, foreseeing that General Nadasti, who was placed with a corps of reserve on the enemy's left, designed to take him in flank. It happened as he had foreseen; this general's horse attacked the king's right wing with great fury: but he was received with so severe a fire from the four battalions, that he was obliged to retire in disorder. The enemy gave way on all sides; but at some distance recovered themselves, and rallied three times, animated by their officers, and by the superiority of their numbers. Every time they made a stand, the Prussians attacked them with redoubled vigour, and with success equal to their bravery. Towards night, the enemy, still retreating, fell into disorder. Their two wings fled in confusion; one of them, closely pressed by the king, retired towards Breslaw, and took shelter under the cannon of that city; the other, pursued by the greatest part of the light cavalry, took their flight towards Canth and Schweidnitz. Six thousand Austrians fell in this engagement, and the Prussians, who had only five hundred men killed, and two thousand three hundred wounded, made upwards of ten thousand of the enemy prisoners, among whom were two hundred and ninety-one officers. They took also a hundred and sixteen cannon, fifty-one colours and standards, and four thousand wagons of ammunition and baggage. The consequences that followed this victory declared its importance. Future ages will read with astonishment, that the same prince, who but a few months before seemed on the verge of inevitable ruin, merely by the dint of his own abilities, without the assistance of any friend whatever, with troops perpetually harassed by long and painful marches and by continual skirmishes and battles, not only retrieved his affairs, which almost every one, except himself, thought past redress; but in the midst of winter, in countries where it was judged next to impossible for any troops to keep the field at that season, conquered the united forces of France and the empire at Rosbach, on the fifth of November; and on the same day of the very next month, with a great part of the same army, was at Lissa, where he again triumphed over all the powers of the house of Austria. Pursuing his advantage he immediately invested Breslaw, and within two days after this great victory every thing was in readiness to besiege it in form. His troops, flushed with success, were at first for storming it, but the king, knowing the strength of the garrison, which consisted of upwards of thirteen thousand men, and considering both the fatigues which his own soldiers had lately undergone, and the fatal consequences that might

<sup>c</sup> Whilst the Austrians were confining them to prison, on their route they obtained to hear of the victory, their master had gained at Rosbach. Astonished at these tidings, they immediately rose upon the escort that guarded them, and, happening not to be very strong, they entirely dispersed them. Thus, and thus, they marched on not very certain of their way, in hopes to reach some corps of the Prussian troops, their number was small. The same fortune which freed them led them directly to the army commanded

by the king himself, which was hastening to their relief, as well as to that of the Prince of Bevern. This unexpected meeting was equal to a victory to both, the prisoners had never heard any thing of his majesty's march; and at the same time, this lucky accident, which it added a considerable strength to the army, enabled likewise to its assistance, for the same circumstance is considered in an army of the great and the great engagement.

ensue, should they fail of success in this attempt, ordered the approaches to be carried on in the usual form. His commands were obeyed, and Breslaw surrendered to him on the twentieth of December in the morning. The garrison, of which ten thousand bore arms, and between three and four thousand lay sick or wounded, were made prisoners of war. Fourteen of these prisoners were officers of high rank. The military chest, a vast treasure, with eighty pieces of cannon, fell into the hands of the victors, who lost only about twenty men in their approaches. During the siege, a magazine of powder was set on fire by a bomb, which occasioned great confusion among the besieged, and damaged one of the bastions. The strong fortress of Schweidnitz still remained in the enemy's possession, defended by a garrison so numerous, that it might be compared to a small army, and whilst that continued so, the King of Prussia's victories in Silesia were of no decisive effect. For this reason, though it was now the dead of winter, and the soldiers stood in need of repose, his majesty resolved, if possible, to become master of that place before the end of the year; but as a close siege was impracticable, a blockade was formed, as strictly as the rigour of the season would permit.<sup>d</sup> It was not, however, till the beginning of the ensuing campaign that this place was taken. The Prussians opened their trenches before it on the third of April, one thousand seven hundred and fifty-eight, and erected two large batteries, which kept a continual fire upon the town. The artillery of the besiegers consisted of three hundred pieces of cannon, of different dimensions, and eighty mortars; an amazing artillery, and as such as we have never heard of in former campaigns. On the night of the fourteenth, the Prussians carried one of the chief works by assault, and lodged themselves therein: the commandant capitulated the next day, with the garrison, which was now greatly reduced in number, being not half of what it amounted to at the beginning of the blockade. Thus, all the parts of Silesia, which the King of Prussia had lost by one unfortunate blow, fell again into his possession: and his affairs, which but a few months before seemed irretrievable, were now re-established upon a firmer basis than ever. The Prussian parties not only repossessed themselves of those parts of Silesia which belonged to their king, but penetrated into the Austrian division, reduced Jagendorf, Troppau, Tretchen, and several other places, and left the empress-queen scarce any footing in that country, in which, a few days before, she reckoned her dominion perfectly established.

§ XXI. The Swedes, after many debates between their king and senate, had at length resolved upon an open declaration against the King of Prussia, and, in consequence of that resolution, sent so many troops into Pomerania, that by the end of August, their army in that country amounted to twenty-five thousand men. Their first act of hostility was the seizure of Anclam and Demmin, two towns that lay in the way of Stetin, against which their principal design was levelled. But before they proceeded farther, General Hamilton, their commander, by way of justifying the conduct of his master, published a declaration, setting forth, "That the King of Sweden, as a guarantee of the treaty of Westphalia, could not help sending his troops into the upper part of the duchy of Pomerania belonging to the King of Prussia; and that, therefore, all the officers appointed to receive the public revenue in that country must pay what money they had in their hands to him, who was commissioned to receive it for his Swedish majesty: that, moreover, an exact account was required, within eight days, of the revenues of the country; but that no more than ordinary contributions would be demanded of the inhabitants, who might rest assured that the Swedish troops should observe the strictest discipline." After this declaration, they attacked the little fortress of Penemunde upon the river Pene, and on the twenty-third of September, after a siege of nine days, obliged the garrison, which consisted only of militia, to surrender themselves prisoners of war. This alternative the commanding officer chose, rather than engage not to serve for two years, observing that such an engagement was inconsistent with

his honour, whilst his prince had so much occasion for his service; and the Swedish general, touched with this noble way of thinking, was, on his part, so generous as to give him his liberty. On the other hand, General Manteuffel, who commanded the Prussian forces then in Pomerania, amounting to twelve thousand men, with whom he was encamped before Stetin, to recover that place, published, in answer to this, a declaration, enjoining the inhabitants of Pomerania to remain faithful to the King of Prussia, their lawful sovereign, under pain of incurring his just indignation, and absolutely forbidding them to pay any regard to the Swedish manifesto.

§ XXII. In the meantime, Mareschal Lehwald, immediately after the battle of Norkitten, when the Russians began their retreat, detached Prince George of Holstein-Gottorp, with a considerable body of forces, to the relief of Pomerania; and shortly after, the Russian forces having totally evacuated every part of Prussia, except Memel, and most of them being actually gone into winter-quarters, he himself followed with an additional reinforcement of sixteen thousand men. Upon his approach, the Swedes, who were then encamped at Ferdinandshoff, and had begun to fill up the harbour of Schwinemunde, by way of previous preparation for the siege of Stetin, retired with such precipitation, that they did not allow themselves time to draw off a little garrison they had at Wollin, consisting of two hundred and ten men, who were made prisoners of war. Demmin was cannonaded by the Prussians on the twenty-ninth of December; and the Swedes having lost one officer and forty men, desired to capitulate. As, in order to ease the troops, it was not thought proper to continue the siege in so sharp a season, their request was granted, and they had leave to retire with two pieces of cannon. The Prussians took possession of the town on the second day of January, after the Swedes had, on the thirtieth of December, likewise given up Anclam, where the conquerors took a hundred and fifty prisoners, and found a considerable magazine of provisions and ammunition. Mareschal Lehwald then passed the Pene, entered Swedish Pomerania, and reduced Gutzkow, Loitz, Tripsus, and Nebringen. At the same time, Lieutenant-General Schorlemmer passed with his corps from the isle of Wollen into the isle of Usedom, and from thence to Wolgast, the Swedes having abandoned the town, as well as Schwinemunde, and the fort of Penemunde. The Prince of Holstein advanced as far as Grimm and Grieffswalde, and the Swedes, losing one town after another, till they had nothing left in Pomerania but the port of Stralsunde, continued retreating till they had reached this last place. The French party in Sweden, to comfort the people, called this retreat, or rather flight, going into winter-quarters. The Prussian hussars were not idle wherever they penetrated; for, besides plundering and pillaging, they raised a contribution of a hundred and sixty thousand crowns in Swedish Pomerania. The Mecklenburghers, who had joined the Swedes with six thousand of their troops, now found cause to repent of their forwardness, being left quite exposed to the resentment of the victors, who chastised them with the most severe exactions. The army of the Swedes, though they did not fight a battle, was, by sickness, desertion, and other accidents, reduced to half the number it consisted of when they took the field. The Landgrave of Hesse-Cassel, soon after his territories were invaded by the French, in consequence of their advantage in the affair of Hastenbeck, had applied to the King of Sweden, as one of the guarantees of the treaty of Westphalia, desiring him to employ his good offices with the court of France, to obtain a more favourable treatment for his dominions: but his Swedish majesty, by the advice of the senate, thought proper to refuse complying with this request, alleging, that as the crown of Sweden was one of the principal guarantees of the treaty of Westphalia, it would be highly improper to take such a step, in favour of a prince who had not only broke the laws and constitutions of the empire, in refusing to furnish his contingent, but had even assisted, with his troops, a power known to be its declared enemy. The Aulick council too, seeing, or

<sup>d</sup> Such was the rigour of the season, that some hundreds of the sentinel dropped down dead on their several posts, unable to sustain the severity of the cold. The Germans lie under the general reproach of paying very little

regard to the lives of their soldiers, and indeed this practice of winter campaigns, in such a cold country, bespeaks very little regard to the dictates of humanity.

pretending to see, the behaviour of the landgrave in the same light, issued a decree against his serene highness towards the end of this year.

§ XXIII. The court of Great Britain, justly displeased with the Dutch, on account of the extreme facility with which they had granted the French a free passage through Namur and Maestricht for their provisions, ammunition, and artillery, in the beginning of this campaign, had very properly remonstrated against that step, before it was absolutely resolved on, or at least declared to be so: but in vain; a pusillanimous answer being all the satisfaction that was obtained. The tameness and indifference with which the States-general had since seen Ostend and Nieupoort put into the hands of the French, drew upon their high mightinesses a further remonstrance, which was delivered to them on the twenty-eighth of November of this year by Colonel Yorke, his Britannic majesty's plenipotentiary at the Hague, in the following terms, well calculated to awaken in them a due sense of their own danger, as well as to evince the injustice of the proceedings of the house of Austria:—"Considering the critical situation which Europe had been in during the course of this year, in consequence of measures concerted to embroil all Europe, the King of Great Britain was willing to flatter himself that the courts of Vienna and Versailles, out of regard to the circumspect conduct observed by your high mightinesses, would have at least informed you of the changes they have thought proper to make in the Austrian Netherlands. It was with the utmost surprise the king heard, that without any previous consent of yours, and almost without giving you any notice, the court of Vienna had thought proper to put the towns of Ostend and Nieupoort into the hands of the French troops, and to withdraw her own, as well as her artillery and stores, whilst France continues to send thither a formidable quantity of both. The conduct of the court of Vienna towards his majesty is indeed so unmerited and so extraordinary, that it is difficult to find words to express it: but whatever fallacious pretexts she may have made use of to palliate her behaviour towards England, it does not appear that they can be extended so far as to excuse the infringement, in concert with France, of the most solemn treaties between her and your high mightinesses. The king never doubted that your high mightinesses would have made proper representations to the two courts newly allied, to demonstrate the injustice of such a proceeding, and the danger that might afterwards result from it. Your high mightinesses will have perceived that your silence on the first step encouraged the two courts, newly allied, to attempt others; and who can say where they will stop? The pretext at first was, the need which the empress-queen stood in of the troops for the war kindled in the empire, and the necessity for providing for the safety of those important places, and afterwards of their imaginary danger from England. But, high and mighty lords, it is but too evident that the two powers who have taken these measures in concert, have other projects in view, and have made new regulations with regard to that country, which cannot but alarm the neighbouring states. The late demand made to your high mightinesses, of a passage for a large train of warlike implements through some of the barrier towns, in order to be sent to Ostend and Nieupoort, could not fail to awaken the king's attention. The sincere friendship and parity of interests of Great Britain and Holland, require that they should no longer keep silence, lest, in the issue, it should be considered as a tacit consent, and as a relinquishment of all our rights. The king commands me, therefore, to recall to your high mightinesses the two-fold right you have acquired to keep the Austrian Netherlands under the government of the house of Austria; and that no other has a title to make the least alteration therein, without the consent of your high mightinesses; unless the new allies have resolved to set aside all prior treaties, and to dispose at pleasure of every thing that may suit their private inter-

rest. In the treaty between your high mightinesses and the crown of France, signed at Utrecht, on the eleventh of April, one thousand seven hundred and thirteen, in the fifth article, are these words: 'It is also agreed, that no province, fort, town, or city of the said Netherlands, or of those which are given up by his catholic majesty, shall ever be ceded, transferred, or given, or shall ever devolve, to the crown of France, or any prince or princess of the house or line of France, either by virtue of any gift, exchange, marriage-contract, succession by will, or by any other title whatever, to the power and authority of the most christian king, or of any prince or princess of the house or line of France.' In the barrier treaty these very stipulations are repeated in the first article: 'His imperial and catholic majesty promises and engages, that no province, city, town, fortress, or territory, of the said country, shall be ceded, transferred, given, or devolve to the crown of France, or to any other but the successor of the German dominions of the house of Austria, either by donation, sale, exchange, marriage-contract, heritage, testamentary succession, nor under any other pretext whatsoever: so that no province, town, fortress, or territory of the said Netherlands shall ever be subject to any other prince, but to the successor of the States of the house of Austria alone, excepting what has been yielded by the present treaty to the said lords the States-general.' A bare reading of these two articles is sufficient to evince all that I have just represented to your high mightinesses; and whatever pretext the courts of Vienna and Versailles may allege, to cover the infraction of these treaties, the thing remains, nevertheless, evident, whilst these two courts are unable to prove that the towns of Ostend and Nieupoort are not actually in the power of France. If their designs are just, or agreeable to those treaties, they will doubtless not scruple, in the least, to make your high mightinesses easy on that head, by openly explaining themselves to a quiet and pacific neighbour, and by giving you indisputable proofs of their intentions to fulfil the stipulations of the said two treaties, with regard to the Netherlands. The king hath so much confidence in the good sense, prudence, and friendship of your high mightinesses, that he makes not the least doubt of your taking the most efficacious measures to clear up an affair of such importance; and of your being pleased, in concert with his majesty, to watch over the fate of a country, whose situation and independence have, for more than a century, been regarded as one of the principal supports of your liberty and commerce." It does not appear that this remonstrance had the desired effect upon the States-general, who were apprehensive of embroiling themselves with an enemy so remarkably alert in taking all advantages. The truth is, they were not only unprepared for a rupture with France, but extremely unwilling to forego the commercial profits which they derived from their neutrality.

§ XXIV. The King of Prussia, about this period, began to harbour a suspicion that certain other powers longed eagerly to enjoy the same respite from the dangers and inconveniences of war, and that he ran the risk of being abandoned by his sole patron and ally, who seemed greatly alarmed at his defeat in Bohemia, and desirous of detaching himself from a connexion which might be productive of the most disagreeable consequences to his continental interest. Stimulated by this opinion, his Prussian majesty is said to have written an expostulatory letter<sup>a</sup> to the King of Great Britain, in which he very plainly taxes that monarch with having instigated him to commence hostilities; and insists upon his remembering the engagements by which he was so solemnly bound. From the strain of this letter, and the Prussian's declaration to the British minister when he first set out for Saxony, importing, that he was going to fight the King of England's battles, a notion was generally conceived, that these two powers had agreed to certain private pacts or conventions, the particulars of which have not yet transpired. Certain it is, a

<sup>a</sup> The letter, which was written in French, we have translated for the reader's satisfaction.

<sup>b</sup> I am informed that the design of a treaty of neutrality for the electorate of Hanover is not yet laid aside. Is it possible that your majesty can have so little faith in their constancy, as to be disappointed by a small reverse of fortune? Are affairs so ruinous that they cannot be repaired? I hope your majesty will consider the step you have made no hazard, and remember that you are the sole cause of these misfortunes that now impend over

my head. I should never have abandoned the alliance of France, but for your flattering assurances. I do not now repent of the treaty I have concluded with your majesty: but I expect you will not ingenuously leave me at the mercy of my enemies, after having brought upon me all the force of Europe. I depend upon your adhering to your repeated engagements of the twenty-sixth of last month, and that you will listen to no treaty in which I am not comprehended."



declaration was delivered to the Prussian resident at London, which appears to have been calculated as an answer to the letter. In that paper the King of Great Britain declared, that the overtures made by his majesty's electoral ministers in Germany, touching the checks received on the continent, should have no influence on his majesty as king; that he saw, in the same light as before, the pernicious effects of the union between the courts of Vienna and Versailles, threatening a subversion of the whole system of public liberty, and of the independence of the European powers: that he considered as a fatal consequence of this dangerous connexion, the cession made by the court of Vienna of the ports in the Netherlands to France in such a critical situation, and contrary to the faith of the most solemn treaties: that whatever might be the success of his arms, his majesty was determined to act in constant concert with the King of Prussia, in employing the most efficacious means to frustrate the unjust and oppressive designs of their common enemies. He concluded with assuring the King of Prussia, that the British crown would continue to fulfil, with the greatest punctuality, its engagements with his Prussian majesty, and to support him with firmness and vigour. Such a representation could not fail of being agreeable to a prince, who, at this juncture, stood in need of an extraordinary cordial. He knew he could securely depend, not only on the good faith of an English ministry, but also on the good plight of the British nation, which, like an indulgent nurse, hath always presented the nipple to her meagre German allies. Those, however, who pretend to consider and canvass events without prejudice and prepossession, could not help owning their surprise, at hearing an alliance stigmatized as pernicious to the system of public liberty, and subversive of the independence of the European powers, as they remembered that this alliance was the effect of necessity, to which the house of Austria was reduced, for its own preservation; reduced, as its friends and partisans affirm, by those very potentates that now reproached her with her connexions.

§ XXV. His Britannic majesty was resolved that the King of Prussia should have no cause to complain of his indifference, whatever reasons he had to exclaim against the convention of Closter-Seven, which he did not scruple to condemn as a very scandalous capitulation, as much as he disapproved of the conduct, in consequence of which, near forty thousand men were so shamefully disarmed, and lost to his cause. Those stipulations also met with a very unfavourable reception in England, where the motions of the allied army, in their retreat before the enemy, were very freely censured, and some great names exposed to the ridicule and contempt of the public. This event, so singular in itself, and so important in its consequences, attracted the attention of the privy council, where it is said to have been canvassed with great warmth and animosity of altercation. The general complained that he was restricted by peremptory orders from the regency of Hanover; and they were reported to have used recriminations in their defence. In all probability, every circumstance of the dispute was not explained to the satisfaction of all parties, inasmuch as that great commander quitted the harvest of military glory, and, like another Cincinnatus, retired to his plough. The convention of Closter-Seven was equally disagreeable to the courts of London and Versailles. The former saw the electorate of Hanover left, by this capitulation, at the mercy of the enemy, who had taken possession of the whole country, seized the revenues, exacted contributions, and changed the whole form of government, in the name of his most christian majesty; while the French army, which had been employed in opposing the Hanoverians, was now at liberty to throw their additional force into the scale against the King of Prussia, who, at that period, seemed to totter on the verge of destruction. On the other hand, the French ministry thought their general had granted too favourable terms to a body of forces, whom he had cooped up in such a manner, that, in a little time, they must have surrendered at discretion. They, therefore, determined, either to provoke the Hanoverians by ill usage to an infraction of the treaty, or, should that be found impracticable, renounce it as an imperfect convention, established without proper authority. Both expedients were used without

reserve. They were so sooner informed of the capitulation than they refused to acknowledge its validity, except on condition that the Hanoverian troops should formally engage to desist from all service against France and her allies during the present war, and be disarmed on their return to their own country. At the same time her general, who commanded in the electorate, exhausted the country, by levying exorbitant contributions, and connived at such outrages as degraded his own dignity, and reflected disgrace on the character of his nation. The court of London, to make a merit of necessity, affected to consider the conventional act as a provisional armistice, to pave the way for a negotiation that might terminate in a general peace, and proposals were offered for that purpose; but the French ministry kept aloof, and seemed resolved that the electorate of Hanover should be annexed to their king's dominions. At least they were bent upon keeping it as a precious depositum, which, in the plan of a general pacification, they imagined would counterbalance any advantage that Great Britain might obtain in other parts of the world. Had they been allowed to keep this deposit, the kingdom of Great Britain would have saved about twenty millions of money, together with the lives of her best soldiers; and Westphalia would have continued to enjoy all the blessings of security and peace. But the King of England's tenderness for Hanover was one of the chief sources of the misfortunes which befell the electorate. He could not bear the thoughts of seeing it, even for a season, in the hands of the enemy; and his own sentiments in this particular were reinforced by the pressing remonstrances of the Prussian monarch, whom, at this juncture, he thought it dangerous to disoblige. Actuated by these motives, he was pleased to see the articles of the convention so palpably contravened, because the violation unbound his hands, and enabled him, consistently with good faith, to take effectual steps for the assistance of his ally, and the recovery of his own dominions. He, therefore, in quality of Elector of Brunswick-Lunenbourg, published a declaration, observing, "That his royal highness the Duke of Cumberland had, on his part, honestly fulfilled all the conditions of the convention; but the Duke de Richelieu demanded that the troops should enter into an engagement specified above, and lay down their arms; although it was expressly stipulated in the convention, that they should not be regarded as prisoners of war, under which quality alone they could be disarmed: that the French court pretended to treat the convention as a military regulation only; and, indeed, it was originally nothing more; but as they had expressly disowned its validity, and a negotiation had been actually begun for disarming the auxiliaries, upon certain conditions, though the French general would never answer categorically, but waited always for fresh instructions from Versailles, the nature of that act was totally changed, and what was at first an agreement between general and general, was now become a matter of state between the two courts of London and Versailles: that, however hard the conditions of the convention appeared to be for the troops of Hanover, his Britannic majesty would have acquiesced with them, had not the French glaringly discovered their design of totally ruining his army and his dominions; and, by the most outrageous conduct, freed his Britannic majesty from every obligation under which he had been laid by the convention: that, in the midst of the armistice, the most open hostilities had been committed; the castle of Scharzfels had been forcibly seized and pillaged, and the garrison made prisoners of war; the prisoners made by the French before the convention had not been restored, according to an express article stipulated between the generals, though it had been fulfilled on the part of the electorate, by the immediate release of the French prisoners; the bailies of those districts, from which the French troops were excluded by mutual agreement, had been summoned, on pain of military execution, to appear before the French commissary, and compelled to deliver into his hands the public revenue; the French had appropriated to themselves part of those magazines, which, by express agreement, were destined for the use of the electoral troops; and they had seized the houses, revenue, and corn belonging to the King of England in the city of Bremen, in violation of their engagement

to consider that city as a place absolutely free and neutral. He took notice, that they had proceeded to menaces unheard of among civilized people, of burning, sacking, and destroying every thing that fell in their way, should the least hesitation be made in executing the convention according to their interpretation." Such were the professed considerations that determined his Britannic majesty to renounce the agreement which they had violated, and have recourse to arms for the relief of his subjects and allies. It was in consequence of this determination that he conferred the command of his electoral army on Prince Ferdinand of Brunswick, brother to the Duke of that name, who had distinguished himself in the Prussian army by his great military talents, and was by blood and inclination, as well as interest, supposed warmly attached to his Britannic majesty. The truth is, the King of Prussia recommended him to this command, because he knew he could depend upon his concurring with all his measures, in conducting the operations of the British army. The Duke de Richelieu was no sooner informed of these particulars, than he sent a letter to Prince Ferdinand, specifying "That although for some days he had perceived the Hanoverian troops in motion, in order to form themselves into a body, he could not imagine the object of these movements was to infringe the convention of neutrality which had been established between the Duke of Cumberland and himself, as French general; that he was blinded so far by his confidence in the good faith of the Elector of Hanover, who had signed that convention, as to believe the troops were assembled for no other purpose than to be distributed into winter-quarters, which had been assigned them by the agreement; but his eyes were at last opened, by repeated advices which he had received from all quarters, importing, that the Hanoverians intended to infringe those articles which ought to be sacred and inviolable: he affirmed, the king his master was still willing to give fresh proofs of his moderation, and his desire to spare the effusion of human blood: with that view he declared to his serene highness, in the name of his most christian majesty, that he persisted in his resolution of fulfilling exactly all the points of the convention, provided they should be equally observed by the Hanoverian army; but he could not help apprizing his serene highness, that if this army should take any equivocal step, and still more, should it commit any act of hostility, he would then push matters to the last extremity, looking upon himself as authorized so to do by the rules of war: that he would set fire to all palaces, houses, and gardens; sack all the towns and villages, without sparing the most inconsiderable cottage, and subject the country to all the horrors of war and devastation. He conjured his serene highness to reflect on these particulars, and begged he would not lay him under the necessity of taking steps so contrary to his own personal character, as well as to the natural humanity of the French nation." To this letter, which was seconded by the Count de Lynar, the Danish ambassador, who had meditated the convention, Prince Ferdinand returned a very laconic answer, intimating that he would give the Duke de Richelieu his answer in person at the head of his army. At this particular juncture, the French general was disposed to abide by the original articles of the convention, rather than draw upon himself the hostilities of an army which he knew to be brave, resolute, and well appointed, and which he saw at present animated with an eager desire of wiping out the disgrace they had sustained by the capitulation, as well as of relieving their country from the grievous oppression under which it groaned.

§ XXVI. About the latter end of November the Hanoverian army was wholly assembled at Stade, under the auspices of Prince Ferdinand, who resolved, without delay, to drive the French from the electorate, whither they now began their march. Part of the enemy's rear, consisting of two thousand men, was in their march back to Zell, attacked in the bailiwick of Ebbsdorf, and entirely defeated by General Schuylenbourg; and, in a few days after this action, another happened upon the river Aller, between two considerable bodies of each army, in which the Hanoverians, commanded by General Zastrow, remained masters of the field. These petty advantages served to encourage the allies, and put them in possession of Lunenburg, Zell, and

part of the Brunswick dominions, which the enemy were obliged to abandon. The operations of Prince Ferdinand, however, were retarded by the resolution and obstinate perseverance of the French officer who commanded the garrison of Harburg. When the Hanoverian troops made themselves masters of the town, he retired into the castle, which he held out against a considerable detachment of the allied army, by whom it was invested: at length, however, the fortifications being entirely demolished, he surrendered upon capitulation. On the sixth day of December, Prince Ferdinand began his march towards Zell, where the French army had taken post, under the command of the Duke de Richelieu, who, at the approach of the Hanoverians, called in his advanced parties, abandoned several magazines, burned all the farm-houses and buildings belonging to the sheep walks of his Britannic majesty, without paying the least regard to the representations made by Prince Ferdinand on this subject; reduced the suburbs of Zell to ashes, after having allowed his men to plunder the houses, and even set fire to the orphan-hospital, in which a great number of helpless children are said to have perished. One cannot, without horror, reflect upon such brutal acts of inhumanity. The French troops, on divers occasions, and in different parts of the empire, acted tragedies of the same nature, which are not easily reconcilable to the character of a nation famed for sentiment and civility. The Hanoverians having advanced within a league of Zell, the two armies began to cannonade each other; the French troops, posted on the right of the Aller, burned their magazines, and retired into the town, where they were so strong intrenched, that Prince Ferdinand could not attempt the river, the passes of which were strongly guarded by the enemy. At the same time his troops were exposed to great hardships from the severity of the weather; he, therefore, retreated to Ulzen and Lunenburg, where his army was put into winter-quarters, and executed several small enterprises by detachment, while the French general fixed his head-quarters in the city of Hanover, his cantonments extending as far as Zell, in the neighbourhood of which many sharp skirmishes were fought from the out-parties with various success. Their imperial majesties were no sooner apprized of these transactions, which they considered as infractions of the convention, than they sent an intimation to the Baron de Steinberg, minister from the King of Great Britain as Elector of Hanover, that he should appear no more at court, or confer with their ministers; and that his residing at Vienna, as he might easily conceive, could not be very agreeable: in consequence of which message he retired, after having obtained the necessary passports for his departure. The chagrin occasioned at the court of Vienna by the Hanoverian army's having recourse to their arms again, was, in some measure, alleviated by the certain tidings received from Petersburg, that the czarina had signed her accession in form to the treaty between the courts of Vienna, Versailles, and Stockholm.

§ XXVII. In closing our account of this year's transactions on the continent, we may observe, that on the sixteenth day of November the Queen of Poland died at Berlin of an apoplexy, supposed to be occasioned by the shock she received on hearing that the French were totally defeated at Rosbach. She was a lady of exemplary virtue and piety, whose constitution had been broke by grief and anxiety conceived from the distress of her own family, as well as from the misery to which she saw her people exposed. With respect to the European powers that were not actually engaged as principals in the war, they seemed industriously to avoid every step that might be construed a deviation from the most scrupulous neutrality. The States-general proceeded with great circumspection, in the middle course, between two powerful neighbours, equally jealous and formidable; and the King of Spain was gratified for his forbearance with a convention settled between him and the belligerent powers, implying that his subjects should pursue their commerce at sea without molestation, provided they should not transport those articles of merchandise which were deemed contraband by all nations. The operations at sea during the course of this year, either in Europe or America, were far from being decisive or important. The commerce of Great Britain sustained considerable damage from the activity and success of French

privateers, of which a great number had been equipped in the islands of Martinique and Guadaloupe. The Greenwich ship of war, mounted with fifty guns, and a frigate of twenty, fell into the hands of the enemy, together with a very considerable number of trading vessels. On the other hand, the English cruisers and privateers acquitted themselves with equal vigilance and valour. The Duc d'Aquitaine, a large ship of fifty guns, was taken in the month of June by two British ships of war, after a severe engagement; and about the same time, the Aquilon, of nearly the same force, was driven ashore and destroyed near Brest, by the Antelope, one of the British cruisers. A French frigate of twenty-six guns, called the Emeraude, was taken in the channel, after a warm engagement, by an English ship of inferior force, under the command of Captain Gilchrist, a gallant and alert officer, who, in the sequel, signalized himself on divers occasions, by very extraordinary acts of valour. All the sea-officers seemed to be animated with a noble emulation to distinguish themselves in the service of their country, and the spirit descended even to the captains of privateers, who, instead of imitating the former commanders of that class, in avoiding ships of force, and centring their whole attention in advantageous prizes, now encountered the armed ships of the enemy, and fought with the most obstinate valour in the pursuit of national glory.

§ XXVIII. Perhaps history cannot afford a more remarkable instance of desperate courage than that which was exerted in December of the preceding year, by the officers and crew of an English privateer, called the Terrible, under the command of Captain William Death, equipped with twenty-six carriage guns, and manned with two hundred sailors. On the twenty-third day of the month he engaged and made prize of a large French ship from St. Domingo, after an obstinate battle in which he lost his own brother and sixteen seamen: then he secured with forty men his prize, which contained a valuable cargo, and directed his course to England; but in a few days he had the misfortune to fall in with the Vengeance, a privateer of St. Maloes, carrying thirty-six large cannon, with a complement of three hundred and sixty men. Their first step was to attack the prize, which was easily retaken; then the two ships bore down upon the Terrible, whose mainmast was shot away by the first broadside. Notwithstanding this disaster, the Terrible maintained such a furious engagement against both as can hardly be paralleled in the annals of Britain. The French commander and his second were killed, with two-thirds of his company; but the gallant Captain Death, with the greater part of his officers, and almost his whole crew, having met with the same fate, his ship was boarded by the enemy, who found no more than twenty-six persons alive, sixteen of whom were mutilated by the loss of leg or arm, and the other ten grievously wounded. The ship itself was so shattered, that it could scarcely be kept above water, and the whole exhibited a scene of blood, horror, and desolation. The victor itself lay like a wreck on the surface; and in this condition made shift, with great difficulty, to tow the Terrible into St. Maloes, where she was not beheld without astonishment and terror. This adventure was no sooner known in England than a liberal subscription was raised for the support of Death's widow, and that part of the crew which survived the engagement. In this, and every sea encounter that happened within the present year, the superiority in skill and resolution was ascertained to the British mariners; for even when they fought against great odds, their courage was generally crowned with success. In the month of November Captain Lockhart, a young gentleman who had already rendered himself a terror to the enemy, as commander of a small frigate, now added considerably to his reputation, by reducing the Melampe, a French privateer of Bayonne, greatly superior to his own ship in number of men and weight of metal. This exploit was seconded by another of the same nature, in his conquest of another French adventurer, called the Countess of Gramont; and a third large privateer of Bayonne was taken by Captain Saumarez, commander of the Antelope. In a word, the narrow seas were so well

guarded, that in a little time scarce a French ship durst appear in the English channel, which the British traders navigated without molestation.

§ XXIX. On the first day of December, the King of Great Britain opened the session of parliament with a speech from the throne, which seemed calculated to prepare the nation for the expense of maintaining a new war on the continent of Europe. His majesty graciously declared, that it would have given him a most sensible pleasure to acquaint them at the opening of the session, that his success in carrying on the war had been equal to the justice of his cause, and the extent and vigour of the measures formed for that purpose. He expressed the firmest confidence, that the spirit and bravery of the nation, so renowned in all times, which had formerly surmounted so many difficulties, were not to be abated by a few disappointments, which he trusted might be retrieved by the blessing of God, and the zeal and ardour of his parliament for his majesty's honour and the advantage of their country. He said it was his determined resolution to apply his utmost efforts for the security of his kingdoms, and for the recovery and protection of the possessions and rights of his crown and subjects in America, and elsewhere, as well by the strongest exertion of his naval force, as by all other methods. He signified, that another great object which he had at heart, was the preservation of the protestant religion, and the liberties of Europe; and, in that view, to encourage and adhere to his allies. For this cause he assured them, he would decline no inconveniences, and in this cause he earnestly solicited their hearty concurrence and vigorous assistance. He observed, that the late signal success in Germany had given a happy turn to affairs, which it was incumbent on them to improve; and that, in such a critical conjuncture, the eyes of all Europe were upon them. He particularly recommended to them, that his good brother and ally the King of Prussia might be supported in such a manner as his magnanimity and active zeal for the common cause appeared to deserve. To the Commons he expressed his concern, that the large supplies they had already granted did not produce all the good fruits they had reason to expect; but he had so great a reliance on their wisdom, as not to doubt of their perseverance. He only desired such supplies as should be necessary for the public service, and told them they might depend upon it, that the best and most faithful economy should be used. He took notice of that spirit of disorder which had shown itself among the common people in some parts of the kingdom; he laid injunctions upon them to use their endeavours for discouraging and suppressing such abuses, and for maintaining the laws and lawful authority. He concluded with observing, that nothing would so effectually conduce to the defence of all that was dear to the nation, as well as to the reducing their enemies to reason, as union and harmony among themselves. The time was, when every paragraph of this harangue, which the reader will perceive is not remarkable for its elegance and propriety, would have been canvassed and impugned by the country party in the House of Commons. They would have imputed the bad success of the war to the indiscretion of the ministry, in taking preposterous measures, and appointing commanders unequal to the service. They would have inquired in what manner the protestant religion was endangered; and, if it was, how it could be preserved or promoted by adhering to allies, who, without provocation, had well nigh ruined the first and principal protestant country of the empire. They would have started doubts with respect to the late signal success in Germany, and hinted, that it would only serve to protract the burden of a continental war. They would have owned that the eyes of all Europe were upon them, and drawn this consequence, that it therefore behoved them to act with the more delicacy and caution in discharge of the sacred trust reposed in them by their constituents; a trust which their consciences would not allow to be faithfully discharged, should they rush precipitately into the destructive measures of a rash and prodigal ministry, squander away the wealth of the nation, and add to the grievous encumbrances under which it groaned, in support

† There was a strange combination of names belonging to this privateer; the Terrible, equipped at Execution dock, commanded by Captain

Death, whose lieutenant was called Devil, and who had one Ghost for surgeon.



of connexions and alliances that were equally foreign to her considerations, and pernicious to her interest. They would have investigated that cause which was so warmly recommended for support, and pretended to discover that it was a cause in which Great Britain ought to have had no concern, because it produced a certainty of loss without the least prospect of advantage. They would have varied essentially in their opinions of the necessary supplies, from the sentiments of those who prepared the estimates, and even declared some doubts about the economy to be used in managing the national expense; finally, they would have represented the impossibility of union between the two parties, one of which seemed bent upon reducing the other to beggary and contempt. Such was the strain that used to flow from an opposition, said to consist of disloyalty and disappointed ambition. But that malignant spirit was now happily extinguished. The voice of the sovereign was adored as the oracle of divinity, and those happy days were now approaching that saw the Commons of England pour their treasures, in support of a German prince, with such a generous hand, that posterity will be amazed at their liberality.

§ XXX. To the speech of his majesty the A. D. 1758. House of Lords returned an address, in such terms of complacency as had long distinguished that illustrious assembly. The Commons expressed their approbation and confidence with equal ardour, and not one objection was made to the form or nature of the address, though one gentleman, equally independent in his mind and fortune, took exceptions to some of the measures which had been lately pursued. Their complaisance was more substantially specified in the resolution of the House, as soon as the two great committees of supply were appointed. They granted for the sea-service of the ensuing year sixty thousand men, including fourteen thousand eight hundred and forty-five marines; and the standing army, comprehending four thousand invalids, was fixed at fifty-three thousand seven hundred and seventy-seven effective men, commission and non-commission officers included. For the maintenance of these forces, by sea and land, the charge of guards and garrisons, at home and abroad, the expense of the ordnance, and in order to make good the sum which had been issued by his majesty's orders in pursuance of the address from the Commons, they now allotted four millions, twenty-two thousand, eight hundred and seven pounds, seven shillings, and three pence. They unanimously granted, as a present supply in the then critical exigency, towards enabling his majesty to maintain and keep together the army formed last year in his electoral dominions, and then again put in motion, and actually employed against the common enemy, in concert with the King of Prussia, the sum of one hundred thousand pounds; for the ordinary of the navy, including half-pay to the sea-officers, they allowed two hundred twenty-four thousand four hundred twenty-one pounds, five shillings, and eight pence: towards the building and support of the three hospitals for seamen at Gosport, Plymouth, and Greenwich, thirty thousand pounds: for the reduced officers of the land-forces and marines, pensions to the widows of officers, and other such military contingencies, forty thousand nine hundred and twenty-six pounds, seventeen shillings, and eleven pence: towards building, rebuilding, and repairs of his majesty's ships for the ensuing year, the sum of two hundred thousand pounds; for defraying the charge of two thousand one hundred and twenty horse, and nine thousand nine hundred infantry, together with the general and staff officers, the officers of the hospital and the train of artillery, being the troops of the Landgrave of Hesse-Cassel in the pay of Great Britain, for sixty days, together with the subsidy for the same time, pursuant to treaty, they assigned thirty-eight thousand three hundred and sixty pounds, nineteen shillings, and ten pence three farthings. To the founding hospital they gave forty thousand pounds, for the maintenance and education of deserted young children, as well as for the reception of all such as should be presented under a certain age, to be limited by the governors and guardians of that charity. Three hundred thousand pounds were given towards discharging the debt of the navy, and two hundred eighty-four thousand eight hundred and two pounds for making up the deficiency of the grants for the

service of the preceding year. The Landgrave of Hesse-Cassel was, moreover, gratified with the further sum of two hundred and three thousand five hundred and thirty-six pounds, four shillings, and nine pence farthing, for the maintenance of his forces, and the remainder of his subsidy. They granted six hundred and seventy thousand pounds for enabling his majesty to make good his engagements with the King of Prussia, pursuant to a convention lately concluded with that potentate. For defraying the charge of thirty-eight thousand men of the troops of Hanover, Wolfenbüttele, Saxe-Gotha, and the Count of Buckebourg, together with that of general and staff officers actually employed against the common enemy, in concert with the King of Prussia, from the twenty-eighth day of November in the last, to the twenty-fourth of December in the present year inclusive, to be issued in advance every two months, they allotted the sum of four hundred and sixty-three thousand eighty-four pounds, six shillings, and ten pence; and furthermore, they granted three hundred eighty-six thousand nine hundred and fifteen pounds, thirteen shillings, and two pence, to defray the charges of forage, bread-waggons, train of artillery, provisions, wood, straw, and all other extraordinary expenses, contingencies, and losses whatsoever, incurred, or to be incurred, on account of his majesty's army, consisting of thirty-eight thousand men, actually employed against the common enemy, in concert with the King of Prussia, from November last to next December inclusive. For the extraordinary expenses of the land-forces, and other services, incurred in the course of the last year, and not provided for by parliament, they allowed one hundred forty-five thousand, four hundred fifty-four pounds, fifteen shillings, and one farthing. They provided eight hundred thousand pounds to enable his majesty to defray the like sum raised in pursuance of an act made in the last session of parliament, and charged upon the first aids and supplies to be granted in the current session. Twenty-six thousand pounds were bestowed on the out-pensioners of Chelsea hospital; above twenty thousand for the expense of maintaining the colonies of Nova Scotia and Georgia; for reimbursing to the province of Massachusetts Bay, and the colony of Connecticut, their expense in furnishing provisions and stores to the troops raised by them, for his majesty's service, in the campaign of the year one thousand seven hundred and fifty-six, the sum of forty-one thousand one hundred seventeen pounds, seventeen shillings, and sixpence halfpenny; to be applied towards the re-building of London bridge, carrying on the works for fortifying and securing the harbour of Milford, and repairing the parish church of St. Margaret, in Westminster, they allotted twenty-nine thousand pounds. The East India company were indulged with twenty thousand pounds on account, towards enabling them to defray the expense of a military force in their settlements, to be maintained by them in lieu of the battalion of his majesty's forces withdrawn from those settlements: the sum of ten thousand pounds was given as usual, for maintaining and supporting the British forts and settlements on the coast of Africa; and eleven thousand four hundred and fifty were granted as an augmentation to the salaries of the judges in the superior courts of judicature. They likewise provided one hundred thousand pounds for defraying the charge of pay and clothing to the militia, and advanced eight hundred thousand pounds, to enable his majesty to defray any extraordinary expenses of the war, incurred, or to be incurred, for the service of the current year; and to take all such measures as might be necessary to disappoint or defeat any enterprises or designs of his enemies, as the exigency of his affairs might require. The whole supplies of this session amounted to the enormous sum of ten millions four hundred eighty-six thousand four hundred fifty seven pounds, and one penny. Nothing could so plainly demonstrate the implicit confidence which the parliament, at this juncture, reposed in the sovereign and the ministry, as their conduct in granting such liberal supplies, great part of which were bestowed in favour of our German allies, whom the British nation thus generously paid for fighting their own battles. Besides the sum of one million eight hundred sixty-one thousand eight hundred ninety-seven pounds, four shillings, and eight pence, expressly assigned for the support of these continental connexions, a sum cor-

siderably exceeding the whole of the revenue raised in the reign of Charles the Second, and what part of the sum granted to the king for extraordinary expenses might be applied to the same use, the article might not improperly be swelled with the vast expense incurred by expeditions to the coast of France: the chief, if not sole, design of which seemed to be a diversion in favour of the nation's allies in Germany, by preventing France from sending such numerous armies into that country as it could have spared, had not its sea-coasts required a considerable body of forces for its defence against the attempts of the English. Indeed the partisans of the ministry were at great pains to suggest and inculcate a belief, that the war in Germany was chiefly supported as a necessary diversion in favour of Great Britain and her plantations, which would have been exposed to insult and invasion, had not the enemy's forces been otherwise employed. But the absurdity of this notion will at once appear to those who consider, that by this time Great Britain was sole mistress of the sea; that the navy of France was almost ruined, and her commerce on the ocean quite extinguished; that she could not, with the least prospect of success, hazard any expedition of consequence against Great Britain, or any part of her dominions, while the ocean was covered with such powerful navies belonging to that nation; and that if one third part of the money, annually ingulged in the German vortex, had been employed in augmenting the naval forces of England, and those forces properly exerted, not a single cruiser would have been able to stir from the harbours of France; if all her colonies in the West Indies would have fallen an easy prey to the arms of Great Britain; and, thus cut off from the resource of commerce, she must have been content to embrace such terms of peace as the victor should have thought proper to prescribe.

§ XXXI. The funds established by the committee of ways and means, in order to realize those articles of supply, consisted of the malt tax, the land tax, at four shillings in the pound, sums remaining in the exchequer, produced from the sinking fund, four millions five hundred thousand pounds to be raised by annuities, at three pounds ten shillings per cent. per ann. and five hundred thousand pounds by a lottery, attended with annuities redeemable by parliament, after the rate of three pounds per cent. per ann. these several annuities to be transferable at the bank of England, and charged upon a fund to be established in this session of parliament for payment thereof, and for which the sinking fund should be a collateral security—one million six hundred and six thousand and seventy-six pounds, five shillings, one penny, one farthing, issued and applied out of such monies as should or might arise from the surplusses, excesses, and other revenues composing the sinking fund—a tax of one shilling in the pound to be annually paid from all salaries, fees, and perquisites of offices and employments in Great Britain, and from all pensions and other gratuities payable out of any revenues belonging to his majesty in Great Britain, exceeding the yearly value of one hundred pounds—an imposition of one shilling annually upon every dwelling-house inhabited within the kingdom of Great Britain, over and above all other duties already chargeable upon them, to commence from the fifth day of April—an additional tax of sixpence yearly for every window or light in every dwelling-house inhabited in Britain which shall contain fifteen windows or upwards; a continuation of certain acts near expiring, with respect to the duties payable on foreign sail-cloth imported into Great Britain, the exportation of British gunpowder, the security and encouraging the trade of his majesty's sugar colonies in America, and the empowering

the importers and proprietors of spirits from the British sugar plantations to land them before payment of the duties of excise, and to lodge them in warehouses at their own expense—an annual tax of forty shillings for a license to be taken out by every person trading in, selling, or vending gold or silver plate, in lieu of the duty of sixpence per ounce on all silver plate, made or wrought, or which ought to be touched, assayed, or marked in this kingdom, which duty now ceased and determined—a cessation of all drawbacks payable on the exportation of silver plate—a law prohibiting all persons from selling, by retail, any sweet or made wines, without having first procured a license for that purpose—and a loan by exchequer bills for eight hundred thousand pounds, to be charged on the first aids to be granted in the next session of parliament. These provisions amounted to the sum of eleven millions seventy-nine thousand seven hundred and twenty-two pounds, six shillings, and ten pence, exceeding the grants in the sum of five hundred ninety-three thousand two hundred and sixty-five pounds, six shillings, and ninepence, so that the nation had reason to hope that this surplus of above half a million would prevent any demand for deficiencies in the next session. By these copious grants of the House of Commons, whose complaisance knew no bounds, the national debt was, at this juncture, swelled to that astonishing sum of eighty-seven millions three hundred and sixty-seven thousand two hundred and ten pounds, nineteen shillings, and ten pence farthing; a loan that would have crushed the national credit of any other state in Christendom.

§ XXXII. The liberality of the parliament was like the rock in the wilderness, which flowed with the welcome stream when touched by the rod of Moses. The present supply which the Commons granted for the subsistence of the Hanoverian army was, in pursuance of a message from his majesty, communicated to the House by Mr. Secretary Pitt, signifying, that the king had ordered his electoral army to be put again in motion, that it might act with vigour against the common enemy, in concert with his good brother and ally, the King of Prussia; that the exhausted and ruined state of the electorate having rendered it incapable of maintaining that army, until the further necessary charge thereof, as well as the more particular measures then concerting for the effectual support of his Prussian majesty, could be laid before the House, the king, relying on the constant zeal of his faithful Commons for the support of the protestant religion, and of the liberties of Europe against the dangerous designs of France and her confederates, found himself, in the meantime, under the absolute necessity of recommending to the House the speedy consideration of such a present supply as might enable his majesty, in this critical conjuncture, to subsist and keep together the said army. This address was no sooner recited by the speaker, than it was unanimously referred to the committee of supply, who gratified his majesty's wish with an immediate resolution; and, considering their generous disposition, doubtless the same compliance would have appeared, even though no mention had been made of the protestant religion, which, to men of ordinary penetration, appeared to have no natural concern in the present dispute between the belligerent powers, although former ministers had often violently introduced it into messages and speeches from the throne, in order to dazzle the eyes of the populace, even while they insulted the understanding of those who were capable of exercising their own reason. This pretext was worn so threadbare, that, among the sensible part of mankind, it could no longer be used without incurring contempt and ridicule. In order to persuade mankind that the protestant religion

g It was enacted, That every person subscribing for five hundred pounds should be entitled to four hundred and fifty in annuities, and fifty pounds in lottery tickets, and so in proportion for the greater or less sum; that the lottery should consist of tickets of the value of ten pounds each, in the proportion not exceeding eight blanks to a prize: the blanks to be of the value of six pounds each; the blanks and prizes to bear an interest after the rate of three pounds per cent. to commence from the first day of January, in the year one thousand seven hundred and fifty-nine; and that the sum of four millions five hundred thousand pounds, to be raised by annuities, should bear an interest after the rate of three pounds ten shillings per cent. from the fifth day of July, in the present year, which annuities should stand reduced to three pounds per cent. after the expiration of twenty-four years, and afterwards be redeemable in the whole, or in part, by sums not less than five hundred thousand pounds, at one time, six months, notice having been first given of such payments respectively: that any subscriber

might, on or before the twenty-ninth day of April, make a deposit of ten pounds per cent. on such sums as he should choose to subscribe towards raising these five millions, with the cashiers of the bank, as security for his future payments on the days appointed for that purpose; and the several sums so received by the cashiers should be paid into the receipt of the exchequer, to be applied from time to time to such services as should then have been voted by the House of Commons in this session of parliament, and not otherwise; that any subscriber paying the whole or any part of his subscription previous to the days appointed for the respective payments, should be allowed a discount, at the rate of three per cent. from the days of such respective payments to the respective times on which such payments were directed to be made, and that all persons who should make their full payments on the said lottery should receive their tickets as soon as they could be conveniently made out.



was in danger, it would have been necessary to specify the designs that were formed against it, as well as the nature of the conspiracy, and to descend to particulars properly authenticated. In that case great part of Europe would have been justly alarmed. The States-general of the United Provinces, who have made such glorious and indefatigable efforts in support of the protestant religion, would surely have lent a helping hand towards its preservation. The Danes would not have stood tamely neutral, and seen the religion they profess exposed to the rage of such a powerful confederacy. It is not to be imagined that the Swedes, who had so zealously maintained the purity of the protestant faith, would now join an association whose aim was the ruin of that religion. It is not credible, that even the Hungarians, who profess the same faith, and other protestant states of the empire, would enter so heartily into the interests of those who were bent upon its destruction; or that the Russians would contribute to the aggrandizement of the catholic faith and discipline, so opposite to that of the Greek church, which they espouse. As, therefore, no particular of such a design was explained, no act of oppression towards any protestant state or society pointed out, except those that were exercised by the protestants themselves; and as the court of Vienna repeatedly disavowed any such design, in the most solemn manner, the unprejudiced part of mankind will be apt to conclude that the cry of religion was used, as in former times, to arouse, alarm, and inflame; nor did the artifice prove altogether unsuccessful. Notwithstanding the general lukewarmth of the age in matters of religion, it produced considerable effect among the fanatic sectaries that swarm through the kingdom of England. The leaders of those blind enthusiasts, either actuated by the spirit of delusion, or desirous of recommending themselves to the protection of the higher powers, immediately seized the hint, expatiating vehemently on the danger that impended over God's people; and exerting all their faculties to impress the belief of a religious war, which never fails to exasperate and impel the minds of men to such deeds of cruelty and revenge as must discredit all religion, and even disgrace humanity. The signal trust and confidence which the parliament of England reposed in the king, at this juncture, was in nothing more conspicuous than in leaving to the crown the unlimited application of the sum granted for augmenting the salaries of the judges. In the reign of King William, when the act of settlement was passed, the parliament, jealous of the influence which the crown might acquire over the judges, provided, by an express clause of that act, that the commissions of the judges should subsist *quandiu se bene gesserint*, and that their salaries should be established: but now we find a sum of money granted for the augmentation of their salaries, and the crown vested with a discretionary power to proportion and apply this augmentation: a stretch of complaisance which, how safe soever it may appear during the reign of a prince famed for integrity and moderation, will perhaps one day be considered as a very dangerous accession to the prerogative.

§ XXXIII. So fully persuaded were the ministry, that the Commons would cheerfully enable them to pay what subsidies they might promise to their German allies, that on the eleventh of April they concluded a new treaty of convention with his Prussian majesty, which, that it might have the firmer consistence, and the greater authority, was, on the part of Great Britain, transacted and signed by almost all the privy counsellors who had any share in the administration.<sup>b</sup> This treaty, which was signed at Westminster, imported, "That the contracting powers having mutually resolved to continue their efforts for their reciprocal defence and security, for the recovery of their possessions, the protection of their allies, and the support of the liberties of the Germanic body, his Britannic majesty had, from these considerations, determined to grant to his Prussian majesty an immediate succour in money, as being the most ready and the most efficacious; and their majesties having judged it proper that thereupon a convention

should be made, for declaring and fixing their intentions upon this head, they had nominated and authorized their respective ministers, who, after having communicated their full powers to one another, agreed to the following stipulations:—The King of Great Britain engaged to pay in the city of London, to such persons as should be authorized to receive it by his Prussian majesty, the sum of four millions of German crowns, amounting to six hundred and seventy thousand pounds sterling, to be paid at once, and in one whole sum, immediately after the exchange of ratifications, upon being demanded by his Prussian majesty. This prince, on his part, obliged himself to apply that sum to the maintaining and augmenting his forces, which should act in the best manner for the good of the common cause, and for the purpose of reciprocal defence and mutual security, proposed by their said majesties. Moreover, the high contracting parties engaged not to conclude any treaty of peace, truce, or neutrality, nor any other sort of convention or agreement, with the powers engaged in the present war, but in concert and by mutual agreement, wherein both should be nominally comprehended. Finally, it was stipulated that this convention should be ratified, and the ratifications exchanged on both sides, within the term of six weeks, to be computed from the day of signing this present convention, or sooner, if possible."

§ XXXIV. All the resolutions to which the committee of ways and means agreed were executed by bills, or clauses in bills, which afterwards received the royal sanction. The militia still continued to be an object of parliamentary care and attention: but the institution was not yet heartily embraced, because seemingly discountenanced by the remnant of the old ministry, which still maintained a capital place in the late coalition, and indeed almost wholly engrossed the distribution of pensions and places. The Commons having presented an address to his majesty, with respect to the harbour of Milford-haven, a book of plans and estimates for fortifying that harbour was laid before the House, and a committee appointed to examine the particulars. They were of opinion, that the mouth of the harbour was too wide to admit of any fortification, or effectual defence; but that the passage called Nailand-point, lying higher than Hubberstone-road, might be fortified so as to afford safe riding and protection to the trade and navy of Great Britain: that, if it should be thought proper hereafter to establish a yard and dock for building and equipping fleets at Milford, no place could, from the situation, nature, soil, and a general concurrence of all necessary local circumstances, be more fitted for such a design; that if a proper use were made of this valuable though long-neglected harbour, the distressful delays too often embarrassing and disappointing the nation in her naval operations, might be, in a great measure, happily removed, to the infinite relief and enlargement of the kingdom in the means of improving its naval force; the necessary progress and free execution of which was now so unhappily and frequently restrained and frustrated, by the want of a harbour like that of Milford-haven, framed by nature with such local advantages. This report appeared to be so well supported by evidence, that a bill was framed, and passed into an act, for granting ten thousand pounds towards carrying on the works for fortifying and securing the harbour of Milford in the county of Pembroke. Other laws of national consequence were enacted, in the course of this session, with little or no opposition. On the very first day of their sitting, the Commons received a petition from the mayor, magistrates, merchants, and inhabitants of Liverpool, complaining of the high price of wheat, and other grain; expressing their apprehension that it would continue to rise, unless the time for the importation of foreign corn, duty free, should be prolonged, or some other salutary measure taken by parliament, to prevent dealers from engrossing corn; submitting to the wisdom of the House a total prohibition of distilling and exporting grain while the high price should continue; praying they would take the premises into consideration,

<sup>b</sup> These were, Sir Robert Huxley, lord keeper of the great seal, John Earl of Granville, president of the council, Thomas Hollis, Duke of Newcastle, first-commissioner of the treasury, Robert Earl of Holderness, one of the principal secretaries of state, Philip, Earl of Hardwicke, and William Pitt, Esq. another of the principal secretaries of state. In the

name and on the part of his Prussian majesty, the Sieurs Dado, Henry, Baron of Kniphausen, his privy councillor of embassy, and minister plenipotentiary at the court of London, and Louis Michel, his resident and charge d'affaires.



and grant a seasonable relief to the petitioners, by the continuance of a free importation, and taking such other effectual means to reduce the growing price of corn as to them should seem necessary and expedient. This being an urgent case, that equally interested the humanity of the legislature and the manufacturers of the kingdom, it was deliberated upon, and discussed with remarkable despatch. In a few days a bill was prepared, passed through both Houses, and enacted into a law, continuing till the twenty-fourth day of December, in the present year, the three acts of last session; for prohibiting the exportation of corn; for prohibiting the distillation of spirits; and for allowing the importation of corn, duty-free. A second law was established, regulating the price and assize of bread, and subjecting to severe penalties those who should be concerned in its adulteration. In consequence of certain resolutions taken in a committee of the whole House, a bill was presented for prohibiting the payment of the bounty upon the exportation of corn, unless sold at a lower price than is allowed in an act passed in the first year of the reign of William and Mary; but this bill, after having been read a second time, and committed, was neglected, and proved abortive.

§ XXXV. In consequence of a motion made by Mr. Grenville, a humane bill was prepared and brought in for the encouragement of seamen employed in the royal navy, establishing a regular method for the punctual, frequent, and certain payment of their wages; enabling them more easily and readily to remit money for the support of their wives and families, and preventing the frauds and abuses attending such payments. This bill, having passed the lower House, engaged in a very particular manner the attention of the Lords, who, by divers messages to the House of Commons, desired the attendance of several members. These messages being taken into consideration, several precedents were recited: a debate arose about their formality, and the House unanimously resolved that a message should be sent to the Lords, acquainting them that the House of Commons, not being sufficiently informed by their messages upon what grounds, or for what purposes, their lordships desired the House would give leave to such of their members as were named in the said messages to attend the House of Lords, in order to be examined upon the second reading of the bill, the Commons hoped their lordships would make them acquainted with their intention. The Lords, in answer to this intimation, gave the Commons to understand, that they desired the attendance of the members mentioned in their messages, that they might be examined as witnesses upon the second reading of the bill. This explanation being deemed satisfactory, the members attended the House of Lords, where they were carefully and fully examined, as persons conversant in sea affairs, touching the inconveniences which had formerly attended the sea service, as well as the remedies now proposed: and the bill having passed through their House, though not without warm opposition, was enacted into a law by his majesty's assent. The militia act, as it passed in the last session, being found upon trial defective, Mr. Townshend moved for leave to bring in a new bill, to explain, amend, and enforce it: this was accordingly allowed, prepared, and passed into a law; though it did not seem altogether free from material objections, some of which were of an alarming nature. The power vested by law in the crown over the militia, is even more independent than that which it exercises over a standing army; for this last expires at the end of the year, if not continued by a new act of parliament; whereas the militia is subjected to the power of the crown for the term of five years, during which it may be called out into actual service without consent of parliament, and consequently

employed for sinister purposes. A commission officer in the militia may be detained, as subject to the articles of war, until the crown shall allow the militia to return to their respective parishes; and thus engaged, he is liable to death as a mutineer, or deserter, should he refuse to appear in arms, and fight in support of the worst measures of the worst minister. Several merchants and manufacturers of silk offered a petition, representing, that in consequence of the act passed in the last session, allowing the importation of fine organzine Italian thrown silk till the first day of December, in the year one thousand seven hundred and fifty-seven, they had given orders to their correspondents abroad to send large quantities of such silk through Germany to Hamburgh and Holland, which, in the common course of things, might probably have arrived in London before the act expired, if their carriage had not been protracted by the great rains and inundations in Italy and Germany, in the months of August and September last, which rendered the roads for many weeks impassable: that from unlucky accidents on shore, and storms and contrary winds after the silk was shipped, it could not possibly arrive within the time limited by the act; and unless it should be admitted to an entry, they, the petitioners, would be great sufferers, the manufacturers greatly prejudiced, and the good end and purpose of the act in a great measure frustrated: they therefore prayed leave to bring in a bill for allowing the introduction of all such fine Italian organzine silk as should appear to have been shipped in Holland and Hamburgh for London, on or before the first day of December. The petition being referred to a committee, which reported that these allegations were true, the House complied with their request, and the bill having passed, was enacted into a law in the usual form. A speedy passage was likewise granted to the mutiny bill, and the other annual measures for regulating the marine forces, which contained nothing new or extraordinary. A committee being appointed to inquire what laws were already expired, or near expiring, they performed this difficult task with indefatigable patience and perseverance; and, in pursuance of their resolutions, three bills were prepared and passed into laws, continuing some acts for a certain time, and rendering others perpetual.

§ XXXVI. The lord mayor, aldermen, and commons of the city of London, in common council assembled, having drawn up a petition to the House of Commons, alleging that the toll upon loaded vessels, or other craft, passing through the arches of London bridge, granted by a former act, passed in the year one thousand seven hundred and fifty, for improving, widening, and enlarging the passage both under and over the said bridge, was altogether precarious and insufficient to defray the expense, including that of a temporary wooden bridge already erected; and praying that a bill might be prepared, for explaining and rendering that act effectual; a committee was appointed to examine the contents, and a bill brought in according to their request. This, however, was opposed by a petition from several persons, owners of barges, and other craft navigating the river Thames, who affirmed, that if the bill should pass into a law as it then stood, it would be extremely injurious to the petitioners in particular, and to the public in general. These were heard by their counsel before the committee, but no report was yet given, when the temporary bridge was reduced to ashes. Then the mayor, aldermen, and commons of London presented another petition, alleging, that, in pursuance of the powers vested in them by act of parliament, they had already demolished a good number of the houses on London bridge, and directed the rest that were standing to be taken down with all convenient expedition, that two of the arches

i Among those rendered perpetual, we find an act of the 13th and 14th of Charles II. for preventing theft and rapine. An act of the 9th of George I. for punishing persons going armed in disguise. A clause in the act of the 6th of George II. to prevent the breaking down the banks of any river, and another clause in the said act, to prevent the treacherous cutting of hop-bushes. Several clauses in an act of the 10th of George II. for punishing persons setting on fire any mine, &c. The temporary part of the act of George II. for taking away the hereditary jurisdictions of Scotland, relating to the power of appealing to circuit courts. Those continued were, I. An act of the 12th of George II. for granting liberty to carry argers, &c. until the twenty-ninth of September, in the year one thousand seven hundred and sixty-four, and to the end of the next session of parliament. II. An act of the 5th of George II. to prevent frauds by bankrupts, &c. for the same period. III. An act of the 8th of George II.

for encouraging the importation of naval stores, &c. for the same period. IV. An act of the 19th of George II. for preventing frauds in the admeasurement of coals, &c. until June 21, 1759; and to this was added, a perpetual clause for preventing the stealing or destroying of madder roots. V. An act of the 9th of George II. for encouraging the manufacture of British sail-cloth until the twenty-ninth of September, one thousand seven hundred and sixty-four. VI. An act of the 4th of George II. granting an allowance upon British-made gunpowder, for the same period. VII. An act of the 6th of George II. for encouraging the trade of the sugar colonies, until the twenty-ninth of September, one thousand seven hundred and sixty-four. VIII. An act of the 15th and 16th of George II. to empower the importers of rum, &c. as relates to landing it before the payment of duties, until the 29th of September, one thousand seven hundred and sixty-four.

might be laid into one for the improvement of the navigation; that they had, at a very great expense, erected a temporary wooden bridge, to preserve a public passage to and from the city, until the great arch should be finished, which temporary bridge being consumed by fire, they must rebuild it with the greatest expedition, at a further considerable expense; that the sum necessary for carrying on and completing this great and useful work, including the rebuilding of the said temporary bridge, was estimated at fourscore thousand pounds; and as the improving, widening, and enlarging London bridge was calculated for the general good of the public, for the advancement of trade and commerce, and for making the navigation upon the river Thames more safe and secure; they, therefore, prayed the House to take the premises into consideration. This petition being recommended by his majesty to the consideration of the House, was referred to the committee of supply, and produced the resolution of granting fifteen thousand pounds towards the rebuilding of London bridge. A bill was prepared under the title of an act to improve, widen, and enlarge the passage over and through London bridge, enforcing the payment of the toll imposed upon loaded vessels, which had been found extremely burdensome to trade; but this encumbrance was prevented by another petition of several merchants, tradesmen, and other inhabitants of the borough of Southwark, taking notice of the fifteen thousand pounds granted towards the repair of London bridge, and, as they were informed, intended to make the said bridge free for all his majesty's subjects: they said they hoped to partake of this public bounty; but afterwards hearing that the bill then depending was confined to the tolls formerly granted for repairing the said bridge, they represented the hardships which they and all traders would continue to labour under: they alleged, that the surveyors and workmen, then employed upon this work, had discovered the true principles on which the bridge was built; that the foundation of the piers consisted of hard durable stone, well cemented together, and now as strong and firm as when first built; that when the bridge should be finished, great savings would be made in keeping it in repair, from the sums formerly expended, on a mistaken opinion, that the foundation was of wood: that there were very considerable estates appointed solely for the repairs of the bridge, which, they apprehended, would be sufficient to maintain it without any toll; or if they should not be thought adequate to that purpose, they hoped the deficiency would not be made up by a toll upon trade and commerce, but rather by an imposition on coaches, chariots, chaises, and saddle-horses. This remonstrance made no impression on the House. The bill being, on a motion of Sir John Philips, read a third time, passed through both Houses, and obtained the royal assent.

§ XXXVII. The interest of the manufactures was also consulted in an act encouraging the growth of madder, a plant essentially necessary in dyeing and printing calicoes, which may be raised in England without the least inconvenience. It was judged, upon inquiry, that the most effectual means to encourage the growth of this commodity would be to ascertain the tithe of it, and a bill was brought in for that purpose. The rate of the tithe was established at five shillings an acre; and it was enacted, that this law should continue in force for fourteen years, and to the end of the next session of parliament; but wherefore this encouragement was made temporary, it is not easy to determine. The laws relating to the poor, though equally numerous and oppressive to the subject, having been found defective, a new clause, relating to the settlement of servants and apprentices, was now added to an act passed in the twentieth year of the present reign, intitled, "An act for the better adjusting and more easily recovering of the wages of certain servants, and of certain apprentices." No country in the universe can produce so many laws made in behalf of the poor as those that are daily accumulating in England; in no other country is there so much money raised for their support, by private

charity, as well as public taxation; yet this, as much as any country, swarms with vagrant beggars, and teems with objects of misery and distress; a sure sign either of misconduct in the legislature, or a shameful relaxation in the executive part of the civil administration. The scenes of corruption, perjury, riot, and intemperance which every election for a member of parliament had lately produced, were now grown so infamously open and intolerable, and the right of voting was rendered so obscure and perplexed, by the pretensions and proceedings of all the candidates for Oxfordshire in the last election, that the fundamentals of the constitution seemed to shake, and the very essence of parliaments to be in danger. Actuated by these apprehensions, Sir John Philips, a gentleman of Wales, who had long distinguished himself in the opposition, by his courage and independent spirit, moved for leave to bring in a bill that should obviate any doubts which might arise concerning the election of knights of the shire to serve in parliament for England, and further regulate the proceedings of such elections. He was accordingly permitted to bring in such a bill, in conjunction with Mr. Townshend, Mr. Cornwall, and Lords North and Carysfort; and in the usual course, the bill being prepared, was enacted into a law, under the title of, "An act for further explaining the laws touching the election of knights of the shire to serve in parliament for that part of Great Britain called England."

The preamble specified, That though, by an act passed in the eighteenth year of the present reign, it was provided, that no person might vote at the election of a knight or knights of a shire within England and Wales, without having a freehold estate in the county for which he votes, of the clear yearly value of forty shillings, over and above all rents and charges, payable out of or in respect to the same; nevertheless, certain persons, who hold their estates by copy of court-roll, pretend to a right of voting, and have, at certain times, presumed to vote at such elections: this act, therefore, ordained, that from and after the twentieth day of June, the present year, no person who holds his estate by copy of court-roll should be entitled thereby to vote at the election of any knight or knights of a shire within England or Wales; but every such vote should be void, and the person so voting should forfeit fifty pounds to any candidate for whom such vote should not have been given, and who should first sue for the same, to be recovered with full costs, by action of debt, in any court of judicature. So far the act, thus procured, may be attended with salutary consequences: but, in all probability, the intention of its first movers and patrons was not fully answered; inasmuch as no provision was made for putting a stop to that spirit of licentiousness, drunkenness, and debauchery, which prevails at almost every election, and has a very pernicious effect upon the morals of the people.

§ XXXVIII. Among the bills that miscarried in the course of this session, some turned on points of great consequence to the community. Lord Barrington, Mr. Thomas Gore, and Mr. Charles Townshend, were ordered by the House to prepare a bill for the speedy and effectual recruiting his majesty's land forces and marines, which was no more than a transcript of the temporary act passed in the preceding session under the same title; but the majority were averse to its being continued for another year, as it was attended with some prejudice to the liberty of the subject. Objections of the same nature might have been as justly started against another bill, for the more effectually manning of his majesty's navy, for preventing desertion, and for the relief and encouragement of seamen belonging to ships and vessels in the service of the merchants. The purport of this project was to establish registers or muster-rolls of all seamen, fishermen, lightermen, and watermen; obliging ship-masters to leave subscribed lists of their respective crews, at offices maintained for that purpose, that a certain number of them might be chosen by lot for his majesty's service, in any case of emergency. This expedient, however, was rejected, as an unnecessary and ineffectual encumbrance on commerce, which would

<sup>k</sup> For the more easy recovery of this forfeit, it was enacted, That the plaintiff in such action, might only set forth, in the declaration or bill, that the defendant was indebted to him in the sum of fifty pounds, alleging the offence for which the suit should be brought, and that the defendant had acted contrary to this act, without mentioning the writ of summons to parliament, or the return thereof; and, upon trial of any issue, the plaintiff

should not be obliged to prove the writ of summons to parliament, or the return thereof, or any warrant of authority to the sheriff upon any such writ: That every such action should be commenced within nine months after the fact committed; and that if the plaintiff should discontinue his action, or be nonsuited, or have judgment given against him, the defendant should recover treble costs.



hamper navigation, and, in a little time, diminish the number of seamen, of consequence act diametrically opposite to the purpose for which it was contrived. Numberless frauds having been committed, and incessant law-suits produced, by private and clandestine conveyances, a motion was made, and leave given, to form a bill for the public registering of all deeds, conveyances, wills, and other encumbrances, that might affect any honours, manors, lands, tenements, and hereditaments, within the kingdom of England, where public registers were not already appointed by act of parliament: but this measure so necessary to the ascertainment and possession of property, met with a violent opposition; and was finally dropped, as some people imagine, through the influence of those who, perhaps, had particular reasons for countenancing the present mysterious forms of conveyancing. Such a bill must also have been disagreeable and mortifying to the pride of those landholders whose estates are encumbered, because, in consequence of such a register, every mortgage under which they laboured would be exactly known. The next object to which the House converted its attention, was a bill explaining and amending a late act for establishing a fish market in the city of Westminster, and preventing scandalous monopolies of a few engrossing fishmongers, who imposed exorbitant prices on their fish, and, in this particular branch of traffic, gave law to above six hundred thousand of their fellow-citizens. Abundance of pains was taken to render this bill effectual, for putting an end to such flagrant imposition. Inquiries were made, petitions read, counsel heard, and alterations proposed: at length the bill, having passed through the lower House, was conveyed to the Lords, among whom it was suffered to expire, on pretence that there was not time sufficient to deliberate maturely on the subject.

§ XXXIX. The occasion that produced the next bill which miscarried we shall explain, as an incident equally extraordinary and interesting. By an act passed in the preceding session, for recruiting his majesty's land-forces and marines, we have already observed, that the commissioners thereby appointed were vested with a power of judging ultimately, whether the persons brought before them were such as ought, by the rules prescribed in the act, to be impressed into the service: for it was expressly provided, that no person so impressed by those commissioners should be taken out of his majesty's service by any process, other than for some criminal accusation. During the recess of parliament, a gentleman having been impressed before the commissioners, and confined in the Savoy, his friends made application for a *habeas corpus*, which produced some hesitation, and indeed an insurmountable difficulty; for, according to the act of *habeas corpus*, passed in the reign of Charles the Second, this privilege relates only to persons committed for criminal or supposed criminal matters, and the gentleman did not stand in that predicament. Before the question could be determined he was discharged, in consequence of an application to the secretary at war; but the nature of the case plainly pointed out a defect in the act, seemingly of the most dangerous consequence to the liberty of the subject. In order to remedy this defect, a bill for giving a more speedy relief to the subject, upon the writ of *habeas corpus*, was prepared, and presented to the House of Commons, which formed itself into a committee, and made several amendments. It imported, that the several provisions made in the aforesaid act, passed in the reign of Charles II. for the awarding of writs of *habeas corpus*, in cases of commitment or detainer, for any criminal or supposed criminal matter, should, in like manner, extend to all cases where any person, not being committed or detained for any criminal or supposed criminal matter, should be confined, or restrained of his or her liberty, under any colour or pretence whatsoever; that, upon oath made by such person so confined or restrained, or by any other on his or her behalf, of any actual confinement or restraint, and that such confinement or restraint, to the best of the knowledge and belief of the person so applying, was not by virtue of any commitment or detainer for any criminal or supposed criminal matter, an *habeas corpus*, directed to the person or persons so confining or restraining the party, as aforesaid, should be awarded and granted, in the same

manner as is directed, and under the same penalties as are provided, by the said act, in the case of persons committed and detained for any criminal or supposed criminal matter: that the person or persons before whom the party so confined or restrained should be brought, by virtue of any *habeas corpus* granted in the vacation time, under the authority of this act, might and should, within three days after the return made, proceed to examine into the facts contained in such return, and into the cause of such confinement and restraint: and thereupon either discharge, or bail, or remand the parties so brought, as the case should require, and as to justice should appertain. The rest of the bill related to the return of the writ in three days, and the penalties incurred by those who should neglect or refuse to make the due return, or to comply with any other clause of this regulation. The Commons seemed hearty in rearing up this additional buttress to the liberty of their fellow-subjects, and passed the bill with the most laudable alacrity: but in the House of Lords, such a great number of objections were started, that it sunk at the second reading, and the judges were ordered to prepare a bill for the same purpose, to be laid before that House in the next session.

§ XL. His majesty having recommended the care of the Foundling Hospital to the House of Commons, which cheerfully granted forty thousand pounds for the support of that charity, the growing annual expense of it appeared worthy of further consideration, and leave was granted to bring in a bill, for obliging all the parishes of England and Wales to keep registers of all their deaths, births, and marriages, that from these a fund might be raised towards the support of the said hospital. The bill was accordingly prepared by a committee appointed for the purpose; but before the House could take the report into consideration, the parliament was prorogued. The proprietors of the privateer called the *Antigallican*, which had taken a rich French ship homeward bound from China, and carried her into Cadiz, where the Spanish government had wrested her by violence from the captors, and delivered her to the French owners, now presented a petition to the House of Commons, complaining of this interposition as an act of partiality and injustice: representing the great expense at which the privateer had been equipped, the legality of the capture, the loss and hardships which they the petitioners had sustained, and imploring such relief as the House should think requisite. Though these allegations were supported by a species of evidence that seemed strong and convincing, and it might be thought incumbent on the parliament to vindicate the honour of the nation, when thus insulted by a foreign power, the House, upon this occasion, treated the petition with the most mortifying neglect, either giving little credit to the assertions it contained, or unwilling to take any step which might, at this juncture, embroil the nation with the court of Spain on such a frivolous subject. True it is, the Spanish government alleged, in their own justification, that the prize was taken under the guns of Corunna, insomuch that the shot fired by the privateer entered that place, and damaged some houses: but this allegation was never properly sustained, and the prize was certainly condemned as legal by the court of admiralty at Gibraltar.

§ XLI. As we have already given a detail of the trial of Sir John Mordaunt, it will be unnecessary to recapitulate any circumstances of that affair, except such as relate to its connexion with the proceedings in parliament. In the beginning of this session, Lord Barrington, as secretary at war, informed the House, by his majesty's command, that Lieutenant-General Sir John Mordaunt, a member of that House, was in arrest for disobedience of his majesty's orders, while employed on the late expedition to the coast of France. The Commons immediately resolved, that an address should be presented to his majesty, returning him the thanks of this House for his gracious message of that day, in the communication he had been pleased to make of the reason for putting Lieutenant-General Sir John Mordaunt in arrest. Among the various objects of commerce that employed the attention of the House, one of the most considerable was the trade to the coast of Africa, for the protection of which an annual sum had been granted for some years, to be expended in the maintenance and



repairs of castles and factories. While a committee was employed in perusing the accounts relating to the sum granted in the preceding session for this purpose, a petition from the committee of the African company, recommended in a message from his majesty, was presented to the House, soliciting further assistance for the ensuing year. In the meantime, a remonstrance was offered by certain planters and merchants interested in trading to the British sugar colonies in America, alleging that the price of negroes was greatly advanced since the forts and settlements on the coast of Africa had been under the direction of the committee of the company of merchants trading to that coast; a circumstance that greatly distressed and alarmed the petitioners, prevented the cultivation of the British colonies, and was a great detriment to the trade and navigation of the kingdom: that this misfortune, they believed, was in some measure owing to the ruinous state and condition of the forts and settlements: that, in their opinion, the most effectual method for maintaining the interest of that trade on a respectable footing, next to that of an incorporated joint-stock company, would be putting those forts and settlements under the sole direction of the commissioners for trade and plantations: that the preservation or ruin of the American sugar colonies went hand in hand with that of the slave trade to Africa: that by an act passed in the year one thousand seven hundred and fifty, for extending and improving this trade, the British subjects were debarred from lodging their slaves and merchandise in the forts and settlements on the coast: they, therefore, prayed that this part of the act might be repealed: that all commanders of British and American vessels, free merchants, and all other his majesty's subjects, who were settled, or might at any time thereafter settle, in Africa, should have free liberty, from sunrise to sunset, to enter the forts and settlements, and to deposit their goods and merchandise in the warehouses thereunto belonging; to secure their slaves or other purchases without paying any consideration for the same: but the slaves to be victualled at the proper cost and charge of their respective owners. The House having taken this petition into consideration, inquired into the proceedings of the company, and revised the act for extending and improving the trade to Africa, resolved, That the committee of the African company had faithfully discharged the trust reposed in them, and granted ten thousand pounds for maintaining the British forts and settlements in that part of the world. The enemy were perfectly well acquainted with the weakness of the British castles on the coast of Africa; and had they known as well how to execute with spirit, as to plan with sagacity, the attempt which, in the course of the preceding year, they made upon the principal British forts in Guinea, would have succeeded, and all the other settlements would have fallen into their hands without opposition.<sup>1</sup>

§ XLII. The longest and warmest debate which was maintained in the course of this session arose from a motion for leave to bring in a bill for shortening the term and duration of future parliaments, a measure truly patriotic, against which no substantial argument could be produced, although the motion was rejected by the majority, on pretence, that, whilst the nation was engaged in such a dangerous and expensive war, it would be improper to think of introducing such an alteration in the form of government. Reasons of equal strength and solidity will never be wanting to the patrons and ministers of corruption and venality. The alteration proposed was nothing less than removing and annulling an encroachment which had been made on the constitution: it might have been effected without the least pang or convulsion, to the general satisfaction of the nation: far from being unreasonable at this juncture, it would have enhanced the national reputation abroad, and rendered the war more formidable to the enemies of Great Britain, by convincing them that it was supported by a ministry and parliament, who stood upon such good terms with the people. Indeed, a quick suc-

cession of parliaments might have disconcerted, and perhaps expelled, that spirit of confidence and generosity which now so remarkably espoused and gratified the sovereign's predilection for the interest of Hanover. Other committees were established, to inquire into the expense incurred by new lines and fortifications raised at Gibraltar; to examine the original standards of weights and measures used in England; to consider the laws relating to them, and report their observations; together with their opinion of the most effectual means for ascertaining and enforcing uniform standards to be used for the future. The Commons were perfectly satisfied with the new works which had been raised at Gibraltar; and with respect to the weights and measures, the committee agreed to certain resolutions, but no further progress was made in this inquiry, except an order for printing these resolutions, with the appendix; however, as the boxes containing the standards were ordered to be locked up by the clerk of the House, in all probability their intention was to proceed on this subject in some future session. On the ninth day of June, sundry bills received the royal assent by commission, his majesty being indisposed; and on the twentieth day of the same month, the lords commissioners closed the session with a speech to both Houses, expressing his majesty's deep sense of their loyalty and good affection, demonstrated in their late proceedings, in their zeal for his honour and real interest in all parts, in their earnestness to surmount every difficulty, in their ardour to maintain the war with the utmost vigour; proofs which must convince mankind that the ancient spirit of the British nation still subsisted in its full force. They were given to understand the king had taken all such measures as appeared the most conducive to the accomplishment of their public-spirited views and wishes; that with their assistance, crowned by the blessing of God upon the conduct and bravery of the combined army, his majesty has been enabled, not only to deliver his dominions in Germany from the oppressions and devastations of the French, but also to push his advantages on this side the Rhine; that he had cemented the union between him and his good brother the King of Prussia, by new engagements; that the British fleets and armies were now actually employed in such expeditions as appeared likely to annoy the enemy in the most sensible manner, and to promote the welfare and prosperity of these kingdoms; in particular, to preserve the British rights and possessions in America, and to make France feel, in those parts, the real strength and importance of Great Britain. The Commons were thanked for the ample supplies which they had so freely and unanimously given, and assured on the part of his majesty that they should be managed with the most frugal economy. They were desired, in consequence of the king's earnest recommendation, to promote harmony and good agreement amongst his faithful subjects; to make the people acquainted with the rectitude and purity of his intentions and measures, and to exert themselves in maintaining the peace and good order of the country, by enforcing obedience to the laws and lawful authority.

§ XLIII. Never, surely, had any sovereign more reason to be pleased with the conduct of his ministers, and the spirit of his people. The whole nation reposed the most unbounded confidence in the courage and discretion, as well as in the integrity of the minister, who seemed eager upon prosecuting the war with such vigour and activity as appeared almost unexampled in the annals of Great Britain. New levies were made, new ships put in commission, fresh expeditions undertaken, and fresh conquests projected. Such was the credit of the administration, that people subscribed to the government loans with surprising eagerness. An unusual spirit of enterprise and resolution seemed to inspire all the individuals that constituted the army and navy: and the passion for military fame diffused itself through all ranks in the civil department of life, even to the very dregs of the populace: such a remarkable

<sup>1</sup> Robert Hunter Morris represented, in a petition to the House, that as no such law existed in the British colonies in America, they were obliged to depend upon a private trade supply of food commodities from foreigners; he, therefore, desired to introduce the making of machine salt, at a moderate price, to one of those colonies, at his own risk and charge, provided he could be secured in the enjoyment of the profits which the works might produce, for such a term of years as might seem to the House a proper and adequate compensation for so great an undertaking. The petition was

ordered to lie upon the table. afterwards read, and referred to a committee, which, however, made no report.—A circumstance not exactly accounted for, unless we suppose the House of Commons were of opinion, that such an enterprise might contribute towards rendering our colonies too independent of their mother country. Equally unaccountable was the mismanagement of another bill, brought in for regulating the manner of licensing ale-houses, which was read for the first time, but when a motion was made for a second reading, the question was put, and it passed in the negative.

change from indolence to activity, from indifference to zeal, from timorous caution to fearless execution, was effected by the influence and example of an intelligent and intrepid minister, who, chagrined at the inactivity and disgraces of the preceding campaign, had, on a very solemn occasion, lately declared his belief that there was a determined resolution, both in the naval and military commanders, against any vigorous exertion of the national power in the service of the country. He affirmed, that though his majesty appeared ready to embrace every measure proposed by his ministers for the honour and interest of his British dominions, yet scarce a man could be found with whom the execution of any one plan in which there was the least appearance of any danger could with confidence be trusted. He particularized the inactivity of one general in North America, from whose abilities and personal bravery the nation had conceived great expectations: he complained, that this noble commander had expressed the most contemptuous disregard for the civil power from which he derived his authority, by neglecting to transmit, for a considerable length of time, any other advice of his proceedings but what appeared on a written scrap of paper: he observed, that with a force by land and sea greater than ever the nation had heretofore maintained, with a king and ministry ardently desirous of redeeming her glory, succouring her allies, and promoting her true interest, a shameful dislike to the service every where prevailed, and few seemed affected with any other zeal than that of aspiring to the highest posts, and grasping the largest salaries. The censure levelled at the commander in America was founded on mistake: the inactivity of that noble lord was not more disappointing to the ministry than disagreeable to his own inclination. He used his utmost endeavours to answer the expectation of the public, but his hands were effectually tied up by an absolute impossibility of success, and his conduct stood justified in the eyes of his sovereign. A particular and accurate detail of his proceedings he transmitted through a channel, which he imagined would have directly conveyed it to the foot of the throne: but the packet was said to have been purposely intercepted and suppressed. Perhaps he was not altogether excusable for having corresponded so slightly with the secretary of state; but he was said to have gone abroad in full persuasion that the ministry would be changed, and therefore his assiduities were principally directed to the great personage, who, in that case, would have superintended and directed all the operations of the army. All sorts of military preparations in foundries, docks, arsenals, raising and exercising troops, and victualling transports, were now carried on with such diligence and despatch as seemed to promise an exertion that would soon obliterate the disagreeable remembrance of past disgrace. The beginning of the year was, however, a little clouded by a general concern for the death of his majesty's third daughter, the Princess Caroline, a lady of the most exemplary virtue and amiable character, who died at the age of forty-five, sincerely regretted as a pattern of unaffected piety and unbounded benevolence.

§ XLIV. The British cruisers kept the sea during all the severity of winter, in order to protect the commerce of the kingdom, and annoy that of the enemy. They exerted themselves with such activity, and their vigilance was attended with such success, that a great number of prizes were taken, and the trade of France almost totally extinguished. A very gallant exploit was achieved by one Captain Bray, commander of the *Adventure*, a small armed vessel, in the government's service: falling in with the *Machault*, a large privateer of Dunkirk, near Dungeness, he ran her a-board, fastened her boltsprit to his capstan, and, after a warm engagement, compelled her commander to submit. A French frigate of thirty-six guns was taken by Captain Parker, in a new fire-ship of inferior force. Divers privateers of the enemy were sunk, burned, or taken, and a great number of merchant-ships fell into the hands of the English. Nor was the success of the British ships of war confined to the English channel. At this period the board of admiralty received information from Admiral Cotes, in Jamaica, of an action which happened off the island of Hispaniola, in the month of October of the preceding year, between three English ships of war

and a French squadron. Captain Forrest, an officer of distinguished merit in the service, had, in the ship *Augusta*, sailed from Port-Royal in Jamaica, accompanied by the *Dreadnought* and *Edinburgh*, under the command of the Captains Suckling and Langdon. He was ordered to cruise off Cape François, and this service he literally performed in the face of the French squadron under Kersin, lately arrived at that place from the coast of Africa. The commander, piqued at seeing himself thus insulted by an inferior armament, resolved to come forth and give them battle; and that he might either take them or at least drive them out of the seas, so as to afford a free passage to a great number of merchant-ships then lying at the Cape, bound for Europe, he took every precaution which he thought necessary to insure success. He reinforced his squadron with some store-ships, mounted with guns, and armed for the occasion, and supplied the deficiency in his complements, by taking on board seamen from the merchant-ships, and soldiers from the garrison. Thus prepared, he weighed anchor, and stood out to sea, having under his command four large ships of the line, and three stout frigates. They were no sooner perceived advancing, than Captain Forrest held a short council with his two captains. "Gentlemen, (said he,) you know our own strength, and see that of the enemy; shall we give them battle?" They replied in the affirmative; he added, "Then fight them we will, there is no time to be lost: return to your ships, and get them ready for engaging." After this laconic consultation among these three gallant officers, they bore down upon the French squadron without further hesitation, and between three and four in the afternoon the action began with great impetuosity. The enemy exerted themselves with uncommon spirit, conscious that their honour was peculiarly at stake, and that they fought in sight, as it were, of their own coast, which was lined with people, expecting to see them return in triumph. But notwithstanding all their endeavours, their commodore, after having sustained a severe engagement, that lasted two hours and a half, found his ship in such a shattered condition, that he made a signal for one of his frigates to come and tow him out of the line. His example was followed by the rest of his squadron, which, by this assistance, with the favour of the land breeze and the approach of night, made shift to accomplish their escape from the three British ships, which were too much disabled in their masts and rigging to prosecute their victory. One of the French squadron was rendered altogether unserviceable for action: their loss in men amounted to three hundred killed, and as many wounded; whereas that of the English did not much exceed one third of this number. Nevertheless, they were so much damaged, that being unable to keep the sea, they returned to Jamaica, and the French commodore seized the opportunity of sailing with a great convoy for Europe. The courage of Captain Forrest was not more conspicuous in his engagement with the French squadron near Cape François, than his conduct and sagacity in a subsequent adventure near Port-au-Prince, a French harbour, situated at the bottom of a bay on the western part of Hispaniola, behind the small island of Gonave. After M. de Kersin had taken his departure from Cape François, for Europe, Admiral Cotes, beating up to windward from Port-Royal in Jamaica, with three ships of the line, received intelligence that there was a French fleet at Port-au-Prince, ready to sail on their return to Europe: Captain Forrest then presented the admiral with a plan for the attack on this place, and urged it earnestly. This, however, was declined, and Captain Forrest directed to cruise off the island Gonave for two days only, the admiral enjoining him to return at the expiration of the time, and rejoin the squadron at Cape Nicholas. Accordingly, Captain Forrest, in the *Augusta*, proceeded up the bay, between the island Gonave and Hispaniola, with a view to execute a plan which he had himself projected. Next day in the afternoon, though he perceived two sloops, he forbore chasing, that he might not risk a discovery: for the same purpose he hoisted Dutch colours, and disguised his ship with tarpaulins. At five in the afternoon he discovered seven sail of ships steering to the westward, and hauled from them, to avoid suspicion; but at the approach of night gave chase with

all the sail he could carry. About ten he perceived two sail, one of which fired a gun, and the other made the best of her way for Leoganne, another harbour in the bay. At this period Captain Forrest reckoned eight sail to leeward, near another port called Petit Goave; coming up with the ship which had fired the gun, she submitted without opposition, after he had hailed, and told her captain what he was, produced two of his largest cannon, and threatened to sink her if she should give the least alarm. He forthwith shifted the prisoners from this prize, and placed on board of her five-and-thirty of his own crew, with orders to stand for Petit Goave, and intercept any of the fleet that might attempt to reach that harbour. Then he made sail after the rest, and in the dawn of the morning, finding himself in the middle of their fleet, he began to fire at them all in their turns, as he could bring his guns to bear: they returned the fire for some time: at length the *Marguerite*, the *Solide*, and the *Theodore*, struck their colours. These being secured, were afterwards used in taking the *Maurice*, *Le Grand*, and *La Flore*; the *Brilliant* also submitted; and the *Mars* made sail, in hopes of escaping; but the *Augusta*, coming up with her about noon, she likewise fell into the hands of the victor. Thus, by a well-conducted stratagem, a whole fleet of nine sail were taken by a single ship, in the neighbourhood of four or five harbours, in any one of which they would have found immediate shelter and security. The prizes, which happened to be richly laden, were safely conveyed to Jamaica, and there sold at public auction, for the benefit of the captors, who may safely challenge history to produce such another instance of success.

§ XLV. The ministry having determined to make vigorous efforts against the enemy in North America, Admiral Boscawen was vested with the command of the fleet destined for that service, and sailed from St. Helen's on the nineteenth day of February, when the *Invincible*, of seventy-four guns, one of the best ships that constituted his squadron, ran a-ground, and perished; but her men, stores, and artillery were saved. In the course of the succeeding month, Sir Edward Hawke steered into the bay of Biscay, with another squadron, in order to intercept any supplies from France designed for Cape Breton or Canada; and about the same time the town of Embden, belonging to his Prussian majesty, which had fallen into the hands of the enemy, was suddenly retrieved by the conduct of Commodore Holmes, stationed on that coast, who sent up two of his small ships to anchor in the river between Knok and the city. The garrison, amounting to three thousand seven hundred men, finding themselves thus cut off from all communication with the country below, abandoned the place with great precipitation, and some of their baggage being sent off by water, was taken by the boats which the commodore armed for that purpose. It was in the same month that the admiralty received advice of another advantage by sea, which had been gained by Admiral Osborne, while he cruised between Cape de Gatt and Carthage, on the coast of Spain. On the twenty-eighth day of March he fell in with a French squadron, commanded by the Marquis du Quesne, consisting of four ships, namely, the *Foudroyant*, of eighty guns, the *Orphée*, of sixty-four, the *Oriflamme*, of fifty, and the *Pleiade* frigate, of twenty-four, in their passage from Toulon to reinforce M. de la Clue, who had for some time been blocked up by Admiral Osborne in the harbour of Carthage. The enemy no sooner perceived the English squadron than they dispersed, and steered different courses: then Mr. Osborne detached divers ships in pursuit of each, while he himself, with the body of his fleet, stood off for the bay of Carthage, to watch the motions of the French squadron which lay there at anchor. About seven in the evening, the *Orphée*, having on board five hundred men, struck to Captain Storr, in the *Revenge*, who lost the calf of one leg in the engagement, during which he was sustained by the ships *Berwick* and *Preston*. The *Monmouth* of sixty-four guns, commanded by Captain Gardner, engaged the *Foudroyant*, one of the largest ships in the French navy, mounted with fourscore cannon, and containing eight hundred men, under the direction of the Marquis du Quesne. The action was maintained with great fury on both sides, and the gallant Captain Gardner lost his life: nevertheless the fight was

continued with unabating vigour by his lieutenant, Mr. Carrett, and the *Foudroyant* disabled in such a manner, that her commander struck, as soon as the other English ships, the *Swiftsure* and the *Hampton-court*, appeared. This mortifying step, however, he did not take until he saw his ship lie like a wreck upon the water, and the decks covered with carnage. The *Oriflamme* was driven on shore under the castle of Aiglos, by the ships *Montague* and *Monarque*, commanded by the Captains Rowley and *Montague*, who could not complete their destruction without violating the neutrality of Spain. As for the *Pleiade* frigate, she made her escape by being a prime sailer. This was a severe stroke upon the enemy, who not only lost two of their capital ships, but saw them added to the navy of Great Britain, and the disaster was followed close by another, which they could not help feeling with equal sensibility of mortification and chagrin. In the beginning of April, Sir Edward Hawke, steering with his squadron into Basque road, on the coast of Poitou, discovered, off the isle of Aix, a French fleet at anchor, consisting of five ships of the line, with six frigates, and forty transports, having on board three thousand troops, and a large quantity of stores and provisions intended as a supply for their settlements in North America. They no sooner saw the English admiral advancing, than they began to slip their cables, and fly in the utmost confusion. Some of them escaped by sea, but a great number ran into shoal water, where they could not be pursued; and next morning they appeared a-ground, lying on their broadsides. Sir Edward Hawke, who had rode all night at anchor a-breast of the isle of Aix, furnished the ships *Intrepid* and *Medway* with trusty pilots, and sent them further in when the flood began to make, with orders to sound a-head, that he might know whether there was any possibility of attacking the enemy, but the want of a sufficient depth of water rendered the scheme impracticable. In the meantime, the French threw overboard their cannon, stores, and ballast: and boats and launches from Rochefort were employed in carrying out warps, to drag their ships through the soft mud, as soon as they should be water-borne by the flowing tide. By these means their large ships of war, and many of their transports, escaped into the river Charente; but their loading was lost, and the end of their equipment totally defeated. Another convoy of merchant ships, under the protection of three frigates, Sir Edward Hawke, a few days before, had chased into the harbour of St. Martin's in the isle of Rhé, where they still remained, waiting an opportunity for hazarding a second departure: a third, consisting of twelve sail, bound from Bordeaux to Quebec, under convoy of a frigate and armed vessel, was encountered at sea by one British ship of the line and two frigates, which took the frigate and armed vessel, and two of the convoy afterwards met with the same fate; but this advantage was overbalanced by the loss of Captain James Hume, commander of the *Pluto* fire-ship, a brave accomplished officer, who, in an unequal combat with the enemy, refused to quit the deck, even when he was disabled, and fell gloriously, covered with wounds, exhorting the people, with his latest breath, to continue the engagement while the ship could swim, and acquit themselves with honour in the service of their country.

§ XLVI. On the twenty-ninth day of May the *Raisonnable*, a French ship of the line, mounted with sixty-four cannon, having on board six hundred and thirty men, commanded by the Prince de Mombazon, Chevalier de Rohan, was, in her passage from Port l'Orient to Brest, attacked by Captain Dennis, in the Dorsetshire, of seventy guns, and taken after an obstinate engagement, in which one hundred and sixty men of the prince's complement were killed or wounded, and he sustained great damage in his hull, sails, and rigging. These successes were more-over chequered by the tidings of a lamentable disaster that befel the ship the *Prince George*, of eighty guns, commanded by Rear-Admiral Broderick, in his passage to the Mediterranean. On the thirteenth day of April, between one and two in the afternoon, a dreadful fire broke out in the forepart of the ship, and raged with such fury, that notwithstanding all the efforts of the officers and men for several hours, the flames increased, and the ship being consumed to the water's edge, the remnant sunk about six



o'clock in the evening. The horror and consternation of such a scene are not easily described. When all endeavours proved fruitless, and no hope of preserving the ship remained, the barge was hoisted out for the preservation of the admiral, who entered it accordingly; but all distinction of persons being now abolished, the seamen rushed into it in such crowds, that in a few moments it overset. The admiral, foreseeing that this would be the case, stripped off his clothes, and committing himself to the mercy of the waves, was saved by the boat of a merchant-ship, after he had sustained himself in the sea a full hour by swimming. Captain Payton, who was the second in command, remained upon the quarter-deck as long as it was possible to keep that station, and then descending by the stern ladder, had the good fortune to be taken into a boat belonging to the Alderney sloop. The hull of the ship, masts, and rigging, were now in a blaze, bursting tremendous in several parts through horrid clouds of smoke; nothing was heard but the crackling of the flames, mingled with the dismal cries of terror and distraction; nothing was seen but acts of frenzy and desperation. The miserable wretches, affrighted at the horrors of such a conflagration, sought a fate less dreadful, by plunging into the sea, and about three hundred men were preserved by the boats belonging to some ships that accompanied the admiral in his voyage, but five hundred perished in the ocean.

§ XLVII. The King of Great Britain being determined to renew his attempt upon the coast of France, ordered a very formidable armament to be equipped for that purpose. Two powerful squadrons by sea were destined for the service of this expedition: the first, consisting of eleven great ships, was commanded by Lord Anson and Sir Edward Hawke; the other, composed of four ships of the line, seven frigates, six sloops, two fire-ships, two bombs, ten cutters, twenty tenders, ten store-ships, and one hundred transports, was put under the direction of Commodore Howe, who had signaled himself by his gallantry and conduct in the course of the last fruitless expedition. The plan of a descent upon France having been adopted by the ministry, a body of troops, consisting of sixteen regiments, nine troops of light horse, and six thousand marines, was assembled for the execution of this design, and embarked under the command of the Duke of Marlborough; a nobleman, who, though he did not inherit all the military genius of his grandfather, yet far excelled him in the amiable and social qualities of the heart: he was brave beyond all question, generous to profusion, and good-natured to excess. On this occasion he was assisted by the councils of Lord George Sackville, second in command, son to the Duke of Dorset; an officer of experience and reputation, who had, in the civil departments of government, exhibited proofs of extraordinary genius and uncommon application. The troops having been encamped for some time upon the Isle of Wight, were embarked in the latter end of May, and the two fleets sailed in the beginning of June for the coast of Bretagne, leaving the people of England flushed with the gayest hopes of victory and conquest. The two fleets parted at sea; Lord Anson, with his squadron, proceeded to the bay of Biscay, in order to watch the motions of the enemy's ships, and harass their navigation; while Commodore Howe, with the land forces, steered directly towards St. Maloes, a strong place of considerable commerce, situated on the coast of Bretagne, against which the proposed invasion seemed to be chiefly intended. The town, however, was found too well fortified, both by art and nature, to admit of an attempt by sea with any prospect of success; and, therefore, it was resolved to make a descent in the neighbourhood. After the fleet had been, by contrary winds, detained several days in sight of the French coast, it arrived in the bay of Cancale, about two leagues to the eastward of St. Maloes; and Mr. Howe having silenced a small battery which the enemy had occasionally raised upon the beach, the troops were landed, without further opposition, on the sixth day of June. The Duke of Marlborough immediately began to march towards St. Servan, with a view to destroy such shipping and magazines as might be in any accessible parts of the river; and this scheme was executed with success. A great quantity of naval stores, two ships of war, several privateers, and

about fourscore vessels of different sorts, were set on fire and reduced to ashes, almost under the cannon of the place, which, however, they could not pretend to besiege in form. His grace having received repeated advices that the enemy were busily employed in assembling forces to march against him, returned to Cancale, where Mr. Howe had made such a masterly disposition of the boats and transports, that the re-embarkation of the troops was performed with surprising ease and expedition. The forces, while they remained on shore, were restrained from all outrages by the most severe discipline; and the French houses, which their inhabitants had abandoned, were left untouched. Immediately after their landing, the Duke of Marlborough, as commander-in-chief, published and distributed a manifesto, addressed to the people of Bretagne, giving them to understand, that his descent upon the coast was not effected with a design to make war on the inhabitants of the open country, except such as should be found in arms, or otherwise opposing the operations of his Britannic majesty: that all who were willing to continue in peaceable possession of their effects, might remain unmolested in their respective dwellings, and follow their usual occupations; that, besides the customs and taxes they used to pay to their own king, nothing should be required of them but what was absolutely necessary for the subsistence of the army; and that, for all provisions brought in, they should be paid in ready money. He concluded this notice with declaring, that if, notwithstanding these assurances of protection, they should carry off their effects and provisions, and abandon the place of their habitation, he should treat them as enemies, and destroy their houses with fire and sword. To the magistracy of St. Maloes he likewise sent a letter, importing, that as all the inhabitants of the towns and villages between Dinant, Rennes, and Doll, now in his possession, had deserted their habitations, probably to avoid the payment of the usual contributions; and he being informed that the magistrates had compelled the people of the country to retire into the town of St. Maloes: he now gave them notice, that if they did not immediately send them back to their houses, and come themselves to his head-quarters, to settle the contributions, he should think himself obliged to proceed to military execution. These threats, however, were not put in force, although the magistrates of St. Maloes did not think proper to comply with his injunction. But it was found altogether impossible to prevent irregularities among troops that were naturally licentious. Some houses were pillaged, and not without acts of barbarity: but the offenders were brought to immediate justice; and it must be owned, as an incontestable proof of the general's humanity, that in destroying the magazines of the enemy at St. Servan, which may be termed the suburbs of St. Maloes, he ordered one small storehouse to be spared, because it could not be set on fire without endangering the whole district. The British forces being re-embarked, including about five hundred light horse, which had been disciplined and carried over with a view to scour the country, the fleet was detained by contrary winds in the bay of Cancale for several days, during which a design seems to have been formed for attacking Granville, which had been reconnoitred by some of the engineers: but, in consequence of their report, the scheme was laid aside, and the fleet stood out to sea, where it was exposed to some rough weather. In a few days, the wind blowing in a northern direction, they steered again towards the French coast, and ran in with the land near Havre-de-Grace, where the flat-bottomed boats provided for landing were hoisted out, and a second disembarkation expected. But the wind blowing violently towards the evening, the boats were reshipped, and the fleet obliged to quit the land, in order to avoid the dangers of a lee-shore. Next day, the weather being more moderate, they returned to the same station, and orders were given to prepare for a descent; but the Duke of Marlborough having taken a view of the coast in an open cutter, accompanied by Commodore Howe, thought proper to waive the attempt. Their next step was to bear away before the wind for Cherbourg, in the neighbourhood of which place the fleet came to anchor. Here some of the transports received the fire of six different batteries; and a considerable body of troops appeared in arms to dispute

the landing; nevertheless, the general resolved that the forts Querqueville, l'Homme, and Gallet, should be attacked in the night by the first regiment of guards. The soldiers were actually distributed in the flat-bottomed boats, and every preparation made for this enterprise, when the wind began to blow with such violence, that the troops could not be landed without the most imminent danger and difficulty, nor properly sustained in case of a repulse, even if the disembarkation could have been effected. This attempt, therefore, was laid aside; but at the same time a resolution taken to stand in towards the shore with the whole fleet, to cover a general landing. A disposition was made accordingly; but the storm increasing, the transports ran foul of each other, and the ships were exposed to all the perils of a lee-shore, for the gale blew directly upon the coast; besides, the provisions began to fail, and the hay for the horses was almost consumed. These concurring reasons induced the commanders to postpone the disembarkation to a more favourable opportunity. The fleet stood out to sea, and the tempest abating, they steered for the Isle of Wight, and next day anchored at St. Helen's. Such was the issue of an enterprise achieved with considerable success, if we consider the damage done to the enemy's shipping, and the other objects which the ministry had in view, namely, to secure the navigation of the channel, and make a diversion in favour of the German allies, by alarming the French king, and obliging him to employ a great number of troops to defend his coast from insult and invasion; but whether such a mighty armament was necessary for the accomplishment of these petty aims, and whether the same armament might not have been employed in executing schemes of infinitely greater advantage to the nation, we shall leave to the judicious reader's own reflection.

§ XLVIII. The designs upon the coast of France, though interrupted by tempestuous weather, were not as yet laid aside for the whole season; but, in the meantime, the troops were disembarked on the Isle of Wight; and one brigade marched to the northward, to join a body of troops, with which the government resolved to augment the army of the allies in Germany, commanded by Prince Ferdinand of Brunswick. The Duke of Marlborough and Lord George Sackville being appointed to conduct this British corps upon the continent, the command of the marine expeditions devolved to Lieutenant-General Bligh, an old experienced officer, who had served with reputation; and his royal highness Prince Edward, afterwards created Duke of York, entered as a volunteer with Commodore Howe, in order to learn the rudiments of the sea-service. The remainder of the troops being re-embarked, and every thing prepared for the second expedition, the fleet sailed from St. Helen's on the first of August; and after a tedious passage from calms and contrary winds, anchored on the seventh day in the bay of Cherbourg. By this time the enemy had intrenched themselves within a line, extending from the fort Ecœurdeville, which stands about two miles to the westward of Cherbourg, along the coast for the space of four miles, fortified with several batteries at proper distances. Behind this intrenchment a body of horse and infantry appeared in red and blue uniforms; but as they did not advance to the open beach, the less risk was run in landing the British forces. At first a bomb-ketch had been sent to anchor near the town, and throw some shells into the place, as a feint to amuse the enemy, and deceive them with regard to the place of disembarkation, while the general had determined to land about a league to the westward of Querqueville, the most western fort in the bay. The other bomb-ketches being posted along shore, did considerable execution upon the intrenchments, not only by throwing shells in the usual way, but also by using ball mortars, filled with great quantities of balls, which may be thrown to a great distance, and by scattering as they fly, do abundance of mischief. While the ketches fired without ceasing, the grenadiers and guards were rowed regularly ashore in the flat-bottomed boats, and landing without opposition, instantly formed, on a small open portion of the beach, with a natural breast-work in their front, having on the other side a hollow way, and a village rising beyond it with a sudden ascent: on the left, the ground was intersected by hedges, and covered with orchards;

and from this quarter the enemy advanced in order. The British troops immediately quitted the breast-work, in order to meet them half way, and a straggling fire began; but the French, edging to the left, took possession of the hill, from whence they piquered with the advanced posts of the English. In the meantime, the rest of the infantry were disembarked, and the enemy at night retired. As the light troops were not yet landed, General Bligh encamped that night at the village of Erville, on a piece of ground that did not extend above four hundred paces; so that the tents were pitched in a crowded and irregular manner. Next morning, the general having received intelligence that no parties of the enemy were seen moving on the hill, or in the plain, and that fort Querqueville was entirely abandoned, made a disposition for marching in two columns to Cherbourg. An advanced party took immediate possession of Querqueville; and the lines and batteries along the shore were now deserted by the enemy. The British forces marched behind St. Aulne, Ecœurdeville, Homme, and La Galet, found the town of Cherbourg likewise abandoned, and the gates being open, entered it without opposition. The citizens, encouraged by a manifesto containing a promise of protection, which had been published and distributed, in order to quiet their apprehensions, received their new guests with a good grace, overwhelming them with civilities, for which they met with a very ungrateful return; for as the bulk of the army was not regularly encamped and superintended, the soldiers were at liberty to indulge themselves in riot and licentiousness. All night long they ravaged the adjacent country without restraint; and as no guards had been regularly placed in the streets and avenues of Cherbourg, to prevent disorders, the town itself was not exempted from pillage and brutality. These outrages, however, were no sooner known, than the general took immediate steps for putting a stop to them for the present, and preventing all irregularities for the future. Next morning the place being reconnoitred, he determined to destroy, without delay, all the forts and the bason; and the execution of this design was left to the engineers, assisted by the officers of the fleet and artillery. Great sums of money had been expended upon the harbour and bason of Cherbourg, which at one time was considered by the French court as an object of great importance, from its situation respecting the river Seine, as well as the opposite coast of England; but as the works were left unfinished, in all appearance the plan had grown into disreputation. The enemy had raised several unconnected batteries along the bay; but the town itself was quite open and defenceless. While the engineers were employed in demolishing the works, the light-horse scoured the country, and detachments were every day sent out towards Walloign, at the distance of four leagues from Cherbourg, where the enemy were encamped, and every hour received reinforcements. Several skirmishes were fought by the out-parties of each army, in one of which Capt. Lindsay, a gallant young officer, who had been very instrumental in training the light-horse, was mortally wounded. The harbour and bason of Cherbourg being destroyed, together with all the forts in the neighbourhood, and about twenty pieces of brass cannon secured on board the English ships, a contribution, amounting to about three thousand pounds sterling, was exacted upon the town, and a plan of re-embarkation concerted; as it appeared from the report of peasants and deserters, that the enemy were already increased to a formidable number. A slight intrenchment being raised, sufficient to defend the last division that should be re-embarked, the stores and artillery were shipped, and the light horses conveyed on board their respective transports, by means of platforms laid in the flat-bottomed vessels. On the sixteenth day of August, at three o'clock in the morning, the forces marched from Cherbourg down to the beach, and re-embarked at Fort Galet, without the least disturbance from the enemy.

§ XLIX. This service being happily performed, the fleet set sail for the coast of England, and anchored in the road of Weymouth, under the high land of Portland. In two days it weighed, and stood again to the southward; but was obliged, by contrary winds, to return to the same riding. The second effort, however, was more effectual. The fleet with some difficulty kept the sea, and steering to

the French coast, came to anchor in the bay of St. Lunaire, two leagues to the westward of St. Maloes, against which it was determined to make another attempt. The sloops and ketches being ranged along shore to cover the disembarkation, the troops landed on a fair open beach, and a detachment of grenadiers was sent to the harbour of St. Briac, above the town of St. Maloes, where they destroyed about fifteen small vessels; but St. Maloes itself being properly surveyed, appeared to be above insult, either from the land forces or the shipping. The mouth of the river that forms its bason extends above two miles in breadth at its narrowest part, so as to be out of the reach of land batteries; and the entrance is defended by such forts and batteries as the ships of war could not pretend to silence, considering the difficult navigation of the channels; besides fifty pieces of large cannon planted on these forts and batteries, the enemy had mounted forty on the west side of the town; and the bason was, moreover, strengthened by seven frigates or armed vessels, whose guns might have been brought to bear upon any batteries that could be raised on shore, as well as upon ships entering by the usual channel. For these substantial reasons the design against St. Maloes was dropped; but the general being unwilling to re-embark, without having taken some step for the further annoyance of the enemy, resolved to penetrate into the country, conducting his motions, however, so as to be near the fleet, which had by this time quitted the bay of St. Lunaire, where it could not ride with any safety, and anchored in the bay of St. Cas, about three leagues to the westward.

§ L. On Friday the eighth of September, General Bligh, with his little army, began his march for Guildo, at the distance of nine miles, which he reached in the evening: next day he crossed a little gut or inlet of the sea, at low water, and his troops being incommoded by the peasants, who fired at them from hedges and houses, he sent a priest with a message, intimating, that if they would not desist, he would reduce their houses to ashes. No regard being paid to this intimation, the houses were actually set on fire as soon as the troops had formed their camp about two miles on the other side of the inlet. Next morning he proceeded to the village of Matignon, where, after some smart skirmishing, the French piquets appeared, drawn up in order, to the number of two battalions; but having sustained a few shot from the English field-pieces, and seeing the grenadiers advance, they suddenly dispersed. General Bligh continued his route through the village encamped in the open ground, about three miles from the bay of St. Cas, which was this day reconnoitred for re-embarkation: for he now received undoubted intelligence, that the Duke d'Aiguillon had advanced from Brest to Lambale, within six miles of the English camp, at the head of twelve regular battalions, six squadrons, two regiments of militia, eight mortars, and ten pieces of cannon. The bay of St. Cas was covered by an intrenchment which the enemy had thrown up, to prevent or oppose any disembarkation: and on the outside of this work there was a range of sand-hills extending along shore, which could have served as a cover to the enemy, from whence they might have annoyed the troops in re-embarking: for this reason a proposal was made to the general, that the forces should be re-embarked from a fair open beach on the left, between St. Cas and Guildo; but this advice was rejected, and, indeed, the subsequent operations of the army savoured strongly of blind security and rash presumption. Had the troops decamped in the night without noise, in all probability they would have arrived at the beach before the French had received the least intelligence of their motion; and, in that case, the whole army, consisting of about six thousand men, might have been re-embarked without the least interruption; but, instead of this cautious manner of proceeding, the drums were beaten at two o'clock in the morning, as if with intention to give notice to the enemy, who forthwith repeated the same signal. The troops were in motion before three, and though the length of the march did not exceed three miles, the halts and interruptions were so numerous and frequent, that they did not arrive on the beach of St. Cas till nine. Then the embarkation was begun, and might have been happily finished, had the transports lain near

the shore, and received the men as fast as the boats could have conveyed them on board, without distinction; but many ships rode at a considerable distance, and every boat carried the men on board the respective transports to which they belonged; a punctilio of disposition by which a great deal of time was unnecessarily consumed. The small ships and bomb-ketches were brought near the shore to cover the embarkation; and a considerable number of sea-officers were stationed on the beach, to superintend the boats' crews, and regulate the service; but, notwithstanding all their attention and authority, some of the boats were otherwise employed than in conveying the unhappy soldiers. Had all the cutters and small craft belonging to the fleet been properly occupied in this service, the disgrace and disaster of the day would scarce have happened. The British forces had skirmished a little on the march, but no considerable body of the enemy appeared until the embarkation was begun; then they took possession of an eminence by a windmill, and forthwith opened a battery of ten cannon and eight mortars, from whence they fired with considerable effect upon the soldiers on the beach, and on the boats in their passage. They afterwards began to march down the hill, partly covered by a hollow way on their left, with a design to gain a wood, where they might form and extend themselves along the front of the English, and advance against them under shelter of the sand-hills; but in their descent they suffered extremely from the cannon and mortars of the shipping, which made great havoc, and threw them into confusion. Their line of march down the hill was staggered, and for some time continued in suspense; then they turned off to one side, extended themselves along a hill to their left, and advanced in a hollow way, from whence they suddenly rushed out to the attack. Though the greater part of the British troops were already embarked, the rear-guard, consisting of all the grenadiers, and half of the first regiment of guards, remained on the shore to the number of fifteen hundred, under the command of Major-General Dury. This officer, seeing the French advance, ordered his troops to form in grand divisions, and march from behind the bank that covered them, in order to charge the enemy before they could be formed on the plain. Had this step been taken when it was first suggested to Mr. Dury, before the French were disengaged from the hollow way, perhaps it might have so far succeeded as to disconcert and throw them into confusion: but by this time they had extended themselves into a very formidable front, and no hope remained of being able to withstand such a superior number. Instead of attempting to fight against such odds in an open field of battle, they might have retreated along the beach to a rock on the left, in which progress their right flank would have been secured by the intrenchment; and the enemy could not have pursued them along the shore, without being exposed to such a fire from the shipping, as in all probability they could not have sustained. This scheme was likewise proposed to Mr. Dury; but he seemed to be actuated by a spirit of infatuation. The English line being drawn up in uneven ground, began the action with an irregular fire from right to left, which the enemy returned; but their usual fortitude and resolution seemed to forsake them on this occasion. They saw themselves in danger of being surrounded, and cut in pieces; their officers dropped on every side; and all hope of retreat was now intercepted. In this cruel dilemma their spirits failed; they were seized with a panic: they faltered, they broke; and in less than five minutes after the engagement began they fled in the utmost confusion, pursued by the enemy, who no sooner saw them give way than they fell in among them with their bayonets fixed, and made a great carnage. General Dury being dangerously wounded, ran into the sea, where he perished; and this was the fate of a great number, officers as well as soldiers. Many swam towards the boats and vessels, which were ordered to give them all manner of assistance; but by far the greater number were either butchered on the beach, or drowned in the water; a small body, however, instead of throwing themselves into the sea, retired to the rock on the left, where they made a stand, until they had exhausted their ammunition, and then surrendered at discretion. The havoc was more-



ever increased by the shot and shells discharged from the battery which the enemy had raised on the hill. The slaughter would not have been so great, had not the French soldiers been exasperated by the fire from the frigates, which was still maintained even after the English troops were routed; but this was no sooner silenced by a signal from the commodore, than the enemy exhibited a noble example of moderation and humanity, in granting immediate quarter and protection to the vanquished. About one thousand chosen men of the English army were killed and taken prisoners on this occasion: nor was the advantage cheaply purchased by the French troops, among whom the shot and shells from the frigates and ketches had done great execution. The clemency of the victors was the more remarkable, as the British troops in this expedition had been shamefully guilty of marauding, pillaging, burning, and other excesses. War is so dreadful in itself, and so severe in its consequences, that the exercise of generosity and compassion, by which its horrors are mitigated, ought ever to be applauded, encouraged, and imitated. We ought also to use our best endeavours to deserve this treatment at the hands of a civilized enemy. Let us be humane in our turn to those whom the fate of war has subjected to our power: let us, in prosecuting our military operations, maintain the most rigid discipline among the troops, and religiously abstain from all acts of violence and oppression. Thus, a laudable emulation will undoubtedly ensue, and the powers at war vie with each other in humanity and politeness. In other respects, the commander of an invading armament will always find his account in being well with the common people of the country in which the descent is made. By civil treatment and seasonable gratifications, they will be encouraged to bring into the camp regular supplies of provision and refreshment; they will mingle with the soldiers, and even form friendships among them; serve as guides, messengers, and interpreters; let out their cattle for hire or draft-horses; work in their own persons as day-labourers; discover proper fords, bridges, roads, passes, and defiles; and, if artfully managed, communicate many useful hints of intelligence. If great care and circumspection be not exerted in maintaining discipline, and bridling the licentious disposition of the soldiers, such invasions will be productive of nothing but miscarriage and disgrace: for this, at best, is but a piratical way of carrying on war; and the troops engaged in it are, in some measure, debauched by the nature of the service. They are crowded together in transports, where the minute particulars of military order cannot be observed, even though the good of the service greatly depends upon a due observance of these forms. The soldiers grow negligent, and inattentive to cleanliness and the exterior ornaments of dress: they become slovenly, slothful, and altogether unfit for a return of duty: they are tumbled about occasionally in ships and boats, landed and re-embarked in a tumultuous manner, under a divided and disorderly command: they are accustomed to retire at the first report of an approaching enemy, and to take shelter on another element: nay, their small pillaging parties are often obliged to fly before unarmed peasants. Their duty on such occasions is the most unmanly part of a soldier's office; namely, to ruin, ravage, and destroy. They soon yield to the temptation of pillage, and are habituated to rapine: they give loose to intemperance, riot, and intoxication; commit a thousand excesses; and, when the enemy appears, run on board the ships with their booty. Thus the dignity of the service is debased: they lose all sense of honour and of shame; they are no longer restricted by military laws, nor overawed by the authority of officers: in a word, they degenerate into a species of lawless buccaniers. From such a total relaxation of morals and discipline, what can ensue but riot, confusion, dishonour, and defeat? All the advantage that can be expected from these sudden starts of invasion, will scarce overbalance the evils we have mentioned, together with the extraordinary expense of equipping armaments of this nature. True it is, these descents oblige the French king to employ a considerable number of his troops for the defence of his maritime places: they serve to ruin the trade of his subjects, protect the navigation of Great Britain, and secure its coast from invasion;

but these purposes might be as effectually answered, at a much smaller expense, by the shipping alone. Should it be judged expedient, however, to prosecute this desultory kind of war, the commanders employed in it will do well to consider, that a descent ought never to be hazarded in an enemy's country, without having taken proper precautions to secure a retreat; that the severest discipline ought to be preserved during all the operations of the campaign; that a general ought never to disembark but upon a well-concerted plan, nor commence his military transactions without some immediate point or object in view: that a re-embarkation ought never to be attempted, except from a clear open beach, where the approaches of an enemy may be seen, and the troops covered by the fire of their shipping. Those who presumed to reflect upon the particulars of this last expedition, owned themselves at a loss to account for the conduct of the general in remaining on shore after the design upon St. Maloes was laid aside; in penetrating so far into the country, without any visible objects; neglecting the repeated intelligence which he received; communicating, by beat of drum, his midnight motions to an enemy of double his force; loitering near seven hours in a march of three miles; and, lastly, attempting the re-embarkation of the troops at a place where no proper measures had been taken for their cover and defence. After the action of St. Cas, some civilities, by message, passed between the Duke d'Aiguillon and the English commanders, who were favoured with a list of the prisoners, including four sea-captains; and assured that the wounded should receive all possible comfort and assistance. These matters being adjusted, Commodore Howe returned with the fleet to Spithead, and the soldiers were disembarked.

§ LI. The success of the attempt upon Cherbourg had elevated the people to a degree of childish triumph, and the government thought proper to indulge this petulant spirit of exultation, by exposing twenty-one pieces of French cannon in Hyde-park, from whence they were drawn in procession to the tower, amidst the acclamations of the populace. From this pinnacle of elation and pride they were precipitated to the abyss of despondence or dejection, by the account of the miscarriage of St. Cas, which buoyed up the spirit of the French in the same proportion. The people of that nation began to stand in need of some such cordial after the losses they had sustained, and the ministry of Versailles did not fail to make the most of this advantage; they published a pompous narrative of the battle at St. Cas, and magnified into a mighty victory the puny check which they had given to the rear-guard of an inconsiderable detachment. The people received it with implicit belief because it was agreeable to their passions, and congratulated themselves upon their success, in hyperboles dictated by that vivacity so peculiar to the French nation. Indeed, these are artifices which the ministers of every nation find it necessary to use at certain conjunctures, in governing the turbulent and capricious multitude. After the misfortune at St. Cas, nothing further was attempted by that armament; nor was any enterprise of importance achieved by the British ships in Europe during the course of this summer. The cruisers, however, still continued active and alert. Captain Hervey, in the ship *Monmouth*, destroyed a French ship of forty guns in the island of Malta; an exploit of which the Maltese loudly complained, as a violation of their neutrality. About twenty sail of small French vessels were driven ashore on the rocks of Bretagne, by some cruisers belonging to the fleet commanded by Lord Anson, after a smart engagement with two frigates, under whose convoy they sailed. In the month of November the *Bel-liqueux*, a French ship of war, mounted with sixty-four guns, having, by mistake, run up St. George's channel, and anchored in Lundy-road, Captain Saumarez, of the *Antelope*, then lying in King-road, immediately weighed and went in quest of her, according to the advice he had received. When he appeared, the French captain heaved up his anchor, and made a show of preparing for an engagement; but soon hauled down his colours, and, without firing a shot, surrendered, with a complement of four hundred and seventy men, to a ship of inferior force, both in number of hands and weight of metal. By this time

the English privateers swarmed to such a degree in the channel, that scarce a French vessel durst quit the harbour, and consequently there was little or no booty to be obtained. In this dearth of legal prizes, some of the adventurers were tempted to commit acts of piracy, and actually rifled the ships of neutral nations. A Dutch vessel, having on board the baggage and domestics belonging to the Marquis de Pignatelli, ambassador from the court of Spain to the King of Denmark, was boarded three times successively by the crews of three different privateers, who forced the hatches, rummaged the hold, broke open and rifled the trunks and boxes of the ambassador, insulted and even cruelly bruised his officers, stripped his domestics, and carried off his effects, together with letters of credit, and a bill of exchange. Complaints of these outrages being made to the court of London, the lords of the admiralty promised, in the gazette, a reward of five hundred pounds, without deduction, to any person who should discover the offenders concerned in these acts of piracy. Some of them were detected accordingly, and brought to condign punishment.

§ LII. The Dutch had for some time carried on a very considerable traffic, not only in taking the fair advantage of their neutrality, but also in supplying the French with naval stores, and transporting the produce of the French sugar colonies to Europe, as carriers hired by the proprietors. The English government, incensed at this unfair commerce, prosecuted with such flagrant partiality for their enemies, issued orders for the cruisers to arrest all ships of neutral powers that should have French property on board; and these orders were executed with rigour and severity. A great number of Dutch ships were taken, and condemned as legal prizes, both in England and Jamaica: sometimes the owners met with hard measure, and some crews were treated with insolence and barbarity. The subjects of the United Provinces raised a loud clamour against the English, for having, by these captures, violated the law of nations, and the particular treaty of commerce subsisting between Great Britain and the republic. Remonstrances were made to the English ministry, who expostulated, in their turn, with the deputies of the States-general; and the two nations were inflamed against each other with the most bitter animosity. The British resident at the Hague, in a conference with the States, represented, that the king, his master, could not hope to see peace speedily re-established, if the neutral princes should assume a right of carrying on the trade of his enemies; that he expected from their known justice, and the alliance by which they were so nearly connected with his subjects, they would honestly abandon this fraudulent commerce, and agree that naval stores should be comprehended in the class of contraband commodities. He answered some articles of the complaints they had made with an appearance of candour and moderation; declared his majesty's abhorrence of the violences which had been committed upon the subjects of the United Provinces; explained the steps which had been taken by the English government to bring the offenders to justice, as well as to prevent such outrages for the future; and assured them that his Britannic majesty had nothing more at heart than to renew and maintain, in full force, the mutual confidence and friendship by which the maritime powers of England and Holland had been so long united.

§ LIII. These professions of esteem and affection were not sufficient to quiet the minds, and appease the resentment, of the Dutch merchants; and the French party, which was both numerous and powerful, employed all their art and influence to exasperate their passions, and widen the breach between the two nations. The court of Versailles did not fail to seize this opportunity of insinuation; while, on one hand, their ministers and emissaries in Holland exaggerated the indignities and injuries which the States had sustained from the insolence and rapacity of the English; they, on the other hand, flattered and cajoled them with little advantages in trade, and formal professions of respect. Such was the memorial delivered by the Count D'Affry, intimating that the empress-queen being under an absolute necessity of employing all her forces to defend her hereditary dominions in Germany, she had been obliged to withdraw her troops from Ostend and Nie-

port; and applied to the French king, as her ally nearest at hand, to garrison these two places, which, however, should be restored at the peace, or sooner, should her imperial majesty think proper. The spirit of the Dutch merchants, at this juncture, and their sentiments with respect to England, appeared with very high colouring in a memorial to the States-general, subscribed by two hundred and sixty-nine traders, composed and presented with equal secrecy and circumspection. In this famous remonstrance they complained, that the violences and unjust depredations committed by the English ships of war and privateers on the vessels and effects of them and their fellow-subjects, were not only continued, but daily multiplied; and cruelty and excess carried to such a pitch of wanton barbarity, that the petitioners were forced to implore the assistance of their high mightinesses to protect, in the most efficacious manner, the commerce and navigation, which were the two sinews of the republic. For this necessary purpose they offered to contribute each his contingent, and to arm at their own charge; and other propositions were made for an immediate augmentation of the marine. While this party industriously exerted all their power and credit to effect a rupture with England, the princess governante employed all her interest and address to divert them from this object, and alarm them with respect to the power and designs of France; against which she earnestly exhorted them to augment their military forces by land, that they might be prepared to defend themselves against all invasion. At the same time she spared no pains to adjust the differences between her husband's country and her father's kingdom; and, without doubt, her healing councils were of great efficacy in preventing matters from coming to a very dangerous extremity.

## CHAP. IX.

- § I. Expedition against Senegal. § II. Fort Louis and Senegal taken. § III. Unsuccessful attempt upon Goree. § IV. Expedition to Cape Breton. § V. Louisbourg taken. § VI. And St. John's. § VII. Unsuccessful attempt upon Trompador. § VIII. Fort Trompador taken and destroyed by the English. § IX. Brigadier Forbes takes Fort du Quene. § X. Goree taken. § XI. Shipwreck of Captain Parton. § XII. Gallant exploit of Captain Tyrrel. § XIII. Transactions in the East Indies. § XIV. Peace between the French and the East Indies. § XV. Peace between the French and the East Indies. § XVI. Peace between the French and the East Indies. § XVII. King of Prussia raises contributions in Saxony, and the dominions of the Duke of Württemberg. § XVIII. Success of the campaign. § XIX. French king changes the administration of Hanover. § XX. Plan of a treaty between the French king and the Landgrave of Hesse-Cassel. § XXI. Treaty between the French king and the Duke of Brunswick. § XXII. Defeat of the Austrians against the Elector of Hanover and others. § XXIII. Breton taken by the Duke de Broglie, and retaken by Prince Ferdinand. § XXIV. Duke de Richelieu recalled. General assembly of the Duke de Randon. § XXV. The French abandon Hanover. § XXVI. Prince of Brunswick reduces Hanover and Munster. § XXVII. Prince of Brunswick defeats the French at Crevelt, and takes Düsseldorf. § XXVIII. Prince of Saxe-Coburg defeats the Duke de Broglie. § XXIX. General Ulmoff defeats M. de Cluevart. § XXX. Death of the Duke of Marlborough. § XXXI. Operations of the King of Prussia, at the beginning of the campaign. § XXXII. He enters Moravia, and invests Gmütz. § XXXIII. He is obliged to raise the siege, and retreats into Silesia, where he takes Breda. § XXXIV. Progress of the Russians. § XXXV. King of Prussia defeats the Russians at Zorndorf. § XXXVI. And is defeated by the Austrians at Hochkirchen. § XXXVII. He retreats to Silesia. § XXXVIII. Summits of Dresden burnt by the Prussian governor. § XXXIX. King of Prussia raises the siege of Neer, and relieves Breslau. § XL. Inhabitants of Saxony grievously oppressed. § XLI. Progress of the Swedes in Pomerania. § XLII. Prince Charles of Saxony elected Duke of Courland. § XLIII. King of England's memorial to the diet of the empire. § XLIV. Death of Pope Benedict. § XLV. King of Portugal assassinated. § XLVI. Proceedings of the French ministry. § XLVII. Conduct of the King of Denmark. § XLVIII. Answer to the charges brought by the Dutch against the English cruisers. § XLIX. Conference between the British, aulic and the States-general. § L. Further proceedings.

§ I. The whole strength of Great Britain, A. D. 1758 during this campaign, was not exhausted in the petty descents upon the coasts of France. The continent of America was the great theatre on which her chief vigour was displayed; nor did she fail to exert herself in successful efforts against the French settlements on the coast of Africa. The whole gum trade, from Cape Blanco to the river Gambia, an extent of five hundred miles, had been engrossed by the French, who built Fort Louis within the mouth of the Senegal, extending their factories near three hundred leagues up that river, and on the same coast had fortified the island of Goree, in which they maintained a considerable garrison. The gum-senega, of which a great

quantity is used by the manufacturers of England, being wholly in the hands of the enemy, the English dealers were obliged to buy it at second-hand from the Dutch, who purchased it of the French, and exacted an exorbitant price for that commodity. This consideration forwarded the plan for annexing the country to the possession of Great Britain. The project was first conceived by Mr. Thomas Cumming, a sensible quaker, who, as a private merchant, had made a voyage to Portenderick, an adjoining part of the coast, and contracted a personal acquaintance with Amir, the Moorish King of Legibelli.<sup>a</sup> He found this African prince extremely well disposed towards the subjects of Great Britain, whom he publicly preferred to all other Europeans; and so exasperated against the French, that he declared he should never be easy till they were exterminated from the river Senegal. At that very time he had commenced hostilities against them, and earnestly desired that the King of England would send out an armament to reduce Fort Louis and Goree, with some ships of force to protect the traders. In that case, he promised to join his Britannic majesty's forces, and grant an exclusive trade to his subjects. Mr. Cumming not only perceived the advantages that would result from such an exclusive privilege with regard to the gum, but foresaw many other important consequences of an extensive trade, in a country, which, over and above the gum-senega, contains many valuable articles, such as gold dust, elephants' teeth, hides, cotton, bees-wax, slaves, ostrich feathers, indigo, ambergris, and civet. Elevated with the prospect of an acquisition so valuable to his country, this honest quaker was equally minute and indefatigable in his inquiries touching the commerce of the coast, as well as the strength and situation of the French settlements on the river Senegal; and, at his return to England, actually formed the plan of an expedition for the conquest of Fort Louis. This was presented to the board of trade, by whom it was approved, after a severe examination; but it required the patriotic zeal and invincible perseverance of Cumming, to surmount a variety of obstacles before it was adopted by the ministry; and even then it was not executed in its full extent. He was abridged of one large ship, and in lieu of six hundred land forces, to be drafted from different regiments, which he in vain demanded, first from the Duke of Cumberland, and afterwards from Lord Ligonier, the lords of the admiralty allotted two hundred mariners only for this service. After repeated solicitation, he, in the year one thousand seven hundred and fifty-seven, obtained an order, that the two annual ships bound to the coast of Guinea should be joined by a sloop and two busses, and make an attempt upon the French settlement in the river Senegal. These ships, however, were detained by contrary winds until the season was too far advanced to admit a probability of success, and therefore the design was postponed. In the beginning of the present year, Mr. Cumming being reinforced with the interest of a considerable merchant in the city, to whom he had communicated the plan, renewed his application to the ministry, and they resolved to hazard the enterprise. A small squadron was equipped for this expedition, under the command of Captain Marsh, having on board a body of marines, commanded by Major Mason, with a detachment of artillery, ten pieces of cannon, eight mortars, and a considerable quantity of warlike stores and ammunition. Captain Walker was appointed engineer; and Mr. Cumming was concerned as a principal director and promoter of the expedition.<sup>b</sup> This little armament sailed in the beginning of March; and in their passage touched at the island Tenerife, where, while the ships supplied themselves with wine and water, Mr. Cumming proceeded in the Swan sloop to Portenderick, being charged with a letter of credence to his old friend the king of that country, who had favoured him in his last visit with an exclusive trade on that coast, by a formal charter, written in the Arabic language. This prince was now up the country, engaged in a war with his neigh-

bours, called the Diable Moors;<sup>c</sup> and the queen-dowager, who remained at Portenderick, gave Mr. Cumming to understand, that she could not at present spare any troops to join the English in their expedition against Senegal; but she assured him, that, should the French be exterminated, she and her subjects would go thither and settle. In the meantime, one of the chiefs, called Prince Amir, despatched a messenger to the king, with advice of their arrival and design. He declared that he would, with all possible diligence, assemble three hundred warriors to join the English troops, and that, in his opinion, the king would reinforce them with a detachment from his army. By this time, Captain Marsh, with the rest of the armament, had arrived at Portenderick, and fearing that the enemy might receive intimation of his design, resolved to proceed on the expedition, without waiting for the promised auxiliaries. On the twenty-second day of April he weighed anchor, and next day, at four o'clock, discovered the French flag flying upon Fort Louis, situated in the midst of a pretty considerable town, which exhibited a very agreeable appearance. The commodore having made prize of a Dutch ship richly laden with gum, which lay at anchor without the bar, came to anchor in Senegal-road at the mouth of the river, and here he perceived several armed sloops which the enemy had detached to defend the passage of the bar, which is extremely dangerous. All the boats were employed in conveying the stores into the small craft, while three of the sloops continued exchanging fire over a narrow tongue of land with the vessels of the enemy, consisting of one brig and six armed sloops, mounted with great guns and swivels. At length, the channel being discovered, and the wind, which generally blows down the river, chopping about, Captain Millar, of the London buss, seized that opportunity; and passing the bar with a flowing sheet, dropped anchor on the inside, where he lay till night, exposed to the whole fire of the enemy. Next day he was joined by the other small vessels, and a regular engagement ensued. This was warmly maintained on both sides, until the busses and one dopper running aground, immediately bulged and were filled with water. Then the troops they contained took to their boats, and with some difficulty reached the shore, where they formed in a body, and were soon joined by their companions from the other vessels: so that now the whole amounted to three hundred and ninety marines, besides the detachment of artillery. As they laid their account with being attacked by the natives, who lined the shore at some distance, seemingly determined to oppose the descent, they forthwith threw up an intrenchment, and began to disembark the stores, great part of which lay under water. While they were employed in raising this occasional defence, the negroes came in great numbers and submitted; and on the succeeding day they were reinforced by three hundred and fifty seamen, who passed the bar in sloops, with their ensigns and colours flying.

§ II. They had made no further progress in their operations, when two French deputies arrived at the intrenchment, with proposals for a capitulation from the governor of Fort Louis. After some hesitation, Captain Marsh and Major Mason agreed, that all the white people belonging to the French company at Senegal should be safely conducted to France in an English vessel, without being deprived of their private effects, provided all the merchandise and uncoined treasure should be delivered up to the victors; and that all the forts, storehouses, vessels, arms, provisions, and every article belonging to the company in that river, should be put into the hands of the English immediately after the capitulation could be signed. They promised that the free natives living at Fort Louis should remain in quiet possession of their effects, and in the free exercise of their religion; and that all negroes, mulattoes, and others, who could prove themselves free, should have it in their option either to remain in the place, or remove to any other part of the country.<sup>d</sup> The Captains Camp-

<sup>a</sup> The name the natives give to that part of South Barbary, known to merchants and navigators by that of the Gum Coast, and called in maps, the Sandy Desert of Sata, and sometimes Zaza.

<sup>b</sup> On this occasion Mr. Cumming may seem to have acted directly contrary to the tenets of his religious profession; but he ever declared to the ministry, that he was fully persuaded his schemes might be accomplished without the effusion of human blood; and that if he thought otherwise, he would by no means have concerned himself about them. He also desired, let the consequence be what it might, his brethren should not be chargeable with what was his own single act. If it was the first military scheme of

any quaker, let it be remembered it was also the first successful expedition of this war, and one of the first that ever was carried on according to the pacific system of the quakers, without the loss of blood on either side.

<sup>c</sup> This is the name by which the subjects of Legibelli distinguish those of Blackina, who inhabit the country further up the river Senegal, and are in constant alliance with the French.

<sup>d</sup> The victors, however, committed a very great mistake in allowing them to carry off their books and accounts, the perusal of which would have been of infinite service to the English merchants, by informing them of the commodities, their value, the proper seasons, and methods of prosecuting the trade.



bell and Walker were immediately sent up the river with a flag of truce, to see the articles signed and executed ; but they were so retarded by the rapidity of the stream, that they did not approach the fort till three in the morning. As soon as the day broke they hoisted their flag, and rowed up towards a battery on a point of the island, where they lay upon their oars very near a full hour, beating the chamade ; but no notice was taken of their approach. This reserve appearing mysterious, they retired down the river to their intrenchment, where they understood that the negroes on the island were in arms, and had blocked up the French in Fort-Louis, resolving to defend the place to the last extremity, unless they should be included in the capitulation. This intelligence was communicated in a second letter from the governor, who likewise informed the English commander, that unless the French director-general should be permitted to remain with the natives, as a surety for that article of the capitulation in which they were concerned, they would allow themselves to be cut in pieces rather than submit. The request being granted, the English forces began their march to Fort-Louis, accompanied by a number of long boats, in which the artillery and stores had embarked. The French, seeing them advance, immediately struck their flag ; and Major Mason took possession of the castle, where he found ninety-two pieces of cannon, with treasure and merchandise to a considerable value. The corporation and burghers of the town of Senegal submitted, and swore allegiance to his Britannic majesty ; the neighbouring princes, attended by numerous retinues, visited the commander, and concluded treaties with the English nation, and the King of Portenderrick or Legibelli, sent an ambassador from his camp to Major Mason, with presents, compliments of congratulation, and assurances of friendship. The number of free independent negroes and mulattoes, settled at Senegal, amounted to three thousand, and many of these enjoyed slaves and possessions of their own. The two French factories of Podore and Galam, the latter situated nine hundred miles further up the river, were included in the capitulation ; so that Great Britain, almost without striking a blow, found herself possessed of a conquest, from which, with proper management, she may derive inconceivable riches. This important acquisition was in a great measure, if not entirely, owing to the sagacity, zeal, and indefatigable efforts of Mr. Cumming, who not only formed the plan, and solicited the armament, but also attended the execution of it in person, at the hazard of his life, and to the interruption of his private concerns.

§ III. Fort-Louis being secured with an English garrison, and some armed vessels left to guard the passage of the bar, at the mouth of the river, the great ships proceeded to make an attempt upon the island of Goree, which lies at the distance of thirty leagues from Senegal. There the French company had considerable magazines and warehouses, and lodged the negro slaves until they could be shipped for the West Indies. If the additional force which Mr. Cumming proposed for the conquest of this island had been added to the armament, in all probability the island would have been reduced, and in that case, the nation would have saved the considerable expense of a subsequent expedition against it, under the conduct of Commodore Keppel. At present, the ships by which Goree was attacked were found unequal to the attempt, and the expedition miscarried accordingly, though the miscarriage was attended with little or no damage to the assailants.

§ IV. Scenes of still greater importance were acted in North America, where, exclusive of the fleet and marines, the government had assembled about fifty thousand men, including two-and-twenty thousand regular troops. The Earl of Loudoun having returned to England, the chief command in America devolved on Major-General Abercrombie ; but as the objects of operation were various, the forces were divided into three detached bodies, under as many different commanders. About twelve thousand were destined to undertake the siege of Louisbourg, on the island of Cape Breton. The general himself reserved near sixteen thousand for the reduction of Crown Point, a fort situated on Lake Champlain : eight thousand, under

the conduct of Brigadier-General Forbes, were allotted for the conquest of Fort du Quesne, which stood a great way to the southward, near the river Ohio ; and a considerable garrison was left at Annapolis, in Nova Scotia. The reduction of Louisbourg and the island of Cape Breton being an object of immediate consideration, was undertaken with all possible despatch. Major-General Amherst being joined by Admiral Boscawen, with the fleet and forces from England, the whole armament, consisting of one hundred and fifty-seven sail, took their departure from the harbour of Halifax, in Nova Scotia, on the twenty-eighth of May ; and on the second of June part of the transports anchored in the bay of Gabarus, about seven miles to the westward of Louisbourg. The garrison of this place, commanded by the Chevalier Drucour, consisted of two thousand five hundred regular troops, three hundred militia, formed of the burghers, and towards the end of the siege they were reinforced by three hundred and fifty Canadians, including threescore Indians. The harbour was secured by six ships of the line, and five frigates,<sup>e</sup> three of which the enemy sunk across the harbour's mouth, in order to render it inaccessible to the English shipping. The fortifications were in bad repair, many parts of them crumbling down the covered way, and several bastions exposed in such a manner as to be enfiladed by the besiegers, and no part of the town secure from the effects of cannonading and bombardment. The governor had taken all the precautions in his power to prevent a landing, by establishing a chain of posts, that extended two leagues and a half along the most inaccessible parts of the beach : intrenchments were thrown up, and batteries erected ; but there were some intermediate places, which could not be properly secured ; and in one of these the English troops were disembarked. The disposition being made for landing, a detachment, in several sloops under convoy, passed by the mouth of the harbour towards Lorembec, in order to draw the enemy's attention that way, while the landing should really be effected on the other side of the town. On the eighth day of June, the troops being assembled in the boats, before day-break, in three divisions, several sloops and frigates, that were stationed along shore in the bay of Gabarus, began to scour the beach with their shot ; and after the fire had continued about a quarter of an hour, the boats, containing the division on the left, were rowed towards the shore, under the command of Brigadier-General Wolfe, an accomplished officer, who, in the sequel, displayed very extraordinary proofs of military genius. At the same time the two other divisions, on the right and in the centre, commanded by the Brigadiers Whitmore and Laurence, made a show of landing, in order to divide and distract the enemy. Notwithstanding an impetuous surf, by which many boats were overset, and a very severe fire of cannon and musketry from the enemy's batteries, which did considerable execution, Brigadier Wolfe pursued his point with admirable courage and deliberation. The soldiers leaped into the water with the most eager alacrity, and, gaining the shore, attacked the enemy in such a manner, that in a few minutes they abandoned their works and artillery, and fled in the utmost confusion. The other divisions landed also ; but not without an obstinate opposition ; and the stores, with the artillery, being brought on shore, the town of Louisbourg was formally invested. The difficulty of landing stores and implements in boisterous weather, and the nature of the ground, which, being marshy, was unfit for the conveyance of heavy cannon, retarded the operations of the siege. Mr. Amherst made his approaches with great circumspection, securing his camp with redoubts and epaulements, from any attacks of Canadians, of which he imagined there was a considerable body behind him on the island, as well as from the fire of the French shipping in the harbour, which would otherwise have annoyed him extremely in his advances.

§ V. The governor of Louisbourg, having destroyed the grand battery, which was detached from the body of the place, and recalled his out-posts, prepared for making a vigorous defence. A very severe fire, well-directed, was maintained against the besiegers and their works from the town, the island battery, and the ships in the harbour ; and

<sup>e</sup> The *Prudent*, of seventy-four guns ; the *Entrepreneuse*, of seventy-four guns ; the *Capricieux*, *Celèbre*, and *Bienfaisant*, of sixty-four guns each ;

the *Apollo*, of fifty guns ; the *Chevre*, *Biche*, *Fidelle*, *Diana*, and *Echo* frigates.

divers sallies were made, though without much effect. In the meantime Brigadier Wolfe, with a strong detachment, had marched round the north-east part of the harbour, and taken possession of the Light-house point, where he erected several batteries against the ships and the island fortification, which last was soon silenced. On the nineteenth day of June, the *Echo*, a French frigate, was taken by the English cruisers, after having escaped from the harbour: from the officers on board of this ship the admiral learned that the *Bizarre*, another frigate, had sailed from thence on the day of the disembarkation, and the *Comete* had successively followed her example. Besides the regular approaches to the town, conducted by the engineers under the immediate command and inspection of General Amherst, divers batteries were raised by the detached corps under Brigadier Wolfe, who exerted himself with amazing activity, and grievously incommoded the enemy, both of the town and the shipping. On the twenty-first day of July the three great ships, the *Entrepreant*, *Capricieux*, and *Celebre*, were set on fire by a bomb-shell, and burned to ashes; so that none remained but the *Prudent* and *Bienfaisant*, which the admiral undertook to destroy. For this purpose, in the night between the twenty-fifth and twenty-sixth days of the month, the boats of the squadron were in two divisions detached into the harbour, under the command of two young captains, Laforey and Balfour. They accordingly penetrated, in the dark, through a terrible fire of cannon and musketry; and boarded the enemy sword in hand. The *Prudent*, being a-ground, was set on fire, and destroyed, but the *Bienfaisant* was towed out of the harbour in triumph. In the prosecution of the siege, the admiral and general co-operated with remarkable harmony; the former cheerfully assisting the latter with cannon and other implements; with detachments of marines to maintain posts on shore, with parties of seamen to act as pioneers, and concur in working the guns and mortars. The fire of the town was managed with equal skill and activity, and kept up with great perseverance; until, at length, their shipping being all taken and destroyed, the casemats ruined in the two principal bastions, forty out of fifty-two pieces of cannon dismounted, broke, or rendered unserviceable, and divers practicable breaches effected, the governor, in a letter to Mr. Amherst, proposed a capitulation on the same articles that were granted to the English at Port Mahon. In answer to this proposal he was given to understand, that he and his garrison must surrender themselves prisoners of war, otherwise he might next morning expect a general assault by the shipping under Admiral Boscawen. The Chevalier Drucour, piqued at the severity of these terms, replied, that he would, rather than comply with them, stand an assault; but the commissary-general and intendant of the colony presented a petition from the traders and inhabitants of the place, in consequence of which he submitted. On the twenty-seventh day of July three companies of grenadiers, commanded by Major Farquhar, took possession of the western gate; and Brigadier Whitmore was detached into the town, to see the garrison lay down their arms, and deliver up their colours on the esplanade, and to post the necessary guards on the stores, magazines, and ramparts. Thus at the expense of about four hundred men, killed and wounded, the English obtained possession of the important island of Cape Breton, and the strong town of Louisbourg; in which the victors found two hundred and twenty-one pieces of cannon, with eighteen mortars, and a considerable quantity of stores and ammunition. The merchants and inhabitants were sent to France in English bottoms; but the garrison, together with the sea-officers, marines, and mariners, amounting in all to five thousand six hundred and thirty-seven prisoners, were transported to England. The loss of Louisbourg was the more severely felt by the French king, as it had been attended with the destruction of so many considerable ships and frigates. The particulars of this transaction were immediately brought to England, in a vessel despatched for that purpose, with Captain Amherst, brother to the commander; who was also intrusted with eleven pair of colours taken at

Louisbourg: these were, by his majesty's order, carried in pompous parade, escorted by detachments of horse and foot guards, with kettle-drums and trumpets, from the palace of Kensington to St. Paul's cathedral, where they were deposited as trophies, under a discharge of cannon, and other noisy expressions of triumph and exultation. Indeed, the public rejoicings for the conquest of Louisbourg were diffused through every part of the British dominions, and addresses of congratulation were presented to the king by a great number of flourishing towns and corporations.

§ VI. After the reduction of Cape Breton, some ships were detached, with a body of troops under the command of Lieutenant-Colonel Lord Rollo, to take possession of the island of St. John, which also lies in the gulf of St. Lawrence, and, by its fertility in corn and cattle, had, since the beginning of the war, supplied Quebec with considerable quantities of provision. It was likewise the asylum to which the French neutrals of Annapolis fled for shelter from the English government; and the retreat from whence they and the Indians used to make their sudden irruptions into Nova Scotia, where they perpetrated the most inhuman barbarities on the defenceless subjects of Great Britain. The number of inhabitants amounted to four thousand one hundred, who submitted and brought in their arms; then Lord Rollo took possession of the governor's quarters, where he found several scalps of Englishmen, whom the savages had assassinated, in consequence of the encouragement they received from their French patrons and allies, who gratified them with a certain premium for every scalp they produced. The island was stocked with above ten thousand head of black cattle, and some of the farmers raised each twelve hundred bushels of corn annually for the market of Quebec.

§ VII. The joy and satisfaction arising from the conquest of Louisbourg and St. John was not a little checked by the disaster which befell the main body of the British forces in America, under the immediate conduct of General Abercrombie, who, as we have already observed, had proposed the reduction of the French forts on the lakes George and Champlain, as the chief objects of his enterprise, with a view to secure the frontier of the British colonies, and open a passage for the future conquest of Canada. In the beginning of July his forces, amounting to near seven thousand regular troops, and ten thousand provincials, embarked on the lake George, in the neighbourhood of Lake Champlain, on board of nine hundred batteaux, and one hundred and thirty-five whale boats, with provision, artillery, and ammunition; several pieces of cannon being mounted on rafts to cover the proposed landing, which was next day effected without opposition. The general's design was to invest Ticonderoga, a fort situated on a tongue of land, extending between Lake George and a narrow gut that communicates with Lake Champlain. This fortification was, on three sides, surrounded with water, and in front nature had secured it with a morass. The English troops being disembarked, were immediately formed into three columns, and began their march to the enemy's advanced posts, consisting of one battalion, encamped behind a breast-work of logs, which they now abandoned with precipitation, after having set them on fire, and burned their tents and implements. The British forces continued their march in the same order; but the route lying through a thick wood that did not admit of any regular progression or passage, and the guides proving extremely ignorant, the troops were bewildered, and the columns broken by falling in one upon another. Lord Howe, being advanced at the head of the right centre column, encountered a French detachment who had likewise lost their way in the retreat from the advanced post, and a warm skirmish ensuing, the enemy were routed with considerable loss, a good number were killed, and one hundred and forty-eight were taken prisoners, including five officers. This petty advantage was dearly bought with the loss of Lord Howe, who fell in the beginning of the action, unspeakably regretted, as a young nobleman of the most promising talents, who had distinguished himself in a peculiar manner by his courage, ac-

If it may not be amiss to observe, that a cavalier, which Admiral Knowles had built at an enormous expense to the nation, while Louisbourg remained in the hands of the English in the last war, was, in the

course of this siege, entirely demolished by two or three shots from one of the British batteries, so admirably had this piece of fortification been contrived and executed, under the eye of that profound engineer.

tivity, and rigid observation of military discipline, and had acquired the esteem and affection of the soldiery by his generosity, sweetness of manners, and engaging address. The general, perceiving the troops were greatly fatigued and disordered from want of rest and refreshment, thought it advisable to march back to the landing-place, which they reached about eight in the morning. Then he detached Lieutenant-Colonel Bradstreet, with one regular regiment, six companies of the royal Americans, with the bateau-men, and a body of rangers, to take possession of a saw-mill in the neighbourhood of Ticonderoga, which the enemy had abandoned. This post being secured, the general advanced again towards Ticonderoga, where, he understood from the prisoners, the enemy had assembled eight battalions, with a body of Canadians and Indians, amounting in all to six thousand. These, they said, being encamped before the fort, were employed in making a formidable intrenchment, where they intended to wait for a reinforcement of three thousand men, who had been detached under the command of M. de Levi, to make a diversion on the Mohawk river; & but, upon intelligence of Mr. Abercrombie's approach, were now recalled for the defence of Ticonderoga. This information determined the English general to strike, if possible, some decisive stroke before the junction could be effected. He, therefore, early next morning sent his engineer across the river on the opposite side of the fort, to reconnoitre the enemy's intrenchments; and he reported, that the works being still unfinished, might be attempted with a good prospect of success. A disposition was made accordingly for the attack, and, after proper guards had been left at the saw-mill and the landing place, the whole army was put in motion. They advanced with great alacrity towards the intrenchment, which, however, they found altogether impracticable. The breast-work was raised eight feet high, and the ground before it covered with an abattis, or felled trees, with their boughs pointing outwards, and projecting in such a manner as to render the intrenchment almost inaccessible. Notwithstanding these discouraging difficulties, the British troops marched up to the assault with an undaunted resolution, and sustained a terrible fire without flinching. They endeavoured to cut their way through these embarrassments with their swords, and some of them even mounted the parapet; but the enemy were so well covered, that they could deliberately direct their fire without the least danger to themselves: the carnage was, therefore, considerable, and the troops began to fall into confusion, after several repeated attacks, which lasted above four hours, under the most disadvantageous circumstances. The general, by this time, saw plainly that no hope of success remained; and, in order to prevent a total defeat, took measures for the retreat of the army, which retired unmolested to their former camp, with the loss of about eighteen hundred men killed or wounded, including a great number of officers. Every corps of regular troops behaved, on this unfortunate occasion with remarkable intrepidity; but the greatest loss was sustained by Lord John Murray's highland regiment, of which above one half of the private men, and twenty-five officers, were either slain upon the spot, or desperately wounded. Mr. Abercrombie, unwilling to stay in the neighbourhood of the enemy with forces which had received such a dispiriting check, retired to his bateaux, and, re-embarking the troops, returned to the camp at Lake George, from whence he had taken his departure. Censure, which always attends miscarriage, did not spare the character of this commander: his attack was condemned as rash, and his retreat as pusillanimous. In such case allowance must be made for the peevishness of disappointment, and the clamour of connexion. How far Mr. Abercrombie acquitted himself in the duty of a general we shall not pretend to determine; but if he could depend upon the courage and discipline of his forces, he surely had nothing to fear, after the action, from the attempts of the enemy, to whom he would have been superior in number, even though they had been joined by the expected reinforcement: he might, therefore, have remained on the spot, in order to execute some other enterprise when

he should be reinforced in his turn; for General Amherst no sooner heard of his disaster than he returned with the troops from Cape Breton to New England, after having left a strong garrison in Louisbourg. At the head of six regiments he began his march to Albany, about the middle of September, in order to join the forces on the lake, that they might undertake some other service before the season should be exhausted.

§ VIII. In the meantime, General Abercrombie had detached Lieutenant-Colonel Bradstreet, with a body of three thousand men, chiefly provincials, to execute a plan which this officer had formed against Cadaraqui, or Fort Frontenac, situated on the north side of the river St. Lawrence, just where it takes its origin from the lake Ontario. To the side of this lake he penetrated with his detachment, and embarking in some sloops and bateaux, provided for the purpose, landed within a mile of Fort Frontenac, the garrison of which, consisting of one hundred and ten men, with a few Indians, immediately surrendered at discretion. Considering the importance of this post, which, in a great measure, commanded the mouth of the river St. Lawrence, and served as a magazine to the more southern castles, the French general was inexcusable for leaving it in such a defenceless condition. The fortification itself was inconsiderable and ill contrived; nevertheless, it contained sixty pieces of cannon, sixteen small mortars, and an immense quantity of merchandise and provisions, deposited for the use of the French forces detached against Brigadier Forbes, their western garrisons, and Indian allies, as well as for the subsistence of the corps commanded by M. de Levi, on his enterprise against the Mohawk river. Mr. Bradstreet not only reduced the fort without bloodshed, but also made himself master of all the enemy's shipping on the lake, amounting to nine armed vessels, some of which carried eighteen guns. Two of these Mr. Bradstreet conveyed to Oswego, whither he returned with his troops, after he had destroyed Fort Frontenac, with all the artillery, stores, provision, and merchandise which it contained. In consequence of this exploit, the French troops to the southward were exposed to the hazard of starving; but it is not easy to conceive the general's reason for giving orders to abandon and destroy a fort, which, if properly strengthened and sustained, might have rendered the English masters of the lake Ontario, and grievously harassed the enemy, both in their commerce and expeditions to the westward. Indeed, great part of the Indian trade centred at Frontenac, to which place the Indians annually repaired from all parts of America, some of them at the distance of a thousand miles, and here exchanged their furs for European commodities. So much did the French traders excel the English in the art of conciliating the affection of those savage tribes, that great part of them, in their yearly progress to this remote market, actually passed by the British settlement of Albany, in New York, where they might have been supplied with what articles they wanted, much more cheap than they could purchase them at Frontenac or Montreal; nay, the French traders used to furnish themselves with these very commodities from the merchants of New York, and found this traffic much more profitable than that of procuring the same articles from France, loaded with the expense of a tedious and dangerous navigation, from the sea to the source of the river St. Lawrence.

§ IX. In all probability, the destruction of Frontenac facilitated the expedition against Fort du Quesne, intrusted to the conduct of Brigadier Forbes, who, with his little army, began his march in the beginning of July from Philadelphia for the river Ohio, a prodigious tract of country very little known, destitute of military roads, encumbered with mountains, morasses, and woods, that were almost impenetrable. It was not without incredible exertion of industry, that he procured provisions and carriages for this expedition, formed new roads, extended scouting parties, secured camps, and surmounted many other difficulties in the course of his tedious march, during which he was also harassed by small detachments of the enemy's Indians. Having penetrated with the main body as far as Ray's-Town, at the distance of ninety miles from Fort du

g This officer intended to have made an irruption through the pass of Onondaga on the Mohawk river, but was recalled before he could execute his design. General Abercrombie afterwards sent thither Brigadier Stanwix,

with a considerable body of provincials; and this important pass was secured by a fort built at that juncture.



Quesne, and advanced Colonel Bouquet, with two thousand men, about fifty miles further to a place called Lyal-Henning, this officer detached Major Grant, at the head of eight hundred men, to reconnoitre the fort and its outworks. The enemy perceiving him approach sent a body of troops against him, sufficient to surround his whole detachment: a very severe action began, which the English maintained with their usual courage for three hours against cruel odds, but at length, being overpowered by numbers, they were obliged to give way, and retired in disorder to Lyal-Henning, with the loss of about three hundred men killed or taken, including Major Grant, who was carried prisoner to Fort du Quesne, and nineteen officers. Notwithstanding this mortifying check, Brigadier Forbes advanced with the army, resolved to prosecute his operations with vigour; but the enemy, dreading the prospect of a siege, dismantled and abandoned the fort, and retired down the river Ohio, to their settlements on the Mississippi. They quitted the fort on the twenty-fourth day of November, and next day it was possessed by the British forces. As for the Indians of this country, they seemed heartily to renounce their connexions with France, and be perfectly reconciled to the government of his Britannic majesty. Brigadier Forbes having repaired the fort, changed its name from Du Quesne to Pittsburgh, secured it with a garrison of provincials, and concluded treaties of friendship and alliance with the Indian tribes. Then he marched back to Philadelphia, and in his retreat built a blockhouse, near Lyal-Henning, for the defence of Pennsylvania: but he himself did not long survive these transactions, his constitution having been exhausted by the incredible fatigues of the service. Thus have we given a particular detail of all the remarkable operations by which this campaign was distinguished on the continent of America; the reader will be convinced that, notwithstanding the defeat at Ticonderoga, and the disaster of the advanced party in the neighbourhood of Fort du Quesne, the arms of Great Britain acquired many important advantages; and, indeed, paved the way for the reduction of Quebec, and conquest of all Canada. In the meantime, the Admirals Boscawen and Hardy, having left a considerable squadron at Halifax, in Nova Scotia, returned with four ships of the line to England, where they arrived in the beginning of November, after having given chase to six large French ships, which they despatched to the westward of Scilly, but could not overtake or bring to an engagement.

§ X. The conquest of the French settlement in the river Senegal being deemed imperfect and incomplete, whilst France still kept possession of the island of Goree, the ministry of Great Britain resolved to crown the campaign in Africa with the reduction of that fortress. For this purpose Commodore Keppel, brother to the Earl of Albemarle, was vested with the command of a squadron, consisting of four ships of the line, several frigates, two bomb-ketches, and some transports, having on board seven hundred men of the regular troops, commanded by Colonel Worge, and embarked in the harbour of Cork in Ireland, from whence this whole armament took their departure on the eleventh day of November. After a tempestuous passage, in which they touched at the isle of Teneriffe, they arrived at Goree in the latter end of December, and the commodore made a disposition for attacking this island, which was remarkably strong by nature, but very indifferently fortified. Goree is a small barren island, extending about three quarters of a mile in length, of a triangular form; and on the south-west side rising into a rocky hill, on which the paltry fort of St. Michael is situated. There is another, still more inconsiderable, called St. Francis, towards the other extremity of the island: and several batteries were raised around its sweep, mounted with about one hundred pieces of cannon, and four mortars. The French governor, M. de St. Jean, had great plenty of ammunition, and his garrison amounted to about three hundred men, exclusive of as many negro inhabitants. The flat-bottomed boats, for disembarking the troops, being hoisted out, and disposed along-side of the different transports, the commodore stationed his ships on the west side of the island, and the engagement began with a shell from one of the ketches. This was a signal for the great ships, which poured in their broadsides without intermission,

and the fire was returned with equal vivacity from all the batteries of the island. In the course of the action the cannonading from the ships became so severe and terrible, that the French garrison deserted their quarters, in spite of all the efforts of the governor, who acquitted himself like a man of honour; but he was obliged to strike his colours, and surrender at discretion, after a short but warm dispute, in which the loss of the British commodore did not exceed one hundred men killed and wounded. The success of the day was the more extraordinary, as the French garrison had not lost a man, except one negro killed by the bursting of a bomb-shell, and the number of their wounded was very inconsiderable. While the attack lasted, the opposite shore of the continent was lined with a concourse of negroes, assembled to view the combat, who expressed their sentiments and surprise in loud clamour and uncouth gesticulations, and seemed to be impressed with awe and astonishment at the power and execution of the British squadron. The French colours being struck, as a signal of submission, the commodore sent a detachment of marines on shore, who disarmed the garrison, and hoisted the British flag upon the castle of St. Michael. In the meantime, the governor and the rest of the prisoners were secured among the shipping. Thus the important island of Goree fell into the hands of the English, together with two trading vessels that chanced to be at anchor in the road, and stores, money, and merchandise, to the value of twenty thousand pounds. Part of the troops being left in garrison at Goree, under the command of Major Newton, together with three sloops for his service, the squadron being watered and refreshed from the continent, that part of which is governed by one of the Jalof kings, and the prisoners, with their baggage, being dismissed in three cartel ships to France, the commodore set sail for Senegal, and reinforced Fort-Louis with the rest of the troops, under Colonel Worge, who was at this juncture favoured with a visit by the King of Legibelli: but very little pains were taken to dismiss this potentate in good humour, or maintain the disposition he professed to favour the commerce of Great Britain. True it is, he was desirous of engaging the English in his quarrels with some neighbouring nations; and such engagements were cautiously and politically avoided, because it was the interest of Great Britain to be upon good terms with every African prince who could promote and extend the commerce of her subjects.

§ XI. Commodore Keppel having reduced Goree, and reinforced the garrison of Senegal, returned to England, where all his ships arrived, after a very tempestuous voyage, in which the squadron had been dispersed. This expedition, however successful in the main, was attended with one misfortune, the loss of the Litchfield ship of war, commanded by Captain Barton, which, together with one transport and a bomb-tender, was wrecked on the coast of Barbary, about nine leagues to the northward of Saffy, in the dominions of Morocco. One hundred and thirty men, including several officers, perished on this occasion; but the captain and the rest of the company, to the number of two hundred and twenty, made shift to reach the shore, where they ran the risk of starving, and were cruelly used by the natives, although a treaty of peace at that time subsisted between Great Britain and Morocco; nay, they were even enslaved by the emperor, who detained them in captivity until they were ransomed by the British government: so little dependence can be placed on the faith of such barbarian princes, with whom it is even a disgrace for any civilized nation to be in alliance, whatever commercial advantages may arise from the connexion.

§ XII. The incidents of the war that happened in the West Indies, during these occurrences, may be reduced to a small compass. Nothing extraordinary was achieved in the neighbourhood of Jamaica, where Admiral Coates commanded a small squadron, from which he detached cruisers occasionally for the protection of the British commerce; and at Antigua the trade was effectually secured by the vigilance of Captain Tyrrel, whose courage and activity were equal to his conduct and circumspection. In the month of March, this gentleman, with his own ship, the Buckingham, and the Cambridge, another of the line, demolished a fort on the island of Martinique, and

destroyed four privateers riding under its protection; but his valour appeared much more conspicuous in a subsequent engagement, which happened in the month of November. Being detached on a cruise in his own ship, the *Buckingham*, by Commodore Moore, who commanded at the Leeward islands, he fell in with the *Weasel* sloop, commanded by Captain Boles, between the islands of Montserrat and Guadaloupe, and immediately discovered a fleet of nineteen sail, under convoy of a French ship of war carrying seventy-four cannon, and two large frigates. Captain Tyrrel immediately gave chase with all the sail he could carry, and the *Weasel* running close to the enemy, received a whole broadside from the large ship, which, however, she sustained without much damage: nevertheless, Mr. Tyrrel ordered her commander to keep aloof, as he could not be supposed able to bear the shock of large metal, and he himself prepared for the engagement. The enemy's large ship, the *Florisant*, though of much greater force than the *Buckingham*, instead of lying-to for his coming up, made a running fight with her stern-chasers, while the two frigates annoyed him in his course, sometimes raking him fore and aft, and sometimes lying on his quarter. At length he came along-side of the *Florisant*, within pistol-shot, and poured in a whole broadside, which did considerable execution. The salutation was returned with equal vivacity, and a furious engagement ensued. Captain Tyrrel was wounded in the face, and lost three fingers of his right hand: so that, being entirely disabled, he was obliged to delegate the command of his ship to his first lieutenant, Mr. Marshal, who continued the battle with great gallantry until he lost his life: then the charge devolved to the second lieutenant, who acquitted himself with equal honour, and sustained a desperate fight against three ships of the enemy. The officers and crew of the *Buckingham* exerted themselves with equal vigour and deliberation, and Captain Troy, who commanded a detachment of marines on the poop, plied his small arms so effectually as to drive the French from their quarters. At length confusion, terror, and uproar prevailing on board the *Florisant*, her firing ceased, and her colours were hauled down about twilight: but her commander perceiving that the *Buckingham* was too much damaged in her rigging to pursue in any hope of success, ordered all his sails to be set, and fled in the dark with his two consorts. Nothing but this circumstance could have prevented a British ship of sixty-five guns, indifferently manned in respect to number, from taking a French ship of the line, mounted with seventy-four pieces of cannon, provided with seven hundred men, and assisted by two large frigates, one of thirty-eight guns, and the other wanting two of this number. The loss of the *Buckingham*, in this action, did not exceed twenty men killed and wounded; whereas the number of the slain on board the *Florisant* did not fall short of one hundred and eighty; and that of her wounded is said to have exceeded three hundred. She was so disabled in her hull, that she could hardly be kept afloat until she reached Martinique, where she was repaired: and the largest frigate, together with the loss of forty men, received such damage as to be for some time quite unserviceable.

§ XIII. In the East Indies the transactions of the war were chequered with a variety of success: but, on the whole, the designs of the enemy were entirely defeated. The French commander, M. de Bussy, had, in the year one thousand seven hundred and fifty-six, quarrelled with Salabatzy, Viceroy of Decan, because this last would not put him in possession of the fortress of Golconda. In the course of the next year, while the English forces were employed in Bengal, M. de Bussy made himself master of the British factories of Ingeram, Bandermalanka, and Vizagapatam, and the reduction of this last left the enemy in possession of the whole coast of Coromandel, from Ganjam to Massulapatam. While a body of the English company's forces, under Captain Caillaud, endeavoured to reduce the important fortress and town of Madura, the French, under M. D'Anteuil, invested Trichinopoly. Caillaud no sooner received intelligence of the danger to which this place was exposed, than he hastened to its relief, and obliged the enemy to abandon the siege. Then he returned to Madura, and after an unsuccessful assault, made

himself master of it by capitulation. During these transactions, Colonel Forde made an attempt on the fort of Nellore, a strong place, at the distance of twenty-four miles from Madras, but miscarried; and this was also the fate of an expedition against Wandewash, undertaken by Colonel Aldercon. The first was repulsed in storming the place, the other was anticipated by the French army, which marched from Pondicherry to the relief of the garrison. The French king had sent a considerable reinforcement to the East Indies, under the command of General Lally, an officer of Irish extraction, together with such a number of ships as rendered the squadron of M. d'Apché superior to that of Admiral Pococke, who had succeeded Admiral Watson, lately deceased, in the command of the English squadron stationed on the coast of Coromandel, which, in the beginning of this year, was reinforced from England with several ships, under the direction of Commodore Stevens. Immediately after this junction, which was effected in the road of Madras on the twenty-fourth day of March, Admiral Pococke, who had already signalized himself by his courage, vigilance, and conduct, sailed to windward, with a view to intercept the French squadron, of which he had received intelligence. In two days he descried in the road of Fort St. David the enemy's fleet, consisting of nine ships, which immediately stood out to sea, and formed the line of battle a-head. The admiral took the same precaution, and bearing down upon M. d'Apché, the engagement began about three in the afternoon. The French commodore, having sustained a warm action for about two hours, bore away with his whole fleet, and being joined by two ships, formed a line of battle again to leeward. Admiral Pococke's own ship and some others, being greatly damaged in their masts and rigging, two of his captains having misbehaved in the action, and night coming on, he did not think it advisable to pursue them with all the sail he could carry; but, nevertheless, he followed them at a proper distance, standing to the south-west, in order to maintain the weather-gage, in case he should be able to renew the action in the morning. In this expectation, however, he was disappointed: the enemy showed no lights, nor made any signals that could be observed; and in the morning not the least vestige of them appeared. Mr. Pococke, on the supposition that they had weathered them in the night, endeavoured to work up after him to windward; but finding he lost ground considerably, he dropped anchor about three leagues to the northward of Sadras, and received intelligence from the chief of that settlement, that one of the largest French ships, having been disabled in the engagement, was run ashore to the southward of Alemparve, where their whole squadron lay at anchor. Such was the issue of the first action between the English and French squadrons in the East Indies, which, over and above the loss of a capital ship, is said to have cost the enemy about five hundred men; whereas the British admiral did not lose one fifth part of that number. Being dissatisfied with the behaviour of three captains, he, on his return to Madras, appointed a court-martial to inquire into their conduct: two were dismissed from the service, and the third was sentenced to lose one year's rank as a post-captain.

§ XIV. In the meantime Mr. Lally had disembarked his troops at Pondicherry, and taking the field, immediately invested the fort of St. David, while the squadron blocked it up by sea. Two English ships being at anchor in the road when the enemy arrived, their captains seeing no possibility of escaping, ran them on shore, set them on fire, and retired with their men into the fortress, which, however, was in a few days surrendered. A much more resolute defence was expected from the courage and conduct of Major Polier, who commanded the garrison. When he arrived at Madras he was subjected to a court of inquiry, which acquitted him of cowardice, but were of opinion that the place might have held out much longer, and that the terms on which it surrendered were shameful, as the enemy were not even masters of the outward covered way, as they had made no breach, and had a wet ditch to fill up and pass, before the town could have been properly assaulted. Polier, in order to wipe off this disgrace, desired to serve as a volunteer with Colonel Draper, and

was mortally wounded in a sally at the siege of Madras. Admiral Pococke having, to the best of his power, repaired his shattered ships, set sail again on the tenth of May, in order to attempt the relief of Fort St. David's; but notwithstanding his utmost endeavours, he could not reach it in time to be of any service. On the thirtieth day of the month he came in sight of Pondicherry, from whence the French squadron stood away early next morning, nor was it in his power to come up with them, though he made all possible efforts for that purpose. Then receiving intelligence that Fort St. David's was surrendered to the enemy, he returned again to Madras, in order to refresh his squadron. On the twenty-fifth day of July, he sailed a third time in quest of M. d'Apché, and in two days perceived his squadron, consisting of eight ships of the line and a frigate, at anchor in the road of Pondicherry. They no sooner descried him advancing than they stood out to sea as before, and he continued to chase, in hopes of bringing them to an engagement; but all his endeavours proved fruitless till the third of August, when, having obtained the weather-gage, he bore down upon them in order of battle. The engagement began with great impetuosity on both sides; but in little more than ten minutes M. d'Apché set his fore-sail, and bore away, his whole squadron following his example, and maintaining a running fight in a very irregular line. The British admiral then hoisted the signal for a general chase, which the enemy perceiving, thought proper to cut away their boats, and crowd with all the sail they could carry. They escaped, by favour of the night, into the road of Pondicherry, and Mr. Pococke anchored with his squadron off Carical, a French settlement, having thus obtained an undisputed victory, with the loss of thirty men killed, and one hundred and sixteen wounded, including Commodore Stevens and Captain Martin, though their wounds were not dangerous. The number of killed and wounded on board the French squadron amounted, according to report, to five hundred and forty; and their fleet was so much damaged, that in the beginning of September their commodore sailed for the island of Bourbon, in the same latitude with Madagascar, in order to refit; thus leaving the command and sovereignty of the Indian seas to the English admiral, whose fleet, from the beginning of this campaign, had been much inferior to the French squadron in number of ships and men, as well as in weight of metal.

§ XV. Mr. Lally having reduced Cuddalore and Fort St. David's,<sup>a</sup> resolved to extort a sum of money from the King of Tanjour, on pretence that, in the last war, he had granted an obligation to the French governor for a certain sum, which had never been paid. Lally accordingly marched with a body of three thousand men into the dominions of Tanjour, and demanded seventy-two lacks of rupees. This extravagant demand being rejected, he plundered Nagare, a trading town of the sea-coast, and afterwards invested the capital: but after he had prosecuted the siege till a breach was made, his provisions and ammunition beginning to fail, several vigorous sallies being made by the forces of the King of Tanjour, and the place well defended by European gunners, sent from the English garrison at Trichinopoly, he found himself obliged to raise the siege and retreat with precipitation, leaving his cannon behind. He arrived at Carical about the middle of August, and from thence retired to Pondicherry towards the end of September. He afterwards cantoned his troops in the province of Arcot, entered the city without opposition, and began to make preparations for the siege of Madras, which shall be recorded among the incidents of the succeeding year. In the meantime, the land-forces belonging to the East India company were so much out-numbered by the reinforcements which arrived with Mr. Lally, that they could not pretend to keep the field, but were obliged to remain on the defensive, and provide as well as they could for the security of Fort St. George, and the other settlements in that part of India.

§ XVI. Having particularized the events of the war which distinguished this year in America, Africa, and Asia, those remote scenes in which the interest of Great Britain was immediately and intimately concerned, it now

remains to record the incidents of the military operations in Germany, supported by British subsidies, and enforced by British troops, to favour the abominable designs of an ally, from whose solitary friendship the British nation can never reap any solid benefit; and to defend a foreign elector, in whose behalf she had already lavished an immensity of treasure. Notwithstanding the bloodshed and ravages which had signalized the former campaign, the mutual losses of the belligerent powers, the incredible expense of money, the difficulty of recruiting armies thinned by sword and distemper, the scarcity of forage and provision, the distresses of Saxony in particular, and the calamities of war, which desolated the greatest part of the empire, no proposition of peace was hinted by either of the parties concerned; but the powers at variance seemed to be exasperated against each other with the most implacable resentment. Jarring interests were harmonized, old prejudices rooted up, inveterate jealousies assuaged, and even inconsistencies reconciled in connecting the confederacy which was now formed and established against the King of Prussia; and, on the other hand, the King of Great Britain seemed determined to employ the whole power and influence of his crown in supporting this monarch. Yet the members of the grand confederacy were differently actuated by disagreeing motives, which, in the sequel, operated for the preservation of his Prussian majesty, by preventing the full exertion of their united strength. The empress-queen, over and above her desire of retrieving Silesia, which was her primary aim, gave way to the suggestions of personal hatred and revenge, to the gratification of which she may be said to have sacrificed, in some measure, the interests of her family, as well as the repose of the empire, by admitting the natural enemies of her house into the Austrian Netherlands, and inviting them to invade the dominions of her co-estates, with a formidable army. France, true to her old political maxims, wished to see the house of Austria weakened by the divisions of the empire, which she accordingly fomented; for this reason it could not be her interest to effect the ruin of the house of Brandenburg; and therefore she had, no doubt, set bounds to the prosecution of her schemes in concert with the court of Vienna; but her designs against Hanover amounted to absolute conquest: in pursuance of these, she sent an army of one hundred and twenty thousand men across the Rhine, instead of four-and-twenty thousand, which she had engaged to furnish by the original treaty with the Empress-Queen of Hungary, who is said to have shared in the spoils of the electorate. The czarina, by co-operating with the houses of Bourbon and Austria, gratified her personal disgust towards the Prussian monarch, augmented her finances by considerable subsidies from both, and perhaps amused herself with the hope of obtaining an establishment in the German empire; but whether she wavered in her own sentiments, or her ministry fluctuated between the promises of France and the presents of Great Britain, certain it is, her forces had not acted with vigour in Pomerania; and her general, Apraxin, instead of prosecuting his advantage, had retreated immediately after the Prussians miscarried in their attack. He was indeed disgraced, and tried for having thus retired without orders: but in all probability, this trial was no other than a farce acted to amuse the other confederates, while the Empress of Russia gained time to deliberate upon the offers that were made, and determine with regard to the advantages or disadvantages that might accrue to her from persevering in the engagements which she had contracted. As for the Swedes, although they had been instigated to hostilities against Prussia by the intrigues of France, and flattered with hopes of retrieving Pomerania, they prosecuted the war in such a dispirited and ineffectual manner, as plainly proved that either the ancient valour of that people was extinct, or that nation was not heartily engaged in the quarrel.

§ XVII. When the Russian general Apraxin retreated from Pomerania, Mareschal Lehwald, who commanded the Prussians in that country, was left at liberty to turn their arms against the Swedes, and accordingly drove them before him almost without opposition. By the beginning

<sup>a</sup> Cuddalore was in such a defenceless condition, that it could make no resistance, and therefore bore no place in Fort St. David's bomb-proof, nor

any provisions or fresh water, the garrison surrendered in twelve days, on capitulation, after having sustained a severe bombardment.



of January they had evacuated all Prussian Pomerania, and Lehwald invaded their dominions in his turn. He, in a little time, made himself master of all Swedish Pomerania, except Stralsund and the isle of Rugen, and possessed himself of several magazines which the enemy had erected. The Austrian army, after their defeat at Breslaw, had retired into Bohemia, where they were cantoned, the head-quarters being fixed at Koningsgratz. The King of Prussia having cleared all his part of Silesia, except the town of Schweidnitz, which he circumscribed with a blockade, sent detachments from his army cantoned in the neighbourhood of Breslaw, to penetrate into the Austrian or southern part of Silesia, where they surprised Troppau and Jagersdorf, while he himself remained at Breslaw, entertaining his officers with concerts of music. Not that he suffered these amusements to divert his attention from subjects of greater importance. He laid Swedish Pomerania under contribution, and made a fresh demand of five hundred thousand crowns from the electorate of Saxony. Having received intimation that the Duke of Mecklenburgh was employed in providing magazines for the French army, he detached a body of troops into that country, who not only secured the magazines, but levied considerable contributions; and the Duke retired to Lubeck, attended by the French minister. The states of Saxony having proved a little dilatory in obeying his Prussian majesty's injunction, received a second intimation, importing, that they should levy and deliver, within a certain time, eighteen thousand recruits for his army, pay into the hands of his commissary one year's revenue of the electorate in advance; and Leipsic was taxed with an extraordinary subsidy of eight hundred thousand crowns, on pain of military execution. The States were immediately convoked at Leipsic, in order to deliberate on these demands; and the city being unable to pay such a considerable sum, the Prussian troops began to put their monarch's threats in execution. He justified these proceedings, by declaring that the enemy had practised the same violence and oppression on the territories of his allies; but how the practice of his declared enemies, in the countries which they had invaded and subdued in the common course of war, should justify him in pillaging and oppressing a people, with whom neither he nor his allies were at war, it is not easy to conceive. As little can we reconcile this conduct to the character of a prince, assuming the title of protector of the protestant religion, which is the established faith among those very Saxons who were subjected to such grievous impositions; impositions the more grievous and unmerited, as they had never taken any share in the present war, but cautiously avoided every step that might be construed into provocation, since the King of Prussia declared they might depend upon his protection.

§ XVIII. Before we proceed to enumerate the events of the campaign, it may be necessary to inform the reader, that the forces brought into the field by the Empress-Queen of Hungary, and the states of the empire, the czarina, the Kings of France and Sweden, fell very little short of three hundred thousand men; and all these were destined to act against the King of Prussia and the Elector of Hanover. In opposition to this formidable confederacy, his Prussian majesty was, by the subsidy from England, the spoils of Saxony, and the revenues of Brandenburg, enabled to maintain an army of one hundred and forty thousand men; while the Elector of Hanover assembled a body of sixty thousand men, composed of his own electoral troops, with the auxiliary mercenaries of Hesse-Cassel, Buckebourge, Saxegotha, and Brunswick Wolfenbuttel, all of them maintained by the pay of Great Britain. At this juncture, indeed, there was no other fund for their subsistence, as the countries of Hanover and Hesse were possessed by the enemy, and in the former the government was entirely changed.

§ XIX. In the month of December in the preceding year, a farmer of the revenues from Paris arrived at Hanover, where he established his office, in order to act by virtue of powers from one John Faigy, to whom the French king granted the direction, receipt, and adminis-

tration of all the duties and revenues of the electorate. This director was, by a decree of the council of state, empowered to receive the revenues, not only of Hanover, but also of all other countries that should be subjected to his most christian majesty in the course of the campaign; to remove the receivers who had been employed in any part of the direction, receipt, and administration of the duties and revenues of Hanover, and appoint others in their room. The French king, by the same decree, ordained, that all persons who had been intrusted under the preceding government with titles, papers, accounts, registers, or estimates, relating to the administration of the revenue, should communicate them to John Faigy, or his attorneys; that the magistrates of the towns, districts, and commonalties, as well as those who directed the administration of particular states and provinces, should deliver to the said John Faigy, or his attorneys, the produce of six years of the duties and revenues belonging to the said towns, districts, and provinces, reckoning from the first of January in the year one thousand seven hundred and fifty-one, together with an authentic account of the sums they had paid during that term to the preceding sovereign, and of the charges necessarily incurred. It appears from the nature of this decree, which was dated on the eighteenth day of October, that immediately after the conventions of Closter-Seven and Bremenworden, the court of Versailles had determined to change the government and system of the electorate, contrary to an express article of the capitulation granted to the city of Hanover, when it surrendered on the ninth of August; and that the crown of France intended to take advantage of the cessation of arms, in seizing places and provinces which were not yet subdued: for, by the decree above mentioned, the administration of John Faigy extended to the countries which might hereafter be conquered. With what regard to justice, then, could the French government charge the Elector of Hanover with the infraction of articles? or what respect to good faith and humanity did the Duke de Richelieu observe, in the order issued from Zell, towards the end of the year, importing, that as the treaty made with the country of Hanover had been rendered void by the violation of the articles signed at Closter-Seven, all the effects belonging to the officers, or others, employed in the Hanoverian army, should be confiscated for the use of his most christian majesty?

§ XX. The Landgrave of Hesse-Cassel being desirous of averting a like storm from his dominions, not only promised to renounce all connexion with the Kings of Great Britain and Prussia, but even solicited the court of France to receive him among the number of its dependents; for, on the eighteenth day of October, the minister of the Duc de Deuxponts delivered at Versailles, in the name of the landgrave, the plan of a treaty founded on the following conditions: The landgrave, after having expressed an ardent desire of attaching himself wholly to France, proposed these articles: That he should enter into no engagement against the king and his allies; and give no assistance, directly or indirectly, to the enemies of his majesty and his allies: that he should never give his vote, in the general or particular assemblies of the empire, against his majesty's interest; but, on the contrary, employ his interest, jointly with France, to quiet the troubles of the empire: that, for this end, his troops, which had served in the Hanoverian army, should engage in the service of France, on condition that they should not act in the present war against his Britannic majesty: that, immediately after the ratification of the treaty, his most christian majesty should restore the dominions of the landgrave in the same condition they were in when subdued by the French forces: that these dominions should be exempted from all further contributions, either in money, corn, forage, wood, or cattle, though already imposed on the subjects of Hesse; and the French troops pay for all the provision with which they might be supplied; in which case the landgrave should exact no toll for warlike stores, provisions, or other articles of that nature, which might pass through his dominions: that the King of France should guarantee all his estates, all the rights of the house of Hesse-Cassel, particularly the act of

1 Six classes after the convention was signed at Closter-Seven, another act of accommodation was concluded at Bremenworden, between the Generals

Sproken and Villeaur, relating to the release of prisoners, and some other points omitted in the convention.

assurance signed by his son, the hereditary prince, with regard to religion; use his interest with the emperor and the empress-queen, that in consideration of the immense losses and damages his most serene highness had suffered since the French invaded his country, and of the great sums he should lose with England in arrears and subsidies by this accommodation, he might be excused from furnishing his contingent to the army of the empire, as well as from paying the Roman months granted by the diet of the empire; and if, in resentment of this convention, the states of his serene highness should be attacked, his most christian majesty should afford the most speedy and effectual succours. These proposals will speak for themselves to the reader's apprehension; and if he be not blinded by the darkest mists of prejudice, exhibit a clear and distinct idea of a genuine German ally. The Landgrave of Hesse-Cassel had been fed with the good things of England, even in time of peace, when his friendship could not avail, nor his aversion prejudice, the interests of Great Britain: but he was retained in that season of tranquillity as a friend, on whose services the most implicit dependence might be placed in any future storm or commotion. How far he merited this confidence and favour might have been determined by reflecting on his conduct during the former war: in the course of which his troops were hired to the King of Great Britain and his enemies alternately, as the scale of convenience happened to preponderate. Since the commencement of the present troubles, he had acted as a mercenary to Great Britain, although he was a principal in the dispute, and stood connected with her designs by solemn treaty, as well as by all the ties of gratitude and honour: but now that the cause of Hanover seemed to be on the decline, and his own dominions had suffered by the fate of the war, he not only appeared willing to abandon his benefactor and ally, but even used to be enlisted in the service of his adversary. This intended defection was, however, prevented by a sudden turn of fortune, which he could not possibly foresee; and his troops continued to act in conjunction with the Hanoverians.

§ XXI. The Landgrave of Hesse-Cassel was not singular in making such advances to the French monarch. The Duke of Brunswick, still more nearly connected with the King of Great Britain, used such uncommon expedition in detaching himself from the tottering fortune of Hanover, that in ten days after the convention of Closter-Seven he had concluded a treaty with the courts of Vienna and Versailles: so that the negotiation must have been begun before that convention took place. On the twentieth day of September his minister at Vienna, by virtue of full powers from the Duke of Brunswick, accepted and signed the conditions which the French king and his Austrian ally thought proper to impose. These imported, That his most christian majesty should keep possession of the cities of Brunswick and Wolfenbützel during the war, and make use of the artillery, arms, and military stores deposited in their arsenals: that the duke's forces, on their return from the camp of the Duke of Cumberland, should be disbanded and disarmed; and take an oath, that they should not,

during the present war, serve against the king or his allies: that the duke should be permitted to maintain a battalion of foot, and two squadrons of horse, for the guard of his person and castles; but the regulations made by Marschal Richelieu and the intendant of his army should subsist on their present footing: that the duke should furnish his contingent in money and troops, agreeably to the laws of the empire: that his forces should immediately join those which the Germanic body had assembled; and that he should order his minister at Ratisbon to vote conformably to the resolutions of the diet, approved and confirmed by the emperor. In consideration of all these concessions, the duke was restored to the favour of the French king, who graciously promised that neither his revenues nor his treasure should be touched, nor the administration of justice invaded; and that nothing further should be demanded, but winter-quarters for the regiments which should pass that season in the country of Brunswick. How scrupulously soever the duke might have intended to observe the articles of this treaty, his intentions were frustrated by the conduct of his brother Prince Ferdinand, who, being invested with the command of the Hanoverian army, and ordered to resume the operations of war against the enemy, detained the troops of Brunswick, as well as his nephew the hereditary prince, notwithstanding the treaty which his brother had signed, and the injunctions which he had laid upon his son to quit the army, and make a tour to Holland. The duke wrote an expostulatory letter to Prince Ferdinand, pathetically complaining that he had seduced his troops, deceived his son, and disgraced his family; insisting upon the prince's pursuing his journey, as well as upon the return of the troops; and threatening, in case of non-compliance, to use other means that should be more effectual.\* Notwithstanding this warm remonstrance, Prince Ferdinand adhered to his plan. He detained the troops and the hereditary prince, who, being fond of the service, in a little time signalized himself by very extraordinary acts of bravery and conduct; and means were found to reconcile his father to measures that expressly contradicted his engagements with the courts of Vienna and Versailles.

§ XXII. The defeat of the French army at Rosbach, and the retreat of the Russians from Pomerania, had entirely changed the face of affairs in the empire. The French king was soon obliged to abandon his conquests on that side of the Rhine, and his threats sounded no longer terrible in the ears of the Hanoverian and Prussian allies. As little formidable were the denunciations of the emperor, who had, by a decree of the Aulic council, communicated to the diet certain mandates, issued in the month of August in the preceding year, on pain of the ban of the empire, with avocatory letters annexed, against the King of Great Britain, Elector of Hanover, and the other princes acting in concert with the King of Prussia. The French court likewise published a virulent memorial, after the convention of Closter-Seven had been violated, and set aside, drawing an invidious parallel between the conduct of the French king and the proceedings of his Britannic majesty; in which the latter is taxed with breach of faith, and almost

its prince become, and our house in particular? Is it the interest of the two kings, the cause of your country, and my cause, that you pretend to support? I repeat it, brother, that this design could not have been framed by you. I again command my son to pursue his journey; and I cannot conceive you will give the least obstruction; if you should, (which I pray God avert,) I solemnly declare that I will not be constrained by such measures, but shall I ever forget what I owe to myself. As for my troops, you say we will have written on that head to the Hanoverian ministry. The Duke of Cumberland, by the convention of Closter-Seven, dismissed them, and sent them home; the said ministry gave me notice of this convention, as a treaty by which it was null. The march of the troops was kept secret, and a violent happening, they halted. But as this being removed, they were to have continued their march. The court of Hanover will be no longer bound by the convention, while I not only accepted it on their word, but have also, in conformity with their instructions, negotiated at Vienna, and at Vienna, after all these steps, they would have me contrainst myself, break my word, and entirely ruin my estate, as well as my honour. Did you ever know your brother guilty of such things? For it is I, I have, as you say, sacrificed myself, all, rather, I have sacrificed. The only thing left me is my honour; and, in the unhappy contrast of our situations, I lament both you and myself, that it should be from you, my dear brother, I should receive the cruel advice to give up my honour. I cannot listen to it; I cannot recede from my promise. My troops, therefore, must return home, agreeably to what the Duke of Cumberland and the Hanoverian ministry stipulated with regard to me in the strongest manner. I am afraid that the true circumstances of things are concealed from you. Not to detain your express too long, I shall send you, by the post, copies of all I have written to the Hanoverian ministry. It will give your honest heart to read it. I am, with a heart almost broken, yet full of tenderness for you, your, &c.

\* Blackeibour, Nov. 27, 1757.

k Translation of the letter written by the Duke of Brunswick to his brother Prince Ferdinand:

SIR,  
" I ASK you too well to doubt that the situation in which we stand at present, with respect to each other, gives you abundance of uneasiness; nor will you doubt that it gives me equal concern, indeed, it afflicts me greatly. Meanwhile, I could never, my dearest brother, have believed that you would be the person who should tear away from me my eldest son, I am exceedingly mortified to find myself under the hard necessity of telling you, that it is step contrary to the law of nations, and the constitution of the empire, and that, if you persist in it, you will disgrace your family, and stand upon your country, which you pretend to love. The hereditary prince, my son, was at Hanover by my orders, and you have carried him to Stade. Could he distrust his uncle, an uncle who hath done so much honour to his family? Could he believe that his uncle would deprive him of liberty, a liberty never refused to the lowest officer? I ordered him to make a tour to Holland: could not the lowest officer have done as much? Let us suppose for a moment, that my troops, among whom he served, were to have staid with the Hanoverians, would it not have been still in my power to give an other leave of absence, or even leave to resign his commission? and would you hinder your brother, the head of your family, and of such a family as ours, to exercise this right without a son, who is the hereditary prince, of whose rank and prerogatives you cannot be ignorant? It is impossible you could have conceived such designs, without the suggestions of others. Those who did suggest them have trampled on the rights of nature, of nations, and of the princes of Germany; they have induced you to aid to all these the most cruel insult on a brother whom you love, and who always loved you with the warmest affection. Would you have your brother lay his just complaints against you before the whole empire, and all Europe? Are not your proceedings without example? What is Germany become? What are

every meanness that could stain the character of a monarch. In answer to the emperor's decree and this virulent charge, Baron Gimmingin, the electoral minister of Brunswick Lunenburg, presented to the diet, in November, a long memorial, recapitulating the important services his sovereign had done to the house of Austria, and the ungrateful returns he had reaped, in the queen's refusing to assist him, when his dominions were threatened with an invasion. He enumerated many instances in which she had assisted, encouraged, and even joined the enemies of the electorate, in contempt of her former encouragements, and directly contrary to the constitution of the empire. He refuted every article of the charge which the French court had brought against him in their virulent libel, retorted the imputations of perfidy and ambition, and, with respect to France, justified every particular of his own conduct.

§ XXIII. While the French and Hanoverian armies remained in their winter-quarters, the former at Zell, and the latter at Lunenburg, divers petty enterprises were executed by detachments with various success. The Hanoverian General Junceim, having taken post at Halberstadt and Quedlimbourg, from whence he made excursions even to the gates of Brunswick, and kept the French army in continual alarm, was visited by a large body of the enemy, who compelled him to retire to Achersleben, committed great excesses in the town of Halberstadt and its neighbourhood, and carried off hostages for the payment of contributions. General Hardenberg, another Hanoverian officer, having dislodged the French detachments that occupied Burgh, Vogelsack, and Ritterhude, and cleared the whole territory of Bremen, in the month of January the Duke de Broglie assembled a considerable corps of troops that were cantoned at Ottersburg, Rothenburg, and the adjacent country, and advancing to Bremen, demanded admittance, threatening that, in case of a refusal, he would have recourse to extremities, and punish the inhabitants severely, should they make the least opposition. When their deputies waited upon him, to desire a short time for deliberation, he answered, "Not a moment—the Duke de Richelieu's orders are peremptory, and admit of no delay." He accordingly ordered the cannon to advance; the wall was scaled, and the gates would have been forced open had not the magistrates, at the earnest importunity of the people, resolved to comply with the demand. A second deputation was immediately despatched to the Duke de Broglie, signifying their compliance; and the gates being opened he marched into the city at midnight, after having promised upon his honour that no attempt should be made to the prejudice of its rights and prerogatives, and no outrage offered to the privileges of the regency, to the liberty, religion, and commerce of the inhabitants. This conquest, however, was of short duration. Prince Ferdinand of Brunswick being joined by a body of Prussian horse, under the command of Prince George of Holstein Gottorp, the whole army was put in motion, and advanced to the country of Bremen about the middle of February. The enemy were dislodged from Rothenburg, Ottersburg, and Verden, and they abandoned the city of Bremen at the approach of the Hanoverian general, who took possession of it without opposition.

§ XXIV. By this time the court of Versailles, being dissatisfied with the conduct of the Duke de Richelieu, had recalled that general from Germany, where his place was supplied by the Count de Clermont, to the general satisfaction of the army, as well as the joy of the Hanoverian subjects, among whom Richelieu had committed many flagrant and inhuman acts of rapine and oppression. The new commander found his master's forces reduced to a deplorable condition, by the accidents of war, and distempers arising from hard duty, severe weather, and the want of necessities. As he could not pretend, with such a wretched remnant, to oppose the designs of Prince Ferdinand in the field, or even maintain the footing which his predecessor had gained, he found himself under the necessity of retiring with all possible expedition towards the Rhine. As the allies advanced, his troops retreated from their distant quarters with such precipitation, as to leave behind all their sick, together with a great part of their baggage and artillery, besides a great number of officers and soldiers, that fell into the hands of those parties by

whom they were pursued. The inhabitants of Hanover, perceiving the French intended to abandon that city, were overwhelmed with the fear of being subjected to every species of violence and abuse: but their apprehensions were happily disappointed by the honour and integrity of the Duke de Randan, the French governor, who not only took effectual measures for restraining the soldiers within the bounds of the most rigid discipline and moderation, but likewise exhibited a noble proof of generosity, almost without example. Instead of destroying his magazine of provisions, according to the usual practice of war, he ordered the whole to be either sold at a low price, or distributed among the poor of the city, who had been long exposed to the horrors of famine; an act of godlike humanity, which ought to dignify the character of that worthy nobleman above all the titles that military fame can deserve, or arbitrary monarchs bestow. The regency of Hanover were so deeply impressed with a sense of his heroic behaviour on this occasion, that they gratefully acknowledged it, in a letter of thanks to him and the Count de Clermont; and on the day of solemn thanksgiving to Heaven, for their being delivered from their enemies, the clergy, in their sermons, did not fail to celebrate and extol the charity and benevolence of the Duke de Randan. Such glorious testimonies, even from enemies, must have afforded the most exquisite pleasure to a mind endued with sensibility; and this no doubt may be termed one of the fairest triumphs of humanity.

§ XXV. The two grand divisions of the French army, quartered at Zell and Hanover, retired in good order to Hamelen, where they collected all their troops, except those that were left in Hoya, and about four thousand men placed in garrison at Minden, to retard the operations of the combined army. Towards the latter end of February, Prince Ferdinand of Brunswick, having received intelligence that the Count de Chabot was posted with a considerable body of troops at Hoya, upon the Weser, detached the hereditary prince of Brunswick, with four battalions, and some light troops and dragoons, to dislodge them from that neighbourhood. This enterprise was executed with the utmost intrepidity. The hereditary prince passed the Weser at Bremen with part of his detachment, while the rest advanced on this side of the river; and the enemy, being attacked in front and rear, were in a little time forced, and thrown into confusion. The bridge being abandoned, and near seven hundred men taken prisoners, the Count de Chabot threw himself, with two battalions, into the castle, where he resolved to support himself, in hope of being relieved. The regiment of Bretagne, and some detachments of dragoons, were actually on the march to his assistance. The hereditary prince being made acquainted with this circumstance, being also destitute of heavy artillery to besiege the place in form, and taking it for granted he should not be able to maintain the post after it might be taken, he listened to the terms of the capitulation proposed by the French general, whose garrison was suffered to march out with the honours of war; but their cannon, stores, and ammunition, were surrendered to the victor. This was the first exploit of the hereditary prince, whose valour and activity, on many subsequent occasions, shone with distinguished lustre. He had no sooner reduced Hoya, than he marched to the attack of Minden, which he invested on the fifth day of March, and on the fourteenth the garrison surrendered at discretion. After the reduction of this city the combined army advanced towards Hamelen, where the French general had established his head-quarters: but he abandoned them at the approach of the allies, and leaving behind all his sick and wounded, with part of his magazines, retired without halting to Paderborn, and from thence to the Rhine, recalling in his march the troops that were in Emblen, Cassel, and the landgraviate of Hesse, all which places were now evacuated. They were terribly harassed in their retreat by the Prussian hussars, and a body of light horse, distinguished by the name of Hanoverian hunters, who took a great number of prisoners, together with many baggage-wagons, and some artillery. Such was the precipitation of the enemy's retreat, that they could not find time to destroy all their magazines of provision and forage; and even forgot to call in the garrison of Vechte, a small fortress in the neighbourhood of Diepholt, who were made



prisoners of war, and here was found a complete train of battering cannon and mortars. The Count de Clermont, having reached the banks of the Rhine, distributed his forces into quarters of cantonment in Wesel and the adjoining country, while Prince Ferdinand cantoned the allied army in the bishopric of Munster; here, however, he did not long remain inactive. In the latter end of May he ordered a detachment to pass the Rhine at Duysbourg, under the command of Colonel Scheither, who executed his order without loss, defeated three battalions of the enemy, and took five pieces of cannon. In the beginning of June, the whole army passed the Rhine, on a bridge constructed for the occasion, defeated a body of French cavalry, and obtained divers other advantages in their march towards Wesel. Kaisersworth was surprised, the greater part of the garrison either killed or taken, and Prince Ferdinand began to make preparations for the siege of Dusseldorp. In the meantime the Count de Clermont, being unable to stop the rapidity of his progress, was obliged to secure his troops with strong intrenchments, until he should be properly reinforced.

§ XXVI. The court of Versailles, though equally mortified and confounded at the turn of their affairs in Germany, did not sit tamely and behold this reverse; but exerted their usual spirit and expedition in retrieving the losses they had sustained. They assembled a body of troops at Hanau, under the direction of the Prince de Soubise, who, it was said, had received orders to penetrate, by the way of Donawert, Ingoldstadt, and Arnberg, into Bohemia. In the meantime, reinforcements daily arrived in the camp of the Count de Clermont; and, as repeated complaints had been made of the want of discipline and subordination in that army, measures were taken for reforming the troops by severity and example. The Marshal Duke de Belleisle, who now acted as secretary at war with uncommon ability, wrote a letter directed to all the colonels of infantry, threatening them, in the king's name, with the loss of their regiments, should they connive any longer at the scandalous practice of buying commissions; an abuse which had crept into the service under various pretexts, to the discouragement of merit, the relaxation of discipline, and the total extinction of laudable emulation. The Prince of Clermont having quitted his strong camp at Rhinefeldt, retired to Nuys, a little higher up the river, and detached a considerable corps, under the command of the Count de St. Germain, to take post at Crevelt, situated in the plain between his army and the camp of the allies, which fronted the town of Meurs: after several motions on both sides, Prince Ferdinand resolved to attack the enemy, and forthwith made a disposition for this purpose. He assigned the command of the whole left wing, consisting of eighteen battalions and twenty-eight squadrons, to Lieutenant-General Sporcken; the conduct of the right wing, composed of sixteen battalions and fourteen squadrons, was intrusted to the hereditary prince and Major-General Wangenheim; the squadrons, with the addition of two regiments of Prussian dragoons, were under the immediate direction of the Prince of Holstein, while the hereditary prince commanded the infantry. The light troops, consisting of five squadrons of hussars, were divided between the Prince of Holstein and Lieutenant-General Sporcken. Major Luckner's squadron, together with Scheither's corps, were ordered to observe the flank of the enemy's right, and with this view were posted in the village of Papendeick; and a battalion of the troops of Wolfenbuttel were left in the town of Hülste, to cover the rear of the army. Prince Ferdinand's design was to attack the enemy on their left flank; but the execution was rendered extremely difficult by the woods and ditches that embarrassed the route, and the numerous ditches that intersected this part of the country. On the twenty-third day of June, at four in the morning, the army began to move; the right advancing in two columns as far as St. Anthony, and the left marching up within half a league of Crevelt. The prince, having viewed the position of the enemy from the steeple of St. Anthony, procured guides, and having received all the necessary hints of in-

formation, proceeded to the right, in order to charge the enemy's left flank by the villages of Worst and Anrath; but, in order to divide their attention, and keep them in suspense with respect to the nature of his principal attack, he directed the Generals Sporcken and Oberg to advance against them by the way of Crevelt and St. Anthony, and, in particular, to make the most of their artillery, that, being employed at three different places at once, they might be prevented from sending any reinforcement to the left, where the chief attack was intended. These precautions being taken, Prince Ferdinand, putting himself at the head of the grenadiers of the right wing, continued his march in two columns to the village of Anrath, where he fell in with an advanced party of the French, which, after a few discharges of musketry, retired to their camp and gave the alarm. In the meantime, both armies were drawn up in order of battle; the troops of the allies in the plain between the villages of Anrath and Willich, opposite to the French forces, whose left was covered with a wood. The action began about one in the afternoon, with a severe cannonading on the part of Prince Ferdinand, which, though well supported, proved ineffectual in drawing the enemy from their cover; he, therefore, determined to dislodge them from the wood by dint of small arms. The hereditary prince immediately advanced with the whole front, and a very obstinate action ensued. Meanwhile, the cavalry on the right in vain attempted to penetrate the wood on the other side, where the enemy had raised two batteries, which were sustained by forty squadrons of horse. After a terrible fire had been maintained on both sides, till five in the afternoon, the grenadiers forced the intrenchments in the wood, which were lined by the French infantry. These giving way, abandoned the wood in the utmost disorder; but the pursuit was checked by the conduct and resolution of the enemy's cavalry, which, notwithstanding a dreadful fire from the artillery of the allies, maintained their ground, and covered the foot in their retreat to Nuys. The success of the day was, in a good measure, owing to the artillery on the left and in the centre, with which the Generals Sporcken and Oberg had done great execution, and employed the attention of the enemy on that side, while Prince Ferdinand prosecuted his attack on the other quarter. It must be owned, however, that their right wing and centre retired in great order to Nuys, though the left was defeated, with the loss of some standards, colours, and pieces of cannon, and six thousand men killed, wounded, or taken prisoners.<sup>1</sup> This victory, however, which cost the allies about fifteen hundred men, was not at all decisive in its consequences; and, indeed, the plan seemed only calculated to display the enterprising genius of the Hanoverian general. True it is, the French army took refuge under the cannon of Cologne, where they remained, without hazarding any step for the relief of Dusseldorp, which Prince Ferdinand immediately invested, and in a few days reduced, the garrison being allowed to march out with the honours of war, on condition that they should not, for the space of one year, carry arms against the allies.

§ XXVII. It was at this period that Count de Clermont resigned his command, which was conferred upon M. de Contades, and the French army was considerably reinforced. He even threatened to attack Prince Ferdinand in his turn, and made some motions with that design, but was prevented by the little river Erff, behind which the prince resolved to lie quiet, until he should be joined by the body of British troops under the command of the Duke of Marlborough, the first division of which had just landed at Embsen. He flattered himself that the Prince of Ysembourg, at the head of the Hessian troops, would find employment for the Prince de Soubise, who had marched from Hanau, with a design to penetrate into the land-graviate of Hesse-Cassel; his vanguard had been already surprised and defeated by the militia of the country; and the Prince of Ysembourg was at the head of a considerable body of regular forces, assembled to oppose his further progress. Prince Ferdinand, therefore, hoped that the operations of the French general would be effectually

<sup>1</sup> Among the French officers who lost their lives in this engagement, was the Count de Gisors, only son of the Marshal Duke de Belleisle, an illustrious and illustrious family, a young nobleman of extraordinary ac-  
tivity, who finished his short life of honour in this bloody and extraordinary  
glory, and fell a victim to his duty at the head of his own regiment. He  
was the eldest son of his father, and the universal regret of his family.

impeded, until he himself, being joined by the British troops, should be in a condition to pass the Meuse, transfer the seat of war into the enemy's country, thus make a diversion from the Rhine, and perhaps oblige the Prince de Soubise to come to the assistance of the principal French army, commanded by M. de Contades. He had formed a plan which would have answered these purposes effectually, and, in execution of it, marched to Ruremond on the Maese, when his measures were totally disconcerted by a variety of incidents which he could not foresee. The Prince of Ysembourg was, on the twenty-third day of July, defeated at Sangarshausen by the Duke de Broglie, whom the Prince de Soubise had detached against him with a number of troops greatly superior to that which the Hessian general commanded. The Duke de Broglie, who commanded the corps that formed the vanguard of Soubise's army, having learned at Cassel, that the Hessian troops, under the Prince of Ysembourg, were retreating towards Munden, he advanced, on the twenty-third of July, with a body of eight thousand men, to the village of Sangarshausen, where he found them drawn up in order of battle, and forthwith made a disposition for the attack. At first his cavalry were repulsed by the Hessian horse, which charged the French infantry, and were broke in their turn. The Hessians, though greatly inferior in number to the enemy, made a very obstinate resistance, by favour of a rock in the Fulde that covered their right, and a wood by which their left was secured. The dispute was so obstinate, that the enemy's left was obliged to give ground; but the Duke de Broglie ordering a fresh corps to advance, changed the fortune of the day. The Hessians, overpowered by numbers, gave way; part plunged into the river, where many perished, and part threw themselves into the wood, through which they escaped from the pursuit of the hussars, who took above two hundred soldiers and fifty officers, including the Count de Canitz, who was second in command. They likewise found on the field of battle seven pieces of cannon, and eight at Munden: but the carnage was pretty considerable, and nearly equal on both sides. The number of the killed and wounded, on the side of the French, exceeded two thousand; the loss of the Hessians was not so great. The Prince of Ysembourg, having collected the remains of his little army, took post at Eimbeck, where he soon was reinforced, and found himself at the head of twelve thousand men: but, in consequence of this advantage, the enemy became masters of the Weser, and opened to themselves a free passage into Westphalia.

§ XXVIII. The progress of Prince Ferdinand upon the Maese had been retarded by a long succession of heavy rains, which broke up the roads, and rendered the country impassable; and now the certain information of this unlucky check left him no alternative but a battle or a retreat across the Rhine; the first was carefully avoided by the enemy; the latter resolution, therefore, he found himself under a necessity to embrace. In his present position he was hampered by the French army on one wing, on the other by the fortress of Guedres, the garrison of which had been lately reinforced, as well as by divers other posts, capable of obstructing the convoys and subsistence of the combined army: besides, he had reason to apprehend, that the Prince de Soubise would endeavour to intercept the British troops in their march from Embden. Induced by these considerations, he determined to repass the Rhine, after having offered battle to the enemy, and made several motions for that purpose. Finding them averse to an engagement, he made his dispositions for forcing the strong pass of Wachendonck, an island surrounded by the Niers, of very difficult approach, and situated exactly in his route to the Rhine. This service was performed by the hereditary Prince of Brunswick, who, perceiving the enemy had drawn up the bridge, rushed into the river at the head of his grenadiers, who drove them away with their bayonets, and cleared the bridges for the passage of the army towards Rhinebergen. At this place Prince Ferdinand received intelligence, that M. de Chevert, reputed one of the best officers in the French service, had passed the Lippe with fourteen battalions and several squadrons, to join the garrison of Wesel, and fall upon Lieutenant-General Imhoff, who commanded a detached corps of the combined army

at Meer, that he might be at hand to guard the bridge which the prince had thrown over the Rhine at Rees. His serene highness was extremely desirous of sending succours to General Imhoff; but the troops were too much fatigued to begin another march before morning; and the Rhine had overflowed its banks in such a manner as to render the bridge at Rees impassable, so that M. Imhoff was left to the resources of his own conduct and the bravery of his troops, consisting of six battalions and four squadrons, already weakened by the absence of different detachments. This general having received advice, on the fourth of August, that the enemy intended to pass the Lippe the same evening with a considerable train of artillery, in order to burn the bridge at Rees, decamped with a view to cover this place, and join two battalions which had passed the Rhine in boats, under the command of General Zastrow, who reinforced him accordingly; but the enemy not appearing, he concluded the information was false, and resolved to resume his advantageous post at Meer. Of this he had no sooner repossessed himself, than his advanced guards were engaged with the enemy, who marched to the attack from Wesel, under the command of Lieutenant-General de Chevert, consisting of the whole corps intended for the siege of Dusseldorp. Imhoff's front was covered by coppices and ditches, there being a rising ground on his right, from whence he could plainly discern the whole force that advanced against him, together with the manner of their approach. Perceiving them engaged in that difficult ground, he posted one regiment in a cop-pice, with orders to fall upon the left flank of the enemy, which appeared quite uncovered; and as soon as their fire began, advanced with the rest of his forces to attack them in front. The bayonet was used on this occasion, and the charge given with such impetuosity and resolution, that, after a short resistance, the enemy fell into confusion, and fled towards Wesel, leaving on the spot eleven pieces of cannon, with a great number of waggons and other carriages: besides the killed and wounded, who amounted to a pretty considerable number, the victor took three hundred and fifty-four prisoners, including eleven officers; whereas, on his part, the victory was purchased at a very small expense.

§ XXIX. Immediately after this action, General Wangenheim passed the Rhine with several squadrons and battalions, to reinforce General Imhoff, and to enable him to prosecute the advantage he had gained, while Prince Ferdinand marched with the rest of the army to Santen: from whence he proceeded to Rhineberg, where he intended to pass; but the river had overflowed to such a degree, that here, as well as at Rees, the shore was inaccessible; so that he found it necessary to march further down the river, and lay a bridge at Gütthuyzen. The enemy had contrived four vessels for the destruction of this bridge; but they were all taken before they could put the design into execution, and the whole army passed on the tenth day of August, without any loss or further interruption. At the same time the prince withdrew his garrison from Dusseldorp, of which the French immediately took possession. Immediately after his passage he received a letter from the Duke of Marlborough, acquainting him that the British troops had arrived at Lingen, in their route to Coesfeldt; to which place General Imhoff was sent to receive them, with a strong detachment. Notwithstanding this junction, the two armies on the Rhine were so equally matched, that no stroke of importance was struck on either side during the remaining part of the campaign. M. de Contades, seeing no prospect of obtaining the least advantage over Prince Ferdinand, detached Prince Xavierius of Saxony with a strong reinforcement to the Prince de Soubise, who had taken possession of Gottengen, and seemed determined to attack the Prince of Ysembourg at Eimbeck. That this officer might be able to give him a proper reception, Prince Ferdinand detached General Oberg with ten thousand men to Lipstadt, from whence, should occasion require, they might continue their march, and join the Hessians. The whole body, when thus reinforced, did not exceed twenty thousand men, of whom General Oberg now assumed the command: whereas the troops of Soubise were increased to the number of thirty thousand. The allies had taken post upon the river Fulde

at Sandershausen, where they hoped the French would attack them; but the design of Soubsie was first to dislodge them from that advantageous situation. With this view, he made a motion, as if he had intended to turn the camp of the allies by the road of Munden. In order to prevent the execution of this supposed design, General Oberg decamped on the tenth of October, and, passing by the village of Landwernhagen, advanced towards Luttenberg, where, understanding the enemy were at his heels, he forthwith formed his troops in order of battle, his right to the Fulde, and his left extending to a thicket upon an eminence, where he planted five field-pieces. The cavalry supported the wings in a third line, the village of Luttenberg was in the rear, and four pieces of cannon were mounted on a rising ground that flanked this village. The French having likewise passed Landwernhagen, posted their left towards the Fulde, their right extending far beyond the left of the allies, and their front being strengthened with above thirty pieces of cannon. At four in the afternoon the enemy began the battle with a severe cannonading, and at the same time the first line of their infantry attacked Major-General Zastrow, who was posted on the left wing of the allies. This body of the French was repulsed; but in the same moment, a considerable line of cavalry advancing, charged the allies in front and flank. These were supported by a fresh body of infantry with cannon, which, after a warm dispute, obliged the confederates to give way: and General Oberg, in order to prevent a total defeat, made a disposition for a retreat, which was performed in tolerable order; not but that he suffered greatly, in passing through a defile, from the fire of the enemy's cannon, which was brought up and managed under the direction of the Duke de Broglie. Having marched through Munden, by midnight, the retiring army lay till morning under arms in the little plain near Grupen, on the other side of the Weser; but at day-break prosecuted their march, after having withdrawn the garrison from Munden, until they arrived in the neighbourhood of Guntersheim, where they encamped. In this engagement General Oberg lost about fifteen hundred men, his artillery, baggage, and ammunition. He was obliged to abandon a magazine of hay and straw at Munden, and leave part of his wounded men in that place to the humanity of the victor. But, after all, the French general reaped very little advantage from his victory.

§ XXX. By this time, Prince Ferdinand had retired into Westphalia, and fixed his head-quarters at Munster, while M. de Contades encamped near Ham under the Lippe: so that, although he had obliged the French army to evacuate Hanover and Hesse in the beginning of the year, when they were weakened by death and distemper, and even driven them beyond the Rhine, where they sustained a defeat; yet they were soon put in a condition to baffle all his future endeavours, and penetrate again into Westphalia, where they established their winter-quarters, extending themselves in such a manner as to command the whole course of the Rhine on both sides, while the allies were disposed in the landgraviate of Hesse-Cassel, and in the bishoprics of Munster, Paderborn, and Hildersheim. The British troops had joined them so late in the season, that they had no opportunity to signalize themselves in the field; yet the fatigues of the campaign, which they had severely felt, proved fatal to their commander, the Duke of Marlborough, who died of a dysentery at Munster, universally lamented.

§ XXXI. Having thus particularized the operations of the allied army since the commencement of the campaign, we shall now endeavour to trace the steps of the King of Prussia, from the period at which his army was assembled for action. Having collected his force as soon as the season would permit, he undertook the siege of Schweidnitz in form on the twenty-first day of March; and carried on his operations with such vigour, that in thirteen days the garrison surrendered themselves prisoners of war, after having lost one half of their number in the defence of the place. While one part of his troops were engaged in this

service, he himself, at the head of another, advanced to the eastern frontier of Bohemia, and sent a detachment as far as Trautenau, garrisoned by a body of Austrians, who, after an obstinate resistance, abandoned the place, and retreated towards their grand army. By this success he opened to himself a way into Bohemia, by which he poured in detachments of light troops, to raise contributions, and harass the out-posts of the enemy. At the same time the Baron de la Mothe Fouquet marched with another body against the Austrian general, Jahnus, posted in the county of Glatz, whom he obliged to abandon all the posts he occupied in that country, and pursued as far as Nachod, within twenty miles of Koningsgratz, where the grand Austrian army was encamped, under the command of Mareschal Daun, who had lately arrived from Vienna.<sup>m</sup> Over and above these excursions, the king ordered a body of thirty thousand men to be assembled, to act under the command of his brother Prince Henry, an accomplished warrior, against the army of the empire, which the Prince de Deuxponts, with great difficulty, made a shift to form again near Bamberg, in Franconia.

§ XXXII. The King of Prussia, whose designs were, perhaps, even greater than he cared to own, resolved to shift the theatre of the war, and penetrate into Moravia, a fertile country, which had hitherto been kept sacred from ravage and contribution. Having formed an army of fifty thousand choice troops near Niess, in Silesia, he divided them into three columns; the first commanded by Mareschal Keith, the second by himself in person, and the third conducted by Prince Maurice of Anhalt Dessau. In the latter end of April they began their march towards Moravia; and General de la Ville, who commanded a body of troops in that country, retired as they advanced, after having thrown a strong reinforcement into Olmutz, which the king was determined to besiege. Had he passed by this fortress, which was strongly fortified, and well provided for a vigorous defence, he might have advanced to the gates of Vienna, and reduced the emperor to the necessity of suing for peace on his own terms: but it seems he was unwilling to deviate so far from the common maxims of war as to leave a fortified place in the rear; and, therefore, he determined to make himself master of it before he should proceed. For this purpose it was immediately invested: orders were issued to hasten up the heavy artillery, and Mareschal Keith was appointed to superintend and direct the operations of the siege. Meanwhile, the Austrian commander, Count Daun, being informed of his Prussian majesty's motions and designs, quitted his camp at Leutomysel in Bohemia, and entered Moravia by the way of Billa. Being still too weak to encounter the Prussians in the field, he extended his troops in the neighbourhood of the king's army, between Gewitz and Littau, in a mountainous situation, where he ran little or no risk of being attacked. Here he remained for some time in quiet, with the fertile country of Bohemia in his rear, from whence he drew plentiful supplies, and received daily reinforcements. His scheme was to relieve the besieged occasionally; to harass the besiegers, and to intercept their convoys from Silesia; and this scheme succeeded to his wish. Olmutz is so extensive in its works, and so peculiarly situated on the river Morava, that it could not be completely invested without weakening the posts of the besieging army, by extending them to a prodigious circuit; so that, in some parts, they were easily forced by detachments, in the night, who fell upon them suddenly, and seldom failed to introduce into the place supplies of men, provisions, and ammunition. The forage in the neighbourhood of the city having been previously destroyed, the Prussian horse were obliged to make excursions at a great distance, consequently exposed to fatigue and liable to surprise; and, in a word, the Prussians were not very expert in the art of town-taking.

§ XXXIII. Count Daun knew how to take advantage of these circumstances, without hazarding a battle, to which the king provoked him in vain. While the garrison made repeated sallies to retard the operations of the be-

<sup>m</sup> At this juncture the Prussian commandant of Dresden being admitted into the Saxon palace, to see the curious porcelain with which it is adorned, perceived a door built up, and ordering the passage to be opened, entered a large apartment, where he found three thousand tents, and other

field utensils. These had been concealed here when the Prussians first took possession of the city; they were immediately seized by the commandant, and distributed among the troops of Prince Henry's army.



siegers, the Austrian general harassed their foraging parties, fell upon different quarters of their army in the night, and kept them in continual alarm. Nevertheless, the king finished his first parallel; and proceeded with such vigour, as seemed to promise a speedy reduction of the place, when his design was entirely frustrated by an untoward incident. Mareschal Daun, having received intelligence that a large convoy had set out from Silesia for the Prussian camp, resolved to seize this opportunity of compelling the king to desist from his enterprise. He sent General Jahnus, with a strong body of troops, towards Bahrn, and another detachment to Stadtoelie, with instructions to attack the convoy on different sides; while he himself advanced towards the besiegers, as if he intended to give them battle. The King of Prussia, far from being deceived by this feint, began, from the motions of the Austrian general, to suspect his real scheme, and immediately despatched General Ziethen, with a strong reinforcement, to protect the convoy, which was escorted by eight battalions, and about four thousand men, who had been sick, and were just recovered. Before this officer joined them, the convoy had been attacked on the twenty-eighth day of June; but the assailants were repulsed with considerable loss. Mareschal Daun, however, took care that they should be immediately reinforced; and next day the attack was renewed with much greater effect. Four hundred waggons, guarded by four battalions, and about one thousand troopers, had just passed the defiles of Domstadt, when the Austrians charged them furiously on every side; the communication between the head and the rest of the convoy was cut off; and General Ziethen, after having exerted all his efforts for its preservation, being obliged to abandon the waggons, retired to Troppau. Thus the whole convoy fell into the hands of the enemy, who took above six hundred prisoners, together with General Puttkammer; and the King of Prussia was obliged to relinquish his enterprise. This was a mortifying necessity for a prince of his high spirit, at a time when he saw himself on the eve of reducing the place, notwithstanding the gallant defence which had been made by General Marshal, the governor. Nothing now remained but to raise the siege, and retire without loss in the face of a vigilant enemy, prepared to seize every opportunity of advantage: a task which, how hard soever it may appear, he performed with equal dexterity and success. Instead of retiring into Silesia, he resolved to avert the war from his own dominions, and take the route of Bohemia, the frontiers of which were left uncovered by Mareschal Daun's last motion, when he advanced his quarters to Posnitz, in order to succour Olmutz the more effectually. After the king had taken his measures, he carefully concealed his design from the enemy, and, notwithstanding the loss of his convoy, prosecuted the operations of the siege with redoubled vigour, till the first day of July, when he decamped in the night, and began his march to Bohemia. He himself, with one division, took the road to Konitz; and Mareschal Keith having brought away all the artillery, except four mortars, and one disabled cannon, pursued his march by the way of Littau to Muglitz and Tribau. Although his Prussian majesty had gained an entire march upon the Austrians, their light troops, commanded by the Generals Buccow and Laudohn, did not fail to attend and harass his army in their retreat; but their endeavours were in a great measure frustrated by the conduct and circumspection of the Prussian commanders. After the rear of the army had passed the defiles of Krenau, General Lasci, who was posted at Gibau with a large body of Austrian troops, occupied the village of Krenau with a detachment of grenadiers, who were soon dislodged; and the Prussians pursued their march by Zwitzau to Leutomysel, where they seized a magazine of meal and forage. In the meantime, General de Ratzow, who conducted the provisions and artillery, found the hills of Hollitz possessed by the enemy, who cannonaded him as he advanced; but Mareschal Keith coming up, ordered him to be attacked in the rear, and they fled into a wood with precipitation, with the loss of six officers and three hundred men, who were taken prisoners. While the mareschal was thus employed, the king proceeded from Leutomysel to Koningsgratz, where General Buccow,

who had got the start of him, was posted with seven thousand men behind the Elbe, and in the intrenchments which they had thrown up all round the city. The Prussian troops, as they arrived, passed over the little river Adler, and as the enemy had broken down the bridges over the Elbe, the king ordered them to be repaired with all expedition, being determined to attack the Austrian intrenchments; but General Buccow did not wait for his approach. He abandoned his intrenchments, and retired with his troops to Clumetz; so that the king took possession of the most important post of Koningsgratz without further opposition. An Austrian corps having taken post between him and Hollitz, in order to obstruct the march of the artillery, he advanced against them in person, and having driven them from the place, all his cannon, military stores, provision, with fifteen hundred sick and wounded men, arrived in safety at Koningsgratz, where the whole army encamped. His intention was to transfer the seat of war from Moravia to Bohemia, where he should be able to maintain a more easy communication with his own dominions; but a more powerful motive soon obliged him to change his resolution.

§ XXXIV. After the Russian troops under Apraxin had retreated from Pomerania in the course of the preceding year, and the czarina seemed ready to change her system, the courts of Vienna and Versailles had, by dint of subsidies, promises, presents, and intrigues, attached her, in all appearance, more firmly than ever to the confederacy, and even induced her to augment the number of troops destined to act against the Prussian monarch. She not only signed her accession in form to the quadruple alliance with the empress-queen and the kings of France and Sweden; but, in order to manifest her zeal to the common cause, she disgraced her chancellor, Count Bestuchef, who was supposed averse to the war: she divided her forces into separate bodies, under the command of the Generals Ferner and Browne, and ordered them to put their troops in motion in the middle of winter. Ferner accordingly began his march in the beginning of January, and on the twenty-second his light troops took possession of Koningsberg, the capital of Prussia, without opposition; for the king's forces had quitted that country, in order to prosecute the war in the western parts of Pomerania. They did not, however, maintain themselves in this part of the country; but, after having ravaged some districts, returned to the main body, which halted on the Vistula, to the no small disturbance of the city of Dantzic. The resident of the czarina actually demanded that the magistrates should receive a Russian garrison: a demand which they not only preposterously refused, but ordered all the citizens to arms, and took every other method to provide for their defence. At length, after some negotiation with General Ferner, the affair was compromised: he desisted from the demand, and part of his troops passed the Vistula, seemingly to invade Pomerania, in the eastern part of which Count Dohna had assembled an army of Prussians to oppose their progress. But after they had pillaged the open country, they rejoined their main body; and General Ferner, turning to the left, advanced to Silesia, in order to co-operate with the other Russian army commanded by Browne, who had taken his route through Poland, and already passed the Posna. By the first of July, both bodies had reached the frontiers of Silesia, and some of their Cossacks, penetrating into that province, had committed dreadful ravages, and overwhelmed the inhabitants with consternation. Count Dohna, with the Prussian army under his command, had attended their motions, and even passed the Oder at Frankfurt, as if he had intended to give them battle: but he was too much inferior in number to hazard such a step, which became an object of his sovereign's own personal attention. Mareschal Daun had followed the King into Bohemia, and, on the twenty-second day of July, encamped on the hills of Libischau, a situation almost inaccessible, where he resolved to remain, and watch the motions of the Prussian monarch, until some opportunity should offer of acting to advantage. Nature seems to have expressly formed this commander with talents to penetrate the designs, embarrass the genius, and check the impetuosity of the Prussian monarch. He was justly compared to Fabius Maximus,

distinguished by the epithet of Cunctator. He possessed all the vigilance, caution, and sagacity of that celebrated Roman. Like him, he hovered on the skirts of the enemy, harassing their parties, accustoming the soldiers to strict discipline, hard service, and the face of a formidable foe, and watching for opportunities, which he knew how to seize with equal courage and celerity.

§ XXX. The King of Prussia, being induced by a concurrence of motives to stop the progress of the Russians in Silesia, made his dispositions for retreating from Bohemia, and on the twenty-fifth day of July quitted the camp at Königgratz. He was attended in his march by three thousand Austrian light troops, who did not fail to incommode his rear; but, notwithstanding those impediments, he passed the Mittau, proceeded on his route, and on the ninth day of August arrived at Landshut. From thence he hastened with a detachment towards Frankfort on the Oder, and joined the army commanded by Lieutenant-General Dohna at Gorgas. Then the whole army passed the Oder by a bridge, thrown over it at Gatavise, and having rested one day, advanced to Dertnitz, where he encamped. The Russians, under General Fermel, were posted on the other side of the little river Mitzel, their right extending to the village of Zwicker, and their left to Querchem. The king being determined to hazard a battle, passed the Mitzel on the twenty-fifth in the morning, and turning the flank of the enemy, drew up his army in order of battle in the plain between the little river and the town of Zornsdorf. The Russians, by whom he was outnumbered, did not decline the dispute; but as the ground did not permit them to extend themselves, they appeared in four lines, forming a front on every side defended by cannon and a chevaux-de-frise, their right flank covered by the village of Zwicker. After a warm cannonade, the Prussian infantry were ordered to attack the villages, and a body of grenadiers advanced to the assault; but this brigade unexpectedly giving way, occasioned a considerable opening in the line, and left the whole left flank of the infantry uncovered. Before the enemy could take advantage of this incident, the interval was filled up by the cavalry under the command of General Seydlitz; and the king, with his usual presence of mind, substituted another choice body of troops to carry on the attack. This began about noon, and continued for some time, during which

both sides fought with equal courage and perseverance: at length General Seydlitz, having routed the Russian cavalry, fell upon the flank of the infantry with great fury, which being also dreadfully annoyed by the Prussian artillery, they abandoned the village, together with their military chest, and great part of their baggage. Notwithstanding this loss, which had greatly disordered their right wing, they continued to stand their ground, and terrible havoc was made among them, not only with the sword and bayonet, but also by the cannon, which were loaded with grape shot, and being excellently served, did great execution. Towards evening the confusion among them increased to such a degree, that in all probability they would have been entirely routed, had they not been favoured by the approaching darkness, as well as by a particular operation which was very elegantly performed. One of the Russian generals perceiving the fortune of the day turned against them, rallied a select body of troops, and made a vigorous impression on the right wing of the Prussians. This effort diverted their attention so strongly to that quarter, that the right of the Russians enjoyed a respite, during which they retired in tolerable order, and occupied a new post on the right, where the rest of their forces were the more easily assembled. In this battle they are said to have lost about fifteen thousand men, thirty-seven colours, five standards, twelve mortars, the greater part of their baggage, and above one hundred pieces of cannon. Among the prisoners that fell into the hands of the victor, were several general officers, and a good number lost their lives on the field of battle. The victory cost the king above two thousand men, including some officers of distinction, particularly two aides-de-camp, who attended his own person, which he exposed without scruple to all the perils of the day. It would have redounded still more to his glory, had he put a stop to the carnage; for, after all resistance was at an end, the wretched Russians were hewn down without mercy. It must be owned, indeed, that the Prussian soldiers were, in a peculiar manner, exasperated against this enemy, because they had laid waste the country, burned the villages, ruined the peasants, and committed many horrid acts of barbarity, which the practice of war could not authorize.<sup>a</sup> The Prussian army passed the night under arms, and next morning the cannonade was renewed against the enemy, who, never-

<sup>a</sup> A detail of the cruelties committed by these barbarians cannot be read without horror. They not only burned a great number of villages, but they ravished, killed, maimed, and mutilated the inhabitants, without distinction of age or sex, without any provocation or intermixture of fault and without necessity of barbarity. They even violated the sepulchres of the dead, which have been held sacred among the most savage nations. At Cammin and Brieskowitz they forced open the graves and sepulchral vaults, and the stench of the bodies of the deceased, which emanated from the vaults, was so intolerable, that the soldiers, who were ordered to dig up the bodies, were discharged against Austria, the capital of the New Marche of Prussia, situated at the conflux of the Warta and the Oder, about fifteen English miles from Frankfort. The particulars of the disaster that befell this city are pathetically related in the following extracts from a letter written by an inhabitant and eye-witness.

On the thirteenth of August, about three o'clock in the afternoon, a sudden report was heard that a body of Russian Hussars and Cossaks appeared in sight of the little suburb. All the people were immediately in motion, and the whole city was filled with terror, especially as we were instantly informed that the whole Russian army was advancing from Borsick and Kienigsbude, by the way of Landshut. A reinforcement was immediately sent to our posted guard in the suburb. About half this number, to three hundred men, who were soon attacked by the enemy, and the skirmish lasted for four till seven o'clock in the evening. During this dispute, we could plainly perceive, from our ramparts and church steeple, several parties of distinction mounted on English horses reconnoitring our fortification through perspective glasses. They retired, however, when our cannon began to fire; then our picket took possession of their former post in the suburb, by the way of Landshut. A reinforcement was immediately sent to our posted guard in the suburb. Next day Count Dohna, who commanded the army near Frankfort, sent in a reinforcement of four battalions, ten squadrons, and a small body of Hussars, into the command of Lieutenant-General Scheremetew. The Hussars and a body of dragoons were added to the picket in the little suburb; the four battalions pitched their tents on the Anger, between the suburb and fortification, and the rest of the dragoons remained in the field, to cover the suburb. The picket consisted of three companies of foot, Colonel Shuck, went with a small party to observe the enemy; but was obliged to retire, and was pursued by the Cossaks to the wall of the city. Between four and five o'clock next morning the poor inhabitants were roused from their sleep by the noise of the batteries in the suburb, by the cannon shrieks and hideous yellings of the Cossaks belonging to the Russian army. About this time, I ascended the church steeple, from whence I beheld the whole plain, extending from the little suburb to the forest, covered with the enemy's troops, and our light horse, supported by the infantry, engaged in different places with their irregulars. At eight o'clock a body of the enemy's infantry, whose rank consisted of four or five thousand men, advancing towards the square, in the neighbourhood of which they had a considerable battery in the green field, extending from these they now moved upon our posted guard and Hussars, who were obliged to retire. They then fired, *en ricochet*, on the tents and baggage of the four battalions encamped on the Anger, who were also compelled to retreat. During this time the enemy, they threw into the city a number of bombs and rocket bullets, that by nine in the morning we set on

fire in three different places; and, the streets being narrow, burned with such fury, that all our endeavours to extinguish it proved ineffectual. At this time the whole atmosphere appeared like a shower of fiery rain and hail, and the general air, in the streets, thick with burning sulphur, rendered their lives by burning in the open fields. The whole place was filled with terror and consternation, and resounded with the shrieks of women and children, who ran about in the utmost distraction, exposed to the shot and the bullets, which, with a bursting force, tore the roofs of the houses and threw them away. As I led my wife, with a young child in my arms, and drove the rest of my children and servants half naked before me, those instruments of death and devastation fell about us like hail; but, by the mercy of God, we all escaped unhurt. Nothing could be more melancholy and affecting, than a sight of the wretched people, lying in crowds, and leaving their all behind, while they rent the sky with their lamentations. Many women of distinction I saw without shoes and stockings, and almost without clothes, who had been rushed from their beds, and ran out naked into the streets. When my family had reached the open plain I endeavoured to return, and save some of my effects; but I could not force my way through a multitude of people, thronging out at the gate, some sick and bed-ridden persons being carried on horseback and in carriages, and others conveyed on the backs of their friends, through a most dreadful scene of horror and desolation. A great number of families from the open country, and defenceless towns in Prussia and Pomerania, had come hither for shelter with their most valuable effects, when the Russians first entered the king's territories. These, as well as the inhabitants, are all ruined and many, who a few days ago possessed considerable wealth, are now reduced to the utmost indigence. The neighbouring towns and villages were soon crowded with the people of Custrin; the roads were filled with objects of misery, and nothing was to be seen but nakedness and despair, nothing but the cries of hunger, fear, and distraction. For my own part, I stayed all night at Goltz, and then proceeded for Berlin. Custrin is now in a heap of ruins. The great magazine, the governor's house, the church, the palace, the store of artillery houses, in a word, the old and new towns, the suburbs, and all the bridges, were reduced to ashes; nay, after the arches were destroyed, the piles and stielings were burned to the water's edge. The writings of the colleges, together with the books of the country, were totally consumed, together with a prodigious magazine of gun and fowl powder, to the value of four millions of crowns. The cannon in the arsenal were all melted; and the loaded bombs and cartridges, with a large quantity of gunpowder, were sent out to be burnt in the open fields. A great number of the inhabitants, who were supposed to have perished in the flames, or under the ruins of the houses, or to have been suffocated in subterranean vaults and caverns, to which they had fled for safety.

The more inhuman and contrary to the practice of a generous enemy, than such vengeance wreaked upon the innocent inhabitants; but the Russians did not begin to batter the fortifications until all the rest of the place was destroyed. In the course of this campaign, the Russian Cossaks are said to have plundered and executed, in great numbers, above two hundred villages, and wantonly butchered above two thousand defenceless women and children. Such monsters of barbarity ought to be excluded from all the privileges of human nature, and hunted down as wild beasts, without pity or remorse. Yet had they not been so powerful to injure, who employ and encourage such ruthless barbarians.

theless, maintained that position, without flinching. On the twenty-seventh, they seemed determined to hazard another action, and even attack the conquerors: instead of advancing, however, they took the route of Landsberg: but afterwards turned off towards Vietzel, and posted themselves between the river Warta and that village. Immediately after the battle, General Ferner,<sup>o</sup> who had received a slight wound in the action, sent a trumpet, with a letter to Lieutenant-General Dohna, desiring a suspension of arms for two or three days to bury the dead, and take care of the wounded; and presenting to his Prussian majesty the humble request of General Browne, who was much weakened by the loss of blood, that he might have a passport, by virtue of which he could be removed to a place where he should find such accommodation as his situation required. In answer to this message, Count Dohna gave the Russian general to understand, that as his Prussian majesty remained master of the field, he would give the necessary orders for interring the dead, and taking care of the wounded on both sides: he refused a suspension of arms, but granted the request of General Browne; and concluded his letter by complaining of the outrages which the Russian troops still continued to commit, in pillaging and burning the king's villages.

§ XXXVI. The King of Prussia had no sooner repulsed the enemy in one quarter, than his presence was required in another. When he quitted Bohemia, Mareschal Daun, at the head of the Austrian army, and the Prince de Deuxponts, who commanded the forces of the empire, advanced to the Elbe, in order to surround the king's brother, Prince Henry, who, without immediate succour, would not have been able to preserve his footing in Saxony. The Prussian monarch, therefore, determined to support him with all possible expedition. In a few days after the battle, he began his march from Custrin, with a reinforcement of twenty-four battalions and a great part of his cavalry, and pursued his route with such unwearied diligence, that by the fifth day of September he reached Torgau, and on the eleventh joined his brother. Mareschal Daun had posted himself at Stolpen, to the eastward of the Elbe, in order to preserve an easy communication with the army of the empire encamped in the neighbourhood of Konigstein, to favour the operations of General Laudohn, who had advanced through the Lower Lusatia to the frontiers of Brandenburg; to make a diversion from the southern parts of Silesia, where a body of Austrian troops acted under the command of the Generals Harache and De Ville; and to interrupt the communication between Prince Henry and the capital of Saxony. On the fifth day of September, the garrison in the strong fortress of Konigstein surrendered themselves prisoners of war, after a very feeble resistance, to the Prince de Deuxponts, who forthwith took possession of the strong camp at Pirna. When the King of Prussia, therefore, arrived at Dresden, he found the army of the empire in this position, and Mareschal Daun in a still stronger situation at Stolpen, with bridges of communication thrown over the Elbe, so that he could not attack them with any prospect of advantage. He had no other resolution to take, but that of endeavouring to cut them off from supplies of provision, and with this view he marched to Bautzen, which he occupied. This motion obliged the Austrian general to quit his camp at Stolpen, but he chose another of equal strength at Libau; yet he afterwards advanced to Rittlitz, that he might be at hand to seize the first favourable occasion of executing the resolution he had formed to attack the Prussians. The king having detached General Ratzow on his left, to take possession of Weissenberg, marched forwards with the body of his army, and posted himself in the neighbourhood of Hochkirchen, after having dislodged the Austrians from that village. Matters were now brought to such a delicate crisis, that a battle seemed inevitable,

and equally desired by both parties, as an event that would determine whether the Austrians should be obliged to retreat for winter-quarters into Bohemia, or be enabled to maintain their ground in Saxony. In this situation Mareschal Daun resolved to act offensively; and formed a scheme for attacking the right flank of the Prussians by surprise. This measure was suggested to him by an oversight of the Prussians, who had neglected to occupy the heights that commanded the village of Hochkirchen, which was only guarded by a few free companies. He determined to take the advantage of a very dark night, and to employ the flower of the whole army on this important service, well knowing, that should they penetrate through the flank of the enemy, the whole Prussian army would be disconcerted, and in all probability entirely ruined. Having taken his measures with wonderful secrecy and circumspection, the troops began to move in the night between the thirteenth and fourteenth of October, favoured by a thick fog, which greatly increased the darkness of the night. Their first care was to take possession of the hill that commanded Hochkirchen, from whence they poured down upon the village, of which they took possession, after having cut in pieces the free companies posted there. The action began in this quarter about four in the morning, and continued several hours with great fury, for, notwithstanding the impetuous efforts of the Austrian troops, and the confusion occasioned among the Prussians by the surprise, a vigorous stand was made by some general officers, who, with admirable expedition and presence of mind, assembled and arranged the troops as they could take to their arms, and led them up to the attack without distinction of regiment, place, or precedence. While the action was obstinately and desperately maintained in this place, amidst all the horrors of darkness, carnage, and confusion, the king being alarmed, exerted all his personal activity, address, and recollection, in drawing regularity from disorder, arranging the different corps, altering positions, reinforcing weak posts, encouraging the soldiery, and opposing the efforts of the enemy; for although they made their chief impression upon the right, by the village of Hochkirchen, Mareschal Daun, in order to divide the attention of the king, made another attack upon the left, which was with difficulty sustained, and effectually prevented him from sending reinforcements to the right, where Mareschal Keith, under the greatest disadvantages, bore the brunt of the enemy's chief endeavours. Thus the battle raged till nine in the morning, when this gallant officer was shot through the heart. Prince Francis of Brunswick had met with the same fate: Prince Maurice of Anhalt was wounded and taken prisoner, and many others were either slain or disabled. As the right wing had been surprised, the tents continued standing, and greatly embarrassed them in their defence. The soldiers had never been properly drawn up in order; the enemy still persevered in their attack with successive reinforcements and redoubled resolution; and a considerable slaughter was made by their artillery, which they had brought up to the heights of Hochkirchen. All these circumstances concurring, could not fail to increase the confusion and disaster of the Prussians; so that about ten the king was obliged to retire to Dobreschutz, with the loss of seven thousand men, of all his tents, and part of his baggage. Nor had the Austrian general much cause to boast of his victory. His loss of men was pretty near equal to that of the Prussian monarch: and, whatever reputation he might have acquired in foiling that enterprising prince, certainly his design did not take effect in its full extent, for the Prussians were next day in a condition to hazard another engagement. The King of Prussia had sustained no damage which he could not easily repair, except the death of Mareschal Keith, which was doubtless an irreparable misfortune.<sup>p</sup>

<sup>o</sup> General Ferner was of Scottish extract, and General Browne actually a native of North Britain.

<sup>p</sup> A very little notice was taken, in the detail published by authority, of any part which this great man acted in the battle of Hochkirchen, and a report was industriously circulated in this kingdom, that he was surprised in his tent, naked, and half asleep, by the attack of a camp of Austrians to violate his privacy, and to put him to the sword; and that he was thrown by the prisoners and illiberal hand of envious malice, or else contrived to screen some other character from the reputation of misconduct. The task we are enabled to perform by a gentleman of random and undoubted credit, who learned the following particulars at Berlin, from a person that

was eye-witness of the whole transaction. Field-Mareschal Keith, who arrived in the camp the very day that preceded the battle, disapproved of the situation of the Prussian army, and remonstrated to the king in that subject. In consequence of his advice, a certain general was sent with a detachment to take possession of the heights that commanded the village of Hochkirchen; but by some fatality he misinterpreted Mareschal Keith's words in any tent, but lodged with Prince Francis of Brunswick, in a house belonging to a Saxon major. When the first alarm was given in the night, he hastily mounted his horse, assembled a body of the nearest troops, and marched directly to the place that was attacked. The Austrians had taken possession of the hill which the Prussian officer was sent to occupy,



§ XXXVII. His Prussian majesty remained with his army ten days at Dobreschutz, during which he endeavoured to bring the Austrians to a second engagement; but Count Daun declined the invitation, and kept his forces advantageously posted on eminences planted with artillery. His aim having been frustrated at Hochkirchen, where he fought with many advantages on his side, he would not hazard another battle upon equal terms, with such an enterprising enemy, rendered more vigilant by the check he had received, already reinforced from the army of Prince Henry, and eager for an opportunity to retrieve the laurel which had been snatched from him by the wiles of stratagem, rather than by the hand of valour. Count Daun, having nothing more to hope from the active operations of his own army, contented himself with amusing the Prussian monarch in Lusatia, while the Austrian generals, Harache and De Ville, should prosecute the reduction of Neiss and Cosel in Silesia, which they now actually invested. As the Prussian monarch could not spare detachments to oppose every different corps of his enemies that acted against him in different parts of his dominions, he resolved to make up in activity what he wanted in number, and, if possible, to raise the siege of Neiss in person. With this view he decamped from Dobreschutz, and, in sight of the enemy, marched to Gorlitz, without the least interruption. From thence he proceeded towards Silesia with his usual expedition, notwithstanding all the endeavours and activity of General Laudohn, who harassed the rear of the Prussians, and gained some petty advantages over them. Count Daun not only sent his detached corps to retard them in their march; but at the same time, by another route, detached a strong reinforcement to the army of the besiegers. In the meantime, having received intelligence that the army of Prince Henry in Saxony was considerably weakened, he himself marched thither, in hopes of expelling the prince from that country, and reducing the capital in the king's absence. Indeed, his designs were still more extensive, for he proposed to reduce Dresden, Leipsic, and Torgau at the same time; the first with the main body under his own direction, the second by the army of the empire under the Prince de Deuxponts, and the third by a corps under General Haddick, while the forces directed by Laudohn should exclude the king from Lusatia. In execution of this plan he marched directly to the Elbe, which he passed at Pirna, and advanced to Dresden, which he hoped would surrender without putting him to the trouble of a formal siege. The army of Prince Henry had already retired to the westward of this capital before the Prince de Deuxponts, who had found means to cut off his communication with Leipsic, and even invested that city. During these transactions, General Haddick advanced against Torgau.

§ XXXVIII. The Field-Mareschal Count Daun appearing on the sixth day of November within sight of Dresden, at the head of sixty thousand men, encamped next day at Lockowitz, and on the eighth his advanced troops attacked the Prussian hussars and independent battalions, which were posted at Striessen and Gruenewiese. Count Schmettau, who commanded the garrison, amounting to ten thousand men, apprehensive that, in the course of skirmishing, the Austrian troops might enter the suburbs pell-mell, posted Colonel Itzenplitz, with seven hundred

men, in the redoubts that surrounded the suburbs, that in case of emergency they might support the irregulars: at the same time, as the houses that constituted the suburbs were generally so high as to overlook the ramparts, and command the city, he prepared combustibles, and gave notice to the magistrates that they would be set on fire as soon as an Austrian should appear within the place. This must have been a dreadful declaration to the inhabitants of these suburbs, which compose one of the most elegant towns in Europe. In these houses, which were generally lofty and magnificent, the fashionable and wealthy class of people resided, and here a number of artists carried on a variety of curious manufactures. In vain the magistrates implored the mercy and forbearance of the Prussian governor, and represented in the most submissive strain, that as they were unconcerned in the war, they hoped they should be exempted from the horrors of devastation. In vain the royal family, who remained at Dresden, conjured him to spare that last refuge of distressed royalty, and allow them at least a secure residence, since they were deprived of every other comfort. He continued inflexible, or rather determined to execute the orders of his master, which indeed he could not disobey with any regard to his own safety. On the ninth day of November, about noon, the Austrian vanguard attacked the advanced post of the garrison, repelled the hussars, drove the independent battalions into the suburbs, and forced three of the redoubts, while their cannon played upon the town. The governor, expecting a vigorous attack next day, recalled his troops within the city, after they had set fire to the suburbs. At three in the morning, the signal was made for this terrible conflagration, which in a little time reduced to ashes the beautiful suburbs of Pirna, which had so lately flourished as the seat of gaiety, pleasure, and the ingenious arts. Every bosom warmed with benevolence must be affected at the recital of such calamities. It excites not only our compassion for the unhappy sufferers, but also our resentment against the perpetrators of such enormity. Next day Mareschal Daun sent an officer to Count Schmettau, with a message, expressing his surprise at the destruction of the suburbs in a royal residence, an act of inhumanity unheard of among Christians. He desired to know if it was by the governor's orders this measure was taken; and assured him, that he should be responsible in his person, for whatever outrages had been or might be committed against a place in which a royal family resided. Schmettau gave him to understand that he had orders to defend the town to the last extremity, and that the preservation of what remained depended entirely on the conduct of his excellency; for should he think proper to attack the place, he (the governor) would defend himself from house to house, and from street to street, and even make his last effort in the royal palace, rather than abandon the city. He excused the destruction of the suburbs as a necessary measure, authorized by the practice of war; but he would have found it a difficult task to reconcile this step to the laws of eternal justice, and far less to the dictates of common humanity. Indeed, if the scene had happened in an enemy's country, or if no other step could have saved the lives and liberties of himself and his garrison, such a desperate remedy might have stood excused by the law of nature and of nations; but on this occasion he occupied a neutral city, over which he could exercise no other power and au-

and thus they fortified with cannon: then they made themselves masters of the village in which the free companies of Algenlied had been posted. Mareschal Keith immediately conceived the design of the Austrian general, and, considering the importance of this place, he directed all his efforts. He in person led the troops to the attack of the village, from whence he drove the enemy, but being overpowered by numbers continually pouring down from the hills, he was obliged to retire in his turn. He rallied his men, returned to the charge, and regained possession of the place: being thus repulsed by fresh reinforcements of the enemy, he made another effort, entered the village a third time, and finding it untenable, ordered it to be set on fire. Thus he kept the Austrians at bay, and maintained a desperate conflict against the flower of the Austrian army, from four in the morning till nine, when the Prussians were joined, and began to file off in their retreat. During the whole dispute he rallied his troops in person, charged at their head, and exposed his life in the hottest of a dreadful fire, like a private captain of grenadiers. He found it necessary to exert himself in his own defence, the better to remove the bad effects of the confusion that prevailed, and in order to inspire the troops to their utmost exertions by his voice, presence, and example. Even when dangerously wounded, at eight in the morning, he refused to quit the field, but continued to signalize himself in the midst of the action until nine, when he received a second ball in his breast, and fell speechless into the arms of Mr. Talay, an English volunteer, who had attended him during the whole campaign. This gentleman, who had been wounded, applied to a Prussian officer for a file of men to remove the mareschal, being uncertain whether he was

entirely deprived of life. His request was granted, but the soldiers in advancing to the spot, were constrained by another officer. He afterwards spoke on the same subject to one of the Prussian generals, a German prince, as he chanced to pass in haste; when Mr. Talay told him the field-mareschal was lying wounded on the field; he asked if his wounds were mortal, and the other answering he was afraid they were, the prince shrugged up his shoulders and rode off without further question. The body of this great officer, being thus shamefully abandoned, was soon stripped by the Austrian stragglers, and lay exposed and undistinguished on the field of battle. In this situation it was perceived by Count Lasci, son to the general of that name, with whom Mareschal Keith had served in Russia. This young count had been the mareschal's pupil, and revered him as his military father, though employed in the Austrian service. He recognised the body by the large scar of a dangerous wound, which General Keith had received in his thigh at the siege of Ochakow, and could not help bursting into tears to see his long-remembered master thus extended at his feet, a naked, lifeless, and deserted corpse. He forthwith caused the body to be covered and interred. It was afterwards taken up, and decently buried by the curate of Hochkirchen, and finally removed to Berlin by order of the king of Prussia, who bestowed upon it these funeral honours that were due to the dignified rank and transcendent merit of the deceased, merit so universally acknowledged, that even the Saxons lamented him as their best friend and patron, who protected them from violence and outrage, even while he acted a principal part in subjecting them to the dominion of his sovereign.

thority but that which he derived from illegal force and violence; nor was he at all reduced to the necessity of sacrificing the palace to his own safety, inasmuch as he might have retired unmolested, by virtue of an honourable capitulation, which however he did not demand. Whether the peremptory order of a superior will, *in foro conscientie*, justify an officer who hath committed an illegal or inhuman action, is a question that an English reader will scarce leave to the determination of a German casuist with one hundred and fifty thousand armed men in his retinue. Be this as it will, Mr. Ponickau, the Saxon minister, immediately after this tragedy was acted, without waiting for his master's orders, presented a memorial to the diet of the empire, complaining of it as an action reserved for the history of the war which the King of Prussia had kindled in Germany to be transmitted to future ages. He affirmed, that in execution of Schemettau's orders, the soldiers had dispersed themselves in the streets of the Pirna and Witichen suburbs, broke open the houses and shops, set fire to the combustibles, added fresh fuel, and then shut the doors; that the violence of the flames was kept up by red-hot balls fired into the houses, and along the streets; that the wretched inhabitants, who forsook their burning houses, were slain by the fire of the cannon and small arms; that those who endeavoured to save their persons and effects were pushed down and destroyed by the bayonets of the Prussian soldiers posted in the streets for that purpose: he enumerated particular instances of inhuman barbarity, and declared that a great number of people perished, either amidst the flames, or under the ruins of the houses. The destruction of two hundred and fifty elegant houses, and the total ruin of the inhabitants, were circumstances in themselves so deplorable, as to need no aggravation: but the account of the Saxon minister was shamefully exaggerated, and all the particular instances of cruelty false in every circumstance. Baron Plotho, the minister of Brandenburg, did not fail to answer every article of the Saxon memorial, and refute the particulars therein alleged, in a fair detail, authenticated by certificates under the hands of the magistrates, judges, and principal inhabitants of Dresden. The most extraordinary part of this defence or vindication was the conclusion, in which the baron solemnly assured the diet, that the King of Prussia, from his great love to mankind, always felt the greatest emotion of soul, and the most exquisite concern, at the effusion of blood, the devastation of cities and countries, and the horrors of war, by which so many thousand fellow-creatures were overwhelmed; and that if his sincere and honest inclination to procure peace to Germany, his dear country, had met with the least regard, the present war, attended with such bloodshed and desolation, would have been prevented and avoided. He, therefore, declared, that those who excited the present troubles, who, instead of extinguishing, threw oil upon the flames, must answer to God for the seas of blood that had been and would be shed, for the devastation of so many countries, and the entire ruin of so many innocent individuals. Such declarations cost nothing to those hardened politicians, who, feeling no internal check, are determined to sacrifice every consideration to the motives of rapacity and ambition. It would be happy, however, for mankind, were princes taught to believe, that there is really an omnipotent and all-judging Power, that will exact a severe account of their conduct, and punish them for their guilt, without any respect to their persons; that pillaging a whole people is more cruel than robbing a single person; and that the massacre of thousands is, at least, as criminal as a private murder.

§ XXXIX. While Count Daun was employed in making a fruitless attempt upon the capital of Saxony, the King of Prussia proceeded in his march to Neiss, which was completely invested on the third day of October. The operations of the siege were carried on with great vigour by the Austrian general, de Harsche, and the place was as vigorously defended by the Prussian governor, Theskau, till the first day of November, when the Prussian monarch approached, and obliged the besiegers to abandon their enterprise. M. de Harsche having raised the siege, the king detached General Fouquet with a body of troops across the river Neiss, and immediately the blockade of Cosel was likewise abandoned. De Harsche retired to

Bohemia, and De Ville hovered about Jagernsdorf. The fortress of Neiss was no sooner relieved, than the King of Prussia began his march on his return to Saxony, where his immediate presence was required. At the same time, the two bodies under the Generals Dohna and Wedel penetrated by different routes into that country. The former had been left at Custrin, to watch the motions of the Russians, who had by this time retreated to the Vistula, and even crossed that river at Thorn, and the other had, during the campaign, observed the Swedes, who had now entirely evacuated the Prussian territories, so that Wedel was at liberty to co-operate with the king in Saxony. He accordingly marched to Torgau, the siege of which had been undertaken by the Austrian general, Haddick, who was repulsed by Wedel, and even pursued to the neighbourhood of Eulenburg. Wedel, being afterwards joined by Dohna, drove him from thence with considerable loss, and then raised the siege of Leipsic. Meanwhile, the king prosecuted his march towards the capital of Saxony, driving before him the body of Austrian troops, under Laudohn, who retreated to Zittau. On the tenth day of November Count Daun retired from Dresden, and with the army of the empire fell back towards Bohemia; and on the twentieth the king arrived in that city, where he approved of the governor's conduct. The Russian general, foreseeing that he should not be able to maintain his ground during the winter in Pomerania, unless he could secure some sea-port on the Baltic, by which he might be supplied with provisions, detached General Palmbach, with fifteen thousand men, to besiege the town of Colberg, an inconsiderable place, very meanly fortified. It was accordingly invested on the third day of October; but the besiegers were either so ill provided with proper implements, or so little acquainted with operations of this nature, that the garrison, though feeble, maintained the place against all their attacks for six-and-twenty days; at the expiration of which they abandoned their enterprise, and cruelly ravaged the open country in their retreat. Thus, by the activity and valour of the Prussian monarch, his generals and officers, six sieges were raised almost at the same period, namely, those of Colberg, Neiss, Cosel, Torgau, Leipsic, and Dresden.

§ XL. The variety of fortune which the King of Prussia experienced in the course of this campaign was very remarkable; but the spirit of his conduct and the rapidity of his motions, were altogether without example. In the former campaign we were dazzled with the lustre of his victories: in this we admire his fortitude and skill in stemming the different torrents of adversity, and rising superior to his evil fortune. One can hardly without astonishment recollect, that in the course of a few months he invaded Moravia, invested Olmutz, and was obliged to relinquish that design; that he marched through an enemy's country, in the face of a great army, which, though it harassed him in his retreat, could not, in a route of a hundred miles, obtain any advantage over him; that in spite of his disaster at Olmutz, and the difficulties of such a march, he penetrated into Bohemia, drove the enemy from Koningsgratz, executed another dangerous and fatiguing march to the Oder, defeated a great army of Russians, and returned by the way of Saxony, from whence he drove the Austrian and imperial armies; that after his defeat at Hochkirchen, where he lost two of his best generals, and was obliged to leave his tents standing, he baffled the vigilance and superior number of the victorious army, rushed like a whirlwind to the relief of Silesia, invaded by an Austrian army, which he compelled to retire with precipitation from that province; that, with the same rapidity of motion, he wheeled about to Saxony, and once more rescued it from the hands of his adversaries; that in one campaign he made twice the circuit of his dominions, relieved them all in their turns, and kept all his possessions entire against the united efforts of numerous armies, conducted by generals of consummate skill and undaunted resolution. His character would have been still more complete, if his moderation had been equal to his courage; but in this particular we cannot applaud his conduct. Incensed by the persecuting spirit of his enemies, he wreaked his vengeance on those who had done him no injury; and the cruelties which the Russians had committed in his

demonstrations were retaliated upon the unfortunate inhabitants of Saxony. In the latter end of September the president of the Prussian military directory sent a letter to the magistrates of Leipzig, requiring them, in the king's name, to pay a new contribution of six hundred thousand crowns, and to begin immediately with the payment of one third part, on pain of military execution. In answer to this demand, the magistrates represented that the city having been exhausted by the enormous contributions already raised, was absolutely incapable of furnishing further supplies: that the trade was stagnated and ruined, and the inhabitants so impoverished, that they could no longer pay the ordinary taxes. This remonstrance made no impression. At five in the morning the Prussian soldiers assembled, and were posted in all the streets, squares, market-places, cemeteries, towers, and steeples; then the gates being shut, in order to exclude the populace of the suburbs from the city, the senators were brought into the town-hall, and accosted by General Hauss, who told them, the king his master would have money; and if they refused to part with it the city should be plundered. To this peremptory address they replied to this effect;—"We have no more money; we have nothing left but life; and we recommend ourselves to the king's mercy." In consequence of this declaration, dispositions were made for giving up the city to be plundered. Cannon were planted in all the streets, the inhabitants were ordered to remain within doors, and every house resounded with dismal cries and lamentations. The dreadful pillage, however, was converted into a regular exaction. A party of soldiers, commanded by a subaltern, went from house to house, signifying to every burgher that he should produce all his specie, on pain of immediate pillage and massacre: and every inhabitant delivered up his all without further hesitation. About six in the evening the soldiers returned to their quarters; but the magistrates were detained in confinement, and all the citizens were overwhelmed with grief and consternation. Happy Britain, who knowest such grievances only by report! When the King of Prussia first entered Saxony, at the beginning of the war, he declared he had no design to make a conquest of that electorate, but only to keep it as a depositum for the security of his own dominions, until he could oblige his enemies to acquiesce in reasonable terms of peace; but upon his last arrival at Dresden, he adopted a new resolution. In the beginning of December, the Prussian directory of war issued a decree to the deputies of the states of the electorate, demanding a certain quantity of flour and forage, according to the convention formerly settled; at the same time signifying, that though the King of Prussia had hitherto treated the electorate as a country taken under his special protection, the face of affairs was now changed in such a manner, that for the future he would consider it in no other light than that of a conquered country. The Russians had seized in Prussia all the estates and effects belonging to the king's officers: a retaliation was now made upon the effects of the Saxon officers, who served in the Russian army. Seals were put on all the cabinets containing papers belonging to the privy-counsellors of his Polish majesty, and they themselves ordered to depart for Warsaw at a very short warning. Though the city had been impoverished by former exactions, and very lately subjected to military execution, the King of Prussia demanded new contributions, and even extorted them by dint of severities that shock humanity. He surrounded the exchange with soldiers, and confining the merchants to straw-beds and naked apartments, obliged them to draw bills for very large sums on their foreign correspondents: a method of proceeding much more suitable to the despotism of a Persian sophi towards a conquered people who professed a different faith, than reconcilable to the character of a protestant prince towards a peaceable nation of brethren, with whom he was connected by the common ties of neighbourhood and religion. Even if they had acted as declared enemies, and been subdued with arms in their hands, the excesses of war on the side of the conqueror ought to have ceased with the hostilities of the conquered, who, by submitting to his sway, would have become his subjects, and in that capacity had a claim to his protection. To retaliate upon the Saxons, who had espoused no quarrel, the bar-

barities committed by the Russians, with whom he was actually at war; and to treat as a conquered province a neutral country, which his enemies had entered by violence, and been obliged to evacuate by force of arms; was a species of conduct founded on pretences which overturn all right, and confound all reason.

§ XLI. Having recorded all the transactions of the campaign, except those in which the Swedes were concerned, it now remains that we should particularize the progress which was made in Pomerania by the troops of that nation, under the command of Count Hamilton. We have already observed, that in the beginning of the year the Prussian general, Lehwald, had compelled them to evacuate the whole province, except Stralsund, which was likewise invested. This, in all probability, would have been besieged in form, had not Lehwald resigned the command of the Prussians, on account of his great age and infirmities, and his successor Count Dohna been obliged to withdraw his troops, in order to oppose the Russian army on the other side of Pomerania. The blockade of Stralsund being consequently raised, and that part of the country entirely evacuated by the Prussians, the Swedish troops advanced again from the isle of Rugen, to which they had retired: but the supplies and reinforcements they expected from Stockholm were delayed in such a manner, either from a deficiency in the subsidies promised by France, or from the management of those who were averse to the war, that great part of the season was elapsed before they undertook any important enterprise. Indeed, while they lay encamped under the cannon of Stralsund, waiting for these supplies, their operations were retarded by the explosion of a whole ship-load of gunpowder intended for their use; an event imputed to the practices of the Prussian party in Sweden, which at this period seemed to gain ground, and even threatened a change in the ministry. At length the reinforcement arrived about the latter end of June, and their general seemed determined to act with vigour. In the beginning of July, his army being put in motion, he sent a detachment to dislodge the few Prussian troops that were left at Anclam, Demmin, and other places, to guard that frontier; and they retreated accordingly. Count Hamilton having nothing further to oppose him in the field, in a very little time recovered all Swedish Pomerania, and even made hot incursions into the Prussian territories. Meanwhile, a combined fleet of thirty-three Russian and seven Swedish ships of war appeared in the Baltic, and anchored between the islands of Dragoe and Amag; but they neither landed troops, nor committed hostilities. The Swedish general advanced as far as Fehrbellin, sent out parties that raised contributions, within five-and-twenty miles of Berlin, and threw the inhabitants of that capital into the utmost consternation. The King of Prussia, alarmed at their progress, despatched General Wedel from Dresden, with a body of troops that were augmented on their march; so that, on the twentieth of September, he found himself at Berlin with eleven thousand effective men, at the head of whom he proceeded against Count Hamilton, while the Prince of Bevern, with five thousand, advanced on the other side from Stetin. At their approach, the Swedish commander retired, after having left a garrison of fourteen hundred men at Fehrbellin, in order to retard the Prussians, and secure the retreat of his army. The place was immediately attacked by General Wedel; and though the Swedes disputed the ground from house to house with uncommon obstinacy, he at last drove them out of the town, with the loss of one half of their number either killed or taken prisoners. The body of the Swedish army, without hazarding any other action, immediately evacuated the Prussian territories, and returned to the neighbourhood of Stralsund, intending to take winter-quarters in the isle of Rugen. Count Hamilton, either disgusted at the restrictions he had been laid under, or finding himself unable to act in such a manner as might redound to the advantage of his reputation, threw up his command, retired from the army, and resigned all his other employments.

§ XLII. The King of Prussia was not only favoured by a considerable party in Sweden, but he had also raised a strong interest in Poland, among such palatines as had always opposed the measures of the reigning family. These



were now reinforced by many patriots, who dreaded the vicinity, and suspected the designs, of the Russian army. The diet of the republic was opened on the second day of November; and, after warm debates, M. Malachowski was unanimously elected marshal: but no sooner had the chambers of nuncios begun their deliberations, than a number of voices were raised against the encroachments of the Russian troops, who had taken up their residence in Poland: and heavy complaints were made of the damages sustained from their cruelty and rapine. Great pains were taken to appease these clamours; and many were prevailed upon to refer these grievances to the king in senate; but when this difficulty seemed almost surmounted, Padhorski, the nuncio of Volhinia, stood up and declared that he would not permit any other point to be discussed in the diet, while the Russians maintained the least footing within the territories of the republic. Vain were all the attempts of the courtiers to persuade and mollify this inflexible patriot, he solemnly protested against their proceedings, and hastily withdrew; so that the marshal was obliged to dissolve the assembly, and recourse was had to a *senatus consultum*, to concert proper measures to be taken in the present conjuncture. The King of Poland was, on this occasion, likewise disappointed in his views of providing for his son, Prince Charles, in the duchy of Courland. He had been recommended by the court of Russia, and even approved by the states of that country; but two difficulties occurred. The States declared, they could not proceed to a new election during the life of their former duke, Count Biron, who was still alive, though a prisoner in Siberia, unless their duchy should be declared vacant by the king and republic of Poland; and, according to the laws of that country, no prince could be elected, until he should have declared himself of the Augsburg confession. His Polish majesty, however, being determined to surmount all obstacles to his son's interest, ordered Count Malachowski, high chancellor of Poland, to deliver to Prince Charles a diploma, by which the king granted permission to the states of Courland to elect that prince for their duke, and appointed the day for his election and instalment; which accordingly took place in the month of January, notwithstanding the clamour of many Polish grandees, who persisted in affirming that the king had no power to grant such permission without the consent of the diet. The vicissitudes of the campaign had produced no revolutions in the several systems adopted by the different powers in Europe. The carina, who in the month of June had signified her sentiments and designs against the King of Prussia, in a declaration delivered to all the foreign ministers at Petersburg, seemed now, more than ever, determined to act vigorously in behalf of the Empress-Queen of Hungary, and the unfortunate King of Poland, who still resided at Warsaw. The court of Vienna distributed among the imperial ministers at the several courts of the empire copies of a rescript, explaining the conduct of her generals since the beginning of the campaign, and concluding with expressions of self-approbation to this effect: "Though the issue of the campaign be not as yet entirely satisfactory, and such as might be desired, the imperial court enjoys, at least, the sincere satisfaction of reflecting, that, according to the change of circumstances, it instantly took the most vigorous resolutions; that it was never deficient in any thing that might contribute to the good of the common cause, and is now employed in making preparations, from which the most happy consequences may be expected."

§ XLIII. We have already hinted at a decree of the Aulic council of the empire, published in the month of August, enjoining all directors of circles, all imperial towns, and the noblesse of the empire, to transmit to Vienna an exact list of all those who had disobeyed the avocatoria of the empire, and adhered to the rebellion raised by the Elector of Brandenburg; that their revenues might be sequestered, and themselves punished in their honours, persons, and effects. As the Elector of Hanover was plainly pointed out, and, indeed, expressly mentioned in this decree, the King of Great Britain, by the hands of Baron Gemmege, his electoral minister, presented a memorial to the diet of the empire in the month of November, enumerating the instances in which he had exerted himself,

and even exposed his life, for the preservation and aggrandizement of the house of Austria. In return for these important services, he observed, that the empress-queen had refused him the assistance stipulated in treaties against an invasion planned by France, whose hatred he had drawn upon himself by his friendship to that princess; and his imperial majesty even denied him the dictatorial letters, which he solicited: that the court of Vienna had signed a treaty with the crown of France, in which it was stipulated that the French troops should pass the Weser, and invade the electorate of Hanover, where they were joined by the troops of the empress-queen, who ravaged his Britannic majesty's dominions with greater cruelty than even the French had practised; and the same Duke of Cumberland, who had been wounded at Dettingen, in the defence of her imperial majesty, was obliged to fight at Hastenbeck against the troops of that very princess, in defence of his father's dominions: that she sent commissaries to Hanover, who shared with the crown of France the contributions extorted from the electorate; rejected all proposals of peace, and dismissed from her court the minister of Brunswick-Lunenbourg: that his imperial majesty, who had sworn to protect the empire, and oppose the entrance of foreign troops destined to oppress any of the states of Germany, afterwards required the King of England to withdraw his troops from the countries which they occupied, that a French army might again have free passage into his German dominions: that the emperor had recalled these troops, released them from their allegiance to their sovereign, enjoined them to abandon their posts, their colours, and the service in which they were embarked, on pain of being punished in body, honour, and estate; and that the King of England himself was threatened with the ban of the empire. He took notice, that in quality of elector, he had been accused of refusing to concur with the resolutions of the diet taken in the preceding year, of entering into alliance with the King of Prussia, joining his troops to the armies of that prince, employing auxiliaries belonging to the states of the empire, sending English forces into Germany, where they had taken possession of Embden, and exacting contributions in different parts of Germany. In answer to these imputations, he alleged that he could not, consistent with his own safety, or the dictates of common sense, concur with a majority, in joining his troops, which were immediately necessary for his own defence, to those which, from the arbitrary views of the court of Vienna, were led against his friend and ally, the King of Prussia, by a prince who did not belong to the generality of the empire, and on whom the command had been conferred, without a previous conclusion of the Germanic body; that, with respect to his alliance with the King of Prussia, he had a right, when deserted by his former allies, to seek assistance wheresoever it could be procured: and surely no just grounds of complaint could be offered against that which his Prussian majesty lent, to deliver the electoral states of Brunswick, as well as those of Brunswick-Wolfenbüttele, Hesse, and Buskebourg, from the oppressions of their common enemy. Posterity, he said, would hardly believe, that at a time when the troops of Austria, the Palatinate, and Wirtemberg, were engaged to invade the countries of the empire, other members of the Germanic body, who employed auxiliaries in their defence, should be threatened with outlawry and sequestration. He owned, that, in quality of king, he had sent over English troops to Germany, and taken possession of Embden: steps for which he was accountable to no power upon earth, although the constitutions of the empire permit the co-estates to make use of foreign troops, not, indeed, for the purpose of invasion or conquest in Germany, but for their defence and preservation. He also acknowledged that he had resented the conduct, and chastised the injustice, of those co-estates who had assisted his enemies, and helped to ravage his dominions: inferring, that if the crown of France was free to pillage the estates of the Duke of Brunswick, and the Landgrave of Hesse-Cassel, because they had supplied the King of England with auxiliaries; if the empress-queen had a right to appropriate to herself half of the contributions raised by the French king in these countries; surely his Britannic majesty had an equal right to make those feel the burden of

the war who had favoured the unjust enterprises of his enemies. He expressed his hope, that the diet, after having duly considered these circumstances, would, by way of advice, propose to his imperial majesty that he should annul his most inconsistent mandates, and not only take effectual measures to protect the electorate and its allies, but also give orders for commencing against the empress-queen, as Archduchess of Austria, the Elector Palatine, and the Duke of Wirtemberg, such proceedings as she wanted to enforce against his Britannic majesty, Elector of Brunswick-Lunenbourg. For this purpose the minister now requested their excellencies to ask immediately the necessary instructions for their principals. The rest of this long memorial contained a justification of his Britannic majesty's conduct in deviating from the capitulation of Closter-Seven; with a refutation of the arguments adduced, and a retort of the reproaches levelled against the King of England, in the paper or manifesto composed and published under the direction of the French ministry, and entitled, "A Parallel of the Conduct of the King of France with that of the King of England, relative to the Breach of the Capitulation of Closter-Seven by the Hanoverians." But to this invective a more circumstantial answer was published: in which, among other curious particulars, the letter of expostulation, said to have been written by the Prussian monarch to the King of Great Britain after the defeat at Colin, is treated as an infamous piece of forgery, produced by some venal pen employed to impose upon the public. The author also, in his endeavours to demonstrate his Britannic majesty's aversion to a continental war, very justly observes, that "none but such as are unacquainted with the maritime force of England can believe that, without a diversion on the continent, to employ part of the enemy's force, she is not in a condition to hope for success, and maintain her superiority at sea. England, therefore, had no interest to foment quarrels or wars in Europe; but, for the same reason, there was room to fear that France would embrace a different system; accordingly, she took no pains to conceal her views, and her envoys declared publicly, that a war upon the continent was inevitable; and that the king's dominions in Germany would be its principal object." He afterwards, in the course of his argumentation, adds, "that they must be very ignorant, indeed, who imagine that the forces of England are not able to resist those of France, unless the latter be hindered from turning all her efforts to the sea. In case of a war upon the continent, the two powers must pay subsidies: only with this difference, that France can employ her own land forces, and aspire at conquests." Such were the professed sentiments of the British ministry, founded upon eternal truth and demonstration, and openly avowed, when the business was to prove that it was not the interest of Great Britain to maintain a war upon the continent; but, afterwards, when this continental war was eagerly espoused, fostered, and cherished by the blood and treasure of the English nation, then the partisans of that very ministry, which had thus declared that England, without any diversion on the continent of Europe, was an overmatch for France by sea, which may be termed the British element; then their partisans, their champions, declaimers, and dependants, were taught to rise in rebellion against their former doctrine, and, in defiance of common sense and reflection, affirm that a diversion in Germany was absolutely necessary to the successful issue of England's operations in Asia, Africa, and America. Notwithstanding all the facts and arguments assembled in this elaborate memorial, to expose the ingratitude of the empress-queen, and demonstrate the oppressive measures adopted by the imperial power, it remains to be proved, that the member of a community is not obliged to yield obedience to the resolutions taken, and the decrees published, by the majority of those who compose this community; especially when reinforced with the authority of the supreme magistrate, and not repugnant to the fundamental constitution on which that community was established.

§ XLIV. If the empress-queen was not gratified to the extent of her wishes in the fortune of the campaign, at least her self-importance was flattered in another point, which could not fail of being interesting to a princess

famed for a glowing zeal and inviolable attachment to the religion of Rome. In the month of August the Pope conferred upon her the title of Apostolical Queen of Hungary, conveyed by a brief, in which he extolled her piety, and launched out into retrospective eulogiums of her predecessors, the princes of Hungary, who had been always accustomed to fight and overcome for the catholic faith under his holy banner. This compliment, however, she did not derive from the regard of Prosper Lambertini, who exercised the papal sway under the assumed name of Benedict XIV. That pontiff, universally esteemed for his good sense, moderation, and humanity, had breathed his last in the month of April, in the eighty-fourth year of his age; and in July was succeeded in the papacy by Cardinal Charles Rezzonico, Bishop of Padua, by birth a Venetian. He was formerly auditor of the Rota: afterwards promoted to the purple by Pope Clement XII. at the nomination of the republic of Venice: was distinguished by the title of St. Maria d'Ara Cœli, the principal convent of the Cordeliers, and nominated Protector of the Pandours, or Illyrians. When he ascended the papal chair, he assumed the name of Clement XIII. in gratitude to the last of that name, who was his benefactor. Though of a disagreeable person, and even deformed in his body, he enjoyed good health, and a vigorous constitution. As an ecclesiastic, his life was exemplary; his morals were pure, and unimpeached: in his character he is said to have been learned, diligent, steady, devout, and, in every respect, worthy to succeed such a predecessor as Benedict.

§ XLV. The King of Spain wisely persisted in reaping the advantages of a neutrality, notwithstanding the intrigues of the French partisans at the court of Madrid, who endeavoured to alarm his jealousy by the conquests which the English had projected in America. The King of Sardinia sagaciously kept aloof, resolving, in imitation of his predecessors, to maintain his power on a respectable footing, and be ready to seize all opportunities to extend and promote the interest of his crown, and the advantage of his country. As for the King of Portugal, he had prudently embraced the same system of forbearance: but, in the latter end of the season, his attention was engrossed by a domestic incident of a very extraordinary nature. Whether he had, by particular instances of severity, exasperated the minds of certain individuals, and exercised his dominion in such acts of arbitrary power as excited a general spirit of disaffection among his nobility; or, lastly, by the vigorous measures pursued against the encroaching Jesuits in Paraguay, and their correspondents in Portugal, had incurred the resentment of that society, we shall not pretend to determine: perhaps all these motives concurred in giving birth to a conspiracy against his life, which was actually executed at this juncture with the most desperate resolution. On the third day of September, the king, according to custom, going out in a carriage to take the air, accompanied by one domestic, was, in the night, at a solitary place near Belem, attacked by three men on horseback, armed with muskets, one of whom fired his piece at the coachman without effect. The man, however, terrified both on his own account and that of his sovereign's, drove the mules at full speed; a circumstance which, in some measure, disconcerted the other two conspirators, who pursued him at full gallop, and having no leisure to take aim, discharged their pieces at random through the back of the carriage. The slugs with which they were loaded happened to pass between the king's right arm and his breast, lacerating the parts from the shoulder to the elbow, but without damaging the bone, or penetrating into the cavity of the body. Finding himself grievously wounded, and the blood flowing apace, he, with such presence of mind as cannot be sufficiently admired, instead of proceeding to the palace, which was at some distance, ordered the coachman to return to Junqueria, where his principal surgeon resided, and there his wounds were immediately dressed. By this resolution, he not only prevented the irreparable mischief that might have arisen from an excessive effusion of blood; but, without all doubt, saved his life from the hands of other assassins, posted on the road to accomplish the regicide, in case he should escape alive from the first attack. This instance of the king's recollection was magnified into a miracle, on

a supposition that it must have been the effect of Divine inspiration; and, indeed, among a people addicted to superstition, might well pass for a favourable interposition of Providence. The king, being thus disabled in his right arm, issued a decree, investing the queen with the absolute power of government. In the meantime, no person had access to his presence but herself, the first minister, the Cardinal de Saldanha, the physicians, and surgeons. An embargo was immediately laid on all the shipping in the port of Lisbon. Rewards were publicly offered, together with the promise of pardon to the accomplices, for detecting any of the assassins; and such other measures used, that in a little time the whole conspiracy was discovered: a conspiracy the more dangerous, as it appeared to have been formed by persons of the first quality and influence. The Duke de Aveiro, of the family of Mascarenhas; the Marquis de Tavora, who had been viceroy of Goa, and now actually enjoyed the commission of general of the horse; the Count de Attougui, the Marquis de Alloria, together with their wives, children, and whole families, were arrested immediately after the assassination, as principals in the design; and many other accomplices, including some Jesuits, were apprehended in the sequel. The further proceedings on this mysterious affair, with the fate of the conspirators, will be particularized among the transactions of the following year. At present it will be sufficient to observe, that the king's wounds were attended with no bad consequences; nor did the imprisonment of those noblemen produce any disturbance in the kingdom.

§ XLVI. The domestic occurrences of France were tissue with a continuation of the disputes between the parliament and clergy, touching the bull *Unigenitus*. In vain the king had interposed his authority: first proposing an accommodation; then commanding the parliament to forbear taking cognizance of a religious contest, which did not fall under their jurisdiction; and, thirdly, banishing their persons, and abrogating their power. He afterwards found it necessary to the peace of his dominions to recall and reinstate those venerable patriots; and being convinced of the intolerable insolence and turbulent spirit of the Archbishop of Paris, had exiled that prelate in his turn. He was no sooner re-admitted to his function, than he resumed his former conduct, touching the denial of the sacraments to those who refused to acknowledge the bull *Unigenitus*: he even acted with redoubled zeal; intrigued with the other prelates; caballed among the inferior clergy; and not only revived, but augmented, the troubles throughout the whole kingdom. Bishops, curates, and monks, presumed to withhold spiritual consolation from persons in extremity, and were punished by the civil power. Other parliaments of the kingdom followed the example exhibited by that of Paris, in asserting their authority and privileges. The king commanded them to desist, on pain of incurring his indignation; they remonstrated and persevered; while the archbishop repeated his injunctions and censures, and continued to inflame the dispute to such a dangerous degree, that he was given to understand he should be again obliged to quit the capital, if he did not proceed with more moderation. But the chief care of the French ministry was employed in regulating the finances, and establishing funds of credit for raising money to pay subsidies, and maintain the war in Europe and America. In the course of this year they had not only considerably reinforced their armies in Germany, but made surprising efforts to supply the colony of Canada with troops, artillery, stores, and ammunition, for its defence against the operations of the British forces, which greatly outnumbered the French upon the continent. The court of Versailles practised every stratagem to elude the vigilance of the English cruisers. The ships destined for America they detached, both single and in convoys, sometimes from the Mediterranean, sometimes from their harbours in the channel. They assembled transports in one port, in order to withdraw the attention of their enemies from another, where their convoys lay ready for sailing; and in boisterous weather, when the English could no longer block up their harbours, their store-ships came forth, and hazarded the voyage, for the relief of their American settlements. Those that had the good fortune to arrive on the coast of that continent were obliged to have recourse to

different expedients for escaping the British squadrons stationed at Halifax, or cruising in the bay of St. Lawrence. They either ventured to navigate the river before it was clear of the ice, so early in the spring, that the enemy had not yet quitted the harbour of Nova Scotia; or they waited on the coast of Newfoundland for such thick fogs as might screen them from the notice of the English cruisers, in sailing up the gulf; or, lastly, they penetrated through the straits of Belleisle, a dangerous passage, which, however, led them directly into the river St. Lawrence, at a considerable distance above the station of the British squadron. Though the French navy was by this time so reduced, that it could neither face the English at sea, nor furnish proper convoys for commerce, her ministry nevertheless attempted to alarm the subjects of Great Britain with the project of an invasion. Flat-bottomed boats were built, transports collected, large ships of the line equipped, and troops ordered to assemble on the coast for embarkation; but this was no more than a feint to arouse the apprehension of the English, disconcert the administration, prejudice the national credit, and deter the government from sending forces to keep alive the war in Germany. A much more effectual method they took to distress the trade of England, by laying up their useless ships of war, and encouraging the equipment of stout privateers, which did considerable damage to the commerce of Great Britain and Ireland, by cruising in the seas of Europe and America. Some of them lay close in the harbours of the channel, fronting the coast of England, and darted out occasionally on the trading ships of this nation, as they received intelligence from boats employed for that purpose. Some chose their station in the North sea, where a great number of captures were made upon the coast of Scotland; others cruised the chops of the channel, and even to the westward of Ireland; but the far greater number scoured the seas in the neighbourhood of the Leeward Islands in the West Indies, where they took a prodigious number of British ships, sailing too and from the sugar colonies, and conveyed them to their own settlements in Martinique, Guadaloupe, or St. Domingo.

§ XLVII. With respect to the war that raged in Germany, the King of Denmark wisely pursued that course, which happily preserved him from being involved in those troubles by which great part of Europe was agitated, and terminated in that point of national advantage which a king ought ever to have in view for the benefit of his people. By observing a scrupulous neutrality, he enhanced his importance among his neighbours: he saw himself courted by all the belligerent powers; he saved the blood and treasure of his subjects; he received large subsidies, in consideration of his forbearance; and enjoyed, unmolested, a much more considerable share of commerce than he could expect to carry on, even in times of universal tranquillity. He could not perceive that the protestant religion had any thing to apprehend from the confederacy which was formed against the Prussian monarch; nor was he misled into all the expense, the perils, and disquiets of a sanguinary war, by that *ignis fatuus* which hath seduced and impoverished other opulent nations, under the specious title of the balance of power in Germany. Howsoever he might be swayed by private inclination, he did not think it was a point of consequence to his kingdom, whether Pomerania was possessed by Sweden or Prussia; whether the French army was driven back beyond the Rhine, or penetrated once more into the electorate of Hanover; whether the empress-queen was stripped of her remaining possessions in Silesia, or the King of Prussia circumscribed within the original bound of his dominion. He took it for granted that France, for her own sake, would prevent the ruin of that enterprising monarch; and that the house of Austria would not be so impolitic, and blind to its own interest, as to permit the Empress of Russia to make and retain conquests in the empire; but even if these powers should be weak enough to sacrifice all the maxims of sound policy to caprice or resentment, he did not think himself so deeply concerned in the event, as, for the distant prospect of what might possibly happen, to plunge headlong into a war that must be attended with certain and immediate disadvantages. True it is, he had no hereditary electorate in Germany that was threatened with invasion; nor,



if he had, is it to be supposed that a prince of his sagacity and patriotism would have impoverished his kingdom of Denmark for the precarious defence of a distant territory. It was reserved for another nation to adopt the pernicious absurdity of wasting its blood and treasure, exhausting its revenues, loading its own back with the most grievous impositions, incurring an enormous debt, big with bankruptcy and ruin; in a word, of expending above a hundred and fifty millions sterling in fruitless efforts to defend a distant country, the entire property of which was never valued at one twentieth part of that sum; a country with which it had no natural connexion, but a common alliance arising from accident. The King of Denmark, though himself a prince of the empire, and possessed of dominions in Germany, almost contiguous to the scenes of the present war, did not yet think himself so nearly concerned in the issue, as to declare himself either principal or auxiliary in the quarrel; yet he took care to maintain his forces by sea and land upon a respectable footing; and by his conduct, he not only provided for the security of his own country, but overawed the belligerent powers, who considered him as a prince capable of making either scale preponderate, just as he might choose to trim the balance. Thus he preserved his wealth, commerce, and consequence undiminished; and, instead of being harassed as a party, was honoured as an umpire.

§ XLVIII. The United Provinces, though as adverse as his Danish majesty to any participation in the war, did not, however, so scrupulously observe the neutrality they professed: at least, the traders of that republic, either from an inordinate thirst of lucre, or a secret bias in favour of the enemies of Great Britain, assisted the French commerce with all the appearance of the most flagrant partiality. We have, in the beginning of this year's transactions, observed, that a great number of their ships were taken by the English cruisers, and condemned as legal prizes, for having French property on board: that the Dutch merchants, exasperated by their losses, exclaimed against the English as pirates and robbers, petitioned the States for redress in very high terms, and even loudly clamoured for a war against Great Britain. The charge of violence and injustice, which they brought against the English, for taking and confiscating the ships that transported to Europe the produce of the French islands in the West Indies, they founded on the tenth article of the treaty of commerce between Great Britain and the states-general of the United Provinces, concluded in the year one thousand six hundred and sixty-eight, stipulating, That whatever shall be found on board the ships of the subjects of the United Provinces, though the lading, or part thereof, may belong to the enemies of Great Britain, shall be free and unmolested, except these be prohibited goods, which are to be served in the manner described by the foregoing articles. From this article the Dutch merchants argued, that, if there be no prohibited goods on board, the English had no right to stop or molest any of their ships, or make the least inquiry to whom the merchandise belonged, whence it was brought, or whether bound. This plea the English casuists would by no means admit, for the following reasons: A general and perpetual license to carry on the whole trade of their enemy would be such a glaring absurdity, as no convention could authorize: common sense has dictated, and Grotius declared, that no man can be supposed to have consented to an absurdity; therefore, the interpretation given by the Dutch to this article could not be supposed to be its true and genuine meaning; which, indeed, relates to nothing more than the common course of trade, as it was usually carried on in time of peace. But, even should this interpretation be accepted, the article, and the treaty itself, would be superseded and annulled by a subsequent treaty, concluded between the two nations in the year one thousand six hundred and seventy-five, and often confirmed since that period, stipulating, in a secret article, that nei-

ther of the contracting parties should give, nor consent that any of their subjects or inhabitants should give, any aid, favour, or counsel, directly or indirectly, by land or sea, or on the fresh waters; nor should furnish, or permit the subjects or inhabitants of their respective territories to furnish, any ships, soldiers, seamen, victuals, monies, instruments of war, gunpowder, or any necessities for making war, to the enemies of either party, of any rank or condition soever. Now, the Dutch have infringed this article in many instances during the present war, both in Europe and America; and as they have so openly contravened one treaty, the English are not obliged to observe any other. They, moreover, forfeited all right to the observance of the treaty in question, by refusing the succours with which they were bound, in the most solemn manner, to furnish the King of Great Britain, in case any of his territories in Europe should be attacked; for nothing could be more weak and frivolous than the allegation upon which this refusal was founded: namely, that the hostilities in Europe were commenced by the English, when they seized and confiscated the vessels of France; and they, being the aggressors, had no right to insist upon the succours stipulated in a treaty which was purely defensive. If this argument has any weight, the treaty itself can have no signification. The French, as in the present case, will always commence the war in America: and when their ships, containing reinforcements and stores for the maintenance of that war, shall be taken on the European seas, perhaps in consequence of their being exposed for that purpose, they will exclaim that the English were the aggressors in Europe, consequently deprived of all benefit accruing from the defensive treaty subsisting between them and the States-general of the United Provinces. It being impossible for the English to terminate the war, while their enemies derive the sinews of it from their commerce carried on in neutral bottoms, they are obliged to suppress such collusions, by that necessity which Grotius himself hath allowed to be a sufficient excuse for deviating from the letter of any treaty whatsoever. In time of peace no Dutch ships were permitted to carry the produce of any French sugar island, or even to trade in any of the French ports in America or the West Indies; consequently the treaty which they quote can never justify them in carrying on a commerce, which, as it did not exist, and was not foreseen, could not possibly be guarded against when that convention was ratified. Grotius, whose authority is held in such veneration among the Dutch, has determined that every nation has a right to seize and confiscate the goods of any neutral power, which shall attempt to carry them into any place which is blocked up by that nation, either by land or sea. The French islands in the West Indies were so blocked up by the English cruisers, that they could receive no relief from their own government, consequently no neutral power could attempt to supply them without falling under this predicament.<sup>1</sup> It was for these reasons that the King of England declared, by the mouth of Mr. Yorke, his minister plenipotentiary at the Hague, in a conference held in the month of August, with the deputies of the States-general, that though he was ready to concur in every measure that should be proposed for giving satisfaction to their high mightinesses, with whom he had always studied to live in the most perfect union, he was nevertheless determined not to suffer the trade of the French colonies in America to be carried on by the subjects of other powers, under the specious pretext of neutrality: nor to permit words to be interpreted as a license to drive a trade with his enemies, which, though not particularly specified in the articles of contraband, was nevertheless rendered such in all respects, and in every sense, by the nature of the circumstances. It is not at all more surprising that the Dutch merchants should complain, than that the English government should persist in confiscating the ships that were found to contain the merchandise of their enemies. The individual traders of

<sup>1</sup> In the reign of King William, when the English and Dutch were engaged in a war against France, the northern powers of Sweden and Denmark attempted to carry on the French commerce, under the shade of neutrality; but the Dutch and English naval squadrons seized the vessels that were so employed. Complaints of these captures were made at London and the Hague; and the complaints were given to be understood, at both places, that those ships should not be allowed to carry on any trade with France,

but what was usual in time of peace. In consequence of this declaration, Mr. Grotius formed the design of writing a treatise on the freedom of navigation, and recomputed the plan of his work to the celebrated Puffendorf, who signified his sentiments in a letter, which is preserved by the learned Barbeyrac, in his notes upon that author's treatise on the Law of Nature and Nations.

every mercantile nation will run considerable risks in extending their particular commerce, even when they know it must be detrimental to the general interest of their country. In the war maintained by the confederates against Louis XIV. of France, the merchant ships of the Dutch carried on an uninterrupted trade to the French ports : and, notwithstanding the repeated solicitations of England, the States-general could never be prevailed upon to prohibit this commerce, which undoubtedly enabled France to protract the war. The truth is, they gave the British ministry to understand, that unless they connived at this traffic, their subjects could not possibly defray their proportion of the expense at which the war was maintained. It is well known through all Europe, that the subjects of the United Provinces reaped considerable advantage, not only from this branch of illicit trade, but also by providing for both armies in Flanders, and by the practice of stock-jobbing in England ; consequently, it was not the interest, either of the States-general, or the English general, between whom there was a very good understanding, to bring that war to a speedy conclusion : nor, indeed, ought we to fix the imputation of partiality upon a whole nation, for the private conduct of individuals influenced by motives of self-interest, which co-operate with the same energy in Holland, and among the subjects of Great Britain. In the course of the former war, such a scandalous appetite for gain prevailed in different parts of the British dominions, that the French islands were actually supplied with provisions, slaves, and lumber, from Ireland and the British colonies in North America ; and Martinique, in particular, must have surrendered to the commander of the English squadron stationed in those seas, had it not been thus supported by English subjects. Certain it is, the Dutch had some reason to complain that they were deceived into this species of traffic by the article of a treaty, which, in their opinion, admitted of no limitation ; and that the government of Great Britain, without any previous warning, or explaining its sentiments, on this subject, swept the sea at once of all their vessels employed in this commerce, and condemned them, without mitigation, to the entire ruin of many thousand families. Considering the intimate connexion of mutual interest subsisting between Great Britain and the states of the United Provinces, they seem to have had some right to an intimation of this nature, which, in all probability, would have induced them to resign all prospect of advantage from the prosecution of such traffic.

§ XLIX. Besides the universal clamour excited in Holland, and the famous memorial presented to the States-general, which we have already mentioned in another place, a deputation of merchants waited four times successively on the princess regent, to explain their grievances, and demand her concurrence in augmenting the navy for the preservation of their commerce. She promised to interpose her best offices with the court of Great Britain ; and those co-operating with representations made by the States-general, the English minister was empowered to open conferences at the Hague, in order to bring all matters in dispute to an amicable accommodation. These endeavours, however, proved ineffectual. The British cruisers continued to take, and the British courts to condemn, all Dutch vessels containing the produce of the French sugar islands. The merchants of Holland and Zealand renewed their complaints with redoubled clamour, and all the trading part of the nation, reinforced by the whole party that opposed the house of Orange, cried aloud for an immediate augmentation of the marine, and reprisals upon the pirates of England. The princess, in order to avoid extremities, was obliged not only to employ all her personal influence with the States-general, but also to play off one faction against another, in the way of remonstrance and exclamation. As far back as the month of June, she presented a memorial to the States-general, reminding them, that in the beginning of the war between France and England, she had advised an augmentation should be made in their land forces, to strengthen the garrisons of the frontier towns, and cover the territories of the republic from invasion. She gave them to understand, that the provinces of Gueldres and Overysse, notwithstanding the proximity of two formidable armies, had resolved to demand that the

augmentation of their land forces should be taken into consideration by the other provinces ; and requested her to reinforce their solicitations that this measure might immediately take place. This request, she said, she the more readily granted, as she could not but be sensible of the imminent danger that threatened the republic, especially since the Hanoverian army had passed the Rhine ; and as it behoved the state to put itself in a condition to hinder either armies from retreating into the territories of the republic, if it should be defeated : for, in that case, the conqueror being authorized to pursue his enemy wherever he can find him, would bring the war into the heart of their country. This representation had no other effect than that of suspending the measures which each party proposed. The princess, in her answer to the fourth deputation of the merchants, declared that she beheld the present state of their trade with the most anxious concern ; that its want of protection was not her fault, but that of the towns of Dort, Haerlem, Amsterdam, Torgau, Rotterdam, and the Brille, to whose conduct it was owing, that the forces of the state, by sea and land, were not now on a better footing. The deputies were afterwards referred to her minister, M. de la Larrey, to whom they represented, that the augmentation of the land forces, and the equipment of a fleet, were matters as distinct from each other as light from darkness ; that there was no pressing motive for an augmentation of the army, whereas innumerable reasons rendered the equipment of a fleet a matter of the most urgent necessity. In a few days after this representation was made, the princess, in an assembly of the States-general, requested their high mightinesses, that seeing their earnest and repeated efforts to induce the provinces of Holland, Zealand, Friesland, and West-Friesland, to acquiesce in the proposed augmentation of forces by sea and land, had not hitherto met with success, they would now consider and deliberate upon some expedient for terminating this affair, and the sooner the better, in order, on one hand, to satisfy the strong and well-grounded instances made by the provinces of Gueldres, Utrecht, Overysse, and Groningen ; and, on the other, to comply with the ardent and just desires expressed by the commercial inhabitants of the country. She told them, that the deputation which waited on her consisted of forty merchants, a number that merited attention no less than the speech they pronounced, of which a great number of printed copies were distributed through all parts of the country. Without making any particular remarks on the harangue, she only observed, that the drift of it did not tend to facilitate the negotiation begun with Great Britain, nor to induce the nation to prefer a convention to a rupture with that crown. From this circumstance she inferred, it was more than time to finish the deliberations on the proposal for augmenting the forces both by sea and land ; a measure, without which she was convinced in her conscience the state was, and would always remain, exposed to all sorts of misfortune and danger, both now and hereafter.

§ L. In consequence of this interposition, the States-general that same day sent a letter to the states of Holland and West Friesland, communicating the sentiments of the princess-regent, and insisting upon the necessity of complying with her proposal of the double augmentation. They observed, that an augmentation of the land forces, for the defence of the frontiers, was unavoidable, as well as an equipment by sea for the security of commerce ; that the states of the provinces of Gueldres, Utrecht, Overysse, and Groningen, joined with them in the same opinion ; and accordingly had insisted, by divers letters and propositions, on those two points so essential to the public interest. They represented the danger of delay, and the fatal effects of discord : they proposed, that by a reciprocal indulgence one party should comply with the sentiments of the other, in order to avoid a schism and dangerous division among the confederates, the consequences of which would be very deplorable ; while the republic in the meantime would remain in a defenceless condition, both by sea and land, and depend upon the arbitrary power of its neighbours. They conjured them, therefore, as they valued the safety of their country, and all that was dear to them, as they regarded the protection of the good inhabitants, the concord and harmony which at all times,

but especially at the present critical juncture, was of the last necessity, that they would seriously reflect upon the exhortations of her royal highness, as well as on the repeated instances of the majority of the confederates, and take a wise and salutary resolution with regard to the proposed augmentation of the land forces, so that this addition, together with an equipment at sea, might, the sooner the better, be unanimously brought to a conclusion. It was undoubtedly the duty of all who wished well to their country to moderate the heat and precipitation of those, who, provoked by their losses, and stimulated by resentment, endeavoured at this period to involve their nation in war with Great Britain. Had matters been pushed to this extremity, in a few months the republic would, in all probability, have been brought to the brink of ruin. The Dutch were distracted by internal divisions; they were altogether unprovided for hostilities by sea; the ocean was covered with their trading vessels; and the naval armaments of Great Britain were so numerous and powerful as to render all resistance on that element equally vain and pernicious. The English could not only have scoured the seas, and made prize of their shipping, but were also in a condition to reduce or demolish all their towns in Zealand, where they would hardly have met with any opposition.

## CHAP. X.

§ I. Domestic occurrences in Great Britain. § II. Trials of Drs. Hensley and Shebbeare. § III. Institution of the Magdalen and Asylum. § IV. Society for the encouragement of arts. § V. Session opened. § VI. New treaty with the king of Prussia. § VII. Sir Philip's death. § VIII. King's message to the Commons. § IX. Bill relating to the disability, and the expropriation of coin. § X. Petition from the justices of Norfolk. § XI. Bill for the importation of salted beef from Ireland continued. § XII. Regulations with respect to parafin. § XIII. New militia laws. § XIV. Act for the relief of debtors revised. § XV. Bill for the importation of Irish beef and tallow. § XVI. Act relative to Milford Haven. § XVII. Bill relative to the duty on pensions. § XVIII. Act relative to the duty on glyster. § XIX. Carriage act. § XX. Unsuccessful bills. § XXI. Case of the insolvent debtors. § XXII. Case of Captain Walker. § XXIII. Remonstrances in the bankrupt laws. § XXIV. Inquiry into the state of the poor. § XXV. Regulations of weights and measures. § XXVI. Resolutions concerning the Foundling hospital. § XXVII. Messages from the king to the parliament. § XXVIII. Session closed. § XXIX. Preparations for war. § XXX. Death of the Princess of Orange and Princess Elizabeth Caroline. § XXXI. Explores made of trade. § XXXII. Accounts of some remarkable murders. § XXXIII. Murder of David Clarke. § XXXIV. Marriages of the Prince of Wales. § XXXV. Resolutions concerning a new treaty at Fleetscourt. § XXXVI. Fire in Cornhill. § XXXVII. Method contrived to find out the counterfeit. § XXXVIII. Installation at Oxford. § XXXIX. Depredable incident at sea. § XL. Capture made by separate cruises. § XLI. Captain Hood takes the Pelican. § XLII. Another capture in the Court de St. Flauds. § XLIII. Captain Walker takes a French East Indiaman. § XLIV. Prizes taken in the West Indies. § XLV. Engagement between the Hercules and the Florissant. § XLVI. Hercione Gracee bombardment by Admiral Rodney. § XLVII. Admiral Boscawen defeats M. de la Clue. § XLVIII. Preparations made by the French for invading England. § XLIX. Account of Bunker. § L. French fleet sails from France. § LI. Admiral Hawke defeats M. de Conflans. § LII. Proceedings of the Irish parliament. § LIII. Fidelity of the Irish soldiers. § LIV. Dangerous insurrection in Dublin. § LV. Alarm of a descent in Scotland.

A. D. 1758. § I. WHILE the operations of the war were prosecuted through the four quarters of the globe, the island of Great Britain, which may be termed the centre that gave motion to this vast machine, enjoyed all the tranquillity of the most profound peace, and saw nothing of war but the preparations and trophies, which served only to animate the nation to a desire of further conquest: for the dejection occasioned by the misfortune at St. Cas soon vanished before the prospect of victory and success. Considering the agitation naturally produced among the common people, by the practice of pressing men into the service of the navy, which, in the beginning of the year, had been carried on with unusual violence, the levy of so many new corps of soldiers, and the endeavours used in forming the national militia, very few disturbances happened to interrupt the internal repose of the nation. From private acts of malice, fraud, violence, and rapine, no community whatsoever is exempted. In the month of April, the temporary wooden bridge over the Thames, built for the convenience of carriages and passengers, while the workmen should be employed in widening and repairing London bridge, was maliciously set on fire in the night, and continued burning

till noon next day, when the ruins of it fell into the river. The destruction of this conveniency proved very detrimental to the commerce of the city, notwithstanding the vigilancy and discretion of the magistrates, in applying remedies for this misfortune. A promise of the king's pardon was offered in a public advertisement, by the secretary of state, and a reward of two hundred pounds by the city of London, to any person who should discover the perpetrator of such wicked outrage; but nevertheless he escaped detection. No individual, nor any society of men, could have the least interest in the execution of such a scheme, except the body of London watermen; but as no discovery was made to the prejudice of any person belonging to that society, the deed was imputed to the malice of some secret enemy to the public. Even after a new temporary bridge was erected, another attempt was made (in all probability by the same incendiary) to reduce the whole to ashes, but happily miscarried, and a guard was appointed, to prevent any such atrocious efforts in the sequel. Dangerous tumults were raised in and about Manchester, by a prodigious number of manufacturers, who had left off working, and entered into a combination to raise, by force, the price of their labour. They had formed a regular plan, and collected large sums for the maintenance of the poorer sort, while they refused to work for their families. They insulted and abused all those who would not join in this defection; dispersed incendiary letters, and denounced terrible threats against all such as should presume to oppose their proceedings. But these menaces had no effect upon the magistrates and justices, who did their duty with such discretion and courage, that the ringleaders being singled out, and punished by law, the rest were soon reduced to order.

§ II. The month of June, Florence Hensley, an obscure physician, and native of Ireland, who had been apprehended for treasonable practices, was tried in the court of king's bench, on an indictment for high treason. In the course of the trial it appeared that he had been employed as a spy for the French ministry: to which, in consideration of a paltry pension, he sent intelligence of every material occurrence in Great Britain. The correspondence was managed by his brother, a Jesuit, who acted as chaplain and secretary to the Spanish ambassador at the Hague. The British resident at that court having learned from the Spanish minister some secrets relating to England, even before they were communicated to him from the English ministry, was induced to set on foot an inquiry touching the source of this information, and soon received an assurance, that the secretary of the Spanish ambassador had a brother, a physician in London. The suspicion naturally arising from this circumstance being imparted to the ministry of England, Hensley was narrowly watched, and twenty-nine of his letters were intercepted. From the contents of these he was convicted of having given the French court the first notice of the expedition to North America, the capture of the two ships, the Alcide and Lys, the sailing and destination of every squadron and armament, and the difficulties that occurred in raising money for the service of the public. He had even informed them that the secret expedition of the foregoing year was intended against Rochefort, and advised a descent upon Great Britain, at a certain time and place, as the most effectual method of distressing the government, and affecting the public credit. After a long trial he was found guilty of treason, and received the sentence of death usually pronounced on such occasions: but whether he earned forgiveness by some material discovery, or the minister found him so insensible and insignificant that he was ashamed to take his life, he escaped execution, and was pardoned, on condition of going into perpetual exile. The severity of the government was much about the same period exercised on Dr. Shebbeare, a public writer, who, in a series of printed letters to the people of England, had animadverted on the conduct of the ministry in the most acrimonious terms, stigmatized some great names with all the virulence of censure, and even assaulted the throne itself with oblique insinuation and ironical satire. The ministry, incensed at the boldness, and still more enraged at the success, of this author, whose writings were bought with avidity by the public, determined to punish him



severely for his arrogance and abuse, and he was apprehended by a warrant from the secretary's office. His sixth letter to the people of England, was pitched upon as the foundation of a prosecution. After a short trial in the court of king's bench, he was found guilty of having written the sixth letter to the people of England adjudged a libellous pamphlet, sentenced to stand in the pillory, to pay a small fine, to be imprisoned three years, and give security for his future good behaviour: so that, in effect, this good man suffered more for having given vent to the unguarded effusions of mistaken zeal, couched in the language of passion and scurrility, than was inflicted upon Hensley, a convicted traitor, who had acted as a spy for France, and betrayed his own country for hire.

§ III. Amidst a variety of crimes and disorders, arising from impetuosity of temper, unreined passion, luxury, extravagance, and an almost total want of police and subordination, the virtues of benevolence are always springing up to an extraordinary growth in the British soil; and here charities are often established by the humanity of individuals, which in any other country would be honoured as national institutions: witness the great number of hospitals and infirmaries in London and Westminster, erected and maintained by voluntary contribution, or raised by the princely donations of private founders. In the course of this year the public began to enjoy the benefit of several admirable institutions. Mr. Henry Raine, a private gentleman of Middlesex, had, in his life-time, built and endowed an hospital for the maintenance of forty poor maidens. By his will he bequeathed a certain sum of money to accumulate at interest, under the management of trustees, until the yearly produce should amount to two hundred and ten pounds, to be given in marriage-portions to two of the maidens educated in his hospital, at the age of twenty-two, who should be the best recommended for piety and industry by the masters or mistresses whom they had served. In the month of March, the sum destined for this laudable purpose was completed; when the trustees, by public advertisement, summoned the maidens educated in the hospital to appear on a certain day, with proper certificates of their behaviour and circumstances, that six of the most deserving might be selected to draw lots for the prize of one hundred pounds, to be paid as her marriage portion, provided she married a man of an unblemished character, a member of the church of England, residing within certain specified parishes, and approved by the trustees. Accordingly, on the first of May, the candidates appeared, and the prize being gained by one young woman, in presence of a numerous assembly of all ranks, attracted by curiosity, the other five maidens, with a sixth, added in lieu of her who had been successful, were marked for a second chance on the same day of the following year, when a second prize of the same value would be presented: thus a new candidate will be added every year, that every maiden who has been educated in this hospital, and preserved her character without reproach, may have a chance for the noble donation, which is also accompanied with the sum of five pounds to defray the expense of the wedding entertainment. One scarce knows whether most to admire the plan, or commend the humanity, of this excellent institution. Of equal and perhaps superior merit was another charitable establishment, which also took effect about this period. A small number of humane individuals, chiefly citizens of London, deeply affected with the situation of common prostitutes, who are certainly the most forlorn of all human creatures, formed a generous resolution in their favour, such as even the best men of the kingdom had never before the courage to avow. They considered that many of these unhappy creatures, so wretched in themselves, and so productive of mischief to society, had been seduced to vice in their tender years by the perfidious artifice of the other sex, or the violence of unruly passion, before they had acquired experience to guard against the one, or foresight to perceive the fatal consequences of the other: that the jewel, reputation, being thus irrevocably lost, perhaps in one unguarded moment, they were covered with shame and disgrace, abandoned by their families, excluded from all pity, regard, and assistance: that, stung by self-conviction, insulted with reproach, denied the privilege of penitence and contrition, cut off from all hope,

impelled by indigence, and maddened with despair, they had plunged into a life of infamy, in which they were exposed to deplorable vicissitudes of misery, and the most excruciating pangs of reflection that any human being could sustain: that, whatever remorse they might feel, howsoever they might detest their own vice, or long for an opportunity of amendment, they were entirely destitute of all means of reformation: they were not only deprived of all possibility of profiting by those precious moments of repentance, and becoming again useful members of society; but in order to earn a miserable subsistence, were obliged to persevere in the paths of prostitution, and act as the instruments of Heaven's vengeance in propagating distemper and profligacy, in ruining the bodies and debauching the minds of their fellow-creatures. Moved to sympathy and compassion by these considerations, this virtuous band of associates determined to provide a comfortable asylum for female penitents, to which they might fly for shelter from the receptacles of vice, the miseries of life, and the scorn of mankind; where they might indulge the salutary sentiments of remorse, make their peace with Heaven, accustom themselves to industry and temperance, and be profitably re-united to society, from which they had been so unhappily dis severed. The plan of this excellent institution being formed, was put in execution by means of voluntary subscription, and the house opened in Goodman's-fields, under the name of the Magdalen Hospital, in the month of August; when fifty petitions were presented by penitent prostitutes, soliciting admittance. Another asylum was also opened by the hand of private charity, on the Surrey side of Westminster bridge, for the reception and education of female orphans, and children abandoned by their parents.

§ IV. Nor was encouragement refused to those who distinguished themselves by extraordinary talents in any branch of the liberal and useful arts and sciences, though no Mæcenæ appeared among the ministers, and not the least ray of patronage glimmered from the throne. The protection, countenance, and gratification secured in other countries by the institution of academies, and the liberalities of princes, the ingenious in England derived from the generosity of a public, endued with taste and sensibility, eager for improvement, and proud of patronizing extraordinary merit. Several years had already elapsed since a society of private persons was instituted at London, for the encouragement of arts, manufactures, and commerce. It consisted of a president, vice-president, secretary, register, collector, and other officers, elected from a very considerable number of members, who pay a certain yearly contribution for the purposes of the institution. In the course of every year they held eight general meetings in a large assembly room, built and furnished at the common expense; besides the ordinary meetings of the society, held every week, from the second Wednesday in November to the last Wednesday in May; and in the intermediate time, on the first and third Wednesday of every month. At these ordinary meetings, provided the number then present exceeded ten, the members had a right to proceed on business, and power to appoint such committees as they should think necessary. The money contributed by this association, after the necessary expense of the society had been deducted, was expended in premiums for planting and husbandry; for discoveries and improvements in chemistry, dyeing and mineralogy; for promoting the ingenious arts of drawing, engraving, casting, painting, statuary, and sculpture; for the improvements of manufactures and machines in the various articles of hats, crapes, druggets, mills, marbled-paper, ship-blocks, spinning-wheels, toys, yarn, knitting, and weaving. They likewise allotted sums for the advantage of the British colonies in America, and bestowed premiums on those settlers who should excel in curing cochineal, planting log-wood trees, cultivating olive trees, producing myrtle-wax, making pot-ash, preserving raisins, curing safflower, making silk and wines, importing sturgeon, preparing isinglass, planting hemp and cinnamon, extracting opium and the gum of the persimon-tree, collecting stones of the mango, which should be found to vegetate in the West Indies; raising silk grass, and laying out provincial gardens. They, moreover, allowed a gold medal, in honour of him who should



them, his majesty had directed the lords of the commission to assure his parliament that he always received the highest satisfaction in being able to lay before them any event that might promote the honour and interest of his kingdoms: that in consequence of their advice, and enabled by the assistance which they unanimously gave, his majesty had exerted his endeavours to carry on the war in the most vigorous manner, in order to attain that desirable end, always to be wished, a safe and honourable peace:<sup>b</sup> that it had pleased the Divine Providence to bless his measures and arms with success in several parts, and to make the enemies of the nation feel, that the strength of Great Britain is not to be provoked with impunity: that the conquest of the strong fortress of Louisbourg, with the islands of Cape Breton and St. John, the demolition of Frontenac, of the highest importance to his operations in America, and the reduction of Senegal, could not fail to bring great distress on the French commerce and colonies, and, in proportion, to procure great advantage to those of Great Britain. He observed, that France had also been made sensible, that whilst her forces are sent forth to invade and ravage the dominions of her neighbours, her own coasts are not inaccessible to his majesty's fleets and armies: a truth which she had experienced in the demolition of the works at Cherbourg, erected at a great expense, with a particular view to annoy England, as well as in the loss of a great number of ships and vessels; but no treatment, however injurious to his majesty, could tempt him to make retaliation on the innocent subjects of that crown. He told them, that in Germany his majesty's good brother the King of Prussia, and Prince Ferdinand of Brunswick, had found full employment for the enemies of France and her confederates, from which the English operations, both by sea and in America, had derived the most evident advantage; their successes, owing, under God, to their able conduct, and the bravery of his majesty's troops, and those of his allies, having been signal and glorious. The king, moreover, commanded them to declare, that the common cause of liberty and independency was still making noble and glorious efforts against the unnatural union formed to oppress it: that the commerce of his subjects, the source of national riches, had, by the vigilant protection received from his majesty's fleet, flourished in a manner not to be paralleled during such troubles. In this state of things, he said, the king, in his wisdom, thought it unnecessary to use many words to persuade them to bear up against all difficulties, effectually to stand by, and defend his majesty, vigorously to support the King of Prussia, and the rest of his majesty's allies, and to exert themselves to reduce their enemies to equitable terms of accommodation. He observed to the House of Commons, that the uncommon extent of this war, in different parts, occasioned it to be uncommonly expensive: that the king had ordered them to declare to the Commons, that he sincerely lamented, and deeply felt for, the burdens of his people: that the several estimates were ordered to be laid before them; and that he desired only such supplies as should be requisite to push the war with advantage, and be adequate to the necessary services. In the last place, he assured them, the king took so much satisfaction in that good harmony which subsisted among his faithful subjects, that it was more proper for him now to thank them for it, than to repeat his exhortation to it: that this union, necessary at all times, was more especially so in such critical conjunctures; and his majesty doubted not but the good effects the nation had found from it would be the strongest motives to them to pursue it.—The reader will, no doubt, be surprised to find this harangue abound with harshness of period and inelegancy of expression: he will wonder that, in particularizing the successes of the year in America, no mention is made of the reduction of Fort Du-Quegne, on the river Ohio; a place of great importance, both from its strength

and situation, the erection of which had been one great motive to the war between the two nations: but he will be still more surprised to hear it declared from the throne, that the operations, both by sea and in America, had derived the most evident advantage from the war in Germany. An assertion the more extraordinary, as the British ministry, in their answer to the parallel, which we have already mentioned, had expressly affirmed, that "none but such as are unacquainted with the maritime force of England can believe, that without a diversion on the continent, to employ part of the enemy's force, she is not in a condition to hope for success, and maintain her superiority at sea. That they must be very ignorant, indeed, who imagine that the forces of England are not able to resist those of France, unless the latter be hindered from turning all her efforts to the sea." It is very remarkable that the British ministry should declare, that the war in Germany was favourable to the English operations by sea and in America, and almost in the same breath accuse the French king of having fomented that war. Let us suppose that France had no war to maintain in Europe; and ask in what manner she, in that case, would have opposed the progress of the British arms by sea, and in America? Her navy was reduced to such a condition, that it durst not quit her harbours; her merchant-ships were all taken, her mariners confined in England, and the sea was covered with British cruisers: in these circumstances, what expedients could she have contrived for sending supplies and reinforcements to America, or for opposing the naval armaments of Great Britain in any other part of the world?—None. Without ships and mariners, her troops, ammunition, and stores, were, in this respect, as useless as money to a man shipwrecked on a desolate island. But granting that the war in Germany had, in some measure, diverted the attention of the French ministry from the prosecution of their operations in America, (and this is granting more than ought to be allowed,) the question is not, whether the hostilities upon the continent of Europe prevented France from sending a great number of troops to Canada; but whether the war in Germany was either necessary or expedient for distressing the French more effectually in other parts of the world? Surely every intelligent man of candour must answer in the negative. The expense incurred by England for subsidies and armies in the empire, exceeded three millions sterling annually: and this enormous expense, without being able to protect Hanover, only served to keep the war alive in different parts of Germany. Had one half of this sum been employed in augmenting and extending the naval armaments of Great Britain, and in reinforcing her troops in America and the West Indies, France would have been, at this day, deprived of all her sugar colonies, as well as of her settlements on the continent of America; and being absolutely cut off from these sources of wealth, would have found it impracticable either to gratify her subsidaries, or to maintain such formidable armies to annoy her neighbours. These are truths which will appear to the conviction of the public, when the illusive spells of unsubstantial victory are dissolved, and time shall have dispersed the thick mists of prejudice which now seem to darken and perplex the understanding of the people.

§ VI. The conduct of the administration was so agreeable to both Houses of parliament, that in their address to the throne they expressed their unshaken zeal and loyalty to his majesty's person, congratulated him on the success of his arms, and promised to support his measures and allies with steadiness and alacrity.<sup>c</sup> It was probably in consequence of this assurance that a new treaty between Great Britain and Prussia was concluded at London on the seventh day of December, importing, that as the burdensome war, in which the King of Prussia is engaged, lays him under the necessity of making fresh efforts to defend himself against the multitude of enemies who attack his dominions, he is obliged to take new measures with the

<sup>b</sup> In the month of August, the king, in the quality of Elector of Hanover, by an act passed by two hundred thousand tenants, a loan by subscription for that sum was opened at the bank, and filled immediately by seven or eight hundred agents of London.

<sup>c</sup> That the charge and satisfaction to the king's person, which was so loudly trumpeted by former ministers and their adherents against those who had loyalty and courage to expose the measures of a weak and corrupt administration, was entirely false and without foundation, appeared at this juncture, when in the midst of a cruel, oppressive, and continental war,

maintained by the blood and treasure of Great Britain, all opposition ceased in both Houses of parliament. The addresses of thanks to his majesty, which are always dictated by the immediate servants of the crown, were unanimously adopted in both Houses, and not only couched in terms of applause, but even inflated with expressions of rapture and admiration. They declared themselves sensible that the operations of Great Britain, both by sea and in America, had received the most evident and important advantage from the conduct of the war in Germany, and seemed eager to express any measure that might gratify the inclinations of the sovereign.



King of England, for their reciprocal defence and safety; and his Britannic majesty had at the same time signified his earnest desire to strengthen the friendship subsisting between the two courts, and in consequence thereof, to conclude a formal convention, for granting to his Prussian majesty speedy and powerful assistance, their majesties have nominated and authorized their ministers to concert and settle the following articles:—All former treaties between the two crowns, particularly that signed at Westminster on the 16th day of January, in the year 1756, and the convention of the 11th of April in the year 1758, are confirmed by the present convention of the 11th of April in the year 1758, in their whole tenor, as if they were herein inserted word for word. The King of Great Britain shall cause to be paid at London, to such person or persons as shall be authorized by the King of Prussia for that end, the sum of four millions of six-dollars, making six hundred and seventy thousand pounds sterling, at one payment, immediately on the exchange of the ratification, if the King of Prussia shall so require. His Prussian majesty shall employ the said sum in supporting and augmenting his forces, which shall act in such manner as shall be of the greatest service to the common cause, and contribute most to the mutual defence and safety of their said majesties. The King of Great Britain, both as king and elector, and the King of Prussia, reciprocally bind themselves not to conclude, with the powers that have taken part in the present war, any treaty of peace, truce, or other such like convention, but by common advice and consent, each expressly including therein the other. The ratification of the present convention shall be exchanged within six weeks, or sooner, if possible. In effect, this treaty was no other than a renewal of the subsidy from year to year, because it was not thought proper to stipulate in the first subsidiary convention an annual supply of such importance, until the war should be terminated, lest the people of England should be alarmed at the prospect of such successive burdens, and the complaisance of the Commons be in some future session exhausted. On the whole this was perhaps the most extraordinary treaty that ever was concluded; for it contains no specification of articles, except the payment of the subsidy: every other article was left to the interpretation of his Prussian majesty.

A. D. 1758. § VII. The parliament, having performed the ceremony of addresses to the throne, immediately proceeded to the great work of the supply. The two committees in the House of Commons were immediately established, and continued by adjournments to the month of May, by the twenty-third day of which all their resolutions were taken. They voted sixty thousand men, including fourteen thousand eight hundred and forty-five marines, for the service of the ensuing year: and for the operations by land, a body of troops, amounting to fifty-two thousand five hundred and fifty-three effective men, besides the auxiliaries of Hanover, Hesse, Brunswick, Saxe-Gotha, and Buckebourg, to the number of fifty thousand, and five battalions on the Irish establishment in actual service in America and Africa. For the maintenance of the sixty thousand men employed in the sea service, they granted three millions one hundred and twenty thousand pounds; for the land forces, one million two hundred fifty-six thousand one hundred and thirty pounds, fifteen shillings, and two pence; for the charge of the additional five battalions, forty thousand eight hundred and seventy-nine pounds, thirteen shillings, and nine pence; for the pay of the general and staff officers, and hospitals of the land forces, fifty-two thousand four hundred and eighty-four pounds, one shilling, and eight pence; for maintaining the garrisons in the plantations, Gibraltar, Nova Scotia, Newfoundland, Providence, Cape Breton, and Senegal, the sum of seven hundred and forty-two thousand five hundred and thirty-one pounds, five shillings, and seven pence: for the charge of ordnance for land service, two hundred and twenty thousand seven hundred and eighty-nine pounds, eleven shillings, and nine pence: for extraordinary service performed by the same office, and not provided for by parliament in the course of the preceding year, three hundred twenty-three thousand nine hundred and eight-seven pounds, thirteen shillings, and three pence; for the ordinary of the navy, including half-

pay to sea officers, two hundred and thirty-eight thousand four hundred and ninety-one pounds, nine shillings, and eight pence; towards the support of Greenwich hospital, and for the out-pensioners of Chelsea college, the sum of thirty-six thousand pounds. They allotted for one year's expense, incurred by the foreign troops in the pay of Great Britain, one million two hundred thirty-eight thousand one hundred and seventy-seven pounds, nineteen shillings, and ten pence, over and above sixty thousand pounds for enabling his majesty to fulfil his engagements with the Landgrave of Hesse Cassel, pursuant to the separate article of a new treaty concluded between them in the month of January of this current year, stipulating that this sum should be paid to his serene highness, in order to facilitate the means by which he might again fix his residence in his own dominions, and by his presence give fresh courage to his faithful subjects. Eighty thousand pounds were granted for enabling his majesty to discharge the like sum raised in pursuance of an act passed in the preceding session, and charged upon the first aids or supplies to be granted in this session of parliament. The sum of two hundred thousand pounds was voted towards the building and repairing ships of war for the ensuing year. Fifteen thousand pounds were allowed for improving London bridge; and forty thousand on account for the Foundling hospital. For the charge of transports to be employed in the course of the year they assigned six hundred sixty-seven thousand seven hundred and twenty-one pounds, nineteen shillings, and seven pence: for maintaining the colonies of Nova Scotia and Georgia they bestowed twenty-five thousand two hundred and thirty-eight pounds, thirteen shillings, and five pence. To replace sums taken from the sinking fund, thirty-three thousand two hundred and fifty two pounds, eighteen shillings, and ten pence halfpenny; for maintaining the British forts and settlements on the coast of Africa, ten thousand pounds; and for paying off the mortgage on an estate devised for the endowment of a professorship in the university of Cambridge, the sum of twelve hundred and eighty pounds. For the expense of the militia they voted ninety thousand pounds; for extraordinary expenses relating to the land forces, incurred in the course of last year, and unprovided for by parliament, the sum of four hundred fifty-six thousand seven hundred and eighty-five pounds, ten shillings, and five pence three farthings. For the purchase of certain lands and hereditaments, in order to secure the king's docks at Portsmouth, Chatham, and Plymouth, they granted thirty-six thousand nine hundred and sixty-six pounds, two shillings, and ten pence. They voted two hundred thousand pounds for enabling his majesty to give proper compensations to the respective provinces in North America, for the expenses that had been incurred in levying and maintaining troops for the service of the public. They granted twenty thousand pounds to the East India company towards enabling them to defray the expense of a military force in their settlements; and the same sum was granted for carrying on the fortification to secure the harbour of Milford. To make good several sums issued by his majesty, for indemnifying the inn-holders and victuallers of Hampshire for the expenses they had incurred in quartering the Hessian auxiliaries in England; for an addition to the salaries of judges, and other less considerable purposes, they allowed the sum of twenty-six thousand one hundred and seventy-eight pounds, sixteen shillings, and sixpence. Finally, they voted one million, upon account, for enabling the king to defray any extraordinary expense of the war, incurred or to be incurred, for the service of the current year; and to take all such measures as might be necessary to disappoint or defeat any enterprises or designs of his enemies as the exigency of affairs should require. The sum of all the grants voted by the committee of supply amounted to twelve millions seven hundred sixty-one thousand three hundred and ten pounds, nineteen shillings, and five pence.

§ VIII. The Commons were still employed in deliberations on ways and means on the twenty-second day of May, when Mr. Secretary Pitt communicated to them a message from the king, couched in these terms: "His majesty, relying on the experienced zeal and affection of his faithful Commons, and considering that, in this critical conjuncture, emergencies may arise, which may be of the

utmost importance, and be attended with the most pernicious consequences, if proper means should not immediately be applied to prevent or defeat them, is desirous that this House will enable him to defray any extraordinary expenses of the war, incurred or to be incurred, for the service of the year one thousand seven hundred and fifty-nine, and to take all such measures as may be necessary to disappoint or defeat any enterprises or designs of his enemies, and as the exigences of affairs may require." This message being read, a motion was made, and agreed to *nem. con.* that it should be referred to the committee, who forthwith formed upon it the resolution, whereby one million was granted, to be raised by loans of exchequer-bills, chargeable on the first aids that should be given in the next session. This produced a bill enabling his majesty to raise the sum of one million, for the uses and purposes therein mentioned, comprehending a clause, allowing the Bank of England to advance, on the credit of the loan therein mentioned, any sum not exceeding a million, notwithstanding the act of the fifth and sixth years in the reign of William and Mary, by which the bank was established.

§ IX. The bills relating solely to supply being discussed and expedited, the House proceeded, as usual, to enact other laws for the advantage of the community. Petitions having been presented by the cities of Bristol and New-Sarum, alleging, that since the laws prohibiting the making of low wines and spirits from grain, meal, and flour, had been in force, the commonalty appeared more sober, healthy, and industrious; representing the ill consequences which they apprehended would attend the repeal of these laws, and therefore praying their continuance; a committee of the whole House resolved that the prohibition to export corn should be continued to the twenty-fourth day of December, in the year one thousand seven hundred and fifty-nine; subject nevertheless to such provisions for shortening the said term of its continuance as should therefore be made by an act of that session, or by his majesty with the advice of his privy council during the recess of parliament; that the act for discontinuing the duties upon corn and flour imported, or brought in as prize, was not proper to be further continued; and that the prohibition to make low wines or spirits from any sort of grain, meal, or flour, should be continued to the twenty-fourth day of December, in the year one thousand seven hundred and fifty-nine. Before the bill was formed on these resolutions, petitions arrived from Liverpool and Bath, to the same purport as those of Bristol and Sarum; while, on the other hand, a remonstrance was presented by a great number of the malt distillers of the city and suburbs of London, alleging that, it having been deemed expedient to prohibit the distilling of spirits from any sort of grain to the twenty-fourth day of December then instant, some of the petitioners had entirely ceased to carry on the business of distilling, while others, merely with a view to preserve their customers, the compound distillers, and employ some of their servants, horses, and utensils, had submitted to carry on the distillation of spirits from molasses and sugars under great disadvantages, in full hope that the said restraint would cease at the expiration of the limited time, or at least when the necessity which occasioned that restraint should be removed; that it was with great concern they observed a bill would be brought in for protracting the said prohibition, at a time when the price of all manner of grain, and particularly of wheat and barley, was considerably reduced, and, as they humbly conceived, at a reasonable medium. They expatiated on the great loss they, as well as many traders and artificers, dependants upon them, must sustain in case the said bill should be passed into a law. They prayed the House to take these circumstances into consideration, and either permit them to carry on the distillation from wheat, malt, and other grain, under such restrictions as should be judged necessary; or to grant them such other relief, in respect of their several losses and encumbrances, as to the House shall seem reasonable and expedient. This petition, though strenuously urged by a powerful and clamorous body without doors, did not meet great encouragement within. It was ordered to lie upon the table, and an instruction was given to the committee, empowering them to receive a clause or clauses to allow the transportation of certain

quantities of meal, flour, bread, and biscuit, to the islands of Guernsey and Jersey, for the sole use of the inhabitants; and another to prohibit the making of low wines and spirits from bran. Much more attention was paid to a petition of several farmers in the county of Norfolk, representing, that their farms consisted chiefly of arable land, which produced much greater quantities of corn than could be consumed within that county; that in the last harvest there was a great and plentiful crop of all sorts of grain, the greatest part of which had, by unfavourable weather, been rendered unfit for sale at London, or other markets for home consumption; that large quantities of malt were then lying at London, arising chiefly from the crops of barley growing in the year one thousand seven hundred and fifty-seven, the sale of which was stagnated: that the petitioners being informed the House had ordered in a bill to continue the prohibition of corn exported, they begged leave to observe, that, should it pass into a law, it would be extremely prejudicial to all, and ruin many farmers of that county, as they had offered their corn for sale at divers ports and markets of the said county; but the merchants refused to buy it at any price, alleging its being unfit for the London market, the great quantity of corn with which that market was already overstocked, and their not being allowed either to export it or make it into malt for exportation: they therefore prayed this prohibition might be removed, or they, the petitioners, indulged with some other kind of relief. Although this remonstrance was duly considered, the bill passed with the amendments, because of the proviso, by which his majesty in council was empowered to shorten the date of the prohibition with respect to the exportation of corn during the recess of parliament; but the temporary restraint laid upon distillation was made absolute, without any such condition, to the no small disappointment and mortification of the distillers, who had spared no pains and expense, by private solicitation and strenuous dispute in the public papers, to recommend their cause to the favour of the community. They urged that malt spirits, when used in moderation, far from being prejudicial to the health of individuals, were in many damp and marshy parts of the kingdom absolutely necessary for preserving the field-labourers from agues and other distempers produced by the cold and moisture of the climate; that if they were debarred the use of malt spirits, they would have recourse to French brandy, with which, as they generally resided near the sea-coast, the smugglers would provide them almost as cheap as the malt spirits could be afforded: thus the increased consumption of French spirit would drain the nation of ready money to a considerable amount, and prejudice the king's revenue in the same proportion. They observed, that many distillers had already quitted that branch of trade, and disposed of their materials; that all of them would probably take the same resolution should the bill pass into a law, as no man could foresee when the prohibition would cease, should it be continued at a time when all sorts of grain abounded in such plenty: that the very waste of materials by disuse, over and above the lying out of the money, would be of great prejudice to the proprietor; thus the business of distilling, by which so many families were supported, would be banished from the kingdom entirely: especially, as the expense of establishing a large distillery was so great, that no man would choose to employ his money for this purpose, judging from experience that some future accidental scarcity of corn might induce the legislature to interpose a ruinous delay in this branch of business. They affirmed, that from the excessive use of malt spirits no good argument could be drawn against this branch of traffic, no more than against any other convenience of life: that the excessive use of common beer or ale was prejudicial to the health and morals of the people, yet no person ever thought of putting an end to the practice of brewing, in order to prevent the abuse of brewed liquors. They urged, that in all parts of Great Britain there are some parcels of land that produce nothing to advantage but a coarse kind of barley, called big, which, though neither fit for brewing nor for baking, may nevertheless be used in the distillery, and is accordingly purchased by those concerned in this branch at such an encouraging price, as enables many farmers to pay a higher

rent to their landlords than they could otherwise afford : that there are every year some parcels of all sorts of grain so damaged by unseasonable weather, or other accidents, as to be rendered altogether unfit for bread or brewery, and would prove a very great misfortune to the farmer, if there was no distillery, for the use of which he could sell his damaged commodity. They asserted, that malt spirits were absolutely necessary for prosecuting some branches of foreign commerce, particularly the trade to the coast of Africa, for which traffic no assortment could be made up without a large quantity of geneva, of which the natives are so fond, that they will not traffic with any merchant who has not a considerable quantity, not only for sale, but also for presents to their chiefs and rulers : that the merchants of Great Britain must either have this commodity of their own produce, or import it at a great national expense from Holland : that the charge of this importation, together with the duties payable upon it, some part of which is not to be drawn back on exportation, will render it impossible for the traders to sell it so cheap, on the coast of Africa, as it might be sold by the Dutch, who are the great rivals of Great Britain in this branch of commerce. To these arguments, all of which were plausible, and some of them unanswerable, it was replied, that malt spirits might be considered as a fatal and bewitching poison, which had actually debauched the minds, and enervated the bodies, of the common people to a very deplorable degree ; that, without entering further into a comparison between the use and abuse of the two liquors, beer and geneva, it would be sufficient to observe, that the use of beer and ale had produced none of those dreadful effects which were the consequences of drinking geneva ; and since the prohibition of the distillery of malt liquor had taken place, the common people were become apparently more sober, decent, healthy, and industrious ; a circumstance sufficient to induce the legislature not only to intermit, but even totally to abolish, the practice of distillation, which has ever been productive of such intoxication, riot, disorder, and distemper, among the lower class of the people, as might be deemed the greatest evils incident to a well regulated commonwealth. Their assertion, with respect to the coarse kind of barley, called big, was contradicted as a deviation from truth, inasmuch as it was used in making malt, as well as in making bread ; and with respect to damaged corn, those who understood the nature of grain affirmed, that if it was spoiled to such a degree as to be altogether unfit for either of these purposes, the distillers would not purchase it at such a price as would indemnify the farmer for the charge of thrashing and carriage ; for the distillers are very sensible, that their greatest profit is derived from their distilling the malt made from the best barley, so that the increase of the produce far exceeded in proportion the advance of the price. It was not, however, an easy matter, to prove that the distillation of malt spirits was not necessary to an advantageous prosecution of the commerce on the coast of Guinea, as well as among the Indians in some parts of North America. Certain it is, that in these branches of traffic, the want of geneva may be supplied by spirits distilled from sugars and molasses. After all, it must be owned that the good and salutary effects of the prohibition were visible in every part of the kingdom, and no evil consequences ensued, except a diminution of the revenue in this article : a consideration which, at all times, ought to be sacrificed to the health and morals of the people ; nor will this consideration be found of any great weight, when we reflect that the less the malt spirit is drank, the greater quantity of beer and ale will be consumed, and the produce of the duties and excise upon the brewery be augmented accordingly.

§ X. In the meantime, all sorts of grain continuing to fall in price, and great plenty appearing in every part of the kingdom, the justices of the peace and the grand juries, assembled at the general quarter sessions of the peace held for the county of Norfolk, composed and presented to the House of Commons, in the beginning of February, a petition, representing, that the weather proving unfavourable in the harvest, great part of the barley raised in that county was much damaged, and rendered unfit for any other use than that of being made into malt for exportation ; that unless it should be speedily manufactured for that

purpose, it would be entirely spoiled, and perish in the hands of the growers ; a loss that must be very sensibly felt by the landholders : they, therefore, entreated that leave might be given for the exportation of malt ; and that they might be favoured with such further relief as to the House should seem just and reasonable. In consequence of this petition, the House resolved itself into a committee, to deliberate upon the subject ; and as it appeared upon examination, that the price of grain was reduced very low, and great abundance diffused through the kingdom, they resolved, that the continuance of that part of the act prohibiting the importation of grain, ought to be abridged and shortened, and the exportation of these commodities allowed, under proper regulations, with respect to the time of such exportation, and the allowance of bounties thereupon. A bill being founded on these resolutions, was discussed, and underwent several amendments : at length it was sent with a new title to the Lords, who passed it without further alteration, and then it obtained the royal sanction.

§ XI. While this affair was under the deliberation of the committee, the Commons unanimously issued an order for leave to bring in a bill to continue, for a limited time, the act of last session, permitting the importation of salted beef from Ireland into Great Britain, with an instruction to receive a clause extending this permission to all sorts of salted pork, or hog-meat, as the officers of the custom-house had refused to admit hams from Ireland to an entry. The bill likewise received another considerable alteration, importing, That, instead of the duty of one shilling and three pence, charged by the former act on every hundred weight of salt beef and pork imported from Ireland, which was found not adequate to the duty payable for such a quantity of salt as is requisite to be used in curing and salting thereof ; and to prevent as well the expense to the revenue, as the detriment and loss which would accrue to the owner and importer, from opening the casks in which the provision is generally deposited, with the pickle or brine proper for preserving the same, in order to ascertain the net weight of the provision liable to the said duties ; for these reasons it was enacted, That from and after the twenty-fourth day of last December, and during the continuance of this act, a duty of three shillings and four pence should be paid upon importation for every barrel or cask of salted beef or pork containing thirty-two gallons ; and one shilling and three pence for every hundred weight of salted beef, called dried beef, dried neat-tongues, or dried hog-meat, and so in proportion for any greater or less quantity.

§ XII. Repeated complaints having been made to the government by neutral nations, especially the Dutch, that their ships had been plundered, and their crews maltreated, by some of the English privateers, the legislature resolved to provide effectually against any such outrageous practices for the future : and with this view the Commons ordered a bill to be brought in for amending and explaining an act of the twenty-ninth year of his late majesty's reign, intitled, “ An act for the encouragement of seamen, and more speedy and effectual manning of his majesty's navy.” While the committee was employed in perusing commissions and papers relating to private ships of war, that they might be fully acquainted with the nature of the subject, a considerable number of merchants and others, inhabiting the islands of Guernsey and Jersey, presented a petition to the House, alleging, that the inhabitants of those islands, which lay in the British channel, within sight of the French coast, had now, as well as in former wars, embarked their fortunes in equipping small privateers, which used to run in close with the French shore, and being disguised like fishing boats, had not only taken a considerable number of prizes, to the great annoyance of the enemy, but also obtained material intelligence of their designs, on many important occasions ; that these services could not be performed by large vessels, which durst not approach so near the coast, and indeed could not appear without giving the alarm, which was communicated from place to place by appointed signals. Being informed that a bill was depending, in order to prohibit privateers of small burdens, they declared that such a law, if extended to privateers equipped in those islands, would ruin such as had invested their fortunes in small privateers, and not only deprive the kingdom of the before-mentioned advan-



tages, but expose Great Britain to infinite prejudice from the small-armed vessels of France, which the enemy, in that case, would pour abroad over the whole channel, to the great annoyance of navigation and commerce. They prayed, therefore, that such privateers as belonged to the islands of Guernsey and Jersey might be wholly excepted from the penalties contained in the bill, or that they (the petitioners) might be heard by their counsel, and be indulged with such relief as the House should judge expedient. This representation being referred to the consideration of the committee, produced divers amendments to the bill, which at length obtained the royal assent, and contained these regulations: That, after the first day of January in the present year, no commission should be granted to a privateer in Europe under the burden of one hundred tons, the force of ten carriage guns, being three-pounders or above, with forty men at the least, unless the lords of the admiralty, or persons authorized by them, should think fit to grant the same to any ship of inferior force or burden, the owners thereof giving such bail or security as should be prescribed: that the lords of the admiralty might at any time revoke, by an order in writing under their hands, any commission granted to a privateer; this revocation being subject to an appeal to his majesty in council, whose determination should be final: that, previous to the granting any commission, the persons proposing to be bound, and give security, should severally make oath of their being respectively worth more money than the sum for which they were then to be bound, over and above the payment of all their just debts: that persons applying for such commissions should make application in writing, and therein set forth a particular and exact description of the vessel, specifying the burden, and the number and nature of the guns on board, to what place belonging, as well as the name or names of the principal owner or owners, and the number of men; these particulars to be inserted in the commission; and every commander to produce such commission to the custom-house officer who should examine the vessel, and, finding her answer the description, give a certificate thereof gratis, to be deemed a necessary clearance, without which the commander should not depart: that if, after the first day of June, any captain of a privateer should agree for the ransom of any neutral vessel, or the cargo, or any part thereof, after it should have been taken as a prize, and in pursuance of such agreement should actually discharge such prize, he should be deemed guilty of piracy; but that, with respect to contraband merchandise, he might take it on board his own ship, with the consent of the commander of the neutral vessel, and then set her at liberty; and that no person should purloin or embezzle the said merchandise before condemnation: that no judge, or other person belonging to any court of admiralty, should be concerned in any privateer: that owners of vessels, not being under fifty or above one hundred tons, whose commissions are declared void, should be indemnified for their loss by the public: that a court of oyer and terminer, and gaol delivery, for the trial of offences committed within the jurisdiction of the admiralty, should be held twice a-year in the Old-Bailey at London, or in such other place within England as the board of admiralty should appoint: that the judge of any court of admiralty, after an appeal interposed, as well as before, should, at the request of the captor or claimant, issue an order for appraising the capture, when the parties do not agree upon the value, and an inventory to be taken; then exact security for the full value, and cause the capture to be delivered to the person giving such security: but, should objection be made to the taking such security, the judge should, at the request of either party, order such merchandise to be entered, landed, and sold at public auction, and the produce to be deposited at the bank, or in some public securities; and in case of security being given, the judge should grant a pass in favour of the capture. Finally, the

force of this act was limited to the duration of the then war with France only. This regulation very clearly demonstrated, that whatever violences might have been committed on the ships of the neutral nations, they were by no means countenanced by the legislature, or the body of the people.

§ XIII. Every circumstance relating to the reformation of the marine must be an important object to a nation whose wealth and power depend upon navigation and commerce: but a consideration of equal weight was the establishment of the militia, which, notwithstanding the repeated endeavours of the parliament, was found still incomplete, and in want of further assistance from the legislature. His majesty having, by the chancellor of the exchequer, recommended to the House the making suitable provision for defraying the militia during the current year, the accounts of the expense already incurred by this establishment were referred to the committee of supply, who, after having duly perused them, resolved, that ninety thousand pounds should be granted on account, towards defraying the charges of pay and clothing for the militia, from the last day of the last year to the twenty-fifth day of March, in the year one thousand seven hundred and sixty, and for repaying a sum advanced by the king for this service. Leave was given to bring in one bill pursuant to this resolution, and another to enforce the execution of the laws relating to the militia, remove certain difficulties, and prevent the inconveniences by which it might be attended. So intent were the majority on both sides upon this national measure, that they not only carried both bills to the throne, where they received the royal assent, but they presented an address to the king, desiring his majesty would give directions to his lieutenants of the several counties, ridings, and places in England, to use their utmost diligence and attention for carrying into execution the several acts of parliament relating to the militia. By this time all the individuals that constituted the representatives of the people, except such as actually served in the army, were become very well disposed towards this institution. Those who really wished well to their country had always exerted themselves in its favour; and it was now likewise espoused by those who foresaw that the establishment of a national militia would enable the administration to send the greater number of regular troops to fight the battles of Germany. Yet how zealous soever the legislature might be in promoting this institution, and notwithstanding the success with which many patriots exerted their endeavours through different parts of the kingdom, in raising and disciplining the militia, it was found not only difficult, but almost impracticable, to execute the intention of the parliament in some particular counties, where the gentlemen were indolent and enervated, or in those places where they looked upon their commander with contempt. Even Middlesex itself, where the king resides, was one of the last counties in which the militia could be arrayed. In allusion to this backwardness, the preamble, or first clause, in one of the present acts imported, that certain counties, ridings, and places in England had made some progress in establishing the militia, without completing the same, and that, in certain other counties, little progress had been made therein; his majesty's lieutenants and the deputy lieutenants, and all others within such counties or districts, were therefore strictly required speedily and diligently to put these acts in execution. The truth is, some of these unwarlike commanders failed through ignorance and inactivity; others gave or offered commissions to such people as threw a ridicule and contempt upon the whole establishment, and consequently hindered many gentlemen of worth, spirit, and capacity, from engaging in the service. The mutiny bill, and that for the regulation of the marine forces while on shore, passed through the usual forms, as annual measures, without any dispute or alteration.<sup>d</sup>

§ XIV. A committee having been appointed to inquire

<sup>d</sup> The next bill that fell under the cognizance of the House related to a law transaction, and was suggested by a petition presented in the name of the sheriffs and grantees of post-homes under the crown of England. They enumerated and explained the difficulties under which they laboured, in raising and collecting these fines within the respective counties, particularly when the estate conveyed by fine was no more than a right of reversion, in which case they could not possibly levy the post-fine, unless the purchaser should obtain possession within the term of their sheriffalty, or pay it of his own free will, as they could not distrain while the lands were

in possession of the donee. They, therefore, proposed a method for raising these post-fines by a proper officer, to be appointed for that purpose; and prayed that leave might be given to bring in a bill accordingly. This petition was seconded by a *traverse* from the king, importing, that his majesty, as far as his interest was concerned, gave his consent that the House might act in this affair as they should think proper.

The Commons, in a committee of the whole House, having taken into consideration the merits of the petition, formed several resolutions; upon which a bill was founded for the more regular and easy collecting, as

what laws were expired, or near expiring, and to report their opinion to the House touching the revival or continuation of these laws, they agreed to several resolutions; in consequence of which the following bills were brought in, and enacted into laws; namely, an act for regulating the lastage and ballastage of the river Thames; an act for continuing the law relating to the punishment of persons going armed or disguised; an act for continuing several laws near expiring; an act concerning the admeasurement of coals; an act for the relief of debtors, with respect to the imprisonment of their persons. This last was almost totally metamorphosed by alterations, amendments, and additions, among which the most remarkable were these: that where more creditors than one shall charge any prisoner in execution, and desire to have him detained in prison, they shall only respectively pay him each such weekly sum, not exceeding one shilling and sixpence per week, as the court, at the time of his being remanded, shall direct: that if any prisoner, described by the act, shall remain in prison three months after being committed, any creditor may compel him to give into court, upon oath, an account of his real and personal estate, to be disposed of for the benefit of his creditors, they consenting to his being discharged. Why the humanity of this law was confined to those prisoners only who are not charged in execution with any debt exceeding one hundred pounds, cannot easily be conceived. A man who, through unavoidable misfortunes, hath sunk from affluence to misery and indigence, is generally a greater object of compassion than he who never knew the delicacies of life, nor ever enjoyed credit sufficient to contract debts to any considerable amount; yet the latter is by this law entitled to his discharge, or at least to his maintenance in prison; while the former is left to starve in gaol, or undergo perpetual imprisonment, amidst all the horrors of misery, if he owes above one hundred pounds to a revengeful and unrelenting creditor. Wherefore, in a country, the people of which justly pique themselves upon charity and benevolence, an unhappy fellow-citizen, reduced to a state of bankruptcy by unforeseen losses in trade, should be subjected to a punishment, which, of all others, must be the most grievous to a free-born Briton, namely, the entire loss of liberty; a punishment which the most flagrant crime can hardly deserve, in a nation that disclaims the torture; for, doubtless, perpetual imprisonment must be a torture infinitely more severe than death, because protracted through a series of years spent in misery and despair, without one glimmering ray of hope, without the most distant prospect of deliverance? Wherefore the legislature should extend its humanity to those only who are the least sensible of the benefit, because the most able to struggle under misfortune; and wherefore many valuable individuals should, for no guilt of their own, be not only ruined themselves, but lost to the community? are questions which we cannot resolve to the satisfaction of the reader. Of all imprisoned debtors, those who were confined for large sums may be deemed the most wretched and forlorn, because they have generally fallen from a sphere of life where they had little acquaintance with necessity, and were altogether ignorant of the arts by which the severities of indigence are alleviated. On the other hand, those of the lower class of mankind, whose debts are small in proportion to the narrowness of their former credit, have not the same delicate feelings of calamity. They are inured to hardship, and accustomed to the labour of their hands, by which, even in a prison, they can earn a subsistence. Their reverse of fortune is not so great, nor the transaction so affecting. Their sensations are not delicate; nor are they, like their betters in misfortune, cut off from hope, which is the wretch's last comfort. It is the man of sentiment and sensibility, who, in this situation, is overwhelmed with a complication of misery and ineffable distress. The mortification of his pride, his ambition blasted, his family undone, himself deprived of liberty, reduced from opulence

to extreme want, from the elegances of life to the most squalid and frightful scenes of poverty and affliction; divested of comfort, destitute of hope, and doomed to linger out a wretched being in the midst of insult, violence, riot, and uproar: these are reflections so replete with horror, as to render him, in all respects, the most miserable object on the face of the earth. He, alas! though possessed of talents that might have essentially served, and even adorned, society, while thus restrained in prison, and affected in mind, can exert no faculty, nor stoop to any condescension, by which the horrors of his fate might be assuaged. He scorns to execute the lowest offices of menial services, particularly in attending those who are the objects of contempt or abhorrence: he is incapable of exercising any mechanic art, which might afford a happy, though a scanty, independence. Shrunken within his dismal cell, surrounded by haggard poverty, and her gaunt attendants, hollow-eyed famine, shivering cold, and wan disease, he wildly casts his eyes around: he sees the tender partner of his heart weeping in silent woe; he hears his helpless babes clamorous for sustenance; he feels himself the importunate cravings of human nature, which he cannot satisfy; and groans with all the complicated pangs of internal anguish, horror, and despair. These are not the fictions of idle fancy, but real pictures drawn from nature, of which almost every prison in England will afford but too many originals.

§ XV. Among other new measures, a successful attempt was made in favour of Ireland, by a bill, permitting the free importation of cattle from that kingdom for a limited time. This, however, was not carried through both Houses without considerable opposition, arising from the particular interests of certain counties and districts in several parts of Great Britain, from whence petitions against the bill were transmitted to the Commons. Divers artifices were also used within doors to saddle the bill with such clauses as might overcharge the scheme, and render it odious or alarming to the public: but the promoters of it being aware of the design, conducted it in such a manner, as to frustrate all their views, and convey it safely to the throne, where it was enacted into a law. The like success attended another effort in behalf of our fellow-subjects in Ireland. The bill for the importation of Irish cattle was no sooner ordered to be brought in, than the House proceeded to take into consideration the duties then payable on the importation of tallow from the same kingdom; and several witnesses being examined, the committee agreed to a resolution, that these duties should cease and determine for a limited time. A bill being formed accordingly, passed through both Houses without opposition; though in the preceding session a bill to the same purpose had miscarried among the Peers; a miscarriage probably owing to their being unacquainted with the sentiments of his majesty, as some of the duties upon tallow constituted part of one of the branches appropriated for the civil list revenue. This objection, however, was obviated in the case of the present bill, by the king's message to the House of Commons, signifying his majesty's consent, as far as his interest was concerned in the affair. By this new act the free importation of Irish tallow was permitted for the term of five years.

§ XVI. In the month of February the Commons presented an address to his majesty, requesting that he would give directions for laying before the House an account of what had been done, since the beginning of last year, towards securing the harbour of Milford, in pursuance of any directions from his majesty. These accounts being perused, and the king having, by the chancellor of the exchequer, exhorted them to make provision for fortifying the said harbour, a bill was brought in to explain, amend, and render more effectual, the act of the last session relating to this subject; and, passing through both Houses, received the royal assent without opposition. By this act several engineers were added to the commissioners formerly ap-

House should seem just and reasonable. This, and divers other petitions respecting the bill, being discussed in the committee, it underwent several amendments, and was enacted into a law. The particulars of which cannot be properly understood without a previous explanation of this method of conveying estates, a subject obscure in itself, founded upon a seeming subterfuge of law, scarce reconcilable with the dictates of common sense, and consequently improper for the pen of an historian.

counting for, and paying of post-fines, which should be due to the crown, or to the counties thereof, under the crown, and for the ease of sheriffs in respect to the same. Before it passed into a law, however, it was opposed by a petition in favour of one William Daw, a lunatic, clerk to the king's silver officer, alleging, that should the bill pass, it would deprive the said Daw and his successors of an ancient fee belonging to his office, on searches made for post-fines by the county sheriffs of the several counties, therefore, pray, that such provision might be made for the said lunatic as to the

pointed; and it was ordained that fortifications should be erected at Peterchurch-point, Westlanyon-point, and Neyland-point, as being the most proper and best situated places for fortifying the interior parts of the harbour. It was also enacted, that the commissioners should appoint proper secretaries, clerks, assistants, and other officers, for carrying the two acts into execution, and that an account of the application of the money should be laid before parliament, within twenty days of the opening of every session. What next attracted the attention of the House was an affair of the utmost importance to the commerce of the kingdom, which equally affected the interest of the nation, and the character of the natives. In the latter end of February complaint was made to the House, that since the commencement of the war, an infamous traffic had been set on foot by some merchants of London, of importing French cloths into several ports of the Levant, on account of British subjects. Five persons were summoned to attend the House, and the fact was fully proved, not only by their evidence, but also by some papers submitted to the House by the Turkey company. A bill was immediately contrived for putting a stop to this scandalous practice, reciting in the preamble, that such traffic was not only a manifest discouragement and prejudice to the woollen manufactures of Great Britain, but also a relief to the enemy, in consequence of which they were enabled to maintain the war against these kingdoms.

§ XVII. The next object that employed the attention of the Commons, was to explain and amend a law made in the last session for granting to his majesty several rates and duties upon officers and pensions. The directions specified in the former act for levying this imposition having been found inconvenient in many respects, new regulations were now established, importing, that those deductions should be paid into the hands of receivers-appointed by the king for that purpose; that all sums deducted under this act should be accounted for to such receivers, and the accounts audited and passed by them, and by the auditors of the imposts, or of the exchequer; that all disputes relating to the collection of this duty should be finally, and in a summary way, determined by the barons of the exchequer in England and Scotland respectively; that the commissioners of the land tax should fix and ascertain the sum total or amount of the perquisites of every office and employment within their respective districts, distinct from the salary thereunto belonging, to be deducted under the said act, independently of any former valuation or assessment of the same to the land tax; and should rate or assess all offices and employments, the perquisites whereof should be found to exceed the sum of one hundred pounds per annum, at one shilling for every twenty pence arising; that the receivers should transmit to the commissioners in every district where any office or employment is to be assessed, an account of such offices and employments, that upon being certified of the truth of their amount they might be rated and assessed accordingly; that in all future assessments of the land tax the said offices and employments should not be valued at higher rates than those at which they were assessed towards the land tax of the thirty-first year of the present reign; that the word perquisite should be understood to mean such profits of offices or employments as arise from fees established by custom or authority, and payable either by the crown or the subjects, in consideration of business done in the course of executing such offices and employments; and that a commissioner possessed of any office or employment might not interfere in the execution of the said act, except in what might relate to his own employment. By the last four clauses several salaries were exempted from the payment of this duty. The objections made without doors to this new law were the accession of pecuniary influence to the crown, by the creation of a new office and officers, whereas this duty might have been easily collected and received by the commissioners of the land tax

already appointed; and the inconsistency that appeared between the fifth and seventh clauses: in the former of these, the commissioners of the land tax were vested with the power of assessing the perquisites of every office within their respective districts, independent of any former valuation or assessment of the same to the land tax; and by the latter, they are restricted from assessing any office at a higher rate than that of the thirty-first year of the reign of George II.

§ XVIII. In the beginning of March petitions were offered to the House by the merchants of Birmingham, in Warwickshire, and Sheffield, in Yorkshire, specifying that the toy trade of these and many other towns consisted generally of articles in which gold and silver might be said to be manufactured, though in small proportion, inasmuch as the sale of them depended upon slight ornaments of gold and silver; that by a clause passed in the last session of parliament, obliging every person who should sell goods or wares in which any gold or silver was manufactured, to take out an annual licence of forty shillings, they the petitioners were laid under great difficulties and disadvantages; that not only the first seller, but every person through whose hands the goods or wares passed to the consumer, was required to take out the said licence; they, therefore, requested that the House would take these hardships and inequalities into consideration, and indulge them with reasonable relief. The committee to which this affair was referred, having resolved that this imposition was found detrimental to the toy and cutlery trade of the kingdom, the House agreed to the resolution, and a bill being prepared, under the title of "An act to amend the act made in the last session, for repealing the duty granted by an act of the sixth year of the reign of his late majesty, on silver plate, and for granting a duty on licences to be taken out by all persons dealing in gold and silver plate," was enacted into a law by the royal sanction. By this new regulation, small quantities of gold and silver plate were allowed to be sold without licence. Instead of the duty before payable upon licences, another was granted, to be taken out by certain dealers in gold and silver plate, pawnbrokers, and refiners. This affair being discussed, the House took into consideration the claims of the proprietors of lands purchased for the better securing of his majesty's docks, ships, and stores at Chatham, Portsmouth, and Plymouth; and for better fortifying the town of Portsmouth and citadel of Plymouth, in pursuance of an act passed in the last session. We have already specified the sum granted for this purpose, in consequence of a resolution of the House, upon which a bill being founded, soon passed into a law without opposition.<sup>e</sup>

§ XIX. In the month of April a bill was brought in for the more effectual preventing the fraudulent importation of cambrics; and while it was under deliberation, several merchants and wholesale drapers of the city of London presented a petition, representing the grievances to which they, and many thousands of other traders, would be subjected, should the bill, as it then stood, be passed into a law. According to their request, they were heard by their counsel on the merits of this remonstrance, and some amendments were made to the bill in their favour. At length it received the royal assent, and became a law to the following effect: It enacted, that no cambrics, French lawns, or linsens of this kind usually entered under the denomination of cambrics, should be imported after the first day of next August, but in bales, cases, or boxes, covered with sackcloth or canvass, containing each one hundred whole pieces, or two hundred half pieces, on penalty of forfeiting the whole: that cambrics and French lawns should be imported for exportation only, lodged in the king's warehouses, and delivered out under like security and restrictions as prohibited East India merchandise; and, on importation, pay only the half subsidy: that all cambrics and French lawns in the custody of any person should be deposited, by the first of August, in the king's

<sup>e</sup> The next bill which was brought into the House related to the summons issued by the commissioners of the excise, and justices of the peace, for the appearance of persons offending against, or for forfeitures incurred by, the laws of excise. As some doubts had arisen with respect to the method of summoning in such cases, this bill, which obtained the royal assent in due course, enacted that a summons left at the house, or usual place of residence, or with the wife, child, or menial servants of the person so sum-

moned, should be held as legal notice, as well as the leaving such notice at the house, work-house, warehouse, shop, cellar, vault, or usual place of residence, of such person, directed to him by his right or assumed name; and all dealers in coffee, tea, or chocolate, were subjected to the penalty of twenty pounds, as often as they should neglect to attend the commissioners of excise when summoned in this manner.



warehouses, the bonds thereupon be delivered up, and the drawback on exportation paid; yet the goods should not be delivered out again but for exportation: that cambrics and French lawns exposed to sale, or found in the possession of private persons, after the said day, should be forfeited, and liable to be searched for, and seized, in like manner as other prohibited and uncustomed goods are; and the offender should forfeit two hundred pounds over and above all other penalties and forfeitures inflicted by any former act: that if any doubt should arise concerning the species or quality of the goods, or the place where they were manufactured, the proof should lie on the owner: finally, that the penalty of five pounds, inflicted by a former act, and payable to the informer, by any person that should wear any cambric or French lawns, should still remain in force, and be recoverable, on conviction, by oath of one witness, before one justice of the peace.—The last successful bill of which this session produced, was that relating to the augmentation of the salaries of the judges, in his majesty's superior courts of justice. A motion having been made for an instruction to the committee of supply, to consider of the said augmentation, the chancellor of the exchequer acquainted the House that this augmentation was recommended to them by his majesty. Nevertheless, the motion was opposed, and a warm debate ensued. At length, however, being carried in the affirmative, the committee agreed to certain resolutions, on which a bill was founded. While it remained under discussion, a motion was made for an instruction to the committee, that they should have power to receive a clause or clauses for restraining the judges, comprehended within the provisions of the bill, from receiving any fee, gift, present, or entertainment from any city, town, borough, or corporation, or from any sheriff, gaoler, or other officer, upon their several respective circuits, and from taking any gratuity from any office or officer of any of the courts of law. Another motion was made, for a clause restraining such judges, barons, and justices, as were comprehended within the provisions of the bill, from interfering, otherwise than by giving their own votes, in any election of member to serve in parliament; but both these proposals being put to the vote, were carried in the negative. These two motions being overruled by the majority, the bill underwent some amendments; and, having passed through both Houses in the ordinary course, was enacted into a law by the royal sanction. With respect to the import of this act, it is no other than the establishment of the several stamp duties, applied to the augmentation; and the appropriation of their produce in such a manner, that the crown cannot alter the application of the sums thus granted in parliament. But on this occasion, no attempt was made in favour of the independency of the judges, which seems to have been invaded by a late interpretation of, or rather by a deviation from, the act of settlement; in which it is expressly ordained, that the commissions of the judges should continue in force *quoadiu se bene gesserint*; that their salaries should be fixed, and none of them removable but by an address of both Houses of parliament. It was then, without all doubt, the intention of the legislature that every judge should enjoy his office during life, unless convicted by legal trial of some misbehaviour, or unless both Houses of parliament should concur in his removal: but the doctrine now adopted imports, that no commission can continue in force longer than the life of the king by whom it was granted; that therefore the commission of the judges must be renewed by a new king at his accession, who should have it in his power to employ either those whom he finds acting as judges at his accession, or confer their offices on others, with no other restraint than that the condition of new commissions should be *quoadiu se bene gesserint*. Thus the office of judge is rendered more precarious, and the influence of the crown receives a considerable reinforcement.

§ XX. Among the bills that miscarried in the course of this session, we may number a second attempt to carry into execution the scheme which was offered last year for the more effectual manning the navy, preventing desertion, and relieving and encouraging the seamen of Great Britain. A bill was accordingly brought in, couched in nearly the same terms that had been rejected in the last session;

and it was supported by a considerable number of members, animated with a true spirit of patriotism; but to the trading part of the nation it appeared one of those plausible projects, which, though agreeable in speculation, can never be reduced into practice, without a concomitancy of greater evils than those they were intended to remove. While the bill remained under the consideration of the House, petitions were presented against it by the merchants of Bristol, Scarborough, Whitby, Kingston-upon-Hull, and Lancaster, representing, that by such a law, the trade of the kingdom, which is the nursery and support of seamen at all times, and that spirit of equipping private ships of war, which had been of distinguished service to the nation, would be laid under such difficulties as might cause a great stagnation in the former, and a total suspension of the latter; the bill, therefore, would be highly prejudicial to the marine of the kingdom, and altogether ineffectual for the purposes intended. A great number of books and papers relating to trading ships and vessels, as well as to seamen, and other persons protected or pressed into the navy, and to expenses occasioned by pressing men into the navy, were examined in a committee of the whole House, and the bill was improved with many amendments; nay, after it was printed and engrossed, several clauses were added by way of rider; yet still the experiment seemed dangerous. The motion for its being passed was violently opposed; warm debates ensued; they were adjourned, and resumed; and the arguments against the bill appeared at length in such a striking light, that, when the question was put, the majority declared for the negative. The regulations which had been made in parliament during the twenty-sixth, the twenty-eighth, and thirtieth years of the present reign for the preservation of the public roads, being attended with some inconveniences in certain parts of the kingdom, petitions were brought from some counties in Wales, as well as from the freeholders of Herefordshire, the farmers of Middlesex, and others, enumerating the difficulties attending the use of broad wheels in one case, and the limitation of horses used in drawing carriages with narrow wheels in the other. The matter of these remonstrances was considered in a committee of the whole House, which resolved, that the weight to be carried by all waggon and carts, travelling on the turnpike roads, should be limited. On this resolution a bill was framed, for amending and reducing into one act of parliament the three acts before mentioned for the preservation of the public highways; but some objections being started, and a petition interposed by the land-owners of Suffolk and Norfolk, alleging that the bill, if passed into a law, would render it impossible to bring fresh provisions from those counties to London, as the supply depended absolutely upon the quickness of conveyance, the further consideration of it was postponed to a longer day, and never resumed in the sequel: so that the attempt miscarried.

§ XXI. Of all the subjects which, in the course of this session, fell under the cognizance of parliament, there was none that more interested the humanity, or challenged the redress, of the legislature, than did the case of the poor insolvent debtors, who languished under all the miseries of indigence and imprisonment. In the month of February a petition was offered to the Commons in behalf of bankrupts, who represented, that having scrupulously conformed to the laws made concerning bankruptcy, by surrendering their all upon oath, for the benefit of their creditors, they had nevertheless been refused their certificates, without any probability of relief; that by this cruel refusal, many bankrupts have been obliged to abscond, while others were immured in prison, and these unhappy sufferers groaned under the particular hardship of being excluded from the benefit of laws occasionally made for the relief of insolvent debtors; that the power vested in creditors of refusing certificates to their bankrupts was, as the petitioners conceived, founded upon a presumption that such power would be tenderly exercised, and never but in notorious cases; but the great increase in the number of bankrupts within two years past, and the small proportion of those who had been able to obtain their certificates, seemed to demonstrate that the power had been used for cruel and unjust purposes, contrary to the intention of the legislature: that as the greater part of the petitioners, and their

fellow-sufferers, must inevitably and speedily perish, with their distressed families, unless seasonably relieved by the interposition of parliament, they implored the compassion of the House, from which they hoped immediate favour and relief. This petition was accompanied with a printed case, explaining the nature of the laws relating to bankrupts, and pointing out their defects in point of policy as well as humanity; but little regard was seemingly paid to either remonstrance. Other petitions, however, being presented by insolvent debtors, imprisoned in different gaols within the kingdom, leave was given to bring in a bill for their relief, and a committee appointed to examine the laws relating to bankruptcy.

§ XXII. Among other petitionary remonstrances on this subject, the members were separately presented with the printed case of Captain George Walker, a prisoner in the gaol of the king's bench, who had been declared a bankrupt, and complained, that he had been subjected to some flagrant acts of injustice and oppression. The case contained such extraordinary allegations, and the captain's character was so remarkably fair and interesting, that the committee, which were empowered to send for persons, papers, and records, resolved to inquire into the particulars of his misfortune. A motion was made and agreed to, that the marshal of the prison should bring the captain before the committee; and the speaker's warrant was issued accordingly. The prisoner was produced, and examined at several sittings; and some of the members expressed a laudable eagerness to do him justice: but his antagonists were very powerful, and left no stone unturned to frustrate the purpose of the inquiry, which was dropped of course at the end of the session. Thus the unfortunate Captain Walker, who had, in the late war, remarkably distinguished himself at sea by his courage and conduct, repeatedly signalized himself against the enemies of his country, was sent back, without redress, to the gloomy mansions of a gaol, where he had already pined for several years, useless to himself, and lost to the community, while he might have been profitably employed in retrieving his own fortune, and exerting his talents for the general advantage of the nation. While this affair was in agitation, the bill for the relief of insolvent debtors was prepared, printed, and read a second time; but, when the motion was made for its being committed, a debate arose, and this was adjourned from time to time till the end of the session. In the meantime, the committee continued to deliberate upon the laws relating to bankruptcy: and in the beginning of June reported their resolution to the House, that, in their opinion, some amendment might be made to the laws concerning bankruptcy, to the advantage of creditors, and relief of insolvents. Such was the notice vouchsafed to the cries of many British subjects, deprived of liberty, and destitute of the common necessities of life.

§ XXIII. It would engage us in a long digressive discussion, were we to inquire how the spirit of the laws in England, so famed for lenity, has been exasperated into such severity against insolvent debtors: and why, among a people so distinguished for generosity and compassion, the gaols should be more filled with prisoners than they are in any other part of Christendom. Perhaps both these deviations from a general character are violent efforts of a wary legislature made in behalf of trade, which cannot be too much cherished in a nation that principally depends upon commerce. The question is, whether this laudable aim may not be more effectually accomplished without subjecting individuals to oppression, arising from the cruelty and revenge of one another. As the laws are modelled at present, it cannot be denied that the debtor, in some cases, lies, in a peculiar manner, at the mercy of his creditor. By the original and common law of England, no man could be imprisoned for debt. The plaintiff in any civil action could have no execution upon his judgment against either the body or the lands of the defendant; even with respect to his goods and chattels, which were subject to execution, he was obliged to leave him such articles as were necessary for agriculture. But, in process of time, this indulgence being found prejudicial to commerce, a law was enacted, in the reign of Edward the First, allowing execution on the person of the debtor, provided his goods and chattels were not sufficient to pay the

debt which he had contracted. This law was still attended with a very obvious inconvenience. The debtor, who possessed an estate in lands, was tempted to secrete his movable effects, and live in concealment on the produce of his lands, while the sheriff connived at his retirement. To remove this evil, a second statute was enacted in the same reign, granting immediate execution against the body, lands, and goods of the debtor; yet his effects could not be sold for the benefit of his creditors till the expiration of three months, during which he himself could dispose of them for ready money, in order to discharge his encumbrances. If the creditor was not satisfied in this manner, he continued in possession of the debtor's lands, and detained the debtor himself in prison, where he was obliged to supply him with bread and water for his support, until the debt was discharged. Other severe regulations were made in the sequel, particularly in the reign of Edward the Third, which gave rise to the writ of *capias ad satisfaciendum*. This, indeed, rendered the preceding laws, called statute-merchant, and statute-staple, altogether unnecessary. Though the liberty of the subject, and the security of the landholder, were thus, in some measure, sacrificed to the advantage of commerce, an imprisoned debtor was not left entirely at the mercy of an inexorable creditor. If he made all the satisfaction in his power, and could show that his insolvency was owing to real misfortunes, the court of chancery interposed on his petition, and actually ordered him to be discharged from prison, when no good reason for detaining him could be assigned. This interposition, which seems naturally to belong to a court of equity, constituted with a view to mitigate the rigour of the common law, ceased, in all probability, after the restoration of Charles the Second, and of consequence the prisons were filled with debtors. Then the legislature charged themselves with the extension of a power, which perhaps a chancellor no longer thought himself safe in exercising; and in the year one thousand six hundred and seventy, passed the first act for the relief of insolvent debtors, granting a release to all prisoners for debt, without distinction or inquiry. By this general indulgence, which has even in a great measure continued in all subsequent acts of the same kind, the lenity of the parliament may be sometimes misapplied, inasmuch as insolvency is often criminal, arising from profligacy and extravagance, which deserve to be severely punished. Yet, even for this species of insolvency, perpetual imprisonment, aggravated by the miseries of extreme indigence, and the danger of perishing through famine, may be deemed a punishment too severe. How cruel then must it be to leave the most innocent bankrupt exposed to this punishment, from the revenge or sinister design of a merciless creditor; a creditor, by whose fraud, perhaps, the prisoner became a bankrupt, and by whose craft he is detained in gaol, lest, by his discharge from prison, he should be enabled to seek that redress in chancery to which he is entitled on a fair account! The severity of the law was certainly intended against fraudulent bankrupts only; and the statute of bankruptcy is, doubtless, favourable to insolvents, as it discharges from all former debts those who obtained their certificates. As British subjects, they are surely entitled to the same indulgence which is granted to other insolvents. They were always included in every act passed for the relief of insolvent debtors, till the sixth year of George I. when they were first excepted from this benefit. By a law enacted in the reign of Queen Anne relating to bankruptcy, any creditor was at liberty to object to the confirmation of the bankrupt's certificates; but the chancellor had power to judge whether the objection was frivolous or well founded: yet, by a later act, the chancellor is obliged to confirm the certificate, if it is agreeable to four-fifths in number and value of the creditors; whereas he cannot confirm it, should he be opposed, even without any reason assigned, by one creditor to whom the greater part of the debt is owing. It might, therefore, deserve the consideration of parliament, whether, in extending their clemency to the poor, it should not be equally diffused to bankrupts and other insolvents; whether proper distinctions ought not to be made between the innocent bankrupt who fails through misfortunes in trade, and him who becomes insolvent from fraud or profligacy: and finally, whether the

inquiry and trial of all such cases would not properly fall within the province of chancery, a tribunal instituted for the mitigation of common law.

§ XLIV. The House of Commons seems to have been determined on another measure, which, however, does not admit of explanation. An order was made in the month of February, that leave should be given to bring in a bill to explain, amend, and render effectual so much of an act, passed in the thirteenth year of George II. against the excessive increase of horse-races, and deceitful gaming, as related to that increase. The bill was accordingly presented, read, printed, and ordered to be committed to a committee of the whole House; but the order was delayed from time to time to the end of the session. Some progress was likewise made in another affair of greater consequence to the community. A committee was appointed in the month of March, to take into consideration the state of the poor of England, as well as the laws enacted for their maintenance. The clerks of the peace belonging to all the counties, cities, and towns in England and Wales, were ordered to transmit, for the perusal of the House, an account of the annual expense of passing vagrants through their respective divisions and districts for four years: and the committee began to deliberate on this important subject. In the latter end of May the House was made acquainted with their resolutions, importing, that the present method of relieving the poor in the respective parishes, where no workhouses have been provided for their reception and employment, are, in general, very burdensome to the inhabitants, and tend to render the poor miserable to themselves, and useless to the community: that the present methods of giving money out of the parochial rates to persons capable of labour, in order to prevent them from claiming an entire subsistence for themselves and their families, is contrary to the spirit and intention of the laws for the relief of the poor, is a dangerous power in the hands of parochial officers, a misapplication of the public money, and a great encouragement to idleness and intemperance: that the employment of the poor, under proper direction and management, in such works and manufactures as are suited to their respective capacities, would be of great utility to the public: that settling the poor in workhouses, to be provided in the several counties and ridings in England and Wales, under the direction and management of governors and trustees to be appointed for that purpose, would be the most effectual method of relieving such poor persons as by age, infirmities, or diseases, are rendered incapable of supporting themselves by their labour; of employing the able and industrious, reforming the idle and profligate, and of educating poor children in religion and industry: that the poor in such workhouses would be better regulated and maintained, and managed with more advantage to the public, by guardians, governors, or trustees, to be specially appointed, or chosen for that purpose, and incorporated with such powers, and under such restrictions, as the legislature should deem proper, than by the annual parochial officers: that erecting workhouses upon waste lands, and appropriating a certain quantity of such lands to be cultivated, in order to produce provision for the poor in the said houses, would not only be the means of instructing and employing many of the said poor in agriculture, but lessen the expense of the public: that controversies and law-suits concerning the settlements of poor persons occasioned a very great, and, in general, a useless expense to the public, amounting to many thousand pounds per annum; and that often more money is expended in ascertaining such settlements by each of the contending parishes than would be sufficient to maintain the paupers: that should workhouses be established for the general reception of the poor, in the respective counties and ridings of England, the laws relating to the settlements of the poor, and the passing of vagrants, might be repealed: that while the present laws relating to the poor subsist, the compelling parish officers to grant certificates to the poor would, in all probability, prevent the hardships they now suffer, in being debarred gaining their livelihood where they can do it most usefully to themselves and the public. From these

sensible resolutions, the reader may conceive some idea of the misconduct that attends the management of the poor in England, as well as of the grievous burdens entailed upon the people by the present laws which constitute this branch of the legislature. The committee's resolves being read at the table, an order was made that they should be taken into consideration on a certain day, when the order was again put off, and in the interim the parliament was prorogued. While the committee deliberated upon this affair, leave was given to prepare a bill for preventing tenants, under a certain yearly rent, from gaining settlements in any particular parish, by being there rated in any land-tax assessment, and paying for the landlord the money so charged. This order was afterwards discharged; and another bill brought in to prevent any person from gaining a settlement, by being rated by virtue of an act of parliament for granting an aid to his majesty by a land tax, and paying the same. The bill was accordingly presented, read, committed, and passed the lower House; but among the Lords it miscarried. It can never be expected that the poor will be managed with economy and integrity, while the execution of the laws relating to their maintenance is left in the hands of low tradesmen, who derive private advantage from supplying them with necessities, and often favour the imposition of one another with the most scandalous collusion. This is an evil which will never be remedied, until persons of independent fortune, and unblemished integrity, actuated by a spirit of true patriotism, shall rescue their fellow-citizens from the power of such interested miscreants, by taking their poor into their own management and protection. Instead of multiplying laws with respect to the settlement and management of the poor, which serve only to puzzle and perplex the parish and peace officers, it would become the sagacity of the legislature to take some effectual precautions to prevent the increase of paupers and vagrants, which is become an intolerable nuisance to the commonwealth. Towards this salutary end, surely nothing would more contribute than a reformation of the police, that would abolish those infamous places of entertainment, which swarm in every corner of the metropolis, seducing people of all ranks to extravagance, profligacy, and ruin; and would restrict, within due bounds, the number of public houses, which are augmented to an enormous degree, affording so many asylums for riot and debauchery, and corrupting the morals of the common people to such a pitch of licentious indecency, as must be a reproach to every civilized nation. Let it not be affirmed, to the disgrace of Great Britain, that such receptacles of vice and impunity subsist under the connivance of the government, according to the narrow views and confined speculation of those shallow politicians, who imagine that the revenue is increased in proportion to the quantity of strong liquors consumed in such infamous recesses of intemperance. Were this in reality the case, that administration would deserve to be branded with eternal infamy, which could sacrifice, to such a base consideration, the health, the lives, and the morals of their fellow-creatures: but nothing can be more fallacious than the supposition that the revenue of any government can be increased by the augmented intemperance of the people: for intemperance is the bane of industry, as well as of population; and what the government gains in the articles of the duty on malt, and the excise upon liquors, will always be greatly overbalanced by the loss on other articles, arising from the diminution of hands, and the neglect of labour.

§ XXV. Exclusive of the bills that were actually prepared, though they did not pass in the course of this session, the Commons deliberated on other important subjects, which, however, were not finally discussed. In the beginning of the session, a committee being appointed to resume the inquiry touching the regulation of weights and measures, a subject we have mentioned in the history of the preceding session, the box which contained a Troy pound weight, locked up by order of the House, was again produced by the clerk, in whose custody it had been deposited. This affair being carefully investigated, the committee agreed to fourteen resolutions.<sup>f</sup> In the mean-

<sup>f</sup> As the necessity of the reader may be entertained in these resolutions, we shall here insert them for his satisfaction. The committee resolved,

that the ell ought to contain one yard and one quarter, according to the yard contained in the third resolution of the former committee upon the



committee, and now in the custody of the clerk of the House; and a model or pattern of the standard pound, mentioned in the eighth resolution of that committee, together with models or patterns of the parts of the said pound, now presented to the House, and also of the multiples of the said pound, shall be deposited in the custody of the Clerk of the House, and kept in the said office, in custody of the said persons to be appointed for sizing weights and measures, under the seal of the chief baron of the exchequer for the time being, to be opened only by order of the said baron, and only upon application made by the said persons, for the purpose of the application of the said persons, for the purpose of correcting and adjusting, as an occasion should require, the patterns or models used at the said office, for sizing measures of length and weight, and put into the public stores, and also models or patterns of the said standard yard and standard pound stored, and also models or patterns of the parts and multiples aforesaid of the said pound, should be lodged in the said office for the sizing of such measures of length or weight, and should hereafter be required by any of his majesty's subjects. That all measures of length and weight, sized at the said office, should be marked in some convenient spot thereof with certain marks as should be thought expedient, and that every person who has measured or sized at the said office, and to discover any frauds that may be committed therein, hat the said office should be kept within a convenient distance of the court of exchequer at Westminster, and all measures so sized thereat should be brought to the said office, and should be corrected and re-sized, as an occasion should require, at the said office, that, in order to entice the uniformity in weights and measures to be used for the future, all persons appointed by the crown to act as assessors or commissioners for the correction and regulation of weights and measures in any counties within the realm, throughout the realm, should be empowered to hear and determine, and put the law in execution, in respect to weights and measures only, without any other jurisdiction, and that the said assessors and commissioners should have power to give and award, and the said commissioners should be empowered to sue, imprison, inflict, or mitigate such penalties as should be thought proper; and have such other authority as should be necessary for compelling the use of the said patterns of the said standard yard and pound, and of the parts and multiples thereof, before mentioned, should be distributed in each county, in such a manner as to be readily used for evidence in all cases relating to weights and measures, and for adjusting the same in a proper manner.

commodation. They were told that, by their assistance, the combined army in Germany had been completed; powerful squadrons, as well as numerous bodies of land forces, were employed in America, in order to maintain the British rights and possessions, and annoy the enemy in the most sensible manner in that country; that, as France was making considerable preparations in her different ports, he had taken care to put his fleet at home in the best condition, both of strength and situation, to guard against and repel any attempts that might be meditated against his kingdoms; that all his measures had been directed to assert the honour of his crown, to preserve the essential interests of his faithful subjects; to support the cause of the protestant religion, and public liberty; he, therefore, trusted that the uprightness of his intentions would draw down the blessing of Heaven upon his endeavours. He expressed his hope, that the precautions they had taken to prevent and correct the excesses of the privateers would produce the desired effect: a consideration which the king had much at heart; for, though sensible of the utility of that service, when under proper regulations, he was determined to do his utmost to prevent any injuries or hardships which might be sustained by the subjects of neutral powers, so far as might be practicable and consistent with his majesty's just right to hinder the trade of his enemies from being conclusively and fraudulently covered. He not only thanked the Commons, but applauded the firmness and vigour with which they had acted, as well as their prudence in judging, that notwithstanding the present burdens, the making ample provision for carrying on the war was the most probable means to bring it to an honourable and happy conclusion. He assured them that no attention should be wanting on his part, for the faithful application of what had been granted. They were informed he had nothing further to desire, but that they would carry down the same good dispositions, and propagate them in their several counties, which they had shown in their proceedings during the session. These declarations being pronounced, the parliament was prorogued.

§ XXIX. The people of England, provoked on one hand by the intrigues, the hostilities, and menaces of France, and animated on the other by the pride of triumph and success, which never fails to reconcile them to difficulties, howsoever great, and expense, however enormous, at this period breathed nothing but war, and discoursed about nothing but new plans of conquest. We have seen how liberally the parliament bestowed the nation's money; and the acquiescence of the subjects in general under the additional burdens which had been imposed, appeared in the remarkable eagerness with which they embarked in the subscription planned by the legislature; in the vigorous assistance they contributed towards manning the navy, recruiting the army, and levying additional forces; and the warlike spirit which began to diffuse itself through all ranks of the people. This was a spirit which the ministry carefully cherished and cultivated for the support of the war, which, it must be owned, was prosecuted with an ardour and efficacy peculiar to the present administration. True it is, the German war had been for some time adopted as an object of importance by the British councils, and a resolution was taken to maintain it without flinching: at the same time, it must be allowed, that this consideration had not hitherto weakened the attention of the ministry to the operations in America, where alone the war may be said to have been carried on and prosecuted on British principles, so as to distress the enemy in their most tender part, and at the same time acquire the most substantial advantages to the subjects of Britain. For these two purposes, every preparation was made that sagacity could suggest, or vigour execute. The navy was repaired and augmented, and, in order to man the different squadrons, the expedient of pressing, that disgrace to a British administration, was practised both by land and water with extraordinary rigour and vivacity. A proclamation was

issued, offering a considerable bounty for every seaman and every landman that should, by a certain day, enter voluntarily into the service. As an additional encouragement to this class of people, the king promised his pardon to all seamen who had deserted from their respective ships to which they belonged, provided they should return to their duty by the third day of July; but at the same time he declared, that those who should neglect this opportunity, at a time when their country so much required their service, would, upon being apprehended, incur the penalty of a court-martial, and if convicted, be deemed unfit objects of the royal mercy. All justices of the peace, mayors, and magistrates of corporations throughout Great Britain, were commanded to make particular search for straggling seamen fit for the service, and to send all that should be found to the nearest sea-port, that they might be sent on board by the sea-officer there commanding. Other methods, more gentle and effectual, were taken to levy and recruit the land forces. New regiments were raised, on his majesty's promise that every man should be entitled to his discharge at the end of three years, and the premiums for enlisting were increased. Over and above these indulgences, considerable bounties were offered and given by cities, towns, corporations, and even by individuals, so universally were the people possessed with a spirit of chivalry and adventure. The example was set by the metropolis, where the common-council resolved, that voluntary subscriptions should be received in the chamber of London, to be appropriated as bounty money to such persons as should engage in his majesty's service. The city subscribed a considerable sum for that purpose; and a committee of aldermen and commoners was appointed to attend at Guildhall, to receive and apply the subscriptions. As a further encouragement to volunteers, they moreover resolved, that every person so entering should be entitled to the freedom of the city, at the expiration of three years, or sooner, if the war should be brought to a conclusion. These resolutions being communicated to the king, he was pleased to signify his approbation, and return his thanks to the city, in a letter from the secretary of state to the lord mayor. Large sums were immediately subscribed by different companies, and some private persons; and, in imitation of the capital, bounties were offered by many different communities in every quarter of the united kingdom. At the same time, such care and diligence were used in disciplining the militia, that, before the close of the year, the greater part of these truly constitutional battalions rivalled the regular troops in the perfection of their exercise, and seemed to be in all respects as fit for actual service.

§ XXX. Before we proceed to record the transactions of the campaign that succeeded these preparations, we shall take notice of some domestic events, which, though not very important in themselves, may nevertheless claim a place in the History of England. In the beginning of the year, the court of London was overwhelmed with affliction at the death of the Princess Dowager of Orange and Nassau, governante of the United Provinces in the minority of her son, the present stadtholder. She was the eldest daughter of his Britannic majesty, possessed of many personal accomplishments and exemplary virtues; pious, moderate, sensible, and circumspect. She had exercised her authority with equal sagacity and resolution, respected even by those who were no friends to the house of Orange, and died with great fortitude and resignation. In her will she appointed the king her father, and the Princess Dowager of Orange, her mother-in-law, honorary tutors, and Prince Louis of Brunswick acting tutor, to her children. In the morning after her decease, the States-general and the states of Holland were extraordinarily assembled, and having received notice of this event, proceeded to confirm the regulations which had been made for the minority of the stadtholder. Prince Louis of Brunswick was invited to assist in the assembly of Holland, where he took the oaths, as representing the captain-

8 Feeling her end approaching, she delivered a key to one of her attendants, directing him to fetch two papers, which she signed with her own hand, one was a contract of marriage between her daughter and the Prince of Nassau Weeldrick; the other was a letter to the stadtholder, beseeching him to consent to this marriage, and preserve inviolate the regulations she had made, touching the education and tutelage of the young stadtholder.

These two papers being signed and sealed, she sent for her children, and desired them to make proper provisions on the education they had received, and to be in harmony with each other. Then she prayed them to show their blessings on the nuptials, and to trace them with the most affecting marks of maternal tenderness. She then expired, and was buried calmly and quietly, with her friends, and in a few hours expired.

general of the union. Then he communicated to the assembly the act by which the princess had appointed him guardian of her children. He was afterwards invited to the assembly of the States-general, who agreed to the resolution of Holland, with respect to his guardianship; and in the evening the different colleges of the government sent formal deputations to the young stadtholder, and the Princess Caroline his sister, in whose names and presence they were received, and answered by their guardian and representative. A formal intimation of the death of the princess was communicated to the king her father, in a pathetic letter, by the States-general; who condoled with him on the irreparable loss which he as well as they had sustained by this melancholy event, and assured him they would employ all their care and attention in securing and defending the rights and interest of the young stadtholder and the princess his sister, whom they considered as the children of the republic. The royal family of England suffered another disaster in the course of this year, by the decease of the Princess Elizabeth Caroline, second daughter of his late royal highness Frederick Prince of Wales, a lady of the most amiable character, who died at Kew in the month of September, before she had attained the eighteenth year of her age.

§ XXXI. Certain privateers continuing their excesses at sea, and rifling neutral ships without distinction or authority, the government resolved to vindicate the honour of the nation, by making examples of those pirates, who, as fast as they could be detected and secured, were brought to trial, and upon conviction sacrificed to justice. While these steps were taken to rescue the nation from the reproach of violence and rapacity, which her neighbours had urged with such eagerness, equal spirit was exerted in convincing neutral powers that they should not, with impunity, contravene the law of nations, in favouring the enemies of Great Britain. A great number of causes were tried relating to disputed captures, and many Dutch vessels with their cargoes were condemned, after a fair hearing, notwithstanding the loud clamours of that people, and the repeated remonstrances of the States-general.

§ XXXII. The reputation of the English was not so much affected by the irregularities of her privateers, armed for rapine, as by the neglect of internal police, and an ingredient of savage ferocity mingled in the national character; an ingredient that appeared but too conspicuous in the particulars of several shocking murders brought to light about this period.—One Halsey, who commanded a merchant-ship in the voyage from Jamaica to England, having conceived some personal dislike to a poor sailor, insulted him with such abuse, exposed him to such hardships, and punished him with such wantonness of barbarity, that the poor wretch leaped overboard in despair. His inhuman tyrant, envying him that death which would have rescued a miserable object from his brutality, plunged into the sea after him, and brought him on board, declaring he should not escape so while there were any torments left to inflict. Accordingly he exercised his tyranny upon him with redoubled rigour, until the poor creature expired, in consequence of the inhuman treatment he had sustained. This savage ruffian was likewise indicted for the murder of another mariner, but being convicted on the first trial, the second was found unnecessary, and the criminal suffered death according to the law, which is perhaps too mild to malefactors convicted of such aggravated cruelty. Another barbarous murder was perpetrated in the country, near Birmingham, upon a sheriff's officer, by the sons of one Darby, whose effects the bailiff had seized, on a distress for rent. The two young assassins, encouraged by the father, attacked the unhappy wretch with clubs, and mangled him in a terrible manner, so that he hardly retained any signs of life. Not contented with this cruel execution, they stripped him naked, and dragging him out of the house, scourged him with a waggoner's whip, until the flesh was cut from his bones. In this miserable condition he was found weltering in his blood, and conveyed to a neighbouring house, where he immediately expired. The three barbarians were apprehended, after having made a desperate resistance. They were tried, convicted, and executed; the sons were hung in chains, and the body of the father dissected.—The widow of a timber-merchant at

Rotherhithe being cruelly murdered in her own house; Mary Edmonson, a young woman, her niece, ran out into the street with her arms cut across, and gave the alarm, declaring her aunt had been assassinated by four men, who forced their way into the house, and that she (the niece) had received those wounds, in attempting to defend her relation. According to the circumstances that appeared, this unnatural wretch had cut the throat of her aunt and benefactress with a case-knife, then dragged the body from the washhouse to the parlour; that she had stolen a watch and some silver spoons, and concealed them together with the knife and her own apron, which was soaked with the blood of her parent. After having acted this horrid tragedy, the bare recital of which the humane reader will not peruse without horror, she put on another apron, and wounded her own flesh, the better to conceal her guilt. Notwithstanding these precautions she was suspected, and committed to prison. Being brought to trial she was convicted and condemned upon circumstantial evidence, and finally executed on Kennington-Common, though she denied the fact to the last moment of her life. At the place of execution she behaved with great composure, and after having spent some minutes in devotion, protested she was innocent of the crime laid to her charge. What seemed to corroborate this protestation, was the condition and character of the young woman, who had been educated in a sphere above the vulgar, and maintained a reputation without reproach in the country, where she was actually betrothed to a clergyman. On the other hand, the circumstances that appeared against her almost amounted to a certainty, though nothing weaker than proof positive ought to determine a jury in capital cases to give a verdict against the person accused. After all, this is one of those problematic events, which elude the force of all evidence, and serve to confound the pride of human reason. A miscreant, whose name was Haines, having espoused the daughter of a farmer in the neighbourhood of Gloucester, who possessed a small estate, which he intended to divide among seven children, was so abandoned as to form the design of poisoning the whole family, that by virtue of his wife he might enjoy the whole inheritance. For the execution of this infernal scheme, he employed his own father to purchase a quantity of arsenic; part of which he administered to three of the children, who were immediately seized with the dreadful symptoms produced by this mineral, and the eldest expired. He afterwards mixed it with three apple-cakes, which he bought for the purpose, and presented to the other three children, who underwent the same violence of operation which had proved fatal to the eldest brother. The instantaneous effects of the poison created a suspicion of Haines, who being examined, the whole scene of villany stood disclosed. Nevertheless the villain found means to escape.—The uncommon spirit of assassination which raged at this period, seemed to communicate itself even to foreigners, who breathed English air. Five French prisoners, confined on board the king's ship the Royal Oak, were convicted of having murdered one Jean de Manaux, their countryman and fellow-prisoner, on revenge for his having discovered that they had forged passes to facilitate their escape. Exasperated at this detection, they seized this unfortunate informer in the place of their confinement, gagged his mouth, stripped him naked, tied him with a strong cord to a ring-bolt, and scourged his body with the most brutal perseverance. By dint of struggling the poor wretch disengaged himself from the cord with which he had been tied: then they finished the tragedy, by leaping and stamping on his breast, till the chest was broke, and he expired. They afterwards severed the body into small pieces, and these they conveyed at different times into the sea, through the funnel of a convenience to which they had access: but one of the other prisoners gave information of the murder: in consequence of which they were secured, brought to trial, condemned, and punished with death.—Nor were the instances of cruel assassination, which prevailed at this juncture, confined to Great Britain. At the latter end of the foregoing year, an atrocious massacre was perpetrated by two Genoese mariners upon the master and crew of an English vessel, among whom they were enrolled. These monsters of cruelty were in different watches, a circum-



stance that favoured the execution of the horrid plan they had concerted. When one of them retired to rest with his fellows of the watch, consisting of the mate and two seamen, he waited till they were fast asleep, and then butchered them all with a knife. Having so far succeeded without discovery, he returned to the deck, and communicated the exploit to his associate: then they suddenly attacked the master of the vessel, and cleft his head with a hatchet, which they likewise used in murdering the man that stood at the helm: a third was likewise despatched, and no Englishman remained alive but the master's son, a boy who lamented his father's death with incessant tears and cries for three days, at the expiration of which he was likewise sacrificed, because the assassins were disturbed by his clamour. This barbarous scene was acted within sixty leagues of the rock of Lisbon; but the vessel was taken within the Capes Ortugal and Finisterre, by the captain of the French privateer, called *La Favourite*, who seeing the deck stained with blood, and finding all the papers of the ship destroyed, began to suspect that the master and crew had been murdered. He accordingly taxed them with the murder, and they confessed the particulars. The privateer touched at Vigo, where the captain imparted this detail to the English consul; but the prize, with the two villains on board, was sent to Bayonne in France, where they were brought to condign punishment.

§ XXXIII. We shall close this register of blood with the account of a murder remarkable in all its circumstances, for which a person called Eugene Aram suffered at York, in the course of this year. This man, who exercised the profession of a schoolmaster at Knaresborough, had, as far back as the year one thousand seven hundred and forty-five, been concerned with one Houseman, in robbing and murdering Daniel Clarke, whom they had previously persuaded to borrow a considerable quantity of valuable effects from different persons in the neighbourhood, on false pretences, that he might retire with the booty. He had accordingly filled a sack with these particulars, and began his retreat with his two perfidious associates, who suddenly fell upon him, deprived him of life, and, having buried the body in a cave, took possession of the plunder. Though Clarke disappeared at once in such a mysterious manner, no suspicion fell on the assassins; and Aram, who was the chief contriver and agent in the murder, moved his habitation to another part of the country. In the summer of the present year, Houseman being employed, among other labourers, in repairing the public highway, they, in digging for gravel by the road side, discovered the skeleton of a human creature, which the majority supposed to be the bones of Daniel Clarke. This opinion was no sooner broached, than Houseman, as it were by some supernatural impulse which he could not resist, declared that it was not the skeleton of Clarke, inasmuch as his body had been interred at a place called St. Robert's Cave, where they would find it with the head turned to a certain corner. He was immediately apprehended, examined, admitted as evidence for the crown, and discovered the particulars of the murder. The skeleton of Clarke being found exactly in the place and manner he had described, Eugene Aram, who now acted as usher to a grammar-school in the county of Norfolk, was secured, and brought to trial at the York assizes. There, his own wife corroborating the testimony of Houseman, he was found guilty, and received sentence of death; notwithstanding a very artful and learned defence, in which he proved, from argument and example, the danger of convicting a man upon circumstantial evidence. Finding all his remonstrances ineffectual, he recommended himself in pathetic terms to the king's mercy: and if ever murder was entitled to indulgence, perhaps it might have been extended not improperly to this man, whose genius, in itself prodigious, might have exerted itself in works of general utility. He had, in spite of all the disadvantages attending low birth and straitened circumstances, by the dint of his own capacity and inclination, made considerable progress in mathematics and philosophy, acquired all the languages, ancient and modern, and executed part of a Celtic dictionary, which, had he lived to finish it, might have thrown some essential light upon the origin and obscurities of the European history. Convinced,

at last, that he had nothing to hope from the clemency of the government, he wrote a short poem in defence of suicide; and, on the day fixed for his execution, opened the veins of his left arm with a razor, which he had concealed for that purpose. Though he was much weakened by the effusion of blood, before this attempt was discovered, yet, as the instrument had missed the artery, he did not expire until he was carried to the gibbet, and underwent the sentence of the law. His body was conveyed to Knaresborough forest and hung in chains, near the place where the murder was perpetrated. These are some of the most remarkable that appeared amongst many other instances of homicide: a crime that prevails to a degree alike deplorable and surprising, even in a nation renowned for compassion and placability. But this will generally be the case among people whose passions, naturally impetuous, are ill restrained by laws and the regulations of civil society; which the licentious do not fear, and the wicked hope to evade.

§ XXXIV. The Prince of Wales having, in the beginning of June, entered the two-and-twentieth year of his age, the anniversary of his birth was celebrated with great rejoicings at court, and the king received compliments of congratulation on the majority of a prince, who seemed born to fulfil the hopes, and complete the happiness, of Great Britain. The city of London presented an address to the king on this occasion, replete with expressions of loyalty and affection, assuring his majesty, that no hostile threats could intimidate a people animated by the love of liberty, who, confiding in the Divine Providence, and his majesty's experienced wisdom and vigorous councils, were resolved to exert their utmost efforts towards enabling their sovereign to repel the insults, and defeat the attempts made by the ancient enemies of his crown and kingdom. Congratulations of the same kind were offered by other cities, towns, corporations, and communities, who vied with each other in professions of attachment; and, indeed, there was not the least trace of disaffection perceivable at this juncture in any part of the island.

§ XXXV. So little were the citizens of London distressed by the expense, or incommoded by the operations, of the war, that they found leisure to plan, and funds to execute, magnificent works of art, for the ornament of the metropolis, and the convenience of commerce. They had obtained an act of parliament, empowering them to build a new bridge over the Thames, from Blackfriars to the opposite shore, about midway between those of London and Westminster. Commissioners were appointed to put this act in execution; and, at a court of common-council, it was resolved that a sum not exceeding one hundred and forty-four thousand pounds should be forthwith raised, within the space of eight years, by instalments, not exceeding thirty thousand pounds in one year, to be paid into the chamber of London; that the persons advancing the money should have an interest, at the rate of four pounds per cent. per annum, to be paid half yearly by the chamberlain, yet redeemable at the expiration of the first ten years: and that the chamberlain should affix the city's seal to such instruments as the committee might think fit to give for securing the payment of the said annuities. Such were the first effectual steps taken towards the execution of a laudable measure, which met with the most obstinate opposition in the sequel, from the narrow views of particular people, as well as from the prejudice of party.

§ XXXVI. The spirit that now animated the citizens of London was such as small difficulties did not retard, and even considerable losses could not discourage. In the month of November the city was exposed to a dangerous conflagration, kindled in the night by accident in the neighbourhood of the Royal Exchange, which, burning with great fury, notwithstanding the assistance of the firemen and engines employed under the personal direction of the magistracy, consumed a great number of houses, and damaged many more. The whole quarter of the town was filled with consternation: some individuals were beggared: one or two perished in the flames; and some were buried in the ruins of the houses that sunk under the disaster.

§ XXXVII. The ferment of mind so peculiar to the natives of Great Britain, excited by a strange mixture of genius and caprice, passion and philosophy, study and con-

lecture, produced at this period some flowers of improvement, in different arts and sciences, that seemed to promise fruit of public utility. Several persons invented methods for discovering the longitude at sea, that great *desideratum* in navigation, for the ascertainment of which so many nations have offered a public recompence, and in the investigation of which so many mathematical heads have been disordered. Some of those who now appeared candidates for the prize, deserved encouragement for the ingenuity of the several systems; but he who seemed to enjoy the pre-eminence in the opinion and favour of the public, was Mr. Irwin, a native of Ireland, who contrived a chair so artfully poised, that a person sitting in it on board a ship, even in a rough sea, can, through a telescope, observe the immersion and emersion of Jupiter's satellites, without being interrupted or incommoded by the motion of the vessel. This gentleman was favoured with the assistance and protection of Commodore Lord Howe, in whose presence the experiment was tried in several ships at sea with such success, that he granted a certificate, signifying his approbation; and in consequence of this Mr. Irwin is said to have obtained a considerable reward from the board of admiralty.

§ XXXVIII. The people of England, happy in their situation, felt none of the storms of war and desolation which ravaged the neighbouring countries; but, enriched by a surprising augmentation of commerce, enjoyed all the security of peace, and all the pleasures of taste and affluence. The university of Oxford having conferred the office of their chancellor, vacant by the death of the Earl of Arran, upon another nobleman of equal honour and integrity, namely, the Earl of Westmoreland, he made a public entrance into that celebrated seat of learning with great magnificence, and was installed amidst the encœnia, which were celebrated with such classical elegance of pomp, as might have rivalled the chief Roman festival of the Augustan age. The chancellor elect was attended by a splendid train of the nobility and persons of distinction. The city of Oxford was filled with a vast concourse of strangers. The processions were contrived with taste, and conducted with decorum. The installation was performed with the most striking solemnity. The congratulatory verses, and public speeches, breathed the spirit of old Rome; and the ceremony was closed by Dr. King, that venerable sage of St. Mary Hall, who pronounced an oration in praise of the new chancellor with all the flow of Tully, animated by the fire of Demosthenes.

§ XXXIX. We shall conclude the remarkable incidents of this year,<sup>a</sup> that are detached from the prosecution of the war, with the detail of an event equally surprising and deplorable. A sloop called the *Dolphin*, bound from the Canaries to New York, met with such unfavourable weather, that she was detained one hundred and sixty-five days in the passage, and the provision of the ship was altogether expended before the first fifty days were elapsed. The wretched crew had devoured their dog, cat, and all their shoes on board: at length, being reduced to the utmost extremity, they agreed to cast lots for their lives, that the body of him upon whom the lot should fall, might serve for some time to support the survivors. The wretched victim was one Antoni Galatia, a Spanish gentleman and passenger. Him they shot with a musket; and having cut off his head, threw it overboard; but the entrails, and the rest of the carcass, they greedily devoured. This horrid banquet having as it were fleshed the famished crew, they began to talk of another sacrifice, from which, however, they were diverted by the influence and remonstrances of their captain, who prevailed upon them to be satisfied with a miserable allowance to each per diem, cut from a pair of leather breeches found in the cabin. Upon this calamitous pittance, reinforced with the grass which grew plentifully upon the deck, these poor objects made shift to subsist for twenty days, at the expiration of which they were relieved

and taken on board one Captain Bradshaw, who chanced to fall in with them at sea. By this time the whole crew, consisting of seven men, were so squalid and emaciated, as to exhibit an appearance at once piteous and terrible; and so reduced in point of strength, that it was found necessary to use ropes and tackle for hoisting them from one ship to the other. The circumstance of the lot falling upon the Spaniard, who was the only foreigner on board, encourages a suspicion that foul play was offered to this unfortunate stranger; but the most remarkable part of this whole incident is, that the master and crew could not contrive some sort of tackle to catch fish, with which the sea every where abounds, and which, no doubt, might be caught with the help of a little ingenuity. If implements of this kind were provided in every ship, they would probably prevent all those tragical events at sea that are occasioned by famine.

§ XL. Previous to the more capital operations in war, we shall particularize the most remarkable captures that were made upon the enemy by single ships of war, during the course of this summer and autumn. In the month of February, a French privateer belonging to Granville, called the *Marquis de Marigny*, having on board near two hundred men, and mounted with twenty cannon, was taken by Captain Parker, commander of his majesty's ship the *Montague*; who likewise made prize of a smaller armed vessel, from Dunkirk, of eight cannon and sixty men. About the same period, Captain Graves, of the *Unicorn*, brought in the *Moras* privateer, of St. Maloes, carrying two hundred men, and two-and-twenty cannon. Two large merchant ships laden on the French king's account for Martinique, with provision, clothing, and arms, for the troops on that island, were taken by Captain Lendrick, commander of the *Brilliant*; and an English transport from St. John's, having four hundred French prisoners on board, perished near the Western Islands. Within the circle of the same month, a large French ship from St. Domingo, richly laden, fell in with the *Favourite* ship of war, and was carried into Gibraltar.

§ XLI. In the month of February, Captain Hood, of his majesty's frigate the *Vestal*, belonging to a small squadron commanded by Admiral Holmes, who had sailed for the West Indies in January, being advanced a considerable way a-head of the fleet, descried and gave chase to a sail, which proved to be a French frigate called the *Bellona*, of two hundred and twenty men, and two-and-thirty great guns, commanded by the Count de Beauchonoire. Captain Hood having made a signal to the admiral, continued the chase until he advanced within half musket-shot of the enemy, and then poured in a broadside, which was immediately retorted. The engagement thus begun was maintained with great vigour on both sides for the space of four hours: at the expiration of which the *Bellona* struck, after having lost all her masts and rigging, together with about forty men killed in the action. Nor was the victor in a much better condition. Thirty men were killed and wounded on board the *Vestal*. Immediately after the enemy submitted, all her rigging being destroyed by the shot, the topmasts fell overboard; and she was otherwise so much damaged, that she could not proceed on her voyage. Captain Hood, therefore, returned with his prize to Spithead; and afterwards met with a gracious reception from his majesty, on account of the valour and conduct he had displayed on this occasion. The *Bellona* had sailed in January from the island of Martinique, along with the *Florisant*, and another French frigate, from which she had been separated in the passage. Immediately after this exploit, Captain Elliot, of the *Æolus* frigate, accompanied by the *Iris*, made prize of a French ship, the *Mignonne*, of twenty guns, and one hundred and forty men, one of four frigates employed as convoy to a large fleet of merchant ships, near the island of Rhé.

§ XLII. In the month of March, the English frigates the *Southampton* and *Melampe*, commanded by the Cap-

<sup>a</sup> In the spring of the year the liberal arts sustained a lamentable loss in the death of George Frederick Handel, the most celebrated master in music, which this age had produced. He was by birth German; but had studied in Italy, and afterwards settled in England, where he met with the most favourable reception, and resided above half a century, universally admired for his stupendous genius in the sublime parts of musical composition.

<sup>b</sup> One would be apt to imagine, that there was something in the constitution of the air at this period, which was particularly so favourable to old age, inasmuch as, in the compass of a few months, the following persons,

remarkable for their longevity, died in the kingdom of Scotland: William Barnes, who had been above seventy years a servant in the family of Brodie, died there, at the age of one hundred and nine. Catherine Mackenzie died in Ross-shire, at the age of one hundred and eighteen. Janet Blair deceased at Monemusk, in the shire of Aberdeen, turned of one hundred and twelve. Alexander Stephens, in Bamfshire, at the age of one hundred and eight. Janet Harper, at Bains-hole, at the age of one hundred and seven. Daniel Cameron, in Raamsch, married when he was turned of one hundred, and survived his marriage thirty years.

rains Gilchrist and Hotham, being at sea to the northward on a cruise, fell in with the *Danaë*, a French ship of forty cannon and three hundred and thirty men, which was engaged by Captain Hotham in a ship of half the force, who maintained the battle a considerable time with admirable gallantry, before his consort could come to his assistance. As they fought in the dark, Captain Gilchrist was obliged to lie by for some time because he could not distinguish the one from the other: but no sooner did the day appear, than he bore down upon the *Danaë* with his usual impetuosity, and soon compelled her to surrender: she did not strike, however, until thirty or forty of her men were slain, and the gallant Captain Gilchrist received a grape-shot in his shoulder, which, though it did not deprive him of life, yet rendered him incapable of future service: a misfortune the more to be lamented, as it happened to a brave officer in the vigour of his age, and in the midst of a sanguinary war, which might have afforded him many other opportunities of signaling his courage for the honour and advantage of his country. Another remarkable exploit was achieved about the same juncture, by Captain Barrington, commander of the ship *Achilles*, mounted with sixty cannon, who, to the westward of Cape Finisterre, encountered a French ship of equal force, called the *Count de St. Florantin*, bound from Cape Francois on the island of Hispaniola to Rochefort, under the command of the *Sieur de Montay*, who was obliged to strike, after a close and obstinate engagement, in which he himself was mortally wounded, a great number of his men slain, and his ship so damaged, that she was with difficulty brought into Falmouth. Captain Barrington obtained the victory at the expense of about five-and-twenty men killed and wounded, and all his rigging, which the enemy's shot rendered useless. Two small privateers from Dunkirk were also taken, one called the *Marquis de Bareil*, by the *Brilliant*, which carried her into Kinsale in Ireland; the other called the *Carillonneur*, which struck to the *Grace cutter*, assisted by the boats of the ship *Rochester*, commanded by Captain Duff, who sent her into the Downs.

§ XLIII. About the latter end of March, Captain Samuel Falkner, in the ship *Windsor*, of sixty guns, cruising to the westward, discovered four large ships to leeward, which, when he approached them, formed the line of battle a-head, in order to give him a warm reception. He accordingly closed with the sternmost ship, which sustained his fire about an hour: then the other three bearing away with all the sail they could carry, she struck her colours, and was conducted to Lisbon. She proved to be the *Duc de Chartres*, pierced for sixty cannon, though at that time carrying no more than four-and-twenty, with a complement of three hundred men, about thirty of whom were killed in the action. She belonged, with the other three that escaped, to the French East India company, was laden with gun-powder and naval stores, and bound for Pondicherry. Two privateers, called *La Chasseur* and *Le Conquerant*, the one from Dunkirk, and the other from Cherbourg, were taken and carried into Plymouth by Captain Hughes, of his majesty's frigate the *Tamer*. A third, called the *Despatch*, from Morlaix, was brought into Penzance by the *Diligence* sloop, under the command of Captain Eastward. A fourth, called the *Basque*, from Bayonne, furnished with two-and-twenty guns, and about two hundred men, fell into the hands of Captain Parker, of the *Brilliant*, who conveyed her into Plymouth. Captain Antrobus, of the *Surprise*, took the *Vieux*, a privateer of Bourdeaux; and a fifth, from Dunkirk, struck to Captain Knight, of the *Liverpool*, off Yarmouth. In the month of May, a French frigate called the *Arethusa*, mounted with two-and-thirty cannon, manned with a large complement of hands, under the command of the late *Marquis de Vandreuil*, submitted to two British frigates, the *Venus* and the *Thames*, commanded by the Captains Harrison and Colby, after a warm engagement, in which sixty men were killed and wounded on the side of the enemy. In the beginning of June, an armed ship belonging to Dunkirk was brought into the Downs, by Captain Angle, of the *Stag*; and a privateer of force, called the *Countess de la Serre*, was subdued and taken, after an obstinate action, by Captain Moore, of his majesty's ship the *Adventure*.

§ XLIV. Several armed ships of the enemy, and rich prizes, were taken in the West Indies, particularly two French frigates, and two Dutch ships with French commodities, all richly laden, by some of the ships of the squadron which Vice-Admiral Coats commanded on the Jamaica station. A fifth, called the *Velour*, from St. Domingo, with a valuable cargo on board, being fortified with twenty cannon, and above one hundred men, fell in with the *Favourite* sloop of war, under the command of Captain Edwards, who, after an obstinate dispute, carried her into the West Indies. Captain Collingwood, commander of the king's ship the *Crescent*, attacked two French frigates, the *Amethyste* and *Berkeley*: the former of which escaped, after a warm engagement, in which the *Crescent's* rigging was so much damaged, that she could not pursue: but the other was taken, and conveyed into the harbour of Basseterre. Notwithstanding the vigilance and courage of the English cruisers in those seas, the French privateers swarmed to such a degree, that, in the course of this year, they took above two hundred sail of British ships, valued at six hundred thousand pounds sterling. This their success is the more remarkable, as by this time the island of Guadeloupe was in possession of the English, and Commodore Moore commanded a numerous squadron in those very latitudes.

§ XLV. In the beginning of October, the *Hercules* ship of war, mounted with seventy-four guns, under the command of Captain Porter, cruising in the chops of the channel, desirous to windward a large ship, which proved to be the *Florissant*, of the same force with the *Hercules*. Her commander, perceiving the English ship giving chase, did not seem to decline the action; but bore down upon her in a slanting direction, and the engagement began with great fury. In a little time, the *Hercules* having lost her topmast, and all her rigging being shot away, the enemy took advantage of this disaster, made the best of his way, and was pursued till eight o'clock next morning, when he escaped behind the isle of Oleron. Captain Porter was wounded in the head with a grape-shot, and lost the use of one leg in the engagement.

§ XLVI. Having taken notice of all the remarkable captures and exploits that were made and achieved by single ships since the commencement of the present year, we shall now proceed to describe the actions that were performed in this period by the different squadrons that constituted the naval power of Great Britain. Intelligence having been received that the enemy meditated an invasion upon some of the British territories, and that a number of flat-bottomed boats were prepared at Havre-de-Grace, for the purpose of disembarking troops, Rear-Admiral Rodney was, in the beginning of July, detached with a small squadron of ships and bombs to annoy and overawe that part of the coast of France. He accordingly anchored in the road of Havre, and made a disposition to execute the instructions he had received. The bomb-vessels, being placed in the narrow channel of the river leading to Honfleur, began to throw their shells, and continued the bombardment for two-and-fifty hours without intermission, during which a numerous body of French troops were employed in throwing up intrenchments, erecting new batteries, and firing both with shot and shells upon the assailants. The town was set on fire in several places, and burned with great fury; some of the boats were overturned, and a few of them reduced to ashes, while the inhabitants forsook the place in the utmost consternation: nevertheless, the damage done to the enemy was too inconsiderable to make amends for the expense of the armament, and the loss of nineteen hundred shells and eleven hundred carcasses, which were expended in this expedition. Bombardments of this kind are at best but expensive and unprofitable operations, and may be deemed a barbarous method of prosecuting war, inasmuch as the damage falls upon the wretched inhabitants, who have given no cause of offence, and who are generally spared by a humane enemy, unless they have committed some particular act of provocation.

§ XLVII. The honour of the British flag was much more effectually asserted by the gallant Admiral Boscawen, who, as we have already observed, was intrusted with the conduct of a squadron in the Mediterranean. It



must be owned, however, that his first attempt savoured of temerity. Having in vain displayed the British flag in sight of Toulon, by way of defiance to the French fleet that lay there at anchor, he ordered three ships of the line, commanded by the captains Smith, Harland, and Barker, to advance and burn two ships that lay close to the mouth of the harbour. They accordingly approached with great intrepidity, and met with a very warm reception from divers batteries which they had not before perceived. Two small forts they attempted to destroy, and cannonaded for some time with great fury; but being overmatched by superior force, and the wind subsiding into a calm, they sustained considerable damage, and were towed off with great difficulty, in a very shattered condition. The admiral, seeing three of his best ships so roughly handled in this enterprise, returned to Gibraltar in order to refit; and M. de la Clue, the French commander of the squadron at Toulon, seized this opportunity of sailing, in hopes of passing the straits' mouth unobserved, his fleet consisting of twelve large ships and three frigates. Admiral Boscawen, who commanded fourteen sail of the line with two frigates, and as many fire-ships, having refitted his squadron, detached one frigate to cruise off Malaga, and another to hover between Estepona and Ceuta-point, with a view to keep a good look out, and give timely notice in case the enemy should approach. On the seventeenth day of August, at eight in the evening, the Gibraltar frigate made a signal that fourteen sail appeared on the Barbary shore to the eastward of Ceuta; upon which the English admiral immediately heaved up his anchors and went to sea; at day-light he descried seven large ships lying to; but when the English squadron forbore to answer their signal, they discovered their mistake, set all their sails, and made the best of their way. This was the greater part of the French squadron commanded by M. de la Clue, from whom five of his large ships and three frigates had separated in the night. Even now, perhaps, he might have escaped, had he not been obliged to wait for the *Souveraine*, which was a heavy sailer. At noon the wind, which had blown a fresh gale, died away, and although Admiral Boscawen had made signal to chase, and engage in a line of battle a-head, it was not till half an hour after two that some of his headmost ships could close with the rear of the enemy; which, though greatly outnumbered, fought with uncommon bravery. The English admiral, without waiting to return the fire of the sternmost, which he received as he passed, used all his endeavours to come up with the *Ocean*, which M. de la Clue commanded in person; and about four o'clock in the afternoon, running athwart her hawse, poured into her a furious broadside: thus the engagement began with equal vigour on both sides. This dispute, however, was of short duration. In about half an hour Admiral Boscawen's mizen-mast and topsail-yards were shot away; and the enemy hoisted all the sail they could carry. Mr. Boscawen having shifted his flag from the *Namur* to the *Newark*, joined some other ships in attacking the *Centaure*, of seventy-four guns, which, being thus overpowered, was obliged to surrender. The British admiral pursued them all night, during which the *Souveraine* and the *Guerrier* altered their course, and deserted their commander. At day-break, M. de la Clue, whose left leg had been broken in the engagement, perceiving the English squadron crowding all their sails to come up with him, and finding himself on the coast of Portugal, determined to burn his ships, rather than that they should fall into the hands of the victors. The *Ocean* was run ashore two leagues from Lagos, near the fort of Almadana, the commander of which fired three shot at the English; another captain of the French squadron followed the example of his commander, and both endeavoured to disembark their men; but the sea being rough, this proved a very tedious and difficult attempt. The captains of the *Temeraire* and *Modeste*, instead of destroying their ships, anchored as near as they could to the forts Xavier and Lagres, in hopes of enjoying their protection; but in this hope they were disappointed: M. de la Clue had been landed, and the command of the *Ocean* was left to the Count de Carne, who, having received one broadside from the *America*, struck his colours, and the English took possession of this

noble prize, the best ship in the French navy, mounted with eighty cannon. Captain Bentley, of the *Warspight*, who had remarkably signalized himself by his courage during the action of the preceding day, attacked the *Temeraire*, of seventy-four guns, and brought her off with little damage. Vice-Admiral Broderick, the second in command, advancing with his division, burned the *Redoubtable* of seventy-four guns, which was bulged, and abandoned by her men and officers; but they made prize of the *Modeste*, carrying sixty-four guns, which had not been much injured in the engagement. This victory was obtained by the English admiral at a very small expense of men; the whole number of the killed and wounded not exceeding two hundred and fifty on board of the British squadron, though the carnage among the enemy must have been much more considerable, as M. de la Clue, in his letter to the French ambassador at Lisbon, owned, that on board of his own ship, the *Ocean*, one hundred men were killed on the spot, and seventy dangerously wounded; but the most severe circumstance of this disaster was the loss of four capital ships, two of which were destroyed, and the other two brought in triumph to England, to be numbered among the best bottoms of the British navy. What augmented the good fortune of the victors, was, that not one officer lost his life in the engagement. Captain Bentley, whom the admiral despatched to England with the tidings of his success, met with a gracious reception from the king, who knighted him for his gallantry.

§ XLVIII. As we propose to throw together all the naval transactions of the year, especially those that happened in the European seas, that they may be comprehended, as it were, in one view, we must now, without regarding the order of time, postpone many previous events of importance, and record the last action by sea, that in the course of this year distinguished the flag of Great Britain. The court of Versailles, in order to embarrass the British ministry, and divert their attention from all external expeditions, had in the winter projected a plan for invading some part of the British dominions: and in the beginning of the year had actually begun to make preparations on different parts of their coast for carrying this design into execution. Even as far back as the latter end of May, messages from the king to both Houses of parliament were delivered by the Earl of Holderness and Mr. Pitt, the two secretaries of state, signifying that his majesty had received advices of preparations making by the French court, with a design to invade Great Britain: that though persuaded, by the universal zeal and affection of his people, any such attempt must, under the blessing of God, end in the destruction of those who engaged in it; yet he apprehended he should not act consistent with that paternal care and concern which he had always shown for the safety and preservation of his subjects, if he omitted any means in his power which might be necessary for their defence: he, therefore, acquainted the parliament with his having received repeated intelligence of the enemy's preparations, to the end that his majesty might, if he should think proper, in pursuance of the late act of parliament, cause the militia, or such part thereof as should be necessary, to be drawn out and embodied, in order to march as occasion should require. These messages were no sooner read, than each House separately resolved to present an address, thanking his majesty for having communicated this intelligence; assuring him that they would, with their lives and fortunes, support him against all attempts whatever: that, warmed with affection and zeal for his person and government, and animated by indignation at the daring designs of an enemy whose fleet had hitherto shunned the terror of the British navy, they would cheerfully exert their utmost efforts to repel all insults, and effectually enable their sovereign not only to disappoint the attempts of France, but, by the blessing of God, turn them to their own confusion. The Commons at the same time resolved upon another address, desiring his majesty would give directions to his lieutenants of the several counties, ridings, and places within South Britain, to use their utmost diligence and attention in executing the several acts of parliament for the better ordering the militia.

§ XLIX. These and other precautionary steps were ac

cordingly taken; but the administration wisely placed their chief dependence upon the strength of the navy, part of which was so divided and stationed as to block up all the harbours of France in which the enemy were known to make any naval armament of consequence. We have seen in what manner Rear-Admiral Rodney visited the town and harbour of Havre-de-Grace, and scoured that part of the coast in successive cruises; we have also recorded the expedition and victory of Admiral Boscawen over the squadron of La Clue, which was equipped at Toulon, with a design to assist in the projected invasion. Notwithstanding this disaster, the French ministry persisted in their design: towards the execution of which they had prepared another considerable fleet, in the harbours of Rochefort, Brest, and Port-Louis, to be commanded by M. de Conflans, and reinforced by a considerable body of troops, which were actually assembled under the Duc d'Aiguillon, at Vannes, in Lower Bretagne. Flat-bottomed boats and transports to be used in this expedition were prepared in different ports on the coast of France; and a small squadron was equipped at Dunkirk, under the command of an enterprising adventurer, called Thurot, who had, in the course of the preceding year, signalized his courage and conduct in a large privateer called the *Belleisle*, which had scoured the North seas, taken a number of ships, and at one time maintained an obstinate battle against two English frigates, which were obliged to desist, after having received considerable damage. This man's name became a terror to the merchants of Great Britain; for his valour was not more remarkable in battle than his conduct in eluding the pursuit of the British cruisers, who were successively detached in quest of him, through every part of the German ocean and North sea, as far as the islands of Orkney. It must be likewise owned, for the honour of human nature, that this bold mariner, though destitute of the advantages of birth and education, was remarkably distinguished by his generosity and compassion to those who had the misfortune to fall into his power; and that his deportment in every respect entitled him to a much more honourable rank in the service of his country. The court of Versailles were not insensible to his merit. He obtained a commission from the French king, and was vested with the command of the small armament now fitting out in the harbour of Dunkirk. The British government, being apprized of all these particulars, took such measures to defeat the purpose of invasion as must have conveyed a very high idea of the power of Great Britain to those who considered, that, exclusive of the force opposed to this design, they at the same time carried on the most vigorous and important operations of war in Germany, America, and the East and West Indies. Thurot's armament at Dunkirk was watched by an English squadron in the Downs, commanded by Commodore Boys; the port of Havre was guarded by Rear-Admiral Rodney; Mr. Boscawen had been stationed off Toulon, and the coast of Vannes was scoured by a small squadron detached from Sir Edward Hawke, who had, during the summer, blocked up the harbour of Brest, where Conflans lay with his fleet, in order to be joined by the other divisions of the armament. These different squadrons of the British navy were connected by a chain of separate cruisers; so that the whole coast of France, from Dunkirk to the extremity of Bretagne, was distressed by an actual blockade.

§ L. The French ministry being thus hampered, forebore their attempt upon Britain; and the projected invasion seemed to hang in suspense till the month of August, in the beginning of which their army in Germany was defeated at Minden. Their designs in that country being baffled by this disaster, they seemed to convert their chief attention to their sea armament: the preparations were resumed with redoubled vigour; and even, after the defeat of La Clue, they resolved to try their fortune in a descent. They now proposed to disembark a body of troops in Ireland. Thurot received orders to sail from Dunkirk with the first opportunity, and shape his course round the northern parts of Scotland, that he might alarm the coast of Ireland, and make a diversion from that part where Conflans intended to effectuate the disembarkation of his forces. The transports and ships of war were assembled

at Brest and Rochefort, having on board a train of artillery, with saddles, and other accoutrements for cavalry, to be mounted in Ireland; and a body of French troops, including part of the Irish brigade, was kept in readiness to embark. The execution of this scheme was, however, prevented by the vigilance of Sir Edward Hawke, who blocked up the harbour of Brest, with a fleet of twenty-three capital ships; while another squadron of smaller ships and frigates, under the command of Captain Duff, continued to cruise along the French coast, from Port L'Orient, in Bretagne, to the point of St. Gilles in Poitou. At length, however, in the beginning of November, the British squadron, commanded by Sir Edward Hawke, Sir Charles Hardy, and Rear-Admiral Geary, were driven from the coast of France by stress of weather, and on the ninth day of the month anchored in Torbay. The French admiral, Conflans, snatched this opportunity of sailing from Brest, with one-and-twenty sail of the line and four frigates, in hopes of being able to destroy the English squadron commanded by Captain Duff, before the large fleet could return from the coast of England. Sir Edward Hawke having received intelligence that the French fleet had sailed from Brest, immediately stood to sea, in order to pursue them; and in the meantime the government issued orders for guarding all those parts of the coast that were thought the most exposed to a descent. The land forces were put in motion, and quartered along the shore of Kent and Sussex: all the ships of war in the different harbours, even those which had just arrived from America, were ordered to put to sea, and every step was taken to discern the designs of the enemy.

§ LI. While these measures were taken with equal vigour and deliberation, Sir Edward Hawke steered his course directly for Quiberon, on the coast of Bretagne, which he supposed would be the rendezvous of the French squadron: but notwithstanding his utmost efforts, he was driven by a hard gale considerably to the westward, where he was joined by two frigates, the *Maidstone* and *Cowenry*. These he directed to keep a-head of the squadron. The weather growing more moderate, the former made the signal for seeing a fleet, on the twentieth day of November, at half an hour past eight o'clock in the morning, and in an hour afterwards discovered them to be the enemy's squadron. They were at that time in chase of Captain Duff's squadron, which now joined the large fleet, after having run some risk of being taken. Sir Edward Hawke, who, when the *Maidstone* gave the first notice, had formed the line a-breast, now perceiving that the French admiral endeavoured to escape with all the sail he could carry, threw out a signal for seven of his ships that were nearest the enemy, to chase and endeavour to detain them until they could be reinforced by the rest of the squadron, which were ordered to form into a line of battle a-head, as they chased, that no time might be lost in the pursuit. Considering the roughness of the weather, which was extremely tempestuous; the nature of the coast, which is in this place rendered very hazardous by a great number of sandbanks, shoals, rocks, and islands, as entirely unknown to the British sailors as they were familiar to the French navigators; the dangers of a short day, dark night, and lee-shore; it required extraordinary resolution in the English admiral to attempt hostilities on this occasion: but Sir Edward Hawke, steeled with the integrity and fortitude of his own heart, animated by a warm love for his country, and well acquainted with the importance of the stake on which the safety of that country in a great measure depended, was resolved to run extraordinary risks in his endeavours to frustrate at once a boasted scheme projected for the annoyance of his fellow-subjects. With respect to his ships of the line, he had but the advantage of one in point of number, and no superiority in men or metal: consequently, M. de Conflans might have hazarded a fair battle on the open sea, without any imputation of temerity: but he thought proper to play a more artful game, though it did not succeed according to his expectation. He kept his fleet in a body, and retired close in shore, with a view to draw the English squadron among the shoals and islands, on which he hoped they would pay dear for their rashness and impetuosity, while he and his officers, who were perfectly acquainted with the navi-

gation, could either stay, and take advantage of the disaster, or, if hard pressed, retire through channels unknown to the British pilots. At half an hour after two the van of the English fleet began the engagement with the rear of the enemy, in the neighbourhood of Belleisle. Every ship, as she advanced, poured in a broadside on the sternmost of the French, and bore down upon their van, leaving the rear to those that came after. Sir Edward Hawke, in the *Royal George*, of one hundred and ten guns, reserved his fire in passing through the rear of the enemy, and ordered his master to bring him along-side of the French admiral, who commanded in person on board the *Soleil Royal*, a ship mounted with eighty cannon, and provided with a complement of twelve hundred men. When the pilot remonstrated that he could not obey his command, without the most imminent risk of running upon a shoal, the veteran replied, "You have done your duty in showing the danger; now you are to comply with my order, and lay me along-side the *Soleil Royal*." His wish was gratified; the *Royal George* ranged up with the French admiral. The *Thésée*, another large ship of the enemy, running up between the two commanders, sustained the fire that was reserved for the *Soleil Royal*; but in returning the first broadside, foundered, in consequence of the high sea that entered her lower-deck ports, and filled her with water. Notwithstanding the boisterous weather, a great number of ships on both sides fought with equal fury and dubious success, till about four in the afternoon, when the *Formidable* struck her colours. The *Superb* shared the fate of the *Thésée* in going to the bottom. The *Hero* hauled down her colours in token of submission, and dropped anchor; but the wind was so high, that no boat could be sent to take possession. By this time day-light began to fail, and the greater part of the French fleet escaped under cover of the darkness. Night approaching, the wind blowing with augmented violence on a lee shore, and the British squadron being entangled among unknown shoals and islands, Sir Edward Hawke made the signal for anchoring to the westward of the small island *Dumet*; and here the fleet remained all night in a very dangerous riding, alarmed by the fury of the storm, and the incessant firing of guns of distress without their knowing whether it proceeded from friend or enemy. The *Soleil Royal* had, under favour of the night, anchored also in the midst of the British squadron; but at day-break *M. de Conflans* ordered her cable to be cut, and she drove ashore to the westward of *Crozie*. The English admiral immediately made signal to the *Essex* to slip cable, and pursue her; and, obeying this order, she ran unfortunately on a sand-bank called *Lefour*, where the *Resolution*, another ship of the British squadron, was already grounded. Here they were both irrecoverably lost, in spite of all the assistance that could be given; but all their men and part of their stores were saved, and their wrecks set on fire by order of the admiral. He likewise detached the *Portland*, *Chatlam*, and *Vengeance* to destroy the *Soleil Royal*, which was burned by her own people, before the English ships could approach; but they arrived time enough to reduce the *Hero* to ashes on the *Lefour*, where she had been also stranded; and the *Juste*, another of their great ships, perished in the mouth of the *Loire*. The admiral, perceiving seven large ships of the enemy riding at anchor between *Point Penvas* and the mouth of the river *Vilaine*, made the signal to weigh, in order to attack them; but the fury of the storm increased to such a degree, that he was obliged to remain at anchor, and even order the top-gallant masts to be struck. In the meantime, the French ships being lightened of their cannon, their officers took advantage of the flood, and a more moderate gale under the land, to enter the *Vilaine*, where they lay within half a mile of the entrance, protected by some occasional batteries erected on the shore, and by two large frigates moored across the mouth of the harbour. Thus they were effectually secured from any attempts of small vessels; and as for large ships, there was not water sufficient to float them within fighting distance of the enemy. On the whole, this

battle, in which a very considerable number of lives was lost, may be considered as one of the most perilous and important actions that ever happened in any war between the two nations; for it not only defeated the projected invasion, which had hung menacing so long over the apprehensions of Great Britain; but it gave the finishing blow to the naval power of France, which was totally disabled from undertaking any thing of consequence in the sequel.<sup>1</sup> By this time, indeed, *Thurot* had escaped from *Dunkirk*, and directed his course to the North sea, whither he was followed by *Commodore Boys*, who nevertheless was disappointed in his pursuit; but the fate of the enterprising adventurer falls under the annals of the ensuing year, among the transactions of which it shall be recorded. As for *Sir Edward Hawke*, he continued cruising off the coast of *Bretagne* for a considerable time after the victory he had obtained, taking particular care to block up the mouth of the river *Vilaine*, that the seven French ships might not escape and join *M. Conflans*, who made shift to reach *Rochefort* with the shattered remains of his squadron. Indeed, this service became such a considerable object in the eyes of the British ministry, that a large fleet was maintained upon this coast, apparently for no other purpose, during the whole year, and after all the enemy eluded their vigilance. *Sir Edward Hawke*, having undergone a long and dangerous conflict with tempestuous weather, was at length recalled, and presented to his Sovereign, who gratified him with a considerable pension, for the courage and conduct he had so often and so long displayed in the service of his country; and his extraordinary merit was afterwards honoured with the approbation of the parliament. The people of France were so dispirited by the defeat of their army at *Minden*, and the disaster of their squadron at *Lagos*, that the ministry of *Versailles* thought proper to conceal the extent of their last misfortunes under a palliating detail published in the *Gazette* of *Paris*, as a letter from *M. Conflans* to the *Count de St. Florentin*, secretary of the marine. In this partial misrepresentation their admiral was made to affirm, that the British fleet consisted of forty ships of the line of battle, besides frigates; that the *Soleil Royal* had obliged the *Royal George* to sheer off; that the seven ships which retreated into the river *Vilaine* had received very little damage, and would be soon repaired; and that, by the junction of *Bompard's* squadron, he should be soon able to give a good account of the English admiral. These tumid assertions, so void of truth, are not to be imputed to an illiberal spirit of vain glory, so much as to a political design of extenuating the national calamity, and supporting the spirit of the people.

§ LII. The alarm of the French invasion, which was thus so happily frustrated, not only disturbed the quiet of Great Britain, but also diffused itself to the kingdom of Ireland, where it was productive of some public disorder. In the latter end of October, the two Houses of parliament assembled at *Dublin*, received a formal message from the *Duke of Bedford*, lord-lieutenant of that kingdom, to the following effect: that, by a letter from the secretary of state, written by his majesty's express command, it appeared that France, far from resigning her plan of invasion, on account of the disaster that befell her *Toulon* squadron, was more and more confirmed in her purpose, and even instigated by despair itself, to attempt, at all hazards, the only resource she seemed to have left for thwarting, by a diversion at home, the measures of England abroad in prosecuting a war which hitherto opened, in all parts of the world, so unfavourable a prospect to the views of French ambition; that in case the body of French troops, amounting to eighteen thousand men, under the command of the *Duc d'Aiguillon*, assembled at *Vannes*, where also a sufficient number of transports was prepared, should be able to elude the British squadron, Ireland would, in all probability, be one of their chief objects; his grace thought it, therefore, incumbent upon him, in a matter of such high importance to the welfare of that kingdom, to communicate this intelligence to the Irish parliament. He

<sup>1</sup> During this war the English had already taken and destroyed twenty-seven French ships of the line, and thirty-one frigates: two of their great ships and four frigates perished; so that their whole loss, in this particular, amounted to sixty-four, whereas the loss of Great Britain did not exceed

seven sail of the line and five frigates. It may be easily conceived how the French marine, at first greatly inferior to the naval powers of Britain, must have been affected by this dreadful balance to its prejudice.



to them, his majesty would make no doubt but that the zeal of his faithful protestant subjects of that kingdom had been already sufficiently quickened by the repeated accounts received of the enemy's dangerous designs, and actual preparations made, at a vast expense, in order to invade the several parts of the British dominions. He gave them to understand he had received his sovereign's commands, to use his utmost endeavours to animate and excite his loyal people of Ireland to exert their well-known zeal and spirit in support of his majesty's government, and defence of all that was dear to them, by timely preparation to resist and frustrate any attempts of the enemy to disturb the quiet and shake the security of this kingdom: he, therefore, in the strongest manner, recommended it to them to manifest, upon this occasion, that zeal for the present happy establishment, and that affection for his majesty's person and government, by which the parliament of that nation had been so often distinguished. Immediately after this message was communicated, the House of Commons unanimously resolved to present an address to the lord-lieutenant, thanking his grace for the care and concern he had shown for the safety of Ireland, in having imparted intelligence of so great importance; desiring him to make use of such means as should appear to him the most effectual for the security and defence of the kingdom; and assuring him, that the House would make good whatever expense should be necessarily incurred for that purpose. This intimation, and the steps that were taken in consequence of it for the defence of Ireland, produced such apprehensions and distraction among the people of that kingdom, as had well nigh proved fatal to the public credit. In the first transports of popular fear, there was such an extraordinary run upon the banks of Dublin, that several considerable bankers were obliged to stop payment; and the circulation was in danger of being suddenly stagnated, when the lord-lieutenant, the members of both Houses of parliament, the lord mayor, aldermen, merchants, and principal traders of Dublin, engaged in an association to support public credit, by taking the notes of bankers in payment; a resolution which effectually answered the purpose intended.

§ LIII. Howsoever the court of Versailles might have flattered itself that their invading army would in Ireland be joined by a great number of the natives, in all probability it would have been disappointed in this hope, had their purposed descent even been carried into execution, for no signs of disaffection to the reigning family appeared at this juncture. On the contrary, the wealthy individuals of the Romish persuasion offered to accommodate the government with large sums of money, in case of necessity, to support the present establishment against all its enemies; and the Roman catholics of the city of Cork, in a body, presented an address to the lord-lieutenant, expressing their loyalty in the warmest terms of assurance. After having congratulated his grace on the unparalleled successes which had attended his majesty's arms, and expressed their sense of the king's paternal tenderness for his kingdom of Ireland, they acknowledged, with the deepest sense of gratitude, that protection and indulgence they had enjoyed under his majesty's mild and auspicious reign. They professed the warmest indignation at the threatened invasion of the kingdom, by an enemy, who, grown desperate from repeated defeats, might possibly make that attempt as a last effort, vainly flattered with the imaginary hope of assistance in Ireland from the former attachment of their deluded predecessors. They assured his grace, in the most solemn manner, that such schemes were altogether inconsistent with their principles and intentions: that they would, to the utmost exertion of their abilities, with their lives and fortunes, join in the defence and support of his majesty's royal person and government against all invaders whatsoever: that they should be always ready to concur in such measures, and to act such parts in defence of the kingdom, in common with the rest of his majesty's subjects, as his grace in his great wisdom should be pleased to appoint; and think themselves particularly happy to

be under the direction and command of so known an assertor of liberty, such an important and distinguished governor. Finally, they expressed the most earnest wish, that his majesty's arms might be crowned with such a continuation of success, as should enable him to defeat the devices of all his enemies, and obtain a speedy and honourable peace. This cordial address, which was transmitted to the Earl of Shannon, and by him presented to the Duke of Bedford, must have been very agreeable to the government at such a critical conjuncture.

§ LIV. Although no traces of disaffection to his majesty's family appeared on this trying occasion, it must nevertheless be acknowledged, that a spirit of dissatisfaction broke out with extraordinary violence among the populace of Dublin. The present lord-lieutenant was not remarkably popular in his administration. He had bestowed one place of considerable importance upon a gentleman whose person was obnoxious to many people in that kingdom, and perhaps failed in that affability and concension which a free and ferocious nation expects to find in the character of him to whose rule they are subjected. Whether the offence taken at his deportment had created enemies to his person, or the nation in general began to entertain doubts and jealousies of the government's designs, certain it is, great pains were taken to propagate a belief among the lower sort of people, that a union would soon be effected between Great Britain and Ireland; in which case this last kingdom would be deprived of its parliament and independency, and be subjected to the same taxes that are levied upon the people of England. This notion inflamed the populace to such a degree, that they assembled in a prodigious multitude, broke into the House of Lords, insulted the peers, seated an old woman on the throne, and searched for the journals, which, had they been found, they would have committed to the flames. Not content with this outrage, they compelled the members of both Houses, whom they met in the streets, to take an oath that they would never consent to such a union, or give any vote contrary to the true interest of Ireland. Divers coaches belonging to obnoxious persons were destroyed, and their horses killed; and a gibbet was erected for one gentleman in particular, who narrowly escaped the ungovernable rage of those riotous insurgents. A body of horse and infantry were drawn out on this occasion, in order to overawe the multitude, which at night dispersed of itself. Next day addresses to the lord-lieutenant were agreed to by both Houses of parliament, and a committee of inquiry appointed, that the ringleaders of the tumult might be discovered, and brought to condign punishment.

§ LV. When the ministry of England received the first advice, that M. Thurot had escaped from Dunkirk, with a small squadron of armed ships, having on board a body of land troops, designed for a private expedition on the coast of Scotland or Ireland, expresses were immediately despatched to the commanding officers of the forces in North Britain, with orders to put the forts along the coast of that kingdom in the best posture of defence; and to hold every thing in readiness to repel the enemy, in case they should attempt a descent. In consequence of these instructions, beacons were erected for the immediate communication of intelligence; places of rendezvous appointed for the regular troops and militia; and strict orders issued that no officer should absent himself from his duty, on any pretence whatever. The greatest encomium that can be given to the character of this partisan, is an account of the alarm which the sailing of his puny armament spread through the whole extent of such a powerful kingdom, whose fleets covered the ocean. Perhaps Thurot's career would have been sooner stopped, had Commodore Boys been victualled for a longer cruise: but this commander was obliged to put into Leith for a supply of provisions, at the very time when Thurot was seen hovering on the coast near Aberdeen; and before the English squadron was provided for a prosecution of the cruise, the other had taken shelter at Gottenburgh, in Sweden.

## CHAP. XI.

§ I. State of the island of Martinique. § II. Expedition against that island. § III. Attempt upon St. Pierre. § IV. Descent on the island of Guadeloupe. § V. Skirmishes with the islanders. § VI. Fort Louis reduced. Fate of Colonel Desrosay. § VII. The English fleet sails to Dominick. § VIII. General Barrington takes Gosier, and storms the post of Hecar. § IX. He takes Petitbourg and St. Mary's. The island capitulates. § X. Island of Manguatzen taken by General Barrington. § XI. He returns to England. § XII. Treaty with the Indians in North America. § XIII. Plan of the Campaign. § XIV. Reconnoissance and Crown Point abandoned by the French. § XV. General Amherst embarks on Lake Champlain. § XVI. Niagara reduced. § XVII. Introduction to the expedition against Quebec. § XVIII. General Wolfe lands on the island of Orleans. § XIX. And takes Point Leve. § XX. English fleet damaged by a storm. § XXI. General Wolfe encamps near the falls of the river Montmorency. § XXII. And attacks the French intrenchments there, but is repulsed. § XXIII. Brigadier Murray detached up the river. § XXIV. Council of war called. § XXV. The troops land at the heights of Abraham. § XXVI. Battle of Quebec. § XXVII. Quebec taken. § XXVIII. Rejoicings in England.

A. D. 1759.

§ I. HAVING finished the detail of the actions achieved in the European seas, by the naval force of Great Britain, within the compass of the present year, we shall now proceed to record the exploits of the British arms within the tropics, and particularly the expedition to Martinique and Guadeloupe, which is said to have succeeded even beyond the expectation of the ministry. A plan had been formed for improving the success of the preceding year in North America, by carrying the British arms up the river St. Lawrence, and besieging Quebec, the capital of Canada. The armament employed against the French islands of Martinique and Guadeloupe constituted part of this design, inasmuch as the troops embarked on that expedition were, in case of a miscarriage at Martinique, intended to reinforce the British army in North America, which was justly considered as the chief seat of the war. What hope of success the administration conceived from an attempt upon Martinique, may be guessed from the state of that island, as it appeared in a memorial presented by the French king's lieutenants of its several districts, to the general of the French island, in consequence of an order issued in November, for holding them in readiness to march, and defend the island from the English, of whose design they were apprized. They represented, that the trade with the Dutch was become their sole dependence: that they could expect no succour from Europe, by which they had been abandoned ever since the commencement of the war: that the traders vested with the privileges of trafficking among them had abused the intention of the general; and, instead of being of service to the colony, had fixed an arbitrary price for all the provisions which they brought in, as well for the commodities which they exported; of consequence, the former was valued at as high a price as their avarice could exact, and the latter sunk as low in value as their own selfish hearts could conceive: that the colony for two months had been destitute of all kinds of provision; the commodities of the planters lay upon their hands, and their negroes were in danger of perishing through hunger; a circumstance that excited the apprehension of the most dreadful consequences; as to slaves, half starved, all kinds of bondage were equal; and people reduced to such a situation were often driven to despair, seeking in anarchy and confusion a remedy from the evils by which they were oppressed: that the best provided of the inhabitants laboured under the want of the common necessities of life; and others had not so much as a grain of salt in their houses: that there was an irreparable scarcity of slaves to cultivate their land; and the planters were reduced to the necessity of killing their own cattle, to support the lives of those who remained alive; so that the mills were no longer worked, and the inhabitants consumed beforehand what ought to be reserved for their sustenance, in case of being blocked up by the enemy. They desired, therefore, that the general would suppress the permission granted to particular merchants, and admit neutral vessels freely into their ports, that they might trade with the colonists unmolested and unrestrained. They observed, that the citadel of Port-Royal seemed the principal object on which the safety and defence of the country depended; as the loss of it would be necessarily attended with the reduction of the whole island; they therefore advised, that this fort should be properly provided with every thing necessary for its safety and defence; and

that magazines of provision, as well as ammunition, should be established in different quarters of the island.— This remonstrance plainly proves that the island was wholly unprepared to repel the meditated invasion, and justifies the plan adopted by the ministry of Great Britain. The regular troops of Martinique consisted of about twenty independent companies, greatly defective in point of number. The militia was composed of burghers and planters distressed and dissatisfied, mingled with a parcel of wretched negro slaves, groaning under the most intolerable misery, from whence they could have no hope of deliverance but by a speedy change of masters; their magazines were empty, and their fortifications out of repair.

§ II. Such was the state of Martinique, when the inhabitants every day expected a visit from the British armament, whose progress we shall now relate. On the twelfth day of November, in the preceding year, Captain Hughes sailed from St. Helens with eight sail of the line, one frigate, four bomb-ketches, and a fleet of transports, having on board six regiments of infantry, and a detachment of artillery, besides eight hundred marines distributed among the ships of war; this whole force being under the command of Major-General Hopson, an old experienced officer, assisted by Major-General Barrington, the Colonels Armiger and Haldane, the Lieutenant-Colonels Trapaud and Clavering, acting in the capacity of brigadiers. After a voyage of seven weeks and three days, the fleet arrived at Barbadoes, and anchored in Carlisle bay; where they joined Commodore Moore, appointed by his majesty to command the united squadron, amounting to ten ships of the line, besides frigates and bomb-ketches. Ten days were employed in supplying the fleet with wood and water, in waiting for the hospital ship, in reviews, re-embarkations, councils of war, assemblies of the council belonging to the island, in issuing proclamations, and beating up for volunteers. At length, every great ship being reinforced with forty negroes, to be employed in drawing the artillery; and the troops, which did not exceed five thousand eight hundred men, being joined by two hundred highlanders, belonging to the second battalion of the regiment commanded by Lord John Murray in North America, who were brought as recruits from Scotland, under convoy of the ship Ludlow-castle; the whole armament sailed from Carlisle bay on the thirteenth day of January: but by this time the troops, unaccustomed to a hot climate, were considerably weakened and reduced by fevers, diarrhoeas, the scurvy, and the small-pox; which last disease had unhappily broke out amongst the transports. Next morning the squadron discovered the island of Martinique, which was the place of its destination. The chief fortification of Martinique was the citadel of Port-Royal, a regular fort, garrisoned by four companies, that did not exceed the number of one hundred and fifty men, thirty-six bombardiers, eighty Swiss, and fourteen officers. One hundred barrels of beef constituted their whole store of provision; and they were destitute of all other necessities. They were almost wholly unprovided with water in the cisterns, with spare carriages for their cannon, match, wadding, and langrage: they had but a small stock of other ammunition; and the walls were in many parts decayed. The only preparations they had made for receiving the English, were some paltry intrenchments thrown up at St. Pierre, and a place called Casdenavires, where they imagined the descent would probably be attempted. On the fifteenth day of the month, the British squadron entered the great bay of Port-Royal, some of the ships being exposed to the shot of a battery erected on the isle de Ranieres, a little island about half way up the bay. At their first appearance, the Florissant, of seventy-four guns, which had been so roughly handled by Captain Tyrrel in the Buckingham, then lying under the guns of Fort Negro, along with two frigates, turned up under the citadel, and came to an anchor in the carenage, behind the fortification. One frigate, called the Vestal, under favour of the night, made her escape through the transports, and directed her course for Europe; where she was taken by Captain Hood, as we have already related. Next day three ships of the line were ordered to attack Fort Negro, a battery at the distance of three miles from the citadel, which, being mounted with seven guns only, was soon silenced, and immediately possessed by a detachment of marines and

sailors: who, being landed in flat-bottomed boats, clambered up the rock, and entered through the embrasures with their bayonets fixed. Here, however, they met with no resistance: the enemy had abandoned the fort with precipitation. The British colours were immediately hoisted, and sentinels of marines posted upon the parapet. The next care was to spike and disable the cannon, break the carriages, and destroy the powder which they found in the magazine: nevertheless, the detachment was ordered to keep possession of the battery. This service being successfully performed, three ships were sent to reduce the other battery at Casdenavires, which consisted only of four guns, and these were soon rendered unserviceable. The French troops, reinforced with militia which had been detached from the citadel to oppose the disembarkation, perceiving the whole British squadron, and all the transports, already within the bay, and Fort Negro occupied by the marines, retired to Port-Royal, leaving the beach open; so that the English troops were landed without opposition; and, being formed, advanced into the country towards Fort Negro, in the neighbourhood of which they lay all night upon their arms; while the fleet, which had been galled by bomb-shells from the citadel, shifted their station, and stood further up the bay. By ten next day the English officers had brought up some field-pieces to an eminence, and scoured the woods, from whence the troops had been greatly annoyed by the small shot of the enemy during the best part of the night, and all that morning. At noon the British forces advanced in order towards the hill that overlooked the town and citadel of Port-Royal, and sustained a troublesome fire from enemies they could not see; for the French militia were entirely covered by the woods and bushes. This eminence, called the Morne Tortueson, though the most important post of the whole island, was neglected by the general of Martinique, who had resolved to blow up the fortifications of the citadel; but, luckily for the islanders, he had not prepared the materials for this operation, which must have been attended with the immediate destruction of the capital, and indeed of the whole country. Some of the inferior officers, knowing the importance of the Morne Tortueson, resolved to defend that post with a body of the militia, which was reinforced by the garrisons of Fort Negro and Casdenavires, as well as by some soldiers detached from the Florissant: but, notwithstanding all their endeavours, as they were entirely unprovided with cannon, extremely defective in point of discipline, dispirited by the pusillanimity of their governor, and in a great measure disconcerted by the general consternation that prevailed among the inhabitants, in all probability they could not have withstood a spirited and well conducted attack by regular forces. About two o'clock General Hopson thought proper to desist from his attempt. He gave the commodore to understand, that he could not maintain his ground, unless the squadron would supply him with heavy cannon, landed near the town of Port-Royal, at a savannah, where the boats must have been greatly exposed to the fire of the enemy; or assist him in attacking the citadel by sea, while he should make his approaches by land. Both these expedients <sup>a</sup> being deemed impracticable by a council of war, the troops were recalled from their advanced posts, and re-embarked in the evening, without any considerable molestation from the enemy. Their attempt on the Morne Tortueson had cost them several men, including two officers, killed or wounded in the attack; and, in revenge for this loss, they burned the sugar-canes, and desolated the country, in their retreat. The inhabitants of Martinique could hardly credit the testimony of their own senses, when they saw themselves thus delivered from all their fears, at a time when they were overwhelmed with terror and confusion; when the principal individuals among them had resigned all thought of further resistance; and were actually assembled at the public hall in Port-Royal, to send deputies to the English general, with proposals of capitulation and surrender.

§ III. The majority of the British officers, who constituted a council of war held for this purpose, <sup>b</sup> having given their opinion, that it might be for his majesty's service to make an attack upon St. Pierre, the fleet proceeded to that part of the island, and entered the bay on the nineteenth. The commodore told the general, that he made no doubt of being able to reduce the town of St. Pierre; but as the ships might be disabled in the attack, so as not to be in a condition to proceed immediately on any material service; as the troops might be reduced in their numbers, so as to be incapable of future attacks; and as the reduction of the island of Guadaloupe would be of great benefit to the sugar colonies; Mr. Moore proposed that the armament should immediately proceed to that island: and the general agreed to the proposal. The reasons produced on this occasion are, we apprehend, such as may be urged against every operation of war. Certain it is, no conquest can be attempted, either by sea or land, without exposing the ships and troops to a possibility of being disabled and diminished; and the same possibility militated as strongly against an attempt upon Guadaloupe, as it could possibly discourage the attack of St. Pierre. Besides, Martinique was an object of greater importance than Guadaloupe; as being the principal place possessed by the French in those seas, and that to which the operations of the armament were expressly limited by the instructions received from the ministry. St. Pierre was a place of considerable commerce; and at that very juncture about forty sail of merchant ships lay at anchor in the bay. The town was defended by a citadel regularly fortified, but at that time poorly garrisoned, and so situated as to be accessible to the fire of the whole squadron; for the shore was bold, and the water sufficient to float any ship of the line. Before the resolution of proceeding to Guadaloupe was taken, the commodore had ordered the bay to be sounded; and directed the Rippon to advance, and silence a battery situated a mile and a half to the northward of St. Pierre. Accordingly, Captain Jekyll, who commanded that ship, stood in, and anchoring close to the shore, attacked it with such impetuosity, that in a few minutes it was abandoned. At the same time the Rippon was exposed to the fire of three other batteries, from which she received considerable damage both in her hull and rigging; and was in great danger of running aground, when orders were given to tow her out of danger.

§ IV. The whole armament having abandoned the design on Martinique, directed their course to Guadaloupe, another of the Caribbee islands, lying at the distance of thirty leagues to the westward, about fifteen leagues in length, and twelve in breadth; divided into two parts by a small channel, which the inhabitants cross in a ferry-boat. The western division is known by the name of Basseterre; and here the metropolis stands, defended by the citadel and other fortifications. The eastern part, called Grandterre, is destitute of fresh water, which abounds in the other division; and is defended by Fort-Louis, with a redoubt, which commands the road in the district of Gosier. The gut, or canal, that separates the two parts, is distinguished by the appellation of the Salt-River, having a road or bay at each end; namely, the great Cul-de-sac, and the small Cul-de-sac. Guadaloupe is encumbered with high mountains and precipices, to which the inhabitants used to convey their valuable effects in time of danger: but here are also beautiful plains watered by brooks and rivers, which fertilize the soil, enabling it to produce a great quantity of sugar, cotton, indigo, tobacco, and cassia; besides plenty of rice, potatoes, all kinds of pulse, and fruit peculiar to the island. The country is populous and flourishing, and the government comprehends two smaller islands, called All Saints, and Desada, which appear at a small distance from the coast, on the eastern side of the island. The British squadron having arrived at Basseterre, it was resolved to make a general attack by sea upon the citadel, the town and other batteries by which

<sup>a</sup> The commodore offered to land the cannon on the other side of Point Negro, at a place equally near the road from the English army at Port-Royal; and even caused them to be drawn up by the seamen, without giving the troops the least trouble. But this offer was not accepted. General Hopson afterwards declared, that he did not understand Mr. Moore's message in the sense which it was meant to imply.

<sup>b</sup> The commodore did not attend at this council: it was convoked to deliberate upon the opinion of the chief engineer, who thought they should

make another landing on the southward of the carenage. In this case, the pilots declared it would be extremely difficult, if not impracticable, for the fleet to keep up a communication with the army.

<sup>c</sup> Only as being the seat of government. For Guadaloupe makes a much greater quantity of sugar, and equipped a much greater number of privateers, with the assistance of the Dutch of St. Eustatia, situated in its neighbourhood.



it was defended. A disposition being made for this purpose, the large ships took their respective stations next morning, which was the twenty-third day of January. At nine, the *Lion*, commanded by Captain Trelawney, began the engagement against a battery of nine guns; and the rest of the fleet continued to place themselves abreast of the other batteries and the citadel, which mounted forty-six cannon, besides two mortars. The action in a little time became general, and was maintained on both sides for several hours with great vivacity; while the commodore, who had shifted his pendant into the *Woolwich* frigate, kept aloof without gun-shot, that he might be the more disengaged to view the state of the battle,<sup>d</sup> and give his orders with the greater deliberation. This expedient of an admiral's removing his flag and retiring from the action while his own ship is engaged, however consonant to reason, we do not remember to have seen practised upon any occasion, except in one instance, at Carthage, where Sir Chaloner Ogle quitted his own ship, when she was ordered to stand in, and cannonade the fort of Boca-Chica. In this present attack, all the sea commanders behaved with extraordinary spirit and resolution, particularly the Captains Leslie, Burnet, Gayton, Jekyll, Trelawney, and Shuldham; who, in the hottest tumult of the action, distinguished themselves equally by their courage, impetuosity, and deliberation. About five in the afternoon the fire of the citadel slackened. The *Burford* and *Berwick* were driven out to sea; so that Captain Shuldham, in the *Panther*, was unsustainable; and two batteries played upon the *Rippon*, Captain Jekyll, who by two in the afternoon silenced the guns of one, called the *Morne-rouge*; but at the same time could not prevent his ship from running aground. The enemy perceiving her disaster, assembled in great numbers on the hill, and lined the trenches, from whence they poured in a severe fire of musketry. The militia afterwards brought up a cannon of eighteen pound ball, and for two hours raked her fore and aft with considerable effect: nevertheless, Captain Jekyll returned the fire with equal courage and perseverance, though his people dropped on every side, until all his grape-shot and wadding were expended, and all his rigging cut to pieces; to crown his misfortune, a box, containing nine hundred cartridges, blew up on the poop, and set the ship on fire; which, however, was soon extinguished. In the meantime, the captain threw out a signal of distress; to which no regard was paid, till Captain Leslie, of the *Bristol*, coming from sea, and observing his situation, ran in between the *Rippon* and the battery; and engaged with such impetuosity, as made an immediate diversion in favour of Captain Jekyll, whose ship remained aground, notwithstanding all the assistance that could be given, till midnight, when she floated, and escaped from the very jaws of destruction. At seven in the evening, all the other large ships, having silenced the guns to which they had been respectively opposed, joined the rest of the fleet. The four bombs being anchored near the shore, began to ply the town with shells and carcasses; so that in a little time the houses were in flames, the magazines of gunpowder blew up with the most terrible explosion; and about ten o'clock the whole place blazed out in one general conflagration. Next day at two in the afternoon, the fleet came to an anchor in the road of Bassetterre, where they found the hulls of divers ships which the enemy had set on fire at their approach: several ships turned out and endeavoured to escape, but were intercepted and taken by the English squadron. At five, the troops landed without opposition, and took possession of the town and citadel,

which they found entirely abandoned. They learned from a Genoese deserter, that the regular troops of the island consisted of five companies only, the number of the whole not exceeding one hundred men; and that they had laid a train to blow up the powder magazine in the citadel: but had been obliged to retreat with such precipitation, as did not permit them to execute this design. The train was immediately cut off, and the magazine secured. The nails with which they had spiked up their cannon were drilled out by the matrosses; and in the meantime the British colours were hoisted on the parapet. Part of the troops took possession of an advantageous post on an eminence, and part entered the town, which still continued burning with great violence. In the morning, at day-break, the enemy appeared, to the number of two thousand, about four miles from the town, as if they intended to throw up intrenchments in the neighbourhood of a house where the governor had fixed his head-quarters, declaring he would maintain his ground to the last extremity. To this resolution, indeed, he was encouraged by the nature of the ground, and the neighbourhood of a pass called the *Dos d'Ane*, a cleft through a mountainous ridge, opening a communication with Capesterre, a more level and beautiful part of the island. The ascent from Bassetterre to this pass was so steep, and the way so broken and interrupted by rocks and gullies, that there was no prospect of attacking it with success, except at the first landing, when the inhabitants were under the dominion of a panic. They very soon recovered their spirits and recollection, assembled and fortified themselves among the hills, armed and arrayed their negroes, and affected to hold the invaders at defiance. A flag of truce being sent, with offers of terms to their governor, the Chevalier d'Etrel, he rejected them in a letter, with which his subsequent conduct but ill agreed.<sup>f</sup> Indeed, from the beginning, his deportment had been such as gave a very unfavourable impression of his character. When the British squadron advanced to the attack, instead of visiting in person the citadel and batteries, in order to encourage and animate his people by his exhortation and example, he retired out of the reach of danger to a distant plantation, where he remained a tame spectator of the destruction in which his principal town and citadel were involved. Next morning, when he ought to have exerted himself in preventing the disembarkation of the English troops, who had a difficult shore and violent surf to surmount, and when he might have defended the intrenchments and lines which had been made to oppose their landing, he abandoned all these advantages, and took shelter among the mountains that were deemed inaccessible.

§ V. But howsoever deficient the governor might have been in the article of courage, certain it is the inhabitants behaved with great spirit and activity in defence of their country. They continually harassed the scouring detachments, by firing upon them from woods and sugar plantations, which last the English burned about their ears in resentment. Their armed negroes were very expert in this kind of bush fighting. The natives or militia appeared in considerable parties, and even encountered detached bodies of the British army. A lady of masculine courage, whose name was Ducharmy, having armed her slaves, they made several bold attempts upon an advanced post, occupied by Major Melville, and threw up intrenchments upon a hill opposite to the station of this officer, who had all along signalized himself by his uncommon intrepidity, vigilance, and conduct. At length the works of this virago were stormed by a regular detachment, which, after an obstinate and dangerous conflict, entered the intrenchment

the justice to believe they could not be received. You have strength sufficient to subdue the exteriors of the island; but with respect to the interiors, the match between us is equal. As to the consequences that may attend my refusal, I am persuaded they will be no other than such as are prescribed by the laws of war. Should we be disappointed in this particular, we have a master powerful enough to revenge any injury we may sustain. I am with respect,

"Gentlemen.

"Your most obedient servant,

"NADAU D'ETREL."

It is pretty remarkable, that the apprehension of cruel usage from the English, who are undoubtedly the most generous and humane enemies under the sun, not only prevailed among the common French soldiery throughout this whole war, but even infected officers of distinction, who ought to have been exempted from these prejudices, by a better acquaintance with life, and more liberal turn of thinking.

<sup>d</sup> He shifted his broad pendant on board the *Woolwich*, as well to direct and keep the transports together in a proper posture for the landing of the troops, as to cover the disembarkation: and also to consult proper measures with the general, who saw the necessity of Mr. Moore's being with him; and requested that he, with the other general officers and engineers, might be admitted on board the *Woolwich*, in order to consult, and take the earliest opportunity of landing the troops, as the service necessarily required.

<sup>e</sup> In all probability it was not perceived by the commodore.

<sup>f</sup> The letter was to this effect:

"To their Excellencies Messrs. Hopson and Moore, General Officers of his Britannic Majesty, at Bassetterre.

"Gentlemen,

"I have received the letter which your excellencies have done me the honour to write of the twenty-fifth. You make me proposals which could arise from nothing but the facility with which you have got possession of the little town and citadel of Bassetterre; for otherwise you ought to have done

sword in hand, and burned the houses and plantations. Some of the enemy were killed, and a great number taken. Of the English detachment twelve soldiers were slain, and thirty wounded, including three subaltern officers, one of whom lost his arm. The greatest body of the enemy always appeared at the governor's head-quarters, where they had raised a redoubt, and thrown up intrenchments. From these a considerable detachment advanced on the 6th day of February, in the morning, towards the citadel, and fell in with an English party, whom they engaged with great vivacity; but, after a short though warm dispute, they were obliged to retire with some loss. Without all doubt, the inhabitants of Guadaloupe pursued the most sensible plan that could possibly have been projected for their own safety. Instead of hazarding a general engagement against regular troops, in which they could have no prospect of success, they resolved to weary them out, by maintaining a kind of petty war in separate parties, to alarm and harass the English with hard duty in a sultry climate, where they were but indifferently supplied with provision and refreshment. Nor were their hopes in this particular disappointed. Both the army and the navy were invaded with fevers, and other diseases, epidemical in those hot countries: and the regimental hospitals were so crowded, that it was judged convenient to send five hundred sick men to the island of Antigua, where they might be properly attended.

§ VI. In the meantime, the reduction of the islanders on the side of Guadaloupe appearing more and more impracticable, the general resolved to transfer the seat of war to the eastern and more fertile part of the island, called Grandeterre, which, as we have already observed, was defended by a strong battery, called Fort-Louis. In pursuance of this determination, the great ships were sent round to Grandeterre, in order to reduce this fortification, which they accordingly attacked on the thirteenth day of February. After a severe cannonading, which lasted six hours, a body of marines being landed with the highlanders,<sup>a</sup> they drove the enemy from their intrenchments sword in hand; and, taking possession of the fort, hoisted the English colours. In a few days after this exploit, General Hopson dying at Basseterre, the chief command devolved on General Barrington, who resolved to prosecute the final reduction of the island with vigour and despatch. As one step towards this conquest, the commodore ordered two ships of war to cruise off the island of St. Eustatia, and prevent the Dutch traders from assisting the natives of Guadaloupe, whom they had hitherto constantly supplied with provisions, since they retired to the mountains. General Barrington, on the very first day of his command, ordered the troops who were encamped to strike their tents and huts, that the enemy might imagine he intended to remain in this quarter; but in a few days the batteries in and about Basseterre were blown up and destroyed, the detachments recalled from the advanced posts, and the whole army re-embarked except one regiment, with a detachment of artillery, left in garrison at the citadel, the command of which was bestowed on Colonel Debrisay, an accomplished officer of great experience. The enemy no sooner perceived the coast clear than they descended from the hills, and endeavoured to take possession of the town, from which however they were driven by the fire of the citadel. They afterwards erected a battery, from whence they annoyed this fortification both with shot and shells, and even threatened a regular attack; but as often as they approached the place, they were repulsed by sallies from the castle.<sup>b</sup> In the midst of those hostilities, the gallant Debrisay, together with Major Trollop, one lieutenant, two bombardiers, and several common soldiers, were blown up, and perished, by the explosion of a powder magazine at the flanked angle of the south-east bastion.

The confusion necessarily produced by such an unfortunate accident, encouraged the enemy to come pouring down from the hills, in order to make their advantage of the disaster; but they were soon repulsed by the fire of the garrison. The general, being made acquainted with the fate of Colonel Debrisay, conferred the government of the fort upon Major Melville, and sent thither the chief engineer to repair and improve the fortifications.

§ VII. In the meantime, Commodore Moore having received certain intelligence that Mons. de Bompard had arrived at Martinique, with a squadron consisting of eight sail of the line and three frigates, having on board a whole battalion of Swiss, and some other troops, to reinforce the garrisons of the island, he called in his cruisers, and sailed immediately to the bay of Dominique, an island to windward, at the distance of nine leagues from Guadaloupe, whence he could always sail to oppose any design which the French commander might form against the operations of the British armaments. For what reason Mr. Moore did not sail immediately to the bay of Port Royal in Martinique, where he knew the French squadron lay at anchor, we shall not pretend to determine. Had he taken that step, M. Bompard must either have given him battle, or retired into the carenage, behind the citadel; in which last case, the English commander might have anchored between Pigeon-island and Fort Negro, and thus blocked him up effectually. By retiring to Dominique, he left the sea open to French privateers, who roved along the coasts of these islands, and in a very little time carried into Martinique above fourscore merchant ships belonging to the subjects of Great Britain. These continual depredations committed under the nose of the English commodore, irritated the planters of the English islands, some of whom are said to have circulated unfavourable reports of that gentleman's character.<sup>c</sup>

§ VIII. General Barrington being left with no more than one ship of forty guns for the protection of the transports, formed a plan of prosecuting the war in Guadaloupe by detachments, and the success fully answered his expectation. He determined to make a descent on the division of the island called Grandeterre, and for that purpose allotted six hundred men: who, under the command of Colonel Cramp, landed between the towns of St. Ann and St. François: and destroyed some batteries of the enemy, from whom he sustained very little opposition. While he was thus employed, a detachment of three hundred men attacked the town of Gosier, which notwithstanding a severe fire, they took by storm, drove the garrison into the woods, set fire to the place, and demolished the battery and intrenchment raised for its defence. This service being happily performed, the detachment was ordered to force their way to Fort-Louis, while the garrison of that castle was directed to make two sallies, in order to favour their irruption. They accordingly penetrated, with some loss sustained in forcing a strong pass, and took possession of a battery which the enemy had raised against the English camp, in the neighbourhood of Fort-Louis. The general, having hitherto succeeded in his designs, formed the scheme of surprising at one time the three towns of Petit-bourg, Gonoyave, and St. Mary, situated on the Basseterre side of the little Cul-de-Sac, and committed the execution of it to the Colonels Cramp and Clavering: but the night appointed for the service proved exceedingly dark and tempestuous; and the negro conductors were so frightened, that they ran several of the flat-bottomed boats on the shoals that skirt this part of the island. Colonel Clavering landed with about eighty men; but found himself so entangled with mangrove trees, and the mud so impassably deep, that he was obliged to re-embark, though not before the enemy had discovered his design. This project having miscarried, the general de-

the English Leeward Islands, which being in a defenceless condition, their inhabitants were constantly soliciting the commodore's protection; and here he supported the army, the commander of which was unwilling that he should remove to a greater distance. Had he sailed to Port Royal, he would have found the enemy's squadron so disposed, that he could not have attacked them, unless M. de Bompard had been inclined to hazard an action. Had he anchored in the bay, all his cruisers must have been employed in conveying provision and stores to the squadron. There he could not have procured either fresh provisions or water; nor could he have had any communication with, or intelligence from, the army in the Leeward Islands, in less than eight or ten days.

<sup>a</sup> A reinforcement of two or three hundred highlanders had joined the fleet immediately before the troops landed on Guadaloupe.

<sup>b</sup> The battery, which they had raised was attacked at noon, taken, and destroyed by Captain Blemer, of the sixty-first regiment.

<sup>c</sup> The reasons assigned by the commodore for his conduct in this particular, are these:—The bay of Dominique was the only place in which he could rendezvous and unite his squadron. Here he refreshed his men, who were grown sickly in consequence of subsisting on salt provisions. There he supplied his ships with plenty of fresh water. Here he had intercourse once or twice every day with General Barrington, by means of small vessels which passed and repassed from one island to the other. By remaining in this situation, he likewise maintained a communication with

tached the same commanders, whose gallantry and conduct cannot be sufficiently applauded, with a detachment of fifteen hundred men, including one hundred and fifty volunteers from Antigua, to land in a bay not far from the town of Arnonville, at the bottom of the little Cul-de-Sac, under the protection of his majesty's ship *Woolwich*. The enemy made no opposition to their landing; but retreated, as the English advanced, to a strong intrenchment thrown up behind the river Licorne, a post of the utmost importance, as it covered the whole country as far as the bay of Mahaut, where provisions and supplies of all sorts were landed from St. Eustatia. The river was rendered inaccessible by a morass covered with mangroves, except at two narrow passes, which they had fortified with a redoubt and intrenchments well palisaded, mounted with cannon, and defended by a numerous militia: besides, the narrow roads, through which only they could be attacked, were intersected with deep and wide ditches. Notwithstanding these disadvantages, the English commanders determined to hazard an assault. While four field-pieces and two howitzers maintained a constant fire upon the top of the intrenchments, the regiment of Duroure and the highlanders advanced under this cover, firing by platoons with the utmost regularity. The enemy, intimidated by their cool and resolute behaviour, began to abandon the first intrenchment on the left. Then the highlanders, drawing their swords, and sustained by part of the regiment, threw themselves in with their usual impetuosity, and followed the fugitives pell-mell into the redoubt, of which they took possession: but they still maintained their ground within the intrenchments on the right, from whence they annoyed the assailants both with musketry and cannon. In half an hour, an occasional bridge being made, the English troops passed the river, in order to attack this post, which the enemy abandoned with precipitation: notwithstanding all their haste, however, about seventy were taken prisoners, and among those some of the most considerable inhabitants of the island. This advantage cost the English two officers and thirteen men killed, and above fifty wounded.

§ IX. The roads being mended for the passage of the artillery, the troops advanced towards Petitbourg, harassed in their march by flying bodies of the enemy, and arrived late at night on the banks of the river Lizarde, the only fords of which the French had fortified with strong intrenchments, protected by a battery of four cannon, erected on a rising ground in their rear. Colonel Clavering, while he amused them all night at this place by a constant fire into their lines, transported in two canoes, which he launched about a mile and a half further down the river, a sufficient number of troops by day-break, to attack them on the other side in flank, while he advanced in front at the head of his little army; but they did not think proper to sustain the assault. On the contrary, they no sooner perceived his intention, than they forsook the post, and fled without order. Colonel Clavering, having passed the river, pursued them to Petitbourg, which they had also fortified; and here he found Captain Uvedale, of the Grenada bomb-ketch, throwing shells into the redoubt. He forthwith sent detachments to occupy the neighbouring heights; a circumstance which the enemy no sooner observed, than they deserted the place, and retired with great expedition. On the fifteenth day of April, Captain Steel destroyed a battery at Gonoyave, a strong post, which, though it might have been defended against an army, the French abandoned at his approach, after having made a hasty discharge of their artillery. At the same time Colonel Crump was detached with seven hundred men to the bay of Mahaut, where he burned the town and batteries, which he found abandoned, together with a vast quantity of provisions, which had been brought from the island of St. Eustatia. Colonel Clavering, having left a small garrison at Petitbourg, began his march on the twentieth day of the month towards St. Mary's, where he understood the enemy had collected their whole force, thrown up intrenchments, and raised barricadoes: but they had left their rear unguarded. The English commander immediately detached Colonel Barlow, with a body of troops, to attack them from that quarter, while he himself advanced against the front of their intrenchment.

They stood but one cannon-shot, and then fled to their lines and batteries at St. Mary's, the flanks of which were covered with woods and precipices. When they perceived the English troops endeavouring to surmount these difficulties, and turn their lines, they quitted them, in order to oppose the design; and were immediately attacked with such vivacity, in the face of a severe fire of musketry and cannon, that they abandoned their ground, and fled in the utmost confusion, leaving the field and all their artillery to the victors, who took up their quarters for that night at St. Mary's. Next day they entered the charming country of Capesterre, where eight hundred and seventy negroes belonging to one planter surrendered at discretion. Here Colonel Clavering was met by Messieurs de Clairvilliers and Duqueruy, deputed by the principal inhabitants of the island to know what capitulation would be granted. These he conducted to Petitbourg, where they were presented to General Barrington; who, considering the absence of the fleet, the small number of his forces, daily diminishing, the difficulty of the country, and the possibility of the enemy's being reinforced from Martinique, wisely took the advantage of the present panic, and settled terms of capitulation without delay. The sanity of this resolution soon appeared. The inhabitants had just signed the agreement, when a messenger arrived in their camp, with information that M. de Beauharnois, the general of the French islands, had landed at St. Anne's, to the windward, with a reinforcement from Martinique, consisting of six hundred regulars from Europe, about fifteen hundred volunteers, besides a great number of the militia, drafted from the companies of Martinique, with a great supply of arms and ammunition, mortars and artillery, under convoy of the squadron commanded by M. de Bompert; who no sooner learned that the capitulation was signed, than he re-embarked the troops and stores with all possible expedition, and returned to Martinique. Thus we see the conquest of this important island, which is said to produce a greater quantity of sugar than is made in any of the English plantations, was as much owing to accident as to the valour of the troops and the conduct of the general: for, had the reinforcement arrived an hour sooner than it actually landed, in all probability the English would have found it impracticable to finish the reduction of Guadeloupe. Be that as it may, the natives certainly deserved great commendation, not only for persevering so gallantly in defence of their country, but also for their fortitude in bearing every species of distress. They now quitted the *Dos d'Ane*, and all their other posts, and returned to their respective habitations. The town of Basseterre, being reduced to a heap of ashes, the inhabitants began to clear away the rubbish, and erect occasional sheds, where they resumed their several occupations with that good humour so peculiar to the French nation; and General Barrington humanely indulged them with all the assistance in his power.

§ X. The small islands of Deseada, Los Santos, and Petiteerre, were comprised in the capitulation of Guadeloupe. The inhabitants of Marigalante, which lies about three leagues to the south-east of Grandeterre, extending twenty miles in length, fifteen in breadth, flat and fertile, but poorly watered and ill-fortified, having refused to submit when summoned by the squadron to surrender, General Barrington resolved to reduce them by force. He embarked a body of troops on board of transports, which sailed thither under convoy of three ships of war and two bomb vessels from Prince Rupert's bay, and at their appearance the islanders submitting, received an English garrison. Before this period, Commodore Moore having received intelligence that M. de Bompert had sailed from Martinique, with design to land a reinforcement on Guadeloupe, and that his squadron was seen seven leagues to windward of Marigalante, he sailed from Prince Rupert's bay, and turned to windward. After having been beating about for five days to very little purpose, he received notice from one of his cruisers, that the French admiral had returned to Martinique; upon which information he retired quietly to his former station in the bay of Dominick, the people of which were so insolent as to affirm, in derision, that the English squa-



dron sailed on one side of the island, and the French upon the other, that they might be sure of not meeting; but this, without doubt, was an impudent calumny.<sup>k</sup>

§ XI. General Barrington, having happily finished the conquest of Guadaloupe, gave notice to the commodore, that he intended to send back part of the troops, with the transports, to England, about the beginning of July. In consequence of this intimation, Mr. Moore sailed with his squadron to Basseterre road, where he was next day joined by two ships of the line from England, which rendered him greatly superior in strength to the commander of the French squadron, who had retired to the island of Grenada, lying about eight leagues from Guadaloupe. Here he was discovered by the ship Rippon, whose captain returned immediately to Basseterre, to make the commodore acquainted with this circumstance: but, before he could weigh anchor, a frigate arrived, with information that Bompart had quitted Grenada, and was supposed to have directed his course to Hispaniola. The commodore immediately despatched the Ludlow-castle with the intelligence to Admiral Coats, who commanded the squadron at Jamaica. General Barrington having made a tour of the island, in order to visit and repair such fortifications as he thought necessary to be maintained, and the affairs relating to the inhabitants being entirely settled, he sent the highlanders, with a body of drafts, to North America, under convoy: he garrisoned the principal strengths of the island, and left the chief command to Colonel Crump, who had for some time acted as brigadier-general; Colonel Clavering having been sent home to England with the account of the capitulation. Colonel Melville, who had signalized himself in a remarkable manner ever since their first landing, continued governor of the citadel at Basseterre; and the command at Grandterre was conferred on Colonel Delgarno. Three complete regiments were allotted as a sufficient guard for the whole island, and the other three were embarked for England. General Barrington himself went on board the Roebuck in the latter end of June, and took his departure for England. About a month after, the transports, under convoy of Captain Hughes, with a small squadron, set sail for Great Britain; while Commodore Moore, with his large fleet, directed his course to Antigua.

§ XII. While this armament had been employed in the conquest of Guadaloupe, North America exhibited still more sanguinary scenes of war and devastation; which, in order properly to introduce, it will be necessary to explain the steps that were taken on this continent, previous to this campaign. In October of the preceding year, a grand assembly was held at Easton, about ninety miles from Philadelphia; and there peace was established, by a formal treaty, between Great Britain and the several nations of Indians inhabiting the country between the Apalachian mountains and the lakes. The Twightwees, however, settled between the river Ohio and the lakes, did not assist at this treaty, though some steps had been taken towards an alliance with that people. The conferences were managed by the governors of Pennsylvania and New Jersey, accompanied by Sir William Johnston's deputy for Indian affairs, four members of the council of Pennsylvania, six members of the assembly, two agents for the province of New Jersey, a great number of planters and citizens of Philadelphia, chiefly quakers. They were met by the deputies and chiefs of the Mohawks, Oneidoes, Onondagoes, Cayugas, Senecas, Tuscaroras, Nanticokes, and Conoys, the Tuteloes, Chugnuoes, Delawares, and Unamies, the Minisinks, Mohicans, and Wappingers; the whole number, including their women and children, amounting to five hundred. Some of the Six Nations, thinking themselves aggrieved by the British colonists, who had imprisoned certain individuals of their nation, and had killed a few, and treated others with contempt, did not fail to express their resentment, which had been artfully fomented by the French emissaries, even into an open rupture. The Delawares and Minisinks, in particular, complained that the English had encroached upon their lands, and on that

account were provoked to hostilities; but their chief, Teedyuscung, had made overtures of peace; and in the character of ambassador from all the ten nations had been very instrumental in forming this assembly. The chiefs of the Six Nations, though very well disposed to peace, took umbrage at the importance assumed by one of the Delawares, over whom, as their descendants, they exercise a kind of parental authority; and on this occasion they made no scruple to disclose their dissatisfaction. The business, therefore, of the English governors at this congress, was to ascertain the limits of the lands in dispute, reconcile the Six Nations with their nephews the Delawares, remove every cause of misunderstanding between the English and the Indians, detach these savages entirely from the French interest, establish a firm peace, and induce them to exert their influence in persuading the Twightwees to accede to this treaty. Those Indians, though possessed of few ideas, circumscribed in their mental faculties, stupid, brutal, and ferocious, conduct themselves, nevertheless, in matters of importance to the community, by the general maxims of reason and justice; and their treaties are always founded upon good sense, conveyed in a very ridiculous manner. Their language is guttural, harsh, and polysyllabic; and their speech consists of hyperbolic metaphors and similes, which invest it with an air of dignity, and heighten the expression. They manage their conferences by means of wampum, a kind of bead, formed of a hard shell, either in single strings, or sewed in broad belts of different dimensions, according to the importance of the subject. Every proposition is offered, every answer made, every promise corroborated, every declaration attested, and every treaty confirmed, by producing and interchanging these belts of wampum. The conferences were continued from the eighth to the twenty-sixth day of October, when every article was settled to the mutual satisfaction of all parties. The Indian deputies were gratified with a valuable present, consisting of looking-glasses, knives, tobacco-boxes, sleeve-buttons, thimbles, shears, gun-locks, ivory combs, shirts, shoes, stockings, hats, caps, handkerchiefs, thread, cloths, blankets, gartering, serges, watch-coats, and a few suits of laced clothes for their chieftains. To crown their happiness, the stores of rum were opened: they drank themselves into a state of brutal intoxication, and next day returned in peace to their respective places of habitation.

§ XIII. This treaty with the Indians, who had been debauched from the interest of Great Britain, auspiciously paved the way for those operations, which had been projected against the French settlements in Canada. Instead of employing the whole strength of the British arms in North America against one object, the ministry proposed to divide the forces, and make impressions on three different parts at once, that the enemy might be divided, distracted, and weakened, and the conquest of Canada completed in one campaign. That the success might be the more certain, the different expeditions were planned in such a manner as to co-operate with each other, and even join occasionally; so practicable was it thought for them to maintain such a correspondence as would admit of a junction of this nature. The project of this campaign imported, that General Wolfe, who had distinguished himself so eminently in the siege of Louisbourg, should proceed up the river St. Lawrence, as soon as the navigation should be clear of ice, with a body of eight thousand men, and a considerable squadron of ships from England, to undertake the siege of Quebec, the capital of Canada: that General Amherst, who commanded in chief, should, with another army of regular troops, and provincials, amounting to twelve thousand men, reduce Ticonderoga and Crown-Point, cross the lake Champlain, and, proceeding along the river Richelieu to the banks of the river St. Lawrence, join General Wolfe in the siege of Quebec; that Brigadier-General Prideaux, with a third body, reinforced with a considerable number of friendly Indians, assembled by the influence and under the command of Sir William Johnston, should invest the French fort erected by the fall or cataract

<sup>k</sup> The commodore declared that he carried a press-sail night and day, in order to come up with the French squadron, and took every step that could be taken to that purpose. He says, it had pursued any other course, the French commander might have run into St. Kitt's, and destroyed or taken a great number of merchant-ships, which were then loading with sugar for England.

He says he tried every stratagem he could contrive for bringing Mr. de Pompart to action. He even sent away part of his squadron out of sight of the inhabitants of Dominique, that they might represent to their friends at Martinique his force much inferior to what it really was; but this expedient had no effect upon Mr. de Pompart, who made the best of his way to Cape François, on the island of Hispaniola.

of Niagara, which was certainly the most important post of all French America, as it in a manner commanded all the interior parts of that vast continent. It overawed the whole country of the Six Nations, who were cajoled into a tame acquiescence in its being built on their territory: it secured all the inland trade, the navigation of the great lakes, the communication between Canada and Louisiana, and opened a passage for inroads into the colonies of Great Britain. It was proposed that the British forces, having reduced Niagara, should be embarked on the lake Ontario, fall down the river St. Lawrence, besiege and take Montreal, and then join or co-operate with Amherst's army. Besides these larger armaments, Colonel Stanwix commanded a smaller detachment for reducing smaller forts, and scouring the banks of the lake Ontario. How far this project was founded on reason and military knowledge, may be judged by the following particulars, of which the projectors were not ignorant. The navigation of the river St. Lawrence is dangerous and uncertain. The city of Quebec was remarkably strong from situation and fortification, from the bravery of the inhabitants, and the number of the garrison. Monsieur de Montcalm, an officer of great courage and activity, kept the field between Montreal and Quebec, with a body of eight or ten thousand men, consisting of regular troops and disciplined militia, reinforced by a considerable number of armed Indians: and another body of reserve hovered in the neighbourhood of Montreal, which was the residence of Monsieur de Vaudreuil, governor-general of Canada. The garrison of Niagara consisted of above six hundred men; the march to it was tedious and embarrassed; and Monsieur de Levi scoured the country with a flying detachment, well acquainted with all the woods and passes. With respect to General Amherst's share of the plan, the forts of Ticonderoga and Crown-Point stood in his way. The enemy were masters of the lake Champlain, and possessed the strong fort of Chambly, by the fall of the river Richelieu, which defended the pass to the river St. Lawrence. Having these obstacles been removed, it was hardly possible that he and Mr. Wolfe should arrive at Quebec in the same instant of time. The first that reached it, far from being in a condition to undertake the siege of Quebec, would have run the risk of being engaged and defeated by the covering army; in which case, the other body must have been exposed to the imminent hazard of destruction in the midst of an enemy's country, far distant from any place of safety to which it could retreat. Had these disasters happened, (and, according to the experience of war, they were the natural consequences of the scheme,) the troops at Niagara would, in all probability, have fallen an easy sacrifice, unless they had been so fortunate as to receive intelligence time enough to accomplish their retreat before they could be intercepted. The design would, we apprehend, have been more justifiable, or at least not so liable to objection, had Mr. Amherst left two or three regiments to protect the frontiers of New York, and, joining Mr. Wolfe with the rest, sailed up the river St. Lawrence to besiege Quebec. Even in that case the whole number of his troops would not have been sufficient, according to the practice of war, to invest the place, and cope with the covering enemy. Nevertheless, had the enterprise succeeded, Montcalm must either have hazarded an engagement against great odds, or retired further into the country: then the route would have been open by land and water to Montreal, which could have made little resistance. The two principal towns being taken, and the navigation of the river St. Lawrence blocked up, all the dependent forts must have surrendered at discretion, except Niagara, which there was a bare possibility of supplying, at an incredible trouble and expense, from the distant Mississippi; but, even then, it might have been besieged in form, and easily reduced. Whatever defects there might have been in the plan, the execution, though it miscarried in some essential points, was attended with surprising success. The same good fortune that prospered the British arms so remarkably in the conquest of Guadaloupe, seemed to interpose still more astonishingly in their favour at Quebec, the siege of which we shall record in its proper place. At present, we must attend the operations of General Amherst, whose separate army was first in motion,

though such impediments were thrown in his way as greatly retarded the progress of his operations; impediments said to have arisen from the pride, insolence, and obstinacy of certain individuals, who possessed great influence in that part of the world, and employed it all to thwart the service of their country.

§ XIV. The summer was already far advanced before General Amherst could pass Lake George with his forces, although they met with no opposition, and reach the neighbourhood of Ticonderoga, where, in the preceding year, the British troops had sustained such a terrible disaster. At first the enemy seemed determined to defend this fortress: but perceiving the English commander resolute, cautious, and well prepared for undertaking the siege; having, moreover, orders to retreat from place to place, towards the centre of operations at Quebec, rather than run the least risk of being made prisoners of war, they, in the night of July the twenty-seventh, abandoned the post, after having in some measure dismantled the fortifications: and retired to Crown-Point, a fort situated on the verge of Lake Champlain. General Amherst having taken possession of this important post, which effectually covered the frontiers of New York, and secured to himself a safe retreat in case of necessity, ordered the works to be repaired, and allotted a strong garrison for its defence. This acquisition, however, was not made without the loss of a brave accomplished young officer, Colonel Roger Townshend, who, in reconnoitring the fort, was killed with a cannon shot, and fell near the same spot which in the former year had been enriched with the blood of the gallant Lord Howe, whom he strongly resembled in the circumstances of birth, age, qualifications, and character.

§ XV. While the general superintended the repairs of Ticonderoga, and the men were employed in preparing batteaux and other vessels, his scouting parties hovered in the neighbourhood of Crown-Point, in order to watch the motions of the enemy. From one of these detachments he received intelligence, on the first day of August, that the enemy had retired from Crown-Point. He immediately detached a body of rangers before him to take possession of the place: then he embarked with the rest of the army; and on the fourth day of the month landed at the fort, where the troops were immediately encamped. His next care was to lay the foundation of a new fort, to be maintained for the further security of the British dominions in that part of the country; and particularly for preventing the inroads of scalping parties, by whom the plantations had been dreadfully infested. Here information was received that the enemy had retired to the Isle aux Noix, at the other end of the lake Champlain, five leagues on the hither side of St. John's; that their force encamped in that place, under the command of M. de Burelmaque, consisted of three battalions and five piquets of regular troops, with Canadians and marines, amounting in the whole to three thousand five hundred effective men, provided with a numerous artillery; and that the lake was occupied by four large vessels, mounted with cannon, and manned with piquets of different regiments under the command and direction of M. Le Bras, a captain in the French navy, assisted by M. De Rigal, and other sea officers. In consequence of this intimation, General Amherst, who had for some time employed Captain Loring to superintend the building of vessels at Ticonderoga, being resolved to have the superiority on the lake, directed the captain to build with all possible expedition a sloop of sixteen guns and a radeau eighty-four feet in length, capable of carrying six large cannon. These, together with a brigantine, being finished, victualled, and manned by the eleventh day of October, the general embarked with the whole of the troops in batteaux, in order to attack the enemy; but next day, the weather growing tempestuous, was obliged to take shelter in a bay on the western shore, where the men were landed for refreshment. In the meantime, Captain Loring, with his small squadron, sailing down the lake, gave chase to a French schooner, and drove three of their ships into a bay, where two of them were sunk, and the third run aground by their own crew, who escaped: one, however, was repaired and brought away by Captain Loring, so that now the French had but one schooner remaining. General Amherst, after having

been some days wind-bound, re-embarked his forces, and proceeded down the lake; but the storm, which had abated, beginning to blow with redoubled fury, so as to swell the waves mountain high, the season for action being elapsed, and winter setting in with the most rigorous severity, he saw the impossibility of accomplishing his design, and was obliged to desist. Returning to the same bay where he had been sheltered, he landed the troops, and began his march for Crown-Point, where he arrived on the twenty-first day of October. Having secured a superiority on the lake, he now employed all his attention in rearing the new fortress at Crown-Point, together with three small out-works for its better defence; in opening roads of communication with Ticonderoga, and the governments of Massachusetts and New Hampshire; and in making dispositions for the winter-quarters of his troops, so as to protect the country from the inroads of the enemy.

§ XVI. During this whole summer he received not the least intelligence of Mr. Wolfe's operations, except a few hints in some letters relating to the exchange of prisoners, that came from the French general, Montcalm, who gave him to understand that Mr. Wolfe had landed in the neighbourhood of Quebec, and seemed determined to undertake the siege of that city; that he had honoured him (the French general) with several notes, sometimes couched in a soothing strain, sometimes filled with threats; that the French army intended to give him battle, and a few days would determine the fate of Quebec. Though Mr. Amherst was ignorant of the proceedings of the Quebec squadron, his communication continued open with the forces which undertook the siege of Niagara; and he received an account of their success before he had quitted the lines of Ticonderoga. General Prideaux, with his body of troops, reinforced by the Indian auxiliaries under Sir William Johnston, advanced to the cataract of Niagara, without being exposed to the least inconvenience on his march; and investing the French fortress about the middle of July, carried on his approaches with great vigour till the twentieth day of that month, when, visiting the trenches, he was unfortunately slain by the bursting of a cohorn. Mr. Amherst was no sooner informed of his disaster, than he detached Brigadier-General Gage from Ticonderoga, to assume the command of that army. In the meantime, it devolved on Sir William Johnston, who happily prosecuted the plan of his predecessor with all the success that could have been desired. The enemy, alarmed with the apprehension of losing a place of such importance, resolved to exert their endeavours for its relief. They assembled a body of regular troops, amounting to twelve hundred men, drawn from Detroit, Venango, and Presque Isle; and these, with a number of Indian auxiliaries, were detached under the command of Monsieur D'Aubry, on an attempt to reinforce the garrison of Niagara. Sir William Johnston having received intelligence of their design, made a disposition to intercept them in their march. In the evening he ordered the light infantry and piquets to post themselves to the left, on the road leading from Niagara falls to the fortress: these were reinforced in the morning with the grenadiers, and part of the forty-sixth regiment, commanded by Lieutenant-Colonel Massey; and another regiment, under Lieutenant-Colonel Farquhar, was posted at the tail of the works, in order to support the guard of the trenches. About eight in the morning, the enemy being in sight, the Indians in the English army advanced to speak with their countrymen who served under the French banners; but this conference was declined by the enemy. Then the French Indians having uttered the horrible scream called the war-whoop, which, by this time, had lost its effect among the British forces, the enemy began the action with impetuosity: but they met with such a hot reception in front, while the Indian auxiliaries fell upon their flanks, that in a little more than half an hour their whole army was routed, their general, with all his officers, taken, and the pursuit continued through the woods for several miles, with considerable slaughter. This battle, which happened on the twenty-fourth day of July, having been fought in sight of the French garrison at Niagara, Sir William Johnston sent Major Hervey with a trumpet to the commanding officer, to present him with a list

of seventeen officers taken in the engagement, and to exhort him to surrender before more blood was shed, while he had it in his power to restrain the Indians. The commandant, having certified himself of the truth, by sending an officer to visit the prisoners, agreed to treat, and in a few hours the capitulation was ratified. The garrison, consisting of six hundred and seven effective men, marched out with the honours of war, in order to be embarked in vessels on the lake, and conveyed in the most expeditious manner to New York. They laid down their arms when they embarked; but were permitted to keep their baggage, and by proper escorts protected from the savage insolence and rapacity of the Indians. All the women were conducted, at their own request, to Montreal; and the sick and wounded, who could not bear the fatigue of travelling, were treated with humanity. This was the second complete victory obtained on the continent of North America, in the course of the same war, by Sir William Johnston, who, without the help of a military education, succeeded so signally in the field by dint of innate courage and natural sagacity. What remarkably characterizes these battles, is the circumstance of his having taken in both the commanders of the enemy. Indeed, the war in general may be distinguished by the singular success of this gentleman and the celebrated Lord Clive, two self-taught generals: who, by a series of shining actions, have demonstrated that un instructed genius can, by its own internal light and efficacy, rival, if not eclipse, the acquired art of discipline and experience. Sir William Johnston was not more serviceable to his country by his valour and conduct in the field, than by the influence and authority which his justice, benevolence, and integrity had acquired among the Indian tribes of the Six Nations, whom he not only assembled at Niagara to the number of eleven hundred, but also restrained within the bounds of good order and moderation.

§ XVII. The reduction of Niagara, and the possession of Crown-Point, were exploits much more easily achieved than the conquest of Quebec, the great object to which all these operations were subordinate. Of that we now come to give the detail, fraught with singular adventures and surprising events, in the course of which a noble spirit of enterprise was displayed, and the scenes of war were exhibited in all the variety of desolation. It was about the middle of February, that a considerable squadron sailed from England for Cape Breton, under the command of Admirals Saunders and Holmes, two gentlemen of worth and probity, who had, on several occasions, signalized their courage and conduct in the service of their country. By the twenty-first day of April they were in sight of Louisbourg; but the harbour was blocked up with ice in such a manner, that they were obliged to bear away for Halifax in Nova Scotia. From hence Rear-Admiral Durell was detached, with a small squadron, to sail up the river St. Lawrence as far as the isle de Coudres, in order to intercept any supplies from France intended for Quebec: he accordingly took two store-ships; but he was anticipated by seventeen sail, laden with provision, stores, and some recruits, under convoy of three frigates, which had already reached the capital of Canada. Meanwhile, Admiral Saunders arrived at Louisbourg; and the troops being embarked, to the number of eight thousand, proceeded up the river without further delay. The operations by land were intrusted to the conduct of Major-General James Wolfe, whose talents had shone with such superior lustre at the siege of Louisbourg; and his subordinates in command were the Brigadiers Monckton, Townshend, and Murray; all four in the flower of their age, who had studied the military art with equal eagerness and proficiency, and, though young in years, were old in experience. The first was a soldier by descent, the son of Major-General Wolfe, a veteran officer of acknowledged capacity: the other three resembled each other, not only in years, qualifications, and station, but also in family rank, all three being the sons of noblemen. The situation of Brigadier Townshend was singular: he had served abroad in the last war with reputation, and resigned his commission during the peace, in disdain at some hard usage he had sustained from his superiors. That his military talents, however, might not be lost to his country, he exercised them with equal spirit



and perseverance in projecting and promoting the plan of a national militia. When the command and direction of the army devolved to a new leader, so predominant in his breast was the spirit of patriotism and the love of glory, that, though heir-apparent to a British peerage, possessed of a very affluent fortune, remarkably dear to his acquaintance, and solicited to a life of quiet by every allurement of domestic felicity, he waived these considerations: he burst from all entanglements; proffered his services to his sovereign; exposed himself to the perils of a disagreeable voyage, the rigours of a severe climate, and the hazard of a campaign peculiarly fraught with toil, danger, and difficulty.

§ XVIII. The armament intended for Quebec sailed up the river St. Lawrence, without having met with any interruption, or having perceived any of those difficulties and perils with which it had been reported that the navigation of it was attended. Their good fortune in this particular, indeed, was owing to some excellent charts of the river, which had been found in vessels taken from the enemy. About the latter end of June, the land forces were disembarked in two divisions upon the isle of Orleans, situated a little below Quebec, a large fertile island, well cultivated, producing plenty of grain, abounding with people, villages, and plantations. General Wolfe no sooner landed on the island of Orleans, than he distributed a manifesto among the French colonists, giving them to understand that the king his master, justly exasperated against the French monarch, had equipped a considerable armament in order to humble his pride, and was determined to reduce the most considerable French settlements in America. He declared it was not against the industrious peasants, their wives and children, nor against the ministers of religion, that he intended to make war; on the contrary, he lamented the misfortunes to which they must be exposed by the quarrel; he offered them his protection; and promised to maintain them in their temporal possessions, as well as in the free exercise of their religion, provided they would remain quiet, and take no part in the difference between the two crowns. He observed, that the English were masters of the river St. Lawrence, so as to intercept all succours from Europe; and had, besides, a powerful army on the continent, under the command of General Amherst. He affirmed that the resolution they ought to take was neither difficult nor doubtful; as the utmost exertion of their valour would be useless, and serve only to deprive them of the advantages which they might reap from their neutrality. He reminded them that the cruelties exercised by the French upon the subjects of Great Britain in America, would excuse the most severe reprisals; but Britons were too generous to follow such barbarous examples. He again offered to the Canadians the sweets of peace, amidst the horrors of war; and left it to themselves to determine their own fate by their own conduct. He expressed his hope that the world would do him justice, should they oblige him, by rejecting these favourable terms, to adopt violent measures. He expatiated upon the strength and power, as well as upon the generosity, of Great Britain, in thus stretching out the hand of humanity; a hand ready to assist them on all occasions, even when France was, by her weakness, compelled to abandon them in the most critical conjuncture. This declaration produced no immediate effect; nor indeed did the Canadians depend upon the sincerity and promised faith of a nation, whom their priests had industriously represented as the most savage and cruel enemy on earth. Possessed of these notions, which prevailed even among the better sort, they chose to abandon their habitations, and expose themselves and families to certain ruin, in provoking the English by the most cruel hostilities, rather than be quiet, and confide in the general's promise of protection. Instead of pursuing this prudent plan of conduct, they joined the scalping parties! of Indians who skulked among the woods; and falling upon the English stragglers by surprise, butchered them with the

most inhuman barbarity. Mr. Wolfe, whose nature revolted against this wanton and perfidious cruelty, sent a letter to the French general, representing that such enormities were contrary to the rules of war observed among civilized nations, dishonourable to the service of France, and desired the French colonists and Indians might be restrained within due bounds, otherwise he would burn their villages, desolate their plantations, and retaliate upon the persons of his prisoners whatever cruelties should, in the sequel, be committed on the soldiers or subjects of his master. In all probability the French general's authority was not sufficient to bridle the ferocity of the savages, who continued to scalp and murder, with the most brutal appetite for blood and revenge; so that Mr. Wolfe, in order to intimidate the enemy into a cessation of these outrages, found it necessary to connive at some irregularities in the way of retaliation.

§ XIX. M. de Montcalm, who commanded the French troops, though superior in number to the invaders, very wisely resolved to depend upon the natural strength of the country, which appeared almost insurmountable, and had carefully taken all his precautions of defence. The city of Quebec was tolerably fortified, secured with a numerous garrison, and plentifully supplied with provision and ammunition. Montcalm had reinforced the troops of the colony with five regular battalions formed of the best of the inhabitants, completely disciplined all the Canadians of the neighbourhood capable of bearing arms, and several tribes of savages. With this army he had taken the field in a very advantageous situation, encamped along the shore of Beaufort, from the river St. Charles to the falls of Montmorency, every accessible part being deeply intrenched. To undertake the siege of Quebec against such odds and advantages, was not only a deviation from the established maxims of war, but a rash enterprise, seemingly urged in diametrical opposition to the dictates of common sense. Mr. Wolfe was well acquainted with all the difficulties of the undertaking; but he knew at the same time that he should always have it in his power to retreat, in case of emergency, while the British squadron maintained its station in the river; he was not without hope of being joined by General Amherst; and he was stimulated by an appetite for glory, which the prospect of accumulated dangers could not allay. Understanding that there was a body of the enemy posted, with cannon, at the point of Levi, on the south shore, opposite to the city of Quebec, he detached against them Brigadier Monckton, at the head of four battalions, who passed the river at night, and next morning, having skirmished with some of the enemy's irregulars, obliged them to retire from the post, which the English immediately occupied. At the same time Colonel Carlton, with another detachment, took possession of the western point of the island of Orleans; and both these posts were fortified, in order to anticipate the enemy; who, had they kept possession of either, might have rendered it impossible for any ship to lie at anchor within two miles of Quebec. Besides, the point of Levi was within cannon-shot of the city, against which a battery of mortars and artillery was immediately erected. Montcalm, foreseeing the effect of this manœuvre, detached a body of sixteen hundred men across the river, to attack and destroy the works before they were completed; but the detachment fell into disorder, fired upon each other, and retired in confusion. The battery being finished without further interruption, the cannons and mortars began to play with such success, that in a little time the upper town was considerably damaged, and the lower town reduced to a heap of rubbish.

§ XX. In the meantime, the fleet was exposed to the most imminent danger. Immediately after the troops had been landed on the island of Orleans, the wind increased to a furious storm, which blew with such violence, that many transports ran foul of one another, and were disabled. A number of boats and small craft foundered, and

1 The operation of scalping, which, to the shame of both nations, was encouraged both by French and English, the savages performed in this manner.—The hapless victim being disabled, or disarmed, the Indian, with a sharp-knife provided and, worn for the purpose, makes a circular incision to the bone round the upper part of the head, and tears off the scalp with his fingers. Previous to this execution, he generally despatches the prisoner by repeated blows on the head with the hammer side of the instrument

called a tomahawk: but sometimes they save themselves the trouble, and sometimes the blows prove ineffectual; so that the miserable patient is found alive, groaning in the utmost agony of torture. The Indian strags the scalp he has procured, to be produced as a testimony of his prowess, and receives a premium for each from the nation under whose banners he has been enlisted.

divers large ships lost their anchors. The enemy resolving to take advantage of the confusion which they imagined this disaster must have produced, prepared seven fire-ships; and at midnight sent them down from Quebec among the transports, which lay so thick as to cover the whole surface of the river. The scheme, though well contrived, and seasonably executed, was entirely defeated by the deliberation of the British admiral, and the dexterity of his mariners, who resolutely boarded the fire-ships, and towed them fast aground, where they lay burning to the water's edge, without having done the least prejudice to the English squadron. On the very same day of the succeeding month, they sent down a raft of fire-ships, or radeaux, which were likewise consumed without producing any effect.

§ XXI. The works for the security of the hospital and the stores, on the island of Orleans, being finished, the British forces crossed the north channel in boats; and, landing under cover of two sloops, encamped on the side of the river of Montmorenci, which divided them from the left of the enemy. Next morning a company of rangers, posted in a wood to cover some workmen, were attacked by the French Indians, and totally defeated; however, the nearest troops advancing, repulsed the Indians in their turn with considerable loss. The reasons that induced General Wolfe to choose this situation by the falls of Montmorenci, in which he was divided from Quebec by this, and another river called St. Charles, he explained in a letter to the secretary of state. He observed, that the ground which he had chosen was high, and in some measure commanded the opposite side on which the enemy was posted; that there was a ford below the falls, passable in every tide for some hours at the latter part of the ebb and beginning of the flood; and he hoped that means might be found of passing the river higher up, so as to fight the Marquis de Montcalm upon less disadvantageous terms than those of directly attacking his intrenchments. Accordingly, in reconnoitring the river Montmorenci, a ford was discovered about three miles above; but the opposite banks, which were naturally steep and covered with woods, the enemy had intrenched in such a manner, as to render it almost inaccessible. The escort was twice attacked by the Indians, who were as often repulsed; but these rencounters cost the English about forty men killed and wounded, including some officers. Some shrewd objections might be started to the general's choice of ground on this occasion. He could not act at all without passing the river Montmorenci at a very great disadvantage, and attacking an enemy superior to himself in number, secured by redoubts and intrenchments. Had he even, by dint of extraordinary valour, driven them from these strong posts, the success must have cost him a great number of officers and men; and the enemy might have retreated behind the river St. Charles, which he also must have passed under the same disadvantages, before he could begin his operations against the city of Quebec. Had his good fortune enabled him to surmount all these difficulties, and after all to defeat the enemy in a pitched battle, the garrison of Quebec might have been reinforced by the wreck of their army; and he could not, with any probability of success, have undertaken the siege of an extensive fortified place, which he had not troops sufficient to invest, and whose garrison would have been nearly equal in number to the sum total of the troops he commanded. At any rate, the chance of a fair engagement in the open field was what he had little reason to expect in that situation, from the known experience, and the apparent conduct, of the French general. These objections appeared so obvious and important, that General Wolfe would not determine to risk an attack until he had surveyed the upper part of the river St. Lawrence, in hopes of finding some place more favourable for a descent.

§ XXII. On the eighteenth day of July, the admiral, at his request, sent two ships of war, two armed sloops, and some transports with troops on board, up the river; and they passed the city of Quebec, without having sustained any damage. The general, being on board of this little armament, carefully observed the banks on the side of the

enemy, which were extremely difficult from the nature of the ground; and these difficulties were redoubled by the foresight and precaution of the French commander. Though a descent seemed impracticable between the city and Cape Rouge, where it was intended; General Wolfe, in order to divide the enemy's force, and procure intelligence, ordered a detachment, under the command of Colonel Carlton, to land higher up, at the Point au Tremble, to which place he was informed a great number of the inhabitants of Quebec had retired with their most valuable effects. This service was performed with little loss; and some prisoners were brought away, but no magazine was discovered. The general, thus disappointed in his expectation, returned to Montmorenci, where Brigadier Townshend had, by maintaining a superior fire across that river, prevented the enemy from erecting a battery, which would have commanded the English camp; and now he resolved to attack them, though posted to great advantage, and every where prepared to give him a warm reception. His design was, first to reduce a detached redoubt, close to the water's edge, seemingly situated without gun-shot of the intrenchment on the hill. Should this fortification be supported by the enemy, he foresaw that he should be able to bring on a general engagement: on the contrary, should they remain tame spectators of its reduction, he could afterwards examine their situation at leisure, and determine the place at which they could be most easily attacked. Preparations were accordingly made for storming the redoubt. On the last day of July, in the forenoon, part of Brigadier Monckton's brigade was embarked in the boats of the fleet, to be transported from the point of Levi. The two brigades, commanded by the Brigadiers Townshend and Murray, were drawn out, in order to pass the ford when it should be necessary. To facilitate their passage, the admiral had stationed the Centurion ship of war in the channel, to check the fire of the lower battery, by which the ford was commanded: a numerous train of artillery was placed upon the eminence, to batter and enfilade the left of the enemy's intrenchment; and two flat-bottomed armed vessels, prepared for the purpose, were run aground near the redoubt, to favour the descent of the forces. The manifest confusion produced among the French by these previous measures, and by the fire of the Centurion, which was well directed and sustained, determined Mr. Wolfe to storm this intrenchment without further delay. Orders were issued that the three brigadiers should put their troops in motion at a certain signal, which was accordingly made at a proper time of the tide. Many of the boats from Point Levi ran aground upon a ledge that runs off a considerable distance from the shore; and this accident occasioned a disorder, by which so much time was lost, that the general was obliged to stop the march of Brigadier Townshend's corps, which he perceived to be in motion. In the meantime, the boats were floated, and ranged in proper order, though exposed to a severe fire of shot and shells; and the general in person sounding the shore, pointed out the place where the troops might disembark with the least difficulty. Thirteen companies of grenadiers, and two hundred men of the second American battalion, were the first who landed. They had received orders to form in four distinct bodies, and begin the attack, supported by the corps of Brigadier Monckton, as soon as the other troops should have passed the ford, and be near enough to contribute to their assistance. These instructions, however, were entirely neglected. Before M. Monckton had landed, and while Brigadier Townshend was on his march at a considerable distance, the grenadiers, without waiting to be drawn up in a regular form, impetuously rushed towards the enemy's intrenchments in the utmost disorder. Their courage served only to increase their misfortune. The first fire they received did such execution among them, that they were obliged to shelter themselves under the redoubt which the French had abandoned at their approach. In this uncomfortable situation they remained some time, unable to form under so hot a fire, notwithstanding the utmost efforts of many gallant officers, who lavishly exposed and even lost their lives, in the honourable discharge of their duty.<sup>m</sup> The general,

<sup>m</sup> The following anecdote is so remarkable, and tends so much to the honour of the British soldiery, that we insert it without fear of the reader's

disapprobation:—Captain Ochterlony and Ensign Peyton belonged to the regiment of Brigadier-General Monckton. They were nearly of an



seeing all their endeavours abortive, ordered them to retreat, and form behind Monckton's brigade, which was by this time landed, and drawn up on the beach in order. They accordingly retired in confusion, leaving a considerable number lying on the field, to the barbarity of the Indian savages, who massacred the living, and scalped the dead, even in the sight of their indignant companions. This unhappy accident occasioned a new delay, and the day was already far advanced. The wind began to blow with uncommon violence, and the tide to make; so that in case of a second repulse, the retreat of Brigadier Townshend might have been rendered hazardous and uncertain; Mr. Wolfe, therefore, thought proper to desist, and returned without further molestation to the other side of the river Montmorenci. The admiral ordered the two vessels which were a-ground to be set on fire, that they might not fall into the hands of the enemy. The advantages that favoured an attack in this part, consisted of the following particulars:—All the artillery could be used with good effect; all the troops could act at once; and in case of a miscarriage, the retreat was secure and open, at least for a certain time of the tide. These, however, seemed to be overbalanced by other considerations. The enemy were posted on a commanding eminence; the beach was covered with deep mud, slippery, and broken into holes and gullies; the hill was steep, and in some places impracticable; the enemy were numerous, and poured in a very severe fire from their intrenchments. Had the attack succeeded, the loss of the English must have been very heavy, and that of the French inconsiderable, because the neighbouring woods afforded them immediate shelter. Finally, the river St. Charles still remained to be passed, before the town could be invested.

§ XXIII. Immediately after this mortifying check, in which above five hundred men, and many brave officers, were lost, the general detached Brigadier Murray, with twelve hundred men, in transports, above the town, to co-operate with Rear-Admiral Holmes, whom the admiral had sent up with some force against the French shipping, which he hoped to destroy. The brigadier was likewise instructed to seize every opportunity of fighting the enemy's detachments, and even provoking them to battle. In pursuance of these directions, he twice attempted to land on the north shore; but these attempts were unsuccessful.

one, which did not exceed thirty; the first was a North Briton, the other a native of Ireland. Both were agreeable in person, and unblemished in character, and connected together by the ties of mutual friendship and esteem. The latter was the better of the two, but he had been obliged to fight a duel with a German officer, in which, though he wounded an infamous antagonist, yet he himself received a dangerous hurt on the right arm, in consequence of which his friends insisted on his retiring into camp at the close of the next day, but his spirit was too great to comply with this remonstrance. He declared it should never be said that a scratch, received in a private encounter, had prevented him from doing his duty, when his country required his service; and he took the field with a fustian in his hand, though he was hardly able to carry his arms. In leading up his men to the enemy's intrenchment, he was shot through the lungs with a musket-ball; an accident which obliged him to part with his fustian; but he still continued advancing, until, by loss of blood, he became too weak to proceed further. About the same time Mr. Peyton was slain by a shot, which shattered the small bone of his left leg. The soldiers, in their retreat, earnestly begged, with tears in their eyes, that Captain Ochterlopy would allow them to carry him, and the ensign of the regiment, seeing a French soldier with a severe point of honour, that he would not quit the ground, though he desired they would take care of his design. Mr. Peyton, with a generous disdain, rejected their good offices, saying that he would not leave his captain in such a situation; and in a little time they remained the sole survivors on that part of the field.

Captain Ochterlopy sat down by his friend; and, as they expected nothing but immediate death, they took leave of each other. Yet they were not altogether abandoned by the French, who, being ignorant of the fate of the French soldier, a French soldier with a severe point of honour, started up, and accusing them in the French language, which he spoke perfectly well, expressed his expectation that they would treat him and his companions as officers, prisoners, and gentlemen. They shot him. Not yet satisfied under the conduct of the Frenchman, who, coming up to Mr. Peyton, as he sat on the ground, snatched his fustian from his head, and rolled the ensign of his watch and money. This outrage was a signal to the Indians, who rushed forward, and, with a shout, endeavoured to strike at him behind, with a view to knock him down; but the blow missing his head, took place upon his shoulders. At the same instant the other Indian poured his shot into the breast of this unfortunate young gentleman, who cried out, Oh, Peyton, the villain has shot me. Not yet satisfied with cruelty, the barbarian spring upon him, and stabbed him in the belly with his scalping-knife. The captain, having parted with his fustian, had no weapon for his defence, as none of the others wore swords to Indian fashion. He therefore, finding him still alive, endeavoured to strangle him with his own sash; and he was now upon his knees, struggling against them with surprising exertion. Mr. Peyton, at this juncture, having a dead scalped musket in his hand, and seeing the distress of his friend, fired at one of the Indians, who dropped dead upon the spot. The other thinking the ensign would now be an easy prey, advanced towards him, and Mr. Peyton having taken good aim at the distance of four yards, discharged his piece the second time, but it seemed to take no effect. The savage fired in his turn, and wounded the ensign in the shoulder; then, rushing upon him, thrust his bayonet through his body. He repeated the blow, which Mr. Peyton attempting to parry, received

The third effort was more fortunate. He made a sudden descent at Chambaud, and burned a considerable magazine, filled with arms, clothing, provision, and ammunition. The enemy's ships being secured in such a manner as not to be approached, and nothing else occurring that required the brigadier's longer stay, he returned to the camp, with intelligence obtained from his prisoners, that the fort of Niagara was taken, Crown-Point abandoned, and General Amherst employed in making preparations to attack the corps at the Isle aux Noix, commanded by M. Burtlemaque. The disaster at the falls of Montmorenci, made a deep impression on the mind of General Wolfe, whose spirit was too great to brook the most distant prospect of censure or disgrace. He knew the character of the English people—rash, impatient, and capricious; elevated to exultation by the least gleam of success, dejected even to despondency by the most inconsiderable frown of adverse fortune; sanguine, even to childish hyperbole, in applauding those servants of the public who have prospered in their undertakings; clamorous to a degree of persecution, against those who have miscarried in their endeavours, without any investigation of merit, without any consideration of circumstances. A keen sense of these vexatious peculiarities conspiring with the shame of disappointment, and eager desire of retrieving the laurel that he might by some be supposed to have lost at the falls of Montmorenci, and the despair of finding such an occasion, excited an internal agitation, which visibly affected his external frame, and disordered his whole constitution, which was naturally delicate and tender. Among those who shared his confidence, he was often seen to sigh; he was often heard to complain; and even in the transports of his chagrin declare, that he would never return without success, to be exposed, as other unfortunate commanders had been, to the censure and reproach of an ignorant and ungrateful populace. This tumult of the mind, added to the fatigues of the body he had undergone, produced a fever and dysentery, by which, for some time, he was totally disabled.

§ XXIV. Before he recovered any degree of strength, he desired the general officers to consult together for the public utility. It was their opinion that the points of Levi and Orleans being left in a proper state of defence, the rest of the troops should be conveyed up the river, with a view to draw the enemy from their present situation, and bring

another wound in his left hand; nevertheless he seized the Indian's musket with the same hand, pulled him forwards, and with his right drawing a dagger which hung by his side, plunged it in the soldier's breast. A violent stroke of his dagger, killed his antagonist outright. He was seized with an unaccountable emotion of curiosity, to know whether or not his shot had taken place on the bone; he stooped down, and, turning him round, and stripping off his blanket, perceived that the ball had penetrated quite through the cavity of the breast. Having thus obtained a dear-bought victory, he started up on one leg; and saw Captain Ochterlopy standing at the distance of sixty yards, close by the enemy's breast-work, with the French soldier attending him. Mr. Peyton then called aloud—"Captain Ochterlopy, I am glad to see you have at last got under protection. Beware of that villain, who is more barbarous than the savages, God bless you, my dear captain; I see a party of Indians coming this way, and expect to be murdered immediately." A number of those barbarians had for some time been employed on the left, in scalping and pillaging the living and the dead that were left upon the field of battle; and above thirty of them were in full midian, who stood by Mr. Peyton, who had been so lately to death by the most excruciating tortures. Full of this idea, he snatched up his musket; and, notwithstanding his broken leg, ran about forty yards without halting; feeling himself now totally disabled, and incapable of proceeding one step further, he loaded his piece, and presented it to the two foremost Indians, who stood ready to be joined by their fellows; while the French, from their breast-works, kept up a continual fire of cannon and small arms upon this poor, solitary, maimed gentleman. In this uncomfortable situation, when he was about to be joined by a detachment of his men, skirting the plain towards the field of battle. He forthwith waved his hand in signal of distress, and being perceived by the officer, he detached three of his men to his assistance. These brave fellows hastened to him through the reduction of fatal place, the French, who were then bore him off on his shoulders. The Highland officer was Captain Macdonald, of Colonel Frazer's battalion; who, understanding that a young gentleman, his kinsman, had dropped on the field of battle, had put himself at the head of this party, to rescue him. He was the first to reach him, and, finding a considerable number of the French and Indians before him, and finding his relation still unscathed, carried him off in triumph. Poor Captain Ochterlopy was conveyed to Quebec, where, in a few days, he died of his wounds. After that in all probability he would have recovered of the two shots he had received in his breast, had he not been mortally wounded in the belly by the Indian's scaling knife.

As this very remarkable scene was acted in sight of both armies, General Townshend, in the sequel, expostulated with the French officers upon the inhumanity of keeping up such a severe fire against two wounded gentlemen who were disabled, and destitute of all hope of escape. They answered, that the fire was not made by the regulars, but by the Canadians and savages, whom it was not in the power of discipline to restrain.



them, if possible, to an engagement. This measure, however, was not adopted, until the general and admiral had reconnoitred the town of Quebec, with a view to a general assault; and concluded, from their own observations, reinforced by the opinion of the chief engineer, who was perfectly well acquainted with the interiors of the place, that such an attack could not be hazarded with any prospect of success. The ships of war, indeed, might have silenced the batteries of the lower town, but they could not affect the upper works, from which they must have sustained considerable damage. When we consider the situation of this place, and the fortifications with which it was secured; the natural strength of the country; the great number of floating batteries they had provided for the defence of the river; the skill, valour, superior force, and uncommon vigilance of the enemy; their numerous bodies of savages continually hovering about the posts of the English, to surprise parties and harass detachments; we must own that there was such a combination of difficulties as might have discouraged and perplexed the most resolute and intelligent commander.

§ XXV. In consequence of the resolution taken to quit the camp at Montmorenci, the troops and artillery were embarked and landed at Point Levi: they afterwards passed up the river in transports; while Admiral Holmes made a movement with his ships, to amuse the enemy posted on the north shore: and the men being much crowded on board, the general ordered one half of them to be landed for refreshment on the other side of the river. As no possibility appeared of annoying the enemy above the town, the scheme of operations was totally changed. A plan was formed for conveying the troops further down in boats, and landing them in the night within a league of Cape Diamond, in hopes of ascending the heights of Abraham, which rise abruptly with a steep ascent from the banks of the river, that they might take possession of the ground at the back of the city, where it was but indifferently fortified. The dangers and difficulties attending the execution of this design were so peculiarly discouraging, that one would imagine it could not have been embraced, but by a spirit of enterprise that bordered on desperation. The stream was rapid; the shore shelving; the bank of the river lined with sentinels; the landing place so narrow as to be easily missed in the dark; and the ground so difficult as hardly to be surmounted in the day-time, had no opposition been expected. If the enemy had received the least intimation from spy or deserter, or even suspected the scheme; had the embarkation been disordered in consequence of the darkness of the night, the rapidity of the river, or the shelving nature of the north shore, near which they were obliged to row; had one sentinel been alarmed, or the landing place much mistaken; the heights of Abraham must have been instantly secured by such a force as would have rendered the undertaking abortive; confusion would necessarily have ensued in the dark; and this would have naturally produced a panic, which might have proved fatal to the greater part of the detachment. These objections could not escape the penetration of the gallant Wolfe, who nevertheless adopted the plan without hesitation, and even executed it in person; though at that time labouring under a severe dysentery and fever, which had exhausted his constitution, and reduced him almost to an extremity of weakness. The previous steps being taken, and the time fixed for this hazardous attempt, Admiral

Holmes moved with his squadron further up the river, about three leagues above the place appointed for the disembarkation, that he might deceive the enemy, and amuse M. de Bougainville, whom Montcalm had detached with fifteen hundred men to watch the motions of that squadron; but the English admiral was directed to sail down the river in the night, so as to protect the landing of the forces; and these orders he punctually fulfilled. On the twelfth day of September, an hour after midnight, the first embarkation, consisting of four complete regiments, the light infantry, commanded by Colonel Howe, a detachment of highlanders, and the American grenadiers, was made in flat-bottomed boats, under the immediate command of the Brigadiers Monckton and Murray; though General Wolfe accompanied them in person, and was among the first who landed; and they began to fall down with the tide, to the intended place of disembarkation; rowing close to the north shore, in order to find it the more easily. Without any disorder the boats glided gently along; but by the rapidity of the tide, and the darkness of the night, the boats overshot the mark, and the troops landed a little below the place at which the disembarkation was intended.<sup>a</sup> As the troops landed, the boats were sent back for the second embarkation, which was superintended by Brigadier Townshend. In the meantime, Colonel Howe, with the light infantry and the highlanders, ascended the woody precipices with admirable courage and activity; and dislodged a sergeant's guard, which defended a small entrenched narrow path, by which alone the rest of the forces could reach the summit. Then they mounted without further molestation from the enemy, and the general drew them up in order as they arrived. Monsieur de Montcalm no sooner understood that the English had gained the heights of Abraham, than in a manner commanded the town on its weakest part, which he resolved to hazard a battle; and began his march without delay, after having collected his whole force from the side of Beauport.

§ XXVI. General Wolfe, perceiving the enemy crossing the river St. Charles, began to form his own line, which consisted of six battalions, and the Louisbourg grenadiers; the right commanded by Brigadier Monckton, and the left by Brigadier Murray: to the rear of the left, Colonel Howe was posted with his light infantry, just returned from a four-gun battery, which they had taken without opposition. M. de Montcalm advancing in such a manner as to show his intention was to flank the left of the English, Brigadier Townshend was sent thither with the regiment of Amherst, which he formed *en potence*, presenting a double front to the enemy: he was afterwards reinforced by two battalions; and the reserve consisted of one regiment drawn up in eight sub-divisions, with large intervals. The right of the enemy was composed of half the colony troops, two battalions, and a body of Canadians and savages: their centre consisted of a column formed by two other regular battalions; and on the left, one battalion, with the remainder of the colony troops, was posted: the bushes and corn-fields in their front were lined with fifteen hundred of their best marksmen, who kept up an irregular galling fire, which proved fatal to many brave officers, thus singled out for destruction. This fire, indeed, was in some measure checked by the advanced posts of the British line, who piquered with the enemy for some hours before the battle began. Both armies were destitute of artillery, except two small pieces on the side of the French, and a

<sup>a</sup> How far the success of this attempt depended upon accident, may be conceived from the following particulars:—In the twilight two French deserters were carried on board a ship of war, commanded by Captain Smith, and lying at anchor near the north shore. They told him that the garrison of Quebec expected that night to receive a convoy of provisions, sent down the river in boats from the detachment above, commanded by M. de Bougainville. These deserters landing upon deck, and perceiving the English boats with the troops gliding down the river in the dark, began to shout and make a noise, declaring they were part of the expected convoy. Captain Smith, who was ignorant of General Wolfe's design, believing the affirmation, had actually given orders to point the guns at the British troops, when the general perceiving a commotion on board, rowed along-side in person, and prevented the discharge, which would have alarmed the town, and entirely frustrated the attempt.

The French had posted sentinels along shore, to challenge boats and vessels, and give the alarm occasionally. The first boat that contained the English troops being questioned accordingly, a captain of Fraser's regiment, who had served in Holland, and who was perfectly well acquainted with the French language and customs, answered without hesitation to *Qui vive*, which is their challenging word, *La France*: nor was he at a loss to answer the second question, which was much more particular and difficult. When the sentinel demanded *d'où vient le régiment?* to what regiment the captain replied, *de la Itene*: which he knew, by accident, to be one of

those that composed the body commanded by Bougainville. The soldier took it for granted this was the expected convoy; and saying, *passé*, allowed all the boats to pass without further question. In the same manner the other sentries were deceived; though one, more wary than the rest, came running down to the water's edge, and called, "*Pourquoi est ce que vous ne parlez plus haut?*" Why don't you speak with an audible voice? To this interrogation, which implied doubt, the captain answered with admirable presence of mind, in a soft tone of voice, "*Tu es tout seul, nous entendons!*" Hush! we shall be overheard and discovered! This cautioned the sentry retired without further altercation. The midshipman who piloted the first boat passing by the landing-place in the dark, the same captain, who knew it from his having been posted formerly with his company on the other side of the river, insisted upon the pilot's being mistaken; and commanded the rowers to put ashore in the proper place, or at least very near it.

When General Wolfe landed, and saw the difficulty of ascending the precipice, he said to the same officer, in a familiar strain, "I don't believe there is any possibility of getting up; but you must do your endeavour." The narrow path that slanted up the hill from the landing place the enemy had broken up, and rendered impassable by cross-tickets, besides the intricacies at the top: in every other part the hill was so steep and dangerous, that the soldiers were obliged to pull themselves up by the roots and boughs of trees growing on both sides of the path.

single gun which the English seamen made shift to draw up from the landing place. This was very well served, and galled their column severely. At length, about nine in the morning, the enemy advanced to the charge with great order and vivacity, though their fire was irregular and ineffectual. On the contrary, the British forces reserved their shot until the French had approached within forty yards of their line; then they poured in a terrible discharge; and continued the fire with such deliberation and spirit, as could not fail to produce a very considerable effect. General Wolfe was stationed on the right, at the head of Bragg's regiment and the Louisbourg grenadiers, where the attack was most warm. As he stood conspicuous in the front of the line, he had been aimed at by the enemy's marksmen, and received a shot in the wrist, which however did not oblige him to quit the field. Having wrapped a handkerchief round his hand, he continued giving orders without the least emotion; and advanced at the head of the grenadiers, with their bayonets fixed: when another ball unfortunately pierced the breast of this young hero,\* who fell in the arms of victory, just as the enemy gave way. At this very instant, every separate regiment of the British army seemed to exert itself for the honour of its own peculiar character. While the right pressed on with their bayonets, Brigadier Murray briskly advanced with the troops under his command, and soon broke the centre of the enemy; then the highlanders, drawing their broad swords, fell in among them with irresistible impetuosity, and drove them with great slaughter into the town, and the works they had raised at the bridge of the river St. Charles. On the left and rear of the English, the action was not so violent. Some of the light infantry had thrown themselves into houses; where, being attacked, they defended themselves with great courage and resolution. Colonel Howe having taken post with two companies behind a small copse, sallied out frequently on the flanks of the enemy, during this attack, and often drove them into heaps; while Brigadier Townshend advanced platoons against their front; so that the right wing of the French were totally prevented from executing their first intention. The brigadier himself remained with Amherst's regiment, to support this disposition, and to overawe a body of savages posted opposite to the light infantry, waiting for an opportunity to fall upon the British army. General Wolfe being slain, and at the same time Mr. Monckton dangerously wounded at the head of Lascelles' regiment, where he distinguished himself with remarkable gallantry, the command devolved on Brigadier Townshend, who hastened to the centre; and finding the troops disordered in the pursuit, formed them again with all possible expedition. This necessary task was scarcely performed, when M. de Bougainville, with a body of two thousand fresh men, appeared in the rear of the English. He had begun his march from Cape Rouge, as soon as he received intelligence that the British troops had gained the heights of Abraham, but did not come up in time to have any share in the battle. Mr. Townshend immediately ordered two battalions, with two pieces of artillery, to advance against this officer; who retired, at their approach, among woods and swamps, where General Townshend very wisely declined hazarding a precarious attack. He had already obtained a complete victory, taken a great number of French officers, and was possessed of a very advantageous situation, which it would have been imprudent to forego. The French general, M. de Montcalm, was mortally wounded in the battle, and conveyed into Quebec; from whence, before he died, he wrote a letter to General Townshend, recommending the prisoners to that generous humanity by which the British nation is distinguished. His second in command was left wounded on the field; and next day expired on board an English ship, to which he had been conveyed. About one thousand of the enemy were made prisoners, including a great number of officers; and about five hundred were slain on the field of battle. The wreck of their army, after they had reinforced the garrison of Quebec, retired to Point-au-Tremble; from whence they proceeded to Jacques Quatiers, where they

remained intrenched until they were compelled by the severity of the weather to make the best of their way to Trois Rivières and Montreal. This important victory was obtained at the expense of fifty men killed, including nine officers; and of about five hundred men wounded; but the death of General Wolfe was a national loss, universally lamented. He inherited from nature an animating fervour of sentiment, an intuitive perception, an extensive capacity, and a passion for glory, which stimulated him to acquire every species of military knowledge that study could comprehend, that actual service could illustrate and confirm. This noble warlike disposition seldom fails to call forth and unfold the liberal virtues of the soul. Brave above all estimation of danger, he was also generous, gentle, complacent, and humane; the pattern of the officer, the darling of the soldier: there was a sublimity in his genius which soared above the pitch of ordinary minds; and had his faculties been exercised to their full extent by opportunity and action, had his judgment been fully matured by age and experience, he would without doubt have rivalled in reputation the most celebrated captains of antiquity.

§ XXVII. Immediately after the battle of Quebec, Admiral Saunders, who, together with his subordinates Du-rrell and Holmes, had all along co-operated heartily with the land forces for the advantage of the service, sent up all the boats of the fleet with artillery and ammunition; and on the seventeenth day of the month sailed up, with all the ships of war, in a disposition to attack the lower town, while the upper part should be assaulted by General Townshend. This gentleman had employed the time from the day of action in securing the camp with redoubts, in forming a military road for the cannon, in drawing up the artillery, preparing batteries, and cutting off the enemy's communication with the country. On the seventeenth, before any battery could be finished, a flag of truce was sent from the town with proposals of capitulation; which, being maturely considered by the general and admiral, were accepted, and signed at eight next morning. They granted the more favourable terms, as the enemy continued to assemble in the rear of the British army; as the season was become wet, stormy, and cold, threatening the troops with sickness, and the fleet with accident, and as a considerable advantage would result from taking possession of the town while the walls were in a state of defence. What rendered the capitulation still more fortunate for the British general was, the information he afterwards received from deserters that the enemy had rallied, and were reinforced behind Cape Rouge, under the command of M. de Levy, arrived from Montreal for that purpose, with two regular battalions; and that M. de Bougainville, at the head of eight hundred men, with a convoy of provisions, was actually on his march to throw himself into the town on the eighteenth, that very morning on which it was surrendered. The place was not then completely invested, as the enemy had broke the bridge of boats, and posted detachments in very strong works on the other side of the river St. Charles. The capitulation was no sooner ratified, than the British forces took possession of Quebec on the land side; and guards were posted in different parts of the town, to preserve order and discipline: at the same time Captain Fallisier, with a body of seamen, entered the lower town, and took the same precautions. Next day about a thousand prisoners embarked on board transports, which proceeded to France with the first opportunity. Meanwhile the inhabitants of the country came in great numbers, to deliver up their arms, and take the oath of fidelity to the English government. The death of Montcalm, which was indeed an irreparable loss to France, in all probability overwhelmed the enemy with consternation, and confounded all their councils; otherwise we cannot account for the tame surrender of Quebec to a handful of troops, even after the victory they had obtained: for although the place was not regularly fortified on the land side, and most of the houses were in ruins, their walls and parapets had not yet sustained the least damage; the besiegers were hardly sufficient to complete the investiture; a fresh army was assembled

\* When the fatal ball took place, General Wolfe, finding himself unable to stand, leaned upon the shoulder of a lieutenant, who sat down for that purpose. This officer, seeing the French give way, exclaimed, "They run! they run!" "Who run?" cried the gallant Wolfe, with great

eagerness. When the lieutenant replied, "The French,"—"What! (said he) do the cowardly run already? then I die happy." So saying, the glorious youth expired.

in the neighbourhood, with which their communication continued open : the season was so far advanced, that the British forces in a little time must have been forced to desist by the severity of the weather, and even retire with their fleet before the approach of winter, which never fails to freeze up the river St. Lawrence.

§ XXVIII. Immediately after the action at the falls of Montmorency, General Wolfe had despatched an officer to England, with a detail of that disaster, written with such elegance and accuracy, as would not have disgraced the pen of a Cæsar. Though the public acquiesced in his conduct, they were exceedingly mortified at his miscarriage; and this mortification was the greater, as he seemed to despair of being able to strike any other stroke of importance for the accomplishment of their hope, which had aspired at the absolute conquest of Canada. The first transports of their chagrin were not yet subsided, when Colonel Hale arrived in the ship *Alcide*, with an account of the victory and surrender of Quebec; which was immediately communicated to the people in an extraordinary gazette. The joy which this excited among the populace, rose in proportion to the despondence which the former had produced : all was rapture and riot; all was triumph and exultation, mingled with the praise of the all-accomplished Wolfe, which they exalted even to a ridiculous degree of hyperbole. The king expressed his satisfaction by conferring the honour of knighthood upon Captain Douglas, whose ship brought the first tidings of this success; and gratified him and Colonel Hale with considerable presents. A day of solemn thanksgiving was appointed by proclamation through all the dominions of Great Britain. The city of London, the universities, and many other corporations of the kingdom, presented congratulatory addresses to his majesty. The parliament was no sooner assembled than the secretary of state, in the House of Commons, expatiated upon the successes of the campaign, the transcendent merit of the deceased general, the conduct and courage of the admirals and officers who assisted in the conquest of Quebec. In consequence of this harangue, and the motion by which it was succeeded, the House unanimously resolved to present an address, desiring his majesty would order a monument to be erected in Westminster-abbey to the memory of Major-General Wolfe: at the same time they passed another resolution, that the thanks of the House should be given to the surviving generals and admirals employed in the glorious and successful expedition to Quebec. Testimonies of this kind, while they reflect honour upon the character of the nation, never fail to animate individuals to a spirited exertion of their talents in the service of the public. The people of England were so elevated by the astonishing success of this campaign, which was also prosperous on the continent of Europe, that, far from expressing the least sense of the enormous burdens which they bore, they, with a spirit peculiar to the British nation, voluntarily raised large contributions, to purchase warm jackets, stockings, shoes, coats, and blankets for the soldiers, who were exposed to the rigours of an inclement sky in Germany and America. But they displayed a more noble proof of unrestrained benevolence, extended even to foes. The French ministry, straitened in their finances, which were found scarcely sufficient to maintain the war, had sacrificed their duty to their king, and every sentiment of compassion for his unhappy subjects, to a thirst of vengeance, and sanguinary views of ambition. They had withdrawn the usual allowance from their subjects who were detained prisoners in England; and those wretched creatures, amounting in number to near twenty thousand, were left to the mercy of those enemies whom their sovereign had taken such pains to exasperate. The allowance with which they were indulged by the British government effectually secured them from the horrors of famine; but still they remained destitute of other conveniences, and particularly exposed to the miseries of cold and nakedness. The generous English beheld these forlorn captives with sentiments of sympathy and compassion : they considered them as their fellow-creatures and brethren in humanity, and forgot their country while they beheld their distress. A considerable subscription was raised in their behalf; and in a few weeks they were completely clothed by the charity

of their British benefactors. This beneficent exertion was certainly one of the noblest triumphs of the human mind, which even the most inveterate enemies of Great Britain cannot but regard with reverence and admiration.—The city of Quebec being reduced, together with great part of the circumjacent country, Brigadier Townshend, who had accepted his commission with the express proviso that he should return to England at the end of the campaign, left a garrison of five thousand effective men, victualled from the fleet, under the command of Brigadier Murray; and, embarking with Admiral Saunders, arrived in Great Britain about the beginning of winter. As for Brigadier Monckton, he was conveyed to New York, where he happily recovered of his wound.

## CHAP. XII.

§ I. Siege of Madras. § II. Col. Forde defeats the Marquis de Cniflans near Colopol. Capt. Knox takes Rajamundry and Narisporre. § III. Col. Forde takes Masulipatan. § IV. Surat taken by the English. § V. Unsuccessful attack upon Mysore by the British. Pococke defeats Moun, d'Arpeche. § VII. Hostilities of the Dutch on the river of Brugal. § VIII. Col. Coote takes Wandewash. § IX. Defeats General Lally. § X. And conquers the province of Arcot. § XI. State of the belligerent powers in Europe. § XII. France, seized by the French. § XIII. Progress of the hereditary Prince of Brunswick. § XIV. Prince Ferdinand attacks the French at Bergen. § XV. The British ministry appoint an inspector-general of the force. § XVI. Prince Ferdinand retreats before the French army. § XVII. Antimosity between the general of the allied army and the commander of the British forces. § XVIII. The French encamp at Mûhlen. § XIX. And are defeated by the allies. § XX. Duke de Brissac routed by the hereditary Prince of Brunswick. § XXI. Gen. Imhoff takes Maunten from the French. § XXII. Who retreat before Prince Ferdinand. § XXIII. The hereditary prince beats up the Duke of Wirtemberg's quarters at Fulda. § XXIV. A body of Prussians make an incursion into Poland. § XXV. Prince Henry penetrates into Bohemia. § XXVI. He enters Franconia, and obliges the imperial army to retire. § XXVII. King of Prussia vindicates his conduct with respect to his prisoners. § XXVIII. The Prussian general Wedel defeated by the Russians at Züllichau. § XXIX. The king of Prussia takes the command of Gen. Zuelich's corps. § XXX. Battle of Cunenorsdorf. § XXXI. Advantages gained by the Prussians in Saxony. § XXXII. Prince Henry surprises General Vella.—General Finck, with his whole corps of Prussians, surrounded and taken by the Austrian general. § XXXIII. Disasters of the Prussian general Diercke. § XXXIV. Conclusion of the campaign. § XXXV. Arrest of the evangelical body at Ratisbon. § XXXVI. The French ministry stop payment. § XXXVII. The States-general send over deputies to England. § XXXVIII. Memorial presented to the States by Major-General Yorke. § XXXIX. A counter memorial presented by the French minister. § XL. Death of the King of Spain. § XLI. He is succeeded by his brother Don Carlos, who makes a remarkable settlement. § XLII. Detection and punishment of the conspirators at Lisbon. § XLIII. Session opened in England. § XLIV. Substances proposed in the streets of London. § XLV. Grants granted. § XLVI. Ways and means, annuities, &c. § XLVII. Bills for granting several duties on malt, &c. § XLVIII. Petitions for and against the prohibition of the malt distillery. § XLIX. Opposition to the bill for improving the streets of London. § L. Bill for continuing the importation of Irish beef. § LI. Attempt to establish a militia in Scotland. § LII. Further regulations relative to the militia in England. § LIII. Bill for removing the powder magazine from Greenwich. § LIV. Act for improving the streets of London. § LV. Bill relative to the sale of fish in London and Westminster. § LVI. New act for ascertaining the qualifications of members of parliament. § LVII. Act for consolidating the annuities granted in 1739. § LVIII. Bill for securing a way out of prize and bounty money appropriated for the use of Greenwich hospital. § LIX. Act in favour of George Keith, late Earl Marischal of Scotland. § LX. Session closed.

§ I. WHILE the arms of Great Britain triumphed in Europe and America, her interest was not suffered to languish in other parts of the world. This was the season of ambition and activity, in which every separate armament, every distinct corps, and every individual officer, seemed to exert themselves with the most eager appetite of glory. The East Indies, which in the course of the preceding year had been the theatre of operations carried on with various success, exhibited nothing now but a succession of trophies to the English commanders. The Indian transactions of the last year we interrupted at that period when the French general, Lally, was employed in making preparations for the siege of Madras. In the month of October he had marched into Arcot without opposition; and, in the beginning of December, he advanced towards Madras. On the twelfth he marched over Choultry plain, in three divisions, cannonaded by the English artillery with considerable effect, and took post at Ezmore and St. Thome. Colonel Laurence, who commanded the garrison of Madras, retired to the island, in order to prevent the enemy from taking possession of the island bridge; and at the same time ordered the posts to be occupied in the Black-town, or suburbs of Madras. In the morning of the fourteenth, the enemy marched with their whole force to attack this place; the

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English detachments retreated into the garrison; and within the hour a grand sally was made, under the command of Colonel Draper, a gallant officer, who signalized himself remarkably on this occasion. He attacked the regiment of Lorrain with great impetuosity; and in all probability would have beat them off, had they not been sustained by the arrival of a fresh brigade. After a very warm dispute, in which many officers and a great number of men were killed on each side, Colonel Draper was obliged to retreat, not altogether satisfied with the conduct of his grenadiers. As the garrison of Madras was not very numerous, nothing further was attempted on their side without the works. In the meantime, the enemy used all their diligence in erecting batteries against the fort and town; which being opened on the sixth day of January, they maintained a continual discharge of shot and shells for twenty days, advancing their trenches all the time under cover of this fire, until they reached the breast of the glacis. There they erected a battery of four pieces of cannon, and opened it on the last day of the month; but for five days successively they were obliged to close their embrasures by the superior fire of the fort, and at length to abandon it entirely: nevertheless, they still maintained a severe fire from the first grand battery, which was placed at the distance of four hundred and fifty yards from the defences. This artillery was so well served, as to disable twenty-six pieces of cannon, three mortars, and effect an inconsiderable breach. Perhaps they might have had more success, had they battered in breach from the beginning; but M. Lally, in order to intimidate the inhabitants, had cruelly bombarded the town, and demolished the houses: he was, however, happily disappointed in his expectation by the wise and resolute precautions of Governor Pigot; by the vigilance, conduct, and bravery of the Colonels Laurence and Draper, seconded by the valour and activity of Major Breton, and the spirit of the inferior officers. The artillery of the garrison was so well managed, that from the fifth day of February, the fire of the enemy gradually decreased from twenty-three to six pieces of cannon: nevertheless, they advanced their sap along the sea-side, so as to embrace entirely the north-east angle of the covered way, from whence their musketry drove the besieged. They likewise endeavoured to open a passage into the ditch by a mine; but sprung it so injudiciously, that they could make no advantage of it, as it lay exposed to the fire of several cannon. While these preparations were carried on before the town, Major Caillaud and Captain Preston, with a body of Sepoys, some of the country horse, and a few Europeans drawn from the English garrisons of Trichenapally and Chingalaput, hovered at the distance of a few miles, blocking up the roads in such a manner that the enemy were obliged, four several times, to send large detachments against them, in order to open the communication: thus the progress of the siege was in a great measure retarded. On the sixteenth day of February, in the evening, the Queenborough ship of war, commanded by Captain Kempenfeldt, and the company's ship the *Revenge*, arrived in the road of Madras, with a reinforcement of six hundred men belonging to Colonel Draper's regiment, and part of which was immediately disembarked. From the

beginning of the siege the enemy had discovered a backwardness in the service, very unsuitable to their national character. They were ill supplied by their commissaries and contractors: they were discouraged by the obstinate defence of the garrison, and all their hope of success vanished at the arrival of this reinforcement. After a brisk fire, they raised the siege that very night, abandoning forty pieces of cannon; and, having destroyed the powder mills at Ogmore, retreated to the territory of Arcot.<sup>a</sup>

§ II. M. Lally having weakened his forces that were at Masulipatam, under the conduct of the Marquis de Conflans, in order to strengthen the army with which he undertook the siege of Madras, the Rajah of Visanapore drove the French garrison from Vizagapatam, and hoisted English colours in the place. The marquis having put his troops in motion to revenge this insult, the rajah solicited succour from Colonel Clive at Calcutta; and, with the consent of the council, a body of troops was sent under the command of Colonel Forde to his assistance. They consisted of five hundred Europeans, including a company of artillery, and sixteen hundred sepoy; with about fifteen pieces of cannon, one howitzer, and three mortars. The forces of Conflans were much more considerable. On the twentieth day of October Colonel Forde arrived at Vizagapatam, and made an agreement with the rajah, who promised to pay the expense of the expedition, as soon as he should be put in possession of Rajamundry, a large town and fort possessed by the French. It was stipulated that he should have all the inland country belonging to the Indian powers in the French interest, and at present in arms; and that the English company should retain all the conquered sea-coast from Vizagapatam to Masulipatam. On the first of November Colonel Forde proceeded on his march; and on the third joined the rajah's army, consisting of between three and four thousand men. On the third of December they came in sight of the enemy, near the village of Tallapool: but the French declining battle, the colonel determined to draw them from their advantageous situation, or march round, and get between them and Rajamundry. On the seventh, before day-break, he began his march, leaving the rajah's forces on their ground; but the enemy beginning to cannonade the Indian forces, he, at the request of the rajah, returned, and took them under his protection. Then they marched together to the village of Golapool, and halted on a small plain about three miles from their encampment. About nine he formed the line of battle. About ten the enemy were drawn up, and began the cannonade. The firing on both sides having continued about forty minutes, the enemy's line advanced to the charge with great resolution; and were so warmly received, that, after several spirited efforts, at eleven they gave way, and retreated in disorder towards Rajamundry. During this conflict, the rajah's forces stood as idle spectators, nor could their horse be prevailed upon to pursue the fugitives. The victory cost the English forty-four Europeans killed and wounded, including two captains and three lieutenants. The French lost above three times the number, together with their whole camp, baggage, thirty-two pieces of cannon, all their ammunition. A great number of black forces fell on

<sup>a</sup> The chagrin and mortification of Lally are strongly marked in the following intercepted letter to M. de Lesart, dated from the camp before Madras.

"A good blow might be struck here: there is a ship in the road, of twenty guns, laden with all the riches of Madras, which it is said will remain here till the 20th. The expedition is just arrived, but M. Griffin is not a man to be trusted, for she has more him run away once before. The Bristol, on the other hand, did but just make her appearance before St. Thomas; and, on the vague report of thirteen ships coming from Porto Novo, she took flight, and after landing the provisions with which she was laden, she would not stay long enough even to take on board twelve of her own guns, which she had lent us for the siege."

"I was the judge of the point of honour of the company's officers, I would break him like glass, as well as some others of them."

"The Estelle, or Toulon, or even the *doree* of Bristol, with her twelve guns restored to her, would be sufficient to make themselves masters of the English ship, if they could manage so as to get to windward of her in the night. Maugeandre and Tremblay are said to be good men; and, were they employed only to transport two hundred wounded men that we have here, their service would be of importance."

"We remain still in the same position: the breach made these fifteen days, all the time within fifteen fathoms of the wall of the place, and never holding up our heads to look at it."

"I reckon we shall, on our arrival at Pondicherry, endeavour to learn some other trade, for this of war requires too much patience."

"One thousand five hundred sepoy which attended our army, I reckon near eight hundred are employed upon the road to Pondicherry, laden with sugar, pepper, and other goods; and as for the Coulis, they are all employed for the same purpose, from the first day we came here."

"I am taking my measures from this day to set fire to the Black-town, and to blow up the powder mills."

"You will never imagine that fifty French deserters, and one hundred Swiss, are actually stopping the progress of two thousand men of the king's and company's troops which are still here existing, notwithstanding the exaggerated accounts that every one makes here according to his own fancy, of the slaughter that has been made of them; and you will be still more surprised if I tell you that, were it not for the combats and four battles we sustained, and for the batteries which failed, or, to speak more properly, which were unskillfully made, we should not have lost fifty men, from the course of the siege to this day. I have written to M. de Larche that if he persists in not coming here, let who will raise money upon the Polegiers for me, I will not do it; and I renounce (as I informed you a month ago I would do) meddling directly or indirectly with any thing whatever that may have relation to your administration, whether civil or military. For I had rather go and command the Caffres of Madagascar, than remain in this Solom; which it is impossible but the fire of the English must destroy sooner or later; even though that from Heaven should not."

"I have the honour to be, &c. &c."

"Signed LALLY."

"P. S. I think it necessary to apprise you, that as M. de Soupire has refused to take upon him the command of this army, which I have offered to him, and which he is empowered to accept, by having received from the court a duplicate of my commission, you must of necessity, together with the council, take it upon you. For my part, I undertake only to bring it back either to Arcot or to Sadras. Send, therefore, your orders, or come yourselves to command it: for I shall quit it upon my arrival there."

both sides. The Marquis de Conflans did not remain at Rajamundry, but proceeded to Masulipatam; while Captain Knox, with a detachment from the English army, took possession of the fort of Rajamundry, which is the barrier and key to the country of Vizagapatam. This was delivered to the rajah on his paying the expense of the expedition; and Captain Knox being detached with a battalion of sepoy, took possession of the French factory at Narsipore. This was also the fate of a small fort at Coucate, which surrendered to Captain Maclean, after having made an obstinate defence. In the meantime, however, the French army of observation made shift to retake Rajamundry, where they found a considerable quantity of money, baggage, and effects belonging to English officers.

§ III. Colonel Forde advancing to the neighbourhood of Masulipatam, the Marquis de Conflans with his forces retired within the place, which on the seventh day of March was invested. By the seventh day of April the ammunition of the besiegers being almost expended, Colonel Forde determined to give the assault, as two breaches were already made, and made his disposition accordingly. The attack was begun in the night, and the assailants arrived at the ditch before they were discovered. But here they underwent a terrible discharge of grape-shot and musketry; notwithstanding which they entered the breaches, and drove the enemy from bastion to bastion. At length, the Marquis de Conflans sent an officer to demand quarter for the garrison, which was granted as soon as he ordered his men to cease firing. Thus, with about three hundred and forty European soldiers, a handful of seamen, and seven hundred sepoy, Colonel Forde took by assault the strong town of Masulipatam, garrisoned by five hundred and twenty-two Europeans, two thousand and thirty-nine Caffres, Topasses, and sepoy; and here he found above one hundred and fifty pieces of cannon, with a great quantity of ammunition. Salabatzing, the Subah of Decan, perceiving the success of the English here, as well as at Madras, being sick of his French alliance, and in dread of his brother Nizam Allee, who had set up a separate interest, and taken the field against him, made advances to the company, with which he forthwith concluded a treaty to the following effect:—"The whole of the circar of Masulipatam shall be given to the English company. Salabatzing will not suffer the French to have a settlement in this country, nor keep them in his service, nor give them any assistance. The English, on their part, will not assist nor give protection to the subah's enemies."—In a few days after Masulipatam was reduced, two ships arrived in the road, with a reinforcement of four hundred men to the Marquis de Conflans; but, understanding the fate of the place, made the best of their way to Ganjam.

§ IV. The merchants residing at Surat, finding themselves exposed to numberless dangers, and every species of oppression, by the sidee who commanded the castle on one hand, by the governor of the city on the other, and by the Mahattas, who had a claim to a certain share of the revenue, made application to the English presidency at Bombay, desiring they would equip an expedition for taking possession of the castle and Tanka, and settle the government of the city upon Pharass Cawn, who had been naib or deputy-governor under Meah Atchund, and regulated the police to the satisfaction of the inhabitants. The presidency embraced the proposal; Admiral Pococke spared two of his ships for this service. Eight hundred and fifty men, artillery and infantry, with fifteen hundred sepoy, under the command of Captain Richard Maitland, of the royal regiment of artillery, were embarked on board the company's armed vessels commanded by Captain Watson, who sailed on the ninth day of February. On the fifteenth they were landed at a place called Dentiloury, about nine miles from Surat; and here they were encamped for refreshment; in two days he advanced against the French garden, in which a considerable number of the sidee's men were posted, and drove them from thence, after a very obstinate dispute. Then he erected a battery, from which he battered the wall in breach: but this method appearing tedious, he called a council of war, composed of the land and sea officers, and laid before them the plan of a general attack, which was accordingly exe-

cuted next morning. The company's grab, and the bomb-ketches, being warped up the river in the night, were ranged in a line of battle opposite to the Bundar, which was the strongest fortification that the enemy possessed; and under the fire of these the troops being landed, took the Bundar by assault. The outward town being thus gained, he forthwith began to bombard the inner town and castle with such fury, that next morning they both surrendered, on condition of being allowed to march out with their effects; and Captain Maitland took possession without further dispute. Meah Atchund was continued governor of Surat, and Pharass Cawn was appointed naib. The artillery and ammunition found in the castle were secured for the company, until the Mogul's pleasure was known; and in a little time a phirmaund, or grant, arrived from Delhi, appointing the English company admiral to the Mogul; so that the ships and stores belonged to them of course, as part of the Tanka; and they were now declared legal possessors of the castle. This conquest, which cost above two hundred men, including a few officers, was achieved with such expedition, that Captain Watson returned to Bombay by the ninth day of April.

§ V. The main body of the English forces which had been centred at Madras, for the preservation of that important settlement, took the field after the siege was raised, and possessed themselves of Conjeeveram, a place of great consequence; which, with the fort of Schengelpel, commanded all the adjacent country, and secured the British possessions to the northward. M. Lally, sensible of the importance of the post, took the same route, in order to dislodge them; but finding all his attempts ineffectual, he retired towards Wandewash, where his troops were put into quarters of cantonment. No other operations ensued till the month of September; when Major Brereton, who commanded the English forces, being joined by Major Gordon with three hundred men of Colonel Coote's battalion, resolved to attack the enemy in his turn. On the fourteenth day of the month he began his march from Conjeeveram for Wandewash, at the head of four hundred Europeans, seven thousand sepoy, seventy European and three hundred black horse, with fourteen pieces of artillery. In his march he invested and took the fort of Trivitar; from whence he proceeded to the village of Wandewash, where the French, to the number of one thousand, were strongly encamped under the guns of a fort commanded by a rajah, mounting twenty cannon, under the direction of a French gunner. On the thirteenth day of September, at two in the morning, the English attacked the village in three different places, and drove them from it after a very obstinate dispute; but this advantage they were not able to maintain. The black pioneers ran away during the attack, so that proper traverses could not be made in the streets; and at day-break the fort poured in upon them a prodigious discharge of grape-shot with a considerable effect. The enemy had retired to a dry ditch, which served as an intrenchment, from whence they made furious sallies; and a body of three hundred European horse were already in motion, to fall upon and complete their confusion. In this emergency, they retired in disorder; and might have been entirely ruined, had not the body of reserve effectually covered their retreat: yet this could not be effected without the loss of several officers; and above three hundred men killed and wounded. After this mortifying check, they encamped a few days in sight of the fort; and, the rainy season setting in, returned to Conjeeveram. The fort of Wandewash was afterwards garrisoned by French and sepoy; and the other forces of the enemy were assembled by Brigadier-General de Bussy, at Arcot.

§ VI. During these transactions by land, the superiority at sea was still disputed between the English and French admirals. On the first day of September, Vice-Admiral Pococke sailed from Madras to the southward in quest of the enemy; and next day descried the French fleet, consisting of fifteen sail, standing to the northward. He forthwith threw out the signal for a general chase, and stood towards them with all the sail he could carry; but the wind abating, he could not approach near enough to engage. During the three succeeding days, he used his utmost endeavours to bring them to a battle, which they

still declined, and at last they disappeared. He then directed his course to Pondicherry, on the supposition that they were bound to that harbour; and on the eighth day of the month perceived them standing to the southward: but he could not bring them to an engagement till the tenth, when M. d'Apché, about two in the afternoon, made the signal for battle, and the cannonading began without further delay. The British squadron did not exceed nine ships of the line; the enemy's fleet consisted of eleven; but they had still a greater advantage in number of men and artillery. Both squadrons fought with great impetuosity till about ten minutes after four, when the enemy's rear began to give way: this example was soon followed by their centre; and finally the van, with the whole squadron, bore to the south-south-east, with all the canvass they could spread. The British squadron was so much damaged in their masts and rigging that they could not pursue; so that M. d'Apché retreated at his leisure unmolested. On the fifteenth Admiral Pococke returned to Madras, where his squadron being repaired by the twenty-sixth, he sailed again to Pondicherry, and in the road saw the enemy lying at anchor in line of battle. The wind being off shore, he made the line of battle a-head, and for some time continued in this situation. At length the French admiral weighed anchor, and came forth; but, instead of bearing down upon the English squadron, which had fallen to leeward, he kept close to the wind, and stretched away to the southward. Admiral Pococke finding him averse to another engagement, and his own squadron running in no condition to pursue, he, with the advice of his captains, desisted, and measured back his course to Madras. On the side of the English, above three hundred men were killed in the engagement, including Captain Miche, who commanded the Newcastle, Captain Gore of the marines, two lieutenants, a master, gunner, and boatswain: the Captains Somerset and Breton, with about two hundred and fifty men, were wounded; and many of the ships were considerably damaged. The loss of the enemy must have been much more considerable, because the English in battle always fire at the body of the ship; because the French squadron was crowded with men; because they gave way and declined a second engagement; and, finally, because they now made the best of their way to the island of Mauritius, in order to be refitted, having on board General Lally, and some other officers. Thus they left the English masters of the Indian coast; a superiority still more confirmed by the arrival of Rear-Admiral Cornish, with four ships of the line, who had set sail from England in the beginning of the year, and joined Admiral Pococke at Madras on the eighteenth day of October.

§ VII. The French were not the only enemies with whom the English had to cope in the East Indies. The great extension of their trade in the kingdom of Bengal, had excited the envy and avarice of the Dutch factory, who possessed a strong fort at Chinchura, on the river of Bengal; and resolved, if possible, to engross the whole saltpetre branch of commerce. They had, without doubt, tampered with the new subah, who lay under such obligations to the English, and probably secured his connivance. Their scheme was approved by the governor of Batavia, who charged himself with the execution of it; and, for that purpose, chose the opportunity when the British squadron had retired to the coast of Malabar. On pretence of reinforcing the Dutch garrisons in Bengal, he equipped an armament of seven ships, having on board five hundred European troops, and six hundred Malayese, under the command of Colonel Russel. This armament having touched at Negapatam, proceeded up the bay, and arrived in the river of Bengal about the beginning of October. Colonel Clive, who then resided at Calcutta, had received information of their design, which he was resolved, at all events, to defeat. He complained to the subah; who, upon such application, could not decently refuse an order to the directors and council of Hughly, implying that this armament should not proceed up the river. The colonel, at the same time, sent a letter to the Dutch commodore, intimating, that as he had received intimation of their design, he could not allow them to land forces, and march to Chinchura. In answer to this declaration, the

Dutch commodore, whose whole fleet had not yet arrived, assured the English commander that he had no intention to send any forces to Chinchura; and begged liberty to land some of his troops for refreshment: a favour that was granted, on condition that they should not advance. Notwithstanding the subah's order, and his own engagement to this effect, the rest of the ships were no sooner arrived, than he proceeded up the river to the neighbourhood of Tannah-fort, where his forces being disembarked, began their march to Chinchura. In the meantime, by way of retaliating the affront he pretended to have sustained, in being denied a passage to their own factory, he took several small vessels on the river belonging to the English company; and the Calcutta Indiaman, commanded by Captain Wilson, homeward bound, sailing down the river, the Dutchman gave him to understand, that if he presumed to pass he would sink him without further ceremony. The English captain seeing them run out their guns as if really resolved to put their threats in execution, returned to Calcutta, where two other India ships lay at anchor; and reported his adventure to Colonel Clive, who forthwith ordered the three ships to prepare for battle, and attack the Dutch armament. The ships being properly manned, and their quarters lined with saltpetre, they fell down the river, and found the Dutch squadron drawn up in line of battle, in order to give them a warm reception, for which indeed they seemed well prepared; for three of them were mounted with thirty-six guns each, three of them with twenty-six, and the seventh carried sixteen. The Duke of Dorset, commanded by Captain Forrester, being the first that approached them, dropped anchor close to their line, and began the engagement with a broadside, which was immediately returned. A dead calm unfortunately intervening, this single ship was for a considerable time exposed to the whole fire of the enemy; but a small breeze springing up, the Calcutta and the Hardwick advanced to her assistance, and a severe fire was maintained on both sides, till two of the Dutch ships, slipping their cables, bore away, and a third was driven ashore. Their commodore, thus weakened, after a few broadsides, struck his flag to Captain Wilson, and the other three followed his example. The victory being thus obtained without the loss of one man on the side of the English, Captain Wilson took possession of the prizes, the decks of which were strewed with carnage; and sent the prisoners to Colonel Clive at Calcutta. The detachment of troops which they had landed, to the number of eleven hundred men, was not more fortunate in their progress. Colonel Clive no sooner received intelligence that they were in full march to Chinchura, than he detached Colonel Forde, with five hundred men, from Calcutta, in order to oppose and put a stop to their march at the French gardens. He accordingly advanced to the northward, and entered the town of Chandernagore, where he sustained the fire of a Dutch party sent out from Chinchura to join and conduct the expected reinforcement. These being routed and dispersed, after a short action, Colonel Forde in the morning proceeded to a plain in the neighbourhood of Chinchura, where he found the enemy prepared to give him battle on the twenty-fifth day of November. They even advanced to the charge with great resolution and activity; but found the fire of the English artillery and battalion so intolerably hot, that they soon gave way, and were totally defeated. A considerable number were killed, and the greater part of those who survived the action were taken prisoners. During this contest, the nabob, at the head of a considerable army, observed a suspicious neutrality; and in all likelihood would have declared for the Dutch had they proved victorious, as he had reason to believe they would, from their great superiority in number. But fortune no sooner determined in favour of the English, than he made a tender of his service to the victor, and even offered to reduce Chinchura with his own army. In the meantime, proposals of accommodation being sent to him by the directors and council of the Dutch factory at Chinchura, a negotiation ensued, and a treaty was concluded to the satisfaction of all parties. Above three hundred of the prisoners entered into the service of Great Britain; the rest embarked on board their ships, which were restored as soon as the peace was ratified, and set out on their re-



turn to Batavia. After all, perhaps, the Dutch company meant nothing more than to put their factory of Chinchura on a more respectable footing; and, by acquiring greater weight and consequence among the people of the country than they formerly possessed, the more easily extend their commerce in that part of the world. At any rate it will admit of a dispute among those who profess the law of nature and nations, whether the Dutch company could be justly debarred the privilege of sending a reinforcement to their own garrisons. Be that as it will, the ships were not restored until the factory at Chinchura had given security to indemnify the English for the damage they had sustained on this occasion.

§ VIII. The success of the English company was still more conspicuous on the coast of Coromandel. The governor and council of Madras having received information that the French general, Lally, had sent a detachment of his army to the southward, taken Syringham, and threatened Trichenapally with a siege, it was determined that Colonel Coote, who had lately arrived from England, should take the field, and endeavour to make a diversion to the southward. He accordingly began his march at the head of seventeen hundred Europeans, including cavalry, and three thousand blacks, with fourteen pieces of cannon and one howitzer. On the twenty-seventh day of November, he invested the fort of Wandewash: having made a practicable breach, the garrison, consisting of near nine hundred men, surrendered prisoners of war; and he found in the place forty-nine pieces of cannon, with a great quantity of ammunition. Then he undertook the siege of Carangoly, a fortress commanded by Colonel O'Kennely, at the head of one hundred Europeans, and five hundred sepoys. In a few days he dismounted the greater part of their guns; and they submitted, on condition that the Europeans should be allowed to march out with the honours of war; but the sepoys were disarmed and dismissed.

§ IX. General Lally, alarmed at the progress of this brave, vigilant, and enterprising officer, assembled all his forces at Arcot, to the number of two thousand two hundred Europeans, including horse; three hundred Caffrees, and ten thousand black troops, or sepoys; with five-and-twenty pieces of cannon. Of these, he assumed the command in person; and on the tenth day of January began his march in order to recover Wandewash. Colonel Coote, having received intelligence on the twelfth, that he had taken possession of Conjeveram, endeavoured, by a forced march, to save the place; which they accordingly abandoned at his approach, and pursuing their march to Wandewash, invested the fort without delay. The English commander passed the river Palla, in order to follow the same route; and on the twenty-first day of the month, understanding that a breach was already made, resolved to give them battle without further delay. The cavalry being formed, and supported by five companies of sepoys, he advanced against the enemy's horse, which being at the same time galled by two pieces of cannon, retired with precipitation. Then Colonel Coote, having taken possession of a tank which they had occupied, returned to the line, which was, by this time, formed in order of battle. Seeing the men in high spirits, and eager to engage, he ordered the whole army to advance: and by nine in the morning they were within two miles of the enemy's camp, where they halted about half an hour. During this interval, the colonel reconnoitred the situation of the French forces, who were very advantageously posted; and made a movement to the right, which obliged them to alter their disposition. They now advanced, in their turn, within three quarters of a mile of the English line, and the cannonading began with great fury on both sides. About noon their European cavalry coming up with a resolute air to charge the left of the English, Colonel Coote brought up some companies of sepoys, and two pieces of cannon, to sustain the horse, which were ordered to oppose them; and these advancing on their flank, disturbed them so much that they broke, and were driven by the English cavalry above a mile from the left, upon the rear of their own army. Meanwhile, both lines continued advancing to each other; and about one o'clock the firing with small arms began with great vivacity. One of the French tumbrils being blown up by an

accidental shot, the English commander took immediate advantage of their confusion. He ordered Major Brereton to wheel Draper's regiment to the left, and fall upon the enemy's flank. This service was performed with such resolution and success, that the left wing of the French was completely routed and fell upon their centre, now closely engaged with the left of the English. About two in the afternoon their whole line gave way, and fled towards their own camp; which, perceiving themselves closely pursued, they precipitately abandoned, together with twenty-two pieces of cannon. In this engagement they lost about eight hundred men killed and wounded, besides about fifty prisoners, including Brigadier-General de Bussy, the Chevalier Godeville quarter-master-general, Lieutenant-Colonel Murphy, three captains, five lieutenants, and some other officers. On the side of the English, two hundred and sixty-two were killed or wounded; and among the former, the gallant and accomplished Major Brereton, whose death was a real loss to his country.

§ X. General Lally having retreated with his broken troops to Pondicherry, the Baron de Vasseroi was detached towards the same place, with a thousand horse and three hundred sepoys, to ravage and lay waste the French territory. In the meantime the indefatigable Colonel Coote undertook the siege of Chhillip, which in two days was surrendered by the Chevalier de Tilly; himself and his garrison remaining prisoners of war. Such also was the fate of Fort Timmery; which, being reduced, the colonel prosecuted his march to Arcot, the capital of the province, against the fort of which he opened his batteries on the fifth day of February. When he had carried on his approaches within sixty yards of the crest of the glacis, the garrison consisting of two hundred and fifty Europeans, and near three hundred sepoys, surrendered as prisoners of war; and here the English commander found two-and-twenty pieces of cannon, four mortars, and a great quantity of all kinds of military stores. Thus the campaign was gloriously finished with the conquest of Arcot; after the French army had been routed and ruined by the diligence of Colonel Coote, whose courage, conduct, and activity, cannot be sufficiently admired. The reader will perceive that, rather than interrupt the thread of such an interesting narration, we have ventured to encroach upon the annals of the year one thousand seven hundred and sixty.

§ XI. Having thus followed the British banners through the glorious tracks they pursued in different parts of Asia and America, we must now convert our attention to the continent of Europe, where the English arms, in the course of this year, triumphed with equal lustre and advantage. But first it may be necessary to sketch out the situation in which the belligerent powers were found at the close of winter. The vicissitudes of fortune with which the preceding campaign had been chequered, were sufficient to convince every potentate concerned in the war, that neither side possessed such a superiority, in strength or conduct, as was requisite to impose terms upon the other. Battles had been fought with various success; and surprising efforts of military skill had been exhibited, without producing one event which tended to promote a general peace, or even engender the least design of accommodation: on the contrary, the first and most violent transports of animosity had by this time subsided into a confirmed habit of deliberate hatred; and every contending power seemed more than ever determined to protract the dispute; while the neutral states kept aloof, without expressing the least desire of interposing their mediation. Some of them were restrained by considerations of convenience: and others waited in suspense for the death of the Spanish monarch, as an event which they imagined would be attended with very important consequences in the southern part of Europe. With respect to the maintenance of the war, whatever difficulties might have arisen in settling funds to support the expense, and finding men to recruit the different armies, certain it is, all these difficulties were surmounted before the opening of the campaign. The court of Vienna, though hampered by the narrowness of its finances, still found resources in the fertility of its provinces, in the number and attachment of its subjects, who, more than any other people in Europe, acquiesce in the dispositions of their sovereign; and when pay cannot be

afforded, willingly contribute free quarters for the subsistence of the army. The czarina, though she complained that the stipulated subsidies were ill paid, nevertheless persisted in pursuing those favourite aims which had for some time influenced her conduct; namely, her personal animosity to the King of Prussia, and her desire of obtaining a permanent interest in the German empire. Sweden still made a show of hostility against the Prussian monarch, but continued to slumber over the engagements she had contracted. France, exhausted in her finances, and abridged of her marine commerce, maintained a resolute countenance; supplied fresh armies for her operations in Westphalia; projected new schemes of conquest; and cajoled her allies with fair promises, when she had nothing more solid to bestow. The King of Prussia's dominions were generally drained, or in the hands of the enemy; but to balance these disadvantages, he kept possession of Saxony; and enjoyed his annual subsidy from Great Britain, which effectually enabled him to maintain his armies on a respectable footing, and open the campaign with equal eagerness and confidence.

§ XII. The Hanoverian army, commanded by Prince Ferdinand of Brunswick, was strengthened by fresh reinforcements from England, augmented with German recruits, regularly paid, and well supplied with every comfort and convenience which foresight could suggest, or money procure; yet, in spite of all the precautions that could be taken, they were cut off from some resources which the French, in the beginning of the year, opened to themselves by a flagrant stroke of perfidy, which even the extreme necessities of a campaign can hardly excuse. On the second day of January, the French regiment of Nassau presented itself before the gates of Frankfort on the Maine, a neutral imperial city: and, demanding a passage, it was introduced and conducted by a detachment of the garrison through the city, as far as the gate of Saxenhausen, where it unexpectedly halted, and immediately disarmed the guards. Before the inhabitants could recover from the consternation into which they were thrown by this outrageous insult, five other French regiments entered the place; and here their general, the Prince de Soubise, established his head-quarters. How deeply soever this violation of the laws of the empire might be resented by all honest Germans, who retained affection for the constitution of their country, it was a step from which the French army derived a very manifest and important advantage: for it secured to them the course of the Maine and the Upper Rhine; by which they received, without difficulty or danger, every species of supply from Mentz, Spire, Worms, and even the country of Alsace; while it maintained their communication with the chain formed by the Austrian forces and the army of the empire.

§ XIII. The scheme of operation for the ensuing campaign was already formed between the King of Prussia and Prince Ferdinand of Brunswick: and before the armies took the field, several skirmishes were fought and quarters surprised. In the latter end of February, the Prince of Ysembourg detached Major-General Urst, with four battalions and a body of horse; who, assembling in Rhotenbourg, surprised the enemy's quarters in the night between the first and second day of March, and drove them from Hirschfeld, Yacha, and all the Hessian bailiwicks of which they had taken possession; but the Austrians soon returning in great numbers, and being supported by a detachment of French troops from Frankfort, the allies fell back in their turn. In a few days, however, they themselves retreated again with great precipitation, though they did not all escape. The hereditary Prince of Brunswick, with a body of Prussian hussars, fell upon them suddenly at Molrichstall, where he routed and dispersed a regiment of Hohenzollern cuirassiers, and a battalion of the troops of Wurtzburg. He next day, which was the first day of April, advanced with a body of horse and foot to Meiningen, where he found a considerable magazine, took two battalions prisoners, and surprised a third posted at Wafungen, after having defeated some Austrian troops that were on the march to his relief. While the hereditary prince was thus employed, the Duke of Holstein, with another body of the confederates, dislodged the French from the post of Freyinstenau.

§ XIV. But the great object was to drive the enemy from Frankfort, before they should receive the expected reinforcements. Prince Ferdinand of Brunswick, being determined upon this enterprise, assembled all his forces near Fulda, to the amount of forty thousand choice troops, and began his march on the tenth day of April. On the thirteenth he came in sight of the enemy, whom he found strongly encamped about the village of Bergen, between Frankfort and Hanau. Their general, the Duke de Broglie, counted one of the best officers in France with respect to conduct and intrepidity, having received intelligence of the prince's design, occupied this post on the twelfth; the right of his army being at Bergen, and his centre and flanks secured in such a manner, that the allies could not make their attack any other way but by the village. Notwithstanding the advantage of their situation, Prince Ferdinand resolved to give them battle, and made his dispositions accordingly. About ten in the morning the grenadiers of the advanced guard began the attack on the village of Bergen with great vivacity; and sustained a most terrible fire from eight German battalions, supported by several brigades of French infantry. The grenadiers of the allied army, though reinforced by several battalions under the command of the Prince of Ysembourg, far from dislodging the enemy from the village, were, after a very obstinate dispute, obliged to retreat in some disorder, but rallied again behind a body of Hessian cavalry. The allies being repulsed in three different attacks, their general made a new disposition; and brought up his artillery, with which the village, and different parts of the French line, were severely cannonaded. They were not slow in retorting an equal fire, which continued till night; when the allies retreated to Windekin, with the loss of five pieces of cannon, and about two thousand men, including the Prince of Ysembourg, who fell in the action. The French, by the nature of their situation, could not suffer much; but they were so effectually amused by the artful disposition of Prince Ferdinand, that instead of taking measures to harass him in his retreat, they carefully maintained their situation, apprehensive of another general attack. Indeed they had great reason to be satisfied with the issue of this battle, without risking, in any measure, the advantage which they had gained. It was their business to remain quiet until their reinforcements should arrive; and this plan they invariably pursued. On the other hand, the allies, in consequence of their miscarriage, were reduced to the necessity of acting upon the defensive, and encountering a great number of difficulties and inconveniences during great part of the campaign, until the misconduct of the enemy turned the scale in their favour. In the meantime the prince thought proper to begin his retreat in the night towards Fulda, in which his rear suffered considerably from a body of the enemy's light troops under the command of M. de Blaisel, who surprised two squadrons of dragoons, and a battalion of grenadiers. The first were taken or dispersed; the last escaped with the loss of their baggage. The allied army returned to their cantonments about Munster; and the prince began to make preparations for taking the field in earnest.

§ XV. While the French enjoyed plenty in the neighbourhood of Dusseldorp and Creveldt, by means of the Rhine, the allies laboured under a dearth and scarcity of every species of provision; because the country which they occupied was already exhausted, and all the supplies were brought from an immense distance. The single article of forage occasioned such enormous expense, as alarmed the administration of Great Britain; who, in order to prevent mismanagement and fraud for the future, nominated a member of parliament inspector-general of the forage, and sent him over to Germany in the beginning of the year, with the rank and appointments of a general officer; that the importance of his character, and the nature of his office, might be a check upon those who were suspected of iniquitous appropriations. This gentleman is said to have met with such a cold reception, and so many mortifications in the execution of his office, that he was in a very little time sick of his employment. An inquiry into the causes of his reception, and of the practices which rendered it necessary to appoint such a superintendent, may be the province of some future historian, when truth may

be investigated freely, without any apprehension of pains and penalties.

§ XVI. While great part of the allied army remained in cantonments about Munster, the French armies on the Upper and Lower Rhine, being put in motion, joined on the third day of June near Marpurg, under the command of the Mareschal de Contades, who advanced to the northward, and fixed his head-quarters at Corbach: from whence he detached a body of light troops to take possession of Cassel, which at his approach was abandoned by General Imhoff. The French army being encamped at Stadberg, the Duke de Broglio, who commanded the right wing, advanced from Cassel into the territories of Hanover, where he occupied Gottingen without opposition; while the allied army assembled in the neighbourhood of Lipstadt, and encamped about Soest and Werle. Prince Ferdinand, finding himself inferior to the united forces of the enemy, was obliged to retire as they advanced, after having left strong garrisons in Lipstadt, Retberg, Munster, and Minden. These precautions, however, seemed to produce little effect in his favour. Retberg was surprised by the Duke de Broglio, who likewise took Minden by assault; and made General Zastrow, with his garrison of fifteen hundred men, prisoners of war; a misfortune considerably aggravated by the loss of an immense magazine of hay and corn, which fell into the hands of the enemy. They likewise made themselves master of Munster, invested Lipstadt, and all their operations were hitherto crowned with success. The regency of Hanover, alarmed at their progress, resolved to provide for the worst, by sending their chancery and most valuable effects to Stade; from whence, in case of necessity, they might be conveyed by sea to England. In the meantime they exerted all their industry in pressing men for recruiting and reinforcing the army under Prince Ferdinand, who still continued to retire; and on the eleventh day of July removed his head-quarters from Osnabruck to Bompte, near the Weser. Here having received advice that Minden was taken by the French, he sent forwards a detachment to secure the post of Saltznau on that river, where on the fifteenth he encamped.

§ XVII. The general of the allied army had for some time exhibited marks of animosity towards Lord George Sackville, the second in command, whose extensive understanding, penetrating eye, and inquisitive spirit, could neither be deceived, dazzled, nor soothed into tame acquiescence. He had opposed, with all his influence, a design of retiring towards the frontiers of Brunswick, in order to cover that country. He supported his opposition by alleging that it was the enemy's favourite object to cut off their communication with the Weser and the Elbe; in which, should they succeed, it would be found impossible to transport the British troops to their own country, which was at that time threatened with an invasion. He therefore insisted on the army's retreating, so as to keep the communication open with Stade; where, in case of emergency, the English troops might be embarked. By adhering tenaciously to this opinion, and exhibiting other instances of a prying disposition, he had rendered himself so disagreeable to the commander-in-chief, that, in all appearance, nothing was so eagerly desired as an opportunity of removing him from the station he filled.

§ XVIII. Meanwhile the French general, advancing to Minden, encamped in a strong situation; having that town on his right, a steep hill on his left, a morass in front, and a rivulet in rear. The Duke de Broglio commanded a separate body between Hansbergen and Minden, on the other side of the Weser; and a third under the Duke de Brissac, consisting of eight thousand men, occupied a strong post by the village of Coveltd, to facilitate the route of the convoys from Paderborn. Prince Ferdinand having moved his camp from Soltznau to Petershagen, detached the hereditary prince on the twenty-eighth day of July to Lubeke, from whence he drove the enemy, and proceeding to Rimsel, was joined by Major-General Drevs, who had retaken Osnabruck, and cleared all that neighbourhood of

the enemy's parties: then he advanced towards Hervorden, and fixed his quarters at Kirchlinneger, to hamper the enemy's convoys from Paderborn. During these transactions, Prince Ferdinand marched with the allied army in three columns from Petershagen to Hille, where it encamped, having a morass on the right, the village of Fredewalde on the left, and in front those of Northemern and Holtzenhausen. Fifteen battalions and nineteen squadrons, with a brigade of heavy artillery, were left under the command of General Wangenheim, on the left, behind the village of Dodenhausen, which was fortified with some redoubts, defended by two battalions. Colonel Luckner, with the Hanoverian hussars, and a brigade of hunters, sustained by two battalions of grenadiers, was posted between Buckebourg and Weser, to observe the body of troops commanded by the Duke de Broglio on the other side of the river.

§ XIX. On the last day of July the Mareschal de Contades, resolving to attack the allied army, ordered the corps of Broglio to repossess the river; and, advancing in eight columns, about midnight, passed the rivulet of Barta, that runs along the morass, and falls into the Weser at Minden. At day-break he formed his army in order of battle; part of it fronting the corps of General Wangenheim at Dodenhausen, and part of it facing Hille; the two wings consisting of infantry, and the cavalry being stationed in the centre. At three in the morning, the enemy began to cannonade the prince's quarters at Hille, from a battery of six cannon, which they had raised in the preceding evening on the dike of Eickhorst. This was probably the first intimation he received of their intention. He forthwith caused two pieces of artillery to be conveyed to Hille; and ordered the officer of the piquet-guard posted there to defend himself to the last extremity: at the same time he sent orders to General Giesen, who occupied Lubeke, to attack the enemy's post at Eickhorst; and this service was successfully performed. The Prince of Anhalt, lieutenant-general for the day, took possession with the rest of the piquets of the village of Halen, where Prince Ferdinand resolved to support his right. It was already in the hands of the enemy, but they soon abandoned it with precipitation. The allied army, being put in motion, advanced in eight columns, and occupied the ground between Halen and Hemmern, while General Wangenheim's corps filled up the space between this last village and Dodenhausen. The enemy made their principal effort on the left, intending to force the infantry of Wangenheim's corps, and penetrate between it and the body of the allied army. For this purpose the Duke de Broglio attacked them with great fury; but was severely checked by a battery of thirty cannon, prepared for his reception by the Count de Buckebourg, grand master of the artillery, and served with admirable effect, under his own eye and direction. About five in the morning both armies cannonaded each other; at six the fire of musketry began with great vivacity; and the action became very hot towards the right, where six regiments of English infantry, and two battalions of Hanoverian guards, not only bore the whole brunt of the French carabiniers and gendarmierie, but absolutely broke every body of horse and foot that advanced to attack them on the left and in the centre. The Hessian cavalry, with some regiments of Holstein, Prussian, and Hanoverian dragoons, posted on the left, performed good service. The cavalry on the right had no opportunity of engaging. They were destined to support the infantry of the third line; they consisted of the British and Hanoverian horse, commanded by Lord George Sackville, whose second was the Marquis of Granby. They were posted at a considerable distance from the first line of infantry, and divided from it by a scanty wood that bordered on a heath. Orders were sent, during the action, to bring them up; but whether these orders were contradictory, unintelligible, or imperfectly executed, they did not arrive in time to have any share in the action; nor, indeed, were they originally intended for that purpose; nor was there the least occasion for their

<sup>1</sup> That the general was not pleased with the behaviour of Lord George Sackville, may be gathered from the following compliment to the Marquis of Granby, implying a severe reflection upon his superior in command.

*Order of his Serene Highness Prince Ferdinand of Brunswick relative to*

*the behaviour of the troops under him at the famous battle near Minden, on the first of August, 1759.*

<sup>2</sup> His serene highness orders his greatest thanks to be given to the whole army, for their bravery and good behaviour yesterday, particularly to the



service; nor could they have come up in time and condition to perform effectual service, had the orders been explicit and consistent, and the commander acted with all possible expedition. Be that as it will, the enemy were repulsed in all their attacks with considerable loss: at length they gave way in every part; and about noon, abandoning the field of battle, were pursued to the ramparts of Minden. In this action they lost a great number of men, with forty-three large cannon, and many colours and standards; whereas the loss of the allies was very inconsiderable, as it chiefly fell upon a few regiments of British infantry, commanded by the Major-Generals Waldegrave and Kingsley. To the extraordinary prowess of those gallant brigades, and the fire of the British artillery, which was admirably served by the Captains Philips, Macbean, Drummond, and Foy, the victory was in a great measure ascribed. The same night the enemy passed the Weser, and burned the bridges over that river. Next day the garrison of Minden surrendered at discretion; and here the victors found a great number of French officers wounded.

§ XX. At last the Mareschal de Contades seemed inclined to retreat through the defiles of Wittekindstein, to Paderborn; but he was fain to change his resolution, in consequence of his having received advice, that on the very day of his own defeat, the Duke de Brissac was vanquished by the hereditary prince in the neighbourhood of Coveldt, so that the passage of the mountains was rendered impracticable. The Duke de Brissac had been advantageously encamped, with his left to the village of Coveldt, having the Werra in his front, and his right extending to the salt-pits. In this advantageous situation he was attacked by the hereditary prince and General de Kilmanseg with such vivacity and address that his troops were totally routed, with the loss of six cannon, and a considerable number of men killed, wounded, or taken prisoners. After the battle of Minden, Colonel Freytag, at the head of the light troops, took, in the neighbourhood of Detmold, all the equipage of the Mareschal de Contades, the Prince of Condé, and the Duke de Brissac, with part of their military chest and chancery, containing papers of the utmost consequence.

English infantry, and the two battalions of Hanoverian guards; to all the cavalry of the left wing; and to General Wangelin's corps, particularly the regiment of Holstein, the Hessian cavalry, the Hanoverian regiment of dragoons, and Hanoverian's, the same for all the banners of the army. His serene highness declares publicly, that next to God he attributes the glory of the day to the intrepidity and extraordinary good behaviour of these troops, which he assures them he shall retain the same as long as he lives; and if ever, upon any occasion, he shall be able to serve these brave troops, or any of them in particular, it will give him the utmost pleasure. His serene highness orders his particular thanks to be known given to General Sporken, the Duke of Holstein, Lieutenant-General Wangelin, the Count de Gersdorff, his excellency obliged to the Count de Buckeburg, for his extraordinary care and trouble in the management of the artillery, which was served with great effect; likewise to the commanding officers of the several brigades of artillery, viz. Colonel Browne, Lieutenant-Colonel Hütte, Major Hasse, and the three English captains, Philips, Drummond, and Foy. His serene highness thinks himself infinitely obliged to Major-Generals Waldegrave and Kingsley, for their great courage, and the good order in which they conducted their brigades. His serene highness further orders it to be declared to Lieutenant-General the Marquis of Granby, that he is persuaded that, if he had had the good fortune to have had him at the head of the cavalry of the right wing, his presence would have greatly contributed to make the conquest of that day more complete and more brilliant. In short, his serene highness orders that those of his suite whose behaviour he most admired be named, as the Duke of Richmond, Colonel Fitzroy, Captain Ligonier, Colonel Watson, Captain Wilson, air-du-camp to Mareschal Waldegrave, Colonel Gersdorff, First-Lieutenant de Wollé, the Count Tobe, and Malerit; his serene highness having much reason to be satisfied with their conduct. And his serene highness desires and orders the generals of the army, that upon all occasions when they are brought to the enemy's quarters-camp, that they may be obeyed punctually, and without delay.

¶ The following extracts of letters from the Duke de Belleisle to the Mareschal de Contades will convey some idea of the virtue, policy, and

"I am still afraid that this heretofore set out too late: it is, however, very important, and very essential that we should raise large contributions. I see no other resource for our most urgent expenses, and for retreating the troops, but to use money as we may do it, at the same time, exerting for ourselves, we must procure subsistence of all kinds, (independently of the money) that is to say, hay, straw, oats for the winter, bread, corn, cattle, horses, even men, to recruit our foreign troops. The war must not be prolonged, and perhaps it may be necessary, according to the events which may happen between this time and the end of September, to make a downright desert before the lines of the quarters which it may be thought proper to keep during the winter, in order that the enemy may be under a real but useless necessity of giving up the same time, exerting for ourselves, to a bare subsistence on the route which may be the most convenient for us to take, in the middle of winter, to beat up or seize upon the enemy's quarters. This object may be fulfilled, I cause the greatest assiduity to be used in preparing what is necessary for having all your troops without exception, well clothed, well armed, well equipped, and well re-fitted, in every respect, before the end of November, with new tents; in short, that, if it should be advisable for the king's political and military affairs, you may be able to assemble the whole or part of your army, to act offensively and with vigour, from the beginning of January, and, that

§ XXI. Prince Ferdinand having garrisoned Minden, marched to Hervorden; and the hereditary prince passed the Weser at Hamelen, in order to pursue the enemy, who retreated to Cassel, and from thence by the way of Marburg as far as Giessen. In a word they were continually harassed by that enterprising prince, who seized every opportunity of making an impression upon their army; took the greatest part of their baggage; and compelled them to abandon every place they possessed in Westphalia. The number of his prisoners amounted to fifteen hundred men, besides the garrison left at Cassel, which surrendered at discretion. He likewise surprised a whole battalion, and defeated a considerable detachment under the command of M. d'Armentieres. In the meantime, the allied army advanced in regular marches; and Prince Ferdinand, having taken possession of Cassel, detached General Imhoff, with a body of troops, to reduce the city of Munster, which he accordingly began to bombard and cannonade; but d'Armentieres, being joined by a fresh body of troops from the Lower Rhine, advanced to its relief, and compelled Imhoff to raise the siege. It was not long, however, before this general was also reinforced; then he measured back his march to Munster, and the French commander withdrew in his turn. The place was immediately shut up by a close blockade; which, however, did not prevent the introduction of supplies. The city of Munster being an object of importance, was disputed with great obstinacy. Armentieres received reinforcements, and the body commanded by Imhoff was occasionally augmented; but the siege was not formally undertaken till November, when some heavy artillery being brought from England, the place was regularly invested, and the operations carried on with such vigour, that in a few days the city surrendered on capitulation.

§ XXII. Prince Ferdinand having possessed himself of the town and castle of Marburg, proceeded with the army to Neider-Weimar, and there encamped; while Contades remained at Giessen, on the south side of the river Lahn, where he was joined by a colleague in the person of the Mareschal d'Estrefes. By this time he was become very unpopular among the troops, on account of the defeat at Minden, which he is said to have charged on the mis-

you have the satisfaction to show your enemies, and all Europe, that the French know how to act and carry on war, in all seasons, when they have such a general as you are, and a minister of the department of war that can so well know and direct matters with regard to the army.

"You must be sensible, sir, that what I say to you may become not only useful and honourable, but perhaps even necessary, with respect to what you know, and of which I shall say more, in my private letter."

"M. Duc de BELLEISLE."

"After observing all the formalities due to the magistrates of Cologne, you must seize on their great artillery by force, telling them that you do so for the known necessity of the common enemy of the empire; that you will restore them when their city has nothing further to fear, &c. After all, you must take every thing you have occasion for, and give them receipts for it."

"You must, at any rate, consume all sorts of subsistence on the higher Lippe, Paderborn, and Warburg; you must destroy every thing which you cannot consume, so as to make a desert of all Westphalia, from Lipstadt and Münster, as far as the Rhine, on one hand, and on the other, from the higher Lippe and Paderborn, as far as Cassel; that the enemy may find it quite impracticable to direct their march to the Rhine, or the Lower Roer; and this with regard to your army, and with regard to the army under M. de Soubise, that they may not have it in their power to take possession of Cassel, and much less to march to Warburg, or to the quarters which will have along the Lahn, or to those which you will occupy, from the lower part of the left side of the Roer, and on the right side of the Rhine, as far as Dusseldorf, and at Cologne."

"You must, in the manner of consuming or destroying, as far as is possible, all the subsistence, especially the forage, betwixt the Weser and the Rhine on the one hand, and on the other betwixt the Lippe and the bishopric of Paderborn, the Dymel, the Fulda, and the Nerre; and all the country of Westphalia and Hesse."

"Although the Prince of Waldeck appears outwardly neutral, he is very ill disposed, and deserves very little favour. You ought, therefore, to make no scruple of taking all you find in that territory; but this must be done in an orderly manner, giving receipts, and observing the most exact discipline. All the subsistence you leave in this country will fall to the enemy's share, who will, by that means, be enabled to advance to the Lahn, and towards the quarters which you are to occupy on the left side of the Rhine, and a precaution become in a manner indispensably necessary, to carry it all away from thence."

"The question now is, what plan you shall think most proper for accomplishing, in the quickest and surest manner, our great purpose; which must be to consume, carry off, or destroy, all the forage and subsistence of the country, which we cannot keep possession of."

"The upper part of the Lippe, and the country of Paderborn, are the most plentiful; if you must, therefore,

"You must, if it is really well, to talk in the most absolute tone with regard to the necessities Racotro and Dussbourg must furnish our troops; it is necessary to speak in that tone to Germans; and you will find your account in using the same to the regencies of the Elector of Cologne, and still more to that of the Palatine."

"After using all becoming ceremony, as we have the power in our hands, we must make use of it and draw from the country of Bergeue what shall be necessary for the subsistence of that to the very Jusseldorp, and of the light troops, and reserve what may be brought thither from Alsace and the bishoprics for a case of necessity."

conduct of Broglie, who recriminated on him in his turn, and seemed to gain credit at the court of Versailles. While the two armies lay encamped in the neighbourhood of each other, nothing passed but skirmishes among the light troops, and little excursive expeditions. The French army was employed in removing their magazines, and fortifying Giessen, as if their intention was to retreat to Frankfurt on the Maine, after having consumed all the forage, and made a military desert between the Lahn and that river. In the beginning of November, the Mareschal Duke de Broglie returned from Paris, and assumed the command of the army, from whence Contades and d'Estrees immediately retired, with several other general officers that were senior to the new commander.

§ XXIII. The Duke of Wirtemberg having taken possession of Fulda, the hereditary Prince of Brunswick resolved to beat up his quarters. For this purpose he selected a body of troops, and began his march from Marburg early in the morning on the twenty-eighth day of November. Next night they lay at Auerbach, where they defeated the volunteers of Nassau: and at one o'clock in the morning of the thirtieth they marched directly to Fulda; where the Duke of Wirtemberg, far from expecting such a visit, had invited all the fashionable people in Fulda to a sumptuous entertainment. The hereditary prince, having reconnoitred the avenues in person, took such measures, that the troops of Wirtemberg, who were scattered in small bodies, would have been cut off, if they had not hastily retired into the town, where, however, they found no shelter. The prince forced open the gates; and they retreated to the other side of the town, where four battalions of them were defeated and taken; while the duke himself, with the rest of his forces, fled off on the other side of the Fulda. Two pieces of cannon, two pair of colours, and all their baggage, fell into the hands of the victors; and the hereditary prince advanced as far as Rupertenrade, a place situated on the right flank of the French army. Perhaps this motion hastened the resolution of the Duke de Broglie to abandon Giessen, and fall back to Friedberg, where he established his head-quarters. The allied army immediately took possession of his camp at Kleinlinnes and Heuchelam, and seemed to make preparations for the siege of Giessen.

§ XXIV. While both armies remained in this position, the Duke de Broglie received the staff as Mareschal of France, and made an attempt to beat up the quarters of the allies. Having called in all his detachments, he marched up to them on the 25th day of December; but found them so well disposed to give him a warm reception, that he thought proper to lay aside his design, and nothing but a mutual cannonade ensued; then he returned to his former quarters. From Kleinlinnes the allied army moved to Corsdoff, where they were cantoned till the beginning of January, when they fell back as far as Marburg, where Prince Ferdinand established his head-quarters. The enemy had by this time retrieved their superiority, in consequence of the hereditary prince's being detached with fifteen thousand men to join the King of Prussia at Freyberg, in Saxony. Thus, by the victory at Minden, the dominions of Hanover and Brunswick were preserved, and the enemy obliged to evacuate great part of Westphalia. Perhaps they might have been driven on the other side of the Rhine, had not the general of the allies been obliged to weaken his army for the support of the Prussian monarch, who had met with divers disasters in the course of this campaign. It was not to any relaxation or abatement of his usual vigilance and activity, that this warlike prince owed the several checks he received. Even in the middle of winter his troops under General Manteuffel acted with great spirit against the Swedes in Pomerania. They made themselves masters of Damgarten, and several other places which the Swedes had garrisoned; and the first settling in, those who were quartered in the isle of Usedom passed over the ice to Wolgast, which they reduced without much difficulty. They undertook the sieges of Demmen and Anclam at the same time; and the garrisons of both surrendered themselves prisoners of war, to the number of two thousand seven hundred men, including officers. In Demmen they found four-and-twenty pieces of cannon, with a large quantity of ammunition. In Anclam there was a

considerable magazine, with six-and-thirty cannon, mortars, and howitzers. A large detachment under General Knobloch surprised Erfurth, and raised considerable contributions at Gotha, Isenach, and Fulda; from whence also they conveyed all the forage and provisions to Saxe-Naumburg. In the latter end of February, the Prussian Major-General Wobersnow marched with a strong body of troops from Glogau in Silesia to Poland; and, advancing by way of Lissa, attacked the castle of the Prince Sulkowski, a Polish grandee, who had been very active against the interest of the Prussian monarch. After some resistance he was obliged to surrender at discretion, and was sent prisoner with his whole garrison to Silesia. From hence Wobersnow proceeded to Posna, where he made himself master of a considerable magazine, guarded by two thousand Cossacs, who retired at his approach; and having destroyed several others returned to Silesia. In April the fort of Penamunde, in Pomerania, was surrendered to Manteuffel; and about the same time a detachment of Prussian troops bombarded Schwerin, the capital of Mecklenburgh. Meanwhile, reinforcements were sent to the Russian army in Poland, which in April began to assemble upon the Vistula. The court of Petersburg had likewise begun to equip a large fleet, by means of which the army might be supplied with military stores and provisions; but this armament was retarded by an accidental fire at Revel, which destroyed all the magazines and materials for ship-building to an immense value.

§ XXV. About the latter end of March the King of Prussia assembled his army at Rhonstock, near Strigau; and advancing to the neighbourhood of Landshut, encamped at Bolchenhayne. On the other hand, the Austrian army, under the command of Mareschal Daun, was assembled at Munchengratz, in Bohemia; and the campaign was opened by an exploit of General Beck, who surprised and made prisoners a battalion of Prussian grenadiers, posted under Colonel Duringsheven, at Griefenberg, on the frontiers of Silesia. This advantage, however, was more than counterbalanced by the activity and success of Prince Henry, brother to the Prussian king, who commanded the army which wintered in Saxony. About the middle of April he marched in two columns towards Bohemia, forced the pass of Peterswalde, destroyed the Austrian magazine at Assitz, burnt their boats upon the Elbe, seized the forage and provision which the enemy had left at Lowositz and Leutmeritz, and demolished a new bridge which they had built for their convenience. At the same time General Hulsén attacked the pass of Passberg, guarded by General Reynard, who was taken, with two thousand men, including fifty officers; then, he advanced to Satz, in hopes of securing the Austrian magazines; but these the enemy consumed that they might not fall into his hands, and retired towards Prague with the utmost precipitation.

§ XXVI. Prince Henry, having happily achieved these adventures, and filled all Bohemia with alarm and consternation, returned to Saxony, and distributed his troops in quarters of refreshment, in the neighbourhood of Dresden. In a few days, however, they were again put in motion, and marched to Obelzburgen; from whence he continued his route through Voightland, in order to attack the army of the empire in Franconia. He accordingly entered this country by the way of Hoff, on the seventh of May, and next day sent a detachment to attack General Macquire, who commanded a body of imperialists at Asch, and sustained the charge with great gallantry: but finding himself in danger of being overpowered by numbers, he retired in the night towards Egra. The army of the empire, commanded by the Prince de Deux-Ponts, being unable to cope with the Prussian general in the field, retired from Cullembach to Bamberg, and from thence to Nuremberg, where, in all probability, they would not have been suffered to remain unmolested, had not Prince Henry been recalled to Saxony. He had already taken Cronach and the castle of Rotenberg, and even advanced as far as Bamberg, when he received advice that a body of Austrians, under General Geminien, had penetrated into Saxony. This diversion effectually saved the army of the empire, as Prince Henry immediately returned to the electorate, after having laid the bishopric of Bamberg and the marquise

of Cullembach under contribution, destroyed all the magazines provided for the imperial army, and sent fifteen hundred prisoners to Leipsic. A party of imperialists, under Count Palfy, endeavoured to harass him in his retreat; but they were defeated near Hoff, with considerable slaughter: nevertheless, the imperial army, though now reduced to ten thousand men, returned to Bamberg; and as the Prussians approached the frontiers of Saxony, the Austrian general, Gemingen, retired into Bohemia. During all these transactions, the Mareschal Count Daun remained with the grand Austrian army at Schurtz, in the circle of Koningsgratz; while the Prussians, commanded by the king in person, continued quietly encamped between Landsbut and Schweidnitz. General Fouquet commanded a large body of troops in the southern part of Silesia: but these being mostly withdrawn, in order to oppose the Russians, the Austrian general, De Fille, who hovered on the frontiers of Moravia, with a considerable detachment, took advantage of this circumstance; and advancing into Silesia, encamped within sight of Neiss.

§ XXVII. As mutual calumny and recrimination of all kinds were not spared on either side, during the progress of this war, the enemies of the Prussian monarch did not fail to charge him with cruelties committed at Schwe- rin, the capital of Mecklenburgh, which his troops had bombarded, plundered of its archives, cannon, and all its youth fit to carry arms, who were pressed into his service he besides taxed the duchy at seven thousand men, and nine million of crowns, by way of contribution. He was also accused of barbarity, in issuing an order for removing all the prisoners from Berlin to Spandau; but this step he justified, in a letter to his ministers at foreign courts, declaring that he had provided for all the officers that were his prisoners the best accommodation, and permitted them to reside in his capital; that some of them had grossly abused the liberty they enjoyed, by maintaining illicit correspondence, and other practices equally offensive, which he obliged him to remove them to the town of Spandau: he desired, however, that the town might not be confounded with the fortress of that name, from which it was entirely separated, and in which they would enjoy the same ease they had found at Berlin, though under more vigilant inspection. His conduct on this occasion, he said, was sufficiently authorized, not only by the law of nations, but also by the example of his enemies: inasmuch as the empress-queen had never suffered any of his officers, who had fallen into her hands, to reside at Vienna; and the court of Russia had sent some of them as far as Casan. He concluded by saying, that, as his enemies had let slip no opportunity of blackening his most innocent proceedings, he had thought proper to acquaint his ministers with his reasons for making this alteration with regard to his prisoners, whether French, Austrians, or Russians.

§ XXVIII. In the beginning of June, the King of Prussia, understanding that the Russian army had begun their march from the Vistula, ordered the several bodies of his troops, under Hulsén and Wobersnow, reinforced by detachments from his other armies, to join the force under Count Dohna, as general in chief, and march into

Poland. Accordingly, they advanced to Meritz, where the count having published a declaration,<sup>4</sup> he continued his march towards Posna, where he found the Russian army under the Count Soltikoff strongly encamped, having in their rear that city and the river Warta, and in their front a formidable intrenchment mounted with a great number of cannon. Count Dohna judging it impracticable to attack them in this situation with any prospect of success, endeavoured to intercept their convoys to the eastward; but, for want of provision, was in a little time obliged to return towards the Oder; then the Russians advanced to Zullichaw, in Silesia. The King of Prussia thinking Count Dohna had been rather too cautious, considering the emergency of his affairs, gave him leave to retire for the benefit of his health; and conferred his command upon General Wedel, who resolved to give the Russians battle without delay. Thus determined, he marched against them in two columns; and, on the twenty-third day of July, attacked them at Kay, near Zullichaw, where, after a very obstinate engagement, he was repulsed with great loss, Wobersnow being killed and Mantueffel wounded in the action; and in a few days the Russians made themselves masters of Frankfort upon the Oder.

§ XXIX. By this time, the armies of Count Daun and the King of Prussia had made several motions. The Austrians having quitted their camp at Schurtz, advanced towards Zittau in Lusatia, where having halted a few days, they resumed their march, and encamped at Gorlithayn, between Sudenberg and Mark-Dissau. His Prussian majesty, in order to observe their motions, marched by the way of Hertzberg to Lahn; and his vanguard skirmished with that of the Austrians commanded by Laudohn, who entered Silesia by the way of Griffenberg. The Austrian general was obliged to retreat with loss; while the king penetrated into Silesia, that he might be at hand to act against the Russians, whose progress was now become the chief object of his apprehension. He no sooner received intimation that Wedel had been worsted, than he marched with a select body of ten thousand men from his camp in Silesia, in order to take upon him the command of Wedel's army, leaving the rest of his forces strongly encamped, under the direction of his brother Prince Henry, who had joined him before this event. Count Daun being apprized of the king's intention, and knowing the Russians were very defective in cavalry, immediately detached a body of twelve thousand horse to join them, under the command of Laudohn; and these, penetrating in two columns through Silesia and Lusatia, with some loss, arrived in the Russian camp at a very critical juncture. Meanwhile the King of Prussia joined General Wedel on the fourth day of August at Muhrose, where he assumed the command of the army: but finding it greatly inferior to the enemy, he recalled General Finck, whom he had detached some time before with a body of nine thousand men, to oppose the progress of the imperialists in Saxony: for when Prince Henry joined his brother in Silesia, the army of the empire had entered that electorate. Thus reinforced, the number of the king's army at Muhrose

selves to be seduced from their allegiance so far as to enter into the service of a potentate with whom he is at war: his majesty, therefore, makes known by these presents, that all of his subjects serving in the enemy's armies, who shall be taken with arms in their hands, shall, agreeably to all laws, be sentenced to be hanged without mercy, as traitors to their king and country. Of which all whom it may concern are desired to take notice, &c.

On the 2<sup>d</sup> of June,

We invite and desire that the nobility, archbishops, bishops, abbey, convents, seigniors, magistrates, and inhabitants of the republic of Poland, on the road to Posenia, and beyond it, would repair in person, or by deputies, in the course of this week, or as soon after as possible, to the Prussian head quarters, there to treat with the commander-in-chief, or the commissary at war, for the delivery of forage and provisions for the subsistence of the army, to be paid for with ready money.

We promise and assure ourselves, that no person in Poland will attempt to seduce the Prussian troops to desert; that no assistance will be given them in such pernicious practices; that they shall neither be sheltered, concealed, or lodged, which would be followed by very disagreeable consequences: we expect, on the contrary, persons of all ranks and conditions will stop any run away or deserter, and deliver him up at the first advanced post, or at the head quarters: and all expenses attending the same shall be reasonable restitution superadded.

If any one hath inclination to enter into the King of Prussia's service, with an intention to behave well and faithfully, he may apply to the headquarters, and be assured of a capitulation for three or four years.

If any prince or member of the republ. of Poland be disposed to assemble a body of men, and to join in a troop, or in a company of the Prussian army, to make a common cause with it, he may depend on a gracious recognition, and that due regard will be shown to his merit, &c.

d The following declarations were published by Count Dohna, the Prussian general, on his entering Poland with a body of Prussian troops.

*On the 15th of June*

It must not be understood that his majesty, by this step taken, intends to make any breach in the regard he has always had for the friendship of Poland, and the understanding which has hitherto subsisted between them: but on the contrary, to strengthen the same in expectation that the illustrious republic will, on its part, act with the like neighbourly and friendly goodwill as is granted to the enemy, than which

The nobility, clergy, and magistracy, in their respective districts, between the frontiers of Prussia, so far as beyond Posen, are required to furnish all kinds of provisions, corn, and forage, necessary to support an army of 40,000 men, and to despatch, with an assurance of being paid ready money for the same. But if, contrary to expectation, any deficiency should happen in supplying this demand, his majesty's troops will be obliged to forage, and use the same means as those taken by the enemy for their subsistence.

In confidence, therefore, that the several jurisdictions upon the Prussian frontiers, within the territories of Poland, will exert themselves to comply with this demand as soon as possible, for the subsistence of the royal army of Prussia, they are assured that thereby all disorders will be prevented, and whatever is delivered will be paid for in ready money.

*On the 17th of June.*

It was with the greatest astonishment that the king, my most gracious lord and master, heard that several of his own subjects had suffered them-



did not exceed fifty thousand; whereas the Russians were more numerous by thirty thousand. They had chosen a strong camp at the village of Cunersdorf, almost opposite to Frankfort upon the Oder, and increased the natural strength of their situation by intrenchments mounted with a numerous artillery. In other circumstances it might have been deemed a rash and ridiculous enterprise, to attack such an army under such complicated disadvantages; but here was no room for hesitation. The king's affairs seemed to require a desperate effort; and perhaps he was partly impelled by self-confidence and animosity.

§ XXX. Having determined to hazard an attack, he made his disposition, and on the twelfth day of August, at two in the morning, his troops were in motion. The army being formed in a wood, advanced towards the enemy; and about eleven the action was begun with a severe cannonade. This having produced the desired effect, he charged the left wing of the Russian army with his best troops formed in columns. After a very obstinate dispute, the enemy's intrenchments were forced with great slaughter, and seventy pieces of cannon fell into the hands of the Prussians. A narrow defile was afterwards passed, and several redoubts that covered the village of Cunersdorf were taken by assault, one after another: one half of the task was not yet performed; the Russians made a firm stand at the village; but they were overborne by the impetuosity of the Prussians, who drove them from post to post up to the last redoubts they had to defend. As the Russians kept their ground until they were hewn down in their ranks, this success was not acquired without infinite labour, and a considerable expense of blood. After a furious contest of six hours, fortune seemed to declare so much in favour of the Prussians, that the king despatched the following billet to the queen at Berlin: "Madam, we have driven the Russians from their intrenchments. In two hours expect to hear of a glorious victory." This intimation was premature, and subjected the writer to the ridicule of his enemies. The Russians were staggered, not routed. General Soltikoff rallied his troops, and reinforced his left wing under cover of a redoubt, which was erected on an eminence called the Jews' Burying-ground: and here they stood in order of battle, with the most resolute countenance; favoured by the situation, which was naturally difficult of access, and now rendered almost impregnable by the fortification, and a numerous artillery still greatly superior to that of the Prussians. Had the king contented himself with the advantage already gained, all the world would have acknowledged he had fought against terrible odds with astonishing prowess; and that he judiciously desisted, when he could no longer persevere without incurring the imputation of being actuated by frenzy or despair. His troops had not only suffered severely from the enemy's fire, which was close, deliberate, and well directed; but they were fatigued by the hard service, and fainting with the heat of the day, which was excessive. His general officers are said to have reminded him of all these circumstances; and to have dissuaded him from hazarding an attempt attended with such difficulty as even an army of fresh troops could hardly hope to surmount. He rejected this salutary advice, and ordered his infantry to begin a new attack; which, being an enterprise beyond their strength, they were repulsed with great slaughter. Being afterwards rallied, they returned to the charge: they miscarried again, and their loss was redoubled. Being thus rendered unfit for further service, the cavalry succeeded to the attack, and repeated their unsuccessful efforts until they were almost broke, and entirely exhausted. At this critical juncture, the whole body of the Austrian and Russian cavalry, which had hitherto remained inactive, and were therefore fresh, and in spirits, fell in among the Prussian horse with great fury, broke the line at the first charge; and forcing them back upon the infantry, threw them into such disorder as could not be repaired. The Prussian army being thus involved in confusion, was seized with a panic, and, in a few minutes, totally defeated and dispersed, notwithstanding the personal efforts of the king, who hazarded his life in the hottest parts of the battle, led on his troops three times to the charge, had two horses killed under him, and his clothes in several parts penetrated with musket-

balls. His army being routed, and the greater part of his generals either killed or disabled by wounds, nothing but the approach of night could have saved him from total ruin. When he abandoned the field of battle, he despatched another billet to the queen, couched in these terms: "Remove from Berlin with the royal family. Let the archives be carried to Potsdam. The town may make conditions with the enemy." The horror and confusion which this intimation produced at Berlin may be easily conceived: horror the more aggravated, as it seized them in the midst of their rejoicings occasioned by the first despatch; and this was still more dreadfully augmented, by a subsequent indistinct relation, importing that the army was totally routed, the king missing, and the enemy in full march to Berlin. The battle of Cunersdorf was by far the most bloody action that had happened since the commencement of hostilities. The carnage was truly horrible: above twenty thousand Prussians lay dead on the field: and among these General Puttkammer. The Generals Seidlitz, Itzenplitz, Hulsén, Finck, and Wedel, the Prince of Wirtemberg, and five major-generals were wounded. The loss of the enemy amounted to ten thousand. It must be owned, that if the king was prodigal of his own person, he was likewise very free with the lives of his subjects. At no time since the days of ignorance and barbarity, were the lives of men squandered away with such profusion as in the course of this German war. They were not only unnecessarily sacrificed in various exploits of no consequence, but lavishly exposed to all the rigour and distemper of winter campaigns, which were introduced on the continent, in despite of nature, and in contempt of humanity. Such are the improvements of warriors without feeling! such the refinements of German discipline! On the day that succeeded the defeat at Cunersdorf, the King of Prussia, having lost the best part of his army, together with his whole train of artillery, repassed the Oder, and encamped at Retzin; from whence he advanced to Fustenwalde, and saw, with astonishment, the forbearance of the enemy. Instead of taking possession of Berlin, and overwhelming the wreck of the king's troops, destitute of cannon, and cut off from all communication with Prince Henry, they took no step to improve the victory they had gained. Laudohn retired with his horse immediately after the battle; and Count Soltikoff marched with part of the Russians into Lusatia, where he joined Daun, and held consultations with that general. Perhaps the safety of the Prussian monarch was owing to the jealousy subsisting among his enemies. In all probability, the court of Vienna would have been chagrined to see the Russians in possession of Brandenburg, and therefore thwarted their designs upon that electorate. The King of Prussia had now reason to be convinced, that his situation could not justify such a desperate attack as that in which he had miscarried at Cunersdorf; for if the Russians did not attempt the reduction of his capital, now that he was totally defeated, and the flower of his army cut off, they certainly would not have aspired at that conquest while he lay encamped in the neighbourhood with fifty thousand veterans, inured to war, accustomed to conquer, confident of success, and well supplied with provision, ammunition, and artillery. As the victors allowed him time to breathe, he improved this interval with equal spirit and sagacity. He re-assembled and refreshed his broken troops; he furnished his camp with cannon from the arsenal at Berlin, which likewise supplied him with a considerable number of recruits: he recalled General Kleist, with five thousand men, from Pomerania; and, in a little time, retrieved his former importance.

§ XXXI. The army of the empire having entered Saxony, where it reduced Leipsic, Torgau, and even took possession of Dresden itself, the king detached six thousand men under General Wunch, to check the progress of the imperialists in that electorate; and perceiving the Russians intended to besiege Great Glogau, he, with the rest of his army, took post between them and that city, so as to frustrate their design. While the four great armies, commanded by the King of Prussia, General Soltikoff, Prince Henry, and Count Daun, lay encamped in Lusatia, and on the borders of Silesia, watching the motions of each other, the war was carried on by detachments with great

vivacity. General Wunch having re-taken Leipsic, and joined Finck at Eulmbourg, the united body began their march towards Dresden; and a detachment of the army of the empire, which had encamped near Doheln, retired at their approach. As they advanced to Nossin, General Haddick abandoned the advantageous posts he occupied near Roth-Schemberg; and, being joined by the whole army of the empire, resolved to attack the Prussian generals, who now encamped at Corbitz, near Meissen; and accordingly on the twenty-first day of September, he advanced against them, and endeavoured to dislodge them by a furious cannonade, which was mutually maintained from morning to night, when he found himself obliged to retire with considerable loss; leaving the field of battle, with about five hundred prisoners, in the hands of the Prussians.

§ XXXII. This advantage was succeeded by another exploit of Prince Henry, who, on the twenty-third day of the month, quitted his camp at Hornsdorf, near Gorlitz; and, after an incredible march of eleven German miles, by the way of Rothenberg, arrived, about five in the afternoon, at Hoyerswerda, where he surprised a body of four thousand men, commanded by General Veldt, killed six hundred, and made twice that number prisoners, including the commander himself. After this achievement, he joined the corps of Finck and Wunch; while Mareschal Daun likewise abandoned his camp in Lusata, and made a forced march to Dresden, in order to frustrate the prince's supposed design on that capital. The Russians, disappointed in their scheme upon Glogau, had re-passed the Oder at Neusalze, and were encamped at Fraustadt: General Laudon, with a body of Austrians, lay at Selchingsheim; and the King of Prussia at Koben: all three on or near the banks of that river. Prince Henry, perceiving his army almost surrounded by Austrian detachments, ordered General Finck to drive them from Vogelsang, which they abandoned accordingly; and sent Wunch, with six battalions and some cavalry, across the Elbe, to join the corps of General Reibentush at Wittenberg, whither he retired from Duhon at the approach of the Austrians. On the twenty-ninth day of October the Duke d'Areberg, with sixteen thousand Austrians, decamped from Dammich, in order to occupy the heights near Pretsch, and was encountered by General Wunch; who, being posted on two rising grounds, cannonaded the Austrians on their march with considerable effect; and the prince took twelve hundred prisoners, including Lieutenant-General Gemmingen, and twenty inferior officers, with some cannon, great part of their tents, and a large quantity of baggage. The Duke was obliged to change his route, while Wunch marched from Duhon to Eulenburg; and General Wassersleben occupied Strehla, where next day the whole army encamped. In this situation the prince remained till the sixteenth day of November; when, being in danger of having his communication with Torgau cut off by the enemy, he removed to a strong camp, where his left flank was covered with that city and the river Elbe: his right being secured by a wood, and great part of his front by an impassable morass. Here he was reinforced with about twenty thousand men from Silesia, and joined by the king himself, who forthwith detached General Finck, with nineteen battalions and thirty-five squadrons, to take possession of the defiles of Maxen and Ottendorf, with a view to hinder the retreat of the Austrians to Bohemia. This motion obliged Daun to retire to Plauen; and the king advanced to Wilsdorf, imagining that he had effectually succeeded in his design. Letters were sent to Berlin and Magdebourg, importing that the Count Daun would be forced to hazard a battle, as he had now no resource but in victory. Finck had no sooner taken post on the hill near the village of Maxen, than the Austrian general sent officers to reconnoitre his situation, and immediately resolved to attack him with the corps de reserve under the Baron de Sincere, which was encamped in the neighbourhood of Dippoldswalda. It was forthwith divided into four columns, which filed off through the neighbouring woods; and the Prussians never dreamed of their approach until they saw themselves entirely surrounded. In this emergency they defended themselves with their cannon and musketry until they were overpowered by numbers, and their battery was

taken: then they retired to another rising ground, where they rallied, but were driven from eminence to eminence; until, by favour of the night, they made their last retreat to Falkenhayn. In the meantime, Count Daun had made such dispositions, that at day-break General Finck found himself entirely enclosed, without the least possibility of escaping, and sent a trumpet to Count Daun, to demand a capitulation. This was granted in one single article; importing, that he and eight other Prussian generals, with the whole body of troops they commanded, should be received as prisoners of war. He was obliged to submit; and his whole corps, amounting to nineteen battalions and thirty-five squadrons, with sixty-four pieces of cannon, fifty pair of colours, and twenty-five standards, fell into the hands of the Austrian generals. The misfortune was the more mortifying to the King of Prussia, as it implied a censure on his conduct, for having detached such a numerous body of troops to a situation where they could not be sustained by the rest of his army. On the other hand, the court of Vienna exulted in this victory, as an infallible proof of Daun's superior talents; and, in point of glory and advantage, much more than an equivalent for the loss of the Saxon army, which, though less numerous, capitulated in the year one thousand seven hundred and fifty-six, after having held out six weeks against the whole power of the Prussian monarch. General Hulsén had been detached, with about nine battalions and thirty squadrons, to the assistance of Finck; but he arrived at Klugeberg too late to be of any service; and, being recalled, was next day sent to occupy the important post of Freyberg.

§ XXXIII. The defeat of General Finck was not the only disaster which befell the Prussians at the close of this campaign. General Diercke, who was posted with seven battalions of infantry, and a thousand horse, on the right bank of the Elbe, opposite to Meissen, finding it impracticable to lay a bridge of pontoons across the river, on account of the floating ice, was obliged to transport his troops in boats; and when all were passed except himself, with the rear-guard, consisting of three battalions, he was, on the third day of December, in the morning, attacked by a strong body of Austrians, and taken with all his men, after an obstinate dispute. The King of Prussia, weakened by these two successive defeats, that happened in the rear of an unfortunate campaign, would hardly have been able to maintain his ground at Freyberg, had he not been at this juncture reinforced by the body of troops under the command of the hereditary Prince of Brunswick. As for Daun, the advantages he had gained did not elevate his mind above the usual maxims of his cautious discretion. Instead of attacking the King of Prussia, respectable and formidable even in adversity, he quietly occupied the strong camp at Pima, where he might be at hand to succour Dresden, in case it should be attacked, and maintain his communication with Bohemia.

§ XXXIV. By this time the Russians had retired to winter-quarters in Poland; and the Swedes, after a fruitless excursion in the absence of Manteuffel, retreated to Stralsund and the isle of Rugen. This campaign, therefore, did not prove more decisive than the last. Abundance of lives were lost, and great part of Germany was exposed to rapine, murder, famine, desolation, and every species of misery that war could engender. In vain the confederating powers of Austria, Russia, and Sweden, united their efforts to crush the Prussian monarch. Though his army had been defeated, and he himself totally overthrown, with great slaughter, in the heart of his own dominions; though he appeared in a desperate situation, environed by hostile armies, and two considerable detached bodies of his troops were taken or destroyed; yet he kept all his adversaries at bay till the approach of winter, which proved his best auxiliary; and even maintained his footing in the electorate of Saxony, which seemed to be the prize contested between him and the Austrian general. Yet, long before the approach of winter, one would imagine he must have been crushed between the shock of so many adverse hosts, had they been intent upon closing him in, and heartily concurred for his destruction; but, instead of urging the war with accumulated force, they acted in separate bodies, and with jealous eye seemed to regard the progress of each other. It was not, therefore,



to any compunction, or kind of forbearance, in the court of Vienna, that the inactivity of Daun was owing. The resentment of the house of Austria seemed, on the contrary, to glow with redoubled indignation; and the majority of the Germanic body seemed to enter with warmth into her quarrel.<sup>a</sup>

§ XXXV. When the protestant states in arms against the court of Vienna were put under the ban of the empire, the evangelical body, though without the concurrence of the Swedish and Danish ministers, issued an arret at Ratisbon, in the month of November of the last year, and to this annexed the twentieth article of the capitulation signed by the emperor at his election, in order to demonstrate that the protestant states claimed nothing but what was agreeable to the constitution. They declared that their association was no more than a mutual engagement, by which they obliged themselves to adhere to the laws, without suffering, under any pretext, that the power of putting under the ban of the empire should reside wholly in the emperor. They affirmed that this power was renounced, in express terms, by the capitulation; they, therefore, refused to admit, as legal, any sentence of the ban deficient in the requisite conditions; and inferred that, according to law, neither the Elector of Brandenburg, nor the Elector of Hanover, nor the Duke of Wolfenbuttel, nor the Landgrave of Hesse, nor the Count of Lippe-Buckebourg, ought to be proscribed. The imperial protestant cities having acceded to this arret or declaration, the emperor, in a rescript, required them to retract their accession to the resolution of their evanagic body; which, it must be owned, was altogether inconsistent with their former accession to the resolutions of the diet against the King of Prussia. This rescript having produced no effect, the arret was answered in February, by an imperial decree of commission carried to the dictature, importing, that the imperial court could not longer hesitate about the execution of the ban, without infringing that very article of the capitulation which they had specified: that the invalidity of the arret was manifest, inasmuch as the Electors of Brandenburg and Brunswick, the Dukes of Saxe-Gotha and Brunswick-Wolfenbuttel, and the Landgrave of Hesse-Cassel, were the very persons who disturbed the empire; this, therefore, being an affair in which they themselves were parties, they could not possibly be qualified to concur in a resolution of this nature; besides, the number of the other states which had acceded was very inconsiderable: for these reasons, the emperor could not but consider the resolution in question as an act whereby the general peace of the empire was disturbed, both by the parties that had incurred the ban, and by the states which had joined them, in order to support and favour their frivolous pretensions. His imperial majesty expressed his hope and confidence, that the other electors, princes, and states of the empire, would vote the said resolution to be null, and of no force, and never suffer so small a number of states, who were adherents of, and abettors to, the disturbers of the empire, to prejudice the rights and prerogatives of the whole Germanic body; to abuse the name of the associated states of the Augsburg confession, in order forcibly to impose a *factum*, entirely repugnant to the constitution of the empire; to deprive their co-estates of the right of voting freely, and thereby endeavouring totally to subvert the system of the Germanic body. These remarks will speak for themselves to the reflection of the unprejudiced reader.

§ XXXVI. The implacability of the court of Vienna was equalled by nothing but the perseverance of the French ministry. Though their numerous army had not gained one inch of ground in Westphalia, the campaign on that side having ended exactly where it had begun: though the chief source of their commerce in the West Indies had fallen into the hands of Great Britain, and they had already laid their account with the loss of Quebec:

<sup>a</sup> The obstinacy of the powers in opposition to Great Britain and Prussia, appeared still more remarkable in their slighting the following declaration, which Duke Louis of Brunswick delivered to their ministers at the Hague, in the month of December, after Quebec was reduced, and the fleet of France totally defeated.

<sup>b</sup> Their Germanic and Prussian majesties, moved with compassion at the misfortune which the war that has been kindled for some years has already occasioned, and must necessarily produce, would think then selves wanting to the duties of humanity, and particularly to their tender concern for the present and well being of their respective kingdoms and subjects, if they neglected the proper means to put a stop to the progress of so severe

though their coffers rung with emptiness, and their confederates were clamorous for subsidies; they still resolved to maintain the war in Germany: this was doubtless the most politic resolution to which they could adhere; because their enemies, instead of exerting all their efforts where there was almost a certainty of success, kindly condescended to seek them where alone their whole strength could be advantageously employed, without any great augmentation of their ordinary expense. Some of the springs of their national wealth were indeed exhausted, or diverted into other channels; but the subjects declared for a continuation of the war, and the necessities of the state were supplied by the loyalty and attachment of the people. They not only acquiesced in the bankruptcy of public credit, when the court stopped payment of the interest on twelve different branches of the national debt, but they likewise sent in large quantities of plate to be melted down, and coined into specie for the maintenance of the war. All the bills drawn on the government by the colonies were protested to an immense amount, and a stop was put on all the annuities granted at Marseilles on sums borrowed for the use of the marine. Besides the considerable savings occasioned by these acts of state-bankruptcy, they had resources of credit among the merchants of Holland, who beheld the success of Great Britain with an eye of jealousy; and were moreover inflamed against her with the most rancorous resentment, on account of the captures which had been made of their West India ships by the English cruisers.

§ XXXVII. In the month of February, the merchants of Amsterdam, having received advice that the cargoes of the West India ships, detained by the English, would, by the British courts of judicature, be declared lawful prizes, as being French property, sent a deputation, with a petition to the States-general, entreating them to use their intercession with the court of London, representing the impossibility of furnishing the proofs required in so short a time as that prescribed by the British admiralty; and that, as the island of St. Eustatia had but one road, and there was no other way of taking in cargoes but that of Overschippen,† to which the English had objected, a condemnation of these ships, as legal prizes, would give the finishing stroke to the trade of the colony. Whatever remonstrances the States-general might have made on this subject to the ministry of Great Britain, they had no effect upon the proceedings of the court of admiralty, which continued to condemn the cargoes of the Dutch ships as often as they were proved to be French property; and this resolute uniformity in a little time intimidated the subjects of Holland from persevering in this illicit branch of commerce. The enemies of England in that republic, however, had so far prevailed, that in the beginning of the year the states of Holland had passed a formal resolution to equip five-and-twenty ships of war; and orders were immediately despatched to the officers of the admiralty to complete the armament with all possible expedition. In the month of April, the States-general sent over to London three ministers extraordinary, to make representations, and remove, if possible, the causes of misunderstanding that had arisen between Great Britain and the United Provinces. They delivered their credentials to the king, with a formal harangue; they said his majesty would see, by the contents of the letter they had the honour to present, how ardently their high mightinesses desired to cultivate the sincere friendship which had so long subsisted between the two nations, so necessary for their common welfare and preservation: they expressed an earnest wish that they might be happy enough to remove those difficulties which had for some time struck at this friendship, and caused so much prejudice to the principal subjects of the republic; who, by the commerce they carried on, constituted its greatest strength, and chief support. They declared their

a calamity, and to contribute to the re-establishment of public tranquillity. In this view, and in order to manifest the purity of their intentions, in this respect, their said majesties have determined to make the following declaration, viz.

That they are ready to send plenipotentiaries to the place which shall be thought most proper, in order there to treat, separately, of a solid and general peace with those whom the belligerent parties shall think fit to authorize, on their part, for the attaining so salutary an end.

† The method called Overschippen is that of using French boats to load Dutch vessels with the produce of France.



whole confidence was placed in his majesty's equity, for which the republic had the highest regard; and in the good-will he had always expressed towards a state which on all occasions had interested itself in promoting his glory; a state which was the guardian of the precious trust bequeathed by a princess so dear to his affection. "Full of this confidence (said they) we presume to flatter ourselves that your majesty will be graciously pleased to listen to our just demands; and we shall endeavour, during the course of our ministry, to merit your approbation, in strengthening the bonds by which the "two nations ought to be for ever united." In answer to this oration, the king assured them that he had always regarded their high mightinesses as his best friends. He said, if difficulties had arisen concerning trade, they ought to be considered as the consequences of a burdensome war which he was obliged to wage with France. He desired they would assure their high mightinesses, that he should endeavour, on his part, to remove the obstacles in question; and expressed his satisfaction that they (the deputies) were come over with the same disposition. What representations these deputies made, further than complaints of some irregularities in the conduct of the British sea-officers, we cannot pretend to specify: but as the subject in dispute related entirely to the practices of the courts of judicature, it did not fall properly under cognizance of the government, which hath no right to interfere with the administration of justice. In all probability, the subjects of Holland were by no means pleased with the success of this negotiation, for they murmured against the English nation without ceasing. They threatened and complained by turns; and eagerly seized all opportunities of displaying their partiality in favour of the enemies of Great Britain.

§ XXXVIII. In the month of September Major-General Yorke, the British minister at the Hague, presented a memorial to the States-general, remonstrating, that the merchants of Holland carried on a contraband trade in favour of France, by transporting cannon and warlike stores from the Baltic to Holland, in Dutch bottoms, under the borrowed names of private persons; and then conveying them by the inland rivers and canals, or through the Dutch fortresses, to Dunkirk, and other places of France. He desired that the king, his master, might be made easy on that head, by their putting an immediate stop to such practices, so repugnant to the connexions subsisting by treaty between Great Britain and the United Provinces, as well as to every idea of neutrality. He observed, that the attention which his majesty had lately given to their representations against the excesses of the English privateers, by procuring an act of parliament which laid them under proper restrictions, gave him a good title in the same regard on the part of their high mightinesses. He reminded them that their trading towns felt the good effects of these restrictions; and that the freedom of navigation which their subjects enjoyed amidst the troubles and distractions of Europe, had considerably augmented their commerce. He observed that some return ought to be made to such solid proofs of the king's friendship and moderation; at least, the merchants, who were so ready to complain of England, ought not to be countenanced in excesses which would have justified the most rigorous examination of their conduct. He recalled to their memories that, during the course of the present war, the king had several times applied to their high mightinesses, and to their ministers, on the liberty they had given to carry stores through the fortresses of the republic for the use of France, to invade the British dominions: and though his majesty had passed over in silence many of these instances of complaisance to his enemy, he was no less sensible of the injury; but he chose rather to be a sufferer himself, than to increase the embarrassment of his neighbours, or extend the flames of war. He took notice that even the court of Vienna had, upon more than one occasion, employed its interest with their high mightinesses, and lent its name to obtain passes for warlike stores and provisions for the French troops, under colour of the barrier treaty, which it no longer observed; nay, after having put France in possession of Ostend and Nieuport, in manifest violation of that treaty, and without any regard to the rights which

they and the king his master had acquired in that treaty, at the expense of so much blood and treasure.

§ XXXIX. The memorial seems to have made some impression on the States-general, as they scrupled to allow the artillery and stores belonging to the French king to be removed from Amsterdam: but these scruples vanished entirely on the receipt of a counter-memorial presented by the Count D'Affry, the French ambassador, who mingled some effectual threats with his expostulation. He desired them to remember, that, during the whole course of the war, the French king had required nothing from their friendship that was inconsistent with the strictest impartiality; and, if he had deviated from the engagements subsisting between him and the republic, it was only by granting the most essential and lucrative favours to the subjects of their high mightinesses. He observed that the English, notwithstanding the insolence of their behaviour to the republic, had derived, on many occasions, assistance from the protection their effects had found in the territories of the United Provinces; that the artillery, stores, and ammunition belonging to Wessel were deposited in their territories, which the Hanoverian army in passing the Rhine had very little respected: that when they repassed that river, they had no other way of saving their sick and wounded from the hands of the French, than by embarking them in boats, and conveying them to places where the French left them unmolested, actuated by their respect for the neutrality of the republic: that part of their magazines was still deposited in the towns of the United Provinces; where also the enemies of France had purchased and contracted for very considerable quantities of gunpowder. He told them, that though these and several other circumstances might have been made the subject of the justest complaints, the King of France did not think it proper to require that the freedom and independency of the subjects of the republic should be restrained in branches of commerce that were not inconsistent with its neutrality, persuaded that the faith of an engagement ought to be inviolably preserved, though attended with some accidental and transient disadvantages. He gave them to understand, that the king his master had ordered the generals of his army carefully to avoid encroaching on the territory of the republic, and transferring thither the theatre of the war, when his enemies retreated that way before they were forced to pass the Rhine. After such unquestionable marks of regard, he said, his king would have the justest ground of complaint, if, contrary to expectation, he should hear that the artillery and stores belonging to him were detained at Amsterdam. Thirdly, he declared that such detention would be construed as a violation of the neutrality; and demanded, in the name of the king his master, that the artillery and stores should, without delay, be forwarded to Flanders by the canals of Amsterdam and the inland navigation. This last argument was so conclusive, that they immediately granted the necessary passports; in consequence of which the cannon were conveyed to the Austrian Netherlands.

§ XL. The powers in the southern parts of Europe were too much engrossed with their own concerns to interest themselves deeply in the quarrels that distracted the German empire. The King of Spain, naturally of a melancholy complexion and delicate constitution, was so deeply affected with the loss of his queen, who died in the course of the preceding year, that he renounced all company, neglected all business, and immured himself in a chamber at Villa-Viciosa, where he gave a loose to the most extravagant sorrow. He abstained from food and rest until his strength was quite exhausted. He would neither shift himself nor allow his beard to be shaved; he rejected all attempts of consolation; and remained deaf to the most earnest and respectful remonstrances of those who had a right to render their advice. In this case, the affliction of the mind must have been reinforced by some peculiarity in the constitution. He inherited a melancholy taint from his father, and this seems to have been dreaded as a family disease; for the Infant Don Louis, who likewise resided in the palace of Villa-Viciosa, was fain to amuse himself with hunting, and other diversions, to prevent his being affected with the king's disorder, which continued to gain ground, notwithstanding all the efforts of

medicine. The Spanish nation, naturally superstitious, had recourse to saints and relics: but they seemed insensible to all their devotion. The king, however, in the midst of all his distress, was prevailed upon to make his will, which was written by the Count de Valparaiso, and signed by the Duke de Bejar, high-chancellor of the kingdom. The exorbitancy of his grief, and the mortifications he underwent, soon produced an incurable malady, under which he languished from the month of September in the preceding year till the tenth of August in the present, when he expired. In his will he had appointed his brother Don Carlos, King of Naples, successor to the crown of Spain; and nominated the queen dowager as regent of the kingdom until that prince should arrive. Accordingly, she assumed the reins of government; and gave directions for the funeral of the deceased king, who was interred with great pomp in the church belonging to the convent of the Visitation at Madrid.

§ XLII. As the death of this prince had been long expected, so the politicians of Europe had universally prognosticated that his demise would be attended with great commotions in Italy. It had been agreed among the subscribing powers to the treaty of Aix-la-Chapelle, that in case Don Carlos should be advanced in the course of succession to the throne of Spain, his brother Don Philip should succeed him on the throne of Naples; and the duchies of Parma, Placentia, and Guastalla, which now constituted his establishment, should revert to the house of Austria. The King of Naples had never acceded to this article; therefore he paid no regard to it on the death of his elder brother; but retained both kingdoms, without minding the claims of the empress-queen, who he knew was at that time in no condition to support her pretensions. Thus the German war proved a circumstance very favourable to his interest and ambition. Before he embarked for Spain, however, he took some extraordinary steps, which evinced him a sound politician and sagacious legislator. His eldest son Don Philip, who had now attained the thirteenth year of his age, being found in a state of incurable idiotism,<sup>1</sup> he wisely and resolutely removed him from the succession, without any regard to the pretended right of primogeniture, by a solemn act of abdication, and the settlement of the crown of the Two Sicilies in favour of his third son, Don Ferdinand. In this extraordinary act he observes, That, according to the spirit of the treaties of this age, Europe required that the sovereignty of Spain should be separated from that of Italy, when such a separation could be effected without transgressing the rules of justice: that the unfortunate prince-royal having been destitute of reason and reflection ever since his infancy, and no hope remaining that he could ever acquire the use of these faculties, he could not think of appointing him to the succession, how agreeable soever such a disposition might be to nature and his paternal affection: he was therefore constrained, by the Divine will, to set him aside, in favour of his third son Don Ferdinand, whose minority obliged him to vest the management of these realms in a regency, which he accordingly appointed, after having previously declared his son Ferdinand from that time emancipated and freed not only from all obedience to his paternal power, but even from all submission to his supreme and sovereign authority. He then declared that the minority of the prince succeeding to the kingdom of the Two Sicilies should expire with the fifteenth year of his age, when he should act as sovereign, and have the entire power of the administration. He next

established and explained the order of succession in the male and female line; on condition that the monarchy of Spain should never be united with the kingdoms of the Two Sicilies. Finally, he transferred and made over to the said Don Ferdinand these kingdoms, with all that he possessed in Italy; and this ordinance, signed and sealed by himself and the infant Don Ferdinand, and countersigned by the counsellors and secretaries of state, in quality of members of the regency, received all the usual forms of authenticity. Don Carlos having taken these precautions for the benefit of his third son, whom he left King of Naples, embarked with the rest of his family on board a squadron of Spanish ships, which conveyed him to Barcelona. There he landed in the month of October, and proceeded to Madrid; where, as King of Spain, he was received amidst the acclamations of his people. He began his reign, like a wise prince, by regulating the interior economy of his kingdom; by pursuing the plan adopted by his predecessor; by retaining the ministry under whose auspices the happiness and commerce of his people had been extended: and with respect to the beligerent powers, by scrupulously adhering to that neutrality from whence these advantages were in a great measure derived.

§ XLIII. While he serenely enjoyed the blessings of prosperity, his neighbour the King of Portugal was engrossed by a species of employment which of all others must be the most disagreeable to a prince of sentiment, who loves his people: namely, the trial and punishment of those conspirators by whose atrocious attempt his life had been so much endangered. Among these were numbered some of the first noblemen of the kingdom, irritated by disappointed ambition, inflamed by bigotry, and exasperated by revenge. The principal conspirator, Don Joseph Mascarenhas and Lencastre, Duke de Aveiro, Marquis of Torres Novas, and Conde de Santa Cruz, was hereditary lord-steward of the king's household, and president of the palace-court, or last tribunal of appeal in the kingdom; so that he possessed the first office at the palace, and the second of the realm. Francisco de Assis, Marquis of Tavora, Conde de St. John and Alvor, was general of the horse, and head of the third noble house of the Tavoras, the most illustrious family in the kingdom, deriving their origin from the ancient Kings of Leon: he married his kinswoman, who was Marchioness of Tavora in her own right, and by this marriage acquired the marquisate. Louis Bernardo de Tavora was their eldest son, who, by virtue of a dispensation from the Pope, had espoused his own aunt, Donna Theresa de Tavora. Joseph Maria de Tavora, his youngest brother, was also involved in the guilt of his parents. The third principal concerned was Don Jeronymo de Attaide, Conde de Attouguia, himself a relation, and married to the eldest daughter of the Marquis of Tavora. The characters of all these personages were unblemished and respectable, until this machination was detected. In the course of investigating this dark affair, it appeared that the Duke de Aveiro had conceived a personal hatred to the king, who had disappointed him in a projected match between his son and a sister of the Duke de Cadaval, a minor, and prevented his obtaining some commanderies which the late Duke de Aveiro had possessed: that this nobleman, being determined to gratify his revenge against the person of his sovereign, had exerted all his art and address in securing the participation of the malcontents: that with this view he reconciled himself to the Jesuits, with whom he had been formerly

<sup>1</sup> Abstract of the report made to his catholic majesty by the physicians appointed to examine the prince royal, his eldest son, in consequence of which his royal highness was declared incapable of succeeding to the throne of Spain. Translated from the original, published at Naples, Sept. 27.

1. Though his royal highness Don Philip is thirteen years old, he is of low stature, and lost the king, his father, and the queen his mother, at both 1 & 2 years, & never thrived.

2. His royal highness has some contraction in his joints, though he can readily move, and make use of them upon all occasions.

3. His royal highness is apt to stoop and to hold down his head, as people of weak eyes often do.

4. The prince most evidently squints, and his eyes frequently water and are gummy, particularly his left eye, though we cannot say he is blind, but, rather, certain of the contrary, as his royal highness can without doubt distinguish objects, both as to their colour and situation.

5. In his natural functions, and the most common sensations, he is sometimes indifferent to things that are convenient for him, and at other

times too warm and impetuous. In general, his passions are not restrained by reason.

6. The prince has an obstinate aversion to some kind of common food, such as trufs, sweetmeats, &c.

7. All sorts of noise & sound disturb or disconcert him, and it has the same effect whether it be soft or harmonious, or harsh and disagreeable.

8. The impressions that he receives from pain or pleasure are neither strong nor lasting: and he is utterly unacquainted with all the punctures of politeness and good breeding.

9. As to facts and places, he sometimes remembers them, and sometimes not, but he seems not to have the least idea of the mysteries of our holy religion.

10. He delights in childish amusements, and those which are the most monstrous & base him best. He is continually changing them, and shifting from one thing to another.

Signed by Don Francisco Benito, chief physician to the king and kingdom. Don Emmanuel de la Rosa, physician to the queen; and the physicians Casas Ciribae, Don Thomas Pinto, Don Francis Sarrao, and Don Domingo San Severino.

at variance, knowing they were at this time implacably engaged against the king, who had dismissed them from their office of penitentiaries at court, and branded them with other marks of disgrace, on account of their illegal and rebellious practices in South America: the duke, moreover, insinuated himself into the confidence of the Marchioness of Tavora, notwithstanding an inveterate rivalry of pride and ambition, which had long subsisted between the two families. Her resentment against the king was inflamed by the mortification of her pride in repeated repulses, when she solicited the title of duke for her husband. Her passions were artfully fomented and managed by the Jesuits, to whom she had resigned the government of her conscience; and they are said to have persuaded her that it would be a meritorious action to take away the life of a prince who was an enemy to the church and a tyrant to his people. She, being reconciled to the scheme of assassination, exerted her influence in such a manner as to inveigle her husband, her sons, and son-in-law, into the same infamous design; and yet this lady had been always remarkable for her piety, affability, and sweetness of disposition. Many consultations were held by the conspirators at the colleges of the Jesuits, St. Antao, and St. Roque, as well as at the houses of the duke and the marquis. At last they resolved that the king should be assassinated; and employed two ruffians, called Antonio Alvarez and Joseph Policarpio, for the execution of this design, the miscarriage of which we have related among the transactions of the preceding year. In the beginning of January, before the circumstances of the conspiracy were known, the Counts de Obeiras and de Ribeira Grande were imprisoned in the castle of St. Julian, on a suspicion arising from their freedom of speech. The Duchess de Aveiro, the Countess of Attouga, and the Marchioness of Alorna, with their children, were sent to different nunneries; and eight Jesuits were taken into custody. A council being appointed for the trial of the prisoners, the particulars we have related were brought to light by the torture; and sentence of death was pronounced and executed upon the convicted criminals. Eight wheels were fixed upon a scaffold raised in the square opposite to the house where the prisoners had been confined; and the thirteenth of January was fixed for the day of execution. Antonio Alvarez Forreira, one of the assassins who had fired into the king's equipage, was fixed to a stake at one corner of the scaffold; and at the other was placed the effigies of his accomplice, Joseph Policarpio de Azevedo, who had made his escape. The Marchioness of Tavora, being brought upon the scaffold between eight and nine in the morning, was beheaded at one stroke, and then covered with a linen cloth. Her two sons, and her son-in-law, the Count of Attouga, with three servants of the Duke de Aveiro, were first strangled at one stake, and afterwards broke upon wheels, where their bodies remained covered; but the duke and the marquis, as chiefs of the conspiracy, were broke alive, and underwent the most excruciating torments. The last that suffered was the assassin Alvarez, who being condemned to be burnt alive, the combustibles which had been placed under the scaffold were set on fire, the whole machine, with the bodies, consumed to ashes, and these ashes thrown into the sea. The estates of the three unfortunate noblemen were confiscated, and their dwelling-houses razed to the ground. The name of Tavora was suppressed for ever by a public decree: but that of Mascarenhas spared, because the Duke de Aveiro was a younger branch of the family. A reward of ten thousand crowns was offered to any person who should apprehend the assassin who had escaped: then the embargo was taken off the shipping. The king and royal family assisted at a public *Te Deum* sung in the chapel of Nossa Senhora de Liformento; on which occasion the king, for the satisfaction of his people, waved his handkerchief with both hands, to show he was not maimed by the wounds he had received. If such an attempt upon the life of a king was infamously cruel and perfidious, it must be owned that the punishment inflicted upon the criminals was horrible to human nature. The attempt itself was attended with some circumstances that might have staggered belief, had it not appeared but too plain that the

king was actually wounded. One would imagine that the Duke de Aveiro, who was charged with designs on the crown, would have made some preparation for taking advantage of the confusion and disorder which must have been produced by the king's assassination; but we do not find that any thing of this nature was premeditated. It was no more than a desperate scheme of personal revenge, conceived without caution, and executed without conduct: a circumstance the more extraordinary, if we suppose the conspirators were actuated by the councils of the Jesuits, who have been ever famous for finesse and dexterity. Besides, the discovery of all the particulars was founded upon confession extorted by the rack, which at best is a suspicious evidence. Be that as it will, the Portuguese government, without waiting for a bull from the Pope, sequestered all the estates and effects of the Jesuits in that kingdom, which amounted to considerable sums, and reduced the individuals of the society to a very scanty allowance. Complaints of their conduct having been made to the Pope, he appointed a congregation to examine into the affairs of the Jesuits in Portugal. In the meantime the court of Lisbon ordered a considerable number of them to be embarked for Italy, and resolved that no Jesuits should hereafter reside within its realms. When these transports arrived at Civita-Vecchia, they were, by the Pope's order, lodged in the Dominican and Capuchin convents of that city, until proper houses could be prepared for their reception at Tivoli and Frascati. The most guilty of them, however, were detained in close prisons in Portugal, reserved, in all probability, for a punishment more adequate to their enormities.

§ XLIII. England still continued to enjoy the blessings of peace, even amidst the triumphs of war. In the month of November the session of parliament was opened by commission; and, the Commons attending in the House of Peers, the lord-keeper harangued the parliament to this effect:—He gave them to understand, that his majesty had directed him to assure them that he thought himself peculiarly happy in being able to convoke them in a situation of affairs so glorious to his crown, and advantageous to his kingdoms; that the king saw and devoutly adored the hand of Providence, in the many signal successes both by sea and land with which his arms had been blessed in the course of the last campaign; that he reflected with great satisfaction on the confidence which the parliament had placed in him, by making such ample provisions, and intrusting him with such extensive powers, for carrying on a war, which the defence of their valuable rights and possessions, together with the preservation of the commerce of his people, had rendered both just and necessary. He enumerated the late successes of the British arms, the reduction of Goree on the coast of Africa, the conquest of so many important places in America, the defeat of the French army in Canada, the reduction of their capital city of Quebec, effected with so much honour to the courage and conduct of his majesty's officers and forces, the important advantage obtained by the British squadron off Cape Lagos, and the effectual blocking up for so many months the principal part of the French navy in their own harbours: events which must have filled the ears of all his majesty's faithful subjects with the sincerest joy; and convinced his parliament that there had been no want of vigilance or vigour on his part, exerting those means which they, with so much prudence and public-spirited zeal, had put into his majesty's hands. He observed that the national advantages had extended even as far as the East Indies, where, by the Divine blessing, the dangerous designs of his majesty's enemies had miscarried, and that valuable branch of commerce had received great benefit and protection. That the memorable victory gained over the French at Minden had long made a deep impression on the minds of his majesty's people: that if the crisis in which the battle was fought, the superior number of the enemy, the great and able conduct of his majesty's general, Prince Ferdinand of Brunswick, were considered, that action must be the subject of lasting admiration and thankfulness: that if any thing could fill the breasts of his majesty's good subjects with still further degrees of exultation, it would be the distinguished and unbroken valour of the British troops, owned and applauded by those whom they over-



came. He said the glory they had gained was not merely their own; but, in a national view, was one of the most important circumstances of our success, as it must be a striking admonition to our enemies with whom they have to contend. He told them that his majesty's good brother and ally, the King of Prussia, attacked and surrounded by so many considerable powers, had, by his magnanimity and abilities, and the bravery of his troops, been able, in a surprising manner, to prevent the mischiefs concerted with such united force against him. He declared, by the command of his sovereign, that as his majesty entered into this war not from views of ambition, so he did not wish to continue it from motives of resentment: that the desire of his majesty's heart was to see a stop put to the effusion of Christian blood: that whenever such terms of peace could be established as should be just and honourable for his majesty and his allies; and by procuring such advantages as, from the successes of his majesty's arms might in reason and equity be expected should bring along with them full security for the future; his majesty would rejoice to see the repose of Europe restored on such solid and durable foundations; and his faithful subjects, to whose liberal support and unshaken firmness his majesty owed so much, happy in the enjoyment of the blessings of peace and tranquillity: but, in order to this great and desirable end, he said his majesty was confident the parliament would agree with him, that it was necessary to make ample provision for carrying on the war, in all parts, with the utmost vigour. He assured the Commons, that the great supplies they had granted in the last session of parliament had been faithfully employed for the purposes for which they were granted; but the uncommon extent of the war, and the various services necessary to be provided for, in order to secure success to his majesty's measures, had unavoidably occasioned extraordinary expenses. Finally, he repeated the assurances from the throne of the high satisfaction his majesty took in that union and good harmony which was so conspicuous among his good subjects; he said, his sovereign was happy in seeing it continued and confirmed; he observed that experience had shown how much the nation owed to this union, which alone could secure the true happiness of his people.

§ XLIV. We shall not anticipate the reader's own reflection, by pretending to comment upon either the matter or the form of this harangue, which however produced all the effect which the sovereign could desire. The Houses, in their respective addresses, seemed to vie with each other in expressions of attachment and complacency. The Peers professed their utmost readiness to concur in the effectual support of such further measures as his majesty, in his great wisdom, should judge necessary or expedient for carrying on the war with vigour, in all parts, and for dis appointing and repelling any desperate attempts which might be made upon these kingdoms. The Commons expressed their admiration of that true greatness of mind which disposed his majesty's heart, in the midst of prosperities, to wish a stop put to the effusion of Christian blood, and to see tranquillity restored. They declared their entire reliance on his majesty's known wisdom and firmness, that this desirable object, whenever it should be obtained, would be upon terms just and honourable for his majesty and his allies: and, in order to effect that great end, they assured him they would cheerfully grant such supplies as should be found necessary to sustain, and press with effect, all his extensive operations against the enemy. They did not fail to re-echo the speech, as usual: enumerating the trophies of the year, and extolling the King of Prussia for his consummate genius, magnanimity, unwearied activity, and unshaken constancy of mind. Very great reason, indeed, had his majesty to be satisfied with an address of such a nature from a House of Commons, in which opposition lay strangled at the foot of the minister; in which those demagogues, who had raised themselves to reputation and renown by declaiming against continental measures, were become so perfectly reconciled to the object of their former reprobation, as to cultivate it even with a degree of enthusiasm unknown to any former administration, and lay the nation under such contributions in its behalf, as no other ministry durst ever meditate. Thus disposed, it was no wonder they admired the moderation of

their sovereign, in offering to treat of peace, after above a million of men had perished by the war, and twice that number been reduced to misery: after whole provinces had been depopulated, whole countries subdued, and the victors themselves almost crushed by the trophies they had gained.

§ XLV. Immediately after the addresses were presented, the Commons resolved themselves into a committee of the whole House; and having unanimously voted a supply to his majesty, began to take the particulars into consideration. This committee was continued till the twelfth of May, when that whole business was accomplished. For the service of the ensuing year, they voted seventy thousand seamen, including eighteen thousand three hundred and fifty-five marines; and for their maintenance allotted three millions six hundred and forty thousand pounds. The number of land forces, including the British troops in Germany, and the invalids, they fixed at fifty-seven thousand two hundred and ninety-four men, and granted for their subsistence one million three hundred eighty-three thousand seven hundred and forty-eight pounds and ten pence. For maintaining other forces in the plantations, Gibraltar, Guadaloupe, Africa, and the East Indies, they allowed eight hundred forty-six thousand one hundred and sixty-eight pounds, nineteen shillings; for the expense of four regiments on the Irish establishment, serving in North America, they voted thirty-five thousand seven hundred and forty-four pounds, eight shillings, and four pence. For pay to the general and general staff-officers, and officers of the hospital for the land forces, they assigned fifty-four thousand four hundred and fifty-four pounds, eleven shillings, and nine pence. They voted for the expense of the militia in South and North Britain the sum of one hundred two thousand and six pounds, four shillings, and eight pence. They granted for the maintenance of thirty-eight thousand seven hundred and fifty men, being the troops of Hanover, Wolfenbuttel, Saxe-Gotha, and Buckebourg, retained in the service of Great Britain, the sum of four hundred forty-seven thousand eight hundred eighty-two pounds, ten shillings, and five pence half-penny; and for nineteen thousand Hessian troops in the same pay, they gave three hundred sixty-six thousand seven hundred twenty-five pounds, one shilling, and sixpence. They afterwards bestowed the sum of one hundred and eight thousand and twelve pounds, twelve shillings, and seven pence, for defraying the additional expense of augmentations in the troops of Hanover and Hesse, and the British army serving in the empire. For the ordinary of the navy, including half-pay to sea-officers; for carrying on the building of two hospitals, one near Gosport, and the other in the neighbourhood of Plymouth; for the support of the hospital at Greenwich; for purchasing ground, erecting wharfs, and other accommodations necessary for refitting the fleets at Halifax, in Nova Scotia; for the charge of the office of ordnance, and defraying the extraordinary expense incurred by that office in the course of the last year, they allowed seven hundred eighty-one thousand four hundred and eighty-nine pounds, six shillings, and sixpence. Towards paying off the navy debt, buildings, rebuilding, and repairs of the king's ships, together with the charges of transport service, they granted one million seven hundred and one thousand seventy-eight pounds, sixteen shillings, and sixpence. For defraying the extraordinary expenses of the land forces and other services not provided for by parliament, comprehending the pensions for the widows of reduced officers, they allotted the sum of nine hundred fifty-five thousand three hundred and forty-four pounds, fifteen shillings, and five pence half-penny. They voted one million to empower his majesty to discharge the like sum, raised in pursuance of an act made in the last session of parliament, and charged upon the first aids or supplies to be granted in this session of parliament. They gave six hundred and seventy thousand pounds for enabling his majesty to make good his engagements with the King of Prussia, pursuant to a new convention between him and that monarch, concluded on the ninth day of November, in the present year. Fifteen thousand pounds they allowed upon account, towards enabling the principal officers of his majesty's ordnance to defray the necessary charges and expenses of taking down and removing the

present magazine for gunpowder, situated in the neighbourhood of Greenwich, and of erecting it in some less dangerous situation. Sixty thousand pounds they gave, to enable his majesty to fulfil his engagements with the Landgrave of Hesse-Cassel, pursuant to the separate article of a treaty between the two powers, renewed in the month of November, the sum to be paid as his most serene highness should think it most convenient, in order to facilitate the means by which the landgrave might again fix his residence in his own dominions, and, by his presence, give fresh courage to his faithful subjects. Five hundred thousand pounds they voted upon account, as a present supply towards defraying the charges of forage, bread, bread-waggons, train of artillery, wood, straw, provisions, and contingencies of his majesty's combined army under the command of Prince Ferdinand. To the Foundling hospital they granted five thousand pounds; and fifteen thousand for improving, widening, and enlarging the passage over and through London bridge. To replace divers sums taken from the sinking fund, they granting two hundred twenty-five thousand two hundred and eighty-one pounds, nineteen shillings, and four pence. For the subsistence of reduced officers, including the allowances to the several officers and private men of the troops of horse-guards, and regiment of horse reduced, and to the superannuated gentlemen of the four troops of horse-guards, they voted thirty-eight thousand five hundred and ninety-seven pounds, nine shillings. Upon account for the support of the colonies of Nova Scotia and Georgia, they granted twenty-one thousand six hundred and ninety-four pounds, two shillings, and two pence. For enabling the king to give a proper compensation to the provinces in North America, for the expenses they might incur in levying and maintaining troops, according as the vigour and activity of those respective provinces should be thought by his majesty to merit, they advanced the sum of two hundred thousand pounds. The East India company they gratified with twenty thousand pounds, towards enabling them to defray the expense of a military force in their settlements, in lieu of a battalion of the king's troops now returned to Ireland. Twenty-five thousand pounds were provided for the payment of the out-pensioners of Chelsea hospital. For subsequent augmentation of the British forces, since the first estimate of guards and garrisons for the ensuing year was presented, they allowed one hundred thirty-four thousand one hundred thirty-nine pounds, seventeen shillings, and four pence. They further voted upon account, towards enabling the governors and guardians of the Foundling hospital to maintain, educate, and bind apprentice the children admitted into the said charity, the sum of forty-seven thousand two hundred and eighty-five pounds. For defraying the expense of maintaining the militia in South and North Britain, to the twenty-fourth day of December of the ensuing year, they voted an additional grant of two hundred ninety thousand eight hundred and twenty-six pounds, sixteen shillings, and eight pence; and moreover, they granted fourscore thousand pounds, upon account, towards defraying the charge of pay and clothing of the unembodied militia for the year, ending on the twenty-fifth day of March in the year one thousand seven hundred and sixty-one. For reimbursing the colony of New York their expenses in furnishing provisions and stores to the troops raised by them for his majesty's service, in the campaign of the year one thousand seven hundred and fifty-six, they allowed two thousand nine hundred and seventy-seven pounds, seven shillings, and eight pence; and for maintaining the British forts and settlements on the coast of Africa, they renewed the grant of ten thousand pounds. For the maintenance and augmentation of the troops of Brunswick in the pay of Great Britain for the ensuing year, pursuant to an ulterior convention concluded and signed at Paderborn on the fifth day of March, in the year one thousand seven hundred and sixty, they granted the sum of ninety thousand seven hundred and sixty-nine pounds, eight shillings, and eleven pence farthing; and for the troops of Hesse-Cassel, in the same pay, during the same period, they allotted one hundred and one thousand ninety-six pounds, three shillings, and two pence. For the extraordinary expenses of the land forces, and other services, incurred from the twenty-fourth day of

November in the present year to the twenty-fourth of December following, and not provided for, they granted the sum of four hundred twenty thousand one hundred and twenty pounds, one shilling. To make good the deficiency of the grants for the service of this present year one thousand seven hundred and fifty-nine, they assigned the sum of seventy-five thousand one hundred and seventy pounds, three pence farthing. For printing the journals of the House of Commons they gave five thousand pounds; and six hundred thirty-four pounds, thirteen shillings, and seven pence, as interest, at the rate of four per centum per annum, from the twenty-fifth day of August in the present year, to the same day of April next, for the sum of twenty-three thousand eight hundred pounds, eleven shillings, and eleven pence, remaining in the office of ordnance, and not paid into the hands of the deputy of the king's remembrancer of the court of exchequer, as directed by an act made in the last session of parliament, to make compensation for lands and hereditaments purchased for his majesty's service at Chatham, Portsmouth, and Plymouth, by reason of doubts and difficulties which had arisen touching the execution of the said act. For defraying the extraordinary charge of the mint, during the present year, they allowed eleven thousand nine hundred and forty pounds, thirteen shillings, and ten pence; and two thousand five hundred pounds upon account, for paying the debts claimed and sustained upon a forfeited estate in North Britain. They likewise allowed twelve thousand eight hundred and seventy-four pounds, fifteen shillings, and ten pence, for defraying the charge of a regiment of light dragoons, and of an additional company to the corps commanded by Lieutenant-Colonel Vaughan. Finally, they voted one million, upon account, to enable the king to defray any extraordinary expenses of the war, incurred or to be incurred, for the service of the year one thousand seven hundred and sixty; and to take all such measures as might be necessary to defeat any enterprise or design of his enemies, as the exigency of affairs might require. On the whole, the sum total granted in this session of parliament amounted to fifteen millions five hundred three thousand five hundred and sixty-three pounds, fifteen shillings, and nine pence half-penny; a sum so enormous, whether we consider the nation that raised it, or the purposes for which it was raised, that every Briton of a sedate mind, attached to the interest and welfare of his country, must reflect upon it with equal astonishment and concern: a sum considerably more than double the largest subsidy that was granted in the reign of Queen Anne, when the nation was in the zenith of her glory, and retained half the powers of Europe in her pay; a sum almost double of what any former administration durst have asked; and near double of what the most sanguine calculators, who lived in the beginning of this century, thought the nation could give without the most imminent hazard of immediate bankruptcy. Of the immense supply which we have particularized, the reader will perceive that two millions three hundred forty-four thousand four hundred and eighty-six pounds, sixteen shillings, and seven pence three farthings, were paid to foreigners for supporting the war in Germany, exclusive of the money expended by the British troops in that country, the number of which amounted, in the course of the ensuing year, to twenty thousand men: a number the more extraordinary, if we consider they were all transported to that continent during the administration of those who declared in parliament (the words still sounding in our ears) that not a man, nor even half a man, should be sent from Great Britain to Germany, to fight the battles of any foreign elector. Into the expense of the German war sustained by Great Britain, we must also throw the charge of transporting the English troops; the article of forage, which alone amounted, in the course of the last campaign, to one million two hundred thousand pounds, besides pontage, waggons, horses, and many other contingencies. To the German war we may also impute the extraordinary expense incurred by the actual service of the militia, which the absence of the regular troops rendered in a great measure necessary; and the loss of so many hands withdrawn from industry, from husbandry and manufacture. The loss sustained by this connexion was equally grievous and apparent; the advantage accruing from it, either to

Britain or Hanover, we have not discernment sufficient to perceive, consequently cannot be supposed able to explain.

§ XLVI. The committee of ways and means, having duly deliberated on the articles of supply, continued sitting from the twenty-second day of November to the fourteenth of May, during which period they established the necessary funds to produce the sums which had been granted. The land tax at four shillings in the pound, and the malt tax, were continued, as the standing revenue of Great Britain. The whole provision made by the committee of ways and means amounted to sixteen millions one hundred thirty thousand five hundred and sixty-one pounds, nine shillings, and eight pence, exceeding the grants for the service of the year one thousand seven hundred and sixty, in the sum of six hundred twenty-six thousand nine hundred ninety-seven pounds, thirteen shillings, and ten pence halfpenny. This excess, however, will not appear extraordinary, when we consider that it was destined to make good the premium of two hundred and forty thousand pounds to the subscribers upon the eight million loan, as well as the deficiencies in the other grants, which never fail to make a considerable article in the supply of every session. That these gigantic strides towards the ruin of public credit were such as might alarm every well-wisher to his country, will perhaps more plainly appear in the sum total of the national debt, which, including the encumbrance of one million charged upon the civil list revenue, and provided for by a tax upon salaries and pensions payable out of that revenue, amounted, at this period, to the tremendous sum of one hundred eight millions four hundred ninety-three thousand one hundred fifty-four pounds, fourteen shillings, and eleven pence one farthing. A comfortable reflection this to a people involved in the most expensive war that ever was waged, and already burdened with such taxes as no other nation ever bore!

§ XLVII. It is not at all necessary to particularize the acts that were founded upon the resolutions touching the supply. We shall only observe, that, in the act for the land tax, and in the act for the malt tax, there was a clause of credit empowering the commissioners of the treasury to raise the money which they produced by loans on exchequer-bills, bearing an interest of four per cent. per annum, that is, one per cent. higher than the interest usually granted in time of peace. While the House of Commons deliberated on the bill for granting to his majesty several duties upon malt, and for raising a certain sum of money to be charged on the said duties, a petition was presented by the maltsters of Ipswich and parts adjacent against an additional duty on the stock of malt in hand: but no regard was paid to this remonstrance; and the bill, with several new amendments, passed through both Houses, under the title of "An act for granting to his majesty several duties upon malt, and for raising the sum of eight millions by way of annuities and a lottery, to be charged on the said duties; and to prevent the fraudulent obtaining of allowances in the gauging of corn making into malt; and for making forth duplicates of exchequer-bills, tickets, certificates, receipts, annuity-orders, and other orders lost, burned, or otherwise destroyed." The other three bills that turned wholly on the supply, were passed in common course, without the least opposition in either House: and received the royal assent by commission at the end of the session. The first of these, entitled, "A bill for enabling his majesty to raise a certain sum of money for the uses and purposes therein mentioned," contained a clause of approbation, added to it by instruction; and the bank was enabled to lend the million which the commissioners of the treasury were empowered by the act to borrow, at the interest of four pounds per cent. The second, granting to his majesty a certain sum of money out of the sinking fund, for the service of the year one thousand seven hundred and sixty, comprehended a clause of credit for borrowing the money thereby granted; and another clause, empowering the bank to lend it without any limitation of interest; and the third, enabling his majesty to raise a certain sum of money towards discharging the debt of the navy, and for naval services during the ensuing year, enacted, that the exchequer-bills thereby to be issued should not be received, or pass to any receiver or collector of the public revenue, or at the receipt of the exchequer,

before the twenty-sixth day of March in the year one thousand seven hundred and sixty-one.

§ XLVIII. As the act of the preceding session, prohibiting the malt distillery, was to expire at Christmas, the Commons, thinking it necessary to consider of proper methods for laying the malt distillery under such regulations as might prevent, if possible, its being prejudicial to the health and morals of the people, began as early as the month of November to deliberate on this affair; which being under agitation, petitions were presented to the House by several of the principal inhabitants of Spitalfields; the mayor and commonalty of New Sarum; the gentlemen, clergy, merchants, manufacturers, tradesmen, and other inhabitants of Colchester; the mayor, aldermen, and common council of King's Lynn in Norfolk; the mayor and bailiffs of Berwick-upon-Tweed; representing the advantages accruing from the prohibition of the malt distillery, and praying the continuance of the act by which it was prohibited. On the other hand, counter-petitions were offered by the mayor, magistrates, merchants, manufacturers, and other gentlemen of the city of Norwich; by the land-owners and holders of the south-west part of Essex; and by the freeholders of the shires of Ross and Cromartie, in North Britain: alleging, that the scarcity of corn, which had made it necessary to prohibit the malt distillery, had ceased; and that the continuing the prohibition beyond the necessity which had required it, would be a great loss and discouragement to the landed interest; they therefore prayed that the said distillery might be again opened, under such regulations and restrictions as the House should think proper. These remonstrances being taken into consideration, and divers accounts perused, the House unanimously agreed that the prohibition should be continued for a limited time; and a bill being brought in, pursuant to this resolution, passed through both Houses, and received the royal assent; by which means the prohibition of the malt-distillery was continued till the twenty-fourth day of December in the year one thousand seven hundred and sixty, unless such continuation should be abridged by any other act to be passed in the present session.

§ XLIX. The committee, having examined a great number of accounts and papers relating to spirituous liquors, agreed to four resolutions, importing, that the present high price of spirituous liquors is a principal cause of the diminution in the home consumption thereof, and hath greatly contributed to the health, sobriety, and industry of the common people; that, in order to continue for the future the present high price of all spirits used for home consumption, a large additional duty should be laid upon all spirituous liquors whatsoever distilled within or imported into Great Britain; that there should be a drawback of the said additional duties upon all spirituous liquors distilled in Great Britain, which should be exported; and that an additional bounty should be granted, under proper regulations, upon the exportation of all spirituous liquors drawn from corn in Great Britain. A great many accounts being perused, and witnesses examined relating to the distillery, a bill was brought in, to prevent the excessive use of spirituous liquors, by laying an additional duty thereupon; and to encourage the exportation of British-made spirits. Considerable opposition was made to the bill, on the opinion that the additional duty proposed was too small; and that, among the resolutions, there was not so much as one that looked like a provision or restriction for preventing the pernicious abuse of such liquors. Nay, many persons affirmed, that what was proposed looked more like a scheme for increasing the public revenues, than a salutary measure to prevent excess. The merchants and manufacturers of the town of Birmingham petitioned for such restrictions. The lord mayor, aldermen, and common-council of London presented a petition by the hands of the two sheriffs, setting forth, that the petitioners had, with great pleasure, observed the happy consequences produced upon the morals, behaviour, industry, and health of the lower class of people, since the prohibition of the malt-distillery: that the petitioners, having observed a bill was brought in to allow the distilling of spirits from corn, were apprehensive that the encouragement given to the distillers thereof would prove



detrimental to the commercial interests of the nation; and they conceived the advantages proposed to be allowed upon the exportation of such spirits, being so much above the value of their commodity, would lay such a temptation for smuggling and perjury as no law could prevent. They expressed their fears, that, should such a bill pass into a law, the excessive use of spirituous liquors would not only debilitate and enervate the labourers, manufacturers, sailors, soldiers, and all the lower class of people, and thereby extinguish industry, and that remarkable intrepidity which had lately so eminently appeared in the British nation, which must always depend on the vigour and industry of its people; but also its liberty and happiness, which cannot be supported without temperance and morality, would run the utmost risk of being destroyed. They declared themselves also apprehensive, that the extraordinary consumption of bread corn by the still would not only raise the price, so as to oppress the lower class of people, but would raise such a bar to the exportation thereof, as to deprive the nation of a great influx of money, at that time essential towards the maintaining of an expensive war, and therefore highly injure the landed and commercial interest: they therefore prayed that the present prohibition of distilling spirits from corn might be continued, or that the use of wheat might not be allowed in distillation. This remonstrance was corroborated by another to the same purpose, from several merchants, manufacturers, and traders residing in and near the city of London; and seemed to have some weight with the Commons, who made several amendments in the bill, which they now entitled, "A bill for preventing the excessive use of spirituous liquors, by laying additional duties thereon; for shortening the prohibition for making low wines and spirits from wheat; for encouraging the exportation of British-made spirits, and preventing the fraudulent relanding or importation thereof." Thus altered and amended, it passed on a division; and, making its way through the House of Lords, acquired the royal sanction. Whether the law be adequate to the purposes for which it was enacted, time will determine. The best way of preventing the excess of spirituous liquors would be to lower the excise on beer and ale, so as to enable the poorer class of labourers to refresh themselves with a comfortable liquor for nearly the same expense that will procure a quantity of geneva sufficient for intoxication; for it cannot be supposed that a poor wretch will expend his last penny upon a draft of small beer, without strength or the least satisfactory operation, when for the half of that sum he can purchase a cordial, that will almost instantaneously allay the sense of hunger and cold, and regale his imagination with the most agreeable illusions. Malt was at this time sold cheaper than it was in the first year of King James I. when the parliament enacted, that no inn-keeper, victualler, or alehouse-keeper, should sell less than a full quart of the best ale or beer, or two quarts of the small, for one penny, under the penalty of twenty shillings. It appears, then, that in the reign of King James the subject paid but four pence for a gallon of strong beer, which now costs one shilling; and, as the malt is not increased in value, the difference in the price must be entirely owing to the taxes on beer, malt, and hops, which are indeed very grievous, though perhaps necessary. The duty on small beer is certainly one of the heaviest taxes imposed upon any sort of consumption that cannot be considered as an article of luxury. Two bushels of malt, and two pounds of hops, are required to make a barrel of good small beer, which was formerly sold for six shillings; and the taxes payable on such a barrel amounted to three shillings and sixpence; so that the sum total of the imposition on this commodity was equal to a land tax of eleven shillings and eight pence in the pound.

§ L. Immediately after the resolution relating to the prohibition of spirits from wheat, a motion was made, and leave given, to bring in a bill to continue, for a limited time, the act of the last session, permitting the importation of salted beef from Ireland. This permission was accordingly extended to the twenty-fourth day of December, in the year one thousand seven hundred and sixty-one. In all probability this short and temporary continuance was proposed by the favourers of the bill, in order to avoid the

clamour and opposition of prejudice and ignorance, which would have been dangerously alarmed had it been rendered perpetual. Yet as undoubted evidence had proved before the committee, while the bill was depending, that the importation had been of great service to England, particularly in reducing the price of salted beef for the use of the navy, perhaps no consideration ought to have prevented the legislature from perpetuating the law; a measure that would encourage the graziers of Ireland to breed and fatten horned cattle, and certainly put a stop to the practice of exporting salted beef from that kingdom to France, which undoubtedly furnishes the traders of that kingdom with opportunities of exporting wool to the same country.

§ LI. As several lieutenants of counties had, for various reasons, suspended all proceedings in the execution of the laws relating to the militia for limited times, which suspensions were deemed inconsistent with the intent of the legislature, a bill was now brought in, to enable his majesty's lieutenants of the several counties of England and Wales to proceed in the execution of the militia laws, notwithstanding any adjournments. It was enacted, that, as the speedy execution of the laws for regulating the militia was most essentially necessary at this juncture to the peace and security of the kingdom, every lieutenant of the place where such suspension had happened should, within one month after the passing this act, proceed as if there had been no suspension, and summon a meeting for the same purpose once in every succeeding month until a sufficient number of officers, qualified and willing to serve, should be found, or until the expiration of the act for the better ordering the militia forces. The establishment of a regular militia in South Britain could not fail to make an impression upon the patriots of Scotland. They were convinced, from reason and experience, that nothing could more tend to the peace and security of their country than such an establishment in North Britain, the inhabitants of which had been peculiarly exposed to insurrections, which a well-regulated militia might have prevented, or stifled in the birth; and their coast had been lately alarmed by a threatened invasion, which nothing but the want of such an establishment had rendered formidable to the natives. They thought themselves entitled to the same security which the legislature had provided for their fellow-subjects in South Britain, and could not help being uneasy at the prospect of seeing themselves left unarmed, and exposed to injuries both foreign and domestic, while the sword was put in the hands of their southern neighbours. Some of the members who represented North Britain in parliament, moved by these considerations, as well as by the earnest injunctions of their constituents, resolved to make a vigorous effort, in order to obtain the establishment of a regular militia in Scotland. In the beginning of March it was moved and resolved, that the House would, on the twelfth day of the month, resolve itself into a committee, to consider of the laws in being which relate to the militia in that part of Great Britain called Scotland. The result of that inquiry was, that these laws were ineffectual. Then a motion was made for leave to bring in a bill for the better ordering of the militia forces in North Britain, and, though it met with great opposition, was carried by a large majority. The principal Scottish members of the House were appointed, in conjunction with others, to prepare the bill, which was soon printed, and reinforced by petitions presented by the gentlemen, justices of the peace, and commissioners of the supply for the shire of Ayr; and by the freeholders of the shires of Edinburgh, Sirling, Perth, and Forfar. They expressed their approbation of the established militia in England, and their ardent wish to see the benefit of that wise and salutary measure extended to North Britain. This was an indulgence they had the greater reason to hope for, as by the articles of the Union they were undoubtedly entitled to be on the same footing with their brethren of England; and as the legislature must now be convinced of the necessity of some such measures, by the consternation lately produced in their defenceless country, from the threatened invasion of a handful of French freebooters. These remonstrances had no weight with the majority in the House of Commons, who, either unable or unwilling to make proper distinc-

tions between the ill and well affected subjects of North Britain, rejected the bill, as a very dangerous experiment in favour of a people among whom so many rebellions had been generated and produced. When the motion was made for the bill's being committed, a warm debate ensued, in the course of which many Scottish members spoke in behalf of their country with great force of argument, and a very laudable spirit of freedom. Mr. Elliot, in particular, one of the commissioners of the board of admiralty, distinguished himself by a noble flow of eloquence, adorned with all the graces of oratory, and warmed with the true spirit of patriotism. Mr. Oswald, of the treasury, acquitted himself with great honour on the occasion; ever nervous, steady, and sagacious, independent though in office, and invariably in pursuing the interest of his country. It must be owned, for the honour of North Britain, that all her representatives, except two, warmly contended for this national measure, which was carried in the negative by a majority of one hundred and six, though the bill was exactly modelled by the late act of parliament for the establishment of the militia in England.

§ LII. Even this institution, though certainly laudable and necessary, was attended with so many unforeseen difficulties, that every session of parliament, since it was first established, has produced new acts for its better regulation. In April, leave was given to prepare a bill for amending, confining, and better regulating the payment of the weekly allowances made by the act of parliament, for the maintenance of families unable to support themselves during the absence of militia men embodied, and ordered out into actual service; as well as for amending and improving the establishment of the militia, and lessening the number of officers entitled to pay within that part of Great Britain called England. While this bill was under consideration, the House received a petition from the mayor, aldermen, town-clerk, sheriffs, gentlemen, merchants, clergy, tradesmen, and others, inhabitants of the ancient city of Lincoln, representing, That by an act passed relating to the militia, it was provided, that when any militia men should be ordered out into actual service, leaving families unable to support themselves during their absence, the overseers of the parish where such families reside, should allow them such weekly support as should be prescribed by any one justice of the peace, which allowance should be reimbursed out of the county stock. They alleged, that a considerable number of men, inhabitants of the said city, had entered themselves to serve in the militia of the county of Lincoln, as volunteers, for several parishes and persons; yet their families were, nevertheless, supported by the county stock of the city and county of the city of Lincoln. They took notice of the bill under deliberation, and prayed that if it should pass into a law, they might have such relief in the premises, as to the House should seem meet. Regard was had to this petition in the amendments to the bill, which passed through both Houses, and received the royal assent by commission. During the dependence of this bill another was brought in, to explain so much of the militia act passed in the thirty-first year of his majesty's reign, as related to the money to be given to private militia men, upon their being ordered out into actual service. By this law it was enacted, that the guinea, which by the former act was due to every private man of every regiment or company of militia, when ordered out into actual service, should be paid to every man that shall afterwards be enrolled into such regiment or company whilst in actual service; that no man should be entitled to his clothes for his own use, until he should have served three years, if unembodied, or one year, if embodied, after the delivery of the clothes;

and that the full pay of the militia should commence from his majesty's warrant for drawing them out. The difficulties which these successive regulations were made to obviate, will be amply recompensed by the good effects of a national militia, provided it be employed in a national way, and for national purposes: but if the militia are embodied, and the different regiments that compose it are marched from the respective counties to which they belong; if the men are detained for any length of time in actual service, at a distance from their families, when they might be employed at home in works of industry, for the support of their natural dependants; the militia becomes no other than an addition to, or augmentation of, a standing army, enlisted for the term of three years. The labour of the men is lost to the community; they contract the idle habits and dissolute manners of the other troops; their families are left as encumbrances on the community; and the charge of their subsistence is at least as heavy as that of maintaining an equal number of regular forces. It would not, we apprehend, be very easy to account for the government's ordering the regiments of militia to march from their respective counties, and to do duty for a considerable length of time at a great distance from their own homes, unless we suppose this measure was taken to create in the people a disgust to the institution of the militia, which was an establishment extorted from the secretary by the voice of the nation. We may add, that some of the inconveniences attending a militia will never be totally removed, while the persons drawn by lot for that service are at liberty to hire substitutes; for it cannot be supposed that men of substance will incur the danger, fatigue, and damage of service in person, while they can hire among the lowest class of people mercenaries of desperate fortune and abandoned morals, who will greedily seize the opportunity of being paid for renouncing that labour by which they were before obliged to maintain themselves and their family connexion: it would, therefore, deserve the consideration of the legislature, whether the privilege of hiring substitutes should not be limited to certain classes of men, who are either raised by their rank in life above the necessity of serving in person, or engaged in such occupations as cannot be intermitted without prejudice to the commonwealth. It must be allowed, that the regulation in this new act, by which the families of substitutes are deprived of any relief from the parish, will not only diminish the burden of the poor's rates; but also, by raising the price of mercenaries, oblige a greater number of the better sort to serve in person. Without all doubt the fewer substitutes that are employed, the more dependence may be placed upon the militia in the preservation of our rights and privileges, and the more will the number of the disciplined men be increased: because at the expiration of every three years the lot men must be changed, and new militia men chosen; but the substitutes will, in all probability, continue for life in the service, provided they can find lot men to hire them at every rotation. The reader will forgive our being so circumstantial upon the regulations of an institution, which we cannot help regarding with a kind of enthusiastic affection.

§ LIII. In the latter end of November, the House of Commons received a petition from several gentlemen, and others, inhabitants of East Greenwich, and places adjacent, in Kent, representing, that in the said parish, within a quarter of a mile of the town distinguished by a royal palace, and royal hospital for seamen, there was a magazine, containing great quantities of gunpowder, frequently to the amount of six thousand barrels: that besides the great danger which must attend all places of that kind, the said magazine stood in an open field, unenclosed by any fortification or defence whatsoever, consequently exposed

h By this law it was enacted, that if any militia man who shall have been accepted and enrolled as substitute, hired man, or volunteer, before the passing of the act, or who shall have been chosen by lot, whether before or after the passing of the act, shall, when embodied, or called out into actual service, and ordered to march, leave a family unable to support themselves, the overseers shall, by order of some one justice of the peace, pay out of the poor's rates of such parish a weekly allowance to such family, according to the usual and ordinary price of labour and husbandry there: viz. for one child under the age of ten years, the price of one day's labour; for two children under the age aforesaid, the price of two days' labour; for three or four children under the age aforesaid, the price of three days' labour; for five or more children under the age aforesaid, the price of four days' labour; and for the wife of such militia man, the price

of one day's labour; but that the families of such men only as shall be chosen by lot, and of the substitutes, hired men, and volunteers already accepted and enrolled, shall, after the passing of this act, receive any such weekly allowance. For removing the grievance complained of in the above petition, it is enacted, that where treasurers shall reimburse to overseers any money, in pursuance of this act, on account of the weekly allowance to the family of any militia man serving in the militia of any county or place other than that wherein such family shall dwell, they are to transmit an account thereof, signed by some justice for the place where such family shall dwell, to the treasurer of the county, &c. in the militia wherein such militia man shall serve, who is thereupon to pay him the sum so reimbursed to such overseers, and the same to be allowed in his accounts.

to treachery and every other accident. They alleged, that if, through treachery, lightning, or any other accident, this magazine should take fire, not only their lives and properties, but the palace and hospital, the king's yards and stores at Deptford and Woolwich, the banks and navigation of the Thames, with the ships sailing and at anchor in that river, would be inevitably destroyed, and inconceivable damage would accrue to the cities of London and Westminster. They, moreover, observed that the magazine was then in a dangerous condition, supported on all sides by props that were decayed at the foundation; that in case it should fall, the powder would, in all probability, take fire, and produce the dreadful calamities above recited: they therefore prayed that the magazine might be removed to some more convenient place, where any accident would not be attended with such dismal consequences. The subject of this remonstrance was so pressing and important, that a committee was immediately appointed to take the affair into consideration, and procure an estimate for purchasing lands, and erecting a powder-magazine, at Purfleet, in Essex, near the banks of the river, together with a guard-house, barracks, and all other necessary conveniences. While the report of the committee lay upon the table for the perusal of the members, Mr. Chancellor of the Exchequer, by his majesty's command, acquainted the House, that the king, having been informed of the subject matter of the petition, recommended it to the consideration of the Commons. Leave was immediately given to prepare a bill, founded on the resolutions of the committee; which, having been duly considered, altered, and amended, passed through both Houses to the foot of the throne, where it obtained the royal sanction. The magazine was accordingly removed to Purfleet, an inconsiderable and solitary village, where there will be little danger of accident, and where no great damage would attend an explosion: but, in order to render this possible explosion still less dangerous, it would be necessary to form the magazine of small distinct apartments, totally independent of each other; that in case one should be accidentally blown up, the rest might stand unaffected. The same plan ought to be adopted in the construction of all combustible stores subject to conflagration. The marine bill, and mutiny bill, as annual regulations, were prepared in the usual form, passed both Houses without opposition, and received the royal assent.

§ LIV. The next affair that engrossed the deliberation of the Commons, was a measure relating to the internal economy of the metropolis. The sheriffs of London delivered a petition from the lord mayor, aldermen, and commons, in common-council assembled, representing that several streets, lanes, and passages within the city of London, and liberties thereof, were too narrow and incommensurate for the passing and repassing as well of foot-passengers as of coaches, carts, and other carriages, to the prejudice and inconvenience of the owners and inhabitants of houses, and to the great hindrance of business, trade, and commerce. They alleged that these defects might be remedied, and several new streets opened within the said city and liberties, to the great ease, safety, and convenience of passengers, as well as to the advantage of the public in general, if they, the petitioners, were enabled to widen and enlarge the narrow streets, lanes, and passages, to open and lay out such new streets and ways, and to purchase the several houses, buildings, and grounds which might be necessary for these purposes. They took notice that there were several houses within the city and liberties, partly erected over the ground of other proprietors; and others, of which the several floors or apartments belonged to different persons; so that difficulties and disputes frequently arose amongst the said several owners and proprietors, about pulling down or rebuilding the party-walls

and premises; that such rebuilding was often prevented or delayed, to the great injury and inconvenience of those owners who were desirous to rebuild; that it would therefore be of public benefit, and frequently prevent the spreading of the fatal effects of fire, if some provision were made by law, as well for determining such disputes in a summary way, as for explaining and amending the laws then in being relating to the building of party-walls. They therefore prayed that leave might be given to bring in a bill for enabling the petitioners to widen and enlarge the several streets, lanes, and passages, and to open new streets and ways to be therein limited and prescribed; as well as for determining, in a summary way, all disputes arising about the rebuilding of houses or tenements within the said city and liberties, wherein several persons have an intermixed property; and for explaining and amending the laws in being relating to these particulars. A committee being appointed to examine the matter of this petition, agreed to a report, upon which leave was given to prepare a bill, and this was brought in accordingly. Next day a great number of citizens represented, in another petition, that the pavement of the city and liberties was often damaged, by being broken up for the purposes of amending or new laying water-pipes belonging to the proprietors of water-works; and praying that provision might be made in the bill then depending, to compel those proprietors to make good any damage that might be done to the pavement by the leaking or bursting of the water-pipes, or opening the pavement for alterations. In consequence of this representation, some amendments were made in the bill, which passed through both Houses, and was enacted into a law, under the title of "An act for widening certain streets, lanes, and passages, within the city of London and liberties thereof; and for opening certain new streets and ways within the same, and for other purposes therein mentioned."

§ LV. The inhabitants of Westminster had long laboured under the want of a fish-market, and complained that the price of this species of provision was kept up at an exorbitant rate by the fraudulent combination of a few dealers, who engrossed the whole market at Billingsgate, and destroyed great quantities of fish, in order to enhance the value of those that remained. An act of parliament had passed in the twenty-second year of his present majesty's reign, for establishing a free market for the sale of fish in Westminster; and, seven years after that period, it was found necessary to procure a second, for explaining and amending the first: but neither effectually answered the purposes of the legislature. In the month of January of the present session, the House took into consideration a petition of the several fishermen trading to Billingsgate-market, representing the hardships to which they were exposed by the said acts; particularly forfeitures of vessels and cargoes, incurred by the negligence of servants who had omitted to make the particular entries which the two acts prescribed. This petition being examined by a committee, and the report being made, leave was given to bring in a new bill, which should contain effectual provision for the better supplying the cities of London and Westminster with fish, and for preventing the abuses of the fishmongers. It was entitled, "A bill to repeal so much of an act passed in the twenty-ninth of George II. concerning a free market for fish at Westminster, as requires fishermen to enter their fishing vessels at the office of the searcher of the customs at Gravesend, and to regulate the sale of fish at the first hand in the fish-markets in London and Westminster; and to prevent salesmen of fish buying fish to sell again on their own account; and to allow brett and turbot, brill and pearl, although under the respective dimensions mentioned in a former act, to be imported and sold; and to punish persons who shall take or sell any spawn, brood,

i The openings to be made, and the passages to be improved and enlarged, were ascertained by two schedules annexed to the act. With respect to the houses, buildings, and grounds to be purchased, the mayor, aldermen, and commons of the city, in common-council assembled, or a committee appointed by them, were empowered to fix the price by agreement with the respective proprietors, or otherwise by a jury in the usual manner. With regard to party-walls, the act ordains, that the proprietor of either adjoining house may compel the proprietor of the other to agree to its being pulled down and rebuilt, and to pay a moiety of the expense, even though it should not be necessary to pull down or rebuild either of their houses; that all party-walls shall be at least two bricks and a half in thickness in the cellar, and two bricks thick upwards to the top of the garret

floor. It enacts, that if any decayed house belongs to several proprietors, any one of them, who is desirous to rebuild, may oblige the others to concur, and join with him in the expense, or purchase their shares at a price to be fixed by a jury. If any house should hereafter be presented by any inquest, or grand jury, in London, as being in a ruinous condition, the court of mayor and aldermen is, by this act, empowered to pull it down at the expense of the ground landlord. As to damaged pavements, not sufficiently repaired by the proprietors of the water-works, any justice of the peace in London is vested with power, upon their refusing or delaying to make it good, to cause it to be effectually relayed with good materials at their expense.



or fry of fish, unsizable fish, or fish out of season, or smelts under the size of five inches, and for other purposes." Though this, and the former bill relating to the streets and houses of London, are instances that evince the care and attention of the legislature, even to minute particulars of the internal economy of the kingdom, we can hardly consider them as objects of such dignity and importance as to demand the deliberations of the parliament, but think they naturally fall within the cognizance of the municipal magistracy. After all, perhaps the most effectual method for supplying Westminster with plenty of fish, at reasonable rates, would be to execute with rigour the laws already enacted against forestalling and regrating, an expedient that would soon dissolve all monopolies and combinations among the traders; to increase the number of markets in London and Westminster; and to establish two general markets at the Nore, one on each side of the river, where the fishing vessels might unload their cargoes, and return to sea without delay. A number of light boats might be employed to convey fresh fish from these marts to London and Westminster, where all the different fish markets might be plentifully supplied at a reasonable expense; for it cannot be supposed that, while the fresh fish are brought up the river in the fishing smacks themselves, which can hardly save the tides to Billingsgate, they will ever dream of carrying their cargoes above bridge; or that the price of fish can be considerably lowered, while the fishing vessels lose so much time in running up to Gravesend or Billingsgate.

§ LVI. The annual committee being appointed to inquire what laws were expired, or near expiring, agreed to certain resolutions; upon which a bill was prepared, and obtained the royal assent, importing a continuation of several laws, namely, the several clauses mentioned of the acts in the fifth and eighth of George I. against the clandestine running of uncustomed goods, except the clauses relating to quarantine; the act passed in the third of George II. relating to the carrying rice from Carolina; the act of the seventh of the same reign, relating to cochineal and indigo; and that of the twelfth George II. so far as it related to the importation of printed books. There was also a law enacted, to continue to the twenty-ninth day of September in the year one thousand seven hundred and sixty-seven, an act passed in the twelfth year of Queen Anne, for encouraging the making of sail-cloth, by a duty of one penny per ell laid upon all foreign-made sail, and sail-cloth imported, and a bounty in the same proportion granted upon all home-made sail-cloth, and canvass fit for or made into sails, and exported; another act was passed, for continuing certain laws relating to the additional number of one hundred hackney coaches and chairs, which law was rendered perpetual. The next law we shall mention was intended to be one of the most important that ever fell under the cognizance of the legislature: it was a law that affected the freedom, dignity, and independency of parliaments. By an act passed in the ninth year of the reign of Queen Anne, it was provided that no person should be chosen a member of parliament who did not possess in England or Wales an estate, freehold or copyhold, for life, according to the following qualifications: for every knight of a shire six hundred pounds per annum, over and above what will satisfy all encumbrances; and three hundred pounds per annum, for every citizen, burgess, and baron of the cinque ports. It was also decreed, that the return of any person not thus qualified should be void; and that every candidate should, at the reasonable request of any other candidate at the time of election, or of two or more persons who had a right to vote, take an oath prescribed to establish his qualification. This restraint was by no means effectual. So many oaths of different kinds had been prescribed since the revolution, that they began to lose the effect they were intended to have on the minds of men: and in particular, political perjury grew so common, that it was no longer considered as a crime. Subterfuges were discovered, by means of which this law relating to the qualifications of candidates was effectually eluded. Those who were not actually possessed of such estates procured temporary conveyances from their friends and patrons, on condition of their being restored and cancelled after the election. By this scandalous fraud the intention of the legislature was frustrated, the dignity of parliament prostituted, the example of perjury and corruption ex-

tended, and the vengeance of Heaven set at defiance. Through this infamous channel the ministry had it in their power to thrust into parliament a set of venal beggars, who, as they depended upon their bounty, would always be obsequious to their will, and vote according to direction, without the least regard to the dictates of conscience, or to the advantage of their country. The mischiefs attending such a vile collusion, and in particular the undue influence which the crown must have acquired from the practice, were either felt or apprehended by some honest patriots, who, after divers unsuccessful efforts, at length presented to the House a bill, importing that every person who shall be elected a member of the House of Commons, should, before he presumed to take his seat, deliver to the clerk of the House at the table, while the Commons are sitting, and the speaker in the chair, a paper or schedule, signed by himself, containing a rental or particular of the lands, tenements, or hereditaments, whereby he makes out his qualification, specifying the nature of his estate, whether messuage, land, rent, tithe, or what else; and if such estate consists of messuages, lands, or tithes, then specifying in whose occupation they are; and if in rent, then specifying the names of the owners or possessors of the lands and tenements out of which such rent is issuing, and also specifying the parish, township, or precinct and county, in which the said estate lies, and the value thereof; and every such person shall, at the same time, also take and subscribe the following oath, to be fairly written at the bottom of the paper or schedule: "I, A. B. do swear that the above is a true rental; and that I truly and *bonâ fide*, have such an estate in law or equity, to and for my own use and benefit, of and in the lands, tenements, or hereditaments, above described, over and above what will satisfy and clear all encumbrances that may affect the same; and that such estate hath not been granted or made over to me fraudulently, on purpose to qualify me to be a member of this house. So help me God!" It was provided that the said paper or schedule, with the oath aforesaid, should be carefully kept by the clerk, to be inspected by the members of the House of Commons, without fee or reward; that if any person, elected to serve in any future parliament should presume to sit or vote as a member of the House of Commons before he had delivered in such a paper or schedule, and taken the oath aforesaid, or should not be qualified according to the true intent or meaning of this act, his election should be void; and every person so sitting and voting should forfeit a certain sum to be recovered by such persons as should sue for the same by action of debt, bill, plaint, or information, whereon no essoin, privilege, protection, or wager of law, should be allowed, and only one imparlance: that if any person should have delivered in, and sworn to, his qualification as aforesaid, and taken his seat in the House of Commons, yet at any time after should, during the continuance of such parliament, sell, dispose of, alien, or any otherwise encumber the estate, or any part thereof comprised in the schedule, so as to lessen, or reduce the same under the value of the qualification by law directed, every such person, under a certain penalty, must deliver in a new or further qualification, according to the true intent and meaning of this act, and swear to the same, in manner before directed, before he shall again presume to sit or vote as a member of the House of Commons; that in case any action, suit, or information should be brought, in pursuance of this act, against any member of the House of Commons, the clerk of the House shall, upon demand, forthwith deliver a true and attested copy of the paper or schedule so delivered in to him as aforesaid by such members to the plaintiff or prosecutor, or his attorney or agent, paying a certain sum for the same; which, being proved a true copy, shall be admitted to be given in evidence upon the trial of any issue in any such action. Provided always, that nothing contained in this act shall extend to the eldest son or heir-apparent of any peer or lord of parliament, or of any person qualified to serve as knight of the shire, or to the members for either of the universities in that part of Great Britain called England, or to the members for that part of Great Britain called Scotland. Such was the substance of the bill, as originally presented to the House of Commons; but it was altered in such a manner as we are afraid will

fail in answering the salutary purposes for which it was intended by those who brought it into the House. Notwithstanding the provisions made in the act as it now stands, any minister or patron may still introduce his pensioners, clerks, and creatures into the House, by means of the old method of temporary conveyance, though the farce must now be kept up until the member shall have delivered in his schedule, taken his oath, and his seat in parliament, then he may deliver up the conveyance, or execute a re-conveyance, without running any risk of losing his seat, or of being punished for his fraud and perjury. The extensive influence of the crown, the general corruptibility of individuals, and the obstacles so industriously thrown in the way of every scheme contrived to vindicate the independence of parliaments, must have produced very mortifying reflections in the breast of every Briton warmed with the genuine love of his country. He must have perceived that all the bulwarks of the constitution were little better than buttresses of ice, which would infallibly thaw before the heat of ministerial influence, when artfully concentrated; that either a minister's professions of patriotism were insincere, or his credit insufficient to effect any essential alteration in the unpopular measures of government; and that, after all, the liberties of the nation could never be so firmly established, as by the power, generosity, and virtue of a patriot king. This inference could not fail to awake the remembrance of that amiable prince, whom fate untimely snatched from the eager hopes and warm affection of a whole nation, before he had it in his power to manifest and establish his favourite maxim, "That a monarch's glory was inseparably connected with the happiness of his people."<sup>k</sup>

§ LVII. On the first day of February, a motion was made, and leave given, to bring in a bill for enabling his majesty to make leases and grants of offices, lands, and hereditaments, parcel of his duchy of Cornwall, or annexed to the same; accordingly it passed through both Houses without opposition; and enacted that all leases and grants made, or to be made, by his majesty, within seven years next ensuing, in or annexed to the said duchy, under the limitations therein mentioned, should be good and effectual in law against his majesty, his heirs, and successors, and against all other persons that should hereafter inherit the said duchy, either by an act of parliament, or any limitation whatsoever. This act appears the more extraordinary, as the Prince of Wales, who has a sort of right by prescription to the duchy of Cornwall, was then of age, and might have been put in possession of it by the passing of a patent. The House having perused an account of the produce of the fund established for paying annuities granted in the year one thousand seven hundred and fifty-nine, with the charge on that fund on the fifth day of January in the succeeding year, it appeared that there had been a considerable deficiency in the said fund on the fifth day of July preceding, and this had been made good out of the sinking fund, by a resolution of the seventh of February, already particularized. They therefore instructed the committee of ways and means to consider so

<sup>k</sup> The following declaration made to the chiefs of the opposition will render the memory of the late Prince of Wales dear to latest posterity.

His Royal Highness has authorized Lord F. and Sir F. D. to give the most positive assurances to the gentlemen in the opposition, of his upright intentions. That he is thoroughly convinced of the justness and calumnies that have befallen, and every day are more likely to befall, this country; and therefore invites all well-wishers to this country and its constitution to unite with him, and upon the following principle only:

His Royal Highness promises, and will declare it openly, that it is his intention totally to abolish any distinctions for the future of parties; and as far as lies in his power, and as soon as it does lie in his power, to take away from every all proscription from any set of men whatever who are friends to the constitution; and therefore will promote for the present, and when it is in his power will immediately grant.

First, a bill to empower all gentlemen to act as justices of peace, paying and tax for £200 *per annum*, in any county where he intends to serve.

Secondly, his Royal Highness promises, in like manner, to support, and forthwith grant, whenever he shall have it in his power, a bill to create and establish a numerous and effectual militia throughout the kingdom.

Thirdly, his Royal Highness promises, in like manner, to promote and support, and likewise grant when it is in his power, a bill to exclude all military officers in the land-service under the degree of colonel of regiments, and in the sea-service under the degree of rear-admirals, from sitting in the House of Commons.

Fourthly, his Royal Highness promises that he will, when in his power, grant inquiries into the great number of abuses in offices, and does not doubt the assistance of all honest men, to enable him to correct the same for the future.

Fifthly, his Royal Highness promises, and will openly declare, that he will make no agreement with, or join in the support of, any administration whatever, without previously obtaining the above-mentioned points in behalf of the people, and for the sake of good government. Upon these con-

ditions, and these conditions only, his Royal Highness thinks he has a right not to doubt of having a most cordial support from all those good men who mean their country and this constitution well, and that they will become his and his family's friends, and unite with him to promote the good government of this country, and that they will follow him, upon these principles, both in court and out of court; and if he should live to turn an administration, it should be composed, without distinction, of men of dignity, knowledge, and probity. His Royal Highness further promises to accept of no more, if offered to him, than £60,000. for his civil list, by way of rent charge.

Answer to the foregoing proposal.

THE lords and gentlemen to whom a paper has been communicated, containing his Royal Highness the prince's gracious intentions upon several weighty and important points, of the greatest consequence to the honour and interest of his majesty's government, and absolutely necessary for the restoring and perpetuating the true use and design of parliament, the purity of our excellent constitution, and the happiness and welfare of the whole nation, do therein with the greatest satisfaction observe, and most gratefully acknowledge, the uprightness and generosity of his Royal Highness's noble sentiments and resolutions. And therefore beg leave to return their most dutiful and humble thanks for the same; and to assure his Royal Highness that they will constantly and steadily use their utmost endeavours to support those his wise and salutary purposes, that the throne may be strengthened, religion and morality encouraged, faction and corruption destroyed, the purity and essence of parliament restored, and the happiness and welfare of our constitution preserved.

When the above answer was returned to the prince, there were present, The Duke of B.—The Earl of L.—The Earl of S.—The Earl of T.—The Earl of W.—The Earl of S.—Lord F.—Lord W.—Sir Wat. Wat. Wynne.—Sir John H. C.—Sir Walter B.—Sir Robert G.—Mr. F.—Mr. P.—Mr. G.

and condemned in any other of his majesty's dominions, shall be respectively given and published in the following manner: if the prize be condemned in any court of admiralty in Great Britain, such notification, under the agent's hand, shall be published in the London Gazette; and if condemned in any court of admiralty in any other of his majesty's dominions, such notification shall be published in like manner in the Gazette, or other newspaper of public authority, of the island or place where the prize is condemned: and if there shall be no gazette, or such newspaper, published there, then in some or one of the public newspapers of the place: and such agents shall deliver to the collector, customer, or searcher, or his lawful deputy; and if there shall be no such officer, then to the principal officer or officers of the place where the prize is condemned, or to the lawful deputy of such principal officers; two of the gazettes or other newspapers in which such notifications are inserted; and if there shall not be any public newspapers in any such island or place, the agent shall give two such notifications in writing, under his hand: and every such collector, or other officer as aforesaid, shall subscribe his name on both the said gazettes, newspapers, or written notifications; and, by the first ship which shall sail from thence to any port of Great Britain, shall transmit to the treasurer or deputy-treasurers of the said royal hospital one of the said notifications, with his name so subscribed, to be there registered; and shall faithfully preserve and keep the other, with his name thereon subscribed, in his own custody; and in every notification as aforesaid the agent shall specify his place of abode, and the precise day of the month and year appointed for the payment of the respective shares to the captors; and all notifications with respect to prizes condemned in Great Britain shall be published in the London Gazette three days at least before any share of such prize shall be paid: and, with respect to prizes condemned in any other part of his majesty's dominions, such notifications shall be delivered to the said collector, or other officers as aforesaid, three days at least before any share of such prizes shall be paid. It was likewise enacted, that the agents for the distribution of bounty bills should insert, and publish under their hands, in the London Gazette, three days at least before payment, public notifications of the day and year appointed for such payment, and also insert therein their respective places of abode. The bill, even as it now stands, is liable to several objections. It may be dangerous to leave the money of the unclaimed shares so long as three years in the hands of the agent, who, together with his securities, may prove insolvent before the expiration of that term: then the time prescribed to the sailors, within which their claim is limited, appears to be too short, when we consider that they may be so circumstanced, turned over to another ship, and conveyed to a distant part of the globe, that they shall have no opportunity to claim payment: and should three years elapse before they could make application to the agent, they would find their bounty or prize money appropriated to the use of Greenwich hospital; nay, should they die in the course of the voyage, it would be lost to their heirs and executors, who, being ignorant of their title, could not possibly claim within the time limited.

§ LIX. A committee having been appointed to inquire into the original standards of weights and measures in the kingdom of England, to consider the laws relating thereto, and to report their observations thereupon, together with their opinion of the most effectual means for ascertaining and enforcing uniform and certain standards of weights and measures, they prepared copies, models, patterns, and multiples, and presented them to the House; then they were locked up by the clerk of the House; and Lord Carysfort presented a bill, according to order, for enforcing uniformity of weights and measures to the standards by law to be established; but this measure, which had been so long in dependence, was not yet fully discussed, and the standards and weights were reserved to another occasion. A law was made for reviving and continuing so much of an act passed in the twenty-first year of his majesty's reign, as relates to the more effectual trial and punishment of high treason in the highlands of Scotland; and also for continuing two other acts passed in the nine-

teenth and twenty-first years of his majesty's reign, so far as they relate to the more effectual disarming the highlands of Scotland, and securing the peace thereof; and to allow further time for making affidavits of the execution of articles or contracts of clerks to attorneys or solicitors, and filing thereof. The king having been pleased to pardon George Keith, Earl Marischal of Scotland, who had been attainted for rebellion in the year one thousand seven hundred and sixteen, the parliament confirmed this indulgence, by passing an act to enable the said George Keith, late Earl Marischal, to sue or entertain any action or suit, notwithstanding his attainder, and to remove any disability in him, by reason of the said attainder, to take or inherit any real or personal estate that might or should hereafter descend or come to him, or which he was entitled to in reversion or remainder before his attainder. This nobleman, universally respected for his probity and understanding, had been employed as ambassador to the court of France by the King of Prussia, and was actually at this juncture in the service of that monarch, who, in all probability, interceded with the King of England in his behalf. When his pardon passed the seals, he repaired to London, and was presented to his majesty, by whom he was very graciously received.

§ LX. These and a good number of other bills of less importance, both private and public, were passed into laws by commission, on the twenty-second day of May, when the lord keeper of the great seal closed the session with a speech to both Houses. He began with an assurance that his majesty looked back on their proceedings with entire satisfaction. He said the duty and affection which they had expressed for the king's person and government, the zeal and unanimity they had showed in maintaining the true interest of their country, could only be equalled by what his majesty had formerly experienced from his parliament. He told them it would have given his majesty the most sensible pleasure, had he been able to assure them that his endeavours to promote a general peace had met with more suitable returns. He observed, that his majesty, in conjunction with his good brother and ally the King of Prussia, had chosen to give their enemies proofs of this equitable disposition, in the midst of a series of glorious victories; an opportunity the most proper to take such a step with dignity, and to manifest to all Europe the purity and moderation of his views. After such a conduct, he said, the king had the comfort to reflect that the further continuance to the calamities of war could not be imputed to him or his allies; that he trusted in the blessing of Heaven upon the justice of his arms, and upon those ample means which the zeal of the parliament in so good a cause had wisely put into his hands, that his future successes in carrying on the war would not fall short of the past; and that, in the event, the public tranquillity would be restored on solid and durable foundations. He acquainted them that his majesty had taken the most effectual care to augment the combined army in Germany; and at the same time to keep up such a force at home as might frustrate any attempts of the enemy to invade these kingdoms; such attempts as had hitherto ended only in their own confusion. He took notice that the royal navy was never in a more flourishing and respectable condition; and the signal victory obtained last winter over the French fleet on their own coast, had given lustre to his majesty's arms, fresh spirit to his maritime forces, and reduced the naval strength of France to a very low ebb. He gave them to understand that his majesty had disposed his squadrons in such a manner as might best conduce to the annoyance of his enemies; to the defence of his own dominions, both in Europe and America; to the preserving and pursuing his conquests, as well as to the protection of the trade of his subjects, which he had extremely at heart. He told the Commons, that nothing could relieve his majesty's royal mind, under the anxiety he felt for the burdens of his faithful subjects, but the public-spirited cheerfulness with which their House had granted him such large supplies, and his conviction that they were necessary for the security and essential interest of his kingdoms; he therefore returned them his hearty thanks for these supplies, and assured them they should be duly applied to the purposes for which they had been given. Finally, he re-



commended to both Houses the continuance of that union and good harmony which he had observed with so much pleasure, and from which he had derived such important effects. He desired they would study to promote these desirable objects, to support the king's government, and the good order of their respective counties, and to consult their own real happiness and prosperity.

### CHAP. XIII.

§ I. Remarkable detection of a murder by William Andrew Horne. § II. Popular clamour against Lord George Sackville. His address to the public. § III. He denounces a court-martial. § IV. Substance of the charge against him. § V. His defence. § VI. Remark on it. § VII. Sentence of the court-martial. § VIII. Earl Ferrers apprehended for murder. § IX. Tried by the House of Peers. § X. Convicted. § XI. And executed at Tyburn. § XII. Assassination of Mr. Mathews, by one Stru, a Hessian. § XIII. New war begun at Blackfriers. Conflagration in Portsmouth-yard. § XIV. Number of ships taken by the enemy. Progress of Miss. Huron. § XV. He makes a descent at Carriacou. § XVI. Is slain, and his ship taken. § XVII. Exploit of Captain Kennedy. § XVIII. Remarkable adventure of five English women. § XIX. The Remains of a war wrecked upon the East-Ind. § XX. Treaty with the Cherokees. Hostilities recommenced. § XXI. Their towns destroyed by Colonel Mingo. § XXII. His expedition to the middle settlements. § XXIII. Fate of the garrison at Fort Loudon. § XXIV. The British interest established on the Ohio. § XXV. The French undertake the siege of Quebec. § XXVI. Defeat Br. under Murray, and oblige him to retire into the town. § XXVII. French besiege it. § XXVIII. The enemy's shipping destroyed. § XXIX. They abandon the siege. § XXX. General Amherst restores the French fort at the Rose Royal. § XXXI. And takes Montreal. § XXXII. French ships destroyed in the bay of Chaleur. § XXXIII. Total reduction of Canada. § XXXIV. Description of it. § XXXV. Banishment of the negroes in Jamaica. § XXXVI. Action at sea off Hispaniola. § XXXVII. Gallant behaviour of the Captains O'Brien and Taylor in the *Frederick Islands*. § XXXVIII. French losses in the East Indies. § XXXIX. Advancements in the bay of Quiberon. § XL. Admiral Boscawen destroys some vessels on the coast of France. § XLI. Preparation for a secret expedition. § XLII. Astronomers sent to the East Indies. § XLIII. Earthquakes in Syria. § XLIV. He conducts the siege of the city of Aleppo. § XLV. Portogal. § XLVI. The line of carle carried into Malta. § XLVII. Patriot schemes of the King of Denmark. § XLVIII. Memorial presented by the British ambassador to the States general. § XLIX. State of the powers at war. § L. Decline of the influence of House of Bourbon. § LI. Offers made by the neutral powers of a place for holding a congress. § LII. Skirmishes in Westphalia during the winter. § LIII. Exactions by the French in Westphalia. § LIV. Schemes for the advantage of the allies at Vaud. § LV. Situation of the French armies. § LVI. Exploit of Colonel Luckner at Buzard. § LVII. The French advance to Neustadt. § LVIII. Hereditary Prince of Brunswick defeated at Corbach. § LIX. But retrieves his honour at Exdorf. § LX. Victory obtained by the allies at Warburg. § LXI. The hereditary prince beats up the quarters of the French at Zeirndorf. § LXII. Petty advantages on both sides. § LXIII. The hereditary prince marches to the Lower Rhine. § LXIV. Is worsted at Cassen. § LXV. And recovers the Rhine. § LXVI. Attempt of assassination against him. § LXVII. Advantages gained by M. de Stauville. § LXVIII. The allies and French go into winter-quarters.

A. D. 1760.]

§ I. THE successes of the last campaign had flushed the whole nation with the most elevated hope of future conquest, and the government was enabled to take every step which appeared necessary to realize that sanguine expectation; but the war became every day more and more Germanized. Notwithstanding the immense sums that were raised for the expenses of the current year; notwithstanding the great number of land forces maintained in the service, and the numerous fleets that filled the harbours of Great Britain; we do not find that one fresh effort was made to improve the advantages she had gained upon her own element, or for pushing the war on national principles: for the reduction of Canada was no more than the consequence of the measures which had been taken in the preceding campaign. But before we record the progress of the war, it may be necessary to specify some domestic occurrences that for a little while engrossed the public attention. In the month of December, in the preceding year, William Andrew Horne, a gentleman of some fortune in Derbyshire, was executed at Nottingham, in the seventy-fourth year of his age, for the murder of an infant born of his own sister, in the year one thousand seven hundred and twenty-four. On the third day after the birth, this brutal ruffian thrust the child into a linen bag, and accompanied by his own brother on horseback, conveyed it to Annestry, in Nottinghamshire, where it was next day found dead under a hay stack. Though this cruel rustic knew how much he lay at the mercy of his brother, whom he had made privy to this affair, far from endeavouring to engage his secrecy by offices of kindness and marks of affection, he treated him as an alien to his blood; not barely with indifference, but even with the most barbarous rigour. He not only de-

frauded him of his right, but exacted of him the lowest menial services; beheld him starving in a cottage, while he lived himself in affluence; and refused to relieve with a morsel of charity the children of his own brother begging at his gate. It was the resentment of this pride and barbarity which, in all likelihood, first impelled the other to revenge. He pretended qualms of conscience, and disclosed the transaction of the child to several individuals. As the brother was universally hated for the insolence and brutality of his disposition, information was given against him, and a resolution formed to bring him to condign punishment. Being informed of this design, he tampered with his brother, and desired that he would retract upon the trial, the evidence he had given before the justices. Though the brother rejected this scheme of subornation he offered to withdraw himself from the kingdom, if he might have five pounds to defray the expense of his removal. So sordidly avaricious was the other, that he refused to advance this miserable pittance, though he knew his own life depended upon his compliance. He was accordingly apprehended, tried, and convicted on his brother's evidence; and then he confessed the particulars of his exposing the infant. He denied, indeed, that he had any thought the child would perish, and declared he intended it as a present to the gentleman at whose gate was laid: but as he appeared to be a hardened miscreant, devoid of humanity, stained with the complicated crimes of tyranny, fraud, rapine, incest, and murder, very little credit is due to his declaration. In the course of the same month, part of Westminster was grievously alarmed by a dreadful conflagration, which broke out in the house of a cabinet-maker near Covent Garden, raged with great fury, and reduced near twenty houses to ashes. Many others were damaged, and several persons either burned in their apartments, or buried under the ruins. The bad consequences of this calamity were in a great measure alleviated by the humanity of the public, and the generous compassion of the Prince of Wales, who contributed liberally to the relief of the sufferers.

§ II. But no subject so much engrossed the conversation and passions of the public as did the case of Lord George Sackville, who had by this time resigned his command in Germany, and returned to England: the country which, of all others, it would have been his interest to avoid at this juncture, if he was really conscious of the guilt, the imputation of which his character now sustained. With the first tidings of the battle fought at Minden, the defamation of this officer arrived. He was accused of having disobeyed orders, and his conduct represented as infamous in every particular. These were the suggestions of a vague report which no person could trace to its origin; yet this report immediately gave birth to one of the most inflammatory pamphlets that ever was exhibited to the public. The first charge had alarmed the people of England, jealous in honour, sudden and rash in their resentments, and obstinately adhering to the prejudices they have espoused. The implied accusation in the orders of Prince Ferdinand, and the combustible matter superadded by the pamphlet writer, kindled up such a blaze of indignation in the minds of the people, as admitted of no temperance or control. An abhorrence and detestation of Lord George Sackville, as a coward and a traitor, became the universal passion, which acted by contagion, infecting all degrees of people from the cottage to the throne; and no individual, who had the least regard for his own character and quiet, would venture to preach up moderation, or even advise a suspension of belief until more certain information could be received. Fresh fuel was continually thrown in by obscure authors of pamphlets and newspapers, who stigmatized and insulted with such virulent perseverance, that one would have imagined they were actuated by personal motives, not retained by mercenary booksellers, against that unfortunate nobleman. Not satisfied with inventing circumstances to his dishonour, in his conduct on the last occasion, they pretended to take a retrospective view of his character, and produced a number of anecdotes to his prejudice, which had never before seen the light, and but for this occasion had probably never been known. Not that all the writings which appeared on this subject contained fresh matters of aggravation against Lord George

Sackville. Some writers, either animated by the hope of advantage, or lured to betray the cause which they undertook to defend, entered the lists as professed champions of the accused, assumed the pen in his behalf, devoid of sense, unfurnished with materials, and produced performances which could not fail to injure his character among all those who believed that he countenanced their endeavours, and supplied them with the facts and arguments of his defence. Such precisely was the state of the dispute when Lord George arrived in London. While Prince Ferdinand was crowned with laurel; while the King of Great Britain approved his conduct, and, as the most glorious mark of that approbation, invested him with the order of the Garter; while his name was celebrated through all England, and extolled, in the warmest expressions of hyperbole, above all the heroes of antiquity; every mouth was opened in execration of the late commander of the British troops in Germany. He was now made acquainted with the particulars of his imputed guilt, which he had before indistinctly learned. He was accused of having disobeyed three successive orders he had received from the general, during the action at Minden, to advance with the cavalry of the right wing, which he commanded, and sustain the infantry that were engaged; and after the cavalry were put in motion, of having halted them unnecessarily, and marched so slow, that they could not reach the place of action in time to be of any service; by which conduct the opportunity was lost of attacking the enemy when they gave way, and rendering the victory more glorious and decisive. The first step which Lord George took towards his own vindication with the public, was in printing a short address, entreating them to suspend their belief with respect to his character, until the charge brought against him should be legally discussed by a court-martial; a trial which he had already solicited, and was in hopes of obtaining.

§ III. Finding himself unable to stem the tide of popular prejudice, which flowed against him with irresistible impetuosity, he might have retired in quiet and safety, and left it to ebb at leisure. This would have been generally deemed a prudent step, by all those who consider the unfavourable medium through which every particular of his conduct must have been viewed at that juncture, even by men who cherished the most candid intentions; when they reflected upon the power, influence, and popularity of his accuser; the danger of aggravating the resentment of the sovereign, already too conspicuous; and the risk of hazarding his life on the honour and integrity of witnesses, who might think their fortunes depended upon the nature of the evidence they should give. Notwithstanding those suggestions, Lord George, seemingly impatient of the imputation under which his character laboured, insisted upon the privilege of a legal trial, which was granted accordingly, after the judges had given it as their opinion that he might be tried by a court-martial, though he no longer retained any commission in the service. A court of general officers being appointed and assembled to inquire into his conduct, the judge-advocate gave him to understand, that he was charged with having disobeyed the orders of Prince Ferdinand, relative to the battle of Minden. That the reader may have the more distinct idea of the charge, it is necessary to remind him that Lord George Sackville commanded the cavalry of the right wing, consisting of Hanoverian and British horse, disposed in two lines, the British being at the extremity of the right, extending to the village of Hartum; the Hanoverian cavalry forming the left that reached almost to an open wood or grove, which divided the horse from the line of infantry, particularly from that part of the line of infantry consisting of two brigades of British foot, the Hanoverian guards, and Hardenberg's regiment. This was the body of troops which sustained the brunt of the battle with the most incredible courage and perseverance. They of their own accord advanced to attack the left of the enemy's cavalry, through a most dreadful fire of artillery and small arms, to which they were exposed in front and flank; they withstood the repeated attacks of the whole French gendarmerie, whom at length they totally routed, together with a body of Saxon troops on their left; and to their valour the victory was chiefly owing. The ground

from which these troops advanced was a kind of heath or plain, which opened a considerable way to the left, where the rest of the army was formed in order of battle, but on the right it was bounded by the wood, on the other side of which the cavalry of the right wing was posted, having in front the village of Halen, from whence the French had been driven by the piquets in the army there posted, and in front of them a windmill, situated in the middle space between them and a battery placed on the left of the enemy.

§ IV. Early in the morning Captain Malhorti had, by order of Prince Ferdinand, posted the cavalry of the right wing in the situation we have just described; the village of Hartum with enclosures on the right, a narrow wood on the left, the village of Halen in their front, and a windmill in the middle of an open plain, which led directly to the enemy. In this position Lord George Sackville was directed to remain, until he should receive further orders; and here it was those orders were given which he was said to have disobeyed. Indeed he was previously charged with having neglected the orders of the preceding evening, which imported that the horses should be saddled at one in the morning, though the tents were not to be struck, nor the troops under arms, until they should receive further orders. He was accused of having disobeyed these orders, and of having come late into the field, after the cavalry was formed. Captain Winchingleode, aide-du-camp to Prince Ferdinand, declared upon oath, that while the infantry of the right wing were advancing towards the enemy for the second time, he was sent with orders to Lord George Sackville to advance with the cavalry of the right wing, and sustain the infantry, which was going to engage, by forming the horse under his command, upon the heath, in a third line behind the regiments; that he delivered these orders to Lord George Sackville, giving him to understand that he should march the cavalry through the wood or trees on his left to the heath, where they were to be formed; that, on his return to the heath, he met Colonel Fitzroy riding at full gallop towards Lord George; and that he (Winchingleode) followed him back, in order to hasten the march of the cavalry. Colonel Ligonier, another of the prince's aides-du-camp, deposed that he carried orders from the general to Lord George to advance with the cavalry, in order to profit from the disorder which appeared in the enemy's cavalry; that Lord George made no answer to these orders, but turning to the troops, commanded them to draw their swords, and march; that the colonel seeing them advance a few paces on the right forwards, told his lordship he must march to the left; that in the meantime, Colonel Fitzroy arriving with orders for the British cavalry only to advance, Lord George said the orders were contradictory; and Colonel Ligonier replied they differed only in numbers, but the destination of his march was the same, to the left. Colonel Fitzroy, the third aide-du-camp to Prince Ferdinand, gave evidence, that when he told Lord George it was the prince's order for the British cavalry to advance towards the left, his lordship observed that it was different from the order brought by Colonel Ligonier, and he could not think the prince intended to break the line; that he asked which way the cavalry was to march, and who was to be their guide; that when he (the aide-du-camp) offered to lead the column through the wood on the left, his lordship seemed still dissatisfied with the order, saying, it did not agree with the order brought by Colonel Ligonier, and desired to be conducted in person to the prince, that he might have an explanation from his own mouth; a resolution which was immediately executed. The next evidence, an officer of rank in the army, made oath, that in his opinion, when the orders were delivered to Lord George, his lordship was alarmed to a very great degree, and seemed to be in the utmost confusion. A certain nobleman, of high rank and unblemished reputation, declared, that Captain Winchingleode having told him it was absolutely necessary that the cavalry should march, and form a line to support the foot, he had given orders to the second line to march; that as soon as they arrived at the place where the action began, he was met by Colonel Fitzroy, with an order for the cavalry to advance as fast as possible; that in marching to this place, an order came to halt, until they could be joined by the first line of cavalry; that

afterwards, in advancing, they were again halted by Lord George Sackville; that, in his opinion, they might have marched with more expedition, and even come up time enough to act against the enemy: some other officers who were examined on this subject, agreed with the marquis in these sentiments.

§ V. Lord George, in his defence, proved, by undeniable evidence, that he never received the orders issued on the eve of the battle, nor any sort of intimation or plan of action, although he was certainly entitled to some such communication, as commander-in-chief of the British forces; that, nevertheless, the orders concerning the horses were obeyed by those who received them; that Lord George, instead of loitering or losing time while the troops were forming, prepared to put himself at the head of the cavalry on the first notice that they were in motion; that he was so eager to perform his duty, as to set out from his quarters without even waiting for an aide-du-camp to attend him, and was in the field before any general officer of his division. He declared that, when Captain Winchingle delivered the order to form the cavalry in one line, making a third, to advance and sustain the infantry, he neither heard him say he was to march by the left, nor saw him point with his sword to the wood through which he was to pass. Neither of these directions were observed by any of the aides-du-camp or officers then present, except one gentleman, the person who bore witness to the confusion in the looks and deportment of his lordship. It was proved that the nearest and most practicable way of advancing against the enemy was by the way of the windmill, to the left of the village of Halen. It appeared that Lord George imagined this was the only way by which he should be ordered to advance; that in this persuasion, he had sent an officer to reconnoitre the village of Halen, as an object of importance, as it would have been upon the flank of the cavalry in advancing forwards; that when he received the order from Winchingle to form the line, and advance, he still imagined this was his route, and on this supposition immediately detached an aide-du-camp to remove a regiment of Saxe-Gotha, which was in the front; that he sent a second to observe the place where the infantry were, and a third to reconnoitre the enemy; that in a few minutes Colonel Ligonier coming up with an order from Prince Ferdinand to advance the cavalry, his lordship immediately drew his sword, and ordered them to march forward by the windmill. The colonel declared that when he delivered the order, he added "by the left;" but Lord George affirmed that he heard no such direction, nor did it reach the ears of any other person then present except of that officer who witnessed to the same direction given by Winchingle. It was proved that immediately after the troops were put in motion, Colonel Fitzroy arrived with an order from Prince Ferdinand, importing that the British cavalry only should advance by the left; that Lord George declared their orders were contradictory, and seemed the more puzzled, as he understood that both these gentlemen came off nearly at the same time from the prince, and were probably directed to communicate the same order. It was therefore natural to suppose there was a mistake, as there might be danger in breaking the line, as the route by the wood appeared more difficult and tedious than that by the windmill, which led directly through open ground to the enemy; and as he could not think that if a body of horse was immediately wanted the general would send for the British, that were at the furthest extremity of the wing, rather than for the Hanoverian cavalry who formed the left of the line, and consequently were much nearer the scene of action. It was proved that Lord George, in this uncertainty, resolved to apply for an explanation to the prince in person, who he understood was at a small distance; that with this view he set out with all possible expedition; that having entered the wood, and perceived that the country beyond it opened sooner to the left than he had imagined, and Captain Smith, his aide-du-camp, advising that the British cavalry should be put in motion, he sent back that gentleman, with orders for them to advance by the left with all possible despatch; that he rode up to the general, who received him without any marks of displeasure, and ordered him to bring up the

whole cavalry of the right wing in a line upon the heath; an order, as the reader will perceive, quite different from that which was so warmly espoused by the aide-du-camp; that as the Marquis of Granby had already put the second line in motion, according to a separate order which he had received, and the head of his column was already in view, coming out of the wood, Lord George thought it necessary to halt the troops on the left until the right should come into the line; and afterwards sent them orders to march slower, that two regiments, which had been thrown out of the line, might have an opportunity to replace themselves in their proper stations.

§ VI. With respect to the confusion which one officer affirmed was perceivable in the countenance and deportment of this commander, a considerable number of other officers then present being interrogated by his lordship, unanimously declared that they saw no such marks of confusion, but that he delivered his orders with all the marks of coolness and deliberation. The candid reader will of himself determine, whether a man's heart is to be judged by any change of his complexion, granting such a change to have happened; whether the evidence of one witness, in such a case, will weigh against the concurrent testimony of all the officers whose immediate business it was to attend and observe the commander; whether it was likely that an officer, who had been more than once in actual service, and behaved without reproach so as to attain such an eminent rank in the army, should exhibit symptoms of fear and confusion, when there was in reality no appearance of danger; for none of the orders imported that he should attack the enemy, but only advance to sustain the infantry. The time which elapsed from the first order he received by Captain Winchingle, to the arrival of Colonel Ligonier, did not exceed eight minutes, during which his aide-du-camp, Captain Hugo, was employed in removing the Saxe-Gotha regiment from the front, by which he proposed to advance. From that period till the cavalry actually marched in consequence of an order from Lord George, the length of time was differently estimated in the opinion of different witnesses, but at a medium computed by the judge-advocate at fifteen minutes, during which the following circumstances were transacted: the troops were first ordered to advance forwards, then halted; the contradictory orders arrived and were disputed; the commander desired the two aides-du-camp to agree about which was the precise order, and he would obey it immediately: each insisting upon that which he had delivered, Lord George hastened to the general for an explanation; and, as he passed the wood, sent back Captain Smith to the right of the cavalry, which was at a considerable distance, to put the British horse in motion. We shall not pretend to determine whether the commander of such an important body may be excusable, for hesitating, when he receives contradictory orders at the same time, especially when both orders run counter to his own judgment, whether in that case it is allowable for him to suspend the operation for a few minutes, in order to consult in person the commander-in-chief about a step of such consequence to the preservation of the whole army. Neither will we venture to decide dogmatically on the merits of the march, after the cavalry were put in motion; whether they marched too slow, or were unnecessarily halted in their way to the heath. It was proved, indeed, that Lord George was always remarkably slow in his movements of cavalry, on the supposition that if horses are blown they must be unfit for service, and that the least hurry is apt to disorder the line of horse to such a degree, as would rob them of their proper effect, and render all their efforts abortive. This being the system of Lord George Sackville, it may deserve consideration, whether he could deviate from it on this delicate occasion, without renouncing the dictates of his own judgment and discretion; and whether he was at liberty to use his own judgment, after having received the order to advance. After all, whether he was intentionally guilty, and what were the motives by which he was really actuated, are questions which his own conscience alone can solve. Even granting him to have hesitated from perplexity, to have lingered from vexation, to have failed through error of judgment, he will probably find favour with the candid and humane part of his fellow-subjects,



when they reflect upon the nature of his situation, placed at the head of such a body of cavalry, un instructed and unformed of plan or circumstance, divided from the rest of the army, unacquainted with the operations of the day, chagrined with doubt and disappointment, and perplexed by contradictory orders, neither of which he could execute without offering violence to his own judgment; when they consider the endeavours he used to manifest his obedience; the last distinct order which he in person received and executed: that mankind are liable to mistakes; that the cavalry were not originally intended to act, as appears in the account of the battle published at the Hague, by the authority of Prince Ferdinand, expressly declaring that the cavalry on the right did not act, because it was destined to sustain the infantry in a third line; that if it had really been designed for action, it ought either to have been posted in another place, or permitted to advance straight forwards by the windmill, according to the idea of its commander; finally, when they recall to view the general confusion that seems to have prevailed through the manoeuvres of that morning, and remember some particulars of the action; that the brigades of British artillery had no orders until they applied to Lord George Sackville, who directed them to the spot where they acquitted themselves with so much honour and effect, in contributing to the success of the day; that the glory and advantage acquired by the few brigades of infantry, who may be said to have defeated the whole French army, was in no respect owing to any general or particular orders or instructions, but entirely flowing from the native valour of the troops, and the spirited conduct of their immediate commanders; and that a great number of officers in the allied army, even of those who remained on the open heath, never saw the face of the enemy, or saw them at such a distance that they could not distinguish more than the hats and the arms of the British regiments with which they were engaged. With respect to the imputation of cowardice levelled at Lord George by the unthinking multitude, and circulated with such industry and clamour, we ought to consider it as a mob-accusation, which the bravest of men, even the great Duke of Marlborough, could not escape; we ought to receive it as a dangerous suspicion, which strikes at the root of character, and may blast that honour in a moment which the soldier has acquired in a long course of painful service, at the continual hazard of his life; we ought to distrust it as a malignant charge, altogether inconsistent with the former conduct of the person accused, as well as with his subsequent impatience and perseverance in demanding a trial, to which he never would have been called; a trial which, though his life was at stake, and his cause out of countenance, he sustained with such courage, fortitude, and presence of mind, as even his enemies themselves could not help admiring. Thus have we given a succinct detail of this remarkable affair, with that spirit of impartiality, that sacred regard to truth, which the importance of history demands. To the best of our recollection, we have forgot no essential article of the accusation, nor suppressed any material circumstance urged in defence of Lord George Sackville. Unknown to his person, unconnected with his friends, unmoved by fear, unbiassed by interest, we have candidly obeyed the dictates of justice, and the calls of humanity, in our endeavours to dissipate the clouds of prejudice and misapprehension; warned, perhaps, with an honest disdain at the ungenerous, and in our opinion, unjust persecution, which, previous to his trial, an officer of rank, service, and character, the descendant of an illustrious family, the son of a nobleman universally respected, a Briton, a fellow-subject, had undergone.

§ VII. The court-martial having examined the evidence and heard the defence, gave judgment in these words: "The court, upon due consideration of the whole matter before them, is of opinion that Lord George Sackville is guilty of having disobeyed the orders of Prince Ferdinand of Brunswick, whom he was, by his commission and instructions, directed to obey as commander-in-chief, according to the rules of war; and it is the further opinion of this court, that the said Lord George Sackville is, and he is hereby adjudged, unfit to serve his majesty in any military capacity whatsoever." His sentence was con-

firmed by the king, who moreover signified his pleasure that it should be given out in public orders, not only in Britain, but in America, and every quarter of the globe where any English troops happened to be, that officers, being convinced that neither high birth nor great employments can shelter offences of such a nature, and that seeing they are subject to censures much worse than death to a man who has any sense of honour, they may avoid the fatal consequences arising from disobedience of orders. To complete the disgrace of this unfortunate general, his majesty in council called for the council-book, and ordered the name of Lord George Sackville to be struck out of the list of privy-counsellors.

§ VIII. This summer was distinguished by another trial, still more remarkable. Laurence Earl Ferrers, a nobleman of a violent spirit, who had committed many outrages, and in the opinion of all who knew him given manifold proofs of insanity, at length perpetrated a murder, which subjected him to the cognizance of justice. His deportment to his lady was so brutal, that application had been made to the House of Peers, and a separation effected by act of parliament. Trustees were nominated; and one Mr. Johnson, who had, during the best part of his life, been employed in the family, was now appointed receiver of the estates, at the earl's own request. The conduct of this man, in the course of his stewardship, gave umbrage to Lord Ferrers, whose disposition was equally jealous and vindictive. He imagined all his own family had conspired against his interest, and that Johnson was one of their accomplices; that he had been instrumental in obtaining the act of parliament, which his lordship considered as a grievous hardship; that he had disappointed him in regard to a certain contract about coal-mines; in a word, that there was a collusion between Johnson and the Earl's adversaries. Fired with these suppositions, he first expressed his resentment, by giving Johnson notice to quit the farm which he possessed on the estate; but finding the trustees had confirmed the lease, he determined to gratify his revenge by assassination, and laid his plan accordingly. On Sunday the thirteenth of January he appointed this unhappy man to come to his house on the Friday following, in order to peruse papers, or settle accounts; and Johnson went thither without the least suspicion of what was prepared for his reception: for although he was no stranger to his lordship's dangerous disposition, and knew he had some time before incurred his displeasure, yet he imagined his resentment had entirely subsided, as the earl had of late behaved to him with remarkable complacency. He therefore, at the time appointed, repaired to his lordship's house at Stanton, in Leicestershire, at the distance of a short mile from his own habitation, and was admitted by a maid servant. The earl had dismissed every person in the house, upon various pretences, except three women who were left in the kitchen. Johnson, advancing to the door of his apartment, was received by his lordship, who desired him to walk into another room, where he joined him in a few minutes, and then the door was locked on the inside. After a great deal of warm expostulation, the earl insisted upon his subscribing a paper, acknowledging himself a villain; and on his refusing to comply with this demand, declared he would put him to death. In vain the unfortunate man remonstrated against this cruel injustice, and deprecated the indignation of this furious nobleman. He remained deaf to all his entreaties, drew forth a pistol which he had loaded for the purpose, and commanding him to implore Heaven's mercy on his knees, shot him through the body, while he remained in that supplicating attitude. The consequence of this violence was not immediate death; but his lordship, seeing the wretched victim still alive and sensible, though agonized with pain, felt a momentary motion of pity. He ordered his servants to convey Mr. Johnson up stairs to a bed, to send for a surgeon, and give immediate notice of the accident to the wounded man's family. When Mr. Johnson's daughter came to the house, she was met by the earl, who told her he had shot her father on purpose, and with deliberation. The same declaration he made to the surgeon, on his arrival. He stood by him while he examined the wound, described the manner in which the ball had penetrated, and seemed surprised that it should be lodged

within the body. When he demanded the surgeon's opinion of the wound, the operator thought proper to temporize for his own safety, as well as for the sake of the public, lest the earl should take some other desperate step, to endeavour to escape. He therefore amused him with hopes of Johnson's recovery, about which he now seemed extremely anxious. He supported his spirits by immoderate drinking, after having retired to another apartment with the surgeon, whom he desired to take all possible care of his patient. He declared, however, that he did not repent of what he had done; that Johnson was a villain, who deserved to die; that, in case of his death, he (the earl) would surrender himself to the House of Peers and take his trial. He said he could justify the action to his own conscience, and owned his intention was to have killed Johnson outright; but as he still survived, and was in pain, he desired that all possible means might be used for his recovery. Nor did he seem altogether neglectful of his own safety: he endeavoured to tamper with the surgeon, and suggest what evidence he should give when called before a court of justice. He continued to drink himself into a state of intoxication, and all the cruelty of his hate seemed to return. He would not allow the wounded man to be removed to his own house; saying, he would keep him under his own roof, that he might plague the villain. He returned to the chamber where Johnson lay, insulted him with the most opprobrious language, threatened to shoot him through the head, and could hardly be restrained from committing further acts of violence on the poor man, who was already in extremity. After he retired to bed, the surgeon procured a sufficient number of assistants, who conveyed Mr. Johnson in an easy chair to his own house, where he expired that same morning in great agonies. The same surgeon assembled a number of armed men to seize the murderer, who at first threatened resistance, but was soon apprehended, endeavouring to make his escape, and committed to the county prison. From thence he was conveyed to London by the gaoler of Leicester, and conducted by the usher of the black rod and his deputy into the House of Lords, where the coroner's inquest, and the affidavits touching the murder, being read, the gaoler delivered up his prisoner to the care of black rod, and he was immediately committed to the Tower. He appeared very calm, composed, and unconcerned, from the time of his being apprehended; conversed coolly on the subject of his imprisonment; made very pertinent remarks upon the nature of the *habeas corpus* act of parliament, of which he hoped to avail himself; and when they withdrew from the House of Peers, desired he might not be visited by any of his relations or acquaintances. His understanding, which was naturally good, had been well cultivated; his arguments were rational, but his conduct was frantic.

§ IX. The circumstances of this assassination appeared so cruel and deliberate, that the people cried aloud for vengeance; and the government gave up the offender to the justice of his country. The Lord Keeper Henley was appointed lord high steward for the trial of Earl Ferrers, and sat in state with all the peers and judges in Westminster-hall, which was for this purpose converted into a very august tribunal. On the sixteenth day of April the delinquent was brought from the Tower in a coach, attended by the major of the Tower, the gentleman gaoler, the warders, and a detachment of the foot guards. He was brought into court about ten; and the lord steward with the peers taking their places, he was arraigned aloud in the midst of an infinite concourse of people, including many foreigners, who seemed wonderfully struck with the magnificence and solemnity of the tribunal. The murder was fully proved by unquestionable evidence: but the earl pleaded insanity of mind; and, in order to establish this plea, called many witnesses to attest his lunacy in a variety of instances, which seemed too plainly to indicate a disordered imagination: unfounded jealousy of plots and conspiracies, unconnected ravings, fits of musing, incoherent ejaculations, sudden starts of fury, denunciations of unprovoked revenge, frantic gesticulations, and a strange caprice of temper, were proved to have distinguished his conduct and deportment. It appeared that lunacy had been a family taint, and affected divers of his lordship's

relations; that a solicitor of reputation had renounced his business on the full persuasion of his being disordered in his brain; that long before this unhappy event, his nearest relations had deliberated upon the expediency of taking out a commission of lunacy against him, and were prevented by no other reason than the apprehension of being convicted of *scandalum magnatum*, should the jury find his lordship *compos mentis*; a circumstance which, in all probability, would have happened, inasmuch as the earl's madness did not appear in his conversation, but in his conduct. A physician of eminence, whose practice was confined to persons labouring under this infirmity, declared that the particulars of the earl's deportment and personal behaviour seemed to indicate lunacy. Indeed, all his neighbours and acquaintances had long considered him as a madman; and a certain noble lord declared in the House of Peers, when the bill of separation was on the carpet, that he looked upon him in the light of a maniac; and that if some effectual step was not taken to divest him of the power of doing mischief, he did not doubt but that one day they should have occasion to try him for murder. The lawyers, who managed the prosecution in behalf of the crown, endeavoured to invalidate the proofs of his lunacy, by observing, that his lordship was never so much deprived of his reason but that he could distinguish between good and evil; that the murder he had committed was the effect of revenge for a conceived injury of some standing; that the malice was deliberate, and the plan artfully conducted; that immediately after the deed was perpetrated, the earl's conversation and reasonings were cool and consistent, until he drank himself into a state of intoxication; that in the opinion of the greatest lawyers, no criminal can avail himself of the plea of lunacy, provided the crime was committed during a lucid interval; but his lordship, far from exhibiting any marks of insanity, had, in the course of this trial, displayed uncommon understanding and sagacity in examining the witnesses, and making many shrewd and pertinent observations on the evidence which was given. These sentiments were conformable to the opinion of the peers, who unanimously declared him guilty.—After all, in examining the vicious actions of a man who has betrayed manifest and manifold symptoms of insanity, it is not easy to distinguish those which are committed during the lucid interval. The suggestions of madness are often momentary and transient: the determinations of a lunatic, though generally rash and instantaneous, are sometimes the result of artful contrivance; but there is always an absurdity which is the criterion of the disease, either in the premises or conclusion. The earl, it is true, had formed a deliberate plan for the perpetration of the murder; but he had taken no precautions for his own safety or escape: and this neglect will the more plainly appear to have been the criterion of insanity, if we reflect that he justified what he had done as a meritorious action; and he declared he would, upon Mr. Johnson's death, surrender himself to the House of Lords. Had he been impelled to this violence by a sudden gust of passion, it could not be expected that he should have taken any measure for his own preservation; but as it was the execution of a deliberate scheme, and his lordship was by no means defective in point of ingenuity, he might have easily contrived means for concealing the murder, until he should have accomplished his escape: and in our opinion, any other than a madman would either have taken some such measures, or formed some plan for the concealment of his own guilt. The design itself seems to have been rather an intended sacrifice to justice than a gratification of revenge. Neither do we think that the sanity of his mind was ascertained by the accuracy and deliberation with which he made his remarks, and examined the evidence at his trial. The influence of his phrensy might be past: though it was no sign of sound reason to supply the prosecutor with such an argument to his prejudice. Had his judgment been really unimpaired, he might have assumed the mask of lunacy for his own preservation.

§ X. The trial was continued for two days; and on the third the lord steward, after having made a short speech touching the heinous nature of the offence, pronounced the same sentence of death upon the earl which malefac-

tors of the lowest class undergo; that from the Tower, in which he was imprisoned, he should, on the Monday following, be led to the common place of execution, there to be hanged by the neck, and his body be afterwards dissected and anatomized. This last part of the sentence seemed to shock the criminal extremely: he changed colour, his jaw quivered, and he appeared to be in great agitation; but during the remaining part of his life he behaved with surprising composure, and even unconcern. After he had received sentence, the lords his judges, by virtue of a power vested in them, respite his execution for one month, that he might have time to settle his temporal and spiritual concerns. Before sentence was passed the earl read a paper, in which he begged pardon of their lordships for the trouble he had given, as well as for having, against his own inclination, pleaded lunacy at the request of his friends. He thanked them for the candid trial with which he had been indulged, and entreated their lordships to recommend him to the king for mercy. He afterwards sent a letter to his majesty, remonstrating, that he was the representative of a very ancient and honourable family, which had been allied to the crown: and requesting that, if he could not be favoured with the species of death which, in cases of treason, distinguishes the nobleman from the plebeian, he might, at least, out of consideration for his family, be allowed to suffer in the Tower, rather than at the common place of execution; but this indulgence was refused. From his return to the Tower to the day of his execution, he betrayed no mark of apprehension or impatience; but regulated his affairs with precision, and conversed without concern or restraint.

§ XI. On the fifth day of May, his body being demanded by the sheriffs at the Tower gate, in consequence of a writ under the great seal of England, directed to the lieutenant of the Tower, his lordship desired permission to go in his own landau; and appeared gaily dressed in a light coloured suit of clothes, embroidered with silver. He was attended in the landau by one of the sheriffs, and the chaplain of the Tower, followed by the chariots of the sheriffs, a mourning coach and six, filled with his friends, and a hearse for the conveyance of his body. He was guarded by a posse of constables, a party of horse grenadiers, and a detachment of infantry; and in this manner the procession moved from the Tower, through an infinite concourse of people, to Tyburn, where the gallows, and the scaffold erected under it, appeared covered with black baise. The earl behaved with great composure to Mr. Sheriff Vaillant, who attended him in the landau: he observed that the gaiety of his apparel might seem odd on such an occasion, but that he had particular reasons for wearing that suit of clothes: he took notice of the vast multitude which crowded around him, brought thither, he supposed, by curiosity to see a nobleman hanged; he told the sheriff he had applied to the king by letter, that he might be permitted to die in the Tower, where the Earl of Essex, one of his ancestors, had been beheaded in the reign of Queen Elizabeth; an application which, he said, he had made with the more confidence, as he had the honour to quarter part of his majesty's arms. He expressed some displeasure at being executed as a common felon, exposed to the eyes of such a multitude. The chaplain, who had never been admitted to him before, hinting that some account of his lordship's sentiments on religion would be expected by the public, he made answer, that he did not think himself accountable to the public for his private sentiments; that he had always adored one God, the Creator of the universe; and, with respect to any particular opinions of his own, he had never propagated them, or endeavoured to make proselytes, because he thought it was criminal to disturb the established religion of his country, as Lord Bolingbroke had done by the publication of his writings. He added, that the great number of sects, and the multiplication of religious disputes, had almost banished morality. With regard to the crime for which he suffered, he declared that he had no malice against Mr. Johnson, and that the murder was owing to a perturbation of mind, occasioned by a variety of crosses and vexations. When he approached the place of execution, he expressed an earnest desire to see and take leave of a certain person who waited in a coach, a person for whom he entertained the most sincere

regard and affection: but the sheriff prudently observed, that such an interview might shock him at a time when he had occasion for all his fortitude and recollection: he acquiesced in the justness of the remark, and delivered to him a pocket-book, a ring, and a purse, desiring that they might be given to that person, whom he now declined seeing. On his arrival at Tyburn he came out of the landau, and ascended the scaffold, with a firm step and undaunted countenance. He refused to join the chaplain in his devotions; but, kneeling with him on black cushions, he repeated the Lord's Prayer, which he said he had always admired; and added, with great energy, "O Lord, forgive me all my errors, pardon all my sins." After this exercise, he presented his watch to Mr. Sheriff Vaillant; thanked him and the other gentlemen for all their civilities: and signified his desire of being buried at Breden, or Stanton, in Leicestershire. Finally, he gratified the executioner with a purse of money: then, the halter being adjusted to his neck, he stepped upon a little stage, erected upon springs, on the middle of the scaffold; and, the cap being pulled over his eyes, the sheriff made a signal, at which the stage fell from under his feet, and he was left suspended. His body, having hung an hour and five minutes, was cut down, placed in the hearse, and conveyed to the public theatre for dissection; where, being opened, and lying for some days as the subject of a public lecture, at length it was carried off, and privately interred. Without all doubt, this unhappy nobleman's disposition was so dangerously mischievous, that it became necessary, for the good of society, either to confine him for life, as an incorrigible lunatic, or give him up at once as a sacrifice to justice. Perhaps it might be no absurd or unreasonable regulation in the legislature, to divest all lunatics of the privilege of insanity, and, in case of enormity, subject them to the common penalties of the law; for though, in the eye of casuistry, consciousness must enter into the constitution of guilt, the consequences of murder committed by a maniac may be as pernicious to society as those of the most criminal and deliberate assassination: and the punishment of death can be hardly deemed unjust or rigorous, when inflicted upon a mischievous being, divested of all the perceptions of reason and humanity. At any rate, as the nobility of England are raised by many illustrious distinctions above the level of plebeians, and as they are eminently distinguished from them in suffering punishment for high treason, which the law considers as the most atrocious crime that can be committed, it might not be unworthy of the notice of the legislature to deliberate whether some such pre-eminence ought not to be extended to noblemen convicted of other crimes; in order to alleviate, as much as possible, the disgrace of noble families which have deserved well of their country; to avoid any circumstance that may tend to diminish the lustre of the English nobility in the eyes of foreign nations; or to bring it into contempt with the common people of our own, already too licentious, and prone to abolish those distinctions which serve as the basis of decorum, order, and subordination.

§ XII. Homicide is the reproach of England: one would imagine there is something in the climate of this country, that not only disposes the natives to this inhuman outrage, but even infects foreigners who reside among them. Certain it is, high passions will break out into the most enormous violence in that country where they are least controlled by the restraint of regulation and discipline: and it is equally certain, that in no civilized country under the sun is there such a relaxation of discipline, either religious or civil, as in England. The month of August produced a remarkable instance of desperate revenge, perpetrated by one Stirn, a native of Hesse Cassel, inflamed and exasperated by a false punctilio of honour. This unhappy young man was descended of a good family, and possessed many accomplishments both of mind and person: but his character was distinguished by such a jealous sensibility, as rendered him unhappy in himself, and disagreeable to his acquaintance. After having for some years performed the office of usher in a boarding-school, he was admitted to the house of one Mr. Matthews, a surgeon, in order to teach him the classics, and instruct his children in music, which he perfectly understood. He had not long resided in his family, when the surgeon took umbrage at some



part of his conduct, taxed him roughly with fraud and ingratitude, and insisted upon his removing to another lodging. Whether he rejected this intimation, or found difficulty in procuring another apartment, the surgeon resolved to expel him by violence, called in the assistance of a peace officer, and turned him out into the street in the night, after having loaded him with the most provoking reproaches. These injuries and disgraces operating upon a mind jealous by nature and galled by adversity, produced a kind of phrensy of resentment, and he took the desperate resolution of sacrificing Mr. Matthews to his revenge. Next day, having provided a case of pistols, and charged them for the occasion, he reinforced his rage by drinking an unusual quantity of wine; and repaired in the evening to a public-house which Mr. Matthews frequented, in the neighbourhood of Hatton-Garden. There he accordingly found the unhappy victim sitting with some of his friends; and the surgeon, instead of palliating his former conduct, began to insult him afresh with the most opprobrious invectives. Stirred, exasperated by this additional indignity, pulled his pistol from his bosom; shot the surgeon, who immediately expired; and discharged the other at his own breast, though his confusion was such that it did not take effect. He was apprehended on the spot, and conveyed to prison; where, for some days, he refused all kind of sustenance, but afterwards became more composed. At his trial he pleaded insanity of mind; but being found guilty, he resolved to anticipate the execution of the sentence. That same evening he drank poison; and notwithstanding all the remedies that could be administered, died in strong convulsions. His body was publicly dissected, according to the sentence of the law, and afterwards interred with those marks of indignity which are reserved for the perpetrators of suicide.

§ XIII. We shall close the local occurrences of this year with an account of two incidents, which, though of a very different nature in respect of each other, nevertheless concurred in demonstrating that the internal wealth and vigour of the nation were neither drained nor diminished by the enormous expense and inconveniences of the war. The committee appointed to manage the undertaking for a new bridge over the river Thames at Blackfriars, having received and examined a variety of plans presented by different artists, at length gave the preference to the design of one Mr. Mylne, a young architect, a native of North Britain, just returned from the prosecution of his studies at Rome, where he had gained the prize in the capital, which the academy of that city bestows on him who produces the most beautiful and useful plan on a given subject of architecture. This young man being in London, on his return to his own country, was advised to declare himself a candidate for the superintendency of the new bridge; and the plan which he presented was approved and adopted. The place being already ascertained, the Lord Mayor of London, attended by the committee, and a great concourse of people, repaired to Blackfriars, and laid the first stone of the bridge; placing upon it a plate, with an inscription, which does more honour to the public spirit of the undertakers than to the classical taste of the author.<sup>a</sup> The other instance that denoted the wealth and spirit of the nation, was the indifference and unconcern with which they bore the loss of a vast magazine of naval stores belonging to the dock-yard at Portsmouth, which, in the month of July, was set on fire by lightning; and, consisting of combustibles, burned with such fury, notwithstanding all the endeavours of the workmen in the yard, the sailors in the harbour, and the troops in the town, that, before a stop was put to the conflagration, it had consumed a variety of stores, to an immense value. The damage, however, was so immediately repaired, that

it had no sort of effect in disconcerting any plan, or even in retarding any naval preparation.

§ XIV. How important these preparations must have been, may be judged from the prodigious increase of the navy, which, at this juncture, amounted to one hundred and twenty ships of the line, besides frigates, fire-ships, sloops, bombs, and tenders. Of these capital ships, seventeen were stationed in the East Indies, twenty for the defence of the West India islands, twelve in North America, ten in the Mediterranean, and sixty-one either on the coast of France, in the harbours of England, or cruising in the English seas for the protection of the British commerce. Notwithstanding these numerous and powerful armaments, the enemy, who had not a ship of the line at sea, were so alert with their small privateers and armed vessels, that in the beginning of this year, from the first of March to the tenth of June, they had made prize of two hundred vessels belonging to great Britain and Ireland. The whole number of British ships taken by them, from the first day of June, in the year one thousand seven hundred and fifty-six, to the first of June in the present year, amounted to two thousand five hundred and thirty-nine; of these, seventy-eight were privateers, three hundred and twenty-one were retaken, and about the same number ransomed. In the same space of time, the British cruisers had made captures of nine hundred and forty-four vessels, including two hundred and forty-two privateers, many fishing boats and small coasters, the value of which hardly defrayed the expense of condemnation. That such a small proportion of ships should be taken from the enemy, is not at all surprising, when we consider the terrible shocks their commerce had previously received, and the great number of their mariners imprisoned in England: but the prodigious number of British vessels taken by their petty coasting privateers, in the face of such mighty armaments, numerous cruisers, and convoys, seems to argue, that either the English ships of war were inactive or improperly disposed, or that the merchants hazarded their ships without convoy. Certain it is, in the course of this year we find fewer prizes taken from the enemy, and fewer exploits achieved at sea, than we had occasion to record in the annals of the past. Not that the present year is altogether barren of events which redound to the honour of our marine commanders.

We have, in recounting the transactions of the preceding year, mentioned a small armament equipped at Dunkirk, under the command of M. de Thurot, who, in spite of all the vigilance of the British commander stationed in the Downs, found means to escape from the harbour in the month of October last, and arrived at Gottenburgh in Sweden, from whence he proceeded to Bergen in Norway. His instructions were to make occasional descents upon the coast of Ireland: and, by dividing the troops, and distracting the attention of the government in that kingdom, to facilitate the enterprise of M. de Conflans, the fate of which we have already narrated. The original armament of Thurot consisted of five ships, one of which, called the Mareschal de Belleisle, was mounted with forty-four guns; the Begon, the Blond, the Terspichore, had thirty guns each; and the Marante carried twenty-four. The number of soldiers put on board this little fleet did not exceed one thousand two hundred and seventy, exclusive of mariners, to the number of seven hundred; but two hundred of the troops were sent sick on shore, before the armament sailed from Dunkirk; and in their voyage between Gottenburgh and Bergen, they lost company of the Begon, during a violent storm. The severity of the weather detained them nineteen days at Bergen, at the expiration of which they set sail for the western islands of Scotland, and discovered the northern part of Ireland in the latter end of January, The intention of Thurot was to make a descent about

a Ultimo die Octobris, anno ab incarnatione  
MDCCLX.  
Auspiciatissimo principe Georgio Tertio  
Regnum jam ineunte,  
Pontis huius, in reipublice commodum  
Urbique maiestatem  
(Late tum flagrante bello)  
S. P. Q. L. suscepit.  
Primum lapidem posuit  
THOMAS CHITTY, miles.  
Præter:  
ROBERTO MYLNE architecto.  
Urbæ apud posteros exet monumentum

Voluntatis suæ erga virum.  
Qui vigore iuvenis, animi constantia,  
Probitatis et virtutis suæ felici quodam contagione,  
(Favente Deo,  
Fausitque Georgio Secundo auspiciis)  
Imperium Britannicum  
In Asia, Africa, et America  
Restituit, auxit, et stabilivit.  
Necnon  
patris antiquum honorem et auctoritatem  
Inter Europæ gentes restauravit.  
Tives Laminenses, uno consensu,  
Huic ponti inscribi voluerunt nomen  
GULIELMI PITT.

Derry; but before this design could be executed, the weather growing tempestuous, and the wind blowing off shore, they were driven out to sea, and in the night lost sight of the *Marante*, which never joined them in the sequel. After having been tempest-beaten for some time, and exposed to a very scanty allowance of provision, the officers requested of Thurot that he would return to France, lest they should all perish by famine; but he lent a deaf ear to this proposal, and frankly told them he could not return to France without having struck some stroke for the service of his country. Nevertheless, in hopes of meeting with some refreshment, he steered to the island of Isla, where the troops were landed: and here they found black cattle, and a small supply of oatmeal, for which they paid a reasonable price; and it must be owned, Thurot himself behaved with great moderation and generosity.

§ XV. While this spirited adventurer struggled with these wants and difficulties, his arrival in those seas filled the whole kingdom with alarm. Bodies of regular troops and militia were posted along the coast of Ireland and Scotland; and beside the squadron of Commodore Boys, who sailed to the northward on purpose to pursue the enemy, other ships of war were ordered to scour the British channel, and cruise between Scotland and Ireland. The weather no sooner permitted Thurot to pursue his destination, than he sailed from Isla to the bay of Carrickfergus, in Ireland, and made all the necessary preparations for a descent; which was accordingly effected with six hundred men, on the twenty-first day of February. Lieutenant-Colonel Jennings, who commanded four companies of raw undisciplined men at Carrickfergus, having received information that three ships had anchored about two miles and a half from the castle, which was ruinous and defenceless, immediately detached a party to make observations, and ordered the French prisoners there confined to be removed to Belfast. Meanwhile, the enemy landing without opposition, advanced towards the town, which they found as well guarded as the nature of the place, which was entirely open, and the circumstances of the English commander, would allow. A regular attack was carried on, and a spirited defence made,<sup>b</sup> until the ammunition of the English failed: then Colonel Jennings retired in order to the castle, which, however, was in all respects untenable; for, besides a breach in the wall near fifty feet wide, they found themselves destitute of provision and ammunition. Nevertheless, they repulsed the assailants in the first attack, even after the gate was burst open, and supplied the want of shot with stones and rubbish. At length the colonel and his troops were obliged to surrender, on condition that they should not be sent prisoners to France, but be ransomed, by sending thither an equal number of French prisoners from Great Britain or Ireland: that the castle should not be demolished, nor the town of Carrickfergus plundered or burned, on condition that the mayor and corporation should furnish the French troops with necessary provisions. The enemy, after this exploit, did not presume to advance further into the country; a step which indeed they could not have taken with any regard to their own safety: for by this time a considerable body of regular troops was assembled; and the people of the country manifested a laudable spirit of loyalty and resolution, crowding in great numbers to Belfast, to offer their service against the invaders. These circumstances, to which the enemy were no strangers, and the defeat of Conflans, which they had also learned, obliged them to quit their conquest, and re-embark with some precipitation, after having laid Carrickfergus under moderate contribution.

§ XVI. The fate they escaped on shore they soon met with at sea. Captain John Elliot, who commanded three frigates at Kinsale, and had in the course of this war more than once already distinguished himself even in his early youth, by extraordinary acts of valour, was informed by a despatch from the Duke of Bedford, lord-lieutenant of Ireland, that three of the enemy's ships lay at anchor in the bay

of Carrickfergus; and thither he immediately shaped his course in the ship *Æolus*, accompanied by the *Pallas* and *Brilliant*, under the command of the Captains Clements and Logie. On the twenty-eighth day of February they descried the enemy and gave chase in sight of the isle of Man; and, about nine in the morning, Captain Elliot, in his own ship, engaged the *Belleisle*, commanded by Thurot, although considerably his superior in strength of men, number of guns, and weight of metal. In a few minutes his consorts were also engaged with the other two ships of the enemy. After a warm action, maintained with great spirit on all sides for an hour and a half, Captain Elliot's lieutenant boarded the *Belleisle*; and, striking her colours with his own hand, the commander submitted: his example was immediately followed by the other French captains, and the English commodore, taking possession of his prizes, conveyed them into the bay of Ramsay, in the isle of Man, that their damage might be repaired. Though the *Belleisle* was very leaky, and had lost her boltsprit, mizen-mast, and main-yard, in all probability the victory would not have been so easily obtained, had not the gallant Thurot fallen during the action. The victor had not even the consolation to perform the last offices to his brave enemy; for his body was thrown into the sea by his own people, in the hurry of the engagement. The loss on the side of the English did not exceed forty men killed and wounded, whereas above three hundred of the enemy were slain and disabled. The service performed on this occasion was deemed so essential to the peace and commerce of Ireland, that the thanks of the House of Commons in that kingdom were voted to the conquerors of Thurot, as well as to Lieutenant-Colonel Jennings, for his spirited behaviour at Carrickfergus; and the freedom of the city of Cork was presented in silver boxes to the Captains Elliot, Clements, and Logie. The name of Thurot was become terrible to all the trading sea-ports of Great Britain and Ireland; and therefore the defeat and capture of his squadron were celebrated with as hearty rejoicings as the most important victory could have produced.

§ XVII. In the beginning of April another engagement between four frigates, still more equally matched, had a different issue, though not less honourable for the British commanders. Captain Skinner of the *Biddford*, and Captain Kennedy of the *Flamborough*, both frigates, sailed on a cruise from Lisbon; and on the fourth day of April fell in with two large French frigates, convoy to a fleet of merchant ships, which the English captains immediately resolved to engage. The enemy did not decline the battle, which began about half an hour after six in the evening, and raged with great fury till eleven. By this time the *Flamborough* had lost sight of the *Biddford*; and the frigate with which Captain Kennedy was engaged bore away with all the sail she could carry. He pursued her till noon the next day, when she had left him so far astern, that he lost sight of her, and returned to Lisbon, with the loss of fifteen men killed and wounded, including the lieutenant of marines, and considerable damage both in her hull and rigging. In three days he was joined by the *Biddford*, who had also compelled her antagonist to give way, and pursued her till she was out of sight. In about an hour after the action began, Captain Skinner was killed by a cannon ball; and the command devolved to Lieutenant Knollis, son to the Earl of Banbury,<sup>c</sup> who maintained the battle with great spirit, even after he was wounded, until he received a second shot in his body, which proved mortal. Then the master assuming the direction, continued the engagement with equal resolution until the enemy made his escape; which he the more easily accomplished, as the *Biddford* was disabled in her masts and rigging.

§ XVIII. The bravery of five Irishmen and a boy belonging to the crew of a ship from Waterford, deserves commemoration. The vessel, in her return from Bilbao, laden with brandy and iron, being taken by a French privateer off Ushant, about the middle of April, the captors

<sup>b</sup> One circumstance that attended this dispute deserves to be transmitted to posterity, as an instance of that courage, mingled with humanity, which constitutes true heroism. While the French and English were both engaged in the middle of the streets, a little child ran playfully between them, having no idea of the danger to which it was exposed; a common soldier of the English, perceiving the life of this poor innocent at stake, crowded his pike, advanced deliberately between the lines of fire, took up the child in his

arms, conveyed it to a place of safety; then returning to his place, resumed his murder and renewed his hostility.

<sup>c</sup> Five sons of this nobleman were remarkably distinguished in this war. The fourth and fifth were dangerously wounded at the battle of Minden. The second was hurt in the reduction of Guadaloupe. Lord Wallingford, the eldest, received a shot at Carrickfergus; and the third was slain in this engagement.

removed the master, and all the hands but these five men and the boy, who were left to assist nine Frenchmen in navigating the vessel to France. These stout Hibernians immediately formed a plan of insurrection, and executed it with success. Four of the French marines being below deck, three aloft among the rigging, one at the helm, and another walking the deck, Brian, who headed the enterprise, tripped up the heels of the French steersman, seized his pistol, and discharged it at him who walked the deck; but missing the mark, he knocked him down with the butt-end of the piece. At the same time hallooing to his confederates below, they assailed the enemy with their own broad swords; and soon compelling them to submit, came upon deck, and shut the hatches. Brian being now in possession of the quarter-deck, those who were aloft called for quarter, and surrendered without opposition. The Irish having thus obtained a complete victory, almost without bloodshed, and secured the prisoners, another difficulty occurred; neither Brian nor any of his associates could read or write, or knew the least principle of navigation; but supposing his course to be north, he steered at a venture, and the first land he made was the neighbourhood of Youghall, where he happily arrived with his prisoners.

§ XIX. The only considerable damage sustained by the navy of Great Britain, since the commencement of this year, was the loss of the *Ramillies*, a magnificent ship of the second rate, belonging to the squadron which Admiral Boscawen commanded on the coast of France, in order to watch the motions and distress the commerce of that restless, enterprising enemy. In the beginning of February a series of stormy weather obliged the admiral to return from the bay of Quiberon to Plymouth, where he arrived with much difficulty; but the *Ramillies* overshot the entrance to the Sound; and being embayed near a point called the Bolt-head, about four leagues higher up the channel, was dashed in pieces among the rocks, after all her anchors and cables had given way. All her officers and men, amounting to seven hundred, perished on this occasion, except one midshipman and twenty-five mariners, who had the good fortune to save themselves by leaping on the rocks as the hull was thrown forwards, and raised up by the succeeding billows. Such were the most material transactions of the year relating to the British empire in the seas of Europe.

§ XX. We shall now transport the reader to the continent of North America, which, as the theatre of war, still maintained its former importance. The French emissaries from the province of Louisiana had exercised their arts of insinuation with such success among the Cherokees, a numerous and powerful nation of Indians settled on the confines of Virginia and Carolina, that they had infringed the peace with the English towards the latter end of the last year, and begun hostilities by plundering, massacring, and scalping several British subjects of the more southern provinces. Mr. Lyttleton, governor of South Carolina, having received information of these outrages, obtained the necessary aid from the assembly of his province, for maintaining a considerable body of forces, which was raised with great expedition. He marched in the beginning of October, at the head of eight hundred provincials, reinforced with three hundred regular troops, and penetrated into the heart of the country possessed by the Cherokees, who were so much intimidated by his vigour and

despatch, that they sent a deputation of their chiefs to sue for peace, which was re-established by a new treaty dictated by the English governor. They obliged themselves to renounce the French interest, to deliver up all the spies and emissaries of that nation then resident among them; to surrender to justice those of their own people who had been concerned in murdering and scalping the British subjects; and for the performance of these articles two-and-twenty of their head men were put as hostages into the hands of the governor. So little regard, however, was paid by these savages to this solemn accommodation, that Mr. Lyttleton had been returned but a few days from their country, when they attempted to surprise the English fort Prince George, near the frontiers of Carolina, by going thither in a body, on pretence of delivering up some murderers; but the commanding officer, perceiving some suspicious circumstances in their behaviour, acted with such vigilance and circumspection, as entirely frustrated their design.<sup>d</sup> Thus disappointed, they wreaked their vengeance upon the English subjects trading in their country, all of whom they butchered without mercy. Not contented with this barbarous sacrifice, they made incursions to the British settlements at the Long Lanes, and the forks of the Broad river, and massacred about forty defenceless colonists, who reposed themselves in full security on the peace so lately ratified. As views of interest could not have induced them to act in this manner, and their revenge had not been inflamed by any fresh provocation, these violences must be imputed to the instigation of French incendiaries; and too plainly evinced the necessity of crowning our American conquests with the reduction of Louisiana, from whence these emissaries were undoubtedly despatched.

§ XXI. The cruelty and mischief with which the Cherokees prosecuted their renewed hostilities, alarmed all the southern colonies of the English; and application was made for assistance to Mr. Amherst, the commander-in-chief of the king's forces in America. He forthwith detached twelve hundred chosen men to South Carolina, under the command of Colonel Montgomery, brother to the Earl of Eglinton, an officer of approved conduct and distinguished gallantry. Immediately after his arrival at Charles-town, he advanced to Ninety-six, and proceeded to Twelve-mile river, which he passed in the beginning of June, without opposition. He continued his route by forced marches until he arrived in the neighbourhood of the Indian town called Little Keowee, where he encamped in an advantageous situation. Having reason to believe the enemy were not yet apprized of his coming, he resolved to rush upon them in the night by surprise. With this view, leaving his tents standing with a sufficient guard for the camp and waggons, he marched through the woods towards the Cherokee town of Estatoe, at the distance of five-and-twenty miles: and in his route detached a company of light infantry to destroy the village of Little Keowee, where they were received with a smart fire; but they rushed in with their bayonets, and all the men were put to the sword. The main body proceeded straight to Estatoe, which they reached in the morning; but it had been abandoned about half an hour before their arrival. Some few of the Indians, who had not time to escape, were slain; and the town, consisting of two hundred houses, well stored with provision, ammunition, and all the necessities of life, was first plundered, and then reduced

<sup>d</sup> This attempt was conducted in the following manner, having doubtless been concerted with the two-and-twenty hostages who resided in the fort. On the sixteenth day of February, two Indian women appearing at Keowee, on the other side of the river, Mr. Dougherty, one of the officers of the fort, went out to ask them what news. While he was engaged in conversation with these females, the great Indian warrior Ocumastota, joining them, desired he would call the commanding officers, to whom he said he had something to propose. Accordingly, Lieutenant Colquhoun appearing, accompanied by Ensign Bell, Dougherty, and Foster the interpreter, Ocumastota told him he had something of consequence to impart to the governor, who he proposed to visit, and desired he might be attended by a sergeant, as a safeguard. The lieutenant assuring him he should have a safeguard, the Indian declared he would then go and catch a horse for him; so saying, he swung a bull's head over his head, as a signal, and immediately, twenty-five or thirty muskets, from different ambuscades, were discharged at the English officers. Mr. Colquhoun received a shot in his left breast, and in a few days expired; Mr. Bell was wounded in the calf of the leg, and the interpreter in the buttock. Ensign Milne, who remained in the fort, was no sooner informed of this treachery, than he ordered the soldiers to shackle the hostages, in the execution of which order one man was killed upon the spot, and another wounded in his forehead with a tomahawk; circumstances which, added to the murder of the lieutenant, incensed the garrison to such a degree, that it was judged absolutely

necessary to put the hostages to death without further hesitation. In the evening a party of Indians approached the fort, and fired two signal pieces, cried aloud in the Cherokee language—“Fight manfully, and you shall be assisted.” Then they began an attack; and continued firing all night upon the fort, without doing the least execution. That a design was concerted between them and the hostages, appeared plainly from the nature of this assault, and this supposition was confirmed a certainty next day, when some of the garrison, searching the apartment in which the hostages lay, found a bottle of poison, probably designed to be emptied into the well, and several tomahawks buried in the earth, which weapons had been privately conveyed to them by their friends, who were permitted to visit them without interruption. On the third day of March, the fort of Ninety-six was attacked by two hundred Cherokee Indians with musketry, which had little or no effect; so that they were forced to retire with some loss, and re-encamped themselves on the open country, burning and ravaging all the houses and plantations belonging to English settlers in this part of the country, and all along the frontiers of Virginia. Not contented with pillaging and destroying the habitations, they wandered in the most horrible barbarities, and their motions were so secret and sudden, that it was impossible for the inhabitants to know where the storm would burst, or take proper precautions to their own defence, so that a great number of the back settlements were totally abandoned.



to ashes; some of the wretched inhabitants who concealed themselves perishing in the flames. It was necessary to strike a terror into those savages by some examples of severity; and the soldiers became deaf to all the suggestions of mercy when they found in one of the Indian towns the body of an Englishman, whom they had put to the torture that very morning. Colonel Montgomery followed up his blow with surprising rapidity. In the space of a few hours he destroyed Sugar-town, which was as large as Estatoe, and every village and house in the Lower Nation. The Indian villages in this part of the world were agreeably situated, generally consisting of about one hundred houses, neatly and commodiously built, and well supplied with provision. They had in particular large magazines of corn, which were consumed in the flames. All the men that were taken suffered immediate death; but the greater part of the nation had escaped with the utmost precipitation. In many houses the beds were yet warm, and the tables spread with victuals. Many loaded guns went off while the houses were burning. The savages had not time to save their most valuable effects. The soldiers found some money, three or four watches, a good quantity of wampum, clothes, and peltry. Colonel Montgomery having thus taken vengeance on the perfidious Cherokees, at the expense of five or six men killed or wounded, returned to Fort Prince George, with about forty Indian women and children, whom he had made prisoners. Two of their warriors were set at liberty, and desired to inform their nation, that though they were now in the power of the English, they might still, on their submission, enjoy the blessing of peace. As the chief called Atakullakulla, alias the little Carpenter, who had signed the last treaty, disapproved of the proceedings of his countrymen, and had done many good offices to the English since the renovation of the war, he was now given to understand that he might come down with some other chiefs to treat of an accommodation, which would be granted to the Cherokees on his account; but that the negotiation must be begun in a few days, otherwise all the towns in the Upper Nation would be ravaged, and reduced to ashes.

§ XXII. These intimations having produced little or no effect, Colonel Montgomery resolved to make a second irruption into the middle settlements of the Cherokees, and began his march on the twenty-fourth day of June. On the twenty-seventh Captain Morrison, of the advanced party, was killed by a shot from a thicket, and the firing became so troublesome that his men gave way. The grenadiers and light infantry being detached to sustain them, continued to advance, notwithstanding the fire from the woods; until, from a rising ground, they discovered a body of the enemy. These they immediately attacked, and obliged to retire into a swamp; which, when the rest of the troops came up, they were, after a short resistance, compelled to abandon: but as the country was difficult and the path extremely narrow, the forces suffered on their march from the fire of scattered parties who concealed themselves behind trees and bushes. At length they arrived at the town of Etchewee, which the inhabitants had forsaken after having removed every thing of value. Here, while the army encamped on a small plain, surrounded by hills, it was incommoded by volleys from the enemy, which wounded some men, and killed several horses. They were even so daring as to attack the piquet guard, which repulsed them with difficulty; but, generally speaking, their parties declined an open engagement. Colonel Montgomery, sensible that, as many horses were killed or disabled, he could not proceed further without leaving his provisions behind, or abandoning the wounded men to the brutal revenge of a savage enemy, resolved to return; and began his retreat in the night, that he might be less disturbed by the Indians. Accordingly, he pursued his route for two days without interruption; but afterwards sustained some straggling fires from the woods, though the parties of the enemy were put to flight as soon as they appeared. In the beginning of July he arrived at Fort Prince George; this expedition having cost him about seventy men killed and wounded, including five officers.

§ XXIII. In revenge for these calamities, the Cherokees assembled to a considerable number, and formed the

blockade of Fort Loudoun, a small fortification near the confines of Virginia, defended by an inconsiderable garrison, ill supplied with provision and necessities. After having sustained a long siege, and being reduced to the utmost distress, Captain Demere, the commander, held a council of war with the other officers, to deliberate upon their present situation; when it appeared that their provisions were entirely exhausted; that they had subsisted a considerable time without bread upon horse flesh, and such supplies of pork and beans as the Indian women could introduce by stealth; that the men were so weakened with famine and fatigue, that in a little time they would not be able to do duty; that, for two nights past, considerable parties had deserted, and some thrown themselves upon the mercy of the enemy; that the garrison in general threatened to abandon the officers, and betake themselves to the woods; and that there was no prospect of relief, their communication having been long cut off from all the British settlements: for these reasons they were unanimously of opinion that it was impracticable to prolong their defence; that they should accept of an honourable capitulation; and Captain Stuart should be sent to treat with the warriors and the head men of the Cherokees, about the conditions of their surrender. This officer being accordingly despatched with full powers, obtained a capitulation of the Indians, by which the garrison was permitted to retire. The Indians desired that, when they arrived at Keowee, the Cherokee prisoners confined at that place should be released, all hostilities cease, a lasting accommodation be re-established, and a regulated trade revived. In consequence of this treaty the garrison evacuated the fort, and had marched about fifteen miles on their return to Carolina, when they were surrounded and surprised by a large body of Indians, who massacred all the officers except Captain Stuart, and slew five-and-twenty of the soldiers: the rest were made prisoners, and distributed among the different towns and villages of the nation. Captain Stuart owed his life to the generous intercession of the little Carpenter, who ransomed him at the price of all he could command, and conducted him safe to Holston river, where he found Major Lewis advanced so far with a body of Virginians. The savages, encouraged by their success at Fort Loudoun, undertook the siege of Ninety-six, and other small fortifications; but retired precipitately on the approach of a body of provincials.

§ XXIV. In the meantime, the British interest and empire were firmly established on the banks of the Ohio, by the prudence and conduct of Major-General Stanwix, who had passed the winter at Pittsburgh, formerly Duquesne, and employed that time in the most effectual manner for the service of his country. He repaired the old works, established posts of communication from the Ohio to the Monongahela, mounted the bastions that cover the isthmus with artillery, erected casemates, store-houses, and barracks for a numerous garrison, and cultivated with equal diligence and success the friendship and alliance of the Indians. The happy consequence of these measures were soon apparent in the production of a considerable trade between the natives and the merchants of Pittsburgh, and in the perfect security of about four thousand settlers, who now returned to the quiet possession of the lands from whence they had been driven by the enemy on the frontiers of Pennsylvania, Maryland, and Virginia.

§ XXV. The incidents of the war were much more important and decisive in the more northern parts of this great continent. The reader will remember that Brigadier-General Murray was left to command the garrison of Quebec, amounting to about six thousand men: that a strong squadron of ships was stationed at Halifax, in Nova Scotia, under the direction of Lord Colvil, an able and experienced officer, who had instructions to revisit Quebec in the beginning of summer, as soon as the river St. Lawrence should be navigable; and that General Amherst, the commander-in-chief of the forces in America, wintered in New York that he might be at hand to assemble his troops in the spring, and recommence his operations for the entire reduction of Canada. General Murray neglected no step that could be taken by the most vigilant officer for maintaining the important conquest of Quebec, and subduing all the Lower Canada; the inhabitants of which

actually submitted, and took the oath of allegiance to the King of Great Britain.<sup>e</sup> The garrison, however, within the walls of Quebec, suffered greatly from the excessive cold in the winter, and the want of vegetables and fresh provisions; inasmuch that before the end of April, one thousand soldiers were dead of the scurvy, and twice that number rendered unfit for service. Such was the situation of the garrison, when Mr. Murray received undoubted intelligence that the French commander, the Chevalier de Levis, was employed in assembling his army, which had been cantoned in the neighbourhood of Montreal; that from the inhabitants of the country he had completed his eight battalions, regimented forty companies of the troops de Colonie, and determined to undertake the siege of Quebec, whenever the river St. Lawrence should be clear of ice, that he could use his four frigates, and other vessels, by means of which he was entirely master of the river.

§ XXXVI. The brigadier, considering the city of Quebec as no other than a strong cantonment, had projected a plan of defence, by extending lines, and intrenching his troops on the heights of Abraham, which, at the distance of eight hundred paces, entirely commanded the ramparts of the city, and might have been defended by a small force against a formidable army. Fascines, and every other necessary for this work, had been provided; and in the month of April the men were set at work upon the projected lines; but the earth was so hardened by the frost, that it was found impracticable to proceed. Being informed on the night of the twenty-sixth, that the enemy had landed at Point au Tremble, to the number of ten thousand men, with five hundred savages, he ordered all the bridges over the river Cagrouge to be broken down, secured the landing-places at Sylleri and the Foulon; and next day, marching in person with a strong detachment and two field-pieces, took possession of an advantageous situation, and thus defeated the scheme which the French commander had laid for cutting off the posts which the English had established. These being all withdrawn, the brigadier that same afternoon marched back to Quebec, with little or no loss, although his rear was harassed by the enemy. Here he formed a resolution which has been censured by some critics in war, as a measure that savoured more of youthful impatience and over-boiling courage, than of that military discretion, which ought to distinguish a commander in such a delicate situation; but it is more easy to censure with an appearance of reason, than to act in such circumstances with any certainty of success. Mr. Murray, in his letter to the secretary of state, declared that, although the enemy were greatly superior to him in number, yet, when he considered that the English forces were habituated to victory, that they were provided with a fine train of field artillery, that, in shutting them at once within the walls, he should have risked his whole stake on the single chance of defending a wretched fortification; a chance which could not be much lessened by an action in the field, though such an action would double the chance of success: for these reasons he determined to hazard a battle; should the event prove unprosperous, he resolved to hold out the place to the last extremity; then to retreat to the isle of Orleans, or Coudres, with the remainder of the garrison, and there wait for a reinforcement. In pursuance of these resolutions he gave the necessary orders over-night: and

<sup>e</sup> The garrison of Quebec, during the winter, repaired above five hundred houses, which had been damaged by the English cannon. In all eight regiments of wood, ranged foot-battalions along the ramparts, opened embrasures, mounted artillery, blocked up all the avenues of the suburbs with a stockade, removed eleven months' provisions into the highest part of the city, and formed a magazine of four thousand fascines. Two hundred men were posted at St. Fois, twice the number at Lévis. Several hundred men marched to St. Augustin, brought off the enemy's advanced guard, with a great number of cattle, and disarmed the inhabitants. By these precautions the motions of the French were observed, the avenues of Quebec were covered, and their dominion over eleven parishes, which they furnished them with some fresh provision, and other necessities for subsistence. Sixteen thousand cords of wood being wanted for the hospitals, guards, and quarters, and the method of transporting it from the isle of Orleans being found slow and difficult, on account of the floating ice in the river, a sufficient number of hand sledges were made, and two hundred wood fellers set at work in the forest of St. Fois, where plenty of fuel was obtained and brought into the several regiments by the men that were not upon duty. A detachment of two hundred men being sent to the other side of the river, disarmed the inhabitants, and compelled them to take the oath of allegiance: by this step the English became masters of the southern side of the St. Lawrence, and were supplied with great quantities of fresh provisions. The advanced posts of the enemy were established at Point au Tremble, St. Augustin, and Le Calvaire, the main body of their army quartered between Trois Rivières and Jacques-Quartier. Their general hav-

ing formed the design of attacking Quebec in the winter, began to provide snow-shoes or racks, scaling ladders, and fascines, and make all the necessary preparations for that enterprise. He took possession of Point Lévi, where he formed a magazine of provisions; great part of which, however, fell into the hands of the English: for as soon as the river was froze over Brigadier Murray despatched thither two hundred men, at whose approach the enemy abandoned their magazine, and retreated with great precipitation. Here the detachment took post in a church, until they could build two wooden redoubts, and mount them with artillery. In the meantime, the enemy returning with a greater force than the English, at whose approach the light infantry marched over the ice, in order to cut off their communication; but they fled with great confusion, and afterwards took post at St. Michel, at a considerable distance further down the river. They now resolved to postpone the siege of Quebec, till the spring, when the ice would be melted, and the English ships could come up. They began to rig their ships, repair their small craft, build galleys, cast bombs and bullets, and prepare fascines and gabions; while Brigadier Murray employed his men in making preparations for a vigorous defence. He sent out a detachment, who surprised the enemy's posts at St. Augustin, Maison Brûlée, and Le Calvaire, where they took ninety prisoners. He afterwards ordered the light infantry to possess and fortify Cape Rouge, to prevent the enemy's landing at that place, as well as to be nearer at hand to preserve their motions; but when the frost broke up, so that their ships could fall down the river, they landed at St. Augustin; and the English posts were abandoned one after another, the detachments retiring without loss into the city.



artillery. The enemy lost twice the number of men, and reaped no essential advantages from their victory.

§ XXVII. Mr. Murray, far from being dispirited by his defeat, no sooner retired within the walls of Quebec, than he resolved to prosecute the fortifications of the place, which had been interrupted by the severity of the winter; and the soldiers exerted themselves with incredible alacrity, not only in labouring at the works, but also in the defence of the town, before which the enemy had opened trenches on the very evening of the battle. Three ships anchored at the Foulon below their camp; and for several days they were employed in landing their cannon, mortars, and ammunition. Meanwhile they worked incessantly at their trenches before the town; and on the eleventh day of May opened one bomb battery, and three batteries of cannon. Brigadier Murray made the necessary dispositions to defend the place to the last extremity; he raised two cavaliers, contrived some outworks, and planted the ramparts with one hundred and thirty-two pieces of artillery, dragged thither mostly by the soldiery. Though the enemy cannonaded the place with great vivacity the first day, their fire soon slackened; and their batteries were, in a manner, silenced by the superior fire of the garrison; nevertheless, Quebec would, in all probability, have reverted to its former owners, had a French fleet from Europe got the start of an English squadron in sailing up the river.

§ XXVIII. Lord Colville had sailed from Halifax, with the fleet under his command, on the twenty-second day of April; but was retarded in his passage by thick fogs, contrary winds, and great shoals of ice floating down the river. Commodore Swanton, who had sailed from England with a small reinforcement, arrived about the beginning of May at the isle of Bec, in the river St. Lawrence, where, with two ships, he purposed to wait for the rest of his squadron, which had separated from him in the passage: but one of these, the *Lowestoff*, commanded by Captain Deane, had entered the harbour of Quebec on the ninth day of May, and communicated to the governor the joyful news that the squadron was arrived in the river. Commodore Swanton no sooner received intimation that Quebec was besieged, than he sailed up the river with all possible expedition, and on the fifteenth, in the evening, anchored above Point Levi. The brigadier expressing an earnest desire that the French squadron above the town might be removed, the commodore ordered Captain Schomberg of the *Diana*, and Captain Deane of the *Lowestoff*, to slip their cables early next morning, and attack the enemy's fleet, consisting of two frigates, two armed ships, and a great number of smaller vessels. They were no sooner in motion than the French ships fled in the utmost disorder. One of their frigates was driven on the rocks above Cape Diamond; the other ran ashore, and was burned at Point au Tremble, about ten leagues above the town; and all the other vessels were taken or destroyed.

§ XXIX. The enemy were so confounded and dispirited by this disaster, and the certain information that a strong English fleet was already in the river St. Lawrence, that in the following night they raised the siege of Quebec, and retreated with great precipitation, leaving their provisions, implements, and artillery to Governor Murray, who had intended to make a vigorous sally in the morning, and attempt to penetrate into the camp of the besiegers, which, from the information of prisoners and deserters, he conceived to be a very practicable scheme. For this purpose he had selected a body of troops, who were already under arms, when a lieutenant, whom he had sent out with a detachment to amuse the enemy, came and assured him that their trenches were abandoned. He instantly marched out of Quebec at the head of his forces, in hopes of overtaking and making an impression on their rear, that he might have ample revenge for his late discomfiture; but they had passed the river Caprouge before he could come up with their army: however, he took some prisoners, and a great quantity of baggage, including their tents, stores, magazines of provision and ammunition, with thirty-four pieces of battering cannon, ten field pieces, six mortars, four petards, a great number of scaling-ladders, intrenching tools, and every other implement for a siege. They retired to Jacques-Quartier, where their ammunition began to fail,

and they were abandoned by great part of the Canadians; so that they resigned all hope of succeeding against Quebec, and began to take measures for the preservation of Montreal, against which the force under General Amherst was directed. Thier M. Vaudreuil had fixed his headquarters, and there he proposed to make his last stand against the efforts of the British general. He not only levied forces, collected magazines, and erected new fortifications, in the island of Montreal, but he had even recourse to feigned intelligence, and other arts of delusion, to support the spirits of the Canadians and their Indian allies, which had begun to flag, in consequence of their being obliged to abandon the siege of Quebec. It must be owned, he acted with all the spirit and foresight of an experienced general, determined to exert himself for the preservation of the colony, even though very little prospect of success remained. His hopes, slender as they were, depended upon the natural strength of the country, rendered almost inaccessible by woods, mountains, and morasses, which might have retarded the progress of the English, and protracted the war, until a general pacification could be effected. In the meantime Major-General Amherst was diligently employed in taking measures for the execution of the plan he had projected, in order to complete the conquest of Canada. He conveyed instructions to General Murray, directing him to advance by water towards Montreal, with all the troops that could be spared from the garrison of Quebec. He detached Colonel Haviland, with a body of troops from Crown-Point, to take possession of the Isle au Noix, in the lake Champlain, and from thence penetrate the shortest way to the bank of the river St. Lawrence; while he himself, with the main body of the army, amounting to about ten thousand men, including Indians, should proceed from the frontiers of New York, by the rivers of the Mohawks and Oneidas, to the lake Ontario, and sail down the river St. Lawrence to the island of Montreal. Thus, on the supposition that all these particulars could be executed, the enemy must have been hemmed in, and entirely surrounded. In pursuance of this plan, General Amherst had provided two armed sloops to cruise in the lake Ontario, under the command of Captain Loring; as well as a great number of batteaux, or smaller vessels, for the transportation of the troops, artillery, ammunition, implements, and baggage. Several regiments were ordered to proceed from Albany to Oswego, and the general taking his departure from Schenectady, with the rest of the forces, in the latter end of June, arrived at the same place on the ninth day of July.

§ XXX. Being informed that two French vessels had appeared off Oswego, he despatched some batteaux to Niagara, with intelligence to Captain Loring, who immediately set sail in quest of them; but they escaped his pursuit though they had twice appeared in the neighbourhood of Oswego since the arrival of the general, who endeavoured to amuse them, by detaching batteaux to different parts of the lake. The army being assembled, and joined by a considerable body of Indians, under the command of Sir William Johnson, the general detached Colonel Haldimand, with the light infantry, the grenadiers, and one battalion of highlanders, to take post at the bottom of the lake, and assist the armed vessels in finding a passage to La Galette. On the tenth day of August the army embarked on board the batteaux and whale boats, and proceeded on the lake towards the mouth of the river St. Lawrence. Understanding that one of the enemy's vessels had run aground and was disabled, and that the other lay off La Galette, he resolved to make the best of his way down the river to Swegatchie, and attack the French fort at Isle Royale, one of the most important posts on the river St. Lawrence, the source of which it is a great measure commands. On the seventeenth, the row-galleys fell in with the French sloop commanded by M. de la Broquerie, who surrendered after a warm engagement. Mr. Amherst having detached some engineers to reconnoitre the coasts and islands in the neighbourhood of Isle Royale, he made a disposition for the attack of that fortress, which was accordingly invested, after he had taken possession of the islands. Some of these the enemy had abandoned with such precipitation, as to leave behind a few scalps they had taken on the Mohawk river, a number



of tools and utensils, two swivels, some barrels of pitch, and a large quantity of iron. The Indians were so incensed at sight of the scalps, that they burned a chapel, and all the houses of the enemy. Batteries being raised on the nearest islands, the fort was cannonaded not only by them, but likewise by the armed sloops: and the disposition was made for giving the assault, when M. Pouchart, the governor, thought proper to beat a parley, and surrender on capitulation. The general, having taken possession of the fort, found it so well situated for commanding the lake Ontario and the Mohawk river, that he resolved to maintain it with a garrison, and employed some days in repairing the fortifications.

§ XXXI. From this place his navigation down the river St. Lawrence was rendered extremely difficult and dangerous, by a great number of violent riffs or rapids, and falls; among which he lost above fourscore men, forty-six bateaux, seventeen whale-boats, one row-galley, with some artillery, stores, and ammunition. On the sixth day of September the troops were landed on the island of Montreal without any opposition, except from some flying parties, which exchanged a few shot, and then fled with precipitation. That same day he repaired a bridge which they had broken down in their retreat; and after a march of two leagues, formed his army on a plain before Montreal, where they lay all night on their arms. Montreal is, in point of importance, the second place in Canada, situated in an island of the river St. Lawrence, at an equal distance from Quebec and the lake Ontario. Its central situation rendered it the staple of the Indian trade; yet the fortifications of it were inconsiderable, not at all adequate to the value of the place. General Amherst ordered some pieces of artillery to be brought up immediately from the landing place at La Chine, where he had left some regiments for the security of the boats, and determined to commence the siege in form; but in the morning of the seventh he received a letter from the Marquis de Vaudreuil by two officers, demanding a capitulation; which, after some letters had passed between the two generals, was granted upon as favourable terms as the French had reason to expect, considering that General Murray, with the troops from Quebec, had by this time landed on the island; and Colouel Haviland, with the body under his command, had just arrived on the south side of the river opposite to Montreal: circumstances equally favourable and surprising, if we reflect upon the different routes they pursued, through an enemy's country, where they had no intelligence of the motions of each other. Had any accident retarded the progress of General Amherst, the reduction of Montreal would have been attempted by General Murray, who embarked with his troops at Quebec, on board of a great number of small vessels, under the command of Captain Dean, in the Diana. This gentleman, with uncommon abilities, surmounted the difficulties of an unknown, dangerous, and intricate navigation: and conducted the voyage with such success, that not a single vessel was lost in the expedition. M. de Levis, at the head of his forces, watched the motions of General Murray, who, in advancing up the river, published manifestos among the Canadians, which produced all the effect he could desire. Almost all the parishes on the south shore, as far as the river Sorrel, submitted, and took the oath of neutrality: and Lord Rollo disarmed all the inhabitants of the north shore, as far as Trois Rivières, which, though the capital of a district, being no more than an open village, was taken without resistance. In a word, General Amherst took possession of Montreal, and thus completed the conquest of Canada; a conquest the most important of any that ever the British arms achieved, whether we consider the safety of the English colonies in North America, now secured from invasion and encroachment; the extent and fertility of the country subdued; or the whole Indian commerce thus transferred to the traders of Great Britain. The terms of the capitulation may perhaps be thought rather too favourable, as the enemy were actually enclosed and destitute of all hope of relief; but little points like these ought always to be sacrificed to the consideration of great objects; and the finishing the conquest of a great country without bloodshed, redounds as much to the honour as it argues the humanity of General Amherst, whose conduct had been

irreproachable during the whole course of the American operations. At the same time, it must be allowed, he was extremely fortunate in having subordinate commanders who perfectly corresponded with his ideas; and a body of troops whom no labours could discourage, whom no dangers could dismay. Sir William Johnson, with a power of authority and insinuation peculiar to himself, not only maintained a surprising ascendancy over the most ferocious of all the Indian tribes, but kept them within the bounds of such salutary restraint, that not one single act of inhumanity was perpetrated by them during the whole course of this expedition. The zeal and conduct of Brigadier-General Gage, the undaunted spirit and enterprising genius of General Murray, the diligence and activity of Colonel Haviland, happily co-operated in promoting this great event.

§ XXXII. The French ministry had attempted to succour Montreal, by equipping a considerable number of store ships, and sending them out in the spring under convey of a frigate; but as their officers understood that the British squadron had sailed up the river St. Lawrence before their arrival, they took shelter in the bay of Chaleurs, on the coast of Acadia, where they did not long remain unmolested. Captain Byron, who commanded the ships of war that were left at Louisbourg, having received intelligence of them from Brigadier-General Whitmore, sailed thither with his squadron, and found them at anchor. The whole fleet consisted of one frigate, two large store ships, and nineteen sail of smaller vessels; the greater part of which had been taken from the merchants of Great Britain: all these were destroyed, together with two batteries which had been raised for their protection. The French town, consisting of two hundred houses, was demolished, and the settlement totally ruined. All the French subjects inhabiting the territories from the bay of Fundy to the banks of the river St. Lawrence, and all the Indians through that tract of country, were now subdued, and subjected to the English government. In the month of December of the preceding year, the French colonists of Miramichi, Rickebuctou, and other places lying along the gulf of St. Lawrence, made their submission by deputies to Colonel Frye, who commanded in Fort Cumberland at Chignecto. They afterwards renewed this submission in the most formal manner by subscribing articles, by which they obliged themselves, and the people they represented, to repair in the spring to Bay Verte, with all their effects and shipping, to be disposed of according to the direction of Colonel Lawrence, governor of Halifax, in Nova Scotia. They were accompanied by two Indian chiefs of the nation of the Mickmacks, a powerful and numerous people, now become entirely dependent upon his Britannic majesty. In a word, by the conquest of Canada, the Indian fur trade, in its full extent, fell into the hands of the English. The French interest among the savage tribes, inhabiting an immense tract of country, was totally extinguished; and their American possessions shrunk within the limits of Louisiana, an infant colony on the south of the Mississippi, which the British arms may at any time easily subdue.

§ XXXIII. The conquest of Canada being achieved, nothing now remained to be done in North America, except the demolition of the fortifications of Louisbourg on the island of Cape Breton; for which purpose some able engineers had been sent from England with the ships commanded by Captain Byron. By means of mines artfully disposed and well constructed, the fortifications were reduced to a heap of rubbish, the glacis was levelled, and the ditches were filled. All the artillery, ammunition, and implements of war, were conveyed to Halifax; but the barracks were repaired so as to accommodate three hundred men occasionally; and the hospital with the private houses, were left standing. The French still possessed, upon the continent of America, the fertile country lying on each side of the great river Mississippi, which disembogues itself into the gulf of Florida; but the colony was so thinly peopled and so ill provided, that, far from being formidable, it scarce could have subsisted, unless the British traders had been base and treacherous enough to supply it from time to time with provisions and necessaries. The same infamous commerce was carried on with divers French plantations in the West Indies;

inasmuch that the governors of provinces, and commanders of the squadrons stationed in those seas, made formal complaints of it to the ministry. The temptation of extraordinary profit excited the merchants, not only to assist the enemies of the country, but also to run all risks in eluding the vigilance of the legislature. The inhabitants of Martinique found a plentiful market of provisions furnished by the British subjects at the Dutch islands of *Eupstatia* and *Curacoa*; and those that were settled on the island of *Hispaniola* were supplied in the same manner at the Spanish settlement of *Monte Christo*.

§ XXXIV. While the British commanders exerted themselves by sea and land with the most laudable spirit of vigilance and courage against the foreign adversaries of their country, the colonists of Jamaica ran the most imminent hazard of being extirpated by a domestic enemy. The negro slaves of that island, grown insolent in the contemplation of their own formidable numbers, or by observing the supine indolence of their masters, or stimulated by that appetite for liberty so natural to the mind of man, began, in the course of this year, to entertain thoughts of shaking off the yoke by means of a general insurrection. Assemblies were held, and plans revolved for this purpose. At length they concerted a scheme for rising in arms all at once in different parts of the island, in order to massacre all the white men, and take possession of the government. They agreed that this design should be put in execution immediately after the departure of the fleet for Europe; but their plan was defeated by their ignorance and impatience. Those of the conspirators that belonged to Captain Forest's estate, being impelled by the fumes of intoxication, fell suddenly upon the overseer, while he sat at supper with some friends, and butchered the whole company. Being immediately joined by some of their confederates, they attacked the neighbouring plantations, where they repeated the same barbarities; and seizing all the arms and ammunition that fell in their way, began to grow formidable to the colony. The governor no sooner received intimation of this disturbance, than he, by proclamation, subjected the colonists to martial law. All other business was interrupted, and every man took to his arms. The regular troops, joined by the troop of militia and a considerable number of volunteers, marched from Spanish-town to *St. Mary's*, where the insurrection began, and skirmished with the insurgents: but as they declined standing any regular engagement, and trusted chiefly to bush fighting, the governor employed against them the free blacks, commonly known by the name of the *Wild Negroes*, now peaceably settled under the protection of the government. These auxiliaries, in consideration of a price set upon the heads of the rebels, attacked them in their own way, slew them by surprise, until their strength was broken, and numbers made away with themselves in despair; so that the insurrection was supposed to be quelled about the beginning of May: but in June it broke out again with redoubled fury, and the rebels were reinforced to a very considerable number. The regular troops and the militia, joined by a body of sailors, formed a camp under the command of Colonel Spragge, who sent out detachments against the negroes, a great number of whom were killed, and some taken; but the rest, instead of submitting, took shelter in the woods and mountains. The prisoners being tried, and found guilty of rebellion, were put to death by a variety of tortures. Some were hanged, some beheaded, some burned, and some fixed alive upon gibbets. One of these last lived eight days and eighteen hours, suspended under a vertical sun, without being refreshed by one drop of water, or receiving any manner of sustenance. In order to prevent such insurrections for the future, the justices assembled at the sessions of the peace established regulations, importing, that no negro slave should be allowed to quit his plantation without a white conductor, or a ticket of leave: that every negro playing at any sort of game should be scourged through the public streets; that every publican suffering such gaming in his house should forfeit forty shillings; that every proprietor suffering his negroes to beat a drum, blow a horn, or make any other noise in his plantation, should be fined ten pounds: and every overseer allowing these irregularities should pay half the sum, to be demanded, or

distrainted for, by any civil or military officer; that every free negro, or mulatto, should wear a blue cross on his right shoulder, on pain of imprisonment; that no mulatto, Indian, or negro, should hawk or sell any thing, except fresh fish and mulk, on pain of being scourged; that rum and punch-houses should be shut up during divine service on Sundays, under the penalty of twenty shillings: and that those who had petit licences should shut up their houses on other nights at nine o'clock.

§ XXXV. Notwithstanding these examples and regulations, a body of rebellious negroes still subsisted in places that were deemed inaccessible to regular forces; and from these they made nocturnal irruptions into the nearest plantations, where they acted with all the wantonness of barbarity: so that the people of Jamaica were obliged to conduct themselves with the utmost vigilance and circumspection; while Rear-Admiral Holmes, who commanded at sea, took every precaution to secure the island from insult or invasion. He not only took measures for the defence of Jamaica, but also contrived and executed schemes for annoying the enemy. Having in the month of October received intelligence, that five French frigates were equipped at *Cape François*, on the island of *Hispaniola*, in order to convoy a fleet of merchant ships to Europe, he stationed the ships under his command in such a manner as was most likely to intercept this fleet; and his disposition was attended with success. The enemy sailed from the Cape, to the number of eight sail, on the sixteenth; and next day they were chased by the king's ships the *Hampshire*, *Lively*, and *Boreas*; which, however, made small progress, as there was little wind, and that variable. In the evening the breeze freshened; and about midnight the *Boreas* came up with the *Sirenne*, commanded by Commodore *McCartie*. They engaged with great vivacity for about twenty-five minutes, when the *Sirenne* shot a-head, and made the best of her way. The *Boreas* was so damaged in her rigging, that she could not close with the enemy again till next day, at two in the afternoon, when the action was renewed off the east end of *Cuba*, and maintained till forty minutes past four, when *Mr. McCartie* struck. In the meantime, the *Hampshire* and *Lively* gave chase to the other four French frigates, which steered to the southward with all the sail they could carry, in order to reach the west end of *Tortuga*, and shelter themselves in *Port au Prince*. On the eighteenth, the *Lively*, by the help of her oars, came up with the *Valeur*, at half an hour past seven in the morning; and after a hot action, which continued an hour and a half, compelled the enemy to submit. The *Hampshire* stood after the other three, and about four in the afternoon ran up between the *Duke de Choiseul* and the *Prince Edward*. These she engaged at the same time; but the first, having the advantage of the wind, made her retreat into *Port au Paix*; the other ran ashore about two leagues to leeward, and struck her colours; but at the approach of the *Hampshire* the enemy set her on fire, and she blew up. This was also the fate of the *Fleur-de-Lys*, which had run into *Fresh-water bay*, a little further to leeward of *Port au Prince*. Thus, by the prudent disposition of Admiral Holmes, and the gallantry of his three Captains *Norbury*, *Uvedale*, and *Maitland*, two large frigates of the enemy were taken, and three destroyed. The spirit of the officers was happily supported by an uncommon exertion of courage in the men, who cheerfully engaged in the most dangerous enterprises. Immediately after the capture of the French frigates, eight of the enemy's privateers were destroyed or brought into Jamaica. Two of these, namely, the *Vainqueur* of ten guns, sixteen swivels, and ninety men, and the *Mackau* of six swivels and fifteen men, had run into shoal water in *Cumberland harbour*, on the island of *Cuba*. The boats of the *Trent* and *Boreas*, manned, under the direction of the Lieutenants *Millar* and *Stuart*, being rowed up to the *Vainqueur*, boarded and took possession under a close fire, after having surmounted many other difficulties. The *Mackau* was taken without any resistance: then the boats proceeded against the *Guespe*, of eight guns, and eighty-five men, which lay at anchor further up in the Lagoon; but before they came up the enemy had set her on fire, and she was destroyed.

§ XXXVI. The same activity and resolution distin-

guished the captains and officers belonging to the squadron commanded by Sir James Douglas off the Leeward Islands. In the month of September, the Captains Obrien and Taylor, of the ships *Temple* and *Griffin*, being on a joint cruise off the islands *Granadas*, received intelligence that the *Virgin*, formerly a British sloop of war, which had been taken by the enemy, then lay at anchor, together with three privateers, under protection of three forts on the island, sailed thither in order to attack them, and their enterprise was crowned with success. After a warm engagement, which lasted several hours, the enemy's batteries were silenced, and indeed demolished, and the English captains took possession of the four prizes. They afterwards entered another harbour of that island, having first demolished another fort; and there they lay four days unmolested, at the expiration of which they carried off three other prizes. In their return to *Antigua*, they fell in with thirteen ships bound to *Martinique* with provisions, and took them all without resistance. About the same time eight or nine privateers were taken by the ships which Commodore Sir James Douglas employed in cruising round the island of *Guadaloupe*, so that the British commerce in those seas flourished under his care and protection.

§ XXXVII. In the East Indies the British arms still continued to prosper. After the reduction of *Arcot*, the garrisons of *Permacoil* and *Allumparva* surrendered themselves prisoners of war in the beginning of May. The *Falmouth* obliged the *Haarlem*, a French ship from *Meguy*, to run ashore to the northward of *Pondicherry*. The important settlement of *Carical* was reduced by the sea and land forces commanded by Rear-Admiral Cornish and Major Monson, and the French garrison made prisoners of war; and Colonel Coote formed the blockade of *Pondicherry* by land, while the harbour was beset by the English squadron.

§ XXXVIII. No action of importance was in the course of this year achieved by the naval force of Great Britain in the seas of Europe. A powerful squadron still remained in the bay of *Quiberon*, in order to amuse and employ a body of French forces on that part of the coast, and interrupt the navigation of the enemy: though the principal aim of this armament seems to have been to watch and detain the few French ships which had run into the river *Villaine*, after the defeat of *Confans*; an object, the importance of which will doubtless astonish posterity. The fleet employed on this service was alternately commanded by Admiral Boscawen and Sir Edward Hawke, officers of distinguished abilities, whose talents might have been surely rendered subservient to much greater national advantages. All that Mr. Boscawen could do in this circumscribed scene of action was, to take possession of a small island near the river *Vannes*, which he caused to be cultivated, and planted with vegetables, for the use of the men infected with scorbutic disorders arising from salt provision, sea air, and want of proper exercise. In the month of September, Sir Edward Hawke, who had by this time relieved Mr. Boscawen, detached the gallant Lord Howe, in the *Magnanime*, with the ships *Prince Frederick* and *Bedford*, to reduce the little island of *Dumet*, about three miles in length, and two in breadth, abounding with fresh water. It was defended by a small fort, mounted with nine cannon, and manned with one company of the regiment of *Bourbon*, who surrendered in a very short time after the ships had begun the attack. By this small conquest a considerable expense was saved to the nation in the article of transports employed to carry water for the use of the squadron.

§ XXXIX. Admiral Rodney still maintained his former station off the coast of *Havre de Grace*, to observe what should pass at the mouth of the *Seine*. In the month of July, while he hovered in this neighbourhood, five large flat-bottomed boats, laden with cannon and shot, set sail from *Harfleur*, in the middle of the day, with their colours flying, as if they had set the English squadron at defiance; for the walls of *Havre de Grace*, and even the adjacent hills, were covered with spectators, assembled to behold the issue of this adventure. Having reached the river of *Caen*, they stood backwards and forwards upon the shoals, intending to amuse Admiral Rodney till night, and then

proceed under cover of the darkness. He perceived their drift, and gave directions to his small vessels to be ready, that as soon as day-light failed, they should make all the sail they could for the mouth of the river *Orne*, in order to cut off the enemy's retreat, while he himself stood with the larger ships to the steep coast of *Port Bassin*. The scheme succeeded to his wish. The enemy, seeing their retreat cut off, ran ashore at *Port Bassin*, where the admiral destroyed them, together with the small fort which had been erected for the defence of this harbour. Each of those vessels was one hundred feet in length, and capable of containing four hundred men for a short passage. What their destination was we cannot pretend to determine: but the French had provided a great number of these transports; for ten escaped into the river *Orne* leading to *Caen*: and in consequence of this disaster one hundred were unloaded, and sent up again to *Rouen*. This was not all the damage that the enemy sustained on this part of the coast. In the month of November, Captain Ourry, of the *Acteon*, chased a large privateer, and drove her ashore between *Cape Barfleur* and *La Hogue*, where she perished. The cutters belonging to Admiral Rodney's squadron scoured the coast towards *Dieppe*, where a considerable fishery was carried on, and where they took or destroyed near forty vessels of considerable burden. Though the English navy suffered nothing from the French during this period, it sustained some damage from the weather. The *Conqueror*, a new ship of the line, was lost in the channel, on the island of *St. Nicholas*, but the crew and cannon were saved. The *Lyme*, of twenty guns, foundered in the *Categat*, in Norway, and fifty of the men perished; and, in the West Indies, a tender belonging to the *Dublin*, commanded by Commodore Sir James Douglas, was lost in a gale of wind, with a hundred chosen mariners.

§ XL. Of the domestic transactions relating to the war, the most considerable was the equipment of a powerful armament destined for some secret expedition. A numerous body of forces was assembled, and a great number of transports collected at *Portsmouth*. Generals were nominated to the command of this enterprise. The troops were actually embarked with a great train of artillery; and the eyes of the whole nation were attentively fixed upon this armament, which could not have been prepared without incurring a prodigious expense. Notwithstanding these preparations, the whole summer was spent in idleness and inaction; and in the latter end of the season the undertaking was laid aside. The people did not fail to clamour against the inactivity of the summer, and complain that, notwithstanding the immense subsidies granted for the prosecution of the war, no stroke of importance was struck in Europe for the advantage of Great Britain; but that her treasure was lavished upon fruitless parade, or a German alliance still more pernicious. It must be owned, indeed, that no new attempt was made to annoy the enemy on British principles; for the surrender of *Montreal* was the natural consequence of the steps which had been taken, and of the measures concerted, in the course of the preceding year. It will be allowed, we apprehend, that the expense incurred by the armament at *Portsmouth*, and the body of troops there detained, would have been sufficient, if properly applied, to reduce the island of *Mauritius* in the Indian ocean, *Martinique* in the West Indies, or *Minorca* in the Mediterranean; and all these three were objects of importance. In all probability, the design of the armament was either to intimidate the French into proposals of peace; to make a diversion from the Rhine, by alarming the coast of *Bretagne*; or to throw over a body of troops into *Flanders*, to effect a junction with the hereditary Prince of *Brunswick*, who, at the head of twenty thousand men, had made an irruption as far as the *Lower Rhine*, and even crossed that river; but he miscarried in the execution of his design.

§ XLI. In the midst of these alarms some regard was paid to the improvements of natural knowledge. The Royal Society having made application to the king, representing that there would be a transit of *Venus* over the disk of the sun, on the sixth day of June; and that there was reason to hope the parallax of that planet might be more accurately determined by making proper observations



of this phenomenon at the island of St. Helena near the coast of Africa, and at Benecoolen in the East Indies, his majesty granted a sum of money to defray the expense of sending able astronomers to those two places, and ordered a ship of war to be equipped for their conveyance. Accordingly, Mr. Nevil Maskelyne and Mr. Robert Wad-dington were appointed to make the observations at St. Helena; and Mr. Charles Mason and Mr. Jeremiah Dixon undertook the voyage to Benecoolen, on the island of Sumatra.<sup>1</sup>

§ XLII. Except the countries that were actually the scenes of war, no political revolution or disturbance disquieted the general tranquillity. Syria, indeed, felt all the horrors and wreck of a dreadful earthquake, protracted in repeated shocks, which began on the thirteenth day of October, in the neighbourhood of Tripoli. A great number of houses were overthrown at Seyde, and many people buried under its ruins. It was felt through a space of ten thousand square leagues, comprehending the mountains of Libanus and Antilibanus, with an infinite number of villages, that were reduced to heaps of rubbish. At Acre, or Ptolemais, the sea overflowed its banks, and poured into the streets, though eight feet above the level of the water. The city of Saphet was entirely destroyed, and the greatest part of its inhabitants perished. At Damascus all the minarets were overthrown, and six thousand people lost their lives. The shocks diminished gradually till the twenty-fifth day of November, when they were renewed with redoubled havoc; the earth trembled with the most dreadful convulsions, and the greater part of Tripoli was destroyed. Balbeck was entirely ruined, and this was the fate of many other towns and castles; so that the people who escaped the ruins were obliged to sojourn in the open fields, and all Syria was threatened with the vengeance of Heaven. Such a dangerous ferment arose at Constantinople, that a revolution was apprehended. Mustapha, the present emperor, had no sons, but his brother Bajazet, whose life he had spared, contrary to the maxims of Turkish policy, produced a son by one of the women with whom he was indulged in his confinement; a circumstance which aroused the jealousy of the emperor to such a degree, that he resolved to despatch his brother. The great officers of the Porte opposed this design, which was so disagreeable to the people that an insurrection ensued. Several Turks and Armenians, taking it for granted that a revolution was at hand, bought up great quantities of grain; and a dreadful dearth was the consequence of this monopoly. The sultan assembled the troops, quieted the insurgents, ordered the engrossers of corn to be executed; and in a little time the repose of the city was re-established.

§ XLIII. Notwithstanding the prospect of a rupture in Italy, no new incident interrupted the tranquillity which the southern parts of Europe enjoyed. The King of Spain, howsoever solicited by the other branch of the house of Bourbon to engage in the war, as its ally, refused to interpose in any other way than as a mediator between the courts of London and Versailles. He sent the Comte de Fuentes, a nobleman of high rank and character, in quality of ambassador extraordinary to the King of Great Britain, in order to offer his good offices for effecting a peace; and the Comde, after having conferred with the English ministry, made an excursion to Paris: but his proposal with respect to a cessation of hostilities, if in reality such a proposal was ever made, did not meet with a cordial reception. Other differences subsisting between the crowns of Great Britain and Spain he found no difficulty in compromising. His catholic majesty persisted in the execution of a plan truly worthy of a patriot king. In the first place he spared no pains and application to make himself thoroughly acquainted with the state of his kingdom. He remitted to his people all they owed the crown, amounting to threescore millions of reals: he demanded an exact account of his father's debts, that they might be discharged with the utmost punctuality: an order was sent to the treasury, that ten millions of reals should be annually appropriated for this purpose, until the whole

should be liquidated; and to the first year's payment he added fifty millions, to be divided equally among the legal claimants. He took measures for the vigorous execution of the laws against offenders; encouraged industry; protected commerce; and felt the exquisite pleasure of being beloved as the father of his people. To give importance to his crown, and extend his influence among the powers of Europe, he equipped a powerful squadron of ships at Carthage; and is said to have declared his intention to employ them against Algiers, should the dey refuse to release the slaves of the Spanish nation.

§ XLIV. Portugal still seemed agitated from the shock of the late conspiracy which was quelled in that kingdom. The Pope's nuncio was not only forbid the court, but even sent under a strong guard to the frontiers: an indignity which induced the pontiff to order the Portuguese minister at Rome to evacuate the ecclesiastical dominions. In the meantime, another embarkation of Jesuits was sent from Lisbon to Civita Vecchia; yet the expulsion of these fathers did not restore the internal peace of Portugal, or put an end to the practice of plotting: for, even since their departure, some persons of rank have been either committed to close prison, or exiled from the kingdom. The Jesuits were not more fortunate in America; for in the month of October, in the foregoing year, an obstinate battle was fought between the united forces of Spain and Portugal, and the Indians of Paraguay, who were under the dominion of the Jesuits: victory at length declared in favour of the two crowns; so that the vanquished were obliged to capitulate, and lay down their arms. As the court of Portugal had made remonstrances to the British ministry against the proceedings of the English squadron under Admiral Boscawen, which had attacked and destroyed some French ships under the Portuguese fort in the bay of Lagos, his Britannic majesty thought proper to send the Earl of Kinnoul as ambassador extraordinary to Lisbon, where that nobleman made such excuses for the insult of the English admiral, as entirely removed all misunderstanding between the two crowns; and could not fail of being agreeable to the Portuguese monarch, thus respected, soothed, and deprecat by a mighty nation, in the very zenith of power and prosperity. On the sixth of June, being the birth-day of the King of Portugal, the marriage of his brother Don Pedro with the Princess of Brazil was celebrated in the chapel of the palace where the king resides, to the universal joy of the people. The nuptials were announced to the public by discharge of cannon, and celebrated with illuminations, and all kinds of rejoicing.

§ XLV. An accident which happened in the Mediterranean had like to have drawn the indignation of the Ottoman Porte on the knights of the order of Malta. A large Turkish ship of the line, mounted with sixty-eight brass cannon, having on board a complement of seven hundred men, besides seventy Christian slaves, under the immediate command of the Turkish admiral, had, in company with two frigates, five galleys, and other small vessels, sailed in June from the Dardanelles; cruised along the coast of Smyrna, Scio, and Trio; and at length anchored in the channel of Strangie, where the admiral, with four hundred persons, went on shore, on the nineteenth day of September: the Christian slaves, seizing this opportunity, armed themselves with knives, and fell upon the three hundred that remained with such fury and effect, that a great number of the Turks were instantly slain; many leaped overboard into the sea, where they perished; and the rest sued for mercy. The Christians having thus secured possession of the ship, hoisted sail, and bore away for Malta: which, though chased by the two frigates, and a Ragusan ship, they reached, by crowding all their canvass, and brought their prize safe into the harbour of Valette, amidst the acclamations of the people. The order of Malta, as a recompence for this signal act of bravery and resolution, assigned to the captors the whole property of the ship and slaves, together with all the effects on board, including a sum of money, which the Turkish commander had collected by contribution, amounting to a million and a half of

<sup>1</sup> In the beginning of April the king granted to his grandson Prince Edward Augustus, and to the heirs male of his royal highness, the dignities of Duke of the Kingdom of Great Britain, and of Earl of the Kingdom

of Ireland, by the names, styles, and titles of the Duke of York and Albany, and Earl of Ulster.

florins. The grand signior was so enraged at this event, that he disgraced his admiral, and threatened to take vengeance on the order of Malta, for having detained the ship, and countenanced the capture.

§ XLVI. With respect to the dispute which had so long embroiled the northern parts of Europe, the neutral powers seemed as adverse as ever to a participation. The King of Denmark continued to perfect those plans which he had wisely formed for increasing the wealth and promoting the happiness of his subjects; nor did he neglect any opportunity of improving natural knowledge, for the benefit of mankind in general. He employed men of ability, at his own expense, to travel into foreign countries, and to collect the most curious productions, for the advancement of natural history; he encouraged the liberal and mechanic arts at home, by magnificent rewards and peculiar protection; he invited above a thousand foreigners from Germany to become his subjects, and settle in certain districts of Jutland, which had lain waste above three centuries; and they forthwith began to build villages and cultivate the lands, in the dioceses of Wibourg, Arhous, and Ripen. Their travelling expenses from Altona to their new settlement were defrayed by the king, who moreover maintained them until the produce of the land could afford a comfortable subsistence. He likewise bestowed upon each colonist a house, a barn, and a stable, with a certain number of horses and cattle. Finally, this generous patriot having visited these new subjects, who received him with unspeakable emotions of joy and affection, he ordered a considerable sum of money to be distributed among them, as an additional mark of his favour. Such conduct in a prince cannot fail to secure the warmest returns of loyalty and attachment in his people: and the execution of such laudable schemes will endear his name to the contemplation of posterity.

§ XLVII. The Dutch, as usual, persevered in prosecuting every branch of commerce, without being diverted to less profitable schemes of state policy by the insinuations of France, or the remonstrances of Great Britain. The violation of the peace by their subjects in Bengal was no sooner known at the court of London, than orders were sent to General Yorke, the English ambassador at the Hague, to demand an explanation. He accordingly presented a memorial to the States-general, signifying that their high mightinesses must doubtless be greatly astonished to hear, by the public papers, of the irregularities committed by their subjects in the East Indies; but that they would be much more amazed on perusing the piece annexed to his memorial, containing a minute account specified with the strictest regard to truth, of the irregular conduct observed by the Dutch towards the British subjects in the river of Bengal, at a time when the factors and traders of Holland enjoyed all the sweets of peace, and all the advantages of unmolested commerce; at a time when his Britannic majesty, from his great regard to their high mightinesses, carefully avoided giving the least umbrage to the subjects of the United Provinces. He observed, that the king his sovereign was deeply affected by those outrageous doings and mischievous designs of the Dutch in the East Indies, whose aim was to destroy the British settlements in that country; an aim that would have been accomplished, had not the king's victorious arms brought them to reason, and obliged them to sue for an accommodation. He told them his majesty would willingly believe their high mightinesses had given no order for proceeding to such extremities, and that the directors of their India company had no share in the transaction: nevertheless, he (the ambassador) was ordered to demand signal satisfaction, in the name of the king his master; that all who should be found to have shared in the offence so manifestly tending to the destruction of the English settlements in that country, should be exemplarily punished; and that their high mightinesses should confirm the stipulations agreed upon immediately after the action by the directors of the respective companies, in consideration of which agreement the Dutch ships were restored, after their commanders acknowledged their fault, in owning themselves the aggressors. To this remonstrance the States-general

replied, that nothing of what was laid to the charge of their subjects had yet reached their knowledge; but they requested his Britannic majesty to suspend his judgement until he should be made perfectly acquainted with the grounds of those disputes; and they promised he should have reason to be satisfied with the exemplary punishment that would be inflicted upon all who should be found concerned in violating the peace between the two nations.<sup>s</sup>

§ XLVIII. The war in Germany still raged with unremitting fury, and the mutual rancour of the contending parties seemed to derive fresh force from their mutual disappointments: at least the house of Austria seemed still implacable, and obstinately bent upon terminating the war with the destruction of the Prussian monarch. Her allies, however, seemed less actuated by this spirit of revenge. The French king had sustained so much damage and disgrace in the course of the war, that his resources failed, and his finances fell into disorder; he could no longer afford the subsidies he had promised to different powers; while his subjects clamoured aloud at the burden of impositions, the ruin of trade, and the repeated dishonour entailed upon the arms of France. The czarina's zeal for the alliance was evidently cooled by the irregular and defective payments of the subsidies she had stipulated. Perhaps she was disappointed in her hope of conquest, and chagrined to see her armies retire from Germany at the approach of every winter; and the British ministry did not fail to exert all their influence to detach her from the confederacy in which she had embarked. Sweden still languished in an ineffectual parade of hostilities against the house of Brandenburg; but the French interest began to lose ground in the diet of that kingdom. The King of Prussia, howsoever exhausted in the article of men, betrayed no symptom of apprehension, and made no advance towards a pacification with his adversaries. He had employed the winter in recruiting his armies by every expedient his fertile genius could devise; in levying contributions to reinforce the vast subsidy he received from England, in filling magazines, and making every preparation for a vigorous campaign. In Westphalia, the same foresight and activity were exerted by Prince Ferdinand of Brunswick, who in the beginning of summer found himself at the head of a very numerous army, paid by Great Britain, and strengthened by two-and-twenty thousand national troops.

§ XLIX. No alteration in the terms of this alliance was produced by the death of William, Landgrave of Hesse-Cassel, who breathed his last, in an advanced age, on the twenty-eighth day of January, at Rintelen upon the Weser. He was succeeded in the landgraviate by his son Frederick, whose consort, the Princess Mary, daughter to the King of Great Britain, now, in quality of governess of her children, assumed the regency and administration of the country of Hanau-Mutzenberg, by virtue of the settlement made in the lifetime of her father-in-law, and confirmed by her husband. She had for some years been separated from him, and resided with his father, at whose decease she retired with her children to the city of Zell. The present landgrave, who lived at Magdebourg as vice-governor under the King of Prussia, no sooner learned the news of his father's death, than he sent an intimation of it to that prince and the King of Great Britain; declaring, at the same time, that he would scrupulously adhere to the engagements of his predecessor.

§ L. The advances towards a peace, which had been made in the preceding year by the Kings of England and Prussia, in their declaration published at the Hague by Prince Louis of Brunswick, seemed to infuse in neutral powers a good opinion of their moderation. We have already seen that the King of Spain offered his best offices in quality of mediator. When a congress was proposed, the States-general made an offer of Breda, as a place proper for the negotiation. The King of Great Britain, by the mouth of his ambassador, thanked their high mightinesses for the sincere desire they expressed to put an end to the ravages of war, which had extended desolation over the face of Europe: he readily closed with their gracious offer;

<sup>s</sup> In the month of March the States of Holland and West Friesland having, after warm debates, agreed to the proposed match between the Princess

Caroline, sister to the Prince of Orange, and the Prince of Nassau Weillbourg, the nuptials were solemnized at the Hague with great magnificence.

and in consequence of his high regard and invariable friendship for their high mightnesses, wished earnestly that it might be acceptable to the other powers at war. The French king expressed his sentiments nearly to the same purpose. His ambassador declared, that his most christian majesty was highly sensible of the offer they had made of Breda, for holding the congress; that, in order to give a fresh proof of his sincere desire to increase the good harmony that subsisted between him and the States-general, he accepted their offer with pleasure; but as he could take no step without the concurrence of his high allies, he was obliged to wait for their answer, which could not fail to be favourable, if nothing remained to be settled but the place for holding the congress. King Stanislaus having written a letter to his Britannic majesty, offering the city of Nancy for the same purpose, he received a civil answer, expressing the King of England's sense of his obliging offer, which however he declined, as a place not conveniently situated for all the powers interested in the great work of pacification. Civilities of the same nature likewise passed between the sovereign of Nancy and the King of Prussia. As the proposals for an accommodation made by the King of England and his allies might have left an unfavourable impression on their adversaries had they been altogether declined, the court of Vienna was prevailed upon to concur with her allies in a declaration professing their desire of peace; which declaration was delivered on the third day of April, by the Austrian minister residing at the Hague, to his serene highness Prince Louis of Brunswick; and a paper of the same nature was also delivered to him separately by the French and Russian ministers.<sup>a</sup> These professions, however, did not interrupt the operations of the campaign.

§ LI. Though the French army under the Mareschal Duke de Broglie remained in cantonment in the neighbourhood of Friedberg, and Prince Ferdinand had retired from Corsdoff to Marburg, where in the beginning of January he established his head-quarters, nevertheless, the winter was by no means inactive. As far back as the twenty-fifth day of December, the Duke de Broglie, having called in his detachments, attempted to surprise the allied army by a forced march to Klein-linnes; but finding them prepared to give him a warm reception, nothing but a cannonade ensued, and he retreated to his former quarters. On the twenty-ninth Colonel Luckner, at the head of the Hanoverian hunters, fell in with a detachment of the enemy, consisting of four hundred men, under the command of Count Muret. These he attacked with such vigour, that the count was made prisoner, and all his party either killed or taken, except two-and-twenty, who escaped. On the third day of January, the Marquis de Vogue attacked the town of Herborn, which he carried, and took a small detachment of the allies who were posted there. At the same time the Marquis Dauvet made himself master of Dillembourg, the garrison of the allied troops being obliged to retire in the castle, where they were closely besieged. Prince Ferdinand no sooner understood their situation, than he began his march with a strong detachment for their relief, on the seventh day of the month, when he attacked and totally defeated the besiegers, took seven hundred prisoners, including forty officers, with seven pair of colours, and two pieces of cannon. On that very day, the highlanders, under Major Keith, supported by the hussars of Luckner, who commanded the whole detachment, attacked the village of Eybach, where Beaufremont's regiment of dragoons was posted on the side of Dillembourg, and

routed him with great slaughter. The greater part of the regiment was killed, and many prisoners were taken, together with two hundred horses, and all their baggage. The highlanders distinguished themselves on this occasion by their intrepidity, which was the more remarkable, as they were no other than raw recruits, just arrived from their own country, and altogether unacquainted with discipline. On the eighth day of January, M. de St. Germain advanced on the left of the allies with the grenadiers of the French army, supported by eight battalions, and a body of dragoons; but he was encountered by the Duke of Holstein, at the head of a strong detachment, in the neighbourhood of Erzdoff, who, by dint of a furious cannonade, obliged him to retreat with precipitation. After this attempt the French parties disappeared, and their army retired into winter-quarters, in and about Franckfort on the Maine; while Prince Ferdinand detached the allies at Cassel, Paderborn, Munster, and Osnabruck; this last place being allotted to the British troops, as being the nearest to Embden, where the reinforcements from Britain were to be landed. In the beginning of February, the hereditary Prince of Brunswick, with a detachment of the allied army under his command, began his march from Chemnitz in Saxony for Westphalia, where he safely arrived, after having assisted at a long conference in Hamelen, with his father the reigning duke, his uncle Prince Ferdinand, and some principal members of the regency of Hanover.

§ LII. The French general continued to send out detachments to beat up the quarters of the allies, and lay their towns under contribution. In the beginning of March, the Marquis de Blaisel marched at the head of two thousand four hundred men from Giessen, where he commanded, to Marburg, forced the gates of the town, and compelled the garrison of the allies to take shelter in the castle. As he could not pretend to undertake the siege of the fortress, by the fire of which he was exceedingly galled, he demanded of the town a contribution of one hundred thousand florins, and carried some of the magistrates along with him as hostages for the payment of this imposition. He afterwards appeared at Hombourg, Alsfeld, and Hartzberg, the frontier posts of allies; but did not think proper to attack either, because he perceived that measures were taken for their reception. The French, with all their boasted politeness and humanity, are sometimes found as brutal and rapacious as the most barbarous enemy. On pretence of taking umbrage at the town of Hanau-Muntzenberg for having, without their permission, acknowledged the regency of the landgraviate of Hesse Cassel, they, in the month of February, ordered the magistrates of that place to pay, within the term of twenty-four hours, the sum of seven hundred and fifty thousand livres, on pain of being subjected to plunder. This order was signified by the Prince de Robecq; to whom the magistrates represented the impossibility of raising such a sum, as the country was totally exhausted, and their credit absolutely destroyed, in consequence of their inability to pay the interest of the capitals negotiated in the course of the preceding year. He still insisted upon their finding the money before night; they offered to pay eighty thousand florins, which they raised with the utmost difficulty, and begged the payment of the rest might be postponed for a few weeks: but their request was rejected with disdain. The garrison was reinforced by two battalions, and four squadrons dispersed in the principal squares and markets of the city, and the gates were shut. They even planted

<sup>a</sup> A translation of the declaration delivered by the Austrian minister residing at the Hague, to his serene highness Prince Louis of Brunswick, in answer to that which was previously delivered on the part of his Britannic majesty and the King of Prussia on the 25th of November 1759, to the ministers of the belligerent powers.

THEIR Britannic and Prussian majesties having thought proper to make known, by the declaration delivered on their part, at the Hague, the 25th of November last past, to the ambassadors and ministers of the courts of Vienna, Petersburg, and Versailles, residing there,

"That being sincerely desirous of contributing to the reestablishment of the public tranquillity, they were ready to send plenipotentiaries to the place that shall be subject the most convenient, in order to treat there of this important object with those which the belligerent parties shall think proper to constitute on their side for attaining said end."

Her majesty the Empress Queen of Hungary and Bohemia, her majesty the Empress all the Russias, and his majesty the most christian king, equally animated by the desire of contributing to the reestablishment of the public tranquillity, on a solid and equitable foundation, declare in return,

"That his majesty the catholic king having been pleased to offer his

mediation in the war which had subsisted for some years between France and England; and this war having besides nothing in common with that which the two emperors, with their allies, have likewise carried on for some years against the King of Prussia.

"His most christian majesty is ready to treat of his particular peace with England, through the good offices of his catholic majesty, whose mediation he has a pleasure in accepting."

"As to the war which regards directly his Prussian majesty, their majesties, the Empress Queen of Hungary and Bohemia, the Empress of all the Russias, and the most christian king, are disposed to enter to the appointing the congress proposed. But as, by virtue of their treaties, they cannot enter into any engagement relating to peace but in conjunction with their allies, it will be necessary, in order that they may be enabled to explain themselves definitely upon that subject, that their Britannic and Prussian majesties should previously be pleased to issue their invitation to a congress to be made to all the powers that are directly engaged in war against the King of Prussia; and namely, to his majesty the King of Poland, Elector of Saxony, as likewise to his majesty the King of Sweden, who ought specifically to be invited to the future congress."



cannon in the streets, and tarred matches were fixed to many houses, in order to intimidate the inhabitants. These expedients proving ineffectual, detachments of grenadiers entered the houses of the principal magistrates and merchants, from whence they removed all their best effects to the town-hall, where they were kept in deposit, until they were redeemed with all the money that could possibly be raised. This exaction, so little to the honour of a civilized nation, the French minister declared to the diet at Ratisbon was agreeable to the instructions of his most christian majesty.

§ LIII. By way of retaliation for the cruelty practised at Hanau, a detachment of the allied army, under General Luckner, was sent to raise contributions in Fulda, and actually carried off hostages from that city; but retired before a strong body of the enemy, who took possession of the place. From hence the French marched, in their turn, to plunder the towns of Hirschfeldt and Vaca. Accordingly, they appeared at Vacha, situated on the frontiers of Hesse, and formed the head of the chain of cantonments which the allies had on the Werra. This place was attacked with such vigour, that Colonel Freytag, who commanded the post, was obliged to abandon the town: but he maintained himself on a rising ground in the neighbourhood, where he amused the enemy until two battalions of grenadiers came to his assistance. Thus reinforced, he pursued the French for three leagues, and drove them, with considerable loss, from Geissa, where they had resolved to fix their quarters. These skirmishes happened in the beginning of May, when the grand armies were just in motion to begin the campaign.

§ LIV. By this time the forces under the Mareschal Duke de Broglie were augmented to one hundred thousand; while the Count de St. Germain commanded a separate army on the Rhine, consisting of thirty thousand men, assembled from the quarters of Dusseldorp, Cologne, Cleves, and Wesel. The second corps was intended to divide the allied army, which, by such a division, would be considerably weakened; and the French court threatened to form a third army under the Prince de Soubise: but this did not appear. The Duke de Broglie was in such high favour with the French ministry at this juncture, that he was promoted over the heads of many old generals, who now demanded and obtained their dismissal; and every step was taken to render the campaign glorious to this admired commander: but, notwithstanding all their care, and his own exertion, he found it impossible to take the field early in the season, from want of forage for his cavalry. While his quarters were established at Frankfort, his troops were plentifully supplied with all sorts of provision from the Upper Rhine; but this convenience depended upon his being master of the course of the river: but he could not move from this position without forfeiting the advantage, and providing magazines for the use of his forces; so that he was obliged to lie inactive until he could have the benefit of green forage in his march. The same inconveniences operated more powerfully on the side of Prince Ferdinand, who, being in an exhausted country, was obliged to fall back as far as Paderborn, and draw his supplies from Hamburg and Bremen on the Elbe and the Weser. By this time, however, he had received a reinforcement of British troops from Embden, under the direction of Major-General Griffin; and before the end of the campaign, the forces of that nation in Germany were augmented to five-and-twenty thousand; a greater number than had served at one time upon the continent for two centuries. The allied army marched from their cantonments on the fifth day of May, and proceeded by the way of Paderborn to Fritzlar, where, on the twentieth, they encamped: but part of the troops left in the bishopric of Munster, under General Sporken, were ordered to form a camp at Dulmen, to make head against the French corps commanded by the Count de St. Germain.

§ LV. General Imhoff was sent with a detachment to Kirchy on the Orme; and General Gilsoe, with another corps, advanced to the neighbourhood of Hirschfeldt on the Fulda. The former of these having ordered Colonel Luckner to scour the country with a body of hussars, that officer, on the twenty-fourth of May, fell in with a

French patrolle, which gave the alarm at Burtzbach; when the garrison of that place, amounting to five hundred piquets, under General Waldemar, fled with great precipitation. Being, however, pursued, and overtaken near a wood, they were routed and dispersed. Colonel Luckner, entering Burtzbach, found a considerable quantity of forage, flour, wine, and equipage, belonging to the fugitives. What he could not carry off he distributed among the poor inhabitants, and returned to General Imhoff's camp at Ameneburg, with about a hundred prisoners. This excursion alarmed the enemy to such a degree, that their whole army was put in motion; and the Duke de Broglie in person advanced with a large body of troops as far as Friedberg: but understanding the allies had not quitted their camp at Fritzlar, he returned to Frankfort, after having cantoned that part of his army in the Wetterav. This alarm was not so mortifying as the secession of the Wirtemberg troops, amounting to ten thousand men, commanded by their duke in person, who left the French army in disgust, and returned to his own country. The imperial army, under the Prince de Deuxponts, quartered at Bamberg, began their march to Naumberg on the twentieth of May; but one of their detachments of cavalry having received a check from a body of Prussians near Lutzen, they fell back; and on the fourth day of June encamped at Lichtenfels upon the Maine. The small detachments of the grand armies, as well as those belonging to the bodies commanded by General Sporken and the Count de St. Germain, in the neighbourhood of Dusseldorp, skirmished with various success. The hereditary Prince of Brunswick being detached from the allied army, with some battalions of grenadiers, and two regiments of English dragoons, advanced to the country of Fulda, where he was joined by the troops under General Gilsoe, and achieved some inconsiderable exploits, particularly at Hosenfeldt and Zielbach, where he surprised and took divers parties of the enemy.

§ LVI. By the twenty-fourth of June, Prince Ferdinand, quitting his situation at Fritzlar, marched to Frillendorf, and encamped on the hills between Ziegenheim and Freyso; General Imhoff commanded at a small distance on the right, and the hereditary prince now returned from Fulda, being posted on the left of the army. In the meantime, the Duke de Broglie, assembling his forces between Merlau and Laubach, advanced to Neustadt, where he encamped on the twenty-eighth day of the month, and at the same time occupied a strong post at Wassemburg. His intention was to penetrate through the country of Hesse into Hanover, and make himself entirely master of that electorate. With this view he resolved to effect a junction with the Count de St. Germain, whom he directed to advance towards Brilau and Corbach; while he himself, decamping from Neustadt on the eighth day of July, advanced by the way of Frankenburg. Prince Ferdinand having received intelligence that the Count de St. Germain was in motion, began his march from Ziegenheim, and on the ninth day of July reached the heights of Brunau, in the neighbourhood of Wildungen.

§ LVII. The hereditary prince, at the head of the advanced corps, reinforced with some battalions and squadrons under Major-General Griffin, was sent forward to Saxenhausen, whither the army followed the next morning. The hereditary prince continued to advance, found the enemy already formed at Corbach; but judging their whole force did not exceed ten thousand infantry and seventeen squadrons, and being impelled by the impetuosity of his own courage, he resolved to give them battle. He accordingly attacked them about two in the afternoon, and the action became very warm and obstinate; but the enemy being continually reinforced with fresh battalions, and having the advantage of a numerous artillery, all the prince's efforts were ineffectual. Prince Ferdinand, being at too great a distance to sustain him, sent him an order to rejoin the army, which was by this time formed at Saxenhausen. He forthwith made dispositions for a retreat, which, however, was attended with great confusion. The enemy observing the disorder of the allied troops, plied their artillery with redoubled diligence, while a powerful body of their cavalry charged with great vivacity. In all likelihood the whole infantry of the allies would have been

cut off, had not the hereditary prince made a diversion in their favour, by charging in person at the head of the British dragoons, who acted with their usual gallantry and effect. This respite enabled the infantry to accomplish their retreat to Saxenhausen; but they lost above five hundred men and fifteen pieces of cannon. General Count Kielmansegg, Major General Griffin, and Major Hill, of Bland's dragoons, distinguished themselves by their conduct and intrepidity on this occasion. The hereditary prince exposed his life in the hottest part of the action, and received a slight wound in the shoulder, which gave him far less disturbance than he felt from the chagrin and mortification produced by his defeat.

§ LVIII. Many days, however, did not pass before he found an opportunity of retaliating this disgrace. Prince Ferdinand receiving advice that a body of the enemy, commanded by Major-General Glaubitz, had advanced on the left of the allies to Ziegenheim, detached the hereditary prince to oppose them, at the head of six battalions of Hanoverians and Hessians, with Elliot's regiment of light horse, Luckner's hussars, and two brigades of chasseurs; on the sixteenth day of the month, he engaged the enemy near the village of Exdorf, and a very warm action ensued, in which Elliot's regiment signalized themselves remarkably by repeated charges.<sup>1</sup> At length victory declared for the allies. Five battalions of the enemy, including the commander-in-chief and the Prince of Anhalt Cothen, were taken, with six pieces of cannon, all their arms, baggage, and artillery. During these transactions, the Maréchal Duke de Broglie remained encamped on the heights of Corbach. He had, in advancing from Frankfort, left detachments to reduce the castles of Marpourg and Dillenbourg, which were occupied by the allies, and they fell into his hands, the garrisons of both being obliged to surrender prisoners of war. These were but inconsiderable conquests; nor did the progress of the French general equal the idea which had been formed of his talents and activity. The Count de St. Germain, who was his senior officer, and believed by many to be at least his equal in capacity, having now joined his corps to the grand army, and conceiving disgust at his being obliged to serve under the Duke de Broglie, relinquished his command, in which he was succeeded by the Chevalier de Muy. At the same time, the Marquis de Voyer and the Count de Luc, two generals of experience and reputation, quitted the army, and returned to France, actuated by the same motives.

§ LIX. The allied army having removed their camp from Saxenhausen to the village of Kalle near Cassel, remained in that situation till the thirtieth day of July, when the troops were again put in motion. The Chevalier de Muy, having passed the Dymel at Stradbergen, with the reserve of the French army, amounting to thirty-five thousand men, and extending this body down the banks of the river, in order to cut off the communication of the allies with Westphalia; while the Duke de Broglie marched up with his main wing to their camp at Kalle, and Prince Xavier of Saxony, who commanded their reserve on the left, advanced towards Cassel; Prince Ferdinand, leaving

<sup>1</sup> Though this was the first time that Elliot's regiment appeared in the field, it performed very well. His charge was a difficult one, and broke through the enemy at every charge; but these exploits they did not achieve without sustaining a heavy loss in officers, men, and horses.

<sup>2</sup> Copy of a Letter from the Marquis of Granby, to the Lord of Holderness.

My Lord,

It is with the greatest satisfaction that I have the honour of acquainting your lordship of the success of the hereditary prince yesterday morning. General Spaulding's corps marched from the camp at Kalle to Liebenau, about four in the afternoon of the twenty-ninth. The hereditary prince followed the same evening with a body of troops, among which were the two English battalions of Grenadiers, the two of highlanders, and four squadrons of dragoons, and Count de Luc's.

The army was under arms all day on the thirtieth, and about eleven at night marched off in six columns to Liebenau. About five the next morning, the whole army assembled, and formed on the heights near Corbeke. The hereditary prince was, at this time, watching in two columns, in order to take the enemy's left flank, which he did by marching to Dahlenbourg, leaving Klem-Eil on his left, and forming in two lines, with the left to vandy Dessel, and his right near Grunbecks, opposite to the left flank of the enemy, whose front was with the left to the high hill near Offentorf, and their right to Warbourg, into which place they had hung Fischer's corps. The hereditary prince immediately attacked the enemy's flank, and after a very sharp dispute, obliged them to give way, and by a continual fire, kept forcing them to fall back upon Warbourg. The army was at this time marching with the greatest diligence to attack the enemy in front, but the infantry could not get up in time. General Waldegrave, at the head of the British, pressed their march as much as possible; no troops could elude their eagerness to get with them; they showed many of the men from the heat of the weather, and overstraining themselves to get on

General Kielmansegg with a body of troops for the defence of the city, decamped in the night of the thirtieth, and passed the Dymel without loss between Gibenau and Dringelberg. The hereditary prince, who had the preceding day passed the same river, in order to reinforce General Sporken, who was posted near Corbeke, now reconnoitred the position of the enemy, and found them possessed of a very advantageous camp between Warbourg and Ochsendorff. Prince Ferdinand having resolved to attack them, ordered the hereditary prince and General Sporken to turn their left, while himself advanced against their front, with the main body of the army. The enemy was accordingly attacked almost at the same instant, both in flank and in rear, with equal impetuosity and success. As the infantry of the allied army could not march fast enough to charge at the same time, the Marquis of Granby was ordered to advance with the cavalry of the right; and the brigade of English artillery commanded by Captain Phillips, made such expedition, that they were up in time to second the attack in the most surprising manner. The French cavalry, though very numerous, retired at the approach of the marquis, except three squadrons, who stood the charge, and were immediately broken. Then the English horse fell upon the enemy's infantry, which suffered greatly, while the town of Warbourg was assaulted by the Britannic legion. The French, finding themselves hard pressed on both flanks, as well as in front and rear, retired precipitately, with considerable damage, occasioned chiefly by the British cannon and dragoons, and many were drowned in attempting to ford the Dymel. The battalion of Maxwell, and a brigade under Colonel Beckwith, composed of grenadiers and highlanders, distinguished themselves remarkably on this occasion. The enemy left about fifteen hundred men killed or wounded, on the field of battle; with some colours, and ten pieces of cannon; and about the same number were made prisoners. Monsieur de Muy lay all night under arms, on the heights of Volk-Missen, from whence he next day retired towards Wolfshagen. On the evening of the battle the Marquis of Granby received orders to pass the river in pursuit of them, with twelve British battalions and ten squadrons, and encamped at Wilda, about four miles from Warbourg, the heights of which were possessed by the enemy's grand army.<sup>k</sup> By this success, Prince Ferdinand was enabled to maintain his communications with Westphalia, and keep the enemy at a distance from the heart of Hanover; but to these objects he sacrificed the country of Cassel; for Prince Xavier of Saxony, at the head of a detached body, much more numerous than that which was left under General Kielmansegg, advanced towards Cassel, and made himself master of that city; then he reduced Munden, Göttingen, and Einbeck, in the electorate of Hanover. All that Prince Ferdinand could do, considering how much he was out-numbered by the French, was to secure posts and passes with a view to retard their progress, and employ detachments to harass and surprise their advanced parties. In a few days after the action at Warbourg, General Luckner repulsed a French detachment which

through morassy and very difficult ground, suddenly dropped down on their march.

General Mostyn, who was at the head of the British cavalry that was formed on the right of our infantry on the other side of a large wood, upon receiving the duke's orders to come up with the cavalry as far as possible, made so much expedition, bringing them up to the foot of the hill, though the distance was near five miles, that the British cavalry had the happiness to arrive in time to share the glory of the day, having successfully charged several times both the enemy's cavalry and infantry.

I should be injustice to the general officers, to every officer and private man of the cavalry, if I did not beg your lordship would assure his majesty that nothing could exceed their excellent behaviour on that occasion.

Captain Phillips made so much expedition with his cannon, as to have his two batteries, by a severe cannonade, to oblige those who had passed the Dymel, and were formed on the other side, to retire with the utmost precipitation.

I received his serene highness's orders yesterday, in the evening, to pass the river after them, with the twelve British battalions, and ten squadrons, and am now encamped upon the heights of Wilda, about four miles from Warbourg, on the heights of which their grand army is encamped.

M. de Muy is now retiring from the heights of Volk-Missen, where he lay under arms last night, towards Wolfshagen. I cannot give your lordship an account of the loss on either side. Captain Faucett, whom I send off with this, shall get all the intelligence he can upon this head before he sets off.

I am, &c.

GRANBY.

Saturday morning, 5 o'clock.

P. S.—As I had not an opportunity of sending off Captain Faucett as soon as I intended, I opened my letter, to acquaint your lordship that I have just joined the grand army with my detachment.

had advanced as far as Eimbeck, and surprised another at Nordheim. At the same period, Colonel Donap, with a body of the allied army, attacked a French corps of two thousand men, posted in the wood of Sababourg, to preserve the communication between their grand army and their troops on the other side of the Weser; and, notwithstanding the strength of their situation, drove them from their posts, with the loss of five hundred men, either killed or made prisoners; but this advantage was overbalanced by the reduction of Ziegenheim, garrisoned by seven hundred men of the allied army, who, after a vigorous resistance, were obliged to surrender themselves prisoners of war.

§ LX. On the first day of August, Prince Ferdinand being encamped at Buhne, received intelligence that a considerable body of the enemy, amounting to upwards of twenty thousand men, were in motion to make a general forage in the neighbourhood of Geismar. He passed the Dymel early in the morning, with a body of troops, and some artillery, and posted them in such an advantageous manner, as to render the enemy's attempt totally ineffectual, although the foragers were covered with great part of their army. On the same morning the hereditary prince set out on an expedition to beat up the quarters of a French detachment. Being informed that the volunteers of Clermont and Dauphine, to the number of one thousand, horse and foot, were cantoned at Zierenberg, at a small distance from the French camp at Dierenberg, and passed their time in the most careless security, he advanced towards them from his camp at Warbourg, within a league of their cantonment, without seeing any of their posts, or meeting with any of their patrols; a circumstance that encouraged him to beat up their quarters by surprise: for this service he pitched upon five battalions, with a detachment of highlanders, and eight regiments of dragoons. Leaving their tents standing, they began their march at eight in the evening, and passed the Dymel near Warbourg. About a league on the other side of the Dymel, at the village of Witzen, they were joined by the light troops under Major Bulow; and now the disposition was made both for entering the town, and securing a retreat, in case of being repulsed. When they were within two miles of Zierenberg, and in sight of the fires of the enemy's grand guard, the grenadiers of Maxwell, the regiment of Kingsley, and the highlanders, advanced by three separate roads, and marched in profound silence; at length, the noise of their feet alarmed the French, who began to fire; when the grenadiers proceeded at a round pace with unloaded firelocks, pushed the piquets, slew the guard at the gate, and rushing into the town, drove every thing before them with incredible impetuosity. The attack was so sudden, and the surprise so great, that the French had not time to assemble in a considerable number; but they began to fire from the windows; and in so doing, exasperated the allied troops, who, bursting into the houses, slaughtered them without mercy. Having remained in the place from two till three in the morning, they retreated with about four hundred prisoners, including forty officers, and brought off two pieces of artillery. This nocturnal adventure, in which the British troops displayed equal courage and activity, was achieved with very little loss: but, after all, it deserves no other appellation than that of a partisan exploit; for it was attended with no sort of advantage to the allied army.

§ LXI. Considering the superiority of the French army, we cannot account for the little progress made by the Duke de Broglie, who, according to our conception, might either have given battle to the allies with the utmost probability of success, or penetrated into the heart of Hanover, the conquest of which seemed to be the principal object of the French ministry. Instead of striking an important stroke, he retired from Immenhausen towards Cassel, where he fortified his camp as if he had thought himself in danger of being attacked; and the war was carried on by small detachments. Major Bulow, being sent with a strong party from the camp of the allied army at Buline, surprised the town of Marburg, destroyed the French ovens, and brought off a considerable quantity of stores and baggage with some prisoners. He met with the same success at Butzbach, where he surprised and took two companies belonging to the regiment of Raugrave,

and retired with his body to Frankenber, where he joined Colonel Forsen. On the twelfth day of September they made a movement towards Frankenau; and M. de Stainville, who was posted with a body of French troops at Mardenhagen, advanced to check their progress. He came up with their rear in the neighbourhood of Munden; and attacked them in passing the river Orck with such vigour, that Forsen, with some of his cavalry, was taken; and Bulow obliged to abandon some pieces of cannon. The action was just determined, when this last was reinforced by the hereditary Prince of Brunswick, who had made a forced march of five German miles, which had fatigued the troops to such a degree, that he deferred his attack till next morning; but in the meantime, M. de Stainville retired towards Franckenberg. The Hanoverian General Wangenheim, at the head of four battalions and six squadrons, had driven the enemy from the defiles of Soheite, and encamped at Lawenthagen; but, being attacked by a superior number, he was obliged, in his turn, to give way, and his retreat was not effected without the loss of two hundred men, and some pieces of artillery. When the enemy retired, General Wangenheim repassed the Weser, and occupied his former situation at USSar. Meanwhile, General Luckner gained an advantage over a detachment of French cavalry near Norten. Prince Ferdinand, when Mareschal Broglie quitted his camp at Immenhausen, made a motion of his troops, and established his head-quarters at Geismar-wells, the residence of the Landgrave of Hesse-Cassel; from thence, however, he transferred them, about the latter end of September, to Ovilgune, on the Westphalian side of the Dymel.

§ LXII. Such was the position of the two opposite grand armies, when the world was surprised by an expedition to the Lower Rhine, made by the hereditary Prince of Brunswick. Whether this excursion was intended to hinder the French from reinforcing their army in Westphalia; or to co-operate in the Low Countries with the armament now ready equipped in the ports of England; or to gratify the ambition of a young prince, overboiling with courage, and glowing with the desire of conquest—we cannot explain to the satisfaction of the reader: certain it is, the Austrian Netherlands were at this juncture entirely destitute of troops, except the French garrisons of Ostend and Nieuport, which were weak and inconsiderable. Had ten thousand English troops been landed on the coast of Blankenburg, they might have taken possession of Bruges, Ghent, Brussels, and Antwerp, without resistance, and joined the hereditary prince in the heart of the country: in that case he would have found himself at the head of thirty thousand men, and might have made such a diversion in favour of Hanover, as to transfer the seat of war from Westphalia into Flanders. The empress-queen might, indeed, have complained of this invasion, as the formality of declaring war against her had not been observed by Great Britain, but considering that she was the declared enemy of Hanover, and had violated the barrier treaty, in establishing which the kingdom of Great Britain had lavished away so much blood and treasure, a step of this kind, we apprehend, might have been taken, without any imputation of perfidy or injustice. Whatever the motives of the prince's expedition might have been, he certainly quitted the grand army of the allies in the month of September, and traversing Westphalia, with twenty battalions, and as many squadrons, appeared on the Lower Rhine, marching by Schermbek and Dusseldorp. On the twenty-ninth day of the month he sent a large detachment over the river at Rocroot, which surprised part of the French partisan Fischer's corps at Rhynderg, and scoured the country. Next day, other parties, crossing at Rees and Emmerick, took possession of some redoubts which the French had raised along the bank of the river; and here they found a number of boats, sufficient to transport the rest of the forces. Then the prince advanced to Cleves; and at his approach the French garrison, consisting of five hundred men, under the command of M. de Barral, retired into the castle, which, however, they did not long defend; for on the third day of October they capitulated, and surrendered themselves prisoners of war, after having in vain endeavoured to obtain more favourable conditions.



§ LXIII. A more important object was Wesel, which the prince invested and began to besiege in form. The approaches were made on the right of the Rhine, while the prince in person remained on the left, to cover the siege; and kept his communication open with the other side, by a bridge above and another below the place. He had hoped to carry it by a vigorous exertion, without the formality of a regular siege, but he met with a warmer reception than he expected; and his operations were retarded by heavy rains, which, by swelling the river, endangered his bridges, and laid his trenches under water. The difficulties and delays occasioned by this circumstance entirely frustrated his design. The French, being made acquainted with his motions, were not slow in taking measures to anticipate his success. M. de Castries was detached after him with thirty battalions and thirty-eight squadrons; and, by forced marches, arrived on the fourteenth day of October at Rhyenberg, where the prince's light troops were posted. These he attacked immediately, and compelled to abandon the post, notwithstanding all the efforts of the prince, who commanded in person, and appeared in the warmest parts of this short but sanguinary affair. The enemy, leaving five battalions, with some squadrons, at Rhyenberg, marched by the left, and encamped behind the convent at Campen. The prince, having received intimation that M. de Castries was not yet joined by some reinforcements that were on the march, determined to be beforehand with them, and attempt that very night to surprise him in his camp. For this purpose he began his march at ten in the evening, after having left four battalions, and five squadrons, under General Bock, with instructions to observe Rhyenberg, and attack that post, in case the attempt on Campen should succeed. Before the allied forces could reach the enemy's camp, they were under the necessity of overpowering Fischer's corps of irregulars which occupied the convent of Campen, at the distance of half a league in their front. This service occasioned some firing, the noise of which alarmed the French army. Their commander formed them with great expedition, and posted them in a wood, where they were immediately attacked, and at first obliged to give ground; but they soon retrieved all they had lost, and sustained, without flinching, an unceasing fire of musketry, from five in the morning till nine at night, when they reaped the fruits of their perseverance. The hereditary prince, whose horse was killed under him, seeing no prospect of success in prolonging an action which had already cost him a considerable number of men, thought proper to give orders for a retreat, which was not effected without confusion, and left the field of battle to the enemy. His loss, on this occasion, did not fall short of sixteen hundred choice men, killed, wounded, and taken; and this loss fell chiefly on the troops of Great Britain, who were always found in the foremost ranks of danger. All the officers, both of infantry and dragoons, distinguished themselves remarkably, and many were dangerously wounded. Among these, the nation regretted the loss of Lord Downe, whose wounds proved mortal: he was a young nobleman of spirit, who had lately embraced a military life, though he was not regularly trained in the service.

§ LXIV. Next day, which was the sixteenth of October, the enemy attacked an advanced body of the allies, which was posted in a wood before Elverick, and extended along the Rhine. The firing of cannon and musketry was maintained till night. Meanwhile, a column of the French infantry, commanded by M. de Cabot, marched through Walach, and took post among the thickets, at the distance of a quarter of a league, in the front of the prince's army. By this time the Rhine was so much swelled by the rains, and the banks of it were overflowed in such a manner, that it was necessary to repair, and move lower down, the bridge which had been thrown over that river. This work was accordingly performed in the presence of the enemy; and the prince, passing without molestation, proceeded to Bruymen, where he fixed his head-quarters. His passing the Rhine so easily, under the eye of a victorious army so much superior to him in number, may be counted among the fortunate incidents of his life. Such was the issue of an expedition which exposed the projector of it to the imputation of temerity. Whatever his aim might have been,

besides the reduction of Wesel, with the strength of which he did not seem to have been well acquainted, he certainly miscarried in his design; and his miscarriage was attended with a very considerable loss of troops, occasioned not only by the action, but also by the diseases engendered from the wet weather, the fatigue of long marches, and the want of proper conveniences, not to mention the enormous expense in contingencies incurred by this fruitless undertaking.

§ LXV. In the month of November, while he lay encamped in the neighbourhood of Schermbek, a body of the enemy attempted to beat up his quarters: having received intimation of their design, he immediately called in his advanced posts, and made a disposition for giving them a proper reception. He abandoned the tents that were in the front of his camp, and posted his infantry in ambuscade behind those that were in the rear: at the same time he ordered some regiments of horse and hussars to fetch a compass, and fall upon the back of the enemy. This stratagem succeeded to his wish. The French detachment, believing the allies had actually abandoned their camp, began to pillage the tents in the utmost disorder: then the infantry sallied from the place where they were concealed, and fell upon them with great impetuosity: the artillery opened, and the cavalry charged them in flank. In a word, of twelve hundred who marched from Wesel on this expedition, scarce two hundred escaped.

§ LXVI. The Duke de Broglio endeavoured, by sundry means, to take advantage of the allied army on the other side of the Weser, thus weakened by the absence of the troops under the hereditary prince; but he found Prince Ferdinand too vigilant to be surprised, and too strongly situated to be attacked with any prospect of success. He therefore contented himself with ravaging the country by detachments; he sent M. de Stainville, with a considerable body of forces, to penetrate into the heart of Hanover: and on the fifteenth day of September, that officer falling in with a detachment of the allies, commanded by Major Bulow, attacked them near the abbey of Schaken. After a warm and obstinate engagement, they were defeated, and driven to Bulemont, with the loss of their cannon, baggage, and a good number of men, who fell into the hands of the victors. After this exploit, M. de Stainville advanced to Halberstadt, and demanded of that capital a contribution of one million five hundred thousand livres: but the citizens had been so drained by former exactions, that they could not raise above thirty thousand: for the remainder the French partisan took hostages, with whom he returned to the grand army encamped at Cassel, from whence they in a little time fell back as far as Göttingen.

§ LXVII. As the enemy retreated, Prince Ferdinand advanced as far as Hurste, where he established his headquarters about the latter end of November. While he remained in this position, divers skirmishes happened in the neighbourhood of Göttingen. Major-General Breidenbach, at the head of two regiments of Hanoverian and Brunswick guards, with a detachment of cavalry, attacked, on the twenty-ninth day of November, the French post at Heydemunden, upon the river Worrau. This he carried, took possession of the town, which the enemy hastily abandoned. Part of their detachment crossed the river in boats; the rest threw themselves into an intrenchment that covered the passage, which the allies endeavoured to force in several unsuccessful attempts, galled as they were by the fire of the enemy's redoubts on the other side of the river. At length M. Briedenbach was obliged to desist, and fall back into the town; from whence he retired at midnight, after having sustained considerable damage. Prince Ferdinand had it very much at heart to drive the French from Göttingen, and accordingly invested that city; but the French garrison, which was numerous and well provided, made such a vigorous defence, as baffled all the endeavours of the allies, who were moreover impeded by the rainy weather, which, added to other considerations, prevented them from undertaking the siege in form. Nevertheless, they kept the place blocked up from the twenty-second day of November to the twelfth of the following month; when the garrison, in a desperate sally, took one of their principal posts, and compelled them to raise the blockade. About the middle of December, Prince Ferdinand retired

into winter-quarters; he himself residing at Uslar, and the English troops being cantoned in the bishopric of Paderborne. Thus the enemy were left in possession of Hesse, and the whole country eastward of the Weser, to the frontiers of the electorate of Hanover. If the allied army had not been weakened for the sake of a rash, ill-concerted, and unsuccessful expedition to the Lower Rhine, in all probability the French would have been obliged to abandon the footing they had gained in the course of this campaign; and in particular to retreat from Göttingen, which they now maintained and fortified with great diligence and circumspection.

## CHAP. XIV.

§ I. Exploit of the Swedes in Pomerania. § III. Skirmishes between the Prussians and Austrians in Saxony. § IIII. Position of the armies in Saxony and Silesia. § IV. General Laudohn defeats General Fouquet, and reduces Glatz. § V. And then underrates the siege of Breslau, which is relieved by Prince Henry of Prussia. § VI. The King of Prussia makes an unsuccessful attempt upon Lützen. § VII. He marches into Silesia. § VIII. Defeats General Laudohn, and raises the blockade of Schweidnitz. § IX. Action between General Hülse and the imperial army in Saxony. § X. Dangerous situation of the Prussian monarch. § XI. The Russians and Austrians make an irruption into Brandenburg, and possess themselves of Berlin. § XII. The King of Prussia defeats the Austrians at Torgau. § XIII. Both armies go into quarters of cantonment. § XIV. The diets of Poland and Sweden assembled. § XV. Intimation given by the King of Prussia to the states of Westphalia. § XVI. King of Poland's renouneance. § XVII. Reduction of Pondicherry. § XVIII. Part of the British squadron wrecked in a storm. § XIX. Death of King George II. § XX. His character. § XXI. Recapitulation of the principal events of his reign. § XXII. His death universally lamented. § XXIII. Account of the commerce of Great Britain. § XXIV. State of religion and philosophy. § XXV. Fanaticism. § XXVI. Metaphysics and medicine. § XXVII. Mechanics. § XXVIII. Genius. § XXIX. Music. § XXX. Painting and sculpture.

A. D. 1760. § I. THE King of Prussia, after all his labours, notwithstanding the great talents he had displayed, and the incredible efforts he had made, still found himself surrounded by his enemies, and in danger of being crushed by their closing, and contracting their circle. Even the Swedes, who had languished so long, seemed to be roused to exertion in Pomerania, during the severity of the winter season. The Prussian General Manteuffel had, on the twentieth day of January, passed the river Peene, overthrown the advanced posts of the enemy at Ziethen, and penetrated as far as the neighbourhood of Griessewalde; but finding the Swedes on their guard, he returned to Anclam, where his head-quarters were established. This insult was soon retaliated with interest. On the twenty-eighth day of the month, at five in the morning, a body of Swedes attacked the Prussian troops posted in the suburbs of Anclam, on the other side of the Peene, and drove them into the city, which they entered pell-mell. General Manteuffel, being alarmed, endeavoured to rally the troops; but was wounded and taken, with about two hundred men, and three pieces of cannon. The victors, having achieved this exploit, returned to their own quarters. As for the Russian army, which had wintered on the other side of the Vistula, the season was pretty far advanced before it could take the field; though General Totleben was detached from it, about the beginning of June, at the head of ten thousand Cossacs, and other light troops, with which he made an irruption into Pomerania, and established his head-quarters at Belgard.

§ II. At the beginning of the campaign the King of Prussia's chief aim was to take measures for the preservation of Silesia, the conquest of which seemed to be the principal object with the court of Vienna. While the Austrian army, under Marshal Count Daun, lay strongly intrenched in the neighbourhood of Dresden, the King of Prussia had endeavoured, in the month of December, to make him quit this advantageous situation, by cutting off his provisions, and making an irruption into Bohemia. For these purposes he had taken possession of Dippeswalde, Maxen, and Pretchendorf, as if he intended to enter Bohemia by the way of Passberg: but this scheme being found impracticable, he returned to his camp at Freyberg; and in January the Prussian and Austrian armies were cantoned so near each other, that daily skirmishes were fought with various success. The head of the Prussian camp was formed by a body of four thousand men under General Zettwitz, who, on the twenty-ninth day of Janu-

ary, was attacked with such impetuosity by the Austrian General Beck, that he retreated in great confusion to Torgau, with the loss of five hundred men, eight pieces of artillery, and a considerable quantity of new clothing, and other baggage. Another advantage of the same nature was gained by the Austrians at Neustadt, over a small body of Prussians who occupied that city. In the month of March, General Laudohn advanced with a strong detachment of horse and foot, in order to surprise the Prussians, who, in attempting to effect a retreat to Steinau, were surrounded accordingly, and very roughly handled. General Laudohn summoned them twice by sound of trumpet to lay down their arms; but their commanders, the Captains Blumen-thal and Zettwitz, rejecting the proposal with disdain, the enemy attacked them on all hands with a great superiority of number. In this emergency the Prussian captains formed their troops into a square, and by a close continued fire kept the enemy at bay: until, perceiving that the Croats had taken possession of a wood between Siebenhausen and Steinau, they, in apprehension of being intercepted, abandoned their baggage, and forced their way to Steinau, which they reached with great difficulty, having been continually harassed by the Austrians, who paid dear for this advantage. Several other petty exploits of this kind were achieved by detachments on both sides before the campaign was begun by the grand armies.

§ III. Towards the end of April the King of Prussia altered his position, and withdrew that part of his chain of cantonnements, extending from the forest of Thurundt to the right of the Elbe. He now took possession of a very strong camp between the Elbe and the Mulda, which he intrenched in every part that was accessible, and fortified with two hundred and fifty pieces of cannon. By these precautions he was enabled to keep his ground against the army of Count Daun, and at the same time detached a body of troops, as a reinforcement to his brother Prince Henry, who assembled a separate army near Frankfort upon the Oder, that he might be at hand either to oppose the Russians, or march to the relief of Silesia, which the enemy was bent upon invading. It was for this purpose that the Austrian general, Laudohn, advanced with a considerable army into Lusatia about the beginning of May; and General Beck, with another body of troops, took possession of Corbus: meanwhile Count Daun continued in his old situation on the Elbe; General Lacy formed a small detached army upon the frontiers of Saxony, to the southward of Dresden; and the Prince de Deuxponts marched into the same neighbourhood with the army of the empire. Prince Henry of Prussia having encamped with his army for some time at Sangan, in Silesia, moved from thence to Gorlitz in Lusatia, to observe the motions of General Laudohn, encamped at Königsgratz; from whence, in the beginning of June, he marched into the country of Glatz, and advanced to the neighbourhood of Schweidnitz, which he seemed determined to besiege, having a train of eight pieces of cannon. With a view to thwart his designs, Prince Henry reinforced the body of troops under General Fouquet; and at the same time he sent a detachment into Pomerania, under Colonel Lessow, who defeated the rear-guard of General Totleben, and compelled that officer to evacuate Pomerania. By this time, however, Mareschal Soltikoff had arrived from Petersburg, and taken the command of the grand Russian army, which passed the Vistula in June, and began its march towards the frontiers of Silesia.

§ IV. In the month of June General Laudohn made an unsuccessful attempt to carry Glatz by assault; but he succeeded better in his next enterprise. Understanding that General Fouquet, who occupied the posts at Landsbut, had weakened himself by sending off detachments under the Major-Generals Ziethen and Grant, he resolved to attack him with such superiority of number, that he should not be able to resist. Accordingly, on the twenty-third day of June, at two in the morning, he began the assault with his whole army upon some redoubts which Fouquet occupied; and these were carried one after another, though not without a very desperate opposition. General Fouquet being summoned to surrender, refused to submit; and having received two wounds, was at length taken prisoner: about three thousand of his men escaped to Breslau; the rest



were killed or taken : but the loss of the victors is said to have exceeded that of the vanquished. In July General Laudohn undertook the siege of Glatz, which was taken after a very faint resistance : for on the very day the batteries were opened against the place, the garrison abandoned part of the fortifications, which the besiegers immediately occupied. The Prussians made repeated efforts to regain the ground they had lost ; but they were repulsed in all their attempts. At length the garrison laid down their arms, and surrendered at discretion. From this tame behaviour of the Prussians, one would imagine the garrison must have been very weak : a circumstance which we cannot reconcile with the known sagacity of the Prussian monarch, as the place was of great importance, on account of the immense magazine it contained, including above one hundred brass cannon, a great number of mortars, and a vast quantity of ammunition.

§ V. Laudohn, encouraged by his success at Glatz, advanced immediately to Breslau, which he began to bombard with great fury ;<sup>a</sup> but, before he could make a regular attack, he found himself obliged to retire. Prince Henry of Prussia, one of the most accomplished generals which this age produced, having received repeated intelligence that the Russian army intended to join Laudohn at Breslau, resolved to advance and give them battle before the purposed junction. In the latter end of July he began his march from Gleissen, and on the last day of that month had reached Linden, near Slauve, where he understood that Tottleben's detachment only had passed through the plains of Polnich-Lissa, and that the grand Russian army had marched through Kosten and Gustin. The prince, finding it impossible to pursue them by that route, directed his march to Glogau, where he learnt that Breslau was besieged by General Laudohn, and immediately advanced by forced marches to its relief. Such was his expedition, that in five days he marched above one hundred and twenty English miles ; and at his approach the Austrian general abandoned his enterprise. Thus, by his prudence and activity, he not only prevented the junction of the Russian and Austrian armies, but also saved the capital of Silesia, and hampered Laudohn in such a manner as subjected him to a defeat by the Prussian monarch, to whose motions we shall now turn our attention.

§ VI. Whether his design was originally upon Dresden, or he purposed to co-operate with his brother Prince Henry in Silesia, which his adversaries seemed to have pitched upon as the scene of their operations, we cannot presume to determine ; but certain it is, he, in the beginning of July, began his march in two columns through Lusatia ; and Count Daun being informed of his march, ordered his army to be put in motion. Leaving the army of the empire, and the body of troops under Lacy, to guard Saxony in his absence, he marched with great expedition towards Silesia, in full persuasion that the Prussian monarch had thither directed his route. On the seventh day of July, the king, knowing that Daun was now removed at a distance, repassed the Pulsnitz, which he had passed but two days before, and advanced with the van of his army towards Lichtenberg, in order to attack the forces of General Lacy, who was posted there ; but the Austrians

retired at his approach. Then the army marched to Marienstern, where the king received intelligence that Count Daun was in full march for Lauban, having already gained two marches upon the Prussians. Perhaps it was this intimation that determined the king to change his plan, and return to the Elbe. On the eighth day of the month he repassed the Sprehe, in the neighbourhood of Bautzen, and marched towards Dresden with extraordinary diligence. On the thirteenth, his army having passed the Elbe at Kadetz, on a bridge of boats, encamped between Pirna and Dresden, which last he resolved to besiege, in hopes of reducing it before Count Daun could return to its relief. How far this expectation was well grounded, we must leave the reader to judge, after having observed that the place was now much more defensible than it had been when the last attempt of the Austrians upon it miscarried : that it was secured with a numerous garrison, commanded by General Macquire, an officer of courage and experience. This governor being summoned to surrender, answered that, having the honour to be intrusted with the defence of the capital, he would maintain it to the last extremity. Batteries were immediately raised against the town on both sides of the Elbe ; and the poor inhabitants subjected to a dreadful visitation, that their calamities might either drive them to despair, or move the heart of the governor to embrace articles of capitulation ; but these expedients proved ineffectual. Though the suburbs towards the Pirna gate were attacked and carried, this advantage made no impression on General Macquire, who made several vigorous sallies, and took every necessary precaution for the defence of the city ; encouraged moreover by the vicinity of Lacy's body, and the army of the empire, encamped in an advantageous position near Gross Seydlitz ; and confident that Count Daun would hasten to his relief. In this hope he was not disappointed ; the Austrian general, finding himself duped by the stratagem of the Prussian monarch, and being made acquainted with his enterprise against Dresden, instantly wheeled about ; and marched back with such rapidity, that on the nineteenth day of the month he reached the neighbourhood of the capital of Saxony. In consequence of his approach the King of Prussia, whose heavy artillery was now arrived, redoubled his efforts against the city, so as to reduce to ashes the cathedral church, the new square, several noble streets, some palaces, together with the curious manufactory of porcelain. His vengeance must have been levelled against the citizens ; for it affected neither the fortifications, nor the Austrian garrison, which Count Daun found means to reinforce with sixteen battalions. This supply, and the neighbourhood of three hostile armies, rendered it altogether impossible to prosecute the siege with any prospect of success : the king, therefore, abandoned the undertaking, withdrew his troops and artillery, and endeavoured to bring Daun to a battle, which that general cautiously avoided.

§ VII. The fate of this prince seemed now at its crisis. Notwithstanding all the efforts of his brother Prince Henry, the Russians were fast advancing to join Laudohn, who had already blocked up Schweidnitz and Neiss, and their junction seemed to threaten the loss of Silesia. The king had nothing to oppose to superior numbers but superior

<sup>a</sup> The Germans are in general but indifferently engineers, and little acquainted with the art of besieging. On this occasion the Austrian general was not more than that of carrying the place by a sudden attack, or intimating Count Lavenex, the governor, to an immediate surrender. For he knew the Russian army was at a considerable distance, and judged from the character of Prince Henry of Prussia, that he would advance to the relief of the place long before it would be taken according to the usual terms. Influenced by these considerations, when he had invested the town, he sent a letter to the governor, specifying that his army consisted of fifty battalions and fourteen squadrons ; that the Russian army, amounting to seventy-five thousand men, was at the same time marching towards it, so that no succour could be expected from the King of Prussia, encamped as it was on the other side of the Elbe, and overawed by the army of Count Daun ; that Prince Henry, far from being in a condition to bring relief, would not be able to stand his ground against the Russians ; that Breslau, being a mercantile town, not a fortress, could not be defended without contravening the established rules of war, and therefore the governor, in case of obstinacy, had no reason to expect an honourable capitulation. Such was the pressure to embrace immediately the terms which were proposed. Count Lavenex, instead of being intimidated, was encouraged by these measures, which implied an apprehension in Laudohn that the place would be relieved. He therefore replied to the summons he had received, that Breslau was not simply a mercantile town, but ought to be considered as a place of strength, being surrounded with walls and water ditches ; that the Austrians themselves had defended it as such after the

battle of Lissa, in the year one thousand seven hundred and fifty-seven ; that the king his master having commanded him to defend the place to the last extremity, he could neither comply with General Laudohn's proposals, nor pay the least regard to his threats of destroying the town ; as he had not been intrusted with the care of the houses, but with the defence of the fortifications. The Austrian convinced him, that same evening, that he threatened nothing but what he meant to perform. He opened his batteries, and poured in upon the town a most terrible shower of bombs and red-hot bullets, which continued till midnight. During this dreadful discharge, which filled the place with horror and desolation, he attacked the town with a great number of assaults, and offered the most different places with their usual impetuosity ; but were repulsed with considerable loss, by the conduct and resolution of the governor and garrison. These proceedings having made no impression on Lavenex, the besieging general had recourse again to negotiation, and offered the most flattering articles of capitulation, which were rejected with disdain. The governor gave him to understand that the destruction of the town had made no change in his resolution ; though it was a practice contrary to the laws of arms, as well as to the dictates of common humanity, to begin the siege of a fortress by ruining the inhabitants. Finally, he assured him he would wait for him upon the ramparts, and defend the place to the utmost of his power. The observation was certainly just ; nothing could import more unhuman than this practice of making war upon the helpless unarmed inhabitants of a town which has the misfortune to be beleaguered ; yet the besieger pleaded the example of the Prussian monarch, who had before acted the same traitedly at Dresden. Laudohn, being thus set at defiance, continued to batter and bombard ; and several subsequent assaults were given to the fortifications.



activity, of which he determined to avail himself without delay. Instead of making a feint towards Silesia, he resolved to march thither in earnest; and for that purpose, crossing the Elbe, encamped at Dallwitz, on the further bank of the river; leaving General Hulsén, with fifteen thousand men, in the entrenched camp of Schlettow, to maintain his footing in Saxony. On the third day of August he began his march for Silesia, followed by Count Daun with the grand Austrian army; while the detached body under Lacy took post at Reichenberg, and the imperial army encamped at Kesseldorf. Both the Prussians and Austrians marched at the rate of one hundred miles in five days; on the tenth the king took possession of the camp of Lignitz; and here he seemed in danger of being quite surrounded by the enemy, who occupied the whole ground between Parchwitz and Cossendau, an extent of thirty miles. Count Daun's army formed the centre of this chain, possessing the heights of Walstadt and Hochkirk: General Laudohn covered the ground between Jeschkendorf and Coschitz: the rising grounds of Parchwitz were secured by General Nauendorff; and M. de Beck, who formed the left, extended his troops beyond Cossendau. The king marched in the night of the eleventh, with a view to turn the enemy, and reached Jauer; but at break of day he discovered a new camp at Prausnitz, which consisted of Lacy's detachment, just arrived from Lauban. The Prussians immediately passed to Katzbach, to attack this general; but he made such a skilful disposition for a retreat towards the army of Count Daun, that he not only baffled the endeavours of the king to bring him to action, but, by posting himself on the heights of Hennersdorff, anticipated his march to Jauer. In vain the Prussian monarch attempted next day to turn the enemy on the side of the mountains, by Pomsen and Jagersdorff; the roads were found impassable to the ammunition waggons, and the king returned to the camp at Lignitz.

§ VIII. While he remained in this situation, he received advice that four-and-twenty thousand Russians, under Count Czernichew, had thrown bridges over the Oder at Auras, where they intended to cross that river; and he concluded the enemy had formed a design to close him in, and attack him with their joint forces. Daun had indeed projected a plan for surprising him in the night, and had actually put his army in motion for that purpose; but he was anticipated by the vigilance and good fortune of the Prussian monarch. That prince reflecting, that if he should wait for his adversaries in his camp, he ran the risk of being attacked at the same time by Lacy on his right, by Daun in his front, and by Laudohn on his left, he altered his position, in order to disconcert their operations; and, on the fourteenth day of the month, marched to the heights of Psafendorff, where he formed his army in order of battle. Receiving intimation, about two in the morning, that Laudohn was in full march advancing in columns by Benowitz, he divided his army into two separate bodies. One of these remained on the ground, in order to maintain the posts against any attempts that might be made by Count Daun to succour Laudohn; and that this service might be the more effectually performed, the heights were fortified with batteries, so judiciously disposed as to impede and overawe the whole Austrian army. The king having taken this precaution, wheeled about with sixteen battalions and thirty squadrons, to fall upon Laudohn as he should advance: but that general knew nothing of his design, until he himself arrived at the village of Psafendorff, about three in the morning; when the day dawning, and a thick fog gradually dispersing, the whole detachment of the Prussian army appeared in order of battle, in a well chosen situation, strengthened with a numerous train of artillery, placed to the best advantage. Laudohn was not a little mortified to find himself caught in his own snare: but he had advanced too far to recede; and therefore making a virtue of necessity, resolved to stand an engagement. With this view he formed his troops as well as the time, place, and circumstances would permit; and the Prussians advancing to the attack, a severe action ensued. The king rode along the line to animate the troops, and superintended every part of the charge; hazarding his life in the most dangerous scenes of the battle to such a degree that his horse was killed under him, and

his clothes were shot through in several places. The Austrians maintained the conflict with great obstinacy until six in the morning, when they gave ground and were pursued to the Katsbach; beyond which the king would not allow his troops to prosecute the advantage they had gained, that they might be able to succour the right in case Mareschal Count Daun should succeed in his attempt to advance against them from Lignitz. The general had actually begun his march to fall upon the Prussians on one side, while Laudohn should attack them on the other: but he was not a little surprised to find they were decamped; and when he perceived a thick cloud of smoke at a distance, he immediately comprehended the nature of the king's management. He then attempted to advance by Lignitz: but the troops and artillery, which had been left on the heights of Psafendorff, to dispute his march, were so advantageously disposed, as to render all his efforts abortive. Laudohn is said to have lost in the action above eight thousand men, killed, wounded, and taken, including eighty officers, with twenty-three pair of colours and eighty-two pieces of cannon: over and above this loss, the Austrian general suffered greatly by desertion. The Prussians obtained the victory at the expense of one general, with five hundred men killed, and twelve hundred wounded. Immediately after the action the victor marched to Parchwitz; while Daun detached Prince Lowenstein and General Beck with the reserve of his army, to join Prince Czernichew, who had crossed the Oder at Auras; but he was so intimidated by the defeat at Lignitz, that he forthwith repassed that river, and Prince Lowenstein retired on the side of Jauer. By this bold and well conducted adventure, the Prussian monarch not only escaped the most imminent hazard of a total defeat from the joint efforts of two strong armies, but also prevented the dreaded junction of the Russian and Austrian forces. His business was now to open the communication with Breslau and his brother Prince Henry, whom he joined at Neumarche. The prince, after Laudohn was obliged to relinquish the siege of Breslau, had kept a watchful eye over the motions of the Russian army, which had advanced into the neighbourhood of that city; and without all doubt would have bombarded it from some commanding heights, had they not been prevented by Prince Henry, who took possession of these posts, and fortified them with redoubts. The king having freed Breslau from the neighbourhood of his enemies, and being strengthened by the junction with his brother, left a considerable detachment under the command of General Boltze, to protect the country against the Russian irregulars; and advanced with his whole force to the relief of Schweidnitz, which was blocked up by the Austrian forces under the command of the Mareschal Count Daun. In his march he fell upon a separate body under General Beck, made two battalions of Croats prisoners, and dispersed several squadrons. This achievement had such an effect upon the enemy, that they raised the blockade, and retreated with some precipitation to the mountains of Landshut.

§ IX. While the king thus exerted himself, with a spirit altogether unexampled, in defending Silesia, General Hulsén, who commanded his troops in Saxony, was exposed to the most imminent danger. Understanding that the army of the empire had formed a design to cut off his communication with Torgau, he quitted his camp at Meissen, and marched to Strehla. The enemy having divided their forces into two bodies, one of them, on the twentieth day of August, attacked an advanced post of the Prussians; while the other was disposed in such a manner as to overawe Hulsén's camp, and prevent him from taking any step for the relief of his battalions, who maintained their ground with difficulty against a superior number of the assailants. In this emergency the Prussian general ordered his cavalry to make a circuit round a rising ground, and, if possible, charge the enemy in flank. This order was executed with equal vigour and success. They fell upon the imperial army with such impetuosity, as drove their battalions and horse upon each other in the utmost confusion. A considerable number of the enemy were slain, and forty-one officers, with twelve hundred men, made prisoners. By this advantage, which was obtained at a very small expense, General Hulsén opened for himself a way to Torgau, whither he instantly retreated, perceiving

that the whole army of the imperialists was advancing to cut off his communication with the Elbe. This retreat furnished the enemy with a pretext for claiming the victory.

§ X. After all these heroic endeavours of the Prussian monarch and his officers, his affairs remained in such a desperate situation as seemed to presage approaching ruin; for though in person he commanded a numerous and well-appointed army, he found it absolutely impossible to guard against the different detachments from the three separate armies of his adversaries. Bodies of Austrian troops scoured the country of Lusatia; the Russians traversed part of Silesia, and made irruptions even into Brandenburg: the imperial army dominated in Saxony; the Swedish army, meeting with no opposition, advanced into the heart of Pomerania; so that the king was not only threatened on every side, but all correspondence between him and his hereditary dominions was at this juncture intercepted.

§ XI. His adversaries, having been hitherto baffled by his activity and resolution in their designs upon Silesia, now meditated a scheme, the execution of which he could not but feel in the most sensible manner. The Russian army being on its retreat from Silesia, Count Czernichev was sent with a strong detachment into the Marche of Brandenburg; while a numerous body of Austrians under Lacy and Bretano, penetrated into the same country from Saxony, with instructions to join the Russians at the gates of Berlin. The Prussian general, Hulsén, finding himself too weak to cope with the army of the empire in Misnia, had fallen back to this capital, where he was joined by the troops under General Werner, lately returned from Pomerania; but as their forces, after this junction, did not exceed sixteen thousand men, and the allies advancing against them amounted to forty thousand, they would not pretend to oppose the enemy in the open field, nor to defend a city of such extent, and so imperfectly fortified. Such an attempt would have only exposed their troops to ruin, without being able to save the capital, which, on the contrary, would have been the more severely handled, in consequence of their opposition. They therefore resolved to retire, after having repulsed the advanced guard of the Russians under Tottleben, which attacked the gates, and even bombarded the town, before the great armies appeared. At their approach the Prussian generals retreated, leaving three weak battalions in the place, in hopes they might be the means of obtaining some sort of terms for the city. They made no resistance, however; but on the first summons proposed articles of capitulation, which being refused, they surrendered themselves prisoners of war. In favour of the city the foreign ministers there residing interposed their mediation with such zeal and success, that tolerable conditions were obtained. The inhabitants were indulged with the free exercise of their religion, and an immunity from violence to their persons and effects. The enemy promised that the Russian irregulars should not enter the town; and that the king's palace should not be violated. These articles being ratified, the Austrian and Russian troops entered the place, where they totally destroyed the magazines, arsenals, and foundries, with an immense quantity of military stores, and a great number of cannon and small arms: then they demanded the immediate payment of eight hundred thousand guilders: and afterwards exacted a contribution of one million nine hundred thousand German crowns. Many outrages were committed by the licentious soldiery, in spite of all the precautions which the officers could take to preserve the most exact discipline. The houses of the private inhabitants were tolerably protected; but the king's palaces were subjected to the most rigorous treatment. In the royal palace of Charlottenburgh they pillaged and spoiled the rich furniture; they defaced and mutilated the valuable pictures and antique statues collected by Cardinal de Polignac, and purchased by the house of Brandenburg. The castle of Schonhausen, belonging to the queen, and that of Fredericksfeldt, the property of the Margrave Charles, were pillaged of effects to a very considerable value. The palace of Potsdam was effectually protected by Prince Esterhási, who would not suffer one article of furniture or ornament to be touched; but was forced to leave to take one picture of the king, and

two of his German flutes, that he might preserve them as memorials of an illustrious prince, whose character he admired. The Austrian and Russian troops entered Berlin on the ninth day of October, and quitted it on the thirteenth, on hearing that the king was in full march to the relief of his capital. In their retreat, by different routes, from Brandenburg, they drove away all the cattle and horses they could find, ravaged the country, and committed brutal outrages on the inhabitants, which the pretence of retaliation could never excuse. The body of Russians which entered Berlin marched from thence into Poland, by the way of Furstenwalde; while the Austrians took the route of Saxony, from whence they had advanced into Brandenburg. Meanwhile the town of Wirtemberg, in that electorate, was reduced by the Duke de Deux Ponts, commander of the imperial army; which, in conjunction with the Austrians, made themselves masters also of Torgau and Leipsic.

§ XII. The King of Prussia, in his march through Lusatia, was still attended by Count Daun, at the head of his grand army, and both passed the Elbe about the latter end of October. The Prussian crossed the river at Coswick, where he was joined by the troops under Prince Eugene of Wirtemberg and General Hulsén, so that his army now amounted to eighty thousand fighting men, with whom he resolved to strike some stroke of importance. Indeed at this time his situation was truly critical. General Laudohn, with a considerable body of Austrians, remained in Silesia; the Russian army still threatened Breslau, the capital of that country. The imperialists and Austrians had taken possession of all the great towns in Saxony, and were masters of both sides of the Elbe. In the eastern part of Pomerania the Russians had invested Colberg by sea and land, seemingly determined to reduce the place, that they might have a sea-port by which they could be supplied with provision, ammunition, necessities, and reinforcements, without the trouble and inconvenience of a long and laborious march from the banks of the Vistula. On the western side of Pomerania, the war, which had hitherto languished, was renewed by the Swedes with uncommon vivacity. They passed the river Pene without opposition; and obliging General Stutterheim to retreat, advanced as far as Stransberg. That officer, however, being reinforced, attacked a Swedish post at Passelvalik, slew about five hundred of the enemy, and took an equal number, with six pieces of cannon; but he was not numerous enough to keep the field against the whole army. Thus the Prussian monarch saw himself obliged to abandon Silesia; deprived of all the places he held in Saxony, which had been his best resource; and in danger of being driven into his hereditary country of Brandenburg, which was unable either to maintain, or even to recruit, his army. On this emergency he resolved to make one desperate effort against the grand Austrian army, under Count Daun, who had passed the Elbe at Torgau, and advanced to Eulenburg, from whence however he retreated to his former camp at Torgau; and the king chose his situation between this last place and Schilda, at Lang-Reichenbach, where his hussars attacked a body of horse under General Brentano, and made four hundred prisoners. The right wing of the Austrians being at Groschwitz, and their left at Torgau, the Prussian king determined to attack them next day, which was the third of November. His design was to march through the wood of Torgau by three different routes, with thirty battalions and fifty squadrons of his left wing: the first line was ordered to advance by the way of Mackrene to Neiden; the second, by Peckhutte to Elsnick; and the third, consisting of cavalry, to penetrate by the wood of Wildenhayn to Vogelsang. On the other hand, General Ziethen was directed to take the great Leipsic road, with thirty battalions and seventy squadrons of the right; and, quitting it at the ponds of Torgau, to attack the villages of Suptitz and Groschwitz. The king's line, in its march, fell in with a corps of Austrians under General Reid, who retired into the wood of Torgau; and another more considerable body, posted in the wood of Wildenhayn, likewise retreated to Groschutz, after having fired some pieces of artillery: but the dragoons of St. Ignon, being enclosed between two columns of Prussian infantry, were either killed or taken. By two in the afternoon the king had penetrated through the wood to the

plain of Neiden, from whence another body of the enemy retired to Torgau, where a continued noise of cannon and small arms declared that General Ziethen was already engaged. The Prussians immediately advanced at a quicker pace, and passing the morasses near Neiden, inclined to the right in three lines, and soon came to action. Daun had chosen a very advantageous position: his right extended to Groschwitz, and his left to Zinne; while his infantry occupied some eminences along the road of Leipsic, and his front was strengthened with no less than two hundred pieces of cannon. His second line was disposed on an extent of ground, which terminated in hillocks towards the Elbe; and against this the king directed his attack. He had already given his troops to understand, that his affairs were in such a situation, they must either conquer or perish: and they began the battle with the most desperate impetuosity; but they met with such a warm reception from the artillery, small arms, and in particular from the Austrian carabineers, that their grenadiers were shattered and repulsed. The second charge, though enforced with incredible vigour, was equally unsuccessful: then the king ordered his cavalry to advance, and they fell upon some regiments of infantry with such fury as obliged them to give way. These, however, were compelled to retire, in their turn, before about seventy battalions of the enemy, who advanced towards Torgau, stretching with their right to the Elbe, and their left to Zinne. While the Prince of Holstein rallied his cavalry, and returned to the charge, the third line of Prussian infantry attacked the vineyard of Suptitz, and General Ziethen, with the right wing, took the enemy in rear. This disposition threw the Austrians into disorder; which was greatly augmented by the disaster of Count Daun, who was dangerously wounded in the thigh, and carried off the field of battle. But the Prussians could not pursue their victory, because the action had lasted until nine; and the night being unusually dark, facilitated the retreat of the enemy, who crossed the Elbe on three bridges of boats thrown over the river at Torgau. The victor possessed the field of battle, with seven thousand prisoners, including two hundred officers, twenty-nine pair of colours, one standard, and about forty pieces of cannon. The carnage was very great on both sides: about three thousand Prussians were killed, and five thousand wounded; and, in the first attacks, two general officers, with fifteen hundred soldiers, were made prisoners by the enemy. The king, as usual, exposed his person in every part of the battle, and a musket-ball grazed upon his breast. In the morning the King of Prussia entered Torgau; then he secured Meissen, and took possession of Freyberg: so that, in consequence of this well-timed victory, his position was nearly the same as at the opening of the campaign.

§ XIII. The Austrians, however, notwithstanding this check, maintained their ground in the neighbourhood of Dresden; while the Prussians were distributed in quarters of cantonment in and about Leipsic and Meissen. As the Austrian general had, after the battle, recalled his detachments, General Laudohn abandoned Landshut, which again fell into the hands of the Prussians; and the imperial army was obliged to retire into Franconia. The Swedes, having penetrated a great way into Pomerania, returned again to their winter-quarters at Stralsund; and the Russian generals measured back their way to the Vistula: so that the confederates gained little else in the course of this campaign, but the contributions which they raised in Berlin, and the open country of Brandenburg. Had all the allies been heartily bent upon crushing the Prussian monarch, one would imagine the Russians and Swedes might have joined their forces in Pomerania, and made good their winter-quarters in Brandenburg, where they could have been supplied with mazzazines from the Baltic, and been at hand to commence their operations in the spring. but, in all probability, such an establishment in the empire would have given umbrage to the Germanic body.

§ XIV. The diet of Poland being assembled in the beginning of October, the king entertained the most sanguine hope they would take some resolution in his favour: but the partisans of Prussia frustrated all his endeavours: one of the deputies protesting against holding a diet while there were foreign troops in the kingdom, the assembly

broke up in a tumultuous manner, even before they had chosen a mareschal. The diet of Sweden, which was convoked about the same period, seemed determined to proceed upon business. They elected Count Axel Ferson, their grand mareschal, in opposition to Count Horn, by a great majority; which was an unlucky circumstance for the Prussian interest at Stockholm, inasmuch as the same majority obstinately persisted in opinion, that the war should be prosecuted in the spring with redoubled vigour, and the army in Germany reinforced to the number of at least thirty thousand fighting men. This unfavourable circumstance made but little impression upon the Prussian monarch, who had maintained his ground with surprising resolution and success since the beginning of this campaign; and now enjoyed, in prospect, the benefit of winter, which he is said to have termed his best auxiliary.

§ XV. The animosity which inflamed the contending parties was not confined to the operations in war, but broke out, as usual, in printed declarations, which the belligerent powers diffused all over Europe. In the beginning of the season the states of the circle of Westphalia had been required, by the imperial court, to furnish their contingent of troops against the King of Prussia, or to commute for this contingent with a sum of money. In consequence of this demand, some of the Westphalian estates had sent deputies to confer with the assembly of the circle of Cologne; and to these the king signified, by a declaration dated at Munster, that as this demand of money, instead of troops, was no less extraordinary than contrary to the constitutions of the empire, should they comply with it, or even continue to assist his enemies, either with troops or money, he would consider them as having actually taken part in the war against him and his allies, and treat them accordingly on all occasions. This intimation produced little effect in his favour. The Duke of Mecklenbourg adhered to the opposite cause; and the Elector of Cologne co-operated with the French in their design against Hanover. By way of retaliation for this partiality, the Prussians ravaged the country of Mecklenbourg, and the Hanoverians levied contributions in the territories of Cologne. The parties thus aggrieved had recourse to complaints and remonstrances. The duke's envoy at Ratisbon communicated a rescript to the imperial ministers, representing that the Prussian troops under General Werner and Colonel de Belling, had distressed his country in the autumn by grievous extortions; that afterwards Prince Eugene of Wirtemberg, in the service of Prussia, had demanded an exorbitant quantity of provisions, with some millions of money, and a great number of recruits: or, in lieu of these, that the duke's forces should act under the Prussian banner. He therefore declared, that as the country of Mecklenbourg was impoverished, and almost depopulated, by their oppressions, the duke would find himself obliged to take measures for the future security of his subjects, if not immediately favoured with such assistance from the court of Vienna, as would put a stop to these violent proceedings. This declaration was by some considered as the prelude to his renouncing his engagements with the house of Austria. As the imperial court had threatened to put the Elector of Hanover under the ban of the empire, in consequence of the hostilities which his troops had committed in the electorate of Cologne, his resident at Ratisbon delivered to the ministers who assisted at the diet a memorial, remonstrating that the emperor hath no power, singly, to subject any prince to the ban, or declare him a rebel; and that, by arrogating such a power, he exposed his authority to the same contempt into which the Pope's bulls of excommunication were so justly fallen. With respect to the Elector of Cologne, he observed, that this prince was the first who commenced hostilities, by allowing his troops to co-operate with the French in their invasion of Hanover, and by celebrating with rejoicings the advantages which they had gained in that electorate; he therefore gave the estates of the empire to understand, that the best way of screening their subjects from hostile treatment would be a strict observance of neutrality in the present disputes of the empire.

§ XVI. This was a strain much more effectual among princes and powers who are generally actuated by interested motives, than was the repetition of complaints, equally pathetic and unavailing, uttered by the unfortunate King



of Poland, Elector of Saxony. The damage done to his capital by the last attempt of the Prussian monarch on that city, affected the old king in such a manner, that he published at Vienna an appeal to all the powers of Europe, from the cruelty and unprecedented outrages which distinguished the conduct of his adversaries in Saxony. All Europe pitied the fate of this exiled prince, and sympathized with the disasters of his country : but, in the breasts of his enemies, reasons of state and convenience overruled the suggestions of humanity ; and his friends had hitherto exerted themselves in vain for the deliverance of his people.

§ XVII. From this detail of continental affairs, our attention is recalled to Great Britain, by an incident of a very interesting nature ; an account of which, however, we shall postpone until we have recorded the success that, in the course of this year, attended the British arms in the East Indies. We have already observed, that Colonel Coote, after having defeated the French general, Lally, in the field, and reduced divers of the enemy's settlements on the coast of Coromandel, at length cooped them up within the walls of Pondicherry, the principal seat of the French East India company, large, populous, well fortified, and secured with a numerous garrison, under the immediate command of their general. In the month of October Admiral Stevens sailed from Trincomale with all his squadron, in order to its being refitted, except five sail of the line, which he left under the command of Captain Haldane, to block up Pondicherry by sea, while Mr. Coote carried on his operations by land. By this disposition, and the vigilance of the British officers, the place was so hampered, as to be greatly distressed for want of provisions, even before the siege could be undertaken in form : for the rainy season rendered all regular approaches impracticable. These rains being abated by the twenty-sixth day of November, Colonel Coote directed the engineers to pitch upon proper places for erecting batteries that should enfilade or flank the works of the garrison, without exposing their own men to any severe fire from the enemy. Accordingly, four batteries were constructed in different places, so as to answer these purposes, and opened altogether on the eighth day of December at midnight. Though raised at a considerable distance, they were plied with good effect, and the besieged returned the fire with great vivacity. This mutual cannonading continued until the twenty-ninth day of the month, when the engineers were employed in raising another battery, near enough to effect a breach in the north-west counter-guard and curtain. Though the approaches were retarded some days by a violent storm, which almost ruined the works, the damage was soon repaired, a considerable post was taken from the enemy by assault, and afterwards regained by the French grenadiers, through the timidity of the sepoys by whom it was occupied. By the fifteenth day of January, a second battery being raised within point-blank, a breach was made in the curtain : the west face and flank of the north-west bastion were ruined, and the guns of the enemy entirely silenced. The garrison and inhabitants of Pondicherry were now reduced to an extremity of famine which would admit of no hesitation. General Lally sent a colonel, attended by the chief of the Jesuits, and two civilians, to Mr. Coote, with proposals of surrendering the garrison prisoners of war, and demanding a capitulation in behalf of the French East India company. On this last subject he made no reply ; but next morning took possession of the town and citadel, where he found a great quantity of artillery, ammunition, small arms, and military stores ; then he secured the garrison, amounting to above two thousand Europeans. Lally made a gallant defence ; and, had he been properly supplied with provision, the conquest of the place would not have been so easily achieved. He certainly flattered himself with the hopes of being supplied ; otherwise an officer of his experience would have demanded a capitulation, before he was reduced to the necessity of acquiescing in any terms the besieger might have thought proper to impose. That he spared no pains to procure

supplies, appears from an intercepted letter<sup>b</sup> written by this commander to Monsieur Raymond, French resident at Pullicat.—The billet is no bad sketch of the writer's character, which seems to have a strong tincture of oddity and extravagance.

§ XVIII. By the reduction of Pondicherry, the French interest was annihilated on the coast of Coromandel, and therefore of the utmost importance to the British nation. It may be doubted, however, whether Colonel Coote, with all his spirit, vigilance, and military talent, could have succeeded in this enterprise without the assistance of the squadrons, which co-operated with him by sea, and effectually excluded all succour from the besieged. It must be owned, for the honour of the service, that no incident interrupted the good understanding which was maintained between the land and sea officers, who vied with each other in contributing their utmost efforts towards the success of the expedition. On the twenty-fifth day of December, Rear-Admiral Stevens arrived with four ships of the line, having parted with Rear-Admiral Cornish and his division in stormy weather ; but he joined them at Pondicherry before the place was surrendered. On the first day of January a violent tempest obliged Admiral Stevens to slip his cables and put to sea, where he parted with the rest of his squadron ; and when in three days he returned to the road of Pondicherry, he had the mortification to find that his division had suffered severely from the storm. The ships of war called the Duke of Aquitaine and the Sunderland foundered in the storm, and their crews perished. The Newcastle, the Queenborough, and the Protector fireship, were driven ashore, and destroyed ; but the men were saved, together with the cannon, stores, and provisions. Many other ships sustained considerable damage, which however were soon repaired. Admiral Stevens having intercepted the letter from Lally to Raymond, (inserted above,) immediately despatched letters to the Dutch and Danish settlements on this coast, intimating that, notwithstanding the insinuations of General Lally, he had eleven sail of the line, with two frigates, under his command, all fit for service, in the road of Pondicherry, which was closely invested and blockaded both by sea and land : he therefore declared, that, as in that case it was contrary to the law of nations for any neutral power to relieve or succour the besieged, he was determined to seize any vessel that should attempt to throw provisions into the place.

§ XIX. While the arms of Great Britain still prospered in every effort tending to the real interest of the nation, an event happened which for a moment obscured the splendour of her triumphs ; and could not but be very alarming to those German allies, whom her liberality had enabled to maintain an expensive and sanguinary war of humour and ambition. On the twenty-fifth day of October, George II. King of Great Britain, without any previous disorder, was in the morning suddenly seized with the agony of death, at the palace at Kensington. He had risen at his usual hour, drank his chocolate, and inquired about the wind, as anxious for the arrival of the foreign mails ; then he opened a window of his apartment, and perceiving the weather was serene, declared he would walk in the garden. In a few minutes after this declaration, while he remained alone in his chamber, he fell down upon the floor ; the noise of his fall brought his attendants into the room, who lifted him on the bed, where he desired in a faint voice that the Princess Amelia might be called ; but before she could reach the apartments he had expired. An attempt was made to bleed him, but without effect ; and indeed his malady was far beyond the reach of art : for when the cavity of the thorax or chest was opened, and inspected by the serjeant surgeons, they found the right ventricle of the heart actually ruptured, and a great quantity of blood discharged through the aperture into the surrounding pericardium ; so that he must have died instantaneously, in consequence of the effusion. The case, however, was so extraordinary, that we question whether there is such another

<sup>a</sup> Monsieur Raymond, the English squadron here were. Sir, of the twelve ships, three sail in our possession are lost, crews and all. The other nine, damaged, and are more than twenty days disabled—therefore I am forced, without any resources, to leave Pondicherry, I am with rice. The British have nothing to fear now. Results, according to the law of nations, they are only to be sent from sending us provisions in their own bottoms.

and we are no longer blockaded by sea. The salvation of Pondicherry hath been, once in your power already, if you neglect this opportunity, it will be entirely your own fault, don't forget some small changes also, other great waters, in four days I expect seventeen thousand Mahrattas. In short, risk all, attempt all—force all, and send us some rice, should it be but half a parse at a time."

instance upon record. A rupture of this nature appears the more remarkable, as it happened to a prince of a healthy constitution, unaccustomed to excess, and far advanced beyond that period of life when the blood might be supposed to flow with a dangerous impetuosity.

§ XX. Thus died George II. at the age of seventy-seven, after a long reign of thirty-four years, distinguished by a variety of important events, and chequered with a vicissitude of character and fortune. He was in his person rather lower than the middle size, well shaped, erect, with eyes remarkably prominent, a high nose, and fair complexion. In his disposition he is said to have been hasty, prone to anger, especially in his youth, yet soon appeased; otherwise mild, moderate, and humane; in his way of living temperate, regular, and so methodical in every branch of private economy, that his attention descended to objects which a great king (perhaps) had better overlook. He was fond of military pomp and parade; and personally brave. He loved war as a soldier, he studied it as a science; and corresponded on this subject with some of the greatest officers whom Germany has produced. The extent of his understanding, and the splendour of his virtue, we shall not presume to ascertain, or attempt to display; we rather wish for opportunities to expatiate on his munificence and liberality; his generous regard to genius and learning; his royal encouragement and protection of those arts by which a nation is at once benefited and adorned. With respect to his government, it very seldom deviated from the institutions of law; or encroached upon private property; or interfered with the common administration of justice. The circumstances that chiefly marked his public character, were a predilection for his native country, and a close attention to the political interests of the Germanic body: points and principles to which he adhered with the most invincible fortitude; and if ever the blood and treasure of Great Britain were sacrificed to these considerations, we ought not so much to blame the prince, who acted from the dictates of natural affection, as we should detest a succession of venal ministers, all of whom in their turns devoted themselves, soul and body, to the gratification of his passion, or partiality, so prejudicial to the true interest of their country.

§ XXI. The reign of George II. produced many revolutions, as well in the internal schemes of economy and administration, as in the external projects of political connexions; revolutions that exposed the frailties of human nature, and demonstrated the instability of systems founded upon convenience. In the course of this reign a standing army was, by dint of ministerial influence, engrafted on the constitution of Great Britain. A fatal stroke was given to the liberty of the press, by the act, subjecting all dramatic writings to the inspection of a licenser. The great machine of corruption, contrived to secure a constant majority in parliament, was overturned, and the inventor of it obliged to quit the reins of government. Professed patriots resigned the principles they had long endeavoured to establish, and lifted themselves for the defence of that fortress against which their zeal and talents had been levelled. The management of a mighty kingdom was consigned into the hands of a motley administration, ministers without knowledge, and men without integrity, whose counsels were timid, weak, and wavering; whose folly and extravagance exposed the nation to ridicule and contempt; by whose ignorance and presumption it was reduced to the verge of ruin. The kingdom was engaged in a quarrel truly national, and commenced a necessary war on national principles: but that war was starved; and the chief strength of the nation transferred to the continent of Europe, in order to maintain an unnecessary war, in favour of a family whose pride and ambition can be equalled by nothing but its insolence and ingratitude. While the strength of the nation was thus exerted abroad for the support of worthless allies, and a dangerous rebellion raged in the bowels of the kingdom, the sovereign was insulted by his ministers, who deserted his service at that critical juncture, and refused to resume their functions, until he had truckled to their petulant humour, and dismissed a favourite servant, of whose superior talents they were meanly jealous. Such an unprecedented secession at any time would have merited the imputation of insolence: but at that period, when the sovereign was perplexed and embarrassed by a variety of

dangers and difficulties; when his crown, and even his life, was at stake; to throw up their places, abandon his councils, and, as far as in them lay, detach themselves from his fortune, was a step so likely to aggravate the disorder of the nation, so big with cruelty, ingratitude, and sedition, that it seems to deserve an appellation which, however, we do not think proper to bestow. An inglorious war was succeeded by an ignominious peace, which proved of short duration; yet in this interval the English nation exhibited such a proof of commercial opulence, as astonished all Europe. At the close of a war which had drained it of so much treasure, and increased the public debt to an enormous burden, it acquiesced under such a reduction of interest as one would hardly think the ministry durst have proposed, even before one half of the national debt was contracted. A much more unpopular step was a law that passed for naturalizing the Jews—a law so odious to the people in general, that it was soon repealed, at the request of that minister by whom it had been chiefly patronized. An ill-concerted peace was in a little time productive of fresh hostilities, and another war with France, which Britain began to prosecute under unfavourable auspices. Then the whole political system of Germany was inverted. The King of England abandoned the interest of that house which he had in the former war so warmly espoused, and took into his bosom a prince whom he had formerly considered as his inveterate enemy. The unpropitious beginning of this war against France being imputed to the misconduct of the administration, excited such a ferment among the people, as seemed to threaten a dangerous insurrection. Every part of the kingdom resounded with the voice of dissatisfaction, which did not even respect the throne. The king found himself obliged to accept of a minister presented by the people: and this measure was attended with consequences as favourable as his wish could form. From that instant all clamour was hushed; all opposition ceased. The enterprising spirit of the new minister seemed to diffuse itself through all the operations of the war; and conquest every where attended the efforts of the British arms. Now appeared the fallacy of those maxims; and the falsehood of those assertions, by which former ministers had established, and endeavoured to excuse, the practices of corruption. The supposed disaffection, which had been insisted on as the source of parliamentary opposition, now entirely vanished; nor was it found necessary to use sinister means for securing a majority, in order to answer the purposes of the administration. England, for the first time, saw a minister of state in full possession of popularity. Under the auspices of this minister, it saw a national militia formed, and trained to discipline by the invincible spirit of a few patriots, who pursued this salutary measure in the face of unwearied opposition, discouraged by the jealousy of a court, and ridiculed by all the venal retainers to a standing army. Under his ministry it saw the military genius of Great Britain revive, and shine with redoubled lustre; it saw her interest and glory coincide, and an immense extent of country added by conquest to her dominions. The people, confiding in the integrity and abilities of their own minister, and elevated by the repeated sounds of triumph, became enamoured of the war; and granted such liberal subsidies for its support, as no other minister would have presumed to ask, as no other nation believed they could afford. Nor did they murmur at seeing great part of their treasure diverted into foreign channels; nor did they seem to bestow a serious thought on the accumulating load of the national debt, which already exceeded the immense sum of one hundred millions.

§ XXII. In a word, they were intoxicated with victory; and as the king happened to die in the midst of their transports, occasioned by the final conquest of Canada, their good humour garnished his character with a prodigality of encomiums. A thousand pens were drawn to paint the beauties and sublimity of his character, in poetry as well as prose. They extolled him above Alexander in courage and heroism, above Augustus in liberality, Titus in clemency, Antoninus in piety and benevolence, Solomon in wisdom, and St. Edward in devotion. Such hyperbolic eulogiums served only to throw a ridicule upon a character which was otherwise respectable. The two univer-

sines died with each other in lamenting his death; and each poetised a huge collection of elegies on the subject: nor did they fail to exalt his praise, with the warmest expressions of affection and regret, in the compliments of condolence and congratulation which they presented to his successor. The same panegyric and pathos appeared in all the addresses with which every other community in the kingdom approached the throne of our present sovereign; insomuch that we may venture to say, no prince was ever more popular at the time of his decease. The English are naturally warm and impetuous; and in generous natures, affection is as apt as any other passion to run riot. The sudden death of the king was lamented as a national misfortune by many, who felt a truly filial affection for their country; not that they implicitly subscribed to all the exaggerated praise which had been so liberally poured forth on his character; but because the nation was deprived of him at a critical juncture, while involved in a dangerous and expensive war, of which he had been personally the chief mover and support. They knew the burden of royalty devolved upon a young prince, who, though heir-apparent to the crown, and already arrived at years of maturity, had never been admitted to any share of the administration, nor made acquainted with any schemes or secrets of state. The real character of the new king was very little known to the generality of the nation. They dreaded an abrupt change of measures, which might have rendered useless all the advantages obtained in the course of the war. As they were ignorant of his connexions, they dreaded a revolution in the ministry, which might fill the kingdom with clamour and confusion. But the greatest shock occasioned by his decease was undoubtedly among our allies and fellow-subjects in Germany, who saw themselves suddenly deprived of their sole prop and patron, at a time when they could not pretend of themselves to make head against the numerous enemies by whom they were surrounded. But all these doubts and apprehensions vanished like mists before the rising sun; and the people of Great Britain enjoyed the inexpressible pleasure of seeing this loss repaired in such a manner, as must have amply fulfilled the most sanguine wish of every friend to his country.

§ XXIII. The commerce of Great Britain continued to increase during the whole course of this reign; but the increase was not the effect of extraordinary encouragement. On the contrary, the necessities of government, the growing expenses of the nation, and the continual augmentation of the public debt, obliged the legislature to hamper trade with manifold and grievous impositions: its increase, therefore, must have been owing to the natural progress of industry and adventure extending themselves to that furthest line or limit beyond which they will not be able to advance: when the tide of traffic has flowed to its highest mark, it will then begin to recede in a gradual ebb, until it is shrunk within the narrow limits of its original channel. War, which naturally impedes the traffic of other nations, had opened new sources to the merchants of Great Britain: the superiority of her naval power had crushed the navigation of France, her great rival in commerce: so that she now supplied, on her own terms, all those foreign markets at which, in time of peace, she was undersold by that dangerous competitor. Thus her trade was augmented to a surprising pitch; and this great augmentation alone enabled her to maintain the war at such an enormous expense. As this advantage will cease when the French are at liberty to re-establish their commerce, and prosecute it without molestation, it would be for the interest of Great Britain to be at continual variance with that restless neighbour, provided the contest could be limited to the operations of a sea-war, in which England would be always invincible and victorious.

§ XXIV. The powers of the human mind were freely and fully exercised in this reign. Considerable progress was made in mathematics and astronomy by divers individuals; among whom we number Sanderson, Bradley, Maclaurin, Smith, and the two Simpsons. Natural philosophy became a general study; and the new doctrine of electricity grew into fashion. Different methods were discovered for rendering sea-water potable and sweet; and divers useful hints were communicated to the public by the learned Doctor Stephen Hales, who directed all his

researches and experiments to the benefit of society. The study of alchymy no longer prevailed: but the art of chemistry was perfectly understood, and assiduously applied to the purposes of sophistication. The clergy of Great Britain were generally learned, pious, and exemplary. Sherlock, Hoadley, Secker, and Conybeare, were promoted to the first dignities of the church. Warburton, who had long signalized himself by the strength and boldness of his genius, his extensive capacity, and profound erudition, at length obtained the mitre. But these promotions were granted to reasons of state convenience, and personal interest, rather than as rewards of extraordinary merit. Many other ecclesiastics of worth and learning were totally overlooked. Nor was ecclesiastical merit confined to the established church. Many instances of extraordinary genius, unaffected piety, and universal moderation, appeared among the dissenting ministers of Great Britain and Ireland: among these we particularize the elegant, the primitive Foster; the learned, ingenious, and penetrating Leland.

§ XXV. The progress of reason, and free cultivation of the human mind, had not, however, entirely banished those ridiculous sects and schisms of which the kingdom had been formerly so productive. Imposture and fanaticism still hung upon the skirts of religion. Weak minds were seduced by the delusion of a superstition styled Methodism, raised upon the affectation of superior sanctity, and maintained by pretensions to divine illumination. Many thousands in the lower ranks of life were infected with this species of enthusiasm, by the unwearied endeavours of a few obscure preachers, such as Whitfield, and the two Wesleys, who propagated their doctrine to the most remote corners of the British dominions, and found means to lay the whole kingdom under contribution. Fanaticism also formed a league with false philosophy. One Hutchinson, a visionary, intoxicated with the fumes of rabbinical learning, pretended to reduce all demonstration from Hebrew roots, and to confine all human knowledge to the five books of Moses. His disciples became numerous after his death. With the Methodists, they denied the merit of good works: and bitterly inveighed against Newton as an ignorant pretender, who had presumed to set up his own ridiculous chimeras in opposition to the sacred philosophy of the Pentateuch. But the most extraordinary sect which distinguished this reign was that of the Moravians or Herbutters, imported from Germany by Count Zinzendorf, who might have been termed the Melchisedek of his followers, inasmuch as he assumed among them the threefold character of prophet, priest, and king. They could not be so properly styled a sect, as the disciples of an original, who had invented a new system of religion. Their chief adoration was paid to the Second Person in the Trinity; the first they treated with the most shocking neglect. Some of their tenets were blasphemous, some indecent, and others ridiculously absurd. Their discipline was a strange mixture of devotion and impurity. Their exterior worship consisted of hymns, prayers, and sermons: the hymns extremely ludicrous, and often indecent, alluding to the side-hole or wound which Christ received from a spear in his side while he remained upon the cross. Their sermons frequently contained very gross incentives to the work of propitiation. Their private exercises are said to have abounded with such rites and mysteries as we cannot explain with any regard to decorum. They professed a community of goods, and were governed as one family, in temporals as well as spirituals, by a council, or kind of presbytery, in which the Count, as their ordinary, presided. In cases of doubt, or great consequence, these pretended to consult the Saviour, and to decide from immediate inspiration; so that they boasted of being under the immediate direction of a theocracy, though in fact they were slaves to the most dangerous kind of despotism: for as often as any individual of the community pretended to think for himself, or differ in opinion from the ordinary and his band of associates, the oracle decreed that he should be instantly sent upon the mission which they had fixed in Greenland, or to the colony they had established in Pennsylvania. As these religionists consisted chiefly of manufacturers who appeared very sober, orderly, and industrious; and their chief declared



his intention of prosecuting works of public emolument; they obtained a settlement under a parliamentary sanction in England, where they soon made a considerable number of proselytes, before their principles were fully discovered and explained.

§ XXVI. Many ingenious treatises on metaphysics and morality appeared in the course of this reign, and a philosophical spirit of inquiry diffused itself to the furthest extremities of the united kingdom. Though few discoveries of importance were made in medicine, yet that art was well understood in all its different branches, and many of its professors distinguished themselves in other provinces of literature. Besides the medical essays of London and Edinburgh, the physician's library was enriched with many useful modern productions; with the works of the classical Freind, the elegant Mead, the accurate Huxham, and the philosophical Pringle. The art of midwifery was elucidated by science, reduced to fixed principles, and almost wholly consigned into the hands of men-practitioners. The researches of anatomy were prosecuted to some curious discoveries, by the ingenuity and dexterity of a Hunter, and a Monro. The numerous hospitals in London contributed to the improvement of surgery, which was brought to perfection under the auspices of a Cheselden and a Sharpe. The advantages of agriculture, which had long flourished in England, extended themselves gradually to the most remote and barren provinces of the island.

§ XXVII. The mechanic powers were well understood, and judiciously applied to many useful machines of necessity and convenience. The mechanical arts had attained to all that perfection which they were capable of acquiring; but the avarice and oppressions of contractors obliged the handicraftsman to exert his ingenuity, not in finishing his work well, but in affording it cheap; in purchasing bad materials, and performing his task in a hurry; in concealing flaws, substituting show for solidity, and sacrificing reputation to the thirst of lucre. Thus, many of the English manufactures, being found slight and unserviceable, grew into discredit abroad; thus the art of producing them more perfect may in time be totally lost at home. The cloths now made in England are inferior in texture and fabric to those which were manufactured in the beginning of the century; and the same judgment may be pronounced upon almost every article of hardware. The razors, knives, scissars, hatchets, swords, and other edge utensils, prepared for exportation, are generally ill tempered, half finished, flawed, or brittle; and the muskets, which are sold for seven or eight shillings a-piece to the exporter, so carelessly and unconsciously prepared, that they cannot be used without imminent danger of mutilation; accordingly, one hardly meets with a negro man upon the coast of Guinea, in the neighbourhood of the British settlements, who has not been wounded or maimed in some member by the bursting of the English fire-arms. The advantage of this traffic, carried on at the expense of character and humanity, will naturally cease, whenever those Africans can be supplied more honestly by the traders of any other nation.

§ XXVIII. Genius in writing spontaneously arose; and, though neglected by the great, flourished under the culture of a public which had pretensions to taste, and piqued itself on encouraging literary merit. Swift and Pope we have mentioned on another occasion. Young still survived, a venerable monument of poetical talents. Thomson, the poet of the seasons, displayed a luxuriance of genius in describing the beauties of nature. Akenside and Armstrong excelled in didactic poetry. Even the epopœa did not disdain an English dress; but appeared to advantage in the *Leonidas* of Glover, and the *Epigoniad* of Wilkie. The public acknowledged a considerable share of dramatic merit in the tragedies of Young, Mallet, Home, and some other less distinguished authors. Very few regular comedies, during this period, were exhibited on the English theatre; which, however, produced many less laboured pieces; abounding with satire, wit, and humour. The *Careless Husband* of Cibber, and *Suspicious Husband* of Hoadley, are the only comedies of this age that bid fair for reaching posterity. The exhibitions of the stage were improved to the most exquisite entertainment by the talents and management of Garrick, who greatly sur-

passed all his predecessors of this and perhaps every other nation, in his genius for acting; in the sweetness and variety of his tones, the irresistible magic of his eye, the fire and vivacity of his action, the elegance of attitude, and the whole pathos of expression. Quin excelled in dignity and declamation, as well as in exhibiting some characters of humour, equally exquisite and peculiar. Mrs. Cibber breathed the whole soul of female tenderness and passion; and Mrs. Pritchard displayed all the dignity of distress. That Great Britain was not barren of poets at this period, appears from the detached performances of Johnson, Mason, Gray, the two Whiteheads, and the two Wartons; besides a great number of other bards, who had sported in lyric poetry, and acquired the applause of their fellow-citizens. Candidates for literary fame appeared even in the higher sphere of life, embellished by the nervous style, superior sense, and extensive erudition of a Corke; by the delicate taste, the polished muse, and tender feelings of a Lyttelton. King shone unrivalled in Roman eloquence. Even the female sex distinguished themselves by their taste and ingenuity. Miss Carter rivalled the celebrated Dacier in learning and critical knowledge; Mrs. Lennox signalized herself by many successful efforts of genius, both in poetry and prose; and Miss Reid excelled the celebrated Rosalba in portrait-painting, both in miniature and at large, in oil as well as in crayons. The genius of Cervantes was transfused into the novels of Fielding, who painted the characters, and ridiculed the follies of life, with equal strength, humour, and propriety. The field of history and biography was cultivated by many writers of ability; among whom we distinguish the copious Guthrie, the circumstantial Ralph, the laborious Carte, the learned and elegant Robertson, and above all, the ingenious, penetrating, and comprehensive Hume, whom we rank among the first writers of the age, both as an historian and philosopher. Nor let us forget the merit conspicuous in the works of Campbell, remarkable for candour, intelligence, and precision. Johnson, inferior to none in philosophy, philology, poetry, and classical learning, stands foremost as an essayist, justly admired for the dignity, strength, and variety of his style, as well as for the agreeable manner in which he investigates the human heart, tracing every interesting emotion, and opening all the sources of morality. The laudable aim of enlisting the passions on the side of virtue was successfully pursued by Richardson in his *Pamela*, *Clarissa*, and *Grandison*; a species of writing equally new and extraordinary, where, mingled with much superfluity, we find a sublime system of ethics, an amazing knowledge and command of human nature. Many of the Greek and Roman classics made their appearance in English translations, which were favourably received as works of merit; among these we place, after Pope's *Homer*, Virgil by Pitt and Warton, Horace by Francis, Polybius by Hampton, and *Sophocles* by Franklin. The war introduced a variety of military treatises, chiefly translated from the French language; and a free country, like Great Britain, will always abound with political tracts and lucubrations. Every literary production of merit, calculated for amusement or instruction, that appeared in any country or language of Christendom, was immediately imported, and naturalized among the English people. Never was the pursuit after knowledge so universal, or literary merit more regarded, than at this juncture, by the body of the British nation; but it was honoured by no attention from the throne, and little indulgence did it reap from the liberality of particular patrons. The reign of Queen Anne was propitious to the fortunes of Swift and Pope, who lived in all the happy pride of independence. Young, sequestered from courts and preferment, possessed a moderate benefice in the country, and employed his time in a conscientious discharge of his ecclesiastical functions. Thomson, with the most benevolent heart that ever warmed the human breast, maintained a perpetual war with the difficulties of a narrow fortune. He enjoyed a place in chancery by the bounty of Lord Talbot, of which he was divested by the succeeding chancellor. He afterwards enjoyed a small pension from Frederick Prince of Wales, which was withdrawn in the sequel. About two years before his death, he obtained, by the interest of his friend Lord Lyttelton, a comfortable place; but he did not live to taste the bless-

ings of easy circumstances, and died in debt.<sup>c</sup> None of the rest whom we have named, enjoyed any share of the royal bounty, except W. Whitehead, who succeeded to the place of laureat at the death of Cibber; and some of them, whose merit was the most universally acknowledged, remained exposed to all the storms of indigence, and all the stings of mortification. While the queen lived, some countenance was given to learning. She conversed with Newton, and corresponded with Leibnitz. She took pains to acquire popularity; the royal family on certain days dined in public, for the satisfaction of the people: the court was animated with a freedom of spirit and vivacity, which rendered it at once brilliant and agreeable. At her death that spirit began to languish, and a total stagnation of gaiety and good humour ensued. It was succeeded by a sullen calm, an ungracious reserve, and a still rotation of insipid forms.<sup>d</sup>

§ XXIX. England was not defective in other arts that embellish and amuse. Music became a fashionable study, and its professors were generally caressed by the public. An Italian opera was maintained at a great expense, and well supplied with foreign performers. Private concerts were instituted in every corner of the metropolis. The compositions of Handel were universally admired, and he himself lived in affluence. It must be owned at the same time that Geminiani was neglected, though his genius commanded esteem and veneration. Among the few natives of England who distinguished themselves by their talents in this art, Green, Howard, Arne, and Boyce, were the most remarkable.

§ XXX. The British soil, which had hitherto been barren in the article of painting, now produced some artists of extraordinary merit. Hogarth excelled all the world in exhibiting the scenes of ordinary life; in humour, character, and

expression. Hayman became eminent for historical designs and conversation pieces. Reynolds and Ramsay distinguished themselves by their superior merits in portraits: a branch that was successfully cultivated by many other English painters. Wootton was famous for representing live animals in general; Seymour for race horses; Lambert, and the Smith's, for landscapes; and Scot for sea pieces. Several spirited attempts were made on historical subjects, but little progress was made in the sublime parts of painting. Essays of this kind were discouraged by a false taste, founded upon a reprobation of British genius. The art of engraving was brought to perfection by Strange, and laudably practised by Grignion, Baron, Ravenet, and several other masters; great improvements were made in mezzotinto, miniature, and enamel. Many fair monuments of sculpture or statuary were raised by Rysbrach, Roubilliac, and Wilton. Architecture, which had been cherished by the elegant taste of Burlington, soon became a favourite study; and many magnificent edifices were reared in different parts of the kingdom. Ornaments were carved in wood, and moulded in stucco, with all the delicacy of execution; but a passion for novelty had introduced into gardening, building, and furniture an absurd Chinese taste, equally void of beauty and convenience. Improvements in the liberal and useful arts, will doubtless be the consequence of that encouragement given to merit by the society instituted for these purposes, which we have described on another occasion. As for the royal society, it seems to have degenerated in its researches, and to have had very little share, for half a century at least, in extending the influence of true philosophy.

We shall conclude this reign with a detail of the forces and fleets of Great Britain, from whence the reader will conceive a just idea of her opulence and power.

<sup>c</sup> However he was neglected when living, his memory has been honoured with peculiar marks of public regard, in an ample subscription for a new edition of his works; the profits were employed in erecting a monument to his name in Westminster Abbey, a subscription to which his present majesty King George III. has liberally contributed. The remaining surplus was distributed among his poor relations.

<sup>d</sup> George II. by his queen, Caroline, had two sons and five daughters who attained the age of maturity. The first Prince of Wales, father to his present majesty George III.; William Duke of Cumberland; Anne, the princess royal, married to the late Prince of Orange, and mother to the present Stadtholder; Mary, Landgravine of Hesse Cassel; Louisa, late Queen of Denmark; Amelia and Carolina, who were never married.

# BRIEF STATEMENT

OF THE

## ARMIES AND FLEETS OF GREAT BRITAIN,

ABOUT THE MIDDLE OF THE YEAR 1760.

### LAND FORCES.

*In GREAT BRITAIN, under Lord Viscount Ligonier, Commander-in-chief.*

- 2 Troops of Horse-Guards.
- 2 do. Horse-Grenadiers.
- 5 Regiments of Dragoons.
- 3 do. Foot-Guards.
- 23 do. Foot.

*In IRELAND, under Lieut.-Gen. Earl of Rothes, Commander-in-chief.*

- 2 Regiments of Horse.
- 8 do. Dragoons.
- 17 do. Foot.

*In JERSEY, under Colonel Boscawen.*

- 1 Regiment of Foot.

*At GIBRALTAR, under Lieut.-Gen. Earl of Home, Governor.*

- 6 Regiments of Foot.

*In GERMANY, under Lieut.-Gen. Marquis of Granby, Commander-in-chief.*

- 1 Regiment of Horse-Guards.
- 2 do. Horse.
- 3 do. Dragoon-Guards.
- 6 do. Dragoons.
- 16 do. Foot.

*In garrison at EMBDEN.*

- 2 Regiments of Highlanders.

*In NORTH AMERICA, under Major-General Amherst, Commander-in-chief.*

- 21 Regiments of Foot.

*In the WEST INDIES.*

- 5½ Regiments of Foot.

*In AFRICA.*

- 2 Regiments of Foot.

*In the EAST INDIES.*

- 4 Battalions of Foot.

Total: 31 Regiments of Horse and Dragoons.  
97 do. Foot.

Besides these, Great Britain maintained Hanoverian, Hessian, and other German auxiliaries, to the amount of 60,000.

### NAVY.

*At or near home, under Sir Edward Hawke, Admiral Boscawen, &c.*

	Guns.		Guns.
3 Ships of . . . . .	100	5 Ships of . . . . .	70
6 do. . . . .	90	1 do. . . . .	66
1 do. . . . .	84	8 do. . . . .	64
3 do. . . . .	80	12 do. . . . .	60
13 do. . . . .	74	10 do. . . . .	50

*In the EAST INDIES, under Vice-Admiral Pococke.*

2 Ships of . . . . .	74	7 Ships of . . . . .	60
1 do. . . . .	68	1 do. . . . .	58
1 do. . . . .	66	3 do. . . . .	50
2 do. . . . .	64		

*In the WEST INDIES, under Rear-Admiral Holmes.*

1 Ship of . . . . .	90	1 Ship of . . . . .	66
2 do. . . . .	80	6 do. . . . .	64
1 do. . . . .	74	4 do. . . . .	60
2 do. . . . .	70	2 do. . . . .	50
1 do. . . . .	68		

*In NORTH AMERICA, under Commodore Lord Colville.*

1 Ship of . . . . .	74	2 Ships of . . . . .	64
3 do. . . . .	70	3 do. . . . .	60
1 do. . . . .	66	2 do. . . . .	50

*In the MEDITERRANEAN, under Vice-Admiral Saunders.*

2 Ships of . . . . .	90	3 Ships of . . . . .	60
1 do. . . . .	74	3 do. . . . .	50
1 do. . . . .	64		

At or near Home . . . . . 62 Ships  
In the East Indies . . . . . 17  
West Indies . . . . . 20  
North America . . . . . 12  
the Mediterranean . . . . . 10

Total 121



*List of Men of War, French and English, taken, sunk, or  
casually lost : from the year 1755 to the year 1760.*

## FRENCH ships taken.

	Guns.		Guns.
2 Ships of . . . .	84	2 Ships of . . . .	32
2 do. . . . .	74	2 do. . . . .	28
2 do. . . . .	66	2 do. . . . .	26
7 do. . . . .	64	2 do. . . . .	24
1 do. . . . .	50	3 do. . . . .	22
1 do. . . . .	48	2 do. . . . .	20
1 do. . . . .	44	3 do. . . . .	16
2 do. . . . .	40	2 do. . . . .	12
1 do. . . . .	38	1 do. . . . .	10
4 do. . . . .	36	1 do. . . . .	8

1706

## Ditto destroyed.

3 Ships of . . . .	84	1 Ship of . . . .	24
9 do. . . . .	74	1 do. . . . .	22
3 do. . . . .	64	1 do. . . . .	20
1 do. . . . .	56	1 do. . . . .	18
2 do. . . . .	50	2 do. . . . .	16
8 do. . . . .	36	6 do. . . . .	8
3 do. . . . .	32		

1730

## Ditto casually lost.

1 Ship of . . . .	74	1 do. . . . .	56
1 do. . . . .	70	2 do. . . . .	50
3 do. . . . .	64	1 do. . . . .	44

	Guns.		Guns.
1 Ship of . . . .	34	3 do. . . . .	24
1 do. . . . .	32	1 do. . . . .	20
2 do. . . . .	28		

786

Destroyed 1730

Taken 1706

Total 4222

## ENGLISH ships taken.

1 Ship of . . . .	60	2 Ships of . . . .	12
1 do. . . . .	50	1 do. . . . .	10

144

## Ditto destroyed.

1 Ship of . . . .	24	1 Ship of . . . .	8
2 do. . . . .	20		

72

## Ditto casually lost.

1 Ship of . . . .	90	1 Ship of . . . .	50
1 do. . . . .	80	1 do. . . . .	28
2 do. . . . .	74	1 do. . . . .	24
2 do. . . . .	64	1 do. . . . .	20
1 do. . . . .	60	2 do. . . . .	8

644

Destroyed 72

Taken 144

Total 860

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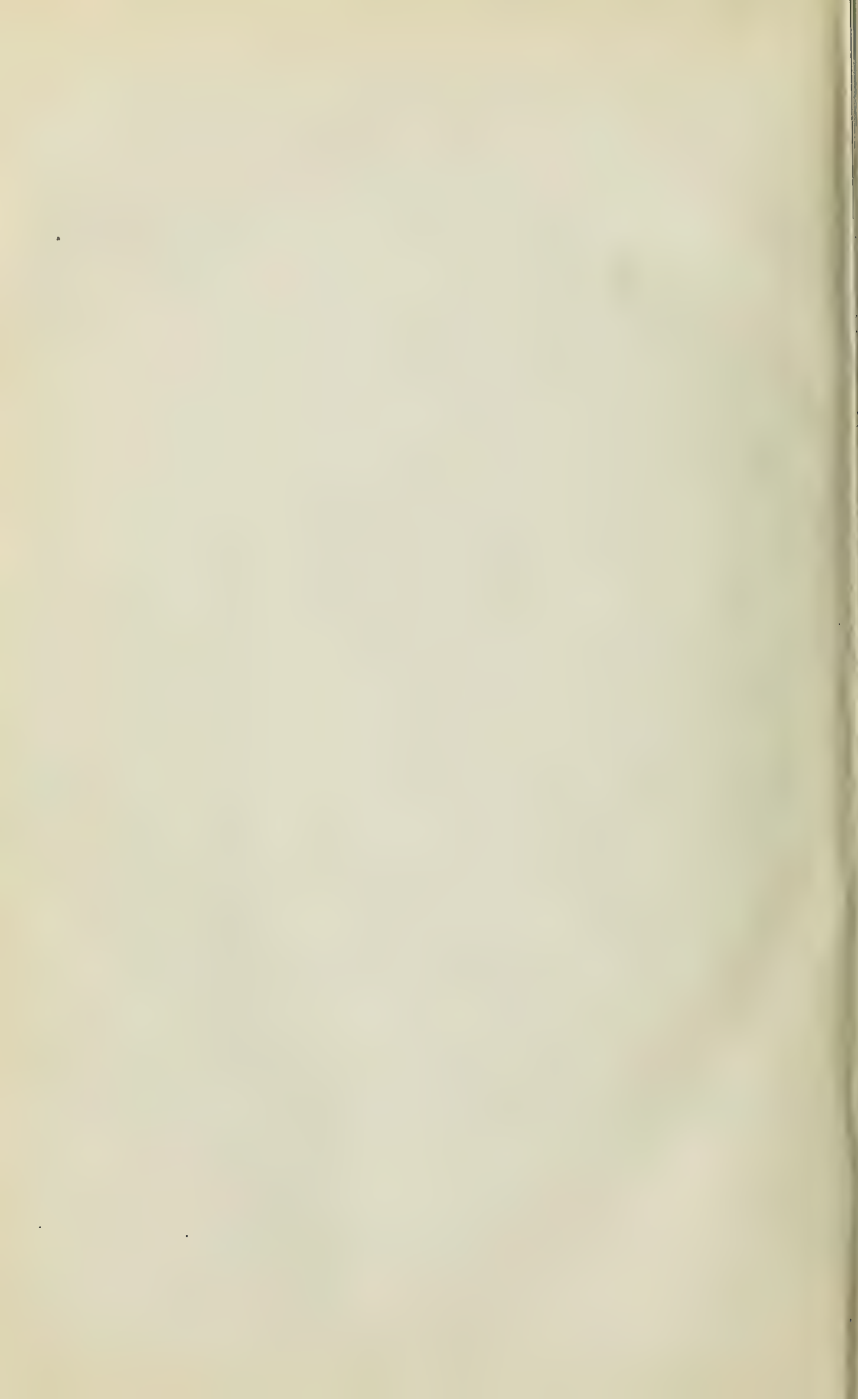
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